



INDEPENDENCE

★ COMMUNITY DEVELOPMENT ★

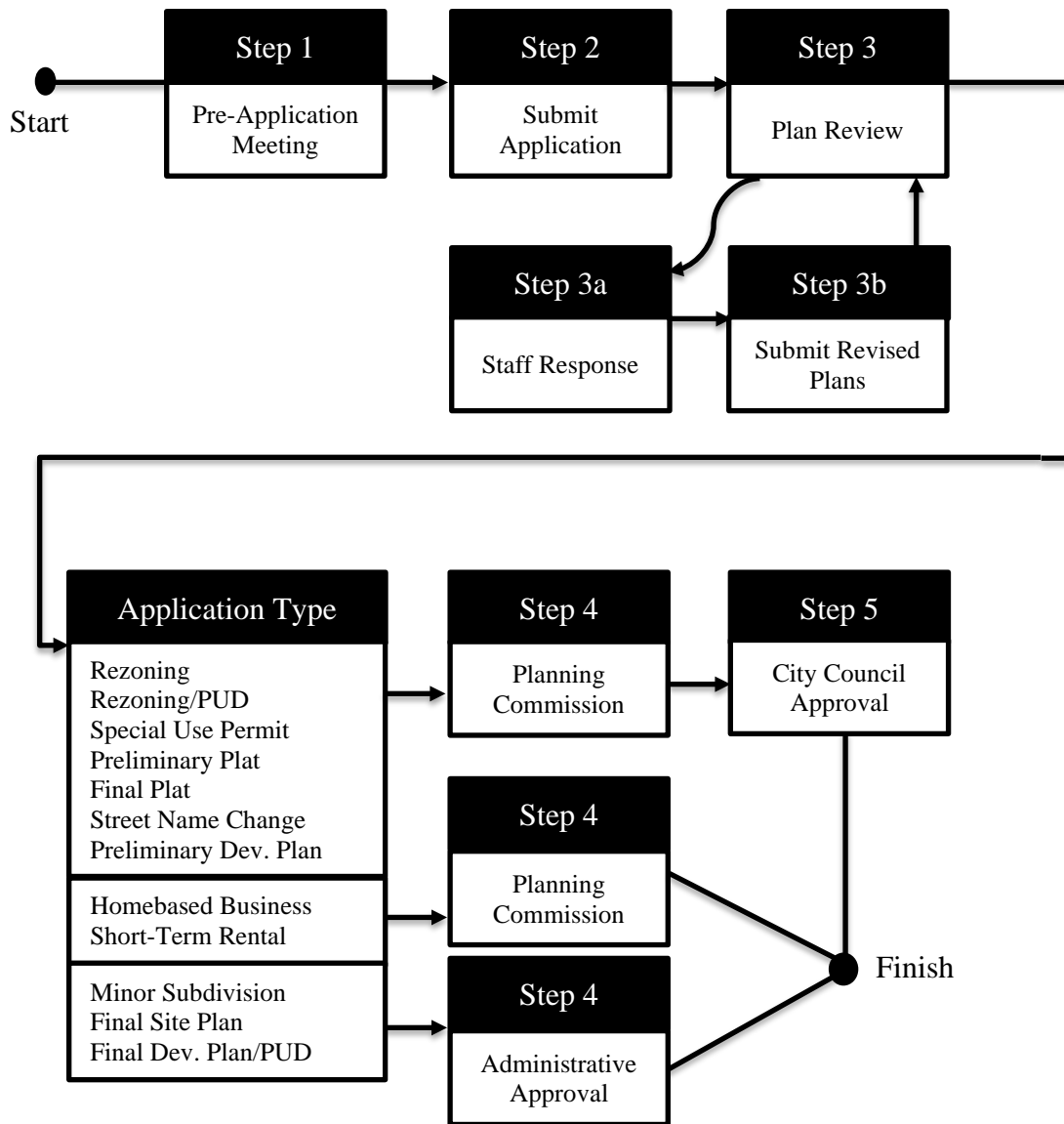
PLANNING & ZONING APPLICATION GUIDE



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Development Review Process Summary



Note: This document is a guide. No information contained herein shall constitute implicit or explicit approval of any proposal received by the City under these guidelines. All applications must comply with the Comprehensive Plan and Unified Development Ordinance of the City. Both documents are available online at www.indepmo.us or through the Planning Division at 816.325.7421. A pre-application meeting is required for all applicants prior to submittal.

