

City of
Lee's Summit

Business & Development Handbook

Version 2013.1

A step-by-step guide to locating a business in Lee's Summit and the development review and approval process



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LEE'S SUMMIT
MISSOURI

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Introduction from City Leadership



Randall L. Rhoads
Mayor

To the Development Community and Citizens of Lee's Summit:

As Mayor, I am proud to present the Business Development Handbook, which outlines the philosophy, vision, regulations, and procedures related to development in the City of Lee's Summit. Our goal is to provide a rational basis for and understanding of the programs and procedures that are designed to both encourage and regulate development in accordance with the Comprehensive Plan. The City welcomes sound investment that will support local employment, tax revenue, and beautification of the City for years to come.

Lee's Summit offers many great opportunities for development, and an attractive setting in which to live, work, play, and invest.

In our support of development, the City's goals are to promote:

- A strong and positive civic image and identity, based on high quality living and working environment, an attractive physical setting, safety from fire, flood, crime and other dangers and responsive City services and programs;
- A living environment that supports the local population, is adaptable to market demands for diverse types and styles of residential living, accommodates future growth, is affordable for all segments of the population, and maintains and improves the overall quality and character of the City;
- A system of quality retail and commercial development that provides local residents with needed goods and services and enhances the City's tax base; and,
- Quality employment opportunities for all segments of the population.

I am confident this handbook will be helpful to current and future developers, large and small, who are investing in the City of Lee's Summit.

Sincerely,

A handwritten signature in black ink that reads "Randall L. Rhoads". The signature is written in a cursive, flowing style.

Randall L. Rhoads,

Mayor

Map of Lee's Summit, Missouri

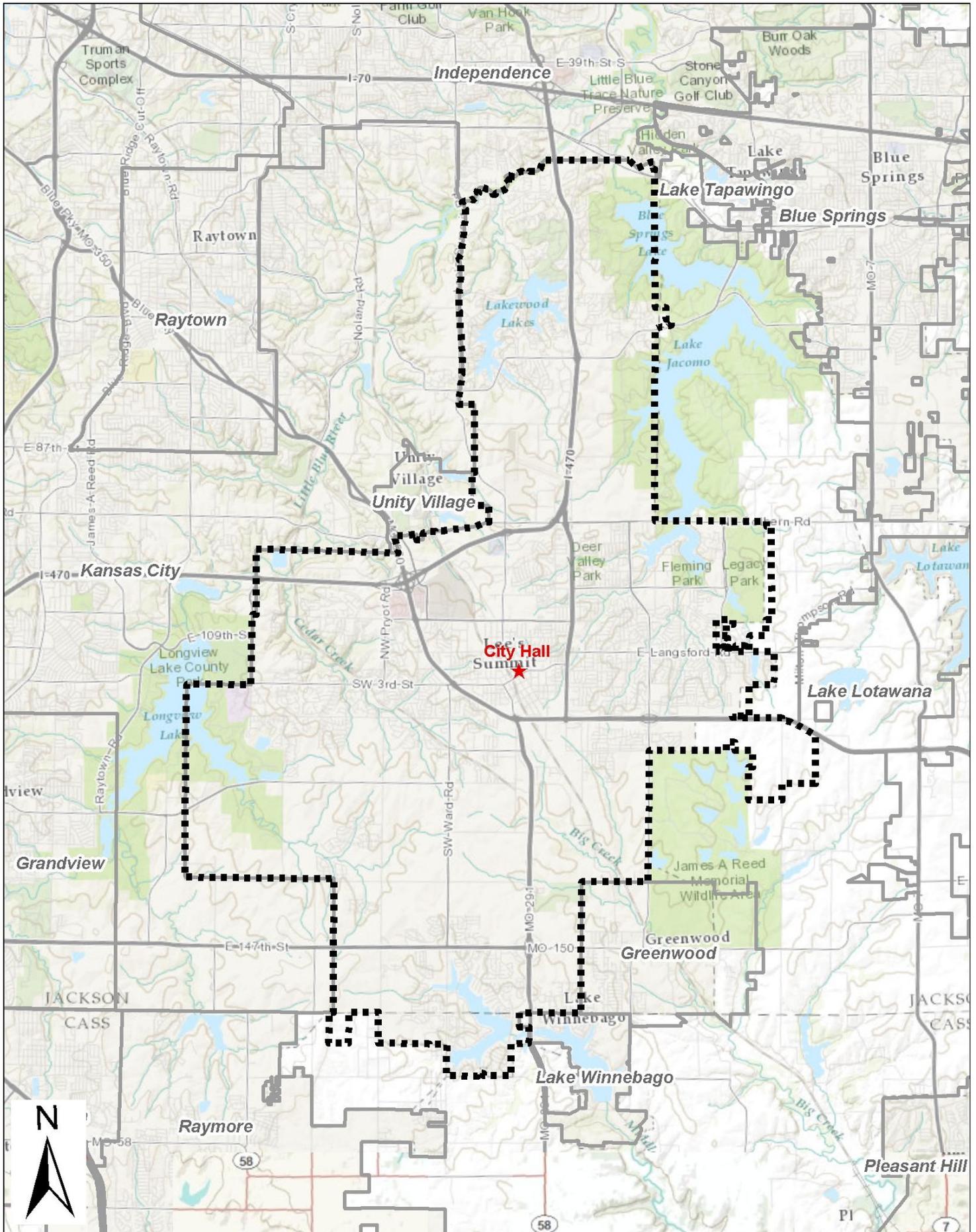
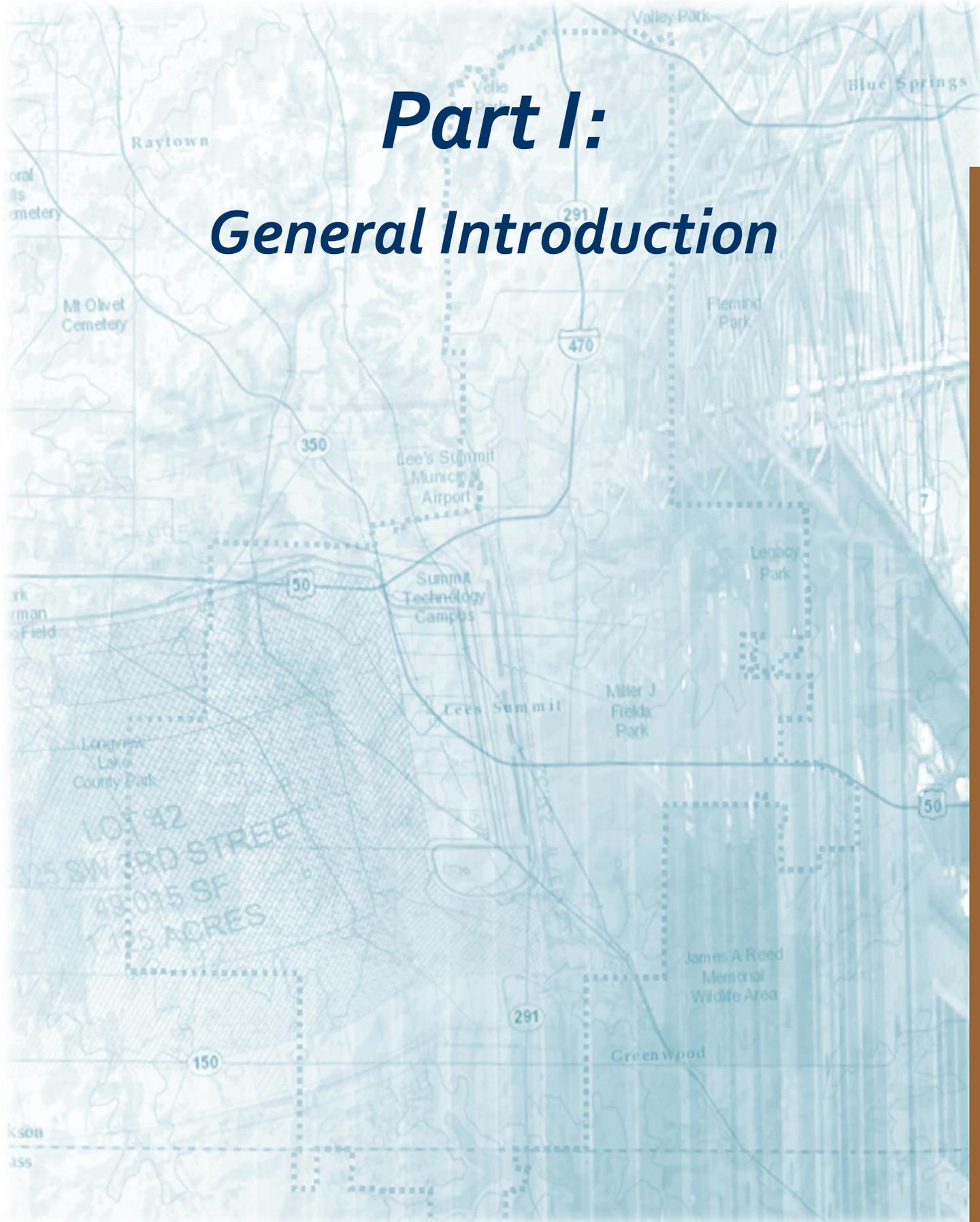


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Part I: General Introduction



How to Use This Handbook

This Handbook includes four major parts: **General Introduction, Locating Your Business in Lee's Summit, Development Applications and Processes, and Appendices.** The focus of this handbook is on development application types and their corresponding review and approval processes.

Part I: General Introduction

Part I introduces the readers to some basic concepts and information that will help the readers, especially those who are new to development of land, to understand the foundation of the development process. For those who are familiar with the development process, this introduction serves as a refresher when needed.

Part II: Locating Your Business in Lee's Summit

Part II includes a useful how-to guide to locating a business in Lee's Summit.

Part III: Development Applications and Processes

Part III includes summarized and easy-to-follow steps of development application, review and approval process organized by application types. For ease of use, information for each application type can be pulled out from this handbook as a stand-alone document.

Part IV: Appendices

Throughout this handbook, references are provided, when appropriate, to allow the user to read additional information in the Appendices at the back of this handbook. Some of the materials in the appendices may be used directly by users of this book to meet application requirements.

Making It Easier to Get Started

The Development process can be complicated and confusing to some people. For example, you might wonder what types of development applications are required for what you intend to do on your property. Determining what application is required and what process is required for that application is an important first step to ensure that the project proposal moves through the entire process smoothly. To make that determination, the applicant is strongly recommended to use the Where Do I Begin tool to determine applicable application type(s) given your situation. This process should provide you guidance on what parts of this handbook are relevant to your project. The Where Do I Begin Tool can be found on Page 18.

Contact Us

If you need further assistance, you can always contact the City's Planning and Development Department at (816) 969-1600.

Who will benefit from this Handbook?

Whether you are considering starting a small business in Lee's Summit, relocating your existing business into the City, expanding your current business at the current location or developing a property in the City, this handbook is for you. Although the types and scale of land use change and development can vary greatly, the results will have an impact on the community, the adjacent properties and neighborhoods.

The established land use and development review and approval process ensures that all potential impact is fully assessed and the regulations and standards are followed before a development occurs. Regardless whether you are a property owner, a builder, a developer, an architect, a consulting engineer, a contractor, a business owner or any member of the general public, you may find this handbook helpful.

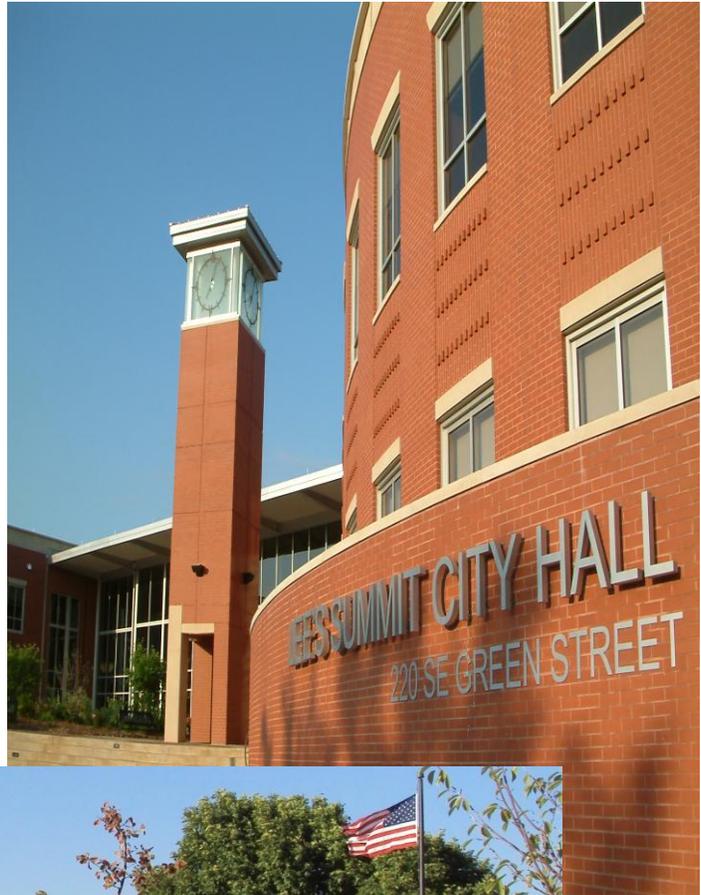
City of Lee's Summit Vision

Vision Statement:

"Lee's Summit is a sustainable and vibrant city with a dynamic spirit of cooperation among its diverse citizens, businesses, organizations, educational systems and governments."

"Through comprehensive community planning and regional collaboration, Lee's Summit enjoys economic independence and a high quality of life as a recognized destination city."

--- Lee's Summit 360° Strategic Plan



Quality of development has a direct impact on the overall quality of life of our community and our neighborhoods and plays a key role in ensuring that the community vision is achieved. Quality development requires a close collaboration among all players participating in the development process.

Introduction to City's Development Team

This handbook was developed by the City of Lee's Summit's Development Team that includes the Planning and Development Department, Administration Department, Codes Administration Department, Department of Public Works—Engineering, Fire Department and Police Department. Below is a brief description of the functions of these departments.

The Planning and Development Department is involved in both current and long-range planning and administers the Unified Development Ordinance (UDO), which includes all the city's zoning and subdivision regulations. Current planning includes the process of applications for rezoning, special use permits, development plans, subdivision plats, variances and sign permits. Long range planning efforts include preparing current and future land use plans, updating the Comprehensive Plan, compiling statistics and preparing population projections, and historic preservation.

The Codes Administration Department consists of four closely related divisions: the Administration Division, Permit and Plan Review Division, Inspections Division and Neighborhood Services Division. The focus of the Codes Administration Department is to ensure buildings and structures are constructed, utilized, and maintained in a manner that reduces the risk to public health, safety and welfare.

The Public Works Department is one of the most diversified departments in the City in terms of services provided to the community comprised of an Airport Division, Engineering Division, Operations Division, and Solid Waste Division. The key responsibilities of its Engineering Division encompasses reviewing development proposals to ensure proper function and adequate capacity of water, sanitary sewer, storm water, traffic circulation and other public infrastructure systems.

Fire and Police Departments provide fire and police protection to existing and new developments and ensure new developments meet international fire code and related public safety standards.

Water Utilities Department provides safe, reliable and cost effective water and wastewater services to over 34,000 accounts located inside and outside the city limits of Lee's Summit. The department is comprised of three divisions, Operations, Customer Services and Engineering Services. The Water Utilities Department strives to not only serve the existing customers but also to ensure that adequate infrastructure is in place in order to support viable growth and economic development throughout the community.

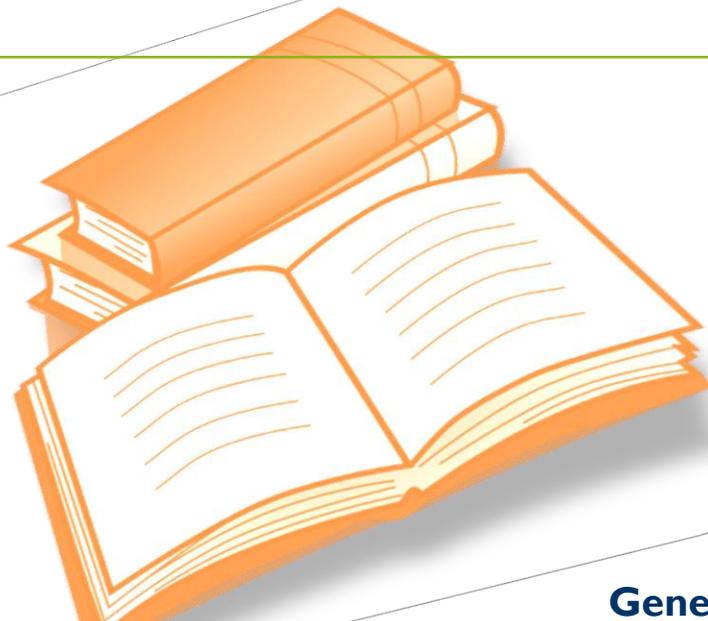
Parks and Recreation Department consists of four divisions: Administration, Recreation, Parks Operations, and Parks Planning and Construction. The department's mission is to serve the citizens by providing comprehensive recreational services, quality facilities, and superb parks. The key responsibilities within the Planning and Construction division are to oversee strategic and long range park planning objectives within the community. The division also manages and oversees park capital projects and coordinates development of a 130 mile comprehensive greenway trail plan.

In addition to the above listed City departments, other departments and outside agencies are also involved in the development process, as appropriate. The City's primary goal for this handbook is to provide our customers with a concise and easy-to-follow guide to the process of starting a business in Lee's Summit and to the City's development review and approval process to improve efficiency and avoid confusion. It is intended to serve as a starting point for interested parties and individuals to efficiently navigate through the system and process.

General Introduction

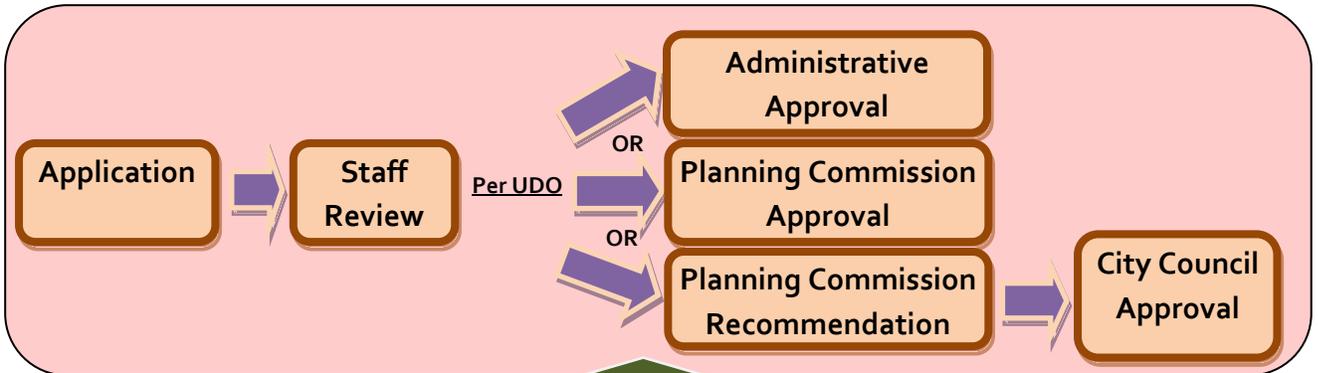
Commonly Used Terms

Full Term	Abbreviation
Board of Zoning Adjustment	BZA
Comprehensive Plan	Comp Plan
Design and Construction Manual	D&C
Development Review Committee	DRC
Final Development Plan	FDP
Final Plat	FP
Minor Plat	MP
Pre-application Meeting	Pre-App
Preliminary Development Plan	PDP
Preliminary Plat	PP
Rezoning	REZ
Special Use Permit	SUP
Unified Development Ordinance	UDO
Vacation of Easement	VOE
Vacation of Right-of-Way	VROW

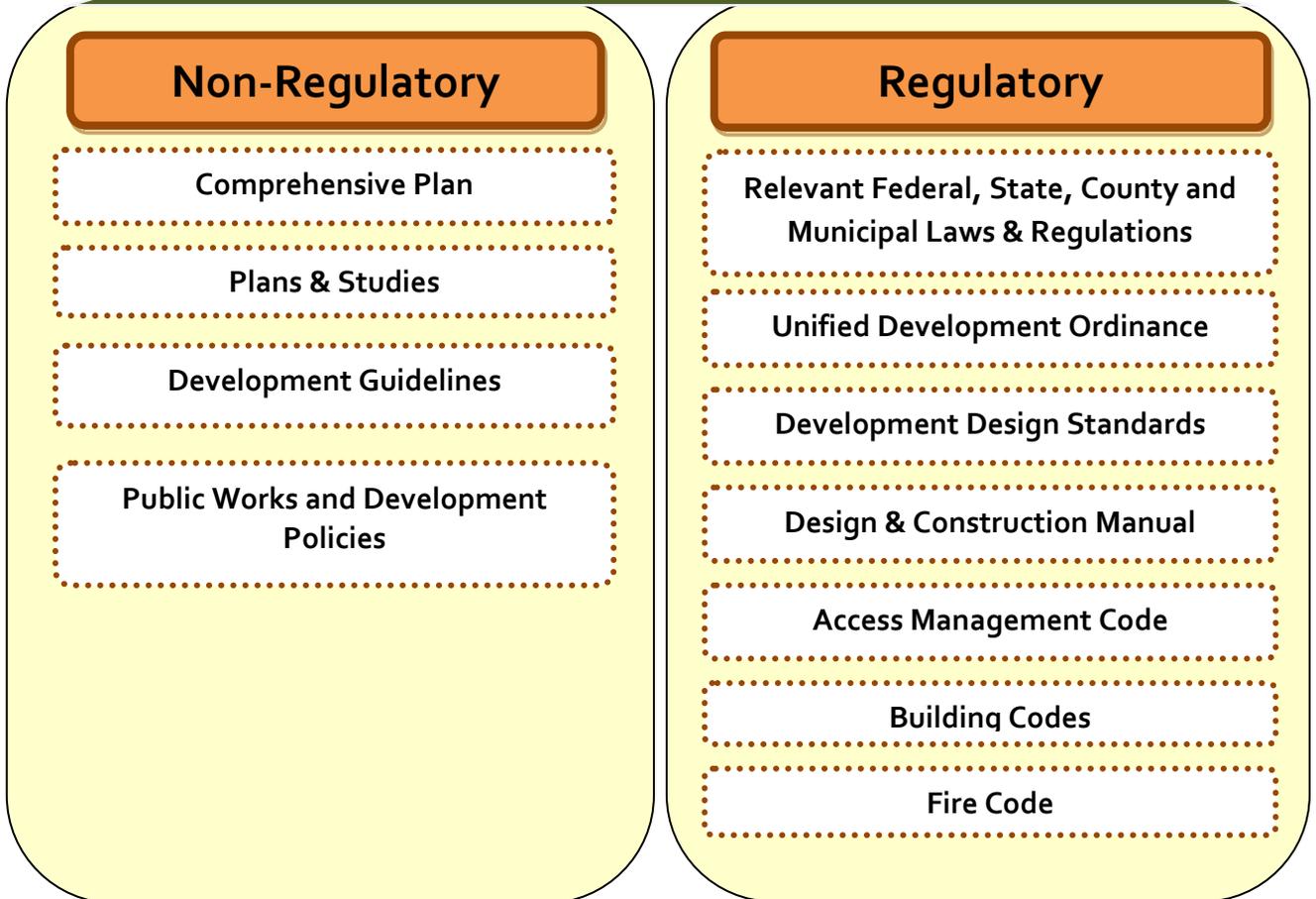


Development Decision-Making Structure

Following submission of a development application, a review and approval process is followed dependent upon application type. There are three types of approvals per the Unified Development Ordinance (UDO), Administrative Approval, Planning Commission Approval and City Council Approval. In addition, variances require approval of the Board of Zoning Adjustment (BZA). The following diagram depicts a generalized standard process of the City of Lee’s Summit and the underlying guiding principles and enforced regulations.



GUIDING PRINCIPLES & ENFORCED REGULATIONS



Unified Development Ordinance

A Quick Guide

UDO Chapters	Key Information
ARTICLE 1 General Provisions	Gives the purpose for the ordinance, general policies and penalties for violations.
ARTICLE 2 Rules of Interpretation and Definitions	Defines terms used in the ordinance.
ARTICLE 3 Permits and Certificates of Occupancy	List of development-related permits and certificates, with references to other ordinances. These include permits for land disturbance, building, excavation, burning and blasting.
ARTICLE 4 Applications and Procedures	Describes the various types of development applications and the process required for each. These include rezoning, preliminary and final development plans, special use permits, sign applications, vacation of right-of-way, and variances.
ARTICLE 5 Zoning Districts	Every parcel of land in Lee's Summit is zoned. This article lists all zoning districts and the uses permitted in each. Some uses are permitted "by right," some "with conditions," and some as "special uses." Also includes minimum standards, such as lot area, building setbacks, height of buildings, green space, and density.
ARTICLE 6 Overlay Districts	An overlay district does not affect the land use permitted in the base zoning district, but adds a layer of regulation. Overlay districts include Airport, Floodplain, Historic Preservation, and Neighborhood Stabilization.
ARTICLE 7 Design Standards	Regulations for building materials and architectural standards in office, commercial and industrial districts, as well as design standards for planned residential districts. Also includes regulations on exterior lighting and Crime Prevention Through Environmental Design (CPTED).
ARTICLE 8 Accessory Uses and Structures	Lists uses and structures that are allowed as accessory uses and sets standards for those. Examples are windmills and barns in agricultural districts; sheds and detached garages on residential lots; fences and parking garages in commercial areas. Also includes regulations for home occupations.

Continued on the next page.

Unified Development Ordinance

A Quick Guide

UDO Chapters	Key Information
ARTICLE 9 Uses Permitted with Conditions	For those uses identified as “conditional uses” in Article 5, the conditions are listed here. For example, a restaurant with a drive up window must have room for 5 cars in the drive-thru lane, and the window must be 100 feet from a residential use.
ARTICLE 10 Special Use Permits	Certain uses are considered “special uses” and are evaluated by the Planning Commission and City Council on a case-by-case basis depending on the location and site design, to see if the proposed use will fit into the area.
ARTICLE 11 Special Events and Mobile Food Vending	Certain events have an impact on city services and require a permit. This article describes the application process for special events and food trucks.
ARTICLE 12 Vehicle Parking and Loading	Provides the minimum number of parking spaces required for various types of uses, and specifications for parking lots.
ARTICLE 13 Signs	Regulations that apply to all signs in Lee’s Summit. Most require a sign permit.
ARTICLE 14 Landscaping, Buffers and Tree Protection	Regulations for the number of trees and shrubs that are required for development projects. Fences or walls and landscaping are required between certain incompatible uses, and screening is required for parking lots.
ARTICLE 15 Nonconforming Situations and Vested Rights	Describes the legal basis for certain existing uses and conditions which do not meet current standards, but may have met the standards that existed at the time the structure was built or the use established.
ARTICLE 16 Subdivisions	Regulations for dividing and selling land. Application requirements and process are described for preliminary, final and minor plats.
ARTICLE 17 Renewable Energy & Green Development Standards	Currently contains regulations for wind turbines.
ARTICLE 18 Administration	Describes the powers and duties of the Board of Zoning Adjustment, Planning Commission, and Historic Preservation Commission.

