

CHAPTER 410. ZONING DISTRICTS

Section 410.010. R-1 one-family dwelling district regulations.

A. In the R-1 one-family dwelling district no building or premises shall be used and none shall be hereafter erected or altered unless otherwise provided in this chapter, and all buildings erected or altered shall conform to the following use, area and height regulations.

B. *Permitted uses.*

1. One-family dwellings. Group homes as defined in section 400.040 shall be situated so that the property on which a group home is located is no closer than 1,320 feet from any other property on which a group home is located.
2. Planned developments.
3. Signs as permitted by current sign ordinance.
4. Accessory structures.
5. Home occupations as defined by this title [appendix].

C. *Special uses.* Such as parks, playgrounds, modular housing, schools, golf courses, agricultural uses or churches for which a permit must be obtained from the planning and zoning commission.

D. *Height regulations.* No structure shall exceed 2 1/2 stories or 35 feet in height.

E. *Area regulations.*

1. *Front yard.*

- a. In all locations where building lines, setback lines or front yard lines are shown on plats which have been recorded in the office of the recorder of deeds of the county, the minimum setback or front yard shall be as shown on the plat.
- b. In all other locations in the R-1 one-family dwelling [classification or] district, the minimum front yard setback shall be 25 feet.
- c. No accessory structures shall be located in front yards.

2. *Side yard.*

- a. In all locations where building lines, or side lines on corner lots, are shown on plats which have been recorded in the office of the recorder of deeds of the county, the minimum side yard shall be as shown on the plat.
- b. In all other locations in the R-1 one-family dwelling [classification or] district there shall be a side yard on each side of the structures of no less than five feet in width.
- c. A side yard width shall be provided of no less than 25 feet in width for any structures approved under the "special use" subsection of this section such as schools, libraries, etc.
- d. Accessory structures shall not be less than five feet from the side lot line and there shall be a minimum of 15 feet between structures.

3. *Rear yard.*

- a. There shall be a rear yard having a depth of not less than 25 feet.
 - b. Accessory structures shall not be less than five feet from any rear lot line and there shall be a minimum of 15 feet between structures.
4. *Lot area.*
- a. The lot area for a one-family dwelling and accessory structures shall be no less than 7,500 square feet.

(Code 1988, § 410.010; Code 1996, § 410.010; Ord. No. 682, § 1, 7-22-1985; Ord. No. 2000-090, § 2, 6-12-2000; Ord. No. 2000-115, § 2, 8-14-2000)

Section 410.020. R-2 two-family dwelling district regulations.

A. In the R-2 two-family dwelling district no building or premises shall be used and none shall be hereafter erected or altered unless otherwise provided in this chapter, and all buildings erected or altered shall conform to the following use, area and height regulations.

B. *Permitted uses.*

1. One-family dwellings.
2. Two-family dwellings.
3. Planned developments.
4. Signs as permitted by current sign ordinance.
5. Accessory structures.
6. Home occupations as defined by this title [section 400.040].
7. Patio homes.

C. *Special uses.* Such as parks, playgrounds, modular housing, schools, golf courses, agricultural uses or churches for which a permit must be obtained from the planning and zoning commission.

D. *Height regulations.* No structures shall exceed 2 stories or 35 feet in height.

E. *Area regulations.*

1. *Front yard.*
 - a. In all locations where building lines, setback lines or front yard lines are shown on plats which have been recorded in the office of the recorder of deeds of the county, the minimum setback or front yard shall be as shown on the plat.
 - b. In all other locations in the R-2 two-family dwelling [classification or] district, the minimum front yard setback shall be 25 feet.
 - c. No accessory structures shall be located in front yards.
2. *Side yard.*
 - a. In all locations where building lines, or side lines on corner lots, are shown on plats which have been recorded in the office of the recorder of deeds of the county, the minimum side yard shall be as shown on the plat.
 - b. In all other locations in the R-2 two-family dwelling [classification or] district there shall be a side yard on each side of the structures of no less than five feet in width.

c. A side yard width shall be provided of no less than 25 feet in width for any structures approved under the "special use" section of this title [appendix], such as schools, libraries, etc.

d. Accessory structures shall not be less than five feet from the side lot line and there shall be a minimum of 15 feet between structures.

3. *Rear yard.*

a. There shall be a rear yard having a depth of not less than 25 feet. If more than one building is constructed on a corner lot, there shall not be less than 20 feet between the front and rear building and the rear yard of the rear building shall not be less than 20 feet.

b. Accessory structures shall not be less than five feet from any rear lot line and there shall be a minimum of 15 feet between structures.

4. *Lot area.*

a. The lot area for a single-family dwelling shall be no less than 7,500 square feet.

b. The lot area for a two-family dwelling and accessory structures shall be no less than 8,000 square feet.

F. *Patio homes provisions.*

1. *Front yard.*

a. The minimum front yard setback shall be 25 feet.

b. No accessory structures shall be located in front yards.

2. *Side yard.*

a. There shall be a side yard on each side of the structures of no less than five feet in width.

b. For corner lots, there shall be a setback of 15 feet along street frontage.

c. No accessory structures shall be located in the side yards.

3. *Rear yard.* There shall be a rear yard having a depth of not less than 25 feet.

4. *Lot area.* The lot area for a zero lot line patio home shall be no less than 4,000 square feet.

5. All parking must conform to title IV [this appendix].

6. Each dwelling unit shall conform to the parking and landscaping provisions of title IV [this appendix].

(Code 1988, § 410.020; Code 1996, § 410.020; Ord. No. 682, § 1, 7-22-1985; Ord. No. 2000-090, § 3, 6-12-2000; Ord. No. 2003-206, § 2, 9-8-2003)

Section 410.030. R-3 multiple-family dwelling district regulations.

A. In the R-3 multiple-family dwelling district no building or premises shall be used and none shall be hereafter erected or altered unless otherwise provided in this chapter, and all buildings erected or altered shall conform to the following use, area and height regulations:

B. *Permitted uses.*

1. Any use permitted in the R-2 two-family dwelling district.
2. Boardinghouses and lodginghouses.
3. Multiple-family dwellings.
4. Planned developments.
5. Signs as permitted by current sign ordinance.
6. Accessory structures incidental to the above uses and located on the same lot, not involving the conduct of a retail business, commercial business or repair business.
7. Home occupations as defined by this title [section 400.040].

C. *Special uses.* Such as parks, playgrounds, modular housing, schools, golf courses, agricultural uses or churches for which a permit must be obtained from the planning and zoning commission.

D. *Height regulations.* No structure shall exceed 100 feet in height. Every building in excess of 50 feet in height shall provide one additional foot of side, rear and front setback for each additional two feet in height above 50 feet.

