

ADMINISTRATIVE FORMS
for the
SUBDIVISION REGULATIONS
of the
CITY OF DOUGLASS, KANSAS
with
EXTRATERRITORIAL JURISDICTION

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ADMINISTRATIVE FORMS FOR PLAT DISTRIBUTION

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SUPPLEMENTAL PLATTING DOCUMENTS

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PART 1

ADMINISTRATIVE FORMS
FOR PLAT DISTRIBUTION

<u>Form</u>	<u>Name of Form (Number of Pages)</u>
S/D-1	Status Report on Subdivision (2)
S/D-2	Distribution Check List for Preliminary and Final Plats (2)
S/D-3	Distribution Letter for Preliminary Plat (1)
S/D-4	Distribution Letter for Final Plat (1)

STATUS REPORT ON SUBDIVISION

This form is to be maintained by the Subdivision Administrator in a file as a status report on platting for a subdivision. The date on which action occurred should be entered in the blank spaces accompanied by the initials of the recorder.

Name of Subdivision _____

General Location _____

_____ Inside City _____ To Be Annexed _____ Outside City _____

Name of Landowner _____

Address _____ Phone _____

Name of (Subdivider) (Agent) _____

Address _____ Phone _____

Name of (Engineer) (Land Planner) _____

Address _____ Phone _____

Name of Licensed Land Surveyor _____

Address _____ Phone _____

Sketch Plan received _____

Final Plat Appl. filed _____

Subdivision Committee action _____

Final Plat contents checked _____

Planning Commission action _____

Final Plat distributed _____

Applicant notified _____

Final Plat evaluation completed _____

Subdivision Committee action _____

Prel. Plat Appl. filed _____

Planning Commission
report compiled _____

Prel. Plat contents checked _____

Planning Commission action
Approval _____ Disapproval _____

Prel. Plat distributed _____

Applicant notified _____

Preliminary Plat
evaluation completed _____

Subdivision Committee action _____

Planning Commission
report compiled _____

Final Plat submitted
to Governing Body _____

Planning Commission action
Approval _____ Disapproval _____

Governing Body action
Accepted _____ Not Accepted _____

Applicant notified _____

Applicant notified _____

Notes on Actions Tabled: _____

APPLICATION FOR PRELIMINARY PLAT APPROVAL

This is an application for processing a preliminary plat in accordance with the City Subdivision Regulations. The application must be completed, accompanied by the fee and filed with the Subdivision Administrator at least 30 days prior to a regular meeting date of the Planning Commission.

(AN INCOMPLETE APPLICATION CANNOT BE ACCEPTED)

Name of Subdivision _____

General Location _____

_____ Inside City ____ To be Annexed ____ Outside City ____

Name of Landowner _____

Address _____ Phone _____

Name of Subdivider/Agent _____

Address _____ Phone _____

Name of (Engineer) (Land Planner) _____

Address _____ Phone _____

Name of Licensed Land Surveyor _____

Address _____ Phone _____

Subdivision Information

1. Gross acreage of plat _____ Acres
2. Total number of lots _____
3. Proposed land use for an (urban-type ____) (rural-type ____) subdivision:
 - a. Residential-Single-Family ____ Duplex ____ Multiple-Family ____
 Manufactured Home ____
 - b. Commercial _____
 - c. Industrial _____
 - d. Other _____
4. Predominant minimum lot width _____ Feet
5. Predominant minimum lot area _____ Square Feet
6. Existing zoning _____ District
7. Proposed zoning _____ District
8. Source of water supply _____
9. Method of sewage disposal _____

10. Total lineal feet of new street _____ Feet

	Street Name	R/W Width	Lineal Feet
a.	_____	_____ Ft.	_____ Ft.
b.	_____	_____ Ft.	_____ Ft.
c.	_____	_____ Ft.	_____ Ft.
d.	_____	_____ Ft.	_____ Ft.
e.	_____	_____ Ft.	_____ Ft.

11. Proposed type of street surfacing _____

12. Curb and gutter proposed: Yes _____ No _____

13. Sidewalks proposed: Yes _____ No _____ If yes, where? _____

14. Is any portion of the proposed subdivision located in an identified floodplain area? Yes _____ No _____

The landowner herein agrees to comply with the City Subdivision Regulations and all other related ordinances, resolutions, policies and standards of the City, County or Township and statutes of the State of Kansas. The undersigned further states that he/she is the owner of the land proposed for platting and, when requested, will permit officials of the City, County or Township to inspect the land as may be necessary for proper plat review.

_____	_____	_____	_____
Landowner	Date	Agent (If any)	Date

OFFICE USE ONLY

Prints of the Preliminary Plat received _____ (Number)

Vicinity map of existing and proposed street system received _____

Statement of financing and guaranteeing proposed improvements received _____

Drainage Concept Plan received _____

This application was received by the Subdivision Administrator on _____, 20____. It has been checked and found to be accompanied by the required information and the fee of \$_____ paid to the City Clerk.

cc: Applicant

Subdivision Administrator

Planning Commission Action
Yes No Change

5.	_____	---	---	---

6.	_____	---	---	---

7.	_____	---	---	---

8.	_____	---	---	---

9.	_____	---	---	---

10.	_____	---	---	---

11.	_____	---	---	---

12.	_____	---	---	---

13.	_____	---	---	---

14.	_____	---	---	---

Planning Commission Action
Yes No Change

15. _____ _____
 _____ _____
 _____ _____

Modifications requested by the Subdivider (See Section 11-103.): (Note: Any variances from applicable Zoning Regulations must be processed by the Board of Zoning Appeals.)

1. _____ _____
 _____ _____
 _____ _____

2. _____ _____
 _____ _____
 _____ _____

Planning Commission Action

Having reviewed the preliminary plat for the _____
 (Addition) (Subdivision) filed as S/D ____-____, I _____ move that we
 (approve the plat.)
 (approve the plat subject to conditions (and specified modifications) as
 heretofore agreed upon.)
 (disapprove the plat for the reasons heretofore agreed upon.)
 (defer the plat until the _____, 20__ regular meeting of the Planning
 Commission for more (information) (study) as heretofore specified.)

Motion seconded by _____ and passed by a (unanimous) vote of ____ to ____.
 Member(s) abstaining from the vote was: _____.

(Note: Except in the case of a tie vote, abstentions are counted as part of the majority vote. Members disqualifying themselves are not part of the quorum and unable to vote. A majority vote of the members present and voting is necessary to pass a motion on a plat.)

Date: _____

cc: Subdivision Committee
 Planning Commission
 Subdivider

CHECK LIST FOR CONTENTS OF PRELIMINARY PLAT

This check list is to be completed by the Subdivision Administrator prior to distributing copies to determine if the required information is on the preliminary plat and accompanying information submitted. If the answer to any of the questions is "No", a written explanation should be entered in the section for comments. If insufficient information has been submitted for a proper review, the plat should be returned to the Subdivider for the additional information before continuing to process it. The Surveyor/Engineer/Land Planner may find this list useful for a pre-application check before submittal. (See Section 5-100 of Subdivision Regulations for Contents of Preliminary Plat.)

Name of Subdivision _____

Name of Subdivision Administrator _____ Date _____

A. General Information

Yes No N.A.*

- | | | | |
|---|-------|-------|-------|
| 1. Name of subdivision. | _____ | _____ | _____ |
| 2. Date of preparation, north point and scale of drawing:
1"=100' or 1"=200' if over 100 acres. | _____ | _____ | _____ |
| 3. Identification as a preliminary plat. | _____ | _____ | _____ |
| 4. Location by quarter-section, section, township and range plus distance to nearest section corner. | _____ | _____ | _____ |
| 5. Names of adjacent subdivisions or owners if unplatted. | _____ | _____ | _____ |
| 6. Name and address of the landowner and subdivider and the name and seal of the land planner and surveyor. | _____ | _____ | _____ |

B. Existing Conditions

- | | | | |
|---|-------|-------|-------|
| 1. Location, width and names of existing streets within or adjacent to the tract, including easements, railroad R/W, section lines, corners, city and township boundary lines and monuments. | _____ | _____ | _____ |
| 2. Horizontal location within and adjoining the subdivision of existing sanitary and storm water sewers plus flow lines, water mains, culverts, catch basins, man-holes, hydrants, underground wiring and pipe lines. | _____ | _____ | _____ |
| 3. Contour lines based on MSL for two-foot intervals for slopes less than 10%, five-foot for slopes over 10% and spot elevations for flat ground plus date of survey and location, elevation and description of bench mark. | _____ | _____ | _____ |

*Not applicable.

- | | <u>Yes</u> | <u>No</u> | <u>N.A.</u> |
|--|------------|-----------|-------------|
| 4. Locations of monuments or markers used in survey. | ___ | ___ | ___ |
| 5. Location and direction of watercourses and boundary lines for floodway and floodway fringe districts. | ___ | ___ | ___ |
| 6. Significant natural features. | ___ | ___ | ___ |
| 7. Existing use of land and location of structures to be removed or remain. | ___ | ___ | ___ |
| 8. Boundary line of subdivision and acreage therein. | ___ | ___ | ___ |
| 9. Zoning districts on and adjacent to subdivision. | ___ | ___ | ___ |

C. Proposed Plat

- | | | | |
|--|-----|-----|-----|
| 1. Layout, location, R/W and approximate grade of streets. | ___ | ___ | ___ |
| 2. Street names. | ___ | ___ | ___ |
| 3. Location, width and purpose of easements. | ___ | ___ | ___ |
| 4. Location and type of utilities. | ___ | ___ | ___ |
| 5. Approximate dimensions and sizes of lots with lot numbers and block letters or numbers. | ___ | ___ | ___ |
| 6. Purpose of sites other than single-family dwellings and sites dedicated or reserved for parks, recreation areas, open space and other public or private purposes. | ___ | ___ | ___ |
| 7. Building setback lines, if any, for front yards. | ___ | ___ | ___ |

D. Additional Information

- | | | | |
|--|-----|-----|-----|
| 1. Vicinity map to show relationship of proposed streets, as may be extended, to the existing system. | ___ | ___ | ___ |
| 2. Statement of the nature and type of improvements proposed and intentions for financing and guaranteeing their installation. | ___ | ___ | ___ |
| 3. Drainage Concept Plan. | ___ | ___ | ___ |

Comments: (References may be made to items above by letter and number, e.g., A2.)

Preliminary Plat (not) accepted for distribution _____

CHECK LIST FOR EVALUATION OF PRELIMINARY PLAT

This check list is to be completed by the Subdivision Administrator to assist in determining if the preliminary plat meets the standards for design criteria and required improvements. The review comments received from other organizations should be incorporated into the check list. If the answer to any of the questions is "No", a written explanation should be entered in the section for comments. This list can be used by the Subdivision Committee to evaluate the plat and prepare their recommendations to the Planning Commission. The Subdivider and the Surveyor/Engineer/Land Planner may also find this list useful to evaluate the subdivision design during preparation of the plat. (See Article 6 of Subdivision Regulations for Design Standards and Article 7 for Installation of Required Improvements.)

