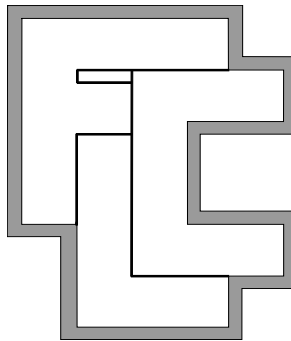




Jackson County

Unified Development Code

Submitted by:



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Strategic Community Solutions

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resolved by the Director, whose decision may be appealed to the BZA.

3. When regulations refer to the "classification" of property, the term "classification" means the zone or district applicable to the property.

d. Uses Not Provided for in Zoning District Regulations.

1. Appendix A summarizes the uses authorized within each zoning district. The appendix should be used for reference purposes only; uses other than those specifically authorized in the district regulations as uses permitted as of right, uses permitted by conditional use permit, accessory uses or planned uses in each district may be allowed only if the Director finds that such uses are:

- (a) similar in character to an authorized use; and
- (b) will have no greater adverse effect on adjacent properties or the surrounding area than the authorized uses.

2. Such decisions may be appealed to the County Legislature by the applicant or adjacent property owners.

3. All interpretations made by the Director pursuant to this section shall be appended to the UDC and introduced before the legislature as amendments to the UDC annually. If, after introduction, the Legislature fails to adopt an interpretation of the Director's as an amendment to the UDC, that interpretation shall be null, void and of no legal effect.

- e. Prohibited Conversions.** Unless expressly provided for in these zoning regulations, no land shall be used and no building shall be erected for, or converted to, any use other than those authorized for the district in which the use is located. No building or portion thereof designed and constructed as a residential building shall be changed to an office, retail or business use of any type, except as provided herein.

24004.2 AGRICULTURAL DISTRICT (AG)

- a. Purpose.** The Agricultural District (AG) is intended to help retain large tracts of land for agricultural purposes and to minimize conflicts between agricultural uses and adjacent development. The principal purpose of this district is to provide for large tracts of open land (10 acres or more) devoted to active agricultural and open space uses, including crop farming, animal raising, pasture and woodlands with related residential and farm structures and equipment. This district is appropriate in the Rural Development Tier depicted on the Development Diagram (Exhibit VI.3) of the

Master Plan. The AG District also may apply to tracts of land within the Suburban Tier, when compatible with adjacent land uses. Land in the AG District should be served at rural levels of service.

b. Permitted Uses. The following uses are authorized as permitted uses subject to any conditions established in these district provisions:

1. Agricultural uses, including general farming, ranching, animal breeding, horticulture, orchards and vineyards, but not including poultry farms or the feeding or disposal of garbage or waste.
2. Aviaries.
3. Bee keeping.
4. Churches, temples, synagogues, mosques and related community buildings.
5. Civic clubs, private clubs, fraternal or sororal organizations.
6. Dairies and creameries processing milk produced by livestock raised on the property, provided that frontage on a collector or minor arterial road is required for dairies from which more than one commercial vehicle operate.
7. Dwellings, single-family detached.
8. Family day care home, subject to the conditions established in Section 24005.6.
9. Fish hatcheries.
10. Group homes, subject to the conditions of Section 24005.11.
11. Harvesting of agricultural crops, including public harvesting of Christmas trees, fruit and other produce.
12. Livestock raising, excluding commercial feedlots.
13. On and off-premise signs pursuant to Section 24007.
14. Poultry farms, provided that poultry enclosure areas are setback a minimum of 50 feet from every property line plus 10 feet for every 100 fowl in excess of 250.
15. Public parks and recreational facilities.

