

NOTICE OF PUBLIC HEARING

PLANNING AND ZONING COMMISSION OF JEFFERSON COUNTY, MISSOURI
NOTICE OF MEETING

Notice is hereby given that the Planning and Zoning Commission of Jefferson County, Missouri, will conduct a meeting at 6:30 p.m., Thursday, February 9, 2023 in the Assembly Room of the Jefferson County Administration Center, located at 729 Maple Street, Hillsboro, Missouri. The public will be given an opportunity to be heard.

The tentative agenda of this meeting includes:

- I. CALL TO ORDER
- II. ROLL CALL
- III. APPROVAL OF AGENDA
- IV. APPROVAL OF MINUTES
January 26, 2023
- V. SWEARING IN OF WITNESSES
- VI. INTRODUCTION OF EVIDENCE
- VII. NEW BUSINESS
 1. Consideration
 - A. PC23002
A Request for a Zone Change and Development Plan Approval for parcel 02-6.0-14.0-4-001-019., located at 605 E. Outer 21 Road, Arnold, in Windsor Township and Council #2, from Non-Planned Community Commercial (CC-2) Zone District to Planned Commercial (PC) Zone District and Development Plan approval for South Texas Endeavors.
 - B. Public Hearing
 1. A Public Hearing regarding proposed amendments to Title IV, Chapter 400 of the Code of Ordinances of the Jefferson County: Unified Development Order.
 - C. Resolution 2-9-2023A of the Planning and Zoning Commission of Jefferson County, Missouri, to report on and Recommend amendment of the Code of Ordinances of Jefferson County, Missouri: Unified Development Order, and directing that this Resolution serve as the Planning and Zoning Commission's report to the Jefferson County, Missouri, Council.
- VIII. REPORTS TO THE COMMISSION
- IX. CITIZENS TO BE HEARD
- X. ADJOURNMENT

Representatives of the media may obtain copies of this notice by contacting Elaine Roesch, Planning Clerk at 636-797-5580, Jefferson County Planning Division, PO Box 100, Hillsboro, Missouri 63050.

Any person requiring special accommodation under the Americans with Disabilities Act should contact Jefferson County Human Resources at 636-797-5071.

"Please be Advised: Members of the County Council May Be in Attendance at this Meeting"

Petition Number: PC23002

Meeting Date: February 9, 2023

Prepared By: Rachel Krispin

Applicant Information

APPLICANT NAME: South Texas Endeavors, LLC

APPLICANT ADDRESS: 3219 West Autumn Run Circle, Sugar Land TX 77479

DESIGN PROFESSIONAL: BDH Architecture and Interiors

SITE ADDRESS: 605 E Outer 21, Arnold MO 63010

PARCEL NUMBER: 02-6.0-14.0-4-001-019

NATURE OF REQUEST: Rezone from Non-Planned Community Commercial (CC2) zone district to Planned Commercial (PC) zone district and development plan approval for South Texas Endeavors.

Parcel and Site Information

CURRENT ZONE DISTRICT: Non-Planned Community Commercial (CC2)

COUNCIL DISTRICT: 2

MASTER PLAN DESIGNATION: Primary Growth Area

DEVELOPMENT PATTERN: Suburban Development Pattern

PARCEL SIZE: 1.70 acres

FEET OF ROAD FRONTAGE: Outer 21 Rd – approximately 375 feet. Northview Dr – approximately 200 feet. Landmark Dr – approximately 260 feet.

AVAILABLE SERVICES: Public water and public sewer

DESCRIPTION OF CURRENT DEVELOPMENT ON PARCEL: The subject property is currently developed with a commercial building in a U-shape configuration.

Parcel Conditions

TOPOGRAPHY: The parcel is fairly flat. There is some steep topography in the southwestern corner of the property.

FLOODPLAIN ISSUES/STREAM ORDERS: Almost the entirety of the subject property is located within the floodplain. The existing commercial building is entirely in the 100-year floodplain.

VEGETATIVE COVER/SCREENING: Except for the southwestern corner of the property, the site is cleared of vegetation.

ADDITIONAL COMMENTS: N/A

SURROUNDING ZONING: The subject property is located just off Outer 21 Rd, Northview Dr, and Landmark Dr, which have a variety of zoning districts near the subject property.

To the North:	<u>Zoning:</u> NC1 and PC <u>Land Use:</u> Developed and undeveloped commercial (Across Hwy 21)
To the East:	<u>Zoning:</u> PC <u>Land Use:</u> Developed commercial
To the South:	<u>Zoning:</u> NPI and R10 <u>Land Use:</u> Developed commercial and residential
To the West:	<u>Zoning:</u> R10 <u>Land Use:</u> Developed residential

Development Plan

The submitted development plan shows the following:

- Part of the existing building to remain- roughly 11,700 SQFT.
 - Noted demolition of roughly 2/3 of the existing building
- Thirty-one (31) proposed outdoor material storage bays
 - On the development plan, the area for the outdoor storage is roughly 23,200 SQFT
- Fourteen (14) proposed vehicle parking spaces near the road frontage of Outer 21
 - A modification was requested reduce the vehicle parking count
- A high-impact screen is shown around the entirety of the property
 - A gate is also shown along the Outer 21 road frontage
- Two (2) points of access from Outer 21 Rd and Landmark Dr
 - There is no existing access point from Northview Dr, and the proposed development plan maintains the existing points of access
 - It appears on the development plan that the entrance from Outer 21 Rd is a one-way ingress point, and the access from Landmark Dr is one-way egress
- Street frontage landscaping shown along Outer 21 Rd
- Trash enclosure shown to the northeast of the proposed existing building

Development Plan Modification Requests

Section 400.4050 – Guidelines – Vehicle Parking By Use

The petitioner is requesting a reduction in the required vehicle parking count from twenty (20) spaces to fourteen (14) spaces.

