

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 of the Revised Statute of Missouri and 10 Code of State Regulations, 20-2.010 et seq., the statutory and regulatory definitions shall control.)

100-Year Flood (for purposes of Article 11 only): see “Base Flood”.

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 Structure (for purposes of Article 11 only): The same as “Appurtenant Structure”.

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.

Actuarial Rates (for purposes of Article 11 only): See “Risk Premium Rates”.

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.

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6/20/17; 9/12/17; 9/11/18; 4/9/19; 8/13/19; 2/1/22; 2/8/22; 3/14/23

Acreage, Net: The total acreage of a lot, tract, or parcel of land excluding land in existing roads, streets, roadway easements, or rights-of-way. Unless clearly indicated to the contrary, the use of the term “acreage” in these regulations is referring to Acreage, Net.

Administrator (for purposes of Article 11 only): The Federal Insurance Administrator.

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.
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.

Agency (for purposes of Article 11 only): the Federal Emergency Management Agency (FEMA).

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 Commodities (for purposes of Article 11 only): Agricultural products and livestock.

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.

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Agricultural Structure (for purposes of Article 11 only): Any structure used exclusively in connection with the production, harvesting, storage, drying, or raising of agricultural commodities.

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 Auction House: A building, area or areas within a building used for the public sale of livestock and/or domestic animals.

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.

Annual Utility Waste Landfill Certification Fee: The initial and annual fee required with respect to Annual Compliance Certification of Utility Waste Landfills, as set forth in Section 236, Subsection B, 4, which must be paid by the owner/operator as a condition of County permission to construct and operate a Utility Waste Landfill, and the annual renewal required thereafter for such compliance certification.

Antenna: Equipment designed to transmit or receive electronic signals.

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

Appeal (for purposes of Article 11 only): A request for review of the Floodplain Administrator's interpretation of any provision of Article 11 or a request for a variance.

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.

Appurtenant Structure (for purposes of Article 11 only): A structure that is on the same parcel of property as the principle structure to be insured and the use of which is incidental to the use of the principal structure.

Area of Special Flood Hazard (for purposes of Article 11 only): The land in the floodplain within a community subject to a one percent or greater change of flooding in any given year.

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.

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6/20/17; 9/12/17; 9/11/18; 4/9/19; 8/13/19; 2/1/22; 2/8/22; 3/14/23

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

Auction House: A building, or areas within a building, used for the public sale of goods, wares, merchandise or equipment to the highest bidder. This definition excludes livestock or motor vehicles.

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 (for purposes of Article 11 only): The flood having a one percent chance of being equaled or exceeded in any given year.

Basement (for purposed of Article 11 only): Any area of the structure having its floor subgrade (below ground level) on all sides.

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.

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

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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.

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

Building (for purposes of Article 11 only): see “Structure (for purposes of Article 11 only).”

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.

Cells: The operational phases or structures of a Utility Waste Landfill, within which Utility Waste is stored, as depicted on plans approved by MDNR pursuant to a construction permit or modification thereof. Cells of a Utility Waste Landfill adjoin one another and are separated only by berms. Cells are utilized in order to manage the construction within the entire proposed Utility Waste Landfill site so that only the Cell needed at a given point in time is actually used for the depositing of Utility Waste.

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

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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.

Chief Executive Officer or Chief Elected Official (for purposes of Article 11 only): The official of the community who is charged with the authority to implement and administer laws, articles, and regulations for that community.

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 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) 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 Slaughterhouse: A facility for the slaughtering and processing 1,000 or more head of livestock or 5,000 or more birds per year and the refining of their byproducts. Less than 1,000 head of livestock or less than 5,000 birds per year see “Agricultural Processing”.

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:

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

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".

Community (for purposes of Article 11 only): Any State or area or political subdivision thereof, which has authority to adopt and enforce floodplain management regulations for the areas within its jurisdiction.

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.

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.

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

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- 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

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.

Dedicate: To set aside for, or assign to, a specific function, task or purpose without compensation.

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.

Development (for purposes of Article 11 only): Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, levees, levee systems, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials.

