

# **RALLS COUNTY PLANNING AND ZONING**

**Amended and Adopted on this date:**

**December 19<sup>th</sup>, 2024**

**By the Ralls County Commission**

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# **RALLS COUNTY PLANNING & ZONING COMMISSION BYLAWS**

## **MEMBERSHIP**

The P & Z Commission shall be composed of eight (8) members, all of whom must reside in the unincorporated parts of the county.

These members shall be appointed by the County Commission as follows:

- Seven (7) Township P & Z Commissioners, one (1) from each of the seven (7) townships in Ralls County; and
- The Road and Bridge supervisor employed by the County.

## **TERMS OF APPOINTMENT**

The term for each member shall be four (4) years. These terms shall be staggered so that the terms of no more than one-third (1/3) of the P & Z Commission will expire at the same time.

## **REPLACEMENT AND REMOVAL OF MEMBERS**

Should any vacancy occur in the P&Z Commission, the County commission shall take immediate action to appoint a replacement for the unexpired term to maintain a full panel of eight (8) members.

Vacancies may occur under the following circumstances:

- When a member resigns, dies, or becomes too disabled to continue serving.
- If any member misses three (3) consecutive meetings and/or hearings or a total of four (4) meetings and/or hearings (based upon one (1) meeting per month; absences to be prorated for more frequent meetings) within one (1) calendar year, and the County Commission and the P & Z Commission determine that removal is justified.
- If the P & Z Commission calls for the removal of any member for nonperformance of duty or misconduct in office, the County Commission and the P & Z Commission determine that removal is justified.

## **MEETINGS**

The P & Z Commission shall meet at the call of the Planning and Zoning Administrator to carry out its duties and responsibilities. All meetings of the P & Z Commission shall comply with RSMo. Ch. 610 "Governmental Bodies and Records," commonly referred to as the Missouri Open Meeting Law or the Missouri Sunshine Law.

Working meetings may be held without a quorum present if no Zoning Order changes are made.

All public hearings must comply with Chapter 6.2 of the Zoning Order.

## **OFFICERS**

The P & Z Commission shall elect, from within its membership, a Chairperson, a Vice Chairperson, and a Secretary who shall service for a period of one (1) year. Elections shall take place during the first meeting of each calendar year.



# **RALLS COUNTY PLANNING & ZONING COMMISSION BYLAWS**

## **VOTING PROCEDURES**

Each member shall have one (1) vote. The Chairperson shall vote on the cases.

## **ELECTION OF OFFICERS:**

- A quorum must be present.
- The position shall be filled by the person receiving the most votes.

## **CHANGES IN THE ZONING ORDER:**

- A quorum must be present.
- The change must be approved by a vote of sixty-five (65) percent of current P&Z Commission members present at the meeting.

## **QUORUM**

Five (5) members shall constitute a quorum when a full panel is in place. In the case of temporary vacancies on the P & Z Commission, one (1) more than one-half (1/2) of the total current membership shall constitute a quorum.

# PLANNING & ZONING FEE SCHEDULE FOR RALLS COUNTY

## PERMIT\*

## FEE

<b>Residential</b>	\$250 for any square footage; this covers anything under the roof
<b>Residential (addition)</b>	\$100 – for an addition to current residence
<b>Non-Residential/Commercial</b>	\$.50 per square foot - \$1000.00 minimum Anything over 10,000 square feet drops to \$.40 per square foot
<b>Accessory Building</b>	\$50 for anything over 100 square feet
<b>Agricultural Permit</b>	\$25.00 for anything over 100 square feet
<b>CAFO</b>	\$500, renewed every five years
<b>Vertical Structures**</b> (Transmission or Production)	Application Fee of \$1500.00 per Tower/Structure Application Fee of \$1500.00 for Existing Towers MO State Statute Included (RSMo. 67.5094)
<b>Billboards</b>	Application Fee: \$1000.00
<b>Subdivision/Campground Site/ Mobile Home Park</b>	\$50.00 per lot
<b>Wind Turbine/Small Wind**</b>	Application Fee \$20000.00 per Turbine plus \$20.00 per foot of total height. Revocable Construction Permit*** = \$10,000 Operating Permit Fee – 1 <sup>st</sup> year \$10000.00 per project
<b>Private Landing Strip</b>	\$150.00
<b>Rezoning Request</b> (only required when rezoning too commercial)	Application Fee \$1000.00 plus costs per acre charge as follows:
\$75.00 - less than 1 acre	\$350.00 - 100 to 199.99 acres
\$100.00 - 1 to 4.99 acres	\$400.00 - 200 to 299.99 acres
\$150.00 - 5 to 9.99 acres	\$450.00 - 300 to 399.99 acres
\$200.00 - 10 to 19.99 acres	\$500.00 - 400 to 499.99 acres
\$250.00 - 20 to 49.99 acres	\$550.00 - 500 or more acres
\$300.00 - 50 to 99.99 acres	

# PLANNING & ZONING FEE SCHEDULE FOR RALLS COUNTY

## Solar Farm

Revocable Construction Permit\*\*\* = \$10,000  
Operating Permit Fee – 1<sup>st</sup> year \$10000.00 per project  
Annual Contribution Payment - \$2500.00 per maximum rate AC  
Production capacity

## Copy of Ordinance

\$25 hourly clerical fee plus \$.10 per page  
(available at <https://rallscountymo.gov/planning-zoning/>) at no cost

## Construction w/o Permit Fine

Double the permit fee

\* Permits expire after 1 year

\*\* Any electrical Structure over 120 feet ground up - \$10.00 per foot plus 3% per year increase

\*\*\* Permits expire after 30 months

**Our fees are subject to an annual increase; to be reviewed on the 1<sup>st</sup> Wednesday of November every year and any changes will go into effect on January 1<sup>st</sup> of the following year.**

**Only checks are accepted, please make checks payable to: **Ralls County Treasurer**. All checks must have your phone number, driver's license number, or Tax ID/EIN listed on the check. There will be a processing fee of \$20 for any returned checks.**

## **CHAPTER 1 - TITLE OF THIS DOCUMENT**

### **ARTICLE 1. TITLE**

- A. The rules and regulations stated within this document, including all zoning maps, graphs, charts, diagrams, and all supporting documents, shall hereby be referred to as the "Ralls County Planning and Zoning Order", hereafter also referred to as "Zoning Order", "Order", and/or "RCPZO".**

### **ARTICLE 2. DISCLAIMER OF LIABILITY**

- A. This Zoning Order shall not create a liability on the part of the Ralls County Planning and Zoning Commission, the Zoning Enforcement Officer, or any agent or employee thereof, for any damages that may result from reliance on this Order, or any administrative decision lawfully made thereunder.**

## **CHAPTER 2 - AUTHORITY AND APPLICABILITY**

### **ARTICLE 1. AUTHORITY**

- A. The regulations set forth in this Zoning Order are adopted under authority established by the state of Missouri, and as amended: RSMo 64.510 – 64.695, and in accordance with the adopted Master Plan of Ralls County, Missouri.**

### **ARTICLE 2. NONDISCRIMINATION POLICY**

- A. The Ralls County Planning and Zoning Commission and/or the Zoning Enforcement Officer, in making any decisions regarding zoning issues, variances, and/or employment, shall not discriminate on the basis of race, color, religion, sex, national origin, age, or disability.**

### **ARTICLE 3. IMPLEMENTATION**

- A. This Zoning Order, any part thereof, and any subsequent amendment or revision shall go into effect immediately after being submitted to, and accepted by order of, the County Commission after a proper Public Hearing on this matter has been conducted.**

### **ARTICLE 4. JURISDICTION**

- A. This Zoning Order shall apply to all the unincorporated areas of Ralls County, including the unincorporated towns and villages of the county.**

### **ARTICLE 5. SCOPE**

- A. This Zoning Order shall apply, but not be limited, to the following:**
  - 1. Use of land**
  - 2. Use of buildings/structures**
  - 3. Construction of new buildings/structures, in regards to height, bulk area, setbacks or other provisions as provided by in RSMo 64.620.**
  - 4. Alternation of existing buildings/structures, in regards to height, bulk area, setbacks or other provisions as provided by in RSMo. 64.620.**

### **ARTICLE 6. INTERPRETATION**

- A. This Zoning Order shall serve as the sole regulatory authority for all lands and building/structures within the unincorporated areas of Ralls County.**
  - 1. The rules and regulations contained herein shall be considered the minimum requirements.**
  - 2. There may be certain instances where the Zoning Order may have been preceded or nearly duplicated by the rules and regulations of other agencies (local, state, and/or federal). In those instances where such other orders differ from the RCPZO, those rules and regulations which are more restrictive and/or impose higher standards shall govern.**

## **ARTICLE 7. LEGAL RELIEF**

- A. After seeking and obtaining approval from the County Commission, the ZEO shall have the authority to petition the Circuit Court for injunctive relief against repeated and continued violations of any provision contained in this Zoning Order.**
  - 1. Such action may be a Criminal Action, as defined by law, leading to a fine.**
  - 2. Such action may be a Civil Action, as defined by law, leading to an order by the Court restraining the violator against further violation.**

## **CHAPTER 3 - PLANNING AND ZONING COMMISSION**

### **ARTICLE 1. ESTABLISHMENT OF THE PLANNING & ZONING COMMISSION**

- A.** The Ralls County Commission hereby establishes the Ralls County Planning & Zoning Commission, hereafter also referred to as the “P&Z Commission” and/or the “RCPZO”, pursuant to the laws of the state of Missouri, and as amended: RSMo. 64.510 – 64.695, “Planning and Zoning – Second- and Third-Class Counties”, and in accordance with the adopted Comprehensive Plan of Ralls County, Missouri, and the rules and regulations of this Zoning Order.

### **ARTICLE 2. MEMBERS**

- A.** The P&Z Commission shall be composed of eight (8) members, all of whom must reside in the unincorporated areas of the county.
- B.** These members shall be appointed by the County Commission as follows:
  - 1.** Seven (7) Township P&Z Commissioners: one (1) from each of the seven (7) townships in Ralls County, and
  - 2.** The road supervisor employed by the County.

### **ARTICLE 3. TERMS OF APPOINTMENT**

- A.** The term for each member shall be four (4) years.
- B.** These terms shall be staggered so that the terms of no more than one-third (1/3) of the P&Z Commission will expire at the same time.
- C.** The term of the road supervisor shall be only for the duration of the supervisors' tenure of official position. [(64.520 RSMo (2012))]

### **ARTICLE 4. REPLACEMENT AND REMOVAL OF MEMBERS**

- A.** Should any vacancy occur in the P&Z Commission, the County Commission shall take immediate action to appoint a replacement for the unexpired term to maintain a full panel of eight (8) members.
- B.** Vacancies may occur under the following circumstances:
  - 1.** When a member resigns, dies, or becomes too disabled to continue serving.
  - 2.** If any member misses three (3) consecutive meetings and/or hearing or a total of four (4) meetings and /or hearings without just cause within any one (1) calendar year, the County Commission and the P&Z Commission determine that removal is justified.
  - 3.** If the P&Z Commission calls for the removal of any member for nonperformance of duty or misconduct in the office and recommends to the County Commission that removal is justified.

## **ARTICLE 5. MEETINGS**

- A.** The P&Z Commission shall meet at the call of its Chairman or as its Bylaws or Procedural Rules might specify to carry out its duties and responsibilities.
- B.** All meetings of the P&Z Commission shall comply with RSMo. Chapter 610, "Governmental Bodies and Records", commonly referred to as the Missouri Sunshine Law or the Missouri Open Meetings and Records Law.

## **ARTICLE 6. HEARINGS**

- A.** The P&Z Commission shall meet as necessary:
  - 1. To hear any request for a Conditional Use Permit
  - 2. To hear any request for a Rezoning/Land Use Change
  - 3. To hear any request to amend this Zoning Order
  - 4. To carry out its duties and responsibilities.
- B.** All hearings of the P&Z Commission shall comply with Chapter 6, "Public Hearings", of this Zoning Order.

## **ARTICLE 7. ATTENDANCE FEE**

- A.** All members of the P&Z Commission shall serve without compensation.
- B.** However, the County Commission may establish an attendance fee as reimbursement for expenses to attend hearings and administrative meetings.
  - 1. Such reimbursement shall not exceed twenty-five dollars (\$25.00) per member per hearing or administrative meeting. [64.520 RSMo. (2012)]
  - 2. Reimbursement shall be limited to two (2) administrative meetings per month.

## **ARTICLE 8. ADVISORY CAPACITY**

- A.** The P&Z Commission shall work cohesively, in an advisory capacity, with the Zoning Enforcement Officer (ZEO), the Board of Appeals (BOA), the County Commission, and other officials to ensure that the goals of the Comprehensive Plan are met and that the rules and regulation of the Zoning Order are properly interpreted and enforced.

## **ARTICLE 9. DUTIES, RESPONSIBILITIES AND POWERS**

- A.** The duties, responsibilities and powers of the P&Z Commission shall include, but not be limited to, the following:
  - 1. Develop and write a Comprehensive Plan for the unincorporated areas of Ralls County.
  - 2. Develop and write a Zoning Order, with accompanying zoning maps, charts, graphs, and supporting documents, for the unincorporated areas of Ralls County.
  - 3. Amend, revise, or made additions to the Zoning Order as necessary to meet the goals and objectives of the Comprehensive Plan.



4. Review current and future statutes, laws, policies, or other official actions of the state, federal or other government agencies as they pertain to this Zoning Order, and revise or amend the Order as necessary.
5. Accept all applications for any Conditional Use Permit from the Zoning Enforcement Officer (ZEO), review same, conduct Public Hearings, and make the final determination to approve or disapprove the application, with or without additional conditions and/or restrictions.
6. Accept all applications for any Rezoning/Land Use Change from the ZEO, review same, conduct Public Hearings, and make recommendations to the County Commission which will make the final determination on the approval or disapproval of any rezoning of land use change, with or without additional conditions and/or restrictions.
7. Accept all applications for and Amendment to the Zoning Order from the ZEO, review same, conduct Public Hearings, and make recommendations to the County Commission which will make the final determination on the approval or disapproval of any amendment to the Order.
8. Help the ZEO to develop an efficient set of record-keeping and administrative forms to facilitate the interpretation and enforcement of this Order.
9. Establish appropriate administrative fees to be charged and collected by the ZEO for zoning materials, permits, certificates, and/or services rendered.

#### **ARTICLE 10. ADDITIONAL POWERS, DUTIES AND RESPONSIBILITIES**

- A. The P&Z Commission shall have such other powers as may be necessary and proper to enable it to perform the duties imposed upon it by law.
- B. Additional duties and responsibilities of the P&Z Commission may include, but not be limited to:
  1. Subdivision of land.
  2. Approval of planned unit developments.

#### **ARTICLE 11. BYLAWS AND PROCEDURAL RULES**

- A. The P&Z Commission shall adopt a set of Bylaws and/or Procedural Rules as necessary to govern the process of its administrative meetings, public hearings, and other organizational matters.
  1. Such Bylaws and/or Procedural Rules shall be a matter of Public Record and available at the office of the Zoning Enforcement Officer.

#### **ARTICLE 12. RECORDS AND FORMS**

- A. The P&Z Commission shall develop a system of financial and administrative records and forms for the conduction of its business.
  1. Such records and forms shall enable the P&Z Commission to keep a Public Record of all its meetings, hearings, findings, and determinations.

2. Such records and forms shall be a matter of Public Record and available at the office of the Zoning Enforcement Officer.
- B.** The P&Z Commission shall develop a system of financial and administrative records and forms for the Zoning Enforcement Officer to enable the ZEO to carry out the duties of the office.
1. Such records and forms are detailed in Chapter 4, "Zoning Enforcement Officer", of this Zoning Order.

## **CHAPTER 4 - ZONING ENFORCEMENT OFFICER**

### **ARTICLE 1. APPOINTMENT OF ZONING ENFORCEMENT OFFICER**

- A.** A Zoning Enforcement Officer, sometimes also referred to as Zoning Administrator, and here-after also referred to as the “ZEO”, shall be appointed by the County Commission to administer, interpret, execute, and enforce this Zoning Order.
- B.** A Zoning Administrative Assistant, and here-after referred to as the “ZAA”, shall be appointed by the County Commission to provide vital support to the ZEO, handling a range of tasks to ensure the smooth operation of the planning and zoning ordinance.

### **ARTICLE 2. DUTIES, RESPONSIBILITIES AND POWERS**

- A.** The duties, responsibilities and powers of the Zoning Enforcement Officer shall include, but not be limited to, the following:
  - 1. Work closely with the P&Z Commission, the Board of Appeals, the County Commission and other officials and agencies, as necessary, to administer, interpret, execute, and enforce the rules and regulations of this Zoning Order.
  - 2. Keep such records as set forth in RCPZO, Chapter 4, Article 3, which are necessary:
    - a.** To perform the duties of the office,
    - b.** for public information,
    - c.** to serve as a basis for making decisions and determinations, and
    - d.** to have information and evidence for any hearing or litigation.
  - 3. Work with the P&Z Commission to develop such forms as set forth in RCPZO, Chapter 4, Article 4, which are necessary to facilitate record keeping and accomplish the duties of the office.
  - 4. Work with the P&Z Commission to establish appropriate fees to be charged and collected by the ZEO for zoning materials, Permits and Certificates, and services rendered to accomplish the duties of the office.
  - 5. Accept and review all applications for any Permits and Certificates as required by law and/or this Zoning Order and collect appropriate fees for same.
  - 6. Inspect all land use, building/structure use, new construction, and remodeling/repair/alterations of existing buildings/structures to assure that same conforms to the terms of its appropriate Permit and/or Certificate and is in full compliance with this Order.
  - 7. Issue the proper Permit and/or Certificate if the application for same is valid and the requested use is in compliance with this Order and collect appropriate fees for the same.
  - 8. Revoke any Permit and/or Certificate for fraud, deceit, or misrepresentation in the application.
  - 9. Declare null and void any Permit and/or Certificate for failure to fulfill or make substantial progress to fulfill the purpose of said Permit and/or Certificate.
  - 10. Process any application for a Conditional Use Permit, a request for a Rezoning/Land Use Change, or a request for an amendment to the Zoning Order as follows:
    - a.** Accept the application and all supporting documentation and review for validity.

- b. Forward valid application and all supporting documentation to the P&Z Commission.
  - c. Publish proper public notice of Public Hearing on the matter.
  - d. Present the recommendations of the P&Z Commission to the County Commission for a final determination.
  - e. Notify all concerned parties of the final determination of the County Commission.
  - f. Charge and collect all appropriate fees as established for this administrative action.
11. Process any application for a Variance or any Petition of Appeal as follows:
- a. Accept the application and all supporting documents and review for validity.
  - b. Forward valid application and supporting documents to the Board of Appeals.
  - c. Publish proper public notice of Public Hearings on the matter.
  - d. Notify all concerned parties of the final determination of the Board of Appeals.
  - e. Charge and collect all appropriate fees as established for this administrative action.
12. Maintain current copies of the Zoning Order, zoning map(s) and other supporting documents, and copies of the Bylaws and/or Procedural Rules of the P&Z Commission and the Board of Appeals for dissemination to the public.

### **ARTICLE 3. RECORDS**

- A. The ZEO shall keep permanent, accurate and well-organized records as necessary to provide a complete history of all zoning actions relative to the unincorporated areas of Ralls County.
- B. Such records shall include, but not be limited to, the following:
  - 1. All current zoning regulations and amendments.
  - 2. All current Zoning Maps and Land Use Maps.
  - 3. All applications for Permits, Certificates of Occupancy, and Certificates of Occupancy for Non-Conforming Use.
  - 4. Permits and Certificates issued, refused, or revoked.
  - 5. All applications or requests for Conditional Use, Variance, Rezoning/Land Use Change, and Amendments to the Zoning Order.
  - 6. All Conditional Uses, Variances Rezoning/Land Use changes, and Amendments granted, refused, or revoked.
  - 7. Records of all actions of the P&Z Commission, the Board of Appeals, and the County Commission regarding any of the above zoning items.

### **ARTICLE 4. NECESSARY FORMS**

- A. The ZEO shall work with the P&Z Commission to develop an efficient set of record-keeping and administrative forms, which shall include, but not be limited to, the following:
  - 1. Application for Construction Permit and Construction Permit.
  - 2. Construction Permit Sign to be posted on the construction site.
  - 3. Application for Certificate of Occupancy and Certificate of Occupancy.
  - 4. Application for Certificate of Occupancy for Non-Conforming Use and the Certificate of Occupancy for Non-Conforming Use.
  - 5. Application for Conditional Use Permit and the Conditional Use Permit.

6. Application for a Variance and the Permit for Variance.
  7. Application for Rezoning/Land Use Change Request.
  8. Application for Request to Amend the Zoning Order.
  9. Application for a Petition of Appeal.
- B.** Any Permit, Certificate, Application or other record-keeping or administrative sheet shall be on a standard form developed by the P&Z Commission for its specific purpose.

#### **ARTICLE 5. ADMINISTRATIVE FEES**

- A.** The P&Z Commission shall establish fees as necessary to help defray the cost for the printing of zoning materials and for the administration of this Order.
- B.** The ZEO shall be authorized to charge and collect fees for any or all of, but not limited to, the following:
1. Copies of this Zoning Order
  2. Copies of Zoning Maps or Land Use Maps.
  3. Copies of any supporting documents, graphs, charts, and the like.
  4. Copies of any Bylaws and/or Procedural Rules of the P&Z Commission and/or the Board of Appeals.
  5. Copies of any records of actions of the P&Z Commission, the Board of Appeals, and/or the County Commission regarding any zoning action.
  6. Applications for any required Permit and/or Certificate.
  7. Applications for any requests for any Conditional Use, Variance, Petition of Appeal, Rezoning/Land Use Change, or Amendment to the Order.
  8. Required Permits and/or Certificates.

#### **ARTICLE 6. LEGAL RELIEF**

- A.** After seeking and obtaining approval from the County Commission, the ZEO shall have the authority to petition the Circuit Court of Ralls County for legal relief against repeated and continued violations of any provision of this Zoning Order.
1. Such violation shall be a Misdemeanor Offense.
  2. Such legal action may be a Criminal Action – leading to a fine.
  3. Such legal action may be a Civil Action – leading to an Order by the Court restraining the violator against further violation.

## **CHAPTER 5 - BOARD OF APPEALS**

### **ARTICLE 1. ESTABLISHMENT OF BOARD OF APPEALS**

- A.** The Ralls County Commission will establish the Ralls County Board of Appeals as needed, sometimes referred to as a Board of Adjustment, and hereafter also referred to as the “BOA”, pursuant to the laws of the state of Missouri, and as amended, RSMo. 64.510 – 64.695, “Planning and Zoning – Second- and Third-Class Counties”, and in accordance with the adopted Master Plan of Ralls County, Missouri, and the rules and regulations of this Zoning Order.

### **ARTICLE 2. MEMBERS**

- A.** The Board of Appeals shall be composed of five (5) regular members and three (3) alternates who are residents of the County appointed by the County Commission, except that:
  - 1. Not more than two (2) members shall be residents of incorporated areas of the County.
  - 2. Not more than one (1) member may also be a member of the P&Z Commission.

### **ARTICLE 3. TERMS OF APPOINTMENT**

- A.** The term of each member shall be four (4) years, except that the first board appointed shall serve as follows so that the terms of the members shall be staggered:
  - 1. One (1) member and one (1) alternate for one (1) year.
  - 2. One (1) member and one (1) alternate for two (2) years.
  - 3. One (1) member and one (1) alternate for three (3) years.
  - 4. Two (2) members for four (4) years.

### **ARTICLE 4. REPLACEMENT AND REMOVAL**

- A.** Should any vacancy occur on the Board of Appeals, the County Commission shall take immediate action to appoint a replacement for the unexpired term to maintain a full panel of five (5) regular members and (3) alternates.
- B.** Vacancies may occur under the following circumstances:
  - 1. When a member resigns, dies, or becomes too disabled to continue serving.
  - 2. If the County Commission removes any member for nonperformance of duty after a public hearing or misconduct in office.

### **ARTICLE 5. MEETING**

- A.** The Board of Appeals shall meet when called by the Chairman to carry out its duties and responsibilities.
- B.** All meetings of the Board of Appeals shall comply with RSMo. 610, “Governmental Bodies and Records”, commonly referred to as the Missouri Sunshine Law or the Missouri Open Meeting and Records Law.

### **ARTICLE 6. HEARINGS**

- A.** The Board of Appeals shall meet when requested:
  - 1. To hear any Request for a Variance.
  - 2. To hear any Petition of Appeal.

3. To carry out its duties and responsibilities.
- B. All hearings of the Board of Appeals shall comply with Chapter 6, "Public Hearing", of this Zoning Order.

#### **ARTICLE 7. ATTENDANCE FEE**

- A. All members of the Board of Appeals shall serve without compensation.
- B. However, the County Commission may establish an attendance fee as reimbursement for expenses to attend hearings and administrative meetings.
  1. Such reimbursement shall not exceed ten dollars (\$10.00) per member per hearing or administrative meeting.
  2. Reimbursement shall be limited to four (4) hearings or meetings per year to carry out the duties of the BOA.

#### **ARTICLE 8. DUTIES, RESPONSIBILITIES AND POWERS**

- A. The duties, responsibilities and powers of the Board of Appeals shall include, but not be limited to, the following:
  1. Accept all applications for any Variance from the ZEO, review same, conduct Public Hearings, and make the final determination to grant, refuse, or revoke the Variance, with or without additional conditions and/or restrictions.
  2. Accept any Petition of Appeal regarding a decision or ruling of the ZEO from the ZEO, review same, conduct Public Hearings, and make final determination to uphold or overrule the decision or ruling of the ZEO, with or without conditions and/or restrictions.

#### **ARTICLE 9. RECORDS AND FORMS**

- A. The Board of Appeals shall develop a system of financial and administrative records and forms for the conduction of business.
  1. Such records and forms shall enable the BOA to keep a public record of all its meetings, hearings, findings, and determinations.
  2. Such records and forms shall be a matter of Public Record and available at the office of the Zoning Enforcement Officer.

#### **ARTICLE 10. BYLAWS AND/OR PROCEDURAL RULES**

- A. The Board of Appeals shall adopt a set of By-Laws and/or Procedural Rules as necessary to govern the process of its administrative meetings, hearings, and other organizational matters.
  1. Such By-Laws and/or Procedural Rules shall be a matter of Public Record and available at the office of the Zoning Enforcement Officer.

## **CHAPTER 6 - PUBLIC HEARINGS**

### **ARTICLE 1. PURPOSE OF PUBLIC HEARINGS**

- A.** In regard to the planning and zoning of Ralls County, Public Hearings of the P&Z Commission and the Board of Appeals shall be held from time to time as necessary to allow the residents of the County to provide input on, but not limited to, the following matters:
  - 1. Approval of the Comprehensive Plan of Ralls County.
  - 2. Approval of the Ralls County Zoning Order, or any parts of the Order.
  - 3. Hear applications for any Conditional Use Permit.
  - 4. Hear applications for any Request for Rezoning/Land Use Change.
  - 5. Hear applications for any Amendment to the Zoning Order.
  - 6. Hear any Request for a Variance.
  - 7. Hear any Petition of Appeal.

### **ARTICLE 2. NOTICE OF PUBLIC HEARINGS**

- A.** Any Public Hearing shall be set at a reasonable time and place to allow the public to provide input to the appropriate governing body which will review the evidence, listen to the comments, and gather the facts regarding the matter under consideration so that a final determination can be made.
- B.** The time frame and manner in which public notices of any such Public Hearing shall be executed and the manner in which the Public Hearing shall be conducted are specified in the following documents:
  - 1. RSMo. 64.510 – 64.695. “Planning and Zoning – Second- and Third-Class Counties”.
  - 2. RSMo. Chapter 610. “Governmental Bodies and Records”, commonly referred to as Missouri Sunshine Law or the Missouri Open Meetings and Records Law.
  - 3. Bylaws and/or Procedural Rules of the P&Z Commission.
  - 4. Bylaws and/or Procedural Rules of the Board of Appeals.
  - 5. This Chapter 6. “Public Hearings”, of the Ralls County Planning and Zoning Order.
- C.** The ZEO shall give notice of the time and place of such Public Hearing by publication in at least one (1) newspaper of general circulation in the county, town, village, or area concerned at least fifteen (15) business days prior to the Public Hearing.
- D.** The ZEO shall post notice of such Public Hearing in one or more public areas of the courthouse of Ralls County at least fifteen (15) business days prior to the Public Hearing.
- E.** In those cases where necessary, the ZEO shall give written notice of the time and place of such Public Hearing to all property owners of record within one thousand (1000) feet of the property in question.
  - 1. Such written notice shall be Certified Letter via the United State Postal Service.
  - 2. For the purpose of giving such mailed notice, the applicant shall be responsible for supplying the names and addresses of all persons entitled to this notice.



### **ARTICLE 3. DECISIONS AND ACTIONS**

- A.** In matters under its jurisdiction, the Board of Appeals shall make the final determination.
  - 1. The BOA shall render a thorough written decision within thirty (30) calendar days following the close of the Public Hearing.
  - 2. The presence of no fewer than four (4) of the five (5) members of the BOA shall be required to establish a Quorum to conduct the business of Public Hearing.
  - 3. All decisions of the BOA shall be by a vote of no fewer than three (3) of those BOA members who were present at the Public Hearing.
- B.** In matters under its jurisdiction, the P&Z Commission shall make its recommendations to the County Commission which shall make the final determination.
  - 1. The P&Z Commission shall render a thorough written recommendation to the County Commission within thirty (30) calendar days following the close of the Public Hearing.
  - 2. The presence of no fewer than five (5) of the eight (8) members of the P&Z Commission (or one (1) more than one-half of the members in case of temporary vacancies) shall be required to establish a Quorum to conduct the business of the Public Hearing.
  - 3. All recommendations of the P&Z Commission shall be by a vote of no fewer than sixty-five percent (65%) of those RCPZO members who were present at the Public Hearing.
- C.** In matters under its jurisdiction, the County Commission shall make its determination after reviewing the recommendations of the P&Z Commission.
  - 1. The County Commission shall render a thorough written decision within thirty (30) calendar days after receipt of the recommendations from the P&Z Commission.
  - 2. All decisions of the County Commission shall be by a vote of no fewer than two (2) of the three (3) members of the County Commission.
- D.** In all cases, it shall be the duty of the ZEO to notify any and all concerned parties of the actions and decisions resulting from any Public Hearing within ten (10) business days following the rendering of the final determination.

### **ARTICLE 4. CONTINUATION OF PUBLIC HEARINGS**

- A.** Any Public Hearing may be adjourned from time to time and additional hearings may be called until all evidence, comments, and facts are presented so as to provide the Governing Body all the information necessary to formulate the appropriate recommendation or to make the final determination.

### **ARTICLE 5. REHEARING**

- A.** Any application for a Rehearing shall be denied if there is no substantial change in the facts, evidence, or conditions of the original hearing. If the Applicant/Owner is aggrieved by the final decision of the Ralls County Commission the Applicant/Owner shall have the right to pursue an appeal in accordance with RSMo. Chapter 536.100 – 536.140.

## **CHAPTER 7 - VARIANCE**

### **ARTICLE 1. DEFINITION**

- A.** A variance refers to a deviation, in an individual case, from the literal requirements of the Zoning Order where the strict adherence to all such requirements would involve undue hardship on the part of the owner, lessee or occupant of the land and/or the structures/buildings in order to have a reasonable use of the property.

### **ARTICLE 2. GOVERNING BODY**

- A.** The Board of Appeals shall have the authority to grant, refuse or revoke any Variance, with or without conditions and/or restrictions, after conducting a Public Hearing on this matter to review evidence, listen to comments and gather facts.

### **ARTICLE 3. AUTHORIZED VARIANCES**

- A.** The Board of Appeals may grant a Variance only in the following instances:
  - 1. To vary lot area, lot width, and lot depth requirements.
  - 2. To vary bulk regulations, including maximum height, lot coverage and minimum yard requirements.
  - 3. To vary off-street parking and loading requirements.
  - 4. To vary the provisions of the sign regulations within a zoning district.
  - 5. To vary certain provisions of the Flood Plain District as provided for in Chapter 20, "F" – Flood plain District", of this Zoning Order.
  - 6. When there is a conflict or error of the order concerning a conflict use.

### **ARTICLE 4. APPLICATION PROCESS**

- A.** BOA Procedural Rules shall specify that the following documents be filed with the ZEO when requesting a Variance:
  - 1. An application for Variance
  - 2. Application for Construction Permit
  - 3. All such supporting documents as the Board of Appeals deems necessary in order to make the final determination.

### **ARTICLE 5. APPLICATION FEES**

- A.** A ZEO shall charge and collect from each applicant submitting an Application for a Variance such fees as established by the P&Z Commission as necessary to process this application.
- B.** Such application fees shall include, but not be limited to, the following:
  - 1. Cost of zoning materials.
  - 2. Cost of publishing, posting and/or mailing proper legal notices of the Public Hearing.
  - 3. Other expenses associated with this Public Hearing.

## **ARTICLE 6. OTHER COSTS**

- A. The applicant shall be assessed for actual costs incurred by the ZEO, BOA, and/or County Commission for outside consulting services (i.e. legal and/or expert consultants) necessary to aid in making a decision on this matter.**

## **ARTICLE 7. LEGAL NOTICE AND PUBLIC HEARING**

- A. The Board of Appeals shall select a reasonable time and place for a Public Hearing to review evidence, listen to comments and gather facts regarding any Application for a Variance.**
- B. The time frame and manner in which public and legal notices of this Public Hearing shall be executed and the manner in which the Public Hearing shall be conducted are specified in Chapter 6, "Public Hearings", of this Zoning Order.**
- C. The Missouri Department of Natural Resources must be provided with a complete copy of any request for a Variance in the Flood Plain District at least ten (10) business days prior to the Public Hearing.**
- D. Such hearings may be continued from time to time in order to gather more information in order to make the proper determination.**

## **ARTICLE 8. STANDARDS OF EVALUATION**

- A. When making its final determination on any Application for Variance, the BOA shall consider whether the written and/or oral evidence and/or comments presented demonstrate and support the standard for the granting of variances which shall include, but not be limited to, the following:**
  - 1. The requested Variance is a result of a particular condition (i.e. exceptional narrowness, shallowness, shape of topography, or other extraordinary) which is unique to the specific parcel of land in question and not the Zoning District as a whole.**
  - 2. The requested Variance is not created by an action of the applicant.**
  - 3. The requested Variance is not based exclusively on the part of the applicant to make more money out of the property.**
  - 4. The granting of the Variance will not adversely affect the rights or property of adjacent landowners or residents.**
  - 5. The granting of the Variance will not adversely affect the public health, safety, or well-being nor have a detrimental effect on the neighborhood in which the property in question is located.**
  - 6. The granting of the Variance will not alter the essential character of the property.**
  - 7. The granting of the Variance will be in harmony with, and not be opposed to, the general spirit and intent of this Zoning Order.**
  - 8. The strict application of the rules and regulations of the Zoning Order in this instance would create an unnecessary hardship, as distinguished from a mere inconvenience to the applicant's reasonable use of the property.**
  - 9. Hardship shall not be based exclusively on any economic or financial problems of the applicant.**

## **ARTICLE 9. CONDITIONS AND RESTRICTIONS**

- A.** In granting any Variance, the BOA may impose such conditions, safeguards, and/or restrictions as necessary:
  - 1.** To minimize any adverse effects upon the rights and property of adjacent landowners and/or residents, and
  - 2.** To carry out the general purpose of and intent of this Zoning Order.

## **ARTICLE 10. PERIOD OF VALIDITY**

- A.** The BOA may set limits on the validity of any Variance in which a Construction Permit must be obtained, and actual work is begun.
- B.** Extensions to the original Variance may be granted without notice or hearing.

