



# **CITY OF JACKSON**

## **PLANNING & ZONING COMMISSION MEETING AGENDA**

**Wednesday, December 10, 2025 at 6:00 PM**

**City Hall, 101 Court Street, Jackson, Missouri**

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### **Regular Members**

Bill Fadler  
Tony Koeller  
Michelle Weber  
Tina Weber

### **Harry Dryer, Chairman**

Eric Fraley, Alderman Assigned  
Mike Seabaugh, Alderman Assigned  
Steve Stroder, Alderman Assigned  
Larry Miller, Staff Liaison

### **Regular Members**

Angelia Thomas  
Heather Harrison  
Russ Wiley  
Travis Niswonger

### **CALL TO ORDER**

### **ROLL CALL**

### **APPROVAL OF MINUTES**

1. Approval of the September 10, 2025, minutes

### **PUBLIC HEARINGS**

### **NEW BUSINESS**

2. Consider a request to approve a Land Exchange Certification for transferring .05 Acres from 5176 Caney Fork St to 5178 Caney Fork St as submitted by Lucky 13 Investments, LLC.
3. Consider a request to approve a Land Exchange Certification for transferring .29 Acres from 2015 W Jackson Blvd, Lots 8 and 9 of D and H Second Subdivision, to Lot 1 of D and H Third Subdivision, as submitted by Straightway Farm Service, Inc.
4. Consider a request to approve a Land Exchange Certification for transferring .02 Acres from 2216 Bainbridge Rd to 2441 E Main St as submitted by Michael Keith Haynes, Sr and Linda Jo Haynes Trust.
5. Consider a request on behalf of the City of Jackson, Missouri, for a text amendment to Chapter 65 (Zoning) of the Code of Ordinances relative to privacy fences and buffer areas in I-1 Light Industrial and I-2 Heavy Industrial Districts.
6. Consider a request on behalf of the City of Jackson, Missouri, for a text amendment to Chapter 65 (Zoning) of the Code of Ordinances relative to home occupations.

### **ADJOURNMENT**

This agenda was posted at City Hall on December 5, 2025 at 12:00 PM.

JOURNAL OF THE PLANNING & ZONING COMMISSION  
CITY OF JACKSON, MISSOURI  
WEDNESDAY, SEPTEMBER 10, 2025, 6:00 P.M.  
REGULAR MEETING  
CITY HALL BOARD CHAMBER, 101 COURT STREET, JACKSON, MISSOURI

The Planning and Zoning Commission of the City of Jackson met in regular session in the Board Chamber of City Hall at 6:00 p.m. on Wednesday, September 10, 2025, with the following members present:

**Present:**

Harry Dryer, Chairman  
Tony Koeller, Secretary  
Bill Fadler  
Russ Wiley  
Tina Weber  
Travis Niswonger

**Absent:**

Michelle Weber, Angelia Thomas, Heather Harrison

Mayor Dwain Hahs, Building & Planning Manager Larry Miller, and Mike Haynes were also present.

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**Call to Order**

Chairman Harry Dryer called the meeting to order at 6:03 p.m. Secretary Tony Koeller called the roll, and a quorum was present.

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**Approval of Minutes**

**1. Approval of Minutes – August 13, 2025 Meeting**

The minutes of the August 13, 2025, meeting were reviewed.

**Action:** The motion was made by Secretary Tony Koeller, seconded by Commissioner Bill Fadler, to approve the minutes as submitted.

**Result:** Motion carried unanimously.

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**Public Hearings**

## **2. Public Hearing – Amendment to the Major Street Plan (Removal of Portion of Proposed North Donna Drive)**

### **Staff Report:**

Larry Miller reported that notice of this hearing was published in the *Cashbook Journal* and on the City’s website on August 20, 2025. Section 3-263 of the City Code authorizes the Planning and Zoning Commission to amend the Major Street Plan by majority vote following notice and public hearing.

### **Applicant Remarks:**

The applicant stated that the proposed roadway caused confusion during property sales and was not supported by the City or nearby property owners.

### **Commission Questions:**

Commissioners reviewed the map provided and confirmed the limits of the proposed removal. Staff clarified that bullet points in the staff report were informational only and did not represent a recommendation.

### **Public Comment:**

No comments in opposition were received.

Chairman Harry Dryer closed the public hearing.

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## **Old Business**

### **3. Action – Approval by Resolution to Remove a Section of the Major Street Plan (Portion of North Donna Drive from East Main Street to Ridge Road)**

**Action:** Motion by Secretary Tony Koeller, seconded by Commissioner Tina Weber, to approve by resolution the removal of the planned North Donahue Drive segment connecting East Main Street to Ridge Road from the Major Street Plan.

### **Roll Call Vote:**

Fadler—Yes  
Koeller—Yes  
T. Weber—Yes  
Wiley—Yes  
Niswonger—Yes  
Dryer—Yes

**Result:** Motion carried unanimously.

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## **New Business**

#### **4. Land Exchange – 425 Elm Street and 621 Luetje Street**

**Staff Report:**

Staff reported that a 0.02-acre triangular portion of 425 Elm Street would be transferred to 621 Luetje Street to align with an existing driveway.

**Applicant Remarks:**

Applicants Justin L. and Courtney C. Jordan were not present.

**Commission Questions:**

Commissioners reviewed the plat and confirmed both lots would comply with zoning requirements.

**Action:** Motion by [commissioner Tina Weber, seconded by [commissioner Russ Wiley, to approve the land exchange certification between 425 Elm Street and 621 Luetje Street.

**Roll Call Vote:**

Fadler—Yes  
Koeller—Yes  
T. Weber—Yes  
Wiley—Yes  
Niswonger—Yes  
Dryer—Yes

**Result:** Motion carried unanimously.

#### **5. Text Amendment – Chapter 65, Industrial Building Height Requirements**

**Staff Report:**

City of Jackson proposed an amendment to Chapter 65 to raise the maximum building height in the I-1, I-2, and I-3 industrial districts. Current regulations limit buildings to 45 feet (three stories). Staff proposed increasing the limit to 50 feet (five stories), with buildings exceeding this limitation requiring a special use permit.

**Applicant Remarks:**

The City of Jackson noted the discrepancy between commercial and industrial height limits, observing that industrial structures often need greater height. The amendment would provide consistency and allow flexibility with special use permits.

**Commission Questions:**

Commissioners discussed whether special use permits should remain valid upon transfer of ownership. They agreed that special-use permits granted for industrial buildings should not expire upon the sale of the property. Commissioners also debated whether to align the height limit with commercial standards. Staff clarified that fire department equipment limitations do not control zoning height.



**Action:** Motion by Secretary Tony Koeller, seconded by Commissioner Bill Fadler, to recommend approval of the text amendment to Chapter 65 to:

- Increase the maximum industrial building height to 50 feet and five stories.
- Require a special use permit for buildings exceeding this height; and
- Clarify that special use permits remain valid upon transfer of ownership.

**Roll Call Vote:**

Fadler—Yes

Koeller—Yes

T. Weber—Yes

Wiley—Yes

Niswonger—Yes

Dryer—Yes

**Result:** Motion carried unanimously.

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**Adjournment**

Commissioner Bill Fadler moved to adjourn without further business, seconded by Commissioner Travis Niswonger. The motion carried, and the meeting was adjourned at approximately 7:40 p.m.

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**Respectfully submitted,**

Tony Koeller  
Planning and Zoning Commission Secretary

Attest:

Larry Miller  
Building and 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*

## **Staff Report**

**ACTION ITEM:** Consider a request to approve a Land Exchange Certification for transferring .05 Acres from 5176 Caney Fork St to 5178 Caney Fork St as submitted by Lucky 13 Investments, LLC.

