

BILL NO. 1

ORDINANCE NO. 2024-1

AN ORDINANCE AMENDING SECTION 400.045 ENTITLED "DEFINITIONS" OF ARTICLE II ENTITLED "DEFINITIONS" OF CHAPTER 400 ENTITLED "UNIFIED DEVELOPMENT ORDINANCE" OF TITLE IV ENTITLED "LAND USE" OF THE TRENTON CITY CODE.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TRENTON, MISSOURI, AS FOLLOWS, TO WIT:

Section 1. Section 400.045 entitled "Definitions" of Article II entitled "Definitions" of Chapter 400 entitled "Unified Development Ordinance" of Title IV entitled "Land Use" of the Trenton City Code be and the same is hereby amended to read as follows:

Section 400.045. Definitions.

ABANDONMENT

To cease or discontinue a use or activity without intent to resume but excluding temporary or short-term interruptions to a use or activity during periods of remodeling, maintaining or otherwise improving or rearranging a facility or during normal periods of vacation or seasonal closure.

ABUTTING

Having a common border with or being separated from such a common border by right-of-way, alley or easement.

ACCESS

A means of vehicular approach or entry to or exit from property.

ACCESSORY BUILDING

1. A separate and subordinate building the use of which is purely incidental to that of the main building and which shall not contain living or sleeping quarters or storage space for commercial motor vehicles as defined in Section 300.010 of this Code.
2. Any improvement to real property shall be considered separate from the main building if it does not meet the following criteria:
 - a. The structure shares a common wall with the main building, or
 - b. The structure shares an integral roof structure having the same framing system and roof covering as the main building.

ACCESSORY USE

A subordinate structure or use detached from but on the same lot as the principal structure or use. Such a use is clearly subordinate to the main structure or use on the subject lot or property text.

ACRE

Forty-three thousand five hundred sixty (43,560) square feet.

ACTIVITY

Includes, but is not limited to:

1. The use or storage in any business of any fixed or movable equipment;
2. The use, storage, display, sale, delivery, offering for sale, production or consumption in any business, or by any business invitee on the premises of the business, of any goods, wares, merchandise, products or foods; or
3. The performance in any business of any work or services.

ADEQUATE PUBLIC FACILITIES

Facilities determined to be capable of supporting and servicing the physical area and designated intensity of the proposed subdivision as determined by the Governing Body based upon specific levels of service.

ADJOINING PROPERTY

All contiguous properties or land touching other properties with the assumption that railroads and public streets and other public rights-of-way do not exist.

ADMINISTER

The direct application of marijuana to a qualifying patient by way of any of the following methods:

1. Ingestion of capsules, teas, oils, and other marijuana-infused products;
2. Vaporization or smoking of dried flowers, buds, plant material, extracts, oils, and other marijuana-infused products;
3. Application of ointments or balms;
4. Transdermal patches and suppositories;
5. Consuming marijuana-infused products;
6. Any other method recommended by a qualifying patient's physician or nurse practitioner.

ADULT USES

An establishment where, for any form of consideration, motion pictures, videos, cassettes, slides, photographic reproductions, personal performances, public performances, books or any other products, any of which are a sexually explicit nature or character, are displayed, sold, bartered or rented.

AGRICULTURE

The use of land for agricultural purposes, including farming, dairying, pasturage, agriculture, horticulture, floriculture, viticulture and animal and poultry husbandry and the necessary accessory uses for packing, treating or storing the product; provided however, that the operation of any such accessory uses shall be secondary to that of normal agricultural activities.

AIRPORT

Any area of land or water designed and set aside for the landing and takeoff of aircraft, including all excess facilities for the housing and maintenance of aircraft.

ALLEY

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

ALTERATION

Any change, addition or modification in construction or occupancy of an existing structure.

AMUSEMENT GAME, ARCADE

A building or portion thereof having within its premises:

1. Twenty (20) or more amusement game devices, or
2. Nineteen (19) or fewer amusement game devices when not utilized in conjunction with a commercial use which is permitted by right or as a conditional use.

ANTENNA/TOWER

Equipment used or designed to transmit or receive electronic signals.

1. Private Use of antenna/tower – The use of property for the erection of an antenna/tower for which the owner of said property receives no monetary benefit.
2. Commercial use of antenna/tower – The use of property for the erection of an antenna/tower for which the owner of said property receives money or other compensation for the use of the antenna/tower.

APARTMENT

A dwelling unit contained in a building comprising more than three (3) dwelling units, each of which has an entrance to a hallway or balcony in common with at least one (1) dwelling unit.

APPEAL

A means for obtaining review of a decision, determination, order or failure to act pursuant to the terms of this Chapter as expressly authorized by the provisions of Article V herein.

APPROVED

Refers to approval by the Building Official as the result of investigation and tests conducted by him or her or by reason of accepted principles or tests by nationally recognized organizations.

AREA

Refers to the amount of land surface in a lot, plot or parcel.

AREA REQUIREMENTS

The yard, lot area, lot width, lot coverage and parking requirements as set forth in a specific district.

ARTERIAL ROAD OR STREET

A road or street intended to move through traffic to and from major attractors such as central business districts, regional shopping centers, colleges and/or universities, military installations, major industrial areas and similar traffic generators within the governmental unit; and/or as a route for traffic between communities or large areas and/or which carries high volumes of traffic.

