

Article 2: Basic Definitions and Interpretations

Section 15: Definitions

Unless otherwise specifically provided, or unless clearly required by the context, the words and phrases defined in this section shall have the meaning indicated when used in these regulations. Any word not defined shall be given its normal and customary definition. [\(Note: With respect to definitions applicable to all types of landfills, in the event there is a conflict between definitions set forth herein and the definition of the same term provided in Section 260.200 RSMO, the statutory definition shall control\).](#)

A Frame Sign: A moveable sign not secured or attached to the ground or surface upon which it is located, but supported by its own frame and most often forming the cross-sectional shape of an A. (Also known as sidewalk sign.)

Accessory: The term applied to a building, structure or use which is clearly incidental or subordinate to and customary in connection with the principal building, structure or use and which is located in the same lot with the principal building, structure or use. No residential building, tourist cabin or summer colony cottage shall be considered as accessory to any other residential building except as is expressly provided in this Order. Any accessory building or structure attached to a principal building or structure is deemed to be part of such principal building or structure in applying these regulations to such building or structure.

Accessory Dwelling: An accessory structure, but not a mobile home, with complete housekeeping facilities for single-family occupancy for use by only immediate family members or guests of the occupants of the principal single-family dwelling on the lot at no charge. Also known as mother-in-law quarters, guest house or carriage house.

Accessory Structure: A subordinate structure detached from but located on the same lot as a principal building. The use of an accessory structure must be similar and accessory to the use of the principal building. Accessory structures include garages, decks and fences.

Accessory Use: A use of land or building or portion thereof customarily incidental and subordinate to the principal use of the land or building and located on the same lot with the principal use.

Actual Building Construction: Includes the placement of construction materials in permanent position and fastened in a permanent manner and within the time requirements elsewhere in the Regulations.

Acreage, Gross: The entire area within the boundary lines of the proposed lot or tract, including the area to be dedicated for street and alley right-of-way and public use.

Acreage, Net: The entire area within the boundary lines of the proposed lot or tract, less the area to be dedicated for street and alley right-of-way and public use.

Adult Entertainment Use: An establishment consisting of, including, or having the characteristics of any or all of the following:

1. **ADULT BOOKSTORE** - An establishment having as a substantial or significant portion of its stock-in-trade books, magazines, publications, tapes, or films that are distinguished or characterized by their emphasis on matter depicting, describing, or relating to sexual activities or anatomical genital areas.

Adopted on December 14th, 2000

Effective on January 1st, 2001

Revised on 9/29/2005; 10/25/2011; 11/1/2011; 04/15/2014; 4/29/2014; 7/1/2014; 8/26/2014

2. **ADULT CABARET** - An establishment devoted to adult entertainment, either with or without a liquor license, presenting material distinguished or characterized by an emphasis on matter depicting, describing, or relating to sexual activities or anatomical genital areas or an establishment that features topless dancers, go-go dancers, strippers, male or female impersonators, or similar entertainers for observation by patrons.
3. **ADULT MINI MOTION PICTURE THEATER** - An enclosed building with a capacity for less than fifty persons used for presenting material distinguished or characterized by an emphasis on matter depicting, describing, or relating to sexual activities or anatomical genital areas.
4. **ADULT MOTION PICTURE THEATER** - An enclosed building with a capacity for fifty or more persons used for presenting material distinguished or characterized by an emphasis on matter depicting, describing, or relating to sexual activities or anatomical genital areas.

Aggrieved Person: Any owner, lessee or tenant of land or public officer, department, board, or bureau or other persons or entities as defined by state law affected by any decision of the Zoning Official in administering these regulations.

AGL (Above Ground Level): Ground level shall be determined by the average elevation of the natural ground level within a radius of 50 feet from the center location of measurement.

Agricultural: The planting, cultivating, harvesting and storage of grains, hay, plants, grapes, fruits or trees commonly grown in the County as well as the raising and breeding of livestock, poultry or similar animals.

Agricultural Processing: Operations that transform, package, sort, or grade livestock or livestock products, agricultural commodities, or plants or plant products, excluding forest products, into goods that are used for intermediate or final consumption including goods for nonfood use. Agricultural processing shall not include commercial feedlots or slaughterhouses.

Agricultural Sales and Services: A use primarily engaged in the sale or rental of farm tools and implements, feed, grain, tack, animal care products and farm supplies. This definition excludes the sale of large implements, such as tractors and combines but includes food sales and farm machinery repair services that are accessory to the principal use.

Airport: A complex of runways and buildings used or intended to be used for the takeoff, landing and maintenance of aircrafts, and includes its buildings and facilities, if any.

All-Terrain Vehicle: Small motor vehicle with three or four wheels that is designed for use on various types of terrain.

Amateur Antenna: An antenna that transmits noncommercial communication signals and is utilized by any person licensed as an amateur operator by the Federal Communications Commission.

Amateur Radio Tower: A tower or other antenna support structure that exclusively supports amateur antennas.

Animal Feeding Operation (AFO): A lot, building, or complex at an operating location where animals are stabled or confined and fed or maintained for a total of forty-five (45) days or more in any twelve (12) month period, and crops, vegetation, forage growth, or post-harvest residues cannot be sustained over at

Adopted on December 14th, 2000

Effective on January 1st, 2001

Revised on 9/29/2005; 10/25/2011; 11/1/2011; 04/15/2014; 4/29/2014; 7/1/2014; 8/26/2014

least fifty percent (50%) of the animal confinement area within the normal crop growing season. Also referred to as “Commercial Feedlots.”

Animated Sign: A form of digital advertising that displays messages that move, appear to be moving, use lighting effects to portray movement or display information in a video or video like format.

Antenna: Equipment designed to transmit or receive electronic signals.

Apiary: Combs, hives, appliances or colonies, wherever bees are kept, located or found.

Applicant: Persons having the legal authority to request action in accordance with the permit or the subdivision approval or persons who have permission from persons having the legal authority to take action. Generally this means owners or lessees of property, their agents or persons who have contracted to purchase property contingent upon their ability to acquire the necessary permits or the agents of such persons.

Archery Range, Indoor: A facility designed to offer a totally controlled shooting environment for the art, practice, or skill of propelling arrows with the use of a bow.

Archery Range, Outdoor: An outdoor facility that may include structures or buildings, used for target practice with bows and arrows.

Aviary: A place for keeping birds confined for the purpose of raising, exhibiting or selling.

Awning: A rooflike structure, often made of canvas or plastic, that serves as a shelter, as over a storefront, window, door, or deck

Back-to-back sign, double faced sign, or V-type sign: A sign with two (2) sides each of which can be read from opposite directions of the same roadway, with not more than one (1) face on each side and not more than two (2) display areas to each facing. The total display area for each side must not exceed 672 square feet. (See Figure 2 and Figure 3 in Article 16)

Base Flood: The flood having a one percent chance of being equaled or exceeded in any given year. Also known as the 100-year flood.

Beacon Light: Any light with one or more beams directed into the atmosphere or directed at one or more points not on the same lot as the light source; also, any light with one or more beams that rotate or move.

Bed and Breakfast: An establishment or place of business that is a private, owner-occupied single family dwelling which provides between one (1) and five (5) guest rooms for paying guests on a reservation basis, with or without food service.

Billboard Large: An off-premise sign that is exceeding thirty two (32) square feet in size that is intended or used to advertise, direct or inform the traveling public of an establishment, products, services, entertainment or other information which is not sold, produced or furnished upon the property in which the sign is located. Directional and other official signs are not considered billboards.

Adopted on December 14th, 2000

Effective on January 1st, 2001

Revised on 9/29/2005; 10/25/2011; 11/1/2011; 04/15/2014; 4/29/2014; 7/1/2014; 8/26/2014

Billboard (Mini): An off-premise sign that is equal to or less than thirty two (32) square feet in size that is intended or used to advertise, direct or inform the traveling public of an establishment, products, services, entertainment or other information which is not sold, produced or furnished up the property in which the sign is located. Directional signs or other official signs are not considered mini-billboards.

Block: A platted tract of land entirely surrounded by public highways, streets, streams, railroad rights-of-way or parks or a combination thereof. In places where the platting is incomplete or disconnected, the Director shall determine the outline or perimeter of a block.

Boarding House (Temporary Worker Housing): A residential use consisting of at least one dwelling unit together with more than two rooms that are rented or are designed or intended to be rented but which rooms, individually or collectively, do not constitute separate dwelling units. A rooming house or boarding house is distinguished from a tourist home in that the former is designed to be occupied by longer term residents (at least month-to-month tenants) as opposed to overnight guests. This type of residence should be used primarily to house temporary workers for the support of local businesses.

~~**Bottom Ash:** The agglomerated, angular ash particles, formed in pulverized coal furnaces that are too large to be carried in the flue gases and collect on the furnace walls or fall through open grates to an ash hopper at the bottom of the furnace.~~

Building: A structure designed to be used as a place of occupancy, storage or shelter.

