

# STAFF EVALUATION

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**Case No.:** Zoning Ordinance Amendment, ZOA24-0173

**Planning Commission Date:** May 16, 2024

**City Council Date:** June 12, 2024

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## General Information

Description of Proposal	This proposed amendment would create a new section to establish the application for and administration of zoning administrator permits. The proposed amendment would also establish a \$200 application fee for all zoning administrator permits, and a \$50 inspection fee when such permit requires an inspection.
Relevant Existing Zoning Definitions	None.
Current Regulations	<p>Chapter 3 – Uses Permitted</p> <p>Sec. 3-1. - Uses permitted, in general.</p> <p>The following table identifies uses that are permitted within each zoning district. The uses are grouped by type: Residential - 1, 2 &amp; Multifamily, Group Living, Retail Sales, Services &amp; Office, Institutional, Recreational, Agricultural &amp; Animal-Related, Industrial, Utilities &amp; Transportation, and Other. If a use is not listed, it is not permitted within the district unless the zoning administrator interprets the use to be substantially similar to one (1) of the uses listed. Uses may be permitted by-right (P), conditionally with a use permit (UP), by planning commission action (PC), by special exception (SX) or by zoning administrator action (ZA). Uses not permitted are blank. Uses which have additional standards are denoted by an asterisk (*) with reference to the specific section of the zoning ordinance which contains said standards.</p> <p>...</p>

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## Analysis

The amendment proposes to create a new section within Chapter 1 of the Zoning Ordinance which will establish the administration and application of zoning administrator permits.

Currently, the zoning ordinance requires certain uses, such as food truck hosts sites and commercial day cares 1, to obtain a zoning administrator permit. The additional standards on those individual uses detail conditions to be met to obtain a zoning administrator permit, but there is not one central section of the ordinance governing zoning administrator permits. This proposed amendment would establish that section which will indicate the process for application, documentation, enforcement, and fees associated with the permit. The proposed fee is a \$200 application fee for all zoning administrator permits, and a \$50 inspection fee when such permit requires an inspection.

**ZONING ORDINANCE AMENDMENT ZOA24-0173****STAFF EVALUATION**

This item is being brought forward in conjunction with Zoning Ordinance Amendments No. 24-0174, No. 24-0175, No. 24-0176, and No. 24-0177 which will together establish new restrictions on how and where short-term rentals can operate within the City, and will clarify other similar uses.

In December 2022, the City adopted a zoning ordinance amendment which required all short-term rentals to obtain a Use Permit in order to operate within the City. A Use Permit requires two public hearings in order to be approved. If adopted, this set of amendments would allow short-term rentals which meet criteria related to size, events, and parking to be permitted via a zoning administrator permit rather than a Use Permit, thereby streamlining the approval process. The amendments also set density maximums within proposed short-term rental zones, require a minimum separation between short-term rentals, establish required operating conditions for those short-term rentals who meet all of the requirements to obtain a zoning administrator permit, and further distinguish uses which are not meant to be regulated as short-term rentals.

In preparing these amendments, staff worked with a group of stakeholders representing various neighborhoods within the City, short-term rental operators, realtors, a bed and breakfast operator, and others. In crafting the proposal, staff sought to balance protection of neighborhoods and community cohesion with the economic, tourism, and recreational benefits short-term rentals can provide the City. Staff has presented these proposed amendments to the group of stakeholders, as well as numerous interested organizations within the City of Hampton.

***Staff recommends approval of ZOA 24-0173.***