

2/6/2013



DEVELOPMENT SERVICES PROCEDURES MANUAL



Table of Contents

1.0 Land Use Regulations..... 1

 1.1 Overview 1

 1.2 The Comprehensive Plan 1

 1.3 Zoning Ordinance..... 1

 1.4 Subdivision Ordinance 2

2.0 Decision Making Bodies 3

 2.1 Board of Aldermen..... 3

 2.2 Planning Commission..... 3

 2.3 Zoning Board of Adjustment 3

 2.4 Historic Preservation Commission 4

 2.5 Community Development Department 4

3.0 Development Applications..... 5

 3.1 Pre-Application Conference..... 5

 3.2 Applications..... 5

 3.3 Public Hearings..... 6

4.0 Comprehensive Plan Amendment 7

 4.1 Plan Amendment Procedure..... 7

 4.2 Future Land Use Plan Amendment Public Hearing Script..... 7

5.0 Zoning & Subdivision Text Amendment..... 9

 5.1 Zoning & Subdivision Text Amendment Procedure..... 9

6.0 Rezoning (Zoning Map Amendment) 10

 6.1 Rezoning Procedure 11

 6.2 Sample Official Notice..... 11

 6.4 Zoning Map Amendment Public Hearing Script..... 12

7.0 Planned Development..... 14

 7.1 Planned Development Procedure..... 14

 7.2 Planned Development Review Checklist..... 16

8.0 Conditional Use Permit 19

 8.1 Conditional Use Permit Procedure 20

 8.2 Sample Official Notice..... 20

DEVELOPMENT SERVICES PROCEDURES MANUAL

City of Grandview, Missouri

8.3 Conditional Use Permit Public Hearing Script..... 21

9.0 Subdivision 24

9.1 Platting Process..... 25

9.2 Preliminary Plat Checklist 26

9.3 Final Plat Checklist 27

10.0 Minor Subdivisions..... 29

10.1 Minor Subdivision Procedure..... 29

10.2 Minor Subdivision Checklist..... 29

10.4 Minor Subdivision Review Form 30

11.0 Site Plan Review 32

11.1 Site Plan Review Procedures..... 32

11.2 Site Plan Review Forms 33

12.0 Variance 41

12.1 Variance Procedure..... 42

12.2 Sample Official Notice..... 42

12.3 Variance Hearing Script..... 43

13.0 Certificate of Appropriateness..... 45

13.1 COA Procedure..... 46

13.2 Certificate of Economic Hardship 46

14.0 Other Permits (Home Occupations, Signs, Temporary Uses, Fences) 47

14.1 Home Occupations..... 47

14.2 Signs 47

14.3 Temporary Uses 47

14.4 Fences 47

15.0 Appeal of Administrative Decisions 48

15.1 Appeal Procedure 48

16.0 Protest Petitions..... 49

16.1 Petition Procedure 49

17.0 Zoning Violations..... 50

17.1 Sample Letters 50

18.0 Staff Reviews..... 52

DEVELOPMENT SERVICES PROCEDURES MANUAL

City of Grandview, Missouri

18.1 Pre-Application Conference 52

19.0 Planning Commission 53

 19.1 Planning Commission Sample Agenda 53

 19.2 By-laws 53

20.0 Zoning Board of Adjustment 63

 20.1 ZBA Sample Agenda 63

II. ROLL CALL..... 63

VIII. OTHER BUSINESS..... 63

IX. ADJOURNMENT..... 63

 20.2 By-laws 63

21.0 Historic Preservation Commission 73

 21.1 HPC Sample Agenda..... 73

 21.2 By-laws 73

Appendix – Application Forms 79

 City of Grandview Development Services Application..... 81

 City of Grandview Protest Petition 83

 Certificate of Appropriateness Application 85

 Certificate of Economic Hardship Application 87

 Home Occupation Permit Application 89

 Appeal of Administrative Decision Application 91

1.0 Land Use Regulations

1.1 Overview

The Development Services Procedures Manual provides guidelines and information regarding the administration of the City of Grandview's development regulations. Included are descriptions of the general role of each participant, a discussion of the decision-making process, and application forms. This information is gathered in this Manual to ensure consistent and equitable review.

The information contained in this manual is only a summary of the requirements specified in the adopted development regulations for the City of Grandview. Applicants should consult the applicable regulations for a complete list of application requirements.

The power to enact zoning and subdivision regulations has been granted to cities and counties by the state enabling legislation. These statutes require the participation of three separate bodies in the process of administering the regulations: the Planning Commission, the Zoning Board of Adjustment, and the Board of Aldermen. In addition, the Historic Preservation Commission plays an important role in development and redevelopment occurring in the City's Residential Historic District and Main Street Conservation District.

Community Development Department staff assist the City's elected and appointed officials in their decision making by administering the application and review process, making technical and professional judgments, and providing information. In addition, some development applications are approved by the Community Development Director.

If you have questions about the information contained in this Manual, please contact the Grandview City Planner at 316-4822.

1.2 The Comprehensive Plan

The Grandview Comprehensive Plan establishes the City's vision for its future, goals to pursue in the achievement of the vision, and policies and strategies to aid in reaching each goal. The Comprehensive Plan includes a Future Land Use Map that establishes ideal land use categories for land throughout the City. The City updates the Plan approximately every ten years to ensure the vision remains valid, to update its policies, and to identify appropriate strategies for reaching its goals. The Plan provides a foundation for all land use decisions made by the City.

The Comprehensive Plan may be reviewed on the City's website.

1.3 Zoning Ordinance

The Zoning Ordinance is a City law used to implement the Comprehensive Plan and provide for the public health, safety, and welfare by regulating the location of and relationship between various land

uses. It delineates the boundaries for zoning districts which regulate land development and use, population density, lot coverage and setbacks, and the bulk of structures.

The Zoning Ordinance also establishes standards for parking, landscaping, signs, and contains regulations for specific uses. The ordinance contains the procedures for decision making followed by the Planning Commission, the Board of Aldermen, the Zoning Board of Adjustment, and the Historic Preservation Commission.

The Zoning Ordinance may be viewed on the City's website.

1.4 Subdivision Ordinance

The Subdivision Ordinance is another City law enacted to implement the Comprehensive Plan. The Subdivision Ordinance provides standards for the division of land for the purpose of development or redevelopment.

The general purposes of the subdivision ordinance are to:

- Protect and promote the public health, safety, convenience, comfort and general welfare;
- Provide for the orderly growth and harmonious development of the City;
- Ensure compatibility between land uses and buildings; and
- Ensure that public facilities, including roads, water, sewer and drainage facilities are adequate to serve the needs of the City's population.

The Subdivision Ordinance may be viewed on the City's website.

2.0 Decision Making Bodies

Approval of development applications involves a number of boards, commissions, and City staff members. In general, the standards for approving an application are given in the City's development regulations and in the Comprehensive Plan.

2.1 Board of Aldermen

The Board of Aldermen, as the governing body of the City, has the authority to give final approval to most development applications. The Board holds public hearings and makes the final decision on the following applications:

- Comprehensive Plan Amendment
- Zoning & Subdivision Text Amendment
- Rezoning
- Conceptual Development Plan (Planned Development)
- Conditional Use Permit
- Final Plat

The Board holds its business meetings on the second and fourth Tuesdays of the month at City Hall.

2.2 Planning Commission

The Planning Commission is appointed by the Board of Aldermen. The Planning Commission reviews most of the development applications submitted to the City, holds public hearings, and makes a recommendation for approval or denial to the Board of Aldermen. The Commission takes final action on preliminary plats.

The Planning Commission meets on the first Wednesday of the month at City Hall.

2.3 Zoning Board of Adjustment

The Zoning Board of Adjustment is appointed by the Board of Aldermen. The Zoning Board of Adjustment considers appeals of staff decisions, requests for variances from conditional use requirements or from the zoning ordinance, and applications regarding changes or extensions of legal nonconformities.

The Zoning Board of Adjustment meets on an as-needed basis.

Public Hearing Oath

Do you solemnly swear and affirm under the penalty of perjury that any testimony offered or evidence submitted to the Zoning Board of Adjustment shall be true and correct to the best of your knowledge and belief?

2.4 Historic Preservation Commission

The Historic Preservation Commission is the body charged with preserving the City’s historically and architecturally significant buildings and neighborhoods. The Commission takes action on Certificates of Appropriateness and Certificates of Economic Hardship.

The Historic Preservation Commission meets on the second Wednesday of the month at City Hall.

2.5 Community Development Department

The Community Development Department provides staff assistance to all of the elected officials, appointed boards and commissions, and provides assistance to the community by answering questions and providing information. In addition, the Community Development Director is authorized to approve certain development applications, including:

- Final Development Plan (Planned Development)
- Minor Subdivisions, Lot Consolidations, and Lot Line Adjustments
- Site Plan Review
- Home Occupation Permits
- Sign Permits
- Temporary Use Permits

The Community Development Department enforces the City’s Zoning Ordinance by taking action to notify and take legal action against violators of the ordinance.

Community Development Director	316-4820
City Planner	316-4822
Building Official	316-4825

3.0 Development Applications

3.1 Pre-Application Conference

The City's Development Review Team regularly meets with potential applicants to review their plans and offer comments and suggestions. A pre-application conference may help an applicant to identify necessary changes and avoid potential problems. Applicants preparing applications for site plans, subdivisions, and planned development are particularly encouraged to schedule a pre-application conference, but all potential applicants are welcome to meet with the Review Team to discuss their plans.

Pre-application conferences are held on Tuesday mornings and are scheduled on a first-come, first-served basis. Please call the City Planner at 316-4822 by the preceding Friday in order to make an appointment.

3.2 Applications

Most applications require the applicant to complete the City's Development Services Application, to attach all of the required information, and to pay the required fee. Incomplete applications will not be accepted. The Development Services Application is required for the following applications:

- Comprehensive Plan Amendments
- Ordinance Text Amendments
- Rezoning
- Planned Development
- Conditional Uses
- Subdivisions, including Minor Subdivisions, Lot Line Adjustments, and Consolidations
- Site Plan Review
- Variances
- Temporary Uses
- Appeals of Administrative Decisions
- Vacation of Streets, Alleys, or Easements
- Street Name Changes

Separate application forms are required for:

- Certificates of Appropriateness
- Certificates of Economic Hardship
- Home Occupations
- Sign Permits
- Protest Petitions

All application forms and the current fee schedule are available from the Community Development Department.

3.3 Public Hearings

Before making any recommendation or decisions on zoning requests and many other development applications, the Planning Commission and Board of Aldermen first hold a public hearing. The purpose of the hearing is to allow all interested parties to express their views on the issue and to discuss all relevant factors. Although the hearing is a valuable mechanism for gauging the community's attitudes toward development and for establishing the facts of each case, the final decision is not based solely on the opinions of the largest or most vocal group of participants.

Anyone is welcome to make comments about an application under consideration by the Planning Commission or Board of Aldermen. A person making comments during a public hearing is asked to keep the remarks concise. If you are unable to attend a public hearing in person, written comments may be submitted to the City Planner prior to the public hearing.

4.0 Comprehensive Plan Amendment

The Comprehensive Plan provides a foundation for all development in Grandview and for land use decisions made by the City. The Comprehensive Plan contains a vision for the City’s future; goals, objectives, and policies for achieving the vision; and a Future Land Use Map that shows where the City plans for various land uses to be located as the City develops over time.

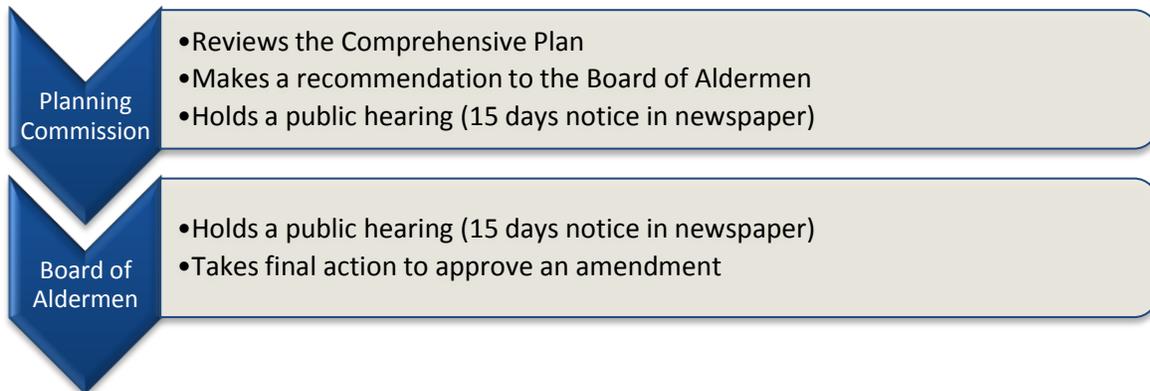
Public Hearing

The adoption or amendment of the Comprehensive Plan involves at least one public hearing before the Planning Commission. If questions arise during a public hearing that cannot be answered immediately, a public hearing may be adjourned and continued at a later time.

Public Notice

When the Planning Commission or Board of Aldermen will be holding a public hearing on a plan adoption or amendment, the City will publish an official notice in the Jackson County Advocate 15 days before the hearing.

4.1 Plan Amendment Procedure



4.2 Future Land Use Plan Amendment Public Hearing Script

___ To protect the rights of all parties involved and in order to create an opportunity for everyone to speak their opinions in an orderly fashion, the Planning Commission follows specific fact finding procedure. Your attention to this procedure is appreciated.

___ We would like to formally open the hearing regarding Case Number ___.

___ Do any Planning Commissioners have a conflict of interest in this case?

___ Staff, please give a brief background and facts concerning this case?

___ Is there anyone in the audience who would like to comment or ask questions concerning this case? You may have five (5) minutes to comment or ask questions. Please clearly state your name and address and sign in before commenting.

DEVELOPMENT SERVICES PROCEDURES MANUAL

City of Grandview, Missouri

- _____ If there are no further comments, we will ask the Commission Staff to provide its recommendations regarding this case. Staff?
- _____ Does any member of the public wish to rebut any statements made in the Staff report?
- _____ Does the Commission have any further questions of staff?
- _____ If not, the public hearing is now closed. A resolution recommending adoption of the _____ <*Plan Title*> by the Board of Aldermen requires the affirmative vote of a majority of the full membership of the Planning Commission.
- _____ The Chair will entertain a motion at this time.
- _____ A motion to (repeat motion) based on (repeat factors) has been made and seconded. It there any discussion?
- _____ Staff, please call the roll. Motion (carries or fails).

Sample Motion:

I move that we (approve/deny/continue) Resolution _____, recommending adoption of <*Plan Title*> by the Board of Aldermen based upon the following findings:

5.0 Zoning & Subdivision Text Amendment

The text of the Zoning and Subdivision Ordinances contains the regulations governing land uses, the subdivision of land, and the procedures for development applications. A change to the text of either ordinance affects all land within the City.

A proposal for an amendment of the text of the zoning ordinance or subdivision regulations is initiated through the Planning Commission. A citizen may also begin the amendment process by submitting the proposed change to the Community Development Director.

Procedures for a text amendment to the regulations are set forth in **Section 31-26 (E)** of the Zoning Ordinance.

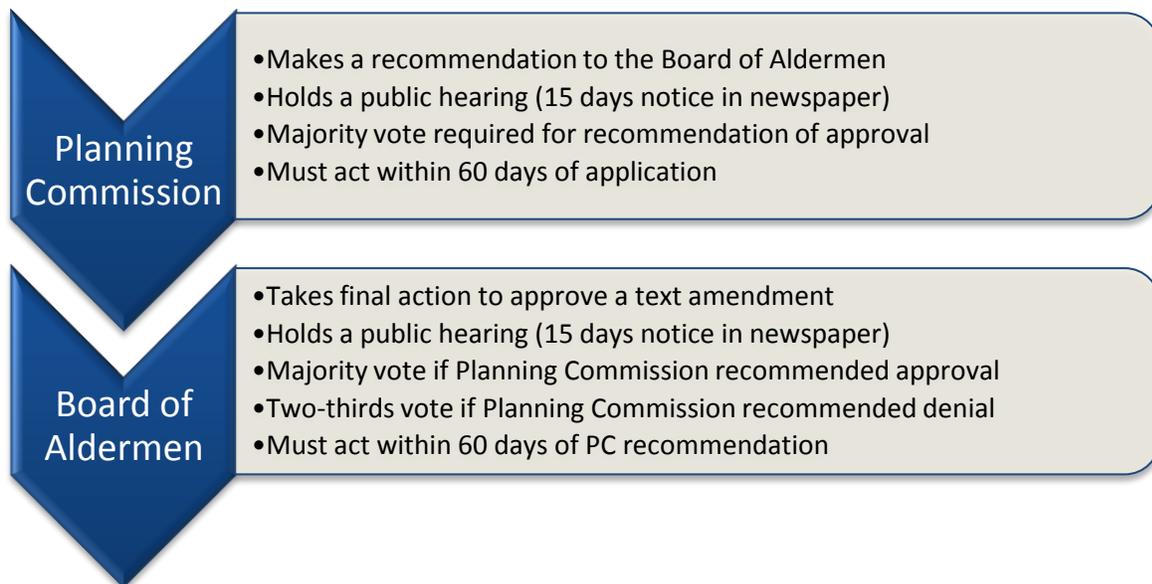
Public Hearing

Amending either the Zoning or the Subdivision Ordinance requires two public hearings: one before the Planning Commission and one before the Board of Aldermen. If questions arise during a public hearing that cannot be answered immediately, a public hearing may be adjourned and continued at a later time.

Public Notice

When the Planning Commission or Board of Aldermen will be holding a public hearing on a text amendment, the City will publish an official notice in the Jackson County Advocate 15 days before the hearing.

5.1 Zoning & Subdivision Text Amendment Procedure



6.0 Rezoning (Zoning Map Amendment)

A proposal for an amendment to the Official Zoning Map is also known as a rezoning. When a property's zoning is changed, it is then subject to a different set of development standards, including setbacks, lot area, and other bulk regulations. A rezoning also allows different land uses on the property. Rezoning may be initiated by the Board of Aldermen, the Planning Commission, or by application of the owner of the property.

Procedures for a rezoning are set forth in **Section 31-26 (E)** of the Zoning Ordinance.

Public Hearing

The rezoning of property requires two public hearings: one before the Planning Commission and one before the Board of Aldermen. If questions arise during a public hearing that cannot be answered immediately, a public hearing may be adjourned and continued at a later time.