Building, Accessory: A minor building that is located on the same lot as a principal building and that is used incidentally to a principal building or that houses an accessory use. A storage building may not be a manufactured house (mobile home).

Building, Principal: The primary building on a lot or a building that houses a principal use.

Business: A usually commercial or mercantile activity engaged in as a means of livelihood.

Cabinet: A structure for the protection and security of communications equipment associated with one or more antennas where direct access to equipment is provided from the exterior and that has a horizontal dimension that does not exceed 4 feet by 6 feet and vertical height that does not exceed 6 feet.

Campground: An area where facilities are provided for recreational or camping vehicles or travel trailers, tents or other portable habitation, utilized by the public as a place for camping, vacationing, which are in place for not more than 30 days. The park may include certain recreational or service facilities for the use of the residents of the park.

Canopy: Roof-like covers that project from the wall of a building or are freestanding for the purpose of shielding from the elements. Canopies may also be freestanding, such as a covering over a service station island. Canopy does not include marquee signs.

~~**CCR (Coal Combustion Residuals) Landfill:** See Utility Waste Landfill.~~

Cells: The manner in which all utility waste landfills shall be constructed. Cells shall be utilized in order to manage the construction within the entire proposed landfill site so that only the area needed at a given point in time is actually used for the depositing of utility waste.

Adopted on December 14th, 2000

Effective on January 1st, 2001

Revised on 9/29/2005; 10/25/2011; 11/1/2011; 04/15/2014; 4/29/2014; 7/1/2014; 8/26/2014

Centralized Sewer: A central sewage treatment facility owned or operated by a municipality, not-for-profit or public or private sewer district or similar authority, for a single development, community or region with an accompanying collection network. All systems must be designed to properly provide for the safe treatment and disposal of the generated raw sewage and are subject to the approval by the appropriate sanitation and health officials.

Centralized Water: A domestic water supply source and distribution system owned and operated by a municipality, not-for-profit or public or private water district or similar authority that provides a clean and sanitary water supply to a single development, community or region. All systems are subject to the approval by the Missouri Department of Natural Resources.

Certify: Whenever these regulations require that some agency certify the existence of some fact or circumstance to the county, the county may require that such certification be made in any manner that provides reasonable assurance of the accuracy of the certification. By way of illustration, and without limiting the foregoing, the county may accept certification by telephone from some agency when the circumstances warrant it, or the county may require that the certification be in the form of a letter or other document.

Change in Use: When the essential character or nature of the activity conducted on the lot changes. This occurs whenever the change involves a change from one principal use category to another. A mere change in the status of property from unoccupied to occupied or vice versa does not constitute a change in use.

Circulation Area: That portion of the vehicle accommodation area used for access to parking or loading areas or other facilities on the lot. Essentially, driveways and other maneuvering areas (other than parking aisles) comprise the circulation area.

Coal Combustion Products (CCPs): ~~Fly ash, bottom ash, broiler slag, or flue gas desulfurization materials that are beneficially used.~~

Coal Combustion Residuals (CCRs): Fly ash, bottom ash, broiler slag, and flue gas desulfurization materials destined for disposal [in a Utility Waste Landfill \(UWL\)](#). CCRs are also known as coal combustion wastes (CCWs) ~~and fossil fuel combustion (FFC) wastes,~~ when destined for disposal.

Combination Uses: When a single piece of property proposes more than one permitted (or Conditional) use. When proposing combination uses, the total density permissible on the entire tract shall be determined by having the developer indicate on the plan the portion of the total lot that will be developed for each purpose and calculating the density for each portion as if it were a separate lot.

Commercial Antenna/Tower: Any tower and/or antenna that transmits or receives communications as part of a for-profit business. The term shall exclude satellite earth station antennas less than 6 feet in diameter (mounted within 12 feet of the ground or building mounted) and any receive only home television antennas.

Commercial Feedlot: See “Animal Feeding Operation”.

Commercial Slaughterhouse: A facility for the slaughtering and processing of more than 500 animals per week and the refining of their byproducts. Less than 500 animals per week, see “Agricultural Processing”.

Adopted on December 14th, 2000

Effective on January 1st, 2001

Revised on 9/29/2005; 10/25/2011; 11/1/2011; 04/15/2014; 4/29/2014; 7/1/2014; 8/26/2014

Commercial Service: Retail establishments that primarily render services rather than goods. Such services may include, but not be limited to, copy shops, printing services, package and postal services, photo processing, janitorial services and similar operations.

Commercial Storage, Indoor: The use of any building for non-transitory, semi-permanent or long-term, containment, holding, leaving, or placement of goods or materials used in connection with a business. Items include but are not limited to more than 2 commercial vehicles, equipment used in connection with business, items for sale, etc. All items being stored shall be completely concealed in the building.

Commercial Storage, Outdoor: The use of any building or premise for non-transitory, semi-permanent or long-term, containment, holding, leaving, or placement of goods or materials used in connection with a business. Items include but are not limited to more than 2 commercial vehicles, equipment used in connection with business, items for sale, etc.

Commercial Vehicle: A vehicle which is used or maintained for the transportation of persons for hire, compensation, or profit or designed, used, or maintained primarily for the transportation of property. Includes fleet vehicles, company cars, or other vehicles used for business. Types of vehicles allowed as a commercial vehicles include:

- Truck
- Semi-truck tractor/trailer
- Van
- Taxicab
- Box truck (also known as a straight truck)

Communications Tower: A structure designed for the support of one or more antennae and including guyed towers, self-supporting (lattice) towers or monopole but not disguised support structures or buildings. Includes radio and television transmitting and receiving towers with accessory transmitting stations. This does not include a cable television (CATV) tower which receives the signals of ordinary TV broadcasting stations, amplifies them, transmits them by cable or microwave, and ultimately distributes them by wire to the receivers of its subscribers. This definition shall not restrict the right of governmental or municipal agencies to locate such towers for their own specific needs and shall not include amateur radio stations or public utilities regulated by the Missouri Public Service Commission.

Common Ground: The land within or related to a development, that is designed and intended for the common use or enjoyment of the residents of the development and their guests and that may include such complementary structures and improvements as are necessary and appropriate. Also known as "open space".

~~**Composite Liner System:** The requirement that any Utility Waste Landfill be constructed with a system which has an upper component and a lower component. The design and construction standards for both components are set forth in the provision pertaining to "Construction Standards".~~

Composting Facility: A commercial facility where yard waste is accepted from the public for composting. Composting is an aerobic (oxygen-dependent) degradation process by which organic wastes decompose under controlled conditions.

Compounded Sign: A sign that advertises two or more businesses or events and is located on the property in which the businesses or events is held. See Table 1 in Article 16.

Adopted on December 14th, 2000

Effective on January 1st, 2001

Revised on 9/29/2005; 10/25/2011; 11/1/2011; 04/15/2014; 4/29/2014; 7/1/2014; 8/26/2014

Conditional Use: A use that, because of special requirements or characteristics, may be allowed in a particular zoning district only after review and approval by the Planning and Zoning Commission.

Conditional Use Permit: A permit issued by the Planning and Zoning Commission that authorizes the recipient to make use of property in accordance with the requirements of these regulations as well as any additional requirements imposed by the Planning and Zoning Commission.

Construction Business: The commercial activity involved in repairing structures or constructing new ones.

Construction Standards: The technical requirements and methods by which Utility Waste Landfills must be constructed in accordance with the requirements of the Missouri Department of Natural Resources (MDNR) and the United State Environmental Protection Agency (EPA), as may be applicable. ~~Specific standards are as set forth in Section 236. Such specific standards may be supplemented by EPA and/or MoDNR regulations. In the event of a conflict between the specific provisions contained in these regulations and any EPA or MoDNR regulations adopted by this reference, the more restrictive shall control.~~

Construction Waste Material: The materials resulting from the alteration, construction, destruction, rehabilitation, or repair of any manmade physical structure including houses, buildings, industrial or commercial facilities, and roadways. Includes structural and functional materials comprising the structure and surrounding site improvements, including, but not necessarily limited to:

- Brick
- Stone
- Glass
- Drywall
- Plumbing Fixtures
- Carpeting
- Roofing materials

Convenience store: A stand-alone structure not connected to any other retail stores, less than 5,000 square feet in size, engaged in the sale of personal or household merchandise, packaged foods and beverages, which may include fueling stations as an accessory use where permitted.

Cost: The total cost of all intended work and no person may avoid the intent of this definition by doing the intended work incrementally.

Cost of Renovation, Repair or Restoration: The fair market value of the materials and services necessary to accomplish a renovation, repair or restoration.

County: County of Franklin, Missouri.

County Commission: County Commission of the County of Franklin, Missouri.

Cul-de-Sac: A street having one (1) end open to traffic and one (1) being terminated by a vehicular turnaround

Adopted on December 14th, 2000

Effective on January 1st, 2001

Revised on 9/29/2005; 10/25/2011; 11/1/2011; 04/15/2014; 4/29/2014; 7/1/2014; 8/26/2014

Cultural Use: Uses that service the public, such as but not limited to museums, art galleries and libraries by a public or private, non-profit facility.

