



CITY OF JACKSON
PLANNING & ZONING COMMISSION MEETING AGENDA

Wednesday, October 11, 2023 at 6:00 PM

City Hall, 101 Court Street, Jackson, Missouri

Bill Fadler
Tony Koeller
Michelle Weber
Tina Weber

Harry Dryer, Chairman
Joe Baker, Alderman Assigned
Mike Seabaugh, Alderman Assigned
Larry Miller, Staff Liaison

Angelia Thomas
Heather Harrison
Beth Emmendorfer
Eric Fraley

CALL TO ORDER

ROLL CALL

APPROVAL OF MINUTES

1. Approval of the September 13, 2023 minutes.

PUBLIC HEARINGS

OLD BUSINESS

2. Consider a request on behalf of the City of Jackson, Missouri, for a text amendment to Chapter 65 (Zoning) of the Code of Ordinances relative to attached or painted signs
3. Consider a request on behalf of the City of Jackson, Missouri, for a text amendment to Chapter 65 (Zoning) of the Code of Ordinances relative to tow companies.

NEW BUSINESS

CONSIDER A MOTION TO ADD ITEMS TO THE AGENDA

ADJOURNMENT

This agenda was posted at City Hall on October 6, 2023 at 12:00 PM.

JOURNAL OF THE PLANNING & ZONING COMMISSION
CITY OF JACKSON, MISSOURI
WEDNESDAY, SEPTEMBER 13, 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 Michelle Weber, Tina Weber, Bill Fadler, Eric Fraley, and Angelia Thomas were present. Commissioners Heather Harrison, Tony Koeller, and Beth Emmendorfer were absent. Building and Planning Manager Larry Miller was present as staff liaison. Alderman Mike Seabaugh was present. Alderman Joe Bob Baker was absent. The citizens attending were Sandy Dryer and Kevin Schearf.

APPROVAL OF MINUTES

Approval of July 14, 2023)
regular meeting minutes)

The minutes of the previous meeting were unanimously approved on a motion by Commissioner Eric Fraley, seconded by Commissioner Bill Fadler.

PUBLIC HEARINGS

None)

OLD BUSINESS

None)

NEW BUSINESS

Consider a request to approve a)
Re-subdivision of Green Meadows)
Commercial Park No. 5 submitted by)
Appleton Valley Farm Inc.)

Mr. Miller explained where the re-subdivision is located and how the owners want to divide the one lot into two lots.

Chairman Dryer asked if the owner was present. Since the owner wasn't present, Chairman Dryer asked if the Commission had any questions.

Commissioner Michelle Weber asked if the two proposed two lots were buildable. Mr. Miller said they were, and they will still be commercial property.

Seeing no further questions, Chairman Harry Dryer entertained a motion to approve.

Commissioner Michelle Weber made a motion to approve the land exchange. The request was seconded by Tina Weber and was unanimously approved.

Vote: 6 ayes, 0 nays, 0 abstentions, 3 absent

Consider a request to approve a Land Exchange Certification for transferring .07 Acres from 418 N Missouri Street to 425 N High Street, Submitted by Kevin Lee and Deborah Kay Schearf.)
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Mr. Miller reported that the land exchange will include the properties of 418 N Missouri Street and 425 N High Street, and 418 N Missouri Street will be exchanging .07 acres to 425 N High Street. Mr. Miller said after the exchange 418 N Missouri Street will have a lot size of 8,015 square feet, which is a buildable lot.

Mr. Kevin Schearf from 425 N High Street came forward and said the land he was trying to get was part of the original land when the house was built in the 1890s. He said he plans to build a small building to store all his Halloween decorations.

Seeing no further questions, Chairman Harry Dryer entertained a motion to approve.

Commissioner Tina Weber made a motion to approve the land exchange. Commissioner Eric Fraley seconded the request, and it was unanimously approved.

Vote: 6 ayes, 0 nays, 0 abstentions, 3 absent

Consider a request on behalf of the City of Jackson, Missouri, for a text amendment to Chapter 65 (Zoning) of the Code of Ordinances relative to attached or painted signs.)
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Mr. Miller reported the attached or painted signs ordinance currently states anything larger than 50 square feet needs a special use permit. Mr. Miller said they have been tasked with doing away with the special use permit for these signs and deciding how many square feet the attached or painted signs should be. Mr. Miller told the Commission he had placed different cities' attached sign ordinances in their packet for review.

