

## Section 15 – Definitions

The following words and terms wherever they occur in this Code shall be interpreted as herein defined.

### 15.1 - A

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| 1  | <i>Abutting</i>   | Having a common border with or being separated from such a common border by a right-of-way or easement for a street, alley, pedestrian way, utilities, or storm drainage.  |
| 2  | <i>Access management plan</i>                           | That portion of a development or redevelopment plan that delineates measures to be implemented to minimize adverse traffic effects on city roadways. The plan shall be prepared by a traffic engineer, and, if not a Missouri-licensed professional engineer, be countersigned by a Missouri-licensed professional engineer.   |
| 3  | <i>Accessory building or use</i>                        | A building, structure or use, which meets all the following criteria, 1) Is subordinate to and serves a principal building or a principal use; 2) Is subordinate in height and area relative to the principal building or principal use served; 3) It contributes to the comfort, convenience or necessity of occupants, business, industry, or institution in the principal building or principal use served; and 4) It is located on the same lot as the principal building or use served. |
| 4  | <i>Accessory equipment</i>                              | Any equipment serving or being used in conjunction with a wireless communications facility or wireless support structure. The term includes utility or transmission equipment, power supplies, generators, batteries, cables, equipment buildings, cabinets and storage sheds, shelters, or similar structures.  |
| 5  | <i>Accessory use, building, or structure, permanent</i> | Uses, buildings, or structures that are subordinate to and clearly and customarily incidental to the principal building or principal use. Such use, building, or structure shall have a permanent foundation and shall comply with the St. Louis County Building Code as adopted by the City.  |
| 6  | <i>Accessory use, building, or structure, temporary</i> | Uses, buildings, or structures that are subordinate to and clearly and customarily incidental to the principal building or principal use. Such a use shall be limited to temporary portable outdoor storage units as defined herein.   |
| 7  | <i>Acute care center</i>                                | A facility for the provision of secondary health care where a patient receives active but short term treatment for a severe injury or episode of illness, an urgent medical condition, or during recovery from surgery.  |
| 8  | <i>AGL</i>  | Above ground level. Ground level shall be determined by the average elevation of the natural ground level within a radius of fifty (50) feet from the center location of measurement.  |
| 9  | <i>Alley</i>  | A secondary means of ingress or egress serving more than one (1) tract of land and used primarily for vehicular service, and which may be used for public utility purposes.  |
| 10 | <i>Alteration</i>                                       | As applied to a building or structure, means a change or rearrangement in the structural parts or in the means of egress. This definition includes an enlargement of a building or structure, whether by extending a side or by increasing the height. Also, the moving of a building or structure from one location or position to another is considered an alteration.   |

- 11 *Amusement center, indoor* Any facility in which there are located more than three (3) coin-operated video game machines.
- 12 *Amusement center, outdoor* A business establishment whose principal business is providing entertainment to customers in an outdoor setting. Such uses include miniature golf, batting practice cages, and similar outdoor amusement facilities, but not including go-cart or other motorized vehicle tracks.
- 13 *Amphitheater* (See, *Outdoor theater*)
- 14 *Animal hospital* A place where animals or pets are given medical or surgical treatment and are cared for during the time of such treatment. Use as a kennel shall be limited to short-time boarding and shall be only incidental to such hospital use.
- 15 *Animated sign* Any sign or part of a sign that changes physical or visual position by any movement or rotation.
- 16 *Antenna* Communications equipment that transmits or receives electromagnetic radio signals used in the provision of any type of wireless communications services. The term shall exclude satellite earth station antennae less than two (2) meters in diameter (mounted within twelve (12) feet of the ground or building-mounted) and any receive-only home television antennae.
- 19 *Approved* Approved by the zoning enforcement officer or other authority having jurisdiction.
- 20 *Attached garage* An attached garage has a wall, roof or other structural member in common with, or in contact with, the primary building; and is constructed with materials consistent with those used to construct the primary structure; and all garages other than "detached garage."
- 21 *Attention getting device* Any streamer, spinner, pennant, costumed character, light, balloon, continuous string of pennants, fringe, or similar device or ornamentation used primarily for the purpose of attracting attention and is visible by the general public from any public right-of-way or public area.
- 22 *As-of-right* A term used to describe a proposed development that complies with all applicable zoning code.
- 23 *Assisted living facility* A special combination of housing, supportive services, personalized assistance, and health care designed to respond to the individual needs of those who need help with activities of daily living. A facility with a central or private kitchen, dining, recreational, and other facilities, with separate bedrooms or living quarters, where the emphasis of the facility remains residential.
- 24 *Auction sales* Any sale where tangible personal property is sold by an auctioneer who is either the agent for the owner of such property or is in fact the owner thereof.
- 25 *Automatic Teller* A mechanized consumer banking device operated by a financial institution for the convenience of its customers.
- 26 *Automobile repair, major* (see *Vehicle repair facility*)
- 27 *Automobile repair, minor* (see *Vehicle repair facility*)
- 28 *Automobile service station* (see *Gasoline station*)

**15.2 - B**

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| 1  | <i>Bakery</i>                              | An establishment primarily engaged in the retail sale of baked products for consumption off site. The products may be prepared either on or off site. Such use may include incidental food service.   |
| 2  | <i>Bandshell</i>                           | (See, <i>Outdoor theater</i> )  |
| 3  | <i>Bank or other financial institution</i> | An institution that trades in money; an establishment for the deposit, custody and issuance of money, and also for making loans and discounts, and facilitating the transmission of remittances from one place to another. Credit unions and savings and loans shall also be considered a bank or other financial institution, but check cashing establishments, pawnshops, short-term loan establishments and title lenders shall not. |
| 4  | <i>Banner sign</i>                         | Any sign made of cloth, fabric, paper, non-rigid plastic, or similar types of material. National flags, State flags, City flags and symbolic flags of an institution shall not be considered banners for the purpose of this title.   |
| 5  | <i>Banquet hall</i>                        | A facility or hall available for lease by private parties.  |
| 6  | <i>Benchmark</i>                           | A definite point of known elevation and location and of more or less permanent character. The identity and elevation shall be based on United States Geological Survey (U.S.G.S.) Datum. Benchmarks established from 1981 Metropolitan St. Louis Sewer District (M.S.D.) Benchmark Loop System and Missouri Highway and Transportation Department (M.H.T.D.) Bench marks or temporary bench marks established thereon are acceptable.   |
| 7  | <i>Billboard sign</i>                      | See <i>Off-premises sign</i>  |
| 8  | <i>Block</i>                               | An area of land surrounded by public highways, streets, streams, railroad rights-of-way, parks, rural land, drainage channels, or other similar areas or facilities.  |
| 9  | <i>Board</i>                               | Board of Aldermen of the City of Sunset Hills.  |
| 10 | <i>Boarding Home</i>                       | A building other than a motel or hotel where, for compensation and by prearrangement for definite periods, meals or lodging are provided.   |
| 11 | <i>Box sign</i>                            | A sign that is self enclosed in a typically square or rectangular structure with or without internal illumination.  |
| 12 | <i>Brewery</i>                             | An industrial use that brews ales, beers, meads, and/or similar beverages on site.  |
| 13 | <i>Brewpub</i>                             | A commercial business which conducts the retail sale of beer (malt beverages with alcohol content as defined by federal law) which is brewed on the premises in compliance with applicable state and federal laws.  |
| 14 | <i>Buffer area</i>                         | (see also <i>Screening</i> ) An area of land established to protect one type of land use from another incompatible, or potentially incompatible, land use. The area is landscaped or left in a natural state and kept in open space use, subject to the specific requirements of this ordinance.  |
| 15 | <i>Building</i>                            | Any structure having a roof, supported by columns or walls and intended for the shelter, housing or enclosure of any person, animal or chattel. When any portion thereof is completely separated from every other portion by masonry or a fire wall without any openings, which wall extends from the ground through the roof, then such portion shall be deemed to be a separate building.   |

