



CITY OF JACKSON
PLANNING & ZONING COMMISSION MEETING AGENDA

Wednesday, March 08, 2023 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
Larry Miller, Staff Liaison

Angelia Thomas
Heather Harrison
Beth Emmendorfer
Eric Fraley

CALL TO ORDER

ROLL CALL

APPROVAL OF MINUTES

1. Approval of minutes of February 8, 2023 meeting

PUBLIC HEARINGS

2. Public hearing regarding text amendment to Chapter 65 (Zoning) regarding Defining & Limiting Tiny Houses

OLD BUSINESS

3. Considered text amendments to Chapter 65 (Zoning) regarding Defining & Limiting Tiny Houses

NEW BUSINESS

CONSIDER A MOTION TO ADD ITEMS TO THE AGENDA

ADJOURNMENT

This agenda was posted at City Hall on February 21, 2023 at 8:30 AM.

JOURNAL OF THE PLANNING & ZONING COMMISSION
CITY OF JACKSON, MISSOURI
WEDNESDAY, FEBRUARY 8, 2023, 6:00 P.M.
REGULAR MEETING
CITY HALL COUNCIL ROOM, 101 COURT STREET, JACKSON, MISSOURI

The Planning and Zoning Commission met in regular session with Chairman Harry Dryer presiding and Commissioners Tony Koeller, Beth Emmendorfer, Michelle Weber, Heather Harrison, Tina Weber, Angelia Thomas, and Eric Fraley present. Bill Fadler was absent. Building & Planning Manager Larry Miller was present as staff liaison. Janet Sanders, Director of Public Works, was also present. Assigned Alderman Joe Bob Baker and Mike Seabaugh were present. Citizens attending were Lorrie Sullivan, Terri Bogues, Melinda Ashley, Andrew Jackson, Austin Mueller, and Megan Andrews.

Approval of January 11, 2023)
regular meeting minutes)

The minutes of the previous meeting were unanimously approved on a motion by Commissioner Tina Weber, seconded by Commissioner Harrison.

PUBLIC HEARINGS

Public Hearing –Public hearing regarding)
a text amendment to Chapter 65 (Zoning))
regarding the addition of provisions for)
comprehensive (including recreational))
marijuana dispensaries, cultivation)
facilities, manufacturing facilities,)
testing facilities, transportation/storage)
facilities, marijuana consumption lounges)
in specific zoning districts)

Chairman Dryer opened the hearing. Mr. Miller read a report detailing the dates of the application and notifications for this request. Mrs. Sanders spoke on the City's behalf on the text amendment regarding Chapter 65 marijuana. She said the text amendment was based on the discussion the P&Z Commission had at the previous meeting. She said the definitions and the measuring methods follow the state guidelines. Mrs. Sanders said that based on the discussion, the dispensaries would be treated as drug stores, so everywhere drug stores were allowed, dispensaries would also be allowed. Mrs. Sanders said we included definitions for consumption lounges and marijuana clubs, which the P&Z Commission wanted to be treated like bars. Mrs. Sanders explained to the Board that Bars are allowed in commercial and industrial districts if the property is at least 50 feet from a residential district. She said the City had one person interested in having a lounge, and his business isn't 50 ft from a residential district, so he wouldn't be able to have a lounge. Mrs. Sanders said the text amendment was placed on our city website a couple of weeks ago so anyone could read it.

Chairman Dryer asked if anyone would like to speak in favor of the proposed text amendment. He asked if anyone would like to speak in opposition. Lorrie Sullivan came forward and said she lives at 1307 Clover Dr, and there is a dispensary down the street that was pharmaceutical but now has become recreational. She doesn't want that to become a lounge because there is already enough traffic on the road since they've started selling recreationally, causing parking on the street, tire ruts in their grass, and speeding. She asked the Commission to come and see how bad the traffic was. She said if there was an emergency, there was no way an emergency vehicle could get through.

Commissioner Koeller asked if the dispensary on Clover Drive was next to a residential district, and Mrs. Sanders said it was. Commissioner Koeller said that according to the text amendment's wording, a marijuana lounge couldn't be at the current dispensary. Mrs. Sanders said that was correct. He said the Commission has no authority over the traffic complaints and told her she needed to call the Police Department.

