

Bill No. _____

Ordinance No. _____

AN ORDINANCE AMENDING ORDINANCE 09-10, PROVIDING FOR AMENDMENTS TO THE ZONING CODE AND LAND SUBDIVISION REGULATIONS OF THE VILLAGE OF SUNRISE BEACH, MISSOURI

WHEREAS, Ordinance 09-10 of the Village of Sunrise Beach provides for an adopted Zoning Code and Land Subdivision regulations for the Village of Sunrise Beach, as amended; and

WHEREAS, the City Manager, acting in his capacity as Zoning Officer, has drafted certain amendments to the Zoning Code and Land Subdivision regulations, and the Planning and Zoning Commission conducted a Public Hearing _____ on said proposed amendments; and

WHEREAS, the Commission, following the duly advertised public hearing, _____;

NOW, THEREFORE, be it ordained by the Board of Trustees of the Village of Sunrise Beach, as follows:

SECTION ONE. The following amendments to the Zoning Code and Land Subdivision Regulations of the Village of Sunrise Beach, as adopted by Ordinance 09-10, as amended, are hereby adopted and approved:

Article 3, Section 3.01: Enforcement of the Chapter is hereby repealed and replaced with the following:

1. Zoning Officer. There is hereby created the position of Zoning Officer. The Chairman of the Board of Trustees, with the concurrence of the Board, shall designate a Village employee to serve as Zoning Officer.
 - a. Duties. The duties and responsibilities of the Zoning Officer shall include, but not necessarily be limited to, the following:
 - b. Enforce the provisions of the adopted Zoning Code and Land Subdivision regulations (“the Code”) of the Village of Sunrise Beach.
 - c. Manage and maintain the adopted Comprehensive Plan and official Zoning Map.
 - d. Provide administrative support to the Planning and Zoning Commission and to the Board of Adjustment. Prepare notices, reports, reviews and recommendations as necessary for the Commission and BOA to carry out its official duties as prescribed by Code.

- e. Prepare updates and amendments to the Code, Plan and Zoning Map as may be necessary, and to present such amendments to the Commission and Board of Trustees as may be required.
- f. Make interpretations of the Code and Zoning Map and issue orders and notices related to same.
- g. Administer the various review procedures of the Code, including though not necessarily limited to, the following:
 - i. Zoning Permit review provisions.
 - ii. Special Use Permit review provisions.
 - iii. Map amendment (rezoning) review provisions.
 - iv. Subdivision review provisions.
- h. Receive and process applications required by the Code and issue permits. Examine premises for which permits have been issued to determine compliance with provisions of the Code.
- i. Issue such notices or orders as may be necessary to enforce compliance with the Code.
- j. Refer any violation of the Code to law enforcement or the Prosecuting Attorney for prosecution or other action as may be appropriate.

Article 3, Section 3.02 Zoning Permit is hereby repealed and replaced with the following:

1. Zoning Permit. It shall be unlawful to construct, alter, or repair a building or structure without obtaining a Zoning Permit as required by this Section. This section shall apply to new construction or major renovations of buildings or structures in all zoning districts, excepting the following:
 - a. Alterations or renovations that equal fifty (50) percent or less of the building square footage, provided that the renovation does not encroach on any required zoning district setback.
 - b. Accessory structures 200 square feet in dimension or less.
 - c. Detached carports or similar structures. Any carport must be secured per manufacturer's specifications or other authority having jurisdiction.
 - d. Decks, patios, porches or similar structures, provided that the structure does not encroach on any required zoning district setback.
 - e. Swimming pools (above ground or in-ground).
 - f. Fences and retaining walls.
2. Zoning permit application. The application shall be filed on such form(s) as the Zoning Officer may prescribe. The application shall provide sufficient information for the Zoning Officer to conduct his / her review, and may include, though not necessarily be limited to, the following:
 - g. A building plan, site plan, plot plan or exhibit clearly showing the location of the new building or renovation to be constructed, and its location on the property relative to the boundary lines, required setbacks and any easements.
 - h. Location of ingress / egress to the project site.
 - i. Location of utilities, existing or proposed.

- j. Parking areas, loading areas, and other areas for vehicle traffic or circulation.
 - k. Storm water control structures and facilities.
 - l. Landscaping, screening and fencing.
 - m. Other information as may be required by the Zoning Officer.
3. Review process. Applications that are determined to be in compliance with the Zoning Code and Land Subdivision regulations may be approved administratively by the Zoning Officer. Applications that are not in compliance may be forwarded to the Commission or Board of Adjustment for further review as may be required by Code.
 4. The Zoning Officer has authority to reject any application that is incomplete or does not conform to the requirements of the Code.
 5. Construction of a new building or major renovation that is permitted under this section must commence no later than one year (365 days) from the date of permit issuance. The Zoning Officer may revoke any permit that is not in compliance with this provision.

Article 4, Section 4.06: Approval is hereby amended to add the following:

The plat shall be endorsed upon it the approval of the Board of Trustees under the hand of the City Clerk and the seal of the city, or, in the Clerk's absence, by the secretary of the planning commission. The plat shall be recorded in the county Office of Recorder Deeds at the expense of the owner / developer.

Article 4, Section 4.08, Paragraph B is hereby repealed and replaced with the following:

1. Subdivision of land may be of two types:
 - a. Major subdivision. A subdivision of a parcel of land into five (5) or more lots which requires extension of public utilities and / or dedication of public streets. Any major subdivision shall be subject to the preliminary plat process as required by Code. However, the Zoning Officer may, in his or her sole discretion, allow a major subdivision to proceed directly to Final Plat, provided that the plat conforms to the Preliminary Plat requirements. A major subdivision shall be reviewed by the Commission and is subject to approval by the Board of Trustees
 - b. Minor subdivision. A subdivision of a parcel of land into no more than five (5) lots and which does not require the extension of public utilities and / or dedication of public streets. A minor subdivision shall be reviewed by the Commission and is subject to approval by the Board of Trustees, but shall be exempt from the requirements of the Preliminary Plat section of the Code.

Article 5, Section 5.03: Preliminary Plat, is hereby amended to add a new Paragraph B as follows:

A Preliminary Plat shall be subject to review by the Planning and Zoning Commission, and public hearing before the Board of Trustees. Notice shall be provided to all property owners of record within one-hundred eighty-five 185 feet of the property proposed to be subdivided; shall be published in a newspaper of general circulation within the community at least fifteen (15) days in advance of the Board of Trustees public hearing; and shall be posted in a conspicuous place at City Hall and on the City website. The notice to property owners as herein provided

shall be postmarked at least fifteen (15) days in advance of the Board of Trustees public hearing. The requirements as contained herein shall be considered the minimum requirements and the Village may provide for other forms of notice as deemed necessary or appropriate.

SECTION TWO. This ordinance shall be in effect as of the date of its passage and approval. Any ordinances or sections of ordinance in conflict with the provisions of this ordinance are hereby repealed.

PASSED BY THE BOARD OF TRUSTEES THIS ____ DAY OF _____, 2024.

First Reading Date: _____

Second Reading Date: _____

Roll Call Vote: Yeas: _____

Nays: _____

APPROVED BY THE BOARD OF TRUSTEES THIS ____ DAY OF _____, 2024.

Susan Schneider, Chair

Attest:

City Clerk