Dairy Farming: An area of land on which animals are kept for the purpose of producing dairy products in commercial quantities, as well as the related buildings, equipment and processes.

Day Care, Center: A building occupied by a day care provider that receives more than five (5) persons for care for any part of a twenty-four (24) hour day, without overnight stays.

Day Care, Group: A building occupied by a day care provider that receives less than five (5) persons for care for any part of a twenty-four (24) hour day, without overnight stays.

Developer: A person who is responsible for any undertaking that requires a zoning permit, conditional use permit, or sign permit.

Development: Any man-made change to improved or unimproved real estate, construction, renovation, mining, extraction, or drilling activity or operation; any material change in the use or appearance of any structure or in the land itself; the division of land into parcels; any change in the intensity or use of land, such as an increase in the number of dwelling units in a structure or a change to a commercial or industrial use from a less intensive use; any activity that alters a river, stream, lake, pond, canal, woodlands, wetland, or other activity. This definition shall not apply to agricultural activities.

Digital Billboard: A billboard that has electronic displays that present one or more static advertisements for businesses or events, not located on the property, on a rotating basis.

Dimensional Nonconformity: A nonconforming situation that occurs when the height, size, or minimum floor space of a structure or the relationship between an existing building or buildings and other buildings or lot lines does not conform to the regulations applicable to the district in which the property is located.

Directional and Informational Signs: An on-premise sign designed to guide vehicular and/or pedestrian traffic by using words like “Entrance”, “Exit”, “One Way”, etc.

Director: The Director of Planning and Zoning of Franklin County or his/her designee.

Driveway: A private road giving access from a public or private road to a property.

Driveway (shared): A private road giving access from a public or private road to no more than two properties.

Duplex: A structure on a single lot containing two apartment units, each of which is totally separated from the other by an unpierced wall extending from ground to roof and in which each unit has a separate, ground floor entrance.

Dwelling: A building or portion thereof designed or used primarily as living quarters for one or more families, but not including hotels, motor lodges, or other accommodations for the transient public.

Dwelling Unit: A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

Adopted on December 14th, 2000

Effective on January 1st, 2001

Revised on 9/29/2005; 10/25/2011; 11/1/2011; 04/15/2014; 4/29/2014; 7/1/2014; 8/26/2014

Easement: A legal interest in land, granted by the owner to another person(s) or entity, which allows that person(s) the use of the designated portion of the owner's land, generally for a stated purpose including but not limited to access or placement of utilities. The easement may be for use under, on or above said property.

Educational Use: A public, parochial or private institution that provides educational instruction to students.

Effective Date of these Regulations: Whenever these regulations refer to the effective date of these regulations, the reference shall include the effective date of any ordinance that amends these regulations, if the ordinance, rather than these regulations as originally adopted, creates a non-conforming situation.

Environmental Resource Officer: The employee of the Franklin County Commission who shall insure that the owner/operator of a Non-Utility Waste and/or Utility Waste Landfill is operating the Non-Utility Waste and/or Utility Waste Landfill in accordance with the requirements of Section 236. The Environmental Resource Officer shall have the authority to enforce compliance with ~~these the~~ regulations in Section 236 to the same extent the Administrator has with respect to violations of other provisions of the Unified Land Use Regulations pursuant to Article 5 of the Unified Land Use Regulations, except to the extent specifically provided otherwise in Section 236, which latter provisions shall control, in the event of any inconsistency. ~~by levying penalties and/or by recommending to the license issuing authority that the license of the non-compliant entity be revoked.~~

Extraction: The act or process of taking something out, usually with force.

Expenditure: A sum of money paid out in return for some benefit or to fulfill some obligation. the term also includes binding contractual commitments to make future expenditures, as well as any other substantial changes in position.

FAA: The Federal Aviation Administration.

Family: One or more persons living together as a single housekeeping unit.

Farm Equipment and Machinery Sales and Services: Establishments selling, renting or repairing agricultural machinery, equipment and supplies for use in soil preparation and maintenance, the planting and harvesting of crops and other operations and processes pertaining to farming and ranching.

Farming: All operations of a farm such as the cultivation, conserving, and tillage of the soil, dairying, production, the production, cultivation, growing and harvesting of any agricultural, floricultural, sod or horticultural commodities, the raising of livestock, bees, fur-bearing animals, freshwater fish, or poultry.

FCC: The Federal Communications Commission.

Fence: An enclosure or barrier, such as wooden posts, wire, iron, etc., used as a boundary, means or protection, privacy screening or confinement but not including hedges, shrubs, trees, or other natural growth.

Final Plat: The map of all or a portion of a subdivision that is presented to the approving authority for final approval

Adopted on December 14th, 2000

Effective on January 1st, 2001

Revised on 9/29/2005; 10/25/2011; 11/1/2011; 04/15/2014; 4/29/2014; 7/1/2014; 8/26/2014

Fish Hatchery: Establishments devoted to hatching, raising or rearing fish.

Fishing: Sport of catching fish typically with rod, line, and hook.

Flag Lot: A lot of irregular shape with reduced frontage on a public or private street (less than 150 feet for lots 1 acre or greater and less than 75 feet for lots less than 1 acre) with dimensions which are otherwise adequate at the building line.

Flashing: Emitting a series of sudden and transient outbursts of light.

Floodplain: Any land area susceptible to be inundated by water from the base flood. As used in these regulations, the term refers to that area designated as subject to flooding from the base flood (100-year flood) on the “Flood Boundary and Floodway Map” prepared by the Federal Emergency Management Agency, a copy of which is on file in the Planning and Zoning Department.

Floodplain Special Use Permit: A permit issued by the County Commission in response to an application 2.4 for development in the floodplain as outlined in Appendix H.

Floodway: The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot. As used in these regulations, the term refers to that area designated as a floodway on the “Flood Boundary and Floodway Map” prepared by the Federal Emergency Management Agency, a copy of which is on file in the Planning and Zoning Department.

Fly ash: The very fine globular particles of silica glass which is a product of burning finely ground coal in the boiler to produce electricity, and is removed from the plant exhaust gases by air emission control devices.

Forestry: The growing or harvesting of forest tree species used for commercial or related purposes.

Fraternal or Private Club: A building or property to be used by an association of people with a common interest. The establishment belonging to the club should be operated for objects of national, social, patriotic, political, or athletic nature, or the like and should not be operated for profit. This establishment may be used by persons for recreational and eating purposes, but not for dwelling purposes. If the activities of the club more closely resemble those of another land use, the zoning classification of the other use will apply.

Frontage: That side of a lot abutting on a street or way and ordinarily regarded as the front of the lot, but it shall not be considered as the ordinary side of a corner lot.

Frontage Street: A property line which abuts a public right-of-way that provides public access or visibility to the premises.

Fugitive Dust Controls: The controls established to minimize the impact of fugitive dust on the environment. In addition to the specific controls set forth in these regulations, the County hereby also adopts prospectively the provisions of any State Implementation Plan (SIP) which may hereafter be enacted and adopted by the Missouri Department of Natural Resources. In the event that a conflict were to arise between the provisions of these regulations and any SIP, the more restrictive shall control.

Adopted on December 14th, 2000

Effective on January 1st, 2001

Revised on 9/29/2005; 10/25/2011; 11/1/2011; 04/15/2014; 4/29/2014; 7/1/2014; 8/26/2014

Garage, Private: An accessory structure for storage of private motor vehicles.

General Waste Material: The accumulation of hazardous and non-hazardous discarded materials including, but not necessarily limited to:

- Animal, fruit and vegetable matter that attends the preparing, cooking delivering in or storing of fruits, fowls or vegetables
- Common household, commercial and/or industrial trash items such as, but no limited to paper, cardboard, plastic, etc.
- Tires
- All metals
- Large batch compost pile

Golf Course: Outdoor course of nine or more holes, which could include a driving range, cart rentals, pro-shop and restaurant services.

~~**Grandfathered:** A use which is in existence as of the date new regulations, or amended regulations, are adopted. Also referred to as prior existing non-conforming uses.~~

Grandfathered: Refer to “Nonconforming Use.”

Greenhouse: An establishment where flowers, shrubbery, vegetables, trees and other horticultural and floricultural products are grown both in the open and in an enclosed building for sale on a retail basis.

Gross Floor Area: The total area of a building measured by taking the outside dimensions of the building at each floor level intended for occupancy or storage.

Groundwater: Water ~~below the land surface in the zone of saturation~~in the saturated zone beneath the land surfaces.

