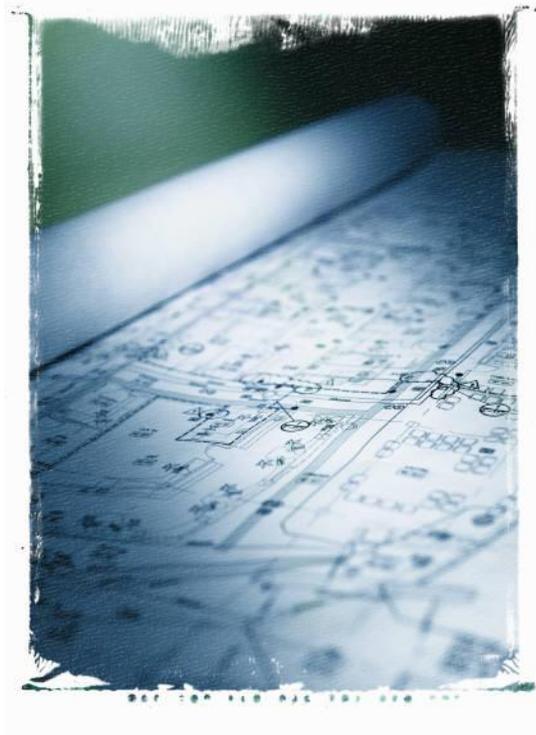




Development Process Handbook



2020
(updated 2-21-2020)



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REZONING PROCESS

Purpose of Rezoning

Each piece of property in Grain Valley is in a particular zoning district. The City's Zoning Ordinance (Chapter 400) contains regulations for each zoning district that specify permitted uses, required yard setbacks, maximum building height, basic parking requirements, and related development standards.

Rezoning is necessary in order to develop a tract of land under the guidelines of a different zoning district than its present designation. The purpose of the rezoning process is to make sure that the proposed uses are appropriate at the proposed location and compatible with existing or planned uses on the surrounding properties. In addition, decisions are typically made at this point to determine the density (or intensity) of development and its general layout and character.

Decisions regarding rezoning applications are made after public hearings by both the Planning and Zoning Commission and the Board of Aldermen.

Some developments in Grain Valley are done under what is referred to as a planned unit development. Planned developments are approved subject to a preliminary development plan that is submitted as part of the rezoning application. This plan includes a site plan showing such things as the layout of buildings and parking areas, conceptual building elevations, and the relationship of the proposed development to existing or proposed development on surrounding property

Step 1 – Pre-Application Development Review Committee (DRC)

Prior to submitting a rezoning application, the applicant is required to meet with the Community Development Department staff. The purpose of the pre-application meeting is to:

- Acquaint the applicant with the procedural requirements;
- Provide for an exchange of information regarding the applicant's proposed development and the regulations, restrictions and requirements, the Comprehensive Plan, Area Plan, if applicable, and other development requirements;
- Advise the applicant of any public sources of information that may aid the application, identify policies and regulations that create opportunities or pose significant restraints for the proposed development,
- Review proposed concept plans and provide the applicant with opportunities to enrich the development plan in order to mitigate any undesirable project consequences;
- Review the compatibility with adjacent land uses, either proposed or existing;
- Provide general assistance by City staff on the overall design of the proposed development.

This meeting gives staff the opportunity to assist the applicant by identifying special studies needed or issues that may need to be addressed prior to the submission of the application, and allows the applicant to explain issues that shaped the initial design of the project. It is not necessary to have detailed plans drawn prior to the pre-application



meeting. However, the more information brought to the meeting (even in sketch form), the more helpful staff can be in response.

Step 2 – Filing the Application

An application for rezoning must be completed and submitted to the Community Development Department, with the proper filing fee, payable to the City of Grain Valley.

In addition, a legal notification charge is required if the cost of said notification exceeds the filing fee. In most instances, two legal notices are required for an application. An application may be withdrawn at any time upon written request; however, no refund will be made after the initial publication and mailing of notices.

A complete application consists of all items identified in the Rezoning Application Checklist. Complete Rezoning applications will be processed in accordance with the schedule set forth in the Development Application Packet.

Step 3 – Development Review Committee

The Development Review Committee is a weekly meeting between City staff, the developer and/or representatives to discuss preliminary, *technical* review of submitted plans. This gives all opportunities to request any necessary plan revisions, give the applicant an opportunity to ask additional questions, and review the schedule for submitting revised plans.

If extensive changes are being made to the submittal or more information is needed to adequately review the application (e.g. additional traffic or engineering studies), then the application may be “continued” (i.e., rescheduled to a later Planning and Zoning Commission meeting date to allow time for the necessary work to be completed). If deficiencies are minor, the item will be scheduled for a Planning and Zoning Commission meeting, subject to revised plans being submitted by the Revised Plans Due date.

Step 4 – Public Notices

State statutes require legal notice of the time and place of public hearings to be published 15 days prior to the hearing in the City’s paper of record, “The Examiner”. City staff will prepare and publish the notice, and mail notices to the last known owner of all property within 185 feet of the subject property, and property outside 185 feet as deemed appropriate by City Staff.

Step 5 – Planning and Zoning Commission Public Hearing

Every rezoning application is reviewed by the Planning and Zoning Commission at a public hearing. The Commission meets, if needed, on the second Wednesday of each month at City Hall at 6:30 p.m. For each Public Hearing item on the agenda, the applicant will be given an opportunity to make their own presentation. Presentations should be a brief description of the proposed project and include responses to any concerns raised in the City staff’s report, and any additional information which the applicant wishes to provide (for example, color renderings, maps, photographs, or petitions). *(It is recommended that any additional information be provided to staff in advance, so it can be included in the Commissioners’ packets.)*



After the public hearing portion of the meeting is closed, the Planning and Zoning Commission may discuss the action that should be taken and the reasons for that action. The Planning and Zoning Commission's action is a recommendation to the Board of Aldermen to continue, approve, approve with conditions, or deny the application.

It is strongly recommended that applicants meet with surrounding landowners and residents prior to initiating a rezoning application. The more the application can address the concerns of this group, the better its chance of being approved by the city. Although the opinions of adjacent land owners and residents are not the only factors considered, they are an important component in the democratic process that leads to land use decisions in Grain Valley.

Step 6 – Board of Aldermen Public Hearing

Once the Planning and Zoning Commission has made a recommendation, a hearing will be held before the Board of Aldermen. The Grain Valley Board of Aldermen typically meets on the second and fourth Monday of each month at City Hall at 7:00 p.m. The format of the public hearing is similar to that used by the Planning and Zoning Commission, and applicants should plan on making a similar type of presentation.

After the Board of Aldermen has listened to the presentations and to any public comments, they may discuss the application and then take action. Subsequently, the Board of Aldermen may continue, approve, approve with conditions, or deny an ordinance granting the zoning change.