ATTIC

That part of a building which is immediately below and wholly or partly within the roof framing.

BASE SITE AREA

A calculated area.

BASEMENT

A portion of a building located partially underground having more than fifty percent (50%) of its clear floor-to-ceiling height below grade.

BEACH

The strip of land between the edge of a lake or reservoir within the City of Trenton at a point within five (5) feet of the mean lake level and the upland line of partially stabilized vegetated soils which are not affected by wave action; or between the same edge of the lake and the toe of a bluff.

BED AND BREAKFAST ESTABLISHMENTS

A house or portion thereof where short-term lodging rooms are provided.

BEDROOM

Includes any room used principally for sleeping purposes, an all-purpose room, a study or den, provided that no room having less than one hundred (100) square feet of floor area shall be considered a bedroom.

BILLBOARD

A sign that identifies or communicates a commercial or non-commercial message related to an activity conducted, a service rendered or a commodity sold at a location other than where the sign is located.

BOARDING HOUSE

An establishment with lodging for five (5) or more persons where meals are regularly prepared and served for compensation and where food is placed upon the table family style without service or ordering of individual portions from a menu.

BORROW PIT

Any place or premises where dirt, soil, sand, gravel or other material is removed below the grade or surrounding land for any purpose other than that necessary and incidental to site grading or building construction.

BUFFER YARD

A unit of land, together with a specified type and amount of planting thereon and any structures which may be required between land uses to eliminate or minimize conflicts between them.

BUILDING

A structure built, maintained or intended for use for the shelter or enclosure of persons, animals or property of any kind. The term is inclusive of any part thereof. Where independent units with separate entrances are divided by parting walls, each unit is a building.

BUILDING ACCESSORY

A building which:

1. Is subordinate to and serves a principal structure or principal use;
2. Is subordinate in area, extent and purpose to the principal structure or use served;
3. Is located on the same lot as the principal structure or use served except as otherwise expressly authorized by provisions of this Chapter; and
4. Is customarily incidental to the principal structure or use of the property. Any portion of a principal structure devoted or intended to be devoted to an accessory use is not an accessory structure.

BUILDING FRONT

That exterior wall of a building which faces a front lot line of the lot.

BUILDING LINE

A line on a lot, generally parallel to a lot line or a road right-of-way line, located a sufficient distance therefrom to provide the minimum yards required by this Chapter. The building line delimits the area in which buildings are permitted subject to all applicable provisions of this Chapter.

BUILDING, PRINCIPAL

A building in which is conducted, or in which is intended to be conducted, the main or principal use of the lot on which it is located.

CAMPER

A wheeled vehicle equipped for recreational occupancy, pulled by a vehicle or driven under its own power.

CAMPGROUND OR TRAILER PARK

Any plot of ground upon which a camper or travel trailer is located regardless of whether or not a charge is made for such.

CARETAKER'S RESIDENCE

A dwelling unit which is used exclusively for either the owner, manager or operator of a principal permitted use and which is located on the same parcel as the principal use.

CARTWAY

The paved portion of a road or street.

CELLAR

A portion of a building located partially underground having more than fifty percent (50%) of its clear floor-to ceiling height below grade.

CHILD DAY CARE CENTER

Any child day care facility, other than a family day care home, which provides non-medical care to children under eighteen (18) years of age in need of personal services, supervision or assistance essential for sustaining the activities of daily living or for the protection of the individual on less than a twenty-four (24) hour basis.

CHURCH

Includes churches, synagogues, temples or other places of worship.

CLUSTER SUBDIVISION

A development design technique that concentrates buildings and activities in specific areas on a site to reduce utility and energy costs and/or land to allow the remaining land to be used for recreation, common open space, shared parking or for preservation of environmentally sensitive areas. Also known as a "cluster development" and, in larger examples, may be known as a "planned unit development" or "PUD".

COLLECTIBLES SHOP

A business which offers for retail sale or trade any used or second-owner goods, substantially all of which are collectibles.

COLLECTOR ROAD OR STREET

A roadway so designated in the Trenton Comprehensive Plan as a gathering roadway, intermediary in traffic volume between a local street and a major arterial or thoroughfare.

COMPOSTING FACILITY

A facility where waste organic matter, including leaves, brush and other organic waste, decomposes in a controlled environment and is processed for reuse.

COMPREHENSIVE FACILITY

A comprehensive marijuana cultivation facility, comprehensive marijuana dispensary facility, or a comprehensive marijuana-infused products manufacturing facility.

COMPREHENSIVE MARIJUANA CULTIVATION FACILITY

A facility licensed by the Department to acquire, cultivate, process, package, store on site or off site, transport to or from, and sell marijuana, marijuana seeds, marijuana vegetative cuttings (also known as clones) to a medical facility, comprehensive facility or marijuana testing facility. A comprehensive marijuana cultivation facility need not segregate or account for its marijuana products as either non-medical marijuana or medical marijuana. A comprehensive marijuana cultivation facility's authority to

process marijuana shall include the creation of prerolls, but shall not include the manufacture of marijuana-infused products.

