

NOTICE OF MEETING AND PLANNING COMMISSION AGENDA



CITY OF OSAGE BEACH PLANNING COMMISSION MEETING

1000 City Parkway
Osage Beach, MO 65065
573.302.2000
www.osagebeach.org

TENTATIVE AGENDA

REGULAR MEETING

July 14, 2026 - 5:30 PM
CITY HALL

**** Note:** All cell phones should be turned off or on a silent tone only. Complete meeting packets are available on the City's website at www.osagebeach.org.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF MINUTES

- A. Motion to approve minutes June 2, 2026.

NEW BUSINESS

- A. Motion to approve the AMENDED addition to Article VI Additional Zoning District Regulations; Article VI-B Data Center and Colocation Facilities; Section 405.587: Data Center and Colocation Facilities.
- B. Motion to Addition to Article IX Off-Street Parking and Loading Requirements; Section 405.670 Improvement of Parking Areas and Parking Lots
- C. Motion to Addition to Article VI Additional Zoning District Regulations; Section 405.430: Minimal

REPORTS

ADJOURN

Remote viewing link:

Representatives of the news media may obtain copies of this notice by contacting the following:

Tara Berreth, City Clerk
1000 City Parkway
Osage Beach, MO 65065
573.302.2000 x 1020

If any member of the public requires a specific accommodation as addressed by the Americans with Disabilities Act, please contact the City Clerk's Office forty-eight (48) hours in advance of the meeting at the above telephone number.

THE CITY OF OSAGE BEACH, MISSOURI
PLANNING COMMISSION MINUTES OF THE REGULAR MEETING
June 9, 2026

CALL TO ORDER

Mayor Ross called the Planning Commission of the City of Osage Beach, Missouri to order at the regular meeting on June 9, 2026, at 5:30 pm at City Hall.

ROLL CALL

The following Commissioners were present:

Chairman Susan Ebling **Absent**

Mayor Richard Ross

Alan Blair

Angie Schuster -**Absent**

Luke Hagedorn

Chad Kautz - **Absent**

Phyllis Marose

Alderman Justin Hoffman

Chad Carlson

APPROVAL OF MINUTES

Commissioner Blair made a motion to approve the Minutes from April 14, 2026. This motion was seconded by Commissioner Marose. Motion passes unanimously by voice vote.

NEW BUSINESS

Motion to approve the addition to Article VI Additional Zoning District Regulations; Article VI-B Data Center and Colocation Facilities; Section 405.587: Data Center and Colocation Facilities.

Alderman Hoffman made a motion to recommend to the Board of Aldermen the approval of the addition to Article VI Additional Zoning District Regulations; Article VI-B Data Center and Colocation Facilities; Section 405.587: Data Center and Colocation Facilities. This motion was seconded by Commissioner Carlson. Roll call vote was taken “Ayes” Mayor Ross, Commissioner Blair, Commissioner Marose, Commissioner Carlson, and Alderman Hoffman. “Nays” Commissioner Hagedorn. Motion passes.

REPORTS

None

ADJOURN

Commissioner Hagedorn made a motion to adjourn the meeting at 5:55pm. The motion was seconded by Commissioner Marose. Motion passed unanimously with a voice vote.

I, Tara Berreth City Clerk for the City of Osage Beach, Missouri, do hereby certify that the above foregoing is a true and complete journal of proceedings of the regular meeting of the Planning Commission of the City of Osage Beach, Missouri, held on June 9, 2026

Tara Berreth, City Clerk

Angie Schuster/Planning Commission Secretary

****For further clarification all meetings are streamed live on Facebook and YouTube. ****

City of Osage Beach
Agenda Item Summary

Date of Meeting: July 14, 2026
Originator: Cary Patterson, City Planner
Presenter: Cary Patterson, City Planner

Agenda Item:

Motion to approve the AMENDED addition to Article VI Additional Zoning District Regulations; Article VI-B Data Center and Colocation Facilities; Section 405.587: Data Center and Colocation Facilities.

Requested Action:

Motion to send a recommendation for approval of the subject ordinance addition to the Board of Aldermen.

Ordinance Referenced for Action:

Board of Aldermen approval required for an amendment to the Zoning Code per Municipal Code Chapter 405 Zoning Regulations.

Deadline for Action:

Not Applicable

Budgeted Item:

Not Applicable

Budget Line Information (if applicable):

Not Applicable

Department Comments and Recommendation:

See enclosed ordinance.

