

COUNTY OF ALBEMARLE
TRANSMITTAL TO THE BOARD OF SUPERVISORS
SUMMARY OF PLANNING COMMISSION ACTION

<p>AGENDA TITLE: ZTA202100004 Homestay Updates</p> <p>SUBJECT/PROPOSAL/REQUEST: Public Hearing on a proposed Zoning Text Amendment to create consistency in setback regulations between districts, standardize buffer/screening requirements for homestays in the Rural Areas, allow owners of Rural Areas parcels greater than five acres to request a waiver to allow a tenant resident manager in lieu of owner occupancy, and make structural and organizational updates for clarity.</p> <p>SCHOOL DISTRICT: None</p>	<p>AGENDA DATE: April 06, 2021</p> <p>STAFF CONTACT(S): Richardson, Walker, Kamptner, Filardo, Herrick, Svoboda, Brumfield</p> <p>PRESENTER (S): Lea Brumfield, Senior Planner II</p>
---	--

BACKGROUND:

On August 7, 2019, the Board of Supervisors adopted the current homestay regulations. Zoning staff presented regular updates to the Board on both the implementation of the new homestay regulations, known as “closing the compliance gap,” and staff recommended improvements to the ordinance. On June 3, 2020, and again on August 18, 2021, staff presented the Board with proposed amendments to the ordinance, and on October 6, 2021, the Board approved a resolution of intent to initiate these changes in an amendment. On February 1, 2022, the Planning Commission voted unanimously to recommend approval of ZTA202100004. Following the Planning Commission meeting, the County Attorney’s Office suggested additional revisions, primarily to clarify the homestay use of accessory apartments, among other minor wording changes.

DISCUSSION:

The proposed ordinance would update the homestay regulations to allow Rural Areas homestays on parcels greater than five acres to meet primary structure setbacks with screening and to request a Special Exception for a tenant resident manager in lieu of owner occupancy. The proposed ordinance would also make structural and organizational updates for clarity.

Staff currently brings an average of two homestay Special Exceptions for reduced setbacks to the Board every month, the majority of which are approved. These approvals consistently include a condition of approval requiring screening consistent with that applicable to Commercial uses adjacent to Rural Areas properties, referencing the minimum requirements of section 32.7.9.7(b)-(e). Staff estimates that the special exception review process takes an average of 20-30 total staff hours to complete. The adoption of standard reduced setbacks with required screening for large Rural Areas properties would greatly reduce staff and Board hours while achieving the same end results.

Additionally, this proposed ordinance includes the opportunity for owners of large Rural Areas parcels to request Special Exceptions for Resident Managers. This is consistent with the treatment of smaller Rural Areas and Residential district parcels.

Finally, the proposed ordinance amendments reorganize and redefine terms and regulations for clarity.

RECOMMENDATIONS:

Staff recommends that the Board adopt the attached Ordinance, ZTA 202100004 Homestay Updates.

ATTACHMENTS:

- A – Staff report for February 1, 2022 Planning Commission hearing
- B – Action memo letter for February 1, 2022 Planning Commission hearing
- C – Minutes for February 1, 2022 Planning Commission hearing
- D – Proposed Ordinance