- 16 *Building coverage* That portion of a lot covered by a building, excluding roof eaves (e.g., building 'footprint').
- 17 *Building height* The vertical distance measured from the average elevation of the finished grade along the front of the building to the average height of the highest roof. The average height of a roof is the mid-height between the roof eave and the roof ridge/crest, regardless of the shape of the roof. In the case of a building with multiple roof levels, the highest of the various roof levels shall be used to determine the building height. On buildings with parapet walls, the building height is defined as the vertical distance measured from the average elevation of the finished grade along the front of the building to the highest point of the parapet. On A-frame buildings, the building height is defined as the vertical distance measured from the average elevation of the finished grade along the front of the building to the roof ridge.
- 18 *Building line* (see *Building setback*)
- 19 *Building line (setback)* A line or lines on a plat designating the area outside of which buildings may not be erected, except landings, open balconies, and roof overhangs, as permitted in the zoning ordinance.
- 20 *Building permit* A permit required to be issued by the city prior to construction, alteration, repair, or demolition of any building, structure, or parking lot with more five or more parking stalls.
- 21 *Building setback* The required minimum horizontal distance between the closest point of an exterior wall of a building or any projection thereon and the applicable property line or right-of-way line, in which no structure can be placed or erected, unless otherwise provided for in this ordinance. (see Section 5 for exceptions to setback requirements)
- 22 *Building, principal* The structure in which the principal use of the lot is located.
- 23 *Bus garage / lot* (See, *Bus station*)
- 24 *Bus shelter and parking area* Any lot building, or structure used for the storage or layover of passenger buses and motor coaches.
- 25 *Bus station* Any premises for the transient housing or parking of motor driven buses and the loading and unloading of passengers.
- 15.3 - C**
- 1 *Candy and ice cream stores* Establishments whose primary business is the sale of a single specialty type of food or beverage that is not considered a complete meal (e.g., candy, coffee, or ice cream). The sale of other food, beverages, or merchandise is incidental to the sale of the specialty food or beverage. Food and beverages are for customer consumption within the restaurant or restaurant patio area.
- 2 *Car wash* A structure or portion thereof, containing facilities for washing motor vehicles, such as a chain conveyor, blower, pressurized cleaning device or other mechanical device, including self-service cleaning facilities.
- 3 *Carry out restaurant* (See, *Delivery only restaurant*)
- 4 *Cemetery* A place used for interment of human or animal remains or cremated remains, including a burial park for earth interments, a mausoleum for vault or crypt interments, a columbarium for cinerary interments, or a combination thereof.
- 5 *Chairman* The chairman of the Planning and Zoning Commission or Board of Adjustment.

6	<i>Changeable copy</i>	A sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged manually without altering the face or surface of the sign.
7	<i>Child day care center, nursery school, or day care nursery</i>	(see <i>Day care center</i> )
8	<i>City engineer</i>	The city engineer of Sunset Hills or their duly authorized delegate.
9	<i>Clothing and costume rental</i>	A place of business devoted in whole or in part to the rental of clothing and costumes.
10	<i>Coffee shop</i>	An informal restaurant primarily offering coffee, tea, and other beverages, and where light refreshments and limited menu meals may also be sold.
11	<i>College</i>	An institution other than a vocational or trade school that provides full-time or part-time education beyond high school.
12	<i>Collocation</i>	The placement or installation of a new wireless facility on a structure that already has an existing wireless facility, including electrical transmission towers, water towers, buildings, and other structures capable of structurally supporting the attachment of wireless facilities in compliance with applicable codes.
13	<i>Commercial laundry</i>	A building, portion of a building, or premises used or intended to be used for cleaning fabrics, textiles, wearing apparel, or articles of any sort by immersion and agitation, or by immersions only, in volatile solvents including, but not by way of limitation, solvents of the petroleum distillate type, and/or the chlorinated hydrocarbon type, and the processes incidental thereto.
14	<i>Commercial use</i>	An enterprise that is carried on for a profit by the owner, lessee, or licensee, and for which fifty (50) percent or more of the building and/or lot is devoted to non-office use, but not including home occupations that comply with the provisions of this ordinance.
15	<i>Commission</i>	The Planning and Zoning Commission of the City of Sunset Hills.
16	<i>Common land</i>	That land set aside for open space or recreational use for the owners of the residential lots in a subdivision, which land is conveyed by the developer in fee simple absolute title by a warranty deed to trustees whose trust indenture shall provide that said common land be used for the sole benefit, use and enjoyment of the lot owners present and future. No lot owner shall have the right to convey his interest in the common land except as an incident of the ownership of a regularly platted lot.
17	<i>Common land or open space</i>	(see <i>Open space, common</i> )
18	<i>Conditional use</i>	(see Section 9.1)
19	<i>Connectivity Index</i>	The ratio of the number of links to the number of nodes in a street network. A higher connectivity index reflects a greater number of links entering each node and thus a higher level of connectivity for the street network.
20	<i>Consignment shop</i>	(See, <i>Secondhand store</i> )
21	<i>Contractors office</i>	A room or group of rooms used for conducting business affairs that does not use any exterior storage area.

- 22 *Contractor supply house* An industrial distributor that provides a range of products and value added services to professional customers in maintenance, repair and operations, construction, home rehabilitation, and similar industries.
- 23 *Convenience store* A retail establishment, not exceeding three thousand five hundred (3,500) square feet in gross floor area, offering for sale prepackaged food products, household items, and other convenience goods.
- 24 *Convent* A building or group of buildings designed to provide group housing for persons under religious vows or orders.
- 25 *Corner lot* (see *Lot, corner*)
- 26 *Crematorium* A location containing properly installed, certified apparatus intended for use in the act of cremation.
- 27 *Cross access easement* Reciprocal easements created by contract, the one being granted in favor of premises of one party in consideration of a grant by such party in favor of premises of the other party.
- 28 *Cultural institution* A library, museum, or similar public or quasi-public use displaying, preserving, and exhibiting objects of community and cultural interest in one or more of the arts or sciences.

**15.4 - D**

- 1 *Day care center* A facility providing for the care of five (5) or more persons away from their own homes for part of the twenty-four (24) hour day. The terms "nursery school" or a "day care nursery" shall be considered synonymous with day care center.
- 2 *Delicatessen* An establishment where fine, unusual, or foreign prepared foods are sold for consumption off-premises and no counters or tables for on-premises consumption of food are provided, but excludes grocery stores.
- 3 *Delivery only restaurant* Establishment in which food is prepared for consumption off the premises only.
- 4 *Density* (see also *Net acreage*) The ratio of the number of dwelling units to the net acreage of parcel of land on which the dwelling units are located.
- 5 *Detached garage* A detached garage is entirely surrounded by open space and does not have a wall, roof or other structural member in common with or in contact with the primary building. A covered walkway or shade covering may connect a detached garage to the primary structure.
- 6 *Detached single-family dwelling* (see *Dwelling, detached single-family*)
- 7 *Detention* The temporary storage of the differential runoff of stormwater by providing permanent facilities, such as dry reservoirs, ponds, or other acceptable alternatives.
- 8 *Developer* That person, firm, or corporation by whom a tract will be subdivided and improved pursuant to the requirements of this ordinance.
- 9 *Development* All structures and other modifications of the natural landscape, above and below ground, on a particular site, including but not limited to grading, removal of trees, paving, installation of utilities, or the erection of structures.

- 10 *Development, planned* Land under unified control to be planned and developed in a single development operation or a programmed series of development operations or phases. A planned development includes principal and accessory structures and uses strongly related to the character and purposes of the planned development. A planned development is built according to general and detailed plans for streets, utilities, lot and building location, landscaping, and the like. A planned development containing multiple lots and common areas includes provisions for the operation and maintenance of common areas, facilities, and improvements that are for use by the occupants of such planned development, but which will not be provided, operated, or maintained at public expense. A planned development may include development of a single parcel of land without common areas as previously described.
- 11 *Dimensional non-conformity* A non-conforming situation that involves any of the following, 1) The height of a structure, or the relationship between an existing building or buildings and other buildings or lot lines, which does not conform to the applicable dimensional regulations (e.g., setbacks) contained in this ordinance; 2) A lot of record that does not meet the minimum area or dimensional requirements of the district in which the lot is located; 3) Development of property, including buildings and other improvements thereon, which do not comply with regulations governing intensity of use, such as density (e.g., dwelling units per acre), and maximum building or site coverage; 4) Provision of off-street parking or loading spaces which does not meet the minimum requirements, or exceptions thereto, as specified in Section 6 of this ordinance; or 5) Any other situation where improvements to land do not comply with any quantitative or dimensional standard applicable to such improvement. Where such a dimensional non-conformity relates to a building or structure, the term "non-conforming structure" shall be considered synonymous with the term dimensional non-conformity.
- 12 *Directional sign* (1) Any sign erected or permitted by the State, County, or Village to denote the name of any thoroughfare, the route to any city, town, Village, educational institution, public building, historic place, or recreational facility to direct and regulate traffic, to denote any railroad crossing, bridge, or other transportation or transmission company for the direction or safety of the public. (2) A sign which has only information on exit, entrance or parking and contains no form of advertising copy or the name of any advertiser.
- 13 *Director* The director of public works of the city or his/her designee.
- 14 *Discontinuance* The non-use of the non-conforming use for six (6) consecutive months.
- 15 *Disguised support structure* Any freestanding, manmade structure designed for the support of wireless facilities, the presence of which is camouflaged or concealed as an appropriately-placed architectural or natural feature. Such structures may include but are not limited to clock towers, free standing bell towers, observation towers, water towers, light standards, flag poles and artificial trees.
- 16 *Distillery* An industrial use that distills spirits and other alcoholic beverages on site.
- 17 *District* (see *Zoning district*)
- 18 *Distribution center* A use where goods are received and/or stored for delivery to the ultimate customer at remote locations.
- 19 *Drive-in* (See, *Drive-through facility*)