COMPREHENSIVE MARIJUANA DISPENSARY FACILITY

A facility licensed by the Department to acquire, process, package, store on site or off site, sell, transport to or from, and deliver marijuana, marijuana seeds, marijuana vegetative cuttings (also known as clones), marijuana-infused products, and drug paraphernalia used to administer marijuana as provided for in this section to a qualifying patient or primary caregiver, as those terms are defined herein, or to a consumer, anywhere on the licensed property or to any address as directed by the patient, primary caregiver or consumer and consistent with the imitations of this Article and as otherwise allowed by law, to a comprehensive facility, a marijuana testing facility, or a medical facility. Comprehensive dispensary facilities may receive transaction orders at the dispensary directly from the consumer in person, by phone, or via the internet, including from a third party. A comprehensive marijuana dispensary facility need not segregate or account for its marijuana products as either non-medical marijuana or medical marijuana but shall collect all appropriate tangible personal property sales tax for each sale, as set forth in this Article and provided for by general or local law. A comprehensive marijuana dispensary facility's authority to process marijuana shall include the creation of prerolls.

COMPREHENSIVE MARIJUANA-INFUSED PRODUCTS MANUFACTURING FACILITY

A facility licensed by the Department to acquire, process, package, store, manufacture, transport to or from a medical facility, comprehensive facility or marijuana testing facility, and sell marijuana-infused products, prerolls, and infused prerolls to a marijuana dispensary facility, a marijuana testing facility, or another marijuana-infused products manufacturing facility. A comprehensive marijuana-infused products manufacturing facility need not segregate or account for its marijuana products as either non-medical marijuana or medical marijuana.

COMPREHENSIVE PLAN

A composite of the City of Trenton Comprehensive Plan, together with all accompanying maps, charts and explanatory material adopted by the Trenton City Council and all amendments thereto.

CONDITIONAL USE PERMIT

A permit issued by the City Council upon receipt of a recommendation from the Planning and Zoning Commission that authorizes the recipient to make use of property in accordance with the requirements of the Chapter as well as any additional requirements imposed by the Council.

CONDOMINIUM

Real estate, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of those portions. Real estate is not a condominium unless the undivided interest in the common elements are vested in the unit owners.

CONSTRUCTION OF HOUSING BY A SPONSOR

Construction of housing units by an entity which includes the sponsor as a partner or joint venture, provided that the sponsor has general liability for the obligations of

such entity. Construction of housing shall include rehabilitation of substandard, deteriorated units which:

1. Are unsafe, unsanitary or a danger to the health, safety or welfare of an occupant;
2. Have a rehabilitation cost in excess of twenty thousand dollars (\$20,000.00) per unit; and
3. Have been occupied continuously for three (3) years prior to commencement of construction to rehabilitate the units, except for those units owned and operated by a government agency or a non-profit organization.

CONSTRUCTION PLAN

The maps or drawings accompanying a subdivision plat and showing the specific location and design of improvements to be installed in the subdivision in accordance with the requirements of the Planning Commission as a condition of the approval of the plat.

CONSUMER

A person who is at least twenty-one (21) years of age.

CONTIGUOUS

Lots are contiguous when at least one (1) boundary line of one (1) lot touches a boundary line or lines of another lot.

COOPERATIVE

An entire project which is under the common ownership of a Board of Directors with units leased and stock sold to individual cooperators.

CREDIT

The amount of the reduction of an impact fee or fees, payments or charges for the same type of capital improvement for which the fee has been charged.

CUL-DE-SAC

A local street with only one (1) outlet that terminates in a vehicular turnaround and having an appropriate terminal for the safe and convenient reversal of traffic movement.

DEPARTMENT

The Missouri Department of Health and Senior Services.

DEVELOPER

The legal or beneficial owner(s) of a lot or parcel of any land proposed for inclusion in a development, including the holder of an option or contract to purchase.

DEVELOPMENT

The division of a parcel of land into two (2) or more parcels; the construction, reconstruction, conversion, structural alteration, relocation or enlargement of any building; any use or change in any buildings or land; any extension of any use of land or any clearing, grading or other movement of land for which permission may be required pursuant to this Chapter.

DRAINAGE

The removal of surface water or ground water from land by drains, grading, runoff or other means. Drainage includes the control of runoff to minimize erosion and sedimentation during and after development and includes the necessary means for ensuring water supply preservation or prevention or alleviation of flooding.

DRAINAGE WAY

Minor watercourses which are defined either by soil type or by the presence of intermittent or perennial streams. The following areas are drainage ways:

1. Areas with soils as delineated in the soil survey of Grundy County by the Consolidated Farm Service Agency or its successor agency of the following types:
 - a. Nodaway Silt Loam.
 - b. Wabash Silt Loam.
 - c. Vesser Silt Loam.
 - d. Zook Silt Clay Loam.
 - e. Chequest Silt Clay Loam.
2. The land, except for areas that are designated as floodplains, on either side of and within sixty-five (65) feet of the center line of any intermittent or perennial stream shown on the U.S. Geological Surveys Topographic Map for the City of Trenton, Missouri.
3. The land, except for areas that are designated as floodplains, on either side of and within sixty-five (65) feet of the centerline of any intermittent or perennial stream shown on soil survey maps of Grundy County, Missouri, within the City limits of the City of Trenton, Missouri, prepared by the U.S. Soil Conservation Service or its successor agency.

