

ACTION

FIVE

COMMITTEE

M.A.P.C. See below for action * 6-8-67
B.C.C. / B.C.C.C. Refer to 7/5 6-28-67
B.C.C. (1) Disapprove the amendments 7-5-67

added in the MAPC
(2) Disapprove the Board of the MAPC
and of the amendments

(3) Delete 10% penalty bond
on paid) petition method
guaranteeing installation of improvements.

* Approve amendment as advised, instruct
Chairman to sign resolution, & forward
to Sec

2. Amend regulations to require 27 copies of preliminary & final plans to be submitted
3. Amend to regulations & ~~amend~~ request Sec to
ascertain their policies of requiring 27 penalty
plans to be submitted with ~~the~~ applications

DR 67-20 - Amendment to the Subdivision Rules and Regulations re: Building Permits - Divided Lots
ions re: Building Permits - Divided Lots

November 7, 1967

Mr. K. O. Taylor
567 West Douglas
Wichita, Kansas 67213

Dear Mr. Taylor:

The Utility Advisory Committee of the Subdivision Committee has requested the Subdivision Committee to take steps to amend our Subdivision Regulations eliminating the provision of the final-only type plat. The Subdivision Committee and certain members of the Planning Commission have some sympathy for this request but feel that many of the problems could be eliminated by both the engineers involved providing, directly to certain Utility Advisory Committee members, information that they know will be needed; and by changing certain administrative practices within our office concerning mail-out and closing dates for plats.

I would like to extend an invitation for you, as well as other engineers who will be receiving a copy of this letter, to meet with me for a short session to discuss these problems. I would suggest that we meet in the Planning Commission Room on Wednesday morning, November 15, 1967, at 9:00 a.m. Should this be inconvenient for you, please call and advise and I will try to arrange a new time and meeting date for you and others concerned.

Sincerely,

Robert A. Lakin
Assistant Planning Director

RAL:bgs

cc: Theodore H. Hill, Chairman, MAPC
W. Harold Mooney, Chairman, Subdivision Committee

November 7, 1967

Mr. Don C. Moehring
314 Brown Building
Wichita, Kansas 67202

Dear Mr. Moehring:

The Utility Advisory Committee of the Subdivision Committee has requested the Subdivision Committee to take steps to amend our Subdivision Regulations eliminating the provision of the final-only type plat. The Subdivision Committee and certain members of the Planning Commission have some sympathy for this request but feel that many of the problems could be eliminated by both the engineers involved providing, directly to certain Utility Advisory Committee members, information that they know will be needed; and by changing certain administrative practices within our office concerning mail-out and closing dates for plats.

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Sincerely,

Robert A. Lakin
Assistant Planning Director

RAL:bgs

cc: Theodore H. Hill, Chairman, MAPC
W. Harold Mooney, Chairman, Subdivision Committee

November 7, 1967

Baughman Company
2522 East Kellogg
Wichita, Kansas 67211

Gentlemen:

The Utility Advisory Committee of the Subdivision Committee has requested the Subdivision Committee to take steps to amend our Subdivision Regulations eliminating the provision of the final-only type plat. The Subdivision Committee and certain members of the Planning Commission have some sympathy for this request but feel that many of the problems could be eliminated by both the engineers involved providing, directly to certain Utility Advisory Committee members, information that they know will be needed; and by changing certain administrative practices within our office concerning mail-out and closing dates for plats.

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Sincerely,

Robert A. Lakin
Assistant Planning Director

RAL:bgs

cc: Theodore H. Hill, Chairman, MAPC
W. Harold Mooney, Chairman, Subdivision Committee

November 7, 1967

Mr. R. S. Delamater
512 Central Building
Wichita, Kansas 67202

Dear Mr. Delamater:

The Utility Advisory Committee of the Subdivision Committee has requested the Subdivision Committee to take steps to amend our Subdivision Regulations eliminating the provision of the final-only type plat. The Subdivision Committee and certain members of the Planning Commission have some sympathy for this request but feel that many of the problems could be eliminated by both the engineers involved providing, directly to certain Utility Advisory Committee members, information that they know will be needed; and by changing certain administrative practices within our office concerning mail-out and closing dates for plats.

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Sincerely,

Robert A. Lakin
Assistant Planning Director

RAL:bgs

cc: Theodore H. Hill, Chairman, MAPC
W. Harold Mooney, Chairman, Subdivision Committee

November 7, 1967

Mr. G. O. Hilton
1102 North Old Manor
Wichita, Kansas 67208

Dear Mr. Hilton:

The Utility Advisory Committee of the Subdivision Committee has requested the Subdivision Committee to take steps to amend our Subdivision Regulations eliminating the provision of the final-only type plat. The Subdivision Committee and certain members of the Planning Commission have some sympathy for this request but feel that many of the problems could be eliminated by both the engineers involved providing, directly to certain Utility Advisory Committee members, information that they know will be needed; and by changing certain administrative practices within our office concerning mail-out and closing dates for plats.

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Sincerely,

Robert A. Lakin
Assistant Planning Director

RAL:bgs

cc: Theodore H. Hill, Chairman, MAPC
W. Harold Mooney, Chairman, Subdivision Committee

November 7, 1967

Mr. Jerry Young
1704 North Meridian
Wichita, Kansas 67203

Dear Mr. Young:

The Utility Advisory Committee of the Subdivision Committee has requested the Subdivision Committee to take steps to amend our Subdivision Regulations eliminating the provision of the final-only type plat. The Subdivision Committee and certain members of the Planning Commission have some sympathy for this request but feel that many of the problems could be eliminated by both the engineers involved providing, directly to certain Utility Advisory Committee members, information that they know will be needed; and by changing certain administrative practices within our office concerning mail-out and closing dates for plats.

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Sincerely,

Robert A. Lakin
Assistant Planning Director

RAL:bgs

cc: Theodore H. Hill, Chairman, MAPC
W. Harold Mooney, Chairman, Subdivision Committee

November 7, 1967

Campbell & Castle, Engineers
509 North Emporia
Wichita, Kansas 67214

Gentlemen:

The Utility Advisory Committee of the Subdivision Committee has requested the Subdivision Committee to take steps to amend our Subdivision Regulations eliminating the provision of the final-only type plat. The Subdivision Committee and certain members of the Planning Commission have some sympathy for this request but feel that many of the problems could be eliminated by both the engineers involved providing, directly to certain Utility Advisory Committee members, information that they know will be needed; and by changing certain administrative practices within our office concerning mail-out and closing dates for plats.

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Sincerely,

Robert A. Lakin
Assistant Planning Director

RAL:bgs

cc: Theodore H. Hill, Chairman, MAPC
W. Harold Mooney, Chairman, Subdivision Committee

November 7, 1967

Mr. Wilmer J. Freund
8546 Hickory
Wichita, Kansas 67212

Dear Mr. Freund:

The Utility Advisory Committee of the Subdivision Committee has requested the Subdivision Committee to take steps to amend our Subdivision Regulations eliminating the provision of the final-only type plat. The Subdivision Committee and certain members of the Planning Commission have some sympathy for this request but feel that many of the problems could be eliminated by both the engineers involved providing, directly to certain Utility Advisory Committee members, information that they know will be needed; and by changing certain administrative practices within our office concerning mail-out and closing dates for plats.

