



Planning Commission

July 14, 2026 6:00 PM

20201 E Jackson Drive, Independence, MO 64057

CALL TO ORDER

ROLL CALL

CONSENT AGENDA

The Consent Agenda consists of routine items of business to be acted upon by the Planning Commission with little or no public discussion. The staff or committee recommendation for each item is included in the Planning Commission packet. Any item may be removed by a commissioner or staff member to become part of the regular agenda.

1. **Planning Commission Minutes – June 23, 2026**

PUBLIC HEARINGS

1. **Case 26-125-04 – Rezoning/PUD – 19901 E. M-78 Highway** – A request to rezone the property from R-6 (Single Family Residential) to R-6/PUD (Single Family Residential/Planned Unit Development) and approve a preliminary development plan.

OTHER BUSINESS

1. **Case 26-400-78 – Short-Term Rental – 12808 E. 47th Ter Ct S** – A request to operate a Short-Term Rental at the property.
2. **Case 26-400-80 – Short-Term Rental – 1215 E. South Ave** – A request to operate a Short-Term Rental at the property.
3. **Case 26-175-03 – UDO Amendment #80 – Data Centers & Battery Energy Storage Systems (BESS)** – A request to amend the Unified Development Ordinance relating to

Data Centers and Battery Energy Storage Systems.

ROUNDTABLE - NEXT MEETING JULY 28, 2026

ADJOURNMENT

INFO ONLY - CASE WITHDRAWN

Case 26-400-52 – Short-Term Rental – 12305 E 46th Ter S – A request to operate a Short-Term Rental at the property.



Planning Commission Minutes

June 23, 2026 6:00 PM

20201 E Jackson Drive, Independence, MO 64057

CALL TO ORDER

A meeting of the Planning Commission was held on 6/23/2026 at 6:00 PM at 20201 E Jackson Drive, Independence, MO 64057. The meeting was called to order.

ROLL CALL

Upon roll call, the following members were present - Laurie Dean Wiley, Eric Ashbaugh, Edward Nesbitt, Dan O'Neill, Virginia Ferguson, Jose Torres, Michael Young. Absent - .

CONSENT AGENDA

The Consent Agenda consists of routine items of business to be acted upon by the Planning Commission with little or no public discussion. The staff or committee recommendation for each item is included in the Planning Commission packet. Any item may be removed by a commissioner or staff member to become part of the regular agenda.

1. Planning Commission Minutes – June 9, 2026

Commissioner Edward Nesbitt made a motion to approve the Consent Agenda. Commissioner Jose Torres seconded the motion. The motion was approved Yes 7, No 0, Abstained 0.

OTHER BUSINESS

Commissioner Eric Ashbaugh made a motion to hear Case 26-400-75 first. Commissioner Dan O'Neill seconded the motion. The motion was approved Yes 7, No 0, Abstained 0.

1. Case 26-400-75 – Short-Term Rental – 14820 E. 46th St S – A request to operate a

Short-Term Rental at the property.

Staff Presentation

Gabe Glaser presented the case. Mr. Glaser presented the Commission with a vicinity map, noting the area and surrounding zoning. He presented the Commission with an aerial map indicating the project area and explained the surrounding land uses. Mr. Glaser reviewed the conditions of approval.

Applicant Comments

Alicia Gibson, 19405 State Route 78, stated she is the property manager and was available to answer any questions. She noted the request included a fourth bedroom and asked for clarification. Mr. Glaser confirmed the request was for a four-bedroom short-term rental and that the staff report correctly reflected four bedrooms.

Mr. Glaser explained that, for the purposes of this request, a room must have a means of egress to be considered a bedroom, but a closet is not required. He confirmed the room in question does have a means of egress and therefore qualifies as a bedroom.

Public Comments

No public comments.

Motion

Commissioner Dan O'Neill made a motion to approve the case. Commissioner Michael Young seconded the motion. The motion was approved Yes 7, No 0, Abstained 0.

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2. **Case 26-400-74 – Short-Term Rental – 112 N. Ash Ave** – A request to operate a Short-Term Rental at the property.

Staff Presentation

Gabe Glaser presented the case. Mr. Glaser presented the Commission with a vicinity map, noting the area and surrounding zoning. He presented the Commission with an aerial map indicating the project area and explained the surrounding land uses. Mr. Glaser reviewed the conditions of approval.

Applicant Comments

Tina Groumoutis, 3805 NW 75th Street, Kansas City, stated she's always wanted to have an investment property and believes this will be a great location for a short-term rental.

Public Comments

No public comments.

Motion

Commissioner Edward Nesbitt made a motion to approve the case. Commissioner Michael Young seconded the motion. The motion was approved Yes 7, No 0, Abstained 0.

ROUNDTABLE - NEXT MEETING JULY 14, 2026

ADJOURNMENT

The meeting was adjourned at 6:19 p.m.

MEETING DATE: July 14, 2026

STAFF: Gabe Glaser, Planner

PROJECT NAME: East Side Explorers Day Care

CASE NUMBER/REQUEST: **Case 26-125-04 – Rezoning/PUD – 19901 E. M-78 Highway** – A request to rezone the property from R-6 (Single Family Residential) to R-6/PUD (Single Family Residential/Planned Unit Development) and approve a preliminary development plan.

APPLICANT/OWNER: Eastside Baptist Church of Independence

PROPERTY ADDRESS: 19901 E M 78 Hwy

SURROUNDING ZONING/LAND USE:

North: R-6 (Single Family Residential)...Single Family Homes
South: R-6 (Single Family Residential)...Single Family Homes
East: R-6 (Single Family Residential)...Single Family Homes and Schools
West: R-6 (Single Family Residential)...Single Family Homes

PUBLIC NOTICE:

- Letters to adjoining property owners – June 23, 2026
- Public Notice published in the Examiner – June 27, 2026
- Signs posted on property – June 25, 2026

FURTHER ACTION:

Following action by the Planning Commission, this rezoning request is scheduled for first reading by the City Council on August 17, 2026 and the public hearing/second reading on September 8, 2026.

RECOMMENDATION

Staff recommends **APPROVAL** of this Rezoning/Preliminary Development Plan request.

1. Day Centers serving more than 21 children shall be allowed in this district.
2. All operations of the day care center shall conform to the use regulations of Section 14-401 of the Development Code.

PROJECT DESCRIPTION & BACKGROUND INFORMATION

PROJECT DESCRIPTION: – A request by Eastside Baptist Church of Independence for approval of rezoning/planned unit development request to allow for a daycare facility serving more than 21 children.

Current Zoning:	R-6 (Single-Family Residential)	Proposed Zoning:	R-6/PUD (Single-Family Residential/Planned Unit Development)
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Current Use: Religious Assembly

Zoning History 1965 – 1980: R-1 (Single Family Residential)
1980 - 2009: R-1b (Single-Family Residential)
2009 – R-6 (Single-Family Residential)

Property History:

In 1963, the property was annexed into the City. With the adoption of Ordinance No. 1132 in November 1965, the site was designated a R-1 (Single Family Residential) zoning classification and has remained under a single-family zoning classification since that time.

City records indicate that East Side Baptist Church of Independence has been developed in multiple phases beginning in 1989 with special use permit approval for a religious organization (Ord. No. 10626). The current site layout was approved by the Planning Commission in 2006 (Case #06-800-13).

Proposal:

Whereas the subject site is located in a R-6 (Single-Family Residential) zoning district, section 14-300-03 of the Development Code prohibits day care centers for 21 or more children in residential zoning districts. East Side Explorers proposes to utilize existing space within East Side Baptist Church of Independence to operate a daycare/preschool, operating Monday-Friday, initially serving 30-50 children ages 2-5.

Physical Characteristics of Property:

The subject site is comprised of four tax parcels totaling +/-16.5 acres situated at the southwest corner of the intersection of Jackson Drive and Missouri 78 Highway. East Side Baptist Church of Independence encloses +/-47,000 square feet of floor area.

The property can be accessed via two entrances off Missouri 78 Highway and one additional entrance from Jackson Drive.

The southern and southeastern portions of the site consist of heavily wooded land with dense tree cover.

Characteristics of the Areas:

Several civic/institutional uses are located in proximity to the subject site, including MCC-Blue River, Independence Schools, Independence Animal Services, and George Owens Nature Park. A mix of suburban subdivisions and residences on large lots make up the surrounding neighborhoods.

ANALYSIS

Consistency with *Independence for All*, Strategic Plan:

The project fits within Independence for All Strategic Plan’s goal to achieve livability, choice, access, health and safety through a quality-built environment. The proposed day care center fits within civic-oriented uses, offers early childhood development and provides a function serving the community.

Comprehensive Plan Tools and Policies for the Current Designation:

Imagine Independence Comprehensive Plan 2040 designates the subject site a residential neighborhood land use category. The comprehensive plan provides a guiding principle to enhance the livability of the city's residential neighborhoods by supporting the provision of neighborhood amenities throughout the community in an equitable manner.

Zoning:

The proposed R-6/PUD zoning district classification will allow a daycare center in a single-family residential zoning district while protecting the residential character of the area.

Historic and Archeological Sites:

There are no apparent historic or archeological issues with this property.

Public Utilities:

All utilities exist and are available to serve the proposed use.

Floodplain/Stream Buffer:

The proposed development is not located within any floodplains nor is it affected by stream buffers.

CIP Investments:

The city does not have any capital improvements projects planned near this area.

REVIEW CRITERIA

Recommendations and decisions for proposed planned unit development rezoning and its accompanying preliminary development plan must be based on consideration of the criteria listed in Section 14-703-05-H:

1. **The consistency with the Comprehensive Plan.**
Imagine Independence Comprehensive Plan 2040 designates a Residential Neighborhoods land use category for this area. The proposed use serves as a neighborhood-serving amenity supported by the policies and principles of the comprehensive plan.
2. **The consistency with the PUD standards of Section 14-902, including the statement of purpose.**
The preliminary development plan is consistent with the PUD standards of Section 14-902, ensuring the use is consistent with the comprehensive plan, and allowing flexibility in permitted uses that result in greater public benefits than could be achieved using conventional zoning district regulations.
3. **The nature and extent of Common Open Space in the PUD.**
This proposed use does not involve the establishment of any common open areas.
4. **The reliability of the proposals for maintenance and conservation of Common Open Space.**
Covenants and restrictions are not applicable for this proposed use.
5. **The adequacy or inadequacy of the amount and function of Common Open Space in terms of the densities and dwelling types proposed in the plan.**
The proposed Planned Unit Development does not involve residential dwellings nor the provision of common open space.

6. **The extent to which the proposed use will adversely affect the capacity of safety portions of the street network or present parking problems in the vicinity of the property. Whether adequate provision for public services, provides adequate control over vehicular traffic, and furthers the amenities of light and air, recreation, and visual enjoyment.**
The proposed daycare center will be accommodated within the existing facilities of Eastside Baptist Church in Independence. The site currently provides sufficient parking and well-designed traffic circulation to adequately support the intended use.
7. **The extent to which the proposed use will have a substantially adverse effect on adjacent property and the development or conservation of the neighborhood area.**
No adverse impacts to adjacent properties are expected as a result of this development. The development is compatible with adjacent developments and land uses.
8. **Whether potential adverse impacts have been mitigated to the maximum practical extent.**
No potential adverse impacts are expected as result of this use.
9. **Whether the Preliminary Development Plan represents such a unique development proposal that it could not have accomplished through use of (non-PUD) conventional zoning regulations.**
The PUD allows the applicant the ability to operate a day care facility that is not permitted under conventional zoning regulations while retaining a residential designation.
10. **The sufficiency of the terms and conditions proposed to protect the interest of the public and the residents of the PUD in the case of a plan that proposes development over a period of years.**
No additional development is planned to serve this proposed use. The existing building will be used to accommodate the daycare center.

EXHIBITS

1. Narrative
2. Application
3. Notification letter
4. Notification area map
5. Notification addresses
6. Mailing affidavit
7. Floor Plan
8. Enlarged Floor Plan
9. Zoning map
10. Comprehensive Plan map

May 28, 2026

Kenzie Basham
Director - East Side Explorers
19901 MO-78
Independence, MO 64057

To whom it may concern:

East Side Church, an established religious organization, is requesting rezoning to establish a daycare/preschool within the existing space. The daycare/preschool will be called East Side Explorers. The church has a preestablished "kids zone" for Sunday mornings that we plan to utilize as the daycare space Monday-Friday. We plan to operate under all guidelines and regulations with a starting number of 30-50 children ages 2-5.

Currently, the church exists in a residential zone - we are requesting to be rezoned to operate the business from our current location.

Please contact me with any questions or concerns.

Kenzie Basham

[REDACTED]
[REDACTED]

Application Type (check all that apply)

Land Use	Land Subdivision	Site Development	Use Permit	Other
☐ Rezoning ☒ PUD Rezoning	☐ Preliminary Plat ☐ Final Plat ☐ Minor Subdivision	☐ Final Site Plan ☐ Preliminary Dev Plan ☐ Final Dev Plan (PUD)	☐ Special Use ☐ Homebased Business	☐ Admin. Adjustment ☐ Variance ☐ Street Name Change ☐ Special Sign Permit

Project Information and Location

East Side Explorers

Project Name				
19901 MO-78 HWY				
Project Address/Location				
12,500 total sitting	14,604.77 daycare	16.62	3	N/A
Sq. Ft. of Building	Acreage	Number of Lots/Tracts	Steam Buffer (Yes or No)	
Residential	Commercial	Church (zoned residential)	Church Daycare (commercial)	
Existing Zoning	Proposed Zoning	Existing Land Use	Proposed Land Use	

Basic Application Requirements (See the Planning & Zoning Application Guide for additional requirements)

☒ Completed & Signed Application Form ☒ Application Fee ☒ Cover Letter Describing Details of Project	☒ One 24" x 36" set of plans for Land Sub. & Site Dev. ☐ One PDF copy of a plat map or site plan ☐ Legal Description of the property in question
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> not needed per Gabe Glaser 5/27/26

Contact Information

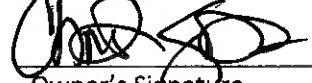
Applicant		Owner	
Kenzie Basham	East Side Church	Christina Selemnea	ES Church
Name	Company	Name	Company

[Redacted]		[Redacted]	
Phone		Email	

Architect/Engineer/Surveyor/Other: _____

Name	Company	Name	Company
Address		Address	
Phone		Phone	
Email		Email	

The applicant hereby agrees that the information provided above is accurate.

	28 May 2026		5/28/24
Applicant's Signature	Date	Owner's Signature	Date

Property Owner Notification Letter

City of Independence, Missouri

Date: 6/23/26

Case No. 26-125-04

Dear Property Owner:

This letter is to notify you that an application has been submitted for consideration by the Planning Commission and City Council. A full public hearing will be held by the Planning Commission and the City Council will consider new information on the dates and times below.

Proposed Case Type (Check One):

- ☐ Rezoning ☒ Rezoning/PUD ☐ Special Use Permit
☐ Preliminary Development Plan

Proposed project description: M-F church daycare located
within the existing church

Applicant: East Side Church (daycare: East Side Explorers)

Location of Property: 19901 E 78 Hwy

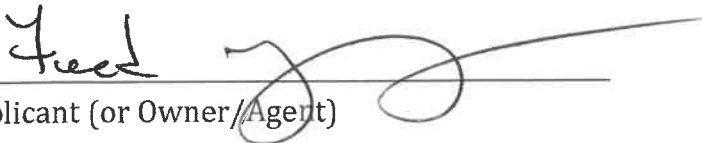
Planning Commission Meeting Date: July 14, 2026, at 6:00 p.m.

City Council Meeting Date: September 8 2026, at 6:00 p.m.

Location of public hearings: Independence Municipal Commons
20201 E. Jackson Drive, Independence, Missouri, 64057

All interested persons are invited to attend and will have an opportunity to be heard at the full public hearing (Planning Commission).

REZONINGS ONLY: You may file a protest petition with the Community Development Department. For more information or to get copies of a petition, please contact Planning staff at 816-325-7421.

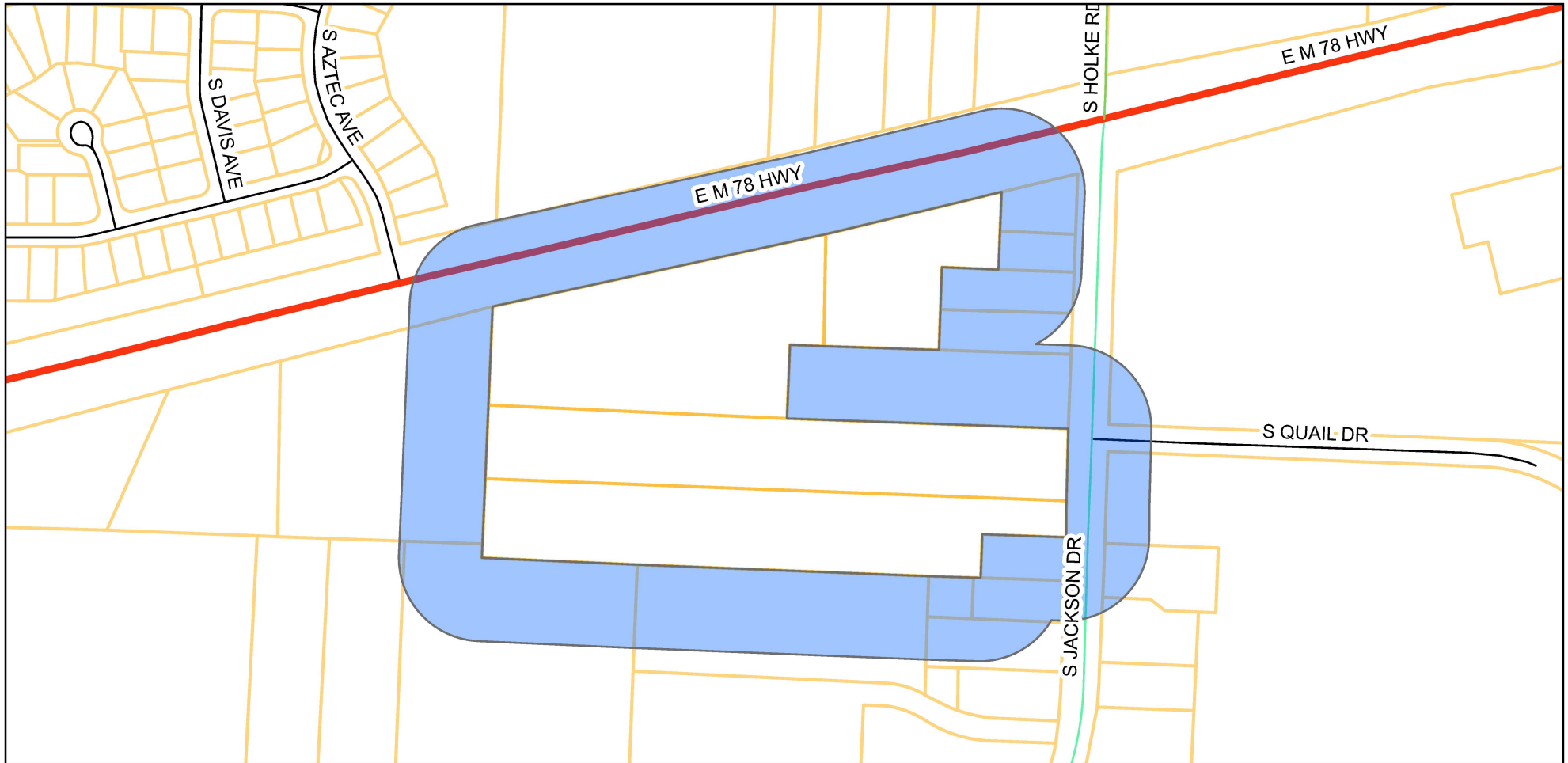

Applicant (or Owner/Agent)

For more information, contact the Community Development Department at 816-325-7421.

Notification Area Map

19901 E M 78 Hwy

Case #26-125-04



 Notification Area
 Parcels

0 250 500 1,000 US Feet

Prepared For: Planning Commission
Meeting Date: July 14, 2026



Parcel ID	Property Address	Property Owner	Owner Address	City	State	ZIP Code
25-600-02-27-01-0-00-000	2020 S QUAIL DR	THE SCHOOL DIST OF THE CITY INDEP NO 30	201 N FOREST AVE	INDEPENDENCE	MO	64050
25-600-32-63-00-0-00-000	19901 E M 78 HWY	EAST SIDE BAPTIST CHURCH OF INDEPENDENCE	19901 E M 78 HWY	INDEPENDENCE	MO	64057
25-600-32-11-01-0-00-000	19510 E HOLKE RD	PLOWMAN GARY LEE-TRUSTEE	19510 E HOLKE RD	INDEPENDENCE	MO	64057
25-600-32-06-00-0-00-000	2014 S JACKSON DR	EAST SIDE BAPTIST CHURCH OF INDEP	19901 E M 78 HWY	INDEPENDENCE	MO	64057
25-510-02-11-00-0-00-000	CA RESIDENTIAL	REMINGTON VILLAS OWNERS ASSOC INC	600 S CENTRAL DR	BLUE SPRINGS	MO	64014
25-510-01-01-00-0-00-000	19501 E M 78 HWY	THATCHER GWENDOLYN M & MARK A	19501 E 78 HWY	INDEPENDENCE	MO	64057
25-600-32-60-00-0-00-000	2024 S JACKSON DR	EAST SIDE BAPTIST CHURCH OF INDEP	19901 E M 78 HWY	INDEPENDENCE	MO	64057
25-600-32-62-00-0-00-000	19901 E M 78 HWY	EAST SIDE BAPTIST CHURCH OF INDEPENDENCE	19901 E STATE ROUTE 78	INDEPENDENCE	MO	64057
25-600-01-06-01-0-00-000	20301 E M 78 HWY	JR COLLEGE DIST OF METRO-KC	3200 BROADWAY	KANSAS CITY	MO	64111
25-600-02-28-00-0-00-000	2021 S JACKSON DR	THE SCHOOL DIST OF THE CITY INDEP NO 30	201 N FOREST AVE	INDEPENDENCE	MO	64050
25-600-32-09-00-0-00-000	2104 S JACKSON DR	THOMAS RONALD DEAN -TR	2104 S JACKSON DR	INDEPENDENCE	MO	64057
25-600-32-05-00-0-00-000	2008 S JACKSON DR	SCOTT JAMES R	2008 S HOLKE RD	INDEPENDENCE	MO	64057
25-600-32-58-00-0-00-000	2002 S JACKSON DR	SEYMOUR CHRISTOPHER D & KRISANDRA M	4015 N BUCKNER TARSREY RD	SIBLEY	MO	64088
25-600-32-03-00-0-00-000	2000 S JACKSON DR	TERRY RAY FISHER IRREVOCABLE TRUST DATED 08/26/2025	2000 S JACKSON DR	INDEPENDENCE	MO	64057
25-600-32-08-00-0-00-000	2100 S JACKSON DR	THOMAS RONALD D-TRUSTEE	2104 S JACKSON DR	INDEPENDENCE	MO	64057
25-510-01-27-00-0-00-000	19502 E HOLKE RD	REORGANIZED CHURCH OF JESUS	1001 W WALNUT	INDEPENDENCE	MO	64050
25-600-32-12-00-0-00-000	2104 S JACKSON DR	THOMAS RONALD DEAN -TR	2104 S JACKSON DR	INDEPENDENCE	MO	64057
25-600-22-06-00-0-00-000	19710 E M 78 HWY	JACKSON DEREK	19710 E M 78 HWY	INDEPENDENCE	MO	64057
25-600-02-29-00-0-00-000	2101 S JACKSON DR	GAMBINO JOSEPH A & HONG JI	2101 S JACKSON DR	INDEPENDENCE	MO	64057
25-600-32-57-02-0-00-000	1910 S JACKSON DR	GRIFFIN ARTHUR B III & TONYA M	1910 S JACKSON DR	INDEPENDENCE	MO	64057
25-600-32-59-00-0-00-000	2024 S JACKSON DR	MANCINI ANTHONY M	2024 HOLKE RD	INDEPENDENCE	MO	64057
25-600-32-10-02-0-00-000	2104 S JACKSON DR	SCHOLES CONOR L & ELIZABETH A	2112 S JACKSON DR	INDEPENDENCE	MO	64057
25-600-32-04-00-0-00-000	2004 S JACKSON DR	MCLAUGHLIN SE'INA	2004 S JACKSON DR	INDEPENDENCE	MO	64057

Property Owner Notification Affidavit

STATE OF MISSOURI

COUNTY OF JACKSON

Case No. 26-125-04

I, Fred Young, of lawful age being first duly sworn upon oath, state:

That I am the (agent, owner, attorney) for the property for which the application was filed and did, not later than fifteen (15) days prior to the date of the public hearing scheduled before the Planning Commission, mail notices to all persons owning property within 185 feet of the subject property. **The list of property owners to whom notice has been mailed is attached.**

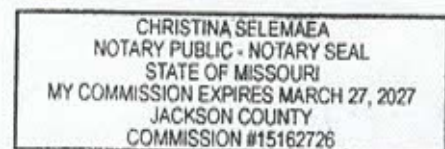
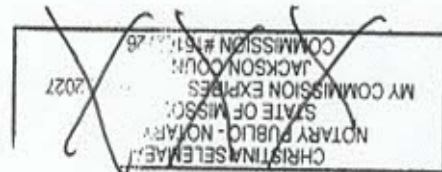
These notices were mailed on the _____ day of _____, 20____.