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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.

Domestic Animals: An animal that has been tamed and kept by humans as a pet including, but not limited to, cats, dogs, guinea pig, etc.

Driveway: A private access for ingress/egress or means of approach to provide physical entrance to a property.

Driveway (shared): A private access for ingress/egress or means of approach to provide physical entrance to multiple 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.

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, for a stated purpose including but not limited to rights-of-way 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.

Educational Use, For Profit: The use of land or a building, or buildings, that offer group instruction for a fee, for specialty classes including but not limited to classes in the various arts (e.g. pottery, painting, sculpting), physical exercise (e.g. dance, yoga, martial arts), or mixology and wine classes.

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.

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Elevated Building (for purposes of Article 11 only): For insurance purposes, a non-basement building which has its lowest elevated floor raised above ground level by foundations walls, shear walls, posts, piers, pilings, or columns.

Eligible Community or Participating Community (for purposes of Article 11 only): A community for which the Administrator has authorized the sale of flood insurance under the National Flood Insurance Program (NFIP)

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 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.

Existing Construction (for purposes of Article 11 only): For the purposes of determining rates, structures for which the “start of construction” commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before that date. “Existing Construction” may also be referred to as “Existing Structures”.

Existing Manufactured Home Park or Subdivision (for purposes of Article 11 only): A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by Franklin County.

Expansion of an Existing Manufactured Home Park or Subdivision (for purposes of Article 11 only): The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

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.

Facility: A structure or place which is built, installed, or established to serve a particular purpose.

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.

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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

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.

Flood or Flooding (for purposes of Article 11 only): A general and temporary condition of partial or complete inundation of normally dry land areas from (1) the overflow of inland and/or (2) the unusual and rapid accumulation of runoff of surface waters from any source.

Flood Boundary and Floodway Map (FBFM) (for purposes of Article 11 only): An official map of a community on which the Administrator has delineated both special food hazard areas and the designated regulatory floodway.

Flood Elevation Determination (for purposes of Article 11 only): A determination by the Administrator of the water surface elevations of the base flood, that is, the flood level that has a one percent or greater chance of occurrence in any given year.

Flood Elevation Study (for purposes of Article 11 only): An examination, evaluation, and determination of flood hazards.

Flood Fringe (for purposes of Article 11 only): The area outside the floodway encroachment lines, but still subject to inundation by the regulatory flood.

Flood Hazard Boundary Map (FHBM) (for purposes of Article 11 only): On official map of a community, issued by the Administrator, where the boundaries of the flood areas having special flood hazards have been designated as (unnumbered or numbered) A zones.

Flood Insurance Rate Map (FIRM) (for purposes of Article 11 only): An official map of a community, on which the Administrator has delineated both the special flood hazard areas and the risk premium zones applicable to the community.

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Flood Insurance Study (FIS) (for purposes of Article 11 only): An examination, evaluation, and determination of flood hazards and, if appropriate, corresponding water surface elevations.

Floodplain or Flood-Prone Area (for purposes of Article 11 only): Any land area susceptible to being inundated by water from any source (see flooding).

Floodplain Management (for purposes of Article 11 only): The operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works, and floodplain management regulations.

Floodplain Management Regulations (for purposes of Article 11 only): Zoning articles, subdivision regulations, building codes, health regulations, special purpose articles (such as floodplain and grading articles) and other applications of police power. The term describes such state and local regulations, in any combination thereof, that provide standards for the purpose of flood damage prevention and reduction.

Floodproofing (for purposes of Article 11 only): Any combination of structural and nonstructural additions, changes, or adjustments to structures that reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, or structures and their contents.

Floodway or Regulatory Floodway (for purposes of Article 11 only): 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.

Floodway Encroachment Lines (for purposes of Article 11 only): The lines marking the limits of floodways of Federal, State and local floodplain maps.

Flowering Plant: A marijuana plant from the time it exhibits the first signs of sexual maturity through harvest.

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.

Freeboard (for purposes of Article 11 only): A factor of safety usually expressed in feet above a flood level for purposes of floodplain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as bridge openings and the hydrological effect of urbanization of the watershed.

