

STAFF EVALUATION

Case No.: Use Permit No. 23-00004
Planning Commission Date: May 18, 2023

City Council Date: May 24, 2023

Prepared By: Urvi Patel 728-5144
Reviewed By: Mike Hayes, Planning and Zoning Division Manager 728-5244
Reviewed By: Bonnie Brown, Deputy City Attorney

General Information

Applicant & Property Owners Erin & David Scott

Site Location 8 Findley St [LRSN: 7000091]



Requested Action Use permit to allow for a short-term rental

Description of Proposal The applicant is proposing a short-term rental at 8 Findley St. The property is ± 0.32 acres and features a 1,949 square foot residence with three (3) bedrooms, two (2) full bathrooms, and one (1) half bathroom.

Existing Land Use One-Family Residential

Applicable Regulations As of December 14, 2022, City Council amended the Zoning Ordinance use table and additional standards for short-term rentals. This amendment created a definition and additional standards for short-term rentals. Short-term rentals in the R-LL, R-43,

R-R, R-33, R-22, R-15, R-13, R-11, R-9, R-8, R-4, MD-1, MD-2, MD-3, MD-4, R-M, C-1, C-2, LFA-5, RT-1, 88-1, 88-2, 88-3, DT-1, DT-2, DT-3, PH-1, PH-2, PH-3, FM-1, FM-2, and FM-3 zoning districts are subject to obtaining a use permit by city council.

Short-term rentals for which a business license was issued and zoning compliance was confirmed pursuant to Sec. 18.1-12 of the city code prior to December 14, 2022 may operate continuously in the same location until December 31, 2024 provided that the short-term rental remains compliant with all applicable City Code and Zoning Ordinance provisions during that time.

After December 31, 2024, the short-term rental must obtain approval of a use permit by city council in order to continue operation.

Surrounding Land Use and Zoning

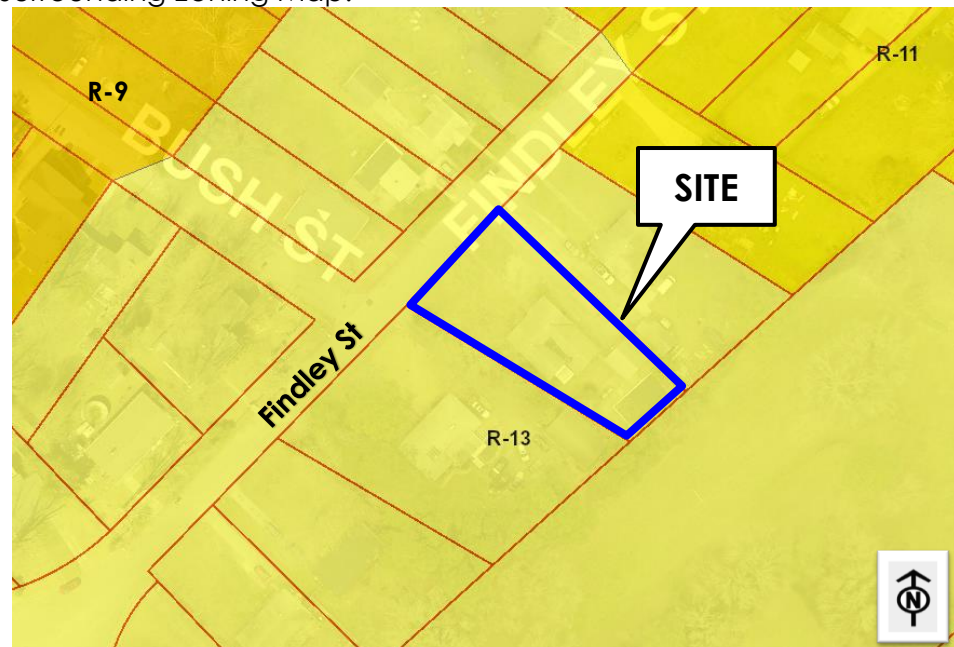
North: One-Family Residential (R-13) District, single-family residence

South: One-Family Residential (R-13) District, single-family residence

East: One-Family Residential (R-13) District, single-family residence

West: One-Family Residential (R-13) District, single-family residence

Surrounding Zoning Map:



Public Policy

Hampton Community Plan

The Hampton Community Plan (2006, as amended) recommends low-density residential land-use for the subject property and adjacent and surrounding properties.

