

**AN ORDINANCE AMENDING SECTIONS OF CHAPTER 400 OF THE ZONING CODE AUTHORIZING NEW OVERLAY DISTRICT REGULATIONS**

**WHEREAS**, the Planning Commission advertised and held a public hearing on August 12, 2025 related to proposed changes to various provisions of the zoning codes that pertain to a new 169 South Employment Overlay District; and

**WHEREAS**, the Planning Commission again advertised and held a second public hearing on October 14, 2025 related to proposed changes to various provisions of the zoning codes that pertain to the Overlay District; and

**WHEREAS**, following the public hearings, the Planning and Zoning Commission recommended approval of the proposed ordinance on October 14, 2025; and

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

**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:

**SECTION 400.025: ESTABLISHMENT OF DISTRICTS**

The jurisdictional area is hereby divided into fifteen zoning districts and three overlay districts, which are designated 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  
"EO" South 169 Employment Overlay District

**SECTION 2.** Chapter 400 of the Code of Ordinance is amended by deleting Section 400.220 regarding Overlay Districts in its' entirety and replacing it with the following new Section 400.220 to be read as follows:

**SECTION 400.220: PLANNED DEVELOPMENT OVERLAY DISTRICT**

A. Intent

Any of the zoning districts mentioned above shall have a separate and distinct counterpart known and herein referred to as a "Planned Development". Such Planned Development shall be designated by adding thereto the designation of "P" to the underlying district, such as B-3-P. The Planned Development shall be for the purpose of permitting and regulating the uses permitted in the equivalent district and further provide for and encourage latitude and flexibility in the location of buildings, structures, roads, drives, variations in yards, open spaces, etc. subsequent to final approval of the plan. The result is to allow development of tracts of land to their fullest extent and at the same time observe the general intent and spirit of these regulations. The purpose of this district is to also provide for and encourage the appropriate grouping of buildings to reduce vehicle trips, maximize open space and for the beautification of the district.

Generally, the height and bulk of buildings, the amount of open space, the concentration of people and traffic and the parking and loading requirements shall be equal to those in the underlying district classification. The uses permitted in the Planned Development shall be the same as in the underlying district unless the property is located within a City-initiated Overlay District. In City initiated Overlay Districts, the uses permitted are those contained within the specific district regulations. In all other Planned Development Overlay Districts, variations and departures from the standard

requirements of the underlying district may be permitted. Each building need not front onto a public street, and more than one principal building may be located on one lot. Buildings may be constructed on platted tracts which 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.

## B. Creating a Planned Development Overlay District

Planned Development Overlay Districts come in two types: City Initiated and Private Initiated Districts. In City Initiated Districts, the City shall create the regulations concerning uses, as well as the allowable variations to standard district requirements like those in Private Initiated Districts. City Initiated Districts do not change the underlying zone districts of the land contained within such district. When development occurs within a City Initiated District, the developer shall include such rezoning request that meets the underlying proposed uses as described within the Conceptual Plan submitted.

1. A tract of land may be zoned to a Planned Development district by the applicant in conjunction with a conceptual development plan. For applicants seeking Planned Development District zoning or amendments, a conceptual development plan must be submitted to the Commission for approval. The applicant shall pay a fee of \$250.00 and submit an application that contains, at a minimum, the following elements:
  - a. The boundaries of the tract to be zoned and the area adjacent for a distance of 250 feet.
  - b. The existing and proposed topography with contour intervals not greater than ten (10) feet intervals on a plan at a scale of one-inch equals 200 feet or larger. The proposed topography shall be clearly delineated on the plan.
  - c. 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. Sufficient approximate dimensions to indicate the relationship between building, streets, drives, and property lines should be on the plans as well.
  - d. The plan shall be accompanied by a plat giving a full legal description of the boundaries of the property.

- e. A draft of Conditions, covenants and restrictions (CCR's) easements, associations and maintenance agreements as well as specifications for ingress/egress to the property and any other legal requirements which will run with the property.
  - f. Preliminary elevation and plan drawings of proposed buildings which sufficiently depict the architectural theme of the project.
  - g. 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.
  - h. A list of all property owners within 185 feet of the boundaries of the proposed area.
2. The commission shall hold a public hearing on the conceptual development plan and after such public hearing shall approve, approve with conditions, or disapprove the conceptual development plan. At such time as the conceptual development plan is approved, approved with conditions or disapproved by the commission, the same shall be forwarded on to the Board of Aldermen for final action. The procedures for noticing and holding a public hearing for a conceptual development plan shall be the same as specified in Section 400.550, et seq. The approval of the conceptual development plan is in addition to, not in substitution of, the required statutory rezoning process.
3. In reviewing conceptual development plans for a Planned Development Overlay District, the commission shall consider the requirements in the Site Plan Review provisions in Section 400.350 - .400 when evaluating the following:
- a. Topography: to ensure the site is suitable for development, and buildings are located and arranged in appropriate areas.
  - b. Parking: to ensure the proposed development contains an adequate amount of parking and is located in an appropriate area or adequately screened. Generally, the parking should conform to the required number of spaces appropriate to the development type as contained in Section 400.420 - 450. The commission may allow a deviation from these parking requirements should the applicant show an adequate amount of parking exists.

