

**AN ORDINANCE  
AMENDING THE MUNICIPAL CODE OF THE CITY OF OZARK, MISSOURI,  
CHAPTER 405 RELATING TO ZONING REGULATIONS**

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**WHEREAS**, on September 25, 2023, the Planning and Zoning Commission voted to recommend approval of these amendments to the Municipal Code of the City of Ozark, Missouri.

**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, Article II Use Regulations by Zoning District, Section 405.210 Zoning District “R-SF1” Single-Family District is hereby amended as follows:

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

**Section 405.210 Zoning District "R-SF1" Single-Family District.**

A. *Use Regulations.* All buildings and land within "R-SF1" zoning district shall be limited to the following uses:

1. Single-family dwellings.
2. Accessory buildings.
3. Churches (shall be built to "C-2" general commercial building standards).
4. Parks and playgrounds.
5. Home occupations as regulated within this Chapter, ~~except those listed in Subsection (B).~~

B. *Conditional Uses.* The following uses are permitted as conditional uses subject to the provisions of this Title and approval by the Planning and Zoning Commission:

- ~~1. Home occupations requiring a conditional use permit:~~
  - ~~a. Day care centers and nursery schools.~~
  - ~~b. Preparation of food for sale.~~
  - ~~c. Raising and/or breeding animals for sale.~~

~~d. Upholstery repair.~~

~~12.~~ *Accessory Dwelling Unit.* One accessory dwelling unit is permitted on a residential lot which is development with a primary single-family unit. All accessory dwelling units shall conform to all building setbacks and the adopted international residential building codes. The property owner must occupy either the primary dwelling unit or accessory dwelling unit. A minimum of one on-site parking space shall be provided for the accessory dwelling unit.

~~3.—Group homes. No group home shall be located within two thousand five hundred (2,500) 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.~~

24. *Cemeteries.* Cemeteries shall be a conditional permanent use and shall address the unique requirements of cemetery uses in a manner conducive to the public health, safety and general welfare and in accordance with the Comprehensive Plan of the City. Cemeteries shall only be allowed when all of the following conditions have been met:

- a. The property must be a single tract or parcel consisting of no less than one-half (½) acre.
- b. Only endowed cemeteries will be permitted, and, prior to approval, the applicant must comply with all relevant Missouri statutory requirements.
- c. Prior to approval the applicant shall show documentary proof from the Christian County Health Department that the proposed cemetery will meet all health standards required by the laws of the State of Missouri.
- d. The property must consist of a single tract or parcel not divided by any street, alley or other property.
- e. An administrative site plan approval, as set forth in Sections **410.220** through **410.230**, will be required prior to the issuance of any building permit for any cemetery-type structure or prior to the interment of any deceased person.
- f. Principal entryways must be clearly defined by architecturally treated entry gates.
- g. Around the property lines of all cemeteries a ten-foot-wide strip of land shall be devoted to a buffer between the cemetery and the adjacent property, including street rights-of-way. This buffer shall contain a decorative fence, wall or hedge which is a minimum of four (4) feet in height and a maximum of eight (8) feet in height. Fence details and landscaping plans for the buffer strip shall be submitted

and approved with the required administrative site plan.

- h. No signs shall be permitted except for the following: cemetery identification sign which must be monument style, directional signs, signs displaying the hours and days of operation, signs displaying rules and regulations, headstones or other memorials.
  - i. No signs shall be permitted to be attached to or hung from the required screening.
  - j. Access to the cemetery shall be from a dedicated public street, and all driveways and internal streets shall conform to the standards set forth in Section **410.031** of this Title.
  - k. The site plan shall provide for a minimum of one (1) parking space per acre of the cemetery. In addition parking spaces shall be provided for cemetery structures and/or employees when applicable.
- C. *Parking Regulations.* Off-street parking space shall be provided in accordance with the requirements set forth in Article V of this Chapter.
- D. *Dimensional Requirements.* Minimum width, depth and minimum lot size shall be provided in accordance with the requirements set forth in Section **405.420** of this Chapter.
- E. *Landscaping Requirements.* Landscaping shall be provided in accordance with the requirements set forth in Article VI of this Chapter.
- F. *Common Area Requirements.* Common areas shall be provided for subdivisions utilizing the R-SF1 zoning district as provided in this section.

