



Planning and Zoning Commission Meeting

June 10, 2025

7:00 p.m. – City Hall Council Chambers and Via Videoconference

Meetings are live streamed on the [City's YouTube](#) page.
The recordings are posted to social media and the city's website within 24 hours of the meeting.

- 1. Call to Order**
- 2. Approve the May 13, 2025, Planning Commission Minutes**
- 3. Staff Report**
- 4. Public Hearing – Accessory Dwelling Units Ordinance**

The purpose of this hearing is to take public comment on the submitted model ordinance and the issues associated with Accessory Dwelling Units

- 5. Accessory Dwelling Unit Recommendation**

The Commission shall discuss the proposed final ordinance and make its' recommendation to the Board of Aldermen.

- 6. Public Hearing - 169 South Employment Overlay District**
- 7. 169 South Employment Overlay District Discussion**

The Commission can provide its' comments and recommendations to include in the final draft.

- 8. Adjourn**



SMITHVILLE PLANNING COMMISSION

REGULAR SESSION

May 13, 2025

7:00 P.M.

City Hall Council Chambers and Via Videoconference

1. CALL TO ORDER

Chairman John Chevalier called the meeting to order at 7:00 p.m.

A quorum of the Commission was present: Alderman Melissa Wilson, John Chevalier, Terry Hall, Billy Muessig, and Mayor Damien Boley. Rob Scarborough and John Wallace were absent.

Staff present: Jack Hendrix, William Stubbs and Brandi Schuerger.

2. MINUTES

The April 8, 2025, Regular Session Meeting Minutes were moved for approval by MAYOR BOLEY, Seconded by ALDERMAN WILSON.

Ayes 5, Noes 0, Motion carried.

3. STAFF REPORT

HENDRIX reported:

We have 2 potential retail businesses coming to the Smithville Marketplace. The underlying zoning is a Conceptual Plan and when they created this, they went through the entire process and incorporated all the building elements. These will not have to come to Planning and Zoning for approval. They will submit the paperwork, and architects will sign off verifying that the materials they are using complies with the Conceptual Plan. Staff will review a few other items and make sure they meet standards. Once that happens, they will be able to apply for building permits.

Tonight, we will get the Preliminary Plat issue with Lakeside Farms resolved so that we can move forward with the Wildflower improvements.

Phase 1 of Clay Creek Meadows is 98% complete and will be ready soon to get their plat recorded. It should be on the June 3rd Board of Aldermen meeting agenda.

We plan to bring the South Employment Overlay District language to the June Planning Commission meeting.

MAYOR BOLEY asked if there were any other tenant finish permits issued at the old Price Chopper building? He noticed construction on the nail salon has started.

SCHUERGER stated that there was talk about another restaurant, but nothing has been submitted.

HENDRIX stated that there has also been talk about redevelopment of the old Kay Furniture/Compton's building. The building is under contract so we should hear something soon.

4. SITE PLAN REVIEW – 303 W. MEADOW ST – EZ CAR SALES

MOYOR BOLEY motioned to approve the Site Plan Review for 303 E. Meadow St – EZ Car Sales. Seconded by MUESSIG.

HENDRIX stated that this matter is back before us after being postponed at last month's meeting. He met with the applicant who asked if he could change his submission substantially. Pictures of what the building is proposed to look like, materials to be used and location of the building are included in the packet. The applicant also brought samples of the materials that will be used to the meeting. Staff's recommendation is that it meets the standards in the code. The applicant is here to answer questions.

Discussion: None

THE VOTE: MAYOR BOLEY-AYE, HALL-AYE, MUESSIG-AYE, CHEVALIER-AYE, ALDERMAN WILSON-AYE.

AYES-5, NOES-0. MOTION PASSED

5. REVOCATION OF PRELIMINARY PLAT APPROVAL – LAKESIDE FARMS

- **TO REVOKE THE PRELIMINARY PLAT APPROVAL AND REQUIRE RESUBMISSION OF LAKESIDE FARMS SUBDIVISION AS APPROVED BY THE BOARD OF ALDERMEN ON JANUARY 7, 2025, BY RESOLUTION 1436**

HALL motioned to Revoke the Preliminary Plat for Lakeside Farms. Seconded by ALDERMAN WILSON.

HENDRIX stated that the developer of this subdivision has notified staff of his decision to delay this project for 2 years. Staff has informed them that we have negotiated Wildflower improvements for them, but we can't wait. We have an agreement from 2004 with a different developer to fund the improvements to Wildflower. If this is approved, we will notify that developer of his responsibility for these improvements.

Discussion: None

THE VOTE: ALDERMAN WILSON-AYE, CHEVALIER-AYE, MUESSIG-AYE, HALL-AYE, MAYOR BOLEY-AYE.

AYES-5, NOES-0. MOTION PASSED

6. PUBLIC HEARING – ACCESSORY DWELLING UNITS ORDINANCE

- **THE PURPOSE OF THIS HEARING IS TO TAKE PUBLIC COMMENT ON THE SUBMITTED MODEL ORDINANCE AND THE ISSUES ASSOCIATED WITH ACCESSORY DWELLING UNITS**

Public hearing opened.

Bill & Jamie Talley 801 NE 140th Terr Smithville, MO 64089 –

Mrs. Talley stated that they are in favor of the ADU Ordinance. They own 40 acres but don't have enough road frontage to subdivide it. They currently

live in what would become the ADU and would build another home that they would then move into.

Public hearing closed.

7. ACCESSORY DWELLING UNIT DISCUSSION

- **THE COMMISSION SHALL DISCUSS THE MODEL ORDINANCE AND RECOMMEND CHANGES TO THE SUBSTANTIVE ISSUES OF THE ORDINANCE BASED UPON THE PUBLIC HEARING COMMENTS. NO VOTE IS REQUESTED UNTIL A FINAL DRAFT VERSION OF THE ORDINANCE IS PRESENTED AT THE JUNE HEARING.**

HENDRIX informed that a draft ordinance has been provided in the packet that covers all of the items discussed at our last several meetings. This will not be the proposed code that we submit to you for final approval because much of this has to be included in other ordinances/sections. He asked that the commission discuss this and make sure that it includes everything they wanted. Once we get a clear idea of their intent, it will be presented at our meeting in June. There will also be another public hearing once we get to the final version of this ordinance.