Application Review Criteria

In considering a rezoning application, the Planning and Zoning Commission and Board of Aldermen may give consideration to the criteria stated below to the extent they are pertinent to the particular application:

1. The character of the neighborhood.
2. The existing and any proposed zoning and uses of adjacent properties, and the extent to which the proposed use is compatible with the adjacent zoning and uses.
3. The extent to which public facilities and services are available and adequate to meet the demand for facilities and services generated by the proposed use.
4. The extent to which the proposed use facilitates the adequate provision of transportation, water, sewerage, schools, parks and other public requirements.
5. The suitability of the property for the uses to which it has been restricted under the applicable zoning district regulations.
6. The length of time, if any, the property has remained vacant as zoned.
7. The extent to which the proposed use will negatively affect the aesthetics or value of the property and/or neighboring property.
8. The extent to which the proposed use will adversely affect the capacity or safety of the portions of the street network impacted by the use, or present parking problems in the vicinity of the property.
9. The extent to which the proposed use will create excessive storm water runoff, air pollution, water pollution, noise pollution or other environmental harm.
10. The extent to which there is a need for the use in the community.



11. The economic impact of the proposed use on the community.
12. The ability of the applicant to satisfy any requirements applicable to the specific use imposed pursuant to the zoning ordinance.
13. The gain, if any, to the public health, safety and welfare due to approval of the application as compared to the hardship imposed upon the landowner, if any, as a result of denial of the application.
14. The conformance of the proposed use to the Comprehensive Plan, the Major Street Plan, the Capital Improvement Plan, and other adopted planning policies.
15. The recommendation of professional staff.



SPECIAL/CONDITIONAL USE PERMIT PROCESS

Purpose of Special/Conditional Use Permit

Some land uses are not listed as a permitted use in any zoning district. These uses are permitted only after the approval of a Special/Conditional Use Permit for a specific use at a specific location. The grant of development authority from a special/conditional use permit supplements the development rights granted by the underlying zoning designation, but is not dependent on them. Special/Conditional use permits can be approved for a specific period of time (subject to renewal) or for an indefinite period of time (no renewal required). The purpose of the special/conditional use permit step is to make sure that the proposed uses are appropriate at the proposed location and compatible with existing or planned uses on the surrounding property.

Step 1 – Pre-Application DRC

Prior to submitting an application for a Special/Conditional Use Permit, the applicant is required to meet with Community Development Department staff. The purpose of the pre-application meeting is to:

- Acquaint the applicant with the procedural requirements;
- Provide for an exchange of information regarding the applicant's proposed development and the regulations, restrictions and requirements, the Comprehensive Plan, Area Plan, if applicable, and other development requirements;
- Advise the applicant of any public sources of information that may aid the application, identify policies and regulations that create opportunities or pose significant restraints for the proposed development,
- Review proposed concept plans and provide the applicant with opportunities to enrich the development plan in order to mitigate any undesirable project consequences;
- Review the compatibility with adjacent land uses, either proposed or existing;
- Provide general assistance by City staff on the overall design of the proposed development.

This meeting gives staff the opportunity to assist the applicant by identifying special studies needed or issues that may need to be addressed prior to the submission of the application, and allows the applicant to explain issues that shaped the initial design of the project. It is not necessary to have detailed plans drawn prior to the pre-application meeting. However, the more information brought to the meeting (even in sketch form), the more helpful staff can be in response.

Step 2 – Filing the Application

An application for a Special/Conditional Use Permit must be completed and submitted to the Community Development Department, with the proper filing fee, payable to the City of Grain Valley.

In addition, a legal notification charge is required if the cost of said notification exceeds the filing fee. In most instances, two legal notices are required for an application. An application may be withdrawn at any time upon written request; however, no refund will be made after the initial publication and mailing of notices.



A complete application consists of all items identified in the Special/Conditional Use Permit Application Checklist. Complete applications will be processed in accordance with the schedule set forth in the Development Application Packet.

Step 3 – Development Review Committee (DRC)

The Development Review Committee is a weekly meeting between City staff, the developer and/or representatives to discuss preliminary, *technical* review of submitted plans, request any necessary plan revisions, give the applicant an opportunity to ask additional questions, and review the schedule for submitting revised plans.

If extensive changes are being made to the submittal or more information is needed to adequately review the application (e.g. additional traffic or engineering studies), then the application may be “continued” (i.e., rescheduled to a later Planning and Zoning Commission meeting date to allow time for the necessary work to be completed). If deficiencies are minor, the item will be scheduled for a Planning and Zoning Commission meeting, subject to revised plans being submitted by the Revised Plans Due date.

Step 4 – Public Notices

State statutes require legal notice of the time and place of public hearings to be published 15 days prior to the hearing in the City’s paper of record, “The Examiner”. City staff will prepare and publish the notice, and mail notices to the last known owner of all property within 185 feet of the subject property, and property outside 185 feet as deemed appropriate by City Staff.

Step 5 – Planning and Zoning Commission Public Hearing

Every Special/Conditional Use Permit application is reviewed by the Planning and Zoning Commission at a public hearing. The Commission meets, if needed, on the second Wednesday of each month at City Hall at 6:30 p.m. For each Public Hearing item on the agenda, the applicant will be given an opportunity to make their own presentation. Presentations should be a brief description of the proposed project and include responses to any concerns raised in the City staff’s report, and any additional information which the applicant wishes to provide (for example, color renderings, maps, photographs, or petitions). *(It is recommended that any additional information be provided to staff in advance, so it can be included in the Commissioners’ packets.)*

After the public hearing portion of the meeting is closed, the Planning and Zoning Commission may discuss the action that should be taken and the reasons for that action. The Planning and Zoning Commission's action is a recommendation to the Board of Aldermen to continue, approve, approve with conditions, or deny the application.

It is strongly recommended that applicants meet with surrounding landowners and residents prior to initiating an application for a Special/Conditional Use Permit. The more the application can address the concerns of this group, the better its chance of being approved by the city. Although the opinions of adjacent land owners and residents are not the only factors considered, they are an important component in the democratic process that leads to land use decisions in Grain Valley.



Step 6 – Board of Aldermen Public Hearing

Once the Planning and Zoning Commission has made a recommendation, a hearing will be held before the Board of Aldermen. The Grain Valley Board of Aldermen typically meets on the second and fourth Monday of each month at City Hall at 7:00 p.m. The format of the public hearing is similar to that used by the Planning and Zoning Commission, and applicants should plan on making a similar type of presentation.

After the Board of Aldermen has listened to the presentations and to any public comments, they may discuss the application and then take action. Subsequently, the Board of Aldermen may continue, approve, approve with conditions, or deny an ordinance granting the special use permit.