City Attorney Comments:

City Administrator Comments:

AN ORDINANCE OF THE CITY OF OSAGE BEACH, MISSOURI, CREATING A NEW ARTICLE AND SECTION WITHIN CHAPTER 405; ARTICLE VI-B DATA CENTER AND COLOCATION FACILITIES, SECTION 405.587: DATA CENTER AND COLOCATION FACILITIES; AND ADDITIONS TO SECTION 405.020 "DEFINITIONS" AS SET FORTH:

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

Section 1. The Osage Beach City Code Chapter 405, Article VI, is hereby amended to include a new Article VI-B Data Centers to read as follows:

Article VI-B Data Centers

Section 405.587: Data Centers and Definitions

A. Definitions. As used in this Article, the following words shall have the definitions set forth below:

Colocation Facility: A third-party data center where businesses rent space, power, cooling, and physical security to house their own servers and networking hardware.

Data Center: A facility used primarily for the storage, management, processing, and transmission of digital data and that houses computer or network equipment, systems, servers, appliances, and other associated components related to digital data storage, processing, and related operations. Data center uses include data storage facilities, server farms, artificial intelligence training or processing, image processing, cloud computing, email servicing, and similar uses. A Data Center may be a primary or secondary use. A Data Center also includes a colocation facility.

Backup Generators: Engines that are designed to be used for utility power outages to provide continuous electricity, preventing data loss, and service disruption.

Baseline noise level: A measure of noise, taken at the property line pre-application, that establishes dBA and dBC noise levels averaged over a 60-minute measurement period. Measurements shall include daytime levels (e.g., taken between 7:00 a.m. and 1:00 p.m.) and nighttime levels (i.e., taken between 10:00 p.m. and 7:00 a.m.).

Major Data Center: A data center with gross square footage greater than 250,000 and less than 500,000 square feet, or with a Maximum Power Demand of 30 megawatts or more.

Maximum Power Demand: The facility's highest level of connected electricity load for critical IT and building systems and equipment, as set by a single contract with an electric service provider.

Micro Data Center: A data center with square footage of less than 10,000 gross square feet and Maximum Power Demand less than 5 megawatts.

Public Impact Agreement: A binding contract for the purpose of protecting the health, safety, and welfare of the residents of the City.

Renewable Energy: Energy derived from wind, solar, geothermal, or other non-depleting sources of renewable energy.

Server room: An accessory facility with less than 1 megawatt in Maximum Power Demand that supports routine functions of the primary use. Server rooms are not subject to the requirements of this Article.

Standard Data Center: A data center with gross square footage greater than 10,000 and less than 250,000, and Maximum Power Demand of more than 5 megawatts but less than 30 megawatts.

- B. **"Purpose"**. The Data Center regulations are established to promote the health, safety, and general welfare of the citizens, visitors, and businesses of the City. This Section is intended to govern and provide locations within the City of Osage Beach where Data Center Facilities can successfully provide their intended services to the public while maintaining the standard of life to which citizens and visitors of Osage Beach have become accustomed.
- C. **"Data Center Facilities"**. This use will only be permitted as indicated in the following Use Table. The table designates how each type of data center is regulated in the existing zoning districts and whether the use is Permitted (P), prohibited (NA), or requires a Special Use Permit (SUP) approved by the Board of Aldermen. As a condition of approval, the Board of Aldermen may require the applicant to enter into a Public Impact Agreement addressing mitigation measures, infrastructure improvements, utility impacts, emergency services coordination, and other public welfare concerns.

USE TABLE

Use	A1	R (All)	M	E	LU	C (All)	I (All)
Micro Data Center	NA	NA	NA	SUP	NA	SUP	SUP
Standard Data Center	NA	NA	NA	NA	NA	NA	SUP
Major Data Center	NA	NA	NA	NA	NA	NA	SUP

- D. No Data Center shall be permitted on a property that is contiguous with the Lake of the Ozarks.