STUBBS stated that if the commission had any opinions, questions or additions please let us know.

The commission discussed and decided that the following should be adjusted in the ordinance:

- Remove R-1M (Mobile or Manufactured Dwelling District) from the list of allowed zonings.
- Substitute all references of "Chairman of the Planning Commission" to "Planning Commission".

8. ADJOURN

MAYOR BOLEY made a motion to adjourn. ALDERMAN WILSON seconded the motion.

VOICE VOTE: UNANIMOUS

CHAIRMAN CHEVALIER declared the session adjourned at 7:28 p.m.

Not Yet Approved



Planning and Zoning Commission Procedural Summary

MEETING DATE: 6/10/2025

DEPARTMENT: Development

AGENDA ITEM: Zoning Code amendment – Accessory Dwelling Units

REQUESTED COMMISSION ACTION:

A motion to Adopt the proposed recommendations attached as Exhibit A to the proposed ordinance to the Board.

SUMMARY OF PROCEDURE:

The application is to add provisions to authorize Accessory Dwelling Units in certain districts with certain conditions. The procedures for amending text of the zoning code are governed by §400.560 of the code. The relevant provisions are here:

A. Recommendations. Upon the conclusion of the public hearing, the Planning and Zoning Commission shall prepare and adopt its recommendations and shall submit the same, together with a record of the hearing thereon, to the Governing Body. Said recommendation may be for approval, disapproval or approval in part and reasons for the recommendation shall be included.

B. **Amendments To The Text.** When a proposed amendment would result in a change in the text of these regulations but would not result in a change of zoning classification of any specific property, the recommendation of the Planning and Zoning Commission shall contain a statement as to the nature and effect of such proposed amendment and determinations as to the following items:

1. Whether such change is consistent with the intent and purpose of these regulations;
2. The areas which are most likely to be directly affected by such change and in what way they will be affected; and
3. Whether the proposed amendment is made necessary because of changed or changing conditions in the areas and zoning districts affected or in the area of jurisdiction of such changed or changing conditions.

A draft Statement from the Commission is presented, along with an Ordinance that will be submitted to the Board of Aldermen. The motion to approve (listed above) must be seconded, and if seconded, discussion on the matters of the public hearing and any documents provided may be discussed.

ATTACHMENTS:

- | | |
|--|-----------------------------------|
| <input checked="" type="checkbox"/> Ordinance | <input type="checkbox"/> Contract |
| <input type="checkbox"/> Resolution | <input type="checkbox"/> Plans |
| <input checked="" type="checkbox"/> Staff Report | <input type="checkbox"/> Minutes |
| <input type="checkbox"/> Other: | |

Date:	June 5, 2025
Prepared By:	Jack Hendrix, Development Director
Subject:	Zoning Code Amendment – Accessory Dwelling Units

The City's Comprehensive Plan Action Items HN1.3 and HN5.1 encourage consideration of Accessory Dwelling Units. Those items state:

HN1.3 Explore incorporating accessory dwelling units (ADUs) as part of Smithville's housing policy. Conduct a SWOT analysis to explore considerations and implications.

HN5.1 Encourage housing options that promote a range of aging-in-place opportunities, including smaller units, accessory dwelling units (ADUs), shared housing arrangements, and independent or active adult communities.

For the last few meetings, the Commission has reviewed and discussed options for authorizing ADU's in Smithville. The attached ordinance is based upon the discussion following the Public Hearing at the May 13th Planning Commission meeting. The draft presented at that meeting was in a sole item format and it generated much discussion. Following that meeting, Will Stubbs went through that draft and the comments made by the commissioners and created a rough draft of the items discussed and recommendations from the various commissioners. Thereafter I worked with Will to put the ordinance presented to you today together.

Staff believes in incorporates all of the provisions you've discussed, with one particular item highlighted in yellow. That provision includes an issue that was discussed but neither of us could make a determination as to whether it was recommended or not. Specifically, there was limited discussion on whether an ADU must be in a separate structure, or if it could in fact be built into the existing house. Staff addressed potential construction issues that would be required to authorize a separate unit that did not have direct internal access to the main living area. A final decision on this particular matter is required in order to send the matter on to the Board.

Staff requests the Commissioners review and discuss the proposed changes to our codes to authorize ADU's via a Conditional Use Permit and that review process.

The proposed Statement of the Nature and Effect of text changes required by §400.560.B of the code are attached at the end of the proposed ordinance.

**AN ORDINANCE AMENDING SECTIONS OF CHAPTER 400 OF THE
ZONING CODE AUTHORIZING ACCESSORY DWELLING UNITS**

WHEREAS, the Planning Commission advertised and held a public hearing on May 13, 2025 related to proposed changes to various provisions of the zoning codes that pertain to the Accessory Dwelling Units; and

WHEREAS, the Planning Commission advertised and again held a public hearing on June 10, 2025 related to proposed changes to various provisions of the zoning codes that pertain to the Accessory Dwelling Units

WHEREAS, following the public hearings, the Planning and Zoning Commission approved the changes based upon the desire to incorporate all fees for zoning and subdivision matters be identified in the City's Schedule of Fees and to be addressed by the Board of Aldermen on an annual financial basis; and

WHEREAS, the Planning Commission has provided its' statement required by §400.560.B of the Code, which is attached as Exhibit A;

WHEREAS, the Smithville Board of Aldermen deems it to be in the best interest of the City of Smithville to adopt said amendments to provide for additional affordable housing options and to encourage aging in place living in accordance with the Comprehensive Plan.

