

**CITY OF PLATTSBURG,  
MISSOURI**

Zoning Regulations

June, 1992

AN ORDINANCE AMENDING THE CITY OF PLATTSBURG'S ZONING REGULATIONS

WHEREAS, the Board of Aldermen of the City of Plattsburg, Missouri, finds it necessary and appropriate to amend its zoning regulations; and

WHEREAS, the Board of Aldermen finds that the city has complied in all respects with the Revised Statutes of Missouri in enacting new zoning regulations.

NOW, THEREFORE, Be IT ORDAINED, by the Board of Aldermen of the City of Plattsburg, Missouri as follows:

SECTION I. Repeal Ordinance \*1005 of the Plattsburg City Ordinances.

SECTION II. Adopt new zoning regulations as follows:

See attached exhibit consisting of New Zoning Regulations, New Subdivision Regulations, New Comprehensive Land Use and Regulatory Plan, and New Zoning District Map which said exhibit is incorporated herein by this reference as if set out fully herein.

SECTION III. If any provision of the new zoning regulations is declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remainder of the new zoning regulations.

SECTION IV. If any provision of the new zoning regulations is declared unconstitutional or invalid, or if this ordinance or any provisions thereof is declared unconstitutional or invalid as it applies to a particular parcel of real estate, by a court of competent jurisdiction, such decision shall cause Ordinance \* 1005 of the Plattsburg City Ordinances as it existed prior to the adoption of this ordinance to be automatically revived and in full force and effect as to such unconstitutionality or invalidity.

This ordinance shall be in full force and effect from and after its passage.

Read two times and passed this 1st day of June, 1992.

Mayor

Attest:

Alma Todd  
Clerk

**CITY OF PLATTSBURG, MISSOURI  
ZONING REGULATIONS**

**TABLE OF CONTENTS**

<b>ARTICLE I - GENERAL PROVISIONS</b> . . . . .	<b>1</b>
A. Title . . . . .	1
B. Purpose . . . . .	1
C. Authority . . . . .	1
D. Rules for Interpretation of District Boundaries . . . . .	1
E. Intent . . . . .	1
F. Annexation of Land . . . . .	2
G. Severability and Non-Liability . . . . .	3
H. Abrogation and Greater Restrictions . . . . .	3
I. Interpretation . . . . .	4
J. Reservation and Repeals . . . . .	4
K. Savings Provision . . . . .	4
L. Application of Regulations . . . . .	5
M. Averaging Setbacks . . . . .	5
<b>ARTICLE II - DEFINITIONS</b> . . . . .	<b>6</b>
A. Rules for Interpretation of Definitions . . . . .	6
B. Definitions . . . . .	6
<b>ARTICLE III - AMENDMENTS</b> . . . . .	<b>21</b>
A. Procedures . . . . .	21
B. Hearings . . . . .	22
C. Action by the Planning Commission . . . . .	23
D. Action by the Governing Body . . . . .	24
E. Protest . . . . .	26
F. Approved Action . . . . .	26
G. Fees . . . . .	26
<b>ARTICLE IV - DISTRICTS AND BOUNDARIES</b> . . . . .	<b>28</b>
A. District Classifications . . . . .	28
B. District Zoning Map . . . . .	28
C. Annexation Rule . . . . .	28
D. Rules Where Uncertainty May Arise . . . . .	29
E. Exemptions . . . . .	29
F. Minimum Dwelling Size . . . . .	29
Districts:	

"A-G" Agricultural District . . . . .	30
"R-S" Residential Suburban District . . . . .	34
"R-1" Single-Family Dwelling District . . . . .	36
"R-2" Two-Family Dwelling District . . . . .	38
"R-3" Multiple-Family Dwelling District . . . . .	40
"M-P" Manufactured Home Park District . . . . .	43
"C-1" Central Business District . . . . .	48
"C-2" General Commercial District . . . . .	49
"1-1" Light Industrial District . . . . .	51
<b>ARTICLE V - SUPPLEMENTARY REGULATIONS . . . . .</b>	<b>54</b>
A. Accessory Uses and Structures . . . . .	54
B. Temporary Uses . . . . .	56
C. Home Occupations . . . . .	57
D. Day Care Center . . . . .	59
E. Fences, Walls and Hedges . . . . .	60
F. Private Swimming Pools . . . . .	61
G. Yard Projections . . . . .	61
<b>ARTICLE VI - SPECIAL USE PERMITS . . . . .</b>	<b>62</b>
A. General Considerations . . . . .	62
B. Procedures . . . . .	62
C. Standards for Issuance of Special Use Permits . . . . .	64
D. Additional Conditions for Particular Special Uses . . . . .	65
E. Time Limit . . . . .	67
F. Permitted Placement of a Manufactured Home . . . . .	67
<b>ARTICLE VII - SITE PLAN REVIEW . . . . .</b>	<b>69</b>
A. Intent . . . . .	69
B. Applicability . . . . .	69
C. Authority . . . . .	70
D. Submission Requirements . . . . .	70
E. Standards of Review . . . . .	73
<b>ARTICLE VIII - PARKING AND LOADING REQUIREMENTS . . . . .</b>	<b>76</b>
A. Intent and Purpose . . . . .	76
B. General Provisions . . . . .	76
C. Required Spaces . . . . .	78
D. Exception, Special Permit . . . . .	81
E. Loading and Unloading Regulations . . . . .	82



Section 10.0 - Penalties for Violation . . . . .	.137
Section 11.0 - Amendments . . . . .	.138
Section 12.0 - Definitions . . . . .	.138

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

### ARTICLE I

#### GENERAL PROVISIONS

- A. Title: This Ordinance, including the Zoning District Map incorporated by reference as if more fully set out herein, shall be known as, referred to, and cited as the "Zoning Ordinance" for the City of Plattsburg, Missouri.
- B. Purpose: The purpose of this Ordinance is to promote the comfort, health, safety, morals, prosperity, and general welfare of the citizens residing in Plattsburg by dividing such into zones and districts and prescribing regulations and restrictions on the location and use of buildings and the use of land within each district or zone.
- C. Authority: This Ordinance is adopted under the authority granted by R.S.MO 89.010. et. seq., of the Missouri Statutes and amendments thereto.
- D. Rules for Interpretation of District Boundaries:
1. Where district boundaries on the zoning map are indicated as approximately following the centerline of streets, highways, or railroads, such boundaries shall be deemed to be located at such midpoints.
  2. Where district boundaries are so indicated that they approximately follow lot lines or section lines, such lines shall be construed to be said boundaries.
  3. Where the boundary of a district follows a stream, lake or other body of water, said boundary line shall be deemed to be at the limit of the jurisdiction of the City, unless otherwise indicated.
- E. Intent: It is the general intent of this Ordinance to:
1. Regulate the use of all structures and lands in the community;

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

2. Regulate lot coverage, population density and distribution, and the location, height and size of all structures;
  3. Secure safety from fire, flooding, panic, and other dangers;
  4. Provide adequate light, air, sanitation, and drainage;
  5. Further the appropriate use of land and conservation of natural resources;
  6. Obtain the wise use, conservation, development, and protection of the City's water, soil, wet lands, woodland, and wildlife resources, and attain a balance between land uses and the ability of the natural resource base to support and sustain such uses;
  7. Stabilize and protect the beauty of the area;
  8. Encourage orderly growth while integrating new urban areas into the fabric of the community, maintaining a high quality environment, and promoting fiscal responsibility;
  9. Lessen congestion in and promote the safety and efficiency of the streets and highways;
  10. Facilitate the adequate provision of public facilities and utilities; and
  11. Bring about the gradual conformity of uses of land to the comprehensive plan and to the zoning regulations set forth in this Ordinance, and to minimize the conflicts among uses of land and buildings.
- F. Annexation of Land: The following factors should be considered as factors in finding a proposed annexation, voluntary and involuntary, reasonable and necessary:
1. There must be a need for residential, commercial or industrial sites within the proposed area;

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

2. The City is unable to meet its needs without expansion;
  3. Only needs which are reasonably foreseeable and not visionary should be considered;
  4. Past growth may be relied upon to show future necessity;
  5. In evaluating future needs, the extent to which past growth has caused the City to spill over into the proposed area should be considered;
  6. The beneficial effect of uniform application and enforcement of municipal zoning ordinances in the City and in the annexed area;
  7. The need for or the beneficial effect of uniform application and enforcement of municipal building codes;
  8. The need for or the beneficial effect of extending police protection to the annexed area;
  9. The need for or the beneficial effect of uniform application and enforcement of municipal ordinances or regulations pertaining to health;
  10. The need for and the ability of the City to extend essential municipal services into the annexed area;
  11. Enhancement in value by reason of adaptability of the land proposed to be annexed for prospective City uses; and
  12. Regularity of boundaries.
- G. Severability and Non-Liability: If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.
- H. Abrogation and Greater Restrictions:

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

1. Public Provisions: The provisions of this Zoning Ordinance are not intended to interfere with, abrogate, or annul any other City rule, regulation, statute, or other provision of law. Where any provision of this Ordinance imposes restrictions different from those imposed by any other statute, rule, regulations, or other provision of law, whichever provisions are more restrictive, or impose higher standards, shall control.
  2. Private Provisions: The provisions for this Zoning Ordinance are not intended to abrogate any easement, covenant or any other private agreement. or restriction, provided that, where the provisions of this Zoning Ordinance are more restrictive or impose higher standards or regulations than such easement, covenant, or other private agreement or restriction, the requirements of this Zoning Ordinance shall govern.
- I. Interpretation: In their interpretation and application, the provisions of this Ordinance shall be liberally construed in favor of the City and shall not be construed to be a limitation nor repeal of any other power granted by the Missouri Statutes.
- J. Reservation and Repeals: Upon the adoption of this Zoning Ordinance, the Plattsburg Zoning Ordinance, adopted June, 1972, as amended, is hereby repealed.
- K. Savings Provision: This Zoning Ordinance shall not be construed as abating any action now pending under, or by virtue of, a prior existing Zoning Ordinance, or as discontinuing, abating, modifying, or altering any penalty accruing or to accrue, or as affecting the liability of any person, firm, or corporation, or as waiving any right of the City under any section or provision existing at the time of adoption of this Ordinance, or as vacating or annulling any rights obtained by any person, firm, or corporation, by lawml action of the City, except as follows:

If the applicable regulations of this ordinance or any amendment to the ordinance after issuance of a building permit, granting of a variance or issuance of a special permit make the proposed use under such building permit, variance or special permit nonconforming as to the Use and Bulk Regulations, and no substantial construction or substantial operations for

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

non-building uses have been undertaken on the structure or foundation, or conducted for the non-building uses, within one hundred twenty (120) days after the effective date of the adoption of this Ordinance and any amendments thereto, the building permit, special permit, or variance shall be invalid. If substantial construction or substantial operations have taken place and are continuing at the time, the proposed use may be completed.

- L. Application of Regulations: No building or land shall hereafter be used or occupied, and no building or part thereof shall be erected, moved or altered unless in conformity with the regulations herein specified for the district in which it is located, and unless it is on at least one lot as herein defined, except in Industrial Districts. Each lot may be divided into two building sites by a lot split, provided each portion can meet all area, lot width, and setback regulations of the zoning district in which it is located. Each lot of record as herein defined may also support one principal building so long as it complies with all applicable zoning regulations. If more than one building site is desired, the land must be platted pursuant to the City Subdivision Regulations.
- M. Averaging Setbacks: In any residential district, where the two adjacent residences have a front yard which is less or greater than the least front yard depth prescribed elsewhere in this Ordinance, the required depth of the front yard on such lot may be modified. In such case, the front yard shall not be less than the average depth of the existing front yards on the two adjacent lots. However, in no case shall the depth of the front yard be less than ten feet and need not exceed 50 feet; and in no case shall the depth of a front yard of a corner lot be less than 25 feet.

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

### ARTICLE II

#### DEFINITIONS

A. Rules for Interpretation of Definitions:

1. Words and numbers used singularly shall include the plural and the plural, the singular. Words used in the present tense shall include the future.
2. The word "persons" includes a corporation, members of a partnership or other business organization, a committee, board, trustee, receiver, agent or other representative.
3. The word "shall" is mandatory.
4. The word "use", "occupy", or "occupied" as applied to any land or building shall be construed to include the words "intended", "arranged", or "designed" to be used or occupied.

B. Definitions: For the purpose of this Zoning Regulation, certain terms or words used herein shall be interpreted or defined as follows, unless the context clearly indicates otherwise.

Accessory Use or Building: A subordinate building or use which customarily is incidental to that of the main building or use of the premises. Customary accessory uses include, but are not limited to, tennis courts, swimming pools, garages, air conditioners, garden houses, children's play houses, barbecue ovens and fireplaces.

Alley: A dedicated public right-of-way, other than a street, which provides only a secondary means of access to abutting property, the right-of-way of which is 20 feet or less in width.

Alteration: Alteration, as applied to a building or structure, is a change or rearrangement of the structural parts of an existing building or structure.

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

Enlargement, whether by extending a side, increasing in height, or the moving from one location or position to another, shall be considered an alteration.

Anchoring System: Means a system of straps, anchors and other materials used to secure a manufactured home as approved and in accordance with the regulations of the Missouri Public Service Commission.

Animal Hospital or Clinic: An establishment where animals are admitted principally for examination, treatment, board or care by a doctor of Veterinary Medicine. (This does not include open kennels or runs.)

Apartment: (See Dwelling, Multiple.)

Basement: That portion of a building having more than one-half of its height below grade.

Bed and Breakfast: A family home, occupied as a permanent residence by the proprietor, in which lodging and meals are provided for time-limited durations to not more than four groups of patrons in a 24-hour period.

Board of Adjustments: That Board which has been created by the Governing Body having jurisdiction and which has the statutory authority to hear and determine appeals and variances to the zoning regulations.

Boarding or Lodging House: A building other than a hotel where, for compensation and by pre-arrangement for definite periods, meals, or lodging and meals, are provided for three or more persons, but not exceeding 20 persons. Individual cooking facilities are not provided.

Building: Any structure designed or intended for the enclosure, shelter or protection of persons, animals or property.

Building Height: The vertical dimension measured from the average elevation of the finished lot grade at the front of the building to the highest point of ceiling of the top story in the case of a flat roof; of the deck line of a man-

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

sard roof; and to the average height between the plate and ridge of a gable, hip or gambrel roof.

Clinic: (See Medical. Dental or Health Clinic.)

Common Open Space: An area of land or water or combination thereof planned for passive or active recreation, but does not include areas utilized for streets, alleys, driveways or private roads, off-street parking or loading areas. However, the area of recreational activities, such as swimming pools, tennis courts, shuffleboard courts, etc.. may be included as common open space.

Day Care: Care of a child away from his/her own home for any part of the 24 hour day, for compensation or otherwise. Day care may be given in a day care home or a day care center.

Day Care Center: A facility other than the provider's permanent residence, or separate from the provider's living quarters, where care is provided for children for any part of the 24 hour day, as defined in regulations issued by the State of Missouri.

Day Care Facility: A day care home or a day care center, whether known or under another title or name.

Day Care Home: A family home, occupied as a permanent residence by the day care provider, in which care is given to no more than ten children, not related to the day care provider, for any part of the 24-hour day, as defined in regulations issued by the State of Missouri.

District: A section or sections of the zoning area for which these regulations governing the use of land, the height of buildings, the size of yards, and the intensity of use are uniform.

Dog: Any canine species over six months of age.

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

Dwelling: Any building or portion thereof, except mobile homes for purposes of use regulations, which is designed and used exclusively for residential purposes.

Dwelling, Single-Family: A building having accommodations for and occupied exclusively by one family.

Dwelling, Two-Family: A building having accommodations for and occupied by two families, independently.

Dwelling, Multiple: A building having accommodations for and occupied by more than two families, independently.

Existing Structure: A structure in existence at the time of the adoption of these Regulations.

Existing Use: A use in existence at the time of the adoption of these Regulations.

Family: One or more persons related by blood, marriage or adoption, living together as a single housekeeping unit; or a group of not more than four unrelated persons living together as a single housekeeping unit; plus in either case, usual domestic servants. A family shall under no circumstances be construed as a boarding house, fraternity, or sorority house, club, lodging house, hotel or motel.

### Floor Area:

- a. For computing off-street parking requirements: Shall mean the gross floor area of the building measured from the exterior faces of the exterior walls or from the centerline of walls separating two buildings and shall include the following area:
  - 1) The basement floor area;
  - 2) The area of each floor of the structure; and

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

- 3) Attic space having head room of  $T-10''$  or more.
- b. Floor area for determining floor area ratio: As used herein shall be computed as the sum of the following areas:
- 1) The gross horizontal areas of the several buildings measured from the exterior faces of exterior walls or from the centerline of wall separating two buildings which shall include floor area utilized for stairwells or elevator shafts and floor space used for mechanical equipment (except equipment open or enclosed, located on the roof);
  - 2) Basement floor area;
  - 3) Attic space having head room of  $T-10''$  or more;
  - 4) Interior balconies and mezzanines;
  - 5) Enclosed porches;
  - 6) Floor area devoted to accessory uses; and
  - 7) Interior malls.

Floor Area Ratio: The maximum percentage of allowable floor area of a building or complex (including both principal and accessory buildings) computed by dividing the floor area of said complex or buildings by the area of the building site.

Foster Home: A residence or building occupied on a full-time basis by no more than four children, two or more of which are unrelated to the foster parent. Foster homes shall be permitted in all residential structures, the same as would a family.

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

Foundation System: Means site constructed concrete footings or runners which together with "frost footer piers" are capable of transferring design loads of the structure directly to the underlying soil and/or bedrock.

Frontage: The length of the property abutting on one side of a street measured along the dividing line between the property and the street.

Garage. Private: An accessory building designed or used for the storage of not more than four motor-driven vehicles owned and used by the occupants of the building to which it is accessory.

Garage. Public: A building or portion thereof, other than a private garage, designed or used for equipping, repairing, hiring, servicing, selling, or storing motor-driven vehicles.

Governing Body: That body having jurisdiction in the zoning area.

Group Care Home: A residence or building in which eight or fewer unrelated mentally retarded or physically handicapped persons reside, and may include two additional persons as house parents or guardians. Provided, however, that any home meeting this definition (group care home), shall generally conform to the appearance within the neighborhood constructed and, in order to maintain reasonable densities, no group care home shall be permitted within 800 feet of another group care home

Grade:

- a. For buildings having walls facing one street only, the elevation of the sidewalk at the center of the wall facing the street shall be the grade.
- b. For buildings having walls facing more than one street, the grade shall be the average of the grades (as defined in a. above) of all walls facing each street.

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

- c. For buildings having no wall facing a street, the average level of the finished surface of the ground adjacent to the exterior walls of the building shall be the grade.

Any wall approximately parallel to and not more than five feet from a street line is considered as facing the street.

Hotel: A building or portion thereof, or a group of buildings, used as a transient abiding place which may or may not serve meals and whether such establishments are designated as a hotel, inn, automobile court, motel, motor inn, motor lodge, motor court, tourist cabin, tourist court, or other similar designation.

Institution: A building occupied by a non-profit corporation or a non-profit establishment for public use.

Kennel, Breeding: Any place, area, building, or structure where more than four dogs are kept for purposes of breeding, raising, or as pets.

Kennel, Boarding: Any place, area, building, or structure where dogs (including those under one year in age) are boarded, housed, cared for, fed, or trained by other than the owner.

Lodging House: (See Boarding House.)

Lot: A parcel of land occupied or intended for occupancy by one main building or a complex of buildings together with the accessory structures and including the open spaces and parking required by this Regulation, which may include more than one lot of record or metes and bounds described tract having its principal frontage upon a public street or officially approved place.

Lot, Comer: A lot abutting upon two or more streets at their intersection.

Lot, Depth of: The mean horizontal distance between the front and the rear lot lines.

Changes in the wording of several sections of the zoning regulations. June 1992, are hereby amended to read as follows:

1. Section A: Accessory Uses and Structures, page 54: Item 1: Permitted Accessory Uses and Structures: Item C: A detached garage or other accessory structure, no greater in gross floor area than 10% of the lot area; provided that no structure exceeds 900 square feet in gross floor area and 12 feet in height at the sidewall: and, provided that in agricultural districts and residential suburban districts, accessory structures shall not exceed 1,000 square feet in gross floor area.

2. Article E, Definitions, page 12: Kennel Breeding- Any place, area, building or structure where more than two (2) dogs are kept for purposes of breeding, raising, or as pets.

INTRODUCED, READ, PASSED, SIGNED AND ADOPTED BY THE BOARD OF ALDERMEN OF THE CITY OF PLATTSBURG, MISSOURI.  
THIS 5 DAY OF SEPTEMBER, 1995.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

Lot. Double Frontage: A lot having a frontage on two non-intersecting streets, as distinguished from a corner lot.

Lot. Front: The front of a lot shall be that narrowest dimension abutting a street right-of-way. On corner lots which have two equal sides which abut on a street right-of-way, either side may be considered the front of the lot.

Lot. Rear: The rear of a lot shall be that side opposite the front of the lot.

Lot of Record: A lot which is a part of a subdivision, the plat of which has been recorded in the office of the Recorder of Deeds or a lot described by metes and bounds, the description of which has been recorded in the office of the Recorder of Deeds prior to the adoption of this Regulation.

Manufactured Home: A dwelling unit fabricated on or after June 15, 1976, in an off-site manufacturing facility for installation or assembly at the building site, bearing a seal certifying that it is built in compliance with the Federal Manufactured Housing Construction and Safety Standards Code.

Manufactured Home Construction and Safety Standards: Means the standard of a manufactured home as set forth in the Code of Federal Regulations, Title 24, Part 3280, 3283 and 42: USC 5401, ET SEQ, as mandated in the United States Department of Housing and Urban Development.

Medical, Dental, or Health Clinic: Any building designed for use by one or more persons lawfully engaged in the diagnosis, care and treatment of physical or mental diseases or ailments of human beings; including, but not limited to, doctors of medicine, dentists, chiropractors, osteopaths, optometrists, podiatrists, and in which no patients are lodged overnight, but which may include an apothecary.

Mobile Home: A transportable structure larger than 320 square feet in floor area, designed to be used as a year-round residential dwelling, and built prior to the enactment of the Federal Mobile Home Construction and Safety

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

Act of 1974, which became effective for all mobile home construction on June 15, 1976.

Manufactured Home Park: Any area, piece, parcel, tract, or plot of ground equipped as required for support of manufactured homes and offered for use by the owner or representative for manufactured home park purposes and/or ground upon which three or more manufactured homes are parked, whether for compensation or not, including all accessory uses thereof. The term "manufactured home park" does not include sales lots of which unoccupied manufactured homes are parked for the purpose of inspection and sale. See Supplementary District Regulations.

Modular Home: A manufactured residential structure built to a nationally-recognized and accepted construction standard published by the Building Officials Conference of America (BOCA) or the International Conference of Building Officials (ICBO) and the unit is inspected and certified at the factory that it meets said standard.