- 1. *Common Area Calculation.* The required minimum amount of common area for public use shall be based upon a calculation of the anticipated residential population of the subdivision when fully developed at the rate of 0.5 acres of common area per twenty-five (25) residential lots.
  - a. *The provisions of this section are minimum standards. Nothing in this section is to be construed as prohibiting a developer from dedicating or reserving other land for recreation purposes in addition to the requirements of this section.*
- 2. *Quality of Dedicated Common Area.* Lands to be dedicated in accordance with the common space dedication requirements of this section are subject to the following standards. Land proposed to be dedicated for park and recreation use must be suitable for such use and receive the approval of the Planning and Zoning Commission and the Board of Aldermen. The dedicated common area must be a cohesive whole but

may be of irregular outline or shape. Required stormwater detention areas or wetland conservation space may count toward common area if improved to incorporate recreational functions (i.e. soccer goals, etc.).

3. *Improvements Required.* The developer shall, with the approval of the Board of Aldermen, make improvements or provide recreational facilities. The developer shall improve the land to be dedicated as common area as follows:
  - a. If the development contains seventy-five (75) lots or less, then at a minimum the common area shall consist of open passive play area.
  - b. If the development contains seventy-six (76) lots or more, then at a minimum it must include an aquatic pool and pool house amenity. The pool area shall have a minimum of ten (10) square feet of water surface area per lot in a subdivision or 1,500 square feet, whichever is greater. At the developer's option, they can propose alternative amenities such as sports fields or courts as opposed to a pool that has an equivalent construction value.
  - c. When an aquatic pool is provided:
    1. The pool deck area shall be at least twice the pool water surface in square foot area; and
    2. The pool house shall include a community room and bathrooms. The developer's design professional shall design the pool house to accommodate the total pool occupant load based on final calculated pool size.
  - d. For amenity calculation purposes, all phases of the subdivision shall be considered.
4. *Common Area Access.* Each common area required in Subsection 3 above, shall have frontage on a public street to provide acceptable access to the common area from a public street, taking into account the need for adequate frontage on a public street and the amount of frontage reasonably required by the circumstances of the particular common area. If adjacent to an existing or planned trail, the common area shall include an improved pedestrian connection from the trail to the common area(s).
5. *Trail Areas Included.* Trails as well as trail amenities may be counted toward satisfying the common area dedication requirements excluding the aquatic pool and pool house amenity. Trail amenities may include but are not limited to the following:
  - a. Rest areas with seating;

- b. Bike service areas; or
- c. Shaded pavilions.

G. Sidewalk and Trail Construction Required. Public trails and sidewalks shall be constructed in accordance with the city ordinances, City of Ozark Design Standards for Public Improvements, and the Linear Park Trails and Connection to Linear Park Trails ordinance.

SECTION 2 – The Municipal Code of the City of Ozark, Missouri, Chapter 405 Zoning Regulations, Article II Use Regulations by Zoning District, Section 405.215 Zoning District “R-SF2” Enhanced Single-Family District is hereby amended as follows:

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

**Section 405.215 Zoning District “R-SF2” Enhanced Single-Family District**

- A. *Purpose.* The purpose of this district shall be to promote single-family development that provides flexibility in standards, specifically relating to minimum lot and setback requirements, and incorporates design standards promoting high-quality development and neighborhoods.
- B. *Use Regulations.* All buildings and land within the “R-SF2” zoning district shall be limited to the following uses:
  - 1. Single-family dwellings.
  - 2. Accessory buildings.
  - 3. Churches (shall be built to “C-2” General Commercial building standards).
  - 4. Parks and playgrounds.
  - 5. Home occupations as regulated within this Chapter, ~~except those listed in Subsection (C).~~
- C. *Conditional Uses.* The following uses are permitted as conditional uses subject to the provisions of this Title and approval by the Planning and Zoning Commission:
  - 1. ~~Home Occupations. Home occupations requiring a conditional use permit:~~
    - a. ~~Day care centers and nursery schools.~~
    - b. ~~Preparation of food for sale.~~