**NOW THEREFORE BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE
CITY OF SMITHVILLE, MISSOURI AS FOLLOWS:**

SECTION 1. Chapter 400 of the Code of Ordinance is amended by deleting Section 400.025 regarding the Establishment of Districts in its' entirety and replacing it with the following new Section 400.025:

400.025 Establishment of Districts.

The jurisdictional area is hereby divided into fifteen (15) zoning districts and two (2) overlay districts, which are designed as follows:

"A-1"

Agricultural District

"A-R"	Agricultural-Residential District
"R-1A"	Single-Family Suburban Dwelling District
"R-1B"	Single-Family Dwelling District
"R-1C"	Single-Family Urban Dwelling District
"R-1D"	Single-Family Small Lot Dwelling District
"R-1M"	Mobile or Manufactured Dwelling District
"R-2"	Two-Family Dwelling District
"R-3"	Multiple-Family Dwelling District
"B-1"	Neighborhood Business District
"B-2"	Non-Retail Business District
"B-3"	General Business District
"B-4"	Central Business District
"I-1"	Light Industrial District
"I-2"	Heavy Industrial District
"P"	Planned Development Overlay District
"FP"	Floodplain Overlay District

SECTION 2. Chapter 400 of the Code of Ordinance is amended by adding an additional definition in Section 400.07 regarding Accessory Dwelling Units to be read as follows:

400.075 Definitions.

ACCESSORY DWELLING UNIT

A subordinate residential use on a lot that is located within a zoning district that otherwise does not allow two separate and distinct residential structures or uses on one lot. An ADU is only authorized as an accessory building or use upon issuance of a Conditional Use Permit.

SECTION 2. Chapter 400 of the Code of Ordinances is amended by adding a new provision to 400.370.E, Accessory Uses Permitted by Conditional Use:

400.370.E.3. Accessory Dwelling Units subject to the following requirements:

A. Location and Construction

i. May only be authorized if located on land within zoning districts A-1, A-R, R-1A, R-1B, R-1C, R-1D or B-4.

ii. An ADU may either be located within the principal structure with no direct communication between the two units or may be a separate structure.

iii. Only one ADU may be constructed on the lot or parcel.

iv. All water, sewer or septic, and solid waste services to the property must be through the primary structure's service. Electric, phone, cable, gas or other service may be served by separate meters and/or services.

v. The ADU shall be constructed in full compliance with the then adopted building and property maintenance codes, including an approved frost protected foundation.

B. Ownership, Use and Occupancy

i. Any land with an ADU must be under one ownership and the owner must occupy either the principal structure or the ADU.

ii. The ADU shall be occupied by no more than two adults unrelated by blood, marriage or civil union.

iii. The minimum rental term for either structure shall be not less than 30 days.

iii. No ADU shall operate any home occupation.

iv. No ADU's may be occupied without a valid Certificate of Occupancy.

v. All ADU's must reapply for a new Certificate of Occupancy every three years where the owner certifies compliance with the provisions herein.

SECTION 3. Chapter 400 of the Code of Ordinances is amended by adding a new provision to 400.570 Conditional Use Permits as follows:

400.570.D.7 Accessory Dwelling Units (ADU)

A. A surveyor stamped plot plan shall be included with the application that shows the following conditions will be met upon completion of construction:

i. That the ADU is not less than 20 nor more than 100 feet from the principal structure on the lot.

ii. That the total lot coverage with both the principal structure, the ADU and any other accessory structure located on the lot do not exceed thirty percent (30%) of the total lot area.

iii. That the ADU is not less than 10% nor more than 90% of the area of the area of the principal structure located on the lot or parcel and shall in no event exceed the height of the principal structure. The 10% minimum size provision above shall apply except when a larger size is required to meet the minimum building code requirements in place at the time of application.

B. Elevation Plans of the proposed ADU shall be included with the application that shows the following:

i. Each side of the proposed structure, along with proposed colors and materials in order to make the findings required in 400.570.C.4

ii. A site plan that includes the proposed vehicular ingress/egress and off-street parking in order to make the findings required in 400.570.C.5 and 6.

SECTION 4. This ordinance shall be in full force from and after the date of its passage and approval.

BE IT REMEMBERED that the above was read two times, by title only, **PASSED AND APPROVED** by a majority of the Smithville Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri this XX day of XXX, 2025.

Damien Boley, Mayor

ATTEST

Linda Drummond, City Clerk

First Reading: 10/01/2025

Second Reading 10/15/2025

EXHIBIT A

STATEMENT OF PLANNING COMMISSION ON ACCESSORY DWELLING UNITS

In accordance with 400.560.B, the Planning Commission recommends approval of the foregoing ordinance changes and makes the following statements:

1. These changes are consistent with the intent and purpose of these regulations.
2. The areas of the city which are most likely to be directly affected by these changes are all zoning districts that allow single-family detached housing.
3. This amendment is made necessary to provide additional options for affordable housing and aging in place opportunities for residents in accordance with the city's Comprehensive Plan.

Date:	June 5, 2025
Prepared By:	Jack Hendrix, Development Director
Subject:	Overlay District Draft Ordinance

Given the scope of the changes that will be necessary to incorporate provisions into the zoning code (similar to the ADU ordinance last month), staff presents a model Overlay ordinance that includes the provisions previously identified by the Commission and the public in our previous hearings as reference. We anticipate that following the Public Hearing, the Commission can discuss the model ordinance and the Public Comments provided to give staff a final direction for the final draft ordinance. That version will include changes to allow these provisions to work within our existing ordinances.

Procedurally, this proposed ordinance does not change the zoning of any land in the proposed Overlay district area. This ordinance identifies the rules and use changes that will be possible when this land develops. At the time of development of all or part of the land involved, the applicant must submit their Conceptual plan documents. That will include the intended layout, and the intended uses as described in these additional overlay regulations. They will also need to Rezone the land (currently everything is A-1) to the use category(ies) described in the approved ordinance. The other regulations and variations will also be included.

It is important to note that this is NOT intended to be the final version of an ordinance, but to allow the public hearing to accept comments on the issues contained within the document. Staff would anticipate not less than one more public hearing on the ordinance that will be proposed prior to a vote and recommendation by this Commission. For purposes of this meeting, following the Public Hearing, the Commission will be asked to comment to help identify the final matters to be considered in the final draft of an ordinance. Staff will then bring forward for final review and approval an ordinance that addresses ALL issues identified by the Commission following the Public Hearing that shall be included in the final version up for consideration by the Commission.

The Model Ordinance is attached.

Overview/Applicability. The 169 South Employment Center Overlay District (SE-O) is established to implement the vision and objectives of the Comprehensive Plan and, more specifically, one of the identified Priority Areas. The City of Smithville finds that implementation of the SE-O will facilitate development of the area consistent with the objectives of the 169 South Employment Priority Area and create new employment areas, a mix of commercial and residential, and office uses that will draw new residents and businesses to Smithville in a development area intended to promote an enhanced streetscape, commercial uses complimentary to the broader Downtown area with retail, entertainment, and employment, and in some situations the addition of mixed-use residential development.

