

ORDINANCE COVER SHEET

Bill No. 2025-81

Ordinance No. 4103

**“AN ORDINANCE AMENDING MULTIPLE SECTIONS WITHIN CHAPTER
410 OF THE BOLIVAR MUNICIPAL CODE FOR MISCELLANEOUS
PROVISIONS AND ADDING NEW “R-3 HIGH DENSITY” DISTRICT
DESIGNATIONS AND REGULATIONS.”**

Filed for public inspection on December 12th, 2025.

First reading _____ In Full; X By Title on December 16th, 2025.

Second reading _____ In Full; X By Title on December 16th, 2025.

Vote by the Board of Aldermen on December 16th, 2025:

6 Aye; _____ Nay; 2 Absent

X Approved by the Mayor on December 16th, 2025.

_____ Vetoed by the Mayor on _____.

Board of Aldermen Vote to Override Veto on _____.

_____ Aye; _____ Nay; _____ Abstain

Bill Effective Date: December 16th, 2025.

“AN ORDINANCE AMENDING MULTIPLE SECTIONS WITHIN CHAPTER 410 OF THE BOLIVAR MUNICIPAL CODE FOR MISCELLANEOUS PROVISIONS AND ADDING NEW “R-3 HIGH DENSITY” DISTRICT DESIGNATIONS AND REGULATIONS.”

Be it Ordained by the Board of Aldermen of the City of Bolivar, Missouri, that the Bolivar Municipal Code is hereby amended as follows:

Section I: Section 410.050 – District Classifications, is hereby amended to read as follows:

“Section 410.050 – District Classifications.

In order to classify, regulate and restrict the location of trades, industries and the location of buildings designed for specified uses; to regulate and limit the height and bulk of buildings; to regulate and limit the intensity of the use of lots; to regulate and determine the area of yards and other open space surrounding buildings; and to regulate and restrict the density of population, the zoning area is hereby divided into districts designated as follows:

"A-L" Agricultural District

"R-1" Single-Family Dwelling District

"R-2" Single-Family Dwelling District

"R-3" Single-Family and Two-Family Dwelling District

“R-3 HD” High Density Single-Family and Two-Family Dwelling District

"R-4" Multiple-Family Dwelling District

“R-5” High Density Multiple-Family Dwelling District

"MHS" Manufactured Home Subdivision District

"MHD" Manufactured Housing Development District

"C-O" Office and Institution District

"C-S" Highway Service District

"C-1" Neighborhood Shopping District

"C-2" General Commercial District

"C-3" Central Business District

"I-1" Light Industrial District

"I-2" Heavy Industrial District

"P" Planned Development District

"PS" Parks and Public Service District

Section II: Section 410.130 – “R-3” Two-Family Dwelling District, is hereby renamed as follows:

“Section 410.130 – “R-3” Single-Family and Two-Family Dwelling District.”

Other than renaming the foregoing Section 410.130, the provisions of the said Section will remain the same and will remain in full force and effect.

Section III: A new Section 410.135 is hereby added to Chapter 410 of the Bolivar Municipal Code, and is hereby adopted to read as follows:

“Section 410.135 – “R-3 HD” High Density Single-Family and Two-Family Dwelling District.

- A. Intent And Purpose Of District. The "R-3 HD" High Density Single-Family and Two-Family Dwelling District is intended for the purpose of allowing a higher density. This district allows duplex uses, single-family homes, home occupations, certain community facilities and certain special uses. Notwithstanding any other provisions of this Section, this district will not include any uses that would meet the definitions of adult arcade, adult bookstore, adult video store, adult cabaret, adult motel, adult motion picture theater, or adult theater, as those terms are defined by Section 410.030 of this Code.
- B. District Regulations. In District "R-3 HD," no structure or land shall be used and no structure shall be erected, altered or enlarged which is arranged, intended or designed for other than one (1) of the uses listed in the use regulations.
- C. Use Regulations.
 1. Single-family dwellings.
 2. Two-family dwellings.

