



Administration and Human Services **Standing Committee Meeting Agenda**

Monday, December 12, 2022

**Immediately upon adjournment of the earlier committee,
or 5:00 p.m.**

Location: HYBRID

We invited you to view the meeting in person in the 5th Floor Conference Room, Suite 515, Municipal Office Building, 701 N. 7th Street, Kansas City, Kansas, or virtually via a Zoom webinar.

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/84596672561?pwd=ekFOMjNCVUttRWpHa2tpYnVGZ3hMZz09>

Passcode: 480483

Or One tap mobile :

US: +12532158782,84596672561# or +13462487799,84596672561#

Or Telephone:

Dial (for higher quality, dial a number based on your current location):

US: +1 253 215 8782 or +1 346 248 7799 or +1 669 444 9171 or +1 669 900 9128 or +1 719 359 4580 or +1 253 205 0468 or +1 507 473 4847 or +1 564 217 2000 or +1 646 558 8656 or +1 646 931 3860 or +1 689 278 1000 or +1 301 715 8592 or +1 305 224 1968 or +1 309 205 3325 or +1 312 626 6799 or +1 360 209 5623 or +1 386 347 5053 or 888 475 4499 (Toll-Free) or 877 853 5257 (Toll-Free)

ID: 845 9667 2561

International numbers available: <https://us02web.zoom.us/j/84596672561?pwd=ekFOMjNCVUttRWpHa2tpYnVGZ3hMZz09>

Name

Absent

Commissioner Angela Markley, Chair

☐

Commissioner Melissa Bynum

☐

Commissioner Christian Ramirez

☐

Commissioner Harold Johnson

☐

Commissioner Mike Kane

☐

I. Call to Order/Roll Call

II. Revisions to December 12, 2022 Agenda

III. Approval of standing committee minutes from (no minutes available)

IV. Committee Agenda

Item No. 1 – UPDATE: REMOTE WORK

Synopsis: An update providing details on the application of the Remote Work Policy, submitted by Alan Howze, Assistant County Administrator.

For information only

Tracking #: 212182

Item No. 2 – PRESENTATION: SHORT-TERM RENTAL

Synopsis: A presentation on the ongoing Short-Term Rental review, submitted by Gunnar Hand, Director, Planning & Urban Design.

For information only

Tracking #: 212184

V. Public Agenda

VI. Adjourn



Staff Request for Commission Action

Tracking No. 212182

Full Commission Meeting Date:

Committee: Administration & Human Services

Date of Standing Committee Action:
(If none, please explain):

Publication Required: No

<u>Date:</u> 11/30/2022	<u>Contact Name:</u> Alan Howze	<u>Contact Phone:</u> x8951	<u>Contact Email:</u> ahowze@wycokck.org	<u>Department/Division:</u> Human Resources
<u>Item Description:</u> An update providing details on the application of the Remote Work Policy, submitted by Alan Howze, Assistant County Administrator.				
<u>Action Requested:</u>				
<u>Budget Impact: (if applicable)</u> Amount: Source: Included In Budget: Other (explain):				
<u>Attachments List:</u>				



Staff Request for Commission Action

Tracking No. 212184

Full Commission Meeting Date:

Committee: Administration & Human Services

Date of Standing Committee Action:
(If none, please explain):

Publication Required: No

<u>Date:</u> 12/01/2022	<u>Contact Name:</u> Gunnar Hand, Michael Farley	<u>Contact Phone:</u> 5751	<u>Contact Email:</u> ghand@wycokck.org	<u>Department/Division:</u> Planning and Urban Design
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Item Description:

A presentation on the ongoing Short-Term Rental review, including research, case studies, and an examination of the Unified Government's current process for this use. The intent of this agenda item is to gather input from both the Standing Committee and those in attendance in order to inform the development of the proposed Ordinance, submitted by Gunnar Hand, Director, Planning & Urban Design.

Action Requested:

For information only.

