



Planning and Zoning Commission Meeting

August 10, 2021

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

Anyone who wishes to view the meeting in real time may do so as it will be streamed live on the city's YouTube page through YouTube Live.

1. Call to Order
2. Approve the July 13, 2021, Planning Commission Minutes
3. Staff Report
4. Continuation Kylee Acres Final Plat

Public Hearing was conducted June 8th - Matter continued to this date for vote

2 lots from 63-acre parcel at 2000 NE 132nd St.

5. Site Plan Ordinance Revisions
6. Adjourn

Join Zoom Meeting

<https://us02web.zoom.us/j/88348614637>

Meeting ID: 883 4861 4637

Passcode: 697312



SMITHVILLE PLANNING COMMISSION

REGULAR SESSION

July 13, 2021

7:00 P.M.

Council Chambers

A regular session of the Smithville Planning and Zoning Commission was held on July 13, 2021, at 7:00 p.m. at Smithville City Hall in the Council Chambers.

City Staff and Planning and Zoning Commission members attended via the Zoom meeting app and in person at City Hall. The meeting was streamed live on the city's YouTube page through YouTube Live.

Those attending the meeting: Deb Dotson (in person), Alderman John Chevalier (zoom), Mayor Damien Boley (zoom), Dennis Kathcart (zoom), Connor Samenus (zoom), Chairman Rand Smith (in person), and Development Director Jack Hendrix (in person). Carmen Xavier was absent.

1. CALL TO ORDER

Chairman Rand Smith called the meeting to order at 7:00 p.m.

2. MINUTES

The June 8, 2021, Executive Session Meeting Minutes were moved for approval by MAYOR BOLEY, Seconded by DOTSON.

Ayes 4, Noes 0, Abstained 3 (Mayor Boley, Dennis Kathcart & Connor Samenus). Motion carried.

The June 8, 2021, Regular Session Meeting Minutes were moved for approval by MAYOR BOLEY, Seconded by DOTSON.

Ayes 5, Noes 0, Abstained 2 (Dennis Kathcart & Connor Samenus). Motion carried.

3. STAFF REPORT

HENDRIX reported:

We have issued 32 single family homes since January 1, 2021. We are starting to run out of lots. Because of the weather some of the new subdivisions that are under construction are behind.

The permit for Domino's Pizza has been issued and they are under construction at the strip mall at the Smithville Marketplace. We have received an application and the plans are under review for a dental office to be located on the north end of the same strip mall. A deli has also been in contact with us on what is required for a permit in the unit right next to Domino's Pizza.

The construction for Burger King is underway and going strong.

Attic Storage on the south end of town has pulled a permit for the first 2 storage buildings and we anticipate construction starting on those shortly.

KCI RV is under construction for its third building.

The Herzog Foundation is still under construction, and it is starting to look like a building. It still has a ways to go because it's a big, detailed building.

The second phase of First Park, which is an industrial subdivision, has multiple contractors working up there on streets, stormwater, water and sanitary sewer. One of the tenants that will be in that subdivision is the CPC of Missouri, a medical marijuana facility, and will be starting construction as well. By July 30th they anticipate moving forward.

Jack anticipates bringing forward in August an advertisement for a code change which will eliminate conflicts or confusion over our site plan ordinance. We will clarify what the intent is so there is no confusion in the future. Our current ordinance is 13-14 years old, and things have changed.

**4. KOZAK'S LAKETOWN GRILL SITE PLAN – STONEBRIDGE LN.
TALLEY PLAZA LOTS 1-3**

HENDRIX stated that their original design and layout was approved back in October of 2019. There have been some tweaks and they presented those to city staff initially in March of 2020 and were hoping to get moving shortly after but then COVID happened, so they put this on hold for a while. They kept very busy during the pandemic. They now have a new plan with a different architect. It's roughly the same but it's significantly different as well. Everything submitted meets the standards in our code. The only issues that are outstanding and they are working on with the developer of the site is sanitary and storm water. We do not have any information on how they are going to upgrade those systems to make them work but they are aware of it and have engineers and architects on board and are working on it. From the standpoint of the plan that you have before you, staff recommends approval with the two below conditions:

1. Sanitary Sewer Plans to address the capacity deficit of the existing city sewers in the area are approved and constructed.
2. Storm water detention Plans (for either the restaurant or the entire development) are approved and constructed.

MAYOR BOLEY motioned to approve the Kozak's site plan conditioned upon the two conditions listed. Seconded by Samenus.

HENDRIX pointed out that the applicants Brian and Jackie Hove are present at tonight's meeting as well as their architect Brandi Atwell. So, if there are any questions please ask.

DISCUSSION: None

THE VOTE: SAMENUS-AYE, ALDERMAN CHEVALIER-AYE, SMITH-AYE, DOTSON-AYE, MAYOR BOLEY-AYE, KATHCART-AYE.

AYES-6, NOES-0. MOTION PASSED

5. CONTINUATION – HERZOG FOUNDATION SITE PLAN -- CABINS

SMITH stated that he applauds those on this commission that desired to delay this until an amiable plan could be worked out with the city.

HENDRIX stated that at our June meeting there was not an agreement between the applicant and the city as to what adjacent infrastructure improvements would need to be made. The City recommended approval conditioned on those full infrastructure improvements. This commission recommended that the matter be postponed until this meeting to give time for the applicant and the city to hopefully reach some kind of an agreement on the matter. Last week we finally reached an agreement. Staff recommends approval of the Site Plan with the following conditions for the infrastructure improvements of Main St.:

1. Applicant shall construct a 5' Sidewalk installed to city standards located on city ROW within 1' of property line.
2. Applicant shall perform chip and seal over the entire width of N. Main from the end of 188th St. construction performed as a part of the original development plan, south to the property line of the subject property for a distance not to exceed 314.40 feet.

KATHCART motioned to approve the Herzog Foundation cabins site plan conditioned upon the two conditions listed. Seconded by Dotson.

DISCUSSION: None

THE VOTE: DOTSON-AYE, MAYOR BOLEY-AYE, KATHCART-AYE, SAMENUS-AYE, ALDERMAN CHEVALIER-AYE, SMITH-AYE.

AYES-6, NOES-0. MOTION PASSED

6. **ADJOURN**

MAYOR BOLEY made a motion to adjourn. SAMENUS seconded the motion.

VOICE VOTE: UNANIMOUS

SMITH declared the session adjourned at 7:16 p.m.



June 2, 2021
Clay County Parcel Id # 09-304-00-01-007.05

Application for a Plat Approval – Kylee Acres Final Plat – 2 lots

Code Sections:

425.285.A.4 Single Phase Final Plat Approval

Property Information:

Address: 2000 NE 132nd St.
Owner: Eric Dunham
Current Zoning: A-1

Public Notice Dates:

1st Publication in Newspaper: May 20, 2021
Letters to Property Owners w/in 185': May 21, 2021

Public Hearing Date: June 8, 2021.

GENERAL DESCRIPTION:

This item had it's public hearing at the June 2021 Commission meeting, with no comments from the public or the applicant. The vote was postponed to a later meeting to address certain invoicing issues.

The property is approximately a 63-acre parcel with a single-family home. The proposal is to divide 10 acres from the southeast corner of the lot (abutting 132nd St.) and leave approximately 53 acres and the existing home. The proposed subdivision would leave two lots of not less than 10 acres and not less than 300' of road frontage in compliance with the zoning and subdivision codes.

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:

- a. 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.***
- b. The plat represents an overall development pattern that is consistent with the goals and policies of the Comprehensive Plan. ***The Development pattern is similar to the existing zoning on the property.***
- c. The development shall be laid out in such a way as to result in:
 - (1) Good natural surface drainage to a storm sewer or a natural watercourse. ***The property is naturally suited for development on the 10 acres.***
 - (2) A minimum amount of grading on both cut or fill and preservation of good trees and other desirable natural growth. **No significant grading is needed for one home and outbuildings.**
 - (3) A good grade relationship with the abutting streets, preferably somewhat above the street. ***Each lot will have access to 132nd St.***
 - (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. ***There are no new roadways as the existing lots are on existing blacktop.***
- 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 development will be for septic sewers on all lots, and all utilities are available at the street frontage.***
- 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/A**

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.

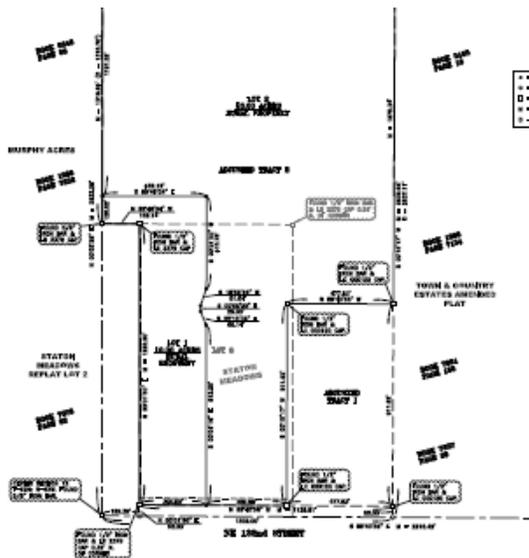
Annexed.