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Sincerely,

Robert A. Lakin
Assistant Planning Director

RAL:bgs

cc: Theodore H. Hill, Chairman, MAPC
W. Harold Mooney, Chairman, Subdivision Committee

July 6, 1967

Russell E. McClure, City Manager

C. Bickley Foster, Director, Metropolitan Area Planning
Department

Lot Split Approval

For purposes of approving lot splits, I hereby designate Robert A. Lakin, Assistant Director of Planning of the Wichita-Sedgwick County Metropolitan Area Planning Department, as my appointed agent to act in my absences or as my alternate to approve or disapprove all lot split applications filed under the provisions of the adopted Subdivision Rules and Regulations of the Wichita-Sedgwick County Metropolitan Area Planning Commission.

CBF:kkg

cc: Ralph Wulz, Asst. City Manager
Ray Bruggeman, Director of Public Works
Glen Lytle, Superintendent of Central Inspection
Scottie Cronin, County Zoning Administrator
Jim Aiken, Environmental Health Director

WICHITA—SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
COMMISSION

AMHERST 2-8211 — AREA CODE 316
CITY BUILDING ANNEX
104 S. MAIN ST.
WICHITA, KANSAS 67202

C E R T I F I C A T E

I, C. Bickley Foster, duly elected, authorized and acting as Secretary of the Wichita-Sedgwick County Metropolitan Area Planning Commission, Wichita, Sedgwick County, Kansas, do hereby certify that the attached Resolution was duly adopted by the Wichita-Sedgwick County Metropolitan Area Planning Commission on June 8, 1967, as an amendment to the Subdivision Rules and Regulations for the Wichita-Sedgwick County Metropolitan Area.

Given under my hand and seal this 8th day of
June, 1967.

C. Bickley Foster, Secretary
Wichita-Sedgwick County Metro-
politan Area Planning Commis-
sion

(SEAL)

RESOLUTION

WHEREAS, pursuant to authority granted by statutes of the State of Kansas, the City of Wichita created a City Planning Commission, which Commission, pursuant to statutory authority applicable to the City of Wichita, has heretofore duly made and adopted a Master Plan and various amendments, extensions and additions thereof for the physical development of a municipality, and of any land outside the municipality which, in the opinion of the Commission, bears relation to the planning of the municipality, which Master Plan and amendments, extensions and additions thereto have been published and made a public record and such plan, amendments, extensions and additions are all incorporated herein by reference; and

WHEREAS, pursuant to statutory authority, a Wichita-Sedgwick County Metropolitan Area Planning Commission was created to take over the functions of the Wichita City Planning Commission and to expand and broaden the territorial jurisdiction thereof, including authority to amend, extend and add to said Master City Plan; and

WHEREAS, the Planning Commission did, on July 17, 1958, adopt rules and regulations governing the subdivision of land within its jurisdiction, which rules and regulations were approved by the governing body of the City; and

WHEREAS, said Subdivision Rules and Regulations were amended by the Wichita-Sedgwick County Metropolitan Area Planning Commission on October 4, 1962, on October 1, 1964, and again on November 23, 1966, and which amendments were approved by the Board of Commissioners of the City of Wichita, Kansas, on October 9, 1962, on November 10, 1964, and on December 13, 1966; and

WHEREAS, the Planning Commission now deems it advisable to make certain amendments and additions to the Subdivision Rules and Regulations; and

WHEREAS, the Planning Commission, pursuant to law (K.S.A. 1965 Supp. 12-705), did give notice by publication in the official City paper of a public hearing to be held on the adoption of said amendments and additions; and

WHEREAS, pursuant to notice given of a public hearing on June 8, 1967, at 2:00 p.m., in Room 401, City Building Annex, 104 South Main, Wichita, Kansas, the Planning Commission did hold the public hearing, at which hearing more than a majority of all members of the Wichita-Sedgwick County Metropolitan Area Planning Commission were present; and

WHEREAS, a majority of all members of said Wichita-Sedgwick County Metropolitan Area Planning Commission favored the adoption of said amendment.

NOW, THEREFORE, BE IT RESOLVED by the majority of all members of the Wichita-Sedgwick County Metropolitan Area Planning Commission, in meeting duly assembled, that the Subdivision Rules and Regulations for the Wichita-Sedgwick County Metropolitan Area as heretofore adopted and amended, be and the same are hereby amended as follows:

SECTION II. DEFINITIONS

- A. For the purpose of these Rules, a subdivision of land is (1) the division of land into two (2) or more lots or tracts; (2) the dedication of a road, highway or street through a tract of land regardless of area; and (3) the re-subdivision of land on the same basis as outlined above in (1) and (2).
- B. Major Street - A street or extension thereof shown on the Major Street Plan adopted by the City Planning Commission on January 23, 1946, or a revision thereof. In areas outside the city limits, a major street is located at section and quarter-section lines.
- C. Whenever the word "Commission" is used in these Rules and Regulations, it shall be deemed to refer to the Wichita-Sedgwick County Metropolitan Area Planning Commission.
- D. Lot Split - The dividing or redividing of a lot or lots in a recorded plat of a subdivision into not more than two (2) tracts, which meets the criteria established within these Regulations.
- E. Surveyor - Whenever the word "surveyor" is used, it shall mean a licensed professional engineer or a surveyor (if he has submitted and had approved by the Planning Commission, a final plat prior to July 1, 1967).

SECTION III. APPROVAL OF SUBDIVISION PLATS

Subdivision shall mean the division of a parcel of land into two (2) or more parcels for the purpose of transfer of ownership or building development or if a new street is involved in any division of a parcel of land; provided, however, that this shall not apply to a division of land for agricultural purposes into lots or parcels of five (5) acres or more in size, or to the sale or exchange of small parcels of land to or between adjoining property owners where such sale or exchange does not create additional lots. The term includes resubdivision and, when appropriate to the context, shall relate to the process of subdividing or to the land subdivided.

Every subdivision of land within the City of Wichita or within unincorporated territory, located not more than three (3) miles from the corporate limits of the City of Wichita, shall be shown upon a plat and submitted to the Commission for approval or disapproval. Any plat approved by the Commission shall be submitted to the Board of Commissioners of the City of Wichita for approval or disapproval and to the Board of Commissioners of Sedgwick County for approval or disapproval, acceptance or dedication of rights-of-way to the public.

No plat shall be recorded with the Office of the Register of Deeds unless and until approved as hereinabove provided.

For the purpose of defraying expenses incurred in reviewing and processing applications for approval of subdivisions or plats, there shall be paid to the City of Wichita a fee of \$50.00, plus \$3.00 for each lot over one. Said fee shall be paid when the preliminary plat is filed with the Commission. A written receipt shall be issued to the person(s) making such payment and records thereof shall be kept in such manner as prescribed by law. No fee shall be required when such proposed plat or subdivision is owned by any Department of the City, County, State or Federal Government. No fee shall be refunded in the event any preliminary or final plat is disapproved by either the Commission or governing body.

