



**CITY OF JACKSON**  
**MAYOR & BOARD OF ALDERMEN STUDY SESSION**  
**Tuesday, February 21, 2023 at 6:30 PM**  
**Board Chambers, City Hall, 101 Court St.**

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**AGENDA**

**DISCUSSION ITEMS**

- [1.](#) February 8th Planning & Zoning Commission report
- [2.](#) February 13th Park Board report
- [3.](#) Insurance Services Office (ISO) Evaluation
4. Fire Department Facilities Evaluation
- [5.](#) Request for two on-street handicapped parking spaces at 304 Daisy Avenue at St. John the Theologian Orthodox Church
6. Previously tabled items (unspecified)
7. Additional items (unspecified)

Posted on 02/17/2023 at 04:00 PM.

# MEMO



**TO:** Mayor Hahs and Members of the Board of Aldermen  
**FROM:** Larry Miller, Building & Planning Manager  
**DATE:** February 14, 2023  
**SUBJECT:** February P&Z Packet

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The following action was taken at the January P&Z meeting:

- A public hearing was held 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 facilities, and marijuana consumption lounges in specific zoning districts. This will go to the Board of Alderman to set a public hearing.
- A public hearing was scheduled for March 8<sup>th</sup> with the P&Z Board for a text amendment for adding tiny homes language to chapter 65 of the City of Jackson Ordinance.
- A Land Exchange Certification was approved for the transfer of 0.36 acres from a 6.4-acre parcel to 1636 Enterprise Court submitted by The Villas of West Park, LLC. No action is required by the Board of Aldermen.
- A Land Exchange Certification was approved for the transfer of 0.46 acres from a 6.4-acre parcel to 1608 Enterprise Court submitted by The Villas of West Park, LLC. No action is required by the Board of Aldermen.
- A Land Exchange Certification was approved for the transfer of 0.49 acres from a 6.4-acre parcel to 1622 Enterprise Court submitted by The Villas of West Park, LLC. No action is required by the Board of Aldermen.
- A preliminary plat of Orchard Place Subdivision was recommended for approval. A final decision will be made by the Board of Alderman.

As always, if you have questions on these items, please contact me at 243-2300 or [lmiller@jacksonmo.org](mailto:lmiller@jacksonmo.org).

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 Bagues 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.*



# CITY OF JACKSON

## PLANNING & ZONING COMMISSION MEETING AGENDA

**Wednesday, February 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  
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 January 11, 2023 meeting

### PUBLIC HEARINGS

2. 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.

### OLD BUSINESS

3. Considered text amendments to Chapter 65 (Zoning) to add provisions for recreational marijuana
4. Defining and Regulating Tiny Homes

### NEW BUSINESS

5. Request for Approval of a Land Exchange Certification for Transfer of .36 Acres from a 6.4 Acre Parcel (Parcel #14-318-00-02-004.01) to 1636 Enterprise Court Submitted by The Villas of West Park, LLC
6. Request for Approval of a Land Exchange Certification for Transfer of .46 Acres from a 6.4 Acre Parcel (Parcel #14-318-00-02-004.01) to 1608 Enterprise Court
7. Request for Approval of a Land Exchange Certification for Transfer of .49 Acres from a 6.4 Acre Parcel (Parcel #14-318-00-02-004.01) to 1622 Enterprise Court
8. Request for Approval of a Preliminary Plat of Orchard Place Subdivision Submitted by The Villas of West Park, LLC

### CONSIDER A MOTION TO ADD ITEMS TO THE AGENDA

### ADJOURNMENT

This agenda was posted at City Hall on February 1, 2023 at 12:00 PM.

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

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

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

#### APPROVAL OF MINUTES )

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

#### OLD BUSINESS

#### Defining & Regulating Tiny Homes )

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

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

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



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

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

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

## NEW BUSINESS

Zoning Text Amendment – Recreational )  
 Marijuana )

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

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

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

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

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

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



Consider a motion to add items to the )  
agenda )

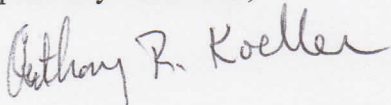
No items were added.

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

Adjournment )

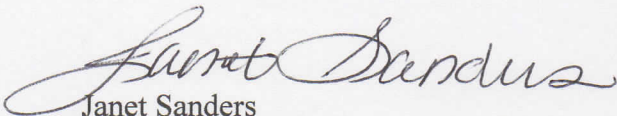
Commissioner Fadler made a motion to adjourn. The motion was seconded by Commissioner Koeller and was unanimously approved.

Respectfully submitted,



Tony Koeller  
Planning and Zoning Commission Secretary

Attest:



Janet Sanders  
Building & Planning Manager

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## Staff Report 2

**ACTION ITEM:** Zoning Text Amendment –Recreational Marijuana

**APPLICANT:** City of Jackson

**APPLICANT STATUS:** Municipality

**PURPOSE:** To update the city’s zoning code in accordance with recreational marijuana businesses now authorized by Missouri constitution

**HISTORY:** Residents of the State of Missouri approved Amendment 3 to the Missouri Constitution in the November election.

**APPLICABLE REGULATIONS:** Zoning Code (Chapter 65); Missouri Constitution

**COMMENTS:** Per the Missouri Constitution, a municipality has the ability to regulate only the “time, place, and manner” of operation of marijuana businesses. The Board discussion at that meeting yielded the following over-arching guidance to staff for developing draft code language:

1. Recreational marijuana businesses are recommended to be allowed in all the same zones where medical marijuana businesses are now allowed (see attached memo for list).
2. Dispensary hours are recommended to be 7 a.m. – 9 p.m. (There are currently no time limitations on medical marijuana dispensary hours.)
3. The separation between marijuana businesses and state-licensed daycares, elementary & secondary schools, and churches is recommended to be 500’, consistent with the separation chosen for medical marijuana businesses.
4. The method of measuring distances between marijuana businesses and daycares, schools, & churches needs to be changed to match the state specifications (to be measured following the shortest route legally travelled by foot rather than “as the crow flies”).
5. “Consumption lounges” are recommended to be allowed, but with a special use permit only.

The State of Missouri is expected to convert Good Day Farm’s medical marijuana license to a comprehensive license on or about February 6<sup>th</sup>. Good Day Farm currently operates in Jackson at the corner of East Jackson Boulevard and Clover Drive.

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

**ACTION REQUIRED:** The Commission shall approve draft language for this code amendment, either in accordance with the Board guidance or otherwise. Prior to approval, P&Z shall schedule and hold a public hearing on their proposed code language. A public hearing for a text amendment is required at both the P&Z level and the Board of Aldermen level. Because time is of the essence, if the Commission can concur on the essence of proposed code additions, staff and the city attorney can draft language during the time between this meeting and the public hearing and make it available to P&Z and the public prior to the public hearing.

PROPOSED AMENDMENTS TO CHAPTER 65 REGARDING MARIJUANA FACILITIES, MEDIC  
MARIJUANA FACILITIES AND PERSONAL CULTIVATION OF MARIJUANA  
1/24/2023

Proposed deletions are ~~struck through~~.

Proposed additional text is in **red**.

Commentary notes are in **(red and in parentheses)**.

Some code sections which are not proposed to be altered are included in non-bolded text just for context.

**Sec. 65-2. - Definitions.** *(includes pertinent definitions only)*

*Church.* A building set apart for regularly scheduled public religious worship, not including units in a strip mall or other semi-detached buildings in a common area. **A permanent building primarily and regularly used as a place of religious worship.**

***Daycare or childcare center.*** Any place, home, or institution which receives five (5) or more children under the age of seventeen (17) years and not of common parentage for care apart from their natural parents, legal guardians, or custodians when received for regular periods of time for compensation; provided, however, this definition shall not include public and private schools, organized, operated, or approved under the laws of this state; custody of children fixed by a court of competent jurisdiction; children related by blood or marriage within the third degree of the custodial person; or to churches or other religious or public institutions while their parents or legal guardians are attending services, meetings or classes, or are engaged in church activities.

~~*Marijuana or marihuana.* Marijuana or marihuana means Cannabis indica, Cannabis sativa, and Cannabis ruderalis, hybrids of such species, and any other strains commonly understood within the scientific community to constitute marijuana, as well as resin extracted from the plant and marijuana-infused products. Marijuana or marihuana does not include industrial hemp containing a crop wide average tetrahydrocannabinol concentration that does not exceed three tenths of one (0.3) percent on a dry weight basis or commodities or products manufactured from industrial hemp.~~

~~*Marijuana-infused products.* Marijuana-infused products means products that are infused, with marijuana or an extract thereof and are intended for use or consumption other than by smoking, including, but not limited to, edible products, ointments, tinctures, and concentrates.~~

~~*Medical marijuana cultivation facility.* Medical marijuana cultivation facility means a facility licensed by the State of Missouri to acquire, cultivate, process, store, transport, and sell marijuana to a medical marijuana dispensary facility, to a medical marijuana testing facility or to a medical marijuana-infused products manufacturing facility.~~

~~*Medical marijuana dispensary facility.* Medical marijuana dispensary facility means a facility licensed by the State of Missouri to acquire, store, sell, transport, and deliver marijuana, marijuana-infused products, and drug paraphernalia used to administer marijuana as provided for in this chapter to a qualifying patient, a primary caregiver, another medical marijuana dispensary facility, a medical marijuana testing facility, or a medical marijuana-infused products manufacturing facility.~~

~~*Medical marijuana-infused products manufacturing facility.* Medical marijuana-infused products manufacturing facility means a facility licensed by the State of Missouri to acquire, store, manufacture,~~

~~transport, and sell marijuana-infused products to a medical marijuana dispensary facility, to a medical marijuana testing facility, or to another medical marijuana-infused products manufacturing facility.~~

~~Medical marijuana testing facility. Medical marijuana testing facility means a facility certified by the State of Missouri to acquire, test, certify, and transport marijuana.~~

#### **Sec. 65-4. - A-1 Agricultural 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 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.

- b. Agricultural crops including field crops, berry and bush crops, vine crops, and truck gardening.
- f. Storage of grain, hay, or other crop products.
- l. Nurseries and greenhouses, for growing or propagation of plants, turf, trees, and shrubs, including medical marijuana cultivation facility facilities.

dd. Marijuana cultivation facilities in compliance with Sec. 65-32.

#### **Sec. 65-5. - R-1 Single-family 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-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.

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

- g. Agricultural uses including only gardening, flower gardening, non-commercial greenhouses, and the raising and housing of farm animals in accordance with chapter 7, excluding marijuana facilities.

#### **Sec. 65-6. - R-2 Single-family 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-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.

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

- h. Agricultural uses including only gardening, flower gardening, non-commercial greenhouses, and the raising and housing of farm animals in accordance with chapter 7, excluding marijuana facilities.

### **Sec. 65-7. - R-3 One- and two-family 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-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.

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

- j. Agricultural uses including only gardening, flower gardening, non-commercial greenhouses, and the raising and housing of farm animals in accordance with chapter 7, **excluding marijuana facilities.**
- l. Fraternal organizations and other private clubs, excepting those whose chief activity is a service customarily carried on by a business, **and excluding marijuana consumption lounges or clubs.**

### **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:

- n. Agricultural uses including only gardening, flower gardening, non-commercial greenhouses, and the raising and housing of farm animals in accordance with chapter 7, **excluding marijuana facilities.**
- p. Fraternal organizations and other private clubs, excepting those whose chief activity is a service customarily carried on by a business, **and excluding marijuana consumption lounges or clubs.**

### **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.

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

- n. Agricultural uses including only gardening, flower gardening, non-commercial greenhouses, and the raising and housing of farm animals in accordance with Chapter 7, **excluding marijuana facilities.**
- p. Fraternal organizations and other private clubs, excepting those whose chief activity is a service customarily carried on by a business, **excluding marijuana facilities.**
- u. Professional services and offices; including medical, dental, and other health-related services; legal, engineering, surveying, architectural, research, accounting, ~~and~~ planning services, **and medical**

marijuana dispensaries in compliance with Sec. 65-32, but excluding animal hospitals and animal clinics.