Public Notice

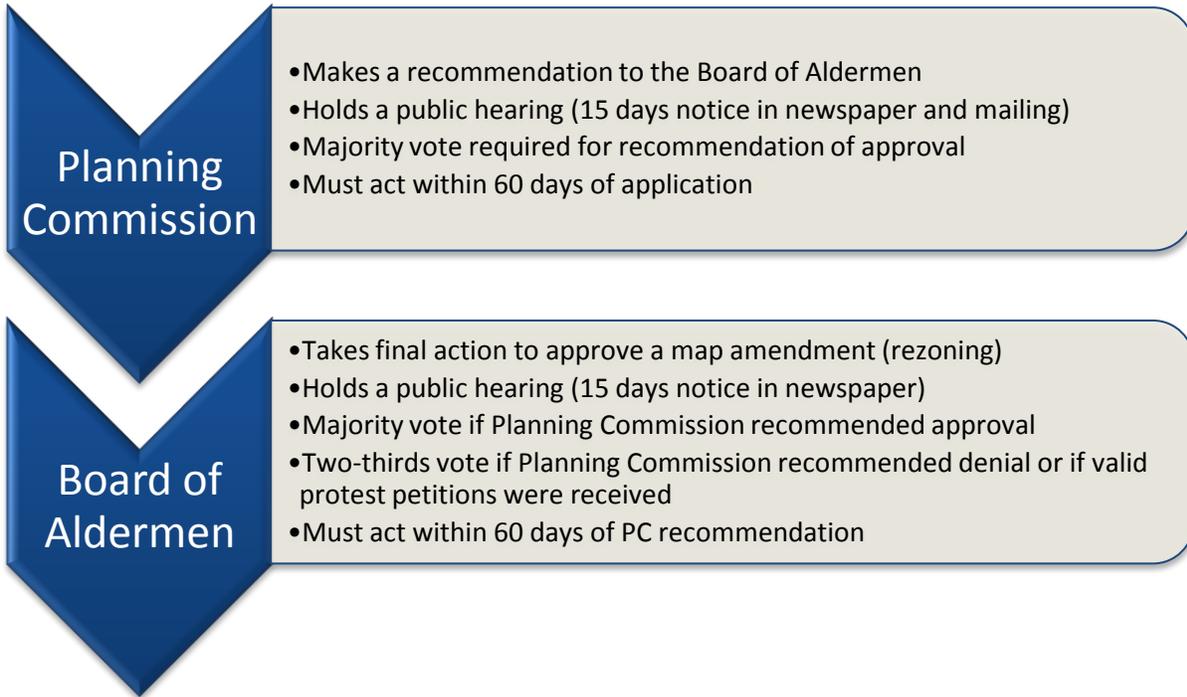
When the Planning Commission or Board of Aldermen will be holding a public hearing on a rezoning, the City will publish an official notice in the Jackson County Advocate 15 days before the hearing. A courtesy written notice will also be sent to all property owners within 185 feet of the subject site.

Rezoning Decisions

The decision to rezone land is examined very carefully, as one decision can have impacts on generations of Grandview residents. The Zoning Ordinance establishes two conditions for rezoning:

- Circumstances and conditions affecting the property have so materially changed to demand the rezoning; or
- The change is consistent with the Comprehensive Plan and the Plan's Future Land Use Map.

6.1 Rezoning Procedure



6.2 Sample Official Notice

Date

COURTESY NOTICE OF PUBLIC HEARINGS REGARDING AN APPLICATION FOR A _____ IN YOUR NEIGHBORHOOD

Dear Property Owner:

The purpose of this letter and the enclosed "Notice of Public Hearing," which appeared in the Jackson County Advocate on _____, 2____, is to better inform you of upcoming public hearings concerning an application filed by _____ to amend the Zoning District Map from _____ to _____ for property described as:

Parcel Number Address

Or other identifying description or legal descriptions

The public hearings to receive public comment for this application will be held at Grandview City Hall at _____ P.M. on _____, 2____, before the Planning Commission and tentatively at _____ P.M. on _____, 2____ before the Board of Aldermen. As your property is located within 185 feet of the property under consideration, you are encouraged to appear at the public hearings to provide questions, comments, and your position regarding this application. You may also submit written comments if you are unable to attend these hearings.

DEVELOPMENT SERVICES PROCEDURES MANUAL

City of Grandview, Missouri

Property owners within 185 feet of such property described above who wish to protest the proposed change may submit a protest petition to the Community Development Director. If valid protest petitions are received from owners of 30 percent or more of the property within 185 feet (prior to the Board of Aldermen meeting), approval shall require a minimum two-thirds vote of the Board of Aldermen. Protest petitions are available at the Community Development Department in City Hall.

For further information or to view a copy of the _____ request, please contact the staff of the Planning Commission at the Community Development Department at 816-316-4822 or visit the Community Development counter at City Hall during the hours of 8:00 AM to 5:00 PM Monday through Friday.

Sincerely,

Community Development Director

6.4 Zoning Map Amendment Public Hearing Script

_____ The Missouri Supreme Court has defined rezoning as a quasi-judicial function. To protect the rights of all parties involved and in order to create an opportunity for everyone to speak their opinions in an orderly fashion, the Planning Commission follows a specific fact finding procedure. Your attention to this procedure is appreciated.

_____ We would like to formally open the hearing regarding Case Number _____. Have any Planning Commissioners had any outside contacts regarding this case? If so, please indicate who you have spoken with and explain the nature of the conversation.

_____ Does any Planning Commissioner have a conflict of interest in this case?

_____ Is the applicant or his/her agent in attendance? Please step forward and state your name and address and sign in before presenting your case. You have ten (10) minutes to present your case. Planning Commission members may request clarification at the end of your presentation.

_____ Staff, please give a brief background and facts concerning this case?

_____ Is there anyone in the audience who would like to comment or ask questions concerning this case? You may have five (5) minutes to comment or ask questions. Please clearly state your name and address and sign in before commenting.

_____ If there are no further comments, we will ask the Commission Staff to provide its recommendations regarding this case. Staff?

DEVELOPMENT SERVICES PROCEDURES MANUAL

City of Grandview, Missouri

- _____ Does the applicant wish to rebut any statements made in the staff report or in the public comments?
- _____ Does any member of the public wish to rebut any statements made in the Staff report or by the applicant?
- _____ Does the Commission have any further questions of the applicant or staff?
- _____ If not, the public hearing is now closed. Acceptance of a rezoning request must be based on the following criteria:
 - (a) That circumstances and conditions affecting the property in question have so materially changed as to demand reclassification in the public interest.
 - (b) That the change is consistent with and in furtherance of the implementation of the Comprehensive Plan
- _____ The Chair will entertain a motion at this time.
- _____ A motion to (repeat motion) based on (repeat factors) has been made and seconded. Is there any discussion?
- _____ Staff, please call the roll. Motion (carries or fails).

Sample Motion.

I move that we (accept/deny) the rezoning request from: _____ District to _____ District. This motion is based upon the following findings:

7.0 Planned Development

Planned Development is a unique zoning district which is intended to encourage innovation in the development of mixed-use sites. An application in a Planned Development district is a hybrid of rezoning and subdivision applications because the process not only establishes how the property will be subdivided but also sets the permitted uses and the overall design of the development in terms of lot and bulk regulations, landscaping, parking, and other standards.

An application for Planned Development occurs in two parts: Conceptual Development Plan and Final Development Plan. The Conceptual Development Plan receives the most scrutiny because it is during this process that the City and the applicant reach agreement on the elements of the plan.

Procedures for Planned Development are set forth in **Section 31-19** of the Zoning Ordinance.

Public Hearing

Planned Development applications require a public hearing before the Planning Commission and the Board of Aldermen during the review of the Conceptual Development Plan. If questions arise during a public hearing that cannot be answered immediately, the public hearing may be adjourned and continued at a later time.

Public Notice

When the Planning Commission will be holding a public hearing on a planned development, the City will publish an official notice in the Jackson County Advocate 15 days before the hearing. A courtesy written notice will also be sent to all property owners within 185 feet of the subject site.

Conceptual Development Plan Decisions

The Conceptual Development Plan is examined very carefully, as the decisions made and included in the plan will establish the parameters for development of the site. The Zoning Ordinance establishes standards for Conceptual Development Plan approval, including:

- Conformance with the Comprehensive Plan;
- Plans are justifiable and reasonable; and
- Plans are not likely to interfere with the use and enjoyment of property in abutting districts.

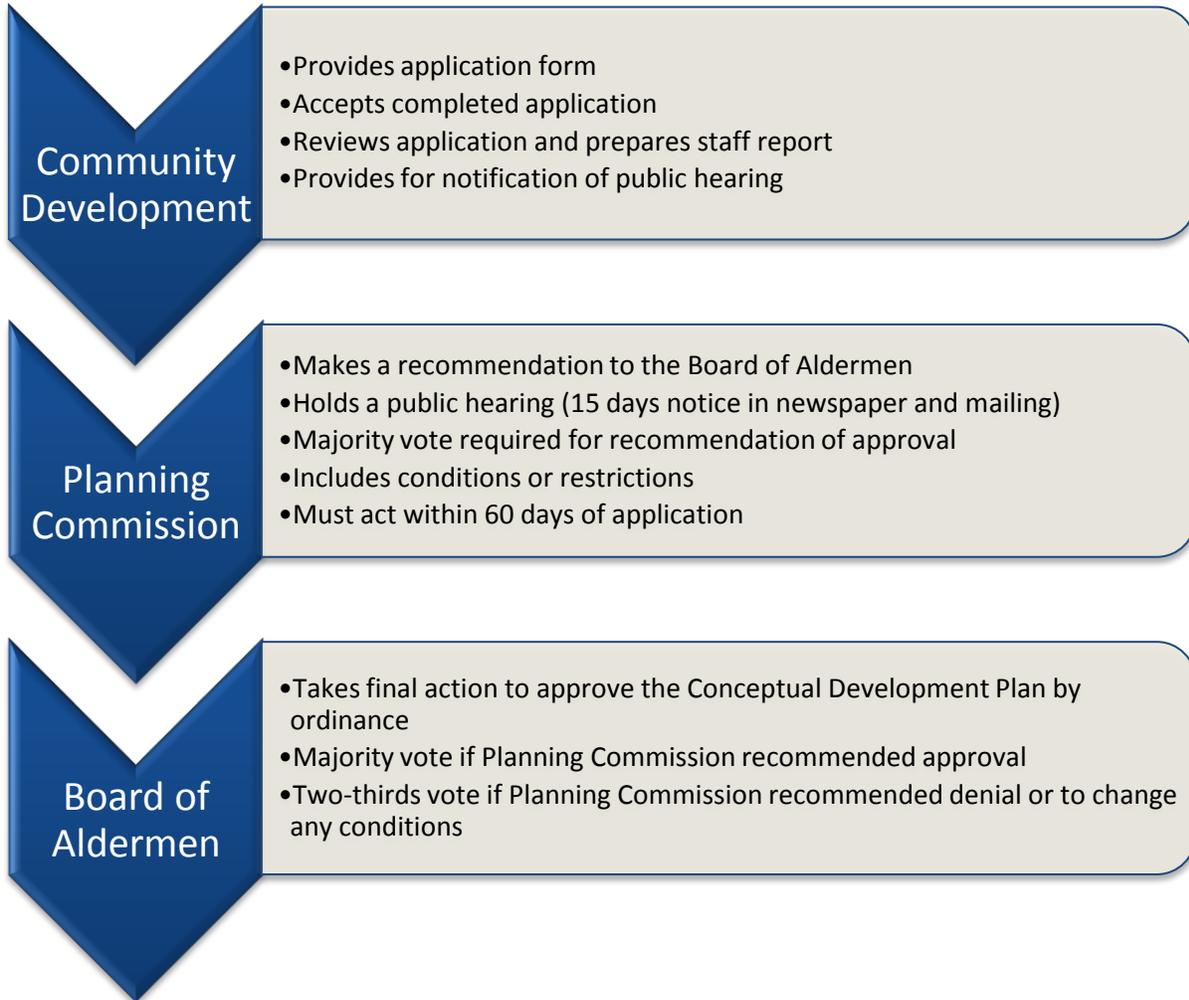
Final Development Plan Decisions

The Final Development Plan is reviewed by the Community Development Director to ensure that it is in conformance with the approved Conceptual Development Plan. If so, the Director may approve the Final Development Plan.

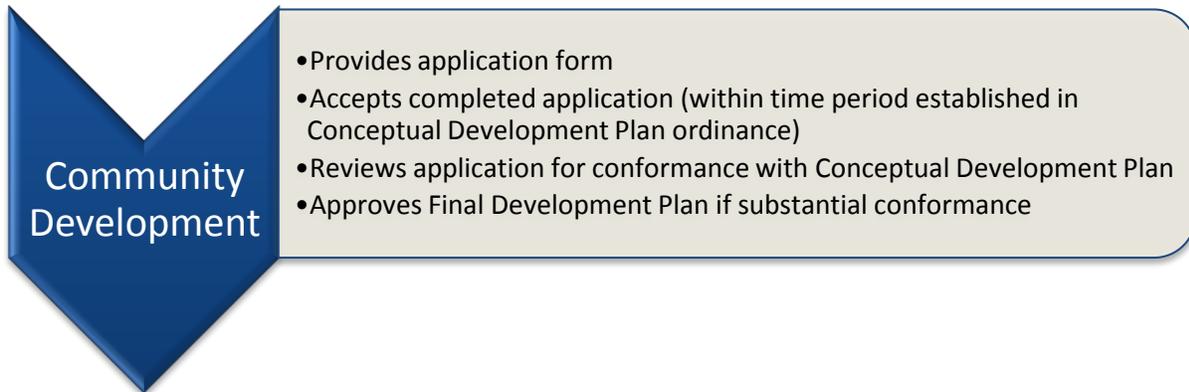
7.1 Planned Development Procedure

An application for Planned Development occurs in two parts: Conceptual Development Plan and Final Development Plan.

Conceptual Development Plan



Final Development Plan



DEVELOPMENT SERVICES PROCEDURES MANUAL

City of Grandview, Missouri

7.2 Planned Development Review Checklist

Return Form To:
 Community Development Director
 City of Grandview
 1200 Main Street
 Grandview, MO 64030
 (816) 316-4822
 (816) 316-4820
 (816)316-4809 (fax)

For Office Use Only:
 Development: _____
 Date Filed: _____
 Meeting Date: _____

Project: _____

Location: _____

Owner: _____

Instructions: The following checklist is to be completed by the Community Development Director, or designated City Staff, and shall accompany the Development Plan when it is submitted to the Planning Commission. The Development Plan shall include the following data, details and supporting information which are found to be relevant to the proposal. All Development Plans shall be prepared by an architect or professional engineer registered in the State of Missouri. The number of pages submitted will depend on the proposal's size and complexity.

Does the Development Plan comply with or show the following?	Yes	No
A. Name of the project, address, boundaries, date, north arrow and scale of the plan.		
B. Name and address of the owner of record, developer, and seal of the engineer, architect or landscape architect.		
C. Name and address of all owners of record of abutting parcels.		
D. All existing lot lines, easements, and rights-of-way. Include area in acres or square feet, abutting land uses and structures.		
E. The location and use of all existing and proposed buildings and structures within the development, including all dimensions of height and floor area, show all exterior entrances and all anticipated future additions and alterations, and typical elevations and building materials.		
F. The location of all present and proposed public and private ways, driveways, sidewalks, ramps, curbs and fences. Location type and screening details for all waste disposal containers shall also be shown.		
G. The location of required parking areas including parking stalls, setbacks and loading and service areas.		
H. The location, height, intensity, and bulb type (e.g., fluorescent, sodium incandescent) of all external lighting fixtures. The direction of illumination and methods to eliminate glare onto adjoining properties.		
I. The location, height, size, materials, and design of all proposed signage.		

DEVELOPMENT SERVICES PROCEDURES MANUAL

City of Grandview, Missouri

Does the Development Plan comply with or show the following?	Yes	No
J. A landscape plan showing all existing open space, trees forest cover and water sources, and all proposed changes to these features including the size and type of plant material. Water sources will include ponds, lakes, brooks, streams, wetlands, flood plains, and drainage retention areas.		
K. If required, a landscape plan in accordance with the provisions of the Grandview Zoning Regulations.		
L. The location of all existing and proposed utility systems including:		
1. sewer lines and manholes;		
2. water lines and fire hydrants;		
3. telephone, cable and electrical systems; and		
4. Storm drainage system including existing and proposed drain lines, culverts, catch basins, head walls, end walls, hydrants, manholes, and drainage swales.		
M. Plans to prevent the pollution of surface or groundwater, the erosion of soil both during and after construction, excessive run-off, excessive raising or lowering of the water table, and flooding of other properties, as applicable.		
N. Existing and proposed topography shown at not more than two-foot contour intervals. All elevation shall refer to United States Geodetic Survey (U.S.G.S.) datum. No building shall be located in the 100-year flood plain.		
O. Existing and proposed zoning district boundaries adjacent to the site's perimeter shall be drawn and identified on the plan.		
P. Traffic flow patterns within the site, entrances and exits, loading and unloading areas, curb cuts on the site and within 100 feet of the site.		
Q. The Community Development Director may require a detailed traffic study for mixed use and multi-tenant developments, or for developments in heavy traffic areas to include:		
1. The projected number of motor vehicle trips to enter or leave the site, estimated for daily and peak hour traffic levels.		
2. The projected traffic flow pattern including vehicular movements at all major intersections likely to be affected by the proposed use of the site; and		
3. The impact of this traffic upon existing abutting public and private streets in relation to existing road capacities. Existing and proposed daily and peak hour traffic levels, as well as road capacity levels, shall also be given.		
R. The following items when said items are applicable:		
1. Net area -- _____ square feet or ____ acres. (Note: Net area does not include land dedicated or necessary to be dedicated for public street right-of-way. If more than one parcel is proposed, designate net area by parcel as well as total net area.)		
2. Density shall not exceed _____ dwelling units per acre or a total of _____ dwelling units for the entire plan. No parcel or unit of the plan shall exceed a density of _____ units per acre for the individual parcel by more than 20%.		
3. Building coverage shall not exceed _____ of the net area of the Planned Development by individual parcel or total development.		