16. Public service facilities, including, but not limited to park-and-ride areas, safety and emergency service facilities, public works facilities, schools, parks and other uses required to efficiently provide public services to rural residents.
 17. Railroad stations and railroad right-of-way, except railway yards.
 18. Telephone relay stations, excluding broadcasting facilities.
 19. Temporary assembly and amusements, including revivals, carnivals and circuses, subject to the conditions established in Section 24005.20. This section is not intended to permit the establishment of permanent facilities which are temporarily occupied by different groups.
 20. Water, wastewater, electric, gas and telecommunications distribution or collection facilities, excluding electric transmission lines.
 21. Water storage tanks, fill stations or towers on a site including one (1) acre or more.
 22. Water treatment plants.
 23. Wildlife reservations and conservation projects.
- c. Conditional Uses.** The following conditional uses are authorized, subject to the provisions of Section 24003.21.
1. Airports, airfields and heliports pursuant to Section 24005.3.
 2. Animal exhibits and zoos, pursuant to Section 24005.4.
 3. Bed & Breakfast Inns, pursuant to Section 24005.5.
 4. Cemeteries and burial grounds.
 5. Chemicals, agricultural - wholesale.
 6. Civic Clubs.
 7. Compost facilities subject to the conditions established in Section 24005.8.
 8. Day care centers and group day care homes, subject to the conditions established in Section 24005.6.

9. Electrical transmission lines subject to the provisions of Section 24005.22.
10. Flea markets and swap meets pursuant to Section 24005.10.
11. Group quarters and nursing homes subject to the conditions established in Section 24005.11.
12. Gun clubs, firing ranges, skeet shooting or other activities involving firearms subject to the provisions of Section 24005.9.
13. Kennels, for more than six (6) dogs and cats provided that all animal enclosures are located not less than 200 feet from any property line.
14. Quarries and mines, subject to the conditions established in Section 24005.16.
15. Retail sale of live plants or animals subject to provision of adequate, dust-free parking facilities and buffering between structures and adjacent property lines.
16. Sanitary landfills.
17. Stables.
18. Telecommunications structures and other transmission facilities subject to the provisions of Section 24005.21.
19. Temporary sales events pursuant to 24005.20.
20. Trailer camps and recreational vehicle parks subject to the conditions established in Section 24005.18.
21. Veterinary clinics.
22. Wastewater treatment facilities, excluding individual, on-site wastewater systems, provided such facilities have direct access to a public road.
23. Wineries and cider mills, subject to the conditions in Section 24005.24.

d. Accessory Uses. The following uses are authorized as accessory uses which are customarily incident to the primary use. None of the following uses are authorized in the absence of an authorized permitted use.

1. Accessory dwelling subject to the conditions established in Section 24005.2.

2. Accessory uses and buildings customarily incident to a single family residence. Including the storage of heavy equipment used in agricultural production.
3. Commercial construction vehicle storage, limited to two such vehicles and two commercial trailers.
4. Decks, gazebos and gardens.
5. Home occupations subject to the conditions established in Section 24005.13.
6. Kennels, for no more than six (6) dogs and cats.
7. Non-commercial storage buildings including garages, sheds, barns and silos.
8. Non-commercial telecommunications structures, subject to the provisions of Section 24005.21.
9. Non-retail greenhouses.
10. On-premise signs, subject to the provisions of Section 24007.
11. Poultry keeping, limited to no more than 100 fowl, provided that offensive or excessive noise, dust or odor does not create a nuisance for adjacent properties.
12. Refreshment stands.
13. Roadside stands, limited to the temporary sale of unprocessed goods and agricultural products which are grown on the premises, the structure shall be of temporary construction, and contain a maximum of 400 square feet of gross floor area (GFA). Roadside stands shall not be erected or operated for more than ninety (90) days in any calendar year.
14. Sports courts.
15. Stables - private.
16. Trailer, limited to storage of one cab and two tractor trailers.

e. **Planned Uses.** The following uses are authorized within a planned development district, subject to the requirements of Section 24003.18.

