CITY OF JOPLIN
COUNCIL AGENDA ITEM

ITEM:
2025-279 – Text Amendment

MEETING DATE:
October 6, 2025

ORIGINATING DEPARTMENT:
Planning, Development and Neighborhood Services

REVIEWED BY:
Director of Planning, Development & Neighborhood Services – Troy Bolander
Director of Finance – Leslie Haase
City Attorney – Peter Edwards
Assistant City Manager – Tony Robyn
City Manager – Nicholas Edwards

FUNDING SOURCE:

Not applicable for this item.

SUMMARY REQUEST:

Case 030-25: Text Amendment - A request to review amendments to Appendix 29-A of the Joplin Municipal Code, Joplin Development Code – City of Joplin

BACKGROUND:

The City of Joplin adopted a new development and zoning code in July of 2022. Following three years of implementation and application of this new code, staff is proposing amendments to add items that were not carried over from the prior zoning code, adopt revised policies to create better solutions for development regulations that present problems in practice and enforcement, and clarify ambiguities.

PLANNING & ZONING COMMISSION TESTIMONY:

Mr. Bellairs presented the proposed changes listed in the staff report and the ordinance. Mr. Bellairs stated that this will be brought before City Council in October for a public hearing and a work session, and that it will come back to the Commission in October. Ms. Harrington asked how long staff has been working on this. Mr. Bellairs stated that this has been working on this since he started in 2022. Mr. Bolander stated that this was an entirely new code and that they knew there would be some issues once we started implementing it. He stated that he was sure that we will run into something else as well.

PUBLIC COMMENT;

There was none.

RECOMMENDATIONS:
Staff recommends a continuance for Council Bill 2025-279
Planning & Zoning Commission recommends tabling Case 030-25 (7 in Favor, 0 Opposed, 0 Absent)

ATTACHMENTS
Staff Planning Report
P&Z Commission Minutes
Council Bill

JOPLIN
PLANNING, DEVELOPMENT, & NEIGHBORHOOD SERVICES

STAFF PLANNING REPORT
Development Code Amendment

CASE 030-25 Text Amendment

CONTEXT:

The City of Joplin adopted a new development and zoning code in July of 2022. Following three years of implantation and application of this new code, staff is proposing amendments to add items that were not carried over from the prior zoning code, adopt revised policies to create better solutions for development regulations that present problems in practice and enforcement, and clarify ambiguities. City staff is recommending to table this case to allow for additional review time and a work session for City Council in October.

DISCUSSION:

Section 2: Allowing large outbuildings to be placed in front of the primary dwelling was included in the 2004 zoning code but was not adopted with the 2022 Development Code. This exception will allow large, isolated properties (lots over 40,000 square feet) to have some flexibility in the placement of the building. Typically, accessory buildings are not supposed to sit in front of the home. This change is intended for properties where the aesthetic will be minimal, as neighborhoods of this size would be vastly low density. This change will also require the structures to be placed at least 60 feet from the property line, which severely limits any visibility from the right-of-way.

Section 3: This is also corrective language that should have been included from the 2004 zoning code, Procedures Manual. The rule to mail letters to properties within 185 feet is a state requirement for rezoning and special use permit cases. The state does not require cities mail letters for vacations, so the blanket "letters to property owners to properties within 185 feet" is misleading. The City has created the practice of mailing property owners who utilize the right-of-way with the adoption of the 2004 Zoning Code. The current code fails to differentiate based on the type of case. This section also corrects a typo in the table name.

Section 4: Encroachment agreements require public hearings; however, they were not included as a type of case or on the fee schedule. This revises this table to include encroachment agreements as a type of public hearing. This section also corrects a typo in the table name.

Section 5. This section removes the fee amounts from the zoning code, as they are currently inaccurate. It adds reference to the ordinance for the most up to date fee schedule. Fee changes are made more frequently than the zoning code is updated, and this is the most reliable source for this information.

Section 6. In order to protect the historic value of properties within the City of Joplin, removing rezoning fees is a way to ensure that applicants are not deterred from applying for the Historic Preservation overlay.

