P & Z Case 030-25
City of Joplin
(P & Z Recommended to Table)

COUNCIL BILL NO. 2025-279 ORDINANCE NO.

AN ORDINANCE amending the Joplin Development Code, Ordinance No. 2022-119, passed by the Council of the City of Joplin, Missouri, August 1, 2022, being Appendix 29-A of the Joplin Municipal Code.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, as follows:

Section 1. Having referred to the subject matter of this ordinance to the City Planning and Zoning Commission and having given at least fifteen (15) days' notice of time and place of hearing on same by publication in the Joplin Globe, Ordinance No. 2022-119 is hereby amended to reflect the following:

Section 2. That Article 1. (General Provisions), Section 2 (Interpretation), D. Measurements, e. Setback Exceptions, of Chapter 29-A (Zoning Code) of the Joplin Municipal Code, be amended to include a new subsection (7) stating the following:

(7) For residential out buildings, as described in Article 5.01 Accessory Structures, detached buildings may be located in front of the front building line, provided they are no closer than 60 feet to the front lot line.

Section 3. That Article 2 (Procedures), Table 6-01, of Chapter 29-A (Zoning Code) of the Joplin Municipal Code, be amended to Table 2-01, and that Table 2-01 be amended to add a footnote reflecting the following:

Vacations of right-of-way and easements: letters shall be mailed to adjacent property owners with access from the right-of-way and nearby property owners that utilize the right-of-way.

Section 4. That Article 2 (Procedures), Section 2.01, 2. Fees, Table 6-02, of Chapter 29-A (Zoning Code) of the Joplin Municipal Code, be amended to Table 2-02, and be amended to include Encroachment Agreement.

Section 5. That Article 2 (Procedures), Section 2.01, 2. Fees, Table 6-02, of Chapter 29-A (Zoning Code) of the Joplin Municipal Code, be amended to remove the fee dollar amounts, and instead state "Refer to Fee Schedule adopted by City Ordinance, Article V – Permits and Fees, Sec. 94-100 of the Joplin Municipal Code."

Section 6. That Article 2 (Procedures), Section 2.01, 2. Fees, of Chapter 29-A (Zoning Code) of the Joplin Municipal Code, be amended to include a new subsection (a.) to read as follows:

a. Historic Preservation (HL and HD) rezoning cases shall be exempt from application fees.

Section 7. That Article 3 (Subdivision Standards), Section 1, Streets, Table 3-3, footnote 2, of Chapter 29-A (Zoning Code) of the Joplin Municipal Code, be amended to:

[2] Bicycle facilities shall conform to the standards of NACTO's Urban Bikeway Design Guide, Urban Street Design Guide, and Transit Street Design Guide. MUTCD guides the use of signs, signals, and markings.

Section 8. Article 4. (Zoning Districts & Use Standards) Table 4-03 (Zoning District & Use Table) Public/Civic Uses, Utility, Major, of Chapter 29-A (Zoning Code) of the Joplin Municipal Code, be amended to eligibility for Special Use Permit ("S" designation) in Districts AG, RS, R-1, R-2, R-3, R-4, MP, MUC, C-O, C-1, C-2, and C-3.

Section 9. Article 4. (Zoning Districts & Use Standards) Table 4-03 (Zoning District & Use Table) of Chapter 29-A (Zoning Code) of the Joplin Municipal Code, be amended by adding the following uses: "Marijuana Cultivation Facility, Marijuana Dispensary Facility, Marijuana Infused Products Manufacturing Facility, Marijuana Testing Facility."

Section 10. Article 4. (Zoning Districts & Use Standards) Table 4-03 (Zoning District & Use Table) of Chapter 29-A (Zoning Code) of the Joplin Municipal Code, be amended by permitting the following uses in AG (Agricultural) Districts: "Marijuana Cultivation Facility."

Section 11. Article 4. (Zoning Districts & Use Standards) Table 4-03 (Zoning District & Use Table) of Chapter 29-A (Zoning Code) of the Joplin Municipal Code, be amended by permitting the following uses in C-2 (Central Business) and C-3 (Commercial) Districts: "Marijuana Dispensary Facility, Marijuana Testing Facility."

