

1003.107 "NU" Non-Urban District Regulations.

1. Scope of Provisions.

This section contains the district regulations of the "NU" Non-Urban District. These regulations are supplemented and qualified by additional general regulations appearing elsewhere in this Chapter which are incorporated as part of this section by reference. The "NU" Non-Urban District of St. Louis County encompasses areas within which rough natural topography, geological conditions, or location in relation to urbanized areas creates practical difficulties in providing and maintaining public roads, and public or private utility services and facilities. The "NU" Non-Urban District also encompasses areas where specific potential development patterns have not been identified or where significant non-urban uses have been established.

2. Permitted Land Uses and Developments.

The following land uses and developments are permitted in this District:

- (1) Adult day care homes licensed under Chapter 819 of Title VIII SLCRO 1974, as amended, which are located 500 feet or more, when measured from lot lines from another adult day care home as determined by the Department of Planning. (O.No. 21012 - Adopted 7/17/02).
- (2) Child day care home licensed under Chapter 819 of Title VIII SLCRO 1974, as amended, which are located 500 feet or more, when measured from lot lines from another child day care home as determined by the Department of Planning. (O.No. 21012 - Adopted 7/17/02).
- (3) Churches.
- (4) Commercial vegetable and flower gardening, as well as plant nurseries and greenhouses, but not including any structure used as a salesroom.
- (5) Dairy farming.
- (6) Dwelling, single family.
- (7) Dwelling, single family earth sheltered.
- (8) Farming, including the cultivation and sale of any plant crops and domestic animals.
- (9) Forests, wildlife reservations, as well as conservation projects.
- (10) Golf courses, including practice driving tees on the same premises. Miniature golf courses and independent practice driving tees are excluded.
- (11) Group homes for the handicapped occupied by not more than eight (8) individuals (excluding supervisory personnel) who need not be related by blood or marriage to the operator or operators of the facility. (O.No. 20750 - Adopted 12/19/01).
- (12) Home occupations.
- (13) Hunting and fishing as well as propagation of wildlife of any kind.
- (14) Libraries, public or private not-for-profit.
- (15) Local public utility facilities sixty (60) feet or less in height or one hundred thousand (100,000) cubic feet in volume or less, provided that any installation, other than poles and equipment attached to the poles shall be:
 - (a) adequately screened with landscaping, fencing, or walls, or any combination thereof, or
 - (b) placed underground, or
 - (c) enclosed in a structure in such a manner so as to blend with and complement the character of the surrounding area.

All plans for screening these facilities shall be submitted to the Department of Planning for review. No building permit or installation permit shall be issued until these plans have been approved by the Department of Planning. (O.No.15738 - Adopted 11/21/91).

- (16) Mausoleums or Crematoriums in an existing cemetery, any other provision of the law notwithstanding, but no such structure shall be situated closer than 100 feet to any cemetery property line.
- (17) Parks, parkways, and playgrounds, public or private not-for-profit.
- (18) Schools, public or private kindergarten, secondary, and collegiate. (O.No. 15379 - Adopted 2/15/91).
- (19) Schools, public or private elementary, on a tract of land of at least five (5) acres. (O.No. 15379 - Adopted 2/15/91).
- (20) Telecommunication towers of forty (40) feet or less in height and co-used telecommunication towers or disguised support structures of sixty (60) feet or less in height. (O. No. 18420 - Adopted 3/20/97.)

3. Conditional Land Use and Development Permits issued by the Commission.

The following land uses and developments may be permitted under conditions and requirements specified in Section 1003.181 Conditional Use Permits:

- (1) Administrative offices and educational facilities for religious purposes. (O.No. 13074 - Adopted 2/12/87).
- (2) Adult day care centers. (O.No. 21012 - Adopted 7/17/02).
- (3) Airports and landing strips.
- (4) Blacksmiths.
- (5) Cemeteries, including mortuaries operated in conjunction with the cemetery.
- (6) Child care centers, nursery schools, and day nurseries.
- (7) Clubs, private not-for-profit.
- (8) Correctional institutions.
- (9) Extraction of raw materials from the earth and the processing of these raw materials, but not including the manufacturing of a product.
- (10) Facilities for the composting of yard wastes. (O.No. 15753 - Adopted 12/5/91).
- (11) Fairgrounds.
- (12) Feed or grain storage, commercial or cooperative.
- (13) Foster homes for handicapped children.
- (14) Golf courses which are illuminated and practice driving tees.
- (15) Group homes for the handicapped, to be occupied by nine (9) or more individuals (excluding supervisory personnel) not related by blood or marriage to the operator or operators of the facility. (O.No. 20750 - Adopted 12/19/01).
- (16) Group homes for the elderly. (O.No. 12107 - Adopted 6/13/85).
- (17) Hospitals and hospices.
- (18) House-trailer park or camp and associated community facilities.
- (19) Local public utility facilities over sixty (60) feet in height or over one hundred thousand (100,000) cubic feet in volume. (O.No. 15738 - Adopted 11/21/91).
- (20) Logging operations, sawmills, and mill storage of lumber, but not including any fabrication of timber structures.
- (21) Mulching plants for trees, wood, or wood waste, but not including any assembly or manufacture of a product.
- (22) Nursing homes, but not including self-care units.
- (23) Police and fire stations.
- (24) Public utility facilities.
- (25) Recreational camps and camping facilities.
- (26) Recreational land uses, commercial or not-for-profit.
- (27) Retreats owned and operated by religious, educational, or other not-for-profit establishments and religious convents.