c. Setbacks: to ensure buildings provide for adequate light, air, and privacy protection by providing appropriate proportion between buildings, and adequate separation between buildings and adjoining properties.

d. Architecture: to ensure the architectural theme is compatible and consistent throughout the project and is reasonably compatible with surrounding developments.

e. Site plan: to ensure the location and arrangement of buildings, signs and other structures are appropriate for the site, existing and proposed streets, drives and public ways are arranged appropriately and to ensure site drainage has been adequately addressed

f. Landscaping; to ensure the development provides adequate landscaping to provide a pleasant environment, to enhance the building's appearance; to ensure existing significant trees are adequately protected.

g. Any other feature or issue associated with the state zoning and planning enabling legislation or the Comprehensive Plan for the City of Smithville for which the commission feels is appropriate and relevant to the development of the site.

4. Prior to approving a conceptual development plan for the purposes of this section, the commission shall make the following findings:

a. That the commission has reviewed the conceptual development plan with consideration of the issues contained in Subsection three (3) above; and

b. That the conceptual development plan is in conformance with the comprehensive land use plan and other appropriate sections of the Code of Ordinances; and

c. That the conceptual development plan provides for an organized and unified system of land use intensities which are compatible with the surrounding areas; and

d. That the proposed development adequately protects the health, safety and general welfare of future and existing residents and property owners in and around the development.

5. Upon final approval of the plan and the zoning or rezoning of the tract as required by law, building permits may be issued and conformance with the plan and all supporting documentation is mandatory. Substantial deviation from the plan shall require resubmittal to the commission and Board in the same manner as the original procedure.

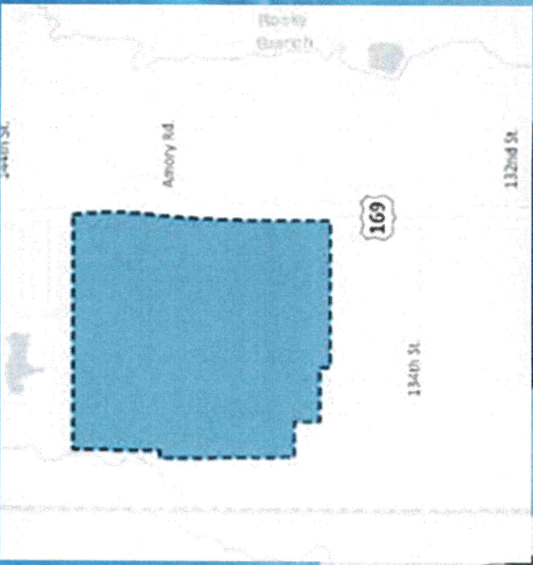
C. City Initiated Overlay Districts

The following is a list of the City Initiated Overlay Districts. The rules and regulations for such district(s) are available as a separate district document, with it's text and requirements having the full force and effect of all other zoning requirements, as amended by that document.

1. 169 South Employment District

Exhibit A

# 169 South Employment Overlay District



**Intent:** The 169 South Employment Overlay District, (169 SE-O) located on the west side of HWY 169 in the southern portion of Smithville's municipality, creates an opportunity to bolster local economic development opportunities. The overlay district intends to provide flexibility within the Comprehensive Plan's Future Land Use Map should future development provide substantial employment opportunities in this area.

While the Future Land Use map designates the intended future use as Mixed-Use High-Density Residential, the 169 South Employment Overlay District also encourages additional commercial, and flex uses potentially in-lieu of residential uses. Smithville encourages future development in this district that maximizes benefits for the City of Smithville and its residents. These benefits may include but are not limited to, increases in employment opportunities, higher-paying jobs, and fiscal returns for the City.

**Definitions:** For the purpose of this Plan, all previously defined terms in Section 400.075 of the Code shall 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, planned for passive or active recreation.

**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. Could include '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 small businesses scale.

**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. Residential shall comprise no less than sixty percent of the gross floor area.

**Indoor Recreation and Entertainment:** A use that provides amusement and recreational activities indoors

**Pocket Residential Development (PRD):** A clustered housing development consisting of 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. Non-residential use(s) shall comprise no less than seventy-five percent of the building.

**Permitted Uses:** The following table outlines permitted uses and uses that may be allowed with the consideration 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.



