

ARTICLE 4. DEFINITIONS

For the purpose of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Accessory Building or Use: A subordinate building or a portion of the main building, the use of which is incidental to that of the dominant use of the main building or land. An accessory use is one which is incidental to the main use of premises.

Agriculture: The use of land for agricultural purposes including farming, dairying, pasturage, horticulture and animal and poultry husbandry, fruit and nursing stock, fish farms, harvesting, processing, packaging, packing, shipping and selling of products produced on the premises, incidental farm occupations and uses such as machinery, farm equipment.

Alley: A public or private way permanently reserved as a secondary means of access to abutting property.

Apartment: A room or suite of rooms used as a dwelling of a family, including bath and culinary accommodations, which occupies less than an entire building.

Apartment House: See Dwelling, multiple.

Automotive Body Shop: Any premises where the body, frame or exterior panels of a motor vehicle are repaired, straightened, aligned, replaced or painted.

Automotive Garage: Any building or portion thereof used for the service, repair, equipment or overnight storage of motor vehicles including major and minor mechanical repair but excluding paint and body work.

Automotive Service Station: Any premises used for the retail sale of motor vehicle fuels and lubricants plus minor service or repair of the installation of minor accessories.

Bar and/or Cocktail Lounge: Any premises wherein alcoholic beverages are sold at retail for consumption on the premises and minors are excluded there from by law. It shall not mean a premises wherein such beverages are sold in conjunction with the sale of food for consumption on the premises and the sale of said beverages comprise less than twenty-five percent (25%) of gross receipts.

Basement: Story having part but not more than one half of its height above grade and used for storage, garages for use of occupants of the building, or other utilities common to the rest of the building. A basement used for the above purposes shall not be counted as a story.

Boardinghouse: A building other than a hotel where, for compensation and by arrangement, meals or lodging are provided. The operator of the inn shall live on the premises or in adjacent premises.

Buffer Strip: A landscaped area including fences, intended to separate and partially obstruct the view of two adjacent land uses or properties from one another.

Building: Any structure designed or built for the support, enclosure, shelter or protection of persons, animals, chattels or property of any kind.

Building Height: The vertical distance from the grade to the highest point of the coping of a flat roof or to the deck line of a mansard roof, or to the mean height level between eaves and ridge for gable, hip and gambrel roofs.

Building Line: The line parallel to the street line, that passes through the point of the principal building nearest the front lot line. The term "principal building" does not include covered unenclosed porches and/or steps that do not extend over eight (8) feet.

Building Permit: A permit issued by the building/zoning officer indicating the proposed construction work is in conformity with the requirements of this chapter and may, therefore proceed.

Cluster Development: A development design that concentrates buildings in specific areas on a site to allow the remaining land to be used for recreation, common open space, and preservation of environmentally sensitive areas.

Comprehensive Plan: The compilation of policy statements, goals, standards and maps for guiding the physical, social, and economic development, both private and public, of the City of Cameron, Missouri, and its surrounding environment.

Conditional Use: Granted when the applicant feels a strict application of the zoning regulations would create an undue hardship. The applicant requests relief from the Planning and Zoning Commission. Said conditions should be set forth by the planning and zoning commission.

Convenience Store: A self-service retail outlet for motor fuels and lubricants, limited grocery, food and convenience items usually with extended hours of operation.

Cul-de-Sac: A permanent street terminating at one end without connecting with any other road and designed so that it cannot be extended further without taking property not dedicated to a street.

Culvert: A traverse drain that channels under a bridge, street or driveway.

Density: Number of dwelling units per acre.

Detached: A building which does not have a wall, roof or other structural member in common with or in contact with another building.

Develop: To construct any structure or to install any improvements on a tract of land, or to undertake any activity (such as grading) in preparation thereof.

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

Drive-In or Drive Through Establishments: A place of business being operated for the retail sale of food and other goods, services, or entertainment wherein patrons may be served or otherwise conduct their business while remaining in their automobiles. A restaurant which does not provide at least fifteen (15) seats within the enclosed interior of the building shall be considered a drive-in establishment.

Dwelling: A building or portion thereof intended for occupancy for residential purposes but not including hotels, motels, rooming houses, nursing homes, temporary shelters, tourist homes and trailers.

Dwelling, Multiple: A building designed for, or occupied exclusively by more than two (2) families.

Dwelling, Single-Family: A building designed for or occupied by one (1) family.

Dwelling, Two-Family or Duplex: A building designed for or occupied exclusively by two (2) families.

Easement: Authorization by property owner for use by the public, corporation, or another person or entity for a specific purpose of any designated part of his/her property for the purpose of connecting and maintaining utilities, including but not limited to, sanitary sewers, water mains, electric lines, telephone lines, storm sewer, or storm drainage ways and gas lines.

