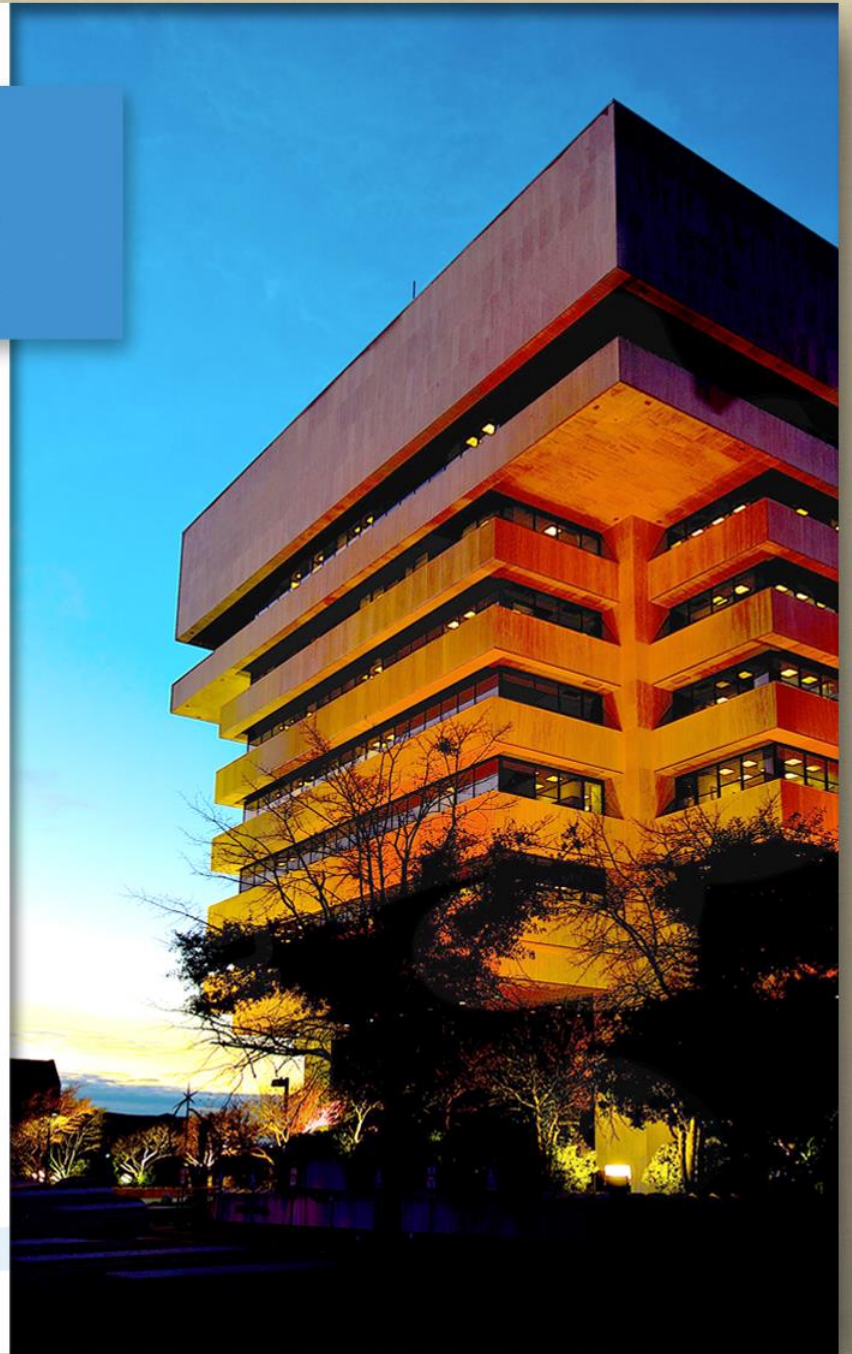


HAMPTON VA

Item No. 23-0144

**826 N First St.
*Kevin & Yong Westby***

**City Council
May 24, 2023**



Application

Use permit to allow for a *short-term rental* in the One-Family Residential (R-11) district

Background

- In December 2022, City Council passed Zoning Ordinance Amendments defining a short-term rental (STR) and adding it as a use to the Use Table
 - The provision of a room or space that is suitable or intended for occupancy for dwelling, sleeping, or lodging purposes to transient residents in exchange for a charge for the occupancy. This term does not include hotel, bed and breakfast 1, or bed and breakfast 2, as defined within this ordinance.