Terri Bogues from 2850 Clover Drive also came forward to speak in opposition. She said she also wanted the Commission to drive down their street to understand better what was happening. She said they were parked on both sides of the road, and an emergency vehicle won't be able to get down the road.

Commissioner Koeller again said the P&Z Commission has no authority over the traffic complaint. The Commission is only here for the text amendments for marijuana.

Chairman Dryer let everyone know that this text amendment would also be in front of the Board of Alderman for a Public Hearing, and they could also voice their concerns to them.

Chairman Dryer closed the hearing, finding no one else wishing to speak in favor or opposition.

OLD BUSINESS

Considered text amendments to)
Chapter 65 (Zoning) to add provisions)
for recreational marijuana)

Chairman Dryer said to the Commission that this Topic was already discussed, and he went over the critical points of the Text Amendments. He asked if there was anything else to discuss. Commissioner Koeller said he would like to say the only person we have interested in having a Marijuana lounge is next to a residential district and wouldn't be able to have one. Mrs. Sanders said he was correct, and it follows the same as Bars do in the City of Jackson.

Commissioner Koeller made a motion to approve the text amendments. Commissioner Eric Fraley seconded the motion.

Vote: 8 ayes, 0 nays, 0 abstentions, 1 absent

Defining and regulating Tiny Homes)

Mr. Miller advised the Commission of the changes they made to the ordinance defining and regulating Tiny Homes and told them they would have to make a motion to set a Public Hearing for the next P&Z Commission meeting in March.

Commissioner Koeller motioned to set the Public Hearing for a text amendment for Tiny Homes at the next P&Z Commission meeting in March. Commissioner Harrison seconded the motion.

Vote: 8 ayes, 0 nays, 0 abstentions, 1 absent

NEW BUSINESS

Request for Approval of a Land Exchange)
Certification for Transfer of .36 Acres)
from a 6.4 Acre Parcel to 1636)
Enterprise Court Submitted by)
Jackson Ridge Development, LLC)

Request for Approval of a Land Exchange)
Certification for Transfer of .46 Acres)
from a 6.4 Acre Parcel to 1608)
Enterprise Court Submitted by)
Jackson Ridge Development, LLC)

Request for Approval of a Land Exchange)
Certification for Transfer of .49 Acres)
from a 6.4 Acre Parcel to 1622)
Enterprise Court Submitted by)
Jackson Ridge Development, LLC)

Mr. Miller reported that three land exchanges are affecting three lots next to each other on Enterprise Court.

Megan Andrews, the applicant, came forward and said there was a large pond on the property, and the three property owners wanted to extend their property to the edge of the pond. She said there would be an easement around the pond so Jackson Ridge Development, LLC, could maintain it.

Chairman Dryer asked if the landowners would like to comment, and they declined.

Chairman Dryer asked if there was a motion to approve all three land exchanges at once.

Commissioner Michelle Weber made a motion to approve the three land exchanges. The request was seconded by Commissioner Emmendorfer and was unanimously approved.

Vote: 8 ayes, 0 nays, 0 abstentions, 1 absent

Request for approval of a Preliminary)
Plat of Orchard Place Subdivision)
submitted by The Villas of West Park, LLC)

Mr. Miller reported to the Commission that they had an updated plat showing phases one and two of the proposed Orchard Place Subdivision. He noted that the property was on Old Orchard Road next to Buchheits. He explained to the Commission that the major street plan shows Old Cape Road going through their property of phase one. The Villas of West Park, LLC moved it to the north of the property, phase two. The City was okay with it because there is still access from the west side for Old Cape Road to connect.

Megan Andrews, the applicant, came forward and said she didn't have much to add. They are looking at possibly adding a strip mall in the phase one area.

Commissioner Koeller asked if the road would continue north and circle out. Mrs. Andrews said she thought the plan would be a cul-de-sac in the future.