Rezoning

A completed application will include the Basic Application Requirements and:

- Any technical studies deemed necessary by the City (traffic study, stormwater analysis, etc.)

Item due after completed submittal:

- The applicant is responsible for mailing public notices (Appendix B) to those properties within 185 feet of the subject property, at least 15 days in advance of the Planning Commission meeting. The applicant is responsible for turning in a notarized affidavit (Appendix C) stating what day the letters were sent, as well as a list of those properties the notice was sent to.

What are the City's criteria when reviewing a Rezoning application?

- Staff has received a completed application;
- The proposed zoning is consistent with the Comprehensive Plan, the Future Land Use Map, and approved City development standards and policies;
- Public facilities and services are available and adequate for the proposed use by the City (traffic study, stormwater analysis, etc.);
- The suitability of the subject property for the uses to which it has been restricted under the existing zoning regulations;
- The length of time the subject property has remained vacant as zoned;
- The gain, if any, to the public health, safety and welfare due to the denial of the application, as compared to the hardship imposed upon the landowner, if any, as a result of denial of the application; and,
- The recommendation of the City's professional staff.

Rezoning – Planned Unit Development

A completed application will include the Basic Application Requirements and:

- The written cover letter detailing the proposed project, should include answers to the following questions:
 1. Why a Planned Unit Development is in the public interest.
 2. A schedule showing:
 - i. Time and sequence of application for final approval of all portions of the Planned Unit Development if a phased development is planned.
 - ii. The development phases
 3. Summary of the number of units of each type of use, number of dwelling units, acreage devoted to residential, nonresidential, commercial, recreational, opens space, non-encroachable areas, streets, off-street parking, and other major land uses, as well as, the overall net density of the development.
 4. How all utilities are to be provided and how completion of all improvements is to be guaranteed.
 5. Form of ownership proposed to own and maintain the common open space or any area within the PUD to be retained primarily for the exclusive use and benefit of the residents, lessee and owners of the Planned Unit Development.
 6. A statement as to the substance of the covenants, easements or other restrictions to be imposed.
 7. Specify those modifications, reductions and waivers being requested as part of the Planned Unit Development and why they should be allowed.
- Any technical studies deemed necessary by the City (traffic study, stormwater analysis, etc.)

Item due after completed submittal:

- The applicant is responsible for mailing public notices (Appendix B) to those properties within 185 feet of the subject property, at least 15 days in advance of the Planning Commission meeting. The applicant is responsible for turning in a notarized affidavit (Appendix C) stating what day the letters were sent, as well as a list of those properties the notice was sent to.

What are the City's criteria when reviewing a Rezoning – Planned Unit Development application?

- Staff has received a completed application;
- The proposed zoning is consistent with the Comprehensive Plan, the Future Land Use Map, and approved City development standards and policies;
- Public facilities and services are available and adequate for the proposed use by the City (traffic study, stormwater analysis, etc.);
- The suitability of the subject property for the uses to which it has been restricted under the existing zoning regulations;
- The length of time the subject property has remained vacant as zoned;
- The gain, if any, to the public health, safety and welfare due to the denial of the application, as compared to the hardship imposed upon the landowner, if any, as a result of denial of the application; and,
- The recommendation of the City's professional staff.

Special Use Permit

A completed application will include the Basic Application Requirements and:

- Any technical studies deemed necessary by the City (traffic study, stormwater analysis, etc.)

Item due after completed submittal:

- The applicant is responsible for mailing public notices (Appendix B) to those properties within 185 feet of the subject property, at least 15 days in advance of the Planning Commission meeting. The applicant is responsible for turning in a notarized affidavit (Appendix C) stating what day the letters were sent, as well as a list of those properties the notice was sent to.

What are the City's criteria when reviewing a Special Use Permit application?

