



CLUSTER DEVELOPMENT

In the Urban Growth Areas of Unincorporated Douglas County

The applicant shall schedule a Pre-Application meeting with Planning Staff at least seven (7) working days prior to submittal of the application.

Pre-Application Meeting (Completed by Planning Staff)

Pre-Application Meeting Date _____, 20 .

Target Application Submission Date _____, 20 .

Application Review Fee_\$ 50 _____

During the meeting, Planning Staff will assist the applicant to determine **if** the following items are Required or Not Applicable to the application:

Cluster Development In the Urban Growth Areas of Unincorporated Douglas County		
Required	Not Applicable	Documentation/Requirement
✓		Certificate of Survey
✓		Build-Out Plan
✓		Restriction on Subsequent Division(s)
✓		Executed Annexation Agreement
		Cross-Access Easement(s)
		Drainage Easement(s)
		Conservation Easement(s)
		Supplemental information that demonstrates how public utilities may be extended to the subdivision to accommodate future urban density development.
		Other_____

Notes: _____



CLUSTER DEVELOPMENT

In the Urban Growth Areas of Unincorporated Douglas County

Submittal Requirements Checklist and Determination of Completeness

This checklist has been provided to assist you, the applicant, as you prepare your application. Submission of less information than necessary to adequately review and process your application may delay the review process. Please complete and return with your application.

Planning Staff will determine the completeness, accuracy, and sufficiency of the application within five (5) working days of application submission.

Cluster Development In the Urban Growth Areas of Unincorporated Douglas County						
Determination of Completeness Completed by staff			Submittal Requirements Checklist Completed by Applicant			
Notes	Incomplete Inaccurate Insufficient	Complete Accurate Sufficient	Provided	Required	Requirement for Application See Section 20-804(f) for more detail on each requirement	
				✓	<u>Completed Application Form</u>	
				✓	<u>Owner Authorization Form</u> if applicant is not the legal owner of the property	
				✓	<u>Proof of property taxes paid</u> obtained from the Douglas County Treasurer	
				✓	<u>Certificate of Mailing</u> completed, signed and sealed by a licensed professional such as a surveyor, engineer or architect	
				✓	<u>Build-Out Plan</u> illustrating future urban lot, block and street layout for the Immediate Development Area and Future Development Area as per Section 20-807(f)(5)(i) and (ii)	
				✓	<u>Location of Easement(s)</u> for utilities and stormwater drainage	
				✓	<u>Building Envelopes</u> for each Residential Development Parcel to accommodate future subdivision into urban density lots	
				✓	<u>Executed Annexation Agreement</u> allowing annexation by the city whose Urban Growth Area (UGA) the subject property is located within based upon the adopted annexation policies of that city	
				✓	<u>Certificate of Survey</u> that complies with the requirements of Section 20-807	
				✓	Payment of Review Fee, check payable to the City of Lawrence	
				✓	<u>Property Ownership List Certification Form</u> and accompanying property ownership list	
					Easements for Cross-Access, Drainage, or Conservation as determined at Pre-App Meeting	
					Future Development Area Restrictions as determined at Pre-App Meeting	
					Supplemental Information that demonstrates how public utilities may be extended to the subdivision to accommodate future urban density development. (if determined required at Pre-App Meeting)	
					Other (if determined required at Pre-App Meeting)	



CERTIFICATE OF SURVEY

For Subdivision of land in unincorporated areas of Douglas County

Technical Specifications Checklist and Determination of Completeness

This checklist has been provided to assist you, the applicant, as you prepare your Certificate of Survey for your application. Submission of inaccurate or incomplete technical information than necessary to adequately review and process your survey may delay the review process. Please complete and return with your application.

Planning Staff will use this checklist to review your survey to make note that each specification required of the survey is provided.

Certificate of Survey for Subdivision of land in unincorporated areas of Douglas County					
Determination of Completeness Reviewed by staff			Technical Specifications Checklist Completed by Applicant		
Notes	Incomplete Inaccurate Insufficient	Complete Accurate Sufficient	Provided	Required	Required Specification See Section 20-807(e) for more detail on each specification
				✓	1 original mylar and 3 paper copies of the survey, 18" by 24" each in size
				✓	Title block including the quarter-section, section, township, range and principal meridian. Shall not bear the name plat or subdivision or any other title other than "Certificate of Survey"
				✓	A note stating: "This Certificate of Survey was not prepared for the purpose of platting land. No further divisions of the parcels created by this survey shall occur until the property is subdivided in accordance with all applicable Subdivision Regulations of Douglas County or the city into which it is annexed."
				✓	Name(s) of Owner(s) of subject property and who commissioned the survey
				✓	Name(s) of adjoining platted subdivision(s)
				✓	Date survey was completed
				✓	North Arrow
				✓	Written and graphic scale: 1" = 30' or less
				✓	Narrative legal description of the property surveyed, including benchmark and other vertical reference point tied to the US Geological Survey
				✓	Location map showing the property surveyed in relation to ownership lines within the same section and nearest public right(s)-of-way
				✓	Dimensions and locations of all parcels indicated on the survey
				✓	Build-Out Plan drawn in dashed lines to distinguish it, depicting future urban lot layout (NOT REQUIRED for applications for Property Divisions in Rural Areas Outside UGA's)
				✓	A parcel numbering system or other clear and simple method of identifying each parcel within the survey