DWELLING

Any building or portion thereof which is designated or used for residential purposes.

DWELLING, ATTACHED

Three (3) or more adjoining units, each of which is separated from the other by one (1) or more unpierced walls from ground to roof.

DWELLING, MULTIPLE-FAMILY

A building designed for or containing two (2) or more dwelling units sharing access from a common hall, stair or balcony.

DWELLING, SEMI-DETACHED

Two (2) dwelling units, each of which is attached side-to side, each one sharing only one (1) common wall with the other.

DWELLING UNIT

A room or group of rooms provided or intended to provide living quarters for not more than one (1) family.

EASEMENT

Written authorization by a property owner of the use by another and for a specified purpose of any designated part of his or her property.

EMERGENCY RESIDENTIAL SHELTER

A building where emergency temporary lodging is provided to person who are homeless and where on-site supervision is provided whenever such shelter is occupied.

EROSION

The detachment and movement of soil or rock fragments by water, wind ice and/or gravity.

EXPENDITURE

A sum of money paid out in return for some benefit or to fulfill some obligation. The term includes binding contractual commitments whether by development or otherwise to make future expenditures as well as any other substantial change in position.

EXTERIOR STORAGE

Outdoor storage of fuel, raw materials, products and equipment. In the case of lumberyards, exterior includes all impervious materials stored outdoors. In the case of truck terminals, exterior storage includes all trucks, truck beds and truck trailers stored outdoors.

EXTERNAL BUFFER

A naturally vegetated area or vegetated area along the exterior boundaries of an entire development processed in accordance with a multi-phase or phased subdivision application which is landscaped and maintained as open space in order to eliminate or minimize conflicts between such development and adjacent land uses.

FAMILY

One (1) or more persons occupying a dwelling unit and living as a single, non-profit housekeeping unit; provided that a group of four (4) or more persons who are not within the second degree of kinship shall be deemed to constitute a family. Notwithstanding the definition in the preceding sentence, a family shall be deemed to include four (4) or more persons not within the second degree of kinship occupying a dwelling unit and living as a single, non-profit housekeeping unit, if said occupants are handicapped persons as defined in Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988. Such unrelated individuals shall have the right to occupy a dwelling unit in the same manner and to the same extent as any family unit as defined in the first (1st) paragraph of this definition.

FINAL SUBDIVISION PLAT

The map of subdivision to be recorded after approval by the Planning Commission and any accompanying material as described in these regulations.

FLOOD HAZARD AREA

That area of and within a community that is in the floodplain which is subject to a one percent (1%) chance of flooding annually, i.e., the 100-year flood.

FLOOD PLAIN

Lands which are subject to periodic flooding and have been defined by the Natural Resource Conservation Service of the U.S. Department of Agriculture to have alluvial soil deposits, indicating that such flooding has taken place, as defined by any technical qualified engineer and accepted by the City Council as such a floodplain, with approval of Missouri Department of Natural Resources and/ or the Federal Emergency Management Agency.

FLOOR AREA, GROSS

The sum of the areas of the several floors of a building, including areas used for human occupancy in basements, attics and penthouses, as measured from the exterior faces of the walls. It does not include cellars, unenclosed porches or attics not used for human occupancy or any floor space in accessory building or in the main building intended and designed for the parking of motor vehicles in order to meet the parking requirements of this bylaw or any such floor space intended and designed for accessory heating and ventilating equipment. It shall include the horizontal area at each floor level devoted to stairwells and elevator shafts.

FLOWERING PLANT

A marijuana plant from the time it exhibits the first signs of sexual maturity through harvest.

FOUNDATION, PERMANENT

Consists, at a minimum, of continuous poured concrete perimeter footings installed below the frost line for the purpose of supporting the structure.

FRONTAGE

That side of a lot abutting on a street or way and ordinarily regarded as the front of the lot; but it shall not be considered as the ordinary side of a corner lot.

FRONTAGE STREET

Any street to be constructed by the developer or any existing street where development shall take place on both sides.

GOVERNING BODY

The body of the local government having the power to adopt ordinances.

GRADE

The finished ground level adjoining the building at all exterior walls.

GROUP HOME

Any home in which eight (8) or fewer unrelated mentally or physically handicapped persons reside, and may include two (2) additional persons acting as houseparents or guardians who need not be related to each other or to any of the mentally or physically handicapped person residing in the home.

HEIGHT

The vertical distance to the highest point of the roof for flat roofs; to the deck line of mansard roofs; and to the average height between eaves and the ridge for gable, hip and gambrel roofs, measured from the curb level if the building is not more than ten (10) feet from the front lot line or from the grade in all other cases.

HOME OCCUPATION

Any occupation, profession, activity or use that is clearly a customary, incidental and secondary use of a residential dwelling unit and which does not alter the exterior of the property or affect the residential character of the neighborhood.

HOUSING COOPEATIVE

A cooperative with the special purpose of providing housing and related services for its shareholders.