Section 7. Our current code establishes a design emphasis on shared lane markings when creating bike lanes. The change references NACTO's guidelines which requires protected bike lanes, which are either elevated or provide a barrier between vehicles and bicycles, to create safer road conditions.

Section 8. Major utilities should be eligible for special use permit in all districts, as depending on the need for services, they may not be able to provide services for all areas, such as residential, if they are solely located in industrial districts. Currently they are only permitted in Industrial Districts. In the previous code, they were permitted via special use permit in all zoning districts. Currently, we have substations located in residentially zoned districts.

Section 9. The City adopted medical marijuana provisions and amended the zoning district table in 2019. Since then, the state has adopted recreational use. This update permits the same uses we permitted in the same districts, while removing the "medicinal" language. Article 9 is adopted in Section 34 to define these uses. This does not nullify the medicinal marijuana ordinance, Ordinance No. 2019-079, rather, it adds recreational uses to the zoning code.

Section 10. Permits Cultivation Facilities in the AG District.

Section 11. Permits Dispensaries and Testing Facilities in the C-2 and C-3 Districts.

Section 12. Permits Cultivation and Infused Product Manufacturing in the M-2 District.

Section 13. Permits Apartments in C-3 by right, rather than by special use. This will support integrated mixed-use development areas in large commercial developments, such as Prospect Village.

Section 14. The definition of Outdoor Sales, Large, currently includes motor vehicle sales. This use is not permitted in C-3 by right, under the current zoning table. However, almost all of the existing car lots in Joplin are located within a C-3 district and are legally non-conforming. The City adopted a form-based code under these provisions, which places an emphasis on beautification and site standards, such as building design, landscaping and more intensive buffer requirements. These standards accomplish the desired compatibility between outdoor motor sales and normal commercial retail uses, which is why staff is recommending we change the table to allow motor vehicle sales by right.

Section 15. Animal Care, General is permitted in C-1 through Special Use, and C-3 by right. This requested change will allow animal care in a C-2 District by City Council approval of a

Special Use Permit. These facilities would still be subject to the specific use standards for Kenneling.

Section 16. Similar to Section 14, this section seeks to amend the zoning table to allow commercial drive-up storage units in a C-3 District, due to the same reasoning: the City has adopted development standards that better integrate typical commercial uses with commercial uses such as storage units or motor sales.

Section 17. The definitions for this section clarify that this section is not exclusive to RV's (Outdoor storage or parking of recreational vehicles, water craft or trailers, or trucks with 12,000 pound gross vehicle weight or less), however, the title can be a little misleading, so we seek to remedy this by changing *Recreational* to *Large.*

Section 18. This clause was in our old zoning code, which allowed for a tractor unit for a tractor/trailer combination to be parked in the driveway for a limited period of time, to protect residents who were employed as truckers and did not have anywhere else to store their vehicle. This clause never made it into the current zoning code, so staff is seeking to correct this.

Section 19. Staff is recommending allowing solar panel ground mounts by right. Ground mounts are already treated as accessory structures and must comply with size, setback, and placement restrictions, along with the allowable building coverage (the amount of the yard that may have structures, versus the amount that must remain lawn) sections in in Article 5, Table 5-02. The code also refers to these as "conditional use permits" instead of "special use permits," which is the only time in the code this language is used. This is a copy and past error that was brought in from another code. "Conditional" and "special" use permits can be used interchangeably within the planning field, but per our procedures they are referred to as a Special Use Permit.

Section 20. This is a typo correction.

Section 21. There is a conflict with the animal care definitions in Article 9, and the kennel specific use standards. Currently, Animal Care, General, allows up to 50 animals, on properties between 5,000 and 20,000 square feet, and includes commercial kennels as an included use for that category. The current kennel specific use standards restrict the number of kenneled animals to 20, and requires a minimum of 2 acres, which most of our existing facilities in the City do not meet. Staff recommend we remove the 20 animal limitation and require a minimum of 2 acres if the facility houses more than 50 animals, bumping the use up to Animal Care, Large. All kennels will still be required to be screened, include outside runs, restrict their proximity to residential dwellings, and have an enclosed area for each animal. This will permit the legally non-conforming facilities by right, while also making our definitions consistent with the specific use standards.