Per the applicant, the function of the proposed usage of the property will only ever have a maximum of ten (10) employees on the site at once. In addition, the nature of the business (which is retail distribution and on-site storage of construction materials) is that customers will not be at the location long. It is also stated in the petitioner's submittal that the maximum allowed customers to be queued for pickup of material is three (3).

Given the maximum number of people on the subject property at once would be a total of thirteen (13), Staff does not have an issue with this request. There is limited space on the property and with the limited traffic the proposed use will generate, Staff would be amenable to this request.

Section 400.4650 – Landscaping Buffer Requirements

The petitioner is requesting relief from the required front landscaping buffer to be reduced from twenty (20) feet to ten (10) feet.

The requested reduction is for the frontage along Outer 21 Rd. The required landscaping buffer for street frontage landscaping is twenty (20) feet.

The proposed vehicle parking is located within the landscaping buffer of Outer 21 Rd. Given the configuration of the proposed development, there is limited area to have for vehicle parking spaces. Staff does not see an issue with this request.

Section 400.2620 – Driveway Requirements – Corner Clearance

Along a county roadway, 125' separation/offset is required between driveways and entrances. This condition not met with entrances on Landmark Drive and East 21 Outer Road. Both East 21 Outer Road and Landmark Drive are low volume, dead end roads. Due to the floodplain, severe terrain and location of the existing building, there are no acceptable alternate locations for the drives.

These entrances have existed in this configuration for a number of years and Staff is not aware of any problems caused by the existing location of the entrances.

The applicant has provided truck turning diagrams on the submittal which show that the entrances will work and allow trucks to pull onto Landmark Drive and then onto East Outer 21 rather than backing onto the roads.

Criteria for Approval

Criteria For Considering Applications. In considering any application for any rezoning, conditional use permit, conceptual development plan or preliminary development plan, the Planning and Zoning Commission and the County Council may give consideration to the criteria stated below:

- a. The character of the neighborhood.
- b. The existing and any proposed zoning and uses of adjacent properties and the extent to which the proposed use is compatible with the adjacent zoning and uses.
- c. The extent to which the proposed use facilitates the adequate provision of transportation, water, sewerage, schools, parks and other public requirements.
- d. The suitability of the property for the uses to which it has been restricted under the applicable zoning district regulations.
- e. The length of time, if any, the property has remained vacant as zoned.
- f. The extent to which the proposed use will negatively affect the character of the property and neighboring property.
- g. The extent to which the proposed use will seriously injure the appropriate use of, or detrimentally affect, neighboring property.
- h. The extent to which the proposed use will adversely affect the capacity or safety of the portions of the street network impacted by the use or present parking problems in the vicinity of the property.
- i. The extent to which the proposed use will address and conserve the natural resources of the site, effectively manage storm water runoff and prevent air, water and noise pollution and conserve habitat.
- j. The impact the proposed use has on achieving the goal of economic diversity in the community.

- k. The ability of the applicant to satisfy any requirements applicable to the specific use imposed pursuant to this UDO.
- l. The extent to which public facilities and services are available and adequate to meet the demand for facilities and services generated by the proposed use.
- m. The gain, if any, to the public health, safety and welfare due to approval of the application as compared to the hardship imposed upon the landowner, if any, as a result of denial of the application.
- n. The conformance of the proposed use to the Official Master Plan and other adopted planning policies.
- o. The analysis by professional staff.

Analysis

The development plan satisfies most of the criteria of approval. While there is a wide variety of zoning in the area, the proposed use and zone district seem to fit the area. Planned Commercial (PC) zone district is located directly East of the property. The proposed development is located off a County-maintained roadway and is visible from State Rt 21- a major corridor within the County. In addition, the property has been commercially operated for numerous years. The site is currently developed with a commercial building but appears to be vacant. The proposed use of a warehouse and distribution facility is located in a portion of the County that is near other commercial zoning located along Outer 21 Rd and State Rt 141. The proposed zone change is in accordance with the Jefferson County Master Plan.

The development plan, as proposed, seeks to minimize the impact to surrounding properties. A sight-proof fence is maintained around the perimeter of the property, and areas that require high-impact screening are shown on the development plan. There is also a twenty (20) foot buffer maintained along Northview Dr, and in the rear of the subject property. A fifteen (15) foot setback is shown along Landmark Dr- which is acceptable given that Landmark Dr is privately maintained. Staff has not seen any evidence to indicate there would be any risk to public health, safety, and welfare from this development plan as proposed. The development plan does not impede the normal and orderly development and improvement of the surrounding property, given that the development is proposed on an existing commercially zoned and operated site. Approval of the proposed development would allow for a development consistent with the stated intent of the Planned Commercial (PC) zone district.

Recommended Conditions/Comments if Approved

Permitted Uses

Land uses shall be permitted per the approved Development Plan:

- Warehouse and distribution

Floor Area, Height, and other Building Requirements

- Maximum Area Ratio: 0.55 FAR
- Maximum Structure Height: 70 feet

Site Development

Required Yards

- Front Yard – 20 feet; Side Yard – 15 feet; Rear Yard – 20 feet

Design Standards

- The development shall comply with the Mixed-Use Design Standards in accordance with Article VII of the Jefferson County Unified Development Order.

Access

- Access shall be provided in accordance with the Jefferson County Unified Development Order, except as specifically modified.

Parking

- Parking and loading shall be provided per the regulation of Article XII of the Jefferson County Unified Development Order, except specifically modified.

Signs

- Signs shall comply with Article XIII of the UDO. All regulatory signs, including stop signs, speed limit, etc. shall be provided by the developer.

Lighting

- Lighting that by color, placement or design resembles or conflicts with traffic control signs is prohibited. No lighting shall contain flashing lights, intermittent lights, animators, or mechanical movements of any kind.

