



Short Term Rentals

City Council Briefing February 20, 2018

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Robert Thornton, Chair, Planning Commission

Short Term Rentals – Background

Beaches & Waterways Commission: Tasked with looking into Event Houses, and later with short term rentals (STRs). Recommendations presented August 2016.

Ad Hoc Committee: Tasked with looking at the proposed State legislation on short term rentals and provided a report with recommendations to Council in November 2016.

General Assembly Legislation July 2017: Allows localities to establish a registry for STRs and allows localities to adopt zoning regulations. CVB amended ordinances to comply with General Assembly Legislation.

City Council November 21, 2017: Draft ordinances referred to Planning Commission for recommendation within 40 days

Short Term Rentals – Draft Ordinances

- **Alternative 1:** Short Term Rental Overlay District, properties within district would not require Conditional Use Permit (CUP). All other areas would require CUP.
- **Alternative 2:** Registration prior to January 1, 2017 use is permitted. Registration after January 1, 2017 requires Conditional Use Permit (CUP).
- **Alternative 3:** All Short Term Rentals “accessory use”, permitted in all residential districts with conditions.

Short Term Rentals – Planning Commission

Planning Commission Workshops

- December 4 : +/-50 public attended
- December 12 : +/- 12 public attended
- January 25 : + 20 public attended
- February 5 : + 20 public attended

Planning Commission Handouts

- Letters and Emails
- Occupancy Estimates
- Fees
- Map of STRs
- Special Event Fees and Process
- 311 calls for noise & parking
- Draft Ordinance(s)
- July 2017 City STR Ordinance

Short Term Rentals – Planning Commission

Planning Commission Meeting December 13, 2017

- 37 public speakers
- Deferred all items and requested extension to February 14, 2018

Planning Commission Meeting February 14, 2018

Planning Commission Informal Session

- Review of substitute motion for Alternative #2
- Consensus on 13 conditions
- Consensus on Overlay District

Planning Commission Public Hearing

- 28 speakers
- Verbatim transcript

Short Term Rentals – Discussion

Public Speaker Themes:

- Parking
- One contract per 7 day period
- Insurance requirement
- Enforcement & Inspections
- One “size” does not fit all
- 3 “strikes” (with adjudicated violations)
- No STRs ever in my neighborhood (CUP support)
- Overregulation of any kind (including CUP) will have significant financial consequences

Planning Commission Recommendation

February 14, 2018

- Items D1, D2, D3 (ALT. 1) : Overlay districts **DENIED (11-0)**
- Item D4 (ALT. 2) : Conditional Use & Grandfathering Substitute Motion (Ripley / Horsley) **DENIED (9-2)**
- Item D5 (ALT. 3) : By Right with Registration and Conditions **APPROVED (10-1)**

Planning Commission Recommendation

February 14, 2018

Alternative #3

- STRs permitted with conditions, section 241.2
- Home sharing permitted with conditions, section 209.6

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**PLANNING COMMISSION VERSION
ALTERNATIVE 3**

AN ORDINANCE TO AMEND SECTIONS 111, 401, 501, 601, 901, 1110, 1125, 1521 AND 2203 OF THE CITY ZONING ORDINANCE AND SECTION 5.2 OF THE OCEANFRONT RESORT DISTRICT FORM-BASED CODE AND ADD SECTIONS 209.6 AND 241.2 OF THE CITY ZONING ORDINANCE PERTAINING TO THE DEFINITION, REQUIREMENTS AND USE OF HOMESHARING AND SHORT TERM RENTAL

Sections Amended: City Zoning Ordinance Sections 111, 401, 501, 601, 901, 1110, 1125 and 1521 and Oceanfront Resort District Form-Based Code Section 5.2

Sections Added: City Zoning Ordinance Sections 209.6 and 241.2

WHEREAS, the public necessity, convenience, general welfare and good zoning practice so require;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VIRGINIA BEACH, VIRGINIA:

That Sections 111, 401, 501, 601, 901, 1110, 1125 and 1521 of the City Zoning Ordinance and Section 5.2 of the Oceanfront Resort District Form-Based Code are hereby amended and reordained, and Sections 209.6 and 241.2 of the City Zoning Ordinance is hereby added and ordained, to read as follows:

ARTICLE 1. GENERAL PROVISIONS

....

Sec. 111. Definitions.