INDUSTRIAL PARK

A planned, coordinated development of a tract of land with two (2) or more separate industrial buildings. Such development is planned, designed, constructed and managed on an integrated and coordinated basis with special attention given to on-site vehicular circulation, parking, utility needs, building design and orientation and open space.

INFUSED PREROLL

A consumable or smokable marijuana product, generally consisting of (1) a wrap or paper, (2) dried flower, buds and/or plant material, and (3) a concentrate oil or other type of marijuana extract, either within or on the surface of the product. Infused prerolls may or may not include a filter or crutch at the base of the product.

JUNK

Old, dilapidated, scrap or abandoned metal, paper, building materials and equipment, bottles, glass appliances, furniture, beds and bedding, rags, rubber, motor vehicles and parts thereof.

JUNK YARD OR SLAVAGE YARD

The dismantling or wrecking of used motor vehicles or trailers or the storage, sale or dumping of dismantled or wrecked vehicles or their parts. The presence on any lot or parcel of land of two (2) or more motor vehicles which, for a period exceeding thirty (30) days, have not been capable of operating under their own power and from which parts have been or are to be removed for reuse or sale shall constitute prima facie evidence of an automobile wrecking yard.

KENNEL

Any structure or premises or commercial activity on which two (2) or more dogs over three (3) months of age are owned, kept, boarded, bred, reared or offered for sale.

LOCAL ROAD

A road whose sole function is to provide access to abutting properties and to other roads from individual properties and to provide right-of-way beneath it for sewer, water and storm drainage pipes.

LOT

A tract of land defined by metes, bounds or boundary lines in a recorded deed or on a recorded plat.

LOT, CORNER

A lot abutting on and at the intersection of two (2) or more streets.

LOT COVERAGE

Determined by dividing that area of a lot which is occupied or covered by the total horizontal projected surface of all buildings, including covered porches and accessory buildings, by the gross area of that lot.

LOT DEPTH

The average horizontal distance between the front and rear lot lines.

LOT, INTERIOR

A lot other than a corner lot.

LOT OF RECORD

A lot which is part of a subdivision recorded in the office of the County Recorder or a lot, plot or parcel described by metes and bounds.

LOT, SUBSTANDARD

A lot or parcel of land that has less than the required minimum area or width as established by the zone in which it located and provided that such lot or parcel was of record as a legally created lot on the effective date of the ordinance codified in this Title.

LOT, THROUGH

A lot having its front and rear yards each abutting on a street.

LOT WIDTH

The horizontal distance between side lot lines, measured at the building line.

MAINTENANCE AND MINOR REPAIR

Includes reroofing, residing, new or repair windows, doors, floors and eave troughs, repainting and stuccoing of exterior or interior redecorating, foundation or basement repair, new heating, air-conditioning and plumbing equipment or repair of present equipment, each of which may be done in total or in part, except that in the case of non-conforming structures or conditionally permitted structures, the structure shall not be altered or extended in any way unless a building permit is obtained.

MARIJUANA OR MARIHUANA

Means 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 seed thereof and resin extracted from the plant and marijuana-infused products. Marijuana does not include industrial hemp containing a crop-wide average tetrahydrocannabinol concentration that does not exceed three-tenths of one percent on a dry weight basis, or commodities or products manufactured from industrial hemp.

MARIJUANA ACCESSORIES

Any equipment, product, material, or combination of equipment, products, or materials, specifically designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, ingesting, inhaling, or otherwise introducing marijuana into the body.

MARIJUANA FACILITY

A comprehensive marijuana cultivation facility, comprehensive marijuana dispensary facility, marijuana testing facility, comprehensive marijuana-infused products manufacturing facility, microbusiness wholesale facility, microbusiness dispensary facility, or any other type of marijuana related facility or business licensed or certified by the Department pursuant to this section but shall not include a medical facility licensed under this Article.

MARIJUANA-INFUSED PRODUCTS

Means 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.

MARIJUANA MICROBUSINESS FACILITY

A facility licensed by the Department as a microbusiness dispensary facility or microbusiness facility or microbusiness wholesale facility, as defined in this Section.

MARIJUANA TESTING FACILITY

A facility certified by the Department to acquire, test, certify, and transport marijuana, including those originally licensed as a medical marijuana testing facility.

MEDICAL MARIJUANA CULTIVATION FACILITY

Means a facility licensed by the State of Missouri to acquire, cultivate, process, store, transport, and sell marijuana to a Medical Dispensary Facility, Medical Marijuana Testing Facility, or to a Medical Marijuana-Infused Products Manufacturing Facility.

MEDICAL MARIJUANA-INFUSED PRODUCTS MANUFACTURING FACILITY

Means 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 Test Facility, or to another Medical Marijuana-Infused Products Manufacturing Facility.

MEDICAL MARIJUANA DISPENSARY FACILITY

Means 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 as provided for in this section 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.

MEDICAL MARIJUANA FACILITY

Means a Medical Marijuana Dispensary, Medical Marijuana Cultivation Facility, Medical Marijuana Testing Facility, and Medical Marijuana-Infused Products Manufacturing Facility.

MEDICAL MARIJUANA TESTING FACILITY

Means a facility certified by the State of Missouri, to acquire, test, certify, and transport marijuana.

