

ZONING TEXT AMENDMENT NO. ZT-2019-0004

CITY OF NEWPORT NEWS

BACKGROUND

The request is to amend Article II., Definitions, Section 45-201, Definition of Certain Words and Terms, to add the definition of short-term rental to the zoning ordinance.

In 2017, the General Assembly enacted Virginia Code section 15.2-983, that allowed localities to regulate short-term rental of property through its general land use and zoning authority. The rise in popularity of the short-term rental industry through many online hosting platforms has created a way for owners to receive income from their homes by enabling them to rent their homes or rooms in their homes for short-term stays.

Currently, the city does not allow for any type of short-term rentals in residentially zoned districts unless they have gone through the conditional use permit process as a Bed and Breakfast. Short-term rentals have the potential of creating issues for adjacent neighbors and changing the character of neighborhoods. A recent survey by city staff on online platforms found several short-term rentals operating within the city limits.

Creating a balance between protecting neighborhoods and residents, while allowing those residents who want to operate short-term rentals in their homes is what the city seeks to accomplish by allowing the use under certain provisions. The proposed amendment provides a definition of short-term rental in the zoning ordinance.

On January 16, 2019, the Regulations Committee reviewed and recommends approval of the above referenced amendment.

STAFF RECOMMENDATION

It is recommended that the City Planning Commission recommend to City Council adoption of zoning ordinance text amendment ZT-2019-0004.

APPENDIX

A-1 ARTICLE II. DEFINITIONS, SECTION 45-201, DEFINITION OF CERTAIN WORDS AND TERMS.

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DRAFT**ORDINANCE NO.** _____

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 45, ZONING ORDINANCE, OF THE CODE OF THE CITY OF NEWPORT NEWS, VIRGINIA, ARTICLE II., DEFINITIONS, SECTION 45-201, DEFINITION OF CERTAIN WORDS AND TERMS, BY ADDING THE DEFINITION OF SHORT-TERM RENTAL.

WHEREAS, Section 45-201 of the Code of the City of Newport News, Virginia, contains the definition of certain words and terms used in the Zoning Ordinance of the City of Newport News, Virginia; and

WHEREAS, the Newport News Planning Commission, in accordance with applicable law, has recommended an amendment to Section 45-201 which would add the definition of short-term rental; and

WHEREAS, the Council of the City of Newport News, after public notice and hearing as required by law, desires to approve the addition of the definition of short-term rental in Section 45-201.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Newport News, Virginia:

1. That Chapter 45, Zoning Ordinance, of the Code of the City of Newport News, Virginia, Article II., Definitions, Section 45-201, Definition of certain words and terms, be, and the same hereby is, amended and reordained by adding the definition of the term short-term rental, as follows:

Short-term rental. A lodging house or room that is suitable or intended for occupancy for dwelling, sleeping, or lodging purposes, for a period of fewer than thirty (30) consecutive days, in exchange for a charge and/or fee for the occupancy.

2. That the rest and remainder of Section 45-201 shall not be affected by this amendment, shall remain effective as adopted, shall be deemed incorporated into this ordinance by reference as if fully set forth herein, and shall be deemed reordained hereby.