

# 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](http://www.osagebeach.org)

### TENTATIVE AGENDA

### REGULAR MEETING

July 12, 2022 - 6:00 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](http://www.osagebeach.org).

#### CALL TO ORDER

#### PLEDGE OF ALLEGIANCE

#### ROLL CALL

#### APPROVAL OF MINUTES

- A. Motion to approve May 10, 2022

#### NEW BUSINESS

- A. Additions and Amendments to Chapter 405 "Zoning Regulations" Article IX.  
Off-Street Parking and Loading Requirements and the Design Guidelines and Information Packet.
- B. Additions and Amendments to Chapter 405 "Zoning Regulations" Article V. Signs.

#### REPORTS

#### ADJOURN

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Remote viewing is available on Facebook at *City of Osage Beach, Missouri* and on YouTube at *City of Osage Beach*

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

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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

May 10, 2022

Call to Order

Chairman Susan Ebling called the Planning Commission of the City of Osage Beach, Missouri, to order at the regular meeting on May 10, 2022 at 6:00 p.m. at City Hall. Everyone stood for the Pledge of Allegiance.

Roll Call

The following Commissioners were present: Mayor Michael Harmison, Alderman Bob O'Steen, Chairman Susan Ebling, Nancy Viselli, Bill Mackay, Alan Blair, Gary Jones, Angie Schuster, Tony Kirn, Jessica Rozier, and Bill Morgan. Also present: City Planner Cary Patterson, City Attorney Ed Rucker and Planning Department Secretary Pam Campbell.

Chairman Susan Ebling welcomed the new members.

Minutes - 3/8/2022

Chairman Susan Ebling asked if there were any corrections or comments regarding the March 8, 2022, regular meeting minutes. There were none. *Tony Kirn made a motion to approve the March 8, 2022 minutes and Alan Blair seconded the motion. Upon a voice vote, all voted yes, no nays were heard. The motion was passed unanimously.*

New Business

Chairman Susan Ebling explained the purpose of the Planning Commission statement and read the following:

The Planning Commission is a board of volunteers that is appointed by the Mayor and the Board of Aldermen. Its function is to review and make recommendations to the Board of Aldermen on matters concerning development, the Land Use Code, and Zoning Map of the City of Osage Beach, including amendments and changes thereto. Recommendations will be made with consideration of conformance to the Osage Beach Municipal Code along with the following:

- Relatedness of the proposed amendment to goals and outlines of the long-range physical plan of the City.
- Existing uses of property within the general area of the property in question.
- The zoning classification of property within the general area of the property in question.
- The suitability of the property in question to the uses permitted under the existing zoning classification.
- The trend of development, if any, in the general area of the property in question, including changes if any, which have taken place in its present zoning classification.

Our goal in regulating is to provide adequate provision for transportation, water, sewer, schools, parks, and other public needs including safety, health and general welfare, light and air, while conserving the value of buildings and property through encouraging the most appropriate use of land within the municipality.

Chairman Susan Ebling said the first order of business is Rezoning Case 419 - Phoenix Property Development, LLC, Rezoning from C-1 General Commercial to I-1 Light Industry and asked for comments from the staff.

Planner Patterson delivered the following report.

**PLANNING DEPARTMENT  
REPORT TO THE  
PLANNING COMMISSION**

<b>Date:</b>	May 10, 2022	<b>Case Number:</b>	419
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**Applicant:** Phoenix Property Development, LLC.  
**Location:** 6215, 6241, 6257, 6265 Osage Beach Parkway  
**Petition:** Rezoning from C-1 (General Commercial) to I-1 (Light Industry)  
**Existing Use:** Retail Commercial and Warehousing Property  
**Existing Zoning:** C-1 (General Commercial)  
**Tract Size:** Approximately 5 acres

	<b><u>Surrounding Zoning:</u></b>	<b><u>Surrounding Land Use:</u></b>
<b><u>North:</u></b>	C-1 General Commercial	Parkway frontage businesses
<b><u>South:</u></b>	C-1 General Commercial	Parkway frontage businesses
<b><u>East:</u></b>	C-1 General Commercial	Parkway frontage businesses
<b><u>West:</u></b>		Highway 54 Right of Way Corridor

