

# COUNTY OF ALBEMARLE

## TRANSMITTAL TO BOARD OF SUPERVISORS

<b>AGENDA TITLE:</b> ZTA 2017-01 Homestay Zoning Ordinance Amendments	<b>AGENDA DATE:</b> June 19, 2019
<b>PURPOSE OF PUBLIC HEARING:</b> To consider the adoption of the proposed Homestays ZTA	<b>STAFF CONTACT(S):</b> Bart Svoboda, Rebecca Ragsdale, Amelia McCulley
<b>SCHOOL DISTRICT:</b> N/A	<b>PRESENTER(S):</b> Bart Svoboda

**BACKGROUND:** On [May 3, 2017](#), the Board of Supervisors prioritized the review of the homestay use (previously known as “transient lodging,” “bed and breakfasts,” and “accessory tourist lodging”) by adopting of a Resolution of Intent and related updates to the County’s taxation and licensing regulations. 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 permitting whole house rental on large rural parcels when the owner/manager is not present, clarifying parking requirements, restricting the use of accessory structures, and updating terms and definitions associated with the use. Work sessions were held by the Board and Planning Commission regarding the scope, process and proposed text for the zoning text amendment (ZTA).

At its meeting on [April 23, 2019](#), the Planning Commission recommended approval of ZTA 2017-01 by a 6-0 vote. The Commission suggested that the Board also consider the following information during its review (Attachment C):

- The possible negative neighborhood streetscapes resulting from paving front yard areas to meet off-street parking requirements
- The macro owner/occupancy requirement issue
- The definition of reside as it relates to the presence of the owner
- The configuration of properties that may be unable to meet the 125 ft. setback
- The number of rooms allowed on parcels less than five acres in size in the rural areas (RA) zoning district

**DISCUSSION:** Homestays were originally intended to supplement lodging for visitors to the City and County for events such as UVA graduation and football games. It also allowed homeowners to gain income from periodic rentals without changing the character of the area.

However, the Comprehensive Plan adopted in 2015 acknowledged the existence of many homestays that are not in compliance with the County’s homestay regulations, and suggested that staff examine this issue as noted in Attachment C.

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 Area. 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. 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 which was approved by the Board of Supervisors for FY2020.

**RECOMMENDATION:**

Staff recommends that the Board adopt the attached Proposed Ordinance (Attachment D).

**ATTACHMENTS:**

- A: Planning Commission staff report for April 23, 2019 public hearing
- B: Planning Commission minutes from April 23, 2019
- C: Planning Commission Action Memo
- D: Draft Proposed Ordinance