

CITY OF DERBY FINAL PLAT INSTRUCTIONS

The following are instructions and details of the processes and requirements when submitting and reviewing a final plat. To process your request in a timely manner, completion of the attached checklist will expedite review of the plat. This checklist must be completed prior to submitting the plat.

1. **Application:** The application must be completed and signed by all owners of record of the property/properties proposed to be platted.

In order for an application to be scheduled, it must be filed with the City Planner or Authorized Agent, by one of the specific “closing dates” established by the Planning Commission. A copy of the “closing dates” may be obtained upon request.

2. **Fee:** The platting application must be accompanied by the appropriate filing fee. If the final plat is submitted following preliminary plat review, the fees originally submitted with the preliminary plat cover final plat review. If the plat is for a small tract and does not require preliminary plat review, then the applicant must provide the fee with the application.

Plat Fees: \$500.00 + \$10.00 Per Residential Lot
 \$500.00 +\$10.00 Per Acre of Commercial or Multi-Family Lots

Additional Recording Fees: The applicant is responsible for all costs associated with recording the plat and supplemental documents with the County Clerk and Register of Deeds

Fee Exemption: A platting request may qualify for a fee waiver, contact Derby Planning & Engineering department for more information.

3. **Plat Documents:** 25 full-size copies (24” x 36”) of the Final Plat are required to be submitted with the application. Copies shall be distributed to appropriate governmental agencies and public and private utilities for review and comments. Refer to Article 502 of the Derby Subdivision Regulations and the attached checklist for specific requirements.
4. **Utility Plans:** Four full-size copies (24” x 36”) of the Utility Plan are required to be submitted with the application. The Utility Plan shall identify all existing and proposed utilities in the area proposed to be platted and shall also distinguish between existing and proposed utilities.
5. **Drainage Plan & Report:** Four full-size copies (24” x 36”) of the Drainage Plan and one copy of the Drainage Report are required to be submitted with the application. The Drainage Plan shall identify how drainage shall be managed internally and externally. Refer to the attached checklist when completing a drainage plan and report.
6. **Petitions:** Draft petitions are required to be submitted with the final plat if public improvements are proposed, prior to Planning Commission review. Petitions shall identify the type of improvement, the overall cost, and method of assessment and shall be accompanied by cost estimate worksheets identifying quantities and costs and a benefit district map. City staff and the City’s Bond Counsel shall review the draft petitions and forward any comments and/or required revisions to the applicant and/or agent. Signed petitions are required to be submitted prior to City Council

review of the final plat. The petitions shall be signed by all owners of property proposed to be platted.

7. **Respread Agreement:** A respread agreement is required if existing special assessments are assessed against the property/properties to be platted. The respread agreement shall identify the existing special assessments, the new lot configuration, and the method of assessment.
8. **Developer's Agreement:** A final Developer's Agreement is required to be submitted with the application for legal review.
9. **Plat Binder:** A plat binder/title report by an abstract or a title insurance company or an attorney's opinion of title, showing the owner of the land and all other persons who have an interest therein and describing any encumbrances on the plat, including such items as right-of-way, easement, pipelines, leases, mortgages, real estate taxes, special assessments and other mortgages, real estate taxes, special assessments and other encumbrance affecting the ownership shall be submitted with the final plat. A consent to platting by all such interested persons shall be shown on the final plat.
10. **Restrictive Covenants:** A Restrictive Covenant document is required to be submitted with the application if restrictive covenants are proposed.
11. **Digital Sets:** Digital copies of the Plat, Utility and Drainage Plans, Petitions, Developer's Agreement, Plat Binder, and Restrictive Covenants documents shall also be submitted to staff. This may be emailed to staff, provided on a flash drive, or downloaded from a digital dropbox.
12. **Staff Review:** After receiving all required materials, Planning staff will provide copies of the final plat to private utility agencies, City Engineering, Fire and Rescue, and Public Works for review and comments. Planning staff will review the plat documents for compliance with the Zoning and Subdivision Regulations. Planning staff will compile comments/questions and forward to the applicant and/or agent to address. If there is sufficient time between the date comments are forwarded to the applicant/agent and Planning Commission review, the applicant/agent may submit revised plans to be considered by the Planning Commission.
13. **Planning Commission Review:** The Derby Planning Commission will review the final plat to verify conformance with the Zoning and Subdivision Regulations. City staff will present the staff report and the applicant and/or authorized agent(s) will have the opportunity to address and answer any questions the Commission and/or staff may have. The Commission will make a motion to recommend approval or disapproval to the Governing Body.
14. **Submittal of Signed Documents:** Signed petitions, respread agreements, restrictive covenants, easements, Developer's Agreement, and any other necessary documents shall be submitted a minimum of 25 days prior to City Council consideration. The documents shall be signed by all owners of property proposed to be platted.
15. **Plat Mylar:** Following Planning Commission review and prior to Governing Body Consideration, the applicant shall print the final plat on a 24" x 36" mylar and obtain all necessary signatures and notarized prior to submitting with City staff. These signatures include the property owners, surveyor, and County Surveyor. The plat mylar must be submitted a minimum of 14 days prior to a City Council meeting date in order to be scheduled for that meeting.