Section 12. Article 4. (Zoning Districts & Use Standards) Table 4-03 (Zoning District & Use Table) of Chapter 29-A (Zoning Code) of the Joplin Municipal Code, be amended by permitting the following uses in M-2 (Heavy Industrial) Districts: "Marijuana Cultivation Facility, Marijuana Infused Products Manufacturing Facility."

Section 13. Article 4. (Zoning Districts & Use Standards) Table 4-03 (Zoning District & Use Table) Public/Civic Uses, Apartments, of Chapter 29-A (Zoning Code) of the Joplin Municipal Code, be amended to be permitted by right ("P" designation) in District C-3.

Section 14. Article 4. (Zoning Districts & Use Standards) Table 4-03 (Zoning District & Use Table) Commercial Uses, Outdoor Sales - Large, of Chapter 29-A (Zoning Code) of the Joplin Municipal Code, be amended to be permitted by right ("P" designation) in District C-3.

Section 15. Article 4. (Zoning Districts & Use Standards) Table 4-03 (Zoning District & Use Table) Commercial Uses, Animal Care - General, of Chapter 29-A (Zoning Code) of the Joplin Municipal Code, be amended to qualify for a special use permit ("S" designation) in District C-2.

Section 16. Article 4. (Zoning Districts & Use Standards) Table 4-03 (Zoning District & Use Table) Commercial Uses, Storage and Warehousing – Personal, Outdoor, of Chapter 29-A (Zoning Code) of the Joplin Municipal Code, be amended to be permitted by right ("P" designation) in District C-3.

Section 17. Article 4. (Zoning Districts & Use Standards) Section 4.03 (Accessory Uses), E. Outdoor Storage, Residential, 1. Recreational Vehicles of Chapter 29-A (Zoning Code) of the Joplin Municipal Code, be amended to 1. Large Vehicles.

Section 18. Article 4. (Zoning Districts & Use Standards) Section 4.03 (Accessory Uses), E. Outdoor Storage, Residential, of Chapter 29-A (Zoning Code) of the Joplin Municipal Code, be amended to include a new subsection (4.) to read as follows:

4. One (1) tractor unit of a tractor/trailer combination may be parked in the yard for a maximum of 72 hours at any one time. Such parking area shall be paved with concrete, asphaltic cement, or any other dust-free surface approved by the Director of Planning, Development, and Neighborhood Services.

Section 19. That Article 4. (Zoning Districts & Use Standards) Section 4.03 (Accessory Uses), J. Solar Panels, of Chapter 29-A (Zoning Code) of the Joplin Municipal Code be amended by removing the following:

3. Free standing panels may only be authorized by conditional use permit if roof or wall mounted panels are shown to be infeasible.

Section 20. That Article 4 (Zoning Districts & Use Standards) Section 4.04 (Specific Use Standards), T. Storage Personal, Subsection "87" of Chapter 29-A (Zoning Code) of the Joplin Municipal Code, be amended to Subsection "7."

Section 21. That Article 4 (Zoning Districts & Use Standards) Section 4.04 (Specific Use Standards) I. Kennel, of Chapter 29-A (Zoning Code) of the Joplin Municipal Code, be amended to read as follows:

I. Kennel. A kennel shall be defined as any animal care use that provides the overnight housing of animals for commercial, boarding or breeding purposes. This definition shall not apply to any overnight boarding necessary for medical care or observation. A kennel shall not be located closer than 50 feet to another lot line on which a residential dwelling is located, including outside runs, and shall contain at least one fully enclosed shelter for each animal or animals and provide an exercise area. If the kennel harbors more than 50 animals, the minimum lot size shall not be less than two acres. All kennel runs or open areas shall be screened around such areas or at the property lines to

prevent the distraction or excitement of the dogs. Such screening may be mature, dense deciduous foliage (double row), solid masonry, brick, or stone wall, louvered wood, stockade, or chain link fence with aluminum strip intertwined or other equivalent fencing, providing a sight barrier to the dogs.