**APPLICANT:** Lucky 13 Investments, LLC.

**APPLICANT STATUS:** Owner

**PURPOSE:** Land Exchange Certification

**SIZE:** .05 Acres

**PRESENT USES:** Empty Lots

**PROPOSED USE:** Duplex

**ZONING:** R-3 One and Two Family Residential

**SURROUNDING Zoning:** East, West, South – R-3 One and Two Family Residential; North – R-2 Single Family Residential

**HISTORY:** N/A

**TRANSPORTATION AND PARKING:** All required street frontage and parking exist.

**APPLICABLE REGULATIONS:** Land Subdivision Regulations (Chapter 57)

**2024 COMPREHENSIVE PLAN:** Mixed Residential - The mixed residential designation consists of multiple housing types including single-family detached, townhomes, duplexes, and small multi-family buildings. These areas encourage greater variety within Jackson's housing stock and allow for more flexibility to build denser residential development in proximity to the city's major roadways such as Main or Independence streets, and in the traditional neighborhoods to the north of Uptown. Areas designated for mixed residential can accommodate several dwelling types, including senior, workforce, and attainable housing. Mixed residential areas should be located throughout the city, mainly near arterial roads like Jackson Boulevard and Main Street.

**MAJOR STREET PLAN:** Does not affect the major street plan

**FLOODPLAIN INFORMATION:** Not in the Flood Plain per panel 29031C0253E Dated 9-29-2011.

**PHYSICAL CHARACTERISTICS:** Approximately two square lots that are empty.

**COMMENTS:** Sec. 65-7. - R-3 One- and two-family residential district regulations.  
*Use regulations.* A building or premises shall be used only for the following purposes:  
Attached single-family dwellings.

*Lot size.* The minimum lot size permitted shall be as follows:

Attached single-family dwellings shall be on a lot having an area of not less than five thousand (5,000) square feet and a width at the front lot line of not less than forty (40) feet, except that interior units attached on two (2) or more sides shall have a minimum lot area of not less than two thousand (2,000) square feet and a width at the front lot line of not less than eighteen (18) feet.

Definition:

*Dwelling, attached single-family.* One (1) of two (2) or more attached residential dwellings each designed exclusively for occupancy by one (1) family and located on an individual lot of record to be conveyed as part of the property that each unit occupies. Each unit shall contain separate ground floor front entrance to the outdoors, no unit shall be located over another unit or portion of another unit, and each unit shall be separated from any other unit by one (1) or more common fire-resistant walls.

**ACTION REQUIRED:** The commission shall approve or deny this request based on the Land Subdivision Regulations. The Board of Aldermen requires no action.

# LAND EXCHANGE CERTIFICATION APPLICATION FORM

City of Jackson, Missouri



DATE OF APPLICATION: November 6, 2025

ADDRESS OF GRANTING PROPERTY: 5176 Caney Fork St.

ADDRESS OF RECEIVING PROPERTY: 5178 Caney fork St.

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

Property Owner Name(s): Lucky 13 Investments LLC

Mailing Address: 2681 E. Main St.

City, State ZIP: Jackson, MO 63755

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

Property Owner Name(s): Lucky 13 Investments LLC

Mailing Address: 2681 E. Main St.

City, State ZIP: Jackson, MO 63755

**ENGINEER / SURVEYING COMPANY:** Strickland Engineering

Engineer / Surveyor Contact: Rodney Amos

Mailing Address: 113 W. Main St., Suite 1

City, State ZIP: Jackson, MO 63755

Contact's Phone: 573-243-4080

**CONTACT PERSON HANDLING APPLICATION:**

Contact Name: John W. King III

Mailing Address: 2681 E. Main St.

City, State ZIP: Jackson, MO 63755

Contact's Phone: 573-225-6440

Contact's Email Address (if used): bill@united-It.com

**APPLICATION FOR (check one):**

- ☐ Division of land into no more than four lots, all of which are 3 acres or greater in size  
☐ Division of land for cemetery usage  
☒ Lot line adjustment between adjoining lots  
☐ Transfer to adjoining property to improve ingress or egress  
☐ Combination or re-combination of previously platted lots. Total number of lots may not be increased and all resulting lots apply with the Land Subdivision Regulations

**REASON FOR REQUEST** (use additional pages if needed):

Adjusting line between properties.

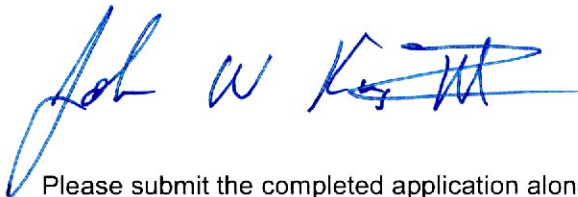
**CURRENT ZONING:** (circle all that apply)

- |   |  |
|---|--|
| <input type="checkbox"/> R-1 (Single-Family Residential)                  | <input type="checkbox"/> C-1 (Local Commercial)        |
| <input type="checkbox"/> R-2 (Single-Family Residential)                  | <input type="checkbox"/> C-2 (General Commercial)      |
| <input checked="" 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)        |
|   | <input type="checkbox"/> I-3 (Planned Industrial Park) |

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

**OWNER SIGNATURES:**

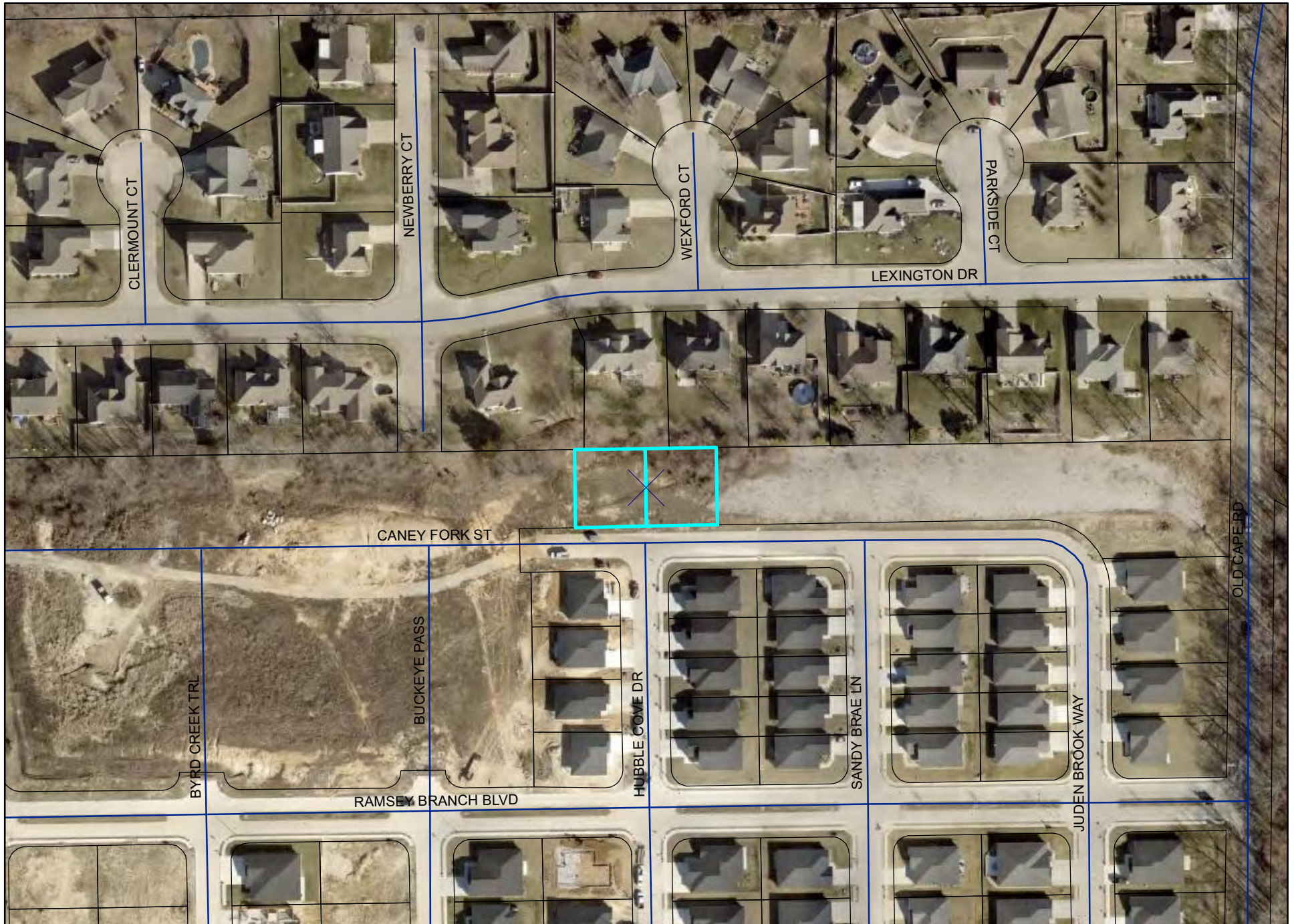
I state upon my oath that all of the information contained in this application is true. *(Signatures of all persons listed on the current property deed and the authorized signer(s) for any owning corporation or trust.)*