Unified Development Ordinance in its entirety can be found on the City’s website at;
<http://cityofs.net/Development/Zoning/Unified-Development-Ordinance.aspx>

General Introduction

Zoning Districts & Zoning Overlays

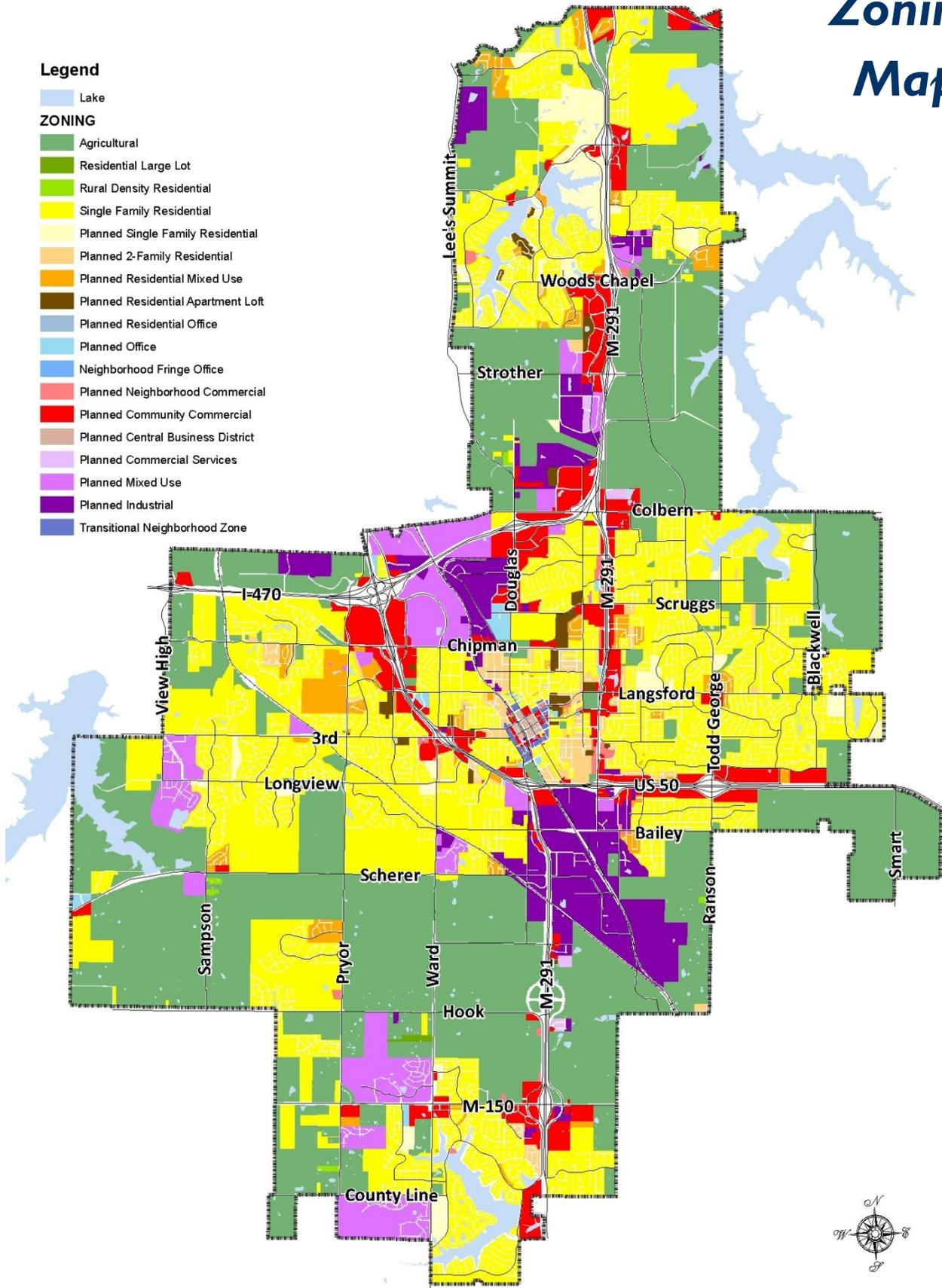
Zoning District/Zoning Overlay	Abbreviation
Agricultural District	AG
Rural Density Residential District	RDR
Residential Large Lot District	RLL
Single-family Residential District	R-1
Planned Single-family Residential District	RP-1
Planned Two-family Residential District	RP-2
Planned Residential Mixed Use District	RP-3
Planned Apartment Residential District	RP-4
Planned Residential Office District	PRO
Neighborhood Fringe Office District	NFO
Transitional Neighborhood Zone	TNZ
Planned Office District	PO
Planned Neighborhood Commercial District	CP-1
Planned Community Commercial District	CP-2
Planned Central Business District	CBD
Planned Commercial Service District	CS
Planned Industrial District	PI
Planned Mixed Use District	PMIX
Airport Hazard Overlay District	No Abbreviation
Floodplain Overlay District	No Abbreviation
Historic Preservation Overlay District	H
Neighborhood Stabilization Overlay District	NSO
M-150 Corridor Development Overlay District	CDO

Unified Development Ordinance in its entirety can be found on the City's website at:
<http://cityofs.net/Development/Zoning/Unified-Development-Ordinance.aspx>

Zoning Map

Legend

- Lake
- ZONING**
- Agricultural
- Residential Large Lot
- Rural Density Residential
- Single Family Residential
- Planned Single Family Residential
- Planned 2-Family Residential
- Planned Residential Mixed Use
- Planned Residential Apartment Loft
- Planned Residential Office
- Planned Office
- Neighborhood Fringe Office
- Planned Neighborhood Commercial
- Planned Community Commercial
- Planned Central Business District
- Planned Commercial Services
- Planned Mixed Use
- Planned Industrial
- Transitional Neighborhood Zone

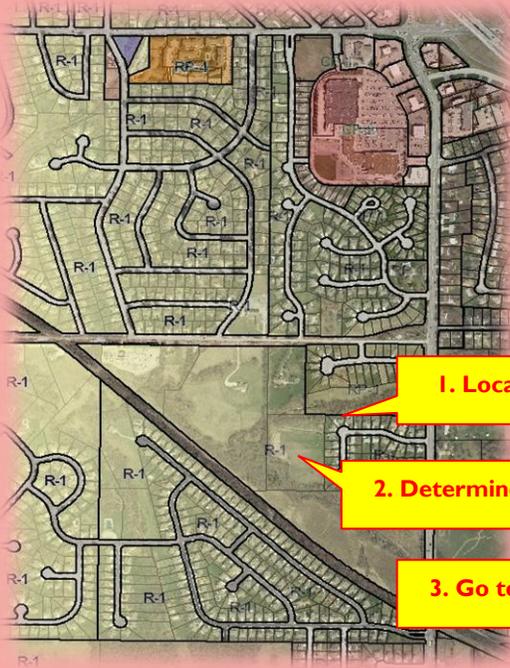


You may use the City's online interactive mapping system for zoning related information at:
http://www.maps.ramaker.com/LS_Parcel/viewer.htm

General Introduction

How to Read a Zoning Map

The Zoning Map is a part of the City’s Unified Development Ordinance. All properties within the corporate city limits of Lee’s Summit have zoning designations. Specific regulations governing these zoning designations are found in the UDO. The Zoning Map color-codes the official zoning designations for visual purposes. The color-coding scheme as shown below and on the previous page demonstrates the use of this color scheme.



The users can use a zoning map to determine the current official zoning designation on a property of their interest and use the UDO to identify specific development regulations applicable to that zoning designation.

In general, the steps include the following:

1. Locate the property of interest;
2. Determine the zoning designation, R-1, CP-2, for example;
3. Go to Article 5 of the UDO to determine land use types permitted for that zoning district and learn more about standards such as setback requirements, maximum building heights, maximum density, etc.
4. Go to other chapters of the UDO for information relevant for your questions regarding parking, landscaping, lighting, etc.

ZONING

	Agricultural
	Residential Large Lot
	Rural Density Residential
	Single Family Residential
	Planned Single Family Residential
	Planned 2-Family Residential
	Planned Residential Mixed Use
	Planned Residential Apartment Loft
	Planned Residential Office
	Planned Office
	Neighborhood Fringe Office
	Planned Neighborhood Commercial
	Planned Community Commercial
	Planned Central Business District
	Planned Commercial Services
	Planned Mixed Use
	Planned Industrial
	Transitional Neighborhood Zone

ARTICLE 5. ZONING DISTRICTS

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Section 5.020.	Zoning map
Section 5.030.	General requirements applicable to all zoning districts
Section 5.040.	Development plan and allowable modifications	.....
DIVISION II:	DESCRIPTION OF ZONING DISTRICTS	
Section 5.050.	Zoning districts listed	.....
Section 5.060.	AG Agricultural district	.....
Section 5.070.	RDR Rural density residential	.....
Section 5.080.	RLL Residential large lot (Amend.#19)	.....
Section 5.090.	R-1 Single-family residential district	.....
Section 5.100.	RP-1 Planned single-family residential district	.....
Section 5.110.	RP-2 Planned two-family residential district	.....
Section 5.120.	RP-3 Planned residential mixed use district	.....
Section 5.130.	RP-4 Planned apartment residential district	.....
Section 5.140.	PRO Planned residential office district	.....
Section 5.150.	NFO Neighborhood fringe office district	.....
Section 5.160.	TNZ Transitional Neighborhood Zone	.....
Section 5.170.	PO Planned office district	.....
Section 5.180.	CP-1 Planned Neighborhood commercial district	.....
Section 5.190.	CP2 Planned community commercial district	.....
Section 5.200.	CBD Planned central business district	.....
Section 5.210.	CS Planned commercial services district (Amend.#19)	.....
Section 5.220.	PI Planned industrial district (Amend.#34)	.....
Section 5.230.	PMIX Planned mixed use district	.....
Section 5.240.	PERMITTED USES AND RELATED STANDARDS	
Section 5.250.	Permissible regulations	.....
Section 5.260.	Special and special use tables	.....

4. Go to other chapters of the UDO for other regulations.



Other Development Guides and Regulations

Guides and Regulations

The Comprehensive Plan is an official physical development guide adopted by the City's Planning Commission that provides a long-term community vision and the ideal land development pattern, supported by adequate infrastructure and public service provision. The Comprehensive Plan includes a future land use map that guides the future development. (Web access: <http://cityofls.net/Development/Comprehensive-Plan/Current-Comprehensive-Plan.aspx>)

Design and Construction Manual regulates the construction of public infrastructure improvements within the City, including the regulation of blasting, excavation, trenching and backfilling and the design and construction of water lines, sanitary sewers, storm sewers and streets. The purpose of the manual is to provide minimum design and construction standards to safeguard life, limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials, and location of public and private infrastructure within the City of Lee's Summit. (Web access: <http://www.cityofls.net/Development/Development-Regulations/Design-and-Construction-Manual.aspx>)

Access Management Code "Access management" takes a comprehensive view of property access relative to the function of the streets from which access is desired. The objective of access management is to optimize, or find that right balance, between property access and traffic safety and efficiency, particularly along arterials and collector streets. (Web access: <http://cityofls.net/LinkClick.aspx?fileticket=opQyo5AIOGw%3d&tabid=465>)

International Building, Plumbing, Mechanical, Fuel Gas and Energy Conservation Codes along with the **National Electrical Code** are adopted by the City and govern building construction. Always contact the City to verify what editions of these codes are currently adopted and for any local amendments that may exist.

The International Fire Code® is a model fire code designed to safeguard the public health and safety of the community by addressing conditions hazardous to life and property from fire, explosion, handling or use of hazardous materials and the use and occupancy of buildings and premises, both new and existing. The International Fire Code is fully compatible with all the International Codes® (I-Codes®) published by the International Code Council.



Lee's Summit, Missouri
Access Management Code

November 2004



Prepared by
TAN SYSTEMS
CORPORATION

CITY OF LEE'S SUMMIT
DESIGN AND CONSTRUCTION
MANUAL



ORDINANCE NO. 5813
SEPTEMBER 16, 2004

General Introduction

Where Do I Begin Tool

Self-help to Determine Applicable Application Types

Not all chapters of this handbook are relevant to all development proposals. The table below may be used to determine what type(s) of development applications are most likely required for the intended development proposals. This preliminary determination will direct users to relevant chapters.

If any of the following conditions describes your situation, place a check mark in the “Check” column to the right and go to the page indicated in the “Page” column for relevant information.	Application Type	Abbr.	Check	Page
<ul style="list-style-type: none"> If your proposed use/development is not a permitted use (by right, or with conditions, or as a special use) for the current zoning designation of your property. 	Rezoning	REZ		30
<ul style="list-style-type: none"> If rezoning (REZ) is required for your proposed use/development, except rezoning the property to AG, RDR, RLL and R-1. If you will develop a vacant property in a planned district. If you will redevelop any property. If you will change the primary use of the property resulting in negative impact on traffic conditions. If you will develop a non-residential use in AG, RDR, RLL and R-1 districts. If you will request any modification to the UDO requirements. If you will propose a substantial change to an already approved PDP. If an SUP is required (under certain circumstances) 	Preliminary Development Plan	PDP		52
<ul style="list-style-type: none"> If your property(ies) is not platted If your proposal will require subdividing or combining existing properties. 	Preliminary Plat	PP		74
<ul style="list-style-type: none"> If a PP has been approved that includes more than three (3) lots. 	Final Plat	FP		82
<ul style="list-style-type: none"> If a PP has been approved that includes three (3) lots or less. 	Minor Plat	MP		90
<ul style="list-style-type: none"> If a PDP has been approved and has not expired. If you will not propose any major changes to the approved PDP. If you will build an addition to an existing building that did not require a PDP and you will not propose any substantial changes. If you will build a new parking lot with no request for modifications. If you will expand or reconfigure an existing parking lot with no request for modifications. 	Final Development Plan	FDP		64
<ul style="list-style-type: none"> If your proposed use/development is not a permitted use by right or with conditions per UDO. If your proposed use/development is specifically listed in the UDO as a special use. You need to renew an existing SUP that will expire. 	Special Use Permit	SUP		40
<ul style="list-style-type: none"> If you want to install new signs that require Planning Commission approval per UDO. 	Sign Application	SIGN		101
<ul style="list-style-type: none"> If you want to install new signs or change existing signs or sign face. If the proposed sign type is not specifically exempted from a sign permit. If your sign application, if required, has been approved by Planning Commission. 	Sign Permit	SIGN		97
<ul style="list-style-type: none"> If you want to have a legally recorded easement vacated. 	Vacation of Easement	VOE		110
<ul style="list-style-type: none"> If you want to have a public right-of-way vacated. 	Vacation of Right-of-way	VROW		116

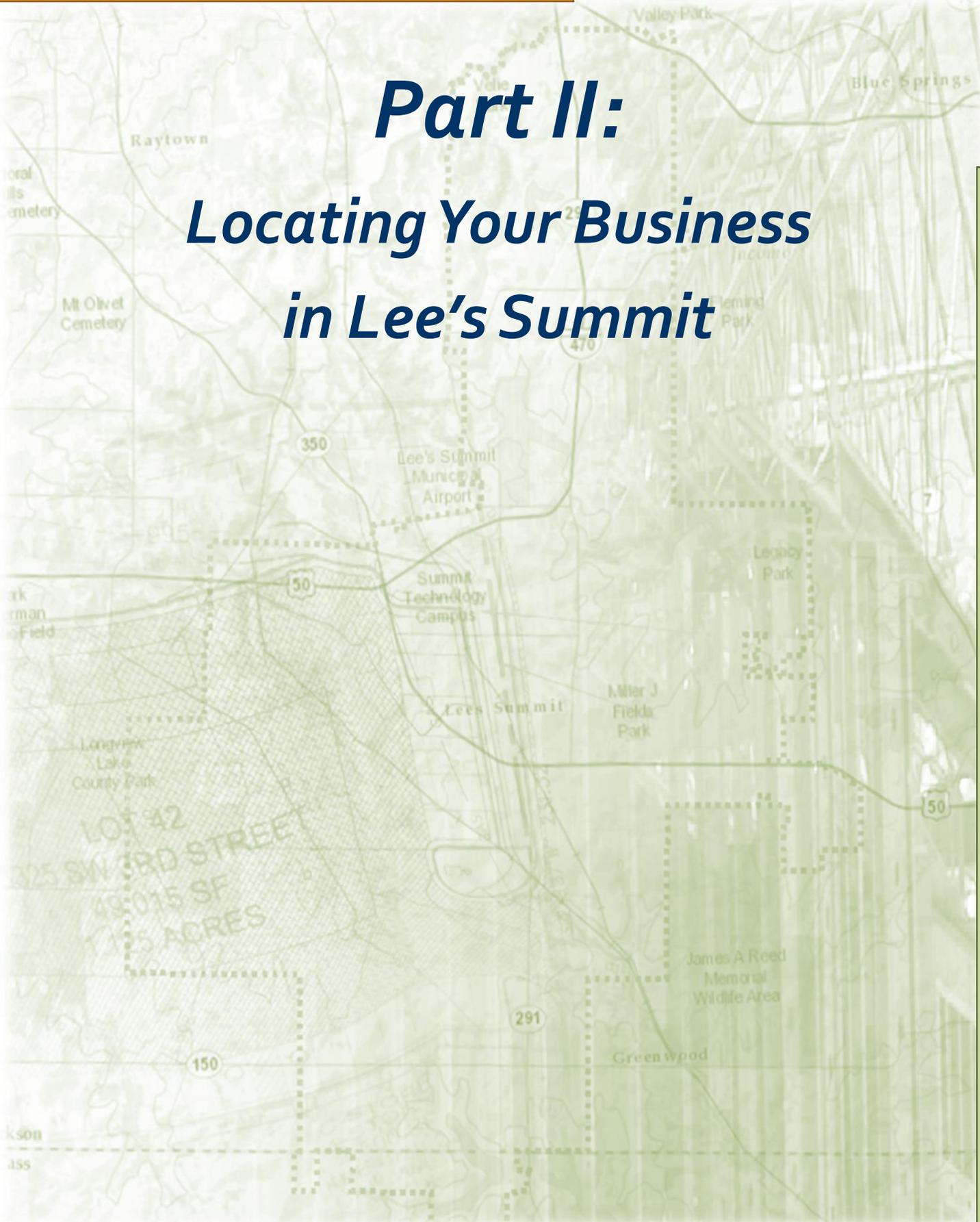
Please note that all constructions require building permits, unless otherwise exempted. This handbook does not include requirements and process for building permits. You need to contact City’s Codes Administration to determine when a building permit is required. For site improvement or disturbance, please contact City’s Public Works.



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Part II: Locating Your Business in Lee's Summit



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Locating Your Business in Lee's Summit

Step 1: Gather Information

In the City of Lee's Summit, you will find many resources as you research the structure, location, and potential for your business.

- The Chamber of Commerce is a business resource center that creates opportunities to help you successfully grow and manage your business with the following: mentoring programs, networking, advocacy, and business and professional development.

- **The Chamber of Commerce**

220 SE Main Street, Lee's Summit, MO 64063

Phone: (816) 524-2424

Email: lscoc@lischamber.com

Step 2: Create a Business Plan

A business plan is like a roadmap for your business — it shows you where you are in relation to where you want to be.

- Starting and locating a business, large or small, involves many ideas that need to be documented and consist of actions that need to be taken.
- The most successful businesses have a business plan and lending institutions require one prior to being considered for a loan.

Step 3: Determine a Business Name

The name you choose for your business is very important.

- It is best practice to select a unique name for your business. You can search online for name availability with the Missouri Secretary of State Office.

- **Missouri Secretary of State**

600 West Main Street

Jefferson City, MO 65101

Main Office: (573) 751-4936

<http://www.sos.mo.gov/>

Step 4: Determine the Legal Structure of the Business

When you start a new business, you must decide what legal structure it will have.

- There are several business formats including: sole proprietorship, general partnership, limited partnership, corporation, limited liability company, registered limited liability partnership, etc.
- For further information please visit the Missouri Secretary of State site online at: <http://www.sos.mo.gov/>

Step 5: Explore Potential Location for Your Business

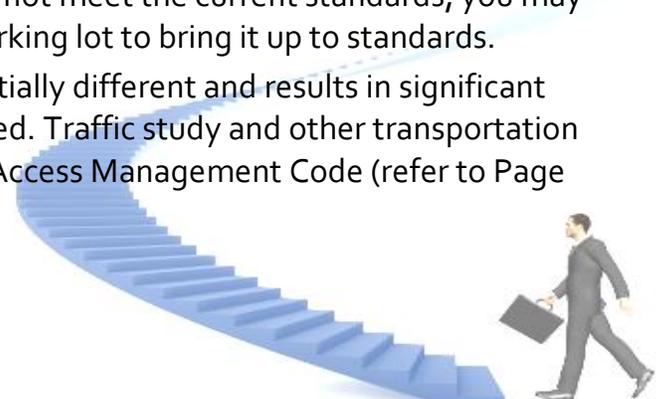
Make sure you do the following when exploring potential location and building for your business:

- **Check Zoning** – Every property in Lee’s Summit has a zoning designation, which prescribes the types of land use allowed. Always make sure that you check the property’s current zoning designation to see if your use type is allowed in the zoning district. See Pages 15-16 on how to use a zoning map and Pages 12-13 on how to access the Unified Development Ordinance (UDO) to determine what types of use are allowed in each zoning district (found in Article 5 of the UDO). You may also contact Planning and Development Department (969-1600) for zoning and land use questions.
- **Check Building Codes** – You should contact the City’s Codes Administration Department (969-1200) to find out if the existing building meets current building code for the proposed use and, if not, what is required to be done to bring the building up to code in order to accommodate your use.
- **Check Fire Code** – You should contact the Fire Department (969-1300) to find out if the existing building meets the current fire code for the proposed use.
- **Check on Maximum Occupant Load** – The size of the interior room space of the building and the type of use that occupies that space determine the maximum allowable occupant load. It is important to find out from the City’s Codes Administration Department (969-1200) the occupant load of the space your proposed use will occupy.
- **Check Utilities** – You should check availability of gas, electric, water and sanitary sewer services and contact corresponding utility companies and the City for details if necessary.

Issues Often Encountered on Change of Use:

If your proposed use for the building or tenant space is different from the existing use, you should take the following into account:

- **Parking Spaces** – You may be required to add more parking spaces. Refer to the current Unified Development Code (UDO), Article 12 or contact Planning and Development (969-1600) for information.
- **Parking Lot** – If the existing parking lot does not meet the current standards, you may be required to pave or repave the existing parking lot to bring it up to standards.
- **Traffic Study** – If the change in use is substantially different and results in significant trip generation, a traffic study may be required. Traffic study and other transportation requirements currently defined in the City’s Access Management Code (refer to Page 17).



- **Stormwater Study** – If parking must be added or paved, a stormwater study may be required. You should contact Public Works Department Engineering Division (969-1800) for assistance.
- **Signs** – New businesses normally need to have new business signs installed on the property. New signs require sign permits. In addition, the existing sign structure may not meet the current codes. Sign permits are required for new businesses, even if the existing sign cabinet or structure will be re-used.
- **Building and Fire Code** – The building may not meet current building or fire code for the proposed use. An architect may need to evaluate whether the building meets code and what changes are needed to bring it up to code. You may contact the Codes Administration Department (969-1200) and Fire Department (969-1300) for information.
- **ADA Accessibility Requirements** – The existing building may not meet the current ADA accessibility requirements (for example, bathrooms, doors, ramps), and you may be required to make necessary improvements to bring the building to code.
- **Excise Tax and other Costs** – Change of use may be subject to building permit fees, excise tax, and other types of cost. Contact Planning and Development Department (816-969-1600) or Codes Administration Department (816-969-1200) for information.

Uses That Commonly Have Issues:

- **Commercial or office use in residential structure** – May have building code, fire code, parking, and screening issues.
- **Restaurants / Banquet / Tavern Facilities** – The Fire and Building codes may require automatic fire sprinklers in buildings that previously did not require them due to changes in use or occupant loads.
- **Warehouses** –
 - May not be suitable for car repair because of fire codes.
 - May not be suitable for places of assembly because of life safety and parking requirements.
- **Auto Sales** – Requires a Special Use Permit (SUP) in addition to commercial zoning.
- **Combination of Uses on Same Property** – A combination of different uses on the same property may cause issues, e.g., separation of residential and commercial use in certain zoning districts.

Suggested Steps:

- Check on all issues above.
- Determine that the space is suitable for proposed use.
- Apply for preliminary development plan or special use permit, if required.
- Apply for final development plan, if site issues require one.
- Apply for building permit, if necessary, to remodel or do any work necessary to bring the space up to code.

Locating Your Business in Lee's Summit 3

- Apply for business (occupational) license to do business in the space, before opening for business.

Step 6: Get Tax Information

- Anyone doing business in the City of Lee's Summit is required to register with the Missouri Department of Revenue.
- For additional tax information please visit our site at: www.cityofls.net

Step 7: Employer Responsibilities

A new set of responsibilities arise when a business hires employees.

- Employers must register as an employer, pay additional taxes, withhold, match and submit employee withholdings, and obtain worker's compensation insurance. For more information please contact: Missouri Department of Revenue <http://smallbiztax.mo.gov/>

Step 8: Obtain Financing for Your Business

Financing initial expenditures (i.e. acquisition of real property, renovation, equipment purchases, etc.) is one of the most important steps in starting a business venture.

- Financing can be obtained from private financial institutions (i.e. banks, other private lenders), owner's equity, investor capital and economic development financing programs.

Step 9: Explore Other Helpful Information

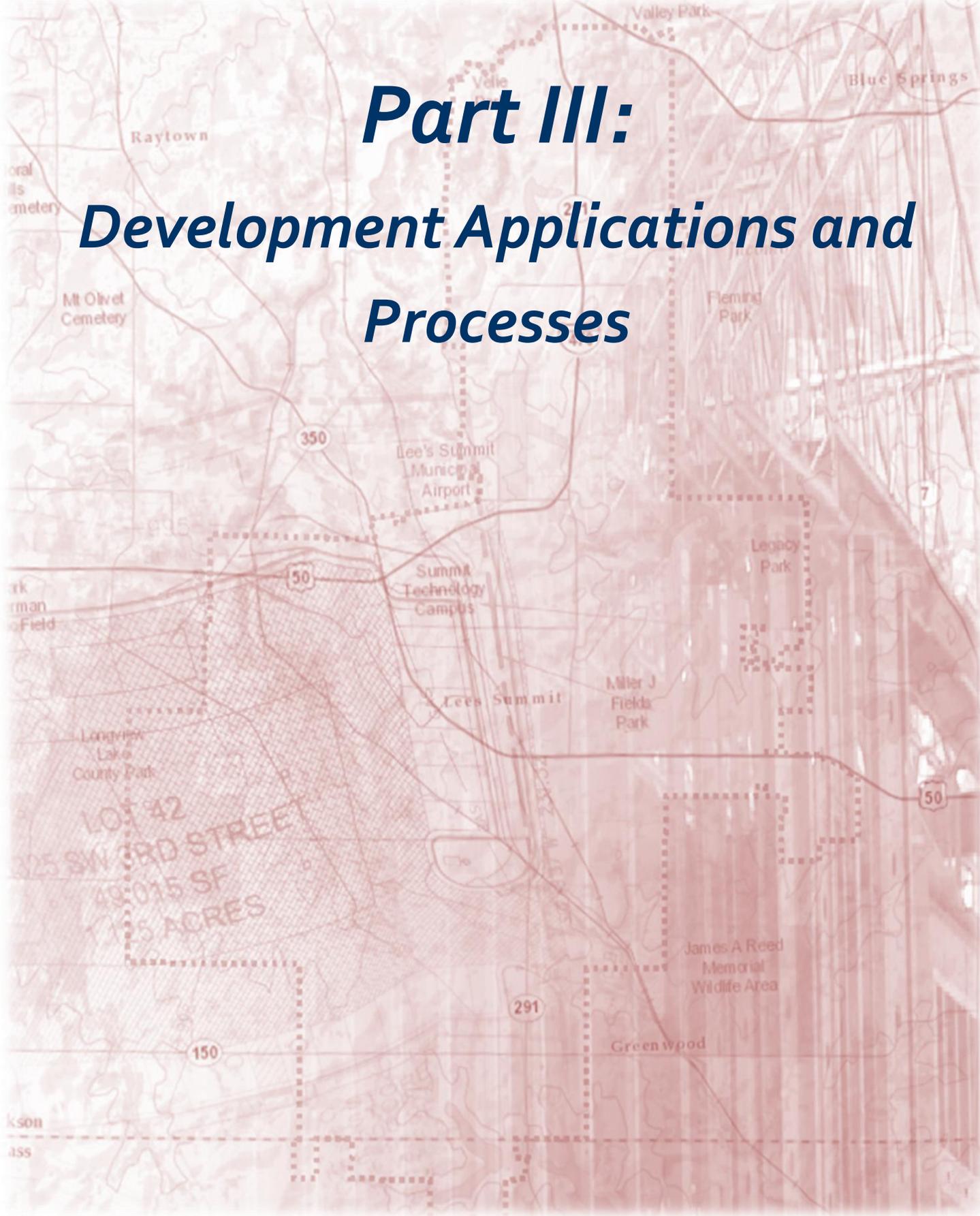
There are numerous web resources for entrepreneurs, small businesses and business decision-making. The following websites are some of them.

- www.sba.gov for the US Small Business Administration
- <http://www.boostleessummit.com/> sponsored by the Lee's Summit Chamber of Commerce and other local agencies and businesses.
- <http://leessummit.org/> for Lee's Summit Economic Development Council
- <http://www.jacohd.org/> for Jackson County Health Department

By completing these nine steps, you have built a solid foundation that enables you to cultivate your new company into the successful business of your dreams!



Part III: Development Applications and Processes



Chapter I:

Overview of Development Applications

This chapter includes a flowchart of the development review and approval process and the “Where Do I Begin Tool.”

The flowchart includes the following:

- Rezoning (REZ)
- Special Use Permit (SUP)
- Vacation of Right-of-Way (VROW)
- Preliminary Development Plan (PDP)
- Preliminary Plat (PP)
- Final Plat (FP)
- Vacation of Easement (VOE)
- Sign Application (SIGN)
- Engineering Plans/ Public Works Inspection Process
- Minor Plat (MP)
- Final Development Plan (FDP)
- Building Permits
- Building Inspection Process

The chapters that follow include all of these application types, plus variances, which follow a different process.

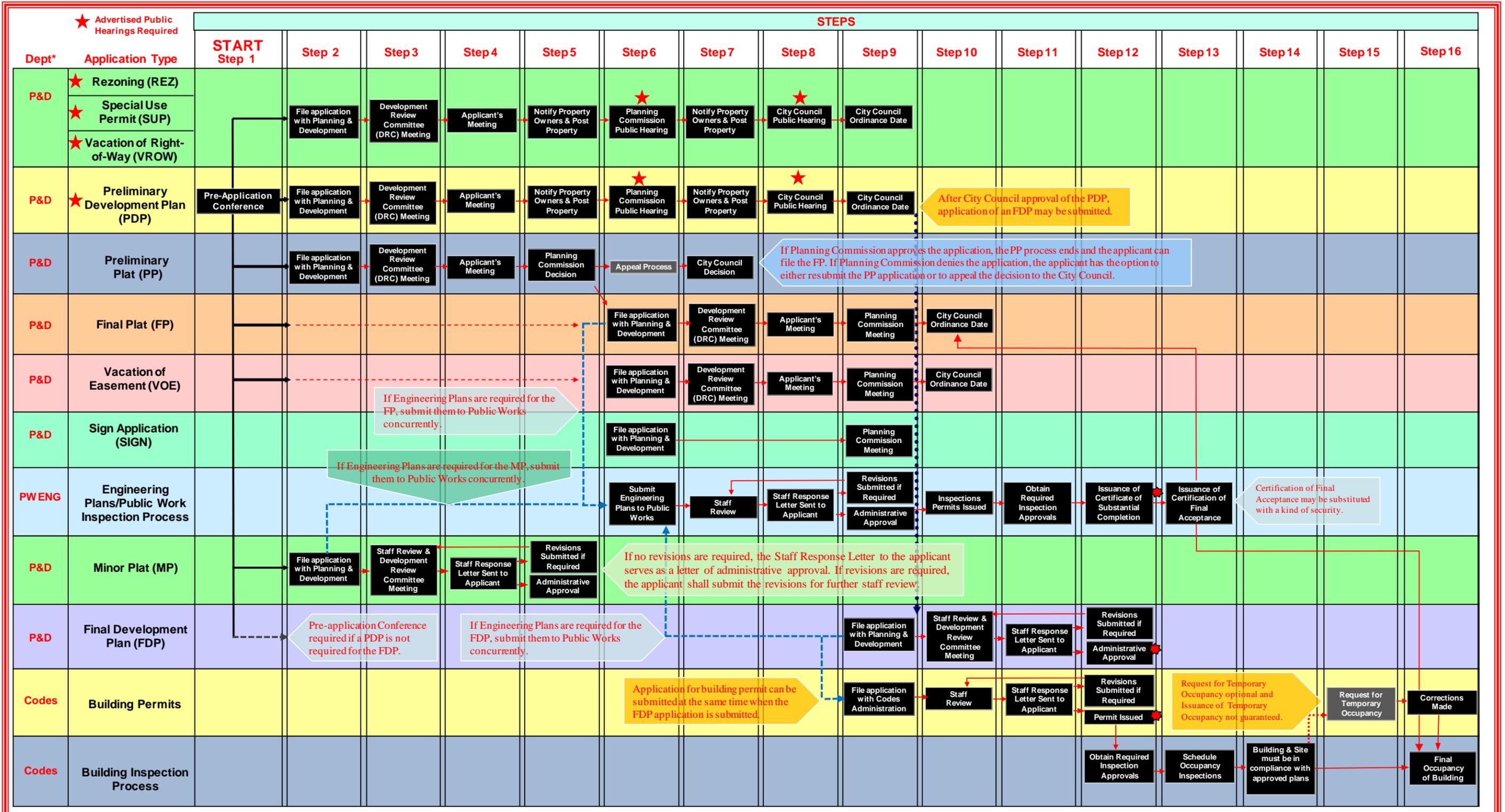
Overview of Development Applications I.1



CITY OF LEE'S SUMMIT, MISSOURI

DEVELOPMENT REVIEW PROCESS

All-In-One Flowchart



*Department listed for each type is intended only as a point of contact for additional information.