- y. Restaurants, cafeterias, gift shops, magazine stands, drugstores, medical prescriptions centers, and medical marijuana dispensaries in compliance with Sec. 65-32, will be permitted, provided they are operated as an accessory use to and located within a permitted use of the O-1 professional office district and further provided that any advertising of such sales shall be confined to the interior of the building and shall not be visible from the outside of such building.

### **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 Local commercial 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.

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

- p. Agricultural uses including only gardening, flower gardening, commercial or noncommercial greenhouses, plant shelters, nurseries, roadside stands or markets, and the raising and housing of farm animals in accordance with chapter 7.
- q. Indoor medical marijuana cultivation facilities, comprehensive marijuana cultivation facilities, and microbusiness wholesale facilities in compliance with Sec. 65-32. *(All subsequent numbered items to be renumbered in sequence).*
- r. Fraternal organizations and other private clubs, excluding adult entertainment, but including marijuana consumption lounges and clubs in compliance with Sec. 65-32, with a special use permit only.
- y. Retail food stores, including grocery stores, meat markets and delicatessens, ice-cream or candy stores, and bakeries with baking and processing for retail trade on the premises only.
- z. Drugstores and medical prescriptions centers, including medical marijuana dispensary facility dispensaries, comprehensive marijuana dispensaries, and microbusiness marijuana dispensaries in compliance with Sec. 65-32.
- aa. Restaurants, cafes, and lunchrooms, excluding drive-through facilities.

### **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:



- p. Agricultural uses including only gardening, flower gardening, commercial or noncommercial greenhouses, plant shelters, nurseries, roadside stands or markets, and the raising and housing of farm animals in accordance with chapter 7, **indoor medical marijuana cultivation facilities, indoor comprehensive marijuana cultivation facilities, and indoor microbusiness wholesale facilities in compliance with Sec. 65-32.**
- y. Retail food stores, including grocery stores, meat markets and delicatessens, ice-cream or candy stores, and bakeries with baking and processing for retail trade on the premises only.
- z. Drugstores and medical prescriptions centers, including medical marijuana dispensary facility, **dispensaries and microbusiness medical marijuana dispensaries in compliance with Sec. 65-32.**
- aa. Restaurants, cafes, and lunchrooms and temporarily parked mobile food stand, truck, or cart.
- mm. Florist, gift or card shops, and greenhouses.
- ww. The following uses when located fifty (50) feet or more from any residential district (as measured to the property lines) and separated from an adjacent residential district by a privacy fence:
  - 3. Establishment for the sale of beer or alcoholic beverages.
  - 4. **Comprehensive marijuana dispensaries in compliance with Sec. 65-32. (All subsequent numbered items to be renumbered in sequence.)**
  - 25. Wholesale or distributing establishment or warehouse or wholesale market, **including marijuana storage facilities and marijuana transportation facilities in compliance with Sec. 65-32.**

### **Sec. 65-13. - C-3 Central business 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-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.

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

- o. Agricultural uses including only gardening, flower gardening, commercial or noncommercial greenhouses, plant shelters, nurseries, roadside stands or markets, and the raising and housing of farm animals in accordance with chapter 7, **excluding marijuana facilities.**
- t. Professional services and offices; including medical, dental, and other health-related services; legal, engineering, surveying, architectural, research, accounting, and planning services, excluding animal hospitals.
- x. Retail food stores, including grocery stores, meat markets and delicatessens, ice-cream or candy stores, and bakeries with baking and processing for retail trade on the premises only.

- y. Drugstores and medical prescriptions centers, including medical marijuana dispensary facility dispensaries in compliance with Sec. 65-32.
- z. Restaurants, cafes, and lunchrooms and temporarily parked mobile food stand, truck, or cart.
- jj. Florist, gift or card shops, and greenhouses.
- rr. The following uses when located fifty (50) feet or more from any residential district (as measured to the property lines) and separated from an adjacent residential district by a privacy fence:
  - 3. Establishment for the sale of beer or alcoholic beverages.
  - 4. Comprehensive marijuana dispensaries in compliance with Sec. 65-32. *(All subsequent numbered items to be renumbered in sequence.)*
  - 25. Wholesale or distributing establishment or warehouse or wholesale market, excluding marijuana facilities.
  - 27. Experimental, film, or testing laboratory, excluding marijuana facilities.

### **Sec. 65-15. - CO-1 Enhanced commercial overlay 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 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.

- (1) *Use regulations.* A building or premises shall be used only for the following purposes:
  - a. Any use allowed in the underlying zoning district, excluding the following:
    - (marijuana dispensaries are allowed as listed in underlying zoning districts)*
  - b. In addition to special use permit requirements in the underlying districts, the following uses shall also require a special use permit:
    - 7. Medical and comprehensive marijuana cultivation facilities and marijuana microbusiness wholesale facilities in compliance with Sec. 65-32.
    - 8. Medical and comprehensive marijuana manufacturing facilities in compliance with Sec. 65-32. *(All subsequent numbered items shall be renumbered in sequence.)*

### **Sec. 65-16. - I-1 Light industrial 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 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.

- (1) *Use regulations.* All uses permitted herein shall not be obnoxious or offensive by reason of the emission of smoke, dust, fumes, gas, odors, noise, or vibrations beyond the confines of the premises. A building or premises shall be used only for the following purposes:
- g. Fraternal organizations and other private clubs, including adult entertainment.
  - j. Professional services and offices; including medical, dental, and other health-related services; legal, engineering, surveying, architectural, research, accounting, and planning services, excluding animal hospitals and animal clinics.
  - n. Retail food stores, including grocery stores, meat markets and delicatessens, ice-cream or candy stores, and bakeries with baking and processing for retail trade on the premises only.
  - o. Drugstores and medical prescriptions centers, including medical marijuana dispensary facility dispensaries in compliance with Sec. 65-32.
  - p. Restaurants, cafes, and lunchrooms, including drive-through facilities.
  - x. Florist, gift or card shops, and greenhouses.
  - ii. Greenhouse, plant shelter, or nursery, excluding marijuana facility.
  - jj. The following uses when located not less than fifty (50) feet from any residential district (as measured to the property line):
    - 1. Drive-in restaurant.
    - 3. Establishment for the sale of beer or alcoholic beverages.
    - 4. Marijuana consumption lounge or club, in compliance with Sec. 65-32 with a special use permit only. *(All subsequent items to be renumbered in sequence).*
    - 25. ~~Wholesale or distributing establishment or warehouse or wholesale market.~~ *(Repeat of #35.) (All subsequent numbered items to be renumbered in sequence.)*
    - 35. Warehouse, wholesale merchandise, or distributing establishment, including marijuana transportation and storage facility in compliance with Sec. 65-32.
    - 37. Experimental, film, or testing laboratory, including marijuana testing facility in compliance with Sec. 65-32.

- 38. Bakery, creamery, or dairy operation.
- 44. The manufacture, compounding, processing, packaging, or storage of such goods, materials, and products as the following:
  - i. Food products, including beverage blending or bottling, bakery products, candy manufacture, ice and dairy products, fruit and vegetable processing and canning, packing and processing of meat and poultry products, but not distilling of beverages or slaughtering of poultry or animals.
  - ii. Articles made from previously prepared materials, such as bone, canvas, cellophane, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastics, precious or semiprecious metals or stone, shells, textiles, wax, wire, yarns, and the like.
  - iv. ~~Medical marijuana cultivation facility, medical~~ Marijuana-infused products manufacturing facility ~~or medical marijuana testing facility,~~ in compliance with Sec. 65-32.
- ~~48. Warehouse, wholesale merchandise, or distributing establishment. (repeat of #35)~~
- 49. Freight, transportation storage, and trucking yard or terminal, including marijuana storage and transportation facility in compliance with Sec. 65-32.
- 51. Research, design and development firms, experimental or testing laboratory including marijuana testing facility in compliance with Sec. 65-32.

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

- (1) *Use regulations.* All uses permitted herein shall not be obnoxious or offensive by reason of the emission of smoke, dust, fumes, gas, odors, noise, or vibrations beyond the confines of the premises. A building or premises shall be used only for the following purposes:
  - g. Fraternal organizations and other private clubs, including adult entertainment.
  - h. Marijuana consumption lounges and clubs in compliance with Sec. 65-32 with a special use permit only. *(All subsequent items to be renumbered in sequence).*
  - j. Professional services and offices; including medical, dental, and other health-related services; legal, engineering, surveying, architectural, research, accounting, and planning services, excluding animal hospitals and animal clinics.
  - n. ~~Restaurants, cafeterias, gift shops, magazine stands, drugstores, and medical prescriptions centers will be permitted, provided they are operated as an accessory use to and located within a permitted use of the I-2 Heavy industrial district and further provided that any advertising of such sales shall be confined to the interior of the building and shall not be visible from the outside of such building.~~

- o. Retail food stores, including grocery stores, meat markets and delicatessens, ice-cream or candy stores, and bakeries with baking and processing for retail trade on the premises only.
- p. Drugstores and medical prescriptions centers, including medical marijuana dispensary facility dispensaries in compliance with Sec. 65-32.
- q. Restaurants, cafes, and lunchrooms, excluding drive-through facilities.
- x. Florist, gift or card shops, and greenhouses.
- hh. Greenhouse, plant shelter, or nursery, excluding marijuana facility.
- ii. The following uses when located not less than fifty (50) feet from any residential district (as measured to the property line) and separated by a privacy fence:
  - 3. Establishment for the sale of beer or alcoholic beverages.
  - 25. Wholesale or distributing establishment or warehouse or wholesale market, including marijuana transportation and storage facility in compliance with Sec. 65-32.
  - ~~35. Experimental, film, or testing laboratory. (repeat of #46)~~
  - 36. Bakery, creamery, or dairy operation.
  - 42. The manufacture, compounding, processing, packaging, or storage of such goods, materials, and products as the following:
    - i. Food products, including beverage blending or bottling, bakery products, candy manufacture, ice and dairy products, fruit and vegetable processing and canning, packing and processing of meat and poultry products, but not distilling of beverages or slaughtering of poultry or animals.
    - ii. Articles made from previously prepared materials, such as bone, canvas, cellophane, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastics, precious or semiprecious metals or stone, shells, textiles, wax, wire, yarns, and the like.
    - vii. ~~Medical marijuana cultivation facility, medical~~ Marijuana-infused products manufacturing facility, in compliance with Sec. 65-32.
  - ~~43. Warehouse, wholesale merchandise, or distributing establishment. (repeat of #25)~~
  - 44. Freight, transportation storage, and trucking yard or terminal, including marijuana storage and transportation facility in compliance with Sec. 65-32.
  - 46. Research, design and development firms, experimental, film, or testing laboratory, including marijuana testing facility in compliance with Sec. 65-32.

51. Farming and associated agricultural uses, including marijuana cultivation facility in compliance with Sec. 65-32.

63. ~~Warehouse storage or distributing facility, including wholesale storage. (repeat of #25)~~

65. The following uses, with a special use permit only. In authorizing any of the uses in this subsection, there may be imposed such reasonable requirements as to landscaping, screening, and other features of the development as are deemed necessary to protect adjacent property and prevent objectionable or hazardous conditions:

xiv. Any similar use that would be hazardous to the public health, safety, or welfare.

### **Sec. 65-18. - I-3 Planned industrial park 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 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.

**(No change.)**

### **Sec. 65-20. - Accessory building, use, and structure regulations.**

The regulations hereinafter set forth in this section qualify or supplement, as the case may be, the district regulations appearing elsewhere in this chapter.

(10) Personal cultivation of marijuana. The personal cultivation of marijuana shall be a permitted accessory use in all zoning districts, when in compliance with state law.