Groundwater Monitoring Systems: The system by which samples of groundwater are collected from wells around the Utility Waste Landfill or Non-Utility Waste Landfill and are analyzed to determine whether or not the ~~g~~Groundwater has been contaminated by leachate from the Utility Waste Landfill or Non-Utility Waste Landfill. ~~All groundwater monitoring systems shall be designed and constructed in accordance with the provision in these regulations pertaining to “construction standards”.~~ Groundwater shall be monitored by the owner of the Utility-Waste Landfill or Non-Utility Waste Landfill in compliance with the Groundwater Monitoring Program established by MDNR and as set forth in any permits for the applicable Non-Utility Waste or Utility Waste Landfill issued by MDNR. ~~monitored in accordance with “operation and maintenance standards” as set forth in these regulations.~~

Habitable Floor: Any floor usable for living purposes, which includes working, sleeping, eating, cooking, or recreation, or any combination thereof. A floor used only for storage is not a habitable floor.

Halfway House: A home for not more than nine persons who have demonstrated a tendency toward alcoholism, drug abuse, mental illness, or antisocial or criminal conduct, together with not more than two persons providing supervision and other services to such persons, eleven of whom live together as a single housekeeping unit.

Adopted on December 14th, 2000

Effective on January 1st, 2001

Revised on 9/29/2005; 10/25/2011; 11/1/2011; 04/15/2014; 4/29/2014; 7/1/2014; 8/26/2014

Handicapped or Infirm Home: A residence within a single dwelling unit for at least six but not more than nine persons who are physically or mentally handicapped or infirm, together with not more than two persons providing care or assistance to such persons, all living together as a single housekeeping unit. Persons residing in such homes, including the aged and disabled, principally need residential care rather than medical treatment.

Handicapped or Infirm Institution: An institutional facility housing and providing care or assistance for more than nine persons who are physically or mentally handicapped or infirm. Persons residing in such homes, including the aged or disabled, principally need residential care rather than medical treatment.

Heavy Construction Equipment: Refers to a class of large fuel-run driver-operated machinery, specially designed for executing construction tasks, earth-moving, heavy lifting, demolition, and digging. Typical heavy equipment includes, but is not limited to, dozers, backhoes, dump trucks, excavators, etc.

Height: The vertical distance measure from the average grade of the base of the structure at ground level to its highest point and including the main structure and all attachments thereto.

Height, Billboard (Large): The vertical distance measured from grade of the elevation of the nearest roadway to the highest point of the sign. The height of any sign base or other structure erected to support or adorn the sign is measured as part of the sign height.

Height, Billboard (Mini): The vertical distance measured from the ground elevation at the base of the sign to the highest point of the sign.

High Density: Those residential zoning districts in which the density is equal to or greater than one dwelling unit per 10,000 square feet.

High-Volume Traffic Generation: All uses other than low-volume traffic generation uses which sell retail goods.

Home Occupation: A commercial activity that: (i) is conducted by a person on the same lot (in a residential district) where such person resides, and (ii) is not so insubstantial or incidental or is not so commonly associated with the residential use as to be regarded as an accessory use (see Section 227), but that can be conducted without any significantly adverse impact on the surrounding neighborhood. Without limiting the generality of the foregoing, a use may not be regarded as having an insignificantly adverse impact on the surrounding neighborhood if: (i) goods, stock in trade, or other commodities are displayed outside any building or structure, (ii) any on-premises retail sales occur, (iii) more than one person not a resident on the premises is employed, part time or full time, in connection with the purported home occupation, (iv) it creates objectionable noise, fumes, odor, dust or electrical interference, or (v) more than 25 percent of the total gross floor area of residential buildings plus other buildings housing the purported home occupation, or more than 500 square feet of gross floor area (whichever is less), is used for home occupation purposes.

The following is a nonexclusive list of examples of enterprises that may be home occupations if they meet the foregoing definitional criteria: (i) the office or studio of a physician, dentist, artist, musician, lawyer, architect, engineer, teacher, or similar professional, (ii) workshops, greenhouses, or kilns, (iii) dressmaking or hairdressing studios.

Adopted on December 14th, 2000

Effective on January 1st, 2001

Revised on 9/29/2005; 10/25/2011; 11/1/2011; 04/15/2014; 4/29/2014; 7/1/2014; 8/26/2014

Hotel: A commercial establishment where accommodations are provided for compensation, with or without meals, including related customary services, and in which ingress and egress to and from all rooms are made through an inside office or lobby supervised by a person in charge at all hours. Also, no provisions for cooking are allowed in individual rooms or suites.

HUD Code: The National Manufactured Housing Construction and Safety Standards Act of 1974 (42 USC 5401 *et seq.* as amended) and the regulations promulgated by the United States Department of Housing and Urban Development thereto (24 CFR Part 3282), commonly known as the “HUD Code.”

Hunting: Pursuit of game animals, principally as sport.

Improvement: Any manmade item or alteration that becomes part of, is placed in or is affixed to land with the intention of being permanent.

Improvement Plan: The engineering drawings intended to be used in the construction of street, trail, water, sewer, drainage, drainage facilities, landscape facilities and appurtenances.

In Use: Notwithstanding anything elsewhere in the Unified Land Use Regulations, including, without limitation, Article 6, for the purposes of Section 236 a “cell” of a Utility Waste Landfill shall be “In Use” and may be completed, notwithstanding any subsequent change in such regulations to the contrary, upon the earlier of: (a) (i) approval by MDNR of the design and engineering plans for such cell, as evidenced by the issuance by MDNR of a construction permit, a permit modification or other similar authorization and (ii) commencement of construction of such cell or any other component of the Utility Waste Landfill at least thirty (30) days prior to the effective date of such change in such regulations; or (b) completion of 10 percent of the construction of such cell, as measured by construction cost, including, without limitation, “soft costs” such as land acquisition, engineering and design, pursuit of governmental approvals and planning costs, allocable to such completed construction relative to the total construction cost of such cell. For purposes of this definition “construction” of a cell shall be deemed to have “commenced” upon the commencement of grading or other movement of earth following the issuance of an MDNR construction permit. For the purposes of these regulations a “cell” shall be in “use” if the design and construction plans for such cell have been approved by the Independent Professional Registered Engineer prior to the commencement of construction on any cell or any other component of the landfill and has had waste deposited therein at least ten (10) days prior to the effective date of any new regulation or amendment of the existing regulations. As set forth in the construction requirements, construction of a new “cell” shall not commence prior to the capacity level of all active cells being filled to the level of 70%, except as provided in Section 236 Subsection B, 7, b.

Incidental Sign: A sign, generally informational, that has a purpose secondary to the use of the property on which it is located, such as “no parking,” “loading only,” “telephone” and other similar directives.

Independent Contractor: A person, business or corporation who provides services to other entities under terms specified in a contract or within a verbal agreement. Typical categories include general contractors, self-employed truck drivers, etc.

Independent Registered Professional Engineer (IRPE): The individual selected by the Franklin County Commission to:

- ~~Verify~~ Review and confirm all designs of any type of Non-Utility Waste or Utility Waste ~~Landfill~~ submitted in accordance with Section 236 to insure compliance with the applicable

Adopted on December 14th, 2000

Effective on January 1st, 2001

Revised on 9/29/2005; 10/25/2011; 11/1/2011; 04/15/2014; 4/29/2014; 7/1/2014; 8/26/2014

~~subsection of Section 236 for review in order to insure compliance with these regulations and regulations promulgated by MDNR;~~

- ~~• To insure that construction is in accordance with the plans as submitted~~To monitor in accordance with accepted engineering principals and practice, to monitor construction to determine if there are any inconsistencies with the plans as submitted under Section 236 and the ongoing construction;
- ~~• To test all required samples, and~~
- To assist the Environmental Resource Officer with insuring that all landfills are being operated and maintained in accordance with ~~these regulations~~Section 236 as well as to perform such other duties as set forth in these regulations. If necessary, the Independent Registered Professional Engineer is authorized to subcontract with a Registered Professional Geologist licensed in Missouri. The owner/operator shall pay all fees and expenses charged by the Independent Registered Professional Engineer, whether for direct or subcontracted services, in performing its obligations under Section 236. The Independent Registered Professional Engineer shall be licensed by the State of Missouri and must be experienced in the areas of landfill engineering, groundwater system design and ~~monitoring~~ groundwater ~~samples~~ quality analysis. In selecting the Independent Registered Professional Engineer, the County Commission shall also give consideration to the Engineer's experience in landfill design and construction. The selection of the Independent Registered Engineer shall be in the sole and exclusive discretion of the Franklin County Commission.

Industrial Equipment: A power-driven machine (or a group of machines working together in a coordinated manner), not portable by hand while working, that is used to manufacture or to process material by cutting; forming; pressure; electrical, thermal, or optical techniques; lamination; or a combination of these processes. It can include associated equipment used to transfer material or tooling, including fixtures, to assemble/disassemble, to inspect or test, or to package.

Intermediate Care Home: A facility maintained for the purpose of providing accommodations for not more than seven occupants needing medical care and supervision at a lower level than that provided in a nursing care institution but at a higher level than that provided in institutions for the handicapped or infirm.