MEDICAL USE

The production, possession, delivery, distribution, transportation, or administration of marijuana or a marijuana-infused product, or drug paraphernalia used to administer marijuana or a marijuana-infused product, for the benefit of a qualifying patient to mitigate the symptoms or effects of the patient's qualifying condition.

MICROBUSINESS DISPENSARY FACILITY

A facility licensed by the Department to acquire, process, package, store on site or off site, sell, transport to or from and deliver marijuana, marijuana seeds, marijuana vegetative cuttings (also known as clones), marijuana-infused products, and drug paraphernalia used to administer marijuana as provided for in this section to a consumer, qualifying patient, or primary caregiver as defined herein anywhere on the licensed property or to any address as directed by the consumer, qualifying patient, or primary caregiver and, consistent with the limitations of this Article and as otherwise allowed by law, a microbusiness whole facility, or a marijuana testing facility. Microbusiness dispensary facilities may receive transaction orders at the dispensary directly from the consumer in person, by phone or via the internet, including from a third party. A microbusiness dispensary facility's authority to process marijuana shall include the creation of prerolls.

MICROBUSINESS WHOLESALE FACILITY

A facility licensed by the Department to acquire, cultivate, process, package, store on site or off site, manufacture, transport to or from, deliver, and sell marijuana, marijuana seeds, marijuana vegetative cuttings (also known as clones), and marijuana-infused products to a microbusiness dispensary facility, other microbusiness wholesale facility or marijuana testing facility. A microbusiness wholesale facility may cultivate up to 250 flowering marijuana plants at any given time. A microbusiness wholesale facility's authority to possess marijuana shall include the creation of prerolls and infused prerolls.

MINOR SUBDIVISION

Any subdivision containing not more than three (3) lots fronting on an existing street, not involving any new street or road or the extension of municipal facilities or the creation of any public improvements and not adversely affecting the remainder of the parcel or adjoining property and not in conflict with any provision or portion of the Master Plan, Official Map, Zoning Ordinance or these regulations.

MOBILE HOME

A transportable, single-family dwelling intended for permanent occupancy contained in one (1) unit or in two (2) units designed to be joined into one (1) integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly

operations and constructed so that it may be used with or without a permanent foundation. For the purposes of determining the standards which apply, a distinction is made between double-wide units mounted on a permanent foundation which shall be considered a single-family home and single-wide units which are permitted only in mobile home parks.

MOBILE HOME PARK

Any site, lot field or tract of land upon which two (2) or more mobile homes, regardless of whether or not they are occupied or are fit for human habitation in the opinion of the Building Inspector, are harbored, either free of charge or for revenue purposes and shall include buildings, structures, tents, vehicles or enclosures used or intended to be used as part of the equipment for such mobile home park.

MODULAR HOME

A dwelling unit constructed in accordance with the standards set forth in Chapter 700, RSMo., and composed of components substantially assembled in a manufacturing plant and transported to the building site for final assembly on a permanent foundation system. Among other possibilities, a modular home may consist of two (2) sections transported to the site in a manner similar to a mobile home (except that a modular home meets the minimum requirements set forth in Chapter 700, RSMo.) or a series of panels or room sections transported on a truck and erected or joined together on the site. Also, it is required that manufactured housing be built with minimum 4:12 pitch to qualify for placement in residential districts. The definition for "*modular home*" also includes the term "*manufactured home*".

MULTI-FAMILY DWELLING

A residential building designed for or occupied by three (3) or more families with the number of families in residence not exceeding the number of dwelling units provided.

NON-CONFORMING BUILDING

Any building that does not meet the limitations on building size and location on a lot, for the district in which such building is located, for the use to which such building is being put.

NON-CONFORMING LOT

A use or activity which lawfully existed prior to the adoption, revision or amendment of this Chapter, but which fails by reason of such adoption, revision or amendment to conform to the use district in which it is located.

NON-CONFORMING USE

That which does not meet the requirements of the use district in which it is located at the time of the effective date of these regulations.

NON-RESIDENTIAL SUBDIVISION

A subdivision whose intended use is other than residential, such as commercial or industrial.

NOTICE OF NON-COMPLIANCE

A notice issued by the Zoning Administrator informing the applicant for approval of a major subdivision that the sketch plat is not in compliance with these regulations and that the applicant may not apply for preliminary plat approval.

OCCUPIED SPACE

The total area of all buildings or structures on any lot or parcel of ground projected on a horizontal plane, excluding permitted projections as allowed by this Code. This definition is used in calculating impervious surface ratios.

PARKING SPACE

An on-lot space available for the parking of one (1) motor vehicle and having an area of not less than two hundred (200) square feet, exclusive of space necessary to provide access to a street.

PERIMETER STREET

Any existing street to which the parcel of land to be subdivided abuts on only one (1) side.

PERSON

Any individual or group of individuals or any corporation, general or limited partnership, joint venture, unincorporated association or governmental or quasi-governmental entity.

PHASED SUBDIVISION APPLICATION

An application for subdivision approval submitted pursuant to a master preliminary plat or, at the option of the subdivider, pursuant to a specific plan in which the applicant proposes to immediately subdivide the property but will develop in one (1) or more individual phase(s) over a period of time. A phased subdivision application may include an application for approval of or conversion to horizontal or vertical condominiums, non-residential development projects, planned unit developments, mixed-use projects and residential developments.

