City of Odessa, Missouri
Planning and Zoning Commission
Odessa Community Building | 601 W. Main Street
Thursday, February 19, 2026 | 6:00 p.m.
Regular Agenda

CALL TO ORDER Matt Modlin, Chairman

ROLL CALL Jenny Neel, Community Development Coordinator

APPROVAL OF MINUTES January 15, 2026-Regular Session Meeting Minutes

PUBLIC COMMENTS

NEW BUSINESS

A. **(PUBLIC HEARING)** RZ-02-2026: Request from Owl Creek RV, LLC, Adam Couch and Joe Wimberly, to approve Rezoning from Regional Business (Lafayette County) to "R-1" (Single Family) for 63.34+/- acres located along the N Outer Rd. Parcel #: 14-7.0-35-0-000-008.010
(Presented by Jenny Neel, Community Development Coordinator)

B. **(PUBLIC HEARING**) RZ-03-2026: Request from Nordieck Properties, LLC, Ken Nordsieck, to approve Rezoning from "I-1" (Light Industrial) to "C-3" (Highway Commercial) for 1.45+/- acres located at 411 N. 1st St.
Parcel #: 14-7.0-36-3-001-020.000
(Presented by Jenny Neel, Community Development Coordinator)

DISCUSSION Storage containers

NEXT MEETING Thursday, March 19, 2026

ADJOURN

Agenda posted at the following locations:
City Hall, 228 S 2nd Street
City's Website: https://www.cityofodessamo.com
Emailed to The Odessan
February 17, 2026

A quorum of the Board of Alderman may be in attendance however, no Board votes will be taken.

City of Odessa, Missouri
Planning and Zoning Commission
Odessa Community Building | 601 W. Main Street
Regular Meeting ~ Thursday, January 15, 2025 | 6:00 p.m.
Meeting Minutes

CALL TO ORDER
Mary Bertram, Co-Chair, called the meeting to order at 6:03 p.m.

ROLL CALL
Jenny Neel, Community Development Coordinator, called the roll and confirmed a quorum.

Matt Modlin	Absent	Shannon Dupree	Present
Seth Howerton	Present	Bill Hunt	Present
Mary Bertram	Present	Steve Nance	Present
David Badgley	Absent		

OTHERS IN ATTENDANCE
Shawna Davis, City Administrator
Jenny Neel, Community Development Coordinator

PUBLIC IN ATTENDANCE
Hannah Spaar, The Odessan
Mike Plachte
Bruce Whitsitt
James Townsend
Marty McDermed
Robert Levy
Zachary Raines
Kaleonahe Raines
Michael Poggemeier
Jason Weatherman
Marshall Dupree

APPROVAL OF MINUTES
Commissioner Dupree moved to approve the November 20, 2025 minutes as submitted; seconded by Commissioner Hunt.

Motion carried 5-Ayes, 0-Noes.

PUBLIC COMMENTS
There were no public comments on non-agenda items.

PUBLIC HEARING – REZONING/ RZ-01-2026 / PARCEL # 23-1.0-02-1-000-026.010 / 1.48 +/- ACRES / 8th STREET & MASON / R-1 to R-2

Open: 6:05 p.m.
Close: 6:17 p.m.
Staff Presentation
The staff report includes the rezoning application, location map, survey, affidavit of publication, 185' letter to neighbors and addresses of neighbors.
Staff recommends approval of the rezoning due to its close proximity to R-2.
Applicant Presentation
The applicant, Jason Weatherman, explained that there will be a driveway there whether it is R-1 or R-2 and he doesn't think there will be issues with traffic. He also suggested that it would have to go through planning to promote erosion control.
Speakers Opposed – no one spoke in favor
Concerns: The commission already changed this property from R-2 to R-1, water runoff issues, grass not being mowed, and does not abut R-2.
Marty McDermed – 316 Dyer Street
James Townsend – 203 S. 8th Street
Robert Levy – 815 W. Dryden Street

NEW BUSINESS
REZONING/ RZ-01-2026 / PARCEL # 23-1.0-02-1-000-026.010 / 1.48 +/- ACRES / 8th STREET & MASON / R-1 to R-2

Hunt suggested that the homeowners don't want the change. Bertram stated that it was already changed from R-2 to R-1 to make it more cohesive. Howerton felt he didn't have enough information.

