



AGENDA

CITY COUNCIL WORKSHOP

7651 E. Central Park Ave, Bel Aire, KS

Video Available at belaireks.gov

March 10, 2026 7:00 PM



I. SHORT TERM RENTALS

A. Draft Short Term Rental Code 3-3-26

II. CODE ENFORCEMENT CASES

A. Abatement Process

III. COMP PLAN OVERVIEW

A. Comp Plan Values and Goals

Notice

It is possible that sometime between 6:30 PM and 7:00 PM immediately prior to this meeting, during breaks, and directly after the meeting, a majority of the Governing Body may be present in the Council Chambers or the lobby of City Hall. No one is excluded from these areas during these times. Video of this meeting can be streamed on www.belaireks.gov or YouTube.

STAFF COMMUNICATION

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| FOR MEETING OF | 3/10/2026 |
| | |
| CITY COUNCIL | |
| INFORMATION ONLY | |

STAFF REPORT

DATE: 03/05/2026

TO: Bel Aire City Council Workshop
 FROM: Paula Downs
 RE: Short Term Rental Regulations

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

General Information:

The City of Bel Aire currently does not have a specific Chapter or Article in the City Code titled "Short Term Rental". At this time Short-Term Rental properties have not been required to obtain a general business license.

Purpose of agenda item is to provide an overview of the draft regulation sections and discuss next steps.

Short- Term Rental Draft Regulation Overview:

1. **City Council requested the following issues** be addressed in the Short-Term Rental Regulations:
 - a. Limit on number of Short-Term Rental properties owned by a single owner/entity
 - b. Occupancy and gathering limits
 - c. Density considerations
 - d. Surrounding property owner notification and public hearing
 - e. Good Neighbor requirements- parking, noise, trash, etc.
 - f. HOA ability to be more restrictive
 - g. Number of days allowed to rent outside of permit/license requirement
 - h. Protest petition option
 - i. Permit is Administrative and simple unless appealed or protest petition is filed
 - j. Short-Term Rental property violation and enforcement
 - k. Threshold for number of days rented (under 28 days)
 - l. Owner response to issues on site

2. **Regulation details to be defined:**
 - a. Definitions section
 - b. Fees for permit, license, appeals, etc.
 - c. Public hearing format
 - d. Appeals process
 - e. Enforcement language

3. Draft Regulation Sections:

- a. Purpose
- b. Presumption of Ownership
- c. Short-Term Rental Administrative Permit Requirements
- d. Application for Short-Term Rental Permit Requirements
- e. Expiration and Renewal of Permit
- f. Short-Term Rental Regulations
- g. Duties of Owner
- h. Duties of Management Agent (if identified)
- i. General Business License Requirement
- j. Short-Term Rental Permit- Denial or Non-Renewal, Suspension, or Revocation
- k. Denial of Permit
- l. Suspension of Permit
- m. Revocation of Permit
- n. Notice of License Denial, Suspension, or Revocation
- o. Appeals Process
- p. Enforcement and Penalties
- q. Violations not exclusive
- r. Initial Compliance
- s. Severability

Considerations and Next Steps:

- 1. Review draft regulations with city staff and legal to finalize regulations.
- 2. Identify areas in the existing code that may need to be updated/modified to address the new regulations.
- 3. Update fee schedule to accommodate new application and license fees.
- 4. Develop application, Good Neighbor Checklist, and Permit documents.
- 5. Create website language and social media posts.
- 6. Bring regulations and fee schedule to City Council for approval.

**Short-Term Rental
Draft Regulation Language
Date: March 4, 2026**

Purpose

The purpose of this article is to outline regulations and requirements related to the use of residential properties as short-term rentals to ensure the health, safety and welfare of those occupying short-term rentals; and to promote the protection of the neighborhood character and quality of life for surrounding properties.

Presumption of Ownership

For the enforcement of the provisions here, there shall be a prima facie presumption that the owner of the premises shall be that person, persons, or entity as reflected on the most recent evidence of ownership for the real property on file with the Sedgwick County, Kansas Register of Deeds.

Short-Term Rental Administrative Permit Required

- A. No Person shall allow any Dwelling or Dwelling Unit to be rented or occupied by another for a period of 28 consecutive days or less without the owner first obtaining a Short-Term Rental Administrative Permit under the terms of this Article.
- B. Short Term Rental in the City means the use of a residential Dwelling Unit to provide for temporary lodging or lodging and meals for Transient Guests on a paying basis. The residential Dwelling Unit may be owner or manager occupied. The term Short Term Rental in the City also includes Bed and Breakfast Inn.
- C. Occasional Rental Exemption: A residential dwelling unit may be used for transient occupancy (short-term rental) for a cumulative total of no more than fourteen (14) days in a calendar year without obtaining a short-term rental permit as long as the operator maintains a log of rental days.
- D. One (1) Short-Term Rental Permit shall be issued for each parcel of property with a Dwelling or Dwelling Unit(s) for rent and shall be deemed to cover all such Dwelling Units for rent on the property under single or common ownership.
- E. The number of Dwelling Units per parcel of property permitted to be rented as Short-Term Rentals shall be limited to single-family and two-family residence districts.