Background

- Council intention and guidance to:
 - Pursue a middle ground approach to regulation of short-term rentals
 - Be accommodating of the needs of neighborhoods
 - Balance the interests of all stakeholders
- City staff held four (4) meetings with the STR Stakeholder Group to discuss Use Permit conditions following the Joint Work Session

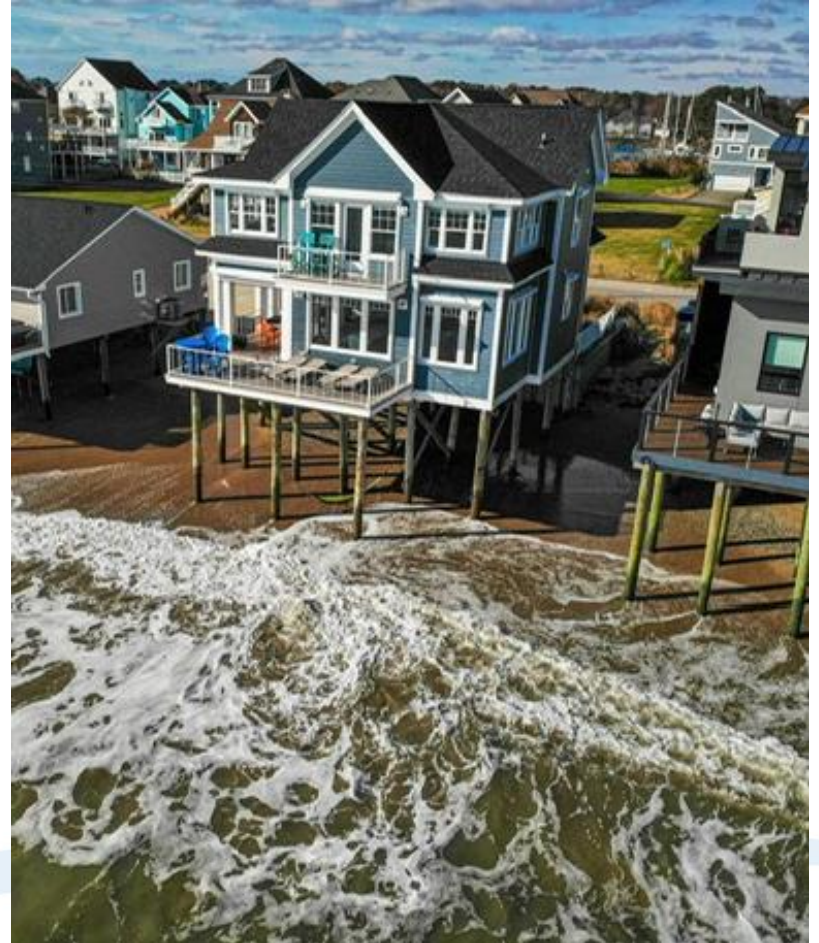
Location



Location



Location



Proposal

Dwelling/Property Details:

- Principal dwelling
 - +/- 2,062 square feet
 - 3 bedrooms, 2.5 bathrooms
- Accessory dwelling
 - +/- 533 square feet
 - 1 bedroom 1.5 bathrooms

