



Comprehensive Plan 2006



City of Lake Ozark, Missouri

ACKNOWLEDGEMENTS

City of Lake Ozark *Comprehensive Plan*

Bus Rt. 54

Lake Ozark Missouri, 65049

(573) 365-5378

Adopted by:

Planning & Zoning Commission

Margaret Davis, Chair

Jeff L. Van Donsel

Margaret Spurrier

Larry Gridley

Ron Lunsford

Kerry Gray

Accepted by the Mayor & Board of Aldermen

Paul Sale, Mayor

Ward I

Donald P. Langley, Jr. / Elbert Sutton

Ward III

Jeff L. Van Donsel / Kerry Gray

Ward II

Keeth Blankenship / Johnnie Franzeskis

City Staff

Charles Clark, City Administrator

Rachel Kelley, City Clerk

Bill Bolin, Bldg Inspector

Brian Hey, City Attorney

Project Consultant

Bucher, Willis & Ratliff Corporation

903 East 104th Street, Suite 900

Kansas City, Missouri 64131

Phone: (816) 363-2696

Fax: (816) 363-0027



www.bwrcorp.com

COMPREHENSIVE PLAN

City of Lake Ozark, Missouri

Executive Summary

Executive Summary

A comprehensive plan is an official public document adopted by the Planning Commission and the Board of Aldermen as a policy guide to decisions about the physical development of the community. It indicates in general how the citizens of the community want the City to develop in the next 20 to 30 years. The purpose of the comprehensive plan is to provide a rational and comprehensive guide for development that fosters economic growth, and encourages compatible and high quality land development.

The City of Lake Ozark has undertaken an update of the City Comprehensive Plan in 2005—2006. The project planning consultant, Bucher, Willis & Ratliff Corporation facilitated public meetings with the planning commission, Board of Aldermen and staff; and with representatives of the Lake Ozark community and its key community stakeholders, including area residents, landowners, education representatives, community groups, business and civic leaders, and elected and appointed public officials (**Ref. Chapter 1**). The city has maintained a planning and zoning program since before its prior comprehensive plan (adopted in 1994); and this is a formal update of that prior plan.

The economy of the Lake Ozark-Rolla Region is generally outpacing the economy of Missouri as a whole (**Ref. Chapter 2**). There has been a varied amount of economic growth in this region during the last ten years, with areas near the Lake of the Ozarks seeing good progress. The population growth since 1990 in the Lake Ozark-Rolla Region was 14.8%, compared to 9.1% for the state. The population of the City of Lake Ozark increased more than 119 percent in the 1990s and continues to experience over 5% growth a year since 2000. The seasonal lake users in the area are growing, but so are year-round residents. The shift to more year-round residents may be considered a trend, and if so, will have impacts on the future of Lake Ozark.



The City has shown innovative thinking in the past, and must continue to do so as it faces growth opportunities, such as in its undeveloped center, and challenges, such as infill along its historic Business U.S. 54 Highway corridor. This plan spells out land use for that growth (**Ref. Chapter 3**). An example of past innovative thinking in planning by the City is in their procedures for review of structures to assure “View Preservation.” The 1994 Plan recognized that the hillsides, lake fronts, and natural geographic features of the City of Lake Ozark constitute a limited natural resource in their scenic value to all City residents and visitors. These unique features provide potential vista points and view lots. The purpose and intent of the View Preservation ordinance apply to all projects proposed that would impact a view of the lake; and the process has been applied to good effect, moving some building to preserve views—for example, the lake view from the site where Arrowhead Lodge has stood for decades.

Role of the Planning Commission

The Planning Commission has a distinct duty in planning: adopt a plan for the physical development of the incorporated areas of the City.

- Before adopting or amending the Comprehensive Plan hold a public hearing.
- After adoption, certify a copy of the adopted plan to the Board of Aldermen and City Clerk.
- Record a copy in the Office of the County Recorder of Deeds office.

The commission is also an advisory body to the Board of Aldermen:

- Hold public hearing to obtain public opinion regarding each rezoning application, special use permit application, and proposed text amendment.
- Adopt a recommendation to the Board of Aldermen on each rezoning application, special use permit application, and proposed text amendment.

Finally, the commission is to approve or disapprove both preliminary plats and final plats. This is the one function the commission acts on solely, rather than in an advisory capacity.

Role of the Board of Aldermen

The Board of Aldermen serves several functions in the planning and zoning process:

- Enact and amend the zoning ordinance and zoning district map after considering the Planning Commission's recommendation.
- Amend the subdivision regulations after considering the Planning Commission's recommendation. This responsibility does not include approving subdivision plats.
- Accept or reject dedications of easements, rights-of-way and public lands on subdivision final plats after having been approved by the Planning Commission.
- Approve engineering plans for construction of public improvements.
- Approve financial guarantees or financing mechanisms to ensure construction of all public improvements within subdivision plats.

Role of the Board of Zoning Adjustment

The Board of Zoning Adjustment also plays a role:

- Primarily a quasi-judicial body rather than an advisory or legislative body.
- Role in Zoning Administration is limited to two types of tasks:
 - The appeal of an administrative decision or interpretation where there is an ambiguous provision or an alleged error in the administration of the zoning regulations; and
 - The granting of variances for cases of hardship.
- The Board of Zoning Adjustment is not involved in the administering of the subdivision regulations.

Plan Update 2006: Public Involvement

The City of Lake Ozark is committed to providing public involvement in the planning process for the reasons stated in this Plan: planning and zoning must be done in the public interest for the common good of the citywide community. For that reason, the City provided opportunities for residents, landowners, business and civic leaders, and other community stakeholders to participate in the formulation of the plan update in fall 2005. Participants in the first public



About 25 individuals from Lake Ozark and the surrounding unincorporated area gathered to identify issues that would shape the City's future.

meeting—the Issues Focus Session—identified and ranked critical issues facing the future of Lake Ozark from broad perspectives, positioning the City to formulate clear planning policy. The meeting allowed the community to begin building consensus on key community issues as the Comprehensive Plan update progresses. The session was open to the public. About 25 individuals from Lake Ozark and the surrounding unincorporated areas gathered and identified issues that would shape the City's future.

The planning issues were organized and discussed in the following categories:

- Future Land Use and Infrastructure
- Economic Development/Tourism
- Quality of Life Issues

Top Quality of Life Issues:

1. Build on City of Lake Ozark government that works well, internally and in cooperation with neighboring jurisdictions, both private and public.
2. Protect against the loss of a “family atmosphere” in Lake Ozark.
3. Keep the integrity of historic areas in Lake Ozark.
4. Protect the integrity of residential areas of the city; maintain trees and the natural beauty of the area.
5. Promote ways to provide affordable housing for area families and workers.

Top Economic Development Issues:

1. Create an Economic Development Strategy by planning and recruiting for new businesses, and professional staff.
2. Planning for future growth of Lake Ozark should provide for usable land that is ready for development, meaning served by extension of services and prepared as flat land capable of being built on.
3. Work to change and improve the “Image” of Lake Ozark, in part by building on positive, proactive leadership.
4. Promote the tourism industry through proactive steps.

5. Cooperate and coordinate with neighboring jurisdictions and regional agencies as a key way to promote local interests more effectively.

Top Future Land Use Issues:

Participants generally felt new growth should occur in a manner that respects existing developed properties and minimizes future conflicts

1. Provide adequate infrastructure to serve growth areas, including sanitary sewer, water and roads—both new development and maintenance of existing.
2. Promote land use compatibility through sound growth policies that promote land availability and updated zoning regulations.
2. (tie) Promote affordable housing.
4. Promote the planning and development of public parks and better public access to the Lake of the Ozarks from the City.
4. (tie) Promulgate and promote a “Vision” for the what the City of Lake Ozark can be in the future.

The City of Lake Ozark 2006 Comprehensive Plan builds on these key issues in its findings, policies, and recommendations.

The Basis of Decision-Making

A current and up-to-date comprehensive plan is critical for any city that adopts zoning and subdivision regulations. As with other "police powers", the exercise of zoning and subdivision regulations is subject to certain legal limitations. One of the most important of these limitations requires that zoning and subdivision regulations cannot be applied in an "arbitrary or capricious" manner. Decisions regarding zoning and subdivision issues cannot be fixed or arrived at through an exercise of will or by caprice, without consideration or adjustment with reference to principles, circumstances, or significance. An updated plan is the basis for this (**Ref. Appendix A**).

One key function of the Plan is as a basis for making a recommendation or decision on a zoning request, before which the Planning Commission must hold a public hearing. The purpose of the hearing is to allow both sides to express their views on the issue and to discuss all relevant factors. It is important that decisions not be based solely on the opinions of the largest or most vocal group of participants. Instead, zoning decisions must be based on the best interests of the entire community, and not just the interests of a particular property owner or neighboring property owners. *This is one of many reasons why the updated comprehensive plan is important to the City of Lake Ozark, its planning commission, and its governing body.*

The Planning Commission should always strive to distinguish between facts and opinions at a public hearing. Unsubstantiated assertions ("This project would reduce the value of my property by 75 percent") or generalizations ("People who live in apartments always drive fast cars and race up and down the streets") should be analyzed for their validity. Even "expert witnesses" should be pressed to give as factual a basis as possible for their judgments. The more the commission consults this plan and updates it, the more it can make good on this charge of fact-based decisions.

Second, zoning decisions should include consideration of long-range community goals as well as short-range needs. The recommendations of the Comprehensive Plan should

be the primary source for this information. Because of its importance in the zoning process, the Comprehensive Plan should be reviewed by the Planning Commission on a regular basis and amended as necessary to ensure that it remains current.

Third, it is important to zone based on land use issues, not the issues affecting the individual applicant. An error frequently made is approval of a rezoning to accommodate an applicant's personal circumstances without consideration of land use conditions and characteristics. Such a rezoning is rarely in the public interest and, if challenged, can be held to be invalid. Instead, decisions should be based on whether the land is appropriate for the proposed zoning district. Appropriate matters that should be considered for each rezoning application include:

1. The character of the neighborhood;
2. The zoning and uses of properties nearby;
3. The suitability of the subject property for the uses to which it has been restricted;
4. The extent to which removal of the restrictions (or change of zone) will detrimentally affect nearby property;
5. The length of time the property has remained vacant as zoned;
6. The relative gain to the public health, safety and welfare by not rezoning the property as compared to the hardship imposed on the property owner;
7. The adequacy of public utilities and other needed public services;
8. The recommendation of staff; and
9. *Compliance with the Comprehensive Plan.*

Future Plan Amendments

Before making any recommendation or decision on a proposed amendment to the text of the Plan, or of the zoning or subdivision regulations, the Planning Commission must first hold a public hearing. The purpose of the hearing is to allow public discussion of views on the proposed amendment. Just as a decision on rezoning request must be based on the best interests of the entire community, and not just the interests of a particular person or group of persons, amendments to the text of the Plan or zoning and subdivision regulations must also be based on the best interests of the entire community.

COMPREHENSIVE PLAN

City of Lake Ozark, Missouri

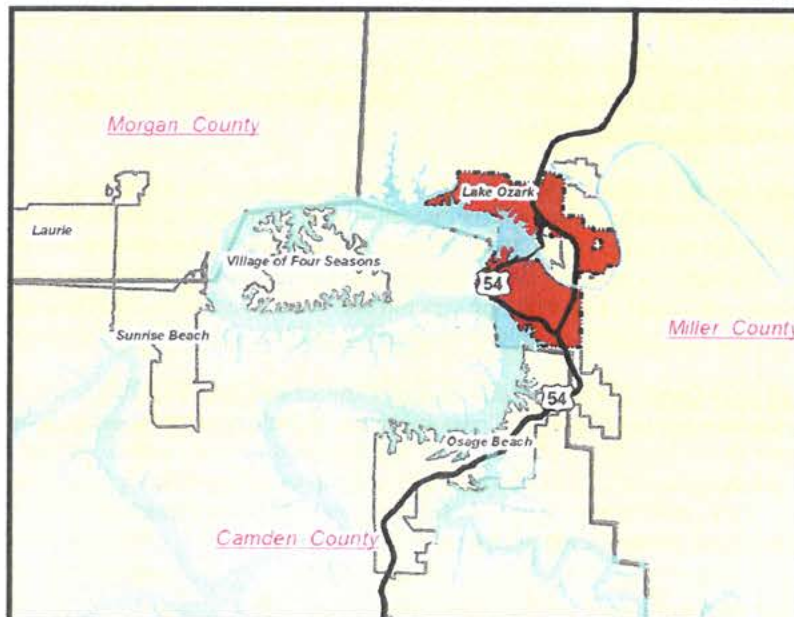
Planning Issues

Planning Issues

Introduction

The City of Lake Ozark, Missouri was incorporated in the 1960's. The construction of Bagnell Dam in 1929 created the Lake of the Ozarks which has become the largest fishing and boating attraction in the Midwest. Unlike other large recreation lakes in the country—which are near an ocean, gulf, or large fresh water lake—Missouri's Lake of the Ozarks has no peer lake or body of water in a multi-state arc west, north, and east in the central Midwest. So the tourist and resident population shed from which it draws is relatively large.

The City of Lake Ozark is developed along a ridge overlooking the Lake of the Ozarks, and its existing pattern of development has been influenced by this topography. Existing land uses occupy most land on the ridge top and to the west toward the lake. Development between the ridge and the Osage River is sparse and contains several residences, a campground and a manufacturing company. Commercial development is mainly on the ridge top, along Business U.S. 54 Highway.



The land uses of Lake Ozark comprise a limited range of land use types, primarily single-family residential, retail-commercial and lake-area multifamily. The retail-commercial tourist district that leads down to Bagnell Dam is called "the Strip." This historic and established tourist area is considered one of the State's most unique tourist attractions. The seasonal tourism industry is a major contributor to the pattern of development in the City, and makes planning issues more complex than a similarly sized small community.

In 1990 there were 459 housing units in the City which included both permanent and seasonal single-

family dwellings, condominiums and apartments. Of the 459 housing units in the City, only 170 were considered to be owner-occupied, a difference accounted for by the seasonal lake users in the area.

By comparison, ten years later as of the decennial census of 2000, the number of housing units grew to 1,143 in the City. Of them, 474 were considered to be owner-occupied. The seasonal lake users in the area are growing, but so are year-round residents. The shift to more year-round residents may be considered a trend, and if so, will have impacts on the future of Lake Ozark.

The 1994 Comprehensive Plan summarized existing land uses in the City of Lake Ozark in six distinct planning areas by type and pattern of land use. Following is an update of that summary for the 2006 Plan update. Even though the City contains a relatively small population, distinct patterns of land use have evolved. In order to provide an understanding of the primary function of each area and how their combination defines the City as a whole, these areas are described below:



The traffic on the Strip at peak tourist season, on a Friday night, can become overcrowded, far exceeding the average daily traffic count of 6,366 cars per day on Bus. 54 Highway (MoDOT, 2004 data).

and is located on the west side of the ridge overlooking the lake. Most of the residential development includes seasonal homes such as condominiums and cabins. Several marinas and resorts are located along the shoreline.

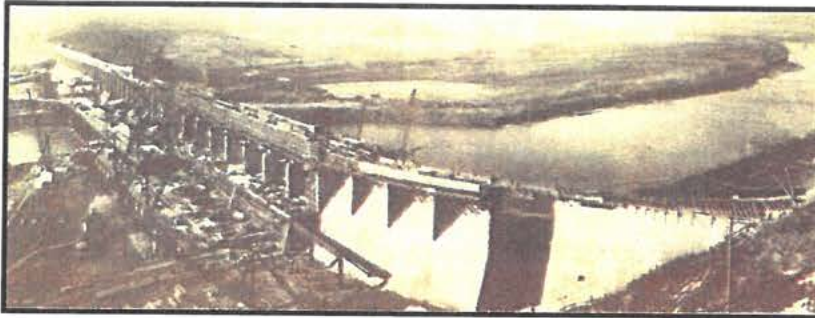
4. North Lake Ozark: Portions of this area were annexed into the City of Lake Ozark in 1989 and then later. The North Port development, which is adding condominiums and single-family homes, is located in this area. An 18-hole golf course, clubhouse and condominiums has developed. Ultimately, North Port is planned for up to 800 residences and 300 condominium units when fully developed. However, the area has been slow to develop. The land areas to the northwest have been subject to annexation based on requests for municipal services.

5. Interior of Lake Ozark: This area contains land between Business 54 and U.S. 54 Highways, east of the lake. This area is predominantly vacant land with several residential streets accessed from Bus. U.S. 54 Highway—including local schools—and a light industrial assembly plant business. It is characterized by rolling topography and floodplain along the Osage River. This central area is subject of the most active land use planning for change in the city, including a plan for a new interchange at U. S. 54 Highway.

6. U.S. Highway 54 Corridor: The area along U.S. Highway 54 on the east side of Lake Ozark contains a vital access loop around the City. Very limited development persists today due to severe topographical constraints. The joint regional city wastewater treatment plant is located in the unincorporated region east of U.S. 54 Highway above the Osage River.

Lake of the Ozarks

The lake reservoir originally flooded an area of 61,000 acres with a shoreline in excess of 1,300 miles. For its time (1931) it was the world's largest man-made lake. Until it was vacated and inundated, the town of Linn Creek, Missouri was the county seat of Camden County, with a population of 500 inhabitants.



Bagnell Dam under construction, photo taken in January 1931—one month before the span was completed and the construction train could traverse the entire gap. (Courtesy Lake Area Chamber of Commerce)

Today, on a typical summer day in 2006, there are likely to be more than 10,000 boats on the lake, from jet skis to 50 foot yachts. As of 2005 there were approximately 25,000 docks, the larger ones consisting of dozens of slips. AmerenUE regulates docks, seawalls and other structures on the Lake. The power company maintains the Dam, such as in fall 2004 to rebuild and resurface the 70 year old road across the Dam. Public tours were discontinued several years ago.

Issues Focus Session and Charrette Overview

The City of Lake Ozark "Focus Session" was held in September, 2005 at the Junior High School. The following is a summary of the first series of public meetings held by the City of Lake Ozark for the update of the City Comprehensive Plan.

The project planning consultant, Bucher, Willis & Ratliff Corporation facilitated an issues-identification focus session with representatives of the Lake Ozark community and its key community stakeholders, including area residents, landowners, education representatives, community groups, business and civic leaders, and elected and appointed public officials.