- Staff has received a completed application;
- The compatibility of the proposed use with the character of the neighborhood;
- The extent to which the proposed use is compatible with the adjacent zoning and uses;
- The impact of the proposed use on public facilities;
- The suitability of the property for the permitted uses to which it has been restricted under the applicable zoning district regulations;
- The extent to which the proposed use may injure or detrimentally affect the use or enjoyment of property in the area;
- The extent to which the proposed use will create excessive stormwater runoff, air pollution, water pollution or other environmental harm;
- The extent to which there is a need for the use in the community;
- The ability of the applicant to satisfy any requirements applicable to the specific use imposed pursuant to this article;
- The extent to which public facilities and services are available and adequate to meet the demand for facilities and services generated by the proposed use;
- The conformance of the proposed use to the Comprehensive Plan and other adopted plans and policies;
- The extent to which the use will impact sustainability or revitalization of a given area; and,
- The recommendation of the City's professional staff.

Preliminary Plat

A completed application will include the Basic Application Requirements and:

- A title report by an abstracting or title insurance company, or an attorney's opinion of title, showing the name(s) of the landowner(s) and all other persons who have an interest in or an encumbrance on the platted land
- Tree survey/preservation plans

What are the City's criteria when reviewing a Preliminary Plat application?

- Staff has received a completed application;
- Compliance with environmental and health laws and regulations concerning water and air pollution, solid waste disposal, water supply facilities, community or public sewage disposal, and, where applicable, individual systems for sewage disposal;
- Availability of water that meets applicable fire flow requirements and is sufficient for the reasonably foreseeable needs of the subdivision;
- Availability and accessibility of utilities;
- Availability and accessibility of public services such as schools, police and fire protection, transportation, recreation facilities, and parks;
- Consistency with the zoning district regulations;
- Conformity with the Major Thoroughfare Plan;
- Effect of the proposed subdivision on existing public streets and the need for new streets or highways to serve the subdivision;
- Physical land characteristics, such as floodplain, slope, soil, and elevation differentials with abutting properties;
- Recommendations and comments of the Development Review Committee and other reviewing agencies;
- Conformity with the Master Sewer and Water Utility Plan; and,
- Compliance with this development ordinance and all other applicable regulations.

Final Plat

A completed application will include the Basic Application Requirements and:

- A title report by an abstracting or title insurance company, or an attorney's opinion of title, showing the name(s) of the landowner(s) and all other persons who have an interest in or an encumbrance on the platted land
- Tree survey/preservation plans
- A signed Public Works Affidavit (Appendix D) indicating any need for public improvements
- A copy of any restrictive covenants, deed restrictions or Home Owner Association declarations applicable to the subdivision.
- Easements for off-site improvements
- Documentation assuring permanent responsibility for the maintenance of common areas, the fence/screening tracts or easements

After Planning Commission, but before the City Council meeting, the application must submit the following:

- Four (4) revised, signed and sealed mylars and six (6) paper copies of the plat; and,
- A digital copy of the plat in AutoCAD2000, or earlier format (dwg or dxf format)

The City will not allow a building permit to be issued until the plat has been recorded and the necessary copies (2 mylar copies) returned.

Minor Subdivision

A completed application will include the Basic Application Requirements and:

- A title report by an abstracting or title insurance company, or an attorney's opinion of title, showing the name(s) of the landowner(s) and all other persons who have an interest in or an encumbrance on the platted land
- Tree survey/preservation plans
- A signed Public Works Affidavit (Appendix D) indicating any need for public improvements
- A copy of any restrictive covenants, deed restrictions or Home Owner Association declarations applicable to the subdivision.
- Easements for off-site improvements
- Documentation assuring permanent responsibility for the maintenance of common areas, the fence/screening tracts or easements

Home Business Permit

A completed application will include the Basic Application Requirements and:

- A letter explaining the requested home business. This letter should include information about the business:
 1. Customer/Client activity
 2. Available parking
 3. Business location in the building
 4. How the business will operate
 5. What hours the business will operate
- A plot plan showing an overhead view of the property providing the accurate location of the building, driveway, accessory buildings, and so forth. A mortgage survey may be used for this requirement.