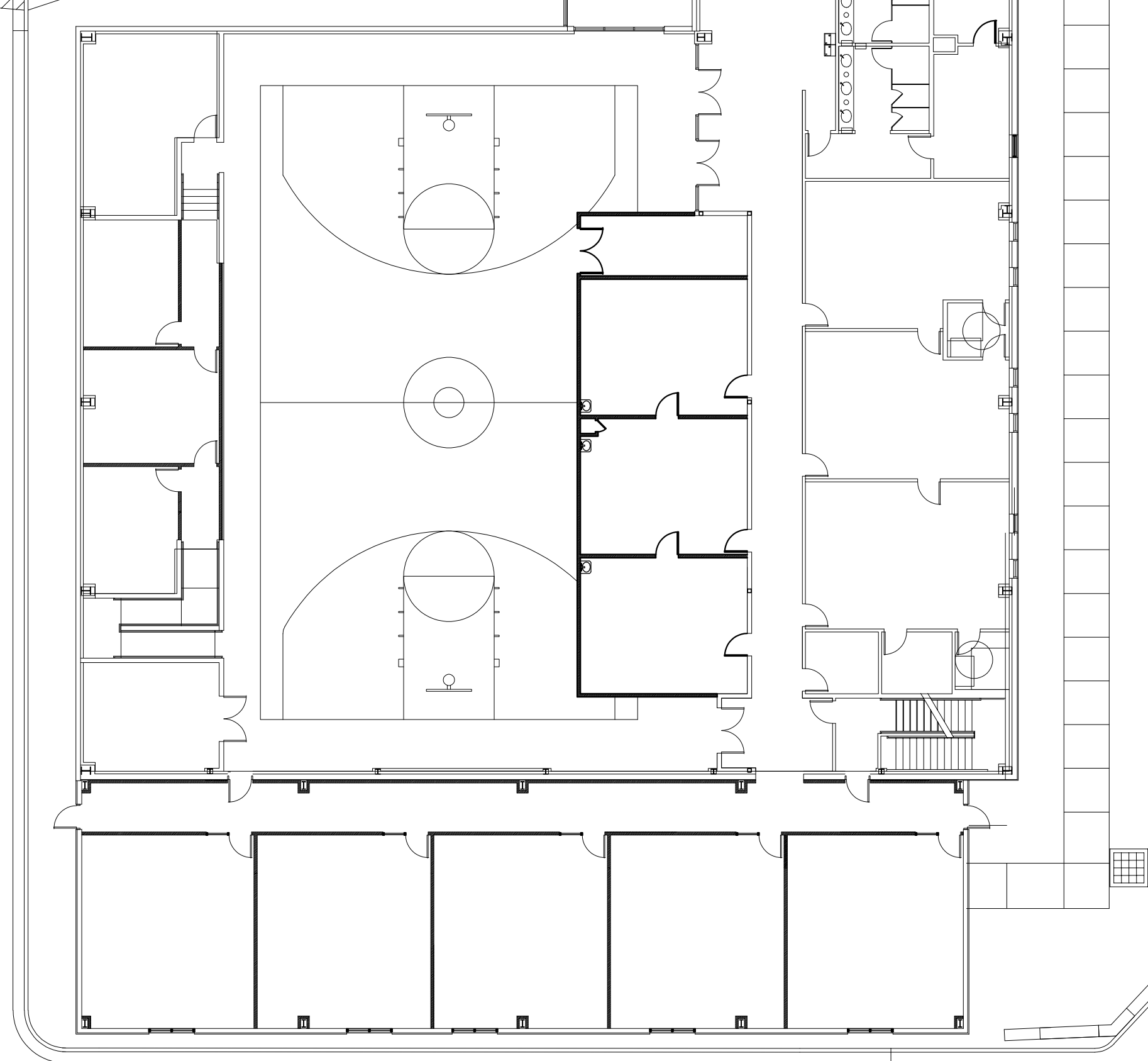
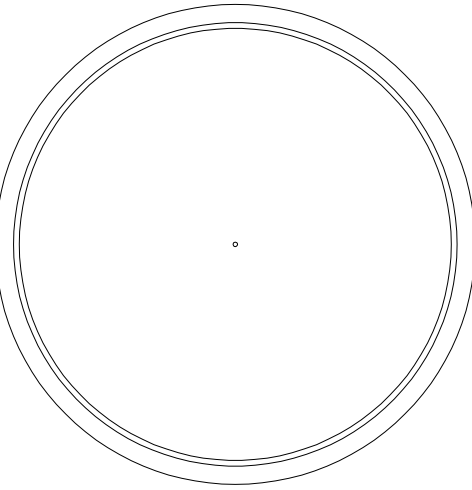
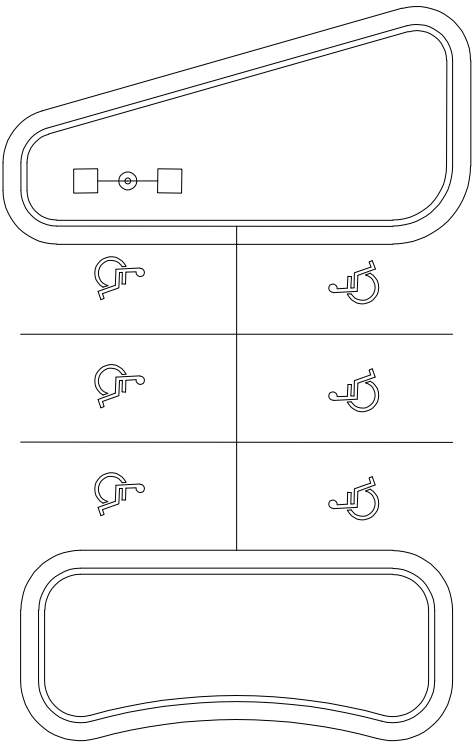
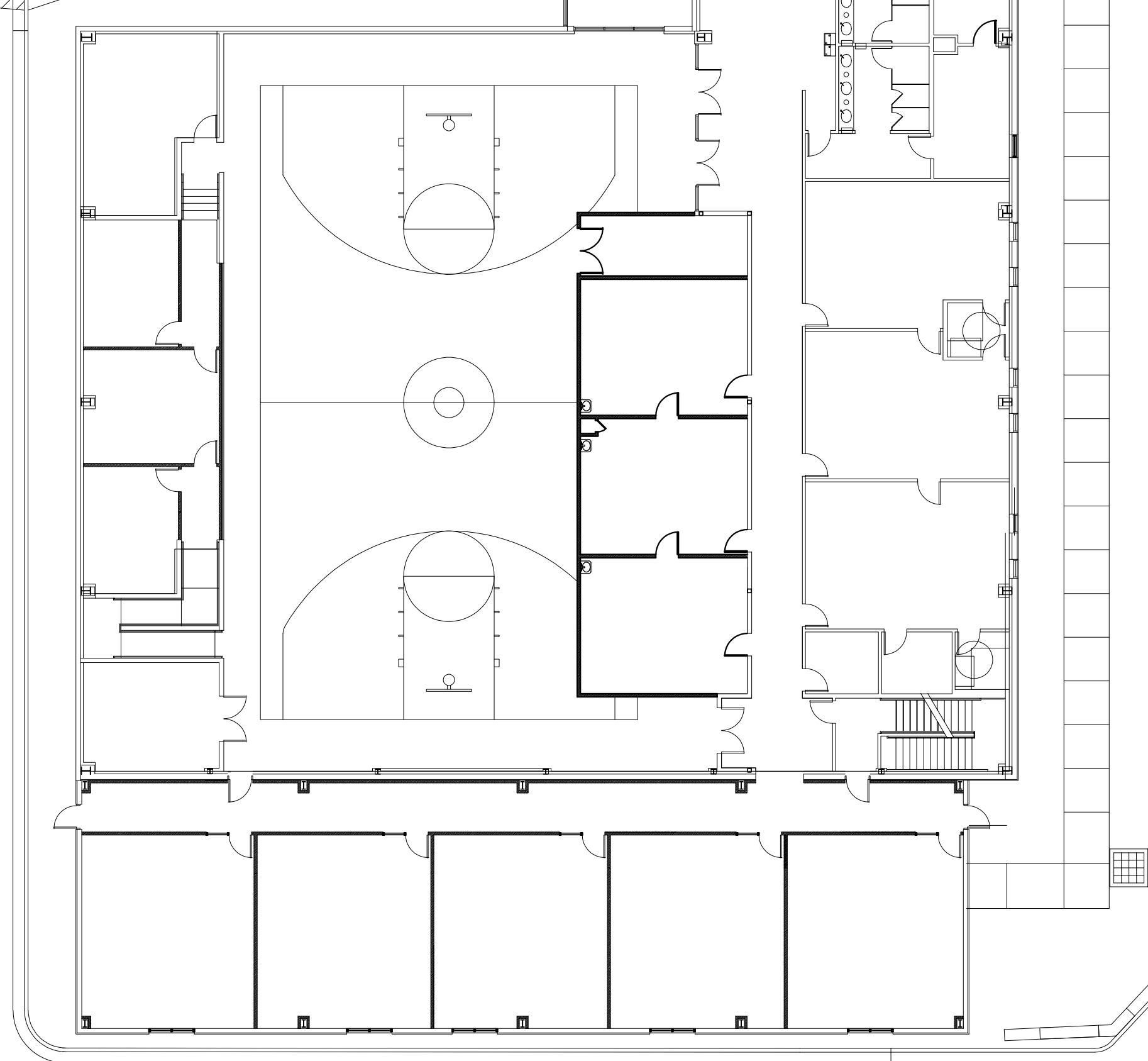
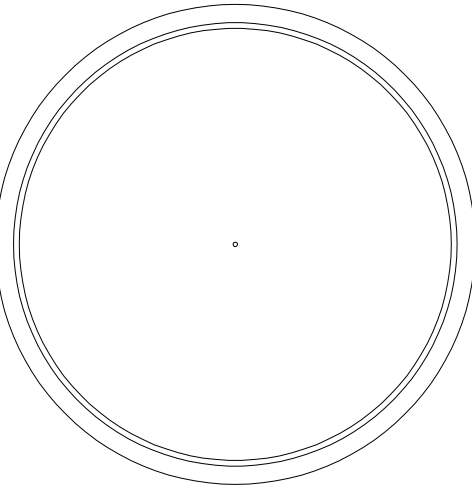
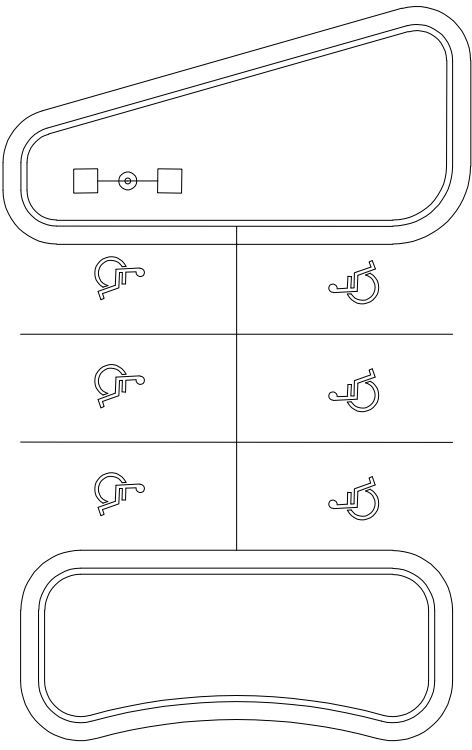
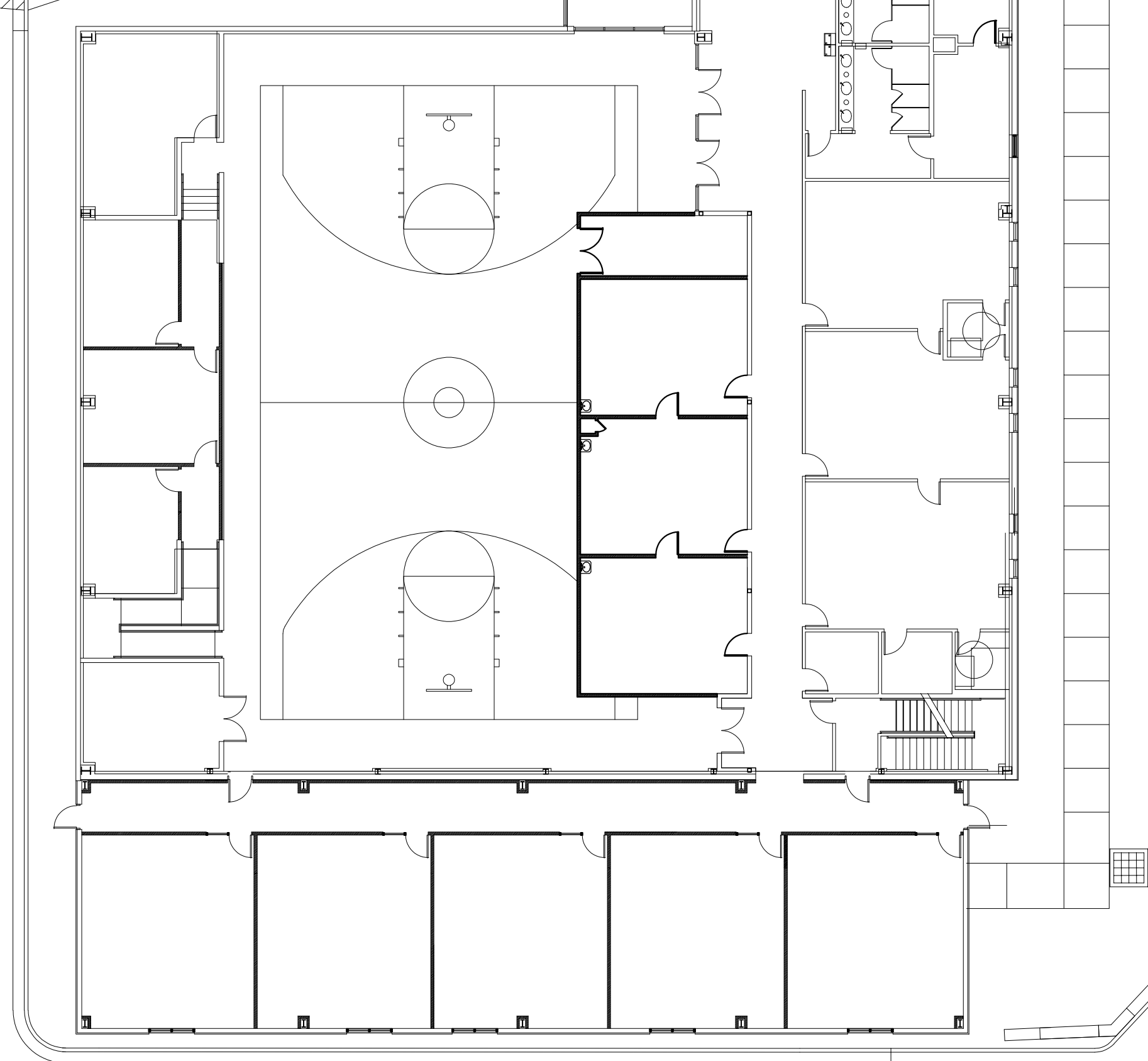
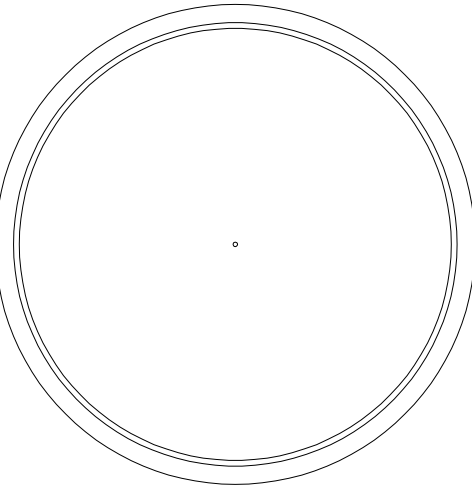
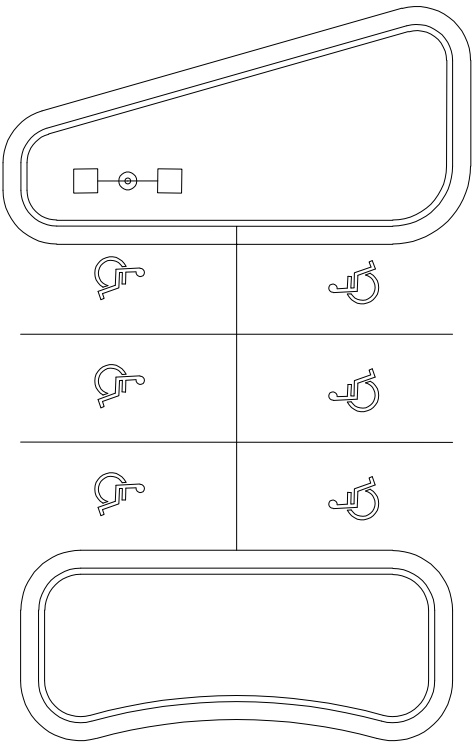
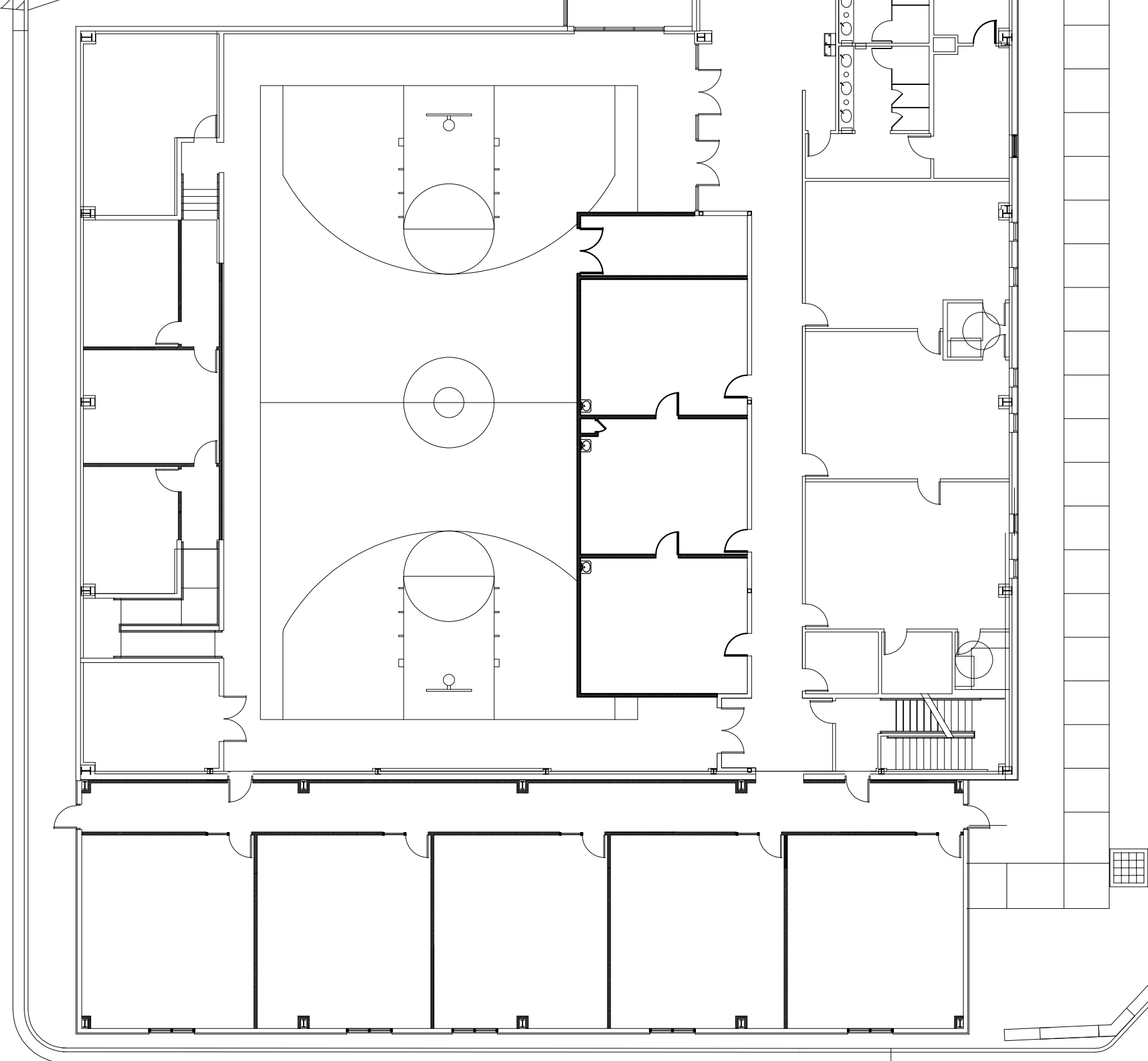
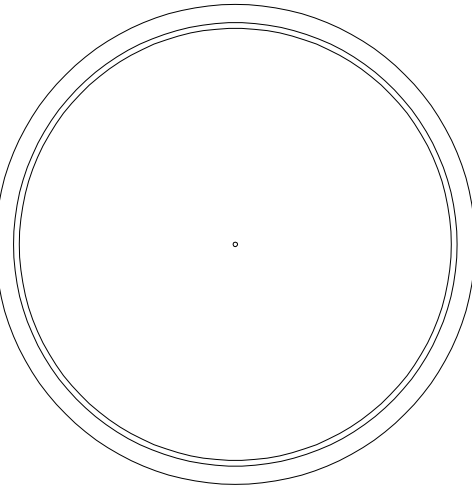
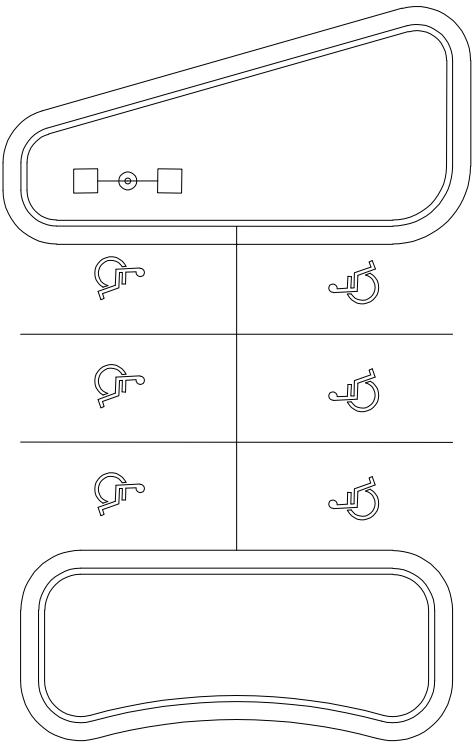
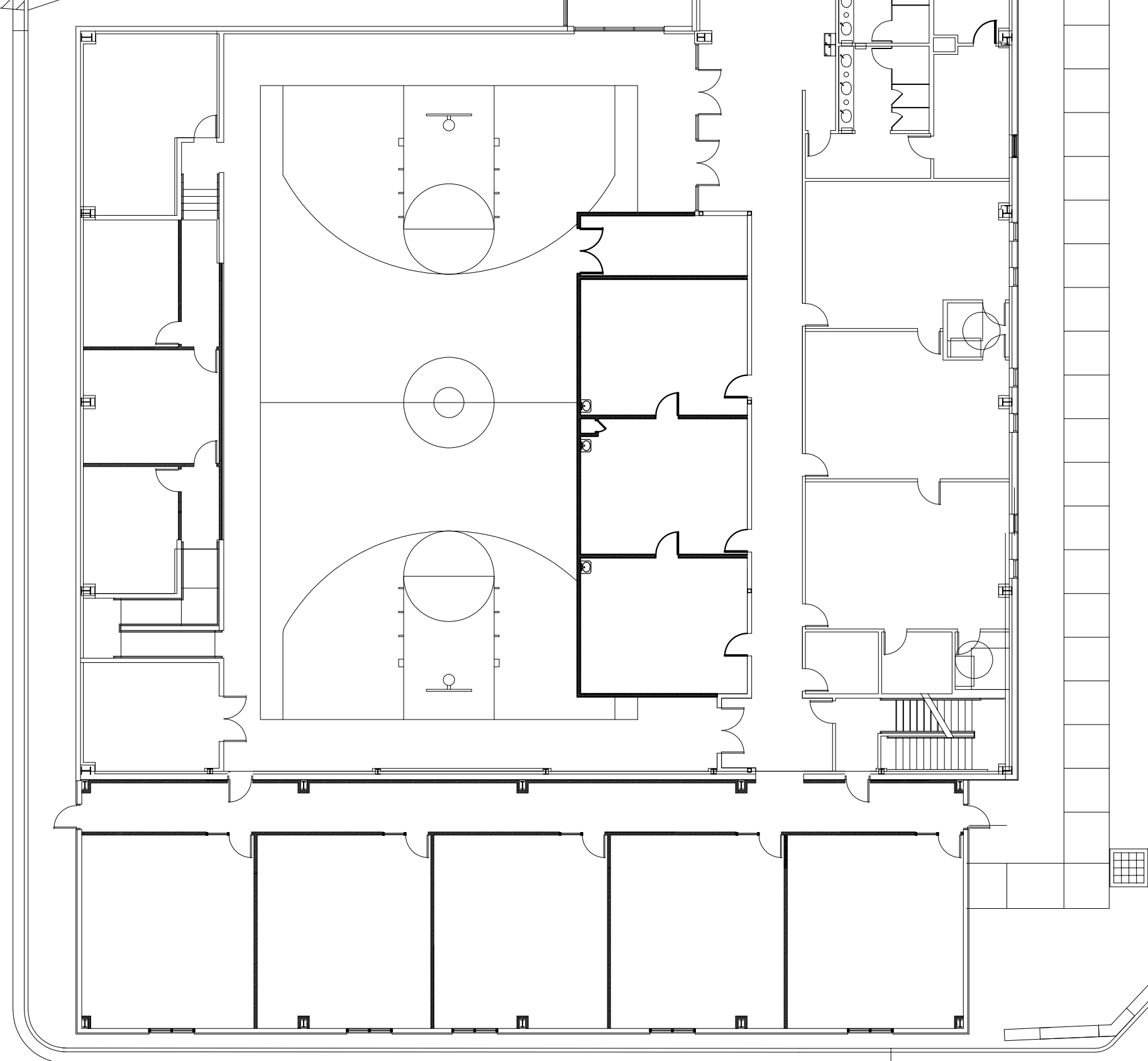
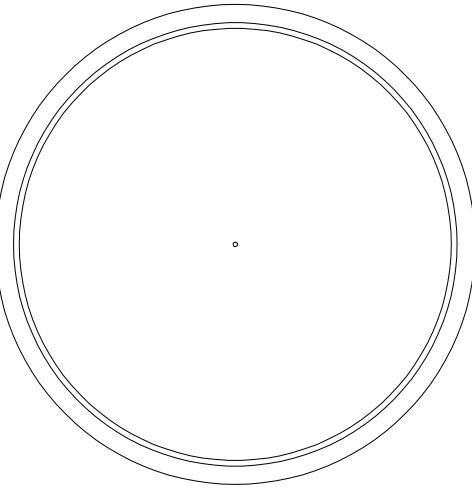
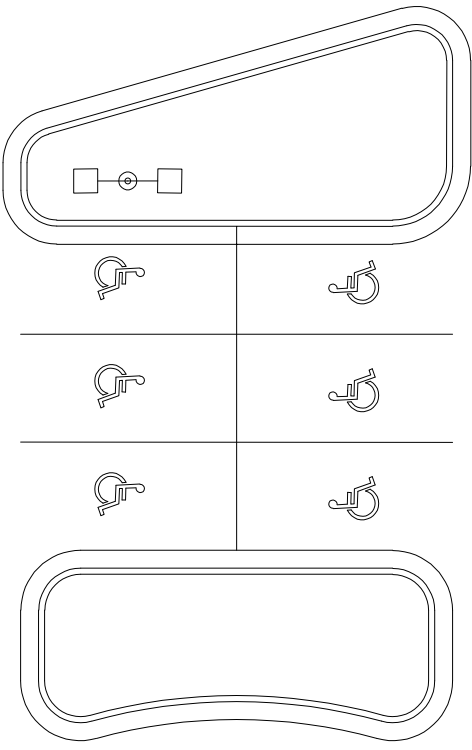
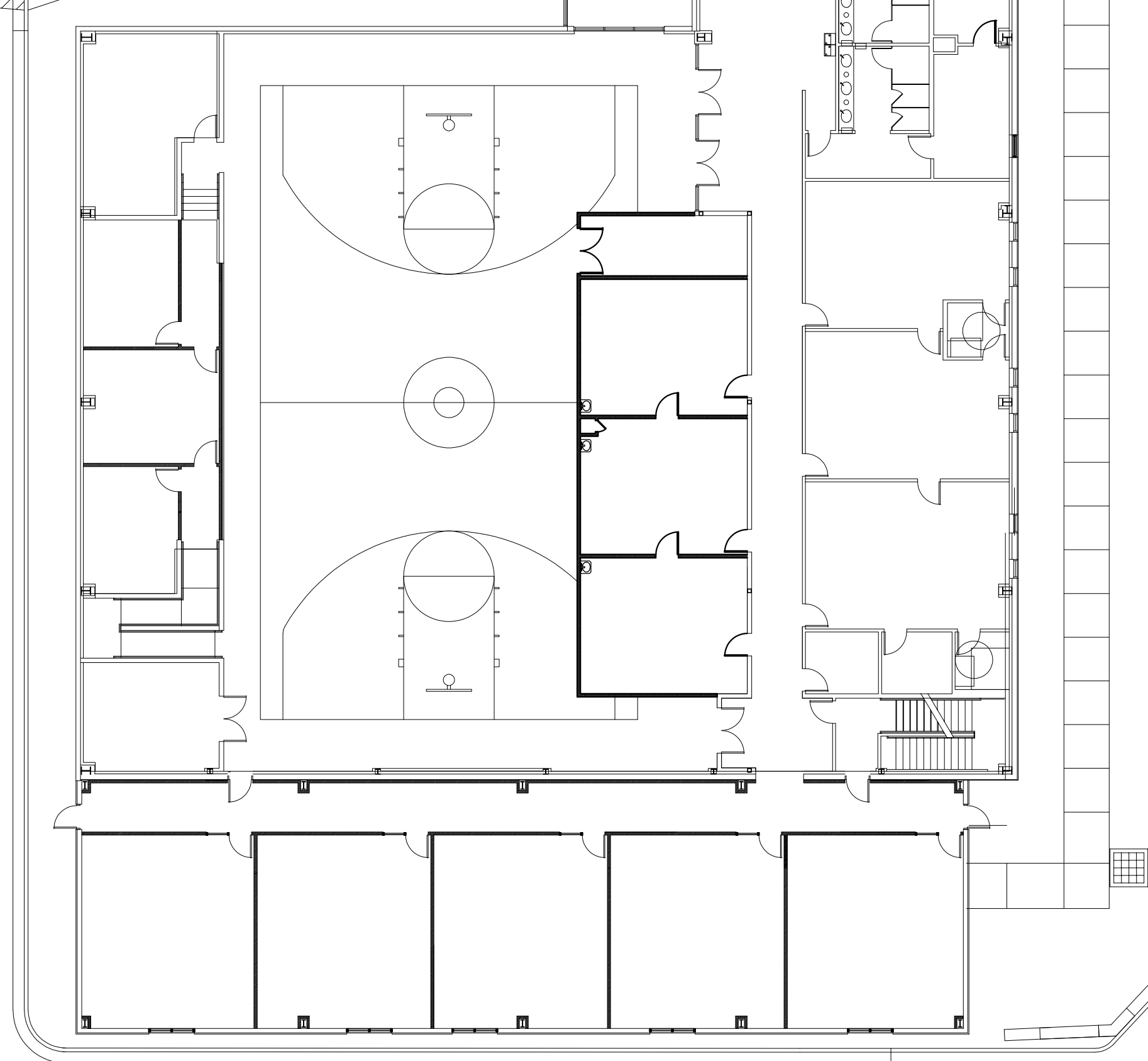
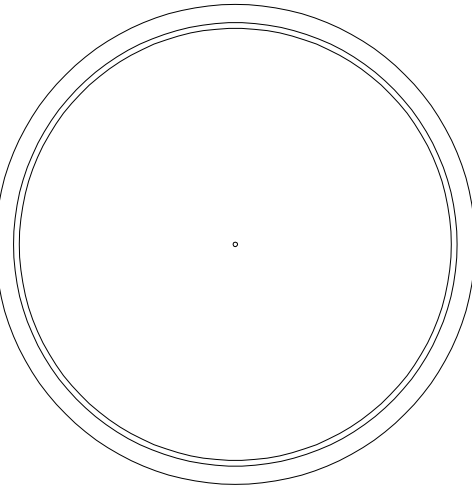
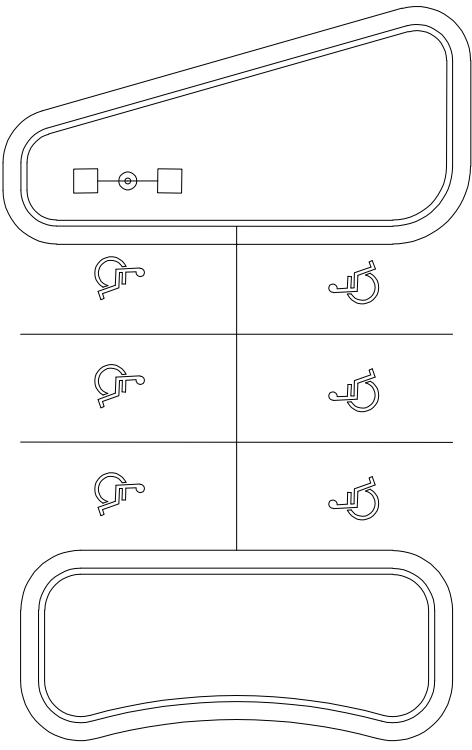
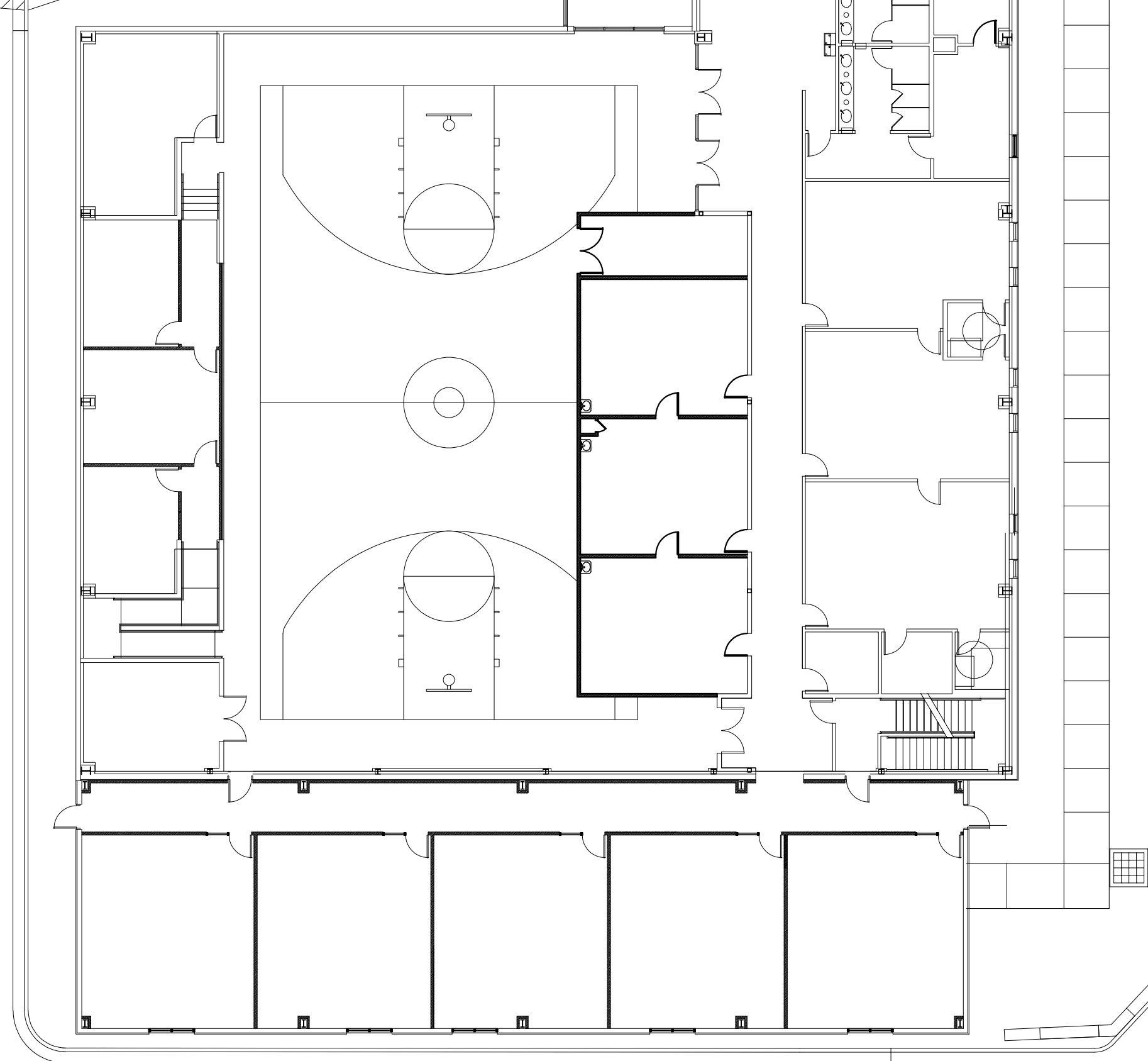
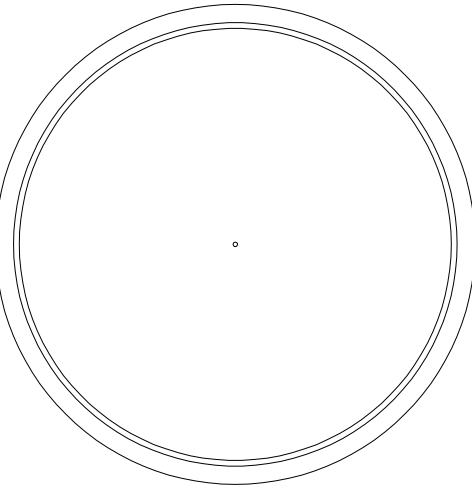
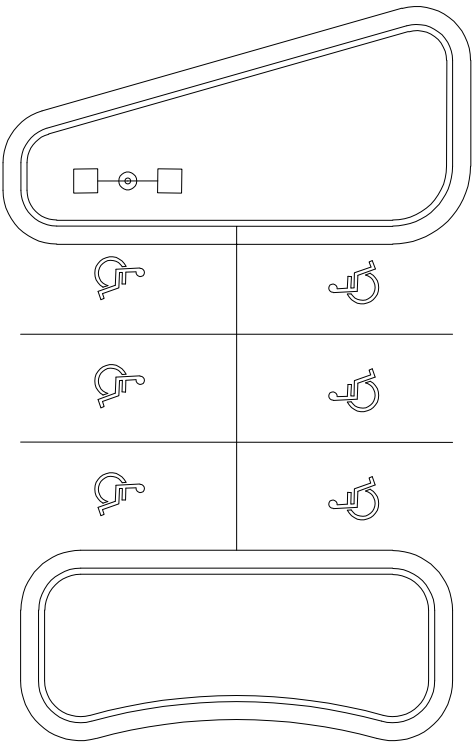
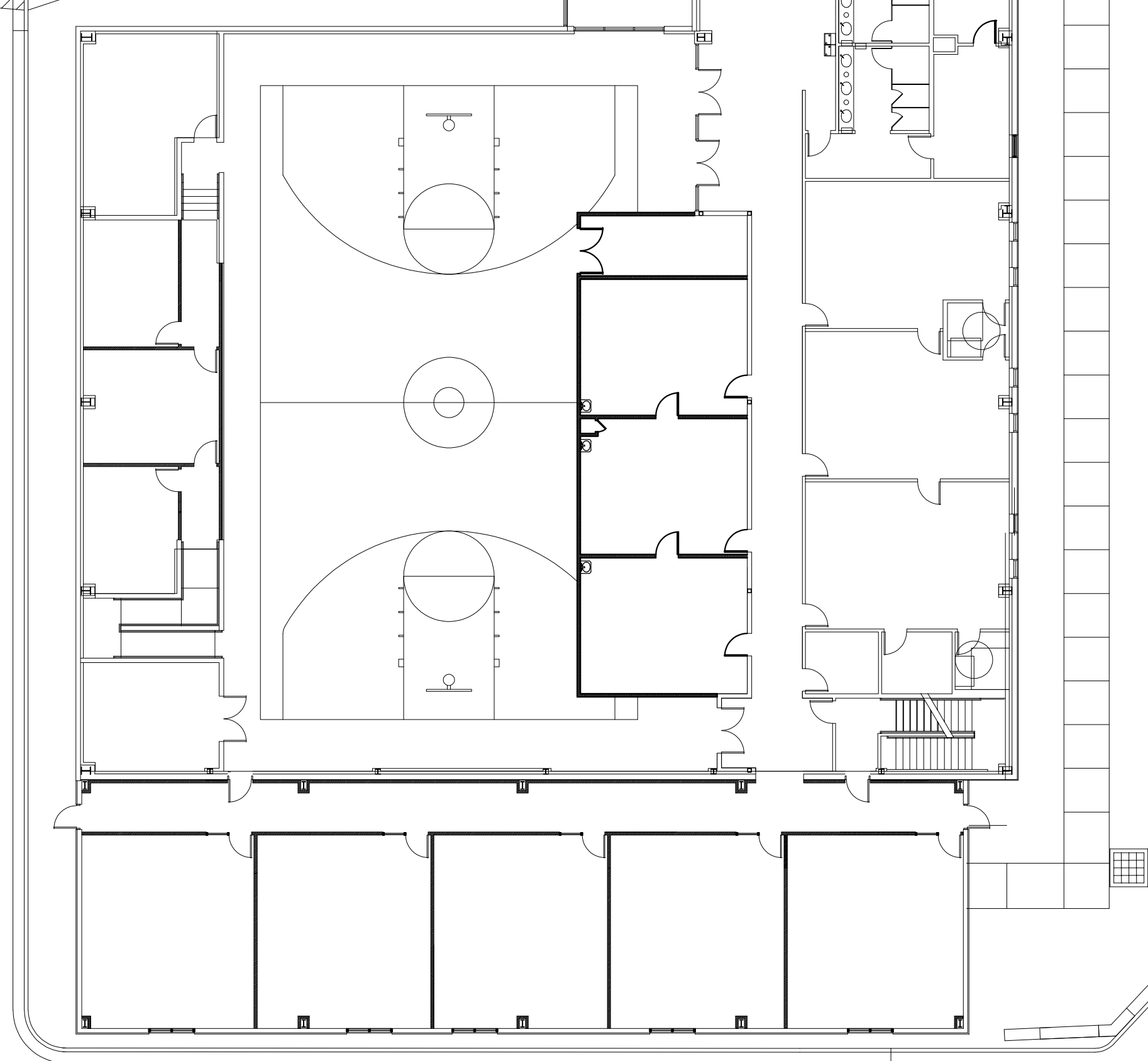
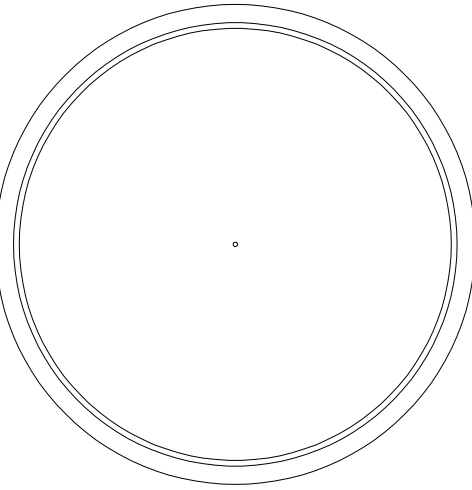
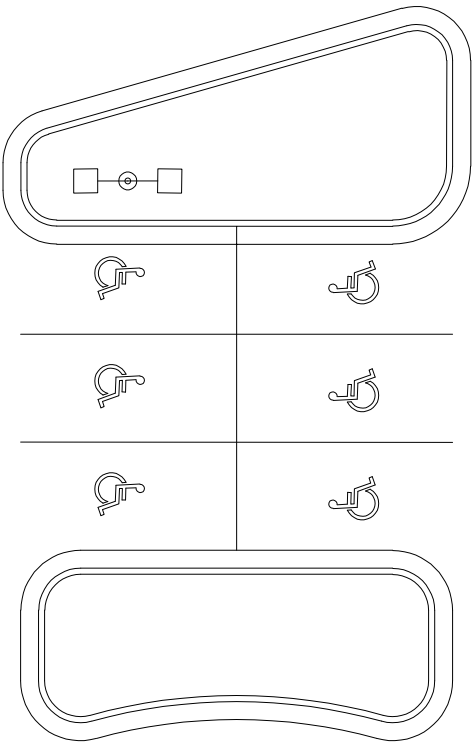
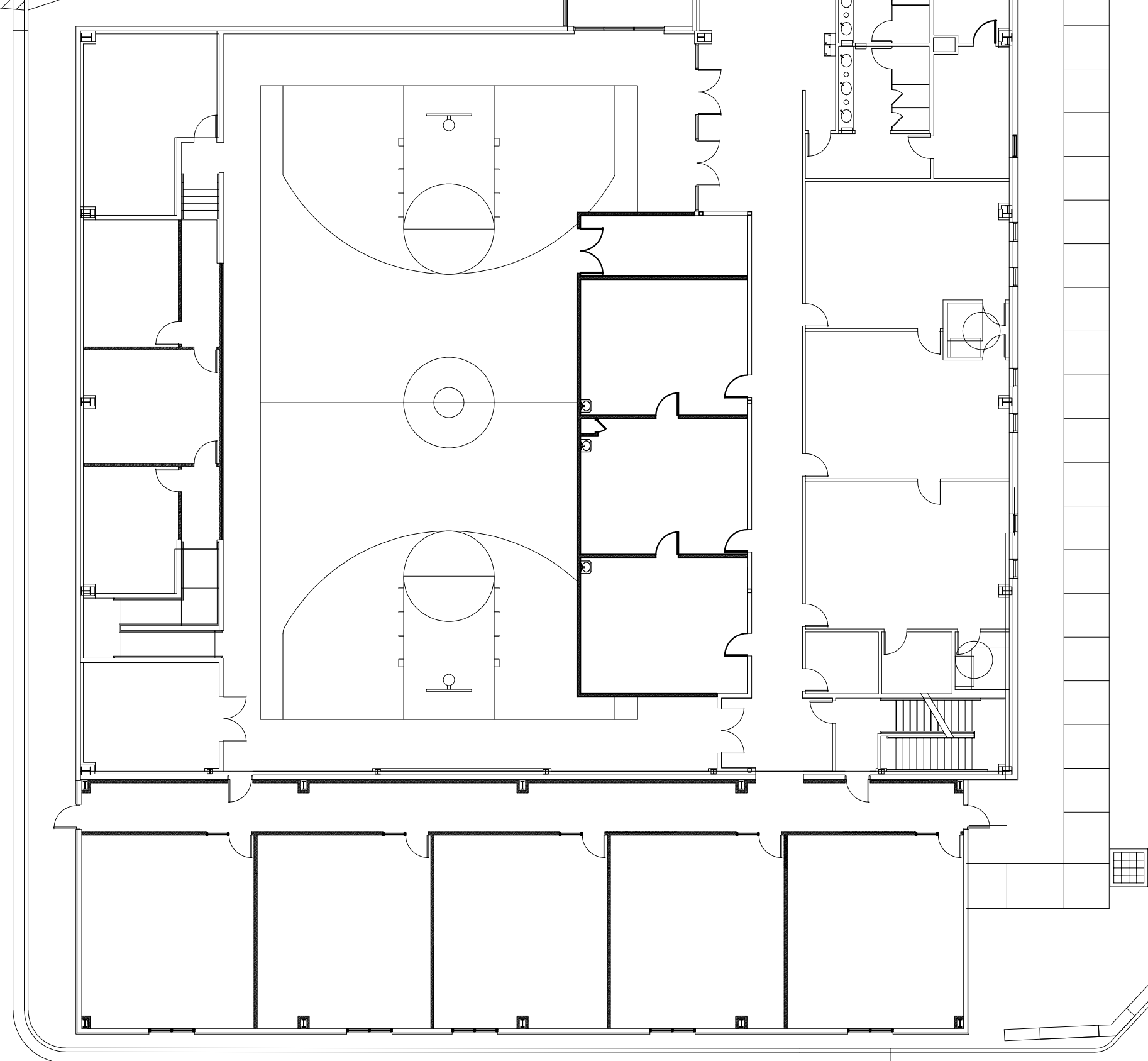
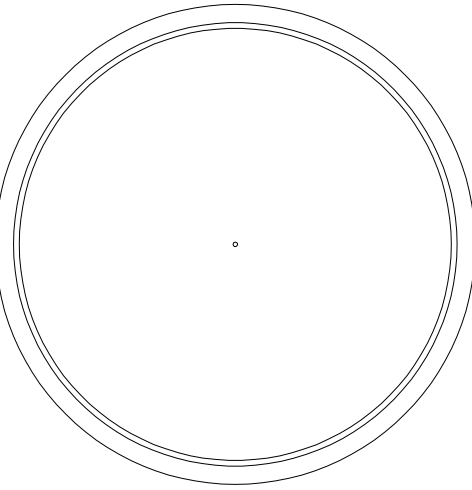
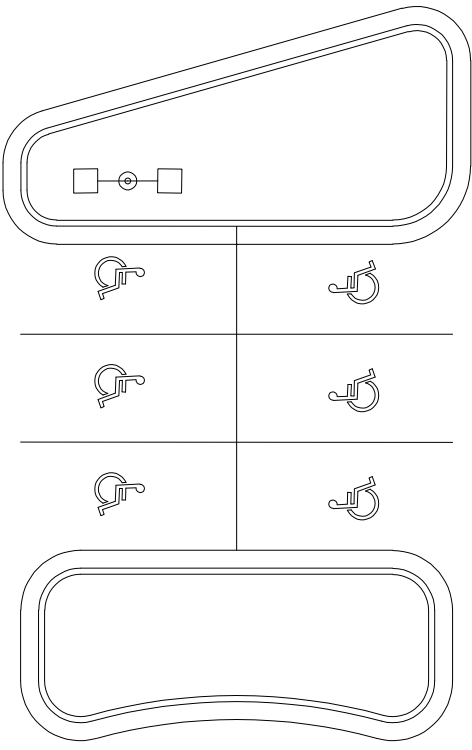
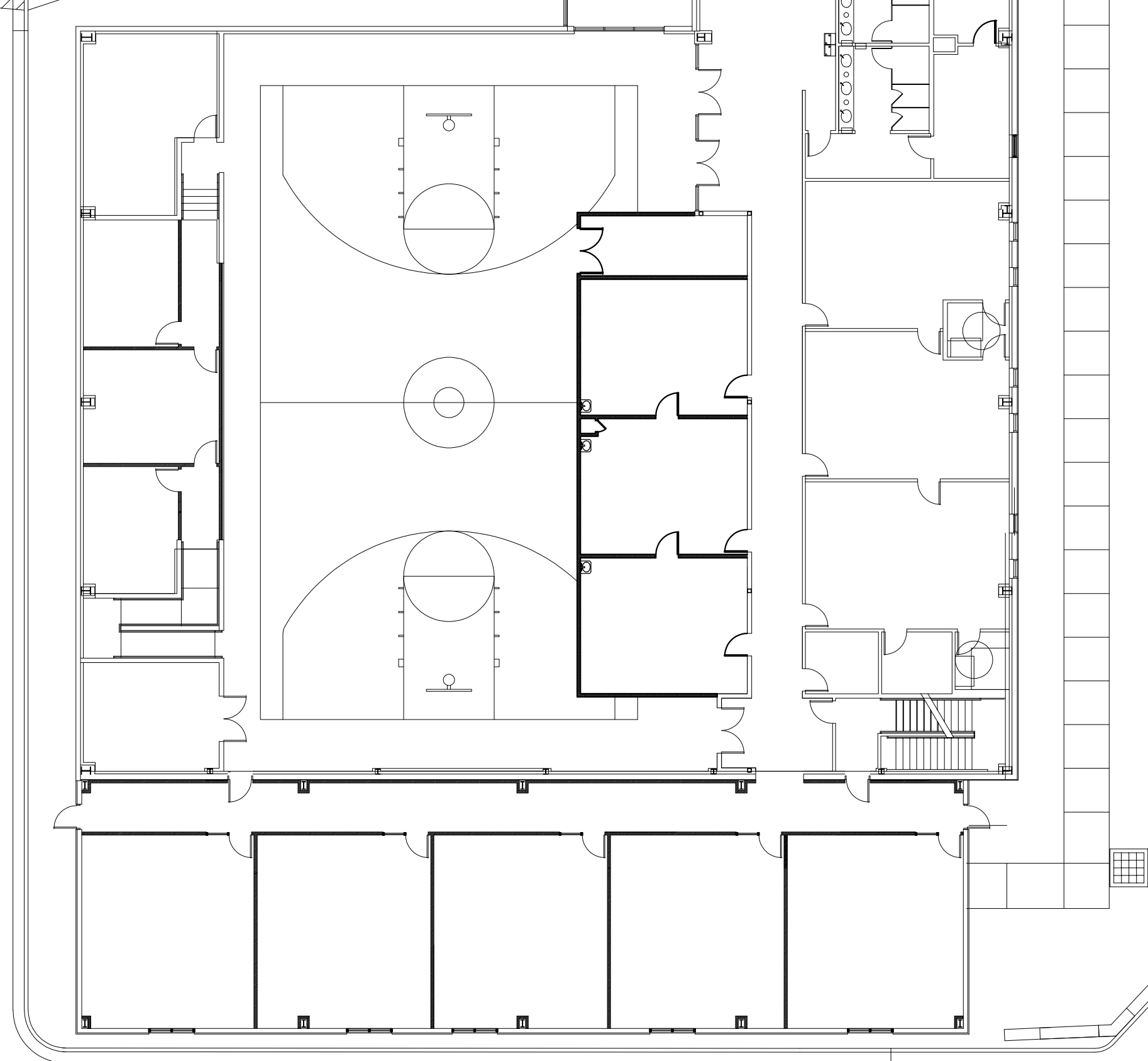
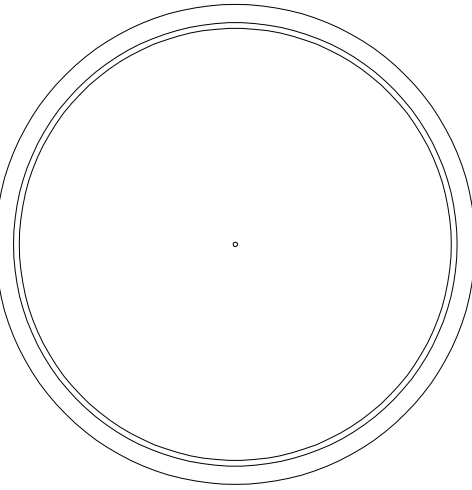
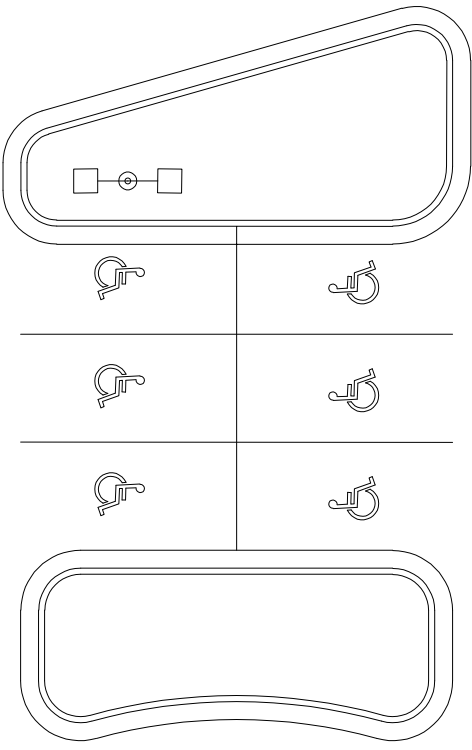
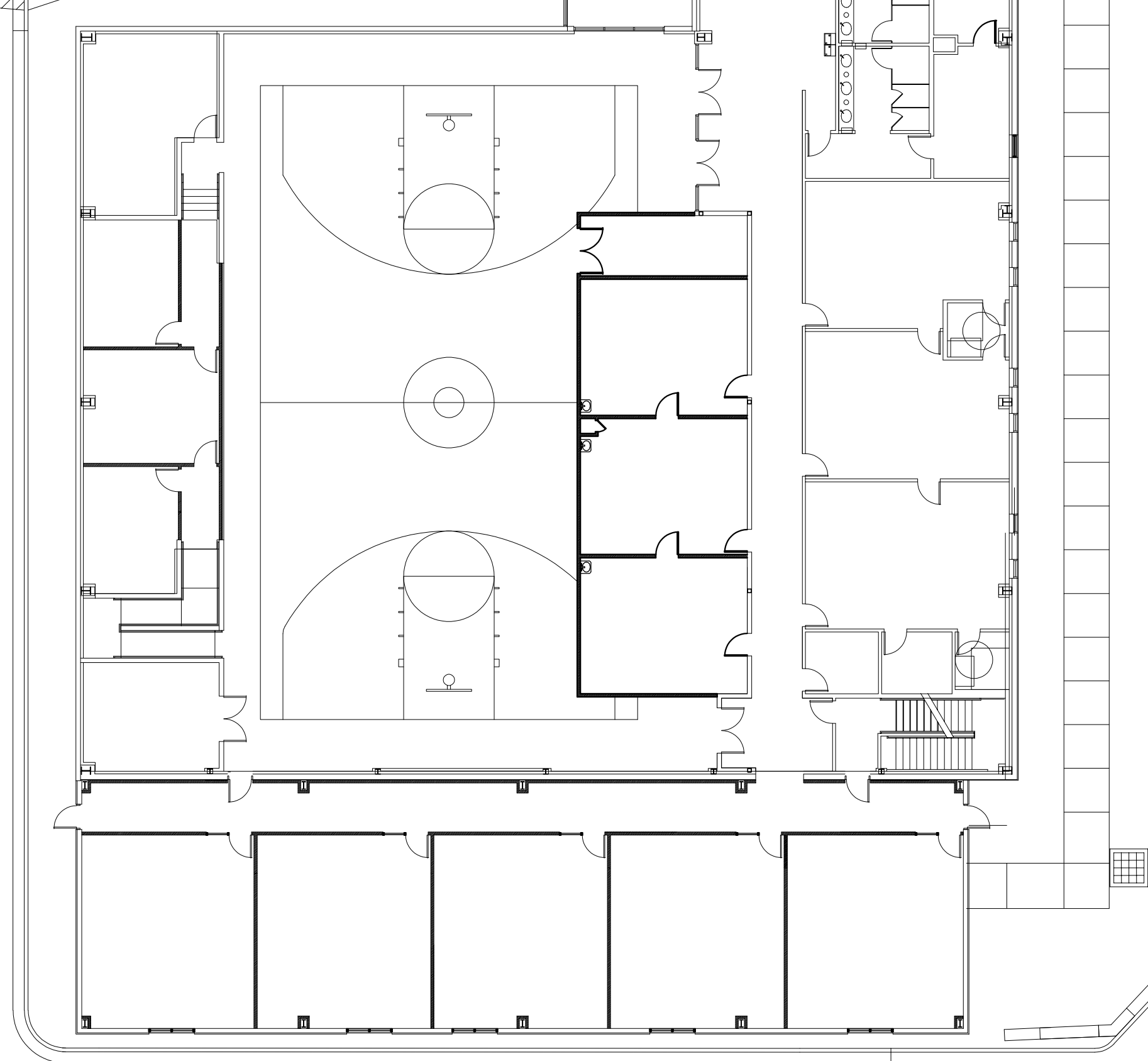
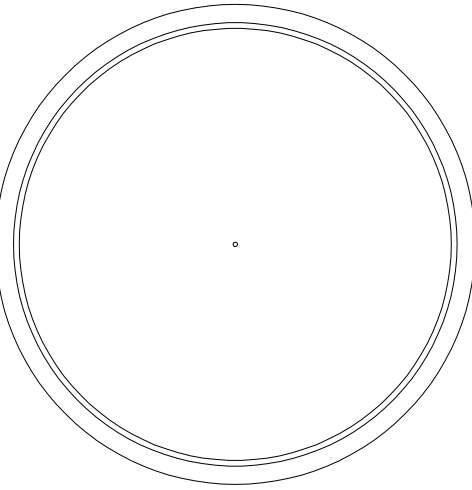
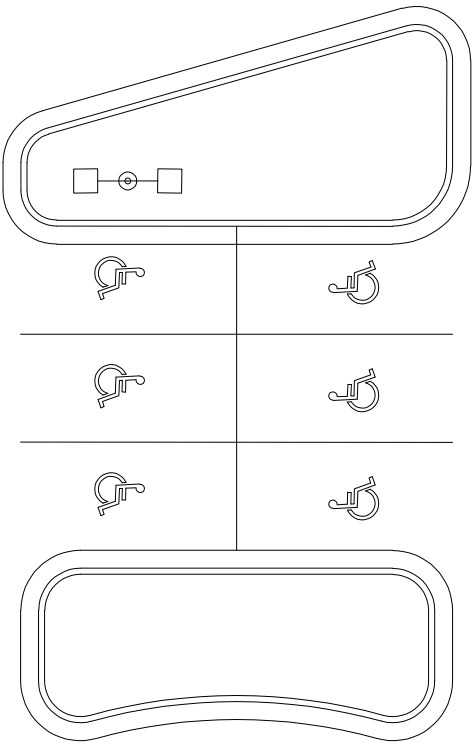
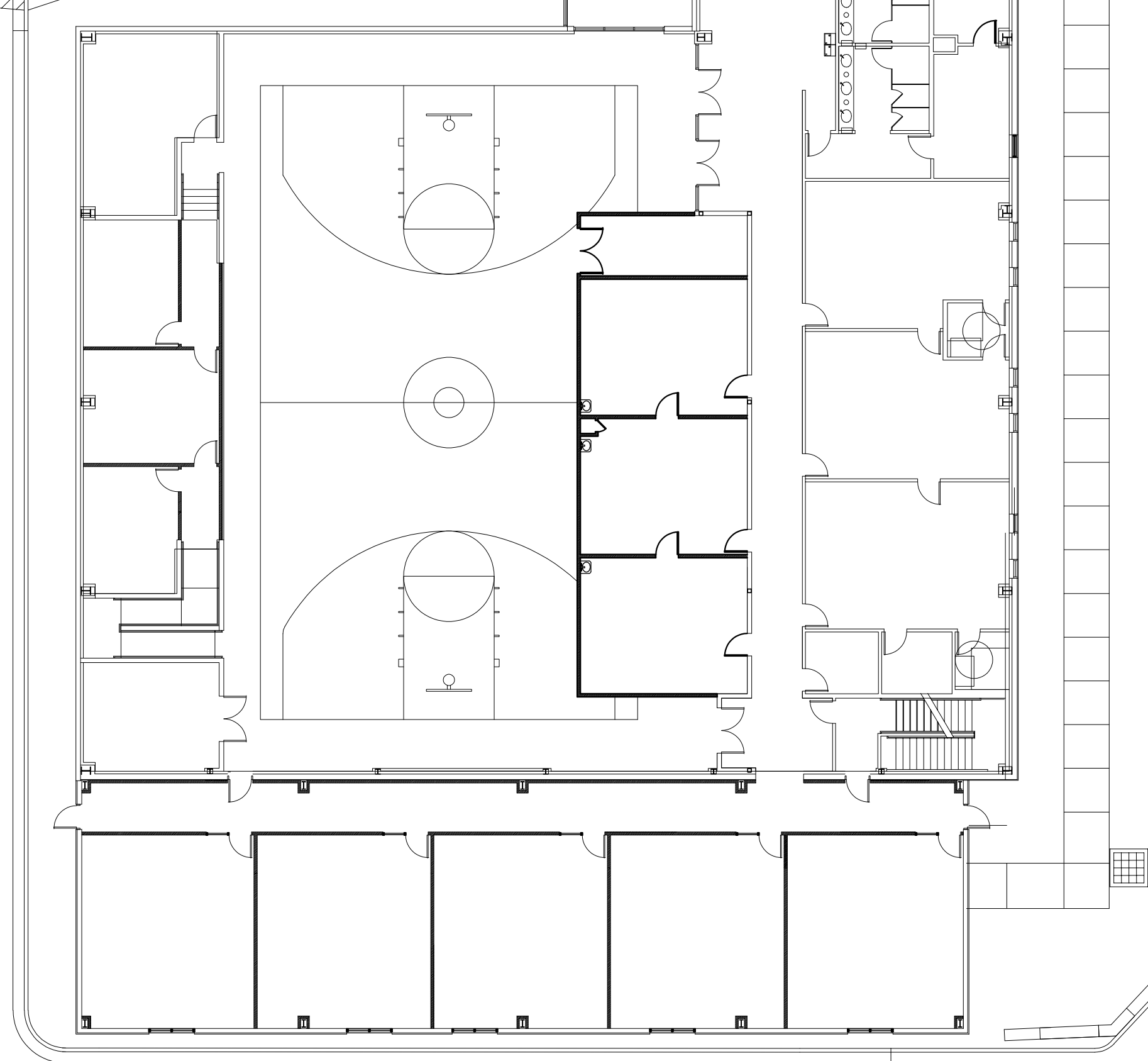
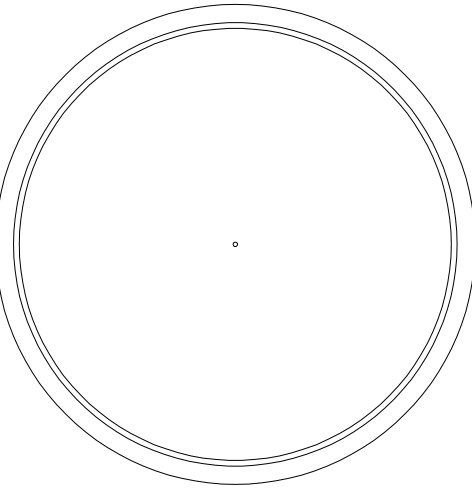
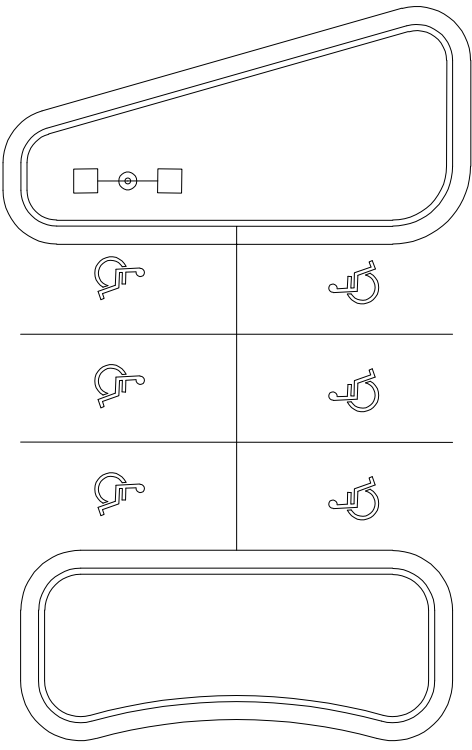
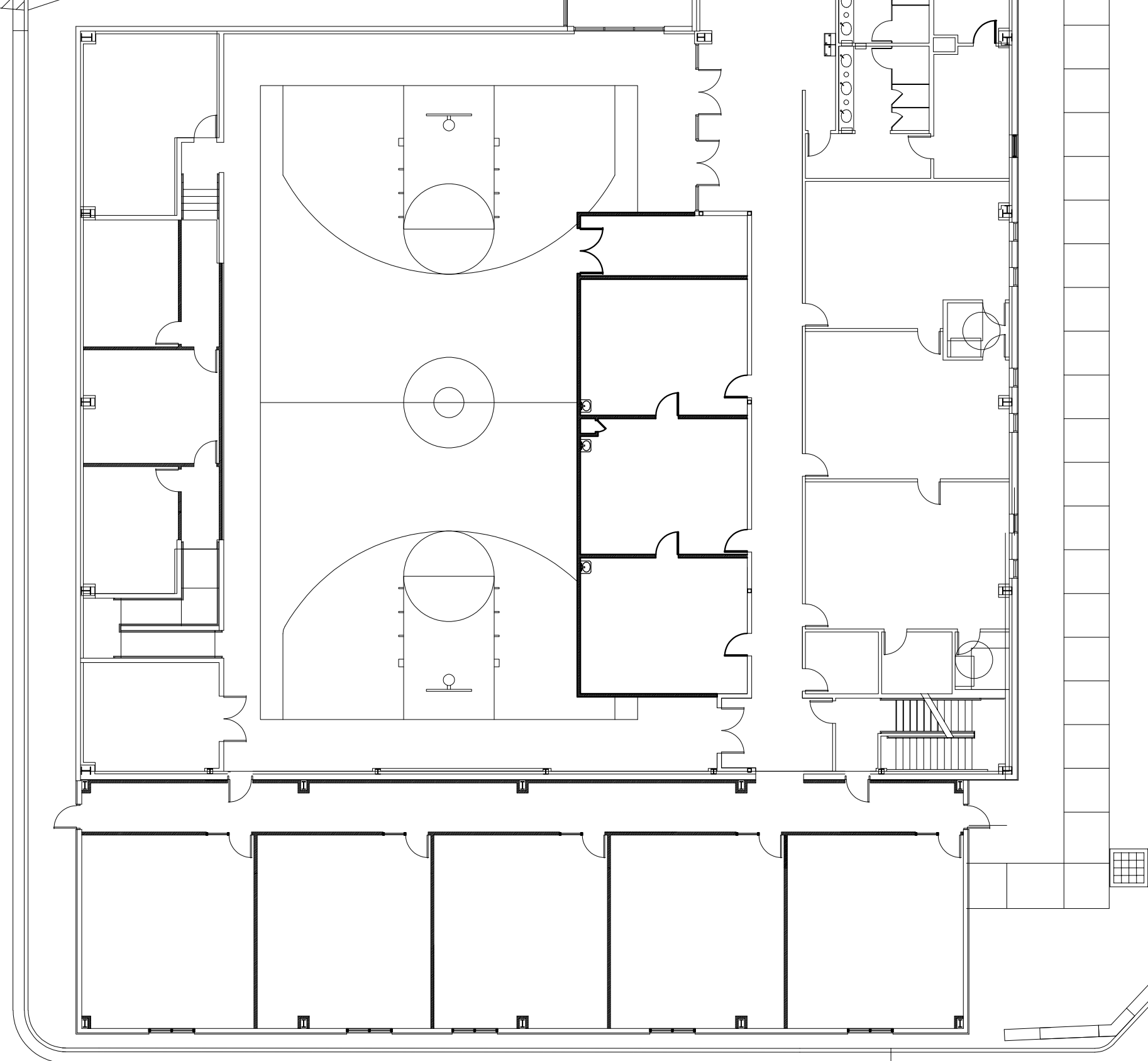
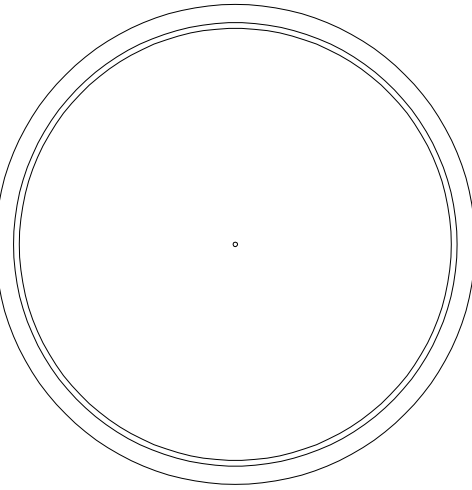
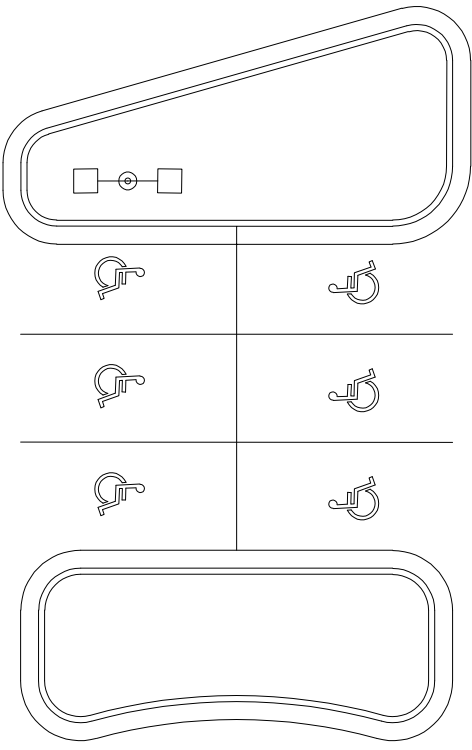
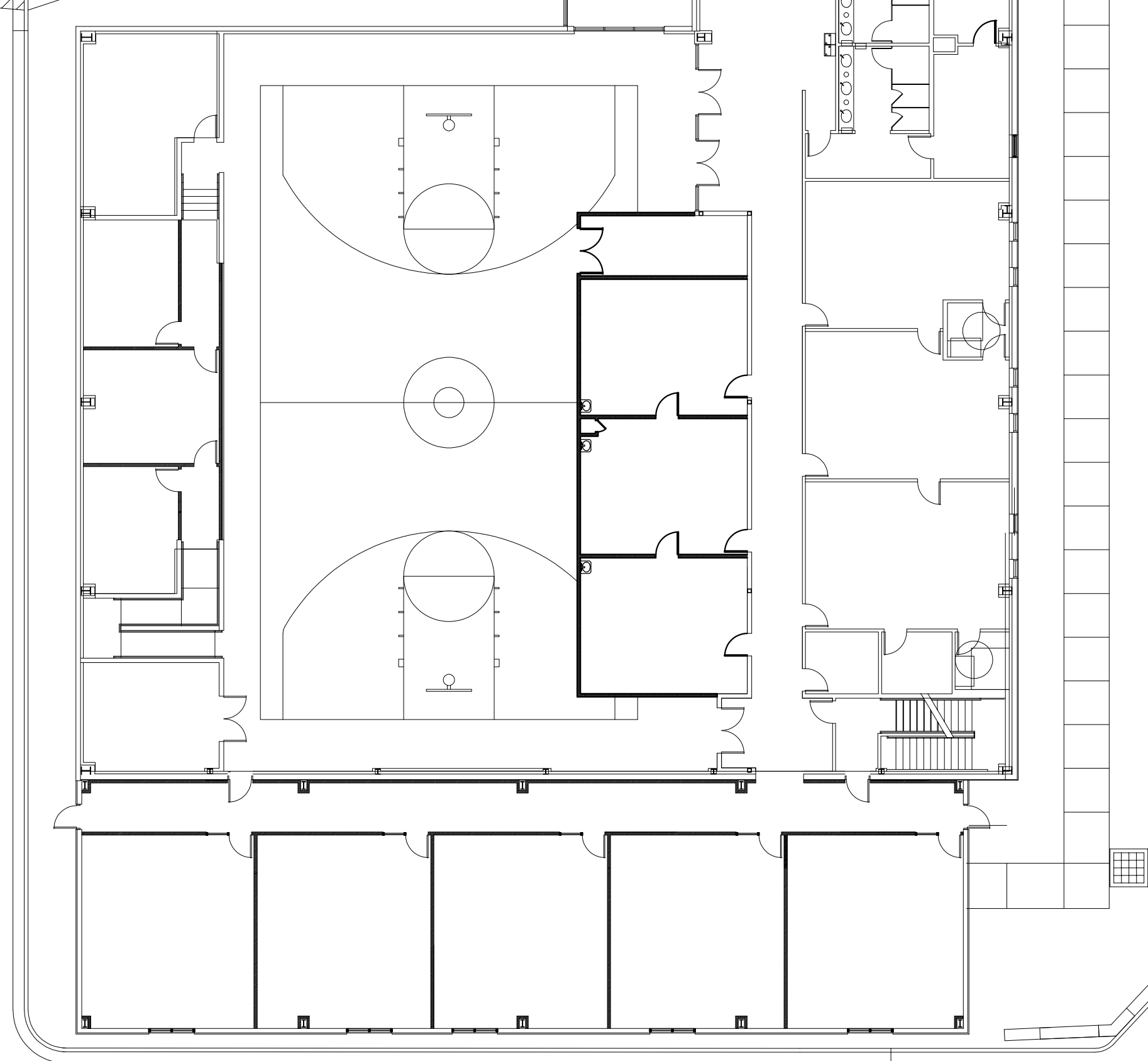
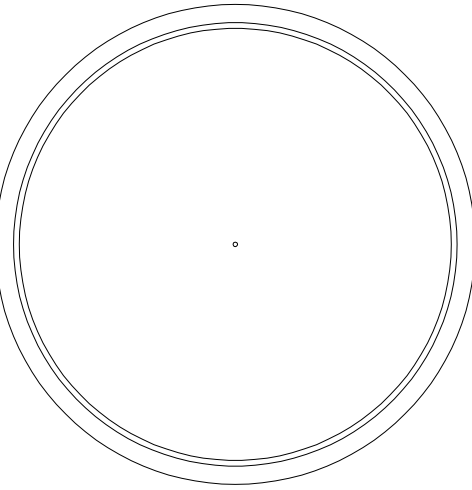
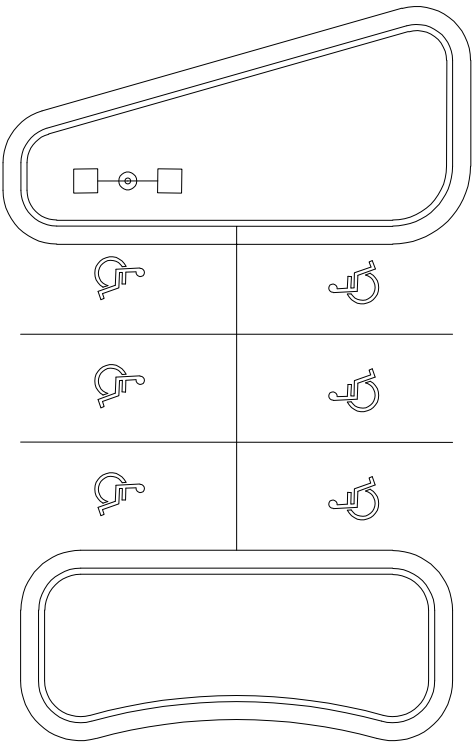
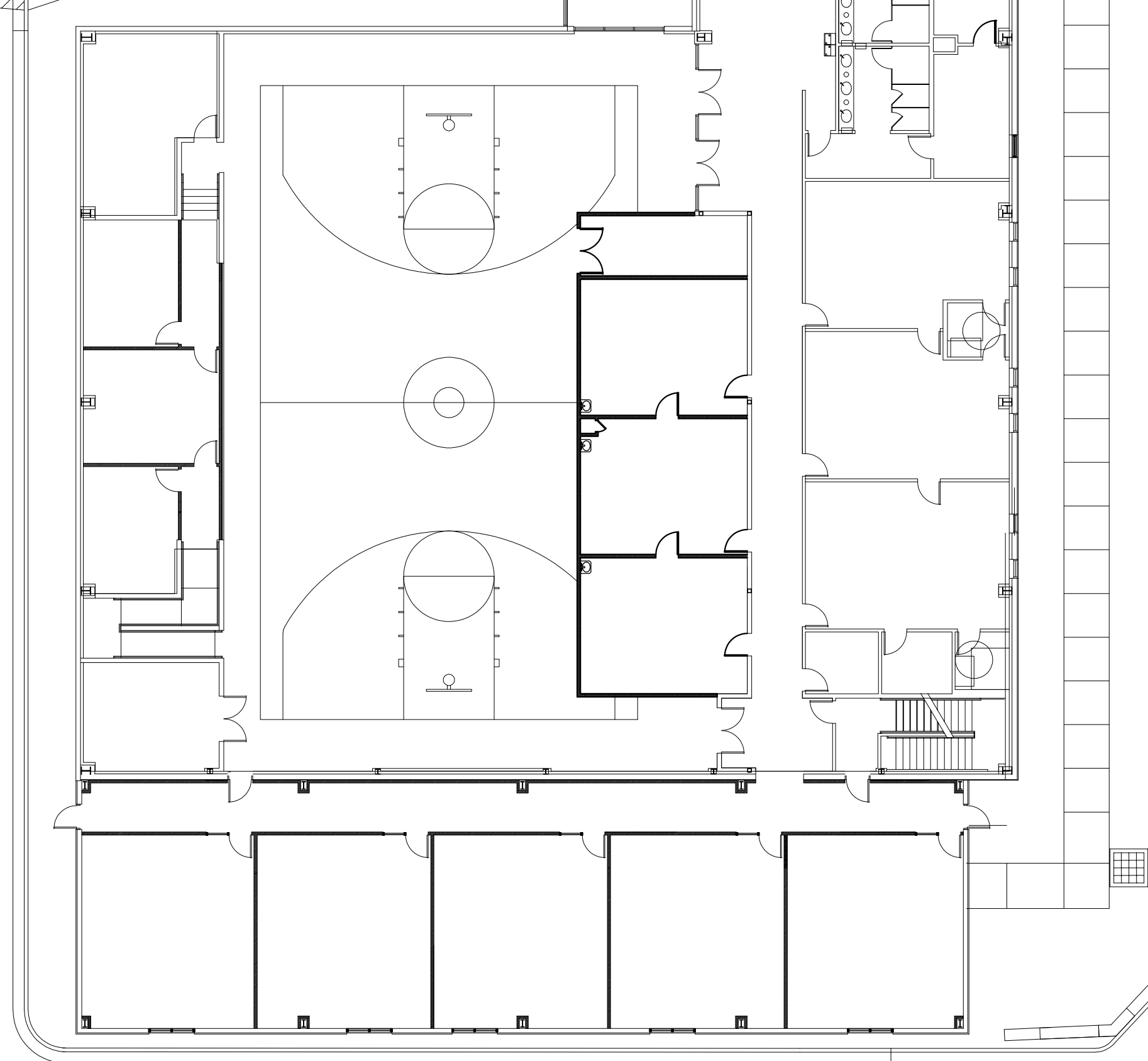
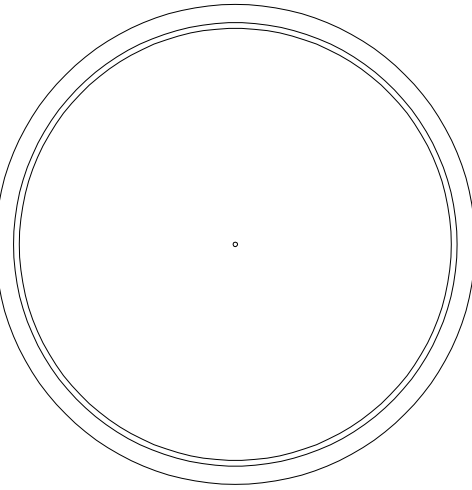
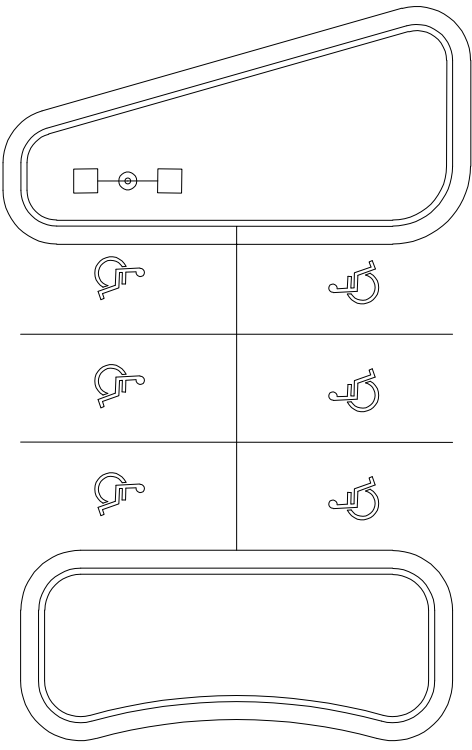
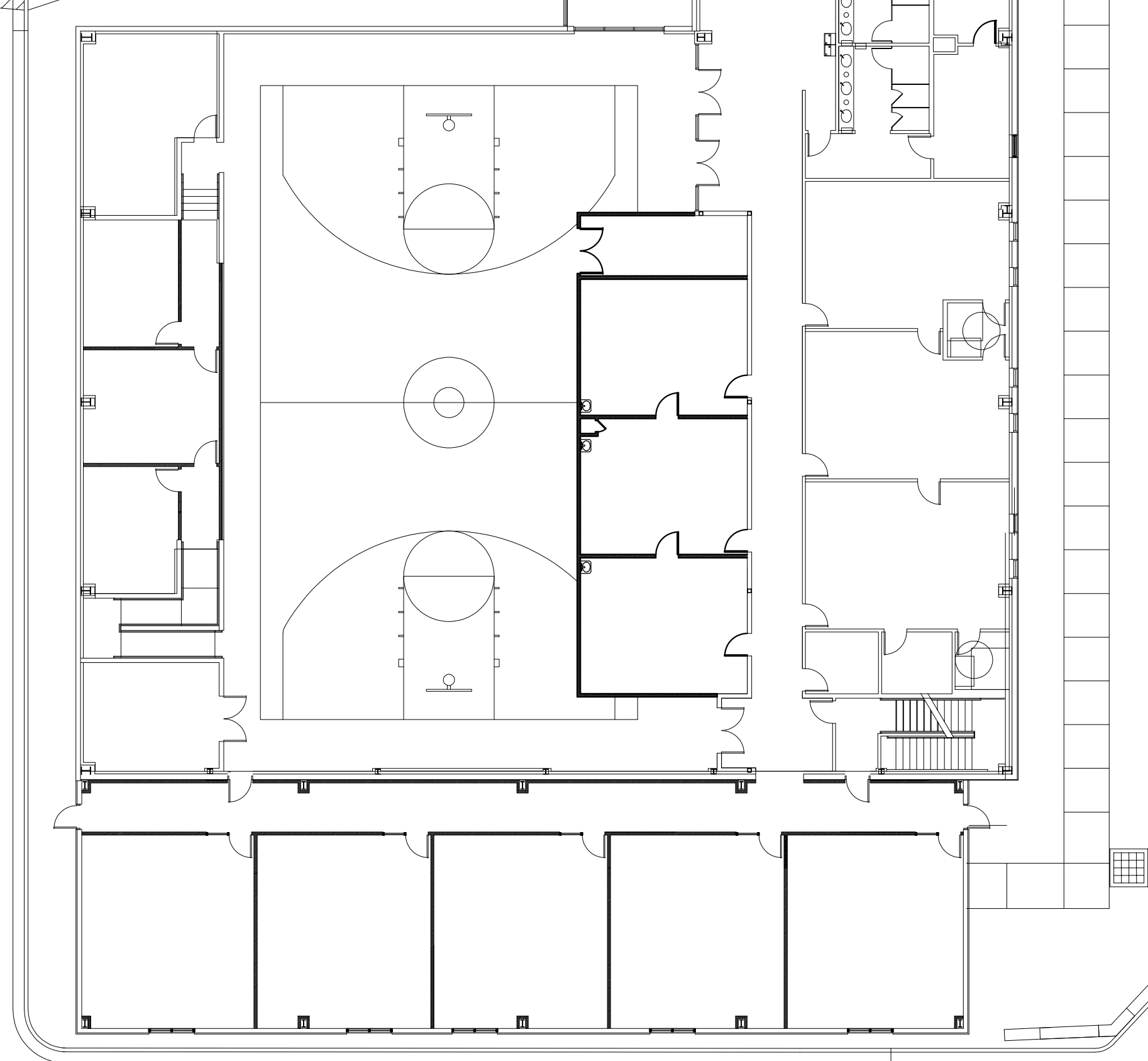
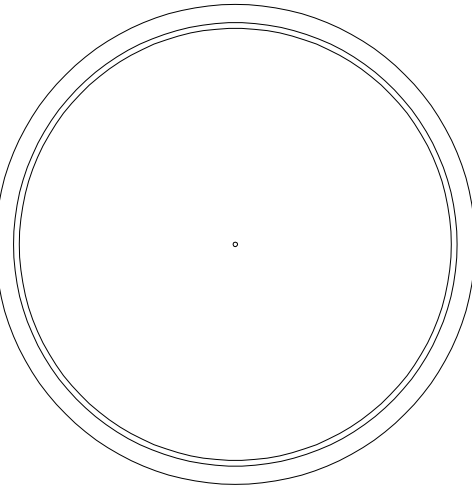
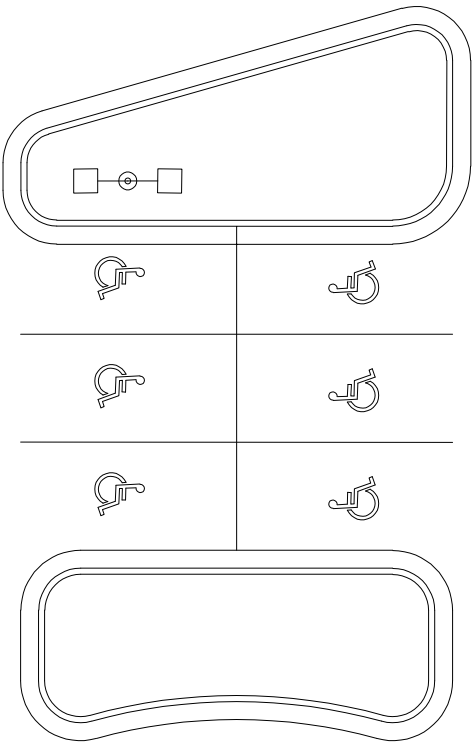
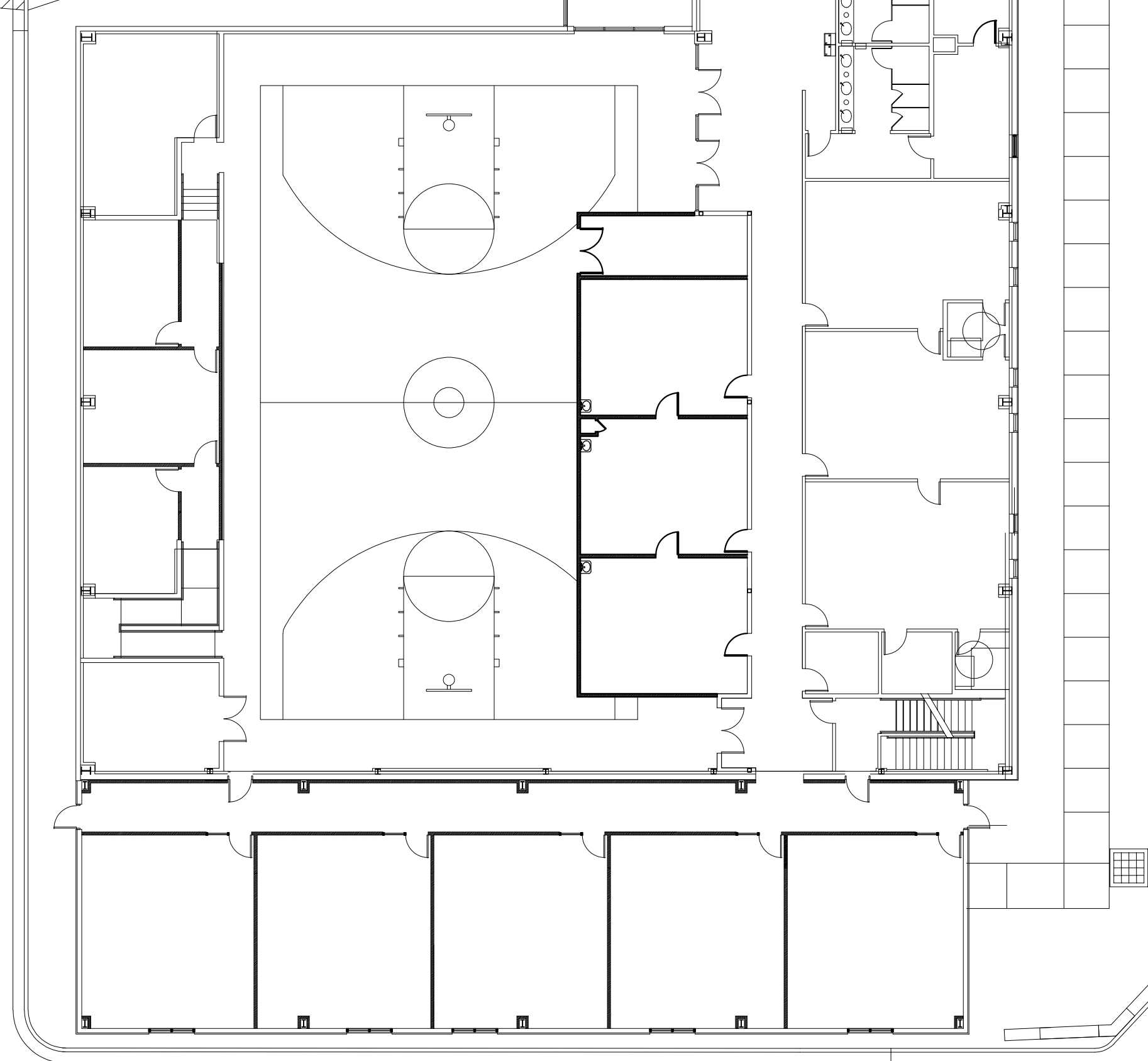
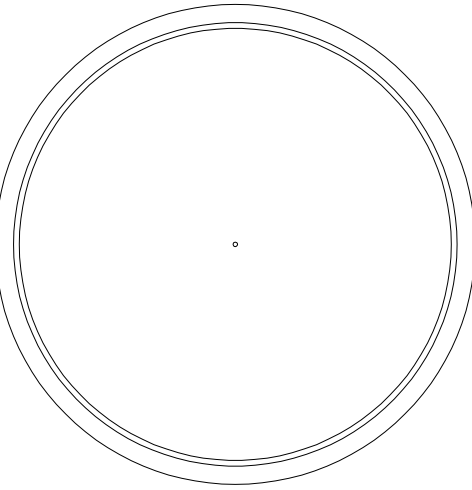
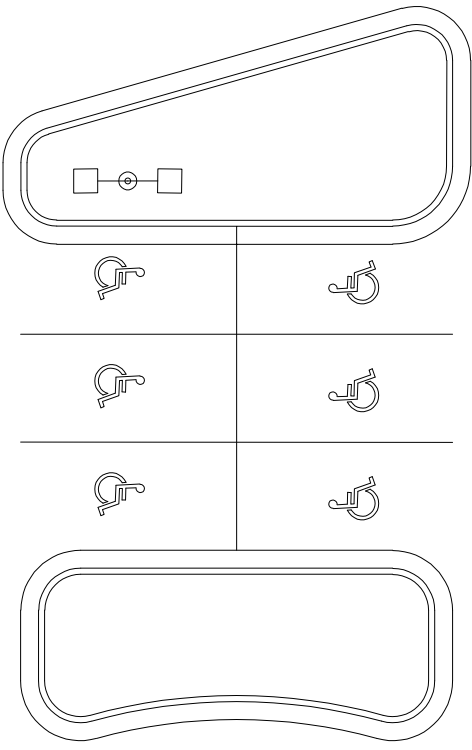
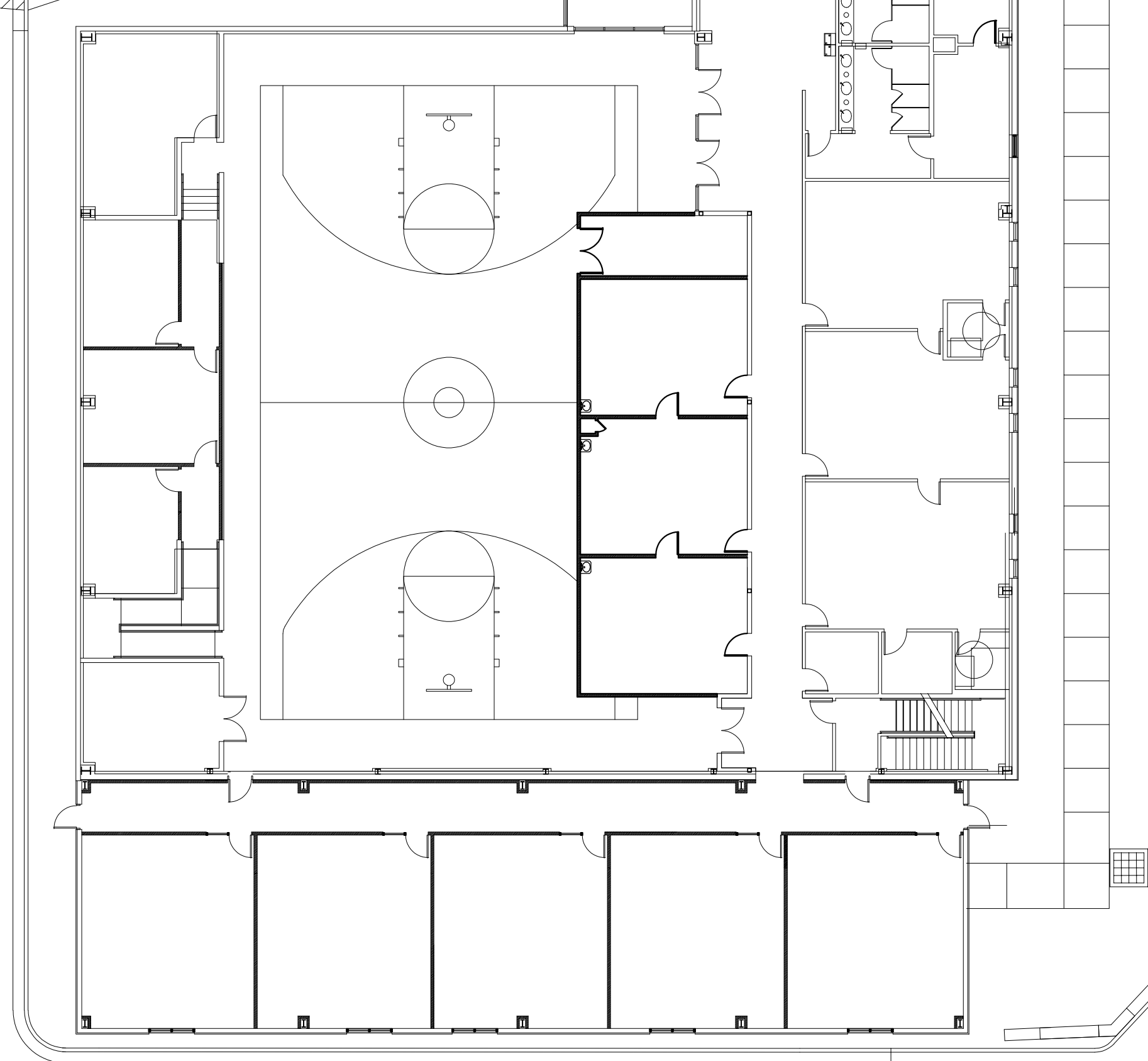
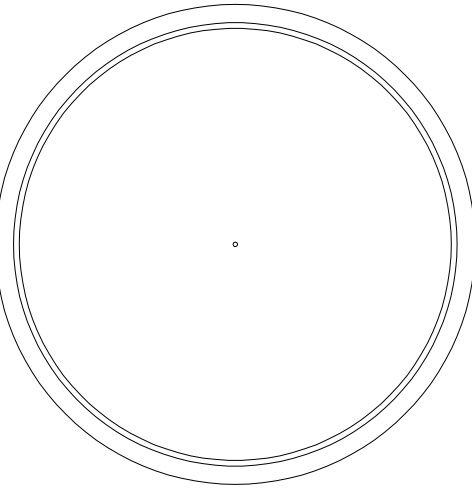