Nonconforming Structure: A structure which does not comply with the lot size requirements or bulk regulations applicable to new structures in the zoning district in which it is located.

Nonconforming Use: An existing use of a structure or land which does not conform with the regulations of the district in which it is situated as established by this regulation or any amendments hereto.

Nursing Home or Convalescent Home: An institution or agency licensed by the State for the reception, board, care, or treatment of three or more unrelated individuals, but not including facilities for the care and treatment of mental illness, alcoholism, or narcotics addiction.

Parking Space: An area surfaced for all-weather use including gravel, sand, or comparable material for the purpose of storing one parked automobile. For the purpose of this regulation, one parking space shall have a minimum width of nine feet and a minimum length of 20 feet. In computing off-

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

street parking, additional space shall be required for access drives for each parking space.

Place: An open, unoccupied space, other than a publicly-dedicated street or alley, permanently reserved as the principal means of access to abutting property.

Planning Commission: The Planning Commission for the City of Plattsburg.

Professional Office: Any building or part thereof used by one or more persons engaged in the practice of law, accounting, architecture, engineering, or other occupation customarily considered as a profession.

Public Utility: Any business which furnishes the general public (a) telephone service, (b) telegraph service, (c) electricity, (d) natural gas, (e) water and sewer, or (f) any other business so affecting the public interest as to be subject to the supervision or regulation by an agency of the State.

Recreational Vehicle: A vehicular-type unit built on or for use on a chassis and designed primarily as living quarters for recreational, camping, vacation or travel use and which has its own motive power or is mounted or drawn by another vehicle, and which has a body width not exceeding eight feet and a body length not exceeding 40 feet.

Restaurant: A public eating establishment at which the primary function is the preparation and serving of food.

Right-of-Way: A strip of land occupied or intended to be occupied by a street crosswalk, railroad, road, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer, or for another special use.

Salvage Yard: An area of land with or without buildings, used for collection or storage, outside a completely enclosed building, of used or discarded materials such as wastepaper, rags or scrap material; or used building materials, house furnishings, machinery, motor vehicles or parts thereof with or without the dismantling, processing, salvage, sale or other use of

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

disposition of the same. A deposit or the storage on a plot of two or more wrecked or broken-down motor vehicles or parts of two or more such motor vehicles for one week in a residential district, or for three weeks or more in any other district, shall be deemed a salvage yard.

Sanitary Landfill: A lot or parcel of land used primarily for the disposal and burial of garbage, sewage, trash, refuse, junk, discarded machinery or motor vehicles or parts thereof, or other waste.

Secretary of the Planning Commission: The Zoning Administrator or other individual appointed by the Planning Commission to perform prescribed administrative duties.

Service Station: A service station shall consist of a building or group of buildings and surfaced area where automotive vehicles may be refueled and serviced; self-service pumps without buildings shall also be included. Such services shall include tire recapping, body repairs, or major overhaul.

Sign: Any device which shall display or include any letter, word, model, banner, flag, pennant, insignia, device, or representation used as, or which is in the nature of, an advertisement or announcement which directs attention to an object, product, place, activity, person, institution, organization, or business but shall not include any display of official notice or official flag.

Skirting: Means a type of perimeter enclosure constructed of weather-resistant material which encloses the entire area from the floorjoists of the manufactured home to the ground.

Special Use Permit: A special use permit is a written permit issued by the Zoning Administrator with the written authorization of the Planning Commission. This special use permit provides permission under special conditions to make certain special uses of land in certain zoning districts as stipulated in each of the district zoning regulations.

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

Story: That portion of a building, other than a basement, included between the surface of any floor and the surface of the floor next above it. or if there be no floor above it. then the space between the floor and the ceiling next above it.

Street: A right-of-way. dedicated to the public use, which provides vehicular and pedestrian access to adjacent properties.

Street Line: A dividing line between a lot, tract, or parcel of land and the contiguous street.

### Street Network:

- a. Expressway: A street which provides fast and efficient movement of large volumes of traffic between areas and does not provide a land service function.
- b- Arterial: A street which provides for through traffic movement between and around areas which direct access to abutting pro-property. subject to necessary control of entrances, exits and curb uses.
- c. Collector: A street which provides for traffic movement between arterials and local streets, which direct access to abutting property.
- d. Local: A street which provides direct access to abutting land, and local traffic movement whether in business, industrial, or residential areas.

Structure: Anything constructed or erected, the use of which requires permanent location on the ground or attachment to something having a permanent location on the ground, but not including fences or public items such as utility poles, street light fixtures, and street signs.

Structural Alterations: Any change in the supporting members of a building, such as bearing walls or partitions, columns, beams, or girders, or any complete rebuilding of the roof or the exterior walls. For the purpose

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

of this regulation, the following shall not be considered a structural alteration:

- a. Attachment of a new front where structural supports are not changed.
- b. Addition of fire escapes where structural supports are not changed.
- c. New windows where lintels and support walls are not materially changed.
- d. Repair or replacement of non-structural members.

Tavern: An establishment in which the primary function is the public sale and serving of alcoholic beverages for consumption on the premises.

Trailer Or Recreational Vehicle: A vehicular-type unit primarily designed as temporary living quarters for recreational, camping or travel use, which either has its own motive power or is mounted on or drawn by another vehicle. Examples are travel trailers, camping trailers, truck campers, and motor homes. Mobile homes and modular homes shall not be considered trailers or recreational vehicles.

Treatment Facility for Drug and Alcohol Abuse: Any facility which is certified by the State of Missouri Division of Alcohol and Drug Abuse of the Department of Mental Health for such treatment.

Yard: A space on the same lot with a main building, open, unoccupied and unobstructed by buildings or structures from the ground upward.

Yard, Front: A yard extending across the full width of the lot, the depth of which is the least distance between the street right-of-way and the building setback line.

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

Yard, Rear: A yard extending across the full width of the lot, the depth of which is the least distance between the rear lot line and the rear setback line.

Yard, Side: A yard extending from the front yard, or front lot line where no front yard is required, to the rear yard. The width of the side yard shall be measured horizontally, between the side lot line and the furthest architectural projection of the structure.

Zone or District: A section of the zoning area for which uniform regulations governing the use, height, area, size, and intensity of use of buildings, land, and open spaces about buildings are herein established.

Zoning Administrator: The person or persons authorized and empowered by the Governing Body having jurisdiction to administer the requirements of these Zoning Regulations.

Zoning Area: The area to be zoned as set out on the official Zoning Map filed of record.

Zoning Regulations: The term "Zoning Regulations" or "this or these Regulations" shall mean the requirements stipulated in the Regulations herewith attached.

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

### ARTICLE III

#### AMENDMENTS

##### A. Procedures:

- 1- Authorlty: The Governing Body of Plattsburg may, by ordinance, amend, supplement, change, modify or repeal these Regulations and the district boundaries. No such amendment or change shall be adopted by the Governing Body until the Planning Commission has held a public hearing and submitted its recommendation.
2. Proposal of Amendments: Amendments may be initiated by the Governing Body, the Planning Commission, or, in the case of a map change, upon application by the owners of the property affected.
3. Applications: When the owner of the property affected initiates an amendment to the Regulations or the district boundaries, an application for such amendment shall be obtained from the Zoning Administrator. Said application shall be completed in its entirety and filed with the Zoning Administrator so that a public hearing date can be established.
4. Certified Ownership List: The application for an amendment shall be accompanied by an ownership list, either certified by a registered abstractor or compiled by the applicant from county records, listing the legal description and name and address of the owners of all property located within 185 feet of the boundaries of the property for which the zoning change is requested.
5. Disposition of Amendment Proposals: Upon receipt of a proposed amendment from the Governing Body or an application for an amendment from the owner of the property affected, the Planning Commission shall hold a public hearing on the proposed amendment, and forward to the Governing Body its findings and recommendations with respect to the proposed amendment.

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

### B. Hearings:

1. Public Hearing: The Planning Commission shall hold a public hearing on each proposed amendment that is referred to, filed with, or initiated by it. The Planning Commission shall select a reasonable hour and place for such public hearing, and it shall hold such hearing within 60 days from the date on which the proposed amendment is referred to, filed with, or initiated by it. An applicant for an amendment may waive the requirement that such hearing be held within 60 days.
2. Notice of Hearing: Public notice of a hearing on a proposed amendment shall be published once in the official City newspaper and at least 15 days shall elapse between the date of the publication and the date set for such hearing. Such notice shall state the date, time and place of the hearing and shall contain a statement regarding the proposed change in regulations or restrictions, or the zoning classification or zoning district boundaries of the property. If the proposed amendment would change the zoning classification of any property, or the boundaries of any zoning district, such notice shall contain the legal description and street address or general street location of such property, its present zoning classification, and the proposed classification. When a proposed amendment will affect the zoning classification of specific property, the City shall mail a written notice of the public hearing thereon, containing the same information as the published notice thereof, to the owner of all property within 185 feet of the boundaries thereof at least 15 days prior to the date of such hearing. The Planning Commission may give such additional notice to other persons as it may from time to time provide by its rules. Prior to the date of the public hearing, the applicant shall prepare a list of those owners acknowledging the receipt of the Notice of Public Hearing and submit said list to the Secretary of the Planning Commission.
3. Conduct of Hearing: The hearing shall be conducted and a record of the proceedings shall be preserved in such manner and according to such procedures as the Planning Commission may from time to time prescribe by rule. Any interested person or party may appear and be heard at the hearing in person, by agent or by attorney. The Planning Commission may

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

request a report on any proposed amendment from any governmental official or agency, or any other person, firm or corporation. If such a report is made, a copy thereof shall be made available to the applicant and any other interested persons and shall be available for review in the offices of the Planning Commission at least three days before the date set for the public hearing.

### C. Action by The Planning Commission:

1. Recommendations: Upon the conclusion of the public hearing, the Planning Commission shall prepare and adopt its recommendations and shall submit the same, together with a record of the hearing thereon, to the Governing Body. Said recommendations may be for approval, disapproval or approval in part, and reasons for the recommendation shall be included.
2. Amendments to Text: When a proposed amendment would result in a change in the text of these Regulations, but would not result in a change of zoning classification of any specific property, the recommendation of the Planning Commission shall contain a statement as to the nature and effect of such proposed amendment and determinations as to the following items:
  - a. Whether such change is consistent with the intent and purpose of these Regulations;
  - b. The areas which are most likely to be directly affected by such change and in what way they will be affected; and
  - c. Whether the proposed amendment is made necessary because of changed or changing conditions in the areas and zoning districts affected, or in the area of jurisdiction of such changed or changing conditions.
3. Amendments to Change Zoning Districts: When a proposed amendment would result in a change of the zoning classification of any specific property, the report of the Planning Commission shall contain statements as to the present classification, the classification under the proposed

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

amendment, and character of the neighborhood, the zoning and land uses of the properties nearby and findings to the following:

- a. Whether the change in classification would be consistent with the intent and purpose of these Regulations, with the City's adopted Comprehensive Plan and other adopted City policies, programs, ordinances, rules, and regulations;
- b. Whether every use that would be permitted on the property if it were reclassified would be compatible with the uses permitted on other property in the immediate vicinity; and whether the subject property is suitable for the uses to which it has been restricted;
- c. Whether adequate sewer and water facilities, and all other needed public services, exist or can be provided to serve the uses that would be permitted on the property if it were reclassified;
- d. Whether the proposed amendment would correct an error in the application of these Regulations; and
- e. Whether the proposed amendment is made necessary because of changed or changing conditions in the area affected, and, if so, the nature of such changed or changing conditions; and whether the proposed amendment provides a disproportionately great loss to the individual land owners relative to the public gain.

### D. Action by the Governing Body:

1. Receipt of Planning Commission Report and Recommendation: The Governing Body shall act only after the Planning Commission has submitted either a recommendation of approval or disapproval, or a "failure to recommend".
2. Consideration of the Planning Commission Recommendation: The Governing Body shall consider the Planning Commission's recommendation at the next regularly scheduled Governing Body meeting for which the agenda

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

item can be docketed, except that no recommendation on a zoning district amendment shall be considered by the Governing Body until 15 days after the close of the Planning Commission public hearing on such amendment.

The Governing Body shall:

- a. Approve the recommendation of the Planning Commission and adopt such recommendation by Ordinance: or
  - b. Take no further action thereon: or
  - c. Disapprove the Planning Commission's recommendations. The Governing Body may return such recommendations to the Planning Commission with a written statement specifying the basis for disapproval, and such recommendation shall be reconsidered by the Planning Commission at its next regularly scheduled meeting; or
  - d. Take such action as it deems appropriate In the event the Planning Commission submits a "failure to recommend" to the Governing Body.
3. Reconsideration by the Governing Body: The Governing Body, upon receipt of a second recommendation from the Planning Commission, may adopt or may revise or amend and adopt such recommendation by ordinance; or it need take no further action thereon. If the Planning Commission fails to deliver its second recommendation to the Governing Body within 15 days after receipt of the Governing Body's statement specifying disapproval, the Governing Body shall consider such Inaction on the part of the Planning Commission as a resubmission of the original recommendations and proceed accordingly.
4. Inaction by Governing Body: If a proposed amendment is considered by the Governing Body but not acted upon finally within 120 days of the date when the Planning Commission report and recommendation was considered, such proposed amendment shall be deemed to have been deni-

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

ed, unless the applicant for such amendment shall have consented to an extension of such period in time.

- E. Protest: In case of a protest against any amendment, duly signed and acknowledged by the owners of 30 percent or more, either of the areas of the land (exclusive of streets and alleys) included in such proposed change or within an area determined by lines drawn parallel to and 185 feet distant from the boundaries of the district proposed to be changed, such amendment shall not become effective except by the favorable vote of two-thirds of all the members of the Board of Aldermen of the City of Plattsburg.
- F. Approved Action: If the Governing Body approves an application, it shall adopt an ordinance to that effect.

If the official zoning map has been adopted by reference, the amending ordinance shall define the change or boundary as amended, shall order the official zoning map to be changed to reflect such amendment, and shall amend the section of the Regulation incorporating the same and shall reincorporate such map as amended.

- G. Fees: For the purpose of wholly or partially defraying the costs of the amendment proceedings, including publication costs, a fee in the amount of \$100.00 shall be paid upon the filing of each application for a change of district boundaries or classifications.

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

### ARTICLE IV

#### DISTRICTS AND BOUNDARIES

- A. District Classifications: In order to classify, regulate, and restrict the location of trades, industries, and the location of buildings designed for specified uses: to regulate and limit the height and bulk of buildings; to regulate and limit the intensity of the use of lots; to regulate and determine the area of yards and other open space surrounding buildings; and to regulate and restrict the density of population, the Zoning Area is hereby divided into districts designated as follows:

"A-G" Agricultural District  
"R-S" Residential Suburban District  
"R-1" Single-Family Dwelling District  
"R-2" Two-Family Dwelling District  
"R-3" Multiple-Family Dwelling District  
"M-P" Manufactured Home Park District  
"C-1" Central Business District  
"C-2" General Commercial District  
"I-1" Light Industrial District

- B. District Zoning Map: The boundaries of the districts are shown on the map and/or sections thereof attached hereto and made a part of this Regulation, which map is designated as the District Zoning Map. The District Zoning Map and all the notations, references, and other information shown thereon are a part of this Regulation and have the same force and effect as if said map and all the notations and references, and other information shown thereon, were all fully set forth or described herein. The District Zoning Map is properly attested and is on file in the office of the Clerk having jurisdiction.
- C. Annexation Rule: Before final reading of an ordinance annexing any parcel or parcels of land to the City of Plattsburg, the Governing Body shall approve on second reading the zoning of said parcels in accordance with the amendment provisions of these Regulations. The annexation ordinance may then be finally read and approved and shall be followed immediately by the final reading and approval

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

of the zoning map amendment. No building permit shall be issued by the City until said annexed land is zoned in accordance with these Regulations.

D. Rules Where Uncertainty May Arise: Where uncertainty exists with respect to the boundaries of the various districts shown on the map accompanying and made a part of this Regulation, the following rules apply:

1. The district boundaries are the centerline of either streets or alleys unless otherwise shown.
2. Where the property has been or may hereafter be divided into blocks and lots, the district boundaries shall be construed to be the lot lines, and where the districts designated on the map accompanying and made a part of this Regulation are bounded approximately by lot lines, the lot lines shall be construed to be the boundary of the district unless the boundaries are otherwise indicated on the map.
3. In unsubdivided property, the district boundary lines on the map accompanying and made a part of this Regulation shall be determined by the use of the scale appearing on the map.

E. Exemptions: The following structures and uses shall be exempt from the provisions of these Regulations:

1. Poles, wires, cables, conduits, vaults, laterals, pipes, mains, valves, or other similar equipment for the distribution to consumers of telephones and other communications, electricity, gas, or water, or the collection of sewage or surface water operated or maintained by a public utility, but not including substations located on or above the surface of the ground.
2. Railroad tracks, signals, bridges, and similar facilities and equipment located on a railroad right-of-way, and maintenance and repair work on such facilities and equipment.

F. Minimum Dwelling Size: The minimum size of a single family detached residential dwelling shall be no less than 850 square feet.

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

### "A-G" AGRICULTURAL DISTRICT

SECTION 1. INTENT AND PURPOSE OF DISTRICT. It is the intent of the "A-G" Agricultural District to protect limited agricultural uses in the zoning district, including certain agricultural production and services, but not including livestock production, through control and density, land use, and land coverage.

SECTION 2. DISTRICT REGULATIONS. In District "A-G", no structure or land shall be used, and no structure shall be altered, enlarged, or erected, which is arranged, intended, or designed for other than one of the uses listed in the Use Regulations.

SECTION 3. PERMITTED USES. Agricultural production and services, as permitted in Appendix A of these regulations, and as follows:

1. General agricultural operations, but this shall not include or permit:
  - a. The spreading, accumulation, feeding, or use of garbage in any manner on the open surface of the land.
  - b. A use or activity engaged in within 300 feet of a residential or retail business structure if such use or activity results in continuous odor, dust, or noise.
  - c. The construction of agricultural buildings or structures closer than 90 feet to the centerline of a principal public way.
2. Single-family dwellings on land which is used or intended to be used only for agricultural purposes.
3. Public parks, playgrounds, recreation areas, and community buildings owned and operated by a public agency.
4. Churches, synagogues, and similar places of worship.

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

5. Farms and ranches,
6. Golf courses, except miniature and pitch and putt golf courses and driving tees operated for commercial purposes.
7. Greenhouses and nurseries.
8. Institutions of higher learning, including dormitory accommodations, when located on the same tract as the educational buildings.
9. Home occupations.
10. Public buildings, including libraries and museums.
11. Accessory buildings and uses customarily incidental to any of the above.
12. Keeping of horses and cattle subject to the following minimum sanitation and odor practices. (The intent is to establish a healthful environment around the boarding area.)

### Operations:

- 1) Livestock shall be kept at a density no greater than one animal on one acre of land.
- 2) Manure shall be removed or disposed of in one of the following manners:
  - a) Spraying and spreading on land followed by discing or plowing.
  - b) Grinding or dehydrating in properly designed dehydrators.
  - c) Stockpiling in a compost in an isolated area at least from 1,000 feet from a residential area.

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

### Drainage:

- 1) All .ground surfaces within pens shall be so graded and compacted to ensure proper drainage.
  - 2) Surface runoff shall be so controlled that no appreciable amount of soil and manure is carried into any roadway ditch or drainage area where it will deposit and form sludge banks where flies and mosquitoes can breed.
13. The Board of Aldermen may authorize, upon recommendation from the Planning Commission, the following exceptions by special use permit. subject to such conditions as the Board deems necessary to include, but not restricted to, proper setbacks, landscaping, screening, fencing, maintenance provisions, and other similar requirements:
- a. Airports and heliports.
  - b. Cemetery, crematory or mausoleum.
  - c. Hospitals, isolation homes, penal institutions, sanitariums, or asylums for the insane or feeble-minded.
  - d. Development of natural resources and extraction of raw materials such as rock, gravel, sand, etc.
  - e. Nursing and care homes subject to inspection and license requirements.
  - f. Seasonal or temporary uses such as recreation camp or similar enterprises.
  - g. Telephone exchange, electric substations, or similar public utilities.
  - h. Any public building or land used by any department of the City, County, State, or Federal Government.

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

- i. Exploration and extraction of oil and natural gas.
- j. Public or parochial schools, elementary, junior high and high schools, and private schools with equivalent curriculum.
- k. Bed and breakfast establishments.
- l. Radio or television transmitters.
- m. Stands for the sale, at retail, of agricultural products or commodities raised on the premises.
- n. Privately-owned parks, playgrounds, golf courses, or other outdoor recreational areas, such as campgrounds, youth camps, gun clubs, and archery, trap and skeet ranges.
- o. Riding stables and academies, providing no structure housing horses shall be located nearer than 600 feet to the boundary of any residential district.

SECTION 4. INTENSITY OF USE REGULATIONS. Areas used for non-agricultural dwelling shall meet the following intensity requirements:

- 1. Minimum Lot Area: 5 acres.
- 2. Minimum Lot Width: 330 feet.
- 3. Maximum Lot Coverage: N/A

SECTION 5. HEIGHT REGULATIONS. No building or structure shall exceed the following height restrictions:

- 1. When the building or structure is within 150 feet of a residential district zone, said building or structure shall not exceed 35 feet in height.

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

2. When the building or structure is more than 150 feet from a residential district zone, said building shall not exceed 80 feet in height.
3. Public and semi-public buildings, public service and institutional buildings, hospitals, schools, churches, and similar places of worship are permitted two feet of additional height for each one foot of additional front building setback.

### SECTION 6. YARD REGULATIONS.

1. Front Yard: The front yard shall be a minimum of 30 feet in depth measured from the front lot line or, on collector streets, measured 80 feet from the centerline of the street or, on arterial streets, measured 100 feet from the centerline of the street, whichever front yard setback would be greater.
- 2- Side Yard: There shall be a side yard of not less than 15 feet on each side of every single-family dwelling and accessory use. All other permitted and conditional uses shall provide a minimum side yard of 25 feet.
- 3- Rear Yard: There shall be a rear yard of not less than 40 feet.

### SECTION 7. PARKING REGULATIONS. (See the Article on Parking and Loading Regulations.)

### SECTION 8. SIGN REGULATIONS. (See the Article on Sign Regulations.)

## "R-S" RESIDENTIAL SUBURBAN DISTRICT

SECTION 1. INTENT AND PURPOSE OF DISTRICT. It is the intent of the "R-S" Residential Suburban District to control subdivision and density of development of land for residential and other non-commercial purposes where such uses are not or cannot be connected to a public sewer and/or a public water supply.

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

SECTION 2. DISTRICT REGULATIONS. In District "R-S," no structure or land shall be used, and no structure shall be erected, altered, or enlarged which is arranged, intended, or designed for other than one of the uses listed in the Permitted Uses.