P&D – Planning and Development Department, 969-1600
 PWENG – Engineering Division, Public Works Department 969-1800
 Codes – Codes Administration Department 969-1200

★ Building Permit will not be issued until completion of the steps above that carry this symbol.



Where Do I Begin Tool

Self-help to Determine Applicable Application Types

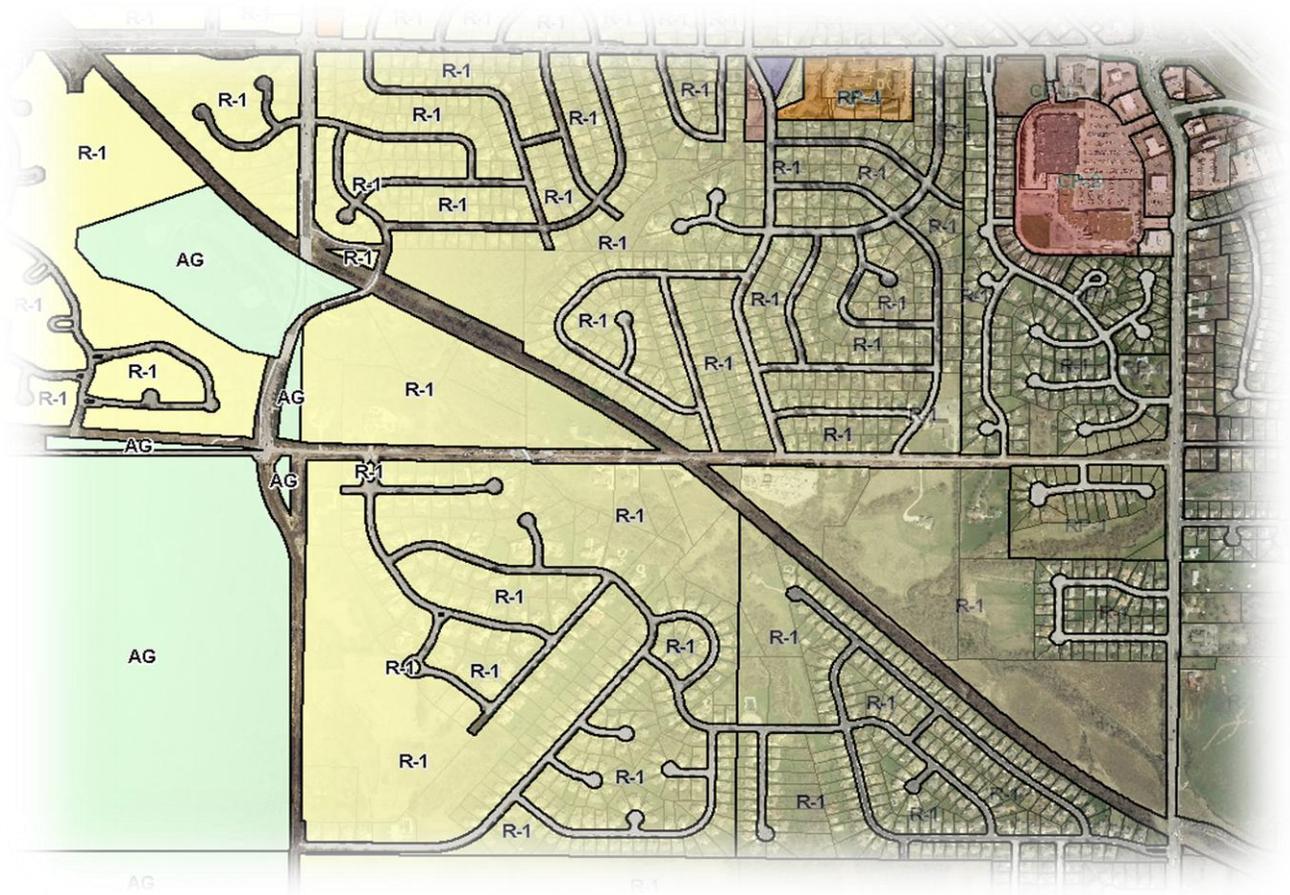
Not all chapters of this handbook are relevant to all development proposals. The table below may be used by the handbook users to determine what type(s) of development applications are most likely required for the intended development proposals. This preliminary determination will direct users to specific chapters of this handbook relevant to the intended proposals.

If any of the following conditions describes the situation you are in, place a check mark in the “Check” column to the right and go to the page indicated in the “Page” column for relevant information.	Application Type	Abbr.	Check	Page
<ul style="list-style-type: none"> • If your proposed use/development is not a permitted use (by right, or with conditions, or as a special use) for the current zoning designation of your property. 	Rezoning	REZ		30
<ul style="list-style-type: none"> • If rezoning (REZ) is required for your proposed use/development, except rezoning the property to AG, RDR, RLL and R-1. • If you will develop a vacant property in a planned district. • If you will redevelop any property. • If you will change the primary use of the property resulting in negative impact on traffic conditions. • If you will develop a non-residential use in AG, RDR, RLL and R-1 districts. • If you will request any modification to the UDO requirements. • If you will propose a substantial change to an already approved PDP. • If an SUP is required (under certain circumstances) 	Preliminary Development Plan	PDP		52
<ul style="list-style-type: none"> • If your property(ies) is not platted • If your proposal will require subdividing or combining existing properties. 	Preliminary Plat	PP		74
<ul style="list-style-type: none"> • If a PP has been approved that includes more than three (3) lots. 	Final Plat	FP		82
<ul style="list-style-type: none"> • If a PP has been approved that includes three (3) lots or less. 	Minor Plat	MP		90
<ul style="list-style-type: none"> • If a PDP has been approved and has not expired. • If you will not propose any major changes to the approved PDP. • If you will build an addition to an existing building that did not require a PDP and you will not propose any substantial changes. • If you will build a new parking lot with no request for modifications. • If you will expand or reconfigure an existing parking lot with no request for modifications. 	Final Development Plan	FDP		64
<ul style="list-style-type: none"> • If your proposed use/development is not a permitted use by right or with conditions per UDO. • If your proposed use/development is specifically listed in the UDO as a special use. • You need to renew an existing SUP that will expire. 	Special Use Permit	SUP		40
<ul style="list-style-type: none"> • If you want to install new signs that require Planning Commission approval per UDO. 	Sign Application	SIGN		100
<ul style="list-style-type: none"> • If you want to install new signs or change existing signs or sign face. • If the proposed sign type is not specifically exempted from a sign permit. • If your sign application, if required, has been approved by Planning Commission. 	Sign Permit	SIGN		98
<ul style="list-style-type: none"> • If you want to have a legally recorded easement vacated. 	Vacation of Easement	VOE		110
<ul style="list-style-type: none"> • If you want to have a public right-of-way vacated. 	Vacation of Right-of-way	VROW		116

Please note that all constructions require building permits, unless otherwise exempted. This handbook does not include requirements and process for building permits. You need to contact City’s Codes Administration to determine when a building permit is required. For site improvement or disturbance, please contact City’s Public Works.

Overview of Development Applications 1.3

Chapter 2: Rezoning



Definition:	REZONING is the change in zoning classification of particular lots or parcels of land.
Public Hearings:	Rezoning requires two public hearings for approval: Planning Commission and City Council.
Approval Authority:	The City Council has final authority to approve or deny rezoning requests.
Length of Process:	A rezoning normally takes a minimum of 3 months from the date of application.
Requirement for Concurrent Submittal:	Certain rezoning applications require concurrent submittal of a Preliminary Development Plan, per Unified Development Ordinance (UDO).

Step 1:
Pre-Application Meeting
(Page 33)



Step 2:
Filing the Application
(Page 34)



Step 3:
Development Review
Committee
(Page 34)



Step 4:
Applicant's Meeting
(Page 35)



Step 5:
Property Notices and
Posting of the Property
(Page 36)



Step 6:
Planning Commission
Public Hearing
(Page 37)



Step 7:
City Council
Public Hearing
(Page 38)

Chapter 2:
Rezoning
(UDO Article 4 Division IV)
(Web access <http://cityofls.net/Development/Zoning/Unified-Development-Ordinance.aspx>)

Special Note: Most rezoning applications require a Preliminary Development Plan (PDP) and, when required, the rezoning and PDP become one combined application, instead of two separate applications.

Rezoning 2.2

Purpose of Rezoning (REZ)

Each piece of property in Lee's Summit is in a particular zoning district (s) identified on the official zoning map. The City's Unified Development Ordinance (UDO) contains regulations for each zoning district that specify permitted uses, required yard setbacks, maximum building height, basic parking requirements, and related development standards. Thus, when the City approves a rezoning application, it represents a granting of basic development authority for that particular property. If a proposed use is not permitted in the existing zoning district, the applicant must apply for rezoning.

When is Rezoning Required?

The purpose of the rezoning public hearing process is to make sure that the proposed use is appropriate at the proposed location and compatible with existing or planned uses on the surrounding properties. A rezoning to Agricultural (AG), Rural Density Residential (RDR), Residential Large Lot (RLL) or Single-family Residential (R-1) does not require a preliminary development plan. A rezoning to R-1 does require a preliminary plat submittal concurrent with the rezoning application. Decisions are typically made at this point that determine the density of development and its general layout and character. The Planning Commission and City Council will consider any concerns that surrounding property owners or members of the general public may have regarding the proposed development and its impact on the community.



Step 1: Pre-Application Meeting

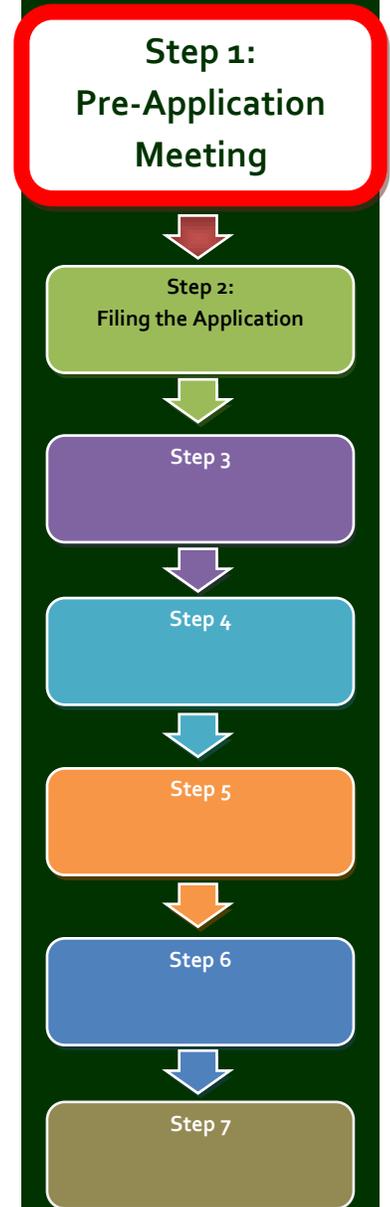
The Unified Development Ordinance (UDO) requires the applicant to meet with City Staff at a “Pre-app” meeting prior to submitting a rezoning application. Staff members include representatives from Planning and Development, Public Works Engineering (including Traffic), Codes Administration, Fire, and Parks. An exchange of information early in the process can often make the rest of the development go more smoothly. The purposes of the pre-application meeting are:

Project Concept by Applicant – The applicant can explain the proposed development and present any sketches or plans. Detailed plans are not required, but the more information brought to the meeting, the more thorough and specific staff can be in response.

Response and Direction from Staff – City staff will advise the potential applicant of:

- Land use considerations, including compatibility with the Comprehensive Plan and adjacent land uses.
- Procedural requirements for submitting an application and going through the appropriate process.
- Site design regulations, including setbacks, parking, screening, traffic, and other considerations.
- Building code regulations.
- Special studies required, such as traffic, stormwater, etc.
- Public sources of information that may aid the potential applicant.
- Policies that may create opportunities or pose significant restraints.

Pre-app Appointments – Pre-app meetings are held every Wednesday between 10:00 a.m. and noon, for 30 minutes each. **An appointment is required.** Contact Planning and Development (969-1600) at least 24 hours in advance to schedule a pre-app meeting.



Planning and Development
 220 SE Green Street
 Lee's Summit, MO 64063
 816.969.1600

Tips:

Application information, forms and checklists can be found in the Appendices section of this handbook as well as online at <http://cityofls.net/Development/Development-Process/Applications.aspx>

Do not forget to include required fees when submitting your application.



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Step 2: Filing the Application

The applicant must submit the following items to the Department of Planning and Development:

- **Application** – A complete application for rezoning. A complete application consists of all items identified in the Submittal Requirements Checklist that can be found in the Appendices.
- **Fees** – Application filing fee and legal notice publishing charge, payable to the City of Lee's Summit - see Schedule of Fees and Charges in the Appendices. Two legal notices are required for a rezoning application. A single payment can be made for both the application fee and legal notice charges. An application may be withdrawn at any time upon written request; however, no refund will be made after the initial publication.
- **Deadline** – All information must be submitted by the deadline date – see the Deadline Schedule in the Appendices. Items will be placed on the Planning Commission agenda based upon the completeness of the application submittal. All additional information to support the application must be submitted by the deadline.



Step 3: Development Review Committee

Every application goes through a detailed staff review. A Planner is assigned as the project lead to coordinate the review of each application. After the application is submitted, plans are routed to several departments for review and then discussed by the Development Review Committee (DRC). This is a staff-only committee consisting of 10 to 15 representatives of various city departments and divisions. The DRC reviews each item on the agenda and identifies relevant issues. The development departments then prepare written comments for the applicant, which will be sent to all parties listed on the application form (via fax or email) on the Friday before the scheduled Applicant's Meeting, if required.

Step 4: Applicant's Meeting

Following the initial staff review of the applicant's submittal, an Applicant's Meeting is normally required, unless deemed unnecessary, to provide an opportunity for:

- **Technical Review by Staff** – City staff will provide a technical review of the submitted plans and request any necessary plan revisions.
- **Q&A for Applicant** – The applicant will have an opportunity to ask questions.
- **Review and Approval Process Timeline** – Staff will provide a timeline for the rest of the process. If extensive changes are required or more information is needed to adequately review the application (e.g. additional traffic or engineering studies), the application may be rescheduled to a later Planning 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 Commission meeting, subject to revised plans being submitted by the Revised Plans Due date.
- **Post Meeting** – Revised plans must be submitted by the applicant prior to the next step in the process.

Note: This meeting is *not* the appropriate forum to discuss policy issues or negotiate any agreements. If an application involves policy issues or items that may be resolved through a development agreement, the Lead Planner will schedule a separate meeting with appropriate City staff.

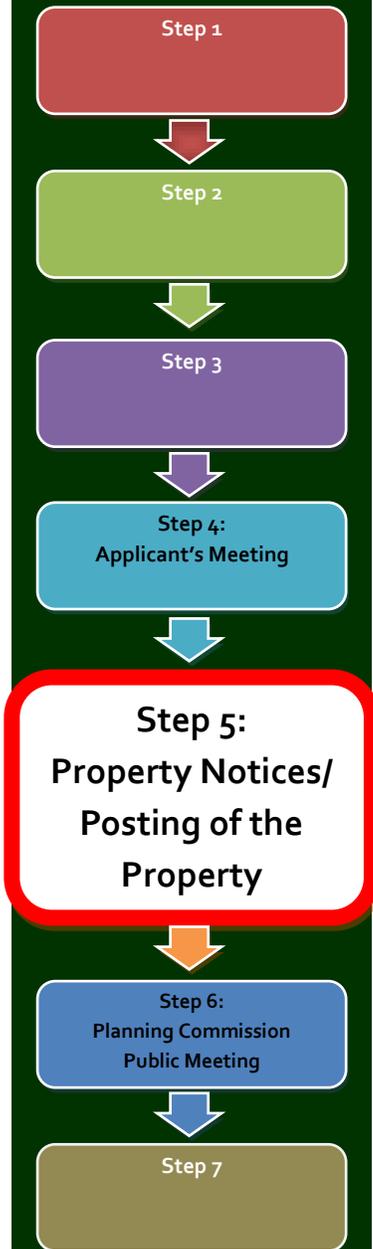


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Rezoning 2.6

Tip:
Notices must be mailed on time and a sign posted, or the application will be delayed.

Step 5: Notices and Posting of the Property



- **Legal Notice in Newspaper** – City staff will prepare and publish the required legal notice of the time and place of the public hearings, which must be published 15 days prior to the hearing in a newspaper of general circulation, as required by Missouri State Statutes.
- **Notification Letters to Surrounding Property Owners** – The applicant must mail notices by certified mail, to all property owners within 185 feet of the property, at least 15 days prior to the hearing, notifying them of the opportunity to be heard. A form letter for the notice can be obtained from the Planning and Development Department. An affidavit must be submitted certifying that notice has been sent, along with a list of property owners and a copy of the letter sent.
- **Posting of Sign** – The applicant must post a sign (or signs) on the premises at least 15 days prior to the date of the hearings, informing the public of the time and place of the public hearings. The City will furnish the sign(s) to the applicant for posting. The applicant shall make a good faith effort to maintain the sign for at least 15 days immediately preceding the date of the hearings through the hearings, and through any continuances of the hearings. The sign shall be placed within 5 feet of the street right-of-way line in a central position on the property. The sign shall be readily visible to the public. If the property contains more than one street frontage, one sign shall be placed on each street frontage so as to face each of the streets. The sign(s) may be removed at the conclusion of the public hearings and must be removed at the end of all proceedings on the application or upon withdrawal of the application.
- **Neighborhood Meeting** – The Planning Commission and City Council encourage public participation in zoning decisions; therefore, it is strongly recommended that applicants meet with surrounding



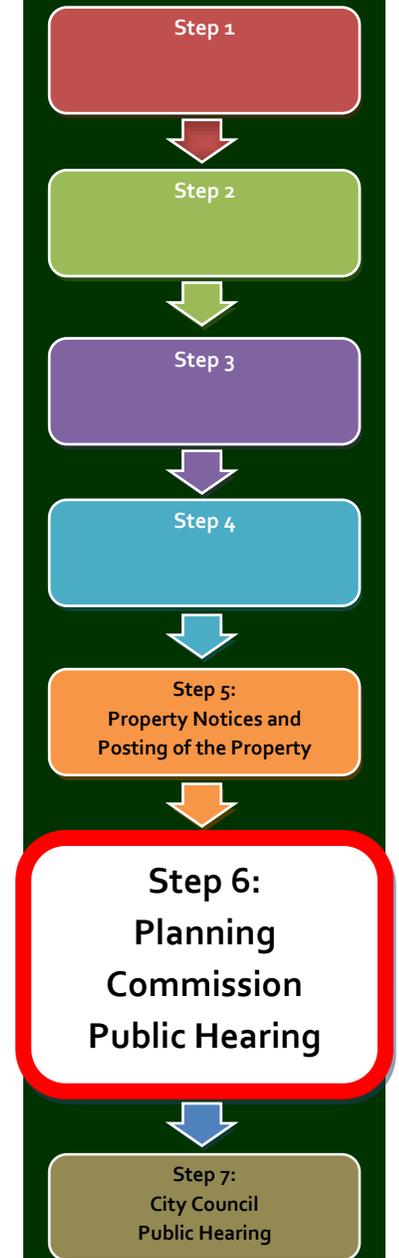
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Step 6: Planning Commission Public Hearing

The Planning Commission consists of nine (9) appointed citizens who meet on the second and fourth Tuesdays of each month in the Council Chambers of City Hall at 220 SE Green Street. All meetings are televised on the local cable television government channel. The Commission holds a public hearing on the application and makes a recommendation to the City Council. Common actions by the Planning Commission include "Recommend Approval", "Recommend Approval with Conditions" or "Recommend Denial." The Commission may also "Continue" the hearing. The normal procedure of a public hearing includes the following:

- **Presentation by Applicant** – The applicant begins the public hearing with a presentation, which should include a brief description of the proposed project and a response to any concerns raised in the staff report. When applicable, the visual presentations shall be:
 - *In electronic format - on a laptop, CD ROM, DVD, or flash drive. The City's presentation system can support Word, Excel, Power Point, Adobe, Windows Media Player and Internet Explorer applications.*
 - *Reduced drawings for use on the document camera to display on the screen. Presentation boards will not be allowed, as they cannot be seen by the audience.*
 - *Samples of building materials (samples are required to be brought to the meeting or submitted in advance, and shall be retained by the City); and any additional information which the applicant wishes to bring to the meeting (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 Commissioner's packets.)*
- **Presentation by Staff** – Staff will then present the staff report and recommendation.
- **Public Comments** – Members of the audience will be given an opportunity to speak. If issues or concerns are raised by the public, the applicant is typically given an opportunity to respond.
- **Commission Discussion and Recommendation** – The Commission members may ask questions of either staff or the applicant. Finally, the public hearing portion of the meeting is closed, and the Planning Commission discusses the action that should be taken and the reasons for that action. The Planning Commission's action is a recommendation to the City Council to approve, approve with conditions, or deny the application. The Planning Commission may also vote to continue an application to a later meeting to allow further study or the submission of additional information by the applicant or staff. Once the Planning Commission has made a recommendation, a hearing (typically three weeks later) will be scheduled before the City Council.

Tip:
It is strongly recommended that applicants meet with surrounding property owners and residents prior to the hearings.



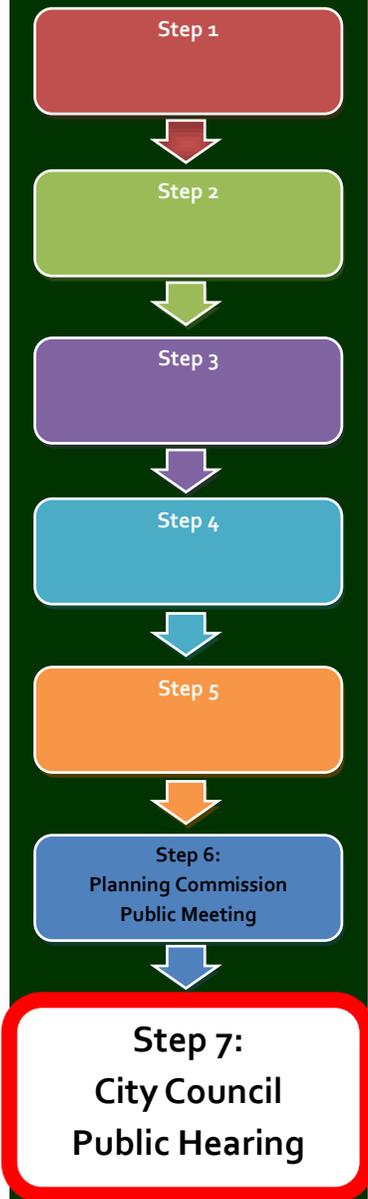
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Lee's Summit, MO 64063
816.969.1600

Rezoning 2.8

Step 7: City Council Public Hearing

The Lee's Summit City Council holds public hearings at their regular meetings on the first and third Thursdays of each month at the Council Chambers of City Hall at 220 SE Green Street.

- **Public Hearing** — The format of the public hearing is similar to that used by the Planning Commission and applicants should plan on making a similar type of presentation. After the City Council has listened to the presentations and to any public comments, they will discuss the application and then take action. The City Council may approve, approve with conditions, deny, amend the application or return the application to the Planning Commission for further consideration. If approved, the Council will direct staff to prepare an ordinance granting the rezoning.
- **Ordinance** — The ordinance is normally read at a subsequent City Council meeting and either approved or denied.
- **Post Approval** — After approval has been granted, the newly approved zoning designation will not expire unless another rezoning is requested by an applicant for the same property and approved by the Council.



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Rezoning 2.9

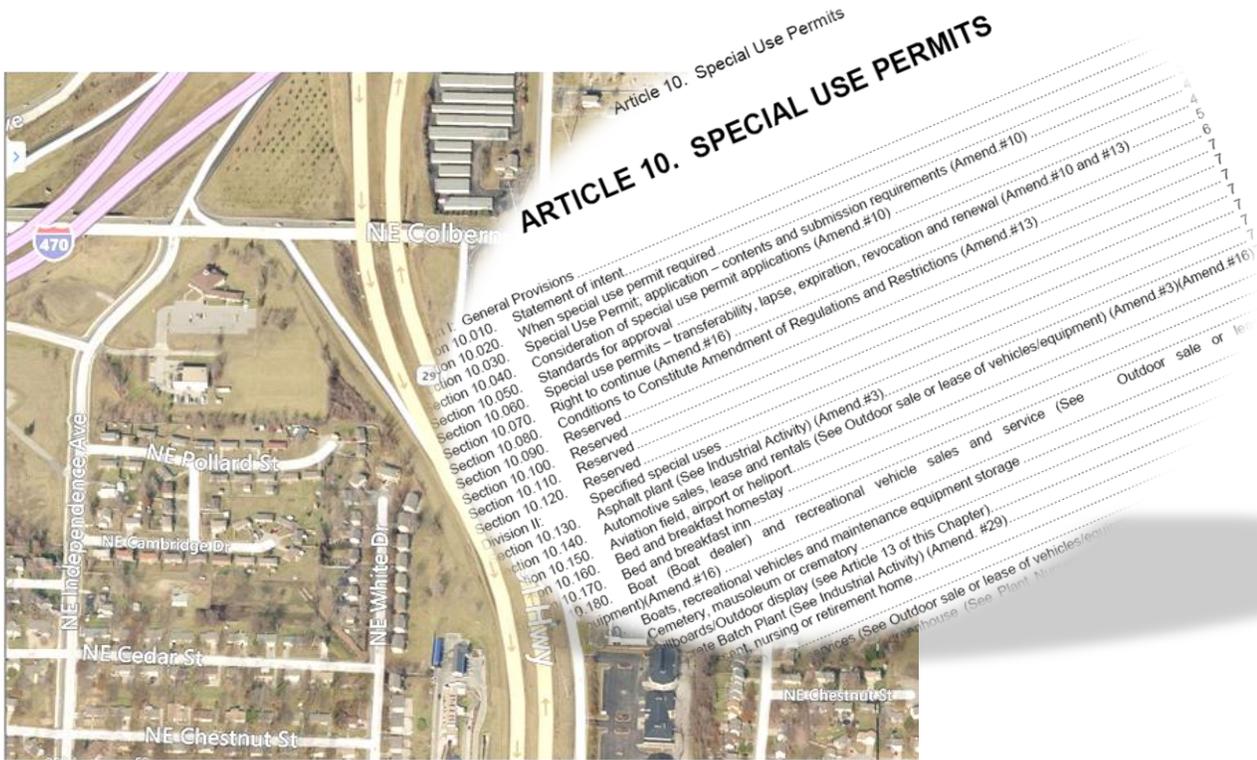
Rezoning Criteria

In considering a rezoning application, the Planning Commission and City Council will give consideration to the criteria stated below to the extent they are pertinent to the particular application (UDO, Section 4.260.B.):

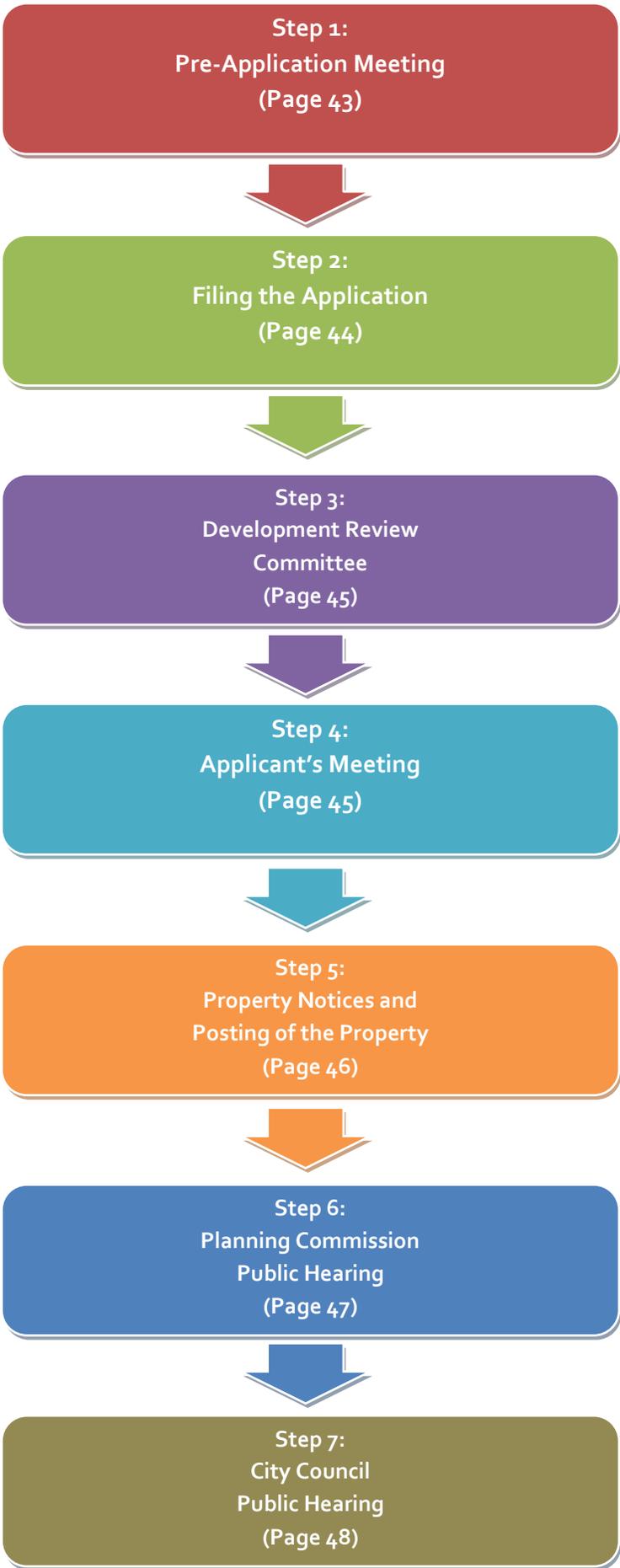
1. The character of the neighborhood.
2. The existing and any proposed zoning and uses of adjacent properties, and the extent to which the proposed use is compatible with the adjacent zoning and uses.
3. The extent to which the proposed use facilitates the adequate provision of transportation, water, sewerage, schools, parks and other public requirements.
4. The suitability of the property for the uses to which it has been restricted under the applicable zoning district regulations.
5. The length of time, if any, the property has remained vacant as zoned.
6. The extent to which the proposed use will negatively affect the aesthetics of the property and neighboring property.
7. The extent to which the proposed use will seriously injure the appropriate use of, or detrimentally affect, 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 the proposed use will negatively affect the values of the property or neighboring properties.
11. The extent to which there is a need for the use in the community.
12. The economic impact of the proposed use on the community.
13. The ability of the applicant to satisfy any requirements applicable to the specific use imposed pursuant to the Unified Development Ordinance (UDO).
14. 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.
15. 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.
16. The conformance of the proposed use to the Comprehensive Plan, the Major Street Plan, the Capital Improvement Plan, and other adopted planning policies.
17. The recommendation of professional staff.
18. The consistency of the proposed use with the permitted uses and the uses subject to conditions in the district in which the proposed rezoning or special use is located.