E. *Area regulations.*

1. *Front yard.* In all locations where building lines, setback lines or front yard lines are shown on plats which have been recorded in the office of the recorder of deeds of the county, the minimum setback or front yard shall be as shown on the plat. In all other cases, a minimum front yard setback of 25 feet shall be required. No accessory structures shall be located in front yards. No parking shall be permitted in front yards.

2. *Side yard.*

- a. In all locations where building lines, or side lines on corner lots, are shown on plats which have been recorded in the office of the recorder of deeds of the county, the minimum side yard shall be as shown on the plat.

- b. In all other locations in the R-3 multiple-family dwelling district there shall be a side yard on each side of the structures of no less than five feet in width.

- c. A side yard width shall be provided of no less than 25 feet in width for any structures approved under the "special use" [sub]section of this article [section], such as schools, libraries, etc.

- d. Accessory structures shall not be less than five feet from the side lot line and there shall be a minimum of 15 feet between structures.

3. *Rear yard.*

- a. There shall be a rear yard having a depth of not less than 20 feet. If more than one building is constructed on a corner lot, there shall not be less than 20 feet between the buildings.

- b. Accessory structures shall be not less than five feet from any rear lot line and there shall be a minimum of ten feet between structures.

4. *Lot area.* The lot area for a single-family dwelling shall be no less than 7,500 square feet; for a two-family dwelling, no less than 8,000 square feet; for three-family dwellings a minimum of 10,000 square feet; multiple-family dwellings in excess of three no less than 2,900 square feet for each family, provided that the application of this rule shall not reduce the yard requirements and not exceed a population density of 15 families per acre; and that this regulation shall not apply to hotels or motels.

(Code 1988, § 410.030; Code 1996, § 410.030; Ord. No. 682, § 1, 7-22-1985; Ord. No. 92-19, § 1, 3-9-

1992; Ord. No. 2000-090, § 4, 6-12-2000)

Section 410.040. C commercial district regulations.

A. In the C commercial district, all buildings and premises, except as otherwise provided for in this chapter, may be used for any use permitted in the dwelling districts, and all structures enlarged, converted, or altered shall conform to the following area, height, and use regulations.

B. *Uses permitted.*

1. Antique shop.
2. Appliance store.
3. Arts and crafts.
4. Bank and financial institution.
5. Barber[shop] and beauty shop.
6. Churches.
7. Clothing and shoe store.
8. Drugstore.
9. Florist.
10. Furniture store.
11. General merchandise, department and variety store.
12. Gifts and souvenirs.
13. Hardware store.
14. Hotel and motel.
15. Grocery store.
16. Music store and studio.
17. Newsstand.
18. Professional and general offices.
19. Public utility offices.
20. Restaurant.
21. Sporting goods store.
22. Self-service laundry.
23. Planned development.
24. Any use permitted in the R-3 multiple-family residential district.
25. Telecommunications antenna on any antenna support structure, other than a telecommunications tower, which has been approved in accordance with regulations approved by the city administrator.
26. Massage establishment s inspected and approved by the city health department and operated by massage therapists licensed by the state.
27. Off-premise contacts (OPC), located inside a building.

*Other retail establishments deemed by the planning and zoning commission to be in character with the zoning district.

C. *Special uses permitted.*

1. Accessory structures used for commercial purposes.
2. Amusement parlor, amusement park or theme park.
3. Auto sales and service.
4. Commercial recreation.
5. Feed store.
6. Government office.
7. Laundry and dry cleaners.
8. Lumberyard.
9. Newspaper publishing.
10. Pet shop and animal hospital.
11. Residential or outpatient facilities for the treatment of alcohol or drug abuse.
12. Service station and auto repair.
13. Theater.
14. Timeshare unit, meeting the density requirements as outlined in section 410.070(D)(2).
15. Wholesale, house, sales office and storage operation.
16. Telecommunication towers shall only be allowed in a C commercial district. Such use shall only be by special use permit provided the following conditions are met:
 - a. All telecommunication towers shall be designed to, either unobtrusively conceal the facility or, to blend into the surrounding environment, both in a manner demonstrated to and approved by the planning and zoning commission; and
 - b. When a telecommunication tower is proposed, the applicant shall demonstrate, as described in "c." that good faith efforts were made to collocate the proposed new antenna on an existing telecommunication tower or other suitable antenna support structure.
 - c. A written assessment of the feasibility of collocating on an existing tower or suitable antenna support structure shall be provided to the planning and zoning commission. The assessment shall be completed by an independent engineer, selected by the City of Branson, and all costs associated with the assessment shall be paid by the applicant.
 - d. The use of such tower shall not cause interference with any off-premises electronic broadcast or reception device which is operating within the authorized frequency of its FCC license.
 - (1) *Notification to city.* A permittee shall notify the city's emergency dispatch center prior to the activation of any new broadcast device, or prior to increasing the power of any existing broadcast device located on the tower by an increase in wattage or broadcast strength, and the permittee shall remain in communication with the Branson Emergency Dispatch Center for 48 hours after such activation.

(2) *Burden of proof.* If any diminution in the quality of police, fire, ambulance, public works or other emergency communications systems, or any diminution in the quality of civil communications, whether telephone, radio, television, cell-phone, or other wireless telecommunications occurs in coincidence with the activation of the new antenna or power enhancement of the device, the permittee shall discontinue the use of the new device or enhancement immediately after telephone or facsimile notification by the city, until permittee successfully removes the cause of the diminution in quality, or until the permittee proves beyond a reasonable doubt that the activation or enhancement of the device was not the cause of such diminished quality.

(3) *Interference with emergency communications--penalty.* Failure to discontinue such use within 15 minutes after notification from the Branson Emergency Dispatch Center that the activation of a new antenna or increased power to an existing broadcast device has caused or coincided with any diminution in the quality of police, fire, ambulance, public works or other emergency communications systems, shall be punishable by a maximum fine of \$500.00, and each and every hour thereafter that such use continues shall constitute a separate offense.

(4) *Interference with civil communications--penalty.* Failure to discontinue such use within 30 minutes after notification from the Branson Emergency Dispatch Center that the activation of a new antenna or increased power to an existing broadcast device has caused or coincided with any diminution in the quality of civil communications, whether telephone, radio, television, cell-phone, or other wireless telecommunications systems, shall be punishable by a maximum fine of \$500.00, and each and every hour thereafter that such use continues shall constitute a separate offense.