DEVELOPMENT SERVICES PROCEDURES MANUAL

City of Grandview, Missouri

Does the Development Plan comply with or show the following?	Yes	No
4. A minimum of _____% of the development plan shall be provided for common open space as defined by this regulation. (Note: Normally, this figure should be approximately 50%).		
5. A minimum of 50% of the recreational facilities shall be constructed prior to the development of one-half of the project, and all recreational facilities shall be constructed by the time the project is 75% developed.		
6. If more than one parcel is proposed, a statement relating to the sequence of development shall be included.		
7. Required number of off-street parking spaces.		
8. Gross floor area proposed: _____ square feet. (Commercial "PD" only.)		
9. All proposed land uses listed by area or parcel.		
S. A statement or adequate drawings describing the manner for disposal of sanitary waste and storm water.		
T. The full legal description of the boundaries of the property or properties to be included in the Planned Development.		
U. A description, rendering or drawing of the general characteristics of the proposed buildings.		
V. Evidence that the applicant has sufficient control over the tract to effectuate the proposed plan, including a statement of all the ownership and beneficial interests in the tract of land and the proposed development.		
W. A statement describing the provision that is to be made for the care and maintenance for any proposed open space or recreational facilities.		
X. Copies of proposed articles of incorporation and bylaws of any entity that is to own and/or maintain any proposed common space, or recreational facilities unless said common space or recreational facility is to be owned and/or maintained by a governmental authority.		
Y. Copies of any restrictive covenants that are to be recorded with respect to property included in the planned development district.		
Z. A schedule showing the proposed time and sequence within which the applications for final approval of all sections of the Planned Development are intended to be filed if the Planned Development calls for construction in units over a period of years.		
AA. Evidence of the developer's financial ability to undertake and complete the proposed project.		

8.0 Conditional Use Permit

Certain uses are permitted in some zoning districts only when a conditional use permit has been obtained from the Board of Aldermen. Such uses require special study with respect to their location and/or design considerations to assure that they will have minimal negative impact on surrounding properties. Conditional use permits are granted on a case-by-case approach. The zoning regulations set forth conditions that must be met before a conditional use permit may be granted. The district regulations also may establish additional conditions.

Procedures for a conditional use permit are set forth in **Section 31-26 (F)** of the Zoning Ordinance.

Public Hearing

A conditional use permit requires two public hearings: one before the Planning Commission and one before the Board of Aldermen. If questions arise during a public hearing that cannot be answered immediately, a public hearing may be adjourned and continued at a later time.

Public Notice

When the Planning Commission or Board of Aldermen will be holding a public hearing on a conditional use permit, the City will publish an official notice in the Jackson County Advocate 15 days before the hearing. A written notice will also be sent to all property owners within 185 feet of the subject site.

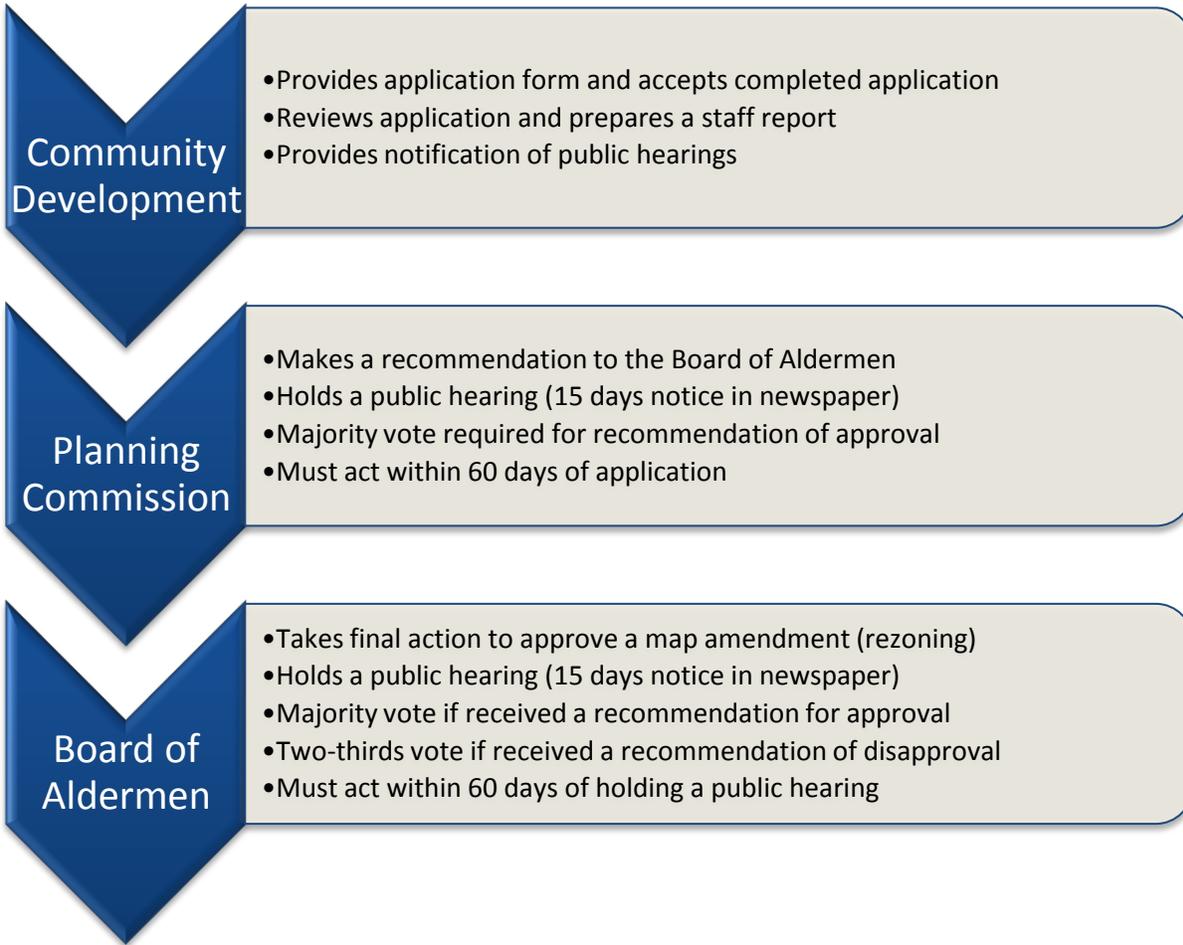
Permit Decisions

The decision to approve a CUP is taken seriously because the use has been found to create the possibility for negative impacts on adjacent property or the City as a whole. The Zoning Ordinance establishes conditions that must be met in order to grant a CUP. These include:

- Compliance with all the regulations of the Zoning Ordinance;
- Provision of adequate utilities, drainage, roads, and other improvements;
- Avoidance of direct light cast on property in a residential district;
- Harmony with the surrounding zoning district and neighborhood;
- Avoidance of uses that would hinder or discourage appropriate development, use, and enjoyment of adjacent land or buildings; and
- Contribution to and promotion of the convenience and welfare of the public.

The Board of Aldermen may establish conditions or restrictions on the conditional use permit. If the Board of Aldermen denies an application, no new application for the same property may be filed for one year from the original application date.

8.1 Conditional Use Permit Procedure



8.2 Sample Official Notice

Date

**COURTESY NOTICE OF PUBLIC HEARINGS REGARDING AN APPLICATION FOR A _____ IN
YOUR NEIGHBORHOOD**

Dear Property Owner:

The purpose of this letter and the enclosed "Notice of Public Hearing," which appeared in the Jackson County Advocate on _____, 2____, is to better inform you of upcoming public hearings concerning an application filed by _____ for a Conditional Use Permit to operate _____ at the property described as:

Parcel Number Address

Or other identifying description or legal descriptions

DEVELOPMENT SERVICES PROCEDURES MANUAL

City of Grandview, Missouri

The public hearings to receive public comment for this application will be held at Grandview City Hall at _____ P.M. on _____, 2____, before the Planning Commission and tentatively at _____ P.M. on _____, 2____ before the Board of Aldermen. As your property is located within 185 feet of the property under consideration, you are encouraged to appear at the public hearings to provide questions, comments, and your position regarding this application. You may also submit written comments if you are unable to attend these hearings.

For further information or to view a copy of the _____ request, please contact the staff of the Planning Commission at the Community Development Department at 816-316-4822 or visit the Community Development counter at City Hall during the hours of 8:00 AM to 5:00 PM Monday through Friday.

Sincerely,

Community Development Director

8.3 Conditional Use Permit Public Hearing Script

_____ To protect the rights of all parties involved and in order to create an opportunity for everyone to speak their opinions in an orderly fashion, the Planning Commission follows specific fact finding procedure. Your attention to this procedure is appreciated.

_____ We would like to formally open the hearing regarding Case Number _____. Have any Planning Commissioners had any outside contacts regarding this case? If so, please indicate who you have spoken with and explain the nature of the conversation.

_____ Do any Planning Commissioners have a conflict of interest in this case?

_____ Is the applicant or his/her agent in attendance? Please step forward and state your name and address and sign in before presenting your case. You have ten (10) minutes to present your case. Planning Commission members may request clarification at the end of your presentation.

_____ Staff, please give a brief background and facts concerning this case.

_____ Is there anyone in the audience who would like to comment or ask questions concerning this case? You may have five (5) minutes to comment or ask questions. Please clearly state your name and address and sign in before commenting.

DEVELOPMENT SERVICES PROCEDURES MANUAL

City of Grandview, Missouri

_____ If there are no further comments, we will ask the Commission Staff to provide its recommendations regarding this case.

_____ Does the applicant wish to rebut any statements made in the staff report or in the public comments?

_____ Does the Commission have any further questions of the applicant or staff?

_____ If not, the public hearing is now closed. Approval of a conditional use permit must be based on the following factors:

- (a) The proposed Conditional Use will comply with all applicable regulations of this ordinance, including lot requirements, bulk regulations, use limitations, and all other standards or conditions contained in the provisions authorizing such use.
- (b) Adequate utility, drainage and other necessary facility or improvements have been or will be provided.
- (c) Adequate access roads or entrance and exit drives will be provided and will be designed so as to prevent traffic hazards and to minimize traffic conflicts and congestion in public streets and alleys.
- (d) All necessary permits and licenses required for the operation of the Conditional Use have been obtained, or it clearly appears that such permits are obtainable for the proposed Conditional Use on the subject property.
- (e) All exterior lighting fixtures are shaded whenever necessary to avoid casting direct light upon any property located in a residential district.
- (f) The location and size of the Conditional Use, the nature and intensity of the activities to be involved or conducted in connection with it, the size of the site in relation thereto, and the location of the site with respect to streets giving access to the Conditional Use, shall be such that it will be in harmony with the appropriate and orderly development of the district and neighborhood in which it is located.
- (g) The location, nature and height of buildings, structures, walls, and fences on the site and the nature and extent of landscaping and screening on the site shall be such that the use will not reasonably hinder or discourage the appropriate development, use, and enjoyment of the adjacent land, buildings and structures.
- (h) The proposed Conditional Use will not cause substantial injury to the value of other property in the neighborhood in which it is located and will contribute to and promote the convenience and welfare of the public.
- (i) Additional standards for granting a Conditional Use Permit for a change in nonconforming uses.

_____ The Chair will entertain a motion at this time.

_____ A motion to (repeat motion) based on (repeat factors) has been made and seconded. Is there any discussion?

_____ Staff, please call the roll. Motion (carries or fails).

DEVELOPMENT SERVICES PROCEDURES MANUAL

City of Grandview, Missouri

Sample Motion.

I move that we (accept/deny) the Conditional Use Permit to allow this use subject to the following conditions _____

This motion is made based upon the following findings: _____

9.0 Subdivision

The subdivision process is designed to provide for the “orderly growth and harmonious development” of the City, as well as to result in lots which meet the City’s minimum standards for development. The subdivision process generally involves approval of a preliminary plat that establishes the general outline of the overall subdivision, engineering plans for any public improvements, and a final plat that is recorded with Jackson County.

In addition to the standard subdivision process described in this section, land may also be subdivided through a minor subdivision (see Section 10 of this manual) or a planned development (see Section 7).

Procedures for subdivision are set forth in the Subdivision Ordinance, **Chapter 27** of the Code of the City of Grandview.

Preliminary Plat Decisions

The preliminary plat is examined carefully to determine whether it conforms to City ordinances, the Comprehensive Plan, and other adopted plans. The Planning Commission acts to approve, deny, modify, or conditionally approve the preliminary plat. Denials by the Planning Commission may be appealed to the Board of Aldermen. Approvals are valid for one year.

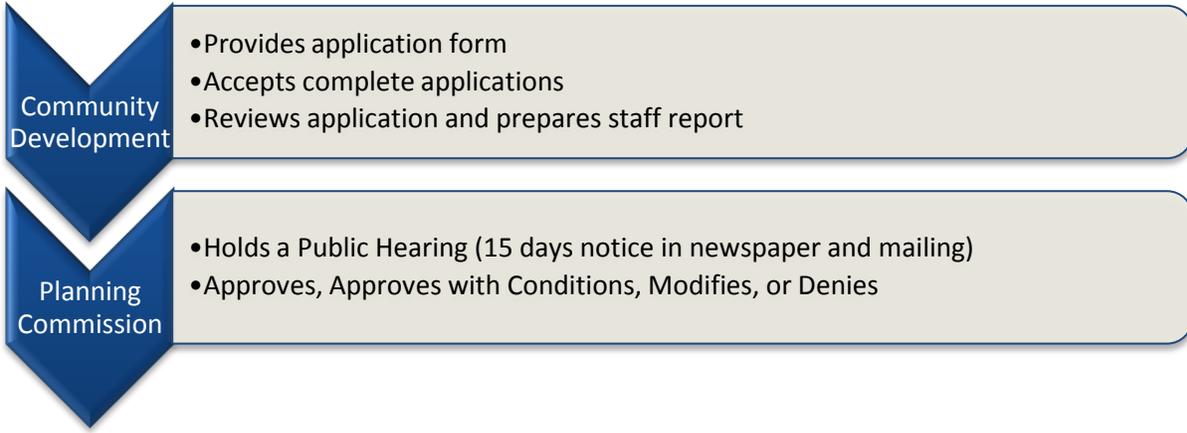
The decision to approve a preliminary or final plat is based on the standards in the Subdivision Ordinance. Standards for engineering design and construction are available from the Public Works Director or City Engineer. Other elements of good subdivision design include compatibility with adjoining subdivisions, relationship to topographic conditions, efficiency of the utility layout, and general suitability of the lot and block design to the intended use of the land. Such issues are resolved in the best judgment of the Planning Commission after consideration of the plans for the applicant.

Final Plat Decisions

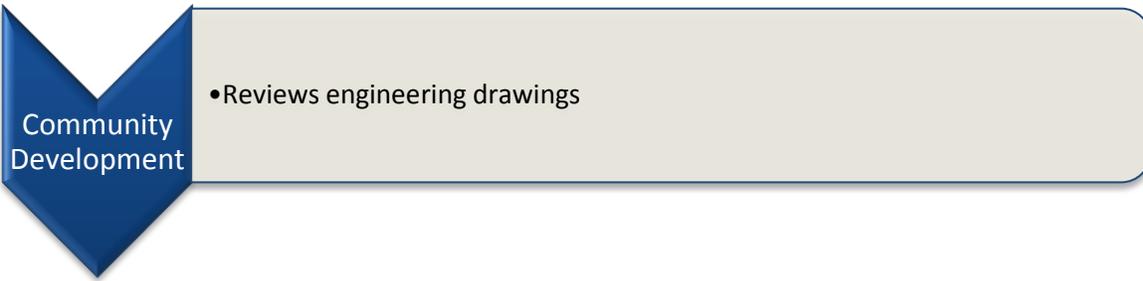
The final plat is reviewed by the Planning Commission to ensure that it is in conformance with the approved preliminary plat. The Commission may approve, conditionally approve, or disapprove the plat. Disapproval may be appealed to the Board of Aldermen.

9.1 Platting Process

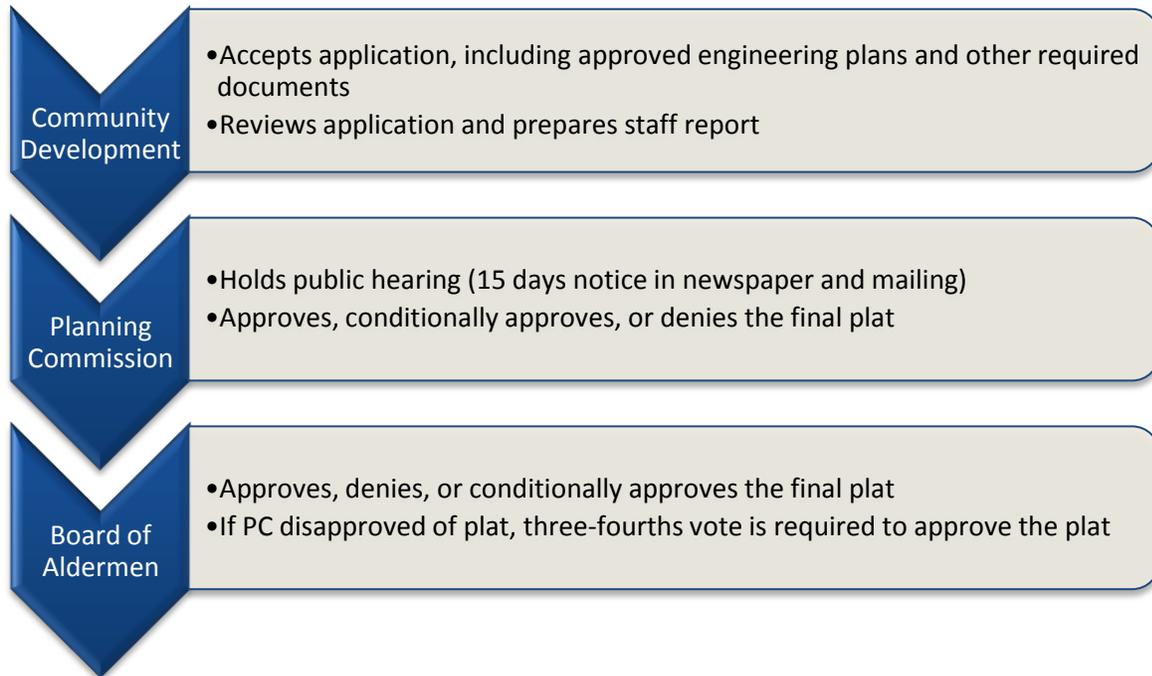
Preliminary Plat



Engineering Plan Review



Final Plat Review



9.2 Preliminary Plat Checklist

The preliminary plat shall be drawn at a scale of one inch equals 100 feet or larger. The sheet size shall not exceed 24 inches by 36 inches. The preliminary plat must include:

1. The proposed name of the subdivision. (The name shall not duplicate or too closely resemble the name of an existing subdivision.)
2. Scale, north arrow, and date of preparation.
3. The names and addresses of the subdivider, developer, owner, and the land surveyor/engineer who prepared the plat.
4. Legal description.
5. Vicinity map showing adjacent subdivisions, streets, or roads.
6. Vicinity map showing streets within 500 feet of the boundaries of the proposed subdivision.
7. General street layout of adjacent property within 185 feet to show how streets and other public facilities in the proposed subdivision relate to the adjacent property.
8. Names of adjacent subdivisions together with arrangement of streets and lots, and owners of adjacent parcels of land.
9. Existing conditions, including:
 - a. Topography with contour intervals of not more than two feet, referred to U.S.G.S. datum.

