

Jackura, Allison

From: Jack cline <jdclinejr@gmail.com>
Sent: Friday, May 31, 2024 5:46 PM
To: Short Term Rentals
Subject: Fwd: [EXTERNAL] Short term rentals

Yes please include my comments
Sent from my iPhone

Begin forwarded message:

From: "Kraus, Jessica" <jessica.kraus@hampton.gov>
Date: May 31, 2024 at 2:49:19 PM EDT
To: Jack cline <jdclinejr@gmail.com>
Cc: Short Term Rentals <shorttermrentals@hampton.gov>
Subject: RE: [EXTERNAL] Short term rentals

Good afternoon,

Thank you for your email. Please let us know if you would like us to provide your comments to City Council.

For your information and regarding your concerns about permitting short-term rentals in your neighborhood due to restrictions in governing documents, please be advised that these governing documents are private agreements between individual property owners and the neighborhood association. The City is not a party to these agreements and therefore has no standing to enforce them. This means that the City cannot create zoning regulations that would require compliance with the deed restrictions and covenants of any given neighborhood. Additionally, the City's deliberation of permits for short-term rentals does not include consideration of whether covenants, deed restrictions or any other private agreement(s) allow or prohibit a particular use. It is the responsibility of the individual applying for the permits to comply with all relevant laws, rules and policies. The principles stated above are always true regardless of whether the deed restrictions and covenants address short-term rentals, home occupations, or the creation of duplex/triplex dwellings, to name just a few examples. It is always the responsibility of the neighborhoods, not City Council, to enforce their covenants. Please note that any legal advice pertaining specifically to the covenants and deed restrictions associated with your neighborhood should be obtained from a private attorney.

Sincerely,

Jessica E. Kraus
Assistant City Attorney
City of Hampton, Virginia
22 Lincoln Street
Hampton, Virginia 23669
Phone: (757) 727-6157
jessica.kraus@hampton.gov

CONFIDENTIALITY NOTICE: This email message, including any attachments, is for the sole use of the intended recipient(s) and may contain information that is legally privileged, confidential and/or otherwise legally exempt from disclosure. If you are not an intended recipient, you are not authorized to read, print, use, copy, disclose or disseminate this message or any part of the information contained in this message. If you have received this communication in error, please notify the sender immediately by email and destroy all copies of this message and any attachments. Unintended transmission shall not constitute waiver of the attorney-client or any other privilege.

-----Original Message-----

From: Jack cline <jdclinejr@gmail.com>
Sent: Thursday, May 30, 2024 9:36 PM
To: Short Term Rentals <shorttermrentals@hampton.gov>
Subject: [EXTERNAL] Short term rentals

I vote no on short term rentals in Inlet point it would be against our covenants Hoa Sent from my iPhone

Jackura, Allison

From: Jason Valentine <mrjvalentine@hotmail.com>
Sent: Friday, May 31, 2024 12:12 PM
To: Short Term Rentals
Cc: RNFV1; jason.valentine2@gmail.com
Subject: [EXTERNAL] Concerns Regarding Proposed STR Regulations in Hampton

Dear City of Hampton Official,

I am writing to express my concerns regarding the proposed updates to the regulations governing short-term rentals (STRs) in Hampton. As a proud owner of a vacation home in Buckroe Beach, Hampton VA, and a recognized Superhost on platforms like Airbnb, I believe it's crucial to voice the perspective of responsible hosts who contribute positively to our community.

While I understand the city's intention to address residents' concerns about maintaining the character of our neighborhoods, I am concerned that the proposed regulations may inadvertently hinder the ability of responsible hosts to operate and thrive in Hampton. As a Superhost, I have always prioritized the comfort and safety of my guests while respecting the integrity of our local community.

The proposed shift from a cumbersome use permit process to a more streamlined staff permit with a reduced application fee is a step in the right direction. However, I worry that the limitations on the number of properties allowed to serve as rentals could unfairly penalize responsible hosts like myself who have consistently adhered to regulations and provided a positive experience for guests.

Moreover, the requirement for owners of pre-2023 permitted STRs to reapply under the new regulations by December 31, 2024, adds unnecessary burdens and uncertainties for hosts who have already invested time and resources into operating their properties legally or pre regulations of any kind.

I urge the city to consider the significant contributions made by responsible STR operators to our local economy and community. Instead of imposing restrictive measures that may stifle innovation and economic growth, I encourage the city to explore alternative solutions that balance the concerns of residents with the needs of responsible hosts.

As a stakeholder in our community, I am committed to working collaboratively with the city to find mutually beneficial solutions that promote responsible tourism and support the long-term prosperity of Hampton.

Thank you for considering my perspective on this important matter.

Sincerely,

Jason C Valentine

Superhost and Owner of a Vacation Home in Buckroe Beach, Hampton VA

To Whom It May Concern:

Over two decades ago, I made an investment in a property in the Buckroe Beach area of Hampton, envisioning the potential growth of Buckroe and Phoebus. Recently, a new opportunity has emerged that has positively impacted my investment: short-term rentals (STRs). Having witnessed their success in my community across the water in Norfolk, particularly in Ocean View, I have seen how STRs provide lodging for visitors and families seeking a peaceful beach experience, similar to what Hampton offers. With limited four- and five-star hotel options in Virginia Beach, STRs help fill this gap and attract tourists to Hampton Roads.

Having followed Hampton's proposals regarding STR regulations, I would like to offer some suggestions for consideration. Firstly, due to the lack of public lodging in Buckroe Beach, I propose a higher cap for rentals per house, possibly between 3% to 5%, to accommodate the demand for lodging in the area. This increase in tourism would also benefit nearby Phoebus restaurants and small businesses.

Secondly, I suggest reconsidering the rule prohibiting STRs within 500 feet of each other, especially in Buckroe Beach, where proximity to the water is crucial. Clustering STRs is common in resort areas, allowing families and friends to vacation together. Additionally, the ability for an individual to effectively shut down an entire area by opposing STRs and applying for their own permit seems unfair.

Lastly, I propose that "Home Stay" situations, where a few rooms are rented out while the owner resides on the property, should not count towards the cap or prevent other STRs within 500 feet.

I commend Hampton for its thoughtful approach to regulating STRs. Having been involved in Norfolk's STR study group, I appreciate the efforts being made to find sensible solutions. Thank you for considering my suggestions.

Sincerely,

Robert Duncan
757-348-2510

Jackura, Allison

From: Dwayne Cooper <cooperdwayne@me.com>
Sent: Sunday, May 26, 2024 7:18 PM
To: Short Term Rentals
Subject: [EXTERNAL] STR Restrictions

Categories: Public Hearing Input

26 May 2024

City of Hampton Government

22 Lincoln Street

Hampton, VA 23669

Dear City Council Members,

I am writing to express my strong opposition to the proposed restrictions on short-term rentals (STRs) in Hampton. As a resident and property owner in this vibrant city, I believe that imposing stringent regulations on STRs would have several detrimental effects on our community.

Short-term rentals have become an integral part of our local economy. They provide significant income for homeowners who rely on these earnings to maintain their properties, pay their mortgages, and support their families. Many of these homeowners are middle-class residents who use STR income to make ends meet or to improve their quality of life.

Moreover, STRs contribute positively to our local economy by attracting tourists who spend money at local businesses, restaurants, and attractions. This influx of visitors supports jobs and generates additional tax revenue for the city. Restricting STRs would likely reduce the number of tourists, negatively impacting these businesses and, consequently, the overall economic health of Hampton.

From a community perspective, STRs offer travelers unique lodging experiences, not offered by hotels and help promote Hampton as a welcoming and diverse destination. They allow visitors to stay in residential neighborhoods, fostering a deeper connection to our community and encouraging repeat visits.

I understand that concerns have been raised regarding noise, parking, and neighborhood disruptions associated with STRs. However, I believe these issues can be addressed through targeted regulations that ensure responsible operation and management of STRs, rather than through outright restrictions. Measures such as requiring STR owners to obtain permits, adhere to strict occupancy limits, and comply with noise ordinances can effectively mitigate potential negative impacts without stifling economic benefits.

In conclusion, I urge the City Council to consider the broad implications of restricting short-term rentals in Hampton. Instead of imposing restrictive measures, I advocate for a balanced approach that includes reasonable regulations to address community concerns while preserving the economic and social benefits that STRs bring to our city.

Thank you for your attention to this important matter.

Sincerely,

Dwayne Cooper

530 Settlers Landing Rd
Hampton, VA 23669
cooperdwayne@me.com
661-755-6169

Jackura, Allison

From: Kraus, Jessica
Sent: Wednesday, May 29, 2024 2:41 PM
To: Larry Boone
Cc: Bob Garrett; Julie Boone; Short Term Rentals
Subject: RE: [EXTERNAL] Rezoning No. 24-0189

Good afternoon, Mr. Boone,

Thank you for your email. We will ensure that it is provided to City Council.

For your information and regarding your concerns about permitting short-term rentals in your neighborhood due to restrictions in governing documents, please be advised that these governing documents are private agreements between individual property owners and the neighborhood association. The City is not a party to these agreements and therefore has no standing to enforce them. This means that the City cannot create zoning regulations that would require compliance with the deed restrictions and covenants of any given neighborhood. Additionally, the City's deliberation of permits for short-term rentals does not include consideration of whether covenants, deed restrictions or any other private agreement(s) allow or prohibit a particular use. It is the responsibility of the individual applying for the permits to comply with all relevant laws, rules and policies. The principles stated above are always true regardless of whether the deed restrictions and covenants address short-term rentals, home occupations, or the creation of duplex/triplex dwellings, to name just a few examples. It is always the responsibility of the neighborhoods, not City Council, to enforce their covenants. Please note that any legal advice pertaining specifically to the covenants and deed restrictions associated with the Mill Point Community Association should be obtained from a private attorney.

Sincerely,

Jessica E. Kraus
Assistant City Attorney
City of Hampton, Virginia
22 Lincoln Street
Hampton, Virginia 23669
Phone: (757) 727-6157
jessica.kraus@hampton.gov



CONFIDENTIALITY NOTICE: This email message, including any attachments, is for the sole use of the intended recipient(s) and may contain information that is legally privileged, confidential and/or otherwise legally exempt from disclosure. If you are not an intended recipient, you are not authorized to read, print, use, copy, disclose or disseminate this message or any part of the information contained in this message. If you have received this communication in error, please notify the sender immediately by email and destroy all copies of this message and any attachments. Unintended transmission shall not constitute waiver of the attorney-client or any other privilege.

From: Larry Boone <larryboone0@icloud.com>
Sent: Tuesday, May 28, 2024 4:16 PM
To: Short Term Rentals <shorttermrentals@hampton.gov>
Cc: Bob Garrett <bgarrett@theselectgroup.us>; Julie Boone <julie.hawkins@us.af.mil>
Subject: [EXTERNAL] Rezoning No. 24-0189

Allison Jackura,

My name is Larry Boone. I am an officer on the Board of Directors for the Mill Point Community Association. I've received the Notice of Public Hearing regarding the rezoning action over short term rentals. I wish to provide the following comment.

The Declaration of Covenants, Conditions and Restriction for the Mill Point Community Association contains restrictions regarding short term rentals, specifically Article X stipulates that "No lot shall be rented for transient or hotel purposes". Accordingly, the Mill Point Community should not be considered in Hampton's rezoning calculation for short term rentals. Further, applications to operate a short term rental within the Mill Point Community should be denied. You may reference our restrictions when denying such applications or simply refer the applicant to the undersigned. I may be reached at (757) 431-0218 or email at larryboone0@icloud.com should you have any questions.