Landscaping

- Landscaping, buffers, and tree protection shall comply with Article XIV of the Jefferson County Unified Development Order.

Stormwater and Erosion and Sediment Control

- Stormwater management and Erosion and sediment control shall comply with Chapter 505: Erosion and Sediment Control / Stormwater Management Design Manual of the Jefferson County Code of Ordinances.

1) A boundary line adjustment is required to eliminate the interior lot lines.

2) Pavement:

a) County Road (Highway 21 East Outer Road):

- i) Access onto a county road shall require 300' of stopping sight distance at 3.5' height of eye and 4.25' height of oncoming vehicle (minimum 1' of clearance between line of sight and surface/top of grass).
- ii) The Engineer shall submit sight distance profiles showing that the required sight distance is met.
- iii) The engineer shall identify the clearance at the most restrictive point on the profiles.
- iv) Any vegetation or obstructions of any sort in the line of sight must be identified.

3) 125' separation/offset is required between driveways and entrances.

This condition is not met with Landmark Drive site entrance and old 21 and between the two existing Landmark Drive entrances. See modification request above

4) Access road(Landmark Drive (from East 21 Outer Road through drive for roll up door, about 150 feet):

Requirement: Street width shall provide 20' pavement within 26' ROW with curbs. Street thickness shall provide 6" PCC/4" rock base (or 2" Type C Asphaltic Concrete/4" Type X Asphaltic Concrete/4" rock base).

Analysis: The existing portion of Landmark Drive which serves as an access road for this development consists of pavement which is only 19 feet in width and exhibits signs of distress. The road has experienced heavy truck loads for a number of years and is still in serviceable condition.

The road must be widened to the full 20' required width from 21 Outer Road through the drive for the roll up door on the east side of the building and given a 2" overlay of asphalt.

The right of way width appears to exceed the requirement.

a) Driveway entrances (within street ROW):

- i) Pavement width for entrance at ROW (including curbs) for two-way traffic shall provide 26'–42'.
- ii) Entrance thickness shall provide 6" PCC/4" rock base (or 2" Type C Asphaltic Concrete/4" Type X Asphaltic Concrete/4" rock base).
- iii) The entrance width shall be provided from the street into the site for a throat length of 20'.

5) Parking areas:

- a) Parking areas with 5 or more required parking spaces must provide a paved surface of 3" Type C Asphaltic Concrete over an 8" rock base (or 2" Type C Asphaltic Concrete/4" Type X Asphaltic Concrete; or 6" PCC).
- b) Parking areas with 4 or less required parking spaces (and contractors storage yards) must provide an 8" rock base minimum.

6) Detention:

- a) Stormwater shall be detained and released at a rate not to exceed the release rate from the site under the existing (pre-developed) conditions for the 2 and 100-year storm

events. Detention/retention basins must also contain an overflow structure capable of passing a 100-year, 20-minute design storm.

- b) Channel protection is required to treat the high-frequency, low-severity storm runoff events within the detention basins by metering it out slowly over 24-48 hours.
 - c) No detention is required if a non-residential development has less than an additional 12,000sf of impervious area. However, low impact practices are required to mitigate the additional runoff created by the additional impervious coverage and no adverse impact may be created.
 - d) Stormwater system shall be designed for the 15-year, 20-minute event. Provide hydraulic calculations and drainage area map for each system.
- 7) Floodplain:
- a) The Building Division requires a Floodplain Development Permit for any grading or improvements within a known floodplain.
 - b) The detention pond berm must be elevated at or above the 100-year flood elevation.
- 8) Grading:
- a) Submit a geotechnical report, sealed by an Engineer registered in the State of Missouri, as required where more than 5' of cut or 5' of fill is proposed. Grades at slopes proposed steeper than 3:1 must be included in the report for slope stability.

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[illegible][illegible]

South Texas Endeavors



SP00

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January 12, 2023

Rachel Krispin, Planner
Joshua Jump, Planner
Planning Department - Jackson County, MO
725 Maple Street
Hillsboro, MO 63050

Rachel & Josh –

Please accept the proposed written narrative and attached site plans for development application. The applicant seeks to obtain re-zoning for the subject parcel along with modifications to the proposed zoning as discussed further.

I. GENERAL PROPERTY INFORMATION

Property Address	605 East Outer 21 Road, Arnold MO 60310
Vicinity	Southwest Quadrant of Highway 141 And County Rd 21
Legal Description	Paulina Hills 2: Lot 8 & Pt 7 & Schneiders Lake View Lot Split Lt 1 (116/14b) & Pt Us Survey 664
PID #	02-6.0-14.0-4-001-019
Parcel Size	1.70 Acres

II. Ownership & Applicant

Current Owner	Plaza 605 LLC 5854 Crystal Tree Corps St. Louis, Mo 63128
Applicant & Developer	South Texas Endeavors, LLC 3219 West Autumn Run Circle Sugarland, TX 77479 Mark Cangelosi mjcangelosi@yahoo.com
Design Professional	BDH Interiors & Architecture 201 Irving Ave N #200 Minneapolis, MN 55401 Laura Schmidt, AIA; lschmidt@bdh.design Lindsey Feesl, CID; lfeesl@bdh.design

III. Uses, per Section 400.1650

Class	Commercial
Land Use	V – Warehouse / Distribution
Zoning (Current)	CC2 – 'Non Planned Community District'



Zoning (Proposed)	PC – 'Planned Commercial'
Proposed Building Use	Retail Distribution and on-site storage of Construction Building Materials.