Name of Subdivision _____

Name of Subdivision Administrator _____ Date _____

A. Contents of Plat (See Section 5-100.) Yes No N.A.*

1. Have all items on the "Check List for the Contents of Preliminary Plat" been satisfied? ___ ___ ___

B. Design Standards (See Article 6.)

(Comprehensive Plan, See Section 6-101.)

1. Does the plat meet the intent of the adopted Comprehensive Development Plan for:

a. Land Use? ___ ___ ___

b. Transportation? ___ ___ ___

c. Community Facilities? ___ ___ ___

2. Does the plat meet the intent of adopted neighborhood or project plans or policies of the Planning Commission? ___ ___ ___

3. Is the land zoned properly for the intended use(s)? ___ ___ ___

(Public Facility Sites, See Section 6-102.)

4. If there are public facility sites proposed by the Comprehensive Plan or by other governmental bodies within the area being platted, have arrangements been made to purchase, condemn, dedicate or reserve the site(s)? ___ ___ ___

* Not applicable.

	<u>Yes</u>	<u>No</u>	<u>N.A.</u>
(Open Space Land, See Section 6-103.)			
5. If there are any existing natural open space areas, have arrangements been made for their preservation?	___	___	___
(Floodable Land, See Section 6-104)			
6. If any portion of the land is subject to flooding:			
a. Does it meet the criteria to render sufficient land safe for the intended occupancy?	___	___	___
b. Does it minimize the effect of flooding upon all public utilities and facilities and provide adequate drainage?	___	___	___
(Erosion, See Section 6-105.)			
7. Where excessive erosion from wind or water occurs, have preventive measures been recommended by the Conservation District?	___	___	___
(Access, See Section 6-106.)			
8. Will all lots be served by opened public streets with at least 40' frontage and are any flag lots warranted?	___	___	___
(Streets-Layout and Design, See Section 6-107.)			
9. Does the layout of the streets provide continuity to the functional street system of arterial and collector streets shown in the Comprehensive Plan and the Functional Classification System of the County?	___	___	___
10. Have future R/W been planned and dedicated to connect this subdivision to adjoining areas or landlocked pieces of land?	___	___	___
11. Do the local streets discourage through traffic by the use of T-intersections, cul-de-sacs, loop streets, etc.?	___	___	___
12. Where a subdivision abuts an existing or proposed limited access highway or arterial street, has consideration been given to marginal access roads, reverse frontages or other designs to separate through and local traffic and to protect the value of residential property?	___	___	___

- | | <u>Yes</u> | <u>No</u> | <u>N.A.</u> |
|---|------------|-----------|-------------|
| 13. If reserve strips controlling access are proposed, has adequate future control been placed with the Governing Body? | ___ | ___ | ___ |
| 14. Have the proper R/W standards been met for the functional street system in respect to urban and rural type plats and has additional R/W been dedicated on existing streets to increase them to the proper future R/W standards? | ___ | ___ | ___ |
| 15. Has appropriate consideration been given to access control and/or acceleration or deceleration lanes? | ___ | ___ | ___ |
| 16. Do the street names including prefixes and suffixes meet City policies, avoid duplication and provide continuity to the overall pattern of street names in the area as well as avoid confusion for emergency personnel? | ___ | ___ | ___ |
| 17. Is there an inside tangent of at least 100' between reverse curves on arterial and collector streets? | ___ | ___ | ___ |
| 18. Do the street R/W meet the horizontal sight distance standards on all curves? | ___ | ___ | ___ |
| 19. Do all streets intersect at right angles or not less than 80 degrees? | ___ | ___ | ___ |
| 20. Have street jogs been avoided by centerline offsets of at least 150'? | ___ | ___ | ___ |
| 21. Have the minimum and maximum standards for roadway grades been met? | ___ | ___ | ___ |
| 22. Have the minimum curb radii standards been met? | ___ | ___ | ___ |
| 23. Have all the requirements been met for the design and construction where necessary of half-streets? | ___ | ___ | ___ |
| 24. Have the standards been met for the maximum length of cul-de-sacs and the minimum standard for turnaround areas in the urban and rural-type subdivisions? | ___ | ___ | ___ |
| 25. Have subdividers been encouraged to consider solar access projects which affect the orientation of the street layout? | ___ | ___ | ___ |
| (Alleys, See Section 6-108.) | | | |
| 26. When provided, do alleys have a minimum width of 20' and have sharp changes in alignments and dead ends been avoided and turnarounds been designed where necessary? | ___ | ___ | ___ |

	<u>Yes</u>	<u>No</u>	<u>N.A.</u>
(Blocks and Pedestrian Ways, See Section 6-109.)			
27. Does the length, width and shape of the blocks create a harmonious pattern for traffic safety and convenience and a desirable layout of lot shapes and orientation?	___	___	___
28. Has the design of blocks kept within the length permitted? (Maximum: 1,320' -- Minimum: 400')	___	___	___
29. Has a pedestrian way been provided where needed?	___	___	___
(Lots, See Section 6-110.)			
30. Do the lot dimensions meet all the minimum requirements of the Zoning Regulations for lot size, frontage, width, depth and yard setbacks, including the latter for corner lots?	___	___	___
31. Have the minimum lot sizes of the County Sanitary Code been met for the installation of public or private water supply and sewage disposal?	___	___	___
32. Where municipal-type water and sewer facilities are anticipated, is the plat designed to be converted to urban type building sites?	___	___	___
33. Has the depth of residential lots kept within 2 1/2 times their width and 3 times the width for non-residential lots?	___	___	___
34. Has the minimum lot width and frontage (40') been met for all lots on cul-de-sacs and curved streets?	___	___	___
35. Can the provisions be met to permit double or reversed frontage lots?	___	___	___
36. Are the side lines of lots as near to right angles to the street R/W line as feasible?	___	___	___
(Easements, See Section 6-111.)			
37. Have adequate utility easements been provided along 20' rear and 10' side lot lines?	___	___	___
38. Based on the Drainage Concept Plan have adequate storm water or drainage easements or R/W been designed including triangular drainage easements for rural-type subdivisions?	___	___	___
39. Have vision triangle easements been shown at intersections which pose a question of sight visibility for drivers of vehicles?	___	___	___

- | | <u>Yes</u> | <u>No</u> | <u>N.A.</u> |
|---|------------|-----------|-------------|
| 40. Where a high pressure gas or oil line exists, have adequate building setback lines been established? | ___ | ___ | ___ |
| 41. Should a screening easement be required for fencing and/or landscaping? | ___ | ___ | ___ |
| (Commercial and Industrial Lots, See Section 6-112.) | | | |
| 42. Have special provisions been arranged on commercial and industrial plats for adequate street widths, marginal access streets, access control, acceleration and deceleration lanes, special design of blocks or lots and off-street parking and loading areas? | ___ | ___ | ___ |
| 43. Have special provisions been incorporated in the plat as recommended by the fire or police departments for emergency vehicular access such as fire lane easements? | ___ | ___ | ___ |

C. Required Improvements (See Article 7.)

(See Section 7-101.)

- | | | | |
|---|-----|-----|-----|
| 1. Has the Subdivider's statement of intentions for the installation of improvements met the City, County or Township standards established for the following improvements where required for (urban-type ___) (rural-type ___) subdivisions: | | | |
| a. Streets and alleys? | ___ | ___ | ___ |
| b. Curbs and gutters? | ___ | ___ | ___ |
| c. Storm drainage system? | ___ | ___ | ___ |
| d. Sidewalks? | ___ | ___ | ___ |
| e. Street signs? | ___ | ___ | ___ |
| f. Water supply? | ___ | ___ | ___ |
| g. Fire hydrants? | ___ | ___ | ___ |
| h. Sewage disposal? | ___ | ___ | ___ |
| i. Underground wiring? | ___ | ___ | ___ |
| j. Screening plan? | ___ | ___ | ___ |
| k. Relocation of existing facilities? | ___ | ___ | ___ |
| l. Conservation measures for erosion? | ___ | ___ | ___ |

(See Section 7-103.)

Yes No N.A.

2. Have appropriate financing and guarantees been indicated in the statement of intentions for all of the above improvements which are required for this subdivision?

— — —

Comments: (References may be made to items above by letter and number, e.g., B3.)

REPORT TO PLANNING COMMISSION ON PRELIMINARY PLAT

This report is to be completed by the Subdivision Administrator to assist the Subdivision Committee in making a recommendation to the Planning Commission and for the Planning Commission in determining whether the preliminary plat should be approved, approved with conditions and/or modifications, disapproved or deferred for more study. Information for the report should be compiled from the "Check List for Evaluation of Preliminary Plat". The completed report should be distributed to the Planning Commission and the Subdivider with the related agenda to facilitate the discussion, maximize the use of time and serve as a basis for decision making. If deemed desirable, the Planning Commission may mail notices or agendas to interested parties and adjacent landowners and conduct a public hearing to receive information on the plat.

Description

Name of Subdivision _____ Application Date _____

General Location _____

_____ Inside City ____ To Be Annexed ____ Outside City ____

Name of Subdivision Administrator _____ Date _____

Name of Landowner _____

Name of Subdivider/Agent _____

Name of Engineer/Land Planner _____

Name of Licensed Land Surveyor _____

1. Gross acreage of plat _____ Acres
2. Total number of lots _____
3. Proposed land use for an (urban-type ____) (rural-type ____) subdivision:
 - a. Residential-Single-Family ____ Duplex ____ Multiple-Family ____
 Manufactured Home ____
 - b. Commercial _____
 - c. Industrial _____
 - d. Other _____
4. Predominant minimum lot width _____ Feet
5. Predominant minimum lot area _____ Square Feet
6. Existing zoning _____ District
7. Proposed zoning _____ District
8. Source of water supply _____
9. Method of sewage disposal _____

10. Total lineal feet of new street _____ Feet
11. Proposed sidewalk location(s) _____

12. Types of improvements proposed _____

13. Method(s) of financing and guaranteeing improvements _____

Comments

Evaluation of the preliminary plat by various affected and interested parties including the Subdivision Committee would indicate the following action:

	<u>Planning Commission Action</u>		
	<u>Yes</u>	<u>No</u>	<u>Change</u>
A. Approval. ____	____	____	____
B. Deferral for more information ____ or study ____ as listed below:	____	____	____
C. Disapproval with reasons listed below: ____	____	____	____
D. Approval subject to conditions and specified modifications, if any, listed below:	____	____	____
1. _____ _____	____	____	____
2. _____ _____	____	____	____
3. _____ _____	____	____	____
4. _____ _____	____	____	____

DISTRIBUTION CHECK LIST FOR PRELIMINARY AND FINAL PLATS

This check list is for the Subdivision Administrator to determine the number of copies of the preliminary and final plats to be submitted by the Subdivider and the organizations which are to receive a copy for review and comment purposes. Such organizations shall have at least 15 calendar days to make their review and return comments. The Administrator should maintain an accurate continuing file of the names and addresses of the specific person who reviews plats within an organization.

