

# City of Raymore Unified Development Code

## Development Review Procedures

### Section 470.010 General Requirements

#### A. Summary of Procedures *(Amendment 2 – Ordinance 29073 7.27.2009) (Amendment 22 - Ordinance 2015-068 - 9.14.15) (Amendment 24 - Ordinance 2017-004 2.13.17)*

The following table provides a summary of the review and approval procedures of this chapter. In the event of conflict between this summary table and the detailed procedures contained elsewhere in this chapter, the detailed procedures govern.

	Community Development Director and Engineering Staff	Board of Adjustment	Planning & Zoning Commission	City Council	Board of Appeals
Zoning map amendments (rezoning)	R		[R]	[D]	
Text amendments	R		[R]	[D]	
Conditional uses	R		[R]	[D]	
Uses subject to special conditions	D				
Planned unit development (PUD)	R		[R]	[D]	
Zoning Variances	R	[D]			
Appeals of UDC Administrative Decisions		D			
Minor subdivision plat	R		R	D	
Preliminary subdivision plat	R		[R]	[D]	
Final subdivision plat	R		R	D	
Replat	D		A		
Zoning certificate	D	A			
Sign permit	D	A			
Site plan review	D or R		A or D	A	
Right-of-way Vacation	R		[R]	[D]	
Interpretations	D	A			A (Chapter 455 or 460)
Administrative adjustments	D	A			
Natural Resource Protection Variances	R				D
Flood Plain Management Variances	R				D
Inflatable Signs	R		D	A	
Easement Vacation	R			[D]	

*R = Recommendation*

*D = Decision*

*A = Appellate authority*

*[ ] Public Hearing Required*

## **B. Pre-application Conferences**

### **1. Purpose and Applicability**

- a.** Before submitting a formal application for a map amendment, preliminary plat, conditional use, planned unit development, or site plan, the applicant or his/her agent and the applicant's engineer and/or land planning consultant must confer with the Development Review Committee. The purpose of this conference is to inform the applicant of the requirements of development regulations as they apply to the property in question and to alert the applicant to potential problems with the location or design of the subdivision or proposed development. The purpose of the inquiry is for the owner to become familiar with procedures required by the City of Raymore, and potential challenges with the project, including:
  - (1)** procedure for filing plans;
  - (2)** availability of public infrastructure;
  - (3)** Growth Management Plan requirements for improvements such as arterial and collector streets, land use, parks, schools and public open spaces;
  - (4)** anticipated need to submit technical studies, such as a traffic study or preliminary stormwater study;
  - (5)** zoning requirements for the property in question and adjacent properties;
  - (6)** special setback requirements for arterial, collector and local streets; and
  - (7)** citizen concerns.

### **2. Conference Procedure**

The Development Review Committee will hold a conference with the applicant to discuss the proposed development. Areas of discussion will include the adequacy of sanitary and other services, streets, pavement, storm water drainage, and provisions for maintenance of public or common property, or sanitary and water supply services, and of the character of the subdivision, minimum dwelling size, and other proposed lot characteristics and such other matters relevant to the preparation of a preliminary plat or complete plan application.

## **C. Applications**

### **1. Contents**

- a.** All applications required under this chapter must be submitted in a form and the number required by the Community Development Director, unless otherwise specified.
- b.** Officials responsible for accepting applications must maintain a list specifying the materials and information to be submitted with each application filed. The list must be made available to all applicants and to any other person who requests a copy.
- c.** All applications shall include the submission requirements as identified in the application packet.

## **2. Completeness**

- a.** An application will be considered complete and ready for processing only if it is submitted in the required number and form, includes all required information, and is accompanied by the required fee. The Community Development Director has the authority to determine whether the application is complete.
- b.** If an application is determined to be incomplete, written notice explaining the deficiencies must be provided to the applicant.
- c.** No further processing of incomplete applications will occur until the deficiencies are corrected. If the deficiencies are not corrected by the applicant within 90 days, the application will be considered withdrawn.

## **3. Filing Fees** *(Amendment 8 – Ordinance 2011-9 2.28.11)*

Applications must be accompanied by the fee amount approved by the Governing Body and listed in the Schedule of Fees and Charges maintained in the City Clerks Office. Fees are not required with applications initiated by the Planning and Zoning Commission or City Council. Application fees are nonrefundable.

## **4. Multiple Applications**

Multiple applications may be filed for the same property for consideration at the same meeting. Final plat applications may not be considered at the same meeting that an application for a map amendment or preliminary plat is considered for residentially zoned property.

## **5. Inactive Applications** *(Amendment 2 – Ordinance 29073 7.27.2009) (Amendment 16 – Ordinance 2013-056 8.26.13)*

- a.** An applicant may submit a request to stay consideration of an application at any time during the application review process. All review of the application will be placed on hold until the applicant contacts the Community Development Director and indicates consideration of the application can again commence.
- b.** The Community Development Director can determine an application is inactive if:
  - (1)** No correspondence, such as a letter, phone call, or email is received from the applicant regarding the application for a period of time that exceeds ninety (90) days; or
  - (2)** No documentation or revised plans have been submitted to allow for continuation of review of the application.
- c.** The maximum amount of time an application is permitted to remain inactive is 1 year from the date the request to stay consideration of the application is made or from the date the Community Development Director determines the application is inactive. If an applicant does not withdraw the application or authorize review to again commence within the 1 year time period, then the application shall expire and a new application, including filing fee, shall be submitted to commence review.