IV. Height & Area Regulations:

Existing Building Footprint:	
Building 1: <i>Existing to Remain</i>	14,378SF
Building 2: <i>Proposed to be Demolished</i>	4,780SF
Building 3: <i>Proposed to be Demolished</i>	4,628SF
Total Existing:	23,786SF +/-
Proposed Total Building Area:	14,378sf
FAR	14,738 / 74,052sf (total parcel) = 0.2 < 0.55 Req'd per Sec 400.1650

V. Setbacks & Height Requirements: per Sec 400.1670

Setbacks	
Major Street, County Maintained Street	20'
*Modification requested; See following for requested modification and narrative.	
All Other Streets:	15'
Side Yard:	15'
Rear Yard:	20'
Height Requirement, per Sec 400.1680	
PC (Req'd): 70'	27' (Actual)

VI. Neighboring Zoning Districts:

Direction	Neighboring District	Required Buffer
NORTH	N/A - Highway 21	--
EAST	PC	--
SOUTH	Southwest: R-20 Southeast: NP1	High Impact Medium Impact
WEST	R-20	High Impact
*All buffers shall comply with required 20' setback at rear and side lot lines; except those requested for modification.		

VII. Performance & Design Standards

Design Standard	Infill; compliance with Mixed Use
<i>Trash Enclosure (400.2440)</i>	Fully screened enclosure shall be provided.
<i>Open Space (400.2470)</i>	Non-residential development is below 2 acres.
Driveway Corner Requirements	125'



*Existing is approximately 40' at northeast corner of parcel; See following for requested modification and narrative.

VIII. Parking

Vehicle Parking Counts:	
REQUIRED:	2 / 1,000sf = indoor sales, plus 1/ 2,500sf = Outdoor Display
A. Building Supplies, brick or Lumberyard (req'd)	
[(Indoor Sales - 5,000sf x 2) + (23,275 / 2500 = 10)]	20 required Spaces
PROVIDED:	14 Standard Parking (5 Parallel & 9 45 degrees) + 1 Accessible
B. Modification Requested; See following for requested modification and narrative.	
Accessible Parking:	
1 / 1-25 (req'd)	1 (provided)
*All shown parking spaces meet the required parking dimensions per Table 12-3.	
Corner Clearances:	
Required from County Maintained Street	125'
- Existing Northeast driveway is approximately 40' from northern East Outer 21 Road. - See following for requested modification and narrative.	

IX. Requested Zoning Modifications:

A. Parking Count (400.4050):

- Per the above noted calculations, the required total required parking spaces would equal 20 parking spaces. The Developer requests a modification to allow for less parking to be accommodated based on the actual peak usage of the proposed property and associated business.
- Total employees at the building range from 6-8 with absolute maximum of 10 employees ever being present at once. In addition, the nature of the business is for will call construction materials, with customers only being present for a short amount of time to pickup orders. The maximum allowed customers to be queued for pickup is 3.
- Increasing the count slightly to account for any minor variances, the development proposes for 14 total parking spaces to be accommodated within the development.

B. Frontage Setback

- Frontage to county-maintained street required as 20' is requested to be reduced to 10' in order to accommodate parking and large vehicle turning radiuses at one-way drive lane with close proximity to existing building.
- The reduction would allow the drive aisle width, and necessary parking to be accommodated at the northeast corner of the existing parcel. The semi-access radius is extremely tight between the building from the northern driveway to the



eastern driveway. A reduction would allow more aisle space along with accessible space adjacent to door and trash enclosure.

- iii. Note: The existing parking at the NW door will not be able to be accommodated as existing.

C. Driveway Spacing (40.2620):

- i. The northeastern corner of the parcel is currently accessed from eastern access road, Landmark Drive, with a driveway that is approximately 40' from the northern county road of East Outer 21 Road. This access driveway does not comply with the required driveway spacing from the County maintained street of 125' minimum.
- ii. The proposed development requests a modification to allow the existing site access drive to remain in place, generally in its current configuration. Additional grading, and impervious surfacing will be added for more direct vehicle access but will function as current.

In conclusion, the proposed new Ownership is committed to maintaining a property and providing a business conducive and suitable to the local neighborhood, and its residents. The use is in line with the current Owner's operations, the County's required zoning ordinances, and will further provide substantial site updates and building to be further compliant with the proposed zoning alteration and the requested modifications. For this reason, the Developer and Applicant believe the proposed has addressed those items to ensure the property will continue to support the County's master plan and long-term economic growth and development in the area.

Please notify the team immediately if any conditions are unclear or not addressed sufficiently. We look forward to working with the County and its team, long-term, on the re-development and occupancy of the property.