Section 405.588: Data Centers Site and Location Requirements

Data Centers must be located in the appropriate zone for data center size and have a Special Use Permit approved by the Board of Aldermen. All proposed Data Center or Colocation Facilities must show that they will not negatively affect adjacent and surrounding properties by means of being noxious or offensive by reason of vibration, noise, odor, dust, smoke, gas, light, or glare. Data Centers must also meet the following requirements:

A. Dimensional Standards.

1. The dimensional standards of data centers and data center accessory uses shall be in accordance with existing standards in Section 405.430 of the Osage Beach City Code.
2. Standard and Major Data Centers, measured from their outer walls, must be a minimum of one thousand (1,000) feet from any property containing a religious institution, elementary or secondary school, or child daycare facility. Micro Data Centers must have a minimum of one hundred (100) feet clearance from any property containing a religious institution, elementary or secondary school, or child daycare facility.
3. Standard and Major Data Centers, measured from their outer walls, must be a minimum of one thousand (1,000) feet from any property that is zoned residential or contains a previously established residential dwelling. Micro Data Centers must have a minimum of one hundred (100) feet clearance from any property that is zoned residential or contains a previously established residential dwelling. This includes properties zoned "A-1" that contain a previously established residential use and properties zoned "C-1" that have an established residential dwelling or have been approved for a Special Use Permit for a residential use in a commercial zone.

B. Aesthetic Standards.

1. The Data Center shall minimize the impact of lighting and aesthetics on surrounding properties. The Data Center shall not be visible from a public roadway. This may be done through natural topography, landscaping, fencing, berming, building placement, or a combination thereof.
 - a. The applicant will submit plans for aesthetics, lighting, and landscaping that will demonstrate that the facility will meet this requirement and assure mitigation of sound, lighting, and visual impact to surrounding properties, as required by this section.
 - b. All setback requirements, landscape requirements, and lighting restrictions, established for each individual facility with the approval of the required Special Use Permit, will be required to be in place prior to operation of the facility being approved by the City.

C. Noise and Vibration Mitigation:

1. The Data Center shall minimize the impact of sound on surrounding properties. The applicant shall demonstrate through a sound study conducted by a professional acoustical expert that the sound expected to be generated by the data center and/or data center accessory uses during normal operations will not exceed a maximum daytime decibel level of 80 dB and a maximum nighttime and weekend decibel level of 70 dB as measured from the property line of the use. Such sound study shall be

conducted using sound level meters described in ANSI S1.4-2014 and generally accepted methodology.

2. A sound study shall be conducted at the following phases:

- a. A preliminary study shall be conducted as part of the Special Use Permit process. The preliminary sound study shall include recommended sound reducing materials or systems as needed to meet the required sound limits.
 - b. An interim sound study shall be conducted during the building permit approval process based upon the proposed user or users of the data center and data center accessory uses depicted on the building plans. Any sound reducing materials or systems recommended by interim sound study shall be incorporated into the construction plans for the use.
 - c. An as-built sound study shall be conducted six months after issuance of the certificate of occupancy. An as-built sound study may also be required thereafter by the City. If it is determined by the as-built sound study that there is a violation of the required noise limits, it shall be considered a violation of this chapter and corrected as directed by the zoning official.
3. Maximum decibel levels specified herein shall not apply during times of power outage; however the required sound studies shall also evaluate and report anticipated decibel levels when all emergency power generation equipment is running, including backup generators.
4. The applicant shall provide a vibration study prepared by a qualified professional that demonstrates that no vibration from the data center, data center accessory uses, or associated equipment will adversely affect surrounding properties.
5. It shall be unlawful for a Data Center to make, continue or allow to be made or continued any noise that can be heard within the limits of this City, which when measured from a distance of fifty (50) feet or more from the property line that exceeds eighty (80) decibels on an A-weighted scale during the hours of 7:01 a.m. to 10:00 p.m. or that measures seventy (70) decibels during the hours of 10:01 p.m. to 7:00 a.m. Failure to maintain compliance with the approved noise limits shall constitute grounds for suspension or revocation of the Special Use Permit.

D. Water Usage:

1. The Data Center shall minimize the impact on the water supply and wastewater disposal systems. This requirement is intended to prevent water waste or contamination. No water or wastewater from the required and approved cooling system will be discharged into Lake of the Ozarks. The applicant will submit plans demonstrating that the facility will use a closed-loop, non-water evaporative cooling system or other cooling system designed to minimize water consumption.