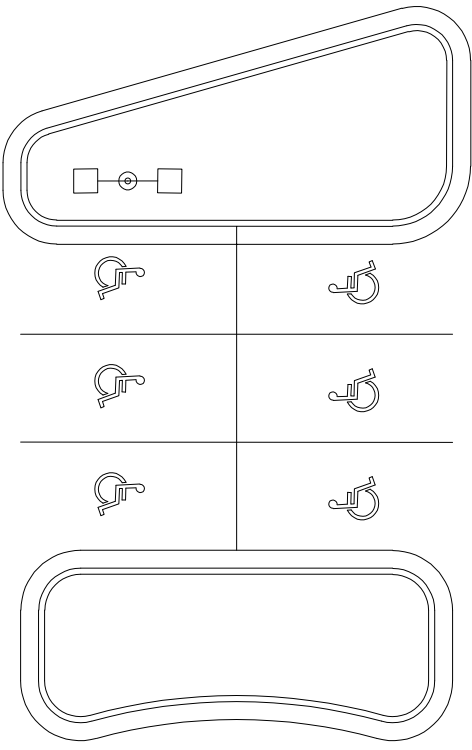
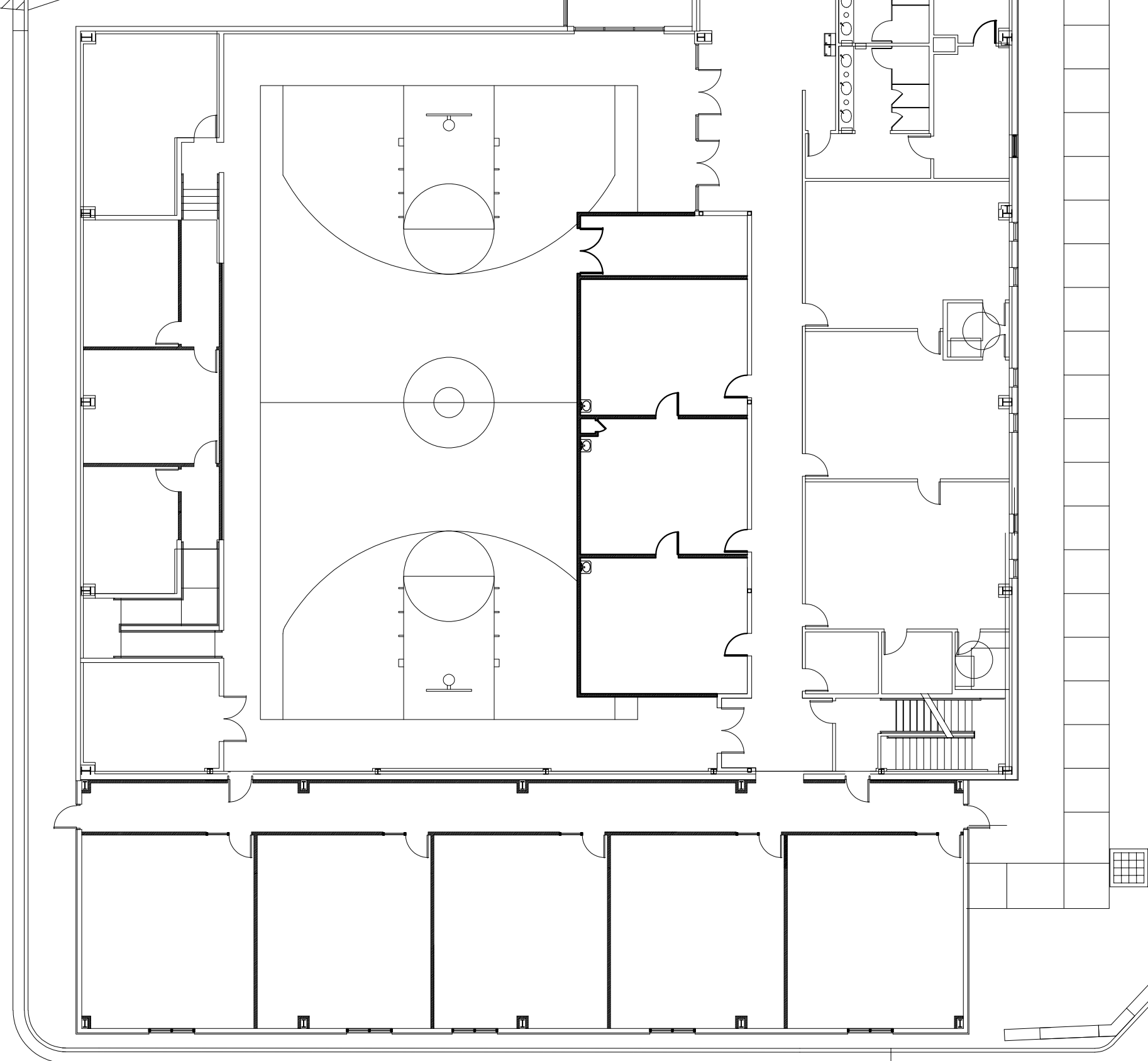
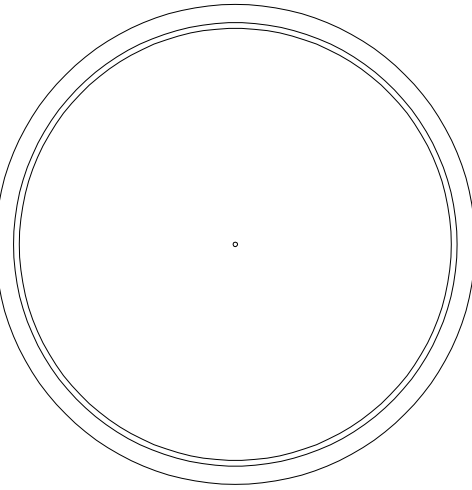
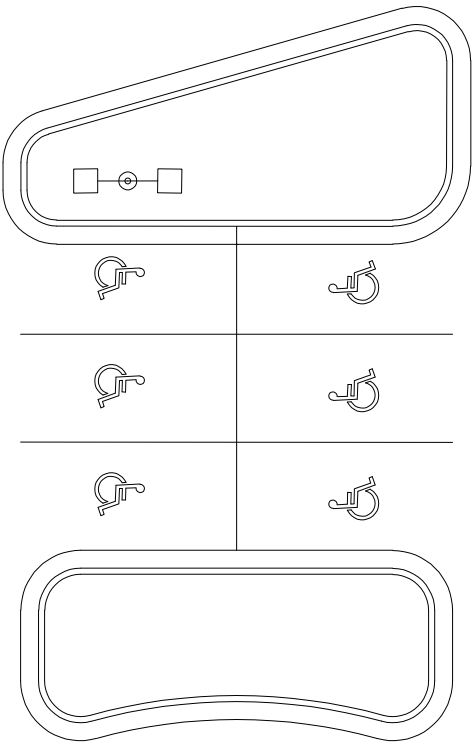
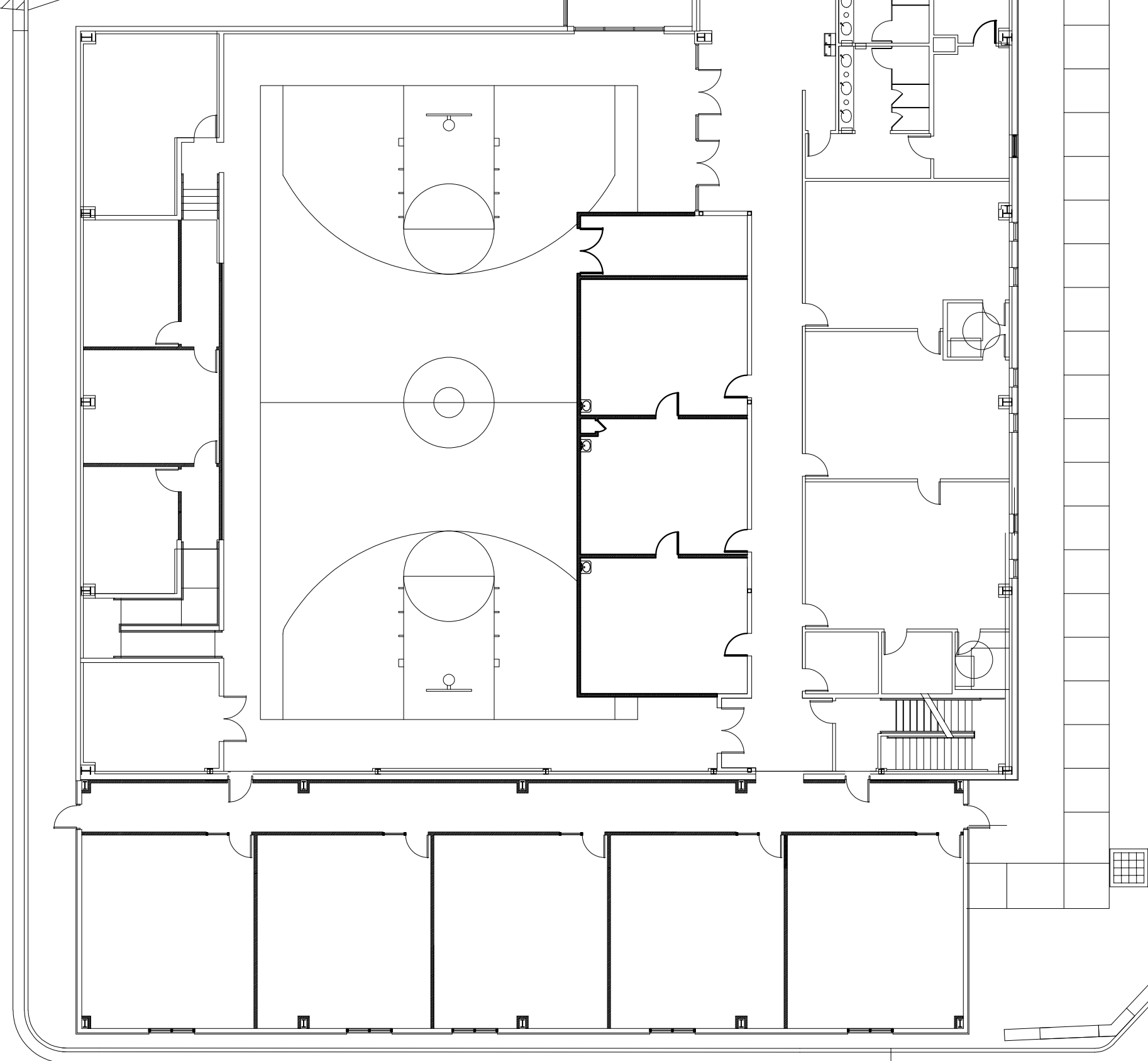
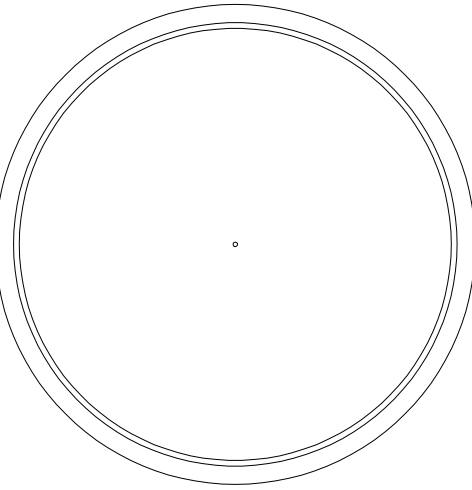
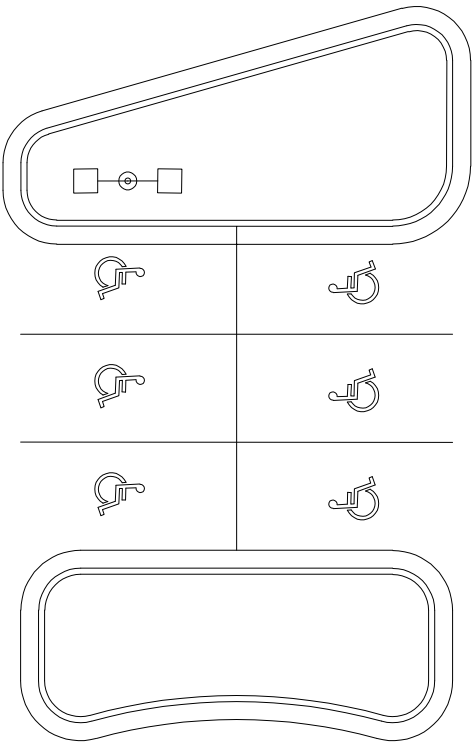
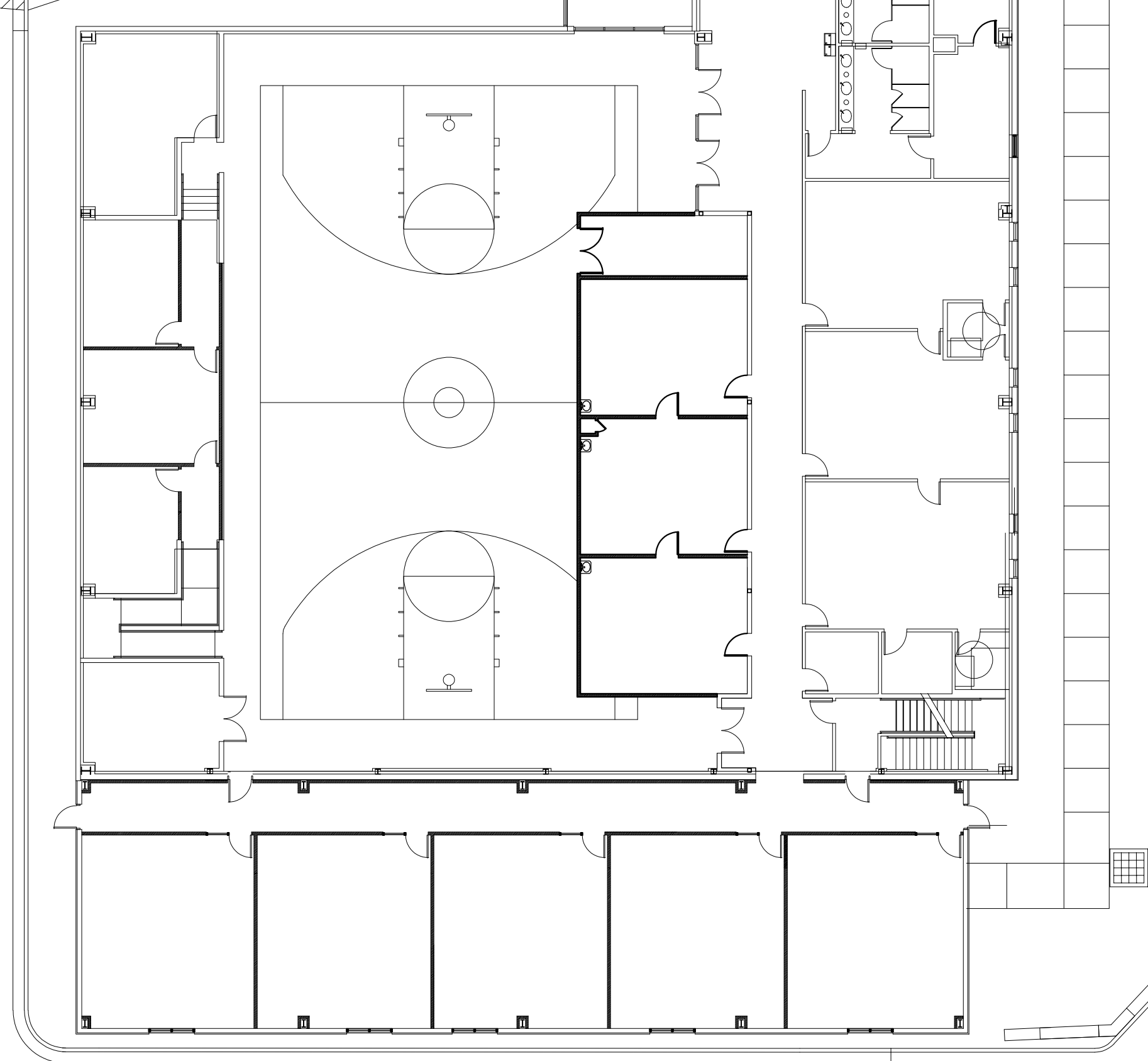
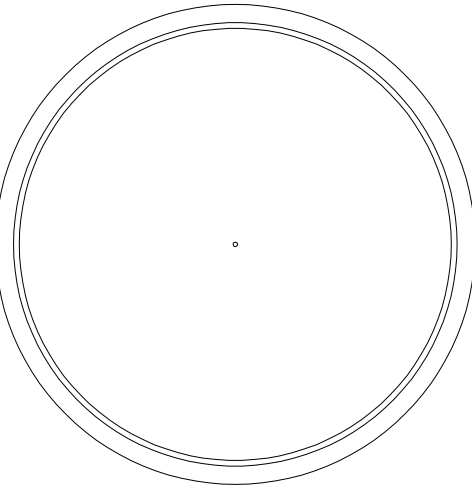
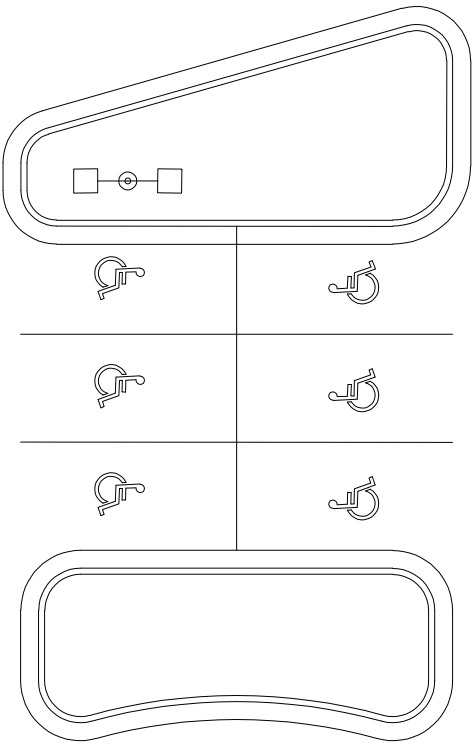
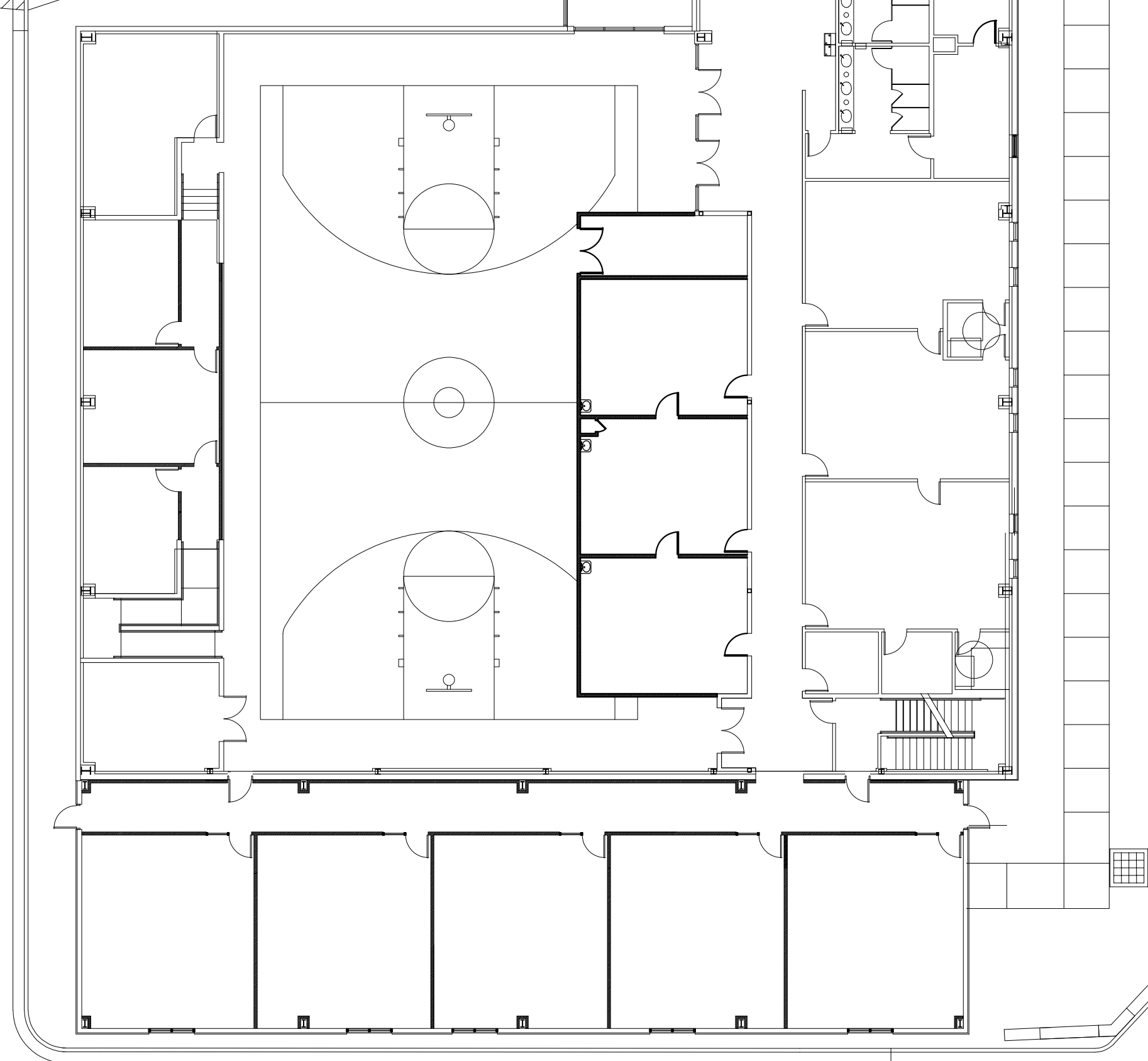
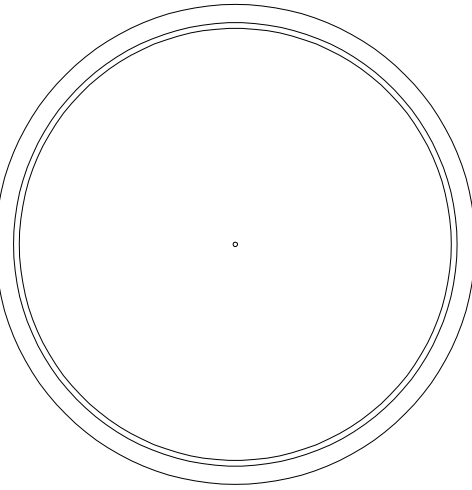
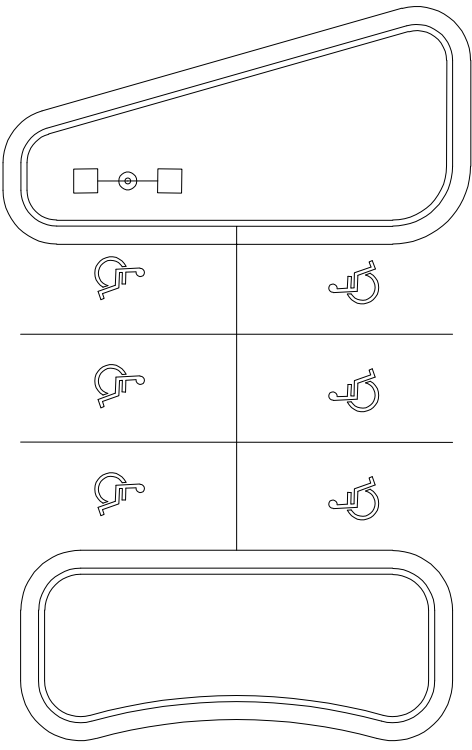
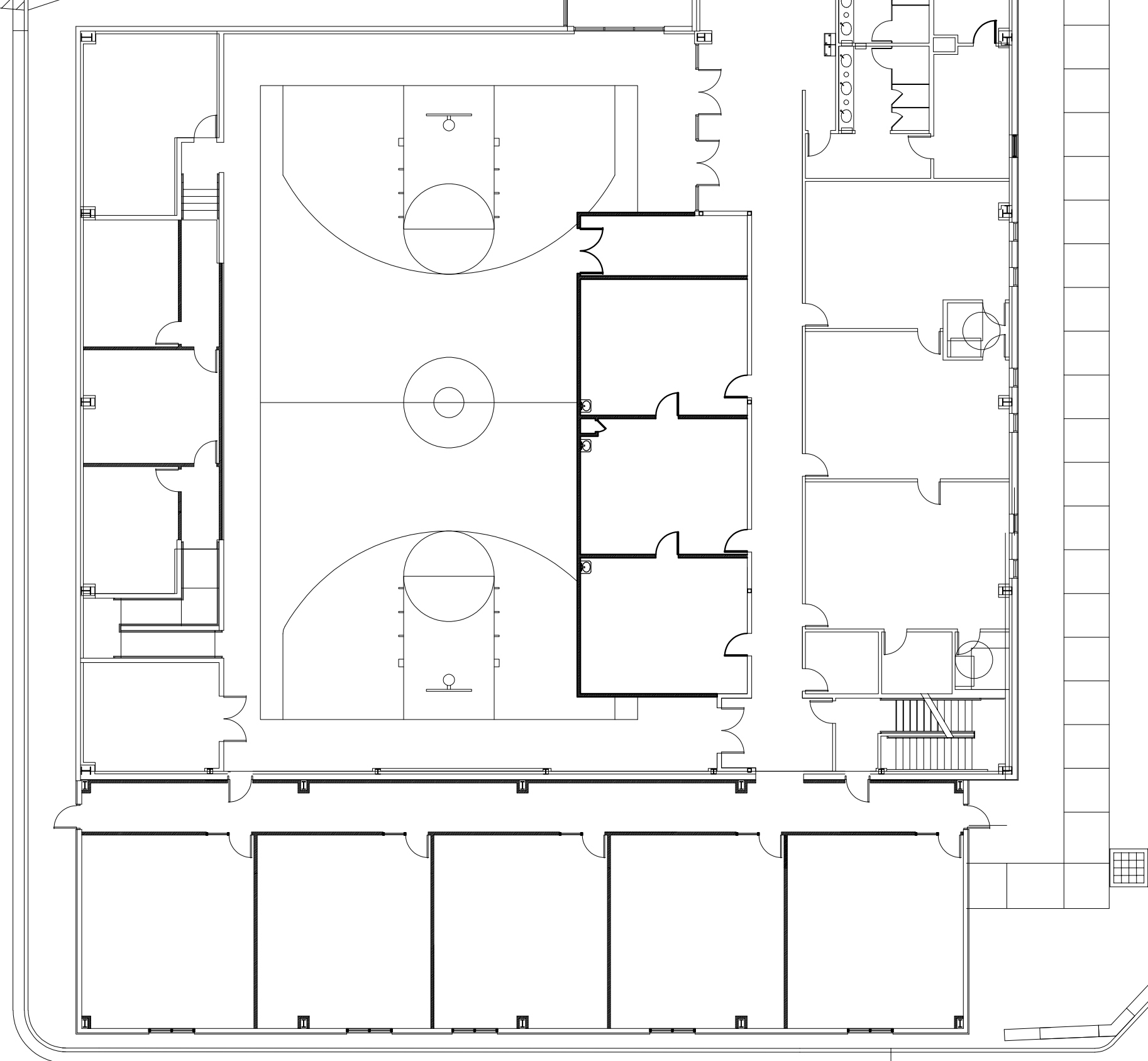
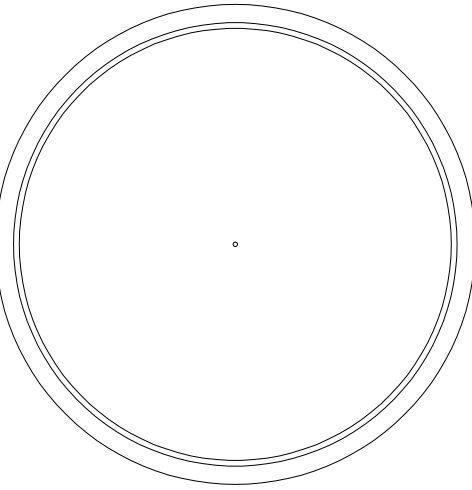
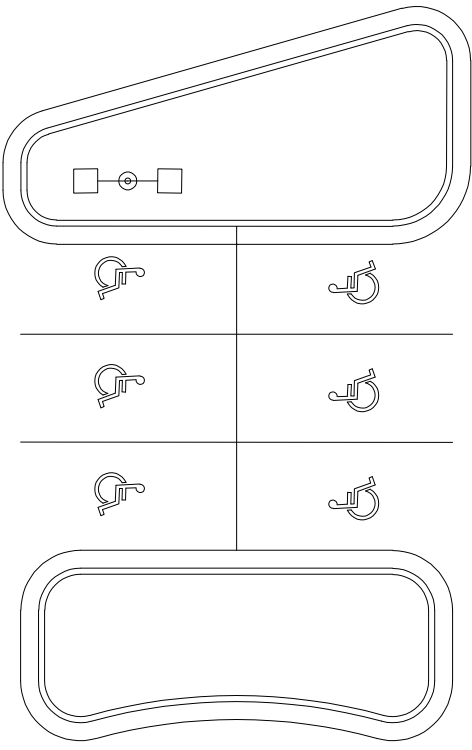
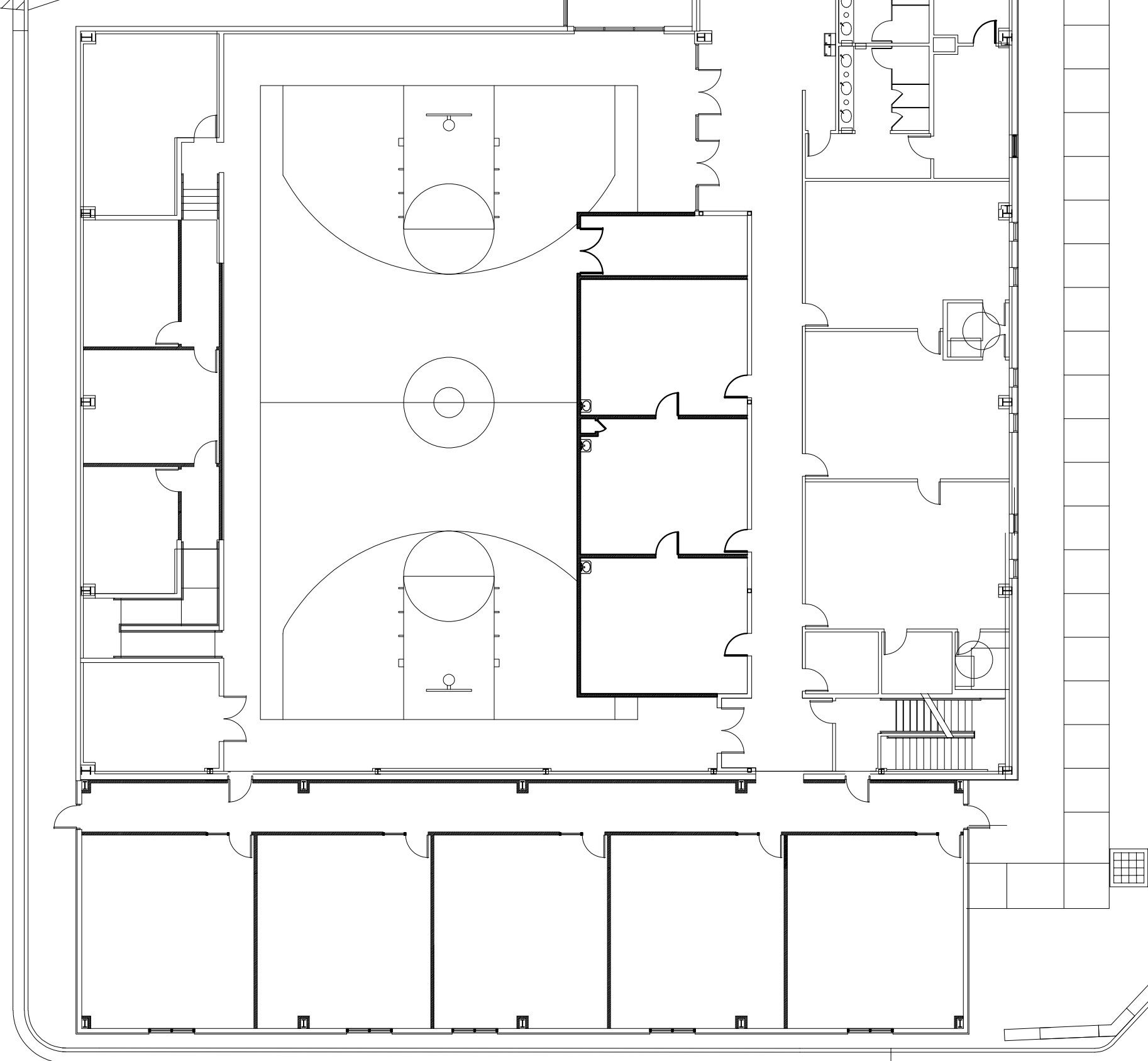
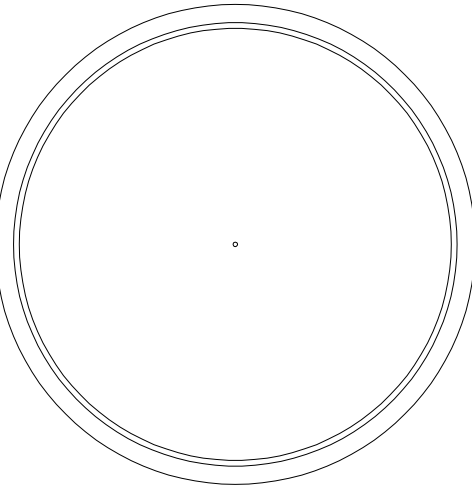
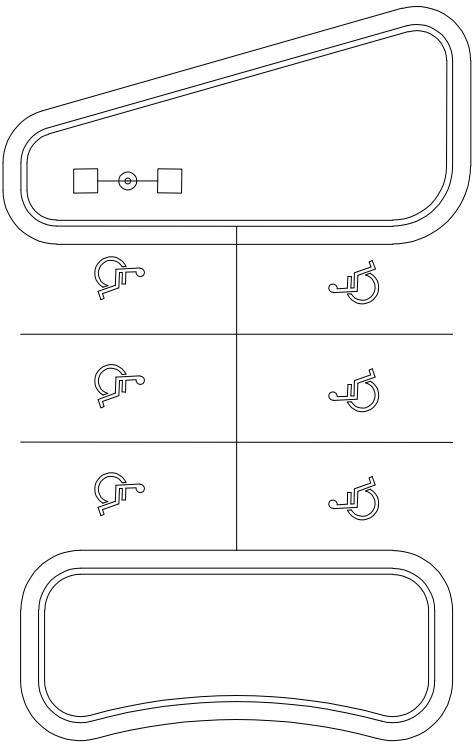
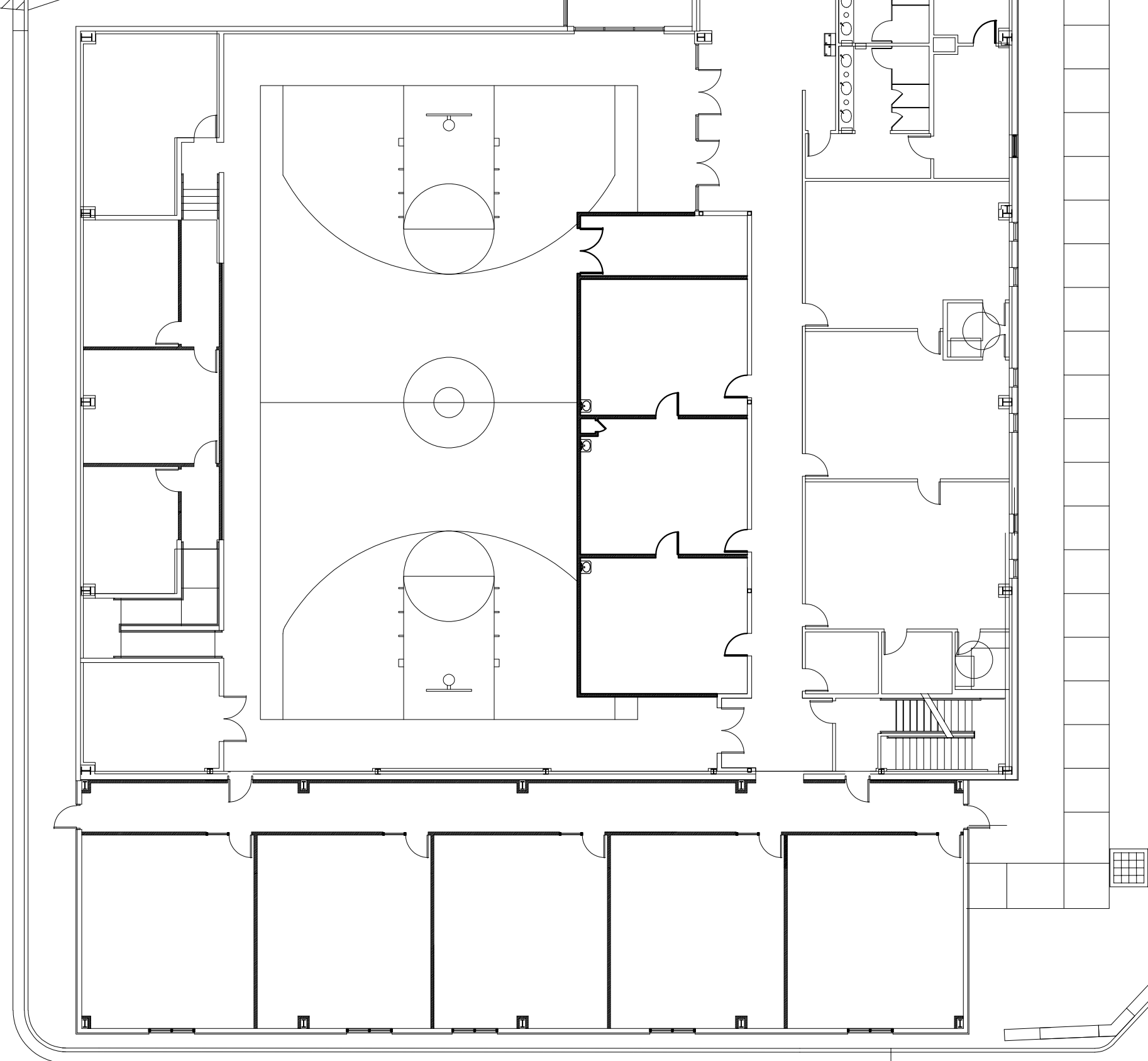
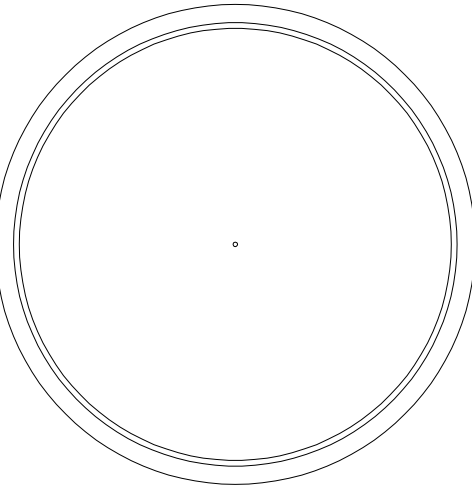
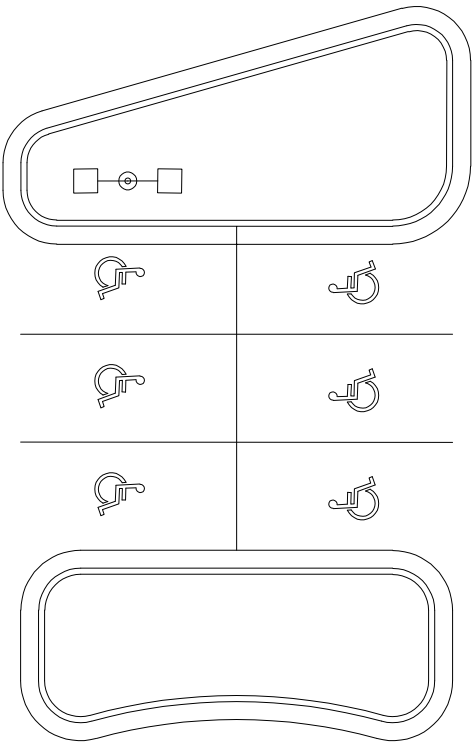
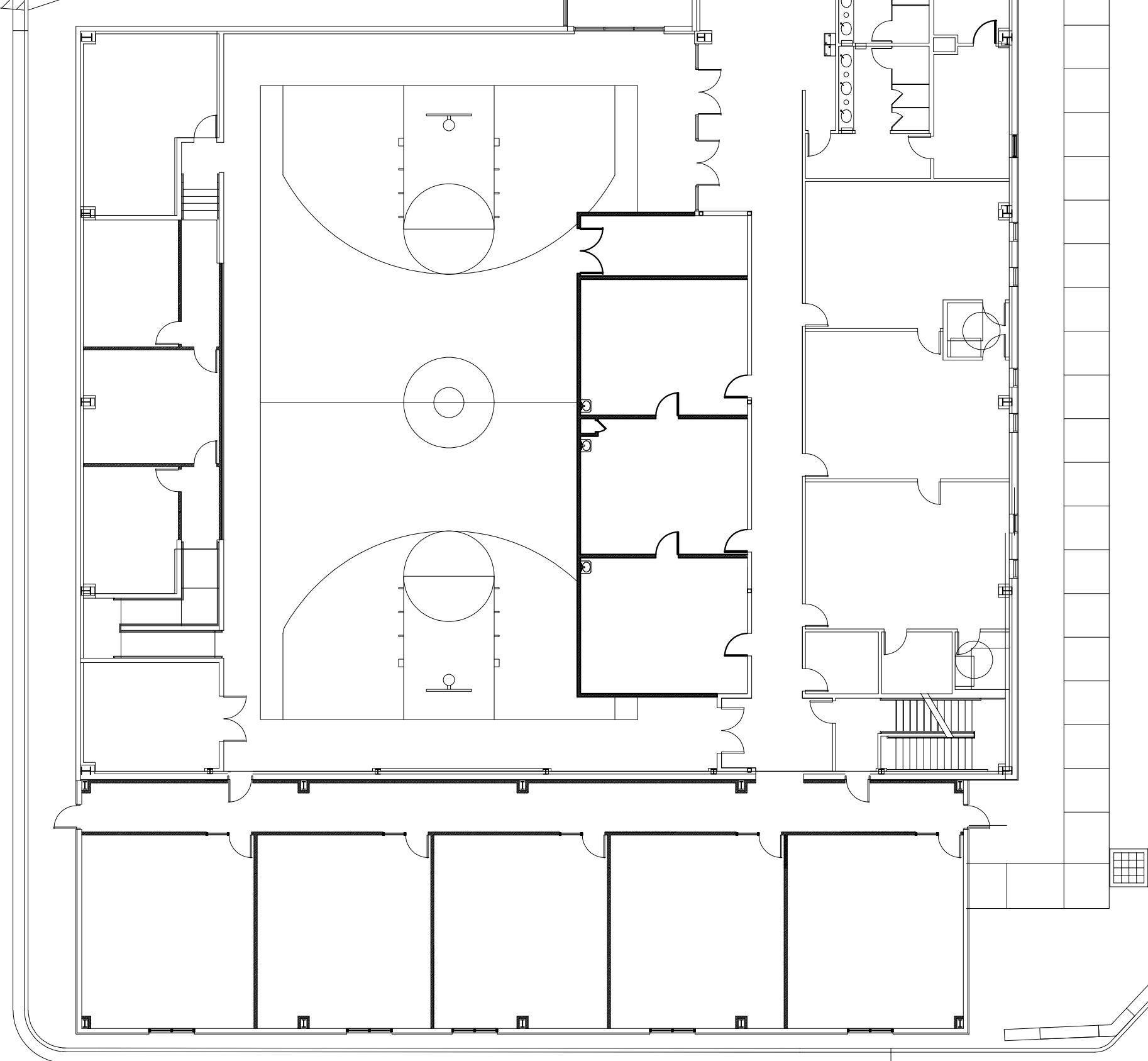
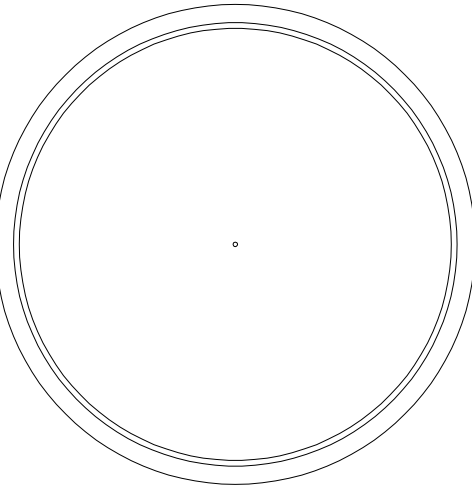
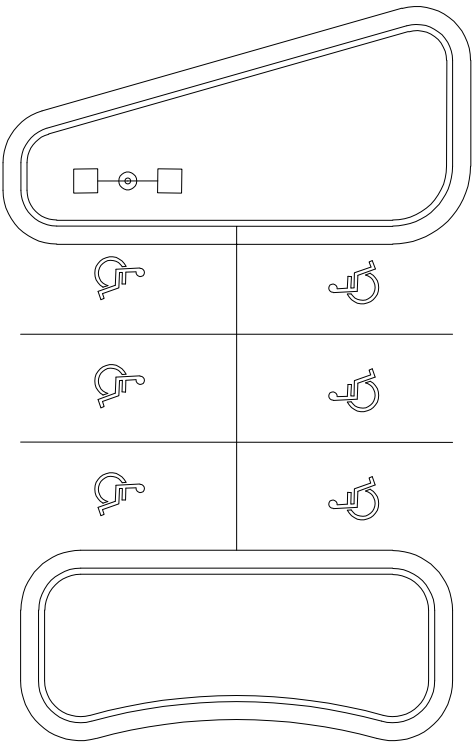
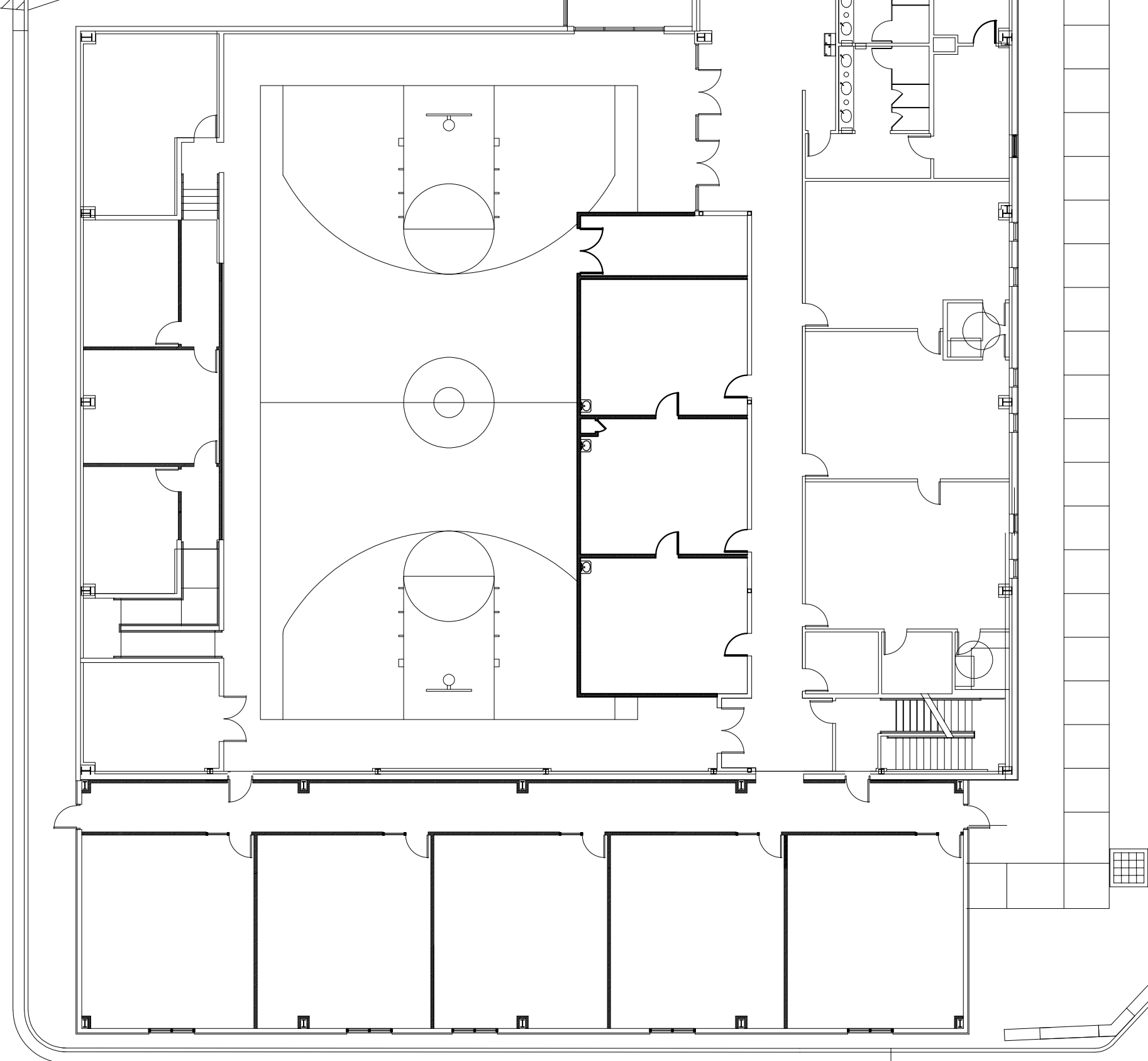
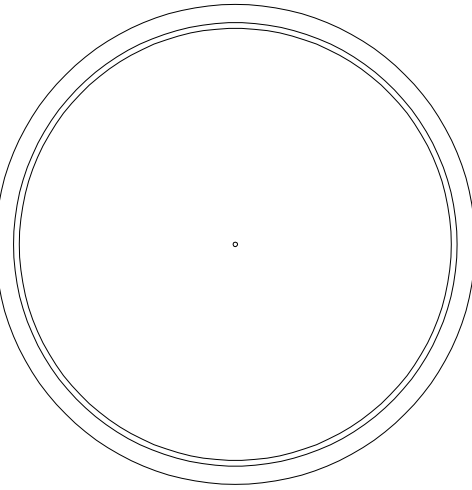
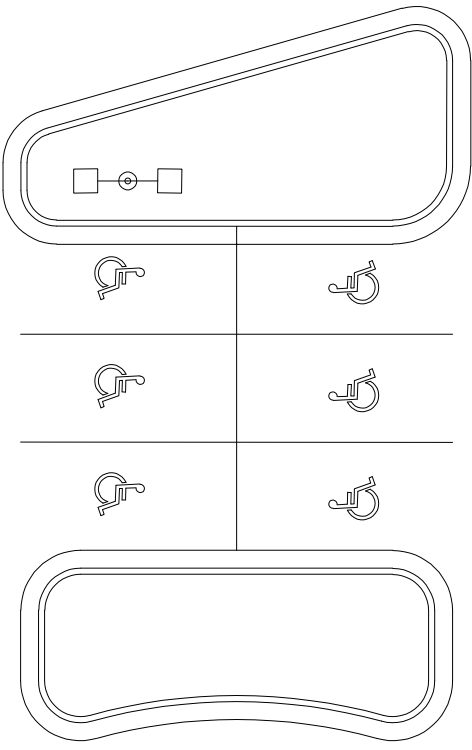
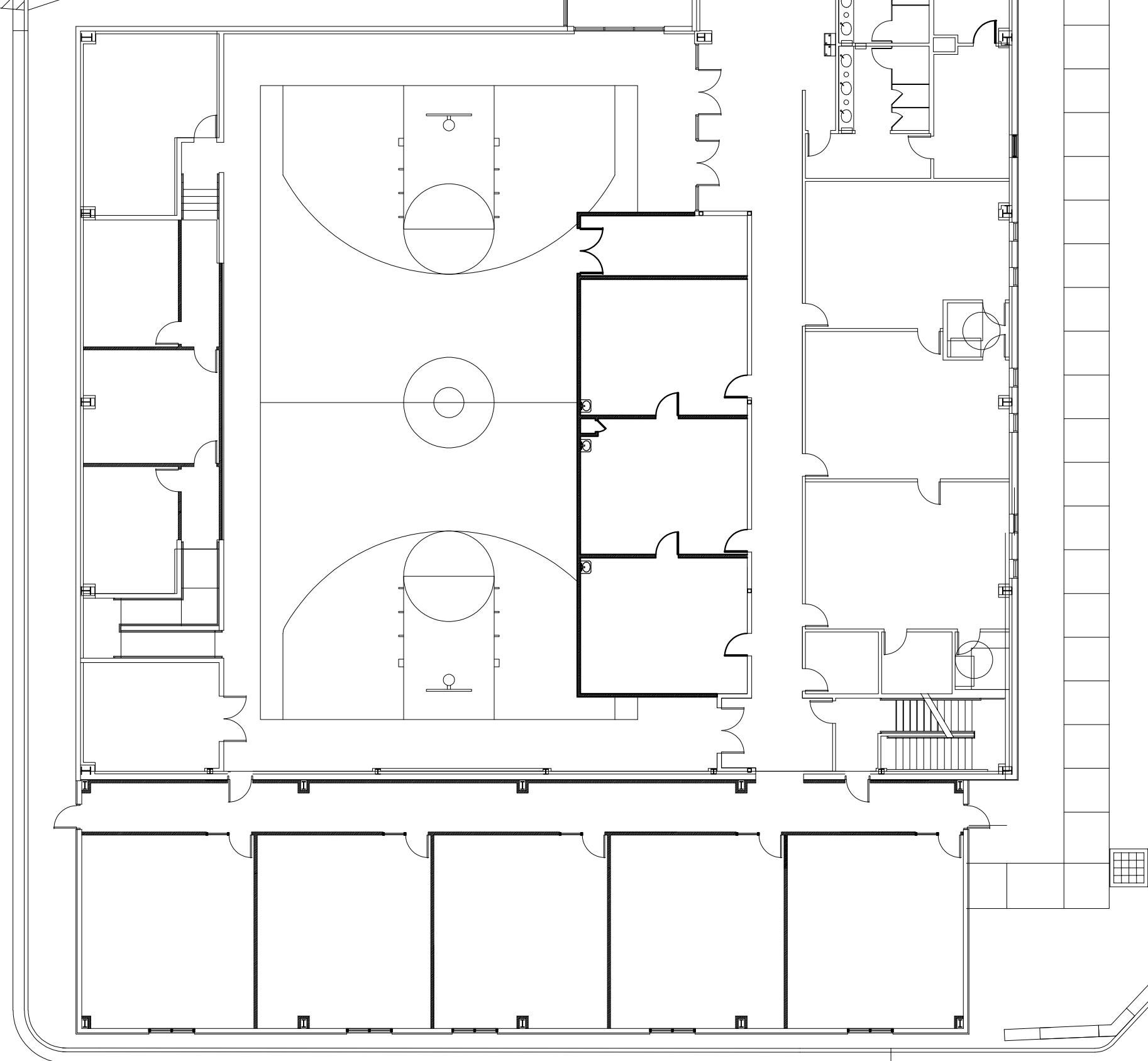
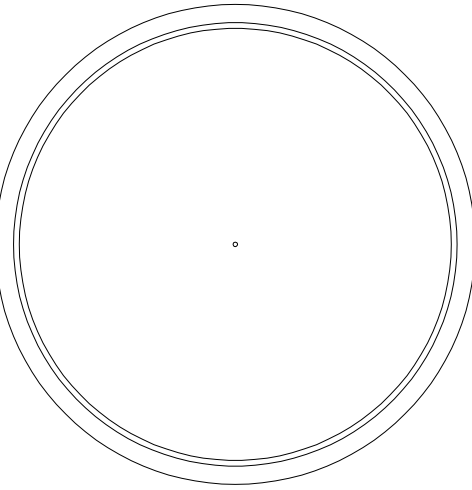
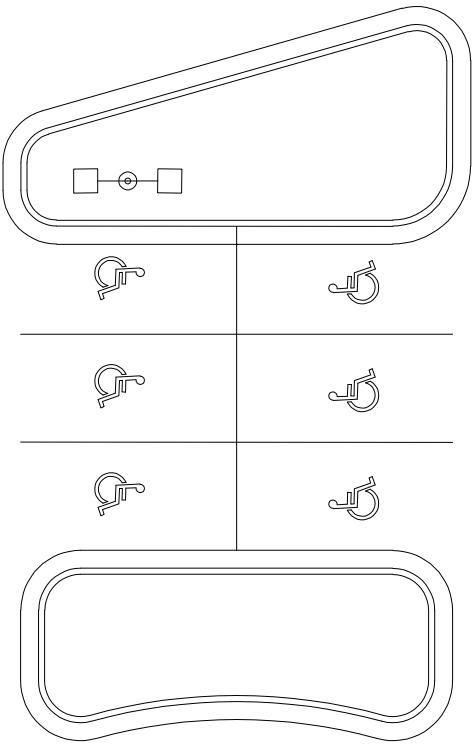
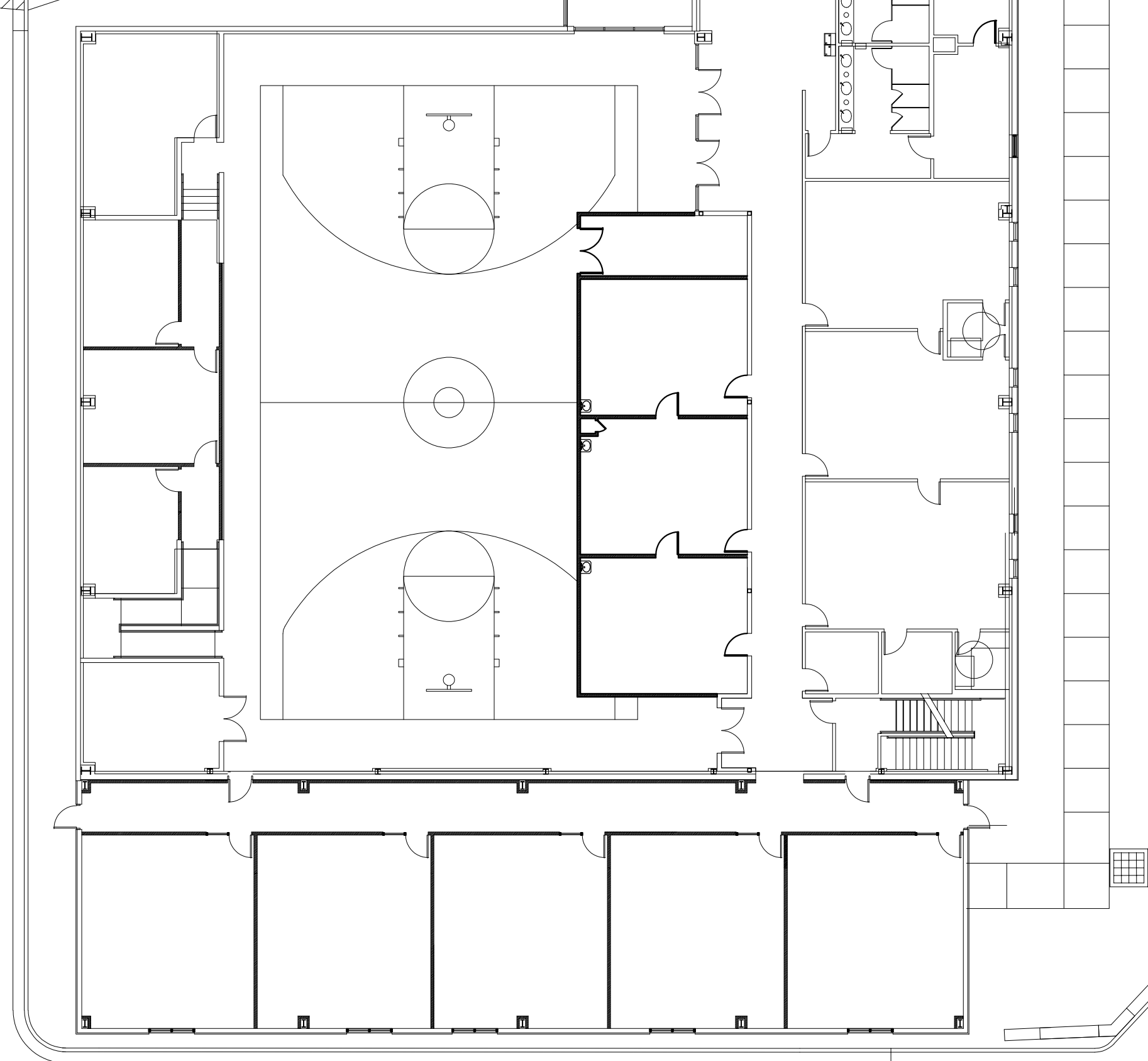
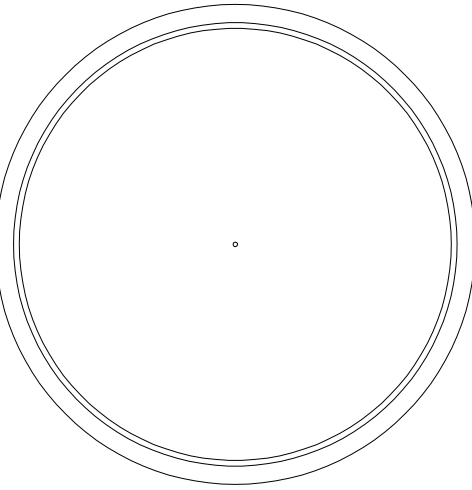
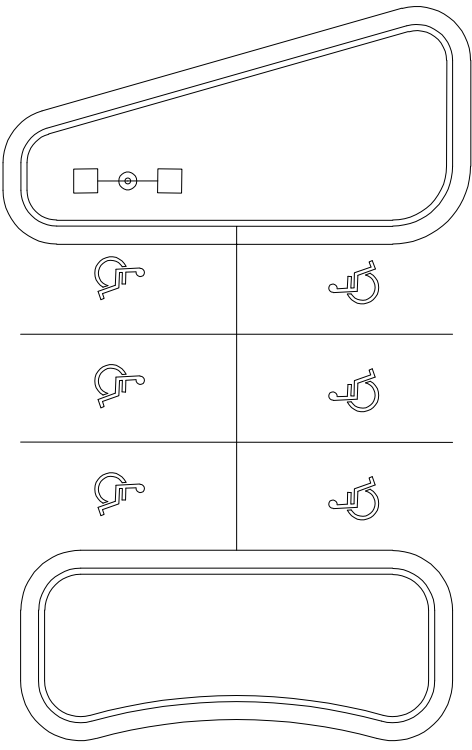
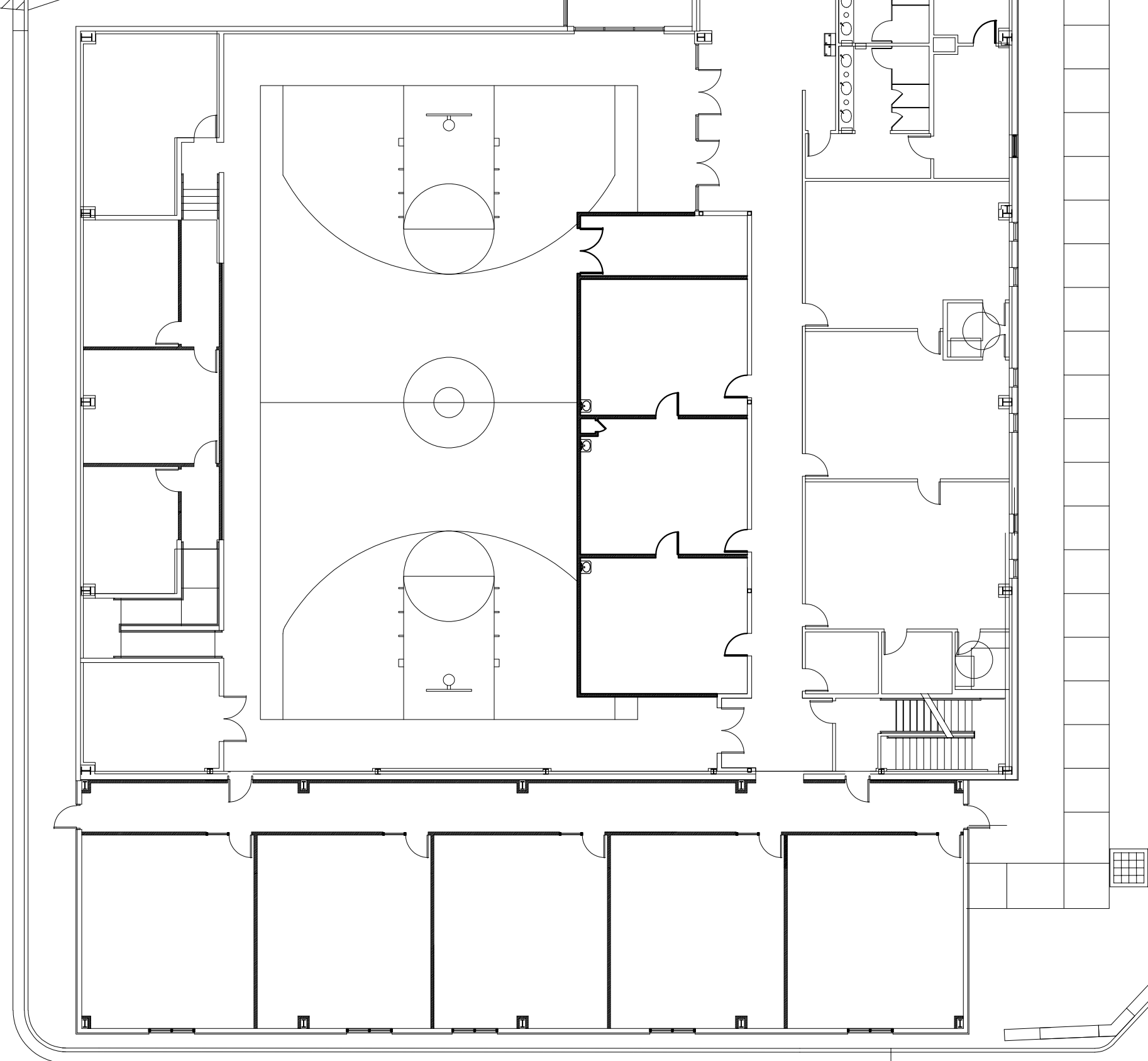
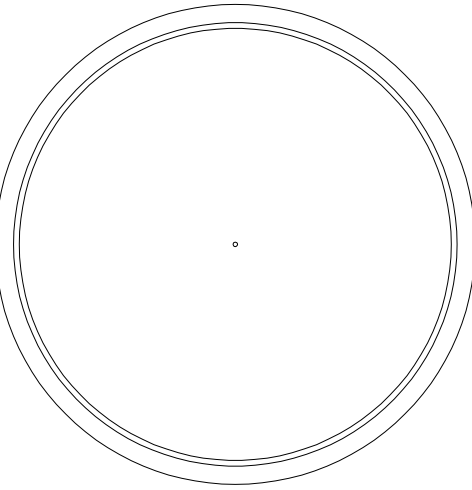
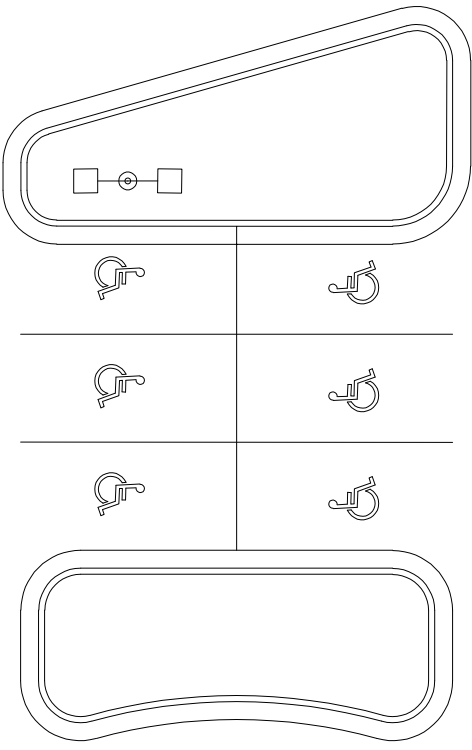
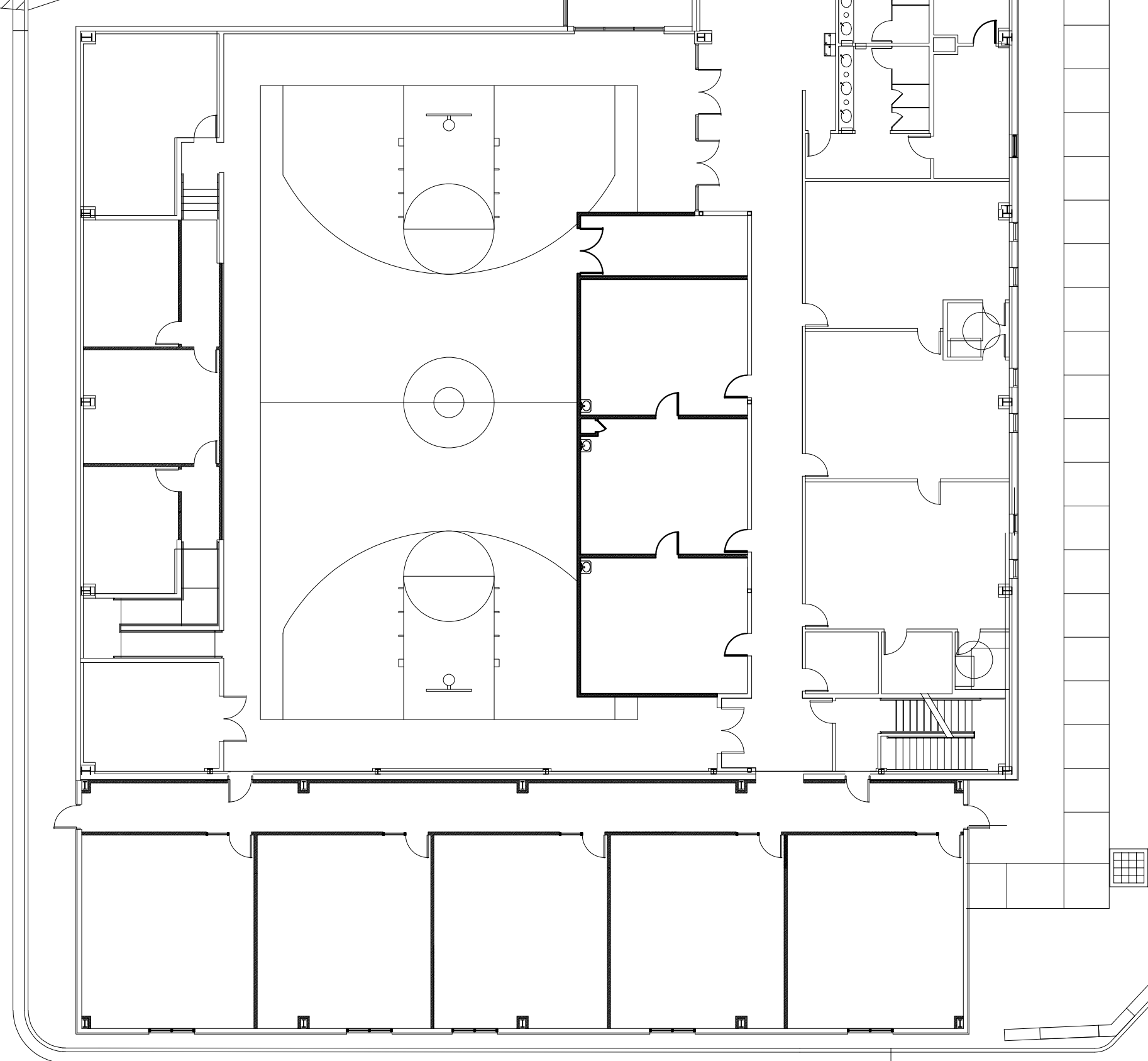
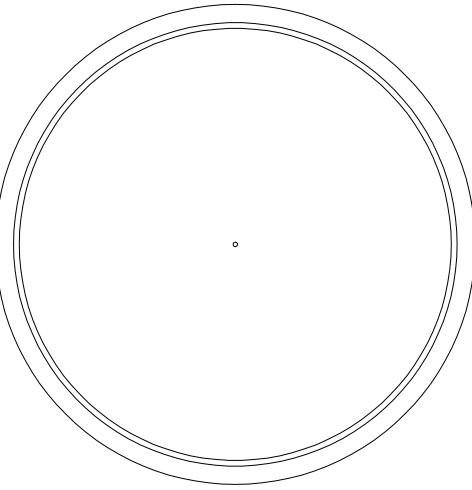
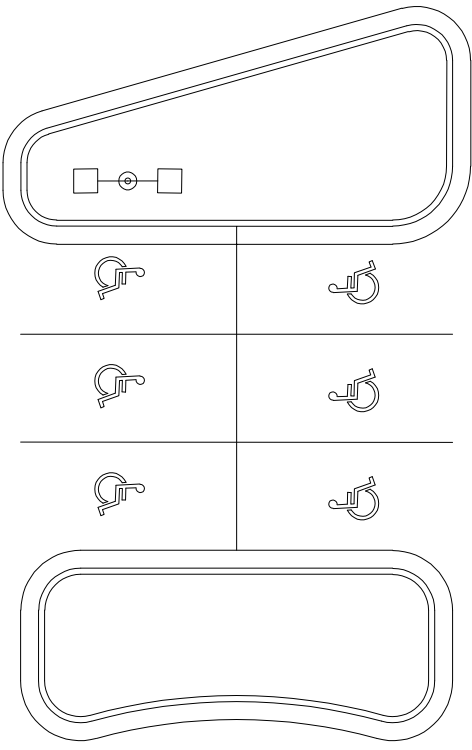
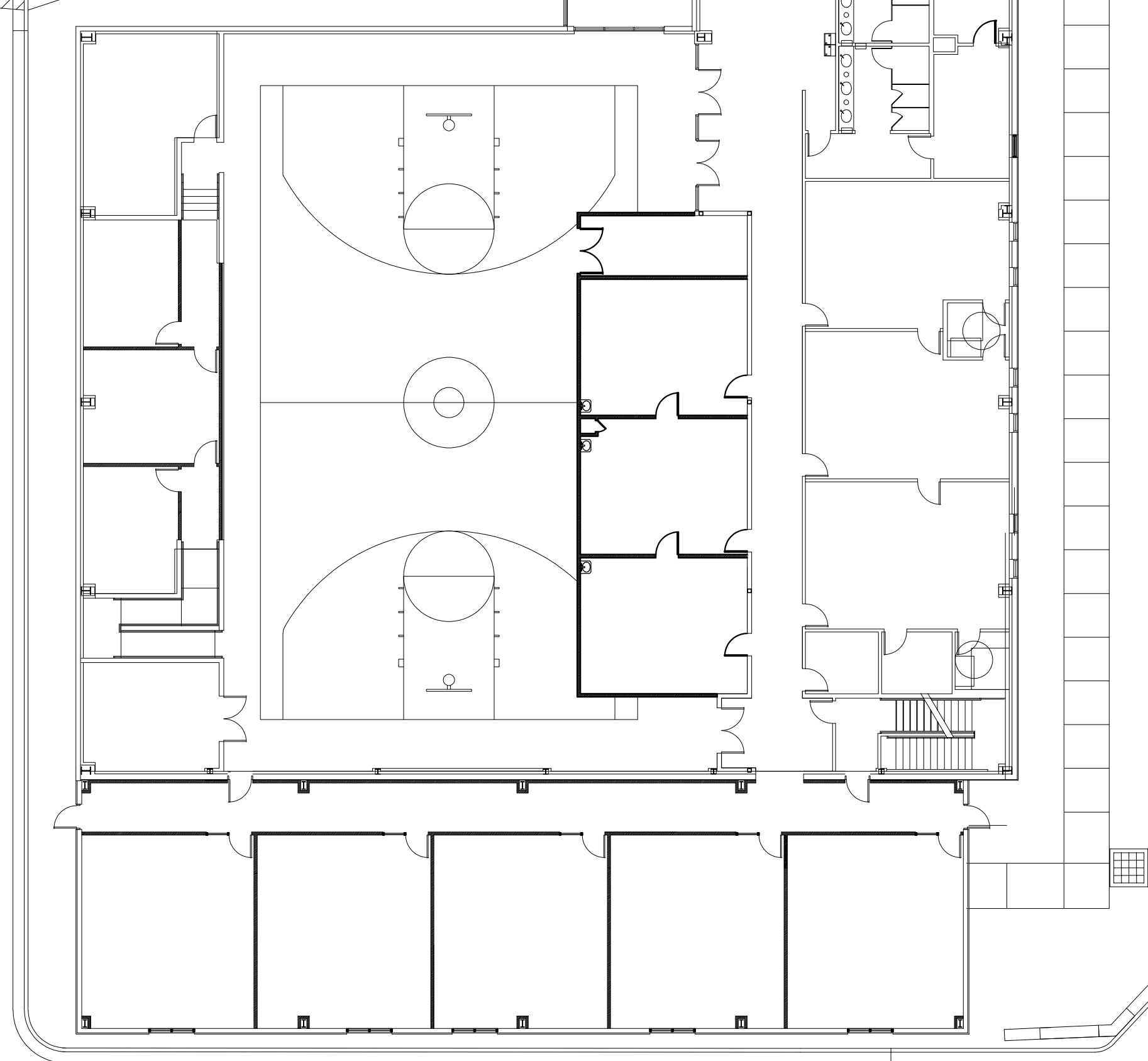
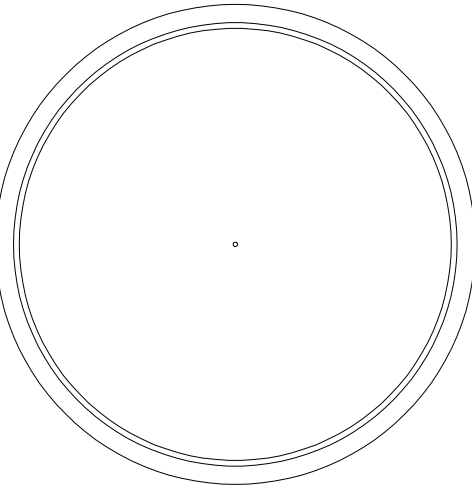
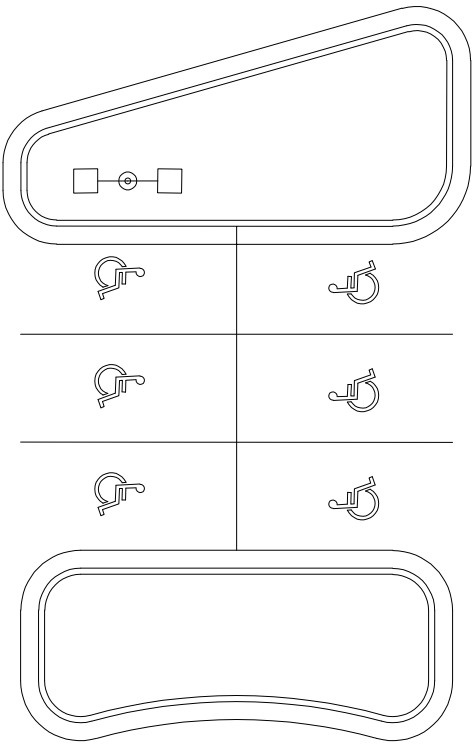
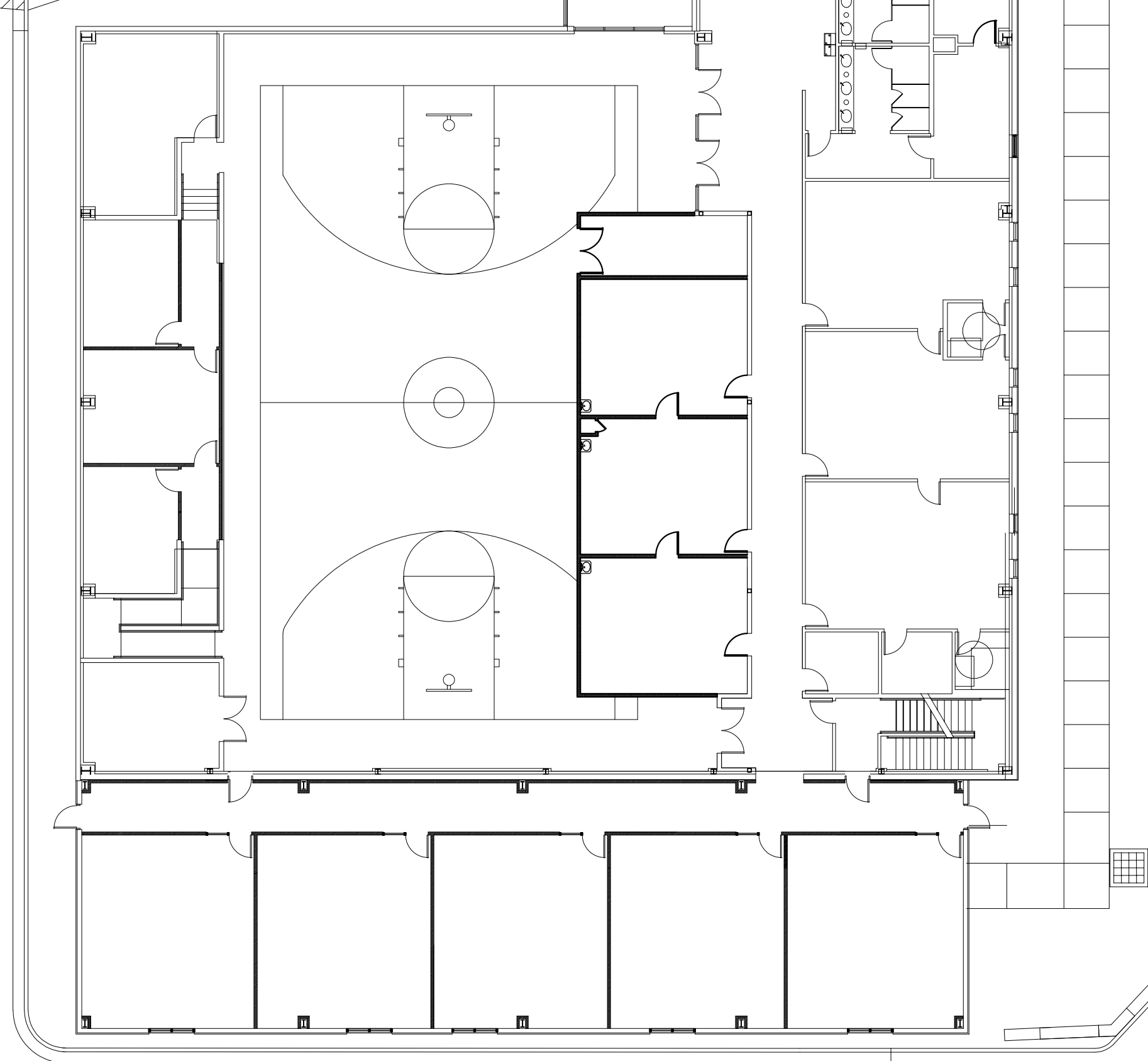
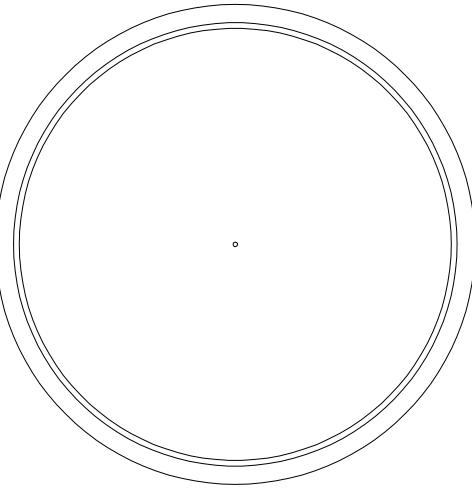
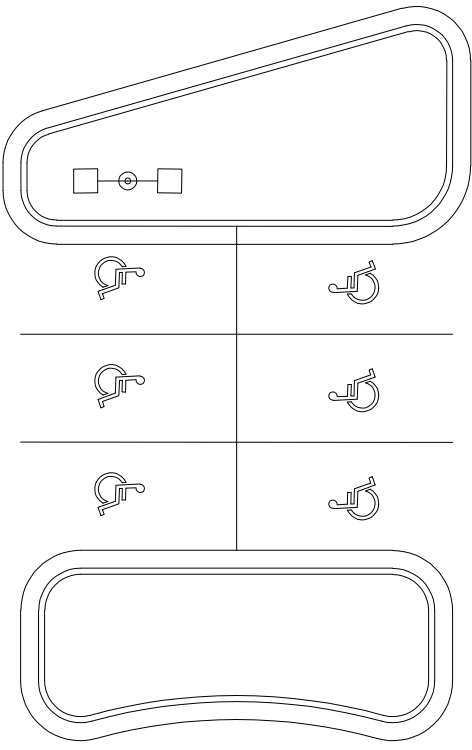
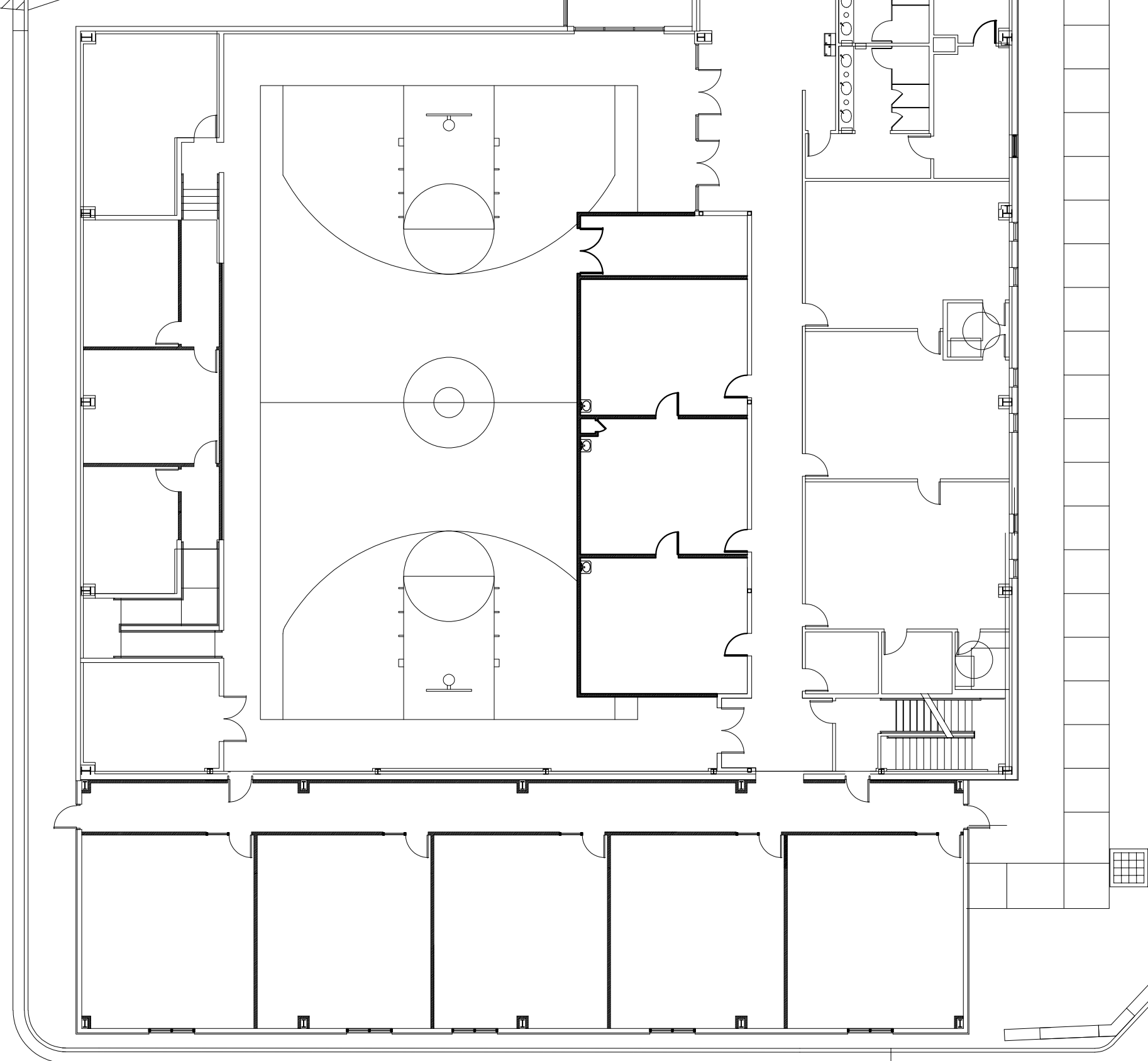
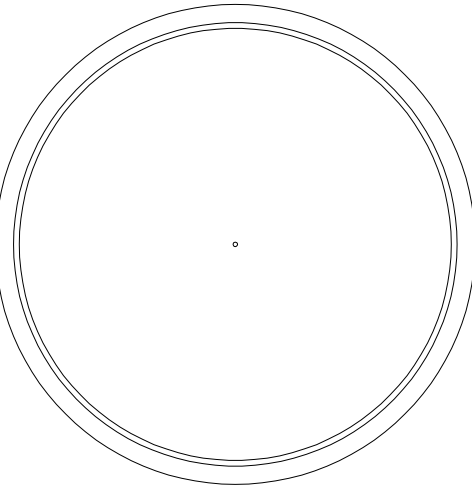
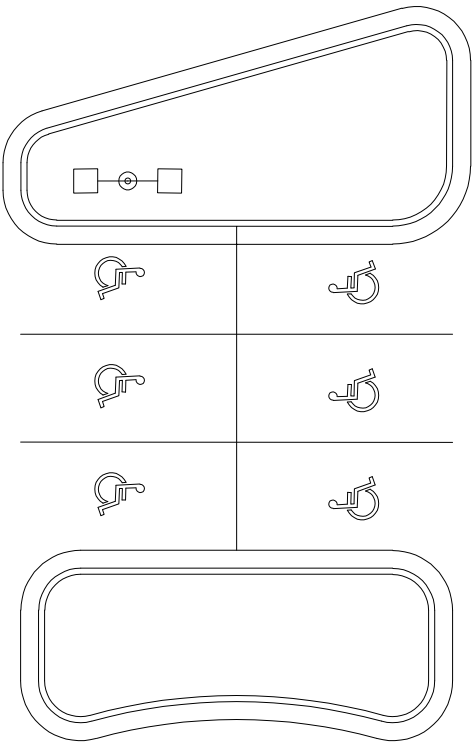
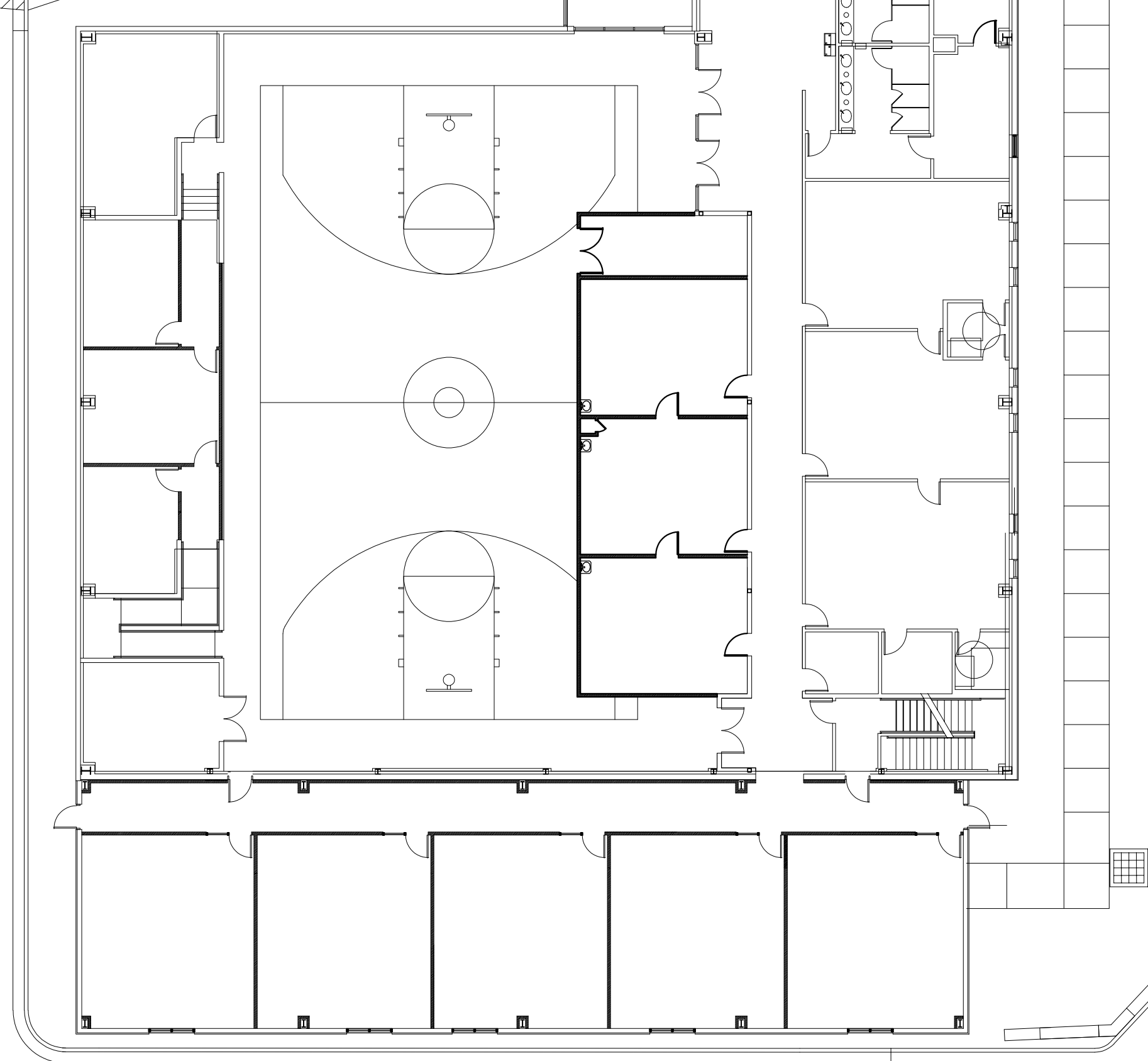
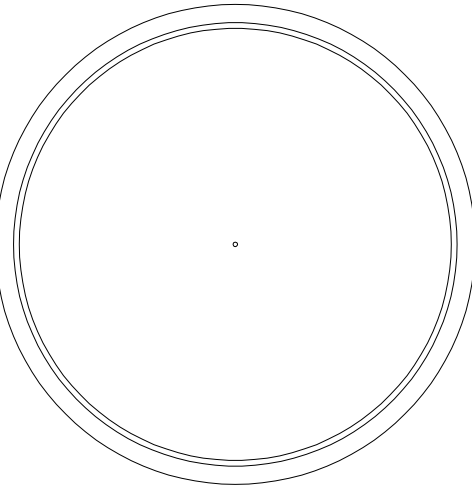
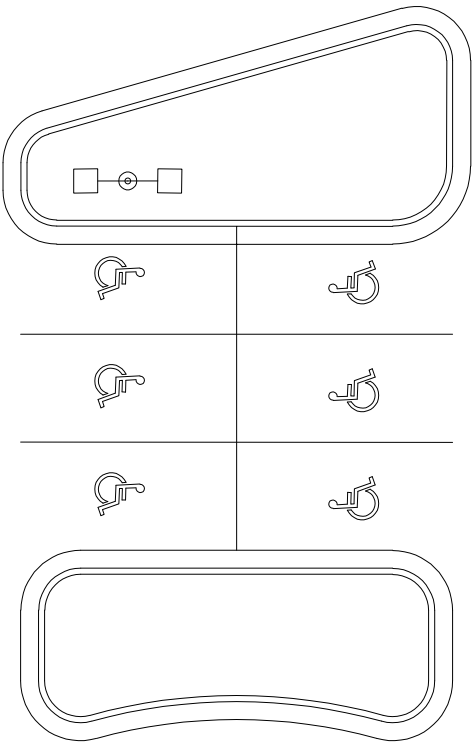