Regards,

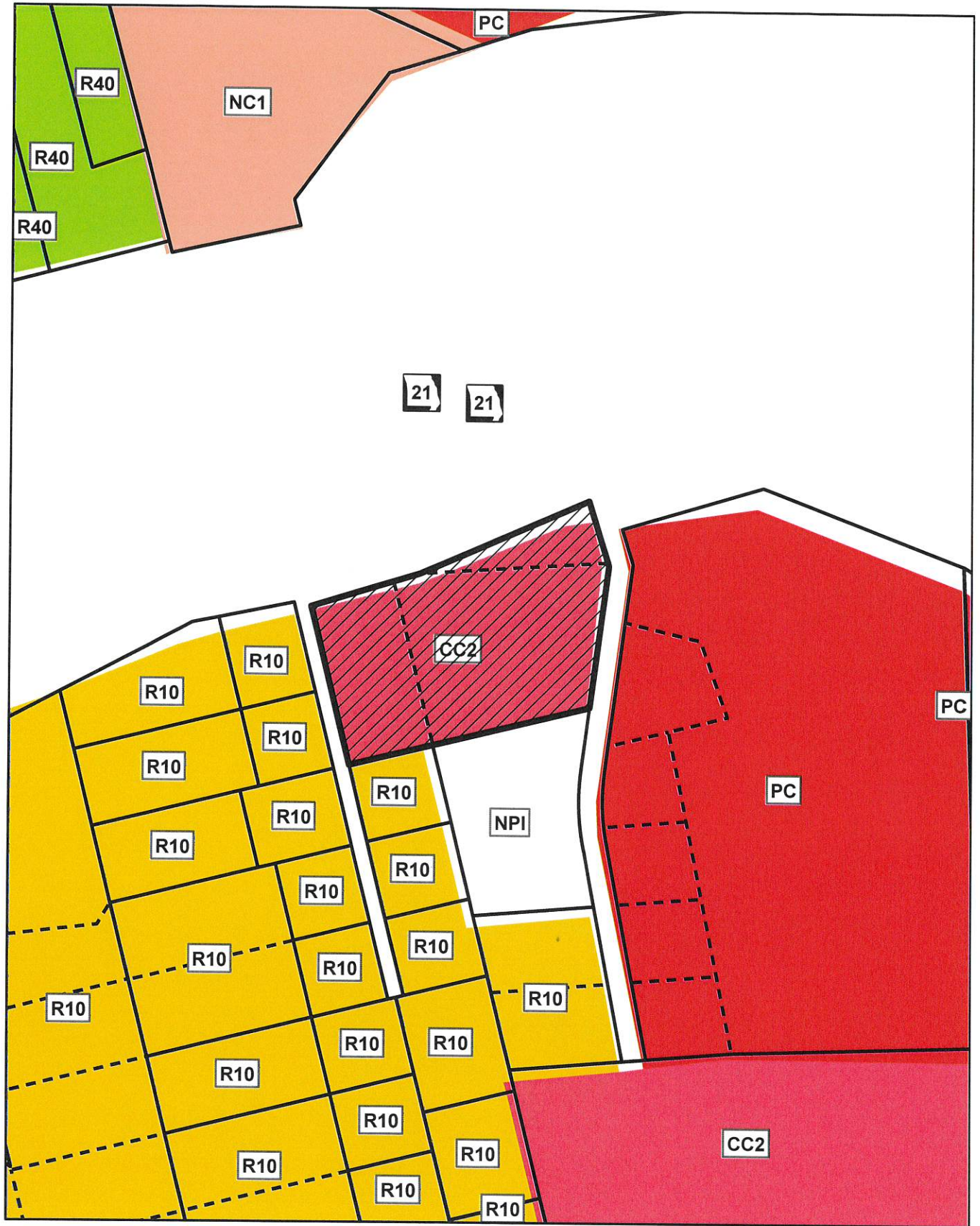
Laura Schmidt, AIA, LEED AP

BDH

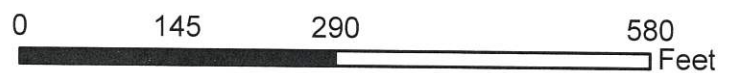
lschmidt@bdh.design / 952-345-8306

CC: Lindsey Feesl, BDH
Luke Evans, Cangelosi Development
Mark Cangelosi, Cangelosi Development
Preston Cunningham

PC23002 - South Texas Endeavors



Subject Property



PC23002 - South Texas Endeavors



Subject Property

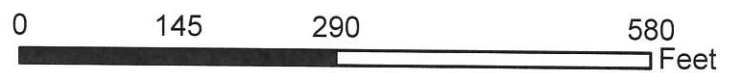


EXHIBIT A

Section 400.230. Definitions.

MEDICAL MARIJUANA CULTIVATION FACILITY

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

MEDICAL MARIJUANA DISPENSARY FACILITY

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 by the State of Missouri to a consumer, 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 FACILITY

Any ~~medical~~-marijuana cultivation facility, ~~medical~~-marijuana dispensary facility, ~~medical~~-marijuana testing facility, ~~medical~~-marijuana-infused products manufacturing facility, or ~~medical~~-marijuana transportation facility as defined by this Code.

MEDICAL MARIJUANA TESTING FACILITY

A facility licensed by the State of Missouri to acquire, test, certify, and transport marijuana.

MEDICAL MARIJUANA TRANSPORTATION FACILITY

A facility certified by the State of Missouri to transport marijuana to a consumer, qualifying patient, a primary caregiver, a ~~medical~~-marijuana cultivation facility, a ~~medical~~-marijuana-infused products manufacturing facility, a ~~medical~~-marijuana dispensary facility, a ~~medical~~-marijuana testing facility, or another ~~medical~~-marijuana-transportation facility.

MEDICAL MARIJUANA-INFUSED PRODUCTS MANUFACTURING FACILITY

A facility licensed by the State of Missouri to acquire, store, manufacture, transport, and sell marijuana-infused products to a ~~medical~~-marijuana dispensary facility, a ~~medical~~-marijuana testing facility, or another ~~medical~~-marijuana-infused products manufacturing facility.

Section 400.1180. Limitation On Successive Applications By Landowner.

- C. The Director shall determine if an application concerns "substantially the same property plan" as a prior application.

Section 400.1650. Zoning Matrix.

TABLE 5-1
ZONING MATRIX TABLE

(H) = Home occupation		P = Use permitted by right		CU = Conditional use (see Article IX)											
XC = Approved plan with conditions		PC = Permitted with conditions (Section 400.3470)										X = Per approved plan			
* = Indoor only		** Outdoor only													
	RA-5	LR-2	R-40	R-20	R-10	R-7	PR-1	PR-2	NC-1	CC-2	PC	PB	NPI	PI	PM
Agriculture															
Medical-Marijuana-Marijuana cultivation facility	CUPC**	PC**								CUPC**	X*	X*	CUPC*	X*	
Retail Sales and Services															
Medical-marijuana-Marijuana dispensary facility										CUPC	X	X			
Manufacturing, Industrial, Transportation and Storage															
Medical-marijuana-Marijuana infused products manufacturing facility										CUPC	X	X	CUPC	X	
Medical-marijuana-Marijuana testing facility											X	X	CUPC	X	
Medical-marijuana-Marijuana transportation facility										CUPC	X	X	CUPC	X	

Section 400.3345. Medical Marijuana Facilities.

