



Planning and Zoning Commission Meeting

April 14, 2026

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 February 10, 2026, Planning Commission Minutes**
3. **Staff Report**
4. **Public Hearing – Single Phase Final Plat – Weatherstone 2**

The purpose of this hearing is to take public comment on the proposed Final Plat for a new 20-lot residential subdivision.

5. **Single Phase Final Plat – Weatherstone 2 subdivision**

Applicant seeks approval for a Final Plat for 20 additional lots in the Weatherstone subdivision.

6. **Public Hearing – Conditional Use Permit – Accessory Dwelling Unit (ADU) at 1600 E. Main St.**

The purpose of this hearing is to take public comment on a proposed ADU behind the existing home at 1600 E. Main St.

7. **Conditional Use Permit – ADU at 1600 E. Main St.**

Applicants seek a Conditional Use Permit to construct an (ADU) behind their house at 1600 E. Main St.

8. **Public Hearing – Battery Energy Storage System Ordinance**

The purpose of this hearing is to take public comment on an ordinance that would provide specific regulations concerning these uses.

9. **Battery Energy Storage System Ordinance**

Posted by Brandi Schuerger, April 10, 2026, at 4:00 p.m.
107 W. Main Street, Smithville, MO 64089

Accommodations Upon Request



Proposed new regulations concerning these uses that are currently allowed in our code, but there are no specific regulations on how they are addressed.

10. Adjourn



SMITHVILLE PLANNING COMMISSION

REGULAR SESSION

February 10, 2026

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, Deb Dotson and Mayor Damien Boley. Rob Scarborough, Terry Hall and Billy Muessig were absent.

Staff present: Jack Hendrix and Brandi Schuerger.

2. MINUTES

The December 9, 2025, Regular Session Meeting Minutes were moved for approval by MAYOR BOLEY, Seconded by ALDERMAN WILSON.

Ayes 4, Noes 0. Motion carried.

3. STAFF REPORT

HENDRIX reported:

We have been getting inquiries from potential national retailers.

There is a potential for 2 battery storage facilities coming to Smithville. The first one is on the south end of town. They will be submitting for a conditional use permit. It will most likely be on the April meeting agenda. The other battery storage facility appears to already be in design at this point. Due to the location of this one, it should not require rezoning.

We are working to finalize the design plans and get the contractor in to put the flow meters in on the north force main junction where Rocky Branch and

Harborview lines meet in Coulter Addition. This will provide a better understanding of exactly how much flow those lines are getting. The INI (inflow and infiltration) could significantly impact that. That's the purpose of this. This will then give us more accurate data for both of the Wildflower pumps station upgrades and the Lakeside Farms pump station. They'll both be based upon this new data, and it's been indicated to me that should be ready to go by April.

Also anticipates additional conversations with developers for apartment/townhome type developments.

4. PUBLIC HEARING – REZONING AND INITIAL ZONING – 1503 & 1505 E. MAIN STREET

- **THE PURPOSE OF THIS HEARING IS TO TAKE PUBLIC COMMENT ON THE PROPOSED REZONING OF TWO LOTS FROM A-1 AND COUNTY AG TO B-3**

Public hearing opened.

HENDRIX informed the Commission that the Staff Report and Findings of Fact and Conclusions of Law documents are in the packet for their review.

No Public Comment.

Public hearing closed.

5. ZONING FOR 1503 & 1505 E MAIN ST – A-1 AND COUNTY AG TO B-3

- **APPLICANT SEEKS TO AMEND THE ZONING ON 1503 E MAIN STREET TO B-3 AND SET INITIAL ZONING OF 1505 E MAIN STREET TO B-3 TO PREPARE FOR A SITE PLAN REVIEW ON THE COMBINED PROPERTIES.**

MAYOR BOLEY motioned to approve the zoning for 1503 & 1505 E Main Street from A-1 and County AG to B-3. Seconded by ALDERMAN WILSON.

HENDRIX stated that the Staff Report indicates that part of this area was recently annexed. The other portion has been a part of the city for some time. For the zone district classifications, this area is in what our comprehensive plan calls for as the future Smith's Fork Park Commercial Overlay. Staff's recommendation to the applicant was to put this in the B-3 district. This matches the zoning for the Grace Church property. No matter how the overlay district goes, which we anticipate will be a project for 2027, this will be in line with what the comprehensive plan calls for, which is proposed recreational or recreational adjacent type businesses. In this case, they're proposing to put up cabins. Staff's recommendation is in the report, and you have a draft of the Findings of Fact and Conclusions of Law for review.

Discussion: None

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

AYES-4, NOES-0. MOTION PASSED

6. SITE PLAN REVIEW – CLAY CREEK MEADOWS TOWNHOMES

- **APPLICANT SEEKS SITE PLAN REVIEW OF A R-3 DEVELOPMENT CONSISTING OF 203 UNITS OF 2, 3, 4, AND 5 UNIT TOWNHOMES.**

MAYOR BOLEY motioned to the Site Plan Review for Clay Creek Meadows Townhomes. Seconded by ALDERMAN WILSON.

HENDRIX informed that the packet includes the RFA and Staff Report. Also provided to the Commission is a document that provides a change to the landscaping. They have taken out one 4 plex in the front and replaced it with a pool. They have also provided the proposed plants that will be

installed and pictures of them. Also provided is the coloration of the units and the different variations of the stone. Staff's recommendation is approval

Discussion:

DOTSON asked what the price point is. She also thanked him for taking out the Silver Maple from the landscaping plan. She would ask that they also take out the burning bush. It's on the Missouri Department of Conservation list of invasive species.

Brian Wasser with D.R. Horton 7400 W 132nd Street Suite 140 Overland Park, KS 66213 – Stated that the prices are not set as of yet but figure they will start out between \$290,000 and \$310,000. Agreed to removing the burning bush from the landscape plan.

HENDRIX informed DOTSON that she could make a motion to have the burning bush removed.

DOTSON motioned to amend that the burning bush be removed from the landscape plan. Seconded by MAYOR BOLEY.

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

AYES-4, NOES-0. MOTION PASSED

CHEVALIER asked that the commission now vote on the motion as amended.

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

AYES-4, NOES-0. MOTION PASSED

7. SITE PLAN REVIEW – 14890 INDUSTRIAL DR COMMERCIAL BUILDING FOR DIESEL REPAIRS

- **APPLICANT SEEKS APPROVAL FOR A NEW 9,600 SQ FT BUILDING ON 5 ACRES.**

MAYOR BOLEY motioned to the Site Plan Review for 14890 Industrial Drive Commercial Building for diesel repairs. Seconded by ALDERMAN WILSON.

HENDRIX informed that the packet includes the Staff Report and the application. Staff's recommendation is approval. The City's engineers have recommended approval of the drainage basin conditioned upon the submittal of the study and the final construction plans.

Discussion:

MAYOR BOLEY stated that he is glad we are getting this project. We have sent kids to the Northland Career Center for years and now we have a place where they could potentially go work. It's a good thing.

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

AYES-4, NOES-0. MOTION PASSED

8. ADJOURN

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

VOICE VOTE: UNANIMOUS

CHAIRMAN CHEVALIER declared the session adjourned at 7:18 p.m.



Planning and Zoning Commission Procedural Summary

MEETING DATE: 3/12/2024

DEPARTMENT: Development

AGENDA ITEM: Mt. Olivet Subdivision Preliminary Plat.

REQUESTED COMMISSION ACTION:

A motion to recommend to approve (or disapprove) the proposed Single Phase Final Plat.

SUMMARY OF PROCEDURE:

The application is to create a new single-phase final plat subdivision consisting of 20 lots on 6.37 acres of land located east of Manzanola and south of Diamond Creek subdivision.

The Commission shall take into account the public hearing input, the staff report and any other documents or photographs provided at the hearing. The staff report is organized with each of the Guidelines for Review identified in §425.285.A.4 of the Code of Ordinances with staff and/or engineering findings of each item for evaluation.

In cases where the recommendation is for the disapproval of the plat, the applicant shall be notified of the reason for such action and what requirements shall be necessary to obtain the recommendation of approval of the Planning and Zoning Commission.