- b. Location, width and name of platted streets or other public ways, railroads and utility rights-of-way, parks and other public open spaces and permanent buildings within or adjacent to the proposed subdivision.
 - c. Location of floodways, floodplains, streams, and natural drainage ways.
 - d. Current zoning classification.
 - e. All existing sewers, water mains, gas mains, culverts, or other underground installations, within or adjacent to the proposed subdivision, with pipe size and manholes, grades and location.
- 10. The general arrangements of lots and their approximate size.
 - 11. Location and width of proposed streets, alleys, and pedestrian ways.
 - 12. Location, width, & use of easements (existing and proposed).
 - 13. Approximate gradient of streets.
 - 14. The general plan of sewage disposal, water supply and drainage, storm water control.
 - 15. Landscaping and monument sign plan.
 - 16. Location and size of proposed parks, playgrounds, churches, school sites or other special uses of land to be considered for reservation or dedication for public use.
 - 17. Deed restrictions and covenants.

9.3 Final Plat Checklist

- 1. The final plat, drawn at a scale of one inch equals 100 feet or larger. The sheet size shall not exceed 24 inches by 36 inches. The final plat must include:
 - a. Name of subdivision.
 - b. Name and address of the owner and subdivider.
 - c. Scale, north arrow, and date on each sheet.
 - d. All monuments to be of record.
 - e. Sufficient survey data to positively describe the bounds of every lot, block, street, easement, or other areas shown on the plat, as well as the outer boundaries of the subdivided lands.
 - f. Accurate dimensions in feet and decimals of feet shall be shown for all lines, angles, and curves used to describe boundaries, lots, streets, alleys, easements, structures, areas, and other important features within the plat. All curves shall be circular arcs and shall be defined by the radius, central angle, tangent, arc and chord distances. All dimensions, both linear and angular, are to be determined by an accurate control survey in the field in accordance with the Missouri Department of Natural Resources Land Survey Division (Division 30).
 - g. Location by section, township, range, county, and state, including descriptive boundaries of the parcels, as divided, based on an accurate traverse, giving angular and linear dimensions which must mathematically close and shall be referenced to the state grid system available from the city. The allowable error of closure shall be third order

accuracy or better. All calculations shall be furnished showing bearings and distances of all boundary lines and lot lines. Location of boundary shall be shown in reference to existing official monuments or the nearest street lines, including true angles and distances to such reference points or monuments.

- h. Identification of all adjoining property and, where such adjoining properties are a part of a recorded subdivision, the name of that subdivision. If the subdivision platted is a resubdivision of a plat or the whole of a previously recorded subdivision, sufficient ties shall be shown to controlling lines appearing on the earlier plat to permit an overlay to be made. Resubdivisions shall be labeled as such in a subtitle following the name of the subdivision wherever the name appears on the plat.
 - i. Street names and clear designation of public alleys.
 - j. Block and lot numbers.
 - k. Authorization of platting and certification of dedication of all streets, public highways, alleys, parks and other land intended for public use, signed by the owner or owners and by all other parties who have lease rights, mortgage or deed of trust, interest in the property. All such signatures shall be notarized.
 - l. Provision for the signature of the Planning Commission chairman certifying that the Planning Commission has recommended approval of the final plat.
 - m. Provision for the signature of the Mayor and the City Clerk certifying that the foregoing plat has been filed in the office of the city clerk and that the city approved said plat.
 - n. Accurate dimensions for any property to be dedicated or reserved for public use, and the purpose for which such property is dedicated or reserved for public use, and a dedication thereof to the public use.
 - o. A certificate by a professional land surveyor that the plat was prepared by the surveyor or under the surveyor's supervision, signed and dated by the surveyor and bearing the surveyor's Missouri registration number and seal.
2. Drainage study prepared by a registered professional engineer indicating how drainage and detention ponding systems shall be accomplished without adversely affecting neighboring properties. The report shall also address flood plain delineations and restrictions.
 3. A street lighting plan, including the location of all easements.
 4. A coordinate map of the final plat describing all points of intersect by means of a coordinate system approved by the Community Development Director.
 5. Landscaping and monument sign plans.
 6. Deed restrictions and covenants.
 7. Four copies of complete engineering plans for all required improvements to be installed, bearing the certificate and stamp of a registered professional engineer, and a copy of all design calculations as may be required by the Community Development Director.

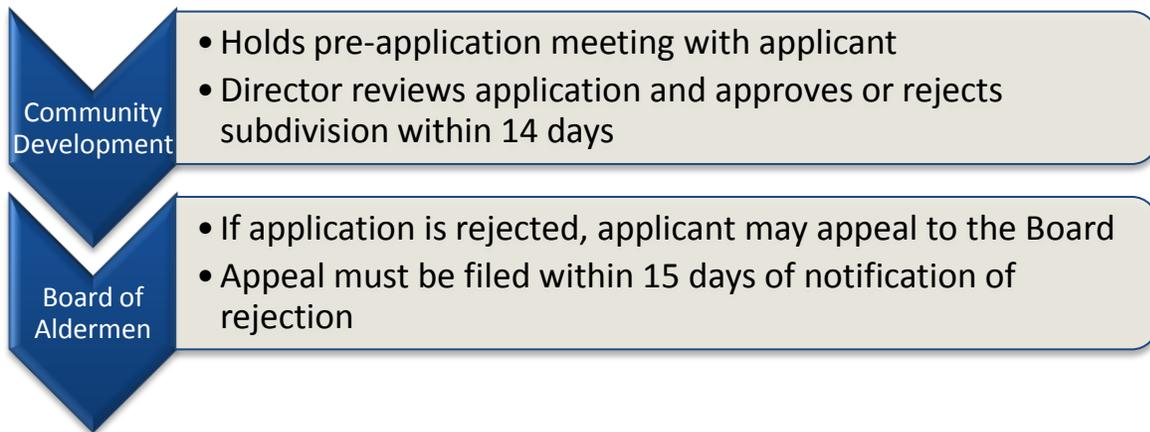
10.0 Minor Subdivisions

The minor subdivision process allows for lots to be divided into no more than five tracts without the time and expense of replatting. Lots resulting from a minor subdivision cannot be divided again without replatting.

The same procedure is used for lot consolidations and lot line adjustments. Lot consolidations merge two or more lots owned by a single owner into one lot. Lot line adjustments make changes to the boundaries between lots.

Procedures for a minor subdivision are set forth in **Section 27-4** of the Subdivision Ordinance.

10.1 Minor Subdivision Procedure



10.2 Minor Subdivision Checklist

The application must include 6 copies of the proposed land survey as prepared by a professional surveyor or engineer. The survey shall include:

1. All proposed lots;
2. Existing buildings, utilities, easements, sanitary sewers, and drainage ditches;
3. Distances between buildings and lot lines; and
4. Any other information required for final plats or by the Community Development Director.

DEVELOPMENT SERVICES PROCEDURES MANUAL

City of Grandview, Missouri

10.4 Minor Subdivision Review Form

- | | | |
|---------------------------------------------------|-----------------------------------------------------|---------------------------------------------------|
| <input type="checkbox"/> Development Services | <input type="checkbox"/> Fire Department | <input type="checkbox"/> Building Services |
| <input type="checkbox"/> Water District | <input type="checkbox"/> Engineering Services | <input type="checkbox"/> MoDOT |
| <input type="checkbox"/> Minor Subdivision | <input type="checkbox"/> Lot Line Adjustment | <input type="checkbox"/> Lot Consolidation |

Subject Property: _____

Owner: _____ Surveyor: _____

Number of lots: _____ Date Distributed: _____

Return this sheet and all related materials no later than _____ to:

Development Services	Phone: 816-316-4822
1200 Main Street	816-316-4820
Grandview, MO 64030	Fax: 816-316-4809

REQUIRED SUBMITTAL DATA

___ 1.	Name of affected subdivision and/or Section, Range, Township.
___ 2.	Designation as a minor subdivision/Lot Line Adjustment/Certificate of Survey.
___ 3.	Scale (not less than 1" = 100'), north arrow and date on each sheet.
___ 4.	Name and address of the owner and subdivider.
___ 5.	Legal description including total acreage.
___ 6.	Block and lot numbers, dimensions and bearings.
___ 7.	Widths and location of existing and dedicated rights-of-way. All existing rights-of-way should be identified by document number, book and page number.
___ 8.	Width and location of existing and proposed easements. All existing easements shall be identified by document number, book and page number.
___ 9.	All monuments to be of record.
___ 10.	Sufficient survey data to positively describe the bounds of every lot, block, street, easement, or other areas shown on the plat, as well as the outer boundaries of the subdivided lands.
___ 11.	Accurate dimensions in feet and decimals of feet shall be shown for all lines, angles, and curves used to describe boundaries, lots, streets, alleys easements, structures, areas, and other important features within the plat. All curves shall be circular areas and shall be defined by the radius, central angle, tangent, arc and chord distances. All dimensions, both linear and angular, are to be determined by an accurate control survey in the field in accordance with the Missouri Department of Natural Resources Land Survey Division (Division 30).
___ 12.	Location by section, township, range, county, and state, including descriptive boundaries of the parcels, as divided, based on an accurate traverse, giving angular and linear dimensions which must mathematically close and shall be referenced to the state grid system available from the city. The allowable error of closure shall be third order accuracy or better. All calculations shall be furnished showing bearings and distances of all boundary lines and lot lines. Location of boundary shall be shown in reference to existing official monuments or the nearest street lines, including true angles and distances to such reference points or monuments.

DEVELOPMENT SERVICES PROCEDURES MANUAL

City of Grandview, Missouri

___ 13.	All adjoining property shall be identified with dotted lines and, where such adjoining properties are a part of a recorded subdivision, the name of that subdivision shall be shown. If the subdivision is a resubdivision of a part or the whole of a previously recorded subdivision, sufficient ties shall be shown to controlling lines appearing on the earlier plat to permit an overlay to be made. Resubdivisions shall be labeled as such in a subtitle following the name of the subdivision wherever the name appear on the plat.
___ 14.	Street names and clear designation of public alleys.
___ 15.	Authorization of platting and certification of dedication of all streets, public highways, alleys, parks and other land intended for public use, signed by the owner or owners and by all other parties who have lease rights, mortgage or deed of trust, interest in the property. All such signatures shall be notarized.
___ 16.	Provision for the signature of the Director of community development certifying city approval and authorizing the recording of the certificate of survey.
___ 17.	Provision for the signatures of all property owners involved in the minor subdivision/lot line adjustment.
___ 18.	Accurate dimensions for any property to be dedicated or reserved for public use, and the purpose for which such property is dedicated or reserved for public use, and a dedication thereof to the public and a document conveying such dedication.
___ 19.	A certificate by a registered land surveyor that the certificate of survey was prepared by the surveyor or under the surveyor's supervision, signed and dated by the surveyor and bearing the surveyor's Missouri registration number and seal.
___ 20.	Deed restrictions and covenants (if applicable).

___ 1.	<u>Subdivision Agreement.</u> Execution of a Subdivision Agreement addressing the installation of public improvements which have not been satisfactorily provided.
___ 2.	<u>Drainage Study.</u> A drainage study indicating how drainage and detention ponding systems shall be accomplished without adversely affecting neighboring properties. The report shall also address flood plain delineations and restrictions. The report shall be prepared by a registered professional engineer.
___ 3.	<u>Engineering Plans.</u> Four (4) copies of complete engineering plans for all required improvements to be installed. The plans shall bear the certificate and stamp of a registered professional engineer. In addition, a copy of all design calculations as may be required by the Director of Community development shall be provided. Public utility facilities shall be shown on the plan for reference purposes.
___ 4.	<u>Dedication of easements, rights-of-way, etc.</u> Execution of any conveyances of easements, rights-of-way, etc. including owner signatures and notary seal.

Attach a separate sheet for additional comments.

11.0 Site Plan Review

An approved site plan is required before a building permit may be issued for new buildings or the expansion of any existing multi-family, commercial, or industrial building. Site plan review is intended to address the regulations of the Zoning Regulations, the objectives of the Comprehensive Plan, and to foster compatibility between land uses in the City.

Procedures for site plan review are set forth in **Section 31-21** of the Zoning Ordinance. Developers should consult the applicable zoning regulations for a complete list of submittal requirements for site plans. Applicants must submit eight copies of the site plan. All site plans shall be prepared by a registered professional engineer, architect, or land surveyor at a scale no smaller than 1 inch equal to 50 feet, on standards 24" by 36" sheets.

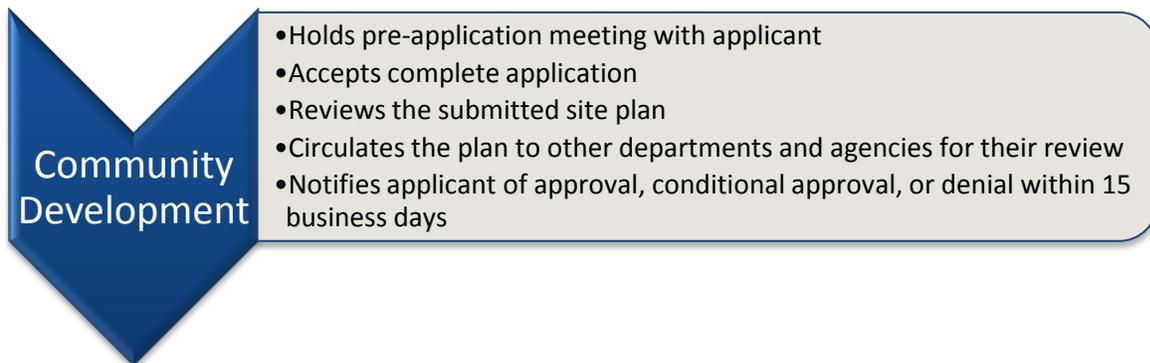
Review Decisions

Site plans are subject to administrative review by the City's Site Plan Review Team, which reviews the site plan for consistency with City planning policies and objectives and compliance with all applicable regulations and standards. Departments contributing to site plan review include Community Development, Public Works, Fire, and Police.

Telecommunications Tower Co-Location Permits

Co-Location Permits as described in Section 31-25(l)(3)(B) are handled as site plan reviews, using the same application form, application fee, and review timeframes.

11.1 Site Plan Review Procedures



- Holds pre-application meeting with applicant
- Accepts complete application
- Reviews the submitted site plan
- Circulates the plan to other departments and agencies for their review
- Notifies applicant of approval, conditional approval, or denial within 15 business days

DEVELOPMENT SERVICES PROCEDURES MANUAL

City of Grandview, Missouri

11.2 Site Plan Review Forms

Site Plan Review Checklist – Development Services

Reviewed By:
Development Services
City of Grandview
816-316-4822

Site Plan Number: _____
Date Distributed: _____
Comments Due: _____

Developer: _____ Phone: _____

Development: _____

Address/Location: _____

The attached site plan has been submitted for review. Please return your comments to Development Services by the date indicated above. Thank you for your assistance.

(816) 316-4822 or (816) 316-4820

Fax: (816) 316-4809

CHECKLIST: (PLEASE COMPLETE)

	APPROVED AS SHOWN	NOT APPROVED	NOT APPLICABLE
1. Legal description.			
2. Zoning of land and surrounding areas.			
3. Proposed use of structure.			
4. Type of construction (building exterior)			
5. Lot dimensions and area, density and lot coverage.			
6. Building placement on lot, distance to property lines, minimum required yard areas and setbacks.			
7. Building height.			
8. Mechanical equipment screening.			
9. Location and screening of trash receptacle.			
10. Outside storage.			
11. Off-street loading.			

DEVELOPMENT SERVICES PROCEDURES MANUAL

City of Grandview, Missouri

	APPROVED AS SHOWN	NOT APPROVED	NOT APPLICABLE
12. Number of parking spaces and striping of parking lot.			
13. Disabled parking spaces (with pole sign).			
14. Dimensions of parking spaces.			
15. Dimensions of drive aisles.			
16. Type and depth of paving material.			
17. Total landscaped area.			
18. Screening between uses.			
19. Proposed landscaping schedule indicating approved plant types, number, size, and timing for installation.			
20. Exterior lighting/adequate illumination.			
21. Assigned address.			
22. Conformance with Future Land Use and Thoroughfare Plan.			
23. Compliance with Zoning Ordinance Design Guidelines (Section 31-25(J), (K), and (L)).			
24. Site plan sealed by a Missouri State registered engineer or architect unless otherwise indicated.			

COMMENTS:

PLANS **APPROVED** AS SUBMITTED: _____

PLANS **NOT APPROVED**: _____

BY: _____

TITLE: _____

DATE RECEIVED: _____

DEVELOPMENT SERVICES PROCEDURES MANUAL

City of Grandview, Missouri

Site Plan Review Checklist – Building Services

Reviewed By:

Building Services
City of Grandview
816-316-4825

Site Plan Number: _____
Date Distributed: _____
Comments Due: _____

Developer: _____ Phone: _____

Development: _____

Address/Location: _____

The attached site plan has been submitted for review. Please return your comments to Development Services by the date indicated above. Thank you for your assistance.

(816) 316-4822 or (816) 316-4820

Fax: (816) 316-4809

CHECKLIST: (PLEASE COMPLETE)

	APPROVED AS SHOWN	NOT APPROVED	NOT APPLICABLE
1. Distances to all property lines.			
2. Distances between buildings.			
3. Proposed signage.			
4. Location of existing and proposed septic tank or holding tank; permit issued by Jackson County Health Department.			
5. Building façade ordinance.			

COMMENTS:

PLANS **APPROVED** AS SUBMITTED: _____

PLANS **NOT APPROVED**: _____

BY: _____

TITLE: _____

DATE RECEIVED: _____

DEVELOPMENT SERVICES PROCEDURES MANUAL

City of Grandview, Missouri

Site Plan Review Checklist – Engineering Services

Reviewed By:
Engineering Services
City of Grandview
816-316-4857

Site Plan Number: _____
Date Distributed: _____
Comments Due: _____

Developer: _____ Phone: _____

Development: _____

Address/Location: _____

The attached site plan has been submitted for review. Please return your comments to Development Services by the date indicated above. Thank you for your assistance.

(816) 316-4822 or (816) 316-4820

Fax: (816) 316-4809

CHECKLIST: (PLEASE COMPLETE)

	APPROVED AS SHOWN	NOT APPROVED	NOT APPLICABLE
1. Curb/gutter (location, grade, dimensions, both existing and proposed).			
2. Sidewalks (location, grade, dimensions, both existing and proposed).			
3. Grading plan (existing and proposed contours as per USGS datum, intervals not to exceed 2').			
4. Clearly identified benchmarks.			
5. Type of monuments at each corner of site.			
6. Stormwater management plan.			
7. Sanitary sewer connections, location of manholes, elevations.			
8. Location of existing easements.			
9. Driveway location, width, and surface.			
10. Existing street system and driveways in area.			
11. Sight triangles.			
12. Overall traffic circulation.			

