



CITY OF JACKSON
PLANNING & ZONING COMMISSION MEETING AGENDA

Wednesday, October 12, 2022 at 6:00 PM

City Hall, 101 Court Street, Jackson, Missouri

Bill Fadler
Tony Koeller
Michelle Weber
Tina Weber

Harry Dryer, Chairman
Joe Baker, Alderman Assigned
Mike Seabaugh, Alderman Assigned
Janet Sanders, Staff Liaison

Angelia Thomas
Heather Harrison
Beth Emmendorfer
Eric Fraley

CALL TO ORDER

ROLL CALL

APPROVAL OF MINUTES

1. Approval of Minutes of September 14, 2022 meeting

OLD BUSINESS

2. Request for approval of a preliminary plat of Savers Farm Subdivision Phase 9 submitted by Cape Land & Development, LLC

NEW BUSINESS

3. Request for approval of a minor subdivision plat of Jackson Civic Center Subdivision submitted by the City of Jackson.
4. Zoning Text Amendment - defining & limiting tiny houses

CONSIDER A MOTION TO ADD ITEMS TO THE AGENDA

ADJOURNMENT

This agenda was posted at City Hall on October 6, 2022 at 5:00 PM.

PLEASE OBSERVE SOCIAL DISTANCING WHEN ATTENDING THIS MEETING.

JOURNAL OF THE PLANNING & ZONING COMMISSION
CITY OF JACKSON, MISSOURI
WEDNESDAY, SEPTEMBER 14, 2022, 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, Angelia Thomas, Michelle Doughten Weber, Beth Emmendorfer, Eric Fraley, and Bill Fadler. Tony Koeller and Tina Weber were absent. Building & Planning Administrative Assistant Ginger Earnest was present as acting staff liaison. Assigned Alderman Mike Seabaugh was also present. No citizens were present.

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

APPROVAL OF MINUTES)

Minutes of the August 10, 2022, meeting were unanimously approved on a motion by Commissioner Fadler, seconded by Commissioner Michelle Weber.

NEW BUSINESS

Request for approval of a preliminary)
plat of Savers Farm Subdivision Phase 9)
submitted by Cape Land & Development,)
LLC)

It was clarified that this item needs to remain tabled while the Board of Aldermen is still negotiating a Memorandum of Understanding with the developer for the Savers Farm Phases 8 & 9 Subdivisions.

The previously tabled plat was removed from the table on a motion by Commissioner Fadler, seconded by Commissioner Emmendorfer and unanimously approved. Based on a letter from developer Brandon Williams agreeing to an additional extension, the plat was re-tabled to the October 12th meeting on a motion by Commissioner Fadler seconded by Commissioner Fraley and unanimously approved.

Vote: 7 ayes, 0 nays, 0 abstentions, 2 absent (to re-table)

Request for rezoning of property addressed)
as 385-389-391 Timber Lane submitted by)
JWRPM Properties, LLC)

The applicant was not present to speak on this request.

The Commission discussed the issue of spot zoning in rezoning this small area R-4 General Residential versus the protection to the current property use provided by the R-4 zoning. No public hearing was felt to be needed since the property is already a triplex.

Commissioner Harrison made a motion to approve the request contingent on successful annexation, seconded by Commissioner Emmendorfer and unanimously approved.

Vote: 7 ayes, 0 nays, 0 abstentions, 2 absent

Request for approval of a Special Use)
Permit for a towing business in a C-2)
General Commercial District submitted by)
Land Escapes, LLC)

The Commission discussed this was applicant's third location and Special Use Permit application in trying to relocate his business. It was clarified that if any part of the towing business is on the portion of this property that is inside the city limits, it must have a Special Use Permit.

Commissioner Fadler made a motion to approve the plat with the three special conditions recommended in the staff report. The motion was seconded by Commissioner Michelle Weber and was unanimously approved.

Vote: 7 ayes, 0 nays, 0 abstentions, 2 absent

Educational session by City Attorney)
Curt Poore)

City Attorney Curt Poore presented an educational session focusing on the duties of the Planning and Zoning Commission, meeting protocol, P&Z attendance policy, ethics, Sunshine Law, and other pertinent topics.

Consider a motion to add items to the)
agenda)

No items were added to the agenda.

Adjournment)

Commissioner Thomas made a motion to adjourn, seconded by Commissioner Fraley and unanimously approved.

Respectfully submitted,

Beth Emmendorfer
Acting Planning and Zoning Commission Secretary

Attest:

Ginger Earnest
Building & Planning Administrative Assistant

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.

Staff Report 3

ACTION ITEM: Request for approval of a preliminary plat of Savers Farm Subdivision Phase 9

APPLICANT: Cape Land & Development, LLC

APPLICANT STATUS: Property owner

PURPOSE: To provide an additional phase of a county subdivision on land that is already inside the city limits but only accessible from the county

SIZE: 17.29 acres

PRESENT USES: Undeveloped land

PROPOSED USE: Single-family residential subdivision

ZONING: R-2 Single Family Residential

SURROUNDING LAND USE: North – out of city; South – R-2 Single Family Residential; East – R-2 Single Family Residential; West – R-2 Single Family Residential

HISTORY: This piece of property was found to already be inside the city limits on a 1961 city limits map. The property to the south developed as Bent Creek Golf Course and Bent Creek Subdivision, which provided for no stubbed streets to access this property.

In 2019, P&Z reviewed and the Board of Aldermen approved new code language in Chapter 57 (Land Subdivision Regulations) to allow limited access land development. This allows a subdivision to have access other than a public city street when no city street right-of-way is available for a connection. This code language was developed due to this specific property.

TRANSPORTATION AND PARKING: All required street frontage and parking will be developed as part of the subdivision development and building construction.

APPLICABLE REGULATIONS: Land Subdivision Regulations (Chapter 57); Zoning Code (Chapter 65)

2009 COMPREHENSIVE PLAN: Residential use

FLOODPLAIN INFORMATION: This property includes an area of floodplain that will be located in the rear yard of seven lots and does not prevent an adequate buildable area for those lots.

PHYSICAL CHARACTERISTICS: No access is available except through previous Savers Farm Subdivision phases located in the county.

COMMENTS: This subdivision contains 40 lots.

This subdivision will have Ameren Electric because no city electric service is available to this location and Ameren serves the remainder of the Phases outside the city. The subdivision will install city streets, water, and sewer. The developer will install a water main extension from the existing main near Greensferry Road through a new easement across adjacent undeveloped property. City sanitation and emergency services will serve these lots.

NOTE: This application form looks different from the traditional application form because it was submitted through the Building & Planning Department's new online portal. We expect to begin to see more applications in this format.

NOTE: The Board of Aldermen and developer have now entered a Memorandum of Understanding agreement regarding this subdivision. A copy of the agreement is included in this packet.

The plat has been revised to reflect the developer's last-minute decision to construct publicly maintained streets with sidewalks under the city's street specifications rather than privately maintained streets in a public right-of-way.