### **Sec. 65-32. - Medical Marijuana.**

#### **1) Definitions:**

*Comprehensive facility.* A comprehensive marijuana cultivation facility, comprehensive marijuana dispensary facility, or a comprehensive marijuana-infused products manufacturing facility.

*Comprehensive marijuana cultivation facility.* A facility licensed by the State of Missouri to acquire, cultivate, process, package, store on site or off site, transport to or from, and sell marijuana, marijuana seeds, marijuana vegetative cuttings (also known as clones) to a medical facility, comprehensive facility, or marijuana testing facility. A comprehensive marijuana cultivation facility need not segregate or account for its marijuana products as either non-medical marijuana or medical marijuana. A comprehensive marijuana cultivation facility's authority to process marijuana shall include the creation of prerolls, but shall not include the manufacture of marijuana-infused products.

*Comprehensive marijuana dispensary facility.* A facility licensed by the State of Missouri to acquire, process, package, store on site or off site, sell, transport to or from, and deliver marijuana, marijuana seeds, marijuana vegetative cuttings (also known as clones), marijuana-infused products and drug paraphernalia used to administer marijuana as provided for in this chapter to a qualifying patient or primary caregiver, as those terms are defined in this chapter, or to a consumer, anywhere on the licensed property or to any address as directed by the patient, primary caregiver, or consumer and

consistent with the limitations of this chapter and as otherwise allowed by law, to a comprehensive facility, a marijuana testing facility, or a medical facility. Comprehensive dispensary facilities may receive transaction orders at the dispensary directly from the consumer in person, by phone, or via the internet, including from a third party. A comprehensive marijuana dispensary facility need not segregate or account for its marijuana products as either non-medical marijuana or medical marijuana but shall collect all appropriate tangible personal property sales tax for each sale, as provided for in general or local law. A comprehensive marijuana dispensary facility's authority to process marijuana shall include the creation of prerolls.

*Comprehensive marijuana-infused products manufacturing facility.* A comprehensive marijuana-infused products manufacturing facility means a facility licensed by the State of Missouri to acquire, process, package, store, manufacture, transport to or from a medical facility, comprehensive facility, or marijuana testing facility, and sell marijuana-infused products, prerolls, and infused prerolls to a marijuana dispensary facility, a marijuana testing facility, or another marijuana-infused products manufacturing facility. A comprehensive marijuana-infused manufacturing facility need not segregate or account for its marijuana products as either non-medical marijuana or medical marijuana.

*Consumer.* Consumer means a person who is at least twenty-one years of age.

*Daycare or childcare center, state-licensed.* Any place, home, or institution which is licensed by the State of Missouri as a family child care home, group child care home, or child care facility, as defined by section 210.201, RSMo, or successor provisions,

*Entity.* Entity means a natural person, corporation, professional corporation, nonprofit corporation, cooperative corporation, unincorporated association, business trust, limited liability company, general or limited partnership, limited liability partnership, joint venture, or any other legal entity.

*Flowering plant.* Flowering plant means a marijuana plant from the time exhibits the first signs of sexual maturity through harvest.

*Infused preroll.* Infused preroll means a consumable or smokable marijuana product, generally consisting of (1) a wrap or paper, (2) dried flower, buds, and/or plant material, and (3) a concentrate, oil, or other type of marijuana extract, either within or on the surface of the product. Infused prerolls may not include a filter or crutch at the base of the product.

*Marijuana or marihuana.* Cannabis indica, Cannabis sativa, and Cannabis ruderalis, hybrids of such species, and any other strains commonly understood within the scientific community to constitute marijuana, as well as resin extracted from the plant and marijuana-infused products. Marijuana or marihuana does not include industrial hemp containing a crop wide average tetrahydrocannabinol concentration that does not exceed three-tenths of one (0.3) percent on a dry weight basis as defined by Missouri statute, or commodities or products manufactured from industrial hemp.

*Marijuana accessories.* Any equipment, product, material, or combination of equipment, products, or materials, which is specifically designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, ingesting, inhaling, or otherwise introducing marijuana into the human body.

*Marijuana club.* Any place, location, building, or portion thereof, or premises owned or operated by corporation, association, person, or persons for a social or recreational purpose whose access is limited to registered members and their guests but is not necessarily for profit or to render a service which is customarily carried on as a business.

*Marijuana consumption lounge.* Any place, location, building, or portion thereof, or premises owned or operated by a corporation, association, person, or persons for a social, educational, or recreational purpose whose access is limited to registered members and their guests which is not necessarily for profit or to render a service which is customarily carried on as a business.

*Marijuana facility.* A comprehensive or medical marijuana cultivation facility, comprehensive or medical marijuana dispensary facility, comprehensive or medical marijuana testing facility, comprehensive or medical marijuana-infused products manufacturing facility, comprehensive or medical storage or transportation facility, microbusiness wholesale facility, microbusiness dispensary facility, or any other type of marijuana-related facility or business licensed or certified by the State of Missouri.

*Marijuana-infused products.* Products that are infused, dipped, coated, sprayed, or mixed with marijuana or an extract thereof and are intended for use or consumption other than by smoking, including, but not limited to, edible products, ointments, tinctures, and concentrates, products that are able to be vaporized or smoked, edible products, ingestible products, topical products, suppositories, and infused prerolls.

*Marijuana microbusiness facility.* A facility licensed by the State of Missouri as a microbusiness dispensary facility or microbusiness wholesale facility, as defined by the State of Missouri.

*Marijuana testing facility.* A facility certified by the State of Missouri to acquire, test, certify, and transport marijuana, including those originally certified as a medical marijuana testing facility.

*Marijuana transport or storage facility.* A facility certified by the State of Missouri to transport or store marijuana or marijuana-infused products.

*Medical marijuana facility.* Any medical marijuana cultivation facility, medical marijuana dispensary facility, or medical marijuana-infused products manufacturing facility, as defined in this section.

*Medical marijuana cultivation facility.* A facility licensed by the State of Missouri to acquire, cultivate, process, package, store on site or off site, transport to or from, and sell marijuana, marijuana seeds, marijuana vegetative cuttings (also known as clones), to a medical marijuana dispensary facility, to a medical marijuana testing facility, medical marijuana cultivation facility, or to a medical marijuana-infused products manufacturing facility. A medical marijuana cultivation facility's authority to process marijuana shall include the production and sale of prerolls but shall not include the manufacture of marijuana-infused products.

*Medical marijuana dispensary facility.* A facility licensed by the State of Missouri to acquire, process, package, store on site or off site, sell, transport to or from, and deliver marijuana, marijuana seeds, marijuana vegetative cuttings (also known as clones), marijuana-infused products, and drug paraphernalia used to administer marijuana as provided for in this chapter to a qualifying patient, a primary caregiver anywhere on the licensed property or to any address as directed by the patient or primary caregiver, so long as the address is a location allowing for the legal possession of marijuana,

another medical marijuana dispensary facility, a medical marijuana testing facility, or to a medical marijuana-infused products manufacturing facility. Dispensary facilities may receive transaction orders at the dispensary in person, by phone, or via the internet, including from a third party. A medical marijuana dispensary facility's authority to process marijuana shall include the production and sale of prerolls, but shall not include the manufacture of marijuana-infused products.

*Medical marijuana-infused products manufacturing facility.* A facility licensed by the State of Missouri to acquire, process, package, store on-site or off-site, manufacture, transport to or from, and sell marijuana-infused products to a medical marijuana dispensary facility, to a medical marijuana testing facility, a medical marijuana cultivation facility, or to another medical marijuana-infused products manufacturing facility.

*Medical marijuana testing facility.* A facility certified by the State of Missouri to acquire, test, certify, and transport marijuana, including those originally licensed as a medical marijuana testing facility.

*Microbusiness dispensary facility.* A facility licensed by the State of Missouri to acquire, process, package, store on site or off site, sell, transport to or from,, and deliver marijuana, marijuana seeds, marijuana vegetative cuttings (also known as clones), marijuana-infused products and drug paraphernalia used to administer marijuana to a consumer, qualifying patient, as that term is defined in this chapter, or primary caregiver, as that term is defined in this chapter, anywhere on the licensed property or to any address as directed by the consumer, qualifying patient, or primary caregiver and consistent with the limitations of **this chapter** and by law, a microbusiness wholesale facility or a marijuana testing facility. Microbusiness dispensary facility's authority to process marijuana shall include the creation of prerolls.

*Microbusiness wholesale facility.* A facility licensed by the State of Missouri to acquire, cultivate, process, package, store on site or off site, manufacture, transport to or from, deliver, and sell marijuana, marijuana seeds, marijuana vegetative cuttings (also known as clones), and marijuana infused products to a microbusiness dispensary facility, other microbusiness wholesale facility, or marijuana testing facility. A microbusiness wholesale facility may cultivate up to 250 flowering marijuana plants at any given time. A microbusiness wholesale facility's authority to process marijuana shall include the creation of prerolls and infused prerolls.

*Medical use.* The production, possession, delivery, distribution, transportation, or administration of marijuana or a marijuana-infused product, or drug paraphernalia used to administer marijuana or a marijuana-infused product, for the benefit of a qualifying patient to mitigate the symptoms or effects of the patient's qualifying medical condition.

*Nurse practitioner.* An individual who is licensed and in good standing as an advanced practice registered nurse, or successor designation, under Missouri law.

*Owner.* An individual who has a financial (other than a security, interest, lien or encumbrance) or voting interest in ten (10) percent or greater of a marijuana facility.

*Physician.* An individual who is licensed and in good standing to practice medicine or osteopathy under Missouri law.

*Physician or nurse practitioner certification.* A document, whether handwritten, electronic, or in another commonly used format, signed by a physician, or a nurse practitioner and stating that, in the physician's



or nurse practitioner's professional opinion, the patient suffers from a qualifying medical condition defined by the State of Missouri.

*Preroll.* A consumable or smokable marijuana product, generally consisting of: (1) a wrap or paper and (2) dried flower, buds, and/or plant material. Prerolls may or may not include a filter or crutch at the base of the product.

*Primary caregiver.* An individual twenty-one years of age or older who has significant responsibility for managing the well-being of a qualifying patient and who is designated as such on the primary caregiver's application for an identification card under the requirements of the State of Missouri.

*Qualifying patient.* An individual diagnosed with at least one qualifying medical condition under the requirements of the State of Missouri.

*Unduly burdensome.* The measures necessary to comply with the rules or ordinances adopted pursuant to this section subject the party to such a high investment or expense of money, time, or any other resource or asset that a reasonably prudent businessperson would not operate the facility, and (when referring to qualifying patients, primary caregivers, physicians, nurse practitioners, or other party) "unduly burdensome" means the measures necessary to comply with the rules or ordinances adopted pursuant to this section undermine the purpose of this section.

- 2) ~~No new A medical marijuana cultivation facility, a medical marijuana dispensary facility, a medical marijuana-infused products manufacturing facility, or a medical marijuana testing facility,~~ **marijuana transportation / storage facility, marijuana consumption lounge or marijuana club** may not be located within five hundred (500) feet of a previously existing ~~state-licensed daycare, church, or public or private school, or state-licensed daycare~~ measured the shortest straight line distance from building to building, measured by the following methods:
- In the case of a freestanding facility, the distance between the facility and the school, daycare, or church shall be measured from the external wall of the facility structure closest in proximity to the school, daycare, or church to the closest point of the property line of the school, daycare, or church.
  - In the case of a school, daycare, or church that is part of a larger structure such as an office building or strip mall, the distance shall be measured to the entrance or exit of the school, daycare, or church closest in proximity to the facility.
  - In the case of a facility that is part of a larger structure, such as an office building or strip mall, the distance between the facility and the school, daycare, or church shall be measured from the property line of the school, daycare, or church to the facility's entrance or exit closest in proximity to the school, daycare, or church.
  - In the case of a school, daycare, or church that is part of a larger structure such as an office building or strip mall, the distance shall be measured to the entrance or exit of the school, daycare, or church closest in proximity to the facility.
  - All measurements shall be made along the shortest path between the demarcation points that can be lawfully travelled on foot.