Application Review Criteria

In considering a rezoning application, the Planning and Zoning Commission and Board of Aldermen may give consideration to the criteria stated below to the extent they are pertinent to the particular application:

1. The character of the neighborhood.
2. The existing and any proposed zoning and uses of adjacent properties, and the extent to which the proposed use is compatible with the adjacent zoning and uses.
3. The extent to which public facilities and services are available and adequate to meet the demand for facilities and services generated by the proposed use.
4. The extent to which the proposed use facilitates the adequate provision of transportation, water, sewerage, schools, parks and other public requirements.
5. The suitability of the property for the uses to which it has been restricted under the applicable zoning district regulations.
6. The length of time, if any, the property has remained vacant as zoned.
7. The extent to which the proposed use will negatively affect the aesthetics or value of the property and/or neighboring property.
8. The extent to which the proposed use will adversely affect the capacity or safety of the portions of the street network impacted by the use, or present parking problems in the vicinity of the property.
9. The extent to which the proposed use will create excessive storm water runoff, air pollution, water pollution, noise pollution or other environmental harm.
10. The extent to which there is a need for the use in the community.
11. The economic impact of the proposed use on the community.
12. The ability of the applicant to satisfy any requirements applicable to the specific use imposed pursuant to the zoning ordinance.
13. The gain, if any, to the public health, safety and welfare due to approval of the application as compared to the hardship imposed upon the landowner, if any, as a result of denial of the application.
14. The conformance of the proposed use to the Comprehensive Plan, the Major Street Plan, the Capital Improvement Plan, and other adopted planning policies.
15. The recommendation of professional staff.



DEVELOPMENT PLAN PROCESS

Purpose of Development Plans

The purpose of a development plan is to evaluate the conceptual development of a particular parcel of property. The development plan includes the general concept for the entire development.

A development plan may be required for the rezoning of any property; the development of any vacant property; or a change in the primary use of property. This plan includes a site plan showing such things as the layout of buildings and parking areas, conceptual building elevations, landscape plan, and the relationship of the proposed development to existing or proposed development on surrounding property. All elements of the development plan and exterior appearance of the project are not finalized at this stage, but are approved in conceptual form.

Step 1 – Pre-Application DRC

Prior to submitting an application for a development plan, the applicant is required to meet with the Community Development Department staff. The purpose of the pre-application meeting is to:

- Acquaint the applicant with the procedural requirements;
- Provide for an exchange of information regarding the applicant's proposed development and the regulations, restrictions and requirements, the Comprehensive Plan, Area Plan, if applicable, and other development requirements;
- Advise the applicant of any public sources of information that may aid the application, identify policies and regulations that create opportunities or pose significant restraints for the proposed development,
- Review proposed concept plans and provide the applicant with opportunities to enrich the development plan in order to mitigate any undesirable project consequences;
- Review the compatibility with adjacent land uses, either proposed or existing;
- Provide general assistance by City staff on the overall design of the proposed development.

This meeting gives staff the opportunity to assist the applicant by identifying special studies needed or issues that may need to be addressed prior to the submission of the application, and allows the applicant to explain issues that shaped the initial design of the project. It is not necessary to have detailed plans drawn prior to the pre-application meeting. However, the more information brought to the meeting (even in sketch form), the more helpful staff can be in response.

The Developer must also notify the Local U.S. Postal Service of the planned development so that the Postal Service can provide input regarding the mode of mail delivery. The mode of delivery includes 1) the type of mailbox to be used (i.e. cluster mailboxes) and; 2) the location of the mailbox for each delivery address.



Step 2 – Filing the Application

An application for a Development Plan must be completed and submitted to the Community Development Department, with the proper filing fee, payable to the City of Grain Valley.

An application may be withdrawn at any time upon written request; however, no refund will be made after the initial publication and mailing of notices.

A complete application consists of all items identified in the Development Plan Application Checklist. Complete applications will be processed in accordance with the schedule set forth in the Development Application Packet.

Step 3 – Development Review Committee

The Development Review Committee is a weekly meeting between City staff, the developer and/or representatives to discuss preliminary, *technical* review of submitted plans, request any necessary plan revisions, give the applicant an opportunity to ask additional questions, and review the schedule for submitting revised plans.

If extensive changes are being made to the submittal or more information is needed to adequately review the application (e.g. additional traffic or engineering studies), then the application may be “continued” (i.e., rescheduled to a later Planning and Zoning Commission meeting date to allow time for the necessary work to be completed). If deficiencies are minor, the item will be scheduled for a Planning and Zoning Commission meeting, subject to revised plans being submitted by the Revised Plans Due date.

Step 4 – Plan Revisions

Generally, staff comments will be sent to the applicant or the applicant’s consultant (via fax, mail or email) within 10 business days from the date a complete application was submitted. All comments from the City will be consolidated and sent at one time. When all comments are addressed, four (4) full-size paper and two (2) half-size paper plan sets shall be resubmitted to the Community Development Department.

Keep in mind that each resubmittal equals delay. If the applicant has any questions regarding the staff’s comments or has compliance questions, contact the appropriate staff member prior to responding or schedule a meeting to ensure there are no misunderstandings which may result in additional revisions and delay. Generally, resubmitted comments will be sent to all parties within 10 business days.

Step 5 – Planning and Zoning Commission

Every Development Plan application is reviewed by the Planning and Zoning Commission at a regular meeting. The Commission meets, as needed, on the second Wednesday of each month at City Hall at 6:30 p.m. For each item on the agenda, the applicant will be given an opportunity to make their own presentation. Presentations should be a brief description of the proposed project and include responses to any concerns raised in the City staff’s report, and any additional information which the applicant wishes to provide (for example, color renderings, maps, photographs, or petitions). *(It is recommended that*



any additional information be provided to staff in advance, so it can be included in the Commissioners' packets.)

The Planning and Zoning Commission may discuss the action that should be taken and the reasons for that action. The Planning and Zoning Commission's action will be to continue, approve, approve with conditions, or deny the development plan.

Application Review Criteria

In considering a Development Plan rezoning application, the Planning and Zoning Commission may give consideration to the criteria stated below to the extent they are pertinent to the particular application:

1. The character of the neighborhood.
2. The existing and any proposed zoning and uses of adjacent properties, and the extent to which the proposed use is compatible with the adjacent zoning and uses.
3. The extent to which public facilities and services are available and adequate to meet the demand for facilities and services generated by the proposed use.
4. The extent to which the proposed use facilitates the adequate provision of transportation, water, sewerage, schools, parks and other public requirements.
5. The suitability of the property for the uses to which it has been restricted under the applicable zoning district regulations.
6. The length of time, if any, the property has remained vacant as zoned.
7. The extent to which the proposed use will negatively affect the aesthetics or value of the property and/or neighboring property.
8. The extent to which the proposed use will adversely affect the capacity or safety of the portions of the street network impacted by the use, or present parking problems in the vicinity of the property.
9. The extent to which the proposed use will create excessive storm water runoff, air pollution, water pollution, noise pollution or other environmental harm.
10. The extent to which there is a need for the use in the community.
11. The economic impact of the proposed use on the community.
12. The ability of the applicant to satisfy any requirements applicable to the specific use imposed pursuant to the zoning ordinance.
13. The gain, if any, to the public health, safety and welfare due to approval of the application as compared to the hardship imposed upon the landowner, if any, as a result of denial of the application.
14. The conformance of the proposed use to the Comprehensive Plan, the Major Street Plan, the Capital Improvement Plan, and other adopted planning policies.
15. The recommendation of professional staff.