- F. No more than two (2) Short-Term Rental permits can be held by the same Owner at any given time in the City. In the event an Owner actively uses more than two (2) parcels of property as Short-Term Rentals at the time of this Ordinance's passage, that Owner may apply for Short-Term Rental Permit for the additional parcels of property until the earlier of:
1. the Owner no longer owning the additional parcels of property;
 2. the Owner no longer actively offering the additional parcels of property as Short-Term Rentals; or
 3. the Owner allowing the Short-Term Rental Permit to expire without timely renewal.
 4. For purposes of this subsection only, each member, partner, shareholder, or director of an Owner entity shall be considered an "Owner."
- G. A Short-Term Rental Permit shall not be considered in place of or as a waiver of the requirement to obtain a General Business License for Dwelling or Dwelling Unit(s) rented and be subject to review procedures as set out in this Article and/or in the City of Bel Aire Code.
- H. The City shall have authority to exercise its permitting powers under this Article including the power to issue, renew, deny, revoke and suspend a Short-Term Rental Permit with respect to the entire premises or only a specific Dwelling Unit(s) found to be in violation of this Code.
- I. Density Restrictions
- The purpose of this section is to preserve neighborhood character, maintain housing availability for long-term residents, and ensure that short-term rental activities do not adversely impact the quality of life within residential areas.
1. To prevent excessive clustering, no short-term rental property may be located **within 250 feet** of another permitted short-term rental, as measured in a straight line from property line to property line
 2. Existing, legally permitted short-term rentals that exceed the density cap may continue to operate until the property changes ownership or the permit lapses, after which the cap shall apply.
- J. If property has a principal dwelling unit and an accessory or secondary dwelling unit, only one unit may be permitted as a Short-Term rental.

- K. The dwelling unit and site shall remain residential in appearance and characteristics. Internal or external changes that will make the dwelling unit and site appear less residential in character of function are prohibited. Examples of such prohibited alterations include but are not limited to; construction of parking lots, paving of required setbacks, or the addition of commercial-like exterior lighting.
- L. Nothing in this administrative permit shall limit the ability of a property owner, homeowners association or similar association from prohibiting or further limiting the Short-Term rental of property where the authority to do so exists.
- M. It shall be unlawful for any person to operate and or advertise any Short-Term rental without a valid Short-Term rental administrative permit, as approved pursuant to the application procedure herein. Each Short-Term rental location shall require a separate permit. Evidence of operation may include advertising, on-line calendar showing availability, guest testimony, on-line reviews, rental agreements or receipts.

Application for Short-Term Rental Permit

- A. The Owner of a Dwelling or Dwelling Unit to be offered for Short-Term Rental shall first make written application to the City for a Short-Term Rental Permit to carry out the business of renting such Dwelling or Dwelling Unit as a Short-Term Rental. Such application shall be made on a form furnished by the City for such purpose. Such application shall be signed by the Owner, or an individual authorized to sign on behalf of the Owner. Such application shall set forth the following information:
 - 1. Owner's name, address, telephone number, and email address. A post office box is not acceptable as a mailing address for any such person.
 - 2. If the Owner is a partnership, the name of the partnership and the name, residence address, telephone number, and email address of the managing partner. A post office box is not acceptable as a mailing address for any such person.
 - 3. If the Owner is a corporation, the name and address of the corporation and the name, residence address, telephone number, and email address of the chief operating officer. A post office box is not acceptable as a mailing address for any such person.
 - 4. If the Owner is a limited liability company, the name and address of the limited liability company and the name, residence address, telephone number, and email address of the manager or president. A post office box is not acceptable as a mailing address for any such person.

5. If the Owner does not have a local address within thirty (3) miles of the City limits of the City of Bel Aire, then he or she must appoint a person or management company, located within the City limits of the City of Bel Aire to serve as his or her management agent by providing their name, address, telephone number, and email address. A post office box is not acceptable as a mailing address for a Management Agent.
6. If the Owner appoints a Management Agent, the application must be accompanied by the Owner's written, notarized authorization granting the Management Agent express, actual authority to sign documents, to receive service, and to act on the behalf of the Owner.
7. The Owner or Management Agent must:
 - a. Be available twenty-four (24) hours per day, seven (7) days a week to respond to complaints regarding the operation or occupancy of the Short-Term Rental;
 - b. Be available to come to the premises, if required, within thirty (30) minutes to resolve any complaint;
8. The Owner is required to notify the City of Bel Aire Community Development Director or their designee, within fifteen (15) days of a change of the designation of an agent.
9. Address identifying location of the Dwelling or Dwelling Unit(s) to be offered for Short-Term Rental.
10. Total number of bedrooms per unit.
11. Maintain liability insurance coverage for each Short-Term Rental Unit in the minimum amount of Two Hundred Fifty Thousand Dollars (\$250,000) per Short-Term Rental Unit to insure against damages to guest(s) caused by the Owner or Responsible Party, and to insure against damages caused by Short-Term Rental guest(s) or the Owner when such damages are incurred by other persons including, but not limited to, neighbors or invited guests. Liability insurance provided by a third party, such as an online booking platform, is acceptable proof of the required liability insurance;
12. Neighbor Notification:
 - a. The application shall be accompanied by a certified list, prepared by an abstract company, of all owners of real property within 200 feet of the area proposed as a Short-Term rental property. If the proposed Short-Term rental property is located adjacent to the city's limits, the area of notification shall be extended to at least 1,000 feet in the unincorporated area. This area shall be referred to as the notification area.
 - b. The City will provide notice of the Short-Term Rental Permit Application being filed by certified mail.
 - c. Notice will allow them the right to file a written protest of the application within 14 days.

- d. If 50% or more of the owners file a written protest, the permit shall not be granted. The applicant can request that the permit be considered as a conditional use permit, requiring Planning Commission to review and City council to approve.
 - e. At least 20 days' notice of the time and place of the public hearing shall be sent, via certified mail, to all property owners in the notification area.
 - f. At least 20 days' notice of the time and place of the public hearing shall be published in the official paper of the City of Bel Aire.
 - g. All notices shall include a statement that a complete legal description is available for public inspection and shall indicate where such information is available. When the notice has been properly addressed and deposited in the mail, failure of a party to receive such notice shall not invalidate any subsequent action taken by the Planning Commission or the Governing Body.
- B. In addition to the application, the Owner and/or Management Agent of the Dwelling or Dwelling Unit(s) to be offered for Short-Term Rental shall also complete and sign a Short-Term Rental Safety Checklist.
- C. At time of issuance of the Short-Term Rental Permit by the City, the City shall also provide the Short-Term Rental Good Neighbor Guidelines, which will be posted in a conspicuous location within the Dwelling or Dwelling Unit(s) to be rented. The City may update the Short-Term Rental Good Neighbor Guidelines from time to time, and any updated Short-Term Rental Good Neighbor Guidelines must be posted in a conspicuous location within the Dwelling or Dwelling Unit(s) to be rented no later than thirty (30) days after the City issues the updated Short-Term Rental Good Neighbor Guidelines. The Guidelines shall inform the transient guests of the following:
- D. Requirement that transient guests of any Short-Term Rental Units are required to comply with all relevant City ordinances and State Statutes:
- 1. That the Short-Term rental shall be utilized in accordance with Rules of Conduct to ensure guests are good neighbors and to minimize disturbances to area residences.
 - 2. The Rules of Conduct shall be prominently posted in the Short-Term rental and shall include, at a minimum, the following:
 - a. The permit number of the Short-Term rental;
 - b. Maximum number of overnight guests;
 - c. Maximum Gathering occupancy;

