

**AN ORDINANCE AMENDING
THE MUNICIPAL CODE OF THE CITY OF OZARK, MISSOURI, CHAPTER 405
ZONING REGULATIONS, SECTION 405.420, TO REMOVE REGULATIONS
RELATED TO THE DOWNTOWN SINGLE-FAMILY OVERLAY DISTRICT**

WHEREAS, the City of Ozark, Missouri (“City”), Planning and Development Department wishes to amend the Municipal Code of the City of Ozark, Missouri, (“City Code”) to remove language related to the Downtown Single-Family Overlay District from Section 405.420 so that it can be reincorporated by a following proposed Ordinance to a standalone section in the City Code; and

WHEREAS, on October 27, 2025, the Planning and Zoning Commission recommended approval of this ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF OZARK, MISSOURI, as follows, that:

SECTION 1 – The Municipal Code of the City of Ozark, Missouri, Chapter 405 Zoning Regulations, Section 405.420 Dimensional Requirements (Setbacks), is hereby amended as follows:

NOTE: Language to be added is underlined and language to be deleted is ~~stricken~~.

Section 405.420 **Dimensional Requirements (Setbacks)**.

The following dimensions shall be observed:

District	Min. Depth of Front Yard in Feet	Min. Width of Side Yard in Feet	Min. Depth Rear Yard in Feet	Min. Lot Area per Family in Sq. Feet	Min. Lot Width in Feet⁽³⁾	Min. Lot Size in Sq. Feet
"A-1" General Agriculture	35	20	35	1 acre	150	1 acre
"R-SF1" Single-Family	25	10	20	8,000	50	8,000
"R-SF2" Single-Family	10 ⁽⁶⁾	5 ⁽⁷⁾	10 ⁽⁷⁾	N.A.*	40	N.A.*
"R-1A" Single-Family Estate	25	15	25	20,000	100	20,000
"R-1B" Single-Family	25	10	25	15,000	80	15,000
"R-1C" Single-Family	25	10	20	10,000	70	10,000

District	Min. Depth of Front Yard in Feet	Min. Width of Side Yard in Feet	Min. Depth Rear Yard in Feet	Min. Lot Area per Family in Sq. Feet	Min. Lot Width in Feet ⁽³⁾	Min. Lot Size in Sq. Feet
"R-1D" Single-Family	25	7	20	7,000	50	7,000
"R-1P" Single-Family	25	10 ⁽⁴⁾	20	5,000	50	5,000
"R-2" Two-Family	25	10	20	5,000	60	10,000
"R-3" Medium Density Multi-Family	25	15	25	2,500	80	20,000
"R-4" High Density Multi-Family	25	20 ⁽¹⁾	25	2,000	80 ⁽²⁾	20,000
"C-2" General Commercial	25	5	30	N.A.*	None	500
"C-4" Central Business	None	None	None	N.A.*	None	None
"GM-U" General Mixed-Use	10	5	10	N.A.*	None	None
"I-1" Industrial	35	20	35	N.A.*	None	None
"M" Mobile Home	N.A.*	N.A.*	N.A.*	3,500	N.A.*	3 acres
"OW" Office Warehousing	25	5	30	N.A.*	None	None

* Not applicable.

Numbers in parentheses refer to the following additions or modifications to the aforementioned dimensional requirements.

1. Lots located within an "R-4" High Density Multi-Family District shall have minimum side yards of twenty (20) feet each where the dwellings located thereon do not exceed two (2) stories. An additional three (3) feet per side yard will be required with each additional story.

2. Lots located within an "R-4" High Density Multi-Family District shall have a minimum width of eighty (80) feet, however, the width shall be increased by ten (10) feet for each additional building exceeding five (5).

3. The minimum lot width shall be measured at the property line which abuts a street. Lots which have road frontage on a cul-de-sac shall have a minimum width of forty-five (45) feet at the property line which abuts the cul-de-sac, except for "R-1P" districts which shall have a minimum thirty-five (35) foot frontage on a cul-de-sac.

4. In the "R-1P" District, the common wall of the dwelling unit shall be placed on the common property line with a zero (0) setback and the setback on the other side property line shall be a minimum of ten (10) feet.

