

# City of Raymore Unified Development Code

## Section 470.110 Preliminary Plat

### A. Applications

1. An application for a preliminary plat may be obtained from the Development Services Director. The application must be completed in its entirety in accordance with Section 470.010C and submitted at least 60 days prior to the date of the meeting where it will be considered.
2. For property in commercial or industrial zoning districts, the application must be submitted at least 30 days prior to the date of the meeting.

### B. Memorandum of Understanding

A Memorandum of Understanding (MOU) may be required by the City for any preliminary plat application request.

### C. Procedure *(Amendment 16 – Ordinance 2013-056 8.26.13) (Amendment 19 – Ordinance 2014-063 9.8.14)*

#### 1. Pre-Application Conference

Prior to filing an application for a preliminary plat, the applicant must attend a pre-application conference in accordance with Section 470.010B.

#### 2. Development Review Committee and Other Agency Review

- a. Upon receipt of a complete application, the Development Services Director will distribute copies of the preliminary plat and supportive information to the Development Review Committee. The application will be reviewed by the Development Review Committee for compliance with applicable regulations of this Code.
- b. The Development Services Director will also distribute copies of the preliminary plat to the following governmental agencies, departments, and other persons as may be deemed appropriate for the particular proposed subdivision:
  - (1) Fire District;
  - (2) Police Department;
  - (3) School District;
  - (4) State Highway Department (if the subdivision is adjacent to a State highway); and
  - (5) any utility companies providing gas, electric or telephone service in or near the subdivision.
- c. The agencies, departments and persons identified in this section will have a minimum of 10 working days to review the preliminary plat and to make their report and recommendations to the Planning and Zoning Commission.

- d. If a report has not been returned to the office of the Development Services Director within 10 working days after receiving a plat for review, the proposed plat will be deemed to be in conformance with the laws, rules or policies of the reviewing agency or department.

### **3. Planning and Zoning Commission Public Hearing**

All proposed preliminary plats must be submitted to the Planning and Zoning Commission for review and recommendation. The Planning and Zoning Commission will hold a public hearing on the application in accordance with Section 470.010E.

### **4. Planning and Zoning Commission Recommendation**

- a. The Planning and Zoning Commission will consider the preliminary plat within 60 days of its receipt by the Development Services Director, or at the next regular meeting for which the plat may be scheduled.
- b. The Planning and Zoning Commission will review and consider the reports and recommendations of the agencies, departments and persons to whom the preliminary plat has been submitted for review.
- c. If the preliminary plat does comply with all requirements, the Planning and Zoning Commission will forward the application to the City Council with a recommendation of approval.
- d. If the preliminary plat is in general, but not complete compliance, the Planning and Zoning Commission may recommend conditional acceptance of the preliminary plat. The conditions of such acceptance will specify the modifications necessary to achieve full compliance. The Planning and Zoning Commission will forward the application to the City Council with a recommendation of approval, subject to conditions.
- e. If the preliminary plat is not in compliance with all requirements, the Planning and Zoning Commission will recommend disapproval of the preliminary plat. Within 10 days of its final action, the Planning and Zoning Commission must notify the subdivider in writing of the reasons for its recommendation for disapproval.
- f. If the preliminary plat is not recommended for approval, the subdivider may modify the preliminary plat and re-submit it to the Planning and Zoning Commission. If the plat is amended and re-submitted within 60 days of the disapproval of the original preliminary plat, no additional filing fee will be required. The Planning and Zoning Commission may reconsider the preliminary plat at a regular meeting for which the plat may be scheduled by the Development Services Director.
- g. If a motion on an application fails, the Planning and Zoning Commission shall be required to propose and vote on a counter motion on the application. If a tie vote of the Commission, or if no majority vote of the full membership of the Commission can be obtained on a recommendation to be made, the application will be forwarded to the City Council with no recommendation.

### **5. City Council Public Hearing**

The Raymore City Council must hold a public hearing on the application in accordance with Section 470.010E1b through d and E2.

## **6. City Council Action**

- a.** The City Council must consider the request within 60 days of receipt of written recommendation of the Planning and Zoning Commission. Upon receipt of the recommendation of the Planning and Zoning Commission, the City Council must consider the application and may take final action to approve or disapprove it.
- b.** If final action is not taken by the City Council within 120 days after the recommendation of the Planning and Zoning Commission is submitted to it, the preliminary plat will be deemed to have been defeated and denied, unless the applicant has consented to an extension of this time period. Whenever a preliminary plat is defeated, either by vote of the City Council or by inaction described in this section, such preliminary plat cannot be passed without another public hearing that is noticed in accordance with this chapter.
- c.** If the City Council approves an application, it will adopt a resolution to that effect.

## **7. Findings of Fact**

In its deliberation of a request, the Planning and Zoning Commission and City Council must make findings of fact taking into consideration the following:

- a.** the preliminary plat will not adversely affect the appropriate use of neighboring property;
- b.** the preliminary plat is in compliance with all applicable regulations of the Unified Development Code, Growth Management Plan, and other City regulations and plans;
- c.** the preliminary plat will not impose undue burden upon existing public services and facilities; and
- d.** the preliminary plat will make adequate provision to accommodate resulting additional demands which may be imposed upon roads and streets, water supply and storage, storm sewerage, sanitary sewerage, and wastewater treatment without substantially increasing public costs and expenditures.

## **8. Effect of Approval of Preliminary Plat**

- a.** Approval of the preliminary plat does not constitute final acceptance of the subdivision by the City Council, but will be considered permission to prepare and submit a final plat. Preliminary plat approval will be effective for no more than one year from the date approval was granted unless:
  - (1)** a final plat application is submitted within one year of the date of preliminary plat approval and the application is then approved by the City Council within six (6) months of the date the application was submitted;
  - (2)** upon the request of the subdivider, the City Council grants an extension; or
  - (3)** final plat applications are submitted in accordance with the requirements for staged development of final plats in accordance with Section 470.130E.

- b.** If preliminary plat approval expires, the preliminary plat must be re-submitted as if no such plat had ever been approved.

## **9. Extension of Preliminary Plat**

- a.** City Council may grant an extension to the expiration date of a preliminary plat under the following conditions:
  - (1)** An applicant must submit a request for an extension prior to the expiration date of the preliminary plat. The request must include a basis for the extension.
  - (2)** An extension of the preliminary plat can only be requested if it remains unchanged from last acceptance.
  - (3)** A request for extension does not require submission of a new application fee or a public hearing.
- b.** If the request for an extension fails to obtain City Council approval the preliminary plat will expire on its most recent expiration date unless a final plat application is submitted prior to the expiration date in accordance with Section 470.130.
- c.** The City Council shall consider the following factors in its deliberation to determine if an extension should be granted.
  - (1)** Whether there have been any changes in the City Code since the preliminary plat was initially approved that could potentially impact the development of the property.
  - (2)** Whether development has occurred on property adjacent to or near the property.
  - (3)** Whether the basis for the extension is reasonable and justified.
  - (4)** The likelihood that the property will be developed within the timeframe requested for the extension.
  - (5)** Length of time requested.