ATTACHMENTS:

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



October 14, 2025

Single Phase Final Plat for Clay County Parcel Id # 05-614-00-01-010.00

Application for a Plat Approval – Weatherstone 2; a Single-Phase Final Plat – 20 lots

Code Sections:

425.285.A.4

Single Phase Final Plat Approval

Property Information:

Address:

South of Diamond Creek

Owner:

CUB Development, LLC

Current Zoning:

R-1B

Public Notice Dates:

1st Publication in Newspaper:

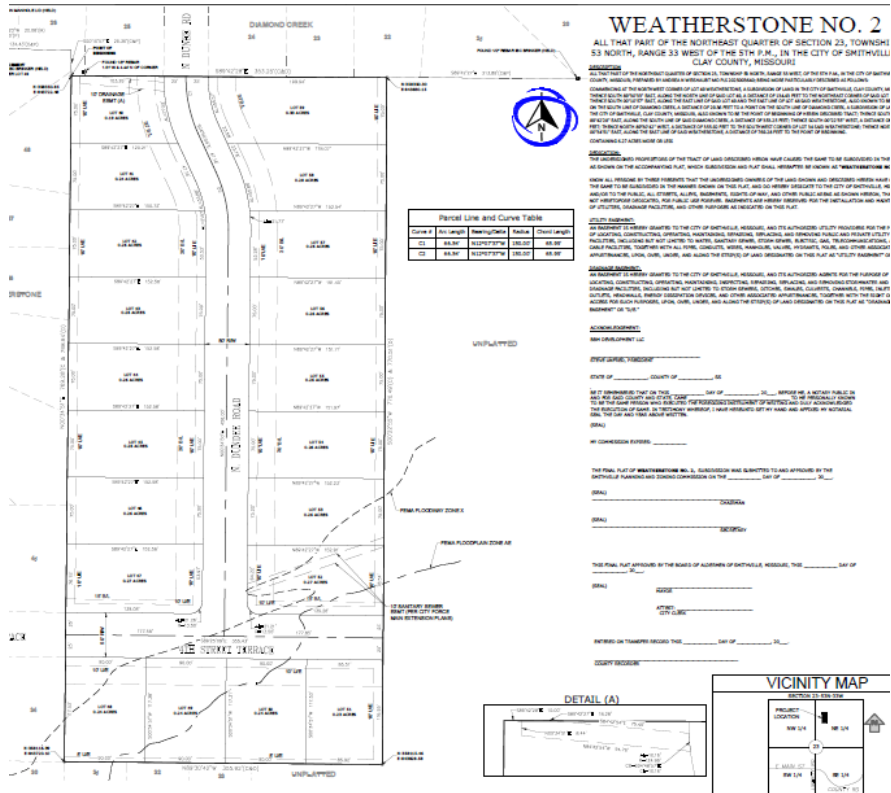
March 25, 2026

Letters to Property Owners w/in 185':

March 27, 2026

GENERAL DESCRIPTION:

The property consists of 6.37 acres immediately south of the Diamond Creek Subdivision located east of Spelman Rd. and would be accessed from the north via N. Dundee Rd. and from the west via Fourth Terrace. This subdivision would be an extension of the existing Weatherstone subdivision and connect Diamond Creek subdivision through 20 lots facing Dundee Rd. The existing Weatherstone subdivision is the area east of Spelman with numerous platted lots that were never developed, despite the plat's recording. Those undeveloped lots will begin being constructed, with a new City sewer force main being relocated through this area and the new development.



GUIDELINES FOR REVIEW – SINGLE PHASE SUBDIVISION FINAL PLATS See 425.285.A.4

- The Planning Commission shall consider the following criteria in making a recommendation on the plat:
- The plat conforms to these regulations and the applicable provisions of the Zoning Ordinance and other land use regulations. **Yes, the layout complies with zoning and subdivision requirements and connects two existing subdivision's streets.**
 - The plat represents an overall development pattern that is consistent with the goals and policies of the Comprehensive Plan. **The Development pattern matches the existing adjacent developments.**
 - The development shall be laid out in such a way as to result in:
 - Good natural surface drainage to a storm sewer or a natural watercourse. **The property is laid out to naturally drain into the floodplain area to the east and south.**
 - A minimum amount of grading on both cut or fill and preservation of good trees and other desirable natural growth. **There are no desirable trees to be kept as the area has been a crop field for many years. There is a small area that will be filled to bring it out of the floodplain, but the**

city's relocation of the Smith's Fork force main will facilitate this process.

(3) A good grade relationship with the abutting streets, preferably somewhat above the street. ***Yes.***

(4) Adequate lot width for the type or size of dwellings contemplated, including adequate side yards for light, air, access, and privacy. ***Yes.***

(5) Adequate lot depth for outdoor living space. ***Yes.***

(6) Generally regular lot shapes, avoiding acute angles. ***Yes.***

(7) Adequate building lots that avoid excessive grading, footings, or foundation walls. ***Yes.***

d. The plat contains lot and land subdivision layout that is consistent with good land planning and site engineering design principles. ***Yes.***

e. The location, spacing and design of proposed streets, curb cuts and intersections are consistent with good traffic engineering design principles. ***The street locations are extensions of existing streets and complete connections for the area.***

f. The plat is served or will be served at the time of development with all necessary public utilities and facilities, including, but not limited to, water, sewer, gas, electric and telephone service, schools, parks, recreation and open space and libraries. ***Yes, the land is served all utilities upon extension by the developer at the developer's cost.***

g. The plat shall comply with the stormwater regulations of the City and all applicable storm drainage and floodplain regulations to ensure the public health and safety of future residents of the subdivision and upstream and downstream properties and residents. The Commission shall expressly find that the amount of off-site stormwater runoff after development will be no greater than the amount of off-site stormwater runoff before development. ***The proposed development meets this standard.***

h. Each lot in the plat of a residential development has adequate and safe access to/from a local street. ***N***

Yes

i. The plat is located in an area of the city that is appropriate for current development activity; it will not contribute to sprawl nor to the need for inefficient extensions and expansions of public facilities, utilities and services.

Yes.

j. If located in an area proposed for annexation to the City, the area has been annexed prior to, or will be annexed simultaneously with plat approval.

Annexed many years ago.

k. The applicant agrees to dedicate land, right-of-way, and easements, as may be determined to be needed, to effectuate the purposes of these regulations and the standards and requirements incorporated herein. ***Yes, the plat includes the required dedications, including park fees in lieu of dedication. The***

subdivision is less than one-half the number of lots required to trigger a Traffic Impact Study, so none is provided.

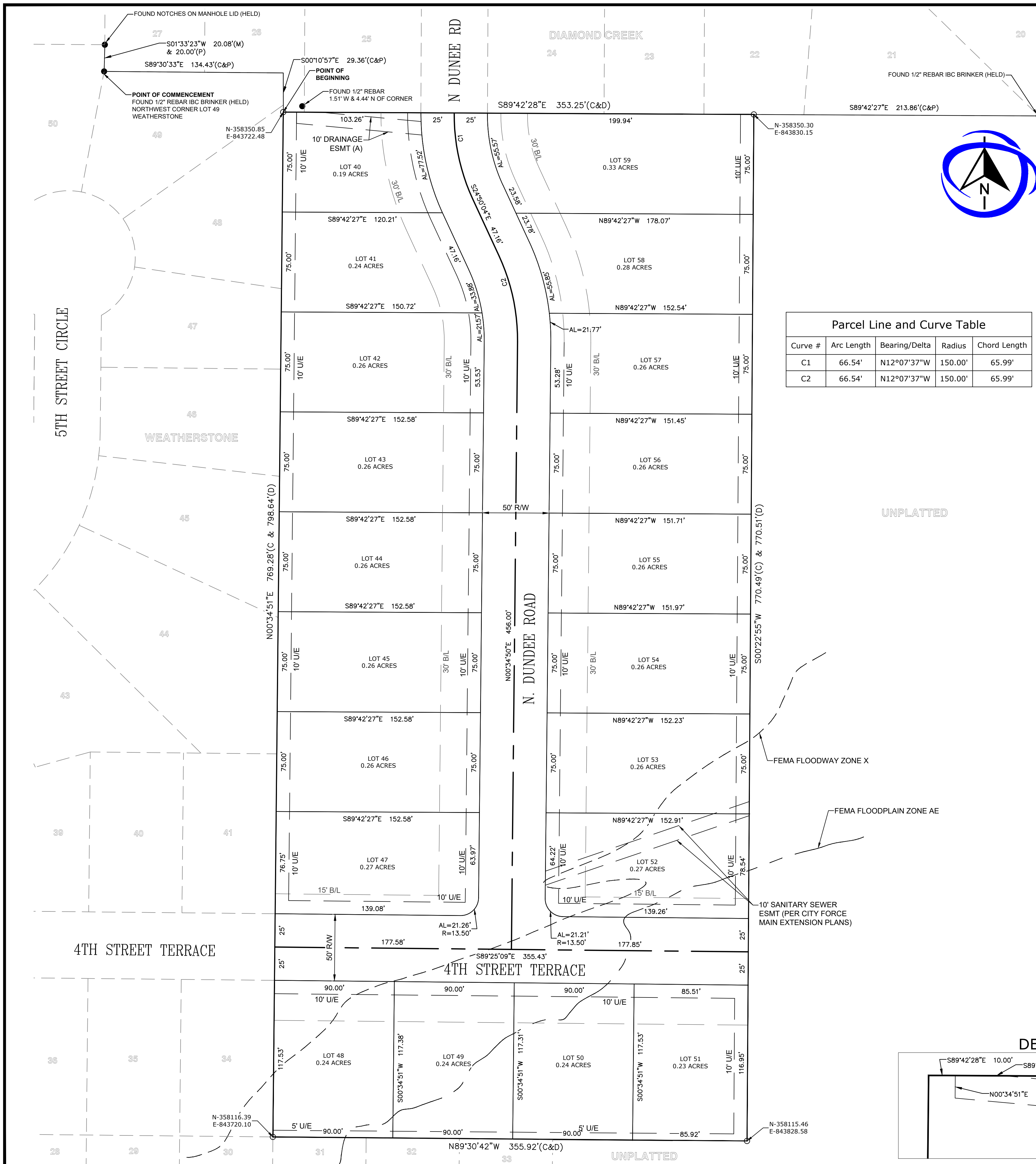
l. All applicable submission requirements have been satisfied in a timely manner.

