

ARTICLE 26.
PRELIMINARY PLAT ANALYSIS REPORTS,
GENERAL GUIDELINES AND PLAT REVIEW GUIDELINES

Section 1. PURPOSE:

The approval of subdivision plats imposes land parcel and development patterns on the valuable land resources in the County. The subdivision of land provides near term and lasting, long-range impacts on the health, safety, and general welfare of the public. Therefore, this Article establishes certain requirements and guidelines for the study and evaluation of subdivision proposals with respect to the effects the subdivision of land impose on the health, safety, and general welfare of the public.

Section 2. GENERAL PROVISIONS:

In reviewing, approving, or denying a plat, consideration will be given to the Preliminary Plat Analysis Report as provided in this Article. Preliminary Plats approved shall be supportive of and consistent with the best interests of the public health, safety and general welfare.

Section 3. PRELIMINARY PLAT ANALYSIS REPORT REQUIREMENTS:

The following general guidelines for the Preliminary Plat Analysis Reports to be considered during review of Preliminary Plat applications are hereby established to assure that land subdivision proposals are evaluated with due regard to the potential impacts resulting from the subdivision of land. The Preliminary Plat Analysis Report shall provide a brief summary of the existing conditions and contemplated improvements relative to the proposed subdivision. Information necessary for the preparation of and the Preliminary Plat Analysis Reports with respect to items A through J in this Section shall be gathered, prepared and provided in writing by qualified persons whose services shall be obtained and secured by the applicant. Preliminary Plat Analysis Reports shall be reviewed by professional staff of the County, and the staff shall indicate by use of sketches, maps and written narrative whether the Preliminary Plat Analysis Report appears to be sufficient with respect to the following information:

- A. The general characteristics of the land including the maximum and minimum slopes, vegetation, soil types, any major streams, any areas subject to flooding and the total acreage of the property.
- B. The names and descriptions of streets that will provide access to and within the development, including the roadway surface characteristics, width, the general size and condition of any culverts and bridges, and the general ability of said roadways to carry current and anticipated traffic in a safe and efficient manner. The names of any new street indicated on the Preliminary Plat shall be assigned by the County Public Works staff.
- C. The proposed source of a potable water supply including estimated fire flow capacities and the method of serving the subdivision, and the adequacy of static and residual pressures and general character of the proposed distribution system for the subdivision.
- D. The proposed access to sanitary sewers, if applicable, with a sketch of connecting main alignments, ability of an available treatment plant to handle the wastewater, and a petition for formation of a sewer district, if applicable. Evidence that the subdivision has been discussed with officials of the Unified Wastewater Districts shall be included, as well as their response as to the appropriateness of the proposed project.
- E. In cases where sanitary sewers are not available, a written statement shall be submitted and an accompanying note added to the final plat acknowledging that "Wastewater collection and

treatment shall be available or provided in accordance with then applicable County policies, regulations and standards for on-site wastewater disposal and the Environmental Sanitary Code of the County prior to the issuance of a building permit to allow the construction of a dwelling. Alternatively, public sanitary sewers shall be available or provided.”

- F. The availability of natural gas to serve the proposed subdivision.
- G. A general summary of the type of street improvements that are contemplated for streets inside the subdivision and any peripheral streets or roads, including any major culverts or bridges.
- H. A general statement describing the amount of earth moving that is contemplated, by stages if applicable, and what degree of erosion control will be needed and the proposed methods of control.
- I. The proposed stages of development of the subdivision.
- J. The proposed concepts for surface water management including discussion of any stormwater detention or treatment facilities in accordance with the then applicable Storm Drainage Standards and Post Construction Stormwater Quality Treatment Regulations adopted by the County, and as shown on the preliminary plat.

Section 4. GENERAL PLAT REVIEW PROVISIONS:

When reviewing any Preliminary or Final Plat application, including the submitted Preliminary Plat Analysis Report, the following criteria shall be considered and appropriately addressed for the proposed subdivision:

- A. **Protection from Undue Water Pollution:** Review of the proposed subdivision shall consider whether the subdivision would have undue water pollution impacts. Evaluation of water pollution impacts shall be based on a consideration of the elevation of the land and its relationship to the floodplain; the nature of soils and sub-soils and their ability to adequately support waste disposal; the slope of the land and its effect on effluents; the availability of adequate streams or man-made drainage ways or detention facilities for the proper control for storm water runoff; and the relationship of the proposed subdivision to applicable state and local health and water resource quality regulations.
- B. **Availability of Water:** Review of the proposed subdivision shall consider whether the subdivision would have sufficiently available water from a public water supply system serving the general area. The review shall consider whether such water supply would be sufficient for fire protection purposes for subdivisions with residential lots smaller than 10 acres or lots proposed for business uses or as places for public assemblies. The review shall also consider whether the available water supply shall be capable of meeting typical household domestic water needs.