- 2) The personal cultivation of marijuana shall be a permitted accessory use in all zoning district in accordance with \_\_\_\_\_(State of Missouri)\_\_\_\_\_.

DRAFT

## Staff Report 4

**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 the public hearings at the P&Z level and also at the Board of Aldermen level required 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.

Some potential code language is attached. This is intended to be simply a starting point for further discussion.

Also attached is a memo summarizing surrounding cities' zoning code requirements.

**NEW SINCE LAST STAFF REPORT:** Wording updated based on last meeting discussion.

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

## 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.)*

## Staff Report

**ACTION ITEM:** Request for Approval of a Land Exchange Certification for Transfer of .36 Acres from a 6.4 Acre Parcel (Parcel #14-318-00-02-004.01) to 1636 Enterprise Court

**APPLICANT:** The Villas of West Park, LLC

**APPLICANT STATUS:** Granting Owner

**PURPOSE:** Land Exchange Certification

**SIZE:** .36 Acre

**PRESENT USES:** Part of pond area

**PROPOSED USE:** Part of Residential Lot

**ZONING:** R-2 Single Family

**SURROUNDING LAND USE:** R-2 Single Family in all Directions

**HISTORY:** Part of Jackson Ridge Estate Subdivision

**TRANSPORTATION AND PARKING:** All required street frontage and parking exists

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

**2009 COMPREHENSIVE PLAN:** Single Family Residential

**FLOODPLAIN INFORMATION:** Not in a Flood Plain 29030143E Dated 9-11-2009

**PHYSICAL CHARACTERISTICS:** Part of the undeveloped pond area

**COMMENTS:** N/A

**ACTION REQUIRED:** Commission shall approve or disapprove this request based on the Land Subdivision Regulations. No action is required by the Board of Alderman.



# LAND EXCHANGE CERTIFICATION APPLICATION FORM

City of Jackson, Missouri



DATE OF APPLICATION: 1-17-2023

ADDRESS OF GRANTING PROPERTY: None

ADDRESS OF RECEIVING PROPERTY: 1636 Enterprise Ct, Jackson

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

Property Owner Name(s): Jackson Ridge Development, LLC

Mailing Address: 2985 Boutin Dr.,

City, State ZIP: Cape Girardeau, MO 63701

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

Property Owner Name(s): Austin Mueller & Brittany Durham

Mailing Address: 1636 Enterprise Ct.

City, State ZIP: Jackson, MO 63755

**ENGINEER / SURVEYING COMPANY:** Dowdy and DeJournett Surveying

Engineer / Surveyor Contact: Matthew DeJournett, PLS

Mailing Address: 2401 State Highway PP

City, State ZIP: Scott City, MO 63780

Contact's Phone: 573-579-4524

**CONTACT PERSON HANDLING APPLICATION:**

Contact Name: Matt DeJournett

Mailing Address: 2401 State Highway PP

City, State ZIP: Scott City, MO 63780

Contact's Phone: 573-579-4524

Contact's Email Address (if used): mattdejournett@hotmail.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):

To provide lot with access to pond

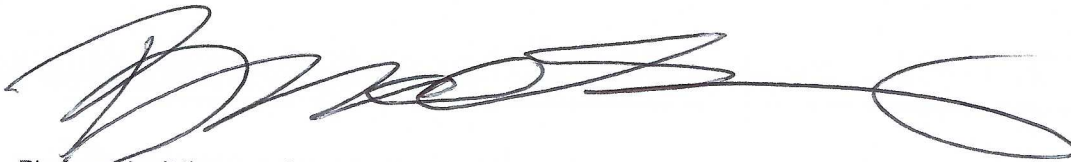
**CURRENT ZONING:** (circle all that apply)

- |   |  |
|---|--|
| <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 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:**

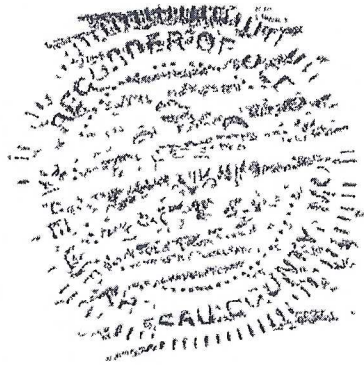
I state upon my oath that all of the information contained in this application is true. *(Signatures of all persons listed on the current property deed and the authorized signer(s) for any owning corporation or trust.)*



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

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

\$30 chg  
GT



2006-05504

Item 1.

REC FEE: \$30.00  
PAGES: 3

JANET ROBERT, Recorder of Deeds, Cape Girardeau County MO, certify that this document was filed for record at 10:45AM and official seal affixed at Jackson, MO. 04/27/2006

JANET ROBERT  
Recorder of Deeds

Sherry Watson Deputy

002284

## GENERAL WARRANTY DEED (LIMITED LIABILITY COMPANY)

This Indenture is made this 26th day of April, 2006, by and between PB Properties, LLC, a Missouri limited liability company ("Grantor"), of the County of Cape Girardeau, Missouri, and Jackson Ridge Development, LLC, a Missouri limited liability company ("Grantee"), of the County of Cape Girardeau, Missouri, whose address in said County is 3262 Lexington Avenue, Cape Girardeau, MO 63701

**WITNESSETH**, that Grantor, for and in consideration of the sum of Ten Dollars (\$10 00) and other good and valuable considerations paid to them by the Grantee, the receipt of which is hereby acknowledged, does by these present GRANT, BARGAIN AND SELL, CONVEY AND CONFIRM unto the Grantee and Grantee's heirs, successors and assigns, the following described Real Estate lying, being and situated in the County of Cape Girardeau, and State of Missouri, to wit

**See Exhibit A attached hereto**

Subject to terms, conditions, restrictions, reservations, and easements of record, if any

TO HAVE AND TO HOLD the same, together with all and singular rights, privileges, and appurtenances thereto belonging or in anywise appertaining unto the Grantee and unto Grantee's heirs, successors and assigns forever Grantor hereby covenants that Grantor is lawfully seized of an indefeasible Estate in Fee in the premises herein conveyed, that Grantor has good right to convey the same, that said premises are free and clear of any encumbrance done or suffered by Grantor or those under whom Grantor claims, and that Grantor will WARRANT AND DEFEND the title to the said premises unto the said Grantee and Grantee's heirs, successors and assigns forever against the lawful claims and demands of all persons whomsoever

In WITNESS WHEREOF, the Grantor has caused these presents to be signed on its behalf by the below duly authorized agent of said Grantor on the day and year first above written



**EXHIBIT A**

That part of United States Private Survey No 221, Township 31 North, Range 12 East of the Fifth Principal Meridian in the County of Cape Girardeau, the State of Missouri, described as follows Commence at the Southwest corner of said United States Private Survey 221, marked by a stone corner, thence with the West Line of said Survey No 221, North 06° 55' 48" East, 1932 43 feet, to the Southwest corner of a tract of land described in Deed Book 753 at Page 956 of the Land Records of Cape Girardeau County; thence with the South Line of said tract, South 82° 55' 46" East, 180 00 feet, thence North 06° 54' 15" East, 200 03 feet, to the Southwest corner of Lot No 18 in Block No 4 of Westbrook Subdivision, a subdivision in the City of Jackson, Missouri, the plat of same is recorded in Plat Book 10 at Page 26 of the Land Records of said Cape Girardeau County, thence with the South Line of said subdivision, South 82° 55' 46" East, 837 93 feet, to the Southeast corner of said subdivision, thence South 83° 10' 10" East, 102 16 feet to the centerline of Rocky Branch, thence following Rocky Branch the following courses and distances thence South 03° 14' 57" East, 48 23 feet, thence South 09° 15' 01" East, 78 68 feet, thence South 00° 22' 06" East, 67 64 feet, thence South 15° 05' 29" West, 75.30 feet, thence South 03° 21' 16" West, 40 19 feet, thence South 22° 04' 26" East, 46 28 feet, thence South 18° 52' 23" East, 122 60 feet, thence South 01° 51' 43" East, 42 86 feet, thence South 22° 44' 49" West, 30 71 feet, thence South 50° 04' 37" West, 92 63 feet, thence South 37° 59' 29" West, 143 31 feet, thence South 66° 29' 48" West, 84 72 feet, thence South 40° 47' 29" West, 103 36 feet, thence South 50° 34' 31" West, 59 59 feet, thence South 68° 37' 12" West, 96 68 feet, thence South 37° 22' 37" West, 32 87 feet; thence South 17° 58' 34" East, 48 15 feet, thence South 49° 42' 48" East, 69 49 feet, thence South 23° 39' 05" East, 113 98 feet, thence South 08° 40' 28" East, 171 78 feet, thence South 15° 39' 38" East, 95 90 feet, thence South 23° 19' 26" East, 142 83 feet, thence South 39° 19' 17" East, 61 98 feet, thence South 19° 25' 23" East, 41 55 feet, thence South 29° 40' 46" East, 36 82 feet, thence South 24° 59' 58" East, 37 90 feet, thence South 06° 44' 29" East, 103 19 feet, thence South 28° 31' 01" East, 60 82 feet, thence South 25° 19' 24" East, 99 95 feet, thence South 10° 49' 54" East, 68 27 feet, thence South 10° 06' 29" West, 45 11 feet, thence South 08° 44' 50" West, 32 17 feet, thence South 01° 48' 02" West, 84 60 feet, to a point on the North Line of a tract of land described in Deed Book 867 at Page 715 of the Land Records of said county, being also the North Line of United States Private Survey No 244, thence with said line, North 83° 26' 01" West, 333 13 feet, to the Northwest corner of said United State Private Survey No 244, being also the Northeast corner of United States Private Survey No 471, thence North 83° 18' 03" West, 1015 31 feet, to the point of beginning, containing 53 81 acres, more or less, as shown on plat of survey by Strickland Engineering, dated March 02, 2006, Project #06-007

Together with easements as set out in Corrective General Warranty Deed recorded as Document #04-03384





# **SURVEY FOR: JACKSON RIDGE DEVELOPMENT, LLC**

**PART OF U.S.P.S. 221, TOWNSHIP 31 NORTH,  
RANGE 12 EAST OF THE FIFTH PRINCIPAL MERIDIAN,  
IN CAPE GIRARDEAU COUNTY, MISSOURI**

## **DESCRIPTION**

TRACT 01: (TO BE CONVEYED TO THE OWNERS OF LOT 86 (1608 ENTERPRISE CT.) OF JACKSON RIDGE ESTATES PHASE 6) PART OF U.S.P.S. 221, TOWNSHIP 31 NORTH, RANGE 12 EAST OF THE FIFTH PRINCIPAL MERIDIAN IN CAPE GIRARDEAU COUNTY, MISSOURI CONTAINING 0.46 ACRE (MORE OR LESS), DESCRIBED AS FOLLOWS: COMMENCING at the northwest corner of U.S.P.S. 244, Township 31 North, Range 12 East of the Fifth Principal Meridian (stone); thence S 83°26'01" E along the South Line of U.S.P.S. 221, 333.13 feet to the southeast corner of a parcel described in Document Number 2006-05504; thence along the East Line of said parcel the following: N 01°48'02" E, 84.60 feet; thence N 08°44'51" E, 32.17 feet; thence N 10°06'26" E, 45.11 feet; thence N 10°49'53" W, 68.27 feet; thence N 25°19'24" W, 99.95 feet; thence N 28°31'02" W, 60.82 feet; thence N 06°44'28" W, 103.19 feet; thence N 24°59'59" W, 37.90 feet; thence N 29°40'42" W, 36.82 feet; thence N 74°25'04" W, 99.96 feet to the southeast corner of Lot 86 of Jackson Ridge Estates Phase 4 as shown in Document Number 2012-01232; thence N 16°17'07" W along the East Line of said Subdivision, 293.79 feet to the northeast corner of Lot 67 of said Subdivision and the southeast corner of Lot 81 of Jackson Ridge Estates Phase 6 as shown in Document Number 2014-08750; thence N 14°30'11" W along the East Line of said Subdivision, 290.07 feet to the northeast corner of Lot 83 of said Subdivision; thence N 83°04'12" W along the North Line of said Subdivision, 260.20 feet to the northeast corner of Lot 86 of said Subdivision for the POINT OF BEGINNING; thence continuing N 83°04'12" W along the North Line of Lot 86 of said Subdivision, 78.00 feet to the northwest corner of Lot 86 of said Subdivision; thence N 06°54'58" E, 281.88 feet; thence S 49°49'54" E, 93.27 feet; thence S 06°54'58" W, 230.76 feet to the POINT OF BEGINNING.

