

**FINAL Action Memo
Meeting of April 23, 2019**

<u>AGENDA ITEM/ACTION</u>	<u>FOLLOW-UP ACTION</u>
<p>1. Call to Order.</p> <ul style="list-style-type: none"> • Meeting called to order at 6:00 p.m. Chair Keller. • PC members present were Mr. Dotson, Chair Keller, Vice-Chair Bivins, Ms. Riley, Ms. More. Ms. Spain, Ms Firehock and Mr. Carrazana (UVA Rep.). • Staff members present were Rebecca Ragsdale, Leah Brumfield, Andy Herrick, David Benish, Amelia McCulley, Bart Svoboda, Carolyn Shaffer and Stephanie Banton. 	
<p>2. Other Matters Not on the Agenda from the Public None</p>	
<p>3. Consent Agenda</p> <p>a. Approval of Minutes: April 17, 2019 APPROVED, by a vote of 7:0</p> <p>b. Proffers – Resolution of Intent (Bill Fritz) APPROVED, by a vote of 7:0 the Consent Agenda.</p>	<p><u>Clerk:</u></p> <ul style="list-style-type: none"> • Finalize Minutes. • Adopt Resolution of Intent to start Zoning Text Amendment for Residential Proffers as shown in Attachment 1
<p>4. a. Public Hearing Items. <u>ZTA201700001 Homestay/Transient Lodging (Short Term Rentals)</u> The Planning Commission held a public hearing on April 23, 2019 at 6:00 p.m. in the County Office Building, 401 McIntire Road, Charlottesville, Virginia 22902, to receive comments on its intent to recommend adoption of the following ordinance changes to the Albemarle County Code: Amend Section 18-3.1 to remove the definitions of bed and breakfast and tourist lodging and add a definition for homestay; Remove and Retitle Section 18-5.1.17 to Homestays; Retitle Section 18-5.1.48 from Bed and Breakfast to Homestays; Amend Section 18-5.1.48 to clarify that residency on a parcel requires at least 180 days of residency within a calendar year, require homestay owners to provide the owners' contact information to abutting property owners, permit an entire residence in the Rural Areas Zoning District to be rented for a maximum of 45 days in a calendar year and a maximum of seven days in any one month during the calendar year, and to permit homestays in duplexes, townhouses, and</p>	<p><u>Clerk:</u> This matter will be forwarded to the Board of Supervisors to be heard on a date to be determined.</p> <p><u>Staff:</u> Action Letter – Recommendation as noted in the actions.</p>

single family attached units in residential zoning districts; Amend Section 18-10.2.1 to replace the term bed and breakfast with homestay; Amend Sections 18-12.2.1, 18-13.2.1, 18-14.2.1, 18-15.2.1, 18-16.2.1, 18-17.2.1, 18-18.2.1, 18-20A.6 and 18-20B.6 to replace the term tourist lodgings with the term homestays; Amend Sections 18-19.3.1 and 18-20.3.1 to add homestays as a by-right use; Amend Section 18-4.12.6 to replace the terms tourist lodging and bed and breakfast with homestay and require one off-street parking space per guest room in addition to the parking required for a single family dwelling.

(Bart Svoboda)

RECOMMEND APPROVAL by a vote of 7:0 of **ZTA 2017-01 Homestay/Transient Lodging (Short Term Rentals)** as show in the revised draft zoning ordinance dated April 23, 2019 in the staff report.

RECOMMEND APPROVAL by a vote of 7:0 that the Board of Supervisors consider the following issues of **ZTA 2017-01 Homestay/Transient Lodging (Short Term Rentals)**

1. The possible negative neighborhood streetscape ramifications resulting from the paving of homestay front yard areas to meet the homestay off-street parking requirement. Could this detrimental effect be remedied through new parking or design regulations in residential areas in the county?
2. The macro owner/occupancy requirement issue. In residential and small RA properties should renters as well as owners be able to “build wealth” through homestay? If so, must it be stated in their lease?
3. What is the definition of “reside”? Does the owner need to be present in the homestay during the day? Overnight? How much of a 24- hour day must they be present?
4. Do the configurations of properties in RA less than 5 acres physically allow for a 125’ setback? If not, should this be handled by special exception or should this