The session provided an opportunity for residents, landowners, business and civic leaders, and other community stakeholders to identify and verify issues and opportunities that are critical to the City's future. Participants in the session identified and ranked critical issues facing the future of Lake Ozark from broad perspectives, positioning the City to formulate clear planning policy. The meeting allowed the community to begin building consensus on key community issues as the Comprehensive Plan update progresses. The session was open to the public. About 25 individuals from Lake Ozark and the surrounding unincorporated areas gathered and identified issues that would shape the City's future.

The process of *Issues Identification* used at the Focus Session was a structured idea-sharing process. Participants initially introduced themselves and shared each other's ideas and issues to the entire group. The opening lists of issues identified in the large group were then refined, clarified and prioritized in small "break-out" groups. The series of issues were organized and discussed in the context of the following categories:

- Future Land Use and Infrastructure

- Economic Development/Tourism
- Quality of Life Issues



A charrette is a fast-paced, interactive workshop for solving problems posed to a group of the Lake Ozark citizens, community officials, business owners, employees, and stakeholders. In a charrette the public discussed preferred solutions to the identified issues facing Lake Ozark. They had workbooks, area maps, aerial photos, other tools to record preferences, goals, objectives, actions, and strategies for resolving the issues from the Focus Session held earlier.

About 25 individuals from Lake Ozark and the surrounding unincorporated area gathered to identify issues that would shape the City's Future.

were charged with developing strategies and responsibilities to address the issues identified to date, as well as other issues relevant to the vision and future of Lake Ozark. The principal purpose of this public involvement process was to gain detailed insights into the previously identified issues impacting Lake Ozark and the preferred future of the City, while building consensus for goals and objectives.

The following is a summary of the issues identified in the Focus Session, including the top issues for each discussion category as ranked by each of the break-out groups; and then preferred solutions, ideas, and strategies (**highlighted in bold, Arial Text**) that were identified and discussed in the Charrette.

QUALITY OF LIFE ISSUES & OPPORTUNITIES

While the definition of "Quality of Life" is subjective, the focus session participants discussed topics including quality development, parks and green space, "small town" and "family-oriented" ambiance, community atmosphere, and other characteristics that define Lake Ozark and make the community a desirable place to live, work and play. Access to the Osage River and visibility of the Lake of the Ozarks were identified as key opportunities (to improve public access) and existing assets of the community (as views of the Lake are numerous and from the public road and buildings. Other key issues were the need to provide affordable housing, adequate infrastructure, senior services, and the need to foster and maintain good relationships between the City and neighboring jurisdictions.

Listed below are the top five issues affecting Lake Ozark's quality of life in the near and long term, as identified by the focus session participants:

Quality of Life: Community assets that shape the character and image of Lake Ozark as a good place to live, raise a family and work, and for visitors and tourists to shop and have fun.

Economic Development/Tourism: Issues related to retaining and attracting businesses and workers; and for tourists to spend money.

Future Land Use & Infrastructure:

Issues related to preferred development patterns and the intensity and location of land uses in and around the City, as well as issues related to planning for, and funding of, infrastructure, utilities and related public services.

In October, 2005 a "Policy Planning Charrette" was conducted with a broad cross-section of the community including the participants from the focus session, area residents, civic and business members, the Planning Commission and City Council members, City Staff, and other stakeholders. During the charrette meeting participants



The City of Lake Ozark is developed along a ridge overlooking the Lake of the Ozarks, creating continuous views of the water from the public roadway (primarily along Bus. 54 Highway) that no other lake-area city can boast. A stated objective of this plan is to create more public access to the shoreline.

Top Quality of Life Issues:

1. Build on City of Lake Ozark government that works well, internally and in cooperation with neighboring jurisdictions, both private and public.
2. Protect against the loss of a "family atmosphere" in Lake Ozark.
3. Keep the integrity of historic areas in Lake Ozark.
4. Protect the integrity of residential areas of the city; maintain trees and the natural beauty of the area.
5. Promote ways to provide affordable housing for area families and workers.

Community Character, Governance, & Image. The desire to maintain Lake Ozark's character, visual integrity, and "small town ambience" was identified as a top quality of life issue. Based on the charrette results, the participants generally agreed that **the City of Lake Ozark should promote quality new development that is in character with the community**, and that public-private partnerships could be used to implement the community goals.

Types of aesthetic enhancements that should be pursued in Lake Ozark were discussed. Particular areas of the community that should include design standards for future development or redevelopment were identified. Including design review requirements, specific "streetscape" elements (i.e. benches, trash receptacles, pedestrian scale lighting, unique paving patterns at crosswalks, sculpture, decorative paving, decorative street lights, fountains, unique street signs, etc.). **The city needs to:**

- Overcome apathy of citizens.
- Use the comprehensive plan update as a way to educate the public and create interest so that apathy is prevalent.
- Continue coordinating with regional groups, such as the Lake of the Ozarks Chamber of Commerce, so that interest is developed citywide.



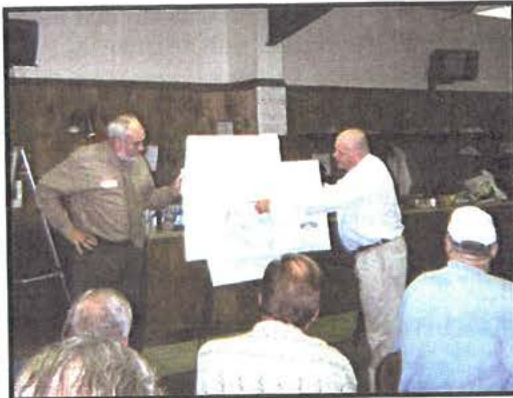
Parks, hike and bike trails, and proximity to the Osage River were identified as key assets for the community

Community Family Orientation and Services. The community identified potential needs for maintaining family orientation and the integrity of residential areas of the city. The participants discussed ways to clean up Lake Ozark through various ways such as special clean-up days and recycling. They also identified **specific areas in the community where clean-up and visual improvements should be targeted.**

The need for citizen input and unity of Lake Ozark residents was identified as an issue important to Lake Ozark's future. The "Family Festival" as a means of achieving this was discussed. Ways in which the City can unite and obtain public input regarding critical issues were discussed.

Historic Old Strip. The development of unique districts can help attract special uses and activities in Lake Ozark. Better traffic movement and parking can help the Old "Strip" District. Other areas of Lake Ozark that are historic and "different" from new areas were

identified. The participants discussed “guidelines for design,” and appropriate uses in an Old Town district. **The City needs to:**



Participants identified specific areas in the community where clean-up and visual improvements should be targeted.

- **Draft and adopt “Guidelines” for good strip development.**
- **Committees should be set up to work as subcommittees of the Planning Commission to draft guidelines.**
- **The character of the strip should be family-oriented.**

Affordable Housing. The City and region need affordable housing. The participants discussed what “affordable” meant to them and they identified ways to get homes built in an affordable price range. They discussed support for specific improvement options, such as the city securing outside grant funding for part or all of improvements to roadways, for example, to “pave the way” for housing. **The City should study:**

- **Are land costs too high?**
- **Can subsidies be found to help off-set costs?**
- **How can the city zone for higher density,**

since affordability is directly related to density?

ECONOMIC DEVELOPMENT / TOURISM ISSUES & OPPORTUNITIES

Much of Lake Ozark’s current economic viability is based on services industry sectors. Major local employers and facilities such as hotels and restaurants are expected to play a key role in Lake Ozark’s employment and community growth in the future. While the



Participants strongly supported proactive economic development strategies and measures to pursue an “effective” plan.

community may have a limited ability to influence the national and global trends related to the tourism industry, the focus session participants felt the community could position itself in a manner to take advantage of future employment and population growth in the metropolitan area by creating land for development

Participants supported directing future community growth based on an “effective” plan. It was further recognized that Lake Ozark must market itself and improve its image, as well as maintain affordable housing options in order to attract new residents and businesses to the community.

The following are the top economic development issues for Lake Ozark’s near and

long term as identified by the focus session participants.

Top Economic Development Issues:

2. Create an *Economic Development Strategy* by planning and recruiting for new businesses, and professional staff.
3. Planning for future growth of Lake Ozark should provide for usable land that is ready for development, meaning served by extension of services and prepared as flat land capable of being built on.
4. Work to change and improve the "Image" of Lake Ozark, in part by building on positive, proactive leadership.
5. Promote the tourism industry through proactive steps.
6. Cooperate and coordinate with neighboring jurisdictions and regional agencies as a key way to promote local interests more effectively.

Lake Ozark's Businesses and Development in Context of the three-county Region. The Comprehensive Plan must be planned in the context of the greater Lake Ozark community and the three-county region. Some of the key economic needs and aspirations of the City in context of the entire region were discussed such as:

- "Economic Diversification" versus tourism alone, is key to the future: both tourism and business expansion is needed. Lake Ozark offers several market strengths in the Three-county region. These strengths include tourism, views of the Lake (though few access points to the Lake or riverfront activities), premier golf, and a "historic" area on the Strip.
- New and established business districts that help support the goals of Lake Ozark development are important to build on—and they should promote "the Ozarks Image."

Usable Land for Residential Growth and Commercial Services. The City needs to provide developable land in response to residential and retail-commercial growth pressures. A lack of available land (and basic services to the sites) will affect decision to locate or stay in Lake Ozark. The group discussed services currently needed in Lake Ozark to better serve developable areas and identified future growth areas in the greater Lake Ozark community where long-term development of new land areas might be appropriate, including future

annexation areas. The group discussed the proper mix of residential/commercial land uses along segments of the corridors identified for future growth:

- **Annexation should be considered as opportunities for new business and business expansion.**
- **Housing is needed for workers, including affordable housing.**



A common interest expressed by the participants is preserving Lake Ozark's small town "family ambiance".

major transportation corridors and "gateways". The participants identified positive and negative images along the following corridors:

- The Osage River
- The Strip

- Bus. 54-Highway and 54-Highway corridors.
- Others major corridors

Regional Cooperation. Cooperation with neighboring towns, the county and state agencies can make a difference. Working with MoDOT can lead to better transportation connections within the community, and better local and regional access. The road network impacts both existing developed areas such as central Lake Ozark, as well as other new growth areas of the city. The City cooperate more with neighbors on, for example, highway access from major roads within the region, which must be coordinated with MoDOT. The participants identified other examples of local and regional cooperation.

- The city has strengths in its geographic location: the toll bridge access.
- The city has history in its strip that is unique.
- The city has unusual shopping that is an alternative to new corporate shopping.

Lake and Riverfront Development/Tourism. Open space and the maintenance of the riverfront and its assets have been identified as significant quality of life issue in Lake Ozark. The City can cooperate and coordinate regionally on Lake access and Riverfront Development and Tourism. The participants identified types of **enhancements that should be provided in the future along the riverfront (i.e. increased public access, additional parking at the Osage River and at the Strip, more recreation facilities, cultural amenities, stormwater, street improvements, public safety, and related public services, etc.).**

Regional Traffic Concerns. Traffic impacts on the Strip and Bus. 54 Highway in Lake Ozark and recommendations for how increased traffic can be accommodated were discussed. Potential improvements in terms of community needs and business needs were prioritized.

FUTURE LAND USE AND INFRASTRUCTURE ISSUES & OPPORTUNITIES

In recent years Lake Ozark has experienced steady residential growth through annexations. The Lakes Area region is now experiencing a greater number of national chain stores, home improvement centers, and restaurants that typically follow residential growth and demographics. Participants recognized that Lake Ozark's general growth pattern will likely continue mostly to the west and northwest in the immediate future, with infill development needed at the city center with a major road extension to link U.S. 54 Highway with HH Highway and Horseshoe Bend.

Participants generally felt new growth should occur in a manner that respects existing developed properties and minimizes future conflicts.

The following are the top five future land use and infrastructure issues identified for Lake Ozark's near and long term:

Top Issues:

1. Provide adequate infrastructure to serve growth areas, including sanitary sewer, water and roads—both new development and maintenance of existing.
2. Promote land use compatibility through sound growth policies that promote land availability and updated zoning regulations.
2. (tie) Promote affordable housing.

4. Promote the planning and development of public parks and better public access to the Lake of the Ozarks from the City.

4. (tie) Promulgate and promote a "Vision" for the what the City of Lake Ozark can be in the future.

Balance investment in both new and existing infrastructure: Plans for growth should provide direction for how the community intends to balance its investment for infrastructure in existing developed areas as well as in growth areas to accommodate new development. **Types of infrastructure improvements (i.e. new streets or street rehabilitation projects, sewer, water, stormwater, public safety, emergency services, and related public services) should be prioritized in existing developed areas of Lake Ozark and in new growth areas.** For instance, there are particular areas that should be targeted for investment. Many of Lake Ozark's public services are provided through city/county/private sector cooperation. The participants identified who should take the "lead" in developing improvements listed below, and how they should be funded.

- sewer
- sidewalks and trails
- water
- public safety
- stormwater
- emergency services
- street improvements
- other related public services?



Affordable Housing. The City and region need affordable housing. The participants discussed what "affordable" meant to them and they identified ways to get homes built in an affordable price range. They discussed support for specific improvement options, such as the city securing outside grant funding for part or all of improvements to roadways, for example, to "pave the way" for housing.

Road Network. Adequate road connections within a community impact local access and regional access. Plans for growth must include designation and preservation of new arterial streets in anticipation of projected regional development, such as links with 45-Highway and re-aligned K-Highway (Union Chapel Rd) in the west side of the city. Highway access from major roads within the region must be coordinated with MoDOT. The participants identified **roadways where access should be planned and improved and areas where existing development may complicate the ability to improve access**

- Across town;
- Into and through the Strip and Bus. 54 Highway; and
- On roads leading into The Strip and Bus. 54 Highway.



The city needs to study how to fund infrastructure improvements, including connecting road networks such as the link to Horseshoe Bend and 54 Highway.

The city needs to study:

- How to fund infrastructure improvements, including connecting road networks.
- How the link to Horseshoe Bend and 54 Highway can be made.

Neighborhoods need quick and easy access to destinations such as schools, businesses and services, recreation areas, and employment areas. The participants identified areas where **connections such as sidewalks, roadways, bridges, and parks/greenways/trails should be located to better connect existing and future residential areas with destinations.**



Lake Ozark has long served as a tourist attraction and an economic generator for the region. The participants discussed how the community can expand its "Vision."

The participants also identified areas where existing development may complicate the ability to improve transportation circulation. They also described options for accommodating or mitigating increased traffic volumes in and through the existing developed areas, such as the Strip and Bus. 54 Highway in Lake Ozark and the city's older neighborhoods. **Roadways corridors where access should be planned and improved to serve future growth areas were also identified.**

Vision for Lake Ozark—Image. Lake Ozark has long served as a tourist attraction and an economic generator for the region. The Strip and Bus. 54 Highway and (more recently) U.S. 54 Highway around the city have been the "focus" of what people experience in Lake Ozark. How can the community expand its "Vision." The participants identified location of areas considered entryways/gateways to the City and where new "Images and Gateways" to the City can be developed. Improvements to these entryways/gateways were also discussed.

A family-friendly image is needed and desired in Lake Ozark. This could make the city stand out from other cities. This includes improvement to overall image.

Parks / Riverfront / Open Space. The participants identified potential enhancements to Lake Ozark's riverfront and open space system, and other areas for open space preservation. They also discussed implementation, funding and maintenance of the identified improvements.

The city needs parks and green space citywide, not just in isolated areas. The City should consider new ways to fund parks and recreation purchases and programs.

COMPREHENSIVE PLAN

City of Lake Ozark, Missouri

Demographics

Demographics

The Chapter includes citywide and metropolitan area demographic trends as they relate to regional and national trends. It also includes analysis by the Census Blocks within the City of Lake Ozark and its surrounding planning area. Finally, there is also a summary of key findings and a discussion of how demographic trends relate to Comprehensive Planning.

Introduction

The U.S. Census Bureau's 2000 Census Brief stated that the Nation's 1990 to 2000 population increase was the largest in American history. The population growth of 32.7 million people between 1990 and 2000 represents the largest census-to-census increase to date. Population growth in the U.S. varied significantly by region in the 1990s, with higher rates in the West (19.7%) and the South (17.3%) and much lower rates in the Midwest (7.9 %) and the Northeast (5.5%). Meanwhile, despite overall population growth in each of the past five decades, the Midwest's share of total population fell from 29% to 23%.

The population growth since 1990 in the Lake Ozark-Rolla Region was 14.8%, compared to 9.1% for the state

Missouri's population grew by 478,138 persons since 1990 a growth rate of 9.3 percent. This growth was larger than in any other decade this past century. As in recent decades, there were substantial population gains in the Ozarks and in the state's metropolitan areas. But there also was new growth in many rural counties north and south. Regional

population shifts show a continued expansion outward from older, larger urban centers. In fact, the population outside Missouri's combined municipal areas grew at a faster rate in the 1990s (12.1%) than the combined population within them (7.9%). The Lake Ozark-Rolla region (which includes the following nine counties: Camden, Crawford, Dent, Laclede, Maries, Miller, Morgan, Phelps, and Pulaski Counties) grew by a



substantial 14.8% during the 1990s.

The economy of the Lake Ozark-Rolla Region is generally outpacing the economy of Missouri as a whole. There has been a varied amount of economic growth in this region during the last ten years, with areas near the Lake of the Ozarks seeing good progress. The population growth since 1990 in the Lake Ozark-Rolla Region was 14.8%, compared to 9.1% for the state. The poverty rate for this area is 15.0%. This compares with 11.8% for the state as a whole. The unemployment rate during 2002 for the Lake Ozark-Rolla Region was 5.9%, higher than the rate statewide of 5.5%. This could be due to the many seasonal jobs sparked by the booming tourist industry in this region. The growth in personal income and per capita income in the Lake Ozark-Rolla Region over the past decade has matched the growth of the state as a whole. However, per capita income in the region was only \$21,802 during 2001, compared with \$28,221 for the state.

The City of Lake Ozark grew by 119% during the 1990s, with an addition of 808 people.

2.1 Current Population

The City of Lake Ozark has experienced steady and continuous growth since 1990. During the 1990s, the City of Lake Ozark added 808 new residents—a 119% increase in its total population. In comparison, the Lake Ozark Rolla region registered a population increase of 14.8% (31,000 people), which was over 5% higher than the average growth in Missouri.