(5) *[Interference with emergency and civil communications prohibited at other times.]* Interference with emergency or civil communications at all other times is prohibited, and it shall be a continuing obligation of every permittee to exercise due diligence and best efforts to identify the cause of any pattern of interference with multiple reception devices where there is probable cause to believe that such interference is caused by the use of any broadcast device located on a telecommunication tower. Failure to exercise due diligence and best efforts to identify the source of such interference, or to discontinue such use after the cause of the interference has been identified and until the cause of the interference is corrected, shall be cause for revocation and termination of the special use permit.

Collocation of facilities. Telecommunication towers constructed within the Branson city limits by a telecommunication service provider shall be capable of accommodating antennas for two or more additional telecommunication service providers (hereinafter referred to as "additional capacity"). Such additional capacity shall be designated on the application and site plans presented to the city prior to construction of the tower.

a. Any telecommunications tower with additional capacity for collocation of telecommunications facilities, shall allow other telecommunication service providers to collocate telecommunication facilities on such a tower subject to reasonable terms and conditions, including the credit worthiness and technical abilities of the proposed tenant. For the purpose of co-location of antennas, a legal nonconforming tower may be used. However, in no event shall a permittee be required to allow collocation of facilities in a manner that would result in technical interference with the delivery of the permittee's service. Failure to

permit collocation on a tower will be cause for enforcement action in accordance with this chapter.

b. Unreasonable refusal to allow collocation of telecommunication facilities on any telecommunication tower in violation of this section constitutes a violation of this chapter and shall be cause for revocation of the special use permit.

The words "other establishments deemed by the planning and zoning commission to be in character with the zoning district" shall be held to include all businesses which would be in character with the district so as to provide for the needs, goods, convenience, shopping, personal and household services of the people of Branson and its vicinity.

The principal intention of the district is to provide such convenience and service without serious harm or interference to nearby R residential districts. Any retail activity, personal or professional service, service of all kinds (including limited repair activity) would be normally permitted except:

1. Auto salvage and wrecking.
2. Wholesale manufacturing and warehousing.
3. Outdoor displayed gifts and antiques.
4. Palm readers, fortunetellers, massage parlors.
5. All establishments not mentioned as "special uses permitted."

D. *Height restrictions.* No structure shall exceed 100 feet in height. Every building in excess of 50 feet high shall provide an additional one foot of side, rear and front setback for each additional two feet in height above 50 feet.

E. *Area regulations.*

1. *Front yard.*

a. The minimum front yard setback for commercial structures in the C commercial district shall be no less than 25 feet. Where parking is a consideration within the front yard setback area, the minimum setback shall be 45 feet. A special permit from the planning and zoning commission is required for front yard parking.

b. The front yard regulations for structures erected or structurally altered for dwelling purposes shall be the same as those in the R-3 multiple-family dwelling district.

2. *Side yard.*

a. The side yard regulations for structures erected or structurally altered for dwelling purposes shall be the same as those in the R-3 multiple-family dwelling district.

b. The minimum side yard for structures erected or structurally altered for commercial purposes shall be no less than five feet.

3. *Rear yard.*

a. The rear yard regulations for structures erected or structurally altered for dwelling purposes shall be the same as those in the R-3 multiple-family dwelling district.

b. The minimum rear yard for structures erected or structurally altered for commercial purposes shall be no less than ten feet.

4. *Lot area.* The lot area for a single-family dwelling shall be no less than 7,500 square feet; for two-family dwellings no less than 8,000 square feet; for three-family dwellings a

minimum of 10,000 square feet; for multiple-family dwellings in excess of three no less than 2,900 square feet for each family, provided that the application of this rule shall not reduce the yard requirements and not exceed a population density of 15 families per acre; and that this regulation shall not apply to hotels or motels. For uses other than residential, the minimum lot size shall be 7,500 square feet.

F. *Business other than permitted and special uses.* Every person who shall make application for a building permit or a city license for a business other than a business listed in the C district regulations shall be required to follow the regulations and procedures for a special use permit. Such application shall be filed with the director of planning and development and shall be subject to the review and approval of the planning and zoning commission.

(Code 1988, § 410.040; Code 1996, § 410.040; Ord. No. 682, § 1, 7-22-1985; Ord. No. 92-19, § 2, 3-9-1992; Ord. No. 99-957, § 3, 10-11-1999; Ord. No. 2000-057, §§ 2, 3, 3-27-2000; Ord. No. 2000-144, § 1, 10-9-2000; Ord. No. 2001-016, § 1, 2-26-2001; Ord. No. 2001-071, § 1, 7-9-2001; Ord. No. 2002-133, § 2, 11-12-2002; Ord. No. 2003-039, § 2, 3-24-2003; Ord. No. 2003-127, § 3, 6-23-2003)

Section 410.050. D downtown classification or district regulations.

A. The downtown business district shall consist of the following parcels of land as described below:

Beginning at a center point in the intersection of U.S. Business Highway 65 and Maddux Street and running easterly along the centerline of East Maddux Street to the Union Pacific railroad tracks, then northerly along said tracks to the centerline of Main Street, then easterly along the centerline of East Main Street to the center point of Lake Avenue, thence northerly along the centerline of Lake Avenue to the center point of East Atlantic Avenue, thence westerly along the centerline of East Atlantic Avenue to the Union Pacific railroad tracks, then northwesterly along said tracks to the center point of North Commercial street, thence southerly along the centerline to North Commercial Street to the center point of North Commercial Street and East Oklahoma Avenue, thence westerly on West Oklahoma Avenue to the center point of U.S. Highway 65, thence southerly along the centerline of U.S. Highway 65 to the point of beginning.

B. *Uses permitted.* In the D downtown commercial classification district, no building or premises shall be used and no structure shall be hereafter erected, or altered, for any use prohibited in this section, and all structures erected or structurally altered shall conform to the following area and height regulations. Uses permitted and special uses permitted shall be the same as in section 410.040 for the commercial district, with the following exceptions: residential or outpatient facilities for the treatment of alcohol or drug abuse.

C. *Height regulations.* No structure shall exceed a height of 75 feet.

D. *Area regulations.*

1. *Front yard.* No front yard is required for commercial buildings in this district. Front yard requirements for dwellings shall be the same as those for the R-3 multiple-family dwelling district.

2. *Side yard.* Side yard requirements for dwellings shall be the same as those in the R-3 multiple-family dwelling district.

In all other cases no side yard is required, except on the side of a lot adjoining a dwelling district, in which case there shall be a side yard of no less than five feet. If a side road is provided for a commercial building, it shall be no less than ten feet wide.

3. *Rear yard.* No rear yard is required for commercial structures, except on the rear of a lot adjoining a dwelling district, in which case there shall be a rear yard of no less than ten feet. If an alley is provided for a commercial building, the rear yard setback shall be

no less than ten feet from the alley. Rear yard requirements for dwellings shall be the same as those in the R-3 multiple-family dwelling district.