Sketch Plat and Preliminary Plat

To subdivide land into lots, parcels or tracts, or to dedicate or reserve streets, alleys, or land for public or private use, the owner shall file a completed "Application for Subdivision" form and subsequently confer with the Metropolitan Area Planning Department to develop a Sketch Plat of the area to be subdivided.

In the event that the subdivider and the Planning Department shall be unable to reach agreement on the characteristics of the Sketch Plat within thirty (30) days of the date of the application, in considering the Sketch Plat, the subdivider's application for subdivision and his proposed Sketch Plat shall be submitted to the Subdivision Committee of the Commission for proper disposition at the first regular meeting of the Committee following said thirty (30) day period.

Subsequent to report on the Sketch Plat by the Planning Department (or the review by the Committee in case of appeal), and the receipt by the subdivider of the Departmental Report (Letter of Intent) from the Planning Department setting forth the broad areas of agreement for the proposed subdivision; the subdivider prepares a preliminary plat, and shall submit such number of copies as may be determined necessary by the Planning Commission for proper review by the Subdivision Committee. The Planning Department shall consider the needs of all appropriate private and public agencies in considering the merits of the preliminary plat.

SECTION V. FINAL PLAT

1. Approval and Form of Final Plats

The Final Plat, on tracing cloth, together with such number of copies as is required for submission of Preliminary Plats, shall be submitted, together with copies of any restrictions where such are too lengthy to be shown on the plat, and three (3) prints of certified plans showing the improvements that have been constructed within the subdivision (or that the improvements will be constructed in accordance with Section XV,) shall be submitted to the Commission. Before approving the plat of all or part of a proposed subdivision, the Commission will require proof that the

improvements required in Section XV. have been satisfactorily completed (or that the improvements will be constructed in accordance with Section XV.). The Commission shall act upon the Final Plat within sixty (60) days after it has been submitted unless the subdivider agrees to an extension of this period.

The Final Plat is to be drawn to a scale of 100 feet or less to the inch (except as specifically authorized in the Departmental Report - Letter of Intent), from an accurate survey and on one (1) or more sheets whose dimensions are seventeen (17) inches by twenty-two (22) inches or twenty-two (22) inches by thirty-four (34) inches. If more than two (2) sheets are required, an index sheet of the same dimensions shall be filed showing the entire subdivision on one (1) sheet together with all areas shown on other sheets.

The Final Plat shall show:

- A. The boundary lines of the area being subdivided with accurate distances and angles or bearings; also all section lines.
- B. The names of all adjoining subdivisions must be listed if required by the Metropolitan Area Planning Commission.
- C. The lines of all proposed streets and alleys with their width and names.
- D. The accurate outline of any property which is offered for dedication for public use.
- E. All lot lines and an identification system for all lots and blocks.
- F. Building lines and easements for rights-of-way provided for public use, services or utilities with figures showing their dimensions.
- G. All dimensions, both linear and angular, necessary for locating boundaries of subdivisions, lots, streets, alleys, easements, and of any other areas for public or private use. The linear dimensions are to be expressed in feet and decimals of a foot.
- H. Specific data whereby the plat can be tied to a known point, such as a section or half-section corner.
- I. Monuments of iron pipe not less than three-fourths (3/4) of an inch in diameter and two (2) feet in length shall be securely placed at all street corners, and at all changes in alignment in street lines. The monuments shall be shown on the plat with the distance between them and with sufficient curve data plainly marked.

- J. Name of subdivision, points of compass, scale of plan, and name and signatures of owner or owners.
- K. Private restrictions and trusteeships and their periods of existence. Should such restrictions and trusteeships be of such length as to make the lettering of same on plat impracticable and thus necessitate the preparation of a separate instrument, reference to such instrument shall be added to the plat after the restrictions or trusteeship have been recorded. Plats shall contain proper acknowledgements of owners and the consent by the mortgagee to said plat and restrictions.
- L. Location and elevation of permanent bench mark.
- M. The surveyor's certificate, which contains the description of the land included in the plat and all necessary explanations of dimensions and references to monuments to supplement the figures on the plat itself.
- N. The acknowledgement of a notary in the following form:

State of Kansas, County of Sedgwick, ss:
 Be it remembered that on this ____ day of _____, 19____, before me a notary public in and for said County and State, came _____ to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same. In testimony whereof I have hereunto set my hand and affixed my notarial seal the day and year above written.

 Notary Public

My Commission Expires _____

- O. The certificate of the Wichita-Sedgwick County Metropolitan Area Planning Commission in the following form:

This plat of _____ has been approved by the Wichita-Sedgwick County Metropolitan Area Planning Commission, Wichita, Kansas, and is hereby transmitted to the Board of Commissioners of the City of Wichita, Kansas, with the recommendation that such plat be approved as proposed.

Dated this ____ day of _____, 19____.

Wichita-Sedgwick County Metropolitan
 Area Planning Commission

By _____ Chairman

_____ Secretary

- P. The approval of the Board of City Commissioners in the following form:

Approved by the Board of City Commissioners this _____ day of _____, 19__.

_____ Mayor

_____ City Clerk

- Q. The approval of the Board of County Commissioners in the following form:

Approved by the Board of County Commissioners this _____ day of _____, 19__.

_____ Chairman

_____ Commissioner

_____ Commissioner

County Clerk

(SEAL)

NOTE: Only a majority (two) of the Board of County Commissioners need sign.

- R. A blank space for noting entry on the transfer record in the following form:

Entered on transfer record this _____ day of _____, 19__.

_____ County Clerk

- S. The Certificate of the Register of Deeds in the following form:

State of Kansas, County of Sedgwick, ss:

This is to certify that this instrument was filed for record in the Register of Deeds Office on the _____ day of _____, 19__, at _____ o'clock, and is duly recorded.

_____ Register of Deeds

_____ Deputy

- T. Attorney's opinion that the proposed subdivider owns all of the property within the plat in fee and that it is free from encumbrances and liens, but if encumbered, the mortgagee shall be required to consent to the plat.

- U. Before it is approved, a certificate shall accompany the Final Plat showing that all taxes due and payable shall have been paid in full.

2. Approval of Plats for Small Tracts

(A) Authorization. Any other provision of these Regulations to the contrary notwithstanding, if a proposed plat of subdivision or resubdivision complies with the requirements of Subsection 2(B) of Section V. of these Regulations, then the Planning Commission may approve a Final Plat of such subdivision or resubdivision when neither a Sketch Plat nor a Preliminary Plat has been submitted by the subdivider and a Preliminary Plat has not been approved by the Subdivision Committee of the Planning Commission.

(B) Requirements. In order to qualify for approval in the manner provided in Subsection 2(A) of Section V., a proposed plat of subdivision shall comply with the following requirements:

- (1) The proposed plat of subdivision shall include not more than ten (10) acres if a residential plat, nor more than five (5) acres for any other type of plat;
- (2) The proposed plat of subdivision shall create not more than five (5) lots, tracts or parcels of land;
- (3) No public street or easement of access is sought to be dedicated, or is contemplated or projected, through (as opposed to adjacent to) the lot, tract or parcel proposed to be subdivided or resubdivided; and
- (4) The proposed plat of subdivision shall be in the form required by Subsection 1 of Section V. of these Regulations and shall contain all the data, information and certificates required on Final Plats by these Regulations.