- 20 *Drive-through facility* Any portion of a principal building, separate accessory structure, and/or an area of a lot, from which business is transacted, or is capable of being transacted, directly with customers while they remain in their motor vehicle. The terms "drive-up" and "drive-in" or similar terminology shall be considered synonymous with drive-through.
- 21 *Drive through restaurant* Restaurants where most customers order and are served their food at a counter or in a motor vehicle in packages prepared to leave the premises, or able to be taken to a table or counter to be consumed.
- 22 *Dry cleaning processing done elsewhere* An establishment or business maintained for the pickup and delivery of dry cleaning and/or laundry without the maintenance or operation of any laundry or dry-cleaning equipment or machinery on the premises.
- 23 *Dry cleaning processing on premises* An establishment or business maintained for the pickup and delivery of dry cleaning and/or laundry with the maintenance or operation of laundry or dry-cleaning equipment or machinery on the premises.
- 24 *Dwelling unit* One (1) or more rooms arranged or used as living quarters for one (1) family complete with individual kitchen facilities and toilet facilities.
- 25 *Dwelling units located above ground floor as a part of mixed use* (See, *Multifamily dwelling*)
- 26 **15.5 - E**
- 27 *Easement* A grant by a property owner to the public, a corporation, or a person of the use of land for a specific purpose.
- 28 *Easement, private roadway* A designated vehicular access way for the servicing of individual lots within a large lot subdivision.
- 29 *Easement, road improvement, maintenance, and, utility* A grant by a property owner to the city, county, state, or federal government for the purpose of road improvement and widening, road maintenance, sidewalks, public or private utilities and sewers.
- 30 *Easement, road maintenance and improvement* A grant by a property owner to the city for the purpose of road maintenance, improvement, and widening.
- 31 *Easement, shared parking* A grant by a property owner to an adjacent property owner for the purpose of parking.
- 32 *Easement, stormwater control* A grant by a property owner to the city or MSD for the purpose of stormwater control.
- 33 *Easement, stormwater control access* A grant by a property owner to the city or MSD providing access to stormwater control facilities for maintenance purposes.
- 34 *Easement, utility* A grant by a property owner to a public or private utility company for the purpose of installation, improvement, and maintenance of public or private utilities.
- 35 *Electric distribution / substation* A premises which may or may not contain buildings, where the interconnection and usual transformation of electrical service takes place between systems. An electrical substation shall be secondary, supplementary, subordinate, and auxiliary to the main system.



- 36 *Electronic message sign* A series of individual light bulbs, when programmed and lit, form letters, words, phrases, numbers or pictures that compose an advertising, announcement, or other type of message. The message itself can be changed from a remote terminal without otherwise altering or changing the face of the sign.
- 37 *Emergency service* The use of any equipment, machinery, vehicle, or other activity in a short term effort to protect or restore safe conditions in the City, or work by private or public utilities when restoring utility service.
- 38 *Energy generating station* Industrial facility for the generation of electric power.
- 39 *Engineer* A professional engineer registered in the State of Missouri.
- 40 *Engineer* Wherever used in this ordinance, the word "engineer" shall mean a professional engineer registered and licensed to practice in Missouri.
- 41 *Equipment compound* An area surrounding or near a wireless support structure within which are located wireless facilities.
- 42 *Escrow agent* A title company, bank, savings and loan association, trust company, attorney, or any other person or agency approved by the city to act as escrow agent.
- 43 *Existing structure* A structure that exists at the time a request to place wireless facilities on a structure is filed with an authority. The term includes any structure that is capable of supporting the attachment of wireless facilities in compliance with applicable building codes, National Electric Safety Codes, and recognized industry standards for structural safety, capacity, reliability, and engineering, including, but not limited to, towers, buildings, and water towers. The term shall not include any utility pole.
- 44 *Extended stay lodge, hotel or corporate apartment* A building or group of buildings containing rooms that are used or designed to be rented or let out for compensation to anyone looking to stay for an undefined period of time with the amenities of home. Extended stay facilities provide kitchenettes to full kitchens and are typically fully furnished, including the provision of eating utensils.
- 45 *Equipment sales and repair* An establishment for the sale or repair of farm equipment.
- 15.6 - F**
- 1 *F.E.M.A.* Federal Emergency Management Agency.
- 2 *FAA* The Federal Aviation Administration.
- 3 *Family* An individual or two (2) or more persons related by blood, marriage, or adoption, or a group of not more than three (3) persons who need not be related to each other living together as a single non-profit housekeeping utilizing only one (1) kitchen, but not including sororities, fraternities, or other groups living together.
- 4 *Family care home* A home with support and supervisory personnel that provides room and board, personal care and rehabilitation services in a family environment.

- 5 *Farm* An area which is used for the growing of the usual farm products such as vegetables, fruit, trees and grain, and their packing or storage on the area, as well as for the raising thereon of the usual farm poultry and farm animals, such as horses, cattle, sheep and swine. The term "farming" includes the operating of such an area for one (1) or more of the above uses, including dairy farms, with the necessary accessory uses for packing, treating or storing produce, provided, however, that the operation of any such accessory uses shall be secondary to that of the normal farming activities, and provided further that farming does not include the commercial feeding of garbage or offal to swine or other animals.
- 6 *Fast food restaurant* (see *Restaurant, fast food*)
- 7 *FCC* The Federal Communications Commission.
- 8 *Flashing sign* Any sign that uses any type of flashing, intermittent, running or other type of light creating the illusion of movement.
- 9 *Flood plain* That area within the corporate limits of Sunset Hills subject to a one (1) percent, or greater, chance of flooding in any given year. This area is designated on the F.E.M.A. Flood Boundary and Floodway maps for the City of Sunset Hills.
- 10 *Floor area* The sum of the gross horizontal areas of the several floors of a building, including interior balconies, mezzanines and attached garages, but excluding exterior balconies. All horizontal dimensions are to be measured to the exterior faces of walls.
- 11 *Floor area ratio (FAR)* A mathematical expression determined by dividing the total floor area of a building by the area of the lot in which it is located, as Floor area / lot area = floor area ratio
- 12 *Front yard* (see *Yard, front*)
- 13 *Frontage* That edge of a lot bordering a street.
- 14 *Funeral home* A building used for the preparation of the deceased for burial and display of the deceased and rituals connected therewith before burial or cremation. A funeral home, as defined for purposes of this code, includes a funeral chapel.

**15.7 - G**

- 1 *Garage* Any fully enclosed accessory building housing not to exceed four (4) motor-driven vehicles, the property of and for the use of the occupants of the lot on which the private garage is located.
- 2 *Garage, private* Any fully enclosed accessory building housing not to exceed four (4) motor-driven vehicles, the property of and for the use of the occupants of the lot on which the private garage is located.
- 3 *Garage, public* Any fully enclosed building or premises, except those described as a private garage, used for the repair, storage or care of self-propelled vehicles.
- 4 *Garden supply / seed store* A place of business where retail and wholesale products related to domestic gardening are sold to the consumer. These centers import most of the items sold, and may include seeds, seedlings, nursery products and stock, potting soil, hardware, power equipment and machinery, hoes, rakes, shovels, and other garden and domestic gardening variety tools and utensils.