Budget Impact: (if applicable)

Amount:

Source:

Included In Budget:

Other (explain):

Attachments List:

STR Presentation to AHS_2022.12.12

Short-Term Rental Ordinance Presentation

Administration & Human Services Standing Committee

December 12, 2022

Gunnar Hand, AICP
Director of Planning +
Urban Design

Michael Farley
Ordinance Studies
Division Lead



History of Short-Term Rental In Wyandotte County

Early 2010s – AirBnb and other third-party sites make short-term renting easy and popular

2017/2018 – Short-term rental (STR) are granted an amnesty period, allowing property owners/operators to apply for a Special Use Permit

2019 – UG contracts with HostCompliance to track online advertisements of STRs in KCK

2019 – An established set of safety conditions to be met is proactively given to applicant during the pre-application meeting

2021 – A separate, modified Special Use Permit application is created to address the specific needs of STR

November 2022 – STR ordinance proposal presented to City Planning Commission



Short-Term Rental Snapshot

Number of STRs currently advertised:

174

New STRs in the last 30 days:

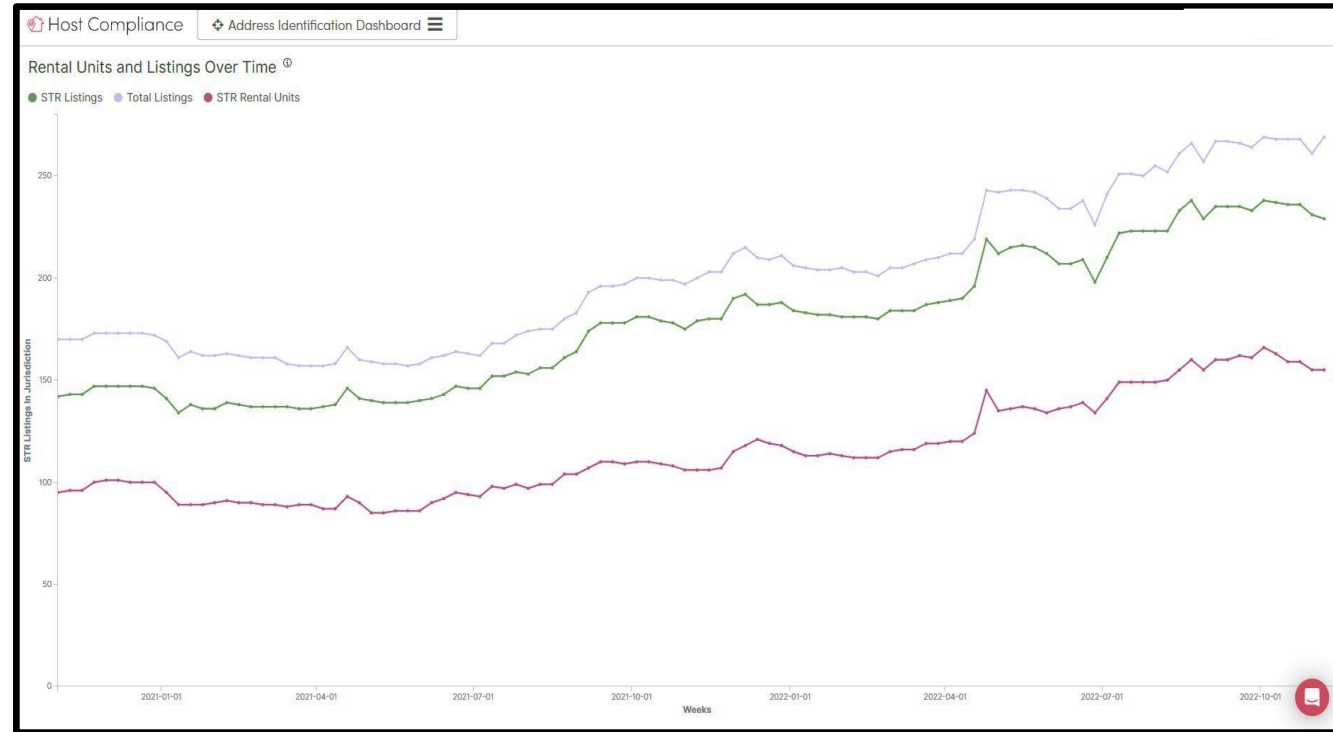
25

STR SUPs on file:

~50

Owner-occupied STRs:

~4



Principles

- Address a variety of ownership and renting models
 - Owner-occupation
 - Long-term rentals
 - Short-term rentals
- Acknowledge the uses and limitations of enforcement
 - Finite enforcement resources
 - Equitable application of enforcement
- Allow for increased utility and profitability of land while ensuring existing neighborhoods are maintained
 - Incremental changes
 - Neighbor notice and/or input
- Leveraging the popularity and profitability of STRs to redevelop blighted properties for the overall benefit of the neighborhood
 - Revitalization without displacement
 - Investment with the community



Current SUP Application & Re-Application Terms

- Owner-occupied properties
 - Initial SUP-STR application: Up to 2 years
 - 1st re-application: Up to 5 years
 - 2nd re-application: Up to 10 years
- Non-owner-occupied properties
 - Initial SUP-STR application: Up to 1 year
 - 1st re-application: Up to 2 years
 - 2nd re-application: Up to 5 years
 - 3rd re-application: Up to 10 years



Example of Short-Term Rental Regulation

- Staff expertise +
- Planning best practices +
- Peer city comparisons +
- Initial feedback from Planning Commission +
- Consideration of Principles =

Owner-centric approach to short-term rental permits, based on building typology and zoning district.



Example: New & Amended Definitions

Homeowner means the individual person or persons, corporation, government entity, non-profit, or trust who holds ownership of the building and real property.

Lodging establishment license means the license issued to a hotel, boarding house, or rooming house by the Kansas Department of Agriculture

Owner-occupied means a residence in which the homeowner primarily resides in the dwelling, does not primarily reside in another dwelling, and uses the address of the dwelling as their home address.

Owner-occupied, actively means a residence in which the homeowner is living, eating, and sleeping at the residence for the majority of the nights in which a short-term rental tenant is occupying the same residence.

Short-term rental means a rental less than 31 days



Example: Dual-Approach Permitting System

- Level 1: Administrative Review
 - Expedited process
 - Fewer requirements
 - Focus on owner-occupied houses and accessory buildings
- Level 2: Special Use Permit
 - Standard SUP process (~120 days)
 - More proof of standards met
 - Focus on broader neighborhood engagement



Example: Level 1: Administrative Review

Administrative review requires the homeowner to submit an annual application, confirming the residence is owner-occupied and is used in compliance with all other requirements.

Administrative review can apply to the following building types:

- Single-family residences
- Duplexes
- Multi-family residences (more than 2 units)
- Mixed-use residential-commercial buildings



Example: Level 1: Administrative Review

Single-family residences must be...

- Owner-occupied, **or**
- Actively owner-occupied, if only a portion of the primary residence is short-term rented, **or**
- An ADU, if primary residence is actively owner-occupied but not used as a short-term rental



Example: Level 1: Administrative Review

Duplexes must be...

- Actively owner-occupied in 1 unit that not used as a short-term rental, **or**
- ADU, if 1 unit is actively owner-occupied but not used as a short-term rental, and the other unit is rented by a tenant for more then 31 consecutive days (long-term rental)



Example: Level 1: Administrative Review

Multi-family residences must be...

- Actively owner-occupied, **and**
- Must meet 1 of the following density standards:
 - 1 STR unit (if 8 or fewer units),
or
 - 12.5% of total units within the building



Example: Level 1: Administrative Review

Mixed-use buildings can be either...