Intermediate Care Institution: An institutional facility maintained for the purpose of providing accommodations for more than seven persons needing medical care and supervision at a lower level than that provided in a nursing care institution but at a higher level than that provided in institutions for the handicapped or infirm.

Intermittent: Occurring at intervals.

Junior Real Estate Sign: A sign that is less than or equal to thirty-two (32) square feet in size and advertises the sale of a property. Such signs shall be located out of rights-of-way and have permission from property owners.

Kennel, Large: A commercial operation that: (i) provides food and shelter and care of animals for purposes not primarily related to medical care (a kennel may or may not be run by or associated with a

Adopted on December 14th, 2000

Effective on January 1st, 2001

Revised on 9/29/2005; 10/25/2011; 11/1/2011; 04/15/2014; 4/29/2014; 7/1/2014; 8/26/2014

veterinarian), or (ii) engages in the breeding of animals for sale. Kennel, large shall have more than 10 total animals.

Kennel, Small: A commercial operation that: (i) provides food and shelter and care of animals for purposes not primarily related to medical care (a kennel may or may not be run by or associated with a veterinarian), or (ii) engages in the breeding of animals for sale. Kennel, small shall have no more than 10 total animals.

Laboratory: A building or portion thereof in which scientific, medical or dental research, investigation or testing is conducted.

Land Disturbance: Any activity involving the clearing, cutting, excavating, filling or grading of land or any other activity that alters land topography or vegetative cover. A land disturbance permit is required when one (1) acre or more of land is disturbed.

Large Batch Compost Pile: A collection, more than 30 cubic feet, of organic and kitchen refuse set up so that it decomposes for use in fertilizing and conditioning a garden or yard. Properties located in the Non-Urban and Agricultural (NUA) zoning district shall be exempt.

Large Real Estate Sign: A sign that is greater than thirty-two (32) square feet in size and advertises the sale of a property and is located on the property which is advertised as being for sale. Any large real estate sign not on the property which is being advertised as being for sale shall fall under billboard (mini).

Landing Field: A parcel of ground large enough and flat enough for a small one or two engine aircraft to land and take off

Lateral Extensions: See definition of "Cells."

Leachate: Liquid that has passed through or emerged from solid waste and contains soluble, suspended or miscible materials removed from such waste.

Leachate Collection System: Any combination of landfill base slopes, liners, permeable zones, pipes, sumps, pumps or retention structures that is designed, constructed and maintained to monitor leachate generation in a solid waste disposal area and collect and remove leachate as necessary to reduce leachate depth over a landfill base.

~~**Leachate:** Liquid that has passed through or emerged from solid waste and contains soluble, suspended or miscible materials removed from such waste.~~

~~**Leachate Collection and Removal System:** Any combination of landfill base slopes, liners, permeable zones, pipes, sumps, pumps or retention structures that is designed, constructed and maintained to monitor leachate generation in a solid waste disposal area and collect and remove leachate as necessary to reduce leachate depth over a landfill base.~~

License Fee: The initial and annual fee set forth in Section 236 Subsection B, 4, c, which must be paid by the owner/operator to obtain the initial license to construct and operate a Utility Waste Landfill or a Non-Utility Waste Landfill and the annual renewal required for such license.

Adopted on December 14th, 2000

Effective on January 1st, 2001

Revised on 9/29/2005; 10/25/2011; 11/1/2011; 04/15/2014; 4/29/2014; 7/1/2014; 8/26/2014

~~**License to Operate:** Permission granted by the Franklin County Commission for an owner/operator to operate a Utility Waste Landfill in a given area. Licenses shall only be issued to owners/operators of facilities which are designed, constructed and operated in compliance with these regulations.~~

Loading and Unloading Area: That portion of the vehicle accommodation area used to satisfy the requirements of parking.

Local Road: Comprised of all facilities not included on one of the higher systems. Enables travel from residences over short distances to reach routes of higher classification and provides uncontrolled access to adjacent land.

Lot: A tract of land, within a subdivision, whose boundaries have been established by some legal instrument such as a recorded subdivision map and which is recognized as a separate entity for purposes of transfer of title.

Lot Area: The total area circumscribed by the boundaries of a lot, except that when the legal instrument creating a lot shows the boundary of the lot extending into a public street right-of-way, then the lot boundary for purposes of computing the lot area shall be the street right-of-way line, or if the right-of-way line cannot be determined, a line running parallel to and 30 feet from the center of the travel portion of the street.

Low Density: Those residential zoning districts in which the density is equal to or less than one dwelling unit per 40,000 square feet.

Low-Volume Traffic Generation: Uses such as furniture stores, carpet stores, major appliance stores, etc. that sell items that are large and bulky, that need a relatively large amount of storage or display area for each offered for sale, and that therefore generate less customer traffic per square foot of floor space than stores selling smaller items.

Major Subdivision: A subdivision of land which requires the installation of any utility or results in the creation of seven (7) or more lots (within a ten year time period) unless otherwise exempted by these regulations. This includes all unsubdivided developments with greater than two (2) dwelling units.

Major Subdivision Road: A road used to access five (5) or more lots or three (3) or more dwelling units. A Major Subdivision Road cannot be classified as such unless it meets the minimum requirements from the point where it leaves the publicly maintained right-of-way.

Management Areas: The area which comprises the utility waste landfill to include driveways and ancillary uses which are under the control of and managed by the operator of the utility waste landfill.

Manufacturing: To make or process (a raw material), by hand or by machine, into a finished or semi-finished product

Market Value or Fair Market Value: The price at which a free and willing seller is willing to sell and a free and willing buyer is willing to buy under normal market conditions.

Material Public Nuisances: Shall include the following:

- Construction Waste Material
- General Waste Material
- All Landfill Waste Material

Adopted on December 14th, 2000

Effective on January 1st, 2001

Revised on 9/29/2005; 10/25/2011; 11/1/2011; 04/15/2014; 4/29/2014; 7/1/2014; 8/26/2014

- More than 2 unlicensed vehicles, vessels or trailers
- Substantially destroyed buildings
- Junk, dismantles, burned, derelict or wrecked motor vehicles, mobile homes, trailers or vessels

Medical Hardship: A mobile home placed and occupied, by an immediate family member, as a residence temporarily upon a lot with an existing site built home where there is a proven medical condition warranting a family member to live close by. Existing site built home shall be constructed in accordance with the standards set forth in the Franklin County Building Code and occupied by the property owner.

Medium Density: Those residential zoning districts in which the density is between 10,000 and 40,000 square feet per dwelling unit.

Micro-Brewery: A small brewery producing fewer than 15,000 barrels of beer and ale a year with one (1) or more buildings used for the processing of beer making, sale of beer and related products and related areas for offices, laboratories, and related beer producing activities. All beer offered for sale must be produced under a State of Missouri domestics license. Retail activities are limited to the sale of beer, prepackaged food items and gift items. In addition, seventy-five (75%) of the beer for sale must be produced from hops and grains either grown on the premises or within the State of Missouri.

Micro-Distillery: A small distillery producing fewer than 500 barrels of liquor a year with one (1) or more buildings used for the processing of liquor making, sale of liquor and related products and related areas for offices, laboratories, and related beer producing activities. All liquor offered for sale must be produced under a State of Missouri domestics license. Retail activities are limited to the sale of liquor, pre-packaged food items and gift items. In addition, seventy-five (75%) of the liquor for sale must be produced from grains either grown on the premises or within the State of Missouri.

Mining: The extraction of minerals, including solids, such as soil, coal and ores; liquids, such as crude petroleum; and gases, such as natural gases.

Minor Repairs or Renovations: Repairs or renovation costs that do not exceed fifty percent (50%) of the structural value of a structure or site improvement.

Minor Subdivision: A division of land into six (6) lots or less within a 10 year period.

Minor Subdivision Road: A street used to access three (3) or four (4) lots or two (2) dwelling units. A Minor Subdivision Road cannot be classified as such unless it meets the minimum requirements from the point where it leaves the publicly maintained right-of-way

Mobile Home (Double): A structure building on a permanent chassis and transportable in one or more sections, which contains all the necessary plumbing, heating, air conditioning and electrical systems and is designed to be used as a dwelling with or without a permanent foundation. Mobile home (double) shall be at least twenty-four (24) feet in width by forty (40) feet in length with a pitched roof and siding and roofing materials similar in appearance as provided in the building code for single family dwellings.

Mobile Home (Single): A structure building on a permanent chassis and transportable in one or more sections, which contains all the necessary plumbing, heating, air conditioning and electrical systems and

Adopted on December 14th, 2000

Effective on January 1st, 2001

Revised on 9/29/2005; 10/25/2011; 11/1/2011; 04/15/2014; 4/29/2014; 7/1/2014; 8/26/2014

is designed to be used as a dwelling with or without a permanent foundation. Mobile home (single) shall be at least fourteen (14) feet in width by forty eight (48) feet in length.

Mobile Home Park Subdivision: A parcel of land, under one ownership, that has been planned and improved for the placement of two or more mobile homes for rental purposes for nontransient use.