The 169 South Employment Center Overlay District, (SE-O) is a way to facilitate coordinated development within the overlay district that meets or exceeds the intent of the goals of the Priority Areas identified within the Comprehensive Plan through an integrated plan, process, and flexible standards. The SE-O District is an Overlay Zoning District, as described in Section 400.XXX. Each development within the overlay district shall require a separate development plan. An approved concept plan and planned development standards for the property as a whole may be required as part of site development approval. Requests for development approval constitutes a ~~Zoning Map amendment~~, and must meet all of the procedures and requirements of that process, but it also includes specific master development plans.

The SE-O District development review process shall contain two (2) steps — an initial request establishing a PD District, including a concept plan and planned development standards, where the generalized development plan and development regulations for the entire area proposed to be included within a planned development are proposed, and the final plan, where specific development projects are reviewed. In many cases land will need to be subdivided in order to carry out a development plan. Any subdividing of land will follow the established subdivision process. In addition to the general requirements in Table 403.010-110 and Section 403.010 the following requirements are specific to SE-O development applications.

Definitions: For the purpose of this Chapter, all previously defined terms in Section 400.75 apply except certain terms or words used herein shall be interpreted or defined as follows, unless the context clearly indicates otherwise:

Common Open Space: A centrally located, functional open area accessible to all residents of the development.

Cottage Housing: Small, detached housing units typically between 400 and 1,200 square feet.

Clustered Housing: A grouping of small homes designed to encourage social interaction and maximize shared amenities.

Community Scale Manufacturing: Commonly referred to as ‘maker space’, a facility generally open to the public where tools and space can be used for light manufacturing, processing, or assembly using woodworking, welding, ceramic kilns, or other tools at a scale for hobbies or small businesses on site.

Cottage Industry and Retail: A light manufacturing, assembly or processing that is appropriate for commercial contexts and may include retail to customers to participate in the process or sale of goods produced on site. Generally limited to 1,000 sq. ft. of building area.

Dwelling, Live-Work: A residential dwelling unit that allows an integrated permissible nonresidential use. Residential and commercial spaces must be occupied by the same tenant, and no portion of the unit may be rented or sold separately.

Pocket Residential Development (PRD): A clustered housing development consisting of small dwelling units around shared open space and amenities.

Research Industry: Companies, primarily focused on science, technology, and innovation, can establish offices and laboratories to conduct research and development activities, may be partnered or supported by a university or college to leverage access to specialized facilities, talent pools, and cutting-edge research capabilities, allows collaborative work spaces to foster innovation within the industry; serves as a hub for technology-based businesses to grow and develop new ideas through shared infrastructure and expertise.

Residential, Mixed-Use: A development containing residential and institutional, commercial, or other non-residential uses for the residents or the public.

Permitted Uses: The following table outlines permitted uses and uses that may be allowed with considerations and approval of a conceptual plan with Overlay Zoning District. All uses are subject to requirements and/or restrictions outlined within that zoning district section of the chapter, including height, lot area, distance from adjacent uses, landscaping requirements, etc.

USE TYPE	Underlying Zoning Districts Allowed in the 169 South Employment Development Area.													Applicable Codes
	R-1A	R-1B	R-1C	R-1D	R-2	R-3	B-1	B-2	B-3	B-4	I-1			
RESIDENTIAL														
Apartments/Multi-Family	-	-	-	-	✓	P	✓	✓	✓	✓	-			
Bed & Breakfast	-	-	-	-	-	-	-	-	-	-	-			
Condominiums	-	-	-	-	✓	P	✓	✓	✓	✓	✓			
Convalescent Home	-	-	-	-	-	-	-	-	-	-	-			
Day Care/Nursery Home (Small)														
Day Care/Nursery Home (Large)														
Duplex/Two-Family Dwelling	P	-	-	-	-	P	P	P	P	-	✓			
Townhome	-	-	-	-	- P	P	P	P	P	P	✓			
Live-Work Dwelling		✓	✓	✓	✓	P	P	P	P	P	✓			
Mixed-Use Dwelling	-	-	-	-	P	P	P	P	P	P	✓			
Short-Term Rental	P	P	P	P	P	P	P	P	P	P	-			
Single-Family Dwelling	P	P	P	P	-	-	-	-	-	-	-			
RECREATIONAL														
Amphitheaters	-	-	-	-	-	-	✓	✓	✓	-	-			
Athletic Clubs	-	-	-	-	-	-	P	P	P	P	✓			
Athletic Fields	✓	✓	-	-	-	-	-	-	-	-	-			
Gymnasiums	-	-	-	-	-	-	-	-	-	-	-			
Parks/Parkway	✓	✓	✓	✓	✓	✓	-	-	-	-	-			
Recreation Centers	-	-	-	-	-	-	✓	✓	✓	✓	-			