Name of Subdivision _____

Plat Distribution
(Number of Copies) _____ Organizations _____

<u>Preliminary</u>	<u>Final</u>	
_____	_____	<u>Subdivision Administrator</u> -- All plats for filing, reviewing and mark-up purposes.
_____	_____	<u>Planning Commission</u> -- All plats.
_____	_____	<u>Governing Body</u> -- All final plats.
_____	_____	<u>City Clerk</u> -- All plats.
_____	_____	<u>City Attorney</u> -- Final plats involving annexation.
_____	_____	<u>Building Inspector</u> -- All plats.
_____	_____	<u>Zoning Administrator</u> -- All plats.
_____	_____	<u>Floodplain Administrator</u> -- Plats involving an identified floodplain area inside the City.
_____	_____	<u>Fire Chief</u> -- All plats.
_____	_____	<u>Police Chief</u> -- All plats.
_____	_____	<u>City Engineer</u> -- All plats.
_____	_____	<u>Planning Consultant</u> -- As deemed desirable.
_____	_____	<u>Electric power provider</u> -- All plats.
_____	_____	<u>Water service provider</u> -- Plats involving public water service.
_____	_____	<u>Sewer service provider</u> -- Plats involving public sewer service.

Plat Distribution
 (Number of Copies)
Preliminary Final

Organizations

_____		<u>Gas service provider</u> -- Plats involving natural gas service.
_____		<u>Telephone service provider</u> -- All plats.
_____		<u>Cable TV provider</u> -- All plats.
_____		<u>Street Naming/Property Numbering decision-maker</u> -- All plats.
_____		<u>Township Trustees</u> -- All plats outside the City and not being annexed.
_____		<u>School District provider</u> -- Plats which might impact traffic flow or pedestrian access at a public or private school and large residential plats which may affect future attendance.
_____		<u>County Engineer/Director of Department of Public Works</u> -- All plats outside the city.
_____		<u>County Floodplain Administrator</u> -- Plats involving an identified floodplain area outside the City.
_____		<u>County Building Inspector</u> -- All plats outside City.
_____		<u>County Zoning Administrator</u> -- All plats outside City.
_____		<u>County Sanitarian</u> -- Plats involving on-site water supply and sewage disposal outside the City.
_____		<u>County Conservation District</u> -- Plats which may be affected by special environmental problems.
_____		<u>Kansas Department of Transportation</u> -- Plats adjacent to existing or proposed state or federal highways.
_____		Special situations involving coordination of development with other public facilities or private developments:
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
=	=	Total number of copies to be submitted.

CITY OF DOUGLASS, KANSAS

File No. S/D _____ - _____

_____, 20__

To:

The enclosed preliminary plat of _____ has been submitted for review and approval under the City Subdivision Regulations for the _____, 20__ meeting of the Douglass City Planning Commission.

Your review and comments on this plat would be most appreciated. Due to the need for timeliness in processing a plat and for your administrative convenience and that of the Planning Commission, it will be assumed that you have no comments unless they are received by 5:00 p.m. on _____, 20__. Please note that the preliminary plat stage is the most important one for decisions to be made and you will not be receiving a final plat for review unless you specifically request it.

To convey any comments, please write to me at City Hall, 322 South Forrest, P. O. Box 412, Douglass, Kansas 67039-0412 or FAX (316) 747-3159 or call (316) 747-2109 and refer to the above file number. On the other hand, you may find the space below to be convenient for a reply. A timely response will be greatly appreciated.

Subdivision Administrator

Comments:

1. The plat with comments marked is enclosed. _____
2. My comments are: _____

To:

The enclosed final plat of _____ has been submitted for review and approval under the City Subdivision Regulations for the _____, 20__ meeting of the Douglass City Planning Commission.

Your review and comments on this plat would be most appreciated. Due to the need for timeliness in processing a plat and for your administrative convenience and that of the Planning Commission, it will be assumed that you have no comments unless they are received by 5:00 p.m. on _____, 20__.

Once the Planning Commission has approved the final plat, it will be forwarded to the Governing Body for their acceptance of the dedications thereon.

To convey any comments, please write to me at City Hall, 322 South Forrest, P.O. Box 412, Douglass, Kansas 67039-0412 or FAX (316) 747-3159 or call (316) 747-2109 and refer to the above file number. On the other hand, you may find the space below to be convenient for a reply. A timely response will be greatly appreciated.

Subdivision Administrator

Comments:

1. The plat with comments marked is enclosed. ____
2. My comments are: _____

PART 2

ADMINISTRATIVE FORMS FOR PRELIMINARY PLAT

<u>Form</u>	<u>Name of Form (Number of Pages)</u>
P/P-1	Application for Preliminary Plat Approval (2)
P/P-2	Check List for Contents of Preliminary Plat (2)
P/P-3	Check List for Evaluation of Preliminary Plat (6)
P/P-4	Report to Planning Commission on Preliminary Plat (4)

PART 3

ADMINISTRATIVE FORMS FOR FINAL PLAT

<u>Form</u>	<u>Name of Form (Number of Pages)</u>
F/P-1	Application for Final Plat Approval (3)
F/P-2	Check List for Contents of Final Plat (4)
F/P-3	Report to Planning Commission on Final Plat (3)

APPLICATION FOR FINAL PLAT APPROVAL

This is an application for processing a final plat in accordance with the City Subdivision Regulations. The application must be completed and filed with the Subdivision Administrator at least 20 days prior to a regular meeting date of the Planning Commission.

(AN INCOMPLETE APPLICATION CANNOT BE ACCEPTED)

Name of Subdivision _____

General Location _____

_____ Inside City ____ To Be Annexed ____ Outside City ____

Name of Landowner _____

Address _____ Phone _____

Name of Subdivider/Agent _____

Address _____ Phone _____

Name of Engineer/Land Planner _____

Address _____ Phone _____

Name of Licensed Land Surveyor _____

Address _____ Phone _____

Subdivision Information

1. (Select one) Final Plat of entire preliminary plat area ____
 Final Plat of unit number ____ of ____ unit developments
 Final Plat for small tract ____
 Final Replat of original platted area ____
2. Gross acreage of plat _____ Acres
3. Total number of lots _____
4. Proposed land use for an (urban-type ____) (rural-type ____) subdivision:
 - a. Residential-Single-Family ____ Duplex ____ Multiple-Family ____
 Manufactured Home ____
 - b. Commercial _____
 - c. Industrial _____
 - d. Other _____

If in the City, four-corner lot grading plan received _____

Copy of a title report for the land received _____

Copy of proposed restrictive covenants, if any, received including waiver of protest to annexation, if applicable _____

Methods for financing and guaranteeing improvements _____

For plats for small tract:

a. Vicinity map received _____

b. Topographic drawing, if required, received _____

Original drawing or photographic equivalent of Final Plat received _____

(Note: In addition to copies of the final recorded plat, the Administrator may also require that a computer disk be provided of final plat information and any drawings accompanying the plat in Autocad or compatible software.)

This application was received by the Subdivision Administrator on _____, 20____. It has been checked and found to be accompanied by the required information and the fee, if any, of \$_____ paid to the City Clerk.

Subdivision Administrator

cc: Applicant

CHECK LIST FOR CONTENTS OF FINAL PLAT

This check list is to be completed by the Subdivision Administrator prior to distributing copies to determine if all the required information is on the final plat and accompanying information submitted. If the answer to any of the questions is "No", a written explanation should be entered in the section for comments. If insufficient information has been submitted for a proper review, the plat should be returned to the Subdivider for the additional information before continuing to process it. The Licensed Land Surveyor may also find this list useful as a pre-application check before submittal. (See Section 5-101 of Subdivision Regulations for Contents of Final Plat and Section 4-113B for Requirements for Final Plat for Small Tract.)

Name of Subdivision _____

Name of Subdivision Administrator _____ Date _____

A. Form of Plat Yes No N.A.*

1. Plat on proper material not over 22" or 24" x 36" in size. _____

B. Preliminary Plat Conditions**

1. Based on preliminary plat approval, have all required conditions and modifications, if any, been satisfied? _____

2. Is the land properly zoned for the intended use? _____

C. Content of Plat

1. Name of subdivision and location by quarter-section, section, township and range _____

2. Date of preparation, north point and scale of drawing: Not less than 1" = 100', unless otherwise permitted. _____

3. Controlling physical features such as highways, railroads, watercourses and areas subject to flooding. _____

4. Angles and lineal distances to monuments used to locate the tract survey and all other monuments required to be installed. _____

* Not applicable.

** NOTE: If a final plat for a small tract is submitted, the relevant items on the "Check List for Evaluation of Preliminary Plat" should also be used in conjunction with this check list.

	<u>Yes</u>	<u>No</u>	<u>N.A.</u>
5. Location and elevation of permanent bench mark, if required.	___	___	___
6. Angular and lineal dimensions for the tract boundary and all blocks, streets, alleys, easements, areas for public use and important features Allowable error of closure: 1' in 10,000'.	___	___	___
7. Lot line dimensions in feet and hundredths and angles in degrees, minutes and seconds.	___	___	___
8. Side lot lines at right angles or radial to street and rear lines parallel to block or tract lines.	___	___	___
9. Consecutive lot numbers and block letters or numbers.	___	___	___
10. Location of existing easements and recorded reference and location of new easements with stated purpose and reference in the owner's certificate of dedication.	___	___	___
11. Widths of new street R/W and portions of dedicated R/W plus existing R/W and adjacent centerlines.	___	___	___
12. Name of each street including prefixes and suffixes.	___	___	___
13. Building setback lines, if any, measured from existing or proposed street R/W, whichever is greater.	___	___	___
14. Parcels dedicated or reserved for public or private use as distinguished from lots for sale.	___	___	___
15. Minimum pad elevation, if desired, for each lot at least one foot above base flood elevation.	___	___	___
16. Marginal lines encircling the sheet.	___	___	___
17. Certificates as follows:			
a. Land Surveyor's certificate and legal description.	___	___	___
b. County Surveyor's certificate	___	___	___
c. Owner's certification and dedication.	___	___	___
d. Mortgage holder.	___	___	___
e. Notary certificate(s).	___	___	___
f. Planning Commission certificate.	___	___	___
g. City Attorney's certificate (annexations only).	___	___	___
h. Governing Body certificate.	___	___	___
i. County Commissioner's certificate. (Outside City)	___	___	___
j. Transfer Record.	___	___	___
k. Register of Deed's certificate.	___	___	___

	<u>Yes</u>	<u>No</u>	<u>N.A.</u>
D. <u>Additional Information</u>			
1. Title report.	___	___	___
2. Final Drainage Plan.	___	___	___
a. If in the City, four-corner lot grading plan required.	___	___	___
3. Restrictive covenants proposed, if any, including waiver of protest to annexation, if applicable.	___	___	___
4. Final plat for small tract:			
a. Vicinity map.	___	___	___
b. Topographic survey, if required.	___	___	___

E. Required Improvements and Guarantees

Listed below are methods of guaranteeing improvements including maintenance followed by key letters. The key letters should be matched with the improvements required for an (urban-type ___) (rural-type ___) subdivision to indicate how the proposed improvement will be guaranteed by the Subdivider. If a Subdivider's Agreement is proposed as part of the guarantee process, place "SA" in front of the relevant key letter(s) (See Section 7-103.)

