

Article 1: General Provisions

Section 1: Short Title

These regulations shall be known and may be cited as the Unified Land Use Regulations of Franklin County. Hereinafter, they shall be referred to as these regulations.”

Section 2: Authority

These regulations have been recommended pursuant to the provisions of Sections 64.800 through 64.905 RSMo by the Franklin County Planning and Zoning Commission and adopted by the County Commission of Franklin County to provide for the harmonious development of the unincorporated areas of the County in order to promote the health, safety, convenience, prosperity and general welfare of the present and future inhabitants of the County.

Section 3: Jurisdiction

These regulations apply to all unincorporated land in Franklin County, Missouri.

Section 4: Effective date

The effective date of these regulations is December 31, 1992. Franklin County originally adopted land subdivision and mobile home park regulations on July 1, 1970. Zoning originally became effective on December 31, 1986. The first unified land use regulation was effective December 31, 1992.

Section 5: Relationship to Existing Zoning, Land Subdivision and Flood Control Regulations

To the extent that the provisions of these regulations are the same in substance as the previously adopted provisions that they replace in the county=s zoning, subdivision, or mobile home park regulations, they shall be considered as continuations thereof and not as new enactments unless otherwise specifically provided. In particular, a situation that did not constitute a lawful, nonconforming situation under the previously adopted zoning ordinance does not achieve lawful nonconforming status under these regulations merely by repeal of the previous zoning ordinance. In addition, these regulations hereby endorse and ratify all previous actions taken and decisions made by the Planning and Zoning Commission.

Section 6: Relationship to the Official Master Plan

These regulations are intended to implement the planning policies adopted by the County Commission for Franklin County, as reflected in the Official Master Plan and other planning documents. While the County Commission reaffirms its commitment that these regulations and any amendment to them be in conformity with adopted planning policies, the Commission hereby expresses its intent that neither these regulations nor any amendment to them may be challenged on the basis of any alleged nonconformity with any planning document. The provisions of these regulations are to provide for the harmonious development of unincorporated areas within Franklin County, for the coordination of highways and streets within subdivisions with other existing or planned streets, or with other features of the Official Master Plan for Unincorporated Franklin County; for adequate open spaces for traffic, recreation, light, and air; and for a distribution of population and traffic which will tend to create conditions favorable to health, safety,

convenience, and prosperity.

Section 7: No Use or Sale of Land or Buildings except in Conformity with Regulatory Provisions

(a) Subject to Article 6 of these regulations (Nonconforming Situations), no person may use, occupy, or sell any land or buildings or authorize or permit the use, occupancy, or sale of land or buildings under his control except in accordance with all of the applicable provisions of these regulations.

(b) For purposes of this section, the use or occupancy of a building or land relates to anything and everything that is done to, on, or in that building or land.

Section 8: Fees

(a) Reasonable fees sufficient to cover the costs of administration, inspection, publication of notice and similar matters may be charged to applicants for zoning (development) permits, sign permits, conditional use permits, special use permits, subdivision plat approval, zoning amendments, variances, and other administrative relief. The amount of the fees charged shall be as set forth by County Commission Order.

(b) Fees established in accordance with Subsection (a) shall be paid upon submission of a signed application or notice of appeal.

Section 9: Interpretation, Severability, and Repeal

(a) In interpreting and applying the provisions of these regulations, such provisions shall be held to be the minimum requirements for the promotion of the public health, safety, morals, comfort or general welfare. It is not intended by these regulations to interfere with or abrogate or annul any easements, covenants or other agreements between parties, or any statute, local ordinance or regulation, except that if these regulations impose a greater restriction or higher standard than such other statute, ordinance or regulation, then these regulations shall control.

(b) If any section, subsection, sentence, clause, or phrase of these regulations is for any reason held to be invalid by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of these regulations.

(c) All orders or regulations of the County or parts thereof in conflict with any of the provisions of these regulations are hereby repealed insofar as the same are in conflict with the provisions hereof.

Section 10: Computation of Time

(a) Unless otherwise specifically provided, the time within which an act is to be done shall be computed by excluding the first and including the last day. If the last day is a Saturday, Sunday, or declared County holiday, that day shall be excluded. When the period of time prescribed is less than seven (7) days, intermediate weekends and holidays shall be excluded.

(b) Unless otherwise specifically provided, whenever a person has the right or is required to do some act within a prescribed period after the service of a notice or other paper upon him and the notice or paper is served by mail, three days shall be added to the prescribed period.

Section 11: Miscellaneous

(a) As used in these regulations, words importing the masculine gender include the feminine and neuter.

(b) Words used in the singular in these regulations include the plural and words used in the plural include the singular.

Sections 12 through 14: reserved