



City of Lawrence
Douglas County
PLANNING & DEVELOPMENT SERVICES

6 East 6th St.
P.O. Box 708
Lawrence, KS 66044

www.lawrenceplanning.org

Phone 785-832-3150
Tdd 785-832-3205
Fax 785-832-3160

To: FILE
From: Planning Staff
Date: April 4, 2008
Re: Build Out Plans in Lawrence's Urban Growth Area.
Document: *Subdivision Regulations for Lawrence and Unincorporated Douglas County*
Sections: 20-804(f)(5) and 20-805(f)(5)

The *Subdivision Regulations for Lawrence and Unincorporated Douglas County* requires that all Certificate of Survey applications in Lawrence's Urban Growth Area include a Build Out Plan. Build Out Plans are intended to depict future subdivision, supportive of urban development upon annexation by the City of Lawrence. These plans are a valuable tool in ensuring that the proposed development is planned with urban subdivision features in mind such as street connectivity and urban block form. They are intended to serve as a meaningful guide for future urban subdivision following annexation. The Build Out Plan does not bind the City of Lawrence or the property owner, but is intended to be an exercise in demonstrating that the property can be developed in an urban fashion in the future. Build Out Plans are subject to future planning efforts which further define appropriate land uses, densities or road alignments, etc. Future urban subdivision shall be based upon the development standards and subdivision regulations in place at that time, any future sector plans, and to the extent practical, the approved Build Out Plan.

This interpretation is intended to clarify three criteria pertaining to Build Out Plans, as follows:

Sections 20-804(f)(5) and 20-805(f)(5) of the *Subdivision Regulations for Lawrence and Unincorporated Douglas County* state the following with regards to the required specifications of a Build Out Plan:

- (5) *A **Build Out Plan** illustrating the following with respect to both the Immediate Development Area and Future Development Area:*
 - (i) *A realistic future urban lot and block layout designed consistent with the Comprehensive Land Use Plan of the applicable city and the Subdivision Design Standards set forth in Section 20-810 for the City of Lawrence or in the Subdivision Regulations set forth in the annexing city's regulations;*
 - (ii) *The layout of future Streets/Roads; provided that, local Streets/Roads shall be planned to provide Street/Road connections to adjoining parcels, neighborhoods, or future development open spaces, at a spacing of 600' to 800' as a means of discouraging the reliance on County and State roads or highways for local trips;*
 - (iii) *Easement locations for utilities and stormwater drainage;*



- (iv) *Locations of **Building Envelopes** for each **Residential Development Parcel** to accommodate future subdivision into urban density lots; and,*
- (v) *Supplemental written information that demonstrates how public utilities may be extended to the subdivision to accommodate future urban density development.*

Interpretation

Sections 20-804(f)(5)(i) and 20-805(f)(5)(i) require that the Build Out Plan constitute a *realistic future urban lot and block layout*. The Subdivision Regulations define urban as *an area characterized by medium and higher density residential development of 3 or more dwelling units per acre*. Recent subdivision layouts employ lots between 7,000 and 10,000 square feet, however there are instances where larger lot sizes would be prudent. Therefore, these sections shall be interpreted to encourage future urban lot sizes of 7,000 square feet up to 14,520 square feet (1/3 of an acre) when necessitated by topographical or natural site features.

Interpretation

Sections 20-804(f)(5)(iii) and 20-805(f)(5)(iii) shall be interpreted to mean that future easements for utilities and stormwater drainage shall be shown on the Build Out Plan. Future utility easements for sanitary sewer shall be shown to be 15 feet wide, centered on rear property lines of the future urban lots. Future utility easements for water are not typically necessary since they are usually located within street right-of-way. Future easements for stormwater drainage may be shown consistent with the requirements of Section 20-810(f)(3) and following review of the City's Stormwater Engineer on a case by case basis. Such easements shall be shown as a guide and should not be filed as actual easements.

It is in the property owner's best interest to construct any structure so that it is not located within the area identified for a future utility or drainage easement on the Build Out Plan so that such structures may remain following annexation and subdivision, but this is not required of the property owner.

Interpretation

Sections 20-804(f)(5)(iv) and 20-805(f)(5)(iv) shall be interpreted to mean that a building envelope is required on each Residential Development Parcel on the Certificate of Survey. The building envelope shown on the Certificate of Survey shall reflect the front yard setbacks for each future urban block, as shown on the Build Out Plan. It shall not be interpreted as meaning that building envelopes are required on each future urban lot shown on the Build Out Plan.

It is in the property owner's best interest to construct any structure within the boundaries of the future urban lots shown on the Build Out Plan so that such structures may remain following annexation and subdivision, but this is not required of the property owner.