COMMERCIAL											
Animal Care Facilities											Must comply with Section xxx.xxx
Bank/Credit Union/Financial Services Inst.	-	-	-	-	-	-	P	P	P	-	
Catering Services	-	-	-	-	-	-	P	P	P	-	
Clinics & Public Health Facilities	-	-	-	-	-	P	P	P	P	-	
Department Stores	-	-	-	-	-	-	P	P	P	-	
General Retail (Grocery/Apparel/Chain/Etc.)	-	-	-	-	-	-	P	P	P	-	
Hotels/Motels	-	-	-	-	-	-	P	P	P	-	
Indoor Recreation and Entertainment	-	-	-	-	-	-		✓	P	-	Excludes sexually-oriented businesses and indoor firing ranges.
Limited Repair Services	-	-	-	-	-	-	✓	P	P	-	
Medical Marijuana Dispensary Facility	-	-	-	-	-	-	✓	✓	✓	-	
Offices (Admin/Professional/Shared/Etc.)	-	-	-	-	-	✓	P	P	P	-	
Offices (Medical/Clinic)	-	-	-	-	-	✓	✓	P	P	-	
Personal Services (Tanning/Laundry/Salon/Etc.)	-	-	-	-	-	✓	P	P	P	-	
Restaurant & Food Services	-	-	-	-	-	✓	P	P	P	-	Excludes establishments with drive-thrus.
Specialty School (Trade/Business/Etc.)	-	-	-	-	-	-	✓	P	P	-	
Taverns - Bars/Brewpubs/Drinking Establishments	-	-	-	-	-	✓	P	P	P	-	
Theaters (Excluding Drive-Ins)	-	-	-	-	-	-	✓	✓	✓	-	
MANUFACTURING/INDUSTRIAL											
Community Scale Manufacturing	-	-	-	-	-	✓	✓	P	P	-	
Electrical, Mechanical, Plumbing, HVAC							✓	✓	P	-	Must have a retail showroom that comprises more than 25 percent of the gross floor area
Microbusiness Wholesale Facility	-	-	-	-	-	-	P	P	P	-	

Micromanufacturing	-	-	-	-	-	-	✓	P	P	P	small manufacturing operations that serve a retail or general sales outlet in the same premises such as bakeries, brew pubs, candy or confectioneries, picture frame manufacturing, repair and sales, cabinetmakers, printing shops, sign shops, home decor product manufacturing and other similar, low impact manufacturing operations that primarily serve a retail outlet at the same location.
Research Industry	-	-	-	-	-	-	-	✓	P	P	May include biotech, cleantech startups, incubator space,
Testing	-	-	-	-	-	-	-	P	P	P	-
<b>OTHER</b>											
Solar Energy Systems (Rooftop Only)	P	P	P	P	P	P	P	P	P	P	-
Data Farms -	-	-	-	-	-	-	-	-	✓	✓	

P = Permitted

✓ = Discretionary Approval through Zoning Overlay Application Review

**Concept Plan/Planned Development Standards:** The 169 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 manner and varying build-out sizes rather than in continuous strips along arterial streets. Development in the 169 SE-O district must accommodate transportation systems, adjacent environments, and pedestrian movement. The purpose of the 169 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:

A. 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 a case-by-case basis to ensure a mixed-use project fulfills the redevelopment goals of the 169 South Employment Overlay District (169 SE-O) for commercial development that incorporates community commercial uses and uses that are complementary to the 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 circulation 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 two hundred fifty feet (250) 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.
- k. A draft of conditions, covenants and restrictions (CCRs) easements, associations and maintenance agreements as well as specifications for ingress/egress to the property and any other legal requirements which will run with the property.

### **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 courtyards 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**

- a. Single Family Detached
- b. Single Family Attached/Duplex
- c. Townhouses/Rowhouses

- d. Live-Work Units
- e. 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, if constructed in accordance with Fire Code
  - 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 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:
  - 1. Changing paving color;
  - 2. Painted crosswalks; or
  - 3. Stamped concrete.
- D. 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:
  - 1. Arcades, porticos, or other shade structures;
  - 2. Pedestrian light features;

### **Mixed Use**

Mixed-use developments are highly desirable within the 169 South Employment Overlay District (169 SE-O). 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:

- A. Building Orientation.
  - 1. Individual buildings.

- a. At least one operable entrance shall be located on the portion of the structure facing the primary street.
  - b. Each street facing façade shall provide a minimum of thirty percent transparency. On a corner lot each street-facing façade.
  - c. For buildings with active ground floor commercial uses, transparency must allow direct views into the primary business space.
  - d. Non-residential use(s) shall be limited to the bottom two floors of a building.
2. Multi-building developments.
- a. Buildings shall be organized to promote a compact pattern of development, pedestrian-friendly spaces, streetscapes, and screen parking areas.
  - b. Buildings shall be arranged and grouped so that their primary orientation complements one another and adjacent, existing development by:
  - c. Entrance orientation.  
To the maximum extent feasible, the principal building entrance shall face an adjacent public street, plaza, public walkway.
  - d. 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).
3. Outparcel development.
- a. 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.
  - b. 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.