~~e. Raising and/or breeding animals for sale.~~

~~d. Upholstery repair.~~

- ~~2.~~ 1. *Accessory Dwelling Units.* One accessory dwelling unit is permitted on a residential lot which is development with a primary single-family unit. All accessory dwelling units shall conform to all building setbacks and the adopted international residential building codes. The property owner must occupy either the primary dwelling unit or accessory dwelling unit. A minimum of one on-site parking space shall be provided for the accessory dwelling unit.
3. 2. *Cemeteries.* Cemeteries shall be a conditional permanent use and shall address the unique requirements of cemetery uses in a manner conducive to the public health, safety and general welfare and in accordance with the Comprehensive Plan of the City. Cemeteries shall only be allowed when all of the following conditions have been met:
- a. The property must be a single tract or parcel consisting of no less than one-half (½) acre.
  - b. Only endowed cemeteries will be permitted, and, prior to approval, the applicant must comply with all relevant Missouri statutory requirements.
  - c. Prior to approval, the applicant shall show documentary proof from the Christian County Health Department that the proposed cemetery will meet all health standards required by the laws of the State of Missouri.
  - d. The property must consist of a single tract or parcel not divided by any street, alley or other property.
  - e. An administrative site plan approval, as set forth in Sections 410.220 through 410.230, will be required prior to the issuance of any building permit for any cemetery-type structure or prior to the interment of any deceased person.
  - f. Principal entryways must be clearly defined by architecturally treated entry gates.
  - g. Around the property lines of all cemeteries a ten-foot-wide strip of land shall be devoted to a buffer between the cemetery and the adjacent property, including street rights-of-way. This buffer shall contain a decorative fence, wall or hedge which is a minimum of four (4) feet in height and a maximum of eight (8) feet in height. Fence details and landscaping plans for the buffer

strip shall be submitted and approved with the required administrative site plan.

- h. No signs shall be permitted except for the following: cemetery identification sign which must be monument style, directional signs, signs displaying the hours and days of operation, signs displaying rules and regulations, headstones or other memorials.
- i. Access to the cemetery shall be from a dedicated public street, and all driveways and internal streets shall conform to the standards set forth in Section 410.031 of this Title.
- j. No signs shall be permitted to be attached to or hung from the required screening.
- k. The site plan shall provide for a minimum of one (1) parking space per acre of the cemetery. In addition, parking spaces shall be provided for cemetery structures and/or employees when applicable.

D. *Parking Regulations.* Off-street parking space shall be provided in accordance with the requirements set forth in Article V of this Chapter.

E. *Dimensional Requirements.* Minimum width and depth shall be provided in accordance with the requirements set forth in Section 405.420 of this Chapter.

1. *Minimum and Maximum Density.* Three to seven residential lots per gross acre.
2. *Density Calculation.* Gross density for the purposes of determining minimum and maximum densities allowed shall be calculated as the number of lots per acre of land. This is calculated by taking the number of lots divided by the total area (includes buildable area, detention and water quality, common areas, easements, any form of public right-of-way, etc).
3. *Density Allowances.* In situations where density requirements and lot size, shape, topography, or location result in a subdivision that cannot possibly meet the density requirements, a reduction in minimum density may be granted by the Planning and Zoning Commission if all of the following criteria can be met:
  - a. The lot to be subdivided must be less than or equal to one-half acre in total area.
  - b. The reduction in minimum density may not result in more than one additional single-family dwelling.

- c. The reduction in density will not result in a density that is less than 85 percent of the minimum density required in the applicable zoning district.
- d. The conditions unique to the site (size, shape, topography, etc.) are not the result of actions by the applicant.
- e. In no event may a reduction in density be granted if it would result in a use that would not be allowed as a permitted, accessory or conditional use in the zone in which the property is located.