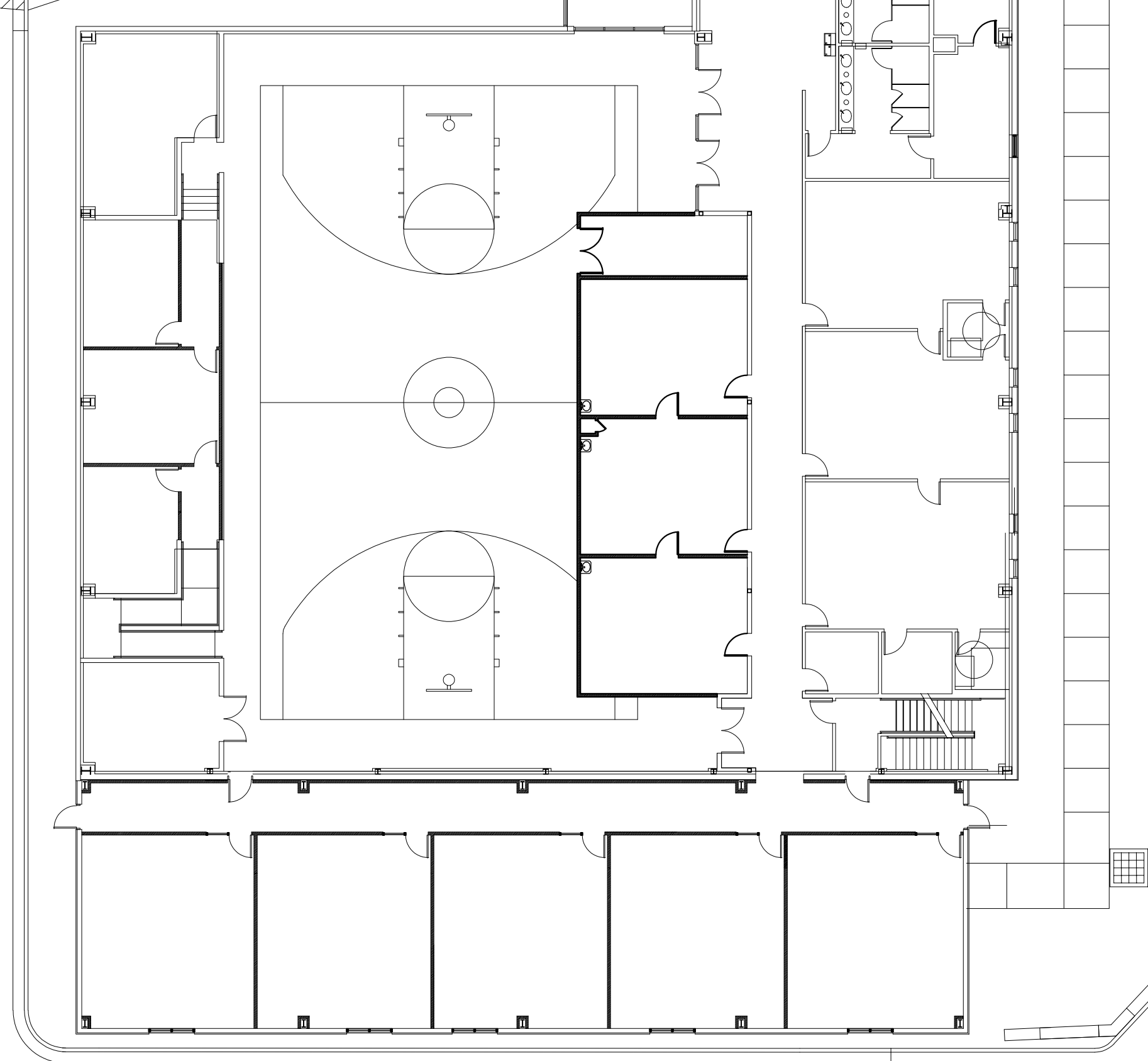
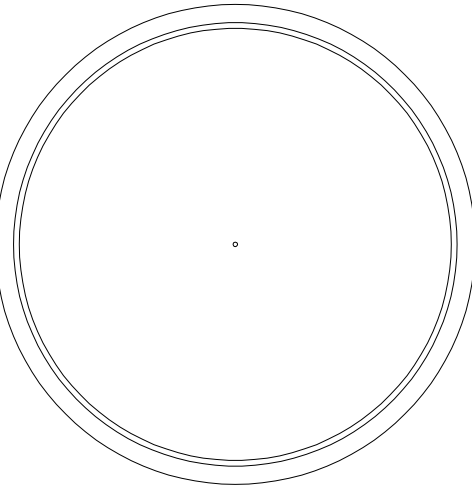
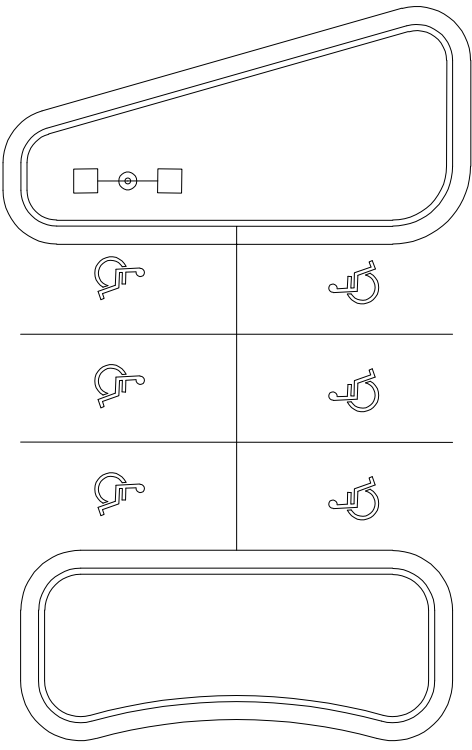
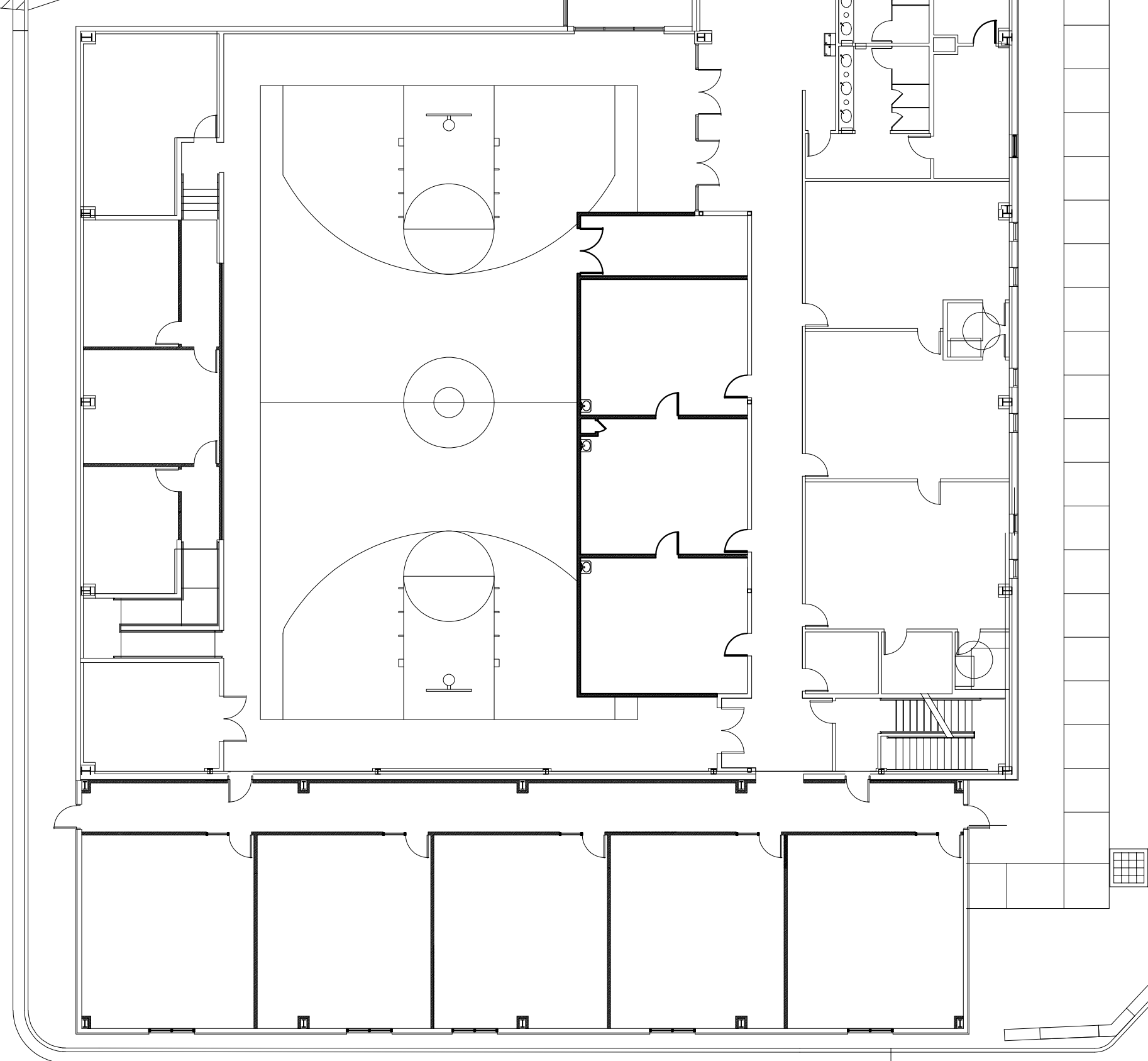
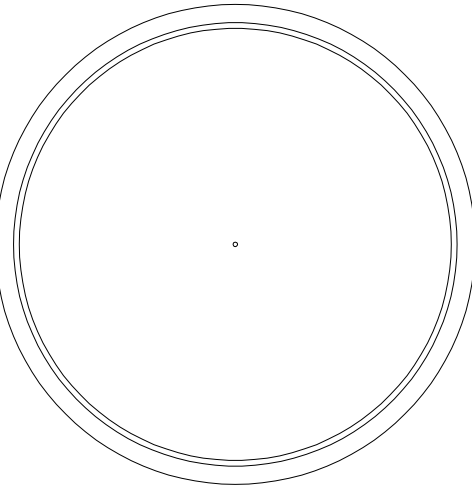
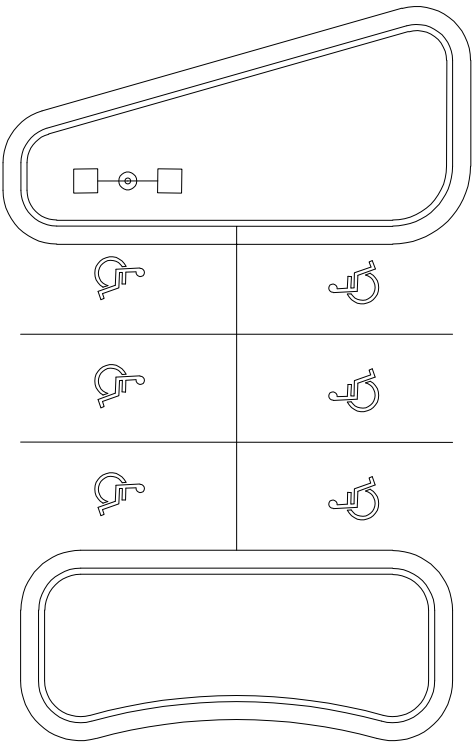
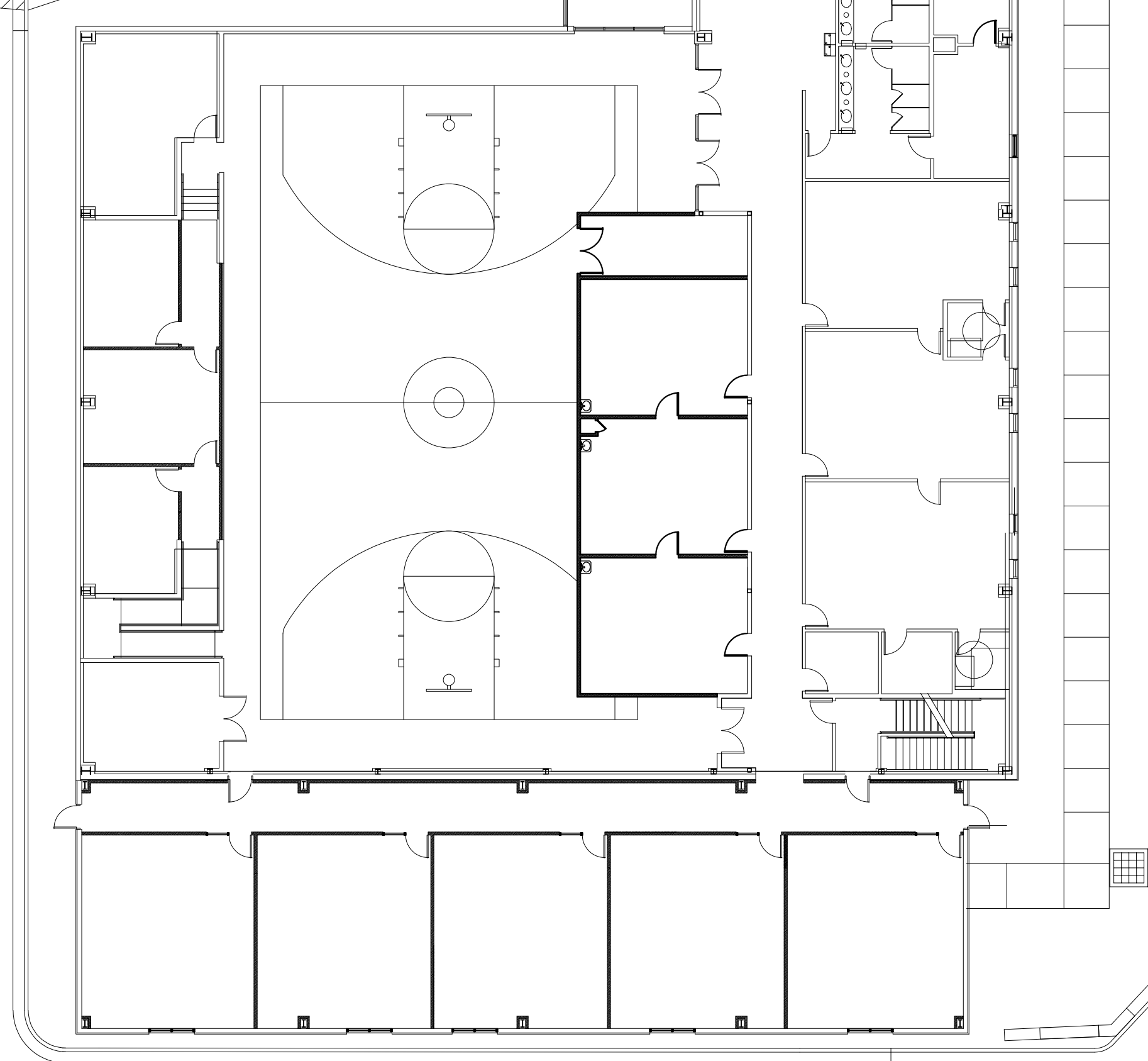
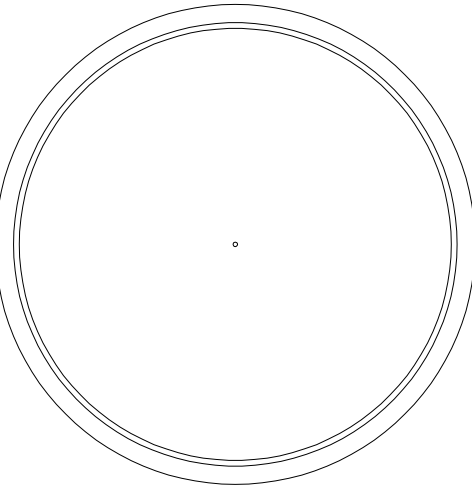
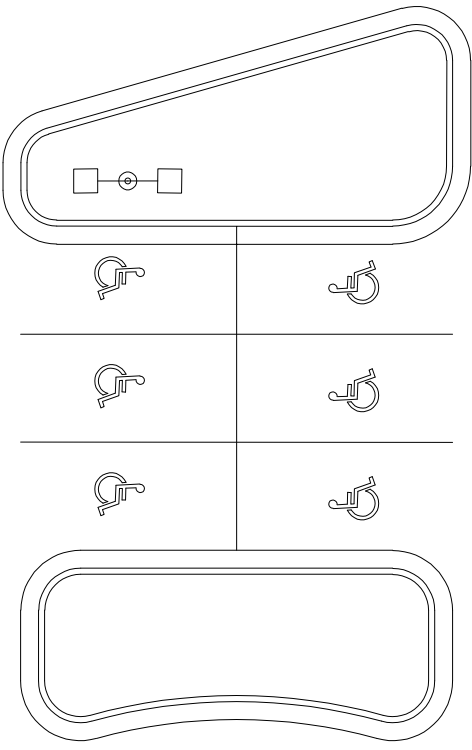
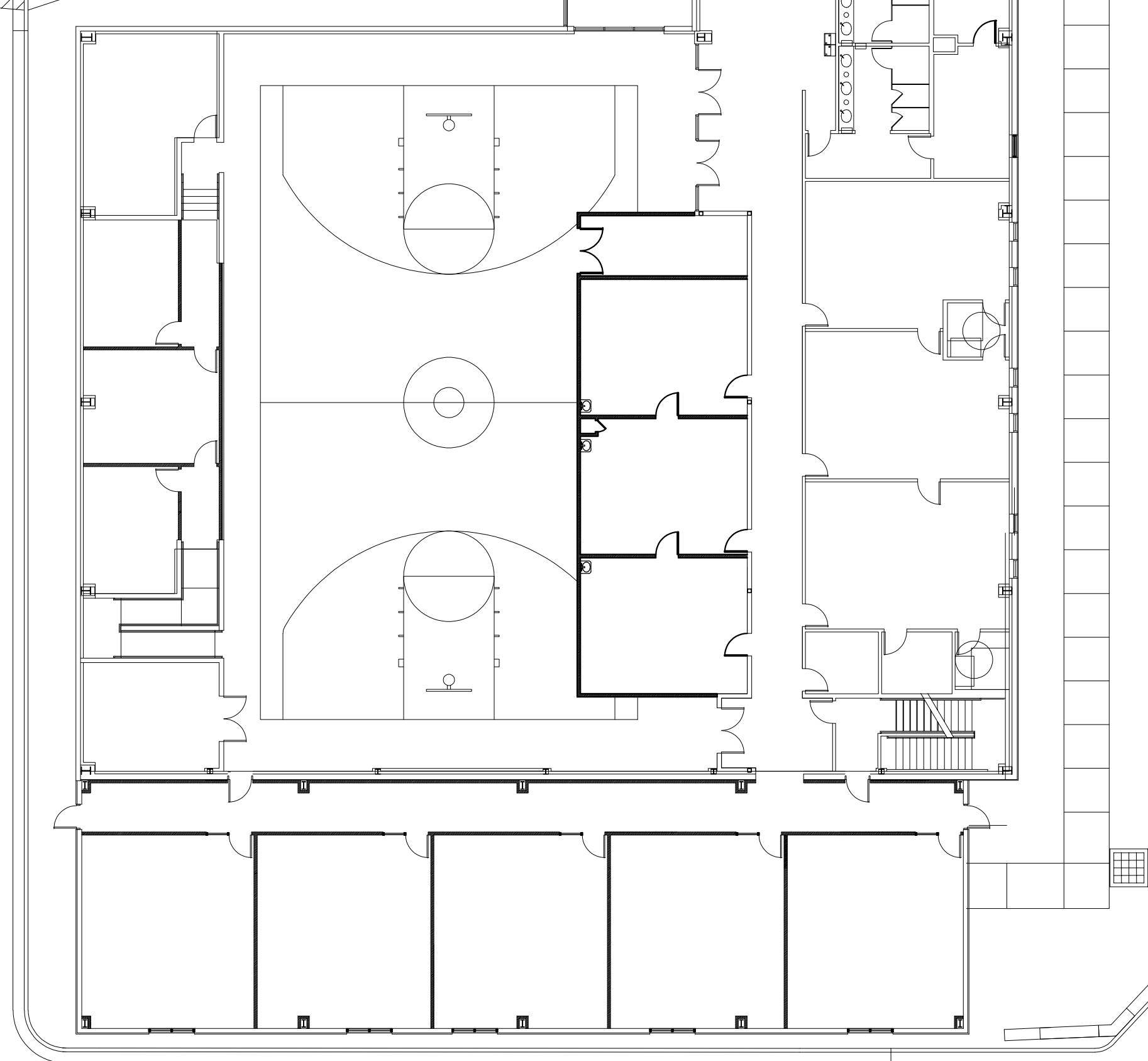
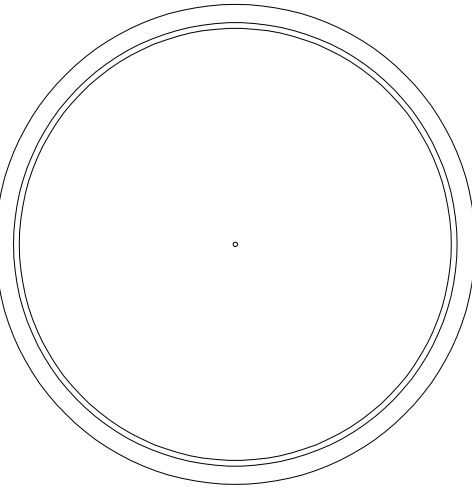
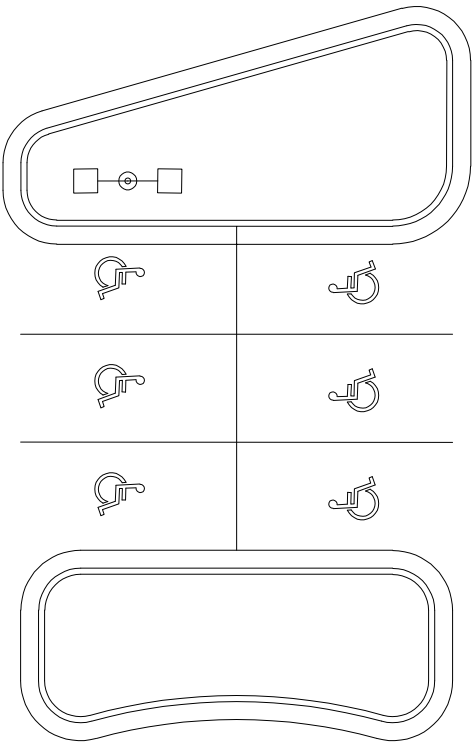
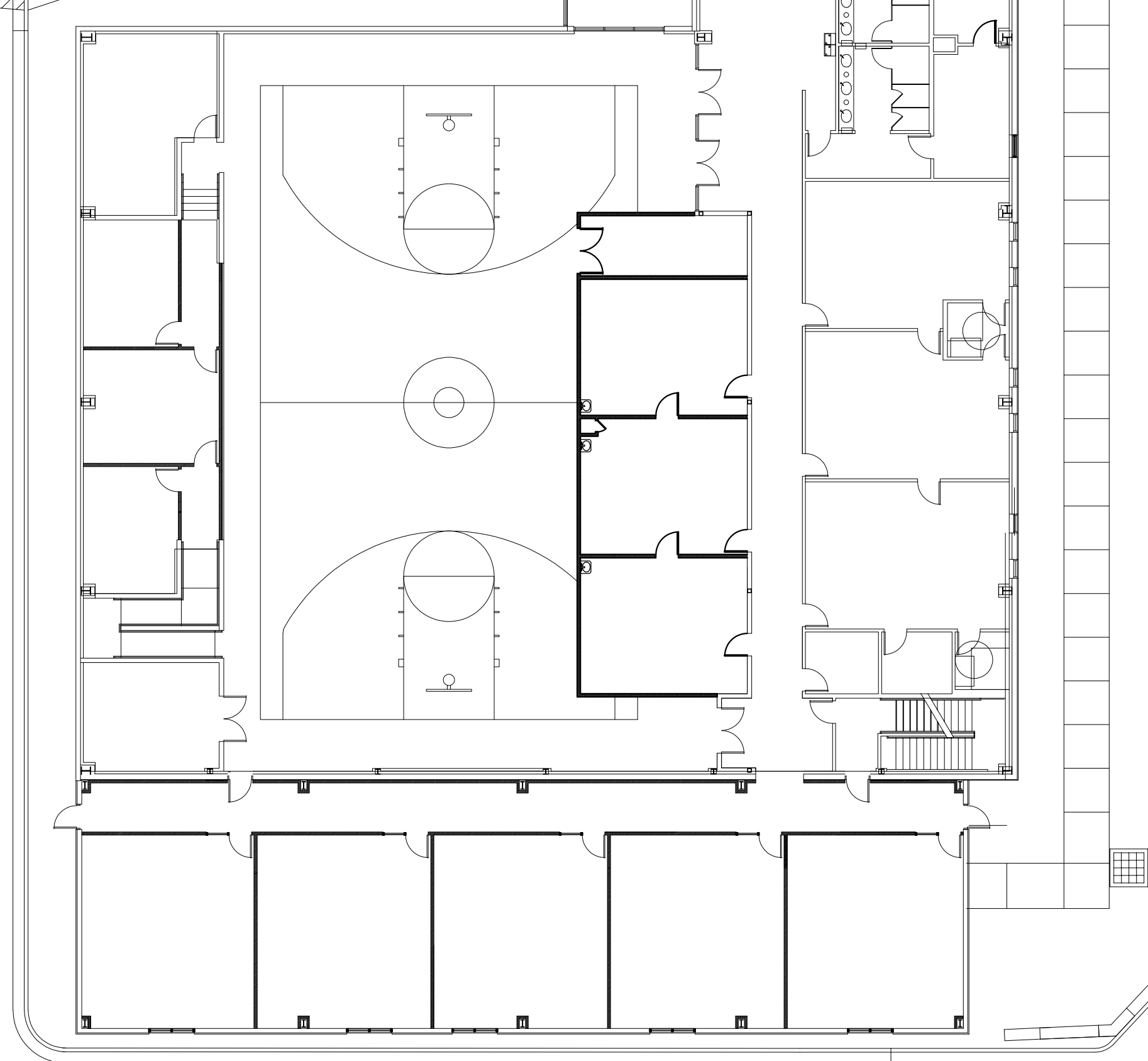
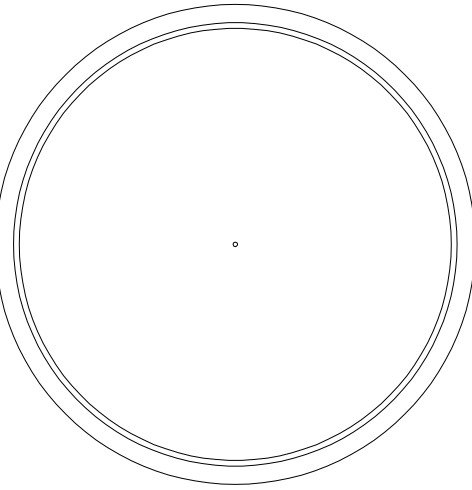
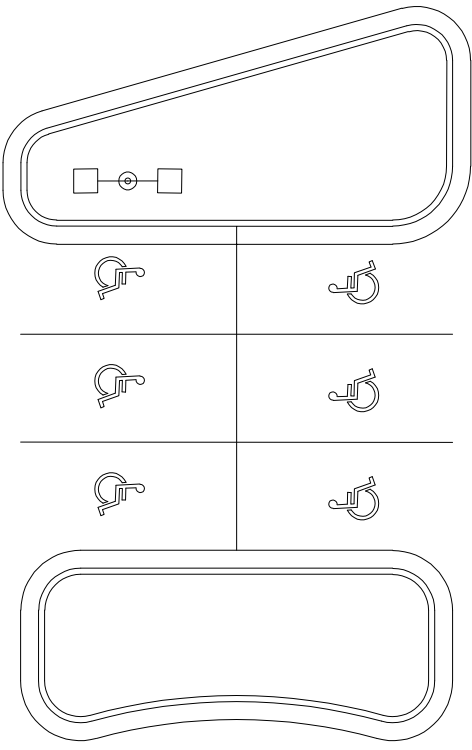
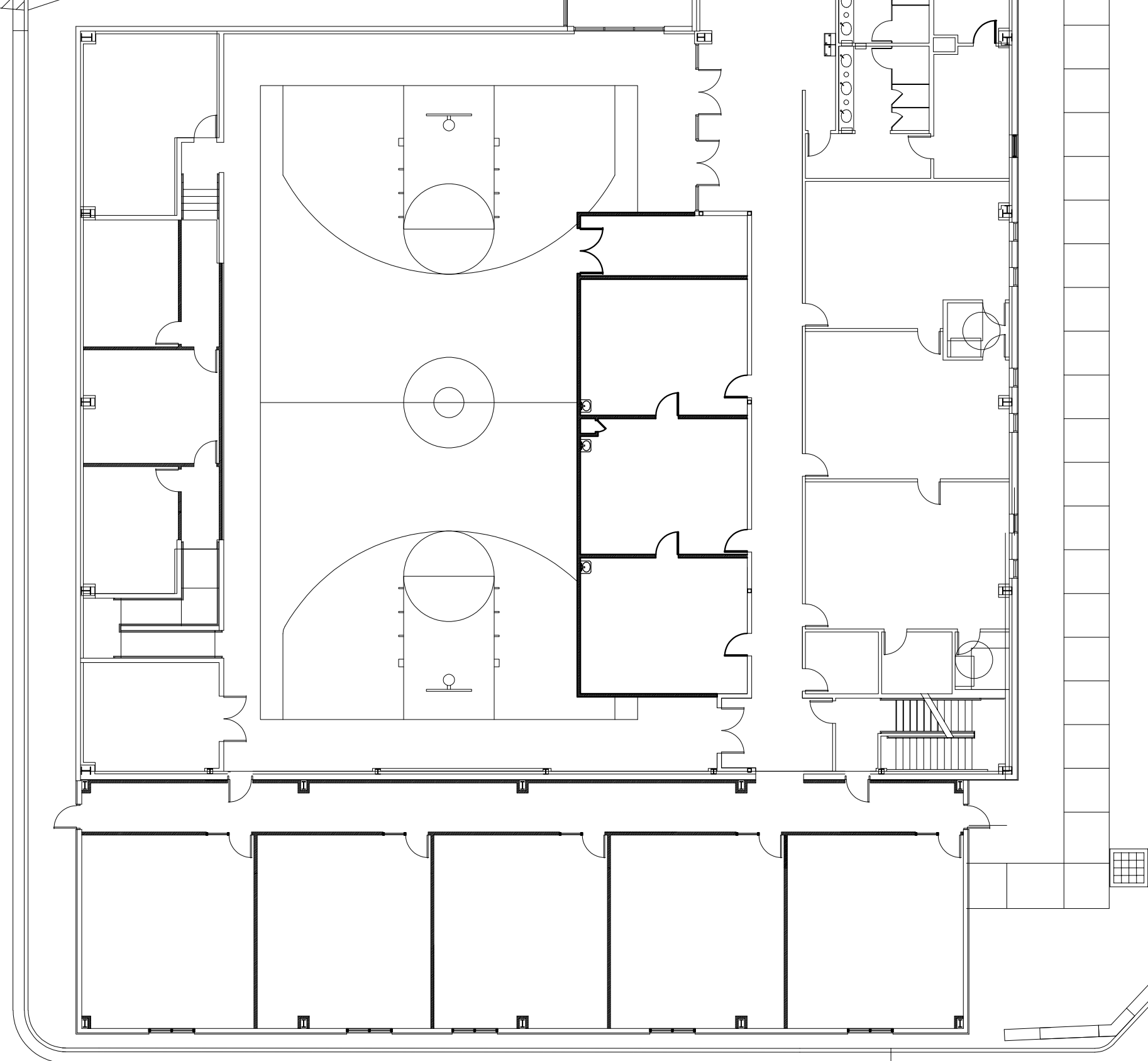
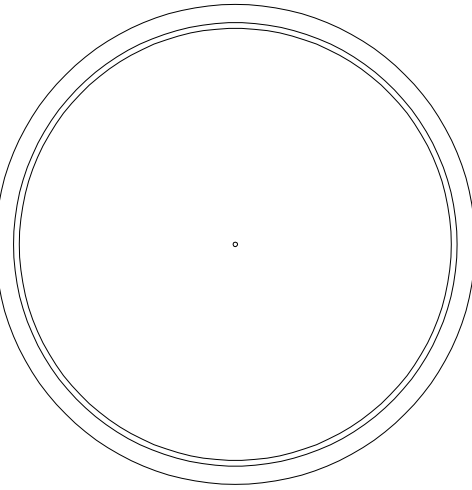
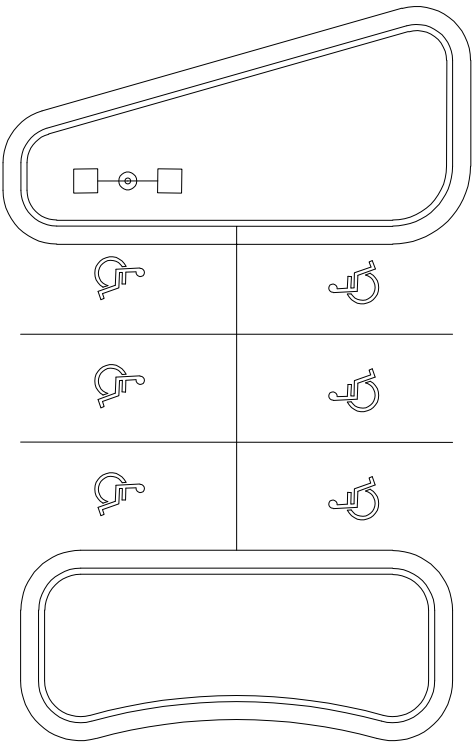
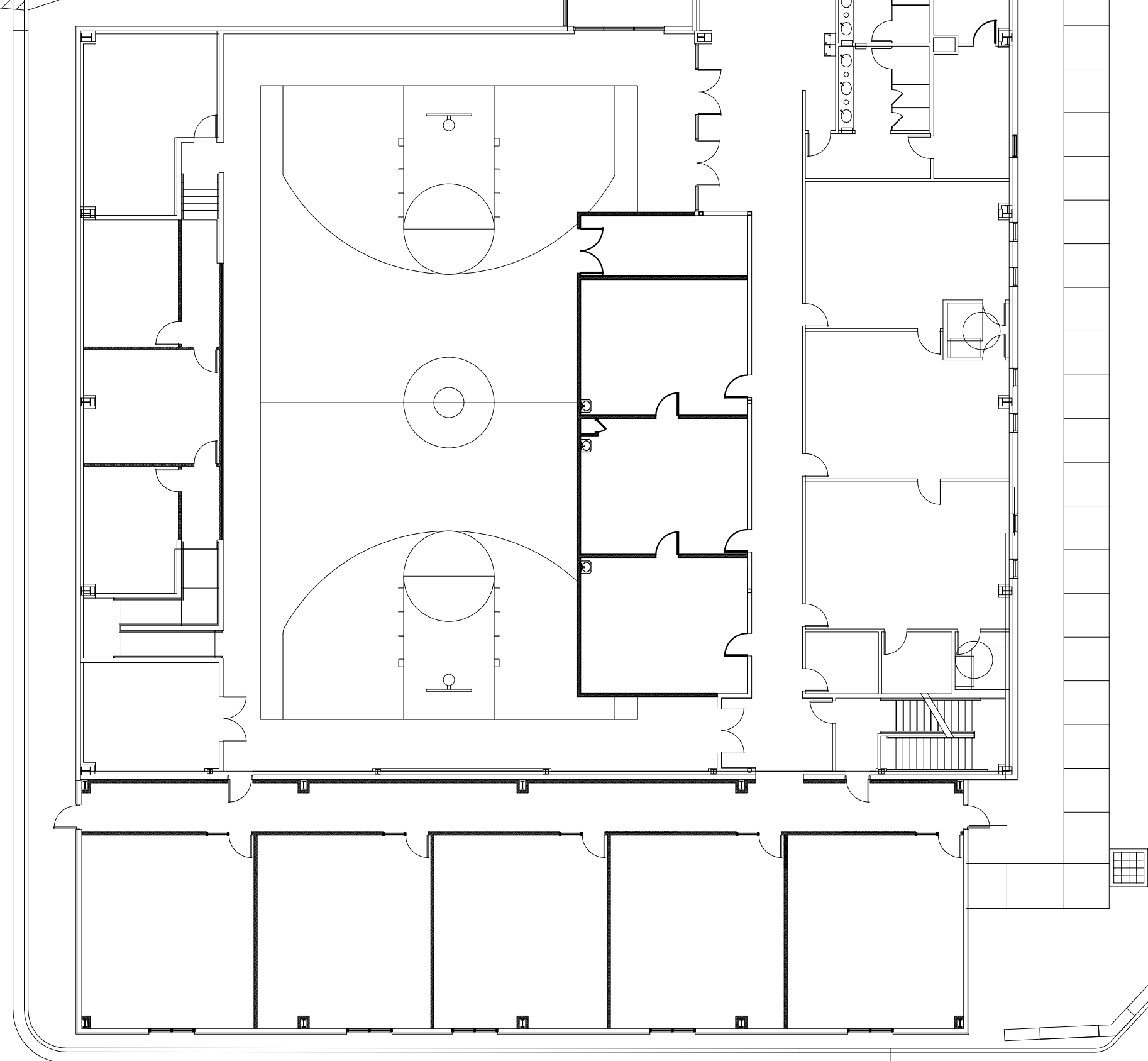
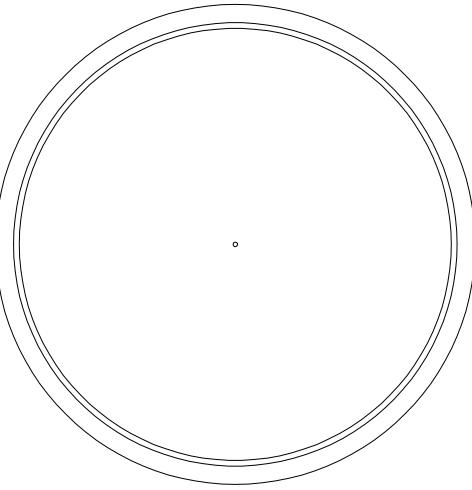
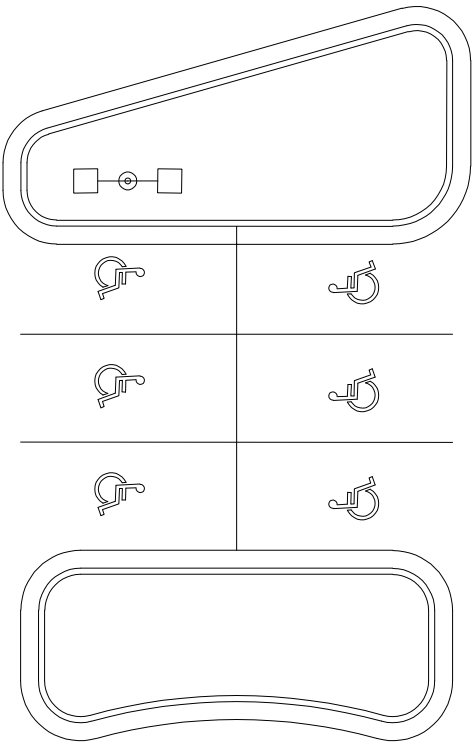
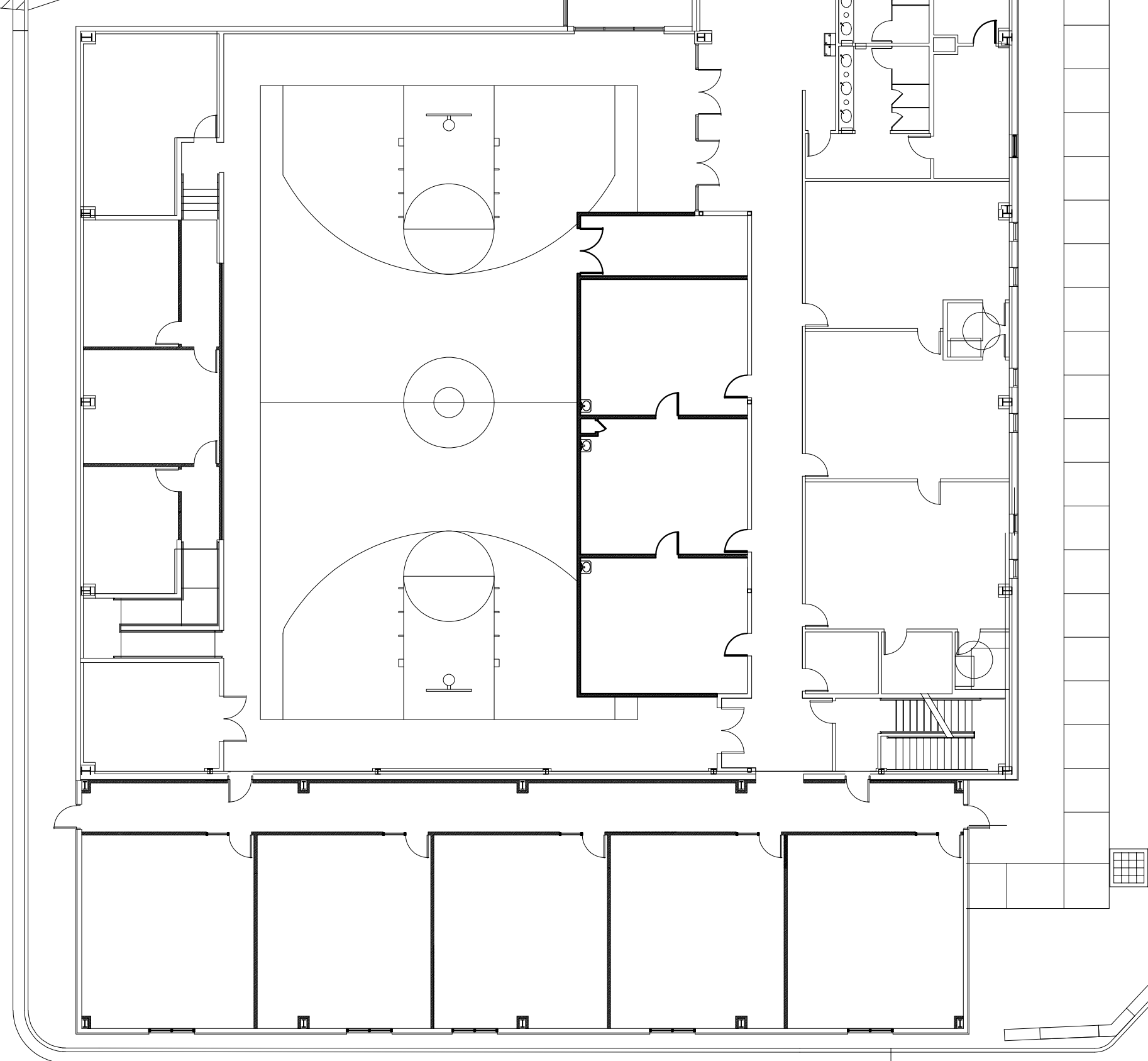
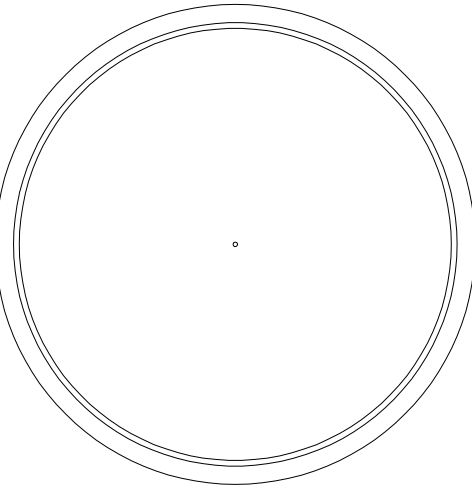
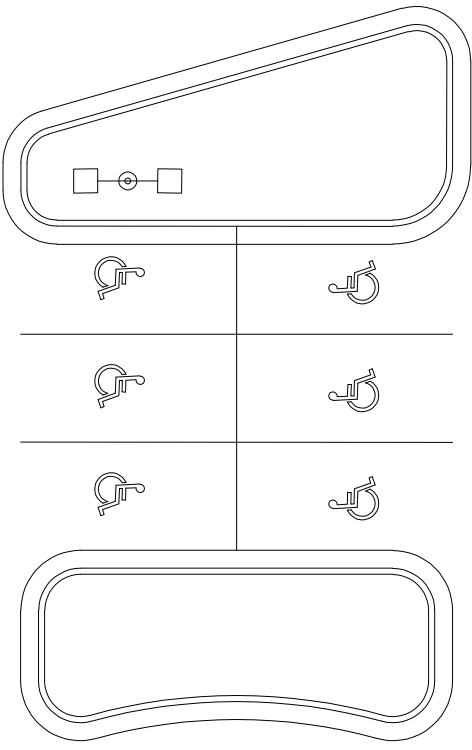
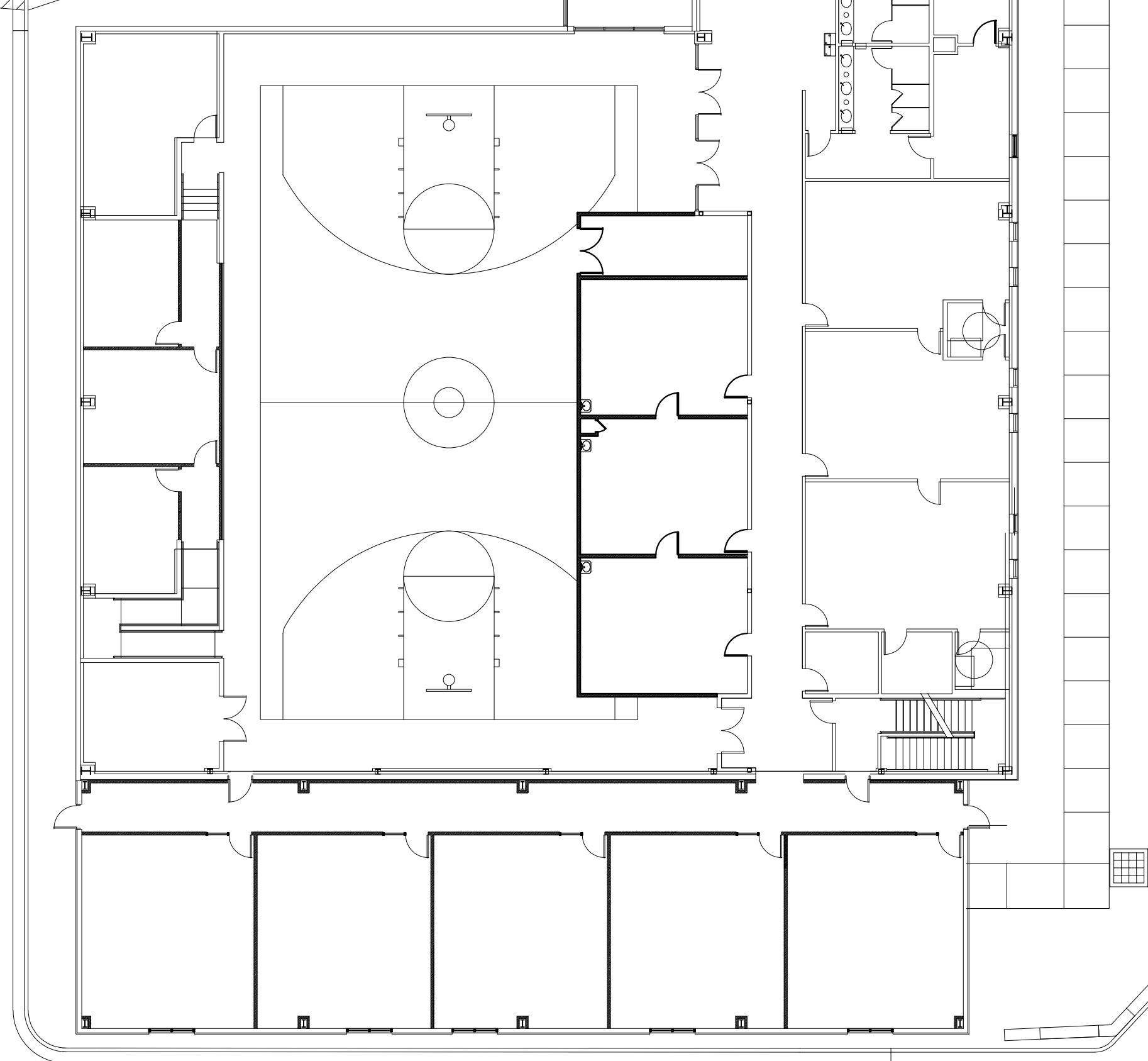
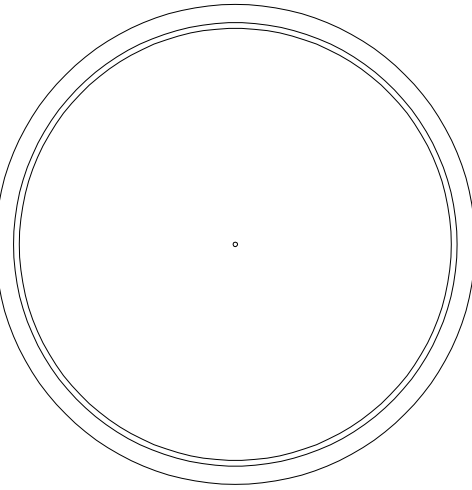
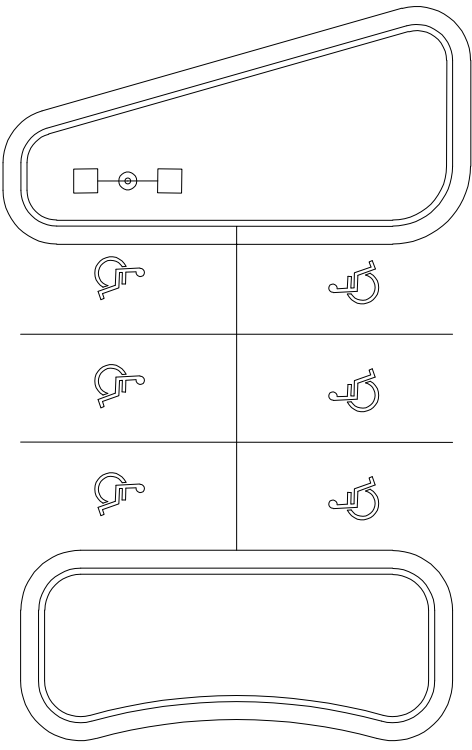
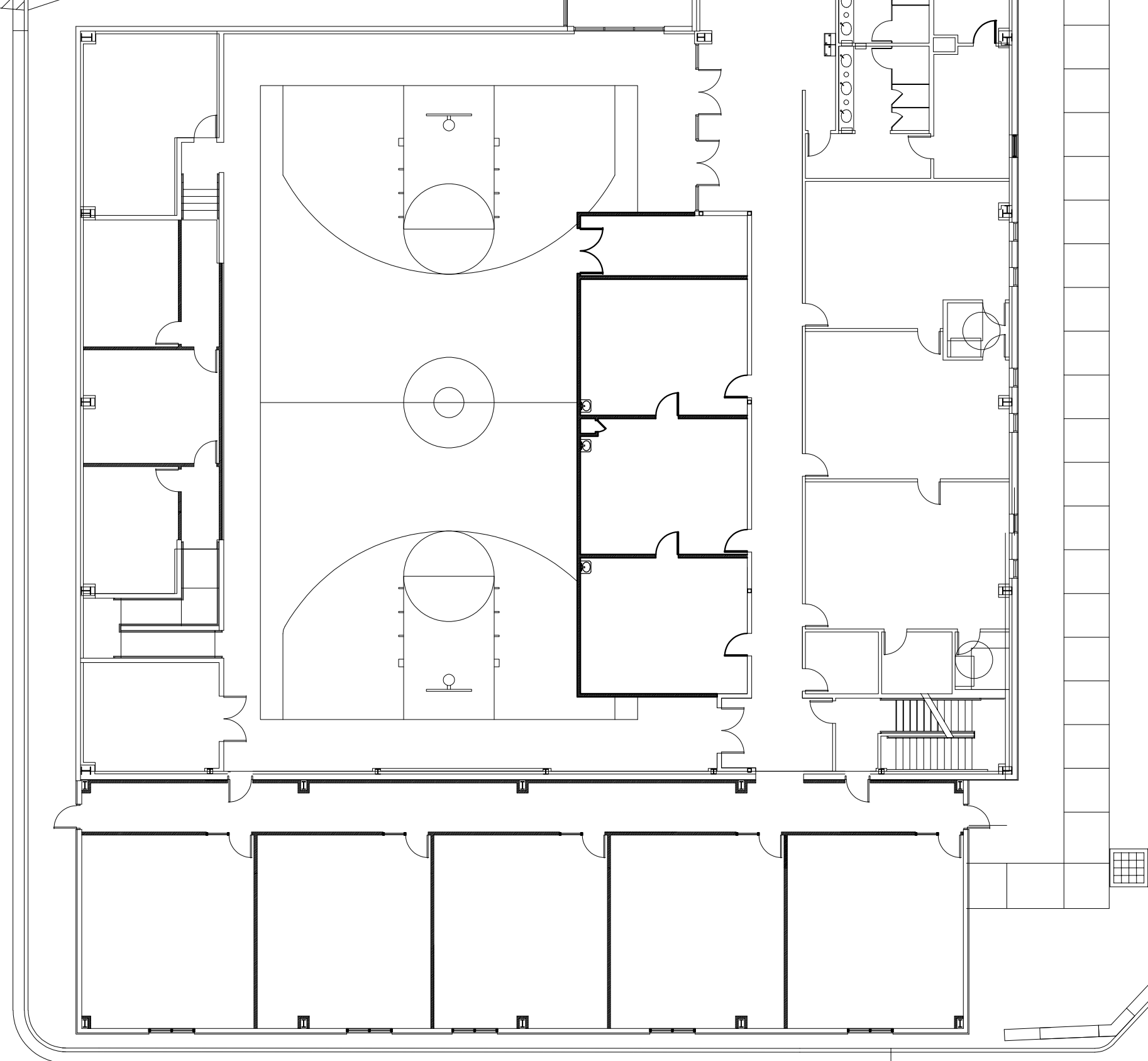
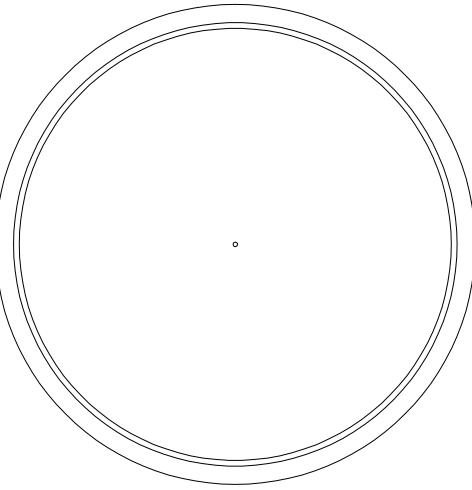
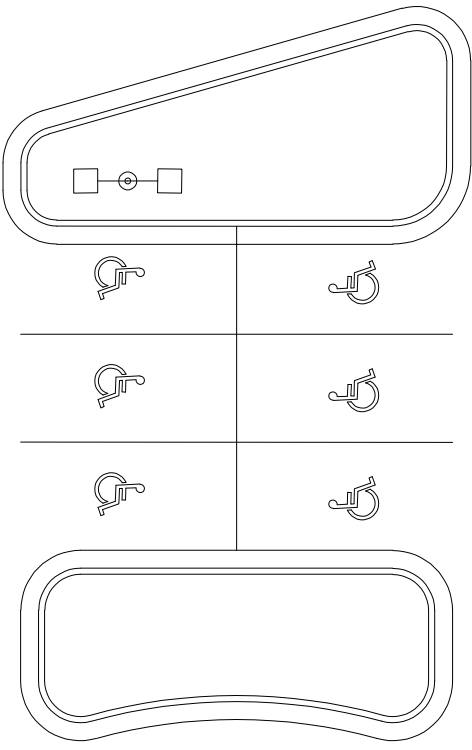
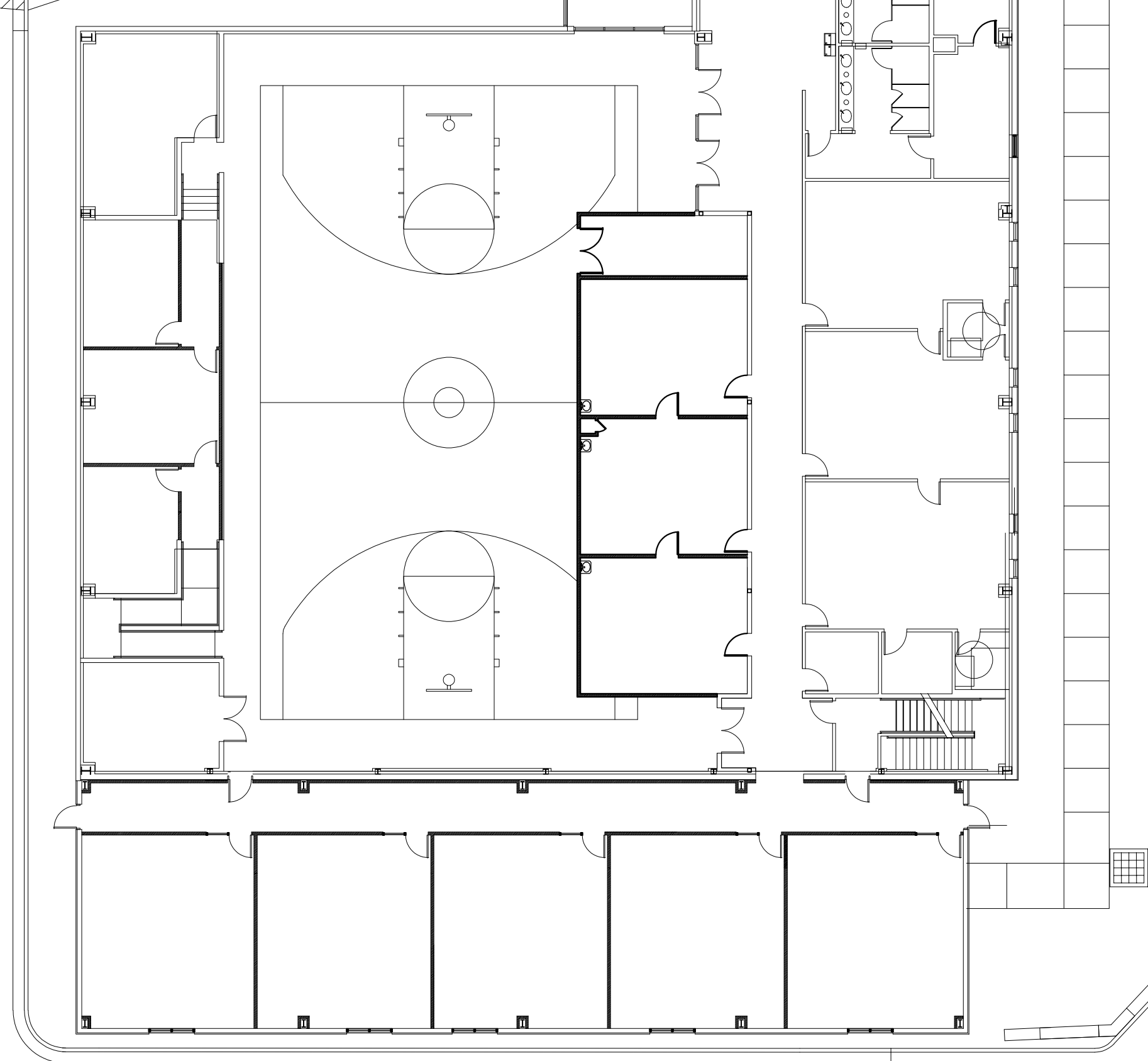
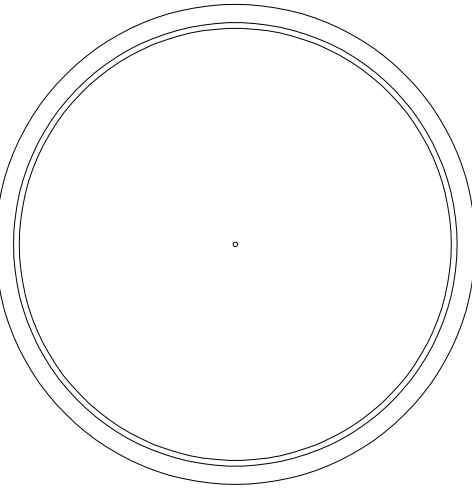
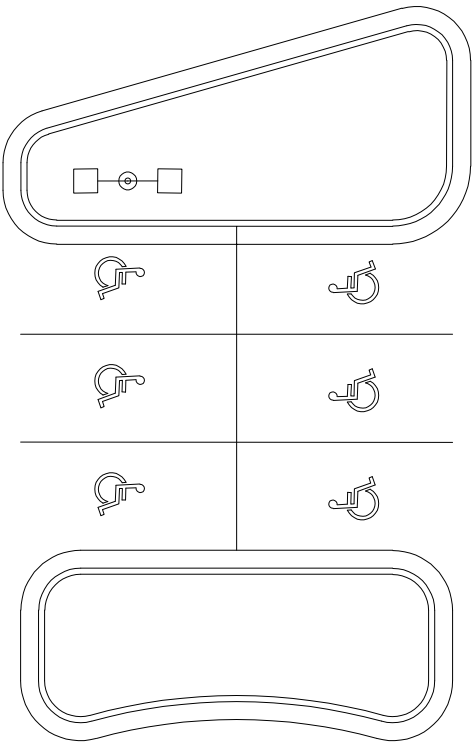
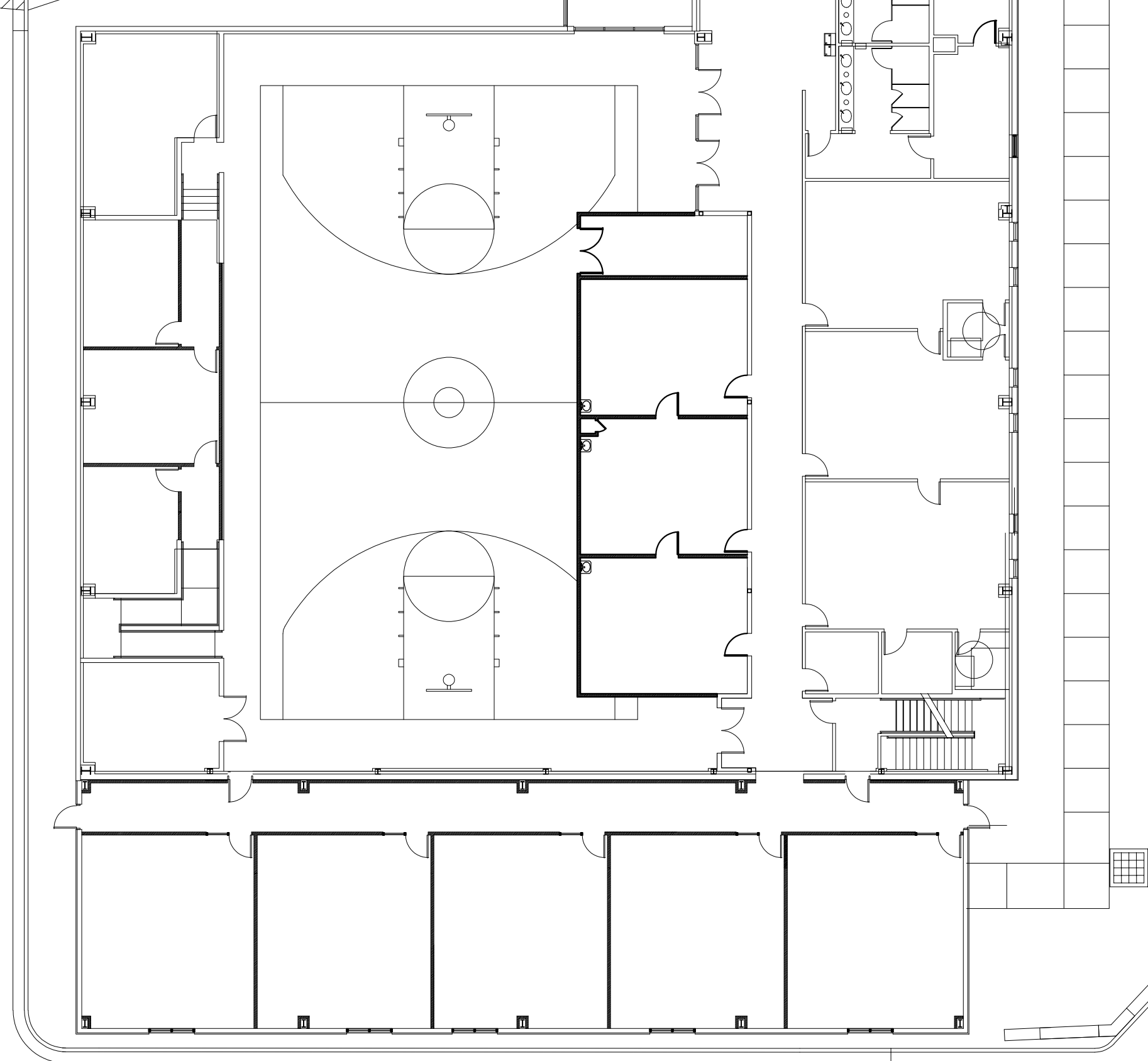
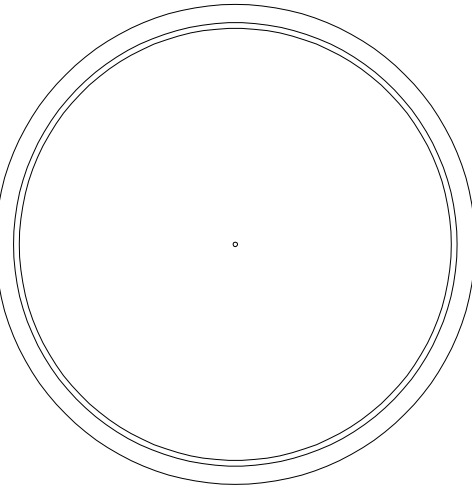
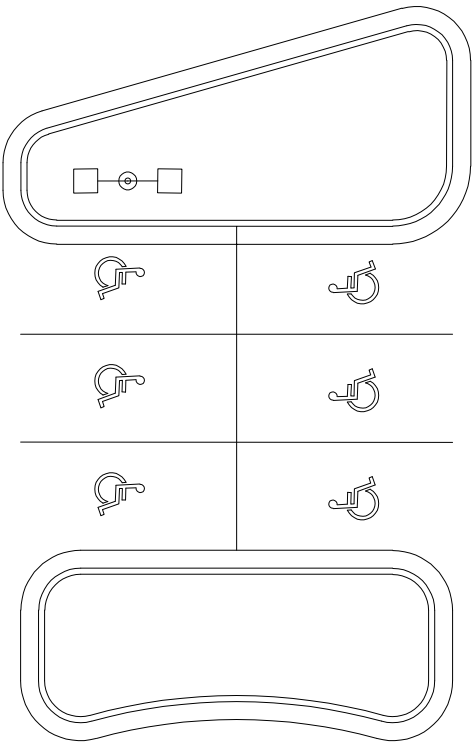
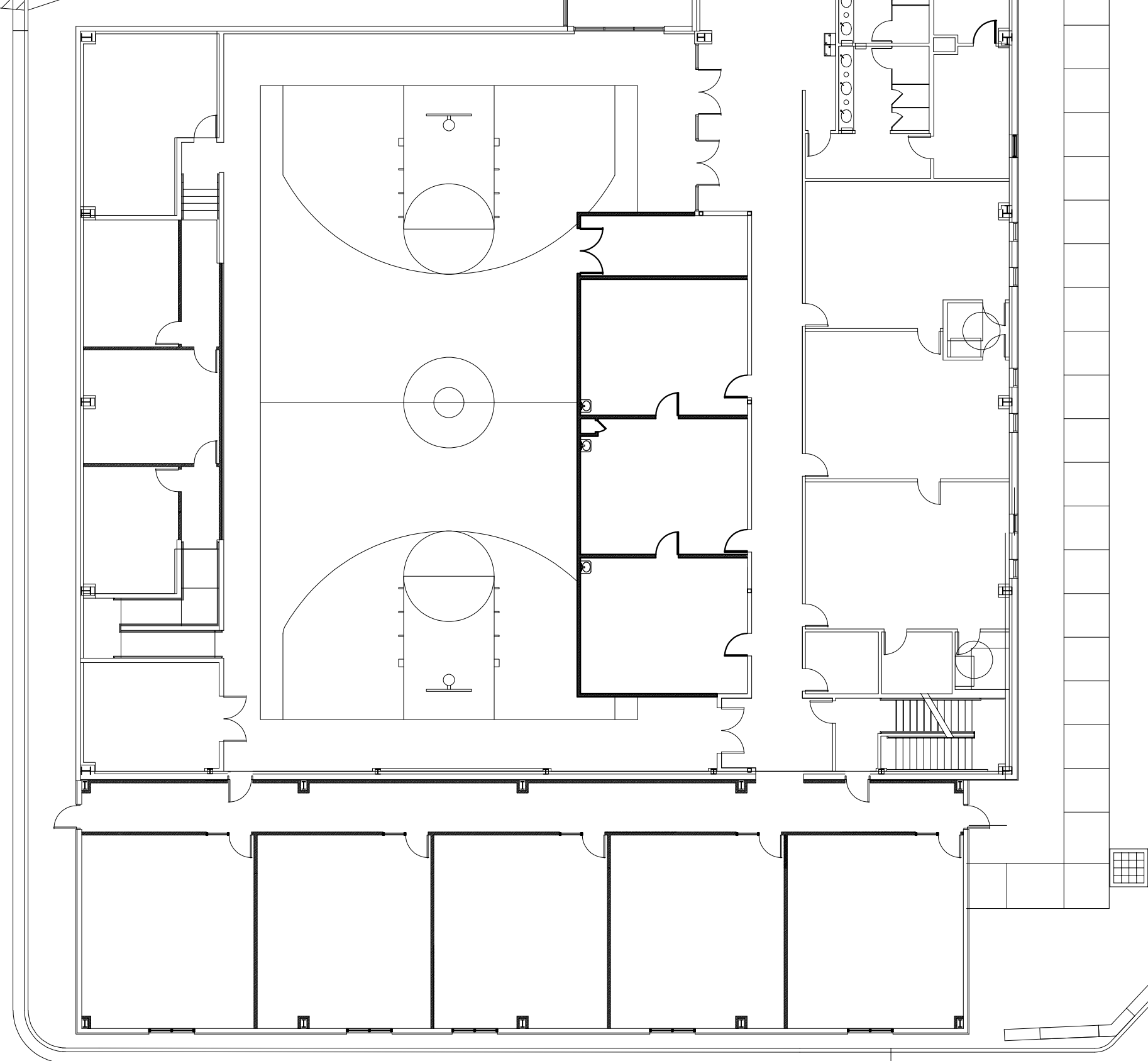
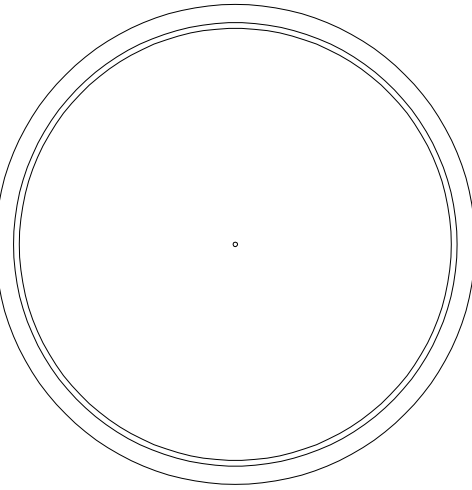
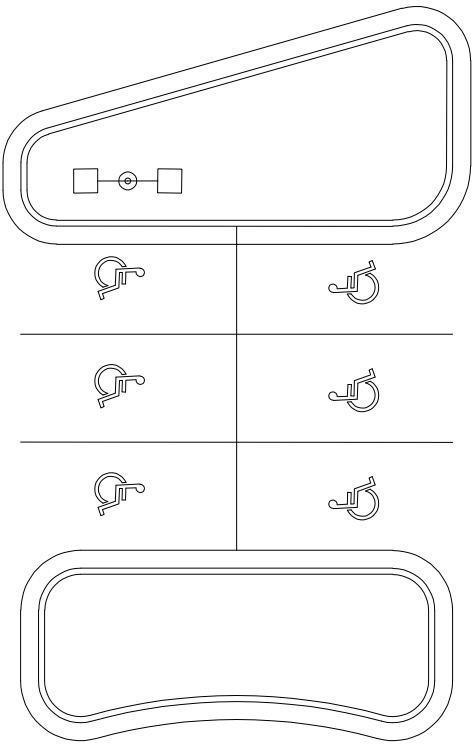
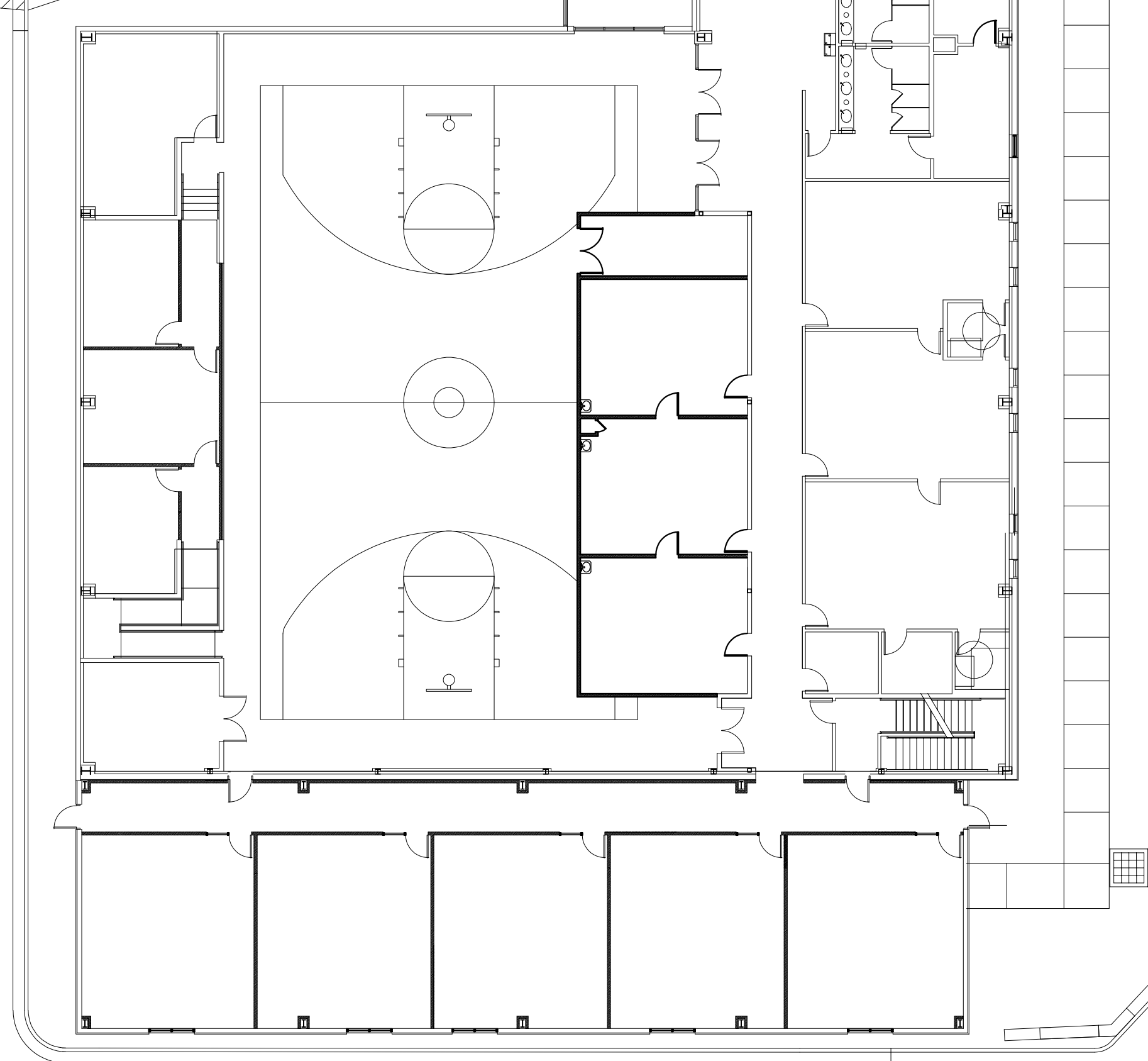
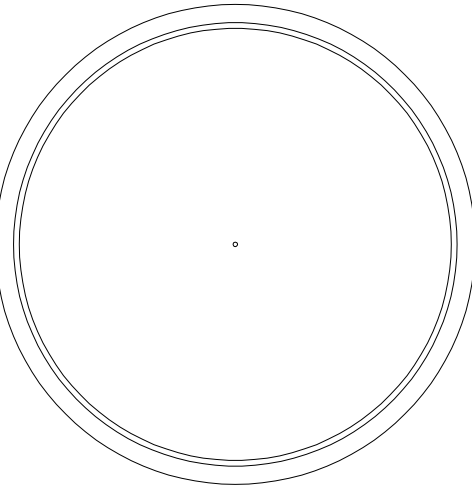
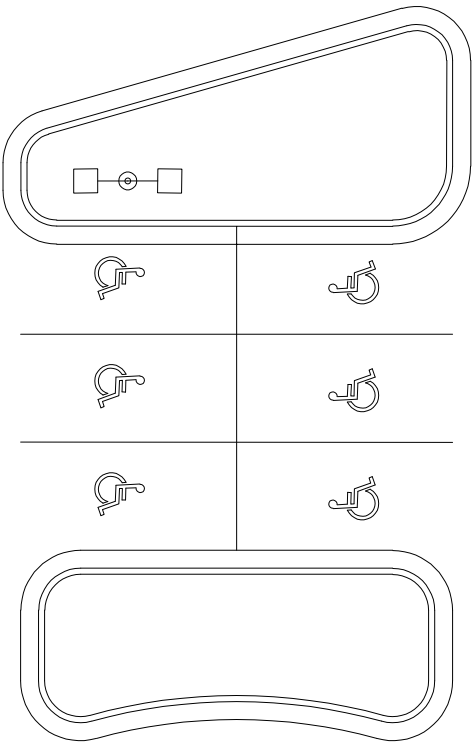
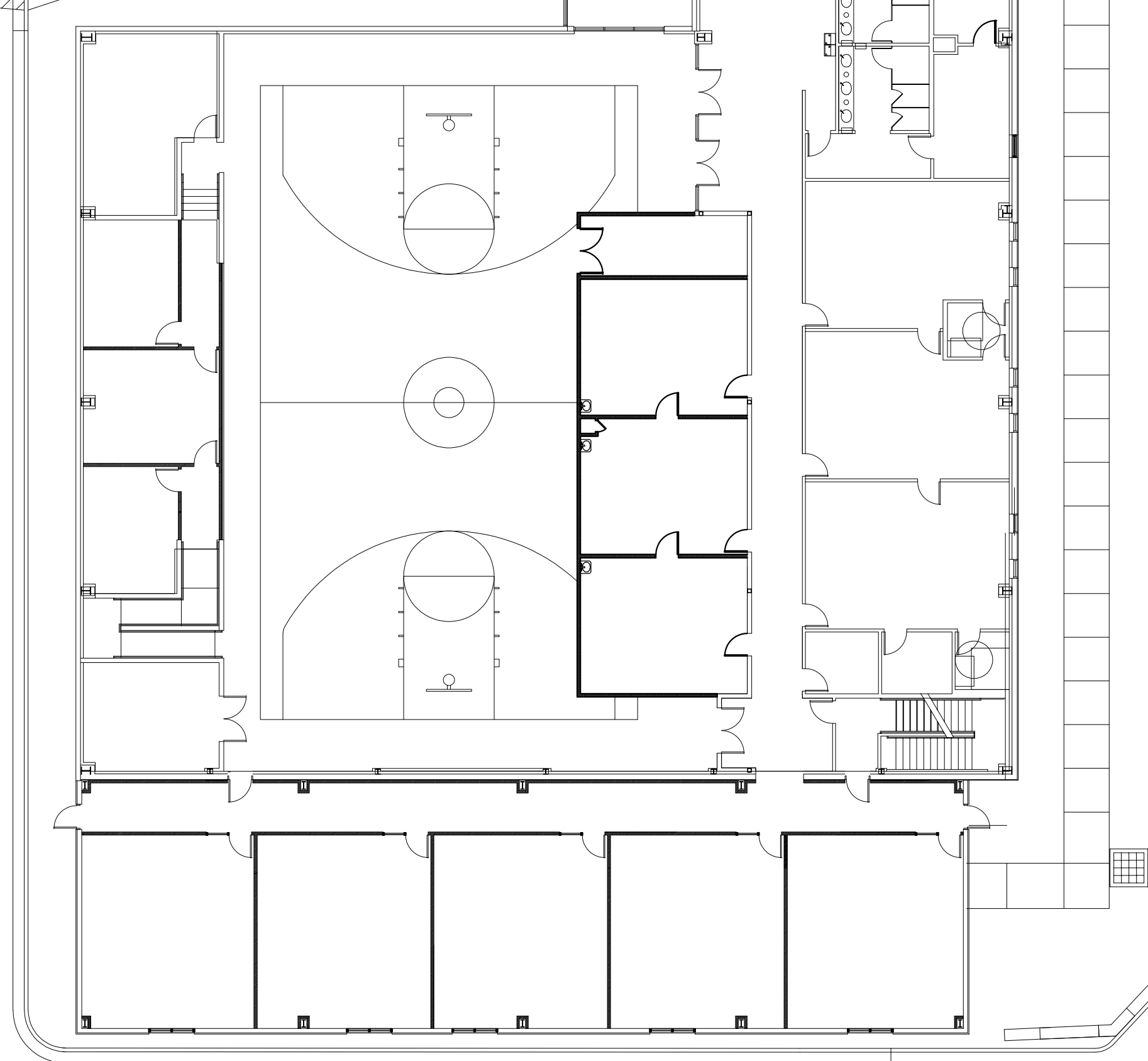
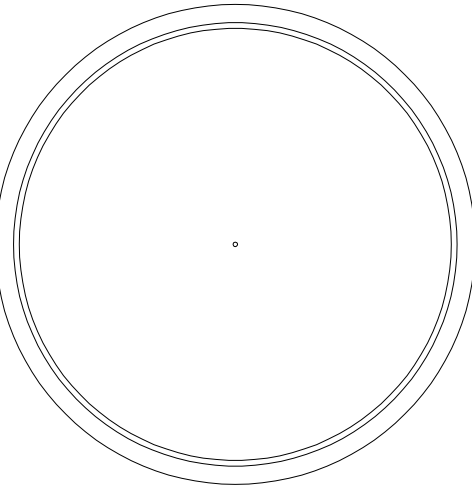
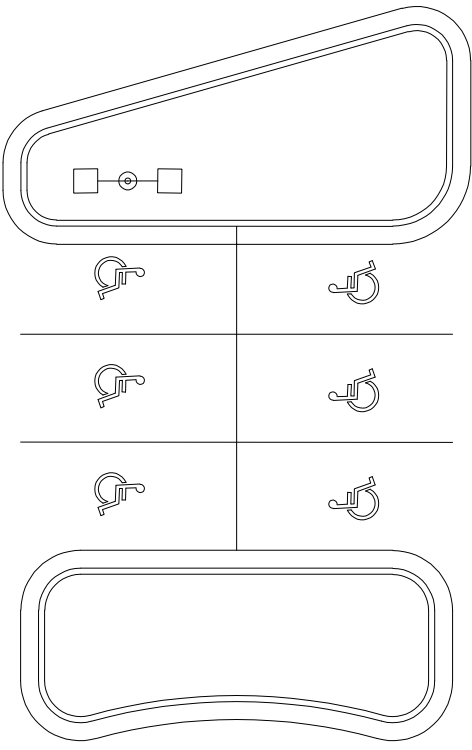
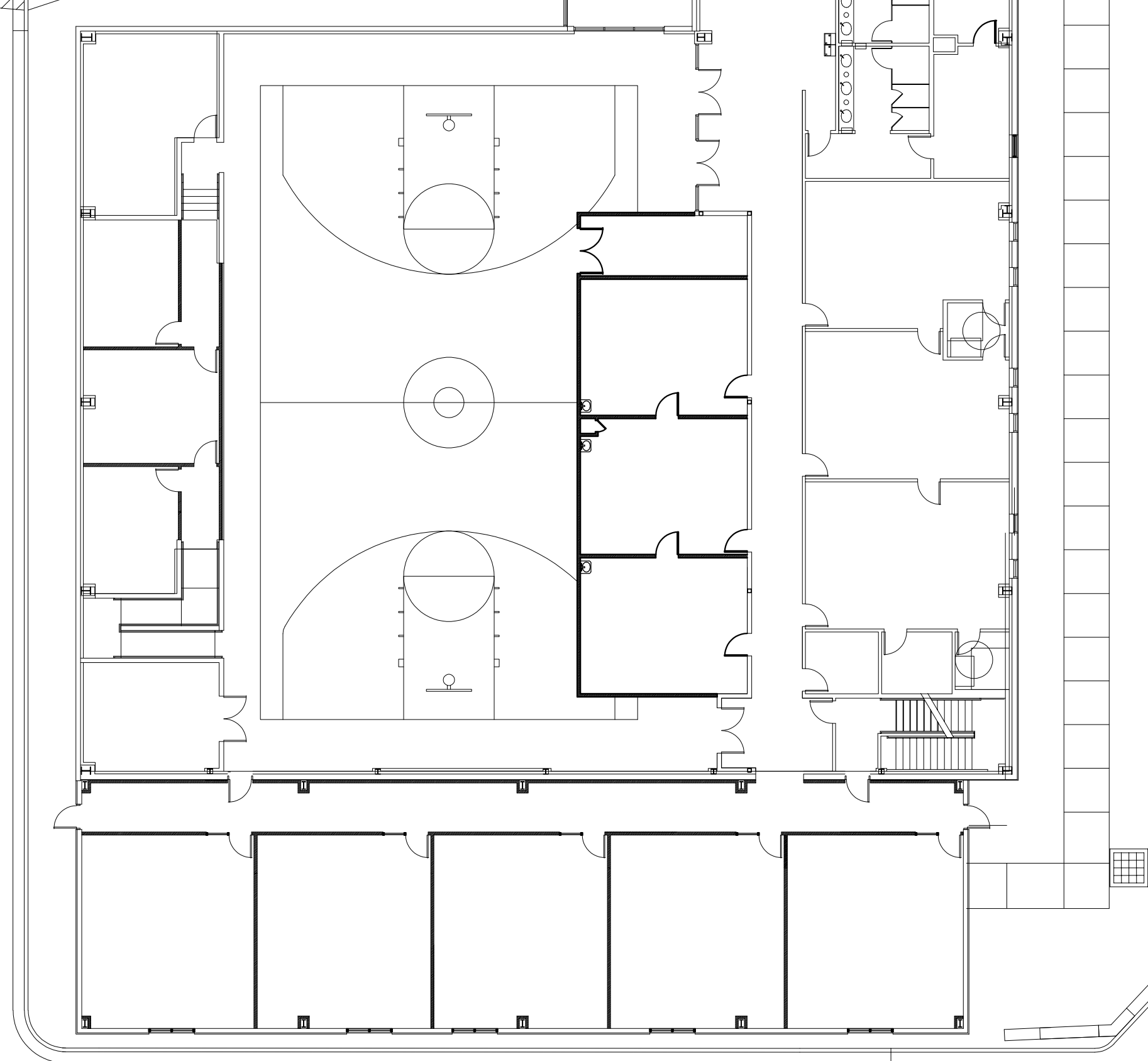
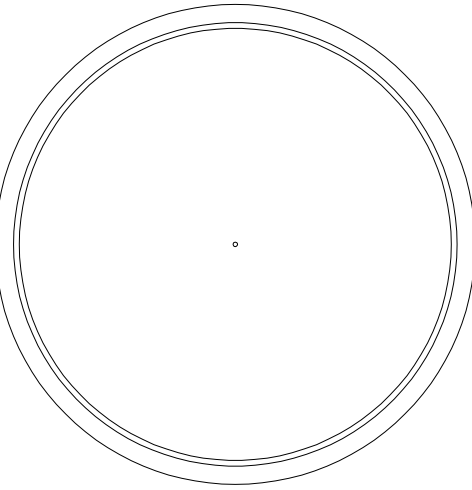
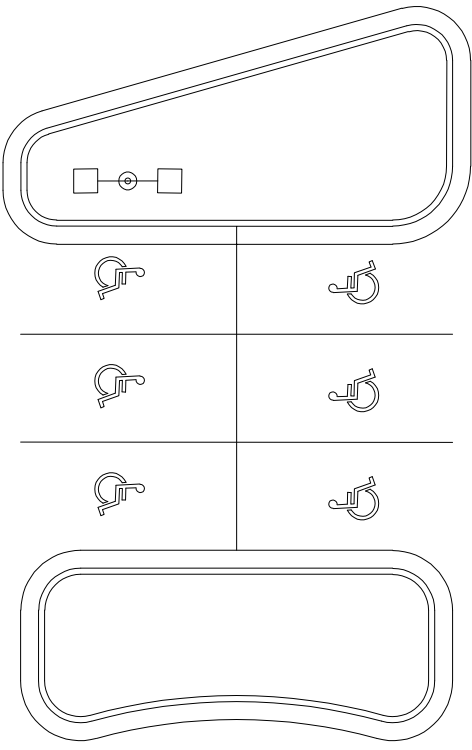
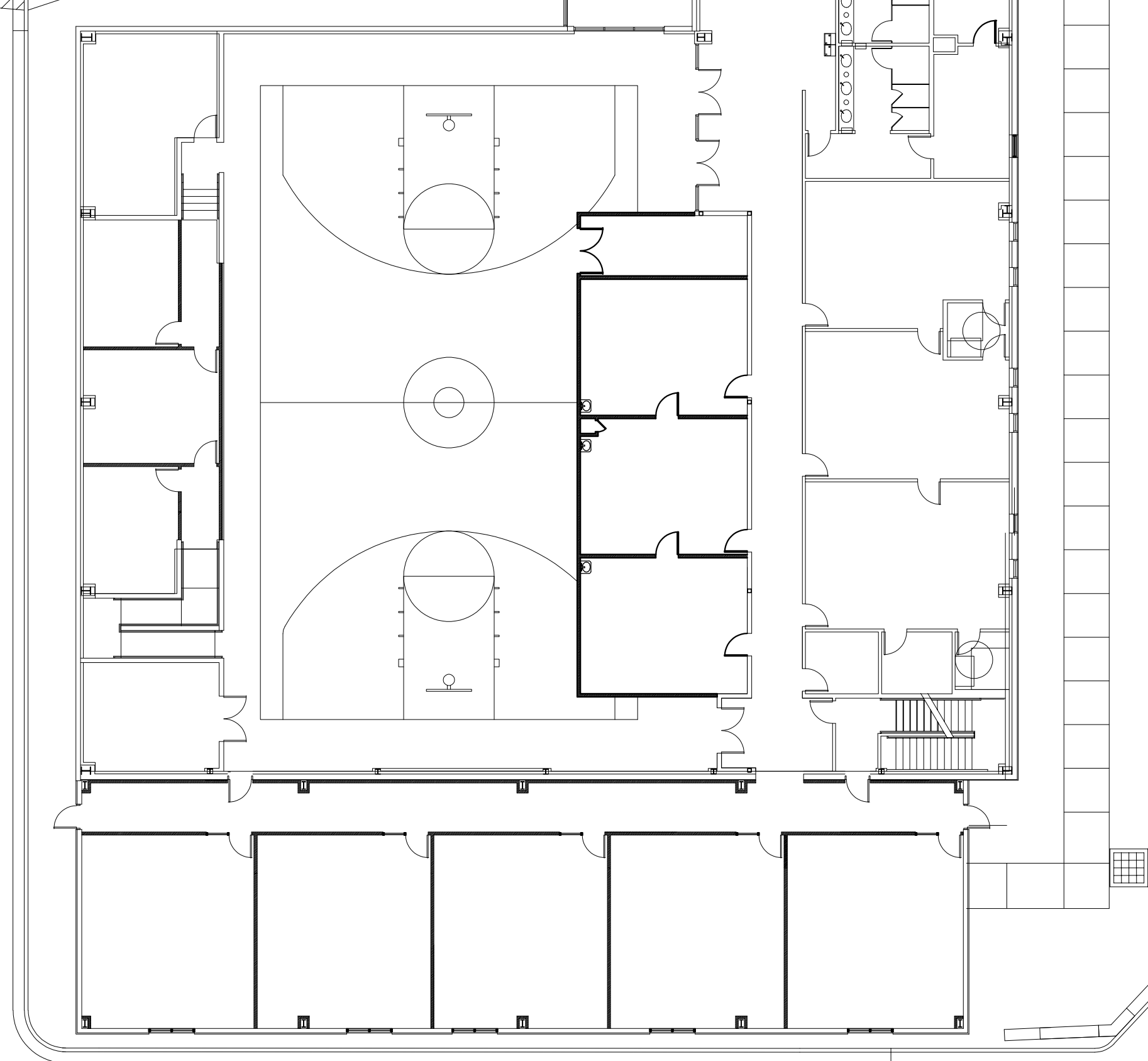
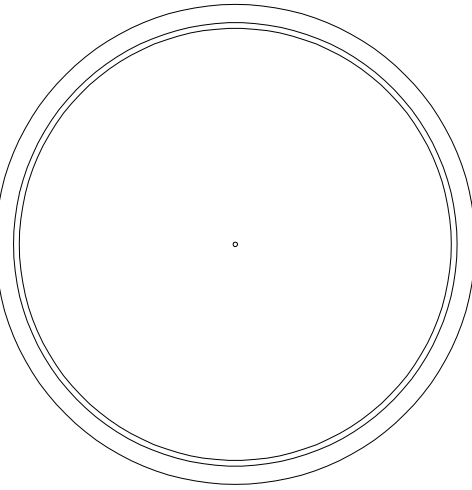
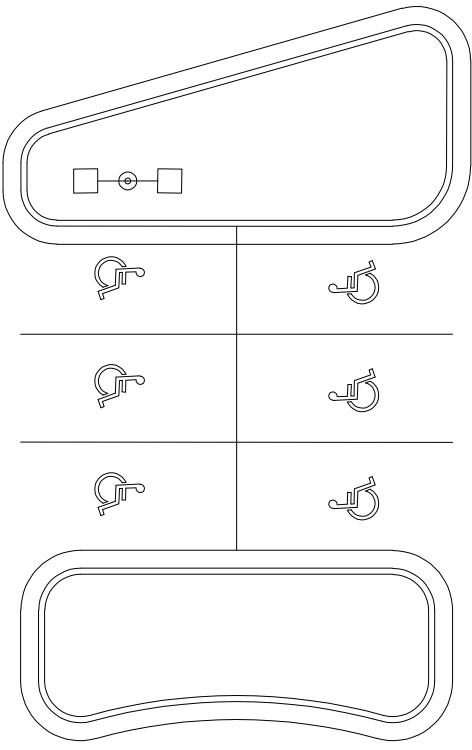
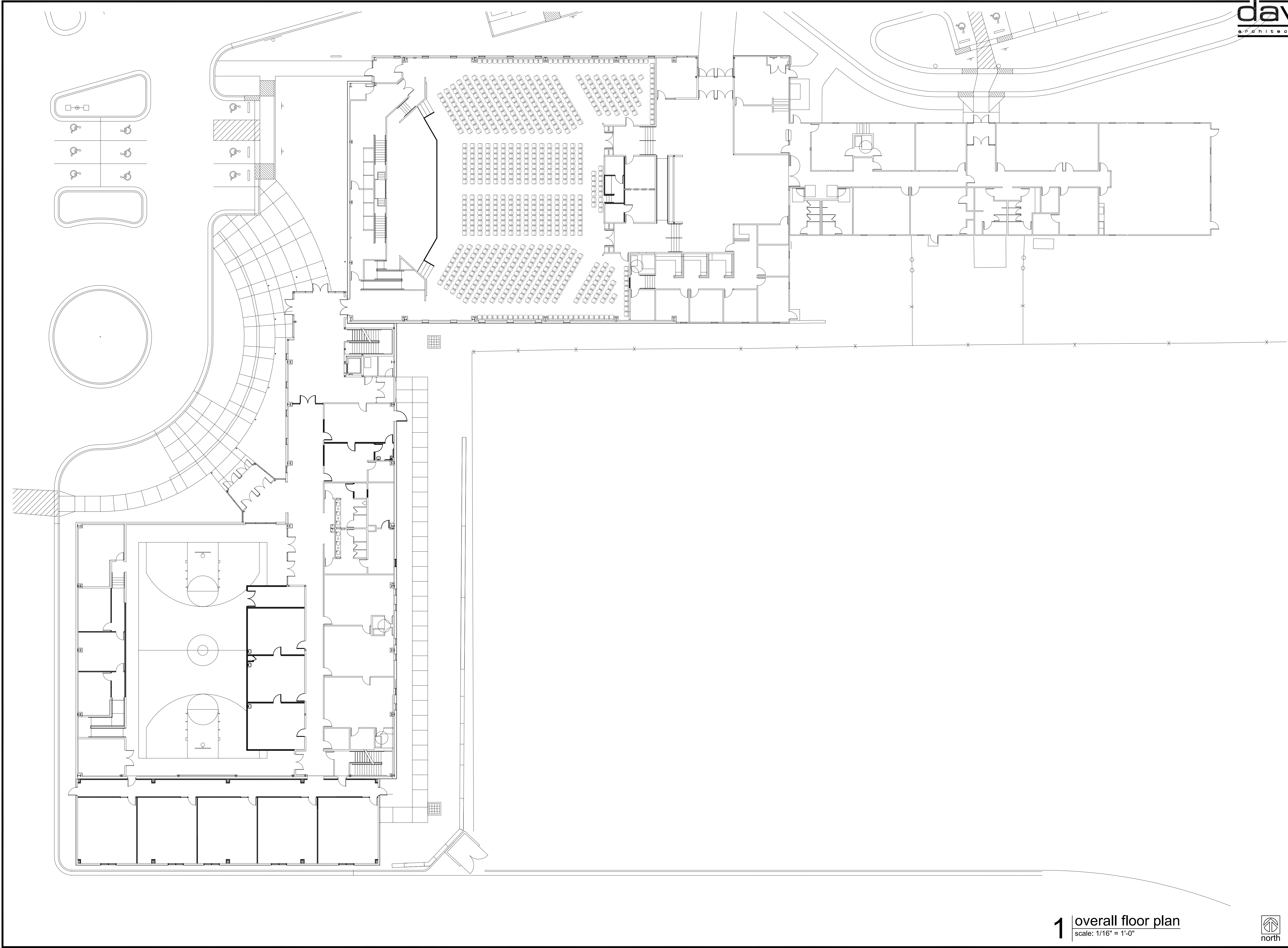
Fred Young
Signature of Agent, Owner or Attorney