SECTION 3. PERMITTED USES. Single-family residences and related public and semi-public uses are permitted. For a specific listing of permitted and conditionally permitted uses, see Appendix A of these Regulations.

SECTION 4. INTENSITY OF USE REGULATIONS. Except as hereinafter provided, all dwellings hereafter erected, enlarged, or reconstructed shall be located upon lots containing the following areas:

1. Every lot served with public sanitary sewers and public water system shall have an area of not less than one-half acre and a lot width of not less than 100 feet. (Comer lots shall not be less than 120 feet in width.)
2. Every lot not served with a public sanitary sewer shall have a lot area of not less than two acres and a lot width of not less than 200 feet.

SECTION 5. HEIGHT REGULATIONS. No building shall exceed 35 feet in height, except that public and semi-public buildings, public service and institutional buildings, hospitals, schools, churches, and similar places of worship are permitted two feet of additional height for each one foot of additional building setback.

SECTION 6. YARD REGULATIONS.

1. Front Yard: The front yard shall be a minimum of 50 feet in depth measured from the front lot line or, on collector streets, measured 85 feet from centerline of the street or, on arterial streets, measured 95 feet from the centerline of the street, whichever front yard setback would be greater.
2. Side Yard: There shall be a side yard on each side of every single-family dwelling and accessory use which shall be not less than 25 feet in width, and all other permitted and conditional uses shall provide a 50-foot side yard.
3. Rear Yard: There shall be a rear yard of not less than 50 feet.

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

SECTION 7. LOADING AND UNLOADING REGULATIONS. (See the Article on Parking and Loading Regulations.)

SECTION 8. PARKING REGULATIONS. Off-street parking is not required in this district for existing structures. Any new structures shall comply with the requirements of the Article on Parking and Loading Regulations.

SECTION 9. SIGN REGULATIONS. (See the Article on Sign Regulations.)

### "R-1" SINGLE-FAMILY DWELLING DISTRICT

SECTION 1. INTENT AND PURPOSE OF DISTRICT. The "R-1" Single-Family Dwelling District is established for the purpose of low-density, single-family dwelling control and to allow certain public facilities. It is intended that no uses be permitted in this district that will tend to interfere with the health, safety, order, or general welfare of persons residing in the district or to devalue property for residential purposes. Regulations are intended to control density of population and to provide adequate open space around buildings and structures in the district to accomplish these purposes. This district varies from "R-S" primarily by the Intensity of Use and Yard Regulations.

SECTION 2. DISTRICT REGULATIONS. In District "R-1", no structure or land shall be used, and no structure shall be erected, altered, or enlarged which is arranged, intended, or designed for other than one of the uses listed in the Use Regulations.

SECTION 3. PERMITTED USES. Single-family residences and related public and semi-public uses are permitted. For a specific listing of permitted and conditionally permitted uses, see Appendix A of these Regulations.

SECTION 4. INTENSITY OF USE REGULATIONS. Every lot or tract of land shall have an area of not less than 9,000 square feet and an average width of not less than 80 feet. (Corner lots shall be not less than 100 feet in width.)

SECTION 5. HEIGHT REGULATIONS. No building shall exceed 35 feet in height.

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

### SECTION 6. YARD REGULATIONS.

1. Front Yard:

- a. The front yard shall be a minimum of 25 feet in depth measured from the front lot line: or on collector streets 70 feet measured from the centerline of the street; or on arterial streets 80 feet measured from the centerline of the street, whichever front yard setback would be greater.
- b. Where lots have double frontage, the required yard shall be provided on both streets.
- c. Where a lot is located at the intersection of two or more streets, there shall be a front yard on each street side of a corner lot; provided, however, that the buildable width of a lot of record at the time of the passage of this Regulation need not be reduced to less than 35 feet, except where necessary to provide a yard along the side street with a depth of not less than five feet. No accessory building shall project beyond the front yard line on either street.

2. Side Yard:

- a. There shall be a side yard having a width of not less than eight feet on each side of the principal and accessory residential buildings.
- b. Whenever a lot of record existing at the time of the passage of this Regulation has a width of 50 feet or less, the side yard on each side of a building may be reduced to a width of not less than ten percent of the width of the lot, but in no instance shall it be less than three feet.

3. Rear Yard: There shall be a rear yard having a depth of not less than 20 feet or 20 percent of the depth of the lot, whichever is smaller.

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

SECTION 7. LOADING AND UNLOADING REGULATIONS. (See the Article on Parking and Loading Regulations.)

SECTION 8. PARKING REGULATIONS: Off-street parking is not required in this district for existing structures. Any new structures shall comply with the requirements of the Article on Parking and Loading Regulations.

SECTION 9. SIGN REGULATIONS. (See the Article on Sign Regulations.)

### R-2" TWO-FAMILY DWELLING DISTRICT

SECTION 1. INTENT AND PURPOSE OF DISTRICT. The "R-2" Two-Family Dwelling District is intended for the purpose of allowing a slightly higher density than in District "R-1", yet retain the residential qualities. This district allows duplex uses, single-family homes, home occupations, certain community facilities, and certain special uses.

SECTION 2. DISTRICT REGULATIONS. In District "R-2". no structure or land shall be used, and no structure shall be erected, altered, or enlarged which is arranged, intended, or designed for other than one of the uses listed in the Use Regulations.

SECTION 3. PERMITTED USES. Single-family residences, two-family residences, and related public and semi-public uses are permitted. For a specific listing of permitted and conditionally permitted uses, see Appendix A of these Regulations.

SECTION 4. INTENSITY OF USE REGULATIONS. Except as hereinafter provided, all dwellings hereafter erected, enlarged, or reconstructed shall be located upon lots containing the following area:

1. A lot on which there is erected a single-family dwelling shall contain an area of not less than 7,500 square feet per family and an average width of 50 feet. (Comer lots shall be not less than 70 feet in width.)

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

2. A lot on which there is erected a two-family dwelling shall contain an area of not less than 5,000 square feet per family except that a lot of record at the time of the adoption of this Regulation may contain an area of not less than 3,000 square feet per family.
3. On the effective date of this Regulation where a lot or tract has less area than herein required and its boundary lines, along their entire length, touched lands under other ownership, such lot or tract may be used for a single-family dwelling.

SECTION 5. HEIGHT REGULATIONS. No building or structure shall exceed 35 feet in height.

SECTION 6. YARD REGULATIONS.

1. Front Yard:

- a. The front yard shall be a minimum of 25 feet in depth measured from the front lot line; or on collector streets 70 feet measured from the centerline of the street; or on arterial streets 80 feet measured from the centerline of the street, whichever front yard setback would be greater.
- b. Where lots have a double frontage, the required front yard shall be provided on both streets.
- c. Where a lot is located at the intersection of two or more streets, there shall be a front yard on each street side of a corner lot, except that the buildable width of such a lot shall not be reduced to less than 28 feet, except where necessary to provide a yard along the side street with a depth of not less than five feet. No accessory building shall project beyond the front yard line of either street.

2. Side Yard:

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

- a. There shall be a side yard on each side of the principal and accessory residential buildings having a width of not less than five feet.
- b. Whenever a lot of record existing at the time of the passage of this Regulation has a width of less than 50 feet, the side yard on each side of a building may be reduced to a width of not less than ten percent of the width of the lot, but in no instance shall it be less than three feet.

- 3- Rear Yard: There shall be a rear yard having a depth of not less than 20 feet or 20 percent of the depth of the lot, whichever amount is smaller.

SECTION 7. LOADING AND UNLOADING REGULATIONS. (See the Article on Parking and Loading Regulations.)

SECTION 8. PARKING REGULATIONS. Off-street parking is not required in this district for existing structures. Any new structures shall comply with the requirements of the Article on Parking and Loading Regulations.

SECTION 9. SIGN REGULATIONS. (See the Article on Sign Regulations.)

### "R-3" MULTIPLE-FAMILY DWELLING DISTRICT

SECTION 1. INTENT AND PURPOSE OF DISTRICT. The "R-3" Multiple-Family Dwelling District is intended for the purpose of allowing high residential density land use with the co-mingling of compatible single-family and two-family dwellings, apartments, home occupations, community facilities and certain uses, yet retain the basic residential quality.

SECTION 2. DISTRICT REGULATIONS. In District "R-3", no structure or land shall be used, and no structure altered, enlarged, or erected which is arranged, intended, or designed for other than one of the uses listed in the Use Regulations.

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

SECTION 3. PERMITTED USES. Single-, two-, and multi-family dwellings, nursing homes and boarding houses are permitted. For a specific listing of permitted and conditionally permitted uses, see Appendix A of these Regulations.

SECTION 4. INTENSITY OF USE REGULATIONS. Except as hereinafter provided, all dwellings hereafter erected, enlarged, relocated, or reconstructed shall be located upon lots containing the following areas:

1. A lot on which there is erected a single-family dwelling shall contain an area of not less than 6,500 square feet. No lot shall be less than 50 feet In width; corner lots shall be not less than 70 feet In width.
2. A lot on which there is erected a two-family dwelling shall contain an area of not less than 3,000 square feet per family. No lot shall be less than 60 feet in width; corner lots shall be not less than 80 feet in width.
3. A lot on which there is erected a multiple-family dwelling shall contain an area of not less than 5,000 square feet, or 2,500 square feet per family, whichever area is the larger, except that this Regulation shall not apply to dormitories or rooming and lodging houses where no cooking is done in individual rooms or apartments. The Board of Adjustments may increase the intensity of use for multiple-family dwellings by one residential unit, if all of the following conditions can be met:
  - a. There is sufficient land area on the site to meet all other requirements, including parking and setbacks;
  - b. The additional unit permits a more economical design (e.g.. an eight-plex rather than a seven-plex); and
  - c. The variance may be used to achieve an even number of units, only.
4. Where a single lot of record, as defined in the Definitions Section of this Regulation, has less area than herein required and was recorded prior to the effective date of this Regulation, that lot may be used only for single-family dwelling purposes.

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

5. Multiple-family uses shall not cover more than 40 percent of the lot area.

SECTION 5. HEIGHT REGULATIONS. No building shall exceed 45 feet in height, except that for each one foot of additional front yard provided, two additional feet of height will be permitted.

## SECTION 6. YARD REQUIREMENTS.

### 1. Front Yard:

- a. The front yard shall be a minimum of 25 feet in depth measured from the front lot line; or on collector streets 70 feet measured from the centerline of the street; or on arterial streets 80 feet measured from the centerline of the street, whichever front yard setback would be greater.
- b. Where a lot or lots have double frontage, the required front yard shall be provided on both streets.
- c. Where a lot is located at the intersection of two or more streets, there shall be a front yard on each street side of the corner lot, except the buildable width of such lot shall not be reduced to less than 28 feet, except where necessary to provide a yard along the side street with a depth of not less than five feet. No accessory building shall project beyond the front yard line of either street.

### 2- Side Yard:

- a. There shall be a side yard on each side of a building 35 feet high or less having a width of not less than five feet.
- b. There shall be a side yard having a width of not less than ten feet on each side of a building in excess of 35 feet in height.

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

- 3- Rear Yard: There shall be a rear yard for buildings in this district which shall have a depth of not less than 20 feet or 20 percent of the depth of the lot, whichever is the smaller.

SECTION 7. LOADING AND UNLOADING REGULATIONS. (See the Article on Parking and Loading Regulations.)

SECTION 8. PARKING REGULATIONS. Off-street parking is not required in this district for existing structures. Any new structures shall comply with the requirements of the Article on Parking and Loading Regulations.

SECTION 9. SIGN REGULATIONS. (See the Article on Sign Regulations.)

SECTION 10. SITE PLAN REVIEW. Development in the R-3 District shall be subject to site plan review requirements and procedures.

### "M-P" MANUFACTURED HOME PARK DISTRICT

SECTION 1. INTENT AND PURPOSE OF DISTRICT. It is the intent of the "M-P" Manufactured Home Park District to permit low density manufactured home uses in a park-like atmosphere where such zones are recommended by the Planning Commission and approved by the Governing Body.

SECTION 2. DISTRICT REGULATIONS. In District "M-P", no structure or land shall be used and no structure shall be altered, enlarged, or erected which is arranged, intended, or designed for other than independent manufactured homes or independent trailer house coaches and accessory service buildings.

SECTION 3. USE REGULATIONS.

1. Manufactured home parks (for residential purposes only).

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

2. Manufactured home subdivisions (for residential purposes only).
3. Churches, synagogues, and other similar places of worship.
4. Public and parochial schools.
5. Home occupations.
6. Accessory buildings and uses.

SECTION 4. GENERAL REQUIREMENTS. The manufactured home park shall have private streets, and the tracts shall be held in the ownership of the park applicant or his successor. (The individual occupants other than said applicant cannot purchase and own said tracts.) A manufactured home park must meet the following regulations and must show evidence of same by acquiring an annual license for each manufactured home park and renew same each year.

1. The tract to be used for a manufactured home park shall be not less than two acres.
2. The applicant of the manufactured home park must satisfy the Planning Commission that he is financially able to carry out the proposed plan and shall prepare and submit a schedule of construction, which construction shall commence within a period of two years following the approval by the Planning Commission and shall be completed within a period of five years.
3. The applicant for a manufactured home park shall prepare or cause to be prepared a development plan and shall present three copies of said plan for review by the Planning Commission and Governing Body. This plan shall show the proposed development which shall conform with the following requirements:
  - a. The park shall be located on a well-drained site, properly graded to ensure rapid drainage and freedom from stagnant pools of water.

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

- b. Manufactured home parks hereafter approved shall have a maximum density of eight trailers per gross acre and a minimum space of 4,000 square feet shall be provided for each trailer.
- c. Each manufactured home space shall be at least 35 feet wide and clearly defined.
- d. Manufactured homes shall be so located on each space that there shall be no less than a five-foot setback from any manufactured home space boundary and that there shall be at least a 20-foot clearance between manufactured homes; provided, however, that with respect to manufactured homes parked end-to-end, the end-to-end clearance shall not be less than 15 feet. No manufactured home shall be located closer than 25 feet from any building within the park or from any property line bounding the park.
- e. All manufactured home spaces shall front upon a private roadway of not less than 27 feet in width, which shall have unobstructed access to a public street, alley, or highway. Thirty feet of private roadway shall be required where parking is allowed in the roadway.
- f. Walkways not less than 30 inches wide shall be provided from the manufactured home spaces to the service buildings.
- g. All roadways and walkways within the manufactured home park shall be hard-surfaced and adequately lighted at night with electric lamps.
- h. Laundry facilities may be provided in a service building.
- i. A recreation area shall be provided at a central location in the manufactured home park area at the rate of 200 square feet for each trailer space up to five trailers, thence 100 square feet per trailer thereafter.

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

- j. A solid or semi-solid fence or wall at least six feet high, but not more than eight feet high, and a ten-foot landscaped buffer which shall consist of trees, shrubs, evergreens, and grass shall be provided between the manufactured home park district and any adjoining property or property immediately across the street which is zoned for residential purposes. Said fence or wall shall be placed a minimum of ten feet from the boundary of the "M-P" District (the interior line of the ten-foot landscape buffer) and shall not be reduced in height, but shall be so located as to observe the intersection sight triangle as defined by this Regulation. The fence or wall and landscape buffer shall be properly policed and maintained by the owner.
- k. A manufactured home park shall not be used for other than residential purposes. Manufactured homes may be offered for sale in the manufactured home park only by resident owners.
- l. Skirting: Each manufactured home shall be skirted within 60 days after placement in the park by enclosing the open area under the unit with a material that is compatible with the exterior finish of the manufactured home and is consistent with the quality of development of the park.
- m. Blocking: All manufactured homes shall be blocked at a maximum of ten-foot centers around the perimeter of each manufactured home, and this blocking shall provide 16 inches bearing upon the stand.
- n. Tie-downs and ground anchors shall secure all manufactured homes to the ground. Anchors shall be provided at least at each corner of the manufactured home, and each anchor shall be able to withstand a tension force of at least 4,800 pounds. The cable or other device connecting the manufactured home and anchor shall be able to withstand a tension of at least 4,800 pounds.

### SECTION 5. SERVICE BUILDINGS.

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

1. Service buildings, if provided, housing sanitation and laundry facilities, or any such facilities, shall be permanent structures complying with all applicable regulations and statutes regulating buildings, electrical installations, and plumbing and sanitation systems.
2. All service buildings, if provided, and the grounds of the park shall be maintained in a clean, slightly condition and kept free of any condition that will menace the health of any occupant or the public or constitute a nuisance.
3. Service buildings and parking related to the service operations shall not occupy more than five percent of the area of the park and shall be located, designed, and intended to serve frequent trade or service needs of persons residing in the park and shall present no visible evidence of their commercial character from any portion of any residential district outside the park.

SECTION 6. LOADING AND UNLOADING REGULATIONS. (See the Article on Parking and Loading Regulations.)

SECTION 7. PARKING REGULATIONS. Off-street parking is not required in this district for existing structures. Any new structures shall comply with the requirements of the Article on Parking and Loading Regulations.

SECTION 8. SIGN REGULATIONS. (See the Article on Sign Regulations.)

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

### "C-1" CENTRAL BUSINESS DISTRICT

SECTION 1. INTENT AND PURPOSE OF DISTRICT. The "C-1" Central Business District is intended for the purpose of grouping retail merchandising activities into a concentrated area servicing the general shopping needs of the trade area. Principal permitted uses include department stores, apparel stores, general retail sales and services, and similar uses appropriate for comparison shopping. The grouping is intended to strengthen the business level of the central business activity.

SECTION 2. DISTRICT REGULATIONS. In District "C-1", no structure or land shall be used, and no structure shall be altered, enlarged, or erected which is arranged, intended, or designed for other than one of the uses listed in the Use Regulations.

SECTION 3. PERMITTED USES. The retailing of goods and services, public and semi-public uses, and family residences are permitted. For a specific listing of permitted and conditionally permitted uses, see Appendix A of these Regulations.

SECTION 4. INTENSITY OF USE REGULATIONS. No requirement, except those to meet fire regulations.

SECTION 5. HEIGHT REGULATIONS. A building may be erected to any height not in conflict with other regulations.

SECTION 6. YARD REGULATIONS.

1. Front Yard: No front yard is required for any building in the "C-1" Central Business District.
2. Side Yard: No side yard is required for any building in the "C-1" Central Business District.
3. Rear Yard: No rear yard is required for any building in the "C-1" Central Business District.

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

SECTION 7. LOADING AND UNLOADING REGULATIONS. (See the Article on Parking and Loading Regulations.)

SECTION 8. PARKING REGULATIONS. Off-street parking is not required in this district for existing structures. Any new structures shall comply with the requirements of the Article on Parking and Loading Regulations.

SECTION 9. SIGN REGULATIONS. (See the Article on Sign Regulations.)

SECTION 10. SITE PLAN REVIEW. Development in the C-1 District shall be subject to site plan review requirements and procedures.

### "C-2" GENERAL COMMERCIAL DISTRICT

SECTION 1. INTENT AND PURPOSE OF DISTRICT. The "C-2" General Commercial District is intended for the purpose of allowing basic retail, service, and office uses in addition to those normally permitted in neighborhood centers. This district is also intended to provide locations for commercial activity that do not require a central location downtown but do require a location easily accessible to the downtown shoppers. Business uses needing large floor area, particularly those of a service nature not compatible with Central Business District uses, are included in this district.

SECTION 2. DISTRICT REGULATIONS. In District "C-2", no structure or land shall be used, and no structure shall be altered, enlarged, or erected which is arranged, intended, or designed for other than one of the uses listed in the Use Regulations.

SECTION 3. PERMITTED USES. The retailing of goods and services, restaurants and educational and religious uses are permitted. For a specific listing of permitted and conditionally permitted uses, see Appendix A of the Regulations.

SECTION 4. INTENSITY OF USE REGULATIONS.

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

1. No requirements for commercial uses in this district, except to meet fire regulations.
2. Fifteen hundred (1,500) square feet of lot area shall be required for each apartment built above ground floor.

SECTION 5. HEIGHT REGULATIONS. No building shall exceed 45 feet in height.

SECTION 6. YARD REGULATIONS.

- <sup>1</sup> • Front Yard: The front yard shall be minimum of 25 feet in depth measured from the front lot line or, on collector streets, measured 65 feet from the centerline of the street or, on arterial streets, measured 75 feet from the centerline of the street, whichever front yard setback would be greater.
2. Side Yard: None required, except adjacent to residential land uses, then the side yard shall be five feet. Existing uses otherwise complying shall not be required to provide a side yard.
3. Rear Yard: None required, except adjacent to residential land uses, then the rear yard shall be 15 feet. Existing uses otherwise complying shall not be required to provide a rear yard.
4. Landscaping and Screening:
  - a. A solid or semi-solid fence or wall no more than four feet high in a front yard, and at least six feet high in a side or rear yard, shall be provided adjacent to any adjoining residential district; however, in the event the adjacent residential district and the commercial development are separated by a public right-of-way, a landscape buffer ten feet deep which shall consist of trees, shrubs, and evergreens shall be provided along the property line and maintained by the owner or owners of the property in the "C-2" District.
  - b. A landscape strip of trees, shrubs, evergreens, or other suitable planting material not less than ten feet in width shall be installed

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

and properly maintained by the owner when the district is across the street from a residential district.

SECTION 7. LOADING AND UNLOADING REGULATIONS. (See the Article on Parking and Loading Regulations.)

SECTION 8. PARKING REGULATIONS. Off-street parking is not required in this district for existing structures. Any new structures shall comply with the requirements of the Article on Parking and Loading Regulations.

SECTION 9. SIGN REGULATIONS. (See the Article on Sign Regulations.)

SECTION 10. SITE PLAN REVIEW. Development in the C-2 District shall be subject to site plan review requirements and procedures.

### "1-1" LIGHT INDUSTRIAL DISTRICT

SECTION 1. INTENT AND PURPOSE OF DISTRICT. The "1-1" Light Industrial District is intended for the purpose of allowing certain industrial uses which do not:

1. Require intensive land coverage;
2. Generate large volumes of vehicular traffic; or
3. Create obnoxious sounds, glare, dust, or odor.

Height and land coverage are controlled to ensure compatibility with adjoining uses.

SECTION 2. DISTRICT REGULATIONS. In District "1-1", no structure or land shall be used, and no structure shall be altered, enlarged, or erected which is arranged, intended, or designed for other than one of the uses listed in the Use Regulations.

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

SECTION 3. PERMITTED USES. Warehousing, wholesaling, service centers and repair uses to include, but not limited to. repair of large appliances and automobiles, are permitted. For a specific listing of permitted and conditionally permitted uses, see Appendix A of these Regulations.

SECTION 4. INTENSITY OF USE REGULATIONS. A building, structure or use allowed in this district may occupy all that portion of the lot except for that area required for off-street parking and off-street loading and unloading and their access roads and except as provided in the Yard Regulations.