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

Building & Planning Manager  
City of Jackson  
101 Court Street  
Jackson, MO 63755  
Ph: 573-243-2300 ext. 29  
Fax: 573-243-3322  
Email: [permits@jacksonmo.org](mailto:permits@jacksonmo.org)

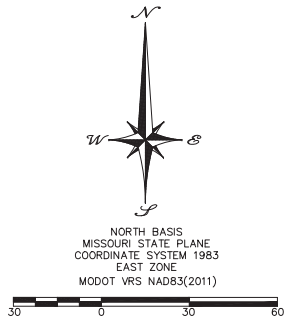




Location Map

# LAND EXCHANGE PLAT FOR LUCKY 13 INVESTMENTS, LLC

Lot 149 and Lot 150 of Ramsey Branch Subdivision Phase 2,  
Jackson, Missouri.



## REFERENCES

1. DOCUMENT NO. 2021-14481 (SUBJECT)
2. DOCUMENT NO. 2015-03072
3. DOCUMENT NO. 2025-08134
4. BOOK 1091, PAGE 049
5. DOCUMENT NO. 2016-06694
6. DOCUMENT NO. 2020-08028
7. RAMSEY BRANCH SUBDIVISION PHASE 2, DOCUMENT NO. 2022-02518
8. KLAUS PARK VILLAGE PHASE 1, PLAT BOOK 20, PAGE 14

## FLOODPLAIN NOTE

NO PORTION OF THE PROPERTY FALLS WITHIN THE 100 YEAR FLOODPLAIN, AS INDICATED ON THE FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 29031C0253E WITH AN EFFECTIVE DATE OF SEPTEMBER 29, 2011.

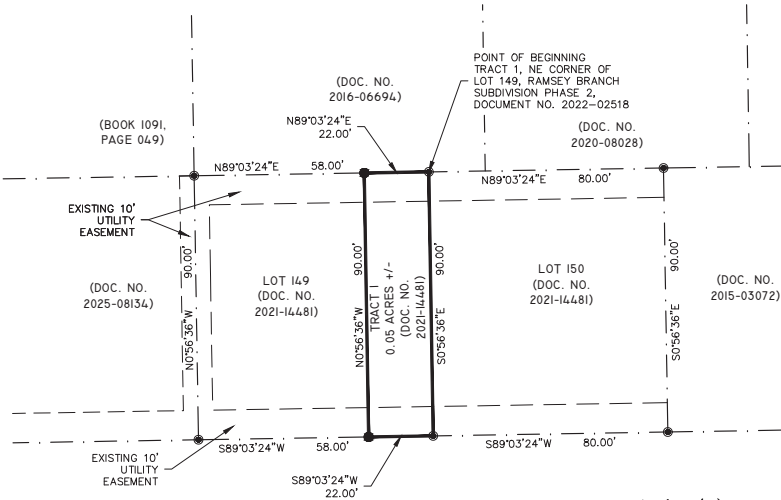
## SURVEYOR NOTE

THIS SURVEY IS BASED ON CURRENT AVAILABLE PUBLIC RECORDS AND DOES NOT CONSTITUTE A TITLE SEARCH BY THE SURVEYOR. NO INVESTIGATION OR SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE OR OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE HAS BEEN MADE.

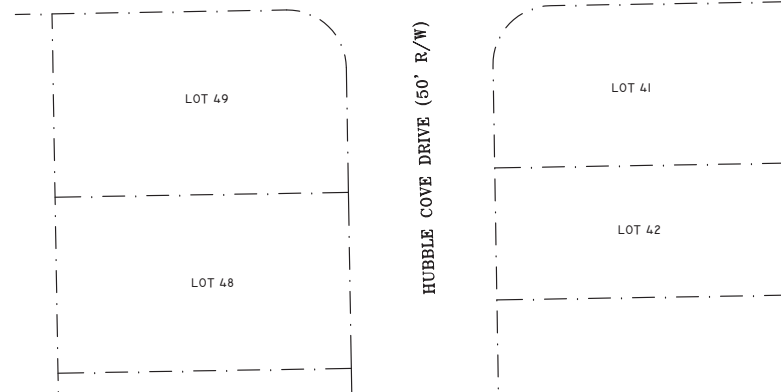
ACCURACY STANDARD: TYPE URBAN

## LEGEND

1. 1/2" IRON ROD (SET)
2. 5/8" IRON ROD W/ALUM CAP (SET)
3. IRON ROD W/CAP (FOUND)
4. IRON ROD (FOUND)
5. IRON PIPE
6. STONE
7. COTTON PICKER SPINDLE
8. CHISELED CROSS
9. AXLE
10. ALUMINUM MONUMENT
11. RIGHT-OF-WAY MARKER
12. (M) MEASURED
13. (R) RECORDED



CANEY FORK STREET (50' R/W)



THIS SURVEY WAS PERFORMED IN ACCORDANCE WITH THE CURRENT MISSOURI STANDARDS FOR PROPERTY BOUNDARY SURVEYS AS MADE EFFECTIVE JUNE 1, 2022. IN WITNESS WHEREOF, I HAVE SET MY SEAL AND SIGNATURE THIS 5TH DAY OF NOVEMBER 2025.

RODNEY W. AMOS MO-PLS 2007000072  
113 WEST MAIN STREET  
JACKSON, MISSOURI 63755

## TRACT I - DESCRIPTION (PART OF LOT 149 ATTACHING TO LOT 150)

THAT PART OF LOT 149 OF RAMSEY BRANCH SUBDIVISION PHASE 2, AS RECORDED IN DOCUMENT NO. 2022-02518 IN THE LAND RECORDS OF CAPE GIRARDEAU COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF SAID LOT 149; THENCE SOUTH 00°56'36" EAST ALONG THE EAST LINE OF SAID LOT 149, 90.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 149; THENCE LEAVING SAID EAST LINE, SOUTH 89°03'24" WEST ALONG THE SOUTH LINE OF SAID LOT 149, 22.00 FEET; THENCE LEAVING SAID SOUTH LINE, NORTH 00°56'36" WEST 90.00 FEET TO THE NORTH LINE OF SAID LOT 149; THENCE NORTH 89°03'24" EAST ALONG SAID NORTH LINE, 22.00 FEET TO THE POINT OF BEGINNING.

THE HEREIN DESCRIBED TRACT CONTAINS 0.05 ACRES, MORE OR LESS, AND IS SUBJECT TO ALL EASEMENTS, RIGHTS OF WAY, RESTRICTIONS, AND LICENSES AFFECTING THE SAME, EITHER WRITTEN OR IMPLIED.

## DESCRIPTION (LOT 150 AND TRACT I COMBINED)

ALL OF LOT 150, AND THAT PART OF LOT 149 OF RAMSEY BRANCH SUBDIVISION PHASE 2, AS RECORDED IN DOCUMENT NO. 2022-02518 IN THE LAND RECORDS OF CAPE GIRARDEAU COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF SAID LOT 149; THENCE NORTH 89°03'24" EAST ALONG THE NORTH LINE OF SAID LOT 150, 80.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 150; THENCE LEAVING SAID NORTH LINE, SOUTH 00°56'36" EAST ALONG SAID LOT 150, 90.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 150; THENCE LEAVING SAID EAST LINE, SOUTH 89°03'24" WEST ALONG THE SOUTH LINE OF SAID LOT 150, 80.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 149; THENCE SOUTH 89°03'24" WEST ALONG THE SOUTH LINE OF SAID LOT 149, 22.00 FEET; THENCE LEAVING SAID SOUTH LINE, NORTH 00°56'36" WEST 90.00 FEET TO THE NORTH LINE OF SAID LOT 149; THENCE NORTH 89°03'24" EAST ALONG SAID NORTH LINE, 22.00 FEET TO THE POINT OF BEGINNING.

