

SHORT-TERM RENTAL ORDINANCE

Unified Government Board of Commissioners

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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



Mid-2000s to Mid-2010s

Airbnb, VRBO and other companies make short-term renting easy and popular

2017-2018

Amnesty period to allow property owners to apply for special use permits

2019

HostCompliance hired to track advertisements of short-term rentals in KCK

2019

Administrative standards for short-term rentals adopted

2021

Launch of a specific short-term rental special use permit application

NOV 2022-TODAY

Review and study of current ordinance for potential modifications



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

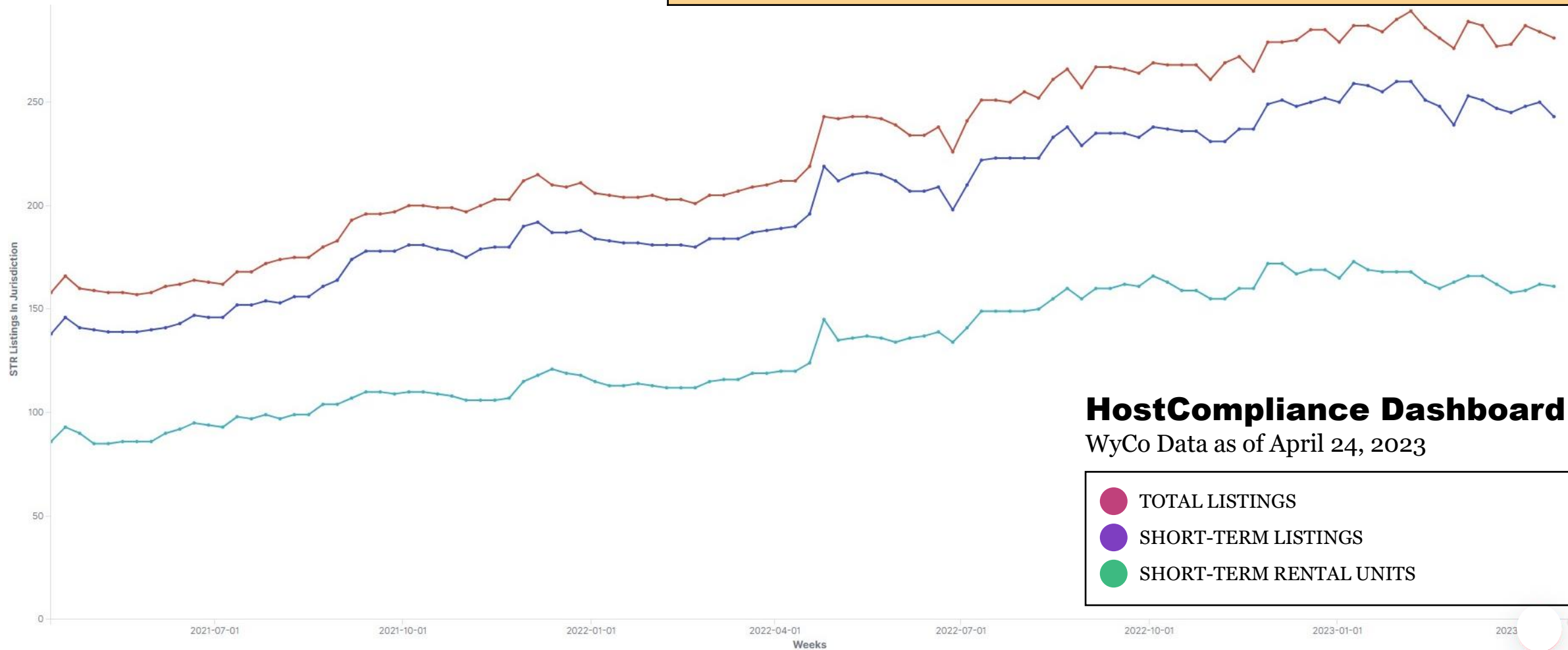
Renewal #3
UP TO 10 YEARS



MARKET SNAPSHOT

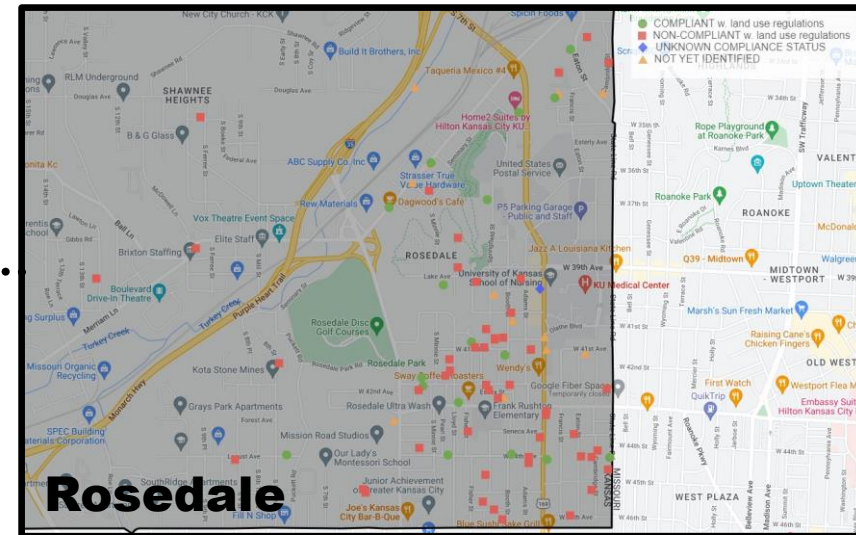
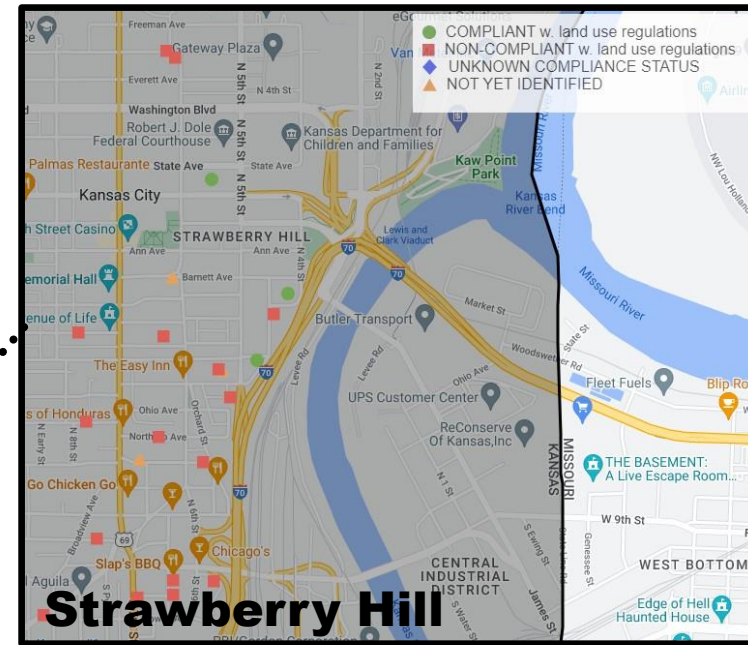
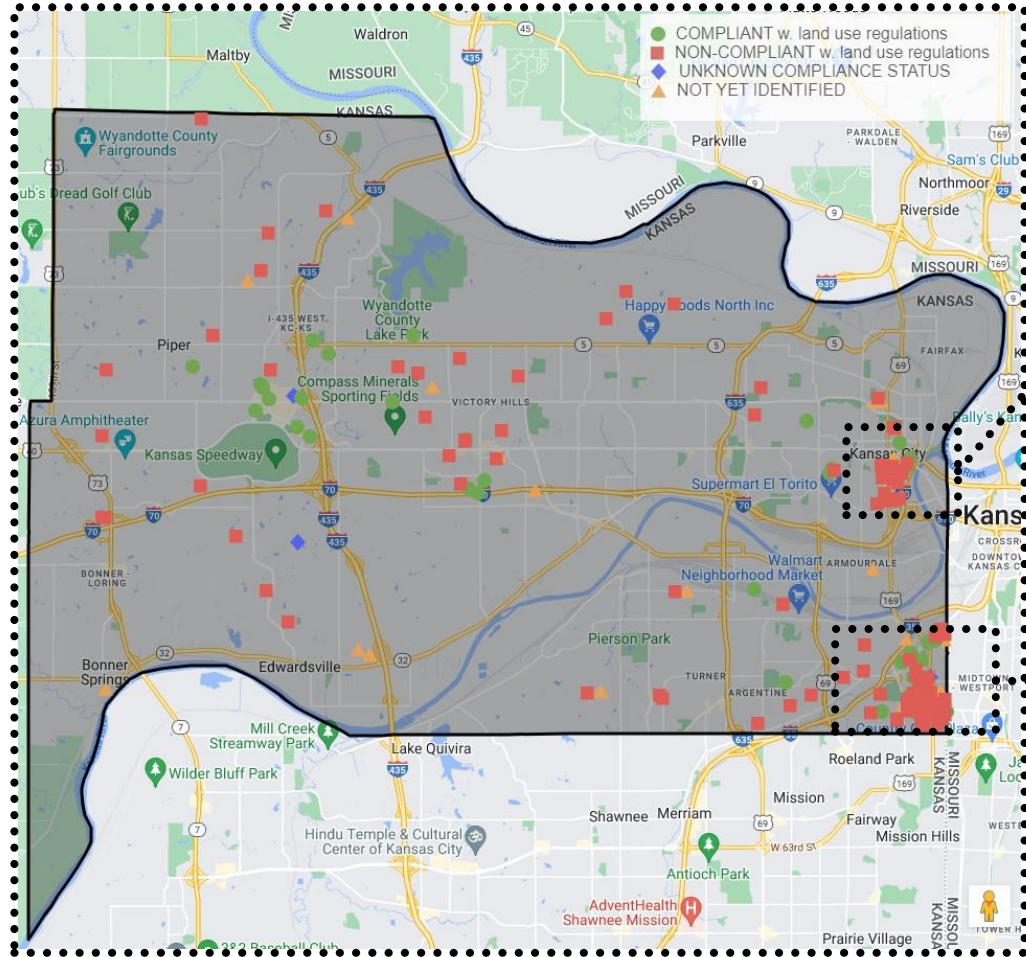
- Only 30% of short-term rentals have a special use permit recorded with the UG