4. *Lot area.* The lot area for a single-family dwelling shall be no less than 7,500 square feet; for two-family dwellings no less than 8,000 square feet; for three-family dwellings a minimum of 10,000 square feet; multiple-family dwellings in excess of three no less than 2,900 square feet for each family, provided that the application of this rule shall not reduce the yard requirements and not exceed a population density of 15 families per acre; and that this regulation shall not apply to hotels or motels. For uses other than residential, the minimum lot size shall be 7,500 square feet. Lots, which appear on a legally recorded plat showing a smaller size than required by this section, shall be exempt from the lot size requirements of this section, but only to the extent shown on the legally recorded plat.

E. *Business other than permitted and special uses.* Every person who shall make application for a building permit or a city license for a business other than a business listed in the D district regulations shall be required to follow the regulations and procedures for a special use permit. Such application shall be filed with the director of planning and development and shall be subject to the review and approval of the planning and zoning commission.

(Code 1988, § 410.050; Code 1996, § 410.050; Ord. No. 682, § 1, 7-22-1985; Ord. No. 99-011, § 1, 1-25-1999; Ord. No. 2006-098, § 1, 7-10-2006)

Section 410.060. M light industrial district regulations.

A. In the M light industrial district, no structure or premises shall be used or hereafter erected or altered for any use prohibited in this section. No residential structures or housecars shall be permitted in the M district. All structures erected or altered shall conform to the following use, area and height regulations.

B. *Use regulations.* All uses permitted in the C and D districts, with the exception of residential structures and housecars as listed above, and also the following uses:

1. Fabrication.
2. Assembly.
3. Packaging.
4. Welding and automobile body shops.
5. Truck terminal.
6. Similar uses deemed by the planning and zoning commission to be in character with the zoning district.
7. Planned developments.

C. *Height regulations.* No structure shall exceed a height of 75 feet.

D. *Area regulations.*

1. *Front yard.* Where all the frontage on one side of the street between two intersecting streets is located in the M light industrial district, no front yard shall be required. Where the frontage on one side of the street between two intersections is located partly in the M district and partly in any dwelling district, the front yard requirements shall be the same as those in the dwelling district.

2. *Side yard.* No side is required except when a lot adjoins a dwelling district in which case a minimum side yard of ten feet is required.

3. *Rear yard.* No rear yard is required for any industrial structure.

(Code 1988, § 410.060; Code 1996, § 410.060; Ord. No. 682, § 1, 7-22-1985)

Section 410.070. [PD] Planned development.

A. *Purpose and intent.* The intent of the planned development (PD) regulations is to permit greater flexibility and consequently more creative and imaginative design than generally is possible under conventional zoning regulations.

It is hereby intended to permit, upon application and upon approval of site and use plans, the creation of planned development (PD) districts. Such a designation shall be determined by, and shall be designed to lessen congestion in the streets, to secure safety from fire, panic, and other dangers, to promote health and the general welfare, to provide adequate light and air, to prevent the overcrowding of land, to avoid undue concentration of population, to preserve features of historical significance, to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements, and with a reasonable consideration being given, among other things, to the character of the district and its peculiar suitability for particular uses and with a view to conserving the land throughout the city. In PD districts, the regulations which are adopted are intended to accomplish the same purposes as do zoning and other applicable regulations in districts which are developed on a lot-by-lot rather than a unified basis.

B. *Application of planned development (PD) district provisions.* A PD district may be proposed for any location in the city if it is in accordance with the provisions of the zoning regulations.

C. *Effect of planned development (PD) district approval.* Approval of a planned development (PD) district shall constitute an amendment to the zoning ordinance. Designation of a property as a planned development (PD) district in accordance with an approved development plan shall supersede all existing and prior zoning classifications. Such property shall for zoning purposes be identified by the letters "PD" followed by an identifying number.

D. *Standards.* All planned development districts shall at a minimum satisfy the following standards and requirements:

1. *Uses permitted.* The development plan shall specify, both for the project as a whole and/or for subareas within the project, as appropriate, those principal and accessory uses as are to be permitted. The board of aldermen may include or exclude uses from the development plan or include uses with attached conditions as appropriate to achieve the intent of these provisions.

In making its determinations of the uses to be permitted within the PD district, the board of aldermen may consider the compatibility and relationship of uses within the project, the compatibility and relationship of permitted uses adjoining or in proximity to the PD district, the appropriateness of permitted uses for the area in general and their overall impact on the community and the consistency of the permitted uses with other adopted plans and policies.

2. *Intensity of development.* The development plan shall contain provisions to regulate the intensity of development within the planned development (PD) district. Such provisions may apply to the project as a whole or to subareas within the project as appropriate.

- a. For nonresidential development, the intensity of development may be regulated.

- (1) By specifying an appropriate floor area ratio(s) (FAR);

- (2) By specifying maximum square footage or gross leasable area;

- (3) By specifying setbacks, height and bulk restrictions; or
- (4) By a combination of such restrictions for the project as a whole or for components or subareas within the project. In addition, nonresidential development plans may specify performance standards to be imposed on the project and restrictions regarding the location and nature of industrial, commercial, and other residential activities. The board of aldermen may impose such standards and restrictions as necessary to achieve the intent of this article [section]. In making its determination regarding the intensity of development and appropriate performance standards, the board may consider character and scale of similar developments, the character and scale of surrounding development and the area in general, the real or anticipated impact on public facilities and services, and consistency with other plans and policies.

b. The density of residential dwelling units within a PD shall be computed in accordance with the following formula:

Maximum number of dwelling units. The entire area of the property to be utilized for residential purposes divided by the maximum density as shown by table 1 below permitted within the zoning district(s) in effect for the property at the time of PD district application.

TABLE 1

TABLE INSET:

Zoning Uses	Maximum Residential Density
Single-family housing use	6 DU/acre
Two-family housing use	10 DU/acre
Multifamily housing use	16 DU/acre
Density for multifamily housing may be increased up to 25 DU/acre; dependent upon compatibility and relationship of permitted uses adjoining the subject property and the impact increased density may have on them. A 10-foot buffer on rear and side lot lines is required for density exceeding 16 DU/acre.	
Neighborhood commercial use	16 DU/acre
Downtown commercial use	16 DU/acre
Manufacturing use	16 DU/acre

The permitted number of dwelling units may be distributed in any manner over the residential portion of the project consistent with the intent and provisions of this title. The development plan shall specify distribution of residential density for the project as a whole or for subareas within the project as appropriate. In making its determination regarding the distribution of residential densities, the board may consider compatibility of residential densities with other uses within the district as well as outside the district, the impact of residential densities on public facilities and services, and the consistency with the master plan and other adopted plans and policies.

c. The maximum number of timeshare dwelling units within a planned development (PD) shall not exceed the number calculated by multiplying the entire area of the property to be used for timeshare purposes by the maximum

density shown by table 2, except as set forth in subsection (d). The number of timeshare units may be distributed in any manner over the timeshare portion of the PD consistent with the intent and provisions of this title. The development plan shall specify distribution of timeshare units for the PD as a whole or for subareas within the PD as appropriate. In making its determination regarding the distribution of timeshare units, the board may consider compatibility of timeshare densities with other uses within the district as well as outside the district, the impact of timeshare densities on public facilities and services, and the consistency with the master plan and other adopted plans and policies.