The Commission and Mr. Miller Discussed the different ordinances from other cities. The Commission decided to devise an ordinance like Cape Girardeau's and bring it back to the next meeting for review.

Commissioner Tina Weber motioned to devise an ordinance like Cape Girardeau and bring it back to the next meeting. Commissioner Angelia Thomas seconded the motion, and it was unanimously approved.

Vote: 6 ayes, 0 nays, 0 abstentions, 3 absent

Consider a request on behalf of the)
City of Jackson, Missouri, for a text)
amendment to Chapter 65 (Zoning))
of the Code of Ordinances relative to)
tow companies.)

Mr. Miller reported that our code does not define a tow company. They have been able to have a business in a C-2 district because the code language states any other type of business, institutional, governmental, professional, medical use, retail store, or service use not specifically permitted, and when authorized by the board of alderman after receipt of review and recommendations from the Planning and Zoning Commission. Mr. Miller said they have been tasked with developing a definition for a tow company and deciding which districts they can be in. He told the Commission he placed several city ordinances in their packet for review.

The Commission and Mr. Miller discussed the different ordinances of other cities. The Commission decided to use Sikeston and Perryville’s definition to devise a tow company definition and bring it back next month for review. They also decided to keep the special use permits in the C-2 district but to do away with them in the Industrial districts. The Commission also decided to devise a definition for an Auto Salvage Yard.

Commissioner Bill Fadler motioned to devise an ordinance that combines Sikeston and Perryville’s ordinance for tow companies and bring it back to the next meeting. Commissioner Eric Fraley seconded the motion, and it was unanimously approved.

Vote: 6 ayes, 0 nays, 0 abstentions, 3 absent

ADDITIONAL ITEMS

None)

ADJOURNMENT

Consider a motion to adjourn)

Commissioner Tina Weber motioned to adjourn, seconded by Commissioner Michelle Weber, and unanimously approved.

Vote: 6 ayes, 0 nays, 0 abstentions, 3 absent

Respectfully submitted,

Handwritten signature of Tony Koeller in black ink.

Tony Koeller
Planning and Zoning Commission Secretary

Attest:

Handwritten signature of Larry Miller in blue ink.

Larry Miller
Building and Planning Manager

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

Staff Report #2

ACTION ITEM: Consider a request on behalf of the City of Jackson, Missouri, for a text amendment to Chapter 65 (Zoning) of the Code of Ordinances relative to attached or painted signs.

APPLICANT: City of Jackson

APPLICANT STATUS: Municipal Governing Authority

PURPOSE: This text amendment will do away with the special use permit for attached or painted signs over fifty (50) square feet and develop a standard comparable to other cities.

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

COMMENTS: Currently, the City Code Sec. 65-21. - Sign uses and regulations (2) state that an attached or painted sign containing not more than fifty (50) square feet in sign face area shall be permitted on any building or structure in any office, commercial, or industrial district. An attached sign shall not project more than twelve (12) inches from the building if mounted parallel to the wall, or four (4) feet, if mounted perpendicular to the wall, and shall not project above the principal roof of a building, except that a sign may be attached flat against or painted on a parapet wall extending not more than three (3) feet above such roof line. Attached signs in excess of these requirements shall require a special use permit.

Changing this ordinance will make Jackson a more business-friendly community by not requiring business and property owners to undergo the often time-consuming process of obtaining a special use permit for these signs.

ACTION REQUIRED: The Commission and City Staff will need to compare ordinances from other cities and develop an ordinance that simplifies the process without compromising aesthetics or safety. Once an ordinance is created, a public hearing is optional at the P&Z level but required for the Board of Alderman.

Sec. 65-2. - Definitions.

For the purpose of this chapter, certain terms and words are hereby defined. Words used in the present tense shall include the future; the singular number shall include the plural and the plural the singular; the word "building" shall include the word "structure"; and the word "shall" is mandatory and not directory.

Floor area. The total number of square feet of floor space within the exterior walls of a building, not including space in the basements, porches, carports, or garages. However, if the basement is used for business or commercial purposes, it shall be counted as floor area in computing off-street parking requirements.