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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.

Functionally Dependent Use (for purposes of Article 11 only): A use that cannot perform its intended purpose unless it is located or carried out in close proximity to water. This term includes only docking facilities and facilities that are necessary for the loading and unloading of cargo or passengers, but does not include long-term storage or related manufacturing facilities.

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: 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.

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.

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6/20/17; 9/12/17; 9/11/18; 4/9/19; 8/13/19; 2/1/22; 2/8/22; 3/14/23

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 areas 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.

Highest Adjacent Grade (for purposes of Article 11 only): The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

Historic Structure (for purposes of Article 11 only): Any structure that is (a) listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; (b) certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; (c) individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or (d) individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either (1) by an approved state program as determined by the Secretary of the Interior or (2) directly by the Secretary of the Interior in states without approved programs.

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

Adopted on December 14th, 2000 and Effective on January 1st, 2001

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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.

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.

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.

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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:

- 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 subsection of Section 236;
- To monitor in accordance with accepted engineering principals and practice, to monitor construction to determine if there are any material inconsistencies with the plans as submitted under Section 236 and the ongoing construction;
- To assist the Environmental Resource Officer with insuring that all landfills are being operated and maintained in accordance with 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 groundwater 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.

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6/20/17; 9/12/17; 9/11/18; 4/9/19; 8/13/19; 2/1/22; 2/8/22; 3/14/23

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 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 “W” 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.”

Livestock: Generally accepted outdoor farm animals, including but not limited to, cows, goats, horses, pigs, fowl, etc. Does not include cats, dogs and other house pets.

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 parcel 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.

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6/20/17; 9/12/17; 9/11/18; 4/9/19; 8/13/19; 2/1/22; 2/8/22; 3/14/23

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 areas in which the density is equal to or less than one dwelling unit per 40,000 square feet.

Lowest Floor (for purposes of Article 11 only): The lowest flood of the lowest enclosed area, including basement. An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access, or storage, in an area other than a basement area, is not considered a building's lowest floor, **provided** that such enclosure is not built so as to render the structure in violation of the applicable floodproofing design requirements of this article.

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.

Manufactured Home (for purposes of Article 11 only): A structure, transportable in one or more sections, that is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "Manufactured Home" **does not include** a recreational vehicle.

Manufactured Home Park or Subdivision (for purposes of Article 11 only): A parcel (or contiguous parcels) of land divided into two or more manufacture home lots for rent or sale.

Manufacturing, Heavy: An establishment engaged in manufacturing, assembly, fabrication, packaging or other industrial processing of products primarily from extracted or raw materials or the build storage and handling of such products and materials. This term includes but is not limited to stonework or concrete product manufacturing, vehicle manufacturing, fabrication of metal products, manufacturing of agricultural, construction or mining machinery, lumber milling, permanent concrete/batch plant.

Manufacturing, Light: An establishment engaged in the indoor manufacturing, assembly, fabrication, packaging, and/or processing of finished products or parts, primarily from previously prepared materials

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and incidental storage and distribution of such products but does not include basic industrial processing from raw materials.

Map (for purposes of Article 11 only): The Flood Hazard Boundary Map (FHBM), Flood Insurance Rate Map (FIRM), or the Flood Boundary and Floodway Map (FBFM) for a community issued by the Federal Emergency Management Agency (FEMA).

Marijuana or Marihuana: Means *Cannabis indica*, *Cannabis sativa*, and *Cannabis ruderalis*, hybrids of such species, and any other strains commonly understood within the scientific community to constitute marijuana, as well as resin extracted from the plant and marijuana-infused products. Does not include industrial hemp containing a crop-wide average tetrahydrocannabinol concentration that does not exceed three-tenths of one (0.3) percent on a dry weight basis, or commodities or products manufactured from industrial hemp.

Marijuana Infused Products: Products that are infused with marijuana or an extract thereof and are intended for use or consumption other than by smoking including, but not limited to, edible products, ointments, tinctures, and concentrates.