Motion was made by Commissioner Howerton, to deny the recommendation of REZONING/RZ-01-2026, seconded by Commissioner Hunt, and carried with the following vote:

Roll call vote as follows:

Mary Bertram	Aye
Steve Nance	Aye
Seth Howerton	Aye
Bill Hunt	Aye
Shannon Dupree	Abstain
Matt Modlin	Absent
David Badgley	Absent

Motion carried to **DENY** 4-Ayes, 0-Noes.

REPLAT / RP-01-2026 / PARCEL # 22-3.0-06-0-000-032.000 / LOT 1 / LOT 2 / ASHER MEADOWS / 510 E. ORCHARD STREET

Staff Presentation
The staff report includes the replat application, location map and survey.
Staff recommends approval of the proposed replat since it will not create adverse impacts on adjacent properties.

Applicant Presentation
None
Discussion
Commissioner Howerton asked if it would meet our code to build on. Commissioner Hunt wondered if the neighbor to the left would like a house that close. Commissioner Dupree had concerns about tiny houses. Commissioner Bertram reminded the commission that their concern is whether or not it meets the criteria. Davis said that if passed, the next step would be a plan review for the site (reviewed by our engineers) and a building plan review by the inspection company to make sure it meets all setbacks and code requirements.

Motion was made by Commissioner Nance to recommend REPLAT/RP-01-2026, seconded by Commissioner Hunt, and carried with the following vote:

Mary Bertram	Aye
Steve Nance	Aye
Seth Howerton	No
Bill Hunt	Aye
Shannon Dupree	Aye
Matt Modlin	Absent
David Badgley	Absent

Motion carried to **RECOMMEND** 4-Ayes, 1-No.

OLD BUSINESS
Continued Zoning Workshop

ADJOURN
With no further business to come before the commission, a motion was made by Commissioner Hunt, seconded by Commissioner Dupree, to adjourn the meeting at 7:39 p.m. Motion carried 5-Ayes, 0-Noes.

Approved:

_____ _____
Matt Modlin, Chairman

ATTEST

_____
Jenny Neel, Recording Secretary

City of Odessa
Planning and Zoning
228 S Second St • PO Box 128 • Odessa, MO 64076
Phone: 816-230-5577 • cityofodessamo.com

STAFF REPORT
February 19, 2026

File #:	RZ-02-2026
Type of Application:	Rezoning
Site Location:	63.34 +/- acres along the N. Outer Rd.
Applicant:	Owl Creek RV, LLC; Adam Couch and Joe Wimberly
Property Owner:	Owl Creek RV, LLC; Adam Couch and Joe Wimberly
Request:	Zoning change from Regional Business (Lafayette County) to R-1 (contingent upon annexation)
Existing Zoning:	Regional Business (Lafayette County)
Proposed Zoning:	R-1 (Single Family Dwelling)
Attachments:	Application Location Map Code of Ordinances-Chapter 50, Division 2. R-1 Single Family Dwelling District
Public Notice:	Newspaper notice-a public notice was published in The Odessan on Thursday, January 29, 2026. Notice to surrounding property owners-a public notice was mailed to all property owners with 185' of the subject property on Thursday, January 29, 2026. Posting of public hearing sign-a public hearing sign was posted at City Hall on Thursday, January 29, 2026.
Planning Commission:	Thursday, February 19, 2026
Board of Aldermen:	Monday, February 23, 2026
Odessa Staff:	Jenny Neel, Community Development Coordinator
Staff Recommendation:	Staff recommends **approval** of the rezoning request from Regional Business (Lafayette County) to R-1.

City of Odessa

Application for Rezoning

228 S Second St • PO Box 128 • Odessa, MO 64076
Phone: 816-230-5577 • cityofodessamo.com

For Office Use Only: Case No: RZ-02-2026 Filing Date: _____
P&Z Date: 2/19/26 BOA Date: 2/23/26 Staff Initial: J.M.