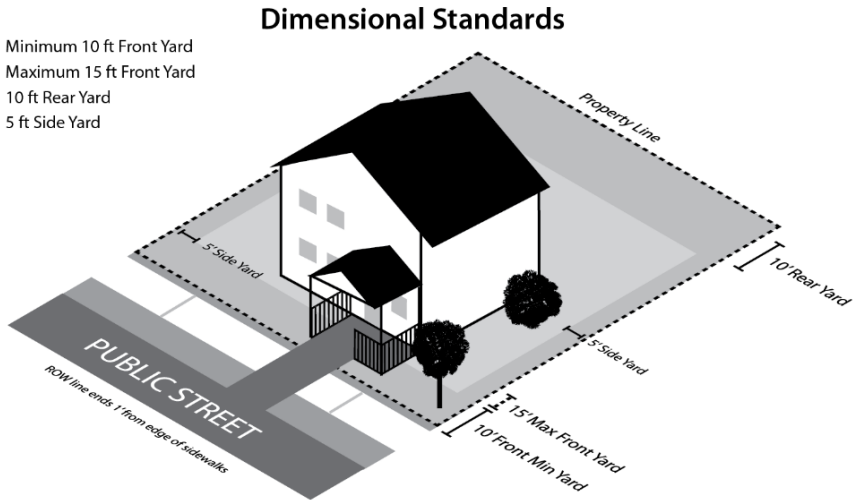


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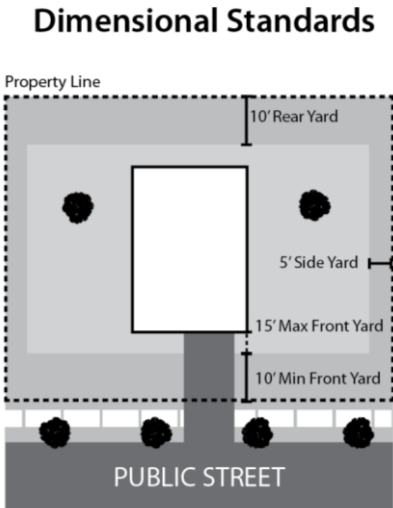
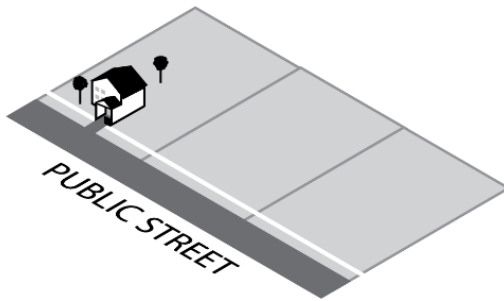


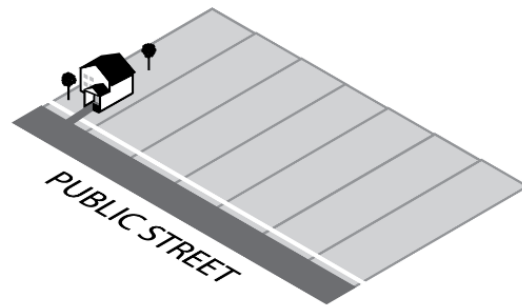


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**Density Standards**  
Minimum 3 Residential Lots per 1 Gross Acre



**Density Standards**  
Maximum 7 Residential Lots per 1 Gross Acre

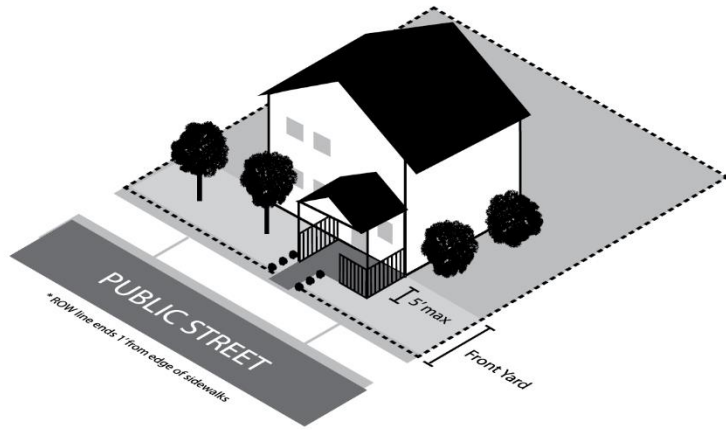


F. *Landscaping Requirements.* Landscaping shall be provided in accordance with the requirements set forth in Article VI of this Chapter.

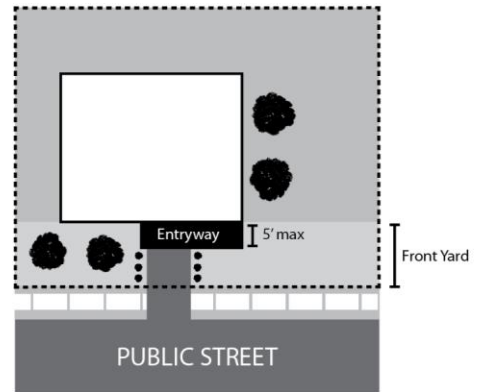
G. *Design Requirements.* All lots and improvements shall comply with the following design requirements.

1. *Pedestrian Entryways.* Primary entryways into principal structures shall meet the following requirements.
  - a. Private entries to the principal structure shall be provided and be visible from the public right-of-way.
  - b. Entryways shall separate private entries from the public sidewalk with a semiprivate transition area, such as a porch, terrace, stoop, or similar element and shall provide weather protection over each primary entry, extending a minimum of four feet (4') from the building facade.
  - c. Entryways are allowed to extend up to 5' into the front yard setback.
  - d. Entryways shall be at a minimum of 40% in width of the front of the residence
  - e. Entries shall provide an improved pedestrian connection, with a width of no less than four (4) feet, from the public right-of-way to the entry.

