

**AN ORDINANCE AMENDING PARKVILLE MUNICIPAL CODE SECTIONS 402.010, 405.020 AND 405.040 TO CREATE PROVISIONS AND GUIDELINES FOR SHORT-TERM RESIDENTIAL DWELLING RENTALS**

WHEREAS, the growth of third-party short-term residential dwelling rental (RDR) platforms such as Airbnb, HomeAway and VRBO (Vacation Rentals by Owner) has led to a variety of impacts on host communities and have increasingly been the subject of new regulations by cities; and

WHEREAS, the American Planning Association has outlined a path forward for cities with a three-part process: 1) establish a baseline level of safety and accountability; 2) move past "yes or no", meaning a debate on whether or not RDRs should be allowed to creating regulations that are best suited to the community; and 3) ensure enforcement; and

WHEREAS, currently, no official statewide policies have been enacted through the Missouri General Assembly and a number of Missouri municipalities have been proactive and enacted regulations for short-term RDRs; and

WHEREAS, per the request of the Board of Aldermen, staff explored adopting regulations for short-term RDRs in Parkville by researching issues raised including City permitting, Homeowner Association (HOA) regulations, time duration, guest policies, on-site regulation, and enforcement; and

WHEREAS, on September 10, 2019, a special workshop was held with the Planning and Zoning Commission to discuss short-term RDRs; and

WHEREAS, on November 12, 2019, a public hearing was held at the regular meeting of the Planning and Zoning Commission where staff presented background information and research to the Commission and members of the Commission provided comments and questions to staff; the Commission recommended (by a vote of 6-0) postponing their recommendation for the text amendment to their next regular meeting; and

WHEREAS, following the November 12, 2019, regular meeting of the Planning and Zoning Commission, staff reached out to all HOA presidents, contacts and representatives on file, notifying them about the proposed text amendment and upcoming public hearing on December 16, 2019; and

WHEREAS, on December 16, 2019, the Planning and Zoning Commission reconvened at their special meeting, held another public hearing to receive public comment and discuss the text amendment further, and recommended (by a vote of 7-0) approval of the text amendment; and

WHEREAS, the Board of Aldermen concurs with the conclusions of the Planning and Zoning Commission and accepts their recommendation.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF PARKVILLE, MISSOURI, AS FOLLOWS:

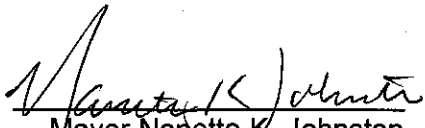
SECTION 1. Parkville Municipal Code Section 402.010 is hereby amended, as shown in Exhibit A which is attached hereto and incorporated herein by reference.

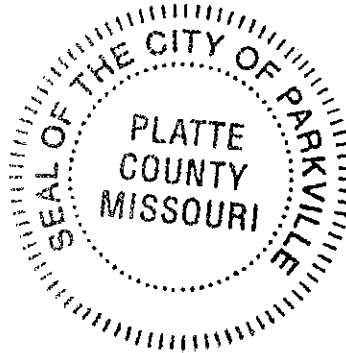
SECTION 2. Parkville Municipal Code Section 405.020 is hereby amended, as shown in Exhibit B which is attached hereto and incorporated herein by reference.

SECTION 3. Parkville Municipal Code Section 405.040 is hereby amended, as shown in Exhibit C which is attached hereto and incorporated herein by reference.

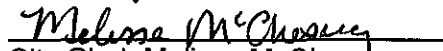
SECTION 4. This ordinance shall be effective immediately upon its passage and approval.

PASSED and APPROVED this 7<sup>th</sup> day of September 2021.

  
Mayor Nanette K. Johnston



ATTESTED:

  
City Clerk Melissa McChesley

## Section 402.010. Definitions

- A. **Defined Terms.** All terms used in these regulations shall have their commonly accepted meaning based upon the context of their use within code. The following terms shall have the meaning given below, unless more specifically described, limited or qualified within the standards of this.

*Lodging — Short-Term Rental* | The rental of a property, a dwelling unit, or portion thereof, conducted on a third-party platform or network that facilitates the listing, marketing, or rental of short-term rentals.