- d. Parking requirements;
 - e. Trash disposal requirements;
 - f. Quiet hours and noise restrictions;
 - g. Trespass warnings; and
 - h. Pet restrictions.
- E. A Short-Term rental permit shall only be issued to the owner(s) of the property.
- F. The Short-Term Rental permit is valid only for the Owner that submitted the application and cannot be transferred to another Person or run with the property.
- G. Upon issuance of the Short-Term Rental Permit by the City, the Owner will place a copy of the Short-Term Rental Permit in a conspicuous location within the Dwelling or Dwelling Unit(s) to be rented.
- H. For Owners applying for an Owner Occupied Short-Term Rental license, two documents giving proof of Owner occupation must be provided. Each document must be current and show the Owner's name and address matching that of the property to be utilized for a Short-Term Rental.
- I. A scaled floor plan showing the layout and square footage of the Short-Term Rental Unit(s). Such floor plan, at a minimum, shall include a designation and location of bedrooms, bathrooms, and kitchens, and the means of ingress and egress within each room and the dwelling unit.
- J. A statement as to whether the applicant has ever had any License denied, revoked, or suspended by the City or the State of Kansas or any other governmental entity, the reason therefore and the business activity or occupation of the individual subsequent to such suspension, revocation or denial;
- K. A statement that the Owner, Responsible Party, or any employee thereof will not, in renting a Short-Term Rental Unit, discriminate against any person or persons on the basis of race, color, sex, religion, national origin, ancestry, disability, sexual orientation, sexual identity, gender identity or age.

Expiration and Renewal

- A. There shall be an annual permit fee of \$250. No permit shall be issued until this fee has been paid. The permit fee is non-refundable.

- B. All Short-Term Rental Permits issued under this Article shall be effective for the calendar year in which the Permit is issued only, beginning on January 1st and expiring on December 31st.
- C. In the event the Short-Term Rental Permit is issued after January 1st, the permit fee will be prorated by quarter, according to the date of application.
- D. Applicants wishing to renew their Permit shall apply for renewal by:
 - 1. Completing a new application for Short-Term Rental Permit for the following year, to be submitted by November 1st.
 - 2. No renewal shall be granted without payment of the required annual permit fee.
 - 3. No renewal shall be granted without meeting all the requirements of this Article.

Short Term Rental Regulations:

All Short-Term rentals shall meet the following standards:

- 1. Sleeping quarters for Short-Term rental tenants shall only be located within a habitable structure;
- 2. Short-Term rental shall not be in a non-residential area within buildings or accessory structures (e.g., shed, garage) that do not contain finished living space;
- 3. Short-Term rental shall not be in a temporary outdoor structure (e.g., tent);
- 4. Short-Term rental shall not be in a commercial property;
- 5. Short-Term rental shall be equipped with operational smoke detectors, a fire extinguisher in the kitchen and in the furnace room, and carbon monoxide detectors.
- 6. Short-Term rental is required to have one off-street parking space for each guestroom. Parking shall be limited to designated areas that meet city codes. Overflow parking shall be on the street where permitted. Parking on-site in non-designated areas shall be prohibited;
- 7. The owner shall maintain weekly residential trash collection service and provide a sufficient number of covered trash containers. Trash containers shall not be left out at the collection point for more than 24 hours after collection. The property shall be kept free of trash and debris;
- 8. Quiet hours shall be between the hours of 10:00 PM and 7:00 AM and noise generated during those hours shall not exceed the requirements set out in the City code;
- 9. All outdoor lighting shall fall within the requirements set out for residential properties in the City code;

10. If pets are allowed, they shall be contained within the property boundaries or be on a leash when on a public street. Pet waste shall not be allowed to accumulate on the property and shall be properly disposed of;
11. No more than two (2) overnight guests per guestroom plus an additional three (3) overnight guests shall be accommodated at any one time. A guest is a person over two (2) years of age. A room shall not be used as bedroom unless it has a window;
12. Gatherings of persons shall not exceed two times the maximum overnight occupancy or 25 guests, whichever is less;
13. The Short-Term rental shall display the address number of the residence so that it is clearly visible from the nearest public or private road. The complete address of the property shall also be prominently posted within the Short-Term rental for emergency purposes;
14. Signs in accordance with the sign regulations as set out for residential properties.
15. The boundaries of the property shall be clearly identified on a map prominently posted within the Short-Term rental with the Rules of Conduct and shall be clearly identifiable and posted on the premises;
16. Property should be maintained in accordance with City Code;
17. Occupants of a Short-Term Rental Dwelling or Dwelling Unit shall comply with all Bel Aire City Codes including (Police, Nuisance, etc.);
18. Occupants of a Short-Term Rental Dwelling or Dwelling Unit shall obey all other municipal codes and laws of the county and state;
19. Must be permitted and operated in accordance with the requirements of this article in the Code of the City of Bel Aire; and
20. Must be in compliance at all times with all applicable zoning, building, fire and life safety, housing, health codes and any other applicable state or federal regulations.

