REZONING

GUIDE TO REZONING PROPERTY

Background

Zoning protects the rights of property owners and promotes the general welfare of a community through the regulation of land use. Zoning divides property in the City of Raymore into land use categories such as agricultural, residential, commercial, and industrial. Each use is located where it is most appropriate, taking into account existing land use patterns and the location of roads and public utilities. The Unified Development Code also specifies details such as the height, bulk, and setback of buildings, the size and location of parking lots and green space, and the intensity to which the land may be developed.

Definition

When a property owner wishes to develop their land in a manner not permitted under the current zoning, they must apply for a change to their zoning classification, also commonly referred to as a rezoning.

Conditions

The application and review process is required to ensure proposed rezonings will result in development that will be compatible with surrounding land uses. A rezoning's potential benefits to the community are weighed against its potential to adversely impact surrounding property owners. Rezoning applications are also reviewed for consistency with the City of Raymore's Future Land Use Plan Map, contained within the Growth Management Plan. The map helps City officials and developers consider how to integrate and balance new and existing land uses in the City of Raymore.

Process

Applications for rezoning must be reviewed by City staff, the Planning and Zoning Commission, and the Raymore City Council. Any person submitting an application for a rezoning must contact Development Services Department staff, who will explain the review process and provide the necessary forms, checklists, and dates. Staff will schedule a pre-application meeting with the City's Development Review Committee to review the rezoning request.

When the Development Services Department accepts a rezoning application, staff reviews it for completeness and compliance with applicable plans and ordinances. Staff will contact the applicant if additions or revisions to the application are necessary. Staff prepares a report containing its findings and a recommendation of approval or denial of the rezoning request. The application and staff report are submitted to the Planning and Zoning Commission for review and then to the City Council for final approval.

In addition to review by City staff and officials, the application is subject to comment from the general public. A "Good Neighbor" meeting is required to be held prior to the Planning and Zoning Commission meeting. The "Good Neighbor" meeting is meant to encourage dialogue early in the project planning process to pinpoint, discuss, and try to resolve neighborhood issues related to the impacts of the proposed rezoning. A notice will be sent to surrounding property owners informing them of the meeting. Additionally, a public hearing is required at the Planning and Zoning Commission and City Council meetings where the application is presented.

Decision

The Planning and Zoning Commission is made up of nine members who are citizens and residents of the City of Raymore. The Commission meets on the first and third Tuesday of every month. At the meeting, the Commission will allow the applicant and staff to present a report on the proposed rezoning. A public hearing is also required. The Commission then makes "findings of fact" to determine whether the application is compatible with the criteria for approval. Based on those determinations, the Commission provides a recommendation of approval or disapproval to the City Council. The Commission may recommend approval of an application subject to conditions reasonably necessary for conformance with the required conclusions.

City Council meetings are held on the second and fourth Monday of every month. The applicant and staff will again have the opportunity to present a report on the proposed rezoning. A public hearing is required. The City Council will consider staff and Planning and Zoning Commission recommendations, along with the public's input, when making their decision to approve or deny the rezoning request. A bill, which requires two separate readings by the City Council, must be approved for the rezoning to be effective.

Timeline

- Pre-application meeting with Development Review Committee
- Complete application

30 Days before P&Z Commission Meeting

Filing deadline:
- Submit a completed application (see application checklist)
- Pay filing fee

Within 3 Days of Filing the Application

City mails "Good Neighbor Notice"

Prior to P&Z Commission

Good Neighbor Meeting

Staff review

At Least 15 Days Before P&Z Commission

City mails notice of public hearing

Sign posted

Notice of public hearing posted in local newspaper

10 Working Days Before P&Z Commission

Final revisions submission deadline

First & Third Tuesday of the Month

Planning & Zoning Commission Meeting/ Public Hearing

Second & Fourth Monday of the Month

- City Council First Reading/Public Hearing
- City Council Second Reading

REZONING
APPLICATION CHECKLIST

For applications filed under Unified Development Code Section 470.020

In order to request a hearing before the Planning and Zoning Commission a completed application must be received by the Development Services Department before the filing deadline. The filing deadline for rezoning applications is typically 30 days before the next meeting. Please contact the Development Services Department for exact dates.