## **ARTICLE 11. DECISIONS**

- A.** The BOA shall render a thorough written decision within thirty (30) calendar days after the close of the Public Hearing.
- B.** A certified copy of any Variance granted shall be filed with the Recorder of Deeds.
- C.** The ZEO shall notify any and all concerned parties of the final determination of the BOA within ten (10) business days following the rendering of the decision.
- D.** The ZEO shall notify the Missouri Department of Natural Resources of any Variances granted within the Flood Plain District within ten (10) business days of the granting of the Variance.

## **ARTICLE 12. APPEALS**

- A.** All decisions of the BOA shall be final determinations.
- B.** However, any aggrieved person or department, board or commission of Ralls County or the State of Missouri shall have the right to appeal the decision to the Circuit Court within thirty (30) calendar days of receipt of the notice of the decision.

## **CHAPTER 8 - PETITION OF APPEAL**

### **ARTICLE 1. DEFINITION**

- A. A Petition of Appeal refers to any request by an aggrieved person for a review of any official order, requirement, decision, or determination rendered by the Zoning Enforcement Officer or any other official or agency charged with the interpretation and/or enforcement of this Zoning Order.**

### **ARTICLE 2. AGGRIEVED PERSON**

- A. An aggrieved person shall include any individual person or any officer, department, board, bureau, or commission of a town, municipality, county, or state who is affected by this official order, requirement, decision or determination of the ZEO or governing agency.**

### **ARTICLE 3. GOVERNING BODY**

- A. The Board of Appeals shall have the authority to uphold or overrule, in part or wholly, or to modify the official order, requirement, decision or determination under appeal after conducting a Public Hearing on this matter to review evidence, listen to comments and gather facts.**

### **ARTICLE 4. APPLICATION PROCESS**

- A. Any Petition of Appeal shall be filed with the Zoning Enforcement Officer.**
- B. Any Petition of Appeal must be accompanied by all such other information and supporting documents as specified by BOA Procedural Rules as necessary to make a final determination.**
- C. Any Petition of Appeal must be filed within a period of not more than ninety (90) calendar days from the date of the official order, requirement, decision, or determination under question.**

### **ARTICLE 5. APPLICATION FEES**

- A. A ZEO shall charge and collect from each applicant submitting a Petition of Appeal all such fees as established by the P&Z Commission as necessary to process this application.**
- B. Such application fees shall include, but not be limited to, the following:**
  - 1. Cost of zoning materials.**
  - 2. Cost of publishing, posting and/or mailing proper legal notices of the Public Hearing.**
  - 3. Other expenses associated with this Public Hearing.**

### **ARTICLE 6. OTHER COSTS**

- A. The applicant shall be assessed for actual costs incurred by the ZEO, BOA, and/or County Commission for outside consulting services (i.e. legal and/or expert consultants), up to \$100 without prior notification, necessary to aid in making a final decision on this matter.**

## **ARTICLE 7. WORK STOPPAGE**

- A. Any action that is under appeal must be halted until the final determination is rendered by the BOA, unless applicant can certify that such work stoppage would create an imminent peril to life or property.**

## **ARTICLE 8. LEGAL NOTICE AND PUBLIC HEARING**

- A. The Board of Appeals shall select a reasonable time and place for a Public Hearing to review evidence, listen to comments and gather facts regarding any Petition of Appeal.**
- B. The time frame and manner in which public and legal notices of this Public Hearing shall be executed and the manner in which the Public Hearing shall be conducted are specified in Chapter 6, "Public Hearings", of this Zoning Order.**
- C. Such hearings may be continued from time to time to gather more information in order to make the proper determination.**

## **ARTICLE 9. DECISIONS**

- A. The BOA shall render a thorough written decision within thirty (30) calendar days after the close of the Public Hearing.**
- B. A certified copy of any Petition of Appeal determination shall be filed with the Recorder of Deeds.**
- C. The ZEO shall notify any and all concerned parties of the decision of the BOA within ten (10) business days following and rendering of the final determination.**

## **ARTICLE 10. APPEALS**

- A. All decisions of the BOA shall be final determinations.**
- B. However, any aggrieved person or department, board or commission of Ralls County or the State of Missouri shall have the right to appeal the decision to the Circuit Court within thirty (30) calendar days of receipt of the notice of the final determination.**

## **CHAPTER 9 - PERMITS AND CERTIFICATES**

### **ARTICLE 1. PERMIT AND CERTIFICATE REQUIREMENT**

- A.** Once the Zoning Order has been enacted, Permits and/or Certificates shall be required for, but not limited to, the following:
  - 1. Land Use Changes
  - 2. Changes in the use of existing structures/buildings.
  - 3. Erection of new structures/buildings.
  - 4. Alteration of existing structures/buildings, in regard to bulk area and height.
  - 5. Relocation of existing structures/buildings, in regard to bulk yard area and setbacks.

### **ARTICLE 2. APPLICATION PROCESS**

- A.** All applications for any type of Permit or Certificate shall be filed with the Zoning Enforcement Officer.
- B.** Any such Application shall include all such information as required for that particular Permit or Certificate as specified in the relevant Chapter of this Zoning Order for that particular Permit or Certificate.
- C.** The ZEO shall charge and collect all applicable fees associated with processing the Application.
- D.** Incomplete applications or applications containing errors or omissions of fact may be rejected by any of the Governing Bodies which have jurisdiction.

### **ARTICLE 3. PERMIT AND CERTIFICATE ISSUANCE**

- A.** The Zoning Enforcement Officer will issue the proper Permit or Certificate only after verifying that:
  - 1. The Application is complete and valid.
  - 2. The requested use, construction, relocation, installation, alteration, etc. complies with all the rules and regulations of this Order.
  - 3. The proper final determination has been rendered by the appropriate Governing Body which has jurisdiction over that Permit or Certificate.
- B.** No Permit or Certificate shall be issued until all applicable fees are collected by the Zoning Enforcement Officer.

### **ARTICLE 4. PERMIT AND CERTIFICATE EXEMPTIONS**

- A.** All buildings, including accessory buildings, with a total floor space of one hundred (100) square feet or less shall be exempt from these Permit and Certificate requirements.

## **ARTICLE 5. LENGTH OF VALIDITY**

- A.** All Permits and Certificates issued by the ZEO shall be valid for twelve (12) months following issuance, unless otherwise noted.
- B.** During the period of validity, the ZEO shall periodically check on the progress of the project or the stated use of the land and/or the buildings/structures.
  - 1. If the ZEO determines that diligent effort has not been put forth to make substantial progress to start or complete the project or to continue or implement the stated use of the land and/or the buildings/structures in the lack of extenuating circumstances, the Permit and/or Certificate may be revoked and declared null and void.
  - 2. If the project has not been completed or the stated use has not been continued or implemented within one (1) year due to extenuating circumstances, the Permit and/or Certificate may be extended if a diligent effort has been put forth to complete the project or implement the use.
  - 3. If the project has not been completed or the stated use has not been continued or implemented within one (1) year due to the lack of diligent effort in the absence of extenuating circumstances, the Permit and/or Certificate may not be extended.

## **ARTICLE 6. FRAUD**

- A.** If, in the opinion of the Zoning Enforcement Officer, the P&Z Commission, the Board of Appeals, and/or the County Commission, misrepresentations were made on the application form for any Permit and/or Certificate, such Permit and/or Certificate shall be revoked immediately.



## **CHAPTER 10-        CONDITIONAL USE**

### **ARTICLE 1. PURPOSE**

- A.** The purpose of a Conditional Use is to permit a use of land and/or buildings/structures that would not be appropriate generally, but which may be allowed with appropriate restrictions when:
  - 1. Certain conditions as detailed in the Zoning Order exist and
  - 2. The use or development conforms with the Comprehensive Plan and
  - 3. The use is compatible with the existing surrounding neighborhood.

### **ARTICLE 2. GOVERNING BODY**

- A.** The County Commission shall have the authority to approve or disapprove any Conditional Use request after reviewing the written recommendation submitted by the P&Z Commission after it has conducted a proper Public Hearing on this matter.

### **ARTICLE 3. APPLICATION PROCESS**

- A.** An Application for a Conditional Use Permit shall be filed with the Zoning Enforcement Officer.
- B.** Any such application shall include, but not be limited to, the following information as necessary for the P&Z Commission to make a final determination:
  - 1. Name, address, and telephone number of applicant.
  - 2. Name, address, and telephone number of owner of site (land and building/structure).
  - 3. Names, addresses, and telephone numbers of all professionals employed to work on the project.
  - 4. Site Plans and Construction Blueprints/Plans.
  - 5. A written explanation that the Conditional Use complies with Chapter 10, Article 1, Subsections 1,2, and 3 of this Zoning Order.
  - 6. Other information as requested by the P&Z Commission and/or the ZEO as necessary to make a final determination on the application for a Conditional Use Permit.
- C.** Incomplete applications or applications containing errors or omissions of fact may be rejected by the Zoning Enforcement Officer or the P&Z Commission.

### **ARTICLE 4. APPLICATION SITE PLAN**

- A.** A Site Plan of the property on which the Conditional Use is requested shall be prepared and furnished by the applicant to the ZEO at the time the application is made.
- B.** This Site Plan shall include, but not be limited to, the following items:
  - 1. Dimensions of the lot or piece of land in question.
  - 2. Soil conditions information as attested to by either or both of the following:
    - a. The Ralls County soil survey maps, as prepared by the US Department of Agriculture, Natural Resources Conservation Service, or its successor agency, were used as a resource guide to judge soil condition.
    - b. A Certified report prepared by a qualified soil scientist.
  - 3. Neighboring land, water, and air uses.
  - 4. Descriptions, dimensions, and locations of existing and proposed structures/buildings.

5. Building plans/blueprints for all proposed structures/buildings.
  6. Traffic patterns with highway access and parking areas and driveway plans.
  7. Drainage, waste disposal, and sewage disposal systems.
  8. Utility supply systems.
  9. Impact upon surrounding environment.
- C. The RCPZO may request that the site plans be submitted to the Ralls County Soil and Water Conservation District for review and recommendations on site suitability.
- D. Additional information on elevations of utilities and structures may be requested in the Flood Plain District.

#### **ARTICLE 5. APPLICATION FEES**

- A. A ZEO shall charge and collect from each applicant submitting an Application for Conditional Use such fees as established by the P&Z Commission as necessary to process this application.
- B. Such application fees shall include, but not be limited to, the following:
1. Cost of zoning materials.
  2. Cost of publishing, posting and/or mailing proper legal notices of the Public Hearing.
  3. Other expenses associated with this Public Hearing.

#### **ARTICLE 6. OTHER COSTS**

- A. The applicant shall be assessed for actual costs incurred by the ZEO, P&Z Commission, and/or County Commission for outside consulting services (i.e. legal and/or expert consultants), necessary to aid in making a final decision on this matter.

#### **ARTICLE 7. LEGAL NOTICE AND PUBLIC HEARING**

- A. The P&Z Commission shall select a reasonable time and place for a Public Hearing to review evidence, listen to comments and gather facts regarding any Application for a Conditional Use.
- B. The time frame and manner in which public and legal notices of this Public Hearing shall be executed and the manner in which the Public Hearing shall be conducted are specified in Chapter 6, "Public Hearings", of this Zoning Order.
- C. Such hearings may be continued from time to time to gather more information in order to make the proper determination.

#### **ARTICLE 8. FINDINGS**

- A. Any recommendation by the P&Z Commission for the approval of or disapproval of a Conditional Use Permit shall be based upon findings of fact and conclusions of law.
- B. The P&Z Commission must determine that:
1. The Conditional Use will not be detrimental to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted in the Zoning District.
  2. The Conditional Use must not substantially diminish or impair property values within the immediate vicinity.
  3. The Conditional Use will not impede the normal and orderly development and improvement of surrounding vacant property for uses permitted in the Zoning District.
  4. Adequate action will be taken to limit nuisance to neighboring property owners (i.e. odor, fumes, dust, noise, vibration, lighting, etc.)

## **ARTICLE 9. RESTRICTIONS OR CONDITIONS**

- A.** The P&Z Commission and/or the County Commission may stipulate that certain restrictions or conditions which affect the proposed use, and which are necessary to comply with and fulfill the purposes and intent of this Zoning Order be met by the applicant before the approval of any Conditional Use Permit.
- B.** Such restrictions or conditions may include, but not be limited to, the following:
  - 1. Landscaping, privacy screens fencing, lighting and the like.
  - 2. Increased or decreased yard size, and the like.
  - 3. Architectural design, type of construction, construction completion dates, and the like.
  - 4. Locations, size, and number of signs.
  - 5. Certified survey maps, deed restrictions, and the like.
  - 6. Hours of operation, and the like.
  - 7. Improved traffic circulation, highway access restrictions, additional parking, loading, and unloading areas, and the like.

## **ARTICLE 10. ACTION AND AUTHORIZATION**

- A.** The P&Z Commission shall render a written report of its findings and recommendations on this matter within thirty (30) calendar days after the close of the Public Hearing.
- B.** The ZEO shall report the findings and recommendations of the P&Z Commission to the County Commission at their next regularly scheduled meeting for their subsequent action.
- C.** The County Commission shall review the report of the RCPZO and make a final determination on this matter within thirty (30) calendar days following receipt of the report.
- D.** The ZEO shall notify the applicant in writing of the final determination of the County Commission within ten (10) business days following the decision.

## **ARTICLE 11. TRANSFER OF CONDITIONAL USE PERMIT**

- A.** Conditional Use Permits may be transferred to new owners or operators.

## **ARTICLE 12. COMPLIANCE**

- A.** If it is determined that the applicant is deviating from any of the uses, restrictions, and/or conditions specified in the Conditional Use Permit, such permit may be revoked at that time.

## **ARTICLE 13. LENGTH OF VALIDITY**

- A.** Conditional Use Permits or Certificates issued by the P&Z Commission shall be valid for twenty-four (24) months following issuance.
- B.** During the period of validity, the ZEO shall periodically check on the progress of the project or the stated use of the land and/or buildings/structures.
  - 1. If the ZEO determines that diligent effort has not been put forth to make substantial progress to start or complete the project or to continue or implement the stated use of the land and/or the buildings/structures in the lack of extenuating circumstances, the Conditional Use Permit and/or Certificate may be revoked and declared null and void.
  - 2. If the project has not been completed or the stated use has not been continued or implemented within two (2) years due to extenuating circumstances, the Conditional Use Permit and/or Certificate may be extended if a diligent effort has been put forth to complete the project or implement the use.

3. If the project has not been completed or the stated use has not been continued or implemented within two (2) years due to the lack of diligent effort in the absence of extenuating circumstances, the Conditional Use Permit and/or Certificate shall be revoked and declared null and void.
4. If the project has been completed or the stated use is being continued, the Conditional Use Permit and/or Certificate shall continue as stated within the parameters of public record made during the Conditional Use Public Hearing.

## **CHAPTER 11 - NON-CONFORMING USE**

### **ARTICLE 1. DEFINITION**

- A.** A Non-Conforming Use is the use of land and/or structures that does not conform to the rules and regulations of this Zoning Order (i.e. it is a prohibited use in a Zoning District) but which is permitted under certain circumstances because such use existed before the effective date of this Zoning Order.
- B.** The lawful use of land and/or structures which existed at the time of the effective date of this Zoning Order, but which is now prohibited in a Zoning District, may be continued as a Non-Conforming Use although such use does not conform with the Order.
  - 1. This is commonly referred to as "Grandfathering" the use of the land and/or structure.
- C.** The lawful use of land and/or structures which becomes a Non-Conforming Use through a change or amendment to this Zoning Order or the Zoning Map shall be permitted to continue as a Non-Conforming Use although such use would then not conform with the Order.
  - 1. This is commonly referred to as "Grandfathering" the use of the land and/or structure.
- D.** The "Grandfathering Protection" shall be lost if:
  - 1. The Non-Conforming Use is discontinued for a period of one (1) year.
  - 2. The Non-Conforming Use is enlarged, extensively reconstructed, or altered.
  - 3. The Non-Conforming Use is changed to a Permitted Use.
  - 4. Fifty percent (50%) or more of the Non-Conforming land and/or structure is destroyed.

### **ARTICLE 2. LOSS OF NON-CONFORMING STATUS**

- A.** In the event that a Non-Conforming Use of land and/or structures is discontinued or the normal operations upon such land or within such structures is discontinued for a period of one (1) year, the status of the permitted Non-Conforming Use shall be revoked permanently.
- B.** In the event that a Non-Conforming Use is changed to a Permitted Use, the status of the permitted Non-Conforming Use shall be revoked permanently.
- C.** The use of the land and/or structures shall thereafter conform to all of the zoning regulations of the Zoning District in which it is located.
- D.** One Non-Conforming Use of land and/or structures cannot be replaced by another Non-Conforming Use.

### **ARTICLE 3. RESTRICTIONS**

- A.** Any non-conforming land and/or structure, or the use of same, may not be enlarged, extensively reconstructed, or altered unless such use or change is made to conform to the regulations of the Zoning District in which it is located.

### **ARTICLE 4. DESTRUCTION**

- A.** In the event that less than fifty percent (50%) of any non-conforming land and/or structure is destroyed by fire, explosion, act of God, or by the act of any public enemy such land and/or structure may be rebuilt or restored to its original location and condition and still maintain its Non-Conforming Use status.
  - 1. If such reconstruction or restoration is not completed within one (1) year of the destruction the Non-Conforming Use status shall be permanently forfeited.

- B.** In the event that fifty percent (50%) or more of any non-conforming land and/or structure is destroyed by fire, explosion, act of God, or by the act of any public enemy such land and/or structure shall lose its Non-Conforming Use status and may be rebuilt or restored only if such reconstruction or restoration conforms to all the zoning regulations of the Zoning District in which it is located.

#### **ARTICLE 5. CERTIFICATE OF OCCUPANCY**

- A.** A Certificate of Occupancy for Non-Conforming Use must be obtained from the Zoning Enforcement Officer for all non-conforming use of land and/or structures within one (1) year of the effective date of this Zoning Order.
  - 1. There shall be no charge for this Certificate of Occupancy for Non-Conforming Use.
  - 2. The application for a Certificate of Occupancy for Non-Conforming Use shall include, but not be limited to, the following information:
    - a. The name, address, and telephone number of the applicant.
    - b. The name, address, and telephone number of the owner of the land and/or structure.
    - c. A complete, detailed description of the current use of the land and/or structure.
    - d. Site Plan which contains the same information as specified in Chapter 10, Article 4, Subsections B, C, and D, of this Zoning Order.
- B.** If such Certificate of Occupancy for Non-Conforming Use is not obtained within the one (1) year grace period, the "Grandfathering Protection" shall be permanently forfeited and the use of the land and/or the structures shall thereafter conform to all of the zoning regulations of the Zoning District in which it is located.

#### **ARTICLE 6. TRANSFER OF CERTIFICATE OF OCCUPANCY FOR NON-CONFORMING USE**

- A.** Certificate of Occupancy for Non-Conforming Use may be transferred to new owners or operators.

#### **ARTICLE 7. PERMIT FOR CONDITIONAL USE**

- A.** Notwithstanding any provisions of this Zoning Order to the contrary concerning non-conforming uses, a non-conforming use which is created upon enactment of this Zoning Order, but which is classified as a conditional use in a zoning district, may apply for and be issued a Conditional Use Permit, provided the application for such permit is filed with the ZEO within one (1) year of the effective date of this Zoning Order.

**CHAPTER 12-            AMENDMENT TO CHANGE OR MODIFY ZONING ORDER  
OR TO REQUEST A REZONING OR USE CHANGE**

**ARTICLE 1. AUTHORITY**

- A. Whenever the public necessity, convenience general welfare, or good land use requires such amendment, the County Commission may, by order, amend, extend, or add to the regulations of this Zoning Order in accordance with the applicable provisions of RSMo. Chapter 64.**

**ARTICLE 2. APPLICATION**

- A. An application for amendment, extension, or addition to the regulations within this Zoning Order shall be filed with the ZEO through any one of the following methods:
  - 1. A petition from any resident living within the jurisdiction of this Zoning Order.**
  - 2. A recommendation from the P&Z Commission.**
  - 3. An action by the County Commission.****
- B. Any application for the amendment not initiated by the P&Z Commission shall be referred to the RCPZO for study and recommendation and may not be acted upon by the County Commission until it has received a recommendation from the P&Z Commission after it has conducted a Public Hearing on this matter.**

**ARTICLE 3. WORDING CHANGE AMENDMENT**

- A. Any application to change any of the wording of this Zoning Order shall contain, but not be limited to, the following:
  - 1. Copy of existing text to be changed.**
  - 2. Proposed amendment text.**
  - 3. Reason for the requested change in wording.**
  - 4. Statement of compatibility with the Master Plan.**
  - 5. Statements outlining any effect that the amendment may have on other parts of the Zoning Order.**
  - 6. Any other additional information may be requested by the P&Z Commission.****

**ARTICLE 4. BOUNDARY CHANGE/REZONING AMENDMENT**

- 1. Name and address of petitioner (owner or authorized agent of owner) accompanied by signature of same.**
- 2. Specific and complete legal description of the subject property to be rezoned.**
- 3. Name and addresses of all property owners within 1000 feet of the subject property.**
- 4. Detailed map, plot plan, and/or survey of subject property and adjacent properties showing location, dimensions, existing land, and structure uses, and locations of all structures.**
- 5. Complete and detailed description of proposed use of land and/or structures within the subject property.**
- 6. Statement of impact upon surrounding environment.**
- 7. Present zoning district classification of the subject property.**
- 8. Proposed zoning district reclassification of the subject property.**
- 9. Statement of compatibility with Master Plan.**
- 10. Statement of conditions warranting the change in the zoning district boundary.**
- 11. Any other additional information may be requested by the P&Z Commission.**

## **ARTICLE 5. PROCEDURE**

- A.** Upon receipt of proper application for amendment or rezoning, along with all required supporting materials, the P&Z Commission shall hold a Public Hearing to review evidence, listen to comments, and collect data on this matter.
- B.** The time frame and manner in which public and legal notices of this Public Hearing shall be executed and the manner in which the Public Hearing shall be conducted are specified in Chapter 6, Public Hearings, of this Zoning Order.
- C.** In cases of Rezoning/Land Use Change requests, written notice of Public Hearing shall be sent by certified by letter to all property owners within one thousand (1000) feet of the concerned area.
  - 1.** For the purpose of giving such mailed notice, the applicant shall be responsible for supplying the names and addresses of all such affected property owners.

## **ARTICLE 6. APPLICATION FEES**

- A.** ZEO shall charge and collect from each applicant submitting a request to amend the Zoning Order or to request a Rezoning/Land Use Change such fees as established by the P&Z Commission as necessary to process this application.
- B.** Such application fees shall include, but not be limited to, the following:
  - 1.** Cost of zoning materials.
  - 2.** Cost of publishing, posting and/or mailing proper legal notices of the Public Hearing.
  - 3.** Other expenses associated with this Public Hearing.

## **ARTICLE 7. OTHER COSTS**

- A.** The applicant shall also be assessed for actual costs incurred by the ZEO, P&Z Commission, and/or County Commission for outside consulting services (i.e. legal and/or expert consultants), necessary to aid in making a final decision on this matter.

## **ARTICLE 8. ACTION AND AUTHORIZATION**

- A.** The P&Z Commission shall render a written report of its findings and recommendations on this matter within thirty (30) calendar days after the close of the Public Hearing.
- B.** The ZEO shall report the findings and recommendations of the P&Z Commission to the County Commission at their next regularly scheduled meeting for their subsequent action.
- C.** The County Commission shall review the report of the RCPZO and make a final determination on this matter within thirty (30) calendar days following receipt of the report.
- D.** The ZEO shall notify the applicant in writing of the final determination of the County Commission within ten (10) business days following the decision.

## **ARTICLE 9. RESUBMISSION OF DENIED APPLICATION FOR REZONING/LAND USE CHANGE**

- A.** In the event the proposed change in the Zoning District boundaries or land use is denied by the County Commission, no request for the same proposed change will be considered for a period of one (1) year from the date of the County Commission's action.



## **CHAPTER 13-        CONSTRUCTION PERMIT**

### **ARTICLE 1. REQUIREMENT FOR CONSTRUCTION PERMIT**

- A.** A Construction Permit shall be obtained prior to:
  - 1. Erecting, constructing, or reconstructing any new structure or building, or any part thereof, including modular and manufactured homes.
  - 2. Enlarging, altering, or moving any existing structure or building, or any part thereof.
  - 3. Changing the physical use of land, structures, or buildings.
- B.** Construction Permits shall be required in all the unincorporated areas of Ralls County, as well as in all the unincorporated towns and villages within the same unincorporated areas of the county.
- C.** Construction projects which were begun, or uncompleted structures which existed, prior to the implementation of the Zoning Order shall not require a Construction Permit if the work continues uninterrupted.
  - 1. However, if the ZEO determines that diligent effort has not been put forth to make a substantial progress to complete the project or structure in the lack of extenuating circumstances within twelve (12) months following the adoption of the Zoning Order, a Construction Permit shall be required.

### **ARTICLE 2. APPLICATION PROCESS**

- A.** Any application for a Construction Permit shall be filed with the Zoning Enforcement Officer.
- B.** Before issuing the Construction Permit, the ZEO will ensure that all the terms and requirements of the Zoning Order are met and that all other applicable county, state and federal laws are complied with.
- C.** An application for a Construction Permit may be made by the owner of the land and/or structure or by a General Contractor employed by the owner.
  - 1. Accessory buildings of less than 100 square feet are exempt from permit regulations.

### **ARTICLE 3. APPLICATION REQUIREMENTS**

- A.** Any such application for a Construction Permit shall include, but not be limited to, the following detailed information regarding the property to be modified or constructed and a detailed explanation of the proposed use of the land and/or structure:
  - 1. Name, address, and telephone number of property owners(s) and/or applicant(s).
  - 2. Names, addresses, and telephone numbers of all professionals employed to work on the project.
  - 3. Site Plans and Construction Blueprints/Plans.
  - 4. Other information as requested by the Zoning Enforcement Officer as necessary to make a final determination.
- B.** Incomplete applications or applications containing errors or omissions of fact may be rejected by the ZEO.

#### **ARTICLE 4. APPLICATION SITE PLAN**

- A.** The Site Plan shall include, but not be limited to, the following items:
  - 1. Dimensions of the lot or piece of land in question.
  - 2. Soil information.
    - a. The Ralls County soil survey maps, as prepared by the US Department of Agriculture, Natural Resources Conservation Service, or its successor agency, shall be used as a resource guide to judge soil condition.
    - b. Qualified soil scientists can be used as a resource to judge soil conditions.
  - 3. Neighboring land and water use.
  - 4. Descriptions, dimensions, and locations of existing and proposed structures/buildings.
  - 5. Drainage, waste disposal, and sewage disposal systems.
    - a. Must be in compliance with Appendix E (On-Site Domestic Wastewater Treatment Systems Ordinance) and submit a copy of your sewer application and permit with your construction permit.
    - b. If the sewage disposal system for a single-family dwelling directly ties into an existing central sewer system that is regulated and has been approved by the Missouri Department of Natural Resources, then the minimum acreage of 3 acres does not apply. You will need to submit a letter on letterhead, from the provider of the sewage treatment to remain in compliance for a construction permit.
  - 6. Water supply systems.
  - 7. Impact upon surrounding environment.
- B.** The ZEO may request that the site plans be submitted to the Ralls County Soil and Water Conservation District for review and recommendations on site suitability.
- C.** Additional information on elevations of utilities and structures may be requested in the Flood Plain District.

#### **ARTICLE 5. PERMIT ISSUANCE**

- A.** The ZEO shall issue the Construction Permit after proper application has been filed, reviewed for accuracy, verified to be in compliance with this Zoning Order, and all applicable fees have been paid by applicant.

#### **ARTICLE 6. CONSTRUCTION PERMIT FEES**

- A.** The ZEO shall charge and collect such fees for a Construction Permit as established by a P&Z Commission to cover the costs of printed materials and enforcement of the Zoning Order.
- B.** In case of involuntary loss of any of the structures or buildings covered under a valid Construction Permit due to fire, wind, water, and the like, no additional fees shall be charged for a Construction Permit to rebuild the structure or building under the same original conditions.

## **ARTICLE 7. VALIDITY OF PERMIT**

- A.** A Construction Permit issued under the terms of this Zoning Order shall be valid for one (1) year from the date of issuance.
- B.** During the year of validity, the ZEO shall periodically check on the progress of the project:
  - 1. If the ZEO determines that diligent effort has not been put forth to make substantial progress to start or complete the project in the lack of extenuating circumstances, the Construction Permit may be revoked.
  - 2. If construction has not been completed within one (1) year due to extenuating circumstances, the Construction Permit may be extended if a diligent effort has been put forth to complete the project.
  - 3. If construction has not been completed within one (1) year due to the lack of diligent effort to complete the project, without extenuating circumstances, the Construction Permit may not be extended.

## **ARTICLE 8. CERTIFICATE OF OCCUPANCY**

- A.** When work is completed on the project, the ZEO must be notified for issuance of Certificate of Occupancy.

## **CHAPTER 14- ZONING DISTRICTS**

### **ARTICLE 1. PURPOSE**

- A.** All lands within Ralls County not within the corporate limits of cities, towns, or villages, are hereby divided into Zoning Districts for the purpose of regulating and restricting the use of land and the erection, construction, reconstruction, alteration, moving or use of buildings or structures.
- B.** The Zoning Districts are hereby established as follows:
  - 1. "A" District - Agricultural District
  - 2. "R" District - Residential District
  - 3. "R-V" District - Rural Village District
  - 4. "C" District - Commercial District
  - 5. "M" District - Industrial/Manufacturing District
  - 6. "F" District - Flood Plain Overlay District
- C.** Each of the above Zoning Districts is explained in further detail in appropriate chapters elsewhere in this Zoning Order.

### **ARTICLE 2. DISTRICT CLASSIFICATION USAGE GRID CHART**

- A.** The Usage Grid Chart (Appendix A) shall serve as a guideline for Permitted, Conditional, and Prohibited uses of land and buildings/structures within each Zoning District in accordance with the rules and regulations and the general intent of this Zoning Order and the Master Plan of Ralls County.

### **ARTICLE 3. ZONING DISTRICT BOUNDARY MAP**

- A.** The boundaries of the Zoning Districts as enumerated above are hereby established as those shown on the Zoning District Map.
- B.** Said Zoning District Map, and all notations, references and information shown thereon or presented in supporting documents, is hereby made a part of this Zoning Order.
- C.** The original Zoning District Map, and all changes, amendments, or additions, shall be kept on permanent file in the office of the Zoning Enforcement Officer.
  - 1. Copies of same shall be on display and available for public inspection in the Office of the Zoning Enforcement Officer.

### **ARTICLE 4. DISTRICT BOUNDARY INTERPRETATION**

- A.** When definite distances in feet are not shown on the Zoning District Map, the Zoning District boundaries are intended to be along existing property, street, alley or platted lot lines, survey or land lines, or extensions of the same.
- B.** If the exact location of such lines is not clear, the ZEO shall consult with the P&Z Commission to determine such lines in a manner that conforms to the original intent and purpose of the Zoning District Map and this Zoning Order.
- C.** Zoning District boundaries shall be considered as extending to the street line of existing highways, roads, streets, and/or alleys, herein also referred to generally as thoroughfares.

1. When highways, roads, streets, or alleys on the ground differ from the same on the Zoning District Map, the district designations on the map shall be applied to these thoroughfares in such a manner as to conform to the intent and purpose of this Zoning Order.
2. Whenever a thoroughfare is vacated, the Zoning District classification of all adjacent property shall automatically be extended to the original center line of such vacated thoroughfare.
3. Whenever a new public thoroughfare is dedicated as same, the Zoning District within that dedicated thoroughfare shall automatically become void and the Zoning District boundaries shall automatically be relocated to the street line of the thoroughfare.

#### **ARTICLE 5. ZONING DISTRICT REGULATIONS**

- A. Each Zoning District shall have regulations that will be uniform throughout that Zoning District.
- B. Specific regulations for each Zoning District are detailed in the individual appropriate Zoning District chapters of this Zoning Order.
- C. Such regulations may include, but not be limited to, control of the following:
  1. Bulk area of lots or building sites.
  2. Front, back and side yard requirements.
  3. Bulk area of buildings and structures.
  4. Height of buildings and structures.
  5. Off-street parking and loading.

## CHAPTER 15- "A" AGRICULTURAL DISTRICT

### ARTICLE 1. PURPOSE

- A. To provide Zoning Districts within the unincorporated areas of Ralls County in which the primary intent is to preserve, maintain and improve the agricultural (i.e. crop, pasture, forestry, and conservation) lands of the county from helter-skelter, uncontrolled development.

### ARTICLE 2. EXEMPTIONS

- A. The following are exempt from height regulations, bulk regulations, lot sizes, setback lines, etc.:
1. Agricultural buildings.
  2. Agricultural accessory buildings.
  3. Residential accessory buildings 100 square feet or less in total floor area.

### ARTICLE 3. NOT EXEMPT

- A. The following are subject to bulk regulations:
1. The residences/dwellings of the landowner and/or operator that are situated on the same parcel of land.
  2. Residential accessory buildings or accessory dwellings greater than 100 square feet in total floor area.
  3. Livestock buildings

### ARTICLE 4. BULK REGULATIONS

Maximum Height of Dwellings	=	45 feet
Maximum Height of Single Mobile Home	=	One (1) story
Minimum Depth of Front Yard	=	50 feet
Minimum Depth of Rear Yard	=	50 feet
Minimum Width of Side Yards	=	25 feet
Minimum Lot Area	=	15,000 square feet
Minimum Dwelling Size	=	850 square feet(mobile homes exempt)
Minimum Seasonal Dwelling Size	=	100 square feet
Minimum Distance of Accessory Building from Main Building	=	10 feet
Minimum Distance of Residential Accessory Building from Rear Line	=	4 feet
Minimum Distance of Residential Accessory Building from Sideline	=	4 feet
Minimum Distance of Residential Accessory Building from Front Line	=	not allowed in front yard
Livestock Sewage Lagoon*	=	800 ft from any residence
Livestock Feed Lot**	=	800 ft from any residence

## **ARTICLE 5. CONCENTRATED ANIMAL FEEDING OPERATIONS (CAFO)**

Commercial agricultural activities such as feedlot operations, poultry operations and associated uses that involve the confinement of animals in mass for the purpose of breeding, feeding, boarding, slaughter or for the production of animal products for consumption or other uses. This is an operation location where animals have been, are or will be stabled or confined and fed or maintained for a total of sixty (60) days or more in any twelve (12) month period and a ground cover of vegetation is not sustained over at least fifty percent (50%) of the animal confinement area. A CAFO does not include a feeding operation that has a capacity of less than three hundred (300) animal units. A feeding operation shall not be considered a CAFO unless the operation is expected to meet or exceed the animal populations indicated in RSMo. 640.700 to 640.755 and 192.300. Also, refer to the Ralls County Agriculture Development Ordinance #06-05-06.

## **ARTICLE 6. IMMEDIATE FAMILY EXCEPTION**

The minimum lot size requirements shall be waived when transferring land to an immediate member of the family of the property owner, provided that the proposed lot size is a minimum of 1 acre and appropriate for the intended use, that the property's owners acreage does not fall below the minimum of 3 acres after transfer, and only one transfer of a piece of land shall be made to each immediate member of the family. Immediate family member shall mean a spouse, son, daughter, sister, brother, father, mother, or grandchild. Each piece of land transferred shall be retained by the recipient for a period of one year before the parcel of land may again change hands.

\* All livestock sewage lagoons are also subject to all rules and regulations of the Ralls County Health Department, the Missouri Department of Natural Resources and the Environmental Protection Agency.

\*\* Livestock feedlot regulations do not pertain to any households that have 3 or less split and/or large hooved livestock or students raising livestock for FFA, 4-H, or any other school projects.