Duties of Owner

- A. The following standards and conditions must be met to hold a Short-Term Rental Permit under this Article:
 1. The Owner will have paid the required permit fee;
 2. If the Owner is a partnership, limited liability company, or corporation, the licensee shall be required to register with the Secretary of State, if required by state law, and shall remain in good standing with the Kansas Secretary of State;
 3. The Owner will ensure that the Dwelling or Dwelling Unit(s) is not in a substandard condition, as defined in the Municipal Code including, but not limited to, the accumulation of weeds, vegetation, junk, debris or rubbish on the exterior of the premises so as to create a nuisance condition;
 4. The Owner will ensure that the permitted Dwelling or Dwelling Unit(s) remain in compliance with any and all other applicable City Codes and Buildings Safety

Codes;

5. The Owner will post a copy of the permit in a conspicuous location within the Dwelling or Dwelling Unit(s);
6. The Owner will post a copy of the “Short-Term Rental Good Neighbor Guidelines” provided by the City at the time the permit is issued in a prominent place within the Dwelling or Dwelling Unit;
7. The Owner will ensure that the Short-Term Rental Regulations outlined in this Article are upheld and will ultimately be responsible if not;
8. Must post contact information for the owner and/or management agent (if identified) in a conspicuous and accessible location in the Dwelling or Dwelling Unit(s);
9. Owner must be generally available twenty-four (24) hours per day, seven (7) days a week to respond to concerns or complaints regarding the operation or occupancy of the Short-Term Rental unless a management agent has been identified;
10. Owner must be available to come to the premise if required within thirty (30) minutes to resolve any complaint unless a management agent has been identified;
11. Will inspect the interior and exterior of the Dwelling or Dwelling Unit(s) at least once a month to ensure property meets requirements of this Article;
12. Accept service or process of all notices under this Article;
13. Receive notification of any code or zoning violation notice sent to an owner;
14. Serve as a local contact in the event of an emergency;
15. The Owner shall be held responsible for any violations of the regulations committed by persons at the property during a period when the property is rented on a Short-Term basis.

Duties of the Management Agent

- A. The following standards and conditions must be met by the designated management agent to hold a Short-Term Rental Permit under this Article:
 1. Have direct management control and responsibility for the Dwelling or Dwelling Unit(s) in the absence of the Owner;
 2. Accept service or process of all notices under this Chapter;
 3. Receive notification of any code or zoning violation notice sent to an owner;
 4. Serve as a local contact in the event of an emergency;
 5. Facilitate contact between the city and the owner;
 6. The appointment of an agent pursuant to this article does not make the agent legally responsible for violations of code or zoning with respect to the owner’s property, nor does it make the agent legally responsible for the owner’s lack of compliance with this article;

7. Responsible party to be available to come to the premise if required within thirty (30) minutes to resolve any complaint;
8. Will inspect the interior and exterior of the Dwelling or Dwelling Unit(s) at least once a month to ensure property meets requirements of this Article;
9. The responsible agent shall have access and authority to assume management of the short -term rental and take remedial measures.
10. Must post contact information for the owner and/or management agent (if identified) in a conspicuous and accessible location in the Dwelling or Dwelling Unit(s);

General Business License Requirement

- A. It shall be unlawful for any Owner or Responsible Party to operate, rent, own maintain, or otherwise permit or allow any Short-Term Rental without a valid General Business License issued by the City in accordance with Chapter 3, of the Bel Aire City Code.
- B. The applicant must pay the annual license fee for a general business license.
- C. A separate license is required for each Dwelling or Dwelling Unit(s) or structure utilized as a Short-Term Rental.

Short-Term Rental Permit, Denial or Non-Renewal, Suspension, or Revocation

- A. Failure to comply with the requirements as set forth in this Article shall be unlawful. If the City determines that any Short-Term Rental fails to comply with the provision of this Article, the City shall give notice of the violation. The notice shall provide:
 1. The specific reasons the owner has failed to meet the provisions of this Article;
 2. That the City will deny, refuse to renew, suspend or revoke the permit unless the Owner appeals the determination within fourteen (14) days after receipt of the notice in the manner provided in this Article.
 3. That after any denial or non-renewal, suspension, or revocation, the Short-Term Rental Dwelling or Dwelling Unit(s) therein must be vacated and shall not be reoccupied until a permit is issued after approval by the City.
- B. Any Person wishing to appeal the determination, denial or non-renewal, suspension, or revocation of a Permit shall file a written notice of appeal with the City within thirty (30) days after the notice of denial, suspension, revocation, or non-renewal, has been mailed. The notice of appeal shall contain a statement of the grounds for the appeal and shall be accompanied by the appropriate fee.

- C. The appeal will be heard by the Governing Body at a public hearing.
- D. The hearing will be held no later than forty-five (45) days after the receipt of the written notice of appeal.
- E. At the hearing, the Governing Body shall hear all relevant evidence and arguments. The Governing Body may admit and give effect to evidence that possesses value commonly accepted by reasonably prudent persons in the conduct of their affairs.
- F. The Governing Body shall render its decision in writing within fifteen (15) days after the close of the hearing. The decision shall determine whether the Dwelling or the Dwelling Unit(s) therein is in violation of this Article or any other municipal, state or federal code and shall specify the factual basis for the determination.
- G. The Governing Body may affirm, modify or reverse the action appealed.
- H. Notice of the final decision of the Governing Body shall be served upon the permit holder or applicant.

Denial of Permit.

- a. Permit shall be denied or not renewed if one or more of the following conditions exist:
 - 1. The premises does not comply with regulations and codes of the City of Bel Aire;
 - 2. The applicant has knowingly made a false, misleading or fraudulent statement of fact to the City of Bel Aire on the application;
 - 3. The application is incomplete or contains any material misrepresentation; and
 - 4. Within the five (5) years prior to the date of application, the applicant, or any person with a financial interest of twenty-five (25) percent or greater in the Short-Term Rental stated in the application has had a Short-Term Rental permit suspended or revoked pursuant to any provision of this Article.

Suspension of Permit.