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, and prior to recording the Final Plat, Park fees in the amount of \$1,250.00 must be paid.**

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. **No improvements are necessary for one new lot.**



STAFF RECOMMENDATION:

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

Respectfully Submitted,

Director of Development

FINAL PLAT KYLEE ACRES

A MINOR SUBDIVISION IN THE NE 1/4 SECTION 12
T-52N; R-33W, SMITHVILLE, CLAY COUNTY, MISSOURI

LEGAL DESCRIPTION:

Commencing at the Center of Section 12, Township 52 North, Range 33 West, Smithville, Clay County, Missouri; thence with the South line of the Northeast Quarter of said Section, South 89 degrees 40 minutes 56 seconds East, 169.39 feet; thence departing from said line North 00 degrees 01 minutes 50 seconds East, 50.00 feet to the Point of Beginning; thence continuing along said line North 00 degrees 01 minutes 50 seconds East, 1266.90 feet; thence departing from said line, North 89 degrees 46 minutes 04 seconds West, 169.14 feet; thence North 00 degrees 02 minutes 28 seconds East, 1316.64 feet; thence South 89 degrees 50 minutes 36 seconds East, 1317.82 feet; thence South 00 degrees 15 minutes 17 seconds West, 1675.34 feet; thence North 89 degrees 40 minutes 56 seconds West, 660.98 feet to the point of beginning.

The above described tract of land contains 63.00 acres, more or less, and is subject to all recorded and unrecorded easements, restrictions, and right-of-ways.

SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY that we have performed a survey and prepared the accompanying plat of the premises described hereon which meets or exceeds the current Missouri Standards for Property Boundary Surveys, 10 CSR 30-2 and 20 CSR 2030-16, and that the results of said survey are represented on this plat to the best of my professional knowledge and belief.

WITNESS hand and seal this Twenty-sixth (26th) day of April, 2021.

Richard L. Mattson
Missouri P.L.S. 2674

SURVEYOR'S NOTES:

- Except as specifically stated or shown on this plat, this survey does not purport to reflect any of the following which may be applicable to the subject real estate: easements, other than possible easements that were visible at the time of making of this survey; building setback lines; restrictive covenants; subdivision restrictions; zoning or other land-use regulations; and any other facts that an accurate and current title search may disclose.
- Declaration is made to original purchaser of the survey. It is not transferable to additional institutions or subsequent owners.
- Survey is valid only if print has original seal and signature of surveyor.
- Every document of record reviewed and considered as a part of this survey is noted hereon. Only the documents noted hereon were supplied the surveyor. No abstract of title, nor title commitment, nor results of title searches were furnished the surveyor. There may exist other documents of record that would affect this parcel.
- Surveyor has made no investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title search may disclose.
- The word "certify" or "certificate" as shown and used hereon means an expression of professional opinion regarding the facts of the survey and does not constitute a warranty or guarantee, expressed or implied.
- The South line of the Northeast Quarter of Section 12, Township 52 North, Range 33 West, Clay County, Missouri, bears North 89 degrees 40 minutes 56 seconds West for this survey.

PLAT DEDICATION:

The undersigned owners of the property described herein have caused the same to be subdivided as shown on this plat and said property shall hereafter be known as:

"KYLEE ACRES"

IN TESTIMONY WHEREOF:

The undersigned owners have hereunto set her hands as follows:

Eric W. Dunham

STATE OF MISSOURI }
COUNTY OF _____ }SS;

On this _____ day of _____, 2021, before me personally appeared Eric W. Dunham, to me known to be the persons described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed.

In Testimony Whereof, I have hereunto set my hand and affixed my official seal at my office in _____ the day and year first above written.

Notary Public My Commission Expires: _____

PLANNING COMMISSION:

The final plat of Kylee Acres was submitted to and approved by the Smithville Planning and Zoning Commission on the _____ day of _____, 2021.

Chairman (SEAL) Secretary (SEAL)

BOARD OF ALDERMEN:

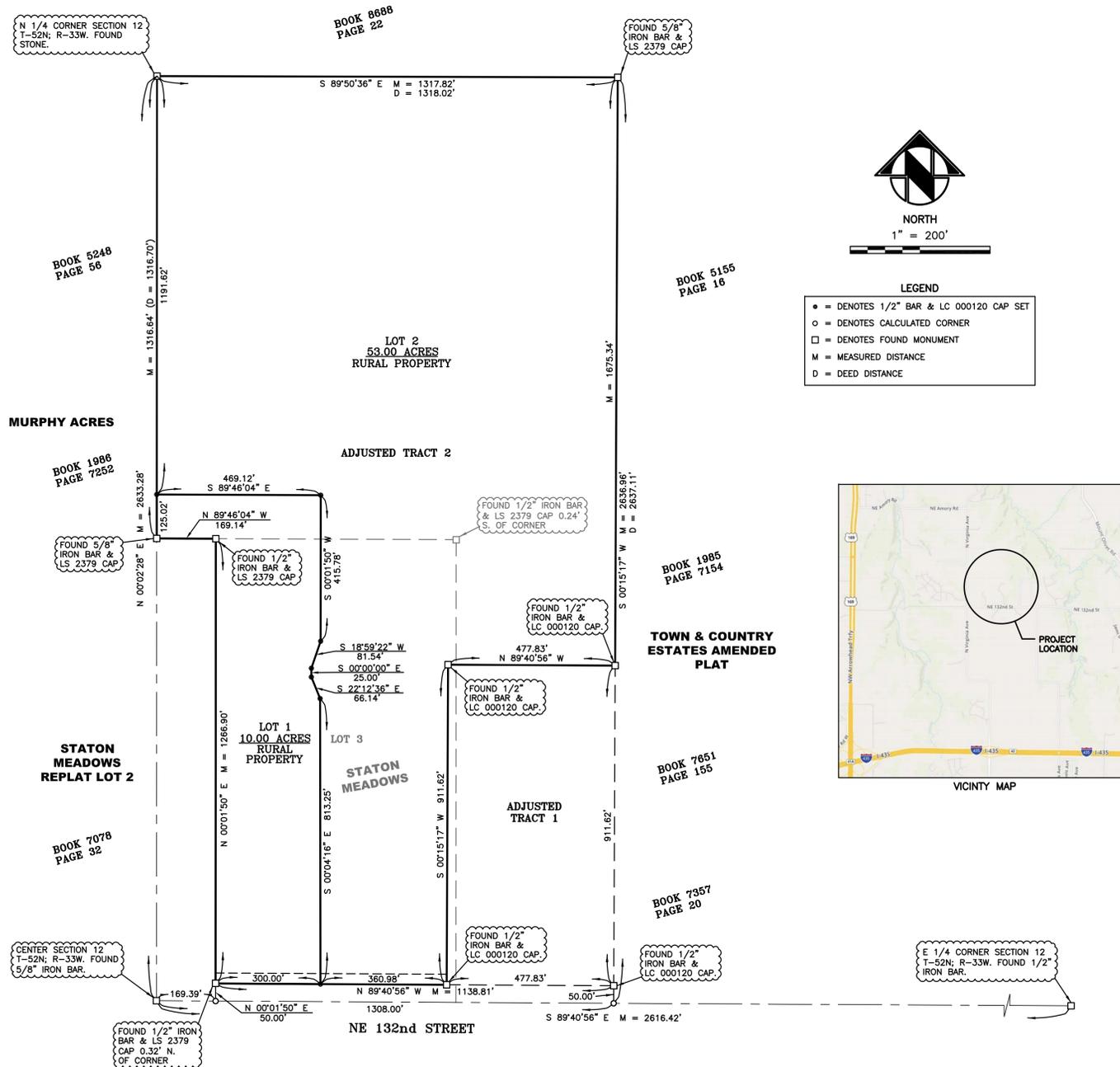
This final plat approved by the Board of Aldermen of Smithville, Missouri, this _____ day of _____, 2021.

Mayor (SEAL) ATTEST: City Clerk

RECORDER OF DEEDS:

Entered on transfer record this _____ day of _____, 2021.

County Recorder



LANDOWNER/DEVELOPER:
Eric Dunham
12650 N. Virginia Ave.
Kansas City, MO 64165

PREPARED BY:
Richard L. Mattson,
MO PLS 2674
Midland Surveying, Inc.
4784 Frederick Blvd.
St. Joseph, MO 64506

PREPARED FOR:
ERIC DUNHAM
SECTION 12, T-52N; R-33W
SMITHVILLE, CLAY COUNTY, MISSOURI

MIDLAND SURVEYING
Midland Surveying, Inc.
Missouri State Certificate of Authority #000120

LAND SURVEYORS - PLANNERS
4784 Frederick Blvd, St. Joseph, MO 64506
ph. (816) 233-7900 fax (816) 233-4852
501 North Market, Maryville, MO 64468
ph. (660) 582-8633 fax (660) 582-7173

FILE: DUNHAM_SUB	DATE: APRIL 26, 2021	SCALE: 1" = 200'	REVISED:	SHEET NO. 1 OF 1
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	<div style="display: flex; justify-content: space-between; align-items: center;"> <div style="background-color: #76923c; color: white; padding: 5px 10px; font-weight: bold;">STAFF</div> <div style="background-color: #00557c; color: white; padding: 5px 10px; font-weight: bold;">REPORT</div> </div>
Date:	August 6, 2021
Prepared By:	Jack Hendrix
Subject:	Site Plan Review Ordinance Amendments

The attached red-line ordinance represents proposed changes to address alleged ambiguities related to requirements for improvements to adjacent public infrastructure or off-site infrastructure impacted by the proposed site plan project in any commercial district. Additional language is added to remove any doubt as to these responsibilities.