3. Public parks and recreational areas and community buildings owned and operated by a public agency.
 4. Churches, synagogues and other similar places of worship.
 5. Accessory buildings and uses.
 6. Public and parochial schools.
 7. Home occupations as permitted by and subject to the Supplementary District Regulations.
 8. Group Homes. No group home shall be located within one thousand five hundred (1,500) feet of another group home. The exterior appearance of the home and property shall be in reasonable conformance with the general neighborhood standards. Group homes shall be eleemosynary or not-for-profit in nature.
 9. The Board of Adjustment may, by special use permit, authorize the following exceptions subject to such conditions as the Board deems necessary to include, but not restricted to, proper setbacks, landscaping, screening, fencing, maintenance provisions and other similar requirements:
 - a. Any public building or land used by any department of the City, County, State or Federal Government.
 - b. Telephone exchange, electric substations and regulator stations or other public facilities.
 - c. Bed-and-breakfast establishments.
 - d. Short term rentals complying with Section 410.265 of the Bolivar Municipal Code.
- D. Intensity Of Use Regulations. Except as hereinafter provided, all dwellings hereafter erected, enlarged, or reconstructed shall be located upon lots containing the following area:
1. A lot on which there is erected a single-family dwelling shall contain an area of not less than five thousand (5,000) square feet per family.

2. A lot on which there is erected a two-family dwelling shall contain an area of not less than four thousand (4,000) square feet per family.
 3. On the effective date of this regulation where a lot or tract has less area than herein required and its boundary lines, along their entire length, touched lands under other ownership, such lot or tract may be used for single-family dwelling.
 4. No more than one (1) principal use may be located upon a lot or tract.
 5. Every lot or tract of land shall have a minimum street frontage of not less than fifty (50) feet. [A corner lot's minimum street frontage shall be not less than seventy (70) feet in width. For lots within a cul-de-sac — width shall be measured along radius at the front yard setback line.]
- E. Height Regulations. No building or structure shall exceed thirty-five (35) feet in height.
- F. Yard Regulations.
1. Front Yard.
 - a. The front yard shall be a minimum of twenty five (25) feet in depth measured from the front lot line or, on collector streets, measured sixty (60) feet from the center line of the street or, on minor arterial streets, measured seventy (70) feet from the center line of the street or, on major arterial streets, measured eighty (80) feet from the center line of the street, whichever front yard setback would be greater.
 - b. Where lots have a double frontage, the required front yard shall be provided on both streets.
 - c. Where a lot is located at the intersection of two (2) or more streets, there shall be a front yard on each street side of a corner lot, except that the buildable width of such a lot shall not be reduced to less than twenty-eight (28) feet, except where necessary to provide a yard along the side street with a depth of not less than five (5) feet. No accessory building shall project beyond the front yard line of either street.
 2. Side Yard.

- a. There shall be a side yard on each side of the principal and accessory residential buildings having a width of not less than five (5) feet and all other permitted and conditional uses shall provide a minimum twenty-five (25) foot setback.
 - b. Whenever a lot of record existing at the time of the passage of this regulation has a width of less than fifty (50) feet, the side yard on each side of a building may be reduced to a width of not less than ten percent (10%) of the width of the lot, but in no instance shall it be less than three (3) feet.
- 3. Rear Yard. There shall be a rear yard having a depth of not less than twenty-five (25) feet or twenty percent (20%) of the depth of the lot, whichever amount is smaller.
 - 4. Yard Adjoining Cul-De-Sac. There shall be a setback of twenty (20) feet from the radius of all culs-de-sac. The radius of culs-de-sac shall run from the point of intersection of each end of the cul-de-sac with the outer linear right-of-way of the street or roadway to the cul-de-sac.
- G. Parking Regulations. (See Article V, Parking and Loading Regulations.)
 - H. Sign Regulations. (See Article VI, Sign Regulations.)
 - I. Landscaping. (See Section 415.100, Landscaping.)”