SECTION 5. HEIGHT REGULATIONS.

1. When a building or structure is within 150 feet of a residential district zone, said building or structure shall not exceed 45 feet in height.
2. When a building or structure is more than 150 feet from a residential district zone, said building or structure shall not exceed 75 feet in height.

SECTION 6. YARD REGULATIONS.

1. Front Yard:
  - a. The front yard shall be a minimum of 50 feet in depth measured from the front lot line or, on collector streets, measured 90 feet from the centerline of the street or, on arterial streets, measured 1.00 feet from the centerline of the street, whichever front yard setback would be greater.
  - b. Where a lot or lots have double frontage, the required front yard shall be provided on both streets.
  - c. Where a lot is located at the intersection of two or more streets, there shall be a front yard on each street side of the corner lot, except the buildable width of such lot shall not be reduced to less than 28 feet, except where necessary to provide a yard on the side street not less than 25 feet in width.

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

- d. No accessory building shall project beyond the front yard line on either street.
2. Side Yard: There shall be a side yard on each side of a building, and said side yard shall not be less than 30 feet.
3. Rear Yard: There shall be a rear yard for buildings in this district, which rear yard shall have a depth of not less than 50 feet or 20 percent of the depth of the lot, whichever is the smaller.
4. Landscaping and Screening: A solid or semi-solid fence or wall at least six feet high, but not more than eight feet high, shall be provided adjacent to any adjoining district; however, in the event the adjacent residential district and the industrial development are separated by a public right-of-way, a ten-foot landscape buffer which shall consist of trees, shrubs, and evergreens shall be provided along the property line and maintained by the owner or owners of this property in the "I-1" District.

SECTION 7. LOADING AND UNLOADING REGULATIONS. (See the Article on Parking and Loading Regulations.)

SECTION 8. PARKING REGULATIONS. (See the Article on Parking and Loading Regulations.)

SECTION 9. SIGN REGULATIONS. (See the Article on Sign Regulations.)

SECTION 10. SITE PLAN REVIEW. Development in the I-1 District shall be subject to site plan review requirements and procedures.

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

### ARTICLE V

#### SUPPLEMENTARY REGULATIONS

A. Accessory Uses and Structures: Accessory uses and structures shall be subject to setback requirements as prescribed in the district regulations except as provided in this section. The following permitted accessory uses and structures shall be allowed in any zoning district in connection with any permitted principal use:

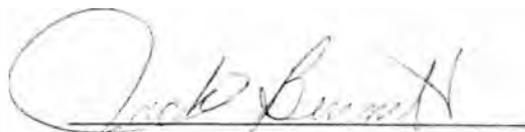
1. Permitted accessory uses and structures include, but are not limited to, the following:
  - a. A structure for storage incidental to a permitted use; provided, however, that no storage structure that is accessory to a residential building shall exceed 200 square feet in gross floor area, the use shall be in keeping with the principal structure, and no part of such structure shall be located in the front yard setback.
  - b. A child's playhouse, provided it shall not be more than 120 square feet in gross floor area, and it shall not be located in the front yard setback.
  - c. A detached garage or other accessory structure, provided that no part of such structure exceeds 800 square feet in gross floor area, or ten percent of the lot area, whichever is greater.
  - d. A private swimming pool and bathhouse, provided that a swimming pool shall be allowed within required rear and side yards.
  - e. Statuary, arbors, trellises, flagpoles, fences; walls and hedges shall be allowed within the required setback areas.
  - f. Signs, when permitted by these Regulations and by the individual district regulations.

Changes in the wording of several sections of the zoning regulations. June 1992, are hereby amended to read as follows:

1. Section A: Accessory Uses and Structures, page 54: Item 1: Permitted Accessory Uses and Structures: Item C: A detached garage or other accessory structure, no greater in gross floor area than 10% of the lot area; provided that no structure exceeds 900 square feet in gross floor area and 12 feet in height at the sidewall; and, provided that in agricultural districts and residential suburban districts, accessory structures shall not exceed 1,000 square feet in gross floor area.

2. Article II, Definitions, page 12: Kennel Breeding: Any place, area, building or structure where more than two (2) dogs are kept for purposes of breeding, raising, or as pets.

INTRODUCED, READ, PASSED, SIGNED AND ADOPTED BY THE BOARD OF ALDERMEN OF THE CITY OF PLATTSBURG, MISSOURI, THIS 5 DAY OF SEPTEMBER, 1995.



Mayor

ATTEST:



City Clerk

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

- e. Prior to obtaining a building permit for any new building, the applicant shall prepare a site plan and submit it with the permit application for review and approval by the Zoning Officer. The site plan shall address the additional requirements for salvage yard permit applications.

### E. Time Limit:

1. Sunset: A special use permit shall expire, upon public hearing, unless a building permit is taken within 12 months to effectuate such specially permitted use; or if no building permit is required, evidence of use is filed with the zoning administrator.
2. Abandonment: Once a specially permitted use ceases or is abandoned for a period of more than 12 months, the Special Use Permit shall expire upon public hearing; except that the Special Use Permit for an auto salvage yard shall automatically expire if the state license for operating the auto salvage yard lapses for a period of time more than six months.

### F. Permitted Placement of a Manufactured Home:

1. The establishment, location and use of manufactured homes as residences shall be permitted in the allowable districts as outlined on the zoning map for Plattsburg, Missouri, subject to a special use permit to assure that such homes shall meet the following requirements and limitations.
  - a. The home shall meet all the requirements applicable to single family site-built dwellings and possess all necessary improvement, location and building and occupancy permits and other certificates as required by code.
  - b. The manufactured home shall have a minimum of 720 Square Feet excluding hitch. Two structures may not be joined together to meet

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

the square footage requirement, nor may add-on or lean-to type structures be joined to a manufactured home for that purpose.

- c. The home shall be attached and anchored to a permanent foundation in conformance with the regulations of the Missouri Public Service Commission and the Zoning and Planning Board of Plattsburg, Missouri.
  - d. Skirting shall be installed within 30 days of occupancy unless a permanent perimeter enclosure has been installed.
  - e. Manufactured homes shall be placed only within a recognized manufactured home park or in permitted areas as designated on the zoning map.
  - f. Manufactured homes may be inspected by the zoning administrator to assure that the unit is habitable. Any manufactured home found to be un-inhabitable shall not be allowed within the incorporated city limits of Plattsburg, Missouri.
2. Structural Additions or Alterations: Any structural alteration or modification of a manufactured home after it is placed on the site shall comply with the same regulations applicable to any other dwelling.

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

### ARTICLE VII

#### SITE PLAN REVIEW

- A. Intent: The City of Plattsburg recognizes that the very nature of land development creates potential for traffic congestion, overcrowding, adverse environmental impacts, and health -problems. It seeks to ensure that any location within the City that has a potential for such problems, referred to as areas of critical concern, shall be subject to Site Plan Review by the Zoning Administrator and approval by the Planning Commission. Site Plan Reviews shall help ensure that the meaning and intent of the Zoning Ordinance, and all portions thereof, are fully complied with.

The Site Plan Review regulates the development of structures and sites in a manner which considers the following concerns:

1. The balancing of landowners' rights to use their land, with the corresponding rights of abutting and neighboring landowners to live without undue disturbances (e.g., noise, smoke, fumes, dust, odor, glare, stormwater runoff, etc.);
  2. The convenience and safety of vehicular and pedestrian movement within the site, and in relation to adjacent areas or roads;
  3. The adequacy of waste disposal methods and protection from pollution of surface or groundwater; and
  4. The protection of historic and natural environmental features on the site under review, and in adjacent areas.
- B. Applicability: All applications for building permits in the multiple-family, commercial and industrial districts shall be subject to Site Plan Review in accordance with the provisions established below. Petitions for planned

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

developments and conditional uses shall receive Site Plan Review, but shall not require separate Site Plan Review approval. Site Plan Reviews shall be performed by the Zoning Administrator, and presented to the Planning Commission for approval.

Site Plan Review shall also be required for the expansion of any existing use. "Expansion" shall include a floor space increase of 25% or more within any 10-year period, or the introduction of new materials or processes not previously associated with the existing use. Required approval includes proposals for commercial, industrial, office, multiple dwelling residential developments, municipal, institutional, utility, fraternal or recreational purposes.

- C. Authority: Building permits shall not be issued for any use of land or proposed construction on a lot in the zoning districts in which site plan review is applicable, unless Site Plan Review approval has been granted by the Planning Commission.
  
- D. Submission Requirements: The site plan shall include, at the discretion of the Zoning Administrator, the following data, details, and supporting plans which are found relevant to the proposal. The number of pages submitted will depend on the proposal's size and complexity. The applicant shall make notations explaining the reasons for any omissions.

Site plans shall be prepared by a registered professional engineer, architect, or landscape architect at a scale of 1 inch equals 20 feet, on standard 24" x 36" sheets, with continuation on 8-1/2" x 11" sheets as necessary for written information.

Items which may be required for submission include:

1. Name of the project, boundaries, and locus maps showing the site's location in town, date, north arrow and scale of the plan.
  
2. Name and address of the owner of record, developer, and seal of the engineer, architect or landscape architect

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

3. Name and address of all owners of record of abutting parcels.
4. All existing lot lines, easements, and right-of-way. Include area in acres or square feet, abutting land uses, and the location and use of structures within 185 feet of the site.
5. The location and use of all existing and proposed buildings and structures within the development. Include all dimensions of height and floor area, and show all exterior entrances and all anticipated future additions and alterations.
6. The location of all present and proposed public and private ways, parking areas, driveways, sidewalks, ramps, curbs and fences. Location, type, and screening details for all waste disposal containers shall also be shown.
7. The location, height, intensity, and bulb type (e.g., fluorescent, sodium incandescent) of all external lighting fixtures. The direction of illumination and methods to eliminate glare onto adjoining properties must also be shown.
8. The location, height, size, materials, and design of all proposed signage.
9. The location of all present and proposed utility systems including:
  - sewage or septic system;
  - water supply system;
  - telephone, cable and electrical systems; and
  - storm drainage system including existing and proposed drain lines, culverts, catch basins, headwalls, endwalls, hydrants, manholes, and drainage swells.

The Zoning Administrator may also request soil logs, percolation tests and storm run-off calculations for specifically permitted uses.

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

10. Plans to prevent the pollution of surface or groundwater, erosion of soil both during and after construction, excessive run-off, excessive raising or lowering of the water table, and flooding of other properties, as applicable.
11. Existing and proposed topography at a two-foot contour interval. All elevations shall refer to the nearest United States Coastal and Geodetic Bench Mark. If any portion of the parcel is within the 100-year flood-plain, the area will be shown and base flood elevations given. Indicate areas within the proposed site and within 50 feet of the proposed site, where ground removal or filling is required, and give its approximate volume in cubic yards.
12. A landscape plan showing all existing natural features, trees, forest cover and water sources, and all proposed changes to these features including size and type of plant material. Water sources will include ponds, lakes, brooks, streams, wetlands, flood plains, and drainage retention areas.
13. Zoning district boundaries within 300 feet of the site's perimeter shall be drawn and identified on the plan.
14. Traffic flow patterns within the site, entrances and exits, loading and unloading areas, curb cuts on the site and within 100 feet of the site.

The Planning Commission may require a detailed traffic study for large developments or for those in heavy traffic areas to include:

- a. The projected number of motor vehicle trips to enter or leave the site, estimated for daily and peak hour traffic levels;
- b. The projected traffic flow pattern including vehicular movements at all major intersections likely to be affected by the proposed use of the site; and

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

- c. The impact of this traffic upon existing abutting public and private ways in relation to existing road capacities. Existing and proposed daily and peak hour traffic levels, as well as road capacity levels, shall also be given.
  15. For new construction or alterations to any existing building, a table containing the following information must be included:
    - a. Area of building to be used for a particular use, such as retail operation, office, storage, etc.;
    - b. Maximum number of employees;
    - c. Maximum seating capacity, where applicable; and
    - d. Number of parking spaces existing and required for the intended use.
- E. Standards of Review: The recommendations of the Zoning Administrator shall be based on the following standards:
1. The extent to which the proposal conforms to the provisions of this Ordinance.
  2. The extent to which the proposal, if implemented, would be compatible with the surrounding area.
  3. The extent to which the proposal conforms to the provisions of the City's Subdivision Ordinance.
  4. The extent to which the proposal conforms to customary engineering standards used in the City.

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

5. The extent to which the location of streets, paths, walkways, and driveways are located so as to enhance safety and minimize any adverse traffic impact on the surrounding area.
  
6. The extent to which the buildings, structures, walkways, roads, driveways, open space (if any), and parking lots have been located to achieve the following objectives:
  - a. Preserve existing off-site views and create desirable on-site views;
  - b. Conserve natural resources and amenities available on the site;
  - c. Minimize any adverse flood impact;
  - d. Ensure that proposed structures are located on suitable soils;
  - e. Minimize any adverse social or environmental impact; and
  - f. Minimize any present or future cost to the municipality and private providers of utilities in order to adequately provide utility services to the site.

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

### ARTICLE VIII

#### PARKING AND LOADING REQUIREMENTS

A. Intent and Purpose: It is the intent and purpose of this article to establish minimum requirements as to number of spaces, design, and construction for off-street parking and loading areas,

B. General Provisions:

1. Location: Spaces shall be provided in other than the front yard in all residential districts; except that in the event an attached garage is converted to a livable room of the dwelling, the parking space may occupy the existing concrete or asphaltic drives when located within the required front yard. Parking also shall not be permitted closer to any side property line than one-half the distance of the required side yard.
2. Accessory Use: Off-street parking shall be considered as an accessory use to the use for which the parking is provided. Parking not located on the same tract on which the main use is located must be located within the zoning district in which parking or storage lots are permitted as a main use; or be located in accordance with the provisions of this article relating to off-street parking exceptions.

In no instance shall off-street parking required by this article be located more than 300 feet (as measured along lines of public access) from the use which it serves.

- 3- Area: Off-street parking space shall be at least nine feet in width and at least 20 feet in length, exclusive of access drives or aisles, ramps, columns, office or work areas.

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

4. Access: Each required off-street parking space shall open directly upon an aisle or driveway of such width and design as to provide safe and efficient means of vehicular access to such parking space.
5. Design: Off-street parking spaces shall comply with such design standards relating to curb lengths, stall depth, driveway width, island width, barriers, and ingress and egress as may be established from time to time by the Governing Body.
6. Surfacing: All open off-street parking and loading areas shall be graded and paved.
7. Lighting: Any lighting used to illuminate off-street parking and loading areas shall be directed away from residential properties in such a way as not to interfere with the residential use.
8. Repair and Service: No motor vehicle repair work or service of any kind shall be permitted in association with any off-street parking facilities.
9. Requirements: Off-street parking and loading space, as required in this article, shall be provided for all new buildings and structures for additions to existing buildings or structures. Off-street parking and loading space shall be required for any existing building or structure which is altered in any manner so as to enlarge or increase capacity by adding or creating dwelling units, guest rooms, floor area, or seats. Existing parking area previously required shall not be used to satisfy required off-street parking for any new structures or additions to existing buildings, structures, or uses of land. Such existing parking space shall be maintained and shall not be reduced so long as the main building, structure or use remains, unless an equivalent number of such spaces are provided elsewhere as provided in this article.
10. Plans and Approval Required: Plans showing the layout and design of all required off-street parking and loading areas shall be submitted and

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

approved by the Zoning Administrator prior to issuance of a zoning or building permit. Before approving any parking layout, the Zoning Administrator shall satisfy himself that the spaces provided are usable and meet standard design criteria. All required off-street parking spaces shall be clearly marked.

11. Curb Cuts: Before the issuance of a building permit, the number and location of curb cuts for a commercially zoned parcel must be approved by the Governing Body if such parcel is across a street from a residential zoned district.

C. Required Spaces: Off-street parking spaces shall be provided as follows:

1. Dwelling and Lodging Uses:

- a. Boarding or Lodging Houses: One parking space per each occupant.
- b. Dormitories, Fraternities, Sororities: Two parking spaces for each three occupants based on the designed maximum capacity of the building.
- c. Hotels and Motels: One space per each rental unit, plus one space per each two employees in the largest working shift, and such spaces as are required for restaurants, assembly rooms, and other affiliated facilities provided.
- d. Manufactured Home Parks: One parking space per each mobile home, plus one additional space for each two mobile homes.
- e. Nursing Homes, Rest Homes, etc.: One parking space per each two beds based on the designed maximum capacity of the building plus, one parking space for each employee.

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

- f. Single-Family and Two-Family: Two spaces per dwelling unit.
  - g. Multiple-Family: One and one-half spaces per dwelling unit.
2. Business, Commercial, and Industrial Uses:
- a. Automobile, Truck, Trailer and Manufactured Home Sales and Rental Lots: One parking space for each 3,000 square feet of open sales lot area devoted to the sale, display, and rental of said vehicles, plus one parking space for each service bay and employee.
  - b. Automobile Wrecking Yards: One parking space for each employee, plus one parking space for each 10,000 square feet of storage area.
  - c. Banks, Post Office, and Business and Professional Office: One parking space for each 300 square feet of gross floor area.
  - d. Bowling Alleys: Four parking spaces for each bowling lane.
  - e. Cartage, Express, Parcel Delivery, and Freight Terminal Establishments: One parking space for each two employees in the largest working shift in a 24-hour period, plus one parking space for each vehicle maintained on the premises.
  - f. Car Wash: Three holding spaces for each car-washing stall plus two drying spaces for each car-washing stall.
  - g. Funeral Homes and Mortuaries: One parking space for each ten seats based upon the designed maximum capacity of the parlor, plus one additional parking space for each employee and each vehicle maintained on the premises.

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

- h. Furniture and Appliance Stores, Household Equipment or Furniture Repair Shops: One parking space for each 400 square feet of floor area.
- i. Manufacturing, Production, Processing, Assembly, Disassembly, Cleaning, Servicing, Testing or Repairing of Goods, Materials or Products: One parking space per three employees based upon the largest working shift in any 24-hour time period.
- j. Medical and Dental Clinics or Offices: One parking space for each 100 square feet of gross floor area.
- k. Restaurants, Night Clubs, Taverns, and Lounges: One parking space for each 2.5 seats based on the maximum designed seating capacity; provided, however, that drive-in restaurants shall have a minimum of at least ten parking spaces.
- l. Retail Stores and Shops: One parking space per 200 square feet of floor area.
- m. Service Stations: One parking space for each employee, plus two spaces for each service bay.
- n. Theaters, Auditoriums, and Places of Assembly with Fixed Seats: One space for each 3.5 seats.
- o. Theaters, Auditoriums, and Places of Assembly without Fixed Seats: One parking space for each three people based upon the designed maximum capacity of the building.
- p. Warehouse, Storage, and Wholesale Establishments: One parking space for each two employees based upon the largest working shift in any 24-hour period.

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

- q. All other business and commercial establishments not specified above: One parking space for each 300 square feet of floor area.

### 3. Other Uses:

- a. Elementary, Junior High, and Equivalent Parochial and Private Schools. Two for each classroom.
- b. High Schools, Colleges, Universities, and Other Similar Public or Private Institutions of Higher Learning: Eight parking spaces for each classroom, plus one space for each two employees.
- c. Hospitals: One parking space for each two beds, plus one parking space for each resident or staff doctor, plus one space for each two employees based on the largest working shift in any 24-hour period.
- d. Laundromats: One space for each two washing machines.
- e. Nursery Schools and Day Care Centers, Public or Private: One parking space for each employee.
- f. Private Clubs, Lodges, and Union Headquarters: One parking space for each three seats based upon the maximum designed seating capacity.
- g. Swimming Pools and Clubs: One parking space for each 100 square feet of water area.
- h. Trade and Commercial Schools: One parking space for each student and employee.

### D. Exception, Special Permit:

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

1. Special Permit: In order to provide off-street parking areas, the Governing Body may, after public notice and hearing, grant a special permit for the establishment of parking areas in any zoning district under the provisions set forth in the article providing for Special Use Permit. The Planning Commission shall recommend the improvements needed to protect adjacent property owners and the public interest, and to comply with the provisions of this article.
  
  2. Permit Revocable: The Zoning Administrator shall be responsible for the enforcement of the conditions and requirements made by the Governing Body in the approval of any off-street parking special permit. The Governing Body may revoke the special permit after public hearing for any of the following reasons:
    - a. Abandonment of the area for parking purposes for six months.
    - b. Failure to comply with the requirements contained in this section or imposed by the Board.
  
  3. Exception in the CBD: Off-street parking in the CBD District shall be exempt from non-conforming use regulations.
- E. Loading and Unloading Regulations: Loading and unloading space shall be provided off-street and on the same premises with every building, structure or part thereof, hereafter erected, established, or enlarged and occupied for goods display, retail operation, department store, market, hotel, mortuary, laundry, dry cleaning, office uses, warehousing, manufacturing, and other uses involving the receipt or distribution of materials or merchandise by motor vehicle. The loading and unloading space or spaces shall be so located to avoid undue interference with public use of streets, alleys, and walkways.
1. Spaces Required:

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

- a. For all commercial uses, loading facilities shall be provided in accordance with the following table:

<u>Gross Floor Areas of Establishment</u>	<u>Required Number and Size of Loading Space</u>
1,000- 10,000	1 - (10'x25')
10,000- 25,000	2 - (10'x25' each)
25,000- 40,000	3 - (10'x70' each)
40,000-100,000	4 - (10'x70' each)

- b. For all industrial uses, loading facilities shall be provided in accordance with the following table:

<u>Gross Floor Areas of Establishment</u>	<u>Required Number and Size of Loading Space</u>
1,000- 10,000	1 - (10'x25')
10,000- 40,000	1 - (10'x60')
40,000-100,000	2 - (10'x70' each)

- c. For each additional 100,000 square feet of gross floor area or any fraction thereof over 100,000 square feet of gross floor area, one additional space shall be provided. Each such additional space shall be at least 10 feet in width by 70 feet in length.

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

### ARTICLE IX

#### SIGN REGULATIONS

- A. Intent and Purpose: It is the intent and purpose of these Sign Regulations to qualify, supplement, or define the allowable uses of the several types of signs allowed in the district regulations appearing elsewhere in this Regulation; and to accomplish the following intent:
1. To encourage the reasonable, orderly and effective display of signs;
  2. To enhance the physical appearance of the City;
  3. To reduce visual clutter;
  4. To prevent blighting influences;
  5. To protect property values;
  6. To provide minimum standards to safeguard life, health and property by regulating and controlling the size, height, design, quality of materials, construction locations, electrification and maintenance of all signs and sign structures; and,
  7. To authorize the use of signs which are compatible with their surroundings.
- B. Use Regulations: Any sign shall, by definition, be a structure. No land or building or structure shall be used for sign purposes except within the stipulated districts listed in Sign Use Regulations specified herein. All signs legally existing at the time of passage of these Regulations may remain in use under the conditions of legal nonconformance. Signs in legal nonconformance shall not be enlarged, moved, lighted, or reconstructed; however, the change of the advertising

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

display shall not be restricted except as previously stated. After the affective date of this Regulation, no sign shall be erected, enlarged, constructed, or otherwise installed without first obtaining a sign permit, and a sign permit shall be legally issued only when in compliance with this Sign Regulation. All signs shall be constructed in such a manner and of such material that they shall be safe and substantial. Scale drawings of the sign and manner of supports shall be furnished to the City Clerk in application for a sign permit for all signs.