ACTION REQUIRED: The Commission shall approve or deny this subdivision based on compliance with the Land Subdivision Regulations **as altered by the Memorandum of Understanding.**



Subdivision Permit Application

Date: 06/15/2022

Applicant / Current Owner

Applicant Name: Brandon Williams
 Address: 2985 Boutin Drive
 City, State, Zip: Cape Girardeau, MO 63701
 Phone: 573-335-3382
 Email: bowconstruction@aol.com

Owner Name: Cape Land & Development, LLC
 Address: 2985 Boutin Drive
 City, State, Zip: Cape Girardeau, MO 63701
 Phone:
 Email:

Proposed Owner / General Project Information

Owner Name: Cape Land & Development, LC
 Address: 2985 Boutin Drive
 City, State, Zip: Cape Girardeau, MO 63701
 Phone:
 Email:

Site Address: SAVERS FARM SUBDIVISION PHASE 9
 City, State, Zip:
 Current Use:
 Current Zoning: R-2 Single-Family Residential
 Proposed Zoning: R-2 Single-Family Residential

Project Description:

Annexation

Rezoning App?: No
 Special Use App?: No

Current Use:
 Legal:

Rezoning / Special Use / Variance Information

Request Reason:
 Current Use:
 Proposed Use:

Prior Variance: No
 Prior Request:
 Permission to Visit: No

Subdivision Information / Current Zoning

Subdivision Type: Preliminary Plat
 Current Use:
 Proposed Use:
 Subdivision Name: Savers Farm Subdivision - Phase 9
 Engineer Company: Strickland Engineering
 Contact: Marc Mahnke / Brian Strickland
 Mailing Address: 113 W. Main Street
 City, State, Zip: Jackson, MO 63755
 Phone: 573-243-4080
 Other Permit: No
 Legal:

R-1: ☐
 R-2: ☒
 R-3: ☐
 R-4: ☐
 MH-1: ☐
 O-1: ☐
 CO-1: ☐
 C-1: ☐
 C-2: ☐
 C-3: ☐
 C-4: ☐
 I-1: ☐
 I-2: ☐
 I-3: ☐

Proposed Zoning

R-1: ☐
R-2: ☒
R-3: ☐
R-4: ☐
MH-1: ☐
O-1: ☐
CO-1: ☐

C-1: ☐
C-2: ☐
C-3: ☐
C-4: ☐
I-1: ☐
I-2: ☐
I-3: ☐

Land Exchange Information

Current Use:
Request Reason:
Granting Property:
Receiving Property:
Engineer Company:
Engineer Contact:
Address:
City, State, Zip:
Phone:

Granting Owner:
Address:
City, State, Zip:
Receiving Owner:
Address:
City, State, Zip:
Application For: Combination or re-
 combination of previously
 platted lots

Additional Comments

SUBDIVISION OF LAND

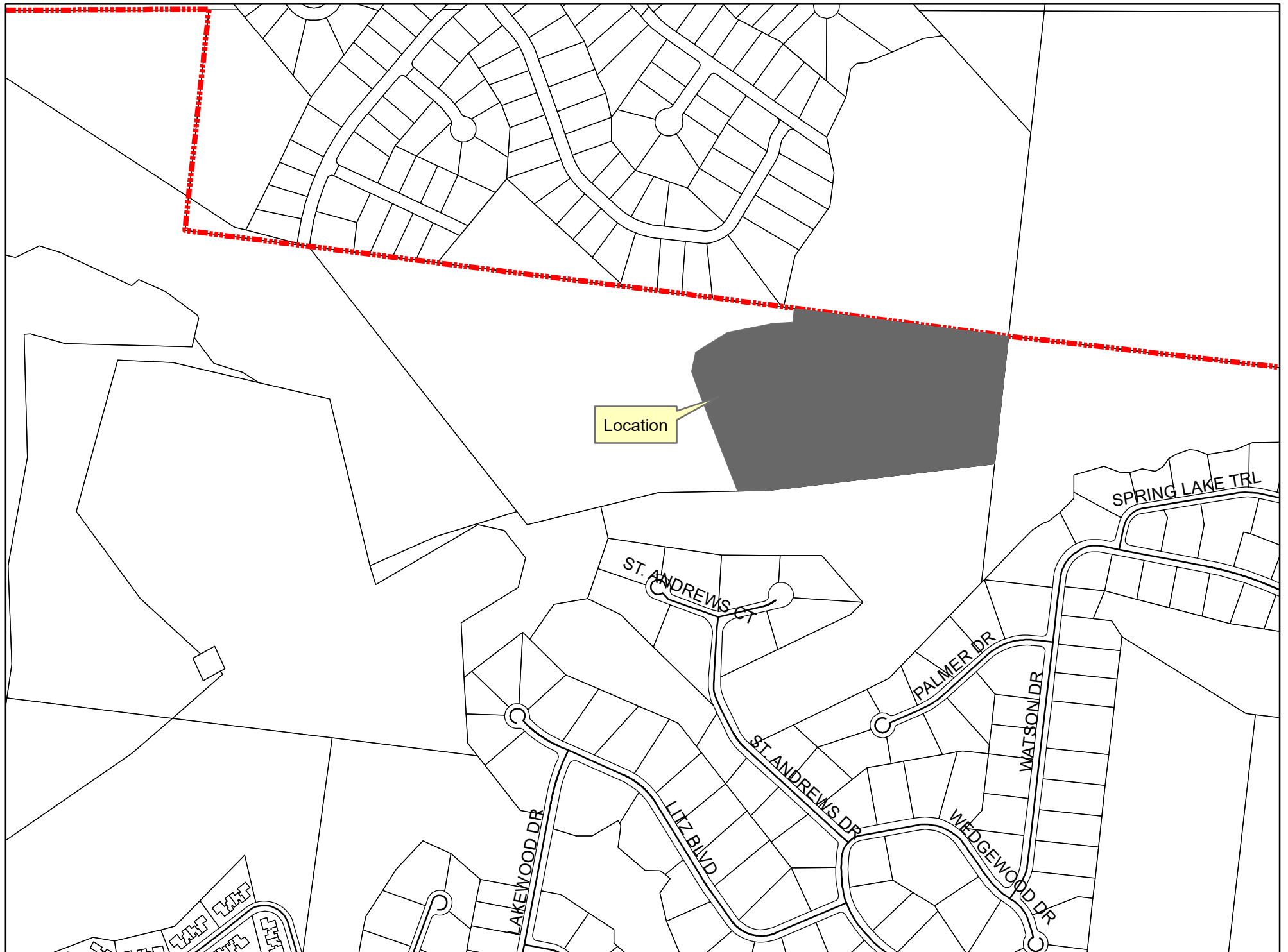
I do hereby certify that the information contained herein is true and correct.

Brandon Williams

Name

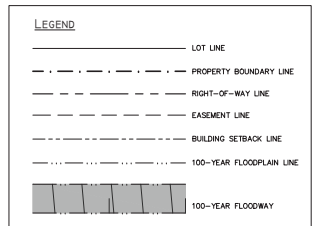
06/15/2022

Date



Savers Farm Subdivision Phase 9
Location Map

Part of U.S.P. SURVEY 318, Township 31 North Range 13 East of the Fifth Principal Meridian
in the City of Jackson and County of Cape Girardeau, Missouri.