DEVELOPMENT SERVICES PROCEDURES MANUAL

City of Grandview, Missouri

	APPROVED AS SHOWN	NOT APPROVED	NOT APPLICABLE
13. Additional ROW or street improvements, continue existing abutting improvements.			
14. Soil and erosion control plans.			

COMMENTS:

PLANS **APPROVED** AS SUBMITTED: _____

PLANS **NOT APPROVED**: _____

BY: _____

TITLE: _____

DATE RECEIVED: _____

DEVELOPMENT SERVICES PROCEDURES MANUAL

City of Grandview, Missouri

Site Plan Review Checklist – Fire Department

Reviewed By:

Fire Department
City of Grandview
816-316-4962

Site Plan Number: _____
Date Distributed: _____
Comments Due: _____

Developer: _____ Phone: _____

Development: _____

Address/Location: _____

The attached site plan has been submitted for review. Please return your comments to Development Services by the date indicated above. Thank you for your assistance.

(816) 316-4822 or (816) 316-4820

Fax: (816) 316-4809

CHECKLIST: (PLEASE COMPLETE)

	APPROVED AS SHOWN	NOT APPROVED	NOT APPLICABLE
1. Location of nearest fire hydrant.			
2. Size of water line.			
3. Access for fire protection.			
4. Distances between buildings; distance from property lines to building(s).			
5. Location of existing and proposed gasoline tanks.			
6. Note of any type of combustible or hazardous materials to be stored on property.			

COMMENTS:

PLANS **APPROVED** AS SUBMITTED: _____

PLANS **NOT APPROVED**: _____

BY: _____

TITLE: _____

DATE RECEIVED: _____

DEVELOPMENT SERVICES PROCEDURES MANUAL

City of Grandview, Missouri

Site Plan Review Checklist – Police Department

Reviewed By:
Police Department
City of Grandview

Site Plan Number: _____
Date Distributed: _____
Comments Due: _____

Developer: _____ Phone: _____

Development: _____

Address/Location: _____

The attached site plan has been submitted for review. Please return your comments to Development Services by the date indicated above. Thank you for your assistance.

(816) 316-4822 or (816) 316-4820

Fax: (816) 316-4809

CHECKLIST: (PLEASE COMPLETE)

Security Concerns:	APPROVED AS SHOWN	NOT APPROVED	NOT APPLICABLE
1. Building layout and orientation.			
2. Site and building lighting.			
3. Access for emergency response.			

COMMENTS:

PLANS **APPROVED** AS SUBMITTED: _____

PLANS **NOT APPROVED**: _____

BY: _____

TITLE: _____

DATE RECEIVED: _____

DEVELOPMENT SERVICES PROCEDURES MANUAL

City of Grandview, Missouri

Site Plan Review Checklist – MoDOT

Reviewed By:

MoDOT

Site Plan Number: _____

Date Distributed: _____

Comments Due: _____

Developer: _____ Phone: _____

Development: _____

Address/Location: _____

The attached site plan has been submitted for review. Please return your comments to Development Services by the date indicated above. Thank you for your assistance.

(816) 316-4822 or (816) 316-4820

Fax: (816) 316-4809

CHECKLIST: (PLEASE COMPLETE)

	APPROVED AS SHOWN	NOT APPROVED	NOT APPLICABLE
1. Driveway location, width, and surface.			
2. Existing street system and driveways in area.			
3. Sight triangles.			
4. Overall traffic circulation.			
5. Additional ROW or street improvements, continue existing abutting improvements.			

COMMENTS:

PLANS **APPROVED** AS SUBMITTED: _____

PLANS **NOT APPROVED**: _____

BY: _____

TITLE: _____

DATE RECEIVED: _____

12.0 Variance

The Zoning Ordinance contains all the standards and procedures for the use of property within the City of Grandview. Generally, all of these standards must be followed as established in the ordinance. When an applicant feels that the strict application of the requirements of the Zoning Ordinance creates an undue hardship, he or she may request a variance from the Zoning Board of Adjustment.

The Zoning Board of Adjustment has the important task of interpreting the Zoning Regulations in situations where the language of the ordinance is alleged to be ambiguous, the specifics of the case are unusual enough to warrant special consideration, or an appeal is made. Thus, the decisions made by the Zoning Board of Adjustment must be carefully thought out and clearly stated in order to safeguard the integrity and purpose of the Zoning Regulations. The decision of the ZBA will affect not only the case at hand, but also set a precedent for the City.

The Zoning Board of Adjustment bases its decisions, to as great a degree as possible, on factual evidence and *not* the personal opinion of the applicant, neighbors, or others. Variance requests are based on a conflict between the restrictions on the development of the property due to the Zoning Ordinance and the restrictions on the development of the property due to its physical characteristics. A variance should be issued only to the specific restrictions on physical construction and not to the list of permissible land uses within a given zone.

Procedures for a variance are set forth in **Section 31-27 (D)** of the Zoning Ordinance.

Public Hearing

A variance requires a public hearing before the Zoning Board of Adjustment. Because the proceedings of the ZBA are quasi-judicial in nature, anyone wishing to speak before the ZBA is asked to take the following oath at the beginning of the meeting:

Do you solemnly swear and affirm under the penalty of perjury that any testimony offered or evidence submitted to the Zoning Board of Adjustment shall be true and correct to the best of your knowledge and belief?

Public Notice

When the Zoning Board of Adjustment will be holding a public hearing on a variance, the City will publish an official notice in the Jackson County Advocate 15 days before the hearing. A written notice will also be sent to all property owners within 185 feet of the subject site.

Variance Decisions

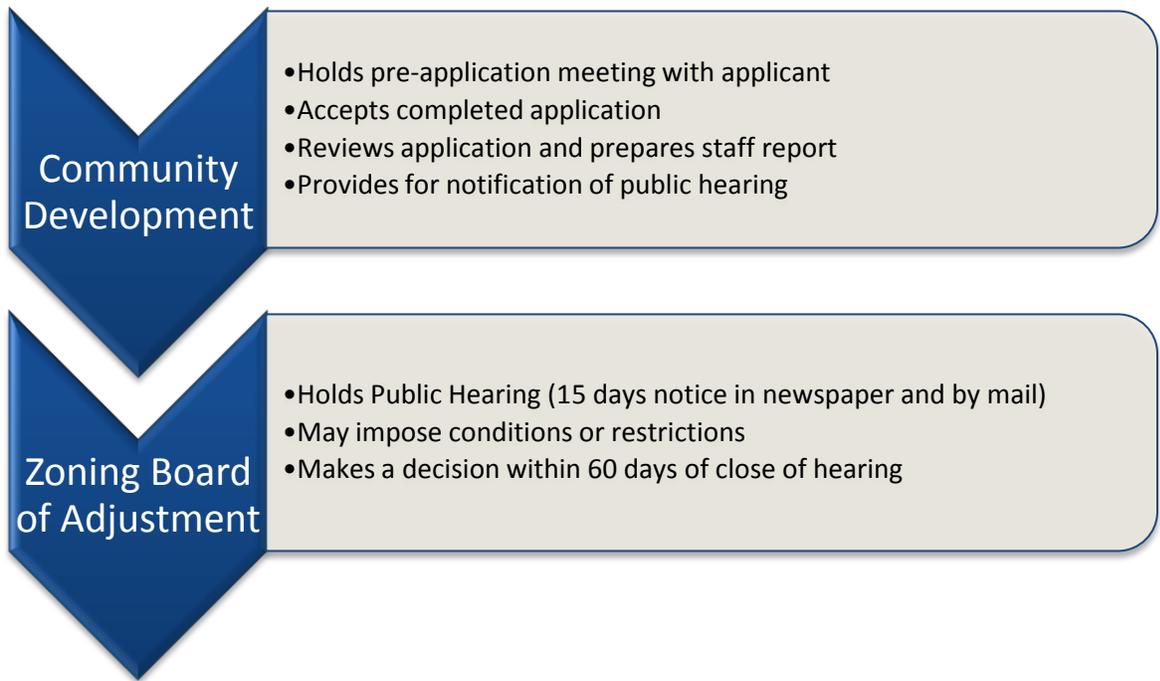
Before a variance can be granted, facts must be presented supporting all five findings set forth in the Zoning Ordinance. The five requirements for the granting of a variance are:

- Hardship due to particular property; and
- Reasonable use; and

- No-self-imposed hardship; and
- No special privileges; and
- Not contrary to public interest or property values.

All five requirements must be met in order to grant a variance. Appeals from an action or decision of the ZBA may be made to the Circuit Court of Jackson County as specified in Section 31-27(l) of the Zoning Ordinance.

12.1 Variance Procedure



12.2 Sample Official Notice

Date

**COURTESY NOTICE OF PUBLIC HEARINGS BEFORE THE GRANDVIEW ZONING BOARD OF ADJUSTMENT
REGARDING AN APPLICATION FOR A VARIANCE IN YOUR NEIGHBORHOOD**

Dear Property Owner:

The purpose of this letter and the enclosed "Notice of Public Hearing," which appeared in the Jackson County Advocate on _____, 2____, is to better inform you of upcoming public hearings concerning an application filed by _____ for a variance related to _____ for _____ for property described as:

Parcel Number Address

Or other identifying description or legal descriptions

DEVELOPMENT SERVICES PROCEDURES MANUAL

City of Grandview, Missouri

The public hearing to receive public comment for this application will be held at Grandview City Hall at _____ P.M. on _____, 2____, before the Zoning Board of Adjustment. As your property is located within 185 feet of the property under consideration, you are encouraged to appear at the public hearings to provide questions, comments, and your position regarding this application. You may also submit written comments if you are unable to attend these hearings.

For further information or to view a copy of the _____ request, please contact the staff of the Planning Commission at the Community Development Department at 816-316-4822 or visit the Community Development counter at City Hall during the hours of 8:00 AM to 5:00 PM Monday through Friday.

Sincerely,

Community Development Director

12.3 Variance Hearing Script

_____ To protect the rights of all parties involved and in order to create an opportunity for everyone to speak their opinions in an orderly fashion, the Zoning Board of Adjustment follows specific fact finding procedure. Your attention to this procedure is appreciated.

_____ We would like to formally open the hearing regarding Case Number _____. Have any Zoning Board of Adjustment members had any outside contacts regarding this case? If so, please indicate who you have spoken with and explain the nature of the conversation.

_____ Do any Zoning Board of Adjustment members have a conflict of interest in this case?

_____ Staff, please give a brief background and facts concerning this case.

_____ Is the applicant or his/her agent in attendance? Please step forward and state your name and address and sign in before presenting your case. You have ten (10) minutes to present your case. Board members may request clarification at the end of your presentation.

_____ Is there anyone in the audience who would like to comment or ask questions concerning this case? You may have five (5) minutes to comment or ask questions. Please clearly state your name and address and sign in before commenting.

DEVELOPMENT SERVICES PROCEDURES MANUAL

City of Grandview, Missouri

_____ If there are no further comments, we will ask the Board Staff to provide its recommendations regarding this case.

_____ Does the applicant wish to rebut any statements made in the staff report or in the public comments?

_____ Does the Board have any further questions of the applicant or staff?

_____ The public hearing is now closed. According to the Zoning Regulations, the Zoning Board of Adjustment must find each of the following requirements in order to grant a variance:

- (a) Hardship Due to Particular Property. This hardship relates to the particular property, because of size, shape, topography or other physical conditions, rather than personal circumstances, and is unique, or nearly so, rather than one shared by surrounding properties; and
- (b) Reasonable Use. If the applicant complies strictly with the provisions of the Zoning Regulations, he is unable to make reasonable use of the affected property; and
- (c) No Self-Imposed Hardship. This hardship does not exist because of conditions created by the owner or previous owners of the property; and
- (d) No Special Privileges. Granting the variance requested will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district; and
- (e) Not Contrary to Public Interest or Property Values. Granting of the variance will not be contrary to the public interest, will not adversely affect other property in the vicinity, and will be in harmony with the intent and purpose of this Ordinance.
- (f) Minimum Variance Required. The variance is the minimum required to grant relief.

_____ The Chair will entertain a motion at this time, with or without conditions, regarding this case.

_____ A motion to (repeat motion) based on (repeat factors) has been made and seconded. Is there any discussion?

_____ Staff, please call the roll. Motion (carries or fails)

SAMPLE MOTION

I move that we (approve/deny) a variance in this case based on the finding that each of the five conditions are (found/not found) to be present, (with/without) the following conditions:

13.0 Certificate of Appropriateness

The City's Historic Preservation Commission is charged with maintaining the City's historically and architecturally significant structures and neighborhoods. The Certificate of Appropriateness (COA) is one tool the City uses to accomplish this goal. The City has established a Residential Historic District and a Main Street Conservation District. Each of these districts has its own set of design guidelines that apply to all development within the district. Before making any improvements or alterations to a building in either district, the property owner must obtain a COA from the Historic Preservation Commission. Ordinary maintenance that repairs decay or deterioration does not require a COA, as long as the maintenance does not include a change of building materials or form.

Procedures for the Certificate of Appropriateness review are set forth in **Section 31-25A (F)** of the Zoning Ordinance.

Public Hearing

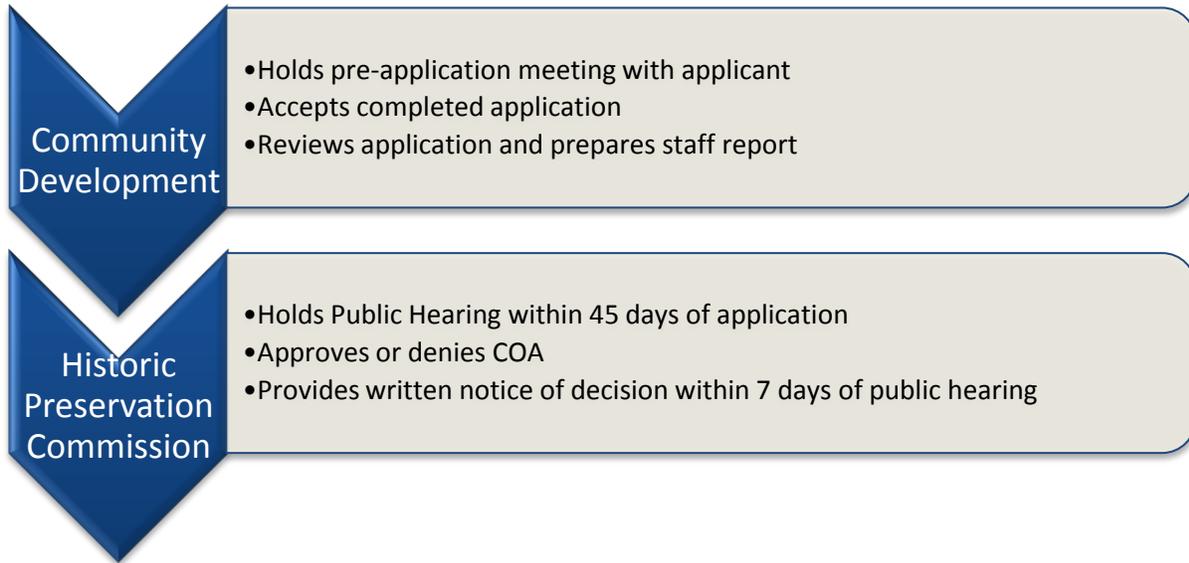
A Certificate of Appropriateness requires a public hearing before the Historic Preservation Commission. If questions arise during a public hearing that cannot be answered immediately, a public hearing may be adjourned and continued at a later time.

COA Decisions

The decision to issue a COA is carefully considered due to the impact any alterations to a building may have on the character of the entire district. The Zoning Ordinance establishes conditions that must be met in order to grant a COA. The City has adopted design guidelines for each district. The Historic Preservation Commission reviews each application to ensure changes or alterations conform to the Design Guidelines before issuing the COA.

If a COA is denied, the applicant may resubmit an amended application. Denials of a COA or Certificate of Economic Hardship may be appealed to the Board of Aldermen within 15 days of the denial.

13.1 COA Procedure



13.2 Certificate of Economic Hardship

If the Historic Preservation Commission denies a COA and the property owner cannot afford the additional cost that would be incurred to comply with the recommendations of the Historic Preservation Commission, the property owner may apply for a Certificate of Economic Hardship. The procedure is similar to the procedure for a COA. The applicant shall submit information about and the Historic Preservation Commission will consider the following:

- Estimate of costs;
- Report on structural soundness;
- Value of the property before and after alterations; and
- Economic feasibility of rehabilitation of the property.

14.0 Other Permits (Home Occupations, Signs, Temporary Uses, Fences)

14.1 Home Occupations

Home occupations are businesses that are conducted from a residence. Home occupations in Grandview are required to obtain a Home Occupation Permit in addition to the required Occupational License.

Regulations regarding home occupations are set forth in **Section 31-25 (B)** of the Zoning Ordinance.

Permit Procedures

Home Occupation Permits are reviewed by the Community Development Department to ensure that the occupation is permitted within residential districts and complies with the performance standards for home occupations.

14.2 Signs

Signs are regulated in all incorporated areas of the City under **Section 31-24** of the Zoning Ordinance. A permit is required before a sign is installed or rebuilt and the location, height, and alignment of the sign must comply with the City's regulations. Generally, one freestanding business sign is permitted per lot or parcel. Questions about signs should be directed to the Building Official at 316-4825.

Permit Procedures

Sign Permits are reviewed by the Community Development Department to ensure that the sign complies with the requirements of the Zoning Ordinance.

14.3 Temporary Uses

Temporary uses are uses of a limited duration as allowed in the applicable zoning district. Temporary uses are not to exceed 6 months, unless the applicant has requested and received approval for a longer period of time. Regulations regarding temporary uses are found in **Section 31-5 (E)** of the Zoning Ordinance.

Permit Procedures

For a temporary use, the applicant must submit a site plan for review by the Community Development Director. If the temporary use exceeds 6 months, the Director may establish a periodic review schedule.

14.4 Fences

The City does not issue permits for fences. Residents may build fences as long as the fences are constructed on their own property and meet the requirements of **Section 31-5(M)** of the Zoning Ordinance. Generally, fences in residential districts may be no more than 6 feet tall in side and rear yards and no more than 4 feet tall in front yards. Fences may not be erected in sight triangles at intersections. Electric fences and barbed wire are permitted only in the AG zoning district.

15.0 Appeal of Administrative Decisions

When an applicant believes that a City official made an error in any order, requirement, decision or determination in the enforcement of the Zoning Regulations or of any other related City ordinance, that administrative decision may be appealed to the Zoning Board of Adjustment. The appeal must be made within 30 days of the decision or action being appealed.