- 5 *Gas regulator station* An assemblage of equipment which reduces, regulates, and meters natural gas pressure in the transmission line, holder, main, pressure vessel, or the compressor station piping. This may include auxiliary equipment such as valves, control instruments, or control lines as well as piping.
- 6 *Gasoline service/sales* A building and premises where the primary use is the retail sale and dispensing of gasoline, diesel fuel, lubricants, coolant, compressed air, and other vehicle fluids, but not including vehicle repair or service facilities, or sale of motor vehicles.
- 7 *Golf Course, Public or Private* At least nine separate holes consisting of a separate tee, fairway, and green for each of the nine holes, and requiring the use of standard golf clubs in addition to a Putter. The facility may be owned publicly or privately.
- 7 *Grade* The rate of ascent or descent of land. That point or datum plane from which reference to an elevation is measured. In the case of a building or structure this point shall be established at the center line of the structure or building perpendicular to the line of maximum slope.
- 8 *Grade, finished* The average of finished ground level along the front of the building.
- 9 *Greenhouse* A glass house devoted to the protection or cultivation of tender plants.
- 10 *Greenhouse* A building constructed with translucent roofing material devoted to the protection or cultivation of tender plants.
- 11 *Grocery store* Stores where most of the floor area is devoted to the sale of food products for home preparation and consumption, which typically also offer other home care and personal care products, and which are substantially larger and carry a broader range of merchandise than convenience stores.
- 12 *Ground coverage* (see *Building coverage and Site coverage*)
- 13 *Group home for handicapped (disabled) persons* A dwelling unit where eight (8) or fewer unrelated mentally or physically handicapped persons reside, plus not more than two (2) additional persons serving as house parents or guardians who need not be related to each other or to any of the mentally or physically handicapped persons residing in the dwelling. A group home for handicapped persons does not include residential or outpatient facility for treatment of alcohol or drug abuse or both.
- 14 *Gross Floor Area* (see *Floor Area*)
- 15 *Gun shop* An establishment having at least 25 percent of its gross floor area used for the sale of firearms, ammunition and ammunition components, and hunting or shooting equipment.
- 15.8 - H**
- 1 *Habitable space: (see also Occupiable space)* Space in a building for living, sleeping, eating or cooking.
- 2 *Hatchery* A where the hatching fish or poultry eggs is artificially controlled for commercial purposes.

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| 3               | <i>Health facility, indoor</i>      | Commercial recreation facilities, operated as a business enterprise, offering sport and fitness activities such as tennis, racquetball, swimming, and physical exercise. Such facilities are typically more comprehensive in scope than "common" recreation facilities, defined in this Article, and may include accessory uses such as locker rooms, pro-shops, snack bars, exercise rooms and equipment, massage therapy, and similar facilities and services. They are commonly established as "health clubs," with membership coming from a larger trade area as opposed to a single subdivision or apartment/condominium complex. |
| 4               | <i>Height</i>                       | The vertical distance measured from the average grade of the base of the structure at ground level to its highest point and including the main structure and all attachments thereto.  |
| 5               | <i>Home occupation</i>              | An occupation, profession, or other business activity (for profit or not-for-profit) that is clearly incidental to and a secondary use of a dwelling unit, and which does not alter the exterior of the dwelling unit. Residents performing their regular job functions remotely at home are allowed, considering all requirements of Section 4.10.1 are met.  |
| 6               | <i>Hospital</i>                     | Any premises, other than a nursing home, convalescent home or substance abuse treatment center, devoted primarily to the diagnosis, treatment and overnight nursing or medical care of individuals.  |
| 7               | <i>Hotel</i>                        | A building or group of buildings containing rooms that are accessed through a lobby or other common indoor space and used or designed to be rented or let out for compensation to tourist or other transients.   |
| 8               | <i>Hotel, extended stay</i>         | (see <i>Extended stay lodge, hotel or corporate apartments</i> )   |
| <b>15.9 - I</b> |                                     |  |
| 1               | <i>Illegal sign</i>                 | Any sign that was erected in violation of this title or any previous sign ordinance.   |
| 2               | <i>Illuminated sign</i>             | Any sign which has characters, letters, figures, or outlines illuminated by electric lights, luminous tubes or any other means of internal or external illumination.   |
| 3               | <i>Illumination, external</i>       | Illumination by a light source not contained within the sign structure and directed at the sign face.  |
| 4               | <i>Illumination, internal</i>       | Illumination by a light source contained within the sign structure.  |
| 5               | <i>Impervious surface coverage</i>  | The percentage of the area of a lot covered by any hard-surface that does not readily absorb or retain water including but not limited to parking and driveway areas, swimming pools, walkways, and accessory uses or structures.  |
| 6               | <i>Improvements</i>                 | Street pavement, turning lanes, traffic signals, bridges and culverts, sidewalk pavement, pedestrian-way pavement, water mains, fire hydrants, storm sewers and roadside drainage ditches, erosion, siltation control, sanitary sewers, signs, monuments, landscaping, street lights, and other similar items.   |
| 7               | <i>Individually affixed letters</i> | A sign comprising of individual letters that are independently mounted to a wall or surface. The 'air space' between the letters is not part of the sign structure but rather of the building façade.  |
| 8               | <i>Indoor amusement center</i>      | (see <i>Amusement center, indoor</i> )   |

- 9 *Institutional use* A nonprofit or quasi-public use or institution such as a place of worship, library, public or private school, hospital, or a building, structure or land owned or operated by a governmental agency and used for a public purpose.

**15.10 - J****RESERVE****15.11 - K**

- 1  *kennel* Any premises, except where accessory to an agricultural use, where domestic animals, such as dogs and cats, are boarded, trained, or bred.

**15.12 - L**

- 1 *Laboratory* A building or group of buildings in which are located facilities for scientific research, investigation, testing, or experimentation, but not facilities for the manufacture or sale of products, except as incidental to the main purpose of the laboratory.
- 2 *Land surveyor* A land surveyor registered in the State of Missouri.
- 3 *Launderette* A facility where patrons wash, dry, or dry clean clothing or other fabrics in machines operated by the patron.
- 4 *Library* A public facility for the use, but not sale, of literary, musical, artistic, or reference materials.
- 5 *Light manufacturing* The processing or fabrication of certain materials or products where no process involved will produce noise, vibration, air pollution, fire hazard, or noxious emission which will disturb or endanger neighboring properties.
- 6 *Link* Term meaning street segment, used in the measurement of a street network's connectivity index.
- 7 *Liquor store* Establishments engaged in the sale of alcoholic beverages for off-premises consumption.
- 8 *Lot* A platted parcel of land intended to be separately owned, developed, or otherwise used as a unit.
- 9 *Lot* (see also *Lot of record*) A platted parcel of land intended to be separately owned, developed, and otherwise used as a unit.
- 10 *Lot area* The total horizontal area within the boundaries of a lot exclusive of any area designated for street purposes.
- 11 *Lot area* The total area, usually measured in terms of square feet, circumscribed by the boundaries of a lot, excluding easements for access or road purposes.
- 12 *Lot coverage* A measure of intensity of land use that represents the portion of a site including primary use coverage and impervious surface coverage.
- 13 *Lot line* (see also *Property line*) A line dividing one lot from another, or from a public or private street right-of-way or any other public right-of-way.
- 14 *Lot line, front* (see also *Yard, front*) On an interior lot, the lot line abutting a street right-of-way; or, on a corner lot, each lot line abutting a street right-of-way; or, on a through lot, the lot line abutting the street right-of-way providing the primary access to the lot; or, on a flag lot, the interior lot line most parallel to and nearest the street right-of-way providing access.

- 15 *Lot line, rear* (see also *Yard, rear*) The lot line not intersecting a front lot line that is most distant from and most closely parallel to the front lot line.
- 16 *Lot line, side* (see also *Yard, side*) Any lot line not a front or rear lot line.
- 17 *Lot of record* A lot which is part of a subdivision or a parcel of land whose boundaries have been established by some legal instrument, and is shown on a map or plat thereof, which has been legally established and recorded in the Office of the Recorder of Deeds of St. Louis County.
- 18 *Lot split* Any minor subdivision wherein the division or redivision of land meets the criteria set forth in Section 7.3.
- 19 *Lot width* The horizontal distance between side lot lines, measured along the required front building setback line.
- 20 *Lot, corner* A lot abutting on and at the intersection of two or more streets. For establishing building setbacks, a corner lot is considered to have two (2) or more front yards.
- 21 *Lot, depth of* The mean horizontal distance between the front and rear lot lines.
- 22 *Lot, double frontage* A lot having frontage on two (2) nonintersecting streets, as distinguished from a corner lot.
- 23 *Lot, flag* A lot with access provided to the bulk of the lot by a narrow corridor of property.
- 24 *Lot, interior* A lot that abuts other lots on all sides (and rear), except for the lot line dividing the lot from a single abutting street.
- 25 *Lot, through* A lot having its front and rear yards each abutting on a street (also known as "double frontage" lot).
- 26 *Lumber yard* An area used for the storage, distribution, and sale of finished or rough-cut lumber and lumber products, but not including the manufacture or fabrication of lumber, lumber products, or firewood.