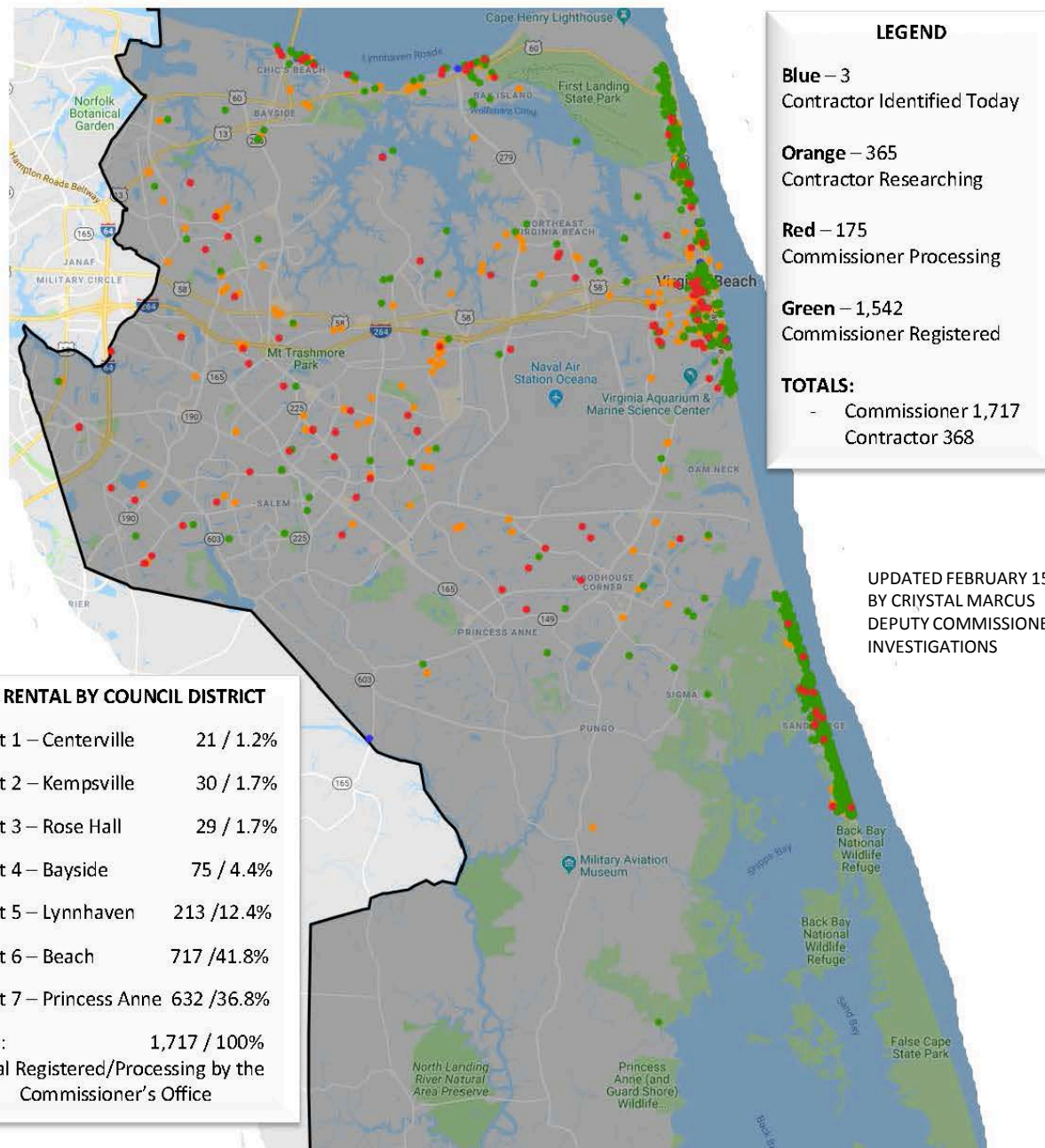
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Home sharing. A dwelling in which a room or rooms are offered for rental for compensation for a period of less than thirty (30) consecutive days by an owner who utilizes the dwelling as his principal residence and occupies the dwelling during any such rental.

Planning Commission Recommendation

Alternative # 3 Conditions

1. Parking with plan approved by Zoning Administrator
2. Noise
3. Traffic
4. Events – Special Events Permit
5. Contact Information
6. Signs – 1'x1' permitted; home signs exempted
7. Registration with Commissioner – 3 strikes, 2 years
8. Posted summary of ordinances required
9. Refuse in containers
10. 2 contracts in 7 days permitted
11. Proof of liability insurance (\$500,000) required
12. Occupancy limit 3/bedroom + 2
13. Inspection by City allowed with 24 hours notice



LEGEND

Blue – 3
Contractor Identified Today

Orange – 365
Contractor Researching

Red – 175
Commissioner Processing

Green – 1,542
Commissioner Registered

TOTALS:
- Commissioner 1,717
Contractor 368

UPDATED FEBRUARY 15, 2018
BY CRYSTAL MARCUS
DEPUTY COMMISSIONER FOR
INVESTIGATIONS

STR RENTAL BY COUNCIL DISTRICT

District 1 – Centerville	21 / 1.2%
District 2 – Kempsville	30 / 1.7%
District 3 – Rose Hall	29 / 1.7%
District 4 – Bayside	75 / 4.4%
District 5 – Lynnhaven	213 / 12.4%
District 6 – Beach	717 / 41.8%
District 7 – Princess Anne	632 / 36.8%
TOTAL:	1,717 / 100%
Total Registered/Processing by the Commissioner's Office	

Short Term Rental Observations

- Unintended consequences:
 - Uses allowed by right become non-conforming if regulations change
 - Expectations of immediate enforcement of approved Ordinance(s)
 - Existing Special Events Ordinance needs to be revised

Short Term Rental Observations