### C. Classification of Signs and Definition of Signs:

#### 1. Functional Types:

Billboard Sign: A sign which directs the attention of the public to any goods, merchandise, property, business, service, entertainment, or amusement conducted or produced which is bought or sold, furnished, offered, or dealt in elsewhere than on the premises where such sign is located or to which it is affixed.

Bulletin Board Sign: A sign that indicates the name of an institution or organization on whose premises it is located and which contains the name of the institution or organization, the name or names of persons connected within, and announcement of persons, events, or activities occurring at the institution. Such sign may also present a greeting or similar message.

Business Sign: A sign which directs attention to a business or profession conducted, or to products, services, or entertainment sold or offered upon the premises where such sign is located, or to which it is affixed.

Construction Sign: A temporary sign indicating the names of the architects, engineers, landscape architects, contractors, and similar artisans involved in the design and construction of a structure, complex or project

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

only during the construction period and only on the premises on which the construction is taking place.

Flashing or Moving Signs: Any illuminated sign on which the artificial light is not constant in intensity and color at all times. For the purpose of this Regulation, any revolving, rotating, moving, animated, signs with moving lights, or signs which create the illusion of movement shall be considered as a flashing sign.

Identification Sign: A sign giving the name and address of a building, business, development, or establishment. Such signs may be wholly or partially devoted to a readily recognized symbol.

Logo Sign: A distinctive company signature, trademark, or service mark as used by a manufacturer, dealer or supplier of services to distinguish a product or service from those competitors, and usually registered and protected by law. The logo sign shall not exceed 12 square feet. A permit shall be required for each logo sign as defined, and a permit fee and annual permit fee shall be required.

Name Plate Sign: A sign giving the name and/or address of the owner or occupant of a building or premises on which it is located and, where applicable, a professional status.

Real Estate Sign: A sign pertaining to the sale or lease of a lot or tract of land on which the sign is located, or to the sale or lease of one or more structures or a portion thereof on which the sign is located.

### 2. Structural Types:

Awning, Canopy, or Marquee Sign: A sign that is mounted or painted on or attached to an awning, canopy, or marquee. No such signs shall project above, below, or beyond the awning, canopy, or marquee.

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

Banner Sign: Any sign of lightweight fabric or similar material that is mounted to a pole or a building at one or more edges. National flags, state or municipal flags, or the official flag of any institution or business shall not be considered banners.

Ground Sign: Any sign placed upon, or supported by, the ground independently of the principal building or structure on the property, where the bottom edge of the sign is no greater than six feet above the elevation of the ground, and where the width of the support structure for the sign is no less than one-half the width of the display surface area, and shall be solid in appearance.

Pole Sign: Any sign placed upon, or supported by, the ground independently of the principal building or structure on the property where the bottom of the sign is six feet or more above the ground level.

Portable Sign: Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to, signs designed to be transported by means of wheels; signs converted to "A"- or "T"-frames; menu and sandwich board signs; balloons used as signs; umbrellas used for advertising; and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used in the normal day-to-day operations of the business.

Portable Swinger Sign and "A"-Frame or Sandwich Sign: An advertising device which is ordinarily in the shape of an "A" or some variation thereof, located on the ground, easily movable, not permanently attached thereof, and which is usually two-sided.

Portable Temporary Attraction Sign Board: A single or double surface painted or poster panel type sign or some variation thereof, which is temporary in nature, usually mounted on wheels, easily movable, not permanently attached thereto.

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

Projecting Sign: A sign that is wholly or partly dependent upon a building for support and which projects more than 12 inches from such building.

Reader Board Sign: A portion of a ground sign designed to give information relative to the business where it is located, which information may change frequently; and a free-standing informational sign not exceeding 50 feet, in conjunction with drive-in services designed to display information that may change frequently.

Roof Sign: A sign totally supported on the roof of a structure. Roof signs shall not project more than 12 inches beyond the face of the building.

Roof Sign, Integral: Any sign erected or constructed as an integral or essentially integral part of a normal roof structure of any design, such that no part of the sign extends vertically above the highest portion of the roof, and such that no part of the sign is separated from the rest of the roof by a space of more than six inches.

Wall Sign: A sign fastened to or painted on a wall of a building or structure in such a manner that the wall becomes merely the supporting structure or forms the background surface, and which does not project more than 12 inches from such building, nor above the roof of the building.

Window Sign: Any sign, pictures, symbol, or combination thereof, designed to communicate information about an activity, business, commodity, event, sale or service, that is placed inside a window or upon the window.

### 3. Definitions of Sign-Related Terms, Phrases and Words:

Commercial Message: Any sign wording, logo, or other representation that, directly or indirectly, names, advertises, or calls attention to a business, product, service, sale or sales event or other commercial activity.

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

Display Surface Area: The net geometric area enclosed by the display surface of the sign, including the outer extremities of all letters, characters and delineations; provided, however, "display surface area" shall not include the structural supports for free-standing signs.

Illuminated, Direct: Illumination which is so arranged that the light is directed into the eyes of the viewer from the light source.

Illuminated, Indirect: Illumination so arranged that the light is reflected from the sign to the eyes of the viewer.

Nonconforming Sign: A sign existing at the effective date of the adoption of this Regulation which could not be built under the terms of this Regulation.

Off-Site Sign: A sign which directs attention to a business, commodity, service, entertainment or attraction sold, offered, or existing elsewhere than upon the same lot where such sign is displayed. The term off-site sign shall include an outdoor billboard sign on which space is leased or rented by the owner thereof to others for the purposes of conveying a commercial or noncommercial message.

On-Site Sign: A sign which directs attention to a business, commodity, service, entertainment or attraction sold, offered or existing on the same lot where such sign is displayed; provided, an on-site sign may also display a noncommercial message.

Shopping Center: Two or more retail stores and/or service establishments, or one retail store and one service establishment, sharing customer parking areas, regardless of whether said stores and/or establishments occupy separate structures or are under separate ownerships.

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

Street Frontage: The distance for which a lot line of a zone lot adjoins a public street, from one lot line intersecting said street to the furthest distance lot line intersecting the same street.

### D. General Standards:

#### 1. Prohibited Signs:

- a. Portable Temporary Attraction Signs on Wheels: Under no circumstances will portable temporary attraction signs be allowed, whether mounted on vehicles, wheels, platforms, or freestanding.
- b. Signs on Public Property: Any sign installed or placed on public property, except in conformance with the requirements, shall be forfeited to the public and subject to confiscation, except that logo signs on public athletic fields shall be allowed. In addition to other remedies hereunder, the City shall have the right to recover from the owner or person placing such a sign the full costs of removal and disposal of such sign.
- c. Obscene or Indecent Advertisement: No person shall display upon any sign or other advertising structure any obscene, indecent or immoral matter.
- d. Hashing Signs: Hashing signs shall not be permitted. A sign whereon the current time and/or temperature is indicated by intermittent lighting shall not be deemed as a flashing sign if the lighting changes are limited to the numerals indicating the time and/or temperature and are not more frequent than every fifteen (15) seconds.
- e. Off-site Signs: (Billboard signs).

### E. Exemptions:

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

1. The following signs shall be exempt from the requirements of this article:
  - a. Flags or emblems of a governmental or of a political, civic, philanthropic, educational, or religious organization displayed on private property.
  - b. Signs of a duly constituted governmental body, including traffic or similar regulatory signs, legal notices, warnings at railroad crossings, and other instructional or regulatory signs having to do with health, hazards, parking, swimming, dumping, etc.
  - c. Memorial signs and tablets displayed on private property.
  - d. Small signs, not exceeding three square feet in area, displayed on private property for the convenience of the public, including signs to identify entrance and exit drives, parking areas, one-way drives, restrooms, freight entrances, and other similar signs.
  - e. Score boards in athletic stadiums.
2. The following signs are exempt from the sign permit section of this article, but shall comply with all of the other regulations imposed by this article:
  - a. Name plate signs not exceeding two square feet in gross area accessory to a single-family or two-family dwelling.
  - b. Bulletin board signs not exceeding 15 square feet in gross area accessory to a church, school, or public or non-profit institution.
  - c. Temporary signs for the sale of household goods at a residence (garage sale) for a period not to exceed three days.
  - d. Real estate signs not exceeding six square feet in area for the sale of the property on which it is located.

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

- e. Construction signs not exceeding 16 square feet in area only during the period of construction.
- f. Political campaign signs, not exceeding four square feet in area, displayed during no more than an eight-week period preceding and a one-week period following an election.

### F. Permits:

1. Requirement: No person shall erect, repair, structurally alter, relocate or maintain within the City any sign or other advertising structure as defined in this Regulation without first obtaining a permit from the enforcement agency and making payment of the fee, with the exception that repairs and changes in the painted or printed copy are permitted on conforming and nonconforming signs, as long as such repairs and changes do not alter the structure, and with the exception that structural alterations involving minor extensions shall require a permit based on the square footage of the extension. All such repairs and changes shall be done under the supervision of the enforcement agency.
2. Application for Permanent Sign: Application for permits shall be made on forms provided by the enforcement agency, and shall contain or have attached thereto the following information:
  - a. Name, address and telephone number of the applicant.
  - b. Location of building, structure or lot to which or upon which the sign or other advertising structure is to be attached or erected.
  - c. Position of the sign or other advertising structure in relation to nearby buildings or structures.

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

- d. Two blueprints or ink drawings of the plans and specifications and method of construction and attachment to the building or in the ground.
  - e. Copy of the stress sheets and calculations showing the structure is designed for dead load and wind pressure in any direction in the amount required by this and all other laws of the City.
  - f. Name of person erecting structure.
  - g. Written consent of the owner of the building, structure or land to which or on which the structure is to be erected.
  - h. Any electrical permit required and issued for the sign.
  - i. Insurance policy or bond as required.
  - j. Such other information as the enforcement agency shall require to show full compliance with this and all other laws of the City.
3. Application for Temporary Sign:
- a. Permits for temporary signs erected for sales or special occasions or purposes shall be authorized for a period not to exceed 30 consecutive days, with further restrictions of three temporary permits issued per calendar year. One temporary sign per business site shall be allowed at any one time.
  - b. Permits for temporary signs erected to provide identification of construction projects or new building may be authorized for a six-month period and, upon application to the enforcement agency, may be renewed for successive six-month periods; provided, that no additional fee shall be required for renewal of such permits.

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

4. Term of Permit: The enforcement agency shall, upon filing of an application for a permit, examine such plans and specifications and other data and the premises upon which it is proposed to erect the sign or other advertising structure, and if it shall appear that the proposed structure is in compliance with all of the requirements of this Regulation and all other laws of the City, the enforcement agency shall issue the permit. The applicant must commence work authorized under an erection permit within 60 days of the date of issuance or the permit shall become null and void. Work authorized under the permit shall proceed in a diligent and workmanlike manner until work authorized under the permit is completed.
  
5. Revocation:
  - a. All rights and privileges acquired under the provisions of this Regulation or any amendment thereto are mere licenses revocable for cause at any time by the City Council, and all such permits shall contain this provision.
  
  - b. The enforcement agency is hereby authorized to recommend the revocation of any permit upon failure of the holder thereof to comply with any provision of this Regulation.
  
6. Fee Schedule: Each application for a sign permit or for approval of a Master Signage Plan shall be accompanied by the applicable fees, which shall be established by the City Council from time to time by resolution.

- **Fee Schedule**

The fees for sign permits and plans for the period beginning with this Regulation shall be as follows:

Master Signage Plan, Application Fee	\$50.00
Sign Permit, Initial, including inspection, per zone lot	\$25.00 plus

CITY OF PLATTSBURG, MISSOURI

ZONING REGULATIONS

\$ 0.25 per sq. ft.

\$ 0.25 per sq. ft.

Additional Fee (Initial and Continuing)  
for signs extending over public  
right-of-way, per sign

\$50.00 annually  
and a \$10,000.00 liability policy

Nonconforming Sign Repair

None

- 7. Penalties: Any person erecting, constructing or altering any sign structure without obtaining a permit or paying the permit fee as required in this Regulation shall, in addition to the payment of such permit fee, pay an additional penalty fee of \$50.00.

G. Maintenance:

- 1. Existing Sign Maintenance: All signs shall be designed, constructed, and maintained in compliance with applicable provisions of the Building Code and the Electrical Code of the City. Except for banners, flags, temporary signs, and window signs conforming in all respects with the requirements of this Regulation, all signs shall be constructed of permanent materials and shall be permanently attached to the ground, a building, or another structure by direct attachment to a rigid wall, frame, or structure.
- 2. Removal of Unsafe or Illegal Signs: If the enforcement agency shall find that any sign or other advertising structure regulated herein is unsafe or insecure, or is a menace to the public, or has been constructed or erected, or is being maintained in violation of the provisions of this Regulation, it shall give written notice to the permittee thereof. If the permittee fails to remove or alter the structure so as to comply with the standards herein set forth within ten days after such notice, such sign or other advertising structure may be removed or altered to comply by the enforcement agency at the expense of the permittee or owner of the property upon which it is

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

located. The enforcement agency shall refuse to approve a permit to any permittee or owner who refuses to pay costs so assessed. The enforcement agency may cause any sign or other advertising structure which is an immediate peril to persons or property to be removed summarily and without notice.

### 3. Sign Maintenance Enforcement:

a. All signs within the City shall be maintained in a safe condition and in such a manner that they shall not become a visual detriment to the community at large. The designated official shall be charged with the responsibility and authority to inspect all signs within the City and direct the maintenance of said signs. Maintenance of signs is defined as keeping sign structures in a safe condition, free of rust, with broken glass or plastic replaced, electrical lights and other electrical operations in operable condition, letters and other sign components in the equivalent condition as on the sign permit or as approved.

b. Should the enforcement agency find a non-maintained sign as defined above, it shall cause the owner of said sign to be notified as to the deficiency and the corrective action that needs to be taken.

c. Should the owner fail to exhibit evidence of compliance within 30 days after the mailing of the letter of notification, the enforcement agency shall cause the owner to be cited for violation of this Regulation.

### 4. Painted Sign Maintenance: The owner of any sign as defined and regulated by this Regulation shall be required to have properly painted at least once every two years all parts and supports of the sign, unless the same are galvanized or otherwise treated to prevent rust.

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

H. Nonconforming Signs: For the purpose of this Section, a nonconforming sign shall be defined as a sign existing at the effective date of this Regulation which could not be built under the terms of this Regulation or under the terms of other City Regulations.

1. Signs which are nonconforming, as provided in this Regulation, shall not be repaired, altered or moved unless it be made to comply with the provisions of this Regulation. No alteration of nonconforming signs shall be undertaken without the issuance of a permit. No fee will be charged for the permit, provided the alterations do not substantially alter the basic design or concept of the sign.
2. Should any nonconforming sign be damaged by any means to an extent of more than 50 percent of its replacement cost at the time of damage, it shall not be reconstructed except in conformity with the provisions of this Regulation.

I. District Regulations:

1- "A-G" Agricultural and "R-S" Residential Suburban District:

a. Functional Types Permitted:

- 1) Bulletin board signs.
- 2) Business signs pertaining only to the sale of agricultural products produced on the premises and home occupations.
- 3) Construction signs.
- 4) Identification signs.
- 5) Name plate signs.

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

- 6) Real estate signs.
  - b. Structural Types Permitted:
    - 1) Ground signs.
    - 2) Wall signs.
  - c. Number of Signs Permitted: One sign per zoning lot.
  - d- Maximum Gross Area:
    - 1) Bulletin board and identification signs: 16 square feet.
    - 2) Business signs, home occupations: 2 square feet;  
Agricultural: 20 square feet.
    - 3) Construction signs: 16 square feet.
    - 4) Name plate signs: 2 square feet.
    - 5) Real estate signs: 6 square feet.
  - e. Maximum Height: 8 feet.
  - f. Required Setbacks: None.
  - g. Illumination: Bulletin board and identification signs that do not exceed 12 square feet on one face for churches, hospitals, police stations, fire stations, and other similar public facilities may be indirectly illuminated.
2. "R-1" Single-Family Dwelling Districts. "R-2" Two-Family Dwelling Districts, and "R-3" Multiple-Family Dwelling Districts:

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

a. Function Types Permitted:

- 1) Business signs pertaining to a home occupation and subject to the sign requirements of the home occupation section of this Regulation.
- 2) Bulletin board signs.
- 3) Construction signs.
- 4) Identification signs.
- 5) Name plate signs.
- 6) Real estate signs.

b. Structural Types Permitted:

- 1) Ground signs.
- 2) Wall signs.

c. Number of Signs Permitted: One sign per zoning lot.

d. Maximum Gross Area:

- 1) Business signs, home occupations: 2 square feet.
- 2) Bulletin board and identification signs: 6 square feet.
- 3) Construction signs: 20 square feet.
- 4) Name plate signs: 2 square feet.

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

- 5) Real estate signs: 6 square feet, provided that one sign not more than 100 square feet in area announcing the sale of lots and/or houses in a subdivision may be located on said development. Said sign shall be removed at the end of three years or when 75 percent of the lots have been sold, whichever occurs sooner.
  - e. Maximum Height: 8 feet.
  - f. Required Setback: No sign shall be placed closer to the front property line than one-half the distance of the front yard.
  - g- Illumination: Bulletin boards and identification signs may be indirectly illuminated with incandescent or fluorescent lighting.
3. "M-P" Manufactured Home Park District:
- a. Functional Types Permitted:
    - 1) Construction signs.
    - 2) Identification signs.
    - 3) Real estate signs.
  - b. Structural Types Permitted:
    - 1) Ground signs.
    - 2) Wall signs.
  - c. Number of Signs Permitted: One sign per home space.

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

- d. Maximum Gross Area: 16 square feet.
  - e. Maximum Height: 8 feet.
  - f. Required Setbacks: No sign shall be placed closer to the front property line than one-half the distance of the front yard.
  - g. Illumination: Signs may be illuminated indirectly.
4. "C-1" Central Business District:
- a. Functional Types Permitted:
    - 1) Bulletin board signs.
    - 2) Business signs.
    - 3) Construction signs.
    - 4) Identification signs.
    - 5) Name plate signs.
    - 6) Real estate signs.
  - b. Structural Types Permitted:
    - 1) Awning, banners, canopy, or marquee signs.
    - 2) Projecting signs.
    - 3) Wall signs.

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

- c. Number of Signs Permitted.
    - 1) Awning, canopy, marquee or wall signs: No limitation.
    - 2) Projecting signs: One per zoning lot.
  - d. Maximum Gross Surface Area: Signs shall not exceed a gross surface of 200 square feet; except projecting signs shall not exceed 12 square feet.
  - e. Maximum Height: Not applicable.
  - f. Required Setback: None.
  - g. Illumination: Illuminated signs shall be permitted.
5. "C-2" General Commercial District:
- a. Functional Types Permitted:
    - 1) Bulletin board signs.
    - 2) Business signs.
    - 3) Construction signs.
    - 4) Identification signs.
    - 5) Name plate signs.
    - 6) Real estate signs.
  - b. Structural Types Permitted:

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

- 1) Awning, banners, canopy, or marquee signs.
  - 2) Ground signs.
  - 3) Projecting signs.
  - 4) Wall signs.
- c. Number of Signs Permitted:
- 1) Awning, canopy, marquee or wall signs: No limitation.
  - 2) Ground signs: One per zoning lot.
  - 3) Projecting signs: One per zoning lot.
- d. Maximum Gross Surface Area: Signs shall not exceed a gross surface area of 200 square feet; projecting signs shall not exceed 12 square feet; ground signs shall not exceed 50 square feet if set back no more than 10 feet from a property line; and may be increased 10 square feet in surface area and 2 feet in height for each 2 feet in additional setback; up to a maximum of 65 square feet in surface area and 10 feet in height.
- e. Maximum Height: 10 feet; ground signs 6 feet, except as otherwise provided.
- f. Required Setback: None, except that any sign that exceeds 100 square feet in gross surface area shall be setback 10 feet from the front property line, unless otherwise specified, and ground signs shall be set back no less than 10 feet.
- g. Illumination: Illuminated signs shall be permitted.

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

6. "I-1" Light Industrial District:

a. Functional Types Permitted:

- 1) Bulletin board signs.
- 2) Business signs.
- 3) Construction signs.
- 4) Identification signs.
- 5) Name plate signs.
- 6) Real estate signs.

b. Structural Types Permitted:

- 1) Awning, canopy, or marquee signs.
- 2) Ground signs.
- 3) Projecting signs.
- 4) Wall signs.

c. Number of Signs Permitted: Ground signs: one per zoning lot.  
Others: two per zoning lot.

d. Maximum Gross Surface Area: No single sign shall exceed a gross surface area of 300 square feet. Ground signs: same as in "C-2" District, except that sign height may be increased to 20 feet and surface area to 100 square feet.

e. Maximum Height:

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

- 1) Wall signs: Not above the highest point of the structure on which the sign is located.
  - 2) All other signs: 10 feet.
- f. Required Setbacks: None, except that advertising signs shall maintain the same setback that is required for principal structures and shall be no farther from a dedicated state highway right-of-way than 100', and shall be no closer than 500' to another advertising sign.
- g. Illumination: Illuminated signs shall be permitted.

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

### ARTICLE X

#### NONCONFORMANCES

A. General: Nonconformities are of three types: nonconforming lots of record, nonconforming structures, and nonconforming uses. A definition of each type is as follows:

1. Nonconforming Lot of Record: A lot which is part of a recorded subdivision or a parcel of land, the deed to which was recorded prior to the original adoption of zoning and/or subdivision regulations in the City, and neither said lot nor parcel complies with the lot width or area requirement for any permitted uses in the district in which it is located.
2. Nonconforming Structure: An existing structure which does not comply with the lot coverage, height or yard requirements which are applicable to new structures in the zoning district in which it is located.
3. Nonconforming Use: An existing use of a structure or of land which does not comply with the use regulation applicable to new uses in the zoning district in which it is located.