THE HEREIN DESCRIBED TRACT CONTAINS 0.24 ACRES, MORE OR LESS, AND IS SUBJECT TO ALL EASEMENTS, RIGHTS OF WAY, RESTRICTIONS, AND LICENSES AFFECTING THE SAME, EITHER WRITTEN OR IMPLIED.

## DESCRIPTION (REMAINDER OF LOT 149)

THAT PART OF LOT 149 OF RAMSEY BRANCH SUBDIVISION PHASE 2, AS RECORDED IN DOCUMENT NO. 2022-02518 IN THE LAND RECORDS OF CAPE GIRARDEAU COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF SAID LOT 149; THENCE NORTH 89°03'24" EAST ALONG THE NORTH LINE OF SAID LOT 149, 58.00 FEET; THENCE LEAVING SAID NORTH LINE, SOUTH 00°56'36" EAST, 90.00 FEET TO THE SOUTH LINE OF SAID LOT 149; THENCE SOUTH 89°03'24" WEST ALONG THE SOUTH LINE OF SAID LOT 149, 58.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 149; THENCE LEAVING SAID SOUTH LINE, NORTH 00°56'36" WEST ALONG THE WEST LINE OF SAID LOT 149, 90.00 FEET TO THE POINT OF BEGINNING.

THE HEREIN DESCRIBED TRACT CONTAINS 0.12 ACRES, MORE OR LESS, AND IS SUBJECT TO ALL EASEMENTS, RIGHTS OF WAY, RESTRICTIONS, AND LICENSES AFFECTING THE SAME, EITHER WRITTEN OR IMPLIED.

THIS SURVEY CREATES A NEW PARCEL FROM A TRACT DESCRIBED IN DOC. NO. 2021-14481 IN THE LAND RECORDS OF CAPE GIRARDEAU COUNTY, MISSOURI.

STATE OF MISSOURI  
COUNTY OF CAPE GIRARDEAU

FILED FOR RECORD THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2025 AND DULY

RECORDED IN DOCUMENT NUMBER \_\_\_\_\_

ANDREW DAVID BLATTNER  
RECORDER OF DEEDS OF CAPE GIRARDEAU COUNTY, MISSOURI



STRICKLAND  
ENGINEERING

113 WEST MAIN STREET  
JACKSON, MISSOURI 63755  
TEL: 573-243-4080  
FAX: 573-243-2191

CIVIL - MECHANICAL - ELECTRICAL ENGINEERING - LAND SURVEYING

LAND EXCHANGE PLAT FOR  
LUCKY 13 INVESTMENTS, LLC  
5176/5178 CANEY FORK ST.  
JACKSON, MO

SCALE	1"=30'
DATE	11-05-2025
DRAWN BY	RA
CHECKED BY	DR
PROJECT #	25-276

## **Staff Report**

**ACTION ITEM:** Consider a request to approve a Land Exchange Certification for transferring .29 Acres from 2015 W Jackson Blvd, Lots 8 and 9 of D and H Second Subdivision, to Lot 1 of D and H Third Subdivision, as submitted by Straightway Farm Service, Inc.

**APPLICANT:** Straightway Farms Service, Inc.

**APPLICANT STATUS:** Owner

**PURPOSE:** Land Exchange Certification

**SIZE:** .29 Acres

**PRESENT USES:** Farm Services

**PROPOSED USE:** Same

**ZONING:** I-1 Light Industrial and C-2 General Commercial

**SURROUNDING ZONING:** I-1 Light Industrial, C-2 General Commercial, and R-2 Single Family Residential

**HISTORY:** N/A

**TRANSPORTATION AND PARKING:** All required street frontage and parking exist.

**APPLICABLE REGULATIONS:** Land Subdivision Regulations (Chapter 57)

**2024 COMPREHENSIVE PLAN:** General Commercial: The general commercial designation includes a blend of retail, offices, and service uses along the city's corridors. General commercial areas should be of a scale and intensity that is generally compatible with adjacent and nearby residential uses and can be arranged in nodes or along corridors such as Main Street, Jackson Boulevard, and U.S. Highway 61. Depending upon the type of commercial development, General commercial can provide for the daily needs of residents, but also draw customers from surrounding communities.

**MAJOR STREET PLAN:** Does not affect the major street plan

**FLOODPLAIN INFORMATION:** Not in the Flood Plain per panel 29031C0139E Dated 9-29-2011.

**PHYSICAL CHARACTERISTICS:** Various Sizes

**COMMENTS:** *Lot size.* The minimum lot size permitted in C-2 General Commercial shall be as follows:

All other buildings shall be on a lot having an area of not less than five thousand (5,000) square feet and a width at the front lot line of not less than fifty (50) feet.

**ACTION REQUIRED:** The commission shall approve or deny this request based on the Land Subdivision Regulations. The Board of Aldermen requires no action.



# LAND EXCHANGE CERTIFICATION APPLICATION FORM

City of Jackson, Missouri



DATE OF APPLICATION: November 6, 2025

ADDRESS OF GRANTING PROPERTY: 2015 W. Jackson Blvd.

ADDRESS OF RECEIVING PROPERTY: 2015 W. Jackson Blvd.

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

Property Owner Name(s): Straightway Farm Service, Inc.

Mailing Address: 2015 W. Jackson Blvd.

City, State ZIP: Jackson, MO 63755

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

Property Owner Name(s): Straightway Farm Service, Inc.

Mailing Address: 2015 W. Jackson Blvd.

City, State ZIP: Jackson, MO 63755

**ENGINEER / SURVEYING COMPANY:** Strickland Engineering

Engineer / Surveyor Contact: Rodney Amos

Mailing Address: 113 W. Main St., Suite 1

City, State ZIP: Jackson, MO 63755

Contact's Phone: 573-243-4080

**CONTACT PERSON HANDLING APPLICATION:**

Contact Name: Rick Grantham

Mailing Address: 2015 W. Jackson Blvd.

City, State ZIP: Jackson, MO 63755

Contact's Phone: 573-243-3508

Contact's Email Address (if used): st-way@sbcglobal.net

**APPLICATION FOR (check one):**

- ☐ Division of land into no more than four lots, all of which are 3 acres or greater in size  
☐ Division of land for cemetery usage  
☒ Lot line adjustment between adjoining lots  
☐ Transfer to adjoining property to improve ingress or egress  
☐ Combination or re-combination of previously platted lots. Total number of lots may not be increased and all resulting lots apply with the Land Subdivision Regulations

**REASON FOR REQUEST** (use additional pages if needed):

Adjusting line between properties.

**CURRENT ZONING:** (circle all that apply)

- |  |  |
|--|--|
| <input type="checkbox"/> R-1 (Single-Family Residential)       | <input type="checkbox"/> C-1 (Local Commercial)              |
| <input 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 checked="" 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)              |
|  | <input type="checkbox"/> I-3 (Planned Industrial Park)       |

**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.)*

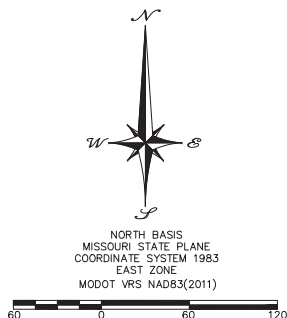
X 

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

Building & Planning Manager  
City of Jackson  
101 Court Street  
Jackson, MO 63755  
Ph: 573-243-2300 ext. 29  
Fax: 573-243-3322  
Email: [permits@jacksonmo.org](mailto:permits@jacksonmo.org)

# LAND EXCHANGE PLAT FOR STRAIGHTWAY FARM SERVICE

Part of Lot 8 & Part of Lot 9 of D and H Second Subdivision,  
City of Jackson, Cape Girardeau County, Missouri.