Chairman Dryer asked for a motion to approve the plat that The Villas of West Park, LLC submitted.

Commissioner Michelle Weber motioned to approve the plat submitted by The Villas of West Park, LLC. The request was seconded by Commissioner Koeller and was unanimously approved.

Vote: 8 ayes, 0 nays, 0 abstentions, 1 absent

Consider a motion to add items to the)
agenda)

No items were added to the agenda.

Consider a motion to adjourn)

Commissioner Emmendorfer motioned to adjourn, seconded by Commissioner Harrison, and unanimously approved.

Respectfully submitted,



Tony Koeller
Planning and Zoning Commission Secretary

Attest:



Larry Miller
Building & Planning Manager

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

Staff Report 5

ACTION ITEM: 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: 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 understand the typical features.

The Board was not interested in allowing the requested home to be placed on a standard lot in town, citing the protection of surrounding properties. Still, 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. The Commission decided on the following:

1. Definitions for defining a Tiny House, portable and Tiny House, permanent.
2. Zoning districts in which Tiny House, portable and Tiny House, permanent, can be placed in the City limits of Jackson.

Included is the proposed draft code language based on previous discussions.

ACTION REQUIRED: The Commission shall approve, deny, or modify the draft language for this code amendment. A public hearing for a text amendment is required at both the P&Z and the Board of Aldermen levels.

Tiny Homes

Potential Code Language Additions – DRAFT 1

*The proposed additional language is in red. Proposed deletions are struck through.
Individual district descriptions have been included for all districts for clarity.*

ARTICLE I – IN GENERAL

Sec. 65-2. - Definitions.

Tiny house, portable. A dwelling that is six hundred (600) square feet or less in floor area, excluding lofts, and is constructed on a chassis or skids, regardless of added porches, stairways, decks, or other additions.

Tiny house, permanent. A dwelling that is six hundred (600) square feet or less in floor area that is constructed on-site without a chassis and is permanently anchored to a foundation or concrete slab.

Sec. 65-4. - A-1 Agricultural district regulations. *(no change proposed)*

The regulations set forth in this section, or set forth elsewhere in this chapter when referred to in this section, are the regulations of the A-1 Agricultural district. The purpose of the A-1 Agricultural district is to preserve, in agricultural uses, lands suited to future urban development pending proper timing and economical provision of public utilities and community facilities to ensure compact and orderly land use development. This district is intended for land of five (5) acres or more. The subdivision of land for the purpose of converting agricultural or other undeveloped land to residential or other use is not permitted in the A-1 district.

Sec. 65-5. - R-1 Single-family residential district regulations. *(no change proposed)*

The regulations set forth in this section, or set forth elsewhere in this chapter when referred to in this section, are the regulations of the R-1 Single-family residential district. The purpose of the R-1 Single-family residential district is to provide for detached, single-family residential development, excluding two-family and multi-family housing, with provisions for adequate light, air, and open space.

Sec. 65-6. - R-2 Single-family residential district regulations. *(no change proposed)*

The regulations set forth in this section or set forth elsewhere in this chapter when referred to in this section, are the regulations of the R-2 Single-family residential district. The purpose of the R-2 Single-family residential district is to provide for compact, detached single-family residential development, excluding two-family and multifamily housing, with provisions for adequate light, air, and open space.

Sec. 65-7. - R-3 One- and two-family residential district regulations. *(no change proposed)*

The regulations set forth in this section or set forth elsewhere in this chapter when referred to in this section, are the regulations of the R-3 One- and two-family residential district. The purpose of the R-3 One-

and two-family residential district is to provide for semi-compact residential development, excluding multifamily housing, with provisions for adequate light, air, and open space.

Sec. 65-8. - R-4 General residential district regulations.

The regulations set forth in this section or set forth elsewhere in this chapter when referred to in this section, are the regulations of the R-4 General residential district. The purpose of the R-4 General residential district is to provide for compact residential development, including multifamily housing, with provisions for adequate light, air, and open space.

(1) *Use regulations.* A building or premises shall be used only for the following purposes:

g. Tiny houses, permanent, when part of a community unit plan, with a special use permit only. (all other lettered items bump down in numbering sequence).