- | | |
|--|---|
| completion bond (B) | contract with utility (U) |
| cashier's check (CC) | building and/or zoning permit (BP) or (ZP) |
| escrow account (EA) | building and/or zoning occupancy certificate (OC) |
| irrevocable letter of credit (LC) | |
| cash payment (C) | City, County or Township responsibility (City), (Co) or (Twp) |
| petition (P) | |
| preconstruction prior to recording final plat (PC) | |

<u>Type of Improvement</u>	<u>Key Letter</u>	<u>Yes</u>	<u>No</u>	<u>N.A.</u>
1. Streets and alleys	___	___	___	___
2. Curbs and gutters	___	___	___	___
3. Storm drainage	___	___	___	___
4. Sidewalks	___	___	___	___
5. Street signs	___	___	___	___
6. Water supply	___	___	___	___
7. Fire hydrants	___	___	___	___

<u>Type of Improvement (Cont.)</u>	<u>Key Letter</u>	<u>Yes</u>	<u>No</u>	<u>N.A.</u>
8. Sewage disposal	_____	_____	_____	_____
9. Gas service	_____	_____	_____	_____
10. Electric service	_____	_____	_____	_____
11. Telephone service	_____	_____	_____	_____
12. Screening including fencing and landscape plan	_____	_____	_____	_____
13. Relocation of existing improvements	_____	_____	_____	_____
14. Have all monuments been properly installed and guaranteed by the Licensed Land Surveyor in his or her certificate?		_____	_____	_____

Comments: (References may be made to items on previous pages by letter and number, e.g., C3.)

Final Plat (not) accepted for distribution _____

REPORT TO PLANNING COMMISSION ON FINAL PLAT

This report is to be completed by the Subdivision Administrator to assist the Subdivision Committee in making a recommendation to the Planning Commission and for the Planning Commission in determining whether the final plat should be approved, approved with conditions and/or modifications, disapproved or deferred for more study. Information for the report should be compiled from the "Check List for Contents of the Final Plat". The completed report should be distributed to the Planning Commission and the Subdivider with the related agenda to facilitate the discussion, maximize the use of time and serve as a basis for decision making.

Description

Name of Subdivision _____ Application Date _____

General Location _____

_____ Inside City ____ To Be Annexed ____ Outside City ____

Name of Subdivision Administrator _____ Date _____

Name of Landowner _____

Name of Subdivider/Agent _____

Name of Licensed Land Surveyor _____

1. Urban-type ____ Rural-type ____ subdivision.
2. Final Plat of entire preliminary plat area ____
 Final Plat of unit number _____ of _____ unit developments
 Final Plat for small tract ____
 Final Replat of original platted area ____
3. If this is a final plat for a small tract, have all the qualifications for approving such a plat been met as stated in Section 4-113 including proposed use, maximum acreage and number of lots permitted? Yes ____ No ____
 If no, provide explanation as follows: _____

4. If a preliminary plat was previously approved, have all the conditions and/or modifications, if any, been satisfied? Yes ____ No ____ If no, list conditions and/or modifications still needing to be satisfied in the comment section on the next page.

Comments

Evaluation of the final plat by various affected and interested parties including the Subdivision Committee would indicate the following action:

Planning Commission Action
Yes No Change

- | | | | |
|---|-------|-------|-------|
| A. Approval. _____ | _____ | _____ | _____ |
| B. Deferral for more information _____ or study _____
as listed below: | _____ | _____ | _____ |
| C. Disapproval with reasons listed below: _____ | _____ | _____ | _____ |
| D. Approval subject to conditions and specified
modifications, if any, listed below: | _____ | _____ | _____ |
| 1. _____
_____ | _____ | _____ | _____ |
| 2. _____
_____ | _____ | _____ | _____ |
| 3. _____
_____ | _____ | _____ | _____ |
| 4. _____
_____ | _____ | _____ | _____ |
| 5. _____
_____ | _____ | _____ | _____ |
| 6. _____
_____ | _____ | _____ | _____ |
| 7. _____
_____ | _____ | _____ | _____ |
| 8. _____
_____ | _____ | _____ | _____ |

REPORT TO PLANNING COMMISSION ON FINAL PLAT

This report is to be completed by the Subdivision Administrator to assist the Subdivision Committee in making a recommendation to the Planning Commission and for the Planning Commission in determining whether the final plat should be approved, approved with conditions and/or modifications, disapproved or deferred for more study. Information for the report should be compiled from the "Check List for Contents of the Final Plat". The completed report should be distributed to the Planning Commission and the Subdivider with the related agenda to facilitate the discussion, maximize the use of time and serve as a basis for decision making.

Description

Name of Subdivision _____ Application Date _____

General Location _____

_____ Inside City ____ To Be Annexed ____ Outside City ____

Name of Subdivision Administrator _____ Date _____

Name of Landowner _____

Name of Subdivider/Agent _____

Name of Licensed Land Surveyor _____

1. Urban-type ____ Rural-type ____ subdivision.
2. Final Plat of entire preliminary plat area ____
 Final Plat of unit number _____ of _____ unit developments
 Final Plat for small tract ____
 Final Replat of original platted area ____
3. If this is a final plat for a small tract, have all the qualifications for approving such a plat been met as stated in Section 4-113 including proposed use, maximum acreage and number of lots permitted? Yes ____ No ____
 If no, provide explanation as follows: _____

4. If a preliminary plat was previously approved, have all the conditions and/or modifications, if any, been satisfied? Yes ____ No ____ If no, list conditions and/or modifications still needing to be satisfied in the comment section on the next page.

Comments

Evaluation of the final plat by various affected and interested parties including the Subdivision Committee would indicate the following action:

Planning Commission Action
Yes No Change

- A. Approval. _____
- B. Deferral for more information _____ or study _____
as listed below:
- C. Disapproval with reasons listed below: _____
- D. Approval subject to conditions and specified
modifications, if any, listed below:
 - 1. _____

 - 2. _____

 - 3. _____

 - 4. _____

 - 5. _____

 - 6. _____

 - 7. _____

 - 8. _____

REPORT TO PLANNING COMMISSION ON FINAL PLAT

This report is to be completed by the Subdivision Administrator to assist the Subdivision Committee in making a recommendation to the Planning Commission and for the Planning Commission in determining whether the final plat should be approved, approved with conditions and/or modifications, disapproved or deferred for more study. Information for the report should be compiled from the "Check List for Contents of the Final Plat". The completed report should be distributed to the Planning Commission and the Subdivider with the related agenda to facilitate the discussion, maximize the use of time and serve as a basis for decision making.

Description

Name of Subdivision _____ Application Date _____

General Location _____

_____ Inside City ____ To Be Annexed ____ Outside City ____

Name of Subdivision Administrator _____ Date _____

Name of Landowner _____

Name of Subdivider/Agent _____

Name of Licensed Land Surveyor _____

1. Urban-type ____ Rural-type ____ subdivision.
2. Final Plat of entire preliminary plat area ____
 Final Plat of unit number _____ of _____ unit developments
 Final Plat for small tract ____
 Final Replat of original platted area ____
3. If this is a final plat for a small tract, have all the qualifications for approving such a plat been met as stated in Section 4-113 including proposed use, maximum acreage and number of lots permitted? Yes ____ No ____
 If no, provide explanation as follows: _____

4. If a preliminary plat was previously approved, have all the conditions and/or modifications, if any, been satisfied? Yes ____ No ____ If no, list conditions and/or modifications still needing to be satisfied in the comment section on the next page.

Comments

Evaluation of the final plat by various affected and interested parties including the Subdivision Committee would indicate the following action:

Planning Commission Action
Yes No Change

- A. Approval. _____
- B. Deferral for more information _____ or study _____ as listed below:
- C. Disapproval with reasons listed below: _____
- D. Approval subject to conditions and specified modifications, if any, listed below:
 - 1. _____

 - 2. _____

 - 3. _____

 - 4. _____

 - 5. _____

 - 6. _____

 - 7. _____

 - 8. _____

REPORT TO PLANNING COMMISSION ON FINAL PLAT

This report is to be completed by the Subdivision Administrator to assist the Subdivision Committee in making a recommendation to the Planning Commission and for the Planning Commission in determining whether the final plat should be approved, approved with conditions and/or modifications, disapproved or deferred for more study. Information for the report should be compiled from the "Check List for Contents of the Final Plat". The completed report should be distributed to the Planning Commission and the Subdivider with the related agenda to facilitate the discussion, maximize the use of time and serve as a basis for decision making.

Description

Name of Subdivision _____ Application Date _____

General Location _____

_____ Inside City ____ To Be Annexed ____ Outside City ____

Name of Subdivision Administrator _____ Date _____

Name of Landowner _____

Name of Subdivider/Agent _____

Name of Licensed Land Surveyor _____

1. Urban-type ____ Rural-type ____ subdivision.
2. Final Plat of entire preliminary plat area ____
 Final Plat of unit number _____ of _____ unit developments
 Final Plat for small tract ____
 Final Replat of original platted area ____
3. If this is a final plat for a small tract, have all the qualifications for approving such a plat been met as stated in Section 4-113 including proposed use, maximum acreage and number of lots permitted? Yes ____ No ____
 If no, provide explanation as follows: _____

4. If a preliminary plat was previously approved, have all the conditions and/or modifications, if any, been satisfied? Yes ____ No ____ If no, list conditions and/or modifications still needing to be satisfied in the comment section on the next page.

Comments

Evaluation of the final plat by various affected and interested parties including the Subdivision Committee would indicate the following action:

Planning Commission Action
Yes No Change

- | | | | |
|---|-------|-------|-------|
| A. Approval. _____ | _____ | _____ | _____ |
| B. Deferral for more information _____ or study _____
as listed below: | _____ | _____ | _____ |
| C. Disapproval with reasons listed below: _____ | _____ | _____ | _____ |
| D. Approval subject to conditions and specified
modifications, if any, listed below: | _____ | _____ | _____ |
| 1. _____
_____ | _____ | _____ | _____ |
| 2. _____
_____ | _____ | _____ | _____ |
| 3. _____
_____ | _____ | _____ | _____ |
| 4. _____
_____ | _____ | _____ | _____ |
| 5. _____
_____ | _____ | _____ | _____ |
| 6. _____
_____ | _____ | _____ | _____ |
| 7. _____
_____ | _____ | _____ | _____ |
| 8. _____
_____ | _____ | _____ | _____ |

Planning Commission Action
Yes No Change

9.				
10.				

Modifications requested by the Subdivider (See Section 11-103.): (Note: Any variances from applicable Zoning Regulations must be processed by the Board of Zoning Appeals.)

1.				

Planning Commission Action

Having reviewed the final plat for the _____
 (Addition) (Subdivision) filed as S/D ____-____, I _____ move that we

(approve the plat and recommend that the dedications shown thereon be accepted by the Governing Body.)

(approve the plat subject to conditions [and specified modifications] as heretofore agreed upon and recommend that the dedications shown thereon be accepted by the Governing Body.)

(disapprove the plat for the reasons heretofore agreed upon.)

(defer the plat until the _____, 20__ regular meeting of the Planning Commission for more (information) (study) as heretofore specified.)

Motion seconded by _____ and passed by a (unanimous) vote of ____ to ____.
 Member(s) abstaining from the vote was: _____.

