



Legislation Text

File #: 23-0222, **Version:** 1

Use Permit Application by Antonique & Twaitney Addison to Permit a Short-Term Rental (STR) at 404 N Second St [LRSN: 12007147]

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.

Based on the set of proposed amendments, the proposed short-term rental is located in the Buckroe 1 STR Zone. The proposed STR does not meet the proposed 500' separation requirement as two (2) previously permitted STRs and their respective property boundaries are located closer than 500' to one or more of 404 N Second Street's property boundaries. Additionally, the subject application is not eligible to convert to a Zoning Administrator Permit (ZAP) application when the proposed ordinance amendments go into effect as there is insufficient on-site parking; therefore, the item will remain a Use Permit and will require Council action.

UPDATED BACKGROUND STATEMENT FOR FEBRUARY 28, 2024:

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

Staff is recommending deferral of all short-term rental use permit applications on this agenda. Staff continues to actively 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.

Background Statement:

This request is for a Use Permit for a short-term rental (STR) located at 404 N Second St [LRSN: 12007147]. The property is zoned Two-Family Residential (R-8) District.

The Hampton Community Plan (2006, as amended) designates this area as medium-density residential. 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 area governed by the Buckroe Master Plan (2005, as amended) which 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.

If the use permit is to be granted, staff has identified fifteen (15) recommended conditions based upon the proposed use's operational and land use characteristics. Among the conditions are

limitations on occupancy and capacity, which is governed by the Virginia Uniform Statewide Building Code in addition to conditions related to a ledger, a local contact person, and restrictions on events.

The property is currently free of any open violations. It has undergone an inspection related to a single complaint regarding the short-term rental activity, which was unfounded. As of now, the property is open for booking and actively accepting reservations.

Recommendations:

Staff Recommendation:

Denial