(C) Procedure. Final Plats submitted for approval pursuant to Subsection 2 of Section V. shall be filed with the Planning Department so that the plat may be submitted to the Subdivision and Utility Advisory Committees for review. The Planning Department may require the subdivider to submit the topographic information whenever the property proposed to be subdivided or resubdivided is traversed by, or is adjacent to, a known watercourse, including intermittent streams.

SECTION XVIII. LOT SPLITS

1. General Intent. The Planning Commission hereby delegates to and designates the Director of Planning, or his appointed agent, authority for approving or disapproving lot splits in accordance with the following regulations.

2. Application Procedure. Requests for lot split approval shall be made by the owner of the land to the Wichita-Sedgwick County Metropolitan Area Planning Department. Four (4) copies of a drawing to scale of the lot(s) involved, if there are no structures thereon, or if structures are located on any part of the lot being split, four (4) copies of a survey of the lot(s) and the location of structure(s) thereon, together with the precise nature, location and dimensions of the split, shall accompany the application. The application shall be accompanied by the names and addresses of all persons to receive notices. Written notice shall be given to all owners of land within two hundred (200) feet of the property proposed to be split. Such owners shall have ten (10) days from the date of notification to notify the Director of Planning of any protests they may have concerning the lot split. The ten (10) day waiting period may be waived upon submission, in writing, of statements from those to be notified that they have no objection to the proposed lot split.
3. Approval Guidelines. Approval or disapproval of lot splits shall be made based on the following guidelines:
 - (A) No lot split shall be approved if:
 - (1) A new street or alley is needed or proposed.
 - (2) A vacation of streets, alleys, setback lines, access control or easements is required or proposed.
 - (3) If such action will result in significant increases in service requirements, e.g., utilities, schools, traffic control, streets, etc; or will interfere with maintaining existing service levels, e.g., additional curb cuts, repaving, etc.
 - (4) There is less street right-of-way than required by these Regulations or the Comprehensive Plan, unless such dedication can be made by separate instrument.
 - (5) All easement requirements have not been satisfied.
 - (6) If such split will result in a tract without direct access to a street.
 - (7) A substandard-sized lot or parcel will be created.
 - (B) The Director of Planning may make such additional requirements as deemed necessary to carry out the intent and purpose of existing land development regulations and governing body policy. Requirements may include, but not be limited to, installation of public facilities, dedication of right-of-way and

easements, and submission of covenants for the protection of other landowners in the original subdivision.

- (C) The Director of Planning, or his designated agent, shall in writing either approve, with or without conditions, or disapprove the lot split within thirty (30) days of application. If approved, and after all conditions have been met, he shall sign and furnish a certificate of approval to be affixed to the lot split survey, and a certified copy thereof shall be filed with the Register of Deeds, the official designated to issue building or occupancy permits, and the Office of the Planning Department, and a copy shall be furnished to the applicant.

4. Filing Fees - Lot Splits.

- (A) The filing fee for lot split shall be Twenty Dollars (\$20.00).
- (B) The cost of recording documents, publications, writs and engineering costs are payable in addition to filing fees. This will be billed to the applicant.

SECTION XIX. ADMINISTRATION AND AMENDMENT

The Commission may, from time to time, adopt, amend, and publish rules and instructions for the administration of these Rules to the end that the public be informed and that approval of plats is expedited. These Rules may be changed or amended by the Commission after public hearing, due notice of which shall be given as required by law and after approval by the Board of City Commissioners.

SECTION XX. WHEN EFFECTIVE

These Rules shall become effective after adoption by the Commission and approval by the Board of City Commissioners of Wichita, Kansas.

BE IT FURTHER RESOLVED that Theodore H. Hill, Chairman, and C. Bickley Foster, Secretary, of the Wichita-Sedgwick County Metropolitan Area Planning Commission record the amendments heretofore adopted on the Subdivision Rules and Regulations for the Wichita-Sedgwick County Metropolitan Area as heretofore adopted and amended.

BE IT FURTHER RESOLVED that an attested copy of this Resolution accomplishing said amendments to the Subdivision Rules and Regulations for the Wichita-Sedgwick County Metropolitan Area be certified to the governing body of the City of Wichita and to all legislative and administrative agencies affected by such Subdivision Rules and Regulations.

ADOPTED AT WICHITA, KANSAS, this 8th day of June,
1967.

Theodore H. Hill
Theodore H. Hill, Chairman
Wichita-Sedgwick County Metropol-
itan Area Planning Commission

ATTEST:

C. Bickley Foster
C. Bickley Foster, Secretary
Wichita-Sedgwick County Metro-
politan Area Planning Commis-
sion

(SEAL)

July 5, 1967

Mr. Scottie D. Cronin
County Zoning Administrator
100 County Courthouse
Wichita, Kansas 67203

Subject: Amendment to Subdivision Rules and
Regulations

Dear Mr. Cronin:

Attached is a certified copy of a Planning Commission Resolution adopting amendments to their existing Subdivision Rules and Regulations. These amendments will become effective at such time as the Wichita Board of City Commissioners approves the amendments as adopted by the Metropolitan Area Planning Commission. This item was submitted to the City Commission on June 28, 1967.

This copy is being forwarded to you for your information and files as required under provisions of Kansas Statutes. If there are any questions, please advise. No further action is needed.

Sincerely yours,

Robert A. Lakin
Assistant Planning Director

RAL:bgs
Attachment

P.S. The City Commission concurred today and this becomes effective immediately.

June 21, 1967

Board of County Commissioners
320 County Courthouse
Wichita, Kansas 67203

Subject: Amendment to Subdivision Rules and
Regulations

Gentlemen:

Attached is a certified copy of a Planning Commission Resolution adopting amendments to their existing Subdivision Rules and Regulations. These amendments will become effective at such time as the Wichita Board of City Commissioners approves the amendments as adopted by the Metropolitan Area Planning Commission. This item will be submitted to the City Commission on June 28, 1967.

This copy is being forwarded to you for your information and files as required under provisions of Kansas Statutes. If there are any questions, please advise. No further action is needed.

Very sincerely yours,

C. Bickley Foster
Director of Planning

CBF:bgs

Attachment

June 21, 1967

Mr. Wilmer Freund
County Engineer
P. O. Box 13205
Wichita, Kansas 67218

Subject: Amendment to Subdivision Rules and
Regulations

Dear Mr. Freund:

Attached is a certified copy of a Planning Commission Resolution adopting amendments to their existing Subdivision Rules and Regulations. These amendments will become effective at such time as the Wichita Board of City Commissioners approves the amendments as adopted by the Metropolitan Area Planning Commission. This item will be submitted to the City Commission on June 28, 1967.

This copy is being forwarded to you for your information and files as required under provisions of Kansas Statutes. If there are any questions, please advise. No further action is needed.