5. Lots located within a "GM-U" General Mixed-Use District shall have a maximum building height of forty-five (45) feet and a Floor Area Ratio (FAR) of 2.5-1.

a. Buildings that exceed forty-five (45) feet shall have an additional one (1) foot setback for each additional foot in height.

~~6. The Downtown Single Family Overlay District is hereby established for the purpose of resolving a conflict between current minimum lot size and setback requirements and those properties that were developed prior to the adoption of said standards. Said District Boundary is noted to be on file as Downtown Single Family Overlay District Map with the City Clerk. For any single family residentially zoned property, regardless of the single family zoning, within the Downtown Single Family Overlay District the following shall apply:~~

~~a. The minimum lot size shall be five thousand (5,000) square feet;~~

~~b. The minimum front yard setback shall be twenty five (25) feet;~~

~~c. The minimum side yard setback shall be seven and one half (7.5) feet;~~

~~d. The minimum rear yard setback shall twenty (20) feet; and~~

~~e. The minimum lot width shall be forty (40) feet.~~

76. Lots located within an "R-SF2" Enhanced Single-Family District shall have a maximum setback of fifteen (15) feet from the property line which abuts a street.

87. Refer to adopted Fire Code for minimum distance between structures.

SECTION 2 – Severability Clause. If any section, subsection sentence, clause, or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The Board of Aldermen hereby declares that it would have adopted the Ordinance and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

SECTION 3 – This Ordinance shall be in full force and effect from and after its passage and approval.

PASSED AT MEETING ON DECEMBER 1, 2025.

AYE

NAY

ABSENT/ABSTAIN

ALDERMAN CHRIS AIKEN
ALDERMAN DAVID SNIDER
ALDERMAN EDDIE CAMPBELL
ALDERMAN JEAN ANN HUTCHINSON

ALDERMAN BRUCE GALLOWAY

ALDERMAN JIM METCALF

APPROVED ON DECEMBER 1, 2025.


DON CURRENCE, MAYOR

ATTEST:


CHANDRA HODGES, CITY CLERK



PLANNING AND DEVELOPMENT DEPARTMENT
CITY OF OZARK, MO
205 N. 1ST STREET
OZARK, MISSOURI 65721

TO: Planning and Zoning Commission
FROM: Randall Whitman, Community Development Director
RE: Downtown Single-Family Overlay District Amendments
DATE: October 27, 2025

Two amendments have been drafted by the City Attorney in cooperation with the City's Planning staff to provide additional flexibility for residential property owners located within the Downtown Single-Family Overlay District.

The first amendment, under New Business, agenda item (h) will:

- (1) Remove or delete the entire subsection 405.420 (6.) which establishes the overlay district, as well as the boundaries of the overlay district.
- (2) Remove or delete the zoning requirements which include lot area, lot width, lot depth, building setbacks, etc.

The second amendment, under New Business, agenda item (i) will:

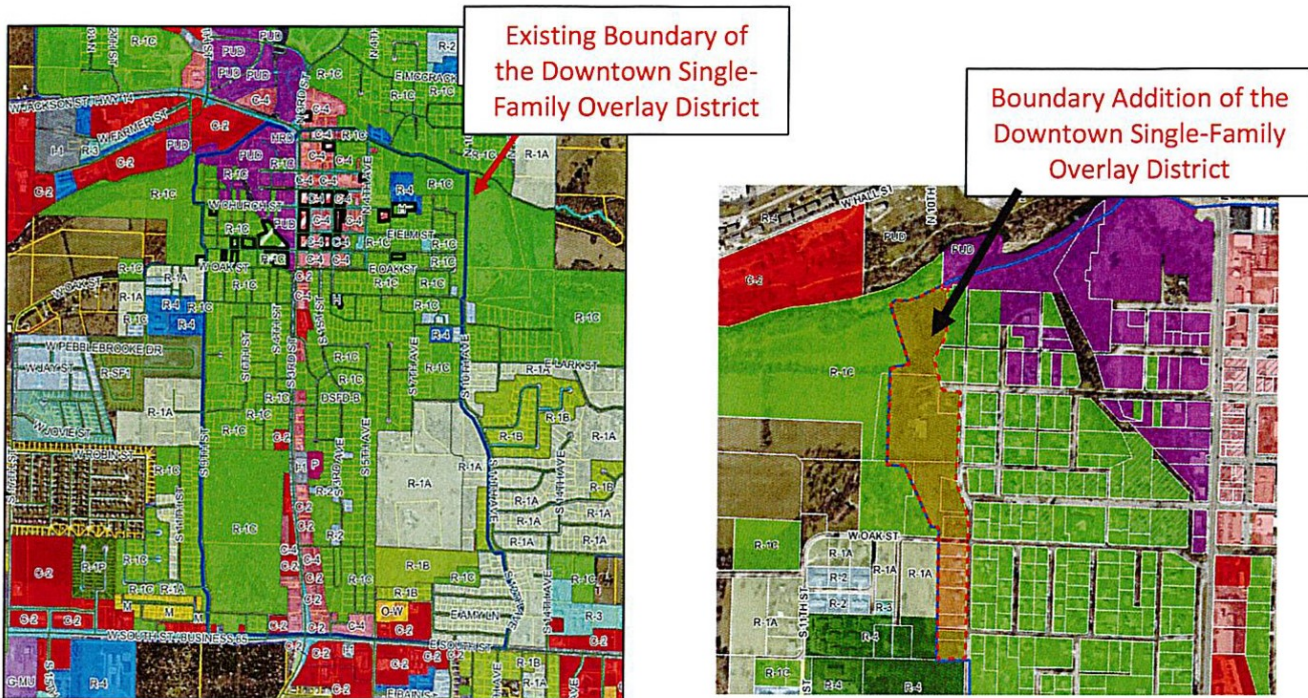
- (1) Readopt the overlay district as a new Section 405.430 in the code, which will appear in the table of contents and be more accessible and searchable.
- (2) Readopt the boundary of the overlay district, as well as an expansion on the northwest corner of the district.
- (3) Readopt the overlay district regulations, which include front and side yard setback amendments and additional side and rear yard setback exceptions for uninhabitable structures.

Explanation and staff analysis

A recent application for a building permit to expand a carport was denied due to the setbacks. In reviewing the situation, the Board encouraged staff to investigate an amendment to the code to remedy this situation and provide relief for future applicants who reside in the older part of the city where lots are narrow, building envelopes are tighter, and in some cases unimproved roads and alleys exist.

These amendments will accomplish the following:

1. Expand the boundaries of the Downtown Single-Family Overlay District as follows:



2. Reduce the front yard setback for inhabitable space from 25' to 15'. Allowing for living space to be built closer to the street, while still requiring garages or carports to be setback 25' from the street.
3. Reduce the side yard setbacks from 7.5' to 5'. The reduced side yard setback will not require review or special approval by the Planning and Zoning Commission.
4. Provide for a path for the Planning and Zoning Commission to approve a reduction in the side yard setback, below 5' when special circumstances exists. The setback could be reduced below 5', potentially to 0', if the proposed structure is adjacent to an unimproved alley, road, or easement.
5. Relocate the Downtown Overlay District into its own Code Section, 405.430, which will appear in the index or table of contents within the City's online ECode.

EXPLANATION TO BOARD OF ALDERMAN BILL NO 3709

FILED DATE: 11-3-2025

ORIGINATING DEPARTMENT: Planning and Development

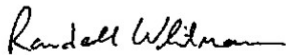
PURPOSE: AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF OZARK, MISSOURI, CHAPTER 405 ZONING REGULATIONS, SECTION 405.420, TO REMOVE REGULATIONS RELATED TO THE DOWNTOWN SINGLE-FAMILY OVERLAY DISTRICT

BACKGROUND INFORMATION: The Planning and Development Department and Law Department worked together to draft the proposed revisions contained herein, to provide adjustments to the dimensional requirements for the Downtown Single Family Overlay District. There are two ordinance amendments proposed that work in conjunction with one another. This ordinance amendment will repeal the Downtown Single Family Overlay District from City Code Section 405.420 and the next bill and ordinance amendment will create a new city Code Section specifically for the Downtown Single Family Overlay District, with adjustments to the boundary and the dimensional requirements for this overlay district.

REMARKS: By October 7, 2025, the public notice of this ordinance amendment was published in the Daily Events paper.

On October 27, 2025, the Planning and Zoning Commission recommended approving the ordinance amendment. The recommendation passed, 6-0.

SUBMITTED BY:



Randall Whitman
Community Development Director

APPROVED BY:



Eric Johnson
City Administrator