ZONING:
R-2 SINGLE FAMILY RESIDENTIAL

EASEMENT NOTES:
10' FRONT (MINIMUM)
10' REAR (MINIMUM)
10' PERMETER OF SUBDIVISION (MINIMUM)
ALL RETENTION BASINS WILL HAVE EASEMENT
PROVIDING ACCESS TO BASIN AND AROUND PERIMETER
20' WATER MAIN (AS SHOWN)

BUILDING SETBACKS:
FRONT YARD SETBACK = 30'
REAR YARD SETBACK = 25'
SIDE YARD SETBACK = 8'

DESIGN STANDARDS
50' RIGHT-OF-WAY WIDTH


28" WIDE CONCRETE STREETS WITH CURB
4" WIDE CONCRETE SIDEWALKS ON EACH SIDE

OWNER & DEVELOPER:
CAPE LAND & DEVELOPMENT, LLC
c/o BRANDON WILLIAMS
2985 BOUTIN DRIVE
CAPE GIRARDEAU, MO 63701

PREPARED BY:
STRICKLAND ENGINEERING
113 W. MAIN STREET SUITE 1
JACKSON, MO 63755
(573) 243-4080

ACCURACY STANDARD: TYPE URBAN

FLOODPLAIN NOTE:
A PORTION OF THE DESCRIBED TRACT IS LOCATED WITHIN A
FLOOD HAZARD ZONE AS SHOWN ON THE FLOOD INSURANCE
RATE MAP, COMMUNITY PANEL 29031C0144E.

	S T R I C K L A N D E N G I N E E R I N G	113 WEST MAIN STREET P.O. Box 159 JACKSON, MISSOURI 63781 TEL 573-263-4080 FAX 573-263-2191										
CIVIL - MECHANICAL - ELECTRICAL ENGINEERING - LAND SURVEYING												
<div style="font-size: 18pt; font-weight: bold; margin-bottom: 10px;"> PRELIMINARY PLAT FOR SAVERS FARM SUBDIVISION PH. 9 </div> <div style="display: flex; justify-content: space-between;"> <div style="width: 60%;"> <div style="font-size: 24pt; font-weight: bold; margin-bottom: 10px;">JACKSON, MISSOURI</div> </div> <div style="width: 35%; border: 1px solid black; padding: 5px;"> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; font-weight: bold;">SCALE</td> <td style="width: 50%;">1" = 60'</td> </tr> <tr> <td style="font-weight: bold;">DATE</td> <td>9-28-2021</td> </tr> <tr> <td style="font-weight: bold;">DRAWN BY</td> <td>MTM</td> </tr> <tr> <td style="font-weight: bold;">CHECKED BY</td> <td>RA/BS</td> </tr> <tr> <td style="font-weight: bold;">PROJECT #</td> <td>272-074</td> </tr> </table> </div> </div>			SCALE	1" = 60'	DATE	9-28-2021	DRAWN BY	MTM	CHECKED BY	RA/BS	PROJECT #	272-074
SCALE	1" = 60'											
DATE	9-28-2021											
DRAWN BY	MTM											
CHECKED BY	RA/BS											
PROJECT #	272-074											

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF JACKSON, MISSOURI, TO EXECUTE A MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE CITY OF JACKSON, MISSOURI, AND *CAPE LAND & DEVELOPMENT, LLC OF CAPE GIRARDEAU, MISSOURI*, RELATIVE TO THE *DEVELOPMENT OF SAVERS FARM SUBDIVISIONS 8 AND 9*; FURTHER SAID ORDINANCE SHALL AUTHORIZE AND DIRECT THE CITY CLERK TO ATTEST THE SIGNATURE OF THE MAYOR.

WHEREAS, the Mayor and Board of Aldermen have been presented a Memorandum of Understanding marked Exhibit A and attached hereto and incorporated herein as if fully set forth; and

WHEREAS, the Mayor and Board of Aldermen of the City of Jackson, Missouri, deem it advisable to enter into said Memorandum of Understanding.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF JACKSON, MISSOURI, AS FOLLOW:

Section 1. That the Mayor and Board of Aldermen of the City of Jackson, Missouri, approve the Memorandum of Understanding marked Exhibit A and attached hereto and incorporated herein as if fully set forth between the City of Jackson, a municipal corporation, and the **Cape Land & Development, LLC of Cape Girardeau, Missouri**. It is the belief of the Mayor and Board of Aldermen that it is in the best interest of the citizens of the City of Jackson, Missouri, that the City enters into said Memorandum of Understanding.

Section 2. That the Mayor is hereby authorized and directed to execute said Memorandum of Understanding for and on behalf of the City of Jackson, Missouri.

Section 3. That the City Clerk of the City of Jackson is hereby authorized and directed to attest to the signature of the Mayor on the attached Memorandum of Understanding.

Section 4. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion

shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 5. That this Ordinance shall take effect and be in force from and after its passage and approval.

FIRST READING: October 3, 2022.

SECOND READING: October 3, 2022.

PASSED AND APPROVED this 3rd day of October, 2022, by a vote of 8 ayes, 0 nays, 0 abstentions and 0 absent.

(SEAL)

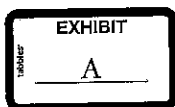


ATTEST:

CITY OF JACKSON, MISSOURI

BY: *Dave Reiminger*
Mayor Pro Tem

Angie Wa
City Clerk



MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM OF UNDERSTANDING is made and entered into this 3rd day of October, 2022, by and between **CITY OF JACKSON, MISSOURI**, a municipal corporation, hereinafter referred to as "City," and the **CAPE LAND & DEVELOPMENT, LLC**, hereinafter referred to as "Developer," WITNESSETH:

WHEREAS, the Developer is developing subdivisions known as Savers Farm Subdivision Phase 8 and Savers Farm Subdivision Phase 9 within the City; and

WHEREAS, City street access and certain City utilities are not available within a reasonable distance of these locations, and

WHEREAS, the Developer desires to develop streets and utilities to serve the development; and

WHEREAS, the City desires to cooperate with the Developer to facilitate development of this property; and

WHEREAS, the parties have reached certain agreements concerning the aforesaid project and desire to memorialize the agreement between them in writing.

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein and other good and valuable consideration, the adequacy and sufficiency of which are hereby acknowledged, it is mutually covenanted and agreed as follows:

1. The Developer will plat and develop residential subdivisions within the city limits of Jackson, Missouri, known as Savers Farm Subdivision Phase 8 and Savers Farm Subdivision Phase 9 in accordance with all laws and regulations of the City of Jackson, other than as specifically modified herein.

2. The Developer will construct an electric system to serve the required street lighting system and all lots in the subdivisions with 200 amp service. Electric supplier will be Ameren UE or other public electric utility as regulated by the Missouri Public Service Commission.