- a. If the use will be served by a public water supply, the applicant shall submit documentation from the public authority certifying that there is an adequate supply of water for the proposed use and that the public authority will supply the water needed.
 - b. If the use is to rely upon nonpublic sources of water, the applicant shall provide a water feasibility study to establish that there is an adequate supply of water for the proposed use and to estimate the impact of the use on existing wells, groundwater, and surface waters in the vicinity. No data center shall be approved unless the water feasibility study demonstrates that the anticipated water supply yield is adequate for the project and that the proposed water withdrawals and discharges will not endanger or adversely affect the quantity or quality of groundwater supplies or surface waters in the vicinity. The water feasibility study shall include the following information at a minimum:
 - i. The projected water demands of the data center;
 - ii. The source of water to be used;
 - iii. A description of how water will be used, including the amount or proportion of water to be used for each purpose;
 - iv. The long-term safe yield of the water source;
 - v. A description of the amount or portion of water withdrawn that will be recycled or discharged and by what means;
 - vi. A geologic map of the area with a radius of at least one mile from the site;
 - vii. The location of all existing and proposed wells within 1,000 feet of the property boundary, with a notation of the capacity of all high-yield wells;
 - viii. The location of all surface waters, including perennial and intermittent streams, rivers, lakes, reservoirs, ponds, wetlands, springs, natural seeps, and estuaries, within 1,000 feet of the property boundary;
 - ix. A determination of the effects of the proposed water supply system on the quantity and quality of water in nearby wells, surface waters, and the groundwater table; and
 - x. A statement of the qualifications and the signature of the person preparing the study.
2. The applicant shall demonstrate that adequate means of wastewater disposal, including domestic wastewater and wastewater used for cooling or industrial purposes, have been provided and approved by the City and Missouri Department of Natural Resources.

E. Energy Consumption:

1. The Data Center shall minimize the impact on energy consumption and the electric grid. The applicant shall demonstrate through an energy consumption and electric grid impact study that it meets the requirements of this section.
 - a. If the applicant proposes to connect the data center to the electric grid, the applicant shall provide documentation from the applicable electric service provider certifying that the necessary capacity is available and that the electric service provider will serve the data center. Known impacts on electric rates or availability for other uses directly attributable to the data center project shall be noted.
 - b. Any energy generation system designed or used to supply power directly to a data center during normal operations, including solar, wind, fossil fuel, or nuclear energy generating systems, shall not be considered part of the data center use. Such systems shall be considered a separate use and shall be approved according to the zoning regulations applicable to such use.

F. Transportation:

1. The Data Center shall minimize the impact on the City's infrastructure. The applicant shall demonstrate through a transportation impact study that the data center will not create a higher-than-average burden on the infrastructure. If the study shows that the current infrastructure is insufficient then the applicant will submit plans for the required transportation infrastructure improvements.

G. Parking For Data Center:

1. Parking for Data Center or Colocation Facilities will be governed by the provisions of Chapter 405 Article IX "Off Street Parking and Loading Requirements".

H. Signage For Data Center:

1. Signage for Data Center or Colocation Facilities will be governed by the provisions of Chapter 405 Article V "Signs".
- I. Sustained compliance with the established requirements of the Special Use Permit will be continuously enforced by the City of Osage Beach while each approved facility maintains operation. All other applicable regulations not specifically addressed in this section will be governed by the provisions of the zoning district in which the facility is proposed to be located.

Section 405.589: Enforcement and Approval

- A. Applicants wishing to locate a Data Center within the city limits of Osage Beach shall submit a complete site plan illustrating that all requirements set forth in this chapter will be met by the proposed facility.

- B. The City of Osage Beach reserves the right to hire independent professionals that specialize in the disciplines needed to review the studies, plans, and other information required by this section. If the City deems it necessary to hire an independent professional, the applicant shall submit a deposit of 125% of the review estimate that will be used to pay for the professionals' services.
- C. Any expansion of an approved Data Center shall require review and approval of an amended Special Use Permit prior to construction.
- D. Decommissioning Plan: All proposed Data Center Facilities shall provide plans, including an engineer's estimate for the cost of removal of the facility if it is decommissioned or operations of the facility, as approved, ceases. A performance bond for 125% of the engineer's estimate must be submitted prior to any Site Development or Building Permits for the facility being issued by the City of Osage Beach or other service providing agencies.
- E. Additional requirements may be established for each request for a Data Center by the Planning Commission or Board of Aldermen, depending on location or situation, during the Special Use Permit review and approval process.
- F. The Board of Aldermen may deny a request for a Special Use Permit under this section if substantial evidence demonstrates that the proposed facility would adversely affect public health, safety, welfare, infrastructure capacity, utility service reliability, environmental resources, or adjacent property values.

Section 2. Severability

The chapter, 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 decree 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 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. The Mayor of the City of Osage Beach is hereby authorized to take all actions which may be necessary to fully enact this Ordinance.

Section 5. That this Ordinance shall be in full force and effect on July 17, 2026.