Thank you,
Larry Boone
Treasurer

Jackura, Allison

From: Kraus, Jessica
Sent: Wednesday, May 29, 2024 11:47 AM
To: Tom Perham
Cc: Short Term Rentals
Subject: RE: legal effects of proposed short term rental regulations on HOAs and COAs s with restrictive covenants on short term rentals

Mr. Perham,

We will make sure your comments are provided to City Council.

City Council will hear these proposed amendments on June 12, 2024 during their legislative session beginning at 6:30pm in City Council Chambers, 8th Floor, City Hall, 22 Lincoln St.

The City Council meeting website (<https://hampton.gov/3098/City-Council-meeting-information>) will contain links to the meeting agenda and package items, as well as helpful information on how to participate during the City Council meeting.

Our STR website (<https://hampton.gov/strs>) contains helpful information about the proposed regulations, including a searchable map and important dates.

Please let me know if we can provide any further assistance.

Sincerely,

Jessica E. Kraus
Assistant City Attorney
City of Hampton, Virginia
22 Lincoln Street
Hampton, Virginia 23669
Phone: (757) 727-6157
jessica.kraus@hampton.gov

CONFIDENTIALITY NOTICE: This email message, including any attachments, is for the sole use of the intended recipient(s) and may contain information that is legally privileged, confidential and/or otherwise legally exempt from disclosure. If you are not an intended recipient, you are not authorized to read, print, use, copy, disclose or disseminate this message or any part of the information contained in this message. If you have received this communication in error, please notify the sender immediately by email and destroy all copies of this message and any attachments. Unintended transmission shall not constitute waiver of the attorney-client or any other privilege.

-----Original Message-----

From: Tom Perham <perhamt@hotmail.com>
Sent: Wednesday, May 29, 2024 11:36 AM
To: Kraus, Jessica <jessica.kraus@hampton.gov>
Subject: [EXTERNAL] Re: legal effects of proposed short term rental regulations on HOAs and COAs s with restrictive covenants on short term rentals

Dear Ms. Kruse,

Yes, I would appreciate it very much if you would provide my comments to the City Council. Might you be able to tell me where online I might find notice of dates, times, location and proposed agenda for the City council meeting on this topic?

Thank you again for your assistance.

Cordially,

Tom Perham

From: Kraus, Jessica <jessica.kraus@hampton.gov>

Sent: Wednesday, May 29, 2024 10:52 AM

To: Tom Perham

Cc: Short Term Rentals

Subject: RE: legal effects of proposed short term rental regulations on HOAs and COAs s with restrictive covenants on short term rentals

Dear Mr. Perham,

Thank you for the further clarification. Please let me know if you would like these comments and suggestions provided to City Council.

Sincerely,

Jessica E. Kraus

Assistant City Attorney

City of Hampton, Virginia

22 Lincoln Street

Hampton, Virginia 23669

Phone: (757) 727-6157

jessica.kraus@hampton.gov<mailto:jessica.kraus@hampton.gov>

[cid:image001.png@01DAB1B6.408C1F20]

CONFIDENTIALITY NOTICE: This email message, including any attachments, is for the sole use of the intended recipient(s) and may contain information that is legally privileged, confidential and/or otherwise legally exempt from disclosure. If you are not an intended recipient, you are not authorized to read, print, use, copy, disclose or disseminate this message or any part of the information contained in this message. If you have received this communication in error, please notify the sender immediately by email and destroy all copies of this message and any attachments. Unintended transmission shall not constitute waiver of the attorney-client or any other privilege.

From: Tom Perham <perhamt@hotmail.com>

Sent: Tuesday, May 28, 2024 10:59 AM

To: Kraus, Jessica <jessica.kraus@hampton.gov>

Cc: Short Term Rentals <shorttermrentals@hampton.gov>

Subject: [EXTERNAL] RE: legal effects of proposed short term rental regulations on HOAs and COAs s with restrictive covenants on short term rentals

Dear Ms. Kraus,

Thank you so much for your prompt and informative response to my email. It was not my intent to suggest that the city has or should have any involvement in the enforcement of COA and HOA requirements or limitations. I understand that the responsibility for enforcement of restrictions in COA and HOA documents lies with the Associations.

My concern is that the proposed Hampton City regulations on STRs not be drafted in such a way that they can be interpreted as negating or overriding any restrictions in the HOA or COA documents. Associations do not want to end up in court facing the argument that one of their residents is entitled to rent their unit as a short-term rental, even though the HOA or COA documents preclude such rental, arguing that because the city gave them a license, that city regulations supersede or negate in some way the restrictions in the Association documents.

Hence, my suggestion to the city would be that the final draft of the city's STR regulations clarify that HOA and COA restrictions are not changed or reduced by the City of Hampton's STR regulation's or the issuance of an STR license.

Thank you very much for your consideration in this matter.

Cordially,

Tom Perham

Phone: 757 – 224 – 8359

From: Kraus, Jessica <jessica.kraus@hampton.gov<mailto:jessica.kraus@hampton.gov>>
Sent: Tuesday, May 28, 2024 8:34:44 AM
To: Tom Perham <perhamt@hotmail.com<mailto:perhamt@hotmail.com>>
Cc: Short Term Rentals <shorttermrentals@hampton.gov<mailto:shorttermrentals@hampton.gov>>
Subject: RE: legal effects of proposed short term rental regulations on HOAs and COAs s with restrictive covenants on short term rentals

Good morning,

Thank you for your email. Please confirm by Thursday, May 30th whether you would like your comments to be provided to City Council.

Regarding your concerns about permitting short-term rentals in your neighborhood due to restrictions in governing documents, please be advised that these governing documents are private agreements between individual property owners and the neighborhood association. The City is not a party to these agreements and therefore has no standing to enforce them. This means that the City cannot create zoning regulations that would require compliance with the deed restrictions and covenants of any given neighborhood. Additionally, the City's deliberation of permits for short-term rentals does not include consideration of whether covenants, deed restrictions or any other private agreement(s) allow or prohibit a particular use. It is the responsibility of the individual applying for the permits to comply with all relevant laws, rules and policies. The principles stated above are always true regardless of whether the deed restrictions and covenants address short-term rentals, home occupations, or the creation of duplex/triplex dwellings, to name just a few examples. It is always the responsibility of the neighborhoods, not City Council, to enforce their covenants. Please note that any legal advice pertaining specifically to the covenants and deed restrictions associated with your neighborhood association should be obtained from a private attorney.

Sincerely,

Jessica E. Kraus

Assistant City Attorney
City of Hampton, Virginia
22 Lincoln Street
Hampton, Virginia 23669
Phone: (757) 727-6157
jessica.kraus@hampton.gov<mailto:jessica.kraus@hampton.gov>

CONFIDENTIALITY NOTICE: This email message, including any attachments, is for the sole use of the intended recipient(s) and may contain information that is legally privileged, confidential and/or otherwise legally exempt from disclosure. If you are not an intended recipient, you are not authorized to read, print, use, copy, disclose or disseminate this message or any part of the information contained in this message. If you have received this communication in error, please notify the sender immediately by email and destroy all copies of this message and any attachments. Unintended transmission shall not constitute waiver of the attorney-client or any other privilege.

-----Original Message-----

From: Tom Perham <perhamt@hotmail.com<mailto:perhamt@hotmail.com>>
Sent: Wednesday, May 22, 2024 3:37 PM
To: Short Term Rentals <shorttermrentals@hampton.gov<mailto:shorttermrentals@hampton.gov>>
Subject: [EXTERNAL] legal effects of proposed short term rental regulations on HOAs and COAs s with restrictive covenants on short term rentals

Dear City of Hampton Representatives,

I would strongly urge that should these regulations actual be finalized, that they include language that specifically allows COAs and HOAs to have more restrictive regulations, if such regulations are approve by the Association members in accordance with Association rules, regulations and other documents. I live in a COA that has voted not to allow STRs, and I would not want to see that restriction accidently undone by the proposed new Hampton STR regulations.

Thank you for your consideration in this matter.

Cordially,
Tom Perham

Jackura, Allison

From: caruss5552@aol.com
Sent: Wednesday, May 8, 2024 12:20 PM
To: Short Term Rentals
Subject: [EXTERNAL] I strongly disagree with the proposed regulation limiting hosting to only 1% of rental properties

Categories: Public Hearing Input

As a proud Airbnb host, I strongly disagree with the proposed regulation limiting hosting to only 1% of rental properties. Airbnb offers a unique opportunity for locals to share their culture and heritage through hosting, providing diverse housing options for visitors. I urge reconsideration of this restrictive measure.

Thanks

AJ

[Sent from AOL on Android \[play.google.com\]](#)

Patel, Urvi

From: Ali Pourghassemi <apourghassemi1@grsdelivery.com>
Sent: Friday, May 3, 2024 9:36 AM
To: Short Term Rentals
Subject: [EXTERNAL] Support hosting in Hampton

Categories: Public Hearing Input

Dear The Hampton The Planning Department,

Please allow us to continue to operate. This helps cover bills for my family and allows us to share our homes with others looking to visit and potentially move to hampton roads as guests often book JUST TO LIVE in neighborhoods they are considering investing in.

Airbnb allowed me to save for capital improvements and put my daughter in school.

Regards,
Ali Pourghassemi

Pemberton, Davis

From: Antoinette Weathers <toniweathers14@gmail.com>
Sent: Tuesday, May 7, 2024 3:46 PM
To: Short Term Rentals
Subject: Re: [EXTERNAL] Short Term Rental

Categories: Public Hearing Input

Yes please, thank you. Rewritten for submission to the Planning Commission and City Council:

I reside in the Phillips Lake subdivision. I am writing to address the growing concerns regarding the property at 20 Great Lakes Drive. I was informed that this property is an airBnB recently established within our subdivision. It has come to my attention that the presence of this rental property is causing significant inconvenience, particularly regarding parking and disturbances from parties and gatherings. Neighbors reported parking all along the street in front of residences and significant foot traffic in and out of the residence. The nature of the event was not clear.

The presence of this AirBnB property is not conducive to a peaceful and harmonious living environment in our lake

side community. I would like a more conservative approach to these rentals, better clarification on differences between airBnBs and STRs, and strict enforcement of violations.

Thank you for your attention to this matter.

Antoinette Weathers
757.618.7144

On Tue, May 7, 2024 at 2:23 PM Short Term Rentals <shorttermrentals@hampton.gov> wrote:

Thank you for your email. Please confirm whether you would like your comments to be included in the package materials provided to Planning Commission and City Council. If you wish to re-write any of your comments, please submit those promptly in order for those to be included. The package for Planning Commission will be published on May 10th, so only comments received by Thursday, May 9th can be included for Planning Commission. If you would more information about short-term rentals in Hampton, please visit <https://hampton.gov/strs>.

Urvi Patel (she/her)

City Planner | City of Hampton

Community Development Department

22 Lincoln St, Hampton, VA 23669
Phone: 757-728-5144

Urvi.patel@hampton.gov



Patel, Urvi

From: Brad Waitzer <bradwaitzer@gmail.com>
Sent: Tuesday, May 7, 2024 3:51 PM
To: Short Term Rentals
Subject: [EXTERNAL] Short-Term Rentals

Categories: Public Hearing Input

Allison,

I am the owner of Signature Place and Monticello at Town Center apartment communities, having developed them in 1991 and 2010 respectively. As long-term owners, we re-invest in our properties, \$5 million in those properties in the last few years. We manage to very high standards, thereby enhancing our properties, the surroundings, and larger community. In other words, we are great corporate citizens, and have consistently been for 33 years in Hampton.