Yes.

m. The applicant agrees to provide additional improvements, which may include any necessary upgrades to adjacent or nearby existing roads and other facilities to current standards and shall include dedication of adequate rights-of-way to meet the needs of the City's transportation plans. **The developer will be making improvements to existing roads with construction of the Weatherstone lots and needs no current additional improvements.**

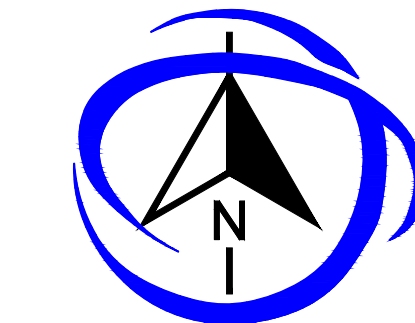
STAFF RECOMMENDATION:

Staff recommends APPROVAL of the proposed Final Plat based upon adherence to the conditions contained in this report.



WEATHERSTONE NO. 2

ALL THAT PART OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 53 NORTH, RANGE 33 WEST OF THE 5TH P.M., IN THE CITY OF SMITHVILLE, CLAY COUNTY, MISSOURI



Curve #	Arc Length	Bearing/Delta	Radius	Chord Length
C1	66.54'	N12°07'37"W	150.00'	65.99'
C2	66.54'	N12°07'37"W	150.00'	65.99'

DESCRIPTION
 ALL THAT PART OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 53 NORTH, RANGE 33 WEST, OF THE 5TH P.M., IN THE CITY OF SMITHVILLE, CLAY COUNTY, MISSOURI, PREPARED BY ANDREA N WEISHAUBT MO PLS 2025003640; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 COMMENCING AT THE NORTHWEST CORNER OF LOT 49 WEATHERSTONE, A SUBDIVISION OF LAND IN THE CITY OF SMITHVILLE, CLAY COUNTY, MISSOURI; THENCE SOUTH 89°30'33" EAST, ALONG THE NORTH LINE OF SAID LOT 49, A DISTANCE OF 134.43 FEET TO THE NORTHEAST CORNER OF SAID LOT 49; THENCE SOUTH 00°10'57" EAST, ALONG THE EAST LINE OF SAID LOT 49 AND THE EAST LINE OF LOT 48 SAID WEATHERSTONE, ALSO KNOWN TO BE A POINT ON THE SOUTH LINE OF DIAMOND CREEK, A DISTANCE OF 29.36 FEET TO A POINT ON THE SOUTH LINE OF DIAMOND CREEK, A SUBDIVISION OF LAND IN THE CITY OF SMITHVILLE, CLAY COUNTY, MISSOURI, ALSO KNOWN TO BE THE POINT OF BEGINNING OF HEREIN DESCRIBED TRACT; THENCE SOUTH 89°42'28" EAST, ALONG THE SOUTH LINE OF SAID DIAMOND CREEK, A DISTANCE OF 353.25 FEET; THENCE SOUTH 00°22'55" WEST, A DISTANCE OF 770.49 FEET; THENCE NORTH 89°30'42" WEST, A DISTANCE OF 355.92 FEET TO THE SOUTHWEST CORNER OF LOT 34 SAID WEATHERSTONE; THENCE NORTH 00°34'51" EAST, ALONG THE EAST LINE OF SAID WEATHERSTONE, A DISTANCE OF 769.28 FEET TO THE POINT OF BEGINNING.
 CONTAINING 6.27 ACRES MORE OR LESS

DEDICATION:
 THE UNDERSIGNED PROPRIETORS OF THE TRACT OF LAND DESCRIBED HERON HAVE CAUSED THE SAME TO BE SUBDIVIDED IN THE MANNER AS SHOWN ON THE ACCOMPANYING PLAT, WHICH SUBDIVISION AND PLAT SHALL HEREAFTER BE KNOWN AS "WEATHERSTONE NO. 2".

KNOW ALL PERSONS BY THESE PRESENTS THAT THE UNDERSIGNED OWNERS OF THE LAND SHOWN AND DESCRIBED HEREIN HAVE CAUSED THE SAME TO BE SUBDIVIDED IN THE MANNER SHOWN ON THIS PLAT, AND DO HEREBY DEDICATE TO THE CITY OF SMITHVILLE, MISSOURI, AND/OR TO THE PUBLIC, ALL STREETS, ALLEYS, EASEMENTS, RIGHTS-OF-WAY, AND OTHER PUBLIC AREAS AS SHOWN HEREON, THAT ARE NOT HERETOFORE DEDICATED, FOR PUBLIC USE FOREVER. EASEMENTS ARE HEREBY RESERVED FOR THE INSTALLATION AND MAINTENANCE OF UTILITIES, DRAINAGE FACILITIES, AND OTHER PURPOSES AS INDICATED ON THIS PLAT.

UTILITY EASEMENT:
 AN EASEMENT IS HEREBY GRANTED TO THE CITY OF SMITHVILLE, MISSOURI, AND ITS AUTHORIZED UTILITY PROVIDERS FOR THE PURPOSE OF LOCATING, CONSTRUCTING, OPERATING, MAINTAINING, REPAIRING, REPLACING, AND REMOVING PUBLIC AND PRIVATE UTILITY FACILITIES, INCLUDING BUT NOT LIMITED TO WATER, SANITARY SEWER, STORM SEWER, ELECTRIC, GAS, TELECOMMUNICATIONS, AND CABLE FACILITIES, TOGETHER WITH ALL PIPES, CONDUITS, WIRES, MANHOLES, VALVES, HYDRANTS, POLES, AND OTHER ASSOCIATED APPURTENANCES, UPON, OVER, UNDER, AND ALONG THE STRIP(S) OF LAND DESIGNATED ON THIS PLAT AS "UTILITY EASEMENT" OR "UJE."

DRAINAGE EASEMENT:
 AN EASEMENT IS HEREBY GRANTED TO THE CITY OF SMITHVILLE, MISSOURI, AND ITS AUTHORIZED AGENTS FOR THE PURPOSE OF LOCATING, CONSTRUCTING, OPERATING, MAINTAINING, INSPECTING, REPAIRING, REPLACING, AND REMOVING STORMWATER AND DRAINAGE FACILITIES, INCLUDING BUT NOT LIMITED TO STORM SEWERS, DITCHES, SWALES, CULVERTS, CHANNELS, PIPES, INLETS, OUTLETS, HEADWALLS, ENERGY DISSIPATION DEVICES, AND OTHER ASSOCIATED APPURTENANCES, TOGETHER WITH THE RIGHT OF ACCESS FOR SUCH PURPOSES, UPON, OVER, UNDER, AND ALONG THE STRIP(S) OF LAND DESIGNATED ON THIS PLAT AS "DRAINAGE EASEMENT" OR "D/E."

ACKNOWLEDGEMENT:
 BBM DEVELOPMENT LLC

STEVE UNFRED, PRESIDENT
 STATE OF _____, COUNTY OF _____, SS

BE IT REMEMBERED THAT ON THIS _____ DAY OF _____, 20____, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, CAME _____ TO ME PERSONALLY KNOWN TO BE THE SAME PERSON WHO EXECUTED THE FOREGOING INSTRUMENT OF WRITING AND DULY ACKNOWLEDGED THE EXECUTION OF SAME. IN TESTIMONY WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY NOTARIAL SEAL THE DAY AND YEAR ABOVE WRITTEN.