PUBLIC, CIVIC, & INSTITUTIONAL																	
Art Centers/Museums/Galleries/Etc.	-	-	-	-	-	-	P	P	P	P	-						
Auditoriums/Opera Houses/Etc.	-	-	-	-	-	-	✓	✓	✓	✓	-						
Clinics & Public Health Facilities	-	-	-	-	-	P	P	P	P	P	P						
Colleges/Universities (Public/Private)	-	-	-	-	-	P	P	P	P	P	P						
Fire Houses/Stations	P	P	P	P	P	P	P	P	P	P	P						
Government/Public Administrative Buildings/Uses	P	P	P	P	P	P	P	P	P	P	P						
Group Home (Small)	P	P	P	P	P	✓	✓	✓	✓	-	-						
Group Home (Large)	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓						
Hospitals & Associated Facilities	-	-	-	-	-	✓	P	P	P	P	✓						
Libraries	-	-	-	-	-	P	P	P	P	P	✓						
Police Stations	-	-	-	-	-	P	P	P	P	P	P						
Postal Services & Facilities	-	-	-	-	-	✓	P	P	P	P	P						
Religious Facilities/Houses of Worship	-	-	-	-	-	✓	✓	✓	✓	✓	✓						
Residential Care Facilities	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓						
Retirement/Assisted Living/Nursing Care Homes	-	-	-	-	✓	✓	✓	-	-	-	-						
Specialty School (Trade/Business/Etc.)	-	-	-	-	-	-	P	P	P	P	P						
COMMERCIAL																	
Bank/Credit Union/Financial Services Inst.	-	-	-	-	-	-	P	P	P	P	P						
Bars/Brewpubs/Drinking Establishments	-	-	-	-	-	✓	P	P	P	P	P						
Catering Services	-	-	-	-	-	-	P	P	P	P	P						
Comprehensive Marijuana Cultivation Facility	-	-	-	-	-	-	P	P	P	P	P						
Comprehensive Marijuana Dispensary Facility	-	-	-	-	-	-	P	P	P	P	P						
Comprehensive Marijuana-Infused Products Manufacturing Facility	-	-	-	-	-	-	P	P	P	P	P						
Department Stores	-	-	-	-	-	-	P	P	P	P	-						
Fast-Charging Stations																	
Flea Markets	-	-	-	-	-	-	P	P	P	P	✓						
General Retail (Grocery/Apparel/Chain/Etc.)	-	-	-	-	-	-	P	P	P	P	-						

[illegible]

P = Permitted

✓ = Discretionary Approval through Zoning Overlay Application Review

Concept Plan/Planned Development Standards: The SE-O district allows for mixing residential environments with workplaces and services in a manner that encourages these uses to occur in a pedestrian-oriented and varying build-out sizes rather than in continuous strips along arterial streets. Development in the SE-O district must accommodate transportation systems, adjacent environments, and pedestrian movement. The purpose of the SE-O Development Standards is to allow a preliminary review of a proposed development before substantial technical work has been undertaken. A concept plan shall generally include plans and supporting documents that address the following:

- (1) Development Process. The approval process within the Overlay has been modified to address site size and the types of uses permitted on each site. Building Design Conformity finding is required with all Site Development Plans. A Concept Plan will be required for developments larger than two acres to ensure the primary purpose of commercial development is accomplished in conjunction with the addition of housing. The Concept Plan grants additional flexibility for the configuration of a site and for the arrangement of uses. No Concept Plan for Mixed-use development shall be approved that does not specify appropriate commercial tenant space sizes, orientation, and total square footage in a project. An appropriate mix of commercial and residential development will be evaluated on case-by-case basis to ensure a mixed-use project fulfills the redevelopment goals of the 169 South Employment Center Overlay District (SE-O) for commercial development that incorporates community commercial uses and uses that are complimentary to overall vision of the overlay.
1. A plan outlining the general location, design characteristics, and functions of all proposed streets, stormwater management, open spaces, civic spaces, and circulations networks, whether public, common or private, that will create the public realm for the plan.
2. A Concept Plan will be required to identify specific land uses and their density intensity, block and lot patterns, building types and scale, materials and design characteristics, and other building and site design elements. This plan shall have a particular emphasis on how these elements relate to one another and where transitions between these elements occur at a parcel or block scale both within the development and in coordination with abutting property. The land use and development plan shall specifically identify where development standards may differ from those otherwise applicable through the base zoning districts and general development requirements of the Development Code. A conceptual development plan must be submitted to the Commission for approval. The applicant shall pay a non-refundable deposit of two hundred fifty dollars (\$250.00) and submit an application that contains, at a minimum, the following elements:

Concept Plan Requirements:

- a. A proposed development schedule.
- b. The boundaries of the tract to be zoned and the area adjacent for a distance of five hundred (500) feet.
- c. The existing and proposed topography with contour intervals not greater than ten (10) feet intervals on a plan at a scale of one (1) inch equals two hundred (200) feet or larger. The proposed topography shall be clearly delineated on the plan.
- d. Proposed location, number and arrangement of buildings, structures, parking areas, existing and proposed streets, drives, open spaces, drainage landscaping, and other reasonable information required by the Commission.
- e. Sufficient approximate dimensions to indicate the relationship between building, streets, drives and property lines should be on the plans as well.
- f. A circulation Plan identifying existing and proposed vehicular, pedestrian, bicycle, and other circulation facilities and location including the location of parking and loading facilities.
- g. The plan shall be accompanied by a plat giving a full legal description of the boundaries of the property.
- h. Schematic architectural plans and elevations drawings of proposed buildings that indicate

- building height, bulk, and materials.
- i. Preliminary signage plan that identifies the materials, sizes, heights and locations proposed to be used on signs within the project. The signage plan shall be consistent with the overall architectural theme of the buildings and project.
- j. A list of all property owners within one hundred eighty-five (185) feet of the proposed area's boundaries.

Single Family Code(s):

Single-family residential development will be permitted as allowed in Sections 400.100 -400.120 when it is developed as a buffer adjacent to open space and green space or as a transition from larger suburban and agricultural residential to higher-density development.

Residential Development may be the same as in the underlying district when located in a residential development only in use. Variations and departures from the standard requirements of the underlying district may be permitted. Each residential unit need not front onto a public street. Buildings may be constructed on platted tracts that are smaller than the minimum lot size requirements where other adjacent, maintained permanent open space is provided. Buildings may be grouped in clusters or around courts and may be served by private drives in lieu of public streets. Buildings may be located closer to lot lines than otherwise permitted provided such buildings are architecturally suitable for such a relationship to adjoining buildings or property.

Additionally, Pocket Neighborhood Development (PND) may be permitted through the approval of a concept plan. PNDs allow a variety of housing choices that may serve a diverse population in terms of age, income, household makeup, and affordability while providing a sense of community and compatibility. They allow for flexibility in density and lot development standards. PNDs will be defined by the inclusion of the following design features:

- a. A clustered group of 4 – 10 dwellings per cluster and oriented around a common open space.
- b. A common open space area that is usable for active and passive use.
- c. Residential Units shall be designed with porch-fronted dwellings with auto access through an alley. Where no reasonable alternative exists, dwellings may have direct access to a street.
- d. Live-work dwellings may be allowed.
- e. Dwelling unit size should vary and be as small as 850 square feet.