As a resident of eastern Virginia Beach, and a witness to its roll-out of a limited short-term rental program, I am very concerned about your proposed ordinance for the following reasons:

1. I understand that your ordinance would allow only 1% of the dwelling units to be occupied on a short-term basis at any time; However, I cannot foresee that such a limitation could ever be effectively monitored or enforced.
2. Furthermore, short-term rentals often become party venues affecting the people around them with noise, trash, excessive parking demand, and no effective mechanism to police them. The very worst of the nightclub scene gets imposed on residential neighborhoods. I have personally witnessed that pattern among my children's peer groups. Air BNB's have become the bachelor and bachelorette party venue of choice for many. Fraternities rent them for parties to avoid damages to fraternity houses and avoid rules imposed by the schools and national fraternity organization. Nothing, other than weak and largely unenforced contractual obligations, prevent these terrible results. Hampton's police force is already overburdened, and the circumstances make policing inherently difficult even if there were adequate manpower.
3. Investors, eager for higher returns, purchase homes specifically for the purpose of creating short-term rentals....in other words, hotels without on-site management, accurate records of guests, and large corporate ownership and/or management to hold those who violate rules responsible for the adverse effects of their violations....a recipe for disaster. A whole real estate investment industry has arisen to provide quasi hotels with no regard for their surroundings.
4. While I know that short-term revenues can create revenues for the City in the short-run, the long-term adverse effects, including reduced property values and increased demand on City services, make it a bad bet from a fiscal standpoint as well.

I have supported Coliseum Central, and invested there before there was such a thing as Coliseum Central, before Sentara's Careplex was built, when Coliseum Drive stopped just beyond Signature way. I have developed nearly 800 homes there and own 557, have paid millions in taxes and fees, with the assurance and understanding that the City of Hampton would do its part to make it a desirable place to live, work, receive health care, shop, dine, and invest. Enormous progress has occurred. Please don't abandon us now.

Besides, you would think that hotel development would fulfill the need if demand for short-term stays were so great.

Thank you.

Jackura, Allison

From: Carroll Bruner <cbruner530@gmail.com>
Sent: Thursday, May 9, 2024 4:29 PM
To: Kraus, Jessica
Cc: Regina Davis; Short Term Rentals
Subject: Re: [EXTERNAL] Short term rentals in Cantamar at Morningview

Thanks you for your response and I understand the City's position. I'm glad we are putting in some restrictions on short term rentals.

Please include my comments as is.

Thanks, Carroll Bruner

On Wed, May 8, 2024 at 5:07 PM Kraus, Jessica <jessica.kraus@hampton.gov> wrote:

Good afternoon,

Thank you for your email. Please confirm whether you would like your comments to be included in the package materials provided to Planning Commission and City Council. If you wish to re-write any of your comments, please submit those promptly in order for those to be included. The package for Planning Commission will be published on May 10th, so only comments received by Thursday, May 9th can be included for Planning Commission. If you would like more information about short-term rentals in Hampton, please visit <https://hampton.gov/strs>.

Regarding your concerns about permitting short-term rentals in Cantamar due to restrictions in governing documents, please be advised that these governing documents are private agreements between individual property owners and, in this case, Cantamar at Morningview. The City is not a party to these agreements and therefore has no standing to enforce them. This means that the City cannot create zoning regulations that would require compliance with the deed restrictions and covenants of any given neighborhood. Additionally, the City's deliberation of permits for short-term rentals does not include consideration of whether covenants, deed restrictions or any other private agreement(s) allow or prohibit a particular use. It is the responsibility of the individual applying for the permits to comply with all relevant laws, rules and policies. The principles stated above are always true regardless of whether the deed restrictions and covenants address short-term rentals, home occupations, or the creation of duplex/triplex dwellings, to name just a few examples. It is always the responsibility of the neighborhoods, not City Council, to enforce their covenants. Please note that any legal advice pertaining specifically to the covenants and deed restrictions associated with the Cantamar at Morningview neighborhood should be obtained from a private attorney.

[\[google.com\]](#)

Sincerely,

Jessica E. Kraus

Assistant City Attorney

[City of Hampton, Virginia \[google.com\]](#)

[22 Lincoln Street \[google.com\]](#)

Hampton, Virginia 23669

Phone: (757) 727-6157

jessica.kraus@hampton.gov



CONFIDENTIALITY NOTICE: This email message, including any attachments, is for the sole use of the intended recipient(s) and may contain information that is legally privileged, confidential and/or otherwise legally exempt from disclosure. If you are not an intended recipient, you are not authorized to read, print, use, copy, disclose or disseminate this message or any part of the information contained in this message. If you have received this communication in error, please notify the sender immediately by email and destroy all copies of this message and any attachments. Unintended transmission shall not constitute waiver of the attorney-client or any other privilege.

From: Carroll Bruner <cbruner530@gmail.com>
Sent: Friday, April 26, 2024 12:00 PM
To: Short Term Rentals <shorttermrentals@hampton.gov>
Cc: Regina Davis <regina@diamond-mgt.com>
Subject: [EXTERNAL] Short term rentals in Cantamar at Morningview

The governing documents for Cantamar do NOT allow rentals for less than six consecutive months. Therefore please reject any short term rental applications from our community. The map shows 2 in process.

The short term rental requirements have been communicated to all owners and all owners have been provided copies of the governing documents.

Thanks very much.

Carroll Bruner

President, Cantamar at Morningview HOA Board of Directors

[2 Buckroe Ave \[google.com\]](#).

Pemberton, Davis

From: Cathy M. <magpiesnest7677@gmail.com>
Sent: Wednesday, May 8, 2024 9:49 AM
To: Short Term Rentals
Subject: Re: [EXTERNAL] Airbnb

Categories: Public Hearing Input

Yes. Please include my comments in the package materials, since they are important to the integrity of the City and to the Zoning Department. I edited some to highlight important points.

I'm not opposed to short term rentals BUT, there are legal matters the City must consider, especially Zoning ordinance that directs the layout of the City. The City of Hampton must abide by its adopted Zoning ordinances that were developed to protect property values; and, that work to preserve the City's interests in residential developments/neighborhoods. Parking on City streets (public rights of way directed under City ordinance) could deliver turmoil. Hampton is not OBX.

1. If properties are zoned residential, it legally means long-term living space for owner or tenant. Vacation rentals are commercial properties similar to extended stay hotel, since the properties produce income and serve guests or clients. Guests are not tenants who legally -- under lease agreement -- have a right to live in a dwelling long-term with access to City services for which they pay through rent.
2. HOA's & condo associations Do Not allow short term rentals, except maybe in military transfers. If a City says it's okay, it could deliver conflicts into community associations, The City of Hampton has no authority over community association governing documents, which work to uphold property values; and to protect the interests of HOA membership who pay dues.
3. The City needs to figure out if Fair Housing /equity could come up in its here-but not there decision. Under certain laws, no entity can prevent another from producing income without good cause. Designating here-not there is not a justifiable cause. Zoning ordinance: residential vs commercial is justifiable.
4. I think short term rentals hearings could surface on City Council agendas, since Joe homeowner needs to own Airbnb because his brother has one at the other end of the street. The City is opening a can of worms.

Be Well.
Cathy Merendino

On Tue, May 7, 2024, 12:04 PM Short Term Rentals <shorttermrentals@hampton.gov> wrote:

Good afternoon,

Thank you for your email. Please confirm whether you would like your comments to be included in the package materials provided to Planning Commission and City Council. If you wish to re-write any of your comments, please submit those promptly in order for those to be included. The package for Planning Commission will be published on May 10th, so only comments received by Thursday, May 9th can be included for Planning Commission. If you would like more information about short-term rentals in Hampton, please visit <https://hampton.gov/strs>.

Thank you,

Allison Jackura, AICP, CZA

Zoning Administrator

Community Development Department

22 Lincoln Street (3rd floor), Hampton, VA 23669

Allison.Jackura@Hampton.gov

Phone: (757) 728-5233 | Fax: (757) 728-2449

Visit us on the web: www.hampton.gov



This response is not an official order, requirement, decision or determination issued pursuant to Virginia Code Section 15.2-2307

For information regarding short term rentals, please visit our website at www.hampton.gov/strs

From: Cathy M. <magpiesnest7677@gmail.com>

Sent: Monday, May 6, 2024 8:16 AM

To: Short Term Rentals <shorttermrentals@hampton.gov>

Cc: Cross, Amy <across@hampton.gov>

Subject: [EXTERNAL] Airbnb

I'm not opposed to the concept BUT, there are legal matters the City must consider, especially Zoning ordinance that directs the layout of the City. I worked for Pembroke Construction in the mid-80's, and I know my boss Tom Hunnicutt was urging the Zoning Department to organize zoning in the Pembroke corridor. In fact, I worked on an aerial overlay that showed the zones. I learned Hampton's Zoning ordinances. The aerial photo with its overlays are somewhere in City Hall.

However, the City of Hampton must abide by its Zoning ordinance that was developed for good reason. Property values also come into play. Parking on City streets could deliver turmoil. Hampton is not OBX.

1. If properties are zoned residential it legally means long-term living space for owner or tenant. Vacation rentals are commercial properties similar to extended stay hotel, since the properties produce income and serve guests or clients. Guests are not tenants who legally -- under lease agreement -- have a right to live in a dwelling long-term with access to City services for which they pay.

2. HOA's & condo associations don't allow short term rentals, except maybe in military transfers. If a City says it's okay, it could deliver conflicts into community associations. I noted Mill Creek and Cantamar properties on the list of short term rentals. I was a Community Association Manager, familiar with both communities; I believe the association's Boards are not aware their homeowners are in violation of the legal Declarations. And, the City of Hampton has no authority over community association governing documents, which work to uphold property values.

3. Fair housing comes to mind. In fact, the City needs to figure out if Fair Housing /equity could come up in its here-but not there decision. Under certain laws, no entity can prevent another from producing income without good cause. Designating here-not there is not a justifiable cause. Zoning ordinance: residential vs commercial is justifiable.

4. I think short term rentals hearings could surface on City Council agendas, since Joe homeowner needs to own Airbnb because his brother has one at the other end of the street. Hampton is opening a can of worms.

I think the Planning Commission needs to confer with the Commonwealth Attorney on this matter to give his office a heads-up.

Be Well.

Kraus, Jessica

From: Dan & Michelle Yuchnovicz <yuchnovicz@gmail.com>
Sent: Thursday, May 9, 2024 8:17 AM
To: Kraus, Jessica
Cc: Short Term Rentals; Daniel Yuchnovicz
Subject: Re: [EXTERNAL] Notice of Public Hearing

Dear Ms. Kraus,
Thank You for answering my question. I have one other question and comments for the record.
Sincerely,
Dan Yuchnovicz
President, Salt Cay 1 Condo Owners Association

Question: Verify that the existing STRs, included in the 2-year grace period, will be count toward the total 1% in each zone.

Comments

1. **Negative Impact on Property Values, noise, and parking:** There is no evidence that the City did a study on the overall impact to property values, which could potentially be hurt more in some areas than in others, e.g. along 1st street in Buckroe 1 and Buckroe 2.

2. **No Grace Period Application:** No exceptions to the 500 ft rule for the existing grace period STRs when the 2 year grace period is over. The STR status should be removed (newest first), until the 500 ft boundary is restored (refer to Buckroe 1). Rationale: Easier for the city to manage, reduces chance for disputes in the future. 500 ft separation is the rule. If STR status is maintained after the grace period, that STR MUST count against the 1% total in that zone.