**15.13 - M**

- 1 *M.H.T.D.* State of Missouri Highway and Transportation Department.
- 2 *Mail, copying, parcel, and printing services* A commercial business which conducts the retail sale of stationery products, provides packaging and mail services, and provides mailboxes for lease.
- 3 *Mausoleum* (See, *Cemetery*)
- 4 *Marina* Waterfront establishments whose business is offering the sale or rental of boats and marine sporting equipment and the servicing, repair, or storage of the same. Such establishments may also provide travelift services, slip rental, gasoline, sanitary pumpout service and food, and drink.
- 5 *Marquee sign* Any permanent roofed structure projecting over public property or right-of-way, attached to and supported by a building.
- 6 *Marijuana or marihuana* Cannabis indica, Cannabis sativa, and Cannabis ruderalis, hybrids of such species, and any other strains commonly understood within the scientific community to constitute marijuana, as well as resin extracted from the plant and marijuana-infused products. "Marijuana" or "Marihuana" do not include industrial hemp containing a crop-wide average tetrahydrocannabinol concentration that does not exceed three-tenths of one (1) percent on a dry weight basis, or commodities or products manufactured from industrial hemp.

- 7 *Marijuana-infused products* Products that are infused with marijuana or an extract thereof and are intended for use or consumption other than by smoking, including, but not limited to, edible products, ointments, tinctures and concentrates.
- 8 *Medical marijuana cultivation facility* A facility licensed by the Missouri Department of Health and Senior Services to acquire, cultivate, process, store, transport, and sell marijuana to a medical marijuana dispensary facility, medical marijuana testing facility, or to a medical marijuana-infused products manufacturing facility.
- 9 *Medical marijuana dispensary facility* A facility licensed by the Missouri Department of Health and Senior Services 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 medical marijuana dispensary facility, a medical marijuana testing facility, or a medical marijuana-infused products manufacturing facility.
- 10 *Medical marijuana-infused manufacturing facility* A facility licensed by the Missouri Department of Health and Senior Services 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.
- 11 *Medical marijuana testing facility* A facility certified by the Missouri Department of Health and Senior Services to acquire, test, certify, and transport marijuana.
- 12 *Medical Use* The production, possession, delivery, distribution, transportation, or administration of medical marijuana or marijuana-infused product or drug paraphernalia used to administer marijuana or marijuana-infused product, for the benefit of a qualifying patient to mitigate the symptoms or effects of the patient's qualifying medical condition.
- 13 *Metes and bounds* The method used to describe a tract of urban land intended to be used for dwelling or other purposes so that it can be recorded in a St. Louis County recorder's office, as contrasted with the description of a part of a properly approved and recorded subdivision plat by the lot and block number.
- 14 *Mining and mineral extraction* The development or extraction of a mineral from its natural occurrences on affected land.
- 15 *Mobile home* A self-contained structure designed or intended to be used for dwelling purposes which has been, or reasonably may be equipped with wheels or other devices for transporting such structure, in whole or in its several parts.
- 16 *Monastery* (See, *Convent*)
- 17 *Monument* A permanent marker to be made of materials and placed by a land surveyor at locations specified in section 2.2 (g) of this chapter.

- 18 *Monument sign* A freestanding sign that is detached from a building and having a support structure that is a solid-appearing base constructed of a permanent material, such as concrete block or brick. All other free standing signs types not meeting the definition of a monument sign shall either be a pole sign or a pylon sign.
- 19 *Motel* (see *Hotel*)
- 20 *Motor vehicle oriented business (MVOB)* Any commercial business which, by design, type of operation, and nature of business, has as one (1) of its functions, the provision of services to a number of motor vehicles or its occupants in a short time span for each, or the provision of services to the occupants of the motor vehicle while they remain in the vehicle. The list of businesses that constitute motor vehicle oriented businesses include convenience stores, gasoline service stations, drive-in banks, and restaurants with drive-through facilities, drive-through beverage sales, car wash operations, and similar business operations. New car dealerships and auto tire and battery stores are not typically considered as motor vehicle oriented businesses.
- 21 *MSD* The Metropolitan St. Louis Sewer District.
- 22 *Multifamily dwelling* A dwelling or group of dwellings on one lot, containing separate living units for three or more families, having separate or joint entrances, and including apartments, row houses, and condominiums.
- 23 *Multi-tenant shopping center* A group of two or more retail and other commercial establishments which function as a unit; are planned, owned, and managed as a single property.
- 24 *Municipal building* A building or group of buildings owned by the City of Sunset Hills and used for municipal services.
- 25 *Museum* (See, *Cultural Institution*)
- 15.14 - N**
- 1 *Net acreage* The gross acreage of a parcel of land less all land dedicated (or to be dedicated) to street rights-of-way or easements for access or road purposes. In the case of private streets, the equivalent of public rights-of-way for these private streets shall be deducted from the gross acreage, except as otherwise provided in this ordinance. In the event that there is a question regarding the width and length of such equivalent rights-of-way, the zoning enforcement officer shall render a determination.
- 2 *Node* Term meaning street intersection, used in the measurement of a street network's connectivity index.
- 3 *Non-conforming situation* A non-conforming situation is one which lawfully existed prior to the effective date of this ordinance or any amendment thereto, and which fails to conform to one (1) or more of the applicable regulations of this ordinance or such amendment thereto.
- 4 *Nonconforming use* Any building or land lawfully occupied by a use at the time of passage of this ordinance or amendment thereto, which does not conform after the passage of this ordinance or amendment thereto with the use regulations of the district in which it is situated.
- 5 *Nonhazardous inside storage* The storage, collection or display of any nonhazardous products, materials, equipment, appliances, vehicles not in service, or personal property of any kind on an enclosed, covered area.
- 6 *Nonhazardous outside storage* The storage, collection or display of any nonhazardous products, materials, equipment, appliances, vehicles not in service, or personal property of any kind on an unenclosed, uncovered area.



7	<i>Nursery</i>	A place where trees, shrubs, vines and flowers are propagated for transplanting.
8	<i>Nursing home</i>	A home for the aged or infirm in which three or more persons not of the immediate family are received, kept, or provided with food and shelter, or care for compensation; but not including hospitals, clinics, or similar institutions devoted primarily to the diagnosis and treatment of the sick or injured.
<b>15.15 - O</b>		
1	<i>Occupiable space</i>	A room or enclosed space designed for human occupancy in which individuals congregate for amusement, educational or similar purposes, or in which occupants are engaged at labor; and which is equipped with means of egress and light and ventilation facilities meeting the City of Sunset Hills building code.
2	<i>Off premises sign</i>	A sign that constitutes a principal, separate, or secondary use, as opposed to an accessory use, of the parcel on which it is located.
3	<i>Office</i>	A building or portion of a building wherein services are performed involving predominantly administrative, professional, or clerical services.
4	<i>Office, medical or dental</i>	A facility for the practice of medicine or dentistry for humans, including accessory diagnostic facilities/equipment, but not including in-patient (overnight) care or substance abuse treatment centers.
5	<i>Open sales lot</i>	The outdoor storage of goods, materials, and other equipment for sale.
6	<i>Open space</i>	An area that provides light and air; is designed for buffering one land use from another; or for environmental, scenic, or recreational purposes. Open space may include, but is not limited to, lawns, decorative planting, walkways, active and passive recreation areas, playgrounds, fountains, swimming pools, wooded areas, and watercourses. Open space shall not include driveways, parking lots, or other surfaces designed or intended for vehicular travel.
7	<i>Open space, common</i>	That land set aside for open space or recreational use for the owners of the residential lots in a subdivision, which land is conveyed by the developer in fee simple absolute title by a warranty deed to trustees whose trust indenture shall provide that said common land be used for the sole benefit, use and enjoyment of the lot owners present and future. No lot owner shall have the right to convey his interest in the common land except as an incident of the ownership of a regularly platted lot.
8	<i>Ordinance</i>	A piece of legislation enacted by a municipal authority
9	<i>Ordinance, this</i>	The Unified Development Code adopted by the City of Sunset Hills, Missouri.
10	<i>Other general office</i>	(See, <i>Professional office</i> )
11	<i>Outdoor storage</i>	The keeping of any material which is not for sale outside of a fully enclosed building for a period which exceeds forty-eight hours.
12	<i>Outdoor theater</i>	An establishment for the performing arts with open-air seating for audiences. Such establishments may include related services such as food and beverage sales and other concessions.