- (28) Riding stables, kennels, and veterinary clinics.
- (29) Rifle ranges, skeet shooting clubs, and other activities featuring the use of firearms when all parts of these activities are located at least 100 feet from the boundaries of the property involved.
- (30) Salesrooms, when established as an accessory use to commercial gardens, plant nurseries, and greenhouses, for the sale of nursery products and related items for use in preserving the life and health of such products, hand tools, and plant containers. The preceding items shall not include power-driven equipment, lawn and garden furniture nor decorative accessories, fencing, nor bulk sale of sand, gravel, mulch, railroad ties or similar materials. The salesroom may occupy all or a portion of a building.
- (31) Sanitary landfills and incinerators.
- (32) Schools, public or private elementary, on a tract of land of at least three (3) acres but less than five (5) acres. (O.No. 15379 - Adopted 2/15/91).
- (33) Sewage treatment facilities, other than facilities permitted as an accessory use.
- (34) Specialized private schools.
- (35) Stadiums and sports arenas.
- (36) Telecommunication towers up to two hundred (200) feet in height. (O. No. 18420 - Adopted 3/20/97).

4. Accessory Land Uses and Developments.

Subject to compliance with the procedures of this section, accessory buildings, structures, and uses are permitted in conjunction with a permitted land use or development or (unless restricted by applicable condition) a conditional land use or development when such accessory building, structure or use is customarily found in conjunction with the primary use, is a reasonably necessary incident to the primary use, is clearly subordinate to the primary use, and serves only to further the successful utilization of the primary use. Accessory uses include the following:

- (1) Devices for the generation of energy, such as solar panels, wind generators, and similar devices.
- (2) Individual sewage treatment facilities serving an individual dwelling, farm, or non-residential use, as approved by the appropriate regulatory agency. The sewage treatment facilities shall not exceed 5,000 gallons per day flow.
- (3) Private stables.
- (4) Signs (business, directional, and information).
- (5) Storage and processing of reclaimed asphalt pavement ("RAP") for use in the production of asphalt when an approved asphalt plant is located on the same premises or when an approved asphalt plant is located adjacent to premises used as a quarry authorized under Section 1003.181 Conditional Use Permit Procedure. RAP stockpiles shall be no closer than 400 feet to any adjoining Residence District and shall be no more than twenty-five (25) feet in height or contain more than 75,000 tons of RAP; except, however, that stockpiles more than 1,000 feet from a Residence District shall be no more than thirty-five (35) feet in height nor contain more than a twenty-four month estimated supply of RAP for the adjoining asphalt plant. On or before January 15th of each year, the owner of any property supporting this accessory use shall file with the Director of Planning, subject to audit by the St. Louis County Auditor, separate written reports for RAP less than and RAP more than 1,000 feet from a Residence District, stating (a) estimated tonnage as of January 1st of the preceding year, (b) amount of RAP in tons received during the preceding year, (c) amount of RAP in tons that was processed into asphalt mix during the preceding year, (d) estimated tonnage as of December 31st of the preceding year, and (e) estimated number of months' supply as of January 1st of that year. (O.No. 22893 - Adopted 8/30/06).

5. Performance Standards.

All uses in the "NU" Non-Urban District shall operate in conformity with the appropriate performance standards contained in Section 1003.163 Zoning Performance Standard Regulations.

6. Height Limitations for Structures.

The total height of any structure shall not exceed that permitted in Section 1003.161 Air Navigation Space Regulations.

7. Lot Area and Yard Requirements.

The minimum lot area and yard requirements for land uses and developments in the "NU" Non-Urban District shall be as set out below:

(1) Minimum Lot Area Requirements:

- (a) The following Permitted and Conditional Land Uses shall be situated on tracts of land providing not less than the following areas:

Use	Minimum Area
Adult day care center (O.No. 21012 - Adopted 7/17/02)	3 acres
Administrative offices and educational facilities - religious (O.No. 13074 - Adopted 2/12/87)	4 acres
Child Care Center	3 acres
Church	3 acres
Dwelling, single family	3 acres
Dwelling, single family, earth sheltered	3 acres
Group homes for the handicapped (O.No. 20750 - Adopted 12/19/01)	3 acres
Group homes for the elderly (O. No. 12107 - Adopted 6/13/85)	3 acres
House-trailer parks or camps, including community center	20 acres with an average of at least 4000 sq. ft. per unit
Local public utility facilities and telecommunication towers (O. No. 18420 - Adopted 3/20/97)	10,000 sq. ft.
Mechanical sewage treatment facility	3 acres
Schools	
nursery or day nursery	1 acre
kindergarten (separate)	3 acres
elementary (permitted use) (O.No. 15379 - Adopted 2/15/91)	5 acres
elementary (conditional use) (O. No. 15379 - Adopted 2/15/91)	3 acres
junior high	10 acres
senior high	20 acres
collegiate	10 acres

- (b) Any lot or tract of record on the effective date of this ordinance, which contains less than three (3) acres, may be used as a site for one (1) single family dwelling together with customary accessory structures and uses.
- (c) Specialized private schools shall be located on a tract of land containing one (1) acre for each fifteen (15) pupils, but in no case less than five (5) acres, nor more than that required by the school land area requirements, as listed in paragraph 7.(1)(a).
- (d) Mechanical sewage treatment facilities may be located on tracts of land less than three (3) acres in area where the facility is located on platted common land within a subdivision. The minimum lot area, however, shall in no case be less than 10,000 square feet.