3. **Density Calculation is Incorrect:** Condo communities, being inherently private and governed by the homeowners association, should not be included in the zone's "available for STR" dwelling count. Rationale: That artificially inflates the 1% limit within the zone. Most if not all condo association bylaws prohibit BnB and STR in order to maintain property values. Thus they cannot be considered as viable STR dwellings. Only viable dwellings that can be used as a STR should be counted.

4. **Multifamily Dwellings** - "Each Property containing a multifamily complex will count as 1 STR toward the density cap for their given zone." This is unfair to residents of zones with such properties and will enable the number of actual STR units to well exceed the 1% cap, especially in Buckroe 1 and Buckroe 2. If the City wants to count STRs in this unfair manner, then the ENTIRE building should count as only one dwelling toward the 1% total in that zone.

On Wed, May 8, 2024 at 5:20 PM Kraus, Jessica <jessica.kraus@hampton.gov> wrote:

Good afternoon,

Thank you for your email. Please confirm whether you would like your comments to be included in the package materials provided to Planning Commission and City Council. If you wish to re-write any of your comments, please submit those promptly in order for those to be included. The package for Planning Commission will be published on May 10th, so only comments received by Thursday, May 9th can be included for Planning Commission. If you would like more information about short-term rentals in Hampton, please visit <https://hampton.gov/strs>.

Regarding your concerns about permitting short-term rentals in Salt Ponds on the Bay due to restrictions in declarations and bylaws, please be advised that these declarations and bylaws are private agreements between individual property owners and, in this case, Salt Ponds on the Bay. The City is not a party to these agreements and therefore has no standing to enforce them. This means that the City cannot create zoning regulations that would require compliance with the deed restrictions and covenants of any given neighborhood. Additionally, the City's deliberation of permits for short-term rentals does not include consideration of whether covenants, deed restrictions or any other private agreement(s) allow or prohibit a particular use. It is the responsibility of the individual applying for the permits to comply with all relevant laws, rules and policies. The principles stated above are always true regardless of whether the deed restrictions and covenants address short-term rentals, home occupations, or the creation of duplex/triplex dwellings, to name just a few examples. It is always the responsibility of the neighborhoods, not City Council, to enforce their covenants. Please note that any legal advice pertaining specifically to the covenants and deed restrictions associated with Salt Ponds on the Bay should be obtained from a private attorney.

Sincerely,

Jessica E. Kraus

Assistant City Attorney

City of Hampton, Virginia

22 Lincoln Street

Hampton, Virginia 23669

Phone: (757) 727-6157

jessica.kraus@hampton.gov



CONFIDENTIALITY NOTICE: This email message, including any attachments, is for the sole use of the intended recipient(s) and may contain information that is legally privileged, confidential and/or otherwise legally exempt from disclosure. If you are not an intended recipient, you are not authorized to read, print, use, copy, disclose or

disseminate this message or any part of the information contained in this message. If you have received this communication in error, please notify the sender immediately by email and destroy all copies of this message and any attachments. Unintended transmission shall not constitute waiver of the attorney-client or any other privilege.

From: Dan & Michelle Yuchnovicz <yuchnovicz@gmail.com>

Sent: Tuesday, May 7, 2024 10:19 AM

To: Short Term Rentals <shorttermrentals@hampton.gov>

Subject: [EXTERNAL] Notice of Public Hearing

Hello -

I wanted to confirm that the four condo associations in Salt Ponds On the Bay, each having their own Declarations and ByLaw instruments on file with the Hampton Court House, are not subject to this rezoning if their ByLaw instruments expressly forbids any AirBnB or short-term rentals of less than a year.

Thank You,

Dan Yuchnovicz

Salt Cay Condo Owners' Association

757 560-0552

Patel, Urvi

From: DrummerDanVA <drummerdanva@gmail.com>
Sent: Tuesday, May 7, 2024 5:08 PM
To: Short Term Rentals
Subject: [EXTERNAL] Our opinions on this subject

Categories: Public Hearing Input

We have seen enough problems with people moving into regular rental houses in our neighborhood in the past 30 years we have lived here. There are enough problems of renters not keeping up properties and bringing in noise, trash, and undesirable elements. It has been especially bad the past few years. The thought of some of these houses becoming short term rentals is a horror situation. There is no incentive for short term renters to follow laws and rules etc especially if the city and police do little about problems.

I know the city, with the All American City banner, thinks Hampton is so wonderful but maybe it is for some demographic of individuals living here but not most older people I know. The decline in Hampton in the past 30 years is astounding. The thought of living next to a short term rental is scary. If the city wants to allow this, maybe they should buy up the neighboring properties at assessed value so we can get out safely without losing a ton of money trying to sell our houses.

So we are very much opposed to ANY increase of short term rentals or to be honest for any at all but maybe the horse is already out of that barn.

Dan and Susan Campbell
12 Overlook Ct
Hampton, VA 23669-1057

Jackura, Allison

From: thebestever F <fdiggs1@gmail.com>
Sent: Thursday, May 9, 2024 4:05 AM
To: Short Term Rentals
Subject: [EXTERNAL] Not in favor

Categories: Public Hearing Input

This email is in reference to public hearing that will be held concerning short term rentals.

As a citizen of the City of Hampton VA I am opposed to allowing homeowners to conduct their property as a short term rental.

If one would do some research you will note that short term rental create a unsafe environment for the neighborhoods.Short-term rentals can disrupt the peace and stability of a community in a few ways:

* **Transient residents:** Frequent turnover can make it harder to build a sense of community and familiarity with neighbors.

* **Potential for noise and disruption:** Short-term rentals may attract guests who are on vacation and looking to party, leading to noise complaints.

* **Impact on housing availability:** A surge in short-term rentals can reduce the number of available long-term rentals, driving up housing costs for residents.

Thanks
Francisca Collazo-Diggs
Hampton, VA, us

Jackura, Allison

From: Greg Garrett <greg@garrett.partners>
Sent: Wednesday, May 8, 2024 6:09 AM
To: Donnie Tuck; Jimmy Gray hampton city council; Bunting, Mary; Billy Hobbs hampton city council; Martha Mugler 2022; Chris Bowman hampton city council; Hope Harper; Hope Harper; Brown, Steven; Glass, Katherine; Jackura, Allison; Brown, Bonnie
Cc: greg@garrett.partners
Subject: [EXTERNAL] Suggested changes on Hampton's proposed Short-term Rental Ordinance

Mayor Tuck et al,

This message is about the proposed Short-term Rental Ordinance in the City of Hampton which is coming before the Planning Commission May 16th at 3:30 p.m. in City Council Chambers.

Firstly, the Staff came out with an amazing recommendation which could have been the best Short-term Rental Ordinance in any City in America, that I believe only needed 2 minor changes... which would be:

- A. The Ordinance should allow Hampton residents to rent out a room(s) in their owner occupied home while they are also present "by right". The problem with the Staff's original recommendation is that anyone wanting to rent out a room in their personal residence for less 30 days would need to get a license(ZAP Permit) and that would count against the 1%-3% cap. This would also allow people who don't want STRs in their neighborhood to get licenses(ZAP Permits) for short-term rentals for their personal homes that would count against the 1%-3% cap, thereby denying normal nonoccupied short-term rental owners from getting ZAP permits, once the cap is reached.
- B. To not allow 3 short-term rentals to be next to each other is inconsistent with the way families like to travel because they like to be as close to each other as possible.

However, the Staff's recommendation was otherwise fantastic and would have been a model ordinance for cities throughout the United States. It would have brought balance and fairness for short-term rentals throughout the City, it would have created a significant amount of tax revenue for the City, potentially between \$1 million dollars and \$2 million dollars conservatively & it would not have changed the cultural fabric of Hampton's neighborhoods.

The Staff's recommendation was made after 2 different Stakeholders Groups were put together with a total of 13 separate meetings held.

But, after the Staff came out with a wonderful proposal, Staff was directed to make 2 major changes.

1. To not allow short-term rentals to be within 500 ft (360°) of another short-term rental unless 2 are next door to each other... this is going to eliminate many of the short-term rentals that are already operating in the city of Hampton that are NOT causing problems. It's also going to eliminate the majority of what could be short-term rentals in some of our most high demand parts of the city like Buckroe and Phoebus.
2. The Staff was proposing a 1% cap over most of the City with a 2%-3% cap in Buckroe, Phoebus, Coliseum Central & Downtown... which made sense. The direction that was given to the Staff apparently was to make the 1% cap across the entire City. This probably means that around half of the existing short-term rentals in Buckroe will be eliminated and the other high demand areas for short-term rentals will never develop like it should.

Family tourism is going to thrive in Hampton if we go back to the Staff's original recommendation and just make the 2 minor changes recommended above (A & B). In addition, Hampton will generate a tremendous amount of tax revenue while setting a great example of how the free enterprise system, along with responsible government regulation, can coexist.

Please do not diminish a wonderful Ordinance that the Staff came out with originally after considering all of the feedback from Stakeholders with these two counterproductive changes that will have a huge negative impact on what could have been a great STR Ordinance.

Feel free to call me to discuss in more detail at 757-879-1504 or respond to this email if that is easier for you.

Greg Garrett

www.garrettrealtypartners.com [garrettrealtypartners.com]

Jackura, Allison

From: Hometown Host <thehometownhost@forgrassroots.com>
Sent: Friday, May 3, 2024 9:36 AM
To: Short Term Rentals
Subject: [EXTERNAL] Support hosting in Hampton

Categories: Public Hearing Input

Dear The Hampton The Planning Department,

Dear Council, Mayor, Tuck, and planning;

Thank you for your continued work and making Hampton great. As someone that has used Airbnb in Hampton and surrounding cities, as well as hosted in the area to humbly support hosting in Hampton.

The proposed changes to hosting in Hampton will greatly reduce availability of short term housing for not just visitors, but for travel workers, Hampton residents that have been temporarily displaced from their homes, military professionals coming to the area, people visiting their families.

Understanding the need for regulation is respectable and streamlining the process for approval and reducing the cost would be greatly appreciated. However, reducing the amount available in an area could cause more of a negative impact for neighborhoods, owners, and the city.

Considering neighborhoods, generally STRs will likely be some of the best maintained properties in the area. They certainly could be maintained more than a normal tenant occupied rental. STRs are going to be looked after weekly-monthly, meticulously looked after, regular updated, and ultimately raise the value of the area for the city and other owners.

Removing them could cause abandoned properties, a loss of income for owners & hosts, values to drop, less money circulating from hosts and guests spending in the city.

I hope to stand with hosts and support:

- allowing STRs in all commercial, mixed-use and multi-family zones
- not limiting hosting to primary residences
- allow non-primary residence STRs in residential areas with a permit
- no advertising the contact person's information on the city's website. This could lead to privacy violations, harassment, or a number of things unrelated to STRs
- raising or eliminating the 1% cap. There may be multiple STRs in an area, but they don't all offer the same thing to guests. Eliminating multiple rentals could change this makeup and take away needed accommodations.

Thank you again for your consideration and taking the time to reconsider STRs as a benefit for the community, city, visitors, and residents.

Regards,
Hometown Host

Jackura, Allison

From: Cecil Holt <cecil.holt@cox.net>
Sent: Tuesday, May 7, 2024 10:18 AM
To: Short Term Rentals
Subject: [EXTERNAL] Against short term rentals

Categories: Public Hearing Input

My name is James Holt and we have lived at 19 Colonial Acres Dr for forty-four years in a family neighborhood. This is not a beach community like Buckroe and it does not need short term availability. We are not near an airport, large industry or entertainment venue that would need short term rentals. As a resident of Colonial Acres I am against this rezoning.

