

**SECTION 24002
DEFINITIONS**

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SECTION 24002: DEFINITIONS

24002.1 INTERPRETATION

- a.** For the purpose of this Unified Development Code, certain words used herein shall be defined as set forth in this section. If not specifically defined herein, words and terms shall be defined as in Webster's Encyclopedic Unabridged Dictionary of the English Language, (1994).
1. Unless the context clearly indicates to the contrary:
 - (a) words used in the present tense include the future tense;
 - (b) words used in the plural number include the singular and words used in the singular include the plural;
 - (c) the word "shall" is always mandatory and not merely directory;
 - (d) the word "herein" means in the UDC.
 - (e) gender specific words, such as his or hers, shall include the opposite gender;
 - (f) the word "person" includes an individual, corporation, partnership or an incorporated association of persons, such as a club;
 - (g) the word "building" includes a structure;
 - (h) a "building" includes any part thereof; and

- (i) the words "used" 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."

24002.2 TERMS DEFINED

a. For the purpose of the UDC, the following terms and their derivations and phrases shall have the following meanings. If any words and phrases are not defined by these regulations, but are defined in state or federal laws, the state or federal law definition shall apply.

1. Access Road. Any roadway available to the public which provides access between a publicly-dedicated or owned thoroughfare and the entrance or operating area of a facility.
2. Accessory Building or Use. A building or use customarily incident to the primary building or use on the same lot or parcel.
3. Active Portion means that portion of a facility where disposal operations are being or have been conducted after the effective date of 40 CFR, part 261 and which is not a closed portion.
4. ADA. The Americans with Disabilities Act.
5. Adequate Public Facilities. Stormwater, water, wastewater, street, electric and telecommunications facilities at the minimum level of service established in Section 24006.1.
6. Adjacent. Next to or within 100 feet. Adjacent properties include those properties which abut a property, as well as properties with any portion being located within 100 feet of any boundary of the subject property. If right-of-way abutting the property exceeds 100 feet, then land directly across the right-of-way from the subject tract shall be considered adjacent.
7. Administrative Permit. Any permit required for any type of development which may be approved by the Director or other employee of the City including, but not limited to, building, construction, septic, floodplain and driveway permits.
8. Adult Uses. Adult uses are those which are not open to the public generally but only to one or more classes of the public and excluding any minor by reason of age, a minor being a person under the age of eighteen years. Adult uses involve specified sexual activities including, but not limited to, adult

bookstores, adult motion picture theaters, adult mini-motion picture theaters, adult massage parlors, adult saunas, adult rap/conversation parlors, adult health clubs, juice bars and adult cabarets, or similar adult uses.

9. Agricultural Use. Any use involved with the cultivation of the soil, production of plants or crops or the raising of livestock, and the agricultural use of the land as recognized by the Division of Property for property tax purposes.
10. Alley. A public way primarily designed to serve as secondary access to the side or rear of those properties whose principal frontage is on a public street.
11. Animal Enclosure Area. Any area designed for the containment of animals excluding: livestock grazing areas, terrariums, aquariums, small cages kept within the living area of a residence and fenced yards.
12. Animal Exhibit. Any use wherein exotic or wild animals are kept in captivity for the purpose of public display with or without charge. Exhibits of this type typically display animals in temporary exhibits which are not representative of the animals' natural habitat. Animal exhibit shall not be interpreted to include zoos.
13. Animal, Exotic or Wild. An animal which is not of a species customarily used as a household pet, but one which would ordinarily be confined to a zoo, or one which would ordinarily be found in the wilderness of this or any other country, or one which otherwise causes a reasonable person to be fearful of bodily harm or property damage. Fish and birds are not included in this definition.
14. Applicant. Any person requesting approval of any development application pursuant to the UDC.
15. Application. A request for any development approval including all supplementary information specified in the UDC or on the application.
16. Approved Incinerator. An incinerator which complies with all current regulations of the Missouri Air Conservation Commission and any applicable federal laws.
17. Auto Wrecking. The collecting, dismantling or wrecking of used motor vehicles or trailers, or the storage or sale of dismantled, partially dismantled, obsolete, or wrecked motor vehicles or their parts.

18. Bicycle Lane. That portion of an existing roadway designated and marked by pavement markings or signing for the specific use of non-motorized bicycles.
19. Block. A parcel or tract of land entirely surrounded by public roadways or by a combination of streets and public parks, cemeteries, railroad right-of-way, shore line or waterways. In cases where subdivision platting is incomplete or disconnected, the Director shall define the outline of a block.
20. Board. The Board of Zoning Adjustment (BZA) as provided by Section 24003.23 of these regulations.
21. Bridge. A structure, including supports, erected over a depression or an obstruction, having a track or passageway for carrying traffic or other moving loads, and having a clear span or multiple spans totaling 20 feet or more, as measured in a horizontal plane along the centerline of the roadway.
22. Bufferyard. A strip of land established to protect one type of land use from another land use or to provide screening. Normally, a bufferyard is landscaped and kept in open space uses. See Section 24006.11.
23. Building. A structure which is permanently affixed to the ground, as provided by the building code, has a roof supported by columns or walls, and is used for housing or enclosure of people, animals or personal property. When a portion thereof is completely separated from every other portion by a dividing wall (or firewall when applicable) without openings or an enclosed breezeway, then each such portion shall be deemed to be a separate building.
24. Building Code. A recorded description of building and structural specifications adopted by the City.
25. Building, Principal. A building in which is conducted the principal use of the lot on which it is situated. In a residential district, the largest dwelling shall be deemed to be a principal building.
26. Building Setback Line. A line specifically established which generally is parallel to and set back from a property line and which identifies an area into which no part of a building shall project.(see Exhibit 240.1: Building Setbacks Appendix B).
27. Business. Includes retail, commercial and industrial uses and districts as herein defined.