Food truck. A mobile vehicle or trailer, whether attached or not attached to a vehicle, from which prepared food is sold directly to customers.

Frontage, Building. The horizontal distance measured along a building wall that is generally parallel, facing, or oriented toward a street.

Frontage. All the property on one (1) side of a street between two (2) intersecting streets (crossing or terminating), measured along the line of the street, or if the street is dead-ended then all the property abutting on one (1) side between an intersecting street and the dead end of the street, but not including property more than four hundred (400) feet distant on either side of a proposed building or structure.

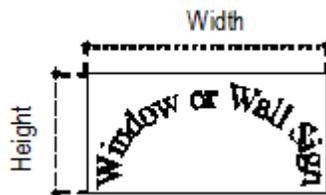
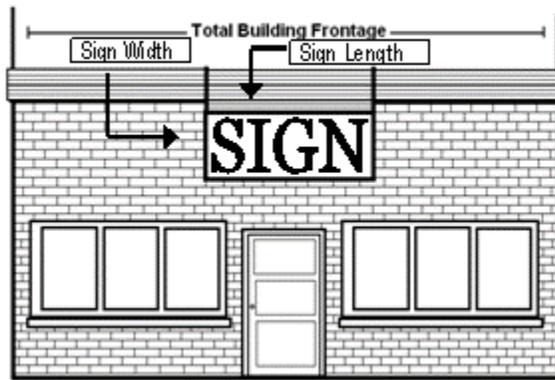
Garage, commercial or public. A building or structure for the storage or parking of motor-driven vehicles and in which provisions may be made for fueling or normal servicing of such vehicles. The term servicing shall not include an automotive repair shop nor the rebuilding, dismantling, or storage of wrecked or junked vehicles.

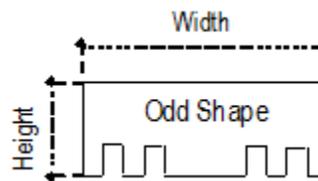
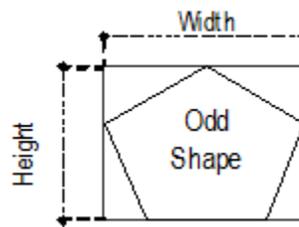
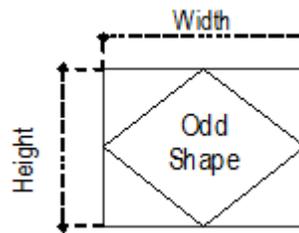
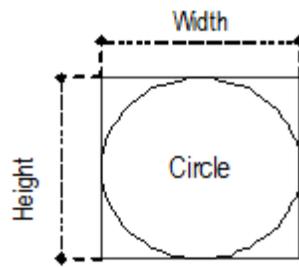
Sec. 65-21. - Sign uses and regulations.

The regulations set forth in this section, or set forth elsewhere in this chapter when referred to in this section, are the regulations relating to signs and billboards. The purpose of the sign and billboard regulations is to provide for advertisement of businesses and services in an orderly manner without creating unnecessary sign clutter. In addition to other provisions of this chapter, all signs must also meet all applicable provisions of the city building code and all applicable regulations of the Missouri Department of Transportation.

- (2) Attached or painted signs containing not more than fifty (50) square feet in sign face area shall be **are** permitted on any building or structure in any office, commercial, or industrial district. **Attached or painted signs shall be subject to all provisions of this section. The maximum size of the signs shall not exceed three (3) square feet per one (1) linear foot of the total building frontage occupied by the applicant. The maximum area may then be divided into any number of signs, each of which may be displayed on any side of the building.** Attached Signs shall not project more than twelve (12) inches from the building, if mounted parallel to the wall, or four (4) feet, if mounted perpendicular to the wall, and shall not project above the principal roof of a building; except that a sign may be attached flat against or painted on a parapet wall extending not more than three (3) feet above such roof line. Attached signs in excess of these requirements shall require a special use permit.

a. **Area Computation**





Staff Report #2

ACTION ITEM: Consider a request on behalf of the City of Jackson, Missouri, for a text amendment to Chapter 65 (Zoning) of the Code of Ordinances relative to tow companies.