In addition, the proposed draft incorporates the R-3 zoning district into the site plan review process. Multifamily projects can implicate traffic, lighting and stormwater infrastructure as much or more than a commercial project, and sometimes it is not feasible to address the additional infrastructure needs at the time a zoning change occurs. These changes will impact all existing and future R-3 developments, and will also incorporate the park impact requirements in the standard subdivision process, (which is not necessarily required for an apartment complex) as well as the other standard impacts from new developments.

ARTICLE III SITE DEVELOPMENT REGULATIONS

Division 1. Site Plan Review

SECTION 400.390: INTENT

The City of Smithville recognizes that the very nature of land development creates potential for traffic congestion, overcrowding, adverse visual environmental impacts and health problems. Also, the City strives to achieve the goal of promoting growth in Smithville, while retaining a unique atmosphere and small City image, capitalizing on the natural beauty and physical resources of the area. The City seeks to ensure that any location that has a potential for preserving natural resources, identified on the recommend land use map in the ~~2005~~ Comprehensive Plan or that must accommodate intense urban uses, shall be subject to site plan review by the Zoning Administrator and approval by the Planning Commission and the Board of Aldermen. Site plan reviews shall help ensure that the meaning and intent of the zoning regulations and all portions thereof are fully complied with.

The site plan review regulates the development of structures and sites in a manner that considers the following concerns:

1. The balancing of landowners' rights to use their land with the corresponding rights of abutting and neighboring landowners to live without undue disturbances (e.g., noise, smoke, fumes, dust, odor, glare, storm water runoff, etc.);
2. The convenience and safety of vehicular and pedestrian movement within the site and in relation to adjacent areas or roads;
3. The adequacy of waste disposal methods and protection from pollution of surface or ground water;
4. The protection of historic and natural environmental features on the site under review and in adjacent areas; and
5. The enhancement of the natural environment by promoting urban development which is compatible with clearly identified natural resources. ~~(Ord. No. 2640-08 §1, 6-3-08)~~

SECTION 400.395: APPLICABILITY

All applications for new building permits in the commercial and industrial zoning districts as well as in the R-3 Multi-family districts shall be subject to site plan review in accordance with these regulations. Site plan review shall also be required for the expansion of any existing use in the ~~se-commercial-and-industrial~~ districts. "Expansion" shall include any increase in floor, parking or storage space. Site plan review may also be

required for improvements to the facade of an existing building. This would include attaching or changing any appurtenances such as, but not limited to ~~to~~ siding, ~~facade~~ facade, dormers, parapets, columns, pillars, overhangs and soffits. Such work shall be subject to site plan review at the discretion of the ~~Community~~ Development Director. ~~(Ord. No. 2640-08 §1, 6-3-08)~~

SECTION 400.400: APPLICATION AND FEES

A site plan application, together with a site plan application fee of seventy-five dollars (\$75.00), shall be submitted to the ~~Community~~ Development Director. The applicant shall pay for all costs associated with any required technical studies and the City's review of such studies, as well as reimburse the City for ~~any and~~ all expenses associated with any notices and/or mailings provided as a result of any application herein. ~~(Ord. No. 2640-08 §1, 6-3-08)~~

SECTION 400.405: PROCEDURE

A. No building permits shall be issued for any use of land or proposed construction on a lot in the zoning districts in which site plan review is required, until site plan approval has been granted pursuant to these procedures. The ~~Community~~ Development Director shall perform site plan reviews initially. The initial review shall be to determine compliance with the submittal requirements herein. Once the submittal is deemed complete, the ~~Community~~ Development Director and the Development Review Committee shall review the application and supporting documents in accordance with the standards of review contained herein. The ~~Community~~ Development Director may request any such technical studies as deemed necessary in order to ensure compliance with the requirements of the Zoning Code. The application shall thereafter be scheduled on the next available Planning Commission meeting. The Planning Commission shall review and make any such recommendations for approval, approval with conditions or denial as it deems necessary to ensure compliance with the provisions of this Article. Within seven (7) days of this meeting, the ~~Community~~ Development Director shall notify the applicant of the date of the Board of Aldermen meeting where the application will be presented. The Board of Aldermen shall review the report of the Development Review Committee, the recommendations of the Planning Commission and any additional information it deems relevant. The Board may approve, approve with conditions or disapprove of the application in accordance with the standards of review of this Article. The ~~Community~~ Development Director shall provide written notification to the applicant of the Board's determination within seven (7) days of the meeting.

B. A site plan review is valid for one (1) year from the date of approval of the Board of Aldermen. In the event that a project granted site plan approval is not started within the twelve (12) month period from the time the site plan was approved or completed within twenty-four (24) months from said approval unless a phased construction plan is requested and approved, the site plan approval shall be invalid and resubmission shall be

required. Resubmissions pursuant to this Section shall be subject to all applicable ordinances and policies in effect at the time of resubmission.

C. ~~In the event that~~If the development involves multiple buildings in one (1) cohesive development area which is subject to the preliminary and final platting procedures of the Subdivision Code of the City of Smithville, the site plan review standards required herein shall be reviewed and approved at or during the final platting process, without regard to the separate site plan review procedures above. If the development receives final plat and site plan approval, the site plan approval granted therein shall be valid for a period of five (5) years if the project is started within the twelve (12) month period from the time the site plan was approved. For purposes of this provision, a project is "started" if construction on at least one (1) of the buildings contemplated therein is commenced within twelve (12) months and completed within twenty-four (24) months. If the project is not "started", said site plan approval shall be invalid and resubmission of an application for site plan approval shall be required and the procedures listed above shall apply. Any final plat approval that includes a site plan approval is limited to the buildings contained in the original site plan review. Whether or not the site plan is "started", the continued validity of the final plat shall be subject to the requirements of Article VI of the Subdivision Code. The Board may, in its approval of the final plat and site plan, allow more time in accordance with a phasing plan submitted by the applicant; or may extend the original period of validity if, prior to termination thereof, the applicant requests an extension for good cause shown. The Board shall have full discretion in determining what constitutes good cause. ~~(Ord. No. 2640-08 §1, 6-3-08)~~

SECTION 400.410: STANDARD OF REVIEW

The recommendations of the ~~Community Development~~ Review Committee~~Director~~, the Planning Commission and the Board of Aldermen shall be based upon the following standards:

1. The extent to which the proposal conforms to these regulations.
2. The extent to which the development would be compatible with the surrounding area.
3. The extent to which the proposal conforms to the provisions of the City's subdivision regulations concerning the design and layout of the development, as well as water system, sewer system, stormwater protection and street improvements.
4. The extent to which the proposal conforms to the policies and provisions of the City's Comprehensive Plan.
5. The extent to which the proposal conforms to the adopted engineering standards of the City.

6. The extent to which the locations of streets, paths, walkways and driveways are located so as to enhance safety and minimize any adverse traffic impact on the surrounding area.

7. The extent to which the buildings, structures, walkways, roads, driveways, open space and parking areas have been located to achieve the following objectives:

- a. Preserve existing off-site views and create desirable on-site views;
- b. Conserve natural resources and amenities available on the site;
- c. Minimize any adverse flood impact;
- d. Ensure that proposed structures are located on suitable soils;
- e. Minimize any adverse environmental impact; and

f. Minimize any present or future cost to the municipality and private providers of utilities in order to adequately provide public utility services to the site.

~~88.~~ The Board of Aldermen may waive any or ~~all of all~~ these provisions for reasonable cause. ~~(Ord. No. 2640-08 §1, 6-3-08)~~

SECTION 400.415: SUBMISSION REQUIREMENTS

A. The site plan shall include the following data, details and supporting plans which are found relevant to the proposal. The number of pages submitted will depend on the proposal's size and complexity. The applicant shall make notations explaining the reasons for any omissions.

B. Site plans shall be prepared by a registered professional engineer, architect or landscape architect at a scale of one (1) inch equals twenty (20) feet on standard twenty-four (24) inch by thirty-six (36) inch sheets. Items required for submission include:

1. Name of the project, address, boundaries, date, north arrow and scale of the plan(s). If more than one (1) sheet is used, each sheet shall provide the title of the matter displayed, e.g., site plan, utility plan, lighting plan.

2. Name and address of the owner of record, developer and seal of the engineer, architect or landscape architect.

3. Name and address of all owners of record of abutting parcels, as well as the land uses and structures (within one hundred eighty-five (185) feet) thereon.

4. All existing lot lines, easements and rights-of-way, as well as a table identifying the area in acres or square feet.

5. The location and use of all existing and proposed buildings and structures within the development. Include all dimensions of height and floor area and show all exterior entrances and all anticipated future additions and alterations. For developments in the historic Central Business District ("CBD") indicate design details to make new construction compatible with existing structures.

6. The location of all present and proposed public and private ways, parking areas, driveways, sidewalks, ramps, curbs and fences.

7. Detailed drawings of all screening to be constructed indicating the type of construction, material to be used and visual appearance of said screening. Screening includes, but is not limited to, waste disposal containers, storage areas and mechanical equipment.

8. A lighting plan in conformance with the criteria as set forth in Section 400.680.

9. The location, height, size, materials and design of all proposed signage. Final approval of signs is by a separate permit process.

10. A landscaping plan in conformance with the criteria as set forth in Section 400.685.

11. The location of all present and proposed utility systems including: sewerage or septic system; water supply system; telephone, cable and electrical systems; and storm drainage system including existing and proposed drain lines, culverts, catch basins, headwalls, end walls, hydrants, manholes and drainage swells.