Section IV: Subsection (4) of Subsection (F) of Section 410.180 – “C-S” Highway Service District, is hereby amended to read as follows:

“F. Yard Regulations.

- 4. Fence Required — When. A solid or semisolid fence at least six (6) feet high, except as otherwise provided in the last clause of Section 410.280(A)(4) of Article IV, Supplementary District Regulations, but not more than eight (8) feet high shall be constructed by the owner(s) of property zoned "C-S" and which is adjacent to or adjoining a residential district (Classifications that starts with “R”, "MHS," or "MHD"); however, in the event the adjacent residential district and the "C-S" District are separated by a public right-of-way other than an alley, a ten (10) foot landscape buffer which shall consist of trees, shrubs and evergreens shall be provided along the property line (except along the front lot line of

commercial property which adjoins a street or highway) and maintained in a healthy growing condition, neat and orderly, by the owner of the property required to install the same. Notwithstanding the provisions of the preceding sentence, the owner of property zoned "C-S" shall have no obligation to construct or install a fence or landscape barrier if:

- a. The residential district was zoned residential at the request of the owner of such district and at the time of such request the adjoining property was already zoned "C-S";
- b. The residential district was annexed at the request of the property owner and was initially zoned residential at a time when the adjoining property was already zoned "C-S"; or
- c. The "C-S" property has no commercial or industrial buildings or other structures or improvements located thereon and is not actually being used for any commercial or industrial purpose. This exception shall cease and terminate upon the issuance of a building permit for any building, structure or improvement or at such time as the property commences to be used for any purpose authorized under the "C-S" zoning regulations; and upon such termination, the duty to comply with this Section shall be that of the owner of the commercial property, unless exempted under the provisions of Subsection (F)(4)(a) or (b)."

Section V: Subsection (4) of Subsection (F) of Section 410.190 – “C-1” Neighborhood Shopping District, is hereby amended to read as follows:

“F. Yard Regulations.

4. Fence Required. A solid or semisolid fence at least six (6) feet high, except as otherwise provided in the last clause of Section 410.280(A)(4) of Article IV, Supplementary District Regulations, but not more than eight (8) feet high shall be constructed by the owner(s) of property zoned "C-1" and which is adjacent to or adjoining a residential district (Classifications that starts with “R”, "MHS" or "MHD"); however, in the event the adjacent residential district and the "C-1" District are separated by a public right-of-way other than an alley, a ten (10) foot landscape buffer which shall consist of trees, shrubs and evergreens shall be provided along the property line (except along the front lot line of commercial property which adjoins a street or highway) and maintained in a healthy growing condition, neat and orderly, by the owner of the property required to install the same. Notwithstanding the provisions of the preceding sentence, the owner of

property zoned "C-1" shall have no obligation to construct or install a fence or landscape barrier if:

- a. The residential district was zoned residential at the request of the owner of such district and at the time of such request the adjoining property was already zoned "C-1";
- b. The residential district was annexed at the request of the property owner and was initially zoned residential at a time when the adjoining property was already zoned "C-1"; or
- c. The "C-1" property has no commercial or industrial buildings or other structures or improvements located thereon and is not actually being used for any commercial or industrial purpose. This exception shall cease and terminate upon the issuance of a building permit for any building, structure or improvement or at such time as the property commences to be used for any purpose authorized under the "C-1" zoning regulations; and upon such termination, the duty to comply with this Section shall be that of the owner of the commercial property, unless exempted under the provisions of Subsection (F)(4)(a) or (b)."

Section VI: Subsection (4) of Subsection (F) of Section 410.200 – “C-2” General Commercial District, is hereby amended to read as follows:

“F. Yard Regulations.