A Permit may be suspended for a period not to exceed thirty (30) days, if:

- a. The Owner or other Responsible Party knew or should have known that activities on the permitted premises were in violation of the Code of the City of Bel Aire relating to Maximum Occupancy and Gathering limitations for the permitted Dwelling or Dwelling Unit(s).

- b. The premises do not comply with the provisions of this Article and/or the health, housing, fire and zoning codes of the City.

Revocation of Permit.

A Permit may be revoked:

1. If Owner or Responsible Party has fraudulently obtained the Permit by giving false information in the application therefore;
2. If the Owner or Responsible Party has committed two (2) or more instances of violations of this Article, or other applicable City ordinances or State statutes within a 12-month period;
3. If the Owner or Responsible Party fails to maintain required liability or Short-Term Rental insurance;
4. If an Owner or Responsible Party has become ineligible to obtain a Permit under this Article;
5. If an Owner or Responsible Party fails to bring the premises into compliance with the terms and conditions of this Article within the time frames for initial compliance; and
6. For the nonpayment of any permit.

Notice of License Denial, Suspension, or Revocation.

- A. The Zoning Administrator shall provide written notice to the Owner or Responsible Party of the intent to deny, suspend, or revoke, a Short-Term Rental Permit by personal service or certified mail, return receipt requested.
- B. The notice shall be sent to the mailing address of the Owner and/or Responsible Party on file with the City. Such notice shall detail the reason or basis for the denial, suspension or revocation of the Permit. It shall also specify the rights of the Owner and/or Responsible Party to appeal any such denial, suspension, or revocation.
- C. Whenever a notice is required to be sent to or served upon the Owner and/or Responsible Party of a Short-Term Rental Dwelling or Dwelling Unit(s) under this Article, notice shall be deemed sufficient if sent by certified mail to the Owner and/or Owner's Management Agent at the address specified in the last permit application filed. If the Dwelling or Dwelling Unit(s) is not permitted pursuant to this Article, notice is deemed sufficient if sent by certified mail to the person listed for the purposes of paying taxes on the property. Notices so mailed are sufficient whether received or returned.

Appeals Process.

- A. Unless otherwise specified by this Article, any Owner and/or Responsible Party aggrieved by the denial, suspension, or revocation of a Short-Term Rental Permit, or when such application has been approved with conditions or modifications that are unacceptable to the applicant, the applicant may file, within ten (10) business days of the decision of the Zoning Administrator, an application for Conditional Use approval with the Planning Commission pursuant to this Article and the filing fee for the Administrative Permit shall be applied toward the filing fee for the Conditional Use approval.
- B. For the purposes of this section, any person shall have the standing to appeal the action of the Zoning Administrator, as specified in this Article.
- C. When an application for an Administrative Permit has been approved, with or without conditions, and a person with standing to appeal as specified in this Article has filed a written protest petition, the application shall be forwarded to the Planning Commission for Conditional Use approval pursuant to this Article.
- D. When an application for a Short-Term Rental in the City or a Short-Term Rental in the County has been approved, with or without conditions, and a person with standing to appeal as specified in this Article, except for all owners of record of land which Abut and are Contiguous to the application area, file a written protest petition, the application shall be forwarded to the Planning Commission for Conditional Use approval pursuant to this Article.
- E. If more than 50% of all owners of record of land which Abut and are Contiguous to the application area, as specified above, file a written protest petition, the application shall be forwarded to the Planning Commission for Conditional Use approval pursuant to this Article.
- F. Any appeal provided for in this section must be filed within 14 days of the date of the decision.

If the owner requests a variance or exception from any part of this Article a conditional permit will be required.

Enforcement and Penalties.

- A. Except as otherwise provided, the Zoning Administrator has the duty and authority to enforce the provisions of this Article.

- B. The Zoning Administrator shall send a written notice by personal service or by certified mail to the Owner of record, Responsible Party, or Registered Agent, if one is established.

- C. The written notice must include:
 - 1. A statement that a violation of this Chapter has been observed or otherwise determined to exist;
 - 2. A brief description of the nature of the violation;
 - 3. Notice of a 30-day compliance period (or longer if appropriate in the reasonable determination of the Zoning Administrator) within which to come into compliance; and
 - 4. A reference to the penalty provisions of this Article.

- D. Penalty. If the property has not been brought into compliance within the compliance period set forth by the notice prescribed under Subsection C above or any period of extension granted by the Zoning Administrator, any person who shall own, operate, or manage a Short-Term Rental in violation of a Permit granted under this Article, or without a Permit when a Permit is required by this Article, will be subject to enforcement options per city code. Each day that any violation of this Article continues shall constitute a separate offense and shall be punishable here under as a separate violation.

- E. Enforcement systems have a three-strike rule. If a Short-Term rental owner has violated the local code multiple times there can be fines and/or a revocation of the Short-Term Rental permit and/or general business license.

- F. Place holds on the owners of up to two years before they can reapply for their permit and license if previously revoked.

- G. Other:
 - 1. Misdemeanor with a per day fine.
 - 2. Suspend license for a period of time (Example: 30 days).

Violations not exclusive.