(Note: Except in the case of a tie vote, abstentions are counted as part of the majority vote. Members disqualifying themselves are not part of the quorum and unable to vote. A majority vote of the members present and voting is necessary to pass a motion on a plat.)

Date: _____

cc: Subdivision Committee
 Planning Commission
 Subdivider

PART 4

ADMINISTRATIVE FORMS FOR LOT SPLIT

<u>Form</u>	<u>Name of Form (Number of Pages)</u>
L/S-1	Application for Lot Split Approval (2)
L/S-2	Notice to Adjacent Landowners of Proposed Lot Split (1)
L/S-3	Check List for Evaluation and Approval of Lot Split (3)

APPLICATION FOR LOT SPLIT APPROVAL

This is an application for processing a lot split in accordance with the City Subdivision Regulations. All property proposed to be split must have been previously platted and recorded. The application must be completed, accompanied by the fee and filed with the Subdivision Administrator at least 15 days prior to a regular meeting date of the Planning Commission.

(AN INCOMPLETE APPLICATION CANNOT BE ACCEPTED)

Name of Subdivision in which lot is located _____

Block _____ Lot _____ General location _____

_____ Inside City _____ To Be Annexed _____ Outside City _____

Name of Landowner _____

Address _____ Phone _____

Name of Applicant/Agent _____

Address _____ Phone _____

Name of Licensed Land Surveyor _____

Address _____ Phone _____

Lot Split Information

1. Dimensions of existing lot _____ Feet by _____ Feet
Total size _____ Square Feet
2. Frontage of new lots _____ Feet by _____ Feet and
_____ Feet by _____ Feet
Total size _____ Square Feet and _____ Square Feet
3. Existing zoning _____ District

4. <u>Existing Facilities</u>	<u>Description/Status</u>
Street	_____
Alley	_____
Sidewalk	_____
Storm drainage	_____
Water supply	_____
Sewage disposal	_____
Gas service	_____

CITY OF DOUGLASS, KANSAS

File No. L/S _____ - _____

_____, 20__

NOTICE TO ADJACENT LANDOWNERS OF PROPOSED LOT SPLIT

A proposed lot split adjacent to your land has been submitted for review and approval at the _____, 20__ meeting of the Douglass City Planning Commission. While you are welcome to attend the Planning Commission meeting which begins at _____ p.m. in the Council Room at City Hall, it is important to respond within 10 days, i.e., by _____, 20__ if you wish to protest the splitting of the following lot:

File No. L/S _____ - _____: Lot No _____ of Block _____ in the _____ subdivision.

General location: _____

The effect of a lot split is to create two lots so that one or both has a smaller frontage and lot size than the original platted and recorded lot. Using the lot split described above, two lots will be created with frontages of _____ feet and _____ feet respectively. In some circumstances, the remaining unsold land in an adjacent lot is combined with the above lot being split to provide enough frontage to create the two lots. Please be assured that the new lots will both still have to meet all the minimum standards of the City Subdivision Regulations, Zoning Regulations and the County Sanitary Code where applicable.

To convey any protest or to obtain further information, please write to me at City Hall, 322 South Forrest, P.O. Box 412, Douglass, Kansas 67039-0412 or call (316) 747-2109 and refer to the above file number.

Subdivision Administrator

cc: Applicant

L/S-2
(02/02/04)

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All rights reserved.

CHECK LIST FOR EVALUATION AND APPROVAL OF LOT SPLIT

This check list is to be completed by the Subdivision Administrator to assist the Planning Commission in determining if the proposed lot split meets the criteria established in the City Subdivision Regulations. Inquiries may need to be made of other organizations if so indicated, particularly in regard to the need for improvements and easements. If the answer to any of the questions is "No", the lot split cannot be approved unless additional requirements are met which satisfy the particular situation. The Applicant may also find this check list useful to evaluate the proposed lot split.

Name of Subdivision in which lot is located _____

Block _____ Lot _____ General location _____

_____ Inside City _____ To Be Annexed _____ Outside City _____

Name of Subdivision Administrator _____ Date _____

Name of Applicant _____

Approval Guidelines

Yes No

- 1. Is the lot split part of a previously recorded plat? ___ ___
- 2. Does the drawing submitted contain all the necessary dimensions including a survey of any structures thereon which will remain? ___ ___
- 3. Is the certificate of approval properly worded? ___ ___
- 4. Is a new street needed or proposed or an alley needs to be completed? ___ ___
- 5. Is a vacation of streets, alleys, setback lines, access control or easements required or proposed? ___ ___
- 6. Will increases occur in public services or interfere with maintaining existing services which will need to be constructed or reconstructed such as paving, drainage, curb cuts, sidewalks or utilities? ___ ___
- 7. Does additional street R/W need to be dedicated? ___ ___
- 8. Have all easement requirements been satisfied? ___ ___
- 9. Will the lots have direct access to an opened public street? ___ ___

Approval Guidelines (Cont.)

Yes No N.A.*

10. Will a substandard lot or yard requirements be created according to the applicable Zoning or Subdivision Regulations or Sanitary Code?

___ ___ ___

11. If either lot created is in an identified floodplain area, can the intended structure be built to satisfy the floodplain requirements?

___ ___ ___

12. Protest comments received from adjacent landowners are:

Comments

Evaluation of the lot split by various affected and interested parties would indicate the following action:

Planning Commission Action
Yes No Change

A. Approval. ___

___ ___ ___

B. Deferral for more information ___ or study ___ as listed below:

___ ___ ___

C. Disapproval with reasons listed below: ___

___ ___ ___

D. Approval subject to conditions listed below:

___ ___ ___

1. _____

___ ___ ___

2. _____

___ ___ ___

3. _____

___ ___ ___

4. _____

___ ___ ___

* Not applicable.

Planning Commission Action

Having reviewed the lot split in the _____ (Addition)
(Subdivision) filed as L/S ____-____, I _____ move that we
(approve the lot split.)
(approve the plat subject to conditions as heretofore agreed upon.)
(disapprove the lot split for the reasons heretofore agreed upon.)
(defer the lot split until the _____, 20__ regular meeting of the
Planning Commission for more (information) (study) as heretofore specified.)

Motion seconded by _____ and passed by a (unanimous) vote of ____ to
____. Member(s) abstaining from the vote was: _____.
(Note: Except in the case of a tie vote, abstentions are counted as part of the
majority vote. Members disqualifying themselves are not part of the quorum and
unable to vote. A majority vote of the members present and voting is necessary
to pass a motion on a lot split.)

Date: _____

cc: Planning Commission
Applicant

OFFICE USE ONLY

Two signed and acknowledged copies furnished to Applicant with instructions to
record one with the Register of Deeds _____
Date

Signed copy filed with Building/Zoning Administrator _____
Date

Signed copy placed in case file _____
Date

Subdivision Administrator

PART 5

ADMINISTRATIVE FORMS FOR VACATIONS

<u>Form</u>	<u>Name of Form (Number of Pages)</u>
VAC-1	Status Report on a Vacation Case (1)
VAC-2	Instructions to the Petitioner(s) Requesting a Vacation as Provided for in the Subdivision Regulations (1)
VAC-3	Petition for a Vacation under the Subdivision Regulations (1)
VAC-4	Official Notice of Vacation Hearing (1)
VAC-5	Notice to Landowners and Other Interested Parties of a Vacation Hearing (1)
VAC-6	Check List for Conducting a Public Hearing by the Planning Commission on a Vacation (5)
VAC-7	Vacation Order (2)

STATUS REPORT ON A VACATION CASE

This form is to be maintained in a file by the Subdivision Administrator as a status report on the processing of a vacation case. The date on which action occurred should be entered in the blank spaces accompanied by the initials of the recorder.

Vacation Application for _____

General location _____

Petition received _____, 20__.

Official Notice published _____, 20__.
(20 days must elapse between publication date and hearing.)

Notice to Property Owners mailed _____, 20__.
(20 days must elapse between mailing date and hearing.)

Planning Commission hearing _____, 20__.
Recommended _____ Not Recommended _____

Governing Body action _____, 20__.
Granted _____ Not Granted _____

Vacation Order signed by the Mayor _____, 20__.

Attestation signed by City Clerk _____, 20__.

Form approved by Attorney _____, 20__.

Certification by Clerk _____, 20__.

Original Order sent to Register of Deeds _____, 20__.

Recorded Order returned to Subdivision Administrator and placed in file _____, 20__.

Copy of recorded Order sent to Petitioner(s) _____, 20__.

Approved Minutes placed in file _____, 20__.

Vacation noted on base map(s) _____, 20__.

Tape which recorded the hearing recycled for reuse _____, 20__.

NOTES: _____

PETITION FOR A VACATION UNDER THE SUBDIVISION REGULATIONS

This is a petition for a vacation. The form must be completed in accordance with directions on the accompanying instructions and filed with the Subdivision Administrator at 322 South Forrest, Douglass, Kansas 67039 or FAX: (316) 747-3159.

(AN INCOMPLETE APPLICATION CANNOT BE ACCEPTED.)

- 1. Name of contact Petitioner _____
 Address _____ Phone _____
 Name of Agent, if any _____
 Address _____ Phone _____

List of petitioners and affected landowners attached: Yes _ _ No _ _

- 2. Petition is made for a vacation as provided for in Section 10-103A of the City Subdivision Regulations to vacate (describe request):

for property in the City located at _____

and legally described as _____

- 3. The petitioner(s) herein or his/her authorized agent acknowledges:
 - a. That he/she has received instruction material concerning the filing and hearing of this case; and
 - b. That he/she has been advised of the fee requirements established and that the appropriate fee is herewith tendered; and

- c. That he/she has been advised of his/her rights to bring action in the District Court of the County to appeal the decision of the Governing Body; and
- d. That the list of petitioners and affected landowners is attached hereto as required in the instructions; and
- e. That the Governing Body has the authority to require such conditions as are deemed necessary and reasonable in order to serve the public interest.

Signatures of all Petitioners:

_____	_____
	Date
_____	_____
	Date
_____	_____
	Date
_____	_____
	Date
_____	_____
	Date
_____	_____
	Date

OFFICE USE ONLY

This petition was received at _____ (a.m. p.m.) on _____, 20____
 by the Subdivision Administrator acting for the City Clerk. It has been checked
 and found to be complete and accompanied by the required documents and the
 appropriate fee of \$____.

 Subdivision Administrator

cc: Petitioner(s)

(Published once in _____ on _____, 20__.)

OFFICIAL NOTICE OF VACATION HEARING

TO WHOM IT MAY CONCERN AND TO ALL PERSONS INTERESTED:

You are hereby notified that a petition has been filed in the office of the City Clerk of Douglass, Kansas, by _____
praying for the vacation of the following described _____
_____, to wit:

Legal description: _____

General location: _____

This petition has been assigned Case No. VAC-_____-_____. It will be considered by the Douglass City Planning Commission at a public hearing on _____, 20__ at ___:___ p.m. in the Council Room at the City Hall in Douglass, Kansas.