APPLICANT: City of Jackson

APPLICANT STATUS: Municipal Governing Authority

PURPOSE: This text amendment will define a tow company and establish what zoning districts they can be allowed in.

APPLICABLE REGULATIONS: Zoning Code (Chapter 65)

COMMENTS: This amendment will do away with the need to classify tow companies under the following similar or generic categories:

- Residential Districts, Mobile Home District, and Professional Office Districts provide no categories under which a tow company can be classified.
- C-1 Local Commercial District: Any other type of business, institutional, governmental, professional, or medical use, retail store, or service use not specifically permitted herein when authorized by the board of aldermen after receipt of review and recommendations from the planning and zoning commission, and only when such use is consistent with the intent and purpose of the C-1 Local commercial district regulations.
- C-2 General Commercial District: Any other type of business, institutional, governmental, professional, or medical use, retail store, or service use not specifically permitted herein, when authorized by the board of aldermen after receipt of review and recommendations from the planning and zoning commission, and only when such use is consistent with the intent and purpose of the C-2 General commercial district regulations.
- C-3 Central Business District: Any other retail or service use of similar character which is not specifically permitted herein, with a special use permit only and only when such use is consistent with the intent and purpose of the C-3 Central business district regulations. (When located at least 50' from a residential district and separated by a privacy fence.)
- C-4 Planned Commercial District: All planned commercial developments in this district require a special use permit. (This district is solely for “modern retail shopping facilities of integrated design in appropriate locations to serve residential neighborhoods). There is currently no property zoned C-4.
- I-1 Light Industrial District: Any other light industrial use of a similar character which is not specifically permitted herein, with a special use permit only, and only when such use is consistent with the intent and purpose of the I-1 Light Industrial District. (When located at least 50' from a residential district and separated by a privacy fence.)
- I-2 Heavy Industrial District: Motor vehicle wrecking, salvage, storage, and sale, with a special use permit only.

- I-3 Planned Industrial District: Allows all uses in all other commercial and industrial districts, except residential uses, with the same conditions stipulated in each district.

ACTION REQUIRED: The Commission and City Staff will need to compare ordinances from other cities and develop an ordinance defining a tow company and establishing what zoning districts they will be allowed. Once an ordinance is created, a public hearing is optional at the P&Z level but required for the Board of Alderman.

Sec. 65-2. - Definitions.

For the purpose of this chapter, certain terms and words are hereby defined. Words used in the present tense shall include the future; the singular number shall include the plural and the plural the singular; the word "building" shall include the word "structure"; and the word "shall" is mandatory and not directory.

Accessory building. A subordinate building which is incidental to the principal building or use and which is located on the same lot with such principal building or use.

Administrator. The City Administrator of Jackson, Missouri.

Agricultural (farm) use. An area which is used for the growing of typical farm products, such as vegetables, fruit, trees, and grain, and their storage on the area, as well as for the raising thereon of the usual farm poultry and farm animals, such as horses, cattle, sheep, and swine. The term "farming" includes the operating of such an area for one (1) or more of the above uses, including dairy farms, with the necessary accessory uses for treating or storing the produce; provided, however, that the operation of such accessory uses shall be secondary to that of the normal farming activities and that such land shall consist of at least ten (10) acres in one (1) parcel under common ownership or operation; and provided, further, that farming does not include the feeding of collected garbage or offal to swine or other animals.

Alley. A permanent public service way dedicated for or in public use, other than a street, place, road, crosswalk, or easement, and designed to provide a secondary means of access for and not intended for general traffic circulation.

Apartment/apartment house. See definition of "dwelling, multiple."

Automotive Repair Shop. Any person, partnership, corporation, fiduciary, association, or other entity principally engaged in the business of repairing damaged motor vehicles or fixing mechanical/electrical parts on an automobile that becomes inoperative.

Auto salvage or junkyard. A yard, lot, or place covered or uncovered, outdoors or in an enclosed building where motor vehicles are disassembled, dismantled, junked, wrecked, or inoperable. Excluding public and private garages

Basement. That portion of a building which is partly or completely below grade (see "story above grade").

Basement home. A dwelling in which all four (4) exterior walls are at least one-half (½) of their height below grade.

Bed and breakfast. A dwelling containing less than six (6) guest rooms that are intended to be used or occupied, or are occupied for sleeping purposes by occasional guests for

compensation, whether paid directly or indirectly, in which meals are made available family style and which dwelling is or has been used as a permanent family residence by its owner.