Rezoning 2.10

Chapter 3: Special Use Permit



Definition:	A <i>SPECIAL USE</i> is a land use type not appropriate as a permitted use in a certain zoning district. A <i>SPECIAL USE PERMIT</i> is required when a land use is listed as a special use in the table of uses in the Unified Development Ordinance (UDO), or the use is not listed in any district.
Public Hearings:	A special use permit requires two public hearings: Planning Commission and City Council.
Approval Authority:	The City Council has the final authority to approve or deny a special use permit.
Length of Process:	A special use permit normally takes a minimum of 3 months from the date of application.



Chapter 3:
Special Use Permit
(UDO Art. 5 & Art.10)
(Web access <http://cityofls.net/Development/Zoning/Unified-Development-Ordinance.aspx>)

Special Use Permit 3.2

Purpose of the Special Use Permit (SUP)

A special use permit is required when proposed uses are not appropriate as a “permitted use” in certain districts. Special uses may have a unique impact on the adjoining uses of land, and are therefore subject to individualized considerations as to location and conditions of use to prevent negative impact and promote the basic purposes of the City’s Unified Development Ordinance (UDO).

A public hearing is required for the Planning Commission to consider a recommendation for City Council consideration. A separate public hearing is also required for the City Council to approve or deny the application. All public hearings require publication notice, notice to surrounding property owners, and postings of signs per Article 4 of the UDO.

When considered for approval by the City Council, special uses may be approved with criteria including, but not limited to, the following:

Neighborhood character; compatibility with adjacent property uses and zoning; impact on the street system; environmental impact; economic impact; recommendation of professional staff; and consistency with permitted uses in the area in which the special use is sought.

When is a Special Use Permit Required?

A Special Use Permit is required and may be granted for the following situations:

- Uses designated as special uses in the Unified Development Ordinance (UDO).
- Uses not designated in the UDO as “permitted uses”, “prohibited uses” or “uses subject to conditions” and not listed in Table 5-1 of Article 5 of the UDO.
- The following uses are allowed as special uses per an approved plan:

Type of Use:	Most common uses requiring special use permit:	Type of Use:	Most common uses requiring special use permit:
Manufacturing, Industrial, Transportation and Storage	Cement, Lime, Gypsum and Plaster of Paris Manufacture	Retail Sales and Services	Automotive Repair Services — Major Repairs
	Concrete Batch Plant		Automotive Sales or Lease
	Landfill Sanitary and Demolition		Boat Sales, Recreation Vehicle Sales, Lease or Rental
	Mining		Crematories
	Mini-Warehouse Facility		Equipment Rental (motorized equipment)
	Recreational vehicles and maintenance equipment storage		Heavy Equipment Sales, Service and or Rental
	Salvage Yard, Scrap Yard, Junkyard and Automobile Wrecking Yard		Hospital
	Tow Lot		Travel Trailer Camp
	Underground Space		Truck Sales and Lease
Residential	Convalescent, Nursing or Retirement Home	Semi-Public Uses and Utilities	Cemetery or Mausoleum
	Group Home for Person w/ Disabilities, Hospice, or Special Care		Recreation Facility or Area, non-commercial (Outdoor)
	Halfway House		Swimming Pool, public
	Manufactured Home Park		Telecommunication Tower/ Antenna Mount

*More information of uses pertaining to districts can be found in Table 5-1 of Art. 5 of the UDO

(Web access <http://cityofls.net/Development/Zoning/Unified-Development-Ordinance.aspx>)

A Special Use Permit is not required if the use is listed as a permitted or conditional use in the UDO.

Special Use Permit 3.3

Tips:
An SUP required for a development may be filed simultaneously with a REZ, PDP and other applications, as applicable.

If a proposed use is not currently defined and listed in the UDO, it requires an SUP.

Step 1: Pre-Application Meeting

The UDO requires the applicant to meet with City Staff at a “Pre-app” meeting prior to submitting an SUP application. Staff members include representatives from Planning and Development, Public Works Engineering (including Traffic), Codes Administration, Fire, and Parks. An exchange of information early in the process can often make the rest of the development go more smoothly.

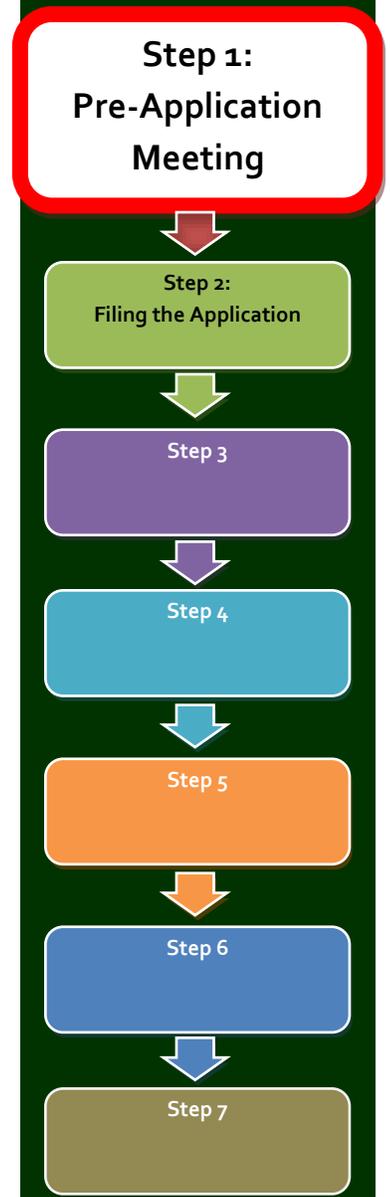
The purposes of the pre-application meeting are:

Project Concept by Applicant – The applicant can explain the proposed development and present any sketches or plans. Detailed plans are not required, but the more information brought to the meeting, the more thorough and specific staff can be in response.

Responses & Directions from Staff – City staff will advise the applicant of:

- Land use considerations, including compatibility with the Comprehensive Plan and adjacent land uses
- Procedural requirements for submitting an application and going through the appropriate process
- Site design regulations, including setbacks, parking, screening, traffic, and others
- Building codes and standards
- Special studies required, such as traffic, stormwater, etc.
- Public sources of information that may aid the applicant
- Policies that may create opportunities or pose significant restraints

Pre-app Appointments – Pre-app meetings are held every Wednesday between 10:00 a.m. and noon, for 30 minutes each. **An appointment is required.** Contact Planning and Development (969-1600) at least 24 hours in advance to schedule a pre-app meeting.



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Tips:

Application information, forms and checklists can be found in the Appendices section of this handbook as well as online at <http://cityofls.net/Development/Development-Process/Applications.aspx>.

Do not forget to include required fees when submitting your application.

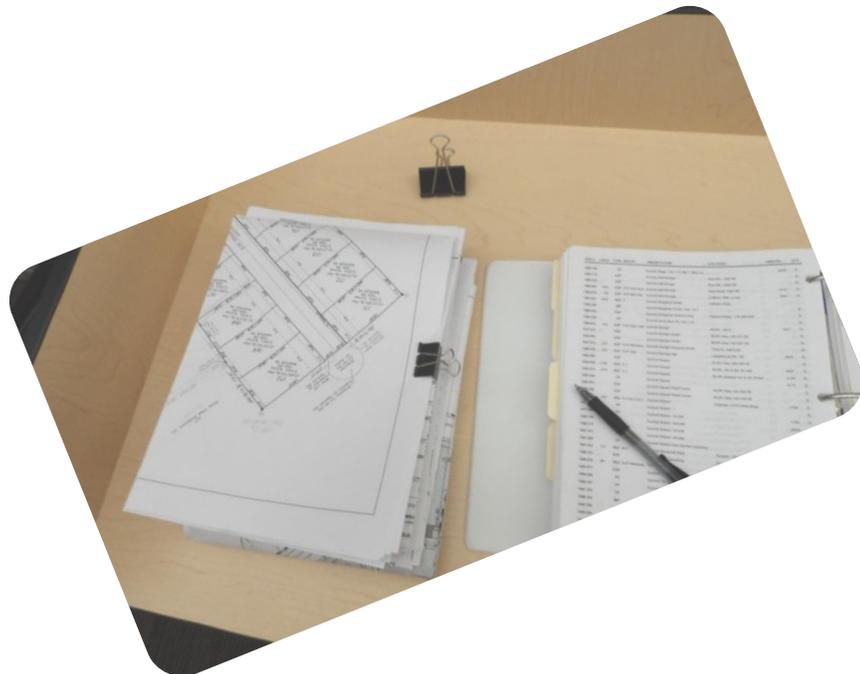
Step 2: Filing the Application

The applicant must submit the following items to the Department of Planning and Development:

- **Application** – A complete application for Special Use Permit. A complete application consists of all items identified in the Submittal Requirements Checklist that can be found in the Appendices.
- **Fees** – Application filing fee and legal notice publishing charge, payable to the City of Lee’s Summit - see Schedule of Fees and Charges in the Appendices. Two legal notices are required for a rezoning application. A single payment can be made for both the application fee and legal notice charges. An application may be withdrawn at any time upon written request; however, no refund will be made after the initial publication.
- **Deadline** – All information must be submitted by the deadline date – see the Deadline Schedule in the Appendices. Items will be placed on the Planning Commission agenda based upon the completeness of the application submittal. All additional information to support the application must be submitted by the deadline.

Some special use permit applications may require a Preliminary Development Plan. If required, the following must be submitted:

- Completed preliminary development plan application form with necessary plans, fee, checklist, etc. as required for the application – see Preliminary Development Plan section of this handbook for details starting on Page 52.



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Step 3: Development Review Committee

Every application goes through a detailed staff review. A Planner is assigned as the project lead to coordinate the review of each application. After the application is submitted, plans are routed to several departments for review and then discussed by the Development Review Committee (DRC). This is a staff-only committee consisting of 10 to 15 representatives of various city departments and divisions. The DRC reviews each item on the agenda and identifies relevant issues. The development departments then prepare written comments for the applicant, which will be sent to all parties listed on the application form (via fax or email) on the Friday before the scheduled Applicant’s Meeting, if required.

Step 4: Applicant’s Meeting

Following the initial staff review of the applicant’s submittal, an Applicant’s Meeting is normally required, unless deemed unnecessary, to provide an opportunity for:

- **Technical Review by Staff** – City staff will provide a technical review of the submitted plans and request any necessary plan revisions.
- **Q&A for Applicant** – The applicant will have an opportunity to ask questions.
- **Review and Approval Process Timeline** – Staff will provide a timeline for the rest of the process. If extensive changes are required or more information is needed to adequately review the application (e.g. additional traffic or engineering studies), the application may be rescheduled to a later Planning 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 Commission meeting, subject to revised plans being submitted by the Revised Plans Due date.
- **Post Meeting** – Revised plans must be submitted by the applicant prior to the next step in the process.

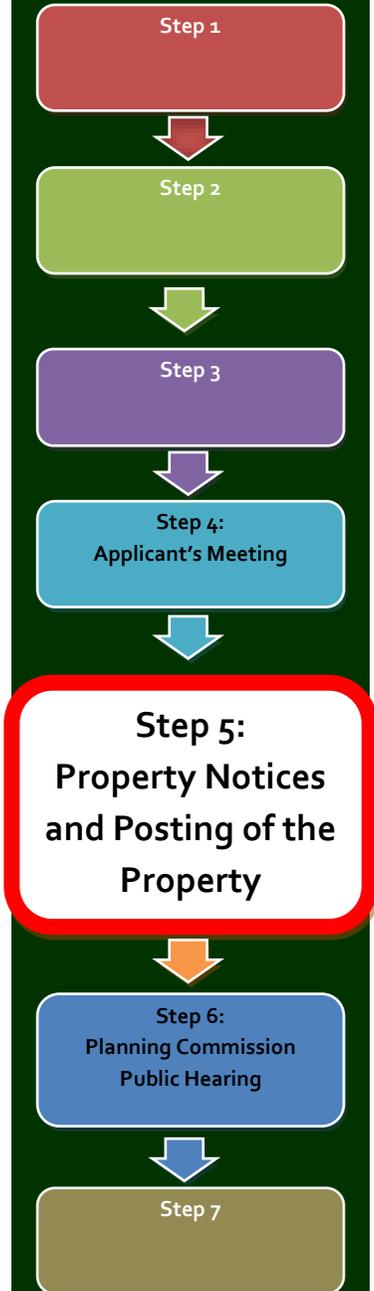
Note: This meeting is *not* the appropriate forum to discuss policy issues or negotiate any agreements. If an application involves policy issues or items that may be resolved through a development agreement, the Lead Planner will schedule a separate meeting with appropriate City staff.



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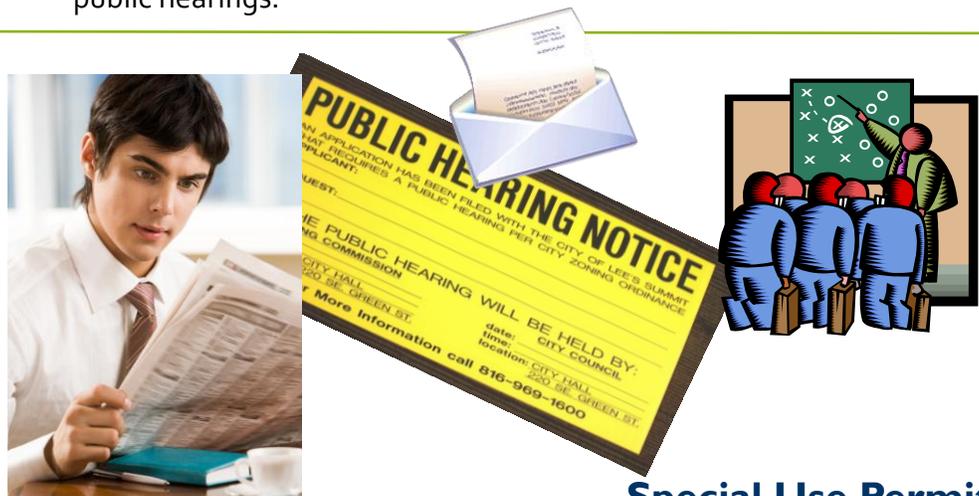
Tip: Notices must be mailed on time and a sign posted, or the application will be delayed.

Step 5: Notices and Posting of the Property



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- **Legal Notice in Newspaper** – City staff will prepare and publish the required legal notice of the time and place of the public hearings, which must be published 15 days prior to the hearing in a newspaper of general circulation, as required by Missouri State Statutes.
- **Notification Letters to Surrounding Property Owners** – The applicant must mail notices by certified mail, to all property owners within 185 feet of the property, at least 15 days prior to the hearing, notifying them of the opportunity to be heard. A form letter for the notice can be obtained from the Planning and Development Department. An affidavit must be submitted certifying that notice has been sent, along with a list of property owners and a copy of the letter sent.
- **Posting of Sign** – The applicant must post a sign (or signs) on the premises at least 15 days prior to the date of the hearings, informing the public of the time and place of the public hearings. The City will furnish the sign(s) to the applicant for posting. The applicant shall make a good faith effort to maintain the sign for at least 15 days immediately preceding the date of the hearings through the hearings, and through any continuances of the hearings. The sign shall be placed within 5 feet of the street right-of-way line in a central position on the property. The sign shall be readily visible to the public. If the property contains more than one street frontage, one sign shall be placed on each street frontage so as to face each of the streets. The sign(s) may be removed at the conclusion of the public hearings and must be removed at the end of all proceedings on the application or upon withdrawal of the application.
- **Neighborhood Meeting** – The Planning Commission and City Council encourage public participation in special use permit decisions; therefore, it is strongly recommended that applicants meet with surrounding property owners and residents prior to the public hearings.



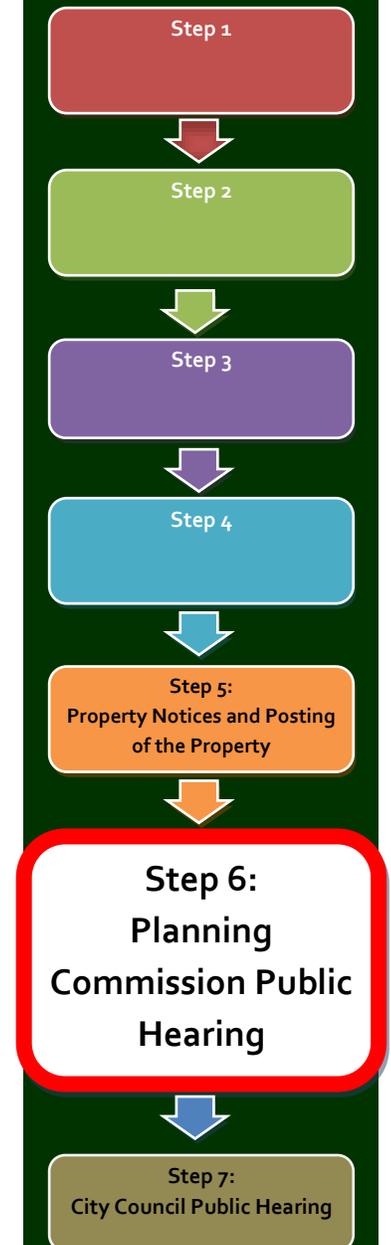
Special Use Permit 3.7

Step 6: Planning Commission Public Hearing

The Planning Commission consists of nine (9) appointed citizens who meet on the second and fourth Tuesdays of each month in the Council Chambers of City Hall at 220 SE Green Street. All meetings are televised on the local cable television government channel. The Commission holds a public hearing on the application and makes a recommendation to the City Council. Common actions by the Planning Commission include “Recommend Approval”, “Recommend Approval with Conditions” or “Recommend Denial.” The Commission may also “Continue” the hearing. The normal procedure of a public hearing includes the following:

- **Presentation by Applicant** – The applicant begins the public hearing with a presentation, which should include a brief description of the proposed project and a response to any concerns raised in the staff report. When applicable, the visual presentations shall be:
 - *In electronic format - on a laptop, CD ROM, DVD, or flash drive. The City’s presentation system can support Word, Excel, Power Point, Adobe, Windows Media Player and Internet Explorer applications.*
 - *Reduced drawings for use on the document camera to display on the screen. Presentation boards will not be allowed, as they cannot be seen by the audience.*
 - *Samples of building materials (samples are required to be brought to the meeting or submitted in advance, and shall be retained by the City); and any additional information which the applicant wishes to bring to the meeting (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 Commissioner’s packets.)*
- **Presentation by Staff** – Staff will then present the staff report and recommendation.
- **Public Comments** – Members of the audience will be given an opportunity to speak. If issues or concerns are raised by the public, the applicant is typically given an opportunity to respond.
- **Commission Discussion and Recommendation** – The Commission members may ask questions of either staff or the applicant. Finally, the public hearing portion of the meeting is closed, and the Planning Commission discusses the action that should be taken and the reasons for that action. The Planning Commission’s action is a recommendation to the City Council to approve, approve with conditions, or deny the application. The Planning Commission may also vote to continue an application to a later meeting to allow further study or the submission of additional information by the applicant or staff. Once the Planning Commission has made a recommendation, a hearing (typically three weeks later) will be scheduled before the City Council.

Tip:
It is strongly recommended that applicants meet with surrounding property owners and residents prior to the hearings.

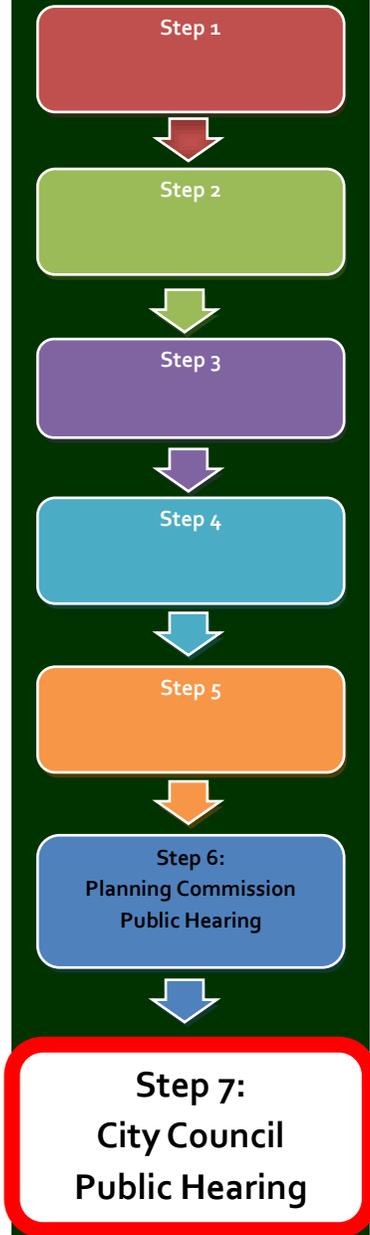


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Step 7: City Council Public Hearing

The Lee’s Summit City Council holds public hearings at their regular meetings on the first and third Thursdays of each month at the Council Chambers of City Hall at 220 SE Green Street.

- **Public Hearing** — The format of the public hearing is similar to that used by the Planning Commission and applicants should plan on making a similar type of presentation. After the City Council has listened to the presentations and to any public comments, they will discuss the application and then take action. The City Council may approve, approve with conditions, disapprove, amend the application or return the application to the Planning Commission for further consideration. If approved, the Council will direct staff to prepare an ordinance granting the special use permit.
- **Ordinance** — The ordinance is normally read at a subsequent City Council meeting and approved or denied.
- **Post Approval** — After Approval has been granted, a special use permit is valid for the specific period of time stated in the permit. A special use permit can be renewed using the same procedure and process as was used for the original approval.



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Special Use Permit 3.9

Special Use Permit Criteria

In considering a special use permit application, the Planning Commission and City Council will give consideration to the criteria stated below to the extent they are pertinent to the particular application (UDO, Section 10.050.B.):

1. Character of the neighborhood.
2. Compatibility with adjacent property uses and zoning.
3. Suitability of the property for which the special use is being requested.
4. Extent to which the proposed use will negatively impact the aesthetics to the property and adjoining property.
5. Extent to which the proposed use will injure the appropriate use of, or detrimentally affect, neighboring property.
6. Impact on the street system to handle traffic and/or parking.
7. Impact of additional storm water runoff to the existing system or to the water shed area if no storm sewer is available.
8. Impact of noise pollution or other environmental harm.
9. Potential negative impact on neighborhood property values.
10. Extent to which there is need of the proposed use in the community.
11. Economic impact upon the community.
12. Extent to which public facilities and services are available and adequate to satisfy the demand generated by the proposed use.
13. Comparison of the benefit gained to the public health, safety and welfare of the community if approved versus the hardship imposed upon the landowner if the requested application is denied.
14. Conformance to the Unified Development Ordinance (UDO), and current city policies and ordinances.
15. Recommendation of professional staff.
16. Consistency with permitted uses in the area in which the special use is sought.

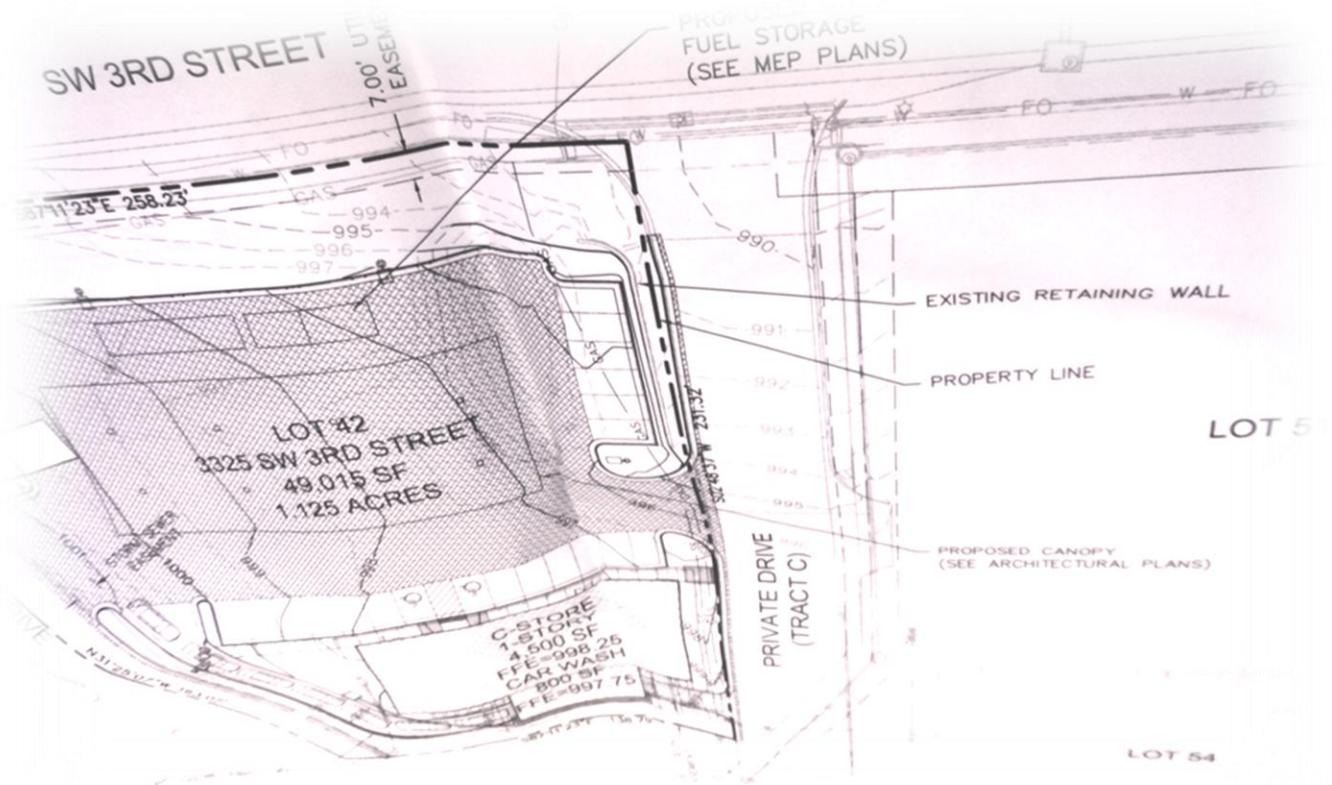


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Special Use Permit 3.10

Chapter 4:

Development Plans



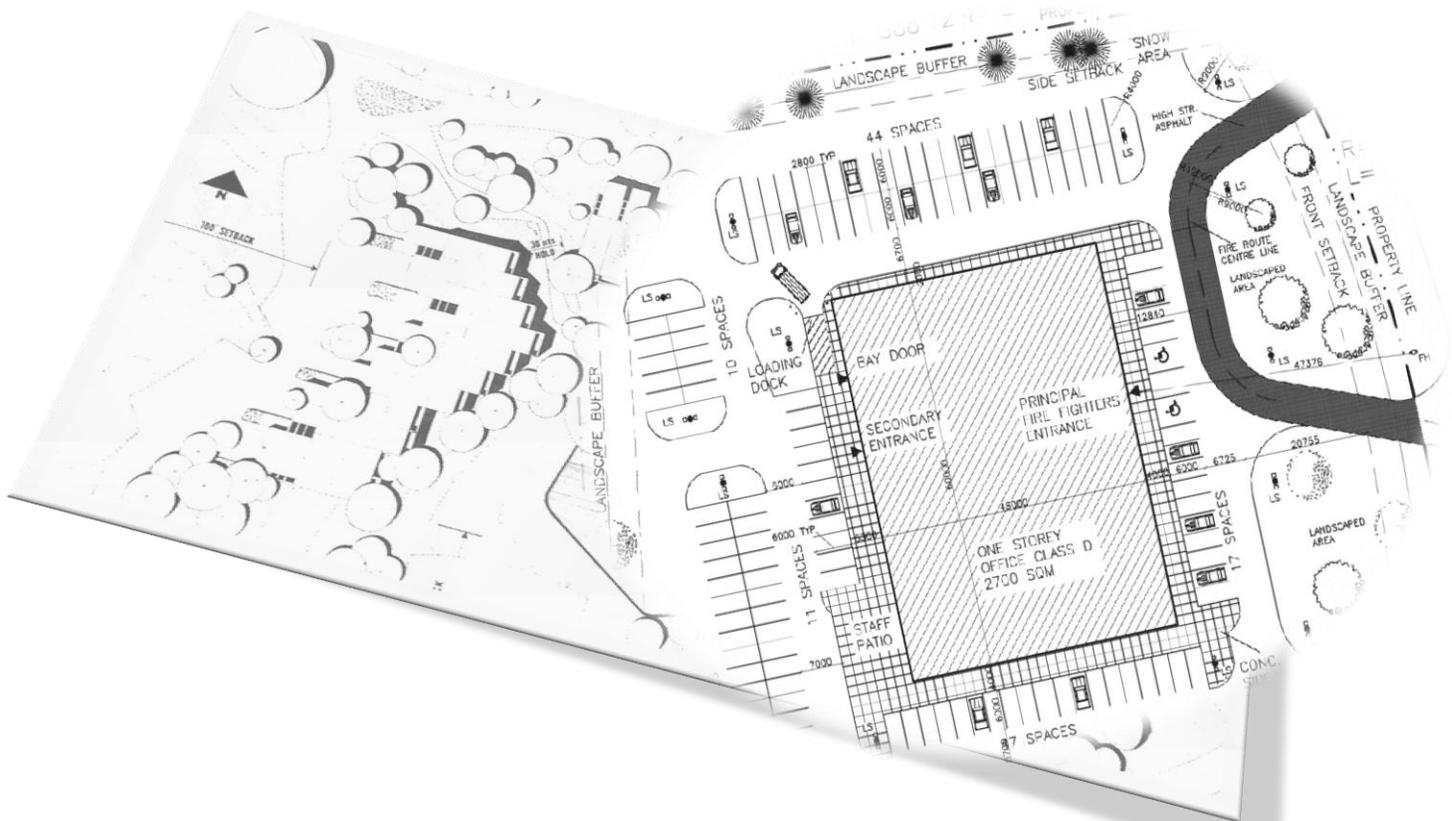
Development Plans: A development plan depicts site characteristics and development information on the layout of buildings and parking areas, building elevations, and the relationship of the proposed development to existing or proposed development on surrounding property.