## **CHAPTER 16-        “R” RESIDENTIAL DISTRICT**

### **ARTICLE 1. PURPOSE**

- A.** To provide Zoning Districts within the unincorporated areas of Ralls County for the construction of residential units (i.e. single, two-, and multi-family dwellings), Mobile Home Parks, and low-density housing developments.
  - 1.** Where possible, it is encouraged that new residential construction be built as a continuation of existing cities, towns, and rural villages within the county to take advantage of the close proximity of existing roads, utilities and other services already being provided by those communities in order to minimize any detrimental impact upon the resources and environmental quality of the county.

### **ARTICLE 2. BULK REGULATIONS**

Maximum Height of Dwellings	=	45 feet
Minimum Depth of Front Yard	=	30 feet
Minimum Depth of Rear Yard	=	30 feet
Minimum Width of Side Yards	=	15 feet
Minimum Lot Area	=	130,680 square feet (3 Acres)
Minimum Dwelling Size	=	850 square feet (mobile homes exempt)
Minimum Seasonal Dwelling Size	=	100 square feet
Minimum Distance of Accessory Building from Main Building	=	10 feet
Minimum Distance of Residential Accessory Building from Rear Line	=	4 feet
Minimum Distance of Residential Accessory Building from Sideline	=	4 feet
Minimum Distance of Residential Accessory Building from Front Line	=	not allowed in front yard

### **ARTICLE 3. LOT SIZE REQUIREMENTS**

- A.** Each parcel of land in the unincorporated areas of Ralls County upon which a residential unit is built shall be subject to minimum lot size requirements, all acreage surveyed after May 12<sup>th</sup>, 2025, must be at least 3 acres.
- B.** In all unincorporated areas of the County, the size of all such parcels of land is also dependent upon compliance with all current state laws regarding sewage disposal systems for residential occupancy.
  - 1.** However, at no time shall the size of such a parcel of land be less than the minimum specified in this Order.



#### **ARTICLE 4. IMMEDIATE FAMILY EXCEPTION**

The minimum lot size requirements shall be waived when transferring land to an immediate member of the family of the property owner, provided that the proposed lot size is a minimum of 1 acre and appropriate for the intended use, that the property's owners acreage does not fall below the minimum of 3 acres after transfer, and only one transfer of a piece of land shall be made to each immediate member of the family. Immediate family member shall mean a spouse, son, daughter, sister, brother, father, mother, or grandchild. Each piece of land transferred shall be retained by the recipient for a period of one year before the parcel of land may again change hands.

## **CHAPTER 17- "R-V" RURAL VILLAGE DISTRICT**

### **ARTICLE 1. PURPOSE**

- A.** To provide Zoning Districts within the unincorporated areas of Ralls County to encourage the continued existence of small unincorporated "villages" and recreational communities.
- B.** These villages and recreational communities were all subdivided, platted and recorded prior to the date that the Zoning Order was adopted.

### **ARTICLE 2. INTENT**

- A.** It is the intent of the Zoning Order to be less restrictive in these areas by placing a minimal degree of restriction on their continued development.
- B.** However, new development of future rural villages and recreational communities shall comply with the requirements of the Zoning District in which they are located.
- C.** In all unincorporated areas of the County, it is further understood that the size of all such parcels of land is also dependent upon compliance with all current state laws regarding the sewage disposal systems for residential occupancy.
  - 1.** However, at no time shall the size of such parcels of land be less than the minimum specified in this Order.

### **ARTICLE 3. EXISTING RURAL VILLAGES**

- A.** This Zoning Order hereby recognizes the following existing rural villages:

Madisonville	West Hartford	Saverton	Monkey Run
Ilasco	Greenlawn	Hatch	Lake Hannibal
Cincinnati	Hassard	Huntington	Norwoods

### **ARTICLE 4. BULK REGULATIONS**

Maximum Height	=	45 feet
Minimum Depth of Front Yard	=	10 feet
Minimum Depth of Rear Yard	=	10 feet
Minimum Width of Side Yards	=	5 feet
Minimum Lot Area	=	As currently platted
Minimum Dwelling Size	=	850 square feet (mobile homes exempt)
Minimum Seasonal Dwelling Size	=	100 square feet
Minimum Distance of Accessory Building from Main Building	=	10 feet
Minimum Distance of Residential Accessory Building from Rear Line	=	4 feet

## **CHAPTER 18-        “C” COMMERCIAL DISTRICT**

### **ARTICLE 1. PURPOSE**

- A. To provide Zoning Districts within the unincorporated areas of Ralls County for the location of businesses which provide a wide range of goods and services.
1. Such districts will be conveniently located near existing urban developments and/or easily accessible to major transportation routes so as to encourage, not impede, the growth of businesses within the county.

### **ARTICLE 2. BULK REGULATIONS FOR COMMERCIAL STRUCTURES**

Maximum Height	=	45 feet
Minimum Depth of Front Yard	=	30 feet
Minimum Depth of Rear Yard	=	30 feet
Minimum Width of Side Yards	=	30 feet
Minimum Lot Area	=	9,000 square feet
Minimum Lot Width	=	90 feet
Minimum Lot Depth	=	100 feet
Minimum Building Size	=	1,200 square feet
Minimum Parking Area	=	Adequate to meet needs of operation

### **ARTICLE 3. BULK REGULATIONS FOR RESIDENTIAL STRUCTURES**

Maximum Height of Dwellings	=	45 feet
Minimum Depth of Front Yard	=	50 feet
Minimum Depth of Rear Yard	=	50 feet
Minimum Width of Side Yards	=	25 feet
Minimum Lot Area	=	10,700 square feet
Minimum Lot Width	=	100 feet
Minimum Lot Depth	=	107 feet
Minimum Dwelling Size	=	850 square feet(mobile homes exempt)
Minimum Seasonal Dwelling Size	=	100 square feet
Minimum Distance of Accessory Building from Main Building	=	10 feet
Minimum Distance of Residential Accessory Building from Rear Line	=	4 feet
Minimum Distance of Residential Accessory Building from Sideline	=	4 feet
Minimum Distance of Residential Accessory Building from Front Line	=	not allowed in front yard

**CHAPTER 19-        “M” INDUSTRIAL/MANUFACTURING DISTRICT**

**ARTICLE 1. PURPOSE**

- A.** To provide Zoning Districts within the unincorporated areas of Ralls County for the location of businesses associated with the productions, cleaning, servicing, storage, testing, repair, etc. of products, goods, and materials.
  - 1.** While such districts will be conveniently located near existing urban developments and/or easily accessible to major transportation routes, care will be taken to protect the residents and land of adjoining property from any by-products of such industries (i.e. noise, vibration, smoke, dust, toxic materials, odors, fires, glare, explosion, and other such inconveniences and hazards) which would be detrimental to quality of life and safety.

**ARTICLE 2. BULK REGULATIONS FOR COMMERCIAL STRUCTURES**

Maximum Height	=	150 feet
Minimum Depth of Front Yard	=	30 feet
Minimum Depth of Rear Yard	=	30 feet
Minimum Width of Side Yards	=	30 feet
Minimum Lot Area	=	12,500 square feet (to accommodate all requirements, septic to be a major determining factor)
Minimum Building Size	=	2,600 square feet
Minimum Parking Area	=	Adequate to meet needs of operation

## **CHAPTER 20-        "F" FLOODPLAIN OVERLAY DISTRICT**

### **ARTICLE 1. PURPOSE**

- A.** The creation of a Floodplain Overlay District is necessary to protect the people and lands of the unincorporated areas of Ralls County from the potential hazards of flooding (i.e. loss of life, destruction of property, and erosion of land) and to conserve and develop the county's Floodplains.
  - 1.** The agricultural use of lands within the overlay district will be encouraged where practicable, while residential, commercial, and industrial development will be sharply restricted.
- B.** Model Floodplain Management Ordinance 60.3(b) dated August 29, 1996, is hereby accepted as part of this Zoning Order.
- C.** This overlay district is not a separate Zoning District but is one which acts in conjunction with the underlying Zoning Districts as specified in this Zoning Order.
- D.** The rules and regulations of each underlying Zoning Districts shall apply to the Floodplain Overlay District.
  - 1.** In cases where there is a difference between the regulations of a Zoning District and the regulations of the Model Floodplain Management Ordinance 60.3(b), the more restrictive regulations shall apply.

## **CHAPTER 21 - MOBILE HOMES, SINGLE**

### **ARTICLE 1. PURPOSE**

- A. To provide uniform guidelines for the placement and appearance of one (1) Mobile Home situated on a single parcel of land and used as a Single-Family Dwelling within the unincorporated area of Ralls County.
- B. Chapter 22, “Mobile Home Community/Park”, of this Zoning Order addresses the issue of multiple Mobile Homes placed in a Mobile Home Community.

### **ARTICLE 2. PERMIT**

- A. Any person wishing to place a Mobile Home in an unincorporated area of the County shall make a proper Application with the Zoning Enforcement Officer.
- B. The ZEO shall issue proper Permits and/or Certificates for same after verifying that all rules and regulations of this Order are complied with, and all applicable fees have been paid.
- C. Please refer to Chapter 13 for the process of obtaining a construction permit.

### **ARTICLE 3. GENERAL PROVISIONS**

- A. Each Mobile Home shall be a Single-Family Dwelling only.
- B. Each Mobile Home shall be located on a single parcel of land.
- C. Each Mobile Home must have all the appropriate and original manufacturer’s seals as required by law permanently and prominently affixed to the unit.
- D. Each Mobile Home shall be anchored with tie-down straps as per all applicable laws, rules, and regulations, and/or insurance requirements.
- E. Each Mobile Home shall be located upon a concrete slab, concrete runners, piers, or a permanent foundation or basement.

### **ARTICLE 4. LOT SIZE REQUIREMENTS**

- A. Each parcel of land in the unincorporated areas of Ralls County upon which a Mobile Home is placed shall be subject to minimum lot size requirements, all acreage surveyed after May 12<sup>th</sup>, 2025, must be at least 3 acres.
- B. In all unincorporated areas of the County, the size of all such parcels of land is also dependent upon compliance with all current state laws regarding sewage disposal systems for residential occupancy.
  - 1. However, at no time shall the size of such a parcel of land be less than the minimum specified in this Order.

### **ARTICLE 5. GENERAL APPEARANCE**

- A. Each Mobile Home shall have an underpinning that is maintained, and repaired as necessary, to assure the health, safety, and well-being of all persons.
- B. A covered or open patio area, attached to or detached from the Mobile Home, is permitted to be constructed at any entrance door.

## **ARTICLE 6. SETBACK LINES/LOCATION ON PROPERTY**

- A.** Refer to Chapter 16 “Residential District”

## **ARTICLE 7. UTILITIES**

- A.** Each parcel of land upon which a Mobile Home is located shall have all the utilities (electricity, water, sewer, gas, etc.) necessary to provide for the health, safety, and well-being of all persons.
- B.** It is of paramount importance that all these utilities shall be installed in such a manner that the health, safety, and well-being of all persons is protected.
  - 1. All utilities shall be installed according to current local, state, and federal laws, statutes, and regulations, especially RSMo. Chapter 700.
  - 2. All utilities shall be located underground wherever and whenever possible.

## **CHAPTER 22- MOBILE HOME COMMUNITY PARK**

**DEFINITION:** A parcel of land under ownership by one entity that has been planned and improved for the placement of two or more mobile homes or lots for rental purposes.

### **ARTICLE 1. PURPOSE**

- A.** To ensure the systematic development of Mobile Home Communities within Ralls County which will provide an environment that will promote health, safety, and general well-being of the citizens of the unincorporated areas of the County.
- B.** In this Zoning Order, the terms Mobile Home Community, and Mobile Home Park shall have the same meaning and are interchangeable.

### **ARTICLE 2. REGULATIONS AND STANDARDS**

- A.** The development of any Mobile Home Community shall be governed by standards and/or recommendations made by, but not limited to, the following governing agencies:
  - 1. This Chapter 22, "Mobile Home Community/Park", of Ralls County Zoning Order.
  - 2. Current Missouri laws, and/or statutes.
    - a. RSMo. Chapter 700
    - b. Department of Health
  - 3. Current Federal laws, statutes, and approved standards.
    - a. Department of Housing and Urban Development.
    - b. The American Standards Institute (ANSI).
    - c. National Fire Protection Association
    - d. Manufactured Housing Institute.

### **ARTICLE 3. SITE PLANNING**

- A.** The property upon which Mobile Home Community is located should be well drained and free from topographical or geological hindrances.
- B.** The area shall be designed so as to provide for:
  - 1. The appropriate number of mobile home lots.
  - 2. Adequate parking areas for motor vehicles.
  - 3. Access roads, interior roads/streets, and walkways.
  - 4. Open space where required.
- C.** Each Mobile Home Park shall be located on a single parcel of land containing a minimum of five (5) acres.
  - 1. No Mobile Home Park shall permit a maximum density of more than five (5) Mobile Home Lots per acre.
  - 2. Each Mobile Home Lot shall contain a minimum of 6,200 square feet.
  - 3. Each lot shall contain no more than one (1) Mobile Home.
- D.** Whenever the Mobile Home Park is divided into ten (10) or more Mobile Home Lots, at least twenty percent (20%) of the total area of the property must be set aside as Open Space.

### **ARTICLE 4. ROADS AND PARKING FACILITIES**

- A.** There shall be only one (1) access/egress road or street for the entire park which shall serve as the only common entrance into and exit out of the park.
  - 1. This common entrance/exit shall have a direct connection to a public transportation lane (i.e. a county or state street, road, or highway)



2. This common entrance/exit shall be constructed of any one of the following types of hard, prepared, all-weather surfaces:
  - a. Oil and chip
  - b. Asphalt.
  - c. Concrete.
  - d. Specifications for the construction of these road surfaces are contained as Supporting Documents at the end of this Chapter.
3. The width of this common entrance/exit may vary according to its use as follows:
  - a. Minimum of thirty-four (34) feet if parking is permitted on both sides.
  - b. Minimum of twenty-seven (27) feet if parking is permitted on only one side.
  - c. Minimum of twenty-four (24) feet if parking is not permitted on either side.
- B. Interior roads/streets shall provide for efficient traffic flow through the Mobile Home Park and shall provide a direct connection between the common entrance/exit roadway and the individual Mobile Home Lots.**
  1. These interior roads/streets shall be constructed of any one of the following types of hard, prepared, all-weather surfaces:
    - a. Oil and Chip.
    - b. Asphalt.
    - c. Concrete.
    - d. Specifications for the construction of these road surfaces are contained as Supporting Documents at the end of this Chapter.
  2. The width of interior roads/streets may vary according to its use as follows:
    - a. Minimum of thirty-four (34) feet if parking is permitted on both sides.
    - b. Minimum of twenty-seven (27) feet if parking is permitted only on one side.
    - c. Minimum of twenty-four (24) feet if parking is not permitted on either side.
- C. Where parking is not permitted on the interior road/street, each Mobile Home Lot shall contain at least two (2) parking spaces on the lot itself.**
  1. Each such parking space shall have a minimum width of nine (9) feet and a minimum depth of twenty (20) feet.
- D. Where parking is permitted on the interior road/street, each Mobile Home Lot shall contain at least one (1) parking space on the lot itself.**
  1. Each such parking space shall have a minimum width of nine (9) feet and a minimum depth of twenty (20) feet.
- E. A separate visitor parking area is required with one (1) common visitor parking space per three (3) Mobile Home Lots.**
- F. A separate parking area shall be provided for the storage of such things as seasonal recreational vehicles, boats, utility trailers, and the like.**

## **ARTICLE 5. MOBILE HOMES**

- A. Each Mobile Home in the park shall be a Single-Family Dwelling unit only.**
- B. Every Mobile Home in the park must have all the appropriate and original manufacturer's seals as required by law permanently and prominently affixed to the unit.**

- C. The following types of units are not considered to be Mobile Homes under the provisions of this Zoning Order:
  - 1. Any type of Recreational Vehicle.
  - 2. Any passenger vehicle converted into living quarters (i.e. bus, van, pick-up camper, etc.).
  - 3. Any park model manufactured home.
  - 4. Anything else not originally designed or manufactured as a Mobile Home.
- D. Each Mobile Home shall be maintained, and repaired as necessary, to assure the health, safety, and well-being of all persons.
- E. Each Mobile Home shall be anchored with tie-down straps as per applicable laws, rules, and regulations, and/or insurance requirements.
- F. Each Mobile Home shall have underpinning that is maintained, and repaired as necessary, to assure the health, safety, and well-being of all persons.
  - 1. All underpinning shall be a texture and/or color that is compatible with the exterior of the Mobile Home itself.

## **ARTICLE 6. MOBILE HOME LOTS**

- A. The setback lines shall be measured from either:
  - 1. The lot boundary lines or the actual property lines, if that side of the lot or the property is not located on a state or county roadway or on any of the Mobile Home Park roadways.
  - 2. The roadway easement line, if that side of the lot or the property is located on a state or county roadway or on any of the Mobile Home Park roadways.
- B. Each Mobile Home Lot shall have a minimum area of 6,200 square feet.
  - 1. The minimum width of each lot shall be sixty-two (62) feet.
  - 2. The minimum depth of each lot shall be one hundred (100) feet.
- C. Yard Depths and Yard Widths for each lot are established as follows:
  - 1. The Front Yard shall have a minimum depth of twenty-five (25) feet.
  - 2. The Back Yard shall have a minimum depth of twenty (20) feet.
  - 3. The Side Yards shall have a minimum width of fifteen (15) feet.
- D. Each Mobile Home shall be positioned upon a concrete slab, concrete runners, piers, or a permanent foundation.
- E. Storage is permitted under the Mobile Home within the area enclosed by the underpinning.
  - 1. One small storage shed shall be permitted per Mobile Home Lot.
    - a. This shed shall be located in either the Side Yard or the Back Yard.
    - b. This shed shall not be closer than four (4) feet from any Side Yard Line or the Back Yard Line.
- F. The original floor space or height of any Mobile Home shall not be altered or increased in any way by the permanent or temporary addition of exterior rooms, storages areas, protective roofs, and the like:
  - 1. A covered or open patio area is permitted to be constructed at any entrance door.
    - a. Such patio area shall not exceed six (6) foot in depth nor ten (10) foot in width.
    - b. Such patio area may be attached to or detached from the Mobile Home.
- G. Individual Mobile Home Lots may not be sold.

## **ARTICLE 7. UTILITIES**

- A.** Each Mobile Home Park shall provide all of the utilities (electricity, water, sewer, gas, etc.) necessary to provide for the health, safety, and well-being of all persons.
- B.** It is of paramount importance that all these utilities shall be installed in such a manner that the health, safety, and well-being of all persons is protected.
  - 1. All utilities shall be installed according to current local, state, and federal laws, statutes, and regulations..
  - 2. All utilities shall be located underground wherever and whenever possible, especially to the individual Mobile Home Lots.

## **ARTICLE 8. PARK LANDSCAPING AND MAINTENANCE**

- A.** All park grounds, including individual lots, shall be groomed and maintained in such a manner, and as needed, to present a pleasing appearance and to avoid the creation of any health and/or safety hazards.
- B.** Park owners may be required to provide a buffer zone or a screening barrier around the boundaries of the Mobile Home Park to visually and/or physically separate the park from adjacent properties.
- C.** Park owners may be required to provide a screening barrier within the park to visually and/or physically separate parts of the park.
  - 1. Centralized trash dumpster/s shall have a screening barrier.
  - 2. Storage areas may be required to have a screening barrier.
- D.** All park utility buildings, maintenance sheds, storage buildings, and the like shall be kept in good repair and maintenance shall be performed as necessary to provide for the health, safety, and well-being of the general public.
- E.** All the Mobile Home Park's roads/streets (access and interior) shall be maintained in good condition at all times.

## **ARTICLE 9. OPEN SPACE**

- A.** Whenever the park is divided into ten (10) or more lots, at least twenty percent (20%) of the total area of the property must be set aside as Open Space.
  - 1. Areas set aside as Buffer Zones and any portion of an individual Mobile Home Lot shall not be included as common usable Open Space and cannot be included when calculating the twenty-percent (20%) of the total area of the property.
  - 2. No more than one-third (a) of the Open Space shall be used for buildings or structures other than swimming pools or recreational game courts/areas.
- B.** Facilities which may be located in the Open Space shall include, but not be limited to, the following:
  - 1. Swimming pool.
  - 2. Common-use playground equipment.
  - 3. Recreational game courts or areas (i.e. tennis courts, ball fields, and the like)
  - 4. Game rooms and/or recreation rooms.
  - 5. Clubhouse.
  - 6. Park service building (i.e. laundry facilities, restrooms, showers, etc.)
  - 7. Park storage facilities.
  - 8. Green areas, lawns, landscaped areas, wooded areas, and the like.
  - 9. Picnic areas.

## **ARTICLE 10. APPLICATION PROCESS**

- A.** Any application for the construction of a Mobile home Park shall be filed with the Zoning Enforcement Officer.
- B.** The ZEO shall verify that the Application and all supporting documents are complete and accurate.
- C.** Any application for the construction of a Mobile Home Park shall include, but not be limited to, the following:
  - 1. Name and address of property owner and/or General Contractor of the project.
  - 2. Name and address of all professionals employed to work on the project.
  - 3. Site Plan for the Mobile Home Park.
  - 4. Other information as required by the ZEO and/or the P&Z Commission in order to make a final determination.
- D.** Incomplete applications or applications containing errors or omissions of fact may be rejected by the ZEO or the P&Z Commission.

## **ARTICLE 11. SITE PLANS**

- A.** The Site Plan shall include, but not be limited to, the following information:
  - 1. Complete legal description of the property to be developed.
  - 2. Area and dimensions of the property.
  - 3. Drainage, topography, and soils information.
  - 4. Number, location, and dimensions of all Mobile Home Lots.
  - 5. Location, width, and construction material of all access roadways, interior roadways, and common parking areas.
  - 6. Location, dimensions, and description of all current and/or proposed service buildings and other structures.
  - 7. Location and dimensions of all common storage areas.
  - 8. Location and dimensions of all Open Space with designations of how the various areas of this Open Space will be used.
  - 9. Location and dimensions of all Buffer Zones and Screening Barriers.
  - 10. Plans and specifications of all utility supply lines (electric, water, sewer, gas, etc.) including the locations of all riser pipes.
- B.** The P&Z Commission may require any such other additional information as necessary to make a final decision on the approval or disapproval of the Mobile Home Park application.

## **ARTICLE 12. APPLICATION FEES**

- A.** The ZEO shall charge and collect from each applicant submitting a request to construct a Mobile Home Park such fees as established by the P&Z Commission as necessary to process this application.
- B.** Such application fees shall include, but not be limited to, the following:
  - 1. Cost of zoning materials.
  - 2. Cost of processing the application.
  - 3. Costing of publishing and/or mailing notices of Public Hearing.
  - 4. Other expenses associated with this Public Hearing.

### **ARTICLE 13. OTHER COSTS**

- A.** The applicant shall also be assessed for actual costs incurred by the ZEO and/or P&Z Commission for outside consulting services (i.e. legal and/or expert consultants) necessary to aid in making a decision on this matter.

### **ARTICLE 14. LEGAL NOTICE AND PUBLIC HEARING**

- A.** The P&Z Commission shall select a reasonable time and place for a Public Hearing to review evidence, listen to comments and gather facts regarding any Application for the Construction of a Mobile Home Park.
- B.** The time frame and manner in which public and legal notices of this Public Hearing shall be executed and the manner in which the Public Hearing shall be conducted are specified in Chapter 6, "Public Hearings", of this Zoning Order.

### **ARTICLE 15. ACTION AND AUTHORIZATION**

- A.** The P&Z Commission shall render a written report of its decision to approve or disapprove the Application for construction of the Mobile Home Park within thirty (30) calendar days following the close of the Public Hearing.
- B.** The ZEO shall notify the applicant in writing of the final decision of the P&Z Commission within ten (10) business days following the decision.

### **ARTICLE 16. PERMIT ISSUANCE**

- A.** Upon approval of the Application for construction of a Mobile Home Park, the ZEO shall issue all required Construction Permits and/or Occupancy Certificated.
  - 1.** Such Permits and/or Certificates shall be issued only after all applicable fees for same have been collected by the ZEO.

**OIL & CHIP ROADWAY SURFACE**

**4/10 MC 3000 SEALER OR COMPATIBLE**

**4/10 MC 30 PRIMER OR COMPATIBLE**

**SECOND COAT OF OIL**

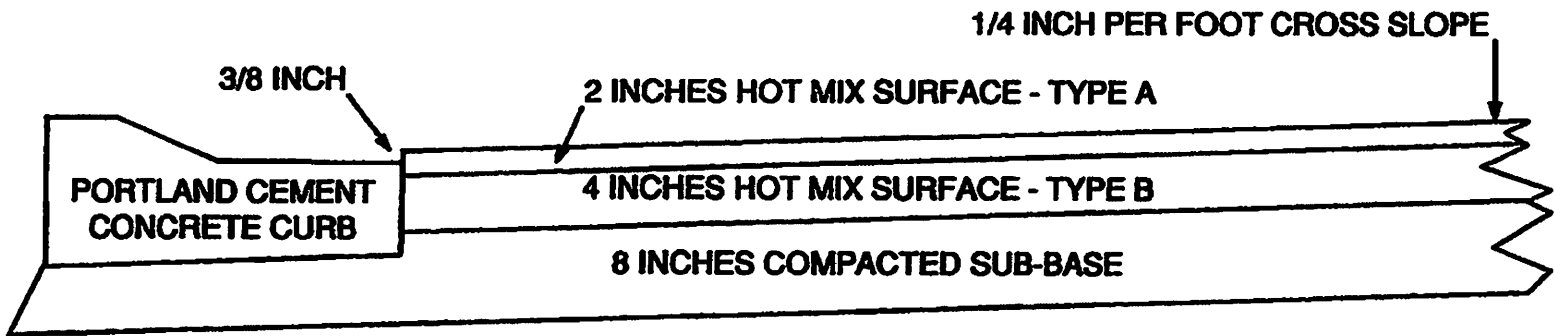
**FIRST COAT OF OIL**

**2 INCHES OF SURFACE STONE**

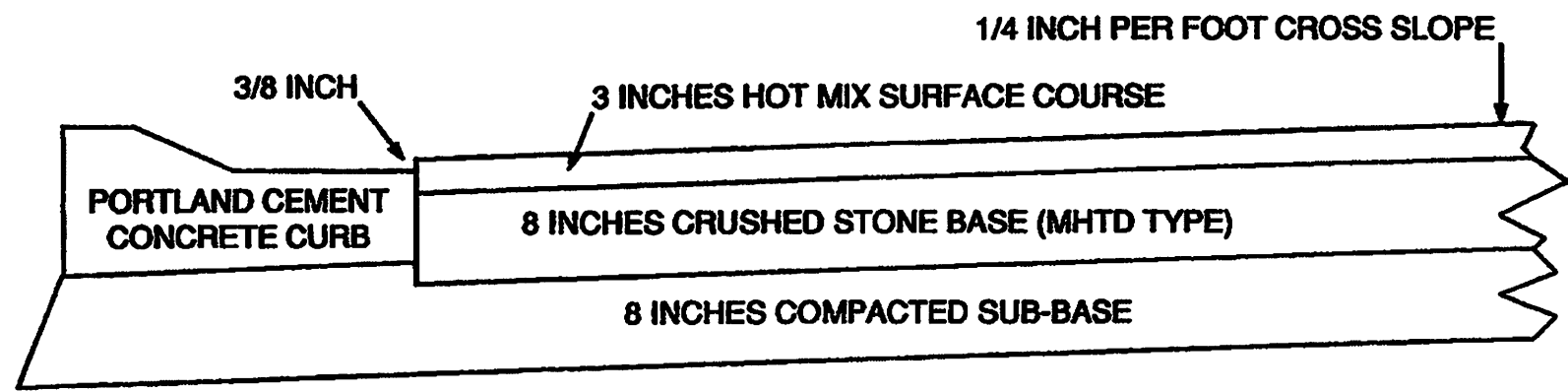
**10 INCHES OF 1 1/2 INCH MINUS**

**22-A**

**ASPHALTIC CONCRETE PAVEMENT**



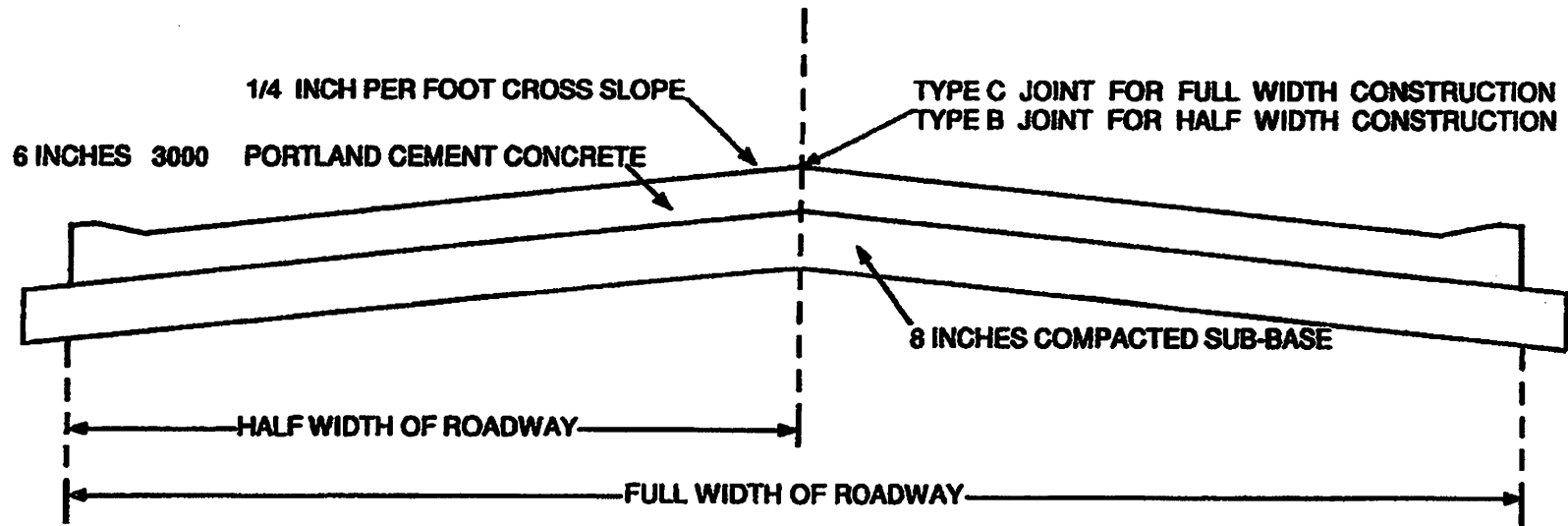
**ASPHALTIC CONCRETE PAVEMENT**



**22 - C**



**PORTLAND CEMENT CONCRETE PAVEMENT**



## **CHAPTER 23-        VEHICLE GRAVEYARDS**

### **ARTICLE 1. PURPOSE**

- A.** To provide uniform guidelines for establishing and maintaining vehicle graveyards which safeguard the comfort, health and safety of the general population and protect the enjoyment of life and property while protecting the value of neighboring properties.

### **ARTICLE 2. DEFINITIONS**

- A.** Vehicle Graveyard is defined as any area or place of business maintained, used, or operated for storing, keeping, buying, or selling of ten (10) or more wrecked, scrapped, ruined, or dismantled motor vehicles or parts thereof at one time, or that exceed fifty (50) such vehicles in any calendar year.

### **ARTICLE 3. PROVISIONS**

- A.** No vehicle graveyard shall be allowed within one thousand (1,000) feet of the nearest edge of right of way of any highway or two hundred (200) feet of any state or county roadway except for:
  - 1.** Those screened by natural objects, plantings, fences, or other appropriate means so as to render them not visible from the traveled way of the roadway involved. Such screening shall be tight board or other screen fence (uniform and intact) not less than ten (10) feet high, or of sufficient height to screen scrapped vehicles kept therein from the view of persons using the road on foot or in vehicles in the ordinary manner.
  - 2.** Those not visible from the right of way of roadway involved.
- B.** Any vehicle graveyard lawfully in existence on March 2, 1998, which if within one thousand (1,000) feet of the nearest edge of the right of way and visible from the traveled roadway of any highway or two hundred (200) feet from any state or county roadway shall be screened so as to render it not visible from such highways.
- C.** Any vehicle graveyard shall be set back two hundred (200) feet from the involved property line and shall be screened so as to render it not visible from the adjacent properties. The resulting buffer zone shall be maintained so as to not devalue adjacent properties.
- D.** All salvaged vehicles shall have all fluids and batteries removed and disposed of according to applicable state and federal regulations. Tire storage outdoors shall be limited to 500 tires. A tire seated on a rim, whether mounted on a vehicle or not, will not be considered in calculating total tires stored. Waste tire disposal shall be according to applicable state or federal regulations.
- E.** Collection facilities for fluids shall be provided on-site, and arrangements made for proper disposal of waste products, including but not limited to freon or other coolants, petroleum waste products and solvents.
- F.** Discharges from such yards shall not cause violations of the general criteria in the Water Quality Standards 10 CSR 20-7.031(3), including, but not limited to, the following criteria:
  - 1.** Waters shall be free from oil, scum, and floating debris in sufficient amounts to be unsightly or prevent beneficial uses of the discharge water. This shall include sheens on the waters from oils and greases.

## CHAPTER 24- COMMUNICATION TOWERS

### ARTICLE 1. PURPOSE

- A. The general purpose of this section is to regulate the placement, construction and modification of telecommunications towers, support structures and antennas situated on a single parcel of land in Ralls County.
  - 1. The intent of this regulation is to minimize the impact of Wireless Telecommunications Facilities, establish a fair and efficient process for review and approval of applications, assure an integrated, comprehensive review of environmental impacts of such facilities, and to protect the health, safety and welfare of the public, while at the same time not unreasonably interfering with the development of the competitive wireless communications marketplace in Ralls County, Missouri.
  - 2. Consistent with the Telecommunications Act of 1996, the regulations of this Section will not have the effect of prohibiting the provision of personal wireless services, and do not unreasonably discriminate among functionally equivalent providers of such service. This section does not attempt to regulate areas within the exclusive jurisdiction of the FCC.

### ARTICLE 2. DEFINITIONS

As used in these regulations, unless the context clearly indicates otherwise, the following terms shall have the following meanings:

- A. **Applicant** – any Wireless service provider submitting an application for a Conditional Use Permit for a Wireless Telecommunication Facility.
- B. **Application** – all necessary and appropriate documentation that an applicant submits in order to receive a Conditional Use Permit for a Wireless Telecommunication Facility.
- C. **Antenna** – a system of electrical conductors that transmit or receive electromagnetic waves or radio frequency or other wireless signals.
- D. **Co-Located** – the use of an existing tower or structure to support antenna for the provision of wireless services. A replacement tower that is constructed on the same site as an existing tower will be considered a co-location as long as the new tower is no taller than the old tower and that the old tower is removed in a reasonable short timeframe after the new tower is constructed.
- E. **FAA** – Federal Aviation Administration
- F. **FCC** – Federal Communications Commission
- G. **Height** – when referring to a Tower or structure, the distance measured from the pre-existing grade level to the highest point on the Tower or structure, even is said highest point is an Antenna or lighting protection device.
- H. **Modification or Modify** – the addition, removal or change of any type of physical and visually discernable components or aspects of a wireless facility, such as antennas, cabling, equipment shelters, landscaping, fencing, utility fees, changing the color or materials of any visually discernable components, vehicular access, parking and/or an upgrade or change out of equipment for better or more modern equipment.
- I. **NIER** - Non-Ionizing Electromagnetic Radiation

- J. Stealth** – to minimize adverse aesthetic and visual impacts on the land, property, buildings, and other facilities adjacent to, surrounding, and in generally the same area as the requested location of such a Wireless Telecommunications Facility, which shall mean using the least visually and physically intrusive facility that is not technologically or commercially impracticable under the facts and circumstances.
- K. Telecommunications Equipment** – telecommunications antenna and accessory electronic equipment not including transmission towers, buildings or other equipment not directly related to the operation of antenna.
- L. Tower** - any structure designed primarily to support and antenna for receiving and/or transmitting a wireless signal.
- M. Transmission facility** – Transmission tower, buildings, guy wires, guy anchors, land or site permitted under these regulations, fence and other equipment necessary for the transmission of telecommunication signals authorized by these regulations.
- N. Transmission Facility Operator** – any person(s), partnership, corporation, association, organization or entity of any type or kind that owns or has a legal possessory interest in a transmission facility and the owner of land upon which a transmission facility exists and is permitted under these regulations if different than the owner of the transmission facility, but excluding any person(s), partnership, corporation, association, organization or entity of any type or kind who leases or otherwise is permitted to place one or more antennas on a transmission tower but have no ownership interest in the transmission tower upon which they are placed.
- O. Transmission Tower** – A self-supporting lattice, guyed or monopole structure constructed from grade which supports telecommunications equipment.