Very Sincerely Yours,

C. Bickley Foster
Director of Planning

CBF:bgs

Attachment

June 21, 1967

State Highway Commission
State Office Building
Topeka, Kansas 66612

Subject: Amendment to Subdivision Rules and
Regulations

Gentlemen:

Attached is a certified copy of a Planning Commission Resolution adopting amendments to their existing Subdivision Rules and Regulations. These amendments will become effective at such time as the Wichita Board of City Commissioners approves the amendments as adopted by the Metropolitan Area Planning Commission. This item will be submitted to the City Commission on June 28, 1967.

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Very sincerely yours,

C. Bickley Foster
Director of Planning

CBF:bgs

Attachment

June 21, 1967

Wichita Board of Education
428 South Broadway
Wichita, Kansas 67202

Subject: Amendment to Subdivision Rules and
Regulations

Gentlemen:

Attached is a certified copy of a Planning Commission Resolution adopting amendments to their existing Subdivision Rules and Regulations. These amendments will become effective at such time as the Wichita Board of City Commissioners approves the amendments as adopted by the Metropolitan Area Planning Commissioners. This item will be submitted to the City Commission on June 28, 1967.

This copy is being forwarded to you for your information and files as required under provisions of Kansas Statutes. If there are any questions, please advise. No further action is needed.

Very sincerely yours,

C. Bickley Foster
Director of Planning

CBF:bgs

Attachment

June 21, 1967

Ralph C. Eberly, City Clerk

C. Bickley Foster, Director of Planning

Amendment to Subdivision Rules and Regulations

Attached is a certified copy of a Planning Commission Resolution adopting amendments to their existing Subdivision Rules and Regulations. These amendments will become effective at such time as the Wichita Board of City Commissioners approves the amendments as adopted by the Metropolitan Area Planning Commission. This item will be submitted to the City Commission on June 28, 1967.

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CBF:bgs

Attachment

June 21, 1967

Wichita Board of Park Commissioners

C. Bickley Foster, Director of Planning

Amendment to Subdivision Rules and Regulations

Attached is a certified copy of a Planning Commission Resolution adopting amendments to their existing Subdivision Rules and Regulations. These amendments will become effective at such time as the Wichita Board of City Commissioners approve the amendments as adopted by the Metropolitan Area Planning Commission. This item will be submitted to the City Commission on June 28, 1967.

This copy is being forwarded to you for your information and files as required under provisions of Kansas Statutes. If there are any questions, please advise. No further action is needed.

CBF:bgs

Attachment

June 21, 1967

Ray Suggeman, Director of Public Works
C. Bickley Foster, Director of Planning

Amendment to Subdivision Rules and Regulations

Attached is a certified copy of a Planning Commission Resolution adopting amendments to their existing Subdivision Rules and Regulations. These amendments will become effective at such time as the Wichita Board of City Commissioners approves the amendments as adopted by the Metropolitan Area Planning Commission. This item will be submitted to the City Commission on June 28, 1967.

This copy is being forwarded to you for your information and files as required under provisions of Kansas Statutes. If there are any questions, please advise. No further action is needed.

CBF:bgs

Attachment

June 21, 1967

Russell E. McClure, City Manager
C. Bickley Foster, Director of Planning

Amendment to Subdivision Rules and Regulations

Attached is a certified copy of a Planning Commission Resolution adopting amendments to their existing Subdivision Rules and Regulations. These amendments will become effective at such time as the Wichita Board of City Commissioners approves the amendments as adopted by the Metropolitan Area Planning Commission. This item will be submitted to the City Commission on June 28, 1967.

This copy is being forwarded to you for your information and files as required under provisions of Kansas Statutes. If there are any questions, please advise. No further action is needed.

CBF:bgs

Attachment

June 21, 1967

B. E. Smith, City Engineer

C. Bickley Foster, Director of Planning

Amendment to Subdivision Rules and Regulations

Attached is a certified copy of a Planning Commission Resolution adopting amendments to their existing Subdivision Rules and Regulations. These amendments will become effective at such time as the Wichita Board of City Commissioners approves the amendments as adopted by the Metropolitan Area Planning Commission. This item will be submitted to the City Commission on June 28, 1967.

This copy is being forwarded to you for your information and files as required under provisions of Kansas Statutes. If there are any questions, please advise. No further action is needed.

CBF:bgs

Attachment

June 20, 1967

Board of City Commissioners
City Building
Wichita, Kansas

Gentlemen:

Re: DR 67-20 - Amendment to Subdivision
Rules and Regulations

Attached is a copy of a memo from Robert A. Lakin to the Metropolitan Area Planning Commission and a copy of the official notice setting forth the amendments which the Commission adopted. Also attached is a copy of the current Subdivision Regulations to which these amendments apply. These amendments, which were unanimously approved by the Planning Commissioners at their June 8 meeting, include a provision for lot-splits, a provision for approving final plats on five or less lots, a definition for surveying and an amendment to the provision which sets the number of prints of plats to be submitted to the Subdivision Committee for distribution to the various public and private officials.

The Planning Commission, as stated, unanimously adopted the amendments by Resolution. A certified copy of the Resolution is attached and should be received and filed. As required by statute, these amendments may not become effective until approved by the governing body. The Planning Commission, in addition, discussed the policy question of handling petitions as a means of guaranteeing improvements and passed the following motion:

MOTION: MOONEY moved, KRATZER seconded and it carried unanimously that the Planning Commission recommend to the Board of City Commissioners that: 1) the number of prints of plats to be submitted to the Subdivision Committee be set as 27; 2) amend (by deleting the 10% bond with petitions) the existing petition policy as an alternate method to the installation of improvements; and 3) amend the Subdivision Rules and Regulations as advertised.

Page 2 - Board of City Commissioners
June 20, 1967

The recommended action is to:

- a) Approve the amendments to the Subdivision Rules and Regulations of the City of Wichita as adopted by the Metropolitan Area Planning Commission.
- b) Receive and file the Resolution of the Metropolitan Area Planning Commission adopting such amendments.
- c) Amend (by deleting the 10% bond with petitions) the existing policy as an alternate method to guaranteeing installation of improvements as a condition of plat approval, to read: "Valid petitions for the installation of improvements in the form and manner as approved by the City Engineer."

Respectfully submitted,

C. Bickley Foster
Secretary

CBF:RAL:ber

Attachments

June 15, 1967

Board of City Commissioners
City Building
Wichita, Kansas

Gentlemen:

Re: DR 67-20 - Amendment to Subdivision
Rules and Regulations

Attached is a copy of a memo from Robert A. Lakin to the Metropolitan Area Planning Commission and a copy of the official notice setting forth the amendments which the Commission adopted. Also attached is a copy of the current Subdivision Regulations to which these amendments apply. These amendments to the Subdivision Regulations, which were unanimously approved by the Planning Commissioners at their June 8 meeting, include a provision for lot-splits, a provision for approving final plats on five or less lots, a definition for surveying and an amendment to the provision which sets the number of prints of plats to be submitted to the Subdivision Committee for distribution to the various public and private officials.

The Planning Commission, as stated, unanimously adopted the amendments. As required by statute, these amendments may not become effective until approved by the governing body. The Planning Commission, in addition, discussed the policy question of handling petitions as a means of guaranteeing improvements and passed the following motion:

It is recommended that the Board of Commissioners of the City of Wichita approve the amendments to the Subdivision Rules and Regulations as adopted by the Metropolitan Area Planning Commission and amend their policy to allow submission of petitions without a penalty bond as a means of guaranteeing public improvements.