Development plans are of two types representing two stages of development planning and approval: Preliminary Development Plan (PDP) and Final Development Plan (FDP). This chapter includes two sections.

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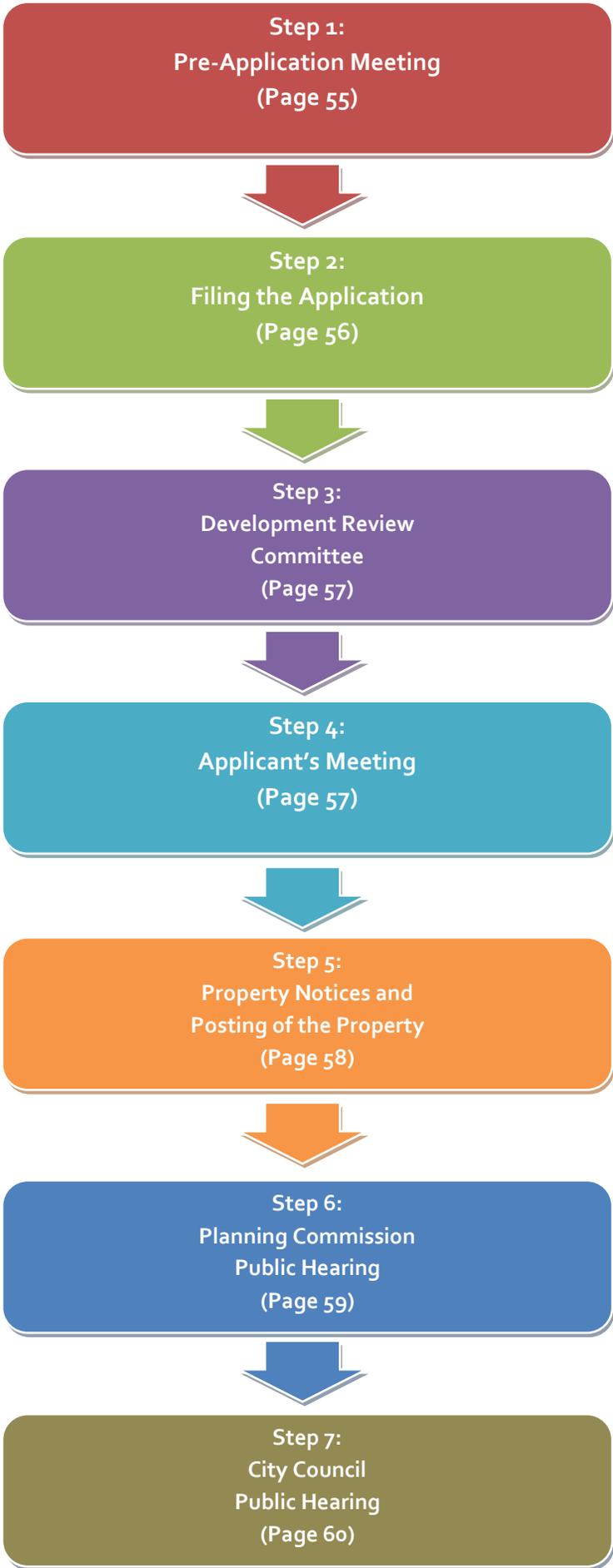
Chapter 4 – A:

Preliminary Development Plan



Definition:	A <u>PRELIMINARY DEVELOPMENT PLAN</u> (PDP) is an overall plan of the proposed layout of a subdivision or development site that is submitted as the initial step before a Final Development Plan (FDP) is submitted for approval. A PDP frequently includes multiple phases of development.
Requirement:	A PDP is required with a rezoning application in a planned district, the development of a vacant property in a planned district, the redevelopment of any property or a non-residential use in any district.
Public Hearings:	A PDP requires two public hearings for approval: Planning Commission and City Council.
Approval Authority:	The City Council has final authority to approve or deny a PDP.
Length of Process:	A PDP normally takes a minimum of 3 months from the date of application.
Effective Period:	A PDP is valid for 2 years if approved.

Preliminary Development Plan 4A.1



**Chapter 4 – A:
Preliminary Development
Plan
(UDO Article 4 Section 4)**
(Web access <http://cityofs.net/Development/Zoning/Unified-Development-Ordinance.aspx>)

Special Note: Certain rezoning applications require a PDP and, when required, the rezoning and PDP become one combined application, instead of two separate applications.

Preliminary Development Plan 4A.2

Purpose of the Preliminary Development Plan (PDP)

The purpose of a preliminary development plan is for the City Council to consider the proposed development of a particular parcel of property. The preliminary development plan shows the general concept for the entire development, including one or more phases. Public notice is required and a public hearing will be held before both the Planning Commission and the City Council.

The plan includes a site plan showing the layout of buildings and parking areas, proposed building elevations, and the relationship of the proposed development to existing or proposed development on surrounding property. The City's Unified Development Ordinance (UDO) contains regulations for each zoning district that specify permitted uses, required yard setbacks, maximum building height, parking requirements, and related development standards.

The Planning Commission and City Council will consider any concerns that surrounding property owners or members of the general public may have regarding the proposed development and its impact on the community.

After approval of a preliminary development plan, all subsequent development applications and construction activities are required to be consistent with this preliminary development plan. Making significant revisions to the plan requires going through the same notification and public hearing process that was required for the original approval.

When is a Preliminary Development Plan Required?

A Preliminary Development Plan (PDP) application is required for the following situation:

- The rezoning of a property to any district except districts Agricultural (AG), Rural Density Residential (RDR), Residential Large Lot (RLL) and Single-family Residential (R-1)
- The development of any vacant property in a planned district
- The redevelopment of any property
- A change in the primary use of property that negatively impacts traffic circulation or significantly intensifies traffic generation necessitating the formation and approval of a development agreement by and between the developer and the Governing Body for identified traffic improvements
- The development of a non-residential use in the AG, RDR, RLL, and R-1 districts
- The request for any modification of the Unified Development Ordinance (UDO) on a plan or plat
- A substantial change to an approved preliminary development plan as defined in the UDO
- A preliminary development plan may be required in connection with a request for a special use permit

A PDP is not required for the following situations:

- Rezoning to AG, RDR, RLL or R-1, for residential development, provided no modifications are requested to UDO regulations
- Development of property in Planned Commercial Services (CS) and Planned Industrial (PI) districts, provided no modifications of the UDO are requested
- City initiated rezoning of any property
- A building addition onto an existing building that did not require a PDP, provided that a substantial change would not be created per the UDO

Preliminary Development Plan 4A.3

Step 1: Pre-Application Meeting

The Unified Development Ordinance (UDO) requires the applicant to meet with City Staff at a “Pre-app” meeting prior to submitting a preliminary development plan application. Staff members include representatives from Planning and Development, Public Works Engineering (including Traffic), Codes Administration, Fire, and Parks. An exchange of information early in the process can often make the rest of the development go more smoothly. The purposes of the pre-application meeting are:

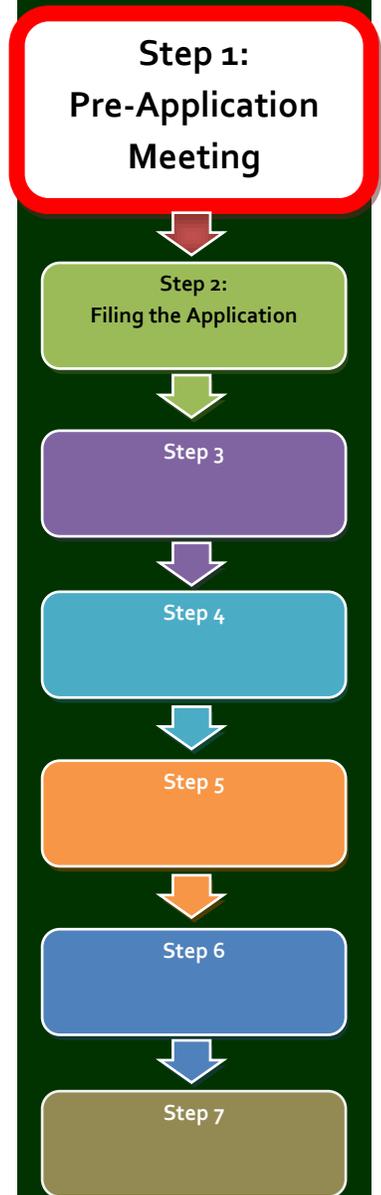
Project Concept by Applicant – The applicant can explain the proposed development and present any sketches or plans. Detailed plans are not required, but the more information brought to the meeting, the more thorough and specific staff can be in response.

Response and Direction from Staff – City staff will advise the potential applicant of:

- Land use considerations, including compatibility with the Comprehensive Plan and adjacent land uses
- Procedural requirements for submitting an application and going through the appropriate process
- Site design regulations, including setbacks, parking, screening, traffic, and other considerations.
- Building code regulations
- Special studies required, such as traffic, stormwater, etc.
- Public sources of information that may aid the potential applicant
- Policies that may create opportunities or pose significant restraints

Pre-app Appointments – Pre-app meetings are held every Wednesday between 10:00 a.m. and noon, for 30 minutes each. **An appointment is required.** Contact Planning and Development (969-1600) at least 24 hours in advance to schedule a pre-app meeting.

Tips:
Normally, one Pre-application Meeting can cover multiple application types pertaining to the same project if these applications are to go through the approval process simultaneously.



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Tips:
Application information, forms and checklists can be found in the Appendices section of this handbook as well as online at <http://cityofls.net/Development/Development-Process/Applications.aspx>.

Do not forget to include required fees when submitting your application.



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Step 2: Filing the Application

The applicant must submit the following items to the Department of Planning and Development:

- **Application** – A complete application for Preliminary Development Plan (PDP). A complete application consists of all items identified in the Submittal Requirements Checklist that can be found in the Appendices.
- **Fees** – Application filing fee and legal notice publishing charge, payable to the City of Lee's Summit - see Schedule of Fees and Charges in the Appendices. Two legal notices are required for a rezoning application. A single payment can be made for both the application fee and legal notice charges. An application may be withdrawn at any time upon written request; however, no refund will be made after the initial publication.
- **Deadline** – All information must be submitted by the deadline date – see the Deadline Schedule in the Appendices. Items will be placed on the Planning Commission agenda based upon the completeness of the application submittal. All additional information to support the application must be submitted by the deadline.



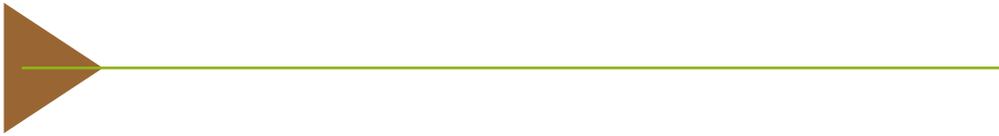
Preliminary Development Plan 4A.5

Tips:

DRC meets on a weekly basis.

Step 3: Development Review Committee

Every application goes through a detailed staff review. A Planner is assigned as the project lead to coordinate the review of each application. After the application is submitted, plans are routed to several departments for review and then discussed by the Development Review Committee (DRC). This is a staff-only committee consisting of 10 to 15 representatives of various city departments and divisions. The DRC reviews each item on the agenda and identifies relevant issues. The development departments then prepare written comments for the applicant, which will be sent to all parties listed on the application form (via fax or email) on the Friday before the scheduled Applicant’s Meeting, if required.



Step 4: Applicant’s Meeting

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- **Technical Review by Staff** – City staff will provide a technical review of the submitted plans and request any necessary plan revisions.
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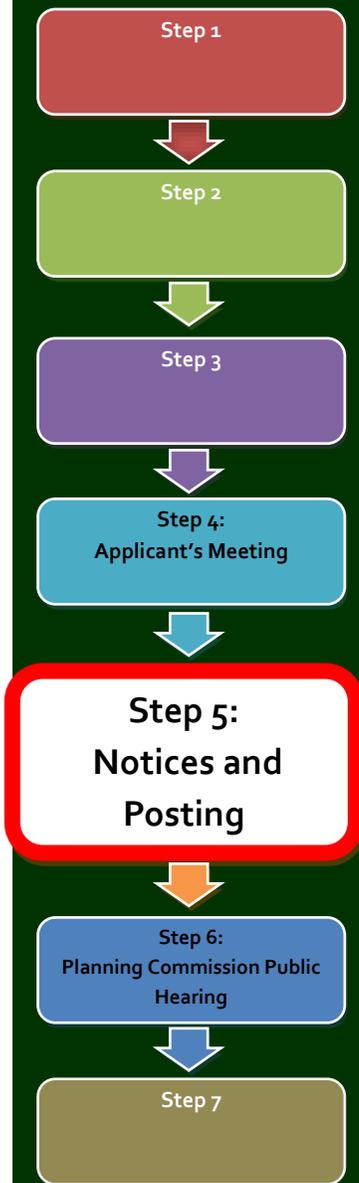


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Tip:
Notices must be mailed on time and a sign posted, or the application will be delayed.

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- **Legal Notice in Newspaper** – City staff will prepare and publish the required legal notice of the time and place of the public hearings, which must be published 15 days prior to the hearing in a newspaper of general circulation, as required by Missouri State Statutes.
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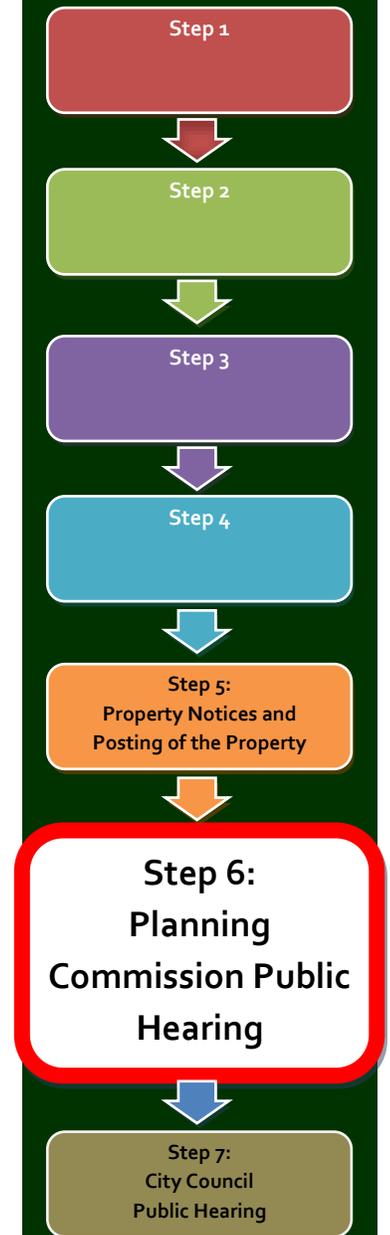


Step 6: Planning Commission Public Hearing

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Tip:
It is strongly recommended that applicants meet with surrounding property owners and residents prior to the hearings.

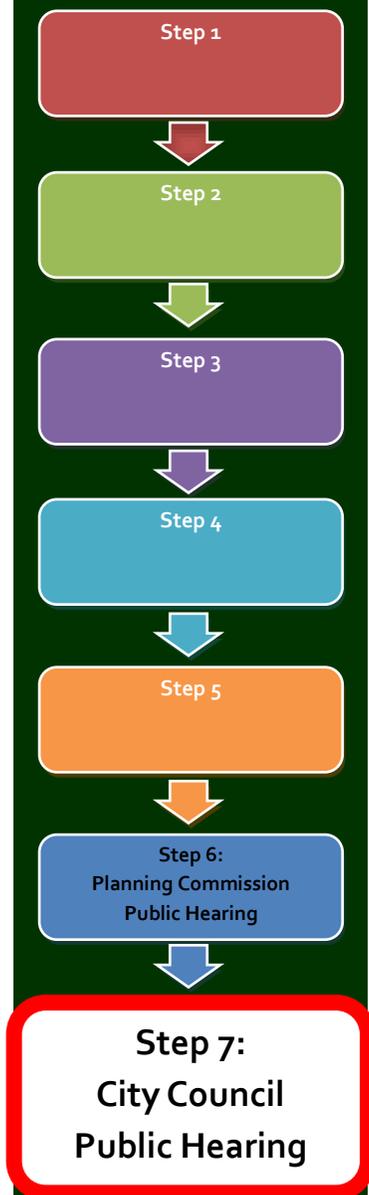


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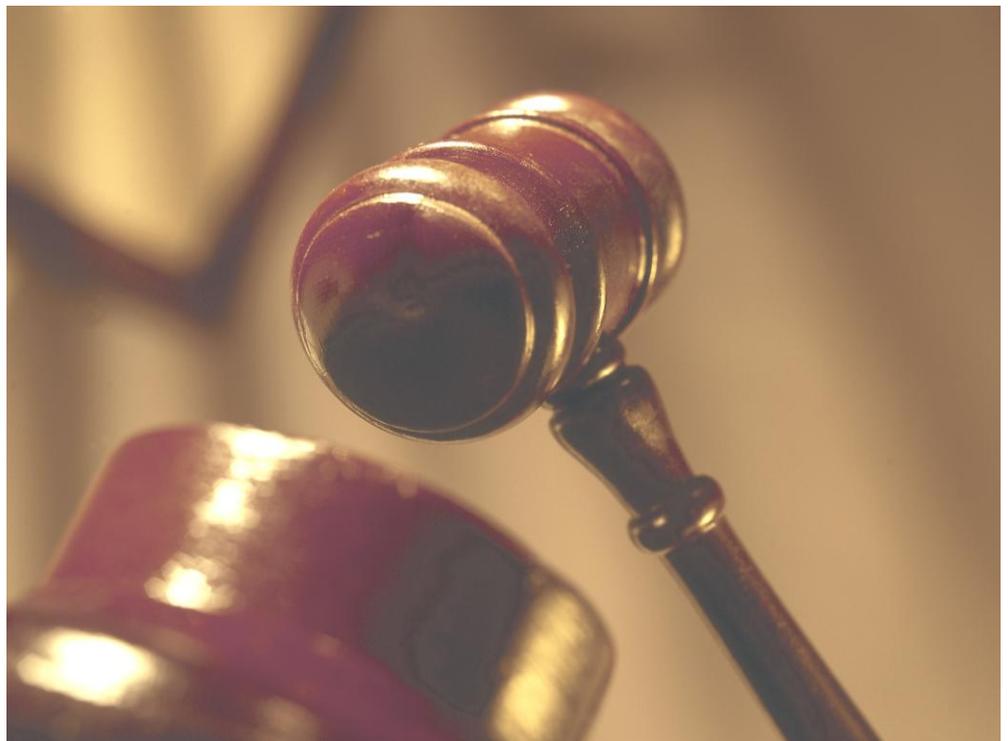
Step 7: City Council Public Hearing

The Lee's Summit City Council holds public hearings at their regular meetings on the first and third Thursdays of each month at the Council Chambers of City Hall at 220 SE Green Street.

- **Public Hearing** — The format of the public hearing is similar to that used by the Planning Commission and applicants should plan on making a similar type of presentation. After the City Council has listened to the presentations and to any public comments, they will discuss the application and then take action. The City Council may approve, approve with conditions, deny, amend the application or return the application to the Planning Commission for further consideration. If approved, the Council will direct staff to prepare an ordinance approving the preliminary development plan.
- **Ordinance** — The ordinance is normally read at a subsequent City Council meeting and either approved or denied.
- **Post Approval** – After approval has been granted, a preliminary development plan is valid for 2 years. The City Council may grant one extension for an additional 12 months.



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Preliminary Development Plan 4A.9

Preliminary Development Plan Criteria

In considering a preliminary development plan application, the Planning Commission and City Council will give consideration to the criteria stated below to the extent they are pertinent to the particular application (UDO, Section 4.260.B.):

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 the proposed use facilitates the adequate provision of transportation, water, sewerage, schools, parks and other public requirements.
4. The suitability of the property for the uses to which it has been restricted under the applicable zoning district regulations.
5. The length of time, if any, the property has remained vacant as zoned.
6. The extent to which the proposed use will negatively affect the aesthetics of the property and neighboring property.
7. The extent to which the proposed use will seriously injure the appropriate use of, or detrimentally affect, 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 the proposed use will negatively affect the values of the property or neighboring properties.



Preliminary Development Plan 4A.10

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Preliminary Development Plan Criteria

11. The extent to which there is a need for the use in the community.
12. The economic impact of the proposed use on the community.
13. The ability of the applicant to satisfy any requirements applicable to the specific use imposed pursuant to the Unified Development Ordinance (UDO).
14. 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.
15. 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.
16. The conformance of the proposed use to the Comprehensive Plan, the Major Street Plan, the Capital Improvement Plan, and other adopted planning policies.
17. The recommendation of professional staff.
18. The consistency of the proposed use with the permitted uses and the uses subject to conditions in the district in which the proposed rezoning or special use is located.

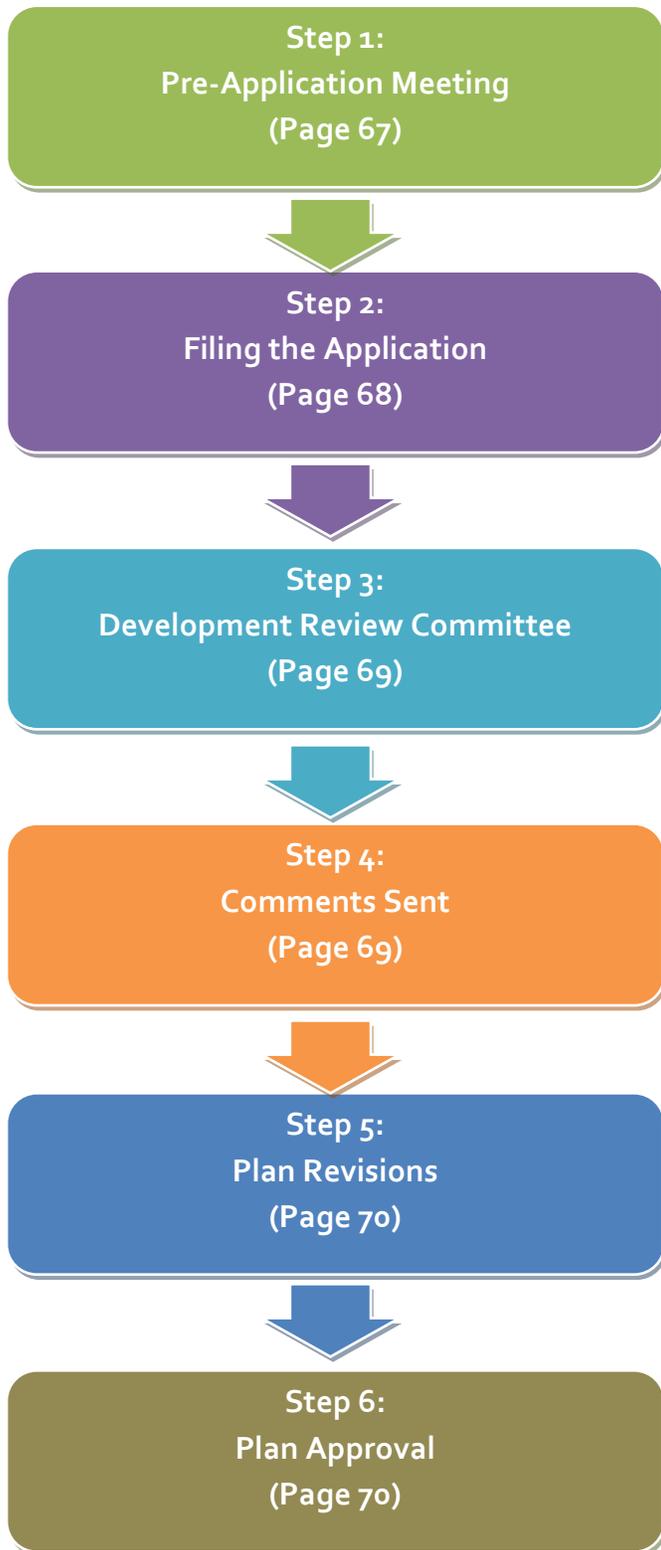
In addition, the Planning Commission and City Council will give consideration to the criteria stated below to the extent they are pertinent to the particular application (UDO, Section 4.260.C.):

1. Development is designed, located and proposed to be operated so that the public health, safety and welfare will be protected.
2. Development will not impede the normal and orderly development and improvement of the surrounding property.
3. Development incorporates adequate ingress and egress and an internal street network that minimizes traffic congestion.



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Chapter 4 - B:
Final Development Plan
(Article 4 Section IV)

(Web access <http://cityofls.net/Development/Zoning/Unified-Development-Ordinance.aspx>)

Purpose of a Final Development Plan (FDP)

After land use decisions have been made and preliminary development plans (PDP) approved, staff considers final development plans (FDP) for each phase of a development. While preliminary development plans include the general concept for the entire development, often of multiple phases, final development plans include detailed drawings focused on one phase of the development.

The final development plan must be substantially consistent with the preliminary development plan. If the changes between preliminary and final development plans are minor or there is no change, an FDP can be submitted; if the changes are substantial, a revised preliminary development plan (PDP) must be submitted for reviewing through the public hearing process. "Minor changes" and "substantial changes" are defined in the UDO, Article 4.

The plans submitted for an FDP application should be of construction plan quality and shall include detailed site information, building elevations and landscaping.

When is a Final Development Plan Required?

Final development plans are required for the following:

- **New Building for Office, Commercial, Institutional or Other Non-residential Uses** – The development of any property for which a preliminary development plan has been approved. If there are substantial changes between preliminary development plan and final development plan, a revised preliminary development plan is required. See Unified Development Ordinance (UDO) Article 4 for definition of substantial and minor changes.
- **Building Addition** – Building additions onto an existing building that did not require a preliminary development plan, provided that a substantial change would not be created. An example of a substantial change is an increase in total floor area by greater than 25%. See UDO Article 4 for definition and complete list of substantial changes.
- **Parking Lot** –
 - The construction of a new parking lot, provided no modifications of the Unified Development Ordinance (UDO) requirements are requested.
 - An addition to an existing parking lot or change in configuration of an existing parking lot, provided no modifications of UDO requirements are requested.
- **Subdivision Swimming Pools** – The construction of a neighborhood pool, with associated building and parking area.
- **Industrial Building** – The development of any property in the Planned Commercial Services (CS) or Planned Industrial (PI) districts provided no modifications to UDO requirements are requested.
- **Residential** – Duplex and multi-family planned districts. The preliminary development plan is approved at the time of the rezoning, and any special setbacks are approved at that time. The final development plan can be for the overall subdivision, or a portion of it to match the plat or the phasing plan.

A final development plan is **not** required for single family lots in a Planned Single-family Residential District (RP-1) or Planned Mixed Use (PMIX) District. These are handled through the building permit process.

Final development plans, engineering plans and building permits are separate submittals, but there is some overlap in the drawings (e.g., the site plan should be the same in all submittals). Engineering plans are required for a final development plan when there are public improvements (e.g., water line). Engineering plans shall be submitted to Public Works for review and must be approved prior to approving the final development plan.

A building permit application is a separate submittal and is reviewed by Codes and Fire. The building permit application can be submitted to the Codes Administration Department at any time but the building permit will not be issued until the final development plan and engineering plans have been approved.

A Final Development Plan application will not be reviewed until the Engineering Plans have been submitted.

Step 1: Pre-Application Meeting

A “Pre-app” meeting is usually not required for a final development plan (FDP). However, if an FDP does not require an approval of a preliminary development plan (PDP), the FDP will require a “Pre-app” meeting. In addition, a “Pre-app” meeting is encouraged if the following circumstances apply: 1) the approved PDP is changed; or 2) the developer has questions prior to submitting the application.