### **ARTICLE 3. BULK REGULATIONS**

- A.** Minimum distance of fifty (50) feet from nearest street or roadway.
- B.** The minimum standard setback from all adjoining property boundaries and/or residential structures shall not be closer to one and one-half times of the tower height, or an engineer's design of fall zone with licensed structural engineer's stamp on design.
- C.** Tower shall maintain a galvanized steel finish or, subject to the requirements of the FAA or any applicable state or federal agency, be painted a neutral color consistent with the natural or built environment of the site.
- D.** Equipment shelters or cabinets shall have an exterior finish compatible with the natural or built environment of the site and shall also comply with any design guidelines as may be applicable to the particular zoning district in which the facility is located.
- E.** Antenna(s) attached to a building or stealth antenna tower shall be of a color identical to or closely compatible with the surface to which they are mounted.
- F.** All applicants shall make every reasonable effort to design and construct new towers and telecommunications facilities to blend into the character and environment of the area in which they are located, including the use of camouflage technics unless it is not technically feasible to use such design on the tower.
- G.** The placement of advertising on structures regulated by this section is prohibited.
- H.** At least two off-street parking spaces and one additional space for each two on-site personnel shall be provided.

- I. Existing on-site vegetation shall be preserved to the maximum extent practicable. Ground disturbed by construction at a transmission facility site shall be seeded and mulched within 45 days of the completion of construction.
  1. Fences shall be constructed and installed around the base of the transmission towers, guy anchors and buildings in compliance with the following standards:
    - i. Shall be secured with a minimum six (6) foot security fencing
    - ii. Towers equipped with appropriate anti-climbing devices
    - iii. A sign shall be installed on the gate to the facility and on the door of any building to indicate "No Trespassing" on premises.
    - iv. A sign shall be installed on the gate to the facility and on the door of any building to indicate "high voltage" on the premises.
    - v. The area at the base of the tower is to be attractively landscaped and maintained free of clutter

#### **ARTICLE 4. APPLICATION PROCESS**

- A. Any person wishing to place a communication tower in an unincorporated area of the County shall make proper application with the Zoning Enforcement Officer.
- B. Any person wishing to use an existing tower where no increase in height of the tower is required in an unincorporated area of the County shall make proper application with the Zoning Enforcement Officer.

#### **ARTICLE 5. APPLICATION REQUIREMENTS**

- A. The names, addresses and telephone numbers of all owners (including the applicant) of other towers or disguised support structures which are capable of providing a location to construct the telecommunications facilities and equipment that are planned to be housed or located on the tower within the County of Ralls, State of Missouri.
- B. Written documentation stating whether the applicant's telecommunications facilities and equipment are technologically and economically capable of being installed or co-located on existing towers or support structures in Ralls County.
- C. Written documentation that the applicant made diligent but unsuccessful efforts to install or co-locate the applicant's telecommunications facilities or equipment on towers or usable antenna support structures owned by other persons, businesses, corporations, governmental bodies or other legal entities located in Ralls County, Missouri.
- D. Copy of a lease, letter of authorization or other agreement from the property owner evidencing applicant's right to pursue the Application.
- E. If the applicant asserts that its antenna or other facilities are not technologically or economically feasible of being installed or co-located on an existing tower or support structure, a written statement from the applicant setting forth in detail the reasons with regard to each person contacted, why such installation or co-location is technically or economically infeasible.
- F. If the tower is designed to accommodate one or more additional carriers, the application shall designate the nature of the co-location that will be accommodated.
- G. A site plan or plans drawn to scale and identifying the site boundary; tower(s); guy wire anchors; existing and proposed structures; vehicular parking and access; existing vegetation to be retained, removed or replaced; users, structures and land-use designations on the site and abutting parcels.

- H. A plan drawn to scale showing proposed landscaping, including species type, size, spacing and other features.
- I. A report from a licensed professional engineer. The report shall:
  - 1. Describe the tower and the technical, economic and other reasons for the tower design;
  - 2. Demonstrate that the tower complies with the current building code, if applicable;
  - 3. Describe the capacity of the tower, including the number and type of antennas that it can accommodate and the basis for the calculation of capacity.
  - 4. Demonstrate that the proposed installation will be in full compliance with the FCC RF Emissions guidelines (NIER).
- J. The applicant shall provide the FAA Determination of No Hazard and FCC construction permit (if required), or a written statement from those agencies that the tower is exempt from such requirements.
- K. Copy of the Road Use and Maintenance Agreement that has been established with the Ralls County Commission, if applicable.
- L. Copy of the Utility Permit that has been established with the Ralls County Commission, if applicable.

#### **ARTICLE 6. PERMIT ISSUANCE**

- A. The ZEO shall issue proper Permits and/or Certificates for same after verifying that all rules and regulations of this Order are complied with, and all applicable fees have been paid.

#### **ARTICLE 7. COMMUNICATION TOWER PERMIT FEES**

- A. The ZEO shall charge and collect such fees for a Communication Tower Permit as established by a P&Z Commission to cover the costs of printed materials and enforcement of the Zoning Ordinance.

#### **ARTICLE 8. VALIDITY OF PERMIT**

- A. A Communications Tower Permit issued under the terms of this Zoning Ordinance shall be valid for thirty (30) months from the date of issuance and is non-transferable.
- B. During the term of validity, the ZEO shall periodically check on the progress of the project:
  - 1. If the ZEO determines that diligent effort has not been put forth to make substantial progress to start or complete the project in the lack of extenuating circumstances, the Communications Tower Permit may be revoked, and all applicable procedures will have to be followed for re-issuance of permit.
  - 2. If construction has not been completed within the validity period due to extenuating circumstances, the Communication Tower Permit may be extended if a diligent effort has been put forth to complete the project.
  - 3. A person aggrieved by the decision to revoke any permit provided herein may appeal the revocation to the Ralls County Board of Appeals.

#### **ARTICLE 9. DISCONTINUATION OF USE**

- A. If use of a communication tower is discontinued the owner must remove the tower within one year of the date that use is discontinued.

## **ARTICLE 10. PRIVATE COMMERCIAL PURPOSE**

Notwithstanding any right that may exist for a governmental entity to operate or construct a tower or structure, it shall be unlawful for any person to erect or operate for any private commercial purpose any new antenna, tower or disguised support structure in violation of any provision of this ordinance, regardless of whether such an antenna or structure is located on land owned by a governmental entity.

## **ARTICLE 11.**

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

## **CHAPTER 25- SUBDIVISIONS**

### **ARTICLE 1. DEFINITION**

- A. A SUBDIVISION shall, for the purpose of these regulations, be a tract of land that has been developed or shall be developed whether immediately or in the future with common site improvements serving either the whole tract of land or more than one subdivided unit of this land, including streets, amenities, utilities, and signage, and divided into lots for sale or lease as either residential or non-residential zoned land.**

**The following are exceptions to the above requirements in Article 1:**

- 1. Any division of real property which, when completed, creates all lots that are ten (10) acres or more in size.**
- 2. Any division of real property to be completed for the purpose of settling a decedent's estate or dividing a decedent's property among his heirs at law or beneficiaries.**
- 3. Any division of real property such that one portion of the real property is sold to the owner of the adjacent property immediately so that the transferred property becomes a part of the purchaser's existing ownership interest.**
- 4. Any division of real property or interests therein such that the current property owner is to convey a portion of an existing parcel to a political subdivision or public utility company for use as a right of way for public transportation or other public utility facilities.**
- 5. Exceptions to the above requirements in Article 1, 1-4 will be handled by the P&Z Commission on an individual basis.**

### **ARTICLE 2. PURPOSE**

- A. In the subdivision or re-subdivision of land within the County and not within incorporated areas, the owner or developer shall exercise due regard to the alignment, width, gradient, and location of streets in relation to other existing or planned streets, to adequate drainage, to safe and expedient flow of traffic, and to provide for roadway surface, utilities, schools, and recreation areas, and other requirements as may be developed.**

### **ARTICLE 3. SUBDIVISION PROCEDURES**

- A. The procedure for subdividing land generally consists of five steps:**
- 1. Concept plan or per-application process.**
  - 2. Preliminary Subdivision Plat.**
  - 3. Construction Plans.**
  - 4. Final Subdivision plat.**
  - 5. Recording of plat.**

### **ARTICLE 4. CLASSIFICATION OF SUBDIVISION**

- A. Subdivisions shall be classified as:**
- 1. Class 1. Which shall consist of the division of land into lots of less than one (1) acre in size.**



2. Class 2. Which shall consist of the division of land into lots of one (1) to three (3) acres in size.
  3. Class 3. Which shall consist of the division of land into lots greater than three (3) acres in size.
  4. The smallest platted lot size shall determine Subdivision Classification.
- B. Subdivisions are further classified for administrative purposes as follows:
1. Minor Subdivision: Any subdivision of not more than six (6) lots.
  2. Major Subdivision: Any subdivision not classified as a Minor Subdivision.

#### **ARTICLE 5. CONCEPT PLAN**

- A. The Concept Plans must be approved by the Zoning Administrator and at his/her discretion, may be reviewed by the P&Z Commissioners before the Preliminary Plat Plan is filed with the Zoning Office. The ZEO shall review the Concept Plan before proceeding to the Preliminary Plat Plan. The entire review process of this stage shall be complete within no more than forty-five (45) days.
1. The Concept Plan shall outline and describe the existing conditions of the site and the proposed development to supplement the drawings and sketches required in this section.
  2. The Concept Plan shall show the proposed subdivision and its relationship to existing community facilities. Such location map shall show the location and name of the subdivision, existing main traffic arteries, public transportation lines, schools, parks, playgrounds, high pressure gas lines, power lines, and any other significant physical features.
  3. A Concept Plan shall be prepared and submitted showing the proposed layout of streets, lots, and other features in relation to existing utilities and other conditions. This plan may be submitted in the form of a freehand pencil sketch.

#### **ARTICLE 6. PRELIMINARY SUBDIVISION PLAT**

- A. The preliminary plat is the first formal action required of the developer and is the most important step in the entire approval process. Five (5) prints of a Preliminary Plat of any proposed subdivision shall be submitted to the Commission at least ten (10) days before the meeting at which approval is asked. The Preliminary Plat shall be drawn at a scale no smaller than two hundred (200) feet to the inch. The Preliminary Plat shall show or be accompanied by the following information:
1. The proposed name of the subdivision and names of adjacent landowners and/or subdivisions.
  2. The names, addresses, and phone numbers of the owner and the surveyor responsible for the survey and design.
  3. The location of boundary lines and their relation to established section lines, fractional section lines, or survey lines, complete with surveyor's stamp and signature.
  4. The location and width of existing and proposed streets, roads, lots (approximate dimensions), alleys, building lines, easements, parks, school sites, and other features of the proposed subdivision. The plat shall show the outline of adjacent properties for a distance of at least three hundred (300) feet, or sufficient distance to determine the relationship of adjacent property and streets, and how the streets, alleys or highways in the proposed subdivision may connect with those adjacent which exist or are of record.

5. Survey showing physical features of the property, including water courses, ravines, bridges, culverts, present structures, and other features of importance to present structures, and other features of importance to lot and street layout. The approximate acreage of the property shall be indicated. The topography of the tract with contour intervals of not more than twenty (20) feet shall be shown on the Preliminary Plat.
6. Approximate gradients of streets.
7. Designation of the proposed uses of land within the subdivision, whether for residential, commercial, industrial, or public use, such as parks, schools, churches, etc.
8. North point, scale, and date.
9. All existing restrictions on the use of land including easements or zoning lines.
10. All utilities which are either proposed, mapped, or built.
11. The water supply location and/or delivery system location for adequate fire protection for the entire subdivision.

**B. Preliminary Subdivision Plat Approval:**

1. Minor Subdivisions: For all minor subdivisions, review and approval of the Preliminary Plat shall be conducted by the Planning and Zoning Commission. The Planning and Zoning Commission has the option of requiring approval by the County Commission.
2. Major Subdivisions: Preliminary approval of major subdivisions shall be made by the Planning and Zoning Commission and County Commission.
3. Said review shall be reported on within forty-five (45) days of submission of the plat. The time of submission of a plat shall be considered ten (10) days prior to the date of the regular monthly meeting of the Planning and Zoning Commission. The plat must be complete and accompanied by the required fee and all other data required by these regulations. Failure within forty-five (45) days as stated above will result in disapproval of plat by the Planning and Zoning Commission. In case of disapproval, the Planning and Zoning Commission or ZEO shall inform the applicant the reason or reasons for its actions.
4. Approval of the Preliminary Plat does not constitute acceptance of the subdivision but is merely an authorization to proceed with preparation of the Construction Plan and Final Plat for record. No grading of streets, or construction shall be done on the subdivision before the Construction Plans are approved by the ZEO or a designated authority of Planning & Zoning and/or the County Commission.

**C. Stage Construction:**

1. The developer may, after receiving approval of the Preliminary Plat, petition the Commission to proceed with the subdivision by stages. The area may be divided into sections, and after appropriate approval of a final plat of such stage, the installation of improvements shall be made in approved sections, prior to receipt of building permits.

## **ARTICLE 7. CONSTRUCTION PLANS**

- A. The Construction Plan is detailed plan showing actual construction specifications of all improvements to be built by the developer. The Construction Plan will show or be accompanied by the following information:**
  - 1. Detailed specifications of all planned roads, highways, and/or streets. Specifications of all existing roads, highways and/or streets will also be included.**
  - 2. Detailed specifications of all planned and existing utilities, including all maintenance access points to be installed.**
  - 3. Actual gradients of streets.**
  - 4. If applicable, detailed specifications of the water supply location and/or delivery system for adequate fire protection for the subdivision.**
  - 5. The location, description, and specifications of erosion and runoff control measures to be employed before, during, and after construction. Sediment and runoff control practices will be installed before any land is disturbed. These practices should be maintained on a regular basis to remove sediment that accumulates from runoff waters and to complete any needed repairs. Federal and/or State agencies have regulations that regulate the quality of storm water runoff. It is the responsibility of the developer to obtain any required permits and to comply with any and all regulations.**
  - 6. Detailed specifications and locations of curbing, sidewalks, and other improvements that are required by the Planning and Zoning Commission or the County Commission.**
- B. An amount set by the Planning and Zoning Commission, or its designated authority shall be placed in an escrow account until all improvements are completed.**
- C. The Construction Plan will be reviewed by the Planning and Zoning Commission or its designated authority. The review will be completed within forty-five (45) days following the date of submission. Following the approval of the Construction Plan, the developer may begin construction of all improvements and then begin preparation of the Final Plan.**
- D. All improvements must be completed within one (1) year of the date on which the developer was notified of approval of the Construction Plan. If requested by the developer, an extension may be granted for up to an additional year for the completion of the required improvements.**

## **ARTICLE 8. FINAL SUBDIVISION PLAT**

- A. After the Preliminary Plat has been approved by the Planning and Zoning Commission, a Final Plat for record shall be prepared and submitted to the Planning and Zoning Commission for approval by that body and by the County Commission. The Final Plat must be submitted within one (1) year of approval of the Construction Plans. Five prints of the plat shall be filed in the Planning and Zoning office at least ten (10) days prior to the meeting at which approval is asked. The plat shall be a scale of one hundred (100) feet to the inch, unless waived by the Planning and Zoning Commission or the ZEO and shall show or be accompanied by the following information.**
  - 1. The name of the subdivision and adjacent property owners and/or subdivisions, the names of streets (to prevent conflict with other street names) and the numbers of lots and blocks, in accordance with a systematic arrangement.**
  - 2. An accurate boundary survey of the property, with bearing and distances, referenced to section or fractional section corners, or survey corners, and showing (in dotted lines) the lines of immediately adjacent streets and alleys with their widths and names.**

3. Location of lots, streets, public highways, alleys, parks, and other features, with accurate dimensions in feet and decimals of feet, with the length and radius of all curves, and with all other information necessary to duplicate the plat of the ground.
4. The location of building lines on front and side streets, and the location and dimensions of utility easements.
5. Dedications of all streets, public highways, alleys, and/or other land intended for public use, signed by the owner or owners, and by all other parties who have a mortgage or lien interest in the property, together with any restrictions which are to apply to lots. For every one-half (1/2) mile or fraction thereof, a deposit must be made to an escrow account for any new subdivision plats for the purpose of bringing the road or roads up to prescribed specifications as determined by the Planning and Zoning Commission or a designated authority.
6. Certification of a registered land surveyor to the effect that the plat represents a survey made by him, and that all necessary boundary survey monuments are correctly shown thereon.
7. North point, scale, and date.
8. All figures and letters shown must be in ink and shall be plain, distinct, and of sufficient size to be easily read, and must be of sufficient density to make a lasting and permanent record. Plats shall be submitted drawn on tracing cloth, its equal or better. The maximum overall size of any sheet shall be thirty-six (36) inches long by twenty-four (24) inches wide or in multiples thereof.
9. When more than one sheet is used, a key map, showing the entire subdivision at smaller scale with block numbers and street names, shall be shown on one of the sheets, or on a separate sheet of the same size.
10. The lot size shall conform to all Bulk Regulations set forth in Chapter 16, "Residential District", or Chapter 18 "Commercial District", or Chapter 19 "Industrial/Manufacturing District".
11. Final Subdivision Plats approved by the Planning and Zoning Commission and the County Commission shall be filed for record in the County Recorder's Office within ninety (90) days. Failure to record an approved Final Subdivision Plat within ninety (90) days shall render the plat null and void. No subdivision shall be approved unless property has been previously zoned to allow for the type of land use proposed in the subdivision.
12. Amendments to Final Subdivision Plat
  - a. No changes, erasures, modifications, or revisions shall be made on any subdivision plat after final approval has been given by the Planning and Zoning Commission and County Commission, unless such plat is resubmitted to the Planning and Zoning Commission and County Commission, and the Planning and Zoning Commission and County Commission approves any such modifications. The official plat must be submitted by the ZEO to the Planning and Zoning Commission and County Commission for their signatures.

## **ARTICLE 9. STREET ARRANGEMENTS**

- A. Proposed streets must conform to existing topography as nearly as possible, in order that drainage problems may be reduced. Surface drainage across residential lots or along the side or rear lot lines shall be avoided wherever possible. Where such drainage on residential lots is necessary, easements shall be established, and the Planning and Zoning Commission may

require protective devices in order that adjacent or surrounding property, or the welfare of the public shall not be endangered, and maintenance will be kept at a minimum. Protective devices and other drainage structures shall be computed with sufficient accuracy to assure their adequacy, particular attention being given to the drainage acres of surrounding land. Unless otherwise approved by the Planning and Zoning Commission, provision must be made for the extension of existing dead-end streets. Off-center street intersections with an offset of less than one hundred (100) feet or greater than five (5) will not be approved except in unusual cases. Streets with reverse curves must have a tangent of at least fifty (50) feet between curves.

- B. Service Roads** – The Planning & Zoning Commission may require the developer to provide service roads along one or both sides of any major highway, or major county road, in order to achieve the needed safety of the driving public and to implement the desired policies and goals of the County. The right of way and design and improvements shall be determined by the Planning and Zoning Commission in consultation with the developer.
- C. Relation To Adjoining Streets and Land** – The system of streets designated for the subdivision, except in unusual cases, must connect with any street already dedicated in adjacent subdivision; and where no adjacent connections are platted, must in general be the reasonable projections of streets in nearest subdivided tracts, and must be continued to the boundaries of the tract subdivided, so that other subdivisions may connect therewith. Half streets at the boundary of subdivisions may be permitted provided no building permits shall be issued for buildings fronting thereon until a full-width street as required herein is dedicated and agreement made with the adjoining property owner to install curb and gutter and roadway surface if required herein. Whenever a subdivision street enters upon an existing road, street or highway, proper attention must be given to its location so as to allow access at a point to provide maximum safety.
- D. Dead-End Streets and Cul-De-Sacs** – Dead-end streets may be approved where such dead-end streets are provided to connect with future streets in adjacent land. Cul-de-sacs are encouraged where the topography of the land is suitable, and where through traffic can be avoided.
- E. Block Lengths** – In general, intersecting streets determining block lengths shall be provided at such intervals as to serve cross traffic adequately and to meet existing or future streets. Where no existing plats control, the block length should be approximately one thousand three hundred twenty (1,320) feet in a residential district, and six hundred (600) feet in a business or commercial district.
- F. Alley and Alley Widths** – Except in unusual cases alleys or loading courts must be provided in business blocks. Alleys are optional in residential districts but are considered undesirable except where alleys of adjoining subdivisions would be closed or shut off from access by the failure to provide alleys in the new subdivision.
- G. Lot Lines** – All rectangular lots and all other lots, so far as practicable, shall have side lines at right angles to the street on which the lot faces, or radial to curved street lines. Lots with double frontage are undesirable and should be avoided in most cases.
- H. Utility Easements** – Easements for utilities shall be provided along lot lines, where possible, on every lot of not less than eight (8) feet, if adjacent to another lot providing an eight (8) foot easement, for a total of sixteen (16) feet. Where easements are required other than along property lines easements shall be a minimum of ten (10) feet. Larger easements may be required in unusual cases. Easements shall connect with any established easements in adjoining property.

- I. Parks, School Sites and Playgrounds** – Suitable sites for parks, schools, playgrounds, or other public requirements shall be carefully considered and indicated on the Preliminary Subdivision Plat, so that it can be determined which of such sites, if any, should be indicated on the Final Subdivision Plat.
- J. Monuments Required** – Sufficient permanent and distinguishable monuments shall be in the form of iron pins not less than one-half (1/2) inch in diameter and two (2) feet long driven into the earth, or spikes not less than six (6) inches long driven into the pavement. Such monuments shall be installed by the subdivider as soon as reasonably possible. Such monuments shall define the boundaries of the subdivision, the corner of blocks and the beginning and end of curves on streets. The location of such monuments shall be on the center line of streets or on the property line and shall be indicated on the Final Subdivision Plat.

#### **ARTICLE 10. WATER AND SEWAGE**

All water supply systems and sewage disposal systems will be designed and constructed in accordance with guidelines and standards of the Missouri Water Pollution Control Board, Ralls County Health Department or other State or Federal agencies responsible for such administration.

## **CHAPTER 26- BILLBOARDS**

### **ARTICLE 1. PURPOSE**

- A.** To preserve and promote the public health, safety, and welfare of the citizens of Ralls County.
- B.** To maintain and enhance the visual environment and preserve the right of Citizens to enjoy Ralls County's scenic beauty.
- C.** To improve pedestrian and traffic safety.

### **ARTICLE 2. DEFINITION**

- A. Billboard** – Any structure or portion thereof, situated on private premises, on which lettered, figured, digital, or pictorial matter is displayed for advertising purposes, except for the name and occupation of the user of the premises or the products primarily sold or manufactured on the premises or noncommercial messages, and having an area of one hundred (100) square feet or more. Any signboard carrying a message excepted in this definition that also carries extraneous advertising of one hundred (100) square feet or more shall be considered a billboard.
- B. Grandfathering** – the lawful use of land and/or structures that required no permit and was established prior to effectiveness of Chapter 26, Billboards, in the Zoning Order.

### **ARTICLE 3. PERMITTED ZONES**

- A.** Such signs shall be permitted in the Industrial or Commercial zoning districts.
- B.** Such signs shall only be permitted on Interstate System Highways.
- C.** Any signs not located on Interstate System Highways shall be considered for Conditional Use.

### **ARTICLE 4. CONSTRUCTION SPECIFICS**

- A.** Any such sign erected in this ordinance shall be single pedestal type, constructed of non-corrosive metal. Construction of the sign and material specifications shall comply with Section 903 of the Missouri Standard Specification for Highway Construction as applicable.
- B.** Signs shall not be closer than fourteen hundred (1400) feet from another.
- C.** Signs shall be within seven hundred fifty (750) feet of commercial activity.
- D.** Any sign with digital/animated/changeable display:
  - 1. Must have a static display time for each message is a minimum of eight (8) seconds.
  - 2. Change of message must occur simultaneously for entire sign.
  - 3. Image shall not flash or flicker.
  - 4. No image/message shall appear to be animated. (same as state)

### **ARTICLE 5. PERMITTING**

An application to erect such signs shall be accompanied by the following:

- A.** A set of plans, to scale, providing all necessary construction and details of the sign and sign structure, including height.
- B.** A site plan containing:
  - 1. The proposed location of the sign upon the property.
  - 2. The distance from the proposed sign location to any building upon the property, and adjoining street lines and driveway entrances.

3. The distance from the proposed sign location to the next nearest billboard sign on the same side of the street in either direction.
4. The distance from the proposed sign location to the nearest intersection in either direction.
- C. A representation of the proposed sign, to scale, including the width and length of the sign faces.
- D. A copy of the MoDot billboard permit if the sign will be visible from a state highway.
- E. Applicable fees:
  1. The ZEO shall charge and collect from each applicant submitting a Billboard Application.
  2.
    - a. Billboards built prior to this Chapter of the Zoning Order shall be "Grandfathered in" and no such license shall be required. Once the Billboard has transferred ownership or relocated for any reasoning Grandfathering Protection is lost.
  3. Cost of prosecution if needed.
- F. Billboard Permit shall expire if billboard is not erected within a period of one (1) year from the date the permit was originally issued, no extensions may be permitted. A new permit must be applied for.

#### **ARTICLE 6. ABANDONMENT**

Any such sign erected under this Ordinance shall be maintained at least once every one hundred eighty (180) days. If such a sign is not maintained ZEO will consider Billboard abandoned. The removal of the billboard shall be at the billboard owners' expense.



## **CHAPTER 27- PRIVATE FAMILY CEMETERIES**

### **ARTICLE 1. PURPOSE**

- A. The purpose of a Cemetery Chapter in the Zoning Order is to ensure the safety and maintenance of land use in relation to a private family cemetery.**

### **ARTICLE 2. DEFINITION**

- A. Private Family Cemetery – Land used or dedicated to the burial of the deceased; the intact or cremated remains of people may be interred in a grave. For this chapter and definition of private family cemetery, a cemetery shall not include mortuaries, crematoriums, mausoleums, any sales in relation to a cemetery or funeral, and maintenance facilities.**
- B. Refer to RSMo. 214.090.**

### **ARTICLE 3. PERMITTED ZONES**

- A. A Conditional Use hearing can be held for private family cemeteries located in an Agricultural, Residential, or Rural Village zoned district.**
- B. The cemetery shall be open to any person who wishes to visit from sunrise to sunset each day. This right of access extends only for purposes usually associated with cemetery visits.**

### **ARTICLE 4. CONSTRUCTION SPECIFICS**

- A. Cemetery will have a Boundary Survey with legal description by a Missouri Registered Land Surveyor, of less than one (1) acre. Boundary survey shall meet minimum Missouri Registered Land Surveyor Standards, including placing documented corner markers of said property. The survey shall be recorded in the Office of Ralls County Recorder of Deeds with conveyance deed to Ralls County Commission and a plate of gravesites.**
- B. Cemetery shall have a setback from all existing property lines and easements of at least fifty (50) feet.**
- C. No easement or right of way shall be placed on the cemetery.**
- D. Cemetery shall have a permanent fence around the survey area.**
- E. Cemetery must have permanent signage that identifies it as a cemetery.**
- F. Access to the cemetery must be indicated on said survey or legal description.**

### **ARTICLE 5. PERMITTING**

- A. The applicant is obligated for the grading, seeding, sodding, mowing, or otherwise maintaining said cemetery.**

### **ARTICLE 6. ABANDONMENT**

- A. Ralls County Commission will determine if an escrow is needed at the time of application and when the cemetery is abandoned. Refer to RSMO. 214.130 and 214.150.**

## **CHAPTER 28- RENEWABLE ENERGY**

### **ARTICLE 1. PURPOSE**

- A.** The purpose of the Renewable Energy Chapter in the Zoning Order is to ensure the planned use and development as well as safety and maintenance of land use in relation to wind power and battery storage power that will provide an environment that will promote the health, safety, and general wellbeing of the citizens of the unincorporated areas of the County.
- B.** To mitigate the impacts of Renewable Energy Systems on the environmental resources of the County such as agricultural lands, forest, wildlife, and other protected resources.

### **ARTICLE 2. DEFINITION**

- A. Abandonment** – when a renewable energy system is inactive or nonoperational for a consecutive twelve (12) month rolling period.
- B. Battery Storage Facility** – a rechargeable energy storage system consisting of electrochemical storage batteries, battery chargers, controls, power conditioning systems, and associated electrical equipment designed to provide electrical power. The system is typically used to provide standby or emergency power, an uninterruptable power supply, load shedding, load sharing, or similar capabilities. Requires a Conditional Use permit if used in conjunction with Wind Turbine, and a construction permit. If used in conjunction with the Small Wind Energy System and enclosed in residence or business, must obtain a Construction permit, no Conditional Use permit.
- C. Decommissioning Plan** – a written plan to remove a renewable energy system at the end of their lifecycle, containing the required steps to remove the system, timeline of removal, dispose of or recycle all components, and restore the land to its original state. Plan must include estimated cost schedule and financial mechanisms, such as land/lease agreement, and a performance or surety bond.
- D. Renewable Energy System** – any energy system used to generate electricity with wind, and which included, but is not limited to Wind Turbine, Small Wind Energy System, Battery Storage Facility, or any other renewable energy system that is not specifically defined in this Chapter.
- E. Wind Energy System** – the process of creating electricity using the wind, or air flows that occur naturally in the earth's atmosphere. A rotary device that extracts energy from the wind where the mechanical energy is converted to electricity.
  - a. Wind Turbine** – a rotary device used to generate electric with a nameplate capacity that ranges in size from 100 kilowatts to several megawatts, where the electricity is delivered to the power grid and distributed to the end user by electric utilities or power system operators, has a height of 151 feet or more. Total height shall be calculated as the vertical distance from ground level to the vertical tip of blade when the tip is at its highest point. A type of renewable energy system use is for the sale of energy for commercial gain. Requires a Conditional Use permit and a Construction permit, see Land/Building Use Grid Chart.
  - b. Small Wind Energy System** – a rotary device that is used to generate electricity with a nameplate capacity of 100 kilowatts or less and has a total height of 150 feet or less. Total height shall be calculated as the vertical distance from ground level to the vertical tip of blade when the tip is at its highest point. For personal use, must obtain a Construction permit, may require a Conditional Use permit, see Land/Building Use Grid Chart.

### **ARTICLE 3. PERMITTED ZONES**

- A. A Conditional Use hearing shall be held for renewable energy systems that are classified as a battery storage facility, located in Agricultural, Commercial, or Industrial zoned district. Zoning Enforcement Officer shall make determination as to classification.**
- B. A Conditional Use hearing shall be held for renewable energy systems that are classified as small wind energy system, located in Residential, Rural Village, Commercial, or Industrial zoned district. Zoning Enforcement Officer shall make determination as to classification.**
- C. Small wind energy systems are allowed in Agricultural zoned districts. Zoning Enforcement Officer shall make determination as to classification.**
- D. A Conditional Use hearing shall be held for renewable energy systems that are classified as wind turbine, located in an Agricultural, Commercial, Industrial or Flood Plain zoned district. Zoning Enforcement Officer shall make determination as to classification.**

### **ARTICLE 4. BULK AND REGULATIONS**

- A. Wind energy system shall have a set back from all existing property lines, easements, or structures of one (1) foot of setback for each foot of total height (the vertical distance from ground to tip of blade when tip is at its highest point) or an engineer's design of fall zone with licensed structural engineer's stamp on design.**

### **ARTICLE 5. GENERAL PROVISIONS**

- A. Site plan needs to include but not limited to; underground utilities, vehicular paths, signage, lighting, proposed changes to landscape, grading and any other information reasonably related to and as requested by the ZEO in order to evaluate and process the application.**
- B. Application needs to address land ownership change requirements, i.e., will renewable energy system go with ground or to the lessee.**
- C. Renewable energy systems shall have a permanent eight (8) foot, chain link fence around the area, including the battery storage facility.**
- D. The renewable energy system must have permanent signage that identifies it as such, with manufacturer's name, safety information, emergency contact and equipment specification information. Information should match Tier II information, if applicable.**
- E. Renewable energy systems that require a conditional use hearing shall obtain a performance or surety bond shall be required in a form and by a commercially reasonable surety providing for decommissioning of the Renewable energy system in the event of abandonment in the amount of one hundred ten percent (110%) of the cost of decommissioning and restoration. The financial assurance shall automatically renew each year or have no expiration and shall not be released until the Renewable energy system has been decommissioned and the site restoration has been completed shall be reviewed for accuracy by the County and Applicant/Owner of the Renewable energy system every five (5) years and adjusted as necessary to ensure sufficient funds are available to decommission the Renewable energy system over its life to landowner. Copy of Resolution of Decision of the Ralls County Commission and the Application for Conditional Use permit shall be recorded in the Ralls County Recorder of Deeds office with full legal description and information regarding performance or surety bond.**

- F. Renewable energy systems that require a conditional use hearing shall have a meeting with the County Assessor and applicant (landowner and energy company), prior to the conditional use hearing. These meetings are up to the applicant to arrange, the ZEO will send the County Assessor the site plan that was received on application date. The meetings shall consist of content of project, project objectives, and taxation. A letter from the Ralls County Assessor will be needed for the conditional use hearing, as an exhibit. Said letter will state the time, place, and persons in attendance of meeting and the outcome of said meeting.

#### **ARTICLE 6. PERMITTING**

- A. Any person wishing to place a renewable energy system in an unincorporated area of the County shall make proper application with the Zoning Enforcement Officer.
- B. The ZEO shall issue proper permits and/or certificates for same after verifying that all rules and regulations of this Order are complied with, and all applicable fees have been paid.
- C. A conditional use hearing shall be held to modify land use, from current use to renewable energy systems. Said conditional use application shall include but not be limited to list type of renewable energy, site plan, ownership change requirements, a Tier II form (if needed) submitted to Missouri Emergency Response Commission, decommission plan, meeting letter from Ralls County Assessor, and verification that a performance or surety bond can be obtained once hearing is complete.

#### **ARTICLE 7. CONSTRUCTION PERMIT FEE**

The permit application fee shall be due and payable with the Construction Permit Application. The construction permit is valid for 30 months and is non-transferable.

- A. Upon completion of construction the county will conduct an audit and may revoke said permit for non-compliance set forth within this ordinance and Appendix F (American Made Requirement).
- B. If found to be in non-compliance, you will have thirty (30) days from the date of notification of non-compliance to rectify any issues noted. If not rectified the permit will be revoked and all applicable procedures will have to be followed for re-issuance of permit.
- C. Operational permits will be denied until the project is in compliance.
- D. A person aggrieved by the decision to revoke any permit provided herein may appeal the revocation to the Ralls County Board of Appeals.

#### **ARTICLE 8. OPERATING PERMIT FEE**

Operating Permit application and fee shall be submitted once construction audit is complete and in compliance. The permit fee shall be ten thousand dollars (\$10,000) per project. The Permit Fee shall be paid by the Applicant/Owner to the County by check as directed by the Zoning Enforcement Officer.