A. ~~All medical marijuana facilities shall require a conditional use permit or an approved development plan if located within a Planned Zone District, and shall comply with the following conditions:~~

- ~~1. The medical marijuana facility shall comply with regulations issued by the Department of Health and Senior Services for medical marijuana facilities and/or the State of Missouri (collectively, the "State"). If State requirements are more restrictive than Jefferson County requirements, the State requirement applies.~~
- ~~2. Site development plan approval is required prior to the commencement of use.~~
- ~~3. The medical marijuana facility shall be monitored at all times by a closed-circuit television for security purposes. The camera and recording system shall be of adequate quality, color rendition and resolution to allow the ready identification of any individual committing a crime anywhere on or adjacent to the facility. The recordings shall be maintained for a period of not less than ninety (90) days and shall be made available to law enforcement authorities upon request.~~
- ~~4. The medical marijuana facility, except a medical marijuana transportation facility, shall have a fireproof vault or safe that is incorporated into and securely attached to the building structure for the purpose of securely storing cash. Said facility shall also have and provide an adequate fire-protected and secure room for storing any processed marijuana products.~~
- ~~5. The medical marijuana facility shall have a fire and burglar alarm system.~~
- ~~6. The exterior building lighting and parking area of the medical marijuana facility shall be equipped with lighting fixtures of sufficient intensity to illuminate all interior areas of the lot with an illumination of not less than one and five tenths (1.5) footcandles evenly distributed as measured at floor level. These light fixtures shall be turned on from dusk to dawn.~~
- ~~7. The medical marijuana facility shall not use any equipment or process that creates noise, dust, vibration, glare, fumes, odors or electrical interference detectable to the normal senses beyond the property boundary so as to create a public nuisance as defined by this Code or Missouri State Law.~~
- ~~8. No person or facility shall dispose of marijuana or marijuana-infused products in an unsecured waste receptacle not in possession and control of the licensee and designed to prohibit unauthorized access.~~
- ~~9. Medical marijuana cultivation and transportation facilities shall have an armed security guard on the premises at all times. Medical marijuana dispensary facilities shall have an armed security guard on the premises during those hours when the medical marijuana dispensary facility is permitted to operate.~~
- ~~10. The medical marijuana facility shall display its State-issued license on the interior of the facility, visible to the public, at all times.~~
- ~~11. The medical marijuana facility shall not allow on-site consumption of marijuana, marijuana-infused products or other intoxicants on the premises at any given time.~~

- ~~12. The medical marijuana facility shall not have outdoor seating areas other than break areas for employees of the facility.~~
- ~~13. The medical marijuana facility shall not have a sign unless it is a medical marijuana dispensary. Signage at medical marijuana dispensaries shall comply with Article XIII of this UDO.~~
- ~~14. Any and all cultivation, processing, storage, display, sales or other distribution of marijuana at a medical marijuana facility shall occur within an enclosed building and shall not be visible from the exterior of the building. If said facility is located outdoors, then the facility shall not be readily visible, and any outdoor area shall be enclosed and topped by a razor-wire fence. Said fence shall be slatted or other privacy-type fence used, and all fencing shall be at least ten (10) feet in height, not including the razor wire.~~
- ~~15. A medical marijuana facility shall comply with the relevant zone district height, area, design and setback requirements and the following additional location restrictions: No medical marijuana facility shall be located within 1,000 feet of any then-existing elementary or secondary school, child day-care center, church or place of worship or public park.~~
- ~~16. A medical marijuana facility, other than a medical marijuana transportation facility, shall be located in a permanent building and shall not be located in a trailer, cargo container, or motor vehicle and the structure shall not be mobile or operate from a transitory location. A medical marijuana transportation facility shall follow the rules and restrictions set forth in the Revised Statutes of Missouri, the Code of State Regulations and any other associated rules and regulations promulgated by the State of Missouri.~~
- ~~17. Nothing in this UDO restricts multiple permit holders or a single entity owning multiple permits from operating from a single physical location, so long as all permit requirements are met, and each individual activity is properly licensed.~~
- ~~18. The Planning and Zoning Commission and/or County Council may include any additional conditions it finds necessary to conserve and promote the public health, safety, and welfare.~~
- ~~B. In addition to standard submittal requirements for conditional use permits and/or development plans, applications for medical marijuana facilities shall include at a minimum:~~
 - ~~1. The legal name of the facility; and~~
 - ~~2. A copy of the operating procedures for the facility; and~~
 - ~~3. Proof that the medical marijuana facility has been licensed by the State of Missouri; and~~
 - ~~4. A floor plan showing the location, dimensions and type of security measures to be employed by the medical marijuana facility; and~~
 - ~~5. A certification from the Jefferson County Department of the Sheriff stating that the applicant has met with the Sheriff or his designee and that the Department of the Sheriff has approved of the security plan to be employed by the medical marijuana facility and has approved the use and licensure of all security personnel required by this Code and the Jefferson County Department of the Sheriff; and~~

6. ~~A certification from the local fire district stating that the medical marijuana facility complies with all local codes of that district; and~~
7. ~~A survey demonstrating compliance with all setbacks and locational restrictions required by this UDO.~~

Section 400.3350. Specific Zoning Requirements By Medical Marijuana Facility Type.