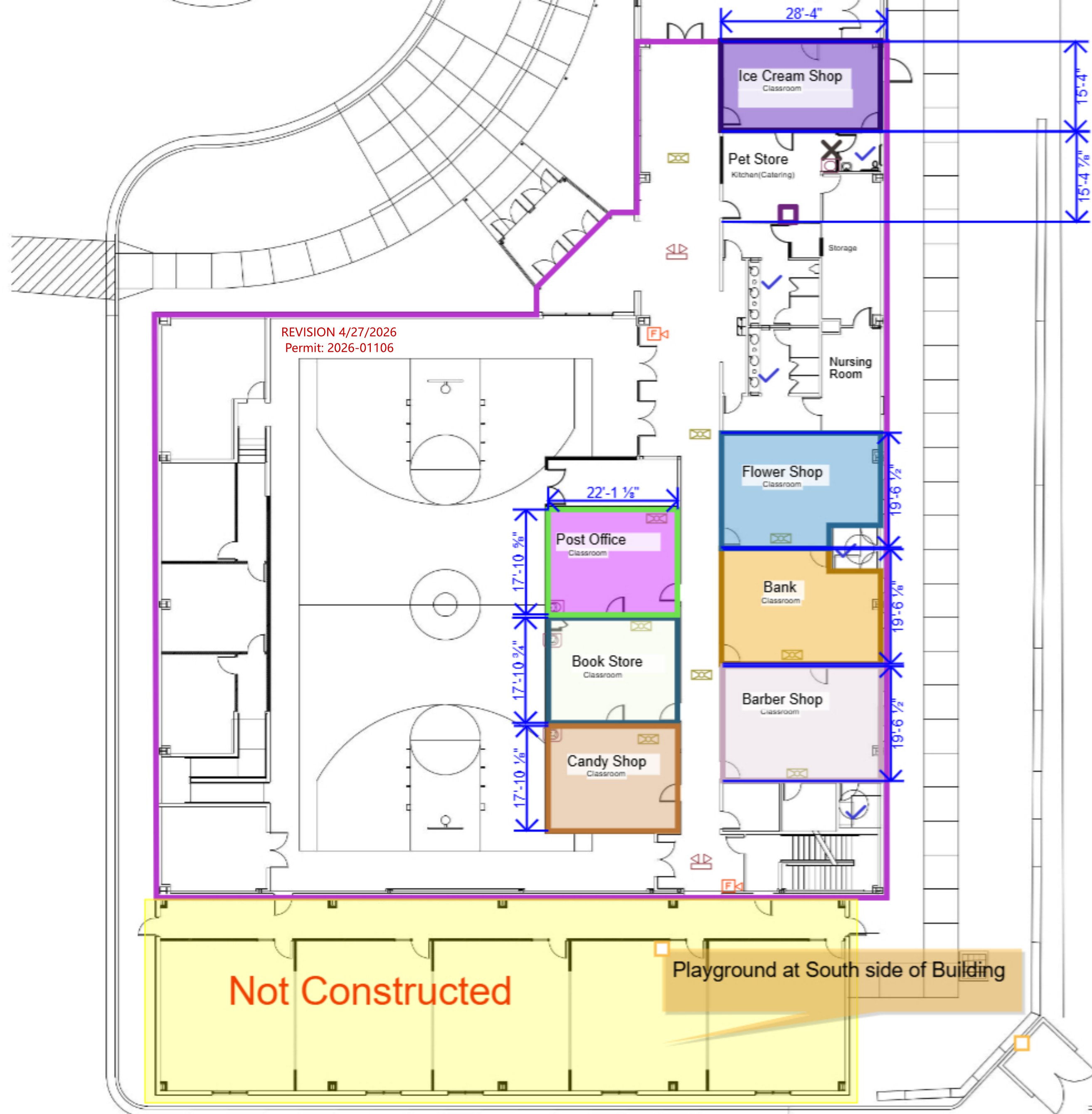
Subscribed and sworn to before me this 24th day of June, 2026.