TABLE 2

TABLE INSET:

Abutting Zoning District	Maximum Timeshare Density
R-1 single-family	6 DU/acre*
R-2 two-family	10 DU/acre**
R-3 multifamily housing	16 DU/acre***
C neighborhood commercial	32 DU/acre
D downtown commercial	32 DU/acre
M light manufacturing	32 DU/acre

d. *Exceptions.*

(1) **Timeshare units abutting R-1 districts.* The maximum density of timeshare dwelling units within 300 feet of an abutting R-1 district may be increased to 12 DU/acre, but only under the following circumstances:

(a) No building within 300 feet of an abutting R-1 zoning district shall exceed two stories in height; and

(b) All buildings must be set back from an R-1 zoning district an additional 25 feet for each two DU/acre in excess of six DU/acre to provide additional buffering. Such additional buffering shall be in excess of the 100 feet minimum buffering required by section 66-218(c)(1) of the Branson Municipal Code and shall be provided along the entire boundary common to the R-1 zoning district.

The maximum density of timeshare dwelling units located more than 300 feet from an abutting R-1 zoning district shall be 32 DU/acre.

(2) ***Timeshare units abutting R-2 districts.* The maximum density of timeshare dwelling units within 300 feet of an abutting R-2 district may be increased to 16 DU/acre, but only under the following circumstances:

(a) No building within 300 feet of an abutting R-2 zoning district shall exceed two stories in height; and

(b) All buildings must be set back from an R-2 zoning district an additional 25 feet for each two DU/acre in excess of ten DU/acre to provide additional buffering. Such additional buffering shall be in excess of the 100 feet minimum buffering required by section 66-218(c)(1) of the Branson Municipal Code and shall be provided along the entire boundary common to the R-2 zoning district.

The maximum density of timeshare dwelling units located more than 300 feet from an abutting R-1 zoning district shall be 32 DU/acre.

(3) ****Timeshare units abutting R-3 districts.* The maximum density of timeshare dwelling units within 200 feet of an abutting R-3 district may be increased to 32 DU/acre, but only under the following circumstances:

(a) No building within 200 feet of an abutting R-3 zoning district shall exceed four stories in height; and

(b) All buildings must be set back from an R-3 zoning district an additional 25 feet for each four DU/acre in excess of 16 DU/acre to provide additional buffering. Such additional buffering shall be in excess of the 100 feet minimum buffering required by section 66-218(c)(1) of the Branson Municipal Code and shall be provided along the entire boundary common to the R-3 zoning district.

The maximum density of timeshare dwelling units located more than 200 feet from an abutting R-3 zoning district shall be 32 DU/acre.

3. *Bulk, area and height requirements.* The development plan shall specify bulk, area and height restrictions for the project as a whole and for subareas and/or components of the project as appropriate. The board may impose alternate or additional standards or restrictions to achieve the intent of this article. In making its determination regarding such standards or restrictions, the board may consider the character and scale of the proposed development as it relates to other uses and structures both within the district and outside the district, the general character and scale of similar developments within the area of the proposal, and the consistency with adopted plans and policies.

4. *Public facilities.* The development plan shall specify conditions, restrictions and standards relating to the timely provisions of necessary public facilities as appropriate. The board may impose conditions, restrictions and standards as appropriate to achieve the intent of this title. In making its determination regarding such conditions, restrictions and standards, the board may consider the adequacy of existing facilities, the timely provision of adequate facilities and the overall cost to the community.

5. *Access to public thoroughfares.* The development plan shall specify the location and general design of ingress and egress to the project along with access restrictions as appropriate. The board may impose such access standards and restrictions as necessary to protect the integrity and function of the city's thoroughfare system and to otherwise achieve the intent of this title. In making its determination regarding such access standards and restrictions, the board may consider the classification and function of the thoroughfare system, existing and projected traffic volumes, the condition and design of the affected thoroughfares, the effect of the proposed development on traffic flow and circulation patterns on other adopted plans and policies.

6. *Off-street parking and loading requirements.* Unless specifically modified by the development plan, the off-street parking and loading requirements contained within the zoning regulations shall apply. Reductions in off-street parking and loading standards shall be approved only if it can be demonstrated that parking demand will be less due to density and/or occupancy characteristics of the project and/or the availability of public transportation.

7. *Signs.* Unless specifically modified by the development plan, the sign regulations contained within the zoning regulations shall apply. Modifications to the sign regulations shall be approved only if the general intent to the sign regulations regarding size, location, illumination, structural integrity and relation to surrounding uses is satisfied.

Editor's note: The sign regulations are set forth in chapter 70 of the Branson Municipal Code.

8. *Perimeter treatment.* The development plan shall specify any special treatment of perimeter areas designed to mitigate the impact of the project upon adjoining properties and/or to achieve an appropriate transition between land uses and densities. The board may impose those standards and requirements for perimeter treatment it deems necessary to protect adjoining properties from adverse effects and to achieve an appropriate transition of land uses and densities.

9. *Procedure.* Applications for planned development (PD) district designation shall be processed pursuant to a three-step review process as specified in this section. The three-step procedure shall include: 1) a pre-application conference; 2) a preliminary development plan; and 3) a final development plan.

10. *Preapplication conference.* The preapplication conference is an informal procedure to assist the applicant in meeting various requirements of the city and to provide an early preview of the application. To obtain further information, each applicant shall confer with the director of planning and development and appropriate department heads in connection with the preparation of the PD application. It shall be the responsibility of the director of planning and development to coordinate the preapplication review. Upon review, the director of planning and development shall furnish the applicant with his/her written comments regarding the proposal including appropriate recommendations to inform and assist the applicant in preparing the PD application.