PRELIMINARY PLAT PROCESS

Purpose of Preliminary Plats

The City of Grain Valley requires that virtually all property be platted before a building permit is issued. Platting involves the subdivision of land into lots or tracts. A plat is recorded as a permanent legal document that includes both an accurate legal description, as well as a graphical depiction of any real property that is to be divided. The intent of platting is to provide a readily accessible and easily understandable public record of property. Units of property that have been created by platting can be easily transferred between interested parties.

Subdivision plats dictate:

- Sizes and shapes of lots
- Relationship between existing and future streets
- Location of proposed public improvements
- Location of lands dedicated for public purposes

As a result, the purpose of the platting step is to ensure that:

- A sensibly arranged pattern of lots results for the intended uses
- Streets and public improvements are planned to serve the needs of each lot as well as surrounding properties
- Consistency is provided between subdivisions
- An opportunity is provided for public review and comment on the proposed plat layout

Preliminary plats are approved by the Planning and Zoning Commission, but may be appealed to the Board of Aldermen. There is no requirement for public notice, and the Planning and Zoning Commission will not conduct a public hearing prior to taking action on a preliminary plat. The preliminary plat must demonstrate the overall subdivision concept for the entire ownership tract by depicting the general lot configuration, street layout and existing topography.

Step 1 – Pre-Application Development Review Committee

Prior to submitting an application for a Preliminary Plat, the applicant is required to meet with the Public Works Department and other City staff. The purpose of the pre-application meeting is to:

- Acquaint the applicant with the procedural requirements;
- Provide for an exchange of information regarding the applicant's proposed development and the regulations, restrictions and requirements, the Comprehensive Plan, Area Plan, if applicable, and other development requirements;
- Advise the applicant of any public sources of information that may aid the application, identify policies and regulations that create opportunities or pose significant restraints for the proposed development,



- Review proposed concept plans and provide the applicant with opportunities to enrich the development plan in order to mitigate any undesirable project consequences;
- Review the compatibility with adjacent land uses, either proposed or existing;
- Provide general assistance by City staff on the overall design of the proposed development.

This meeting gives staff the opportunity to assist the applicant by identifying special studies needed or issues that may need to be addressed prior to the submission of the application, and allows the applicant to explain issues that shaped the initial design of the project. It is not necessary to have detailed plans drawn prior to the pre-application meeting. However, the more information brought to the meeting (even in sketch form), the more helpful staff can be in response.

The Developer must also notify the Local U.S. Postal Service of the planned development so that the Postal Service can provide input regarding the mode of mail delivery. The mode of delivery includes 1) the type of mailbox to be used (i.e. cluster mailboxes) and; 2) the location of the mailbox for each delivery address.

Step 2 – Filing the Application

An application for a Preliminary Plat must be completed and submitted to the Community Development Department, with the proper filing fee, payable to the City of Grain Valley.

A complete application consists of all items identified in the Preliminary Plat Application Checklist. Complete applications will be processed in accordance with the schedule set forth in the Development Application Packet.

Step 3 – Development Review Committee

The Development Review Committee is a weekly meeting between City staff, the developer and/or representatives to discuss preliminary, *technical* review of submitted plans, request any necessary plan revisions, give the applicant an opportunity to ask additional questions, and review the schedule for submitting revised plans.

If extensive changes are being made to the submittal or more information is needed to adequately review the application (e.g. additional traffic or engineering studies), then the application may be “continued” (i.e., rescheduled to a later Planning and Zoning Commission meeting date to allow time for the necessary work to be completed). If deficiencies are minor, the item will be scheduled for a Planning and Zoning Commission meeting, subject to revised plans being submitted by the Revised Plans Due date.

Step 4 – Planning and Zoning Commission

Every Preliminary Plat application is reviewed by the Planning and Zoning Commission at a regular meeting. The Commission meets, as needed, on the second Wednesday of each month at City Hall at 6:30 p.m. For each item on the agenda, the applicant will be given an opportunity to make their own presentation. Presentations should be a brief description of the proposed project and include responses to any concerns raised in the City staff’s report, and any additional information which the applicant wishes to provide (for example, color renderings, maps, photographs, or petitions). *(It is recommended that*



any additional information be provided to staff in advance, so it can be included in the Commissioners' packets.).

The Planning and Zoning Commission may discuss the action that should be taken and the reasons for that action. The Planning and Zoning Commission's action is to continue, approve, approve with conditions, or deny the application.

Application Review Criteria

In considering a Preliminary Plat application, the Planning and Zoning Commission may give consideration to the criteria stated below to the extent they are pertinent to the particular application:

1. The character of the neighborhood.
2. The existing and any proposed zoning and uses of adjacent properties, and the extent to which the proposed use is compatible with the adjacent zoning and uses.
3. The extent to which public facilities and services are available and adequate to meet the demand for facilities and services generated by the proposed use.
4. The extent to which the proposed use facilitates the adequate provision of transportation, water, sewerage, schools, parks and other public requirements.
5. The suitability of the property for the uses to which it has been restricted under the applicable zoning district regulations.
6. The length of time, if any, the property has remained vacant as zoned.
7. The extent to which the proposed use will negatively affect the aesthetics or value of the property and/or neighboring property.
8. The extent to which the proposed use will adversely affect the capacity or safety of the portions of the street network impacted by the use, or present parking problems in the vicinity of the property.
9. The extent to which the proposed use will create excessive storm water runoff, air pollution, water pollution, noise pollution or other environmental harm.
10. The extent to which there is a need for the use in the community.
11. The economic impact of the proposed use on the community.
12. The ability of the applicant to satisfy any requirements applicable to the specific use imposed pursuant to the zoning ordinance.
13. The gain, if any, to the public health, safety and welfare due to approval of the application as compared to the hardship imposed upon the landowner, if any, as a result of denial of the application.
14. The conformance of the proposed use to the Comprehensive Plan, the Major Street Plan, the Capital Improvement Plan, and other adopted planning policies.
15. The recommendation of professional staff.



FINAL PLAT PROCESS

Purpose of Final Plats

The City of Grain Valley requires that virtually all property be platted before a building permit is issued. Platting involves the subdivision of land into lots or tracts. A plat is recorded as a permanent legal document that includes both an accurate legal description, as well as a graphical depiction of any real property that is to be divided.

The intent of platting is to provide a readily accessible and easily understandable public record of property. Units of property that have been created by platting can be easily transferred between interested parties.

Subdivision plats dictate:

- Sizes and shapes of lots
- Relationship between existing and future streets
- Location of proposed public improvements
- Location of lands dedicated for public purposes

As a result, the purpose of the platting step is to ensure that:

- A sensibly arranged pattern of lots results for the intended uses
- Streets and public improvements are planned to serve the needs of each lot as well as surrounding properties
- Consistency is provided between subdivisions
- An opportunity is provided for public review and comment on the proposed plat layout

The final plat drawing may represent only one phase of development within the approved preliminary plat. The final plat must conform to the approved preliminary plat, but the final plat is far more detailed than the preliminary, including exact easement locations, and dedication language for all public reservations. There is no requirement for public notice, and the Planning and Zoning Commission and Board of Aldermen will not conduct a public hearing prior to taking action on a final plat. Property owners and city officials will sign an approved version of the final plat drawing that will ultimately be recorded at the Jackson County Recorder of Deeds.