4. Fence Required — When. A solid or semisolid fence at least six (6) feet high, except as otherwise provided in the last clause of Section 410.280(A)(4) of Supplementary District Regulations, but not more than eight (8) feet high shall be constructed by the owner(s) of property zoned "C-2" and which is adjacent to or adjoining a residential district (Classifications that starts with “R”, "MHS" or "MHD"); however, in the event the adjacent residential district and the "C-2" District are separated by a public right-of-way other than an alley, a ten (10) foot landscape buffer which shall consist of trees, shrubs and evergreens shall be provided along the property line (except along the front lot line of commercial property which adjoins a street or highway) and maintained in a healthy growing condition, neat and orderly, by the owner of the property required to install the same. Notwithstanding the provisions of the preceding sentence, the owner of property zoned "C-2" shall have no obligation to construct or install a fence or landscape barrier if:

- a. The residential district was zoned residential at the request of the owner of such district and at the time of such request the adjoining property was already zoned "C-2";
- b. The residential district was annexed at the request of the property owner and was initially zoned residential at a time when the adjoining property was already zoned "C-2"; or
- c. The "C-2" property has no commercial or industrial buildings or other structures or improvements located thereon and is not actually being used for any commercial or industrial purpose. This exception shall cease and terminate upon the issuance of a building permit for any building, structure or improvement or at such time as the property commences to be used for any purpose authorized under the "C-2" zoning regulations; and upon such termination, the duty to comply with this Section shall be that of the owner of the commercial property, unless exempted under the provisions of Subsection (F)(4)(a) or (b)."

Section VII: Subsection (4) of Subsection (F) of Section 410.220 – “I-1” Light Industrial District, is hereby amended to read as follows:

“F. Yard Regulations.

4. Fence Required — When. A solid or semisolid fence at least six (6) feet high, except as otherwise provided in the last clause of Section 410.280(A)4) of Article IV, Supplementary District Regulations, but not more than eight (8) feet high shall be constructed by the owner(s) of property zoned "I-1" and which is adjacent to or adjoining a residential district (Classifications that starts with “R”); however, in the event the adjacent residential district and the "I-1" District are separated by a public right-of-way other than an alley, a ten (10) foot landscape buffer which shall consist of trees, shrubs and evergreens shall be provided along the property line (except along the front lot line of industrial property which adjoins a street or highway) and maintained in a healthy growing condition, neat and orderly, by the owner of the property required to install the same. Notwithstanding the provisions of the preceding sentence, the owner of property zoned "I-1" shall have no obligation to construct or install a fence or landscape barrier if:
 - a. The residential district was zoned residential at the request of the owner of such district and at the time of such request the adjoining property was already zoned "I-1";

- b. The residential district was annexed at the request of the property owner and was initially zoned residential at a time when the adjoining property was already zoned "I-1"; or
- c. The "I-1" property has no commercial or industrial buildings or other structures or improvements located thereon and is not actually being used for any commercial or industrial purpose. This exception shall cease and terminate upon the issuance of a building permit for any building, structure or improvements or at such time as the property commences to be used for any purpose authorized under the "I-1" zoning regulations; and upon such termination, the duty to comply with this Section shall be that of the owner of the industrial property, unless exempted under the provisions of Subsection (F)(4)(a) or (b)."

Section VIII: Subsection (4) of Subsection (F) of Section 410.230 – “I-2” Heavy Industrial District, are hereby amended to read as follows:

“F. Yard Regulations.

- 4. Fence Required — When. A solid or semisolid fence at least six (6) feet high, except as otherwise provided in the last clause of Section 410.280(A)4) of Article IV, Supplementary District Regulations, but not more than eight (8) feet high, shall be constructed by the owner(s) of property zoned "I-2" and which is adjacent to or adjoining a residential district (Classifications that starts with “R”), "MHS" or "MHD"); however, in the event the adjacent residential district and the "I-2" District are separated by a public right-of-way other than an alley, a ten (10) foot landscape buffer which shall consist of trees, shrubs and evergreens shall be provided along the property line (except along the front lot line of industrial property which adjoins a street or highway) and maintained in a healthy growing condition, neat and orderly, by the owner of the property required to install the same. Notwithstanding the provisions of the preceding sentence, the owner of property zoned "I-2" shall have no obligation to construct or install a fence or landscape barrier if:
 - a. The residential district was zoned residential at the request of the owner of such district and at the time of such request the adjoining property was already zoned "I-2";
 - b. The residential district was annexed at the request of the property owner and was initially zoned residential at a time when the adjoining property was already zoned "I-2"; or