(SEAL)
 MY COMMISSION EXPIRES: _____

THE FINAL PLAT OF **WEATHERSTONE NO. 2**, SUBDIVISION WAS SUBMITTED TO AND APPROVED BY THE SMITHVILLE PLANNING AND ZONING COMMISSION ON THE _____ DAY OF _____, 20____.

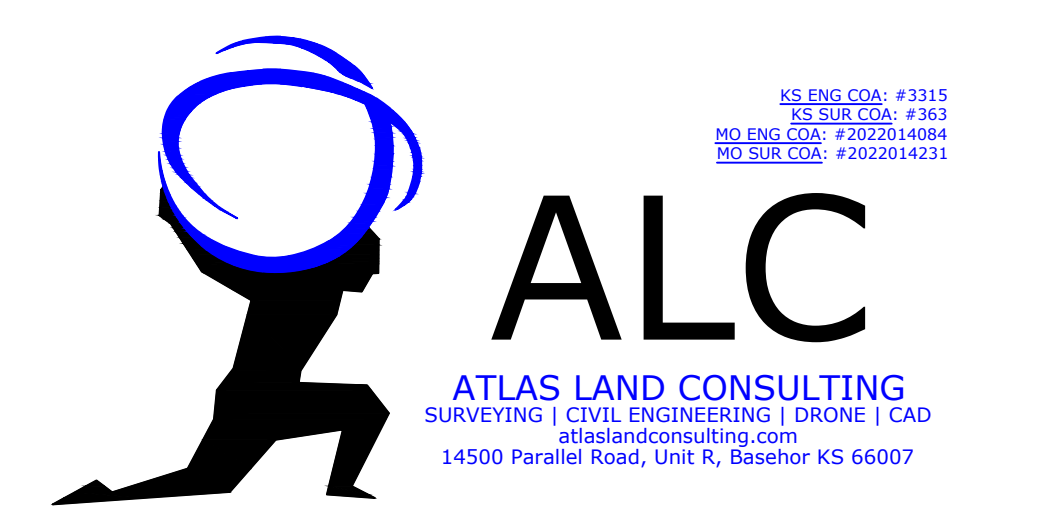
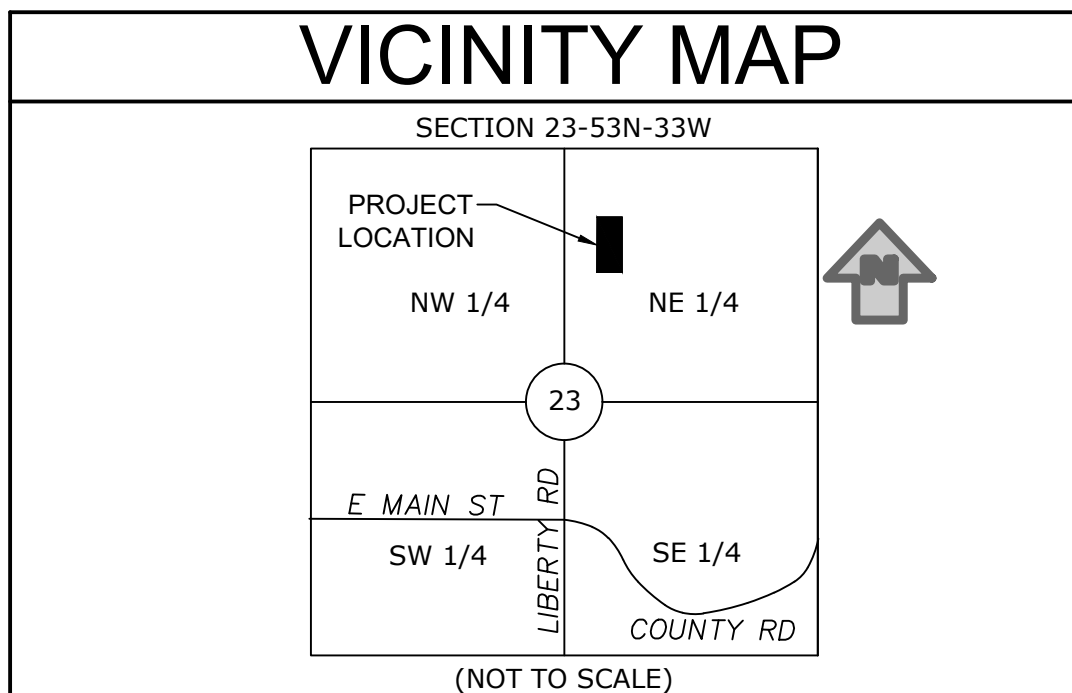
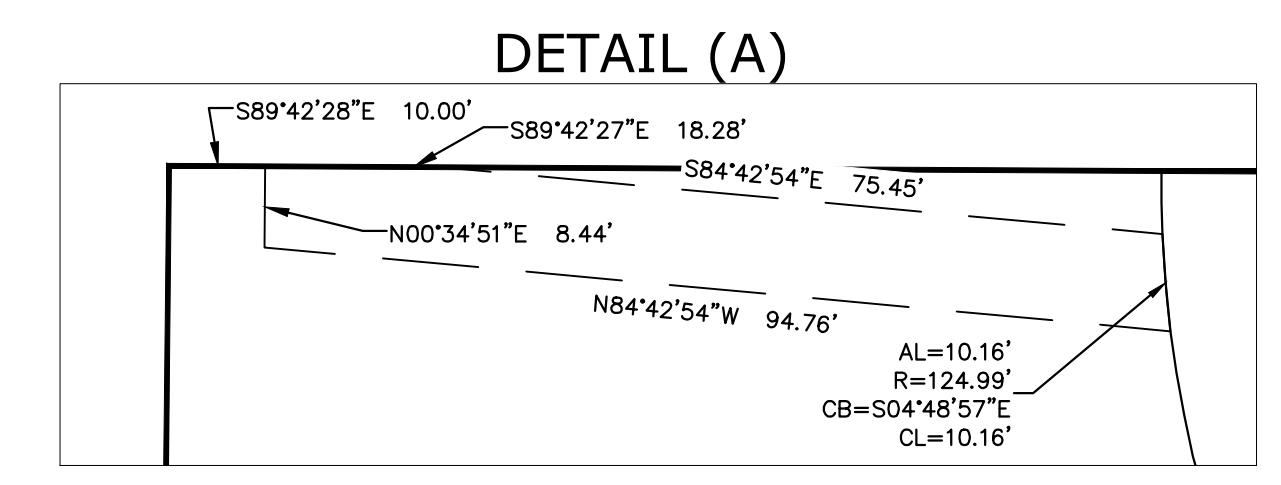
(SEAL) _____ CHAIRMAN
 (SEAL) _____ SECRETARY

THIS FINAL PLAT APPROVED BY THE BOARD OF ALDERMEN OF SMITHVILLE, MISSOURI, THIS _____ DAY OF _____, 20____.

(SEAL) _____ MAYOR
 ATTEST: _____ CITY CLERK

ENTERED ON TRANSFER RECORD THIS _____ DAY OF _____, 20____.

COUNTY RECORDER



FINAL PLAT LEGEND

- SECTION CORNER BENCHMARK AS NOTED
- FOUND PROPERTY CORNER AS NOTED
- SET 1/2" X 24" REBAR CAP ALC MO CLS 2022014231

GENERAL NOTES

- THE BASIS OF BEARING SYSTEM FOR THIS SURVEY IS MISSOURI WEST ZONE.
- ALL DISTANCES SHOWN HEREON ARE GROUND DISTANCES IN FEET.
- WE DID NOT OBSERVE ANY CONSTRUCTION ON THIS PROPERTY.
- THE SUBJECT PROPERTY IS LOCATED WITHIN ZONE X ACCORDING TO INSURANCE RATE MAP NO. 29047C0014E, WITH A DATE OF IDENTIFICATION OF AUGUST 3, 2015 IN CLAY COUNTY, STATE OF MISSOURI, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PREMISES IS SITUATED.
- REFERENCE SURVEY:
 - WEATHERSTONE FINAL PLAT
 - DIAMOND CREEK FINAL PLAT
 - SMITHVILLE DOWNS FINAL PLAT
- CLOSURE PRECISION: 1 PART IN 5622337.500

I DECLARE THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF, THIS PLAT AND SURVEY MEETS THE CURRENT "MISSOURI STANDARDS FOR PROPERTY BOUNDARY SURVEYS" (20 CSR 2030-16).