SUBJECT TO A PERMANENT EASEMENT FOR INGRESS AND EGRESS AND A GENERAL MAINTENANCE AND REPAIR EASEMENT FOR UPKEEP AND MAINTENANCE OF THE LAKE AS DESCRIBED IN DOCUMENT NUMBER 2023-00250.

SUBJECT TO ALL EASEMENTS, RIGHTS OF WAY, RESTRICTIONS AND LICENSES AFFECTING SAME, EITHER WRITTEN OR IMPLIED.

TRACT 02: (TO BE CONVEYED TO THE OWNERS OF LOT 87 (1622 ENTERPRISE CT.) OF JACKSON RIDGE ESTATES PHASE 6) PART OF U.S.P.S. 221, TOWNSHIP 31 NORTH, RANGE 12 EAST OF THE FIFTH PRINCIPAL MERIDIAN IN CAPE GIRARDEAU COUNTY, MISSOURI CONTAINING 0.49 ACRE (MORE OR LESS), DESCRIBED AS FOLLOWS: COMMENCING at the northwest corner of U.S.P.S. 244, Township 31 North, Range 12 East of the Fifth Principal Meridian (stone); thence S 83°26'01" E along the South Line of U.S.P.S. 221, 333.13 feet to the southeast corner of a parcel described in Document Number 2006-05504; thence along the East Line of said parcel the following: N 01°48'02" E, 84.60 feet; thence N 08°44'51" E, 32.17 feet; thence N 10°06'26" E, 45.11 feet; thence N 10°49'53" W, 68.27 feet; thence N 25°19'24" W, 99.95 feet; thence N 28°31'02" W, 60.82 feet; thence N 06°44'28" W, 103.19 feet; thence N 24°59'59" W, 37.90 feet; thence N 29°40'42" W, 36.82 feet; thence N 74°25'04" W, 99.96 feet to the southeast corner of Lot 87 of Jackson Ridge Estates Phase 4 as shown in Document Number 2012-01232; thence N 16°17'07" W along the East Line of said Subdivision, 293.79 feet to the northeast corner of Lot 67 of said Subdivision and the southeast corner of Lot 81 of Jackson Ridge Estates Phase 6 as shown in Document Number 2014-08750; thence N 14°30'11" W along the East Line of said Subdivision, 290.07 feet to the northeast corner of Lot 83 of said Subdivision; thence N 83°04'12" W along the North Line of said Subdivision, 338.20 feet to the northeast corner of Lot 87 of said Subdivision for the POINT OF BEGINNING; thence continuing N 83°04'12" W along the North Line of Lot 87 of said Subdivision, 80.00 feet to the northwest corner of Lot 87 of said Subdivision; thence N 06°54'58" E, 230.56 feet; thence N 55°29'46" E, 89.96 feet; thence S 49°49'54" E, 14.99 feet; thence S 06°54'58" W, 281.88 feet to the POINT OF BEGINNING.

SUBJECT TO A PERMANENT EASEMENT FOR INGRESS AND EGRESS AND A GENERAL MAINTENANCE AND REPAIR EASEMENT FOR UPKEEP AND MAINTENANCE OF THE LAKE AS DESCRIBED IN DOCUMENT NUMBER 2023-00250.

SUBJECT TO ALL EASEMENTS, RIGHTS OF WAY, RESTRICTIONS AND LICENSES AFFECTING SAME, EITHER WRITTEN OR IMPLIED.

TRACT 03: (TO BE CONVEYED TO THE OWNERS OF LOT 88 (1636 ENTERPRISE CT.) OF JACKSON RIDGE ESTATES PHASE 6) PART OF U.S.P.S. 221, TOWNSHIP 31 NORTH, RANGE 12 EAST OF THE FIFTH PRINCIPAL MERIDIAN IN CAPE GIRARDEAU COUNTY, MISSOURI CONTAINING 0.36 ACRE (MORE OR LESS), DESCRIBED AS FOLLOWS: COMMENCING at the northwest corner of U.S.P.S. 244, Township 31 North, Range 12 East of the Fifth Principal Meridian (stone); thence S 83°26'01" E along the South Line of U.S.P.S. 221, 333.13 feet to the southeast corner of a parcel described in Document Number 2006-05504; thence along the East Line of said parcel the following: N 01°48'02" E, 84.60 feet; thence N 08°44'51" E, 32.17 feet; thence N 10°06'26" E, 45.11 feet; thence N 10°49'53" W, 68.27 feet; thence N 25°19'24" W, 99.95 feet; thence N 28°31'02" W, 60.82 feet; thence N 06°44'28" W, 103.19 feet; thence N 24°59'59" W, 37.90 feet; thence N 29°40'42" W, 36.82 feet; thence N 74°25'04" W, 99.96 feet to the southeast corner of Lot 88 of Jackson Ridge Estates Phase 4 as shown in Document Number 2012-01232; thence N 16°17'07" W along the East Line of said Subdivision, 293.79 feet to the northeast corner of Lot 67 of said Subdivision and the southeast corner of Lot 81 of Jackson Ridge Estates Phase 6 as shown in Document Number 2014-08750; thence N 14°30'11" W along the East Line of said Subdivision, 290.07 feet to the northeast corner of Lot 83 of said Subdivision; thence N 83°04'12" W along the North Line of said Subdivision, 418.20 feet to the northeast corner of Lot 88 of said Subdivision for the POINT OF BEGINNING; thence continuing N 83°04'12" W along the North Line of Lot 88 of said Subdivision, 80.00 feet to the northwest corner of Lot 88 of said Subdivision; thence N 06°54'58" E, 230.56 feet to the northeast corner of Lot 88 of said Subdivision; thence N 55°29'46" E, 106.63 feet; thence S 06°54'58" W, 230.56 feet to the POINT OF BEGINNING.

SUBJECT TO A PERMANENT EASEMENT FOR INGRESS AND EGRESS AND A GENERAL MAINTENANCE AND REPAIR EASEMENT FOR UPKEEP AND MAINTENANCE OF THE LAKE AS DESCRIBED IN DOCUMENT NUMBER 2023-00250.

SUBJECT TO ALL EASEMENTS, RIGHTS OF WAY, RESTRICTIONS AND LICENSES AFFECTING SAME, EITHER WRITTEN OR IMPLIED.

## **SURVEY CERTIFICATION**

THIS IS TO CERTIFY THAT I HAVE SURVEYED THE FOREGOING DESCRIBED PARCEL OF LAND AND HAVE PREPARED THE ANNEXED PLAT, WHICH IS A TRUE AND CORRECT REPRESENTATION OF THE SURVEY, TO THE BEST OF MY ABILITY AND THAT SAID PLAT AND SURVEY WERE DONE IN ACCORDANCE WITH THE CURRENT MISSOURI SURVEY STANDARDS FOR PROPERTY BOUNDARY SURVEYS.

**SURVEY LIMITATION:** THIS SURVEY IS BASED ON CONVEYANCES SHOWN ON THIS PLAT (SEE TITLE REFERENCES) 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 A CURRENT TITLE SEARCH MAY DISCLOSE HAS BEEN MADE. THE UNDERSIGNED LICENSED LAND SURVEYOR DOES NOT WARRANT THAT ALL RELEVANT CONVEYANCES OR DOCUMENTS HAVE BEEN DISCOVERED OR ARE KNOWN.

**THIS LIMITATION MAY BE REMOVED UPON PRESENTATION OF A CERTIFIED RECORD SEARCH OF THE LAND DESCRIBED IN THIS SURVEY PRESENTATION.**

STATE OF MISSOURI )  
COUNTY OF CAPE GIRARDEAU )

Filed for record in the office of the county Recorder of Deeds of Cape Girardeau County, Missouri duly recorded under document number \_\_\_\_\_, at Jackson, Missouri, on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ A.D.

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

**LARRY D. DOWDY AND DEJOURNETT SURVEYING**

LARRY D. DOWDY, PLS 1518  
MATT DEJOURNETT, PLS 2015000226

DEJOURNETT SURVEYING, LLC  
PROFESSIONAL LAND SURVEYORS  
(LS-20150007724)  
2401 STATE HIGHWAY PP  
SCOTT CITY, MO 63780  
Ph: (573) 579-4524  
matdejournet@hotmail.com