1. Camps, retreats and resorts subject to provision of adequate access, water supply, wastewater treatment capacity and buffering from adjacent property. Activity areas and buildings shall be located at least 200 feet from the nearest property line.
2. Commercial recreational facilities, including lakes, picnic areas, riding stables, golf courses and private clubs, provided that active recreation areas, excluding golf courses, shall be located no closer than 200 feet from the nearest residential district.
3. Personal service shops on a parcel containing at least five acres and located on a collector or minor arterial street. Total building area on such a parcel, including accessory storage buildings shall not exceed 5,000 square feet GFA. No more than 10,000 square feet GFA of personal service shops may be permitted within one (1) mile along any street.
4. Retail sales of general merchandise, excluding adult uses, serving the needs of neighborhood residents on a parcel containing at least five acres and located on a collector or minor arterial street. Total building area on such a parcel, including accessory storage buildings shall not exceed 5,000 square feet GFA. No more than 10,000 square feet GFA of retail sales may be permitted within one (1) mile along any street.

f. Development Performance Standards.

1. Development in the AG district shall meet the standards established in Exhibit 240.8 in addition to the standards established in other sections of the UDC.

Exhibit 240.8: AG District Design Standards

Minimum lot size (1)	10 acres
Maximum building height	40 feet
Minimum building setbacks	
front	50 feet
side	30 feet
rear	50 feet
street side	50 feet
Minimum lot width	250 feet
Maximum impervious cover	15%

- (1) *Except as otherwise provided in the above district regulations.*
- (2) *Silos and other agricultural structures may be constructed to the height of up to 55 feet provided that they are located a distance equal to or greater than their height from all property lines.*

- 2. Open storage is prohibited, excepting farm machinery, farm products and temporary storage of road materials.
- 3. Animal enclosure areas shall be located at least 50 feet from any property line, excepting grazing areas for horses, cattle or other livestock. Animal enclosure areas include, but are not limited to pens for swine, corrals, holding pens, kennels, aviaries, and other animal confinement areas.

24004.3 RESIDENTIAL RANCHETTE DISTRICT (RR)

- a. **Purpose.** The Residential Ranchette District (RR) is intended as an area for very low density residential use, with a minimum lot size of five acres. The purpose of this district is to provide residential areas where property owners can maintain a limited number of large animals and accessory buildings in a quiet rural setting without maintaining a large agricultural operation. The RR District is appropriate in the Rural Development Tier depicted on the Development Diagram (Exhibit VI.3) of the Master Plan. This district also may be appropriate for suburban or urban areas where terrain or public service capacities necessitate very low densities. Land in the RR District generally should be served at rural levels of service.

b. Permitted Uses. The following uses are authorized as permitted uses subject to any conditions established in these district provisions:

1. Churches, temples, synagogues, mosques and related community buildings.
2. Crop farming and the raising of goats, cattle, sheep or horses, limited to one (1) head of livestock per acre of pasture area.
3. Dwellings, single-family detached.
4. Family day care home subject to the provisions of Section 24005.6.
5. Group homes subject to the provisions of Section 24005.11.
6. Public service facilities, including streets, emergency service facilities, public works facilities and parks.
7. Schools (public and private), and related structures, for grades K - 12.
8. Water, wastewater, electric, gas and telecommunications distribution or collection facilities, excluding electric transmission lines.
9. Water storage tanks, fill stations or towers on a site including one acre or more.

c. Conditional Uses. The following conditional uses are authorized, subject to the provisions of Section 24003.21.

1. Bed and Breakfast facilities subject to the conditions in Section 24005.5.
2. Cemeteries and burial grounds.
3. Day care centers and group day care homes, pursuant to Section 24005.6.
4. Electricity transmission lines, pursuant to Section 24005.22.
5. Group quarters and nursing homes pursuant to Section 24005.11.
6. Museums.
7. Utility distribution and collection facilities.
8. Water and wastewater treatment facilities provided such facilities have direct access to a public road.