[Signature]
Notary Public

March 27, 2027
Commission Expiration Date



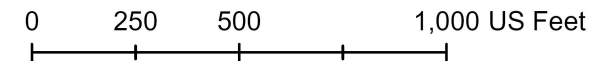
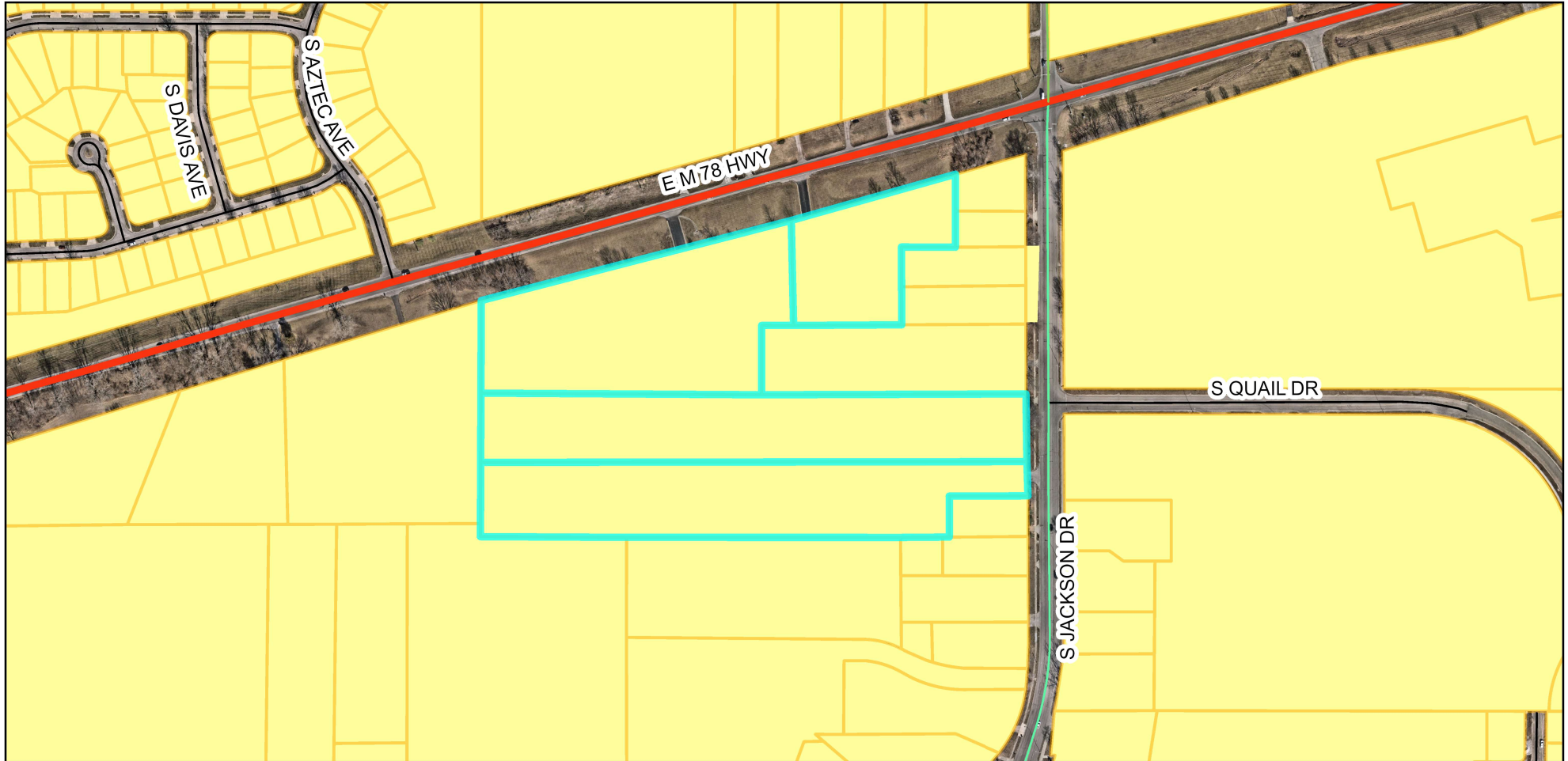




Zoning Map

19901 E M 78 Hwy

Case #26-125-04



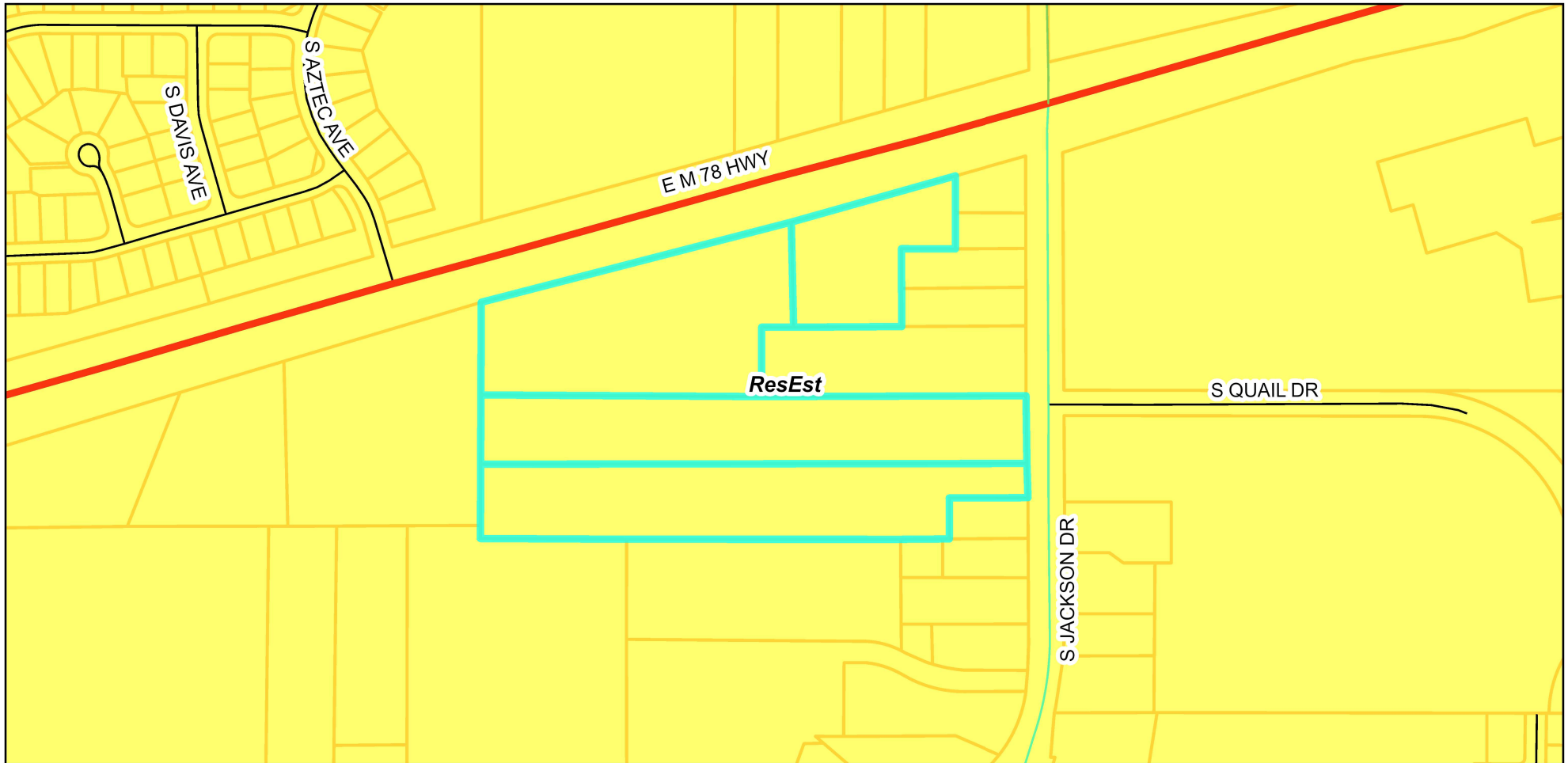
Prepared For: Planning Commission
Meeting Date: July 14, 2026



Comprehensive Plan

19901 E M 78 Hwy

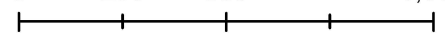
Case #26-125-04



Comprehensive
Plan

 Residential
Neighborhoods

0 250 500 1,000 US Feet



Prepared For: Planning Commission
Meeting Date: July 14, 2026



MEETING DATE: July 14, 2026

STAFF: Brian Harker, Planner

PROJECT NAME: Short-Term Rental – 12808 E. 47th Terrace Court S.

CASE NUMBER/REQUEST: Case 26-400-78 – Short-Term Rental – 12808 E. 47th Terrace Court S. – A request to operate a Short-Term Rental at the property.

PROPERTY ADDRESS: 12808 E. 47th Terrace Court S.

OWNER/APPLICANT/MANAGER/RESPONSIBLE: Elaina Gurang

OWNER/APPLICANT/MANAGER/RESPONSIBLE ADDRESS: 8301 NE 72nd Terrace, KCMO 64158

SUBJECT PROPERTY ZONING/LAND USE: R-6/PUD (Single-Family Residential/PUD)...duplex

SURROUNDING ZONINGS/LAND USES:

North: C-2 (General Commercial)...retail store

South: R-6/PUD (Single-Family Residential/Planned Unit Development)...fourplex

East: R-6/PUD (Single-Family Residential/Planned Unit Development)...duplex

West: R-6/PUD (Single-Family Residential/Planned Unit Development)...duplex

PUBLIC NOTICE:

- Letters to property owners within 185 feet were mailed July 22, 2026
- Notification signs were posted on the property July 25, 2026

FURTHER ACTION:

Unless a valid protest petition is submitted, or the applicant seeks to appeal the action of the Planning Commission, this application is not reviewed by the City Council.

RECOMMENDATION

Staff recommends **APPROVAL** of this Short-Term Rental with the following conditions:

1. The short-term rental shall obtain a business license pursuant to Chapter 5 of the City Code.
2. The short-term rental operator shall remit transient guest tax to the City and comply with the operational standards outlined in Article 3, Chapter 5 of the City Code.
3. The business must comply with all safety and other standards established by Section 14-424 of the City Code.
4. The maximum occupancy of the premises shall be limited to six (6) adults total.
5. The maximum number of bedrooms shall be three (3).
6. A noise monitoring system conforming to City Code shall be installed and activated, the Good Neighbor Guidelines, evacuation plan and other notices must be properly posted, prior to approval of the business license.
7. The property must be inspected by the Fire Inspector and pass the Initial Short-Term Rental Fire and Life Safety Inspection.

PROJECT DESCRIPTION

PROJECT DESCRIPTION:

The applicant seeks approval of a Short-Term Rental at 12808 E. 47th Terrace Court S.

Current Zoning: R-6/PUD (Single-Family Residential/Planned Unit Development)

Current Use: Two-Family Residence

Former Zoning: Prior to 2009: R-1b/PUD (Single-Family Residential/Planned Unit Development)

Prior to 2008: R-1b (Single-Family Residential) & C-1 (Neighborhood Commercial)

Prior to 1980: R-1 (Single-Family Residential) & C-1 (Neighborhood Commercial)

Prior to 1965: Not Zoned

Proposed Use: Short-Term Rental

BACKGROUND HISTORY

Proposal:

The applicant seeks approval from the Planning Commission to use this property as a Short-Term Rental. It was approved for temporary use as a Short-Term Rental in June and July during the World Cup and now the applicant wants permanent status.

Property History:

The property was annexed into the City in 1956. In 1965, the site was assigned an R-1 (Single-Family Residential) zoning district designation and a C-1 (Neighborhood Commercial) zoning district designation along 47th Street S. The residentially zoned portion was rezoned R-1b (Single-Family Residential) in 1980. The area was rezoned to R-1b/PUD (Single-Family Residential/Planned Unit Development) and platted with the approval of Voorheis Hale in 2008. It is a community of one, two and four-family homes surrounded by common ground. Since the adoption of the UDO in 2009, it has been zoned R-6/PUD (Single-Family Residential/Planned Unit Development).

Physical Characteristics of Property:

The property's legal description is Lot D7-L, Voorheis Vale PUD – 15th Plat. The 1,742-square foot lot envelope contains the western 1,432-square foot of the duplex. The surrounding lawn is common ground. The duplex is a single-story structure featuring façades with tan siding. The west unit will be used as a short-term rental.

Beyond the front porch and entry will be the dining room/kitchen. Behind the two-car garage will be the living room. The primary bedroom and bathroom and the second bedroom and bathroom are on the first floor. A third bedroom and bathroom are in the basement, along with a laundry room and a common space.

Characteristics of the Area:

The subject site is part of the Voorheis Vale PUD, a subdivision of one, two and four-family structures with a uniform color scheme and similar design. The development sets within common ground containing a mixture of public and private streets.

In vicinity, to the north lies a commercial development, to the east a mobile home park, to the west a 1950's era development of single-family homes and to the south, a church property.

Parking:

There is a two-car driveway for 12808 E. 47th Terrace Court S. that provides parking for two vehicles. Additional off-street parking is available in the two-car garage. One vehicle is allowed to park on the street. Parking for the proposed short-term rental meets standards of the UDO.

Unruly Guest/Security:

The property will have a noise monitoring device. Notice of quiet hours and penalties for violating the city's noise ordinance shall be posted in a prominent location inside the short-term rental.

Short Term Rental Requirements:

The applicant must address the following topics:

- **Noise monitoring** –The applicant will need to provide evidence of the installation of an approved noise monitoring device.
- **Trash Removal** – The applicant has indicated that WCA and GFL Environmental, Inc. will pick up the trash and recycling once a week on Thursday mornings.
- **Property listing** - The property will be listed on AirBNB only.
- **Business operations/security** – The applicant has retained the services of a responsible agent to oversee site security and general business operations, including screening customers, and coordinating bookings.
- **City's Short Term Rental checklist** – The form was completed by the applicant covering licensing, future inspections, insurance, on-site information posting, and so forth.
- **Fire safety** – A fire evacuation plan had been submitted along with floor plans of the house. The fire escape plan must also be posted as required by city code.
- **City inspection** – The property must be inspected by the Fire Inspector and passed the Initial Short-Term Rental Fire and Life Safety Inspection.
- **Parking Plan** – The applicant has included a parking plan as part of their application. The parking plan satisfies City Code requirements for a four-bedroom short-term rental unit.

There are no other licensed Short-Term rentals in this area, therefore this application follows the density limitations of the City Code.

EXHIBITS

1. Online Application
2. Initial Email for FIFA
3. Notification Letter
4. Addresses
5. Notification Area Map
6. Affidavit
7. Floor Plan
8. Fire Plan
9. Parking Plan
10. Nearest Short Term Rental Map

12808 E 47Th Terrace Ct S # D7-L Independence MO 64055

		Status
STR License		Submitted
Application number		A00254
Application date		2026-05-03
Applicant name		Elaina Gurung
> Collapse details		

Submitted

Send license

Edit

Property Address	Parcel Number
12808 E 47TH TERRACE CT S # D7-L INDEPENDENCE MO 64055	33440215700000000

Permit Held By	Rental Structure
Property Manager	Duplex

Permit Holder	First Name	Last Name			
	Elaina	Gurung			

Property Owner(s)	Property Owner #1	First Name	Last Name			
		Kushal	Gurung			

Property Manager	First Name	Last Name			
	Elaina	Gurung			

Responsible Agent	First Name	Last Name			
	Elaina	Gurung			

Verification Documents	Floor Plan	Evacuation Plan	Parking Plan
	floor_plan_2026-05-04-011353.pdf	fire_safety_2026-05-04-011353.pdf	parking_spaces_2026-05-04-011353.pdf

Supplemental Questions

Collapse all

What is the total number of bedrooms?

3

Total number of parking spaces available on the property?

6

What is your proposed total occupancy?

6

Is street parking allowed?

Yes

Please provide your Noise Management Plan:

The property will have continuous operation of noise monitoring devices while the property is rented. Notice of quiet hours and penalties for violating the City of Independence noise ordinance shall be posted in a prominent location inside the short-term rental.

Please provide your Trash Disposal & Collection Plan:

The property is a part of Voorheis Vale HOA which contracts with the WCA (managed by GFL Environmental) and GFL Environmental Inc. for recycling. Both trash and recycling is picked up weekly on Thursday morning to mid-day. The property owner and responsible agent will ensure trash containers are not left outdoors in violation of City Code.

Please provide all platforms that you plan to advertise on. ^

Airbnb only

Possible Violations

We found no violations for this property

Add Note

Notes

Add



Subject:

Important: Complete These Steps to Begin Your Short-Term Rental - 12808 E 47th Ter Ct S

Date:

Wednesday, May 13, 2026 10:49:00 AM

Attachments:

[image001.png](#)

Good morning!!

The Community Development Department has reviewed your Short-Term Rental application, and has approved the property at **12808 E 47th Ter Ct S** for use as a Short-Term Rental from June 1, 2026 – July 30, 2026, subject to the following conditions:

1. The Short-Term Rental shall obtain a business license pursuant to Chapter 5 of the City Code.
2. The Short-Term Rental operator shall remit transient guest tax to the City and comply with the operational standards outlined in Article 3, Chapter 5 of City Code.
3. The business must comply with all safety and other standards established by Section 14-424 of the City Code.
4. The maximum occupancy of the premises shall be limited to **six (6)** persons total.
5. The maximum number of bedrooms shall be **three (3)**.
6. A noise monitoring system conforming to City Code shall be installed and activated, the Good Neighbor Guidelines, evacuation plan and other notices must be properly posted, prior to approval of the business license.
7. The property must be inspected by the Fire Inspector and passed the Initial Short-Term Rental Fire and Life Safety Inspection.

-
Before the Short-Term Rental may begin operating, the following items must be completed:

1. Submit a business license application with the Regulated Industries Division.
 - a. Business license applications can be submitted online, using the following link to the City's website: <https://apps.indepmo.org/apps/BusinessLicenses>
 - i. Select "**Business Located in Independence**"
 - b. On the business license application, please select "**FIFA Temporary Short-Term Rental**" as the Business Type field on the application (right under the address).
 - c. The Regulated Industries Division will require:
 - i. Proof of insurance, as prescribed in City Code 14-424-14
 - ii. Affidavit of Designating Manager for LLCs
 - d. Please contact the Regulated Industries Division with any questions on the

Business License process: bllicenses@indepmo.org or (816) 325-7079.

2. Short-Term Rentals must pass a Rental Ready inspection, as per City Code 14-424-21. Rental Ready inspection can be scheduled with any of the companies contracted by the City of Independence and listed on the City's Rental Housing webpage: <https://www.independencemo.gov/government/city-departments/community-development/rental-housing>
1. Transient Guest Tax (TGT) returns are required to be filed monthly, even if taxes are remitted by Airbnb. Operators using platforms without a voluntary collection agreement remain responsible for timely monthly TGT filing and remittance. Please refer to the Transient Guest Tax forms, instructions, and informational letter available on the City of Independence website for filing requirements and submission details: [City of Independence – Business License & Permitting](#)
3. Short-Term Rental unit must pass an initial Fire & Life Safety Inspection.
 - a. Please note that the Fire and Life Safety Inspection is a separate inspection from the Rental Ready Inspection and is more comprehensive in scope. For a complete list of Fire and Life Safety Inspection requirements, contact the Fire Prevention Division at [REDACTED].
 - b. To arrange the required inspection, please reach out to the Fire Prevention Division at [REDACTED].

NOTE: The business license application must be on file prior to scheduling an inspection with the Fire Prevention Division.

Once all the above requirements have been satisfied, the Regulated Industries Division will issue an Independence Business License, and you may begin operating your Short-Term Rental from June 1-July 30th.

If you have any questions, please do not hesitate to reach out.

Thank you,

Chelsea



Chelsea A. Wright

Administrative Assistant III



20201 E. Jackson Drive
Independence, MO 64057



PROPERTY OWNER NOTIFICATION LETTER

For a Short-Term Rental Business

Date: June 23, 2026

Case Number: 26-400-78

Dear Property Owner:

This is to notify you that an application has been submitted for the consideration of a short-term rental business at the following address. A public hearing will be held for this application by the Independence Planning Commission at the date and time listed below.

Address of proposed Short-Term Rental: 12808 E. 47th Terrace Court S.

Total Maximum occupancy: Six (6) guests

Number of bedrooms used: Three (3)

PROPERTY OWNER:

Name: Elaina Gurung

[REDACTED]

[REDACTED]

Planning Commission Meeting Date: July 14, 2026 at 6:00 p.m.

Location of public hearing: Independence Municipal Commons

20201 E. Jackson Drive, Independence, MO 64057

All interested persons are invited to participate and will have an opportunity to be heard at the public hearing. If you have questions regarding this short-term rental operation, you may wish to contact the property owner or manager, as listed above. For information regarding the filing of a protest petition, please contact the Community Development Department at 816-325-7421.

Brian L. Harker

Brian L. Harker

Planner

20201 E. JACKSON DR. • INDEPENDENCE, MO 64057

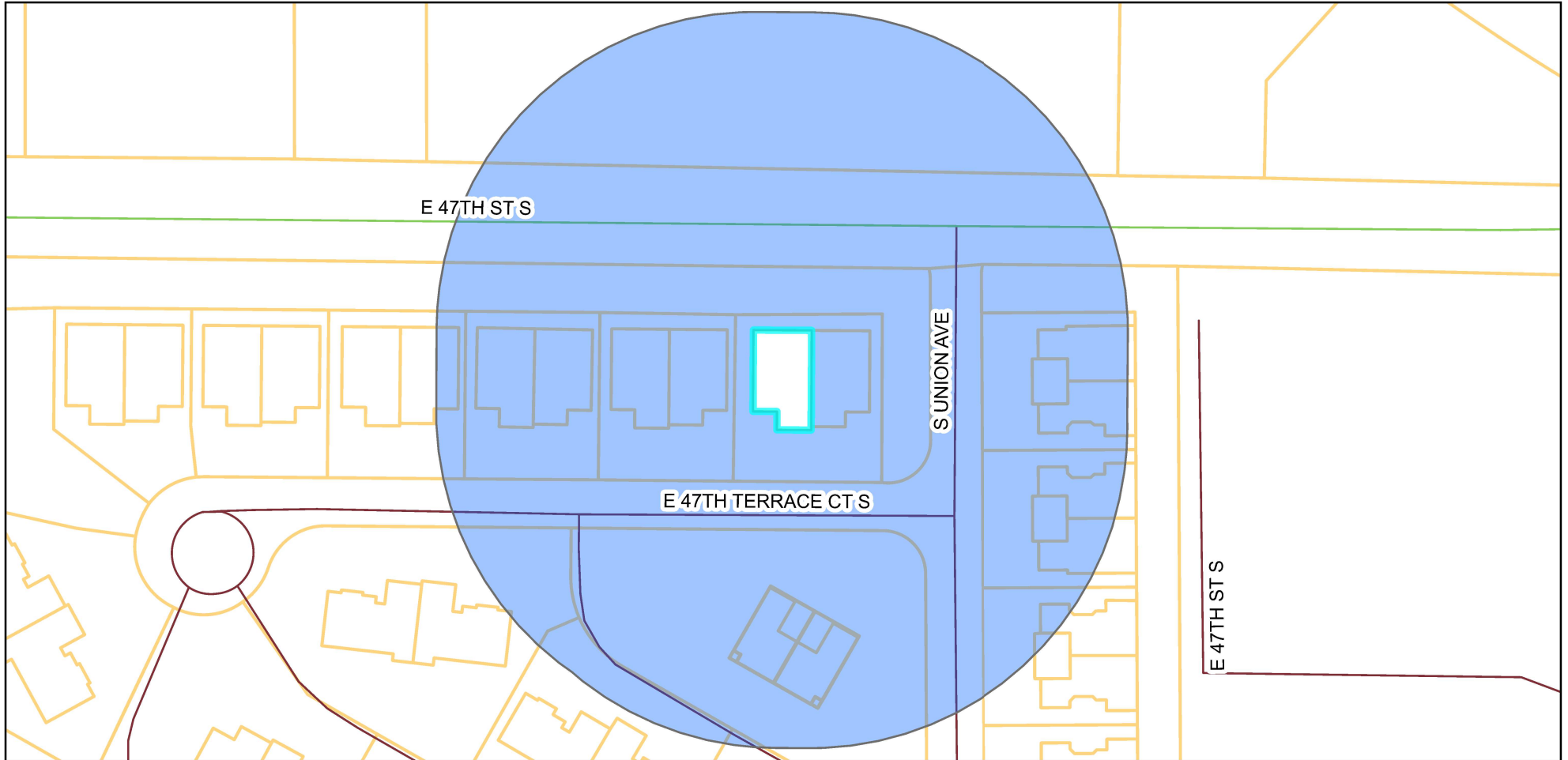
INDEPENDENCEMO.ORG

Parcel ID	Property Address	Property Owner	Owner Address	City	State	ZIP Code
33-440-21-67-00-0-00-000	12714 E 47TH TERRACE CT D4-R	RENSHAW LISA M & DAVID M JR	12714 E 47TH TERRACE CT S	INDEPENDENCE	MO	64055
33-440-21-12-00-0-01-001	12813 E 47TH TERRACE CT 12815	EISCHEN GREGORY J & JOAN C	12813 E 47TH TER CT S Q1 LL	INDEPENDENCE	MO	64055
33-440-21-57-00-0-00-000	12808 E 47TH TERRACE CT D7-L	GURGUNG KUSHAL	12808 E 47TH TERCT S	INDEPENDENCE	MO	64055
33-440-01-26-00-0-01-002	4719 S UNION AVE D9L	BRATKOVIC LINDA	4719 S UNION AVE	INDEPENDENCE	MO	64055
33-440-21-29-00-0-00-000	12805 E 47TH TERRACE CT	VOORHEIS VALE CONDOMINIUM ASSOCIATION	9230 PFLUMM RD	LENEXA	KS	66215
33-440-01-25-00-0-01-002	4715 S UNION AVE D8L	HART KRISTINE M	4715 S UNION AVE	INDEPENDENCE	MO	64055
33-440-21-64-00-0-00-000	12806 E 47TH TERRACE CT D6-R	JOHNSON ELOISE M--TRUSTEE	12806 E 47TH TERRACE CT S	INDEPENDENCE	MO	64055
33-440-01-24-00-0-00-000	NO ADDRESS ASSIGNED BY CITY	VOORHEIS VALE CONDOMINIUM ASSOCIATION	2134 NW 7 HWY	BLUE SPRINGS	MO	64014
33-440-21-60-00-0-00-000	12800 E 47TH TERRACE CT D5-L	HARRINGTON NANCY	12800 E 47TH TER CT S D5-L	INDEPENDENCE	MO	64055
33-440-21-58-00-0-00-000	12810 E 47TH TERRACE CT D7-R	KEY RONALD E & LAURA B	12810 E 47TH TERRACE CT S	INDEPENDENCE	MO	64055
33-440-21-61-00-0-00-000	12802 E 47TH TERRACE CT D5-R	HENSLEY ELSIE F	12802 E 47TH TERRACE CT S	INDEPENDENCE	MO	64055
33-440-21-63-00-0-00-000	12804 E 47TH TERRACE CT D6-L	MERRYMAN LISA	12804 E 47TH TERRACE CT S	INDEPENDENCE	MO	64055
33-440-21-12-00-0-02-002	12809 E 47TH TERRACE CT 12815	HIGHTOWER AYANNA JA'NA	12809 E 47TH TERRACE CT S	INDEPENDENCE	MO	64055
33-440-21-12-00-0-02-001	12811 E 47TH TERRACE CT 12815	KENTWOOD FAMILY PARTNERSHIP	30936 STEEPLECHASE DR	SAN JUAN CAPISTRANO	CA	92675
33-440-01-27-00-0-01-002	4723 S UNION AVE D10L	RIVER FIELD PROPERTIES LLC	3125 W MARKET	LEES SUMMIT	MO	64063
33-440-01-25-00-0-01-001	4717 S UNION AVE D8R	IREY BEVERLY A	4717 S UNION	INDEPENDENCE	MO	64055
33-410-23-21-00-0-00-000	13001 E US 40 HWY	HI-TECH MACHINERY INC	508 N WHITE CIR	GARDNER	KS	66030
33-440-21-12-00-0-01-002	12815 E 47TH TERRACE CT 12815	YOUNG LANA K	12815 E 47TH TERRACE CT S UNIT Q1 LR	INDEPENDENCE	MO	64055
33-440-01-26-00-0-01-001	4721 S UNION AVE DR	BRITTON WILDA & WAYNE	4721 S UNION AVE	INDEPENDENCE	MO	64055
33-440-21-37-00-0-00-000	12721 E 47TH TERRACE CT Q2-L	MILLER CURTIS & CARMON L	12721 E 47TH TERRACE CT S	INDEPENDENCE	MO	64055

Notification Area Map

12808 E 47th Terr Ct S

Case #26-400-78



 Notification Area
 Parcels

0 75 150 300 US Feet

Prepared For: Planning Commission
Meeting Date: July 14, 2026



Property Owner Notification Affidavit

STATE OF MISSOURI

COUNTY OF JACKSON

Case No. 26-400-78

I, Chelsea Wright, of lawful age being first duly sworn upon oath, state:

That I am the (agent, owner, attorney) for the property for which the application was filed and did, not later than fifteen (15) days prior to the date of the public hearing scheduled before the Planning Commission, mail notices to all persons owning property within 185 feet of the subject property. **The list of property owners to whom notice has been mailed is attached.**

These notices were mailed on the 22 day of June, 2026.