Payment Validation Stamp
PAID
JAN 30 2026
Odessa, MO
Fee: $150.00 + publication costs.

Applicant/Owner Information

Applicant Name: Adam Couch Company: Owl Creek RV, LLC

Street Address: 110 W. Mason St. City: Odessa State: MO Zip: 64076

Phone: N/A Cell: 816-661-4837 Email: mscinvestmentsllc@gmail.com

Property Owner Name (if different than applicant): Owl Creek RV, LLC

Street Address: 110 W. Mason St. City: Odessa State: MO Zip: 64076

Phone: _____ Cell: 816-661-4837 Email: mscinvestmentsllc@gmail.com

Firm Preparing the Plat (if different than applicant): Sisco Land Surveying, LLC

Street Address: PO Box 84 City: Lexington State: MO Zip: 64067

Phone: 816-868-6950 Cell: _____ Email: siscolandsurveying@gmail.com

*All correspondence on this application should be sent to (check one): ☑ Applicant ☐ Property Owner ☐ Firm

Rezoning Request

The applicant is hereby requesting a zoning change from Other **classification to** Other **classification.**

Project Details

General Location or Address of Property: 7089 N. Outer Rd. Odessa, MO 64076

Property Area in Acres and/or Square Feet: 63.34 Acres

Present Use of the Property: Vacant- Current county zoning is regional business

Proposed Use of the Property: Residential subdivision within the city limits of Odessa

Lafayette County, MO

Legend

- Address Point
- Railroad
- Road
  - <all other values>
  - Interstate
  - United States Highway
  - State Highway
  - State Route
- Parcel
- Cartography Line
  - <all other values>
  - Easement Carto
  - Parcel Owner Hook
- Water Boundary
- County Boundary

Notes

1,009.2 0 504.59 1,009.2 Feet

This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

DIVISION 2. R-1 SINGLE-FAMILY DWELLING DISTRICT

Sec. 50-55. General description.

The principal use of land is for single-family dwellings and related recreational, religious and educational facilities normally required to provide the basic elements of a balanced and attractive residential area. It has been sub-divided based on minimum lot size and allowable uses. Larger minimum lot requirements and prohibited uses have been established to protect existing and proposed low-density residential developments from the potentially adverse land use impacts associated with other forms of development, promoting and preserving an open, rural environment on larger parcels of land. All R-1 areas are intended to be defined and protected from the encroachment of uses not performing a function necessary to the residential environment. Internal stability, attractiveness order and efficiency is encouraged by providing for adequate light, air and open space for dwellings and related facilities and through consideration of the proper functional relationship of each element.

(Ord. No. 2838, § 1(8.200-1), 1-9-2012)

State law reference(s)—Authority for municipal regulation, RSMo 89.020.

Sec. 50-56. Uses permitted.

Property and buildings in any R-1 Single-Family Dwelling District shall be used only for the following purposes:

(1) One detached single-family dwelling.

(2) Attached or detached accessory buildings, including a private garage or storage building.

(3) Home occupation.

(4) Day care, limited.

(5) Personal garden, serving a single-family dwelling on the same lot.

(Ord. No. 2838, § 1(8.200-2), 1-9-2012)

Sec. 50-57. Uses permitted on review.

The following uses may be permitted in all R-1 districts upon review by the city planning and zoning commission:

(1) Municipal use, public building and public utility.

(2) Plant nursery in which no building or structure is maintained in connection therewith.

(3) General purpose farm or garden but not the raising of livestock.

(4) Public park or playground.

(5) Golf course.

(6) Private club not conducted for profit.

(7) Bed and breakfast.

(8) Public or private school (elementary, middle or high) or school offering general educational courses the same as ordinarily given in public schools and having no rooms regularly used for housing or sleeping.

(9) Church/religious assembly.

(10) Group home (eight or fewer residents plus two additional individuals acting as house parents per RSMo 89.020.2 and 89.020.6).

(11) Library.

(Ord. No. 2838, § 1(8.200-2.1), 1-9-2012)

Sec. 50-58. Off-street parking for all R-1 zones.