## Dimensional Standards Pedestrian Entryways

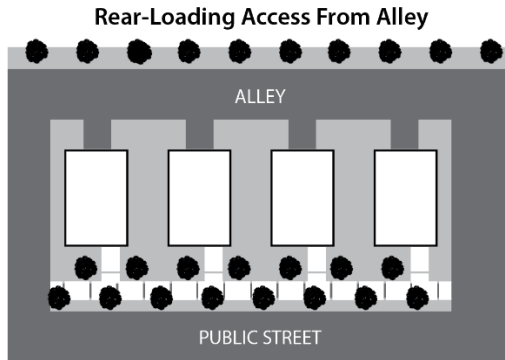


## Pedestrian Entryways

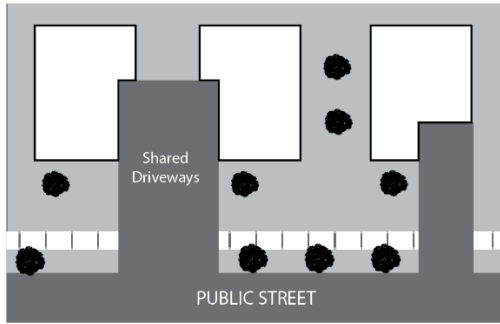


2. *Garage Placement and Design.* The placement and design of garages shall create clear subordination to the principal structure.
  - a. The garage entrance shall not extend beyond the front of the home.
  - b. All garages shall be placed to minimize negative visual impact of the garage door. Options to achieving this requirement include, but are not limited to, the following:
    1. Rear-loading access from alley
    2. Recessed a minimum of 10' behind the front of the home  
*Image Added*
    3. Side-on garages, where door is perpendicular to the public right-of-way
    4. Cantilever second story over the garage
    5. Utilize a tandem garage
    6. Articulate garage doors with windows, paneling, recesses, and other details

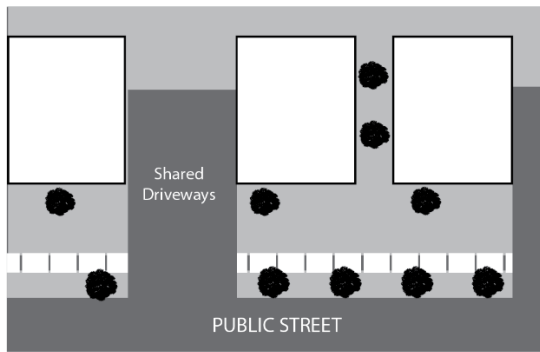
- c. Garages facing the public right-of-way on single-family lots that are less than fifty feet (50') wide shall not exceed sixty percent (60%) of the width of the home.
- d. If using front-or side loading garage, shared driveways with platted access easements are required.



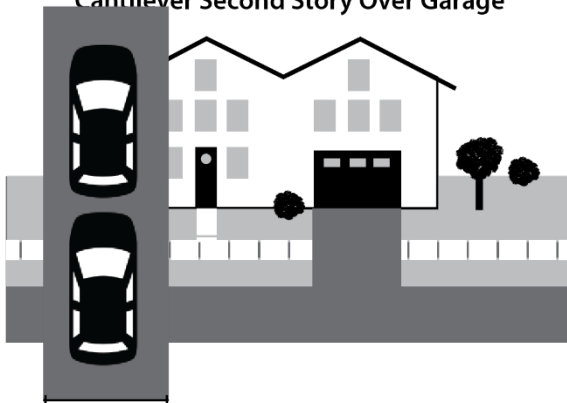
### Front-Facing Recessed Garages



### Side-On Garages



### Tandem Garage Cantilever Second Story Over Garage



H. *Public Improvements Required.* Public Improvements shall be provided in accordance with the requirements set forth in Article VI of this Chapter.

I. *Coving and Road Restrictions.* The street system of a subdivision shall be coordinated with existing, proposed, and anticipated streets outside the subdivision or outside the portion of a single tract that is being divided into lots (hereinafter, "surrounding streets") as provided in this section:

1. Streets shall be related appropriately to the topography. In particular, streets shall be designed to facilitate the drainage and stormwater run-off objectives set forth in the technical specification's manual, and street grades shall conform as closely as practicable to the original topography.
2. Collector streets shall intersect with surrounding collector or arterial streets at safe and convenient locations.
3. Local streets shall connect with surrounding streets where necessary to permit the convenient movement of traffic between residential neighborhoods or to facilitate access to neighborhoods by emergency service vehicles or for other sufficient reasons.
4. Connections shall not be permitted where the effect would be to encourage the use of such streets by substantial through traffic of nonresidents to the subdivisions.
5. Include streetscape design requirements (coving, traffic calming, bulb-outs, crosswalks, bike routes)