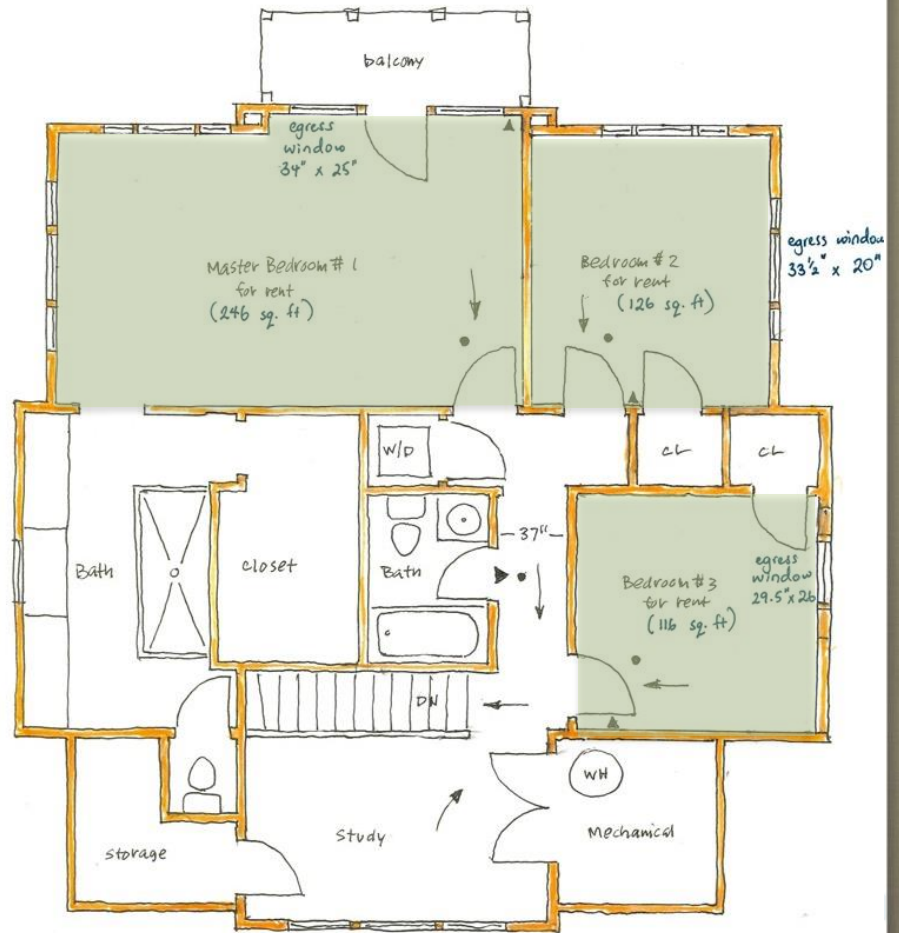
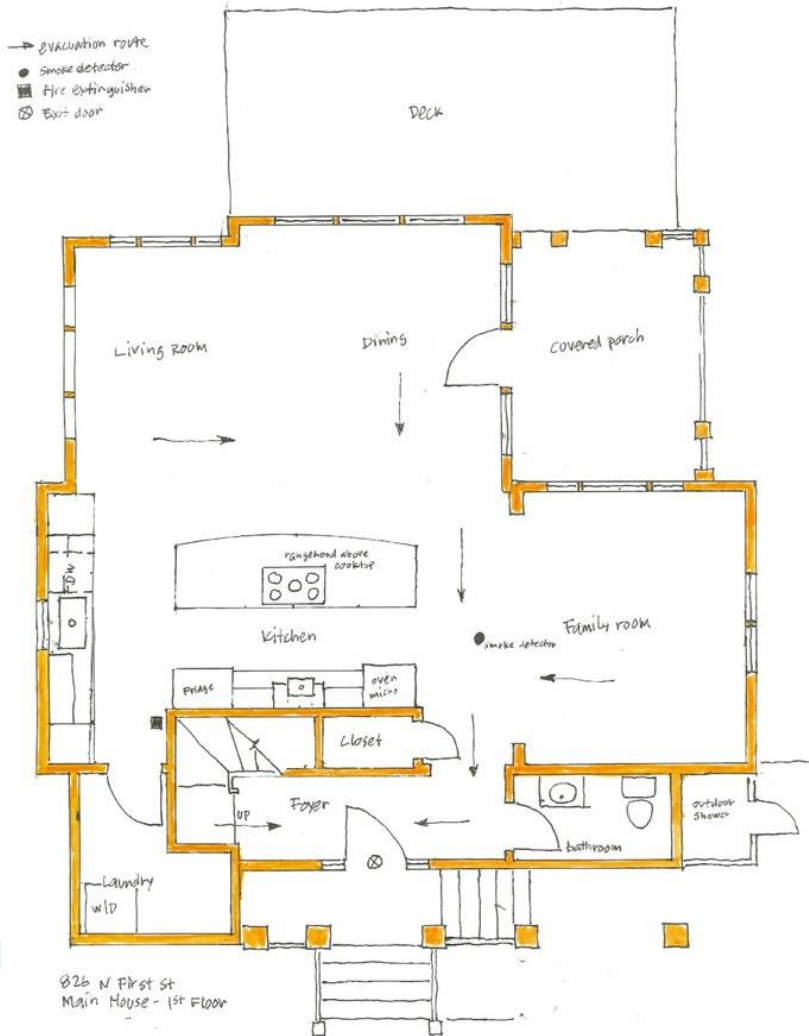
Parking:

- 3 on-site spaces available to renters
 - 2 spaces within driveway
 - 1 garage space

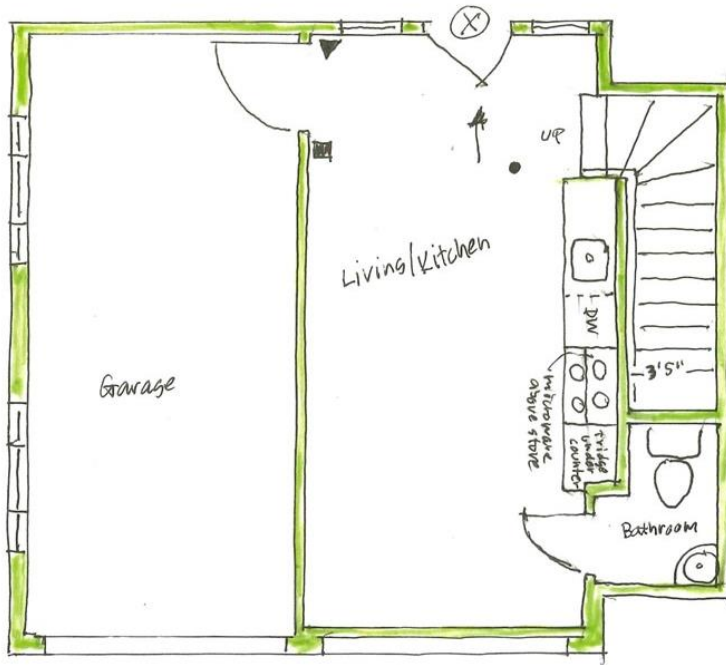
Operational Details:

- Operating as a short-term rental year-round with occasional occupancy by owner
- Structures may be rented independently
- No events proposed

Principal Dwelling

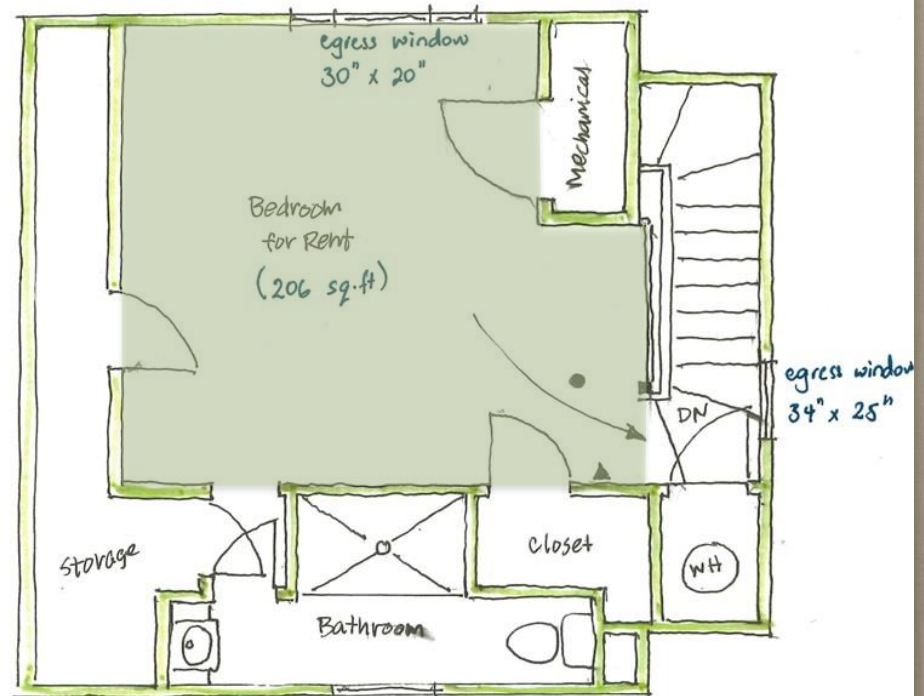


Accessory Dwelling



826 N First St
Guest House - 1st Floor

- smoke detectors
- evacuation route
- ⊗ Exit door
- Fire extinguisher
- ▲ carbon monoxide detectors