B. Nonconforming Lots of Record: The Zoning Administrator may issue a Building Perrmt for any nonconforming lot of record provided that:

1. Said lot is shown by a recorded plat or deed to have been owned separately and individually from adjoining tracts of land at a time when the creation of a lot of such size and width at such location would not have been prohibited by any zoning regulations; and
2. Said lot has remained in separate and individual ownership from adjoining tracts of land continuously during the entire time that the creation of such lot has been prohibited by any zoning regulations; and

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

3. Said lot can meet all yard regulations for the district in which it is located.

### C. Nonconforming Structures:

1. Authority to Continue: Any structure which is devoted to a use which is permitted in the zoning district in which it is located, but which is located on a lot which does not comply with the applicable intensity of use regulations and/or the applicable yard and height regulations, may be continued, so long as it remains otherwise lawful.
2. Enlargement, Repair, Alterations: Any nonconforming structure may be enlarged, maintained, repaired or remodeled; provided, however, that no such enlargement, maintenance, repair or remodeling shall either create any additional nonconformity or increase the degree of existing nonconformity of all or any part of such structure. Notwithstanding the above, a porch which is covered by a roof which extends into the front setback area may be enclosed, but not in excess of the area covered by the existing roof.
3. Damage or Destruction: In the event that any nonconforming structure is damaged or destroyed by any means to the extent of more than 60 percent of its structural value, such structure shall not be restored unless it shall thereafter conform to the regulations for the zoning district in which it is located. When a structure is damaged to the extent of 60 percent or less, no repairs or restoration shall be made unless a zoning certificate is obtained within six months, and restoration is actually begun one year after the date of such partial destruction and is diligently pursued to completion.
4. Moving: No nonconforming structure shall be moved in whole or in part of any distance whatever to any other location on the same and any other lot, unless the entire structure shall thereafter conform to the regulations of the zoning district in which it is located after being moved.

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

### D. Nonconforming Uses:

1. Authority to Continue: Any lawfully existing nonconforming use of part or all of a structure or any lawfully existing nonconforming use of land, not involving a structure or only involving a structure which is accessory to such use or land, may be continued, so long as otherwise lawful.
2. Ordinary Repair and Maintenance:
  - a. Normal maintenance and incidental repair, or replacement, installation or relocation of non-bearing walls, non-bearing partitions, fixtures, wiring or plumbing, may be performed on any structure that is devoted in whole or in part to a nonconforming use.
  - b. Nothing in these Regulations shall be deemed to prevent the strengthening or restoring to a safe condition of a structure in accordance with an order of a public official who is charged with protecting the public safety who declares such structure to be unsafe and orders its restoration to a safe condition.
3. Extension: A nonconforming use shall not be extended, expanded, enlarged, or increased in intensity. Such prohibited activities shall include, without being limited to:
  - a. Extension of such use to any structure or land are other than that occupied by such nonconforming use on the effective date of these Regulations (or on the effective date of subsequent amendments hereto that cause such use to become nonconforming).
  - b. Extension of such use within a building or other structure to any portion of the floor area that was not occupied by such nonconforming use on the effective date of these Regulations (or on the effective date of subsequent amendments hereto that cause such use

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

to become nonconforming); provided, however, that such use may be extended throughout any part of such building or other structure that was lawfully and manifestly designed or arranged for such use on such effective date.

4. Enlargement: No structure that is devoted in whole or in part to a nonconforming use shall be enlarged or added to in any manner unless such structure and the use thereof shall thereafter conform to the regulations of the district in which it is located.
5. Damage or Destruction: In the event that any structure that is devoted in whole or in part to a nonconforming use is damaged or destroyed by any means to the extent of more than 60 percent of its structural value, such structure shall not be restored unless structure and the use thereof shall thereafter conform to all regulations of the zoning district in which it is located. When such damage or destruction is 60 percent or less, no repairs or restoration shall be made unless an occupancy certificate is obtained within six months, and restoration is actually begun within one year after the date of such partial destruction and is diligently pursued to completion.
6. Moving: No structure that is devoted in whole or in part to a nonconforming use of land shall be moved in whole or in part for any distance whatever to any location on the same or any other lot, unless the entire structure and the use thereof or the use of land shall thereafter conform to all regulations of the zoning district in which it is located after being so moved.
7. Change in Use: If no external structural alterations are made which will expand the area or change the dimensions of the existing structure, any nonconforming use of a structure, or structure and premises, may be changed to another nonconforming use upon approval of a Special Use Permit. In permitting such change, the Board of Alderman may require appropriate conditions and safeguards to protect surrounding areas and

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

properties, and to ensure that the new use is no less appropriate than the original use.

8. Abandonment or Discontinuance: When a nonconforming use is discontinued or abandoned for a period of 12 consecutive months, such use shall not thereafter be re-established or resumed, and any subsequent use or occupancy of such land shall comply with the regulations of the zoning district in which such land is located.
  9. Nonconforming Accessory Uses: No use which is accessory to a principal nonconforming use shall continue after such principal use shall cease or terminate.
  10. Nonconforming Residential Uses: Notwithstanding the provisions of the above, any structure which is devoted to a residential use and which is located in a business or industrial district may be remodeled, extended, expanded, enlarged, and rebuilt; provided that after any such remodeling, extension, expansion, enlargement, or rebuilding, such structure shall not be used to accommodate a greater number of dwelling or lodging units than such structure accommodated prior to any such work.
  11. Inoperable Vehicles: The storage of inoperable vehicles shall be discontinued, and said inoperable vehicles shall be removed within 12 months after the effective date of the Zoning Regulation.
- E. Status of Existing Special Uses: Where a use exists at the effective date of these Regulations and is permitted by these Regulations only as a special use in the zoning district in which it is located, such use shall not be deemed to be a nonconforming use, but shall, without further action, be deemed a lawful conforming use in such zoning district, as provided by prior approval.

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

### ARTICLE XI

#### BOARD OF ADJUSTMENTS

- A. Formation: A Board of Adjustments is hereby created in accordance with State Statutes governing such creation. The word "Board" when used in this Article shall mean Board of Adjustments. The Board shall adopt rules of procedure as may be necessary and proper to govern its own proceedings; such rules shall not be in conflict with other laws, ordinances or resolutions. Meetings of the Board shall be held at the call of the chairman and at such other times as the Board may determine. The Board shall keep minutes of its proceedings, showing the description of evidence presented, the findings of fact by the Board, the decision of the Board and the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and will keep records of its examinations and other official actions, all of which shall be filed in the office of the Board immediately and shall be a public record.
- B. Powers and Jurisdiction: The Board shall have the following powers and jurisdictions:
1. Appeals: To hear and decide where it is alleged there is an error in any order, requirement, decision, or determination made by the Zoning Administrator in the enforcement of these Regulations.
    - a. Appeals of the Board may be taken by the person aggrieved, or by any officer, department, or bureau of the government affected by any decision of the Zoning Administrator. Such appeal shall be taken within a reasonable time, as shall be prescribed by the Board by general rule, by filing with the Zoning Administrator and with the Secretary of the Board a notice of appeal specifying the grounds thereof. The Zoning Administrator shall forthwith transmit to the Secretary of the Board all papers constituting the record upon which the action appealed from is taken.

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

- b. An appeal stays all proceedings in furtherance of the action appealed from, unless the Zoning Administrator certifies to the Board, after the notice of appeal shall have been filed with him, that by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board, or by a court of record on application or notice to the Zoning Administrator of good cause shown.
2. Variances: To authorize in specific cases a variance from the specific terms of these Regulations which will not be contrary to the public interest and where, owing to special conditions, a literal enforcement of the provisions of these Regulations will, in an individual case, result in unnecessary hardship, provided the spirit of these Regulations shall be observed, public safety and welfare secured, and substantial justice done.
  - a. The applicant must show that his property was acquired in good faith and where by reason of exceptional narrowness, shallowness, or shape of this specific piece of property at the time of the effective date of the District Zoning Regulations, or where by reason of exceptional topographical conditions or other extraordinary or exceptional circumstances, that the strict application of the terms of the Zoning Regulations actually prohibits the use of his property in the manner similar to that of other property in the zoning district where it is located.
  - b. Variances may be granted for any modifications of the specific terms of the Zoning Regulations, except that a variance may not be granted to allow the establishment of a use not permitted in the district regulations.
  - c. A request for a variance may be granted, upon a finding of the Board that all of the following conditions have been met. The Board

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

shall make a determination of each condition and the finding shall be entered in the record.

- 1) The variance requested arises from such condition which is unique to the property in question and which is not ordinarily found in the same zone or district; and is not created by an action or actions of the property owner or applicant.
  - 2) The granting of the permit for the variance will not adversely affect the rights of adjacent property owners or residents.
  - 3) The strict application of the provisions of the Zoning Regulations of which the variance is requested will constitute unnecessary hardship upon the property owner represented in the application.
  - 4) The variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare.
  - 5) The granting of the variance desired will not be opposed to the general spirit and intent of the Zoning Regulations.
3. Conditions of Determination: In exercising the foregoing powers, the Board, in conformity with the provisions of this act, may reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination, and to that end shall have all the powers of the officer from where the appeal is taken, may attach appropriate conditions, and may issue or direct the issuance of a permit.

A majority of the Board shall constitute a quorum for the transaction of business, and a concurring vote of a majority of the entire Board shall be necessary to reverse any order, requirement, decision, or determination of

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

the Zoning Administrator, or to decide in favor of the applicant upon any matter which it is required to pass under any such regulation, or to affect any variation in such regulation. Upon the hearing, any party may appear in person or by agent or by attorney.

### C. Applications:

1. The procedure for requesting a hearing before the Board shall be as follows:
  - a. All applications to the Board shall be in writing on forms provided by the Board.
  - b. The Board shall fix a reasonable time for the hearing of an application and notice of the time, place, and subject of each hearing shall be published in the official newspaper (as designated by the Governing Body) at least 15 days prior to the date fixed for the public hearing. A copy of the Notice of Public Hearing shall be sent to each party of interest and to the Planning Commission.
  - c. An application shall be accompanied by a filing fee of \$50:00.
2. In addition to the above requirements, certain applications require additional information as follows:
  - a. Appeals:
    - 1) An application for an appeal shall be filed within 60 days after a ruling has been made by the Zoning Administrator.
    - 2) A copy of the order, requirement, decision, or determination of the Zoning Administrator which the appellant believes to be in error.

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

- 3) A clear and accurate written description of the proposed use, work, or action in which the appeal is involved and a statement justifying the appellant's position.
- 4) Where necessary, a plot plan, drawn to scale, shall be submitted in duplicate showing existing and proposed plans for the area in question.

b. Variances:

- 1) The applicant shall submit a statement, in writing, justifying the variance requested, indicating specifically the enforcement provisions of the Zoning Regulations from which the variance is requested, and outlining in detail the manner in which it is believed that this application will meet each of the five conditions as set out in Section B, 2, c. of this Article.
- 2) The applicant shall submit a sketch, in duplicate, drawn to scale and showing the lot or lots included in the application, the structures existing thereon, and the structures contemplated necessitating the variance requested. All appropriate dimensions should be included and any other information which would be helpful to the Board in consideration of the application.

D. Performance: In making any decisions varying or modifying any provisions of the Zoning Regulations or in granting an exception to the district regulations, the Board shall impose such restrictions, terms, time limitations, landscaping, and other appropriate safeguards to protect adjoining property.

The Board may require a performance bond to guarantee the installation of improvements such as parking lot surfacing, landscaping, etc. The amount of the bond shall be based on a general estimate of cost for the improvements as

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

determined by the Board, and shall be enforceable by or payable to the Governing Body in the sum equal to the cost of constructing the required improvements.

In lieu of the performance bond requirement, the Board may specify a time limit for the completion of such required improvements and, in the event the improvements are not completed within the specified time, the Board may declare the granting of the application null and void after reconsideration.

- E. Who May Appeal From the Board Decision: Any person, persons, department, or departments of the government jointly or separately aggrieved by any decision of the Board may present to the District Court having jurisdiction a petition, duly verified, stating that such decision is illegal in whole or in part, specifying the grounds of the illegality, and asking for relief therefrom. Such petition shall be presented to the Court within 30 days after the date of filing the decision in the office of the Board.

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

### ARTICLE XII

#### ENFORCEMENT, VIOLATION AND PENALTY

- A- Enforcement: A Zoning Administrator shall be appointed by the Governing Body, and it shall be the duty of said Zoning Administrator to enforce this Regulation. Appeal from a decision of the Zoning Administrator may be to the Board of Adjustments.
- B. Building Permit: Prior to the erection or external alteration of any structure, including structures for agricultural uses, an application for a building permit shall be prepared on forms provided and shall be submitted to the Zoning Administrator accompanied by a plot plan in duplicate, drawn to shape and location of the building to be erected, required setbacks, points of ingress and egress, driveways, circulation aisles, parking lots, individual parking spaces, service areas, and other information as may be necessary to provide for the enforcement of this Regulation. A record of the applications, plans, and permits shall be valid for a period of 180 days unless substantial construction has begun, in accordance with the permit. It shall be unlawful for any person to commence erection or external alteration of any structure prior to approval of the application for a building permit by the Zoning Administrator.
- C. Violation and Penalty: The owner or general agent of a building or premises where a violation of any provision of said Regulations has been committed or shall exist, or the lessee or tenant of an entire building or entire premises where such violation has been committed or shall exist, or the owner, general agent, lessee or tenant of any part of the building or premises in which such violation has been committed or shall exist, or the general agent, architect, builder, contractor or any other person who commits, takes part or assists in any such violation shall be guilty of a misdemeanor punishable by a fine of not less than \$10.00 and not more than \$100.00 for each and every day that such violation continues; but if the offense be willful on conviction thereof, the punishment shall be a fine of not less than \$100.00 nor more than \$250.00 for each and every day

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

that such violation shall continue or by both such fine and imprisonment in the discretion of the court.

Any such person who, having been served with an order to remove any such violation, shall fail to comply with said order within ten days after such service or shall continue to violate any provision of these Regulations shall also be subject to a civil penalty of \$250.00.

In case any structure is erected, constructed, reconstructed, altered, repaired, converted, or maintained, or any structure or land is used in violation of this Regulation, the appropriate authorities of said area, in addition to other remedies, may institute injunction, mandamus, or other appropriate action or proceedings to prevent such unlawful erection, construction, reconstruction, alteration, conversion, maintenance, or use, or to correct or abate such violation or to prevent the occupancy of said building, structure, or land.

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

### ARTICLE XIII

#### FLOODPLAIN REGULATIONS

##### SECTION 1.0 STATUTORY AUTHORIZATION, FINDINGS OF FACT AND PURPOSES

###### 1.1 STATUTORY AUTHORIZATION

The legislature of the State of Missouri has in 89,020 delegated the responsibility to local governmental units to adopt zoning regulations designed to protect the health, safety and welfare. Therefore, the Board of Aldermen of the City of Plattsburg, Missouri ordains as follows.

###### 1.2 FINDINGS OF FACT

###### 1.21 Rood Losses Resulting from Periodic Inundation.

The flood hazard areas of the City of Plattsburg, Missouri are subject to inundation which results in loss of life and property, health and hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base all of which adversely affect the public health, safety and general welfare.

###### 1.22 General Causes of these Flood Losses.

These flood losses are caused by (1) The cumulative effect of obstructions in floodways causing increases in flood heights and velocities, (2) The occupancy of flood hazard areas by uses vulnerable to floods or hazardous to others, which are inadequately elevated or otherwise unprotected from flood damages.

###### 1.23 Methods Used to Analyze Flood Hazards.

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

This ordinance uses a reasonable method of analyzing flood hazards which consists of a series of interrelated steps.

- A. Selection of regulatory flood which is based upon engineering calculations which permit a consideration of such flood factors as its expected frequency of occurrence, the area inundated, and the depth of inundation. The regulatory flood selected for this ordinance is representative of large floods which are reasonably characteristic of what can be expected to occur on the particular streams subject to this ordinance. It is in the general order of a flood which could be expected to have a one percent (1%) chance of occurrence in any one year, as delineated on the Federal Insurance Administration's Rood Insurance Study, and illustrative materials dated August 2, 1982 as amended, and any future revisions there to.
- B. Calculation of water surface profiles based on a hydraulic engineering analysis of the capacity of the stream channel and overbank areas to convey the regulatory flood.
- C. Computation of the floodway required to convey this flood without increasing flood heights more than 1 foot at any point.
- D. Delineation of floodway encroachment lines within which no obstruction is permitted which would cause any increase in flood height.
- E. Delineation of floodway fringe, i.e., that area outside the floodway encroachment lines but which still is subject to inundation by the regulatory flood.

### 1.3 STATE OF PURPOSE.

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

It is the purpose of this ordinance to promote the public health, safety, and general welfare and to minimize those losses described in Section 1.21 by applying the provisions of this ordinance to:

- 1.31 Restrict or prohibit uses which are dangerous to health, safety, or property in times of flooding or cause undue increases in flood heights or velocities.
- 1.32 Require that uses vulnerable to floods, including public facilities which serve such uses, be provided with flood protection at the time of initial construction.
- 1.33 Protect individuals from buying lands which are unsuited for intended purposes because of flood hazard.
- 1.34 Assure that eligibility is maintained for property owners in the community to purchase flood insurance in the National Flood Insurance Program.

## SECTION 2.0 GENERAL PROVISIONS

### 2.1 Lands to Which Ordinance Applies.

This ordinance shall apply to all lands within the jurisdiction of the City of Plattsburg identified on the Flood Insurance Rate Map (FIRM) as numbered and unnumbered A Zones (including AE, AO and AH Zones) and within the Zoning District FW and FF established in Section 4.0 of this ordinance. In all areas covered by this ordinance no development shall be permitted except upon a permit to develop granted by the Board of Aldermen or its duly designated representative under such safeguards and restriction as the Board of Aldermen or the designated representative may reasonably impose for the promotion and

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

maintenance of the general welfare, health of the inhabitants of the community and where specifically noted in Sections 5.0, 6.0, and 7.0.

### 2.2 The Enforcement Officer.

The Zoning Administrator of the community is hereby designated as the community's duly designated Enforcement Officer under this Ordinance.

### 2.3 Rules for Interpretation of District Boundaries.

The boundaries of the floodway and floodway overlay districts shall be determined by scaling distances on the official zoning map or on the Flood Insurance Rate Map or Floodway Map. Where interpretation is needed to the exact location of the boundaries of the districts as shown on the official zoning map, as for example where there appears to be a conflict between a mapped boundary and actual field conditions, the Enforcement Office shall make the necessary interpretation. In such cases where the interpretation is contested, the Board of Zoning Appeals will resolve the dispute. The regulatory flood elevation for the point in question shall be the governing factor in locating the district boundary on the land. The person contesting the location of the district boundary shall be given a reasonable opportunity to present this case to the Board and to submit his own technical evidence, if he so desires.

### 2.4 Compliance.

No development located within known flood hazard areas of this community shall be located, extended, converted or structurally altered without full compliance with the terms of this ordinance and other applicable regulations.

### 2.5 Abrogation and Greater Restrictions.

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

It is not intended by this ordinance to repeal, abrogate or impair any existent easements, covenants, or deed restrictions. However, where this ordinance imposes greater restrictions, the provision of this ordinance shall prevail. All other ordinances inconsistent with this ordinance are hereby repealed to the extent of the inconsistency only.

### 2.6 Interpretation.

In their interpretation and application, the provisions of this ordinance shall be held to be minimum requirements and shall be liberally construed in favor of the governing body and shall not be deemed a limitation or repeal of any other powers granted by state statutes.

### 2.7 Warning and Disclaimer of Liability.

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on engineering and scientific methods of study. Larger floods may occur on rare occasions or the flood height may be increased by man made or natural causes, such as ice jams or bridge openings restricted by debris. This ordinance does not imply that areas outside floodway and floodway fringe district boundaries or land uses permitted within such districts will be free from flooding or flood damage. This ordinance shall not create liability on the part of the City of Plattsburg or any officer or employee thereof for any flood damages that may result from reliance on this ordinance or any administrative decision lawfully made thereunder.

### 2.8 Severability.

If any section, clause, provision or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

### 2.9 Appeal.

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

Where a request for a permit to develop or a variance is denied by the Zoning Administrator the applicant may apply for such permit or variance directly to the Board of Zoning Appeals.

### SECTION 3.0 DEVELOPMENT PERMIT

#### 3.1 Permit Required.

No person, firm or corporation shall initiate any development or substantial improvement or same the cause to be done without first obtaining a separate permit for development as defined in Section 12.0.

#### 3.2 Administration.

- A. The Zoning Administrator is hereby appointed to administer and implement the provisions of this ordinance.
- B. Duties of the Zoning Administrator shall include, but not be limited to:
  - (1) Review of all development permits to assure that sites are reasonably safe from flooding and that the permit requirements of this ordinance have been satisfied.
  - (2) Review permits for proposed development to assure that all necessary permits have been obtained from those Federal, State or local governmental agencies from which prior approval is required.
  - (3) Notify adjacent communities and the DNR prior to any alteration or relocation of a watercourse, and shall submit evidence of such notification to the Federal Emergency Management Agency.

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

- (4) Assure that maintenance is provided within the altered or relocated portion of said water course so that the flood carrying capacity is not diminished.
- (5) Verify, record and maintain record of the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures.
- (6) Verify, record and maintain record of the actual elevation (in relation to mean sea level) to which the new or substantially improved structures have been floodproofed.
- (7) When floodproofing is utilized for a particular structure the Zoning Administrator shall be presented certification from a registered professional engineer or architect.

### 3.3 Application for Permit.

To obtain a permit, the applicant shall first file an application in writing on a form furnished for that purpose. Every such application shall:

- 3.31 Identify and describe the work to be covered by the permit.
- 3.32 Describe the land on which the proposed work is to be done by lot, block tract and house and street address, or similar description that will readily identify and definitely locate the proposed building or work.
- 3.33 Indicate the use or occupancy for which the proposed work is intended.
- 3.34 Be accompanied by plans and specifications for proposed construction.
- 3.35 Be signed by the permittee or his authorized agent who may be required to submit evidence to indicate such authority.

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

- 3.36 Give such other information as reasonably may be required by the Zoning Administrator.

### SECTION 4.0 ESTABLISHMENT OF ZONING DISTRICTS

The mapped flood plain areas within the jurisdiction of this ordinance are hereby divided into the two following districts: a floodway overlay district (FW) and a floodway fringe overlay district (FF) identified in the Hood Insurance Study (and accompanying maps). Within these districts all uses not meeting the standards of this ordinance and those standards of the underlying zoning district shall be prohibited. These zones shall be consistent with the numbered and unnumbered A Zones (including AE, AO and AH zones) as identified on the official FIRM and identified in the Flood Insurance Study provided by the Federal Management Agency.

