

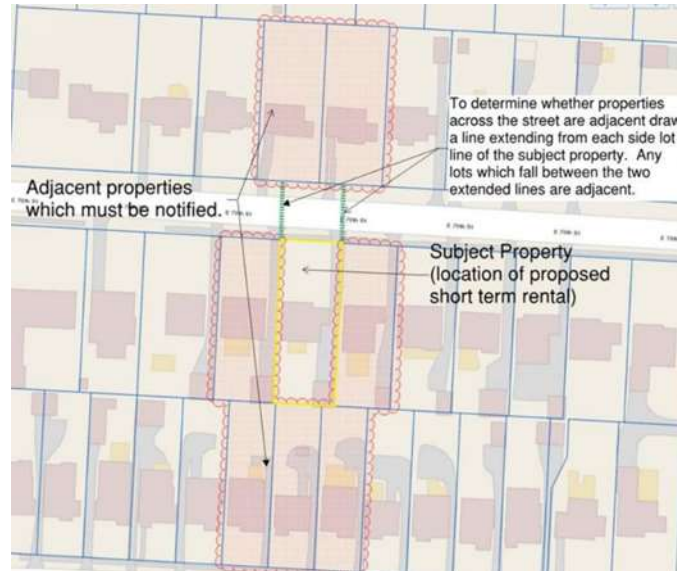
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## Neighborhood Notice

### Short-Term Rental Permit – Type 2 Year Round - 1&2 Family

Hello Neighbors, Neighborhood Representatives, and Property Owners,

The City Of Kansas City, Missouri's Zoning and Development Code (Section 88-321) allows me to rent my residence to overnight guests on a nightly basis with support by 55% or more of my adjacent property owners. You are receiving this notice because as part of the permit application I am required to mail this notice to the neighborhood association in which my residence is located; the property owner, if not me; and all neighbors with properties abutting my property, including those that are directly across the street from my residence. (See figures below for permit notice area)



Below is a brief description of my proposed short-term rental – including number of bedrooms rented and guests accommodated along with a copy of the city's regulations pertaining to my short-term rental (see attached). I have also included relevant information you might find useful (parking, guest access, etc.)

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**Address of Proposed Short-Term Rental:** \_\_\_\_\_

**Contact Information**

Applicant/Resident \_\_\_\_\_

Phone Number (required) \_\_\_\_\_

Manager (if not the resident) \_\_\_\_\_

Phone Number (required): \_\_\_\_\_

\*This notice is provided as a courtesy so neighborhood representatives and adjacent neighbors are aware of this activity happening in their neighborhood. I will be reaching out to you to request your support for my short term rental. If I'm unable to obtain 55% of my neighbors' signatures then I will pursue a Special Use Permit wherein you will receive another notice for a public hearing.

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## **88-321-03 - SHORT TERM RENTAL NON-OWNER OCCUPIED REGULATIONS (TYPE 2)**

A short term rental non-owner occupied is a unit not used as a principal residential unit by the host. Application for non-owner occupied short term rental shall be for either a "seasonal" permit (for properties rented 95 days or less per year) or "year around" permit (for properties rented more than 95 days per year).

### **88-321-03-A. STANDARDS AND CONDITIONS FOR NON-OWNER OCCUPIED PROPERTIES AS PERMITTED IN ALL APPLICABLE ZONING DISTRICTS**

1. Short term rental non-owner occupied regulations are applicable to all properties in zoning districts which allow short term rental under 88-321.
2. The dwelling unit to be rented may be within a single family, two-family, or multi-family structure.
3. A carriage house, as defined in 88-810-280 and permitted in accordance with 88-305-05, may be approved as short term rental non-owner occupied.
4. The unit must be located within the principal building on the property and may not be located within an accessory structure, except for carriage houses that are located on a property designated as a historic landmark or located in a historic district.
5. In a multi-family structure, only 1 unit or 25% of all units, whichever is greater, may be used for short term rental.
6. In a multi-family structure, the same host may not have more than 4 short term rental units in the same structure.
7. No more than 2 persons per each bedroom being rented plus one additional person per dwelling unit, not to exceed 8 guests, may occupy the dwelling unit.
8. The host may not enter into a contract with more than one party during any given period.
9. The 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.
10. No food service may be provided by the host.
11. The city-issued short term rental permit for such dwelling unit shall be on display in the interior of the unit.
12. No exterior evidence that the property is being used as a short term rental shall be allowed, including signs.

### **88-321-03-B. APPROVAL REQUIRED FOR NON-OWNER OCCUPIED PROPERTIES AS PERMITTED IN CERTAIN R DISTRICTS**

1. In R-10 and R-7.5 districts, short term rental is allowed only as follows:
  - a. Property that is designated as a historic landmark or located in a historic district may qualify for a non-owner occupied permit, upon issuance of a special use permit in accordance with 88-525.
  - b. If a non-owner occupied property has been used as a short-term rental prior to the passage date of this ordinance and the owner can provide documentary evidence to the satisfaction of the director of the city planning and development department of such use, the use may continue upon issuance of a special use permit in accordance with 88-525.
2. In other R districts, prior to accommodating any guests on the property, the host of a non-owner occupied short term rental must submit, initially, an administrative approval application for and obtain the approval of the city planning and development director prior to accommodating any guests.