**The Osage Beach Comprehensive Plan  
Designates this area as appropriate for:** Heavy Traffic Commercial

<b><u>Rezoning History</u></b>	<b><u>Date</u></b>
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Original City zoning adoption

**Utilities**

<b><u>Water:</u></b>	City	<b><u>Gas:</u></b>	Private
<b><u>Electricity:</u></b>	Ameren	<b><u>Sewer:</u></b>	City

**Access:** Property derives access via Osage Beach Parkway

## **Analysis:**

1. The applicant is the owner of the parcels in question. The subject property includes four separate parcels that the applicant has acquired over the past several years. The subject property is zoned C-1 as it was zoned with the initial zoning of the community in the 1980's.
2. The property fronts Osage Beach Parkway within the area between Highway KK and Lazy Days Road. The corridor contains a mixture of commercial uses ranging from retail to landscape and building material sales.
3. Currently the subject property is home to several structures with uses that include retail furniture sales, shipping, freight, and warehousing. The applicant intends to continue these uses with the opportunity to expand both the operation and the facility. The shipping, freight, and warehousing uses are more commonly found in an industrial zone as the intensity of the activities that take place on site are typically of a more intense nature involving more trucking and machinery.
4. One of the things that provides some relief in the I-1 zone as compared to the C-1 zone, is the opportunity for the shipping, freight, and loading areas to have an approved aggregate cover for the areas requiring surfacing. Semi-trucks or loading equipment traffic by nature is not as conducive to requiring hard surface parking because of the stress and damage that they will cause. In these cases, it is more practical to allow gravel surfacing for the trucking, storage, and loading areas while still requiring hard surfacing for parking areas dedicated for the public, customers, and employees' private vehicles, especially those with accessibility needs. The gravel surfaces will still require review and approval by the City Engineers to assure a proper and appropriate drainage system is installed for the lot to protect from negative stormwater runoff impact taking place to the surrounding and effected properties.

## **Department Comments and Recommendations:**

The City of Osage Beach is a community where finding locations for industrial uses is difficult to say the least. The Parkway Corridor in this general area, however, has a number of uses currently that are compatible with the uses within the I-1 zone, such as, the storage facilities and landscape and building material companies. Allowing some flexibility as it pertains to use in this portion of the corridor may also provide some answer to the property use and infill needs to promote business growth and increased traffic in the area. The subject property along with several of the adjacent properties would greatly benefit from the added use flexibility provided by the I-1 zone which permits all the uses within the C-1 zone along with some light manufacturing and assembly, storage, freight, laundromats etc. Although the comprehensive plan does recommend heavy traffic commercial for the surrounding properties, that designation includes the majority of the uses within the I-1 zone and by allowing C-1 uses to be located within the I-1 zone; the zoning code itself establishes that C-1 and I-1 uses are compatible and complementary. **With this in mind the Planning Department would recommend approval of this request and would also recommend that the City react positively to any similar requests for adjacent properties that could be made in the future.**

Planner Patterson explained the furniture sales is on a piece of property and an adjacent piece of property that they recently purchased. Also, this is one of the top Slumberlands in the country.

Chairman Susan Ebling asked if anyone had questions for Cary.

Tony Kirn inquired about a commercial area where people are coming in to buy, that hard surface parking is still a requirement

Cary stated the parking areas, whether it's for employees or customers are still required to be hard surface. The gravel or aggregate areas are designed for trucking, loading, unloading and freight.

Chairman Susan Ebling asked if there were any other questions, there were none and then asked to entertain a motion.

*Tony Kirn made a motion to approve Rezoning Case 419 - Phoenix Property Development, LLC Rezoning from C-1 (General Commercial) to I-1 (Light Industry) and Alderman Bob O'Steen seconded the motion. A roll call vote was held and everyone voted yes. The motion was passed.*

Chairman Susan Ebling said the second order of business is a discussion to the proposed amendment of Chapter 405 Zoning Regulations regarding Signs.

