



Legislation Details (With Text)

File #: 23-0221 **Version:** 1 **Name:** Use Permit 136 S Second St- Short-Term Rental
Type: Use Permits **Status:** Removed
File created: 7/23/2023 **In control:** City Council Legislative Session
On agenda: 9/11/2024 **Final action:** 9/11/2024

Title: Use Permit Application by FUM Properties, LLC to Permit a Short-Term Rental (STR) at 136 S Second St [LRSN: 13004183]

Sponsors:

Indexes: , Tourism

Code sections:

Attachments: 1. Application, 2. Conditions, 3. Staff Report, 4. Planning Commission Resolution, 5. Presentation

Date	Ver.	Action By	Action	Result
9/11/2024	1	City Council Legislative Session	removed	Pass
6/12/2024	1	City Council Legislative Session	deferred	Pass
2/28/2024	1	City Council Legislative Session	deferred	Pass
11/8/2023	1	City Council Legislative Session	deferred	Pass
8/9/2023	1	City Council Legislative Session	deferred	Pass

Use Permit Application by FUM Properties, LLC to Permit a Short-Term Rental (STR) at 136 S Second St [LRSN: 13004183]

UPDATED BACKGROUND STATEMENT FOR SEPTEMBER 11, 2024:

Pursuant to Zoning Ordinance sec. 3-3(29)(e), short-term rental applications with a pending public hearing date as of June 30, 2024, convert to zoning Administrator Permits (ZAPs) if the requirements in Zoning Ordinance sec. 3-3(29)(a) are satisfied. This application was deferred by City Council at the June 12th meeting and satisfies the requirements set forth in Zoning Ordinance sec. 3-3(29)(a). As such, it has been converted to a ZAP and no further Council action is required. This application will be processed administratively by zoning staff.

UPDATED BACKGROUND STATEMENT FOR JUNE 12, 2024:

This item was deferred at the August 9, 2023, the November 8, 2023, and the February 28, 2024 City Council meetings.

The proposed short-term rental is located in the proposed Buckroe 2 Zone. The proposed zoning map amendments and zoning text amendments recommend a maximum of sixteen (16) STRs in the Buckroe 2 Zone. Currently, the Buckroe 2 Zone features five (5) permitted STRs. The proposed STR would not exceed the maximum number of STRs permitted in the Buckroe 2 Zone as proposed in the set of zoning map amendments and zoning text amendments. However, the proposed STR is within 500 feet of a permitted STR and would therefore not be compliant with the 500-foot buffer requirement proposed in the zoning text amendments. Additionally, the Use Permit application is eligible to convert to a Zoning Administrator Permit (ZAP) application on the day the proposed ordinance amendments go into effect.

UPDATED BACKGROUND STATEMENT FOR FEBRUARY 28, 2024:

This item was deferred at the August 9, 2023 and November 8, 2023 City Council meetings.

Staff is recommending deferral of all short-term rental use permit applications on this agenda. Staff continues to work with the guidance of City Council to establish a consistent and effective land use policy for short-term rentals with goals including the protection of the community's neighborhoods and supporting opportunities for stays for visitors of Hampton.

UPDATED BACKGROUND STATEMENT FOR NOVEMBER 8, 2023:

This item was deferred at the August 9, 2023 City Council meeting.

Background Statement:

This is a request for a use permit for a short-term rental (STR) located at 136 S Second St [LRSN: 13004183]. The property is zoned Buckroe Bayfront Single Family Residential (BB-1) District.

The Hampton Community Plan (2006, as amended) designates this area as mixed use. It sets forth the policies that a mix of land uses appropriate for the district should be encouraged, and tourism and entertainment opportunities should be expanded provided this is done in a way that safeguards the integrity of existing residential neighborhoods.

The property falls within The Bayfront Initiative area of the Buckroe Master Plan (2005, as amended) which supports a mix of public improvements and private development initiatives in the blocks surrounding Buckroe Beach and Park. The Plan recognizes Buckroe's distinguished past as an evolving vacation destination and aims to maintain its present identity as a family-oriented community. It sets forth guiding principles that call for low-scaled beach-oriented housing and supporting the unique coastal character of the architecture in Buckroe.

Two members of the community, including a representative of a neighboring homeowners' association, have expressed opposition to the proposal, citing negligence of rental operators, noise and parking issues, and property value impacts as causes for concern.

Recommendations:

Staff recommendation:

Defer to the City Council meeting scheduled after the proposed ordinance amendments take effect