Sec. 65-9. - MH-1 Mobile home park district regulations.

The regulations set forth in this section, or set forth elsewhere in this chapter, are the regulations of the MH-1 mobile home park district. The purpose of the MH-1 mobile home park district is to provide suitable locations for the placement of mobile homes, with safeguards for the health and safety of mobile home residents. References to lot sizes, setbacks, and lot coverage shall be interpreted to mean the area designated for each mobile home stand within the mobile home park.

(1) *Use regulations.* A building or premises shall be used only for the following purposes:

a. Mobile home parks conforming to the provisions hereof of Article II.

b. Manufactured / mobile homes.

c. Tiny houses, portable. (All other lettered items bump down in numbering sequence).

Sec. 65-10. - O-1 Professional office district regulations.

The regulations set forth in this section or set forth elsewhere in this chapter when referred to in this section, are the regulations of the O-1 professional office district. The purpose of the O-1 professional office district is to provide adequate space in appropriate locations suitable for accommodating medical, dental, and similar services, as well as professional offices. Bulk limitations are designed to provide maximum compatibility with less intensive land use in adjacent residential districts and with more intensive land use in adjacent commercial districts. The O-1 professional office district is to act in the capacity of a transitional and supporting zone.

h. Tiny houses, permanent, when part of a community unit plan, with a special use permit only. (All other lettered items bump down in numbering sequence).

Sec. 65-11. - C-1 Local commercial district regulations.

The regulations set forth in this section or set forth elsewhere in this chapter when referred to in this section, are the regulations of the C-1 Local Commercial district. The purpose of the C-1 district is to provide for retail trade and personal services to meet the regular needs and for the convenience of residents of adjacent residential areas. C-1 Local Commercial districts are intended to be a closely associated and integral element of local neighborhoods.

- g. Tiny houses, permanent, when part of a community unit plan, with a special use permit only. *(All other lettered items bump down in numbering sequence).*

Sec. 65-12. - C-2 General commercial district regulations.

The regulations set forth in this section, or set forth elsewhere in this chapter when referred to in this section, are the regulations of the C-2 General commercial district. The purpose of the C-2 General commercial district is to provide areas for general commerce and services typically associated with major thoroughfares.

(1) *Use regulations.* A building or premises shall be used only for the following purposes:

- g. Tiny houses, permanent or portable, when part of a community unit plan, with a special use permit only. *(All other lettered items bump down in numbering sequence).*

Sec. 65-13. - C-3 Central business district regulations. *(no change proposed)*

The regulations set forth in this section, or set forth elsewhere in this chapter when referred to in this section, are the regulations of the C-3 Central business district. The purpose of the C-3 Central business district is to provide for compact commercial development in the core area of the city and to maximize the utilization of this area by minimizing lot restrictions and height requirements.

Sec. 65-14. - C-4 Planned commercial district regulations. *(no change proposed)*

The regulations set forth in this section, or set forth elsewhere in this chapter when referred to in this section, are the regulations of the C-4 Planned commercial district. The purpose of the C-4 Planned commercial district is to provide for modern retail shopping facilities of integrated design in appropriate locations to serve residential neighborhoods.

Sec. 65-15. - CO-1 Enhanced commercial overlay district regulations. *(no change proposed)*

The regulations set forth in this section, or set forth elsewhere in this chapter when referred to in this section, are the regulations of the CO-1 Enhanced commercial overlay district. The purpose of the CO-1 Enhanced commercial overlay district is to promote the development of aesthetically appealing areas dedicated to commercial development. These regulations are not intended to discourage development, but to provide a consistently enhanced area of development for the protection of property owners and for the benefit of the city as a whole.

This district overlays the base zoning district and does not change the requirements contained within the regulations of that district except as specified in this section. Where a conflict exists between the underlying zoning district and the overlay district, the provisions of this district shall control.