Planner Patterson stated he was getting multiple inquiries regarding this and wanted to bring it to the Planning Commission to discuss. The Sign Ordinance was approved in 1999 and since 1999 there were a few other things within the code that have been deregulated. In 1999, the digital message center was not overly seen or overly popular, and was expensive. A 32 foot message center was part of the code for any of the signage, which is an 8' x 4'. The message center in front of City Hall is a 6' x 5', a 30 square foot sign. In the meantime, larger groups such as Dierbergs and Prewitt's Point have come in and requested larger signs since their identification signs for square feet are larger. He further stated that Dierbergs being a metro shopping center and Prewitt's Point being a regional shopping and by definitions for the two are separated by the size and number of acreage they have and the square footage of their retail area. All other businesses, regardless of size, are allowed a thirty-two square feet maximum sign. This works fine with typical sized commercial facilities, but for the larger developments that can have much larger primary signs, a thirty-two square foot digital message center is often out of scale with the rest of the signage. Planner Patterson said the addition I am bringing for your review and discussion will allow those larger developments that meet specific requirements to have a maximum sixty-four square foot sign as opposed to the thirty-two square foot sign that is currently permitted so a Variance wouldn't be required each time.

Chairman Susan Ebling asked about someone wanting something bigger than the proposed larger sign, that it's still not big enough.

Planner Patterson replied if they meet the regional or metro, they could do the 120.

Tony Kirn asked about it not being digital.

Planner Patterson stated the 120 is digital and bringing it for discussion.

Bill Morgan asked about clarification on square footage and acreage for digital and any sign.

Planner Patterson stated the signs are based on the size of the property, road frontage, and size of the building using an equation to come up with the square footage allowed.

Bill Morgan asked what is the biggest digital sign someone could have.

Planner Patterson stated for example WalMart could put up a 120 square foot digital sign since they would be metro but WalMart doesn't use digital signs.

Bill Morgan wanted to clarify the size.

Planner Patterson stated he has been working with the larger developments to increase the size to a 64' sign, currently it's 32' sign.

Tony Kirn asked about business would benefit from this change.

Planner Patterson stated one example would be the Inn at Grand Glaize. They want to put up a new sign.

There was discussion with digital signs facing each side of the property such as Prewitt's Point.

Planner Patterson stated when the Outlet Mall redevelops, they will meet the requirements of a metro shopping center and possibly regional if they have two 50,000 square foot anchor stores. A metro would allow 120' square foot sign on any of their roads. Same with Osage Commons.

Alderman Bob O'Steen asked about the proximity of the business for an example, Backwater Jacks, since they own the property along the entrance to the road.

Planner Patterson stated they can't put up a sign on the old Grand Rally property and it's considered an off premise sign and according to our code you can't put another off premise sign near another off premise sign within 2,000 feet. Also, on Osage Beach Parkway, MODOT still has control of off premise signs.

Alderman Bob O'Steen asked about waterfront digital signs such as Backwater Jacks.

Planner Patterson stated they have never brought it up to him but a digital sign would be casting out to a lot of homes with possible brightness complaints. Also, if this is brought up, it would be something for the Citizen's Advisory Committee to look at and for a time limit at night to control the lumens.

Chairman Ebling asked Planner Patterson if he wants the Commission to vote on this.

Planner Patterson said in an attempt to help the businesses, he would like to have something to pass onto the Board, either this or something else.

Tony Kirn asked if this was focused on signs for the Expressway.

Planner Patterson replied no, stating those would be up to MoDOT, but this would be for signs for the Parkway, such as The Commons, the Outlet Mall and Blairs Landing

Tony Kirn asked about the digital signs replacing the static signs.

Planner Patterson said these wouldn't replace the static signs. He further explained he doubled the current square footage of the signs for discussion. If passed, Cary said it would help three businesses ASAP.

Chairman Susan Ebling said she would entertain a motion to approve.

*Tony Kirm made a motion to approve the Additions and Amendments to Chapter 405 "Zoning Regulations" Article V "Signs" and Jessica Rozier seconded the motion. Everyone was in favor stating aye and no one opposed. The motion was passed.*

Chairman Ebling asked if there were any reports.

### Reports

Planner Patterson stated there are new members on the Commission and we are fortunate to have each and every one of you and he welcomed everyone and added he is always available to help with questions. Also regarding the Rezoning tonight, there might be two more requests for I-1 in the future for locations in that area.

Alderman Bob O'Steen stated it's usually a rotation from the Board of Aldermen to have someone on the Planning Commission but he was appointed for a second year.

Mayor Michael Harmison stated he had a nice meeting with Cary and one of his priorities was the sign code. He stated he is looking forward to being on this committee.