Mobile Storage: The use of any motor vehicle, trailer, mobile home, units originally designed to be used with semi-tractors or similar vehicles for storage.

Modification: Any addition, deletion, or change, including the addition or replacement of antennas, or any change to a structure requiring a building permit and/or governmental approval.

Modular Home: A home which is constructed off-site and so designed to be transported to, and/or assembled on, the permanent building site, and, which complies with the Uniform Building Code requirements for a single family home.

Motel: Any building or group of buildings containing guest rooms or dwelling units, available to the general public for compensation with access from each room to a readily accessible off-street parking area used by patrons of the building(s).

Motor Home: A motor vehicle built on a truck or bus chassis and designed to serve as self-contained living quarters for recreational travel.

Motor Vehicle: A self-propelled device used for the transportation of people or goods over land surfaces and licensed as a motor vehicle.

Motor Vehicle Rental: A facility engaged in the rental of automobiles and light trucks and vans, including incidental parking and servicing of vehicles for rent.

Motor Vehicle Sales: The use of any building or portion thereof, or other premises or portion thereof, for the display, sale or lease of new or used motor vehicles.

Motor Vehicle Service: The use of a building or premises for the repair of automobiles, motorcycles, trucks, trailers or similar vehicles or the installation or repair of equipment or parts on motorized vehicles, such as mufflers, brakes, tires, radios, transmissions, bodies (including painting) glass and engines or engine parts, but excluding dismantling or salvage.

Multi-Family: A residential use consisting of a building containing three or more dwelling units. For purposes of this definition, a building includes all dwelling units that are enclosed within that building or attached to it by a common floor or wall (even the wall of an attached garage or porch).

Natural Water Table: The level at which water stands in a fully saturated unconfined aquifer as measured by shallow piezometers or wells. The natural water table is under static hydrologic conditions and uninfluenced by groundwater pumping or other engineered activities.

Non-Utility Waste Landfill or (Non-UWL): A parcel of land, or structure specifically designed and built as a landfill, used for the disposal of waste materials. A non-utility waste landfill can be built into or on top of the ground provided that waste materials are isolated from the surrounding environment (groundwater, air, surface water). This isolation is accomplished through the use of a composite bottom

Adopted on December 14th, 2000

Effective on January 1st, 2001

Revised on 9/29/2005; 10/25/2011; 11/1/2011; 04/15/2014; 4/29/2014; 7/1/2014; 8/26/2014

liner and a daily covering of clean soil. The operators of all non-utility waste landfills are strongly encouraged to provide set aside areas for plastic, glass, metal, cardboard and paper recycling facilities.

Nonconforming Lot: A lot existing on the effective date of these regulations (and not created for the purposes of evading the restrictions of these regulations) that does not meet the minimum area requirement of the district in which the lot is located.

Nonconforming Project: Any structure, development, or undertaking that is incomplete at the effective date of these regulations and would be inconsistent with any regulation applicable to the district in which it is located if completed as proposed or planned.

Nonconforming Structure: A structure that legally existed prior to the adoption date of these regulations, but which is not in compliance with the requirements of this ordinance for the district in which the structure is located.

Nonconforming Use: A use that lawfully occupied a building or land at the time these regulations, [or amended regulations](#), and that does not conform to the use regulations of the district in which it is located.

Nursing Care Home: A facility maintained for the purpose of providing skilled nursing care and medical supervision at a lower level than that available in a hospital to not more than nine persons.

Nursing Care Institution: An institutional facility maintained for the purpose of providing skilled nursing care and medical supervision at a lower level than that available in a hospital to more than nine persons.

Off-Premise Advertising: A sign that draws attention to or communicates information about a business, service, commodity, accommodation, attraction or other activity that is conducted, sold, or offered at a location other than the premises on which the sign is located. Billboards and mini-billboards are considered off-premise advertising.

Office: The use of any building or premises primarily for conducting the affairs of a business, profession, service, industry or government and generally furnished with desks, tables, files and communication equipment. All offices can have up to two (2) commercial vehicles stored on premise.

- **Independent Contractor or Construction Business Office:** An office primarily engaged in the provision of services relating to an independent contractor or construction business.
- **Business Office, General:** An office used primarily for the administrative or legal affairs of a company.
- **Medical or Dental Office:** An office occupied and maintained for the provision of services by a person licensed by the State of Missouri to practice in the healing arts for humans, such as a physician, surgeon, dentist or optometrist.
- **Professional Office:** An office occupied by a member of a recognized profession and maintained for the provision of professional services, such as, but not limited to, an attorney, architect, engineer, planner, landscape architect, interior designer, accountant, financial planner, auditor, bookkeeper, realtor, brokerage for securities or commodities, secretarial services or title company.

Adopted on December 14th, 2000

Effective on January 1st, 2001

Revised on 9/29/2005; 10/25/2011; 11/1/2011; 04/15/2014; 4/29/2014; 7/1/2014; 8/26/2014

Official Signs: Any federally regulated signs, official signs and notices, public service signs, directional (federal, state, or local government agencies), or MoDOT tourist destinations.

On-Site Sewage Treatment System: Any approved system that treats and disposes of sewage affluent on the property from which such sewage is generated.

Open Space: Property within a subdivision, to be maintained by the developer and/or owner, in an undeveloped state in a manner approved by these regulations, to be used for passive or active recreation; sediment, erosion or stormwater control; or for preservation of natural features.

Operating Permit: [The issuance or renewal of permission granted by the Franklin County Commission for an owner/operator to operate a Utility Waste Landfill or a Non-Utility Waste Landfill in a given area. A permit to operate shall only be issued to owners/operators of facilities which are designed and constructed and are operated in compliance with Section 236.](#)

Outdoor Advertising: An outdoor sign, display or device, figure, painting, drawing, message, plaque, billboard, or thing used to advertise or inform and any part of which message is visible from the traveled right-of-way.

Parcel: A tract or plot of land of any size that may or may not be subdivided or improved.

Parking Area Aisles: A portion of the vehicle accommodation area consisting of lanes providing access to parking spaces.

Parking Space: A portion of the vehicle accommodation area set aside for the parking of one vehicle.

Performance Guarantee Agreement: Any security that may be accepted by the County to ensure that the improvements required as part of an application for development will be satisfactorily completed.

Permit Fee: [The initial fee set forth in Section 236, Subsection B, 4, c, which must be paid by the owner/operator to obtain and renew the annual permit to construct and operate a Utility Waste Landfill or a Non-Utility Waste Landfill and the annual renewal required for such permit.](#)

Person: Includes any individual or group of individuals, corporation, partnership, association, or any other entity including Federal, State and local governments and agencies.

Planned Unit Development: A development guided by a total design plan in which one or more of the zoning or subdivision regulations, other than use regulations, may be waived or varied to allow flexibility and creativity in site and building design and location, in accordance with general guidelines.

Planning and Zoning Commission: Planning and Zoning Commission, Franklin County, Missouri.

Planning Director: The chief administrator of the Franklin County planning department.

Planning Jurisdiction: The unincorporated Franklin County.

Principal Building: The primary building on a lot or a building that houses a "Use, Principal".

Adopted on December 14th, 2000

Effective on January 1st, 2001

Revised on 9/29/2005; 10/25/2011; 11/1/2011; 04/15/2014; 4/29/2014; 7/1/2014; 8/26/2014

Print Shop: An establishment in which the principal business consists of duplicating and printing services using photocopy, blueprint, or offset printing equipment. This type of printing would fall under a sale of a service.

Printing, Industrial: A commercial printing operation involving a process that is considered printing, imprinting, reproducing, duplicating images and using printing methods including but not limited to offset printing, lithography, web offset, flexographic and screen process printing.

Public Improvement: Any improvement, facility or service together with its associated public site or right-of-way necessary to provide transportation, drainage, public utilities, cable or similar essential services.

Public Park/Playground: A land use designed principally to offer recreation, passive or active, to the public.

Public Water Supply System: Any water supply system, whether privately or publicly operated, furnishing potable water and regulated by the Missouri Department of Natural Resources as a public water supply system.

Quarrying: The business, occupation, or act of extracting useful material from quarries.

Quarry: An open excavation usually for obtaining building stone, slate, or limestone.

Receive-Only Earth Station: An antenna and attendant processing equipment for reception of electronic signals from satellites.

Recreation Area: Areas that provide opportunities for passive recreation, such as trails and undeveloped fields, or active recreation, such as ball fields, courts and swimming pools.

Recreational Vehicle (RV): A vehicular-type built on a single chassis designed as temporary living quarters for recreational, camping, or travel use, with or without motor power including, but not limited to, travel trailers, truck campers, camping trailers and self-propelled motor homes.

Recycling Center: An establishment engaged in the processing, collection and transfer, but not storage, of recyclable materials. Typical recyclable materials include glass, paper, plastic, cans, or other source-separated, non-putrescible materials. For purposes of this use, “recyclable materials” shall not include motor oil, chemicals, household appliances, tires, automobiles, automobile parts putrescible materials or hazardous waste materials.