28. Capital Improvement Program. A proposed schedule setting forth all future capital facility projects in order of construction priority, together with cost estimates and the anticipated means of financing such projects which are required to implement the Comprehensive Plan.
29. Cat. All domestic species or varieties of the genus Felis, male or female, four (4) months of age or over.
30. Certificate of appropriateness means a certificate issued by the historical preservation commission (HPC) indicating its approval of plans for alteration, construction, removal or demolition of a landmark or a structure within the historical preservation district.
31. Church. A permanent building primarily and regularly used as a place of religious worship.
32. City. The Incorporated City of Pleasant Hill, located in Cass and Jackson County, Missouri.
33. Closed Portion. means that portion of a facility which an owner or operator has closed in accordance with the approved facility closure plan and all applicable closure requirements.
34. Commercial Haulers. Individuals or companies that transport non-hazardous and/or hazardous wastes, as defined in this chapter, for a fee or in the regular course of business.
35. Commission. City of Pleasant Hill, Missouri Planning Commission or Historical Preservation Commission.
36. Composting. Shall mean the process by which biological decomposition of organic matter is carried out under controlled aerobic conditions.
37. Composting Facility. Shall mean a solid waste management facility where yard wastes and other permitted wastes are processed using composting technology.
38. Comprehensive Plan. A plan for development of the City adopted by the City Council.

39. Construction Improvement. Any construction, improvement, addition, or repair to utilities within City Right of Way; private bridge; retaining wall over four (4) feet in height not attached to a building; commercial construction not cover by building code; construction intended to be dedicated as a public improvement such as roads, storm water, sewers, and wastewater treatment facilities.
40. Construction Plan. Complete construction drawings of a facility or improvement, including but not limited to road plans and profiles, drainage plans and utility plans.
41. Convalescent, Nursing or Home for Aged. A building where three (3) or more persons requiring medical or other supervision and not related by blood or marriage to the owner, operator or manager of the place are provided with food, shelter or general care, for hire, compensation or any other consideration.
42. County. Cass and or Jackson County, Missouri.
43. Cul-De-Sac. A local street with only one (1) outlet and having a terminal for safe and convenient reversal of traffic movement.
44. Cultural resources means districts, buildings, sites, structures, objects and evidence of some importance to a culture, a subculture, or a community for scientific, engineering, art tradition, religious or other reasons, significant in providing resource and environmental data necessary for the study and interpretation of past life ways and for interpreting human behavior.
45. Culvert. Any structure not classified as a bridge which provides an opening under any roadway, including pipe culverts and any structure so named in the plans.
46. Curb. A stone, concrete or other improved boundary usually marking the edge of a road or other paved area.
47. Demolition and Construction Waste. Waste materials such as brick and stone from the construction or destruction of residential, industrial or commercial structure, but excluding hazardous materials such as asbestos.

48. Developer. Any person, association, corporation, firm, partnership, joint venture or other entity or group which intends to or has begun construction or reconstruction in a single contiguous area for sale, lease or rent, or any person, association, corporation, firm, partnership, joint venture or other entity or group which intends to or has begun construction in a commercial or planned development in the Corporate City Limits.
49. Development. The division of a parcel of land into two or more parcels; the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any structure; any mining, excavation, clearing of roadways or building sites, landfill or land disturbance and any use or extension of the use of land. This definition excludes normal earth working associated with crop farming or landscaping at an individual lot.
50. Director. The Director of Community Development or his authorized deputy, agent or representative.
51. Disposal Facility. A facility or part of a facility at which hazardous waste is intentionally placed into or on any land or water, and at which waste will remain after closure.
52. DNR. The Missouri Department of Natural Resources.
53. Dog. All members of canus famaliaris, male or female, four (4) months of age or older.
54. Drainage. The removal of surface water or groundwater from land by drains, grading or other means.
55. Drainage Easement. Area reserved for the conveyance of stormwater, stormwater improvements and required access.
56. Driveway. A paved or unpaved area used for ingress or egress of vehicles from a street to a lot, building, garage or other structure or facility.

57. Dust Free Surface. Driveway or parking surface constructed of either concrete, asphalt, chip and seal, pavers, brick or other material approved by the director. It shall not include any surface composed of loose aggregate or other fill, not permanently bonded together.
58. Dwelling. A building or a portion of a building arranged, intended, or designed for occupancy by not more than one family.
59. Dwelling, Two-Family (Duplex). A detached building having dwelling units for not more than two (2) families.
60. Dwelling, Multifamily. A building or portion thereof used for occupancy by three (3) or more dwelling units.
61. Dwelling, Single Family Attached. One (1) of two (2) or more buildings having a common or party wall which is fire resistant separating dwelling units.
62. Dwelling, Single Family Detached. A detached building containing not more than one (1) dwelling unit entirely surrounded by open space on the same lot or parcel (also referred to as single-family dwelling).
63. Dwelling Unit. One (1) or more connecting rooms, designed, occupied or intended for occupancy as a separate living quarter for occupancy by a single household, which have direct access to the outside or to a common hall, with cooking, sleeping and sanitary facilities provided within the dwelling unit. Dwelling units are usually located in dwelling, but may be included as a mixed or accessory use in buildings or in group quarters.
64. Easement. A privilege or right of use, access or enjoyment granted on, above, under or across a particular tract of land by the landowner.
65. Family. Two (2) or more persons who are related by blood or marriage, living together and occupying a single housekeeping unit with single kitchen facilities, or a group of not more than six (6) (excluding servants) living together by joint agreement and occupying a single housekeeping unit with single kitchen facilities, on a nonprofit cost-sharing basis.
66. FEMA. The Federal Emergency Management Agency, which promulgates Flood Boundary and Floodway Maps.
67. Final Plat Approval. The official action of the Planning Commission or City Council approving or conditionally approving a final plat.