Off-street parking shall be provided in these districts in accordance with the following schedule and article III of this chapter:

(1) Single-family dwelling: two garage parking spaces for each dwelling unit.

(2) Garage apartments: two parking spaces for each dwelling unit.

(3) Guest rooms: one parking space for each lodging room.

(Ord. No. 2838, § 1(8.200-8), 1-9-2012)

Sec. 50-59. Parking and driveway; size, location and configurations.

(a) Individual parking spaces, regardless of shape, shall provide a clear rectangular parking space of not less than nine feet in width and a length of not less than 20 feet (plus required accessibility space as required for disabled parking where applicable).

(b) A parking space shall be provided at a location off public right-of-way and outside of the sight clearance triangle at right-of-way intersections as prescribed elsewhere in this Code.

(c) Driveway locations and approach configurations shall be constructed in accordance with this Code.

(d) Driveway ingress and egress shall be confined to and shall not exceed 25 feet in width, exclusive of curb.

(e) Off-street driveway and parking areas shall be constructed and maintained with asphalt, concrete or other approved paving materials capable of supporting all vehicles used thereon, in all weather conditions, without emitting dust or mud onto an adjacent street or adjoining property during normal and customary use.

Table RE-1. Setbacks in Feet

Classification	Minimum Lot Area (sq. feet)	Minimum Lot Width (feet)	Front	Exterior Side Yard	One Side Yard	Both Side Yards	Rear	Dwelling Square Footage Minimum
R-1A	8,400	70*	25*	15 to 20	10	20	20	None
R-1B	15,000	100	30*	20	25	30	25	1,600 sf
R-1C	20,000	120	35*	25	30	50	25	1,600 sf
R-1D	40,000	150	50*	30	35	50	35	2,000 sf
R-1E	87,120	200	75*	40	35	50	50	2,000 sf

*See exceptions cited in specific R-1 district sections

(Ord. No. 2838, § 1(8.200-8.1), 1-9-2012)

Secs. 50-60—50-87. Reserved.

City of Odessa
Planning and Zoning
228 S Second St • PO Box 128 • Odessa, MO 64076
Phone: 816-230-5577 • cityofodessamo.com

STAFF REPORT
February 19, 2026

File #:	RZ-03-2026
Type of Application:	Rezoning
Site Location:	1.45 +/- acres at 411 N. 1st St.
Applicant:	Nordsieck Properties, LLC; Ken Nordsieck
Property Owner:	Nordsieck Properties, LLC; Ken Nordsieck
Request:	Zoning Change from I-1 to C-3
Existing Zoning:	I-1 (Light Industrial)
Proposed Zoning:	C-3 (Highway Commercial)
Attachments:	Application Location Map Code of Ordinances-Chapter 50, Division 13. I-1 Light Industrial District Code of Ordinances-Chapter 50, Division 12. C-3 Highway Commercial District
Public Notice:	Newspaper notice-a public notice was published in The Odessan on Thursday, January 29, 2026. Notice to surrounding property owners-a public notice was mailed to all property owners with 185' of the subject property on Thursday, January 29, 2026. Posting of public hearing sign-a public hearing sign was posted at City Hall on Thursday, January 29, 2026.
Planning Commission:	Thursday, February 19, 2026
Board of Aldermen:	Monday, February 23, 2026
Odessa Staff:	Jenny Neel, Community Development Coordinator
Staff Recommendation:	Staff recommends **approval** of the rezoning request from I-1 to C-3.

