

**AN ORDINANCE
AMENDING THE MUNICIPAL CODE OF THE CITY OF OZARK, MISSOURI,
SECTIONS 410.500 AND 410.510 REGARDING LINEAR PARK TRAIL AND
CONNECTOR TRAIL REQUIREMENTS**

WHEREAS, the City of Ozark, Missouri, (City) has identified desired locations for linear park trails within the City of Ozark Comprehensive Plan or the Ozark Trails Master Plan; and

WHEREAS, the City also desires to have connector trails to connect subdivisions adjacent to the linear park trails to achieve maximum connectivity for pedestrian and bicycle travel; and

WHEREAS, the existing code language regulating linear park trails and connector trails needed updates; and

WHEREAS, the timing of these amendments work in conjunction with the single family code amendments that require certain amenities to be built within subdivisions; and

WHEREAS, the Planning and Zoning Commission, after hearing the proposed amendments on September 25, 2023, voted to recommend approval.

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 410 Subdivision Regulations, Article VIII Linear Park Trails, Section 410.500 Definitions, is hereby amended as follows:

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

Section 410.500 Definitions.

For the purpose of interpreting this Article and the Sections contained herein, certain terms are defined as follows:

LINEAR PARK CONNECTOR TRAIL

An element of the off-street pedestrian system similar to a sidewalk which may or may not be located within a public or private street right-of-way. A connector trail provides pedestrian access between adjacent streets, residential developments, shopping or employment centers, parks, schools or other public facilities.

LINEAR PARK TRAIL

A multi-use path which accommodates a variety of non-motorized transportation options

such as walking, cycling, skating, jogging, etc. Linear park trails are an element of the greenway system and can be utilized for recreational purposes and as part of the off-street transportation network.

SECTION 2 – The Municipal Code of the City of Ozark, Missouri, Chapter 410 Subdivision Regulations, Article VIII Linear Park Trails, Section 410.510 Linear Park Trails and Connections to Linear Park Trails, is hereby repealed in its entirety and replaced to read as follows:

NOTE: This ordinance is being repealed and replaced in its entirety therefore, language will not be underlined nor stricken.

Section 410.510 Linear Park Trails and Connector Trails to Linear Park Trails.

- A. *Purpose.* The purpose of these requirements is to provide for the continuation of planned linear park trails and connectors necessary to access the linear park trail system, with the goal to provide connectivity throughout the city. Linear park trails provide options for recreation and non-motorized travel between where citizens live, shop, work, learn, and participate in recreation.
- B. *Linear Park Trail and Connector Trail Required When.*
 1. *Linear Park Trail.* A linear park trail shall be required to be constructed and dedicated in an easement by the developer where a linear park trail is identified by the City of Ozark Comprehensive Plan or the Ozark Trails Master Plan. These documents shall be maintained in the office of the Director of Planning and Development and/or incorporated into said Comprehensive Plan, as said exhibit may be amended from time to time.
 2. *Connector Trail.* A connector trail shall be required to be constructed and dedicated in an easement on the subdivided property by the developer where there is a linear park trail on the property to be subdivided or the immediately adjacent property.
- C. *Requirements for Construction and Dedication.*
 1. *Linear Park Trail.* The easement for a linear park trail shall have a minimum width of thirty (30) feet. A linear park trail shall be constructed at a minimum of ten (10) feet wide and shall be constructed to the standards for the design of sidewalks as set forth within the City of Ozark Design Standards for Public Improvements. Alternative easement and trail widths may be considered by the Public Works Director due to site constraints. Easements for linear park trails shall generally follow the alignment identified in the Ozark Trails Master Plan and/or be located within the property to be subdivided in such a manner that the easements align with previously established easements on adjacent properties.
 2. *Connector Trail.* The easement for a connector trail shall have a minimum width of

thirty (30) feet. A connector trail shall be constructed at a minimum of ten (10) feet wide and shall be constructed to the standards for the design of sidewalks as set forth within the City of Ozark Design Standards for Public Improvements. Alternative easement and trail widths may be considered by the Public Works Director due to site constraints. The connector trail must connect a sidewalk within street right-of-way located on the property to be subdivided to either:

a. The linear park trail if the linear park trail is located either on the developer's property or abuts the proposed subdivision on the adjoining property;

b. A public sidewalk on adjacent properties with a linear park trail; or

c. Alternative connections may be considered by the Public Works Director.

3. Easements for linear park trails and connector trails shall be required to be dedicated on the preliminary plat or an administrative replat subdivision. All said easements shall allow free and unimpeded pedestrian access to both residents and non-residents of the subdivision. All said easements are encouraged to be located on other types of easements provided the easements permit trails.

4. All linear park trails and connector trails shall be constructed.

D. *Alternative recommendations.* The Director of Planning and Development shall make a recommendation to the Planning and Zoning Commission regarding alternatives to requiring a neighborhood linear park connector where a connector is not feasible due to physical or natural barriers or where it creates an unsafe public use.

SECTION 3 – 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 4 – This Ordinance shall be in full force and effect from and after its passage and approval.

PASSED AT MEETING ON NOVEMBER 6, 2023.

	AYE	NAY	ABSENT/ABSTAIN
ALDERMAN BRUCE GALLOWAY	X		
ALDERMAN DAVID SNIDER	X		
ALDERMAN JEAN ANN HUTCHINSON	X		
ALDERMAN DREW OWEN			X
ALDERMAN RJ FLORES	X		
ALDERMAN HEATHER ALDER	X		

APPROVED ON NOVEMBER 6, 2023.

DON CURRENCE, MAYOR

ATTEST:

CHANDRA HODGES, CITY CLERK