68. Finished Grade. The average elevation after construction.
69. Flag. A piece of fabric or other flexible material, usually rectangular and of distinctive design which is used as a symbol, such as for a nation, state, locality, or corporation.
70. Floodplain. The channel and adjoining lands of a natural river or stream which has been or may be inundated partially or completely by floodwater identified by the United States Corps of Engineers as a 100-year flood. (See Exhibit 240.2 Appendix B).
71. Flood Proofing. Any nonstructural additions, changes or adjustments to structures, including utility and sanitary facilities, which would preclude the entry of water. Flood proofed structural components have the capacity to resist hydrostatic and hydrodynamic loads and the effect of buoyancy.
72. Floodway. The channel of a river or other watercourse and the adjacent portion of the flood plain that must be reserved in order to discharge the one hundred (100) year flood without cumulatively increasing the water surface elevation. (See Exhibit 240.2 Appendix B).
73. Floodway Fringe. The area of the floodplain, outside the floodway, that has a one percent (1%) chance of flood occurrence in any one (1) year. (See Exhibit 240.2 Appendix B).
74. Garage, Private. An accessory building or portion of a primary building used for storage only of motor vehicles.
75. Garbage. Putrescible animal or vegetable wastes resulting from the storage, handling, preparation, cooking, serving, sale or consumption of food.
76. Garbage, Properly Shredded. Garbage that has been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in the city sewers with no particle greater than one-half inch in any dimension.
77. Generator means any person who produces waste.
78. Golf Course. A tract of land laid out for at least nine holes for playing the game of golf and improved with tees, greens, fairways, and hazards, and that may include a clubhouse and shelter.

79. Grandfather Clause. A Grandfather clause is a provision in a new statute or zoning ordinance that exempts certain previously existing business, enterprise, or class of persons from the new rules or regulations.
80. Gross Floor Area. The total enclosed area of all floors in a building with a clear height of more than (6) six feet, measured to the outside surface of the exterior walls. Parking facilities, driveways, and airspace above the atria ground floor are excluded from gross floor area calculations. Enclosed loading areas and off-street maneuvering area also are excluded, but not the loading dock area itself.
81. Ground Level. The average level of earth adjoining the foundation of a structure measured around the foundation's perimeter.
82. Groundwater. Water below the ground surface in a zone of saturation.
83. Group Home. A facility licensed by the State for developmentally disabled residents requiring custodial care.
84. Group Quarters. A building or structure used as a place of residence by several persons who share the living accommodations and do not occupy separate dwelling units. Group Quarters are found in institutions, dormitories, rooming and boarding houses, lodges, sorority and fraternity houses, and similar establishments. For the purpose of determining lot area requirements for group quarters, sleeping capacity for six (6) individuals shall be treated as one dwelling unit.
85. Habitable Structure. Any building or structure designed to accommodate occupancy residents, clients, workers or other persons on a regular basis.
86. Hazardous Waste means any waste or combination of wastes as defined by or listed in Missouri State Regulations 10 CSR 25-4 or 10 CSR 25-11; which, because of its quantity, concentration or physical, chemical or infectious characteristics, may cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness or which may pose a threat to the health of humans or other living organisms.

87. Hazardous Waste Facility means a disposal facility permitted or seeking a permit for the construction, operation, or both. Exclusions to this definition include, but shall not be limited to:
- (a) A publicly owned treatment works which has an operating permit under Section 644.051 RSMo and is in compliance with that permit;
 - (b) A disposal facility owned and/or operated by a business to manage hazardous waste generated by that business.
 - (c) Areas at a business where release of waste in the past has resulted in the need to manage the area in which the release occurred as a disposal facility under federal and state regulations.
88. Head-in Parking. Parking a motor vehicle in such a manner that it must be backed out of or into the space directly from a public right-of-way.
89. Height of Building. The height of a building (see Exhibit 240.3, appendix B: Height of Building) is the vertical distance between Ground Level and:
- (a) the highest point of the roof beams of flat roofs or roofs not inclining not more than one (1) inch to the foot; or
 - (b) the mean height level of the highest main plate on which the rafters rest and highest ridge for other roofs except A Type roofs; or
 - (c) two-thirds (2/3) the height between the top plate on which the rafters rest and highest roof ridge for A type roofs. A type roofs include any roof with a pitch of 12:12 or steeper.
90. Historic district means an area designated as an historic district by ordinance of the city council which may include individual landmarks, as well as other properties or structures which, while not of such historic and/or architectural significance to be designated as landmarks, nevertheless contribute to the overall visual characteristics and historical significance of the historic district. HPC means members of the historic preservation commission.
91. Historic significance means character, interest or value as part of the development, heritage, or culture of the community, county, state or country; as the location of an important local, county, state or national event; or through identification with a person who made an important contribution to the development of the community, county, state or country.