### Adjourn

Chairman Susan Ebling adjourned the meeting at 6:36 p.m.

I, Pam Campbell, Planning Department Secretary, 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 May 10, 2022.

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Pam Campbell  
Planning Department Secretary

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Nancy Viselli  
Planning Commission Secretary



**PLANNING DEPARTMENT REPORT**  
**TO THE**  
**PLANNING COMMISSION**

**Hearing Date: July 12, 2022**

**Case Number: none**

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**Action:** Additions and Amendments to Chapter 405 “Zoning Regulations” Article IX. Off-Street Parking and Loading Requirements and the Design Guidelines and Information Packet.

**Analysis:**

Over the past several months, some issues have been found with the ordinances and construction requirements pertaining to parking lots and areas within the community. These are relatively old ordinances and the City Attorney asked that we clean them up so that they are more understandable and enforceable.

Cochran Engineering, the City’s contract engineers, have also made a few amendments to the Design Guidelines and Information Packet to bring it more up to date with current industry standards and to outline the requirements needed for proper review of proposed construction projects.

**Section 405.630 Generally.**

[R.O. 2006 §405.480; CC 1985 §27-201; Ord. No. 87.28 Art. IX §A, 10-1-1987; Ord. No. 92.20 §2, 9-17-1992; Ord. No. 95.50 §2, 12-7-1995; Ord. No. 96.48 §§2 — 5, 12-5-1996]

A. In all districts sufficient off-street parking spaces shall be provided to accomplish the principles set forth in this Chapter and to meet the parking demands generated by residents, employees, company officials, company vehicles, and customers. Required parking spaces shall be located on the lot on which the principal use is located except as provided in this Section.

B. Each application for a building permit, zoning permit or variance shall include plans for at least the minimum number of parking spaces as herein required. Plans shall include information as to location and dimensions of off-street parking spaces and the means of access to the spaces. The Zoning Administrator shall not approve any application until he/she determines that the requirements of this Section are met in the plans.

~~C. Each off-street parking space shall be at least nine (9) feet in width and at least eighteen (18) feet in length, exclusive of access drives or aisles, ramps, columns, office or work areas. The length of parking space may be reduced to sixteen and one-half feet (16½) feet including wheel stop if additional space of one and one-half (1½) feet in length is provided for car overhang. The parking shall have a vertical clearance of at least seven (7) feet.~~

~~D. Access. Each required off-street parking space shall open directly upon an aisle or driveway of such width and design as to provide safe and efficient means of vehicular access to such parking space. All off-street parking facilities shall be designed with appropriate means of vehicular access to a street in a manner which will least interfere with traffic movements.~~

E. Five percent (5%) of the total off-street parking area shall be devoted to landscaping or open lawn areas. This required green open space shall be located in areas within the parking lot or around the perimeter of the lot and shall be permanently maintained.

F. If the off-street parking required by this Chapter cannot reasonably be provided on the lot on which the principal use is located, such parking may be provided as authorized within this Article. The principal use shall be permitted to continue only as

long as the parking requirements are met. Loss of parking shall require a reduction in the use or shall require a cessation of the use. It does not revert to non-conforming use.

Section 405.665 **Handicapped ADA Parking Space Requirements.**  
[R.O. 2006 §405.530; CC 1985 §27-206; Ord. No. 87.28 Art. IX  
§C, 10-1-1987]

~~A. Every off-street parking area or facility of twenty five (25) spaces or more shall provide handicapped parking space for its business, retail, professional or institutional establishment, whether public or private, upon the same property equal to at least one (1) parking space or two percent (2%) of the total number of parking space, whichever is greater. The parking space closest to the entranceway of each public entrance to any business, retail, professional or institutional establishment shall be designated, "handicapped parking space" and shall have a minimum width of ten (10) feet. Any such handicapped parking space shall meet the following requirements:~~

- ~~1. 1. All handicapped spaces located in a paved parking lot shall be striped with either yellow or white traffic paint and shall have the international handicap symbol painted within;~~
- ~~2. 2. In addition to the minimum width requirement, all handicapped spaces shall have a marked aisle or traffic lane along the length of at least one (1) side a minimum of five (5) feet in width. Said aisle shall be striped in a crosshatch design when located in a paved parking lot so as to increase its visibility; and~~
- ~~3. 3. All handicapped spaces shall have a sign posted adjacent to and visible from each space, which sign shall have the international handicap symbol upon and the words "handicapped parking" in white on a blue background. The sign shall be a minimum size of twelve (12) inches by eighteen (18) inches.~~

ADA parking shall be in accordance with:

1. Minimum accessible parking spaces shall be as required by the current Americans with Disabilities Act.
2. Accessible ramps shall be provided as necessary.