- d. Accessory Uses.** The following uses are authorized as accessory uses which are customarily incident to the primary use. None of the following uses are authorized in the absence of an authorized permitted use.
1. Accessory dwelling subject to the conditions established in Section 24005.2.
 2. Construction vehicle, limited to storage of one commercial construction vehicle and one commercial trailer.
 3. Decks, gazebos and gardens and other private amenities customary to a single-family residence.
 4. Home occupations subject to the conditions established in Section 24005.13.
 5. Kennels, for no more than six (6) dogs and cats.
 6. Non-commercial telecommunication structures, subject to the provisions of Section 24005.21
 7. Non-retail greenhouses.
 8. On- or off-premise signs, subject to the provisions of Section 24007.
 9. Poultry keeping, limited to no more than 25 fowl, provided that offensive or excessive noise, dust or odor does not create a nuisance for adjacent properties.
 10. Private swimming pools, tennis courts and sports courts.
 11. Refreshment stands, for nonalcoholic drinks only, accessory to playgrounds and outdoor recreation areas;
 12. Roadside stands, limited to the temporary sale of unprocessed goods and agricultural products which are grown on the premises, the structure shall be of temporary construction, the structure shall contain a maximum of 400 square feet of gross floor area (GFA). Roadside stands shall not be erected or operated for more than ninety (90) days in any calendar year.
 13. Storage buildings, including garages, sheds, barns and private stables.
 14. Swimming pools, tennis courts and sports courts - private.

15. Temporary real estate office or model home located on property for sale and limited to the period of sale.
 16. Tractor trailer, limited to storage of one trailer and one cab.
- e. Planned Uses.** The following uses are authorized within a planned development district, subject to the requirements of Section 24003.18.
1. Clustered subdivisions with an average density of one (1) dwelling unit per three (3) acres, provided that such use is compatible with adjacent uses and that at least twenty (20) percent of the site is reserved as common open space.
 2. Commercial recreational facilities, including lakes, picnic areas, riding stables, golf courses and private clubs, provided that active recreation areas, excepting golf courses, shall be located no closer than 200 feet from the nearest residential district.
 3. Local retail and services facilities consisting of 5,000 square feet or less of building floor area located at the intersection of two collector or arterial roads.
- f. Development Performance Standards.**
1. Development in the RR district shall comply with the district standards established in Exhibit 240.9 in addition to other standards established in the UDC.

Exhibit 240.9: RR District Design Standards

Minimum lot size (1)	5 acres
Maximum building height	35 feet
Minimum building setbacks	
front	40 feet
side	20 feet
rear	40 feet
street side	40 feet
Minimum lot width	250 feet
Maximum impervious cover	20%

(1) *Except as otherwise provided in the above district regulations.*

2. Open storage is prohibited, excepting farm machinery, farm products and temporary storage of road materials.
3. Animal enclosure areas, excepting pastures, shall be located at least 50 feet from any property line.
4. Accessory structures taller than three (3) feet above natural grade shall comply with building setback lines.

24004.4 RESIDENTIAL ESTATES DISTRICT (RE)

- a. **Purpose.** The Residential Estates District (RE) is intended for low-density residential use, with lots consisting of two or more acres of land. Property zoned RE should provide a transition between rural and higher density suburban development. The Residential Estates District is appropriate in the Suburban Development Tier, depicted on the Development Diagram (Exhibit VI.3) in the Master Plan. This district is appropriate for selected locations where low-density single-family residential development is desired or where terrain or public service capacities necessitate such development. The RE district is appropriate in suburban areas where urban services, such as public wastewater systems, will not be provided within a reasonable period of time.
- b. **Permitted Uses.** The following uses are authorized as permitted uses subject to any conditions established in these district provisions:
 1. Churches, temples, synagogues, mosques and related community buildings.
 2. Dwellings, single-family detached.
 3. Family day care home subject to the conditions established in Section 24005.6.
 4. Fire stations and EMS facilities.
 5. Group homes pursuant to Section 24005.11.
 6. Public parks and streets.
 7. Schools (public or private), and related structures, for grades K - 12.
 8. Utility distribution and collection facilities, excluding production, treatment and electrical transmission facilities.

SECTION 24005
REGULATIONS APPLICABLE TO PARTICULAR USES

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SECTION 24005: REGULATIONS APPLICABLE TO PARTICULAR USES

24005.1 GENERAL

The uses listed in this chapter and summarized in Exhibit 240.18 are authorized as Permitted (P), Conditional (C), Accessory (A) or Planned (PL) Uses in certain zoning districts. These uses shall be authorized if they comply with the zoning district regulations and the requirements of this Section. Conditional uses may be granted if the proposed development complies with the district regulations, the requirements of this chapter and any other UDC requirements.