826 N First St
Guest House - 2nd Floor

- smoke detectors
- ▲ carbon monoxide detectors
- Evacuation route

Zoning Map



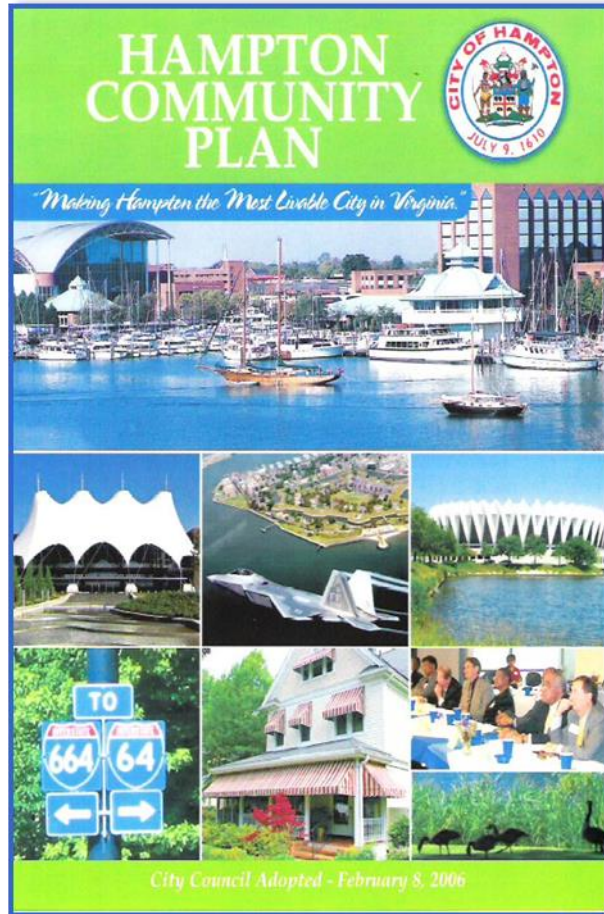
Site Constraints



Land Use Map



Public Policy



Hampton Community Plan (2006, as amended)

- **LU-CD Policy 4:** Evaluate land use proposals from a regional, city-wide, and neighborhood perspective.
- **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 6:** Expand tourism, entertainment, and cultural opportunities within the city.

Public Policy



The Buckroe Master Plan (2005, as amended):

- Recognizes Buckroe's distinguished past as an evolving vacation destination
- Aims to maintain its present identity as a family-oriented community

Recommended Conditions

- Must provide a Responsible Local Person (RLP) to contact and address conditions occurring at STR
- Must post approved floor plan and STR Fact Sheet within the dwelling
- Overnight lodging capacity shall be limited to no more than ten (10)
- No more than four (4) bedrooms shall be rented or offered for rent as overnight sleeping areas
- No common space (e.g., living room, game room) shall be offered or advertised as an overnight sleeping area
- All parking within the street frontage yard shall be on an improved surface
- No exterior signage permitted
- Must maintain a business license & registry

Recommended Conditions

- The operator of the short-term rental shall maintain a ledger that must be made available upon request
- Events require a special event permit
- The maximum number of people on the property between the hours of 7:00 AM and 10:00 PM shall not exceed twenty (20)
- Inspections shall occur prior to operation of the short-term rental
- All advertising of the STR shall be consistent with all approved conditions
- Compliance with Hampton Zoning Ordinance, Hampton City Code, and applicable federal and state law
- Nullification and revocation terms

Analysis

- Located on the Buckroe waterfront where vacation/tourist homes are common based on history of the community
- Recommended conditions expected to sufficiently mitigate impacts to the neighborhood
 - Property features sufficient on-site parking to support a 4-bedroom short-term rental
 - Maximum number of overnight lodgers limited to ten (10)
 - Maximum number of people on property between 7:00am and 10:00pm limited to twenty (20)

Recommendation

Planning Commission and Staff
recommend **APPROVAL** of
Item No.23-0144 with fifteen (15)
conditions