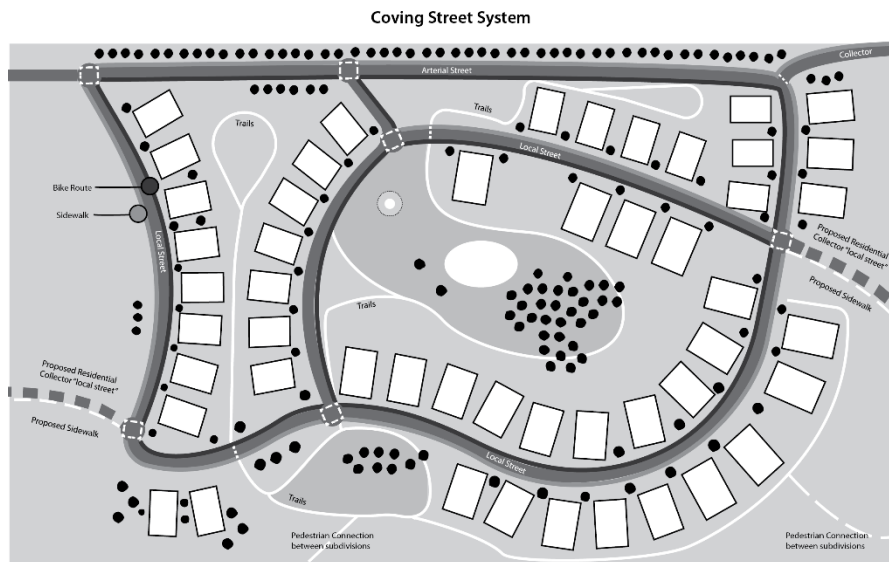
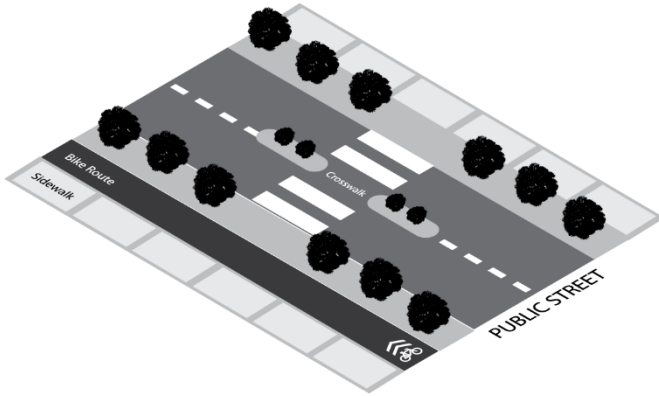


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### Street Calming



### Street Calming

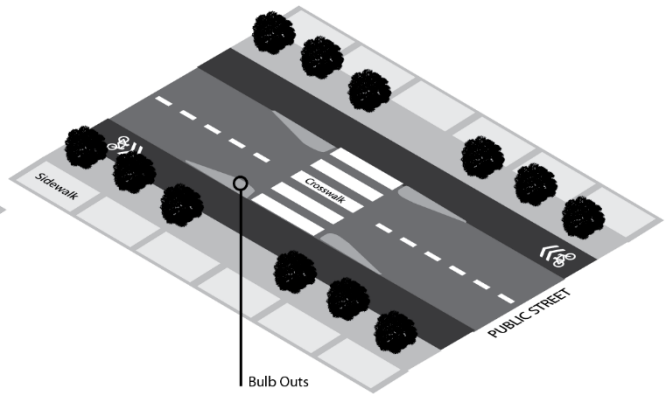
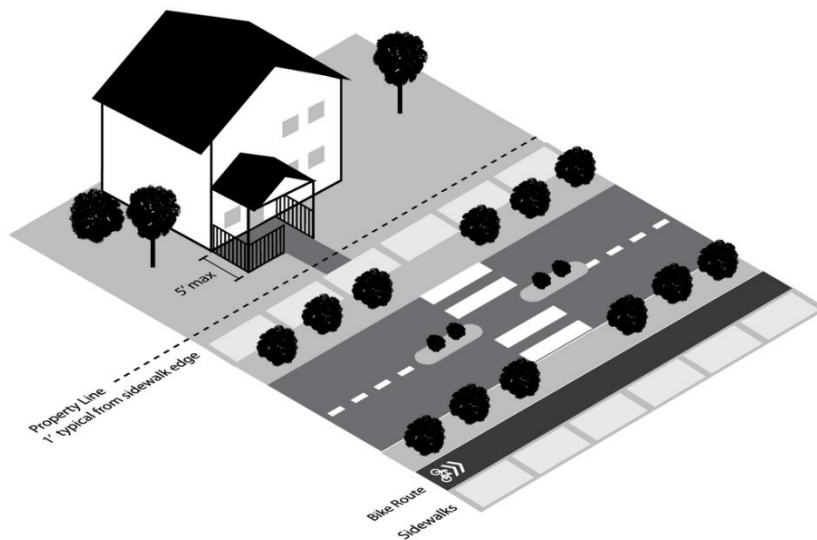