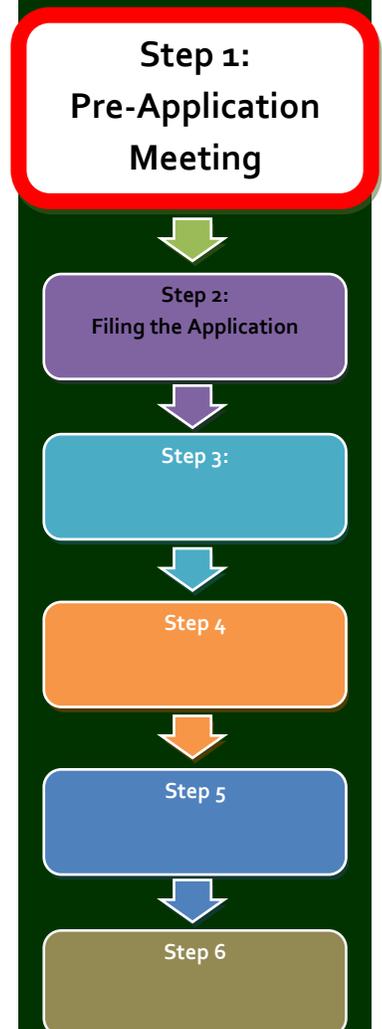
The purposes of the pre-application meeting are:

Project Concept by Applicant – The applicant can explain the proposed development and present any sketches or plans. Detailed plans are not required, but the more information brought to the meeting, the more thorough and specific staff can be in response.

Response and Direction from Staff – City staff will advise the potential applicant of:

- Land use considerations, including compatibility with the Comprehensive Plan and adjacent land uses
- Procedural requirements for submitting an application and going through the appropriate process
- Site design regulations, including setbacks, parking, screening, traffic, and other considerations.
- Building code regulations
- Special studies required, such as traffic, stormwater, etc.
- Public sources of information that may aid the potential applicant
- Policies that may create opportunities or pose significant restraints

Pre-app Appointments – Pre-app meetings are held every Wednesday between 10:00 a.m. and noon, for 30 minutes each. **An appointment is required.** Contact Planning and Development (969-1600) at least 24 hours in advance to schedule a pre-app meeting.



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*Tips:
A Final Development Plan application will not be reviewed until the Engineering Plans have been submitted.*

Do not forget the required fees when submitting the application.

Step 2: Filing the Application

The applicant must submit the following items to the Department of Planning and Development:

- **Application** – A complete application for final development plan. A complete application consists of all items identified in the Submittal Requirements Checklist that can be found in the Appendices.
- **Fees** – Application filing fee, payable to the City of Lee’s Summit - see Schedule of Fees and Charges in the Appendices.
- **Deadline** – There is no applicable deadline for an FDP submittal.

Final Development Plan applications will be placed on the Development Review Committee agenda based upon the completeness and date of the application submittal. Applicant needs to make sure all information supporting the application is submitted with the application. Information missing or not submitted with the application will result in a delay in processing the application.

Engineering Plans:

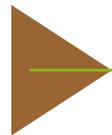
Required engineering plans should be submitted at the same time as the Final Development Plan for any public improvements, such as public sanitary and storm sewers, water lines and streets. Engineering plans will be reviewed to determine if the water, sanitary sewer system, storm sewer system, streets and erosion control in the proposed development comply with the General Design standards in the City’s Design and Construction Manual (D&C).



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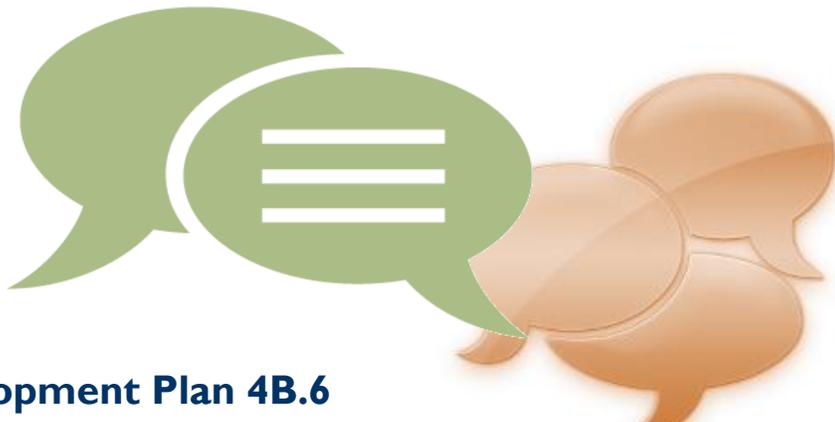
Step 3: Development Review Committee

Every application goes through a detailed staff review. A Planner is assigned as the project lead to coordinate the review of each application. After the application is submitted, plans are routed to several departments for review and then discussed by the Development Review Committee (DRC). This is a staff-only committee consisting of 10 to 15 representatives of various city departments and divisions. The DRC reviews each item on the agenda and identifies relevant issues. The development departments then prepare written comments for the applicant, which will be sent to all parties listed on the application form (via fax or email) on the Friday before the scheduled Applicant’s Meeting, if required.

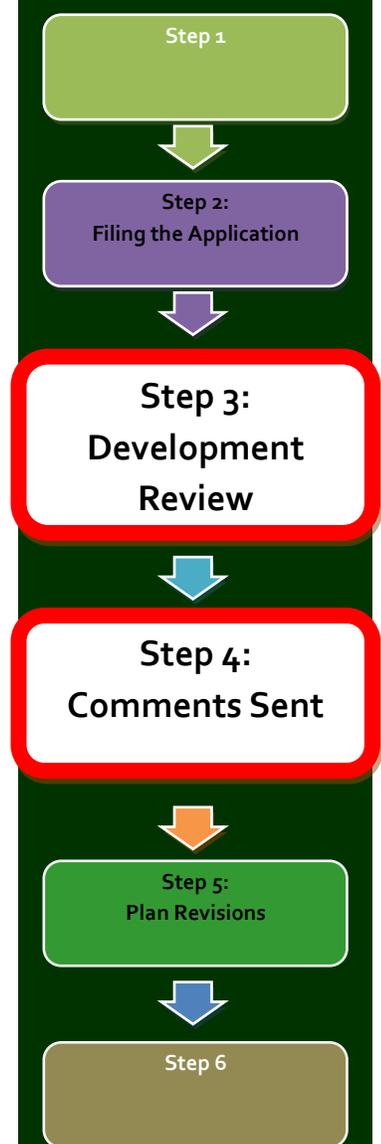


Step 4: Comments Sent

The Planning staff will coordinate written comments from the various development departments after the Development Review Committee meeting. Staff comments will be sent to all parties listed on the application form (via fax or email) within 10 business days from the date a complete application was submitted. All comments will be consolidated and sent at one time. The written comments will state whether a revision is necessary or the final development plan has been approved.



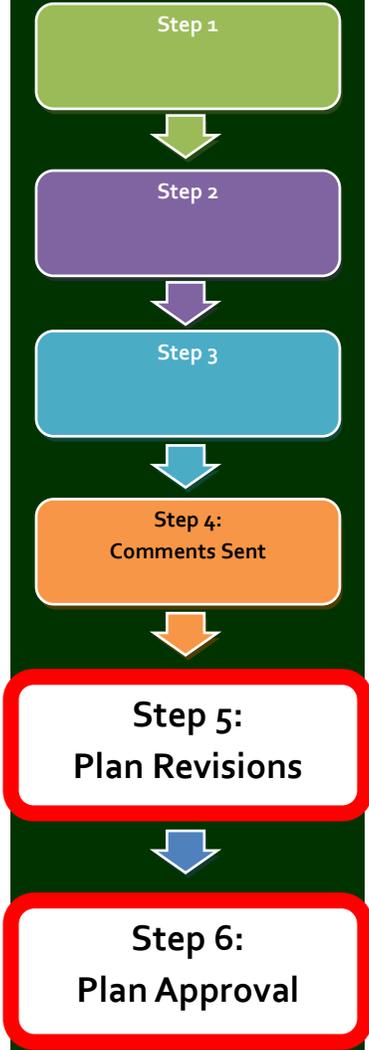
Final Development Plan 4B.6



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Step 5: Plan Revisions

If required, plans need to be revised and resubmitted to address the comments in Step 4. See application instructions in the Appendices for number of plan sets to be resubmitted. Staff review comments on the resubmitted plans will be sent to all parties within five (5) business days. 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. This step can be repeated several times depending on whether all corrections/revisions have been completed satisfactorily.



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Step 6: Plan Approval

Plan approval is sometimes given with conditions which must be satisfied prior to issuance of the permit or prior to occupancy. When all corrections have been made and the plans are ready to be approved, the Public Works department will sign and stamp their plan sets and forward to Planning and Development. Planning and Development will stamp and approve the plan sets and forward to the Codes Administration Department to be included with the building permit application.

Post Approval – After approval has been granted, a Final Development Plan is valid for 12 months. The City Council may grant one extension for an additional 12 months.



Final Development Plan 4B.7

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Chapter 5:

Platting



Platting: A **PLAT** is a division of land into lots or tracts. A plat includes both a written legal description and a graphical depiction of the real estate to be divided.

The three types of plats are:

Preliminary Plat – A Preliminary Plat (PP) shows the overall development pattern for a subdivision, including lots and streets, and must provide for adequate infrastructure to serve the proposed development.

Final Plat – A Final Plat (FP) represents one phase of development within a PP. A FP is required prior to the sale or development of any property that involves a division of land. The FP must be recorded prior to any building permits being issued.

Minor Plat – A Minor Plat (MP) may be permitted for a subdivision of 3 lots or less, with no new streets. A MP must be recorded prior to any building permits being issued.

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Chapter 5 – A:

Preliminary Plat



Definition:	A <i>PRELIMINARY PLAT (PP)</i> shows the proposed layout of a subdivision and how it will be served by street and utilities. A Preliminary Plat is required before a Final Plat can be submitted.
Requirement:	A phasing plan must be submitted if the project is to be final platted in more than one phase.
Approval Authority:	The Planning Commission has the final authority to approve a PP. A denial may be appealed to the City Council.
Length of Process:	A PP normally takes a minimum of 2 months from the date of application.
Effective Period:	A PP is effective for two (2) years from the date of approval. It expires if no final plat is submitted within the two-year period.

Step 1:
Pre-Application Meeting
(Page 77)



Step 2:
Filing the Application
(Page 78)



Step 3:
Development Review
Committee
(Page 78)



Step 4:
Applicant's Meeting
(Page 79)



Step 5:
Planning Commission Action
(Page 80)

**Chapter 5 – A:
Preliminary Plat
(UDO Article 16 Division II)**
(Web access
<http://cityofls.net/Development/Zoning/Unified-Development-Ordinance.aspx>)

Purpose of the Preliminary Plat (PP)

A Preliminary Plat (PP) shows the overall development pattern for a subdivision, including lots and streets, and must provide for adequate infrastructure to serve the proposed development. A Preliminary Plat typically includes multiple phases for final platting. A Preliminary Plat is an initial step toward a Final Plat.

When Is a Preliminary Plat Required?

A Preliminary Plat (PP) is required for the approval of any subdivision of land that is not a minor subdivision. Approval of a preliminary plat is required before a Final Plat (FP) may be considered.

Subdivision plats show:

- sizes and shapes of lots
 - relationship between existing and future streets
 - location of proposed public improvements
 - location of lands dedicated for public purposes
- Preliminary Plats are approved by the Planning Commission. A denial by the Planning Commission may be appealed to the City Council.
 - The preliminary plat cannot be approved unless the subdivider presents evidence that:
 - all submission requirements have been satisfied;
 - the plat conforms to the requirements of the Unified Development Ordinance (UDO);
 - the subdivision represents an overall development pattern that is consistent with the Comprehensive Plan, the Thoroughfare Master Plan and other plans and policies adopted by the City;
 - 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; and
 - compatibility is provided between subdivisions.



Step 1: Pre-Application Meeting

The Unified Development Ordinance (UDO) requires the applicant to meet with City Staff at a “Pre-app” meeting prior to submitting a preliminary plat application. Staff members include representatives from Planning and Development, Public Works Engineering (including Traffic), Codes Administration, Fire, and Parks. An exchange of information early in the process can often make the rest of the development go more smoothly. The purposes of the pre-application meeting are:

Project Concept by Applicant – The applicant can explain the proposed development and present any sketches or plans. Detailed plans are not required, but the more information brought to the meeting, the more thorough and specific staff can be in response.

Response and Direction from Staff – City staff will advise the potential applicant of:

- Land use considerations, including compatibility with the Comprehensive Plan and adjacent land uses
- Procedural requirements for submitting an application and going through the appropriate process
- Site design regulations, including setbacks, parking, screening, traffic, and other considerations.
- Building code regulations
- Special studies required, such as traffic, stormwater, etc.
- Public sources of information that may aid the potential applicant
- Policies that may create opportunities or pose significant restraints

Pre-app Appointments – Pre-app meetings are held every Wednesday between 10:00 a.m. and noon, for 30 minutes each. **An appointment is required.** Contact Planning and Development (969-1600) at least 24 hours in advance to schedule a pre-app meeting.



Tip:
A pre-application meeting is required for a preliminary plat.

An applicant's meeting is optional; one is scheduled if either the applicant or staff have issues to discuss.

Step 1: Pre-Application Meeting

Step 2: Filing the Application

Step 3

Step 4

Step 5

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Preliminary Plat 5A.4

Tips:
Application information, forms and checklists can be found in the Appendices section of this handbook as well as online at <http://cityofls.net/Development/Development-Process/Applications.aspx>.

Do not forget to include required fees when submitting your application.

Step 2: Filing the Application

The applicant needs to submit the following items to the Planning and Development Department:

- **Application** – A complete application for Preliminary Plat (PP). A complete application consists of all items identified in the Submittal Requirements Checklist provided in the Appendices.
- **Fees** – Application filing fee, payable to the City of Lee’s Summit – See Schedule of Fees and Charges in the Appendices.
- **Deadline** – All information must be submitted by the deadline. Preliminary plat applications will be placed on the Planning Commission agenda based upon the completeness of the application submittal. All additional information to support the application must be submitted by the deadline.



Step 3: Development Review Committee

Every application goes through a detailed staff review. A Planner is assigned as the project lead to coordinate the review of each application. After the application is submitted, plans are routed to several departments for review and then discussed by the Development Review Committee (DRC). This is a staff-only committee consisting of 10 to 15 representatives of various city departments and divisions. The DRC reviews each item on the agenda and identifies relevant issues. The development departments then prepare written comments for the applicant, which will be sent to all parties listed on the application form (via fax or email) on the Friday before the scheduled Applicant’s Meeting, if required.

Preliminary Plat 5A.5

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Step 4: Applicant's Meeting

Following the initial staff review of the applicant's submittal, an Applicant's Meeting is normally required, unless deemed unnecessary, to provide an opportunity for:

- **Technical Review by Staff** – City staff will provide a technical review of the submitted plans and request any necessary plan revisions.
- **Q&A for Applicant** – The applicant will have an opportunity to ask questions.
- **Review and Approval Process Timeline** – Staff will provide a timeline for the rest of the process. If extensive changes are required or more information is needed to adequately review the application (e.g. additional traffic or engineering studies), the application may be rescheduled to a later Planning 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 Commission meeting, subject to revised plans being submitted by the Revised Plans Due date.

Note: This meeting is *not* the appropriate forum to discuss policy issues or negotiate any agreements. If an application involves policy issues or items that may be resolved through a development agreement, the Lead Planner will schedule a separate meeting with appropriate City staff.



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AGENDA
APPLICANT'S MEETING
Wednesday Morning, September 5, 2012
9:00 A.M.
Strother Conference Room at City Hall
220 SE Green Street

9:00 a.m. – 10:30 a.m.	Appl. #PL2012-102 – PRELIMINARY DEVELOPMENT PLAN – Todd George Retail Center, 1600 SE Blue Pkwy; West Star Co. applicant (PC Only) (HS & GW)
10:00 – 9:20 a.m.	Appl. #PL2012-054 – PRELIMINARY DEVELOPMENT PLAN – Reiser Lawn Care Building, 602 NW Dunlap Dr.; Eric Reiser applicant (public hearings) (CH & GW)
9:20 – 9:40 a.m.	Appl. #PL2012-057 – PRELIMINARY DEVELOPMENT PLAN – Bank of Kansas City, northwest corner of NE Douglas St and NE Missouri (in front of Saint Luke's Hospital); Bank of Oklahoma, applicant (public hearings) (CS & GW)
9:40 – 10:00 a.m.	Appl. #PL2012-067 – PRELIMINARY DEVELOPMENT PLAN & Appl. #PL2012-068 – SPECIAL USE PERMIT – Police Station 10, 10 NE 7th St; Lee's Summit Properties II, LLC

Information and be prepared to ask questions at the meeting.

Tip:
A Preliminary Plat is effective for 2 years; a Final Plat must be submitted within that time period.

Step 5: Planning Commission Action

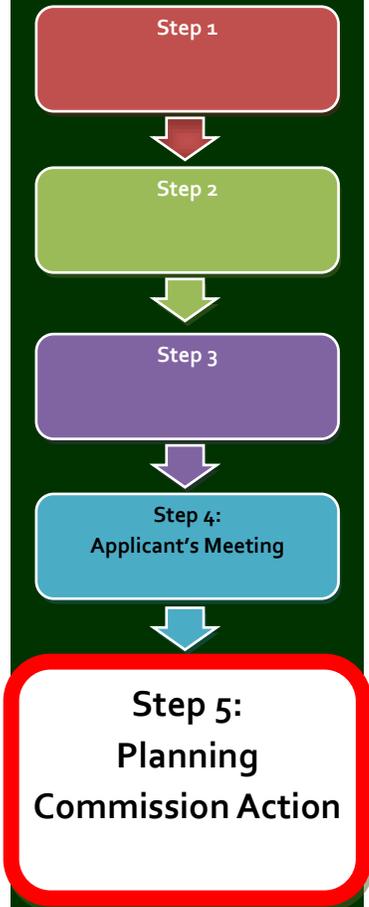
Every preliminary plat (PP) application is reviewed by the Planning Commission. The Commission consists of nine (9) appointed citizens who meet at **5:00 p.m.** on the second and fourth Tuesdays of each month in the City Council Chambers of City Hall at 220 SE Green St.

- Preliminary Plats are usually on the Consent Agenda. No presentation is necessary; however, the applicant is advised to be present to answer any questions the Planning Commission may have.
- If the applicant disagrees with the staff recommendation or with conditions of approval, the plat will be placed under Other Business for presentation and discussion.
- The Planning commission may approve, approve with conditions, or deny the application.
- The action taken by the Planning Commission on preliminary plats is final, unless the decision is appealed. The applicant may appeal the decision to the City Council by filing a request in writing to the Planning Director within five (5) business days of the Planning Commission action.
- Approval or conditional approval of the preliminary plat does not constitute an acceptance of the subdivision, but is deemed to be an authorization to proceed with the preparation of the final plat.



Post Approval

- A Preliminary Plat (PP) is effective for 2 years from the date of approval. It expires if no final plat is submitted for approval within the two year period.
- One extension of 1 year may be granted by the Planning and Development Director.
- Denial by the Director of an extension may be appealed to the City Council.



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Preliminary Plat Criteria

The Planning Commission, or the Governing Body on appeal or upon request for review, shall not approve the preliminary plat unless it finds that the subdivider has presented clear and convincing evidence that (UDO, Section 16.110.E.):

1. All submission requirements have been satisfied;
2. The proposed preliminary plat conforms to the requirements of this Chapter, the applicable zoning district regulations, the approved preliminary development plan, including any modifications requested and approved pursuant to the Unified Development Ordinance (UDO) Article 4 as part of the preliminary development plan, and any other applicable provisions of the City Code;
3. The subdivision represents an overall development pattern that is consistent with the Comprehensive Plan, as amended, including all of its component plans and studies, the Capital Improvement Plan, and other plans and policies adopted by the Commission or the Governing Body;
4. The plat contains a sound, well-conceived parcel and land subdivision layout that is consistent with good land planning and site engineering design principles;
5. The spacing and design of proposed streets, curb cuts, intersection locations, medians and traffic signalization and the number of ingress and egress points to the land covered by the plat are consistent with good traffic engineering design and public safety considerations;
6. Services and facilities are available and adequate to meet the demand for facilities and services generated by the use of the land covered by the plat; and
7. The subdivision will be compatible with proposed and existing adjacent development.
8. In considering any preliminary plat application, the Commission and the Governing Body may also give consideration to criteria applicable to preliminary development plans set forth in Article 4.



Preliminary Plat 5A.8

Chapter 5 – B:

Final Plat



Definition:	The <i>FINAL PLAT (FP)</i> shows the layout of a subdivision, including exact lot dimensions, easement locations, street right-of-way, and dedication language for all public streets and easements.
Requirement:	A Final Plat must be submitted within two years after approval of a Preliminary Plat. All subdivision-related public improvements must be complete prior to approval of the final plat by the City Council unless security is provided in the manner set forth in UDO Section 16.340.
Process:	Final Plats must be approved by the Planning Commission and City Council, and recorded at the County Recorder's office.
Approval Authority:	The City Council has the final authority to approve a FP by ordinance.
Length of Process:	A Final Plat approval normally takes a minimum of 2 months from the date of application.
Effective Period:	A recorded plat does not expire.

Step 1:
Pre-application Meeting
(Page 85)



Step 2:
Filing the Application
(Page 86)



Step 3:
Development Review Committee
(Page 86)



Step 4:
Applicant's Meeting
(Page 87)



Step 5:
Planning Commission Recommendation
(Page 87)



Step 6:
City Council Ordinance
(Page 88)



Step 7:
Getting a Plat Recorded
(Page 88)

Chapter 5 – B:
Final Plat
(UDO Article 16 Division II)
(Web access
<http://cityofls.net/Development/Zoning/Unified-Development-Ordinance.aspx>)

Final Plat 5B.2

Purpose of the Final Plat (FP)

The City of Lee’s Summit requires that all properties 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:

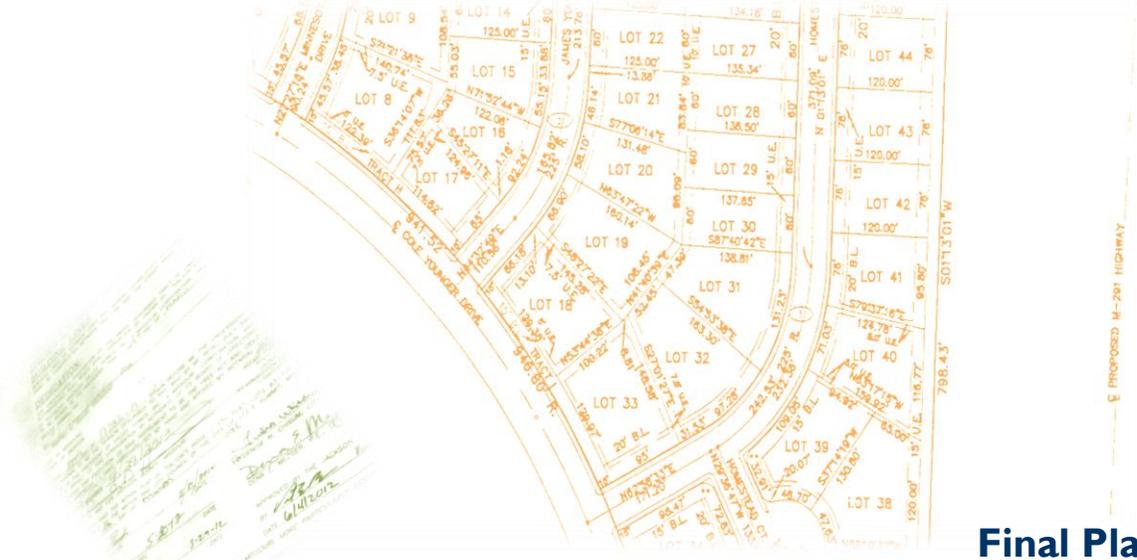
- sizes and shapes of lots;
- relationship between existing and future streets;
- location of proposed public improvements; and
- location of lands dedicated for public purposes.

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; and
- consistency is provided between subdivisions.

When Is a Final Plat Required?

A Final Plat (FP) represents one phase of development within a Preliminary Plat (PP). A final plat is required prior to the sale or building development of any property that involves a division of land. The final plat must conform to the approved preliminary plat, but the final plat is more detailed than the preliminary, including exact dimensions of each lot, easement locations, and dedication language for all public streets and easements. The Planning Commission will recommend and City Council will take final action on a final plat with the passage of an ordinance. Property owners and city officials will sign the approved version of the final plat drawing that will ultimately be recorded at the County Recorder of Deeds office. The final plat must be recorded prior to any building permits being issued.



Final Plat 5B.3

Tip:
A final plat application will not be reviewed until Engineering Plans have been submitted.

Step 1: Pre-Application Meeting

The Unified Development Ordinance (UDO) requires the applicant to meet with City Staff at a “Pre-app” meeting prior to submitting a final plat application. Staff members include representatives from Planning and Development, Public Works Engineering (including Traffic), Codes Administration, Fire, and Parks. An exchange of information early in the process can often make the rest of the development go more smoothly. The purposes of the pre-application meeting are:

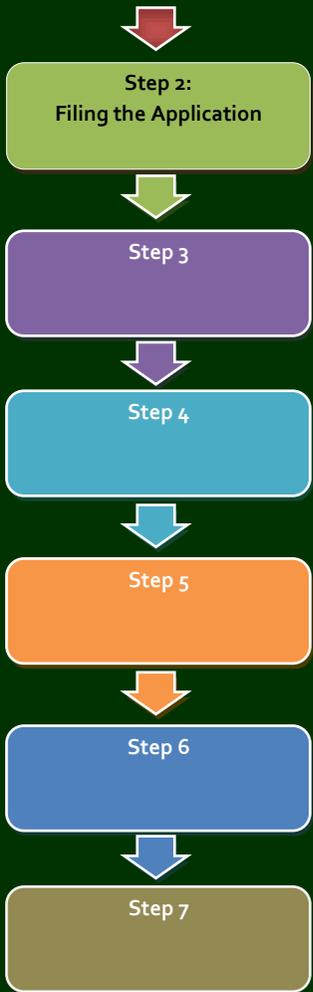
Project Concept by Applicant – The applicant can explain the proposed development and present any sketches or plans. Detailed plans are not required, but the more information brought to the meeting, the more thorough and specific staff can be in response.

Response and Direction from Staff – City staff will advise the potential applicant of:

- Land use considerations, including compatibility with the Comprehensive Plan and adjacent land uses
- Procedural requirements for submitting an application and going through the appropriate process
- Site design regulations, including setbacks, parking, screening, traffic, and other considerations.
- Building code regulations
- Special studies required, such as traffic, stormwater, etc.
- Public sources of information that may aid the potential applicant
- Policies that may create opportunities or pose significant restraints

Pre-app Appointments – Pre-app meetings are held every Wednesday between 10:00 a.m. and noon, for 30 minutes each. **An appointment is required.** Contact Planning and Development (969-1600) at least 24 hours in advance to schedule a pre-app meeting.

Step 1: Pre-Application Meeting



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Final Plat 5B.4

Tip: The pre-application and applicant's meetings are optional for a final plat. Meetings are scheduled if either the applicant or staff have issues to discuss.



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Step 2: Filing the Application

The applicant needs to submit the following items to the Planning and Development Department:

- **Application** – A complete application for Final Plat. A complete application consists of all items identified in the Submittal Requirements checklist provided in the Appendices.
- **Fees** – Application filing fee, payable to the City of Lee's Summit – see Schedule of Fees and Charges in the Appendices.
- **Deadline** – All information must be submitted by the deadline. Final plat applications will be placed on the Planning Commission agenda based upon the completeness of the application submittal.

Engineering Plans:

Detailed engineering plans must be submitted at the same time as the Final Plat for public improvements needed to serve the development, including sanitary sewers, storm sewers, water lines and streets. Engineering plans will be reviewed to determine if the water, sanitary sewer system, storm sewer system, streets and erosion control in the proposed development comply with the general design standards in the City's Design and Construction Manual (D&C).

A final plat application will not be reviewed until the engineering plans have been submitted.

Step 3: Development Review Committee

Every application goes through a detailed staff review. A member of the Planning staff is assigned to coordinate the review of each application. After the application is submitted, plans are routed to several departments for review and then discussed by the Development Review Committee (DRC). This is a staff-only committee consisting of 10 to 15 representatives of various city departments and divisions. The DRC reviews each item on the agenda and identifies relevant issues. The development departments then prepare written comments on the proposed application. The staff comments will be sent to all parties listed on the application form (via fax or email) on the Friday before the Wednesday Applicant's Meeting.

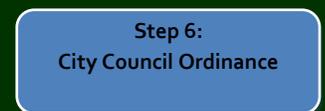
Tip:
A Final Plat will not be placed on the City Council agenda until either (1) all public infrastructure is constructed, or (2) a letter of credit or other form of security is provided.

Step 4: Applicant's Meeting

Following the initial staff review of the applicant's submittal, an Applicant's Meeting is normally required, unless deemed unnecessary, to provide an opportunity for:

- **Technical Review by Staff** – City staff will provide a technical review of the submitted plans and request any necessary plan revisions.
- **Q&A for Applicant** – The applicant will have an opportunity to ask questions.
- **Review and Approval Timeline** – Staff will provide a timeline for the rest of the process. If extensive changes are required or more information is needed, the application may be rescheduled to a later Planning 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 Commission meeting, subject to revised plans being submitted by the Revised Plans Due date.

Note: This meeting is *not* the appropriate forum to discuss policy issues or negotiate any agreements. If an application involves policy issues or items that may be resolved through a development agreement, the Lead Planner will schedule a separate meeting with appropriate City staff.



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Step 5: Planning Commission Recommendation

Every final plat (FP) application is reviewed by the Planning Commission. The Commission consists of nine (9) appointed citizens who meet at 5:00 p.m. on the second and fourth Tuesdays of each month in the City Council Chambers of City Hall at 220 SE Green St.

- Final Plats are usually on the Consent Agenda. No presentation is necessary, however, the applicant is advised to be present to answer any questions the Planning Commission may have.
- If needed, the plat will be placed under Other Business for presentation and discussion.
- The Planning Commission may recommend approval, approval with conditions, or denial of the final plat.