The review shall consider whether the water supply would be capable of meeting the reasonably foreseeable needs of the subdivision and whether it could cause any unreasonable burden on an existing water supply.

- C. **Soil Erosion:** Review of the subdivision shall consider whether the subdivision would cause or contribute to soil erosion such that adjoining land and, in particular, downstream channels or bodies of water, would be unacceptably harmed. In general, approved subdivisions shall not cause reduction in the capacity of land to hold water due to accelerated runoff or siltation, and runoff or siltation characteristics of the subdivision shall not cause a potentially dangerous or unhealthy condition to result. Determinations of such soil erosion impacts shall be based on evaluations conducted by a professional engineer, licensed in the State of Kansas who shall be

secured by the subdivider. A written report on the evaluation shall be provided with the Final Plat application when the Preliminary Plat Analysis Report for the preliminary plat identifies a potential for unacceptable adverse soil erosion impacts from the proposed subdivision. Such soil erosion evaluations may be ordered by the Zoning Board or the Board when available soil characteristic information indicates that soils with high susceptibility to erosion may be found on the property.

- D. Highway or Public Road Congestion: The potential traffic characteristics of the proposed subdivision shall be carefully considered to assure that the subdivision would not cause highway or public road congestion or unsafe conditions with respect to use of the highways or public roads existing or proposed. Determination of compliance shall be based on evaluation of the expected road impacts with regard to the road design criteria in the applicable County road standards and with regard to the capacity of available roads as indicated by recognized planning and engineering standards and practices. For subdivisions proposed for other than rural, planned rural, or residential, or planned residential lots and for subdivisions proposing residential lots, which would, under the provisions of these regulations and applicable policies of the County, be deemed to cause traffic levels to exceed the traffic capacity of available roads, traffic impact evaluation studies shall be prepared by a professional engineer, licensed in the State of Kansas, whose services shall be secured by the subdivider, and the written reports on such studies shall be submitted with the Final Plat application.
- E. Wastewater Disposal: The proposed wastewater disposal methods for the subdivision shall be carefully considered to assure that wastewater disposal methods would comply with then applicable County standards and policies for wastewater disposal. The review shall consider whether the disposal methods to be used would be sufficient to prevent the subdivision from causing an undesirable burden to other area properties or present a hazard to the public health, safety or welfare. Subdivisions proposed to be served by on-site wastewater disposal systems shall be evaluated with regard to both the Preliminary Plat Analysis Report and general information available on the characteristics of soils in the subdivision.
- F. Scenic, aesthetic, historic, rare or irreplaceable features: The review shall consider existing scenic, aesthetic, historic, or rare or irreplaceable natural or man-made features and shall consider whether the subdivision is appropriately designed with respect to such features of importance to the general welfare of the community. When such features of potential importance to the general welfare of the community have been identified during the Preliminary Plat review, the action taken on the Preliminary Plat shall indicate whether an additional study of the expected impacts of the proposed subdivision on such features shall be submitted with the Final Plat application. If further study of such impacts is found to be appropriate by the Zoning Board or the Board, the action taken on the Preliminary Plat shall indicate the expected general nature of such study and the extent to which, if any, the Final Plat would be expected to respond to the findings of such studies and whether the study itself is expected to be a sufficient response to the identified features of importance to the general welfare of the community.
- G. Water Quality: Whenever a subdivision would be situated, in whole or in part, within 250 feet of a pond, lake, running stream or river, the subdivision review shall consider whether the subdivision would adversely affect the quality of such body of water or unreasonably affect the shoreline of such body of water. Determinations of compliance with this criteria shall be based on the evaluation standards and methods as required for the criteria in subsections A and C above. Subdivisions which would result in unacceptable adverse effects on the quality or quantity of water, shall either be required to take reasonable measures to prevent unacceptable adverse effects or shall be denied approval.
- H. Ground Water: Review of the subdivision shall consider whether the subdivision would by itself, or in conjunction with other existing activities, adversely affect the quality or quantity of ground

water. The analyses with respect to this criteria shall be based on the evaluation standards and methods as required for the criteria in subsections A and C above.

- I. Stormwater Controls: Review of the subdivision shall consider whether the subdivision would comply with the then applicable Stormwater Drainage Standards and Post Construction Stormwater Quality Treatment Regulations adopted by the County.