Table 2.A identifies the 1990 to 2000 Census population and percent change over the decades for The City of Lake Ozark, Camden, Miller and Morgan Counties, the lake Ozark Rolla Region and the State of Missouri. **Map 1** provides a visual representation of The City of Lake Ozark's 1990 and 2000 census population by Census Block Group. Most of the growth in the 1990s appears to have occurred along the northern shore of the Lake

The City of Lake Ozark population increased from 1,489 in 2000 to 1,821 in July 2004, with a 4 year annual growth rate of 5.6%, based on Census estimates.

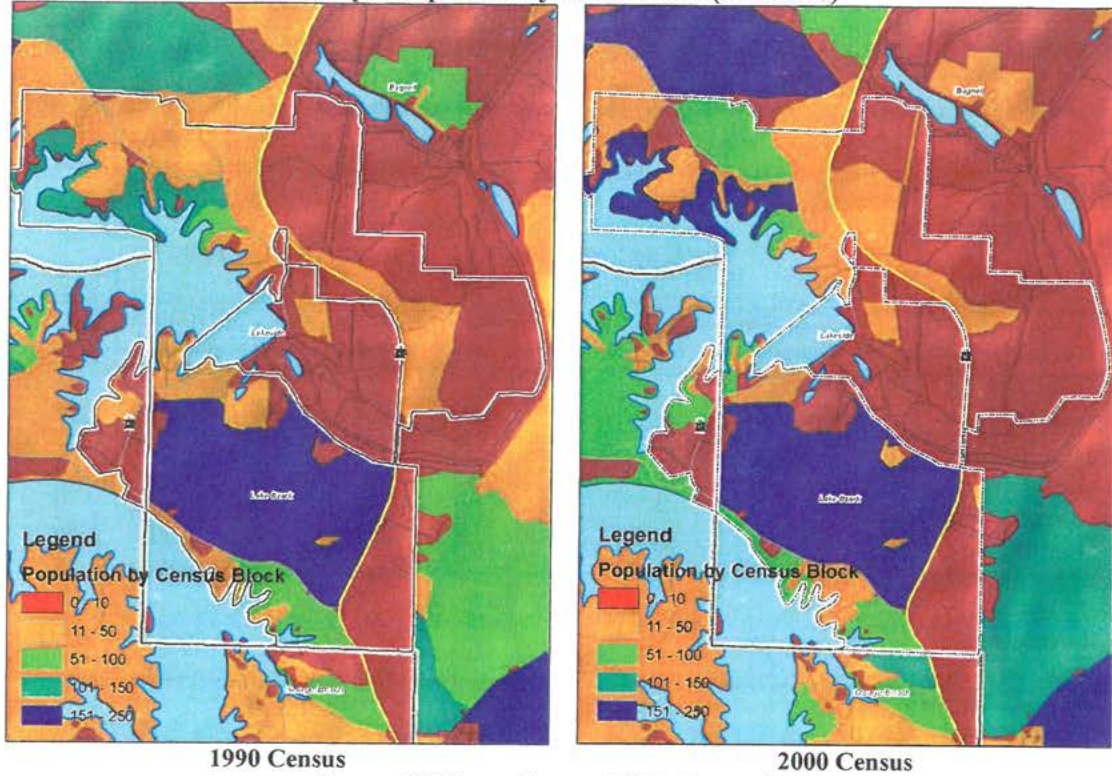
Table 2.A: Census Population Trends (1990-2004)

Area	1990	2000	Change (90-00)		2004 Census Estimate	Change % (04-00)
			No.	%		
Lake Ozark, MO	681	1,489	808	118.6%	1,821	22.3%
Camden Co, MO	27,495	37,051	9,556	34.8%	38,702	4.5%
Miller Co, MO	20,700	23,564	2,864	13.8%	24,624	4.5%
Morgan Co, MO	15,574	19,309	3,735	24.0%	20,263	4.9%
Lake Ozark Rolla Region*	209,195	240,061	30,866	14.8%	251,001	4.6%
Missouri	5,117,073	5,595,211	478,138	9.3%	5,754,618	2.8%

Source: US Census Bureau

* Region includes the following Counties: Miller, Camden, Crawford, Dent, Laclede, Maries, Morgan, Phelps and Pulaski

Map 1: Population by Census Block (1990-2000)



Source: US Census Bureau, BWR Corporation

2.2 Population Estimate and Projection

Whether the City of Lake Ozark continues to outpace regional growth and increase its population from today until 2025 (which is the long-term time frame of the plan) will depend on key infrastructure investments at the local, regional, and state levels.

2.3 Racial and Ethnic Make-up

Minority population (Non-white) in Missouri is about 15 percent of the total population. In comparison, The City of Lake Ozark residents are more than 96% White.

Table 2.B: Racial and Ethnic Trends (Census 2000)

	Lake Ozark, MO		Camden Co, MO		Miller Co, MO		Morgan Co, MO		Missouri	
	Number	%	Number	%	Number	%	Number	%	Number	%
White	1,433	96	36,190	98	23,090	98	18,796	97	4,748,083	85
Black or African American	6	0	95	0	65	0	98	1	629,391	11
American Indian and Alaska Native	20	1	181	1	108	1	122	1	25,076	0
Asian	7	1	107	0	30	0	23	0	61,595	1
Native Hawaiian and Other Pacific Islander	0	0	14	0	5	0	4	0	3,178	0
Some other race	7	1	82	0	68	0	30	0	45,827	1
Hispanic or Latino (of any race)	32	2.1	346	0.9	231	1	161	0.8	118,592	2.1

Source: US Census Bureau

2.4 Household Type and Size

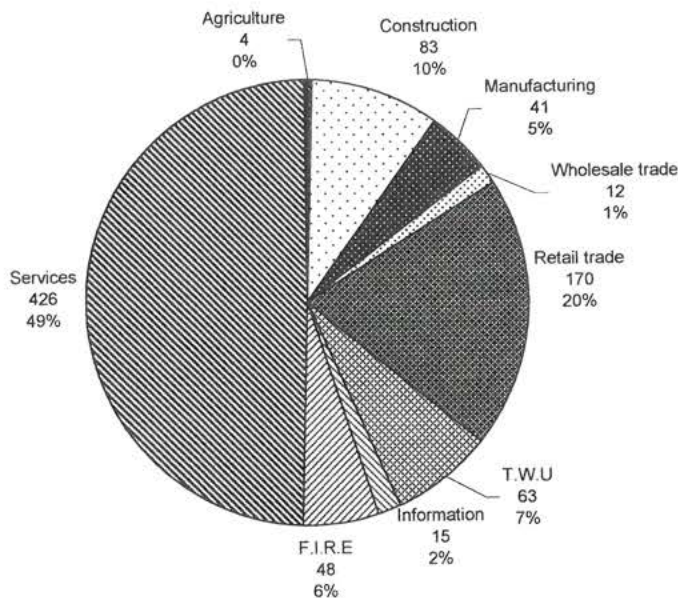
The average household size in The City of Lake Ozark is 2.3 persons per household, compared to 2.5 for the State. This is probably due to a larger percentage of baby-boomers and empty nesters that live in the City. The 2000 Census found that only 66% of the households in The City of Lake Ozark are “families”. The City, in general, has a similar percentage of family and married-couple households, than the State does as a whole.

Table 2.C: Household Type and Size (Census 2000)

	Lake Ozark, MO		Camden Co, MO		Miller Co, MO		Morgan Co, MO		Missouri	
	Number	%	Number	%	Number	%	Number	%	Number	%
HOUSEHOLDS BY TYPE										
Total households	649	100	15,779	100	9,284	100	7,850	100	2,194,594	100
Family households (families)	428	66	11,298	72	6,443	69	5,547	71	1,476,516	67
Married-couple family	347	54	9,751	62	5,198	56	4,750	61	1,140,866	52
Female householder, no husband	57	9	1,038	7	852	9	556	7	253,760	12
Nonfamily households	221	34	4,481	28	2,841	31	2,303	29	718,078	33
Householder 65 years and over	41	6	1,502	10	1,102	12	937	12	225,631	10
Average household size	2.3		2.3		2.5		2.4		2.5	
Average family size	2.8		2.7		3.0		2.9		3.0	

Source: US Census Bureau

2.5 Industry and Employment



Employment is measured by the number of full-time and part-time jobs in an area. It includes farm workers and the self-employed as well as the non-agricultural wage and salary workers. The employment levels are measured where the jobs are (place-of-work) rather than where the workers live (place of residence). The pie chart shows that the services sector makes up roughly half of the City of Lake Ozark's employment base.

The City of Lake Ozark contains about 862 jobs, and is mainly an employment attraction. The City of Lake Ozark has a significantly higher percentage of employment in the Entertainment, Recreation, Accommodation and Food Services sector than the State average.

Figure 2.A: Employment by Industry

Table 2.D: Industry (Census 2000)

	Lake Ozark, MO		Camden Co, MO		Miller Co, MO		Morgan Co, MO		Missouri	
	Number	%	Number	%	Number	%	Number	%	Number	%
Agriculture, forestry, fishing and hunting, and Mining	4	0.5	298	1.8	485	4.4	564	6.9	58,415	2.2
Construction	83	9.6	1,918	11.7	1,253	11.5	933	11.4	182,858	6.9
Manufacturing	41	4.8	1,634	10	1,441	13.2	1,438	17.5	393,440	14.8
Wholesale trade	12	1.4	377	2.3	225	2.1	202	2.5	97,021	3.7
Retail trade	170	19.7	2,780	17	1,297	11.9	1,041	12.7	315,872	11.9
Transportation and warehousing, and utilities	63	7.3	555	3.4	578	5.3	335	4.1	150,641	5.7
Information	15	1.7	314	1.9	162	1.5	124	1.5	80,623	3
Finance, insurance, real estate, and rental and leasing	48	5.6	1,073	6.6	581	5.3	390	4.8	177,651	6.7
Professional, scientific, management, administrative, and waste management services	68	7.9	928	5.7	474	4.3	348	4.2	198,547	7.5
Educational, health and social services	94	10.9	2,776	17	1,624	14.9	1,342	16.4	541,715	20.4
Arts, entertainment, recreation, accommodation and food services	194	22.5	2,145	13.1	1,274	11.7	589	7.2	206,295	7.8
Other services (except public administration)	36	4.2	677	4.1	601	5.5	413	5	132,940	5
Public administration	34	3.9	864	5.3	931	8.5	483	5.9	121,906	4.6

Source: US Census Bureau

2.6 Income

Median household income in The City of Lake Ozark is \$37,386, which is similar to the State average. Per capita incomes are slightly higher than the State average.

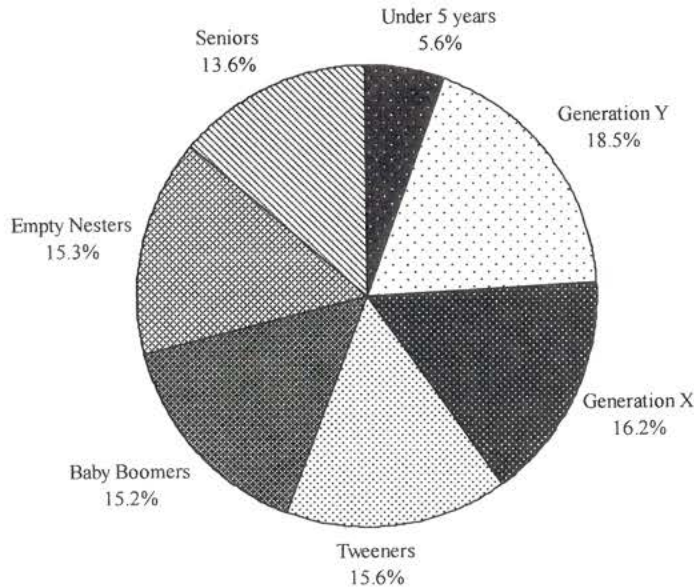
Table 2.E: Income Distribution (Census 2000)

	Lake Ozark, MO		Camden Co, MO		Miller Co, MO		Morgan Co, MO		Missouri	
	Number	%	Number	%	Number	%	Number	%	Number	%
Households	666	100	15,740	100	9,288	100	7,847	100	2,197,214	100
Less than \$10,000	62	9	1,313	8	1,046	11	912	12	221,242	10
\$10,000 to \$14,999	44	7	1,216	8	948	10	797	10	154,370	7
\$15,000 to \$24,999	96	14	2,471	16	1,648	18	1,446	18	319,986	15
\$25,000 to \$34,999	110	17	2,657	17	1,623	18	1,376	18	314,611	14
\$35,000 to \$49,999	125	19	3,077	20	1,752	19	1,368	17	385,315	18
\$50,000 to \$74,999	133	20	2,777	18	1,451	16	1,194	15	415,772	19
\$75,000 to \$99,999	49	7	1,185	8	480	5	363	5	193,561	9
\$100,000 to \$149,999	27	4	605	4	199	2	240	3	125,566	6
\$150,000 to \$199,999	6	1	197	1	88	1	77	1	31,716	1
\$200,000 or more	14	2	242	2	53	1	74	1	35,075	2
Median household income (\$)	37,386		35,840		30,977		30,659		37,934	
Per capita income (\$)	20,830		20,197		15,144		15,950		19,936	

Source: US Census Bureau

2.7 Age Distribution

Age distribution shows that when compared to the State, the City of Lake Ozark has a higher percentage of empty nesters. The pie chart in **Figure 2.B** identifies the



proportion of each major age group in The City of Lake Ozark. **Table 2.F** compares the City statistics with the Counties and the State.

The City of Lake Ozark is a very attractive place for baby boomers, empty nesters and seniors. The City has a very high percentage of empty nesters that are also the best-off with higher disposable incomes.

The median age in The City of Lake Ozark is 41—much higher than the State average of 35.2.

Figure 2.B: City of Lake Ozark Age Distribution (2000)

Table 2.F: Age Distribution (Census 2000)

		Lake Ozark, MO		Missouri	
		Number	%	Number	%
Under 5 years	Under 5 years	83	5.6%	369,898	7.2%
5-19	Generation Y	276	18.5%	1,224,274	21.9%
20-34	Generation X	241	16.2%	1,108,231	20.6%
35-44	Tweeners	233	15.6%	887,569	16.9%
45-54	Baby Boomers	226	15.2%	742,462	13.7%
55-64	Empty Nesters	228	15.3%	507,398	8.3%
65 years and over	Seniors	202	13.6%	755,379	11.4%
Total		1,489		5,595,211	

Source: US Census Bureau

The median housing value in The City of Lake Ozark experienced nearly a 53% increase—from \$70,700 in 1990 to \$109,200 in 2000

2.8 Housing

The City of Lake Ozark experienced a surge of new housing construction activity during the 1990s. The total number of housing units increased from 459 units in 1990 to over 1,143 units in 2000. The median housing value saw nearly a 54% increase—increasing from \$70,700 in 1990 to \$109,200 in 2000. Rents also increased from a median of \$235 to a median of \$455 in 2000.

When compared to Camden, Miller and Morgan Counties, housing values are lower in the City of Lake Ozark than those in Camden County but higher than those in Millar and Morgan Counties. According to Census 2000, about 68% of the current housing stock in the City of Lake Ozark was built before 1970. Since 2000, 930 new houses have been built in the City of Lake Ozark

Table 2.G: Major Housing Characteristics (Census 2000)

	Lake Ozark, MO		Camden Co, MO		Miller Co, MO		Morgan Co,		Missouri	
	Number	%	Number	%	Number	%	Number	%	Number	%
Housing Units	1,143		33,470		11,263		13,898		2,442,017	
Owner-Occupied Units	324	100	8,862	100	3,565	100	3,493	100	1,188,442	100
Less than \$50,000	28	9	773	9	1,024	29	808	23	198,814	17
\$50,000 to \$99,999	123	38	2,641	30	1,645	46	1,481	42	491,675	41
\$100,000 to \$149,999	82	25	2,247	25	494	14	659	19	262,103	22
\$150,000 to \$199,999	34	11	1,429	16	237	7	356	10	117,791	10
\$200,000 to \$299,999	43	13	1,133	13	107	3	152	4	74,880	6
\$300,000 to \$499,999	10	3	432	5	43	1	37	1	30,303	3
\$500,000 to \$999,999	4	1	181	2	11	0	0	0	10,661	1
\$1,000,000 or	0	0	26	0	4	0	0	0	2,215	0
Median Housing Value	109,200		124,300		69,900		79,500		89,900	
Renter-Occupied Units	202		2,572		2,187		1,172		632,945	
Median Rent (\$)	455		454		367		367		484	

Source: US Census Bureau

Occupancy rates in general, are lower in the City of Lake Ozark and in Camden, Miller and Morgan Counties, indicating a trend of seasonal occupancy and vacation homes in the City. Miller County has the highest occupancy rate in the three-county region. **Table 2.G and Table 2.H** show the major housing characteristics of the City from the 2000 Census. The City of Lake Ozark had relatively high percentage homeowner and rental vacant housing units.

Table 2.H: Housing Tenure (Census 2000)

	Lake Ozark, MO		Camden Co, MO		Miller Co, MO		Morgan Co, MO		Missouri	
	Number	%	Number	%	Number	%	Number	%	Number	%
Total housing units	1,143	100	33,470	100	11,263	100	13,898	100	2,442,017	100
Occupied housing units	649	57	15,779	47	9,284	82	7,850	57	2,194,594	90
Owner-occupied housing units	474	73	12,975	82	6,966	75	6,500	83	1,542,149	70
Renter-occupied housing units	175	27	2,804	18	2,318	25	1,350	17	652,445	30
Vacant housing units	494	43	17,691	53	1,979	18	6,048	44	247,423	10
Homeowner vacancy rate (percent)	4.4		3.9		2.3		3.8		2.1	
Rental vacancy rate (percent)	14.2		24.2		11.7		12.4		9.0	

Source: US Census Bureau

2.9 Education

21% of The City of Lake Ozark residents have a Bachelor's degree or higher

The City of Lake Ozark residents as a whole have a higher percentage of high school graduates than the State average. The percentage of high school graduates is 4 percentage points higher than Camden County and about 14 percentage points higher than Miller County and Morgan County. Differences in higher education is also similar.