3 The Developer will construct a public street system in compliance with City of Jackson regulations.

4. The Developer is not responsible for developing any two-lane bridges in Phase 8 and Phase 9.

5. The Developer will ensure unrestricted access during construction of Phase 8 and 9 to these subdivisions through the area outside city limits for provided city services, other utility and emergency services, and the public. Developer is not responsible for any access once the subdivision has been constructed and/or developed.

6. The City will have responsibility for current or future ownership, operation, operational costs, upgrade, repair, or maintenance of the sewer system, street system, and stormwater infrastructure. The City shall have responsibility for snow plowing, street sweeping, and removal of dirt, mud, or debris.

7. The City will have no responsibility for current or future ownership, operation, operational costs, upgrade, repair, or maintenance of the electric system and street lighting system.

8. The Developer will have no responsibility for future ownership, operation, operational costs, upgrade, repair, or maintenance of the street system, electric system, street lighting system, and stormwater infrastructure after Developer transfers the lots in Phase 8 and Phase 9 to the Savers Farm HOA.

9.. This Memorandum of Understanding will be recorded with the Cape Girardeau Recorder of Deeds under the names of Savers Farm Subdivision Phase 8 and Savers Farm Subdivision Phase 9 and shall be referenced in private subdivision restrictions for each subdivision.

10. This Memorandum of Understanding contains the entire agreement of the parties and can be altered, amended, or modified only by written instrument executed by both parties. This Memorandum of Understanding sets forth the entire agreement between the parties and no custom, act, forbearance, or words or silence at any time, gratuitous or otherwise, shall impose any additional obligation or liability upon either party or waive or release either party from any default or the performance or fulfillment of any obligation or liability or operate as against either party as a supplement, alteration, amendment, or change of any terms or provisions set forth herein unless set forth in a written instrument duly executed by such party. The failure of either party to exercise any rights or remedies shall not release the other party from its obligations hereunder.

11. This Memorandum of Understanding shall be governed by and construed in accordance with the laws of the State of Missouri.

12. This Memorandum of Understanding shall be binding upon and shall inure to the benefit of the undersigned parties and their respective heirs, legal representatives, distributees, successors, and assigns.

13. In case any one or more of the provisions contained in this Memorandum of Understanding shall for any reason be held invalid, illegal, or unenforceable in any respects, such invalidity, illegality, or unenforceability shall not affect any other provision hereof, and this

Memorandum of Understanding shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.

14. The rights and remedies provided by this Memorandum of Understanding are cumulative and the use of any one right or remedy by either party shall not preclude or waive its right to use any or all other available remedies. Said rights and remedies are given in addition to any other rights the parties may have by law, statute, ordinance, or otherwise.

IN WITNESS WHEREOF, the parties have executed this Memorandum of Understanding as of the day and year first above written.

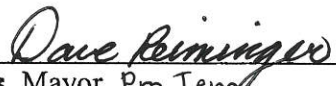
ATTEST:


Liza Walker, City Clerk

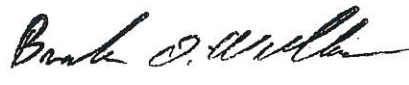


CITY:

CITY OF JACKSON, MISSOURI


~~Dwain Hahn~~, Mayor Pro Tem
Dave Reiminger

CAPE LAND & DEVELOPMENT, LLC:


Brandon O. Williams
Sole Member

Staff Report

ACTION ITEM: Jackson Civic Center Subdivision

APPLICANT: City of Jackson

APPLICANT STATUS: Property Owner

PURPOSE: To properties acquired at various times into a single lot.

SIZE: 28.23 acres

PRESENT USES: Jackson Civic Center / planned electric substation

PROPOSED USE: Same with any future enhancements

SURROUNDING LAND USE: North – C-2 General Commercial; South – R-2 Single Family Residential; East – C-2 General Commercial; West – C02 General Commercial & R-2 Single Family Residential

HISTORY: This property has been purchased in various pieces.

TRANSPORTATION AND PARKING: All required street frontage and parking for current uses already exist.

APPLICABLE REGULATIONS: Land Subdivision Regulations (Chapter 57

2009 COMPREHENSIVE PLAN: General Commercial Use

FLOODPLAIN INFORMATION: This property is not located in a floodplain per FEMA panel 29031C0143E dated 9/29/11

PHYSICAL CHARACTERISTICS: No unusual characteristics noted.

COMMENTS: All existing easements are not shown on this plat. Addition of the easements has been requested as part of the staff review. A revised plat should be received prior to the meeting date.

ACTION REQUIRED: The Commission shall vote to recommend approval or denial of this subdivision based on compliance with the Land Subdivision Regulations.



SUBDIVISION APPLICATION

City of Jackson, Missouri

NAME OF SUBDIVISION: Jackson Civic Center Subdivision

DATE OF APPLICATION: 10/3/2022

TYPE OF APPLICATION:

<input type="checkbox"/>	PRELIMINARY PLAT
<input type="checkbox"/>	FINAL PLAT
<input checked="" type="checkbox"/>	MINOR SUBDIVISION
<input type="checkbox"/>	RESUBDIVISION

PROPERTY OWNERS (all legal property owners as listed on current deed, including trusts, LLCs, etc):

Property Owner Name(s): City of Jackson

Mailing Address: 101 Court Street

City, State ZIP: Jackson, MO 63755

ENGINEER / SURVEYING COMPANY: Koehler Engineers & Land Surveyors

Engineer / Surveyor Contact: Travis Steffens

Mailing Address: 194 Coker Ln.

City, State ZIP: Cape Girardeau, MO 63755

Contact's Phone: 573-579-9163

CONTACT PERSON HANDLING APPLICATION:

Contact Name: Kent Peetz, Public Works Director

Mailing Address: 101 Court St.

City, State ZIP: Jackson, MO 63755

Contact's Phone: 573-243-2300

Email Address (if used): kpeetz@jacksonmo.org

CURRENT ZONING: (circle all that apply)

- | | |
|---|--|
| <input type="checkbox"/> R-1 (Single-Family Residential) | <input type="checkbox"/> C-1 (Local Commercial) |
| <input checked="" type="checkbox"/> R-2 (Single-Family Residential) | <input checked="" type="checkbox"/> C-2 (General Commercial) |
| <input type="checkbox"/> R-3 (One- And Two-Family Residential) | <input type="checkbox"/> C-3 (Central Business) |
| <input type="checkbox"/> R-4 (General Residential) | <input type="checkbox"/> C-3 (Central Business) |
| <input type="checkbox"/> MH-1 (Mobile Home Park) | <input type="checkbox"/> C-4 (Planned Commercial) |
| <input type="checkbox"/> O-1 (Professional Office) | <input type="checkbox"/> I-1 (Light Industrial) |
| <input type="checkbox"/> CO-1 (Enhanced Commercial Overlay) | <input type="checkbox"/> I-2 (Heavy Industrial) |


☐ I-3 (Planned Industrial Park)

Will a rezoning or a special use permit request be submitted in conjunction with the proposed development? YES ☐ NO ☒

LEGAL DESCRIPTION OF TRACT: Submit a copy of the most current deed for the property being divided.