Section 22. That Article 4 (Zoning Districts & Use Standards) Section 4.04 (Specific Use Standards) T. Storage Personal, of Chapter 29-A (Zoning Code) of the Joplin Municipal Code, be amended to include a new subsection (8.) to read as follows:

8. Indoor/climate-controlled storage units shall provide one parking space for every 25 storage spaces, one parking space for every employee, and two additional parking spaces if a residential manager lives on site. A minimum of two parking spaces shall be provided for the office.

Section 23. That Article 4 (Zoning Districts & Use Standards) Section 4.04 (Specific Use Standards) of Chapter 29-A (Zoning Code) of the Joplin Municipal Code be amended by adding a new paragraph (X) to read as follows:

X. Historic Commercial Uses in R-1, R-2, R-3, R-4 Districts

1. Purpose: To protect and conserve the heritage and character of Joplin's historic residential neighborhoods by specially permitting commercial uses in historic districts and from historic landmarks.
2. Structures that are located in a residentially zoned district shall be part of a historic district or designated a historic landmark.
3. The commercial use must obtain a special use permit prior to operation. Uses eligible for special use permit shall be uses permitted by right in the C-1 District.
4. The commercial use shall contribute positively to the historic character of the residential neighborhood.
5. Approval of the commercial use shall not alter the historic district or historic landmark in a way that detracts from its uniqueness.
6. Prior to the granting of any special use permit, the Planning Commission or City Council may stipulate such conditions and restrictions upon the establishment, location, and operation of the special use as is deemed necessary for the protection of the public interest.

Section 24. That Article 4 (Zoning Districts & Use Standards) Section 4.04 (Specific Use Standards) of Chapter 29-A (Zoning Code) of the Joplin Municipal Code be amended by adding a new paragraph (Y) to read as follows:

Y. Marijuana

Marijuana facilities shall be subject to the following use restrictions:

1. Buffer requirement. No marijuana facility shall be located within one thousand (1,000) feet of an existing elementary or secondary school, licensed child day care

center, or church. 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 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. Measurements shall be made along the shortest path between the demarcation points that can be traveled by foot.

2. Outdoor operations or storage is prohibited. All operations and all storage of materials, products, or equipment shall be within a fully enclosed building. No outdoor operations or storage shall be permitted.
3. Onsite usage prohibited. No marijuana may be smoked, ingested, or otherwise consumed on the premises of a marijuana facility.
4. No marijuana facility shall be located in a building that contains a residence.
5. Ventilation required. All marijuana facilities shall install and operate a ventilation system that will prevent any odor of marijuana from leaving the premises of the facility. No odors shall be detectable by a person with a normal sense of smell outside the boundary of the parcel on which the facility is located.

Section 25. That Article 5 (Building & Development Standards) Section 5.02 (Non-Residential Development Standards) Table 5-3 Nonresidential District Lot & Building Standards, of Chapter 29-A (Zoning Code) of the Joplin Municipal Code be amended by removing the 15" setback and replacing it with 15' for the M-1 (Restricted Industrial) and M-2 (Heavy Industrial) District.

Section 26. That Article 5 (Building & Development Standards) Section 5.01 (Residential Development Standards) C. (Accessory Buildings – Residential) of Chapter 29-A (Zoning Code) of the Joplin Municipal Code be amended by adding a new subsection (f.) to read as follows:

f. Pools and solar ground mounts shall be subject to size/placement requirements but shall not be subject to the maximum number of accessory structures per lot. However, all accessory structures shall still be subject to the maximum building coverage standards in Table 5-02.

Section 27. That Article 6 (Landscape & Site Design Standards) Section 6.04 (Fences) B. (Rear and Interior Side Fences), 3. of Chapter 29-A (Zoning Code) of the Joplin Municipal Code be amended to read as follows:

3. All privacy fences with a solid screen or height over 4 feet high shall be limited along interior side lot lines to no more than 12 feet in front of the rear building line. The Director may approve exceptions to allow as much as along 50% of the side elevation where the building and yard is configured to have substantially active or social outside spaces such as building entrances, walkways, patios, or courtyards.