Table 2.I: Education Characteristics (Census 2000)

	Lake Ozark, MO		Camden Co, MO		Miller Co, MO		Morgan Co, MO		Missouri	
	Number	%	Number	%	Number	%	Number	%	Number	%
Less than 9th Grade	37	3.4	1,327	4.9	1,535	10	1,334	9.9	237,618	6.5
9th or 12th Grade	100	9.3	3,346	12.3	2,481	16.1	2,098	15.6	441,477	12.1
High School Graduate	396	36.9	10,190	37.3	6,179	40.2	5,472	40.6	1,189,670	32.7
Some College, No Degree	253	23.6	6,293	23	2,908	18.9	2,595	19.3	796,999	21.9
Associate Degree	58	5.4	1,305	4.8	518	3.4	522	3.9	184,666	5.1
Bachelor's Degree	149	13.9	3,292	12.1	1,240	8.1	1,003	7.4	507,892	14
Graduate/Prof. Degree	80	7.5	1,550	5.7	508	3.3	442	3.3	276,584	7.6
% High School Graduates or Higher		87.2		82.9		73.9		74.5		81.3
% Bachelor's Degree or Higher		21.3		17.7		11.4		10.7		21.6

Source: US Census Bureau

2.10 Labor

The Lake of the Ozarks Economic Development Group published a *Quality of Labor Survey* in 2002—as developed by AmerenUE to provide information about the employed labor force of the region. The study is available at www.businesslakemo.com

2.11 Summary

In summary, the City of Lake Ozark has significantly outperformed growth in the Lake Ozark—Rolla region. Key demographic characteristics are as follows:

- The population of the City of Lake Ozark has increased more than 119 percent in the 1990s and continues to experience over 5% growth a year since 2000.
- The population is estimated to have increased 22.3% in the first half of the current decade (since the 2000 decennial census was completed). The 2000 census estimated the population of the City of Lake Ozark to be 1,821.
- To respond to changing demographics, the City should consider adopting new policies for development, such as for higher density residential land uses. For example, affordable housing needs to be defined in the City of Lake Ozark Comprehensive Plan. As seen from the demographics, growth continues this way, yet household incomes appear to be lagging behind. This is expected when the local economy adds jobs in the service industries faster than higher-pay industries. Housing for low-to moderate-income people is an issue of concern in the Lake region.

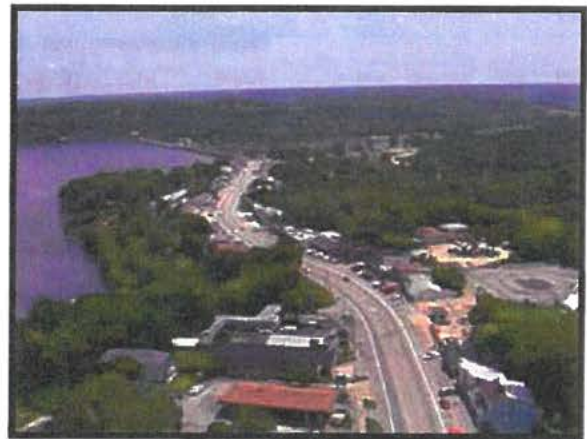
COMPREHENSIVE PLAN

City of Lake Ozark, Missouri

Land Use and
Infrastructure

Land Use and Infrastructure

The following is a summary of the key land use and infrastructure policies and trends that shape the City of Lake Ozark Comprehensive Plan, now and in the 20-30 year future time frame of the Plan. The issues-identification Focus Session with representatives of the Lake Ozark community and its key community stakeholders, and the “Policy Planning Charrette” set forth how the community wants to address these issues. The Plan details opportunities that are critical to the City’s future, and is the public policy basis for responding to those challenges.



Overview

The City of Lake Ozark has long partnered with regional agencies in providing infrastructure to the public. The very existence of Bagnell Dam, for example, is a regional effort—in this case, led by the public utility. The regional wastewater treatment plant, the water service, and some regional parks are all examples of cooperation; and the Missouri Department of Transportation (MODOT) is planning and engineering regional highway improvements that directly impact the future of Lake Ozark from broad transportation perspectives, positioning the City to invest in highway interchanges and local arterial roadways to link into these expanded regional systems. This chapter of the Comprehensive Plan update challenges the city to continue planning regionally, while “minding the store” at the local land use and infrastructure level. Both perspectives will shape the City’s planning future.

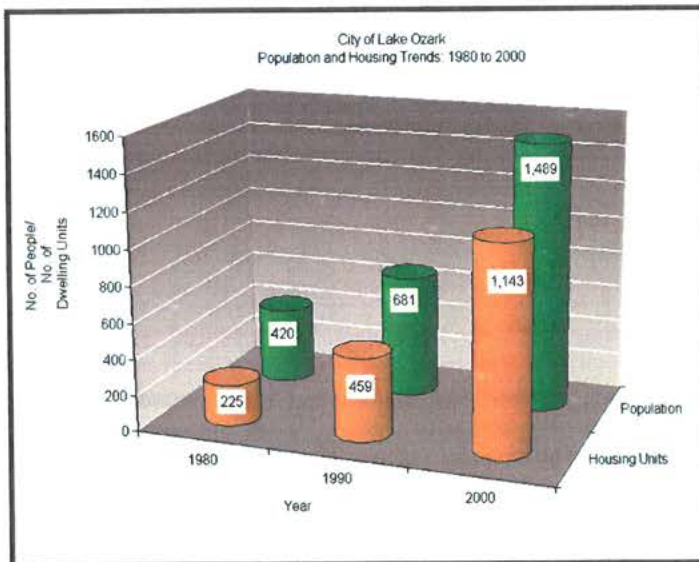
Land Use Trends

Whether the City of Lake Ozark continues to outpace regional growth and increase its population from today until 2025 (which is the long-term time frame of the plan) will depend on key infrastructure investments at the local, regional, and state levels. A quick look at statistics on power usage—as reported in area newspapers—indicates a growth trend. For the lake area, AmerenUE records show an average growth in electric load of 3.1 percent annually

since 1988. In 2004, the number of new customers increased 3.5 percent, setting a record. The utility reports that it currently has on record some 35,000 customers. Their growth data is reflective of what is happening in the lake area

The key findings of the City of Lake Ozark Plan update 2006 are:

- The City of Lake Ozark **needs to decide its role in the Lakes region housing market.** The region has long been a great place for growing numbers of people at this time in our nation's history—the empty nesters and now the retiring baby boomers—to own vacation homes; and now to become year-round residents in their retirement. With national percentages of these two age groups increasing every decade, vacation/leisure life style destinations like the Lake of the Ozarks region will continue to experience explosive growth. What part of that growing housing market the City of Lake Ozark attracts needs to be considered.
- **Mixed use development must be planned for,** as there is a growing market demand and societal acceptance of this land use form. From a zoning perspective, a “mixed use” category promotes a variety of residential land uses that are typically higher density, such as two-family, townhouse, condominium, and multifamily apartment dwellings, and may be intermixed throughout the neighborhood. In addition, offices and limited retail stores are permitted in this category under strict architectural and land use controls. Such commercial uses are intended to provide services only to the residents of the surrounding area and placed in locations with a design character that blends into the neighborhood. All areas of a “Mixed Use-



Records show an average growth in electric load of 3.1 percent annually since 1988. In 2004, the number of new customers increased 3.5 percent, setting a record.

Residential” area are designed in a manner to promote pedestrian activity through a system of interconnected streets and varied streetscapes that also provide safe and efficient movement of vehicular traffic. Residential densities may vary throughout the neighborhood and tend to be higher than conventional single-family subdivisions.

- Affordable housing needs to be defined by the City of Lake Ozark within the lake-area housing market. As seen from the demographics, growth continues this way, yet household incomes appear to be lagging behind. This is expected when the local economy adds jobs in the service industries faster than higher-pay industries. **Housing for low-to moderate-income people is an issue of concern in the Lake region.**

- The City must **coordinate local investments in major thoroughfare roads** in conjunction with plans and construction schedules of the Missouri Department of Transportation (MoDOT).

Wastewater System

The City's wastewater collection system was planned and constructed in the late 1970s to serve as a regional treatment facility. The original 1970s facilities planning area included all of the City of Lake Ozark.

The wastewater treatment facility (WWTF) that was built is owned jointly by the City of Lake Ozark and Osage Beach. Its operation and maintenance is contracted with the firm of Alliance Water Resources. The treatment design capacity of the WWTP is 2.4 million gallons per day (mgd); however, the actual use varies widely depending on time of year, rainfall, and related factors.

The summer average and peak flow excesses mean that the plant is either storing the excess or releasing it (**Ref Table 3.A**). The Missouri Department of Natural Resources (MDNR) regulates the plant management routinely with regular reports. Excess flows would restrict options for extending service to growth areas.

Table 3.A: Average Flows at the Lake of the Ozarks Regional WWTP

Summer Average	2.5 million gallons per day
Summer Peak	3.0 million gallons per day
Winter Average	1.0 million gallons per day
Annual Average	1.5 million gallons per day

A site down-river from Bagnell Dam was chosen for the wastewater treatment plant in order to reduce the potential for contamination of the lake. That plan has not yet been fully developed, but a large portion of those areas are currently served by the treatment plan constructed in response to that plan.

The North Shore area was not included in the previous planning area. However, extension of the planning philosophy to include the North Shore area is entirely possible and feasible. The planning philosophy was to provide gravity collection of wastewater from individual properties where the terrain allows, use low pressure sewer collection in areas where it is

The North Shore area was not included in the wastewater treatment planning area; however, extension of the planning philosophy to include the North Shore area is entirely possible and feasible.

more feasible, and to use a system of wastewater pump stations and force mains to transport the collected wastewater along existing rights of way to the wastewater treatment plant. The treatment facility was designed to manage the wide range of flow rates that come from the high influx of tourists during the vacation season at the Lake, and it was designed to be easily expanded as the areas grows. There is still room at the treatment plant site for expansion, and there may be available capacity in some of the sewers leading to the plant.

The City of Lake Ozark, Missouri currently offers sanitary sewer collection to a portion of the north shore area. The areas that are not provided with municipal sewage collection are served by on-site sewage systems and small wastewater treatment plants. Currently six wastewater treatment facilities within city limits and one just outside the incorporated limits have operating permits issued from Missouri Department of Natural Resources. All facilities are required to discontinue operations and connect to a higher preference authority as soon as service is made available. The Lake Ozark, Missouri collection system qualifies as a higher preference authority.

The terrain in the north shore area is typical of the region with step complex slopes. This type of terrain combined with a boundary like Lake of the Ozarks coupled with development down to the water's edge required an unusual amount of small grinder pumps and pressurized collection system.

In R-1 residential zones, number of units served is ultimately estimated by utilizing existing assessor map information to determine number and sized of existing lots. All parcels not contiguous with Lake of the Ozark were evaluated based on subdivision into one acre lots that maximized gravity collection to a minimum number of pump and/or lift stations to serve the drainage area. In C-2 business zones were evaluated based on one acre parcels with average daily flows generated being 200 gallons per day per lot.

As part of the Sewer Study, areas to be served were broken into service areas. Sixteen service areas were designated. Each area drains and/or pumps to a major lift station. The major lift station then connects the service area to the force main backbone at the service node. Lengths of the force main backbone were designated into sections between major points of connections or service nodes. A service area priority list was developed considering extent of existing development, existing population density of area, potential density of area, accessibility of area, location of area geographically, capital expenditures required to service area, potential environmental impacts and type of existing treatment in area. The total cost of the improvements ran upwards of \$17 million.

Water System

The system supports three primary wells:

- Lakeland,
- Miller, and
- North Area Wells.

The Lakeland well is still active, but it is to be abandoned. In recent years, several water quality tests have failed because of bad samples, most likely due to temporary, poor construction activity. Latest consumer confidence reports have been satisfactory.

There are two water towers:

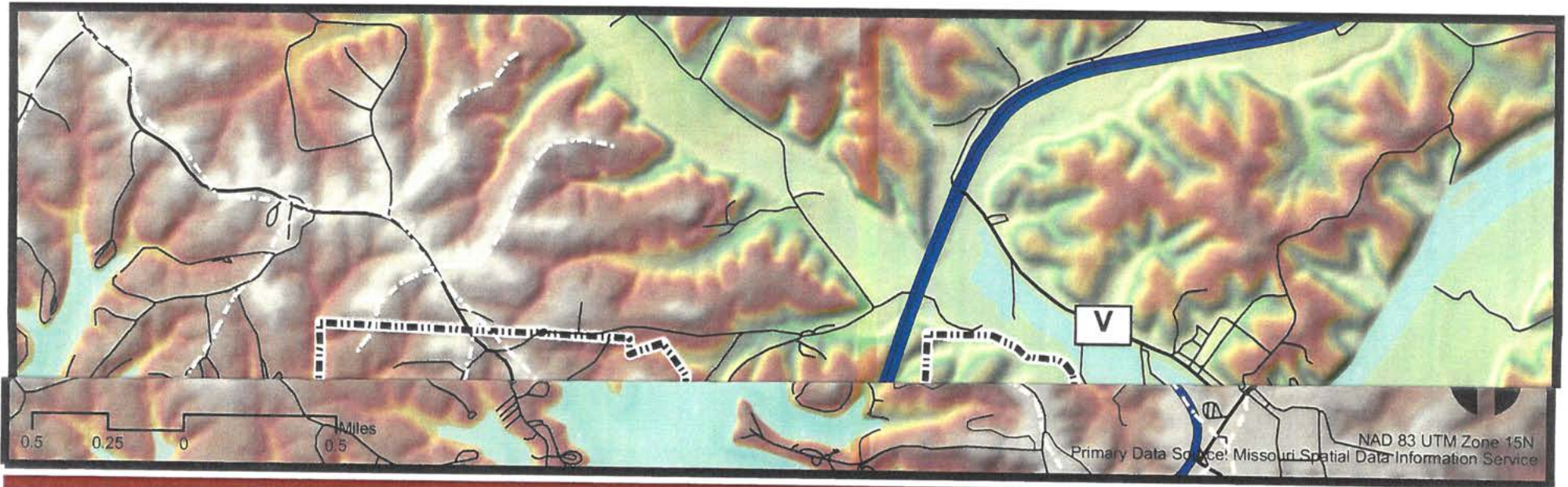
- North Tower, and
- South Tower.

The water towers have a capacity of 500,000 gallons each. The newest water tower was added to the water system on the North Shore, eliminating an old Lakeland standpipe.

Stormwater Management System




Introduction

Given that the City of Lake Ozark is built on a ridgeline primarily, and drains into the dam pool of Bagnell Dam, as well as into the outfall of the dam to the Osage River, future development inside the corporate limits of the city should be regulated for proper stormwater management. In the natural landscape, most soils infiltrate a high percentage of rainwater through a complex web of organic and biological activities that build soil porosity and



Utilities Infrastructure Plan Map

Legend

-  County Boundary
-  City Limits
-  Ridge Lines

City of Lake Ozark, Missouri **COMPREHENSIVE PLAN 2006**

February 2006

BUR **BUCHER, WILLIS & RATLIFF**
CORPORATION
ENGINEERS ■ PLANNERS ■ ARCHITECTS

Project:	Phone:	Drawn By:
20050365.01	816-363-2696	PB

permeability. Roots reach into the soil and separate particles of clay, insects excavate voids in the soil mass, roots decay leaving networks of macro pores, leaves fall and form a mulch over the soil surface, and earthworms burrow and ingest organic detritus to create richer, more porous soil. These are just a few examples of the natural processes that occur within the soil—all of which are impacted by development, and should be the subject of City of Lake Ozark stormwater management policies, procedures, and development standards.

Maintenance of a healthy soil structure through the practice of retaining or restoring native soils where possible can improve the land's ability to filter and slowly release stormwater into drainage networks. Construction practices such as decreasing soil compaction, storing topsoil on-site for use after construction, and chipping wood for mulch as it is cleared for the land can improve soil quality and help maintain healthy watersheds. Practices that reduce erosion are directly relevant to the City of Lake Ozark, given the steep terrain of its currently built up city, and of its designated growth areas primarily in its center land mass between U.S. 54 Highway and Bus. 54 Highway. Reducing erosion helps retain water on-site and they can include incorporating organic amendments into disturbed soils after construction, retaining native vegetation, and covering soil during revegetation.



Bio-retention Cells: soil and plant-based filtration devices that remove pollutants through a variety of physical, biological, and chemical treatment processes



Storm water treatment wetlands are small constructed ecosystems that temporarily store storm water runoff and provide significant pollutant removal by sedimentation, adsorption, biodegradation, filtration and bioaccumulation.

Multiple Small Basins

Biofilters, infiltration, retention/detention basins are the basic elements of a landscape designed for stormwater management. The challenge for designers is to integrate these elements creatively and attractively in the landscape—either within a conventional landscape aesthetic or by presenting a different landscape image that emphasizes the role of water and drainage. Multiple small basins can provide a great deal of water storage and infiltration capacity. These small basins can fit into the parkway planting strip or shoulders of street rights-of-way. If connected by culverts under walks and driveways, they can create a continuous linear infiltration system. Infiltration and retention/detention basins can be placed under wood decks, in parking lot planter islands, and at roof downspouts. Outdoor patios or seating areas can be sunken

a few steps, paved with a permeable pavement such as flagstone or gravel, and designed to hold a few inches of water collected from surrounding rooftops or paved areas for a few hours after a rain.

Subtle changes in grading can also improve infiltration. Landscape surfaces are conventionally graded to have a slight convex slope. This causes water to run off a central high point into a surrounding drainage system, creating increased runoff. If a landscape surface is graded to have a slightly concave slope, it will hold water. The infiltration value of concave vegetated surfaces is greater in permeable soils. Soils of heavy clay or underlain with hardpan provide less infiltration value. In these cases, concave vegetated surfaces must be designed as retention/detention basins, with proper outlets or under drains to an interconnected system.

All of these are examples of small basins that can store water for a brief period, allowing it to infiltrate into the soil,

slowing its release into the drainage network, and filtering pollutants. An ordinary lawn can be designed to hold a few inches of water for a few hours after a storm, attracting birds and creating a landscape of diversity. Grass/vegetated swales can be integrated with landscaping, providing an attractive, low maintenance, linear biofilter. Extended detention (dry ponds) store water during storms, holding runoff to predevelopment levels. Pollutants settle and are removed from the water column before discharging to streams. Wet ponds serve a similar purpose and can increase property values by providing a significant aesthetic, and passive recreation opportunity.