ANDREA WEISHAUBT PLS-2025003640

JOB NO:25-295S

SCALE PREPARED FOR

40 20 0 40 SCALE IN FEET

SEC-TWN-RNG STEVE UNFRED
 23-53N-33W ADDRESS: SMITHVILLE MO 64089

DATE

JANUARY 14, 2026



STAFF REPORT

April 3, 2026

Conditional Use Permit for Parcel Id # 05-604-00-01-003.00

Application for a Conditional Use Permit (Accessory Dwelling Unit)

Code Sections:

400.370.E & 400.570(D)(7) Accessory Dwelling Unit

Property Information:

Address:	1600 E MAIN ST
Owner:	RICHARDSON WILLIAM C & APRILL M
Current Zoning:	A-1

GENERAL DESCRIPTION:

The Richardson's have submitted an application proposing to build a detached ADU on their property.

LOCATION AND CONSTRUCTION

The zoning (A-1) allows ADU construction with CUP approval. The applicant is aware all utilities must run through the primary structure. Clay county will approve the additional plumbing traps (property is on septic).

The applicant has signed the affidavit noting it will be built in full compliance with adopted building codes.

OWNERSHIP, USE AND OCCUPANCY

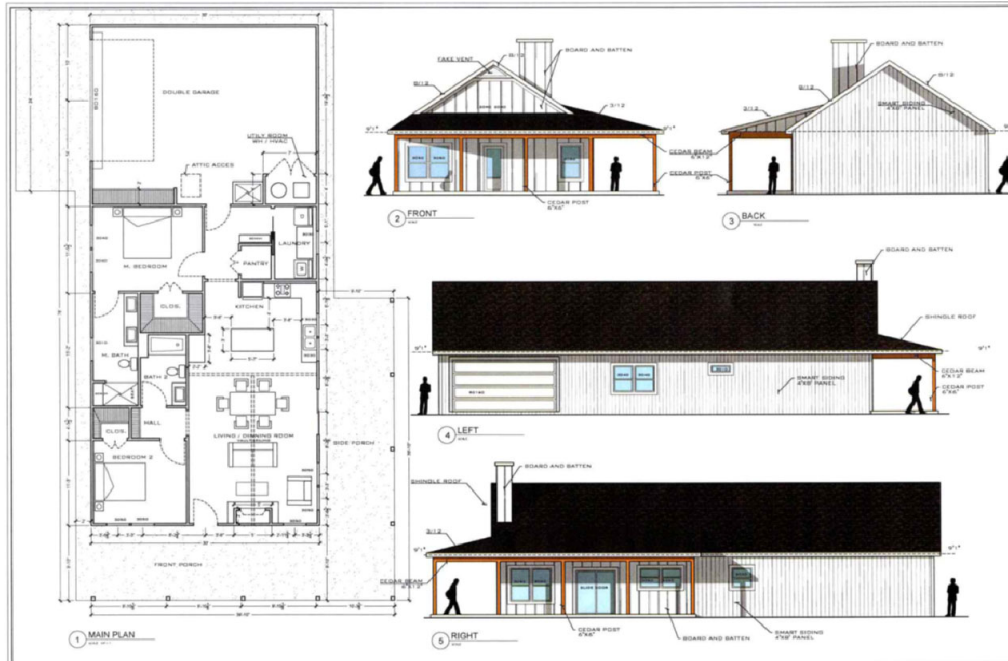
The property is under single ownership, and the owner will live in either the principal residence or the ADU. The applicant has signed the affidavit stating all use and occupancy requirements will be met.

LOT COVERAGE, SIZE AND LOCATION

The proposed location is 76.6 ft from the primary dwelling (requirement is no more than 100ft). The proposed square footage is 1,985sq ft (86% the size of the primary dwelling). The size is within the 90% to 10% footprint range. The total lot coverage is 3%. This is well below the 30% max. Height of the ADU is not taller than the primary residence.

OVERALL LOOKS AND INGRESS

The elevation plan shows the ADU having a generally similar look to the primary residence (white, LP Smartside or Hardie Board). No screening is required since it is detached from the primary residence. Vehicle ingress/egress plan to be approved by first responders.



THE PROPOSED CONDITIONAL USE AT THE SPECIFIED LOCATION WILL CONTRIBUTE TO AND PROMOTE THE WELFARE OR CONVENIENCE OF THE PUBLIC 400.570C.2

As a part of the 2030 comprehensive plan, ADUs have been approved as conditional use as a way to "age in place", help keep families together and save on housing costs.

THE PROPOSED CONDITIONAL USE WILL NOT CAUSE SUBSTANTIAL INJURY TO THE VALUE OF OTHER PROPERTY IN THE NEIGHBORHOOD IN WHICH IT IS TO BE LOCATED.

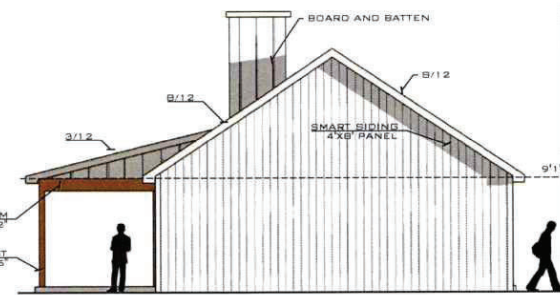
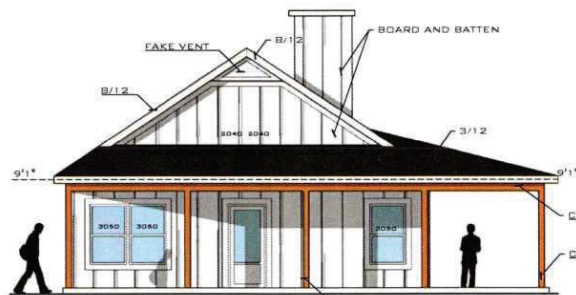
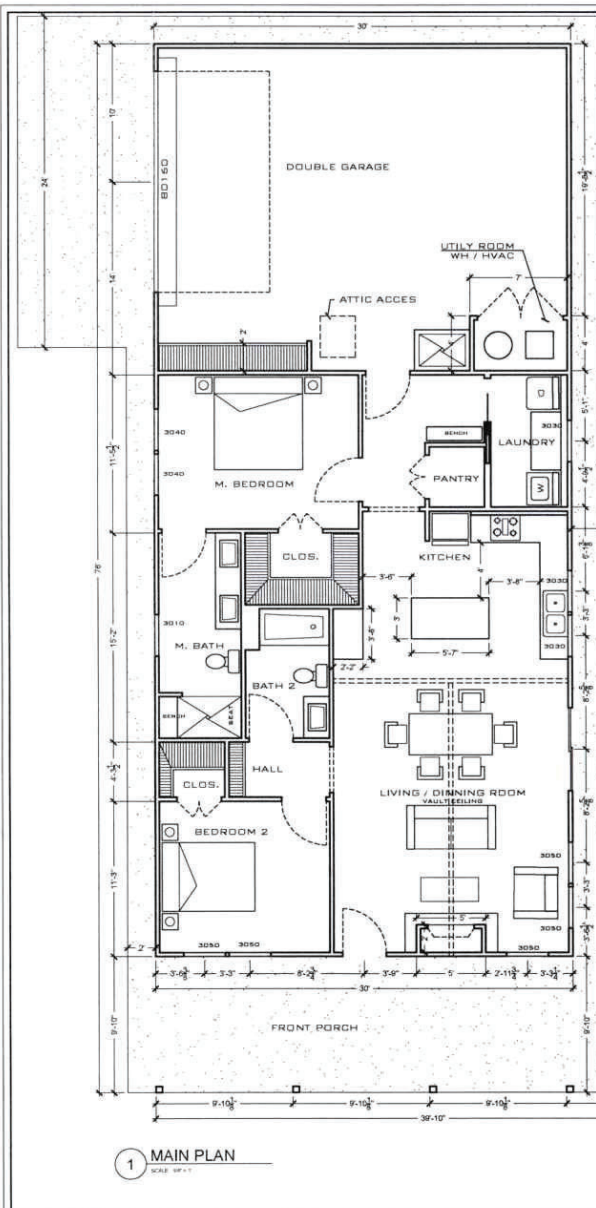
No detrimental effects are known.

STAFF RECOMMENDATION:

Staff recommends APPROVAL of the proposed conditional use permit.