PLANNED UNIT DEVELOPMENT ("PUD")

A development of land that is under unified control and is planned and developed as a whole in a single development operation or programmed series of development stages. The development may include streets, circulation ways, utilities, buildings, open spaces and other site features and improvements.

POLICE POWER

Inherent, delegated or authorized legislative power for purposes of regulation to secure health, safety and general welfare.

PRELIMINARY PLAT

The preliminary drawing or drawings, described in these regulations, indicating the proposed manner or layout of the subdivision to be submitted to the Planning Commission for approval.

PREROLL

A consumable or smokable marijuana product, generally consisting of (1) a wrap of paper and (2) dried flower, buds and/or plant material. Prerolls may or may not include a filter or crutch at the base of the product.

PRIMARY CAREGIVER

An individual twenty-one (21) years of age or older who has significant responsibility for managing the well-being of a qualifying patient and who is designated as such on the primary caregiver's application for an identification card under this section or in other written notification to the department.

PRINCIPAL USE

The main use of land or structures as distinguished from a secondary or accessory use.

PROPERTY LINE

The line bounding a lot as defined herein as shown or depicted on the official plat, deed or property title instrument for said property parcel.

PUBLIC HEARING

An ad judiciary proceeding held by the Planning Commission preceded by published notice and actual notice to certain persons and at which certain persons, including the applicant, may call witnesses and introduce evidence for the purpose of demonstrating that plat approval should or should not be granted. Witnesses shall be sworn and subject to cross-examination. The rules of civil procedure binding on the courts shall not however, bind the Planning Commission.

PUBLIC IMPROVEMENT

Any drainage ditch, roadway, parkway, sidewalk, pedestrian way, tree, lawn, off-street parking area, lot improvement or other facility for which the local government may ultimately assume the responsibility for maintenance and operation, or which may affect an improvement for which local government responsibility is established.

PUBLIC MEETING

A meeting of the Planning Commission or Governing Body preceded by notice, open to the public and at which the public may, at the discretion of the body holding the public meeting, be heard.

QUALIFYING CONDITION

The condition of, symptoms related to, or side-effects from the treatment of:

1. Cancer;
2. Epilepsy;
3. Glaucoma;
4. Intractable migraines unresponsive to other treatment;
5. A chronic medical condition that causes severe persistent pain or persistent muscle spasms, including but not limited to those associated with multiple sclerosis, seizures, Parkinson's disease and Tourette's syndrome;
6. Debilitating psychiatric disorders, including, but not limited to posttraumatic stress disorder, if diagnosed by a state licensed psychiatrist;
7. Human immunodeficiency virus or acquired immune deficiency syndrome;

8. A chronic medical condition that is normally treated with a prescription medication that could lead to physical or psychological dependence, when a physician or nurse practitioner determines that medical use of marijuana could be effective in treating that condition and would serve as a safer alternative to the prescription medication;
9. Any terminal illness; or
10. In the professional judgment of a physician or nurse practitioner, any other chronic debilitating or other medical condition, including, but not limited to, hepatitis C, amyotrophic lateral sclerosis, inflammatory bowel disease, Crohn's disease, Huntington's disease, autism, neuropathies, sickle cell anemia, agitation of Alzheimer's disease, cachexia, and wasting syndrome.

QUALIFYING PATIENT

A Missouri resident diagnosed with at least one qualifying medical condition for purposes of obtaining marijuana.

RECREATIONAL VEHICLE

Any wheeled motorized vehicle with living quarters.

RECYCLING CENTER

A facility that is not a junk yard and in which recoverable resources, such as newspapers, glassware and metal cans, are collected, stored, flattened, crushed or bundled essentially by hand within a completely enclosed building.

REGISTERED ENGINEER

An engineer properly licensed and registered in the State.

REGISTERED LAND SURVEYOR

A land surveyor properly licensed and registered in the State.

RENTAL UNIT

A designated unit which is not a condominium, stock cooperative or community apartment.

RESIDENTIAL STRUCTURE

A structure containing one (1) or more dwelling units. A manufactured home shall be considered as a residential structure when located in a residential district and must meet all requirements for a residential structure.

RESUBDIVISION

Any change in a map of an approval or recorded subdivision plat that affects any street layout on the map or area reserved thereon for public use or any lot line or that affects any map or plan legally recorded prior to the adoption of any regulations controlling subdivisions.

SIGN

A structure or device designed or intended to convey information to the public in written or pictorial form.

SIGN AREA

The entire area within a continuous perimeter, enclosing the extreme limits of sign display, including any frame or border. Curved, spherical or any other shaped sign face shall be computed on the basis of actual surface area. The copy of signs composed of individual letters, numerals or other devices shall be the sum of the area of the smallest rectangle or other geometric figure encompassing each of said letter or devices. The calculation for a double-faced sign shall be the area of one (1) face only. Double-faced signs shall be so constructed that the perimeter of both faces coincide and are parallel and not more than twenty-four (24) inches apart.

