

**CITY OF LAKE OZARK**  
A Missouri Municipality of the 4th Class

**BILL NO.: 2020-**\_\_\_\_\_

**ORDINANCE NO.: 2020-**\_\_\_\_\_

***AN ORDINANCE AMENDING SECTION 405.130 OF THE CODE  
OF THE CITY OF LAKE OZARK, MISSOURI***

**WHEREAS** § 405.130 of the Municipal Code of the City of Lake Ozark, Missouri provides for regulations regarding multi-family development, including what special uses may be allowed by issuance of a special use permit; and

**WHEREAS**, the City’s Building and Zoning Official has recommended updating Section 405.130 as it relates to special uses to allow for Tiny Home Cluster Developments with “R-3” Districts, and more particularly, requirements for the development of such Tiny Homes and Cluster Developments; and

**WHEREAS**, the City’s Building and Zoning Commission at its regular meeting on September 2, 2020 by a unanimous vote of all members present has recommended updating Section 405.130 as it relates to adding Tiny Home Cluster Developments as a special use under Section 405.130 as well as guidelines for their development.

**NOW, THEREFORE, BE IT ENACTED BY THE BOARD OF ALDERMEN, OF THE CITY OF LAKE OZARK, MISSOURI, THAT § 405.130 OF THE CODE OF THE CITY OF LAKE OZARK, MISSOURI BE AMENDED FROM ITS EXISTIG FORM AND AMENDED AS FOLLOWS:**

**Section 1 of this Ordinance.** The Section 405.130 C. of the Code of the City of Lake Ozark shall be amended to read as follows:

- C. *Special Uses.* Golf courses, agricultural uses, schools, churches, modular or manufactured housing, tiny home cluster developments, and similar uses shall require the issuance of a permit by the Planning and Zoning Commission.
- G. Notwithstanding any other provisions of this Section 405.130 relating to a “R-3” District , or Section 405.180, relating to a “PUD” District, or Section 405.210 relating to a “LMU-1” District, tiny home cluster developments may be approved by the Planning and Zoning Commission by Special Use Permit provided the following minimum conditions are met:
1. All tiny homes must be connected to all available public utilities.
  2. All cluster developments must comply with the lot setbacks. All tiny homes shall maintain a minimum separation of ten (10) feet from other tiny homes within the development. Flexible setbacks are permitted from lot boundaries to enable functional site design, at the review of the Planning and Zoning Commission.
  3. The cluster development must be retained under common ownership, including all tiny houses and common open spaces.
  4. Each residential structure within a development should include at least two parking spaces, with no on-street parking in the development.
  5. Structural requirements:
    - Minimum square footage shall not account for the required cooking facilities, toilet facility areas, or lofts, which are required in addition to the minimum clear floor area of 120 sq. feet for a single occupant and 220 sq. feet for two occupants and 320 sq. feet for three occupants. The maximum number of occupants shall not exceed three.
    - Other habitable rooms must have not less than 70 sq. feet of floor area (except for kitchens).
    - Habitable rooms must not be less than 7 feet in any horizontal dimension.

- Ceiling heights must be a minimum 7 feet in habitable spaces, hallways, bathrooms, and toilet rooms.
  - Ceiling height effect on floor area: Portions of a sloped ceiling measuring less than 5ft or a furred ceiling measuring less than 7 feet from the finished floor; floor areas below these ceilings shall not be permitted to contribute to the minimum required habitable area for that room.
  - Tiny houses shall be provided with a kitchen sink, cooking appliances and refrigeration facilities each providing the minimum clear working space of 30 inches in front.
6. Units shall meet the means of egress requirements of IRC R311.1 and the Emergency Escape and Rescue opening provisions of IR310.1.1: Minimum opening area, height, width, and operational constraints.
  7. Stairways shall not be less than 36 inches wide, have a maximum 8 inch riser and 9 inch tread. Ladders/“Ship Ladders” are NOT APPROVED.

**Section 2 of this Ordinance.** All other provisions of Section 405.130 of the Code for the City of Lake Ozark not amended or modified by this Ordinance shall continue in force and effect.

**Section 3 of this Ordinance.** This Ordinance shall take effect and be in full force from and after its passage by the Board of Aldermen of the City of Lake Ozark.

**First Reading:** \_\_\_\_\_

**Second Reading:** \_\_\_\_\_

**DULY READ AND APPROVED THIS \_\_\_\_\_ DAY OF SEPTEMBER.**

Alderman Klautzer	Aye	or	Nay
Alderman Jaycox	Aye	or	Nay
Alderman Giampa	Aye	or	Nay
Alderman Neels	Aye	or	Nay
Alderman Maples	Aye	or	Nay
Alderman Thompson	Aye	or	Nay

**APPROVE:**

**ATTEST:**

**MAYOR:**

**CITY CLERK:**

\_\_\_\_\_  
**Gerry Murawski**

\_\_\_\_\_  
**Kathy Vance**