Respectfully submitted,

C. Bickley Foster
Secretary

CBF:RAL:ber
Attachments

Betty

~~6-1-67~~

June 2, 1967

Dear Frank:

Here is a proposed interim amendment to the Subdivision Regulations which we have been advised to make as a result of the Casado bill passing. This will be discussed by the Planning Commission at its meeting on June 8. This item is early on the agenda and I thought you might want to distribute copies of these to members of your Homebuilders group who have been working with us on the new regulations. I don't believe there is anything too different in these proposals than what we have generally approved and, hopefully, agreed on in our past meetings.

Sincerely,

Bob

June 1, 1967

Metropolitan Area Planning Commission Members

Robert A. Lakin, Assistant Planning Director

DR 67-20 - Amendment to Subdivision Rules and Regulations

Attached is a copy of the official notice published in the official City paper as to specific changes in the existing Subdivision Rules and Regulations. These are interim amendments largely arising out of the new legislation passed by the 1967 Legislature. A bill passed which provided that building permits must be issued on split lots unless the subdivision rules and regulations in force in that jurisdiction provided for a specific lot-split procedure. Thus, if adequate control is to be maintained on lot-splits, this procedure must be adopted as soon as possible after the effective date of that statute (July 1, 1967). Accordingly, the lot-split provisions of the new subdivision regulations have been adjusted to fit into the current set of subdivision regulations.

Also, at the request of Planning staff members and members of the Department of Public Works, two or three other changes in existing regulations have been included for Planning Commission consideration and immediate implementation. These are the provisions for a quick procedure for approving a final plat involving a limited number of lots, not creating new streets, etc. This provision is also taken from the new subdivision regulations. Two other rather minor changes have also been made: One defining "surveyor" and the other giving the Planning Commission the authority by motion to establish the number of copies of plats to be submitted for approval. This would eliminate the specific number of plats contained in the regulation and as new needs are developed for review purposes, the Planning Commission could make such changes by simple motion rather than the involved and lengthy procedure of public hearings.

The City Commission, some months ago, approved a policy of accepting petitions where authorized by statute as a means of guaranteeing improvements required by the Subdivision Rules and Regulations. At that time this policy was established, a concurrent policy was approved which required the penalty bond in the amount of 10% of the total improvements to be installed in the subdivision. It was the understanding of the Planning Department, and it has been so

Page 2 - Metropolitan Area Planning Commission Members
June 1, 1967

administered over the last few months, that the bond was a penalty bond conditioned on a certain amount of development taking place within the subdivision within a given period of time. Should the development not occur, the amount of the bond would be forfeited. This policy has been quite inconvenient and has not appeared to add substantially to the platting process and has been quite an inconvenience for the small subdivider. If a petition has been submitted and approved by the governing body at the time a plat has been approved, the normal action of the City Commission is to approve the petition and instruct the City Engineer to withhold preparation of plans and preliminary estimates until sufficient development exists as to justify continuing with the project. Generally speaking, approximately 35% development has been used as an indicator as to the justification of proceeding with construction. The same 35% figure has been used on our bonds. Thus, if the City is going to proceed with the project with 35% development, the project will be under way and on or in the ground at the same time the bond would be released. Thus, the bond appears to serve no useful purpose and it is recommended to the Planning Commission that the Planning Commission recommend that the City Commission abandon the 10% penalty bond as a part of the petition method of guaranteeing improvements. It is further recommended that the Planning Commission adopt the proposed amendments to the existing subdivision regulations as set out in the attachment, with such amendments as the Commission may care to make, and forward them to the Board of City Commissioners requesting its concurrence and approval. When this has occurred, the amendments will be in effect.

RAL:bar

Attachment

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION
CITY BUILDING ANNEX, 104 South Main
Wichita, Kansas 67202

May 19, 1967

TO: Members of the Subdivision Committee and Utility
Advisory Committee

FROM: Jack H. Galbraith, Senior Planner *J.H.G.*

SUBJECT: Amendment to the Subdivision Rules and Regulations

Attached for your information and review is a copy of the Official Notice of Public Hearing for amendments to the existing Subdivision Rules and Regulations to be held by the Planning Commission on June 8, 1967.

Basically, this proposed amendment establishes a procedure for approval of plats for small tracts which should take less time than processing normal plats. Also, this amendment sets out the procedures for platting lot splits. Two definitions have also been added for "Lot Splits" and defining "Surveyor".

If you have any questions or comments concerning this matter prior to the June 8, public hearing, we would appreciate hearing from you.

JHG:bgs

Attachment

() (Published in The Wichita Beacon on May 19, 1967)

OFFICIAL NOTICE

TO WHOM IT MAY CONCERN AND TO ALL PERSONS INTERESTED:

NOTICE IS HEREBY GIVEN that on June 8, 1967, at 2:00 P.M., the Wichita-Sedgwick County Metropolitan Area Planning Commission, in Room 401, City Building Annex, 104 South Main, Wichita, Kansas, will consider the following amendments to the Subdivision Rules and Regulations for the Wichita-Sedgwick County Metropolitan Area, as revised and adopted by the Wichita-Sedgwick County Metropolitan Area Planning Commission on July 17, 1958, and as approved by the Board of Commissioners of the City of Wichita, Kansas, on July 29, 1958, and amendments thereto:

SECTION II. DEFINITIONS

Add as follows:

- D. Lot Split - The dividing or redividing of a lot or lots in a recorded plat of a subdivision into not more than two (2) tracts, which meets the criteria established within these Regulations.
- E. Surveyor - Whenever the word "surveyor" is used, it shall mean a licensed professional engineer or a surveyor (if he has submitted and had approved by the Planning Commission, a final plat prior to July 1, 1967).

SECTION III. APPROVAL OF SUBDIVISION PLATS

Sketch Plat and Preliminary Plat

Amend the last paragraph to read as follows:

Subsequent to report on the Sketch Plat by the Planning Department (or the review by the Committee in case of appeal), and the receipt by the subdivider of the Departmental Report (Letter of Intent) from the Planning Department setting forth the broad areas of agreement for the proposed subdivision; the subdivider prepares a Preliminary Plat, and shall submit such number of copies as may be determined necessary by the Planning Commission for

proper review by the Subdivision Committee. The Planning Department shall consider the needs of all appropriate private and public agencies in considering the merits of the Preliminary Plat.

SECTION V. FINAL PLAT

Add to and amend the first paragraph to read as follows:

1. Approval and Form of Final Plats

The Final Plat, on tracing cloth, together with such number of copies as is required for submission of Preliminary Plats, shall be submitted, together with copies of any restrictions where such are too lengthy to be shown on the plat, and three (3) prints of certified plans showing the improvements that have been constructed within the subdivision (or that the improvements will be constructed in accordance with Section XV) shall be submitted to the Commission. Before approving the plat of all or part of a proposed subdivision, the Commission will require proof that the improvements required in Section XV have been satisfactorily completed (or that the improvements will be constructed in accordance with Section XV). The Commission shall act upon the Final Plat within sixty (60) days after it has been submitted unless the subdivider agrees to an extension of this period.