Market Value or Fair Market Value: An estimate of what is fair, economic, just, and equitable value under normal market conditions

Material Public Nuisances: Shall include the following:

- Construction Waste Material
- General Waste Material
- All Landfill Waste Material
- More than 2 unlicensed vehicles, vessels or trailers
- Substantially destroyed buildings
- Junk, dismantles, burned, derelict or wrecked motor vehicles, mobile homes, trailers or vessels

MDNR: The Missouri Department of Natural Resources.

Mean Sea Level (for purposes of Article 11 only): For purposes of the National Flood Insurance Program (NFIP), the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map (FIRM) are referenced.

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.

Medical Marijuana Cultivation Facility: A facility licensed by the State of Missouri to acquire, cultivate, process, store, transport, and sell marijuana to a medical marijuana dispensary facility, medical marijuana testing facility, or to a medical marijuana-infused products manufacturing facility.

Medical Marijuana Dispensary Facility: A facility licensed by the State of Missouri to acquire, store, sell, transport, and deliver marijuana, marijuana-infused products, and drug paraphernalia used to

Adopted on December 14th, 2000 and Effective on January 1st, 2001

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administer marijuana as provided for by the Missouri Department of Health and Senior Services to a qualifying patient, a primary caregiver, another medical marijuana dispensary facility, a medical marijuana testing facility, or a medical marijuana-infused products manufacturing facility.

Medical Marijuana-Infused Products Manufacturing Facility: A facility licensed by the State of Missouri to acquire, store, manufacture, transport, and sell marijuana-infused products to a medical marijuana dispensary facility, a medical marijuana testing facility, or to another medical marijuana-infused products manufacturing facility.

Medical Marijuana Testing Facility: A facility certified by the State of Missouri and Senior Services to acquire, test, certify, and transport marijuana.

Medical Use: The production, possession, delivery, distribution, transportation, or administration of marijuana or a marijuana-infused product, or drug paraphernalia used to administer marijuana or a marijuana-infused product, for the benefit of a qualifying patient to mitigate the symptoms or effects of the patient's qualifying medical condition.

Medium Density: Those residential areas 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.

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): New and used mobile homes certified as meeting HUD Code 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

Adopted on December 14th, 2000 and Effective on January 1st, 2001

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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): New and used mobile homes certified as meeting HUD Code and 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 (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).

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6/20/17; 9/12/17; 9/11/18; 4/9/19; 8/13/19; 2/1/22; 2/8/22; 3/14/23

New Construction (for purposes of Article 11 only): For the purposes of determining insurance rates, structures for which the “start of construction” commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, “new construction” means structures for which the “start of construction” commenced on or after the effective date of the floodplain management regulations adopted by a community and includes any subsequent improvements to such structures.

New Manufactured Home Park or Subdivision (for purposes of Article 11 only): A manufactured home park or subdivision for which the construction of facilities for servicing the lot on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by the community.

NFIP (for purposes of Article 11 only): The National Flood Insurance Program (NFIP)

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 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.

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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.

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 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.

Participating Community (for purposes of Article 11 only): Known as an “Eligible Community,” means a community in which the Administrator has authorized the sale of flood insurance.

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6/20/17; 9/12/17; 9/11/18; 4/9/19; 8/13/19; 2/1/22; 2/8/22; 3/14/23

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 A, 4, which must be paid by the owner/operator as a condition of obtaining and renewing the annual permit to construct and operate 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.

Primary Caregiver: An individual twenty-one years of age or older who has significant responsibility for managing the well-being of a qualifying patient and who is designated as such on the primary caregiver's application for an identification card with the Missouri Department of Health and Senior Services.

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

Principally Above Ground (for purposes of Article 11 only): That at least 51 percent of the actual cash value of the structure, less land value, is above ground.

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.

