

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE IV, CHAPTER 400 ZONING REGULATIONS, SECTION 400.240 ACCESSORY USES OF THE MUNICIPAL CODE BY ADOPTING SEPARATION STANDARDS FOR SHORT TERM RENTALS

WHEREAS, at its meeting on February 26, 2024, the Planning and Zoning Commission of the City of Excelsior Springs, Missouri (the "Commission") conducted a public hearing wherein it considered and reviewed an application by the City of Excelsior Springs (the "Applicant") for an amendment to the Zoning Regulations of the City by adopting separation standards for short term rentals, as recommended by the Director of Planning and Zoning; and

WHEREAS, the Commission recommended approval of the amendment to the City Council; and

WHEREAS, the proposed amendment will promote the development, rehabilitation, restoration, and preservation of property in the City and the educational, cultural, economic, health, safety and general welfare of the City; and

WHEREAS, Chapter 400, Section 400.240 Accessory Uses provides for certain land uses, buildings and structures which are clearly incidental to and customarily and commonly associated with the main permitted use of the premises; and

WHEREAS, the City Council of the City of Excelsior Springs, Missouri has determined that the Municipal Code of the City should be revised as set forth herein.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Excelsior Springs, Missouri, as follows:

Section 1. Chapter 400: Zoning Regulations, Section 400.240 Accessory Uses, of the Municipal Code is hereby amended by adopting separation standards for short term rentals, said amendment attached hereto and made a part hereof.

Section 2. Should any provision hereof for any reason be deemed or ruled illegal, invalid or unconstitutional by any court of competent jurisdiction, no other provision of this Ordinance shall be affected; and this Ordinance shall then be construed and enforced as if such illegal or invalid or unconstitutional provision had not been contained herein.

Section 3. The Mayor, the City Manager, the City Clerk and other appropriate City officials are hereby authorized to take any and all actions as may be deemed necessary or convenient to carry out and comply with the intent of this Ordinance and to execute and deliver for and on behalf of the City all certificates, instruments, agreements and other documents, as may be necessary or convenient to perform all matters herein authorized.

Section 4. This Ordinance overrides any conflicting provision or regulation with the Municipal Code of the City of Excelsior Springs, Missouri.

Section 5. This Ordinance shall be in full force and effect from and after its passage and approval.

INTRODUCED IN WRITING, read by title two times, passed and approved on the ____ day of _____, 2024.

Mark D. Spohn, Mayor

ATTEST:

Shannon Stroud, City Clerk

REVIEWED BY:

Molly McGovern, City Manager

ATTACHMENT A

Section 400.240 Accessory Uses

Par. M Short Term Rental

8. Separation standards:

- i. No separation standards apply in the Downtown Tourist Area.**
- ii. No new STR shall be permitted to locate within one-thousand (1,000) feet any then existing STR. The distance shall be measured from the external walls of the proposed and existing STR residential units and shall be made along the shortest path between the demarcation points that can be lawfully traveled by foot.**