You may appear at this time either in person or by agent or attorney, if you so desire, and be heard on the matter. After hearing the views and wishes of all persons interested in the case, the Planning Commission may close the hearing and make a recommendation to the Governing Body which, if approved under the City Subdivision Regulations, would be effectuated by an order which would be filed with the Butler County Register of Deeds. The public hearing may be recessed and continued from time to time without further notice.

DATED this _____ day of _____ 20__.

_____, Subdivision Administrator

NOTICE TO LANDOWNERS AND
OTHER INTERESTED PARTIES OF A VACATION HEARING

A petition has been filed by _____
of _____, pursuant to Section
10-103A of the City Subdivision Regulations, praying for a vacation under K.S.A.
12-504 et seq. of the following described _____
_____:

Legal description: _____

General location: _____

This petition has been assigned Case No. VAC-_____-_____. It will be
considered by the Douglass City Planning Commission at a public hearing on
_____, 20__ at ____:____ p.m. in the Council Room at the City Hall
in Douglass, Kansas.

You may appear at this time either in person or by agent or attorney, if
you so desire, and be heard on the matter. After hearing the views and wishes
of all persons interested in the case, the Planning Commission may close the
hearing and make a recommendation to the Governing Body which, if approved, would
be effectuated by an order which would be filed with the Butler County Register
of Deeds. The public hearing may be recessed and continued from time to time
without further notice.

If you have any questions prior to the hearing, please call me at (316)
747-2109 and refer to the above case number.

_____, Subdivision Administrator

cc: Applicant

CITY OF DOUGLASS, KANSAS

_____, 20__

**NOTICE TO LANDOWNERS AND
OTHER INTERESTED PARTIES OF A VACATION HEARING**

A petition has been filed by _____
of _____, pursuant to Section
10-103A of the City Subdivision Regulations, praying for a vacation under K.S.A.
12-504 et seq. of the following described _____
_____:

Legal description: _____

General location: _____

This petition has been assigned Case No. VAC-_____-_____. It will be
considered by the Douglass City Planning Commission at a public hearing on
_____, 20__ at ____:____ p.m. in the Council Room at the City Hall
in Douglass, Kansas.

You may appear at this time either in person or by agent or attorney, if
you so desire, and be heard on the matter. After hearing the views and wishes
of all persons interested in the case, the Planning Commission may close the
hearing and make a recommendation to the Governing Body which, if approved, would
be effectuated by an order which would be filed with the Butler County Register
of Deeds. The public hearing may be recessed and continued from time to time
without further notice.

If you have any questions prior to the hearing, please call me at (316)
747-2109 and refer to the above case number.

_____, Subdivision Administrator

cc: Applicant

CITY OF DOUGLASS, KANSAS

CHECK LIST FOR CONDUCTING A PUBLIC HEARING
BY THE PLANNING COMMISSION ON A VACATION

PURPOSE:

This check list is to assist: (1) the Chairperson in conducting the hearing; (2) the Secretary in an orderly process of minute taking; (3) the petitioner(s) in presenting their request; and (4) any landowners or persons who have questions or concerns or wish to know their rights in the matter. Although the order of the outline should be followed, the material will need to be modified to relate to the nature and extent of the particular case and the number of persons to be heard. The Chairperson will find it helpful to mark up a check list on each case prior to the hearing so that important procedural points are not inadvertently missed.

CALL TO ORDER:

It is ___:___ p.m. and I now call Agenda item #_____ which is a public hearing on Case No. VAC-_____-_____ pursuant to Section 10-103A of the City Subdivision Regulations requesting a vacation to vacate _____

located _____.

We would like to welcome everyone interested in this hearing and lay out a few ground rules:

1. It is important that you present any information or views that you have as evidence at this hearing so that findings can be made as a basis of facts for the decision of this Commission.
2. This Commission is authorized by state statutes to hear and make a recommendation to the Governing Body on this vacation case.
3. After our Subdivision Administrator provides us with some background information, I will call upon the petitioner(s) and then we will hear from other interested parties. After all have been heard, each party will have an opportunity for final comments. The Commission will close the hearing to further public comments and they will then consider their decision during which time they may direct questions to the petitioner(s), the public, the staff or our consultant.
4. In presenting your comments, you should be aware that the Commission can recommend conditions to reserve certain property rights for public purposes or may require the petitioner(s) to remove or relocate utilities or paving in or on the vacated land.

5. Please write your name and address on the form being circulated among you so we will have a record of who is present and for any future communications if necessary. Anyone wishing to speak must be recognized by the Chairperson and give their name and address. (Please speak clearly so that your comments may be picked up by the tape recorder and summarized for the minutes by our Secretary.)

DISQUALIFICATION DECLARED AND QUORUM DETERMINED:

Before we proceed with the hearing, I'll ask the Commission members if any of them intend to disqualify themselves from hearing, discussing and voting on this case because they or their spouses own property in the area of notification or have conflicts of interests or a particular bias on this matter. (Please let the minutes show that _____ has disqualified himself/herself because _____

_____ and has temporarily disassociated himself/herself from our assembled Commission.) According to our Bylaws, those members who only abstain from voting are still part of the quorum. I now declare that we have a quorum of _____ present for the hearing.

NOTIFICATION:

According to the Secretary, a notice for this hearing was published in the _____ on _____, 20____ and notices were mailed to the petitioner(s) and _____ landowners of record in the area of notification on _____, 20____ plus _____ existing or potential utility providers. Unless there is evidence to the contrary from anyone present, I'll declare that proper notification has been given.

EX PARTE COMMUNICATIONS:

Although we do not encourage such communications, I will now ask the Commission members if any of them have received any ex parte verbal or written communications prior to this hearing which they would like to share with all the members at this time. As you know, it is not necessary to disclose the names of the parties, but to share important information.

SUBDIVISION ADMINISTRATOR'S REPORT:

I now call on our Subdivision Administrator, _____, to provide us with a background report on the case.

PETITIONER'S REQUEST:

I now call upon the petitioner(s) to (come to the podium and) make his/her presentation on the request and any response to the Subdivision Administrator's report.

Thank you for your presentation. Are there any questions now for the petitioner(s) from Commission members, the staff or consultant?

PUBLIC COMMENTS:

Are there any members of the public who wish to speak on this case? (Recognize first come, first served; obtain name and address; and continue until all public comments are completed.)

WRITTEN COMMUNICATIONS:

Are there any written communications from the public? (Secretary could be asked to read them.)

PETITIONER'S RESPONSE TO PUBLIC COMMENTS:

Does the petitioner(s) wish to respond to the public comments?

FINAL PUBLIC COMMENTS:

Does anyone from the public wish to respond to the petitioner(s) or make any final comments?

CLOSE THE HEARING:

Hearing no further public comments, I hereby close the public hearing. There will be no further public comments unless the Commission wishes to ask questions to clarify information.

COMMISSION'S CONSIDERATIONS:

The Commission will now consider the request. First, we need to determine if the request meets the following statutory requirements that:

- a. due and legal notice has been given;
- b. no private rights will be injured or endangered;
- c. the public will suffer no loss or inconvenience; and
- d. in justice to the petitioner(s) the vacation should be granted.

Furthermore, we need to determine if the City Clerk has received any written objections to the vacation from any landowners who would be a proper party to the petition, but have not joined therein.

DECISION:

Having discussed and reached conclusions on our findings, I now call for a motion and, if approved, list any conditions that might be attached:

SAMPLE MOTIONS:

To Grant a Vacation

Having considered the evidence at the hearing and determined that the statutory requirements as set out in Section 10-103A2 of the Subdivision Regulations which are necessary for granting a vacation have been met, I (_____) move that we recommend to the Governing Body that Case No. VAC-____-____ be granted as (requested) (modified). (, subject to the following conditions:)

CONDITIONS:

1. _____

2. _____

3. _____

To Not Grant a Vacation

Having considered the evidence at the hearing and determined that the statutory requirements as set out in Section 10-103A2 of the Subdivision Regulations which are necessary for granting a vacation have **not** been met, I(_____) move that the vacation as requested for Case No. VAC-____-____ not be granted.

To table petition

Having considered the evidence at the hearing and the findings of fact, I (_____) move that Case No. VAC-____-____ be deferred until _____, 20__ at ____:____ p.m. in this same meeting room for more (information) (and) (study) in regard to _____
_____.

Having heard the motion by _____, is there a second? Having been seconded by _____, is there any discussion of the motion? Is the Commission ready to vote on the motion? All those in favor say, "Aye." All those opposed say, "Nay." (If divided vote, ask for a show of hands and Secretary will record a roll-call vote.) The motion (passes) (fails) by a (unanimous) vote of _____ to _____. (An affirmative vote must be at least a majority of the members present and voting. See Bylaws to settle other voting procedures including abstentions, disqualifications and Chairperson voting.)

CLOSING REMARKS:

This recommendation and a summary of the hearing will be forwarded to the Governing Body for their consideration at their regular meeting on _____, 20____ which begins at ____:____ (a.m., p.m.) in this same meeting room.

We want to thank all of you for participating in this hearing and you are welcome to stay for the remainder of our meeting. I now call for Agenda item #_____.

BEFORE THE CITY COUNCIL
OF THE CITY OF DOUGLASS, BUTLER COUNTY, KANSAS

IN THE MATTER OF THE VACATION OF)
)
)
)
GENERALLY LOCATED AT) CASE NO. VAC-
) _____
)
)
MORE FULLY DESCRIBED BELOW)

VACATION ORDER

NOW on this _____ day of _____, 20____, comes on for consideration a petition for vacation filed by _____, praying for the vacation of the following described _____, to wit:

Legal description: _____

General location: _____

Having received a recommendation from the Douglass City Planning Commission, the City Council after being duly informed as to understand the true nature of this petition and the propriety of granting the same, makes the following findings:

1. That due and legal notice has been given as required under K.S.A. 12-504 by publication in _____ on _____, 20____ of the notice of this vacation proceeding for a hearing on _____, 20____ before the City Planning Commission and having received a recommendation therefrom.
2. No private rights will be injured or endangered by the vacation and the public will suffer no loss or inconvenience thereby.
3. In justice to the petitioner(s), the prayer of the petition ought to be granted.

4. No written objection to said vacation has been filed with the City Clerk by any owner or adjoining owner who would be a proper party to the petition.

5. The vacation described herein should be approved subject to the following conditions:

(1) _____

(2) _____

IT IS, THEREFORE, ORDERED BY THE CITY COUNCIL, on this _____ day of _____, 20____, that the above described vacation is hereby vacated.

IT IS FURTHER ORDERED that the City Clerk shall certify a copy of this order to the Register of Deeds of Butler County, Kansas.

_____, Mayor

(S E A L)

ATTEST:

_____, City Clerk

APPROVED AS TO FORM:

_____, City Attorney

CERTIFICATION:

I hereby certify this to be a true and correct copy of the records of this office. Dated this _____ day of _____, 20____.