Step 1 – Pre-Application Development Review Committee

Prior to submitting an application for a Final Plat, the applicant may be required to meet with the Community Development Department staff. This meeting gives staff the opportunity to assist the applicant with changes made through the development process or issues that may need to be addressed prior to the submission of the application, and allows the applicant to explain issues that shaped the initial design of the project.

Step 2 – Filing the Application

An application for a Final Plat must be completed and submitted to the Community Development Department, with the proper filing fee, payable to the City of Grain Valley.



A complete application consists of all items identified in the Final Plat Application Checklist. Complete applications will be processed in accordance with the schedule set forth in the Development Application Packet

Step 3 – Engineering Plans

Engineering drawings for proposed residential, commercial and industrial development for improvements that involve the construction of public sewer, water and streets shall be submitted to the Community Development Department to determine if the water, sanitary sewer system, storm sewer system, streets and erosion control in the proposed development comply with the design and construction standards approved by the City of Grain Valley. The engineering plans must be submitted prior to or at the same time as the final plat application.

A final plat application will not be reviewed and approved until the Engineering Plans have been submitted and approved and all required fees have been paid. Final plat applications will be placed on the Planning and Zoning Commission agenda based upon the completeness of the application submittal. All additional information, which is to support the application, must be submitted by the deadline. Information missing or not submitted by the deadline date will result in a delayed application.

Step 4 – Development Review Committee

The Development Review Committee is a weekly meeting between City staff, the developer and/or representatives to discuss preliminary, *technical* review of submitted plans, request any necessary plan revisions, give the applicant an opportunity to ask additional questions, and review the schedule for submitting revised plans.

If extensive changes are being made to the submittal or more information is needed to adequately review the application (e.g. additional traffic or engineering studies), then the application may be “continued” (i.e., rescheduled to a later Planning and Zoning Commission meeting date to allow time for the necessary work to be completed). If deficiencies are minor, the item will be scheduled for a Planning and Zoning Commission meeting, subject to revised plans being submitted by the Revised Plans Due date.

Step 5 – Planning and Zoning Commission

Every Final Plat application is reviewed by the Planning and Zoning Commission at a regular meeting. The Commission meets, as needed, on the second Wednesday of each month at City Hall at 6:30 p.m. For each item on the agenda, the applicant will be given an opportunity to make their own presentation. Presentations should be a brief description of the proposed project and include responses to any concerns raised in the City staff's report, and any additional information which the applicant wishes to provide (for example, color renderings, maps, photographs, or petitions). *(It is recommended that any additional information be provided to staff in advance, so it can be included in the Commissioners' packets.)*

The Planning and Zoning Commission may then discuss the action that should be taken and the reasons for that action. The Planning and Zoning Commission's action is a recommendation to the Board of Aldermen to continue, approve, approve with conditions, or deny the application.



Step 6 – Board of Aldermen

Once the Planning and Zoning Commission has made a recommendation, the final plat will be brought before the Board of Aldermen. The Grain Valley Board of Aldermen typically meets on the second and fourth Monday of each month at City Hall at 7:00 p.m. The format of the meeting is similar to that used by the Planning and Zoning Commission, and applicants should plan on making a similar type of presentation. After the Board of Aldermen has listened to the presentations, they may discuss the application and then take action. Subsequently, the Board of Aldermen may continue, approve, approve with conditions, or deny an ordinance granting the final plat.

Step 7 – Getting a Plat Recorded

The final version of the plat submitted for signatures must be free from errors and conditions are attached that must be completed before the final version of the plat is submitted. Once the final version is submitted (a minimum of 3 mylars and 7 paper copies shall be submitted), addresses will be assigned to the lots and the city officials will sign the plats. A final plat does not become a legal document until it is recorded by the Jackson County Recorder of Deeds. In addition to recording the plat, the property owner will also record the Board of Aldermen ordinance approving the final plat. The city will not allow a building permit to be issued until after the plat and ordinance has been recorded and the necessary copies returned (1 mylar, 1 paper, 1 electronic).

Application Review Criteria

In considering a Final Plat application, the Planning and Zoning Commission and Board of Aldermen may consider the criteria stated below to the extent they are pertinent to the application:

1. The character of the neighborhood.
2. The existing and any proposed zoning and uses of adjacent properties, and the extent to which the proposed use is compatible with the adjacent zoning and uses.
3. The extent to which public facilities and services are available and adequate to meet the demand for facilities and services generated by the proposed use.
4. The extent to which the proposed use facilitates the adequate provision of transportation, water, sewerage, schools, parks and other public requirements.
5. The suitability of the property for the uses to which it has been restricted under the applicable zoning district regulations.
6. The length of time, if any, the property has remained vacant as zoned.
7. The extent to which the proposed use will negatively affect the aesthetics or value of the property and/or neighboring property.
8. The extent to which the proposed use will adversely affect the capacity or safety of the portions of the street network impacted by the use, or present parking problems in the vicinity of the property.
9. The extent to which the proposed use will create excessive storm water runoff, air pollution, water pollution, noise pollution or other environmental harm.
10. The extent to which there is a need for the use in the community.
11. The economic impact of the proposed use on the community.
12. The ability of the applicant to satisfy any requirements applicable to the specific use imposed pursuant to the zoning ordinance.



13. The gain, if any, to the public health, safety and welfare due to approval of the application as compared to the hardship imposed upon the landowner, if any, as a result of denial of the application.
14. The conformance of the proposed use to the Comprehensive Plan, the Major Street Plan, the Capital Improvement Plan, and other adopted planning policies.
15. The recommendation of professional staff.



MINOR PLAT PROCESS

Purpose of Minor Plats

The City of Grain Valley requires that virtually all property be platted before a building permit is issued. Platting involves the subdivision of land into lots or tracts. A plat is recorded as a permanent legal document that includes both an accurate legal description, as well as a graphical depiction of any real property that is to be divided.

The intent of platting is to provide a readily accessible and easily understandable public record of property. Units of property that have been created by platting can be easily transferred between interested parties.

Subdivision plats dictate:

- sizes and shapes of lots
- relationship between existing and future streets
- Location of proposed public improvements
- location of lands dedicated for public purposes

As a result, the purpose of the platting step is to ensure that:

- A sensibly arranged pattern of lots results for the intended uses
- Streets and public improvements are planned to serve the needs of each lot as well as surrounding properties
- Consistency is provided between subdivisions
- An opportunity is provided for public review and comment on the proposed plat

A minor subdivision includes a division of land into 3 or less lots, an adjustment in property boundaries or building lines, or a resurvey to combine 2 or more lots into 1 lot. The minor plat includes the exact easement locations, and dedication language for all public reservations. There is no requirement for Planning and Zoning Commission or Board of Aldermen action on a minor plat. The plat will be reviewed and approved administratively.

Step 1 – Filing the Application

An application for minor plat must be completed and submitted to the Community Development Department, with the proper filing fee, payable to the City of Grain Valley. The filing fee for a minor plat is the same fee as a Final Plat. Refer to the fee schedule for the appropriate amount.

