SHORT-TERM RENTAL ORDINANCE

Unified Government Board of Commissioners

April 27, 2023

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BACKGROUND & EXISTING CONDITIONS

- Short-Term Rentals are classified as commercial activities under the UG Code of Ordinances
- Growth in these services creates a need for better administration and balance within neighborhoods

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<td>Airbnb, VRBO and other companies make short-term renting easy and popular</td>
<td>Amnesty period to allow property owners to apply for special use permits</td>
<td>HostCompliance hired to track advertisements of short-term rentals in KCK</td>
<td>Administrative standards for short-term rentals adopted</td>
<td>Launch of a specific short-term rental special use permit application</td>
<td>Review and study of current ordinance for potential modifications</td>
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CURRENT PROCESS AND TERMS

**Owner-Occupied Properties**
- Initial Application: Up to 2 years
- Renewal #1: Up to 5 years
- Renewal #2: Up to 10 years

**Non-Owner-Occupied Properties**
- Initial Application: Up to 1 year
- Renewal #1: Up to 2 years
- Renewal #2: Up to 5 years
- Renewal #3: Up to 10 years

SHORT-TERM RENTAL ORDINANCE
MARKET SNAPSHOT

- Only 30% of short-term rentals have a special use permit recorded with the UG

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<th>Number of Short-Term Rentals Currently Advertised in WyCo</th>
<th>166</th>
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<td>New Short-Term Rentals in Last 30 Days</td>
<td></td>
<td>8</td>
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<tr>
<td>Active Short-Term Rentals Special Use Permits</td>
<td></td>
<td>Approx. 50</td>
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<td>Active Owner-Occupied Short-Term Rentals</td>
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<td>Approx. 4</td>
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HostCompliance Dashboard
WyCo Data as of April 24, 2023

- TOTAL LISTINGS
- SHORT-TERM LISTINGS
- SHORT-TERM RENTAL UNITS
MARKET SNAPSHOT

• Short-term rentals are concentrated in a few neighborhoods
RESEARCH & OUTREACH

LOCAL/METRO AREA
- Bonner Springs
- Edwardsville
- Kansas City, MO
- Lawrence
- Leawood
- Lenexa
- Olathe
- Overland Park

MIDWEST
- Des Moines, IA
- Minneapolis, MN

NATIONWIDE
- Albuquerque, NM
- Atlanta, GA
- Charleston, SC
- Denver, CO
- Honolulu, HI
- Long Beach, CA
- New Orleans, LA
- Portland, OR
- Santa Fe, NM
- Vermont

Short-Term Rental Ordinance

STR SUP Applicant Interviews
KEY CONSIDERATIONS

TENANCY MODELS
- Owner-Occupation
- Long-Term Rentals
- Short-Term Rentals

ENFORCEMENT
- Limited Resources
- Equitable Application

NEIGHBORHOOD
- Emphasize Incremental Changes
- Provide Property Owners with More Uses for Their Land
- Maintain Opportunity for Neighborhood Notice and Input

ECONOMIC DEVELOPMENT
- Revitalize without Displacement
- Promote Local Investment with Direct Community Benefits
GOAL: Establish an owner-occupancy-preferred approach to short-term rental permits based on building typology and zoning district
**UPDATED DEFINITIONS**

**SHORT-TERM RENTAL**
A rental less than 30 days. Exceptions include group homes; summer camps and campgrounds; hospitals and other facilities; nursing, convalescent, and senior assisted-living homes; and hotels and motels.

**HOMEOWNER**
An individual person or persons, corporation, government entity, nonprofit, or trust who holds ownership of the building and real property.

**ACTIVELY OWNER-OCCUPIED**
A residence in which the homeowner primarily resides for 272 days per year, does not primarily reside in another dwelling, and uses the dwelling address as their home address.

**STREET BLOCK**
ALL properties on BOTH sides of a street between one of the following: two consecutive, bisecting streets; a consecutive bisecting street and a change in street name; or two consecutive changes in street name if no streets bisect the street between the points the names change.
ADDRESS LAND USE

**USE BY DISTRICT**
Allowed in all residentially zoned properties, zoning districts that allow residential use, or legal non-conforming residences.

**USE BY BUILDING TYPOLOGY**
Allowed in single-family residences, duplexes, multi-family apartments, and mixed-used buildings.

**DENSITY BY PARCEL**
Only one (1) special use permit is allowed per parcel, but there can be multiple short-term rentals within a single parcel, depending on zoning and building type.

**DENSITY BY STREET BLOCK**
No more than one (1) parcel per street block is allowed to have a short-term rental special use permit, but there is no limit to the number of short-term rentals allowed through administrative review.
**CODIFIED PROCESS**

**SUBMISSION REQUIREMENTS**
Includes a safety home inspection, floor plans, guest book, holding an insurance liability policy, and posting the letter of approval.

**LENGTH OF TERM**
Administrative review:
- Annual renewal
- Owner-occupied SUP: 2 years, 5 years, 10 years
- Non-owner-occupied SUP: 1 year, 2 years, 5 years, 10 years

**LEGAL NON-CONFORMING PERMITS**
Allow existing Special Use Permits to continue to run and be renewed, even if not in compliance with the density limits, so long as all requirements of the Zoning Code are followed.

**PERFORMANCE STANDARDS**
Set standards for off-street parking, neighborhood characteristics, maintaining a business license, and property owner responsiveness to noise/parties.
FOR CONSIDERATION

• **Identifies changes to ownership and/or applicant** which require a renewal of a special use permit before the end of term

• **At the instruction of the City Planning Commission**, legal non-conforming status of existing short-term rentals in high-density blocks is addressed

• **At the instruction of Administration & Human Services Standing Committee**, limiting short-term rental allowed by special use permit to one (1) per block, while imposing no limit on actively owner-occupied short-term rentals under administrative review

• **Clarifies application submission requirements and performance standards** for all new and renewed short-term rental allowed by either administrative review or by special use permit
OUTREACH & ENGAGEMENT

- Commission and Elected Officials Engagement:
  ✓ Administration & Human Services Standing Committee Meeting (Dec. 12, 2022, and Feb. 13, Mar. 27, & Apr. 24, 2023)

- Neighborhood Engagement:
  ✓ Strawberry Hill Neighborhood Association (Dec. 13, 2022)
  ✓ Rosedale Development Association (Dec. 20, 2022)
  ✓ Livable Neighborhoods Task Force (Jan. 26 & Mar. 23, 2023)
  ✓ Central Area Business Association (Feb. 6, 2023)
  ✓ Cathedral Neighborhood Association (Feb. 6, 2023)

- Unified Government & Other Municipalities:
  ✓ Collected department feedback
  ✓ Participated in regional short-term rental working group
  ✓ Special session outreach meeting

ACTION ITEM(S)
- Present ordinance for approval to Board of Commissioners (Apr. 27, 2023)
- Implement ordinance through outreach, enforcement, and updating applications and processes (starting April-May 2023 and ongoing)

QUESTIONS OR ADDITIONAL FEEDBACK?
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