Sec. 65-16. - I-1 Light industrial district regulations. *(residential uses not allowed)*

The regulations set forth in this section or set forth elsewhere in this chapter when referred to in this section, are the regulations of the I-1 Light industrial district. The purpose of the I-1 Light industrial district is to provide areas for light industrial uses that create a minimum amount of nuisance outside the plant, are conducted entirely within enclosed buildings, use the open area around such buildings only for limited storage of raw materials or manufactured products, and provide for enclosed loading and unloading berths when feasible.

Sec. 65-17. - I-2 Heavy industrial district regulations. *(residential uses not allowed)*

The regulations set forth in this section, or set forth elsewhere in this chapter when referred to in this section, are the regulations of the I-2 Heavy industrial district.

Sec. 65-18. - I-3 Planned industrial park district regulations. *(residential uses not allowed)*

The regulations set forth in this section, or set forth elsewhere in this chapter when referred to in this section, are the regulations of the I-3 Planned industrial park district. The purpose of the I-3 Planned industrial park district is to provide for modern industrial warehouse/office complexes of integrated design with attractive landscaping in suitable locations with access to arterial thoroughness.

For reference:

Sec. 65-25. - Community unit plan.

The owner of any tract of land may request a special use permit for the use of any development of such tract for residential or for residential in combination with shopping center uses as set forth in the regulations for planned commercial districts in [section 65-14](#). The proposed development plan shall be referred to the planning and zoning commission and shall include specific evidence and facts relating the conditions and approval enumerated in this section.

- (1) Approval by the board of aldermen shall be coordinated upon specific findings that the proposed community unit plan meets the following conditions:
 - a. That the proposed development of any C-4 Planned commercial district included as a part of the plan complies with the regulations for those districts as set forth in [section 65-14](#).
 - b. That the buildings located in the area, other than those within a C-4 district, shall be used only for single-family dwellings, two-family dwellings, multifamily dwellings, and the usual accessory uses, such as private parking or parking garages and storage space, or for community activities, including churches and schools.

- c. That the average lot area per family contained in the site, exclusive of any area within a C-4 district or occupied by streets, will not be less than the lot area per family required in the district in which the development is located.
 - d. That the area is adaptable to complete community development, being bounded by major thoroughfares, streets, railroads, or other external barriers, and insofar as possible without a major thoroughfare extending through the project or any other physical feature which would tend to impair the neighborhood or community cohesiveness.
 - e. That the plan will provide for the convenience and safety of vehicular and pedestrian movement within the site and in relation to adjacent areas.
 - f. That no more than twenty-five (25) percent of the gross area of the project will be devoted to a C-4 district, and that no more than fifty (50) percent of the gross area of the project located within the R-1 or R-2 district will be devoted to multiple-family dwellings.
 - g. That sufficient area is reserved for recreational and education facilities to meet the needs of the anticipated population or as designated by the city's comprehensive plan.
 - h. That property adjacent to the area included in the plan will not be adversely affected; to this end the board of aldermen may require, in the absence of any appropriate physical barrier, that uses of least intensity or a buffer of open space or screening will be arranged along the borders of the project.
 - i. That the plan is consistent with the intent and purpose of this chapter to promote public health, safety, morals, and general welfare.
- (2) If the board of aldermen approves the plan, building permits may be issued, even though the use of the land and the location and height of the buildings to be erected in the area and the yards and open space contemplated by the plan do not conform in all respects to the district regulations of the district in which it is located.
- (3) An application for a special use permit under this section may be made and processed contemporaneously with a proposed amendment of the zoning district or districts in which such site lies.
- (4) A special use permit shall automatically expire upon the failure to develop the use of the land for which the special use permit has been issued if the use is not substantially developed within two (2) years after the permit has been issued.

ARTICLE II. - MOBILE HOME PARKS

DIVISION 1. - GENERAL PROVISIONS

Sec. 65-62. - Permits and restrictions.

(1) *Mobile home park location.* Mobile home parks will be allowed in the MH-1 mobile home park district.

~~(2) *RV parks.* Recreational vehicle parks. are prohibited within the City of Jackson.~~ *(prohibition conflicts with Sec. 65-12 regulations which allow RV parks in C-2 Districts with a Special Use Permit.)*