A. ~~Medical Marijuana Cultivation Facility (RA5—outdoor cultivation only) (CC2, PC, PB, NPI, PI—indoor cultivation only).~~

1. ~~Medical marijuana cultivation facilities shall only be permitted with an approved conditional use permit or an approved development plan in the zone districts set forth in this Section.~~
2. ~~In addition to all other conditions and requirements set forth in this UDO, the following conditions shall apply to medical marijuana cultivation facilities:~~
 - a. ~~All drying, curing and storage of medical marijuana at a medical marijuana cultivation facility shall take place inside a completely enclosed permanent building with controlled access and shall not be located in a trailer, overseas or shipping container, or motor vehicle.~~
 - b. ~~No sales of medical marijuana may occur at a medical marijuana cultivation facility, other than to a fully licensed and permitted medical marijuana dispensary, infusion manufacturing facility or medical marijuana transportation facility. Distribution of medical marijuana may occur between facilities so long as it is entered into the State-Wide Track and Trace System.~~
 - c. ~~A medical marijuana cultivation facility not located within a completely enclosed permanent building shall not exceed ten (10) acres. All operations and all storage of materials, products, or equipment shall be within a fully secured area as described herein. Said cultivation facility, if located outdoors, shall be in an area enclosed and topped by a razor-wire fence. Said fence shall be slatted or other privacy-type fence used, and all fencing shall be at least ten (10) feet in height, not including the razor wire. Said facility shall have the same video monitoring and security requirements as an indoor facility.~~

B. ~~Medical Marijuana Dispensary Facility (CC2, PC, PB).~~

1. ~~Medical marijuana dispensary facilities shall only be permitted with an approved conditional use permit or an approved development plan in the zone districts set forth in this Section.~~
2. ~~In addition to all other conditions and requirements set forth in this UDO, the following conditions shall apply to medical marijuana dispensary facilities:~~
 - a. ~~Medical marijuana dispensary facilities may only transport medical marijuana to qualifying patients, primary caregivers, testing, manufacturing, and other dispensary facilities; and only in accordance with the rules and regulations promulgated by the State of Missouri.~~
 - b. ~~A medical marijuana dispensary facility shall not have a drive-through service.~~

c. ~~The permitted hours of operation for a medical marijuana dispensary facility shall be between the hours of 9:00 A.M. and 9:00 P.M. every day.~~

d. ~~No medical marijuana or other product shall be displayed so as to be visible through glass, windows, or doors by a person of normal visual acuity standing at the outside perimeter of the medical marijuana dispensary facility.~~

C. ~~Medical Marijuana-Infused Products Manufacturing Facility (CC2, PC, PB, NPI, PI).~~

1. ~~Medical marijuana-infused products manufacturing facilities shall only be permitted with an approved conditional use permit or an approved development plan in the zone districts set forth in this Section.~~

2. ~~In addition to all other conditions and requirements set forth in this UDO, the following conditions shall apply to medical marijuana-infused products manufacturing facilities:~~

a. ~~No retail distribution or sales of medical marijuana-infused products may occur at a medical marijuana-infused products manufacturing facility.~~

D. ~~Medical Marijuana Testing Facility (PC, PB, NPI, PI).~~

1. ~~Medical marijuana testing facilities shall only be permitted with an approved conditional use permit or an approved development plan in the zone districts set forth in this Section.~~

2. ~~In addition to all other conditions and requirements set forth in this UDO, the following conditions shall apply to medical marijuana testing facilities:~~

a. ~~No retail distribution or sales may occur at a medical marijuana testing facility.~~

Section 400.3360. Specified Uses Permitted With Conditions.

Table 9-1
USES PERMITTED WITH CONDITIONS

Uses below, in the zone districts listed, shall comply with all conditions above checked by an X.	Buffer	Screening	Lighting	Parking	Hours of Operation	Signage	Outside Storage	Building Height	Technical Studies	Yearly Inspections	Additional Comments
Agriculture											
<u>Marijuana cultivation facility ("RA-5", "LR-2", "CC-2", "NPI")</u>	X	X	X	X		X	X				X
Retail Sales and Service											
<u>Marijuana dispensary facility ("CC-2")</u>	X	X	X	X		X	X				X
Manufacturing, Industrial, Transportation and Storage											
<u>Marijuana-infused products manufacturing facility ("CC-2", "NPI")</u>	X	X	X	X		X	X				X
<u>Marijuana testing facility ("NPI")</u>	X	X	X	X		X	X				X
<u>Marijuana transportation facility ("CC-2", "NPI")</u>	X	X	X	X		X	X				X

Section 400.3600. Marijuana Facilities.

A. All marijuana facilities will be permitted with conditions in the indicated zone districts or require an approved development plan if located within a Planned Zone District, and shall comply with the following conditions:

1. The marijuana facility shall comply with regulations issued by the Department of Health and Senior Services for marijuana facilities and/or the State of Missouri (collectively, the "State"). If State requirements are more restrictive than Jefferson County requirements, the State requirement applies.
2. Site development plan approval is required prior to the commencement of use.
3. The marijuana facility shall not allow on-site consumption of marijuana, marijuana-infused products or other intoxicants on the premises at any given time.
4. The marijuana facility shall not have outdoor seating areas other than break areas for employees of the facility.
5. A marijuana facility shall comply with the relevant zone district height, area, design and setback requirements and the following additional location restrictions: No marijuana facility shall be located within 600 feet of any then-existing elementary or secondary school, child day-care center, church or place of worship or public park. This distance requirement shall be calculated according to the procedure set forth in the Missouri Constitution.
6. A marijuana facility, other than a marijuana transportation facility, shall be located in a permanent building and shall not be located in a trailer, cargo container, or motor vehicle and the structure shall not be mobile or operate from a transitory location. A marijuana transportation facility shall follow the rules and restrictions set forth in the Revised Statutes of Missouri, the Code of State Regulations and any other associated rules and regulations promulgated by the State of Missouri.