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Qualifying Medical Condition: The condition of, symptoms related to, or side-effects from the treatment of:

- A. Cancer;
- B. Epilepsy;
- C. Glaucoma;
- D. Intractable migraines unresponsive to other treatment;
- E. A chronic medical condition that causes severe, persistent pain or persistent muscle spasms, including but not limited to those associated with multiple sclerosis, seizures, Parkinson's disease, and Tourette's syndrome;
- F. Debilitating psychiatric disorders, including but limited to, post-traumatic stress disorder, if diagnosed by a state licensed psychiatrist;
- G. Human immunodeficiency virus or acquired immune deficiency syndrome;
- H. A chronic medical condition that is normally treated with a prescription medication that could lead to physical or psychological dependence, when a physician determines that medical use of marijuana could be effective in treating that condition and would serve as a safer alternative to the prescription medication;
- I. Any terminal illness; or
- J. In the professional judgement of a physician, any other chronic, debilitating or other medical condition, including but not limited to, hepatitis C, amyotrophic lateral sclerosis, inflammatory bowel disease, Crohn's disease, Huntington's disease, autism, neuropathies, sickle cell anemia, agitation of Alzheimer's disease, cachexia, and wasting syndrome.

Qualifying Patient: A Missouri resident diagnosed with at least one (1) qualifying medical condition.

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.

Recreational Vehicle (for purposes of Article 11 only): A vehicle which is (a) built on a single chassis; (b) 400 square feet or less when measured at the largest horizontal projections; (c) designed to be self-propelled or permanently towable by a light-duty truck; and (d) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

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.

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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.

Remedy a Violation (for purposes of Article 11 only): To bring the structure or other development in to compliance with Federal, State, or local floodplain management regulations; or, if this is not possible, to reduce the impacts of its noncompliance.

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, or railroad right-of-way. Such parcels shall be considered separate, independent 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: 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.

Repetitive Loss (for purposes of Article 11 only): Flood-related damages sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, equals or exceeds twenty-five percent of the market value of the structure before the damage occurred.

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: See Easement.

Risk Premium Rates (for purposes of Article 11 only): Those rates established by the Administrator pursuant to individual community studies and investigations which are undertaken to provide flood insurance in accordance with Section 1307 of the National Flood Disaster Protection Act of 1973 and the accepted actuarial principles. "Risk Premium Rates" include provisions for operations costs and allowances.

Road: A public or private one-way or two-way access that provides ingress/egress to a lot, tract or parcel of land that has been recorded as dedicated for public use and publicly maintained, recorded as dedicated for public use and privately maintained or recorded as dedicated for subdivision use and privately maintained (the subdivision is responsible for maintaining and enforcing the privacy of the roads). Also referred to as streets.

Road Dedication, Private: A right-of-way or easement granted, but not dedicated to the County, providing ingress/egress to a parcel and maintenance is governed by an agreement that runs with the land and is recorded with the office of the Recorder of Deeds.

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Road Dedication, Public: A right-of-way or easement dedicated to the public which the public has the right to use and is either maintained by an agreement that runs with the land or by an agreement with the County and is recorded with the office of the Recorder of Deeds.

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, structures or parcels containing space of varying sizes leased, rented or sold on an individual basis and used exclusively for the storage of excess property including storage of boats and RVs.

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.

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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 occupied 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 Flood Hazard Area (for purposes of Article 11 only): See “Area of Special Flood Hazard.”

Special Occasion: A celebration, ceremony, wedding, reception, corporate function, or similar activity for the benefit of someone other than the property owner, where an admission fee of any type for entry is not charged and that takes place on a periodic basis. Involves the gathering of individuals assembled for the common purpose of attending a special event.

Special Occasion Facility: A facility where special occasions are permitted to occur with a Special Occasion Permit. Such facilities are used for the sole purpose of lease or rental by others for a privately sponsored event that is not open to the public and does not charge an admission fee of any type for entry

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6/20/17; 9/12/17; 9/11/18; 4/9/19; 8/13/19; 2/1/22; 2/8/22; 3/14/23

into the event or establishment. Examples of privately sponsored events that fall under this definition include, but are not limited to, wedding receptions, graduation parties, holiday parties, bar mitzvahs, etc.

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.

