

SUBDIVISION REGULATIONS FOR THE CITY OF ULYSSES, KANSAS AND A DEFINED PORTION OF GRANT COUNTY, KANSAS

AN ORDINANCE REGULATING LAND DEVELOPMENT PRACTICES;
DETERMINING PLATTING PROCEDURES AND PROCESSES;
ESTABLISHING MINIMUM DESIGN STANDARDS FOR IMPROVEMENTS AND UTILITIES; PROVIDING FOR DEDICATION OF PUBLIC SPACES;
ESTABLISHING PROCEDURES FOR INSTALLATION OF IMPROVEMENTS;
ESTABLISHING LOT SPLIT PROCEDURES; PROVIDING FOR APPEALS, VARIANCES, AND AMENDMENTS; PRESCRIBING PENALTIES FOR THE VIOLATION OF ITS PROVISIONS; AND REPEALING THE EXISTING SUBDIVISION REGULATIONS AND AMENDMENTS THERETO.

BE IT ORDAINED BY THE GOVERNING BODY THAT:

ARTICLE 5. TITLE, PURPOSE, AUTHORITY, JURISDICTION, EXEMPTIONS AND RESTRICTIVE COVENANTS "ARTICLE 5. TITLE, PURPOSE, AUTHORITY, JURISDICTION, EXEMPTIONS AND RESTRICTIVE COVENANTS

Section 1. Title: These regulations shall be known as the "Subdivision Regulations of the Ulysses-Grant County Joint Planning Commission" hereinafter referred to as Planning Commission and have been appropriately adopted by the governing bodies of the City of Ulysses and Grant County.

Section 5. Purpose: The purpose of these regulations is to recognize the subdivision of land as the initial step of development and urbanization and is intended to provide for the harmonious development of the City and adjacent area of the County by setting forth rules and regulations for the division of real property into subdivisions containing coordinated street patterns with other existing or planned streets; for adequate open spaces for traffic, recreation, light and air; for a distribution of population and traffic; and for the installation of physical improvements which will tend to create conditions favorable to the health, safety, comfort, convenience and general welfare of the defined area of coverage in Section 15.

Section 10. Authority: The following regulations, for the subdividing and development of land within the limits of jurisdiction of the Ulysses-Grant County Joint Planning Commission, are adopted under the authority granted by the General Statutes of the State of Kansas of 1949, K.S.A. 12-705 and K.S.A. 19-2918 and all amendments thereto.

Section 15. Jurisdiction: It shall be unlawful for the owner, agent or persons having control of any land within the City of Ulysses, Kansas and in that area lying outside said City in Grant County, but within three miles of the nearest point of the City limits of Ulysses, to subdivide land as defined by Article 15 of this

Article or in any manner lay out such land into lots, blocks, streets, avenues, alleys, public ways or grounds, unless by a plat in accordance with the laws of the State of Kansas and the provisions of this regulation. In case of doubt, said owner, agent or concerned individuals should check with the City Clerk or Code Enforcement Officer as to specific jurisdictional limits.

Section 16. Exemptions: The following shall be exempt from the requirements of these regulations:

1. Any lot, parcel, or tract of land within the area jurisdiction which was legally subdivided, resubdivided, or replatted prior to the adoption of these regulations.
2. Any lot, parcel, or tract of land which has been ordered by law to be portioned.
3. Correction of a legal description in a prior conveyance.
4. Land which is to be used for cemetery purposes.
5. A division of land in accordance with the provisions of these regulations which creates no more than one additional lot or tract and which does not involve any new streets or easements of access; is not located in an area subject to flooding; which meets the standards set by these regulations for the disposal of sewage and for water supply including lot size; and which conforms with any applicable zoning regulations, provided that the resulting tracts shall not be divided without replatting.
6. A transaction between owners of adjoining land involving 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 or sanitary code.
7. The resubdivision or land used for industrial purposes.
8. A division of land for agricultural purposes into parcels or tracts of not less than five acres, which will not involve any new streets or easements of access and will not affect major streets.
9. Land used for a public purpose including the dedication of a parcel of land for a public use or instruments relating to other vacation of land for a public use.
10. Land used for street or railroad right-of-way, a drainage easement or other public utilities subject to local, state or federal regulations, where no new street or easement of access is involved.

Section 17. Restrictive Covenants: The City of Ulysses, Kansas shall have the right to confer with the subdivider regarding the type and character of development that will be permitted in the subdivision and may require certain minimum regulations be incorporated in the subdivision and/or deed restrictions. Such regulations shall protect the character and value of the development within the subdivisions and the value of surrounding property.