## REFERENCES

1. BOOK 1129, PAGE 820 (SUBJECT)
2. DOCUMENT NO. 2006-17389
3. DOCUMENT NO. 2023-07927
4. D AND H SECOND SUBDIVISION, PLAT BOOK 15, PAGE 85
5. D AND H THIRD SUBDIVISION, PLAT BOOK 23, PAGE 70
6. STATE HIGHWAY 72 PLANS

## FLOODPLAIN NOTE

NO PORTION OF THE PROPERTY FALLS WITHIN THE 100 YEAR FLOODPLAIN, AS INDICATED ON THE FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 29031C0139E WITH AN EFFECTIVE DATE OF SEPTEMBER 29, 2011.

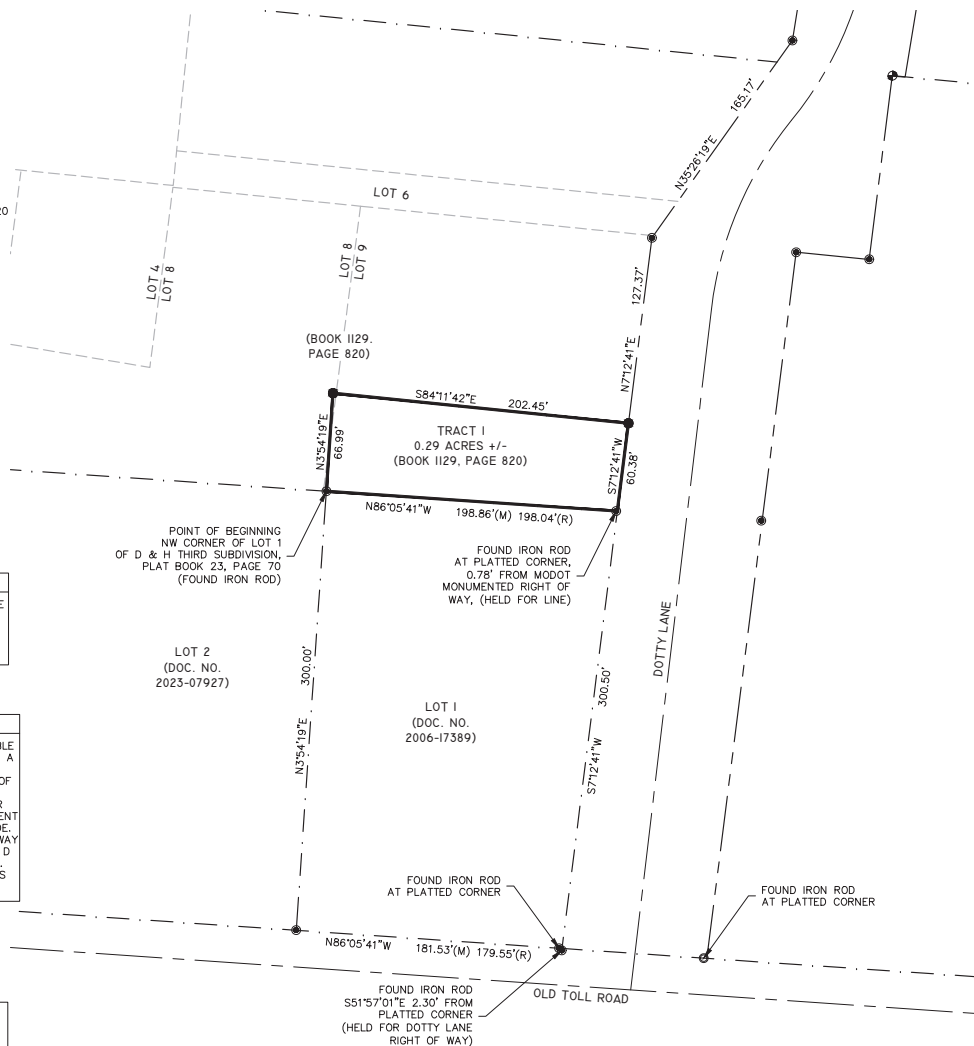
## SURVEYOR NOTES

1. THIS SURVEY IS BASED ON CURRENT AVAILABLE PUBLIC RECORDS AND DOES NOT CONSTITUTE A TITLE SEARCH BY THE SURVEYOR. NO INVESTIGATION OR SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE OR OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE HAS BEEN MADE.
2. MONUMENTATION FOR DOTTY LANE RIGHT OF WAY DIFFERS FROM MODOT SET MONUMENTS AND D AND H THIRD SUBDIVISION SET MONUMENTS. MODOT MONUMENTATION WAS HELD FOR THIS SURVEY.

ACCURACY STANDARD: TYPE URBAN

## LEGEND

1. 1/2" IRON ROD (SET)
2. 5/8" IRON ROD W/ALUM CAP (SET)
3. IRON ROD W/CAP (FOUND)
4. IRON ROD (FOUND)
5. IRON PIPE
6. STONE
7. COTTON PICKER SPINDLE
8. CHISELED CROSS
9. AXLE
10. ALUMINUM MONUMENT
11. RIGHT-OF-WAY MARKER
12. (M) MEASURED
13. (R) RECORDED



THIS SURVEY WAS PERFORMED IN ACCORDANCE WITH THE CURRENT MISSOURI STANDARDS FOR PROPERTY BOUNDARY SURVEYS AS MADE EFFECTIVE JUNE 1, 2022. IN WITNESS WHEREOF, I HAVE SET MY SEAL AND SIGNATURE THIS 30TH DAY OF OCTOBER 2025.

RODNEY W. AMOS MO-PLS 2007000072  
113 WEST MAIN STREET  
JACKSON, MISSOURI 63755

## TRACT I - DESCRIPTION (FROM STRAIGHTWAY FARM SERVICE, BOOK 1129, PAGE 820, ATTACHING TO STRAIGHTWAY FARM SERVICE DOCUMENT NO. 2006-17389)

THAT PART OF LOTS 8 AND 9 OF D AND H SECOND SUBDIVISION AS RECORDED IN PLAT BOOK 15, PAGE 85 IN THE LAND RECORDS OF CAPE GIRARDEAU COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF LOT 1 OF D AND H THIRD SUBDIVISION, AS RECORDED IN PLAT BOOK 23, PAGE 70 IN THE LAND RECORDS OF CAPE GIRARDEAU COUNTY, MISSOURI; THENCE NORTH 03°54'19" EAST 66.99 FEET; THENCE SOUTH 84°11'42" EAST 202.45 FEET TO THE WEST RIGHT OF WAY LINE OF DOTTY LANE; THENCE SOUTH 07°12'41" WEST ALONG SAID WEST RIGHT OF WAY LINE, 60.38 FEET TO THE NORTH LINE OF SAID LOT 1; THENCE LEAVING SAID WEST RIGHT OF WAY LINE, NORTH 86°05'41" WEST ALONG SAID NORTH LINE, 198.86 FEET TO THE POINT OF BEGINNING.

THE HEREIN DESCRIBED TRACT CONTAINS 0.29 ACRES, MORE OR LESS, AND IS SUBJECT TO ALL EASEMENTS, RIGHTS OF WAY, RESTRICTIONS, AND LICENSES AFFECTING THE SAME, EITHER WRITTEN OR IMPLIED.

## TOTAL TRACT DESCRIPTION (LOT I AND TRACT I COMBINED)

ALL OF LOT 1 OF D AND H THIRD SUBDIVISION, AS RECORDED IN PLAT BOOK 23, PAGE 70, AND THAT PART OF LOTS 8 AND 9 OF D AND H SECOND SUBDIVISION AS RECORDED IN PLAT BOOK 15, PAGE 85 IN THE LAND RECORDS OF CAPE GIRARDEAU COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF SAID LOT 1 OF D AND H THIRD SUBDIVISION; THENCE NORTH 03°54'19" EAST 66.99 FEET; THENCE SOUTH 84°11'42" EAST 202.45 FEET TO THE WEST RIGHT OF WAY LINE OF DOTTY LANE; THENCE SOUTH 07°12'41" WEST ALONG SAID WEST RIGHT OF WAY LINE, 360.88 FEET TO THE SOUTH LINE OF SAID LOT 1; THENCE LEAVING SAID WEST RIGHT OF WAY LINE, NORTH 86°05'41" WEST ALONG SAID SOUTH LINE, 181.53 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1; THENCE LEAVING SAID SOUTH LINE, NORTH 03°54'19" EAST ALONG THE WEST LINE OF SAID LOT 1, 300.00 FEET TO THE POINT OF BEGINNING.

