



EXHIBIT A

ISSUE STATEMENT:	PUBLIC HEARING AND POSSIBLE VOTE CONCERNING THE PROPOSED AMENDMENTS TO CHAPTER 117 ARTICLE IV OF THE NIXA CODE OF ORDINANCES RELATING TO SHORT-TERM RESIDENTIAL RENTALS
DATE:	May 6 th , 2024
SUBMITTED BY:	PLANNING AND DEVELOPMENT DEPARTMENT
PRESENTED BY:	PLANNING AND DEVELOPMENT DEPARTMENT

Background

The City of Nixa first established a short-term residential rental ordinance in August of 2019. The purpose of the ordinance at that time was to address the impacts of a growing short-term rental (STR) industry. The enactment of Missouri House Bill 1662 in June of 2022 minimized local government's ability to regulate home occupations, which in turn necessitated a rewriting of this ordinance.

Analysis

The current ordinance only allows for STRs to be operated in a primary residence, with a special use permit approved by City Council. This use is effectively a home occupation which was granted protections via HB 1662. The language in the current code language restricted non-primary residences from being used as STRs all together. Additionally, this process yielded excessive lead times and expenses to obtain the proper permit.

In order to differentiate between home occupation and investment property this ordinance would establish definitions for two categories of short term rentals; Primary Residence Rental and Non-Primary Residence Rental. The only use standard allowable for a primary residence rental (home occupation) is the acquisition of a business license from the City of Nixa. This ordinance would however impose minimal use standards upon non-primary residence rentals (investment properties): Accessory structures cannot be used as rentals, rental property must pass an annual rental inspection, and a minimum distance requirement of 150 feet between STRs. The intent is to disencumber the process of operating a STR while still providing sensible regulations for the general welfare of the City of Nixa.



Recommendation

This ordinance update would address current conflicts established from the passage of HB 1662 regarding home occupations. It would also provide a simplified path for these types of businesses to operate within the City of Nixa. Staff recommend approval of this code amendment.