

JOURNAL OF THE PLANNING & ZONING COMMISSION  
CITY OF JACKSON, MISSOURI  
WEDNESDAY, JANUARY 11, 2023, 6:00 P.M.  
REGULAR MEETING  
CITY HALL COUNCIL ROOM, 101 COURT STREET, JACKSON, MISSOURI

The Planning and Zoning Commission met in regular session with Chairman Harry Dryer presiding. Also present were Commissioners Heather Harrison, Tina Weber, Tony Koeller, Michelle Weber, Beth Emmendorfer, and Eric Fraley. Commissioner Angelia Thomas was absent. Building & Planning Manager Janet Sanders and Building Inspector Larry Miller were present as city staff. Assigned Aldermen Mike Seabaugh and Joe Bob Baker were present. No citizens were present.

Chairman Dryer called the meeting to order, and Commissioner Koeller called roll.

APPROVAL OF MINUTES )

Minutes of the November 9, 2022, meeting were unanimously approved on a motion by Commissioner Emmendorfer, seconded by Commissioner Fraley.

OLD BUSINESS

Defining & Regulating Tiny Homes )

Chairman Dryer asked for a staff report. Mrs. Sanders reminded the Commission this is an item that was initially discussed at a previous meeting. The Commission still needs to determine the size that would be defined as a tiny home and where tiny homes can be located. She said Commissioner Koeller provided an article about financing tiny homes and also referenced the building code appendix, both of which are included in the agenda packet.

Commissioner Koeller said 600 square feet is the size at which some lenders can finance. The building code appendix lists under 400 square feet as a tiny home. Currently it would be difficult to find comparables, but if they become popular finding comparables would become easier. Until then, most would have to be cash buyers or use some other form of collateral to obtain financing. Commissioner Koeller pointed out there are several tiny homes on a property in Bloomfield that are used for Air B&B units. There is also a need in Jackson for one-bedroom homes.

After discussion, including whether tiny homes should meet the standard setbacks, whether smaller lots could be allowed, how they compare to shipping container homes, and a general disapproval of portable tiny homes, the Commission determined that mobile tiny homes should only be allowed in mobile home parks with a Special Use Permit. Permanent tiny homes should not be allowed to mix into neighborhoods or be installed as guest houses or mother-in-law suites in back yards of other homes. They should be allowed in groups as part of a community unit plan with a Special Use Permit. To be considered permanent, a building constructed on skids could be anchored to a slab, a foundation, or basement. Each proposed community unit plan can then be reviewed individually, and any necessary conditions added.

After a question about RV parks, Mrs. Sanders said there is conflicting language in the code. Although there is a statement that RV parks are not allowed in the city, RV parks are also listed as an allowable use in one or more zoning districts. Mrs. Sanders said this will need to be cleared up in the future. For the present, the prevailing language would probably be determined by which ordinance came last, because most ordinances of this type contain language that negates any existing conflicting code. There was brief discussion about the fact that it is prohibited to live in an RV in town but what length of time would be considered 'living'.

Discussion returned to the size of homes. Mrs. Sanders said there are a few existing homes in town that are approximately 400 square feet, some of which were once garages. Defining a size for tiny homes that includes these homes could make those homes non-conforming uses. They would not be able to be rebuilt at that size if destroyed more than 65% but could be rebuilt if a variance was granted by the Board of Adjustment. The Commission determined that less than 600 square feet should be the size at which a house is considered a tiny home.

Mrs. Sanders said wording to this effect will be developed and returned to the Commission for review at the next meeting. The will be required to set and hold a public hearing before voting on the code revision.

## NEW BUSINESS

Zoning Text Amendment – Recreational )  
Marijuana )

Mrs. Sanders presented the general regulation topics the Board of Aldermen discussed and recommends. She said the Commission can accept these or change them as they desire. After discussion, the Commission reached the following conclusions:

1. Recreational marijuana should be allowed in the same locations as medical marijuana.
2. Dispensary hours should be limited to 7 a.m. to 9 p.m. and there should be no on-site consumption during business hours.
3. The separation distance from churches, schools, and state licensed daycares should be 500'.
4. The method of measuring separation distance should match the State's.
5. Consumption lounges should be allowed if they meet the same separation distances. Conditions should be added that limit their hours of operation to 7 a.m. to 1 a.m. and prevent access by anyone under the age of 21.

Because marijuana is still federally illegal, banking opportunities for these businesses are still limited.

Mrs. Sanders was asked if the city will tax marijuana. She said that will be an issue for the Board of Aldermen to decide. The City of Cape Girardeau and Cape Girardeau County are pursuing taxes.

Mrs. Sanders said this is a time sensitive issue. Since the State will convert medical licenses by February 8<sup>th</sup>, the City is in a hurry to catch up with the code. She asked the Commission to set a public hearing, with the revised draft code language to be available before the hearing.

Commissioner Koeller made a motion to set a public hearing for the next meeting. The motion was seconded by Commissioner Harrison and was unanimously approved.

Consider a motion to add items to the )  
agenda )

No items were added.

Vote: 6 ayes, 0 nays, 0 abstentions, 3 absent (to table)

Adjournment )

Commissioner Fadler made a motion to adjourn. The motion was seconded by Commissioner Koeller and was unanimously approved.

Respectfully submitted,

Tony Koeller  
Planning and Zoning Commission Secretary

Attest:

Janet Sanders  
Building & Planning Manager

*NOTE: ACTION (IF ANY) ON LAND EXCHANGE CERTIFICATIONS, COMPREHENSIVE PLAN, AND MAJOR STREET PLAN IS FINAL APPROVAL; ALL OTHER ACTION TAKEN BY THE PLANNING AND ZONING COMMISSION SERVES AS A RECOMMENDATION TO THE BOARD OF ALDERMEN AND NOT AS FINAL APPROVAL OF THE ITEMS CONSIDERED AT THIS MEETING.*