16. Governing Body Consideration: Following Planning Commission review and submittal of the signed mylar, the final plat will be forwarded to the Governing Body (City Council) for approval. If approved, the plat will be recorded with the County Clerk and all other legal documents including the Developer's Agreement and Resolutions shall be recorded with the Register of Deeds. Be advised that plats will not be recorded with the County Clerk until all taxes for the subject property/properties are paid in full.

If the plat is outside the corporate limits of the city but within the Subdivision Jurisdiction, the plat will be forwarded to the Board of County Commissioners for final approval following Derby City Council review.

A final plat that has not been submitted for Governing Body review within three years of approval by the Planning Commission shall be declared null and void.

17. Board of County Commissioners Review: Only applies to plats outside the city's corporate limits but within the Derby Subdivision Jurisdiction. The plat will be forwarded to the County Clerk following City Council review and approval. County staff will verify all taxes are current before scheduling the plat for Board of County Commissioners (BOCC) review. After the BOCC has reviewed and approved the plat, it will be recorded with the County Clerk.

18. Building Permits: No building or zoning permit shall be issued for a building or structure or use on any lot, tract or parcel of any subdivision until the duly recorded final plat has been filed with the official charged with issuing permits and/or certificates.

CONTENTS OF A FINAL PLAT

Use the following checklists to complete the final plat and additional documents. This information is to be submitted with the Final Plat.

The Applicant is to initial the first column to indicate the step has been completed before submitting to Planning and Engineering staff.

Planning and Engineering staff will initial the second column to verify completion. If item has not been completed, the request will not be forwarded to the Planning Commission until the requirement has been satisfied.

CONTENTS OF FINAL PLAT		
<p>The final plat shall be prepared by a Land Surveyor as defined in Article 2 of the Subdivision Regulations. When more than one sheet is used for any plat, each such sheet shall be numbered consecutively and each such sheet shall contain a notation showing the whole number of sheets in the plat and its relation to other sheets (e.g. sheet 1 of 3 sheets). Linear dimensions shall be given in feet and decimals of a foot. The following information shall be shown on the final plat:</p>		
APPLICANT	CITY STAFF	REQUIREMENT
		The name of the subdivision with reference to its location by quarter-section, section, township, and range.
		Preparation Date
		North Arrow
		Graphic Scale, shall not be less than 100 ft. to 1 in.
		Legend
		Controlling physical features, such as watercourses, highways, and railroads.
		The location and elevation of permanent on-site bench marks.
		Legal description of the tract boundary
		Reference points of existing surveys identified, related to the plat by distances, angles and bearings, and: <ol style="list-style-type: none"> 1. Section corners and/or adjoining corners of existing plats, when a replat. 2. Section, township, and range. 3. When the City or County has established the center line of the street adjacent or within the proposed subdivision, the location of such center line and monuments found or set shall be shown. 4. All other monuments required to be installed by the provisions of these regulations or as required by State Statutes.
		Tract boundary, block boundary, street and other rights-of-way lines with distances and angles (and/or bearings). Where these lines follow a curve (all curves must be circular), the central angle, the radius, points of curvature, length of curve and length of intermediate tangents shall be shown. Where the length of curve and the length of intermediate tangents can readily be determined from data shown on the plat, such length need not be shown.
		The width of the portion of streets being dedicated and the width of any existing right-of-way.

		All easements shall be denoted by fine dashed lines, clearly identified as to purpose, and, if already of record, the recorded reference of such easements. If an easement is not definitely located or record, a statement of such easement shall be included. The width of the easements with sufficient ties to locate it definitely with respect to the subdivision must be shown. If the easement is being dedicated by the plat, it shall be properly referenced in the owner's certificate of identification.
		Lot lines with dimensions.
		Lot numbers beginning with the number one and numbered consecutively in each block. (In so far as possible, the designation of lot numbers and block numbers or letters shown on a replat shall provide continuity with the similar designations shown on the previously recorded plat.)
		Block numbers or letters continuing consecutively without omission or duplication throughout the subdivision. The numbers or letters shall be solid, or sufficient size and thickness to stand out, and so placed as not to obliterate any figure. (In so far as possible, the designation of lot numbers and block numbers of letters shown on a replat shall provide continuity with the similar designations shown on the previously recorded plat.)
		Land parcels to be dedicated for any purpose, public or private, to be distinguished from lots or tracts intended for sale.
		Front building setback lines not less than current applicable zoning regulations.
		The name of each street shown on the subdivision plat and the names of adjoining subdivisions.
		The minimum pad elevation of each lot or parcel of land based on the design criteria of Section 6-606 so that each such pad is elevated at least one foot above the base flood elevation.
		Marginal lines encircling the sheet. All information shall be with this margin.
		The appropriate certificates. See Article 502.Q of the Subdivision Regulations for list of required certificates.
		Certificates must be signed and acknowledge by all parties having any record right, title, or interest in the land subdivided including mortgagees; consenting to the preparation and recording of the said subdivision plat; dedicating all tracts of land shown on the final plat which are intended for public use as highways, streets, alleys, easements, and public grounds; and vacating under K.S.A. 12-512b, as amended.