OWNER SIGNATURES:

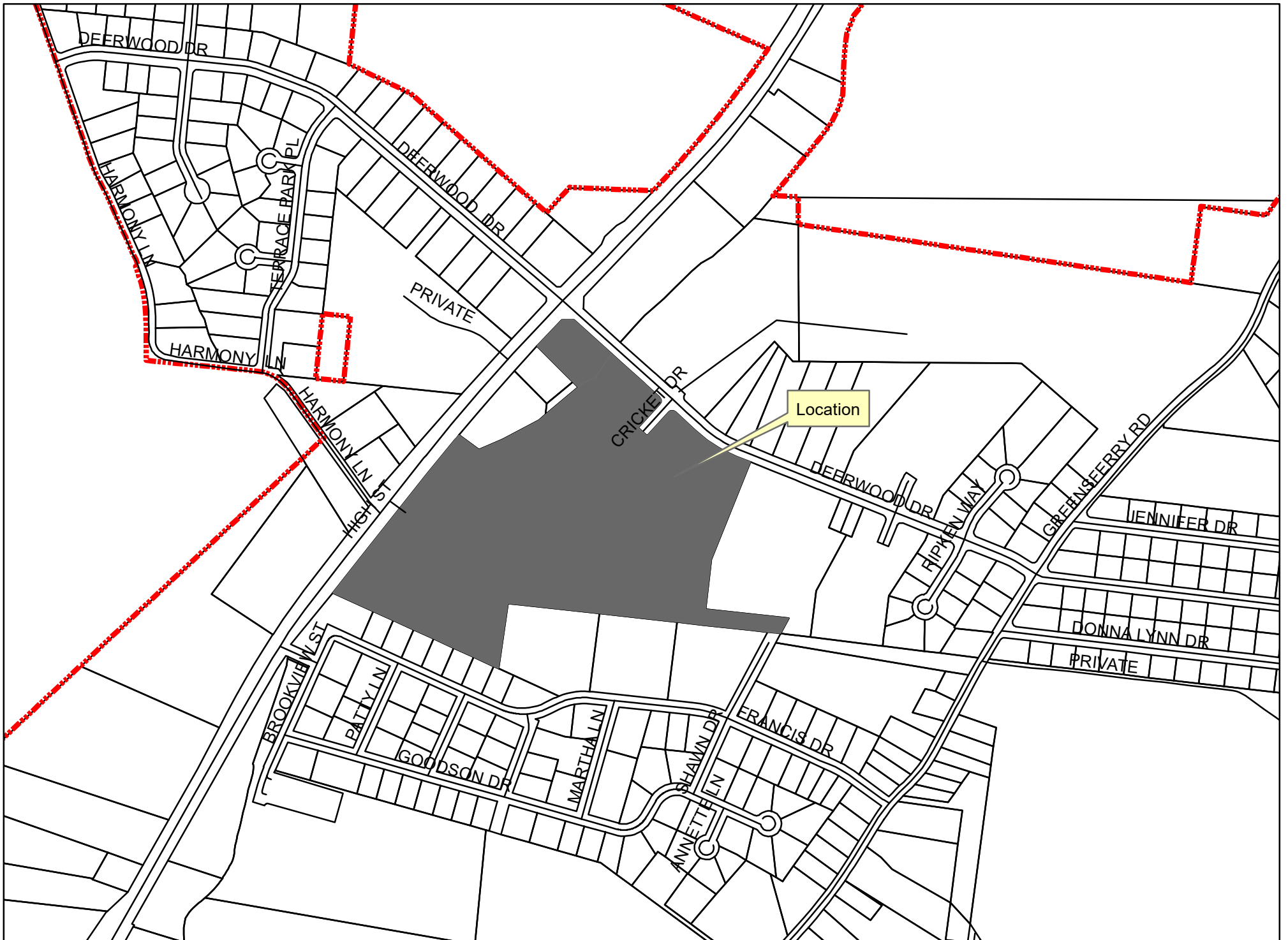
I state upon my oath that all of the information contained in this application is true. *(Signatures of all persons listed on the current property deed and the authorized signer(s) for any owning corporation or trust.)*



Please submit the completed application along with the applicable application fee to:

Janet Sanders
Building & Planning Manager
City of Jackson
101 Court Street
Jackson, MO 63755