City of Odessa

Application for Rezoning

228 S Second St • PO Box 128 • Odessa, MO 64076
Phone: 816-230-5577 • cityofodessamo.com

For Office Use Only: Case No: RZ-03-2026 Date: 1/22/26
P&Z Date: 2/9/26 BOA Date: 2/23/2026 Staff Initial: JN

Payment Validation Stamp
PAID
JAN 22 2026
City of Odessa, MO

Fee: $150.00 + publication costs

Applicant/Owner Information

Applicant Name: Ken Nordsieck Company: Nordsieck Properties, LLC

Street Address: 10968 Summit Camp Rd City: Lexington State: MO Zip: 64067

Phone: 660-909-1317 Cell: _____ Email: ken@nerdshardware.com

Property Owner Name (if different than applicant): Same

Street Address: _____ City: _____ State: _____ Zip: _____

Phone: _____ Cell: _____ Email: _____

Firm Preparing the Plat (if different than applicant): _____

Street Address: _____ City: _____ State: _____ Zip: _____

Phone: _____ Cell: _____ Email: _____

*All correspondence on this application should be sent to (check one): ☑ Applicant ☐ Property Owner ☐ Firm

Rezoning Request

The applicant is hereby requesting a zoning change from I-1 ☐ _____ **classification to** C-3 ☐ _____ **classification.**

Project Details

General Location or Address of Property: 411 N 1st St, Odessa, MO

Property Area in Acres and/or Square Feet: 1.5 ACRES

Present Use of the Property: Storage

Proposed Use of the Property: EXPANSION OF ADJACENT C3 RETAIL.
THIS PROPERTY WILL COMBINE BACK AND ADD LUMBER YARD CAPACITY TO NERD'S.

Lafayette County, MO

Legend

- Address Point
- Railroad
- Road
  - <all other values>
  - Interstate
  - United States Highway
  - State Highway
  - State Route
- Parcel
- Cartography Line
  - <all other values>
  - Easement Carto
  - Parcel Owner Hook
- Original Lot
- Water Boundary
- County Boundary

151.0 0 75.51 151.0 Feet

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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

DIVISION 13. I-1 LIGHT INDUSTRIAL DISTRICT

Sec. 50-363. General description.

This industrial district is intended primarily for production and assembly plants that are conducted so the noise, odor, dust and glare of each operation is completely confined within an enclosed building. These industries may require direct access to rail, air or street transportation routes; however, the size and volume of the raw materials and finished products involved should not produce the volume of freight generated by the uses of the general industrial district. Buildings in this district should be architecturally attractive and surrounded by landscaped yards.

(Ord. No. 2429, § 1(8.206-1), 11-13-2000)

Sec. 50-364. Uses permitted.

Property and buildings in an I-1 Light and Industrial District shall be used only for the following purposes:

(1) Any use permitted in a C-3 Highway Commercial District.

(2) Any of the following uses:

a. Aerospace manufacturing.

b. Automotive manufacturing.

c. Bakery.

d. Bottling works.

e. Book bindery.

f. Candy manufacturing.

g. Distribution center, including any incidental freighting or trucking yard terminal.

h. Engraving plant.

i. Electrical equipment assembly.

j. Electronic equipment assembly and manufacturing.

k. Furniture manufacturing.

l. Grain storage and milling.

m. Heavy equipment manufacturing, including construction and mining.

n. Instrument and meter manufacturing.

o. Jewelry and watch manufacturing.

p. Laboratories, experimental.

q. Laundry and cleaning establishment.

r. Leather goods and fabrication.

s. Microbrewing, including processing, bottling, and packaging.

t. Optical goods manufacturing.

u. Sporting goods manufacturing.

v. Veterinary pharmaceutical.

(3) All of the uses permitted under this section shall have their primary operations conducted entirely within enclosed buildings and shall not emit any dust or smoke or noxious odor or fumes outside of the buildings housing the operation or produce a noise level at the property line that is greater than the average noise level occurring on the adjacent street. Any article stored temporarily outside of an enclosed building as an incidental part of the primary operation shall be so screened by ornamental walls and fences or evergreen planting that it cannot be seen from adjoining public streets or adjacent lots when viewed by a person standing on the ground level.

(4) The following uses may be permitted on review by the city planning and zoning commission:

a. Animal food manufacturing.

b. Food products processing and packing, including meat processing and packing.

Retail sales are permitted only when incidental and accessory to a permitted principal use in accordance with this section.

(Ord. No. 2429, § 1(8.206-2), 11-13-2000; Ord. No. 3050, § 1, 8-23-2021)

Sec. 50-365. Area regulations.

(a) *Front yard.* All buildings shall be set back from the street right-of-way line to provide a front yard having not less than 25 feet in depth.