## **D. Submission of Technical Studies**

- 1.** The Community Development Director, Director of Public Works, Planning and Zoning Commission or City Council may require applicants for rezoning, conditional use permits,

special use permits, preliminary plats and site plans to submit technical studies that may be necessary to enable the staff, Planning and Zoning Commission or City Council to evaluate the application. Examples of technical studies that may be required include, but are not limited to; traffic studies, stormwater studies, engineering studies, hydrologic studies, environmental impact assessments, noise studies, or market studies. The costs of all studies shall be borne by the applicant.

2. Any decision by the Community Development Director or Director of Public Works to require any such study may be appealed to the Planning and Zoning Commission. The appeal shall be heard by the Commission at its next available meeting. Any decision of the Planning and Zoning Commission to require any such study may be appealed to the City Council. The decision of the City Council shall be final. If an appeal is filed, the application shall not be considered by the Commission until the appeal process is completed.
3. Upon the submission of any technical or related studies and/or upon further determination by City staff, certain easements and related improvements such as streets, drainage, water courses, erosion control, utilities, tree preservation, open areas, or recreational amenities may be required as a condition of approval of the rezoning, conditional use permit, preliminary plat, or site plan.

## **E. Public Hearings**

### **1. Public Notice**

Whenever a public hearing is required by this chapter, public notice must be provided in accordance with this section.

#### **a. Informational Notice (“Good Neighbor Notice”)**

- (1) This sub-section applies to rezoning, preliminary plat, and PUD applications.
- (2) An informational notice providing a date, time and location of a neighborhood meeting to discuss the proposed project shall be prepared by the City and mailed within three days of filing the application to the following interested parties:
  - (a) all property owners within 185 feet of the boundaries of the property for which the zoning change is requested;
  - (b) the President of any Property Owners’ Association of which the subject property in an application before the Planning and Zoning Commission is included or is adjacent to; and
  - (c) the City Council ward representatives.

#### **b. Published Notice**

- (1) All published notices for public hearings must be placed at least once in a newspaper of general circulation in the City, at least 15 days prior to the hearing. Published notices must contain:
  - (a) the date, time and location of any upcoming public hearings on the matter;
  - (b) where an application will affect a particular property, a legal description, address or general description sufficient to identify the subject property;

- (c) a description of the nature and purpose of the application;
  - (d) the name and address of the applicant; and
  - (e) contact information for additional information on the application.
- (2) Published notice is all that is required for comprehensive text amendments to the Unified Development Code.

**c. Mailed Notice**

- (1) All mailed notices must be provided and mailed via first-class mail at least 15 days before the hearing to all owners of property located within at least 185 feet of the subject property. Mailed notices must contain:
- (a) the date, time and location of any upcoming public hearings on the matter;
  - (b) where an application will affect a particular property, the address or general description sufficient to identify the subject property, and a statement that a complete legal description is available for public inspection;
  - (c) a description of the nature and purpose of the application;
  - (d) the name of the applicant; and
  - (e) contact information for additional information on the application.
- (2) When the notice has been deposited in the mail, failure of a party to receive such notice will not invalidate any subsequent action taken by the Planning and Zoning Commission, Board of Adjustment, and/or the City Council.
- (3) Such notice is sufficient to permit the Planning and Zoning Commission, Board of Adjustment, and/or City Council to consider applications that will affect only a portion of the land described in the notice.

**d. Posted Sign Notice** (*Amendment 8 – Ordinance 2011-9 2.28.11*)

- (1) This subsection applies to Rezoning, Preliminary Plat, Conditional Use Permit and Planned Unit Development applications.
- (2) The City will post a sign informing the general public that a hearing will be held concerning the pending application. The sign will be furnished by the City and must be posted at least 15 days prior to the date of the public hearing.
- (3) A sign must be posted along each road frontage in a conspicuous place on the property upon which action is pending. The sign must be placed within five feet of the right-of-way line in a central position on the property and placed so that the sign is clearly visible from the street.
- (4) The applicant is responsible for maintaining the sign on the property for at least the 15 days prior to the hearing, through the hearing, and through any continuances of the hearing.

## **2. Public Meetings**

When a public meeting is required by the provisions of this chapter, it must be conducted as follows:

### **a. Neighborhood Meeting**

- (1)** When a neighborhood meeting is required, the meeting shall be held prior to consideration of the application by the Planning and Zoning Commission.
- (2)** A summary of the neighborhood meeting will be prepared by staff and included in the staff report submitted to the Planning and Zoning Commission.

### **b. Public Hearing**

- (1)** A record of the public hearing proceedings must be preserved in such manner and conducted in accordance with the applicable rules and procedures adopted by the Planning and Zoning Commission or Board of Adjustment.
- (2)** Any interested person or party may appear and be heard at the hearing as follows:
  - (a)** in person;
  - (b)** by agent or representative;
  - (c)** by attorney; and/or
  - (d)** by submitting comments in writing to be read in its entirety and entered into the record.