

SESSION OF 2006

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2720

As Amended by House Committee of the Whole

Brief*

HB 2720 would amend current law regarding plat approval. It would require that a planning commission or joint committee on subdivision regulations provide written notification to the property owner(s) when it finds a plat does not conform to subdivision regulations. The written notice would be required to specify, in detail, the reasons the plat does not conform. In addition, the bill would require the governing body (*i.e.*, city governing body or county commission) to provide written notice, to the landowner(s) as well as the planning commission or joint committee, if it defers or refuses to accept the dedication of land for public purposes related to the plat. If the deferral or refusal of the dedication of land is based upon noncompliance issues, the notice would be required to specify in detail the nature of the noncompliance.

Background

Current state law requires a property owner wanting to develop land for residential or other purposes within an area governed by subdivision regulations to have a plat drawn, if such is required by the subdivision regulations, and submit the plat to the planning commission or joint committee (appointed when both city and county territory are affected as specified by law). Current law further requires that either a planning commission or joint committee determine whether the plat conforms to the subdivision regulations. If the body finds it does not conform, it is required to notify the owner(s). The statute does not specify the notification be in writing. Once the planning commission or joint committee has made its determination, the governing body of either the city or the county is required to accept or refuse the dedication of land for public purposes within 30 days, or defer the action for an additional 30 days to allow for modifications. The governing body is required to notify the planning commission or joint committee if it defers or refuses the dedication, but it is not

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

required to notify the owner(s).

Proponents of the bill included Representative Gary Hayzlett, a representative of the Home Builders Association of Greater Kansas City, and a citizen. No opponents testified.

The fiscal note indicated the bill has no fiscal effect on the state.

The House Committee amended the bill to require any notice of refusal or deferral by the city or county governing body be in writing and to specify what that notice should contain.

The House Committee of the Whole amended the bill to require the city or county governing body's written notice of refusal or deferral be provided to the landowner(s). (Current law requires only that it be provided to the planning commission or joint committee.)