(b) *Side yard.* No building shall be located closer than 25 feet to a side lot line.

(c) *Rear yard.* No building shall be located closer than 25 feet to the rear lot line.

(d) *Coverage.* Main and accessory buildings and off-street parking and loading facilities shall not cover more than 80 percent of the lot area.

(Ord. No. 2429, § 1(8.206-3), 11-13-2000)

Sec. 50-366. Height regulations.

No buildings or structure shall exceed 3.5 stories or 45 feet in height, except as hereinafter provided in section 50-491.

(Ord. No. 2429, § 1(8.206-4), 11-13-2000)

Sec. 50-367. Off-street parking.

Off-street parking shall be provided in this district in accordance with the following schedule and article III of this chapter:

(1) All of the lot used for the parking of vehicles, for the storage and display of merchandise, and all driveways used for vehicle ingress and egress shall be paved with a sealed surface pavement and

maintained in such a manner that no dust will be produced by use of such feature. The provisions of this section shall not apply to the parking surface only on property which:

a. Has an area of 35 square acres or more;

b. Is located 3,960 feet or more from any property that is zoned for residential use;

c. Is located 1,250 feet or more from any property that is zoned for C-l local commercial or C-2 general commercial uses; and

d. Which mitigates the dust generated from the unsealed parking lot if such dust is deemed to be a public health or safety hazard, as determined by the city.

(2) All servicing of vehicles and assembly of equipment carried on as an incidental part of the sales operation shall be conducted within a completely enclosed building.

(3) Driveways used for ingress and egress shall conform to standards and specifications set forth in the most recent edition of the American Public Works Association standards.

(Ord. No. 2429, § 1(8.206-5), 11-13-2000; Ord. No. 3011, § 1, 6-8-2020)

Secs. 50-368—50-392. Reserved.

DIVISION 12. C-3 HIGHWAY COMMERCIAL DISTRICT

Sec. 50-334. General description.

This commercial district is intended to provide a location for the conduct of services and retail business for motorists passing through the community and for the limited amount of merchandise, equipment and material being offered for retail sale that because of the type of material or transportation requirements are suitable for display and storage outside the confines of an enclosed building. Persons of the community, the surrounding trade territory and motorists will require direct access. However, the concentration of shoppers will be much smaller and visits less frequent than in the general commercial district.

(Ord. No. 2429, § 1(8.205-1), 11-13-2000)

Sec. 50-335. Uses permitted.

(a) Property and buildings in a C-3 Highway Commercial District shall be used only for the following purposes:

(1) Any use permitted in a C-2 zone.

(2) Antique shop.

(3) Automobile service station.

(4) Boat sales.

(5) Candy, curio or gift shop.

(6) Drive-in theatre or restaurant.

(7) Farm implement and machinery, new and used.

(8) Gasoline and oil retail distributing plant.

(9) Golf course, miniature and practice range.

(10) Hotel or motor hotel.

(11) Outdoor advertising.

(12) Metal and wood fencing ornamental grill work and decorative wrought iron work and play equipment sales.

(13) Mobile home sales.

(14) Monument sales.

(15) New and used car and truck sales.

(16) Prefabricated house sales.

(17) Recreation center.

(18) Restaurant including liquor by the drink.

(19) Roller skating rink.

(20) Trailers for hauling, rental and sales.

(21) Travel trailer camp.

(22) Wholesale distributing center.

(b) The above enumerated uses shall comply with the following provisions:

(1) All open storage and display of merchandise, material and equipment shall be so screened by ornamental fencing or evergreen on ground level in an R residential or a C-1 or C-2 commercial district when located to the side or rear of the lot on which the open storage or display occurs; provided, however, that screening shall not be required in excess of seven feet in height. All planting shall be kept neatly trimmed and maintained in good condition at all times. Merchandise and materials which are not completely assembled or which are not immediately and actively being offered for sale shall, in addition to complying with the above screening requirements, be so screened by ornamental fences or evergreen planting or by permanent buildings that it cannot be seen from a public street.