Start of Construction (for purposes of Article 11 only): Substantial-improvements, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, additional placement, or other improvements were within 180 days of the permit date. The **actual start** means either the first placement of permanent construction of a structure on a site, such as the pouring of slabs or footings, the installation of piles, the construction of columns, any work beyond the stage of excavation, or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling, the installation of streets and/or walkways, excavation for a basement, footings, piers, foundations, the erection of temporary forms, nor installation on the property of accessory structures, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial-improvement, the **actual start of construction** means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

State Coordinating Agency (for purposes of Article 11 only): That agency of the state government, or other office designated by the governor of the state or by state statute at the request of the Administrator to assist in the implementation of the National Flood Insurance Program (NFIP) in that state.

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".

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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.

Structure (for purposes of Article 11 only): For floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home. “Structure” for insurance purposes, means a walled and roofed building, other than a gas or liquid storage tank, that is principally above ground and affixed to a permanent site, as well as a manufactured home on a permanent foundation. For the latter purpose, the term includes a building while in the course of construction, alteration or repair, but does not include building materials or supplies intended for use in such construction, alteration or repair, unless such materials or supplies are within an enclosed building on the premises.

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 plot 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.

Substantial-Damage (for purposes of Article 11 only): Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. The term includes “Repetitive Loss Buildings” (see definition).

For the purposes of this definition, “repair” is considered to occur when the first repair or reconstruction of any wall, ceiling, floor, or other structural part of the building commences.

The term does not apply to:

- a. Any project for improvement of a building required to comply with existing health, sanitary, or safety code specifications which have been identified by the Code Enforcement Official and which are solely necessary to assure safe living conditions, or
- b. Any alteration of a “historic structure” provided that the alteration will not preclude the structure’s continued designations as a “historic structure”, or
- c. Any improvement to a building.

Substantial Improvement (for purposes of Article 11 only): Any combination of reconstruction, alteration, or improvement to a building, taking place during a ten year period in which the cumulative percentage of improvement equals or exceeds fifty percent of the current market value of the building.

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For the purposes of this definition, an improvement occurs when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the building. This term includes structures, which have incurred “repetitive loss” or “substantial damage”, regardless of the actual repair work done.

This term does not apply to:

- a. Any project for improvement of a building required to comply with existing health, sanitary, or safety code specifications which have been identified by the Code Enforcement Official and which are solely necessary to assure safe living conditions, or
- b. Any alteration of a “historic structure” provided that the alteration will not preclude the structure’s continued designations as a “historic structure”, or
- c. Any improvement to a building.

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.

Substantially Improved Existing Manufactured Home Parks or Subdivisions (for purposes of Article 11 only): Where the repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds 50 percent of the value of the streets, utilities and pads before the repair, reconstruction or improvement commenced.

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.

Tract: Any parcel 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

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6/20/17; 9/12/17; 9/11/18; 4/9/19; 8/13/19; 2/1/22; 2/8/22; 3/14/23

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.

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 person, corporation, county, municipality acting in its capacity as a utility, municipal utility board, or other entity or department thereof, or entity related thereto, providing retail or wholesale electric, natural gas, water, waste water, data cable television, or telecommunications services.

Utility Waste Landfill or UWL: An area defined in Section 260.200.1(55) of the Revised Statutes of Missouri for which a Solid Waste Disposal Area Permit issued by MDNR is required.

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

Vacation Rental: A private single family dwelling which is rented out on a temporary, reservation basis for paying guests.

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.

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6/20/17; 9/12/17; 9/11/18; 4/9/19; 8/13/19; 2/1/22; 2/8/22; 3/14/23

Variance (for purposes of Article 11 only): A grant of relief by the community from the terms of a floodplain management regulation. Flood insurance requirements remain in place for any varied use or structure and cannot be carried by the community.

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

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, is presumed to be in violation until such time as that documentation is provided.

Violation (for purposes of Article 11 only): The failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required by this article 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.

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Water Surface Elevation (for purposes of Article 11 only): The height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929 (or other datum where specified) of floods of various magnitudes and frequencies in the floodplain.

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.

Wireless Support Structures: 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.

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.

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

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.

Sections 16 through 20: reserved

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