#### **ARTICLE 9. ABANDONMENT**

- A. Renewable energy systems that require a conditional use hearing shall obtain a performance or surety bond shall be required in a form and by a commercially reasonable surety providing for decommissioning of the Renewable energy system in the event of abandonment in the amount of one hundred ten percent (110%) of the cost of decommissioning and restoration.

**The financial assurance shall automatically renew each year or have no expiration and shall not be released until the Renewable energy system has been decommissioned and the site restoration has been completed shall be reviewed for accuracy by the County and Applicant/Owner of the Renewable energy system every five (5) years and adjusted as necessary to ensure sufficient funds are available to decommission the Renewable energy system over its life to landowner. Copy of Resolution of Decision of the Ralls County Commission and the Application for Conditional Use permit shall be recorded in the Ralls County Recorder of Deeds office with full legal description and information regarding performance or surety bond.**

**CHAPTER 29-****SOLAR ORDINANCE****RALLS COUNTY, MISSOURI  
SOLAR DEVELOPMENT REGULATIONS**

The solar regulations for Ralls County, Missouri provide that Solar Farms constitute a use Permitted by Right in Agriculture Zoning Districts which also have been approved for a Solar Overlay District, but subject to the standards and requirements of the Solar Development Regulations an overview of which is set out in the table below:

<b>Required Permits</b>	The applicant/owner of a utility solar facility must obtain a Solar Operating Permit from the Ralls County Planning and Zoning Department.
<b>Setbacks</b>	The solar arrays shall be setback a minimum of two hundred (200) feet from non-participating residences, have a setback from all existing property lines and easements of at least fifty (50) feet.
<b>Screening</b>	The Regulations require the submittal of a screening plan which outlines proposed screening. Emphasis will be placed on screening the Solar Panels from non-participating residences.
<b>Glare</b>	A more continuous source of excessive brightness relative to the ambient lighting.
<b>Glint</b>	A momentary flash of light reflected off a solar panel.
<b>Fencing/Security</b>	A security fence must be installed around the exterior of a solar panel array.
<b>Operations &amp; Maintenance</b>	The regulations require the submittal of an Operation and Maintenance Plan that shall include measures for maintaining safe access to the facility, stormwater, and erosion controls, as well as general procedures for operation and maintenance of the facility and its components.
<b>Ground Cover &amp; Border Areas</b>	Perennial vegetation shall be planted and maintained to prevent erosion, manage run off and maintain soil health.
<b>Decommissioning</b>	The regulations include submittal of a decommissioning plan that describes the anticipated life of the solar facility, the anticipated manner of decommissioning and the anticipated site restoration actions.
<b>Removal Bond</b>	The regulations require the posting of a performance bond, or surety bond to ensure that funds in the amount of the estimated decommissioning costs will be available.
<b>Solar Farm</b>	A group of photovoltaic interconnected solar panels/arrays that convert sunlight into electricity for the primary purpose of wholesale or retail sales of generated electricity, including all on site equipment and facilities necessary for the proper operation of the facility, such as electrical collection and transmission lines, battery storage systems, transformers, substations and operations and maintenance facilities with at least twenty (20) continuous acres.
<b>Solar Garden</b>	Solar Panel Arrays constructed primarily to provide energy for use on site, primarily powers one residence, farm site or business and is not utility scale by photolytic interconnected solar panel/arrays that convert sunlight into electricity.
<b>Concentrated Solar Power Array</b>	Solar panels that use a reflective device to concentrate solar energy, including but not limited to mirror and lenses.

## **ARTICLE 1. STATEMENT OF POLICY – CONSISTENCY WITH MASTER PLAN**

The Ralls County Master Plan identifies the need for controlled development in agricultural areas and concerns about new installations of Solar Farms. While many of the residents expressed they are not in favor of solar farms, they understand the need for inclusion of Solar Farms in limited and particular locations with a limited amount of space set aside for development by means of a Solar Overlay District (SOD). The ultimate goals of Ralls County Master Plan are-1) to provide for the health, safety, and well- being of county residents, 2) to protect the environment and 3) to assure that land use remains productive and property values maintained. The following rules and regulations set forth by the Solar Ordinance and Solar Overlay District meet the ultimate goals of the County. Balancing the rights of the public as a whole with the rights of individuals has always been and will continue to be one of the most challenging aspects of Planning and Zoning.

## **ARTICLE 2. TYPES OF SOLAR POWER FACILITIES**

Solar Farm means a group of photovoltaic interconnected solar panels/arrays that convert sunlight into electricity for the primary purpose of wholesale or retail sales of generated electricity, including all on-site equipment and facilities necessary for the proper operation of the facility, such as electrical collection and transmission lines, battery storage systems, transformers, substations and operations and maintenance facilities. Whereas stand-alone ground mounted arrays shall have the acreage be at least twenty (20) contiguous acres. The word "farm" is not to be misinterpreted and referred to as any place from which one-thousand dollars (\$1,000) or more of agricultural products were produced and sold, or normally would have been sold, during the year nor is to be misinterpreted or referred to as an agricultural entity.

Concentrated Solar Power Arrays shall not be permitted.

## **ARTICLE 3. SOLAR FARM- PERMITTED USE:**

Solar Farms are permitted uses within Agricultural Zoning Districts which have been included within the permitted areas for Solar Overlay District. Issuance of a new Solar Farm Operating Permit will add parcels from the project to a revised Solar Overlay District for the County, (if necessary). All Solar Farm Permit Requests must comply with all the Standards and Requirements of these Regulations. The acreage used for Solar Panels within an approved Solar Overlay District shall be limited to sixty-five hundred (6,500) fenced solar acres within Ralls County, Missouri. Unless the acreage limitation is reevaluated and adjusted, additional Solar Farms seeking a permitted use above the sixty-five hundred (6,500) fenced solar acres of the county area shall not be permitted until the decommissioning of an existing Solar Farm is complete.

### **Standards Applicable to Solar Farms:**

#### **A. Scope**

These standards shall apply only to Solar Farms.

#### **B. Definitions**

Whenever the following terms are used in these Regulations, they shall have such meanings herein ascribed to them unless the context clearly indicates or requires a different meaning.

1. **"Applicant/Owner"** means the person or entity who applies for an Operating Permit for a Solar Farm and can also be the proposed owner of the Solar Farm; the term also includes the following, as applicable:
  - a. if Applicant/Owner applied in his or her individual capacity, then Applicant's heirs, legal representatives, successors, and assigns:
  - b. if Applicant/Owner applied in his or her capacity as agent or authorized officer or official, then Applicant's principals and their other respective agents (in their capacity as agent), heirs, legal representatives, affiliates, successors, and assigns; *or*
  - c. if Applicant/Owner is a tenant, then, in case Applicant abandons the Solar Facility, all the landowners and their respective heirs, legal representatives, successors, and assigns.
2. **"Border Area(s)"** are project construction disturbed areas in and around project facilities in which a vegetation management plan (VMP) shall be prepared addressing erosion control, managing runoff, and maintenance of soil health.
3. **"Construction Permit"** The permit granted by the Planning and Zoning Department to start construction, renovations or rebuilds.
4. **"Contiguous Acres"** are geographically co-located acres or parcels of land. Solar Facilities that extend across multiple parcels shall be considered contiguous if property lines are connected or across a public right-of-way.
5. **"Non-Participating Property"** Property that is not subject to an agreement, contract, lease and/or waiver with the Applicant/Owner for or related to the Solar Farm.
6. **"Public Facility"** A commercial or publicly used building, such as a retail business, church, school, or community center.
7. **"Residence"** A building habitable for people that has electricity, heat, plumbing, and windows.
8. **"Participating Property"** Property that is subject to an agreement, contract, lease and/or waiver between the property owner and the Applicant/Owner for or associated with the Solar Farm.
9. **"Planning and Zoning Department"** refers to the Ralls County Planning and Zoning Department.
10. **"Operating Permit"** The Permit granted by the Planning and Zoning Department to an Applicant/Owner of a Solar Facility meeting the Regulations.
11. **"Prohibition"** No Solar Facility shall be constructed or operated unless it is within an Agricultural Zoning District which has an approved Solar Overlay District, and then only if in conformity with these Regulations.
12. **"Property"** Piece or parcel of land; tract; lot.
13. **"Screening"** Vegetative or other mechanism such as fencing used to mitigate impact from the visibility of solar panels from outside the project area.
14. **"Security Fence"** a fence that meets National Electric Safety Code requirements.
15. **"Solar Overlay District" or "(SOD)"** refers to a District in which Solar Farms will be permitted within Ralls County.
16. **"Solar Facility(ies),"** when capitalized, refers to a Solar Farm(s).
17. **"Solar Panels"** the photovoltaic interconnected solar panels.



18. "Solar Panel Array" refers to a group of photovoltaic interconnected solar panel/arrays that could include electrical collection lines amount panels, transformers, battery storage systems, substations and operations and maintenance facilities. Each Solar Panel Array would be fenced on all sides. For avoidance of doubt, underground collection lines or overhead transmission lines and access roads between Solar Panel Arrays do not need to be included within the fenced area.
19. "Regulations" These Solar Farm Development Regulations that describe the process for approval of a Solar Facility and the information that the Applicant/Owner must provide to the Planning and Zoning Department prior to receiving an Operating Permit for a Solar Facility.
20. "Zoning Enforcement Officer" refers to the Administrator of the Planning and Zoning Department.

**C. Required Information**

An interested party to a planned Facility may apply for permission to construct a Solar Farm by applying to the Planning and Zoning Department. A Construction Permit must be approved prior to the commencement of on-site construction of any Solar Facility components, to include but not limited to Solar Panels, fencing, new roadway access, vegetation or buffer planting or cable or transmission line installation but does not pertain to geotechnical investigations (aka soil borings), biological surveys, cultural surveys, and other development related activities that are necessary to analyze the viability of the site for a Solar Farm.

An Applicant/Owner shall provide the following information to the Zoning Administrator on a site plan:

1. Planned number, location and spacing of Solar Panels/Arrays.
2. Maximum planned number of alternating current megawatts (AC MW or just MW) which may be generated by the Facility. The number of alternating current megawatts (AC MW or just MW) which may be generated by the Facility shall be sent to the Administrator annually.
3. Planned location of overhead electric lines.
4. Vehicular paths.
5. An emergency response plan that includes detailed instructions for all emergency personnel for communication, access, and disconnects.
6. Lighting.
7. Anti-glare reflection coating information.
8. Proposed changes to landscape, grading and other information reasonably related to soil disturbance.
9. Project development and construction timelines.
10. Operation and maintenance plan.
11. Vegetation management and landscaping plan to include buffering or screening and the types of grasses to be used.
12. Decommissioning plan.
13. Name, address, email address and phone number of the Participating Property owners.
14. Name, address, email address and phone number of the contact person of the Applicant/Owner.

15. The address and legal description of the proposed site to include the property parcel numbers for each tract.
16. A statement of having met the regulations for an Construction Permit that includes the name, signature, and date by the person who has the authority to sign on behalf of the Applicant/Owner.
17. Registered Land Survey stamped map or engineered building plan that includes the fenced area of solar arrays with acreage.
18. Traffic plan showing the path trucks will travel for construction and/or maintenance activities of the Solar Farm. Such information shall include the length, weight, and number of trucks and/or other equipment necessary for construction and maintenance of the Solar Farm. Any proposed traffic deemed by the County Road and Bridge Supervisor to be beyond that of recommended design parameters will require pre and post inspection of the roadways to determine any corrective action that may be required of the Applicant to repair the roadway or bridge to pre-construction conditions.
19. Pictures, with GPS location, of roads, highways, county right of way, and bridges the trucks will be traveling for construction of the Solar Farm.
20. A wildlife preservation study evaluating the potential impact of the proposed construction and operation of the Solar Farm to endangered species, along with a proposed wildlife mitigation plan to be taken by the Applicant/Owner to minimize wildlife impacts on endangered species.

**D. Proof of Meeting the Regulations**

1. The Applicant who is acting in an agency capacity must have corporate signing authority on behalf of a business entity. The Zoning Enforcement Officer may ask for corporate documentation for verification.
2. The Applicant must provide a list of participating property owners who authorized placement of Solar Facilities on their properties along with a copy of any memorandum of lease or other evidence of authority from the participating property owner to apply for the Solar Facility, if applicable.

**E. Permit Effective for Operating Life of Facility**

All Operating Permits issued for a Solar Facility pursuant to these regulations shall remain effective for the operating life of the Solar Facility so long as the Solar Facility is operating in accordance with these regulations. The Zoning Enforcement Officer reserves the right to determine whether a Solar Facility is operating in accordance with these regulations at any time and shall at least once a year make such a determination. If violations are found, the Zoning Enforcement Officer shall notify the Solar Facility of the violations. The Solar Facility shall have sixty (60) days to bring the Solar Facility into compliance before the Operating Permits are revoked. The Operating Life shall mean the Solar Facility is producing electricity as described in these regulations and shall not be discontinued for more than one (1) year. Should the Solar Facility discontinue operation and there are no significant actions to restore operation for more than one (1) year after the Applicant/Owner receives written notice by certified mail from the County with respect to the cessation of operations, then the Solar Facility shall be considered terminated or abandoned. The permits issued for the Solar Facility shall therefore

expire upon completion of decommissioning as required by the Decommissioning section of these regulations.

**F. Site and Structure Requirements**

- 1. Setbacks.** Setbacks for all above ground structures (including solar arrays) must adhere to the minimum principal setback standards for Agricultural zoning district. Additionally, Solar Panel Arrays shall be installed at least two hundred (200) feet from non-participating residences and public facilities and shall have a setback from all existing non-participating property lines of at least fifty (50) feet. The owner of a participating residence, which is otherwise eligible to be zoned as a Solar Overlay District in accordance with Appendix D Agricultural zoning and buffer zone requirements, may agree to waive these setback requirements by an agreement in writing with the Applicant/Owner.
- 2. Screening.** Densely planted (or having equivalent natural growth) with shrubs or trees at least a nominal eighteen (18) inches high at the time of planting, of a type that will form a vegetative screen at least six (6) nominal feet high at full maturity. Other screening mechanisms such as a fence may be incorporated as part of screening measures in coordination with affected landowners.

A screening area is required where a property line of a non-participating property, either Residential or Commercial, is adjacent to above ground structures of a Solar Farm and where the non-participating property with a residence or public facility whose view includes the Solar Panels.

The Applicant/Owner shall submit a landscaping plan outlining the proposed screening for the Solar Farm, including existing vegetation, as may be suitable. Emphasis will be placed on screening the Solar Panels from adjacent non-participating occupied residences. Shrubs may be used in buffer areas as appropriate for visual screening. In advance of finalizing the landscaping plan, the proposed screening shall be reviewed by the Zoning Enforcement Officer and the Applicant/Owner shall agree to include reasonably practicable requests made by the Zoning Enforcement Officer regarding the types of vegetation to be planted as part of the screening.

If advised by the Zoning Enforcement Officer, the landscaping plan should be submitted for review by the University Missouri Extension (MU Extension) for the County of Ralls. The MU Extension shall have thirty (30) days upon which to return all recommendations for the project. If the MU Extension does not provide screening services recommendations with thirty (30) days, the Zoning Enforcement Officer has an additional ten (10) days to provide the Applicant with reasonable modifications.
- 3. Utility Connections.** All medium voltage cables of 34.5 kV or greater between inverter locations and project substations shall be located and maintained underground. Other solar infrastructure, such as module-to-module collection cables, CAB cables, transmission lines, substations, junction boxes, and other typical aboveground infrastructure may be located and maintained aboveground.
- 4. Glare Minimization.** All modern Solar Panels are designed to absorb as much solar energy (light) as possible. Consequently, all modern Solar Panels will have minimal glare or reflection onto adjacent properties and adjacent roadways and should not interfere with traffic, including air traffic, or create a safety hazard. All Solar Panels to

be used in Ralls County shall be designed and constructed to avoid Glint and Glare which is visible to traffic or is visible to a Residence. Should Glint or Glare become a safety hazard or nuisance to infrastructure existing at the time of Operating Permit is issued, the Applicant shall be required to mitigate the safety hazard or nuisance. The Zoning Enforcement Officer may require the Applicant to produce a Glint and Glare study in the area where a safety hazard or nuisance may exist.

5. **Compliance with Local, State and Federal Regulations.** A Solar Facility must comply with applicable local, state, and federal operational and safety laws and regulations. For the purposes of clarification only, nothing contained herein shall operate to change the right of the Applicant/Owner of an existing Solar Facility for such Solar Facility to be a "permitted use" so long as the Solar Facility is in compliance with the required Regulations.
  6. **Signage.** Appropriate warning signs shall be posted at the Solar Facility. The Solar Facility shall have permanent signage that identifies manufacturer's names, safety information, emergency contact and equipment specification information. Information shall meet or exceed requirements as dictated in the National Electric Safety Code (NESC) and ANSI Z535.
  7. **Fencing/security.** The fence surrounding the Solar Panel Array, as described above, shall comply with federal NESC requirements. Security fences, gates and warning signs must be maintained in good condition until the Solar Farm is decommissioned.
  8. **Site Access/Emergency Response.** The Solar Farm must have an emergency response action plan which complies with the requirements of OSHA 29 CFR 1910. Access to the site for emergency responders shall be provided on the site plan detailing response guidance safety concerns. The Solar Farm emergency response contact information shall be conspicuously posted on site at the primary access point of each Solar Panel Array.
  9. **Concentrating Solar Power Facilities Prohibited.** Concentrating Solar Power facilities are prohibited.
  10. **Noise.** The Solar Farm shall be built in such a way that noise heard by any adjacent Residence or Commercial property does not exceed fifty (50) decibels.
  11. **Wildlife Preservation.** The Zoning Enforcement Officer shall review the proposed wildlife mitigation plan. If advised by the Zoning Enforcement Officer, such a plan shall be submitted to an expert for review. There shall be thirty (30) days upon which the expert may return all recommendations for the project. If the expert does not provide recommendations within thirty (30) days, the Zoning Enforcement Officer shall have an additional ten (10) days to provide the Applicant with reasonable modifications. The Zoning Enforcement Officer may require reasonable modifications to the wildlife mitigation plan to ensure minimal impact to the surrounding endangered wildlife due to the construction and operation of the Solar Farm.
- G. Operation and Maintenance Plan.** Applicant shall submit a plan for the operation and maintenance of the Solar Facility, which shall include measures for maintaining safe access to the Solar Facility, stormwater, and erosion controls, as well as general procedures for operation and maintenance of the installation.
1. **Soil Erosion and Sediment Control Considerations.** Applicant agrees to conduct all

roadwork and other site development work in compliance with a National Pollutant Discharge Elimination System (NPDES) Permit as required by the Missouri Department of Natural Resources and comply with requirements as detailed by local jurisdictional authorities. If subject to NPDES requirements, Applicant must submit the permit for review and comment, and an erosion and sediment control plan before beginning construction. The plan must include both general "best management practices" for temporary erosion and sediment control both during and after construction and permanent drainage and erosion control measures to prevent damage to local roads or adjacent areas and to prevent sediment laden run off into waterways.

2. **Ground Cover and Border Areas.** Ground around and under Solar Panel Array and in project site Buffer Areas shall be planted and maintained in perennial vegetated ground cover, and meet the following standards:
  - a. Topsoil shall not be removed from the Property during development unless it is part of a remediation effort or as part of a soils management plan negotiated with the owner of the property.
  - b. A vegetation management plan (VMP) shall be prepared addressing erosion control, managing runoff, and maintenance of soil health. Seeds should include a mix of grasses which are cool season grasses and suitable for domestic animal grazing. The VMP shall be included as part of the request for an Operating Permit application.
  - c. Ground cover, border areas and maintenance practices will be developed in consultation with the local MU Extension.
  - d. A composite soil sample for every twenty (20) acres will be required. Soil sample test shall include pH, Macronutrient levels (phosphorus and potassium), Secondary and micronutrient levels (lead and cadmium), Soil texture and Organic matter amount. The University of Missouri Extension office can help with this requirement prior to developing vegetation management plan and landscape plan, ground cover, buffer area and maintenance practices. The vegetation management plan will include a provision to ensure no noxious weeds are grown. This test is a base line test to begin construction, and an end line test will be performed in the decommissioning process. In addition, soil sample tests shall be taken every five (5) years.
  - e. **Maintenance, Repair or Replacement of Facility.**
    - a. Applicant shall maintain the Solar Facility until the decommissioning is complete and the Zoning Enforcement Officer has issued a "completed decommissioning project" letter to the applicant. Maintenance shall include, but not be limited to, painting, structural repairs, and integrity of security measures.
    - b. Any retrofit, replacement or refurbishment of equipment shall adhere to all applicable local, state, and federal requirements. Any retrofit, replacement or refurbishment of equipment needs to be mentioned in the annual report of operations and maintenance of activity.

#### **H. Decommissioning and Site Reclamation Plan.**

- 1. Plan – General Contents.** Applicant/Owner shall provide a decommissioning plan as part of the application requirements prior to receiving an Operating Permit, that describes the anticipated life of the Solar Facility; the anticipated manner in which the Solar Facility will be decommissioned; the anticipated site restoration actions, and the estimated decommissioning costs in current dollars.
- 2. Plan – Financial Requirements.** The decommissioning plan shall describe the mechanism for the posting, at commencement of operations, of a performance bond, or surety bond, to ensure that funds in the amount of one hundred ten (110) percent of the currently estimated decommissioning costs, will be available for decommissioning and restoration. The financial assurance shall automatically renew each year or have no expiration and shall not be released until the Solar Facility has been decommissioned and the site restoration has been completed. At that time, the Zoning Enforcement Officer will issue a “completed decommissioning project” letter to the Applicant/Owner.  
The decommissioning plan and financial assurance shall be reviewed for accuracy by the Applicant/Owner of the Solar Facility every five (5) years and adjusted as necessary to ensure sufficient funds are available to decommission the Solar Facility over its life.
- 3. Plan – Restoration Activities.** Restoration or reclamation activities shall include, but not be limited to, the following:
  - a. Restoration of the area occupied by the Solar Facilities to as near as practicable to the same condition that existed immediately prior to construction of such facilities.
  - b. Decommission soil test will be needed to ensure soil is reclaimed at a “same value” or “better value”. The decommission soil test shall be conducted in the same manner as stated herein in Article 3, G, 2, d of this document.
  - c. For any part of the Solar Facility on Participating Property, the plan may incorporate agreements with the Participating Property landowner regarding leaving access roads, fences, gates, or repurposed buildings in place or regarding restoration of agricultural crops or forest resource land to the extent such a plan complies with these regulations. Any use of remaining structures must be in conformance with the regulations in effect at the time.
- 4. Decommissioning.** Following a continuous one (1) year period in which no electricity is generated from the Solar Facility, and if substantial action on the Solar Facility is discontinued for a period of one (1) year, Applicant/Owner shall have eighteen (18) months to complete decommissioning of the Solar Facility. Decommissioning shall be completed in accordance with the approved decommissioning plan. Applicant/Owner shall notify the Zoning Enforcement Officer in writing when decommissioning is complete.  
If decommissioning is not completed by the end of such period, Ralls County shall have the right to retain the services of an appropriate firm to decommission the Solar Facility and to use the performance bond or surety bond to pay for the cost of decommissioning.

#### **ARTICLE 4. CONSTRUCTION PERMIT FEE**

The permit application fee shall be due and payable with the Construction Permit Application. The construction permit is valid for 30 months and is non-transferable.

- A. Upon completion of construction the county will conduct an audit and may revoke said permit for non-compliance set forth within this ordinance and Appendix F (American Made Requirement).
- B. If found to be in non-compliance, you will have thirty (30) days from the date of notification of non-compliance to rectify any issues noted. If not rectified the permit will be revoked and all applicable procedures will have to be followed for re-issuance of permit.
- C. Operational permits will be denied until the project is in compliance.
- D. A person aggrieved by the decision to revoke any permit provided herein may appeal the revocation to the Ralls County Board of Appeals.

#### **ARTICLE 5. OPERATING PERMIT FEE**

Operating Permit application and fee shall be submitted once construction audit is complete and in compliance. The permit fee shall be ten thousand dollars (\$10,000) per project. The Permit Fee shall be paid by the Applicant/Owner to the County by check as directed by the Zoning Enforcement Officer.

#### **ARTICLE 6. REPAIR OF ROADS AND BRIDGES**

The Applicant/Owner shall be responsible for repairing the roads, highways, county right of way, or bridges that may be damaged by construction of the Solar Farm. Upon completion of the initial construction, during maintenance of the Solar Farm the Applicant/Owner shall be required to repair the roadway, highway, county right of way, or bridge to pre-construction conditions. If during the initial construction if such damage to a road, highway, county right of way, or bridge presents a danger to vehicles as determined by the Zoning Enforcement Officer or County Road and Bridge Supervisor, the Applicant/Owner shall notify the Zoning Enforcement Officer and begin to repair such road, highway, or bridge damage immediately. If the Applicant/Owner does not complete repairs within a reasonable time, the Zoning Enforcement Officer may revoke the Applicant/Owner's Construction Permit and/or request the County Commission authorize such repairs. In the event the County Commission authorizes repairs, the Applicant/Owner shall pay the costs associated with repairing the road, highway, or bridge. If such costs are not promptly paid, the Zoning Enforcement Officer may revoke the Construction Permit.

#### **ARTICLE 7. ANNUAL CONTRIBUTION PAYMENT**

- A. **Timing and Amount of Payment.** Once the Solar Facility enters commercial operation, the Applicant/Owner (or Current Owner of the Solar Facility) shall make Annual Contributions to the County in accordance with the terms and conditions of a Contribution Agreement mutually agreed upon by the County Commission and Applicant/Owner based upon the maximum rated AC production capacity multiplied by the rate of Two Thousand Five Hundred dollars (\$2,500) per MW by December 1<sup>st</sup> of each year (the "Annual Contribution Date"), beginning on the first

Annual Contribution Date following the date that Applicant/Owner (or current owner) provides notice to the County that the requirements for Final Completion have been satisfied pursuant to the primary engineering, procurement, and construction agreement for the Solar Facility and continuing through the time that the Solar Facility remains in commercial operation. The Final Contribution paid in the last calendar year in which the Solar Facility produces saleable electricity on or after January 1<sup>st</sup> of that year and will be pro-rated for the number of days in operation during the final calendar year. For clarity, if the Solar Facility produces power for one hundred (100) days in a 365-day calendar year, the Final Contribution will be (100/365) times Two Thousand Five Hundred (\$2,500) dollars per MW.

- B. Disbursement of Payment.** The Annual Contribution shall be paid by Applicant/Owner (or current owner) to the County by check.
- C. Contribution Agreement.** At the time of Operating Permit approval, the County and Applicant/owner shall enter into a Contribution Agreement detailing the terms and conditions for payment of the Annual Contribution including, but not limited to, any potential contribution offsets for the Solar Facility or the Applicant/Owner and providing the anticipated entire and complete contractual Contribution Schedule throughout the life of the Solar Facility. The Contribution Agreement shall be signed and accepted for the County by the County Commission. The Contribution Agreement shall be signed by the Applicant/Owner or authorized legal representative.

## **ARTICLE 8. INDEPENDENT REVIEW OF THE REGULATIONS**

Ralls County shall have the right to retain an Independent Registered Professional Engineer (IRPE) to review and ensure the Applicant/Owner has provided proof of meeting the regulations. The Applicant/Owner for the Operating Permit shall reimburse the County for all reasonable and necessary expenses associated with the IRPE. The IRPE shall provide their assessment to the Ralls County Planning and Zoning department within thirty (30) days of the Applicant/Owner submitting proof of meeting the regulations to the Zoning Enforcement Officer.

## **ARTICLE 9. FUTURE OPERATIONAL REQUIREMENTS**

Upon approval by the County of the Operating Permit, the Applicant/Owner or current owner and County both acknowledge that Applicant/Owner or current owner has received all required County approvals and materially complied with all County Laws relating to the development, construction, or operation of the Solar Facility, including, without limitation, any such County Laws applicable to the permitting, development, construction, operation, or emergency response for Solar Panels, substations, battery storage systems, electrical collection lines, communication lines, site security and access, access roads, temporary construction areas, operations and maintenance facilities, and other infrastructures relating to the Solar Facility. The Solar Facility must remain in compliance with all County Laws until the Solar Facility decommissioning is complete and such decommissioning is approved by the Zoning Enforcement Officer.



## **ARTICLE 10. REVIEW OF PLANNING AND ZONING DECISION**

**If the Applicant/Owner is aggrieved by the final decision of the Ralls County Commission the Applicant/Owner shall have the right to pursue an appeal in accordance with RSMo. Chapter 536.100 – 536.140.**

## **APPENDIX A. LAND/BUILDING USE GRID CHART**

The following Grid Chart is intended as a “quick reference” for land/building use. It is not all-inclusive. For more information, please refer to the appropriate chapter(s) of the Zoning Order. Any uses not indicated on this chart must be reviewed by the Planning & Zoning Commission.

### **LEGEND**

<b>AGR =</b>	<b>Agricultural District</b>
<b>COM =</b>	<b>Commercial District</b>
<b>F P =</b>	<b>Flood Plain District</b>
<b>IND =</b>	<b>Industrial/Manufacturing District</b>
<b>RES =</b>	<b>Residential District</b>
<b>R - V =</b>	<b>Rural Village District</b>

### **USES**

<b>C =</b>	<b>Conditional</b>
<b>N =</b>	<b>Not allowed</b>
<b>Y =</b>	<b>Yes allowed</b>

## Appendix A

LAND / BUILDING USE	AGRICULTURAL	RESIDENTIAL	RURAL-VILLAGE	COMMERCIAL	INDUSTRIAL	FLOODPLAIN
AGRICULTURAL EQUIP. See FARM EQUIP						
AIRPORT-PRIVATE	C	N	N	C	C	C
AIRPORT-PUBLIC	C	N	N	C	C	C
ALCOHOL TREATMENT FACILITY	C	N	N	Y	Y	C
ANIMAL GROOMING*	Y	C	Y	Y	C	C
ANTIQUE SHOP*	Y	C	C	Y	N	C
APARTMENT BUILDING see DWELLING-MULTI-FAMILY						
APPLIANCE-SALES*	C	N	C	Y	N	C
APPLIANCE-SERVICE	Y	N	Y	Y	N	C
ASPHALT MIXING PLANT	C	N	N	C	Y	C
AUCTION BARN-LIVESTOCK	C	N	N	C	C	C
AUCTION HOUSE	C	N	C	Y	C	C
AUTOMOBILE GRAVEYARD see VEHICLE GRAVEYARD						
AUTOMOBILE REPAIR see SERVICE STATION						
AUTOMOBILE-see VEHICLE						
BACKHOE see EXCAVATING BUSINESS						
BANK*	Y	N	Y	Y	Y	C
BAR see TAVERN						
BARBER SHOP	Y	C	Y	Y	N	C
BATTERY-DISTRIBUTION	C	N	N	C	Y	C
BATTERY-MANUFACTURING	C	N	N	C	Y	C
BATTERY-STORAGE	C	N	N	C	Y	C
BATTERY STORAGE FACILITY @@@	see chapter 28					
BATTERY-TRANSFER FACILITY	C	N	N	C	Y	C
BEAUTY SHOP	Y	C	Y	Y	N	C
BED&BREAKFAST ESTABLISHMENT	Y	C	Y	C	N	C
BOARDING HOUSE*	Y	C	Y	C	N	C
BOARDING KENNEL see KENNEL						
BRICK-MANUFACTURING	C	N	N	C	Y	C
BULLDOZER see EXCAVATING BUSINESS						
BULK FUELS-REFINING*	Y	N	N	C	Y	N
BULK FUELS- SALES**	Y	N	N	C	Y	C
BULK FUELS-STORAGE **	Y	N	N	C	Y	C
BULK FUELS- TRANSFER FACILITY **	Y	N	N	C	Y	C
BUTCHER see FOOD PROCESSING PLANT						
CABIN see DWELLING-SEASONAL						
CAMPGROUND*	C	N	C	Y	N	C
CAR see AUTOMOBILE						
CARNIVAL-EQUIPMENT	C	N	N	C	C	C
CAR REPAIR see VEHICLE-SERVICE						
CAR WASH	C	N	Y	Y	Y	C
CEMENT PLANT	C	N	N	C	Y	C
CEMETERY	C	C	C	N	N	N
CHILD CARE see DAY CARE CENTER						
CLINIC-DENTAL	C	C	Y	Y	N	C

LAND / BUILDING USE	AGRICULTURAL	RESIDENTIAL	RURAL VILLAGE	COMMERCIAL	INDUSTRIAL	FLOODPLAIN
CLINIC-MEDICAL	C	C	Y	Y	N	C
CLINIC-VETERINARY	Y	N	C	Y	Y	C
CLOTH see TEXTILE						
COMMUNICATINS TOWER	C	N	N	C	C	C
CONCRETE PLANT see Cement Plant	C	N	N	C	Y	C
CONSTRUCTION BUSINESS*	Y	C	Y	Y	C	C
CONVENTION FACILITY	C	C	C	Y	Y	C
COUNTRY CLUB see GOLF COURSE						
CRAFT SHOP*	Y	C	C	Y	N	C
DAY CARE CENTER*	Y	C	Y	C	C	C
DENTAL CLINIC	C	C	Y	Y	N	C
DENTENTION CENTER see JAIL						
DISTRIBUTION FACILITY	C	N	C	Y	Y	C
DOG POUND See KENNEL						
DRIVING RANGE*	C	N	C	Y	C	C
DRUG TREATMENT FACILITY	C	N	N	Y	Y	C
DUMP see SOLID WASTE - DISPOSAL						
DUPLEX see DWELLING-TWO FAMILY						
DWELLING-MULTIFAMILY*	C	C	Y	C	N	C
DWELLING-OWNER/OPERATOR	Y	Y	Y	Y	Y	C
DWELLING-SASONAL*	Y	C	C	C	N	C
DWELLING-SINGLE FAMILY###@	Y	Y	Y	C	C	C
DWELLING-TWO FAMILY*	Y	C	Y	C	N	C
EARTH MOVING EQUIPMENT see EXCAVATING BUSINESS						
ELECTRIC SUBSTATION see UTILITY SUBSTATION						
ELECTONICS-MANUFACTURING	C	N	N	C	Y	C
ELECTRONICS-SALES/SERVICE	C	N	C	Y	C	C
ELEVATOR see GRAIN ELEVATOR						
EQUIPMENT SALES/SERV/RENTAL**I	C	N	N	Y	C	C
EXCAVATING-BUSINESS*	Y	N	C	C	Y	C
EXPLOSIVES FACILITY	N	N	N	N	C	C
FARM EQUIPMENT-SALES*	Y	N	C	Y	C	C
FARM EQUIPMENT-SERVICE*	Y	N	C	Y	C	C
FARM EQUIPMENT-STORAGE *	Y	N	C	Y	C	C
FAST FOOD ESTABLISHMENT	C	N	Y	Y	Y	C
FEE FISHING LAKE*	Y	N	N	N	N	C
FERTILIZER-DISTIBUTION*	C	N	N	C	Y	C
FERTILIZER-MANUFACTURING*	C	N	N	C	Y	C
FERTILIZER-SALES*	C	N	N	C	Y	C
FERTILIZER-STORAGE*	C	N	N	C	Y	C
FERTILIZER-TRANSFER FACILITY*	C	N	N	C	Y	C
FINANCIAL INSTITUTION*	Y	N	Y	Y	Y	C
FLEA MARKET	C	N	C	C	N	C
FOOD MARKET	C	N	Y	Y	N	C
FOOD PROCESSING PLANT	C	N	N	C	Y	C