(2) All yards unoccupied with buildings or merchandise or used as traffic ways shall be landscaped with grass and shrubs and maintained in good condition around the year.

(3) All of the lot used for the parking of vehicles, for the storage and display of merchandise and all driveways used for vehicle ingress and egress shall be paved with a sealed surface pavement and maintained in such a manner that no dust will be produced by continued use.

(4) All servicing of vehicles and assembly of equipment carried on as an incidental part of the sales operation shall be conducted within a completely enclosed building.

(5) Driveways used for ingress and egress shall conform to standards and specifications set forth in the most recent edition of the American Public Works Association standards.

(6) Outdoor lighting, when provided, shall have an arrangement of reflectors and an intensity of lighting which will not interfere with adjacent streets and shall not be of a flashing or intermittent type.

(Ord. No. 2429, § 1(8.205-2), 11-13-2000)

Sec. 50-336. Area regulations.

The following requirements shall apply to all uses permitted in this district:

(1) *Front yard.* All buildings shall be set back from the street right-of-way line to provide a front yard of not less than 25 feet in depth.

(2) *Rear yard.* Where a commercial building is to be serviced from the rear, there shall be provided an alleyway, service court, rear yard or combination thereof of not less than 30 feet in width. In all other cases no rear yard is required.

(3) *Building yard.* Buildings shall be provided with a yard adequate to meet the off-street parking requirements set forth in article III of this chapter.

(Ord. No. 2429, § 1(8.205-3), 11-13-2000)

Sec. 50-337. Height regulations.

No building shall exceed 2.5 stories or 35 feet in height except as hereinafter provided in section 50-491.

(Ord. No. 2429, § 1(8.205-4), 11-13-2000)

Secs. 50-338—50-362. Reserved.

DRAFT ORDINANCE

AN ORDINANCE AMENDING CHAPTER 50 (ZONING) OF THE CODE OF ORDINANCES OF THE CITY OF ODESSA, MISSOURI, BY ADDING REGULATIONS GOVERNING STORAGE AND SHIPPING CONTAINERS

SECTION 1. PURPOSE AND INTENT

The purpose of this section is to regulate the placement and use of shipping containers and portable storage containers in a manner that:

1. Allows reasonable business operations in commercial and industrial districts;
2. Protects adjacent residential neighborhoods from visual and operational impacts;
3. Establishes clear, objective standards for duration, placement, and screening; and
4. Provides administrative flexibility through temporary use permits.

SECTION 2. DEFINITIONS

Add to Article II (Definitions):

Portable Storage Container:
A prefabricated container designed and used for the temporary storage of personal property or materials, typically delivered and removed by truck, and not permanently affixed to the ground.

Shipping/Storage Container:
A standardized metal freight container originally designed for transportation of goods, and repurposed for accessory storage use on a property.

Temporary Container Placement:
Placement of a portable or shipping container for a period not exceeding the time limits established in this section.

Accessory Storage Container Use:
The use of a shipping or storage container customarily incidental and subordinate to a permitted principal use on the same lot.

SECTION 3. GENERAL STANDARDS (ALL DISTRICTS)

A. Containers shall not:

1. Be used for dwelling or overnight accommodation unless approved as a lawful structure under the building code.

DISCUSSION ONLY

2. Obstruct required fire lanes, drive aisles, parking spaces, access points, utilities, drainage patterns, or required setbacks.
3. Be placed within public right-of-way.
4. Be used as signs or sign structures:
    1. No banner, draped sign, canvas sign, temporary sign, rigid sign, panel, wrap, vinyl graphic, painted message, or other advertising device shall be affixed, mounted, hung, attached, applied, or otherwise displayed on a storage container.
    2. Storage containers shall not be positioned, oriented, or maintained for the primary purpose of advertising or visibility from a public street or adjacent property.
    3. Storage containers shall not be used in a manner that would otherwise violate Section 50-722, including but not limited to the placement or use of vehicles, trailers, or similar equipment positioned for the primary purpose of acting as signs.
    4. A storage container shall not be considered a permitted wall, façade, or building surface for purposes of calculating allowable sign area under this Chapter.
    5. The only markings permitted on a storage container shall be:
        1. Original manufacturer markings; or
        2. Identification of the business or container leasing company, provided such identification is limited to existing factory-applied logos or lettering and does not exceed the maximum wall sign area permitted in the applicable zoning district.