Cluster Developments in Urban Growth Areas Application Packet

Certificate of Survey



CERTIFICATE OF SURVEY

For Subdivision of land in unincorporated areas of Douglas County

Technical Specifications Checklist and Determination of Completeness, cont.

Certificate of Survey for Subdivision of land in unincorporated areas of Douglas County						
Determination of Completeness Reviewed by staff			Technical Specifications Checklist, cont. Completed by Applicant			
Notes	Incomplete Inaccurate Insufficient	Complete Accurate Sufficient	Provided	Required	Required Specification See Section 20-807(e) for more detail on each specification	
				✓	The location and width of public right(s)-of-way, existing and proposed	
				✓	Location of easement(s), existing and proposed	
				✓	Dimensions of all existing structures, in relation to existing and proposed parcel lines and based upon the future lot layout shown in the Build-Out Plan	
				✓	Building Envelopes for every Residential Development Parcel which shall not include lands identified as environmentally or geographically sensitive or the sites of historic landmarks or historic features	
				✓	Building Envelopes for each Residential Development Parcel in Cluster Development and Large Parcel Property Divisions Inside UGA's applications that are designed such that the placement of rural residences on each parcel will facilitate future further subdivisions of each parcel into urban lots.	
				✓	A note stating the specific application pursuant to which the division is being made: Cluster Developments in the Urban Growth Areas of Unincorporated Douglas County (Section 20-804), Large Parcel Property Divisions in the Urban Growth Areas of Unincorporated Douglas County (Section 20-805), or Property Divisions in the Rural Area of Unincorporated Douglas County (Section 20-806)	
				✓	Recitation of Restrictive Covenants or Conservation Easements required by the proposed division with a line on the survey for the identification of book and page number in which they are recorded	
				✓	Owner's signature, properly acknowledged	
				✓	Dated signature and seal of Kansas licensed land surveyor responsible for the survey and a note stating: "This survey complies with the Kansas Minimum Standards for Boundary Surveys"	
				✓	Line for the review date and signature of County Surveyor beneath a note stating: "Reviewed in compliance with K.S.A. 58-2005."	
				✓	Line for the approval date and signature of the Planning Director beneath a note stating: "Approved as a Certificate of Survey under the Subdivision Regulations of the City of Lawrence & the Unincorporated Area of Douglas County"	
				✓	Line for Register of Deeds filing information	



Determination Of Completeness, Accuracy, and Sufficiency

(Completed by Staff and kept in file if determined to be complete, accurate and sufficient. If it is determined not to be then copy shall be provided to the applicant.)

I have reviewed the _____ application submitted by:

Name: _____ Date: _____

Application No. _____

Based upon the submitted information, I find the application to be:

- ☐ Complete (based upon the items reviewed)
- ☐ Incomplete, inaccurate, or insufficient (circle) for the following reasons:
 - ☐ The application or plan contains one or more significant inaccuracies or omissions that hinder timely or competent evaluation of the plan's/application's compliance with the Subdivision Regulations.
 - ☐ The application contains multiple minor inaccuracies or omissions that hinder timely or competent evaluation of the plan's/application's compliance with the Subdivision Regulations.
 - ☐ The application or plan cannot be approved without a variance or some other change or modification that the decision-making body for that application or plan does not have the authority to make.
 - ☐ Other

Planner

Date

Resubmit by _____ to be placed on the agenda for the Planning Commission meeting on _____. (All resubmitted materials must be deemed to be complete, accurate, and sufficient.)



