



Issue: **AN ORDINANCE OF THE NIXA CITY COUNCIL ISSUING A SPECIAL USE PERMIT TO AUTHORIZE A SHORT-TERM RESIDENTIAL RENTAL AT 605 SOUTH BRADFORD AVENUE**

Date: February 14, 2022

Submitted By: Garrett Tyson, Director of Planning and Development

Background

The owner of the single-family residential dwelling located at 605 S Bradford Ave has applied for a special use permit to operate a short-term residential rental from this same dwelling.

A short-term residential rental is defined by the Nixa City Code as the renting of an entire dwelling, or any portion thereof, for a period of not more than 30 consecutive days, to overnight guests, where the owner is engaged in a contract for the rental of that specific dwelling or any portion thereof.

Analysis

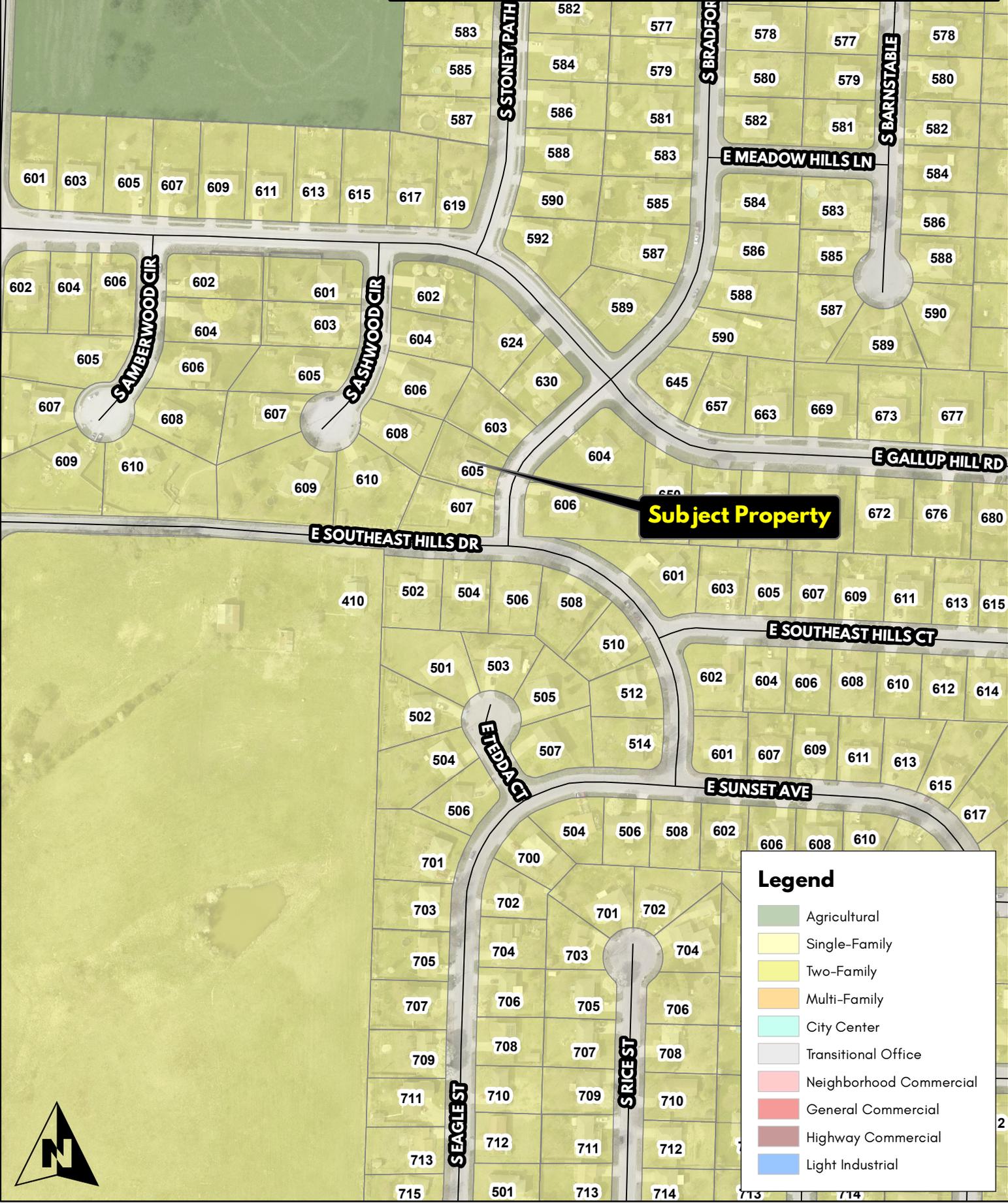
According to Section 117-102(c) of the Nixa City Code, short-term residential rentals may only be issued to a permanent resident for the principal residential structure on the subject property. According to Section 117-102(b), a permanent resident is a property owner or lessee who maintains a dwelling as a primary residence as documented by at least two of five documents including a motor vehicle registration, driver's license, voter registration, tax return, or utility bill. The applicant in this case has provided a tax return document and a Nixa utility bill as evidence of their status as a permanent resident at 605 S Bradford Ave.