92. Home Occupation. An accessory use of a dwelling unit or its accessory structure for gainful employment as provided by Section 24005.13.
93. Hotel. A facility offering transient lodging accommodations to the general public and providing additional services such as restaurants, meeting rooms, entertainment, and recreational facilities. All guest rooms are accessed from interior hallways. A hotel may offer suites which include kitchen facilities, sitting rooms and bedrooms.
94. Household Pet. Those animals which are customarily kept for personal use or enjoyment on a residential property (and which could normally be, although not required to be, contained within a residential structure). Household pets shall include, but not be limited to, domesticated dogs, cats, small mammals, birds, fish, common aquarium animals, and rodents which are not defined as exotic or wild animals in the UDC.
95. Impervious Cover. Surfaces which do not permit the absorption of stormwater into the ground. For purposes of the UDC, impervious cover excludes natural rock outcroppings.
96. Improvements. Street pavements, curbs, sanitary and storm sewers, permanent street monuments, sidewalks, drainage, culverts, utilities, water lines and connections, sewer lines and connections, lighting fixtures and other similar capital and public facility projects.
97. Junk Yard.
- (a) A place where waste, discarded or salvaged metals, used plumbing fixtures, and other materials are bought, sold, exchanged, stored, baled or cleaned, and/or
 - (b) A place or yard for the storage of salvaged materials and equipment from house wrecking and salvage structural steel materials and equipment.
98. Liquefied Petroleum Gas. Any material which is composed predominantly of any of the following hydrocarbons or mixtures of hydrocarbons: propane, propylene, butane (normal butane or iso-butane) and butylenes.
99. Liquefied Petroleum Gas Equipment. All containers, apparatus, piping (not including utility distribution piping systems) and equipment pertinent to the storage and handling of liquefied petroleum gas. Gas-consuming appliances shall not be considered as being liquefied petroleum gas equipment.

100. Living Area. That portion of the dwelling unit utilized for living purposes within the exterior walls of the structure and does not include porches, breezeways, garages and carports.
101. Lot. A parcel of land that is defined on a subdivision plat of record, which is intended to be occupied by a principal building(s) or building(s) and open space. Streets are not included in this definition.
102. Lot Area. The area of the lot shall be the net horizontal area of the lot and shall not include portions of streets, alleys and water bodies.
103. Lot, Corner. A lot abutting upon two (2) or more intersecting streets. A corner lot shall be deemed to front on that street on which it has its least dimension. (see Exhibit 240.4: Lot Types Appendix B).
104. Lot Depth. The horizontal distance from the front property line to the rear property line. If front and rear property lines are not parallel, the lot depth is the shortest distance between the front and rear property lines.
105. Lot, Double Frontage (through lot). An interior lot having frontage on two (2) non-intersecting streets. (see Exhibit 240.4: Lot Types)
106. Lot, Flag. A lot having no frontage or access to a street or place except by a narrow strip of land. (see Exhibit 240.4: Lot Types Appendix B).
107. Lot Frontage. The distance for which a zoning lot abuts on a street. In case of two or more frontages, the Director shall define lot frontage.
108. Lot, Interior. A lot whose side lines do not abut on any street (see Exhibit 240.4: Lot Types Appendix B).
109. Lot Line. A line of record bounding a lot which divides one lot from another lot or from a public or private street or any other public space.
110. Lot, Width. The horizontal distance between side property lines measured parallel to the street said property lines or to the tangent of a curved street property line.
111. Manufactured Home. Factory-built, single-family structures that meet the National Manufactured Home Construction and Safety Standards Act (42 U.S.C. sec. 5401, 1978 as amended) commonly known as HUD (U.S. Department of Housing and Urban Development Code) and are permanently affixed to a permanent foundation in a subdivision of record.

112. Manufactured Home Subdivision. A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.
113. Massage Parlor, Health Studio and Bath House. A commercial enterprise that is established to serve the general public and not including any commercial enterprise at which the human anatomy is exposed in a lewd, lascivious or salacious manner.
114. Medical Marijuana Cultivation Facility. A facility licensed by the State of Missouri to acquire, cultivate, process, store, transport, and sell marijuana to testing facility, or to a medical marijuana-infused products manufacturing facility.
115. Medical Marijuana Dispensary Facility. A facility licensed by the State of Missouri to acquire, store, sell, transport, and deliver marijuana, marijuana-infused products, and drug paraphernalia used to administer marijuana to a qualifying patient, a primary caregiver, another licensed medical marijuana dispensary facility, a licensed medical marijuana testing facility, or a licensed medical marijuana-infused products manufacturing facility.
116. Medical Marijuana-Infused Products Manufacturing Facility. A facility licensed by the State of Missouri to acquire, store, manufacture, transport, and sell marijuana-infused products to a medical marijuana dispensary facility, a medical marijuana testing facility, or to another medical marijuana-infused products manufacturing facility.
117. Medical Marijuana Testing Facility. A facility certified by the State of Missouri to acquire, test, certify, and transport marijuana.
118. Medical Marijuana Transportation Facility. A facility certified by the State of Missouri to transport marijuana to a qualifying patient, a primary caregiver, a medical marijuana cultivation facility, a medical marijuana-infused products manufacturing facility, a medical marijuana dispensary facility, a medical marijuana testing facility, or another medical marijuana-transportation facility.
119. Metes and Bounds. A method of describing the boundaries of land by directions (bounds) and distances (metes) from a point of reference.
120. Mobile Home. A single-family dwelling, factory-built and factory-assembled residence which does not comply with the National Manufactured Homes Construction Safety and Standards Act.

