

CONDITIONS

Use Permit Application No. 23-0222
Short-Term Rental | Antionique & Twaitney Addison
404 N Second St. Hampton, VA. 23664

1) Issuance of Permit

The Use Permit applies only to the location at 404 N Second Street (LRSN: 12007147) and is not transferable to another location.

2) Responsible Local Person

- a. The operator of the short-term rental must provide the name and contact information of a Responsible Local Person ("RLP"), who shall be responsible for addressing complaints related to the use of the property as a short-term rental, including but not limited to, noise, capacity, suspected criminal activity on the property, unpermitted parking, events, and other similar violations, as soon as reasonably practicable;
- b. The RLP must respond to any call from the City of Hampton regarding any notification of such an issue within one (1) hour of the notification by the City;
- c. The RLP shall be considered a responsible party under section 1-11 of the zoning ordinance, shall accept service of any notices of violation and summonses upon request of the City, and shall be responsible for abating any violation of these conditions;
- d. In the event the responsible local person's contact information needs to be updated or changed, the responsible local person shall contact and inform the Zoning Administrator, in writing, and shall also update the "Short-term Rental Fact Sheet", as required by Sec. 3-3(29)(b)(ii), to include the appropriate contact information; and.
- e. The RLP shall reside in the Commonwealth of Virginia

3) Floor Plan

The floor plan, attached hereto as **Exhibit A**, shall be posted in a conspicuous location within the dwelling and be visible at all times to transient guests and lodgers. Any alteration or renovation that modifies the floor plan shall comply with all provisions of this Sec. 3-3(29) and shall be subject to review and approval by the Zoning Administrator and the Building Official or their designees.

4) Capacity & Operation

- a. Based upon Sec. 404.4.1 of the Virginia Property Maintenance Code (VPMC) and the room square footage provided, the maximum number of overnight lodgers shall not exceed eight (8);

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- b. No more than three (3) bedrooms, as indicated on **Exhibit A**, shall be rented to overnight lodgers or offered for rent by the operator of the short-term rental; and
- c. No more than one (1) common area (specifically, the living room, described on Exhibit A)) shall be offered or advertised as an overnight sleeping area.

5) Parking

- a. Sufficient on-site parking shall be provided at all times to meet the minimum required parking for all uses at the property pursuant to Sec. 11-8 of the Zoning Ordinance. All parking in conjunction with the short-term rental use shall be on an improved surface, as defined in Sec. 2-2 of the Zoning Ordinance.
- b. A driveway or driveway addition meeting the minimum dimensional standards of Sec. 11-7 of the Zoning Ordinance and capable of accommodating two (2) passenger vehicles shall be installed and inspected prior to scheduling an inspection and commencing operation of the short-term rental.

6) Additional Posted Information

In addition to the floor plan referenced in condition 3, the document titled "Short-term Rental Fact Sheet", as provided by the City and completed by the operator, shall be posted in the same conspicuous location as the floor plan within the dwelling and be visible at all times to overnight lodgers and guests. In the event that the document is amended or modified by the City, City staff will provide an updated copy to the property owner(s), operator, and responsible local person who shall replace the previous version..

7) Signage

Exterior signage in conjunction with a short-term rental shall be prohibited at all times.

8) Business License & Registry

- a. The short-term rental shall maintain compliance with all license and tax requirements administered by the Commissioner of the Revenue pursuant to Chapter 18.1 of the City Code.
- b. Upon the City of Hampton implementing a short-term rental registry, the operator of the short-term rental shall, within thirty (30) days of notice given by the City, register the property and keep registration up-to-date.

9) Ledger

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The operator of the short-term rental shall keep records of all rentals showing the date(s) rented, the name of the primary person(s) who booked the reservation, the number of overnight lodgers featured in the reservation, and all listings associated with the short-term rental. This list shall be available to the Zoning Administrator or their designee upon request within one (1) day.

10) Events & Gatherings

- a. Events, as that term is defined in Chapter 2 of the Zoning Ordinance, shall not be conducted on the property.
- b. The maximum number of people on the property between the hours of 7:00 AM and 10:00 PM shall not exceed sixteen (16). Only authorized overnight lodgers not exceeding the approved capacity limit are allowed on the property between the hours of 10:00 PM and 7:00 AM.

11) Inspections

- a. Prior to operation of a short-term rental, the operator of the short-term rental shall schedule an inspection and provide the City consent to inspect the dwelling to ascertain compliance with all applicable standards and codes;
- b. In the second calendar year after receiving approval, and every two (2) years thereafter, the City shall notify the responsible local person and short-term rental operator that a re-inspection is required to verify the continuation of the short-term rental use and compliance with all conditions. The short-term rental operator shall schedule, pay for, and pass said inspection within the notice period as prescribed by the City. Failure to do so will be a violation of this ordinance and result in revocation of the zoning administrator permit;

12) Advertising

The short-term rental shall not be advertised to operate in a manner that contradicts the standards and conditions of this Use Permit.

13) Licensing, Compliance with Laws, Authority to Transact Business

- a. The short-term rental shall maintain compliance with all applicable federal and state laws and requirements of licensing agencies. Applicant shall obtain and maintain all applicable licenses to conduct the business authorized by this Use Permit prior to engaging in any such business. In addition, if the applicant is a legal entity, other than an individual person

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or persons, including, but not limited to a limited liability company or corporation, applicant shall also be authorized to transact business in Virginia as a domestic or foreign business entity prior to engaging in the permitted use; and shall provide proof of registration to the Zoning Administrator, upon request. Applicant shall not allow its existence to lapse or its certificate of authority or registration to transact business in Virginia to be revoked or cancelled at any time while this Use Permit is in effect. This Use Permit may be terminated for any violation of federal, state, or local law.