- Actively-owner occupied. If so...
 - STRs cannot exceed the following density standards:
 - If 4 dwelling units or fewer, up to 3 can be STRs
 - If 5 to 10 dwelling units, 50% of total units may be STRs
 - If 11 or more dwelling units, 25% of total units may be STRs

OR

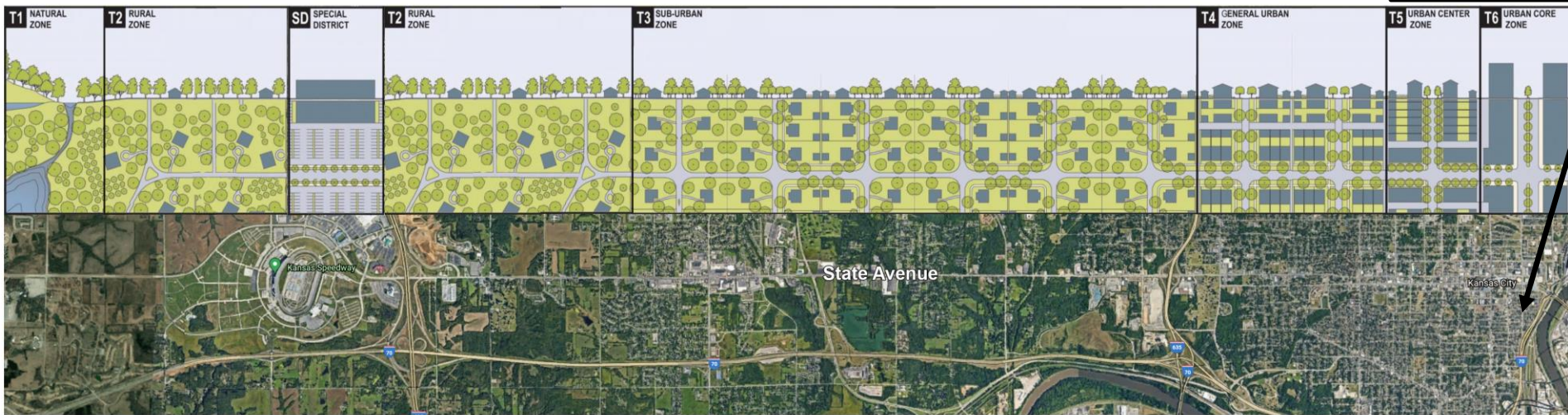
- Not actively owner-occupied. If so...
 - STRs cannot exceed the following density standards:
 - If 4 dwelling units or fewer, up to 2 can be STRs
 - If 5 or more dwelling units, 25% of total units may be STRs
 - and,**
 - Commercial space must be occupied within last 3 months, or remaining dwelling units must have an annual average long-term rental occupancy rate of 75%



Example: Level 1: Administrative Review

TND District buildings

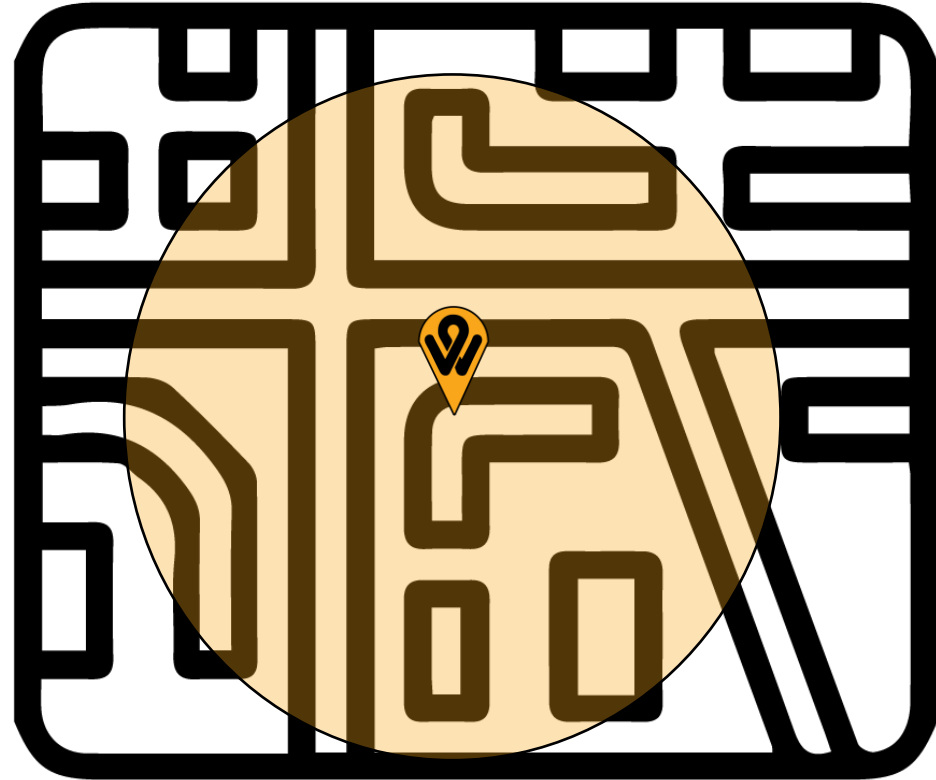
- Apply the same standards as like building types



