

STAFF EVALUATION

Case No.: Use Permit No. 23-00016

Planning Commission Date: June 22, 2023

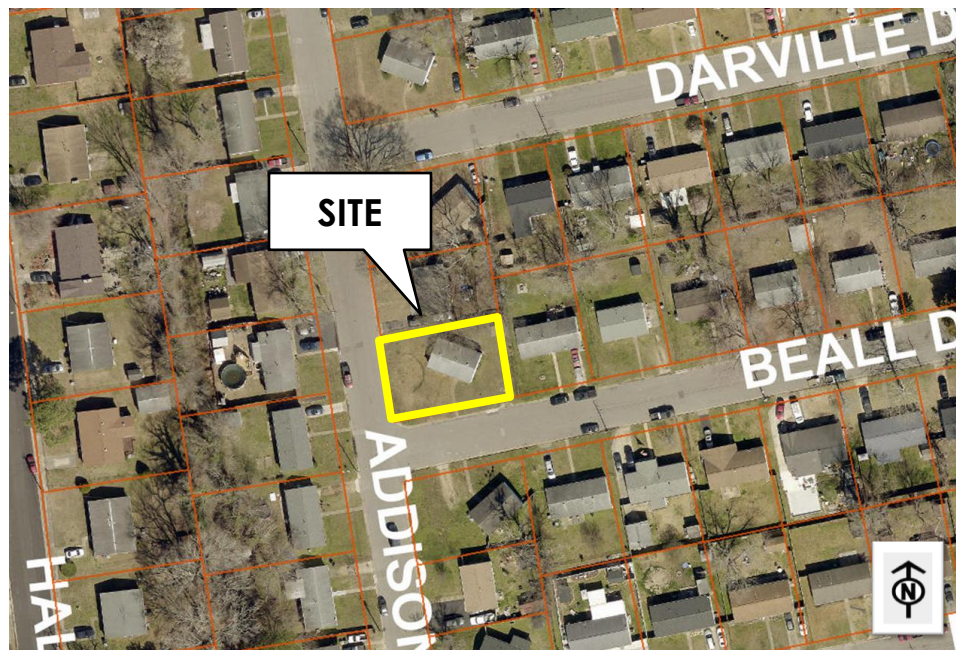
City Council Date: July 12, 2023

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Reviewed By: Mike Hayes, Planning and Zoning Division Manager 728-5244
Reviewed By: Patricia Melochick, Senior Deputy City Attorney

General Information

Applicant & Property Owners Douglas & Peggy Taylor

Site Location 1801 Beall Dr [LRSN: 12004890]



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

Description of Proposal The applicant is proposing a short-term rental at 1801 Beall Dr. The property is ± 0.16 acres and features a 1,115 square foot residence with three (3) bedrooms and two (2) bathrooms.

Existing Land Use One-Family Residential

Zoning One-Family Residential (R-9) District

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.

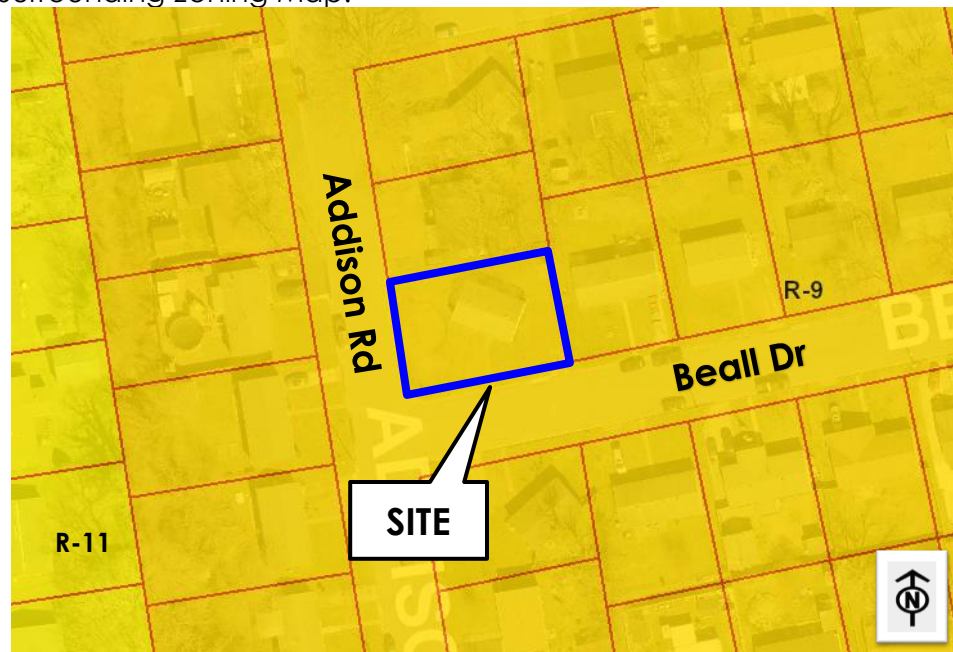
Short-term rentals for which a business license was issued and zoning compliance was confirmed pursuant to Sec. 18.1-12 of the city code prior to December 14, 2022 may operate continuously in the same location until December 31, 2024 provided that the short-term rental remains compliant with all applicable 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-9) District, single-family residence
South: One-Family Residential (R-9) District, single-family residence
East: One-Family Residential (R-9) District, single-family residence
West: One-Family Residential (R-9) 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.