THE HEREIN DESCRIBED TRACT CONTAINS 1.60 ACRES, MORE OR LESS, AND IS SUBJECT TO ALL EASEMENTS, RIGHTS OF WAY, RESTRICTIONS, AND LICENSES AFFECTING THE SAME, EITHER WRITTEN OR IMPLIED.

THIS SURVEY CREATES A NEW PARCEL FROM A TRACT DESCRIBED IN BOOK 1129, PAGE 820 IN THE LAND RECORDS OF CAPE GIRARDEAU COUNTY, MISSOURI.

STATE OF MISSOURI  
COUNTY OF CAPE GIRARDEAU

FILED FOR RECORD THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2025 AND DULY

RECORDED IN DOCUMENT NUMBER \_\_\_\_\_

ANDREW DAVID BLATTNER  
RECORDER OF DEEDS OF CAPE GIRARDEAU COUNTY, MISSOURI



STRICKLAND  
ENGINEERING

113 WEST MAIN STREET  
JACKSON, MISSOURI 63755  
TEL: 573-243-4080  
FAX: 573-243-2191

CIVIL - MECHANICAL - ELECTRICAL ENGINEERING - LAND SURVEYING

LAND EXCHANGE PLAT FOR  
STRAIGHTWAY FARM SERVICE  
DOTTY LANE  
JACKSON, MO

SCALE	1"=60'
DATE	10-30-2025
DRAWN BY	RA
CHECKED BY	DR
PROJECT #	25-257





## **Staff Report**

**ACTION ITEM:** Consider a request to approve a Land Exchange Certification for transferring .02 Acres from 2216 Bainbridge Rd to 2441 E Main St as submitted by Michael Keith Haynes, Sr. and Linda Jo Haynes Trust.

**APPLICANT:** Michael Keith Haynes, Sr. and Linda Jo Haynes Trust.

**APPLICANT STATUS:** Owner

**PURPOSE:** Land Exchange Certification

**SIZE:** .02 Acres

**PRESENT USES:** Undeveloped and Beehive Liquor

**PROPOSED USE:** Unknown

**ZONING:** C-2 general Commercial

**SURROUNDING ZONING:** C-2 General Commercial and R-2 Single Family Residential

**HISTORY:** When Beehive Liquor developed its parking lot, it was built over the property line.

**TRANSPORTATION AND PARKING:** N/A

**APPLICABLE REGULATIONS:** Land Subdivision Regulations (Chapter 57)

**2024 COMPREHENSIVE PLAN:** General Commercial - The general commercial designation includes a blend of retail, offices, and service uses along the city's corridors. General commercial areas should be of a scale and intensity compatible with adjacent and nearby residential uses. They can be arranged in nodes or along corridors such as Main Street, Jackson Boulevard, and U.S. Highway 61. Depending on the type of commercial development, General commercial can provide for the daily needs of residents and also attract customers from surrounding communities.

**MAJOR STREET PLAN:** The major street plan does go through the property (Donna Dr), but this land exchange will not affect the major street plan.

**FLOODPLAIN INFORMATION:** Not in the Flood Plain per panel 29031C0144E Dated 9-29-2011.

**PHYSICAL CHARACTERISTICS:** Various Sizes

**COMMENTS:** N/A

**ACTION REQUIRED:** The commission shall approve or deny this request based on the Land Subdivision Regulations. The Board of Aldermen requires no action.

# LAND EXCHANGE CERTIFICATION APPLICATION FORM

City of Jackson, Missouri



DATE OF APPLICATION: 10/22/2025

ADDRESS OF GRANTING PROPERTY: 2216 BAINBRIDGE RD, JACKSON MO

ADDRESS OF RECEIVING PROPERTY: 2441 E MAIN ST, JACKSON MO

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

Property Owner Name(s): MICHAEL KEITH HAYNES, SR. AND LINDA JO HAYNES TRUST

Mailing Address: 13275 LAKEWOOD DR

City, State ZIP: SAINTE GENEVIEVE, MO 63670

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

Property Owner Name(s): VEDAVITH LLC

Mailing Address: 94 E SUMMERFIELD WAY

City, State ZIP: CAPE GIRARDEAU, MO 63701

**ENGINEER / SURVEYING COMPANY:** KLINGNER & ASSOCITES, P.C.

Engineer / Surveyor Contact: CHRIS KOEHLER

Mailing Address: 194 COKER LN

City, State ZIP: JACKSON, MO 63701

Contact's Phone: 573-335-3026

**CONTACT PERSON HANDLING APPLICATION:**

Contact Name: ASHTON GASKILL

Mailing Address: 194 COKER LN

City, State ZIP: JACKSON, MO 63701

Contact's Phone: 573-335-3026

Contact's Email Address (if used): agaskill@klingner.com



**APPLICATION FOR (check one):**

- ☐ Division of land into no more than four lots, all of which are 3 acres or greater in size  
☐ Division of land for cemetery usage  
☒ Lot line adjustment between adjoining lots  
☐ Transfer to adjoining property to improve ingress or egress  
☐ Combination or re-combination of previously platted lots. Total number of lots may not be increased and all resulting lots apply with the Land Subdivision Regulations

**REASON FOR REQUEST** (use additional pages if needed):

LAND EXCHANGE TO CONVEY AREA OF ENCROACHMENT OF PARKING LOT TO OWNER



**CURRENT ZONING:** (circle all that apply)

- |  |  |
|--|--|
| <input type="checkbox"/> R-1 (Single-Family Residential)       | <input type="checkbox"/> C-1 (Local Commercial)              |
| <input 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)              |
|  | <input type="checkbox"/> I-3 (Planned Industrial Park)       |

**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:

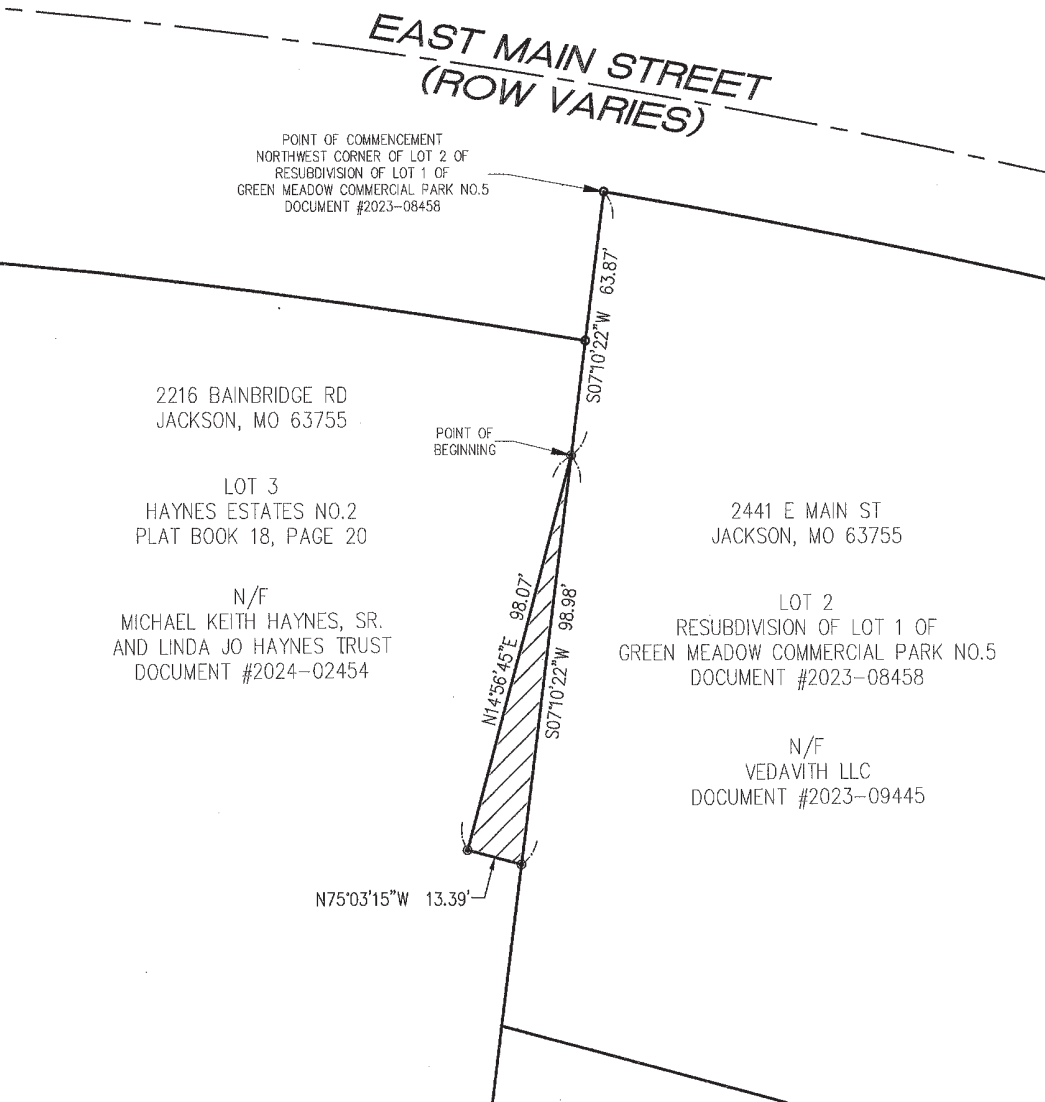
Building & Planning Manager  
City of Jackson  
101 Court Street  
Jackson, MO 63755  
Ph: 573-243-2300 ext. 29  
Fax: 573-243-3322  
Email: [permits@jacksonmo.org](mailto:permits@jacksonmo.org)











