

ZONING TEXT AMENDMENT NO. ZT-2019-0005

CITY OF NEWPORT NEWS

BACKGROUND

The request is to amend Article IV., Summary of Uses by District, Section 45-402, to stipulate in which districts short-term rentals will be allowed to operate in the city. The purpose of this amendment is to establish in which districts the use will be allowed.

The city does not currently allow short-term rentals. However, with the rise of online hosting platforms such as Airbnb, Vacation Rental by Owner (VRBO), FlipKey, Booking and HomeAway the opportunity for property owners to rent their homes or rent out rooms has become easier. This type of short-term rental can create some nuisances to adjacent property owners as well as disrupt neighborhoods.

Understanding the potential issues that could occur, the General Assembly enacted Virginia Code section 15.2-983 in 2017, that allowed localities the ability to regulate short-term rental of property through its general land use and zoning authority. Because the use is occurring in single-family neighborhoods, where such uses were never permitted before, except with approval of a conditional use permit as a bed and breakfast, the amendment will permit them understanding the potential nuisances that may arise. Currently, apartments in multiple-family zoning districts allow for shorter term stays. Therefore, the city is proposing to limit the use within single-family residential districts.

Balancing the interests of residents and protecting the character of neighborhoods, while allowing those residents who want to operate short-term rentals in their homes the ability to do so, is what the proposed regulations seek to provide.

The amendment recommends that short-term rentals are permitted to operate by-right in the following districts: R1, R2, R3 and R4 Single-Family Dwelling Districts, and R5 Low Density Multiple-Family Dwelling District.

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-2019-0005.

APPENDIX

A-1 ARTICLE IV. SUMMARY OF USES BY DISTRICT, SECTION 45-402

rag1571

ORDINANCE NO. _____

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 45, ZONING ORDINANCE, ARTICLE IV., SUMMARY OF USES BY DISTRICT, SECTION 45-402, SUMMARY OF USES BY DISTRICT, BY AMENDING PERMITTED USES “B” RESIDENTIAL.

WHEREAS, Section 45-402 of the Code of the City of Newport News, Virginia, contains a comprehensive listing of uses permitted by the Zoning Ordinance of the City of Newport News, Virginia, in a “matrix” format; and

WHEREAS, the Newport News Planning Commission, in accordance with applicable law, has recommended an amendment, identified as ZT-2019-0005, to Section 45-402, Summary of Uses by District, which would add use “B.22. Short Term Rental” to allow such use in the R1 Single-Family Dwelling District, R2 Single-Family Dwelling District, R3 Single-Family Dwelling District, R4 Single-Family Dwelling District, and R5 Low Density Multiple-Family Dwelling District by right; and

WHEREAS, the Council of the City of Newport News, after public notice and hearing as required by law, desires to amend Section 45-402, by adding use “B.22. Short Term Rental” to allow such use in the R1 Single-Family Dwelling District, R2 Single-Family Dwelling District, R3 Single-Family Dwelling District, R4 Single-Family Dwelling District, and R5 Low Density Multiple-Family Dwelling District by right.

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 IV., Summary of Uses by District, Section 45-402, Summary of Uses by District, be, and the same hereby is, amended and reordained by adding use “B.22. Short Term Rental” to allow such use in the R1 Single-Family Dwelling District, R2 Single-Family Dwelling District, R3 Single-Family Dwelling District, R4 Single-Family Dwelling District, and R5 Low Density Multiple-Family Dwelling District by right.

2. The rest and remainder of Section 45-402 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.