**Table 405-2: Use Table**

Key:

P: Permitted Use

C: Use allowed through conditional review

Blank: Use not allowed

Highlighted: Proposed amendment to use table

<b>Use</b>																
<b>Office/Service Uses</b>	<b>R-1</b>	<b>R-2</b>	<b>R-3</b>	<b>R-4</b>	<b>R-5</b>	<b>OTD</b>	<b>B-1</b>	<b>B-2</b>	<b>B-4-P</b>	<b>BP</b>	<b>P-EC</b>	<b>I-1</b>	<b>I-2</b>	<b>I-3</b>	<b>PLCD</b>	<b>U-1</b>
<i>Office – Home Occupation</i>	P	P	P	P			P	P								P
<i>Office – Limited</i>						P	P	P	P	P		P	P	P		P
<i>Office – General</i>								P	P	P		P	P	P		P
<i>Service – Limited</i>						P	P	P	P	P		P	P	P		P
<i>Service - General</i>								P	P	P		P	P	P		P
<i>Animal Care or Clinic – Limited</i>							P	P	P	P		P				
<i>Animal Care or Clinic – General</i>									P	P		P				
<i>Lodging – Bed-and-Breakfast</i>				C		P	P	P	P							
<b><i>Lodging – Short-Term Rental</i></b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>							
<i>Lodging – Inn</i>						P	P	P	P	P						
<i>Lodging – Hotel/Motel</i>								P	P	P						
<i>Recreation – Indoor, Limited</i>						C	P	P	P	P						P
<i>Recreation – Indoor, General</i>								P	P	P						P
<i>Recreation – Outdoor, Limited</i>						C		P	P	P						
<i>Recreation – Outdoor, General</i>								P	P							

<i>Residential Care – Limited</i>					P		P	P								
<i>Residential Care – General</i>					C		C	P								
<i>Residential Care – Institutional Living</i>								P								
<i>Vehicle Service/Repair – Limited</i>							P	P	P	P			P	P	P	
<i>Vehicle Service/Repair – General</i>								P	P	P			P	P	P	
<i>Vehicle Service/Repair – Heavy</i>													C	P	P	

#### 405.040 Standards Applicable to Specific Uses

In addition to the general use and development standards applicable to all districts, the following standards are specific to particular uses. These standards shall be met whether the use is a generally permitted use or a conditional use according to Table 405-2. The uses in this section many involve more specific types of formats of the uses generally enabled in Table 405-2.

#### K. Lodging – Short-Term Rentals | Lodging – short-term rentals shall meet the following additional standards:

1. Approved spaces for short-term rentals may include:
  - a. Individual bedrooms in the principal building on the property, sharing common entrance, kitchen facilities, and living areas with the present/non-present residents.
  - b. Completed areas of the principal dwelling, such as a basement or upstairs space, with a separate entrance, facilities, and living areas from the primary residents.
  - c. Approved accessory buildings on the property.
2. The rental unit may not be rented or offered for use as reception space, party space, meeting space, or for other similar events open to non-resident guests.
3. No exterior evidence that the property is being used as a short-term rental is allowed, including signage.
4. Where applicable, the regulations of a Homeowners' Association (HOA) shall be considered as a relevant factor in determining whether the use of a specific property for short-term rental is compatible with the surrounding area, including its potential impacts on adjacent property.
5. All short-term rentals shall adhere to the hosting responsibilities / safety standards listed by the respective third-party vendor (Airbnb, VRBO, etc.) — as well as all federal, state and local laws, including compliance with all City Codes — including, but not limited to the approved owner/non-owner applicant providing in each short-term rental dwelling:
  - a. A working fire extinguisher.
  - b. A working battery-powered portable flashlight/lantern or other emergency lighting device suitable for an electrical power outage.
  - c. A map displaying evacuation routes from the building in case of an emergency.
  - d. Working smoke and carbon-monoxide detectors.
  - e. Contact information for the host (owner/non-owner applicant) and local emergency services.
6. All short-term rentals in the City of Parkville are to be charged the five percent (5%) Tourism Tax – Guest Room Tax paid by transient guests of hotels, motels, bed and breakfast inns, and other short-term rental spaces of similar use, per [Section 160.045](#) of the Parkville Municipal Code.
7. Complaints or any other issues received by the host, either through the third-party vendor platform, neighbors, etc. shall be recorded and resolved by the host.
8. Permits and business licenses may be denied, suspended or revoked when the rental fails to meet or uphold any of the above standards, or any other provisions of the Parkville Municipal Code.

**Commented [SL1]:** These standards were common in many local ordinances around the State of Missouri.

**Commented [SL2]:** This standard was recommended by the Planning and Zoning Commission.

**Commented [SL3]:** These standards were common in many local ordinances around the State of Missouri.

**Commented [SL4]:** These items are included because they are listed on Airbnb's "Guidelines / Hosting Standards" webpage, as well as on VRBO's "Safety Recommendations" webpage.

**Commented [SL5]:** This standard was recommended by City staff.