Jackura, Allison

From: Jeff Amick <amickjeff@gmail.com>
Sent: Tuesday, May 7, 2024 8:40 AM
To: Short Term Rentals; Jackura, Allison
Cc: Jeff Amick
Subject: [EXTERNAL] Short Term Rentals Grandview Island

Categories: Public Hearing Input

I am concerned about the overlay map for short term rentals. The FOX HILL 2 9 area is quite large. Grandview Island has too many short term rentals already (not all are shown on the map). We already have issues with trash, parking and rude visitors with little consideration for others. With the large area of FOX HILL 2 9, there could be many more short term rentals on Grandview Island and still stay under the percentage, since the rest of the FOX HILL 2 9 area has none (or the potential for very few).

Since the purpose of this regulation is to limit the density of short term rentals to ensure they don't affect the character of the neighborhood, I would think it would be more appropriate for Grandview Island to be its own designated area. Otherwise, we will have a much greater density, since there will be very few if any STRs in the rest of FOX HILL 2 9. Grandview Island is a special area with unique qualities. I would like to see it classified as its own area to properly regulate the short term rentals on the island. I would appreciate your consideration to maintain the quality and character of Grandview Island. Thank you!

Jeff Amick
1732 Beach Road
Hampton, VA 23664
757-870-1544

Jackura, Allison

From: Joan Ehlers <joanehlers7@gmail.com>
Sent: Thursday, May 9, 2024 11:11 AM
To: Short Term Rentals
Subject: [EXTERNAL] Rezoning my property

Categories: Public Hearing Input

Dear Planning Commission and City Council,

My name is Joan Ehlers and my address is 155 Alaric Dr.

I strongly urge you to not rezone our neighborhood.

Not too long ago, a drunk guy appeared at 3 AM at my next-door neighbors' house and demanded entry. He was renting a room through something like an Airbnb and he was totally disoriented and evidently needed a room in a house a couple doors down from my neighbors. He was extremely belligerent to my neighbors when my neighbors wouldn't let him in.

It was very disturbing to all of us. We're battling crime enough as it is in our neighborhood.

*Please, please do not rezone our properties. *

Sincerely, Joan

Sent from my iPhone

Patel, Urvi

From: John Maghamez <johnnymagz@grsdelivery.com>
Sent: Friday, May 3, 2024 9:36 AM
To: Short Term Rentals
Subject: [EXTERNAL] Support hosting in Hampton

Categories: Public Hearing Input

Dear The Hampton The Planning Department,

I am writing to urge you to not pass the law restricting the amount of short term rentals. I currently run one and I know how much in taxes I currently pay to the city of Hampton every year which the city so desperately needs due to high crime rates. I've never personally had an issue with police or neighbors complaining. Additionally, the restriction not permitting airbnbs within 500 feet of each other is completely subjective and would directly affect me getting approval since my neighbor already owns one. I would not be able to pay the mortgage without this income from short term rental as my property is in buckroe beach and my insurances along with the reason I purchased it would be completely changed. I was completely compliant when I purchased it and now I would be punished with these changes.

Regards,
John Maghamez

Jackura, Allison

From: Kaitlyn Hough-Oakes <kaitlyn@anchorvirginia.com>
Sent: Thursday, May 9, 2024 5:22 PM
To: Short Term Rentals
Subject: [EXTERNAL] INSERT INTO PLANNING COMMISSION NOTES: STR Notes

Categories: Public Hearing Input

Good evening,

I wanted these notes to be inserted with the planning commission review so that they can be considered in addressing the new STR regulation.

Benefits of STR:

1. Hampton VA has very few hotels period, but they are not the best quality hotels either. Most of the hotels are located in the crime corridors and mostly see clientele that are here for an extended period of time, not vacationers. The hotels in Hampton just aren't in the safest neighborhoods, detracting the attraction of tourists to stay in Hampton's city limits while visiting on the peninsula
2. STRs. combat this: they are homes in safer communities, with increased security through noise and camera detection, as well as smoke detectors and elevated safety protocols that reduce safety risks in these properties and promote safety and welfare of the neighbors as well as the STR.
3. They drive traffic to stay here - reducing the number of STRs reduces the number of guests we have stay here for vacation or to explore the area. The hotels just cannot accomodate this right now. Tourism has been up even DURING COVID-19, and people weren't staying in hotels during the lockdown due to proximity issues. People traveled and stayed in STRs during this - promoting the small business and economic growth of this community even when it was slowed.
4. Airbnb and the STR industry of professional hosts and property managers promotes the highest level of standards, safety, and accountability in the properties. STRs are the cleanest, safest, most attractive homes in the community. It's easy to see that if you just drive around Phoebus and Buckroe Beach - its getting more attractive and safer by the day, in large part due to bringing in STR guests.
5. Parties are completely banned and easily avoided nowadays - so the neighbors concerned about these, a responsible host will put in place the standards to prevent this.
6. Professional hosts background check EVERYONE coming into the homes! These are safe trusted people walking into these homes on vacation, not just random visitors from across the country!

Reason to increase per capita restriction

1. 1% is not sufficient to meet the standards of high season vacation time if we want to promote the growth of tourism in the city, which the city clearly does but creating multiple attractions that drive more traffic here.
2. Increasing this per capita allows more owners to purchase and run STRs which directly contribute to cleaning up the community. Ascribing to the Broken Windows theory of crime, clean up the community and it becomes safer. I have personally seen this in just 5 years of being in Hampton, especially in the Buckroe Beach area. Thank you for the work you have done there as a city, but please also realize we are cleaning up the quality of people who live and operate there as well.
3. Ask any host, the 'problems' you hear about in the media are less than 1% of any guest who ever stays. The same as any landlord who has issues with tenants, it just isn't the caliber of people staying in these homes that knowingly choose to break the rules.

Agreement with suggested changes:

1. Spacing between units - I do know that this can cause problems with parking and safety in the community. This makes sense!

2. Reduction of the permit price: Keep the price low if you want to encourage people to open safe and well maintained STRs.

Encouragement for future changes:

1. Ensure properties are professionally managed with a broker - this will keep them operating at the highest caliber that they should be operating. We trust real estate agents for a reason, if we want these STRs to benefit the community the best, then encourage each owner to have a broker attached to the property management in some way.

Thank you for your consideration!!

--

Have a blessed day!



Jackura, Allison

From: Kathleen nodes <ozinva@yahoo.com>
Sent: Wednesday, May 8, 2024 2:12 PM
To: Short Term Rentals
Subject: [EXTERNAL] Short term rentals

Categories: Public Hearing Input

As a property owner in a residential neighborhood, I am 100% against short term rentals. I do not want people coming, and going, so owner can use his home to make money. You want that. Buy apartments or a hotel. Keep this out of my neighborhood

[Sent from Yahoo Mail for iPad \[mail.onelink.me\]](mailto:ozinva@yahoo.com)

Jackura, Allison

From: I diggs <ldiggs1@gmail.com>
Sent: Thursday, May 9, 2024 3:04 PM
To: Short Term Rentals
Subject: [EXTERNAL] Short term rental

Categories: Public Hearing Input

This proposal could negatively impact property values throughout the city while offering limited benefits to residents. It has the potential to attract short-term renters who may disrupt our neighborhoods. We shouldn't let special interests dictate the future of our city. Most homes in Hampton lack direct access to tourist attractions, suggesting that short-term rentals may cater to individuals seeking accommodations for disruptive purposes. We must consider these potential consequences before allowing special interests to jeopardize the safety and stability of Hampton communities. Those pushing this proposal may prioritize short-term gains at the expense of long-term consequences for residents. This does not benefit the citizens of Hampton at large.

Best regards,

L.Diggs

Jackura, Allison

From: Lily Carson <lily.carson@foradvocacy.com>
Sent: Monday, May 6, 2024 9:49 AM
To: Short Term Rentals
Subject: [EXTERNAL] Support hosting in Hampton

Categories: Public Hearing Input

Dear The Hampton The Planning Department,

Thank you for listening our voice.

As a home owner in Hampton, I would love to see that you consider adopting reasonable regulations that allows STR permits in all residential areas if the home is a primary residence; allows non-primary residence STRs in residential areas with a conditional use permit. Most importantly, allows STRs in all commercial, mixed-use and multi-family zones.

Thank you very much!

Regards,
Lily Carson

Jackura, Allison

From: Lisa Fairburn <lisafairburn@gmail.com>
Sent: Thursday, May 9, 2024 4:23 PM
To: Short Term Rentals
Subject: [EXTERNAL] No Short Term Rentals

Categories: Public Hearing Input

Dear Counsel,

I am Opposed to any Short Term Rentals. I live in the Buckroe Beach neighborhood. We have a Home Owner Association (HOA) association. Currently we have a neighbor that has an illegal STR. It Is A Nightmare! We are a community, not a resort.

This STR has wreaked havoc in our community. This is not a single family home community, we are townhome style dwellings. Our community used to be quiet and safe, no longer. The people that rent are loud, rude and destructive. We have found feces in the pool, broken pool furniture, and unsupervised children that climb the fence or seawall. The owner will rent to groups of 10 or more! The property is only 1,400 square feet. Last month the children at the STR climbed out the upstairs window and were on the roof.

PLEASE No STRs.

At Bare Minimum : A required separation between STRs of 1,000 feet, No Exception

Having two directly next door, or within close proximity to each other would be disastrous for current homeowners and residents.

Please ask yourselves, Do You Want a loud, rude and destructive new neighbor every week next door to You?

Our community is not equipped for such a weekly turnover, it presents a security and liability issue.

Our homes should be our sanctuary. We should not be subjected to constant loud, destructive and disrespectful behavior.

Thank you,
Lisa Fairburn
757-848-9439

Jackura, Allison

From: Lisa West <candyman38_68@msn.com>
Sent: Wednesday, May 8, 2024 1:27 PM
To: Short Term Rentals
Subject: [EXTERNAL] Public Hearing regarding STRs

Categories: Public Hearing Input

We received notice of a public hearing regarding the rezoning of our neighborhood into the Newmarket Creek 5 zone. We have concerns regarding this change in zoning. We have difficulty now with home owners keeping up their property in our neighborhood. Businesses around us blasting music on the weekends and disturbing us trying to enjoy our yard. We believe that adding more STRs to the mix will contribute to the decline of our neighborhood even more and possibly effect the value of our home in the future.

We strongly encourage the City to reconsider this rezoning and think about the neighborhoods rather than the revenue.

Thank you for your consideration.

Jackura, Allison

From: Randy Brown <rbrown885@gmail.com>
Sent: Tuesday, May 7, 2024 9:10 AM
To: Short Term Rentals
Subject: [EXTERNAL] Comments to proposed rules changes in STR for Hampton

Categories: Public Hearing Input

To whom it may concern. I am not a person who operates a short term rental and don't plan to but I am concerned regardless that a home/land owner can have his property rights infringed upon because someone else doesn't like how that person uses his/her property.

If he/she creates a nuisance or disturbs the peace, or guests that they sponsor do, there are existing rules/laws to address that. I don't need or want government interfering in my business or limiting the use of my property ...period.

I served over 25 years in defense of this country and it's citizens rights and I don't want any of those limited by a city government. I respect that my neighbors have the right to do with their property what they see fit as long as they do not disturb or infringe on my rights.

I respectfully request you stop this needless imposition of greater restrictions

Thank you

Randy Brown.

