

# COUNTY OF ALBEMARLE PLANNING COMMISSION

## EXECUTIVE SUMMARY

<p><b>AGENDA TITLE:</b> ZTA 2017-01 Homestay zoning ordinance amendments</p> <p><b>PURPOSE OF PUBLIC HEARING:</b> Review changes, public input, and provide recommendation to the Board of Supervisors</p> <p><b>STAFF CONTACT(S):</b> Bart Svoboda, Rebecca Ragsdale Amelia McCulley</p>	<p><b>AGENDA DATE:</b> April 23, 2019</p> <p><b>ACTION:</b> X                      <b>INFORMATION:</b></p> <p><b>CONSENT AGENDA:</b> <b>ACTION:</b>                      Public Hearing</p> <p><b>ATTACHMENTS:</b> Yes</p>
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**BACKGROUND:** On [May 3, 2017](#), the Board of Supervisors (BOS) prioritized the review of homestays by adoption of a Resolution of Intent along with updates to the tax code. Many unlicensed homestays are not permitted under the current zoning ordinance regulations because they involve whole house rental (rental when the owner/manager is not present). Some of the proposed changes to the Homestay regulations include whole house rental when the owner/manager is not present, parking requirements, the use of accessory structures, and updating definitions. Work sessions have been held by the BOS and Planning Commission (PC) regarding the scope, process and proposed text for the zoning text amendment (ZTA). The results of these meetings are summarized with a chart found in Attachment A.

**PUBLIC INPUT:** The County has received valuable stakeholder feedback as a result of the roundtable discussions, public work sessions, and public hearings. The summary of public engagement (Attachment B) includes the comments from a January 2019 survey and comments received through the website.

**PUBLIC PURPOSE TO BE SERVED:** The purpose of these ordinance updates is to strike a balance between maintaining safety and residential character, addressing neighborhood impacts, protecting the Rural Area, and allowing reasonable accessory use of residences for homestays. The Comprehensive Plan adopted in 2015 acknowledged the existence of a number of homestays that are not in compliance and suggested that we examine this issue as noted in Attachment C.

**DISCUSSION:** The original purpose of ATLs was to supplement lodging for visitors to the City and County for events such as graduation and football games. It also allowed for homeowners to gain income from periodic rentals without changing the character of the area.

The proposed ZTA addresses the following concerns regarding the impacts and opportunities related to Homestays in the district(s) in which the use is allowed;

- Potential for nuisance (noise, parking)
- Effect on Rural Areas development
- Effect on affordable housing stock

Staff believes zoning changes should be balanced with the County's goals of protecting existing neighborhoods, ensuring affordable housing is available, and not commercializing the Rural Areas. Staff believes that the current Albemarle County goals for tourism are different than those of resort cities. The draft ordinance language is contained in Attachment D.

**BUDGET IMPACT:** Additional staffing needs have been identified to close the compliance gap and implement annual inspections. This impact has been addressed through a budget funding request.

**RECOMMENDATION:** Staff recommends that following the public hearing, the Commission recommend approval of the draft ordinance found in Attachment D.

**ATTACHMENTS:**

Attachment A: Summary of Changes to Homestay Regulations

Attachment B: Summary of Feedback from January 2019

Attachment C: Comprehensive Plan reference to Strategy 4c and 5e

Attachment D: Draft Proposed Ordinance