### SECTION 5.0 STANDARDS FOR THE FLOODWAY OVERLAY DISTRICT AND THE FLOODWAY FRINGE OVERLAY DISTRICT.

- 5.1 No permit for development shall be granted for new construction, substantial improvements and other improvements including the placement of manufactured homes within all numbered and unnumbered A zones (including AE, AO and AH zones) unless the conditions of this Section are satisfied.
- 5.2 All areas identified as unnumbered A zones on the FIRM are subject to inundation of the 100-year flood; however, the water surface elevation was not provided. The unnumbered A zones shall be subject to all development provisions of this ordinance. If Flood Insurance Study data is not available the community shall utilize any base flood elevation or floodway date currently available from Federal, State or other sources.
- 5.3 New Construction, subdivision proposals, substantial improvements, prefabricated buildings, placement of manufactured homes and other developments shall require:

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

- 5.31 Design or anchorage to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
- 5.32 New or replacement water supply systems and/or sanitary sewage systems be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters, and on-site waste disposal systems be located so as to avoid impairment or contamination.
- 5.33 Construction with materials resistant to flood damage, utilizing methods and practices that minimize flood damages, and with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
- 5.34 All utility and sanitary facilities be elevated or floodproofed up to the regulatory flood protection elevation.
- 5.35 That until a floodway has been designated, no development, including landfill, may be permitted within Zones A1-30 and AE on the city's FIRM unless the applicant for the land use has demonstrated that the proposed use, when combined with all other existing and reasonably anticipated uses, will not increase the water surface elevation of the 100-year flood more than one foot on the average cross section of the reach in which the development or landfill is located as shown on the Hood Insurance Rate Study incorporated by reference: Section 1.23A of this ordinance.
- 5.36 Storage and Material and Equipment.
  - A. The storage or processing of materials that are in time of flooding buoyant, flammable, explosive, or could be injurious to human, animal or plant life is prohibited.

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

- B. Storage of other material or equipment may be allowed if not subject to major damage by floods and firmly anchored to prevent flotation or if readily removable from the area within the time available after flood warning.

- 5.37 Subdivision proposals and other proposed new development, including manufactured home parks or subdivision, be required to assure that (a) all such proposals are consistent with the need to minimize flood damage, (b) all public utilities and facilities, such as sewer, gas, electrical, and water systems are located, elevated and constructed to minimize or eliminate flood damage, (c) adequate drainage is provided so as to reduce exposure to flood hazards, and (d) proposals for development (including proposals for manufactured home parks and subdivisions) of five (5) acres or fifty (50) lots, whichever is lesser, include within such proposals the regulatory flood elevation.

### SECTION 6.0 FLOODWAY FRINGE OVERLAY DISTRICT.

(Including AO and AH Zones)

#### 6.1 Permitted Uses.

Any use permitted in Section 7.0 shall be permitted in the Floodway Fringe Overlay District. No use shall be permitted in the district unless the standards of Section 5.0 are met.

#### 6.2 STANDARDS FOR THE FLOODWAY FRINGE OVERLAY DISTRICT.

- 6.21 Require new construction or substantial improvements of residential structures to have the lowest floor, including basement, elevated to or above two (2) feet above the base flood elevation.
- 6.22 Require new construction or substantial improvements of non-residential structures to have the lowest floor, including basement, elevated to or above two (2) feet above the base flood elevation or, together with

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

attendant utility and sanitary facilities, to be floodproofed so that below such a level the structure is water tight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall certify that the standards of this subsection are satisfied. Such certification shall be provided to the official as set forth in Section 3.2, B(7).

- 6.23 Require for all new construction and substantial improvements that fully enclosed areas below the lowest floor that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria: A minimum of two openings have a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
- 6.24 Within AH zones adequate drainage paths around structures on slopes shall be required in order to guide floodwaters around and away from proposed structures.
- 6.25 Manufactured Homes.
- A. All manufactured homes shall be anchored to resist flotation, collapse, or lateral movement. Manufactured homes must be anchored in accordance with local building codes or FEMA guidelines. In the event that over-the-top frame ties to ground anchors are used, the following specific requirements (or their equivalent) shall be met:

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

- (1) over-the-top ties be provided at each of the four corners of the manufactured home, with two additional ties per side at intermediate locations and manufactured homes less than fifty (50) feet long requiring one additional tie per side;
  - (2) frame ties be provided at each corner of the home with five additional ties per side at intermediate points and manufactured homes less than fifty (50) feet long requiring four additional ties per side;
  - (3) all components of the anchoring system be capable of carrying a force of 4,800 pounds; and
  - (4) any additions to the manufactured home be similarly anchored.
- B. Require that all manufactured homes to be placed within Zones A1-30, AH, and AE on the community's FIRM, be elevated on a permanent foundation such that the lowest floor of the manufactured home is at or above two (2) feet above the base flood elevation; and be securely anchored to an adequately anchored foundation system in accordance with the provisions of Section 6.25A.
- 6.26 Located within the areas of special flood hazard established in Section 2. are areas designed as AO Zones. These areas have special flood hazards associated with base flood depths of 1 to 3 feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and indeterminate; therefore, the following provisions apply with AO Zones.
- A. All new construction and substantial improvements of residential structures have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as two (2) feet above the

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

depth number specified in feet on the community's FIRM (at least two feet if no depth number is specified).

B. All new construction and substantial improvements of nonresidential structures shall:

(1) have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as two (2) feet above the depth number specified in feet on the community's FIRM (at least two feet if no depth number is specified), or

(2) together with attendant utility and sanitary facilities be completely floodproofed to or above that level so that any space below that level is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. Such certification shall be provided to the official as set forth in Section 3.2B(7).

C. Adequate drainage paths around structures on slopes shall be required in order to guide floodwaters around and away from proposed structures.

## SECTION 7.0 FLOODWAY OVERLAY DISTRICT

### 7.1 PERMITTED USES.

Only uses having a low flood-damage potential and not obstructing flood flows shall be permitted within the Floodway District to the extent that they are not prohibited by any other ordinance. All encroachments, including fill, new construction, substantial improvements and other developments must be prohibited unless certification by a professional registered engineer or architect is provided demonstrating that encroachments shall not result in any increase in

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

flood levels during occurrence of the base flood discharge. No use shall increase the flood levels of the regulatory flood elevation. These uses are subject to the standards of Section 5.0 and 6.0. The following are recommended uses for the Floodway District.

- 7.11 Agricultural uses such as general farming, pasture, nurseries, forestry.
- 7.12 Residential uses such as lawns, gardens, parking and play areas.
- 7.13 Non-residential areas such as loading areas, parking, airport landing strips.
- 7.14 Public and private recreational uses such as golf courses, archery ranges, picnic grounds, parks, wildlife and nature preserves.
- 7.15 In Zone A unnumbered, obtain review and reasonably utilize any floodway data available through Federal, State or other sources of Section 5.37(d) of this ordinance, in meeting the standards of this section.

## SECTION 8.0 VARIANCE PROCEDURES

- 8.1 The Zoning Board of Adjustment as established by the City of Plattsburg shall hear and decide appeals and requests for variances from the requirements of this ordinance.
- 8.2 The Zoning Board of Adjustment shall hear and decide appeals when it is alleged that there is an error in requirement, decision, or determination made by the Zoning Administrator in the enforcement or administration of this ordinance.
- 8.3 Any person aggrieved by the decision of the Zoning Board of Adjustment or any taxpayer may appeal such decision to the Clinton County Circuit Court as provided in 89.020.

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

- 8.4 In passing upon such application, the Zoning Board of Adjustment shall consider all technical evaluation, all relevant factors, standards specified in other section of this ordinance, and:
- 8.41 the danger that materials may be swept onto other lands to the injury of others;
  - 8.42 the danger of life and property due to flooding or erosion damage;
  - 8.43 the susceptibility of proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
  - 8.44 the importance of the services provided by the proposed facility to the community;
  - 8.45 the necessity to the facility of a waterfront location, where applicable;
  - 8.46 the availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
  - 8.47 the compatibility of the proposed use with existing and anticipated development;
  - 8.48 the relationship of the proposed use to the comprehensive plan and flood plain management program for that area;
  - 8.49 the safety of access to the property in times of flood for ordinance and emergency vehicles;
  - 8.491 the expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

8.492 the costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.

### 8.5 Conditions for Variances.

8.51 Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing items (8.52-8.56 below) have been fully considered. As the lot size increases beyond the one-half acre, the technical jurisdiction required for issuing the variance increases.

8.52 Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this section.

8.53 Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

8.54 Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

8.55 Variances shall only be issued upon (i) a showing of good and sufficient cause, (ii) a determination that failure to grant the variance would result in exceptional hardship to the applicant, and (iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

8.56 Any applicant to whom a variance is granted shall be given a written notice that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

### SECTION 9.0 NON-CONFORMING USE

9.1 A structure or the use of a structure or premises which was lawful before the passage or amendment of the ordinance but which is not in conformity with the provisions of this ordinance may be continued subject to the following conditions:

9.11 If such use is discontinued for twelve (12) consecutive months, any future use of the building premises shall conform to this ordinance. The Utility Department shall notify the Zoning Administrator in writing of instances of nonconforming uses where utility services have been discontinued for a period of twelve (12) months.

9.12 Uses or adjuncts thereof which are or become nuisances shall not be entitled to continue as nonconforming uses.

9.2 If any nonconforming use or structure is destroyed by any means, including flood, it shall not be reconstructed if the cost is more than 50 percent of the market value of the structure before the damage occurred except that if it is reconstructed in conformity with the provisions of this ordinance. This limitation does not include the cost of any alteration to comply with the existing state or local health, sanitary, building, or safety codes or regulations or the cost of any alteration of a structure listed on the National Register of Historic Places of a State Inventory of Historic Places.

### SECTION 10.0 PENALTIES FOR VIOLATION

Violation of the provisions of this ordinance or failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with grants or variances or special exceptions) shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

its requirements shall upon conviction thereof be fined not more than \$500.00, and in addition, shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense.

Nothing herein contained shall prevent the City of Plattsburg or other appropriate authority from taking such other lawful action as is necessary to prevent or remedy any violation.

### SECTION 11.0 AMENDMENTS

The regulations, restrictions, and boundaries set forth in this ordinance may from time to time be amended, supplemented, changed, or appealed to reflect any and all changes in the National Flood Disaster Act of 1973, provided, however, that no such action may be taken until after a public hearing in relation thereto, at which parties in interest and citizens shall have an opportunity to be heard. Notice of the time and place of such hearing shall be published in a newspaper of general circulation in the City of Plattsburg. At least twenty (20) days shall elapse between the date of this publication and the public hearing. A copy of such amendments will be provided to the Federal Emergency Management Agency. The regulations of this ordinance are in compliance with the National Flood Insurance Program Regulations.

### SECTION 12.0 DEFINITIONS

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

"Actuarial or Risk Premium Rates" mean those rates established by the Administrator pursuant to individual community studies and investigations which are undertaken to provide flood insurance in accordance with Section 1307 of the Act and the accepted actuarial principles. "Risk premium rates" include provisions for operating costs and allowances.

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

"Appeal" means a request for a review of the Zoning Administrator's interpretation of any provision of this ordinance or a request for a variance.

"Area of shallow flooding" means a designated AO or AH zone on a community's Hood Insurance Rate Map (HRM) with a one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

"Area of special flood hazard" is the land in the flood plain within a community subject to one percent or greater change of flooding in any given year.

"Base flood" means the flood having one percent chance of being equalled or exceeded in any given year.

"Development" means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

"Existing construction" means (for the purposes of determining rates) structures for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975, for FIRM'S effective before that date. "Existing construction" may also be referred to as "existing structures."

"Flood or "flooding" means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) The overflow of inland or tidal waters.
- (2) The unusual and rapid accumulation of runoff or surface waters from the source.

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

"Flood Insurance Rate Map" (FIRM) means an official map of a community, on which the Flood Insurance Study has delineated the Flood Hazard Boundaries and the zones establishing insurance rates applicable to the community.

"Flood Insurance Study" is the official report provided by the Federal Emergency Management Agency. The report contains flood profiles, as well as the Hood Boundary Map and the water surface elevation of the base flood.

"Floodway" or "Regulatory Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

"Floodway Fringe" is that area of the flood plain, outside of the floodway, that on the average is likely to be flooded once every 100 years (i.e., that has a one percent chance of flood occurrence in any one year).

"Freeboard" means a factor of safety usually expressed in feet above a flood level for purposes of flood plain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, clogged bridge openings, and the hydrological effect of urbanization of the watershed.

"Highest adjacent grade" means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

"Manufactured Home" means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For flood plain management purposes the term "manufactured home" also includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than 180 consecutive days. For insurance purposes the term "manufactured home" does not include park trailers, travel trailers, and other similar vehicles.

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

"Manufactured home park or subdivision" means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

"New Construction"<sup>1</sup> means structures for which the "start of construction or substantial improvement is commenced on or after the effective date of the FIRM.

"Overlay District" is a district in which additional requirements act in conjunction with the underlying zone district(s). The original zoning district designation does not change.

"Start of Construction" (for other than new construction or substantial improvements under the Coastal Barrier Resources Act (Pub. L. 97-348) includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement, or other improvement was within 180 days of the permit date. The actual start means the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

"Structure" means a walled and roofed building that is principally above ground, as well as a manufactured home, and a gas or liquid storage tank that is principally above ground.

"Substantial improvement" means any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either, (1) before the improvement or repair is started, or (2) if the structure has been damaged and is being restored, before the damage occurred. For the purpose of

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

this definition "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either (1) any project for improvement of a structure to comply with existing, state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions, or (2) any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

"Variances" is a grant of relief to a person from the requirements of this ordinance which permits construction in a manner otherwise prohibited by this ordinance where specific enforcement would result in unnecessary hardship.

Plattsburg, Missouri Zoning Regulations-Appendix A

**Listing of Uses By Zoning District**

1992

ZONING DISTRICTS

RP	SIC		A	R	R	R	M	R	C	C	I
0	NO	USE DESCRIPTION	G	S	1	2	P	3	1	2	1
1		<b>A AGRICULTURE, FORESTRY &amp; FISHING</b>									
1		<b>1 AGRICULTURAL PRODUCTION - CROPS</b>									
1	17	Fruits & Tree Nuts	P	S	N	N	N	N	N	N	S
1	18	Horticultural Specialties	P	S	N	N	N	N	N	N	S
2		<b>2 AGRICULTURAL PRODUCTION - LIVESTOCK</b>									
2	279	Animal Services, Kennels	S	N	N	N	N	N	N	N	S
2	211	Feedlots, Commercial	N	N	N	N	N	N	N	N	N
2	21	Cattle and Equine	S	N	N	N	N	N	N	N	N
7		<b>7 AGRICULTURAL SERVICES</b>									
7	76	Farm Labor & Management Services	S	N	N	N	N	N	N	P	N
7	78	Landscape & Horticultural Services	S	S	N	N	N	N	N	P	N
7	74	Veterinary Services	S	N	N	N	N	N	S	S	S
8		<b>8 FORESTRY</b>									
8	83	Forest Products	S	N	N	N	N	N	N	N	N
8	85	Forestry Services	N	N	N	N	N	N	N	N	P
8	81	Timber Tracts	S	N	N	N	N	N	N	N	N
9		<b>9 FISHING, HUNTING &amp; TRAPPING</b>									
9	91	Commercial Fishing	N	N	N	N	N	N	N	N	N
9	92	Fish Hatcheries & Preserves	N	N	N	N	N	N	N	N	S
9	97	Hunting, Trapping, Game Propagation	N	N	N	N	N	N	N	N	N
10		<b>10 B. MINING</b>									
10	10	<b>METAL MINING</b>	N	N	N	N	N	N	N	N	S
12	12	<b>COAL MINING</b>	N	N	N	N	N	N	N	N	S
13	13	<b>OIL &amp; GAS EXTRACTION</b>									
13	131	Crude Petroleum & Natural Gas	S	N	N	N	N	N	N	N	S
13	132	Natural Gas Liquids	P	N	N	N	N	N	N	N	S
13	138	Oil & Gas Field Services	N	N	N	N	N	N	N	N	S
14		<b>14 NONMETALLIC MINERALS, EXCEPT FUELS</b>									
14	147	Chemical & Fertilizer Minerals	N	N	N	N	N	N	N	N	S
14	145	Clay, Ceramic & Refractory Minerals	N	N	N	N	N	N	N	N	S
14	142	Crushed & Broken Stone	N	N	N	N	N	N	N	N	S
14	141	Dimension Stone	N	N	N	N	N	N	N	N	S
14	148	Nonmetallic Minerals Services	N	N	N	N	N	N	N	N	S

P = Permitted, C = Conditionally Permitted, S = Special Use Permit, N - Not Permitted

Plattsburg, Missouri Zoning Regulations-Appendix A

**Listing of Uses By Zoning District**

1992

ZONING DISTRICTS

GRP NO	SIC NO	USE DESCRIPTION	A G	R S	R 1	R 2	M P	R 3	C 1	C 2	I 1
14	144	Sand & Gravel	N	N	N	N	N	N	N	N	S
15	15	<b>C. CONSTRUCTION</b>									
15	15	BUILDING CONTRACTORS	N	N	N	N	N	N	N	N	P
16	16	HEAVY CONSTRUCTION. EX. BUILDING	N	N	N	N	N	N	N	N	P
17	17	<b>SPECIAL TRADE CONTRACTORS</b>									
17	175	Carpentry & Floor Work	N	N	N	N	N	N	N	N	P
17	177	Concrete Work	N	N	N	N	N	N	N	N	P
17	173	Electrical Work	N	N	N	N	N	N	N	N	P
17	174	Masonry, Stonework & Plastering	N	N	N	N	N	N	N	N	P
17	172	Painting & Paper Hanging	N	N	N	N	N	N	N	N	P
17	171	Plumbing, Heating, Air-Conditioning	N	N	N	N	N	N	N	N	P
17	176	Roofing, Siding & Sheet Metal Work	N	N	N	N	N	N	N	N	P
17	179	Special Trade Contractors, Misc.	N	N	N	N	N	N	N	N	P
17	178	Water Well Drilling	N	N	N	N	N	N	N	N	P
20	20	<b>D. MANUFACTURING</b>									
20	20	<b>FOOD &amp; KINDRED PRODUCTS</b>									
20	205	Bakery Products	N	N	N	N	N	N	N	N	s
20	208	Beverages	N	N	N	N	N	N	N	N	s
20	202	Dairy Products	N	N	N	N	N	N	N	N	s
20	207	Fats & Oils	N	N	N	N	N	N	N	N	s
20	204	Grain Mill Products	N	N	N	N	N	N	N	N	s
20	201	Meat Products	N	N	N	N	N	N	N	N	s
20	206	Sugar & Confectionery Products	N	N	N	N	N	N	N	N	s
22	22	<b>TEXTILE MILL PRODUCTS</b>	N	N	N	N	N	N	N	N	P
23	23	<b>APPAREL &amp; OTHER TEXTILE PRODUCTS</b>	N	N	N	N	N	N	N	N	s
24	24	<b>LUMBER &amp; WOOD PRODUCTS</b>									
24	241	Logging	N	N	N	N	N	N	N	N	s
24	249	Miscellaneous Wood Products	N	N	N	N	N	N	N	N	P
24	242	Sawmills & Planing Mills	N	N	N	N	N	N	N	N	s
24	245	Wood Buildings & Mobile Homes	N	N	N	N	N	N	N	N	P
26	26	<b>PAPER &amp; ALLIED PRODUCTS</b>									
26	267	Misc. Converted Paper Products	N	N	N	N	N	N	N	N	s
26	262	Paper Mills	N	N	N	N	N	N	N	N	N
26	265	Paperboard Containers & Boxes	N	N	N	N	N	N	N	N	S
26	263	Paperboard Mills	N	N	N	N	N	N	N	N	N

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Plattsburg, Missouri Zoning Regulations-Appendix A

**Listing of Uses By Zoning District**

1992

ZONING DISTRICTS

iRP	SIC		A	R	R	R	M	R	C	C	I
0	NO	USE DESCRIPTION	G	S	1	2	P	3	1	2	1
26	261	Pulp Mills	N	N	N	N	N	N	N	N	N
27	27	<b>PRINTING &amp; PUBLISHING</b>									
27	275	Commercial Printing	N	N	N	N	N	N	N	S	P
27	274	Miscellaneous Publishing	N	N	N	N	N	N	N	S	P
27	279	Printing Trade Services	N	N	N	N	N	N	N	S	P
28	28	<b>CHEMICALS &amp; ALLIED PRODUCTS</b>									
28	287	Agricultural Chemicals	N	N	N	N	N	N	N	N	N
28	283	Drugs	N	N	N	N	N	N	N	N	N
28	281	Industrial Inorganic Chemicals	N	N	N	N	N	N	N	N	N
28	286	Industrial Organic Chemicals	N	N	N	N	N	N	N	N	N
28	289	Miscellaneous Chemical Products	N	N	N	N	N	N	N	N	N
28	285	Paints & Allied Products	N	N	N	N	N	N	N	N	N
28	282	Plastics Materials & Synthetics	N	N	N	N	N	N	N	N	N
28	284	Soap, Cleaners, & Toilet Goods	N	N	N	N	N	N	N	N	N
29	29	<b>PETROLEUM &amp; COAL PRODUCTS</b>									
29	295	Asphalt Paving & Roofing Materials	N	N	N	N	N	N	N	N	S
29	299	Misc. Petroleum & Coal Products	N	N	N	N	N	N	N	N	N
29	291	Petroleum Refining	N	N	N	N	N	N	N	N	N
30	30	<b>RUBBER &amp; MISC. PLASTICS PRODUCTS</b>									
30	306	Fabricated Rubber Products	N	N	N	N	N	N	N	N	S
30	305	Hose, Belting, Gaskets & Packing	N	N	N	N	N	N	N	N	S
30	308	Miscellaneous Plastics Products	N	N	N	N	N	N	N	N	S
30	302	Rubber & Plastics Footwear	N	N	N	N	N	N	N	N	S
30	301	Tires & Inner Tubes	N	N	N	N	N	N	N	N	S
31	31	<b>LEATHER &amp; LEATHER PRODUCTS</b>									
31	313	Footwear Cut Stock	N	N	N	N	N	N	N	N	P
31	314	Footwear, Except Rubber	N	N	N	N	N	N	N	N	P
31	317	Handbags & Personal Leather Goods	N	N	N	N	N	N	N	N	P
31	315	Leather Gloves & Mittens	N	N	N	N	N	N	N	N	P
31	311	Leather Tanning & Finishing	N	N	N	N	N	N	N	N	S
31	319	Misc. Leather Goods	N	N	N	N	N	N	N	N	P
32	32	<b>STONE, CLAY &amp; GLASS PRODUCTS</b>									
32	324	Cement, Hydraulic	N	N	N	N	N	N	N	N	S
32	327	Concrete, Gypsum, & Plaster Products	N	N	N	N	N	N	N	N	S
32	328	Cut Stone & Stone Products	N	N	N	N	N	N	N	N	S

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Plattsburg, Missouri Zoning Regulations-Appendix A  
**Listing of Uses By Zoning District**