Pemberton, Davis

From: Zauber, Ryan <rzauber@amazon.com>
Sent: Wednesday, May 8, 2024 7:44 AM
To: Short Term Rentals
Subject: [EXTERNAL] Comments About New Zoning Policy

Categories: Public Hearing Input

Howdy,

My name is Ryan Zauber and I live in Buckroe Zone 1. I used to short-term rent a room in my house on AirBnB, but no longer do at the moment. I would like the opportunity in the future to do so should my family want to offer that. I think this policy should be reconsidered – Buckroe is a bit of a vacation destination for many people, particularly the beach front homes and apartments. I feel like this rule will only go to benefit the people with existing permits because looking at the map almost all of Buckroe Zone 1 is already covered by existing permits (other than salt ponds gated community which doesn't allow behavior in the community). This will basically allow those who are already renting their homes to be able to charge whatever they want not allowing market dynamics to take effect.

The 'change the character of the neighborhood' argument is not a good one when it comes to zoning laws and is one that has been frequently used to push policies that benefit some class of people over others, in this case the existing short term rental permit holders. Given that Buckroe is already a bit of a vacation community, with many of the people that own houses around the beachfront just using them as second homes, I think this is going to drive down tourism because of higher potential prices that the existing permit holders can charge and less inventory of rentals that can be used.

I also have a real question about the people that brought up the concern... if you look at the rest of the map beyond Buckroe and Phoebus, it's pretty clear that this ordinance is designed to reduce competition in the Buckroe and Phoebus (and maybe downtown?) areas and that is it, there's not an overload of in any way of rentals in any of the other regions.

Thanks,
Ryan Zauber

Jackura, Allison

From: Hampton Rental LLC <hamptonrental@protonmail.com>
Sent: Thursday, May 9, 2024 1:21 PM
To: Short Term Rentals
Subject: [EXTERNAL] STR Questions, Concerns, and suggestions

Categories: Public Hearing Input

Hello Allison,

As landlords, we support the city's efforts to regulate this Use in our community. We struggle daily to compete with 'slum lords', 'fly by night' operators, and those who just don't care about how they impact their community.

We would however, like to point out some possible unintended consequences of the proposed regulations. We hope you'll take a few minutes to read this communication through and act accordingly.

In our review of the available information, we believe that there are conditions where the proposed regulation may be actually be detrimental to communities, and the city as a whole:

First, in 'mixed use' zoning districts such as the HRC, DT, BB, FM, and PH districts, which have already been designated for combined business and residential Use (the very definition of an STR), the proposed Use should be of minimal impact to the surrounding community, and we believe, contribute to a more vibrant, sustainable, and desirable neighborhood.

However, applying (our understanding of) the proposed density and separation requirements to these districts could eliminate opportunities for growth and prosperity of the community, or give a handful of operators a de facto monopoly in the very areas the where city is looking to encourage tourism and growth.

For instance (according to the interactive map) in the Phoebus community, a 'grace period' STR exists on County Street. If this STR complies with the proposed ordinance, would it eliminate an entire block of Mellen street from having STR's? Similarly, would a new STR near the corner of Mallory and Mellen streets eliminate any competing use in 4 blocks of the commercial area of Phoebus? (essentially the ENTIRE business district) And, in an area that has an almost completely vacant, second story of offices and apartments?

We believe the proposed regulations need further consideration in 'mixed use' and other commercial zonings, where residential Use may be allowed.

Second, the way the separation distance is defined (from the property lines) gives an unfair advantage to large lots in small lot neighborhoods. Although not common, these conditions do exist.

Imagine if you will a 2 acre lot, in a neighborhood of 6,000sf lots: if this property is granted a permit, it could be the only STR allowed, regardless of density. Wouldn't it be more reasonable to measure separation from the structure itself? Or better yet, from a center point of the Use, similar to how wells are protected from new septic system installations?

In conclusion, we welcome this regulation of the industry and the approach the City has taken. We believe that having good 'ground rules' and enforcing them, will make this industry a valued part of the community, contribute to the viability of Hampton, and help do away with negative stereo-types created by an under regulated market.

Thank you for taking the time to listen, and **we appreciate the work of all those involved with this process at the City.** We know this is no easy task.

Sincerely,
Scott Sewell and Velma Williams
Managers,
Hampton Rental LLC

Sent with [Proton Mail \[proton.me\]](https://proton.me) secure email.

Jackura, Allison

From: Professional Real Estate Management <office@prementals.com>
Sent: Thursday, May 9, 2024 6:59 PM
To: Short Term Rentals
Subject: [EXTERNAL] Oppose STR Districts & Limited Regulations

Categories: Public Hearing Input

Dear Ms. Jackura, City Council, and Planning Commission:

Thank you for notifying owners in the city of the proposed rezoning actions. As a property owner and real estate broker in the city. I highly oppose the limiting factors of these proposals.

While I'm not personally a STR host I see the value in them for guests, owners, the city, and residents. Limiting the number available will take away from visitors and local families. I've seen STR's in the area and they look better than some of the houses surrounding them, that adds to the neighborhood in my opinion. Being a resident and working in real estate over 40 years, I know that short term rentals aren't a new thing here. Weekly rentals and vacation rentals have been around.

I hope that the city strongly reconsiders all their stances on short term rentals. Allow permits that don't have to be for a primary residence, don't limit or increase the limit available in these proposed zones, and be reasonable with the extra requirements for displaying contact people and floor plans.

Thank you for considering all the community feedback on this topic.

Sincerely,

Sharon Russell

Professional Real Estate Management

4120 Victoria Blvd

Hampton, VA 23669

www.premrentals.com [prementals.com]

Office: (757)827-1033

Fax: (757)827-1036

office@prementals.com

Jackura, Allison

From: theresa morgan <mntmomtee@yahoo.com>
Sent: Monday, May 6, 2024 10:10 PM
To: Short Term Rentals
Subject: [EXTERNAL] Stop them

Categories: Public Hearing Input

I live at 2501 e pembroke ave

I was born and raised in Hampton

Left for a while and have returned home in 2020 because my mother is elderly Shocked at the cost of rentals My rent started at 900 for one and a half bedroom It has gone up \$400 since 2020 I've been told this is the last year. I can rent it because she wants to turn it into a Vrbo.

On fourth Street, the intercepting road to my residence There are already 3 Two more remodeling to go to short term rentals Several on first Street Mallory Second Street and fifth People who are on vacation stay up late play music. Have a good time.

This is a community at residence local people have to work the next day People are coming in as investors skyrocketing the price of the houses for purchase and rent is becoming unbelievable Love my Buckroe please stop this madness Let locals live reasonably I've also looked up in a very small fraction of these houses are approved. Short term rentals I will be glad to provide addresses Thank you Theresa Morgan

Sent from my iPhone

Angie Lundy
Homeowner
Native Hamptonian

Dear City of Hampton ,

I am writing to express my strong support for the allowance of short-term rentals within the City of Hampton. This initiative holds the potential to significantly benefit our community in numerous ways, from boosting tourism to fostering economic growth and addressing housing needs.

First and foremost, permitting short-term rentals would cater to the diverse needs of travelers visiting our city. Many families, especially those with large families or pets, find traditional hotel accommodations limiting and inconvenient. By providing comfortable and spacious lodging options through short-term rentals, we can attract a broader range of tourists, thereby boosting tourism revenue and supporting local businesses.

Furthermore, Hampton's proximity to numerous hospitals makes it a frequent destination for medical travelers seeking specialized treatment. These individuals often require longer stays and prefer the comforts of a home-like environment. By allowing short-term rentals, we can better accommodate their needs and contribute to the overall well-being of those seeking medical care in our city.

In addition to catering to tourists and medical travelers, the expansion of short-term rentals would create employment opportunities within our community. Property managers, cleaners, and maintenance personnel would all benefit from the increased demand for short-term rental properties, thereby stimulating job growth and enhancing economic prosperity.

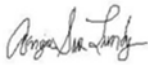
It's also essential to acknowledge Hampton's status as a transient area, with a significant population of military personnel and other transient residents. Short-term rentals can help address the shortage of suitable housing options for these individuals, providing them with temporary accommodations that meet their needs while they are stationed or transitioning through the area.

Moreover, I urge the reconsideration of the 360 500 ft rule, as it imposes unnecessary restrictions that hinder the growth of short-term rental businesses without providing tangible benefits to our community. Eliminating this rule would promote fairness and encourage entrepreneurship, allowing property owners to maximize the potential of their assets while contributing to the local economy.

In conclusion, the benefits of allowing short-term rentals extend far beyond economic considerations. These accommodations can enrich our cultural landscape, revitalize neighborhoods, and provide much-needed housing options for residents and visitors alike. By embracing this opportunity, we can position Hampton as a welcoming and inclusive destination while unlocking the full potential of our local economy.

Thank you for considering this proposal, and I urge you to support the legalization of short-term rentals in the City of Hampton. Together, we can create a vibrant and thriving community that benefits all its residents.

Sincerely,

A handwritten signature in cursive script that reads "Angie Lundy".

Angie Lundy

angielundy@gmail.com

571.268.7977

Jackura, Allison

From: Brant Jackson <brantjackson@cox.net>
Sent: Tuesday, May 14, 2024 11:37 AM
To: Short Term Rentals
Subject: [EXTERNAL] Opposition to rules and limits on STRS

Categories: Public Hearing Input

Hello,

I believe there should be some exceptions made regarding STR properties that allow for owners to rent out their properties on a short term basis a couple or few times per year. There are some new world wide trends that are basically like "swapping" properties with another for a short vacation (2-3 weeks usually). Further, many people could use the opportunity to rent out their home for a short period (again 1-3 weeks) while they themselves are on vacation (helping offset the cost of vacation as well as bringing tourist activity to the city). Additionally, there are many beautiful properties in Hampton that could be potentially used as STR, not on a regular basis, but occasionally as a STR and a venue (wedding, parties, etc.) spot that may have their hands tied too restrictively with the new proposals. Further, along with exceptions to the proposed rules, a streamlined, quick and easy permit process could be implemented for these type properties that would seek a one time use permit for such a situation (the property owner could get this one time permit several times a year or every year, etc. depending on desired use but the permit would only allow for the use one time during a specified time frame).

Any exceptions that could be made to allow for property owners to take advantage of these situations would be desired.

Thank you for your consideration.

Regards,

S. Brant Jackson
109 Wilson Lane
Hampton, VA 23663
757-692-8259

Jackura, Allison

From: Brendan Butler <brendan371@mac.com>
Sent: Monday, May 13, 2024 3:40 PM
To: Short Term Rentals
Subject: [EXTERNAL] Comment for Proposed Update to STR Regulations

Categories: Public Hearing Input

Good Afternoon,

I am a homeowner in Elizabeth Lakes and a proud Hampton resident and evangelist for our wonderful city.

Hampton is one of the only municipalities in the area that has avoided turning into a giant strip mall. The multiple downtown areas, beaches, and community events set Hampton apart.

That said, short term rentals are a scourge on neighborhoods and municipalities. They invite conflict with neighbors, negatively affect the housing market, and empower people and organizations to buy houses for rental purposes that wind up poorly maintained.

I am strongly opposed to any regulation making it easier to operate a short term rental in Hampton, including lowering permit fees. It should not be easier to operate these poorly-regulated "businesses".

Short term rentals should be banned from Hampton. We are on the brink of so many wonderful things in Hampton, from the HRBT expansion hopefully helping ease transit from the peninsula to Southside, to the development of housing in downtown Hampton, to the efforts to rejuvenate Fort Monroe. Short term rentals could easily turn Hampton from the ideal place for families in young people in Hampton Roads to another trashy tourist dump.