Listed below are policies related to this request:

LU-CD Policy 7: Safeguard the integrity of existing residential neighborhoods.

LU-CD Policy 31: Encourage a mix of land uses that is appropriate for each district. Promote the efficient use of land and high-quality urban design.

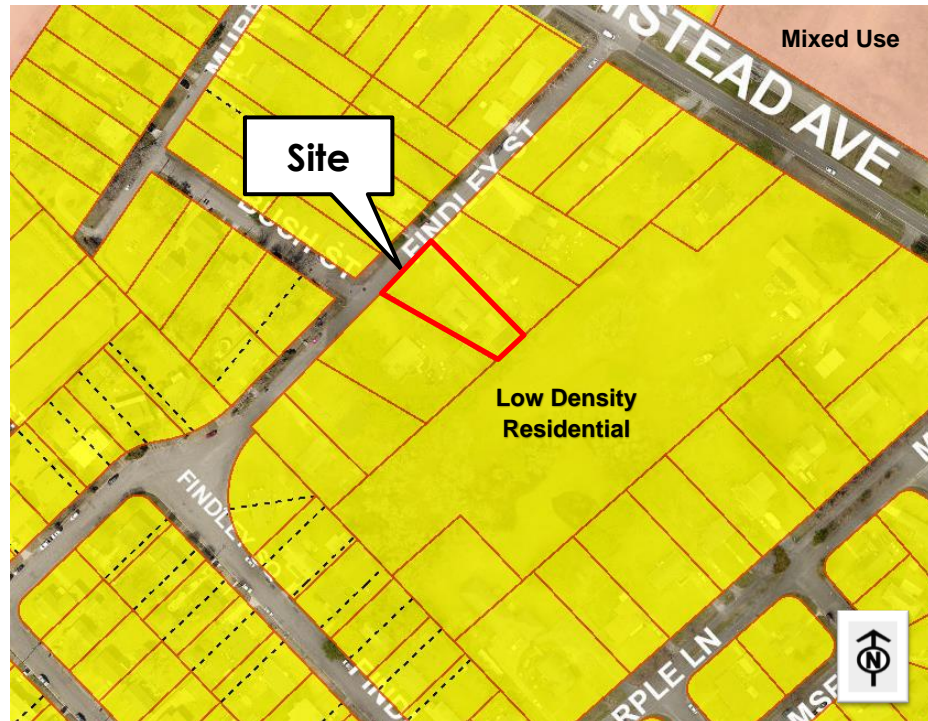
ED Policy 4: Nurture small and start-up businesses.

ED Policy 6: Expand tourism, entertainment, and cultural opportunities within the city.

Future Land Use

The Hampton Community Plan (2006, as amended) designates this area as low-density residential.

Land Use Plan:



Coliseum Central Master Plan

The property falls within the Coliseum Central Master Plan (2015, as amended). The Coliseum Central Master Plan does not directly address this property or the short-term rental use, although it does call for developing high-quality lodging to support the Hampton Roads Convention Center, sports tourism, and other tourism initiatives. The principles set forth in the plan envision a fundamental change in how the District operates, shifting focus from simply commercial revitalization towards creating a unique identity founded on its stable neighborhoods and excellent regional access.

<i>Traffic/Parking</i>	Staff does not anticipate that the requested use or operation would cause a significant or negative impact on traffic.
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<i>Community Meeting</i>	A community meeting has not been scheduled at this time.
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Analysis:

Use Permit Application No. 23-00004 is a request for a use permit for a short-term rental. The subject property is located at 8 Findley St [LRSN: 7000091]. The property is currently zoned One-Family Residential (R-13) District. R-13 allows for the desired use subject to an approved use permit.

