

**ITEM NO. 6 TEXT AMENDMENT TO CITY OF LAWRENCE DEVELOPMENT CODE & DOUGLAS COUNTY CODE; SUBDIVISION REGULATIONS (SMS)**

**TA-3-3-10:** Consider Text Amendments to the joint city/county subdivision regulations in the City of Lawrence Land Development Code, Chapter 20, Article 8 and the Douglas County Code, Chapter 11, Article 1 to revise process requirements for division of property through Certificates of Survey, Minor Subdivisions and Major Subdivisions. Modifications include reformatting this article/chapter to eliminate duplicative text and to delete terminology not used. *Initiated by City Commission on 2/16/10. Re-initiated by Planning Commission on 5/23/11. Deferred by Planning Commission on 10/26/11.*

**STAFF PRESENTATION**

Ms. Sheila Stogsdill presented the item.

Commissioner von Achen inquired about a temporary set aside agreement.

Ms. Stogsdill said it was a protection measure for Certificates of Survey in the Urban Growth Area. She said it was like a conservation easement but not necessarily permanent. It protects or preserves the areas in the future development area of a Certificate of Survey. She stated once the property was annexed into the city it would expire if there was no action to replat the property or the city to actually acquire that through easement. She said originally the thought was that some of those sensitive lands would be areas prime for adding to the park network so they didn't want them to be specifically developed before they came into the city. She said if there was no proactive action by the city to acquire that within two years then the protection was lifted so the property owner had full use of it.

Commissioner von Achen asked if the clock started ticking after annexation.

Ms. Stogsdill said that was correct.

Commissioner Hird inquired about the language regarding parent parcel.

Ms. Stogsdill said staff was thinking of it from the standpoint of property owners that didn't have 20 acres so they wouldn't have enough to create that parent parcel. She said the League of Women Voters suggested the scenario where someone who had 21 acres and someone who had 19 acres, so with 40 acres there was the potential that multiple parent parcels could be carved out of that original tract.

**PUBLIC HEARING**

No public comment.

**ACTION**

Motioned by Commissioner Finkeldei, seconded by Commissioner Blaser, to approve the proposed revisions and forward a recommendation for approval of the proposed amendments TA-3-3-10 [*December 12, 2011 Edition*] to Chapter 20, Article 8 of the Land Development Code to the City Commission and Chapter 11, Article 1 of the County Code to the County Commission for consideration and action, including revised language as proposed by the League of Women Voters for Section 20-806(b)(1):

*Original Tract – shall be composed of a Parcel or a combination of all adjacent Parcels under a single ownership [not separated by public Right(s)-of-Way] that share common boundary lines or two separate ownerships that share a common boundary line, for the purpose of creating one Parent Parcel.*

Motion carried 8-0-1, with Commissioner Burger abstaining.