In its deliberations, the Zoning Board of Adjustment only considers whether or not the decision in question conformed to the letter of the regulations. The Zoning Board of Adjustment may not declare the zoning regulations unfair or attempt to act contrary to their purpose. The Zoning Board of Adjustment can clarify ambiguities or resolve conflict between opposing sections. Because the Zoning Board of Adjustments decisions will affect future applications of the regulation in question, the specific hardships of the applicant should not be considered when reaching a determination. A further appeal of the ZBA's determination may be made to the Circuit Court.

Procedures for the appeal of administrative decisions are set forth in **Section 31-27 (H)** of the Zoning Ordinance.

15.1 Appeal Procedure



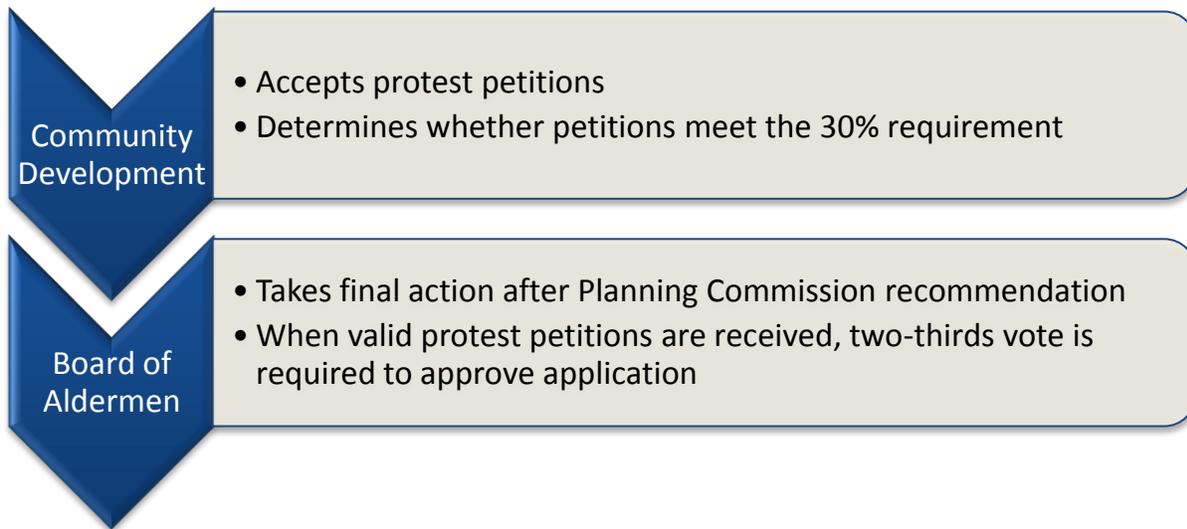
16.0 Protest Petitions

A protest petition may be used to protest a recommendation of the Planning Commission on a rezoning or a conditional use permit prior to the Board of Aldermen meeting.

When the City receives protest petitions from the owners of thirty percent (30%) or more of any real property to which the case applies or from the owners of thirty percent (30%) of the total area located within 185 feet of the subject site, then approval of the protested application requires a two-thirds vote of the Board of Aldermen. Protest petitions are filed with the Community Development Director.

Procedures for protest petitions are set forth in **Section 31-26 (E) (1) (d)** of the Zoning Ordinance.

16.1 Petition Procedure



17.0 Zoning Violations

The violation of any provision of the Zoning Ordinance is a crime and may be punishable by fines and/or imprisonment. The City notifies persons who may be violating the Zoning Ordinance by letter to offer them an opportunity to correct any violation of the ordinance. If the violation is not corrected, the City may pursue legal action. Each and every day that a violation continues constitutes a separate offense.

Penalties for violations are set forth in **Section 31-26 (D)** of the Zoning Ordinance.

17.1 Sample Letters

Date

CERTIFIED & REGULAR MAIL

Property Owner

Address

RE: Violation of Zoning Ordinance

Dear Property Owner:

The City of Grandview hereby formally notifies you that it is a violation of Section _____ of the Grandview Zoning Ordinance to *<description of violation>*. Your property is located within the _____ district.

(Insert language from the applicable section of the regulations.)

Section 31-26(B) of the Grandview Zoning Ordinance gives the Director of Community Development or his designated representative the authority to take action for the abatement of zoning violations, including the issuance of a General Ordinance Summons to appear in Municipal Court.

You are hereby issued a Notice and Order to cease *<description of violation>* within _____ days of this letter's date.

If you fail to _____, I will issue a General Ordinance Summons for you to appear in Municipal Court. In addition, if you continue to violate the Zoning Ordinance in the future, I will issue a General Ordinance Summons at that time without providing any further notice to you.

Thank you in advance for your prompt attention to this matter. If you have any questions, please contact me at 316-4822.

DEVELOPMENT SERVICES PROCEDURES MANUAL

City of Grandview, Missouri

Sincerely,

City Planner

18.0 Staff Reviews

Community Development staff members are available to answer any questions about the City's development regulations, required permits, the application process, or other concerns related to planning and development.

18.1 Pre-Application Conference

Pre-application conferences give anyone considering a major development application an opportunity to review plans and ask questions with the City's Development Review Team before paying an application fee. During the pre-application conference, an applicant may present draft plans and ask questions of City staff members.

Pre-application conferences are scheduled for Tuesday mornings on a first-come, first-served basis. Please call the City Planner at 316-4822 by the preceding Friday in order to make an appointment.

19.0 Planning Commission

19.1 Planning Commission Sample Agenda

Municipal Services Building
Council Meeting Chamber

Regular Meeting
February 1, 2010
7:00 P.M.

PLANNING COMMISSION

AGENDA

- I. CALL TO ORDER BY PRESIDING OFFICER.
- II. ROLL CALL TO DETERMINE QUORUM.
- III. ACCEPTANCE OF THE AGENDA. ACTION ITEM
- IV. APPROVAL OF MINUTES OF PREVIOUS MEETING. ACTION ITEM
- V. PUBLIC DISCUSSION.
- VI. PUBLIC HEARINGS.
PC 10-03: 2011-2015 Capital Improvements Plan (CIP): Application filed by the City of Grandview for approval of the proposed 2011-2015 Capital Improvements Plan (CIP).

(Enclosure 2) ACTION ITEM
- VII. OLD BUSINESS/HEARINGS CONTINUED FROM PREVIOUS MEETING.
- VIII. REGULAR BUSINESS FROM STAFF, PUBLIC AND PLATS.
- IX. REPORTS FROM SPECIAL COMMITTEES.
- X. RESOLUTIONS AND RECOMMENDATIONS BY THE COMMISSION.
- XI. GENERAL DISCUSSION.
- XII. ADJOURNMENT FOR CONTINUANCE OF ANY UNFINISHED BUSINESS TO THE NEXT REGULAR OR SPECIAL MEETING CALLED.

19.2 Commission Rules and Procedures

Amended March 22, 1995

Amended July 17, 1996

I. AUTHORITY AND POWERS

The authority and powers of the Grandview Planning Commission are those as set forth in RSMO, Chapter 89 and amendments and supplements thereto, and those powers and duties delegated to the Planning Commission by the Board of Aldermen for the City of Grandview.

These powers are:

1. To make and adopt a city plan subject to Board of Aldermen approval for the physical development of the municipality;

DEVELOPMENT SERVICES PROCEDURES MANUAL

City of Grandview, Missouri

2. To make reports and recommendations relating to the city plan and development of the municipality to public officials and agencies, public utility companies, civic, educational, professional and other organizations and citizens;
3. To make recommendations to the executive or legislative officials of the municipality regarding programs for public improvements and the financing thereof;
4. To review and approve the location, extent and character of public improvements, all streets, public facilities, and public utilities (either publicly or privately owned) to insure that such are in coordination with the city plan;
5. To review and approve the acceptance, widening, removal, extension, relocation, narrowing, vacation, abandonment, change of use, acquisition of land for sale or lease of any street or public facility to insure that such are in coordination with the city plan;
6. To review and make recommendations to the Board of Aldermen on all proposed plats of a subdivision of land lying within the municipality;
7. To review and make recommendations to the Board of Aldermen on the adoption of or amendments to the city's subdivision regulations and zoning ordinance.

II. ORGANIZATION AND STRUCTURE

A. ESTABLISHMENT

The history of the establishment of the Grandview Planning Commission is embodied in the following ordinances:

Date	Ordinance	Action
June 4, 1947	119	Established "City Plan Commission", three members.
Feb. 23, 1952	155	Established "City Zoning Commission", seven members
July 24, 1957	342	Repealed ordinance 155, established "Zoning Commission", five members
Nov. 10, 1969	1568	Designated "Zoning Commission", as the "Planning Commission".
Feb. 12, 1973	1938	Amended Ordinance 342 & 1568 to provide for a seven-member Planning Commission.

B. MEMBERSHIP

The Planning Commission consists of seven (7) members, two appointed to represent each of the three wards and one appointed to represent the city-at-large. Appointments made by the Board of Aldermen for service on the Planning Commission shall be for a period of four (4) years, except when appointed to fill a vacancy of an unexpired term. The terms of the members shall end on July 1 of their last year of service. All commissioners shall serve without pay or remuneration of any sort.

C. OFFICERS AND HOW ELECTED

1. The officers of the Planning Commission shall consist of a Chairman and Executive Secretary. The Commission shall annually elect these officers from their citizen members at their regular meeting in January. Nominations shall be made from the floor, and the person receiving a majority vote of the total commission membership shall be declared elected officers shall serve until their successor is elected.
2. Any officer vacancies which may occur shall be filled .at the next regular meeting in the same manner.

D. PRESIDING OFFICER

1. The Chairman or, in his absence, the Executive Secretary, shall preside at all meetings and hearings of the Commission. In the absence of both the Chairman and Executive Secretary, an acting Chairman shall be temporarily selected by the members present, to preside over the Commission.
2. The presiding officer shall administer oaths, take evidence and may enter discussions and vote on all matters coming before the Commission.
3. The presiding officer shall decide all points of order and procedure, subject to these rules, unless otherwise directed by the majority of the members of the Commission present.
4. The Chairman shall appoint members to serve on the committees of the Commission.

E. COMMISSION STAFF AND SECRETARY

1. The Senior Planner or Planner shall serve as the Secretary to the Planning Commission and shall provide staff necessary to carry out the duties and responsibilities of the Commission. The Secretary may appoint a member of his/her staff to serve as the Recording Secretary. All references in these rules to the Secretary shall include the Director of Community Development, the Senior Planner, and their appointed staff or designees.
2. The Secretary shall be responsible for all routine correspondence and provide for the proper presentation of zoning amendments, subdivision developments and other matters coming before the Commission, including preparation of the official agenda in cooperation with the Planning Commission Chairman.

3. The Secretary shall attend all official meetings and hearings of the Commission, keep the minutes, compile records, maintain files, make available current ordinances, maps, and other pertinent information relating to the duties of the Commission.

F. EMPLOYING SPECIALISTS

The Commission may, with the consent of the Board of Aldermen, employ such special staff, engineering specialists or planning consultants needed to aid the Commission in the fulfillment of their duties and responsibilities.

III. MEETINGS

A. OPEN MEETINGS

All meetings of the Commission, including committee meetings, shall be open to the public and comply with the state's open meeting laws, and shall be conducted according to *Robert's Rules of Order*.

B. REGULAR MEETINGS

The Commission shall meet on the first Wednesday of each month at 7:00 PM, at the Grandview Municipal Services Building, 1200 Main Street, unless otherwise specified in official public notice. In the event that no business comes before the Planning Commission during a given month, the Chairman may elect to cancel a regular meeting.

C. SPECIAL MEETINGS

Special meetings may be called by the Chairman, or by any two (2) members, when required to act upon matters before the Commission, provided twenty-four (24) hour notice is delivered to the residence of each member of the Commission and to the public by posting such notice in a conspicuous place within the Grandview Municipal Services Building. Such notice shall specify the subject, time and place for such special meeting. Only the subject contained in the notice may be considered at such special meetings.

D. ADJOURNED MEETINGS

Either regular or properly called special meetings may be adjourned to a specified date, time, and place. A quorum need not be present to adjourn such meetings; however, the notice provisions of special meetings shall apply if a quorum is not present.

E. QUORUM

A quorum shall consist of four (4) members of the Commission.

F. VOTING

The passage of a resolution requires a majority vote of the full membership of the Planning Commission. An affirmative vote of a majority of the members present is required to pass any motion. A roll call vote may be required and the minutes shall reflect such roll call votes.

G. AGENDA

An official agenda generally following the "ORDER OF BUSINESS", shall be made available for all regular meetings and the presiding officer shall generally adhere to said agenda unless it is amended or revised by consent of the majority of the Commission members present.

H. ORDER OF BUSINESS

1. Call to order by presiding officer
2. Roll call to determine quorum
3. Acceptance of agenda
4. Approval of minutes of previous meeting(s)
5. Public discussion
6. Public hearings (newly introduced)
7. Old business, including hearings continued from previous meetings
8. Regular business from staff, public and plats
9. Reports from special committees
10. Resolutions and recommendations by the Commission
11. General discussion
12. Adjournment for continuance of any unfinished business to the next regular or special meeting called

I. DISPOSITION

All items coming before the Commission as an agenda item shall be acted upon on the day presented or heard and such action shall be one of the following:

1. Denial
2. Approval
3. Continuance
4. Recommended to Board of Aldermen for approval
5. Reported to Board of Aldermen for disapproval (denial)
6. Taken under advisement

IV. PROCEDURES

A. OFFICE PROCEDURES

1. Records and Files. Minutes shall be maintained for all Commission meetings including public meetings and such minutes shall be filed in the office of the secretary. A court reporter may be employed if deemed necessary by the Commission. All maps, charts, materials, documents, reports and correspondence shall be carefully maintained and reserved in accordance with the retention schedules contained in the "Missouri Municipal Records Manual", and using office procedures compatible with the permanence and importance of such documentation. Security shall be provided to prevent any loss or unauthorized alteration.
2. Collection of Fees. Each application or activity coming before the Commission that requires a fee by law, shall be accompanied by suitable payment, payable to the City Treasurer and accepted by the Secretary. The amounts and methods of payment of fees shall be in accordance with schedules and ordinances established or authorized by the Board of Aldermen.

B. PUBLIC HEARING PROCEDURES

1. Legal notice. The secretary is responsible for assuring that legal notices are duly published according to law.
2. Order of Appearance of Hearing. The order of hearing for each case shall be as determined by the Planning Commission, but, in any case, shall generally follow a standard sequence in order to make specific findings of fact related to each case which comes before the Commission.
3. Time Limits for Presentations. The presiding officer may limit the time any presenter, citizen, or witness has to state their case. Persons addressing the Planning Commission at a public hearing shall state their names and street addresses in an audible tone of voice for the record. Every effort shall be made to permit the development of all pertinent facts and to provide for the preservation of a fair and impartial hearing.

C. ZONING PROCEDURES

1. Zoning District Map Changes.
 - a. Requests for an amendment to the district zoning map, in proper form, shall be received by the Secretary.
 - b. The Secretary may consider any expansion or modification considered desirable to form reasonable zone boundaries, prior to submittal to the Commission.
 - c. The Planning Commission shall hold a public hearing in a timely manner following proper publication of legal notice giving the date, time and subject of the hearing in a

DEVELOPMENT SERVICES PROCEDURES MANUAL

City of Grandview, Missouri

newspaper of general circulation in the city at least fifteen (15) days prior to the date of the hearing. Additionally, notice of the time, place, and subject of the hearing shall be given by courtesy mailing to all property owners within one hundred eighty-five feet (185') of the subject site and to all owners of the property included in the request.

- d. If a district map change is considered desirable, the Commission shall forward a report and recommendation to the Board of Aldermen.

NOTE: If a zoning district map amendment is not compatible with the Future Land Use Plan, the Land Use Plan may require amendment prior to the district map amendment.

2. Zoning Ordinance Text Amendments.

- a. Request for change to the Zoning Ordinance text shall be in a letter form submitted to the Secretary explaining purpose and nature of change.
- b. Secretary shall transmit proposed amendments along with staff recommendations to the Planning Commission.
- c. The Planning Commission shall hold a public hearing in a timely manner following proper publication of legal notice giving the date, time and subject of the hearing in a newspaper of general circulation in the city at least fifteen (15) days prior to the date of the hearing.
- d. If ordinance change is considered desirable by the Commission, a report and recommendation shall be forwarded to the Board of Aldermen.

D. SUBDIVISION PROCEDURES

1. Preliminary plat

- a. Initial development plans must be submitted to the Secretary at least 15 days prior to the meeting of the Commission at which the plans are to be considered, and must be in proper form and accompanied by proper fees.
- b. If recommended for denial or continuance, the Commission shall state reasons for disapproval or continuance.
- c. Applicant may correct deficiencies causing disapproval or continuance and resubmit to Commission or appeal the decision in writing directly to the Board of Aldermen within ten (10) days of Planning Commission denial.
- d. If approved by the Planning Commission or by the Board of Aldermen on appeal, the preliminary plat shall be valid for a period of one (1) year from the date of such approval, after which such plat shall be void, except upon application to and approval by the Commission of an extension of such period of validity.

2. Final plat

- a. The final plat of a development plan shall be presented to the Secretary within one year of preliminary plat approval by the Board of Aldermen.
- b. If approved, the plat shall be signed by the Chairman and recommended to the Board of Aldermen for approval.
- c. If disapproved, reason for disapproval shall be made a matter of written record.
- d. If rejected by the Commission, applicant may request plat be submitted to the Board of Aldermen for disposition. In such case, Commission must forward plat and report of actions taken.

E. PROCEDURE FOR STAFF INITIATED AGENDA ITEMS

Staff-initiated agenda items shall be placed on the agenda by the Secretary and acted upon in accordance with these Rules and Procedures. Such items may be presented directly by staff or may be referred to the Commission by the Board of Aldermen.

F. RESOLUTIONS OF THE PLANNING COMMISSION

The Planning Commission may adopt a resolution on any matter which comes before the Commission testifying their decision or recommendation to the Board of Aldermen. Matters where such are deemed most appropriate include the adoption of and amendments to the City Plan, and adoption of city Subdivision Regulations, Zoning Ordinance, and Capital improvements Program.

G. PLANNING COMMISSION SUPPORT AT BOARD LEVEL

On matters of major importance that are acted on by the Planning Commission and transmitted to the Board of Aldermen, Planning Commissioners believe it is appropriate to attend the Board meetings when such items are discussed to provide support of the Planning Commission action and recommendation.