24005.2 ACCESSORY USES, BUILDINGS AND STRUCTURES

a. Definition and Applicability.

1. In a residential zoning district, an accessory building or structure, is a subordinate or incidental structure, attached to or detached from the principal building, which is not used for commercial purposes, except as provided for home occupations.
2. In non-residential zoning districts, an accessory building or structure is a subordinate building or structure, the use of which is secondary to and supportive of the principal building.
3. Accessory uses include any use that is authorized in the district which is secondary or subordinate to the primary use.

b. Standards for Accessory Dwelling Units. A dwelling unit may be allowed as an accessory use to the principal dwelling unit under the following conditions:

1. Accessory dwelling units may be constructed only in AG and RR zoning districts;
2. The accessory dwelling unit may be constructed only upon the issuance of a building permit;
3. The accessory dwelling unit shall be a permanent structure.
4. Accessory dwelling units shall be considered independent buildable sites, and be connected to public water and sewer service where available or have on-site water and sewer facilities that comply with all County and State

regulations;

Exhibit 240.18: Zoning District Authorization for Particular Uses

Use	District											
	AG	RR	RE	RS	RU	RO	LB	GB	HC	LI	HI	
Accessory Uses, Buildings, Structures	A	A	A	A	A	A	A	A	A	A	A	A
Animal Exhibits, Zoos	C							C	C			
Airports, Airfields, Heliports	C											
Bed & Breakfast Inns	C	C	C	C	C	C						
Child Care Facilities												
Family Day Care Home	P	P	P	P	P	P						
Group Day Care Home	C	C	C	C	C	C	P	P				
Day Care Center	C	C	C	C	C	C	P	P	PL			
Cocktail Lounges, Bars, Taverns							C	P/C	PL			
Compost Facilities	C											C
Firing Ranges, Gun Clubs	C										C	
Flea Markets, Swap Meets	C							C	C	C		
Group Dwellings												
Group Homes	A	A	A	A	A	A						
Group Quarters	C	C	C	C	C	PL	PL	PL	P			
Nursing Homes	C	C	C			PL	PL					
Hazardous Waste Facility												C

P = Permitted Use
A = Accessory Use

C = Conditional Use
PL = Planned Use

Use	District										
	AG	RR	RE	RS	RU	RO	LB	GB	HC	LI	HI
Home Occupations	A	A	A	A	A	A					
Manufactured Home Subdivision						PL					
Pawnshops and Short-Term Loan Establishments							C	C			
Quarries, Mines, Sand/Gravel Pits	C										C
Recreational Facilities, Amusement Parks, Etc.	C/PL	PL	PL	PL	PL	PL	PL	P/C	PL		
RV / Travel Trailer Parks	C					PL					
Salvage Yards, Junkyards											C
Temporary Uses											
Temporary Construction Buildings / Storage	A	A	A	A	A	A	A	A	A	A	A
Temporary Sales / Special Events	C							A	A	A	
Telecommunications Towers, Antennas (Commercial)	C/A					C/A	C/A	C/A	C/A	C/A	A
Telecommunications Towers, Antennas (Non-Commercial)	A	A	A	A	A	A	A	A	A	A	A
Utility Transmission Lines	C	C	C	C	C	C	C	C	C	P	P
Utility Distribution and Collection Facilities	P	P	P	P	P	P	P	P			
Wineries and Cider Mills	C										

P = Permitted Use
 A = Accessory Use

C = Conditional Use
 PL = Planned Use

5. The accessory dwelling unit may not be sold separately from the sale of the entire property, including the principal dwelling unit;
6. The accessory dwelling unit shall comply with all required building setbacks for the principal residential use;
7. The overall height of an accessory dwelling shall be limited to one story, provided that a garage apartment or non-residential caretaker's quarters, may be located over a garage;
8. When the accessory dwelling is directly attached to the principal dwelling, it shall be considered an integral part of the main building; and
9. Accessory dwellings shall not exceed 1,000 square feet of heated area.

