

**Planning & Zoning Commission
Council Chambers
Hall of Waters Building
201 East Broadway
Excelsior Springs, MO**



Meeting Notice

July 26, 2021 at 6:00 PM

Special Study Session

Agenda

- 1 Call to Order
- 2 Zoning Code Review: Subdivision Regulations Review
 - a Subdivision Regulations Review
- 3 RAISE Grant Discussion
 - a RAISE Grant Discussion
- 4 Adjourn

Copies of this notice are available by contacting Community Development, at 201 E. Broadway, Excelsior Springs, MO 64024, (816) 630-0756.

Date and time posted: 7/23/21 at 11:15 A.M.



**Community Development
Planning and Zoning Special Study Session - 7/26/2021**

To: Commission Members
From:
Date
RE: Subdivision Regulations Review

ATTACHMENTS:

Description	Type	Upload Date
Subdivision Regulations Review	Exhibit	7/26/2021

Subdivision Regulations

Chapter 406 City Code

Subdivision Regulations are one of the key implementation tools for a city to help implement the development strategies and standards as envisioned in the Comprehensive Plan.

PRINCIPLE – To provide for the harmonious development of the community; to provide for the proper location and width and the construction of streets, utilities, parks and storm drainage; and, to provide for the manner in which public improvements shall be provided.

Subdivision Regulations apply to the owners of land in the City who proposed to divide said land into two (2) or more lots, tracts or parcels, or when establishing any street, park or other public use property.

Administration

The regulations outline the administrative and process duties of the City Manager (City staff), Planning and Zoning Commission and City Council.

Minimum Design Standards

The regulations detail the design standards for new subdivisions including width of streets, length of blocks and cul-de-sac streets, horizontal street curves, lot dimensions, easement locations, etc. These are the minimum standards and are further articulated and in the technical specifications for public works improvements.

Submission of Plats

An established submission and review process begins with a *Pre-Application Review*, then a *Sketch Plan Review* prior to a developer investing resources with the preliminary plat process.

Preliminary Plats are then submitted, for the entire development area, for formal review and ultimate consideration by the Planning and Zoning Commission and City Council. The preliminary plat application includes both the survey and the preliminary public works information, including appropriate traffic impact analyses if necessary, to confirm the feasibility of providing public utility service.

Preliminary Plat applications are reviewed by the Planning and Zoning Commission which may approve, with or without conditions, or disapprove the application. By practice, the preliminary plat applications are then presented to the City Council for its consideration.

Approval of preliminary plats are for an indefinite period of time however the Planning and Zoning Commission may, after a period of six months, consider rescinding the preliminary plat approval due to substantial changes to the character of the surrounding property or major changes in development policy. The prevailing development standards in place at the time of preliminary plat approval apply to the final plats for a period of six years, provided the preliminary plat has not been rescinded.

Final Plat applications include the final survey, often of an individual phase of the development, and the public works (engineering) plans for all the public improvements. The Subdivision Regulations detail the information required on the final plat surveys.

The final plat survey and the public works plans must be approved by City staff prior to being presented to the Planning and Zoning Commission for consideration.

Final Plats are considered by the Planning and Zoning Commission and its recommendation is provided to the City Council for its review and consideration of the final plat.

Lot Splits

The administrative “lot split” process allows for a more streamlined, administrative review and approval of subdivisions of not more than three (3) lots and do not involve any new public improvements. This administrative process is also utilized to facilitate simple “lot combinations” and “lot reconfigurations” that do not involve new public improvements and do not create any conflicts with zoning standards.

Improvements

The developer is required to provide for the new public improvements necessary to support any new development. All new public improvements must comply with the City’s technical specifications and design criteria. The public works plans are to be approved prior to formal final plat consideration by the Planning and Zoning Commission and City Council.

The required improvements include: streets, sidewalks, street signs, street trees, street lights, storm drainage, sanitary sewer and water, and permanent survey monumentation.

Improvement Procedures

The Subdivision Regulations outline the process for providing the required public improvements. These steps include: either the outright construction of the improvements or a surety in-lieu of construction prior to recording of the final plat; the permitting and inspection process; and formal acceptance of the public improvements by the City Council, including a 1-year surety for maintenance. Building permits can be issued in the development upon formal City Council acceptance of the required public improvements.

Past City practice has included the execution of a Public Elements Contract between the City and developer.

In certain circumstances of special conditions, off-site public improvement requirements, and/or a requirement for development impact fees, the City may enter into a special Development Agreement stipulating those requirements.

Variances

The Subdivision Regulations create a process for variance through the Board of Zoning Adjustment (BZA). As discussed in the BZA code review, this variance process is being reviewed.

CONSIDERATIONS –

- Clarify certain language in the Minimum Design Standards – maintain existing standards
- Modify plat review and consideration process to incorporate current best practice.
- Clarify certain language in the final submission section; modify Certificates (signature blocks).
- Modify Improvements and Improvement Procedures to reflect best practices and remove ambiguity – reduce need for separate Public Elements Contracts; establish clear administrative process for development improvements.
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RAISE Grant Discussion

Rebuilding American Infrastructure with Sustainability and Equity

The U.S. Department of Transportation (DOT) published a Notice of Funding Opportunity (NOFO) to apply for \$1 billion in Fiscal Year (FY) 2021 discretionary grant funding through the Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grants.

“In communities across the country, there is tremendous need for transportation projects that create high-quality jobs, improve safety, protect our environment, and generate equitable economic opportunity for all Americans,” said U.S. Secretary of Transportation Pete Buttigieg. “With RAISE grants, we are making those needed investments in our communities' future.”

The city of Excelsior Springs meets and exceeds many of the requirements to obtain the grant dollars. Perusing this grant is an excellent way to obtain federal help to create a safer, more environmentally friendly, and equitable community.

For this round of RAISE grants, the maximum grant award is \$25 million, and no more than \$100 million can be awarded to a single State, as specified in the appropriations act. Up to \$30 million will be awarded to planning grants, including at least \$10 million to Areas of Persistent Poverty.

The application was submitted by the deadline of July 12th.

Melinda Mehaffy will give a more detailed verbal presentation regarding our community's interests in the RAISE grant.