Garage, commercial or public. A building or structure for the storage or parking of motor-driven vehicles and in which provisions may be made for fueling or normal servicing of such vehicles. The term servicing shall not include an automotive repair shop nor the rebuilding, dismantling, or storage of wrecked or junked vehicles.

Garage, private. A detached accessory building, or portion of the main building, housing the automobiles of the occupants of the premises; provided that no business, occupation, or service is conducted for profit therein nor space there for more than one (1) automobile is leased to a nonresident of the premises. Private garages, as defined in this chapter, shall not include portable buildings with garage doors.

Garage, storage or parking. A building or portion thereof designed or used exclusively for term storage by prearrangement of motor-driven vehicles, as distinguished from daily storage furnished to transients, but no motor-driven vehicles may be equipped, repaired, hired, or sold.

Primary caregiver. Primary caregiver means an individual twenty-one (21) 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 article XIV, section 1, Right to access medical marijuana, of the Missouri Constitution or in other written notification from the State of Missouri.

Privacy Fence. A privacy fence is a sight-obscuring fence that blocks the area enclosed by the fence from view from neighboring properties or public rights-of-way. It is designed to conceal from view the activities conducted behind them that will visually isolate, conceal, and seclude objects, things, places, or people.

Public building or facility. A building or facility owned or operated by a general unit for a local, state, or federal government; or a public building or facility under the laws of the State of Missouri; or a building or facility operated or used by a nonprofit organization and open to general use by the public.

Structural alteration. Any changes in the supporting members of a building, such as bearing or non-bearing walls, or partitions, columns, beams, or girders, or any substantial change in the roof or in the exterior walls, excepting such repair or replacement as may be required for the safety of the building, but not including openings in bearing walls as permitted by existing ordinances.

Thoroughfare, major. A street that is designated as a collector or arterial street in the major street plan or is constructed in accordance with the collector or arterial street design standards set out in the subdivision regulations of this Code.

Tourist or trailer camp. An area where one (1) or more tents, auto trailers, or recreational vehicles can be or are intended to be parked, designed, or intended to be used as temporary living facilities of one (1) or more families and intended primarily for vehicle transients.

Towing company. Any person, partnership, corporation, fiduciary, association, or other entity that operates a wrecker or towing service that tows, removes, or temporarily stores inoperable vehicles.

Uncovered. Not covered with a roof.

Unenclosed. Not shut in or closed in with surrounding exterior walls. A covered or roofed area supported by columns and not having surrounding exterior walls of any material, including screens and lattice, shall be considered unenclosed. Exterior walls shall not be defined to include railings or banisters.

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:

ww. The following uses when located fifty (50) feet or more from any residential district (as measured to the property line) and separated from an adjacent residential district by a privacy fence:

35. Towing company with all storage indoors or enclosed within a privacy fence and a special use permit only.

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:

jj. The following uses when located not less than fifty (50) feet from any residential district (as measured to the property line):

55. Newspaper, magazine, or similar printing or publishing plant.

56. Petroleum product storage, with a special use permit only, and only after the location and treatment of the premises have been approved by the city fire chief.

57. Public works buildings, public utility service yards, or electrical stations.

58. Towing company with all storage indoors or enclosed within a privacy fence.

59. Auto salvage or junkyard with all storage indoors or enclosed within a privacy fence.

60. Any other light industrial use of a similar character which is not specifically permitted herein, with a special use permit only, and only when such use is consistent with the intent and purpose of the I-1 Light industrial district.

kk. Shipping containers, used for non-occupancy short-term storage use, and only in compliance with section 65-20 (accessory structures).

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:

- jj. 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:
- 62. Public work buildings, public utility service yards, or electrical stations.
 - 63. Warehouse storage or distributing facility, including wholesale storage.
 - 64. Towing company with all storage indoors or enclosed within a privacy fence.
 - 65. Auto Salvage or junkyard with all storage indoors or enclosed within a privacy fence.
 - 66. Any other business, commercial, or industrial use of a similar character which is not specifically permitted herein, with a special use permit only, and only when such use is consistent with the intent and purpose of the I-2 Heavy industrial district.