

STAFF REPORT

DATE: 10/07/2025

TO: Bel Aire City Council Workshop

FROM: Paula Downs

RE: Short Term Rental Discussion

STAFF COMMUNICATION

FOR MEETING OF	10/14/2025
CITY COUNCIL	
INFORMATION ONLY	

SUMMARY: Short-Term Rental Properties in City of Bel Aire

General Information:

In August, the Zoning Administrator received an email from a homeowner in Central Park that the home abutting her property was being used as a short-term rental property. In the email, they had experienced issues related to noise and parking. The homeowner requested information related to city processes and requirements for short term rental properties in Bel Aire. In addition, the homeowner asked if City staff could provide general information at the Homeowner's Association meeting. Paula Downs, Community Development Director presented zoning regulation and business license requirements as set out in the Bel Aire City Code and zoning regulations.

The City of Bel Aire currently does not have a specific Chapter or Article in the City Code titled "Short Term Rental". However, the Bel Aire City Code does set out requirements to meet zoning regulations and obtain a general business license.

Purpose of agenda item is to discuss the topic of short-term rentals and obtain City Council input on issues, concerns and next steps.

Bel Aire City Code Summary:

1. All property parcels in the City are in a zoning district.
2. Each zoning district sets out "permitted uses" and "conditional uses". This tells property owners what can be built/done on that parcel.
3. Bel Aire, does have a "bed and breakfast" definition: "The use of an owner-occupied or manager-occupied residential structure to provide rooms for temporary lodging or lodging and meals for not more than 15 guests on a paying basis". This definition does not directly describe the conditions for a short-term rental. Short-term rentals provide an entire resident for temporary lodging and not just "rooms".
4. If the "bed and breakfast" was the appropriate definition, that use is only listed in the Rural Residential District which are the areas with 5-acre lots and R-1 or Estate Residential District typically a 1-acre lot. These districts list "bed and breakfast" as a conditional use only. This would require the property owner to file a conditional use

- case with the City and go through the process of approval by the Planning Commission and the City Council. City staff is not aware of any bed and breakfasts in the City.
5. To operate a short-term rental property in any zoning district, the property owner would be required to file a Special Use case. This type of case seeks approval for a use “not otherwise set forth in the code or identified as a Permitted or Conditional Use with the zoning district” (18.5.4.A.) The case would be heard by the Planning Commission and City Council.
 6. A Special Use Case requires the following:
 - a. Application and fee of \$250.
 - b. Notification sent to all property owners within 200 feet of the subject property- these are sent out by the City via certified mail, and the case published in the official newspaper- City website. Owner list is provided by applicant from an abstractor’s list.
 - c. Planning Commission would conduct a public hearing allowing anyone to speak about the case.
 - d. General Considerations of the Special Use case:
 - i. That proposed uses will not be contrary to the public interest.
 - ii. That the spirit of the Code is observed.
 - iii. That public safety and welfare is secured.
 - iv. That substantially equal treatment under the law is preserved.
 - e. Case Review Criteria:
 - i. Access and traffic load and/or flow.
 - ii. Noise, light and odor.
 - iii. Parking, refer to parking section.
 - iv. Public health and safety.
 - v. Adequacy of facility and lot size.
 - vi. Other considerations as appropriate.
 - f. After the public hearing there is a 14-day protest petition timeframe requiring the signatures of 20% or more of any property owners in the notification area. If a petition is received the case must be approved by a 3/4th vote of the City Council.
 - g. City council can approve, override the Planning Commission’s recommendation, and/or send the case back to the Planning Commission for further consideration.
The Council can also set conditions or restrictions on things like parking, etc.
 7. If the case is approved, the property owner would be required to obtain a business license as set out in City Code 3.4. which states: *“Every person, firm, entity, association or corporation now or hereafter doing business in the corporate limits of the City of Bel Aire and/or maintaining an office, retail, wholesale outlet, fixed site where a specific service is located, or business address or location, shall annually register such business”*.
 8. The license application sets out the required information which is reviewed by city staff including the; zoning administrator, city clerk, police chief and code enforcement officer before being approved. The license fee is \$50 and is required to be renewed annually.

Issues to Confirm for Each Short-Term Rental Property:

1. Any specific building codes that may be triggered with a business of this type
2. Review of all short-term rental property's plats, PUD agreements, previous cases, etc., to determine if the property has been previously approved for this use.

Current Discussion:

Cities in the region continue to see short term rental properties in their cities.

In September of 2023, the City of Wichita approved changes to provide a zoning approval process for short term rentals in residential districts and a licensing program. The process set out these requirements:

1. Administrative Permit approval process
2. Must have the appropriate zoning approvals
3. Annual license
4. Protest petition process
5. Inspections to ensure the home is in compliance with housing, fire, building, zoning and all other applicable codes

The City of Wichita process could serve as a template for how Bel Aire could proceed.

Considerations and Next Steps:

1. Current Complaint/Immediate Needs:
 - a. Any short-term rental properties who have not filed a special use case and/or obtained a business license would need to be formally notified and provided information on the zoning and licensing process. City staff would assist in ensuring all short-term rental properties file a special use case and submit a business license application.
 - b. Any short-term rental property owner that does not wish to follow zoning and licensing requirements would be issued a zoning violation letter by the Code Enforcement Officer and follow the appropriate process for compliance.
2. In lieu of requiring special use case be filed, City develops a Short-Term Rental process code and establish clear processes. Short-Term Rental process would require updates to the Bel Aire City Code.