- c. The "I-2" property has no commercial or industrial buildings or other structures or improvements located thereon and is not actually being used for any commercial or industrial purpose. This exception shall cease and terminate upon the issuance of a building permit for any building, structure or improvement or at such time as the property commences to be used for any purpose authorized under the "I-2" zoning regulations; and upon such termination, the duty to comply with this Section shall be that of the owner of the industrial property, unless exempted under the provisions of Subsection (F)(4)(a) or (b)."

Section IX: Subsection (C) of Section 410.265 – Regulations for Short Term Rentals, is hereby amended to read as follows:

“C. Zoning Districts for Short Term Rentals – Distance Requirements.”

1. Only the following Zoning Districts may be used for the operation of short term rentals:
 - a. "R-1" Single-Family Dwelling District.
 - b. "R-2" Single-Family Dwelling District.
 - c. "R-3" Single-Family and Two-Family Dwelling District.
 - d. “R-3 HD” High Density Single-Family and Two-Family Dwelling District.
 - e. "R-4" Multiple-Family Dwelling District.
 - f. "R-5" High Density Multiple-Family Dwelling District.
 - g. "C-O" Office And Institution District.
 - h. "C-S" Highway Service District.
 - i. "C-1" Neighborhood Shopping District.
 - j. "C-2" General Commercial District.
 - k. "C-3" Central Business District.”

Section X: Subsection (8) of Subsection (A) of Section 410.280 – Fences, is hereby amended to read as follows:

“A. Except as otherwise specifically provided in other codes and regulations, the following regulations shall apply to the construction of fences:

8. For the purpose of fencing regulations as set forth in the supplemental district regulations and as set forth in the Commercial and Industrial Zoning Districts of "C-S" Highway Service District, "C-1" Neighborhood Shopping District, "C-2" General Commercial District, "I-1" Light Industrial District and "I-2" Heavy Industrial District, the word "boundary" as used in any fencing regulation shall mean an exterior property line of a lot which lies between two (2) additional exterior property lines. To constitute a separate boundary, an exterior property line must change courses by an angle of forty-five degrees (45°) or more and continue along a course that does not again change by an angle of forty-five degrees (45°) or more for a distance which is the greater of:
 - a. The minimum width for a lot in the residential district (Classifications that starts with “R”), "MHD" and "MHS") which adjoins or is adjacent to a commercial or industrial tract which is required to be fenced under provisions of "C-S" Highway Services District, "C-1" Neighborhood Shopping District, "C-2" General Commercial District, "I-1" Light Industrial District and of "I-2" Heavy Industrial District; or
 - b. Fifty (50) feet.”

Section XI: Subsection (2) of Subsection (A) of Section 410.320 – Home Occupations, is hereby amended to read as follows:

“A. A business, profession or trade conducted for gain or support entirely within a residential building is subject to the following use limitations:

2. In the "R-1," "R-2," "R-3", “R-3 HD” and "MHS" Residential Districts.
 - a. No person shall be engaged in such home occupation other than a person occupying such dwelling unit as his/her residence.
 - b. No manufacturing or processing of any sort whatsoever shall be done and no stock-in-trade shall be displayed or sold on the premises.”

Section XII: Subsection (J) of Section 410.430 – District Regulations, is hereby amended to read as follows:

J. "R-1" And "R-2" Single-Family Dwelling Districts, "R-3" Single-Family and Two-Family Dwelling District, "R-3 HD" High Density Single-Family and Two-Family Dwelling District, "R-4" Multiple-Family Dwelling District, "R-5" High Density Multiple-Family Dwelling District, And "MHS" Manufactured Home Subdivision District.