121. Motel. A facility offering transient lodging accommodations to the general public and may provide services such as restaurants, meeting rooms, entertainment and recreational facilities. All guest rooms are accessed from the structure's exterior.
122. Municipality. Municipality shall include incorporated cities, towns and villages.
123. Natural Outlet. Any outlet into a watercourse, pond, ditch, lake or any other body of surface or ground water.
124. No-Build Zone. An area identified on a plat which is reserved for conveyance of drainage and precludes the construction of buildings, fences or other obstructions which reduce drainageway capacity.
125. Nonconforming Structure. A structure or portion thereof which was lawfully erected or altered, but which does not comply with the regulations applicable to new structures in the zoning district in which it is located.
126. Nonconforming Use. A use which was lawfully established and maintained, but which does not comply with the use regulations applicable to new uses in the zoning district in which it is located; the use of any land, building, or structure which does not conform with currently applicable use regulations, but which complied with use regulation in effect at the time the use was established.
127. Occupant. Any person who, alone or jointly or severally with others, shall be in actual possession of any dwelling unit or of any other improved real property either as owner or as a tenant.
128. Office. A building used primarily for conducting the affairs of a business, profession, service, industry, or government or like activity, and may include ancillary services for offices workers such as restaurant, coffee shop, newspaper or candy stand, and child care facilities.
129. Office/Warehouse Complex. A structure or group of structures offering compartments of varying size for rental to different tenants for the storage of commercial goods or wares, conducting of certain retail trade activities, or provision of those personal or business services permitted by zoning.
130. Oil. Crude petroleum oil and other hydrocarbons which are produced at the wellhead in liquid form and the liquid hydrocarbons known as distillate or condensate recovered or extracted from gas, other than gas produced in association with oil and commonly known as casinghead gas.

131. One Hundred (100) Year Flood. A flood that has a one percent (1%) chance of recurring in any year or a flood of magnitude equaled or exceeded once in one hundred (100) years on average over a significantly long period.
132. Open Storage. The location of bulk items, assemblies or sub-assemblies in areas exposed to weather, in whole or in part, for the end use of further manufacturing process, sale to transportation. This shall include, but not be limited to, open display of transportation vehicles, marine craft, aircraft, mobile homes, modules, recreation vehicles, junk yards, or "piggy back" containers. It does not include storage that is totally enclosed in a structure.
133. Outside Storage. The keeping, in an unroofed and unenclosed area, of any goods, junk, material, merchandise or vehicles in the same place for more than 24 hours.
134. Owner. An individual, firm, association, syndicate, partnership or corporation having a sufficient proprietary interest in land to seek development of the land.
135. Parcel. A tract of land which is not a defined lot in a subdivision of record or dedicated street and has boundaries described by a sectional or metes and bounds or sectional description.
136. Park or Parking a Vehicle. The standing of a vehicle, whether occupied or not, on a street or parking lot other than for the temporary loading or unloading of materials or passengers, or in obedience to traffic regulations or traffic control devices.
137. Parking Space. An area of not less than one hundred eighty feet (180) square feet (measuring approximately 9 feet by 20 feet) not on a public street or alley, surfaced with an all-weather surface, enclosed or unenclosed, together with an all-weather surfaced driveway connecting the parking space with a street or alley permitting free ingress and egress.
138. Pavement. The uppermost layer of material placed on the street usually as the wearing or riding surface. This term is used interchangeably with surface course or surfacing and will usually imply portland cement concrete or asphalt concrete.

139. Pawnshops: A business that lends money on the security of pledged goods or that is engaged in the business of purchasing tangible personal property on condition that it may be redeemed or repurchased by the seller for a fixed price within a fixed period of time. Pawnshops and pawnbrokers are further governed by chapter 367, RSMo.
140. Pedestrian. Any person afoot.
141. Permitted Wastes. Shall mean yard wastes, manure, and any other biodegradable and organic wastes which have been specifically approved for compost facility processing in writing by Pleasant Hill.
142. Person. Any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, political subdivision or organization of any kind, or its legal representative, agent or assigns.
143. Personal Services. Service shops, such as shoe repair, dry cleaning, jewelry repair, hair care, or accounting which derive little or no income from the sale of goods. Adult uses are not considered personal services.
144. Pervious Cover. Land which permits stormwater to absorb into the ground. This may include walkways and driveways which are pervious to stormwater.
145. pH. A measure of acidity or alkalinity, measured as the logarithm to the base 10 of the reciprocal of the number of gram ionic hydrogen equivalents per liter of solution.
146. Planning Commission. The Planning Commission established in accordance with the City Ordinance of Pleasant Hill, Missouri.
147. Planning Commission Secretary. The Director or Director's designee.
148. Plan, Sketch. The plan for discussion before a formal development application.
149. Plat, Final. The map or plat of a subdivision and any supplementary documents and information as described in these regulations.
150. Plat, Preliminary. A plat prepared in accordance with the provisions of the Subdivisions Regulations and is submitted for the purpose of showing the design of a proposed subdivision and the existing conditions in and around it.

