

COUNTY OF ALBEMARLE
TRANSMITTAL TO BOARD OF SUPERVISORS

AGENDA TITLE: ZTA201700001 Transient Lodging	AGENDA DATE: June 13, 2018
SUBJECT/PROPOSAL/REQUEST: Work session to discuss recommendations from the Planning Commission for changes to Zoning Ordinance requirements for transient lodging in homes	STAFF CONTACTS(S): Rebecca Ragsdale, Elaine Echols

BACKGROUND: This zoning text amendment (ZTA) was initiated by the Board of Supervisors on May 3, 2017. The Board also held a work session on the ZTA on July 5, 2017 to define parameters for potential zoning changes. The Planning Commission received a briefing on this ZTA on May 23, 2017. A series of public meetings were held during September 2017 to gather input on potential ordinance changes in order to allow more opportunities for residential transient lodging.

The Planning Commission reviewed public input and discussed this topic in a series of three work sessions held on October 24, 2017, December 19, 2017, and March 20, 2018. At its April 24, 2018 public hearing, the Commission voted unanimously to recommend approval of the attached ordinance amendment. (See Attachment A.) At its May 22, meeting, the Planning Commission approved the memo in Attachment B, which provides a compilation of the different issues discussed during the meetings. Attachment B-B provides a summary of the comments from those meetings. Attachments C - J contain the staff reports and minutes for those meetings.

COMPREHENSIVE PLAN:

The following strategy is stated in the Comprehensive Plan for both the Rural Areas (Chapter 7, Strategy 4c) and the Development Areas (Chapter 8, Strategy 5e):

Study the nature and extent to which transient lodging is currently taking place and consider whether policy or regulatory changes should occur to accommodate this use. If such changes are determined to not be needed or appropriate, develop and implement a plan to bring errant operators of transient lodging into conformity with the County's regulations in a timely fashion.

STRATEGIC PLAN:

The County's Strategic Plan also sets out the following objectives relevant to the proposed ordinance changes:

Thriving Development Areas: Attract quality employment, commercial, and high density residential uses into development areas by providing services and infrastructure that encourage redevelopment and private investment while protecting the quality of neighborhoods.

Rural Areas: Preserve the character of rural life with thriving farms and forests, traditional crossroad communities, and protected scenic areas, historic sites, and biodiversity.

Economic Prosperity: Foster an environment that stimulates diversified job creation, capital investments, and tax revenues that support community goals.

DISCUSSION:

The Planning Commission discussed all aspects of the current regulations and recommended that the ordinance be changed to:

1. Replace the terms and definitions for “tourist lodging” and “bed and breakfast” with “homestay.”
2. Replace the parking calculations for “tourist lodging” and “bed and breakfast with “homestay” and specify that parking must be off-street for any homestay use, including the Residential and the RA zoning district.
3. Allow rental of homestays in the RA zoning district (only) when the owner is not present (aka “whole house rental”) no more than 7 nights in a given month but no more than 45 overnight stays per year.
4. Require that homestays who rent without the owner present maintain a log of the number of days/nights rented each week and report the information to the Zoning Administrator on a monthly basis.
5. Require that homestays provide neighboring residents local contact emergency information.
6. Allow up to two guestrooms for homestays in townhouses and attached units with the owner or manager present during rental.
7. Incorporate the Short Term Rental registry provisions of Virginia Code § 15.2-983.

BUDGET IMPACTS:

The Planning Commission recommended proactive enforcement of the regulations to close the compliance gap and ensure that operators comply with the regulations in the future. Attachment K contains the Zoning Administrator’s recommendations and suggestions for enforcement.

RECOMMENDATION:

Staff recommends that the Board review and discuss the ordinance changes recommended by the Planning Commission and set a public hearing date for July 11, 2018.

ATTACHMENTS:

- A. Recommended Ordinance
- B. Planning Commission Memo dated May 22, 2018
- C. Staff report for October 24, 2017
- D. Staff report for December 19, 2017
- E. Staff report for March 20, 2018
- F. Staff report for April 24, 2018
- G. PC Minutes from October 24, 2017
- H. PC Minutes from December 19, 2017
- I. PC Minutes from March 20, 2018
- J. PC Minutes from April 24, 2018
- K. Memo on Potential Zoning Enforcement