1992

ZONING DISTRICTS

RP	SIC	USE DESCRIPTION	A	R	R	R	M	R	C	c	I
0	NO		G	S	1	2	P	3	1	2	1
32	321	Flat Glass	N	N	N	N	N	N	N	N	S
32	322	Glass & Glassware	N	N	N	N	N	N	N	N	S
32	329	Misc. Nonmetallic Mineral Products	N	N	N	N	N	N	N	N	S
32	326	Pottery & Related Products	N	N	N	N	N	N	N	N	S
32	325	Structural Clay Products	N	N	N	N	N	N	N	N	S
34	34	<b>FABRICATED METAL PRODUCTS</b>									
34	346	Metal Forglngs & Stampings	N	N	N	N	N	N	N	N	N
34	347	Metal Services	N	N	N	N	N	N	N	N	N
34	349	Misc. Fabricated Metal Products	N	N	N	N	N	N	N	N	N
34	348	Ordnance & Accessories	N	N	N	N	N	N	N	N	N
35	35	<b>INDUSTRIAL MACHINERY &amp; EQUIPMENT</b>									
35	357	Computer & Office Equipment	N	N	N	N	N	N	N	N	P
35	353	Construction & Related Machinery	N	N	N	N	N	N	N	N	N
35	351	Engines & Turbines	N	N	N	N	N	N	N	N	N
35	352	Farm & Garden Machinery	N	N	N	N	N	N	N	N	N
35	356	General Industrial Machinery	N	N	N	N	N	N	N	N	N
36	36	<b>ELECTRONIC &amp; OTHER ELECTRIC EQUIPMENT</b>									
36	366	Communication Equipment	S	N	N	N	N	N	N	N	P
36	369	Misc. Electrical Equipment & Supplies	N	N	N	N	N	N	N	N	P
37	37	<b>TRANSPORTATION EQUIPMENT</b>									
37	372	Aircraft & Parts	N	N	N	N	N	N	N	N	N
37	376	Guided Missiles, Space Vehicles & Parts	N	N	N	N	N	N	N	N	N
37	379	Miscellaneous Transportation Equipment	N	N	N	N	N	N	N	N	N
38	38	<b>INSTRUMENTS &amp; RELATED PRODUCTS</b>									
38	382	Measuring & Controlling Devices	N	N	N	N	N	N	N	N	P
38	384	Medical Instruments & Supplies	N	N	N	N	N	N	N	N	P
40	40 E.	<b>TRANSPORTATION &amp; PUBLIC UTILITIES</b>									
42	42	<b>TRUCKING &amp; WAREHOUSING</b>									
42	422	Public Warehousing & Storage	N	N	N	N	N	N	N	N	P
42	423	Trucking Terminal Services	N	N	N	N	N	N	N	N	P
42	421	Trucking & Courier Services	N	N	N	N	N	N	N	N	P
43	431	U.S. POSTAL SERVICE	N	N	N	N	N	N	P	P	P
46	46	<b>PIPELINES, EXCEPT NATURAL GAS</b>									
46	461	Pipelines, Except Natural Gas	S	S	S	S	S	S	S	S	S
47	47	<b>TRANSPORTATION SERVICES</b>									

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Plattsburg, Missouri Zoning Regulations-Appendix A

**Listing of Uses By Zoning District**

1992

ZONING DISTRICTS

GRP	SIC		A	R	R	R	M	R	C	C	I
IO	NO	USE DESCRIPTION	G	S	1	2	P	3	1	2	1
47	473	Freight Transportation Arrangement	N	N	N	N	N	N	S	S	P
47	478	Miscellaneous Transportation Services	N	N	N	N	N	N	N	N	P
47	472	Travel Agencies & Tour Operators	N	N	N	N	N	N	P	P	N
48		48 COMMUNICATIONS									
48	484	Cable & Other Pay TV Services									
48	489	Miscellaneous Communications Services	N	N	N	N	N	N	P	P	P
48	483	Radio & Television Broadcasting	N	N	N	N	N	N	P	P	P
48	482	Telegraph & Other Communications	N	N	N	N	N	N	P	P	P
48	481	Telephone Communications	N	N	N	N	N	N	P	P	P
49		49 ELECTRIC, GAS, & SANITARY SERVICES									
49	493	Combination Utility Services	S	N	N	N	N	N	N	N	P
49	491	Electric Services	N	N	N	N	N	N	N	N	P
49	492	Gas Production & Distribution	N	N	N	N	N	N	N	N	P
49	497	Irrigation Systems	N	N	N	N	N	N	N	N	P
49	4953	Sanitary Landfill	N	N	N	N	N	N	N	N	N
49	4952	Sewerage Systems (not septic tanks)	S	S	S	S	S	S	S	S	S
49	496	Steam & Air-Conditioning Supply	N	N	N	N	N	N	N	N	P
49	494	Water Supply	N	N	N	N	N	N	N	N	P
50		50 F. WHOLESALE TRADE									
50		50 WHOLESALE TRADE - DURABLE GOODS									
50	506	Electrical Goods	N	N	N	N	N	N	N	P	P
50	502	Furniture & Homefurnishings	N	N	N	N	N	N	P	P	P
50	507	Hardware, Plumbing & Heating Equipment	N	N	N	N	N	N	P	P	P
50	503	Lumber & Construction Materials	N	N	N	N	N	N	N	P	P
50	508	Machinery, Equipment & Supplies	N	N	N	N	N	N	N	P	P
50	505	Metals & Minerals, Except Petroleum	N	N	N	N	N	N	N	P	P
50	509	Miscellaneous Durable Goods	N	N	N	N	N	N	N	P	P
50	501	Motor Vehicles, Parts & Supplies	N	N	N	N	N	N	N	P	P
50	504	Professional & Commercial Equipment	N	N	N	N	N	N	N	P	P
50	5093	Salvage Yard	N	N	N	N	N	N	N	N	N
51		51 WHOLESALE TRADE - NONDURABLE GOODS									
51	513	Apparel, Piece Goods & Notions	N	N	N	N	N	N	N	S	P
51	518	Beer, Wine & Distilled Beverages	N	N	N	N	N	N	N	S	P
51	516	Chemicals & Allied Products	N	N	N	N	N	N	N	S	P
51	512	Drugs, Proprietaries & Sundries	N	N	N	N	N	N	N	S	P

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Plattsburg, Missouri Zoning Regulations-Appendix A

**Listing of Uses By Zoning District**

1992

			ZONING DISTRICTS								
iRP	SIC		A	R	R	R	M	R	C	C	I
0	NO	USE DESCRIPTION	G_	S_	1	2	P	3	1	2	1
51	5153	Grain, Field Beans & Hay	N	N	N	N	N	N	N	S	P
51	514	Groceries & Related Products	N	N	N	N	N	N	N	S	P
51	5154	Livestock & Other Farm Products	N	N	N	N	N	N	N	N	N
51	519	Misc. Nondurable Goods	N	N	N	N	N	N	N	S	P
51	511	Paper & Paper Products	N	N	N	N	N	N	N	S	P
51	517	Petroleum & Petroleum Products	N	N	N	N	N	N	N	S	P
52	52 G.	<b>RETAIL TRADE</b>									
52	52	<b>BUILDING MATERIALS &amp; GARDEN SUPPLIES</b>									
52	525	Hardware Stores	N	N	N	N	N	N	P	P	N
52	521	Lumber & Other Building Materials	N	N	N	N	N	N	N	P	P
52	527	Manufactured Home Dealers	N	N	N	N	N	N	N	P	P
52	523	Paint, Glass & Wallpaper Stores	N	N	N	N	N	N	P	P	N
52	526	Retail Nurseries & Garden Stores	P	N	N	N	N	N	N	P	N
53	53	<b>GENERAL MERCHANDISE STORES</b>									
53	531	Department Stores	N	N	N	N	N	N	P	P	N
53	539	Miscellaneous Merchandise Stores	N	N	N	N	N	N	P	P	N
53	533	Variety Stores	N	N	N	N	N	N	P	P	N
54	54	<b>FOOD STORES</b>									
54	543	Fruit & Vegetable Market	P	N	N	N	N	N	P	N	N
54	541	Grocery Stores	N	N	N	N	N	N	P	P	N
54	546	Retail Bakeries	N	N	N	N	N	N	P	P	N
55	55	<b>AUTOMOTIVE DEALERS &amp; SERVICE STATIONS</b>									
55	559	Automotive Dealers, NEC	N	N	N	N	N	N	P	P	S
55	554	Gasoline Stations	N	N	N	N	N	N	P	P	S
58	58	<b>EATING * DRINKING PLACES</b>									
58	5813	Drinking Places	N	N	N	N	N	N	P	P	S
58	5812	Eating Places	N	N	N	N	N	N	P	P	S
58	5811	Eating Places. Drive-In	N	N	N	N	N	N	N	P	S
59	59	<b>MISCELLANEOUS RETAIL</b>									
59	591	Drug Stores & Proprietary Stores	N	N	N	N	N	N	P	P	N
59	592	Liquor Stores	N	N	N	N	N	N	P	P	N
59	594	Miscellaneous Shopping Goods Stores	N	N	N	N	N	N	S	P	N
59	596	Nonstore Retailers	N	N	N	N	N	N	S	S	N
59	599	Retail Stores, NEC	N	N	N	N	N	N	S	P	N
60	60	<b>H. FINANCE, INSURANCE AND REAL ESTATE</b>									

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Plattsburg, Missouri Zoning Regulations-Appendix A

**Listing of Uses By Zoning District**

1992

ZONING DISTRICTS

iRP	SIC	USE DESCRIPTION	A	R	R	R	M	R	C	C	I
0	NO		G	S	1	2	P	3	1	2	1
60	6022	Commercial Banks, Branch Offices	N	N	N	N	N	N	P	P	N
60	6021	Commercial Banks, Main Office	N	N	N	N	N	N	P	P	N
60	606	Credit Unions	N	N	N	N	N	N	P	P	S
60	609	Functions Closely Related to Banking	N	N	N	N	N	N	P	P	N
60	6035	Savings Institutions	N	N	N	N	N	N	P	P	N
64	64	INSURANCE AGENTS, BROKERS & SERVICE	N	N	N	N	N	N	P	P	N
65	65	REAL ESTATE									
65	6553	Cemeteries and Mausoleums	S	N	N	N	N	N	N	N	N
65	653	Real Estate Agents & Managers	N	N	N	N	N	N	P	P	N
65	651	Real Estate Operators & Lessors	N	N	N	N	N	N	P	P	N
65	655	Subdividers & Developers	N	N	N	N	N	N	P	P	N
65	654	Title Abstract Offices	N	N	N	N	N	N	P	P	N
67	67	HOLDING & OTHER INVESTMENT OFFICES	N	N	N	N	N	N	N	P	N
70	70	<b>1. SERVICES</b>									
70	70	LODGING PLACES									
70	703	Camps & Recreational Vehicle Parks	S	N	N	N	N	N	N	P	N
70	701	Hotels & Motels	S	N	N	N	N	N	N	P	N
70	704	Membership-Basis Organization Hotels	N	N	N	N	N	N	N	P	N
70	702	Rooming & Boarding Houses	N	N	N	N	N	N	N	P	N
70	702	Bed & Breakfast Businesses	S	S	S	S	N	S	N	N	N
72	72	<b>PERSONAL SERVICES</b>									
72	724	Barber Shops	N	N	N	N	N	N	P	P	S
72	723	Beauty Shops	N	N	N	N	N	N	P	P	S
72	726	Funeral Service & Crematories	N	N	N	N	N	N	N	P	N
72	721	Laundry, Cleaning & Garment Services	N	N	N	N	N	N	P	P	S
72	729	Miscellaneous Personal Services	N	N	N	N	N	N	<b>P</b>	<b>P</b>	N
72	722	Photographic Studios	N	N	N	N	N	N	P	P	N
72	725	Shoe Repair & Shoe Shine Parlors	N	N	N	N	N	N	P	P	S
73	73	<b>BUSINESS SERVICES</b>									
73	731	Advertising	N	N	N	N	N	N	P	P	S
73	737	Computer & Data Processing Services	N	N	N	N	N	N	P	P	S
73	732	Credit Reporting & Collecting	N	N	N	N	N	N	P	P	N
73	7359	Equipment Rental & Leasing, NEC	N	N	N	N	N	N	N	P	S
73	7353	Heavy Construction Equipment Rental	N	N	N	N	N	N	N	P	P
73	733	Mailing, Reproduction, Stenographic	N	N	N	N	N	N	P	P	S

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Plattsburg, Missouri Zoning Regulations-Appendix A

**Listing of Uses By Zoning District**

1992

ZONING DISTRICTS

RP	SIC		A	R	R	R	M	R	C	C	I
0	NO	USE DESCRIPTION	G	S	1	2	P	3	1	2	1
73	7352	Medical Equipment Rental	N	N	N	N	N	N	N	P	S
73	738	Miscellaneous Business Services	N	N	N	N	N	N	N	P	N
73	736	Personnel Supply Services	N	N	N	N	N	N	P	P	N
73	734	Services to Buildings	N	N	N	N	N	N	N	P	S
75	75	<b>AUTO REPAIR, SERVICES &amp; PARKING</b>									
75	752	Automobile Parking	N	N	N	N	N	N	P	P	S
75	751	Automotive Rentals, No Drivers	N	N	N	N	N	N	N	P	S
75	753	Automotive Repair Shops	N	N	N	N	N	N	N	P	P
75	7549	Automotive Services, NEC	N	N	N	N	N	N	N	P	S
75	7542	Carwashes	N	N	N	N	N	N	S	P	S
78	783	Motion Picture Theaters	N	N	N	N	N	N	P	P	N
78	784	Video Tape Rental	N	N	N	N	N	N	P	P	N
79	79	<b>AMUSEMENT &amp; RECREATION SERVICES</b>									
79	7996	Amusement Parks	N	N	N	N	N	N	N	S	N
79	7999	Amusement & Recreation, NEC (publicly owned)	P	S	S	S	N	N	P	P	N
79	7999	Amusement & Recreation, NEC (privately owned)	S	S	N	N	N	N	P	P	N
79	793	Bowling & Skating Centers	N	N	N	N	N	N	S	P	N
79	794	Commercial Sports Facilities	N	N	N	N	N	N	S	P	N
79	791	Dance Studios, Schools & Halls	N	N	N	N	N	N	P	P	N
79	7992	Public Golf Courses	P	S	N	N	N	N	N	N	N
79	7997	Membership Sports & Recreation Clubs	S	N	N	N	N	N	P	S	N
79	7991	Physical Fitness Facilities	N	N	N	N	N	N	P	P	S
79	7992	Public Golf Courses	P	P	N	N	N	N	N	N	N
80	80	<b>HEALTH SERVICES</b>									
80	809	Health & Allied Services, NEC	N	N	N	N	N	N	P	P	N
80	808	Home Health Care Services	N	N	N	N	N	N	P	P	N
80	806	Hospitals	N	N	N	N	N	N	P	P	N
80	807	Medical & Dental Laboratories	N	N	N	N	N	N	P	P	S
80	805	Nursing & Personal Care Facilities	S	N	N	N	N	N	P	P	N
80	802	Offices and Clinics of Dentists	N	N	N	N	N	N	P	P	N
80	801	Offices & Clinics of Medical Doctors	N	N	N	<b>N</b>	N	N	P	P	N
81	81	<b>LEGAL SERVICES</b>									
81	81	LEGAL SERVICES	N	N	N	N	N	N	P	P	N
82	82	<b>EDUCATIONAL SERVICES</b>									
82	821	Elementary & Secondary Schools	S	S	S	S	S	S	S	N	N
82	822	Colleges & Universities	S	N	N	N	<b>N</b>	N	S	S	N

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Plattsburg, Missouri Zoning Regulations-Appendix A

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1992

ZONING DISTRICTS

3RP	SIC		A	R	R	R	M	R	C	C	I
MO	NO	USE DESCRIPTION	G	S	1	2	P	3	1	2	1
82	823	Libraries	N	N	N	N	N	S	P	P	N
82	829	Schools & Educational Services, NEC	N	N	N	N	N	N	S	<b>P</b>	N
82	824	Vocational Schools	N	N	N	N	N	N	S	P	N
83	83	<b>SOCIAL SERVICES</b>									
83	8352	Day Care Center	C	C	C	C	C	C	c	C	C
83	8351	Day Care Home	S	S	S	S	S	S	N	N	N
83	836	Residential Care, Group Homes	P	P	P	P	P	P	N	N	N
83	839	Social Services, NEC	N	N	N	N	N	N	N	P	N
84	841	Museums & Art Galleries	N	N	N	N	N	N	P	P	N
86	86	<b>MEMBERSHIP ORGANIZATIONS</b>									
86	864	Civic & Social Organizations	N	N	N	N	N	N	P	P	N
86	863	Labor Organizations	N	N	N	N	<b>N</b>	N	P	P	P
86	869	Membership Organizations, NEC	N	N	N	N	N	N	P	P	N
86	866	Religious Organizations	P	<b>S</b>	S	S	S	N	S	S	N
89	89	<b>SERVICES, NEC</b>	<b>N</b>	N	<b>N</b>	N	N	<b>N</b>	S	P	N
92	92	<b>JUSTICE, PUBLIC ORDER &amp; SAFETY</b>									
92	9223	Correctional Institutions	<b>S</b>	N	N	N	<b>N</b>	<b>N</b>	N	S	S
92	921	Courts	<b>N</b>	N	N	N	N	N	P	P	<b>N</b>
92	9224	Fire Protection	N	<b>N</b>	N	<b>N</b>	N	N	S	<b>S</b>	P
92	9222	Legal Counsel & Prosecution	N	N	N	<b>N</b>	N	N	P	P	N
92	9221	Police Protection	N	N	<b>N</b>	N	N	N	S	<b>S</b>	S
92	9229	Public Order & Safety, NEC	N	N	N	<b>N</b>	N	N	<b>S</b>	<b>S</b>	S
100	100	<b>K. RESIDENTIAL</b>									
100	1001	Single-family Residential	P	<b>P</b>	P	P	P	P	N	<b>N</b>	N
100	1001	Single-family, Group Home	P	P	P	P	P	P	N	<b>N</b>	N
100	1004	Manufactured Homes	<b>N</b>	N	<b>S</b>	S	<b>P</b>	N	N	N	N
100	1003	Multi-family Residential	N	N	N	N	N	<b>P</b>	N	N	N
100	1002	Two-family Residential	N	N	N	P	P	P	N	N	N
100	1005	Mobile Homes	N	<b>N</b>	N	N	N	N	N	N	N

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# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

### I N D E X

*Accessory Building* 8, 30, 32, 34, 41  
*Accessory Use* 5, 27, 28, 61  
*Alley* 5, 11,36,44  
*Alteration* 5, 13, 45, 47, 54, 77, 95, 96, 101, 109, 112, 113  
*Amendments* 1, 4, 11, 17-19, 87, 110  
*Animal Hospital or Clinic* 5  
*Annexation of Land* 2  
*Apartment* 6, 39  
*Application* 2-4, 17, 19, 21, 49, 50, 52, 67, 73-75, 89-93, 95, 100, 102, 107, 110  
*Authority* 1, 6, 17, 56, 76, 85, 86, 102, 110  
*Basement* 6-8, 13, 101, 104, 106, 112  
*Bed and Breakfast* 6, 26, 46  
*Board of Adjustments* 6, 33, 89, 95  
*Board of Aldermen* 20, 26, 97, 99  
*Boarding or Lodging House* 6  
*Clinic* 5, 6,10  
*Common Open Space* 6  
*DayCare* 6,7,46,47,51,65  
*Day Care Center* 6, 47  
*Day Care Facility* 6  
*Day Care Home* 6, 7, 46, 47, 51  
*Dog* 7  
*Dwelling* 6, 7, 10, 23, 24, 27-33, 44, 45, 54, 56, 61-63, 72, 78, 88, 112  
*Family* 6-8, 23-25, 27-33, 38, 47, 51, 53, 55, 63, 72, 78  
*Fee* 21, 49, 68, 73-75, 77, 91  
*Floor Area* 7, 8, 10, 39, 43, 56, 62-64, 66, 87  
*Floor Area Ratio* 8  
*Foster Home* 8  
*Front Yard* 4, 14, 27-31, 33, 34, 38, 39, 41, 43-45, 48, 61, 79, 80  
*Frontage* 8, 10, 30, 31, 33, 41, 71  
*Governing Body* 6, 9, 14, 17-21, 23, 34, 35, 49, 50, 52, 61, 62, 65, 91, 92, 95, 100  
*Grade* 6, 9, 105, 106, 112  
*Home Occupation* 45, 46, 78  
*Hotel* 6,7,9,43,66

# CITY OF PLATTSBURG, MISSOURI

## ZONING REGULATIONS

*Inoperable Vehicles* 88  
*Institution* 9, 11, 12, 68, 69, 73  
*Intent* 1, 19, 24, 25, 28-30, 32, 34, 38-40, 51, 55, 61, 67, 91  
*Lodging House* 6, 7, 9  
*Lot* 1, 4, 6, 10-14, 24, 27-34, 39, 41, 43, 44, 47, 56, 63, 69, 71, 73, 75, 77, 79-82, 85-87, 92, 102, 108  
*Lot of Record* 4, 10, 30-33, 85  
*Manufactured Home* 5, 10, 11, 13, 23, 34-37, 53, 54, 63, 79, 104, 105, 112  
*Medical, Dental or Health Clinic* 6  
*Mobile Home* 10, 11, 63  
*Modular Home* 11  
*Multiple Dwelling* 56  
*Nonconforming Structure* 11,85, 86  
*Nonconforming Use* 11, 85-88, 109  
*Nursing Home or Convalescent Home* 11  
*Parking Space* 11, 47, 51, 61-65  
*Planning* 11-13, 17-20, 26, 34, 35, 49, 50, 52, 53, 55-57, 65, 91  
*Professional Office* 11, 63  
*Protest* 20  
*Public Utility* 12, 24  
*Purpose* 1, 5, 11, 13, 19, 21, 24, 28-30, 32, 34, 38-40, 51, 53, 61, 67, 68, 76, 98, 102, 113  
*Rear Lot* 10,14, 44  
*Rear Yard* 14, 27, 29, 30, 32, 34, 38, 39, 41, 48  
*Recreational Vehicle* 12,14  
*Restaurant* 12  
*Setbacks* 4, 26, 33, 47, 48, 78, 80, 83, 95  
*Sight Triangle* 36  
*Sign* 12, 28-30, 32, 34, 37, 38, 40, 42, 46, 51, 67-80, 82, 83  
*Single-Family Dwelling* 23, 27-29, 31, 33, 78  
*Special Use Permit* 13, 26, 46, 47, 49, 51-53, 65, 88  
*Story* 6, 13  
*Street Network* 13  
*Structural Alterations* 13, 73, 87  
*Subdivision Regulations* 4, 52, 85  
*Treatment Facility for Drug and Alcohol Abuse* 14  
*Two-Family Dwelling* 23, 30, 31, 33, 72, 78  
*Yard* 4, 12, 14, 27-34, 38, 39, 41, 43-45, 48, 51-53, 61, 79, 80, 85  
*Zoning Map* 1, 15, 21, 23, 53, 99  
*Zoning Regulations* 2, 4, 6, 13-15, 85, 90-92, 97, i