12. Plans to prevent the pollution of surface or ground water, erosion of soil both during and after construction, excessive runoff, excessive raising or lowering of the water table and flooding of other properties, as applicable. The applicant shall provide a copy of an erosion control plan for review as well as a copy of a Missouri Department of Natural Resources land disturbance permit (if required). The erosion control plan shall utilize best management practices as prescribed in the Missouri DNR principles of best management guidelines. The applicant shall adhere to the City of Smithville Erosion and Sediment Control Manual.

13. Existing and proposed topography shown at not more than two (2) foot contour intervals. All elevations shall refer to the United States Geodetic Survey (USGS) datum. If any portion of the parcel is within the 100-year floodplain, the area shall be shown with base flood elevations; and the developer shall present plans for meeting Federal Emergency Management Agency (FEMA) requirements.

14. Zoning district boundaries adjacent to the site's perimeter shall be drawn and identified on the plan.

15. Traffic flow patterns within the site, entrances and exits, loading and unloading areas, curb cuts on the site and within one hundred (100) feet of the site.

If requested by the City, the applicant shall provide a detailed traffic study that includes:

a. The projected number of motor vehicle trips to enter or leave the site, estimated for daily and peak hour traffic levels;

b. The projected traffic flow pattern including vehicular movements at all major intersections likely to be affected by the proposed use of the site; and

c. The impact of this traffic upon existing abutting public and private ways in relation to existing road capacities. Existing and proposed daily and peak hour traffic levels, as well as road capacity levels, shall also be given.

16. For new construction or alterations to any existing building, a table containing the following information must be included:

a. Area of building to be used for a particular use, such as retail operation, office, storage, etc.;

b. Percentage of facade surface area consisting of glass, windows or other clear openings;

c. Maximum number of employees;

d. Maximum seating capacity, where applicable;

e. Number of parking spaces existing and required for the intended use;
and

f. Method by which large areas of paved parking are broken by appropriate landscaping.

17. Color photographs of surrounding structures within one hundred eighty-five (185) feet of sufficient detail to determine compliance with these provisions. ~~(Ord. No. 2640-08 §1, 6-3-08)~~

18. In developments proposed in a R-3 district where the platting process is not implicated or required, the proposal must also show how the project meets the requirements for dedication or reservation of public open space as is described in Section

425.200- 425.230 of the City Code, which shall include payment in lieu of dedication requirements if no dedication or reservation is included or accepted.

SECTION 400.419: DEVELOPMENT STANDARDS IN R-3 DISTRICTS

Intent. All residential building and sites shall be constructed with materials that are durable, economically maintained and of a quality that will retain their appearance over time.

1. Building Materials. The materials used shall meet the intent of this section by being of such quality, design and type that they will maintain their installed appearance overtime. These materials must be organized in a cohesive development pattern for each of the proposed buildings in the development area.
2. Building color. Color schemes shall tie building elements together, relate separate (freestanding) buildings within the same development to each other and shall be used to enhance the architectural form of a building. The principal color of all structures shall be generally earth tones, grays and blue-grays or combinations thereof. Intense, bright, black or fluorescent colors must be specifically requested and can only be approved by the Board of Aldermen and in no event shall they be the predominate color on any wall or roof.
3. Building massing and facade treatment.
 - a. Variation in massing. A single, large dominant building mass shall be avoided.
 - b. All building walls shall have horizontal and vertical architectural interest and variety to avoid the effect of a single, blank, long or massive wall with no relation to human scale.
4. Site Layout principles. Access to the development should take into account the service level of the adjacent roadways and shield or buffer the residential buildings from traffic noise and conflicts associated with higher level roadways, building orientation.
 - A. All primary and pad site buildings shall be arranged and grouped so that their primary orientation complements adjacent and existing developments and either:
 - (1) Frames the corner of an adjacent street intersection; or
 - (2) Frames and encloses a "main street" pedestrian and/or vehicle access corridor within the development site; or
 - (3) Frames and encloses on at least three (3) sides parking areas, public spaces or other site amenities.
 - (4) Alternatives. An applicant may submit an alternative development pattern, provided such pattern achieves the intent of the above standards and this Section.
 - B. Parking lot layout.

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(1) In order to reduce the scale of paved surfaces and to shorten the walking distance between the parked car and the building, off-street parking for all developments shall be located according to one (1) of the following:

(a) A minimum of forty percent (40%) of the off-street parking spaces provided shall be located other than between a facade facing a public right-of-way and the public right-of-way (e.g., to the rear or side of the building); or

(b) More than sixty percent (60%) of the off-street parking spaces provided may be located between the front facade of the primary building(s) and the abutting street, provided the amount of interior and perimeter parking lot landscaping required is increased by fifty percent (50%) and the overall green space is increased by twenty-five percent (25%).

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5. Lighting Standards. Since the development is primarily residential in nature, lighting shall be designed for safety as its' primary goal. To the extent the development is adjacent to residential uses other than R-3, a photometric plan showing the development meets the off-site standards required of commercial developments in Section 400.430 is required. Parking lot lighting shall be limited to illuminating the parking areas without spilling over into other areas of the site or offsite. The height of light poles should be consistent with the overall development design, but in no event shall the lights be more than 20' above adjacent grade. Building attached lighting shall be directed downward, and in no event should it be directed such that its glare is off site. Pedestrian walkway lighting shall be such that it primarily illuminates the path(s) involved with generally low stature lights. If necessary or an integral part of the design of the development, taller lights may be installed, but in no event shall they exceed 10' from adjacent grade.

6. Landscaping Standards. To maintain the general residential feel of the development, landscaping should be designed in accordance with its location. In all developments, existing mature trees that are not required to be removed for construction should remain in place. The development should be buffered from adjacent roadways with either a combination of berms and medium stature trees, or without berms a combination of both higher stature trees and low standing non-deciduous trees or shrubs. Grouping or clustering such trees in a natural looking state is desired. In the event a building or parking area is adjacent to a public street, the landscape buffering requirements in Section 400.435.C.3 shall be met.

7. Pedestrian and Recreation considerations. In addition to the considerations identified in Section 400.415.B.18, above, all Residential developments shall account for the recreational needs of the project residents as well as providing access to the public recreational offerings. In order to meet the public offering requirements, the standards in the Comprehensive Plan and Parks Master plans of the City of Smithville shall the prime consideration.

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SECTION 400.420: DEVELOPMENT STANDARDS IN "B-1", "B-2" AND "B-3" DISTRICTS

Intent. All buildings shall be constructed or clad with materials that are durable, economically maintained and of a quality that will retain their appearance over time.

1. Building materials.

a. Approved materials. The following materials shall be used on all commercial and/ or office buildings.

- (1) Natural or synthetic stone complying with applicable building codes;
- (2) Brick;
- (3) Integrally colored, textured or glazed concrete masonry units;
- (4) Pre-cast, cast in place or tilt up concrete panels with a rough texture;
- (5) Stucco;
- (6) Glass, including glass curtain walls, glass block;
- (7) Architectural metal wall panels provided no more than twenty-five percent (25%) on any facade and located four (4) feet or more above grade;
- (8) Cementitious fiber planking, siding or panels with the appearance of wood meeting applicable building codes and located four (4) feet or more above grade.

b. Prohibited materials. The following exterior building materials shall be prohibited if used as the primary material proposed:

- (1)
 - (1) Metal, except when used only in an incidental role such as trim, architectural features, standing seam metal roofing or other architectural metal siding or roofing as specifically approved.
 - (2) Natural wood, wood siding, wood and plywood paneling unless approved as a portion of a façade treatment that articulates multiple materials;

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(3) Split shakes, rough-sawn or board and batten wood when used as siding;

(4) Vinyl siding unless approved as a portion of a façade treatment that articulates multiple materials;

(5) Smooth-faced gray concrete block either unpainted, painted or stained;

(6) Tilt-up concrete panels without rough texture surface;

c. Conditional materials. The Governing Body as a part of a site development plan can approve new materials not listed above.

2. Building color.

a. Color schemes shall tie building elements together, relate separate (freestanding) buildings within the same development to each other and shall be used to enhance the architectural form of a building.

b. All roof penetrations and building projections including, but not limited to, chimneys, flues, vents, gutters, access ladders and meters shall match or complement the permanent color of the adjacent building wall and/or roof materials.

c. All service, delivery and overhead doors shall match or complement the permanent color of the adjacent building wall.

d. Colors of all buildings, structures and appurtenances shall be compatible with developed properties within one hundred eighty-five (185) feet. The principal color of all structures shall be generally light earth tones, grays and blue-grays or combinations thereof. Intense, bright, black or fluorescent colors must be specifically requested and can only be approved by the Board of Aldermen and in no event shall they be the predominate color on any wall or roof.

3. Building massing and facade treatment.

a. Variation in massing. A single, large dominant building mass shall be avoided.

b. All building walls shall have horizontal and vertical architectural interest and variety to avoid the effect of a single, blank, long or massive wall with no relation to human scale. The building design shall be consistent with the following standards:

(1) Vertical wall articulation. There shall be no blank, unarticulated building walls exceeding thirty (30) feet in length. All building walls shall be designed to meet the following standards:

(a) Any wall exceeding thirty (30) feet in length shall include vertical architectural features such as columns, ribs, pilasters, piers, changes in wall planes, changes in texture or materials and window/door pattern no less than twelve (12) inches in width.

(b) The total width of the vertical feature(s) shall extend at least ten percent (10%) of the entire length of the facade.

(c) All building walls shall include materials and design characteristics consistent with those on the front entry facade.

