

**IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI**

**AN ORDINANCE** renewing a conditional use permit (CUP) in District AG (Agricultural) for a period of thirty years to operate a winery, subject to specified conditions as to a 7.00 ± acre tract.

**ORDINANCE NO. 5180**, November 27, 2018

BE IT ORDAINED by the County Legislature of Jackson County, Missouri as follows:

Section 1. A conditional use permit is hereby renewed for a period of thirty years to operate a winery, as to an approximate 7.00 ± acre tract of land commonly known as 24607 NE. Colbern Road, Jackson County, MO, and specifically described as follows:

**Description:**

A tract of land in Jackson County, Missouri in the Southwest Quarter of Section 25, Township 25, Range 31, described as follows:  
Commencing at the Northwest corner of the Southwest Quarter of Section 25, Township 48, Range 31; thence South 88 degrees 06 minutes 22 seconds East, a distance of 761 feet to point of beginning; thence South 88 degrees 06 minutes 22 seconds East, a distance of 175.41 feet; thence South 01degrees 53 minutes 38 seconds West, a distance of 952 feet; thence North 88 degrees 06 minutes 22 seconds West, a distance of 550.41 feet; thence North 02 degrees 13 minutes 13 seconds East, a distance of 332 feet; thence South 88 degrees 06 minutes 22 seconds East, a distance of 180 feet; thence north 43 degrees 06 minutes 22 seconds East of 28.28 feet; thence North 02 degrees 13 minutes 13 seconds East, a distance of 67 feet; thence South 88 degrees 06 minutes 22 seconds East, a distance of 175 feet; thence North 02 degrees 13 minutes 13 minutes East, a distance of 553 feet to the point of beginning.

Section 2. The conditional use permit for a period of thirty years renewed by this Ordinance is subject to the following conditions:

- 1) SITE PLAN: The site plan as presented by the applicant shall be strictly adhered to. The total number of buildings as well as the total square

footage of any single building shall not be exceeded.

- 2) DRIVEWAY & PARKING AREAS: Off-street parking shall be provided at the ratio of one (1) space per 200 square feet of floor area open to the public.
- 3) ITEMS FOR SALE: The display of items being offered for resale shall be restricted to indoor areas. All items shall be stored indoors, or within an approved, screened storage area.
- 4) HOURS OF OPERATION: Hours of operation that the winery is open to the public shall be limited to 8:00 AM to 9:00 PM. Private functions must end by 10:00 PM, Sunday through Thursday nights and by 11:00 PM on Friday and Saturday nights.
- 5) SIGNAGE: Signage shall comply with Section 24007 of the Unified Development Code and must be further approved as a part of the Site Plan.
- 6) DELIVERY HOURS: Scheduled deliveries shall be limited to 7:00AM to 6:00PM Monday through Friday.
- 7) MUSIC: Live music shall be restricted to indoor areas. Music piped to the outdoors shall be played at a level that is not objectionable to a property owner within 600 feet of the permitted property.
- 8) WINE PRODUCTION: Total wine production shall be limited to 30,000 gallons per calendar year. A copy of the annual report to the Bureau of Alcohol, Tobacco and Firearms indicating production shall be provide to the County Development Division. The owner shall maintain a minimum of seven acres on-site in fruit production.
- 9) PRODUCTION, SALE, AND CONSUMPTION OF ALCOHOLIC BEVERAGES: The production of alcoholic beverages shall be limited to wine, beer and distilled spirits. The on-site consumption beverages by the general public shall be limited to wine, beer, and distilled spirits. In addition, wine, beer and distilled spirits may be provided by catering services at private parties and events.
- 10) PRODUCTION, SALE, AND COMSUMPTION OF FOOD: The preparation and sale of food items shall be restricted to snack items and cold sandwiches normally associated with wine tasting. The preparation of bratwurst and sausages for special events shall be allowed. Any restaurant operation of any kind is additionally prohibited. Food for private functions that is provided by

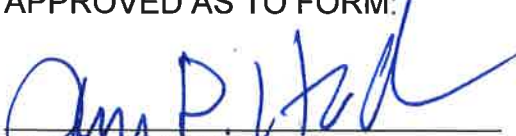
catering services shall be allowed.

- 11) TEMPORARY STRUCTURES & TENTS: No temporary structures shall be allowed. A single tent, not exceeding two thousand, five hundred (2,500) square feet, may be erected from time-to-time for a special event no to exceed a period of four consecutive days. The location of the tent shall be restricted to an area south of an east-west line that is parallel to the north face of the main winery building. The tent must be taken down within twenty-four (24) hours after the special event.

Section 3. The Legislature, pursuant to the application of Stonehaus Farms Vineyard (CU-2018-229), requesting approval embodied in this Ordinance and with notice that the Jackson County Plan Commission voted 7 to 0 to recommend APPROVAL of this application in a public hearing on November 15, 2018, does adopt this Ordinance pursuant to the Jackson County Charter authorizing the Legislature to exercise legislative power pertaining to planning and zoning.

Effective Date: This Ordinance shall be effective immediately upon its signature by the County Executive.

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Chief Deputy County Counselor

  
\_\_\_\_\_  
County Counselor

I hereby certify that the attached ordinance, Ordinance No. 5180 introduced on November 26, 2018, was duly passed on December 3, 2018 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 9

Nays 0

Abstaining 0

Absent 0

This Ordinance is hereby transmitted to the County Executive for his signature.

12.3.18  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance No. 5180.

12/5/2018  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Frank White, Jr., County Executive