



Memorandum

Planning Division • Community Development

900 Church Street
Lynchburg, Virginia 24504
P 434-455-3900

To: Planning Commission

From: Tom Martin, AICP, City Planner

CC: Bonnie Svrcek, City Manager; Reid Wodicka, Deputy City Manager; Walter Erwin, City Attorney; Kent White, Director Community Development; Kevin Henry, Zoning Administrator; Mitch Nuckles, Commissioner of the Revenue

Date: February 27, 2019

Re: Short Term Rental Discussion

On October 23, 2018, City Council directed staff to prepare *Zoning Ordinance* amendments that would allow Short Term Rental (STR) uses in the City. The Planning Commission conducted a public hearing on January 23, 2019 and directed staff to place the amendments on a future agenda for further discussion. The Planning Commission conducted a work session on February 13, 2018 and developed consensus on a draft ordinance; however, a motion to recommend the ordinance to City Council was not considered. The Planning Commission directed staff to make the following amendments to the draft ordinance:

1. Short Term Rental would be defined as the following: "The accessory or secondary use of a residential dwelling unit or a portion thereof by a host to provide room or space that is intended to be occupied for a period of fewer than thirty (30) consecutive days."

THE PLANNING COMMISSION DIRECTED THAT LANGUAGE BE ADDED INDICATING A SHORT TERM RENTAL COULD BE OPERATED NO MORE THAN ONE HUNDRED TWENTY (120) DAYS PER CALENDAR YEAR.

2. Short Term Rental uses would be a permitted use in the following zoning districts:

- R-C, Conservation
- R-1, Low Density Residential
- R-2, Low-Medium Density Residential
- R-3, Medium Density Residential
- R-4, High Density Residential
- B-1, Limited Business District
- B-3, Community Business District
- B-4, Urban Commercial District
- B-5, General Business District
- IN-2, Institutional 2 District

NO CHANGE

3. A short term rental would require owner occupancy and the owner to be present while the unit is offered for rental in the R-C, R-1, R-2 & R-3 Districts

THE PLANNING COMMISSION DIRECTED THAT THE R-3 DISTRICT BE REMOVED FROM THE OWNER OCCUPANCY REQUIREMENT. THE PLANNING COMMISSION DIRECTED THAT THE REQUIREMENT FOR THE OWNER TO BE PRESENT BE REMOVED.

4. Short Term Rentals offered in the R-C, R-1, R-2 & R-3 Districts would require owner occupancy while the unit is offered for short term rental and the building would be required to retain the appearance of a single-household residence.

THE PLANNING COMMISSION DIRECTED THAT THE R-3 DISTRICT BE REMOVED FROM THE REQUIREMENT FOR MAINTAINING THE APPEARANCE OF A SINGLE-HOUSEHOLD RESIDENCE.

5. The maximum number of occupants in a short term rental would not exceed three (3) individuals.

THE PLANNING COMMISSION DIRECTED THAT THE OCCUPANCY BE INCREASED TO NOT EXCEED FOUR (4) UNRELATED INDIVIDUALS. THE PLANNING COMMISSION DIRECTED THAT THE NUMBER OF DWELLING UNITS SHALL NOT EXCEED THE UNDERLYING ZONING DISTRICT.

6. One (1) additional parking space per short term rental would be required. This parking space would be in addition to any other required parking spaces.

NO CHANGE

7. An annual registration would be required of all units to be used as a short term rental. A \$150 registration fee would be required.

NO CHANGE

8. Failure to register a building as a short term rental would result in a penalty of \$500.

NO CHANGE

9. All buildings offered for short term rental must meet requirements of the Uniform Statewide Building Code.

NO CHANGE

10. Three (3) violations of state or local laws, ordinances or regulations would result in revocation of approval for a short term rental.

NO CHANGE