Family: A group of one (1) or more persons occupying premises and living as a single housekeeping unit, whether or not related to each other by birth or marriage as distinguished from a group occupying a boardinghouse or hotel as defined herein. Any group consisting of more than four (4) persons unrelated by birth or marriage shall not be considered a family.

Farming: The practice of agriculture or aquaculture involving the cultivation of crops or the raising of livestock.

Fence: A protective, confining or decorative barrier separate from any building and not including any living plant material.

Field Crops: Those cultivated agricultural commodities commonly associated with farming operations such as corn, soybeans, wheat, oats, hay, sorghum, cotton, barley, rye, rice, forages and similar plants.

Ordinance 5644

Flea Market: An occasional or periodic market held in an open area or structure where groups of individual sellers offer goods for sale to the public from individual, independent locations or stalls.

Floodplain: Lands which are subject to periodic flooding and have been defined by the Soil Conservation Service of the U.S. Department of Agriculture to have alluvial soil deposits, indicating that such flooding has taken place, as defined by any technically qualified engineer and accepted by the City Council as such a floodplain, with approval of the Missouri Department of Natural Resources.

Floor Area: The sum of the areas of the number of floors in a building, including areas used for human occupancy in basements and attics, as measured from the extension faces of the walls. It does not include cellars, unenclosed porches, or attics not used for human occupancy, or any floor space in an accessory building. However, if a cellar or basement is used for commercial purposes, it shall be counted as floor area in computing off street parking requirements.

Foster Home: A residence or building in which more than twelve (12) hour care is provided to no more than five (5) children, two (2) or more of which are unrelated to the foster parents. Foster homes shall be permitted in all residential districts, the same as would a family.

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 (4) motor driven vehicles owned and used by the occupants of the building which is accessory. Not more than one (1) of the vehicles may be a commercial vehicle of not more than two-ton capacity.

Garage Sales: All general sales, open to the public, conducted from or on a residential premise for the purpose of disposing of personal property. Garage sales shall include "lawn", "yard", "attic", "porch", "room", "backyard" or "patio" sales. This definition shall not include a situation where no more than five (5) specific items are held out for sale and all advertisement of such sale specifically names those items to be sold.

Governing Body: The City Council of Cameron, Missouri.

Grade: Average level of the finished surface of the ground adjacent to the exterior walls of the building.

Group Home: A dwelling in which eight (8) or less unrelated mentally or physically handicapped persons reside, and may include up to two (2) additional persons acting as houseparents or guardians who need not be related to each other or to any of the mentally or physically handicapped persons residing in the home; or a dwelling for the purpose of supplying temporary shelter and support for victims of domestic violence not to exceed a total number of sixteen (16) residents including support staff at a time.

Historic District: An area containing buildings or places in which historic events occurred or having special public value because of notable architectural or other features relating to the cultural, artistic heritage of the community, of such significance as to warrant conservation and preservation.

Home Occupation: A business, profession, service or trade conducted for gain or support entirely within a residential building. See Article Twenty-six.

Horticulture: The science and art of growing fruits, vegetables, flowers and ornamental plants.

Hospital: A building, or group of buildings, having room facilities for one or more abiding patients, used for providing services for the inpatient, medical or surgical care of ill or injured humans, and which may include related facilities, central service facilities and staff offices; provided, however, that such related facility must be incidental and subordinate to the main use and must be an integral part of the hospital operation.

Hotel: A building in which lodging or boarding are provided and offered to the public for compensation and in which ingress and egress to and from all rooms is made through an inside lobby or office supervised by a person in charge at all hours. As such, it is open to the public in contrast to a boardinghouse or an apartment house, which are separately defined in this section.

Industrial Park: A planned coordinated development of a tract of land for a variety of industrial and related activities. The project is developed or controlled by one proprietary interest. It has an enforceable master plan and/or covenants, conditions and restrictions that may be more restrictive than this ordinance.

Junkyard: Any establishment, place of business or place of storage or deposit, which is maintained, operated or used for storing, keeping, buying or selling junk, wrecked, scrapped, ruined or dismantled motor vehicles or motor vehicle parts which are stored, salvaged or sold.

Kennel: Any place, area, building, or structure where dogs or cats or other household domestic pets are boarded, bred, housed, cared for, fed, or trained by someone other than the owner. Also, any place, area, building or structure on which

three or more dogs or bitches over the age of three months are kept, harbored, owned or in any way possessed.

Landfill: A disposal site employing an engineering method of disposing of solid waste in a manner that minimizes environmental hazards by spreading, compacting to the smallest volume, and applying cover material over exposed waste at the end of each operating day.

