

BILL NO. 18-29

AN ORDINANCE APPROVING APPLICATION #PL2017-260 – AMENDMENT #64 TO THE UNIFIED DEVELOPMENT ORDINANCE (UDO) – ARTICLE 2 RULES OF INTERPRETATION AND DEFINITIONS, ARTICLE 9 USES PERMITTED WITH CONDITIONS AND ARTICLE 10 SPECIAL USE PERMITS, ESTABLISHING REGULATIONS FOR SHORT TERM RENTALS; CITY OF LEE'S SUMMIT, APPLICANT.

WHEREAS, the Unified Development Ordinance (UDO) was adopted by the City Council as Ordinance No. 5209 on September 6, 2001, and the UDO is incorporated into the City's Code of Ordinances through Section 33-1 of the Code; and,

WHEREAS, previous amendments to the UDO were adopted by Ordinance #5268 (commonly referred to as "Amendment #1"); Ordinance #5276 (commonly referred to as "Amendment #2"); Ordinance #5419 (commonly referred to as "Amendment #3"); Ordinance #5501 (commonly referred to as "Amendment #4"); Ordinance #5520 (commonly referred to as "Amendment #5"); Ordinance #5676 (commonly referred to as "Amendment #6"); Ordinance #5738 (commonly referred to as "Amendment #7"); Ordinance #5802 (commonly referred to as "Amendment #8"); Ordinance #5828 (commonly referred to as "Amendment #9"); Ordinance #5915 (commonly referred to as "Amendment #10"); Ordinance #5907 (commonly referred to as "Amendment #11"); Ordinance #5952 (commonly referred to as "Amendment #12"); Ordinance #6006 (commonly referred to as "Amendment #13"); Ordinance #6024 (commonly referred to as "Amendment #14"); Ordinance #6061 (commonly referred to as "Amendment #15"); Ordinance #6099 (commonly referred to as "Amendment #16"); Ordinance #6125 (commonly referred to as "Amendment #17"); Ordinance #6282 (commonly referred to as "Amendment #18"); Ordinance #6371 (commonly referred to as "Amendment #19"); Ordinance #6324 (commonly referred to as "Amendment #20"); Ordinance #6355 (commonly referred to as "Amendment #22"); Ordinance #6451 (commonly referred to as "Amendment #23"); Ordinance #6449 (commonly referred to as "Amendment #24"); Ordinance #6465 (commonly referred to as "Amendment #25"); Ordinance #6555 (commonly referred to as "Amendment #26"); Ordinance # 6590 (commonly referred to as "Amendment #27"); Ordinance #6633 (commonly referred to as "Amendment #28"); Ordinance #6668 (commonly referred to as "Amendment #29"); Ordinance #6748 (commonly referred to as "Amendment #30"); Ordinance #6733 (commonly referred to as "Amendment #31"); Ordinance #6809 (commonly referred to as "Amendment #32"); Ordinance #6796 (commonly referred to as "Amendment #33"); Ordinance #6823 (commonly referred to as "Amendment #34"); Ordinance #6912 (commonly referred to as "Amendment #35"); Ordinance #36 (commonly referred to as "Amendment #36"); Ordinance #6925 (commonly referred to as "Amendment #37"); Ordinance #6991 (commonly referred to as "Amendment #38-A"); Ordinance #6991 (commonly referred to as "Amendment #38-C"); Ordinance #7104 (commonly referred to as "Amendment #39"); Ordinance #7119 (commonly referred to as "Amendment #40"); Ordinance #Ordinance #7155 (commonly referred to as "Amendment #41"); Ordinance #7219 (commonly referred to as "Amendment #42"); Ordinance #7161 (commonly referred to as "Amendment #43"); Ordinance #7274 (commonly referred to as "Amendment #44"); Ordinance #7305 (commonly referred to as "Amendment #45"); Ordinance #46 (commonly referred to as "Amendment #46"); Ordinance #7349 (commonly referred to as Amendment #47); Ordinance #7350 (commonly referred to as Amendment #47); Ordinance #7477 (commonly referred to as Amendment #48); Ordinance #7518 (commonly referred to as Amendment #49); Ordinance #7551 (commonly referred to as Amendment #50); Ordinance #7596 (commonly referred to as Amendment #51); Ordinance #7597 (commonly referred to as Amendment #52); Ordinance #7518 (commonly referred to as Amendment #53); Ordinance #7733 (commonly referred to as Amendment #54); Ordinance #7831 (commonly referred to as

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Amendment #55); Ordinance #7832 (commonly referred to as Amendment #56); Ordinance #7972 (commonly referred to as Amendment #57); Ordinance #8014 (commonly referred to as Amendment #58); Ordinance #8039 (commonly referred to as Amendment #59). Ordinance #8104 (commonly referred to as Amendment #60); Ordinance #8159 (commonly referred to as Amendment #61); Ordinance #8223 (commonly referred to as Amendment #62) and Ordinance #8280 (commonly referred to as Amendment #63).

