

Dear Wornall Homestead property owner:

With the recent approvals of the Wornall Homestead Overlay District in August of last year and the City's short term rental ordinance in February of this year, the Board would like to provide up to date information to those of you who may rent out all or part of your property in our neighborhood.

### RENTAL PROPERTY REGISTRATION

Since 2008, residential rental properties are required to be registered with the City, with several exceptions. Owner-occupied properties and non-owner occupied properties rented wholly to family members are not required to register. For example, if you live in your home and rent a portion of it to anyone, even a non-family member, you are not required to register your property. If you do not live in a property you own and rent it solely to a family member, you are not required to register that property.

In short, registration is required for any property you own that you do not live in and that is rented wholly or partly to tenants who are not family members. If you feel this requirement may apply to you, please go to the City's website at: <http://kcmo.gov/neighborhoods/neighborhood-preservation/rental-property-registration-2/> for more information.

In general, registration is free if done between December 1 and January 31, or within 30 days of a property becoming a rental unit. Registration must be renewed every year, even if the rental status of a property has not changed.

### SHORT TERM RENTALS

The City recently passed an ordinance defining and establishing regulations for "short term rentals", which are rentals of residential properties for periods of less than 30 days. This is further subdivided into categories depending upon the number of guests and whether the owner/manager lives on-site during the rental period.

If the owner/manager lives in the property and is present during the rental period and a portion of the property is rented for less than 30 days to not more than one person at a time, or to two people related by blood or marriage, that is classified by the City's Zoning and Development Code as lodging. Lodging is a permitted use in any zoning district that allows residential uses, including Wornall Homestead. No other zoning approval is required. Neither the overlay district nor the short term rental ordinance changed the regulations regarding lodging.

If the owner/manager lives in the property and is present during the rental period and a portion of the property is rented for less than 30 days to more than two people, that is classified by the City as a bed and breakfast. Prior to August of 2017, bed and breakfasts were prohibited in those areas of the city zoned R-6 (Residential 6), including Wornall Homestead. Our overlay

district, whose regulations supersede those of the City's Zoning and Development Code where they differ, now allows bed and breakfasts as "special uses". Approval of a special use permit is granted by the Board of Zoning Adjustment via a public hearing process. Bed and breakfast requirements include a limitation of no more than 8 rooms, provision of off-street parking, a minimum house floor area of 3,000 square feet and compliance with certain building code requirements. A business license is also required. The short term rental ordinance similarly allows bed and breakfasts as special uses in all R-6 areas of the city.

The main focus of the City's short term rental ordinance is on the rentals of properties for less than 30 days in which the owner/manager is not present, i.e. an absentee landlord situation. This applies to both residences occupied by the owner most of the time and those that are never occupied by the owner. Prior to the approval of the short term rental ordinance, this rental situation was prohibited in all zoning districts. The ordinance established regulations on where such rentals are permitted outright, where they are allowed as a special uses and where they are still prohibited, and set up licensing and fee structures.

Although the short term rental ordinance generally allows absentee landlord rentals as special uses in R-6 zoning throughout the city, the overlay district regulations take precedence within Wornall Homestead, and classify them as a prohibited use.

In summary, residential property may be rented in the Wornall Homestead neighborhood for lease periods of 30 days or more by right, regardless of the presence of the owner. Property may be rented for 30 days or less with the owner present as lodging (1 or 2 people) by right, or as a bed and breakfast (more than 2 people) with the approval of a special use permit. Property may not be rented for a lease period of less than 30 days if the owner is not present.

The Board may be contacting owners of those properties that may be operating as bed and breakfasts or absentee landlord short term rentals, to begin the process of ensuring all properties are being used in legal manner. All property owners are invited to contact the Board with any questions or comments. Questions may also be directed to the City Planning and Development Department at (816) 513-1500.

#### USEFUL LINKS:

Zoning and Development Code: <http://online.encodeplus.com/regs/kansascity-mo/>

City Clerk's office: <http://cityclerk.kcmo.org/LiveWeb/Common/default.aspx>

*Search for Ordinance 170540 (Wornall Homestead overlay district) and 170771 (Short term rentals)*