



Department Source: Community Development - Planning

To: City Council

From: City Manager & Staff

Council Meeting Date: June 3, 2024

Re: Mataora Subdivision, Plat 4 – Final Plat (Case #84-2024) - Supplemental Memo

## Executive Summary

An amended ordinance relating to B118-24 has been prepared. The amendment was triggered following a determination that the notary certification acknowledging the surveyor's signature on the proposed final plat for Mataora Subdivision Plat 4 did not comply with Missouri statutory requirements. As a result, the final plat introduced with B118-24 was required to be re-executed with a new surveyor signature and seal date as well as a new notary certification signed by a notary meeting the Missouri statutory standards.

These adjustments have substantially revised the introduced legislation. Pursuant to city policy, an amended ordinance must be approved by City Council. The underlying facts and findings with respect to the proposed final plat of Mataora Subdivision Plat 4 remain unchanged. The amendment is simply sought given the need to ensure statutory compliance with the licensure standards applicable to notaries within the State of Missouri.

## Discussion

At the May 20, 2024, Council meeting B118-24 was introduced. B118-24 seeks to grant approval to the final plat of Mataora Subdivision Plat 4. The 3.01-acre site is located northwest of the intersection of Ria Street and Ballenger Lane north of City Fire Station #5 and is a replat of 4 lots from Mataora Subdivision Plat 2 and Lot 2A of Columbia Fire Station #5, Plat 2. The plat proposes a total of 12-lots on R-2 (Two-family Dwelling) zoned land. Of the 12-lots, 11 are designated as residential homesites. Given the site's R-2 zoning and proposed lot sizes, future development may potentially include either single- or two-family dwellings.

Following introduction of B118-24, it was brought to the staff's attention that the notary signature on the final plat was executed in violation of Section 486.645.3(3) of the Revised Missouri Statutes (RSMo). The cited provisions prohibit a spouse, domestic partner, ancestor, descendant, or sibling of the principal, including in-law, step, and half relatives from performing a notarial act. The notary signature attesting to the surveyor's signature determined to fall within the prohibited class of signatories.

To ensure that the final plat before Council is fully compliant with the statutory standards established by the State of Missouri, the final plat introduced with B118-24 has been re-executed (signed and sealed with a new date) by the surveyor and a new notary has attested to the surveyor's signature that is compliant with the statutory requirements. Given the new surveyor signature and seal date, the plat has and originally prepared legislation associated with the plat have undergone a substantial modification. Per city policy,



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legislation that undergoes substantial modification can only be approved following Council's approval of an amended ordinance.

The details of the proposed final plat and its compliance with the technical requirements of the UDC remain unchanged from its introduction on May 20, 2024 as B1 18-24. The changes to the plat limited to ensuring compliance with the notary provisions found within Section 486.645.3(3) of the RSMo.

## Fiscal Impact

Short-Term Impact: None anticipated.  
Long-Term Impact: None anticipated

## Strategic & Comprehensive Plan Impact

### [Strategic Plan Impacts:](#)

Primary Impact: Not Applicable, Secondary Impact: Not Applicable, Tertiary Impact: Not Applicable

### [Comprehensive Plan Impacts:](#)

Primary Impact: Livable & Sustainable Communities, Secondary Impact: Land Use & Growth Management, Tertiary Impact: Economic Development

## Legislative History

Date	Action
05/20/24	Introduction to approval final plat of Mataora Subdivision Plat 4. (B1 18-24)

## Suggested Council Action

Approve the amendment sheet and give second reading to B1 18-24 that would approve the final plat of Mataora Subdivision Plat 4.