Chelsea Wright

Signature of Agent, Owner or Attorney

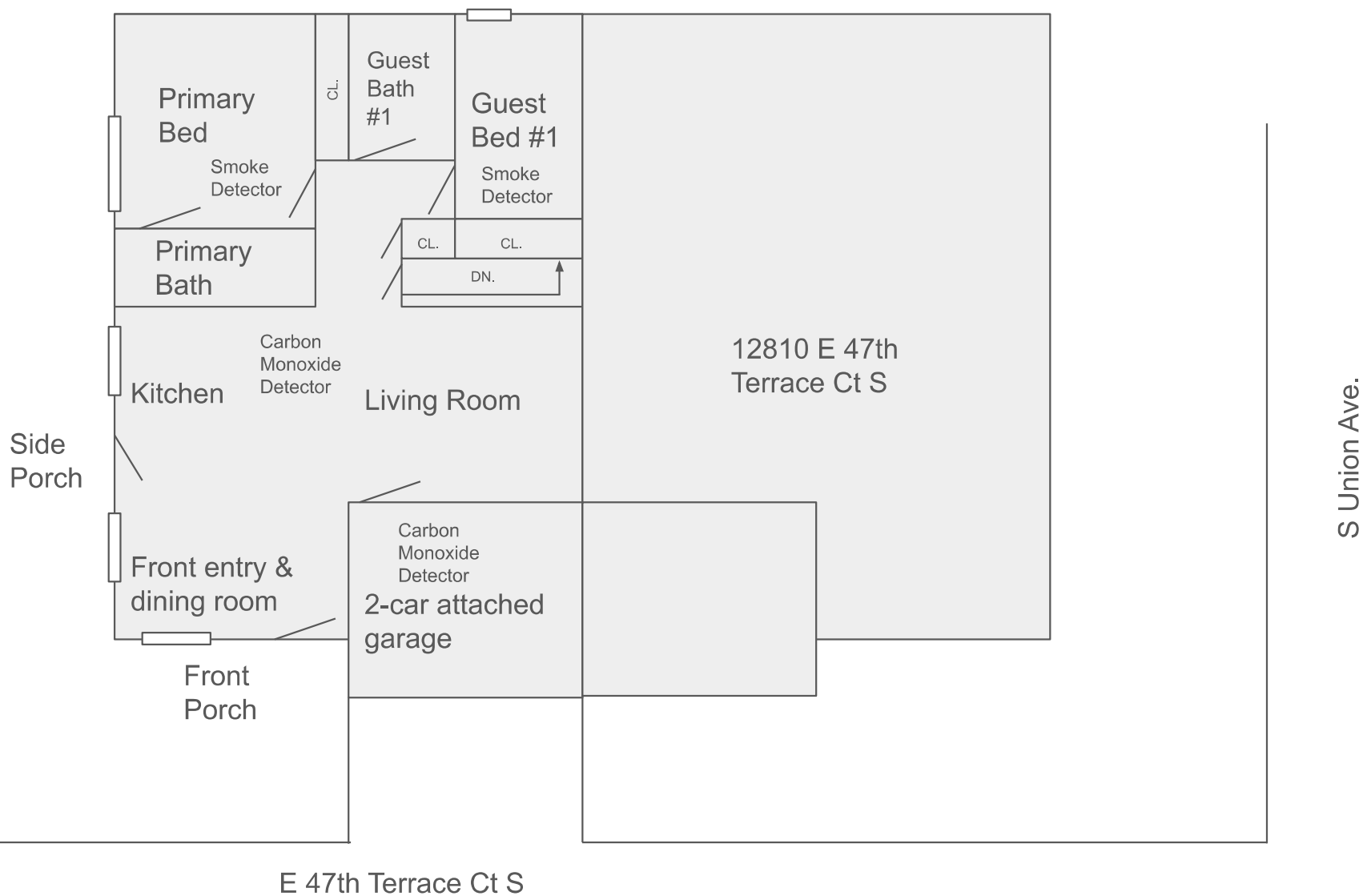
Subscribed and sworn to before me this 22 day of June, 2026.

Miranda J Rice
Notary Public

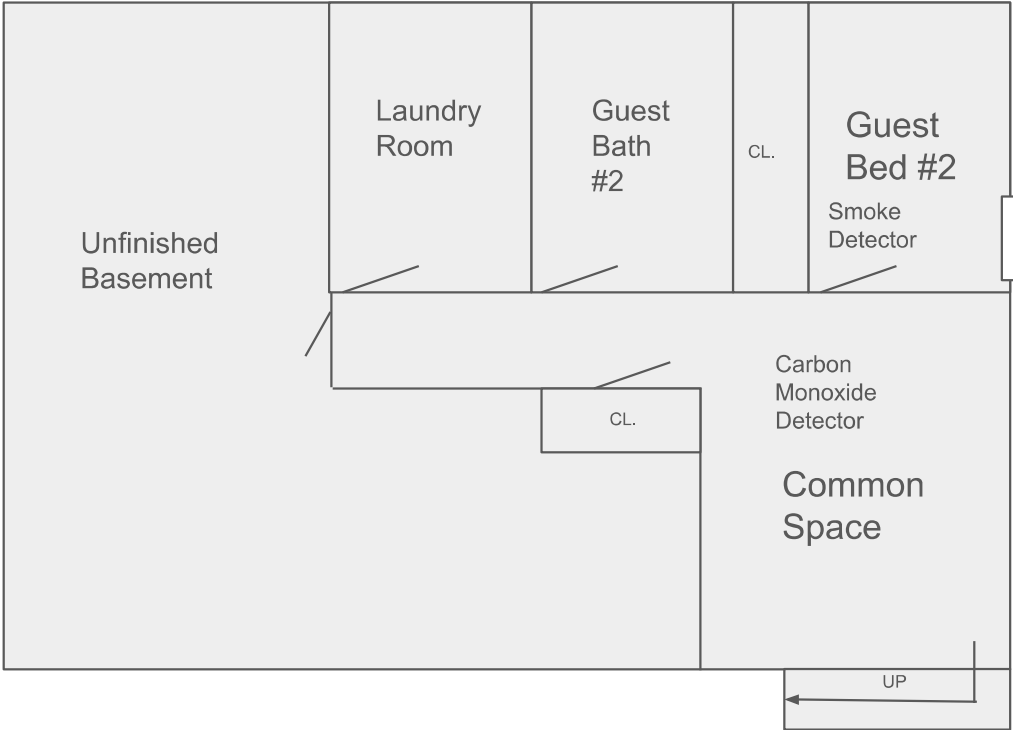
3-28-28 3-12-28
Commission Expiration Date



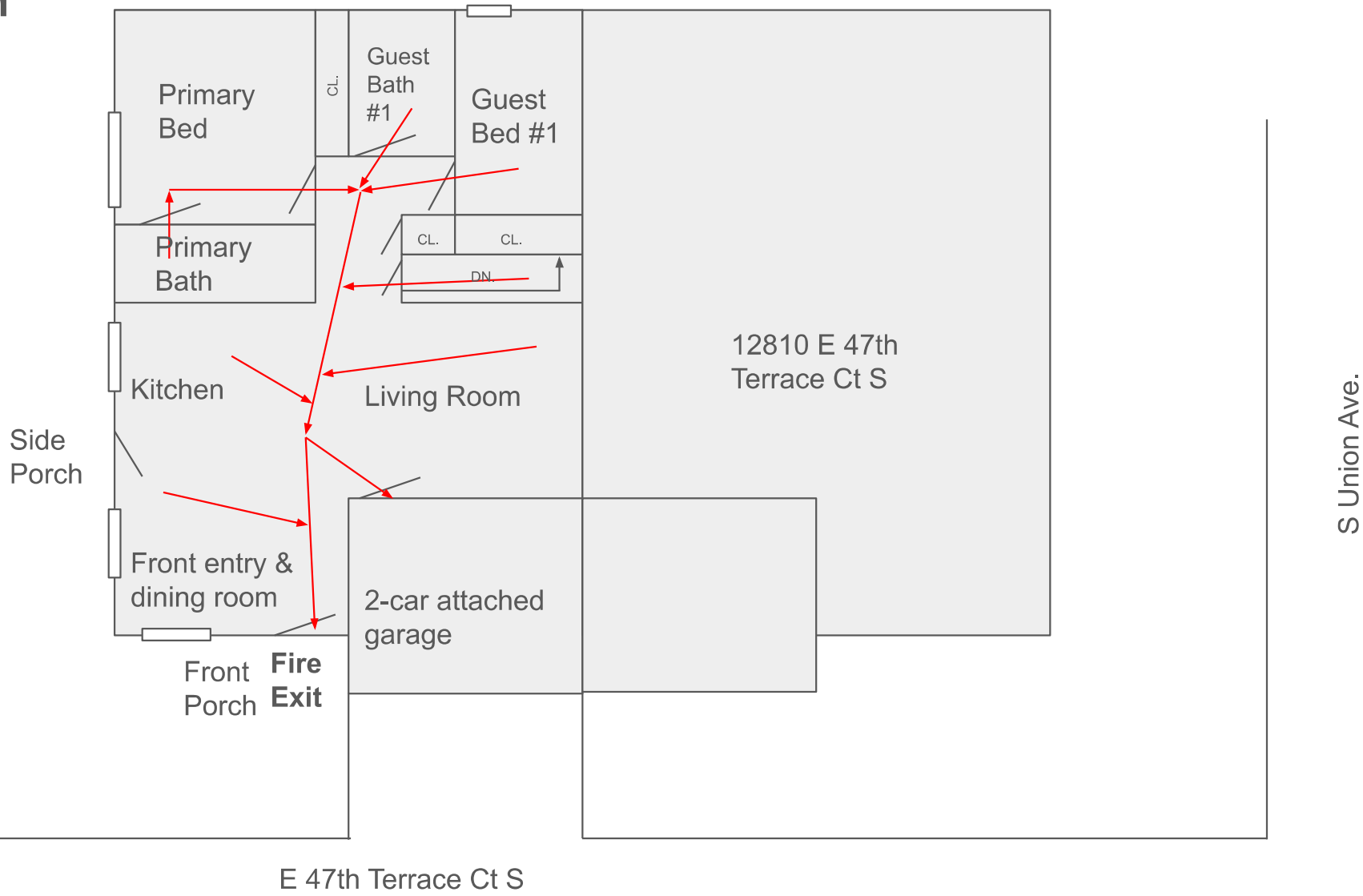
Floor Plan,
1st Floor



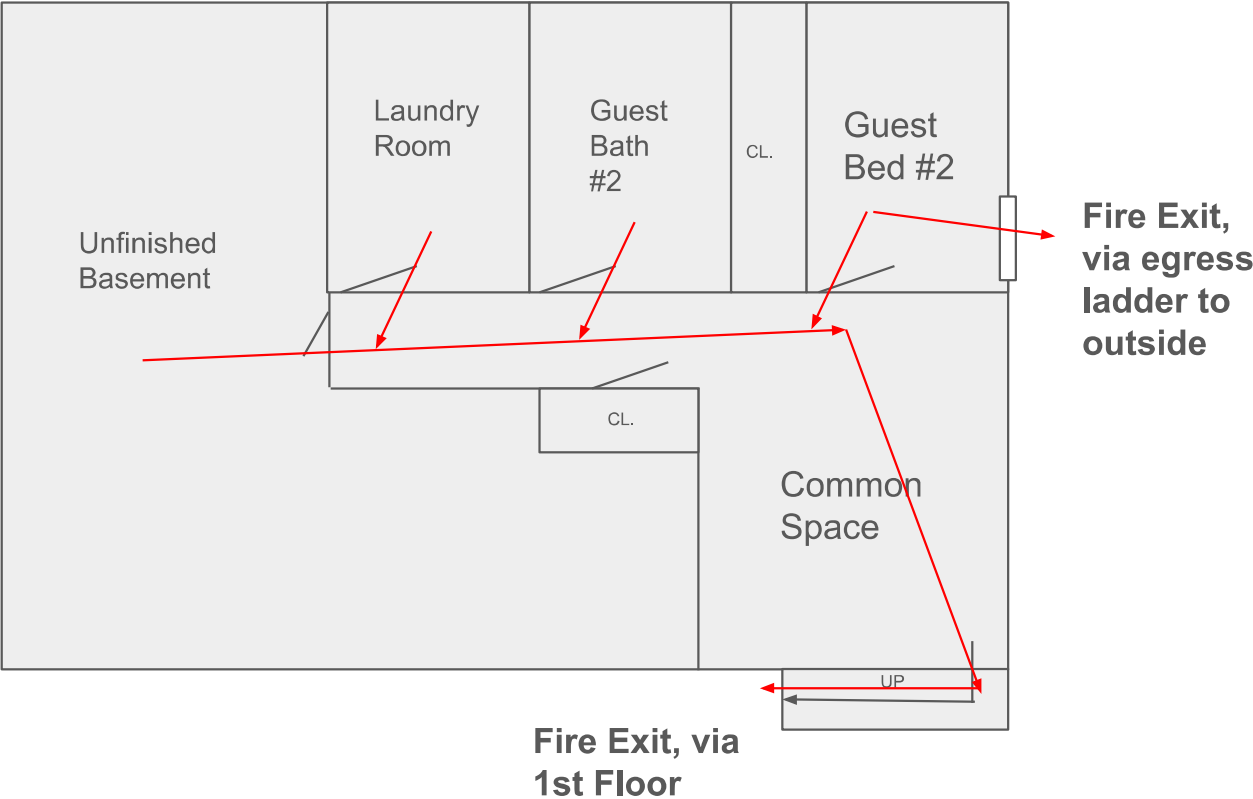
Floor Plan,
Basement



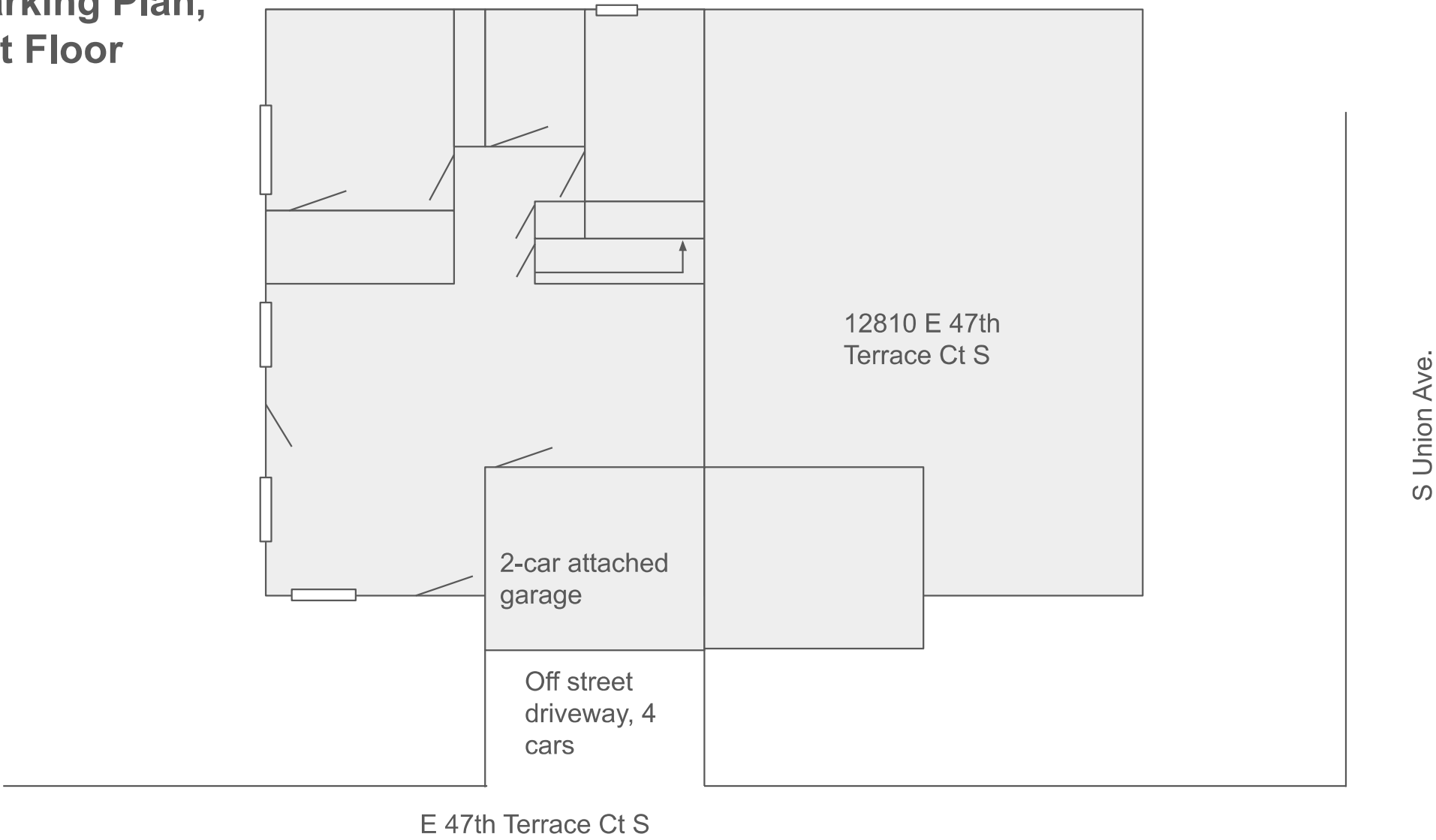
Evacuation
Plan, 1st
Floor



Evacuation Plan, Basement



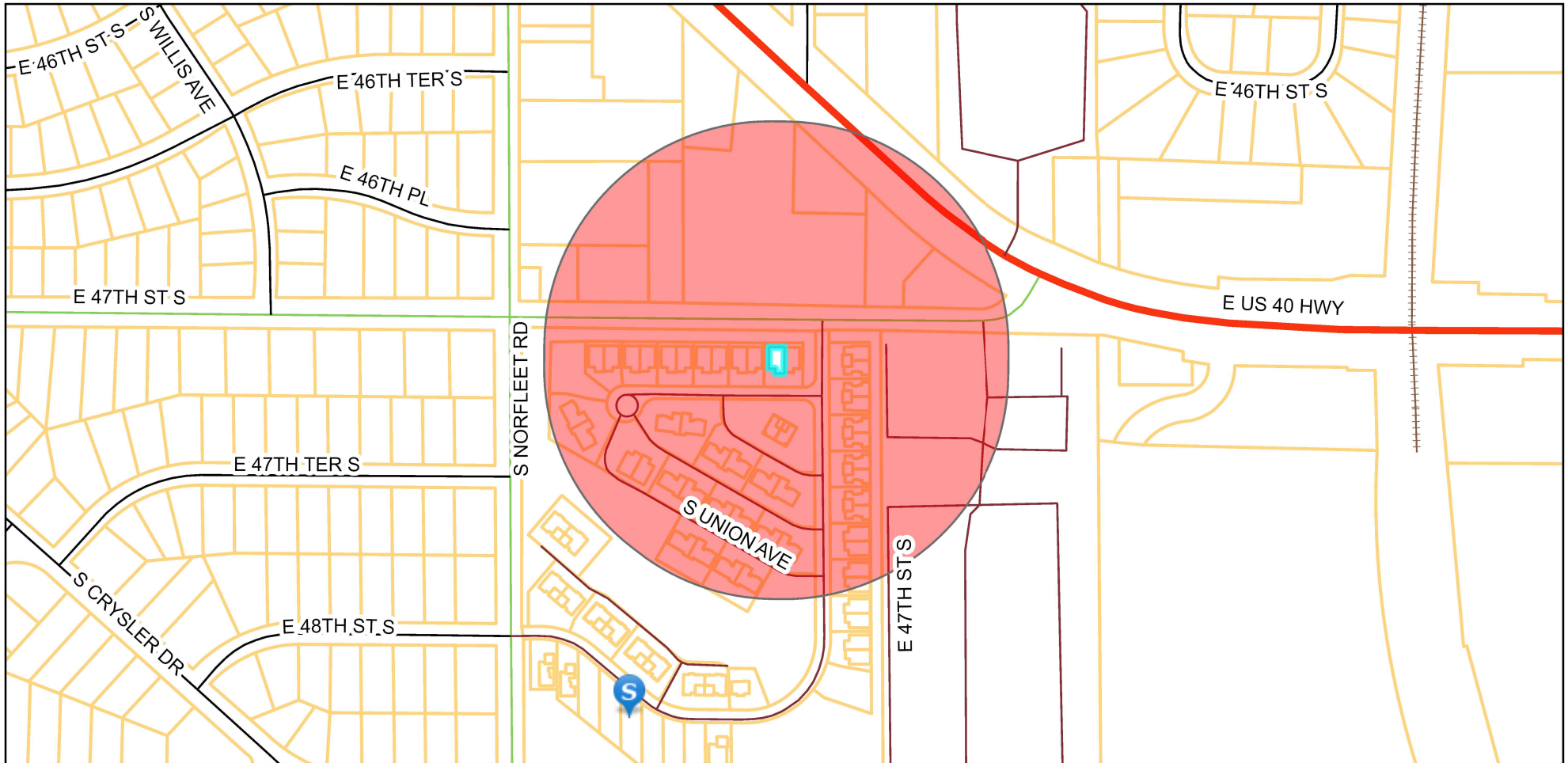
**Parking Plan,
1st Floor**



Nearest Short Term Rental

12808 E 47th Terrace Ct S

Case #26-400-78



- 500ft Separation Requirement
- Short Term Rentals

Parcels

0 250 500 1,000 US Feet

Prepared For: Planning Commission
Meeting Date: July 14, 2026



MEETING DATE: July 14, 2026

STAFF: Brian Harker, Planner

PROJECT NAME: Short-Term Rental – 1215 E. South Avenue

CASE NUMBER/REQUEST: Case 26-400-80 – Short-Term Rental – 1215 E. South Avenue – A request to operate a Short-Term Rental at the property.

PROPERTY ADDRESS: 1215 E. South Avenue

OWNER/APPLICANT/MANAGER/RESPONSIBLE: Jose Mejia

OWNER/APPLICANT/MANAGER/RESPONSIBLE ADDRESS: 5206 Edgehill Street, KCMO 64106

SUBJECT PROPERTY ZONING/LAND USE: R-12 (Two-Family Residential)...single-family home

SURROUNDING ZONINGS/LAND USES:

North: R-12 (Two-Family Residential)...single-family homes

South: R-12 (Two-Family Residential)...single-family homes

East: R-12 (Two-Family Residential)...single-family homes

West: R-12 (Two-Family Residential)...single-family homes

PUBLIC NOTICE:

- Letters to property owners within 185 feet were mailed July 22, 2026
- Notification signs were posted on the property July 25, 2026

FURTHER ACTION:

Unless a valid protest petition is submitted, or the applicant seeks to appeal the action of the Planning Commission, this application is not reviewed by the City Council.

RECOMMENDATION

Staff recommends **APPROVAL** of this Short-Term Rental with the following conditions:

1. The short-term rental shall obtain a business license pursuant to Chapter 5 of the City Code.
2. The short-term rental operator shall remit transient guest tax to the City and comply with the operational standards outlined in Article 3, Chapter 5 of the City Code.
3. The business must comply with all safety and other standards established by Section 14-424 of the City Code.
4. The maximum occupancy of the premises shall be limited to eight (8) adults total.
5. The maximum number of bedrooms shall be four (4).
6. A noise monitoring system conforming to City Code shall be installed and activated, the Good Neighbor Guidelines, evacuation plan and other notices must be properly posted, prior to approval of the business license.
7. The property must be inspected by the Fire Inspector and pass the Initial Short-Term Rental Fire and Life Safety Inspection.

PROJECT DESCRIPTION

PROJECT DESCRIPTION:

The applicant seeks approval of a Short-Term Rental at 1215 E. South Avenue.

Current Zoning: R-12 (Two-Family Residential)

Current Use: Single-Family Residence

Former Zoning: Prior to 2009: R-2 (Two-Family Residential)

Prior to 1965: Not Zoned

Proposed Use: Short-Term Rental

BACKGROUND HISTORY

Proposal:

The applicant seeks approval from the Planning Commission to use this property as a Short-Term Rental.

Property History:

The property was annexed into the city in 1948. It was then platted on March 29, 1949 as Lot 15 of the Cook J. Stanley Addition. In 1965, the site was assigned an R-2 (Two-Family Residential) zoning district designation. With the creation of the Unified Development Ordinance (UDO), the R-2 (Two-Family Residential) district was relabeled R-12 (Two-Family Residential).

Physical Characteristics of Property:

The property's legal description is Lot 15, Cook J. Stanley Addition. The lot contains approximately 9,583 square feet of land area and has a single-family residence containing approximately 1,056 square feet of living area. The home, a single-story, contemporary structure, with siding, wood paneling and stone veneer façades, is the result of major rehabilitation. The property also has a new two-car driveway.

The home's main level will have a living room, kitchen and laundry room. One bedroom has its own bathroom. The other two bedrooms on the first floor and the second-floor bedroom will share the main bathroom.

Characteristics of the Area:

The subject site is part of the Cook J. Stanley Addition, an established single-family subdivision with relatively uniform lot sizes and homes of similar sizes. Most homes in the neighborhood are small Cape Cods. To the north of the home and the "T" intersection lies S. Mill Street. A modest, red brick home with a basement garage lies to the west. A story-and-a-half home, to the east has a basement garage as well. The applicant's house does not have a basement.

Parking:

There is a two-car driveway for 1215 E. South Avenue that provides parking for four vehicles. One vehicle is allowed to park on the street. Parking for the proposed short-term rental meets standards of the UDO.

Unruly Guest/Security:

The applicant will establish strict rules in writing for the listing. The applicant will specify "No Parties or Events", define quiet hours and void booking one-night weekend reservations for local groups. A

noise monitoring system will monitor decibel levels and send a message reminding the guests of the zero-tolerance policy for excessive noise.

Short Term Rental Requirements:

The applicant must address the following topics:

- **Noise monitoring** –The applicant will need to provide evidence of the installation of an approved noise monitoring device.
- **Trash Removal** – The applicant has indicated that they will hire a trash service.
- **Property listing** - The property will be listed on AirBNB, Expedia and Booking.com.
- **Business operations/security** – The applicant has retained the services of a responsible agent to oversee site security and general business operations, including screening customers, and coordinating bookings.
- **City's Short Term Rental checklist** – The form was completed by the applicant covering licensing, future inspections, insurance, on-site information posting, and so forth.
- **Fire safety** – A fire evacuation plan had been submitted along with floor plans of the house. The fire escape plan must also be posted as required by city code.
- **City inspection** – The property must be inspected by the Fire Inspector and passed the Initial Short-Term Rental Fire and Life Safety Inspection.
- **Parking Plan** – The applicant has included a parking plan as part of their application. The parking plan satisfies City Code requirements for a four-bedroom short-term rental unit.

There are no other licensed Short-Term rentals in this area, therefore this application follows the density limitations of the City Code.

EXHIBITS

1. Online Application
2. Notification Letter
3. Addresses
4. Notification Area Map
5. Affidavit
6. Floor Plan
7. Fire Plan
8. Parking Plan
9. Nearest Short Term Rental Map

1215 E SOUTH AVE INDEPENDENCE MO 64050

		Status
STR License		Submitted
Application number		A00261
Application date		2026-05-13
Applicant name		Jose Mejia
> Collapse details		

Submitted

Send license

Edit

Property Address	Unit Number	Parcel Number
1215 E SOUTH AVE INDEPENDENCE MO 64050	1215	26620190500000000

Permit Held By	Rental Structure
Owner	Single family

Permit Holder	First Name	Last Name			
	Jose	Mejia			

Property Owner(s)	Property Owner #1	First Name	Last Name			
		Jose	Mejia			

Property Manager	First Name	Last Name			
	Jose	Mejia			

Responsible Agent	First Name	Last Name			
	Jose	Mejia			

Verification Documents	Floor Plan	Evacuation Plan	Parking Plan
	floor_plan_2026-05-13-221448.jpeg	fire_safety_2026-05-13-221448.jpeg	parking_spaces_2026-05-13-221448.jpeg

Supplemental Questions Collapse all

What is the total number of bedrooms?

4

Total number of parking spaces available on the property?

4

What is your proposed total occupancy?

8

Is street parking allowed?

Yes

Please provide your Noise Management Plan:

Establish strict rules in writing in your listing. Specify "No parties or events" and define quiet hours (for example, from 10:00 PM to 8:00 AM). Avoid booking one-night weekend reservations for local groups. Noise sensors: Use devices like Minut or NoiseAware that monitor decibels without recording conversations, respecting privacy. Send a welcome message reminding them of the zero-tolerance policy for excessive noise.

Please provide your Trash Disposal & Collection Plan:

hire a garbage removal service

Please provide all platforms that you plan to advertise on.



Airbnb, Expedia, Booking

Possible Violations

We found no violations for this property

Add Note

Notes

Add



PROPERTY OWNER NOTIFICATION LETTER

For a Short-Term Rental Business

Date: June 23, 2026

Case Number: 26-400-80

Dear Property Owner:

This is to notify you that an application has been submitted for the consideration of a short-term rental business at the following address. A public hearing will be held for this application by the Independence Planning Commission at the date and time listed below.

Address of proposed Short-Term Rental: 1215 E. South Avenue

Total Maximum occupancy: Eight (8) guests

Number of bedrooms used: Four (4)

PROPERTY OWNER:

Name: Jose Mejia

[REDACTED]

[REDACTED]

Planning Commission Meeting Date: July 14, 2026 at 6:00 p.m.

Location of public hearing: Independence Municipal Commons

20201 E. Jackson Drive, Independence, MO 64057

All interested persons are invited to participate and will have an opportunity to be heard at the public hearing. If you have questions regarding this short-term rental operation, you may wish to contact the property owner or manager, as listed above. For information regarding the filing of a protest petition, please contact the Community Development Department at 816-325-7421.

Brian L. Harker

Brian L. Harker

Planner

20201 E. JACKSON DR. • INDEPENDENCE, MO 64057

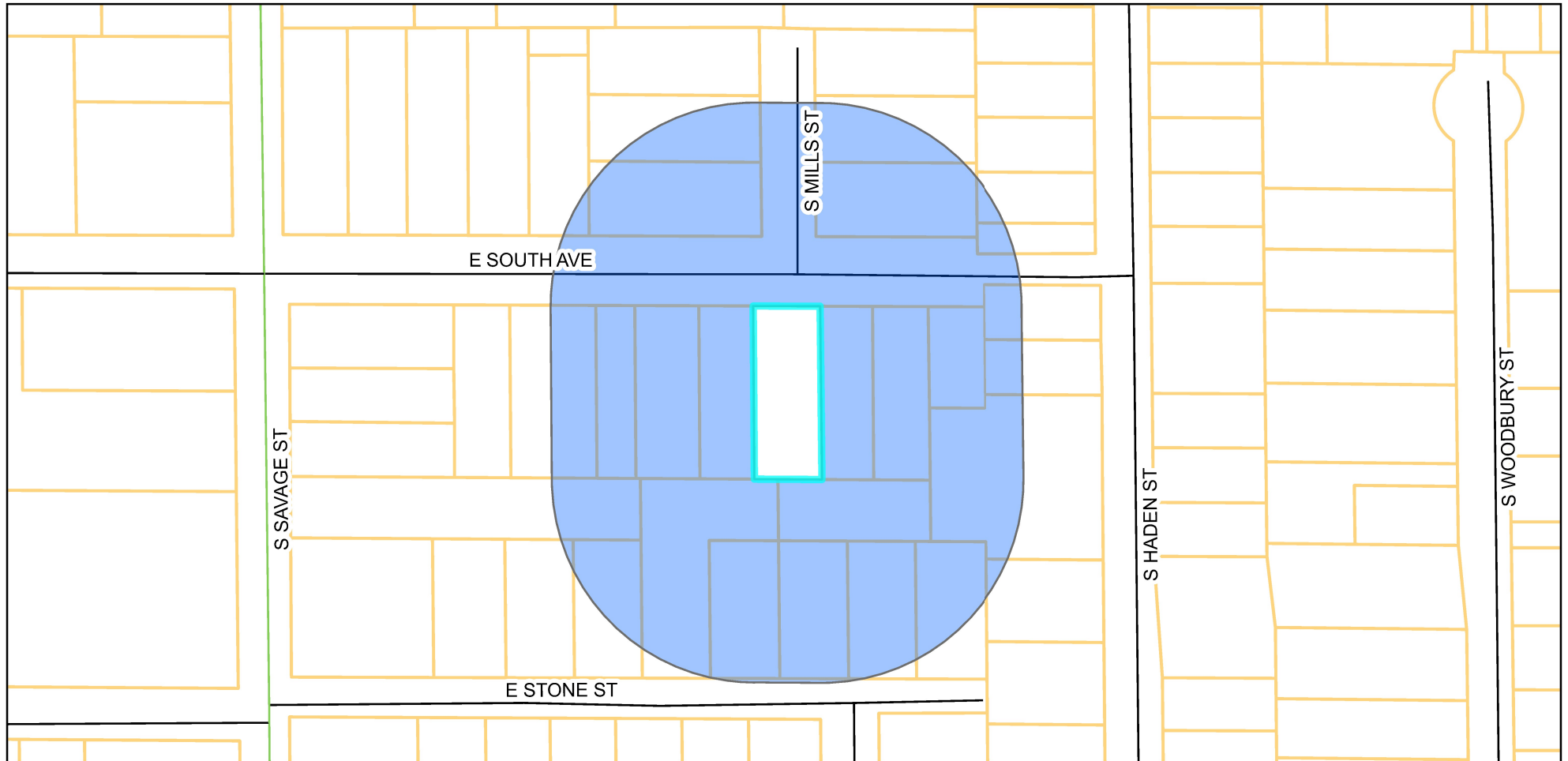
INDEPENDENCEMO.ORG

Parcel ID	Property Address	Property Owner	Owner Address	City	State	ZIP Code
26-620-19-52-00-0-00-000	1200 E STONE ST	DENNEY JOSHUA	1200 E STONE ST	INDEPENDENCE	MO	64050
26-620-19-02-00-0-00-000	1227 E SOUTH AVE	GAGE JEFFREY A SR & ANGELA D	1004 S HADEN ST	INDEPENDENCE	MO	64050
26-620-16-13-00-0-00-000	920 S MILLS ST	BROWN JAMES M	12210 LYNDEL CIR	INDEPENDENCE	MO	64052
26-620-19-17-00-0-00-000	1106 E STONE ST	ESPINOSA KENNETH & EMMA	1109 E STONE	INDEPENDENCE	MO	64050
26-620-19-03-00-0-00-000	1225 E SOUTH AVE	LEGEND PROPERTIES LLC	4809 NE 91ST ST	KANSAS CITY	MO	64156
26-620-16-11-02-0-00-000	1208 E SOUTH AVE	DIAMOND JEANNE	1782 SPRING BRANCH CT	CHESTERFIELD	MO	63017
26-620-19-49-00-0-00-000	1008 S HADEN ST	HEDGES STEVEN D & STACEY E	1008 S HADEN ST	INDEPENDENCE	MO	64050
26-620-16-12-00-0-00-000	1214 E SOUTH AVE	RS RENTAL III-A LLC	199 LAFAYETTE ST APT 7A	NEW YORK	NY	10012
26-620-19-20-00-0-00-000	1204 E STONE ST	YATES KENDREY	1204 E STONE ST	INDEPENDENCE	MO	64050
26-620-19-14-00-0-00-000	1025 S SAVAGE ST	WOOD KENNETH G & THERESA JUNE	1025 S SAVAGE ST	INDEPENDENCE	MO	64050
26-620-19-40-00-0-00-000	1124 S HADEN ST	MARTINEZ ALLIE & MARCELLO	1124 S HADEN ST	INDEPENDENCE	MO	64050
26-620-19-21-00-0-00-000	1208 E STONE ST	ARROWHEAD RESIDENTIAL FUND I, LLC	16657 E 23RD ST S STE 370	INDEPENDENCE	MO	64055
26-620-19-01-00-0-00-000	1002 S HADEN ST	KC DREAMING LLC	PO BOX 265	NEWTON	IA	50208
26-620-16-17-00-0-00-000	909 S MILLS ST	HIDDEN LAKE HOLDINGS LLC	215 CINNAMON BARK	VALRICO	FL	33595
26-620-19-23-00-0-00-000	1302 E STONE ST	AGUILAR SAMUEL & CARDENAS GLORIA E	1302 E STONE ST	INDEPENDENCE	MO	64050
26-620-19-08-00-0-00-000	1209 E SOUTH AVE	SULLIVAN KYLE	1211 E SOUTH AVE	INDEPENDENCE	MO	64050
26-620-19-05-00-0-00-000	1215 E SOUTH AVE	MEJIA BENITEZ JOSE C	424 TROOP AVE	KANSAS CITY	KS	66101
26-620-19-46-00-0-00-000	1004 S HADEN ST	LANDMARK EQUITY GROUP LLC	15954 S MURLEN 264	OLATHE	KS	66062
26-620-19-04-00-0-00-000	1217 E SOUTH AVE	SFR3-030 LLC	2261 MARKET ST STE 22263	SAN FRANCISCO	CA	94114
26-620-16-20-00-0-00-000	910 S HADEN ST	YOUNG CHRISTOPHER R & CRYSTAL M	910 S HADEN	INDEPENDENCE	MO	64050
26-620-16-19-00-0-00-000	912 S HADEN ST	YOUNG CHRISTOPHER R & CRYSTAL M	910 S HADEN	INDEPENDENCE	MO	64050
26-620-19-07-00-0-00-000	1211 E SOUTH AVE	PDIA INVESTMENTS LLC	4399 N KELSEY RD	KANSAS CITY	MO	64154
26-620-19-18-00-0-00-000	1108 E STONE ST	1108 E STONE STREET LLC	PO BOX 1584	INDEPENDENCE	MO	64055
26-620-19-09-00-0-00-000	1207 E SOUTH AVE	WILSON RICK	1207 E SOUTH AVE	INDEPENDENCE	MO	64050
26-620-19-47-00-0-00-000	1300 E STONE ST	MARTINELLI AVERY	1300 E STONE ST #264	INDEPENDENCE	MO	64050
26-620-16-18-00-0-00-000	911 S MILLS ST	VAUGHAN JODELL L	911 S MILLS ST	INDEPENDENCE	MO	64050
26-620-19-06-00-0-00-000	1213 E SOUTH AVE	ARNOLD JERRI & CHRISTIAN M	1213 E SOUTH AVE	INDEPENDENCE	MO	64050

Notification Area Map

1215 E South Ave

Case #26-400-80



 Notification Area
 Parcels

0 75 150 300 US Feet


Prepared For: Planning Commission
Meeting Date: July 14, 2026



Property Owner Notification Affidavit

STATE OF MISSOURI

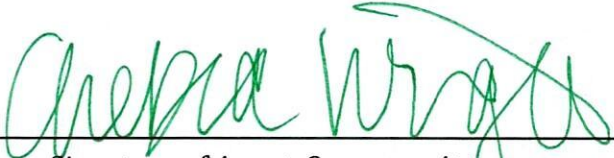
COUNTY OF JACKSON

Case No. 26-400-80

I, Chelsea Wright, of lawful age being first duly sworn upon oath, state:

That I am the (agent, owner, attorney) for the property for which the application was filed and did, not later than fifteen (15) days prior to the date of the public hearing scheduled before the Planning Commission, mail notices to all persons owning property within 185 feet of the subject property. **The list of property owners to whom notice has been mailed is attached.**

These notices were mailed on the 22 day of June, 2026.



Signature of Agent, Owner or Attorney

Subscribed and sworn to before me this 22 day of June, 2026.



Notary Public

3-12-28

Commission Expiration Date



Patio

Second floor Bedroom 4
Smoke Detector ✓

Kitchen
Smoke Detector

Bedroom 2
Smoke detector

Laundry and
Mechanic Room
Smoke Detector
Carbon Monoxide
Detector ✓

Hallway
Smoke detector

Bathroom ✓

Stairs

Living Room
Smoke Detector

Asphalt
Driveway

Bedroom 1
Smoke detector

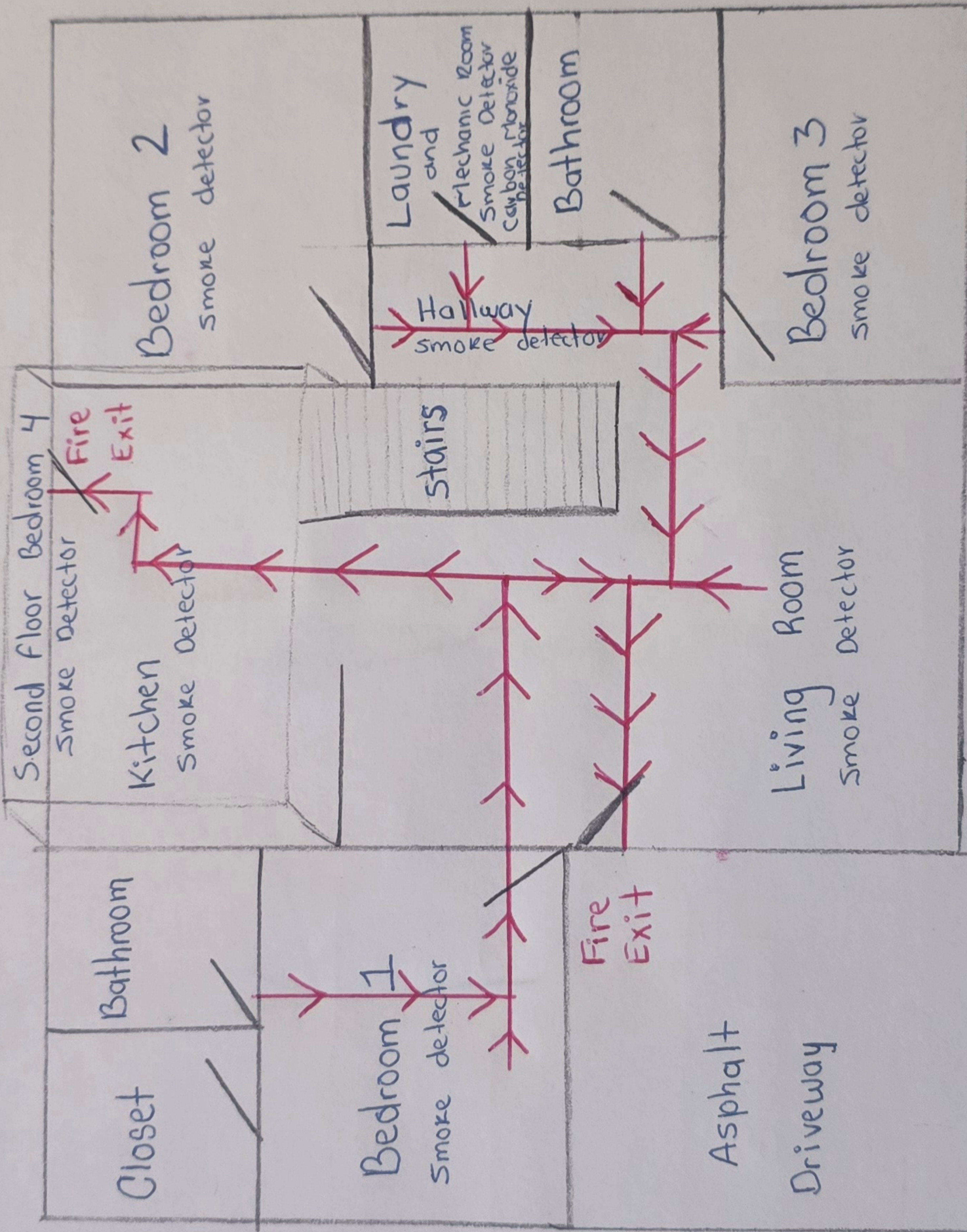
Closet

Bathroom

Patio

1215 E South Ave

Patio



1215 E South Ave

Parking Plan

Driveway

for 4

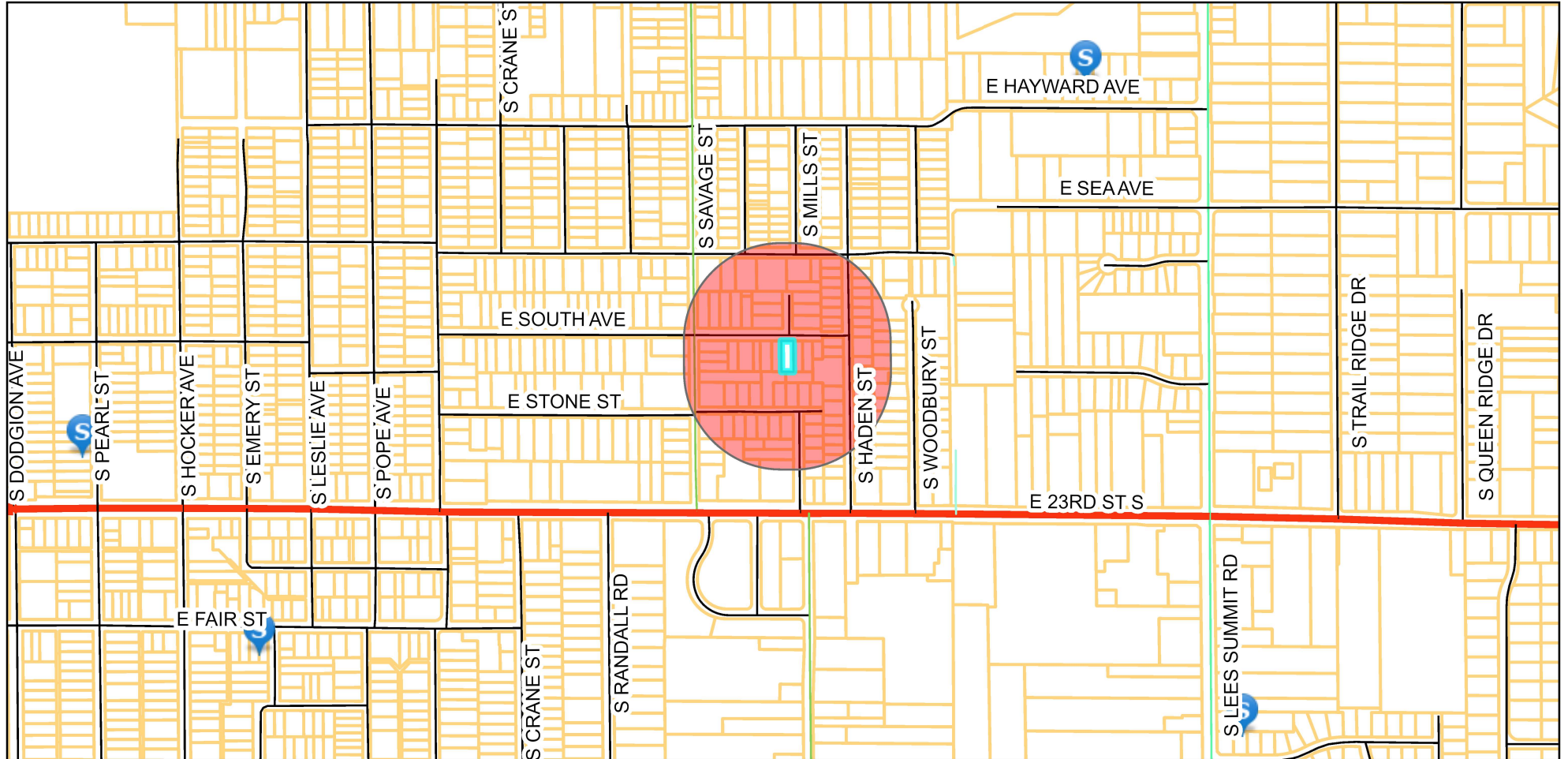
Vehicles

1215 E South Ave

Nearest Short Term Rental

1215 E South Ave

Case #26-400-80



Parcels

0 750 1,500 3,000 US Feet

Prepared For: Planning Commission
 Meeting Date: July 14, 2026



MEETING DATE: July 14, 2026

STAFF: Tom Scannell, Community Development Director

PROJECT NAME: UDO Amendment #80

CASE NUMBER / REQUEST: Case 26-175-03 – UDO Amendment #80 – Data Centers & Battery Energy Storage Systems (BESS) – A request to amend the Unified Development Ordinance relating to Data Centers and BESS.

APPLICANT: City of Independence

PUBLIC NOTICE:

- Public notice published in Independence Examiner – June 27, 2026

FURTHER ACTION:

Following action by the Planning Commission, this UDO Amendment is scheduled for first reading by City Council on August 3, 2026 and the public hearing/second reading on August 17, 2026.

RECOMMENDATION

Staff recommends **APPROVAL** of the proposed amendment to the Unified Development Ordinance.

PROJECT DESCRIPTION & BACKGROUND INFORMATION

PROJECT DESCRIPTION:

The City requests approval of amendments to the Unified Development Ordinance (UDO) to establish new regulations governing Data Processing and Hosting Facilities (commonly referred to as data centers) and Battery Energy Storage Systems (BESS). The proposed amendments create Article 14-429, Small Data Processing and Hosting; Article 14-430, Major Data Processing and Hosting; and Article 14-431, Battery Energy Storage Systems. These articles establish development, operational, buffering, design, safety, application, reporting, and decommissioning standards for these uses. The office, commercial, and industrial use tables and related use group definitions have also been updated. Additionally, a new Section 14-400-13, Accessory Data Processing and Hosting, has been created.

BACKGROUND:

Data processing and hosting facilities have emerged as a rapidly growing component of industrial and technology-related development throughout the United States. These facilities provide infrastructure for cloud computing, data storage, artificial intelligence applications, web hosting, and other digital services that support modern commerce and communications.

While data centers can represent significant private investment and contribute to local economic development, they also present unique land use considerations not commonly associated with traditional industrial development. These considerations include substantial electrical demand, water consumption, backup power generation, noise from mechanical equipment, large building footprints, visual impacts, and potential compatibility concerns with nearby residential neighborhoods and community facilities.

The City's current UDO does not contain use-specific regulations for data processing and hosting facilities. As interest in this development type continues to increase, staff believes additional standards are appropriate to provide clear expectations for future development while protecting surrounding properties and community resources.

As part of the amendment, staff established a tiered regulatory framework for data processing and hosting facilities to reflect their differing scales, operational impacts and infrastructure demands. Three use types have been created:

1. **Accessory Data Processing and Hosting Facility** – A subordinate use located within or attached to a principal structure, intended to support the primary use on the site.
2. **Small Data Processing and Hosting Facility (< 2.5 MW)** – A standalone or principal use facility with an electrical load of less than five megawatts, typically characterized by limited site impacts and compatibility with a broader range of zoning districts.
3. **Major Data Processing and Hosting Facility (> 2.5 MW)** – A high-capacity installation with an electrical load greater than five megawatts, generally requiring enhanced infrastructure, larger footprints, and elevated performance, siting, and buffering standards.

This tiered approach ensures that each facility type is regulated proportionately to its scale and potential effects on surrounding properties, public infrastructure, and community character.

Accessory Data Processing and Hosting UDO Amendment

The proposed amendment establishes a new Section 14-400-13, Accessory Data Processing and Hosting Facility, as a defined and regulated accessory use. The section includes standards for applicability, location, enclosed building and compliance with the City's adopted building, fire, electrical, and mechanical codes. An accessory data processing and hosting facility is incidental and subordinate to the principal use of the property and is intended solely to support the operations of that principal use. It may not function as a standalone commercial data processing or hosting operation nor may it provide hosting or data processing services to third parties as its primary purpose. This new section further clarifies that all such facilities must comply with the City's adopted building, fire, electrical and mechanical codes.

Small Data Processing and Hosting UDO Amendment

The proposed amendment establishes a new Section 14-429, Small Data Processing and Hosting and creates development standards that recognize the scale of small data processing and hosting facilities while ensuring compatibility with surrounding development and minimizing impacts associated with mechanical equipment, noise, lighting, cooling systems, and backup power generation. These facilities would be allowed subject to the requirements of Section 14-429 in the C-2, C-3, BP/PUD and I-1 districts and include the following key provisions:

Applicability

This section establishes the purpose of the regulations and clarifies when the standards apply. It also includes a grandfathering provision allowing projects that have already received development approvals to proceed under the regulations that were in effect at the time of approval, including approved phased developments. This protects vested property rights while ensuring that future projects comply with the new standards.

Setbacks

The setback provisions recognize that a small data processing and hosting facility could occupy existing industrial or commercial buildings where requiring additional setbacks would be impractical. Existing buildings are deemed compliant, while new construction and building additions must satisfy the setback requirements of the underlying zoning district. Mechanical equipment is generally required to meet the same setbacks as the principal structure, although limited flexibility is provided when enhanced screening or buffering can achieve equivalent visual and noise mitigation. This approach balances redevelopment opportunities with compatibility for adjacent properties.

Buffering and Screening

This section ensures that exterior equipment associated with these facilities is appropriately screened from neighboring properties and public rights-of-way. Existing developments are not required to construct additional buffer yards unless new exterior equipment is installed, while new construction and a building addition must comply with the City's existing landscape and screening standards. Screening requirements for generators, transformers, cooling equipment, loading areas, and other service areas reduce visual impacts and improve compatibility with surrounding development.

Parking

Small data processing and hosting facilities typically employ relatively few personnel compared to traditional industrial or office uses. The proposed parking requirement bases parking on the maximum number of employees working during a single shift rather than building size, resulting in parking that more accurately reflects operational demand. Existing parking areas may remain unchanged unless modified, while any new or reconfigured parking must comply with current setback and screening requirements.

Architectural and Design Requirements

This section requires compliance with the City's existing commercial and industrial building design standards for both existing buildings or new construction. This ensures consistency throughout the UDO while maintaining high-quality building materials and architectural appearance.

Lighting

Exterior lighting associated with these facilities must comply with the City's existing lighting standards. These requirements help reduce glare, minimize light trespass onto adjacent properties, and maintain safe site illumination while protecting nearby development.

Noise and Maintenance Requirements

Mechanical equipment and backup generators have the potential to generate noise that can affect neighboring properties. The proposed standards require compliance with the City's existing noise ordinance while also limiting routine generator testing to normal weekday business hours, establishing monthly testing limits, requiring sound attenuation, and maintaining annual generator testing records. These standards allow facilities to maintain emergency backup systems while minimizing operational impacts on surrounding properties.

Cooling Systems

Cooling systems represent one of the primary operational components of data processing facilities. The proposed regulation requires facilities to utilize closed-loop cooling systems or technologies that achieve equivalent or lower water consumption while ensuring that cooling-related water demand does not exceed the City's available utility capacity. These standards promote efficient water use and help protect long-term utility resources.

Decommissioning and Site Restoration

Should a facility permanently cease operations, this section requires submission of a decommissioning plan and restoration of the site for future industrial or commercial use. Rather than requiring demolition of the principal building, the regulations encourage adaptive reuse by requiring the removal of specialized data processing equipment while preserving buildings, parking, utilities and other infrastructure that can support future tenants. This reduces the likelihood of vacant buildings and promotes long-term economic reuse of developed sites.

Ongoing Compliance and Reporting

To ensure continued compliance after construction, operators must submit an annual report documenting compliance with noise standards, cooling systems, landscaping, stormwater maintenance and generator testing requirements. The City is also authorized to conduct inspections as necessary to verify ongoing compliance with the ordinance. These provisions provide accountability throughout the operational life of the facility rather than limiting review to the initial development process.