JACKSON RIDGE DEVELOPMENT, LLC

NO SITE ADDRESS  
CAPE GIRARDEAU COUNTY

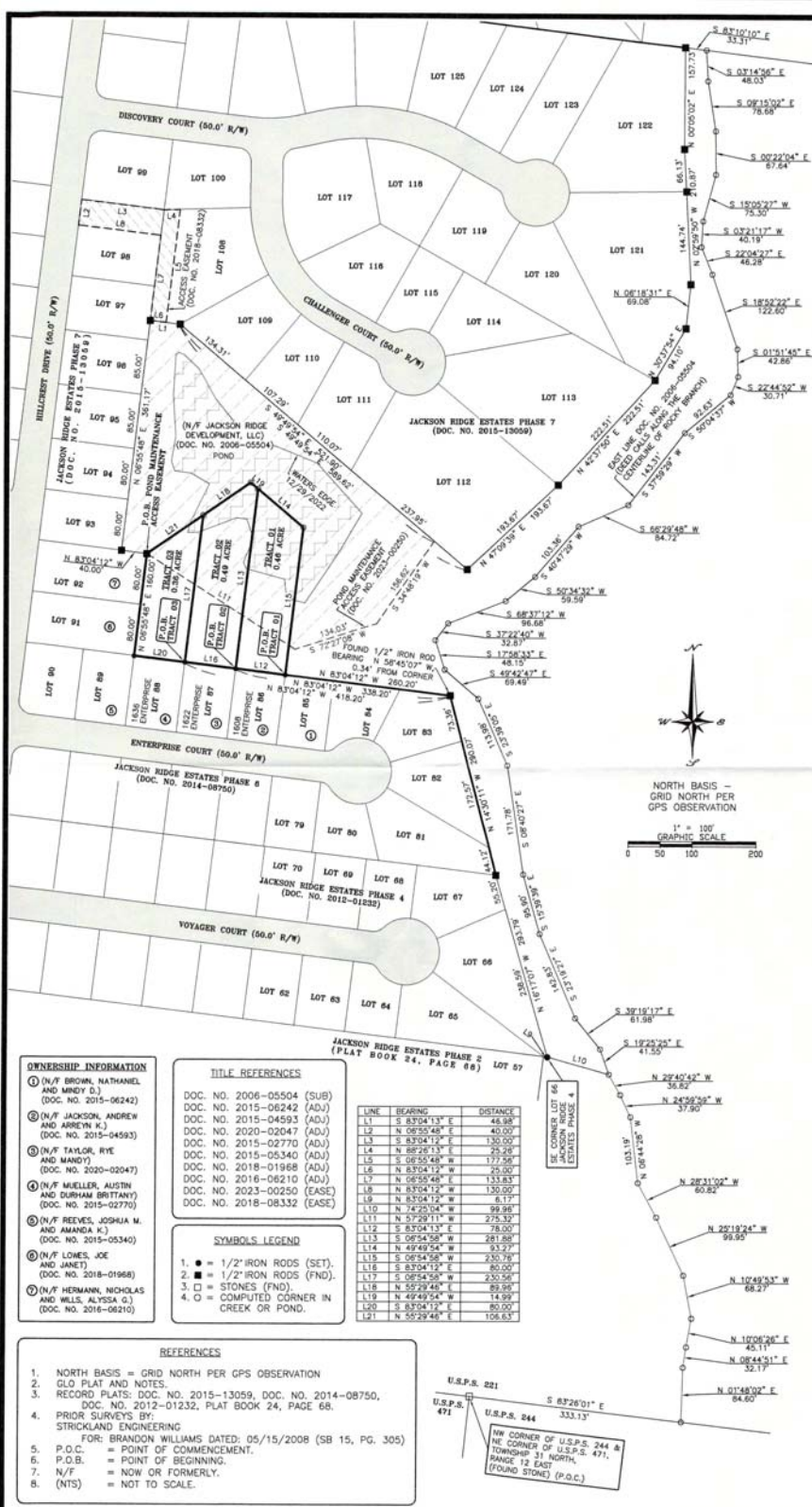
DATE: 01/13/2023

ASSESSORS MAP No.: 14-318

JOB NUMBER: 2022-116

DRAWN BY: MDD

SURVEY CLASS: URBAN



**OWNERSHIP INFORMATION**

- (N/F BROWN, NATHANIEL AND MERRY D.) (DOC. NO. 2015-06242)
- (N/F JACKSON, ANDREW AND ARREYN K.) (DOC. NO. 2015-04593)
- (N/F TAYLOR, RYE AND MANDI) (DOC. NO. 2020-02047)
- (N/F MUELLER, AUSTIN AND DURHAM BRITTANY) (DOC. NO. 2015-02770)
- (N/F REEVES, JOSHUA M. AND AMANDA K.) (DOC. NO. 2015-05340)
- (N/F LONES, JOE AND JANET) (DOC. NO. 2018-01968)
- (N/F HERMANN, NICHOLAS AND WELLS, ALISSA G.) (DOC. NO. 2016-08210)

## **TITLE REFERENCES**

DOC. NO. 2006-05504 (SUB)  
DOC. NO. 2015-06242 (ADJ)  
DOC. NO. 2015-04593 (ADJ)  
DOC. NO. 2020-02047 (ADJ)  
DOC. NO. 2015-02770 (ADJ)  
DOC. NO. 2015-05340 (ADJ)  
DOC. NO. 2018-01968 (ADJ)  
DOC. NO. 2016-08210 (ADJ)  
DOC. NO. 2023-00250 (EASE)  
DOC. NO. 2018-08332 (EASE)

## **SYMBOLS LEGEND**

1. ● = 1/2" IRON RODS (SET).  
2. ■ = 1/2" IRON RODS (FND).  
3. □ = STONES (FND).  
4. ○ = COMPUTED CORNER IN CREEK OR POND.

## **REFERENCES**

- NORTH BASIS = GRID NORTH PER GPS OBSERVATION
- GLO PLAT AND NOTES.
- RECORD PLATS: DOC. NO. 2015-13059, DOC. NO. 2014-08750, DOC. NO. 2012-01232, PLAT BOOK 24, PAGE 68.
- PRIOR SURVEYS BY: STRICKLAND ENGINEERING  
FOR: BRANDON WILLIAMS DATED: 05/15/2008 (SB 15, PG. 305)
- P.D.C. = POINT OF COMMENCEMENT.
- P.D.B. = POINT OF BEGINNING.
- N/F = NOW OR FORMERLY.
- (NTS) = NOT TO SCALE.

## Staff Report

**ACTION ITEM:** Request for Approval of a Land Exchange Certification for Transfer of .46 Acres from a 6.4 Acre Parcel (Parcel #14-318-00-02-004.01) to 1608 Enterprise Court

**APPLICANT:** The Villas of West Park, LLC

**APPLICANT STATUS:** Granting Owner

**PURPOSE:** Land Exchange Certification

**SIZE:** .46 Acre

**PRESENT USES:** Part of pond area

**PROPOSED USE:** Part of Residential Lot

**ZONING:** R-2 Single Family

**SURROUNDING LAND USE:** R-2 Single Family in all Directions

**HISTORY:** Part of Jackson Ridge Estate Subdivision

**TRANSPORTATION AND PARKING:** All required street frontage and parking exists

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

**2009 COMPREHENSIVE PLAN:** Single Family Residential

**FLOODPLAIN INFORMATION:** Not in a Flood Plain 29030143E Dated 9-11-2009

**PHYSICAL CHARACTERISTICS:** Part of the undeveloped pond area

**COMMENTS:** N/A

**ACTION REQUIRED:** Commission shall approve or disapprove this request based on the Land Subdivision Regulations. No action is required by the Board of Alderman.

# LAND EXCHANGE CERTIFICATION APPLICATION FORM

## City of Jackson, Missouri



DATE OF APPLICATION: 1-17-2023

ADDRESS OF GRANTING PROPERTY: None

ADDRESS OF RECEIVING PROPERTY: 1608 Enterprise Ct, Jackson

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

Property Owner Name(s): Jackson Ridge Development, LLC

Mailing Address: 2985 Boutin Dr.,

City, State ZIP: Cape Girardeau, MO 63701

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

Property Owner Name(s): Andrew Jackson & Joson K. Arreyn

Mailing Address: 1608 Enterprise Ct.

City, State ZIP: Jackson, MO 63755

**ENGINEER / SURVEYING COMPANY:** Dowdy and DeJournett Surveying

Engineer / Surveyor Contact: Matthew DeJournett, PLS

Mailing Address: 2401 State Highway PP

City, State ZIP: Scott City, MO 63780

Contact's Phone: 573-579-4524

**CONTACT PERSON HANDLING APPLICATION:**

Contact Name: Matt DeJournett

Mailing Address: 2401 State Highway PP

City, State ZIP: Scott City, MO 63780

Contact's Phone: 573-579-4524

Contact's Email Address (if used): mattdejournett@hotmail.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):

To provide lot with access to pond

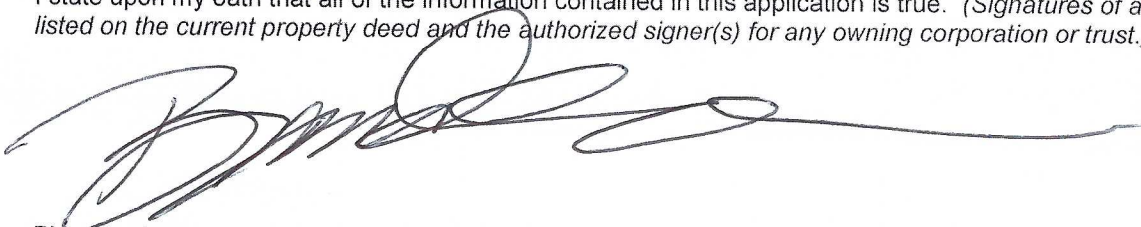
**CURRENT ZONING:** (circle all that apply)

- |   |  |
|---|--|
| <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 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:

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

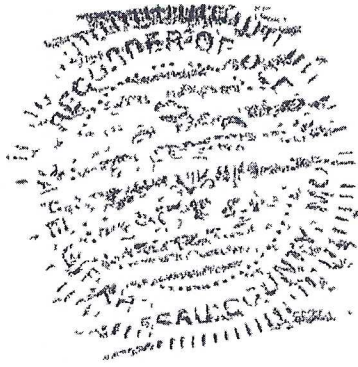
REC FEE: \$30.00  
PAGES: 3

JANET ROBERT, Recorder of Deeds, Cape Girardeau County MO, certify that this document was filed for record at 10:45AM and official seal affixed at Jackson, MO. 04/27/2006

JANET ROBERT  
Recorder of Deeds

Sherry Watkins Deputy

\$30 chg  
GT



002284

## GENERAL WARRANTY DEED (LIMITED LIABILITY COMPANY)

This Indenture is made this 26th day of April, 2006, by and between PB Properties, LLC, a Missouri limited liability company ("Grantor"), of the County of Cape Girardeau, Missouri, and Jackson Ridge Development, LLC, a Missouri limited liability company ("Grantee"), of the County of Cape Girardeau, Missouri, whose address in said County is 3262 Lexington Avenue, Cape Girardeau, MO 63701

**WITNESSETH**, that Grantor, for and in consideration of the sum of Ten Dollars (\$10 00) and other good and valuable considerations paid to them by the Grantee, the receipt of which is hereby acknowledged, does by these present GRANT, BARGAIN AND SELL, CONVEY AND CONFIRM unto the Grantee and Grantee's heirs, successors and assigns, the following described Real Estate lying, being and situated in the County of Cape Girardeau, and State of Missouri, to wit

**See Exhibit A attached hereto**

Subject to terms, conditions, restrictions, reservations, and easements of record, if any

TO HAVE AND TO HOLD the same, together with all and singular rights, privileges, and appurtenances thereto belonging or in anywise appertaining unto the Grantee and unto Grantee's heirs, successors and assigns forever Grantor hereby covenants that Grantor is lawfully seized of an indefeasible Estate in Fee in the premises herein conveyed, that Grantor has good right to convey the same, that said premises are free and clear of any encumbrance done or suffered by Grantor or those under whom Grantor claims, and that Grantor will WARRANT AND DEFEND the title to the said premises unto the said Grantee and Grantee's heirs, successors and assigns forever against the lawful claims and demands of all persons whomsoever

In WITNESS WHEREOF, the Grantor has caused these presents to be signed on its behalf by the below duly authorized agent of said Grantor on the day and year first above written



**EXHIBIT A**

That part of United States Private Survey No 221, Township 31 North, Range 12 East of the Fifth Principal Meridian in the County of Cape Girardeau, the State of Missouri, described as follows Commence at the Southwest corner of said United States Private Survey 221, marked by a stone corner, thence with the West Line of said Survey No 221, North 06° 55' 48" East, 1932 43 feet, to the Southwest corner of a tract of land described in Deed Book 753 at Page 956 of the Land Records of Cape Girardeau County; thence with the South Line of said tract, South 82° 55' 46" East, 180 00 feet, thence North 06° 54' 15" East, 200 03 feet, to the Southwest corner of Lot No 18 in Block No 4 of Westbrook Subdivision, a subdivision in the City of Jackson, Missouri, the plat of same is recorded in Plat Book 10 at Page 26 of the Land Records of said Cape Girardeau County, thence with the South Line of said subdivision, South 82° 55' 46" East, 837 93 feet, to the Southeast corner of said subdivision, thence South 83° 10' 10" East, 102 16 feet to the centerline of Rocky Branch, thence following Rocky Branch the following courses and distances thence South 03° 14' 57" East, 48 23 feet, thence South 09° 15' 01" East, 78 68 feet, thence South 00° 22' 06" East, 67 64 feet, thence South 15° 05' 29" West, 75.30 feet, thence South 03° 21' 16" West, 40 19 feet, thence South 22° 04' 26" East, 46 28 feet, thence South 18° 52' 23" East, 122 60 feet, thence South 01° 51' 43" East, 42 86 feet, thence South 22° 44' 49" West, 30 71 feet, thence South 50° 04' 37" West, 92 63 feet, thence South 37° 59' 29" West, 143 31 feet, thence South 66° 29' 48" West, 84 72 feet, thence South 40° 47' 29" West, 103 36 feet, thence South 50° 34' 31" West, 59 59 feet, thence South 68° 37' 12" West, 96 68 feet, thence South 37° 22' 37" West, 32 87 feet; thence South 17° 58' 34" East, 48 15 feet, thence South 49° 42' 48" East, 69 49 feet, thence South 23° 39' 05" East, 113 98 feet, thence South 08° 40' 28" East, 171 78 feet, thence South 15° 39' 38" East, 95 90 feet, thence South 23° 19' 26" East, 142 83 feet, thence South 39° 19' 17" East, 61 98 feet, thence South 19° 25' 23" East, 41 55 feet, thence South 29° 40' 46" East, 36 82 feet, thence South 24° 59' 58" East, 37 90 feet, thence South 06° 44' 29" East, 103 19 feet, thence South 28° 31' 01" East, 60 82 feet, thence South 25° 19' 24" East, 99 95 feet, thence South 10° 49' 54" East, 68 27 feet, thence South 10° 06' 29" West, 45 11 feet, thence South 08° 44' 50" West, 32 17 feet, thence South 01° 48' 02" West, 84 60 feet, to a point on the North Line of a tract of land described in Deed Book 867 at Page 715 of the Land Records of said county, being also the North Line of United States Private Survey No 244, thence with said line, North 83° 26' 01" West, 333 13 feet, to the Northwest corner of said United State Private Survey No 244, being also the Northeast corner of United States Private Survey No 471, thence North 83° 18' 03" West, 1015 31 feet, to the point of beginning, containing 53 81 acres, more or less, as shown on plat of survey by Strickland Engineering, dated March 02, 2006, Project #06-007

Together with easements as set out in Corrective General Warranty Deed recorded as Document #04-03384



Item 1.