Final Plat 5B.6

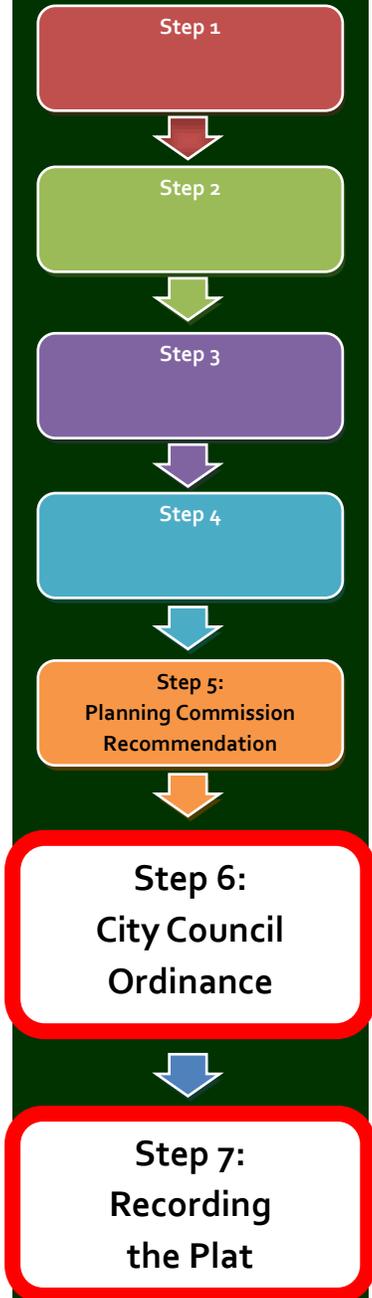
Tip:
A Final Plat must be recorded at the County by the applicant before building permits are issued.

Step 6: City Council Ordinance

The City Council holds regular meetings on the first and third Thursday of each month in the City Council Chambers of City Hall at 220 SE Green St. An ordinance accepting the Final Plat will be placed on the City Council agenda after either:

- a) All subdivision-related public improvements have been completed, or
- b) An irrevocable letter or credit, escrow secured with cash, or other form of security acceptable to the City has been submitted to and accepted by the City.

If approved by the City Council, the ordinance is signed by the Mayor, City Attorney, and City Clerk, and certified for recording.



Step 7: Recording the Plat

The Final Plat drawings must be submitted to the City, signed by City officials, and recorded at the County before building permits can be issued.

- The final version of the plat must be free from errors and include any revisions required as a part of the approval.
- The correct number of copies of the plat must be submitted for signatures (3 mylars and 5 paper copies).
- The surveyor and property owner signatures must be on the plat before city officials will sign the plat.
- After all copies of the plat have received all signatures, the applicant (or representative) must take the final plat and certified copy of the ordinance accepting the plat to the County Recorder of Deeds office for recording.
- A final plat becomes part of the permanent land records when it is recorded by the Jackson or Cass County Recorder of Deeds.
- No building permits will be issued for any lot within the plat until the plat has been recorded and the necessary copies (1 mylar and 1 paper copy) are returned to the Planning and Development Department.

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Chapter 5 – C:

Minor Plat



Definition:	A <i>MINOR PLAT (MP)</i> is a subdivision of land, containing a maximum of three (3) lots and no new streets or common areas.
Approval Authority:	A Minor Plat is approved administratively.
Length of Process:	A Minor Plat approval normally takes a minimum of 1 month from the date of application.
Effective Period:	A recorded Minor Plat does not expire.

Step 1:
Filing the Application
(Page 93)



Step 2:
Development Review Committee
(Page 93)



Step 3:
**Administrative Review &
Approval**
(Page 94)



Step 4:
Recording the Minor Plat
(Page 94)

***Chapter 5 – C:
Minor Plat
(UDO Article 16 Division II)***

(Web access

<http://cityofls.net/Development/Zoning/Unified-Development-Ordinance.aspx>)

Purpose of the Minor Plat (MP)

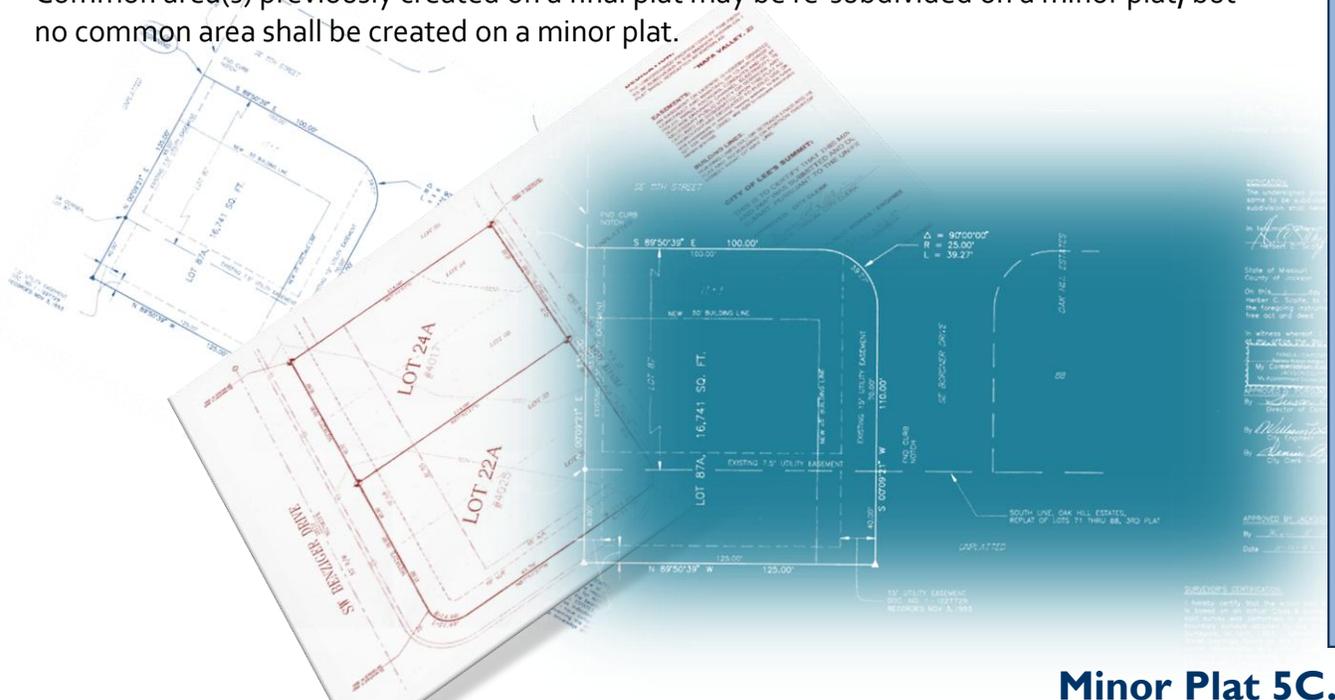
The City of Lee's Summit requires that all property be platted before a building permit is issued. Platting involves the subdivision of land into lots or tracts. A plat is recorded as a permanent legal document that includes both an accurate legal description, as well as a graphical depiction of any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

The process for review of a minor plat is less time-consuming and less costly than a final plat, but it is only permitted under certain circumstances. Only one, two, or three lots can be platted on a minor plat. No new streets or common areas may be dedicated on a minor plat. Minor plats are often used to adjust the boundaries or building lines on lots previously approved on final plats.

When Is a Minor Plat Allowed?

A Minor Plat will be allowed under the following circumstances:

- A division of land into no more than three (3) lots.
- An adjustment in boundaries between the owners of adjoining platted lots.
- An adjustment of building lines.
- A resurvey to combine two (2) or more lots or tracts into no more than three new lots.
- A resurvey of up to three (3) lots containing two-, three- or four-family residential structures, for the purpose of subdividing the dwelling units for individual ownership of each unit.
- Common area(s) previously created on a final plat may be re-subdivided on a minor plat, but no common area shall be created on a minor plat.



Minor Plat 5C.3

Tip:
Pre-application and applicant's meetings are not required for a minor plat, but may be scheduled if either the applicant or staff have questions or issues to discuss.

Step 1: Filing the Application

The applicant must submit the following items to the Department of Planning and Development:

- **Application** – A complete application for Minor Plat (MP). A complete application consists of all items identified in the Submittal Requirements Checklist that can be found in the Appendices.
- **Fees** – Application filing fee, payable to the City of Lee's Summit - see Schedule of Fees and Charges in the Appendices.
- **Deadline** – There is no applicable deadline for application submittal.

Minor Plat applications will be placed on the Development Review Committee agenda based upon the completeness and date of the application submittal. Applicant needs to make sure all information supporting the application is submitted with the application. Information missing or not submitted with the application will result in a delay in processing the application.

Engineering Plans:

Required engineering plans should be submitted at the same time as the Minor Plat for any public improvements, such as public sanitary and storm sewers, water lines and streets. Engineering plans will be reviewed to determine if the water, sanitary sewer system, storm sewer system, streets and erosion control in the proposed development comply with the General Design standards in the city's Design and Construction Manual (D&C).

Step 2: Development Review Committee

Every application goes through a detailed staff review. A Planner is assigned as the project lead to coordinate the review of each application. After the application is submitted, plans are routed to several departments for review and then discussed by the Development Review committee. This is a staff-only committee consisting of 10 to 15 representatives of various city departments and divisions. The DRC reviews each item on the agenda and identifies relevant issues.



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Minor Plat 5C.4

Tip:
A Minor Plat must be recorded at the County by the applicant before a building permit can be issued.

Step 3: Administrative Review & Approval

The Project Planner will coordinate the administrative review.

- Written comments from the various development departments will be sent (via fax or email) to the individuals listed on the application form including surveyor/engineer, owner and developer.
- The written comments will state whether corrections or revisions are necessary. This step may be repeated several times.
- When the Project Planner determines that all corrections/revisions have been completed satisfactorily, written confirmation will be sent stating the final version of the plat can be submitted for signatures.
- The Director of Planning and Development may refer a proposed minor plat to the Planning Commission and City Council for consideration.



Step 4: Recording a Minor Plat

The Minor Plat must be submitted to the City, signed by City officials, and recorded at the County before building permits can be issued.

- The final version of the plat must be free from errors and include any revisions required as a part of the approval.
- The correct number of copies of the plat must be submitted for signatures (3 mylars and 5 paper copies).
- The surveyor and property owner signatures must be on the plat before city officials will sign the plat.
- The only City officials who must sign a Minor Plat are the City Engineer, the Director of Planning and Development, and the City Clerk.
- After all copies of the plat have received all signatures, the applicant (or representative) must take the minor plat to the County Recorder of Deeds office for recording.
- A minor plat becomes part of the permanent land records when it is recorded at the Jackson or Cass County Recorder of Deeds.
- No building permits will be issued for any lot within the plat until the plat has been recorded and the necessary copies (1 mylar and 1 paper copy) returned to the Planning and Development Department.



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Chapter 6:

Signs



Definition:	Any sign advertising a business, product, service, or event.
Requirement:	Sign Permits are required for all commercial advertising signs prior to installation of the sign.
Process & Approval Authority:	Sign Permits are reviewed and issued by Planning & Development staff; Sign Applications (for signs that cannot be approved administratively) are considered and approved by Planning Commission.
Length of Process:	Sign permit approval normally takes approximately 2 days from the date of application. Sign applications take a minimum of 1 month.
Effective Period:	For a permanent sign, the sign permit is valid for as long as the sign remains. For a temporary sign, the sign permit is valid for 15 days.

Step 1:
Filing the Application
(Page 99)



Step 2:
Staff Review
(Page 99)



Step 3:
Administrative Approval
(Page 99)

Chapter 6 – A:
Sign Permit
(Administrative Approval)
(UDO Article 13)

(Web access

<http://cityofls.net/Development/Zoning/Unified-Development-Ordinance.aspx>)

Purpose of the Sign Permit

Sign regulations are intended to protect public health and safety, and to reduce visual clutter. A proliferation of signs can diminish the City's image, property values and quality of life. The City has adopted regulations regarding number, size, and types of permitted signs.

When Is a Sign Permit Required?

Sign Permits are required for permanent and temporary commercial advertising and event signs prior to installation of the sign. Certain signs are prohibited and some signs do not require permits; see Article 13 of the UDO for lists of prohibited and exempted signs. The sign ordinance provides for administrative approval of a certain number, size, and type of signs.



Sign Permit 6A.2

Tips:
Signs approved through a Sign Application process will still require sign permits before they can be installed.

Step 1: Filing the Application

The applicant must submit the following to the Planning and Development Department:

- Completed application form
- Ownership affidavit
- Sign Permit Fee –
 - \$100 for each permanent sign
 - \$50 for a temporary sign
- Drawings and specifications, as follows:
 - For **Wall Signs** (or any sign attached to a building, including temporary banners):
 - Building elevations, drawn to scale, with dimensions, showing building width, building height, façade area, sign location, sign dimensions and sign area.
 - Sign specifications showing: exact copy, dimensions of sign (height and width), sign area, materials, color, lighting and sign type.
 - For **Detached or Freestanding Signs**, including monument signs, directional signs, and ground-mounted temporary banners:
 - Site plan, drawn to scale, with dimensions, showing the building, parking areas and property lines, and the proposed sign location with dimensions to all property lines.
 - Sign specifications showing: exact copy, dimensions of sign (height and width), sign area, structure area, materials, color, lighting and sign type.
 - A minimum of 25 square feet of landscaped area shall be located at the base of each freestanding monument sign. Landscaping shall be shown on site plan.

Step 2: Staff Review

A planner in the Planning and Development Department will review the application to determine if all requirements have been met. The applicant will be notified if additional information is needed.

Step 3: Administrative Approval

If all requirements of the Unified Development Ordinance (UDO) have been met for the issuance of a sign permit, the planner will issue the sign permit and notify the applicant. The applicant may then install the sign. No signs shall be installed without an approved Sign Permit.

Step 1:
Filing the
Application



Step 2:
Staff Review



Step 3:
Administrative
Approval

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Step 1:
Filing the Application
(Page 102)



Step 2:
Staff Review
(Page 102)



Step 3:
Planning Commission Meeting
(Page 103)



Step 4:
Sign Permit
(Page 103)

**Chapter 6 – B:
Sign Application
(UDO Article 13)**

(Web access
<http://cityofls.net/Development/Zoning/Unified-Development-Ordinance.aspx>)

Purpose of the Sign Application (SIGN)

The sign ordinance provides for the Planning Commission, through a “Sign Application,” to consider signs that are not eligible for administrative approval. This process provides for consideration, on a case-by-case basis, of an application, based on factors such as the size, location or use of the building or site.

When Is a Sign Application Required?

A sign application can be submitted for signs that exceed the number or size, or that do not otherwise comply with the regulations for signs permitted by right in the zoning district.

City of Lee's Summit
 Department of Planning and Development
 Sign Application

1. PROPERTY LOCATION/ADDRESS: _____

2. BUSINESS NAME: _____

3. LEGAL DESCRIPTION (attach if description is metes and bounds description): _____

4. TYPE(S) OF SIGN REQUESTED: _____

5. NUMBER OF SIGN(S) REQUESTED: _____

6. APPLICANT _____
 CONTACT PERSON _____
 ADDRESS _____
 E-MAIL _____

7. PROPERTY OWNER(S) _____
 CONTACT PERSON _____

Sign Application 6B.2

Step 1: Filing the Application

The applicant must submit the following to the Planning and Development Department:

- Completed application form
- Ownership affidavit
- Sign Application Fee – \$200
- Drawings and specifications, as follows:
 - For **Wall Signs** (or any sign attached to a building, including temporary banners):
 - Building elevations, drawn to scale, with dimensions, showing building width, building height, façade area, sign location, sign dimensions and sign area.
 - Sign specifications showing: exact copy, dimensions of sign (height and width), sign area, materials, color, lighting and sign type.
 - For **Detached or Freestanding Signs**, including monument signs, directional signs, and ground-mounted banners:
 - Site plan, drawn to scale, with dimensions, showing the building, parking areas and property lines, and the proposed sign location with dimensions to all property lines.
 - Sign specifications showing: exact copy, dimensions of sign (height and width), sign area, structure area, materials, color, lighting and sign type.

Step 1:
Filing the
Application



Step 2:
Staff Review



Step 3:
Planning Commission
Meeting



Step 4

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Step 2: Staff Review

The Planning and Development Department will review the application and make a recommendation to the Planning Commission. The applicant will be notified if additional information is needed. The recommendation will be faxed or emailed to the applicant before the Planning Commission meeting.



Step 3: Planning Commission Meeting

Sign Applications are considered by the Planning Commission, which meets on the second and fourth Tuesdays of each month in the City Council Chambers of City Hall at 220 SE Green Street. The Department of Planning and Development will set the date for the Planning Commission meeting. A copy of the agenda and staff recommendation will be sent to the applicant prior to the meeting.

The Planning Commission has the authority to grant final approval on the sign application. In reviewing the sign application, the Commission may take into consideration the following:

- use of the facility;
- size of the site;
- height of the building;
- type, number and size of signs on surrounding properties;
- surrounding zoning and land uses;
- topography of the site;
- other factors.

If the staff recommendation is for **approval** of the sign application, the item may be placed on the Consent Agenda. The Planning Commission generally votes on the Consent Agenda with no discussion and no presentation by the applicant or staff.

If the applicant disagrees with staff's recommendation, the item will be placed under Other Business and the applicant will have an opportunity to make a presentation to the Commission, describing the proposed project. The Planning Commission may approve, approve with conditions or deny a sign application.

Tip:
Any sign approved through a Sign Application process also requires a sign permit before it can be installed.

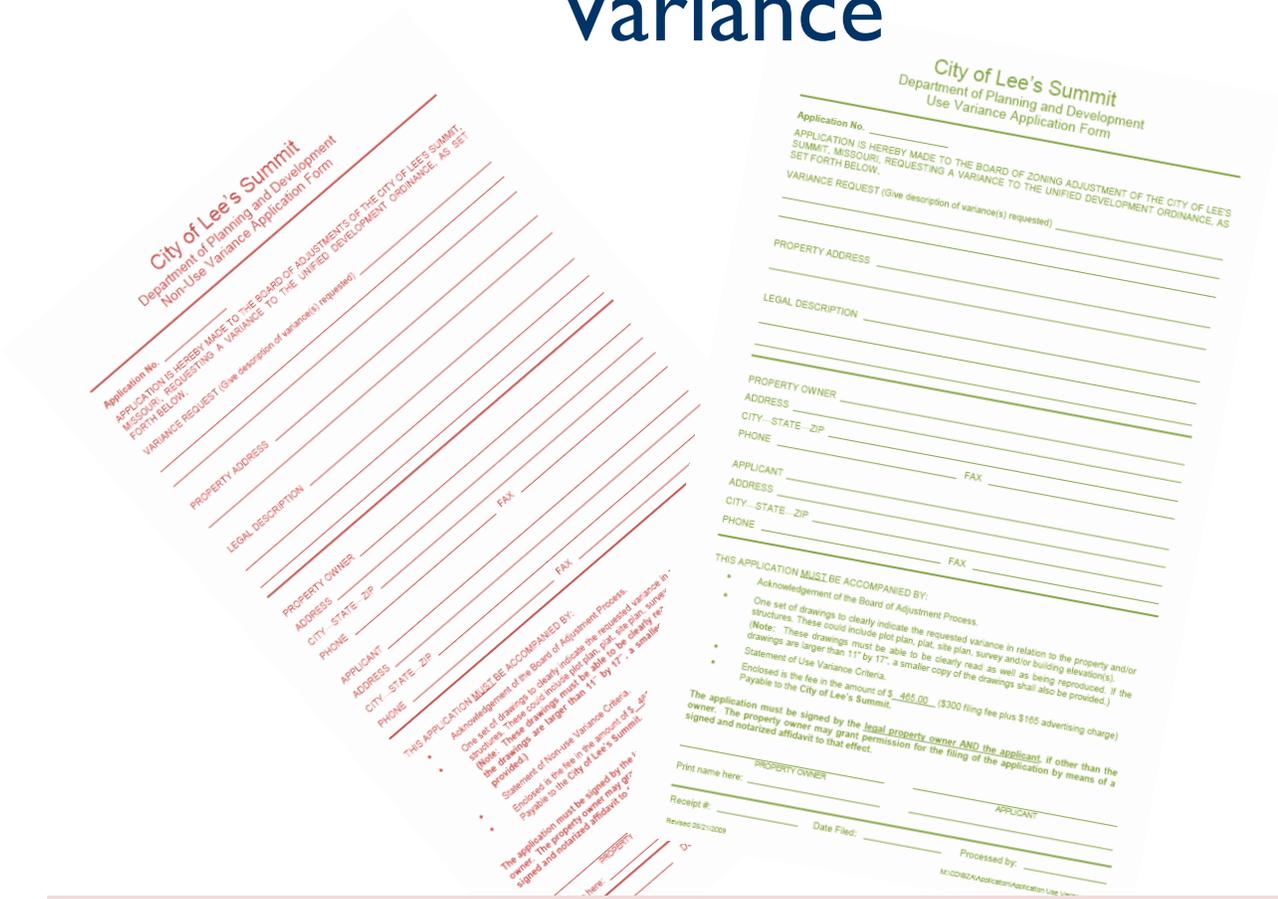


Step 4: Sign Permit

After the Sign Application is approved by the Planning Commission, the applicant must apply for a Sign Permit for each sign to be installed. Sign permits are issued by the Planning and Development Department staff. See Sign Permit (Administrative Approval). No signs shall be installed without an approved Sign Permit.

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Chapter 7: Variance



Definition:	A VARIANCE is a modification granted by the Board of Zoning Adjustment (BZA) to the requirements of the Unified Development Ordinance (UDO), or a ruling on the appeal of an administrative decision.
Public Hearing:	The Board of Zoning Adjustment will hold a public hearing on a variance application.
Process & Approval Authority:	The Board of Zoning Adjustment has final approval authority.
Length of Process:	The process takes approximately 30 days from the date of filing of the variance application.
Effective Period:	No time limit; a variance runs with the land.

Step 1:
Filing the Application
(Page 106)



Step 2:
**Property Notices and Posting of
the Property**
(Page 107)



Step 3:
Staff Review
(Page 107)



Step 4:
**Board of Zoning Adjustment
Public Hearing and Decision**
(Page 108)

Chapter 7 **Variance** **(UDO Article 4)**

(Web access

<http://cityofls.net/Development/Zoning/Unified-Development-Ordinance.aspx>)

For information regarding the Board of Zoning Adjustment, visit <http://cityofls.net/City-of-Lees-Summit/Boards-and-Commissions/Board-of-Zoning-Adjustments.aspx>

Tip: There are two types of variances requiring different application forms: Use Variance and Non-use Variance. Typically, most applications are for non-use variances.

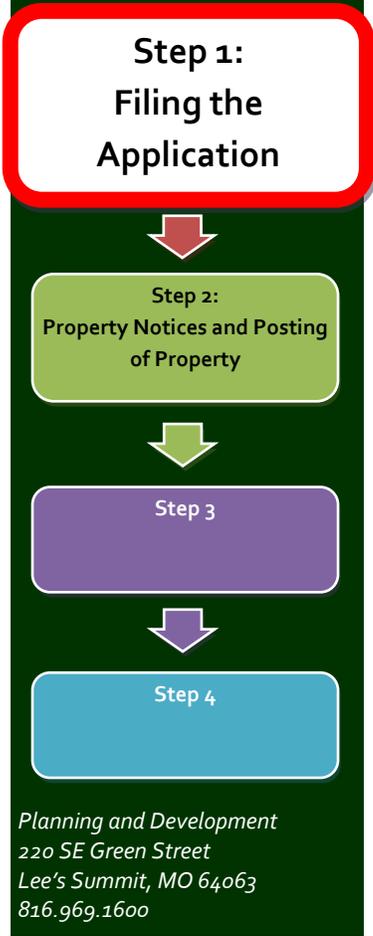
Purpose of the Variance

A variance is defined as a modification of, or departure from, the provisions of the Unified Development Ordinance (UDO) which, if applied to a specific lot, would significantly interfere with the use of the particular property. The variance process is intended to provide relief in those limited and unique situations where strict compliance with the UDO would cause practical difficulties for the property owner. A “use variance” is a request for a use of land for a purpose which is otherwise not allowed by the applicable zoning regulations. Most variance applications are “non-use variances” requesting a deviation from dimensional or physical requirements, such as height or setbacks for a principal structure, accessory building, or deck.

Step 1: Filing the Application

The applicant needs to submit the following items to the Planning and Development Department:

- **Application** – A completed application form, which includes the following:
 - Exact legal description of the property.
 - At least one set of drawings to clearly indicate the requested variance in relation to the property and/or structures. These could include a plot plan, plat, site plan, survey and/or building elevation(s). Pictures can be submitted with the application and drawings but cannot replace the drawings. The drawings must be of such detail that they can be clearly read as well as being reproduced. If the drawings are larger than 11” by 17”, a smaller copy of the drawings shall also be provided.
- **Fees** – Application filing fee and required legal notice advertising charge, payable to the City of Lee’s Summit – See Schedule of Fees and Charges in the Appendices.
- **Deadline** – Variance applications must be filed by the deadlines shown on the published Board of Adjustment (BZA) Deadline Schedule. If the application is an appeal of an administrative officer’s decision, the variance application must be filed within 30 days of the date of the decision. Variance applications will be placed on the Board of Zoning Adjustment’s agenda based upon the completeness of the application submittal. All information to support the application needs to be submitted by the deadline.



Step 2: Property Notices and Posting of Property

- **Legal Notice in Newspaper** – City staff will prepare and publish the required legal notice of the time and place of the public hearings, which must be published 15 days prior to the hearing in a newspaper of general circulation, as required by Missouri State Statutes.
- **Notification Letters to Surrounding Property Owners** – The applicant must mail notices by certified mail, to all property owners within 185 feet of the property, at least 15 days prior to the hearing, notifying them of the opportunity to be heard. A form letter for the notice can be obtained from the Planning and Development Department. An affidavit must be submitted certifying that notice has been sent, along with a list of property owners and a copy of the letter sent.
- **Posting of Sign** – The applicant must post a sign (or signs) on the premises at least 15 days prior to the date of the hearings, informing the public of the time and place of the public hearings. The City will furnish the sign(s) to the applicant for posting. The applicant shall make a good faith effort to maintain the sign for at least 15 days immediately preceding the date of the hearings through the hearings, and through any continuances of the hearings. The sign shall be placed within 5 feet of the street right-of-way line in a central position on the property. The sign shall be readily visible to the public. If the property contains more than one street frontage, one sign shall be placed on each street frontage so as to face each of the streets. The sign(s) may be removed at the conclusion of the public hearings and must be removed at the end of all proceedings on the application or upon withdrawal of the application.
- **Meeting with Immediate Property Owners** – It is strongly recommended that applicants meet with surrounding property owners and residents regarding the proposed variance and its potential impact prior to the public hearings.

Tip:
Notices must be mailed on time and a sign posted, or the application will be delayed.



Step 3: Staff Review

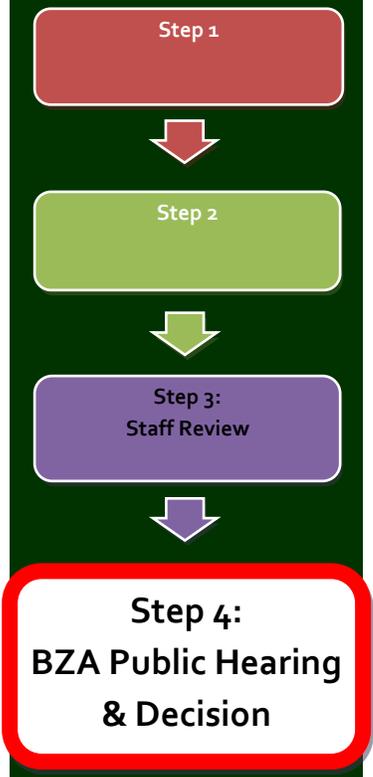
The Planning and Development Department will review the application and make a recommendation to the Board of Zoning Adjustment. The applicant will be notified if additional information is needed. The recommendation will be faxed or emailed to the applicant before the Board of Zoning Adjustment meeting.

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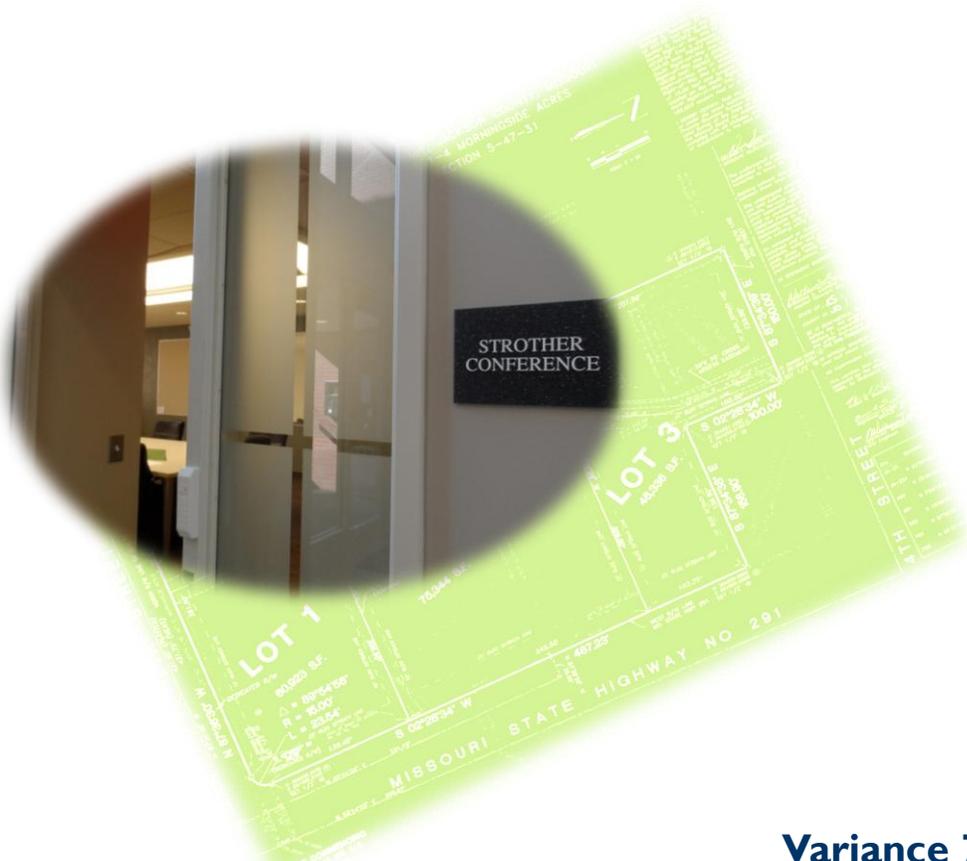
Step 4: BZA Public Hearing & Decision

The Board of Zoning Adjustment (BZA) consists of five (5) citizens, appointed by the Mayor and approved by the City Council, who meet on the fourth Thursday of the month at 7:00 p.m. in the Strother Conference Room at City Hall, 220 SE Green Street.