H. "FAST TRACKING" DEVELOPMENT PROJECTS

Where the Director of Community Development determines that a proposed development project needs expeditious and comprehensive review and where it is determined that actions of both the Board of Aldermen and Planning Commission would be required, the Director of Community Development will notify the Mayor and Chairperson of the Planning Commission of such proposed project. Factors to be considered in making such a determination will include but not be limited to: deadlines for governmental funding; the project's potential positive impact upon the community; and other factors crucial to the project's expeditious review and approval by the City of Grandview. Based upon responses from the Mayor and Chairperson of the Planning Commission, the Director of Community Development shall decide whether a special meeting of the Commission or a joint meeting of both the

DEVELOPMENT SERVICES PROCEDURES MANUAL

City of Grandview, Missouri

Board of Aldermen and Commission would be appropriate and in the best interests of the proposed project and the City of Grandview.

20.0 Zoning Board of Adjustment

20.1 ZBA Sample Agenda

- I. CALL TO ORDER
- II. ROLL CALL
- III. ANNOUNCEMENT OF A QUORUM
- IV. APPROVAL OF AGENDA Action Item
- V. APPROVAL OF MINUTES.
 - a. Minutes of January 1, 2010 Regular Meeting (Enclosure) Action Item
- VI. PUBLIC HEARINGS
 - a. Case ZBA 10-01: Applicant: Petition for a Variance from certain requirements for 1200 Main (Enclosure) Action Item
- VII. OLD BUSINESS AND CONTINUED HEARINGS
- VIII. OTHER BUSINESS
- IX. ADJOURNMENT

20.2 Board Rules and Procedures

Approved by the Zoning Board of Adjustment on July 19, 1984

Amended May 16, 1985

Amended July 20, 1995

ARTICLE I: OFFICERS

- A. **Officers.** The Zoning Board of Adjustment (the Board) shall elect a Chairman and a Vice-Chairman annually at the first meeting in the month of April. The Chairman shall be eligible to succeed himself only one additional term. The Chairman and/or Vice-Chairman shall have served as members of the Board attended a minimum of 12 meetings prior to election.
- B. **Presiding Officer.** The Chairman, or, in his absence or disability, the Vice-Chairman shall preside at all meetings and hearings of the Board. The Chairman or Vice-Chairman shall have the power to administer oaths, take evidence and compel the attendance of witnesses. When both the Chairman and Vice-Chairman are absent, or disqualified from voting at the meeting, the senior regular member in terms of service on the Board shall preside, and shall have the powers enumerated in this paragraph.
- C. **Points of Order.** The Chairman shall decide on all points of order and procedure, subject to these rules, unless otherwise provided by a vote of a majority of the Board in session at the time.

DEVELOPMENT SERVICES PROCEDURES MANUAL

City of Grandview, Missouri

- D. **Committees.** The Chairman shall appoint, upon approval of the Board, any committees found necessary to investigate any matters before the Board.
- E. **Staffing.** The Director of Community Development (Director) shall serve or supervise the activities of the staff designated to serve as technical advisors to the Board, investigate all cases coming before the Board and make reports as to the principles involved and recommendations as to appropriate action in accordance with the purpose and intent of the Zoning Ordinance, when so required by the Zoning Ordinance.
- F. **Secretary.** The Director or his designated representative shall be the Secretary of the Board. The Secretary shall conduct the official correspondence, subject to these rules, and shall send out all notices, attend all meetings or hearings, keep the minutes, compile records and maintain the files and indexes.
- G. **Membership and Terms of Office.** The Board shall be comprised of five (5) members, who are appointed for overlapping five (5) year terms. In addition, there shall be three (3) alternate members appointed for five (5) year terms. The alternate members shall serve in the absence or disqualification of regular members in a sequence based upon the rotation of the alternate members. The sequence shall be determined based upon the seniority of the alternate members. The attendance of the alternate members shall be recorded for each case, but an alternate shall vote only if serving in the absence of a regular member. No alternate member may serve as a Chairman or Vice-Chairman.

ARTICLE II: MEETINGS

- A. **Regular Meetings.** Regular meetings of the Board shall be held at 7:00PM on the 3rd Thursday of each month excepted as otherwise designated by the Board.
- B. **Special Meetings.** Special meetings may be called by the Chairman, or at the request of three (3) members providing at least twenty-four (24) hours notice is given to each and every member of the Board of such meeting.
- C. **Quorum and Voting.** A quorum of the Board shall consist of four (4) members and it shall take a concurring vote of four (4) members to reverse any order, requirement or decision or determination of the Building Official or to decide in favor of any applicant on any matter upon which the Board is authorized to act by any ordinance or statute or to modify, vary or interpret any regulation or requirement of the zoning ordinance. Failure to receive the required four (4) votes shall be deemed a denial of the application or affirmance of the decision of the administrative official.
- D. **Continuances Due to Lack of Quorum.** In the absence of a quorum, the meeting may be continued to a continued to a definite time as designated by the Chairman or to the next regular meeting date.
- E. **Agenda and Order of Business.** The Secretary shall prepare an agenda for each Board meeting. The Order of Business shall be as follows:
 - 1. Call to order and roll call, with recording of members present and absent and indications as to whether absences are with consent of the Chairman.
 - 2. Approval of Agenda.
 - 3. Approval of Minutes of previous meeting.

DEVELOPMENT SERVICES PROCEDURES MANUAL

City of Grandview, Missouri

4. Old Business and continued hearings, with consideration and determination on cases as heard.
5. New business and new hearings, with consideration and determination of cases as heard.
6. Other business.
7. Adjournment.

ARTICLE III: CASES BEFORE THE BOARD

A. **Types of Cases.** The Board may consider the following types of cases:

1. Appeals from any order, requirement, decision or determination of an administrative official.
2. Applications for variations from Conditional Use requirements.
3. Applications for variations from the zoning ordinance.
4. Applications for change or extension of legal nonconformance.

B. **Information to accompany applications.**

1. Appeals shall be made on forms provided by the Department of Community Development and shall include the following:
 - a. Copy of the Notice of Denial stating why the permit was denied.
 - b. 13 copies of plans of the property in question, accurately drawn to scale, when any construction is involved. Plans should clearly indicate pertinent dimensions and all points at issue in the appeal.
 - c. A filing fee as required by Board of Aldermen resolution to defray expenses incurred in the public hearing. Appeals shall be made to the Board within 15 days from the date of receipt of the order or ruling of the Administrative Official.
2. Application for variations from conditional use requirements shall be made to the Board by application setting forth pertinent information.
3. Applications for change of legal nonconformance shall provide the following information:
 - a. Copy of certificate of legal nonconformance. No applications for a change or an extension of nonconformance shall be heard until a certificate or official city letter documenting the legal nonconformance has been issued.
 - b. Site plan which includes all pertinent information.
4. Prior to placing any case on the agenda, the applicant or appellant shall provide Secretary with such information as required by these rules and such additional information and data as may be required by him to advise the Board fully with reference to the application or appeal, even if such information or data is in addition to the above.
5. Any communication intended to be applications or appeals shall be regarded as mere notices of intention to seek relief or to request special exceptions until the complete data is provided as indicated above.

ARTICLE IV: HEARING OF CASES

A. **Advertisement and Courtesy Notices.** Upon acceptance of an application or appeal, it shall be advertised as required by the Zoning Ordinance and a written courtesy letter advising of the time and place of the hearing shall be mailed to property owners within 185 feet of the subject property;

DEVELOPMENT SERVICES PROCEDURES MANUAL

City of Grandview, Missouri

said property owners shall be determined as those set forth in the records of the Jackson County Assessor's Office.

- B. **Case Placement on Agenda.** The application or appeal shall then be placed upon the agenda of the next regular meeting of the Board after compliance with the rules herein, and after termination of the 15 day advertising period, when applicable. It shall be numbered serially in the order in which it is received. It may be advanced or postponed by the Board but for not more than 60 days after the next scheduled regular meeting and may be withdrawn by the applicant or appellant at any time before any testimony has been heard in the case. The fee may not be refunded after the case has been advertised.
- C. **Continuances and Closed Sessions (Notification per State Statutes).** Prior to final determination, the Board may continue such case or take it under advisement at its discretion. The Chairman may also call for a recess or go into an executive session, that may be held in private, during or after the public hearing, provided no new evidence is received and no official action is taken. The Board must comply with state statutes (Chapter 610.022, paragraphs 1-5) concerning closed meetings in order to go into executive session.
- D. **Applicant Representation at Hearings.** The applicant or appellant may appear in person or may be represented at all hearings of the Board. If for any reason the applicant or appellant or his agent does not appear, the case may be dismissed or continued until the next regular meeting, and if there is no appearance at the second hearing, the application or appeal may be dismissed. Said order may be set aside within 30 days at the discretion of the Board upon good and sufficient reason being shown.
- E. **Written Notice of Request for Continuance.** No request by the applicant for a continuance of a hearing, either legally advertised or set forth for a special day by the Board, shall be granted by the Board unless written notification of such request is filed with the Director within 4 calendar days prior to the date set for the hearing. Said notification shall set forth the reasons for the request for continuance. Receipt of said notification by the Director shall not be deemed to grant a continuance until such time as acted upon by the Board. Continuances may be granted by the Board on its own motion, and the requirements of this rule may be waived by a majority vote of the Board.
- F. **Amendments to Applications.** The applicant or his authorized agent may amend applications or appeals in any lawful manner on written request delivered to the Secretary of the Board not less than 5 days prior to the scheduled publication of public notice. Where such requests are received, the Secretary shall so indicate in the docket book, and shall not cause notice of the hearing to be published, nor place the case on the hearing agenda, until the amendment has been received.

Other requests to amend applications or appeals shall be made in writing to the Secretary prior to the hearing, or to the Board at the hearing, or to the Board at the hearing, and shall include the amendment if prepared, or the nature and purpose of an amendment to be prepared and time required for preparation.

If the request to amend is denied, with cause for such denial stated in the motion, the hearing and decision on the case shall proceed.

If the amendment has been prepared and the request to amend is granted, the Board shall make a finding as to whether there is substantial difference between the case as it has been described in the public notice and the case as amended. If substantial difference is found, a new public hearing notice shall be required, with fees paid by the applicant, before the hearing of the case may proceed.

The Board shall also determine whether the nature of the amendment is such as to require referral for re-examination by counsel or staff members having made reports on the original application or appeal. If such referral is found necessary, the Board may proceed with the hearing or may continue it to a time and place specified, but shall not decide the case until it has considered the response.

If the amendment has not been prepared and the request to amend is granted, the Board shall make similar findings and requirements if the amendment as described generally appears likely to create substantial difference. Upon receipt of the amendment, the Board may make referrals for re-examination deemed necessary. If no new public hearing is required, the Board may take such action as seems appropriate on deferring or continuing the hearing, but shall specify a date and place, with due regard to reasonable time requirements of the applicant.

- G. **Resubmittal of Appeals.** Applications or appeals can be resubmitted after a period of 60 days has elapsed from the date of the decision of the Board.
- H. **Conditions in Granting a Variance.** The Board, in granting a variance, may set conditions in conformance with the zoning ordinance and other applicable city codes. Violation of such conditions under which a variance is granted shall be considered a violation of the zoning ordinance and shall be treated accordingly.
- I. **Time Limit.** The Board may establish a reasonable time limit within which the action for which the variance application is made shall be started, completed, or both as a condition of granting the variance. If the established time limit passes without action taking place as required, the variance may be made null and void automatically.
- J. **Approval of Appeals.** Appeals from an order, requirement, decision, or determination of an administrative official shall be sustained only if the Board finds that the administrative official's action was based on an erroneous finding of a material fact, or that he acted in an arbitrary or capricious manner, or manifestly abused his discretion.

ARTICLE V: CONDUCT OF HEARING

In order to provide a guideline for the submission of evidence to hearings before the Board, the following conduct is established; provided, that the Board at all times reserves the right to rule on the admissibility of any evidence:

- A. **Oral Testimony and Oath.** Oral testimony by all witnesses to material facts shall be taken only on oath or affirmation as administered by the Chairman or court reporter. The Chairman shall request testimony from staff prior to testimony from witnesses for applicant/appellant and from opponents.
- B. **Rules of Evidence.** The technical rules of evidence shall not apply.

DEVELOPMENT SERVICES PROCEDURES MANUAL

City of Grandview, Missouri

- C. **Use of Hearsay Evidence.** Hearsay evidence may be used to supplement or explain direct evidence but shall not be sufficient in itself to support a decision.
- D. **Irrelevant and Repetitious Evidence.** Irrelevant and unduly repetitious evidence may be excluded.
- E. **Single Spokesman for Opponents.** Opponents to applications/appeals are urged to select a single spokesman, if possible, to object to the introduction of evidence and to cross-examine witnesses.
- F. **Applicant/Appellant Rights.** The applicant/appellant and the opposition shall have the right to:
 - 1. Call and examine witnesses
 - 2. Introduce documentary and physical evidence
 - 3. Cross-examine witnesses
- G. **Acceptance of Petitions.** Petitions may be accepted by the Board provided that:
 - 1. The petitions are notarized; or
 - 2. The individual (s) who secured the signatures on the petition is present and testifies under oath
- H. **File of Administrative Officer.** Files of the Administrative Officer shall be accepted into evidence, or certified copies of the same.
- I. **Presentation Time Limits.** Staff, applicants/appellants and opponents may each be allocated 15 minutes for presentation of their case to the Board. Applicants/appellants may reserve a portion of their allocated time for rebuttal. The time may be extended by the Board if a request for an extension of time is filed prior to the hearing or if the Board determines in the course of the hearing that additional time is necessary for full presentation of the case.
- J. **Form and Procedure for Decisions and Written Notification.** All decisions of the Board shall be made at a public meeting by motion made and seconded and by roll call vote. The motions shall be in the form of findings of fact and shall state the reasons for the findings by the Board. If the grant of a special exception or variance includes conditions or safeguards, such conditions and safeguards, and the reasons therefore, shall be stated in the motion. Notice of the decision shall be given to the applicant and to the administrative officer, and to other interested parties who have requested such notice, by the Secretary of the Board as soon as reasonably possible after the decision is reached, but within 10 days. The written decision of the Board pursuant to Code Section 21-27(G) shall be given to the applicant within 60 days after the close of the public hearing.
- K. **Roberts Rules of Order.** For any procedure not otherwise covered by these rules and regulations, Roberts Rules of Order shall apply.

ARTICLE VI: CONDUCT OF THE BOARD MEMBERS AND BOARD STAFF

- A. **General Conduct and Conflict of Interest.** Members and staff shall review and comply with Ordinance 3988 of the Grandview Code of Laws and furthermore shall conduct themselves as follows:
 - 1. No member of the Board, or its staff, shall represent applicants or appellants on matters on which the Board is to make determinations.

DEVELOPMENT SERVICES PROCEDURES MANUAL

City of Grandview, Missouri

2. No member of the Board shall participate in any case in which he has financial or personal interest in the property or action concerned, or will be directly affected by the decision, or has or believes he has any other conflict of interest as defined by applicable law. No member of the staff of the Board or of any agency serving the Board shall prepare or present arguments or reports, or attempt to influence decisions of the Board, in any case in which he has similar personal interest.
 3. A member may disqualify himself from voting prior to the public hearing if he determines that he has been influenced by any applicant or his agent. As soon as any Board member, or staff member of any agency serving the Board becomes aware of any potential conflict of interest in any case to come before the Board, he shall notify the Chairman or Action Chairman of the particulars. Where the Chairman finds that conflict clearly exists, he shall disqualify the Board member from acting in the case and cause the Secretary to enter the circumstances in the record and to make arrangements for such alternate services as are required.
 4. Board members may seek information from other members, the Secretary, or staff members prior to the public hearing. However, no member shall discuss the case with any other parties prior to the public hearing, or express any bias, prejudice, or individual opinion on proper judgement of the case prior to its hearing and determination. More than 3 members are prohibited from meeting to discuss the case as this may be perceived as a "meeting" without proper public notice. Violation of this rule shall be grounds for dismissal from the Board.
- B. **Knowledge and Understanding of Responsibilities and Regulations.** Upon taking office, all members of the Board shall familiarize themselves with these rules and with Code Section 31-27 and, while in office, members shall maintain such knowledge, including knowledge of amendments and additions, and shall be strictly governed thereby in the conduct of Board affairs. Violation of this rule may be grounds for cause for removal of members who persist in ignorance or feel that their interpretation of justice transcends mere law.
- C. **Cause for Removal.** Causes for removal of members (including alternates) from the Board by the Board of Aldermen shall include malfeasance, misfeasance, or nonfeasance generally. In addition, the following shall be grounds for removal:
1. Failure to maintain reasonable familiarity with state statutes and local ordinances and rules affecting the Board, or failure to be governed thereby, as required above.
 2. Failure to disclose conflict of interest for purposes of disqualification when a member has personal or monetary interest in the matter involved, or will be directly affected by a decision of the Board.
 3. Meeting with 3 or more other Board members or alternate Board members to discuss a pending case other than at an official Board meeting.
 4. Failure to attend 3 consecutive regular meetings, or 3 of any 7 consecutive meetings, without the recorded consent of the Chairman, shall be construed as resignation from the Board by absence. This provision shall apply to regular members and to alternates when requested to serve in the place of regular members.
- D. **Resignations.** When members propose to resign, if reasonably feasible, they shall give notice of their intent to the Chairman or Secretary, or make the date of resignation effective, in such a manner as to allow time for appointment of replacements. When a member dies or resigns

(including resignation or absence), the Secretary shall promptly indicate to the Board of Aldermen that a vacancy exists. When a member becomes incapacitated for office permanently or for what appears likely to be a protracted period, or moves from the jurisdiction, or becomes for any other reason no longer qualified for office, and fails to resign, the Chairman shall cause any necessary investigation to be made and if appropriate shall declare the office vacant, and the Secretary shall promptly indicate to the Board of Aldermen that a vacancy exists.