LAND / BUILDING USE	AGRICULTURAL	RESIDENTIAL	RURAL-VILLAGE	COMMERCIAL	INDUSTRIAL	FLOODPLAIN
FOOD PRODUCTION PLANT	C	N	N	C	Y	C
FORESTRY OPERATIONS	Y	Y	N	Y	Y	Y
FREIGHT TERMINAL	C	N	N	C	Y	C
FUNERAL HOME	C	N	Y	Y	N	C
FURNITURE <i>see</i> HOUSEHOLD FURNISHINGS						
GARDEN STORE <i>see</i> NURSERY*	Y	N	Y	Y	C	C
GAS <i>see</i> BULK FUELS						
GAS STATION	C	N	C	Y	Y	C
GAS STATION/C-STORE COMBO	C	N	C	Y	Y	C
GOLF COURSE*	Y	C	N	Y	C	C
GOLF RANGE <i>see</i> DRIVING RANGE						
GOVERNMENT BUILDING*	Y	C	Y	Y	Y	C
GRAIN ELEVATOR	C	N	C	C	Y	C
GRAVEYARD <i>see</i> CEMETERY						
GREENHOUSE*	Y	C	Y	Y	C	C
GROCERY STORE	C	N	Y	Y	N	C
GROOMING, ANIMAL <i>see</i> ANIMAL GROOMING						
GROUP HOME	C	C	C	Y	N	C
GUN SHOP-SALES*	C	C	C	C	N	C
GUN SHOP-SERVICE*	C	C	C	C	N	C
HAIR CARE <i>see</i> BARBER SHOP; BEAUTY SHOP						
HEAVY EQUIPMENT <i>see</i> EXCAVATING BUSINESS						
HELIPAD-PRIVATE	C	N	N	C	C	C
HELIPAD-PUBLIC	C	N	N	C	C	C
HELIPORT-PRIVATE	C	N	N	C	C	C
HELIPORT-PUBLIC	C	N	N	C	C	C
HOME-BASED BUSINESS*	Y	C	C	C	N	C
HORSE STABLE <i>see</i> STABLE						
HOSPICE	C	C	C	Y	N	C
HOSPITAL-PEOPLE	C	N	N	Y	N	C
HOSPITAL-VETERINARY	Y	N	C	Y	C	C
HOTEL*	C	N	C	Y	C	C
HOUSE <i>see</i> DWELLING						
HOUSEHOLD FURNISHING -MFG	C	C	C	C	Y	C
HOUSEHOLD FURNISHING-SALES*	C	C	C	Y	C	C
HUNTING PRESERVE*	Y	N	N	N	N	C
INVESTMENT FIRM*	Y	N	Y	Y	Y	C
JAIL-PRIVATE	C	N	C	C	C	C
JAIL-PUBLIC	C	N	C	C	C	C
JUNKYARD*	C	N	N	C	C	N
KENNEL, BOARDING-PRIVATE	C	N	C	C	N	C
KENNEL, DOG POUND	C	N	C	C	N	C
KENNEL, TRAINING-PRIVATE*	Y	N	C	C	N	C
LAKE, FISHING <i>see</i> FISHING LAKE, FEE						
LANDFILL <i>see</i> SOLIC WASTE-DISPOSAL						



LAND / BUILDING USE	AGRICULTURAL	RESIDENTIAL	RURAL-VILLAGE	COMMERCIAL	INDUSTRIAL	FLOODPLAIN
LANDING STRIP-PRIVATE	C	N	N	C	C	C
LANDING STRIP-PUBLIC	C	N	N	C	C	C
LARGE EQUIPMENT SALES*	C	N	C	Y	C	C
LARGE EQUIPMENT-SERVICE*	C	N	C	Y	C	C
LARGE EQUIPMENT-STORAGE*	C	N	C	Y	C	C
LAUNDROMAT	C	N	Y	Y	Y	C
LIQUOR BY DRINK see TAVERN						
LIQUOR STORE-BY THE CONTAINER	C	N	Y	Y	N	C
LIVESTOCK TRANSFER see TRANSFER STATION-LIVESTOCK						
LUMBER-MANUFACTURING	C	N	N	C	Y	C
LUMBER YARD-SALES	C	N	C	Y	Y	C
MACHINE SHOP	C	N	C	C	Y	C
MEAT PROCESSING see FOOD PROCESSING PLANT						
MEDICAL CLINIC	C	C	Y	Y	N	C
MEETING HALL	C	C	C	Y	Y	C
MINERAL EXTRACTION*II	C	N	N	C	Y	C
MINIATURE GOLF	C	N	C	Y	N	C
MINING see MINERAL EXTRACTION						
MOBILE HOME- SINGLE UNIT	Y	C	Y	C	N	C
MOBILE HOME PARK	C	C	C	N	N	C
MODULAR HOME	Y	Y	Y	C	N	C
MORTUARY see FUNERAL HOME						
MOTEL	C	N	C	Y	C	C
MOVING BUSINESS**I	C	N	C	Y	C	C
NATURAL GAS see BULK FUELS						
NURSERY-LANTS, TREES*	Y	N	Y	Y	C	C
NURSING HOME	C	C	C	C	N	C
OFFICE	C	C	Y	Y	Y	C
OIL see also BULK FUELS						
PALLET-MANUFACTURING	C	N	N	C	Y	C
PALLET-SALES	C	N	N	C	Y	C
PET SHOP	C	N	C	Y	N	C
POUND see KENNEL						
PRE-SCHOOL*	Y	C	Y	C	C	C
PRINTING FACILITY	C	C	C	Y	Y	Y
PRISON-PRIVATE	C	N	C	C	C	C
PRISON-PUBLIC	C	N	C	C	C	C
PRODUCE MARKET see FOOD MARKET						
PUBLIC BUILDING	C	C	Y	Y	Y	C
PUBLICATION FACILITY	C	C	C	Y	Y	C
PUMP see WATER SYSTEM						
QUARRY	C	N	N	N	Y	C
RADIO STATION	C	N	N	Y	Y	C
REAL ESTATE OFFICE *	Y	C	Y	Y	C	C
RECREATIONAL FACILITY-PRIVATE *	C	C	C	Y	C	C

LAND / BUILDING USE	AGRICULTURAL	RESIDENTIAL	RURAL-VILLAGE	COMMERCIAL	INDUSTRIAL	FLOODPLAIN
RECREATIONAL FACILITY-PUBLIC*	C	C	C	Y	C	C
RECREATIONAL VEHICLE-SALES	C	N	C	Y	C	C
RECREATIONAL VEHICLE-SERVICE	C	N	C	Y	C	C
RECREATIONAL VEHICLE-STORAGE	C	N	C	Y	C	C
RECYCLING CENTER*	C	N	C	C	Y	C
RESIDENCE see DWELLING						
RESTAURANT*	C	N	Y	Y	C	C
ROADSIDE STAND-TEMPORARY	Y	N	Y	C	N	C
RV PARK	C	N	N	Y	N	C
SAVAGE YARD see JUNKYARD						
SAVINGS & LOAN FACILITY*	Y	N	Y	Y	Y	C
SAWMILL	C	N	N	C	Y	C
SCHOOL-PROFESSIONAL	C	N	C	C	N	C
SCHOOL, EDUCATIONAL-PRIVATE*	Y	C	Y	C	C	C
SCHOOL, EDUCATIONAL-PUBLIC	Y	Y	Y	Y	C	C
SEED DISTRIBUTION BUSINESS	Y	N	C	Y	Y	C
SERVICE STATION*	C	N	C	Y	Y	C
SEWAGE TREATMENT PLANT*	C	N	C	N	C	C
SEWER SYSTEM-SALES*	C	N	C	Y	Y	C
SEWER SYSTEM-SERVICE*	C	N	C	Y	Y	C
SHOOTING RANGE-INDOOR	C	N	C	C	C	C
SHOOTING RANGE-OUTDOOR	C	N	N	N	N	C
SLAUGHTER HOUSE *	C	N	N	C	Y	C
SMALL ENGINE-SALES/SERVICE*	Y	N	C	Y	C	C
SMALL WIND ENERGY SYSTEM III	Y	C	C	C	C	Y
SOLAR FARM ###@ See Chapter 29						
SOLAR GARDEN ###@ See Chapter 29						
SOLID WASTE-DISPOSAL *	C	N	N	C	C	C
SOLID WASTE-STORAGE*	C	N	N	C	C	C
SOLID WASTE-TRANSFER FACILITY	C	N	N	C	C	C
SPORTING GOODS*	C	N	Y	Y	N	C
STABLE-BOARDING	Y	N	C	C	N	C
STABLE-TRAINING	Y	N	C	C	N	C
STOCK BROKERAGE see INVESTMENT FIRM						
STORAGE FACILITY	C	N	C	C	C	C
SUBDIVISION-Class 3 Major & Minor@@I	Y	Y	N/A	C	C	N
SUBDIVISION-Class 2 Major & Minor @@I	C	Y	N/A	C	C	N
SUBDIVISION-Class 1 Minor@@I	C	Y	N/A	C	C	N
SUBDIVISION-Class 1 Major @@I	N	C	N/A	C	C	N
SUBSTANCE ABUSE FACILITY see DRUG TREATMENT FACILITY						
SUPERMARKET see GROCERY STORE						
TAVERN-ALCOHOL BY THE DRINK	C	N	C	C	N	C
TAXIDERMIST	Y	C	Y	Y	C	C
TELEPHONE SUBSTATION sees UTILITY SUBSTATION						
TELEVISION-STATION	C	N	N	Y	Y	C

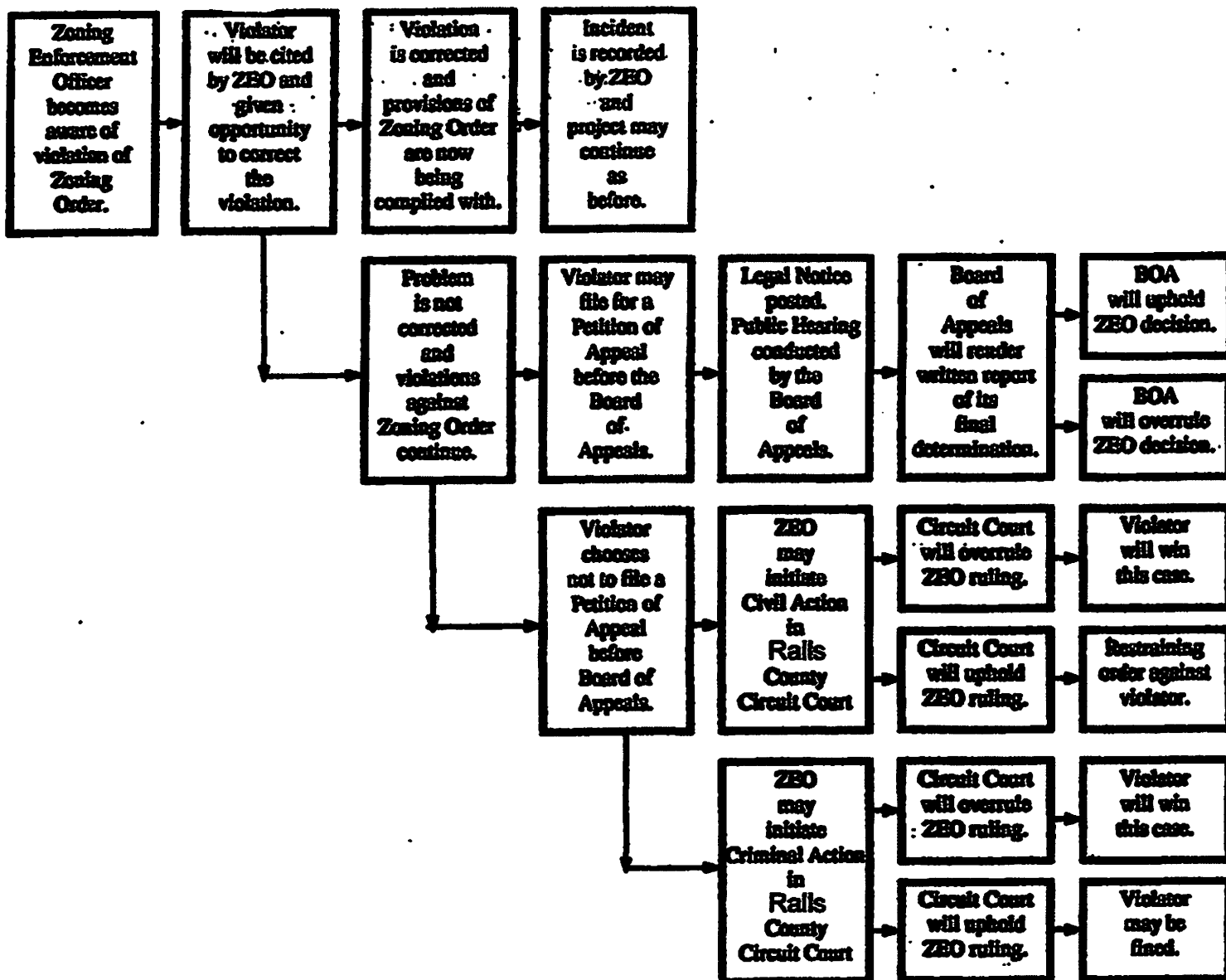
LAND / BUILDING USE	AGRICULTURAL	RESIDENTIAL	RURAL-VILLAGE	COMMERCIAL	INDUSTRIAL	FLOODPLAIN
TERMINAL-FREIGHT	C	N	N	C	Y	C
TERMINAL-TRUCK	C	N	N	C	Y	C
TEXTILE-MANUFACTURING*	C	N	C	C	Y	C
TEXTILE-PRODUCT ASSEMBLY*	C	C	C	Y	Y	C
TEXTILE-SEWING FACILITY *	C	C	C	Y	Y	C
TOWER-COMMUNICATIONS	C	N	N	C	C	C
TRACTOR see FARM EQUIPMENT						
TRAILER SALES**I	C	N	C	Y	C	C
TRASH see SOLID WASTE						
TRANSFER STATION-LIVESTOCK	C	N	N	C	C	C
TRUCK GRAVEYARD see VEHICLE GRAVEYARD						
TRUCK TERMINAL	C	N	N	C	Y	C
TRUCK, SALES/SERVICE	C	N	C	Y	C	C
VEHICLE RENTAL **I	C	N	C	Y	C	C
VEHICLE - GRAVEYARD *	C	N	N	C	C	N
VETERINARY CLINIC see CLINIC-VETERINARY						
VETERINARY HOSPITAL see HOSPITAL-VETERINARY						
WAREHOUSE	C	N	C	Y	Y	C
WATER SYSTEM- SALES/SERVICE *	C	N	C	Y	C	C
WEAVING see TEXTILE						
WELDING SHOP	C	N	C	C	Y	C
WELL DRILLING see WATER SYSTEM						
WILDLIFE CONFINEMENT AREA*	Y	N	N	C	C	C
WIND TURBINE III	C	N	N	C	C	C
WINERY *	Y	N	C	C	C	C
WOODWORKING-ASSEMBLY	C	C	C	C	Y	C
WOODWORKING-FABRICATION	C	C	C	C	Y	C



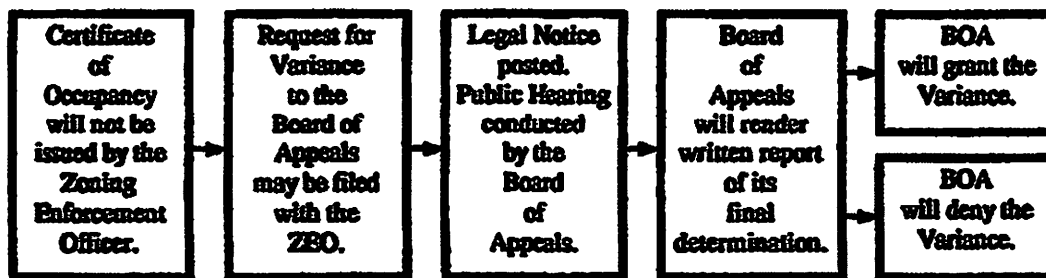
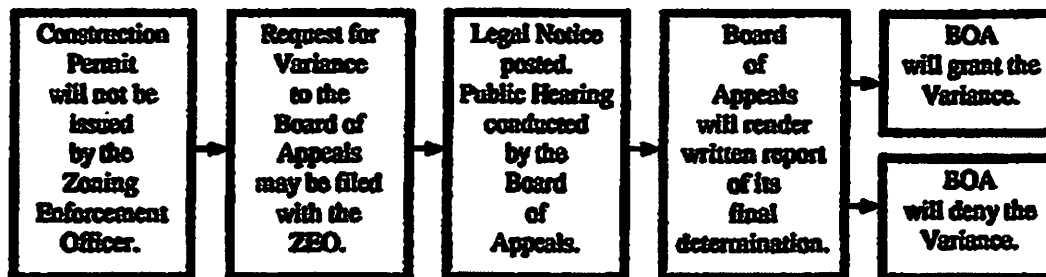
## **APPENDIX B - FLOW CHARTS**

**The following flow charts are intended for easy reference only. For more details on the steps in each flow chart, refer to the appropriate chapter in the Zoning Order.**

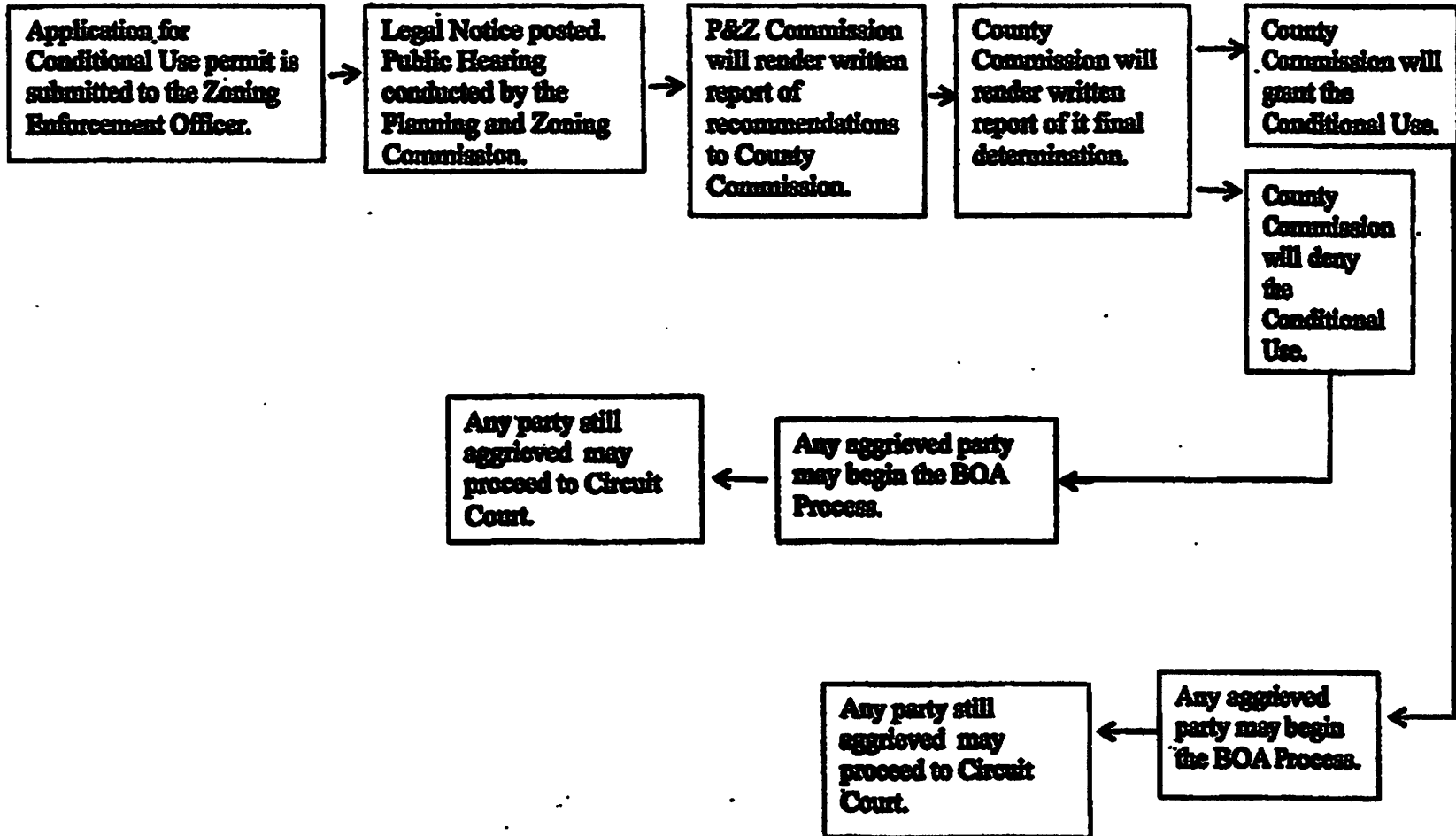
# **ZONING ENFORCEMENT OFFICER - PROCEDURAL FLOW CHART** **Violation of Zoning Order**



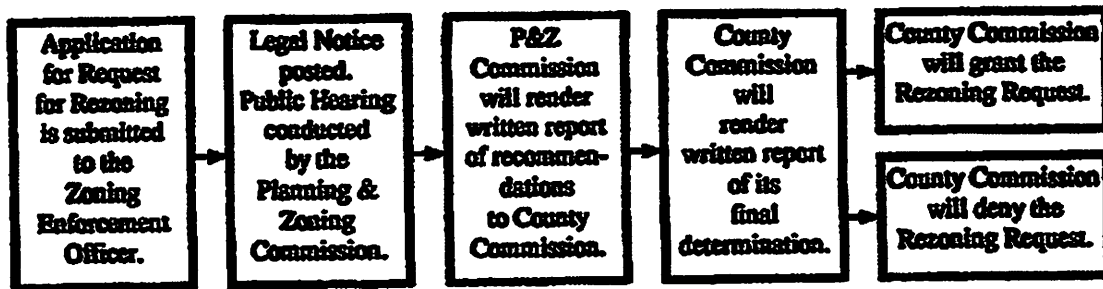
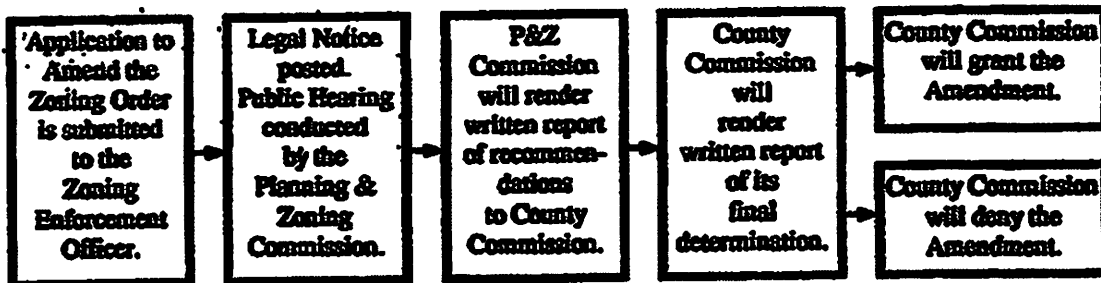
# REQUEST FOR VARIANCE PROCESS



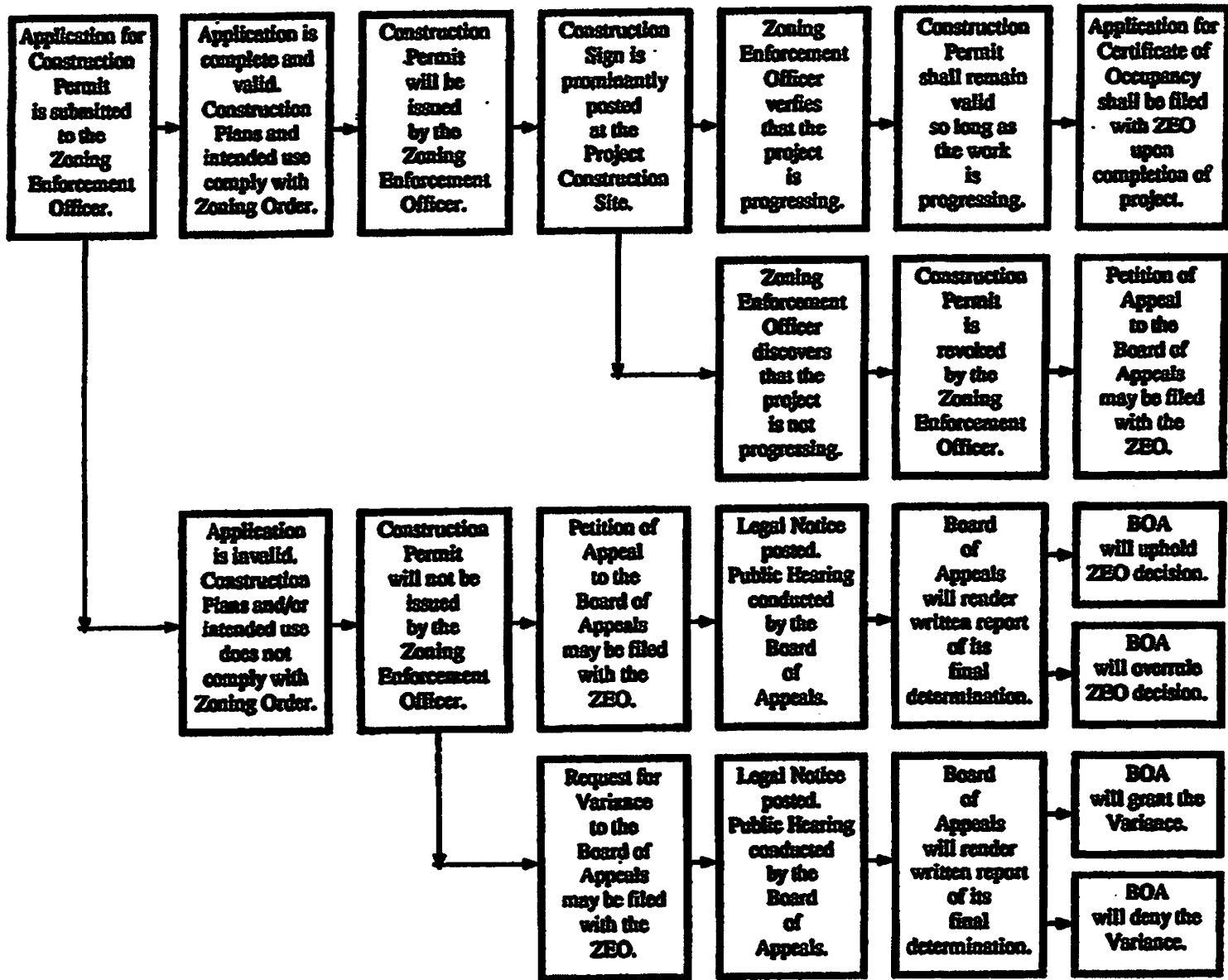
**CONDITIONAL USE PERMIT PROCESS:**



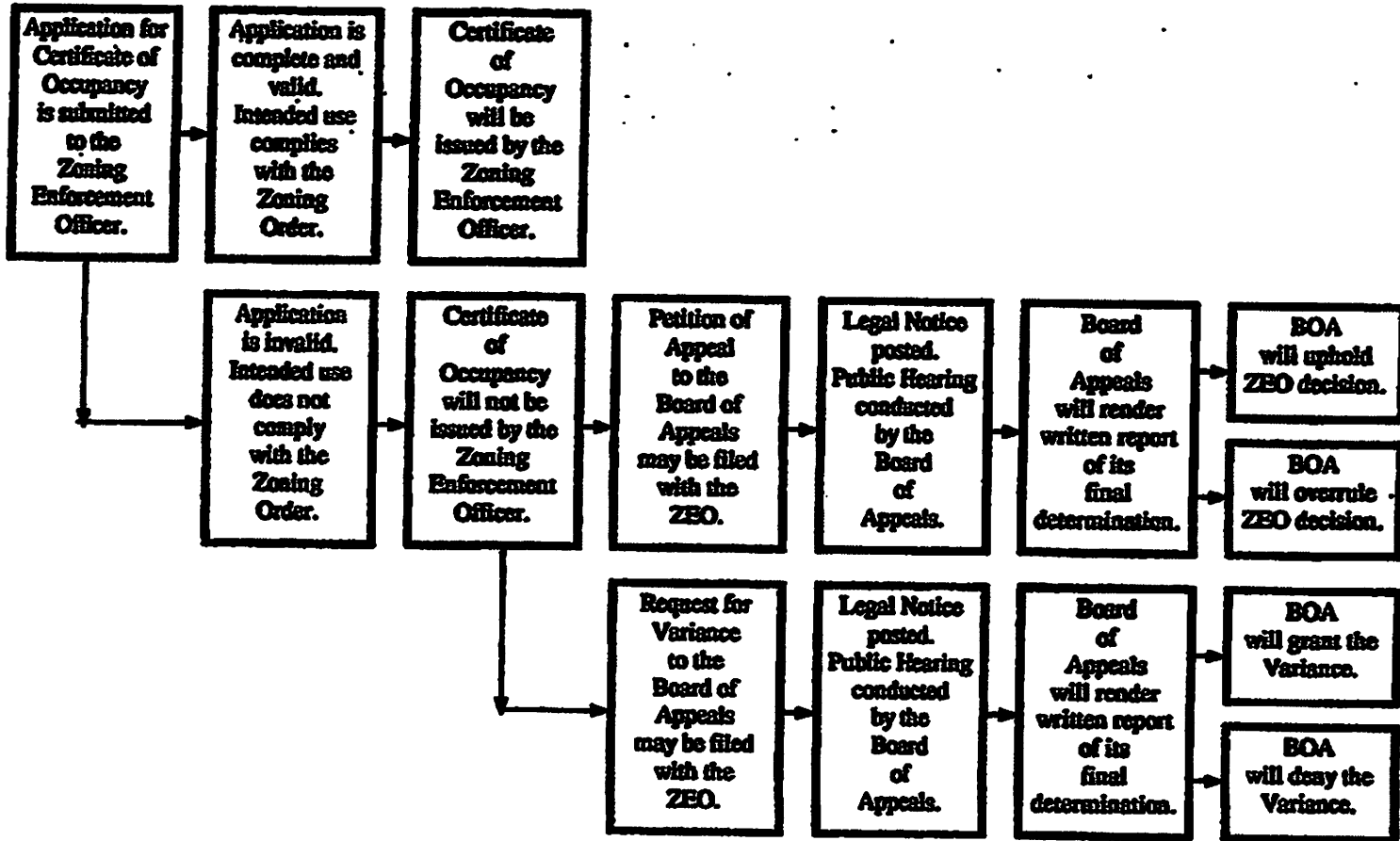
**PROCESS TO AMEND ZONING ORDER TO REQUEST REZONING**



# CONSTRUCTION PERMIT PROCESS



# CERTIFICATE OF OCCUPANCY PROCESS



## **APPENDIX C DEFINITIONS**

For the purposes of the Ralls County Zoning order, the following words and terms used herein are defined to mean the following:

Words used in the present tense include the future; words used in the singular number include the plural and words in the plural number include the singular; the words “shall” and “must” are mandatory and not directory; the term “used for” includes the meaning “designed for” and “intended for”.

100-YEAR FLOOD - See Base Flood

ACCESSORY - Subordinate-secondary

ACCESSORY BUILDING - See Building Accessory

ACCESSORY USE, AGRICULTURAL - Including: repair shops, sheds, garages, barns, silos, irrigation wells and pumps, well/pump houses, bunk houses, buildings and structures associated with the above. Also includes customary home and farm occupations such as mechanical repair and maintenance service, and retail distribution of feeds and supplies for farm use when treated as a home business.

ACCESSORY USE - See Use, Accessory

ADULT CARE HOME - A residential facility for not more than four adults wherein care and activities are provided on an hourly or daily basis or limited nursing care is provided on a 23-hour basis. As defined and regulated by current state and/or federal laws.

AGGRIEVED PERSON - Any landowner or tenant who demonstrates that the property under his control is or will be adversely or directly or substantially impacted by a policy, guideline, Master Plan provision, action decision, ordinance, permit issuance, or regulation adopted pursuant to this Order. Any individual person(s) or any officer, department, board, bureau, or commission of a town, municipality, county, or state who is affected.

AGRICULTURAL BUILDINGS/STRUCTURES – FARM BUILDINGS/STRUCTURES - See Building, Agriculture

AGRICULTURE COMMODITIES - Agriculture products and livestock.

AGRICULTURE DISTRICT - A zoning district in which the primary intent is to preserve, maintain and improve the agricultural (i.e. crop, pasture, forestry, and conservation) land of the county from helter-skelter, uncontrolled development.

AGRICULTURAL FEEDLOT - See Feedlot, Agricultural

AGRICULTURAL STRUCTURE - Any structure used exclusively in connection with the production, harvesting, storage, drying, or raising of agricultural commodities.



**AGRICULTURAL – FARMING – FORESTRY** - The planting, cultivating, harvesting and storage of grains, hay or plants, vineyards or trees commonly grown in the county and the raising and feeding of livestock horses, or poultry. Using or cultivating land for the production of agricultural crops, livestock or livestock products, forest products, poultry or poultry products, milk or dairy products, or fruit or other horticultural products.

**AIR POLLUTION** - The presence in the outdoor atmosphere of any air contaminant(s) or combination thereof in such quantity, of such nature or duration, and under such conditions as would be injurious to human health or welfare, to animal or plant life, or to property, or to interfere unreasonably with the enjoyment of life or property.

**AIRPORT/HELIPORT** - An area of land or water that is used or intended to be used for the landing and take-off of aircraft and includes its buildings and facilities (if any), for public use.

**AIRSTRIP** - See Landing strip, Private.

**ALCOHOL/DRUG TREATMENT FACILITY** - A facility licensed by the State of Missouri for the treatment of persons recovering from alcohol and/or drug abuse.

**ALLEY** - A right of way which affords a secondary means of access to abutting property.

**ALTERATION** - Any addition, removal, extension or change in the location of any exterior wall of a main or accessory building.

**ALTERATION, STRUCTURAL** - See Structural Alteration

**ANCHORING SYSTEM** - A system of straps, anchors, and other materials used to secure a mobile home/manufactured home as approved and in accordance with the regulations of the Missouri Public Service Commission.

**ANIMAL CLINIC** - See Veterinary Hospital

**ANIMAL GROOMING** - Any place or establishment, public or private, where animals are bathed, clipped, or combed for the purpose of enhancing their aesthetic value and/or health and for which a fee is charged.

**ANIMAL OWNER** - Any person, partnership, corporation owning, keeping, or harboring one or more animals. An animal shall be deemed harbored if it is fed or sheltered for three consecutive days or more.

**ANIMAL WASTE** - Animal manure which is stored, transported, or disposed of as an unwanted waste material and which poses a potential hazard to the land, air, or waters of the state.

**ANTIQUE SHOP** - A place offering antiques for sale. An antique, for the purposes of this chapter, shall be a work of art, piece of furniture, decorative object, or the like, of or belonging to the past.

**APARTMENT** - See Dwelling Unit

**APPLIANCE SALES/SERVICE** - Any business which sells or services any new or used appliance.

**AREA OF SPECIAL FLOOD HAZARD** - The land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year.

ASPHALTIC CONCRETE PAVEMENT - See page 22-C of the Zoning Order.

AUCTION BARN/LIVESTOCK - A facility where livestock is brought to be sold, traded, or auctioned.

AUCTION HOUSE - A structure or enclosure where goods and/or livestock are sold by auction.

AUTOMOBILE - See Vehicle

AUTOMOBILE – DERELICT - See Vehicle, Derelict

AUTOMOBILE GRAVEYARD/JUNKYARD - Any area or place of business maintained, used, or operated for storing, keeping, buying, or selling wrecked, scrapped, ruined or dismantled motor vehicles or parts thereof.

AUTOMOBILE SERVICE STATION – See Service Station-Gas Station

BACKYARD – See Yard, Back/Rear

BANK – See Financial Institution

BARBER/BEAUTY SHOP – Any establishment wherein hair care and cosmetology services are offered or practiced on a regular basis for compensation.