Respectfully Submitted,

Zoning Administrator



DRAWING: MARCO BANEGAS
CHECK OVER: ADAM CAMPBELL
DATE: OCT - 2025

CUSTOMER: RICHARDSON RESIDENCE
CLIENT:

CONTENT:

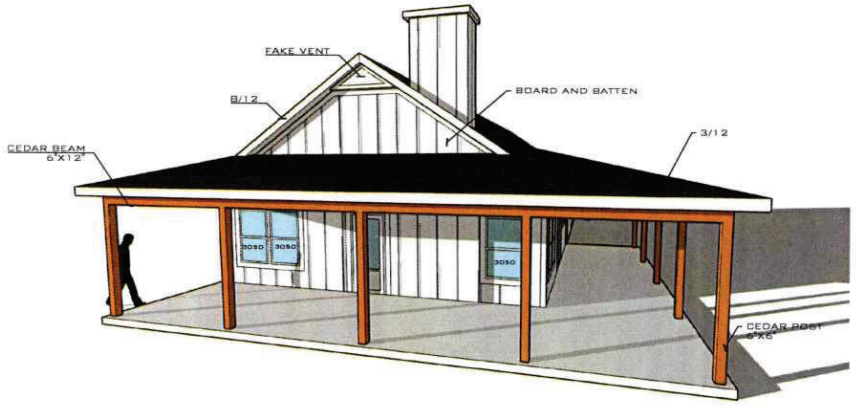


DRAWING: MARCO BANEGAS
CHECK OVER: ADAM CAMPBELL
DATE: OCT - 2025

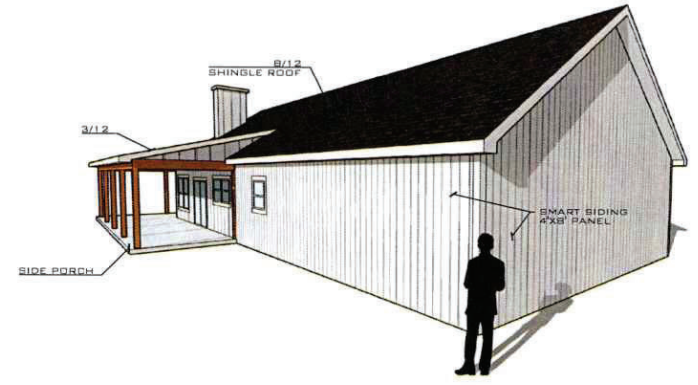
CUSTOMER: RICHARDSON RESIDENCE
CLIENT:

CONTENT:

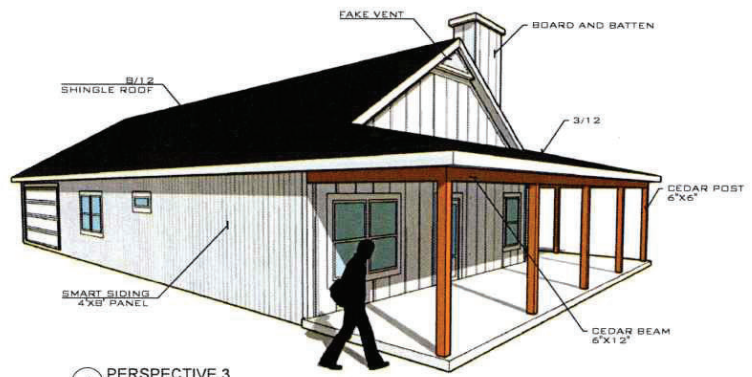
SHEET: 2



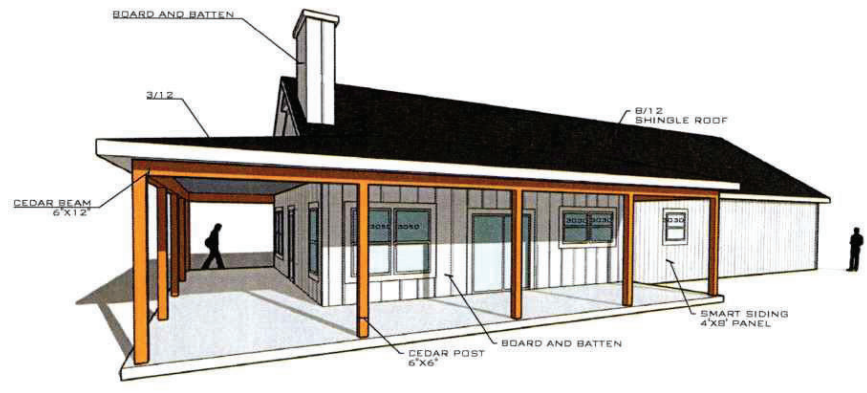
1 PERSPECTIVE 1
SCALE



2 PERSPECTIVE 2
SCALE



3 PERSPECTIVE 3
SCALE



4 PERSPECTIVE 4
SCALE

Prepared By:
SNYDER & ASSOCIATES INC.
 LAND SURVEYING ~ LAND PLANNING ~ CIVIL ENGINEERING
 201 NW 72ND STREET ~ GLADSTONE, MISSOURI 64118
 Phone: 816-436-0732 ~ Fax: 816-436-0767



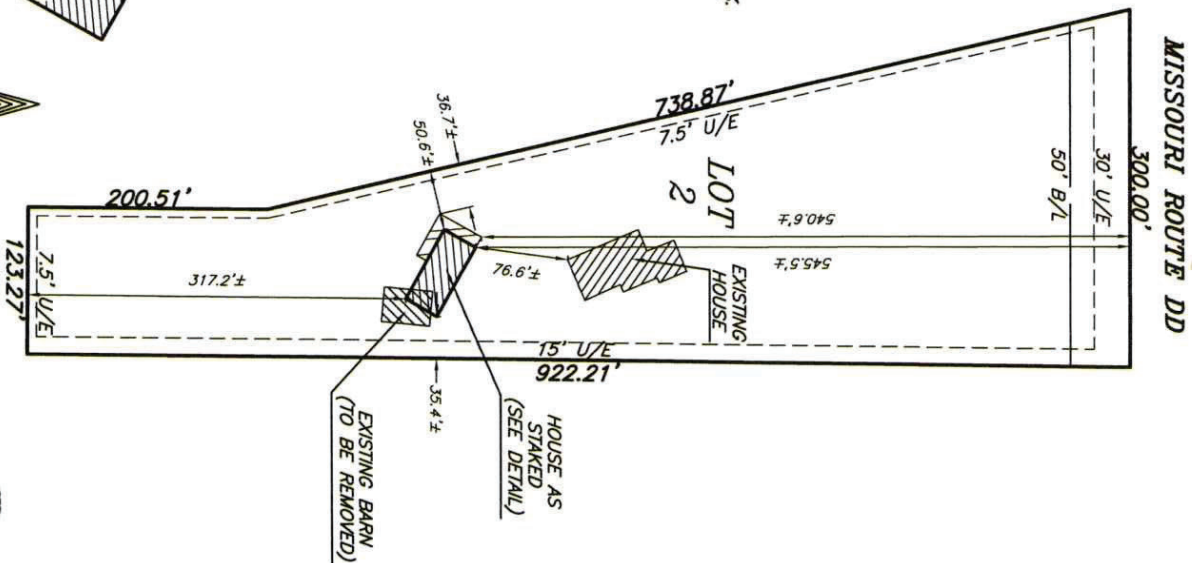
ORDERED BY: ADAM CAMPBELL

JOB NO.: 126.0127.3

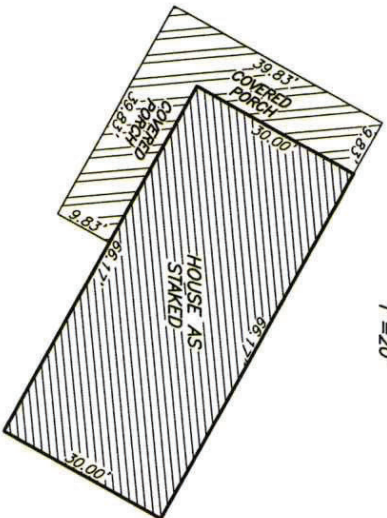
DESCRIPTION:
 Lot 2, GRACE COMMUNITY CHURCH, a subdivision in the City of Smithville, Clay County, Missouri.

DATE: 02/03/2026

- NOTES:**
- ADU SQUARE FOOTAGE = 1,985
 EXISTING HOUSE SQUARE FOOTAGE = 2,300
 EXISTING BARN SQUARE FOOTAGE = 1,230
 SQUARE FOOTAGE OF ALL STRUCTURES = 5,515
 LOT SQUARE FOOTAGE = 177,180
 COVERAGE OF ALL STRUCTURE OVER LOT = 3%.
 - ADU SQUARE FOOTAGE = 1,985
 EXISTING HOUSE SQUARE FOOTAGE = 2,300
 COVERAGE OF ADU OVER EXISTING HOUSE = 86%.
 - ADU HEIGHT SHALL NOT EXCEED THE HEIGHT OF THE PRINCIPLE STRUCTURE (EXISTING HOUSE).



