

City of Lee's Summit

Development Services

February 15, 2018

TO: City Council

FROM: Josh Johnson, AICP – Assistant Director of Plan Services, Development Services

RE: **PL2017-260 Short Term Rental (STR) Regulation**

Planning Commission Action

On January 23, 2018, the Planning Commission, after hearing a staff presentation and public comment recommended approval of the Short Term Rental UDO Amendment with some suggested changes. The first was to require carbon monoxide detectors in units and change outdated references in the UDO to adopted building and fire codes. These two provisions were based upon comments from the Fire Department. The second change was to allow more than four total guests in a short term rental if they are related. The Commission stressed the need for public outreach after the ordinance is adopted so homeowners and operators know the rules and avenues for complaints. The ordinance with these changes is included below.

Public Comment

Since the Planning Commission meeting, staff has been in contact with members of the public. Concerns have been raised about the allowance for STRs within a ¼ mile of commercial or mixed use zoning. The attached map shows the ¼ mile buffer encompasses a large portion of the City. Staff's original proposal was to restrict the STRs to the downtown area and lots over one acre in size. The CEDC felt this area was too restrictive and asked for staff to consider other areas, similar to downtown, where guests could walk to commercial businesses. To address the CEDC's concern of being too restrictive, staff suggested a ¼ mile buffer from commercial and mixed use zoning. Should Council consider this area too expansive, staff would suggest reducing the buffer down to 1/8 of a mile or reverting back to an ordinance where the units are restricted to the downtown or lots over one acre in size. A map showing the 1/8 mile buffer is included in the Council packet.

Ordinance with Planning Commission Recommendations

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 or
3. Located within ¼ mile of commercial or PMIX zoned property.
4. 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.~~