3. The host of a non-owner occupied short term rental shall submit a notarized affidavit stating that notification of short term rental use was provided by certified or registered mail and by regular mail to:
  - a. All adjacent property owners (including those adjoining and immediately across the street).
  - b. In the case of a short term rental unit within a multi-family structure (condominium or otherwise), the affidavit must also state that such notification was provided to any condominium association and to all condominium unit owners and tenants of units adjoining and immediately across a hallway and those immediately adjacent on floors above or below the short term rental unit.
  - c. Any applicable homeowner's association and neighborhood and civic organizations registered with the city.
4. The host of a non-owner occupied "year around" short term rental shall be farther required to satisfy one of the following:
  - a. Obtain administrative approval of the city planning and development director, upon submittal of a notarized affidavit containing signatures of at least 55 percent of adjacent residential property owners (including those adjoining and immediately across the street).
  - b. Or, when signatures of at least 55 percent of neighboring property owners or tenants cannot be secured, obtain a special use permit in accordance with 88-525 for each property to be used as a non-owner occupied short term rental.
5. Upon approval, the host will receive a permit number indicating that the property is eligible for listing on a short term rental intermediary platform.
6. Thereafter, annual registry is required (but not a new administrative approval application, affidavit, or special use permit, unless an applicable special use permit requires otherwise).

**88-321-03-C. APPROVAL REQUIRED FOR NON-OWNER OCCUPIED PROPERTIES IN AG-R, B, D, UR, MPD AND M1 DISTRICTS**

There are no approval requirements, but registration of the short term rental unit with the city planning and development director and issuance of a short term rental permit with annual renewal is required.

(Ord. No. [170771](#), § 1, 2-22-2018)

## **88-321-04 - GENERAL REQUIREMENTS**

### **88-321-04-A. ELIGIBILITY FOR PLATFORM**

1. The city planning and development director shall prepare and maintain a list of all short term rentals that are eligible to be listed on a short term rental intermediary's platform. The list shall be made available to all short term rental intermediaries, the public, and all regulatory authorities in a form and manner prescribed by the director.
2. The city planning and development director shall notify the short term rental intermediaries in the case of a suspension or revocation of a short term rental unit on the city's registry of short term rentals.

### **88-321-04-B. RECORD-KEEPING AND MONITORING OF COMPLAINTS**

1. The short term rental host and/or the applicable short term rental intermediary's platforms shall maintain records of each short term rental as required by the city and permitted by law.
2. The short term rental host shall monitor, and the host and the applicable short term rental intermediaries' platforms (as permitted by law) shall record, any complaints each may receive from guests, local residents, or others regarding any nuisance activity or sanitary, health, or life safety conditions observed on the property.
3. Pursuant to valid legal process, all records and information regarding each short term rental and any information on complaints received shall be made available by the short term rental host or short term rental intermediaries' platforms, as each has such records or information, to the city planning and development director.

### **88-321-04-C. PERMIT DENIAL, SUSPENSION, OR REVOCATION**

1. A short term rental permit may be denied, or once issued, suspended or revoked when, in the determination of the city planning and development director, the rental of the short term rental property is ineligible under, or fails to comply with, this chapter or other provisions of the Code of Ordinances.
2. Upon determining that a short term rental is ineligible to be listed under this section, the director shall notify the short term rental host or proposed host, in writing, of such fact and of the basis for the determination of ineligibility. Such notice shall include a statement of information advising the short term host or proposed host that the host is entitled to a hearing to contest the determination of ineligibility for listing, suspension, or revocation by filing an appeal of administrative decision in accordance with 88.575.
3. If a short term rental host or proposed host fails to request a hearing within the prescribed time, the short term rental shall be deemed to be ineligible to be listed on any short term rental intermediary platform for 12 months.

### **88-321-04-D. OTHER REQUIREMENTS AND LEGAL DUTIES**

Each short term rental host shall:

1. Provide to the city planning and development director a notarized affidavit from the owner of record of the property or unit (unless the host is the owner of record) consenting to the short term rental of the property.

2. Comply with all applicable federal, state, and local laws, including but not limited to collection and certification of payment of taxes and procurement of any required licenses and permits.
3. Comply with the Code of Ordinances, unless specified in this section, and provide certification that the property is in compliance with all property maintenance, building, electrical, mechanical, and plumbing codes.
4. Post, within each unit, contact information for the owner, host, and/or other local emergency contact information.
5. For a short term rental within a multi-family structure, post a map depicting all (minimum of two) evacuation routes by doors in the event of an emergency. The map shall be posted on or immediately adjacent to every required egress door from each unit, but is not required when a door leads directly to the outside of the building at grade level.
6. Install and maintain smoke and carbon monoxide detectors in locations as specified for dwelling units by the Building Code.
7. Place in each short term rental dwelling unit a working fire extinguisher and a working battery powered portable flashlight or lantern or other emergency lighting device that is workable during an electrical power outage.
8. For purposes of sending notices to and obtaining consents from adjacent property owners under this section, utilize owners' names and addresses as provided in current county tax assessors' records.
9. Agree, as part of the short term rental application approval process, to allow inspection of the short term rental dwelling unit by the city for compliance with 88-321 and for fire, public safety, health/sanitation and other city code compliance purposes upon reasonable prior notice (which may be oral or electronic) at times that such unit is not occupied by a short term rental guest; and further agree that if the host for any reason does not allow requested city inspection of such unit, the short term rental permit for such unit may be suspended by the director until such inspection is allowed by the host.
10. Provide evidence to the city planning and development director that there is at least \$300,000 of liability insurance for the proposed short term rental dwelling unit in question, which insurance may be provided by a short term rental intermediary; provided that no short term rental intermediary shall have any obligation or liability to the city with respect to whether such insurance is so provided. Said \$300,000 minimum amount of liability insurance shall be subject to adjustment by the city planning and development director for changes in the consumer price index as described in 88-620-B.6 for adjustments to fees by the city manager. Proof of insurance shall be provided at the time of application and with annual registration.

#### **88-321-04-E. PENALTIES**

Any penalty for violation of this section shall be as stated in 88-615.

(Ord. No. [170771](#), § 1, 2-22-2018)