11. *Preliminary development plan.* Upon satisfying the preapplication conference requirement, an applicant may submit a preliminary development plan. The following information shall as a minimum be included in the application:

- a. A legal description of the site proposed for (PD) designation, including a statement regarding present ownership and present zoning.
- b. A master conceptual plan that indicates parcel, tract or lot locations and dimensions; density per gross and per net acres in the development and in each land use component, if appropriate; the intensity of land use in the development and each land use component, if appropriate; the amount of land in common area open space, recreation use or public use, if appropriate; and the treatment of project boundaries.
- c. Written text which includes supporting graphics describing the overall concept of the plan; the uses included and any limitations upon uses; building types and prototypical site layouts, if appropriate; provisions for maintenance of common areas; any proposed agreements, dedications or easements; any proposed private covenants and restrictions; and any other information required by this article or pertinent to a determination of compliance with the article.
- d. A circulation plan that indicates roads adjoining the property; the location of access from public roads into the project; and vehicular and pedestrian circulation systems within the project. The circulation plan may be included as part of the master conceptual plan.
- e. An improvement plan that indicates water supply and distribution facilities as well as the source of the water supply; sewage collection and disposal including method and location of sewage discharge; methods and facilities for the management of stormwater runoff; improvements to streets and roads; and any other physical improvements required to support the project.
- f. A statistical summary that indicates the number of acres in the project; the number of acres allocated to each land use within the project; the gross and net residential density within the project and within each land use component of the project; and floor area, floor area ratios, open space ratios, and other data relating the intensity of development to the site size and location.

g. The following elements are optional at the request of the planning and zoning commission:

- (1) A sign which indicates the location, size and design and other pertinent provisions relating to signs within the project.
- (2) A parking plan which shows the number of parking spaces as well as their general location and design.
- (3) An environmental impact statement indicating possible problem areas within the site as well as solutions to these problems as intended by the developer.

The preliminary development plan shall be reviewed as a zoning amendment and shall be processed in the same manner specified by this title.

12. *Final development plan.* Due to diversity in size and character of proposals considered under this section, flexibility in the form, content and approval procedures of the final development plan should be retained. Toward this end, the board shall specify, as part of its approval of the preliminary plan, the form, content and approval authority of the final development plan. In the event that the board considers a submission of a final development plan necessary for all or part of the district, it shall so specify in its approval of the preliminary development plan. The board may retain its authority to approve the final development plan or may delegate its approval authority to the planning and zoning commission or to specified administrative officials. In the event the approval authority is delegated, the board shall specify the limits of discretion to be exercised by the approving authority.

13. *Subdivision plats and site plans required.* Nothing in this section shall be construed to prevent an applicant from submitting, at his/her option, a subdivision plat or site plan for the simultaneous review with the development plan.

(Code 1988, § 410.070; Code 1996, § 410.070; Ord. No. 682, § 1, 7-22-1985; Ord. No. 99-957, § 2, 10-11-1999; Ord. No. 2007-021, § 1, 3-12-2007)

Section 410.075. WA wilderness area district.

A. *Purpose and intent.* The WA wilderness area district applies to all areas in excess of 100 acres in size, which are owned and operated by a public entity.

B. *Land uses.* The use of land within a WA district is for the public use as a natural forest area and is thereby exempted from all regulations which would require asphalt or concrete surfacing of natural terrain to be used as parking, driving or walking surfaces.

(Code 1996, § 410.075; Ord. No. 99-830, § 1, 6-14-1999)

Section 410.080. Child care.

A. *Definitions.* As used in this section the following terms shall have these prescribed meanings:

Child care: The provision of supplemental parental care and supervision:

1. For a nonrelated child or children;
2. On a regular basis;
3. For less than 24 hours a day; and

4. Under license by the Missouri Department of Health.

As used in this section, the term is not intended to include babysitting services of a casual, nonrecurring nature or in the child's own home. Likewise, the term is not intended to include cooperative, reciprocative child care by a group of parents in their respective domiciles.

Child day care center: A licensed agency that provides for the care of 13 or more children.

Child day care facility: A building or structure wherein an agency, person, or persons regularly provides care for a group of five or more children for periods of less than 24 hours a day. Child day care facilities include family day care homes, extended day care homes, child mini-day care centers, and child day care centers. They do not include preschools, nursery schools, facilities operated by a school system or in connection with a business establishment as a convenience for its customers, private or religious organization elementary or secondary schools, religious organization academic preschools or kindergartens for four- and five-year-old children, home schools, weekly Sunday or Sabbath schools, vacation Bible schools or child care made available while the parents or guardians are attending worship services or other meetings and activities conducted or sponsored by a religious organization.

Child mini-day care center: A licensed, large family day care home or an agency that regularly provides for the care of five through 12 children, during part of the 24-hour day, excluding the licensee's own preschool and elementary-school-age children, in premises other than the family abode of the licensee/care provider and other than an approved structure on the same building site occupied by said abode.

Extended day care home: A licensed, large family day care home or an agency that regularly provides for the care of six through 12 children, during part of the 24-hour day, excluding the licensee's own preschool and elementary-school-age children, in the family abode of the licensee/care provider or in an approved structure on the same building site occupied by said abode.

Family day care home: A licensed family abode of a person or persons who regularly provides direct care during part of the 24-hour day to four or fewer children under 12 years of age on the premises, including foster children, but excluding the licensee's own children. A family day care home may provide care for up to ten children if it meets the requirements (found in subsection (C) on family day care homes in this section).

B. *Intent.* The board of aldermen finds that affordable, good-quality, and licensed child day care within the City of Branson is critical to the well-being of parents and children in the community. Furthermore, it is the purpose of this section to make it easier to set up and operate licensed child day care facilities by simplifying the review and approval process. At the same time, these standards are intended to preserve the residential character of neighborhoods.

C. *Family day care home.* A family day care home shall be permitted by special use permit in all zoning districts permitting residences (provided that):

1. State and local licensing requirements are met, including those pertaining to building, fire safety, and health codes.
2. Lot size, building size, setbacks, and lot coverage conform to those applicable to the zoning district.
3. One off-street parking space is provided for each nonresident or non-family member employee in addition to the two spaces per single-family or duplex unit required. The residential driveway is acceptable for this purpose.
4. If located on a major arterial street, an off-street drop-off/pickup area, approved by the city engineer, must be provided.
5. Signage, if any, conforms to the requirements of the zoning district.
6. A child care registration form is filed with the City of Branson.

7. No structural or decorative alteration that will alter the single-family character of an existing residential structure or be incompatible with surrounding residences is permitted.
8. A family day care home may provide care for more than five children provided that:
 - a. None of the additional children are in care for more than three hours;
 - b. In no event shall the total number of children under 12 years of age on the premises exceed ten; and
 - c. Whenever there are more than eight children on the premises or whenever there are more than five children on the premises, any of whom are under two years of age, the day care provider shall be assisted by a competent person who is at least 18 years of age.
9. No family day care home shall care for more than two children under two years of age, excluding the licensee's own children, but including any foster children under two years of age.