Example: Level 1: Administrative Review

Escalation Clause. A short-term rental allowed under administrative review will be required to apply for a Special Use Permit under the following circumstances:

- Another short-term rental within 200 feet, **or**
- Property Maintenance Compliance citation, **or**
- Police call to the property, **or**
- Proof of failure to meet the administrative review requirements



Example: Level 2: Special Use Permit

A Special Use Permit is required for all short-term rentals that do not meet the requirements of an administrative review, or that trigger the escalation clause. This includes:

- All non-owner-occupied single-family residences and duplexes, **and**
- All single-family and duplexes with ADUs that do not meet the actively owner-occupied standard, **and**
- Collectively for all units in a multi-family building if the number of STRs exceeds 12.5% of total units, **and**
- Collectively for all dwelling units in a mixed-use building if the number of STRs exceeds the allowed quantity/ratio, **and**
- All non-owner-occupied dwelling units



Example: Level 2: Special Use Permit

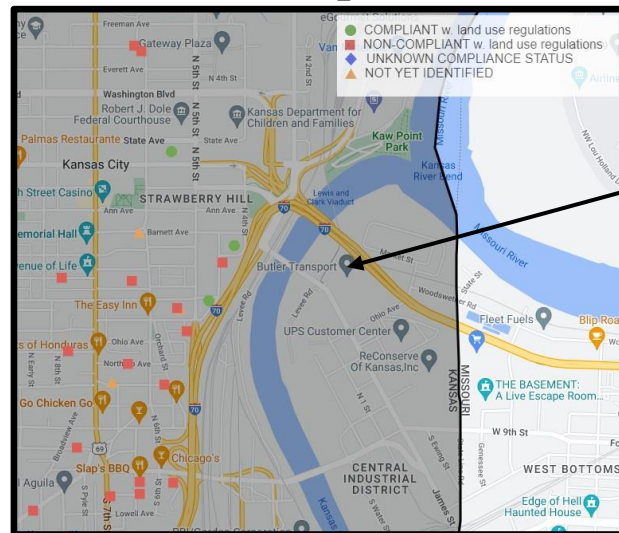
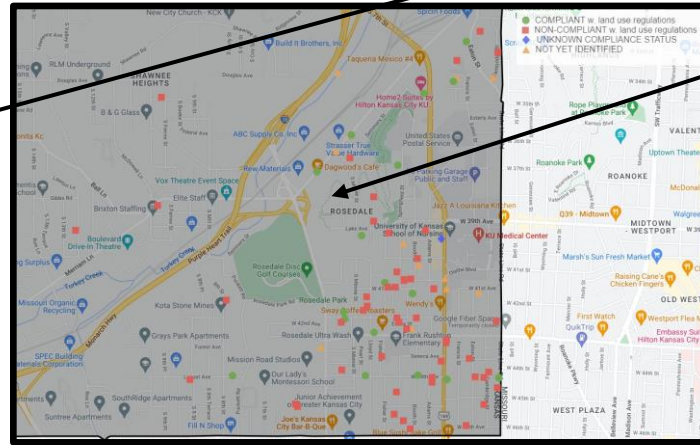
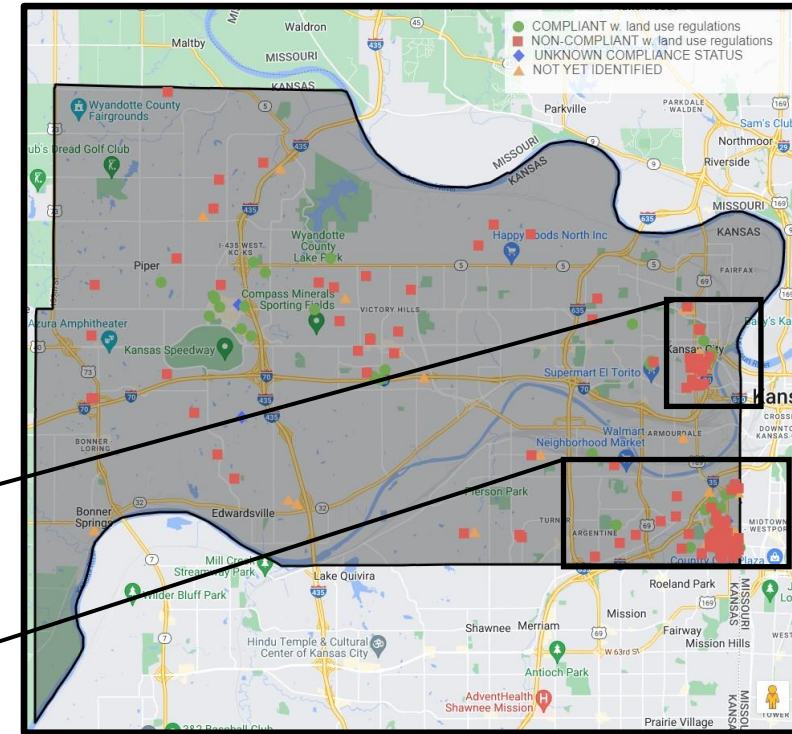
A Special Use Permit represents a higher standard of review and greater required for all short-term rentals that do not meet the requirements of an administrative review, or that trigger the escalation clause.

- Follows the same process as all Special Use Permit requests do now, including short-term rentals