- **Presentation by Applicant** – The applicant begins the public hearing with a presentation of the request for a variance.
- **Staff Recommendation** – The Planning and Development staff analyzes the variance request and makes a recommendation, which is sent to the Board in writing prior to the meeting. Staff is present at the meeting to answer questions as they arise.
- **Public Comments** – Members of the audience will be given an opportunity to speak. If issues or concerns are raised by the public, the applicant is typically given an opportunity to respond.
- **Board Discussion and Decision** – The Board members may ask further questions of either staff or the applicant. Finally, the public hearing portion of the meeting is closed and the Board votes on the request. Approval of a variance requires four affirmative votes. The decision of the BZA is final. Per Chapter 89 of the Missouri Statutes, an appeal of a BZA decision must be to Circuit Court.



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Conditions Considered for Granting a Variance

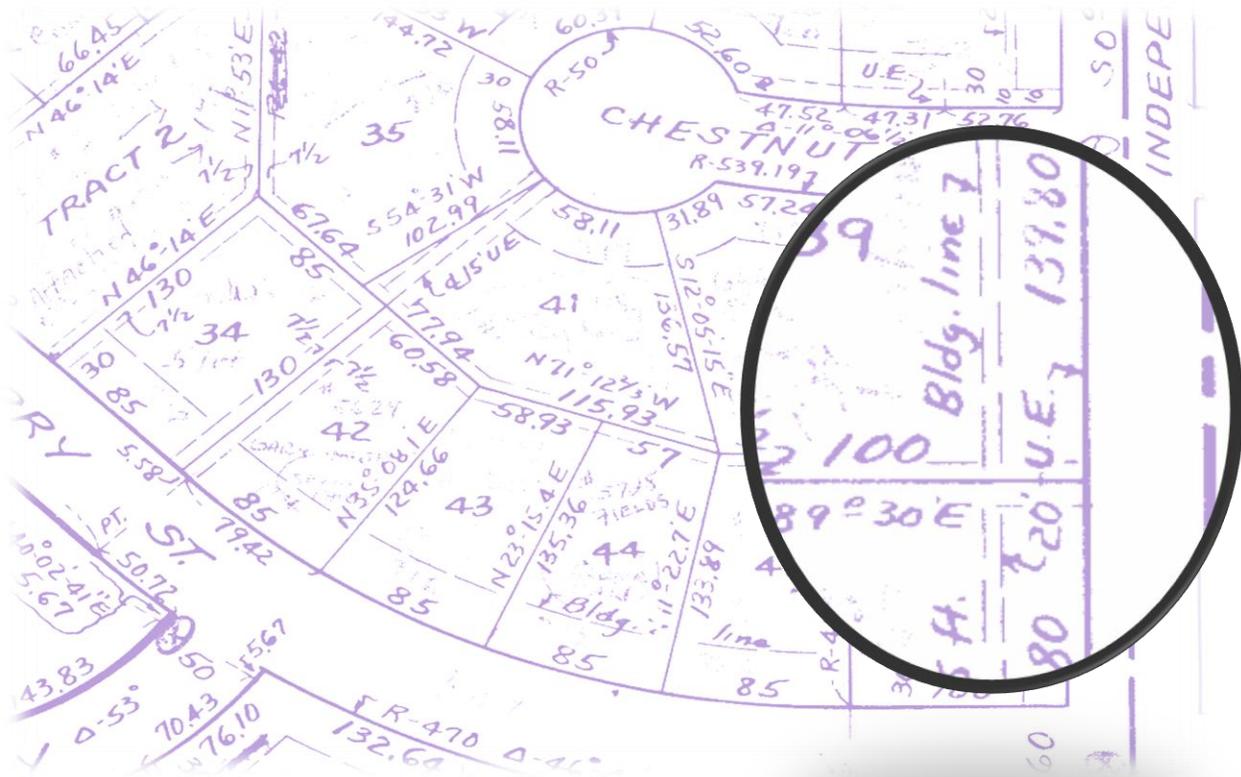
The Unified Development Ordinance (UDO, Section 4.530) establishes that a variance may only be granted upon a finding by the Board that the applicant has shown by clear and convincing evidence that all of the following conditions have been met:

1. With respect to a use variance, that
 - a. the strict application of the provisions of this Chapter would constitute unnecessary hardship upon the applicant;
 - b. the grant of the variance will not alter the essential character of the locality; and
 - c. the land in question cannot yield a reasonable return if used only for the purposes allowed in the district.
2. With respect to a non-use variance, that practical difficulties exist that would make it impossible to carry out the strict letter of this Chapter. In making such finding the Board shall consider
 - a. how substantial the variation is, in relation to the requirement;
 - b. if the variance is allowed, the effect of increased population density, if any, on available public facilities and services;
 - c. whether a substantial change will be produced in the character of the neighborhood or a substantial detriment to adjoining properties is created;
 - d. whether the difficulty can be obviated by some method, feasible for the applicant to pursue, other than a variance;
 - e. whether, in view of the manner in which the difficulty arose and considering all of the above factors, the interests of justice will be served by allowing the variance; and
 - f. conditions of the land in question, and not conditions personal to the landowner. The Board shall not consider evidence of applicant's personal financial hardship unrelated to any economic impact upon the land.
3. With respect to all variances, that
 - a. the granting of the variance will not adversely affect the rights of adjacent landowners or residents;
 - b. granting the variance will not be opposed to the general spirit and intent of this Chapter;
 - c. the variance desired will not adversely affect the public health, safety or general welfare;
 - d. the variance requested arises from a condition that is unique to the property in question, is not ordinarily found in the same zoning district, and is not created by an action or actions of the landowner or the applicant; and
 - e. substantial justice will be done.

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Variance 7.6

Chapter 8: Vacation of Easement



Definition:	A VACATION OF EASEMENT (VOE) is an official abandonment of a designated and legally recorded easement on a property, typically reserved for public utilities.
Public Hearing:	No public hearing is required.
Process & Approval Authority:	The Planning Commission makes a recommendation and City Council has final authority to grant a vacation of easement by ordinance.
Length of Process:	The process normally takes approximately 2 months from the date of application.
Additional Requirement:	An approved vacation of easement must be recorded at County Recorder of Deeds.
Effective Period:	No time limit once legally recorded.

Step 1:
Pre-Application Meeting
(Page 112)



Step 2:
Filing the Application
(Page 113)



Step 3:
Development Review Committee
(Page 113)



Step 4:
**Planning Commission
Recommendation**
(Page 113)



Step 5:
City Council Approval/Ordinance
(Page 114)



Step 6:
**Recording the
Vacation of Easement**
(Page 114)

Chapter 8

Vacation of Easement

(UDO Article 4)

(Web access

<http://cityofls.net/Development/Zoning/Unified-Development-Ordinance.aspx>)

Vacation of Easement 8.2

Purpose of Vacation of Easement (VOE)

An easement is normally dedicated through a legal platting process and officially recorded at County Recorder of Deeds office when a subdivision is platted for development. This type of easement is typically designated for public utilities. There are cases where the originally designated easement will no longer be used for the originally intended purpose and the easement can be abandoned so that it can be used for other purposes other than the originally intended purpose. The official abandonment of such an easement is referred to as a vacation of easement.

Step 1: Pre-Application Meeting

Step 2:
Filing the Application

Step 3

Step 4

Step 5

Step 6

Planning and Development
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Step 1: Pre-Application Meeting

The Unified Development Ordinance (UDO) does not specifically require the applicant to meet with City Staff at a "Pre-app" meeting prior to submitting a Vacation of Easement (VOE) application but it is strongly recommended on a case-by-case basis. Staff members include representatives from Planning and Development, Public Works Engineering (including Traffic), Codes Administration, Fire, and Parks. An exchange of information early in the process can often make the rest of the process go more smoothly.

The purposes of the pre-application meeting are:

- **Project Concept by Applicant** - The applicant can explain the proposed vacation and present necessary information and drawings. Detailed plans are not required, but the more information brought to the meeting, the more thorough and specific staff can be in response.
- **Response and Direction from Staff** - City staff will advise the applicant of the required review and approval process as well as other standards and regulations relevant to a vacation of easement.

Pre-app Appointments – Pre-app meetings are held every Wednesday between 10:00 a.m. and noon, for 30 minutes each. **An appointment is required.** Contact Planning and Development (969-1600) at least 24 hours in advance to schedule a pre-app meeting.



Vacation of Easement 8.3

Step 2: Filing the Application

The applicant needs to submit the following items to the Department of Planning and Development:

- **Application** – A complete Vacation of Easement application form with signature, written legal description, and survey or drawing depicting the easement to be vacated.
- **Fees** – Application filing fee payable to the City of Lee’s Summit – see Schedule of Fees and Charges in the Appendices.
- **Deadline** – All information must be submitted by the deadline date – see Deadline Schedule. Items will be placed on the Planning Commission agenda based upon the completeness of the application submittal. All additional information to support the application must be submitted by the deadline.

Step 3: Development Review Committee

Every application goes through a detailed staff review. A Planner is assigned as the project lead to coordinate the review of each application. After the application is submitted, plans are routed to several departments for review and then discussed by the Development Review Committee (DRC). This is a staff-only committee consisting of 10 to 15 representatives of various city departments and divisions. The DRC reviews each item on the agenda and identifies relevant issues. The City will send letters to the utility companies for their input: KCP&L (electric), Missouri Gas Energy (gas), AT&T (telephone), Time Warner and Comcast (cable), as well as to the City’s Public Works and Water Utilities Departments.

Step 4: Planning Commission Recommendation

Each vacation of easement is reviewed by the Planning Commission. The Commission consists of nine (9) appointed citizens who meet on the second and fourth Tuesdays of each month in the City Council Chambers of City Hall at 220 SE Green St.

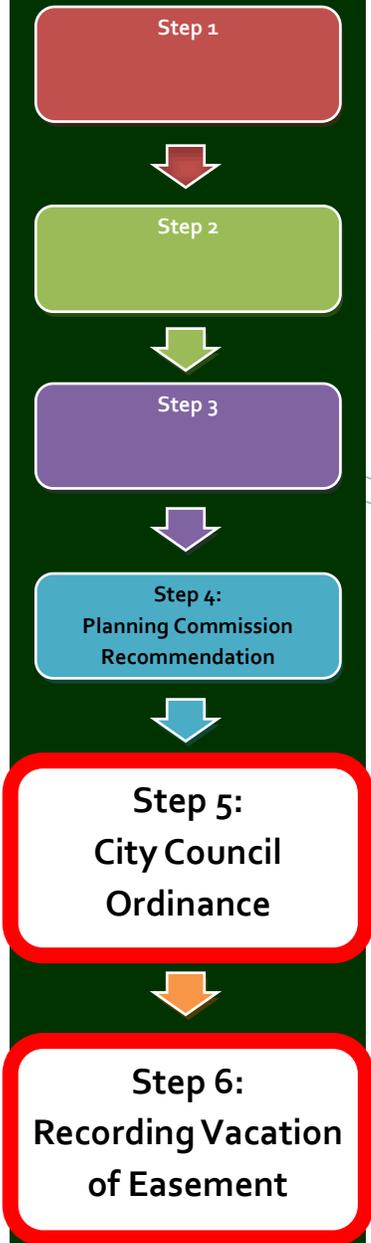
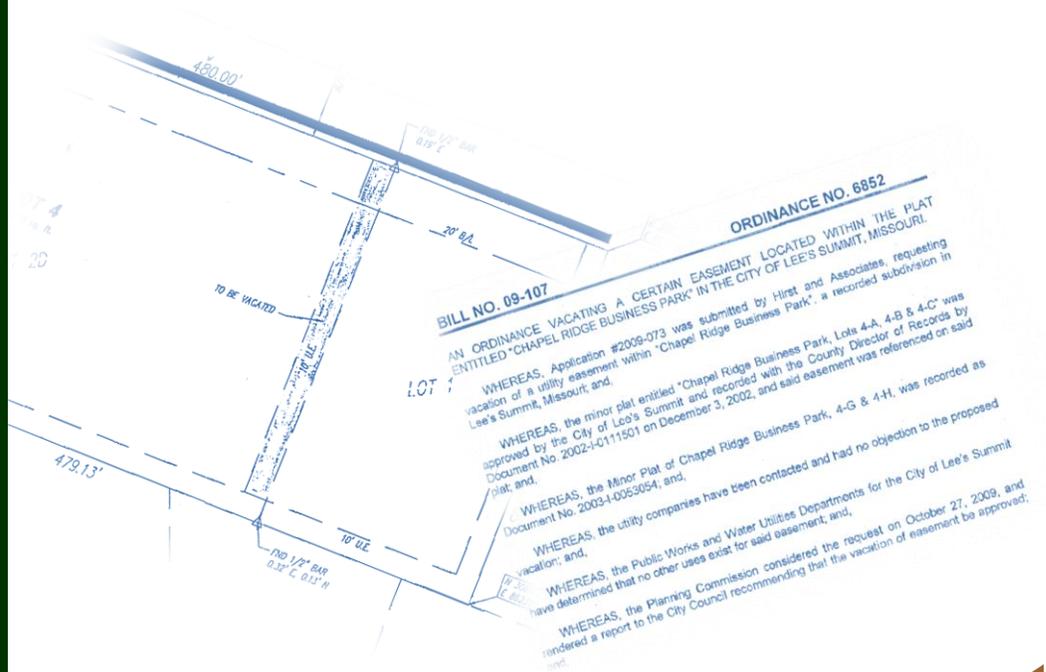
The Planning Commission makes a recommendation regarding the vacation of easement application for the full Council to consider.



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Step 5: City Council Ordinance

Once the Planning Commission has made a recommendation, an ordinance accepting the vacation (typically two to three weeks later) will be scheduled for the City Council. The Lee's Summit City Council holds regular meetings on the first and third Thursday of each month at the Council Chambers of City Hall at 220 SE Green Street. Ordinances are generally read and voted on by the Council with little or no discussion. However, the applicant is advised to be present in case there are any questions.



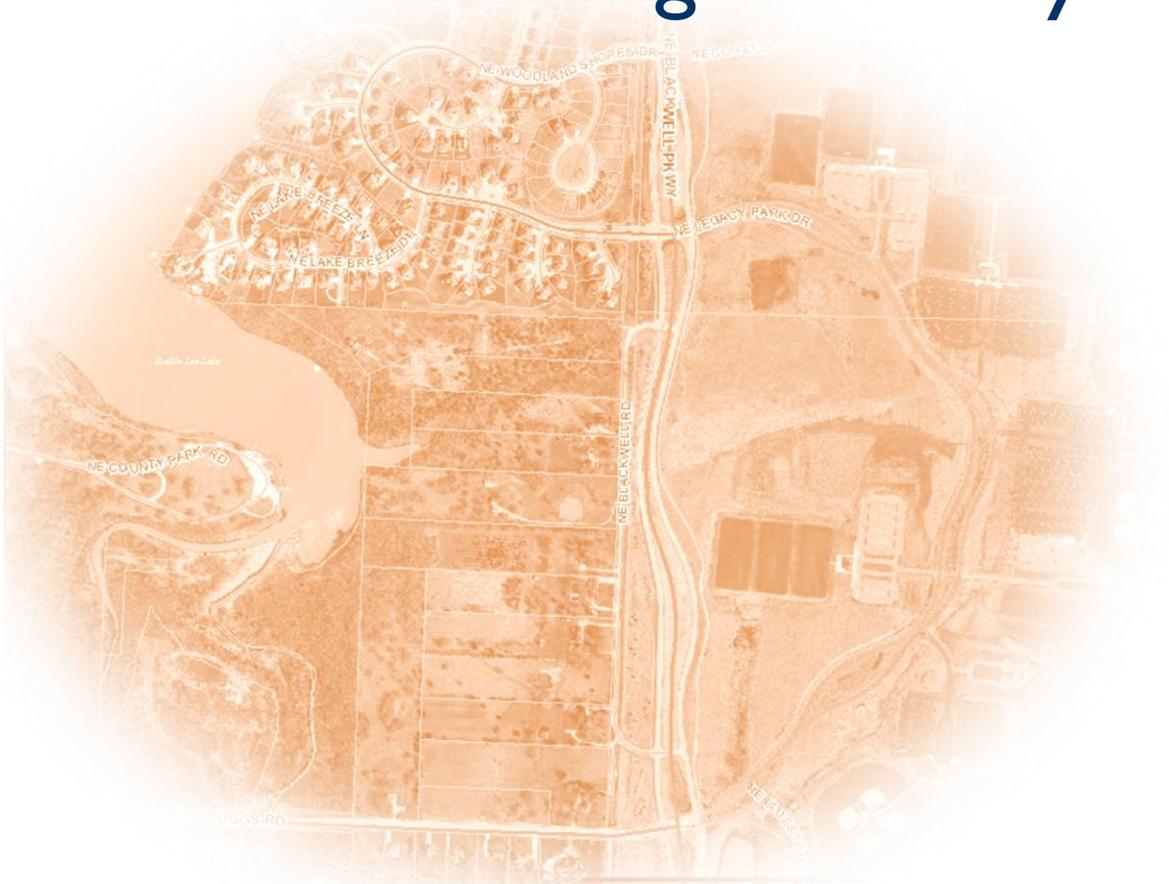
Step 6: Recording the Vacation of Easement

The final version of the approved vacation of easement and the certified copy of the Ordinance accepting the vacation of easement must be taken to the County Recorder of Deeds office for recording by the applicant. A copy of the officially recorded vacation of easement needs to be returned to the Planning and Development Department.

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Chapter 9: Vacation of Right-of-Way



Definition:	A <i>VACATION OF RIGHT-OF-WAY (VROW)</i> is an official abandonment of a designated and legally recorded public right-of-way, typically for a public street.
Public Hearings:	Two public hearings are required for a VROW application approval: Planning Commission and City Council.
Approval Authority:	The City Council has the final authority to grant a VROW by ordinance.
Length of Process:	The process normally takes a minimum of 2 months from the date of application.
Additional Requirement:	An approved vacation of right-of-way must be recorded at County Recorder of Deeds.
Effective Period:	No time limit once legally recorded.

Step 1:
Pre-Application Meeting
(Page 118)



Step 2:
Filing the Application
(Page 119)



Step 3:
Development Review Committee
(Page 119)



Step 4:
Applicant's Meeting
(Page 120)



Step 5:
Property Notices and Posting of the Property
(Page 120)



Step 6:
Planning Commission Public Hearing
(Page 121)



Step 7:
City Council Public Hearing
(Page 122)



Step 8:
Recording the Vacation of Right-of-Way
(Page 122)

Chapter 9 Vacation of Right-of-Way (UDO Article 4)

(Web access

<http://cityofls.net/Development/Zoning/Unified-Development-Ordinance.aspx>)

Purpose of Vacation of Right-of-way (VROW)

A right-of-way (ROW) is commonly defined as an area or a strip of land dedicated to public use for pedestrian and vehicular movement through a process of dedication or land acquisition. There are cases where the originally designated right-of-way will no longer be used for the originally intended purpose and the right-of-way can be abandoned so that it can be used for other purposes other than the originally intended purpose. The official abandonment of such a right-of-way is referred to as a vacation of right-of-way.

Step 1: Pre-Application Meeting

Step 2:
Filing the Application

Step 3

Step 4

Step 5

Step 6

Step 7

Step 8

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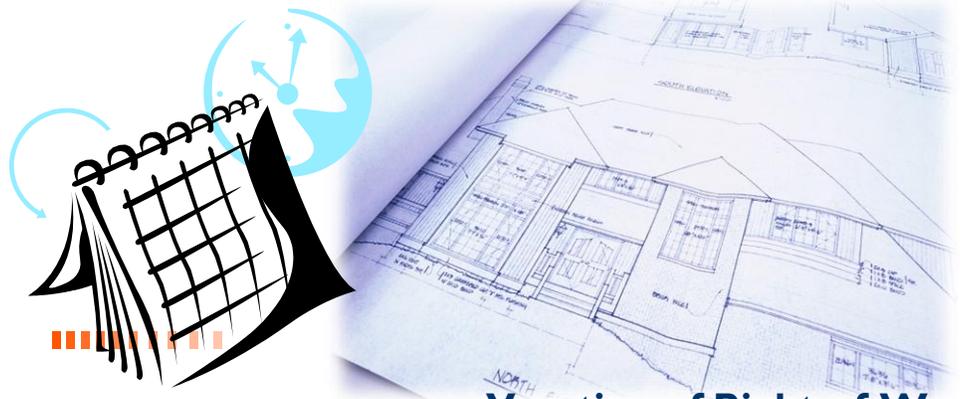
Step 1: Pre-Application Meeting

The UDO requires the applicant to meet with City Staff at a "Pre-app" meeting prior to submitting a Vacation of Right-of-way (VROW) application. Staff members include representatives from Planning and Development, Public Works Engineering (including Traffic), Codes Administration, Fire, and Parks. An exchange of information early in the process can often make the rest of the process go more smoothly.

The purposes of the pre-application meeting are:

- **Project Concept by Applicant** - The applicant can explain the proposed vacation and present necessary information and drawings. Detailed plans are not required, but the more information brought to the meeting, the more thorough and specific staff can be in response.
- **Response and Direction from Staff** - City staff will advise the applicant of the required review and approval process as well as other standards and regulations relevant to a vacation of right-of-way.

Pre-app Appointments – Pre-app meetings are held every Wednesday between 10:00 a.m. and noon, for 30 minutes each. **An appointment is required.** Contact Planning and Development (969-1600) at least 24 hours in advance to schedule a pre-app meeting.

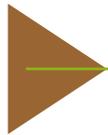


Vacation of Right-of-Way 9.3

Step 2: Filing the Application

The applicant needs to submit the following items to the Department of Planning and Development:

- **Application** – A complete Vacation of Right-of-way application form with signature, and the following item:
 - Legal description and survey or drawing depicting the right-of-way to be vacated and the surrounding properties and property ownerships abutting the right-of-way.
- **Fees** – Application filing fee and legal notice publishing charge, payable to the City of Lee’s Summit - see Schedule of Fees and Charges. Two legal notices are required for a Vacation of Right-of-way application. A single payment can be made for both the application fee and legal notice charges. An application may be withdrawn at any time upon written request; however, no refund will be made after the initial publication.
- **Deadline** – All information must be submitted by the deadline date. Items will be placed on the Planning Commission agenda based upon the completeness of the application submittal. All additional information to support the application must be submitted by the deadline.



Step 3: Development Review Committee

Every application goes through a detailed staff review. A Planner is assigned as the project lead to coordinate the review of each application. After the application is submitted, plans are routed to several departments for review and then discussed by the Development Review Committee (DRC). This is a staff-only committee consisting of 10 to 15 representatives of various city departments and divisions. The DRC reviews each item on the agenda and identifies relevant issues. The development departments then prepare written comments for the applicant, which will be sent to all parties listed on the application form (via fax or email) on the Friday before the scheduled Applicant’s Meeting, if required.



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Step 4: Applicant's Meeting

Following the initial staff review of the applicant's submittal, an Applicant's Meeting is normally required, unless deemed unnecessary by Staff, to provide an opportunity for:

- **Technical Review by Staff** – City staff will provide a technical review of the submitted plans and request any necessary plan revisions.
- **Q&A for Applicant** – The applicant will have an opportunity to ask questions.
- **Review and Approval Process Timeline** – Staff will provide a timeline for the rest of the process. If extensive changes are required or more information is needed to adequately review the application (e.g. additional traffic or engineering studies), the application may be rescheduled to a later Planning 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 Commission meeting, subject to revised plans being submitted by the Revised Plans Due date.

Note: This meeting is *not* the appropriate forum to discuss policy issues or negotiate any agreements. If an application involves policy issues or items that may be resolved through a development agreement, the Lead Planner will schedule a separate meeting with appropriate City staff.

Step 5: Notices and Posting of the Property

- **Legal Notice in Newspaper** – City staff will prepare and publish the required legal notice of the time and place of the public hearings, which must be published 15 days prior to the hearing in a newspaper of general circulation, as required by Missouri State Statutes.
- **Notification Letters to Surrounding Property Owners** – The applicant must mail notices by certified mail, to all property owners within 185 feet of the property, at least 15 days prior to the hearing, notifying them of the opportunity to be heard. A form letter for the notice can be obtained from the Planning and Development Department. An affidavit must be submitted certifying that notice has been sent, along with a list of property owners and a copy of the letter sent.
- **Posting of Sign** – The applicant must post a sign (or signs) on the premises at least 15 days prior to the date of the hearings, informing the public of the time and place of the public hearings. The City will furnish the sign(s) to the applicant for posting. The applicant shall make a good faith effort to maintain the sign for at least 15 days immediately preceding the date of the hearings through the hearings, and through any continuances of the hearings. The sign shall be placed within 5 feet of the street right-of-way line in a central position on the property. The sign shall be readily visible to the public. If the property contains more than one street frontage, one sign shall be placed on each street frontage so as to face each of the streets. The sign(s) may be removed at the conclusion of the public hearings and must be removed at the end of all proceedings on the application or upon withdrawal of the application.
- **Neighborhood Meeting** – The Planning Commission and City Council encourage public participation; therefore, it is strongly recommended that applicants meet with surrounding property owners and residents prior to the public hearings.



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Step 6: Planning Commission Public Hearing

The Planning Commission consists of nine (9) appointed citizens who meet on the second and fourth Tuesdays of each month in the Council Chambers of City Hall at 220 SE Green Street. All meetings are televised on the local cable television government channel. The Commission holds a public hearing on the application and makes a recommendation to the City Council. Common actions by the Planning Commission include "Recommend Approval", "Recommend Approval with Conditions" or "Recommend Denial." The Commission may also "Continue" the hearing. The normal procedure of a public hearing includes the following:

- **Presentation by Applicant** – The applicant begins the public hearing with a presentation, which should include a brief description of the proposed project and a response to any concerns raised in the staff report. When applicable, the visual presentations shall be:
 - *In electronic format - on a laptop, CD ROM, DVD, or flash drive. The City's presentation system can support Word, Excel, Power Point, Adobe, Windows Media Player and Internet Explorer applications.*
 - *Reduced drawings for use on the document camera to display on the screen. Presentation boards will not be allowed, as they cannot be seen by the audience.*
- **Presentation by Staff** – Staff will then present the staff report and recommendation.
- **Public Comments** – Members of the audience will be given an opportunity to speak. If issues or concerns are raised by the public, the applicant is typically given an opportunity to respond.
- **Commission Discussion and Recommendation** – The Commission members may ask questions of either staff or the applicant. Finally, the public hearing portion of the meeting is closed, and the Planning Commission discusses the action that should be taken and the reasons for that action. The Planning Commission's action is a recommendation to the City Council to approve, approve with conditions, or deny the application. The Planning Commission may also vote to continue an application to a later meeting to allow further study or the submission of additional information by the applicant or staff. Once the Planning Commission has made a recommendation, a hearing (typically three weeks later) will be scheduled before the City Council.



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Vacation of Right-of-Way 9.6

Step 7: City Council Public Hearing

The Lee’s Summit City Council holds public hearings at their regular meetings on the first and third Thursdays of each month at the Council Chambers of City Hall at 220 SE Green Street.

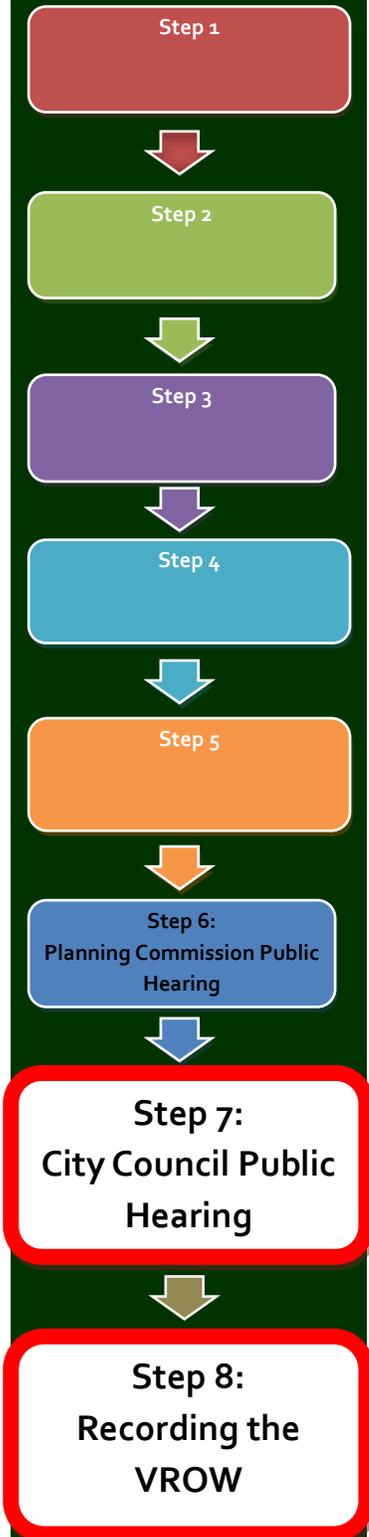
- **Public Hearing** — The format of the public hearing is similar to that used by the Planning Commission and applicants should plan on making a similar type of presentation. After the City Council has listened to the presentations and to any public comments, they will discuss the application and then take action. The City Council may approve, approve with conditions, deny, amend the application or return the application to the Planning Commission for further consideration. If approved, the Council will direct staff to prepare an ordinance granting the special use permit.
- **Ordinance** — The ordinance is normally read at a subsequent City Council meeting and approved or denied.
- **Post Approval** — After approval has been granted, the vacation of right-of-way needs to be officially recorded at the County Recorder of Deeds office.

Step 8: Recording the Vacation of Right-of-Way

The final version of the approved vacation of right-of-way and the certified copy of the Ordinance accepting the vacation of right-of-way must be taken to the County Recorder of Deeds office for recording by the applicant. A copy of the officially recorded vacation of right-of-way needs to be returned to the Planning and Development Department.



Vacation of Right-of-Way 9.7



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