Plant species selection is critical for proper functioning of infiltration areas. Proper selection of plant materials can improve the infiltration potential of landscape areas. Deep-rooted plants help to build soil porosity. Plant leaf-surface area helps to collect rainwater before it lands on the soil, especially in light rains, increasing the overall water-holding potential of the landscape.

A large number of plant species will survive moist soils or periodic inundation. These plants provide a wide range of choices for planted infiltration/detention basins and drainage swales. Most inundated plants have a higher survival potential on well-drained alluvial soils than on fine textured shallow soils or clays.

Low Impact Development

Low Impact Development (LID) is a more natural approach to land development and stormwater management. Conventional land development typically involves clearing and grading a site, resulting in the removal of all vegetation. The next development steps traditionally include paving areas for roads and parking, building structures and landscaping areas. Engineers then design stormwater facilities, such as ponds, to manage stormwater flow, remove pollutants, and infiltrate to recharge aquifers, streams and wetlands.

Research shows that these conventional techniques have not proven entirely effective at managing stormwater to prevent damage to water quality and natural resources. Conventional practices are especially inadequate at removing bacteria from stormwater runoff. Pavement and other impervious surfaces greatly limit or prevent infiltration. High stormwater flows cause flooding, damage public and private property, and destroy habitat for salmon and other fish and wildlife.

In contrast, LID design uses a site's natural features and specially designed best management practices to manage stormwater. These principles include the following design steps:

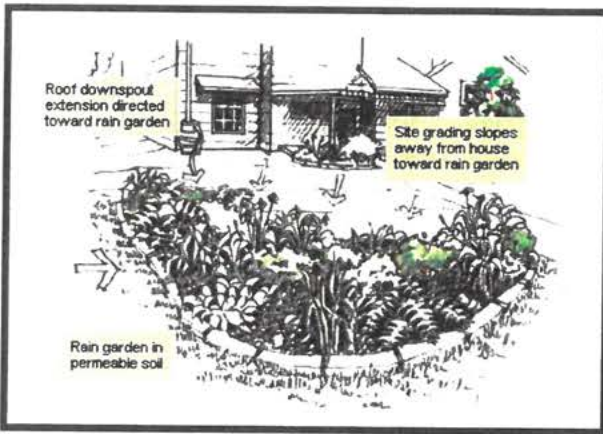
1. **Assess and understand the site.** Assess the site's topography, soils, vegetation and natural drainages, and divide the site into protected and developable areas. Protected areas include streams, wetlands and other critical areas. Apply adequate buffers to protect these areas.
2. **Protect native vegetation and soils.** Set aside a portion of the site's native vegetation and areas with soils that have a high infiltration capacity. These natural areas are nature's own excellent stormwater management systems and, if left undisturbed, will continue to manage runoff quite well. To protect native vegetation, cluster buildings in the area to be developed.
3. **Minimize and manage stormwater at the source.** Minimize areas of impervious surfaces such as roads, rooftops and parking areas by designing shorter, more narrow roads, using various permeable pavements, and installing green roofs or rainwater catchment systems. Manage remaining runoff by disconnecting the impervious surfaces from one another, and directing runoff to bioretention areas (or rain gardens), amended soils, native vegetation or other types of infiltration areas. This can greatly reduce the need for pipes and other conveyance infrastructure.

Specific practices include a broad range of LID techniques, including:

- Various types of permeable pavement
- Rooftop rainwater collection systems
- Bioretention areas
- Soil amendments
- Green roofs
- Open road sections with vegetated swales
- Innovative building foundations
- Homemade bog garden

Municipalities and developers choose LID techniques for a variety of reasons:

- To better protect streams, wildlife habitat, wetlands and other natural resources.
- To protect groundwater and drinking water supplies
- To help communities grow more attractively
- To manage stormwater in a more efficient, cost-effective manner



Rain gardens are shallow depressions or lowlying areas that are designed to capture and absorb stormwater fairly quickly and dry out between rainfalls.



Landscaping and Vegetative Control Practices:

This non-structural best management practice is devoted to the use of permanent vegetation to ensure that water quality is not compromised after construction is completed. The preservation and planting of vegetation in and around stormwater management structures and BMPs can stabilize disturbed areas, enhance pollutant removal, and improve overall aesthetics. Landscaping of recently disturbed soil can greatly reduce erosion and sediment yield while providing some degree of dust control. The following areas are important targets for landscaping and vegetative control practices:

- Steep slopes
- Drainage channels with natural cover
- Creeks
- Areas adjacent to catch basins
- Buffer zones
- BMP's such as detention/retention ponds, wetlands, swales and infiltration devices
- Construction sites. Temporary landscaping should be performed on areas such as construction sites, which will be denuded for several weeks.
- Permanent landscaping and control practices should be applied on all areas that have an established grade or require a long-term cover of vegetation such as filter strips, vegetated swales, steep slopes, stream banks, etc

The main practices include:

- **Buffer zones:** A buffer zone is a strip of undisturbed vegetation, enhanced or

restored vegetation, or the re-establishment of vegetation surrounding an area of disturbance or bordering streams, ponds, wetlands, or lakes. A buffer zone provides a filter for runoff and debris and a transitional refuge for small animals. There are two types of buffer zones: general buffers and vegetated riparian buffers. The former is a strip of undisturbed land adjacent to a site, while the latter borders a stream.

- **Disturbed area stabilization with mulch:** Mulching is the practice of covering a disturbed soil surface with biodegradable or other suitable materials for the purpose of stabilizing the soil surface.
- **Disturbed area stabilization with permanent vegetation:** This practice involves the planting of perennial grasses for permanent stabilization. Vegetative cover is the most economical means of controlling erosion. Permanent seeding is used on exposed soils that will not be regraded, and where there is a proper depth of topsoil. Permanent seeding is desirable on aesthetically critical areas.
- **Disturbed Area Stabilization with Trees, Shrubs, Vines, and Ground Cover:** This practice involves the planting of Trees, shrubs, vines and ground cover for permanent stabilization, erosion control, reduced runoff, and enhanced aesthetics and wildlife habitat. This vegetation is applicable for areas where grass does not grow well, such as steep slopes, shady areas and rough terrain. In addition, sites that are difficult to maintain grass, and where shade and screening are desired are often ideal areas for trees, shrubs, vines, and ground cover.
- **Disturbed area stabilization with sod:** This practice involves the import of sod to a site as a means of providing a quick, protective ground cover. It is used in areas susceptible to erosion, such as steep slopes, and drainage ways, at sites where immediate permanent ground cover is warranted, and in areas where the season is not favorable for proper seed establishment.
- **Erosion control blanket/matting:** This is the practice of placing a non-degradable protective matting to assist in the establishment of permanent vegetation on slopes, channels or other critical areas. Normally, the main objective of erosion control matting is to provide a stable seedbed for one or more growing seasons.
- **Biotechnical Stream Bank Stabilization:** This process entails the use of mechanical elements (or structures) in combination with biological elements (or plants) to prevent slope failures and erosion, trap sediment, provide wildlife habitat, and enhance aesthetics.



Riparian ecosystems occupy a narrow belt of land along streams and around lakes and wetlands. They control stream morphology and ecology and also maintain landscape biodiversity by providing diverse habitats and corridors for animals and plants.

Planting Zones

For landscaping of BMPs such as detention/retention ponds and constructed wetlands various planting zones exist within the structure representing a different soil moisture and inundation frequency. These zones are illustrated in **Figure 3.A**. The various planting zones can be classified as follows:

- **Zone1: Deep Water Zone** - This zone is typically only found in retention ponds, wetlands, and extended detention ponds due to a submergence of 18 inches to 6 feet. Submerged aquatic vegetation such as pondweed and wild celery can flourish here and actively remove metals and nutrients from the water.
- **Zone 2: Shallow Water Areas** - This zone is 0 to 18 inches below normal depth and divided into low marsh (6" to 18" deep) and high marsh (0 to 6" deep) sub-zones. The

vegetation in this zone can enhance nutrient uptake, reduce flow velocity, reduce resuspension of bottom sediment, provides habitat, reduces shoreline erosion, and improves aesthetics.

- **Zone 3: Shoreline Fringe** - This zone is routinely inundated during runoff producing events and may remain saturated by proximity of normal pool. Because of dry weather periods, the plants of this zone must be tolerant of periodic drying. For retention ponds and wetlands this zone extends 1 foot above the normal pool level and for extended detention ponds, it continues up to the elevation of maximum volume. The Zone 3 vegetation consists mostly of the herbaceous variety such as pickerelweed, and rice cutgrass but can also include trees such as willows and shrubs (although trees and shrubs should not be planted on embankments). Zone 3 landscaping stabilizes the shoreline, improves aesthetics, limits shoreline access by people and animals, provides food, cover and nesting for wildlife.
- **Zone 4: Riparian Fringe** - This is the lower basin areas of detention ponds and the upper storage areas of extended detention ponds and is only briefly inundated during storms. Vegetation in this zone include willows, river birch, red chokeberry and can reduce resuspension of deposited sediment, prevent erosion and provide habitat and food for wildlife.
- **Zone 5: Floodplain Terrace** - This zone is only inundated during large storms and is generally between the 2-year and 100-year water surface elevations. Plant species in this zone should be native to floodplains and should be able to provide erosion control on steep slopes, survive periodic mowing, require minimal maintenance, and be able to withstand exposure and compacted soil.
- **Zone 6: Upland Slopes** - This zone seldom, if ever, experiences inundation and typically includes any required buffer areas. The plant species in this zone depend upon local soil conditions and the intended secondary uses of the area.

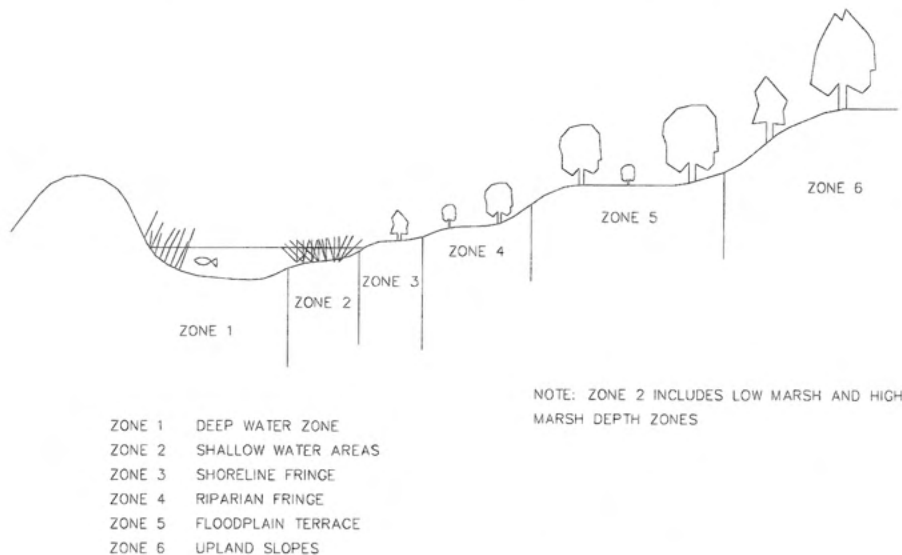


Figure 3.A – Planting Zones

Timely and properly landscaping of disturbed areas and applying vegetative control practices to existing plant life can have many positive water quality and quantity impacts on a watershed. The water quantity advantages include reduction of runoff volume through enhanced interception and infiltration and peak flow reduction by reducing stormwater velocities. The positive impacts of landscaping and vegetative controls on water quality include, but are not limited to, erosion and dust control, streambank and slope stabilization, and enhanced removal of urban pollutants. In addition to these water quantity and quality amenities, landscaping and

vegetative control practices improve aesthetics of a watershed, can provide habitat for wildlife, and can cost effectively enhance the performance of structural BMPs. Under no circumstance, however, should trees or other deep rooting vegetation be planted on detention dam embankments that could negatively affect the stability of the structures or hinder inspection and maintenance.

Parks and Recreation



The 2006 Comp Plan calls for more public access to the Lake and the Osage River.

The Plan calls for enhancements to Lake Ozark's riverfront and open space system, and park investment. The City should also designate areas for open space preservation. Implementation, funding and maintenance of the improvements should be planned for. On the attached map is the *Parks and Open Space Plan Map* for the City of Lake Ozark to follow when making development decisions and site plan review of proposed private development.

Since the City needs parks and green space citywide, not just in isolated areas, and to assure that new development contributes, the

City should adopt a park land dedication policy or fee in lieu of land dedication to begin building funds and

land banks to meet the stated needs of the public for recreation sites. Access to the Lake of the Ozarks, in particular, is needed for the public to enjoy the key amenity of the region. One use of the new parks and open space fund would be to begin building reserves to use as a **local match for a future enhancement grant application under the Federal Highway Administration**, as administered by MoDOT. These grants are used across the nation to build active recreation improvements, such as walking trails, as well as landscaping enhancements of major roadways.



Beautiful views of the lake are more prevalent from the ridge line through Lake Ozark than from any other lake area city.

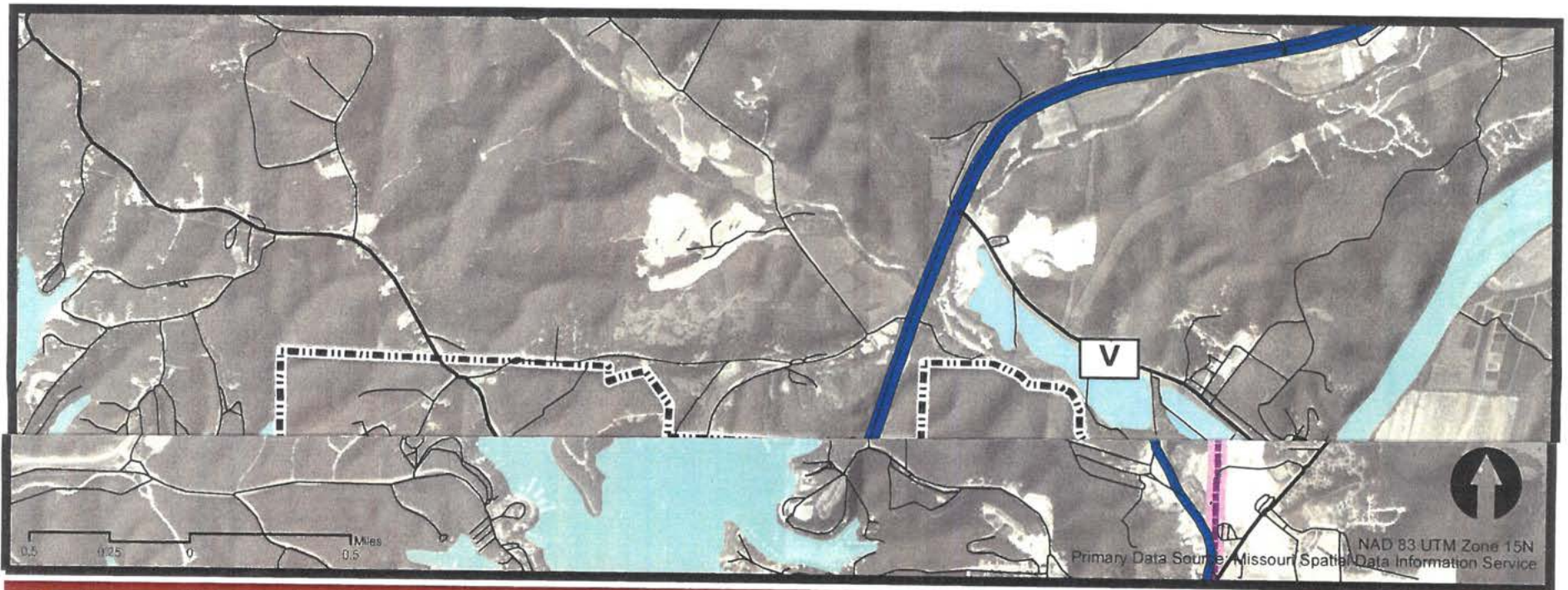
Major Thoroughfare Plan

Road Network. Adequate road connections within a community impact local access and regional access. Plans for growth must include designation and preservation of new arterial streets in anticipation of projected regional development, such as links with 54-Highway to the west side of the city. Highway access from major roads within the region must be coordinated with MoDOT. Existing development may complicate the ability to improve access:

- Across the center of the city;
- On W Highway on the North Shore;
- Into and through the Strip and Bus. 54 Highway; and
- On roads leading into The Strip and Bus. 54 Highway.

The city needs to study:

- How to fund infrastructure improvements, including connecting road networks.



Future Park and Recreation Areas

Legend



County Boundary
Lakes and Water Bodies
City Limits
Parks and Recreation

Roads



US Highway
State Highways and Routes
Local Streets

Future Roads



Planned
Committed

City of Lake Ozark, Missouri COMPREHENSIVE PLAN 2006

February 2006

BWR **BUCHER, WILLIS & RATLIFF**
CORPORATION
ENGINEERS ■ PLANNERS ■ ARCHITECTS

Project:
20050365.01

Phone:
816-363-2656

Drawn By:
PB

- How the link to Horseshoe Bend and 54 Highway needs to be made.
- How to accommodate infill development on Bus. 54 Highway.

Traffic engineering analysis conventionally cautions against traffic volumes in excess of 10,000



The Community Bridge, completed in 1998, links U.S. 54 Highway with Shawnee Bend and the City of Lake Ozark with the growing west side of the Lake of the Ozarks over to M-5 Highway.

