

SUBDIVISION REGULATIONS
of the
CITY OF LYNDON, KANSAS

ARTICLE 1. TITLE, PURPOSE, AUTHORITY, JURISDICTION, APPLICABILITY AND EXEMPTIONS

100 Title. These regulations shall be known and may be cited as the "Subdivision Regulations of the City of Lyndon, Kansas", and shall hereinafter be referred to as "these regulations."

101 Purpose. Responsible land subdivision is the initial step in the process of orderly community development. Once land has been divided into streets, lots and blocks and publicly recorded, the correction of defects is difficult and costly. These regulations are designed and intended to serve the following purposes:

- A. To provide for the harmonious development of the City of Lyndon;
- B. To provide for (1) desirable lot layouts, (2) efficient and orderly location of streets and the extent and manner in which they shall be improved, and (3) storm water drainage;
- C. To provide for adequate water supply, sewage disposal, various utility services and other improvements to protect public health, safety and general welfare;
- D. To provide for and secure to the proper governmental agencies the actual construction of all such necessary on-site and off-site public improvements including the reservation or dedication of land for park and recreational purposes;
- E. To provide protection from periodic flooding conditions;
- F. To reserve or dedicate land for open space to preserve natural areas for watercourses, drainage ways, wetlands, woodland, rugged topography, wildlife habitat, and for water quality and quantity, and to protect land from soil erosion;
- G. To avoid water and air pollution and the congestion of population and traffic;
- H. To facilitate safety by adequate access for fire fighting equipment and police protection;
- I. To coordinate the subdividing of land with applicable zoning regulations, various construction codes and other City regulations which also affect the development of the land;

- J. To establish administrative procedures necessary to assure a fair and uniform basis for a working relationship with subdividers, utility providers and various governmental agencies, all of whom are contributing to the development of the community; and
- K. To realize the goals, policies and planning proposals as contained in the adopted Comprehensive Development Plan.

102 Authority. These regulations are adopted under authority established by K.S.A., 12-741 et seq. as amended, 12-742, 12-749, 12-751 and 12-752, 12-760 and 12-761, 12-764, 12-766, 12-3009 through 12-3012, and 12-3301 and 12-3302.

103 Jurisdiction. These regulations shall apply to all subdivisions of land within the corporate limits of the City of Lyndon in Osage County, Kansas as presently exists or are hereinafter established by annexation. All such land is included in the Planning Area for the Comprehensive Development Plan.

104 Applicability. The owner(s) of any land within the jurisdiction of these regulations desiring to vacate rights-of-way, easements, other public reservations or recorded plats or to:

- A. Divide or further divide land into two or more lots or parcels; or
- B. Otherwise alter the boundaries of lots or parcels of land; or
- C. Establish land for use as streets, alleys or other property intended for public use or for the use of a purchaser or owner(s) of lots or parcels;

shall cause a plat to be made in accordance with the provisions of these regulations, unless exempted under Section 1-105.

105 Exemptions. Notwithstanding the requirements of Sections 1-103 and 104, these regulations shall not apply in the following instances or transactions:

- A. Whenever any lot, parcel or tract of land located within the area governed by these regulations has been legally subdivided, resubdivided or replatted and recorded prior to the effective date of these regulations.
- B. A transaction between owners of adjoining land which involves only a change in the boundary between the land owned by such persons and which does not create an additional lot or which does not result in the creation of a substandard lot by either owner according to any applicable zoning regulations.

- C. A conveyance or dedication of land or interest therein for use as a street, highway, road or railroad right-of-way, a drainage easement or public utilities subject to local, state or federal regulation, where no new street or easement of access is created.
- D. The layout of burial lots in cemeteries; however, the actual cemetery tract is not exempt.
- E. Any lot split in industrially zoned areas divided in accordance with the provisions of Section 9-102 of these regulations.
- F. Any transfer by operation of law.

Any request made in writing for a determination as to qualifications for being exempt from these regulations shall be answered by the Subdivision Administrator either in the affirmative or negative within 30 days of filing such a request containing all relevant information.