Registered Engineer: An engineer properly licensed and registered in the State of Missouri.

Registered Land Surveyor: A land surveyor properly licensed and registered in the State of Missouri.

Religious Use: A church or place of worship or religious assembly with related facilities where persons regularly assemble for religious purposes and related social events and which building, together with its accessory building is used, maintained and controlled by a religious body organized to sustain religious ceremonies and purposes.

Remnant Parcel: An otherwise undivided piece or ground cut off from the bulk of said parcel by a public roadway, such as a County road or State Highway. Such parcels shall be considered separate, independent

Adopted on December 14th, 2000

Effective on January 1st, 2001

Revised on 9/29/2005; 10/25/2011; 11/1/2011; 04/15/2014; 4/29/2014; 7/1/2014; 8/26/2014

tracts, and may be sold without virtue of formal subdivision. The creation of a remnant parcel by a privately-owned roadway does not divide the land.

Repair Shop, Miscellaneous: A business establishment primarily engaged in specialized repair services, such as bicycle repair, leather goods repair, lock and gun repair, musical instrument repair, cleaning, furnace cleaning.

Research Services: Establishments primarily engaged in research of an industrial or scientific nature, but excludes final product testing. Typical uses include electronics research laboratories, space research and development firms, medical laboratories or pharmaceutical research labs.

Right-of-way: A strip of land dedicated, prescribed or condemned and intended to be used as a street, trail, water line, sanitary sewer, railroad and/or other public utilities or facilities.

Roadway: The paved or improved portion of a street/road, designed or ordinarily used for vehicular travel including shoulders, auxiliary lanes, curbs, sidewalks, etc.

Rural Major Collector: Serves travel of intra-county importance by connecting them with rural traffic generators. These roads link rural areas of significant traffic generation with each other or routes of higher classification.

Rural Minor Arterial: Provides linkage between cities and towns and is a critical component of an integrated, statewide roadway network by providing interstate and inter-county service.

Rural Minor Collector: Connects traffic generators of intra-county or local importance with the least populated rural areas. Characterized by the following characteristics:

- Serves remaining smaller communities not served by routes of higher classification
- Connects local roads with routes of higher classification

RV Park: An area where facilities are provided for recreational or camping vehicles, travel trailers or other portable habitation, utilized by the public as a place for camping, vacationing or temporary usage, which are in place for not more than 90 consecutive days. The park may include certain recreational or service facilities for the use of the residents of the park.

Sale or Lease: Any immediate or future transfer of ownership, including contract of sale or transfer, of an interest in a subdivision or part thereof, whether such transfer is of fee simple title or some lesser estate, including leasehold estate, and whether by metes and bounds, deed, contract, plat, map or other written instrument.

Second Dwelling: A residence (which may be a mobile home) that is: (i) located on the same lot as a residence made uninhabitable by fire, flood, or other natural disaster and occupied by the persons displaced by such disaster, or (ii) located on the same lot as a residence that is under construction or undergoing substantial repairs or reconstruction and occupied by the persons intending to live in such permanent residence when the work is completed, or (iii) located on a nonresidential construction site and occupied by persons having construction or security responsibilities over such construction site.

Self-Storage Units: Buildings and/or structures containing spaces of varying sizes leased, rented or sold on an individual basis and used exclusively for the storage of excess property.

Adopted on December 14th, 2000

Effective on January 1st, 2001

Revised on 9/29/2005; 10/25/2011; 11/1/2011; 04/15/2014; 4/29/2014; 7/1/2014; 8/26/2014

Shelter: A building for the protection and security of communications equipment associated with one or more antennas and where access to equipment is gained from the interior of the building. Human occupancy for office or other uses or the storage of other materials and equipment not in direct support of the connected antennas is prohibited.

Shooting Range, Indoor: A facility designed to offer a totally controlled shooting environment that includes impenetrable walls, floor and ceiling, adequate ventilation, lighting systems and acoustical treatment for sound attenuation suitable for the range's approved use.

Shooting Range, Outdoor: A permanently located and improved area that is designed and operated for the use of rifles, shotguns, pistols, silhouettes, skeet, trap, black powder or any other similar sport shooting in an outdoor environment. Outdoor shooting ranges are usually backed by a high retaining wall, earth mound, sandbag barrier or specially designed funnel-shaped traps to prevent the ricochet of bullets or shots going outside the bounds of the shooting range.

Sign Permit: A permit issued by the Administrator that authorizes the recipient to erect, move, enlarge, or substantially alter a sign.

Single Family Dwelling: A building designed exclusively for and occupied exclusively by one family.

Site Built Home: A house built entirely on-site, with no sections preassembled in a factory.

Site Triangle: The areas of visibility required on a corner to allow for the safe operations of vehicles, trains, pedestrians and cyclists in the proximity of intersecting streets, rail lines, sidewalks and bicycle paths. It is created by the curb line, or edge of pavement without curb, of each street, alley or driveway extended to a point, and a line drawn between two (2) points on the curb line, or edge of pavement without curb, of each street.

Sketch Plan: A hand-drawn or certified drawing of the property including the following:

- Location of subdivision, development or commercial activity
- Location and names of roads
- Number of lots
- Acreage of lots, property involved in the development or property involved in the commercial activity
- Other information that will help clarify the subdivision, development or commercial activity

Small Aircraft: An aircraft that has a maximum gross take-off weight of 12,500 lb or less.

Small Batch Compost Pile: A collection, 30 cubic feet or less, of organic and kitchen refuse set up so that it decomposes for use in fertilizing and conditioning a garden or yard.

Special Events, Occasional: Circuses, fairs, carnivals, festivals, or other types of special events that are intended to or likely to attract substantial crowds and are unlike the customary or usual activities generally associated with the property where the special event is to be located.

Special Events, Periodic: An event which is not continual but which happens more frequent than special events, occasional. These types of events are held in an identified facility or structure which is permanent in nature. The types of events which comprise this classification include, but are not limited to: wedding

Adopted on December 14th, 2000

Effective on January 1st, 2001

Revised on 9/29/2005; 10/25/2011; 11/1/2011; 04/15/2014; 4/29/2014; 7/1/2014; 8/26/2014

celebrations, anniversary celebrations, birthday parties, business conferences, holiday celebrations and graduation celebrations. The preparation and service food staffs shall be subject to all applicable County and State health regulations. The servicing and dispensing of alcoholic beverages shall be subject to all applicable County and State liquor license requirements.

Stacked Sign: A sign with one or more displays placed one above another on a single structure.

Stable, Boarding: A structure designed for the feeding, housing, and exercising of horses not owned by the owner of the premises.

Stable, Private: An accessory structure for the keeping of horses, ponies or mules owned by occupants of the premises, and not kept for the remuneration, hire or sale.

Stable, Riding: A commercial enterprise in which horses or ponies are rented, used exclusively for pleasure riding or driving, are housed boarded or kept for the use of persons that do not occupy the premises and provide equestrian instruction.

Stealth Structure: Any free standing, man-made structure designed for the support of antennas, the presence of which is camouflaged or concealed as an appropriately placed architectural or natural feature. Depending on the location and type of disguise used, such concealment may require placement underground of the utilities leading to the structure. Such structures may include but are not limited to buildings at least 3 stories, clock towers, campaniles, observation towers, water towers, light standards, flag poles and artificial trees.

Stormwater Lots: Subdivision lots being used for water retention or detention areas. These areas shall not be included as part of the subdivision lot but shall be dedicated as open space.

Stream Buffer: An area of land adjacent to streams where vegetation is strongly influenced by the presence of water.

Street: An improved way for the conveyance of motor-driven, rubber-tired vehicles, such as automobiles and trucks. A street is sometimes referred to as "road", "roadway", "highway" or "thoroughfare".

Structure: Anything constructed or erected, the use of which requires permanent location on the ground or attached to something having a permanent location on the ground including but not limited to fences, signs, kiosks or similar uses.

Subdivider: Any person (1) having an interest in land, causes it, directly or indirectly, to be divided into a subdivision; or who (2) directly or indirectly, sells, leases or develops or offers to sell, lease or develop, or advertises for sale, lease or development, any interest, lot, parcel, site, unit or plot in a subdivision; or who (3) engages directly or through an agent in the business of selling, leasing, developing or offering for sale, lease or development a subdivision or any interest, lot, parcel, site, unit or plat in a subdivision; and who (4) is directly or indirectly controlled by, or under direct or indirect common control with any of the foregoing.

Subdivision: The division of a lot, tract or parcel of land into more than two (2) non-exempt lots, tracts or other divisions of land.

Adopted on December 14th, 2000

Effective on January 1st, 2001

Revised on 9/29/2005; 10/25/2011; 11/1/2011; 04/15/2014; 4/29/2014; 7/1/2014; 8/26/2014

Substantially Destroyed: Any residential, commercial or industrial building with one or more walls or roof that has a surface area of 50% or more that has collapsed and has been substantially destroyed for 90 days or more.

