

AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, ADDING TO SECTION 405.670; SECTION 405.670: D. EXCEPTIONS. TO THE CITY CODE AS SET FORTH.

WHEREAS, Section 89.020, RSMo., authorizes municipalities to regulate the use and development of land for the purpose of promoting the public health, safety, morals, comfort, and general welfare; and

WHEREAS, the Board of Aldermen finds that the City's existing off-street parking regulations appropriately require hard-surfaced parking facilities for most commercial, industrial, and residential development in order to promote traffic safety, accessibility, erosion control, and orderly development; and

WHEREAS, the Board further finds that limited exceptions are appropriate for certain publicly owned or publicly accessible natural trail facilities where the construction of paved parking areas is inconsistent with the intended recreational character of the property and may result in unnecessary environmental disturbance and construction costs; and

WHEREAS, the Board further finds that any such exception should be narrowly tailored to ensure continued compliance with applicable stormwater management requirements, federal accessibility requirements, and the City of Osage Beach Design Guidelines; and

WHEREAS, the Board intends by this Ordinance to clarify the application of Section 405.670 by creating a limited exception applicable only to qualifying public trailhead parking facilities and does not intend to create a general exemption from the City's off-street parking improvement requirements; and

WHEREAS, after receiving the recommendation of the Planning and Zoning Commission and considering the public interest, the Board of Aldermen finds that adoption of this Ordinance promotes the orderly development of the City and is in the best interests of the citizens of the City of Osage Beach.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF OSAGE BEACH, MISSOURI AS FOLLOWS:

Section 1. Within the City Code there are hereby enacted new Sections with material set forth below with new material set out in **RED** as follows:

Section 405.670 Improvement of Parking Areas and Parking Lots

D. Exceptions.

1. Parking facilities serving publicly owned or publicly accessible natural-surface recreational trails may be constructed using an approved all-weather dustless surface in lieu of asphalt or concrete, provided the City Planner or Public Works Director determines that the proposed surface complies with the City of Osage Beach Design Guidelines and all applicable stormwater management requirements. The exception created by this subsection applies only while the parking area primarily serves such trail facilities and shall not apply to commercial parking lots or mixed-use developments unless separately authorized by this Chapter. Accessible parking spaces, access aisles, and accessible routes shall comply with all applicable federal accessibility requirements. The City Planner may require reasonable documentation demonstrating continued eligibility for this exception.

Section 2. Severability

The chapters, sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional or otherwise invalid by the valid judgment or degree of any Court of any competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance since the same would have been enacted by the Board of Aldermen without the incorporation in this ordinance of any such unconstitutional or invalid phrase, clause, sentence, paragraph or section.

Section 3. Repeal of Ordinances not to affect liabilities, etc.

Whenever any part of this ordinance shall be repealed or modified, either expressly or by implication, by a subsequent ordinance, that part of the ordinance thus repealed or modified shall continue in force until the subsequent ordinance repealing or modifying the ordinance shall go into effect unless therein otherwise expressly provided; but no suit, prosecution, proceeding, right, fine or penalty instituted, created, given, secured or accrued under this ordinance previous to its repeal shall not be affected, released or discharged but may be prosecuted, enjoined and recovered as fully as if this ordinance or provisions had continued in force, unless it shall be therein otherwise expressly provided.

Section 4. That this Ordinance shall be in full force and effect from and after the date of passage and approval of the Mayor.

READ FIRST TIME: August 6, 2026

READ SECOND TIME: August 20, 2026

I hereby certify that Ordinance No.26.86 was duly passed on August 20, 2026, by the Board of Aldermen of the City of Osage Beach. The votes thereon were as follows:

Ayes: 6 Nays: 0 Abstentions: 0 Absent: 0

This Ordinance is hereby transmitted to the Mayor for his signature.

Aug. 20, 26
Date

Tara Berreth
Tara Berreth, City Clerk

Approved as to form:

M. T. Reiche
Interim City Attorney

I hereby approve Ordinance No.26.86.

Richard Ross
Richard Ross, Mayor

Aug. 20, 26
Date

Tara Berreth
Tara Berreth, City Clerk