- 13 *Outline lighting* An arrangement of incandescent lamps or electric-discharge lighting to outline or call attention to certain features, such as the shape of a building or the decoration of a window.
- 14 *Outside dining* An area of designated size used as a seating area with tables and chairs for the contiguous restaurant. This seating may be in addition to the indoor seating or it may be the only seating available for the restaurant.

**15.16 - P**

- 1 *Park* A public or private area of land, with or without buildings, intended for outdoor active or passive recreational uses.
- 2 *Parking lot* Any place where motorized vehicles are parked, stored or otherwise placed.
- 3 *Parking space, automobile* A durable, dustproof, surfaced area, enclosed in the main building, in an accessory building, or unenclosed, sufficient in size to store one (1) automobile, and if the space is unenclosed, a durable dustproof surfaced area comprising an area of not less than three hundred (300) square feet including the necessary driveway and space between automobiles on the parking lots. The driveways connecting a parking space with street or alley shall provide satisfactory ingress and egress of automobiles, and shall be paved with an asphaltic penetration surface, asphaltic concrete, or portland cement concrete, and shall have appropriate bumper guards where deemed necessary by the Planning and Zoning Commission.
- 4 *Parking space, off street* An area on a lot and/or within a parking structure intended for the use of temporary parking of a motor vehicle. To be considered a parking space, each parking space must have direct access to a motor vehicle circulation aisle or street. Tandem or stacked parking stalls in single-family developments shall be considered to have a means of access to a street so long as no vehicle is parked partially or fully within a street right-of-way.
- 5 *Parking stall* (see *Parking space, off-street*)
- 6 *Parking structure* A building for the storage or parking of four (4) or more vehicles, limited exclusively to passenger vehicles that will accommodate not more than nine (9) passengers.
- 7 *Parking, off-street* An area off-street and not within a building, where motor vehicles may be stored for temporary, daily or overnight parking.
- 8 *Pawn shop* Any business that loans money on deposit of personal property or deals in the purchase or possession of personal property on condition of selling the same back again to the pledger or depositor, or loans or advances money on personal property by taking chattel mortgage security thereon, and takes or receives such personal property.
- 9 *Pay-day loan* An establishment providing loans to individuals in exchange for personal checks as collateral.
- 10 *Performance standards, zoning* A set of criteria established to control noise, smoke, toxic or noxious matter, vibration, fire and explosive hazards, and glare and heat generated by or inherent in the use of land or buildings.
- 11 *Permanent storage structure* All others than those defined as "temporary storage structure."

- 12 *Person* A corporation, firm, partnership, association, organization and any other group acting as a unit as well as individuals. It shall also include an executor, administrator, trustee, receiver, or other representative appointed according to law. Whenever the word "person" is used in any section of this ordinance prescribing a penalty or fine as to partnership or association, the word shall include the partners or members thereof, and, as to corporation, it shall include the officer, agents or members thereof who are responsible for any violation of such section.
- 13 *Personal care services* A business which provides services but not goods such as hairdressers, shoe repair, and nail salons but excluding tattoo parlors.
- 14 *Pet daycare* (See, *Kennel*)
- 15 *Pet grooming* A business which provides hygienic care and cleaning services to domesticated animals such as dogs.
- 16 *Pet shop* A retail sales establishment primarily involved in the sale of goods and services for domestic animals, such as dogs, cats, fish, birds, and reptiles, excluding exotic animals.
- 17 *Pharmacy* A business substantially devoted only to the sale of pharmaceutical items, supplies, and equipment such as prescription drugs.
- 18 *Place of worship* A use located in a permanent building and providing regular organized religious worship and related incidental activities, except schools, preschools, and day care facilities.
- 19 *Place or road* An open unoccupied space other than a street or alley permanently reserved as the principal means of access to abutting property.
- 20 *Planned retirement care center* A functionally integrated residential and nursing care complex progressing from independent living dwelling units to skilled nursing facilities and where at least one (1) resident of each dwelling unit is fifty-five (55) or older. Residents are provided with central dining facilities and may be provided other services such as laundry services, transportation for social activities and medical appointments, room cleaning, and recreational activities.
- 21 *Plat* A map, drawing or chart on which the developer's plan of the subdivision is presented and which he submits for approval and intends in final form to record.
- 22 *Plumbing, heating, and air conditioning* Retail stores where items such as plumbing, heating, and electrical supplies, sporting goods, and paints are sold.
- 23 *Pole sign* A freestanding sign that is detached from a building and is supported by one or more structural elements that are either (a) dissimilar to the design of the sign, or (b) less than one quarter the width of the sign face.
- 24 *Porch* A roofed open area, which may be glazed or screened, usually attached to or a part of a building.
- 25 *Portable sign* Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported
- 26 *Post office* A facility that contains service windows for mailing packages and letters, post office boxes, offices, vehicle storage areas, and sorting and distribution facilities for mail.
- 27 *Preschool* A facility for the organized instruction of children who have not reached the age for enrollment in kindergarten.
- 28 *Principal building* (see *Building, principal*)

- 29 *Primary Use Coverage* The ratio of the horizontal area measured from the exterior walls of the ground floor of the principal use on a lot to the total lot area.
- 30 *Private club* A building and area used for social purposes only, including the serving of food and refreshments, whose normal use is limited to members of the club and their guests, and which club does not provide a service customarily carried on as a business.
- 31 *Professional office* A room or group of rooms used for conducting the affairs of a professional business excluding service oriented businesses.
- 32 *Projecting sign* A small, pedestrian oriented sign that projects perpendicular from a structure.
- 33 *Property line* A line that divides one (1) lot, parcel, or tract of land from another and as distinguished from a right-of-way line associated with a public or private street.
- 34 *Public safety facility* A government facility for public safety and emergency services, including a facility that provides police or fire protection and related administrative facilities.
- 35 *Public works director* The public works director of Sunset Hills or their duly authorized delegate.
- 36 *Pylon sign* See *Pole sign*.

**15.17 - Q**

- 1 *Qualifying Patient* A Missouri resident diagnosed with at least one qualifying medical condition. All medical marijuana sold in Missouri must be cultivated and manufactured in Missouri.

**15.18 - R**

- 1 *Radio, cellular and television towers* A mast, pole, monopole, guyed, or freestanding framework, or other vertical elements that act as an antenna or to that an antenna is affixed or attached.
- 2 *Rear yard* (see *Yard, rear*)
- 3 *Recreation facilities, common* Private, non-commercial recreation facilities established for use by residents, and their guests, of a subdivision, condominium, or apartment complex. Examples of such facilities include clubhouses, swimming pools, exercise rooms, tennis or other racquet sport courts.
- 4 *Recreation facilities, indoor* An establishment that provides indoor recreation or entertainment oriented activities, such as bowling alleys, roller or ice rinks, trampoline facilities, indoor driving ranges, etc.
- 5 *Rehabilitation and nursing care center* A functionally integrated rehabilitation and nursing care center progressing from rehabilitation to skilled nursing and hospice care.
- 6 *Replacement* Includes constructing a new wireless support structure of equal proportions and of equal height or such other height that would not constitute a substantial modification to an existing structure in order to support wireless facilities or to accommodate collocation and includes the associated removal of the preexisting wireless facilities or wireless support structure.
- 7 *Residential or outpatient facilities for the treatment of alcohol or other drug abuse* (see *Substance abuse treatment center*)