 - Neighborhood meeting (for properties within 200')
 - Provide guest book and floor plans
 - Public meetings (City Planning Commission & Board of Commissioners)
 - Approval by the BOC
- Requires a Lodging Establishment License from the Kansas Dept. of Agriculture
 - Full home inspection conducted by Dept. of Agriculture staff



Density and Concentrations of Short-Term Rentals

- Trend is for STRs concentrate in only a few neighborhoods
- Methods to address density:
 - Apply density limits in certain neighborhoods
 - Apply density limits city-wide, based on block faces
 - Require SUPs for STRs within 200'



Other Considerations

- Is the two-tier model (administrative review and SUPs) the right approach?
 - Do the thresholds make sense?
 - Should thresholds apply at administrative review or only if SUP is triggered?
- Should the concentration of STRs in certain neighborhoods be addressed? If so, how?
 - Neighborhood limits
 - Block face percentages
 - Radii triggers
 - Zoning district maximums
 - UG-wide quota
- Could developed Landbank property be automatically eligible for the administrative process?
- Other thresholds or incentives for ADUs and large multi-family residences?



Next Steps

- Input from the City Planning Commission ✓
- Informational presentation at A&HS Standing Committee Meeting
- Comment from related and affected UG departments
- Input from the public (neighborhood groups, homeowners, tenants, etc.)
- Informational presentation of ordinances at neighborhood group meetings
- Draft ordinance on January 2023 City Planning Commission Meeting agenda