A completed application includes the following:

- ☐ **A completed application form.** The application form for a rezoning is available in the Development Services Office located in Raymore City Hall or at www.raymore.com.
- ☐ **Attached legal description** and legal description in Google Docs or Word Document format on a disk (legal description must be full description with callouts).
- ☐ **An application fee of five hundred twenty-five dollars ($525.00)**, payable to the City of Raymore.
- ☐ **Ownership affidavit**, copy of deed, other proof of ownership OR completed owner(s) consent form.

To determine the adequacy of existing public facilities, the City of Raymore's Engineering Department may require additional materials, such as a traffic study, from the applicant. Additional requirements will be determined at the pre-application meeting with City staff.

REZONING
PUBLIC NOTICE REQUIREMENTS

From Raymore Unified Development Code Section 470.010(E)

Upon filing an application, the City will take the following action to inform surrounding property owners of the rezoning request and advertise the public hearings:

- **Good Neighbor Notice and Meeting.** A notice of the requested rezoning action will be mailed by the City to all property owners within one hundred and eighty-five (185) feet of the property to be rezoned, the President of any Homeowners' Association of adjacent property, and City Council ward representatives.

  A neighborhood meeting is required to be held prior to the Planning and Zoning Commission meeting. The City will schedule the time, date, and location of the Good Neighbor meeting. At the meeting, the applicant will present the details of the proposed rezoning to surrounding property owners.

- **A notice of the public hearing** will be mailed by the City to property owners within one hundred and eighty-five (185) feet of the property to be rezoned at least fifteen (15) days before the public hearing.

- The City will **post a sign** within five feet of the right-of-way of each road frontage on the property to be rezoned.

FOR REZONING TO "P" PLANNED DISTRICTS ONLY:

All R, C, BP and M districts may be designated as "planned districts". Upon approval, a planned district designation functions as an overlay zone in which standards and requirements specifically approved for the "planning district" rezoning and approved site plan govern over conflicting requirements and standards for the base zoning district. Otherwise, the requirements of the base zoning district remain in force.

The amount of open space, buffer zone, yard, parking, play area, density, floor area ratio, and height requirements in developments with a "P" zoning designation are determined by the City Council after recommendation by the Planning and Zoning Commission. The City Council and Planning and Zoning Commission uses the requirements and standards found in the base zoning district as a guide in making determinations and may permit adjustments from these requirements and standards in the interest of efficient land development and utilization where it is deemed that amenities or conditions in accordance with Section 415.040 of the Unified Development Code will be gained to the extent that a higher quality development is produced.

In addition to the previous requirements, applicants filing for a rezoning to a "P" Planned district must prepare and submit the following requirements:

☐ **Five (5) full size copies of a site development plan.** The plan must contain the following elements:

- The boundaries of the area and the development of property adjacent to the area and within three hundred (300) feet thereof.
- The existing topography in contour intervals no greater than five (5) feet.
- Proposed location, number, type and arrangement of building(s), structures, parking areas, existing and proposed streets, drives, open spaces, play areas and other reasonable information required by the Commission.
- How the development will incorporate the design elements and amenities as required by the menu in Unified Development Code Section 415.040. (The menu is included on the next page.)
- Building elevations (commercial):
    a. Elevations of all sides of proposed buildings,
    b. Location, size and materials to be used in all screening of rooftop mechanical equipment.
- Building elevations and floor plans (residential):
    a. Typical front building elevations, including notation indicating building material to be used on exteriors and roofs.
    b. When more than one front elevation is required, typical floor plans.

☐ **The plan shall be accompanied by a plat giving full legal description of the boundaries of the property.**

☐ **A digital copy of the plan** in AutoCAD.dwg and a **portable document format (.pdf)** for each sheet of the plat submittal.