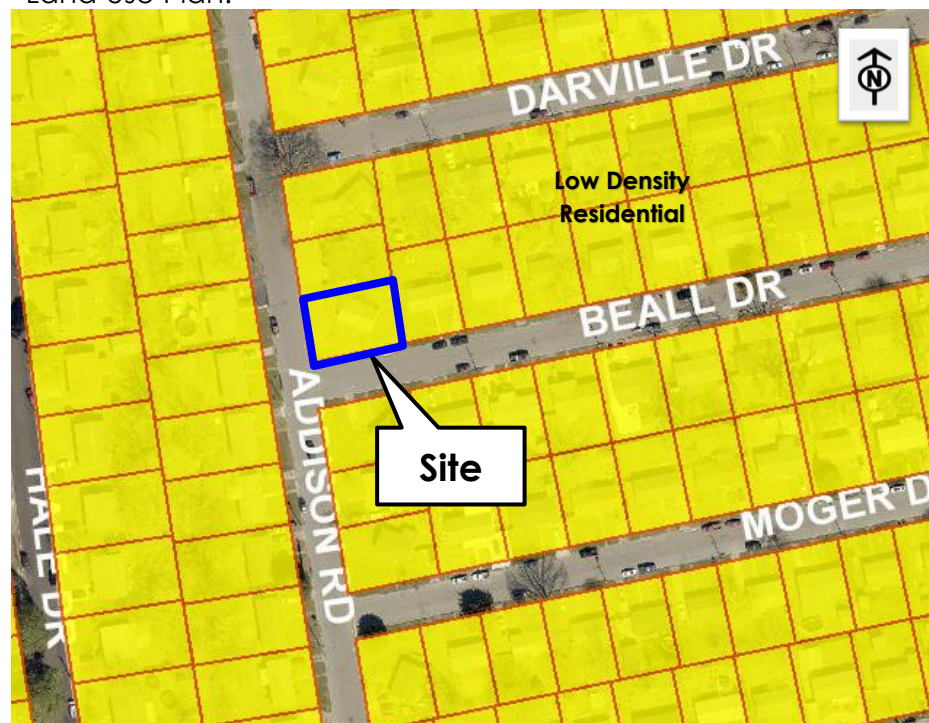
ED Policy 4: Nurture small and start-up businesses.

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:



Traffic/Parking

Staff does not anticipate that the requested use or operation would cause a significant or negative impact on traffic.

Community Meeting

A community meeting has not been scheduled at this time.

Analysis:

Use Permit Application No. 23-00016 is a request for a use permit for a short-term rental at 1801 Beall Dr [LRSN: 12004890]. The property is zoned One Family Residential (R-9) District. R-9 allows for the desired use subject to an approved use permit.

The applicants, Douglas & Peggy Taylor, have owned the property since 2022 and are requesting to operate a short-term rental within a 912 square foot single-family dwelling.

The property is ± 0.16 acres and features a residence with three (3) bedrooms and two (2) bathrooms. The owners intend to manage the affairs of the business through their Limited Liability Corporation, TaylorMade Vacation Rentals LLC. They are proposing a strict prohibition on events and have a security system installed at the property to ensure the safety of guests.

The Hampton Community Plan (2006, as amended) calls for evaluating land use proposals from a regional, city-wide and neighborhood perspective. Land-use and economic development policies related to this land use application include safeguarding the integrity of existing residential neighborhoods, encouraging a mix of land uses that is appropriate and promoting the efficient use of land, and expanding tourism, entertainment, and cultural opportunities within the city.

In its analysis of the proposed short-term rental use, staff took into consideration the location of the property which is roughly equidistant from Buckroe Beach and Park, the Phoebus Neighborhood, and Downtown Hampton. As such, it is well-positioned for transient visitors to explore the various character areas within Hampton while enjoying the quiet environment of a residential neighborhood.

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, although this application does not propose utilization of any such spaces as sleeping areas. Using the three (3) bedroom count for the parking calculation, the short-term rental has a minimum requirement of two (2) spaces which are available in the driveway immediately adjacent to the home.

Per §404.4 of the Virginia Property Maintenance Code (VPMC), for residential dwelling units, each bedroom is required to contain at least 70 square feet of floor area, and each bedroom occupied by more than one person must contain at least 50 square feet of floor area for each additional occupant. With this, the maximum guest occupancy for the property should be limited to no more than four (4) overnight guests 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 compatible with the surrounding neighborhood given the relatively limited capacity of the rental. 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.

Staff recommends **APPROVAL** of the Use Permit Application No. 23-00016 with fifteen (15) recommended conditions.