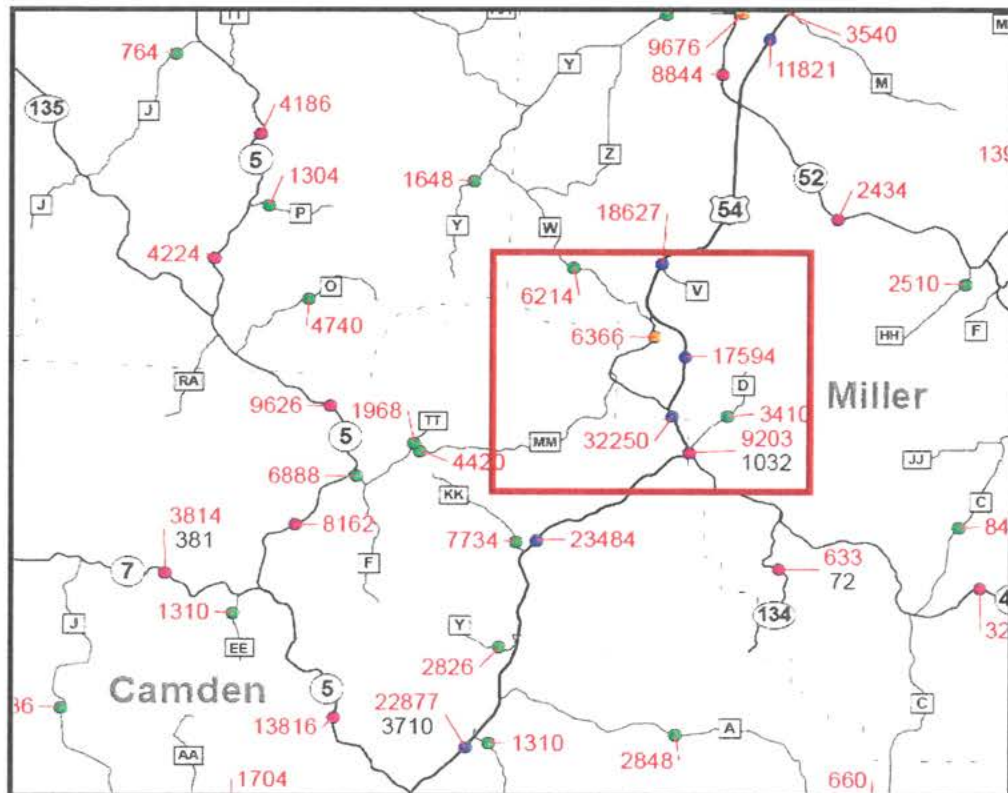
ADT on a two-lane highway with a center turn lane.

Projected increases are to 8,178 ADT (1.2% per year) by 2025. A Friday evening during the summer season on the historic Strip can yield higher traffic than this, by most accounts even to gridlock.

Roadway corridors where access should be planned and improved to serve future growth areas are primarily focused in the city center, supporting the future Horseshoe Bend—HH Highway Connection.

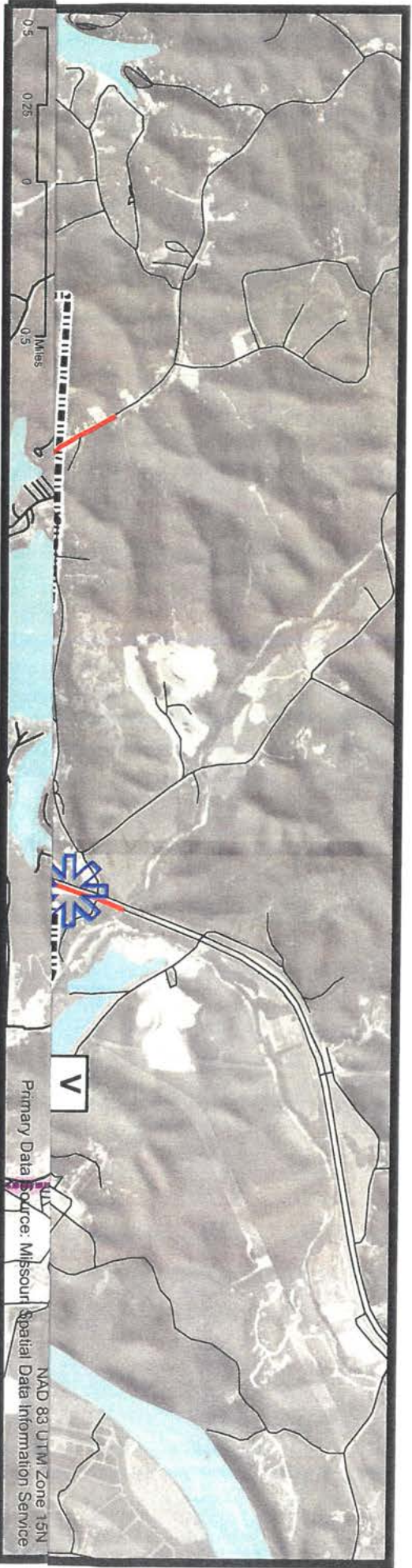
On the attached map is the *Major Thoroughfare Plan Map* for the City of Lake Ozark to follow when making development and capital improvement decisions.

Figure 3.B Average Annual Daily Traffic (2004-2025)



Source: MODOT Average Annual Daily Traffic (2004) Map

MODOT estimates the Annual Average Daily traffic on Highway 54 to increase by 2% a year in the Lake of the Ozarks region. It also estimates the traffic volume on Business 54 to



Major Thoroughfare Plan Map

Legend

- County Boundary
- City Limits
- Lakes and Water Bodies
- Future Linkages
- Probable Future Linkage
- Street Classification
- Arterials
- Collectors

City of Lake Ozark, Missouri COMPREHENSIVE PLAN 2006

February 2006

BUCHER, WILLIS & RATLIFF
CORPORATION
ENGINEERS ■ PLANNERS ■ ARCHITECTS

Project: 20050365.01
Phone: 816-363-2696
Drawn By: PB

Construction on the section of the expressway east of the Grand Glaize Bridge is scheduled to begin in the summer of 2006. Construction on the section west of the bridge is scheduled to begin in 2008. When the project is completed there will be six interchanges that will give drivers the opportunity to move from one roadway to the other at Route KK, Broadwater Road, Jeffries Road, Nichols Road, Highway 42 and Business 54 in Lake Ozark. According to MoDOT's design, the two traffic lanes that currently cross the Grand Glaize Bridge will be widened to three. Traffic using both Business 54 and the expressway will cross the bridge with Business 54 traffic relegated to the far right-hand lane and expressway traffic relegated to the two left-hand lanes.

Access Control

Just as the design of a roadway helps to move traffic efficiently, controlling access to the roadway system can help do the same. The lack of an adequate access control policy or plan increases the probability of having traffic hazards and increased traffic congestion. Traffic hazards and traffic congestion reduce the capacity of the roadway to accommodate the traffic volumes for which it is designed. Traffic congestion and traffic hazards through the City of Lake Ozark are critical issues locally, given the limited travel options through the City.

Roadway capacity can be increased or decreased in a number of ways. The method utilized most frequently to increase capacity is to widen a road to provide additional travel lanes. In some instances, however, it is not feasible to add additional travel lanes due to abutting land uses on either side of existing roadways. In these instances, other methods of increasing roadway capacity may be more appropriate. Other methods include constructing intersection improvements, turn bays, medians, restricting road and driveway access or providing traffic signal timing improvements. Conversely, road capacity can be decreased by adding cross roads, driveways, traffic signals, or other traffic control devices. By applying an access control policy, road capacity can be maintained to accommodate future development.

Specific design characteristics associated with each functional classification depend on factors such as projected traffic volumes and local access control policies. Higher traffic volumes, for example, those exceeding 20,000 vehicles per day, warrant construction of a four or five lane arterial road. Traffic volumes of 10,000 or 15,000 vehicles per day can be accommodated by a four-lane arterial road or by a two-lane arterial road which includes turn bays, good signal and intersection spacing, and private driveway access control. In many cases, a well-built two-lane arterial road—with proper turn lanes and deceleration/acceleration lanes—can function as well as a four-lane road at approximately half the cost.

Acceptable traffic volumes on a major arterial roadway can range between 25,000 and 35,000 vehicles per day. This capacity, however, can be reduced by excessive curb cuts and mid-block turning movements. The center turn lane is appropriate because of frequent entrances into higher traffic generation land uses such as business parks and retail centers. A median can be constructed in locations where left-turns should be prohibited and on-street parking should not be allowed. For design speeds greater than 35 mph, or for peak hour right turn-in traffic volumes exceeding 100 vehicles, it is recommended that a right turn lane be constructed along the arterial roadway approaching the curb cut.

Local Arterial and Collector Streets

Access Control. Bus. Route 54 provides regional access as well as access to abutting properties through the heart of Lake Ozark. Therefore, it is critical that a sound access control policy be followed as development occurs on property directly abutting the highway.

As future development occurs, minor roadway improvements may be necessary to prevent traffic congestion from increased traffic movements accessing Bus. Route 54. Such improvements may consist of turn bays, restricting road and driveway access, or providing traffic control devices on local arterial and collector roads. The need for these improvements must be carefully balanced against the need to allow for the efficient movement of traffic through the Growth Areas that develop along the corridors. Therefore, the carrying capacity of the local arterials and collectors that support Bus. Route 54 must be protected by limiting the number of cross roads, driveways, traffic signals, or other stop controls on these local "major streets" that "feed into" the key local arterial.

Intersection Spacing. Adequate distance between intersections is essential for the safe and efficient flow of traffic. Appropriately spaced intersections provide through-motorists an opportunity to respond to traffic entering the street from a side street. **Table 3.C** shows the minimum standards for spacing intersections, determined by through-traffic speed.

**Table 3.C: Minimum Intersection Spacing Standards
On Bus. Highway 54**

Through-Traffic Speed	Minimum Intersection Spacing
30 mph	210 feet
35 mph	300 feet
40 mph	420 feet
45+ mph	550 feet

Source: Institute of Transportation Engineers

Driveway Spacing. Like a street, private driveways create an intersection with a public street. Conflicts and potential congestion occur at all intersections - public and private.

Methods to reduce conflict include:

- Separating the conflicts by reducing the number of driveways and intersections;
- Limiting certain maneuvers such as left turns; and
- Separating conflicts by providing turn lanes.

No access drives should be located within the operations area of an intersection. Driver conflicts need to be spaced in order to eliminate overlaps between through traffic and right turns.

It is recommended that driveway locations, at a minimum, should comply with the corner clearance criteria indicated in Figure 3.3. Proper spacing of driveways permits adequate storage and stacking of automobiles on the public street. This distance may have to be increased in cases with high volumes to ensure that driveways do not interfere with the operation of turning lanes at intersections.

The number of driveways accessing undivided arterial roadways should be minimized. The following standards are based on AASHTO standards and the Institute of Transportation Engineers (ITE) Manual. The City of Lake Ozark should adopt its own standards by using the guidelines listed in **Table 3.D**.

**Table 3.D: Suggested Maximum Driveway Guidelines
On Bus. Highway 54, U.S. Highway 54**

Maximum Number of Driveways	Driveway Spacing	
	Undivided Arterial Streets Length of Lot Frontage: Bus. Highway 54	Divided Arterial Streets Length of Lot Frontage
1	0-399 feet	0-529 feet
2	400 - 899 feet	530 - 1199 feet
3	900-1,399 feet	1200 - 1859 feet
4	1,400-1,899 feet ¹	1860 - 2525 feet ²

Source: *Institute of Transportation Engineers (ITE) Manual*

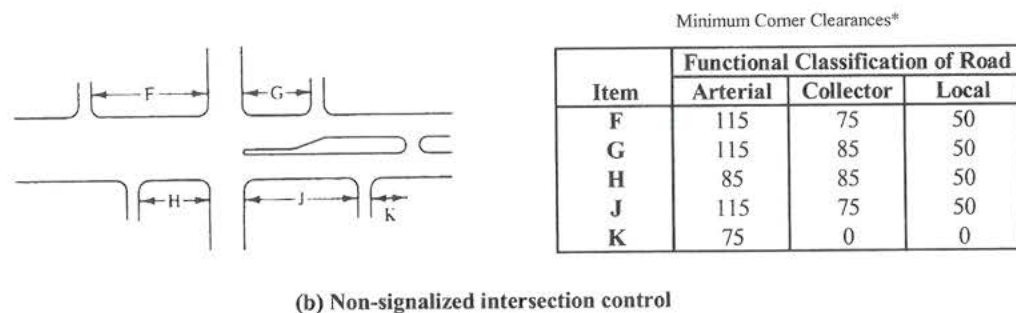
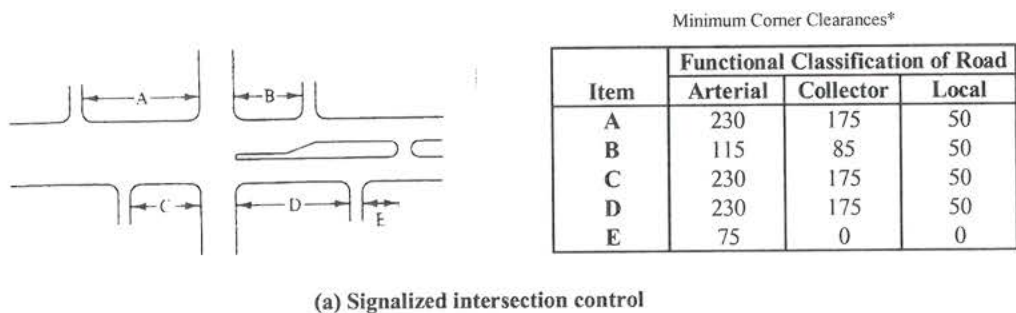
Notes:

¹ For each 500 feet above 1899 feet, one additional driveway is permitted.

² For each 665 feet above 2525 feet, one additional driveway is permitted.

Corner Clearance. Specific minimum corner clearance guidelines are listed in Figure 3.3. These guidelines can be used to regulate new commercial developments which often are located along arterial or collector streets.

Figure 3.C: Corner Clearance



Future Local Arterial and Collector Streets

As Lake Ozark develops—as presented below—and major thoroughfare streets are platted, these access control standards should be implemented. The future HH Extension to Horseshoe Bend through the heart of the City is an example of a future major street that should benefit from these street and intersection geometric standards.

Future Land Use Plan

On the attached map is the *Future Land Use Plan Map* for the City of Lake Ozark to follow when making development and zoning decisions. The plan map is comprised of policies from the planning process, the existing zoning map, and proposed land use development.

The hilly terrain poses great challenges for new development in the Lake of the Ozarks region. Calculations using the 10-meter resolution Digital Elevation Models (DEM) indicate only 17% of land within city limits to have a slope less than 20%. An additional 23% was between 20 and 40% slope (**Ref Table 3.E**).

Table 3.E: Developable Land based on Slope Calculations.

	Area (Acres)	Percentage of Net Land (Excluding the Lake)
City of Lake Ozark	5,056	
Net Land Area (Excluding the Lake)	4,592	100%
Slope 0% - 20%	769	17%
Slope 20% - 40%	1,074	23%

Source: USGS DEMs, BWR

The Future Land Use map shows large swaths of land to be developed as certain land uses. Realistically however, only about 25% of that land designated will be developed due to site constraints. A rough calculation shows the acreage designated and the acreage that will likely be developed (**Ref. Table 3.F**).

Table 3.F: Future Land Use Acreage

Land Use	Area (Acres)	25% developable land assumed
Low-Density Residential	3,234	809
Medium-High Density Residential	221	55
Office/Institutional	129	32
Commercial	1,064 (187 acres is outside current city limits)	266
Mixed Use	116	29
Light Industrial	15	3

Future Land Use Categories

Parks/Open Space:

Areas of predominately active and passive parks, open space, recreation, environmentally sensitive areas, or any other lands reserved for permanent open space purposes. Land identified as preferred or acceptable areas for public parks are distinguished from other open space. This category includes woodlands, land within floodplains, and golf courses.

Water Features:

This category includes rivers, streams, lakes, and ponds.

Low Density Residential (generally up to 4 units per acre):

Development within this category is primarily characterized by a mix of single-family detached dwellings and moderate density attached residential dwellings with a mix of housing types. This category is also appropriate for planned public and

semi-public uses which are generally considered compatible with residential uses. In locations where the land is severely restricted by floodplain, significant vegetative cover, and other significant natural features such as along existing creeks and streams net density may be lower.

Medium- High Density Residential (generally exceeding 4 units per acre):

Development within this category typically is characterized by higher density attached or detached residential uses including smaller lot single-family detached dwellings, attached single-family dwellings, duplexes, townhomes, condominiums, and other multifamily dwellings and special residential accommodations for the elderly (assisted living, congregate care and nursing homes).

Office/Institutional:

This category includes all public, semi-public, and institutional uses such as schools, churches, post offices, hospitals, fire stations, libraries, cemeteries, governmental uses and religious institutions and a variety of general office uses.

Commercial:

This category includes a broad variety of regional office, retail, and general business service uses whether located in centers or in stand alone buildings. Uses are generally larger in scale and are more automotive-oriented in nature.

Mixed Use:

This category promotes a mixture of lake-area and shoreline uses including retail-commercial, institutional, and medium to higher density residential uses intermixed through compatible site planning and building design. A variety of these land uses should be commingled at specific locations to promote diversity and a successful mixed use environment, and efficient and appropriate lakeshore use. This category supports a variety of zoning districts; however, the focus of development within the category is not so much on use as it is on design. Given close proximity to residential uses, all development projects should be well-planned and designed to ensure a high level of compatibility with surrounding development. Non-residential uses should be limited to compact, lake-oriented services rather than large-scale or automotive-oriented uses.

Light Industrial:

This category accommodates land uses associated with industrial activities such as assembly, manufacturing, warehousing, and some office/commercial activities as defined in the city's zoning regulations.

Summation

The City should consult the Future Land Use Map when making zoning recommendations. As the City considers zoning map amendments, the Planning Commission should update the map to reflect current trends and changes in public policy.

The Plan should be used when coordinating local capital improvement investments with regional partners, such as the two counties and with plans and construction schedules of the Missouri Department of Transportation.

COMPREHENSIVE PLAN

City of Lake Ozark

Basis of Decision
Making

Basis of Decision Making



The following is a summary of key guiding principles the City of Lake Ozark Planning Commission should follow when implementing the Comprehensive Plan or initiating an update process. The principles should be consulted as needed, and used as a training guide for new planning commissioners.

Ethical Principles and Code of Conduct

The following ethical principles should govern the conduct of the Planning Commission's business. These principles should be considered as advisory rather than mandatory. Should any questions arise about the interpretation and application of any of these principles, the City Attorney or planning staff should be consulted.

1. Serve the Public Interest. The primary obligation of Planning Commission members and planning staff is to serve the public interest.
2. Support Citizen Participation in Planning. Because the definition of the public interest is modified continuously, Planning Commission members and planning staff must recognize the right of citizens to seek to influence planning decisions that affect their well-being. Members should encourage a forum for meaningful citizen participation and expression in the planning process and assist in clarifying community goals, objectives, and policies.
3. Recognize the Comprehensive and Long Range Nature of Planning Decisions. Planning Commission members and planning staff should recognize and give special consideration to the comprehensive and long-range nature of planning decisions. Planning Commission members and planning staff must seek to balance and integrate physical (including historical, cultural, and natural), economic, and social characteristics of the community or area affected by those decisions. Planning Commission members and the planning staff must gather all relevant facts, consider responsible alternative approaches, and evaluate the

means of accomplishing them. Planning Commission members and planning staff should expressly evaluate foreseeable consequences before making a recommendation or decision.