Menu of Planned District Design Elements and Amenities	
Housing Diversity. Developments that include a residential component must provide ALL of the following:	
Multiple Front Elevations	At least one distinct front building elevation per 10 dwelling units for each housing type (detached single-family, attached single-family, two-family, and/or multi-family dwellings). The required number of distinct front elevations shall be rounded up to the nearest whole number (e.g. developments with 21-29 dwelling units must offer a minimum of 3 different front elevations). The maximum number of required front elevations for each housing type within a development need not exceed six.
Variety in Building Materials	More than one exterior building material must be offered for at least one housing model for single and two-family homes (e.g. vinyl siding, brick, stone, stucco, etc.)
Variety in Garage Design	Where more than one front elevation is required for developments that include detached single-family, attached single-family, and/or two-family dwelling units, a minimum of one floor plan designed with at least one of the following garage designs: • Recessed, front-loaded (a minimum 8-foot setback from front façade) • Rear-loaded • Side-loaded, or • Detached garages
Residential Amenities. Developments that include a residential component must provide at least one amenity from each group installed at the same time as the public improvements:	
Group 1 Active Recreation Amenities	Golf course
	Athletic fields, basketball court or tennis courts
	Swimming pool that is at least 1,000 square feet in surface area
	Club house or community building that includes exercise rooms, meeting rooms, and/or sheltered picnic facilities
Group 2 Passive Recreation Amenities	Playground/tot lot
	Historically significant buildings, structures or other historic resource
	Bike or pedestrian pathways in addition to required public sidewalks and bike paths, in compliance with the City's Transportation Plan and Park Master Plan. Credit will be given for trails required by the Growth Management Plan.
	Nature trails, boardwalks or piers that provide access to preserved natural areas and features or historically significant resources
	Gazebo
Group 3 Natural Features and Open Space Amenities	Preservation of natural features that exceed the size of those that would be required to be preserved by other local, County, State or Federal ordinances or requirements, by at least 25 percent. Examples include wetlands, floodplains, stream corridors, steep slopes, grasslands and woodlands
	Open space in excess of one acre in area that preserves native plant communities or wildlife habitat
	Natural stormwater detention design that utilizes native plant materials
	Widened landscape buffer widths of at least 30 feet and a minimum of 50 percent increase in plant materials required by Section 445.030I.4
	Public art such as sculptures located within common open space
	Street trees
Nonresidential Amenities. Developments that include a nonresidential component must provide at least 3 of the following amenities:	
Public Enhancements and Streetscape Features	Public plaza that includes seating areas and is at least 3,000 square feet in area
	Public art such as sculptures or fountains
	Clock tower
	Bike pathways in addition to required public sidewalks and bike paths in compliance with the City's Transportation Plan and Park Master Plan
	Bike parking facilities
	Ornamental parking lot lighting
	Decorative pavers for pedestrian crosswalks

REZONING

FINDINGS OF FACT

The following criteria will be used by the Planning and Zoning Commission to review your application.

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1. **The character of the surrounding neighborhood, including the existing uses and zoning classification of properties near the subject property;**

2. **The physical character of the area in which the property is located;**

3. **Consistency with the goals and objectives of the Growth Management Plan and other plans, codes and ordinances of the City of Raymore;**

4. **Suitability of the subject property for the uses permitted under the existing and proposed zoning districts;**

5. **The trend of development near the subject property, including changes that have taken place in the area since the subject property was placed in its current zoning district;**

6. **The extent to which the zoning amendment may detrimentally affect nearby property;**

7. **Whether public facilities (infrastructure) and services will be adequate to serve development allowed by the requested zoning map amendment;**

8. **The suitability of the property for the uses to which it has been restricted under the existing zoning regulations;**

9. **The length of time (if any) the property has remained vacant as zoned;**

10. **Whether the proposed zoning map amendment is in the public interest and is not solely in the interests of the applicant; and**

11. **The gain, if any, to the public health, safety and welfare due to denial of the application, as compared to the hardship imposed upon the landowner, if any, as a result of denial of the application.**