D. *Extended day care homes, child mini-day care centers.*

1. An extended day care home is permitted by special use permit in all zoning districts permitting residences, subject to the same conditions as required in subsection (C)(1)--(7). In addition, no structured area for active play or play structures may be located in a front yard.
2. A child mini-day care center is allowed in the designated zoning districts as follows:
 - a. *Zoning districts R-1 (single-family residential) and R-2 (two-family residential).* A child mini-day care center may be allowed only upon issuance of a special use permit.
 - b. *All other zoning districts.* A child mini-day care center is permitted by special use permit in all other zoning districts provided the conditions set forth in subsection (C)(1)--(7) are met.

E. *Child day care center.* A child day care center may be allowed in the designated zoning districts as follows:

1. *Limitation in use of family residence.* No child day care center shall be located in a private family residence unless the portion of the residence where the children have access is used exclusively for children during the hours the center is in operation or is separate from the usual living quarters of the family.
2. *Zoning districts R-1 (single-family residential) and R-2 (two-family residential).* A child day care center may be allowed in these zoning districts only upon issuance of a special use permit.
3. *All other zoning districts.* A child day care center is permitted by special use permit in all other zoning districts subject to the following restrictions:
 - a. State and local licensing standards and requirements are met.
 - b. Setbacks, screening, and landscaping shall conform to the pertinent portions of the zoning code as approved by the city landscaping agent.
 - c. Structure shall meet building, sanitation, health, traffic safety, and fire safety code requirements.
 - d. A minimum of one off-street parking space shall be provided for each employee, plus an off-street drop-off/pickup area, as approved by the city engineer.

e. Filing of a child care registration form with the City of Branson.

F. *Special use permit.* Child mini-day care centers and child day [care] centers may be permitted by special use permit in R-1 and R-2 districts subject to the following conditions:

1. State and local licensing requirements are met, including those pertaining to building, fire safety, and health codes.
2. Lot size, building size, setbacks, and lot coverage conform to those applicable to the zoning district.
3. Signage, if any, conforms to the requirements for the zoning district.
4. A child care registration form is filed with the City of Branson.
5. At least one on-site parking space is provided for each on-duty staff person.
6. An on-site vehicle turnaround, or separate entrance and exit points, and passenger loading area must be provided and approved by the city engineer.
7. A solid fence at least six feet high must be installed along each side yard and rear yard lot line.
8. No structured area for active play or play structures may be located in a front yard or within ten feet of a side or rear lot line.
9. The site must be landscaped in a manner compatible with adjacent residences, as approved by the city landscaping agent.
10. No structural or decorative alteration that will alter the residential character of an existing residential structure used for a child mini-day care or child day care center is permitted. Any new or remodeled structure must be designated to be compatible with the residential character of the surrounding neighborhood.
11. A child mini-day care center or a child day care center shall not be located within 300 feet of another child mini-day care center or [child] day care center, excluding any day care center that is an accessory use in a community service facility.

G. *Miscellaneous provisions.* In addition to the requirements as indicated in this section, every child day care facility applicant shall be subject to the following requirements prior to approval of a special use permit:

1. Issuance of a child day care facility permit from the Branson Police Department, in accordance with section (H) below.
2. Pre-open and annual facility inspections by the city health department in accordance with rules, regulations and procedures as adopted by that department.

H. *Application form for child day care facility permit.* The application for a child day care facility permit form as provided by the police department shall contain the following:

1. Name, address and phone number of business.
2. Name, address and phone number of local supervisor/manager.
3. Full names, addresses (for previous one year prior to application), social security numbers, phone numbers, written evidence of age, and descriptions of all paid or voluntary positions of said child day care facility if such position would place the applicant in direct contact with minors.
4. Other pertinent information, as required by the police department, necessary to insure a complete background investigation.
5. All personnel falling within the requirements and guidelines of this section, including

but not limited to, owner/operator applicants, employees of same (full-time or part-time), volunteers, or any others required by ordinance to complete permit application, shall provide sufficient information as requested and shall by application request, understand and authorize criminal history background and records check by the Branson Police Department.

The chief of police may refuse issuance of a child day care facilities permit if he/she finds during such criminal history/background check, any convictions of a crime, excluding minor traffic violations of the applicant, or any history not in keeping with the best interest of the City of Branson. The chief of police may suspend or revoke a child day care facilities permit if it is determined that a criminal conviction has occurred any time following issuance of such permit, or activity of an undesirable nature not in keeping with the best interest of the City of Branson occurs.

(Code 1988, § 410.080; Code 1996, § 410.080; Ord. No. 96-26, § 410.080, 2-26-1996)

Section 410.085. A agricultural district regulations.

A. *Intent.* The A agricultural district is intended to apply in areas which economically have value for agricultural uses.

B. *Permitted uses.* No building or premises shall be used and no building shall be hereafter erected or structurally altered, unless otherwise provided in this chapter, except for one or more of the following uses:

1. Existing one-family residences.
2. Cultivation, storage and sale of crops, vegetables, plants, flowers and nursery stock produced on the premises, excluding fruit and vegetable stands and similar operations.
3. The keeping of livestock for farm or personal use, provided that the lot on which such use is located shall be at least five acres in size.
4. Public recreation areas and facilities.
5. Home occupations, as defined elsewhere in this title [appendix].
6. Accessory buildings typically found with above permitted uses.

C. *Special uses.* The following uses are permitted subject to the review and approval of the planning and zoning commission.

1. The keeping of livestock for commercial use.
2. Oil, gas and other mineral exploration and production.
3. Airports, public and private.
4. Public utility facilities.
5. Schools, public and private.
6. Mining, removal and processing of gravel and/or sand.
7. Churches.
8. Fruit and vegetable stands and similar operations.

D. *Height regulations.* No building designed for residential use shall exceed 35 feet in height or three stories above the foundation or basement ceiling level thereof. An accessory structure may not exceed 35 feet in height or be higher than the principal building, whichever is less.

E. *Rear yard setback.* A yard of not less than 50 feet shall be maintained between the rear lot line and the main building.

F. *Side yard setback.* A yard of not less than 25 feet shall be maintained between the side lot and the main building.

G. *Corner setback.* A yard of not less than 35 feet shall be maintained between the side lot lines abutting the side street and the main building.

H. *Front yard setback.* A yard of not less than 35 feet shall be maintained between the front lot line and any building.

I. *Accessory building setback.* An accessory building may be located within five feet of any side or rear property line, except however, accessory buildings housing livestock shall not be set closer than 35 feet from any side or rear property line and not closer than 75 feet from the main family dwelling. In no instances shall any accessory building be permitted in the front yard. Accessory buildings shall be set back a minimum of 35 feet from any side street on a corner lot.