4. Expand Choice and Opportunity for All Persons. Planning Commission members and planning staff should strive to make decisions which increase choice and opportunity for all persons; recognize a special responsibility to plan for the needs of disadvantaged people; and urge that policies, institutions, and decisions which restrict choices and opportunities be changed.
5. Facilities Coordination through the Planning Process. Planning Commission members and planning staff must encourage coordination of the planning process. The planning process should enable those concerned with an issue to learn what other participants are doing, thus permitting coordination of activities and efforts and accommodation of interests. Planning Commission members and planning staff should strive to ensure that individuals and public and private agencies likely to be affected by a prospective planning decision receive adequate information far enough in advance of the decision to allow their meaningful participation.
6. Avoid Conflict of Interest. To avoid conflict of interest and even the appearance of impropriety, Planning Commission members who may receive some private benefit from a public planning decision must not participate in that decision. The private benefit may be direct or indirect, create a material personal gain, or provide an advantage to an immediate relation. A member with a conflict of interest must make that interest public, abstain from voting on the matter, not participate in any deliberations on the matter, and step down from the Planning Commission and not participate as a member of the public when such deliberations are to take place. The member must not discuss the matter privately with any other member voting on the matter.
7. Render Thorough and Diligent Planning Service. Planning Commission members and planning staff must render thorough and diligent planning service. Should a Planning Commission member or members of staff believe they can no longer render such service in a thorough and diligent manner, they should resign from the position. If a member has not sufficiently reviewed relevant facts and advice affecting a public planning decision, the member must not participate in that decision.
8. Not Seek or Offer Favors. Planning Commission members and members of staff must seek no favor. Planning Commission members and planning staff must not directly or indirectly solicit any gift or accept or receive any gift (whether in money, services, loans, travel, entertainment, hospitality, promises, or in some other form) under circumstances in which it could be reasonably inferred that the gift was intended or could reasonably be expected to be intended to influence them in the performance of their duties; or that it was intended or could reasonably be construed to be intended as a reward for any recommendation or decision on their part. Individuals must not offer any gifts or favors intended to influence the recommendation or decision of Planning Commission members or planning staff.
9. Not disclose or Improperly Use Confidential Information for Financial Gain. Planning commission members and planning staff must not disclose or use confidential information obtained in the course of their planning duties for financial or other gain. A Planning Commission member or staff must not disclose to others confidential information acquired in the course of their duties

or use it to further a personal interest. Exceptions to this requirement of non-disclosure may be made only when (a) required by process of law, (b) required to prevent a clear violation of law, or • required to prevent substantial injury to the public. Disclosure pursuant to (b) and • must not be made until after the Planning Commission member or member of staff has made reasonable efforts to verify the facts and issues involved, obtain reconsideration of the matter, and obtain separate opinions on the issue from other planners or officials.

10. Ensure Access to Public Planning Reports and Studies on an Equal Basis. Planning Commission members and planning staff must ensure that reports and records of the public planning body are open equally to all members of the public. All non-confidential information available to a member or planning staff must be made available in the same form to the public in a timely manner at reasonable or no cost.
11. Ensure Full Disclosure at Public Hearings. Planning Commission members and staff members must ensure that the presentation of information on behalf of any party to a planning question occurs only at the scheduled public hearing on the question, not in private, unofficially, or with other interested parties absent. The official must make partisan information regarding the question (received in the mail, by telephone, or other communication) part of the public record. The Planning Commission Chairman at the commencement of each public hearing ask if any member of has received any ex-parte communication. If any member has received ex-parte communication concerning the application at hand, that member must describe the nature of the information received.
12. Maintain Public Confidence. A Planning Commission member or member of staff must conduct himself/herself publicly so as to maintain public confidence in the public planning body, the City of Lake Ozark and the official's performance of the public trust.

In administering the zoning and subdivision regulations, it is crucial that the decisions be made fairly and that they have the appearance of fairness. The credibility of the Planning Commission, the Board of Zoning Adjustment the Board of Aldermen, and public support for zoning and subdivision regulations in general, will erode quickly if there is an appearance of unfairness or impropriety in members of these public bodies. For this reason, it is important that a code of conduct be established and followed as closely as possible.

Conflicts of Interest

In making zoning and subdivision decisions, members of the Planning Commission, Board of Zoning Adjustment, and the Governing Body should be acting in the best interest of the entire community. Whenever a member of any of these bodies is acting on an issue in which he or she also has a personal interest, an important element of fairness is lost. In general, a conflict of interest is any situation in which a member is in a position to act upon or influence a development request which includes the potential for direct or indirect gain, financial or otherwise. In order to clarify this general rule, the following guidelines are recommended.

No member shall act on or influence any development request when:

1. The member has a potential for direct or indirect profit or financial gain from the development;
2. The member owns or is employed by any company which is an applicant, subdivider, developer or option holder;

3. The applicant, subdivider, developer or option holder is an established and regular client of the member or the member's place of employment;
4. One or more of a member's immediate family (parent, sibling, spouse or child) has a direct financial interest in the development or is an owner or officer of any company which is an applicant, subdivider, developer or option holder; or
5. The member has a potential for indirect financial gain or loss because of related property or business holdings.

Other situations not covered by these guidelines should be left to the judgment of the member involved. Again, the appearance of fairness and impartiality is as important as actual fairness and impartiality.

When a conflict of interest does occur, however, the following steps should be taken:

1. The member should declare, and the record should show, that a conflict of interest exists with respect to a particular issue, and that the member will not participate in any discussion or action;
2. The member should step down from his or her regular seat and should not speak with any other members during the discussion of the issue at hand; and
3. The member should not represent or speak on behalf of the applicant, but may speak on this or her own behalf as a private citizen during the hearing.

Acknowledgment of Outside Information

During any public hearing, it is presumed that all sides will have the opportunity to hear the opposing side's information and arguments, and to offer rebuttal. This right is lost when discussions are held or information is provided outside the public hearing. The possibility exists that a decision could be based on information that was never discussed publicly. To avoid this situation, Planning Commission and Board of Zoning Adjustment members should not receive any information relating to a case or discuss a case with anyone who has an interest in the outcome. Where such a discussion or information is unavoidable, the member should declare during the hearing, and the record should show, the general nature and content of the discussion or information and the participants in the discussion or the source of the information.

These guidelines also apply to any personal knowledge which is relevant to the issue. If a member has any personal knowledge which will affect his or her decision, such information should be made public during the hearing and should be subject to rebuttal.

Informed Participation

All parties with an interest in a particular development issue have a right to a decision based on all of the available information. Any member who is not informed or aware of the available information should abstain from voting on that issue. This includes the following situations:

1. When a member has not reviewed the application or the information submitted with the application;
2. When a member has missed all or part of a public hearing and has not been able to review a transcript of the hearing; or
When a member has missed all or part of the discussion between members prior to the vote.

As a corollary to this policy, it is the duty of each member to attend normally scheduled meetings as regularly as possible. Without regular attendance, informed decision-making and full participation in the regulatory process is unlikely.

COMPREHENSIVE PLAN

City of Lake Ozark

Economic Incentives

Economic Incentives



Following is a summary of economic incentives the City of Lake Ozark Planning Commission and Board of Aldermen should consider utilizing as elements of the City's economic development strategy. Since major capital improvements are needed to affect the future land uses in the City—whether infill or new development and annexation—there is a need to study and apply strategically the various public finance options, in partnership with the private sector.

Missouri Financial Incentives

While Tax Increment Financing (TIF) for development is widely used in Missouri, it is only one of several financial incentives for cities to utilize. Other incentives can play a role in encouraging new private investment, redevelopment, new jobs, increased retail sales, etc. These alternative funding sources include:

- Community Development Block Grant (CDBG);
- Neighborhood Assistance Tax Credit;
- Enterprise Zones;
- Missouri Downtown and Rural Economic Stimulus Act (MODESA);
- Community Development Corporations (CDC);
- Neighborhood Improvement Districts (NID);
- Brownfield Development Program;
- Chapter 353 Tax Abatement;
- Youth Opportunities Tax Credit Program
- Community based Development corporations;
- waiving various permit and inspection fees;
- proactive grant applications to support private initiative; and
- other property tax abatement.

Following is a more detailed description of several of these programs that have been used in other Missouri communities.

“Chapter 353”: Tax Abatement

Purpose

“Chapter 353 Tax Abatement” is an incentive that can be utilized by cities to encourage the redevelopment of blighted areas by providing real property tax abatement and eminent domain.

Authorization

Chapter 353 of the Revised Statutes of Missouri (the “Urban Redevelopment Corporation Law”).

How the Program Works

Tax abatement is available for a period of 25 years, which period begins to run when the Urban Redevelopment Corporation takes title to the property. During the first 10 years, the property is not subject to real property taxes except in the amount of real property taxes assessed on the land, exclusive of improvements, during the calendar year preceding the calendar year during which the Urban Redevelopment Corporation acquired title to the real property. 353.110.1 RSMo. If the property was tax exempt during such preceding calendar year then the county assessor is required to assess the land, exclusive of improvements, immediately after the urban redevelopment corporation takes title. During the next 15 years, the real property may be assessed up to 50% of its true value. 353.110.2 RSMo. This means that the city may approve a development plan, which provides full tax abatement for 25 years.

Payments in lieu of taxes: Payments in lieu of taxes (“PILOTS”) may be imposed on the Urban Redevelopment Corporation by contract with the city. PILOTS are paid on an annual basis to replace all or part of the real estate taxes, which are abated. The PILOTS must be allocated to each taxing district according to their proportionate share of ad valorem property taxes. 353.110.4 RSMo.

Eligible Areas

Tax abatement under the Urban Redevelopment Corporations Law is only extended to real property that has been found to be a “blighted area” by the city. For purpose of 353-tax abatement the term “blighted area” is defined as:

That portion of the city within which the legislative authority of such city determines that by reason of age, obsolescence, inadequate or outmoded design or physical deterioration, have become economic and social liabilities, and such conditions are conducive to ill health, transmission of disease, crime or inability to pay reasonable taxes. 353.020(2), RSMo.

Real Property may be property found to be blighted even though it contains improvements, which by themselves do not constitute blight. (*Maryland Plaza Redevelopment Corporation v. Greenberg*, 594S.W.2d 284 (1979).)

Tax abatement may also be extended to a tract of real property, which by itself does not meet the definition of a blighted area if such tract is necessary to the redevelopment project and the area on the whole constitutes a blighted area. (*Parking systems, Inc. v. Kansas City Downtown Redevelopment Corporation*, 518 S.W.2d 119 (1974).)

Eligible Applicants

Tax abatement is only available to for-profit “urban redevelopment corporations” organized pursuant to the Urban Redevelopment Corporations Law. The articles of association of urban redevelopment corporations must be prepared in accordance with the general corporations laws of Missouri and must contain certain items set forth in

Section 353.030 of the Urban Redevelopment Corporations Law. There are also special requirements for life insurance companies operating as urban redevelopment corporations. 353.040 RSMo.

Application Procedure

Powers: Urban redevelopment corporations have the power to operate one or more redevelopment projects, however such projects must be pursuant to a development plan which has been authorized by the city after holding a public hearing on the development plan. 353.060, RSMo. It may acquire property in its own name or in the name of nominees by gift, grant, lease, purchase, eminent domain or otherwise. 353.130, RSMo. It may borrow funds and secure the repayment by mortgage. 353.150 RSMo.

Reserve Requirement: Urban redevelopment corporations are required to maintain reserves for depreciation, obsolescence and the payment of taxes. 353.090 RSMo. The purpose of this requirement is to ensure that the redevelopment does not become blighted again.

Special Program Requirements

Timing: The urban redevelopment corporation must carefully plan the point in time in which it takes title to real property to ensure that it maximizes the benefits of 353 tax abatement. The 25 years starts to run as soon as the urban redevelopment corporation takes title. Unless the current improvements on the real property have a significant assessed value, the urban redevelopment corporation should not take title to the real property until the improvements to be made under the redevelopment project are completed. Until that time, title to the real property may be held by a related entity.

Eminent Domain: The urban redevelopment corporation may exercise the power of eminent domain to acquire any interest in any real property which is necessary to the development plan; provided that the city has granted the power of eminent domain to the corporation. 353.130, RSMo.

Tax Increment Financing Program

Purpose

Tax Increment Financing allows future real property taxes and other taxes generated by new development to pay for the costs of construction of public infrastructure and other improvements required to make the project feasible. It therefore, stimulates redevelopment of a project or a designated redevelopment area (may be blighted, substandard and/or economically under-utilized area) that otherwise would not occur.

Authorization

Sections 99.800 to 99.865, RSMo and SB 1 (1997 special session).

How the Program Works

Tax Increment Financing (TIF) redirects an approved portion of certain local taxes caused by the project to reduce project costs. The TIF Commission negotiates the amount and length of the increment based on the least amount that would cause the project to occur. The TIF project funds may be derived from a bond issue (paid from the increment), or a reimbursement to the developer for approved costs.

Eligible Areas

Statutory requirements state that the redevelopment area must be a "blighted area", a "conservation area" or an "economic development area".

Blighted area: is an area which, by reason of the predominance of defective or inadequate street layout, unsanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes an economic or social liability or a menace to the public health, safety, morals, or welfare in its present condition and use;

Conservation area: is any improved area within the boundaries of a redevelopment area located within the territorial limits of a municipality in which fifty percent or more of the structures in the area have an age of thirty-five years or more. Such an area is not yet a blighted area but is detrimental to the public health, safety, morals, or welfare and may become a blighted area because of any one or more of the following factors: dilapidation; obsolescence; deterioration; illegal use of individual structures; presence of structures below minimum code standards; abandonment; excessive vacancies; overcrowding of structures and community facilities; lack of ventilation, light or sanitary facilities; inadequate utilities; excessive land coverage; deleterious land use or layout; depreciation of physical maintenance; and lack of community planning. A conservation area shall meet at least three of the factors provided in this subdivision for projects approved on or after December 23, 1997;

Economic development area: is any area or portion of an area located within the territorial limits of a municipality, which does not meet the requirements of a blighted area or a conservation area, and in which the governing body of the municipality finds that redevelopment will not be solely used for development of commercial businesses which unfairly compete in the local economy and is in the public interest because it will:

- Discourage commerce, industry or manufacturing from moving their operations to another state; or
- Result in increased employment in the municipality; or
- Result in preservation or enhancement of the tax base of the municipality.

A project approved for State TIF funds must be in a state enterprise zone, federal empowerment zone, urban core area, or central business district. The redevelopment area must include only those parcels of real property directly and substantially benefited by the proposed redevelopment project.

Eligible Applicants

Commercial or industrial redevelopment projects that create net new local taxes. The project must demonstrate that a subsidy is required to make the project feasible.

Eligible Use of Funds

Redevelopment Project costs include the costs of studies, surveys, plans and specifications, land acquisition, land preparation, professional service costs and fees, and construction costs of both public and private improvements. Most TIF project involve the development of public infrastructure to support a project, however, redevelopment of buildings is also typical.

Application Procedure

The municipality may either request proposals from developers on a specific project area, or they may respond to a request from a developer to use TIF for their project. The developer or municipality must prepare a "redevelopment plan" which must conform to statutory requirements. The TIF Commission would determine whether TIF is needed by the developer to make the project feasible and if so, how much. The other taxing

districts and the general public have input into the decision process through a public hearing prior to the formal approval by the municipality.

Approval Method

If TIF is approved, a development agreement will be executed which may include specific expectations by the developer. The approved projects costs may be funded either by the issuance of industrial revenue bonds (paid from the TIF increments) or other loans. In any event, the developer will typically either guarantee the loan or purchase the bonds. The developer may also fund the approved project costs and be reimbursed from the increments over an approved time period.

Funding Limits

The "increment" may be up to 100% of the increased amount of real property taxes and 50% of local sales, utility and in St. Louis and Kansas City earnings taxes, for a period of up to 23 years, as approved by the municipality. The TIF statute requires a finding that, but for the TIF funding, the project could not be done. This may be done in several ways, such as the lack of development at the project site; additional costs of redevelopment; lack of private funds for the project; a projected pro-forma indicating that the projected return on investment (without the TIF assistance) is below a market rate of return, or other methods. For eligible projects that require an additional subsidy to make the project occur, the Department of Economic Development ("DED") may authorize up to 50% of state withholding taxes or 50% of state general sales taxes (1.5%) generated by a TIF project to supplement the local TIF funding. The state cannot independently authorize a TIF project, as a city or county must authorize the maximum 100% of real property taxes and 50% of the sales, utility, and in Kansas City and St. Louis earnings taxes in order for DED to approve state TIF Funding.

Special Program Requirements

TIF Commission: Prior to implementing TIF, the municipality is required to create a "TIF Commission" of nine, eleven or twelve persons, depending on the type of municipality. The municipality selects six persons; two are selected by the affected school district; one is selected from the other affected tax districts, and if the municipality is a city, the county selects two. The TIF Commission must recommend a project to the municipality (city or county), that has final approval.

Conformity to the Comprehensive Plan: The redevelopment plan should conform to the comprehensive plan for the development of the municipality as a whole.

Eminent Domain: The municipality's condemnation powers may be used in a TIF area (if approved by the municipality) to acquire property for use by a private developer implementing a project(s) contemplated in the TIF plan. Acquisition and relocation costs are eligible for TIF funding.

Economic Impact: The redevelopment plan must analyze the economic impact to each taxing district.

Reporting: Each year the governing body of the municipality or its designee shall prepare a report concerning the status of each redevelopment plan and redevelopment project and submit it to DED.

Missouri Downtown Economic Stimulus Act (MODESA)

Introduction

The Missouri Downtown and Rural Economic Stimulus Act became law in 2003 (HB 289, §§99.915 – 99.1060). The portion of the law covered by this program is referred to

as MODESA and authorizes public financing for qualifying development projects in the "downtowns" of this state's cities and towns (§§99.915 – 99.980). The state financing authorized by MODESA is referred to as the "State Supplemental Downtown Development Financing Program." The mechanism is similar to the one used in State Tax Increment Financing, but there are several differences between the programs.