1. Subdivisions.

a. Structural Signs Permitted.

- (1) Freestanding signs.
- (2) Wall signs only for multiple-family residential complexes.
- (3) Temporary signs.

b. Number of Signs Permitted.

- (1) Freestanding Signs. One (1) per subdivision or complex entrance plus one (1) additional sign.
- (2) Wall Signs. See Section **410.410(A)**.
- (3) Temporary Signs. Four (4) per zoning lot.

c. Maximum Gross Area.

- (1) Freestanding Signs. Sixty (60) square feet.
- (2) Wall Signs. See Section **410.410(A)**.
- (3) Temporary Signs. Fifteen (15) square feet.

d. Maximum Height.

- (1) Freestanding Signs. Ten (10) feet.
- (2) Wall Signs. Not to exceed the height of the wall.
- (3) Temporary Signs. Ten (10) feet.

e. Required Setback.

- (1) Freestanding Signs. Ten (10) feet.

f. Illumination. Signs may be illuminated.

g. Spacing. For subdivision or apartment identification signs placed on a decorative entry wall approved by the Code Official, two (2) identification signs shall be permitted to be placed at each entrance to the subdivision or apartment complex, one (1) on each side of the driveway.

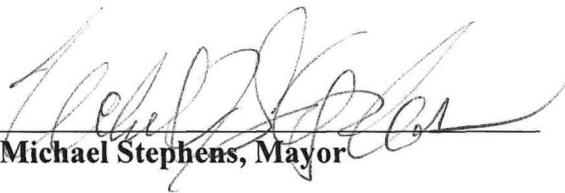
2. Non-Residential In A Residential Zone.
 - a. Structural Signs Permitted.
 - (1) Freestanding signs.
 - (2) Wall signs.
 - (3) Temporary Signs.
 - b. Number Of Signs Permitted.
 - (1) Freestanding Signs. One (1) driveway entrance, plus one (1) additional sign.
 - (2) Wall Signs. See Section **410.410(A)**.
 - (3) Temporary Signs. Four (4) per zoning lot.
 - c. Maximum Gross Area.
 - (1) Freestanding Signs. Sixty (60) square feet.
 - (2) Wall Signs. See Section **410.410(A)**.
 - (3) Temporary Signs. Twenty (20) square feet.
 - d. Maximum Height.
 - (1) Freestanding Signs. Fifteen (15) feet.
 - (2) Wall Signs. Not to exceed the height of the wall.
 - (3) Temporary Signs. Ten (10) feet.
 - e. Required Setback.
 - (1) Freestanding Signs. Ten (10) feet.
 - f. Illumination. Signs may be illuminated.
3. All Other Residential Areas And Uses.
 - a. Structural Signs Permitted.
 - (1) Temporary signs.
 - b. Number Of Signs Permitted.
 - (1) Temporary Signs. Four (4) per zoning lot.
 - c. Maximum Gross Area.
 - (1) Temporary Signs. Fifteen (15) square feet.
 - d. Maximum Height.

(1) Temporary Signs. Ten (10) feet.

Section XIII: All other provisions of Chapter 410 not specifically amended herein shall remain in full force and effect.

Section XIV: This Ordinance shall be in full force and effect from and after its passage by the Board of Aldermen and approval by the Mayor.


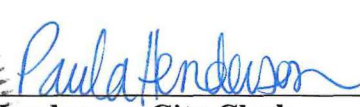



Michael Stephens, Mayor


Paula Henderson, City Clerk

CERTIFICATION

I, Paula Henderson, do hereby certify that I am the duly appointed and acting City Clerk for the City of Bolivar, Missouri; that the foregoing Ordinance No. 4103 was adopted by the Board or Aldermen and thereafter approved by the Mayor and became effective on 12-17, 2025; and that said Ordinance remains in full force and effect, having never been altered, amended nor repealed.



Paula Henderson, City Clerk