(2) Horizontal wall articulation. All building walls shall present a clearly recognizable base, middle and top by meeting the following standards:

(a) A recognizable "base" may consist of, but is not limited to:

(i) Thicker walls, ledges or sills;

other masonry;

(ii) Integrally textured materials such as stone or

as smooth-finished stone or tile; or

(iii) Integrally colored and patterned materials such

(iv) Lighter or darker colored materials or panels.

(b) A recognizable "top" may consist of, but is not limited to:

(i) Cornice treatments, other than colored "stripes" or "bands" with integrally textured materials such as stone or other masonry or differently colored materials;

(ii) Sloping roof with overhangs and brackets;

(iii) Stepped parapets; or

base.

(iv) Lighter or darker colored materials from the

4. Site layout principles.

a. Building orientation. All buildings shall be oriented so that the primary facade meets the following standards:

(1) Buildings located mid-block should be oriented with the primary facade facing the public right-of-way, unless it can be shown that there are compelling site conditions that necessitate a different orientation. If site conditions necessitate that the primary customer entrance not face the public right-of-way, then the building is considered to have two (2) primary facades, the one (1) facing the right-of-way and the one (1) with the primary customer entrance.

(2) Buildings on corner lots should be oriented with the primary facade facing a public right-of-way, unless it can be shown that there are compelling site conditions that necessitate a different orientation. If site conditions necessitate that the primary customer entrance not face the public right-of-way, then the building is considered to have three (3) primary facades, the two (2) facades that face public rights-of-way and the facade that incorporates the customer entrance.

(3) Buildings on double-frontage lots should have the primary customer entrance oriented to face the higher classified street, unless it can be shown that there are compelling site conditions that necessitate a different orientation. In the case where both streets have the same classification, the orientation shall follow the pattern established in the existing properties along the street frontage.

b. Primary facades. Primary facades shall have at least two (2) of the following:

(1) A primary customer entrance;

(2) Arcades or colonnades a minimum of six (6) feet wide or other roof treatment that provides shade and a break in the vertical plane, along at least thirty percent (30%) of the horizontal length of the primary facade.

(3) Display windows or other clear openings along at least forty percent (40%) of the horizontal length of the primary facade.

(4) Awnings, associated with window and/or doors, in maximum increments of fifteen (15) feet or less in length, along at least fifty percent (50%) of the horizontal length of the primary facade. No writing, logos or other advertising may be placed upon any such awnings.

(5) For parcels less than one-half ($\frac{1}{2}$) acre, foundation landscaping adjacent to and along the full length of the primary facade. The landscaped area shall be a minimum of eight (8) feet wide and shall include ten (10) shrubs with one

(1) shade tree or two (2) ornamental trees for each twenty-five (25) feet or fraction thereof of the lineal building facade. This landscaping is in addition to other landscaping required by this Article.

(6) Any other treatment that, in the opinion of the Development Review Committee, meets the intent of this Section.

c. Secondary facades shall be designed with consistent architectural style, detail, trim features and roof treatments of the primary facade as required in the building massing and facade treatment Section above. A secondary facade with a primary customer entrance shall, by definition, meet the primary facade requirements.

d. Customer entrances.

(1) All buildings shall comply with the following design standards:

(a) Buildings with fifty thousand (50,000) square feet or more of gross floor area shall have more than one (1) customer entrance. Smaller buildings are encouraged to provide multiple entrances where practicable.

(b) Where additional businesses will be located in the primary building, each such store may have an exterior customer entrance, which shall comply with the prominent entrance requirement below.

(2) Prominent entrances required. Every building, including all buildings when located a single site, shall have clearly-defined, highly-visible customer entrances as required in Subsection (1) above featuring no less than three (3) of the following:

- (a) Canopies or porticos;
- (b) Awnings;
- (c) Overhangs;
- (d) Recesses/projections;
- (e) Arcades;
- (f) Raised corniced parapets over the door;
- (g) Peaked roof forms;
- (h) Arches;

- (i) Outdoor patios;
- (j) Display windows;
- (k) Architectural detail, such as tile work, brick detailing and moldings integrated into the building structure and design; or
- (l) Integral planters or wing walls that incorporate landscaped areas and/or places for sitting.

(3) Awnings.

- (a) Awnings shall be no longer than a single storefront.
- (b) Fabric awnings are encouraged; canvas awnings with a matte finish are preferred. Awnings with high gloss finish are discouraged. Illuminated, plastic awnings are prohibited.
- (c) Awning colors shall be compatible with the overall color scheme of the facade from which it projects. Solid colors or subtle striped patterns are preferred.

e. Parking lot layout.

(1) In order to reduce the scale of paved surfaces and to shorten the walking distance between the parked car and the building, off-street parking for all developments shall be located according to one (1) of the following:

- (a) A minimum of forty percent (40%) of the off-street parking spaces provided shall be located other than between a facade facing a public right-of-way and the public right-of-way (e.g., to the rear or side of the building); or
- (b) More than sixty percent (60%) of the off-street parking spaces provided may be located between the front facade of the primary building(s) and the abutting street, provided the amount of interior and perimeter parking lot landscaping required is increased by fifty percent (50%) and the overall green space is increased by twenty-five percent (25%).

f. Multiple building developments.

(1) Site layout and building orientation. All primary and pad site buildings shall be arranged and grouped so that their primary orientation complements adjacent and existing developments and either:

- (a) Frames the corner of an adjacent street intersection; or

(b) Frames and encloses a "main street" pedestrian and/or vehicle access corridor within the development site; or

(c) Frames and encloses on at least three (3) sides parking areas, public spaces or other site amenities.

(2) Alternatives. An applicant may submit an alternative development pattern, provided such pattern achieves the intent of the above standards and this Section. Strictly linear or strip commercial development patterns shall be avoided, unless the usable lot shape would prohibit any other reasonable layout.

g. Single building developments.

(1) Unless part of a larger planned development, when there is only one (1) building in a proposed development, the development shall comply with the following standards:

(a) Single-tenant building. A single-tenant building shall be oriented toward the primary abutting street and shall comply with the provisions of the site layout principles listed above.

(b) Multi-tenant building. A multi-tenant building shall have at least fifty percent (50%) of the building's "active" wall oriented toward the primary abutting street and shall comply with the site layout principles listed above. Deep setbacks behind large expanses of parking areas or vacant land shall be avoided. For purposes of this standard, the "active" wall shall be the side of the building containing the majority of storefronts, customer entrances and windows.

(2) Alternatives. An applicant may submit an alternative development pattern, provided such pattern achieves the intent of the above standards and this Section. Strictly linear or "strip" commercial development patterns shall be avoided, unless the usable lot shape would prohibit any reasonable use. ~~(Ord. No. 2640-08 §1-6-3-08)~~

SECTION 400.421: DEVELOPMENT STANDARDS IN "B-4" DISTRICTS

Intent. All buildings shall be constructed or clad with materials that are durable, economically maintained and of a quality that will retain their appearance over time. Given the inclusion in this District of many of the older, historical buildings in the downtown area of the City, the intent is to encourage new building construction that is harmonious with the character of the buildings adjacent to any existing structure; to regulate the materials used on existing buildings so as to highlight the architecture of the building; and, to exempt existing buildings that are either in a historic district or are individually identified as historic and any such exempted properties must complete

rehabilitation or remodeling in accordance with the Secretary of Interior's Guidelines for Rehabilitation of a Historic Property.

A. Building Materials.

1. Any material allowed in Section 400.420 may be used in the B-4 district for construction of a new building, and any additional materials, including prohibited materials may be used if presented in an overall development proposal that does not negatively impact property values in the area. In keeping with the intent of this section, repairs, additions or changes to an existing building should strive to highlight the architectural details of the existing building, and any proposed materials may be submitted for review, so long as the intent of including the material is part of a design concept that takes into account the existing structure, and is harmonious with the adjacent buildings.

B. Building Color.

1. Color schemes shall strive to tie building elements together, highlight significant architectural details consistent with original usages and generally enhance the historic nature of the area.

2. All roof penetrations, building projections and building equipment shall match or complement the permanent color of the building, or be otherwise shielded from view from the public right-of-way.

C/ Building massing and façade treatment.

All new construction shall be designed to enhance the look of the district and should, to the extent practicable, conform to the intent of the overall district.

D. Site layout principles.

New buildings constructed in this district should, to the extent practicable, match the setbacks of the adjacent structures from the existing right of way, but in no event shall any primary entrance door open directly into the path of the public right of way. Any remodel or addition to an existing structure shall make changes to recess any primary entrance into the building so as to not obstruct any public right of way when opened.

SECTION 400.425: DEVELOPMENT STANDARDS IN "I-1" AND "I-2"

A. Building Materials.

1. Building material wrap. The exterior building materials utilized on the street facade(s) shall be extended in a continuous wrap around to the non-street facing facade

by a minimum of thirty percent (30%) of the building wall length. Any other treatment that, in the opinion of the Development Review Committee, meets the intent of this Section may be approved.