Add after "U." as presently exists in Section V. the following:

2. Approval of Plats for Small Tracts

(A) Authorization. Any other provision of these Regulations to the contrary notwithstanding, if a proposed plat of subdivision or resubdivision complies with the requirements of Subsection 2(B) of Section V of these Regulations, then the Planning Commission may approve a Final Plat of such subdivision or resubdivision when neither a Sketch Plat nor a Preliminary Plat has been submitted by the subdivider and a Preliminary Plat has not been approved by the Subdivision Committee of the Planning Commission.

(B) Requirements. In order to qualify for approval in the manner provided in Subsection 2(A) of Section V, a proposed plat of subdivision shall comply with the following requirements:

- (1) The proposed plat of subdivision shall include not more than ten (10) acres if a residential plat, nor more than five (5) acres for any other type of plat;
- (2) The proposed plat of subdivision shall create not more than five (5) lots, tracts or parcels of land;
- (3) No public street or easement of access is sought to be dedicated, or is contemplated or projected, through (as opposed to adjacent to) the lot, tract or parcel proposed to be subdivided or resubdivided; and
- (4) The proposed plat of subdivision shall be in the form required by Subsection 1 of Section V of these Regulations and shall contain all the data, information and certificates required on Final Plats by these Regulations.

(C) Procedure. Final Plats submitted for approval pursuant to Subsection 2 of Section V shall be filed with the Planning Department so that the plat may be submitted to the Subdivision and Utility Advisory Committees for review. The Planning Department may require the subdivider to submit the topographic information whenever the property proposed to be subdivided or resubdivided is traversed by, or is adjacent to, a known water course, including intermittent streams.

SECTION XVIII. ADMINISTRATION AND AMENDMENT

Amend the title to read as follows:

SECTION XVIII. LOT SPLITS

Add as a new Section XVIII. the following:

XVIII. LOT SPLITS

1. General Intent. The Planning Commission hereby delegates to and designates the Director of Planning, or his appointed agent, authority for approving or disapproving lot splits in accordance with the following regulations.
2. Application Procedure. Requests for lot split approval shall be made by the owner of the land to the Wichita-Sedgwick County Metropolitan Area Planning Department. Four (4) copies of a drawing to scale of the lot(s) involved, if there are no structures thereon, or if structures are located on any part of the lot being split, four (4) copies of a survey of the lot(s) and the location of structure(s) thereon, together with the precise nature, location and dimensions of the split, shall accompany the application. The application shall be accompanied by the names and addresses of all persons to receive notices. Written notice shall be given to all owners of land within two hundred (200) feet of the property proposed to be split. Such owners shall have ten (10) days from the date of notification to notify the Director of Planning of any protests they may have concerning the lot split. The ten (10) day waiting period may be waived upon submission, in writing, of statements from those to be notified that they have no objection to the proposed lot split.
3. Approval Guidelines. Approval or disapproval of lot splits shall be made based on the following guidelines:
 - (A) No lot split shall be approved if:
 - (1) A new street or alley is needed or proposed.
 - (2) A vacation of streets, alleys, setback lines, access control or easements is required or proposed.
 - (3) If such action will result in significant increases in service requirements, e.g., utilities, schools, traffic control,

streets, etc.; or will interfere with maintaining existing service levels, e.g., additional curb cuts, repaving, etc.

- (4) There is less street right-of-way than required by these Regulations or the Comprehensive Plan, unless such dedication can be made by separate instrument.
 - (5) All easement requirements have not been satisfied.
 - (6) If such split will result in a tract without direct access to a street.
 - (7) A substandard-sized lot or parcel will be created.
- (B) The Director of Planning may make such additional requirements as deemed necessary to carry out the intent and purpose of existing land development regulations and governing body policy. Requirements may include, but not be limited to, installation of public facilities, dedication of right-of-way and easements, and submission of covenants for the protection of other landowners in the original subdivision.
- (C) The Director of Planning, or his designated agent, shall in writing either approve, with or without conditions, or disapprove the lot split within thirty (30) days of application. If approved, and after all conditions have been met, he shall sign and furnish a certificate of approval to be affixed to the lot split survey, and a certified copy thereof shall be filed with the Register of Deeds, the official designated to issue building or occupancy permits, and the Office of the Planning Department, and a copy shall be furnished to the applicant.

4. Filing Fees - Lot Splits.

- (A) The filing fee for lot split shall be Twenty Dollars (\$20.00).

- (B) Cost of recording documents, publications, writs, and engineering costs are payable in addition to filing fees. This will be billed to the applicant.

SECTION XVIII. ADMINISTRATION AND AMENDMENT

Existing Section XVIII. Administration and Amendment, shall become Section XIX. Administration and Amendment.

SECTION XIX. WHEN EFFECTIVE

Existing Section XIX. When Effective, shall become Section XX. When Effective.

The proposed amendments to the Subdivision Rules and Regulations will there be discussed and considered by the said Wichita-Sedgwick County Metropolitan Area Planning Commission, and all persons interested in said matter will be heard at this time concerning their views and wishes in the premises, and any protest against any of the provisions of the proposed changes and amendments to the Subdivision Rules and Regulations will be considered by the Commission as by law provided.

WITNESS MY HAND AND SEAL this 17th day of May,
1967.

C. Bickley Foster, Secretary
Wichita-Sedgwick County Metro-
politan Area Planning Commis-
sion

(SEAL)

add to
Amend Section II Definitions as follows:

~~LOT SPLIT~~ - The dividing or redividing of a lot or lots in a recorded plat of a subdivision which meets the criteria established within these regulations. ^{into not more than ten tracts}

~~Engineer~~ ^{Cap} Surveyor

SURVEYOR ^{whenever the word surveyor is used, it shall mean a} and the licensed professional engineer or ^a surveyor (if he has submitted and had approved by the Planning Commission, a final plat prior ^{to July 1, 1967} to the adoption of these regulations) who prepared the plat.

Amend Section III Approval of Subdivision Plat, Subsection entitled "Sketch Plat and Preliminary Plat" to read as follows:

Copy last 2 TPs on P 7

+ correct TP on top of page 8 at #.

?
* such number of copies as may be determined necessary for proper review ...
by the P-C-

Final Form -
copy add to

Amend Section V Final Plat to read as follows:

~~Approval of Final Plats~~
1. The Final Plat on tracing cloth, together with such number of copies as may ~~may~~ be required for submission of preliminary plats, shall be

cont to copy.

2. APPROVAL OF PLATS FOR SMALL TRACTS.

(A) Authorization. Any other provision of these regulations to the contrary notwithstanding, if a proposed plat of subdivision or resubdivision complies with the requirements of ^{Sub- 2(B) of Section V} ~~Section 4-502~~ of these regulations, then the Planning Commission may approve a final plat of such subdivision or resubdivision when neither a sketch plan nor a preliminary plat have been submitted by the subdivider and a preliminary plat has not been approved by the Planning Commission.