_____, City Clerk
City of Douglass, Kansas

PART 6

SUPPLEMENTAL PLATTING DOCUMENTS

Name of Document (Number of Pages)

Resolution Establishing a Policy for Financing Public
Improvements (4)

Developer's (Subdivider's) Agreement (5)

Storm Water Drainage Policy (2)

RESOLUTION 01-05
A RESOLUTION ESTABLISHING A POLICY FOR THE FINANCING OF PUBLIC
IMPROVEMENTS AND THE LEVYING OF SPECIAL ASSESSMENTS WITHIN
THE CITY OF DOUGLASS, KANSAS

WHEREAS, it is the policy of City of Douglass to encourage development within the City through the use of special assessment financing for public improvements under K.S.A. 12-6a01 et seq; and

WHEREAS, the City of Douglass, in return for providing such financing for public improvements, requires that all petitioners and/or developers provide shared financing or adequate assurance for full annual payments of special assessments before their petitioned improvements are approved; and

WHEREAS, the City of Douglass has determined that a portion of the cost of public improvements should be paid by the city-at-large when the benefits of the project extend beyond the area of immediate impact; and

WHEREAS, the City of Douglass is under no obligation to approve any petitioned improvements, nor is relinquishing any authority to initiate improvements by the resolution of the Governing Body:

Now Therefore, be it Resolved by the Governing Body of the City of Douglass, Kansas:

Section 1. The City of Douglass will facilitate new development by providing for the installation of public improvements (street, sidewalks, storm drains, water lines, sanitary sewers, detention ponds, etc.) upon submission of a valid petition of the property owners and the required financial commitment. Said commitment is considered to be provided whenever the City has been furnished with, financial guarantee (irrevocable letter of credit, corporate completion bond, cashier check or escrow account) equal to 35% of the estimated principal cost of the project.

Project cost shall include engineering design, construction, construction contingency, inspection, testing, temporary note interest and administration. The required funding or financial guarantee shall be provided prior to the city awarding any contract for services on the project. Cash funding will be used to reduce the amount of the project cost covered by special assessment bond financing. The financial guarantee will be applied annually to satisfy the principal and interest cost of bonded public improvements, should any applicable special assessments not be paid when due. The financial guarantee will be released, upon request of the developer, when certificates of occupancy for principal building(s) are issued for at least 50% of the properties within the development that received the improvements.

Section 2. Special assessments financing will not be approved if the petitioner has a financial interest in an existing development that has delinquent special assessment taxes. All petitioners for new development under this policy will be required to certify, under oath, that they have no financial interest in any property with delinquent special assessments.

Section 3. Installation of public improvements with special assessment financing may be authorized by the Governing Body without a financial commitment when deemed to be in the public interest and when one or more of the following conditions exist:

- a. Improvements are ordered in by resolution of the Governing Body.
- b. Majority of the land in the benefit district is in public ownership.
- c. The benefit district is in multiple ownership and the majority of land therein is developed with residential or other principal buildings.

Section 4. The distribution of costs for financing public improvements shall be accordance with the following policies:

A. Streets

- 1.) The project costs of constructing of local streets, including standard curb and gutter and related storm drains, shall be assessed 100% to the property within the benefit district. The benefit district shall include those properties as provide by statute.
- 2.) The project costs of constructing of collector and arterial streets shall be distributed whereby property within the benefit district shall pay the cost equivalent for local street and the city-at-large shall pay the cost of any excess width or thickness to meet City standards and specifications. The costs of collector and arterial street construction where total access control is required by or dedicated to the City will be paid in full by the city-at-large.
- 3.) The cost of improvements of direct benefit to adjacent property such as curb cuts, driveways, frontage roads, special turn lanes, etc., shall be assessed 100% to the benefited property.

B. Sidewalks.

- 1.) The cost of all sidewalk improvements shall be paid by the benefit property. The costs of handicapped accessible ramps built at the intersection in conjunction with new street construction shall be assessed to the benefit district.
- 2.) When sidewalks improvements are initiated by resolution of the Governing Body along arterial streets, 50% of the cost shall be paid by benefited property and 50% shall be paid by the city-at-large.

C. Storm Drainage

- 1.) Drainage improvements in undeveloped areas of the City shall be funded 100% by the benefit district.
- 2.) The project costs for constructing drainage improvements including detention ponds, storm sewers, culverts, drainage channels, flood control and pumping facilities shall be assessed 100% to the benefit district.

D. Water System

- 1.) In residential areas of the City, the project costs for constructing eight-inch water lines, and associated valves and hydrants shall be assessed 100% to the benefit district. If the City desires to place a larger water main to or through the area to benefit the overall system, the benefit district shall pay the cost equivalent of an eight inch line and the City's water utility fund shall pay the remainder.
- 2.) In a commercial or industrial area, the benefited property owner or owners shall pay 100% of cost of the water distribution system necessary to serve the area.

E. Sanitary Sewers

- 1.) In residential areas, the cost of mains, manholes and pump stations for eight inch sewer mains shall be assessed 100% to the benefit district. If the City desires to place a larger sewer main to or through the area to benefit the overall system, the benefit district shall pay the cost equivalent of an eight inch line and the City sewer utility fund shall pay the remainder.
- 2.) In a commercial or industrial area, the benefited property owners shall pay 100% of the cost of collection system necessary to satisfy their requirements.

Section 5. The petitioners for public improvements shall indicate on the petition the approved method of distributing the costs of improvements upon property within the proposed special assessment benefit district.

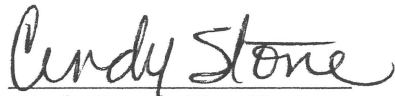
Section 6. The City shall notify all property owners within a proposed benefit district that certain improvements have been requested and the date, time and place the Governing Body will consider authorizing the improvements. The petitioner shall provide the City a current list of property owners within the proposed benefit district.

ADOPTED AND APPROVED by the Governing Body of the City of Douglass, Kansas, on January 17, 2005.



Mark Roberts, Mayor

ATTEST:



Cindy Stone, City Clerk



MODEL AGREEMENT
DEVELOPER'S SUBDIVIDERS AGREEMENT
CITY OF DOUGLASS, BUTLER COUNTY, KANSAS
(Special Assessment Improvements)

This AGREEMENT, entered into on this ____ day of _____, 20____, by and between _____ hereinafter referred to as "DEVELOPER" and the CITY OF DOUGLASS, hereinafter referred to as the "CITY".

WHEREAS, the CITY has approved the plat of _____ to Douglass, Butler County, Kansas.

NOW, THEREFORE, concurrently with said approval and as a consideration of said approval, the parties hereto do hereby agree as follows:

- I. The City will install streets (including major entrances, and decel lanes), sidewalks, drainage systems, sanitary sewer laterals and water lines as requested by the Developer by means of petitions and resolutions with the appropriate guarantees. Said request of the Developer is to be acted upon in conjunction with the Total Indebtedness Capability of the City; such improvements to be assessed against the _____ Addition to Douglass, Butler County, Kansas benefit districts except as provided in Item "(a)" below. Further that all sidewalk, street, sewer, and drainage grades are to be approved by the City and shall be constructed to City specifications. The Developer and/or City shall have the right to reject any and all bids for said public improvements, provided that the Developer reimburse the City for all costs incurred by the City prior to said rejection of bids. Said costs shall include, but not be limited to, design fees, plan review fees, printing, publication costs, soils testing, inspection, administration, temporary note interest, etc.
 - (a) Whereas, the total platted area will be divided into separate benefit districts with the improvements being requested on an "as needed" basis, the cost of the improvements shall be spread in accordance with the apportionment of costs defined by the appropriate improvement petition.
- II. The Developer or Builder shall pay the City the sewer and water hook-up fees as specified by City Ordinance.
- III. The Developer shall insure the installation of approaches and connecting the streets to driveways, in accordance with City specifications and that the cost of said approaches shall be paid by the Developer, his or her designated Builder, or owner of record of the particular lot.
- IV. That the Developer shall certify the setting of permanent survey corner markers at each corner of each block and at all angle points in the Addition.
- V. All temporary construction trailers shall be removed when the immediate vicinity is completed.
- VI. The Developer does hereby agree to hold the City harmless from any liability from damages arising out of or in conjunction with the construction by the Developer.
- VII. The Developer shall insure that:
 - (a) All lots covered by this agreement while in the Developer's ownership shall be kept clean and mowed to a height not exceeding (12) inches.
 - (b) Builders in this development will be responsible for any adjustment of manholes if site grading covers manhole covers.
 - (c) Developer/Builder will ensure compliance with the National Pollution Discharge Elimination System's guidelines and put into place a Storm Water Pollution Prevention Plan approved by the State of Kansas.

VIII. The Developer shall strictly observe and comply with all regulations, resolutions, policies, and ordinances of the City of Douglass, Butler County, and all statutes and laws of the State of Kansas and of the United States. Any of the following acts or omissions occurring while the Developer or any designated builder is in title to the offending lot or lots, shall constitute a material breach of this agreement:

- (1) Failure to strictly observe and comply with zoning classifications and regulations;
- (2) Failure to pay any impact fee, exaction, water and sewer hook-up fee when required by ordinance;
- (3) Failure to set permanent survey corner markers at each corner of each block and at all angle points in the addition;
- (4) Failure to maintain vegetation at a height not to exceed twelve (12) inches, and otherwise comply with Article 2 – Section 8 of the Douglass Municipal Code;
- (5) Failure to install approaches, in accordance with City specifications, connecting the street to driveways.

The foregoing do not constitute the only material breaches of the contract which may be remedied under Article VIII.

IX. In the event of any material breach of this agreement by the Developer or his Designated Builder, the City may withhold building permits and/or occupancy permits until such time as the breach is cured. In addition, the City may seek enforcement, of this agreement by specific performance.

X. The Developer agrees to assume responsibility to see that all original purchasers of lots in the Addition receive a copy of the Developers Agreement and the Restrictive Covenants at the time of purchase.

XI. The City will file this developer's Agreement as approved by the Douglass Council, with the Butler County Register of Deeds. A copy of this Developers Agreement showing said recording will be furnished to the Developer. A copy of the recorded plat shall be furnished to the City before zoning and building permits are issued.

XII. The terms and conditions set forth herein shall be binding upon the heirs, executors, and assigns of the parties hereto.

Signed this _____ day of _____, 20____.

BY: _____
OWNER/DEVELOPER

CITY OF DOUGLASS

BY: _____
MAYOR

BY: _____
CITY CLERK

STATE OF KANSAS)
)ss
COUNTY OF BUTLER)

BE IT REMEMBERED that on this ____ day of _____, 20__, before me, the undersigned, a Notary Public, came _____, to me known to be the same person who executed the foregoing instrument of writing.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, the day and year above last written.

Notary Public

My Appointment Expires: _____

STATE OF KANSAS)
)ss
COUNTY OF BUTLER)

BE IT REMEMBERED that on this ____ day of _____, 20__, before me, the undersigned, a Notary Public, came _____, to me known to be the same person who executed the foregoing instrument of writing.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, the day and year above last written.