Section 22. City staff researched codes from the City of Springfield, which had more indoor climate-controlled storage units (currently the City of Joplin has one). Our existing parking requirements are written to address drive-up, outdoor storage units, and do not provide realistic parking industry standards for indoor units. This will provide parking provisions specific to the indoor units, which do not generate as much traffic and require less parking spaces. This was

verified with the City of Springfield Planning office, who confirmed that their current provisions work for them.

Section 23. This is another clause that was in the previous zoning code but did not make it into the current code. This was adopted as an amendment to the previous code, which is why it was missed. In order to preserve historic buildings and sites, this clause allows limited commercial uses that are compatible with residential neighborhoods through the application for a Special Use Permit, contingent upon City Council approval.

Section 24. This section provides the use restrictions and standards for recreational marijuana uses, compliant and consistent with the Missouri statutes, and includes provisions that the City adopted for medicinal use. This section limits the facility's proximity to churches, schools, and licensed daycares, requires ventilation, prohibits onsite consumption, prohibits a facility in a building containing a residence, and prohibits outdoor storage.

Section 25. This is a typo correction, the setback should be 15 feet non 15 inches.

Section 26. This section allows residential property owners to have a detached garage and a pool or solar mount, rather than one or the other (most pools and solar installations are over 200 square feet, and for most residential lots, the limit is one per property). This section still limits the property to the maximum lot coverage standards, so residents will still not be able to fill the entire backyard with accessory structures.

Section 27. The current code states that fences that are over 5 feet and closed construction are limited to the backyard. The intent behind the adoption of this change was to allow privacy fences up to 12 feet along the side yard. Everything else is limited to 4 feet and to be open construction. Under the old code they were strictly limited to the backyard. However, due to the way this was worded, this can be interpreted to allow 5-foot privacy fences up to the front building line. This revised section will clean up the language to only allow privacy fences in the back and back side yard.

Section 28. T-posts and woven wire are not explicitly allowed as approved fence materials under the current zoning code. Materials that are not explicitly approved are left to the Planning Development and Neighborhood Services Director's discretion. The Joplin Municipal Code permitted these, however, the current code super cedes this, as there was a clause under the adoption of the 2022 Development Code that any ordinance in conflict with this code would be null and void. After implementing this code, staff is recommending to explicitly allow t-posts and woven wire in agricultural and industrial districts. This revision also removes the 15 foot property line setback for chain link fences in industrial and commercial areas. This was added to our code in 2022, and conflicts with the provisions in the municipal code and the previous zoning code (2004). It is a common industry standard for schools and industrial facilities to enclose their property with security fences up to the property line, so long as site triangles are not obstructed.

Section 29. One problem with the existing buffer requirements is when it is applied to existing sites, many of those whose existing buildings lay within what would be the required buffer perimeter. There is currently an applicability section that allows for the Director to pro-rate landscaping for the site where full compliance is not practical or possible. However, this added

section will provide an option for denser vegetation within a smaller perimeter area, or move the required amount to other areas of the site, as another option to pro-rating, so that conflicting use screening may still be provided to fulfill the intent of this section.

Section 30. This section was added as another design option for Accessible parking spaces. Our current design section for Accessible parking references the federal Americans with Disabilities Act Design Standards (2010), but our code only provides one of the design options for van accessible spaces, which is a 11-foot-wide aisle with a 5-foot-wide loading/unloading aisle. The ADA standards also provide the option for an 8-foot-wide space with an 8-foot-wide loading aisle. Staff is recommending the City include this design option in our code as well, making it consistent, and not more restrictive, than the federal requirements.

Section 31. This is a typo correction, the original code language references the R-5 District, not the MP District, by mistake.

Section 32. Staff is recommending removing the word "modular" from the Manufactured Home Park and Small Format Home District (MP) section. "Modular" and "Manufactured" mean fundamentally different things under federal law. The previous zoning code referred to homes within this district as "manufactured," not "modular." They should not have been referred to as "modular" in our current code. "Modular" homes are homes that are constructed to local building codes, may not be distinguishable from site-built homes, and are considered real property. "Modular" homes are financed through traditional means, such as Federal Housing Act (FHA) loans. Manufactured homes are built to the U.S. Department of Housing and Urban Development (HUD) codes, are not always subject to the same method of financing and may not always be permanently anchored to a foundation.