Number of Short-Term Rentals Currently Advertised in WyCo	166
New Short-Term Rentals in Last 30 Days	8
Active Short-Term Rentals Special Use Permits	Approx. 50
Active Owner-Occupied Short-Term Rentals	Approx. 4



MARKET SNAPSHOT

- Short-term rentals are concentrated in a few neighborhoods



RESEARCH & OUTREACH



<p><u>LOCAL/METRO AREA</u> Bonner Springs Edwardsville Kansas City, MO Lawrence Leawood Lenexa Olathe Overland Park</p>	<p>Prairie Village Roeland Park Westwood Wichita</p> <p><u>MIDWEST</u> Des Moines, IA Minneapolis, MN</p> <p><u>NATIONWIDE</u> Albuquerque, NM</p>	<p>Atlanta, GA Charleston, SC Denver, CO Honolulu, HI Long Beach, CA New Orleans, LA Portland, OR Santa Fe, NM Vermont</p>
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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



ORDINANCE REVIEW



**STAFF
EXPERTISE**



**BEST
PRACTICES**



**PEER CITY
COMPARISONS**

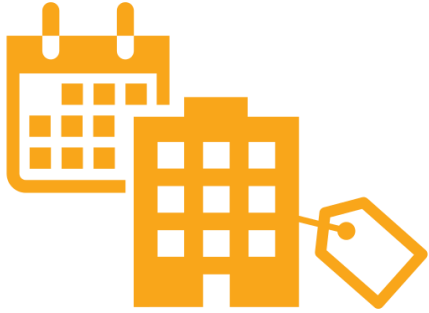


**COMMUNITY
INPUT**

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.



ADDRESSED LAND USE



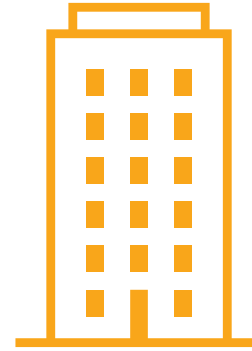
USE BY DISTRICT

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

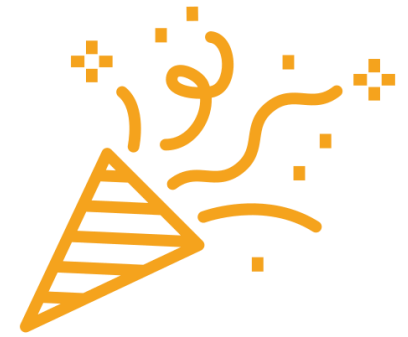
Non-owner-occupied SUP:

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



QUESTIONS

OUTREACH & ENGAGEMENT

- **Commission and Elected Officials Engagement:**
 - ✓ City Planning Commission (Nov. 14, 2022, and Feb. 13, Mar. 13, & Apr. 10, 2023)
 - ✓ 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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