Other codified requirements include that the short-term residential rental must be at least 150 feet from another short-term residential rental and that the location is within either the R-1, R-3 or R-4 zoning districts. The property subject to this application is located within the R-1 district and is not located within 150 feet of another short-term residential rental.

Recommendation

Staff recommends the approval of this special use permit.

SUP 22-002



Legend

- Agricultural
- Single-Family
- Two-Family
- Multi-Family
- City Center
- Transitional Office
- Neighborhood Commercial
- General Commercial
- Highway Commercial
- Light Industrial



1 **AN ORDINANCE OF THE COUNCIL OF THE CITY OF NIXA GRANTING SPECIAL**
2 **USE PERMIT 22-002 TO AUTHORIZE A SHORT-TERM RESIDENTIAL RENTAL USE**
3 **FOR THE SINGLE-FAMILY ZONED PROPERTY LOCATED AT 605 SOUTH**
4 **BRADFORD AVENUE.**

5 _____
6
7 **WHEREAS** an application has been received requesting the issuance of a Special
8 Use Permit authorizing a short-term residential rental use at the single-family zoned
9 property located at 605 South Bradford Avenue; and

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11 **WHEREAS** Special Use Permits may be granted pursuant to the provisions of
12 Chapter 101, Article III of the Nixa City Code; and

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14 **WHEREAS** Special Use Permits authorizing short-term residential rentals are
15 additionally governed by the provisions of Section 117-102 of the Nixa City Code; and

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17 **WHEREAS** the Planning and Zoning Commission held a public hearing regarding
18 the application at the Commission’s February 7, 2022, regular meeting; and

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20 **WHEREAS** said Commission, after the public hearing, recommended approval of
21 the application; and

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23 **WHEREAS** City Council finds that sufficient information has been presented to
24 satisfy all applicable standards of the Nixa City Code for issuance of Special Use Permit
25 22-002.

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27 **NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF**
28 **NIXA, AS FOLLOWS, THAT:**

29
30 **SECTION 1:** A Special Use Permit authoring the short-term residential rental land
31 use at the single-family zoned property located at 605 South Bradford Avenue, referenced
32 as Special Use Permit 22-002, is hereby granted. Special Use Permit 22-002 shall be
33 governed by all applicable provisions of the Nixa City Code, including the provisions of
34 Article III of Chapter 101 and Section 117-102. Any violations of the provision of this
35 Ordinance, or the conditions contained herein, shall be grounds for revocation of Special
36 Use Permit 22-002.

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38 **SECTION 2:** This Ordinance shall be in full force and effect from and after its final
39 passage by the City Council and after its approval by the Mayor, subject to the provisions
40 of section 3.11(g) of the City Charter.

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42
43 **[Remainder of page intentionally left blank. Signatures follow on next page.]**
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46

47 **ADOPTED BY THE CITY COUNCIL THIS _____ DAY OF _____ 2022.**
48

49
50 **ATTEST:**

51
52 _____
53 **CITY CLERK**

_____ **PRESIDING OFFICER**

54
55
56 **APPROVED BY THE MAYOR.**

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58
59 **ATTEST:**

60
61 _____
62 **CITY CLERK**

_____ **MAYOR**

63
64
65 **APPROVED AS TO FORM:**

66
67 _____
68 **CITY ATTORNEY**

_____ **DATE OF APPROVAL**