## B. Building Design

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

1. In order to achieve harmonious design throughout architectural design guidelines shall be submitted with the concept plan.
2. 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.
  - a. 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.

- b. 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.
- c. 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.
- d. The front façade of the principal building on any lot in a commercial or industrial base zoned district shall face onto a public street or public open space.
- e. The front façade should not be oriented to face directly toward an off-street parking facility, other than on-street parking.
- f. 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.
- g. 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.
- h. 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.
- i. 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.
- j. No exterior metal siding shall be allowed.
- k. The facades on retail frontages shall be detailed as storefronts and glazed no less than thirty-five (35) percent of the sidewalk-level story.
- l. 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.

C. 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.

**SECTION 3.** The boundaries of the 169 South Employment Overlay District Regulations contained in Exhibit A to the new Section 400.220 shall be as follows:

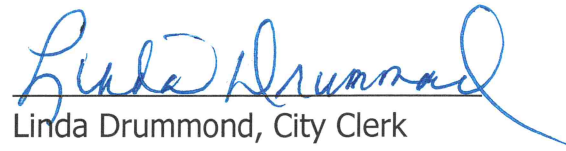
BEING A PART OF SECTION 2, 3, AND 10, TOWNSHIP 52, RANGE 33, IN THE CITY OF SMITHVILLE, CLAY COUNTY, MISSOURI DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF EAST HALF OF THE NORTHWEST FRACTIONAL QUARTER OF SAID SECTION 3; THENCE NORTH 00 DEGREES 08 MINUTES 07 SECONDS WEST, ALONG THE WEST LINE OF SAID EAST HALF, A DISTANCE OF 1546.94 FEET TO THE SOUTHWEST CORNER OF BARTON HEIGHT, A SUBDIVISION OF LAND IN SMITHVILLE, CLAY COUNTY, MISSOURI; THENCE SOUTH 89 DEGREES 29 MINUTES 07 SECONDS EAST, ALONG THE SOUTH LINE OF SAID BARTON HEIGHTS, A DISTANCE OF 3731.02 FEET MORE OR LESS TO THE WEST RIGHT OF WAY LINE OF US 169 HWY; THENCE SOUTHERLY ALONG SAID WEST RIGHT OF WAY LINE, TO A POINT ON THE NORTH RIGHT OF WAY LINE OF NW 136TH STREET; THENCE NORTH 89 DEGREES 26 MINUTES 12 SECONDS WEST, A DISTANCE OF 298.03 FEET; THENCE SOUTH 00 DEGREES 18 MINUTES 42 SECONDS WEST, A DISTANCE OF 58.64 FEET; THENCE NORTH 89 DEGREES 41 MINUTES 18 SECONDS WEST, A DISTANCE OF 2211.89 FEET; THENCE NORTH 00 DEGREES 46 MINUTES 27 SECONDS EAST, A DISTANCE OF 50.06 FEET; THENCE NORTH 89 DEGREES 32 MINUTES 20 SECONDS WEST, A DISTANCE OF 4.79 FEET; THENCE NORTH 05 DEGREES 31 MINUTES 46 SECONDS WEST, A DISTANCE OF 192.04 FEET; THENCE NORTH 89 DEGREES 33 MINUTES 06 SECONDS WEST, A DISTANCE OF 341.13 FEET; THENCE NORTH 00 DEGREES 26 MINUTES 54 SECONDS EAST 529.00 FEET; THENCE NORTH 89 DEGREES 33 MINUTES 06 SECONDS WEST, A DISTANCE OF 779.79 FEET; THENCE NORTH 00 DEGREES 24 MINUTES 12 SECONDS EAST, A DISTANCE OF 1883.22 FEET TO THE NORTH LINE OF THE FRACTIONAL SOUTHWEST QUARTER OF SAID SECTION 3; THENCE NORTH 89 DEGREES 51 MINUTES 53 SECONDS EAST, ALONG SAID NORTH LINE, A DISTANCE OF 153.36 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINING 348.17 ACRES, MORE OR LESS.

**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 18<sup>th</sup> day of November, 2025.

  
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Damien Boley, Mayor

ATTEST:

  
Linda Drummond, City Clerk

First Reading: 11/04/2025

Second Reading: 11/18/2025

## **EXHIBIT B**

### **STATEMENT OF PLANNING COMMISSION ON 169 SOUTH EMPLOYMENT OVERLAY DISTRICT REGULATIONS**

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 limited to the areas identified in the Comprehensive Plan.
3. This amendment is made necessary to provide additional options to complete a major initiative for employment in accordance with the city's Comprehensive Plan.