- (e) Police and fire stations as approved by the Planning Commission via a Conditional Use Permit may be established on tracts of less than five (5) acres where the related parking needs, outdoor facilities, and size of buildings are deemed consistent with the intensity of land use in the neighborhood of these uses.
 - (f) All other Permitted or Conditional Land Uses in this District shall be situated or conducted on tracts of land at least five (5) acres in area.
- (2) Creation of New Lots.

No new lots shall be created of less than three (3) acres in area except for fire stations, police stations, nurseries or day nurseries, and local public utility facilities. Lots of less than three (3) acres in area, created for the above uses, shall not be used for any other use. In the event the permitted use terminates, the lot shall be established as common ground for an adjacent development or combined with an adjacent parcel or parcels by means of a boundary adjustment. Prior to the approval of a Subdivision Record Plat creating a lot of less than three (3) acres, a deed or other legal instrument must be approved by the County Counselor and recorded with the St. Louis County Recorder of Deeds, which guarantees the required transfer of the property in the event the permitted use is terminated.

(3) Minimum Yard Requirements: General.

- (a) Front yard. No structure shall be allowed within fifty (50) feet of any roadway right-of-way line.
- (b) Side and rear yard. No structure shall be allowed within twenty (20) feet of any property line other than a roadway right-of-way line.

(4) Specific Yard Requirements and Exceptions.

- (a) Notwithstanding any other provisions of this Chapter, on corner lots, no structure or plant material exceeding three (3) feet in height above the elevation of the street pavement is allowed within the sight distance triangle.
- (b) Boundary walls or fences, six (6) feet or less in height, are allowed within the minimum yard requirements.
- (c) Permitted information signs, six (6) feet or less in height, are allowed within the minimum front yard setback.
- (d) Permitted directional signs, three (3) feet or less in height, are allowed within the minimum front yard setback or sight distance triangle.
- (e) A permitted free-standing business sign may be located no closer than twenty-five (25) feet from any roadway right-of-way line.
- (f) Light standards for street lighting or at points of ingress and egress, but not including parking lot lighting, are allowed within the minimum front yard setback when approved by the Department of Planning. Light standards for parking lot lighting are allowed no closer than ten (10) feet of any side or rear yard line which adjoins property in the "NU" Non-Urban, "PS" Park and Scenic, or any "R" Residence District.
- (g) In the event that greater than fifty (50) percent of the existing dwelling structures on the same side of a street and in both directions from a lot, for a distance of 500 feet or to the nearest intersecting street, whichever distance is less, have a variation in front yard setbacks of no more than ten (10) feet, the required front yard for that lot shall be the average setback of those structures. However, in no case shall any building be located closer than fifteen (15) feet from any roadway right-of-way line, nor shall a setback of greater than seventy-five (75) feet be required.

- (h) If a lot of record existing on the effective date of this Ordinance has a width of one hundred (100) feet or less, the side yard on each side of any structure erected on such lot may be reduced to a width of not less than ten (10) percent of the width of the lot, but in no instances shall such yard be less than five (5) feet in width.
 - (i) Any non-residential structure, other than a public utility tower authorized by a Conditional Use Permit, which exceeds thirty (30) feet in height shall be set back from all property lines at least one (1) additional foot for every foot of height above thirty (30) feet.
 - (j) No private stable shall be allowed within one hundred (100) feet of any property line. Affiliated pasture areas shall be fenced.
 - (k) Notwithstanding any other provisions of this Chapter, telecommunication towers shall not be closer to a property line of "PS" Park and Scenic District, "NU" Non-Urban District or "R" Residence District property than a distance equivalent to the height of the proposed telecommunication tower. A greater setback may be required by the conditions of a Conditional Use Permit. (O. No. 18420 - Adopted 3/20/97).
- (5) Maximum Height and Minimum Yard Requirements for Nursing Homes:
- (a) No building within a nursing home development shall exceed a height of three (3) stories or forty-five (45) feet above the average ground elevation at the perimeter of the building, whichever is less.
 - (b) No building within a nursing home development shall be allowed within a minimum of fifty (50) feet of any property line.

8. Off-Street Parking and Loading Requirements.

Off-street parking and loading requirements and setbacks for parking areas, loading spaces and internal drives are set forth in Section 1003.165 Off-Street Parking and Loading Requirements.

9. Sign Regulations.

Sign regulations are set forth in Section 1003.168 Sign Regulations.