Location



## Staff Report

**ACTION ITEM:** Request for Approval of a Land Exchange Certification for Transfer of .49 Acres from a 6.4 Acre Parcel (Parcel #14-318-00-02-004.01) to 1622 Enterprise Court

**APPLICANT:** The Villas of West Park, LLC

**APPLICANT STATUS:** Granting Owner

**PURPOSE:** Land Exchange Certification

**SIZE:** .49 Acre

**PRESENT USES:** Part of pond area

**PROPOSED USE:** Part of Residential Lot

**ZONING:** R-2 Single Family

**SURROUNDING LAND USE:** R-2 Single Family in all Directions

**HISTORY:** Part of Jackson Ridge Estate Subdivision

**TRANSPORTATION AND PARKING:** All required street frontage and parking exists

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

**2009 COMPREHENSIVE PLAN:** Single Family Residential

**FLOODPLAIN INFORMATION:** Not in a Flood Plain 29030143E Dated 9-11-2009

**PHYSICAL CHARACTERISTICS:** Part of the undeveloped pond area

**COMMENTS:** N/A

**ACTION REQUIRED:** Commission shall approve or disapprove this request based on the Land Subdivision Regulations. No action is required by the Board of Alderman.

# LAND EXCHANGE CERTIFICATION APPLICATION FORM

City of Jackson, Missouri



DATE OF APPLICATION: 1-17-2023

ADDRESS OF GRANTING PROPERTY: None

ADDRESS OF RECEIVING PROPERTY: 1622 Enterprise Ct, Jackson

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

Property Owner Name(s): Jackson Ridge Development, LLC

Mailing Address: 2985 Boutin Dr.,

City, State ZIP: Cape Girardeau, MO 63701

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

Property Owner Name(s): Melinda Louise Ashley

Mailing Address: 1622 Enterprise Ct.

City, State ZIP: Jackson, MO 63755

**ENGINEER / SURVEYING COMPANY:** Dowdy and DeJournett Surveying

Engineer / Surveyor Contact: Matthew DeJournett, PLS

Mailing Address: 2401 State Highway PP

City, State ZIP: Scott City, MO 63780

Contact's Phone: 573-579-4524

**CONTACT PERSON HANDLING APPLICATION:**

Contact Name: Matt DeJournett

Mailing Address: 2401 State Highway PP

City, State ZIP: Scott City, MO 63780

Contact's Phone: 573-579-4524

Contact's Email Address (if used): mattdejournett@hotmail.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):

To provide lot with access to pond

**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 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:

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

\$30 chg  
GT

2006-05504

Item 1.

REC FEE: \$30.00  
PAGES: 3

JANET ROBERT, Recorder of Deeds, Cape Girardeau County MO, certify that this document was filed for record at 10:45AM and official seal affixed at Jackson, MO. 04/27/2006

JANET ROBERT  
Recorder of Deeds

Sherry Watson Deputy

002284

## GENERAL WARRANTY DEED (LIMITED LIABILITY COMPANY)

This Indenture is made this 26th day of April, 2006, by and between PB Properties, LLC, a Missouri limited liability company ("Grantor"), of the County of Cape Girardeau, Missouri, and Jackson Ridge Development, LLC, a Missouri limited liability company ("Grantee"), of the County of Cape Girardeau, Missouri, whose address in said County is 3262 Lexington Avenue, Cape Girardeau, MO 63701

**WITNESSETH**, that Grantor, for and in consideration of the sum of Ten Dollars (\$10 00) and other good and valuable considerations paid to them by the Grantee, the receipt of which is hereby acknowledged, does by these present GRANT, BARGAIN AND SELL, CONVEY AND CONFIRM unto the Grantee and Grantee's heirs, successors and assigns, the following described Real Estate lying, being and situated in the County of Cape Girardeau, and State of Missouri, to wit

**See Exhibit A attached hereto**

Subject to terms, conditions, restrictions, reservations, and easements of record, if any

TO HAVE AND TO HOLD the same, together with all and singular rights, privileges, and appurtenances thereto belonging or in anywise appertaining unto the Grantee and unto Grantee's heirs, successors and assigns forever Grantor hereby covenants that Grantor is lawfully seized of an indefeasible Estate in Fee in the premises herein conveyed, that Grantor has good right to convey the same, that said premises are free and clear of any encumbrance done or suffered by Grantor or those under whom Grantor claims, and that Grantor will WARRANT AND DEFEND the title to the said premises unto the said Grantee and Grantee's heirs, successors and assigns forever against the lawful claims and demands of all persons whomsoever

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**EXHIBIT A**

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Together with easements as set out in Corrective General Warranty Deed recorded as Document #04-03384



## Staff Report

**ACTION ITEM:** Preliminary Plat of Orchard Place Subdivision

**APPLICANT:** The Villas of West Park, LLC.

**APPLICANT STATUS:** Property owner

**PURPOSE:** Divide for commercial development

**SIZE:** 26.4 acres

**PRESENT USES:** Vacant and undeveloped

**PROPOSED USE:** Commercial

**SURROUNDING LAND USE:** North –I-1 Light Industrial ; South –I-1 Light industrial ; East –I-2 Heavy Industrial ; West –C-2 General Commercial

**HISTORY:** Was part of a larger 64-acre Heise family tract. Later Purchased by The Villas of West Park, LLC.

**TRANSPORTATION AND PARKING:** All street frontage and parking will be developed.

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

**2009 COMPREHENSIVE PLAN:** Industrial

**FLOODPLAIN INFORMATION:** Not in the floodplain per FEMA map 29031C0251E dated 9-29-2011

**PHYSICAL CHARACTERISTICS:** None

**COMMENTS:**

**ACTION REQUIRED:** Shall vote for recommending approval or denial. A final decision will be by the Board of Alderman. Denial By P&Z requires a 2/3 vote by the Board of Alderman.



# Subdivision Permit Application

Date: 01/17/2023

## Applicant / Current Owner

Applicant Name: Brandon Williams  
 Address: 2985 Boutin Drive  
 City, State, Zip: Cape Girardeau, MO 63701  
 Phone: 573-382-7373  
 Email: bowconstruction@aol.com

Owner Name: The Villas of West Park, LLC  
 Address: 2985 Boutin Drive  
 City, State, Zip: Cape Girardeau, MO 63701  
 Phone:  
 Email:

## Proposed Owner / General Project Information

Owner Name: The Villas of West Park, LLC  
 Address: 2985 Boutin Drive  
 City, State, Zip: Cape Girardeau, MO 63701  
 Phone:  
 Email:

Site Address:  
 City, State, Zip:  
 Current Use:  
 Current Zoning:  
 Proposed Zoning:

Project Description:

## Annexation

Rezoning App?:  
 Special Use App?:

Current Use:  
 Legal:

## Rezoning / Special Use / Variance Information

Request Reason:  
 Current Use:  
 Proposed Use:

Prior Variance:  
 Prior Request:  
 Permission to Visit:

## Subdivision Information / Current Zoning

Subdivision Type: Preliminary Plat  
 Current Use:  
 Proposed Use:  
 Subdivision Name: Orchard Place  
 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:

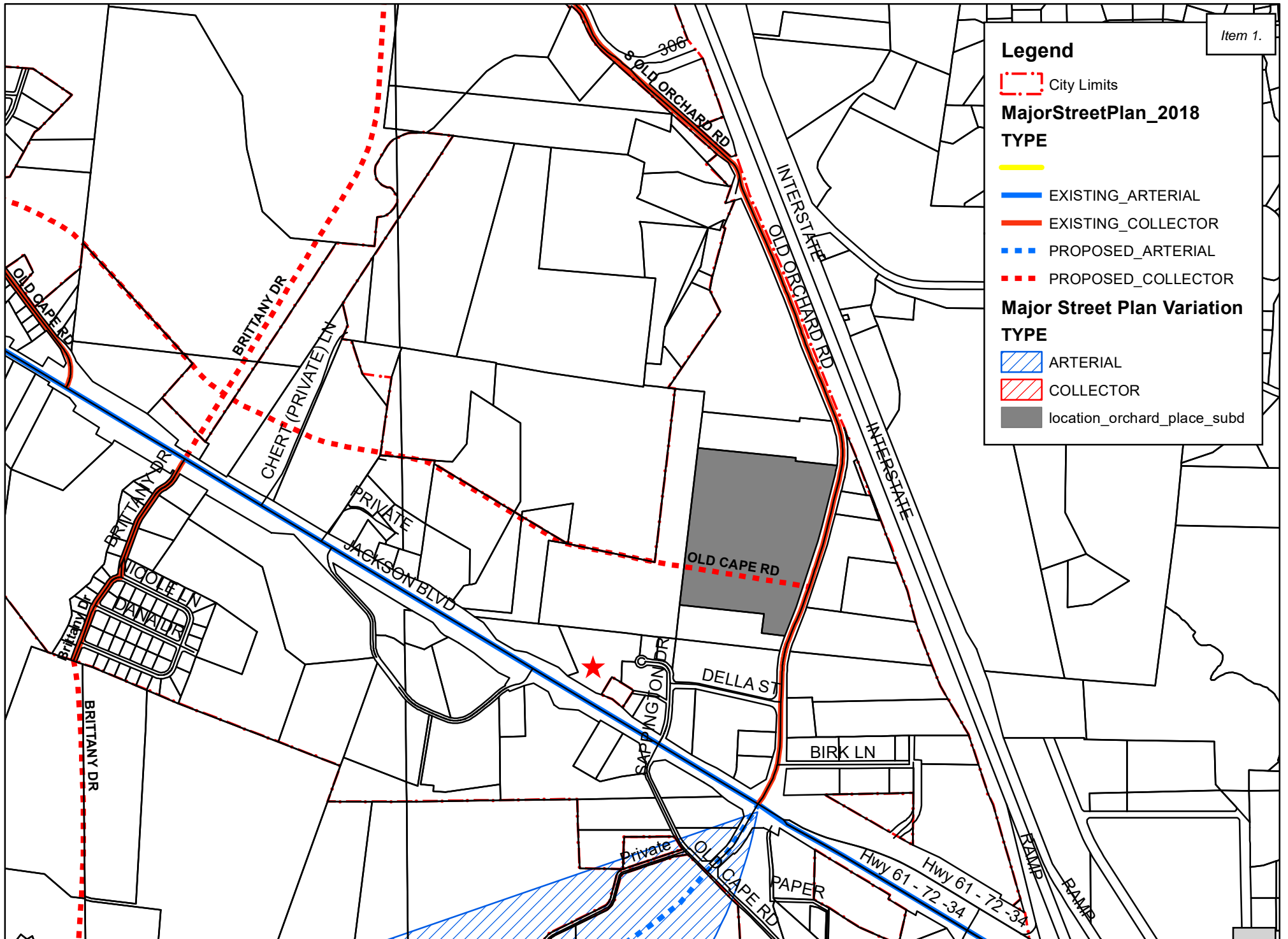
Granting Owner:  
 Address:  
 City, State, Zip:  
 Receiving Owner:  
 Address:  
 City, State, Zip:  
 Application For:

**Additional Comments**

Will also be submitting improvement plans for the first phase of road and utility construction as well as the site improvements for a retail development on lot 1.