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### Streetscape Design



J. *Common Area Requirements.* Common area shall be provided for subdivisions utilizing the R-SF2 zoning district as provided in this section.

1. *Common Area Calculation.* The required minimum of common area for public use shall be based upon a calculation of the anticipated residential population of the subdivision when fully developed at the rate of 2 acres per 50 residential lots.

- a. If the minimum common area dedication requirement exceeds 10 acres, then the dedication shall be comprised of more than one parcel within the subdivision.
- b. The provisions of this section are minimum standards. Nothing in this section is to be construed as prohibiting a developer from dedicating or reserving other land for recreation purposes in addition to the requirements of this section.
- c. Common area shall not be required for subdivisions that result in fewer than five new lots.

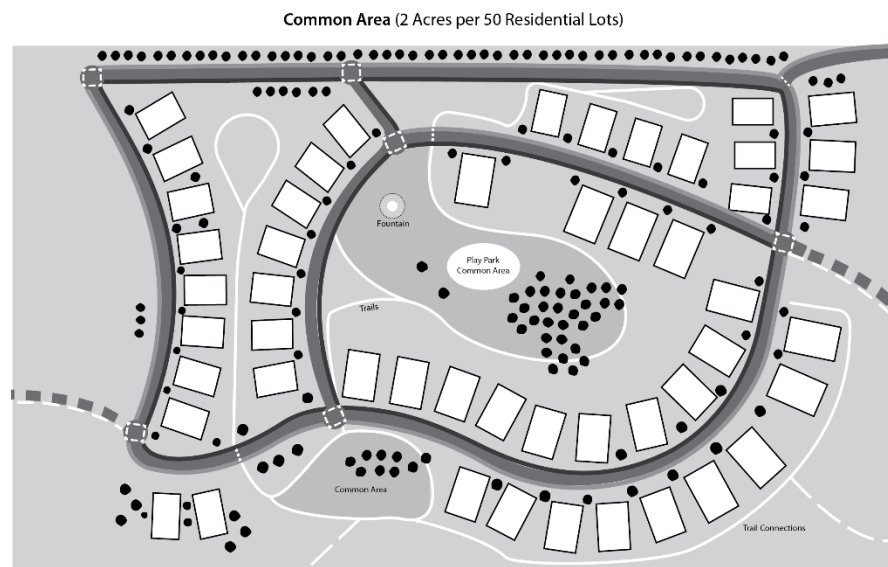


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2. *Quality of Dedicated Common Area.* Lands to be dedicated in accordance with the common space dedication requirements of this section are subject to the following standards. Land proposed to be dedicated for park and recreation use must be suitable for such use and receive the approval of the Planning and Zoning Commission and the Board of Aldermen. The dedicated common area must be a cohesive whole but may be of irregular outline or shape. Required stormwater detention areas or wetland conservation space may count toward common area if improved to incorporate recreational functions (i.e. soccer goals, etc.)
3. *Improvements Required.* The developer ~~shall~~may, with the concurrence of the Board of Aldermen, make improvements or provide recreational facilities. When required by the Board of Aldermen, the developer shall improve the land to be dedicated as follows:

- a. If the required common area dedication is 4 acres or less, the developer must provide within the common area, as approved by the Board of Aldermen, a play area of 20,000 square feet with not more than a 4% gradient or which could reasonably be graded to such.
  - b. If the required common area dedication is between 4 acres and 9 acres, provide a proportionate share of play area.
  - c. If the required common area dedication is 9 acres or more, provide a play and game area within the common area of not less than 85,000 square feet with a maximum gradient of 4% or which could reasonably be graded to such.
  - d. Any land within the play area disturbed by construction activity must have topsoil restored and the soil stabilized by appropriate vegetative cover.
  - e. Any subdivision with seventy-six (76) ~~400~~ or more lots must include an aquatic pool and pool house amenity. The pool area shall have a minimum of ten (10) square feet of water surface area per lot in a subdivision or 1,500 square feet, whichever is greater. At the developer's option, they can propose alternative amenities such as sports field or courts as opposed to a pool that has an equivalent construction value.
  - f. When an aquatic pool is provided;
    - 1. The pool deck area shall be at least twice the pool water surface in square foot area; and
    - 2. The pool house shall include a community room and bathrooms. The developer's design professional shall design the pool house to accommodate the total pool occupant load based on final calculated pool size.
  - g. For amenity calculation purposes, all phases of the subdivision shall be considered.
4. *Common Area Access.* Each commonplay area required in Subsection 3 above, ~~shall~~must have frontage on a public street to provide acceptable access to the ~~open space~~common area from a public street, taking into account the need for adequate frontage on a public street and the amount of frontage reasonably required by the circumstances of the particular common area. If adjacent to an existing or planned trail, the common area shall include an improved pedestrian connection from the trail to the playcommon area(s).



5. *Trail Areas Included.* Trails as well as trail amenities may be counted toward satisfying the common area dedication requirements excluding the aquatic pool and pool house amenity. Unless otherwise expressly approved at the time of subdivision approval, trail areas may only satisfy up to 50% of the required common area. Trail amenities may include but are not limited to the following:
  - a. Rest areas with seating;
  - b. Bike service areas; or
  - c. Shaded pavilions.

K. *Sidewalk and Trail Construction Required.* Public trails and sidewalks shall be constructed in accordance with the city ordinances, City of Ozark Design Standards for Public Improvements, and the Linear Park Trails and Connection to Linear Park Trails ordinance.

- ~~1. All lots shall have a sidewalk or trail connection to the property line.~~
- ~~2. Public sidewalks are required along both sides of all public streets.~~
- ~~3. All trails shall provide a connection to the public sidewalks.~~
- ~~4. Public trails and sidewalks shall be constructed in accordance with the city ordinances and design standard.~~

L. *Private Access Easement.* There shall be no private access easement for any lot of new residential development except for alleyways to access rear-loading garages which shall be privately maintained. Each lot shall comply with the minimum frontage requirements onto a public right-of-way. Additional private access beyond alleyways will only be permitted where the Board of Aldermen finds:

1. That private ownership, control and maintenance of street right-of-way is integral to the design and function of the subdivision.
2. Provision has been made for the continuing and adequate maintenance of such streets in accordance with this Chapter.
3. There is evidence that the property rights, including rights of access of persons purchasing land within and adjacent to the subdivision, are safeguarded to the degree they would be protected if the streets were dedicated to the public.
4. The public interest and welfare is not jeopardized.

5. Private streets shall be improved in accordance with city standards and specifications.

**SECTION 3** – The Municipal Code of the City of Ozark, Missouri, Chapter 405 Zoning Regulations, Article II Use Regulations by Zoning District, 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:

<b>District</b>	<b>Min. Depth of Front Yard in Feet</b>	<b>Min. Width of Side Yard in Feet</b>	<b>Min. Depth Rear Yard in Feet</b>	<b>Min. Lot Area per Family in Sq. Feet</b>	<b>Min. Lot Width in Feet<sup>(3)</sup></b>	<b>Min. Lot Size in Sq. Feet</b>
"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 <sup>(6)</sup>	5 <sup>(7)</sup>	10 <sup>(7)</sup>	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
"R-1D" Single-family	25	7	20	7,000	50	7,000
"R-1P" Single-family	25	10 <sup>(4)</sup>	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 <sup>(1)</sup>	25	2,000	80 <sup>(2)</sup>	20,000
"C-2" General commercial	25	5	30	N.A.*	None	500
"C-4" Central business	None	None	None	N.A.*	None	None

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 <sup>(3)</sup>	Min. Lot Size in Sq. Feet
"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 45' and a Floor Area Ratio (FAR) of 2.5-1.
  - a) Building that exceed 45' shall have an additional 1' 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 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 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.

- 67.** Lots located within an “R-SF2” Enhanced Single-Family District shall have a maximum setback of 15 ft from the property line which abuts a street.
- 78.** Refer to adopted fire code for minimum distance between structures.

**SECTION 4** – 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 5** – This Ordinance shall be in full force and effect from and after its passage and approval.

**PASSED AT MEETING ON DECEMBER 4, 2023.**

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

**APPROVED ON DECEMBER 4, 2023.**

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**DON CURRENCE, MAYOR**

**ATTEST:**

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**CHANDRA HODGES, CITY CLERK**