c. Standards for Accessory Buildings in Residential Zoning Districts. Accessory buildings may be allowed in residential zoning districts pursuant to the following conditions:

1. Detached accessory buildings shall be prohibited from being placed in front of the principal building and shall be placed in the rear yard, except that a detached garage may be located in front of the principal residence.
2. The minimum required side setback for the principal building shall be observed for accessory buildings; and
3. Accessory buildings adjacent to a side street shall have a side yard not less than that of the primary structure.

d. Standards for Accessory Structures in Residential Districts. Accessory structures may be allowed in residential districts under the following conditions:

1. Private swimming pools, along with incidental installations such as pumps and filters, may not be located in the front yard. A pool shall be set back a distance of not less than five (5) feet from all lot lines, except that a pool that is elevated more than four (4) feet above the average natural ground level at the nearest property line shall comply with required building setbacks.
2. Private tennis courts shall not be constructed within twenty (20) feet of any adjoining residential property line. Tennis court fences or walls shall not exceed twelve (12) feet in height, and no lights for the tennis court shall be

permitted within 25 feet of any adjoining residential property line.

3. Except as noted above, accessory structures shall comply with the minimum setback requirements established in the district.

24005.3 AIRPORTS, AIRFIELDS AND HELIPORTS

Aviation fields and airports may be permitted subject to the issuance of a conditional use permit, and provided that the following conditions are satisfied:

- a. Plans of any aviation field or airport shall include all approach and departure paths as necessary to assure safe and adequate landing and take off area and shall be supplemented by an aeronautical study by the local airport district office of the Federal Aviation Agency (FAA);
- b. Adequate safety provisions shall be provided and indicated by plans which control or restrict access to the landing and take off areas by the general public; and
- c. Landing and take off areas shall be surfaced in such a manner as to avoid the blowing of dust or dirt onto neighboring property.

24005.4 ANIMAL EXHIBITS AND ZOOS

Animal exhibits and zoos may be permitted subject to issuance of a conditional use permit, and provided that the following conditions are satisfied:

- a. The application for a conditional use permit must contain or be accompanied by the following information:
 1. Copies of all Federal and State permits that are required by law;
 2. A copy of the bill of sale or receipt for the purchase of each animal;
 3. A complete and detailed description and diagram of the confinement space proposed for each animal;
 4. A list of the animal species to be displayed at the facility;

5. Written proof that a veterinarian licensed as such by the State of Missouri has committed to the owner to provide care to the animal and to advise the owner regarding its care;
 6. Proof of insurance, together with an underwriting memorandum stating knowledge of the exposure that will protect the public against bodily injury or death caused by the animal, providing for limits of \$1,000,000 per person, per occurrence and for notice to the Director within 30 days of its cancellation or renewal; and
 7. In addition to other standards for the grant or denial of a conditional use permit, a permit may be denied for failure to satisfy any submittal requirement and for failure to provide a safe and sanitary confinement space for each animal.
- b.** The animal exhibit or zoo shall be located on a parcel of land not less than two (2) acres in size.
 - c.** The animal exhibit or zoo shall not be located within five hundred (500) feet of any residential zoning district or any existing dwelling.
 - d.** The following screening and landscape buffering shall be provided between any animal cages or other structures and any adjacent residential district or dwelling:
 1. A landscaped opaque wall or fence at least six (6) feet in height; and
 2. A natural, wooded or planted bufferyard of at least ten (10) feet in width for each twenty-five (25) animals of greater than forty (40) pounds in body weight. For purposes of this section, the bufferyard shall include at least four (4) trees and 16 shrubs for every 1,000 square feet of required landscape area.
 - e.** Outside lighting shall be shielded so that the light source is not directly visible to adjacent residential property.
 - f.** The behavior of the type and/or number of animals owned or maintained by the applicant shall not infringe on the enjoyment of any existing adjacent residential use in terms of noise, odor, safety or aesthetics.
 - g.** The applicant shall register exotic or wild animal(s) with the County Sheriff's Department, as required by State law.