I strongly oppose any regulation or changes to policy that will make it easier or cheaper to operate short term rentals in Hampton. I strongly encourage the Commission to take steps to stop additional properties from being used as short term rentals, and to move towards limiting and then banning short term rentals in Hampton. Nearly every study shows that any minor benefits to a municipality are vastly outweighed by the negative effects to neighbors, the housing market, and the community as a whole.

Thank you for your consideration.

Brendan Butler
310 Burgh Westra Drive

Jackura, Allison

From: C Miller <chantaymil@gmail.com>
Sent: Friday, May 10, 2024 8:43 AM
To: Short Term Rentals
Subject: Re: [EXTERNAL] Support hosting in Hampton

Categories: Public Hearing Input

Yes I'd like it included.

Dear The Hampton The Planning Department,

Good day,

I am a homeowner in Hampton area and I wholeheartedly support airbnb in my neighborhood. This business will support all local amenities as well as other businesses in the surrounding area, which can increase revenue for the city.

Regards,
Chantay Miller

On May 10, 2024, at 08:25, Short Term Rentals <shorttermrentals@hampton.gov> wrote:

Dear The Hampton The Planning Department,

Good day,

I am a homeowner in Hampton area and I wholeheartedly support airbnb in my neighbor. This business will also support all local amenities as well as other businesses in the surrounding area which can increase revenue for the city.

Regards,
Chantay Miller

Jackura, Allison

From: Christina Porter <chrisliveshere7@gmail.com>
Sent: Tuesday, May 14, 2024 1:28 PM
To: Short Term Rentals
Subject: [EXTERNAL] comments on Short Term rentals in my neighborhood

To the Planning Committee of Hampton, VA,

I am writing to explain how short term rental property **NEGATIVELY** affected my neighborhood for all of 2022/2023 and to encourage you to prevent these monstrosities from coming more into our beautiful city.

Sometime in 2022, the house located at 15 Ironwood Way, Hampton was sold and purchased with the express purpose of making it into a permanent Airbnb rental. This is an HOA property and our neighborhood is on a cul de sac. We are only 8 houses strong. The new "Owner" of this property never read the HOA rules which prevent anyone from making short term rentals on our street. They opened up this rental and at times there were 10 extra vehicles parked on our street. When the rest of us realized what had happened under our noses we had the HOA management company reach out to the house owner. The owner ignored all the requests for compliance. We reached out to Airbnb to complain that this rental was against our laws and rules. Airbnb said they could not help us because it was a contract issue not an Airbnb issue. We fought this home owner for a year. Finally they have rented the home to one family and it is no longer a short term rental property. However, we do know that this same person has a second short term rental in Hampton listed with Airbnb.

Did short term rentals negatively affect our neighborhood? Definitely yes! The children could no longer play on our "privately owned HOA street" due to strangers coming and going every week. Imagine having different strangers living in your neighborhood every week. **DIFFERENT PEOPLE EVERY WEEK!** Do you understand what that does to a neighborhood, to our sense of safety? Our neighborhood of 8 houses has children living in 7 of these! Every one was affected. Your idea of 1% of homes does not mean only 1% of us is affected. **100% of us are affected!!** Any why? So that someone who does not even live in our neighborhood can buy a house and make money without any consideration of who lives nearby, without any consideration of our children or our way of life. You should not be making it easier for short term rentals just so we can get tourists to Hampton. There are hotels for that. Our area (North Hampton #4) would have 19 of these STR houses!! **19!!!** Do we get any compensation for our inconveniences? No, not one penny! Do we get any tax reduction for having to put up with this STR fiasco! **NO!!** Our housing area is negatively affected and you now propose to make it cheaper to apply for these permits. Seriously?

My suggestion is that these is one or two areas **ONLY** for the city where these STR can be build and purchased and put out for rentals. Let the strangers live amongst the strangers. New properties are going in all the time. Set these aside please as special permit places for STR.

You have my permission to use this information during you meetings, planning and you may call me for more information.

Christina Porter
7 Ironwood Way
Hampton, VA
757-897-0523

Jackura, Allison

From: HEADLEY CHAMB <heachamb@gmail.com>
Sent: Monday, May 13, 2024 3:24 PM
To: Kraus, Jessica
Cc: Short Term Rentals; Rachel Aldrich; art manning; Robyn Burden
Subject: Re: [EXTERNAL] HOW WILL THESE NEW RULES AFFECT HOA BY-LAWS, RULES & REGS, ETC -TO REFLECT THESE CHANGES?

Categories: Public Hearing Input

Thanks for your response-very enlightening!
I copied the other board members and our Property Manager on this

Thank you for your email. Please confirm by Thursday, May 16th at noon whether you would like your comments to be provided to the Planning Commission. Additionally, please confirm if you would like your comments provided to City Council.

Yes, please provide them with my thoughts.

Regards
H. Anthony Chambers
Magruder IV BOD President

On Mon, May 13, 2024 at 2:17 PM Kraus, Jessica <jessica.kraus@hampton.gov> wrote:

Good afternoon,

Thank you for your email. Please confirm by Thursday, May 16th at noon whether you would like your comments to be provided to the Planning Commission. Additionally, please confirm if you would like your comments provided to City Council.

Regarding your concerns about permitting short-term rentals in neighborhoods with restrictions in declarations and bylaws, please be advised that these declarations and bylaws are private agreements between individual property owners and, in that neighborhood association. The City is not a party to these agreements and therefore has no standing to enforce them. This means that the City cannot create zoning regulations that would require compliance with the deed restrictions and covenants of any given neighborhood. Additionally, the City's deliberation of permits for short-term rentals does not include consideration of whether covenants, deed restrictions or any other private agreement(s) allow or prohibit a particular use. It is the responsibility of the individual applying for the permits to comply with all relevant laws, rules and policies. The principles stated above are always true regardless of whether the deed restrictions and covenants address short-term rentals, home occupations, or the creation of duplex/triplex dwellings, to name just a few examples. It is always the responsibility of the neighborhoods, not City Council, to enforce their covenants. Please note that any legal advice pertaining specifically to the covenants and deed restrictions associated with a particular neighborhood should be obtained from a private attorney.

Sincerely,

Jessica E. Kraus

Assistant City Attorney

City of Hampton, Virginia

22 Lincoln Street

Hampton, Virginia 23669

Phone: (757) 727-6157

jessica.kraus@hampton.gov



CONFIDENTIALITY NOTICE: This email message, including any attachments, is for the sole use of the intended recipient(s) and may contain information that is legally privileged, confidential and/or otherwise legally exempt from disclosure. If you are not an intended recipient, you are not authorized to read, print, use, copy, disclose or disseminate this message or any part of the information contained in this message. If you have received this communication in error, please notify the sender immediately by email and destroy all copies of this message and any attachments. Unintended transmission shall not constitute waiver of the attorney-client or any other privilege.

From: HEADLEY CHAMB <heachamb@gmail.com>

Sent: Monday, May 13, 2024 11:01 AM

To: Short Term Rentals <shorttermrentals@hampton.gov>

Subject: [EXTERNAL] HOW WILL THESE NEW RULES AFFECT HOA BY-LAWS, RULES & REGS, ETC -TO REFLECT THESE CHANGES?

Jackura, Allison

From: J Gomes <jgomesschoa@gmail.com>
Sent: Monday, May 13, 2024 4:15 PM
To: Kraus, Jessica
Cc: Short Term Rentals
Subject: Re: [EXTERNAL] Short Term Rentals within a HOA

Thank you for the fast detailed reply,
Yes, we the Sinclair Commons Homeowners Association would like our comments provided to the Planning Commission and to City Council.

V/r
Jesse Gomes,
President , Sinclair Commons Homeowners Association

On Mon, May 13, 2024 at 3:56 PM Kraus, Jessica <jessica.kraus@hampton.gov> wrote:

Good afternoon,

Thank you for your email. Please confirm by Thursday, May 16th at noon whether you would like your comments to be provided to the Planning Commission. Additionally, please confirm if you would like your comments provided to City Council.

Regarding your concerns about permitting short-term rentals in your neighborhood due to restrictions in governing documents, please be advised that these governing documents are private agreements between individual property owners and, in this case, Sinclair Home Owners Association. The City is not a party to these agreements and therefore has no standing to enforce them. This means that the City cannot create zoning regulations that would require compliance with the deed restrictions and covenants of any given neighborhood. Additionally, the City's deliberation of permits for short-term rentals does not include consideration of whether covenants, deed restrictions or any other private agreement(s) allow or prohibit a particular use. It is the responsibility of the individual applying for the permits to comply with all relevant laws, rules and policies. The principles stated above are always true regardless of whether the deed restrictions and covenants address short-term rentals, home occupations, or the creation of duplex/triplex dwellings, to name just a few examples. It is always the responsibility of the neighborhoods, not City Council, to enforce their covenants. Please note that any legal advice pertaining specifically to the covenants and deed restrictions associated with the Sinclair Home Owners Association should be obtained from a private attorney.

Sincerely,

Jessica E. Kraus

Assistant City Attorney

City of Hampton, Virginia

22 Lincoln Street

Hampton, Virginia 23669

Phone: (757) 727-6157

jessica.kraus@hampton.gov



CONFIDENTIALITY NOTICE: This email message, including any attachments, is for the sole use of the intended recipient(s) and may contain information that is legally privileged, confidential and/or otherwise legally exempt from disclosure. If you are not an intended recipient, you are not authorized to read, print, use, copy, disclose or disseminate this message or any part of the information contained in this message. If you have received this communication in error, please notify the sender immediately by email and destroy all copies of this message and any attachments. Unintended transmission shall not constitute waiver of the attorney-client or any other privilege.

From: J Gomes <jgomesschoa@gmail.com>
Sent: Monday, May 13, 2024 2:22 PM
To: Short Term Rentals <shorttermrentals@hampton.gov>
Cc: Tracy Dove-Terry <tracy.doveterry@gmail.com>
Subject: [EXTERNAL] Short Term Rentals within a HOA

Hello, good afternoon,

I received a notice of public hearing for Rezoning No. 24-0179 and have some questions.

Since inception our Bylaws state "No Short Term Rentals". My question is -how will the proposed rezoning affect what we already have in writing? Our HOA covers West Gilbert St, Bailey Park Dr., Mockingbird Lane and a very large independent living apartment building for elderly in the center.

If the rezoning is adopted, will it overrule our neighborhood bylaws?

"We do not want any short term rentals".

I look forward to hearing from you

Have a great day!

-Jesse

--

Jesse Gomes, President

Sinclair Home Owners Association

Hampton, Virginia 23669

Jackura, Allison

From: Matthew Rodgers <nostrumuva@gmail.com>
Sent: Saturday, May 11, 2024 7:48 AM
To: Short Term Rentals
Subject: [EXTERNAL] RE: Short Term Rentals

Categories: Public Hearing Input

Dear [Local City Government Representative],

I am writing to discuss the importance of property ownership within our community, reflecting on both historical context and the principles of personal freedom.

Historically, the concept of property ownership has been central to the development of our nation. It has allowed individuals the freedom to cultivate and utilize their land, contributing significantly to economic growth and stability. This autonomy has not only empowered owners but also encouraged a diverse and vibrant community fabric.

Given our historical commitment to individual rights and property ownership, I believe it is crucial that our local policies continue to support and respect the ability of property owners to manage their property as they see fit. This freedom is essential for fostering innovation, personal satisfaction, and the overall well-being of our community.

However, I am concerned that current zoning regulations can sometimes appear arbitrary and may not always reflect the community's best interests. These regulations can enforce unnecessary shortages and surpluses that distort the market and can even seem politically motivated, rather than designed to benefit the community as a whole.