Permitted Uses in a PND

- 1. Single Family Detached
- 2. Single Family Attached/Duplex
- 3. Townhouses/Rowhouses
- 4. Live-Work Units
- 5. Accessory Dwelling Units.

General Development Standards:

- 1) **Maximum Density:** 7-12 Units/Acre or Up to 2 times the base density of the underlying zone.
- 2) **Lot Coverage:** Maximum 50% lot coverage for structures, with a minimum of 25% dedicated to common open space, provided stormwater requirements are met.
- 3) **Building Height:** Maximum 3 stories.
- 4) **Setbacks:**
 - a) Front: 5 feet to porch, minimum*
 - * In a cluster, the front yard shall be the side to the common open space. A street shall be considered the front yard when a dwelling unit faces a street.
 - b) Side: 5 feet

- c) Rear: 10 feet
- d) Between structures: Minimum 10 feet
- 5) **Open Space Requirement:** At least 400 square feet of common open space per unit.
- 6) **Parking Requirements:**
 - a) Minimum 0.75 spaces per unit.
 - b) Guest parking at 1 space per 4 units.
 - c) Shared or off-site parking may be permitted with appropriate agreements.
- 7) **Access:** Developments must be served by a public or private street with pedestrian-friendly pathways.

General Single Family Design Standards in a PND

1. **Architectural Character:** Homes should incorporate varied rooflines, porches, and complementary materials to create visual interest. In order to preserve a sense of safety a minimum of one residential dwelling window shall face the common space area.
2. **Front Porch:** Front porches are viewed as a key element to foster neighborhood connections. They should be designed with placement, scale, size, and relation to private and public spaces. Each ground-level dwelling shall have a porch oriented toward the common open space or street and not be enclosed. Front Porches must be a minimum of 5 feet in depth.
3. **Street-Facing Facades:** All street-facing facades shall include one of the following: a porch, windows, dormers, building articulation with a minimum depth of one foot, or changes in exterior building materials or paint colors.
4. **Common Areas:** Developments must provide communal gathering spaces, such as courtyards, gardens, or playgrounds. Each cluster requires a minimum of 400 square feet of common open space per dwelling unit. Parking areas, yard setbacks, private open space, and driveways do not qualify as common open space. At least 75 percent of the dwelling units shall be within 60 feet measured from the nearest entrance of the dwelling. The common open space shall have dwellings abutting at least two sides. Shared features within common areas should be considered and could include BBQs, Grills, seating areas, gardens, and other similar amenities.
5. **Fencing & Landscaping:** Perimeter fencing is allowed but must not exceed 4 feet in height in the front yard. All other fences shall comply with Section 400.350 Landscaping must buffer development edges.
6. **Lighting:** Low-intensity lighting to minimize light pollution and ensure pedestrian safety.
7. **Pedestrian Network.** Individual PND clusters shall be connected through a network of pedestrian pathways, including sidewalks along public streets, mid-block walkways, and other connections where appropriate. Each PND cluster may be limited to residents and their guests.

Open Space and Natural Areas: Developments within the 169 South Employment Center Overlay District are expected to provide some open space in formal and informal design and use. These areas can serve as areas for intentional and organized use or preserve natural features as they exist for passive use. A minimum of 5 percent and a maximum of 15 percent of developed area, net of public street right of ways, shall be in open space. Civic spaces in the form of greens, squares and plazas

Environmentally sensitive open space may be protected against building development and environmental damage by conveying to the municipality, association, or land trust an open space servitude restricting the area in perpetuity from development and certain characteristics shall be preserved such as: retaining and preserving pre-existing or natural water features, sites should be designed in a manner that preserves specimen trees and significant groups of mature deciduous trees, and developments should adapt itself, as much as possible, to the existing topography to minimize the amount of grading necessary to achieve a viable street network.

The following will be allowed as open space and be incorporated when appropriate:

- A. Environmental corridors;
- B. Protected natural areas;
- C. Community parks and trails;
- D. Streams, wetlands, and other water bodies; and
- E. Stormwater detention/retention facilities.

Street Layout & Design: To increase the effectiveness of walkability, developments shall promote walking and bicycling; connecting neighborhoods to each other and to destinations such as employment, open space, and retail areas.

- a. Block pattern. New development shall establish a regular pattern of blocks to the extent feasible to avoid creating large "superblocks" that limit pedestrian, bicycle, and vehicular circulation. When adjacent to existing developments, efforts shall be made to match established block patterns. On large sites pedestrian, bicycle, and vehicular circulation access to surrounding neighborhoods shall be maintained to the maximum extent feasible.
- b. Sidewalks required. All development within the overlay shall provide a network of on-site pedestrian walkways that provide and encourage walkability. Sidewalks shall be installed on both sides of all arterials, collector streets, and local streets pursuant to the standards of City. Connectivity is a crucial element in implementing the goals related to the overlay initiative that the City is committed to. Sidewalks shall be 5 ft. in width in all instances with a 6 ft. planting strip, except those located within mixed-use developments, commercial areas, or that are part of the City trail system. In these instances, sidewalks shall be 10 ft in width.
- c. Off-site pedestrian connections. In high automobile traffic areas, pedestrian walkways and crosswalks in public streets shall be identified to motorists and pedestrians through the use of one or more of the following methods:
 - a. Changing paving color;
 - b. Painted crosswalks; or
 - c. Stamped concrete.

Pedestrian circulation routes along storefronts shall be emphasized with special design features that establish them as areas, where pedestrians are physically separated from the flow of vehicular traffic and/or, are protected from the elements. Techniques shall include one or more of the following:

- a. Arcades, porticos, or other shade structures;
- b. Pedestrian light features;

Mixed Use

Mixed-use developments are highly desirable within the 169 South Employment Center Overlay District. These areas shall be developed and designed as activity centers that include a mix of uses within buildings adjacent to streets. Required parking shall be located at the rear and sides of buildings or on the street. In specific instances, it may be provided in front of buildings when other options are not viable. The following regulations shall apply to building design and site layout:

1) Building Orientation.

A. Individual buildings.

1. At least one operable entrance and one or more transparent windows shall be located on the portion of the structure facing the primary street.