- 8 *Restaurant* A business establishment whose principal business is the selling of prepared food to customers in a ready-to-consume state, on non-disposable dinnerware, and where the customers consume this food while seated at tables or counters located within the building or at supplemental outdoor dining areas. In order for such an establishment to be considered a restaurant and not a bar or tavern, not less than fifty (50) percent of its gross sales shall be for serving food and non-alcoholic beverages.
- 9 *Restaurant, fast food* A business establishment whose principal business is the sale of food in ready-to-consume individual servings, for consumption either within the restaurant building or carry-out, and where either, 1) Food, frozen desserts or beverages are usually served in edible containers or in paper, plastic or other disposable containers and where customers are not normally served their food, frozen desserts or beverages by a restaurant employee at the same table or counter where the items are consumed; or 2) The establishment includes a drive-through service facility or offers curbside service.
- 10 *Retail sales, general* Establishments selling commodities not otherwise detailed in Section 3.4 of the UDO, directly to the consumer.
- 11 *Retail sales, outdoor* The placement of goods, equipment, or materials for sale, rental, or lease in a location not enclosed by a structure consisting of walls and a roof.
- 12 *Right-of-way* A strip of land reserved or required by dedication, prescription, condemnation, gift, purchase, eminent domain or any other legal means occupied or intended to be occupied by a street, sidewalk, railroad, utility, sewer, or other similar use.
- 13 *Roof sign* A sign erected, constructed, painted, or placed upon or over a roof or parapet wall of a building and which is wholly or partly supported by the building or roof structure.
- 14 *Roominghouse* (See, *Boarding home*)
- 15 *Row crops* The use of land for growing field crops such as barley, soy beans, and more.
- 15.19 - S**
- 1 *School (elementary, middle, high)* A public, private, or parochial school offering instruction at the elementary, junior, and/or senior high school levels in the branches of learning and study required to be taught in the public schools of the State of Missouri.
- 2 *Screening* (see also *Buffer area*) The method by which a view of one lot (or building thereon) is shielded, concealed, or is visually minimized from an adjacent property or street. Screening techniques include landscaping, fences, walls, berms, or architectural features (e.g., screening of building mechanical equipment).
- 3 *Secondhand store* Retail sales of previously used merchandise, such as clothing, household furnishings or appliances, sports/recreational equipment. This classification does not include secondhand motor vehicles, parts, or accessories.
- 4 *Self-service storage facility* (See, *Warehouse, self-service storage*)
- 5 *Seminary* (See, *Convent*)

- 6 *Senior housing* A facility consisting of three or more dwelling units, the occupancy of which is limited to persons 60 years of age or older. The facility may include medical facilities or care. Senior housing shall typically consist of multiple-household attached dwellings but may include detached dwelling units as part of a wholly owned and managed senior project.
- 7 *Servant quarters* An accessory building located on the same lot with the principal building and used as living quarters for servants employed on the premises and not rented or otherwise used as a separate domicile.
- 8 *Service and repair* Any establishment whose primary activity is the provision of repair or other service, as opposed to products, for clothing or small appliances.
- 9 *Service oriented business office* Any establishment whose primary activity is the provision of assistance, as opposed to products, to individuals, business, industry, government, and other enterprises.
- 10 *Setback* (see also *Building setback*) The required minimum horizontal distance between a building, structure, sign, or other use (e.g., off-street parking lot) and the applicable property line or right-of-way line, in which no structure can be placed or erected, unless otherwise provided for in this ordinance.
- 11 *Sewage lift station* Facilities designed to move wastewater from lower to higher elevation, particularly where the elevation of the source is not sufficient for gravity flow and/or when the use of gravity conveyance will result in excessive excavation depths and high sewer construction costs.
- 12 *Shed* A relatively small structure often purchased pre-built or as a kit in pre-fabricated sections. It is not designed to be served by heat, electricity or plumbing and does not need to be placed on a permanent foundation. A shed is considered an accessory structure.
- 13 *Short-term rental* Leasing of a dwelling, or portion thereof, to overnight guests.
- 14 *Side yard* (See, *Yard, side*)
- 15 *Sidewalk café* (See, *Outside dining*)
- 16 *Silo* A tower or pit on a farm used to store grain.
- 17 *Siltation control* The installation of such devices as sediment ponds, bales of straw, fencing, siltation webbing, sodding, seeding and mulching, or other devices to prevent silting of abutting properties and roadways during the period of construction and up to and including such time as permanent ground cover is attained.
- 18 *Single-family attached* A residential structure designed to house a single-family unit from lowest level to roof, with a private outside entrance, but not necessarily occupying a private lot, and sharing a common wall adjoining dwelling units.
- 19 *Single-family detached* A residential structure designed to house a single-family unit, with private outside entrance, but without common walls between the dwelling units.
- 20 *Sit down restaurant* An establishment which sells food and beverages in a ready-to-consume state primarily to persons who are seated within the building or outside on the premises.
- 21 *Site coverage* (see also *Building coverage*) The area of the site which is covered by buildings, driveways, parking lots, loading areas, but excluding open spaces, plazas, pedestrian circulation, and buffer areas.
- 22 *Slope* The rate of deviation of the ground surface from the horizontal surface, as expressed in percentages.

- 23 *Stable* A detached building, accessory to a residential use, for keeping of a horse or horses owned by the occupants of the premises and which shall not be used for any commercial purpose, including boarding, hiring, sale or training of horses.
- 24 *Stacking space* A temporary waiting area for motor vehicles obtaining a service or other activity.
- 25 *Static transformer station* (See, *Electric distribution / substation*)
- 26 *Street* A general term denoting a public or private way which affords the principal means of vehicular access of abutting property. The term includes all facilities which normally occur within the right-of-way; it shall also include such other designations as interstate highway, thoroughfare, parkway, throughway, road, pike, avenue, boulevard, lane, place, court, but shall not include an alley or a pedestrian-way.
- 27 *Street line* A dividing line between a lot, tract or parcel of land and a contiguous street.
- 28 *Street loop* A short, independent street which usually terminates along the same collector street of its origin.
- 29 *Street, collector* Collector streets function as secondary land service streets in that they move traffic from the major streets, which distribute traffic regionally, to minor streets, which distribute the traffic to individual lots, parcels, and uses within the subdivision, area, or neighborhood. Collector streets also may serve individual lots, parcels, and uses as a secondary or additional function.
- 30 *Street, cul-de-sac* A short, independent, minor street terminating in a circular turnaround.
- 31 *Street, frontage or service* A minor street generally parallel to and adjacent to arterial streets and highways, which provides access to abutting properties and protection from through traffic.
- 32 *Street, major (arterial)* A street utilized for high vehicular speeds or for heavy volumes of traffic on a continuous route.
- 33 *Street, minor* Minor streets are exclusively land service facilities for access to abutting properties. These serve the local neighborhood and may be in the form of a cul-de-sac or loop street; provided, however, that any combination of loop and cul-de-sac streets may be utilized without the streets being designated as collector streets provided that such an arrangement serves the same function and also that the maximum fronting lots do not exceed the total which would be allowed within the provisions of the street specifications matrix.
- 34 *Street, private* A private way which affords the principal means of vehicular access to abutting property.
- 35 *Structural alterations* Any change in the supporting members of a building, such as bearing walls, columns, beams or girders, or any substantial change in the roof or exterior walls.
- 36 *Structure* Anything constructed, erected or located thereon the use of which requires permanent location on the ground or which, though movable, is used for a purpose which usually and customarily involves permanent location on the ground (including, but without limiting the generality of the foregoing, advertising, signs, billboards, poster panels, backstops for tennis courts, pergolas and structures for the housing of persons, animals, fowls, chattels or property).
- 37 *Structure for* See *Shed*

*Storage*

- 38 *Subdivision* A division or redivision of land into two (2) or more tracts, sites or parcels or the dedication or establishment of a road, highway or street through a tract of land regardless of area.
- 39 *Subdivision, large lot* A single family residential subdivision wherein all lots are three (3) acres or more in area and each boundary side is greater than two hundred (200) feet in length.
- 40 *Subdivision, minor* Any classification of a subdivision wherein the division or redivision of land meets the criteria set forth in Section 7.
- 41 *Substance abuse treatment center* Any premises, other than a convalescent home, nursing home, hospital or medical office, providing treatment and rehabilitation for alcoholism, drug abuse or both.
- 42 *Substantial modification* The mounting of a proposed wireless facility on a wireless support structure which, as applied to the structure as it was originally constructed, 1) Increases the existing vertical height of the structure by more than 10 percent or the height of one additional antenna array with separation from the nearest existing antenna not to exceed 20 feet, whichever is greater, or, 2) Involves adding an appurtenance to the body of a wireless support structure that protrudes horizontally from the edge of the wireless support structure more than twenty (20) feet or more than the width of the wireless support structure at the level of the appurtenance, whichever is greater (except where necessary to shelter the antenna from inclement weather or to connect the antenna to the tower via cable); 3) Involves the installation of more than the standard number of new outdoor equipment cabinets for the technology involved, not to exceed four (4) new equipment cabinets; or 4) Increases the square footage of the existing equipment compound by more than one thousand two hundred fifty (1,250) square feet.
- 43 *Surety company* An insurance company qualified and acting under the provisions of RSMo ch. 379 and which is approved by the city to act as a surety.
- 44 *Swimming pool* Any artificial basin of water constructed or erected for wading or swimming.