Section 33. We allow duplexes to be developed on a single parcel subject to them being treated as a multi-family project, where the lots are not subdivided and the buildings are not for individual sale. This changes some of the development requirements, like triggering stormwater and landscaping standards. This change will add a clause that allows for the City to require lots or parcels be merged, so that the owner does not split lots off later without City approval, creating non-conforming lots.

Section 34. This section has been revised to ensure that mobile vendors or micro businesses do not set up on vacant lots and gives the City some authority to require site plan review and/or special use permits if deemed necessary.

Section 35. This section adds the marijuana use definitions to the Use Definition section in the current zoning code.

Section 36. This section amends the ground cover definition by adding a section that prohibits invasive species as defined by the Missouri Department of Conservations. It also includes an allowance for cultivated native landscape beds. Neighborhood Services have been working with individuals who wish to maintain and conserve native plants. These revisions seek to provide specific language that will allow residents to conserve wildlife and native landscaping, but requires that it is done so in a maintained and orderly fashion.

Section 37. This section amends the Appendix C (Walkable Design Guidelines) applicability section to allow some flexibility in neighborhoods that would generally meet the other applicability sections for walkable design, but where strict application of the Walkable Design Guidelines would make new structures incompatible with the rest of existing homes.

Section 38. This section redefines the Historic Preservation overlay (HP District) by breaking it down into two categories. It creates one overlay (Historic Landmark - HL) for individual properties, and one overlay for (Historic District - HD) for historic districts or neighborhoods. An example of a Historic District designation would be for the Sunshine Lamp District. A historic landmark would be a single property nominated for historical significance. This change was brought before the Historic Preservation Commission in July 2025, with a recommendation for approval.

Staff recommends to table Case 030-25

ENCLOSURES:

- Council Bill
- Amended Development Code

CASE 030-25: TEXT AMENDMENT

Dr. Rosenberg asked if this was supposed to be tabled.

Mr. Bellairs stated yes but that we are still going to hold a public hearing.

Ms. Phillips asked when this will be presented to them again.

Mr. Bellairs stated that it will be brought to Council in October for a work session and a public hearing and then it will be brought back to the commission in October.

Ms. Phillips thought it was interesting in the Globe that they wanted to amend the code on dangerous buildings but did not see that in the changes provided to them.

Mr. Bellairs stated that this is a separate code but that this one was posted in the Globe.

Mr. Troy Bolander, Director of Planning, Development and Neighborhood Services stated that they are revising the dangerous building codes and that they are separate.

Dr. Rosenberg asked if changes could be made in yellow.

Mr. Bolander stated we could do this.

Mr. Bellairs presented the proposed text amendments. Each section in the staff report follows the section in the ordinance. Mr. Bellairs presented the staff report items and displayed the ordinance.

Mr. Bellairs stated that staff recommends approval of these items and asked if the Commission had any questions.

Ms. Harrington asked how long we have been working on this.

Mr. Bellairs stated that this has been worked on since he started 2022, and that there were several meetings.

Mr. Bolander stated that this was an entirely new code that was adopted and they knew there would be some issues with it once we started implementing it. He stated he is sure we will run into something else as well.

Mr. Bellairs stated that this does not mean it will be the last one.

Mr. Kimble stated Mr. Bellairs said staff recommending to approve.

Mr. Bellairs stated that he misspoke. Staff is recommending to table as there are a lot of items here, but the Commission could always call for a vote.

Mr. Bolander stated we do not have to table it we just advertised it as a public hearing. Mr. Bolander stated that someone in the audience can speak on it as well.

Mr. Bellairs asked if everything made sense in how it was organized in the staff report and ordinance.

Mr. Kimble stated that it did.

MS. KLUE-MICHAEL MADE A MOTION TO TABLE CASE 030-25. THIS MOTION WAS SECONDED BY MS. HARRINGTON. MOTION CARRIED. (7 IN FAVOR, 0 IN OPPOSITION)

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