READ FIRST TIME:

READ SECOND TIME:

I hereby certify that the above Ordinance No. 26.78 was duly passed on _____, by the Board of Aldermen of the City of Osage Beach. The votes thereon were as follows:

Ayes:

Nays:

Abstain:

Absent:

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

Date

Tara Berreth, City Clerk

Approved as to form:

Interim City Attorney

I hereby approve Ordinance No. 26.78.

A.

Richard Ross, Mayor

Date

ATTEST:

Tara Berreth, City Clerk

PLANNING DEPARTMENT REPORT
TO THE
PLANNING COMMISSION

Hearing Date: June 9, 2026

Case Number:

none

Action:

**Addition to Article VI Additional Zoning District Regulations
Article VI-B Data Center and Colocation Facilities
Section 405.587: Data Center and Colocation Facilities.**

Analysis:

This is the initial draft document addressing the regulation of Data Center and Colocation Facilities within the Cooperate City Limits of Osage Beach. The regulations were written in answer to the concern shown by the citizens of Osage Beach, pertaining to the possible location of this type of facility within the City.

This ordinance draft was reviewed by the previous City Attorney prior to him leaving at which time he gave the document his approval.

Since the last meeting, the City's contract attorney has made recommended changes and additions to the code that was previously brought to the Planning Commission. Because they would likely be the party defending the City if there was litigation caused by this ordinance, it is best to make sure they are comfortable with what they would be defending. Because of this, I recommend approval as amended.

City of Osage Beach
Agenda Item Summary

Date of Meeting: July 14, 2026
Originator: Cary Patterson, City Planner
Presenter: Cary Patterson, City Planner

Agenda Item:

Motion to Addition to Article IX Off-Street Parking and Loading Requirements; Section 405.670 Improvement of Parking Areas and Parking Lots

Requested Action:

Motion to send a recommendation for approval of the subject ordinance addition to the Board of Aldermen.

Ordinance Referenced for Action:

Board of Aldermen approval required for an amendment to the Zoning Code per Municipal Code Chapter 405 Zoning Regulations.

Deadline for Action:

Not Applicable

Budgeted Item:

Not Applicable

Budget Line Information (if applicable):

Not Applicable

Department Comments and Recommendation:

See enclosed ordinance.

City Attorney Comments:

City Administrator Comments:

PLANNING DEPARTMENT REPORT
TO THE
PLANNING COMMISSION

Hearing Date: July 14, 2026

Case Number: none

Action: **Addition to Article IX Off-Street Parking and Loading Requirements**
Section 405.670: Improvement Of Parking Areas and Parking Lots.

Analysis:

Members of the Board of Aldermen have requested this addition to the subject Article to accommodate the new biking trail system that is going through town. This addition will allow the trail head parking areas to be developed in a more natural state. ADA requirements are still required to be met for all parking facilities that meet the requirements for this proposed exception.

Addition to Article IX Off-Street Parking and Loading Requirements

Section 405.670: Improvement Of Parking Areas and Parking Lots.

Section 405.670 Improvement Of Parking Areas and Parking Lots.

[R.O. 2009 §405.540; CC 1985 §27-207; Ord. No. 87.28 Art. IX §G, 10-1-1987; Ord. No. 22.60, 8-18-2022]

A. All parking areas, lots, and outdoor sales and display areas to be constructed or expanded on properties which are located in the zoning Districts R-3, C-1a, C-1b, C-1c, C1, C-2, I-1, and I-2 will be built in accordance to the requirements of this Chapter and shall be paved with asphalt, concrete, or an equivalent surfacing as defined and permitted in the City of Osage Beach Design Guidelines.^[1] Ingress and egress shall be by means of paved driveways as defined and permitted in the City of Osage Beach Design Guidelines. Any lighting used to illuminate said parking area or parking lot shall be so arranged as to direct light away from any adjacent premises in a residential district.

[1]

Editor's Note: The City of Osage Beach Design Guidelines are on file in the City offices.

B. For the following land uses: cartage services, express services, trucking and delivery services, manufacturing industries, production operations, processing operations, assembly operations, warehouse establishments, wholesale establishments, and storage establishments located on properties in the I-1 (Light Industrial) and I-2 (Heavy Industrial) zones, areas designated and designed for activities associated with trucking, freight, delivery, loading, unloading, storage of large trucks or equipment, the storage of product or production components and capital, and are not accessible by the public, construction will be allowed using an approved all-weather dustless material, provided those areas meet the requirements for stormwater mitigation established by the City of Osage Beach Design Guidelines and Information Packet.