~~4-502.~~ (B) Requirements. In order to qualify for approval in the manner provided in ^{Sub 2/A of Section V} Section 4-501 a proposed plat of subdivision shall comply with the following requirements:

- (A) (1) The proposed plat of subdivision shall include not more than ^{ten} ~~five~~ acres ^{if a single tract plat, not more than five acres for any other type of plat} 10 Acres 5
- (2) The proposed plat of subdivision shall create not more than five lots, tracts or parcels of land; 6
- (3) No public street or easement of access is sought to be dedicated, or is contemplated or projected, through (as opposed to adjacent to) the lot, tract or parcel proposed to be subdivided or resubdivided; and 8
- (4) The proposed plat of subdivision shall be in the form required by ^{Sub - Section V} Section 5-301 of these regulations and shall contain all the data, information and certificates required on final plats by ~~Section 5-302~~ of these regulations. 14

4-503. (C) Procedure. 16

- (A) Final plats submitted for approval pursuant to ^{Sub} Section ~~2~~ ^V 4-501 shall be filed with the Planning Department so that the plat may be submitted to the Subdivision and Utility Advisory Committees for review. The Planning Department may require the subdivider to submit the topographic information ~~Listed in Section 5-302(B)(2)~~ 22

whenever the property proposed to be subdivided or resubdivided is traversed by, or is adjacent to, a known water course, including intermittent streams.

~~(b) The approval of final plats by the Planning Commission pursuant to Section 4-501 shall be subject to the provisions of Section 4-301 through 4-305, inclusive, of these regulations except insofar as the said sections require prior approval of, or compliance with, an approved plat.~~

Ordinary
PART 6. BUILDING AND OTHER PERMITS.

~~4-601. No building permit, zoning certificate or occupancy certificate shall be issued for a building or structure on any lot, tract or parcel of any subdivision that is subject to the provisions of these regulations until a copy of the recorded plat of subdivision is available for examination by the official charged with issuing building permits and/or zoning certificates. No such permits or certificates shall be issued until there has been compliance with~~

Amend the title B

Amend Section XVIII Administration and Amendment

to read as follows:

Section XIX Administration and Amendment

Add as a new Section XVIII the following:

XVIII LOT SPLITS

~~6-101-1~~ 1. General Intent. The Planning Commission hereby delegates to and designates the Director of Planning or his appointed agent, authority for approving or disapproving lot splits in accordance with the following regulations.

~~6-102-2~~ 2. Application Procedure. Requests for lot split approval shall be made by the owner of the land to the Wichita-Sedgwick County Metropolitan Area Planning Department. Four (4) copies of a ⁺ survey of the ^{and the location of structures (a) thereon} of the lot(s), together with the precise nature, location and dimensions of the split, shall accompany the application. The application shall be accompanied by the names and addresses of all persons to receive notices. Written notices shall be given to all owners of land within 200 feet of the property proposed to be split. Such owners shall have ten (10) days from the date of notification to notify the ~~Department of~~ ^{Director of} Planning of any protests they may have concerning the lot split. The ten (10) day waiting period may be waived upon submission in writing of statements from those to be notified that they have no objection to the proposed lot split.

~~6-103-3~~ 3. Approval Guidelines. Approval or disapproval of lot splits shall be made based on the following guidelines:

(A) No lot split shall be approved if:

* a drawing to scale of the lot(s) involved ^{if there are no structures thereon, or if structures are located on any part of the lot being split,} four (4) copies of a

(1) A new street, ^{or} alley is needed or proposed	1
(2) A vacation of streets, alleys, setback lines, access control or easements is required or proposed.	2 3
(3) If such action will result in significant increases in service requirements, e.g., utilities, schools, traffic control, streets, etc.; or will interfere with maintaining existing service levels, e.g., additional curb cuts, repaving, etc.	4 5 6 7 8
(4) There is less street right-of-way than required by these regulations or the Comprehensive Plan unless such dedication can be made by separate instrument.	9 10 11
(5) All easement requirements have not been satisfied.	12
(6) If such split will result in a tract without direct access to a street.	13 14
(7) A substandard sized lot or parcel will be created.	15
(B) The Director of Planning may make such additional requirements as deemed necessary to carry out the intent and purpose of existing land development regulations and governing body policy. Requirements may include, but not be limited to, installation of public facilities, dedication of right-of-way and easements, and submission of covenants for the protection of other landowners in the original subdivision.	16 17 18 19 20 21 22

(C) The ~~Director of~~ ^{Director of} ~~Planning~~ ^{or his designated agent} shall, in writing, either approve with or without conditions or disapprove the lot split within thirty(30) days of application. If approved and after all conditions have been met, he shall ^{sign and} furnish ~~the~~ ^{the} a certificate of approval to be affixed to the lot-split survey, and a certified copy thereof shall be filed with the Register of Deeds, the official designated to issue building or occupancy permits, and the office of the Planning Department, and a copy shall be furnished to the applicant.

~~3-307~~ ^{4.} Filing Fees - Lot Splits

(A) ~~The filing fee for a plat or subdivision shall be \$50.00 plus \$3.00 for each lot over one.~~

(B) ~~(1)~~ The filing fee for lot-split shall be \$20.00.

(C) ~~(2)~~ Cost of recording documents, publications, writs, and engineering costs are payable in addition to filing fees. This will be billed to the applicant.

THE CITY OF WICHITA

OFFICE OF DIRECTOR OF PUBLIC WORKS DATE April 14, 1967



TO C. Bickley Foster, Director of Planning
FROM Ralph Wulz, Director of Public Works

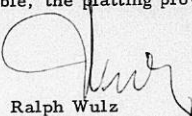
SUBJECT Building Permits - Divided Lots

Senate Bill No. 258 which was adopted at this session of the legislature reads as follows:

"..... No building permit shall be issued for the construction of any structure upon any lot, tract or parcel of land located within the area governed by the subdivision regulations that has been subdivided, resubdivided or replatted after the date of the adoption of such regulations by the governing body or governing body and board of county commissioners but which has not been approved in the manner provided by this act. Any regulations adopted by a governing body with reference to subdividing lots shall provide for the issuance of building permits on lots divided into not more than two (2) tracts without having to replat said lot, provided that the resulting tracts shall not again be divided without replatting. Such regulation shall contain procedure for issuance of building permits on divided lots which shall take into account the need for adequate street rights-of-way, easements, improvement of public facilities, and zoning regulations if in existence, shall provide for a procedure which shall specify a time limit within which action shall be taken, and shall further provide, where applicable, for a final decision on the issuance of such building permit to be made by the governing body, except as may be provided by law"

As you know, the present requirements that no building permit shall be issued for the construction of any structure upon any lot, tract, or parcel of land that has been subdivided, resubdivided, or replatted but which has not been approved in the manner provided by law along with the existing time consuming platting procedure has caused severe criticism of both the Planning Department and the Central Inspection Division of the Department of Public Works. Consequently, I would urge that immediate steps be taken to adopt regulations as provided for in Senate Bill No. 258 along with steps to shorten, if at all possible, the platting procedures.

RW:jh
cc: Glen E. Lytle
Russell E. McClure


Ralph Wulz
Director of Public Works