Lot: A piece, parcel or tract of land which is located within a single block fronting on a dedicated public street and is equipped or utilized, or designated to be occupied, developed, or utilized, as a unit under single ownership or control for a principal use and uses accessory thereto, together with such open spaces as are required by this ordinance.

Lot Area: The product of the width multiplied by the length of a lot.

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

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

Lot, Double Frontage: A lot having a frontage on two (2) or more streets at their intersection.

Lot of Record: A lot which is part of a subdivision, the map of which has been recorded in the office of the Recorder of Deeds of the county, or a parcel of land, the deed of which was recorded in the office of the Recorder of Deeds prior to the adoption of this regulation.

Manufactured Home: A dwelling unit substantially assembled in an off-site manufacturing facility for installation or assembly at the dwelling site, bearing a label certifying that it was built in compliance with the National Manufactured Home Construction and Safety Standards (24 CFR 3280 et seq.) promulgated by the U.S. Department of Housing and Urban Development. Such structure is not constructed or equipped with a permanent hitch or other device allowing it to be moved other than to a permanent site, does not have any wheels or axles permanently attached to its body or frame, and is installed on a permanent foundation. Such dwelling shall be compatible in appearance with surrounding residential structures. Mobile homes and modular homes are not manufactured homes.

Medical 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 lodged overnight, but which may include apothecary.

Mobile Home: A transportable, single-family dwelling unit suitable for year-round occupancy and containing the same water supply, waste disposal and electrical conveniences as immobile housing, having no permanent foundation other than wheels, jacks or skirting, and which does not bear a seal or label certifying that such unit was built in compliance with the National Manufactured home Construction and Safety Standards [CFR 3280 et seq.].

Mobile Home Park: Any area, piece, parcel, tract or plot of ground equipped and required for support of mobile homes and used or intended to be used by one or more occupied mobile or manufactured homes. Mobile home park spaces cannot be sold or offered for sale individually. The term “mobile home park” does not include sales lots on which unoccupied mobile or manufactured homes, whether new or used, are parked for the purposes of storage, inspection or sale.

Modular Home: A factory fabricated, transportable building unit bearing a seal issued by the Missouri Public Service Commission which indicates compliance with the Missouri Modular Standards and Regulations for Modular Homes, 4 CSR Div. 240, Ch. 123 - Modular Units. Such unit is designed to be used by itself or to be incorporated with similar units at a building site, for use in residential, commercial, educational or industrial settings. Upon construction, such units are indistinguishable in appearance from conventionally built structures. Modular home units are considered as permissible single-family dwelling in appropriate districts under this Ordinance.

Motel: A building or group of buildings including either separate units or a row of units which: 1) contain living or sleeping accommodations primarily for transient occupancy, and 2) provide one off-street parking space on the same lot for each individual living or sleeping unit.

Nonconformance Use: A lawful condition of a structure or land which does not conform to the regulations of the district in which it is situated. This shall include, but is not limited to conform to use, height, area, coverage, or off-street parking requirements.

Nonconformance Use Permit: A permit issued by the building/zoning officer indicating a use lawfully in existence on the effective date of this ordinance and not conforming to the regulations for the district in which it is situated.

Nursing Home: An institution or agency licensed by the State of Missouri, for the aged, chronically ill or incurable persons in which three (3) or more persons not of the immediate family are received, kept and provided with food, or shelter and care, for compensation, but not including hospitals, clinics and similar institutions devoted primarily to the diagnosis, treatment or care of the sick or injured.

Occupancy Permit: A permit issued by the building/zoning officer indicating that a newly completed structure complies with all pertinent requirements of this chapter and may, therefore, be occupied or used.

Office: A building or portion of building wherein services are performed involving predominantly administrative, professional or clerical operations.

Parcel: A contiguous quantity of land in the possession of, owned by, or recorded as the property of, the person or persons.

Park: An area open to the general public and reserved for recreational, educational or scenic purposes.

Parking Area: An open, unoccupied space used or required for use for parking of vehicles exclusively and in which no gasoline or vehicular accessories are sold or other business is conducted and no fees are charged.

Parking Lot: An opened surface area used exclusively for the temporary storage of motor vehicles, but on which no vehicles may be equipped, repaired, rented or sold.

Parking Space: A surfaced area, enclosed in the main building, or unenclosed, having an area of not less than one hundred sixty two (162) square feet, exclusive of driveways, permanently reserved for the temporary storage of one (1) automobile and connected with a street or alley by a surfaced driveway which affords satisfactory ingress and egress for automobiles.

Performance of Surety Bond: An agreement between a subdivider or developer with the City for an amount specified by the City Manager which guarantees completion of physical improvements according to plans and specifications within the time prescribed in the agreement.

Planned Unit Development: A development of land that is under unified control and is planned and developed as a whole in a single development operation or programmed series of development stages.