B. Multi-building developments.

1. Buildings shall be organized to promote a compact pattern of development, pedestrian-friendly spaces, streetscapes, and screen parking areas.
2. Buildings shall be arranged and grouped so that their primary orientation complements one another and adjacent, existing development by:

C. Entrance orientation.

1. To the maximum extent feasible, the principal building entrance shall face an adjacent public street, plaza, public walkway.
2. In cases where the principal entrance does not face the principal street, the entrance shall be connected to the street and adjacent parking areas with a sidewalk(s).

D. Outparcel development.

1. To the maximum extent practicable, out parcels and their buildings shall be clustered to define street edges, entry points, and considerations for seating between buildings. Typical pad side development on out parcels in a widely-spaced pattern along streets is strongly discouraged.
2. Spaces between buildings on out parcels shall be improved to provide small-scale pedestrian amenities such as pedestrian connections, gathering spaces, or well-landscaped parking areas.

2) Building Design

A variety of architectural features and building materials is encouraged to give each building or group of buildings a district character.

A. In order to achieve harmonious design throughout architectural design guidelines shall be submitted with the concept plan.

B. These guidelines are intended to serve as a minimum standard for architectural design. Alternative architectural designs that meet the spirit and intent of this ordinance may be submitted for consideration.

1. The exterior finish of material on all facades shall be limited to brick, natural stone, wood siding, cementitious siding and/or stucco. Additional materials not listed here can be approved by the Director of Planning provided they are not the primary building material of the overall exterior finish.
2. The architectural features, material and the articulation of a façade of a building shall be continued on all sides visible from a public street or dedicated public open space.
3. The building design shall include architectural details to create visual interest and design diversity, such as transoms, brick soldier course, corbel, cornice, lintels, projecting window bays, inset windows, canopies, parapet variation.
4. The front façade of the principal building on any lot in in a commercial or industrial base zoned district shall face onto a public street or public open space.
5. The front façade should not be oriented to face directly toward an off-street parking facility, other than on-street parking.
6. For commercial buildings, a minimum of thirty-five (35) percent of the front-facing on the ground floor shall be glass (transparent), including window or door openings allowing a view into and out of the interior.

7. Structures on opposite sides of the same street are encouraged to follow similar design guidelines in order to foster compatibility between developments. This provision shall not apply to buildings bordering civic uses.
8. Buildings and parking placement within mixed-use and multi-family developments should be arranged to create appropriately scaled continuous building facades with as few non-pedestrian oriented breaks as possible.
9. Building wall materials may be combined on each façade only horizontally, with the heavier generally below the lighter. Walls along the street shall be made of brick or block and stucco or other material to match the facade of the principal building.
10. No exterior metal siding shall be allowed.
11. The facades on retail frontages shall be detailed as storefronts and glazed no less than thirty-five (35) percent of the sidewalk-level story.
12. Exterior mechanical equipment shall be screened from view to the satisfaction of the Planning Commission. Rooftop mechanical equipment shall not be visible from the street, adjoining lot or adjacent street.
 - (i) For all uses, except for single-family and two-family dwellings, all mechanical units located on the ground shall be screened from ground level view from abutting streets by a sight obscuring fence and/or shrubs that achieve a minimum opacity of approximately 75%. Such shrubs shall be at least 75% the height of the mechanical equipment at the time of installation. Screening shall be at least 6 inches higher than the average height of the mechanical equipment at full growth. Fences shall be equal to the average height of the equipment. Electric vehicle chargers and their associated cabinets are not a mechanical unit and are not subject to screening.
 - (ii) All mechanical equipment mounted on roofs, or on the walls of buildings, shall be screened from the ground level view from both abutting streets and of any abutting residentially zoned lot with materials that are the same color as the principal siding or trim materials of the exterior of the building. Required screening shall be completely opaque and shall ensure that at least 75% of the height of the mechanical unit is screened or otherwise unseen.

3) Parking Standards.

Parking shall be provided in accordance with the Smithville Parking Ordinance, notwithstanding the modified parking requirements of this zoning district. Uses not listed below are subject to the following standard parking requirements:

1 Bedroom Dwelling Unit	0.8 spaces/DU
2 Bedroom Dwelling Unit	1 space/DU
3 Bedroom Dwelling Unit	2.5 spaces/DU
4 Bedroom Dwelling Unit	3.0 spaces/DU
General Office	3 spaces /1000 sq. ft.
Medical Office	6 spaces /1000 sq. ft
Retail and Service-Standalone	3 spaces/1000 sq. ft.
Restaurant and Fast Food-Standalone	9 spaces /1000 sq. ft. (gross floor area)
Restaurant or Bar uses with Retail and Service Use	5 spaces /1000 sq. ft

Development within the Overlay may seek approval of a parking reduction. Parking reductions are subject to City Council approval with a Concept Plan. Parking requirements may be modified to either reduce parking requirements by twenty percent or to apply a five (5) parking spaces per 1,000 square feet of gross

floor area for all Commercial and Industrial Uses. Parking reductions of up to 25% of the required parking may be approved for a site with shared parking or collective parking allowances for use by other adjacent commercial properties that are also approved for collective parking. Residential parking spaces may be approved as part of a shared or collective parking plan for commercial uses when there is at a minimum one parking space available per dwelling unit.

	A	B	C	D	E	F	G	H
1	Smithville Zoning Overlay							
2								
3								
4	Contribution ID	Date Submitted	Screen Name	Email	Response	Up Votes	Down Votes	Total Votes
5	605	Sep 05, 2024, 12:52 PM	Mark	mausm@smithville.k12.mo.us	I like the idea of leaning into what MARC has developed in the past few years about high growth industries in our areas.	0	0	0
6	602	Sep 05, 2024, 09:04 AM	Debra Dotson	debdotson@hotmail.com	The flexibility of the hybrid model allows an aesthetic/practical opportunity for both residential and commercial growth.	0	0	0
7	598	Sep 05, 2024, 08:52 AM	Debra Dotson	debdotson@hotmail.com	Concepts of "live/work/play" / "walkability" have been considerations for years. This is an opportunity to put those concepts into play	0	0	0
8	597	Sep 05, 2024, 08:36 AM	Rob Scarborough	scarborough.rei@gmail.com	I like the hybrid model, which keeps the zoning fairly open to attract as many diverse ideas as possible while maintaining a general look/fe	2	0	2
9	590	Sep 05, 2024, 07:48 AM	CN5	noeckerc@smithville.k12.mo.us	Zoning should include residential while maintaining a pleasant appearance that blends with the existing structures and nearby neighborhoods.	1	0	1
10	589	Sep 04, 2024, 06:15 PM	Steve Langley	stevelangley@strategic-agribus	As we discussed, a multi tiered and separate zones for single family housing, light industrial, town center type housing seem all feasible	1	0	1
11	588	Sep 04, 2024, 05:10 PM	Adam Royds	adam.royds@faa.gov	Workforce housing units. Local workers should be able to live in the town that they work. Businesses will want a local labor force.	0	0	0
12	587	Sep 04, 2024, 03:28 PM	Alicia	alicia279@gmail.com	Strategically consider all types of businesses, be sure they will sustain staff and operations over the long-term to avoid vacancies	1	0	1

