

# SHORT-TERM RENTAL FREQUENTLY ASKED QUESTIONS

Planning & Development Services | Code Compliance Division

[www.lawrenceks.org/pds/rental-licensing](http://www.lawrenceks.org/pds/rental-licensing)

## 1. What is a Short-Term Residential Rental Property?

A Short-term Residential Rental Property is any Lot or Premises having one or more Dwelling Units or portions thereof that are Rented on a Short-term basis (less than 30 days) to a Transient Guest where the Owner may or may not be present during the stay.

## 2. What are some of the Short-Term Rental software platforms?

There are a number of companies that provide a platform to rent short-term rentals. Some of the most common companies include: Airbnb, VRBO, HomeAway, and FlipKey.

## 3. Is Short-Term Residential Rental Property a permitted land use under the City of Lawrence Land Development Code?

Yes. On October 2, 2018, the City Commission adopted Ordinance No. 9481, which amended the City's Land Development Code, by establishing text amendments to the Transient Accommodation use category to permit Dwelling Units to be used as a Short-term Residential Rental Property throughout the City of Lawrence. Prior to October 2, 2018, a Short-term Rental use was not identified within the Transient Accommodation use category as a permitted land use.

On October 20, 2020, Ordinance No. 9737 was adopted which established new land use regulations for Short-term Residential Rental Property. Effective on that date, Non-owner Occupied Short-term Residential Rental Property is **not permitted** within RS (Single-Dwelling Residential) districts or within the PRD, PUD PCD, POD, PID (Planned Development) districts. Non-owner Occupied Short-term Residential Rental Property is a permitted use within all other zoning districts and will follow the same licensing procedures as Owner Occupied Short-term Residential Rental Property.

In addition, on October 20, 2020, Ordinance No. 9740 (Short-term Residential Rental Property Code) was adopted (repealed Ordinance No. 9560), to coincide with the new use regulations established by Ordinance No. 9737.

- To determine the zoning district for your property, please visit the [Interactive Map of Lawrence](http://lawrenceks.org/maps) at [lawrenceks.org/maps](http://lawrenceks.org/maps). In the layer list, you will need to select Zoning Layers.

## 4. Are there any other amendments that I should be aware of that were adopted on October 20, 2020?

Yes. In addition to not permitting Non-owner Occupied Short-term Residential Rental Property in the above-identified zoning districts, Ordinance No. 9740 adopted the following relevant amendments:

- Owner Occupied is now defined as a Dwelling Unit in which the Owner resides more than 270 days per calendar year. (previous definition was more than 182 days per calendar year)
- Eliminated the requirement and ability to obtain a Special Use Permit (SUP) for Non-owner Occupied Short-term Residential Rental Property.

- Any Licensee, Owner or Person is now limited to a maximum of three Short-term Residential Rental Property at any one time within the City.
- The Short-term Rental License issued by the City shall be displayed on all listing platforms for which the Short-term Residential Rental Property is advertised for Rent.
- Inspections are now completed biennially rather than annually.

**5. Do I need a license from the City of Lawrence to operate a Short-term Residential Rental Property?**

Yes. All Short-term Residential Rental Property will require an annual license that will be renewed in November of each year. [You may download the short-term rental license application here.](#)

**6. How do I submit a complaint if a Short-term Residential Rental Property becomes a nuisance?**

Concerns involving a Dwelling Unit being used as a Short-term Residential Rental Property can be reported to the City's Code Enforcement division at (785) 832-7700 or at [rentallicensing@lawrenceks.org](mailto:rentallicensing@lawrenceks.org) or via the city's [online code violation form](#).

**7. How many people can rent a Dwelling Unit of a Short-term Residential Rental Property?**

Occupancy is regulated in the City's Land Development Code, Section 20-601(d). The legal occupancy of an Owner Occupied or a Non-owner Occupied Short-term Residential Rental Property is determined by the zoning district for which your Dwelling Unit is located. The occupancy of a Dwelling Unit where all persons are not related by blood, marriage or adoption must adhere to the following standards:

- Properties zoned Single Dwelling Residential Districts (RS): no more than **3** unrelated individuals.
- Properties zoned Multi-Dwelling Residential Districts (RM): no more than **4** unrelated individuals.
- Properties zoned Commercial, Industrial, MU, PUD, PRD, PCD, PID, POD, UR, U/U-KU, and OS, no more than 3 unrelated individuals within Detached Dwellings and no more than 4 unrelated persons for all other housing types.
- Properties that have been approved as Congregate Living or as Bed & Breakfast uses may exceed the occupancy limits as identified on their respective approved site plan.

To determine the zoning district for your property, (see Question 3 for the Interactive Map link).

**8. Is a Short-term Residential Rental Property permitted if I have an Accessory Dwelling Unit on the Premises?**

Yes. An Accessory Dwelling Unit or Duplex, located on a Lot in an RS (Single-Dwelling Residential) District or PUD (Planned Unit Development) District, PRD (Planned Residential Development) District, PCD (Planned Commercial Development) District, PID (Planned Industrial Development) District or POD (Planned Office Development) District may be used as a Short-term Residential Rental Property if and only if (1) the Lot is Owner Occupied and (2) the Accessory Dwelling Unit or Duplex is a lawful use of the property.

**9. Can I make both my principal residence and Accessory Dwelling Unit available for Short-term Rentals at the same time when located on the same Lot?**

Yes. For an Accessory Dwelling Unit to be considered a legal use, the Owner must live on the Lot (See Question 8) therefore the Owner's principal residence and the Accessory Dwelling Unit can be rented as Short-term Rentals at the same time.

**10. When will my Short-term Residential Rental Property be inspected?**

The City of Lawrence inspectors will inspect Short-term Residential Rental Property shortly after the initial licensing of the property and biennially thereafter when the license is renewed. Renewal of licenses will be approved only if City Code Enforcement staff approved the Dwelling Unit's previous inspection.

**11. Will I have to collect and remit taxes for my Short-term Rental income?**

No. To obtain or renew a Short-term Rental License, a person does not need to submit proof that, for the preceding year, the Licensee has paid in full all state retail sales tax, all local retail sales tax, and any transient guest tax that may be applicable.

**12. Will I have to provide documents to verify I have insurance for Short-term Rentals?**

No. Proof of casualty, personal injury and/or property damage insurance is not required in order to obtain a Short-term Rental License; however, the Owner (or their authorized Resident Agent) must acknowledge the following on the rental license application:

- In accordance to Section 6-13A06(d), I nor my Resident Agent will 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 when my Short-term Residential Rental Property is occupied by a Transient Guest.
- In accordance to Section 6-13A15, Neither I nor my Resident Agent (if designated) will intentionally violate the occupancy regulations set forth therein and will advise all of my Transient Guest(s) of these occupancy regulations prior to their tenancy of my Short-term Residential Rental Property.

**13. Can a Tenant of a Dwelling Unit that is used as Long-term Residential Rental Property use the Dwelling Unit as a Short-term Residential Rental Property?**

Yes. Dwelling Units located in zoning districts other than the RS (Single-Dwelling Residential) and PD (Planned Development) Districts (See Question 3). The Tenant would need to have the Owner's or Resident Agent's authorization to initiate the Rental License application, as the Code requires the Owner's written permission for another person to act in the Owner's behalf. The Long-term Rental License would remain active in conjunction with the Short-term Rental License.