Planning and Zoning Commission: The Planning and Zoning Commission of Cameron, Missouri.

Porch: A covered entrance to a building, usually with a separate roof, that may or may not be enclosed, or a roofed, open gallery attached to the extension of a building.

Private Club: A non-profit association of persons who are bonafide members paying annual dues, which owns, hires, or leases a building or premises being restricted to members and their guests. The affairs and management of such private clubs are conducted by a board of directors, executive committee, or similar body chosen by the members at their annual meeting. It shall be permissible to serve goods and meals on such premises providing adequate dining room space and kitchen facilities are available.

Ranching: The practice of raising livestock or specialized species of plants and animals.

Restaurant: A public eating establishment at which the primary function is the preparation and serving of food. This includes cafes, cafeterias and similar establishments.

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

Recreational Camping Vehicle: The words “recreational camping vehicle” shall mean any of the following:

- a. **Travel trailer** means a vehicular, portable structure built on a chassis, designed to be used as a temporary dwelling for travel, recreational and vacation uses, permanently identified “Travel Trailer” by the manufacturer of the trailer, or a home built trailer use for any purpose.
- b. **Pickup coach** means a structure designed to be mounted on a truck chassis for use as a temporary dwelling for travel, recreation and vacation.
- c. **Motor home** means a portable, temporary dwelling to be used for travel, recreation, and vacation, constructed as an integral part of a self-propelled vehicle.
- d. **Camping trailer** means a folding structure, mounted on wheels and designed for travel, recreation and vacation use.

Rummage Sales: The sale of personal property or donated goods where the proceeds there from shall be utilized by a non-profit or charitable organization.

Screening: The method by which the view of one site from another adjacent site is shielded, concealed or hidden. Screening techniques include fences, walls, hedges, beams or other features used as a means of visual and noise control.

Self-Service Storage Facility: A building or structure consisting of individual, small, self-contained units that are leased or rented for the storage of business and household goods or contractors supplies.

Setback: Distance from the right-of-way line to the building for the purpose of defining limits within which no building or structure, or any part thereof, shall be erected or permanently maintained.

Shopping Center: A group or groups of three (3) or more commercial establishments developed in accordance to an overall plan and designed and built as an interrelated project.

Sidewalk: That portion of the road right-of-way outside the roadway, which is provided for pedestrian traffic.

Sight Triangle: An area from the point of intersection of street pavement edge or curb-back, to points thirty-five (35) feet along said street pavement edge or curb-back in both directions, with lines connecting all three points.

Ord. 5590 04/19/2010

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 is no floor above it, then the space between the floor and the ceiling next above it.

Story, Half: A partial story under a gable, hip or gambrel roof, the wall plates of which on at least two (2) opposite exterior walls are not more than three (3) feet above the floor of such story; except that any partial story used for residential purposes other than for a janitor or caretaker or his/her family or by a family occupying the floor immediately below it, shall be deemed a full story.

Street: The entire width between property lines of a way or place dedicated, acquired, or intended for the purpose of public use for vehicular traffic or access other than an alley.

- a. **Local:** A street which provides direct access to adjacent property and local traffic movement whether in business, industrial or residential areas. Normally such streets do not carry through traffic and have low vehicle speeds.
- b. **Collector:** A street which provides for traffic movement between arterials and local streets, with direct access to abutting property.
- c. **Arterial:** A street which provides direct access to abutting land and local traffic movement whether in business, industrial or residential areas.

Street Line: Dividing line between a lot tract or parcel of land and a contiguous street.

Structure: Anything built, constructed or erected.

Ord. 5593 05/03/2010

Structure Alteration: 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 of the exterior walls. For the purpose 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 have 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 and cereal malt beverages and consumption on the premises.

Trailer: Every vehicle without motive power designed or used for carrying persons or property and for being drawn by an outside power source.

Variance: A modification or variation of the strict provisions of this ordinance, as applied to a specific piece of property in order to provide relief for a property owner because of undue hardship which will result in peculiar and exceptional practical difficulties, or exceptional and undue hardship as imposed by this ordinance. A variance shall normally be limited to height, bulk, density and yard requirements.

Yard: An open space at grade between a building and the adjoining lot lines, open, unoccupied and unobstructed by any portion of a structure from the ground upward except as otherwise provided in this chapter. In measuring a yard for the purpose of determining the width of a side yard, the depth of a front yard or the depth of the rear yard, the minimum horizontal distance between the lot line and the main building shall be used.

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

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.

Zone or District: A section of the Zoning area for which uniform regulation governing the use, height, area, size and intensity of use of buildings, land, and open space are herein established.

Zoning Regulations: The term “zoning regulations” or “this or these regulations” shall mean the requirements stipulated in the regulations herewith attached.