Section 28. That Article 6 (Landscape & Site Design Standards) Section 6.04 (Fences) B. (Rear and Interior Side Fences), 4. d., of Chapter 29-A (Zoning Code) of the Joplin Municipal Code be amended to read as follows:

d. Materials for construction of a decorative fence may be wood, woven wire, chain link, wrought iron, square tubing or metal pipe. A decorative fence must be of open construction, and no panels such as plywood, wafer board, etc., will be allowed. T-posts shall be permitted in agricultural and industrial districts but shall be prohibited in residential and commercial districts.

Section 29. That Article 6 (Landscape & Site Design Standards) Section 6.03 (Buffers and Screening) Table 6-03: Buffer Planting Requirements, of Chapter 29-A (Zoning Code) of the Joplin Municipal Code be amended by adding a new subsection to read as follows:

Where existing site or building conditions severely limit the site's ability to fulfill these requirements, Type III buffers may reduce the width to 15' provided that the planting schedule is met at twice (2X) the required rate. Where existing site conditions do not allow for a Type II or Type III buffer, the required number of trees and shrubs shall be provided in other areas of the site, in combination with a fence or masonry wall. Additional landscaping shall provide a visual barrier but shall not exceed the American Nursery Stock Standards (AMNS).

Section 30. That Article 7 (Access & Parking Standards), Section 7.03 (Required Parking), C. (Accessible Parking), Line 3., Chapter 29-A (Zoning Code) of the Joplin Municipal Code be amended to read as follows:

3. Accessible spaces shall be at least nine feet wide with a minimum five feet accessible aisle. Van accessible spaces shall be at least 11 feet wide with a minimum five feet accessible aisle, or at least eight feet wide with a minimum eight feet accessible aisle. Two adjacent spaces may share the same accessible aisle.

Section 31. That Article 8 (Special Districts & Supplemental Standards) Section 8.03 (Manufactured Home Park & Small Format Home (MP) District) F. (Landscape and Parking Design), Chapter 29-A (Zoning Code) of the Joplin Municipal Code be amended to read as follows:

F. Landscape and Parking Design. The standards of Articles 6 and 7 are generally applicable to the MP district, except as modified through a development plan based on the criteria in Section 2.04.

Section 32. That Article 8 (Special Districts & Supplemental Standards) Section 8.03 (Manufactured Home Park & Small Format Home (MP) District) A. (Intent and Applicability) and B. (Permitted Use) Chapter 29-A (Zoning Code) of the Joplin Municipal Code be amended to remove the word "modular."

Section 33. That Article 9 (Definitions & Terms) 9.01 (Description of Uses), Duplex/Multi-unit House, Chapter 29-A (Zoning Code) of the Joplin Municipal Code be amended to read as follows:

Duplex/Multi-unit House. A residential building designed to accommodate 2 to 4 primary dwelling units in an urban neighborhood or suburban setting. Duplex units that share a single common wall may be on a single lot, or on a single parcel, or may be platted as separate lots along the common wall line subject to platting restrictions. Duplex/Multi-unit Houses shall have a scale, orientation and design features that maintains the appearance and form similar to a detached house. Multiple duplexes constructed on a single-parcel may be subject to additional platting requirements.

Section 34. That Article 9 (Definitions & Terms) 9.01 (Description of Uses), C. Commercial Uses, Retail-Micro/Mobile, Chapter 29-A (Zoning Code) of the Joplin Municipal Code be amended to read as follows:

Retail - Micro/Mobile - A small scale retail use under 1,000 square feet, including food trucks, sales kiosks or machines, and other temporary or permanent sales receptacles, each of which may be subject to specific licensing and siting conditions depending on the permanence of the use, structures or other circumstances of the location. Mico/Mobile Retail uses not specified in Article 4.05, shall be located on an approved temporary vendor location which hosts a legally established use. Any Micro/Mobile Retail use located on a vacant lot shall be subject to special use permitting and specific siting conditions.