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

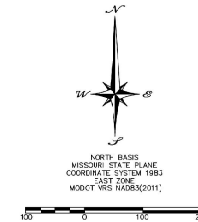
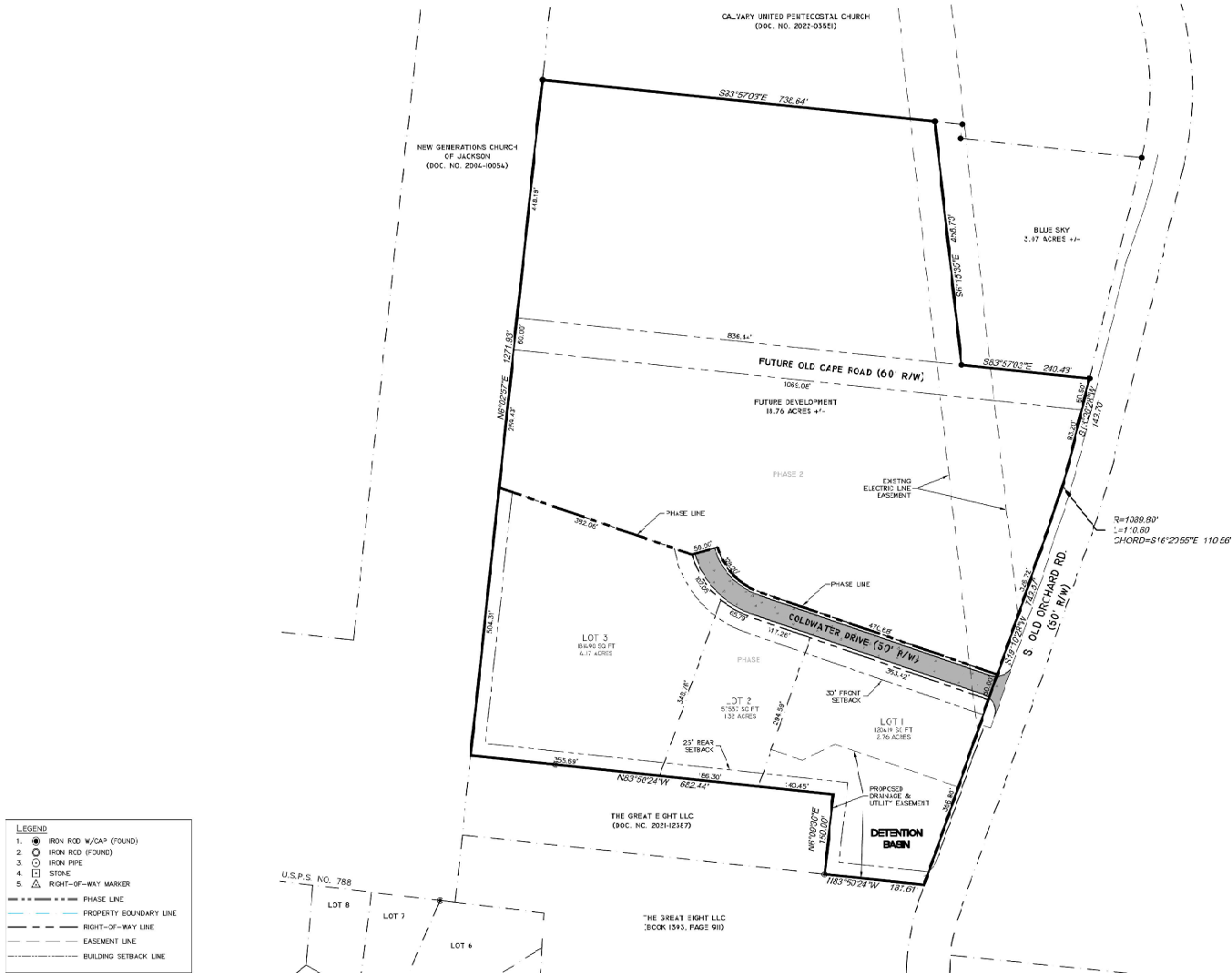
 2-18-23  
 Name Date



Location Map  
Orchard Place Subdivision

**PRELIMINARY PLAT**  
**ORCHARD PLACE SUBDIVISION**

Part of U.S.P.S. No. 788, Township 31 North,  
Range 13 East of the Fifth Principal Meridian,  
in the City of Jackson, Cape Girardeau County, Missouri.



## NOTES

**OWNER / DEVELOPER:**  
VILAS OF WEST PARK, LLC,  
c/o 3RANDON WILLIAMS  
2985 BOUTIN DRIVE  
CAPE GIRARDEAU, MO 63701

ZONING:  
I-1 LIGHT INDUSTRIAL

**STANDARD PAVEMENT NOTES:**  
28' AIDE CONCRETE STREETS WITH CURB  
5' SIDEWALK ALONG SOUTH OLD CROCHARD ROAD

**BUILDING SETBACKS:**  
FRONT YARD SETBACK = 30'  
REAR YARD SETBACK = 25'  
SIDE YARD SETBACK = 0'

**EASEMENT NOTES:**  
10' FRONT  
10' REAR  
10' AROUND PERIMETER OF SUBDIVISION

**FLOODPLAIN NOTE:**  
THE DESCRIBED TRACT IS NOT LOCATED WITHIN A FLOOD  
HAZARD ZONE AS SHOWN ON THE FLOOD INSURANCE  
RATE MAP, COMMUNITY PANEL 29031C0251E. EFFECTIVE  
9/29/2011.

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

STRICKLAND  
ENGINEERING

5 WEST MAIN STREET  
P.O. Box 159  
KANSAS, MISSOURI 63755  
TEL: 573-243-4080  
FAX: 573-243-2191

CIVIL - MECHANICAL - ELECTRICAL ENGINEERING - LAND SURVEYING
--

**Preliminary Plat  
Orchard Place Subdivision  
South Old Orchard Road  
Jackson, Missouri**

SCALE	1"=100'
DATE	1-25-2023
DRAWN BY	MTM
CHECKED BY	RA
PROJECT #	22-267



# Jackson Park Board



February 13, 2023  
6:00 pm

Regular Meeting | Civic Center

## **Agenda**

Board Members Present

Recognition Of Visitors:

Reading Of Previous Meeting Minutes

### **Old Business**

- 1) Soccer Park Field Projects
- 2) American Rescue Funds Project Updates
- 3) Hubble Ford Bridge Plaque
- 4) Playground replacement and additions

### **New Business**

- 1) National Fitness Campaign Fitness Court

Committee Reports

Civic Center Report

Parks & Recreation Director's Report

Adjournment



# City of Jackson

February 15, 2023

## **Subject: ISO Class 3 Rating**

Dear Mayor Hahs and Members of the Board of Aldermen,

It is with great pleasure to inform you that the City of Jackson's Public Protection Classification from ISO (Insurance Services Office) has dropped from a Class 4/4X to a Class 3/3X that will be effective May 1, 2023.

The purpose of this periodic survey and evaluation is to gather information that determines this classification, which insurers use for underwriting and calculation of premiums for fire insurance. During this process, they are looking at features that directly relate to the reduction of property losses from fire events. These features include:

- 10% Emergency Communications
- 40% Water Supply
- 50% Fire Department
- +5% Community Risk Reduction

Historical data of the City of Jackson's previous ISO Surveys:

1980- Class 6

1990- Class 5

2005- Class 4

2017- Class 4

2023- Class 3

The lowering of this Public Protection Classification recognizes your support of all of our collective efforts in Fire Mitigation within our City through planning, budgeting, execution, and constant evaluation.

If you have any questions or comments, please contact me at 573-243-1010 or [jmouser@jacksonfire.org](mailto:jmouser@jacksonfire.org).

Sincerely,

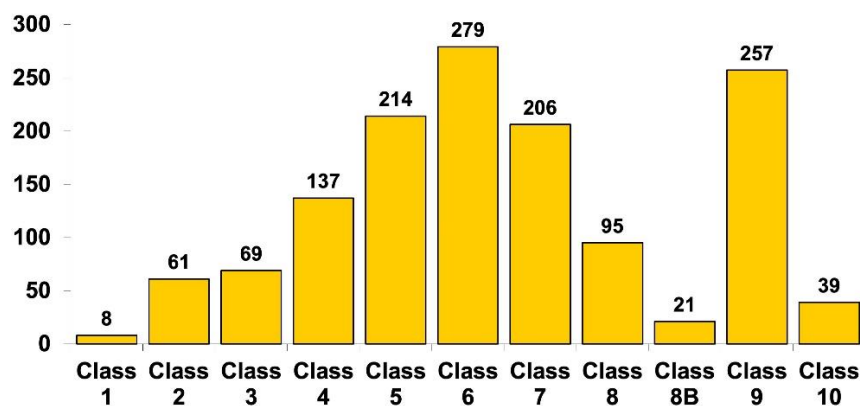
Jason Mouser  
Fire Chief  
Jackson Fire Rescue



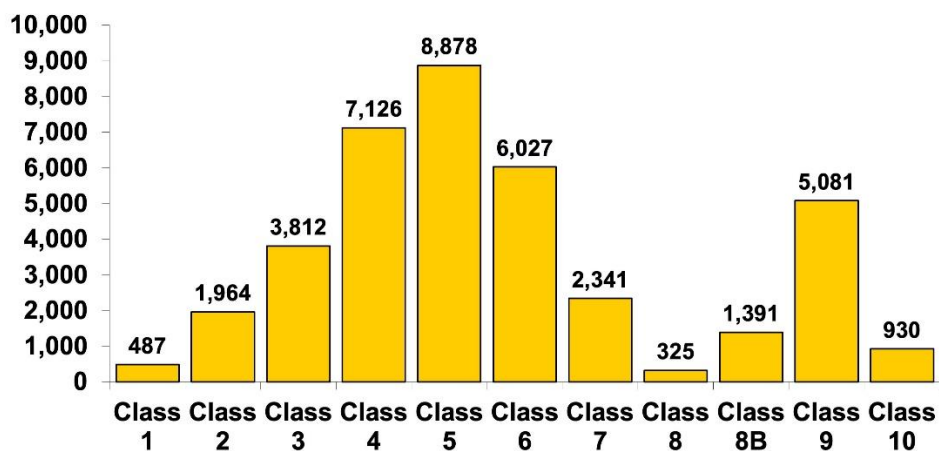
# City of Jackson

## Distribution of Communities by PPC Class Number within Classification

### Missouri



### Countrywide



# Amee Boettcher - Architect

490 State Hwy F Jackson, Missouri 63755

573.450.7733 (cell/text)

ameeboettcher@gmail.com

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Re:

**St. John the Theologian Orthodox Church**  
**304 Daisy Ave.**  
Jackson MO

January 30, 2023

**Dear Janet,**

The Congregation of St. John the Theologian requests your consideration to allow them to have (2) parking spaces directly in front of the church on 304 Daisy Ave. for the use of handicap parking for their church. These (2) parking spaces meet the required amount needed for the 48 spaces they currently have in their existing parking lot. There is currently street parking on Daisy Avenue.

They currently have a sidewalk to the street from their front door on the main level, which meets the required slope of 1" rise to 12" run. If they are required to provide a sidewalk from the front door to the existing side of the church parking lot they would need to provide a switch back ramp in a small amount of space, which would not be very helpful for the use of a handicap person. The side entrance at the parking lot enters the building onto a stair landing with 6 risers up to the main level. This equals a ramp of 42' (6 steps x 7" = 42" rise).

We understand that Handicapped parking signs and painted stripes as required by the City of Jackson would be required.

Thank you for your consideration,

Amee L. Boettcher



304 Daisy Avenue  
Proposed ADA Accessible Parking