2. Industrial buildings on industrial zoned properties adjacent to arterial or higher classified streets shall utilize the following materials.

a. All building walls(s) facing a public or private street shall utilize one hundred percent (100%) of the following materials:

- (1) Natural or synthetic stone complying with applicable building codes; or
- (2) Brick; or
- (3) Integrally colored concrete masonry (CMU) with split-face, fluted, scored or other rough texture finish; or
- (4) Pre-cast, cast in place or tilt up concrete panels with a rough texture surface; or
- (5) Stucco located four (4) feet or more above grade; or
- (6) EIFS or synthetic stucco, provided no more than twenty-five percent (25%) is used on any facade and located four (4) feet or more above grade; or
- (7) Glass including glass curtain walls, glass block, excluding mirror glass which reflects more than forty percent (40%) of incident visible light; or
- (8) Architectural metal wall panels, provided no more than twenty-five percent (25%) on any facade and located four (4) feet or more above grade.

b. All building wall(s) not facing a public or private street shall utilize the following materials:

- (1) A minimum of fifty percent (50%) of the building wall area shall be approved materials listed in Subsection (A)(2)(a) above.
- (2) Pre-finished/pre-engineered metal siding panels and/or pre-engineered and pre-finished rough textured metal siding panel systems with a rough texture surface (meeting adopted building codes) or smooth pre-cast, cast in place or tilt up concrete panels may be used on the remaining building wall area.

c. Industrial buildings on industrial zoned properties adjacent to streets not classified as arterial or higher classified streets shall utilize the following materials:

(1) All building wall(s) facing a public or private street shall utilize the following materials:

(a) A minimum of fifty percent (50%) of the building wall area shall be approved materials listed in Subsection (A)(2)(a) above.

(b) Pre-finished/pre-engineered metal siding panels and/or pre-engineered and pre-finished rough textured metal siding panel systems with a rough texture surface (meeting adopted building codes) may be used on the remaining building wall area.

(2) All building wall(s) not facing a public or private street may utilize pre-engineered or pre-finished rough textured metal siding panel systems with a rough texture surface, which meet adopted building codes or smooth pre-cast, cast in place or tilt up concrete panels.

d. Prohibited materials. The following exterior building materials shall be prohibited:

(1) Metal panel siding with a thickness of less than twenty-four (24) gauge and with a corrugation of less than one and one-fourth ($1\frac{1}{4}$) inch depth;

(2) Natural wood, wood siding, wood and plywood paneling;

(3) Vinyl siding;

(4) Smooth-faced gray concrete block either unpainted, painted or stained;

(5) Tilt-up concrete panels without rough texture surface on any building wall(s) facing a public or private street.

e. Conditional materials. The Governing Body as a part of a site development plan can approve new materials not listed above.

B. Building Color.

1. Color schemes shall tie building elements together, relate separate (freestanding) buildings within the same development to each other and shall be used to enhance the architectural form of a building.

2. All roof penetrations and building projections including, but not limited to, chimneys, flues, vents, gutters, access ladders and meters shall match or complement the permanent color of the adjacent building wall and/or roof materials.

3. All service, delivery and overhead doors shall match or complement the permanent color of the adjacent building wall.

4. Colors of all buildings, structure and appurtenances shall be compatible with developed properties within one hundred eighty-five (185) feet. The principal color of all structures shall be generally light earth tones, grays and blue-grays or combinations thereof. Intense, bright, black or fluorescent colors must be specifically requested and can only be approved by the Board of Aldermen and in no event shall they be the predominate color on any wall or roof.

C. Building Massing And Facade Treatment.

1. Variation in massing. A single, large dominant building mass shall be avoided.

2. Vertical wall articulation. There shall be no blank, unarticulated building walls exceeding sixty (60) feet in length. All building walls shall be designed to meet the following standards:

a. Any wall exceeding sixty (60) feet in length shall include vertical architectural features such as columns, ribs, pilasters, piers, changes in wall planes, changes in texture or materials and window/door pattern no less than twelve (12) inches in width.

b. Any vertical features mentioned in Subsection (C)(2)(a) above shall have a depth of at least six (6) inches. The total area of the vertical features shall encompass at least five percent (5%) of the entire length of the facade.

c. Options include:

(1) Alteration of material types;

(2) Facade articulation such as expressing the structural bays of the building with pilasters or other detailing;

(3) Step down and/or step backs which follow the terrain;

(4) Architectural features such as columns, pilasters, canopies, porticos, awnings, brackets or arches;

(5) Boxed in downspouts; or

(6) The Board of Aldermen may approve any other treatment that in the opinion of the Development Review Committee meets the intent of this Section.

3. Horizontal wall articulation. All building walls shall present a clearly recognizable base, middle and top by meeting the following standards:

a. The "base" around all sides of the building to a height of four (4) feet shall consist of one (1) of the following high quality, durable materials:

- (1) Brick;
- (2) Natural or synthetic stone; or
- (3) Integrally colored concrete masonry units (CMU) with a rough texture surface.

b. The "top" around all sides of the building shall consist of one (1) of the following:

- (1) Sloped roofs. Sloped roofs shall have a minimum pitch of three (3) feet vertical rise for twelve (12) feet of horizontal run.
- (2) Flat roofs. A parapet or articulated cornice lines shall be provided for roofs with a pitch less than three (3) feet of rise for twelve (12) feet of run.

4. Four-sided architecture. All sides of a building shall include similar architectural details, materials, colors and articulation to avoid a back side.

5. The Board of Aldermen on a case-by-case basis may approve a clearly defined alternative building composition.

D. Site Layout Principles.

1. Building orientation and parking lot layout. All buildings shall be oriented so that the primary facade (facade with primary customer entrance) meets the following standards:

a. Buildings located mid block.

(1) Buildings located mid block should be oriented with the primary facade facing the public right-of-way. A minimum of sixty percent (60%) of the off-street parking spaces provided shall be located in the side or rear yard areas. The remaining forty percent (40%) of spaces may be located between the facade and the right-of-way.

(2) If site conditions necessitate that the primary customer entrance not face the public right-of-way, the building shall be considered to have two (2) primary facades, the facade facing the right-of-way and the one (1) with the primary

customer entrance. In buildings with two (2) facades, the parking area between the public right-of-way and the facade shall be limited to no more than twenty percent (20%) of the total off-street parking.

b. Buildings located on corner lots. Corner lot buildings shall have two (2) primary facades, each facing the public right-of-way. One (1) of those primary facades shall contain the primary customer entrance. No parking spaces shall be allowed in the area between the public right-of-way and the primary facade that does not contain the primary customer entrance. A minimum of sixty percent (60%) of the off-street parking spaces provided shall be located in the side or rear yard areas. The remaining forty percent (40%) of spaces may be located between the facade with the primary customer entrance and the right-of-way.

c. Buildings with double frontage. In buildings on double frontage lots, the primary customer entrance shall be located facing one (1) of the two (2) public rights-of-way. Both facades facing the right-of-way shall be primary facades. A minimum of fifty percent (50%) of the off-street parking spaces provided shall be located in the side yard areas. The remaining fifty percent (50%) of the parking spaces may be located in either of the areas between the primary facades and the public rights-of-way, with no more than forty percent (40%) of the spaces being located in any one (1) yard.

2. Primary facades and landscaping.

a. Primary facades shall have at least two (2) of the following:

(1) A primary customer entrance;

(2) Arcades, colonnades or other roof treatment that provides shade and a break in the vertical plane, along at least thirty percent (30%) of the horizontal length of the primary facade;

(3) Awning, associated with window and/or doors, in maximum increments of twenty (20) feet or less in length along at least fifty percent (50%) of the primary facade;

(4) Foundation landscaping adjacent to and along the full length of the primary facade. The landscaped area shall be a minimum of eight (8) feet wide and shall include ten (10) shrubs with one (1) shade tree or two (2) ornamental trees for each twenty-five (25) feet or fraction thereof of the lineal building facade. It is encouraged to cluster the shrubs and trees in order to provide a break in the expanse of the facade. These landscaping requirements are in addition to other landscaping required by this Article.

b. Primary customer entrances/office portion.

(1) Each building shall have a clearly defined, highly visible customer entrance featuring at least one (1) of the following:

(a) Canopies or porticos;

(b) Awnings;

(i) Fabric awnings are encouraged; canvas awnings with a matte finish are preferred; awnings with a high gloss finish are discouraged.

(ii) Illuminated, plastic awnings and any awning with advertising or other writing, other than building numbers, are prohibited.

(c) Overhangs;

(d) Recesses/projections;

(e) Raised corniced parapets over the door;

(f) Peaked roof forms;

(g) Arches; or

(h) Other unique architectural detail.

(2) Office portion. At least forty percent (40%) of the office portion of the facade shall be transparent (i.e., glass) materials to differentiate it from the remainder of the building, unless the office portion covers the entire facade, in which only thirty percent (30%) shall be transparent. ~~(Ord. No. 2640-08 §1, 6-3-08)~~

SECTION 400.430: COMMERCIAL AND INDUSTRIAL DISTRICT LIGHTING STANDARDS

A. General Lighting Standards.

1. Intent. Eliminate adverse impacts of light spillover; provide attractive lighting fixtures and layout patterns that contribute to unified exterior lighting design of non-residential developments; and provide exterior lighting that promotes safe vehicular and pedestrian access to and within a development, while minimizing impacts on adjacent properties.

2. Color of light source. All lighting fixtures shall be color-correct types such as halogen or metal halide to ensure true-color at night and ensure visual comfort for pedestrians.

3. Design of fixtures/prevention of spillover glare. Light fixtures shall use full cut-off lenses to prevent glare and light spill off the project site onto adjacent properties, buildings and roadways. All lights shall be International Dark-Sky Association (IDA) approved fixtures.

4. Prohibited lights. The following lights are prohibited:

- a. Searchlights;
- b. Mercury vapor lights;
- c. High pressure sodium; and
- d. Halogen except when used as architectural/landscape lighting.