151. Principal Use. The primary or predominant use to which a property is or may be devoted and to which all other uses on the premises are accessory.
152. Professional Engineer (PE). An engineer licensed with the state of Missouri.
153. Property Line. A line marking the boundary of one or more lots in a proposed subdivision, subdivision of record.
154. Property Line, Front. The dividing line between a street and the abutting property.
155. Property Line, Rear. The boundary line which is opposite and most distant from the front property line.
156. Property Line, Side. Any lot or parcel boundary line which is not a front or rear property line. A side line may be a party lot line, or a line bordering on any alley or place.
157. Public Reservation. A right created and retained by the City including, but not limited to, easements and right-of-way interests.
158. Public Services. Those services or facilities typically provided by the City including, but not limited to, water, wastewater, stormwater management, streets and solid waste treatment
159. Recreational Facilities. Amusement parks and mechanical amusement devices; commercial baseball, athletic fields and racetrack; circuses, carnivals and fairgrounds; commercial fishing lakes; riding or boarding stables and exercising tracks; pony rides, hayrides or any other similar activity including temporary amusements.
160. Recreational Vehicle or Trailer Park. A tract, lot or parcel of land on which temporary accommodations are provided for two (2) or more automobile trailers, recreational vehicles, tents or house cars, and which is open to the public either free or for a fee.
161. Refuse. Solid waste.
162. Remodel. The internal or external alteration or change, in whole or in part, of a structure.
163. Repair. The mending or restoration of a building or structure to a sound or good state at or nearest to its original designed condition. Such work shall not change the size or shape in whole or in part of a building or structure to

expand a use. It shall include the terms "renovation", "rebuilding" and "reconstruction" for purposes of the UDC.

164. Resubdivision. A change in a recorded subdivision plat if that change affects any street layout, or area reserved for public use, or any lot line.
165. Right-of-Way. A strip of land occupied or intended to be occupied by a street, crosswalk, railroad, road or for another special use. The usage of the term "right-of-way" for land platting purposes shall mean that every right-of-way established after the effective date of the UDC and shown on a final plat is to be separate and distinct from the lots or parcels adjoining the right-of-way and not included within the dimensions or areas of the lots or parcels. Right-of-way intended for streets, crosswalks or any other special use involving maintenance by a public agency shall be dedicated to public use by the maker of the plat on which the right-of-way is established.
166. Road. Road includes streets, bridges and roadways.
167. Roadway. The improved portion of a thoroughfare, exclusive of berm or shoulder, used for vehicular travel.
168. Salvage Yard. A place where used parts of automobiles or other equipment are collected and processed for resale.
169. School. Any building which is regularly used as a public, private or parochial school, elementary school, middle school or high school.
170. Screening. Various combinations of walls, fences, earthen berms, trees, shrubbery, and landscape materials which comprise a screening plan to fulfill the requirements and serve the purposes of these regulations.
171. Screening, Opaque. A combination of screening elements in compliance with the requirements of these regulations designed to substantially or completely obscure horizontal views between abutting or adjacent properties.
172. Secretary of the Interior's standards. the Secretary of the Interior's Standards for the Treatment of Historic Properties are sets of treatment standards intended to assist users in making sound historic preservation decisions for the preservation, rehabilitation, restoration or reconstruction of historic properties. The standards are codified as 36 CFR 68 in the July 12, 1995, Federal Register (Vol. 60, No. 133).
173. Secretary, Planning/Historical Preservation Commission. The Director or Director's designee.

174. Sewage. A combination of the water-carried wastes from residences, business buildings, institutions and industrial establishments.
175. Sewage, Sanitary. Those wastes which are comparable to wastes which originate in residential units and contain only human excrement and wastes from kitchen, laundry, bathing and other household facilities.
176. Sewage Treatment Plant. Any arrangement of devices and structures used for treating sewage.
177. Sewage Works. All facilities for collecting, transporting, pumping, treating and disposing of sewage.
178. Sewer. A pipe or conduit for carrying sewage.
179. Sewer, Public. Any lateral or main sanitary sewer construction in a street, alley, place, easement or right-of-way, which is owned and operated by the City, sewer district or agency thereof, but not including a building sewer.
180. Shopping Center. A group or cluster of stores or buildings divided for separate commercial or service facilities, organized in a balanced arrangement for retail trade with provisions for parking.
181. Short-Term Loan Establishment. An establishment which (a) engages in the business of loaning money to customers on a temporary basis, wherein such loans are secured by post-dated check, paycheck, or car title, or (b) is registered as a lender under state or federal law. This classification does not include a state or federally chartered bank, savings and loan association, credit union, or mortgage broker or originator. Further, this classification does not include establishments selling consumer goods, including consumables, where the loans or the cashing of checks or money orders are incidental to the main purpose of the business. This classification does include, but is not limited to, check cashing stores, payday loan stores, and car title loan stores.
182. Sight Triangle. A triangular-shaped portion of land established at street intersections in which nothing is permitted which limits or obstructs the sight distance of motorists entering or leaving the intersection.