Surface Water: All rivers, lakes, streams or other bodies which are not subsurface and are considered to be waters of the state, as defined by Chapter 644 of the Missouri Revised Statutes.

Temporary Emergency, Construction, or Repair Residence: A residence (which may be a mobile home) that is: (i) located on the same lot as a residence made uninhabitable by fire, flood, or other natural disaster and occupied by the persons displaced by such disaster, or (ii) located on the same lot as a residence that is under construction or undergoing substantial repairs or reconstruction and occupied by the persons intending to live in such permanent residence when the work is completed, or (iii) located on a nonresidential construction site and occupied by persons having construction or security responsibilities over such construction site.

Tower: Any structure whose principal function is to support of one or more antennas and including, but not limited to, guyed towers, self-supporting (lattice) towers or monopole, but not stealth structures or buildings. Includes radio or television transmitting and receiving towers with accessory transmitting stations. This definition shall not restrict the right of governmental or public service agencies to locate such towers for their own specific needs.

Tract: Any piece of land that is not in a subdivision.

Trash Transfer Facility: A site, which has a fully enclosed structure that accepts solids for temporary storage or consolidation and for transfer to a waste disposal, processing or storage facility. Any such facility shall not have any open storage of any solid or liquid waste products and must be kept clean at all times.

Trailer: Any vehicle without motive power designed for carrying property or passengers on its own structure and for being drawn by a self-propelled vehicle, including a semitrailer or vehicle of the trailer type so designed and used in conjunction with a self-propelled vehicle that a considerable part of its own weight rests upon and is carried by the towing vehicle.

Travel Trailer: A structure that (i) is intended to be transported over the streets and highways (either as a motor vehicle or attached to or hauled by a motor vehicle) and (ii) is designed for temporary use as sleeping quarters but that does not satisfy one or more of the definitional criteria of mobile home.

Tri-Vision Billboard: Mechanical signs with three (3) or more separate faces on rotating panels that can be programmed to move in several ways at different time intervals.

Truck Terminal: A facility where trucks are loaded and unloaded, temporarily stored, or dispatched.

Unbuildable Land: The area of a site that includes wetlands and submerged areas, stream buffers and sinkholes. Such areas shall not be included in any lots where the density exceeds one unit per acre. These areas shall be labeled as open space or common ground on the plat.

Unsubdivided Development: Multi-family and condominium developments with one or more buildings and including three (3) or more dwelling units on one tract.

Adopted on December 14th, 2000

Effective on January 1st, 2001

Revised on 9/29/2005; 10/25/2011; 11/1/2011; 04/15/2014; 4/29/2014; 7/1/2014; 8/26/2014

Use: Any purpose for which a lot, building or other structure or a tract of land may be designated, arranged, intended, maintained or occupied; or any activity, occupation, business or operation carried on or intended to be carried on in a building or other structure or on a tract of land.

Use, Permitted: A use permitted in a district without the need for special administrative review and approval, upon satisfaction of the standards and requirements of these regulations.

Use, Principal: the primary or predominant use of any lot, building or structure.

~~**Utility:** Any agency that, under public franchise or ownership or under certificate of convenience and necessity, provides the public with electricity, gas, communication, water, sewage collection, rail transportation or other such service. This definition shall also include a closely regulated private enterprise with exclusive franchise for providing a public service.~~

~~**Utility Facilities:** Any above ground structures or facilities (other than buildings, unless such buildings are used as storage incidental to the operation of such structures or facilities) owned by a governmental entity, a nonprofit organization, a corporation, or any entity defined as a public utility for any purpose by the Missouri Public Service Commission and used in connection with the production, generation, transmission, delivery, collection, or storage of water, sewage, electricity, gas, oil, or electronic signals.~~

~~**Utility Facilities, Community or Regional:** All utility facilities other than neighborhood facilities.~~

~~**Utility Facilities, Neighborhood:** Utility facilities that are designed to serve the immediately surrounding neighborhood and that must, for reasons associated with the purpose of the utility in question, be located in or near the neighborhood where such facilities are proposed to be located.~~

~~**Utility Waste:** Waste generated in connection with the combustion of coal and other fossil fuels such as but not necessarily limited to fly ash waste, bottom ash waste, slag waste or flue gas emission control waste.~~

~~**Utility Waste Landfill:** Any parcel of land on which are situated any improvements constructed or used for disposal, management, reclamation or recycling of fly ash waste, bottom ash waste, slag waste, flue gas emission control waste or other solid wastes generated primarily in connection with the combustion of coal or other fossil fuels, or uses in support thereof or accessory thereto, including, without limitation, water retention and management areas.~~ A solid waste disposal area used for fly ash waste, bottom, ash waste, slag waste and flue gas emission control waste generated primarily from the combustion of coal or other fossil fuels, and includes uses in support thereof or accessory thereto, including, without limitation, water retention and management areas.

Vacation: The official abandonment of public right-of-way, subdivision or easement by the County in accordance with State law.

Variance: A grant of relief by the Board of Zoning Adjustment from the terms of the regulations. For floodplain management variances, the Flood insurance requirements remain in place for any varied use or structure and cannot be varied by the board.

Vehicle: Any mechanical device on wheels, designed primarily for use or used on any public thoroughfare.

Adopted on December 14th, 2000

Effective on January 1st, 2001

Revised on 9/29/2005; 10/25/2011; 11/1/2011; 04/15/2014; 4/29/2014; 7/1/2014; 8/26/2014

Vehicle Accommodation Area: That portion of a lot that is used by vehicles for access, circulation, parking, and loading and unloading. It comprises the total of circulation areas, loading and unloading areas, and parking areas.

Vessel: Every motorboat and every description of motorized watercraft, and any watercraft more than twelve (12) feet in length which is powered by sail alone or by a combination of sail and machinery, used or capable of being used as a means of transportation on water, but not any watercraft having as the only means of propulsion a paddle or oars.

Veterinary Clinic: An establishment providing veterinary medical care and treatment to animals large and small.

Violation: The failure of a structure, other development or parcel of land to be fully compliant with these regulations. For the purpose of floodplain management, a structure, other development or parcel of land without the elevation certificate, other certificates or other evidence of compliance required by Article 11 and Appendix H, is presumed to be in violation until such time as that documentation is provided.

Warehouse Distribution Center: A warehouse or other specialized building which is stocked with products (goods) to be redistributed to retailers, to wholesalers, or directly to consumers rather than on storage.

Waste Landfill(s): Non-Utility Waste Landfill(s) and Utility Waste Landfill(s).

Waste Materials: The accumulation of non-hazardous materials including but not necessarily limited to:

- Animal, fruit and vegetable matter that attends the preparing, cooking, delivering in or storing of fruits, fowls or vegetables.
- [Fly ash used as ballast material or in the construction of berms as part of a Utility Waste Landfill shall not be considered “waste”, provided that MDNR has approved such application and usage as part of its permitting process.](#)
- Common household, commercial and industrial trash items such as but not limited to paper, cardboard, plastic, etc.

Wholesale: The selling of goods in large quantities to be retailed by others

Winery: One (1) or more buildings used for the processing of wine and juice making material, sale of wine and related products, and related areas for offices, laboratories, and related wine producing activities. All wine offered for sale at the winery must be produced under a State of Missouri domestic license. Retail activities are limited to the sale of grapes, juice, wine, pre-packaged food and gift items. In addition, seventy-five percent (75%) of the wine for sale on site must be produced from grapes either grown on the premises or within the State of Missouri.

Wooded Area: An area of contiguous wooded vegetation where trees are at a density of at least one six inch or greater caliper tree per 325 square feet of land and where the branches and leaves form a contiguous canopy.

Yard Waste: Leaves, grass clippings, yard and garden vegetation. Yard waste shall not include stumps, roots or shrubs with intact root balls.

Adopted on December 14th, 2000

Effective on January 1st, 2001

Revised on 9/29/2005; 10/25/2011; 11/1/2011; 04/15/2014; 4/29/2014; 7/1/2014; 8/26/2014

|

Zoning Enforcement Officer: The officer designated by the County Commission as the officer responsible for enforcing and administering the requirements of the regulations.

DRAFT

Adopted on December 14th, 2000

Effective on January 1st, 2001

Revised on 9/29/2005; 10/25/2011; 11/1/2011; 04/15/2014; 4/29/2014; 7/1/2014; 8/26/2014

|

Zoning Permit. A permit issued by the Administrator that authorizes the recipient to make use of property in accordance with the requirements of these regulations.

Section 16: Lots Divided by District Lines

- A. Whenever a single lot ten acres or less in size is located within two or more different zoning districts, the district regulations applicable to the district within which the larger portion of the lot lies shall apply to the entire lot.
- B. Whenever a single lot greater than ten acres in size is located within two or more different zoning districts, each portion of that lot shall be subject to all the regulations applicable to the district in which it is located.

| **Sections 17 through 20: reserved**