5. Exceptions. The following lights are excepted from these requirements:

a. Egress lights as required by the Building Code and less than one hundred (100) watts for incandescent, twenty-six (26) watts for compact fluorescent or forty (40) watts for other lighting sources.

b. Construction and emergency lighting used by construction workers or Police, fire-fighting or medical personnel, provided said lighting is temporary and is discontinued immediately upon completion of the construction work or abatement of the emergency requiring said lighting.

c. Security lighting controlled and activated by motion sensor devices for a duration of ten (10) minutes or less and less than one hundred (100) watts for incandescent, twenty-six (26) watts for compact fluorescent or forty (40) watts for other lighting sources.

6. Exemptions. The following lights are exempted from these requirements:

- a. Airport lighting;
- b. Street lighting installed per the Design and Construction Manual.

B. Photometric Plans.

1. A lighting engineer shall prepare the photometric plan.

2. A photometric plan, when required by this Chapter, shall indicate foot-candle levels on a ten (10) foot by ten (10) foot grid. When the scale of the plan, as determined by the Director, makes a ten (10) foot by ten (10) foot grid plot illegible, larger grid spacing may be permitted.

All photometric plans shall provide a breakdown indicating the maximum foot-candle, minimum foot-candle, average maintained foot-candle and the maximum to minimum ratio for each lighting zone.

All photometric plans shall include all structure(s), parking spaces, building entrances, traffic areas (both vehicular and pedestrian), vegetation that might interfere with lighting and adjacent uses that might be adversely impacted by the lighting. The plan shall contain a layout of all proposed fixtures by location orientation, aiming direction, mounting height and type. The plan shall include all other exterior lighting (e.g., architectural, building entrance, landscape, flag, accent, etc.).

For projects abutting or adjacent to residential properties, a photometric plan providing the as constructed lighting levels shall be provided to the **Community** Development Director prior to the issuance of a final certificate of occupancy. The as constructed photometric plan shall indicate the foot-candle levels on a ten (10) foot by ten (10) foot grid.

C. Parking Lot Lighting.

1. Parking lot lighting shall utilize flat lens fixtures with full cutoffs.

2. Parking lot fixtures shall be mounted to the parking lot light pole at ninety degrees (90°) and shall be non-adjustable.

3. The maximum overall pole height, measured to the top of the fixture from grade, shall comply with the following:

a. All light fixtures on properties adjoining residential uses and/or districts shall not exceed fifteen (15) feet within the perimeter area. For the purpose of this standard, the perimeter area shall be measured one hundred (100) feet from the property line closest to the residential use and/or district. Outside the perimeter area, the overall height may be increased to twenty (20) feet in height, measured to the top of the fixture from grade.

b. All light fixtures on properties adjoining residential uses and/or districts that are separated by a street and are within the perimeter area shall not exceed fifteen (15) feet. Outside the perimeter area, the overall height may be increased to twenty (20) feet in height, measured to the top of the fixture from grade.

c. All light fixtures on properties adjoining residential uses and/or districts that are separated by an arterial street and are within the perimeter area shall not exceed twenty-four (24) feet. Outside the perimeter area, the overall height may be increased to twenty-eight (28) feet in height, measured to the top of the fixture from grade.

d. All light fixtures on properties that do not adjoin residential uses and/or districts in Subsections (a) through (c) above shall not exceed twenty-eight (28) feet.

4. Maximum foot-candles. The maximum maintained vertical foot-candle at an adjoining residential property line shall be one-half (0.5) foot-candles, measured at three (3) feet above the grade.

5. Uniformity ratios. Luminaire fixtures shall be arranged to provide uniform illumination throughout the parking lot of not more than a six to one (6:1) ratio of average minimum illumination and not more than twenty to one (20:1) ratio of maximum to minimum illumination.

6. Maximum wattage.

a. All fixtures on developments that adjoin residential uses and/or districts shall be limited to one hundred seventy-five (175) watts maximum per head through the entire parking lot.

b. All fixtures on developments separated from residential uses and/or districts by a street shall be limited to one hundred seventy-five (175) watts maximum per head along the perimeter area. For the purpose of this standard, the perimeter area shall be measured one hundred (100) feet from the property line closest to the residential use and/or district. Outside the perimeter area, higher wattage fixtures may be utilized, but shall not exceed two hundred fifty (250) watts.

c. All fixtures on developments that adjoin commercial, office or industrial uses and/or districts shall be limited to four hundred (400) watts maximum per head.

7. Maximum light fixture heads.

a. Developments adjoining residential uses and/or districts including those separated by a street shall utilize single headed fixtures on the perimeter area.

b. The total aggregate wattage for multiple headed fixtures mounted on a single pole shall be limited to eight hundred (800) watts maximum.

c. Floodlight fixtures attached or mounted to parking lot light poles and/or fixtures are prohibited.

8. Lighting wattage may be further restricted depending on the elevation change between sites.

9. On all non-residentially developed lots which contain a minimum of four (4) parking lot light poles, parking lot lighting levels for surface parking lots and the top levels of parking decks and structures shall be reduced by at least fifty percent (50%) of the full operational levels within thirty (30) minutes after the close of business. Lighting levels may be reduced by turning off fifty percent (50%) of the parking lot lights or by dimming parking lot lighting levels to no more than fifty percent (50%) of the levels used during business or activity hours within thirty (30) minutes of the close of business or by some combination.

D. Wall-Mounted/Building-Mounted Lighting.

1. Building-mounted neon lighting is allowed only when recessed or contained in a cap or architectural reveal.

2. Wall-mounted fixtures are allowed only when full cut-off fixtures that direct the light downward are utilized.

3. Wall-mounted fixtures shall not exceed one hundred fifty (150) watts for incandescent and metal halide.

4. Wall-mounted/building-mounted fixtures shall be attached only to walls and the top of the fixture shall not exceed the height of the parapet or roof, whichever is greater. These fixtures on structures within one hundred (100) feet of residential use and/or district shall not exceed fifteen (15) feet measured from the top of the fixture to grade.

E. Pedestrian Walkway Lighting.

1. In commercial and/or office developments, pedestrian-level, bollard lighting, ground-mounted lighting or other low, glare-controlled fixtures mounted on buildings or landscape walls shall be used to light pedestrian walkways.

2. In industrial developments, pedestrian-level, bollard lighting, ground-mounted lighting or other low, glare-controlled fixtures mounted on buildings or landscape walls may be provided to light pedestrian walkways.

F. Architectural/Landscape/Artwork Lighting.

1. Fixtures used to accent architectural features, materials, colors, style of buildings, landscaping or art shall consist of full cut-off or directionally shielded lighting fixtures that are aimed and controlled so that the directed light shall be substantially confined to the object intended to be illuminated to minimize glare, sky glow and light trespass.

2. Architectural/landscape lighting shall not exceed one hundred fifty (150) watts for incandescent or seventy (70) watts for other lighting sources.

3. The maximum illumination of any vertical surface or angular roof surface shall not exceed four (4) foot-candles.

G. Canopy Lighting And Lighting Of Drive-Thru.

1. All canopied areas and drive-thru facilities such as banks, service stations, convenience stores, car washes, etc., shall comply with the following requirements.

2. The lighting of such areas shall not be used to attract attention to the business. Lighting levels shall be adequate to facilitate the activities taking place in such locations.

3. Acceptable fixtures and methods of illumination include:

a. Light fixtures mounted on canopies shall be recessed so that the lens cover is recessed and flush with the bottom surface (i.e., ceiling) of the canopy.

b. Indirect lighting may be used where light is beamed upward and then reflected down from the underside of the canopy. Such fixtures shall be shielded such that direct illumination is focused exclusively on the underside of the canopy.

4. Lights shall not be mounted on the top or sides (fascias) of the canopy and the sides (fasciae of the canopy) shall not be illuminated.

5. Areas around service station pump islands shall be illuminated so that the minimum illumination three (3) feet above grade is at least one (1.0) foot-candle and no more than five (5.0) foot-candles. The uniformity ratio (i.e., average illumination to minimum illumination) shall be no greater than four to one (4.0:1).

6. Automatic teller machines (ATM). The lighting around freestanding ATM shall not exceed sixteen (16) foot-candles, measured at three (3) feet above the grade, within a five (5) foot radius from the ATM or four (4) foot-candles within a thirty (30) foot radius.

H. Exterior Display Lighting.

1. The amount of the display area light, measured at three (3) feet above the grade, shall not exceed twenty-five (25) foot-candles with an average illumination to minimum illumination of not greater than five to one (5.0:1).

2. The height of the exterior light fixtures shall be as follows:

a. Wall-mounted/building-mounted fixtures shall be attached only to walls and the top of the fixture shall not exceed the height of the parapet or roof, whichever is greater. These fixtures on structures within one hundred (100) feet of residential use and/or district shall not exceed fifteen (15) feet measured from the top of the fixture to grade.

b. Pole-mounted fixtures shall not exceed twenty (20) feet as measured from finish grade to the top of the light fixture. Concrete pedestals/bases shall not exceed three (3) feet in height and shall be included in the overall height. These fixtures within one hundred (100) feet of residential use and/or district shall not exceed fifteen (15) feet measured from the top of the fixture to grade.

3. The lighting in enclosed display areas shall be extinguished within thirty (30) minutes after closing of the business. Under no circumstances shall the illumination of display lots be permitted between 11:00 P.M. (10:00 P.M. adjacent to residential) and 7:00 A.M.