The applicants and property owners, David and Erin Scott, purchased the property in November 2022. The property is ± 0.32 acres and features a 1,949 square foot residence with three (3) bedrooms, two (2) full bathrooms, and one (1) half bathroom. The property features outdoor amenities including a pool, a covered gazebo, and an outdoor fireplace. The owners intend to occasionally occupy the dwelling themselves, although the primary use will be as a short-term rental. No events are proposed as part of the short-term rental use.

The Hampton Community Plan (2006, as amended) calls for nurturing small and startup businesses, safeguarding the integrity of existing residential neighborhoods, encourage a mix of land uses that is appropriate and promote the efficient use of land, and expand tourism, entertainment, and cultural opportunities within the city.

The property is located within the Coliseum Central Master Plan (2015, as amended) area along the N. Armistead Avenue corridor. The Coliseum Central Master Plan does not directly address this property or the short-term rental use, although it does call for developing high-quality lodging to support the Hampton Roads Convention Center, sports tourism, and other tourism initiatives. The principles set forth in the plan envision a fundamental change in how the District operates, shifting focus from simply commercial revitalization towards creating a unique identity founded on its stable neighborhoods and excellent regional access.

In its analysis of the proposed short-term rental use, staff took into consideration the proximity of the property to the Coliseum Central commercial district which offers many of the amenities and destinations that attract tourists and other transient residents to Hampton. This location provides ease of access to such amenities while allowing guests to enjoy the quiet atmosphere of a residential neighborhood. In addition, the property is located near the crossroads of the regional interstate beltway system, providing easy access to the rest of the Hampton Roads region.

The minimum parking requirement applicable to short-term rentals is one (1) parking space per two (2) bedrooms. A common space (e.g., living room, game room, family room) may be offered as an overnight sleeping area provided it is counted towards the parking requirement. In addition to the three (3) bedrooms, the applicants are proposing to make the family room available for sleeping guests. This area is equipped with the safety features required for bedrooms, including smoke detectors, carbon monoxide detectors, and means of egress. The resulting total of four (4) sleeping rooms corresponds

to a minimum parking requirement of two (2) spaces. Staff is recommending as part of the Use Permit conditions that all parking in conjunction with the STR be on an improved surface, as defined by the City of Hampton's Zoning Ordinance. The existing concrete and gravel driveways on the property are able to accommodate up to eight (8) vehicles, thereby exceeding the minimum requirement.

Per §404.4 of the Virginia Property Maintenance Code (VPMC), for residential dwelling units, each bedroom shall contain at least 70 square feet of floor area, and each bedroom occupied by more than one person shall contain at least 50 square feet of floor area for each additional occupant. Based on the square footage provided on the floor plans, the three (3) bedrooms are able to accommodate eight (8) overnight lodgers. The family room may be used to sleep two (2) additional lodgers for a maximum guest occupancy of ten (10) which is reflected in the staff-recommended conditions.

In order to minimize the impacts of the STR on the neighborhood and ensure the safety of guests, staff is recommending conditions related to designating a Responsible Local Person (RLP) by the operator, limitations on events, posting safety information and city regulations within the dwelling, and requiring an initial inspection before operation can begin.

The Use Permit process requires each application be reviewed on a case-by-case basis to ensure that the proposed use is compatible with surrounding neighborhoods and land-uses. This property is zoned single-family residential, and the use of the property as a short-term rental is appropriate based on its proximity to Coliseum Central and other regional amenities. The property has adequate parking for guests, and the owner has provided evidence that they will require guests to park in designated areas to minimize impacts on the surrounding neighborhood.

Based on the analysis, staff recommends **APPROVAL** of the Use Permit Application No. 23-00004 with fifteen (15) recommended conditions based upon the proposed use's operational and land use characteristics.