Ph: 573-243-2300 ext. 29
Fax: 573-243-3322
Email: jsanders@jacksonmo.org

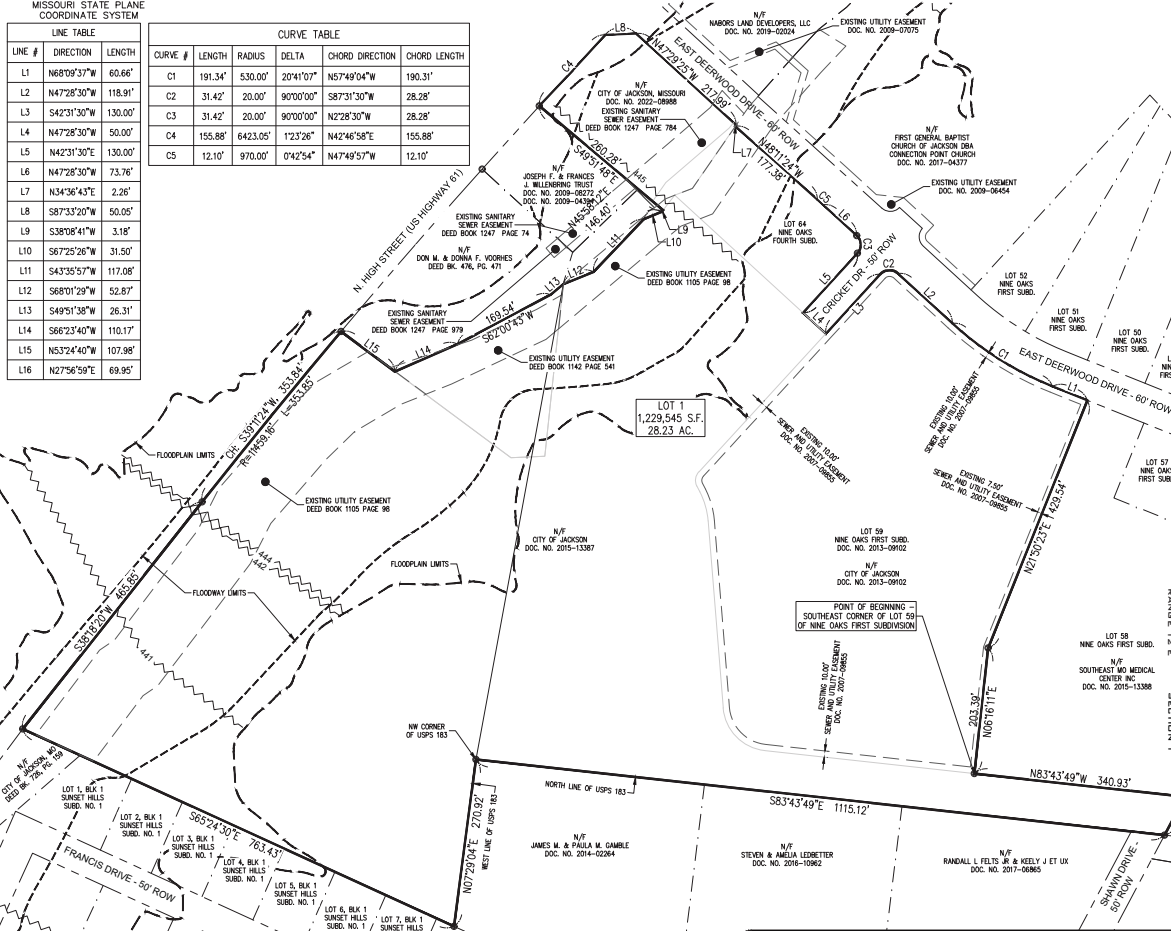


Jackson Civic Center Subdivision
Location Map



ALL OF LOT 64 OF NINE OAKS FOURTH SUBDIVISION, A SUBDIVISION ON FILE IN THE LAND RECORDS OF CAPE GIRARDEAU IN PLAT BOOK 24 AT PAGE 96, AND ALL OF LOT 59 OF NINE OAKS FIRST SUBDIVISION A SUBDIVISION ON FILE IN THE LAND RECORDS OF CAPE GIRARDEAU IN PLAT BOOK 24 AT PAGE 15, AND THAT PART OF SECTION 1, TOWNSHIP 31 NORTH, RANGE 12 EAST, IN THE CITY OF JACKSON, COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI

LINE TABLE			CURVE TABLE					
LINE #	DIRECTION	LENGTH	CURVE #	LENGTH	RADIUS	DELTA	CHORD DIRECTION	CHORD LENGTH
L1	N68°39'37"W	60.66'	C1	191.34'	530.00'	204°10'07"	N57°49'04"W	190.31'
L2	N47°28'30"W	118.91'	C2	31.42'	20.00'	90°00'00"	S87°31'30"W	28.28'
L3	S42°31'30"E	130.00'	C3	31.42'	20.00'	90°00'00"	N2°28'30"W	28.28'
L4	N47°28'30"W	50.00'	C4	155.88'	643.25'	123°26'	N42°46'58"E	155.88'
L5	N42°31'30"E	130.00'	C5	12.10'	970.00'	0°42'54"	N47°48'57"W	12.10'
L6	N47°28'30"W	75.76'						
L7	N34°36'34"E	2.26'						
L8	S87°33'30"W	50.06'						
L9	S38°08'41"W	3.18'						
L10	S25°26'26"W	31.50'						
L11	S43°35'57"W	117.08'						
L12	S68°01'29"W	52.87'						
L13	S49°51'38"W	26.31'						
L14	S66°23'40"W	110.17'						
L15	N53°24'40"W	107.98'						
L16	N27°56'59"E	69.95'						



THE UNDERSIGNED, DWAIN HAHNS, MAYOR OF THE CITY OF JACKSON, MISSOURI, OWNER IN FEE OF ALL OF LOT 64 OF NINE OAKS FOURTH SUBDIVISION, A SUBDIVISION ON FILE IN THE LAND RECORDS OF CAPE GIRARDEAU IN PLAT BOOK 24 AT PAGE 96, AND ALL OF LOT 59 OF NINE OAKS FIRST SUBDIVISION, A SUBDIVISION ON FILE IN THE LAND RECORDS OF CAPE GIRARDEAU IN PLAT BOOK 24 AT PAGE 15, AND THAT PART OF SECTION 1, TOWNSHIP 31 NORTH, RANGE 12 EAST, IN THE CITY OF JACKSON, COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI.

[illegible]

CITY OF JACKSON, MISSOURI

BY: _____

STATE OF MISSOURI)

ON THIS ____ DAY OF _____, 20____, BEFORE ME
PERSONALLY APPEARED DWAIN HAHN, TO ME PERSONALLY
KNOWN, WHO EACH BEING DULY SWORN DID SAY THAT HE IS THE
MAYOR FOR THE CITY OF JACKSON, MISSOURI, THAT THE ABOVE
INSTRUMENT WAS SIGNED ON BEHALF OF SAID COMPANY, AND
THAT THEY EXECUTED THE SAME AS THE FREE ACT AND DEED
OF SAID COMPANY.

IN TESTIMONY WHEREOF, I HAVE HEREUNTO SET MY HAND AND
AFFIXED MY OFFICIAL SEAL, THE DAY AND YEAR FIRST ABOVE
WRITTEN

1
2 MY COMMISSION EXPIRES

NOTARY PUBLIC _____

I, LIZA WALKER, CITY CLERK OF THE CITY OF JACKSON

MISSOURI, HEREBY CERTIFY THAT THIS PLAT WAS APPROVED BY
THE CITY OF JACKSON.

MISSOURI, BY ORDINANCE NO. _____

PASSED AND APPROVED THIS _____ DAY OF _____, A.D. 20____

LIZA WALKER, CITY CLERK

KENT PEETZ, PUBLIC WORKS DIRECTOR

HARRY DRYER, PLANNING

STATE OF MISSOURI)
:

COUNTY OF CAPE GIRARDEAU)

DOCUMENT _____

NUMBER _____

ANDREW DAVID BLATTNER, RECORDER OF DEEDS

A PORTION OF THE PROPERTY FALLS WITHIN THE 100 YEAR FLOODPLAIN, AS INDICATED ON THE FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 29031C 0143 E WITH AN EFFECTIVE DATE OF SEPTEMBER 29, 2011.

1. REFERENCES USED FOR THIS SUBDIVISION INCLUDE:

- A. PRIOR SURVEY BY KOEHLER FOR NINE OAKS FIRST SUBDIVISION.
- B. ALL SUBJECT AND ADJACENT DEEDS NOTED HEREON

C-2 (GENERAL COMMERCIAL DISTRICT)
MINIMUM LOT AREA: NOT LESS THAN 5,000 S.F.
MINIMUM LOT WIDTH: FRONT LOT LINE OF NOT LESS
THAN FIFTY (50) FEET
MAXIMUM DENSITY: NONE

TOTAL SUBDIVISION AREA: 1,229,545 S.F. (28.23 ACRES)

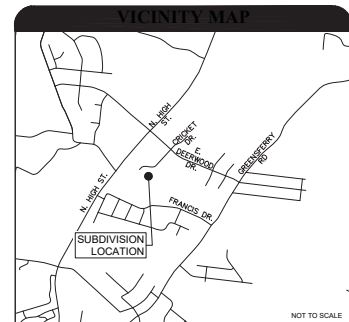
OWNER OF NEW LOT 1:
CITY OF JACKSON, MISSOURI, A MUNICIPAL
CORPORATION
DOCUMENT NO. 2015-13387
DOCUMENT NO. 2022-08988

AND PLAT PREPARED FOR:

SURVEYING SERVICES PROVIDED BY:
KOEHLER ENGINEERING AND LAND SURVEYING, INC.
194 COCKER LANE, CAPE GIRARDEAU, MO 63701
(573) 335-3026

THIS SURVEY OF A TRACT OF RURAL PROPERTY WAS
PERFORMED IN ACCORDANCE WITH THE CURRENT STANDARDS
FOR PROPERTY BOUNDARY SURVEYS IN THE STATE OF
MISSOURI AS MADE EFFECTIVE JUNE 30, 2017.

