

SECTION 3

FINAL PLAT PROCEDURE, CONTENT, AND ACTION BY PLANNING COMMISSION

SECTION 3.1 - FINAL PLAT PROCEDURE

- a. For the final approval, the subdivider shall file with the City Clerk not less than thirty (30) days before the Planning Commission's regularly scheduled meeting:
 1. Four (4) copies of the Final Plat with all required signatures and professional certifications, one (1) copy on 11" by 17" sheet of paper, and a digital format approved by the City Planner.
 2. A letter from the City Engineer stating the final plat is substantially in accordance with the preliminary plat as previously approved by the Planning Commission.
 3. One copy of completed and approved plans for streets, storm sewers, and sanitary sewers (where required) which have been reviewed by the City Engineer.
 - a. (ORDINANCE #999 7/26/99) When the final plat has been acted upon by the Planning Commission, it shall be transmitted forthwith to the City Council with a letter from the Secretary of the Planning Commission stating the Planning Commission's determination.
 - b. (ORDINANCE #999 7/26/99) When the final plat has been approved by the City Council, the developer shall furnish the City with a letter from a Title Company certifying the ownership of the property in question as of that date.
 - c. When the final plat has been approved by the City Council, the developer shall furnish the final plat to the City in a format that conforms to the standards required by the City and the Register of Deeds with Leavenworth County. No plat shall be recorded with the Register of Deeds prior to its endorsement by the appropriate City officials. (Updated by Ordinance 1230, May 29, 2007)
 - d. Receipt of the duly certified and recorded final plat and a performance bond or irrevocable letter of credit (approved by the City Attorney) by the developer is authorization that he may proceed with the installation and construction of the required improvements and obtain building permits after construction of improvements is completed and approved. If the developer wishes to obtain building permits before the public and utility improvements are completed and approved, he shall first

file a performance bond with the City Clerk. Occupancy Permits will not be issued prior to acceptance of public improvements.

e. The developer shall file performance and maintenance bonds in the correct amount as provided in these regulations.

f. The City Council shall return the performance bond, etc., to the subdivider upon notice by the City Engineer of satisfactory completion of the installation and construction of the improvements. Prior to notification by the City Engineer, the subdivider shall file with the City Engineer as built plans, profiles, and cross sections of the required improvements as they have been built.

SECTION 3.2 - FINAL PLAT CONTENT

The final plat shall be made to a scale no smaller than one inch equals two hundred feet (1" = 200') from an accurate survey drawn on a sheet which maximum dimensions of 24" by 36" (a scale of one inch equals one hundred feet: 1" = 100') shall be used if the tract is 1,350 feet in width or less and shall show:

- a. The correct legal description of the property being subdivided.
- b. The boundary lines of the area being subdivided with accurate distances and angles.
- c. The lines of all proposed highways, streets, and alleys with their width and names.
- d. The accurate outline of any portion of the property intended to be dedicated or granted to public use.
- e. The lines of departure of one street from another.
- f. The lines of all adjoining property and the lines of the adjoining highways, streets, and alleys with their width and names.
- g. All lots designated by numbers or letters, and streets, avenues and other grounds by names, letter, or numbers.
- h. The location and widths of building lines on front and side streets and the locations and widths of utility easements, easements for possible future construction, and easements for drainage purposes.
- i. All dimensions, both linear and angular, necessary for locating the boundaries of the subdivision, lot, streets, alleys, easements, and any other areas for public or private use. Linear dimensions are to be given to the nearest 1/100 of a foot.
- j. The radii, arcs, chords, points of tangency, and central angles for all curvilinear streets and radii for rounded corners.

- k. The location of all survey monuments and bench marks, together with their descriptions.
- l. The name of the subdivision and the scale of the plat, designation as "Final Plat", points of the compass, and the name of every owner or owners or subdividers.
- m. Private restrictions and trusteeships being of such length as to make their lettering on the plat impractical be and thus necessitate the preparation of a separate instrument; reference to such instrument shall be on the plat.
- n. Acknowledgment of the owner or owners of the plat and restrictions, including dedication to public use of all streets, alleys, parks, or other open spaces shown thereon, and the granting of easements required.
- o. The following certificates are to be signed:
 - 1. All plats shall be verified by the owner or owners to include: Verification of ownership by owner or owners; a verified statement to the effect that all previous taxes have been paid and that all highways, streets, alleys, and public grounds shown on the plat are dedicated for public use.
 - 2. Land Surveyor or Licensed Professional Engineer of the State of Kansas certifying that he has accurately surveyed such subdivision and the correct location of all monuments shown, and all lots, blocks, highways, streets, avenues, alleys, public ways and grounds, and other grounds are well and accurately staked and marked physically on the ground.
 - 3. Approval of Planning Commission by the Secretary and Chairman of the Planning Commission.
 - 4. Approval of the City Engineer.
 - 5. Approval of the City by the Mayor and City Clerk.
 - 6. By the Register of Deeds, stating the day, month, year, time, book, and page that said plat was recorded.
 - 7. (ORDINANCE #1003 9/13/99) Signature line for the County Surveyor, with the following note: "I hereby certify this plat meets the requirements of K.S.A. 58-2005. The face of this plat was reviewed for compliance with Kansas Minimum Standards for Boundary Surveys. No field verification is implied. This review is for survey information only.
- p. True North Point, graphic scale, and date.

SECTION 3.3 PLANNING COMMISSION'S ACTION

The Planning Commission shall determine if the plat conforms to these Subdivision Regulations. The Planning Commission shall act upon the final plat within sixty (60) days after the first meeting of the Planning Commission following the date of submission of the plat to the secretary of the board, and if the Planning Commission does not ask the subdivider for an extension of this period and no action is taken within this period, then the plat shall be deemed to have been approved by the Planning Commission and the plat shall be passed on to the City Council for action.

If the Planning Commission finds that the plat does not conform to the requirements of the subdivision regulations, the Planning Commission shall notify the owner or owners of such fact. If the plat conforms to the requirements of such regulations, there shall be endorsed thereon the fact that the plat has been submitted to and approved by the Planning Commission.

SECTION 3.4 ACTIONS BY GOVERNING BODY

The Governing Body shall accept or refuse dedication of land for public purposes within thirty days after the first meeting of the Governing body following the date of the submission of the plat to the City Clerk. The Governing Body may defer action for an additional thirty days for the purpose of allowing for modifications to comply with the requirements established by the Governing Body. No additional filing fees shall be assessed during that period. If the Governing Body differs or refuses such dedication, it shall advise the Planning Commission of the reasons therefore.

SECTION 3.5 REPLAT PROCEDURE (Updated by Ordinance #1028 4/24/00 & Ordinance #1082, 6-11-01)

1. When the replat involves only the shifting of lot lines, the replat will consist of a new Final Plat, a current title report and a revised set of improvement plans noting any changes in utility line connections. Relocation and/or provision of these connections to each lot shall be at the expense of the developer.
2. When re-platting involves a plat that is over 3 years old, requires re-grading of the land, or changes to previously dedicated lands, the full platting process must be followed.