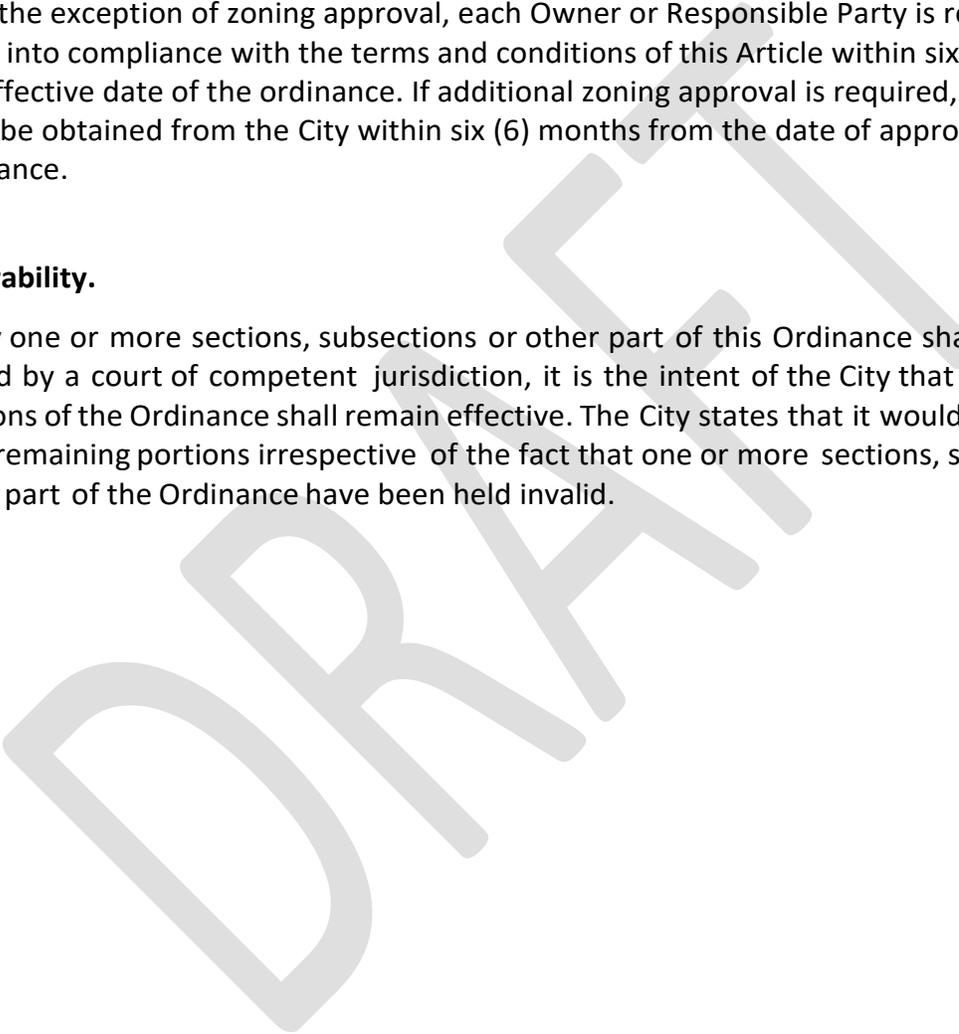
The provisions of this Article are in addition to any other violations enumerated within the ordinances of the Code of the City of Bel Aire. This Article in no way limits the penalties, actions or abatement procedures which may be taken by the City for a violation of any ordinance of the City of Bel Aire or Statute of the State of Kansas.

Initial Compliance.

With the exception of zoning approval, each Owner or Responsible Party is required to come into compliance with the terms and conditions of this Article within six (6) months of the effective date of the ordinance. If additional zoning approval is required, such approval must be obtained from the City within six (6) months from the date of approval of this ordinance.

Severability.

If any one or more sections, subsections or other part of this Ordinance shall be declared invalid by a court of competent jurisdiction, it is the intent of the City that the remaining portions of the Ordinance shall remain effective. The City states that it would have enacted such remaining portions irrespective of the fact that one or more sections, subsections, or other part of the Ordinance have been held invalid.



STAFF COMMUNICATION

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| FOR MEETING OF | 3/10/2026 |
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| CITY COUNCIL | |
| INFORMATION ONLY | |

STAFF REPORT

DATE: 03/05/2026

TO: Bel Aire City Council
FROM: Paula Downs
RE: Abatement Workshop

SUMMARY: City of Bel Aire Abatement Case Discussion

General Information:

The current code violation enforcement process for the City of Bel Aire is as follows:

1. Verify the code violation;
2. Open a case for the code violation and attempt to contact residents and/or owner via phone or letter;
3. Initial contact potential solutions are discussed, and resource information is provided;
4. After contact is made or attempted, an initial code compliance letter is provided with an agreed upon timeline for compliance. If contact is not made, the follow up timeline is 15 days;
5. If property is in compliance the case is closed;
6. If the property is not in compliance a second non-compliance letter is provided with a 10-day timeframe for follow up;
7. After 10-day time frame if the property is in compliance the case is closed; and
8. If no contact or compliance has been completed next steps are proceeding with Abatement.

The City has not moved forward with the abatement process for code violation cases to date. The abatement process is used for extreme and chronic cases affecting the health and safety of the public.

The City currently has an abatement case that is past the second non-compliance violation letter. This property is a long-term chronic case that needs to move through the abatement process.

Types of Abatement Issues:

1. Tall grass & dead/diseased trees;
2. Inoperable vehicles, campers, boats and trailers;
3. Dilapidated/Abandoned/Unmaintained structures;
4. Bulky waste on the exterior of the home;
5. Combination of one or more issues.

Way to Identify Code Violation:

1. Front yard- can view;
2. Back yard- may receive a complaint and can see the backyard or issue is visible through fence (chain link) or above fence (overgrown grass, dead trees, etc.);
3. Inside the home- must be invited in to view the premises.

Abatement Process- State Statute Requirements (handout provided)

Next Steps:

1. Follow the abatement process
2. City will fund the clean-up of the property to make it safe for neighbors
3. City will send invoice to property owner for payment reimbursement
4. City will assess the costs like a special assessment if owner does not pay invoice
5. If property is on the unpaid tax rolls, then property will be eligible for sale
6. Sale of property will result in the city being reimbursed for a share of the cost expended

Staff Recommendation: Staff recommends moving forward with the abatement process for the identified property to ensure the health and safety of the public.