BARRIER, NATURAL OR ARTIFICIAL – Any alley, street, highway, river, lake, canal, railroad, levee, embankment, or screening by a fence or hedge. Anything built or grown that restrains or obstructs.

BASEMENT – A story having all or part, but not less than one half (1/2) of its height, below ground level.

BASE FLOOD – The flood having a one (1) percent chance of being equaled or exceeded in any given year.

BATTERY/DISTRIBUTION, MFG. STORAGE TRANSFER FACILITY – A facility where batteries for autos, farm equipment, boats, etc., are produced, stored, sold and/or distributed.

BED & BREAKFAST INN – A commercial use of a structure originally intended for single-family residential use, where at least two (2) but less than twelve (12) rooms may be used or intended for the accommodation of paying transient guests. Establishments with twelve (12) or more rooms shall be considered motels/hotels for the purpose of this order.

BLIGHTED AREA – Any area where dwellings predominate which, by reason of dilapidation, overcrowding, lack of ventilation, light, or sanitary facilities or any combination of these factors are detrimental to safety, health, and morals. Any area which, by reason of the predominance of defective or inadequate street layout, insanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting or the existence of conditions which endanger life or property by fire or other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes an economic or social liability or a menace to the public health, safety, morals or welfare in its present condition and use.

BLOCK – A piece or parcel of land entirely surrounded by public or private highways or streets, except alleys.

**BOA** – Board of Appeals

**BOARD OF APPEALS – BOA** – A five-member group of people appointed to hear appeals about the Zoning Enforcement Officer's decision and to hear applications for a Variance.

**BOARDING HOUSE** – A building occupied or used as a temporary residence for individuals who are lodged by the week, by the month, with or without meals, in which there are less than twelve (12) sleeping rooms, and in which there are no provisions for cooking in individual rooms.

**BRICK MANUFACTURING** – Facility for conversion of clay and other raw materials into regular sized building units (i.e., bricks or blocks).

**BUFFER ZONE – GREENBELT** – A strip of land containing landscaping or other aesthetic, obscuring features intended to buffer potentially incompatible uses.

**BUILDER** – The prime contractor that hires and coordinates building subcontractors or, if there is no prime contractor, the contractor that completes more than fifty (50) percent of the total construction work performed on the building.

**BUILDING** – Any structure built for the support, shelter, or enclosure of persons, animals, chattel, or moveable property of any kind, and which is permanently affixed to the land, exclusive of fences.

**BUILDING, ACCESSORY** – Any building which is incidental or secondary to the principal structure on the same premises. No buses, RVs, and the like shall be considered accessory buildings. A subordinate building or a portion of the main building which is located on the same lot as the main building and the use of which is clearly incidental to the use of the main building.

**BUILDING, AGRICULTURAL** – Any buildings, other than dwellings, which are incidental to a farming operation.

**BUILDING, ELEVATED** – A non-basement building which has its lowest elevated floor raised above the ground level by foundation walls, shear walls, posts, piers, pilings, or columns.

**BUILDING, TEMPORARY** – A structure permitted in a district required to be removed upon the expiration of the permit period. May include recreational vehicles, temporary construction offices, or temporary business facilities used until permanent facilities can be constructed, but at no time shall it include a mobile home used as a residence. Not designed for human habitation.

**BUILDING AREA** – The total square footage of a lot covered by a structure measured on a horizontal plane at mean grade level, exclusive of uncovered porches, terraces, and steps.

**BUILDING HEIGHT** – The vertical distance from the average of the highest and lowest point of that portion of the lot covered by the building to the highest point of the roof, to the deck of mansard roofs, and to the mean height between eaves and ridge for gable, hip, and gambrel roofs.

**BUILDING LINE – BUILDING SETBACK LINE** – A line within a lot or other parcel of land parallel to a public road or street or highway right of way defining a portion of the lot between established setback line and said property line on which buildings or structures may not be placed. A line which establishes the required front/rear/side yards of a lot and is generally parallel with the property lines.

**BULK FUELS (REFINING, SALES, STORAGE, TRANSFER FACILITY)** – A facility where fuels, including liquid propane, distillate fuels, residual fuels, automotive gasoline, lubricating oils, engine oils are refined, sold, stored and/or transferred for profit.

**BULK REGULATIONS** – Regulations controlling the size of structures and the relationship of structures and uses to each other and to open areas and lot lines, including regulations controlling maximum height, maximum lot coverage and minimum size of yards and setbacks.

**BUSINESS DAY** – Weekdays, excluding Saturday, Sunday, and official holidays.

**BUSINESS OFFICE** – See Office, Business and Professional

**BUSINESS** – Any activity engaged in by a person, or caused to be engaged in by such person, with the object of gain, benefit, or advantage, either directly or indirect.

**CABIN** – See Dwelling – Seasonal

**CAFO** - Concentrated Animal Feeding Operations

**CAMPGROUND** – Any parcel of land under the control of any person, organization, or governmental entity wherein two (2) or more sites for camping units are offered for use or occupancy, with or without compensation.

**CAMPING UNIT** – A structure, shelter, or vehicle designed and intended for occupancy by persons engaged in RVing or camping. Basic camping units include recreational vehicles, park model, tent, camping cabin, housekeeping cabin, yurt, tepee, or other rental accommodations for enjoying the outdoor experience.

**CARNIVAL EQUIPMENT** – A traveling or transportable group or aggregation of rides, shows, games or concessions or any combination thereof.

**CAR WASH** – A site for washing and cleaning passenger vehicles, recreational vehicles, or other light duty equipment.

**CEMENT PLANT** – Facility for storage of ingredients of cement/concrete, mixing thereof, and loading of finished product for delivery. May include office for business end of operation as well as parking area for storage and maintenance of vehicles integral to operation.

**CEMETERY** – Land used or dedicated to the burial of the dead, including crematoriums, mausoleums, necessary sales, and maintenance facilities. Mortuaries shall be included when operated within the boundary of such cemetery.

**CERTIFICATE** – A writing on paper certifying the truth of something, or to status, qualifications, privileges, etc.

**CERTIFICATE OF OCCUPANCY** – A certification document issued by the ZEO which permits a person the use of his property, so long as the person has proved to the satisfaction of the ZEO. The use of property is in conformance with the provisions of this Order and the use is permissible in the Zoning District in which it is located.

**CERTIFICATE OF OCCUPANCY FOR CONDITIONAL USE** – A certification document issued by the ZEO which permits a person the use of his property, so long as the person has proved to the satisfaction of the ZEO that the use of property is in conformance with the provisions of this Order

and the use is permissible as a Conditional Use in the Zoning District in which it is located, but only after proper Public Hearing is held on this Conditional Use and approval by the County Commission.

**CERTIFICATE OF OCCUPANCY FOR NON-CONFORMING USE** – A certification document issued by the ZEO which permits a person to continue to use his property in the same state and manner as it was on the effective date of the Order even though it is now classified as a Prohibited Use in the Zoning District in which it is located and is now a Non-Conforming Use upon enactment of this Order.

**CHILDCARE CENTER** – A nursery providing care for seven (7) or more children, for part or all of a day or night, away from home of the parent or legal guardian.

**CHIP AND SEAL ROAD SURFACE** – See Page 22-A of the Zoning Order.

**CIVIL ACTION** – A legal action which could lead to an order by the Court against any person found to be in violation of any provision of this Order restraining such person continuing such violation. The action could lead to a fine being imposed by the Court.

**CLINIC** – A building designed and used for the diagnosis and treatment of sick or injured human patients that does not include overnight care facilities.

**CLINIC, ANIMAL** – See Veterinary Hospital

**CLINIC, PRIVATE** – A nursing facility providing semi-independent living accommodations for patients being treated for substance abuse or other similar or related medical conditions.

**CLUB** – An organization, building or facility owned or operated by a corporation, association, or persons for social, education, or recreational purposes.

**COMMERCIAL ACTIVITY** – All activities of business, industry, and trade (i.e. commercial and mercantile).

**COMMERCIAL DISTRICT** – A Zoning District within the County for the location of businesses which provide a wide range of goods and services, and which will be conveniently located near existing urban developments and/or easily accessible to major transportation routes.

**COMMERCIAL FACILITY** – Any building, structure, or use of open land for the conduction of a commercial activity.

**COMMERCIAL FEEDLOT** – See Feedlot, Commercial

**COMMON LAND** – Land being held in common ownership as established in a deed of registration or covenant and available for the exclusive use of all the fee simple title landowners and designated in said restriction or covenants.

**COMMUNICATION TOWER** – Radio, television, microwave, and cellular phone transmitting and receiving towers with accessory transmitting stations.

**COMPATIBILITY** – The characteristics of different uses or activities that permit them to be located near each other in harmony and without conflict.

**COMPREHENSIVE PLAN** – See Master Plan – Comprehensive Plan

**CONDITIONAL USE** – To permit use that would not be appropriate generally but may be allowed with appropriate restriction upon a finding that certain conditions as detailed in this Order exist; the use or development conforms to the Master Plan, and is compatible with the existing, surrounding neighborhood.

**CONDITIONAL USE PERMIT** – See Certificate of Occupancy for Conditional Use

**CONDITION** – A stipulation that certain restricting, limiting, or modifying circumstances must occur.

**CONSTRUCTION, NEW** – The erection of a structure or substantial improvement to an existing structure which begins after the effective date of the Order.

**CONSTRUCTION, START OF** – The actual start of construction means the first placement or permanent construction of a structure on a site, such as the pouring of a slab or footings, the installation of piles, the construction of columns, any work beyond the stage of excavation, or the placement of a mobile home on a foundation. The actual start of construction for substantial improvements 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.

**CONSULTANT** – One who gives professional or expert advice.

**CONSUMER GOODS** – Goods ready for consumption in satisfaction of human wants, as clothing, food, etc. and which are not utilizable in any further production.

**CONTIGUOUS** – Touching – in contact with.

**CONVENTION FACILITY** – A facility designed to accommodate a large number of people and used for conventions, conferences, seminars, product displays, recreation activities, and entertainment functions, along with accessory functions including temporary outdoor displays, and food and beverage preparation and service for on-premises consumption.

**CONVERSION** – The change of the use, character, form or function of an existing building into another use.

**CORNER LOT** – See Lot, Corner

**COTTAGE** – See Dwelling – Seasonal

**COUNTY** – Ralls County, Missouri

**COUNTY COMMISSION** – The administrative body of Ralls County, Missouri.

**COUNTY REVENUES** – Revenues, such as property taxes and sales taxes, generated within and received by the County and used to provide the necessary public services for the residents of the County.

**COUNTY ROAD** – A term denoting a tract of land maintained by the County which is used primarily for the purpose of vehicular movement and includes all the facilities and improvements within the right of way.

**CRAFT SHOP** – Any business establishment that produces on the premises articles for sale of artistic quality or effect or handmade workmanship.

**CRIMINAL ACTION** – A legal action which could lead to a fine being imposed by the court upon any person found to be in violation of any provision of this Order. Penalties can involve jail time.

**CUL DE SAC** – See Street, Cul De Sac

**CURB LEVEL** – The mean level of the curb in front of the lot, or in case of a corner lot, along that abutting street where the mean level is the highest.

**DAYCARE CENTER – DAYCARE FACILITY** – A licensed child or adult care program conducted in a location other than the provider's permanent residence, or separate from the provider's living quarters, where care is provided for individuals not related to the care provider for any part of the twenty-four (24) hour day.

**DAYCARE HOME** – A child or adult care program where care is given by a person licensed as a family daycare home provider for no more than ten (10) individuals not related to the provider for any part of the twenty-four (24) hour day.

**DEAD END STREET** – See Street, Dead End

**DENSITY** – The amount of buildings or structures per a given amount of land.

**DEPARTMENT** – The Department of Health of the State of Missouri

**DETACHED DWELLING** – See Dwelling, Detached

**DEVELOPER** – That person who is improving a parcel of land and who may or may not be the owner of the property.

**DEVELOPMENT** – Any man-made change to improved or unimproved real estate, including, but not limited to, building, structures, mining, dredging, filling, grading, paving, excavation or drilling operations, and storage of equipment and materials.

**DIRECTOR** – The Director of the Department of Health or the designee of the Director.

**DISTRIBUTION FACILITY** – See Zoning District

**DISTRICT, ZONING** – See Zoning District

**DRAINAGEWAY** – Any natural or artificial water course, including but not limited to streams, rivers, creeks, ditches, channels, canals, conduits, culverts, waterways, gullies, ravines, or washes, in which waters flow in a definite direction or course, either continually or intermittently, and including any area adjacent thereto which is subject to inundation by reason of overflow or floodwater.

**DREDGING** – The process by which soils, mostly in the form of silt, or other surficial materials which are transported by surface water as a product of erosion into a body of water are removed for the purpose of deepening the body of water.

**DRIVING RANGE** – An area equipped with distance markers, clubs, balls, and tees for practicing golf drives and putting, and which may include a snack bar, pro-shop, but excludes miniature golf courses.

**DRUG/ALCOHOL TREATMENT FACILITY** – See Alcohol/Drug Treatment Facility

**DUPLEX** – See Dwelling, Two Family

**DWELLING** – A building or portion thereof, designed exclusively for residential occupancy, including one-family, two-family and multi-family dwellings, boarding and lodging houses, apartment houses, but not hotels or motels.

**DWELLING, ATTACHED** – A residential building which is joined to another dwelling at one or more sides by a party wall or walls.

**DWELLING, DETACHED** – A residential building which is entirely surrounded by space on the same lot.

**DWELLING, MULTI-FAMILY – APARTMENT HOUSE – CONDOMINIUM** – A residence used by three (3) or more families, either wholly (attached) or partially a part of a larger structure (detached), with separate housekeeping and cooking facilities for each.

**DWELLING – OWNER/OPERATOR** – A residence which is an integral part of a business. Such residence must be located on the same piece of property as the business and must be occupied solely by the owner, manager, or operator of the business.

**DWELLING, SEASONAL – CABIN- COTTAGE- VACATION HOME** – A residence intended for occasional short-term occupancy.

**DWELLING, SINGLE-FAMILY – RESIDENCE, SINGLE-FAMILY** – A detached residential building designed or used for occupancy by one family exclusively.

**DWELLING, TWO-FAMILY – DUPLEX** – A residential building with two (2) separate living quarters intended, designed, or used for occupancy by two (2) families.

**DWELLING UNIT** – One or more rooms in a residential building or residential portion of a building which is used by one family, and which includes cooking space and lawful sanitary facilities reserved for the occupants.

**EASEMENT** – The right to use another person's property, but only for a limited and specifically named purpose.

**ELEVATED BUILDING** - See Building, Elevated

**ELIGIBLE COMMUNITY – PARTICIPATING COMMUNITY** – A community or area for which the Administrator has authorized the sale of flood insurance under the National Flood Insurance Program (NFIP).

**ENVIRONMENT** – The aggregate of surrounding things, conditions, and/or influences.

**ENVIRONMENTAL IMPACT** – An assessment of a proposed project or activity to determine whether it will have significant effects on the natural and man-made environment.

**ENGINEER** – A professional engineer registered in the State of Missouri.



**EQUIPMENT – SALES/SERVICE/RENTAL** – A facility for the sale, service and/or rental of equipment, such as trailers, tractors, tools.

**EROSION** – The process by which the ground surface is worn away by the action of wind or water.

**ESSENTIAL SERVICES** – Overhead and underground electrical, gas, steam or water transmission or distribution systems and structures or collection, communication supply or disposal systems and structures used by public utilities or governmental departments or commissions or as required for protection of the public health, safety, or general welfare, including towers, poles, wires, drains, sewers, pipes, conduits, and cables, but not including buildings.

**EXCAVATING BUSINESS** – Commercial enterprise involving the act by which soil, earth, sand, gravel, rock, or any similar material is cut into, dug, quarried, uncovered, removed, displaced, relocated, or bulldozed and shall include the conditions resulting therefrom.

**EXCAVATION** – The act by which soil, earth, sand, gravel, rock, or any similar materials is cut into, dug, quarried, uncovered, removed, displaced, relocated, or bulldozed, except for normal agricultural practices, and shall include the conditions resulting therefrom.

**EXCEPTION** – Also called a Variance.

**EXISTING STRUCTURE** – Any completed, permitted structure.

**EXISTING MOBILE HOME PARK** – See Mobile Home Park

**EXISTING SYSTEM** – An on-site sewage disposal system in operation prior to September 1, 1995.

**EXPLOSIVE FACILITY** – Any building or structure or use of open land for the manufacture, storage, or sale of explosives.

**EXTRACTION – EXTRACTION INDUSTRIES – EXTRACTION FACILITY** – The process or business of removing, whether at ground level or from underground, precious or valuable metals, minerals, or rock either in their native state or in their ores.

**FAMILY** – An individual, or two or more people, living together as a single housekeeping unit.

**FAMILY MEMBER** – See Immediate Family Member

**FARM** – An area which is used for the growing of farm products such as vegetables, fruits, trees, and grain, and their storage on the area, as well as for the raising of farm animals including, but not limited to, poultry, swine, horses, cattle, and sheep.

**FARM BUILDINGS/STRUCTURES** – See Building, Agricultural

**FARM EQUIPMENT** – New or used farm tractors, cultivating, and harvesting equipment which ordinarily is attached thereto, combines, corn pickers, cotton pickers, farm trailers, and such other new or used farm equipment or machinery which are used exclusively for agricultural purposes.

**FARMING** – See Agricultural

**FAST FOOD ESTABLISHMENT** – An establishment whose principal business is the sale of pre-prepared or rapidly prepared food to the customer in a ready to consume state for consumption either within the restaurant building or for carry out with consumption off the premises.

**FEEDLOT, AGRICULTURAL** – An enclosure for the purpose of feeding poultry or livestock.

**FEEDLOT, COMMERCIAL** – An enclosure for the purpose of custom feeding poultry or livestock designated Class I by DNR.

**FEE FISHING LAKE** – An impoundment of water open to the general public for an admittance fee for the purpose of recreational or sport fishing.

**FEMA** – Federal Emergency Management Agency.

**FERTILIZER, DISTRIBUTION, SALES, STORAGE, TRANSFER FACILITY** – A business which produces and/or supplies plant nutrients to retail suppliers, dealers, or applicators.

**FERTILIZER, MANUFACTURING** - A business which produces plant nutrients.

**FINANCIAL INSTITUTION** – Any bank, trust company, savings bank, industrial bank, land bank, safe deposit company, private banker, savings and loan association, credit union, cooperative bank, small loan company, sales finance company, investment company, or any type of insurance company.

**FINDING** – A determination or conclusion based on the evidence presented by a hearing body in support of its decision.

**FIREWORKS STAND** – A temporary or portable building or vehicle which is designed, intended, or used wholly or in part for the sale of fireworks to the public.

**FIRM** – See Flood Insurance Rate Map

**FLEA MARKET** – A market held in an open area or structure where goods are offered for sale to the general public by individual sellers.

**FLOOD – FLOODING** – A general and temporary condition of partial or complete inundation of normally dry land areas from (1) the overflow of inland waters, and/or (2) the unusual and rapid accumulation of runoff or surface waters from any source.

**FLOOD, BASE** – See Base Flood

**FLOOD, 100-YEAR** – The condition of flooding having one percent change of annual occurrence.

**FLOOD HAZARD BOUNDARY MAP – FHBM** – An 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** – The 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.

**FLOOD PLAIN ADMINISTRATOR** – The official in Ralls County who is charged with administering the laws, ordinances, and regulations pertaining to the Flood Plain District in the County.

**FLOODPLAIN – FLOOD-PRONE AREA** – Any land area susceptible to being inundated by water from any source.

**FLOODPLAIN MANAGEMENT** – 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** – Zoning ordinances, subdivision regulations, building codes. Health regulations, special purpose ordinances (such as floodplain, grading, and erosion control ordinances) and other applications of policies and any other such state or local regulations, in any combination thereof, that provide standards for the purpose of flood damage prevention and reduction.

**FLOODPROOFING** – Any combination of structural and non-structural additions, changes or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, or structures and their contents.

**FLOOR AREA, GROSS** – The sum of the gross horizontal areas of the several floors of a building measured from the exterior walls, including basements, and attached accessory buildings.

**FLOOR, LOWEST** – The lowest floor of the lowest enclosed area, including the basement.

**FOOD PROCESSING/PRODUCTION PLANT** – A facility which converts raw or partially refined food into a more refined or finished product.

**FORESTRY** – See Agriculture Farming – Forestry

**FREIGHT TERMINAL** – A facility involved in shipping or receiving products sent from one location to another. This includes single items, partial loads, as well as full loads.

**FRONT BUILDING LINE** – See Building Line

**FRONT LOT LINE** – See Lot Line, Front

**FRONT YARD** – See Yard, Front

**FUNERAL HOME** – Establishment engaged in undertaking services such as preparing the dead for burial and arranging and managing funerals.

**GARAGE, PRIVATE** – An accessory building for storage primarily of motor vehicles.

**GARAGE, PUBLIC** – See also Service Station. Any premises, except those described as a private garage, used for the storage or care of power-driven vehicles, or where any such vehicles are equipped for operation, repair or are kept for remuneration, hire, or sale.

**GARAGE, STORAGE** – A building or portion thereof, except those defined as private or public garage, providing storage for motor vehicles.

**GARBAGE DISPOSAL FACILITY** – See Solid Waste Facility

**GOLF COURSE** – An area, course or facility for playing golf, consisting of at least nine (9) holes. Not miniature golf.

**GOVERNMENT BUILDING** – A building or structure owned, operated, or occupied by a governmental agency to provide a governmental service to the public.

**GRADE** – The slope of a surface specified in percent and shown on a surface profile plan as required herein.

**GRAIN ELEVATOR** – A business for storing grain, the grain being handled by means of mechanical elevating and conveying devices.

**GREENHOUSE** – A building or structure constructed chiefly of glass, glass-like or translucent material, cloth, or lath, which is devoted to the protection or cultivation of flowers or other plants.

**GREEN SPACE** – See Open Space

**GRIEVANCE PROCESS** – As provided for in RSMo 64.815 and 64.863.

**GROOMING** – See Animal Grooming

**GROSS FLOOR AREA** – See Floor Area, Gross

**GROUP HOME** – A single family dwelling defined and licensed by the State of Missouri in which eight (8) or fewer unrelated mentally or physically handicapped persons, or those living there as a safehouse or a half-way house, or those recovering from substance abuse reside along with up to two (2) additional persons who act as house parents or guardians and who need not be related to any of the persons residing in the home.

**GUEST HOUSE** – A second residential structure on any single parcel of land, intended solely for the temporary housing of private, non-paying guests. Mobile homes shall not be considered as guest homes.

**GUN SHOP SALES/SERVICE/REPAIR** – Any premises or portion thereof used for the sale, vending, dealing, repairing and exchange or transfer of guns.

**HANDICAP** – A mental or physical impairment that substantially limits one or more major life activities whether the impairment is congenital or acquired by accident, injury, or disease, and where the impairment is verified by medical findings.

**HAZARDOUS WASTE FACILITY** – Any building or structure or use of open land that is used for the storage, treatment, or disposal of radioactive or hazardous wastes, as defined in the laws of the federal government, the State of Missouri, or Ralls County.

**HEALTH HAZARD** – A condition which is likely to cause a threat to life or a serious risk to the health, safety, and welfare of the public if action to correct is not taken.

**HEALTH DEPARTMENT** – Ralls County Health Department

**HEAVY EQUIPMENT** – Large trucks, semi-trucks, dump trucks, and the like.

**HEAVY INDUSTRY** – See Industry, Heavy

**HEIGHT, MAXIMUM** – A horizontal plane above and parallel to the average finished grade.

**HELIPAD** – An area of land that is intended, designed, or used for the landing and take-off of helicopters and which shall not be open for use by the general public.

**HELIPORT** – See Airport/Heliport

**HISTORIC STRUCTURE** – Any structure that is (a) listed individually in the National Register of Historic Places ( 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 program.

**HOLDING TANK** – A watertight tank for temporary storage of sewage until it can be transported to a point of approved treatment and disposal.

**HOME** – See Dwelling, Single-Family

**HOME BUSINESS-HOME BASED BUISNESS – HOME OCCUPATION** – Any occupation which is clearly secondary to the main use of the premises as a dwelling and does not change the character thereof. The nature of the same must not adversely affect the area by reason of noise, congestion, inadequate parking, dust, fumes, or other objectionable features.

**HOSPICE** – Residential and care facility for the terminally ill.

**HOSPITAL** - An institution providing medical and/or surgical care for sick or injured human patients. For both in-patients and out-patients. Includes medical service, training, and research facilities.

**HOSPITAL, VETERINARY** – See Veterinary Hospital

**HOTEL** – See Motel

**HOUSE** – See Dwelling

**HOUSE, BOARDING** – See Boarding House

**HUMAN EXCRETA** – Undigested food and by-products of metabolism which are passed out of the human body.

**IMMEADIATE FAMILY MEMBER** – Shall mean a spouse, son, daughter, sister, brother, father, mother, or grandchild.

**IMMINENT HEALTH HAZARD** – A condition which is likely to cause an immediate threat to life or a serious risk to the health, safety, and welfare of the public if immediate action is not taken.

**IMPROVEMENT** – Any change or addition which confers a benefit on property within a definable area and may include or consist of a re-improvement of a prior improvement.

**IMPROVEMENT, SUBSTANTIAL** – See Substantial Improvement

**INDUSTRIAL DEVELOPMENT** – The acquisition, clearance, grading, improving, preparing of land for industrial and commercial development and use, and the construction, reconstruction, purchase, repair of industrial and commercial improvements, buildings, plants, additions, stores, shops, shopping centers, office buildings, hotels and motels, parking garages, multi-family housing facilities, warehouses, distribution centers, machines, fixtures, structures and other facilities relating to the industrial and commercial use.

**INDUSTRIAL DISTRICT (M)** – A zoning district within the unincorporated parts of the county for the location of businesses associated with the production, cleaning, servicing, storage, testing, repair, etc. of products, goods, and materials.

**INDUSTRIAL FACILITY – MANUFACTURING FACILITY** – The use of any building, structure, or open land in connection with, accessory to, or otherwise affiliated with light industry, heavy industry, or manufacturing.

**INDUSTRIAL PARK** – A tract of land which has been divided into lots upon which are constructed various types of industrial or manufacturing structures. The lots are then used for industrial or manufacturing activities.

**INDUSTRIAL WASTE** – Any liquid, gaseous or solid waste substances resulting from any process of industry, manufacturing trade or business, or from the development of any natural resource.

**INDUSTRY, HEAVY – MANUFACTURING, HEAVY** – A manufacturing or fabricating facility which produces noise, odor, smoke, dust, fumes, liquid effluent, or other wastes or which could otherwise be a hazard or a nuisance to the general public.

**INDUSTRY, LIGHT – MANUFACTURING, LIGHT** – A manufacturing or fabricating activity which does not produce noise, odor, smoke, dust, fumes, liquid effluent, or other wastes but which could otherwise be a hazard or a nuisance to the general public.

**JAIL – PRIVATE/PUBLIC** – A correctional facility, prison, lock-up or other building for the incarceration and residence of prisoners, offenders, persons arrested, or persons committed by a court or other lawful authority, while awaiting trial or sentencing or serving a court-imposed sentence.

**JUNK** – Old or scrap copper, brass, rope, rags, batteries, paper, trash, rubber debris, waste, iron, steel, and all other old or scrap ferrous or nonferrous materials. Shall also include junked, dismantled, ruined, or wrecked automobiles and/or parts thereof.

**JUNKYARD-SALVAGE YARD** – See also Vehicle Graveyard. An establishment, area, or place of business maintained, operated, or used for storing, keeping, buying, or selling of junk, or for the operation of an automobile graveyard. As defined and regulated by Missouri statutes.

**KENNEL, PRIVATE** – An establishment where dogs, cats or other non-food producing animals are boarded for compensation, bred, raised, or trained on a commercial basis.

**LAND SURVEYOR** – A land surveyor registered in the State of Missouri.

**LAND USE** – All activities, occupations, practices, and utilization of land space, including water, subsurface, and air space.

**LAND USE PLAN** – A graphic and written analysis of a desirable and feasible land use pattern giving the general location, character, extent, and the relationship of future land uses.

LANDFILL – See Solid Waste Facility

LANDING STRIP, PRIVATE – A facility for the take-off and landing of aircraft, without service for aircraft, which is intended and operated for private use.

LARGE EQUIPMENT – SALES/SERVICE STORAGE – Establishments primarily engaged in the sale or rental of trucks, tractors, construction equipment, agricultural implements, and similar industrial equipment, including maintenance, storage, and servicing.

LAUNDROMAT – A facility where patrons wash, dry, or dry-clean clothing or other fabrics in machines operated by the patron.

LEVEE – A man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.

LEVEE SYSTEM – A flood protections system which consists of a levee or levees and associated structures, such as closure and drainage devices that are constructed and operated in accordance with sound engineering practices.

LIGHT INDUSTRY – See Industry, Light

LIGHT MANUFACTURING - See Industry, Light

LIQUOR STORE (by the container) – Establishment where spirituous or intoxicating liquor, including wine and beer are sold by the container.

LOT - A parcel of land intended to be separately owned, rented, developed, or otherwise used as a unit.

LOT, CORNER – A lot situated at the junction of and fronting on two or more roads or highways.

LOT AREA – Total square footage within the boundaries of a lot, exclusive of any land designated for street or alley purposes.

LOT OF RECORD – A lot or parcel of land, the plat or deed of which has been recorded in the Office of the Recorder of Deeds of Ralls County.

LOT LINE – Any line bounding a lot.

LOT LINE, FRONT – The boundary line between a lot and the street or road right of way on which it fronts.

LOT LINE, REAR – The lot boundary line which is opposite and most distant from the front lot line.

LOT LINE, SIDE – Any lot boundary line not a front lot line or a rear lot line.

LOT WIDTH – The horizontal distance between the side lot lines, measured at the front building line.

LOWEST FLOOR – See Floor, Lowest

LUMBER MANUFACTURING – A business where wood or wood products are processed or fabricated.

**LUMBER YARD – SALES** – An area used for the storage, distribution, and sale of finished or roughcut lumber and lumber products, but not including the manufacture or fabrication of lumber, lumber products, or firewood.

**MACHINE SHOP** – A business/factory that makes or repairs mechanical apparatus.

**MANUFACTURED HOME** – See Mobile Home; See Modular Home

**MANUFACTURING, HEAVY** – See Industry, Heavy

**MANUFACTURING FACILITY** – See Industrial Facility

**MAP** – The Flood Hazard Boundary Map (FHBM) or the Flood Insurance Rate Map (FIRM) for a community issued by the Federal Emergency Management Agency (FEMA).

**MARQUEE** – A canopy or covering structure projecting from an attached building.

**MASTER PLAN – COMPREHENSIVE PLAN** – The official Master Plan of Unincorporated Ralls County, Missouri, or any portion thereof, adopted by the County Commission for the coordinated physical development of the County.

**MAY** – Permissive.

**MEAN SEA LEVEL** – 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.

**MEAT PROCESSING PLANT** – See Food Processing Plant

**MEDICAL CLINIC** – A building, other than a hospital, used by licensed medical personnel for the purpose of receiving and treating patients.

**MEETING HALL** – A building or portion of a building in which facilities are provided for civic, educational, political, religious, or social gatherings.

**MINERAL EXTRACTION** – The extraction of gravel, sand, and metallic and nonmetallic substances of commercial value, whether at ground level or underground, excluding sand and gravel from water courses.

**MINING** – See Mineral Extraction

**MOBILE HOME – MANUFACTURED HOME** – A building for residential use which is titled, designed, engineered, and at least partially assembled in a factory and then towed to its site.

**MOBILE HOME COMMUNITY** – See Mobile Home Park

**MOBILE HOME PARK – MOBILE HOME COMMUNITY – MOBILE HOME SUBDIVISION** – A parcel of land under ownership by one entity that has been planned and improved for the placement of two or more mobile homes or lots for rental purposes.

**MOBILE HOME SITE** – A plot of land for the accommodation of one (1) mobile home.



MODULAR HOME – A non-mobile housing unit that is basically fabricated at a central factory and transported to a building site where final installations are made, permanently affixing the module to the site.

MOTEL – HOTEL – A building occupied or used as a temporary residence for paying, transient guests who are lodged, with or without meals, and in which there are twelve (12) or more sleeping rooms and no provisions for cooking in individual rooms.

MOVING BUSINESS – Business of relocating residential, commercial, and other personal property.

MUNICIPALITY – Any incorporated city, town, or village.

NEW CONSTRUCTION – See Construction, New

NEW STRUCTURE – See Structure, New

NEW USE – See Use, New

NEW USE OF OLD STRUCTURE – See Use, New

NON-CONFORMING USE – The use of land and/or structures that does not conform to the rules and regulations of this Zoning Order, but which is permitted under certain circumstances.

NUISANCE – Anything that interferes with the use or enjoyment of property, endangers personal health or safety or is offensive to the senses. Sewage, human excreta, or other human organic waste discharged or exposed on the owner's land or any other land from an on-site sewage disposal system in a manner that makes it a potential instrument or medium for the breeding of flies and mosquitoes, the production of odors, or the transmission of disease to or between a person or persons, or which contaminates surface waters or groundwater.

NURSERY – TREE FARM – TRUCK FARM – A farm, garden, or other cultivated land, together with accessory structures, used only for the cultivation and sale of live vegetation.

NURSING HOME – A home for the aged, the convalescent, or the infirmed in which three (3) or more persons, not of the immediate family of the owner, reside or are provided with food, shelter, and care in exchange for compensation.

OFFICE, BUSINESS OR PROFESSIONAL – Any place where the chief or principal affairs and business of any individual, company or corporation are conducted.

ON-SEWAGE DISPOSAL SYSTEM – Any system handling or treatment facility receiving domestic sewage which discharges into a subsurface soil absorption system and discharges less than three thousand (3000) gallons per day.

ON-SITE SEWAGE DISPOSAL SYSTEM CONTRACTOR – Any person who constructs, alters, repairs, or extends an on-site sewage disposal system on behalf of, or under contract with, the property owner.

OPEN SPACE – Any space or area in which the preservation or restriction of the use would (1) maintain or enhance the conservation of natural or scenic resources; (2) protect natural streams or water supply; (3) promote conservation of soils, wet lands, beaches, or marshes; (4) enhance the value to the public of abutting parks, forests, wildlife preserves, nature reservations or sanctuaries of

other open areas or open spaces; (5) preserve archaeologic and historic sites; (6) implement the plan of the planning agency; (7) promote orderly urban or suburban development.

**OVERLAY DISTRICT** – A zoning district which acts in conjunction with the underlying zoning district. For example, the Flood Plain District is an overlay district for all other districts.

**OWNER** – Any part owner, joint owner, owner of a community or partnership interest, trust, estate, life tenant in common, or joint tenant, of the whole or part of the land.

**P&Z COMMISSION** – See Planning & Zoning Commission

**PALLET MANUFACTURING/SALES** – A facility where pallets are manufactured, re-manufactured, stored and/or sold.

**PARCEL** – See Lot

**PARK** – An area open to the general public, and reserved for recreational, educational or scenic purposes.

**PARKING SPACE** – An enclosed or open area dedicated for the storage of one (1) vehicle, together with a driveway connecting the parking space with a road, street, or alley and permitting ingress to an egress from said space.

**PARTICIPATING COMMUNITY** – Also known as an “eligible community.” A community in which the Administrator has authorized the sale of flood insurance.

**PAVEMENT** – An all weather, dust free, hard surface asphalt, concrete or the like for travel or parking.

**PERMIT** – Approved document needed as required. See specific chapters in Zoning Order as applicable.

**PERMITTED USE** – A use that is allowed that conforms to the Zoning Order.

**PERSON** – Any individual, group of individuals, association, trust, partnership, corporation, person doing business under an assumed name, the State of Missouri, or any department thereof, or any political subdivision of this state, including Federal, state, and local governments and agencies.