An application may be withdrawn at any time upon written request; however, no refund will be made after the application has been processed.

Step 2 – Development Review Committee

The Development Review Committee is a weekly meeting between City staff, the developer and/or representatives to discuss preliminary, the submitted minor plat, request any necessary plat revisions, and give the applicant an opportunity to ask additional questions.



Step 3 – Comments Sent to Surveyor

After the Development Review Committee meeting, Community Development Staff will incorporate any written comments from the Development Review Committee. Once they are finalized, written comments will be sent (via fax or email) to the surveyor/engineer. The written comments will state whether a revision is necessary or a final version of the plat can be submitted for signatures. This step can be repeated several times depending on whether all corrections/revisions have been completed satisfactorily.

Step 4 – Getting a Plat Recorded

The final version of the plat submitted for signatures must be free from errors and include any revisions required as a part of the approval. Often, revisions/corrections must be completed before the final version of the plat is submitted. Once the final version is submitted (a minimum of 3 mylars and 7 paper copies shall be submitted), addresses will be assigned to the lots and the city officials will sign the plats. A minor plat does not become a legal document until it is recorded by the Jackson County Register of Deeds. The city will not allow a building permit to be issued until after the plat has been recorded and the necessary copies (1 mylar, 1 paper and 1 electronic) returned to the Community Development Department.



PLANNED UNIT DEVELOPMENT PROCESS

Purpose of Planned Unit Development

The designation Planned Unit Development is a zoning district to be used in conjunction with other zoning districts as an overlay district. A planned unit development shall be permitted in any district except "P" (Planned District). A Planned Unit Development (PUD) shall be a well-planned community utilizing a creative approach to develop an environmentally sound neighborhood which may contain varied uses and which does contain open space and sound engineering developed according to the needs of the residents. PUD's are given flexibility in the design of buildings, yards and circulation patterns in exchange for creative and unique requests from the City.

The overall PUD process is composed of four (4) elements: preliminary plan, preliminary plat, final plan and final plat. The preliminary plan is to be attached to the ordinance granting the PUD and becomes a part of the ordinance. The preliminary plat is a translation of the preliminary plan into the requirements of the subdivision ordinance and must be submitted with the preliminary plan. The final plan represents the detailing of the preliminary plan. After the engineering is completed, the final plan is drawn to reflect changes from the preliminary plan. The final plan must be consistent with the preliminary plan as outlined in Subsection (C)(4)(b) of Section 400.210 of the Municipal Code of the City of Grain Valley. In the PUD, the zoning and platting processes are carried out concurrently.

A PUD application is a rezoning request and the same procedures shall be followed concerning application, Planning and Zoning Commission review and public hearings. Upon approval by the Board of Alderman, the PUD shall be designated on the Zoning Map.

Step 1 – Pre-Application Conference

Prior to submitting a rezoning application, the applicant is required to meet with the Community Development Department and other City staff. The purpose of the pre-application meeting is to:

- Acquaint the applicant with the procedural requirements;
- Provide for an exchange of information regarding the applicant's proposed development and the regulations, restrictions and requirements, the Comprehensive Plan, Area Plan, if applicable, and other development requirements;
- Advise the applicant of any public sources of information that may aid the application, identify policies and regulations that create opportunities or pose significant restraints for the proposed development,
- Review proposed concept plans and provide the applicant with opportunities to enrich the development plan in order to mitigate any undesirable project consequences;
- Review the compatibility with adjacent land uses, either proposed or existing;
- Provide general assistance by City staff on the overall design of the proposed development.



This meeting gives staff the opportunity to assist the applicant by identifying special studies needed or issues that may need to be addressed prior to the submission of the application, and allows the applicant to explain issues that shaped the initial design of the project. It is not necessary to have detailed plans drawn prior to the pre-application meeting, however, the more information brought to the meeting (even in sketch form), the more helpful staff can be in response.

The Developer must also notify the Local U.S. Postal Service of the planned development so that the Postal Service can provide input regarding the mode of mail delivery. The mode of delivery includes 1) the type of mailbox to be used (i.e. cluster mailboxes) and; 2) the location of the mailbox for each delivery address.

Step 2 – Filing the Application

An application for rezoning must be completed and submitted to the Community Development Department, with the proper filing fee, payable to the City of Grain Valley. Refer to the schedule of fees for the appropriate amount. An application may be withdrawn at any time upon written request.

A complete application consists of all items identified in the Submittal Requirements checklist. The application for rezoning shall include the proper types of drawings (preliminary plan including site plan, landscape plan and building elevations), the proper number of paper copies, and the completed checklists. Rezoning to a PUD requires the submission of a preliminary plan/plat with the rezoning application. Specific requirements for preliminary plans can be found in section 400.210 of the Municipal Code of the City of Grain Valley. All information must be submitted by the deadline date.

Applications will be placed on the Development Review Committee agenda based upon the completeness of the application submittal. All additional information, which is to support the application, must be submitted by the deadline. Information missing or not submitted by the deadline date will result in a delayed application.

Step 3 – Development Review Committee

The Development Review Committee is a weekly meeting between City staff, the developer and/or representatives to discuss preliminary, *technical* review of submitted plans. This gives all opportunities to request any necessary plan revisions, give the applicant an opportunity to ask additional questions, and review the schedule for submitting revised plans.

If extensive changes are being made to the submittal or more information is needed to adequately review the application (e.g. additional traffic or engineering studies), then the application may be “continued” (i.e., rescheduled to a later Planning and Zoning Commission meeting date to allow time for the necessary work to be completed). If deficiencies are minor, the item will be scheduled for a Planning and Zoning Commission meeting, subject to revised plans being submitted by the Revised Plans due date.

Step 4 – Public Notices

State statutes require legal notice of the time and place of public hearings to be published 15 days prior to the hearing in the City’s paper of record, “The Examiner”. City staff will



prepare and publish the notice, and mail notices to the last known owner of all property within 185 feet of the subject property and property outside 185 feet as deemed appropriate by City Staff.

Step 5 – Planning and Zoning Commission Public Hearing

Every rezoning application is reviewed by the Planning and Zoning Commission at a public hearing. The Commission meets, as needed, on the second Wednesday of each month at City Hall at 6:30 p.m. For each Public Hearing item on the agenda, the applicant will be given an opportunity to make their own presentation. Presentations should be a brief description of the proposed project and include responses to any concerns raised in the City staff's report, and any additional information which the applicant wishes to provide (for example, color renderings, maps, photographs, or petitions). *(It is recommended that any additional information be provided to staff in advance, so it can be included in the Commissioners' packets.)*

After the public hearing portion of the meeting is closed, the Planning and Zoning Commission may discuss the action that should be taken and the reasons for that action. The Planning and Zoning Commission's action is a recommendation to the Board of Aldermen to continue, approve, approve with conditions, or deny the application.