Abatement Process

1. Statement from professionals with all details and if the property is safe
 - a. Meetings
 - b. Mailings
 - c. Conditions
2. Resolution
 - a. Based on the statement that governing body
 - b. Point of Resolution is to establish a public hearing
3. After Resolution approves we publish
 - a. #1-Have to publish for example: Wednesday after Tuesday meeting with certified mail sent out on Friday.
 - b. #2 Have to publish for example: Wednesday the following week
 - c. Within three days of publishing, must be mailed certified to every property owner, agent owner, occupant, bank
 - d. City is responsible for requesting and paying for owners list- including banks, etc. Have to figure out if the mortgage company shows up as an owner or how to get information on anyone who has financial interest in the property- is it at the Register of Deeds
4. After publication and notification after the second publication then City Council meeting has to be after 30 days
5. Public hearing at City Council- we talk about the statements
 - a. How they decide has to be reasonable
 - b. Can't say "we do or don't want to do" something based on money- we are doing it for health, etc.
 - c. Can't play financial advisor- can't talk about how to pay for it or how to get reimbursed
 - d. Staff has to provide options for what we are going to do.
6. Resolution #2 to approve- same process but only have to publish once and send certified letter- posted on the property
 - a. Resolution will include all items that will be disposed of
 - b. Detail what is in plain sight
7. Once approved no protest petition period
8. Resolution #3- is what we did or what has been done on the property- publish NO mail

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STAFF REPORT

DATE: 03/05/2026

TO: Bel Aire City Council Workshop
 FROM: Paula Downs
 RE: Comprehensive Plan Next Steps

SUMMARY: Comprehensive Plan Next Steps

General Information:

In 2023, the City of Bel Aire initiated the development of a new comprehensive plan that established value statements and goals to guide the community’s growth and development through 2035. The plan was developed through engagement and input from community members, City staff, the Planning Commission, and the City Council.

The comprehensive plan established value statements, goals, land use and growth framework and provided community statistics.

The comprehensive plan sets the direction and identifies priorities and long-term needs of the community. As a result, the Capital Improvement Plan (CIP) turns strategies into specific projects needed to achieve community priorities. As the organization develops the CIP, goals strategies from the comprehensive plan will be used to decide which projects are funded. Linking the two plans helps show citizens how the city’s vision translates into community improvements.

The plan identified six strategic areas, each accompanied by an associated value statement and set of goals.

1. **Economic Development-** *Bel Aire’s non-residential environment will enhance the quality of life for all residents and visitors alike. (7 goals)*
2. **Transportation-** *Bel Aire’s transportation system will be safe, enhance the aesthetic appreciation of the City, and provide efficient options for all transportation modes.(9 goals)*
3. **Parks & Recreation-** *Bel Aire’s parks and recreation system will provide first class spaces and programming for all ages and abilities. (6 goals)*
4. **Community Identity & Character-** *Bel Aire’s built environment will communicate a distinct identity to create cohesion, increase community pride, and attract residents, businesses, and visitors. (8 goals)*
5. **Growth & Investment-** *Bel Aire will concentrate on sustainable growth through smart investments and community communication. (8 goals)*
6. **Housing-** *Bel Aire will be a destination of choice for people at all stages of life. (6 goals)*

Establishing Strategies:

Value statements articulate the community’s shared principles and priorities, providing a foundation for the goals and strategies outlined in the comprehensive plan.

Goals provide specific direction for implementing the community’s vision and values, guiding future policies, programs, and land-use decisions.

Strategies outline the specific actions and approaches necessary to achieve the goals of the comprehensive plan, providing guidance for implementation.

Strategy Examples

1. **Economic Development-** Goal 1- *Review internal regulatory processes with the goal of streamlining operations, i.e. applications, application processing, fees, internal reviews, etc., to ensure high levels of service for those wishing to do business in Bel Aire.*
 - a. Strategy 1: Update application forms and instructions that coincide with Bel Aire City Code language and information.
 - b. Progress: Planning and Zoning Applications updated: Planned Unit Development (PUD); Zoning; Variance; and Special Use.

2. **Transportation-** Goal 7- *Consider crash reduction, prevention, and mitigation in all transportation system projects – both vehicular and pedestrian.*
 - a. Strategy 1: Identify and obtain funding to mitigate high risk roads and enhance stop controlled intersections.
 - b. Progress: Received High Risk Urban Road (HRUR) funds for LED lit stop sign installations at 53rd and Greenwich, 45th and Greenwich, 53rd and Oliver and 53rd and Webb.

3. **Parks & Recreation-** Goal 4- *Assess additional funding/revenue sources for parks and recreation system improvements and maintenance.*
 - a. Strategy 1: Identify and obtain funding to improve park equipment in high priority parks.
 - b. Progress: Received funding for new playground equipment and safety surface in Eagle Lake Park.

4. **Community Identity & Character-** Goal 4- *Continue to develop and enhance signature events.*
 - a. Strategy 1: Deliver a 250th United States celebration event for the Bel Aire Community.
 - b. Progress: Identified format and date to engage the community for the 250th celebration.

5. **Growth & Investment-** Goal 6- *Consider regulations and establish coordination with regional entities aimed at protection of Colonel James Jabara Airport.*
 - a. Strategy 1: Develop and approve an Ordinance for Airport Hazard Zoning Regulations within the vicinity of Colonel James Jabara Airport.
 - b. Progress: Regulations have been developed and the Preliminary Report, per statute, has been approved by the Planning Commission. Final report will be on the April 9 Planning Commission agenda for recommended approval by the City Council at their April or May meeting.

6. **Housing-** Goal 6- *Explore amending or redoing the zoning code, especially as it pertains to residential development, to ensure best practices are in place for the City, the developer, and the citizens.*
 - a. Strategy 1: Update Zoning and Subdivision Regulations to follow state statutes and best practices.
 - b. Progress: Governing body has approved a project under the Professional Engineering Consultants (PEC) master contract to update zoning and subdivision regulations in 2026. PEC and staff currently finalizing the project process and schedule.

Strategy Development Format/Process:

1. Internal Development team

- a. Consists of department heads and staff
- b. Review goals and identify draft strategies for each goal
- c. Review and present draft strategies to Advisory Body

2. Technical Advisory Committee

- a. Consists of:
 - i. City Manager
 - ii. Community Development Director
 - iii. Finance Director
 - iv. Designated City Council member
 - v. Designated Planning Commission member
- b. Review and assist in finalizing draft strategies from Internal Development Team
- c. Approve final draft strategies.