Violations and Enforcement

This section establishes that violations of the ordinance may result in enforcement actions authorized under the UDO. The provision provides the City with the authority necessary to address noncompliance and ensure that approved operational standards continue to be met.

Modifications

Future expansions or substantial modifications to a facility's mechanical systems, electrical infrastructure, or site layout are subject to City review. This ensures that operational changes

continue to meet the intent of the ordinance and are evaluated for potential impacts on surrounding properties.

Zoning Districts

As discussed above, Small Data Processing and Hosting uses are permitted in the C-2 (General Commercial), C-3 (Commercial Services), BP/PUD (Business Park/Planned Unit Development), and I-1 (Light Industrial) districts, subject to compliance with the standards established in Section 14-429.

These zoning districts are intended to accommodate commercial, office, technology and light industrial activities that are compatible with enclosed data processing operations. Small data processing and hosting facilities typically function with limited employees, minimal customer traffic and no outdoor storage or manufacturing activities. Their operational characteristics are generally consistent with other commercial and office-based uses permitted within these districts.

The standards contained in Section 14-429 ensure that potential impacts associated with these facilities including noise, mechanical equipment, screening, lighting, and utility infrastructure are appropriately addressed regardless of zoning district. Requiring compliance with these operational and development standards allows small data processing and hosting facilities to integrate into existing commercial and light industrial areas while protecting adjacent properties and maintaining compatibility with surrounding development.

Major Data Processing and Hosting UDO Amendment

PROPOSED AMENDMENT SUMMARY

The proposed amendment creates a new Section 14-430, Major Data Processing and Hosting Facilities, allows these uses in the I-1 District with approval of a special use permit and includes the following key provisions:

Applicability

The standards apply to all new major data processing and hosting developments but exempt projects that submitted building permits, received final site plan approval, or obtained other applicable development entitlements prior to the effective date. Approved phased developments may continue under previously granted entitlements.

Setbacks and Separation Requirements

All structures, equipment, and appurtenances including inverters, transformers, auxiliary systems, and substations must maintain a minimum setback of 100 feet. Additionally, no data processing and hosting facility may be located within 500 feet of residential uses, schools, parks, playgrounds, daycare facilities, nursing homes, hospitals, or religious assembly uses. Distances are measured property-line to property-line, without regard to intervening structures.

Buffering and Screening Standards

A minimum 100-foot buffer yard is required where the major data hosting facility abuts residential zoning or residential use. A high-impact screen per Section 14-503 is required, and planting quantities

must be increased by 25 percent. All mechanical yards, substations, switchyards, battery storage areas, and other exterior equipment must be fully screened from view from public or private streets, trails, and parks.

Parking Standards

Off-street parking adjacent to a public or private right-of-way must be set back at least 50 feet and screened using buildings, landscaped berms at least three feet in height, plantings, or combinations thereof. Screening must comply with Section 14-503. Data hosting facilities must provide a minimum of 1.5 off-street parking spaces per employee based on the maximum number of employees per shift.

Architectural Design Standards

Building design standards are included to address the visual appearance of large-scale facilities. These standards require enhanced façade treatments, architectural materials, building articulation, and design elements intended to reduce the appearance of large uninterrupted building walls. Buildings must incorporate at least four-sided façade design elements for every 500 feet of street-facing façade and at least two such elements for every 500 feet of other façades.

Lighting

All exterior lighting must comply with the standards of Section 14-508 of the UDO.

Noise and Generator Regulations

The proposed regulations require compliance with existing City noise standards and establish operational limitations for backup generators, including restrictions on testing frequency, testing hours, recordkeeping, and noise attenuation measures. Generator testing is limited to 10 hours per month and may occur only between 9:00 AM and 5:00 PM Monday–Friday, excluding federal holidays. Generators must be enclosed with sound-attenuating materials, and operators must maintain annual generator logs.

Water Usage and Cooling Systems

The amendment requires facilities to utilize closed-loop cooling systems or technologies with equivalent or lower water consumption and establishes a maximum average cooling-related water usage threshold.

Community Benefit Agreements

Facilities seeking public incentives would be required to enter into a Community Benefit Agreement (CBA) with the City. The agreement may address workforce development, local hiring, educational partnerships, infrastructure improvements, environmental sustainability measures, community investment, and other public benefits proportional to the requested incentives. Noncompliance may result in enforcement or the revocation of the incentive.

Neighborhood Meeting Requirement

A neighborhood meeting is required before any special use permit application is submitted. Notices are required to be mailed to all property owners within one mile at least 15 days prior to the meeting

and posted onsite using standard city notice signs. Applicants must provide proof of notification, including mailings, affidavits, and photographs of posted signs.

Decommissioning and Site Restoration

A facility that ceases operations for 12 consecutive months is considered abandoned and must be decommissioned. A decommissioning plan must be submitted with the building permit and include removal of equipment, hazardous materials, structures, foundations, and fencing, along with site stabilization and restoration. The City may require financial assurance (i.e., bond, letter of credit, escrow, etc.) to guarantee completion. The amendment requires submission of a preliminary decommissioning plan with the special use permit application. The regulations are intended to ensure the site remains viable for future industrial or commercial redevelopment.

Special Use Permit Application Requirements

The special use permit application must include a noise impact assessment, water and energy usage plans, emissions analysis, environmental justice review, detailed site plan, stormwater studies, civil layout, building elevations, photometric plan, preliminary decommissioning plan, ownership disclosure, and waste-heat mitigation documentation.

Annual Reporting and Compliance Monitoring

Operators would be required to submit annual compliance reports documenting adherence to applicable operational standards, including noise monitoring, cooling system operation, landscape maintenance, stormwater facility maintenance, and generator testing records.

Violations and Enforcement

Failure to comply may result in enforcement, including suspension or revocation of the special use permit.

Modifications

Any expansion or substantial modification of a data hosting facility must be reviewed under current regulations.

Zoning Districts.

As discussed above, major data processing and hosting facilities require approval of a special use permit in the I-1 Districts. This is the only zoning district where the use may be considered. Staff does not recommend permitting this use in the I-2 Heavy Industrial District. The I-2 District is intended to accommodate the City's most intensive industrial operations, including heavy manufacturing, processing, mining, and the production or storage of materials that may involve significant off-site impacts. While major data processing and hosting facilities can occupy large buildings and require substantial utility infrastructure, they do not involve heavy industrial manufacturing or processing activities and generally have a different operational profile. The I-1 District, together with the proposed use-specific development standards and Special Use Permit review process, provides an appropriate regulatory framework for evaluating these facilities without expanding the use into areas intended for the City's most intensive industrial activities.

Battery Energy Storage System (BESS) UDO Amendment

BACKGROUND

Battery Energy Storage Systems (BESS) are an emerging land use that support electrical grid reliability, renewable energy integration, peak demand management, and emergency power supply. While BESS facilities provide important infrastructure benefits, they also present unique land use, operational, and public safety considerations due to the storage of large quantities of electrical energy.

The City's current UDO does not contain use-specific regulations governing utility-scale Battery Energy Storage Systems. As a result, staff have prepared a new Article 14-431 to establish development standards, safety requirements, operational regulations, and decommissioning procedures for these facilities.

The proposed regulations were developed to provide a predictable review process for future projects while ensuring compatibility with surrounding land uses and protecting the public health, safety, and welfare.

PROPOSED AMENDMENT SUMMARY

The proposed amendment creates Article 14-431, Battery Energy Storage Systems (BESS), and establishes regulations addressing the siting, design, operation, maintenance, and eventual removal of utility-scale battery storage facilities. Key provisions of the proposed amendment include:

Applicability

This section establishes which battery energy storage systems fall under the new Article. It specifies that all utility-scale BESS facilities and battery storage buildings are subject to the requirements, while residential systems and small accessory systems under 600 kWh are exempt. It also clarifies that any BESS development that submitted for building permit or has been previously approved or authorized through site plans, building permits, or development plans or other applicable development approval or authorization may continue under prior entitlements, ensuring that the new regulations do not retroactively affect already-approved projects.

Setback and Separation Requirements

The Article establishes specific spatial requirements intended to minimize impacts on surrounding properties. All components of a BESS facility must maintain a minimum setback of 100 feet. Additionally, the facility must be located at least 100 feet from any property used or zoned for residential purposes or from sensitive public uses such as schools, parks, playgrounds, nursing homes, and hospitals. These distances are measured from property line to property line. The Independence Fire Department retains the authority to require additional setbacks in cases where the Hazard Mitigation Analysis identifies heightened risk.

Buffering and Screening

To reduce visual and aesthetic impacts, the Article requires significant buffering where BESS facilities abut residential properties. A 50-foot-wide buffer yard must be installed along shared boundaries, and high-impact screening must be used, supplemented with landscaping that exceeds standard requirements by 25 percent. Substations, mechanical yards, and similar exterior components must be fully screened from public streets, trails, and parks to ensure minimal off-site visibility.

Fencing and Security

Security provisions require that each BESS installation be enclosed by a minimum seven-foot-tall solid wall made of durable materials such as decorative concrete masonry or architecturally treated concrete panels. Walls may exceed typical height limits when needed for sound attenuation. Equipment must be fully screened unless a line-of-sight analysis confirms the wall height is sufficient. Gates must remain locked except during authorized access, and safety signage must clearly identify hazards, emergency contacts, and fire department access points.

Landscaping

Landscaping requirements are focused on the exterior of the facility, as no interior landscaping is required within the screening wall. Any applicable open-space landscaping requirements are fulfilled by the plant material placed outside the wall and within the required buffer areas.

Parking and Site Access

Parking needs are tailored to the operational nature of BESS sites. Facilities that include regular staffing must provide parking at a rate of 1.5 spaces per employee based on the highest shift level, with a minimum of three spaces. Even unstaffed sites must provide at least three dedicated parking spaces. All parking areas and access drives must be paved with asphalt or concrete consistent with City standards. Fire access roads and parking areas must be paved and constructed in accordance with City standards.

Fire Protection and Safety Standards

All BESS installations must comply with major building, fire, and electrical codes, including the International Fire Code, International Building Code, National Electrical Code, NFPA 855, NFPA 68, NFPA 69, and relevant UL testing requirements. The Fire Department may impose additional safety conditions during review. Operators must maintain all required permits throughout the life of the facility.

Lighting

Exterior lighting at BESS facilities must follow the standards set forth in Section 14-508 of the UDO, ensuring that lighting is properly shielded, directed, and controlled to minimize glare and off-site impacts.

Noise Requirements

Noise generated by the facility must always meet City noise ordinances. Backup generators must comply with strict operational rules, including testing only on weekdays between 9 a.m. and 5 p.m., limiting monthly testing to ten hours, and maintaining an enclosure that reduces noise. Operators must keep an annual generator testing log available for City review.

Hazard Mitigation Analysis

A Hazard Mitigation Analysis is required for each BESS proposal, prepared in accordance with the International Fire Code and NFPA 855. This analysis must be submitted for review by the Independence Fire Department at the same time as the Special Use Permit is considered.

Emergency Response Plan

Before the issuance of any building permit, the applicant must provide a detailed Emergency Response Plan meeting IFC and NFPA 855 standards. This plan must include system shutdown procedures, fire response measures, alarm protocols, inspection schedules, and training provisions for first responders. The Plan must be updated if facility operations materially change.

Decommissioning and Financial Assurance

The Article requires a comprehensive Decommissioning Plan prior to building permit issuance. The plan must describe the removal of equipment, recycling or disposal methods, site restoration procedures, and include a third-party engineer's cost estimate using current dollars. Financial assurance such as a surety bond or letter of credit—must be in place to cover all decommissioning costs and must be verified annually. The Article also defines abandonment triggers, establishes a 180-day timeline to begin decommissioning following abandonment, and requires full site restoration verified by a licensed engineer.

Application Process

Applicants for BESS facilities shall submit a variety of technical documents, including a Noise Impact Assessment, detailed site plan, building elevations, photometric plan, operations and maintenance plan, hazard mitigation analysis, preliminary emergency response plan, preliminary decommissioning plan, and ownership disclosure with the special use permit application. These materials supplement all other technical study requirements under Section 14-700-06.

Annual Compliance Certification

Facility operators must submit an annual certification prepared by a qualified professional engineer confirming continued compliance with approved plans, operational requirements, fire protection systems, and emergency response procedures.

Ownership/Operator Changes

If ownership or operational control of a BESS facility changes, the successor must formally assume all obligations, including compliance with the Decommissioning Plan and financial assurance requirements. Written notice and updated documentation must be submitted to the City within 30 days; failure to do so voids the project's approvals and requires reapplication.

Analysis

Data Processing and Hosting facilities and Battery Energy Storage Systems (BESS) represent evolving forms of industrial and utility-supporting infrastructure that present unique land use, operational, and public safety considerations not addressed by the existing UDO. Data Processing and Hosting

facilities vary significantly in scale and intensity, ranging from accessory facilities that support a principal use, to small standalone facilities, to major data centers with substantial utility demands, backup power systems, and mechanical equipment. Similarly, Battery Energy Storage Systems require specialized standards addressing fire protection, emergency response, operational safety and decommissioning.

The proposed amendment establishes a tiered regulatory framework for Data Processing and Hosting facilities by creating separate standards for Accessory, Small, and Major facilities based on their operational characteristics and potential impacts. This approach allows regulations to be appropriately scaled to the size and intensity of each use while ensuring that larger facilities are subject to additional review and operational standards. The amendment also establishes comprehensive regulations for Battery Energy Storage Systems that address site design, emergency preparedness, operational performance and long-term facility management.

Collectively, these amendments provide predictable, use-specific development standards that offer greater certainty to property owners, developers, neighboring residents, and City staff during the development review process. Rather than prohibiting these emerging uses, the proposed regulations establish objective performance standards intended to ensure facilities are designed, constructed, operated, and ultimately decommissioned in a manner that protects public health, safety and welfare while minimizing impacts on surrounding properties.

EXHIBITS

1. Section 14-429 Small Data Processing and Hosting
2. Section 14-430 Major Data Processing and Hosting
3. Section 14-431 Battery Energy Storage Systems (BESS)
4. Section 14-200-05 Commercial Use Group Category
5. Section 14-200-06 Industrial Use Group Category
6. Section 14-301-03 Office and Commercial Use Table
7. Section 14-302-03 Industrial Use Table
8. Section 14-400-13 Accessory Data Processing and Hosting

14-429 SMALL DATA PROCESSING AND HOSTING

14-429-01 Applicability

The purpose of this section is to establish land use and design regulations for small data processing and hosting facilities to ensure compatibility with surrounding uses, protect nearby residential areas, and promote high-quality site and building design.

Exception. The provisions of this section shall not apply to any small data processing and hosting development that has submitted a building permit, received final site plan approval, a preliminary development plan, a master development plan, or other applicable development approval prior to the effective date of this section. This exception shall include any approved phased development, including subsequent phases, buildings, structures, improvements, final site plans, and building permits that are contemplated by and consistent with the approved development plan. Such developments may proceed in accordance with the terms, conditions, and approved development entitlements in effect at the time of the original approval.

14-429-02 Setback.

14-429-02-A. Existing Buildings. When a small data processing and hosting facility is located within an existing, legally established building, the building's existing setbacks shall be deemed to satisfy all required setbacks for the small data processing and hosting facility use. No additional building setback requirements shall apply.

14-429-02-B. New Construction or Additions. When a small data processing and hosting facility involves new construction or a building addition, the new construction or addition shall comply with the setback requirements of the underlying zoning district.

14-429-02-C. Equipment and Appurtenances. Exterior mechanical or electrical equipment, including generators, cooling units, and transformers, shall comply with the same setback requirements applicable to the principal structure, except as provided below.

1. **Screening Option.** A reduction in the required setbacks may be permitted if the applicant provides enhanced screening or buffering that achieves an equivalent level of visual and noise mitigation.

14-429-03 Buffer and Screening.

14-429-03-A. Existing Buildings. When a small data processing and hosting facility is established within an existing, legally conforming building:

1. The facility shall comply with the buffering and screening requirements applicable to the site at the time of establishment.
2. Additional buffer yard depth shall not be required unless new exterior mechanical or electrical equipment is installed.

14-429-03-B. New Construction or Addition. Newly constructed data processing and hosting facilities and additions to an existing building shall comply with the applicable buffering and screening requirements of Section 14-503, if required.

14-429-03-C. Mechanical and Service Area Screening (Applicable to Both Existing and New Facilities). All exterior equipment areas, loading/service areas, and backup power systems shall comply with the screening requirements of Section 14-503.

14-429-04 Parking.

14-429-04-A. Minimum Off-Street Parking Requirement. A small data processing and hosting facility shall provide a minimum of 1.5 off-street parking spaces per employee based on the maximum number of employees present on a single shift.

14-429-04-B. Parking Setback and Screening – New Building or Addition. Off-street parking areas located adjacent to a public or private street right-of-way shall be set back in accordance with Section 14-503-05. Such parking areas shall be screened from view from the right-of-way by one or a combination of the following: (1) buildings; (2) a berm with a minimum height of three (3) feet in combination with plant materials; or (3) a combination of buildings, berms, and plant materials. All required screening shall be installed and maintained in accordance with Section 14-503.

14-429-04-C. Parking Setback and Screening – Existing Building. When a small data processing and hosting facility is located within an existing, legally established building and no changes are proposed to the existing parking lot configuration, the existing parking setbacks shall be deemed to satisfy all required parking setbacks for the use. No additional parking setback requirements shall apply except as provided below.

1. When a small data processing and hosting facility involves the construction of new parking areas or the reconstruction of existing parking areas, all new or modified parking areas shall comply with the parking setback requirements Section 14-503-05.

14-429-05 Architectural and design requirements.

All small data processing and hosting buildings including all primary facilities, support structures and ancillary buildings shall comply with Section 14-506.

14-429-06 Lighting

All exterior lighting associated with a small data processing and hosting use shall be designed, installed, and maintained in full compliance with the standards set forth in Section 14-508 of this Code.

14-429-07 Noise and maintenance requirements.

14-429-07-A. All noise generated by a small data processing and hosting facility and any associated or ancillary uses, equipment, or operations shall comply at all times with the applicable noise standards set forth in Chapter 7 of the City Code.

14-429-07-B. All on-site generators shall comply with the following requirements:

1. **Testing Duration.** Routine testing and maintenance operation of generators shall not exceed a total of ten (10) hours per calendar month, per generator.
2. **Testing Hours.** Routine testing and maintenance shall occur only between the hours of 9:00 a.m. and 5:00 p.m., local time, Monday through Friday, excluding federal holidays.
3. **Noise Attenuation.** Generators shall be enclosed within a sound-attenuating enclosure or wall designed to minimize noise impacts and ensure compliance with Chapter 7 of the City Code.
4. **Recordkeeping.** The property owner or operator shall maintain a generator testing log documenting dates, times, and duration of all testing and maintenance activities. Such log shall be submitted annually to the Director as part of the required compliance report and made available upon request.
5. **Operational Limitations.** Except for routine testing, maintenance, or initial commissioning, generators shall be operated solely for backup or emergency purposes.

14-429-08 Cooling System

All small data processing and hosting facilities shall utilize closed-loop cooling systems or other cooling technologies that achieve equivalent or lower water consumption. Cooling-related water demand shall not exceed the maximum capacity the City determines is available to serve the facility.

Sec. 14-429-09 Decommissioning and Site Restoration

14-429-09-A. Decommissioning Required. A small data processing and hosting facility that ceases operations for a continuous period of twelve (12) months shall be considered abandoned and shall be decommissioned in accordance with this Section, unless an extension is approved by the City upon demonstration of a good-faith effort to resume operations.

14-429-09-B. Decommissioning Plan. Prior to the issuance of a building permit, the property owner shall submit a Decommissioning Plan prepared by a qualified professional. The plan shall describe the method and timeline for removing the facility and restoring the site for future industrial or commercial use.

14-429-09-E. Completion of Decommissioning. All decommissioning activities shall be completed within twelve (12) months following abandonment of the facility, unless an extension is approved by the City.

14-429-09-F. Site Condition Upon Completion. Upon completion of decommissioning, the site shall be left in a clean, safe, and stable condition suitable for future industrial or commercial occupancy and redevelopment. The Decommissioning Plan shall identify the improvements proposed to remain on the site, including the principal building, parking areas, utility infrastructure, stormwater facilities, and access drives, and shall describe the actions necessary to ensure such improvements remain functional and marketable for future users. The intent of this Section is to facilitate the adaptive reuse of the building and site by requiring the removal of data center-specific equipment and infrastructure while preserving the improvements necessary to support future industrial or commercial operations.

14-429-10 Ongoing Compliance and Reporting.

14-429-10-A. The operator shall submit an annual compliance report to the City in a form and manner acceptable to the City, which shall, at a minimum, include the following:

1. Noise monitoring data demonstrating compliance with applicable City Code requirements;
2. Documentation verifying continued operation of required cooling systems;
3. Records demonstrating ongoing landscape installation and maintenance in accordance with approved plans and applicable standards;
4. Maintenance and operations plan for all on-site required stormwater facilities.
5. Generator testing logs, including dates, duration, and confirmation of compliance with applicable operational limitations.

14-429-10-B. The City shall have the right to conduct inspections of the site at reasonable times and upon reasonable notice, or without notice in the event of an emergency or suspected violation, as necessary to verify compliance with this Section and all applicable provisions of the City Code.

14-429-11 Violations and Enforcement.

Failure to comply with the requirements of this Section or any conditions of approval shall constitute a violation of this Chapter and may subject the permit holder to enforcement action, including, but not limited to, suspension or revocation of the Special Use Permit, as provided by applicable law.

14-429-12 Modifications.

Any expansion or substantial modification of a data processing and hosting facility, including but not limited to alterations to mechanical systems, power infrastructure, or site configuration, shall be subject to review and approval in accordance with the requirements of this Chapter.

14-430 MAJOR DATA PROCESSING AND HOSTING

14-430-01 Applicability

The purpose of this section is to establish land use and design regulations for major data processing and hosting facilities to ensure compatibility with surrounding uses, protect nearby residential areas, and promote high-quality site and building design.

Exception. The provisions of this section shall not apply to any major data processing and hosting development that has submitted a building permit, received final site plan approval, a preliminary development plan, a master development plan, or other applicable development approval prior to the effective date of this section. This exception shall include any approved phased development, including subsequent phases, buildings, structures, improvements, final site plans, and building permits that are contemplated by and consistent with the approved development plan. Such developments may proceed in accordance with the terms, conditions, and approved development entitlements in effect at the time of the original approval.

14-430-02 Setback and Separation

14-430-02-A. Any structures, equipment/appurtenance, including but not limited to auxiliary systems, inverters, transformers, and substation, shall maintain a minimum setback of one hundred (100) feet.

14-430-02-B. The distances above shall be measured from the closest edge of the structure, storage building, equipment or appurtenance.

14-430-02-C. No major data processing and hosting facility shall be located within 500 feet of land used for residential use or for public activity purposes such as schools, parks/recreation, playgrounds, daycare, nursing home, hospitals, and religious assembly, whether said use is located within the City or outside of the City. The distance between the major data processing and hosting facility and these uses will be measured in a straight line, without regard to intervening structures or properties, from the closest property line to closest property line.

14-430-03 Buffer and Screening

14-430-03-A. A major data processing and hosting facility shall provide a minimum buffer yard of one hundred (100) feet in width along any property line that abuts a lot zoned for residential use or occupied by a residential use. A high-impact screen, as defined and required by Section 14-503, shall be installed and maintained along all such property lines. In addition to the requirements of Section 14-503, the quantity of required plant materials within the buffer yard shall be increased by twenty-five (25) percent.

14-430-03-B. All substations, electrical yards, switch yards, mechanical yards, battery energy storage systems, and any other exterior equipment or appurtenances shall be fully screened from view from any adjacent public street, private street, trail, or park. Screening shall be provided in a manner consistent with Section 14-503 and maintained in good condition so as to remain effective at all times.

14-430-04 Parking.

14-430-04-A. Parking Setback and Screening. Off-street parking areas located adjacent to a public or private street right-of-way shall be set back a minimum of fifty (50) feet from the edge of the right-of-way. Such parking areas shall be screened from view from the right-of-way by one or a combination of the following: (1) buildings; (2) a berm with a minimum height of three (3) feet in combination with plant materials; or (3) a

combination of buildings, berms, and plant materials. All required screening shall be installed and maintained in accordance with Section 14-503.

14-430-04-B. Minimum Off-Street Parking Requirement. All major data processing and hosting facilities shall provide a minimum of 1.5 off-street parking spaces per employee based on the maximum number of employees present on a single shift.

14-430-05 Architectural and design requirements

14-430-05-A. All major data processing and hosting buildings including all primary facilities, support structures and ancillary buildings shall be constructed of similar building materials from the same color and materials palette.

14-430-05-B. All buildings identified in paragraph A above shall comply with the following:

1. **Architectural Materials.** A minimum of 40% of front and street-side facades and a minimum of 20% of side and rear facades shall be comprised of at least two of the following elements. Percentages are calculated as the total building façade area and can be comprised of any combination of the following architectural materials.
 - a. Exterior colors, finishes and materials other than the primary color or smooth cast-concrete. Acceptable materials may include metal composite panels, stone, wood, brick, glass block, tile, cast metal, cast, split-face CMU, cultured stone, textured or patterned concrete panels, other forms of masonry panel* or similar as determined by the Community Development Director.
 - b. Windows or glazing (windows may be transparent, opaque or spandrel glass).
 - c. Architectural grilles and/or decorative screens.
2. **Building Design Elements.** Front and streetside facades shall include at least four of the following elements for every 500 linear feet of building facade. Side and rear facades shall include at least two of the following elements for every 500 linear feet of building facade.
 - a. Louvered or vertical sunshades
 - b. Awnings or canopies
 - c. Pilasters or columns distributed evenly across the facade
 - d. Water table consisting of masonry that extends at least 3 feet above the
 - e. Ground
 - f. Articulated columns
 - g. Embedded linear glow or accent lighting
 - h. Building projections of greater than 5 feet in depth, evenly distributed across the facade
 - i. Change in roofline height or angle such as a butterfly roof, curved roofline, parapet, or shed roof
 - j. Modulated building heights 5 feet or greater
 - k. Accentuated building entrance including multistory windows, and entrance canopies or trellises, and clerestory windows
 - l. Horizontal roofline banding

14-430-06 Lighting

All exterior lighting associated with a major data processing and hosting use shall be designed, installed, and maintained in full compliance with the standards set forth in Section 14-508 of this Code.

14-430-07 Noise and maintenance requirements

14-430-07-A. All noise generated by a major data processing and hosting facility and any associated or ancillary uses, equipment, or operations shall comply at all times with the applicable noise standards set forth in Chapter 7 of the City Code.

14-430-07-B. All on-site generators shall comply with the following requirements:

1. **Testing Duration.** Routine testing and maintenance operation of generators shall not exceed a total of ten (10) hours per calendar month, per generator.
2. **Testing Hours.** Routine testing and maintenance shall occur only between the hours of 9:00 a.m. and 5:00 p.m., local time, Monday through Friday, excluding federal holidays.
3. **Noise Attenuation.** Generators shall be enclosed within a sound-attenuating enclosure or wall designed to minimize noise impacts and ensure compliance with Chapter 7 of the City Code.
4. **Recordkeeping.** The property owner or operator shall maintain a generator testing log documenting dates, times, and duration of all testing and maintenance activities. Such log shall be submitted annually to the Director as part of the required compliance report and made available upon request.
5. **Operational Limitations.** Except for routine testing, maintenance, or initial commissioning, generators shall be operated solely for backup or emergency purposes.

14-430-08 Cooling System

All major data processing and hosting facilities shall utilize closed-loop cooling systems or other cooling technologies that achieve equivalent or lower water consumption. Cooling-related water demand shall not exceed the maximum capacity the City determines is available to serve the facility.

14-430-09 Community Benefit Agreement Requirement for Incentives

14-430-09-A. Applicability. Any major data processing and hosting facility that receives, applies for, or seeks approval of any local, state, or federal economic development incentive, including but not limited to tax abatement, tax increment financing, community improvement district assistance, transportation development district assistance, Chapter 100 financing, state tax credits, utility incentives, infrastructure assistance, or other public financial assistance, shall be required to enter into a Community Benefit Agreement (CBA) with the City as a condition of approval of such incentive.

14-430-09-B. Purpose. The purpose of the Community Benefit Agreement is to ensure that projects receiving public financial assistance provide measurable benefits to the community that are proportional to the public investment.

14-430-09-C. Community Benefit Agreement Requirements. The Community Benefit Agreement shall be approved by the City Council and may include, but is not limited to, commitments related to:

1. Workforce development, apprenticeship programs, and skilled trade training opportunities;
2. Local hiring goals and recruitment efforts for City residents;
3. Partnerships with local educational institutions, including internships, scholarships, curriculum support, or workforce training programs;
4. Contributions toward public infrastructure improvements;
5. Environmental sustainability measures exceeding the minimum requirements of this Article;
6. Community grants, charitable contributions, or support for public facilities and programs;
7. Digital inclusion initiatives, technology education programs, or other programs that enhance community access to technology; and
8. Any other public benefits determined by the City Council to advance the health, safety, welfare, and economic prosperity of the community.

14-430-09-F. Failure to Comply. Failure to comply with the terms of an approved Community Benefit Agreement may constitute a violation of this Article and may result in enforcement actions authorized by this Code, in addition to any remedies provided in the incentive agreement or Community Benefit Agreement.

14-430-10 Neighborhood Meeting

14-430-10-A. Neighborhood Meeting Requirement A neighborhood meeting is required for all proposed major data processing and hosting facilities prior to the submission of any discretionary development application, including but not limited to special use permits, rezoning requests, or site plan approvals.

14-430-10-B. Notification Radius The applicant shall provide written notification of the neighborhood meeting to all property owners of record located within 1 mile of the boundaries of the subject property.

14-430-10-C. Notification Method and Timing

- The notices shall be mailed no fewer than 15 days prior to the date of the neighborhood meeting.
- The notice shall include the date, time, location, and purpose of the meeting; a brief description of the proposed data center; and contact information for the applicant or project representative.

14-430-10-D. Posting of Signs

- The applicant shall post one or more public notice signs on the subject property.
- Signs must be of the standard size and format required by the City for development-related public notices.
- Signs must be clearly visible from adjacent public streets and posted at least 15 days prior to the neighborhood meeting.
- The signs shall state the date, time, location, and purpose of the neighborhood meeting.

14-430-10-E. Proof of Notification Prior to application acceptance, the applicant shall provide:

- A list of all property owners notified;
- A copy of the mailed notice;
- An affidavit of mailing; and
- Photographic evidence showing the posted signs.

Sec. 14-430-11 Decommissioning and Site Restoration

14-430-11-A. Decommissioning Required. A major data processing and hosting facility that ceases operations for a continuous period of twelve (12) months shall be considered abandoned and shall be decommissioned in accordance with this Section, unless an extension is approved by the City upon demonstration of a good-faith effort to resume operations.

14-430-11-B. Decommissioning Plan. Prior to the issuance of a building permit, the property owner shall submit a preliminary Decommissioning Plan prepared by a qualified professional. The plan shall describe the method and timeline for removing the facility and restoring the site for future industrial or commercial use.

14-430-11-C. Minimum Plan Requirements. The Decommissioning Plan shall include, at a minimum:

1. Removal of all data center equipment, including servers, racks, batteries, generators, transformers, cooling equipment, fuel storage systems, telecommunications equipment, and associated mechanical and electrical systems;
2. Removal of all hazardous materials and disposal in accordance with applicable federal, state, and local regulations;
3. Removal of above-ground structures and foundations to a minimum depth of three (3) feet below finished grade, unless the City determines that specific improvements may remain to support future industrial development;
4. Removal of security fencing, screening, signage, and other accessory structures not intended for reuse;
5. Stabilization and grading of disturbed areas to prevent erosion and drainage impacts;
6. Restoration of the site to a condition suitable for future industrial or commercial redevelopment, including preservation or restoration of access drives, utility connections, stormwater facilities, and other infrastructure that may support future development; and
7. An estimated cost of decommissioning prepared by a qualified professional.

14-430-11-D. Financial Assurance. The City may require the owner to provide financial assurance in a form acceptable to the City, including but not limited to a bond, irrevocable letter of credit, escrow account, or other security, to guarantee completion of decommissioning activities.

14-430-11-E. Completion of Decommissioning. All decommissioning activities shall be completed within twelve (12) months following abandonment of the facility, unless an extension is approved by the City.

14-430-11-F. Site Condition Upon Completion. Upon completion of decommissioning, the site shall be left in a clean, safe, and stable condition suitable for future industrial or commercial occupancy and redevelopment. The Decommissioning Plan shall identify the improvements proposed to remain on the site, including the principal building, parking areas, utility infrastructure, stormwater facilities, and access drives, and shall describe the actions necessary to ensure such improvements remain functional and marketable for future users. The intent of this Section is to facilitate the adaptive reuse of the building and site by requiring the removal of data center-specific equipment and infrastructure while preserving the improvements necessary to support future industrial or commercial operations.

14-430-12 Application Process

14-430-12-A. Additional Submittal Requirements for Special Use Permit. The applicant shall submit the materials required by Sec. 14-703 and, in addition, the following:

1. **Noise Impact Assessment and Mitigation Plan.** A report prepared by a qualified acoustical engineer that evaluates all existing and proposed noise sources associated with the major data processing and hosting facility and demonstrates compliance with all applicable provisions of the City Code.
2. **Water Usage and Mitigation Plan.** A report prepared by a qualified engineer that evaluates the proposed water usage associated with the major data processing and hosting facility and demonstrates compliance with applicable provisions of the City Code.
3. **Energy Usage and Mitigation Plan.** A report prepared by a qualified engineer that evaluates the proposed energy usage associated with the major data processing and hosting facility and mitigates any potential impacts to current rate payers.
4. **On Site Emissions.** A report prepared by a qualified engineer that evaluates all proposed on site emissions associated with the major data processing and hosting facility and demonstrates compliance with all applicable provisions of state, federal and City Code.
5. **Displacement and Environmental Justice Impact.** A study evaluating whether the proposed major data processing and hosting facility would disproportionately affect nearby residents, businesses, or historically disadvantaged communities through increased environmental burdens, redevelopment pressure, or displacement.
6. **Detailed Site Plan.** A site plan prepared by a qualified design professional that clearly depicts the location and layout of all buildings, structures, mechanical equipment, substations, screening elements, fencing, access points, and required buffer areas, and demonstrates compliance with this Section.
7. **Preliminary Storm Water Studies.** A preliminary storm water study prepared by a qualified engineer that addresses existing condition assessment, hydrologic and hydraulic analysis and proposed stormwater management approach.
8. **Civil Site Layout.** A civil site layout by a qualified design professional that clearly depicts the location of water service lines, sanitary sewer service lines, storm sewer and flood control facilities, impacts to the road network, and all necessary municipal utility extensions. The facility shall follow all codes and permit requirements of the City of Independence Code of Ordinances and the Design and Construction Manual.
9. **Building Elevations.** Elevation drawings prepared by a licensed architect that depict all exterior building facades and demonstrate compliance with the architectural standards set forth in this Section.
10. **Photometric Plan.** A photometric plan prepared by a qualified professional that illustrates all proposed exterior lighting levels and fixtures and demonstrates compliance with the lighting standards of Section 14-508.
11. **Preliminary Decommissioning Plan.** A preliminary Decommissioning Plan prepared by a qualified professional that addresses the requirements of this Article.

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12. **Ownership Disclosure.** The application shall disclose the identity of parties in interest to the public that shall include the name of all companies involved in major data processing and hosting project, including developer, shell companies, data processing and hosting operators, and financiers.
 13. **Waste Heat/Ventilation.** All external ventilation on structures associated with the major data processing and hosting facility should be designed in a manner that does not result in waste heat, or heat generated as a byproduct of major data processing and hosting operations, adversely impacting adjacent properties. Exhausts, chimneys, and other sources of waste heat should be designed in a manner that directs waste heat away from adjacent properties.

14-430-12-B. Notwithstanding the requirements set forth in subsection (A) above, all applicable technical studies required under Section 14-700-06 shall also be submitted and shall govern to the extent applicable.

14-430-13 Ongoing Compliance and Reporting

14-430-13-A. The operator shall submit an annual compliance report to the City in a form and manner acceptable to the City, which shall, at a minimum, include the following:

1. Noise monitoring data demonstrating compliance with applicable City Code requirements;
2. Documentation verifying continued operation of required cooling systems;
3. Records demonstrating ongoing landscape installation and maintenance in accordance with approved plans and applicable standards;
4. Maintenance and operations plan for all on-site required stormwater facilities.
5. Generator testing logs, including dates, duration, and confirmation of compliance with applicable operational limitations.

14-430-13-B. The City shall have the right to conduct inspections of the site at reasonable times and upon reasonable notice, or without notice in the event of an emergency or suspected violation, as necessary to verify compliance with this Section and all applicable provisions of the City Code.

14-430-14 Violations and Enforcement

Failure to comply with the requirements of this Section or any conditions of approval shall constitute a violation of this Chapter and may subject the permit holder to enforcement action, including, but not limited to, suspension or revocation of the Special Use Permit, as provided by applicable law.

14-430-15 Modifications

Any expansion or substantial modification of a major data processing and hosting facility, including but not limited to alterations to mechanical systems, power infrastructure, or site configuration, shall be subject to review and approval in accordance with the requirements of this Chapter.

14-431 BATTERY ENERGY STORAGE SYSTEMS (BESS)

14-431-01 Applicability

The purpose of this section is to establish land use and design regulations for battery energy storage systems (BESS) to ensure compatibility with surrounding uses, protect nearby residential areas, and promote high-quality site and building design.

14-431-01-A. This Article shall apply to all utility-scale battery energy storage systems and Battery Storage Buildings, except as excluded below.

14-431-01-B. Residential battery systems serving a single-family, duplex, townhouse, or multifamily dwelling and installed in accordance with adopted building and fire codes shall be exempt from the requirements of this Article.

14-431-01-C. Accessory battery energy storage systems serving commercial or industrial uses with a total capacity of less than 600 kWh shall comply with applicable building and fire codes and shall be exempt from the requirements of this Article.

14-431-01-D. The provisions of this section shall not apply to any battery energy storage system development that has submitted a building permit or received final site plan approval, a preliminary development plan, a master development plan, or other applicable development approval or authorization prior to the effective date of this section. This exception shall include any approved phased development, including subsequent phases, buildings, structures, improvements, final site plans, and building permits that are contemplated by and consistent with the approved development plan. Such developments may proceed in accordance with the terms, conditions, and approved development entitlements in effect at the time of the original approval.

14-431-02 Setback and Separation

14-431-02-A. Any structure, equipment/appurtenance, including but not limited to auxiliary systems, inverters, transformers, and substation, shall maintain a minimum setback of one hundred (100) feet.

14-431-02-B. The distances above shall be measured from the closest edge of the battery enclosure, container, storage building, equipment or appurtenance.

14-431-02-C. No BESS facility shall be located within 100 feet of land used for residential use or for public activity purposes such as schools, parks/recreation, playgrounds, daycare, nursing home, hospitals, and religious assembly, whether said use is located within the City or outside of the City. The distance between the BESS facility and these uses will be measured in a straight line, without regard to intervening structures or properties, from the closest property line to closest property line.

14-431-02-D. The Independence Fire Department may require additional setbacks based upon site-specific hazards identified through the Hazard Mitigation Analysis.

14-431-03 Buffer and Screening

14-431-03-B. Any property containing a BESS facility shall provide a buffer yard with a minimum width of fifty (50) feet along any property line that abuts a lot zoned or used for residential use. A high-impact screen, as defined and required in Section 14-503, shall be installed and maintained along all such property lines. The quantity of plant materials required within the buffer yard shall be increased by twenty-five percent (25%) above the minimum standards established in Section 14-503.

14-431-03-B. All substations, electrical yards, mechanical yards, and any other exterior equipment or appurtenances shall be fully screened from view from any adjacent public street, private street, trail, or park. Screening shall be provided in a manner consistent with Section 14-503 and maintained in good condition so as to remain effective at all times.

14-431-04 Fencing and Security

14-431-04-A. A BESS facility shall be fully enclosed by a minimum seven (7) foot high, non-scalable, solid wall. The required wall shall be located outside of all applicable zoning district setback areas. Walls shall be constructed of either decorative concrete masonry units with a split-face or other textured finish, or concrete tilt-up panels incorporating architectural treatments such as reveals, patterns, and/or trim lines to provide visual articulation. All fencing and/or enclosure components shall comply with applicable provisions of NFPA 70.

14-431-04-B. When required for sound attenuation, a wall that is an integral component of a large-scale battery energy storage system may exceed the maximum fence or wall height otherwise permitted. However, under no circumstances shall such a fence or wall exceed the maximum height allowed in the zoning district.

14-431-04-C. No equipment or appurtenances—including but not limited to auxiliary systems, inverters, transformers, and substations—shall exceed the height of the screening wall unless a line-of-sight analysis demonstrates that the wall height is sufficient to fully screen such equipment and appurtenances.

14-431-04-D. All gates shall be secured except during maintenance or emergency access.

14-431-04-E. Facilities shall include warning signage identifying:

1. Emergency contact information;
2. Hazardous voltage warnings;
3. Fire department access points; and
4. Emergency shutdown procedures.

14-431-05. Landscaping

14-431-05-A. No landscaping is required on the interior side of the screen wall regardless of the percentage of landscape open space required.

14-431-05-B. The minimum required open space, as required by this development ordinance, shall be limited to the perimeter landscaping surrounding the perimeter screening wall or fence.

14-431-06 Parking

14-431-06-A. For BESS facilities that are regularly occupied by employees or contractors, off-street parking shall be provided at a rate of one and one-half (1.5) parking spaces for each employee based on the maximum number of employees present during any single shift. In no case shall fewer than three (3) off-street parking spaces be provided.

14-431-06-B. For unoccupied sites, a minimum of three (3) parking spaces shall be provided.

14-431-06-C. All parking areas, fire access roads, and drive aisles shall be surfaced with asphalt or concrete and constructed in accordance with the standards of Section 14-501 and Chapter 20 of the City Code.

14-431-07 General Development Standards

14-431-07-A. All Battery Energy Storage Systems shall comply with applicable editions of:

1. International Fire Code (IFC);
2. International Building Code (IBC);
3. National Electrical Code (NEC);
4. NFPA 855 Standard for the Installation of Stationary Energy Storage Systems;
5. NFPA 68 – Standard on Explosion Protection by Deflagration Venting
6. NFPA 69 – Standard on Explosion Prevention Systems
7. Component certifications (UL 1973 for batteries, UL 1741 for inverters)
8. UL 9540 and UL 9540A testing requirements; and
9. Any additional requirements imposed by the Independence Fire Department.

14-431-07-B. The BESS operator shall maintain all required permits and inspections throughout the life of the facility.

14-431-08 Lighting

All exterior lighting associated with a BESS facility shall be designed, installed, and maintained in full compliance with the standards set forth in Section 14-508 of this Code.

14-431-09 Noise and maintenance requirements

14-431-09-A. All noise generated by a BESS and any associated or ancillary uses, equipment, or operations shall comply at all times with the applicable noise standards set forth in Chapter 7 of the City Code.

14-431-09-B. All on-site generators shall comply with the following requirements:

1. **Testing Duration.** Routine testing and maintenance operation of generators shall not exceed a total of ten (10) hours per calendar month, per generator.
2. **Testing Hours.** Routine testing and maintenance shall occur only between the hours of 9:00 a.m. and 5:00 p.m., local time, Monday through Friday, excluding federal holidays.
3. **Noise Attenuation.** Generators shall be enclosed within a sound-attenuating enclosure or wall designed to minimize noise impacts and ensure compliance with Chapter 7 of the City Code.
4. **Recordkeeping.** The property owner or operator shall maintain a generator testing log documenting dates, times, and duration of all testing and maintenance activities. Such log shall be submitted annually to the Director as part of the required compliance report and made available upon request.
5. **Operational Limitations.** Except for routine testing, maintenance, or initial commissioning, generators shall be operated solely for backup or emergency purposes.

14-431-10 Hazard Mitigation Analysis

14-431-10-A. A Hazard Mitigation Analysis shall be prepared in accordance with the adopted IFC and NFPA 855 and submitted to the Independence Fire Department.

14-431-11 Emergency Response Plan

14-431-11-A. An Emergency Response Plan (ERP) shall be prepared in accordance with the adopted International Fire Code (IFC) and NFPA 855. Prior to issuance of any building permit, the final ERP shall be submitted to and approved by the Independence Fire Department.

14-431-11-B. The operator of a BESS facility shall update the Emergency Response Plan upon any material modification to the facility or its operations.

14-431-12 Decommissioning Plan and Financial Assurance

14-431-12-A. Prior to the issuance of any building permit, the applicant shall submit a Decommissioning Plan. The plan shall identify the anticipated removal of equipment and restoration of the site upon abandonment, discontinuation of operation, or the end of the facility's useful life.

14-431-12-B. Minimum Requirements. The decommissioning plan shall include:

1. Identification of the property owner, facility owner, and facility operator.
2. A description of the facility, the Battery Energy Storage System and its principal components, total storage capacity, number and type of battery containers and expected operational life of the facility.
3. A narrative describing the proposed decommissioning process, removal procedures and recycling and disposal.
4. Identification of all structures, equipment, foundations, utilities, fencing, and appurtenances proposed to be removed.
5. A description of site restoration activities, including grading, stabilization, revegetation, and repair of disturbed areas.
6. A description of how materials will be reused, recycled, or disposed of in accordance with applicable laws and regulations.
7. The plan shall include a detailed third-party estimate of the total cost to decommission the facility and restore the site. The estimate shall assume the City contracts for removal by a third-party contractor, include mobilization, transportation, disposal, recycling, environmental remediation, site restoration, permitting, engineering, and administrative costs, and be expressed in current dollars.

14-431-12-C. The decommissioning plan shall be reviewed every five (5) years for the purpose of updating the costs for decommissioning and, if applicable, updating the financial assurance identified below.

14-431-12-D. Financial Assurance.

1. Prior to the issuance of any building permit, the applicant shall submit financial assurance in the form of a surety bond, irrevocable letter of credit, or an equivalent financial assurance mechanism to guarantee that funds are available to cover all costs associated with activities identified in the Decommissioning Plan.
2. **Annual Verification of Financial Assurance.** The owner shall submit proof annually that all required financial assurance remains valid and in force. Failure to provide such documentation shall constitute a zoning violation and may result in suspension or revocation of permits.
3. The financial assurance shall remain in effect until the City determines that decommissioning has been satisfactorily completed.

14-431-12-E. Abandonment. A Battery Energy Storage System shall be deemed abandoned upon the occurrence of any of the following:

1. Failure to maintain electrical interconnection for twelve (12) consecutive months.
2. Failure to store, transmit, or discharge electricity for twelve (12) consecutive months.
3. Written notice by the owner indicating intent to cease operations.
4. Revocation of required permits without corrective action.
5. Bankruptcy or dissolution of the facility owner without an approved successor operator.

The City may require documentation demonstrating continued operation of the facility.

14-431-12-F. Decommissioning Trigger

1. Decommissioning activities shall commence within one hundred eighty (180) days following abandonment.

2. All decommissioning activities shall be completed within twelve (12) months unless extended by the City for good cause.
3. The City may approve phased decommissioning when portions of a facility remain operational.

14-431-12-G. Site Restoration. Following removal of the facility, the site shall be restored to a safe and stable condition, including the removal of debris, stabilization of disturbed areas, restoration of drainage patterns and establishment of vegetative cover where appropriate.

14-431-12-G. Certification of Completion. Upon completion of decommissioning activities, the owner shall submit:

1. A certification from a qualified third-party contractor that all required decommissioning activities have been completed.
2. Documentation demonstrating proper recycling or disposal of battery materials.
3. Documentation of site restoration.
4. Any environmental reports required by the City.

The City shall inspect the site and determine whether the decommissioning requirements have been satisfied prior to release of financial assurance.

14-431-13 Application Process

14-431-13-A. Additional Submittal Requirements for Special Use Permit. The applicant shall submit the materials required by Section 14-703 and, in addition, the following:

1. **Noise Impact Assessment and Mitigation Plan.** A report prepared by a qualified acoustical engineer that evaluates all existing and proposed noise sources associated with the data center and demonstrates compliance with all applicable provisions of the City Code.
2. **Detailed Site Plan.** A site plan prepared by a qualified design professional that clearly depicts the location and layout of all buildings, structures, mechanical equipment, substations, screening elements, fencing, access points, and required buffer areas, and demonstrates compliance with this Section.
3. **Building Elevations.** Elevation drawings prepared by a licensed architect that depict all exterior building facades.
4. **Photometric Plan.** A photometric plan prepared by a qualified professional that illustrates all proposed exterior lighting levels and fixtures and demonstrates compliance with the lighting standards of Section 14-508.
5. **Operations and Maintenance Plan.**
6. **Preliminary Hazard Mitigation Analysis.** A report prepared by a qualified professional that evaluates potential hazards associated with a Battery Energy Storage System and demonstrates compliance with the requirements of this Article.
7. **Preliminary Emergency Response Plan.** A preliminary Emergency Response Plan prepared by a qualified professional that demonstrates compliance with the requirements of this Article.
8. **Preliminary Decommissioning Plan.** A preliminary Decommissioning Plan prepared by a qualified professional that addresses the requirements of this Article.
9. **Ownership Disclosure.** The application shall disclose the identity of parties in interest to the public that shall include the name of all companies involved in battery energy storage project, including developer, shell companies, operators, and financiers.

14-431-13-B. Notwithstanding the requirements set forth in subsection (A) above, all applicable technical studies required under Section 14-700-06 shall also be submitted and shall govern to the extent applicable.

14-431-13-C. The battery energy storage system shall follow all codes and permit requirements of the City of Independence Code of Ordinances and the Design and Construction Manual.

14-431-14 Annual Compliance Certification

14-431-14-A. The owner or operator of a Battery Energy Storage System (BESS) facility shall submit an annual compliance certification, prepared and signed by a qualified professional engineer licensed in the State of Missouri, certifying that:

1. The facility is being operated and maintained in substantial compliance with all approved plans, permits, and conditions of approval;
2. All required safety, monitoring, and emergency shutdown systems are fully operational and functioning as designed;
3. Fire detection, fire suppression, and other fire protection systems have been inspected and maintained in accordance with applicable codes, manufacturer specifications, and the approved Emergency Response Plan;
4. Emergency contact information on file with the City is current and accurate; and
5. No material modifications, expansions, or operational changes have occurred without prior approval from the City, where such approval is required.

14-431-14-B. The annual compliance certification shall be submitted to the City no later than thirty (30) days following the anniversary date of the facility's commencement of operations, unless otherwise approved by the City.

14-431-14-C. The City may conduct inspections of the facility, upon reasonable notice to the owner or operator, to verify compliance with the provisions of this Article, approved plans, permit conditions, and applicable codes and regulations.

14-431-14-D. Failure to submit the required annual certification or to maintain compliance with the requirements of this Article may constitute a violation subject to enforcement actions authorized by this Code.

14-431-15. Ownership/Operator Changes

14-431-15-A. If ownership of the property, the Battery Energy Storage System (BESS) facility, or the facility operator changes, all project approvals shall remain valid, provided the successor owner or operator assumes in writing all obligations associated with the project, including compliance with all conditions of approval, the approved Decommissioning Plan, and the requirements of this Article, and provides updated financial assurance as required herein.

The successor owner or operator shall provide written notice to the City of the ownership or operational change within thirty (30) days of the effective date of the transfer. Such notice shall include documentation demonstrating the assumption of all project obligations and updated financial assurance.

Failure to provide the required notice and documentation within thirty (30) days shall render all project approvals null and void. Any request to reinstate a voided approval shall be subject to the same application, review, and approval procedures required for a new BESS facility under this Article.

Sec. 14-431-16 Violations

Failure to comply with this Article shall constitute a violation of the Unified Development Ordinance and may result in revocation of approvals, issuance of citations, or other remedies authorized by law.

14-200 USE GROUPS AND CATEGORIES

14-200-05 Commercial use group

14-200-05-W. Data Processing and Hosting. Establishments that provide infrastructure for hosting or data processing services. These establishments may provide specialized hosting activities, such as web hosting, streaming services or application hosting; provide application services provisioning or may provide general timeshare mainframe facilities to clients. An example is a data center.

- 1. Data Processing and Hosting, Accessory. A data processing and hosting use that is incidental and subordinate to the principal use of the property and is intended primarily to support the operations of the principal use or occupant. An accessory data processing and hosting use shall not be operated as a standalone commercial data processing and hosting business or provide hosting or data processing services to third parties as its primary function.**
- 2. Data Processing and Hosting, Small. A principal use consisting of one or more buildings or portions of buildings that provide infrastructure for data processing, storage, networking, cloud computing, artificial intelligence, or hosting services, including associated equipment and supporting systems. A Small Data Processing and Hosting Facility has a maximum electrical demand of less than 2.5 megawatts (MW).**
- 3. Data Processing and Hosting, Major. A principal use consisting of one or more buildings or portions of buildings that provide infrastructure for data processing, storage, networking, cloud computing, artificial intelligence, or hosting services, including associated equipment and supporting systems. A Major Data Processing and Hosting Facility has a maximum electrical demand of 2.5 megawatts (MW) or greater.**

14-200 USE GROUPS AND CATEGORIES

14-200-06 Industrial use group

14-200-06-J. Battery Energy Storage System (BESS). One or more devices, assembled together, capable of storing energy in order to supply electrical energy at a future time, including associated battery management systems, inverters, transformers, switchgear, utility interconnections, fire suppression equipment, and accessory equipment.

14-200-06-K. Utility-Scale Battery Energy Storage System. A Battery Energy Storage System with a total energy capacity exceeding 600 kWh and intended primarily to provide power to the electrical grid or wholesale energy markets.

14-200-06-L. Accessory Battery Energy Storage System. A Battery Energy Storage System serving an on-site principal use or renewable energy system.

14-200-06-M. Battery Storage Building. A structure containing one or more Battery Energy Storage Systems.

14-301 OFFICE AND COMMERCIAL DISTRICTS

14-301-03 Uses

14-301-03-A.Use Table. Uses are allowed in O and C zoning districts in accordance with Table 301-1, below.

14-301-03-B.Use Classification System. For the purpose of this development ordinance, uses are classified into "use groups," "use categories," and "specific use types." These are described and defined in Article 14-200. The first column of Table 301-1 lists the groups, categories and types allowed in one or more O/C districts.

14-301-03-C.Permitted Uses. Uses identified with a "P" in Table 301-1 are permitted as-of-right in the subject zoning district, subject to compliance with all other applicable standards of this development ordinance.

14-301-03-D.Permitted Uses with Minimum Use Standards. Uses identified with a "C" in Table 301-1 are permitted as-of-right in the subject zoning district, subject to compliance with the Use Standards referenced in the right column of the Table, and all other applicable standards of this development ordinance.

14-301-03-E.Special Uses. Uses identified with an "S" in Table 301-1 may be allowed if reviewed and approved in accordance with the special use procedures of Article 14-704.

14-301-03-F.Prohibited Uses. Uses not listed and those identified with a "—" are expressly prohibited.

14-301-03-G.Use Standards. The "use standards" column of Table 301-1 identifies use-specific standards that apply to some uses. Compliance with such standards is required. Variances to use standards are prohibited.

Table 301-1 Office and Commercial Districts Use Table						
P: Permitted		S: Special Use Permit Required		C: Conditional Uses		—: Not Allowed
<i>Use Category</i> <i>Specific use type</i>	Zoning District					Use Standards
	O-1	O-2	C-1	C-2	C-3	
COMMERCIAL						
Construction Services						
No outdoor storage of equipment or materials	—	—	P	P	P	
With outdoor storage of equipment and materials	—	—	—	—	C	14-503
<u>Data Processing and Hosting, Small</u>				<u>C</u>	<u>C</u>	<u>14-429</u>
Drive-Through Facility	—	—	P	P	P	

14-302 INDUSTRIAL DISTRICTS

14-302-03 Uses

14-302-03-A.Use Table. Uses are allowed in I zoning districts in accordance with Table 302-1, below.

14-302-03-B.Use Classification System. For the purpose of this development ordinance, uses are classified into "use groups," "use categories," and "specific use types." These are described and defined in Article 14-200. The first column of Table 302-1 lists the groups, categories and types allowed in one or more I districts.

14-302-03-C.Permitted Uses. Uses identified with a "P" in Table 302-1 are permitted as-of-right in the subject zoning district, subject to compliance with all other applicable standards of this development ordinance.

14-302-03-D.Permitted Uses with Minimum Use Standards. Uses identified with a "C" in Table 302-1 are permitted as-of-right in the subject zoning district, subject to compliance with the Use Standards referenced in the right column of Table 302-1, and all other applicable standards of this development ordinance.

14-302-03-E.Special Uses. Uses identified with an "S" in Table 302-1 may be allowed if reviewed and approved in accordance with the special use procedures of Article 14-704.

14-302-03-F.Prohibited Uses. Uses not listed and those identified with a "—" are expressly prohibited.

14-302-03-G.Use Standards. The "use standards" column of Table 302-1 identifies use-specific standards that apply to some uses. Compliance with such standards is required. Variances to use standards are prohibited.

Table 302-1 Industrial Districts Use Table				
P: Permitted S: Special Use Permit Required C: Conditional Uses —: Not Allowed				
<i>Use Category</i> <i>Specific use type</i>	Zoning District			Use Standards
	B-P/PUD	I-1	I-2	
Battery Energy Storage System	<u>S</u>	<u>S</u>		<u>14-431</u>
Data Processing and Hosting, Small	<u>P-C</u>	<u>P-C</u>	—	<u>14-429</u>
Data Processing and Hosting, Major	—	<u>S</u>	—	<u>14-430</u>

14-400 ACCESSORY USES AND STRUCTURES

14-400-13 Data Processing and Hosting Facility, Accessory

14-400-13-A. Applicability. This section applies to any accessory data processing and hosting facility, whether new or retrofitted, located within or attached to any principal structure.

14-400-13-B. Location. An accessory data processing and hosting facility shall be permitted wherever the principal use is permitted.

14-400-13-C. Enclosed Building. All accessory data-processing and hosting facilities must be fully contained within a completely enclosed building.

14-400-13-D. Adopted Codes. An accessory data processing and hosting facility shall comply with all applicable provisions of the City's adopted building, fire, electrical, and mechanical codes. All installations, equipment, and related improvements shall be reviewed, permitted, and inspected in accordance with the requirements of the City.