It is strongly recommended that applicants meet with surrounding landowners and residents prior to initiating a rezoning application. The more the application can address the concerns of this group, the better its chance of being approved by the city. Although the opinions of adjacent land owners and residents are not the only factors considered, they are an important component in the democratic process that leads to land use decisions in Grain Valley.

Step 6 – Board of Aldermen Public Hearing

Once the Planning and Zoning Commission has made a recommendation, a hearing will be held before the Board of Aldermen. The Grain Valley Board of Aldermen typically meets on the second and fourth Monday of each month at City Hall at 7:00 p.m. The format of the public hearing is similar to that used by the Planning and Zoning Commission, and applicants should plan on making a similar type of presentation.

After the Board of Aldermen has listened to the presentations and to any public comments, they may discuss the application and then take action. Subsequently, the Board of Aldermen may continue, approve, approve with conditions, or deny an ordinance granting the zoning change.

Step 7 – Pre-Application Conference

Upon approval of the preliminary plat and plan by the Board of Alderman, all engineering plans must be submitted to the City and approval received prior to the Planning and Zoning Commission meeting for approval of the final plat and plan. While preliminary development plans include the general concept for the entire development, final development plans can include refined drawing focused on only one phase of the development. The final development plans must be substantially consistent with the preliminary development plans. The plans submitted with the application should be of



construction plan quality and shall include detailed site information, building elevations and landscaping.

At a pre-application meeting, staff can provide an initial reaction to the development plan and building architecture. Staff can also alert the applicant to any additional information that must be performed prior to the application being approved. For assistance in determining whether a pre-application conference would be beneficial for your project, contact the Community Development Department at 816-847-6220.

Step 8 – Filing the Application

An application for final development plan must be completed and submitted to the Community Development Department, with the proper filing fee, payable to the City of Grain Valley. Refer to the schedule of fees for the appropriate amount. An application may be withdrawn at any time upon written request.

A complete application consists of all items identified in the Submittal Requirements checklist. The final development plan shall include the proper types of drawings (site plan, landscape plan and building elevations), the proper number of paper copies, and the completed checklists. All information must be submitted by the deadline date.

Plan applications will be placed on the Development Review Committee agenda based upon the completeness of the application submittal. All additional information, which is to support the application, must be submitted by the deadline. Information missing or not submitted by the deadline date will result in a delayed application.

Step 9 – Plan Revisions

Generally, staff comments will be sent to the applicant or the applicant's consultant (via fax, mail or email) within 10 business days from the date a complete application was submitted. All comments from the City will be consolidated and sent at one time. When all comments are addressed, four (4) full-size paper and two (2) half-size paper plan sets shall be resubmitted to the Community Development Department.

Keep in mind that each resubmittal equals delay. If the applicant has any questions regarding the staff's comments or has compliance questions, contact the appropriate staff member prior to responding or schedule a meeting to ensure there are no misunderstandings which may result in additional revisions and delay. Generally, resubmitted comments will be sent to all parties within 10 business days.

Step 10 – Planning & Zoning Commission

Every final plat and plan application is reviewed by the Planning and Zoning Commission at a regular meeting. The Commission, if needed, meets on the second Wednesday of each month at City Hall at 6:30 p.m. For each item on the agenda, the applicant will be given an opportunity to make their own presentation. Presentations should be a brief description of the proposed project and include responses to any concerns raised in the City staff's report, and any additional information which the applicant wishes to provide (for example, color renderings, maps, photographs, or petitions). *(It is recommended that*



any additional information be provided to staff in advance, so it can be included in the Commissioners' packets.).

The Planning and Zoning Commission may then discuss the action that should be taken and the reasons for that action. The Planning and Zoning Commission's action is a recommendation to the Board of Aldermen to continue, approve, approve with conditions, or deny the application.

Step 11 – Board of Alderman

Once the Planning and Zoning Commission has made a recommendation, the final plat will be brought before the Board of Aldermen. The Grain Valley Board of Aldermen typically meets on the second and fourth Monday of each month at City Hall at 7:00 p.m. The format of the meeting is similar to that used by the Planning and Zoning Commission, and applicants should plan on making a similar type of presentation. After the Board of Aldermen has listened to the presentations, they may discuss the application and then take action. Subsequently, the Board of Aldermen may continue, approve, approve with conditions, or deny an ordinance granting the final plat.

Step 12 – Getting a Plat Recorded

The final version of the plat submitted for signatures must be free from errors and conditions are attached that must be completed before the final version of the plat is submitted. Once the final version is submitted (a minimum of 3 mylars and 7 paper copies shall be submitted), addresses will be assigned to the lots and the city officials will sign the plats. A final plat does not become a legal document until it is recorded by the Jackson County Recorder of Deeds. In addition to recording the plat, the property owner will record the Board of Aldermen ordinance approving the plat. The city will not allow a building permit to be issued until after the plat has been recorded and the necessary copies returned (1 mylar, 1 paper, 1 electronic).



FUTURE LAND USE MAP AMENDMENT PROCESS

Purpose of Future Land Use Map Amendment

Changes to the Grain Valley Future Land Use Map may be necessary from time to time to reflect changing neighborhoods and social demands. This process provides the method for making those changes.

Step 1 – Pre-Application Conference

Before an application to amend the Future Land Use Map, the applicant should schedule a meeting with City Staff to discuss the amendment process. All map amendments shall be required to be submitted in conjunction with rezoning applications.

- Acquaint the applicant with the procedural requirements;
- Provide for an exchange of information regarding the applicant's proposed development and the regulations, restrictions and requirements, the Comprehensive Plan, Area Plan, if applicable, and other development requirements;
- Advise the applicant of any public sources of information that may aid the application, identify policies and regulations that create opportunities or pose significant restraints for the proposed development,
- Review proposed concept plans and provide the applicant with opportunities to enrich the development plan in order to mitigate any undesirable project consequences;
- Review the compatibility with adjacent land uses, either proposed or existing;
- Provide general assistance by City staff on the overall design of the proposed development.

This meeting gives staff the opportunity to assist the applicant by identifying special studies needed or issues that may need to be addressed prior to the submission of the application. It is not necessary to have detailed plans drawn prior to the pre-application meeting, however, the more information brought to the meeting (even in sketch form), the more helpful staff can be in response.

Step 2 – Filing the Application

An application for rezoning must be completed and submitted to the Community Development Department, with the proper filing fee, payable to the City of Grain Valley. Refer to the schedule of fees for the appropriate amount. An application may be withdrawn at any time upon written request.

Applications will be placed on the Development Review Committee agenda based upon the completeness of the application submittal. All additional information, which is to support the application, must be submitted by the deadline. Information missing or not submitted by the deadline date will result in a delayed application.



Step 3 – Development Review Committee

The Development Review Committee is a weekly meeting between City staff, the developer and/or representatives to discuss preliminary, *technical* review of submitted plans. This gives all opportunities to request any necessary plan revisions, give the applicant an opportunity to ask additional questions, and review the schedule for submitting revised plans.