Short-Term Rental Permit

A completed application will include the Basic Application Requirements and:

- A letter detailing the operation of the Short-Term Rental:
 1. Number of bedrooms
 2. Total occupancy
 3. Total square footage of the building
 4. Number of available parking spaces
 5. Refuse collection plan
 6. Acknowledgement you will provide the required short-term rental safety items outlined in Section 14-420-05-A
 7. Websites you plan to use to market your short-term rental
 8. How do you plan to address loud or unruly guests and any other complaints from neighbors, related to disturbances at the short-term rental?
 9. How will you handle more than one vehicle arriving per bedroom?
 10. How do you plan to limit the number of guests at the short-term rental per visit?
- A plot plan showing an overhead view of the property providing the accurate location of the building, driveway, accessory buildings, and so forth. A mortgage survey may be used for this requirement.

Final Site Plan Review

A completed application will include the Basic Application Requirements and:

- A neighborhood meeting is required if the project is within 185 feet of residential zoned property and one of the following is involved:
 1. The construction of one or more new buildings with a gross floor area of 5,000 square feet or more.
 2. A building addition to one or more existing buildings where the gross floor area added is 5,000 square feet or more.
 3. Separate incremental additions below the 5,000 square foot amount if the aggregate effect of such development activity over a period of 18 months would trigger the 5,000 square foot threshold.
 4. Any drive-through facility except those exempted in Section 14-705-04.
 5. Any Gasoline or Fuel Sales use.
 6. Any Vehicle Sales and Service use.

The meeting should be at a time, date and place that is reasonable for the adjoining property owners to attend.

The applicant is responsible for mailing public notices (Appendix E) to those properties within 185 feet of the subject property, at least 15 days in advance of the meeting. The applicant is responsible for turning in a notarized affidavit (Appendix F) stating what day the letters were sent, as well as a list of those properties the notice was sent to.

Final Development Plan

A completed application will include the Basic Application Requirements and:

- Any technical studies deemed necessary by the City (traffic study, stormwater analysis, etc.)

Preliminary Development Plan

A completed application will include the Basic Application Requirements and:

- Any technical studies deemed necessary by the City (traffic study, stormwater analysis, etc.)

Item due after completed submittal:

- The applicant is responsible for mailing public notices (Appendix B) to those properties within 185 feet of the subject property, at least 15 days in advance of the Planning Commission meeting. The applicant is responsible for turning in a notarized affidavit (Appendix C) stating what day the letters were sent, as well as a list of those properties the notice was sent to.

What are the City's criteria when reviewing a Preliminary Development Plan application?

- The consistency with the Comprehensive Plan;
- The consistency with the PUD standards of Section 14-902, including the statement of purpose;
- The nature and extent of common open space in the PUD (if required);
- The reliability of the proposals for maintenance and conservation of common open space;
- The adequacy or inadequacy of the amount and function of common open space in terms of the densities and dwelling types proposed in the plan;
- The extent to which the proposed use will adversely affect the capacity of safety portions of the street network or present parking problems in the vicinity of the property. Whether adequate provision for public services, provides adequate control over vehicular traffic, and furthers the amenities of light and air, recreation and visual enjoyment;
- The extent to which the proposed use will have a substantially adverse effect on adjacent property and the development or conservation of the neighborhood area;
- Whether potential adverse impacts have been mitigated to the maximum practical extent;
- Whether the preliminary development plan represents such a unique development proposal that it could not have accomplished through use of (non-PUD) conventional zoning regulations; and,
- The sufficiency of the terms and conditions proposed to protect the interest of the public and the residents of the PUD in the case of a plan that proposes development over a period of years.

Appendix A - Planning and Zoning Fees (Per the City's Schedule of Fees 7/1/2019)

Board of Adjustment Application - \$400

Rezoning & Special Use Permit – less than 5.00 acres - \$500

Rezoning & Special Use Permit – 5.01 to 10.00 acres - \$750

Rezoning & Special Use Permit – 10.01 to 15.00 acres - \$1,000

Rezoning & Special Use Permit – 15.01 to 20.00 acres - \$1,250

Rezoning & Special Use Permit – 20.01+ acres - \$1,500

Final Site Plan or Final Development Plan – less than 5.00 acres - \$350

Final Site Plan or Final Development Plan – 5.01 to 10.00 acres - \$600

Final Site Plan or Final Development Plan – 10.01 to 15.00 acres - \$850

Final Site Plan or Final Development Plan – 15.01 to 20.00 acres - \$1,100

Final Site Plan or Final Development Plan – 20.01+ acres - \$1,600

Home Business Permit Application (including Short-Term Rentals) - \$350

Street Name Change Application - \$500

Minor Subdivision - \$200, plus \$3 per lot

Preliminary Plat Application - \$375, plus \$3 per lot

Final Plat Application - \$225, plus \$3 per lot

Special Sign Character Overlay Application - \$100

Appendix B - Property Owner Notification Letter

City of Independence, Missouri

Date: _____

Case No. _____

Dear Property Owner:

This letter is to notify you that an application has been submitted for consideration by the Planning Commission and City Council. A full public hearing will be held by the Planning Commission and the City Council will consider new information on the dates and times below.