CLUSTER DEVELOPMENT

Application Form

(Completed by Applicant or Applicant's Agent)

Pre-Application Meeting Date:		Planner:	
Applicant or Agent Information			
Contact Name(s):		Primary Phone:	
Company:		Mobile Phone:	
Street Address:		Fax:	
City/State/Zip Code:		E-Mail Address:	
Property Owner Information			
Owner Name(s):		Primary Phone:	
Street Address:		Fax:	
City/State/Zip Code:		E-Mail Address:	
Property & Division Information		Property Characteristics	
Address:		Are floodways present:	
City/Zip:		Are floodplains present:	
Size of Original Tract (in acres):		Are jurisdictional wetlands present:	
Size of Immediate Development Area (in acres):		Are stream corridors present:	
# of Residential Development Parcels (RDP) Proposed:		Are rocky outcroppings present:	
Area of RDP#1	Area of RDP#2	Area of RDP#3	Are stands of mature trees present:
			Are individually significant trees present:
Size of Future Development Area (in acres):		Are archaeological or historic sites present:	
Does property have access to hard-surfaced road:		Are slopes of 15% or greater present:	
Does property have access to public water supply? If so, which one?			
Within what Township is property located:			
Additional Information			
Present land use:		Number of existing structures:	
Description of present use of land:		Description of existing structures:	
Are you or will you be submitting other applications?			
If so, what other applications are you submitting?			



Signature

I/We, the undersigned am/are the **(owner(s)), (duly authorized agent), (Circle One)** of the aforementioned property. By execution of my/our signature, I/we do hereby officially apply for a Cluster Development as indicated above.

Signature(s): _____ Date _____

_____ Date _____

STAFF USE ONLY

Application No. _____

Date Received _____

Planning Commission Date _____

Fee \$ _____

Date Fee Paid _____



OWNER AUTHORIZATION

I/WE _____, hereby referred to as the "Undersigned", being of lawful age, do hereby on this _____ day of _____, 200____, make the following statements to wit:

1. I/We the Undersigned, on the date first above written, am/are the lawful owner(s) in fee simple absolute of the following described real property:

See "Exhibit A, Legal Description" attached hereto and incorporated herein by reference.

2. I/We the undersigned, have previously authorized and hereby authorize _____ (Herein referred to as "Applicant"), to act on my/our behalf for the purpose of making application with the Planning Office of Lawrence/Douglas County, Kansas, regarding _____ (common address), the subject property, or portion thereof. Such authorization includes, but is not limited to, all acts or things whatsoever necessarily required of Applicant in the application process.

3. It is understood that in the event the Undersigned is a corporation or partnership then the individual whose signature appears below for and on behalf of the corporation or partnership has in fact the authority to so bind the corporation or partnership to the terms and statements contained within this instrument.

IN WITNESS THEREOF, I, the Undersigned, have set my hand and seal below.

Owner

Owner

STATE OF KANSAS
COUNTY OF DOUGLAS

The foregoing instrument was acknowledged before me on this _____ day of _____, 200____,

by _____.

My Commission Expires:

Notary Public



PUBLIC NOTICE REQUIREMENTS

The applicant is responsible for public notice of a proposed division of land in the Urban Growth Areas of rural Douglas County for rural residential purposes. Complete the following notification procedures then submit the completed forms and certificates listed below as part of the site plan application materials. Failure to provide proof of notice will result in a determination of an incomplete submission.

Public notice documentation includes:

- Written notice mailed to all owners of record for all properties within ¼ mile of the subject property, as according to Section 20-804(d) for Cluster Development applications or Section 20-805(e) for Large Parcel Property Division Applications. (See attached sample letter)
- Certificate of Mailing Form obtained by the Post Office **or** the attached form titled "Certificate of Mailing" in lieu of one obtained from the Post Office. If the attached form is used, a licensed professional shall execute and seal the form.
- Property Ownership List of all owners of record for all properties with ¼ mile of the subject property obtained from the Douglas County Clerk's Office.
- Property Ownership List Certification Form, as attached, executed and sealed by a licensed professional certifying that the property ownership list provided is accurate and current and includes all of the property owners of record within ¼ mile of the subject property.



Sample Letter “Notice to Property Owners”

<date>

<property owner name>

<address>

NOTICE OF PROPOSAL TO DIVIDE LAND LOCATED AT

[road address or general description such as; ½ mile north of the intersection of “X” road and “Y” road, on the east side]

FOR RURAL RESIDENTIAL PURPOSES

Re: <project name> - <name of application procedure> (i.e. Cluster Development in the Urban Growth Areas of Unincorporated Douglas County or Large Parcel Property Divisions in the Urban Growth Areas)

To Whom It May Concern:

This letter is being sent to the Owner of property adjoining and within ¼ mile of the boundaries of the property proposed for division for rural residential (insert name of application procedure here) development. The purpose of this letter is to provide general information to the recipient and/or Owner of property of a proposed or potential change in land use.

This letter does not grant the recipient and/or landowner any legal rights to challenge the proposal; instead, it is being provided solely to advise adjoining landowners of the pending application. For further information, contact <applicant name> at <applicant phone number> or the Lawrence-Douglas County Planning Office at (785) 832-3150.