## Description of Land Exchange

### DESCRIPTION - TRACT 1

PART OF LOT 3 OF HAYNES ESTATES NO. 2, A SUBDIVISION IN THE CITY OF JACKSON, COUNTY OF CAPE GIRARDEAU, MISSOURI, AS SHOWN BY PLAT RECORDED IN PLAT BOOK 18 AT PAGE 20, IN THE LAND RECORDS OF CAPE GIRARDEAU COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 2 OF RESUBDIVISION OF LOT 1 OF GREEN MEADOW COMMERCIAL PARK NO. 5 A SUBDIVISION IN THE CITY OF JACKSON, COUNTY OF CAPE GIRARDEAU, MISSOURI, AS SHOWN BY PLAT RECORDED IN DOCUMENT NUMBER 2023-08458; THENCE WITH THE WEST LINE OF SAID LOT 2, SOUTH 07°10'22" WEST, 63.87 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 07°10'22" WEST, 98.98 FEET; THENCE LEAVING SAID WEST LINE, NORTH 75°03'15" WEST, 13.39 FEET; THENCE NORTH 14°56'45" EAST, 98.07 FEET TO THE POINT OF BEGINNING, AND CONTAINING 656 SQUARE FEET (0.02 ACRES), MORE OR LESS, AND BEING SUBJECT TO ANY EASEMENTS OF RECORD.

## LEGEND

- = SET IRON PIN
- = FOUND IRON PIN
- = SUBJECT PROPERTY LINE
- - - = CENTERLINE
- ▨ = LAND EXCHANGE AREA

**KLINGNER & ASSOCIATES, P.C.**  
Engineers • Architects • Surveyors  
Jackson, Missouri  
184 Cedar Ln  
573 460-3028  
www.klinger.com

Klinger & Associates, P.C.  
Missouri State Certificate of  
Authority No. LS-182-F

LAND EXCHANGE EXHIBIT FOR  
MIKE HAYNES

2216 BAINBRIDGE RD  
JACKSON, MO 63755

DATE: 10/22/2025

DRAWING  
LAND EXCHANGE  
EXHIBIT  
**1/1**

# MEMO



**TO:** Planning and Zoning Commission

**FROM:** Larry Miller, Building & Planning Manager

**DATE:** December 4, 2025

**SUBJECT:** Code Amendments – Privacy Fence Definition & Industrial District Buffer Requirements

---

This summarizes recent amendments to the City Code regarding privacy fences and buffer requirements in the I-1 Light Industrial and I-2 Heavy Industrial districts. The definition of a privacy fence has been updated to include a minimum height, ensuring fences are solid, sight-obscuring, and provide effective visual screening.

Buffer requirements have been strengthened where industrial properties border residential districts. A fifty-foot permanently landscaped buffer is now required along all shared property lines. Screening may consist of landscaping, a privacy fence or wall, or a combination of both, providing year-round opacity to a minimum height of eight feet. Landscaping must include shrubs and evergreen or screening trees that achieve full opacity from the ground up. Privacy fences must be solid, opaque, and at least eight feet tall. Full opacity must be completed at installation or within twenty-four months.

To maintain the buffer's function, no buildings, parking, loading areas, outdoor storage, dumpsters, or industrial operations may be located within it. All fencing and plantings must be maintained, with dead or damaged materials replaced within ninety days. Where unique site conditions prevent strict compliance, the Building and Planning Manager may approve an alternative screening plan that meets or exceeds the required screening performance.

Finally, subsection (8) of Section 65-3 has been deleted to remove redundant language. These amendments clarify screening standards, protect residential areas, and provide flexibility for unique site conditions.

The Commission will vote to approve, deny, or modify the draft language of this code amendment. A public hearing is optional at the Planning & Zoning Commission level, but the Board of Aldermen requires it.

## **Sec. 65-2. - Definitions.**

~~*Privacy fence.* A privacy fence is a sight-obscuring fence that blocks the area enclosed by the fence to conceal from view the activities conducted behind it that will visually isolate, conceal, and seclude objects, things, places, or people.~~

*Privacy Fence.* A privacy fence is a sight-obscuring fence designed to visually isolate and conceal the area it encloses, including activities, objects, or people from view. It shall be a minimum of six (6) feet in height, or where a different height is established elsewhere in this code.

## **Sec. 65-3. - District boundaries and general regulations.**

~~(8) — No industrial district shall be established adjacent to any R-1 or R-2 zone unless a permanently landscaped area is established at a minimum width of fifty (50) feet for the full distance between any new industrial zone and any adjacent residential zone and no industrial district shall be established adjacent to any R-3 or R-4 zone unless a permanently landscaped area is established at a minimum width of fifty (50) feet for the full distance between any new industrial zone and any adjacent residential zone. Such buffer shall include trees, shrubs, and a privacy fence or wall a minimum of six (6) feet in height the full length of the buffer, except where such buffer includes a front yard setback.~~

## **Sec. 65-16. – I-1 Light industrial district regulations**

## **Sec. 65-17. – I-2 Heavy industrial district regulations**

(5) ~~*Buffer areas.* Where industrial uses abut a residential district, an adequate buffer or screen shall be provided to visually screen the industrial use from the residential area. The buffer shall consist of a planting screen of suitable shrubbery maintained at a minimum height of eight (8) feet and being a minimum of eight (8) feet wide or privacy-type fencing a minimum of eight (8) feet in height.~~

(5) *Buffer areas.* Whenever property zoned or proposed to be zoned I-1 Light Industrial shares a property line with any R-1, R-2, R-3, or R-4 residential zoning district, the following must be met:

a. Required Buffer Width.

1. A permanent buffer with a minimum width of fifty (50) feet shall be provided along the entire length of the shared property line.

b. Required Screening Within the Buffer.

1. The required buffer must provide complete visual screening between the industrial and residential districts using one of the following:
  - a) A continuous planting screen of shrubs, evergreens, or trees forming a solid, opaque screen from the ground to a minimum height of eight (8) feet.
  - b) A fence or wall that is solid, sight-obscuring, and a minimum of eight (8) feet in height, continuous from the ground to the top, constructed of opaque materials.
  - c) A mix of fencing, wall, and screen that together provide year-round opacity from ground level to a minimum height of eight (8) feet.