To ensure fairness and objectivity in zoning laws, I propose that any maps or zoning plans be determined by an independent third party. This would help prevent decisions that could be politically motivated or inadvertently biased against certain income groups or demographics, ensuring that our zoning laws serve the whole community equitably.

Additionally, I am concerned about the various fees associated with property development and modification, which can be prohibitively high and discourage property improvement and innovation. It is essential that any fees imposed are transparent, justifiable, and directly reinvested into community development projects, ensuring they serve a public good rather than becoming a financial burden on property owners.

I urge our city government to consider these points carefully and to uphold the rights of property owners to make autonomous decisions about their property. By doing so, we honor our historical values and contribute to a prosperous future for all community members.

Thank you for considering my perspective.

Sincerely,

Matthew Rodgers
Resident of Hampton for 8 years

Jackura, Allison

From: Michael Pascucci <michael.pchboard@gmail.com>
Sent: Thursday, May 16, 2024 9:21 AM
To: Kraus, Jessica
Cc: Short Term Rentals
Subject: Re: [EXTERNAL] Effects on COA with established Bylaws

Yes, I would like my comments provided to both the Planning Commission and City Counsel.

Thank you

Michael Pascucci

On Thu, May 16, 2024 at 8:37 AM Kraus, Jessica <jessica.kraus@hampton.gov> wrote:

Good morning,

Thank you for your email. Please confirm by Thursday, May 16th at noon whether you would like your comments to be provided to the Planning Commission. Additionally, please confirm if you would like your comments provided to City Council.

Regarding your concerns about permitting short-term rentals in your neighborhood due to restrictions in governing documents, please be advised that these governing documents are private agreements between individual property owners and, in this case, the Pine Cone Harbour Condominium Association. The City is not a party to these agreements and therefore has no standing to enforce them. This means that the City cannot create zoning regulations that would require compliance with the deed restrictions and covenants of any given neighborhood. Additionally, the City's deliberation of permits for short-term rentals does not include consideration of whether covenants, deed restrictions or any other private agreement(s) allow or prohibit a particular use. It is the responsibility of the individual applying for the permits to comply with all relevant laws, rules and policies. The principles stated above are always true regardless of whether the deed restrictions and covenants address short-term rentals, home occupations, or the creation of duplex/triplex dwellings, to name just a few examples. It is always the responsibility of the neighborhoods, not City Council, to enforce their covenants. Please note that any legal advice pertaining specifically to the covenants and deed restrictions associated with the Pine Cone Harbour Condominium Association should be obtained from a private attorney.

Sincerely,

Jessica E. Kraus
Assistant City Attorney
City of Hampton, Virginia
22 Lincoln Street
Hampton, Virginia 23669
Phone: (757) 727-6157
jessica.kraus@hampton.gov

CONFIDENTIALITY NOTICE: This email message, including any attachments, is for the sole use of the intended recipient(s) and may contain information that is legally privileged, confidential and/or otherwise legally exempt from disclosure. If you are not an intended recipient, you are not authorized to read, print, use, copy, disclose or disseminate this message or any part of the information contained in this message. If you have received this

communication in error, please notify the sender immediately by email and destroy all copies of this message and any attachments. Unintended transmission shall not constitute waiver of the attorney-client or any other privilege.

-----Original Message-----

From: Michael Pascucci <michael.pchboard@gmail.com>

Sent: Wednesday, May 15, 2024 8:46 PM

To: Short Term Rentals <shorttermrentals@hampton.gov>

Subject: [EXTERNAL] Effects on COA with established Bylaws

I am inquiring how this will affect Condominium Associations that have established By-Laws limiting rentals and not allowing Short Term Rentals.

I live at Pine Cone Harbour Condominium (Hampton River 1) and am on the Board of Directors. Our By-Laws limit the number of rentals on our property and we do not allow short term rentals. Any unit approved for renting must provide a lease no shorter than 12 months.

There is concern that this new zoning will negate our governing guidance.

Can you please provide any information so we can understand the effects this may have on our property?

Thank you

Michael Pascucci
PCH Treasurer

Sent from my iPad

Mrs. James Robinson
4 Hatteras Landing
Hampton, VA 23669

May 12, 2024

Community Development and Council Members
22 Lincoln Street
Hampton, VA 23669

Dear Council Members and Staff,

I am writing to express my strong objection to the proposed overlay district for the City of Hampton, specifically regarding the allowance of short-term rentals in residential neighborhoods. As a long-time resident of Hampton, I am deeply concerned about the potential negative impacts that such a decision could have on our community.

There are several reasons why I believe allowing short-term rentals in residential neighborhoods is a detrimental idea:

Short-term rentals would disrupt the cohesive fabric of our neighborhoods by introducing a revolving door of unfamiliar faces, hindering opportunities for neighborly interaction and cohesion. With transient renters coming and going, there is a higher likelihood of increased noise levels and disturbances, disrupting the peace and quiet that permanent residents cherish. Which also, contributes to safety concerns as it becomes harder to monitor who is entering and leaving our neighborhoods, it compromises the security of our communities.

Additionally, many of our residential streets are already congested with limited parking spaces. Introducing short-term rentals would exacerbate this problem, leading to increased competition for parking among residents and visitors.

The presence of short-term rentals can lower property values in residential areas, deterring potential buyers and affecting the long-term investment of homeowners like me.

More importantly converting residential units into short-term rentals could lead to a reduction in the availability of affordable housing options for long-term residents, exacerbating an already challenging housing situation. Some property owners may prioritize profits from short-term rentals over the needs of long-term tenants, leading to the displacement of residents who can no longer afford to live in our neighborhoods.

Finally, our residential neighborhoods are characterized by a strong sense of community and identity. Allowing short-term rentals would compromise this unique character, turning our neighborhoods into commercial hubs rather than places where families can thrive.

In light of these concerns, I urge you to reconsider the proposed overlay district and to prioritize the well-being and stability of our residential communities. Please consider alternative solutions that preserve the integrity of our neighborhoods and uphold the interests of permanent residents like myself.

Thank you for taking the time to consider my objections. I trust that you will make the right decision for the future of our city.

Sincerely,

Mrs. James Robinson

Jackura, Allison

From: Nancy LaCross <lacrossnancy5@gmail.com>
Sent: Wednesday, May 15, 2024 7:49 PM
To: Short Term Rentals
Cc: lacrossnancy5@gmail.com
Subject: [EXTERNAL] Rezoning No. 24-0179, Disapproval of Short-term or Business Rentals

Categories: Public Hearing Input

This is in response to notice of public hearing on May 16 at 3:30 pm. I am unable to attend this meeting; however, I strongly disapprove of Rezoning No. 24-0179 and short term rentals and businesses operating within Waters Edge Circle, Hampton, VA 23669.

Our Homeowners Association by-laws clearly state that homeowners at Waters Edge Circle may not operate a business or short-term rental from their owned property. Therefore, I strongly disapprove of any short-term rentals which is considered a business operation. There are safety and security issues, regarding short-term rentals, to our residents who live here permanently. In addition, short-term rental individuals are not familiar with the rules and regulations of our Homeowner's Association which affect the security and safety of all our permanent residents who live here.

Sincerely,

Nancy A. LaCross
22 Waters Edge Circle
Hampton, VA 23669
(757) 723-4393 (leave message on recorder)
(757) 879-4451 (cell)

Jackura, Allison

From: Reanna Fladger <r.fladger@gmail.com>
Sent: Thursday, May 9, 2024 10:17 PM
To: Short Term Rentals
Subject: [EXTERNAL] Short Term Rental Restrictions

Categories: Public Hearing Input

Hello,

I'm writing because I've heard about the limits being proposed on short-term rentals in Hampton. After reviewing what the city is proposing, I think these actions are limiting and will have a long term negative impact on people visiting the city and people that live here who like to use short-term rentals.

I have used short-term rentals to have staycations, for family visiting that needed more space, and when traveling myself. Having family visit and stay in a hotel is expensive and everyone gets separated. Having access to a variety of rentals makes things a lot better.

The city should keep these rentals available and not limit them, especially for it to only be from someone's primary residence. Staying in someone else's space is one of the worst short-term experiences when there are options to be able to enjoy a nice, clean space, tailored to you.

I hope this message finds you well and you listen to everyone supporting short term rentals.

Sincerely,

R. Fladger

Jackura, Allison

From: Dow, Roberta <dowr@msu.edu>
Sent: Monday, May 13, 2024 3:27 PM
To: Short Term Rentals
Subject: [EXTERNAL] Input on Short Term Rentals

Dear Planning Commission, City Council and Zoning Administrator,

I'm writing re rezoning numbers: 24-0203, 24-0199, 24-0216, and 24-0181 to rezone my property and others with a Short Term Rental Overlay District.

I'm opposed to zoning to allow Short Term Rentals (STRs) and do not feel "growing demand" (as stated on your website) should be a basis for doing it.

I'm opposed to making these residential areas available for STRs for the following reasons:

- Short Term Renters are not invested in the community and are in 'vacation/party mode' at the sites.
- Residential houses become unmonitored motels/hotels.
- Although owners of STRs are supposed to be available, it is not like having hotel/motel staff continuously available.
- Residential communities become commercial areas.
- Short Term Rentals decrease the number of long term rentals available and create a shortage in housing.
- With a decrease in long term rental homes, rental prices have gone up leading to difficulty for renters to find affordable housing.
- Parking often is a problem on the street with STRs.

I come from an area that has created STR Zoning and we have seen disruptive behavior and noise at some homes, increased traffic and parking problems and a change in the street community. Additionally, the city has not increased its ability to monitor these sites. I feel STRs belong to hotels and motels. Also available housing has become more limited.

I have been a home owner in Hampton for over 40 years.

Sincerely,
Roberta L. Dow, PhD
dowr@msu.edu
9515 Maple City Hwy.
Lake Ann, MI 49650

Jackura, Allison

From: Stephanie Collins <stephlorraine74@gmail.com>
Sent: Thursday, May 9, 2024 8:12 PM
To: Short Term Rentals
Subject: [EXTERNAL] Notice of Public Hearing Rezoning No. 24-0218

Categories: Public Hearing Input

Hello,

I oppose rezoning and limiting short-term rentals.

As a property owner, I support short-term rentals in Hampton.

Warmly,

Stephanie L. Collins

Jackura, Allison

From: JoshiS <s.joshi@ieee.org>
Sent: Friday, May 10, 2024 5:04 PM
To: Short Term Rentals; Brown, Bonnie; Mikel, Kimberly
Subject: [EXTERNAL] Objection to STRs in Farmington neighborhood

Categories: Public Hearing Input

Dear Hampton Community Development leaders,

As a long-time (35+ years) homeowner in the Farmington area, I would like to express my serious reservations, and indeed strong objections, to allowing any STRs in our neighborhood.

Over the past two decades, the city of Hampton has experienced a mass exodus of professional and highly educated homeowners to the neighboring counties such as York county. Our area is one of the last bastions in the city. The character of our neighborhood will be destroyed by permitting any STRs., Also the property values, which are already significantly lower than similar homes in other areas (e.g., York county), will go down further if any STRs are allowed in our neighborhood. It will also undoubtedly accelerate population shift to neighboring counties/cities.

Therefore, I am strongly opposed to any STRs being allowed in Farmington area. My wife also joins me in expressing our strong objection to STRs.

Thank you.

Sincerely,

Suresh Joshi, PhD (Electrical Engineering)
Life Fellow-IEEE, Fellow-AIAA, Fellow-ASME
Senior Scientist for Control Theory (Retired)
NASA-Langley Research Ctr, Hampton, VA