UTILITY PLAN

A separate utility plan providing the following information shall be submitted with the final plat:

APPLICANT	CITY STAFF	REQUIREMENT
		Location, size, and type of utilities including existing and proposed municipal water, sanitary sewer, stormwater sewer, electric, gas, telecommunications, and other utility lines.
		A letter from the County Engineer which states that improvements which may be required by these regulations for subdivisions or land outside the City and not otherwise under the responsibility of City Officials, are satisfactorily guaranteed including arrangements which will provide necessary engineering standards and construction drawings.
		North Arrow and Scale
		Tract boundary, block boundary, street and other rights-of-way lines with distances and angles (and/or bearings).
		Lot and Block Numbers
		Existing and Proposed Easements

DRAINAGE PLAN

A separate drainage plan providing the following information shall be submitted with the final plat:

APPLICANT	CITY STAFF	REQUIREMENT
		Identify how drainage shall be accepted from adjacent properties, handled internally, and discharged from the plat.
		Location and type of stormwater infrastructure including pipes, flumes, inlets, channels, etc.
		Stormwater detention facilities shall be required where in new subdivisions exceed the following sizes: R-1 and R-2 Zones: One or More Acres All other Zones: Half or More Acres
		Location and design of detention facilities, ponds, basins, etc.
		Pre- and post-development runoff calculations.
		Existing and proposed grading and contours of drainage area, in one-foot intervals.
		North Arrow and Scale
		Tract boundary, block boundary, street and other rights-of-way lines with distances and angles (and/or bearings).
		Lot and Block Numbers
		Identify proposed street grades
		Existing and Proposed Easements
		Drainage report providing pre- and post-development drainage calculations, detention analysis, downstream system assessment, etc. The report shall be sealed by a licensed engineer.

ADDITIONAL INFORMATION

The following information may be submitted as separate documents accompanying the final plat:

APPLICANT	CITY STAFF	REQUIREMENT
		Screening Plan: For subdivisions that have residential zoning abutting arterial streets, drawings showing plans and details of required arterial masonry walls, iron fences and/or perimeter landscaping. Said drawings shall be approved by the Planning Commission prior to final plat approval.
		Public Improvements & Petitions: A statement of the manner in which improvements are proposed to be financed. Petitions are required for improvements proposed to be publicly financed. Petitions shall be accompanied by cost estimate worksheets identifying costs, quantities, and materials for each improvement type and benefit district maps identifying the lots proposed to be assessed for said improvements. A template is available upon request.
		Respread Agreement: If existing special assessments are currently assessed to the area to be platted, a respread agreement is required, identifying the existing special assessments (ordinance number and description), the new lot configuration, and the method of assessment. A template is available upon request.
		Developer's Agreement: A Developer's Agreement is required to be submitted. The document must be signed and notarized. A template is available upon request.
		Restrictive Covenants: A copy of any restrictive covenants which are required to address public requirements such as, but not limited to ownership and maintenance of reserves, noise reduction measures for structures built in aircraft noise contours, etc.
		Plat Binder: A plat binder identifying all encumbrances on the property/properties proposed to be platted is required to be submitted with the final plat.

SUBMISSION REQUIREMENTS

The following documents shall be submitted with the application in the required quantities and form:

APPLICANT	CITY STAFF	REQUIREMENT
		25 Full-Size Sets of the Final Plat (24" x 36")
		1 Final Plat Mylar (24" x 36" or smaller), signed. Submit after Planning Commission Approval
		4 Full-Size Sets of the Utility Plan (24" x 36")
		4 Full-Size Sets of the Drainage Plan (24" x 36")
		1 Drainage Report
		1 Screening Plan (if residential development abutting arterial road)
		1 Set of Petitions, Cost Estimate Worksheets, and Benefit District Maps, signed
		1 Set of Respread Agreement(s), if applicable, signed
		1 Developer's Agreement. signed
		1 Restrictive Covenants, if applicable, signed
		1 Plat Binder
		Digital Sets of the Final Plat, Utility Plan, Drainage Plan in PDF Form. May be submitted on a flash drive, emailed, or online digital dropbox.
		Digital Sets of the Drainage Report, Petitions, Respread Agreement(s), Developer's Agreement, Plat Binder, and Restrictive Covenants. Documents shall be submitted in PDF and Word Document form. Documents may be submitted on a flash drive, emailed, or online digital dropbox.
		Application Fee (Not required if paid with preliminary plat)

I, _____, the undersigned applicant or duly authorized agent, confirm that I have personally checked each of the above requirements and attest that this submission for Final Plat Review is accurate and complete. Further, I understand that an incomplete submission will not be reviewed, and if any requirement is determined to be missing or inadequate, a new complete Final Plat submission may be required.

APPLICANT

AUTHORIZED AGENT