- b. The short-term rental shall be subject to the provisions of the Hampton Zoning Ordinance and Hampton City Code, to include, but not limited to, noise, setbacks, and building code requirements.

14) Noise

The short-term rental shall be subject to the provisions of the Hampton Zoning Ordinance and Hampton City Code, to include, but not limited to, noise, setbacks, and building code requirements.

15) Revocation

Notwithstanding any condition or provision of this use permit to the contrary, the use permit may be revoked for violation of any terms or conditions of the use permit as set forth in Chapter 14 of the Hampton Zoning Ordinance (as amended).

16) Nullification

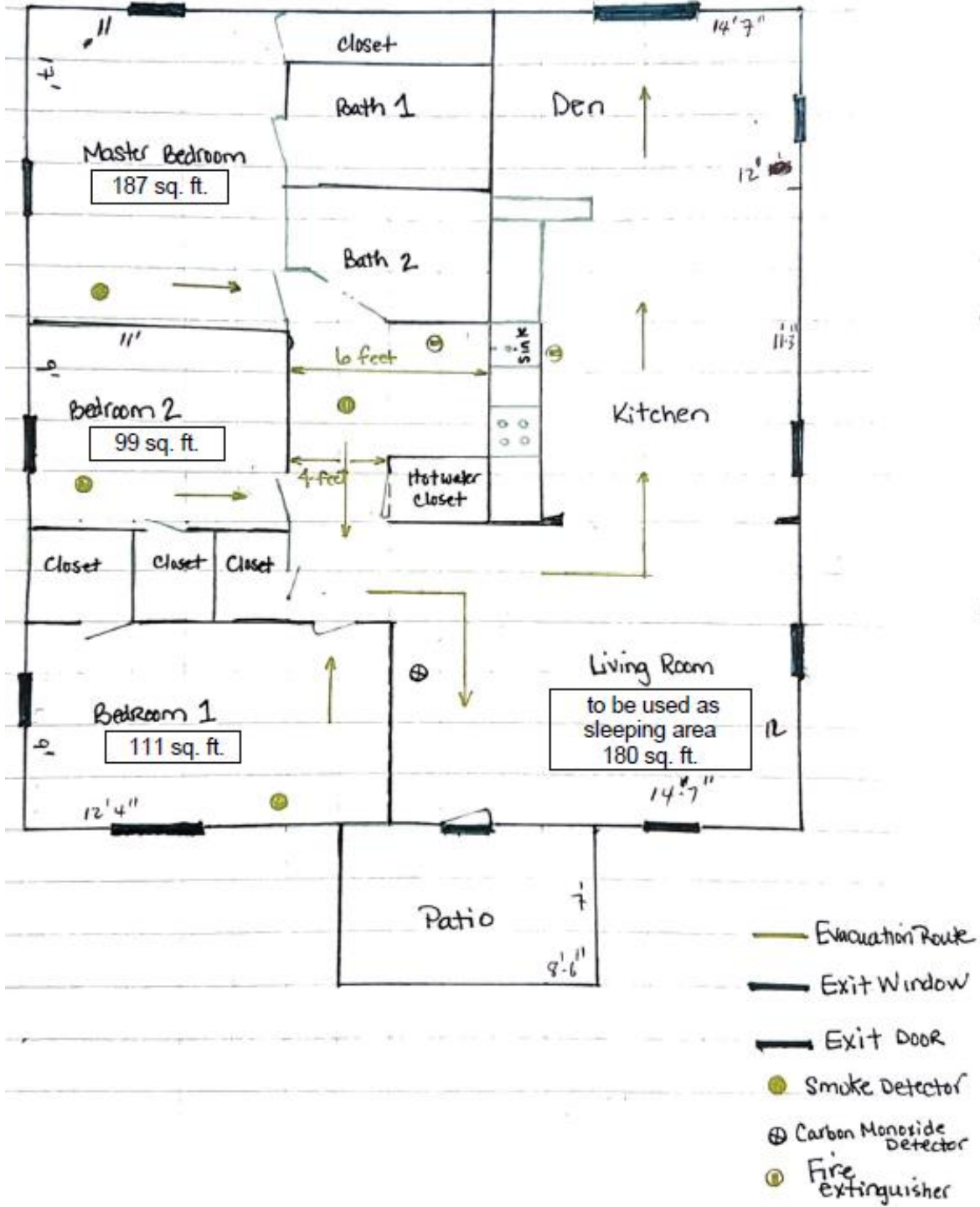
The Use Permit shall automatically expire and become null and void under any of the following conditions:

- 1) If, in the case of new construction, the building has not been erected, with doors, windows, roof covering and exterior finish materials in place within two (2) years of the issuance of the Use Permit;
- 2) No building permit to construct the authorized improvements has been issued within twelve (12) months of the date of approval by the city council, or if no building permit is required, if the use is not established within twelve (12) months of the date of approval by the city council; or
- 3) Once the property may be occupied, if the property is not used for the permitted purpose for a continuous two-year period unless otherwise specified in the Zoning Ordinance. In making this determination the city may consider such matters as the issuance of a building permit, a business license, utility connections and such related factors.

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EXHIBIT A



Floor Plan