183. Sign. A name, identification, description, display or illustration, which is affixed to, painted or represented directly or indirectly upon a building, or other outdoor surface which directs attention to or is designed or intended to direct attention to the sign face or to an object, product, place, activity, person, institution, organization or business. Signs located completely within an enclosed building, and not exposed to view from a street, must not be considered a sign. (See Exhibit 240.5 Appendix B)
184. Sign, Animated. Any sign so designed as to facilitate or permit the rotation, oscillation, or other movement of the sign or of any of its visible parts.
185. Sign, Banner. A strip of cloth containing a message or advertisement.
186. Sign, Flashing. Any lighted or electrical sign which emits light in sudden transitory bursts. For purposes of the UDC, strobe lights in window fronts visible from public right-of-way are included in this definition. On/off time and temperature signs and message boards are not considered flashing signs for the purpose of the UDC.
187. Sign, Free-Standing. A sign supported by a sign structure in the ground and which is wholly independent of any building, other than the sign structure, for support. A sign on a fence shall be considered a free-standing sign.
188. Sign, Height. The vertical distance measured from natural ground level at the base of the sign structure to the highest point of sign structure, including sign posts.
189. Sign, Illuminated. A sign designed to give forth artificial light or to reflect artificial light from a source incorporated in or associated with such sign.
190. Sign, Portable. A sign which usually rests on the ground on wheels or metal legs, and may be temporarily anchored by weights and/or cables attached to stakes driven into the ground.
191. Sign, Roof. A sign erected over or on and wholly or partially dependent upon the roof of any building for support, or attached to the roof in any way.
192. Sign, Snipe. Signs which are pasted or attached to utility poles, trees, fences, or other signs.
193. Signs, Temporary. Signs which are not permanently attached to a building, other structures or the ground and do not meet structural standards recognized in the UDC.

194. Sign, Vehicle. A permanent or temporary sign affixed, painted on, or placed in or upon any parked vehicle, parked trailer or other parked device capable of being towed, which is displayed in public view
195. Solid Waste. Unwanted or discarded waste materials in a solid or semisolid state including but not limited to garbage, ashes, street refuse, rubbish, dead animals, animal and agricultural wastes, yard wastes, discarded appliances, special wastes, industrial wastes and demolition and construction wastes.
196. Solid Waste Processing Facility. An incinerator, compost plant, transfer station, or any facility where solid wastes are salvaged or composition is changed.
197. Solid Waste, Residential. Waste resulting from the maintenance and operation of dwelling units, excluding mobile home parks and multiple dwellings.
198. Solid Waste Storage. Keeping, maintaining or storing solid waste from the time of its production until the time of its collection or disposal.
199. Specified Anatomical Areas.
- (a) Less than completely and opaquely covered: human genitals, pubic region, buttock, and female breast below a point immediately above the top of the areola; and
 - (b) Human male genitals in a discernable turgid state, even if completely and opaquely covered.
200. Specified Sexual Activities.
- (a) Display or exhibition of specified anatomical areas or human genitals in a state of sexual stimulation or arousal;
 - (b) Acts of human masturbation, sexual intercourse, or sodomy;
 - (c) Fondling or other erotic touching of human genitals, pubic region, buttock, or female breast.
201. Standard Laboratory Methods. Methods of analysis and testing as outlined in the latest edition of "standard Methods for the Examination of Water and Sewage" which is published jointly by the American Public Health Association, the American Water Works Association and the Water Pollution Control Federation.

202. State. The State of Missouri.
203. Stream, Receiving. Any natural watercourse into which sewage is discharged.
204. Street. The entire width between the boundary lines of every publicly maintained thoroughfare or right-of-way when any part of that thoroughfare or right-of-way is used by the public for vehicular travel, including public streets, avenues, boulevards, parkways, roads and alleys.
205. Street, Collector. A street intended to link local streets with arterial streets carrying moderate traffic volumes at low speeds.
206. Street Line. A property line marking the boundary between a street and a lot or parcel.
207. Street, Local. A street intended to provide access to individual lots carrying low volumes of traffic at low speeds.
208. Street, Major Arterial. A street intended to link communities and urban centers, carrying high traffic volumes at high speeds. Traffic flow is continuous and access is tightly controlled.
209. Street, Minor Arterial. A street intended to link major arterials and small communities carrying moderately high traffic volumes at moderate speeds. Traffic flow is continuous with controlled access.
210. Structural Alterations. Any change in a supporting member of a building or structure including, but not limited to bearing walls, columns, beams or girders.
211. Structure. Anything constructed, moved or erected which requires a permanent location on the ground or attached to something having a location on the ground and includes, but is not limited to, advertising signs, billboards or poster panels. Customary property line fences or boundary walls which comply with the provisions of Section 24006 shall not be considered structures. Kennels and other animal enclosure areas shall be considered structures.

212. Subdivider. Any person having an interest in land, who directly or indirectly causes it to be divided into a subdivision, or who directly or indirectly sells, leases or develops or offers to sell, lease or develop, or who advertises for sale, lease or development any lot, site, unit or plat in a subdivision, or any person under the direct or indirect control of any of the foregoing persons.
213. Subdivision. Any land, vacant or improved, which is divided or proposed to be divided into two (2) or more lots, sites, units or plats for the purposes of offer, sale, lease or development either on the installment plan or on any and all other plans, terms and conditions including re-subdivision.
214. Subdivision of Record. A subdivision which has been recorded by the County Recorder of Deeds.
215. Subdivision, Major. A subdivision of land for the purpose of transfer of ownership creating four (4) lots or more and fronting on an existing street and not adversely affecting the development of adjoining property and not in conflict with any portion of these regulations.
216. Subdivision, Minor. A subdivision of land for the purpose of transfer of ownership creating three (3) lots or less
217. Suspended Solids. Solids that either float on the surface of or are in suspension in water, sewage or other liquids, and which are removable by standard laboratory methods.
218. Traffic. Pedestrians, ridden or herded animals, vehicles, street cars and other conveyances either singularly or together while using any street for purpose of travel.
219. Traffic Control Devices. All signs, signals, markings, intersection lighting and devices consistent with the UDC placed or erected by or on behalf of a public body or official having authority and jurisdiction for the purpose of regulating, warning or guiding traffic.
220. Traffic Level of Service. A measure of how effectively a road is accommodating traffic. The following table defines the six levels of service at which a road may function in general terms as well as in terms of the volume to capacity ratio.