Section 35. That Article 9 (Definitions & Terms) 9.01 (Description of Uses), C. Commercial Uses, Chapter 29-A (Zoning Code) of the Joplin Municipal Code be amended to include the following uses and definitions:

Marijuana Facility – a Marijuana Cultivation Facility, Marijuana Dispensary Facility, Marijuana Infused Products Manufacturing Facility, or Marijuana Testing Facility.

Marijuana Cultivation Facility – a facility licensed by the State of Missouri to acquire, cultivate, process, store, transport, and sell marijuana to a Marijuana Dispensary Facility, Marijuana Testing Facility, or a Marijuana Infused Products Manufacturing Facility.

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 to another Dispensary Facility, a licensed Testing Facility, or a licensed Manufacturing Facility.

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 Marijuana Dispensary Facility, Marijuana Testing Facility, or to another Marijuana Infused Products Manufacturing Facility."

Marijuana Testing Facility – a facility certified by the State of Missouri to acquire, test, certify, and transport marijuana.

Section 36. That Article 9 (Definitions & Terms) 9.02 (Definitions), Ground Cover, be amended to read as follows:

Ground Cover. Materials that typically do not exceed one foot in height used to provide cover of the soil in landscaped areas, which may include a combination of, but not limited to river rock, cobble, boulders, concrete pavers, grasses, flowers, low-growing shrubs and vines, and those materials derived from once-living things, such as wood mulch. Prohibited landscaping materials shall include anything identified as an invasive species by the Missouri Department of Conservation. Cultivated native landscape beds are permitted, provided they are in accordance with the planting standards set by the Missouri Department of Conservation and Grow Native by the Missouri Prairie Foundation. A cultivated landscape bed shall be defined as a landscaped area where plants were purchased, planted and maintained in a planned, intentional, and organized manner. In no instance shall plants that grew on their own from the soil's seed bank and were allowed to grow without management be considered a cultivated landscape bed. Taller native plants shall be planted towards the interior of the lot, near the structure, and lower native plants shall be planted toward the exterior of the lot closer to the street. Plants on corner lots and within the right-of-way, and areas in proximity to the right-of-way or streets, shall maintain a height no greater than 12 inches. Plant material shall be regularly trimmed and pruned to keep from encroaching sidewalks, walkways, streets, driveways, parking areas, and neighboring properties. Any plant materials that exceed these provisions shall be considered in violation of this section, and be considered a nuisance under Sec. 54-61 and Sec. 54-62 of the Joplin Code of Ordinances.

Section 37. That Appendix C (Walkable Neighborhood Design Guidelines), B. Applicability, of Chapter 29-A (Zoning Code) of the Joplin Municipal Code, be amended by adding the following subsections:

5. Where the existing development of a block has deviated from these design guidelines, in a neighborhood that would fall under the applicability of this section, variation to the building design may be allowed in regard to driveway width and placement, garage extent and location, and frontage design, provided that the proposed design upholds the existing character of the neighborhood.

Section 38. That Appendix E (Historic Preservation) of Chapter 29-A (Zoning Code) of the Joplin Municipal Code be amended by adding a new subsection (32.) to read as follows:

32. Zoning Overlays: Historical properties, structures, and areas shall be issued zoning district overlays based on the type of designation.
HL (Historic Landmark): Properties that are individually nominated as local historic landmarks.
HD (Historic District): Multiple properties, nominated collectively as a new, or expansion of an existing district.

Section 39. That any other ordinance, or part of such ordinance, or chapter of the Joplin Municipal Code in conflict with said provisions shall and the same is hereby repealed.

Section 40. That this ordinance shall become effective beginning _____, 2025.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this the _____ day of_____, 2025, by a vote of _____.

_____
Keenan T. Cortez, Mayor

ATTEST:

_____
Holly Nagy, City Clerk

APPROVED AS TO FORM:

_____
Peter C. Edwards, City Attorney