

AN ORDINANCE AMENDING PARKVILLE MUNICIPAL CODE SECTION 405.040, SUBSECTION K AMENDING THE EXISTING 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, 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 7, 2021, the Board of Aldermen adopted Ordinance No. 3087 creating provisions and guidelines for short-term residential dwelling rentals; and

WHEREAS, since this time, the Board of Aldermen noted concerns with the standards of Ordinance No. 3087, specifically "quality of life" issues with the number of RDRs being conglomerated in specific neighborhoods of the City, such as those without HOAs; and

WHEREAS, the Board of Aldermen suggested an initial length of six months for all CUPs in order to allow time for City staff to research best practices and allow time for elected officials to review and discuss the current regulations; and

WHEREAS, on June 29, 2022, City staff participated in a regional discussion on short-term RDRs involving planners and community development directors throughout the region, and common issues were identified; and

WHEREAS, based on staff's research and discussion with other planners and community development directors throughout the Kansas City region, staff proposes modifying the standards to Section 405.040, Subsection K.; and

WHEREAS, on August 16, 2022, a joint work session with the Board of Aldermen and Planning and Zoning Commission was held at Parkville City Hall and staff's proposed changes to Section 405.040, Subsection K. were discussed; and

WHEREAS, on September 13, 2022, 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 then recommended (by a vote of 9-0) to approve the text amendment as revised by staff; 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:

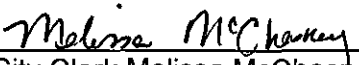
SECTION 1. Parkville Municipal Code Section 405.040, Subsection K is hereby amended, as shown in Exhibit A which is attached hereto and incorporated herein by reference.

SECTION 2. This ordinance shall be effective immediately upon its passage and approval.

PASSED and APPROVED this 4th day of October 2022.


Mayor Dean Katerndahl

ATTESTED:


City Clerk Melissa McChesney



Section 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 may 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 **whether to deny** the use of a specific property for short-term rental **because it is not** 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. **The following standards shall apply to short-term rentals in residential zoning districts of the City:**
 - a. **Total Number** – The City shall limit the total number of short-term rentals in residential districts to no more than four per Ward district.
 - b. **Number of Units** – Short-term rentals shall be restricted to one dwelling unit per property.
 - c. **Primary Residence** – Short-term rentals shall be owner-occupied as their full-time primary residence.
 - d. **Dedicated Parking** – Short-term rentals shall have at least one dedicated parking space for short-term tenants on-site on the subject property; and this space shall not include on-street parking in public right-of-way.
 - e. **Administrative Approval Authority** – Staff shall have administrative approval authority of short-term rental applications, provided all requirements of Section 405.040, Subsection K are adhered to. Applicants shall fill out a short-term residential dwelling rental application form and submit it to the Community

Development Department for review and approval. This permit shall be reviewed and renewed by staff on an annual basis, provided all requirements of Section 405.040, Subsection K are still adhered to; and provided there are no major issues, complaints or violations which would warrant the Community Development Director to revoke said permit. For instances where a variance or exception is requested, applicants will need to obtain a conditional use permit subject to the City's discretionary review process in Section 403.050.

7. 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.
8. 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.
9. 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.