4. The illumination of parking lot display lighting shall be reduced by one-half (½) between 11:00 P.M. (10:00 P.M. adjacent to residential) and 7:00 A.M. (~~Ord. No. 2640-08 §1, 6-3-08~~)

SECTION 400.435: LANDSCAPING AND BUFFERING REQUIREMENTS

A. General Standards. Development in "B-1", "B-2", "B-3", "I-1" and "I-2" Zoning Districts shall, in addition to any landscaping requirements in any previous Sections, also install landscaping and buffering in accordance with the following general standards:

1. The applicant shall make all reasonable efforts to preserve existing mature trees, streams or other natural features that contribute to the natural character of Smithville.

2. Any part of the lot area not used for structures, parking areas, loading zones, access ways, sidewalks or outdoor seating areas shall be landscaped with grass, ground cover, trees, shrubs and/or landscaping mulch or rock.

3. In areas where overhead utilities will be located after development of a lot, only small stature trees should be used where the ultimate height and form of the trees may cause interference. In the alternative, where no such utilities exist, it is recommended that large stature canopy trees be planted.

4. Buffer areas should be designed to shield adjacent uses from light, noise and other adverse impacts from the use of the lot(s). The depth of the buffer and combination of materials used will depend upon the type of use on the lot and the use of the adjoining tract(s).

5. Buffer areas shall include an assortment of deciduous trees, evergreen trees, fencing, shrubs, flowering ornamental trees and other landscaping materials in accordance with the specific requirements as identified below.

B. Buffer Zone Types.

1. Building buffer zones.

a. A "building buffer zone" is defined as the area between the building and a property line that abuts another property, with no parking, loading or vehicular travel areas located in between. Building buffer zones shall not include the area between a building and a property line that abuts a public right-of-way.

b. The building buffer zone shall extend the entire length of the building and, from each building corner, an additional distance equal to twenty percent (20%) of the building length for a total length of one hundred forty percent (140%) of the building length, unless a parking, loading or vehicular travel area is located between the building and the property line. If a parking, loading or vehicular travel area is located between the building and the property line, then the building buffer zone described above shall be reduced along the area where the parking, loading or vehicular travel area is located.

2. Parking buffer zones. The "parking buffer zone" is the area between the edge of the paved surface of a parking, loading or vehicular travel area and the property line and extends the length the property, except where such areas access a public street.

3. Street landscaping area. The street landscaping area is located along any property line that abuts a public street.

C. Specific Standards For "B-1", "B-2" And "B-3" Districts.

1. Adjacent to single- and two-family residential zones.

a. Building buffer zone.

(1) The building buffer zone shall be no less than thirty (30) feet wide.

(2) The building buffer zone shall include either an eighty percent (80%) sight-obscuring fence, six (6) feet tall and at forty (40) feet intervals, clusters of ornamental flowering trees and shrubs or large stature canopy trees and other small landscaping features with the plantings located between the fence and the property line; or evergreen trees at least six (6) feet in height planted ten (10) feet apart on center and not more than ten (10) feet from the property line and clusters of ornamental flowering trees and shrubs or large stature canopy trees and other small landscaping features placed at intervals of forty (40) feet.

b. Parking buffer zones.

(1) The parking buffer zone shall be no less than fifteen (15) feet wide.

(2) The parking buffer zone shall include non-deciduous shrubs, hedges or evergreen plantings at least two (2) feet in height at the time of installation and spaced or clustered in such a manner as to obscure at least eighty percent (80%) of the parking, loading or vehicular travel area. There shall be a minimum of three (3) such plantings for each ten (10) feet of linear distance and planted not more than five (5) feet from the edge of the paved surface.

(3) In addition to the evergreen materials above, there shall also be either two (2) large stature trees or four (4) ornamental flowering trees planted for each sixty (60) feet of the zone.

2. Adjacent to multi-family, business or industrial zones.

a. Building buffer zones.

(1) For each sixty (60) linear feet of the building buffer zone, a minimum of one (1) deciduous tree is required.

(2) For each seventy (70) linear feet of the building buffer zone, a minimum of one (1) ornamental flowering tree is required.

(3) For each seventy-five (75) linear feet of the building buffer zone, a minimum of three (3) shrubs or low stature evergreen bushes is required.

(4) Clustering of groups of trees and shrubs in an attractive and natural setting is encouraged.

b. Parking buffer zones.

(1) For each sixty (60) linear feet of the parking buffer zone, one (1) deciduous or one (1) ornamental flowering tree is required.

(2) For each fifty (50) linear feet of the parking buffer zone, one (1) shrub or low stature evergreen bush is required.

(3) Clustering of groups of trees and shrubs in an attractive and natural setting is encouraged.

3. Street landscaping.

a. In areas where a parking lot is adjacent to the street, the plan shall include low hedges ornamental grasses or low walls and one (1) ornamental flowering tree for every seventy-five (75) linear feet of property line. The number, size and spacing of low features and/or plantings shall be such that the parking lot shall be effectively screened from view without obstructing traffic movements from and to the lot.

b. In areas where the building is adjacent to the street, there shall be one (1) large stature deciduous tree or two (2) ornamental flowering trees for every seventy-five (75) linear feet and three (3) shrubs for every forty (40) linear feet of property line. Attractive clustering of the required plantings is encouraged.

D. Specific Standards For "I-1" And "I-2" Districts.

1. Areas adjacent to residential properties.

a. Building buffer zone.

(1) The building buffer zone shall be no less than forty (40) feet wide.

(2) The building buffer zone shall include both an eighty percent (80%) sight-obscuring fence, six (6) feet tall and evergreen trees at least six (6) feet tall at planting, spaced ten (10) feet apart on center, not less than ten (10) feet from the property line.

b. Parking buffer zones.

(1) The parking buffer zone shall be no less than twenty (20) feet wide.

(2) The parking buffer zone shall include shrubs, hedges or evergreen plantings two (2) feet in height at the time of planting placed no less than five (5) feet from the edge of the paved surface. The number of plantings shall be such that the parking lot is at least eighty percent (80%) obscured.

2. Areas adjacent to business or industrial properties.

a. Building buffer zones.

(1) For each sixty (60) linear feet of the building buffer zone, a minimum of one (1) deciduous tree is required.

(2) For each seventy (70) linear feet of the building buffer zone, a minimum of one (1) ornamental flowering tree is required.

(3) For each seventy-five (75) linear feet of the building buffer zone, a minimum of three (3) shrubs or low stature evergreen bushes is required.

(4) Clustering of groups of trees and shrubs in an attractive and natural setting is encouraged.

b. Parking buffer zones.

(1) For each sixty (60) linear feet of the parking buffer zone, one (1) deciduous or one (1) ornamental flowering tree is required.

(2) For each fifty (50) linear feet of the parking buffer zone, one (1) shrub or low stature evergreen bush is required.

(3) Clustering of groups of trees and shrubs in an attractive and natural setting is encouraged.

3. Street landscaping.

a. In areas where a parking lot is adjacent to the street, the plan shall include low hedges, ornamental grasses or low walls and one (1) ornamental flowering tree for every seventy-five (75) linear feet of property line. The number, size and spacing of low features and/or plantings shall be such that the parking lot shall be effectively screened from view without obstructing traffic movements from and to the lot.

b. In areas where the building is adjacent to the street, there shall be one (1) large stature deciduous tree or two (2) ornamental flowering trees for every seventy-five (75) linear feet and three (3) shrubs for every forty (40) linear feet of property line. Attractive clustering of the required plantings is encouraged. ~~(Ord. No. 2640-08 §1, 6-3-08)~~

SECTION 400.440: MISCELLANEOUS DESIGN STANDARDS

A. Screening Of Trash Dumpsters And Storage Containers. All trash dumpsters and storage containers shall be screened on all sides with an enclosure equal to the height of the containers. Each enclosure shall consist of solid walls and shall match the color, materials and design of the building.

B. Screening of Mechanical Equipment.

1. Exterior ground-mounted equipment shall be screened from view with a solid wall that matches the color, materials and design of the building. The height of the screen shall be no lower than the height of the unit as installed. Building-mounted equipment, including, but not limited to, vents, meters and flues, shall match or complement the permanent color of the adjacent building wall.

2. All roof top units shall be screened from view with a parapet or an architectural treatment compatible with the building architecture equal to the height of the unit as installed.

C. Maintenance.

1. Exposed walls and roofs of buildings shall be maintained in a clean, orderly and attractive condition, free of cracks, dents, punctures, breakage and other forms of visible marring. Materials that become faded, chalked or otherwise deteriorated shall be refinished, painted or replaced. Exterior grounds including parking lots and associated pavement shall be maintained without potholes, unfilled cracks, broken sidewalks and curbing.

2. Landscape plantings shall be maintained so that the initial plantings survive. If a planting, including trees, should not survive in the first eighteen (18) months after planting, it shall be immediately replaced with a like plant. If the landscape plant is located in a buffer zone adjacent to a residential property dies, it shall be replaced in order to maintain the required buffer.

D. Materials Standards. All materials approved for use as provided herein shall be manufactured and installed in accordance with the applicable ASTM and other standards and codes adopted and accepted by the City.

E. Adoption of Administrative Guidelines. The ~~Community~~ Development Director is authorized, as he/she deems necessary, to prepare an interpretation manual and guidelines in order to augment, implement and provide further details for the carrying out of these minimum design standards. ~~(Ord. No. 2640-08 §1, 6-3-08)~~