**15.20 - T**

- 1 *Tattoo parlor* A commercial use involving the marking of skin of persons with a design by a process of pricking or ingraining an indelible pigment or by raising scars, or similar method.
- 2 *Tavern* An establishment serving alcoholic beverages in which the principal business is the sale of such beverages at retail for consumption on the premises and where prepared or packaged foods may be available for consumption on the premises.
- 3 *Taxi stand* A designated area where taxi cabs and vehicles employed in rideshare wait for passengers.
- 4 *Tea shop* (See, *Coffee shop*)
- 5 *Temporary portable outdoor storage unit* Any container designed for the storage of personal property which is typically rented to owners or occupants of property for their temporary use and which is delivered and removed by truck.



- 6 *Temporary storage structure* A building that does not have, nor is bolted to, a foundation, and sets directly on the ground, gravel or concrete pad or other improved area. Temporary storage structures include but are not limited to such structures as "child playhouses" and buildings used for storage of items such as lawn equipment, yard tools and implements, pool equipment, outdoor furniture and accessories. Structure cannot exceed two hundred fifty (250) square feet in gross floor area nor exceed eighteen (18) feet in height.
- 7 *Title company* A corporation qualified and acting under the Missouri Title Insurance Law or a corporation which is an issuing agency for an insurance company insuring land titles.
- 8 *Tourist home* (See *Boarding home*)
- 9 *Towing* An outdoor storage facility for the temporary storage of towed vehicles.
- 10 *Tract* An area or parcel of land which the developer intends to subdivide and improve, or to cause to be subdivided and improved, pursuant to the requirements of this ordinance.
- 11 *Traffic engineer* An engineer whose principal professional practice is in the field of traffic engineering.
- 12 *Traffic impact study (or analysis)* A comprehensive collection and analysis of all information necessary to accurately evaluate the effect and impact of traffic generated by a development on the current and future road network surrounding the development.
- 13 *Trust indenture* Any recordable instrument by which common ground is held or maintained or assessments in a subdivision are levied for the administration of specific maintenance obligations or both.
- 15.21 - U**
- 1 *University* (See, *College*)
- 2 *Utility* Any person, corporation, county, municipality acting in its capacity as a utility, municipal utility board, or other entity, or department thereof or entity related thereto, providing retail or wholesale electric, natural gas, water, waste water, data, cable television, or telecommunications or internet protocol-related services.
- 3 *Utility pole* A structure owned or operated by a utility that is designed specifically for and used to carry lines, cables, or wires for telephony, cable television, or electricity, or to provide lighting.
- 15.22 - V**
- 1 *Vehicle repair facility* A building designed and used for the repair or refinishing of automobiles and light trucks, including both minor and major mechanical overhauling or replacement, painting, and body work. Major repairs may include; the removal and installation of engines, radiators, transmissions, differentials, fenders, doors, bumpers or other major body or mechanical parts; but not including tire recapping or vulcanizing, outdoor storage of wrecked or otherwise damaged and immobilized vehicles, or the sale of motor vehicles.

- 2 *Vehicle service facility* A building designed and used for performing minor repairs or maintenance services on automobiles and trucks. Such minor repairs and services include; tune-ups, changing flat tires, repairing electrical systems, replacing hoses, replacing filters, installing minor accessories, adding or replacing lubricants, coolant, refrigerant, or other vehicle fluids; the sale of parts and supplies associated with such services; but not including the sale of motor vehicles.
- 3 *Vehicle rental* (See, *Vehicle sales*)
- 4 *Vehicle sales* The use of any building or portion thereof, or other premises or portion thereof, for the storage, display, sale, rental, or lease of new motor vehicles, or used motor vehicles as an ancillary use of a zoning lot, and any warranty repair work and other repair service conducted as an accessory use.
- 5 *Vehicle sign* A sign that is attached to or painted on vehicles, vans, trailers or trucks which are parked continuously in the same general location to be used as an additional freestanding or temporary sign. This does not prohibit vehicle or trailer owners from having vehicles or trailers with signs provided the vehicles or trailers are in use on a regular basis and are not continuously parked in one parking lot.
- 6 *Vehicle storage* (See, *Vehicle sales*)
- 7 *Vocational school* A specialized instructional establishment that provides on-site training of business, commercial, and/or trade skills such as accounting, data processing, and computer repair.

**15.23 - W**

- 1 *Wall sign* A sign attached to or erected against the wall of a building or structure with the exposed face of the sign parallel to the plane of such wall.
- 2 *Wall, exterior* A wall fully exposed to the outside air that forms the perimeter of a building or structure. Where a building or structure is not wholly surrounded by exterior walls, then the exterior wall shall be considered as the vertical projection between the edge of the roof above and the floor of ground area below.
- 3 *Warehouse, self-service storage* A building or group of buildings with controlled access that contains individual, compartmentalized, and controlled access stalls or lockers for the storage of customer's goods or wares.
- 4 *Water tower* A water storage tank, or a standpipe or an elevated tank situated on a support structure, originally constructed for use as a reservoir or facility to store or deliver water.
- 5 *Water system facility* Any facility related to the public water system including distribution systems, treatment plants, wells, and the like.
- 6 *Wastewater treatment plant* The facility or group of units used for the treatment of industrial or domestic wastewater for sewer systems and for the reduction and handling of solids and gases removed from such wastes.
- 7 *Wholesale sales* An establishment or place of business primarily engaged in selling and/or distributing merchandise to paid members, retailers; to industrial, commercial, institutional, or professional business users, or to other wholesalers; or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals or companies. This is not considered a general commercial use.
- 8 *Window section* Any portion of a window enclosed within a single window frame.

- 9 *Window sign* A sign that is applied to or attached to the exterior or interior of a window or located in such manner within a building that it is visible from the exterior of the building through a window, but excludes merchandise display.
- 10 *Wireless communications service* Includes the wireless facilities of all services licensed to use radio communications pursuant to Section 301 of the Communications Act of 1934, 47 USC 301.
- 11 *Wireless facility* The set of equipment and network components, exclusive of the underlying wireless support structure, including, but not limited to, antennas, accessory equipment, transmitters, receivers, power supplies, cabling and associated equipment necessary to provide wireless communications services;
- 12 *Wireless support structure* A structure, such as a monopole, tower, or building capable of supporting wireless facilities. This definition does not include utility poles. The term shall not include any support structure including attachments of sixty (60) feet or less in height owned and operated by an amateur radio operator licensed by the Federal Communication Commission.

**15.24 - X**

**RESERVE**

**15.25 - Y**

- 1 *Yard* An open space on the same lot with a building, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided herein. 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 a rear yard, the mean horizontal distance between the lot line and the main building or any projection thereof shall be used.
- 2 *Yard, front* A yard extending across the front of a lot between the side lot lines and being the minimum horizontal distance between the street line and the front of the main building or any projection thereof, other than the projection of the usual steps or entranceway. (see also *Lot, corner*).
- 3 *Yard, rear* A yard extending across the rear of a lot measured between the side lot lines and being the minimum horizontal distance between the rear lot line and the rear of the main building or any projections other than steps, unenclosed balconies or unenclosed porches. On both corner lots and interior lots, the rear yard shall in all cases be at the opposite end of the lot from the front yard.
- 4 *Yard, side* A yard between the main building or any projection thereof, and the side line of the lot and extending from the front of the main building to the rear of the main building.

**15.26 - Z**

- 1 *Zoning district* Part or parts of the City of Sunset Hills for which the zoning ordinance establishes regulations governing the development and use of land. Such regulations are uniform for each class or kind of buildings throughout each district, but the regulations in one district may differ from those in other districts.
- 2 *Zoning enforcement officer* The city engineer and/or such other person or persons as the Board of Aldermen shall appoint.
- 3 *Zoning ordinance* The zoning ordinance of the City of Sunset Hills.