ARTICLE VII: GUIDELINES FOR BOARD OF ADJUSTMENT ACTION

The Board may authorize a variance from the Zoning Ordinance if it makes the findings set out in Code Section 31-27 (E). The Board may also consider the following factors:

- A. **Special Conditions**. That special conditions exist which are unique to the physical character of the property, such as the land itself, the structure, or the building; and that these conditions created a hardship not generally shared by other properties in the same zoning district and area. These conditions are not of so reoccurring a nature as to make practical an amendment to the zoning ordinance to remedy the situations. Personal hardship shall not be considered as grounds for a variance, since the variance will continue to affect the character of the neighborhood regardless of the ownership of the property upon which the variance request was made.
- B. **Special Conditions Not Self- Imposed**. That these special conditions do not result from the actions of the applicant or previous owners of the property, and that the hardship is not self-imposed.
- C. **Economic Hardship**. That any economic hardship which might be considered as grounds for granting a variance is contributory in nature only, and not the sole grounds upon which a variance is granted.
- D. **No Special Privileges**. That granting the variance will not confer to the applicant special privileges denied by the Zoning Ordinance to other properties in the same zoning district.
- E. **Strict Application/Unnecessary Hardship**. That strict application of the regulations would deprive the applicant of rights enjoyed by other properties in the same zoning district and would result in unnecessary hardship on the applicant.
- F. **Least Variance**. That the variance granted would be the least variance that would allow the reasonable use of the property.
- G. **Spirit and Intent of the Ordinance**. That the variance granted would be in the spirit and intent of the ordinance; and that the variance would not be detrimental to adjacent property, the surrounding neighborhood, or the welfare of the general public.
- H. **No Use Not Permitted in That Zoning District**. That the variance granted would not permit a use not generally permitted in that zoning district. No nonconforming use of neighboring properties, buildings, or structures shall be considered grounds for granting a variance.

ARTICLE VIII: AMENDING OR WAIVING RULES

These rules may be amended by a majority of the Board except where such amendment would be contrary to requirements or limitations set by state law or the Zoning Ordinance. An amendment may

DEVELOPMENT SERVICES PROCEDURES MANUAL

City of Grandview, Missouri

be proposed at any regular meeting of the Board and shall not be acted upon until the following regular meeting. No less than seven days prior to the meeting at which the amendment is to be voted upon, members shall be sent a copy of such proposed change.

A rule of procedure may be suspended or waived at any meeting by unanimous vote of Board members present unless such rule is set by state legislation or the Zoning Ordinance.

A certified copy of rules of the Board, in current form, shall be available in the office of the Board as a public record. Additional copies shall be provided to members of the Board and made available to the public on request, but the official copy in the Board's office shall govern. No amendment to these rules shall become effective until incorporated in the official copy.

21.0 Historic Preservation Commission

21.1 HPC Sample Agenda

- I. Call to Order by Chairperson
- II. Roll Call to Determine a Quorum
- III. Acceptance of Agenda Action Item
- IV. Approval of Minutes
 - a. Regular Meeting of January 1, 2010 (Enclosure) Action Item
- V. Public Discussion
- VI. Public Hearings
 - a. Case HP 10-01: 1200 Main Street
Description of Case (Enclosure) Action Item
- VII. Old Business
- VIII. Regular Business from Staff, Public, Etc.
- IX. Reports from Special Committees. None.
- X. Resolutions and Recommendations by the Commission
- XI. General Discussion.
- XII. Adjournment and Next Meeting

21.2 Commission Rules and Procedures

The rules and procedures of the Historic Preservation Commission are set forth in Section 31-25A (C) of the Grandview Zoning Ordinance. They are included here for reference purposes.

- (1) Composition of Historic Preservation Commission. The Historic Preservation Commission (HPC) shall consist of seven (7) members, all of whom shall be appointed by the Mayor and ratified by the Board of Aldermen and two of whom shall be a member of the Board of Aldermen and a member of the Planning Commission. Of the remaining five (5) members, one (1) or more shall be a resident and/or business owner in each locally designated historic district or conservation district or an owner/resident of a locally designated landmark. Preference for appointments to the HPC shall be given to residents of the City of Grandview. All Commission members must have a demonstrated interest, competence or knowledge in historic preservation. To the extent available in the community, the HPC shall include professional members representing such disciplines as architecture, architectural history, prehistoric and historic archaeology, planning, urban design, cultural geography, cultural anthropology, folklore, curation, conservation,

DEVELOPMENT SERVICES PROCEDURES MANUAL

City of Grandview, Missouri

landscape architecture, law, real estate brokerage, banking, history or other fields related to historic preservation.

- (2) Terms. The terms of office of the members of the HPC shall be for three years, excepting that the membership of the first HPC appointed shall serve respectively for terms of two for one year; two for two years; and three for three years. Vacancies shall be filled for the un-expired term only. Action to fill vacancies shall be initiated within 60 days. The HPC shall hold at least four (4) meetings per year and any member of the HPC who fails to attend at least fifty percent (50%) of all meetings, regular and special, in any calendar year, shall thereby automatically vacate the membership.
- (3) Officers. Officers shall consist of a chairman and a vice-chairman elected by the HPC who shall each serve a term of one (1) year and shall be eligible for re-election; but no member shall serve as chairman for more than two (2) consecutive years. The Board and Planning Commission representatives shall not be eligible for office. The chairman shall preside over meetings. In the absence of the chairman, the vice-chairman shall perform the duties of the chairman. If both are absent, a temporary chairman shall be elected by those present. The secretary of the HPC shall be a City employee appointed by the Community Development Department and shall have the following duties:
 - (a) Take minutes of each HPC meeting;
 - (b) Be responsible for publication and distribution of copies of the minutes, reports, and decisions to the members of the HPC;
 - (c) Give notice as provided herein by law for all public hearings conducted by the HPC;
 - (d) Advise the Mayor of vacancies on the HPC and expiring terms of members; and
 - (e) Prepare and submit to the Board of Aldermen a complete record of the proceedings before the HPC on any matter requiring Board of Aldermen consideration.
- (4) Meetings. A quorum shall consist of four of the members. All decisions or actions of the HPC shall be made by a majority vote of those members present and voting at any meeting where a quorum exists. Meetings shall be held at regularly scheduled times to be established by resolution of the HPC at the beginning of each calendar year or at any time upon the call of the chairman, but no less than once each quarter. Public notice of all meetings shall be posted in conformance with standard City policy and RSMO Section 610.020. No member of the HPC shall vote on any matter that may materially or apparently affect the property, income, or business interest of that member. No action shall be taken by the HPC that could in any manner deprive or restrict the owner of property in its use, modification, maintenance, disposition, or demolition until such owner shall first have had the opportunity to be heard at public meeting of the HPC, as provided herein. The chairman, and in his absence, the acting chairman, may administer oaths and require the attendance of witnesses. All meetings of the HPC shall be open to the public except as allowed by State law. The HPC shall keep minutes of its proceedings, showing the vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the Office of the City Clerk and shall be

DEVELOPMENT SERVICES PROCEDURES MANUAL

City of Grandview, Missouri

public record. All HPC rules of procedure, designation criteria, design guidelines and forms shall be available to the public at the Office of the Community Development Director.

- (5) Funding. The Board of Aldermen shall annually appropriate funds, within budget limitations, for operation of the HPC. The HPC may, with the consent of the Board, apply for, receive, or expend any federal, state or private grant, grant-in-aid, gift or bequest, in furtherance of the general purposes of this ordinance.
- (6) Compensation. The members shall serve without compensation but shall be reimbursed for properly documented and legitimate expenses they incur while on commission business.
- (7) Powers and Duties. The HPC shall have the following powers and duties:
 - (a) To adopt its own by-laws and procedural regulations, provided that such regulations are consistent with this chapter and the Revised Statutes of the State of Missouri;
 - (b) To conduct an ongoing survey for the identification of historically, archaeologically and architecturally significant properties, structures, sites and areas that exemplify the cultural, social, economic, political, or architectural history of the nation, state or city; and to maintain the research information in an inventory accessible to the public (except for archaeological site locations, which shall be restricted);
 - (c) To investigate, and recommend to the Planning Commission and to the Board of Aldermen the adoption of ordinances designating for protection of properties or structures having special cultural, historic, archaeological, community or architectural value as "Landmarks";
 - (d) To investigate and recommend to the Planning Commission and the Board of Aldermen the adoption of ordinances designating for protection areas as having special cultural, historic, archaeological, community or architectural value as "Conservation Districts" or "Historic Districts";
 - (e) To keep a register of all properties and structures which have been designated as landmarks or historic or conservation districts, including all information required for each designation;
 - (f) To confer recognition upon the owners of landmarks and property or structures within historic or conservation districts by means of certificates, plaques, or markers; and to make recommendations for the design and implementation of specific markings of the streets and routes leading from one landmark or historic or conservation district to another;
 - (g) To advise and assist owners of landmarks and property or structures within historic or conservation districts on physical and financial aspects of preservation, renovation, rehabilitation, and reuse, and on procedures for inclusion on the National Register of Historic Places;

DEVELOPMENT SERVICES PROCEDURES MANUAL

City of Grandview, Missouri

- (h) To nominate landmarks and historic districts to the National Register of Historic Places through the Missouri State Historic Preservation Office and to review and comment on all nominations to the National Register of Historic Places for properties within the jurisdiction of the City of Grandview;
- (i) To inform and educate the citizens of the City of Grandview concerning the historic, archaeological and architectural heritage of the City through publication or sponsorship of maps, newsletters, brochures, pamphlets, programs and seminars by the City, the HPC, or other appropriate parties.
- (j) To hold public hearings and to review applications for construction, alteration, removal or demolition affecting proposed or designated landmarks or structures within historic or conservation districts and issue or deny certificates of appropriateness for such actions. Applicants may be required to submit plans, drawings, elevations, specifications, and other information as may be necessary to make decisions;
- (k) To hold public hearings on each proposed nomination of a landmark or a historic or conservation district and on the guidelines developed for each nomination;
- (l) To request the Building Official to issue stop work orders for any construction, alteration, removal or demolition undertaken without a certificate of appropriateness or to stop work that violates the conditions of a certificate;
- (m) To review all applications for demolition permits within the corporate limits of the City to determine impact to significant cultural resources, including those not yet nominated as landmarks or as contributing properties within an historic or conservation district;
- (n) To consider applications for certificates of economic hardship that would allow the performance of work for which a certificate of appropriateness has been denied;
- (o) To develop specific design guidelines based on the Secretary of the Interior's Standards for Rehabilitation for the alteration, construction, or removal of landmarks or property and structures within historic or conservation districts;
- (p) To review proposed zoning amendments, applications for special use permits, or applications for zoning variances that affect proposed or designated landmarks or historic or conservation districts;
- (q) To administer on behalf of the City of Grandview any property of historical significance of full or partial interest in real property, including easements, that the City of Grandview may have or accept as a gift or otherwise, upon approval by the Board of Aldermen;
- (r) To accept and administer on behalf of the City of Grandview, upon approval of the Board, such gifts, grants, and money as may be appropriate for the purposes of this ordinance. Such money may be expended for publishing maps and brochures or for

DEVELOPMENT SERVICES PROCEDURES MANUAL

City of Grandview, Missouri

hiring staff persons or consultants or performing other functions for the purpose of carrying out the duties and powers of the HPC and the purposes of this ordinance;

- (s) To call upon available city staff members as well as other experts for technical advice;
- (t) To retain such specialists or consultants or to appoint such citizen advisory committees as may be required from time to time;
- (u) To testify before all boards and commissions, including the Planning Commission and the Board of Aldermen, on any matter affecting historically, archaeologically, culturally and architecturally significant property, structures, sites and areas;
- (v) To make recommendations to the Board of Aldermen concerning budgetary appropriations to further the general purposes of this ordinance;
- (w) To develop a preservation component in the Comprehensive Plan of the City and to recommend it to the Planning Commission and to the Board of Aldermen;
- (x) To periodically review the Zoning Ordinance and to recommend to the Planning Commission and the Board of Aldermen any amendments appropriate for the protection and continued use of landmarks or property, sites and structures within historic or conservation districts; and;
- (y) To undertake any other action or activity necessary or appropriate to the implementation of its powers and duties or the implementation of the purpose of this ordinance.

Appendix – Application Forms

Development Services Application Form

Sign Application

Protest Petition

Certificate of Appropriateness

Certificate of Economic Hardship

Home Occupation Permit

Appeal of Administrative Decision



City of Grandview Development Services Application

Community Development Department, 1200 Main Street, Grandview MO 64030

www.grandview.org

phone: 816-316-4822

fax: 816-316-4809

APPLICANT

_____ name
 _____ address
 _____ city/state/zip
 _____ phone _____ cell _____ fax
 _____ email address

PROPERTY OWNER

_____ name
 _____ address
 _____ city/state/zip
 _____ phone _____ cell _____ fax
 _____ email address

ENGINEER / SURVEYOR

_____ name
 _____ address
 _____ city/state/zip
 _____ phone _____ cell _____ fax
 _____ email address

LEGAL DESCRIPTION OF PROPERTY

_____ Attach separate sheet if needed

AMENDMENT TO: Existing Zoning/FLU _____ Proposed Zoning/FLU _____
 ZONING MAP Existing Land Use _____ Proposed Land Use _____
 COMPREHENSIVE PLAN Land Area (sq. ft. or acres) _____

CONDITIONAL USE Proposed Use _____
 TEMPORARY USE *Submit 8 copies of proposed site plan*

SUBDIVISION Subdivision Name*** _____
 PRELIMINARY PLAT* Subdivision Location _____
 FINAL PLAT* _____
 COMBINATION PLAT* **Submit 13 copies of preliminary, final, or combination plat*
 MINOR SUBDIVISION** ***Submit 6 copies of minor subdivision, lot line adjustment, or lot consolidation*
 LOT LINE ADJUSTMENT** ****Contact Jackson County GIS Dept. to ensure name does not already exist*
 LOT CONSOLIDATION**

ZONING BOARD OF ADJUSTMENT Requested Variance or Appeal _____
 VARIANCE _____
 APPEAL OF STAFF DECISION From Section _____ of the Zoning Ordinance
Submit 8 copies of variance or appeal documentation and site plans

AMENDMENT TO ORDINANCE TEXT Amendment to Section _____
Submit typed copy of proposed language for text amendment

PLANNED DISTRICT Development Name _____
 CONCEPTUAL PLAN Development Location _____
 FINAL PLAN Proposed Use(s) _____
 SITE PLAN REVIEW **Submit 8 copies of conceptual development plan, site plan, or grading plan.*
 GRADING PERMIT

VACATION OF PUBLIC STREET, ALLEY, OR EASEMENT Public Street, Alley, or Easement to be Vacated _____
 Reason _____
 Street Name Change From _____ To _____
 STREET NAME CHANGE Reason _____

Filing Fees as shown on Fee Schedule Must Accompany Application

Sign: _____ Date: _____

Note: Application Must Include All Required Documentation and Drawings. Incomplete Applications Will Not Be Accepted.

OFFICE USE ONLY Received by _____ Date _____
 REQUIRED MATERIALS Checklist Required Copies Fee Paid
 SCHEDULING OF CASE Body _____ Date _____



City of Grandview Protest Petition

Community Development Department, 1200 Main Street, Grandview MO 64030
www.grandview.org phone: 816-316-4822 fax: 816-316-4809

All owners of record must sign the petition exactly as shown on the deed for the petition to be considered valid. The notary executing this petition must witness all signatures. Owners of multiple tracts of property should file separate petitions for each tract of property.

We, the undersigned, owners of property legally identified as: _____

located within one hundred and eighty-five (185) feet of the boundaries of property proposed to be rezoned, pursuant to the provisions of Section 31-26 (E)(1)(d) of the Grandview Zoning Ordinance, do protest and object to the rezoning proposed in case _____ before the City of Grandview Board of Aldermen.

Printed Name:

Signature:

On this ____ day of _____, 20__, before me personally appeared the above named person(s) to me known to be the person(s) described in and who executed the foregoing instrument and acknowledged that he/she/they executed the same as his/her/their free act and deed. In testimony whereof, I have hereunto set my hand and affixed my official seal on the say and year first above written.

Printed Name of Notary Public

My Commission expires:



Certificate of Appropriateness Application

Community Development Department, 1200 Main Street, Grandview MO 64030
www.grandview.org phone: 816-316-4822 fax: 816-316-4809

Applicant Name: _____

Address: _____

Phone: _____ **Cell:** _____ **Fax:** _____

Email: _____

Owner Name: _____

Address: _____

Phone: _____ **Cell:** _____ **Fax:** _____

Email: _____

Address of Property: _____

Approximate Date of Original Building Construction: _____

Existing Use of Property: Residential Commercial Mixed Use

Proposed Work: (Check all that apply)

- | | |
|----------------------------------------------------|--------------------------------------|
| <input type="checkbox"/> New Construction | <input type="checkbox"/> Landscaping |
| <input type="checkbox"/> Rehabilitation/Renovation | <input type="checkbox"/> Signage |
| <input type="checkbox"/> Building Addition | <input type="checkbox"/> Demolition |

Description of Proposed Work (attach separate sheet and any supplementary materials if necessary):

Application must include all required documentation and filing fee. Incomplete applications will not be accepted.

Applicant Signature: _____ **Date:** _____



Certificate of Economic Hardship Application

Community Development Department, 1200 Main Street, Grandview MO 64030

www.grandview.org phone: 816-316-4822 fax: 816-316-4809

Applicant Name: _____

Address: _____

Phone: _____ **Cell:** _____ **Fax:** _____

Email: _____

Owner Name: _____

Address: _____

Phone: _____ **Cell:** _____ **Fax:** _____

Email: _____

Address of Property: _____

Date of COA Denial: _____

Proposed Work: (Check all that apply)

New Construction

Landscaping

Rehabilitation/Renovation

Signage

Building Addition

Demolition

Description of Proposed Work (attach separate sheet and any supplementary materials if necessary):

Justification for Economic Hardship Claim (attach separate sheet and any supplementary materials if necessary):

Application must include all required documentation and filing fee. Incomplete applications will not be accepted.

Applicant Signature: _____ **Date:** _____



Home Occupation Permit Application

Community Development Department, 1200 Main Street, Grandview MO 64030
www.grandview.org phone: 816-316-4822 fax: 816-316-4809

Name of Business: _____

Owner Name: _____ Date of Birth: _____

Address: _____

Day Phone: _____ Email: _____

I have lived at this address since: _____ New Business Permit Renewal

Brief Description of Business: _____

I have read and understand the zoning ordinance regulations regarding home occupations in the City of Grandview and agree to comply with these performance standards and all applicable city codes pertaining to the operation of a home occupation. I understand the occupational license and home occupation permit issued by the City are issued to me at the above address and are not transferable. Any change of location of the home occupation shall be approved in advance by the Department of Community Development.

Applicant Signature: _____ Date: _____

OFFICE USE ONLY:

Zoning District _____ Permit No. _____

Authorizing Signature: _____ Date: _____

COMMENTS:



Appeal of Administrative Decision Application

Community Development Department, 1200 Main Street, Grandview MO 64030
www.grandview.org phone: 816-316-4822 fax: 816-316-4809

Applicant Name: _____

Address: _____

Phone: _____ **Cell:** _____ **Fax:** _____

Email: _____

Administrative Decision That is Subject of This Appeal: _____

Date of Administrative Decision under Appeal: _____

Legal Description of Property Subject to the Administrative Decision: _____

Attach to this application the following:

- A written statement specifying the grounds of the appeal.
- A copy of the decision if it is in writing.

Applicant Signature: _____ **Date:** _____