

**AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY
PERTAINING TO TEXT AMENDMENTS TO CHAPTER 423, ARCHITECTURAL
REVIEW BOARD AND THE ADOPTION OF DESIGN GUIDELINES.**

WHEREAS, On April 5, 2007 the City of Crystal Lake Park adopted its Comprehensive Plan; and

WHEREAS, in implementing the goals developed as part of the Comprehensive Plan, the City embarked in a project to develop design guidelines for single-family residential development that would specifically address the comprehensive plan goals; and

WHEREAS, the design guidelines are intended to provide criteria for quality development and protect the established character of Crystal Lake Park's residential neighborhoods by encouraging development that respects the variables and existing character of each of the unique residential districts within Crystal Lake Park in terms of size, scale, mass and architectural design; and

WHEREAS, the design guidelines shall apply to all uses within the Zoning Districts B, C and D; and

WHEREAS, on December 14, 2009 a public hearing was held by the Crystal Lake Park Planning and Zoning Commission to consider the adoption of Design Guidelines and zoning changes presented by this Ordinance as required by law; and

WHEREAS, on January 7, 2010 the Crystal Lake Park Planning and Zoning Commission recommended to the Board of Alderpersons the adoption and use of certain residential design guidelines and text amendments to Title IV Land Use; and

WHEREAS, this Ordinance was drafted to implement the Commission's recommendations by (i) amending Chapter 423 of the City Code to establish a design review process, and (ii) approving the noted design guidelines; and

WHEREAS, on January 11, 2010 a public hearing was held by the Crystal Lake Park Board of Alderpersons to consider the zoning changes presented by this Ordinance as required by law;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF THE CITY OF CRYSTAL LAKE PARK, MISSOURI, AS FOLLOWS:

Section One.

Chapter 423, Architectural Review Board, of the Municipal Code is hereby repealed, and a new Chapter 423 is enacted by the adoption of the attached Exhibit A, incorporated by reference.

Section Two.

The attached Design Guidelines, marked and incorporated by reference as Exhibit B, are hereby approved. Said guidelines may be amended from time to time as may be approved by the Board of Alderpersons, and they shall be used by the City for the design review of single-family residential housing in Districts B, C and D as provided in Section One of this Ordinance.

Section Three.

Subsection 2, Area, of Section 410.040, Height and Area Exceptions, of Title IV of the Municipal Code, being the Zoning Ordinance of the City of Crystal Lake Park, is hereby amended further by the enactment of a new Subsection D, to read as follows:

D. Single story covered (but not enclosed) front porches and porticos may encroach into the front yard setback up to five feet in Zoning Districts B, C and D.

Section Four.

Section 405.020, Residence District “B”, Section 405.030, Residence District “C,” and Section 405.040, Residence District “D”, of Title IV of the Municipal Code, being the Zoning Ordinance of the City of Crystal Lake Park, are hereby amended further by the enactment of a new subsection in each, to be known respectively as Sections 405.020.8, 405.030.8, and 405.040.2.a.8 and to read as follows:

Lot coverage. Buildings shall not cover more than ninety (90) percent of the total buildable area (after setbacks are applied, including aggregate setback if applicable). Incentives for additional lot coverage may be earned for compliance with the Design Guidelines “Garage” provisions.

Section Five.

Section 405.040, Residence District “D”, of Title IV of the Municipal Code, being the Zoning Ordinance of the City of Crystal Lake Park, is hereby amended further by the repeal of Subsection 405.040.2.a.7, Lot Coverage, and the enactment in lieu of a new Subsection 405.040.2.a.7 in lieu thereof, to read as follows:

Garage Area. The garage area can be no more than one (1) story, of a height of eight (8) feet four (4) inches maximum at the eave line. The eave bearing plate shall not exceed twenty-two (22) feet at all parameter walls of the structure.

Section Six.

Section 400.010 Definitions, of Title IV of the Municipal Code, being the Zoning Ordinance of the City of Crystal Lake Park, is hereby amended further by the addition of a definition for “Buildable Area,” to read as follows:

Buildable Area: The area of a lot remaining after the minimum yard and area requirements of this Title have been met.

Section Seven.

The Board of Alderpersons shall review the implementation and operation of this Ordinance not later than six (6) months following the date of its adoption.

Section Eight.

It is hereby declared to be the intention of the Board of Alderpersons that each and every part, section and subsection of this Ordinance shall be separate and severable from each and every other part, section and subsection hereof and that the Board of Alderpersons intends to adopt each said part, section and subsection separately and independently of any other part, section and subsection. In the event that any part of this Ordinance shall be determined to be or to have been unlawful or unconstitutional, the remaining parts, sections and subsections shall be and remain in full force and effect.

Section Nine.

This Ordinance shall be in full force and effect from and after its passage and approval.

Passed this 11th day of January, 2009.

Presiding Officer

Attest:

Cathryn Terrell, City Clerk

Approved this 11th day of January, 2009.

Bonnie Taylor, Mayor

Attest:

Cathryn Terrell, City Clerk

First Reading _____
Second Reading _____