C. All access points to public streets shall be asphalt or concrete pavement from the edge of the street or roadway pavement extending a minimum of fifteen (15) feet or to the edge of the public right-of-way, whichever is greater.

D. Exceptions.

1. Parking facilities located at the trailheads of public natural trails, that are not improved to include hard surface trail beds, will not require hard surface requirements. Construction will be allowed using an approved all-weather dustless material, provided those areas meet the requirements for stormwater mitigation established by the City of Osage Beach Design Guidelines and Information Packet. Parking facilities must comply with the ADA and ADA Standards for Accessible Design for parking and the City of Osage Beach Design Guidelines.

City of Osage Beach
Agenda Item Summary

Date of Meeting: July 14, 2026
Originator: Cary Patterson, City Planner
Presenter: Cary Patterson, City Planner

Agenda Item:

Motion to Addition to Article VI Additional Zoning District Regulations; Section 405.430:
Minimal Dimensional Requirements

Requested Action:

Motion to send a recommendation for approval of the subject ordinance addition to the
Board of Aldermen.

Ordinance Referenced for Action:

Board of Aldermen approval required for an amendment to the Zoning Code per
Municipal Code Chapter 405 Zoning Regulations.

Deadline for Action:

Not Applicable

Budgeted Item:

Not Applicable

Budget Line Information (if applicable):

Not Applicable

Department Comments and Recommendation:

See enclosed ordinance.

City Attorney Comments:

City Administrator Comments:

PLANNING DEPARTMENT REPORT
TO THE
PLANNING COMMISSION

Hearing Date: July 14, 2026

Case Number: none

Action: **Addition to Article VI Additional Zoning District Regulations**
Section 405.430: Minimum Dimensional Requirements

Analysis:

This is an ordinance amendment that is an effort to provide better definition to our setback regulations to make them more understandable for the public. The changes also differentiate between and provide more definition to the differing types of streets within the community and how the City wants to regulate development on the properties that front them. I would like to replace the red struck through text below with the red text on the following page.

D. Setback Requirements.

- ~~1. Minimum yard requirements shall be measured from property lines except as provided for below.~~
- ~~2. The minimum front yard setback in all zoning districts is twenty-five (25) feet as measured from the property line. As provided for below, front yard setback requirements may be greater or lesser depending upon the classification and location of abutting streets.~~
- ~~3. Arterial Streets (KK, Route D, Highway 42, Highway 54). No building or structure may be permitted closer than seventy-five (75) feet from the right-of-way centerline.~~
- ~~4. Collector Streets (State Designated Lake Roads). No building or structure may be permitted closer than fifty-five (55) feet from the pavement centerline.~~
5. Local Streets. No building or structure may be permitted closer than forty-five (45) feet from the pavement centerline except on corner lots platted prior to May 10, 1984, where a local street adjoins the lot on two (2) sides. For these lots the secondary frontage shall be considered a side yard of one-half (1/2) the required front yard or twelve and one-half (12 1/2) feet for a typical twenty-five (25) feet front yard setback.

Amendment to Article VI Additional Zoning District Regulations

Section 405.430: Minimum Dimensional Requirements

D. Setback Requirements.

- 1. Minimum yard requirements shall be measured from property lines except as provided for below. As provided for below, front yard setback requirements may be greater or lesser depending upon the classification and location of abutting streets.**
- 3. Arterial Streets with a minimum of one hundred (100') feet of right-of-way. No building or structure may be permitted closer than seventy-five (75) feet from the right-of-way centerline.**
- 4. Arterial and Collector Streets with greater than forty (40') feet but less than one hundred (100) feet of right-of-way. No building or structure may be permitted closer than fifty-five (55) feet from the right-of-way centerline.**
- 5. Collector Streets with forty (40') feet of Right-of-way or less. No building or structure may be permitted closer than fifty-five (45) feet from the right-of-way centerline.**
- 6. Local Streets. The minimum front yard setback in all zoning districts is twenty-five (25) feet as measured from the defined front property line with the minimum front yard setback in all zoning districts being twenty-five (25) feet as measured from the defined front property line.**
- 7. All residential development must have a minimum front yard setback of twenty-five (25) feet.**
- 8. Accessory structures without living quarters in rear yards within R and M zones may be placed within five (5) feet of side and rear property lines provided that the total floor area of the accessory structure covers twenty-five percent (25%) or less of the rear yard. Accessory structures in rear yards adjacent to a street must adhere to the setback requirements for the main dwelling.**