**PETITION OF APPEAL** – Any request by an aggrieved person for a review of any official order, requirement, decision, or determination rendered by the Zoning Enforcement Officer or any other official or agency charged with the interpretation and/or enforcement of this Zoning Order.

**PET SHOP** – A retail sales establishment primarily involved in the sale of domestic animals, such as dogs, cats, fish, birds, and reptiles. (Excluding exotic animals and farm animals) and paraphernalia for such animals.

**PLANNED DEVELOPMENT** – Any development which requires the approval of a site plan by the County Commission.

**PLANNING & ZONING COMMISSION – P&Z COMMISSION – RCPZ** – The Ralls County Planning & Zoning Commission, as established pursuant to RSMo 64.805 and 64.860.

PLAT – A drawing or map of a subdivision, meeting all requirements of the county and in such form as required for purposes of recording.

PLAN, PRELIMINARY SUBDIVISION – Preliminary engineering maps, drawings, or charts and supportive material indicating the proposed layout of the subdivision meeting the requirements of this Order.

PLOT – One or more contiguous parcels of land under single ownership or control, designated by its owner at the time of filing an application for a construction permit, as a tract to be used, developed, or built upon as a unit.

PORTABLE BUILDING – A structure that can be moved when empty.

PORTLAND CEMENT CONCRETE PAVEMENT – See page 22D of Zoning Order.

POUND – A facility operated by the state or any political subdivision of the state for the purpose of impounding or harboring seized, stray, homeless, abandoned, or unwanted animals.

PRELIMINARY PLAT – See Plat, Preliminary Subdivision

PREMISES – A parcel of land together with all building and structures thereon.

PRE-SCHOOL – A school for children primarily between the ages of three and five, providing preparation for elementary school.

PRINCIPAL USE – The main use of land or structures as distinguished from a secondary or accessory use.

PRINCIPALLY ABOVE GROUND – At least 51 percent of the actual case value of the structure, less land value, is above ground.

PRINTING FACILITY – A facility for the custom reproduction of written or graphic materials on a custom order basis for individuals or businesses.

PRISON – PUBLIC/PRIVATE – See Jail

PRIVATE – Affecting or belonging to individuals as distinct from the public generally.

PRIVATE CLINIC – See Clinic, Private

PRIVATE CLUB – An association organized and operated either for-profit or not-for-profit for persons who are bonafide members paying annual dues, which owns, hires, or leases premises, the use of which premises is restricted to such members and their guest.

PRIVATE RECREATIONAL FACILITY – See Recreational Facility

PROFESSIONAL OFFICE – See Office, Business or Professional

PROPERTY OWNER – The person in whose name legal title to the real estate is recorded.

PUBLIC – Affecting or belonging to the general population, as distinct from private individuals.

**PUBLIC BUILDING** – A building owned or operated by a governmental subdivision, including but not limited to, a State, a City, County, of School District.

**PUBLIC HEARING** – A hearing held after public notice at which any person has a reasonable opportunity to be heard.

**PUBLIC RECREATIONAL FACILITY** – See Recreational Facility

**PUBLIC UTILITY** – Any business entity which owns or operates any plant, equipment, property, franchise, or license for the transmission of communications, transportation of goods or persons, except by pipeline, or the productions, transmission, sale, delivery, or furnishing of electricity, water or stream and whose rates for goods and services have been established or approved by a federal, state, or local agency or government.

**QUARRY** – A site or area from which building stone, sand, gravel, mineral or fill is processed for commercial retail sales and sales to government entities.

**RSMo** – The Revised Statutes of Missouri.

**RSMo. 610** – The Missouri Sunshine Law governing public open meetings of a public governmental body.

**RADIO STATION** – Any place where the wireless transmission of sound by electromagnetic waves is generated and the affairs of conducting this type of business is located.

**REAL ESTATE OFFICE** – Any place where the public can go to seek, discuss, or transact the sale of lease of land and/or buildings.

**REAL PROPERTY** – Includes land itself, whether laid out in town lots or otherwise, and all growing crops, buildings, structures, improvements, and fixtures of whatever kind thereon, and all rights and privileges belonging or appertaining thereto.

**REAR BUILDING LINE** – See Building Line

**REAR YARD DEPTH** – See Yard Depth, Rear

**REAR LOT LINE** – See Lot Line, Rear

**RECREATIONAL FACILITY** – Non-commercial accessory uses incidental to residential development intended for relaxation and/or exercise such as swimming pools, tennis courts, and playground equipment.

**RECREATION VEHICLE CAMP** – See Campground

**RECREATION VEHICLE PARK – RECREATION VEHICLE CAMP – RV PARK – RV CAMP** – See Campground

**RECYCLING CENTER** – Any facility, whether publicly or privately owned, where recyclable materials such as glass, copper, aluminum, paper, and plastic, but not including other solid waste or trash are collected and processed. Any such facility shall be completely contained in an enclosed building or fence making it virtually indistinguishable from a warehouse or light manufacturing facility.

**RECYCLING COLLECTION POINT** – A collection point for small recyclable refuse items, such as bottles, cans, and paper, located either in a container or a small structure. An incidental use that serves as a neighborhood drop-off point for temporary storage of recoverable resources. No processing of such items shall be allowed at such locations.

**REMEDY A VIOLATION** – To bring the structure or other development into compliance with Federal, State, or local floodplain management regulations; or, if this is not possible, to reduce the impacts of its noncompliance.

**RESIDENCE** – See Dwelling

**RESIDENTIAL DISTRICT** – A Zoning District within the County for the construction of residential units (single, two, and multi-family dwellings), mobile home parks, and low-density housing developments.

**RESTAURANT** – A structure in which the principal use is the preparation and serving of food and beverages for consumption within the premises.

**RETAIL** – Selling directly to consumers.

**RETAIL FACILITY- RETAIL SALES OPERATION** – Facility for the sale of goods and services at retail to serve area residential, agricultural, and commercial development, together with related parking, loading and storage facilities.

**REZONING** – An amendment to the Zoning Order which will change the boundaries of a Zoning District. That is, it will change how a particular tract of land is zoned.

**RIGHT-OF-WAY** – A dedication of land to be used generally for streets, alleys, or other public uses, wherein the owner gives up his rights to the property so long as it is being used for the dedicated purpose.

**ROAD SURFACE** – See pages 22-A through 22-D of Zoning Order.

**ROADSIDE STAND** – Temporary, seasonal structure for retail sales.

**RPZC** – The Ralls County Planning and Zoning Commission.

**RCZO** – The Ralls County Zoning Order.

**RV CAMP** – See Campground

**RV PARK** – See Campground

**SALES LOT, RECREATIONAL VEHICLE** – A parcel of land on which unoccupied recreational vehicles, whether new or used, are parked for the purpose of storage, inspection, or sale.

**SALVAGE YARD** – See Junkyard-Salvage Yard

**SANITARY LANDFILL** – A method of disposing of solid wastes on land without creating nuisances or hazards to public health or safety. As defined and regulated by current State and Federal laws.

**SANITARY SEWER SYSTEM** – See Sewage Disposal System

**SAVINGS & LOAN FACILITY** – See Financial Institution

**SAWMILL** – A facility where logs are sawn, split, shaved, stripped, chipped, or otherwise processed to produce wood products, not including the processing of timber for use on the same lot by the owner or resident of that lot.

**SCHOOL, PROFESSIONAL** – A facility used for the purpose of learning a particular skill or trade.

**SCHOOL, EDUCATIONAL – PRIVATE** – Any building or group of buildings, the use of which meets state requirements for primary, secondary, or higher education and which DOES NOT secure a major part of its funding from governmental agencies.

**SCHOOL, EDUCATIONAL – PUBLIC** – Any building or group of buildings, the use of which meets state requirements for primary, secondary, or higher education and which DOES secure a major part of its funding from governmental agencies.

**SCREENING** – Fencing or vegetation maintained for the purpose of concealing from view the area behind such structure or vegetation to adequately reduce the unsightly visual ground level view, noise, lighting, glare, blowing trash, potential nuisances, and hazardous conditions.

**SECONDARY USE** – See Use, Accessory

**SEED DISTRIBUTION BUSINESS** – A facility for the sale of agricultural seed at retail to serve area agricultural development, together with related parking, loading, and storage facilities.

**SERVICE STATION – GAS STATION** – For retailing or dispensing of fuel, lubricants, tires, batteries, accessories, and supplies, including installation and services customarily incidental thereto.

**SETBACK LINE** – See Building Line

**SEWAGE OR DOMESTIC SEWAGE** – Human excreta and wastewater, including bath and toilet waste, residential laundry waste, residential kitchen waste and other similar waste from household or establishment appurtenances. Sewage and domestic sewage waste are further categorized as: (a) Blackwaters; waste carried off by toilets, urinals, and kitchen drains; (b) Gray-waters: all domestic waste not covered in paragraph (a) including bath, lavatory, laundry and sink waste.

**SEWAGE DISPOSAL SYSTEM, MAJOR MODIFICATION OR MAJOR REPAIR** – The redesigning and alternation of an on-site sewage system by relocation of the system or a part of the system, replacement of the septic tank or construction of a new absorption field.

**SEWAGE DISPOSAL SYSTEM NUISANCE** – Sewage, human excreta or other human organic waste discharged or exposed on the owner's land or any other land from an on-site sewage disposal system in a manner that makes it a potential instrument or medium for the breeding of flies and mosquitos, the production of odors, or the transmission of disease to or between a person or persons, or which contaminates surface or ground water.

**SEWAGE DISPOSAL SYSTEM, ON-SITE** – Any sewage system handling or treatment facility receiving domestic sewage which discharges into a subsurface soil absorption system and discharges less than three thousand gallons per day.

**SEWAGE DISPOSAL SYSTEM CONTRACTOR, ON-SITE** – Any person who constructs, alters, repairs, or extends an on-site sewage disposal system on behalf of, or under contract with, the property owner.

**SHALL** – Mandatory, and not discretionary.

**SHOOTING RANGE – INDOOR** – A facility designed or used for shooting at targets with rifles, pistols, or shotguns, and which is completely enclosed within a building or structure.

**SHOOTING RANGE – OUTDOOR** – The use of land for archery and/or the discharging of firearms for the purposes of target practice. Excluded from this use shall be general hunting and unstructured and non-recurring discharging of firearms on private property with the property owners' permission.

**SHOULD** – Indicated a recommendation or that which is advised but not required.

**SIDE LOT LINE** – See Lot Line, Side

**SIDE YARD** – See Yard, Side

**SIGN** – Any words, numbers, figures, devices, designs, logos, or trademarks by which information is made known, such as is commonly used to identify a building, structure or object, or to designate or mention an individual, profession, firm, business, or commodity.

**SINGLE FAMILY DWELLING** – See Dwelling, Single Family

**SITE PLAN** – A document or group of documents containing sketches, text, drawings, maps, photographs, or other material intended to present and explain certain elements of a proposed development, including physical design, location of building/structures, vehicular and pedestrian access, the provision of improvements, and the interrelationship of these elements.

**SKIRTING – UNDERPINNING** – A type of perimeter enclosure constructed of weather resistant material which encloses the space under a mobile home from the floor joists to the ground.

**SLAUGHTERHOUSE** – A facility for the slaughtering and processing of animals and the refining of their biproducts.

**SMALL ENGINE SALES/SERVICE** – A facility for the sale and/or servicing of small engines such as lawn mowers, garden equipment, small motors, etc.

**SMALL WIND ENERGY SYSTEM** – A wind turbine that is used to generate electricity, as a nameplate capacity of one hundred (100) kilowatts or less and has a total height of one hundred fifty (150) feet or less. Total height is the vertical distance from ground level to the tip of blade when the tip is at its highest point. A minimum setback shall be from all adjoining property boundaries and/or residential structures shall be equal to one (1) foot of setback of each foot of total height or an engineer's design of fall zone with licensed structural engineer's stamp on design.

**SOIL SURVEY** – A soil map or inventory of the soils of an area and a text describing the kinds of soils shown on the map and summarizing what is known about these soils including their classification and capabilities.

**SOILD WASTE** – Garbage, refuse and other discarded solid materials, except animal waste used as fertilizer, including solid waste materials resulting from residential, industrial, commercial, and agricultural operations and from community activities. As defined and regulated by current State and Federal laws.

**SOLID WASTE FACILITY** – Any area used for the disposal of solid waste from more than one (1) residential premise or one (1) or more commercial, industrial, manufacturing, recreational or governmental operations. As defined and regulated by current State and Federal laws.

**SPECIAL FLOOD HAZARD AREA** – See Area of Special Flood Hazard

**SPECIAL HAZARD AREA** – An area having special flood hazards and shown on an FHBM or FIRM as zones (numbered or unnumbered) A, AO, A1-30, AE or AH.

**SPOT ZONING** – The awarding of a use classification to an isolated parcel of land that is detrimental or incompatible with the uses of the surrounding area.

**STABLE, RIDING** – Facility in which horses or ponies used exclusively for pleasure riding or driving are housed, boarded, or kept for pay, profit, hire, sale, or training.

**START OF CONSTRUCTION** – See Construction, Start of

**STATE COORDINATING AGENCY** – 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.

**STORAGE UNIT/FACILITY** – Any building or structure where space is sold, rented, or leased to the public or to private industry for the purpose of storing goods for remuneration, profit, or livelihood.

**STORY** – That portion of a building included between the surface of any floor and the surface of the next floor above it, or if there is no floor above it, the space between the floor and the ceiling next above it.

**STREET** – A general term denoting a public or private way for the purpose of vehicular travel.

**STREET LINE** – The dividing line between the street and the abutting property.

**STREET, CUL-DE-SAC** – A short, minor local street, having only one end open for vehicular traffic, and the other end permanently terminated by a turnaround circle for vehicles.

**STREET, DEAD END** – A local street similar to a cul-de-sac street except that it provides no turn around circle at its closed end, and it not permitted in any proposed subdivision.

**STRUCTURAL ALTERATION** – Any change in or addition to a supporting member of a building.

**STRUCTURE** – Any object constructed or installed by a person.

**STRUCTURE, EXISTING** – See Existing Construction/Structure

**STRUCTURE, HISTORIC** – See Historic Structure

**STRUCTURE, NEW** – Any structure built after the effective date of this Zoning Order.

**SUBDIVIDER** – Any individual, firm, association, partnership, corporation, trust, or any other legal entity commencing proceedings to effect a subdivision or land hereunder for the owner of for another, with consent of the owner.



**SUBDIVISION** – A subdivision shall, for the purpose of these regulations, be a tract of land that has been developed or shall be developed whether immediately or in the future with common site improvements serving either the whole tract of land or more than one subdivided unit of this land, including streets, amenities, utilities and signage, and divided into lots for sale or lease as either residential, commercial, or industrial sites. (See Chapter 25)

**SUBSTANTIAL DAMAGE** – Damage of any origin sustained by a structure whereby the cost of restoring the structure to pre-damaged condition would equal or exceed fifty (50) percent of the market value of the structure before the damage occurred.

**SUBSTANTIAL IMPROVEMENT** – Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure before “start of construction” of the improvement. This term includes structures which have incurred “substantial damage” regardless of the actual repair work performed. The term does not, however, include either (1) any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications that have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or (2) any alteration of a “historic structure” provided that the alteration will not preclude the structure’s continued designation as a “historic structure”.

**SUBSURFACE SOIL ABSORPTION SYSTEM** – A system for the final renovation of the sewage tank effluent and return of the renovated wastewater to the hydrologic cycle, including the lateral lines, the perforated pipes, the rock material, and the absorption trenches. Included within the scope of this definition are sewage tank absorption systems, privies, chemical toilets, single-family lagoons, and other similar systems; except that a subsurface sewage disposal system does not include a sewage system regulated pursuant to RSMo Chapter 644.

**TAVERN** – An establishment which sells alcoholic beverages by the drink.

**TAXIDERMITS** – A facility where the art of preparing, stuffing, and mounting the skins of animals is performed.

**TEMPORARY BUILDING** – See Building, Temporary

**TOPOGRAPHIC MAP** – A map showing all principal physical features of an area, including elevation, and using contouring lines which show point of equal elevation.

**TRAILER SALES** – Any vehicle without motive power designed for carrying property on its own structure which is normally capable of being towed by passenger automobiles, pickup trucks, sport utility vehicles, and similar self-propelled vehicles, but excluding such tow vehicles commonly known as semitrucks, semi-tractors, or semi-truck/tractors. Also excludes any type of trailer designed for use as temporary or permanent living quarters and any trailer that falls under any other classification in this Zoning Order.

**TRANSFER STATION** – Any facility where solid wastes are unloaded from one means of transport and are arranged, compressed, or otherwise made ready for reloading onto another means of transport for eventual disposal either elsewhere on the same premises or at some other location.

**TRANSIENT GUEST** – Person or persons who occupy rooms in a hotel or motel for thirty-one days or less during any calendar quarter.

**TRUCK TERMINAL** – A facility where trucks are loaded and unloaded, temporarily stored, or dispatched.

UNDERPINNING – See Skirting- Underpinning

UNINCORPORATED AREA – That part of the County which is outside of any incorporated city, town, village, or borough.

URBAN FRINGE – An area at the edge of an urban area usually made up of mixed agricultural and urban land uses.

URBAN SPRAWL – The irregular and uncontrolled development of urban land uses without regard to land use planning.

USAGE GRID CHART – Details the Permitted, Conditional, and Prohibited uses of land and buildings/structures within each Zoning District.

USE – Noun: Any activity, occupation, business, or operation carried on, or intended to be carried on, in a structure or on a tract of land.

USE, CONDITIONAL – See Conditional Use

USE, NEW – Any use of structure or land commenced after the effective date of this Order.

USE, ACCESSORY – An activity or structure incidental or secondary to the principal use on the same site (i.e.. Storage shed, swimming pool)

VACATION HOME – See Dwelling-Seasonal

VARIANCE – A deviation, in an individual case, from the literal requirements of the Zoning Order where the strict adherence to all such requirements would involve undue hardship on the part of the owner, lessee, occupant of land and/or structures in order to have a reasonable use of the property.

VARIANCE/FLOODPLAIN – 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 varied by the community.

VEHICLE – Any passenger car, bus, motorcycle, light, medium or heavy-duty truck, pickup truck, van, motor home, and/or motorized recreational vehicle.

VEHICLE, DERELICT – Abandoned vehicle – unregistered and/or partially dismantled so as to be incapable of movement under own power.

VEHICLE GRAVEYARD – Any area or place of business maintained, used, or operated for storing, keeping, buying or selling wrecked, scrapped, ruined or dismantled motor vehicles or parts thereof.

VEHICLE RENTAL – A facility for the rental of vehicles and/or trailers.

VETERINARY HOSPITAL – VETERINARY CLINIC – ANIMAL CLINIC – ANIMAL HOSPITAL  
– A facility for the practice of veterinary medicine.

VIOLATION – The failure of a structure or other development to be fully compliant with the Zoning Order.

VIOLATION/FLOODPLAIN – 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 ordinance is presumed to be in violation until such time as that documentation is provided.

WAREHOUSE – DISTRIBUTION FACILITY – A facility adapted to the reception and temporary storage of goods and merchandise.

WASTE – Sewage, human excreta, or domestic sewage.

WASTE, DOMESTIC – Any liquid, gaseous or solid waste substances generated by a residence.

WASTE, INDUSTRIAL – See Industrial Waste

WHOLESALE FACILITY – Commercial activity which involves sales to retailers or jobbers, rather than to the general public.

WINERY – Building used for the primary purpose of making wine.

WIND TURBINE – A rotary device that extracts energy from the wind where the mechanical energy is converted to electricity. Also see “Small wind energy system”.

WILDLIFE – Class II wildlife as defined in the current Missouri Wildlife Code.

WILDLIFE CONFINEMENT AREA – Any building, structure, or fenced area for the primary purpose of confining wildlife.

YARD – The unbuilt upon space on a building lot.

YARD, FRONT – A yard across the full width of a lot, extending from the front line of the primary building situated on such lot to the front lot line of such lot.

YARD, BACK/REAR – A yard across the full width of a lot, extending from the rear line of the primary building situated on such lot to the rear lot line of such lot.

YARD, SIDE – A yard extending from the primary building situated on a lot to the adjacent side lot line of such lot and extending entirely from the front yard to the rear yard of such lot.

ZEO – Zoning Enforcement Officer

ZONING – A technique the principal purpose of which is to insure that the land uses of the County are properly situated in relation to one another, providing adequate space for each type of development.

ZONING DISTRICT – A portion of the unincorporated area of the County wherein the regulations of the Order are uniform.

ZONING ADMINISTRATIVE ASSISTANT (ZAA) – A person who provides vital support to the ZEO handling a range of tasks to ensure the smooth operation of the Zoning Order .

ZONING ENFORCEMENT OFFICER (ZEO) – A person who is empowered to interpret and enforce the provisions of the Zoning Order by assuring compliance with the Zoning Order.

ZONING ORDER – ZONING ORDINANCE – ZONING REGULATIONS – The regulatory document which controls the zoning of the county.

## **APPENDIX D**

### **SOLAR OVERLAY DISTRICT (SOD)**

#### **ARTICLE 1. PURPOSE**

- A.** The purpose of the SOLAR OVERLAY DISTRICT (SOD) is to promote the use of solar energy and thereby 1.) to provide for the health, safety, and well-being of county residents, 2) to protect the environment and 3) to assure that land use remains productive and property values maintained while at the same time mitigating any negative impact on wildlife, natural vegetation, and aesthetics.
- B.** Furthermore, the SOLAR OVERLAY DISTRICT implements the following goals and policies of Ralls County.
  - 1. Solar Facilities involve exclusively development costs which are the responsibility of private ownership which advances the objective of having developers in rural areas pay their own way.
  - 2. Balances the needs of the general public for lower cost and clean energy with the goal of preserving prime agricultural land.
  - 3. Promotes effective wildlife and natural vegetation management while minimizing the impact on wetlands and minimizes erosion.
  - 4. Preserves the underlying zoning classification of the property which is subject to the Solar Overlay District.
  - 5. Balances the needs of the public with the rights of private ownership of land.

#### **ARTICLE 2. APPLICABILITY**

- A.** These Regulations are applicable to all tracts of real estate which have been designated as part of a SOD by the Ralls County Commission and to any application filed by real property owner, or their designee, who desires that one or more parcels of real estate be designated as a portion of a SOD.
- B.** All SODs must be reflected as such on the Ralls County Official Zoning Map, or a scaled map designed by the County's mapping department which is to be attached as an Appendix to the Official Zoning Map of Ralls County.
- C.** Although the Ralls County Commission has the inherent authority to rezone property and designate which areas are to be part of a given overlay district, it is the policy of Ralls County that no land will be designated as part of a SOD without the consent of or at the request of the owner or owners of the subject property.

#### **ARTICLE 3. OVERLAY DISTRICT MAP**

The OVERLAY DISTRICT MAP will consist of the Official Zoning Map of Ralls County which has been annotated in clear and unambiguous markings to reflect the boundaries of the participating parcels of the SOD which have been approved by the Ralls County Commission. The Official Zoning Map will be updated on an annual basis, if needed because of the addition of parcels to existing SOD so that the Zoning Map accurately reflects the parcels in an SOD Boundary. Between the date that any new area is designated as a portion of the SOD and the date that the Official Zoning Map is updated, all participating parcels of the SODs shall be designated by an Appendix attached to the Zoning Map as required in Article 2, B. hereof.

## **ARTICLE 4. DEVELOPMENT STANDARDS**

### **A. General Standards. (official legal description will be recorded in Record of Deed of Ralls County, Missouri)**

- 1. The SOD can only be established in areas which are zoned as Agricultural.**
- 2. The boundaries of any parcel of the SOD must adhere to the minimum principal setback standards for the Agricultural zoning district; provided, however, that said setbacks shall not apply to the internal property lines of participating parcels within the SOD. Additionally, Solar Panels within a SOD shall be set back at least two hundred (200) feet from Non-Participating Residences, have a setback from all existing property lines of at least 50 (fifty) feet. All property lines need to be easily identifiable.**
- 3. In order to be designated as participating in a SOD, the area to be designated must consist of a minimum of twenty (20) contiguous acres.**

### **B. Development Standards.**

All development within the SOD must comply with the following standards in addition to the applicable requirements of the Solar Ordinance Chapter 29 of Ralls County Zoning Order. In the event of a conflict between these Development Standards and the requirements of the underlying zoning district, these Development Standards shall control.

- 1. Setbacks from any area which has been designated as a "wetland" by the Missouri Department of Natural Resources (MDNR) shall be subject to the MDNR's regulations.**
- 2. An area requested to be designated as an area in the SOD must adjoin or be able to be accessed by at least one publicly owned and maintained road or a privately- owned road which has been dedicated to public use and which meets Ralls County roadway standards. The primary means of ingress and egress must meet the applicable site line requirements of either the Ralls County Road and Bridge Department or the Missouri Department of Transportation. Access must be suitable for entry by emergency response vehicles, twenty-two (22) feet wide. All county road ingress/egress must have a culvert, following County guidelines about culvert placement, unless in writing from Ralls County Road and Bridge.**
- 3. All utility lines must be depicted on a topographical map of the subject area.**
- 4. Solar panels must be at least 200 (two hundred) feet from the nearest Non- Participating Residence, existing as of the date of an application for participating in a SOD.**
- 5. A security fence that meets National Electric Safety Code requirements must encircle the solar array (standard height six feet tall).**
- 6. Screening of appropriate vegetation, trees, or shrubs and/or fencing shall be required to be planted or installed around the exterior of an operating solar array where the solar array adjoins a county, state, or federal roadway or which is adjacent to a Nonparticipating Residence whose view includes the solar panels. All other screening and buffer requirements shall be as required by the regulations of the solar ordinance. The screening requirements required by this Section are the minimum necessary in order to obtain a designation as a participating parcel of a SOD. Any requirements to obtain an operating permit which are more restrictive than the requirements hereof shall control.**

- 7. Only Photovoltaic Solar Panels or other panels which do not contain liquids within the panels shall be permitted.**
- 8. In order to preclude unacceptable noise pollution beyond the boundaries of the SOD, the inverters which are necessary to convert DC to AC so that power can be transferred to the "grid" must be located at least one hundred (100) feet from all boundaries of the SOD.**
- 9. Upon written request of the property owner or the applicant for designation of a SOD, the County Commission may vary or waive the requirements set forth in Article 4 upon a finding that said variance or waiver is not detrimental to the welfare of the community and is consistent with the purposes and intent of the Zoning Order and the SOD regulations.**

## **APPENDIX E**

### **ON-SITE DOMESTIC WASTEWATER TREATMENT SYSTEMS ORDINANCE**

#### **ARTICLE 1. PURPOSE**

- A.** This ordinance is enacted for the purpose of regulating the design, construction, modifications, and operations of an on-site sewage disposal system as defined by "Missouri Laws for On-Site Sewage Systems; to protect the public health, control nuisances and health hazards, and further prevent the transmission of infectious communicable diseases in Ralls County.

#### **ARTICLE 2. AUTHORITY**

- A.** This ordinance is enacted under the authority vested in the County Commission of Ralls County, Missouri, under section RSMo. 192.300.

#### **ARTICLE 3. ADOPTION**

- A.** The Ralls County Commission hereby adopts by reference the State Standards as defined in the most current edition of "Missouri Laws accompanied by the Department of Health Rules Governing On-Site Sewage System," Section RSMo. 701.025-701.059 and the "Minimum Standards for On-Site Sewage Disposal Systems" defined under 19CSR 20-3.060; (or any other applicable CSR). Any orders and ordinances or rules and regulations shall not be in conflict with any rules or regulations authorized and made by the Department of Health in accordance with this chapter or by the Department of Social Services under Chapter 198 RSMo.
- B.** The description of persons qualified to perform percolation tests or soil morphology examinations in determining soil properties for On-Site Sewage Disposal Systems defined in 19CSR 20-3.080.

#### **ARTICLE 4. APPLICABILITY**

- A.** These regulations apply to any on-site domestic wastewater treatment and disposal system necessary for proper conduction, collection, storage, treatment and disposal of domestic wastewater from a dwelling or other facility producing domestic wastewater of three thousand gallons (3000 gals.) or less per day.

#### **ARTICLE 5. RESPONSIBILITIES**

- A.** The design, construction, operation and maintenance of on-site domestic wastewater treatment systems shall be the responsibility of the designer, owner, developer, installer or user of the system.
- B.** Actions or recommendations of the Ralls County Health Department; required to effect compliance with the provisions of this ordinance, shall in no way be taken as a guarantee or warranty the permitted and/or approved on-site domestic wastewater treatment system will function in a satisfactory manner for any given period of time.
- C.** Any applicant for a construction permit prior to the effective date of this ordinance, which creates an off-site discharge of wastewater effluent, shall obtain written authorization from the Missouri Department of Health.



## **ARTICLE 6. PROHIBITIONS**

No person shall:

- A.** Fail to comply with a STOP ORDER issued pursuant to this ordinance.
- B.** Design, construct, install, modify, or operate any wastewater treatment system without the permit required herein.
- C.** Design, construct, install, or modify any wastewater treatment system when the permit has expired or has been suspended or revoked.
- D.** Design, construct, install, modify, or operate any sewage or wastewater treatment system which causes, or may cause, a health hazard.
- E.** Design, construct, install, modify or operate any sewage or wastewater treatment system or any "on-site sewage disposal system"; as defined in 701.025-701.059 RSMo., in violation of the provisions of Chapter 701 or in violation of any construction, modification, or operation permit issued by the Missouri Department of Natural Resources or any other Federal or State Agency.
- F.** Provide septic tank cleaning and pumping services without obtaining the necessary registration.

## **ARTICLE 7. PERMITS**

- A.** Any person engaged in the construction, installation, or modification of any wastewater system shall obtain a permit from the Ralls County Health Department.
- B.** The following information shall be provided to the Ralls County Health Department:
  - a.** Legal description of the property to the nearest  $\frac{1}{4}$ ,  $\frac{1}{4}$  section, physical address and current mailing address
  - b.** If applicable, written authorization from the Ralls County Planning & Zoning Commission indicating compliance with requirements of the Ralls County Planning & Zoning Commission.
  - c.** A completed site evaluation information sheet accompanied with a detailed design of the proposed wastewater system exceptions;
    - 1.** The Department may provide the applicant results of a soil morphology conducted by the Department for wastewater systems with a design daily flow rate of less than 500 gals/day. However, the Department may require the applicant to obtain results of a soil morphology and/or percolation tests from a person registered by the Department for these services; and/or to supply the Department with an engineered design.
    - 2.** System design/processes currently approved by the Missouri Department of Natural Resources will not require an additional soil morphology or percolation tests if the Engineering Report originally submitted to the Missouri Department of Natural Resources contains this information. Each wastewater treatment system will require a permit issued by the Department.
- C.** Plans for wastewater systems with a design flow rate of 500 gals/day or greater shall be designed by a licensed engineer and shall be stamped with the engineer's seal.
- D.** Permit applicants proposing installation of wastewater stabilization ponds (lagoons) for a facility other than a single-family residence or for any proposed installation providing more than one service connection; regardless of the daily wastewater flow rate, will be referred to the Missouri Department of Natural Resources for compliance with the necessary permits of this agency.
- E.** Name of the installer.
- F.** The permit application shall be signed by the owner of the property on which the system is to be installed, or by his legally authorized representative.

- G. The Ralls County Health Department shall conduct a field investigation of the proposed wastewater system installation site prior to issuance of the construction permit.**
- H. Any applicant knowingly providing false information on the application shall be subject to termination of the permit.**

**Any and all questions regarding On-Site Wastewater procedures should be directed to the Ralls County Health Department.**

## **APPENDIX F**

### **AMERICAN MADE REQUIREMENT**

#### **ARTICLE 1. PURPOSE**

- A.** To ensure that all Renewable Energy permits, to include all communication towers (chapter 24), renewable energy (chapter 28) and solar (chapter 29), will utilize at the minimum products that are at least 75% produced within the United States.

#### **ARTICLE 2. POLICY**

- A.** The head of each corporation must ensure that all products purchased for an infrastructure project must be at least 75% produced in the United States.

#### **ARTICLE 3. APPLICABILITY**

- A. Applicability.** This part only applies to those who are seeking a renewable energy permit.
- B. Severability.** The provisions of this part are separate and severable from one another. Intends that if a provision of this part is held to be invalid or unenforceable as applied to a particular person or circumstance, the provision should be construed to continue to give the maximum effect permitted by law as applied to other persons not similarly situated or to dissimilar circumstances. If any provision is determined to be wholly invalid and unenforceable, it should be severed from the remaining provisions of this part, which should remain in effect.

#### **ARTICLE 4. DEFINITIONS**

*Component* means an article, material, or supply, whether manufactured or unmanufactured, incorporated directly into a manufactured product; or, where applicable, an iron or steel product.

*Construction material* means articles, materials, or supplies that consist of only one of the items listed in paragraph one (1) of this definition, except as provided in paragraph two (2) of this definition. To the extent one of the items listed in paragraph one (1) contains as inputs other items listed in paragraph one (1), it is nonetheless a construction material.

- 1. The listed items are:

- a. Non-ferrous metals;
- b. Plastic and polymer-based products (including polyvinylchloride, composite building materials, and polymers used in fiber optic cables);
- c. Glass (including optic glass);
- d. Fiber optic cable (including drop cable);
- e. Optical fiber;
- f. Lumber.
- g. Engineered wood; and
- h. Drywall.

- 2. Minor additions of articles, materials, supplies, or binding agents to a construction material do not change the categorization of the construction material.

*Infrastructure project* means any activity related to the construction, alteration, maintenance, or repair of infrastructure within Ralls County, Missouri.

*Iron or steel products* means articles, materials, or supplies that consist wholly or predominantly of iron or steel or a combination of both.

*Manufactured product* means:

- 1. Articles, materials, or supplies that have been:

- a. Processed into a specific form and shape; or
- b. Combined with other articles, materials, or supplies to create a product with different properties than the individual articles, materials, or supplies.

**Manufacturer** means the entity that performs the final manufacturing process that produces a manufactured product.

**Produced in the United States** means:

- 1. In the case of iron or steel products, all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States.
- 2. In the case of manufactured products:
  - a. The product was manufactured in the United States
- 3. In the case of construction materials, all manufacturing processes for the construction material occurred in the United States.

## **ARTICLE 5. CONSTRUCTION MATERIAL STANDARDS**

A. Each construction material is followed by a standard for the material to be considered "produced in the United States."

- 1. **Non-ferrous metals.** All manufacturing processes, from initial smelting or melting through final shaping, coating, and assembly, occurred in the United States.
- 2. **Plastic and polymer-based products.** All manufacturing processes, from initial combination of constituent plastic or polymer-based inputs, or, where applicable, constituent composite materials, until the item is in its final form, occurred in the United States.
- 3. **Glass.** All manufacturing processes, from initial batching and melting of raw materials through annealing, cooling, and cutting, occurred in the United States.
- 4. **Fiber optic cable (including drop cable).** All manufacturing processes, from the initial ribboning (if applicable), through buffering, fiber stranding and jacketing, occurred in the United States. All manufacturing processes also include the standards for glass and optical fiber, but not for non-ferrous metals, plastic and polymer-based products, or any others.
- 5. **Optical fiber.** All manufacturing processes, from the initial preform fabrication stage through the completion of the draw, occurred in the United States.
- 6. **Lumber.** All manufacturing processes, from initial debarking through treatment and planning, occurred in the United States.
- 7. **Drywall.** All manufacturing processes, from initial blending of mined or synthetic gypsum plaster and additives through cutting and drying of sandwiched panels, occurred in the United States.
- 8. **Engineered wood.** All manufacturing processes from the initial combination of constituent materials until the wood product is in its final form, occurred in the United States.