B. Containers must remain in good structural condition, free of rust, peeling paint, and visible damage.

C. Containers placed on vacant lots are prohibited unless associated with an active, permitted construction project and removed upon completion of the project unless otherwise permitted by this chapter.

SECTION 4. AGRICULTURE DISTRICTS

DISCUSSION ONLY

A. Shipping and storage containers shall be permitted as accessory uses on agriculturally zoned property only when incidental to an active agricultural operation conducted on the same parcel.

B. Containers shall:

1. Be limited to two (2) per parcel unless additional containers are approved through administrative review.
2. Not be located within required front yard setbacks.
3. Maintain a minimum fifty (50) foot setback from any residential zoning district boundary.
4. Be used solely for agricultural storage purposes.
5. Not be used as commercial warehousing, contractor storage yards, or non-agricultural business operations.

C. Storage containers are prohibited on vacant agricultural parcels not actively used for agricultural production.

SECTION 5. RESIDENTIAL DISTRICTS

A. Shipping/storage containers are prohibited as accessory structures in residential zoning districts.

B. Portable storage containers may be permitted for temporary use subject to:

1. Maximum duration of thirty (30) days within a six-month period.
2. Placement on a driveway or approved hard surface only.
3. One (1) container per lot.
4. Administrative approval by the Zoning Administrator.

Extensions may be granted once for an additional thirty (30) days upon showing of good cause.

SECTION 6. COMMERCIAL DISTRICTS

Shipping/storage containers are permitted as accessory uses in commercial zoning districts subject to the following:

DISCUSSION ONLY

A. Quantity
Maximum of two (2) containers per lot unless approved through an administrative site plan review.

B. Placement

1. Must be located behind the principal structure when feasible.
2. Shall not be located within required front yard setbacks.
3. Minimum setback of ten (10) feet from any residential zoning district boundary.

C. Screening
Where a container is visible from adjacent residential property or public street, screening shall be required, which may include:

- Solid fencing (minimum 6 feet in height);
- Evergreen landscaping; or
- Combination of berm and landscaping.

D. Duration
Containers used for seasonal or overflow storage exceeding ninety (90) consecutive days shall require administrative approval.

SECTION 7. INDUSTRIAL DISTRICTS

Shipping/storage containers are permitted as accessory uses in industrial zoning districts subject to:

A. No numeric limit provided the containers:

1. Comply with fire and building safety requirements; and
2. Do not encroach into required setbacks.

B. Where an industrial property abuts a residential zoning district:

1. Containers shall maintain a minimum twenty-five (25) foot setback from the shared property line; and
2. Screening consistent with Section 5(C) shall be required.

C. Stacking of containers shall not exceed two (2) containers in height unless approved through site plan review.

SECTION 8. TRANSITION OVERLAY DISTRICT

DISCUSSION ONLY

Within the Commercial/Industrial Transition Overlay District:

A. Storage containers shall not be placed between a principal building and a residentially zoned property.

B. Enhanced screening shall be required when visible from residential districts.

C. The Planning and Zoning Commission may impose additional buffering requirements during site plan review to mitigate visual impacts.

SECTION 9. TEMPORARY USE PERMIT

A Temporary Container Permit may be issued by the Zoning Administrator for:

1. Construction projects with valid building permits;
2. Seasonal inventory storage;
3. Emergency situations (fire, flood, storm damage).

The permit shall specify duration, location, and any required screening.

SECTION 10. EXISTING CONTAINERS

A. Any storage container lawfully in existence on the effective date of this ordinance shall be brought into compliance with all applicable provisions of this Chapter within one hundred eighty (180) days.

B. The Zoning Administrator may grant one administrative extension not exceeding ninety (90) days upon written request demonstrating good cause.

C. Failure to comply within the prescribed time shall constitute a violation subject to enforcement under this Code.

DISCUSSION ONLY