All required visual screening materials, including fencing, walls, planting screen, or any combination thereof, shall be located entirely within the fifty (50) foot buffer area and may not be placed outside or beyond its boundaries.

c. Timing of Required Opacity.

1. Required opacity shall be achieved:
  - a) At installation, or
  - b) Within twenty-four (24) months, based on spacing and species selection of shrubs, evergreens, or trees.

d. Prohibited Uses Within the Buffer.

1. To preserve the function of the buffer, no portion of the required fifty (50) foot buffer area shall be used for any purpose other than as a visual screening as described above.
- e. Maintenance.

1. All fencing, walls, and planting screens within the buffer shall be maintained in good condition. Dead, diseased, or damaged materials must be replaced within ninety (90) days to maintain continuous opacity.

f. Alternative Compliance.

1. Where unique site conditions prevent strict adherence to this subsection, the Building and Planning Manager may approve an alternative screening plan that meets or exceeds the required screening performance.

# MEMO



**TO:** Planning and Zoning Commission

**FROM:** Larry Miller, Building & Planning Manager

**DATE:** December 4, 2025

**SUBJECT:** Code Amendments – Addition of Article III: Home Occupations (Chapter 65)

---

This memo provides an overview of a proposed amendment to Chapter 65 that creates a new Article III regulating Home Occupations. The new article includes updated definitions and clear standards for home-based businesses to ensure they remain secondary to the residential use of the property, do not occupy more than 49% of the home, do not change the exterior appearance, and do not cause traffic, parking, noise, or other neighborhood impacts. The regulations also align with Missouri state law regarding No Impact Home-Based Businesses and the City's authority to impose narrowly tailored requirements that protect public health, safety, and neighborhood character. The article outlines basic compliance steps for residents, including submitting a brief description of the business and required state tax information within 60 days, though no license or fee is required. To maintain consistency, the staff has removed or struck through older language in Article I that conflicted with these new regulations.

The Commission will vote to approve, deny, or modify the draft language of this code amendment. A public hearing is optional at the Planning & Zoning Commission level, but the Board of Aldermen requires it.

## ARTICLE III. – HOME OCCUPATIONS

### Sec. 65-75 – General Provisions.

A. *Purpose.* The City recognizes the need to balance its residents' autonomy to use their homes for work with the expectations of neighboring residents that the City will protect the property values in and maintain the integrity of the residential districts in which they live and have invested. These regulations allow and regulate in equitable fashion the customarily accepted non-residential types of activity carried on in the residential districts of the City. As such, for Home-Based Businesses and Home-Based Work undertaken on any lot zoned or used for dwelling purposes located in R-1, R-2, R-3, R-4, and MH-1 districts, the following requirements are enacted to protect the public health and safety, (which include all regulations related to fire and building codes, health and sanitation, transportation, parking, or traffic control, solid or hazardous waste, pollution, lighting control and noise control); control overcrowding; preserve the residential character of and property values in residential districts; ensure that the business activity is compliant with city, state, and federal law; and confirm that the business is paying applicable taxes.

B. *Definitions:*

1. DWELLING. Any building or portion thereof which is designed and used exclusively for residential purposes.
2. GOODS OR SERVICES. Any merchandise, equipment, products, supplies, or materials or any labor performed in the interest or under the direction of others; specifically, the performance of some useful act or series of acts for the benefit of another, usually for a fee. Goods or services does not include real property or any interests therein.
3. HOME-BASED BUSINESS. Any business operated in a dwelling that manufactures, provides, or sells goods or services and that is owned and operated by the owner or tenant of the dwelling.
4. HOME-BASED WORK. Any lawful occupation performed by a resident within a dwelling or accessory structure, which is clearly incidental and secondary to the use of the dwelling and does not change the residential character of the dwelling or adversely affect the character of the surrounding neighborhood.
5. HOME OCCUPATION. A No Impact Home-Based Business.
6. NO IMPACT HOME-BASED BUSINESS. Any Home-Based Business or Home-



Based Work where:

- a. The total number of employees and clients on-site at one time does not exceed the occupancy limit for the dwelling; and
  - b. The activities of the business:
    - (i) Are limited to the sale of lawful goods and services;
    - (ii) May involve having more than one client on the property at one time;
    - (iii) Do not cause a substantial increase in traffic through the residential area;
    - (iv) Do not violate the parking requirements for residential districts;
    - (v) Occur inside the dwelling or in the yard of the dwelling;
    - (vi) Are not visible from the street; and
    - (vii) Do not violate the narrowly tailored regulations in Subsection C, below.
7. NONCOMPLIANT HOME-BASED BUSINESS. Any Home-Based Business or Home-Based Work that is not a No Impact Home-Based Business.
  8. RESIDENT. Any person who occupies a dwelling for living and sleeping purposes permanently in the city of Jackson. 65-2
  9. RESIDENTIAL PURPOSES. Use as a dwelling for living and sleeping.
  10. RESIDENTIAL DISTRICTS. Districts zoned R-1, R-2, R-3 and R-4.

C. *Regulations to Safeguard the Residential Character of the Dwelling and Surrounding Neighborhood.* To preserve the residential character of the residential building and protect against adverse effects on the character of the surrounding neighborhood, a Home Occupation may operate on a lot used for dwelling purposes, provided the Home Occupation:

1. Is (a) clearly incidental and secondary to the primary residential use of the dwelling or lot; and (b) does not occupy more than forty-nine percent (49%) of the floor area of the dwelling; and
2. Does not change the residential character of the dwelling by altering or modifying the exterior of the dwelling so as to indicate the presence of a home-based business or home-based work, including signage not in compliance with the City's regulations on signs; and
3. Is operated such that the total number of employees and clients on-site at one time does not exceed the occupancy limit for the dwelling; and
4. Pays all applicable taxes and otherwise operates in compliance with applicable city, state, and federal law; and

5. Is operated by a resident or residents of the dwelling; and
6. Has no storage of hazardous materials, toxic substances, or hazardous wastes of a nature or extent than normally used for purely domestic or household purpose; and
7. Does not adversely affect the character of the surrounding neighborhood by allowing or causing, for example: commercial or delivery vehicles used in connection with the home occupation are parked at or stored on the dwelling or visit the premises with a frequency of more than one (1) visit per day; a steady or concentrated visitation of clients to the dwelling; a substantial increase in traffic or on-street parking through the residential area; storage or the use of equipment that produces negative effects outside the home or accessory structure; or similar adverse impacts.

D. Home Occupations do not require a license or any fee, but within sixty (60) days of establishing a Home Occupation the resident shall supply the City with (1) a copy of their business's Missouri Tax I.D. number and, for Home Occupations selling goods at retail, a Statement of No Tax Due in accordance Missouri Statutes (Section 144.083.2 and 144.083.4 RSMo)., and (2) a written description of the Home Occupation, the percentage of the dwelling to be occupied by the Home Occupation, and the number of employees to be working at the Home Occupation who are not residents of the dwelling. At the same time, to help ensure the proposed Home Occupation complies with the requirements of this Subsection, the City shall supply the resident with a copy of this Code Section or a summary of its requirements. Upon receipt of the written description, the City shall verify for the resident that the Home Occupation complies with the foregoing requirements. Failure to provide the above information to the City is an ordinance violation. Any change in the amount of floor area occupied by the Home Occupation as detailed in the original description, number of employees, or the type of Home Occupation should be followed by a submission of a revised description and review and approval in accordance with this Section to assist the resident in continued compliance.

E. Nothing in this Section shall be deemed to:

1. Prohibit mail order or telephone sales for Home Occupations;
2. Prohibit service by appointment within the home or accessory structure;
3. Prohibit or require structural modifications to the home or accessory structure;
4. Restrict the hours of operation for Home Occupations;
5. Restrict storage or the use of equipment that does not produce effects outside the home or accessory structure; or
6. Restrict or prohibit a particular occupation that is legal under the laws of the City, State,

and United States.

F. Any person violating any provision of this Section, including operating or permitting to be operated a Noncompliant Home-Based Business, shall be guilty of an offense and shall be fined not more than five hundred dollars (\$500.00) for each offense, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.