If extensive changes are being made to the submittal or more information is needed to adequately review the application (e.g. additional traffic or engineering studies), then the application may be “continued” (i.e., rescheduled to a later Planning and Zoning Commission meeting date to allow time for the necessary work to be completed). If deficiencies are minor, the item will be scheduled for a Planning and Zoning Commission meeting, subject to revised plans being submitted by the Revised Plans Due date.

Step 4 – Public Notices

State statutes require legal notice of the time and place of public hearings to be published 15 days prior to the hearing in the City’s paper of record, “The Examiner”. City staff will prepare and publish the notice, and mail notices to the last known owner of all property within 185 feet of the subject property and property outside 185 feet as deemed appropriate by City Staff.

Step 5 – Planning and Zoning Commission Public Hearing

Every application is reviewed by the Planning and Zoning Commission at a public hearing. The Commission, as needed, meets on the second Wednesday of each month at City Hall at 6:30 p.m. For each Public Hearing item on the agenda, the applicant will be given an opportunity to make their own presentation. Presentations should be a brief description of the proposed project and include responses to any concerns raised in the City staff’s report, and any additional information which the applicant wishes to provide (for example, color renderings, maps, photographs, or petitions). *(It is recommended that any additional information be provided to staff in advance, so it can be included in the Commissioners’ packets.)*

After the public hearing portion of the meeting is closed, the Planning and Zoning Commission may discuss the action that should be taken and the reasons for that action. The Planning and Zoning Commission’s action is a recommendation to the Board of Aldermen to continue, approve, approve with conditions, or deny the application.

It is strongly recommended that applicants meet with surrounding landowners and residents prior to initiating a rezoning application. The more the application can address the concerns of this group, the better its chance of being approved by the city. Although the opinions of adjacent land owners and residents are not the only factors considered, they are an important component in the democratic process that leads to land use decisions in Grain Valley.

Step 6 – Board of Aldermen Public Hearing



Once the Planning and Zoning Commission has made a recommendation, a hearing will be held before the Board of Aldermen. The Grain Valley Board of Aldermen typically meets on the second and fourth Monday of each month at City Hall at 7:00 p.m. The format of the public hearing is similar to that used by the Planning and Zoning Commission, and applicants should plan on making a similar type of presentation.

After the Board of Aldermen has listened to the presentations and to any public comments, they may discuss the application and then take action. Subsequently, the Board of Aldermen may continue, approve, approve with conditions, or deny an ordinance granting the zoning change.

Step 7 – Updating the Map

If the Future Land Use Map is amended, the Board of Alderman shall instruct the Community Development director or designee to prepare an updated map reflecting such changes with a note in the legend describing the date of the change and the previous land use classification. Copies of the new map shall be distributed to members of the Planning Commission and the Board of Alderman prior to their next regularly scheduled meeting.



VACATION OF RIGHT-OF-WAY AND UTILITY EASEMENT PROCESS

Purpose

A vacation of right-of-way and utility easement application is necessary if any person desires to acquire ownership of adjacent platted right-of-way or easement areas that are not used for their intended purposes.

The application for vacation of right-of-way must be signed by at least seventy-five percent (75%) of the owners adjacent on both sides of the right-of-way proposed to be vacated.

In vacating any right-of-way, the City may require easements to be provided when deemed necessary for the public good and welfare.

Right-of-ways or easements which have been vacated shall proportionally revert to the owners of adjacent properties. Once the right-of-way reverts to the adjacent landowners, the City shall have no obligation to maintain the right-of-way.

Step 1 – Pre-Application Development Review Committee (DRC)

Prior to submitting an application, the applicant is required to meet with the Community Development Department staff. The purpose of the pre-application meeting is to:

- Acquaint the applicant with the procedural requirements;
- Provide for an exchange of information regarding the applicant's proposal to vacate right-of-way or utility easement;
- Advise the applicant of any public sources of information that may aid the applicant to obtain consent by utility companies;
- Provide general assistance by City staff on the process and proposed vacation.

This meeting gives staff the opportunity to assist the applicant and allows the applicant to explain the request to vacate the right-of-way or utility easement and proposed use of property. It is not necessary to have detailed plans drawn prior to the pre-application meeting. However, the more information brought to the meeting (even in sketch form), the more helpful staff can be in response.

Step 2 – Filing the Application

An application for vacation must be completed and submitted to the Community Development Department, with the proper filing fee, payable to the City of Grain Valley.

A complete application consists of all items identified in the application checklist including:



- A legal description and survey depicting the right-of-way proposed to be vacated and the properties adjacent; and
- Completed utility consent forms of all utility companies giving the right to vacate the right-of-way or easement.

Complete vacation applications will be processed in accordance with the schedule set forth in the Development Application Packet.

Step 3 – Public Notices

State statutes require legal notice of the time and place of public hearings to be published 15 days prior to the hearing in the City's paper of record, "The Examiner". City staff will prepare and publish the notice and mail notices to the last known owner of all property within 185 feet of the subject property, and property outside 185 feet as deemed appropriate by City Staff.

Step 5 – Planning and Zoning Commission Public Hearing

Every vacation application is reviewed by the Planning and Zoning Commission at a public hearing. The Commission meets, if needed, on the second Wednesday of each month at City Hall at 6:30 p.m. For each Public Hearing item on the agenda, the applicant will be given an opportunity to make their own presentation. Presentations should be a brief description of the proposed vacation, intended use of the property and include responses to any concerns raised in the City staff's report, and any additional information which the applicant wishes to provide. *(It is recommended that any additional information be provided to staff in advance, so it can be included in the Commissioners' packets.)*

After the public hearing portion of the meeting is closed, the Planning and Zoning Commission may discuss the action that should be taken and the reasons for that action. The Planning and Zoning Commission's action is a recommendation to the Board of Aldermen to continue, approve, approve with conditions, disapprove or forward to the Board of Aldermen without recommendation.

It is strongly recommended that applicants meet with surrounding landowners and residents prior to initiating a vacation application. The more the application can address the concerns of this group, the better its chance of being approved by the city. Although the opinions of adjacent landowners and residents are not the only factors considered, they are an important component in the democratic process that leads to land use decisions in Grain Valley.

Step 6 – Board of Aldermen

Once the Planning and Zoning Commission has made a recommendation, the Board shall review the application for vacation. The Grain Valley Board of Aldermen typically meets on the second and fourth Monday of each month at City Hall at 7:00 p.m.

After the Board of Aldermen has listened to the presentations and to any public comments, they may discuss the application and determine if:

1. The proposed vacation is in the public interest;
2. That no private rights will be unreasonably injured or endangered;
3. That the public will suffer no unreasonable loss or inconvenience thereby; and
4. The street, alley or easement to be vacated no longer serves a public purpose.



The Board of Aldermen may continue, approve, approve with conditions, or deny an ordinance granting vacation of right-of-way or easement. Following the approval of ordinance, the City Clerk shall record a certified copy with the Jackson County Recorder of Deeds.

If, either at the time or prior to the Board of Aldermen's consideration of the vacation application, a written objection to the application is filed with the Community Development Director by any owner or owners of adjacent property who would be a proper party to the application but who has not joined in the application, the ordinance shall not be approved except upon a two-thirds vote of the Board of Aldermen.