Notary Public

My Appointment Expires: _____

MODEL AGREEMENT

DEVELOPER'S (SUBDIVIDER'S) AGREEMENT

CITY OF DOUGLASS, BUTLER COUNTY, KANSAS

(Developer Installed Improvements) :

THIS AGREEMENT made and entered into this ____ day of _____, 20__ by and between the City of Douglass, Kansas, hereinafter referred to as "City" and _____, hereinafter referred to as "Developers"

WHEREAS, the City has approved and accepted the final plat of _____, in the City of Douglass, Kansas, dated the ____, day of _____, 20__; and

WHEREAS, the Developers desire to improve all or a portion of the subdivision referred to above; and

WHEREAS, the City desires to assure uniform compliance with specifications, implementation of the Subdivision Regulations, and workmanlike standards;

NOW, THEREFORE, it is agreed as follows;

1. The City of Douglass agrees to allow Developers to make improvements pursuant to the proposed final plat and agrees to allow Developers at their own cost to contract for such improvements on their own.
2. Developers, jointly and severally, agree to make such improvements at their sole and absolute cost pursuant to the engineering plans and specifications of said addition which plans and specifications have been or will be contemporaneously with the execution of this agreement approved by the Governing Body of Douglass. Developers shall pay for all engineering, inspections, testing, construction and associated costs of the projects.
3. Developers, jointly and severally agree that all improvements will be in every respect comply with the latest policies, ordinances, and regulations existing within the City of Douglass.

A. All improvements constructed or erected shall be subject to inspection by the city engineer or official responsible for setting and enforcing the applicable design and construction standards. The Developer shall give at least 48 hours notification to such official prior to the performance of any inspection work.

B. After notice is received, the official designated may conduct an on-site inspection to determine that the work complies with the approved engineering plans and specifications. If, in the opinion of such official, the work does not comply with such final drawings, the official shall have authority to order that all such work shall be corrected or terminated until such time as necessary steps are taken to correct any defects or deficiencies. In the event the contractor does not correct deficient work, the city shall have authority to perform the necessary corrective work and charge all associated costs to the developer (contractor) bond.

C. Upon completion of all improvements, the Developer shall notify the official designated, who shall thereupon conduct a final inspection of all improvements installed. If such final inspection indicated that there are any defects or deficiencies or deviations from the final engineering plans and specifications, the official shall notify the developer in writing and the developer shall, at his sole cost and expense, correct such defects or deviations within a reasonable period of time, but not to exceed six months from the date of notification. When such defects, deficiencies, or deviations have been corrected, the Developer shall notify the official that the improvements are again ready for final inspection.

D. After the final inspection is made and before acceptance of the improvement by the City of Douglass' Governing Body, the Developer shall file a sworn statement with the City official, which is executed by the Developer certifying that all obligations incurred in the engineering and construction of the improvements involved have been properly paid and settled.

E. If a final inspection indicates that all improvements contain no defects, deficiencies, or deviations, within 10 days from the submittal of the Developer's statement of obligation paid, the City official shall certify to the Governing Body and/or utility involved that all improvements have been installed in conformity with engineering plans and specifications.

F. Upon the receipt by the Governing Body of the above referred City official's certification that improvements have been constructed in conformity with plans, specifications, policies, ordinances, and regulations, the Governing Body shall thereupon by resolution or utility by letter formally accept such improvements. The improvements shall become the property of the City of Douglass or utility company involved.

4. Developers, jointly and severally, agree to provide the City of Douglass with good and sufficient sureties in the amount of the project to assure completion, payment, and maintenance as follows:

- A. Completion and payment guaranteed by \$ _____.
- () Contractors corporate completion and payment bond for \$ _____.
- () Cashier's check for \$ _____.
- () Escrow account for \$ _____.
- () Letter of Credit for \$ _____.

If money is deposited in an escrow account, this money can be released as the project proceeds with certification from the city engineer to verify that work has been completed through pay requests submitted by the contractor.

B. The financial sureties provided by the Developer shall include an amount equal to 15% of the cost of all improvements which shall be held by the City for a period of 18 months following the completion of construction and acceptance of such improvements by the City. The 15% so held by the City shall guarantee the costs associated with the correction of any defect in material or workmanship furnished for such improvements which might be latent in character and not discernable at the time of final inspection or acceptance by the Governing Body. Said 15% shall

also guarantee against any damage to such improvements caused by the settling of the ground, base, or foundation thereof. The 15% retainage may be utilized by the City to cause the repair of any defects or deficiencies as identified above and the balance of said 15% (if any) remaining at the expiration of 18 months shall be returned to the Developer or paid to the order of the Developer without payment of interest. Developer agrees to satisfy this requirement as follows:

- () Maintenance bond for \$ _____ for 18 months.
- () Cashier's check for \$ _____ for 18 months.
- () Escrow account for \$ _____ for 18 months.
- () Letter of credit for \$ _____ for 18 months.

C. "Developer, or developer's contractor, shall maintain liability and E and O insurance for not less than \$500,000.00 during all phases of construction. The City shall be named as a co-insured under the policy. Developer agrees to indemnify and hold the City harmless on account of any claim or claims arising from contractor's work.

5. All temporary construction facilities must be removed when building in the immediate vicinity is completed.
6. The Developer assumes responsibility to see that all original purchasers of lots in the Subdivision/Addition receive a copy of the Developer's Agreement at the time of purchase.
7. All lots covered by this agreement shall be kept clean and mowed to a height not to exceed twelve inches.
8. No construction will be allowed on any portion of the Subdivision/Addition unless the Developer or the designated Contractor has first obtained from the designated Building Inspector and Zoning administrator the proper zoning and building permits.
9. The Developer will file this Developer's Agreement, as approved by the City of Douglass' Governing Body, with the Butler County Register of Deeds. A copy of this Developer's Agreement showing said recording along with a copy of the recorded plat shall be furnished to the City before zoning and/or building permits are issued.
10. The terms and conditions set forth herein shall be binding upon the heirs, personal representatives, trustees, successors, and assigns of the parties hereto.
11. In entering into this agreement, the Developer represents familiarization with the policies of the City of Douglass, Kansas applicable to the improvements contemplated under the terms of this agreement and has become familiarized with the City's Subdivision Regulations. Nothing herein shall be construed to grant to the Developer either, directly or indirectly, a zoning variance or modifications under the subdivision regulations. Any waiver of the required improvements or guarantees for their installation may be made only by the applicable Governing Body on a show that such improvements are not technically feasible or necessary.
12. This Developer's Agreement together with the sureties required herein shall be filed with the Douglass City Clerk as a prerequisite of final plat approval. The developer agrees that commencement of the planned improvements shall begin by no later than _____ and that all improvements shall be substantially completed by _____. In the event that the developer fails to commence construction of such improvements by the date specified herein and/or fails to substantially complete such improvements by the date established herein, approval of the final plat may be revoked by the Governing Body which revocation may be made without notice to the developer and a City resolution memorializing such revocation shall immediately thereafter be forwarded to the Butler County Register of Deeds for recording.

The terms and conditions set forth herein shall be binding upon the heirs, executors, and assigns of the parties hereto.

Signed this _____ day of _____, 20__.

BY: _____
OWNER/DEVELOPER

CITY OF DOUGLASS

BY: _____
MAYOR

BY: _____
CITY CLERK

This document was approved and adopted by the Governing Body on January 17, 2005.

STATE OF KANSAS)
)ss
COUNTY OF BUTLER)

BE IT REMEMBERED that on this _____ day of _____, 20____, before me, the undersigned, a Notary Public, came _____, to me known to be the same person who executed the foregoing instrument of writing.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, the day and year above last written.

Notary Public

My Appointment Expires: _____

STATE OF KANSAS)
)ss
COUNTY OF BUTLER)

BE IT REMEMBERED that on this _____ day of _____, 20____, before me, the undersigned, a Notary Public, came _____, to me known to be the same person who executed the foregoing instrument of writing.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, the day and year above last written.

Notary Public

My Appointment Expires: _____

CITY OF DOUGLASS, KANSAS

STORM WATER DRAINAGE POLICY

1. The following requirements shall be imposed on land developers:
 - 1.1 A **Drainage Concept Plan** shall be submitted together with the sketch or preliminary plat, and shall indicate the manner in which storm water will be accepted from adjacent properties, handled through the new development, and received by adjacent downstream properties.
 - 1.2 A final **Master Drainage Plan** shall be submitted to the City together with the final plat for review and approval. The Master Drainage Plan shall be submitted a minimum of twenty (20) calendar days prior to consideration by the Douglass Planning Commission. This plan shall establish the drainage improvements to be implemented with the development, and shall include the following information:
 - 1.2.1 Indicate each lot suitable for a buried basement (B), view-out (VO), or walk-out (WO) basement.
 - 1.2.2 A minimum of four finish grades for each buildable lot shall be shown on the Master Drainage Plan. These grades shall include, but not be limited to, the following:
 - Top of street curb elevation or street flow line elevation adjacent to the lot.
 - Minimum top of foundation elevation in flood prone areas.
 - Minimum top of view-out (VO) or walk-out (WO) wall elevation.
 - Rear lot drainage swale flow line elevations, and/or lot corner elevations.
 - 1.2.3 Supporting drainage computations for the storm water improvements proposed in the Master Drainage Plan. Computations shall be prepared by a Kansas licensed professional engineer, and shall include an analysis of the pre-developed and post-developed drainage conditions.
 - 1.2.4 Storm water detention facilities shall be required where in new subdivisions exceed the following sizes:
 - R-1 and R-2 Zoning Districts, with 1 or more acres.
 - All other Zoning Districts, with ½ or more acres.

Where possible, detention facilities shall be combined for various land uses or ownerships. Size of the detention facilities shall be determined in accordance with sub-section 1.2.3, and shall detain the difference between pre-developed and post-developed run-off.
 - 1.3 When recording the approved subdivision plat with the appropriate County Register of Deeds, The land developer shall record the final approved Master Drainage Plan with the City Clerk.
 - 1.4 The Master Drainage Plan shall provide detailed information for individual builders as necessary to determine the type of residences that can be built on certain lots.
 - 1.5 The subdivision plat shall clearly state that a drainage plan has been developed for the subdivision and that all drainage easements, right-of-ways, or reserves shall allow for the unobstructed conveyance of storm water.
 - 1.6 If the subdivision Master Drainage Plan calls for the drainage of properties by back lot line drainage swales, the minimum allowable swale slope shall be 1.0%. Flatter slopes may require the paving of the swales or the installation of underground pipe and inlets to maintain positive drainage.

- 1.7 Builders will be required to develop individual lot grading plans consistent with the subdivision Master Drainage Plan and to construct basement and foundation walls to comply with said plans. The objective of these requirements is to make sure that final grades can be set so that they will work in substantial compliance with the Master Drainage Plan for the lot and area. Minor variances may be allowed providing there is no negative impact on the Master Drainage Plan.
- 1.8 Builders are encouraged to verify top of foundation and wall elevations prior to initiating plumbing groundwork inspection to ensure compliance with the approved lot grading plan. It is further recommended that Builders employ a licensed engineer or surveyor to perform site grade verifications and reference platted benchmark datum. The following field elevations should be obtained and included in the Builder's site grade verification document:
 - 1.8.1 Top of street curb elevations and or flow line elevations on or adjacent to the lot.
 - 1.8.2 Manhole and storm sewer inlet top elevations on or adjacent to the lot.
 - 1.8.3 Side and rear lot flow line elevations on or adjacent to the lot.
 - 1.8.4 Other site features, including landscaping, trees, special drainage structures, power poles and transformers, and other utility services.

Approved by Douglass City Council on November 10, 2004