Section 405.670 **Improvement of Parking Areas and Parking Lots.**

[R.O. 2006 §405.540; CC 1985 §27-207; Ord. No. 87.28 Art. IX §G, 10-1-1987]

~~All parking areas and parking lots in districts which are zoned "R-3", "C-1a", "C-1b", "C-1c", "C-1", and "C-2" which are part of, or incident to, any construction or erection of a building or structure shall be paved with asphalt, concrete, or an equivalent surfacing. Ingress and egress shall be by means of paved driveways not exceeding forty-five (45) feet in width at points in connection with public streets. Any lights used to illuminate said parking area or parking lot should be so arranged as to direct light away from any adjacent premises in a residential district.~~

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", "C-1", "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 and Information Packet". Ingress and egress shall be by means of paved driveways as defined and permitted in the "City of Osage Beach Design Guidelines and Information Packet". 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.

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".

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 15 feet or to the edge of the public right of way, whichever is greater.



Design Guidelines  
City of Osage Beach  
SECTION 5 – ROADS, STREETS AND PARKING AREAS

**RESIDENTIAL PARKING AND COMMERCIAL PARKING AREAS**

**A. Single and Two-Family Dwelling Residential Parking Areas**

1. Each residential property owner shall provide ~~sufficient off street parking as specified in the City of Osage Beach City Code Section 405.480, Off Street Parking and Loading Requirements for his or her individual needs.~~ **Parking on the city street will not be permitted.**

**B. Public Parking Multi-Family, Business, Commercial and Industrial Parking Areas**

1. All public and commercial facilities ~~(except those in areas zoned as industrial)~~ shall provide adequate parking to serve the public and employees as specified in the City of Osage Beach City Code Section 405.480, Off-Street Parking and Loading Requirements. In addition all commercial and public parking shall meet the following requirements:
  - a. All commercial, industrial, and/or public parking areas shall be asphalt or concrete paved.
  - b. The minimum structural section for asphalt paved parking areas shall be three inches of asphalt pavement on a minimum of eight inches of Type ~~I-B5~~ Base.
  - c. The minimum structural section for concrete paved parking areas shall be six inches of reinforced concrete pavement on ~~six~~ four inches of Type ~~I-B5~~ Base. Reinforcement shall be #2 bars at 12" on centers both-ways or equivalent.
  - d. ~~Each off-street parking space shall be at least nine (9) feet in width and at least eighteen (18) feet in length, exclusive of access drives or aisles, ramps, columns, office or work areas. The parking shall have a vertical clearance of at least seven (7) feet.~~
  - e. ~~Access. Each required off-street parking space shall open directly upon an aisle or driveway of 24' minimum width and designed as to provide safe and efficient means of vehicular access to such parking space. All off-street parking facilities shall be designed with appropriate means of vehicular access to a street in a manner which will least interfere with traffic movements.~~
  - f. ~~Five percent (5%) of the total off-street parking area shall be devoted to landscaping or open lawn areas. This required green open space shall be located in areas within the parking lot or around the perimeter of the lot and shall be permanently maintained.~~

e.g. Striping. All parking spaces shall be properly marked by durable paint in stripes a minimum of four (4) inches wide and extending the length of the parking space.

d.h. ADA handicapped parking shall be in accordance with:

- 1) City of Osage Beach Code Section 405.530. Minimum accessible parking spaces shall be as required by the current Americans with Disabilities Act.
- 2) Handicapped accessible ramps shall be provided as necessary.

e.i. The parking area shall be drained to a suitably designed storm drainage systems. Refer to the Storm Drainage Guidelines.

f. Minimum cross slopes for drainage shall be 0.5% for one axis and 1.0% for the transverse axis.

g.i. The minimum width of business and commercial use entranceway for one-way entrances shall be 12 feet, and for two-way entrances shall be 24 feet.

k. The maximum allowable entry width for business and commercial parking areas shall be 40 ft, edge of pavement to edge of pavement.