	A	B	C	D	E	F	G	H
13	580	Sep 03, 2024, 03:17 PM	Gina Pate		I would like to see a focus on commercial spaces, offering more job opportunities in Smithville. I like the hybrid regulations and mixed-use	3	0	3
14	579	Aug 29, 2024, 11:14 AM	Pat Luce	patluce51@gmail.com	Developers and commercial brokers could provide valuable input into this plan such as can it be filled and what businesses/industries.	1	0	1
15	577	Aug 29, 2024, 11:06 AM	Pat Luce	patluce51@gmail.com	We need to be flexible but keep the character of the area.	1	0	1
16	574	Aug 29, 2024, 10:55 AM	Pat Luce	patluce51@gmail.com	i would like to see attractive mixed use space as you enter the area from the south to make Smithville more appealing.	1	0	1
17	570	Aug 28, 2024, 11:20 AM	William Stubbs	wstubbs@smithvillemo.org	As someone stated in the meeting, I would like to see an emphasis on small and or local businesses.	1	0	1
18	569	Aug 28, 2024, 08:45 AM	Adam Royds	AJRoyds@gmail.com	- Small office park. Single story, green space, walking trails and places to eat. Would open up those spaces from downtown for retail.	2	0	2
19	566	Aug 27, 2024, 02:48 PM	Dan Hartman	dhartman@smithvillemo.org	Keep it open and flexible. I like the mixed use zoning for this area.	3	0	3
20	550	Aug 26, 2024, 07:39 PM	Pat Luce	patluce51@gmail.com	Keep the small town feel and have this development be interesting as people come into our town.	2	0	2
21	549	Aug 26, 2024, 07:35 PM	Jack		I would stay away from specifics. If possible, a percentage of the land could be used for SF-detached along the north edge.	5	0	5

Smithville Employment Area Zoning Overlay

ID	Date Submitted	Contribution	Key Phrases	Named Entities
1094	Jan 31, 2025, 10:37 AM	pattern #1 shows transitional change from Commercial to mixed use to residential as you go from the SE corner to the West and North areas	pattern; #1; transitional change; Commercial; mixed use; residential; the SE corner	SE (Location); West (Location)
1078	Jan 30, 2025, 08:59 AM	Please stop building high density housing in the community.	high density housing; the community	
1076	Jan 29, 2025, 07:03 PM	I like the structures and density in patterns 1 and 2, but I believe all development should include green space, so I chose pattern 3.	the structures and density; patterns 1 and 2; all development; green space; pattern 3	
1071	Jan 29, 2025, 02:43 PM	There should be a frontage road off of 169 to access the area and not disrupt the flow of south traffic on 169. Keep fast and slow separate.	a frontage road; 169; the area; the flow; south traffic; 169	169 (Location); 169 (Location)
1061	Jan 28, 2025, 04:48 PM	There are currently no green spaces in the southern area and setting aside some would be good planning and runs along the power line right.	no green spaces; the southern area; the power line right	southern (Location)
1059	Jan 28, 2025, 03:23 PM	A hybrid model would fit well with the city's current strategic and comprehensive plans.	A hybrid model; the city; 's current strategic and comprehensive plans	
1053	Jan 24, 2025, 09:37 PM	The City of Smithville should be transparent on who is purchasing this land.	The City; Smithville; this land	City of (Organization); Smithville (Location)

1044	Jan 20, 2025, 08:20 AM	No Multi-family please. All 3 images have multi-family.	No Multi-family; All 3 images; multi-family	
1029	Jan 16, 2025, 11:14 AM	Stop developing altogether! We love the small town feel and we want to keep it. We don't need to develop every nook and cranny of land	Stop; the small town; every nook and cranny	
1028	Jan 15, 2025, 03:15 PM	.		
1027	Jan 15, 2025, 03:07 PM	I am excited to see the planning and future thinking of the city. Thank you for allowing me to share my thoughts. I hit 3 instead of 2.	the planning and future thinking; the city; my thoughts; 3; 2	
1018	Jan 10, 2025, 10:05 PM	Sam's club would be a great idea maybe a hyvee wouldn't hurt. Home Depot or Lowe's. We also need decent family restaurants Cracker Barrel	Sam; 's club; a great idea; a hyvee; Home Depot; Lowe	Sam (Person); 's club (Organization); Home Depot (Organization); Lowe's
1014	Jan 10, 2025, 09:01 AM	Regardless of which plan is chosen, I want to be able to safely walk and/or ride my bike in this area without fearing for my life.	plan; my bike; this area; my life	
1000	Jan 09, 2025, 01:57 PM	I like the idea of keeping open space around low to medium density housing to help keep our small-town feel.	the idea; open space; medium density housing; our small-town feel	
998	Jan 09, 2025, 01:24 PM	Residential building needs to have a moratorium for a few years while current infra structure issues are addressed. Finish one project befo	Residential building; a moratorium; a few years; current infra structure issues; one project	
979	Jan 08, 2025, 11:37 PM	I like the idea of open space and live/work/play.	the idea; open space; live/work/play	
969	Jan 08, 2025, 07:56 PM	Leave it alone. You all are ruining the small town feel of this town. It was one of the main reasons of picking this area over cities	the small town feel; this town; the main reasons; this area	
963	Jan 08, 2025, 06:38 PM	None.		