3. City Council/Planning Commission Review

- a. Review two (2) value statement/goal proposed strategies across three (3) workshop/City Council meetings.

4. Internal Development Team

- a. Finalize strategies
- b. Work with legal to develop Comprehensive Plan Amendment Ordinance for City Council approval
- c. Establish priorities for strategy implementation
- d. Develop a timeline for strategy implementation

5. City Council Approval

- a. Approve amended ordinance
- b. Review priorities and timeline for strategy implementation

6. City Staff Implementation

- a. Implement strategies
- b. Deliver an annual comprehensive plan update



Bel Aire 2035 Comprehensive Plan Value Statement and Goals

Economic Development

Value Statement: *Bel Aire's non-residential environment will enhance the quality of life for all residents and visitors alike.*

Goals:

1. Review internal regulatory processes with the goal of streamlining operations, i.e. applications, application processing, fees, internal reviews, etc., to ensure high levels of service for those wishing to do business in Bel Aire.
2. Review and amend adopted regulations to identify inconsistencies, improvements, and revisions. The focus of review should be on the incorporation of modern best practices for non-residential regulation tailored specifically to assist with the implementation of this Plan.
3. Support small/local business development.
4. Strengthen relationships and communication with regional development entities.
5. Explore a public-facing GIS portal providing access to accurate and relevant zoning and land use information.
6. Review and market economic development incentive policies and processes.
7. Continue to monitor and refine process coordination with the Metropolitan Area Building and Construction Department.

Transportation

Value Statement: *Bel Aire's transportation system will be safe, enhance the aesthetic appreciation of the City, and provide efficient options for all transportation modes.*

Goals:

1. Develop a transportation system master plan identifying key corridors, future vehicular and pedestrian connections, recommended regulation revisions, typical street sections, etc.
2. Consider the development and adoption of a Complete Streets Policy and related design guidelines.
3. Review and amend adopted regulations and standards related to sidewalk requirements both within neighborhoods and connecting neighborhoods.
4. Explore a multi-use pathway connection into regionally significant trail systems.
5. Explore public transportation options between Bel Aire and the surrounding communities.
6. Continue to implement existing pavement maintenance program, establish a regular interval of condition reassessment, and add sidewalks and pathways into the system.
7. Consider crash reduction, prevention, and mitigation in all transportation system projects – both vehicular and pedestrian.
8. Assess additional funding/revenue sources for transportation system improvements and maintenance.
9. Ensure that the City's desired land use goals are coordinated with transportation system improvements.

Parks & Recreation

Value Statement: *Bel Aire's parks and recreation system will provide first class spaces and programming for all ages and abilities.*

Goals:

1. Establish a Park, Recreation, and Trails Advisory Board.
2. Consider developing performance measures to assess parks and recreation levels of service and plan improvements/additions accordingly.
3. Assess public dedication policies and regulations during development proposals related to parks, recreation, and open space.
4. Assess additional funding/revenue sources for parks and recreation system improvements and maintenance.
5. Monitor operation and maintenance budgets and staffing levels as parks and recreation assets/programs are added and/or improved.
6. Continue to audit existing spaces, facilities, equipment, and programs to ensure adequate accessibility for all ability levels.

Community Identity & Character

Value Statement: *Bel Aire's built environment will communicate a distinct identity to create cohesion, increase community pride, and attract residents, businesses, and visitors.*

Goals:

1. Evaluate public placemaking initiatives for projects of all scales.
2. Encourage placemaking projects during private development projects.
3. Encourage unique and differentiating right-of-way treatments along key corridors to enhance Bel Aire's sense of place.
4. Continue to develop and enhance signature events.
5. Encourage civic participation with community clean up days, community walks, etc.
6. Assess the City's marketing strategy and assets to ensure they align with the City's identity and goals.
7. Consider overlay districts and/or design guidelines within key corridors.
8. Consider cohesive enhancements at identified major gateways into the City.

Growth & Investment

Value Statement: *Bel Aire will concentrate on sustainable growth through smart investments and community communication.*

Goals:

1. Develop and maintain a structured Capital Improvement Program, including a public-facing utility for the public to monitor progress.
2. Explore a public-facing GIS portal providing accurate utility and transportation information.
3. Review and plan for improvements set forth in the utility master plans adopted by the City.
4. Review smart growth principles, including a "return on investment" perspective, when considering infrastructure and utility improvements/extensions and land use decisions.
5. Continue to assess and participate in regional issues related to water supply/treatment and sanitary sewer treatment.
6. Consider regulations and establish coordination with regional entities aimed at protection of Colonel James Jabara Airport.
7. Enhance efforts to ensure citizens are aware of public decision-making processes.
8. Foster relationships with USD 259 and USD 375 in order to enhance local educational opportunities.

Housing

Value Statement: *Bel Aire will be a destination of choice for people at all stages of life.*

Goals:

1. Review internal regulatory processes with the goal of streamlining operations, i.e. applications, application processing, fees, internal reviews, etc., to ensure high levels of service for those wishing to do develop housing in Bel Aire.
2. Review and amend adopted regulations to identify inconsistencies, improvements, and revisions. The focus of review should be on the incorporation of modern best practices for housing regulation tailored specifically to assist with the implementation of this Plan.
3. Promote multiple housing types and densities of housing to ensure residents at all stages of life can remain in Bel Aire.
4. Support and encourage the maintenance and redevelopment of underutilized and/or deteriorating existing neighborhoods.
5. Foster the creation of a local and incremental development community that is responsive to local housing needs, i.e. accessory dwelling unit policies, renovation programs, regulation reform, public education, permitting process, etc.
6. Explore amending or redoing the zoning code, especially as it pertains to residential development, to ensure best practices are in place for the City, the developer, and the citizens.