Sincerely,

<name>



CERTIFICATE OF MAILING

THE FOLLOWING IS TO BE COMPLETED AND SUBMITTED BY A LICENSED PROFESSIONAL IN LIEU OF A CERTIFICATE OF MAILING OBTAINED FROM THE POST OFFICE.

Name of Project: _____

Address of Project _____

Application Number: _____

(Completed by Staff)

I hereby certify that I have read and understood the attached requirements for public notification of a proposed division of land and that I have executed all requirements.

Furthermore, I hereby certify that a true and correct copy of the foregoing "Notice to Property Owners" was mailed to the attached list by depositing said copy in the United States Mail, proper postage prepaid, on the following date: _____

Signature

Date

Printed Name



PROPERTY OWNERSHIP LIST CERTIFICATION

The applicant is responsible for providing certified Ownership information (including names and mailing addresses) of all real property owners within a defined radius from the subject property.

Ownership Information

The applicant is responsible for providing certified Ownership information. Current Ownership information shall be obtained from the Douglas County Clerk. Ownership information will be considered current if it is **no more than 30 days old** at the time an application is submitted to the Planning Department.

Radius of Notification

The Ownership list shall include the record Owner of the subject property and all Owners of property located within ¼ mile of the subject property.

A map of the "Radius of Notification" can be obtained **at the Applicant's request** at the Planning Office. The map indicates ownership of each property and can be used to check the accuracy and completeness of the Ownership List. The map will be supplied **at the Applicant's expense**. **Allow 10 business days** to receive the map.

THE FOLLOWING IS TO BE COMPLETED AND SUBMITTED BY THE APPLICANT.

I certify that I have read and understood the above information and that the submitted Ownership list:

1. was a) obtained from and b) certified by the Douglas County Clerk,
2. is current (**no more than 30 days old**), and
3. includes all property owners within the required notification radius of the subject property.

Signature

Date

Printed Name



APPROVAL AND EXTENSION TIME PERIOD ZONING REGULATIONS

CONDITIONAL USE PERMITS

[Section 12-319-2 Time Limitations)

Approval time period. Building permit must be obtained within **1 year** of County Commission approval of the Conditional Use Permit or the approval shall expire.

Extension -- Extension of **up to 1 year** may be approved by County Commission for good cause shown if written request is made by letter to the Planning Office before the expiration date. Additional extensions may be requested, if necessary.

SITE PLAN

[Section 12-319A-8 Time Limitations)

Approval time period -- Building permit must be obtained within **2 years** of the date of the County Commission approval (or Planning Director approval in the case of administrative site plans) or the site plan shall be null and void.

Extension -- The Regulations do not include an extension procedure for Site Plans, but it has been interpreted that the CUP extension process would apply to site plans as well. An extension of up to **2 years** may be approved by County Commission for good cause shown if written request is made by letter to the Planning Office before the expiration date. Additional extensions may be requested, if necessary.

APPROVAL AND EXTENSION TIME PERIOD SUBDIVISION REGULATIONS

PRELIMINARY PLAT*

[Section 11-109(j)]

Approval time period -- A final plat must be submitted within **24 months** of the date approval of the preliminary plat was granted or by any application due date as shown on an approved phasing schedule or the approval of the preliminary plat shall expire.

Extension -- The Planning Commission may, if the cause of the failure of the subdivider to submit a final plat is beyond the subdivider's control, grant an extension of the time beyond this period, for a **24 month** period for good cause shown. The extension request must be submitted to the Planning Director prior to the expiration of the 24 month approval period. Additional extensions may be requested, if necessary.

FINAL PLAT

[Section 11-109(q)]

Approval of a Final Plat shall be effective for no more than **24 months** from the date of acceptance unless all conditions of approval have been completed.



Extension – The Planning Director can grant an extension if a request is submitted to the Planning Director prior to the expiration of the original **24 month** approval period.

MINOR SUBDIVISION/REPLAT

(Section 11-108(k))

Approval of a Minor Subdivision/Replat by the Planning director and acceptance of dedications by the Governing Body shall be effective for no more than **24 months** from the date of acceptance unless all conditions of approval have been completed or an extension has been granted by the Planning Director for good cause.

Extension – The extension request must be submitted to the Planning Director prior to the expiration of the original 24 month approval period.

CERTIFICATE OF SURVEY

Section 11(107(j))

If an approved Certificate of Survey has not been recorded at the Register of Deeds office within **24 months** after approval, the approval shall expire unless all conditions of approval have been completed or an extension has been granted by the Planning Director for good cause.

Extension – Request for extension must be submitted to the Planning Director prior to the expiration of the original 24 month approval period.