J. *Lot area.* There shall be no lot area of less than 40,000 square feet.

K. *General provisions.* The use of land within this zone shall conform to the signing, off-street parking, screening requirements as specified in the landscape ordinance, and other provisions of this title.

(Code 1996, § 410.085; Ord. No. 96-068, § 410.085, 8-12-1996)

Section 410.090. M-H mobile home community district.

A. *Purpose and intent.* The intent of the M-H mobile home community district is to provide for the orderly and unified planning and development of mobile home communities, to assure [ensure] the provision of facilities and amenities appropriate to the needs of residents of mobile home communities and to assure a harmonious relationship between mobile home communities and adjoining land uses.

B. *Special requirements.* A detailed set of plans, which fully explains the proposal and the extent to which it meets or exceeds the design standards outlined herein, shall be submitted to the planning commission for review and recommendation and to the board of aldermen for review and approval.

C. *Permitted uses.* No building, structure or land shall be used and no building or structure shall be hereafter erected or structurally altered, unless otherwise provided for in this section, except for one or more of the following uses:

1. Single-family mobile and modular homes.
2. Public recreation areas and facilities.
3. Municipal buildings and facilities, excluding storage and repair facilities.
4. Planned development.
5. Personal care boarding homes; two boarders or less.
6. Accessory buildings typically found with above permitted uses.

D. *Special uses.* The following uses are permitted subject to the review and approval procedures as outlined in this title [appendix]:

1. Schools, public and private.
2. Churches.
3. Public utility facilities, excluding repair, storage and business facilities.

E. *Prohibited uses.* Unless a use is specifically listed elsewhere in this section, such use shall

be considered prohibited in any mobile home community. The following uses are expressly prohibited in any mobile home community:

1. Timeshare operation.
2. Nightly or weekly rentals of any nature.
3. Any use considered commercial in nature.

F. *Design standards.* The following standards shall be incorporated in the design of the mobile home community:

1. The gross density shall not exceed seven units per acre, unless part of an approved plan which includes other land uses.
2. The minimum lot size shall be 3,200 square feet.
3. The minimum lot width shall be 40 feet.
4. The minimum separation between mobile homes shall be ten feet.
5. There shall be no private streets. All streets in the mobile home community shall be public streets dedicated to the city.
6. The minimum setback from a mobile home unit to a boundary that is not a street shall be 20 feet. The minimum setback from a mobile home unit to a boundary that is adjacent to a public street shall be 25 feet.
7. A minimum of two off-street parking spaces per mobile home site, plus one guest space for each five sites, all in conformance with the parking requirements of this title [appendix], shall be provided in the mobile home community. Uses other than mobile home sites shall be subject to the parking regulations included in this title [appendix].
8. A minimum street width of 28 feet paved from back of curb to back of curb shall be required on all streets within the mobile home community. All street construction shall be in strict conformance with the City of Branson standards and specifications for residential streets, with the exception that the minimum right-of-way width may be reduced from 50 feet to 40 feet when a five-foot utility easement is provided along each side of the right-of-way.
9. A minimum of two accesses to a dedicated street shall be provided per mobile home community.
10. A minimum of 0.3 footcandles lighting shall be provided on all driveways and walks.
11. Sidewalks shall be provided adjacent to all streets, on both sides of the street, shall be a minimum width of four feet, and shall be constructed in conformance with City of Branson standards and specifications for sidewalk construction.
12. A minimum of 15 percent of the gross area of the mobile home community shall be provided as park area.
13. A minimum of 30 percent of the gross area of each mobile home lot shall be provided as usable livability open space.
14. A clubhouse and/or other common recreation facilities shall be provided in accordance with plans submitted for review and recommendation by the planning and zoning commission and review and approval by the board of aldermen.
15. All mobile homes shall have tie-downs in accordance with applicable provisions of the BOCA Building Code as adopted by the city.
16. Plans and specifications shall be submitted and permits issued in accordance with the regulations contained in chapter 22 of the Branson Municipal Code and of the BOCA

Building Code as adopted by the city.

17. A landscaping plan shall be submitted for review and approval by the city landscape administrator with a formal report attached to the submittal for mobile home community.

18. No building or structure hereinafter [hereafter] erected or structurally altered in a mobile home community shall exceed 35 feet in height or two stories above the foundation or basement ceiling level.

19. When adjacent to or across the street from a residential use other than a mobile home park, or when required by the board of aldermen due to location, a decorative fence, wall, landscaping or earth mounds of six feet in height shall be provided around the perimeter of the site to screen the mobile home community from view.

20. Storage units shall be designed as an integral part of the site and shall be screened. Setback requirements specified in subsections (F)(5) and (F)(6) above shall apply to storage units.

21. All electrical, gas and telephone utilities shall be placed underground in accordance with city standards. Provisions shall be made to provide sewer and water service to each mobile home in a manner which shall conform to all governing regulations, including the City of Branson technical specifications. Adequate fire protection shall be provided by installing fire hydrants which conform to all governing regulations, including the City of Branson technical specifications.

22. Trash collection receptacles shall be provided and properly screened from view.

23. Provisions shall be made for off-street camper and boat storage either adjacent to the mobile homes or in a central location or locations. One hundred square feet shall be provided for each mobile home site. Covenants or other binding restrictions prohibiting said storage may be provided in lieu of said storage space.

24. Provisions to maintain and manage all common facilities shall be submitted for approval by the planning and zoning commission and board of aldermen.

25. Adequate stormwater control is required per City of Branson technical specifications.

G. *Additional requirements.*

1. The overnight housing and occupancy of travel trailers, motor homes, truck campers, recreation vehicles, tents and houseboats within a mobile home community is prohibited.

2. Bonding or some guarantee in a form acceptable to the city attorney may be required to guarantee performance.

3. If, in the process of reviewing the application for the mobile home community, the planning and zoning commission or the board of aldermen deem it necessary to apply other conditions of approval more restrictive than those outlined herein, such conditions may be required to make the use more compatible with either the existing or proposed environment.

4. Unless specifically approved elsewhere in the Branson Municipal Code, the parking of a mobile home on a lot not located within a mobile home community is prohibited.

5. Application procedures shall conform to the procedures defined in the subdivision regulations of the city.

6. Any communal swimming pool, clubhouse, bathhouse, or other public place within the mobile home community district boundaries shall meet the city and state health codes, rules and regulations, including chapter 46 of the Branson Municipal Code.

(Code 1996, § 410.090; Ord. No. 97-002, § 410.090, 1-27-1997)