Proposed Case Type (Check One):

- Rezoning Rezoning/PUD Special Use Permit
 Preliminary Development Plan

Proposed project description: _____

Applicant: _____

Location of Property: _____

Planning Commission Meeting Date: _____, 20____, at 6:00 p.m.

City Council Meeting Date: _____, 20____, at 6:00 p.m.

Location of public hearings: City Council Chambers, City Hall
111 E Maple Ave, Independence, Missouri, 64050

All interested persons are invited to attend and will have an opportunity to be heard at the full public hearing (Planning Commission).

REZONINGS ONLY: You may file a protest petition with the Community Development Department. For more information or to get copies of a petition, please contact Planning staff at 816-325-7421.

Applicant (or Owner/Agent)

For more information, contact the Community Development Department at 816-325-7421.

Appendix C - Property Owner Notification Affidavit

STATE OF MISSOURI

COUNTY OF JACKSON

Case No. _____

I, _____, of lawful age being first duly sworn upon oath, state:

That I am the (agent, owner, attorney) for the property for which the application was filed and did, not later than fifteen (15) days prior to the date of the public hearing scheduled before the Planning Commission, mail notices to all persons owning property within 185 feet of the subject property. **The list of property owners to whom notice has been mailed is attached.**

These notices were mailed on the _____ day of _____, 20_____.

Signature of Agent, Owner or Attorney

Subscribed and sworn to before me this ____ day of _____, 20_____.

Notary Public

Commission Expiration Date

Appendix D – Public Works Affidavit

To all subdividers:

In accordance with the UDO Section 14-702-04, a final plat will not be accepted by the Community Development Department for consideration until the City Engineer approves the final engineering drawings. This form shall be signed by a representative of the Public Works Department and submitted with the final plat application to the Community Development Department. If the required final engineering plans have not been approved for the subject subdivision by the Public Works Department, the final plat will not be accepted by the Community Development Department.

This proposed final plat of: _____
Name of Subdivision

Check the appropriate box:

- Does not require final engineering drawings approved by the Public Works Department for the City of Independence.

- Does require final engineering drawings approval by the City Engineer and a copy of the engineering drawings approval letter from the Public Works Department is attached.

City Engineer (or representative)

Date

Appendix E – Final Site Plan Notification Letter

Date: _____

Case No. _____

Dear Property Owner:

This is to notify you that a final site plan application will be, or has been, submitted for the property listed below to the City of Independence for consideration and approval. The Independence City Code requires that the applicant for certain final site plan approvals conduct a public meeting with the property owners within 185 feet of the subject property to discuss the project. As your property is within 185 feet, you are invited to attend this meeting.

Proposed project description: _____

Applicant: _____

Location of Property: _____

(map must be included)

Meeting Date: _____, 20____, at _____ am/pm

Location of neighborhood meeting: _____

All interested persons are invited to attend and hear about the proposed project, ask questions, or make comments.

Applicant Signature (or Owner/Agent)

Applicant Phone Number

Appendix F – Final Site Plan Notification Affidavit

STATE OF MISSOURI

COUNTY OF JACKSON

Case No. _____

I, _____, of lawful age being first duly sworn upon oath, state:

That I am the (agent, owner, attorney) for the property for which the application was filed and did, not later than fifteen (15) days prior to the date of the public meeting scheduled, mail notices to all persons owning property within 185 feet of the subject property. **The list of property owners to whom notice has been mailed is attached.**

These notices were mailed on the _____ day of _____, 20_____.

Signature of Agent, Owner or Attorney

Subscribed and sworn to before me this _____ day of _____, 20_____.

Notary Public

Commission Expiration Date