B. In addition to standard submittal requirements for permitted with conditions permits and/or development plans, applications for marijuana facilities shall include at a minimum:

1. The legal name of the facility; and
2. Proof that the marijuana facility has been licensed by the State of Missouri; and
3. A survey demonstrating compliance with all setbacks and locational restrictions required by this UDO.

Section 400.3610. Specific Conditions By Marijuana Facility Type.

A. Marijuana Cultivation Facility ("RA-5", "LR-2" - outdoor cultivation only) ("CC-2", "PC", "PB", "NPI", "PI" - indoor cultivation only).

1. Marijuana cultivation facilities shall only be permitted with an approved permitted with conditions permit or an approved development plan in the zone districts set forth in this Section.
2. In addition to all other conditions and requirements set forth in this UDO, the following conditions shall apply to marijuana cultivation facilities:
 - a. All drying, curing and storage of marijuana at a marijuana cultivation facility shall take place inside a completely enclosed permanent building with

controlled access and shall not be located in a trailer, overseas or shipping container, or motor vehicle.

- b. No sales of marijuana may occur at a marijuana cultivation facility, other than to a fully licensed and permitted marijuana dispensary, infusion manufacturing facility or marijuana transportation facility. Distribution of marijuana may occur between facilities so long as it is entered into the State-Wide Track and Trace System.

B. Marijuana Dispensary Facility ("CC-2", "PC", "PB").

- 1. Marijuana dispensary facilities shall only be permitted with an approved permitted with conditions permit or an approved development plan in the zone districts set forth in this Section.

C. Marijuana-Infused Products Manufacturing Facility ("CC-2", "PC", "PB", "NPI", "PI").

- 1. Marijuana-infused products manufacturing facilities shall only be permitted with an approved permitted with conditions permit or an approved development plan in the zone districts set forth in this Section.
- 2. In addition to all other conditions and requirements set forth in this UDO, the following conditions shall apply to marijuana-infused products manufacturing facilities:
 - a. No retail distribution or sales of marijuana-infused products may occur at a marijuana-infused products manufacturing facility.

D. Marijuana Testing Facility ("PC", "PB", "NPI", "PI").

- 1. Marijuana testing facilities shall only be permitted with an approved permitted with conditions permit or an approved development plan in the zone districts set forth in this Section.
- 2. In addition to all other conditions and requirements set forth in this UDO, the following conditions shall apply to marijuana testing facilities:
 - a. No retail distribution or sales may occur at a marijuana testing facility.

Section 400.4650. Landscaping — Minimum Requirements.

B. Open Yard Areas.

- 4. When a site has existing trees that will remain, those trees may be identified and substituted ~~as one (1) required tree~~ for the open yard area as required by this Section.

Section 400.4690. Parking Lot Landscaping and Trees.

- A. Deciduous shade trees shall be provided within any parking lot designed or intended to accommodate ~~fifty-thirty~~ (5030) cars or more in accordance with the requirements of this Section.

BEFORE THE PLANNING AND ZONING COMMISSION OF JEFFERSON COUNTY,
MISSOURI

Commissioner _____ introduced and moved for the adoption of the following Resolution:

RESOLUTION 2-9-2023A OF THE PLANNING AND ZONING COMMISSION OF JEFFERSON COUNTY, MISSOURI, TO REPORT ON AND RECOMMEND AMENDMENT OF THE CODE OF ORDINANCES OF JEFFERSON COUNTY, MISSOURI: UNIFIED DEVELOPMENT ORDER, AND DIRECTING THAT THIS RESOLUTION SERVE AS THE PLANNING AND ZONING COMMISSION'S REPORT TO THE JEFFERSON COUNTY, MISSOURI, COUNCIL.

WHEREAS, Section 64.860 of the Revised Statutes of the State of Missouri mandates the Jefferson County, Missouri, Council provide for the manner in which the zoning regulations, restrictions and boundaries of the zoning districts shall be determined, established and enforced, and from time to time amended, supplemented or changed within the unincorporated territory; and

WHEREAS, pursuant to Section 64.875 of the Revised Statutes of the State of Missouri the Jefferson County, Missouri, Council, may amend the regulations so adopted, but only after recommendation of the Planning and Zoning Commission; and

WHEREAS, the Planning & Zoning Commission of Jefferson County, Missouri held a public hearing on February 9, 2023 concerning proposed amendments to the Code of Ordinances of Jefferson County, Missouri: Unified Development Order, notice of which was given pursuant to the laws of the State of Missouri.

NOW THEREFORE, be it resolved and ordered by the Planning and Zoning Commission of Jefferson County, Missouri as follows:

1. The Planning and Zoning Commission, following a public hearing thereon, recommends approval of proposed amendments to the Code of Ordinances of Jefferson County, Missouri: Unified Development Order, as set forth in the attached Exhibit A and as requested by the Jefferson County, Missouri, Council.

2. The Planning Division is directed to forward this Resolution, which shall constitute the Planning and Zoning Commission's recommendation and report, to the Jefferson County,

Missouri, Council for action at a regularly scheduled meeting of the Jefferson County, Missouri, Council.

3. This Resolution shall be in full force and effect from and after the date of its enactment.

4. If any part of this Resolution is invalid for any reason, such invalidity shall not affect the remainder of this Resolution.

Seconded by Commissioner _____.

The Planning and Zoning Commission voted as follows:

Commissioner Tuggle	(District 1)	_____
Commissioner Bowers	(District 2)	_____
Commissioner Sparks	(District 3)	_____
Commissioner Adkins	(District 4)	_____
Commissioner Hastings	(District 5)	_____
VACANT	(District 6)	Vacant
Commissioner Dugan	(District 7)	_____
Commissioner Huskey	(At-Large)	_____
VACANT	(At-Large)	Vacant

The Chairperson of the Planning and Zoning Commission declared the motion carried and the Resolution adopted by a vote of _____ to _____.