HOUSE DETAIL
 1"=20'



BEFORE YOU
 DIG - DRILL - BLAST



Call 1-800-344-7483 (MISSOURI)

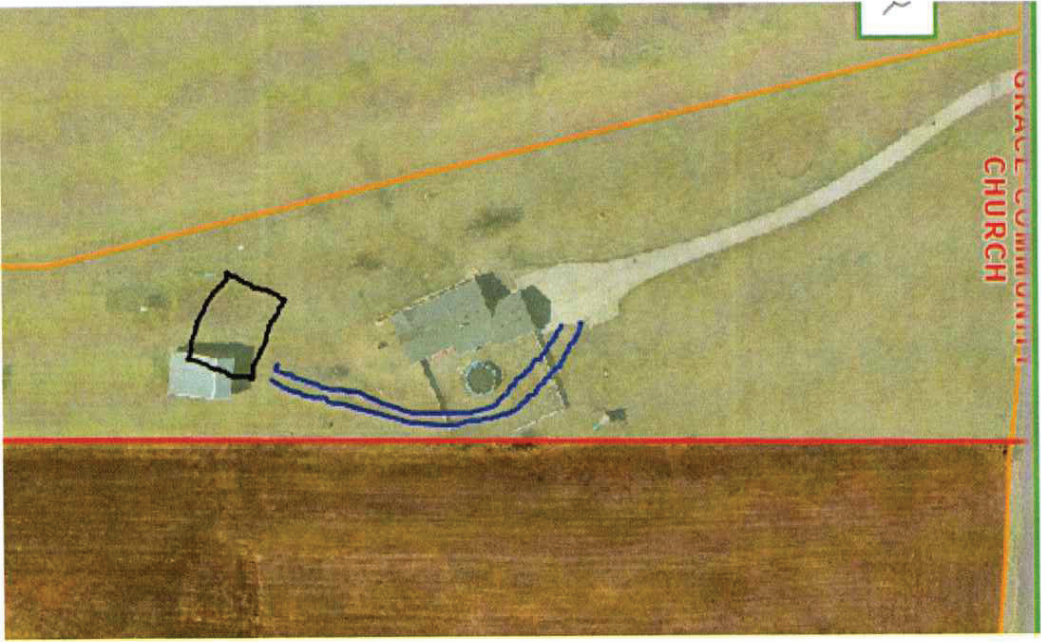
NO TITLE REPORT FURNISHED

BUILDER TO VERIFY
 SEWER LOCATION &
 ELEVATION PRIOR TO
 EXCAVATION OF FOOTINGS.



This drawing is for permit and construction purposes only. It is not to be used to establish property lines. It will be the builder's responsibility to verify that this drawing meets all City and County Regulations. No Title Commitment was furnished, there may be easements of record that are not shown. Builder to place Bottom of Footing at or below the level of undisturbed soil. Any proposed elevations shown on this drawing are provided by client, this company takes no liability for its accuracy.

126.0127.13HSA.DWG(BFH)





Date:	April 10, 2026
Prepared By:	Jack Hendrix, Development Director
Subject:	Battery Energy Storage Systems Regulations

The City has been in discussions with two separate projects in the City Limits concerning operations involving Battery Energy Storage Systems/Facilities. One of these facilities have submitted zoning and development applications to authorize such a facility that will be on the May 12, 2026 agenda. The other anticipates filing its' application in early summer. One property is on land zoned A-1, the other is on property currently zoned B-3 but in the future land use plan, it is proposed to be within the industrial category. Assuming a rezoning from B-3 to the Comprehensive plan's proposed I-1 or I-2 district(s), both properties would then allow, subject to a Conditional Use Permit, such facilities. The A-1 district allows "transportation, communication and utility facilities, including electrical power stations and substations" with a conditional use permit. The I-1 district allows Electric generation plants and lesser included uses for those plants, again with a conditional use permit.

Currently, we only have the minimum regulations for Conditional Use Permits which include:

1. *The proposed conditional use complies with all applicable provisions of these regulations, including intensity of use regulations, yard regulations and use limitations.*
2. *The proposed conditional use at the specified location will contribute to and promote the welfare or convenience of the public.*
3. *The proposed conditional use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located.*
4. *The location and size of the conditional use, the nature and intensity of the operation involved in or conducted in connection with it and the location of the site with respect to streets giving access to it are such that the conditional use will not dominate the immediate neighborhood so as to prevent development and use of neighboring property in accordance with the applicable zoning district regulations. In determining whether the conditional use will so dominate the immediate neighborhood, consideration shall be given to:*
 - a. *The location, nature and height of buildings, structures, walls and fences on the site; and*
 - b. *The nature and extent of landscaping and screening on the site.*
5. *Off-street parking and loading areas will be provided in accordance with the standards set forth in these regulations and such areas will be screened from adjoining residential uses and located so as to protect such residential uses from any injurious effect.*
6. *Adequate utility, drainage and other such necessary facilities have been or will be provided.*

7. Adequate access roads or entrance and exit drives will be provided and shall be so designed to prevent traffic hazards and to minimize traffic congestion in public streets and alleys.

Staff has drafted and proposes a new ordinance that will further regulate these facilities to address potential issues or concerns that the above regulations do not address. The proposed structure is to add Battery Energy Storage Facilities to the Supplementary District regulations. This placement will allow additional definitions specific to these facilities not contained elsewhere in our code, as well as specifically require these regulations to be included in the Additional Requirements provisions of the CUP codes. Lastly, there are provisions that would add the use specifically to the A-1 Agricultural conditional use list, as well as the I-1 Light Industrial conditional use list. Lastly, the current draft would authorize these uses in the I-2 Heavy Industrial districts without a conditional use IF the use is 500 feet from any residential use but require a conditional use permit if closer. *The I-2 district would otherwise allow this use without a conditional use permit without the additional 500 feet separation listed.

This draft was produced in consultation with the Smithville Area Fire Protection District for specific regulations concerning fire safety.

Chapter 400 Zoning Regulations

Division 4. Supplementary District Regulations

Section 400.375 Battery Energy Storage Facilities

A. Purpose And Intent

1. The purpose of these Supplementary District regulations is to provide a framework for the development, installation, and operation of Battery Energy Storage Facilities (BESF) while mitigating potential negative impacts on neighboring properties and addressing fire safety concerns. These regulations aim to balance the need for renewable and non-renewable energy storage with the safety, health, and welfare of the community. They further seek to protect property values, ensure environmental sustainability, and promote responsible land use planning.
2. These regulations are also intended to establish clear permitting requirements, safety standards, operational protocols, decommissioning obligations, and compliance mechanisms to ensure that BESFs are integrated safely and effectively into the community without creating undue risks.
3. A BESF shall only be permitted with full compliance of the requirements of this Section, and with any Conditional Use Permit requirement in the specific zone district regulations of the property involved.

B. Definitions.

For purposes of this section, the following additional definitions shall apply:

BATTERY ENERGY STORAGE FACILITY (BESF)

A facility utilizing electrochemical storage systems to store and distribute electrical energy for later use.

LARGE-SCALE BESF

A BESF with a storage capacity exceeding one (1) megawatt-hour (MWh), typically serving utility-scale or commercial needs.

SMALL-SCALE BESF

A BESF with a storage capacity of one (1) MWh or less, typically for residential or small commercial use on the site of such use.

EMERGENCY RESPONSE PLAN (ERP)

A comprehensive plan outlining safety measures, emergency contacts, fire response protocols, and failure mitigation procedures.

THERMAL RUNAWAY

A condition in which a battery cell overheats, leading to a self-sustaining chain reaction that can result in fire, explosion, or system failure.

FIRE SUPPRESSION SYSTEM

A system specifically designed to prevent or extinguish fires associated with lithium-ion batteries, such as water mist, gas suppression, or foam-based fire retardants.

DECOMMISSIONING PLAN

A document detailing the procedures and financial assurances for the safe removal and disposal of BESF components at the end of their operational life.

MONITORING SYSTEM

A twenty-four/seven (24/7) real-time system that continuously tracks temperature, voltage, current, and other critical safety indicators to prevent failures.