- = FOUND $\frac{1}{2}$ " IRON ROD
- = SET $\frac{1}{2}$ " IRON ROD
- = PROPOSED BOUNDARY LINE
- = ADJOINING LOT LINE
- = RIGHT OF WAY LINE
- = FLOODPLAIN LIMITS
- = FLOODWAY LIMITS
- = EASEMENT LINE



THIS SURVEY CREATES NEW PARCEL FROM A TRACT DESCRIBED IN
DOCUMENT NO. 2022-08988 AND IN DOCUMENT NO. 2013-00000
THE LAND RECORDS OF CAPE GIRARDEAU COUNTY MISSOURI

(IN FEET)
1 inch = 100 ft.

Professional Engineers & Land Surveyors

DRAWN BY:	SUSAN DODDS	REV/DATE	DESCRIPTION	INITIAL
CHECKED BY:	TRAVIS STEFFENS			
SURVEY DATE:	OCTOBER 2015			
DRAWING DATE:	9-28-2022			
DRAWING NO.:	34726			

Staff Report

ACTION ITEM: Potential Zoning Text Amendment – Defining & Limiting Tiny Houses

APPLICANT: City of Jackson

APPLICANT STATUS: Municipal Governing Authority

PURPOSE: To add a definition to the zoning code for tiny homes and to establish a recommendation for where, if anywhere, they should be allowed.

APPLICABLE REGULATIONS: Zoning Code (Chapter 65)

COMMENTS: This item is expected to take more than one meeting. Once a consensus has been reached on the general parameters, code language will be prepared by staff for action at a future meeting, including a required public hearing for a zoning text amendment.

A memo previously presented to the Board of Aldermen regarding building codes for tiny homes is included in this packet. Although the Planning & Zoning Commission has no authority over building codes, this memo will help in understanding the typical features.

The Board was not interested in allowing the requested home to be placed on a standard lot in town, citing protection of surrounding properties, but the discussion generated a need to define tiny homes in the zoning code and determine where, if anywhere, they should be allowed and under what conditions.

ACTION REQUIRED: Discussion of tiny homes and their potential location, if any.

MEMO



TO: Mayor Hahs and Members of the Board of Aldermen
FROM: Janet Sanders, Building & Planning Manager
DATE: August 30, 2022
SUBJECT: Tiny Houses

Our department has been approached by a resident who would like to install a tiny home on an existing residential lot. We do not have a code that prohibits tiny homes, and the only square footage limitation for dwellings comes from the International Residential Code which requires 120 square feet of habitable space per person. A tiny house that meets all aspects of the 2015 International Building Code could currently be constructed on any existing lot, where it could meet the standard setback and lot coverage requirements, or as part of a Special Use Permit for a community unit plan.

However, the construction design of most tiny homes does not meet certain requirements of the 2015 International Residential Code related to stairway design, emergency egress, and ceiling heights.

If the Board of Aldermen desires to allow tiny homes as a living option within the city which have the typical tiny home features of lower ceilings, loft sleeping, and ship ladder stairways, the attached Appendix AQ from the 2021 International Residential Code would need to be adopted. If this appendix is adopted, staff recommends excluding Section AQ106 (Energy Conservation) since we have not adopted any edition of the International Energy Code.

Attached is the 2021 International Residential Code Appendix AQ. Appendices for Tiny Houses did not come into existence until the 2018 version of the ICC Codes.

Tiny Houses meet the ICC and city zoning definitions for dwelling units and do not meet the definitions for manufactured homes unless built on a chassis.

APPENDIX AQ TINY HOUSES

The provisions contained in this appendix are not mandatory unless specifically referenced in the adopting ordinance.

User note:

About this appendix: Appendix AQ relaxes various requirements in the body of the code as they apply to houses that are 400 square feet in area or less. Attention is specifically paid to features such as compact stairs, including stair handrails and headroom, ladders, reduced ceiling heights in lofts and guard and emergency escape and rescue opening requirements at lofts.

SECTION AQ101 GENERAL

AQ101.1 Scope.

This appendix shall be applicable to *tiny houses* used as single *dwelling units*. *Tiny houses* shall comply with the 2015 International Residential Code except as otherwise stated in this appendix.

SECTION AQ102 DEFINITIONS

AQ102.1 General.

The following words and terms shall, for the purposes of this appendix, have the meanings shown herein. Refer to Chapter 2 of the 2015 International Residential Code for general definitions.

EGRESS ROOF ACCESS WINDOW. A *skylight* or roof window designed and installed to satisfy the emergency escape and rescue opening requirements of Section R310.2.

LANDING PLATFORM. A landing provided as the top step of a stairway accessing a *loft*.

LOFT. A floor level located more than 30 inches (762 mm) above the main floor, open to the main floor on one or more sides with a ceiling height of less than 6 feet 8 inches (2032 mm) and used as a living or sleeping space.

TINY HOUSE. A *dwelling* that is 400 square feet (37 m²) or less in floor area excluding *lofts*.

SECTION AQ103 CEILING HEIGHT

AQ103.1 Minimum ceiling height.

Habitable space and hallways in *tiny houses* shall have a ceiling height of not less than 6 feet 8 inches (2032 mm). Bathrooms, toilet rooms and kitchens shall have a ceiling height of not less than 6 feet 4 inches (1930 mm). Obstructions including, but not limited to, beams, girders, ducts and lighting, shall not extend below these minimum ceiling heights.

Exception: Ceiling heights in *lofts* are permitted to be less than 6 feet 8 inches (2032 mm).

SECTION AQ104 LOFTS

AQ104.1 Minimum loft area and dimensions.

Lofts used as a sleeping or living space shall meet the minimum area and dimension requirements of Sections AQ104.1.1 through AQ104.1.3.

AQ104.1.1 Minimum area.

Lofts shall have a floor area of not less than 35 square feet (3.25 m²).

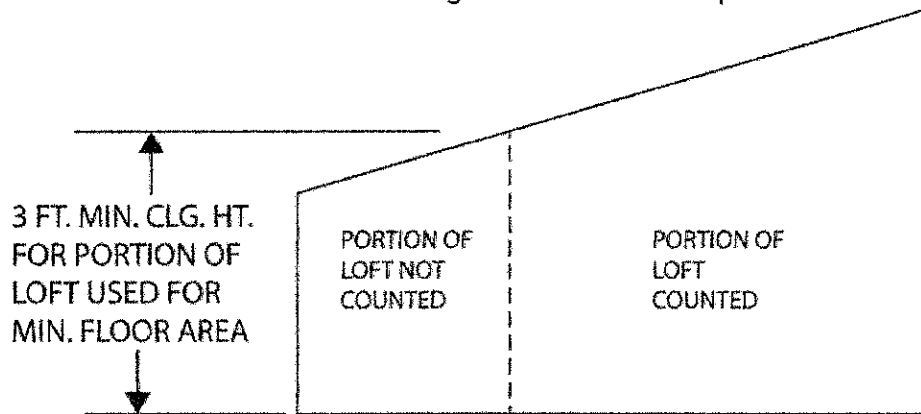
AQ104.1.2 Minimum horizontal dimensions.