<p>requirement be eliminated? 5. Should 3 rooms (rather than 2) be allowed in RA less than 5 acres, or by special exception? This came from public comment.</p>	
<p>5. Committee Reports: Ms. Firehock: ACE meeting moving forward with several conservation easement projects. Ms. Spain: Places 29 North Project, NIFI projects. Greenway trails, in the Pantops area, are becoming somewhat ADA accessible. Pantops CAC meeting, Cameron did a great job with the presentation. April 29, 2019 All ACA Meeting here Ms. More: Crozet PAC Meeting, Presentation from Jaunt Crozet Connect express shuttle from Crozet to Charlottesville, Crozet Master Plan Review, Carr-Greer House owned by the City/County joint effort with Ivy Creek Foundation to restore this home. Rt 240/810 nominated as Scenic Byways. Stream Crossing Development has an historic property on it, Pleasant Green Properties is scheduled to be torn down, in full disclosure, she is a descendent of the family that owned that home and founded Crozet, the Historic Preservation Committee has some interest in that property, maybe moving the home entirely. Board has approved a series of different exhibits that will be in this building, "Faces of Albemarle" alive/dead a rotating exhibit. Ms. Riley: The CAC held a community meeting for a new application called Royal Fern which is a rezoning request from several parcels and various zones to a PUD located in both the Scottsville and the Samuel Miller Districts. It was well attended by residents and some expressed concerns about the traffic impact on 5th Street. UVA's Weldon Cooper Center presented on a new survey initiative called BeHeard CVA that will create a standing pool of residents to take surveys on a variety of issues. Finally, the CAC passed a Resolution of Intent (ROI) to go to the Board of Supervisors for a Small Area Plan (SAP) for the Mill Creek TownCenter Area including the 60 acres of</p>	<p>Staff: None</p>

<p>County owned land located between Avon Street and Scottsville Road. The Southern and Western Area Master Plan calls for the SAP prior to any of the County land being sold, transferred, or developed. The ROI was also discussed during the March meeting.</p> <p>Mr. Dotson: Rio 29 Form-Based Code steering committee kick off is 4/24/19. Places 29 Rio CAC finds citizen concern with an upcoming 27 acre and a 2 acre rezoning. School Division Long Range Planning Advisory Committee will report to the Board of Education on July 11, 2019. Design of the wildflower meadow opposite CATEC is complete, work to begin in summer.</p> <p>Mr. Bivins: PACTAC concept plan on Ivy Road Plan. Workforce housing is being discussed anew. NIFI project linking three (3) schools together with sidewalks.</p> <p>Mr. Carrazana: Woman’s Health, Breast Center, Emily Couric is moving to Pantops Rd. Affordable housing, the need for options for workforce housing, working with the county and the city.</p> <p>Mr. Keller: Will share several handouts from speakers/mini conferences he attended.</p>	
<p>6. <u>Review of Board of Supervisors Meeting</u> April 17, 2019 Mr. Benish reviewed the actions taken at the meeting.</p>	<p>Staff: None</p>
<p>7. Old Business/Items for Follow-up NONE</p>	
<p>8. New Business Discussion about the upcoming Joint BOS/PC meeting in July.</p>	<p>Joint BOS/PC July 9, 2019 6:00 p.m.</p>
<p>9. Adjourn to May 7, 2019 Albemarle County Planning Commission meeting, 6:00 p.m., Lane Auditorium, Second Floor, County Office Building, 401 McIntire Road, Charlottesville, Virginia.</p> <ul style="list-style-type: none"> • The meeting adjourned at 8:11 pm 	

Attachment 1 – Consent Agenda Adoption of Resolution of Intent

**RESOLUTION OF INTENT
ZONING TEXT AMENDMENT
RESIDENTIAL PROFFERS**

WHEREAS, pursuant to Albemarle County Code § 18-33.22 and Virginia Code §§ 15.2-2303 and 15.2-2303.4, the Board of Supervisors may accept proffers in conjunction with zoning map amendments; and

WHEREAS, the 2019 session of the General Assembly amended Virginia Code § 15.2-2303.4 to permit greater flexibility in residential proffers; and

WHEREAS, it is desired to review and amend Albemarle County Code § 18-33.21, § 18-33.22, and related regulations as appropriate, to reflect the recently-amended state law regarding residential proffers.

NOW, THEREFORE, BE IT RESOLVED THAT for purposes of public necessity, convenience, general welfare, and good zoning and development practices, the Albemarle County Planning Commission hereby adopts a resolution of intent to consider amending Albemarle County Code § 18-33.21, § 18-33.22, and any other sections of the Zoning Ordinance deemed to be appropriate to achieve the purposes described herein.