Level of Service	Quality of Traffic Operation
A	Free flow and minimal delay. Most vehicles arrive during the green phase and do not stop at all. Volume to Capacity (V/C) ratios generally are less than 0.60.
B	More vehicles stop than for LOS A, resulting in some delay at intersections. Queues develop occasionally that may not be cleared during the first green light phase (some drivers must wait through a red light). V/C ratios generally range from 0.61 to 0.70.
C	This is the typical design level for roadways. Traffic flows are stable; traffic queues are not cleared during approximately 30 percent of the green light phases. Backups may develop behind turning vehicles. V/C ratios generally range from 0.71 to 0.80.
D	The influence of congestion becomes more noticeable. Traffic volumes are approaching unstable flow; approximately 70 percent of the green light phases do not clear waiting queues. Delay may be substantial (waiting through two cycles of the traffic signal), but the queues occasionally clear during peak hour. V/C ratios generally range from 0.81 to 0.90.
E	Unstable flow; roadway is operating at capacity with long queues the entire peak hour. V/C ratios generally range from 0.91 to 1.00.
F	Forced flow; jammed intersections; long delays are expected, with most drivers having to wait through more than two cycles of the traffic signal. V/C ratios exceed 1.0.
Source:	Adapted from <u>Highway Capacity Manual, 1965</u> , in Froda Greenberg, with Jim Hecimovich, <u>Traffic Impact Analysis</u> (Chicago: American Planning Association, 1984) and <u>Highway Capacity Manual, Special Report 209</u> Transportation Research Board, National Research Council, 1985.

221. Trailer. Any automobile trailer, trailer coach, house car, or any vehicle designed and constructed to permit occupancy of that vehicle as a temporary or permanent dwelling or sleeping quarters for one (1) or more persons and designed or constructed so that it is mounted on wheels and used as a conveyance on major or state highways, city roads, or city streets propelled or drawn by its own or other motive power.
222. UDC. Unified Development Code of Pleasant Hill, Missouri.
223. Use. The purpose or activity, for which land and buildings are designed, arranged or intended, or for which land or buildings are occupied or maintained.
224. Use, Multiple. The development of land or buildings for a variety of complementary or integrated residential, non-residential or community services uses.

225. Variance. An exception to the UDC in a specific instance permitting a modification to the requirements in order to alleviate undue burden or unnecessary hardship on the property owner which these regulations otherwise impose.
226. Vehicle. Any mechanical device on wheels in, or by, which any person or property is, or can be, transported or drawn on a highway, except devices moved by human power or used exclusively on stationary rails or trucks.
227. Waste Processing. Incinerating, composting, baling, shredding, salvaging, compacting and other processes by which solid waste characteristics are changed.
228. Waste Treatment System, Private. A sewage disposal system consisting of a house sewer, a septic tank or other approved sedimentation tank, an approved mechanical treatment plant, or an individual home aerobic plant and an acceptable absorption system.
229. Wastes, Commercial and Industrial. The water-carried wastes from commercial and industrial establishments as sanitary sewage.
230. Wastes, Yard. Grass clippings, leaves and tree trimmings.
231. Water Body. Property determined to be under water no less than eleven (11) months of the year and under such standing water for a continuous period of no less than nine (9) months of the year.
232. Water Main. In any system of continuous piping, the principal artery of the water or sewer system to which branches or lines may be connected.
233. Watercourse. A channel or location in which a flow of water occurs either continuously or intermittently.
234. Watershed. A region or area bounded peripherally by a water parting and draining ultimately to a particular watercourse or body of water.
235. Well. Any hole drilled in the earth in connection with the exploration, discovery, or recovery of oil or gas, or in connection with the underground storage of gas in natural formation, or in connection with the disposal of salt water, non-usable gas or other waste accompanying the production of oil or gas.

236. Wetland means an area that is inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. A wetland generally includes swamps, marshes, bogs and similar areas. A wetland is not an area that is artificially created on dry land and maintained for the treatment of mine drainage, stormwater control, and drainage associated with road construction. This definition is consistent with both the United States Army Corps of Engineers 33 CFR 328.3(b) and the United States Environmental Protection Agency 40 CFR 232.2(r).
237. Yard, Front. An open space unoccupied by buildings or structures (except as hereafter provided) across the full width of the lot extending from the front line of the building to the front property line of the lot or parcel. (see Exhibit 240.6: Yard Types Appendix B)
238. Yard, Front Depth. The minimum horizontal distance from the front line of the building to the front property line of the lot or parcel.
239. Yard, Rear. An open space, unoccupied (except as hereafter provided) between the rear lot line and rear line of the principal building and the side property lines.
240. Yard, Rear Depth. The minimum horizontal distance from the rear line of the principal building to the rear-lot line.
241. Yard, Side. An open unoccupied space on the same lot with the building between the main building and the adjacent side line of the lot, and extending from the front yard to the rear yard.
242. Zoning Map. The Official Zoning Map of Pleasant Hill , Missouri.
243. Zoo. A permanent facility where exotic or wild animals are housed and maintained under the supervision of professional staff and exhibited to the public on a regularly scheduled basis in a variety of natural or habitat-like settings, for the purposes of education, conservation, scientific studies, and recreation.