Lofts shall be not less than 5 feet (1524 mm) in any horizontal dimension.

AQ104.1.3 Height effect on loft area.

Portions of a *loft* with a sloped ceiling measuring less than 3 feet (914 mm) from the finished floor to the finished ceiling shall not be considered as contributing to the minimum required area for the loft. See Figure AQ104.1.3.

Exception: Under gable roofs with a minimum slope of 6 units vertical in 12 units horizontal (50-percent slope), portions of a *loft* with a sloped ceiling measuring less than 16 inches (406 mm) from the finished floor to the finished ceiling shall not be considered as contributing to the minimum required area for the *loft*.



For SI: 1 foot = 304.8 mm.

**FIGURE AQ104.1.3
HEIGHT EFFECT ON LOFT AREA**

AQ104.2 Loft access and egress.

The access to and primary egress from *lofts* shall be of any type described in Sections AQ104.2.1 through AQ104.2.5. The loft access and egress element along its required minimum width shall meet the loft where its ceiling height is not less than 3 feet (914 mm).

AQ104.2.1 Stairways.

Stairways accessing *lofts* shall comply with this code or with Sections AQ104.2.1.1 through A104.2.1.7.

AQ104.2.1.1 Width.

Stairways accessing a *loft* shall not be less than 17 inches (432 mm) in clear width at or above the *handrail*. The width below the *handrail* shall be not less than 20 inches (508 mm).

AQ104.2.1.2 Headroom.

The headroom above stairways accessing a *loft* shall be not less than 6 feet 2 inches (1880 mm), as measured vertically, from a sloped line connecting the tread landing or landing platform *nosings* in the center of their width and vertically from the landing platform along the center of its width.

AQ104.2.1.3 Treads and risers.

Risers for stairs accessing a *loft* shall be not less than 7 inches (178 mm) and not more than 12 inches (305 mm) in height. Tread depth and riser height shall be calculated in accordance with one of the following formulas:

1. The tread depth shall be 20 inches (508 mm) minus four-thirds of the riser height.
2. The riser height shall be 15 inches (381 mm) minus three-fourths of the tread depth.

AQ104.2.1.4 Landings.

Intermediate landings and landings at the bottom of stairways shall comply with Section R311.7.6, except that the depth in the direction of travel shall be not less than 24 inches (610 mm).

AQ104.2.1.5 Landing platforms.

The top tread and riser of stairways accessing *lofts* shall be constructed as a *landing platform* where the *loft* ceiling height is less than 6 feet 2 inches (1880 mm) where the stairway meets the *loft*. The *landing platform* shall be not less than 20 inches (408 mm) in width in depth measured horizontally from and perpendicular to the *nosing* of the landing platform. The landing platform riser height to the loft floor shall be not less than 16 inches (406 mm) and not greater than 18 inches (457 mm).

AQ104.2.1.6 Handrails.

Handrails shall comply with Section R311.7.8.

AQ104.2.1.7 Stairway guards.

Guards at open sides of stairways, landings and landing platforms shall comply with Section R312.1.

AQ104.2.2 Ladders.

Ladders accessing *lofts* shall comply with Sections AQ104.2.1 and AQ104.2.2.2.

AQ104.2.2.1 Size and capacity.

Ladders accessing *lofts* shall have a rung width of not less than 12 inches (305 mm), and 10-inch (254 mm) to 14-inch (356 mm) spacing between rungs. Ladders shall be capable of supporting a 300-pound (136 kg) load on any rung. Rung spacing shall be uniform within $\frac{3}{8}$ inch (9.5 mm).

AQ104.2.2.2 Incline.

Ladders shall be installed at 70 to 80 degrees from horizontal.

AQ104.2.3 Alternating tread devices.

Alternating tread devices accessing *lofts* shall comply with Sections R311.7.11.1 and R311.7.11.2. The clear width at and below the *handrails* shall be not less than 20 inches (508 mm).

AQ104.2.4 Ship's ladders.

Ship's ladders accessing *lofts* shall comply with Sections R311.7.12.1 and R311.7.12.2. The clear width at and below *handrails* shall be not less than 20 inches (508 mm).

AQ104.2.5 Loft guards.

Loft guards shall be located along the open sides of *lofts*. *Loft* guards shall be not less than 36 inches (914 mm) in height or one-half of the clear height to the ceiling, whichever is less. *Loft* guards shall comply with Section R312.1.3 and Table R301.5 for their components.

SECTION AQ105 EMERGENCY ESCAPE AND RESCUE OPENINGS

AQ105.1 General.

Tiny houses shall meet the requirements of Section R310 for emergency escape and rescue openings.

Exception: *Egress roof access windows* in *lofts* used as sleeping rooms shall be deemed to meet the requirements of Section R310 where installed such that the bottom of the opening is not more than 44 inches (1118 mm) above the *loft* floor, provided the egress roof access window complies with the minimum opening area requirements of Section R310.2.1.

SECTION AQ106 ENERGY CONSERVATION

AQ106.1 Air leakage testing.

The air leakage rate for *tiny houses* shall not exceed 0.30 cubic feet per minute at 50 Pascals of pressure per square foot of the *dwelling unit* enclosure area. The air leakage testing shall be in accordance with the testing methods required in Section N1102.4.1.2. The *dwelling unit* enclosure area shall be the sum of the areas of ceilings, floors and walls that separate the conditioned space of a *dwelling unit* from the exterior, its adjacent unconditioned spaces and adjacent *dwelling units*.

AQ106.1.1 Whole-house mechanical ventilation.

Where the air leakage rate is in accordance with Section AQ106.1, the *tiny house* shall be provided with whole-house mechanical ventilation in accordance with Section M1505.4.

AQ106.2 Alternative compliance.

Tiny houses shall be deemed to be in compliance with Chapter 11 of this code and Chapter R4 of the *International Energy Conservation Code*, provided that the following conditions are met:

1. ~~1.~~ The insulation and fenestration meet the requirements of Table N1102.1.2.
2. ~~2.~~ The thermal envelope meets the requirements of Section N1102.4.1.1 and Table N1102.4.1.1.
3. ~~3.~~ Solar, wind or other renewable energy source supplies not less than 90 percent of the energy use for the structure.
4. ~~4.~~ Solar, wind or other renewable energy source supplies not less than 90 percent of the energy for service water heating.
5. ~~5.~~ Permanently installed lighting is in accordance with Section N1104.
6. ~~6.~~ Mechanical ventilation is provided in accordance with Section M1505 and operable fenestration is not used to meet ventilation requirements.