

AN ORDINANCE AMENDING ARTICLE 8 OF THE CODE OF ORDINANCES OF THE CITY OF MOUNTAIN GROVE, MISSOURI BY ADDING SECTIONS 8-208 & 8-209 AS IT RELATES TO THE REGULATION OF SHORT TERM RENTALS WITHIN THE CITY OF MOUNTAIN GROVE, MISSOURI.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF MOUNTAIN GROVE, MISSOURI AS FOLLOWS:

SECTION 1:

WHEREAS, the City of Mountain Grove desires to preserve the quality, integrity and stability of its residential areas; and

WHEREAS, the City has enacted a variety of ordinances which govern the extent and location of certain uses, including overnight lodging; and

WHEREAS, the City has established a general prohibition of rentals for less than 30 days in furtherance of its efforts to preserve residential areas; and

WHEREAS, the City has identified a new trend of allowing rentals of less than 30 days in residential areas; and

WHEREAS, the City has determined a desire to allow and the need to regulate this activity to fulfill the goals set forth above.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MOUNTAIN GROVE, MISSOURI, as follows, that:

Section 208 – 209 shall be added to chapter 8 of the Code of the City of Mountain Grove, Missouri

Section 1:

Sec. 8-208 - Short – Term Rentals

Renting sleeping rooms within a R-3, C-1, & C-2 zoned districts to more than two persons, not members of the family occupying the dwelling unit for less than 30 days provided an off-street parking space is provided for each person.

(a) All Sales, Use, and Bed taxes shall be collected and paid on all short term rental property.

Sec. 8-209 – Short-Term Rental

(a) This section shall apply to a Short–Term Rental use that:

1. is rented for periods of less than 30 consecutive days; and
2. is not an owner-occupied residence or is an owner- occupied primary residence, and is rented for more than 95 days in a calendar year when the owner is absent from the premise.

(b) A certificate of occupancy shall be obtained in accordance with this code

(c) Annual business license shall be obtained.

(d) This STR process shall be for R-3 districts only, STR's are not allowed in R-1 and R-2 Zoned areas. C-1 and C-2 zoned areas shall automatically be approved for STR's

(e) There shall be a limit of eight Air B&B's allowed within the City limits of Mountain Grove.

(d) The following provisions shall apply to a Short–Term Rental:

1. Density Limitations: A Short–Term Rental shall be limited to no more than one STR or bed and breakfast per eight residential structures on the block face. No STR shall be permitted on a block face with fewer than four residential

structures unless an appeal is granted by City Council (i.e. 1-3: no STR; 4-8: 1 STR; 9-15: 1 STR; 16-23: 2 STR). For purposes of this section, block face shall be defined as one side of a street, from one intersection to the next, not including alleys. Residential structures' block face shall be determined by the mailing address assigned to each.

2. A Short-Term Rental shall only be located in the primary structure.
3. No exterior alterations that would change the single-family character of the Short-Term Rental, other than those necessary to ensure the safety of the structure, shall be made.
4. No residential structure shall be removed for parking or to expand the Short-Term Rental.
5. A Short-Term Rental shall not be rented solely for receptions, parties, weddings or any similar activities.
6. The owner of a Short-Term Rental shall provide notification as required by Section 8-208 & 8-209.

(e) A Short-Term Rental permit shall be required for Short-Term Rental uses as follows:

1. *Application fee.* A fee of \$350.00 or as set forth in the schedule of fees, shall accompany and Short-Term Rental application and is in addition to the license and certificate of occupancy fee required by this section. The additional fee shall be for the costs of processing the application.
2. Applicant(s) shall hold a neighborhood meeting at the property involved in the application or in the immediate vicinity. Notice of the meeting shall be sent by first-class mail, postage paid, at least ten days prior to the meeting, to at least one record owner of each real property within 500 feet of the Short-Term Rental property, as shown on the records of the county assessor.
3. Notice of the neighborhood meeting shall be posted by the applicant at least ten days prior to the meeting and 21 days after for a total of 31 days in conspicuous places on or in the immediate vicinity of the property which is the subject of the Short-Term Rental. One sign shall be posted on each street frontage of the subject property. Additional signs or alternate posting locations may be required at the discretion of the director of the planning and development department. Such notice shall be at least 18 inches in height

and 24 inches in width and shall contain the words "NEIGHBORHOOD MEETING" and in addition the date, time, and place of the public meeting, and a telephone number where additional information can be secured.

4. It is recommended the meeting be held early enough to provide time for the applicant to consider any neighborhood input, allow any changes to be evaluated by staff, and to resolve any issues if possible. The meeting shall be scheduled from 4:00 to 6:30 p.m.
5. The mailing shall be performed by the planning and development department; however, the letters and envelopes themselves must be prepared, and postage placed on same by applicant. The neighborhood letters shall be submitted to City Hall for mailing, sufficient time shall be allowed for mailing. At least 10 days prior to the date of the neighborhood meeting. A file copy of the letter shall be provided to City Hall. The notice letter shall contain the following at a minimum and any additional information as required by the City:
 - a. Description and details of proposed Short-Term Rental operation including number of days per month to be rented and any other proposed changes.
 - b. Meeting date, time and location.
 - c. Applicant or the representative's contact information.
 - d. Information sheet provided by the City.
6. No more than ten days following the neighborhood meeting, the applicant shall submit a summary of the meeting to the planning and development department using the following format as set forth below;
 - a. Meeting, date, time and location.
 - b. Number of neighbors in attendance with an attached sign-in sheet.
 - c. List of issues raised, any verbal comments and how applicant plans to respond
 - d. Additional information, such as comment cards and letters from neighbors shall be attached to the summary.
 - e. Notarized affidavit containing signatures of at least fifty-five percent (55%) of adjacent residential property owners, including those adjoining and immediately across the street.

7. If the applicant does not submit the information listed above within ten days of the neighborhood meeting, the application shall be considered incomplete and the applicant will be required to conduct a new meeting.
8. If the signatures of at least fifty-five percent of the neighboring property owners cannot be secured the applicant may apply to the City Council to obtain a resolution granting the STR permit.
9. The City shall have the authority from time to time to prepare forms to implement this section including a sample affidavit form, application forms, and forms for notice, forms for proof of ownership, and other appropriate requirements.

Section 2:

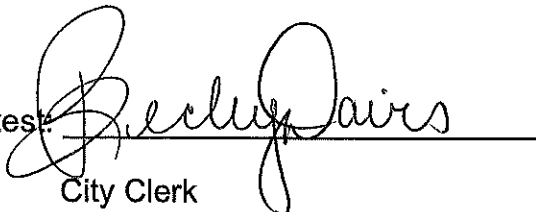
This ordinance shall be in full force and effect from and after its passage by the Board of Alderman and signed into law by the Mayor of the City of Mountain Grove, Missouri.

Passed this 8th day of February, 2022



Mayor

Attest:



Becky Davis
City Clerk

First Reading January 11, 2022

Second Reading February 8, 2022