The state financing authorized by MODESA is referred to as the "State Supplemental Downtown Development Financing Program." The mechanism is similar to the one used in State Tax Increment Financing, but there are several differences between the programs.

Eligible Municipalities

Municipalities with a median household income of \$62,000 or less, based upon the last decennial census are eligible for this Program.

Eligible Projects for cities with population less than 50,000

A **Development Project** is a Major Initiative in furtherance of the objectives of the Development Plan. A Major Initiative can be either a "community enhancement" project or a "job creation" project, although there may be some overlap of the two as well.

A **community enhancement project** is a project that promotes tourism, cultural activities, arts, entertainment, education, research, multipurpose facilities, libraries, ports, mass transit, museums and conventions, and the estimated cost of which equals or exceeds \$500,000.

A **job creation project** is a project that promotes business locations or expansions and which has estimated project costs in excess of \$500,000 and which will create 5 new jobs as set forth below within three years of the commencement of operations of the location or expansion:

Eligible Areas

To qualify for the Program, a Development Project must be located in a **Development Area**. Within an eligible Municipality, a development area must meet all of the following criteria:

- It must be a Blighted or Conservation Area;
- It includes only those parcels of real property directly and substantially benefited by the proposed Development Plan;
- It can be renovated through one or more Development Projects;
- It is contiguous (with limited exceptions for up to three noncontiguous areas);
- It shall not exceed ten percent (10%) of the entire area of the Municipality;
- It shall not include any property that is located within the one hundred year flood plain, as designated by the Federal Emergency Management Agency flood delineation maps, unless such property is protected by a structure that is inspected and certified by the United States Army Corps of Engineers; and
- It is located in the Central Business District ("CBD").
 - The CBD is the area at or near the historic core that is locally known as the "downtown" of a Municipality;

- At least fifty percent (50%) of existing buildings in the CBD must have been built more than 35 years before the adoption of the ordinance approving the Development Plan. For vacant lots to count, there must have previously been a building on the lot that was built more than 35 years before the adoption of the Redevelopment Plan; and
- The historical land use emphasis of a CBD prior to redevelopment must have been a mixed use of business, commercial, financial, transportation, government, and multifamily residential uses.

Another consideration is that the area has generally suffered from declining population or property taxes for the twenty-year period immediately preceding the area's designation as a Development Area.

Eligible Project Costs

Development Project Costs that can be covered by state financing under this Program must be for public property, buildings, rights-of-way and infrastructure to support the Development Project. Such costs include, but are not limited to, the following:

- Costs of studies, appraisals, surveys, plans and specifications;
- Professional service costs, such as architectural, engineering, legal, marketing, financial or planning services;
- Land acquisition, demolition costs and site preparation;
- Costs of rehabilitating and repairing existing public buildings;
- Costs of constructing public works or improvements;
- Financing costs, such as costs of issuance, capitalized interest, underwriting expenses and reserve funds;
- A taxing district's capital costs resulting from the development project, to the extent the municipality by written agreement accepts and approves such costs; and
- State government costs related to evaluation and administration of the Development Project.

Missouri Programs

Brownfield Redevelopment Program

Purpose

To provide financial incentives for the redevelopment of commercial/industrial sites owned by a governmental agency or that are privately owned. The sites must have been abandoned for at least three years and have contamination caused by hazardous substances.

Authorization

Section 447.700 to 447.718, RSMo.

How the Program Works

The program provides state income tax credits for eligible remediation costs. The Department of Economic Development (DED) may provide a grant for public

infrastructure or a loan or guarantee for other project costs. Also, tax credits may be provided to businesses that create jobs at the facility.

Eligible Areas

Statewide, but the program is structured for projects in blighted redevelopment areas.

Eligible Applicants

The property must be owned by a public entity. If owned by a private entity, the city or county must endorse the project. The project must result in the creation of at least (10) ten new jobs or the retention of 25 jobs by a private commercial operation. "New jobs" are defined as full-time (35+ hours/week) for persons who were not employed by the business or a related taxpayer for the prior year. Housing projects do not qualify, but mixed use (housing and commercial) may qualify. The project must be accepted into the "Voluntary Cleanup Program" of the MO Department of Natural Resources, and cannot be a EPA (Environment Protection Agency) "Superfund" site.

Eligible Use of Funds

- **Remediation Tax Credits:** DED may issue "remediation" tax credits for up to 100% of the remediation cost. The amount of remediation tax credits is also limited to the net state economic impact of the project. The applicant may sell the remediation tax credits to another Missouri taxpayer.
- **Loan or Guarantee Funds:** The applicant may use the guaranteed loan or direct loan funds to finance capital improvements at the project location. Loan proceeds may not be used for working capital, refinancing, inventory, purchase of stock from existing owners or other operating costs of the business or another entity.
- **Brownfield Tax Benefits:** The operator or lessees may obtain (for up to ten years), tax credits between \$500 and \$1,300 per year for each new job created; tax credits based on 2% (annually) of new capital investment; and a 50% income exemption. The city must provide real property tax abatement (for up to 15 years).
- **Due Diligence Matching Grant:** A public entity may request grant funding (up to \$100,000 per project or 50% of the cost) to fund a feasibility study on an eligible facility. The other 50% may be from the public entity or private sources.
- **Grant for Public Infrastructure:** The public entity may also request grant funding for public capital improvements for up to \$1 million (less any funds provided by loans or guarantees for the same project). The public entity and owner must demonstrate the inability to finance the entire amount of improvements to be considered for grant funding.

Application Procedure

An applicant must submit an application to DED for determination of eligibility. An application should also be submitted for remediation tax credits, Brownfield tax benefits, loan guarantees, a direct loan, and/or grant funding. An application must also be submitted to the Department of Natural Resources (DNR) for participation in the "Voluntary Cleanup Program". Acceptance into this program is a requirement of the Brownfield Redevelopment Program. There are no application deadlines, and the program is non-competitive. Eligible projects are approved based on having a positive net state economic impact and the applicant's need for incentives. The application and guidelines are available at the Missouri Finance Network web site:

www.ecodev.state.mo.us/cd/finance

Approval Method

The remediation tax credits may be provided to the building owner upon documentation of actual expenses, except that at least 25% may be retained until the "clean letter" has been provided in conjunction with the Voluntary Cleanup Program.

Funding Limits

The total state costs of the project (tax credits, loans, grants) must be less than the projected new state economic impact of the project. DED will determine the economic impact for each project. The program provides state tax credits for up to 100% of remediation costs. Guaranteed loans or direct loans to an owner or operator of the property are limited to \$1 million. Grants to public entities are also available up to \$100,000 or 50% for feasibility studies or other due diligence costs. Grants can also be issued up to \$1 million for the improvement of public infrastructure for the project. The total of grants, loans or guarantees cannot exceed \$1 million per project.

**MISSOURI COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
PROGRAM****Public Facilities**

Eligible Activities. Nearly every type of public improvement or facility is eligible except work on a general public office such as a city hall or courthouse. However, the State has prioritized funding for the most critical needs involving public health and safety.

Neighborhood Development

Eligible Activities. Under the neighborhood development competition, the housing needs of the community shall be addressed. These needs shall be limited to a target area of no more than 200 units or less than 20 units. In addition to the housing needs, the neighborhood development may also include public facilities that need to be addressed within the target area.

Housing Infrastructure

Eligible Activities. Street, street accessories, storm sewer, drainage, site improvements, water, sanitary sewer, mini-parks, land acquisition, professional services, engineering design and inspection, administration, and audit are eligible for this program. All public infrastructures must be built on right-of-way owned by a local government. Eighty percent of the units must be initially owner-occupied. Land acquisition is not eligible when the developer is a for-profit entity. Land may be acquired with CDBG funds by a city, county, Public Housing Authority (PHA), or not-for-profit community-based organization or land trust and must be subdivided and provided to a builder or prospective homeowner.

Downtown Revitalization

Eligible Activities. Improvements of public infrastructure and facilities within a traditional downtown or Central Business District (CBD).

Emergency

Eligible Activities. Nearly every type of public improvement or facility is eligible except work on a general public office such as a city hall or courthouse. Only activities needed to resolve the emergency are eligible.

Speculative Industrial Building Loan

Eligible Activities. Eligible uses include the purchase of an existing building and improvements, or the construction of a new building. Also, purchase of land and development of on-site infrastructure is eligible.

Telecommunications

Eligible Activities. CDBG funds are limited to those up-front cost associated with the establishment of the Community Information Network i.e., purchase of hardware or software, unit workplace equipment, one-time utility installation costs, initial training costs, if applicable, etc. **No recurring costs** such as utility basic rates or bills, monthly Internet server charges, lease or rental payments, etc. may be paid with CDBG funds.

CDBG Industrial Infrastructure Grant

Purpose

This program assists local governments in the development of public infrastructure that allows industries to locate new facilities, expand existing facilities or prevent the relocation or closing of a facility.

Funding limits

The use of this program is based on the local government exhausting their available resources. The maximum grant per project is the lower of \$500,000; 40% of the industry's capital investment; or \$10,000 per job (depending on the area and type of project). Only items essential for the industry to operate are eligible.

Use of funds

Grant funds may be used for public streets, water or sewer lines, engineering and other public facilities necessary to support the project. Facilities owned by the company or a private utility are not eligible for funding.

Purpose

This program is funded by the federal Community Development Block Grant (CDBG) program. As such, at least 51% of the new jobs to be created by the company must be taken by persons considered "low to moderate income" (LMI).

Application process

The basic premise of the program is that the company must prove that but for the Industrial Infrastructure grant, the project could not occur. A grant would not be eligible if the company's project begins prior to DED's approval of the grant. An environmental review must be conducted by a city or county sponsor, and may be started at any time, even prior to submission of an application. DED will provide a decision on funding within about two to three weeks after the submission of a completed application. DED approves eligible projects on an ongoing basis. There is no deadline for applications to be submitted.

Action Fund Program

Purpose

The purpose of this program is to stimulate the creation of new higher quality jobs by providing a last resort gap loan to new or expanding manufacturing, processing, and or assembly businesses. Payments may be deferred for up to two to three years for faster growing companies if cash flow is inadequate. The projected growth, economic impact of the company, the risk of failure and the quality of management are critical factors for approval.

Funding limits

DED must determine that the borrower has exhausted other funding sources. In any event, an Action Fund Loan would be limited to the LOWER of: \$400,000 per project; 30% of the total project cost; or \$20,000 per new full-time year-round job.

Use of funds

The purchase of new machinery and equipment or working capital are eligible. Refinancing, payout of stockholders, buyouts or lines of credit are not eligible.

Program requirements

This program is funded by the federal Community Development Block Grant (CDBG) program. As such, at least 51% of the new jobs to be created must be taken by persons considered "low to moderate income" (LMI).

Application process

The basic premise of the program is that the company must prove that but for the Action Fund loan, the project could not occur. An Action Fund loan would not be eligible if the company's project began prior to DED's approval of the loan, or if other project funds were distributed to the borrower prior to DED's approval of the loan. An environmental review must be conducted by a city or county sponsor, and may be started at any time, even prior to submission of an application. DED will provide a decision on funding within about 2 to 3 weeks after the submission of a completed application.

Interim Financing Loan Program

Purpose

The purpose of this program is to provide cash flow relief for a company when the need for such assistance can be demonstrated to cause a project to occur.

Approval

The approval of funding is based on the least amount possible to cause the project to occur and the availability of limited funds. DED should be contacted *prior to* proposing this program to a business.

Use of funds

The purchases of new fixed assets or permanent working capital are eligible. Manufacturing, processing and assembly companies are prioritized.

Restrictions

This program is funded by the federal Community Development Block Grant (CDBG) program. The following restrictions apply:

- At least 51% of the new jobs to be created must be taken by persons considered "low to moderate income" (LMI).
- If loan proceeds are used for the financing of building construction or the installation of machinery, federal and state wage rates must be paid to the employees of contractors.
- The company's project cannot begin or funds cannot have been spent prior to the completion of (a) the environmental review and (b) approval of the project by DED.

MISSOURI NEIGHBORHOOD ASSISTANCE TAX CREDIT PROGRAM

Neighborhood Assistance Program:

The philosophy behind the program is quite simple. Rather than funding a project by giving a grant, the State “partially reimburses” eligible donors who fund the project directly themselves. In effect, this enables donors to finance local projects with money they would otherwise owe on their Missouri taxes. It also reduces administrative overhead costs that would otherwise be incurred if a government bureaucracy had to create a program to deliver the same services or carry out the same project. Therefore, acting as an incentive, the tax credit not only stretches the amount a business donor might normally be able to give, but provides an opportunity for the private sector, state government, and the nonprofit sector to cooperate as “partners” in addressing community needs.

How it works

Unlike a direct government grant, this form of state assistance involves no transfer of dollars. Instead, the nonprofit organization assumes full responsibility for securing the desired financial support through their own fundraising efforts, using the tax credit as an incentive. The State’s role is to approve projects and process tax credits for eligible donors. The credit equals up to 50% of the value of the contribution, and up to 70% for many projects in rural communities. These tax credits represent “coupons” that donors may then claim (or redeem) when they file their State of Missouri tax return.

Who qualifies for the credit

- Corporations
- Insurance Companies
- Express Companies
- Banks and other financial institutions
- Partnerships (and their individual shareholders)
- S-corporations (and their individual shareholders)
- Limited Liability Companies (and their individual members)
- Individuals who either: a) operate a sole proprietorship in Missouri, or b) operate a farm in Missouri, or c) have rental property in Missouri

Donations that qualify

- **Cash** - valued at face amount of check.
- **Materials, supplies, equipment** - valued at the lesser of either the fair market value or donor’s cost.
- **Technical assistance and professional services** - valued at standard billing rate.
- **Labor** - valued at employee’s hourly wage plus fringes.
- **Real estate** - valued at stock market price (high) on the date of transfer but must be sold by the nonprofit before credit will be approved for the donor.

70% Rural Nap credit

This provision is available to projects located in a city, town or village of under 15,000 population or in unincorporated areas, except for locations in the following counties: *Clay, Jackson, Jefferson, St. Charles, and St. Louis*. These credits are limited to \$4 million annually and are competitive. If a project rates high enough to be approved, but all of the 70% credits have been exhausted, the project will be offered 50% credits.

Eligible applicants:

- **Nonprofit organizations authorized to operate in Missouri.** In cases where an organization is incorporated on a statewide, regional or national level, or established through Congressional Charter, its local affiliates, chapter, divisions, or branches are each permitted to submit an application provided:
 - a) A locally-controlled Board of Directors assumes all administrative responsibility, and

b) All NAP donations will be deposited locally.

- **Organizations holding IRS ruling 501(c)3**
- **Missouri business:** If a business wishes to administer its own NAP project, it must have no direct financial interest in the project, and be willing to assume full administrative responsibility for the project. Such proposals may not be submitted jointly by more than one company.

MISSOURI ENTERPRISE ZONE PROGRAM

Ten-Year State Income/Net Income/Direct Premiums Tax Benefits

Missouri Enterprise Zone Program:

The Missouri Enterprise Zone program designates disadvantaged communities which can then offer certain tax credits to businesses and industries for creating new jobs and investment in that designated zone.

A zone needs to meet certain poverty and unemployment criteria and file a plan for redevelopment of the area with the Department of Economic Development. The plan must be holistic in nature and address such things as police protection, marketing of the zone, and actions for reduction of burdensome regulations. Zones are designated by the Department. A zone expires after 15 years of original designation.

COMMUNITY DEVELOPMENT CORPORATION

Definition

A Community Development Corporation (CDC) is defined as a not-for-profit or for-profit organization whose board of directors is composed of business, civic and community leaders, which the organization's primary purpose is to encourage and promote the industrial economic, entrepreneurial, commercial and civic development or redevelopment of a community or area; including the provision of housing and community economic development projects that benefit low-income individuals and communities.

Tax credit program

The purpose of this program is to induce investment into Community Banks or Community Development Corporations (CDCs), which then invest in new or growing businesses or real estate development, resulting in an expansion of the tax base, elimination of blight, reduction of reliance on public assistance and the creation of jobs.

Method

A contributor may obtain state tax credit based on 50% of investments or contributions in a Community Bank. The Community Bank or CDC then makes equity investments or loans to a business, or investment in real estate development within a target area.

Eligible investments

Tax credits will be provided by DED based on 50% of the amount of stock purchased in or an unsecured loan made to a for-profit Community Bank, or contributions made to a non-profit Community Bank or CDC. Tax credits will not be approved for contributions or investments other than cash.

Target area

A target area is any area designated by the Community Bank or CDC that includes two or more contiguous "blocks" (as designated by the U.S. Census) where the rate of poverty in the area exceeds 26%.

HISTORIC PRESERVATION CREDIT

Purpose

The purpose of this program is to provide financial incentives for the redevelopment of historic structures in Missouri.

How the program works

The program provides state tax credits for 25% of eligible costs and expenses of the rehabilitation of an approved historic structure.

Applicable projects

An eligible property must be located in Missouri and offered or used for commercial or residential purposes. It also must be (a) listed individually on the National Register of Historical Places; or, (b) certified by the MO Department of Natural Resources as contributing to the historical significance of a certified historic district listed on the National Register; or, (c) a local historic district that has been certified by the U.S. Department of Interior.

Eligible Projects may also use the federal 20% Historic Tax credit, which has nearly identical requirements. Eligible projects must be for-profit.

COMMUNITY-BASED DEVELOPMENT CORPORATIONS

CDCs are non-profit community-based organizations that strategically redevelop economically depressed areas by developing affordable housing; sponsoring community economic development projects, providing vital social services, and participating in community organizing efforts. CDCs undertake a range of activities including housing counseling, developing business incubators, and tutoring at-risk youth. CDCs are business-oriented and entrepreneurial. They work to improve the lives of people in low-income and minority communities. They are the major economic engine that drives revitalization of communities afflicted by disinvestment, undertaking development projects that the traditional for-profit sector shuns. Working to mitigate the risks that are often associated with undertaking developments in distressed areas, CDCs draw private investment into troubled areas. Over the last 25 years, CDCs have emerged as one of the most successful community revitalization models in the country.

CDCs receive funding from both the private and public sectors including corporations, banks, foundations, individuals, and local, state, and federal government sources. It is this diverse mix of funding sources that has enabled CDCs to achieve continued success despite the cutbacks in federal funding since the 1980's and state funding during the 1990's.