WHEREAS, the Community and Economic Development Committee considered the proposed UDO Amendment to Article 2 Rules of Interpretation and Definitions, Article 9 Uses Permitted with Conditions and Article 10 Special Use Permits on December 13, 2017, and authorized the amendments to be advertised for public hearings; and

WHEREAS, Application #PL2017-260, proposing amendment to Article 2 Rules of Interpretation and Definitions, Article 9 Uses Permitted with Conditions and Article 10 Special Use Permits of the UDO was filed; and

WHEREAS, after due public notice in the manner prescribed by law, the Planning Commission held a public hearing for Application #PL2017-260 on January 23, 2018, and rendered a report to the City Council recommending that the proposed amendment to Article 2 Rules of Interpretation and Definitions, Article 9 Uses Permitted with Conditions and Article 10 Special Use Permits of the UDO be approved, and,

WHEREAS, after due public notice in the manner prescribed by law, the City Council held a public hearing on Application #PL2017-260 on February 15, 2018 and,

WHEREAS, the City Council determined that the proposed UDO amendments contained in Application #PL2017-260 would serve the interests of the citizens of Lee's Summit.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, as follows:

SECTION 1. That Article 2 Rules of Interpretation and Definitions, Article 9 Uses Permitted with Conditions and Article 10 Special Use Permits of the Unified Development Ordinance, is hereby amended in the manner shown on the copy appended hereto as Exhibit "A" and incorporated herein by reference.

SECTION 2. That it is the intention of the City Council and is hereby ordained that the provisions of this Ordinance shall become and be made a part of the UDO, and the sections of this Ordinance and the UDO may be renumbered as appropriate to accomplish such intention.

SECTION 3. That this ordinance shall be in full force and effect from and after the date of its passage, adoption, and approval by the Mayor.

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PASSED by the City Council of the City of Lee's Summit, Missouri, this _____ day of _____, 2018.

Mayor Randall L. Rhoads

ATTEST:

City Clerk Trisha Fowler Arcuri

APPROVED by the Mayor of said city this _____ day of _____, 2018.

Mayor Randall L. Rhoads

ATTEST:

City Clerk Trisha Fowler Arcuri

APPROVED AS TO FORM:

City Attorney Brian W. Head

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Exhibit A

Article 2 - Short Term Rentals - A portion of a dwelling unit rented for a period not to exceed seven (7) days.

Article 9 - Uses Permitted With Conditions
Short Term Rentals

- a. Location:
 1. Parcels greater than one (1) acre in size or
 2. Located within the Old Town Master Development Plan area as shown in the Comprehensive Plan and
 3. Short Term Rentals are only allowed in Single- Family Dwelling Units or Two-Family Dwelling Units (Duplex).
- b. The owner or a local representative must occupy a dwelling unit on the same parcel or an adjacent parcel;
- c. A maximum of two (2) rooms shall be rented;
- d. A maximum of four (4) unrelated guests or a family are permitted;
- e. The owner must obtain a Business License with the City;
- f. The owner shall pay License Taxes in accordance with Chapter 28; Division 7;
- g. The owner or local representative must provide their contact information to the City;
- h. Chapter 17, Article IX , Section 17-254, Regulations Regarding Control of Noise and Sound, must be posted in each room for rent;
- i. Units must be provided with:
 1. A functioning fire extinguisher;
 2. A smoke alarm in each bedroom;
 3. Child-proofed electrical outlets;
 4. A map identifying escape routes;
 5. Emergency contact information for the owner.
 6. Carbon Monoxide detection as require by code.

Use Table Updated to make Short Term Rentals Conditional for R-1, RP-2, RP-3, RP-4, PMIX, AG, PRO, and CBD

Section 10.160. Bed and breakfast homestay

A bed and breakfast homestay property shall be subject to the following conditions and restrictions:

E. Codes.

The bed and breakfast homestay shall comply with all applicable requirements of the International Building Code, International Fire Code and the International Residential Code, as adopted by the City of Lee's Summit. ~~Fire Department that bring about compliance with significant safety requirements of the Uniform Building Code, Uniform Fire Code, and Life Safety Code.~~

Section 10.170 Bed and Breakfast Inn

A bed and breakfast inn property shall be subject to the following conditions and restrictions:

B. Ownership.

The owner of the residence is not required to reside on the premises. If the owner does not live on the premises, a resident manager or resident employee shall be required, while guests are present.

F. Codes.

The bed and breakfast inn shall comply with all applicable requirements of the International Building Code, International Fire Code and the International Residential Code, as adopted by the City of Lee's Summit. ~~The residence shall comply with all requirements of the Building Code and the Fire Department that bring about compliance with significant safety requirements of the Uniform Building Code, Uniform Fire Code, and Life Safety Code.~~