SIGN, AWNING, CANOPY OR MARQUEE

A sign painted, stamped, perforated or stitched or otherwise applied on the valance of an awning.

SIGN, ELECTRONIC MESSAGE BOARD

Any sign that uses changing lights to form a sign message or messages wherein the sequence of messages and the rate of change is electronically programmed and can be modified by electronic processes.

SIGN, FREESTANDING

A sign supported by one (1) or more upright poles, columns or braces placed in or on the ground and not attached to any building or structure.

SIGN, ILLUMINATED

A sign illuminated in any manner by an artificial light source.

SIGN, PORTABLE

Any sign not permanently affixed to the ground or to a building, including any sign attached to or displayed on a vehicle that is used for the expressed purpose of advertising a business establishment, product, service or entertainment, when that vehicle is so parked as to attract the attention of the monitoring or pedestrian traffic.

SIGN, TEMPORARY

A display, information sign, banner or other advertising device constructed of cloth, canvas, fabric, wood or other temporary material, with or without a structural frame and intended for a limited period of display, including decorative displays for holidays or public demonstrations.

SIGN, WALL

Any sign temporarily affixed to or displayed on the interior of an establishment so as to be readable from the exterior thereof.

SINGLE-FAMILY DWELLING

A detached residential dwelling unit, other than a manufactured home, designed for and occupied by one (1) family only.

STORY

That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost floor and ceiling or roof above.

STRUCTURE

Anything constructed or erected with a fixed location on the ground or attached to something with a fixed location on the ground. Among other things, structures include buildings, walks, fences and billboards.

SUBDIVISION

Any land, vacant or improved, which is divided, resubdivided or consolidated and proposed to be divided into three (3) or more continuous lots, parcels, sites, units, plots or interests for the purpose of offer, sale, lease or development, either on an installment plan or upon any and all other plans, terms and conditions. Subdivision includes the division or development of residential and non-residential zoned land whether by deed, metes and bounds description, lease, map or other recorded instrument. Excluding development following previously adopted plans or plats that do not require a change in City services are exempted from subdivision requirements.

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 sandwiches and snacks are available for consumption on the premises.

TOWER

See definition for "antenna."

TOWN HOUSE

A single-family dwelling unit constructed in a row of attached units separated by property lines and with open space on at least two (2) sides.

TRAILER

Any vehicle without motor power designed for carrying property or passengers on its own structure and for being drawn by a self-propelled vehicle, except those running exclusively on tracks, including a semi-trailer or vehicle of the trailer type so designed and used in conjunction with a self-propelled vehicle that a considerable part of its own weight rests upon and is carried by the towing vehicle. The term "trailer" shall not include cotton trailers as defined in Subdivision (8) of Section 301.010, RSMo., and shall not include manufactured homes as defined in Section 700.010, RSMo.

TWO-FAMILY DWELLING

A detached residential building containing (2) dwelling units designed for occupancy by not more than two (2) families.

VARIANCE

A modification or variation of the provisions of this Chapter as applied to a specific piece of property, except that modification in the allowable uses within a district shall not be considered a variance.

YARD

Any open space located on the same lot with a building, unoccupied and unobstructed from the ground up, except for accessory building or such projections as are expressly permitted in these regulations. The minimum depth or width of a yard shall consist of the horizontal distance between the lot line and the nearest point of the foundation wall of the mail building.

YARD, FRONT

A yard extending along the full width of a front lot line between side lot lines and from the front lot line to the front building line in depth.

YARD, REAR

A yard extending across the full width of the lot and lying between the rear lot line and the nearest line of the building. Rear yard depth shall be measured at right angles to the rear line of the lot.

YARD, SIDE

A yard lying between the side line of the lot and the nearest line of the building and extending from the front yard to the rear yard or, in the absence of either of such front or rear yards, to the front or rear lot lines. Side yard width shall be measured at right angles to side line of the lot.

ZERO LOT LINE

The location of a building on a lot in such a manner that one (1) or more of the building's sides rests directly on a lot line.

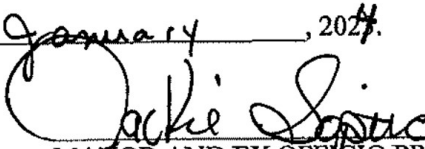
ZONE DISTRICT

A portion of the territory of the City, exclusive of streets, alleys and other public ways, with in which certain uses of land, premises and buildings are not permitted and with which certain yards and open spaces are required and certain height limits are established for buildings.

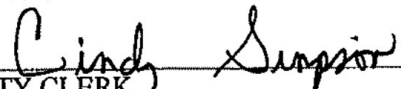
Any definition not set forth herein shall have the meaning or be synonymous with the definition set forth in Webster's Tenth New Collegiate Dictionary.

Section 2. This Ordinance shall take effect and be in full force and effect from and after its passage and approval.

PASSED this 10 day of January, 2021.


MAYOR AND EX OFFICIO PRESIDENT
OF THE CITY COUNCIL OF THE CITY
OF TRENTON, MISSOURI

ATTEST:


CITY CLERK

APPROVED this 10 day of January, 2021⁴.

Jackie Spive
MAYOR OF THE CITY OF TRENTON,
MISSOURI

ATTEST:

Cind Spive
CITY CLERK

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