2. See the City of Osage Beach City Code Section 405.670. Improvement of Parking Areas and Parking Lots, for I-1 (Light Industrial) and I-2 (Heavy Industrial) non-public area surfacing requirements.

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h.C. Plans for all non single or two-family dwelling parking areas shall be signed and sealed by an engineer licensed in the State of Missouri for review and approval by the City.

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Design Guidelines  
City of Osage Beach  
SECTION 5 – ROADS, STREETS AND PARKING AREAS

RESIDENTIAL PARKING AND COMMERCIAL PARKING AREAS

A. Single and Two-Family Dwelling Residential Parking Areas

1. Each residential property owner shall provide off street parking as specified in the City of Osage Beach City Code Section 405.480, Off Street Parking and Loading Requirements. Parking on the city street will not be permitted.

B. Multi-Family, Business, Commercial and Industrial Parking Areas

1. All public and commercial facilities shall provide adequate parking to serve the public and employees as specified in the City of Osage Beach City Code Section 405.480, Off-Street Parking and Loading Requirements. In addition all commercial and public parking shall meet the following requirements:
  - a. All commercial, industrial, and/or public parking areas shall be asphalt or concrete paved.
  - b. The minimum structural section for asphalt paved parking areas shall be three inches of asphalt pavement on a minimum of eight inches of Type 5 Base.
  - c. The minimum structural section for concrete paved parking areas shall be six inches of reinforced concrete pavement on four inches of Type 5 Base. Reinforcement shall be #2 bars at 12" on centers both-ways or equivalent.
  - d. Each off-street parking space shall be at least nine (9) feet in width and at least eighteen (18) feet in length, exclusive of access drives or aisles, ramps, columns, office or work areas. The parking shall have a vertical clearance of at least seven (7) feet.
  - e. Access. Each required off-street parking space shall open directly upon an aisle or driveway of 24' minimum width and designed as to provide safe and efficient means of vehicular access to such parking space. All off-street parking facilities shall be designed with appropriate means of vehicular access to a street in a manner which will least interfere with traffic movements.
  - f. Five percent (5%) of the total off-street parking area shall be devoted to landscaping or open lawn areas. This required green open space shall be located in areas within the parking lot or around the perimeter of the lot and shall be permanently maintained.
  - g. Striping. All parking spaces shall be properly marked by durable paint in stripes a minimum of four (4) inches wide and extending the length of the parking space.
  - h. ADA parking shall be in accordance with:

- 1) Minimum accessible parking spaces shall be as required by the current Americans with Disabilities Act.
  - 2) Accessible ramps shall be provided as necessary.
- i. The parking area shall be drained to a suitably designed storm drainage systems. Refer to the Storm Drainage Guidelines.
  - j. The minimum width of business and commercial use entranceway for one-way entrances shall be 12 feet, and for two-way entrances shall be 24 feet.
  - k. The maximum allowable entry width for business and commercial parking areas shall be 40 ft, edge of pavement to edge of pavement.
2. See the City of Osage Beach City Code Section 405.670, Improvement of Parking Areas and Parking Lots, for I-1 (Light Industrial) and I-2 (Heavy Industrial) non-public area surfacing requirements.
- C. Plans for all non single or two-family dwelling parking areas shall be signed and sealed by an engineer licensed in the State of Missouri for review and approval by the City.



**PLANNING DEPARTMENT REPORT**  
**TO THE**  
**PLANNING COMMISSION**

**Hearing Date: July 12, 2022**

**Case Number: none**

**Action:** Additions and Amendments to Chapter 405 “Zoning Regulations”  
Article V. Signs.

**Analysis:**

With the increased availability and desire to use digital signage today, it is important that the city assure driver safety by making sure that the lit signage in the community does not give off a level of brightness that could be a distraction to those driving in the community. I have had discussions with sign companies and the State about the best way of controlling this and have put together the enclosed regulation.