C. Permitted Locations And Parcel Size Requirements.

1. Large-Scale BESF shall be permitted in agriculture and industrial districts as determined by the Commission in the underlying district regulations, including through a conditional use permit (CUP) process if required in the relevant zone district sections.
2. Small-Scale BESF shall be permitted as an accessory use right in agricultural, residential, business and industrial districts, provided they comply with local fire codes and do not exceed noise or environmental impact thresholds.
3. Large-Scale BESFs are prohibited within two hundred fifty 250 feet of existing residential dwellings, schools, hospitals, daycare centers, senior living facilities, or other sensitive land uses unless an approved mitigation plan demonstrates that potential impacts will be effectively minimized.
4. Facilities must not be located within a designated floodplain or wetland unless specifically approved with appropriate flood-proofing measures in place.
5. Minimum Parcel Size. Large-Scale BESFs shall be located on parcels no smaller than five (5) acres to ensure adequate space for buffers, setbacks, and fire mitigation zones.
6. Maximum Parcel Size. The maximum parcel size for a BESF shall be fifty (50) acres, unless the applicant demonstrates that additional acreage is necessary for operational efficiency and impact mitigation.

D. Setback And Buffer Requirements.

1. Large-Scale BESF must maintain the following minimum setbacks:

- a. One hundred (100) feet from all property lines.
 - b. feet from the nearest residential structures (includes building permit applications under review at time of conditional use permit application) or preliminarily or final platted subdivisions for residential uses.
2. A landscaped buffer of at least fifty (50) feet in depth located within the 100 foot setback shall be required to visually screen BESF from adjacent properties. The buffer must include a combination of evergreen and deciduous trees, as well as shrubs that provide year-round screening. The applicant must submit a Landscape Plan as part of the application for approval. The Landscape Plan must include:
- a. A site map showing the location and species of all plantings.
 - b. A maintenance plan to ensure long-term viability of plantings.
 - c. Use of native, drought-resistant, and non-invasive plant species where feasible.
 - d. An implementation timeline ensuring the buffer is established before facility operations commence.

The City reserves the right to require additional plantings or alternative screening methods based on site conditions and adjacent land uses. The landscaped buffer must be maintained for the life of the facility, with any dead or dying vegetation replaced within the next planting season.

3. Noise levels shall not exceed fifty (50) decibels at the nearest property line. Facilities exceeding this limit must implement noise abatement measures such as sound barriers, insulation, or enclosure structures.
4. Facilities must install security fencing of at least eight (8) feet in height, with appropriate warning signage and limited-access gates. Battery energy storage systems, including all mechanical equipment, shall be enclosed by a fence with a self-locking gate to prevent unauthorized access unless housed in a dedicated-use building.
5. Any outdoor lighting must be shielded and directed downward to minimize light pollution and glare on adjacent properties.

E. Fire Safety And Hazard Mitigation.

1. All BESFs must comply with National Fire Protection Association (NFPA) 855 and International Fire Code (IFC) standards. Facilities must incorporate a fire suppression system specifically designed for the battery chemical type to be used and its hazards. Acceptable suppression methods include water mist systems to cool overheating cells; gas suppression systems (such as inert gas or clean agent systems) to displace oxygen and prevent combustion; or foam suppression systems for containment of chemical fires.

2. An Emergency Response Plan (ERP) must be submitted to and approved by the local Fire District before facility operation. This plan must include: emergency shutoff procedures; Fire Department access points and site layout; hazard identification and fire mitigation strategies, and spill containment and cleanup protocols. Signage for the battery energy storage system shall be in compliance with ANSI Z535 and shall include the following information: the type of technology associated with the battery energy storage system; any special hazards associated; the type of suppression system installed in the area of the battery energy storage system, and 24-hour emergency contact information.

3. As required by the National Electric Code (NEC), disconnect and other emergency management information shall be clearly displayed on a light reflective surface. A clearly visible warning sign concerning voltage shall be placed at the base of all pad-mounted transformers and substations.

4. Warning signage spacing shall be determined with the battery energy storage plan.

5. All BESFs must be equipped with thermal management systems to prevent overheating and detect early signs of thermal runaway. BESFs must be equipped with emergency venting systems to release gases in a controlled manner to prevent explosion hazards. Operators must coordinate with local Fire Departments to conduct annual fire response training specific to battery energy storage hazards. Each BESF shall have a remote monitoring system accessible to first responders in case of emergency.

6. The area within twenty (20) feet on each side of a battery energy storage system shall be cleared of combustible vegetation and surfaced with gravel or other non-combustible surfacing.

F. Environmental And Operational Standards.

1. Stormwater Management Requirements. All facilities must submit a Stormwater Management Plan (SWMP) for approval as part of the application process. The SWMP must outline measures to prevent chemical contamination of groundwater and nearby water bodies through stormwater runoff control, filtration systems, and containment barriers. Facilities must implement best management practices (BMPs), such as oil/water separators, spill containment structures, and designated hazardous material storage areas.

2. Routine Maintenance And Compliance. Facilities must conduct system testing and submit maintenance reports to the local permitting authority annually. These reports must include: battery performance assessments; fire suppression system testing results; and inspection logs for containment and stormwater management structures.

3. Facilities must comply with all applicable Federal, State, and local environmental regulations regarding hazardous waste disposal and battery recycling.

G. Decommissioning And Site Restoration. Facility owners must submit a comprehensive decommissioning and site restoration plan for approval by the City. This plan must include a detailed timeline, cost estimates, and a financial assurance mechanism to ensure the facility is properly decommissioned and the site restored to its pre-development condition unless an alternative land use plan is approved.

1. Financial Security Requirement. A financial security bond, escrow account, or other City-approved financial mechanism as identified in Section 425.440 must be established before any construction or site preparation begins to cover the estimated decommissioning and reclamation costs.

2. Conditions For Financial Security. The financial security must be in an amount not less than the lesser of 25% of the project construction value or the estimated cost of reclamation and restoration (as approved by the city) and shall be adjusted every five (5) years based on the cumulative Consumer Price Index for All Urban Consumers (CPI-U) from the date of the last approved estimate, or an equivalent inflation index determined by the City. The estimated decommissioning cost must be recalculated every five (5) years throughout the facility's operational life and if recalculations indicate an increase in decommissioning costs, the financial security must be adjusted to reflect the new estimate. If costs decrease, the County may approve a reduction in the required financial security.

3. The applicant must submit an estimate for decommissioning with the initial approval, and every five (5) years thereafter for review and approval by the City's engineers.

4. Initiation And Completion Timeline. Decommissioning must begin within twelve (12) months of facility cessation of operations. The decommissioning process must be carried out in accordance with the approved decommissioning plan and completed within the timeframe specified by the City.

5. Removal Of Facility Components. All structures, foundations, equipment, underground utilities, and access roads must be removed unless otherwise approved as part of an alternative land use plan. All materials must be disposed of or recycled in compliance with applicable local, State, and Federal regulations, particularly those governing hazardous waste disposal.

6. Site Restoration. The site must be restored to its pre-development condition, including soil stabilization, regrading, re-vegetation, and remediation of any environmental contamination. If an alternative post-decommissioning land use is proposed, the facility owner must submit a separate land use plan for City approval before decommissioning begins.

7. Non-Compliance And Default. If the facility operator fails to comply with decommissioning requirements, the City may call the bond or utilize the provided financial security to complete decommissioning and reclamation. In the event of default due to non-payment, the City retains the right to use the financial security to fund decommissioning activities.

8. Use Of Remaining Funds. If decommissioning costs exceed the financial security amount, the facility owner remains liable for additional costs. If decommissioning costs are less than the secured amount, the City may withhold any remaining balance until the decommissioning process is completed to the City's satisfaction.

Other sections to be amended or added:

Section 400.570.D.8

Battery Energy Storage Facilities shall, when a conditional use permit is required herein, provide the application information as stated in Section 400.375 and such application standards shall be used in the evaluation as contained in 400.570.C.

I-1 – 400.180.C.3:

Electric generation plants, electric utility maintenance yard, Battery Energy Storage Facilities, permanent concrete or asphalt manufacturing or mixing plants, prisons, mining, quarrying of gravel, sand or stone.

A-1 – 400.090.C.5:

Transportation, communication and utility facilities, including electrical power stations and substations; Battery Energy Storage Facilities; railroad stations, depots and maintenance facilities, so long as adjacent to an existing railroad line; postal services; sewage treatment plants; telephone exchange stations and relay towers; and towers for communications transmission.

I-2 400.190.B.2.f. Battery Energy Storage Facilities.

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;

These changes will add protective regulations where the intended use is already allowed, so it is consistent with the intent and purpose of the zoning code.

2. The areas which are most likely to be directly affected by such change and in what way they will be affected; and

These changes will add protective regulations where the use is otherwise allowed, so the areas affected are the same as currently impacted.

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.

These amendments are necessary due to changed or changing conditions within the City of Smithville's jurisdiction.