## Section 405.020 **Definitions.**

[R.O. 2006 §405.020; CC 1985 §27-2; Ord. No. 87.28 Art. II §B, 10-1-1987; Ord. No. 90.24 §1, 8-2-1990; Ord. No. 91.30 §1, 11-21-1991; Ord. No. 93.06 §2, 5-20-1993; Ord. No. 93.15 §2, 5-20-1993; Ord. No. 95.50 §1, 12-7-1995; Ord. No. 95.55 §1, 11-16-1995; Ord. No. 96.05 §1, 3-7-1996; Ord. No. 96.21 §1, 6-20-1996; Ord. No. 96.48 §1, 12-5-1996; Ord. No. 97.02 §2, 4-3-1997; Ord. No. 97.47 §1, 12-4-1997; Ord. No. 98.03 §1, 6-18-1998; Ord. No. 98.39 §9, 9-17-1998; Ord. No. 00.44 §1, 12-7-2000; Ord. No. 01.01 §1, 1-18-2001; Ord. No. 04.28 §1, 9-16-2004; Ord. No. 05.44 §1, 9-15-2005; Ord. No. 06.46 §1, 10-5-2006]

- A.** For the purposes of this Chapter words used in the present tense shall include the future tenses; words in the singular number include the plural and words in the plural number include the singular, except where the natural construction of the writing indicates otherwise. The word "*shall*" is mandatory and not directory.
- B.** For the purpose of this Chapter, certain terms and words are to be used and interpreted as defined below:

### **Nit**

Term used to describe a metric unit of luminance that is defined as one candela per square meter (cd/m<sup>2</sup>).

## Section 405.370

### Sign Regulations — All Zoning Districts.

[R.O. 2006 §405.370(E); CC 1985 §27-107; Ord. No. 87.28 Art. VII §G, 10-1-1987; Ord. No. 90.24 §1, 8-2-1990; Ord. No. 91.30 §2, 11-21-1991; Ord. No. 93.02 §1, 1-21-1993; Ord. No. 93.44 §1, 10-21-1993; Ord. No. 94.43 §§1 — 2, 10-20-1994; Ord. No. 96.05 §2, 3-7-1996; Ord. No. 98.28 §§1 — 3, 8-20-1998; Ord. No. 99.31 §1, 11-18-1999; Ord. No. 01.01 §§2 — 3, 1-18-2001; Ord. No. 05.44 §4, 9-15-2005; Ord. No. 10.31 §1, 7-1-2010; Ord. No. 16.81 §§1 — 2, 11-3-2016]

- A. Prohibited Signs.** The following types of signs are prohibited in all zoning districts of the City of Osage Beach:

1. Moving signs of which all or any part of the sign moves or which appears to move by any means, including fluttering or rotating. This prohibition includes but is not limited to pennants, streamers, or propellers.
2. Flashing signs, except lamp bank type bulletin boards, reader boards and message centers, and illuminated signs which indicate the time, temperature, weather or other similar information provided that the total area of such sign is not greater than sixteen (16) square feet and the color or intensity of light is constant, except for periodic changes in the information display.
3. Strips or strings of lights outlining property lines or sales area(s).
4. Signs on public land or public rights-of-way other than temporary directional signs erected and removed the same day and those signs erected at the direction or with the permission of a public authority.
5. Signs that are not securely affixed to the ground or otherwise affixed in a permanent manner to an approved supporting structure.
6. Signs attached to, painted on or placed on any vehicle including a trailer that is parked in public view on private property. This provision is not to be construed as prohibiting the identification of a firm or its principal products on a vehicle operating during the normal course of business or parked after business hours, provided parking takes place as inconspicuously as possible and the duration of the parking, does not exceed a period of sixteen (16) hours, except on weekends or holidays.
7. Temporary signs which do not comply with all provisions of this Article.
8. Obsolete signs remaining thirty (30) days after they become obsolete.
9. Signs installed, erected, enlarged or structurally altered in violation of the provisions of this Article.
10. Signs which have become deteriorated or damaged to an extent that the cost of the reconstruction or restoration of such signs is in excess of fifty percent (50%) of its replacement value exclusive of foundations.
11. Signs that give off a level of luminance greater than three hundred (300) Nits during the day time, which is defined for the purposes of this section as the time thirty (30) minutes prior to sunrise to thirty (30) minutes after sunset, and signs that give off a level of luminance greater than one hundred (100) Nits during the night time, which is defined for the purposes of this section as the time thirty (30) minutes prior to sunset to thirty (30) minutes after sunrise.
12. Other signs not expressly permitted by this Article.