



Short-term Residential Rental Uses

Proposed accessory homestay regulations

CHPD, Planning Division

Arlington, Virginia
November 15, 2016

- Background
 - Why regulate short-term rental
 - Why now?
- Models for proposed amendment
- Overview of key elements of proposed amendment
- Overview of process

- On October 15, the County Board authorized advertisement of proposed amendments for public hearings to consider amendments to the Zoning Ordinance to regulate short term residential rental uses (e.g. Airbnb, VRBO, Craigslist and other on-line rental services)
 - November 30 – Planning Commission
 - December 10 – County Board

- Why regulate this use?
 - Protect character of residential neighborhoods
 - Protect public health and safety
 - Proposed regulations would facilitate:
 - Addressing complaints about illegal such use in residential neighborhoods, as well as inquiries about how to conduct short term residential rental legally
 - Enforcement of basic land use and safety standards that maintain neighborhood stability and public health and safety

- Why now and why the short time frame?
 - The 2016 Virginia General Assembly passed legislation that would have precluded local governments from regulating short term residential rentals, regardless of zoning code regulations
 - The Governor asked the Virginia Housing Commission to study the issue and develop a version of the bill that could be acted upon by the 2017 General Assembly
 - Implementing regulations in Arlington now could help inform the State's decision

- How was proposed amendment developed?
 - Interdepartmental team comprised of subject experts
 - Planning and zoning
 - Building code
 - Housing
 - Economic development
 - Study of practices in other jurisdictions
 - Charlottesville, Roanoke, Botetourt County, VA
 - Portland, OR
 - Denver, CO
 - San Francisco, CA

What is accessory homestay?

- Accessory homestay
 - A home occupation use – accessory to residential use of the dwelling
 - Allowed in owner-occupied units whereby the owner occupies the unit as his/her primary residence
 - The owner rents out that dwelling unit, or portion thereof, to a lodger
 - Whereby no individual lodger may stay for more than 30 days/yr

- Proposed standards (some details TBD upon final consideration)
 - Accessory to principal residential use of a dwelling (may incorporate all or part of a dwelling)
 - Owner-occupancy as primary residence required (185-270 days/yr)
 - Lodger occupancy limitations:
 - Maximum number of lodgers/night
 - Limited to one contract/night
 - Cap on total number of units in an individual multiple-family building
 - Safety requirements
 - Required smoke and CO detector and fire extinguisher
 - Unit must meet USBC requirements for lodging use
 - Any sleeping room used must have met USBC requirements for a sleeping room at time it was created/converted

- Proposed standards (some details TBD upon final consideration)
 - Other considerations:
 - Off-street parking requirements (up to one space)
 - Provision of food/beverage service
 - Use of accessory dwellings
 - Use of family/caregiver suites

- Accessory homestay permit (valid 1-2 yrs) – application includes:
 - Contact information for owner and responsible party
 - Proof of principal residency
 - Notification to abutting, across the street/hall, above/below neighbors
 - Proof of license from Commissioner of Revenue (or letter indicating not needed)
- Revocation of permit
 - Three or more substantiated complaints within one year
 - Failure to cooperate with a complaint investigation
- Zoning Fees
 - Not proposed at this time; may be proposed with FY18 budget

- Business license (BPOL)
 - No cost for annual income < \$10,000
- Transit occupancy tax
 - Arlington County code prohibits collection of occupancy tax for overnight accommodations of less than 4 people
- Comments received by hospitality community regarding “level playing field”

- Outreach

- October 19, November 15 – Zoning Committee
- October 27 – Housing Commission
- November 1 – Civic Federation
- November 2 – Chamber of Commerce
- **November 2 – Public open house**
- **November 3 – Virtual Q&A**
- November 8 – Economic Development Commission
- November 21 – Commission on Aging
- November 21 – Transportation Commission

- Online feedback form

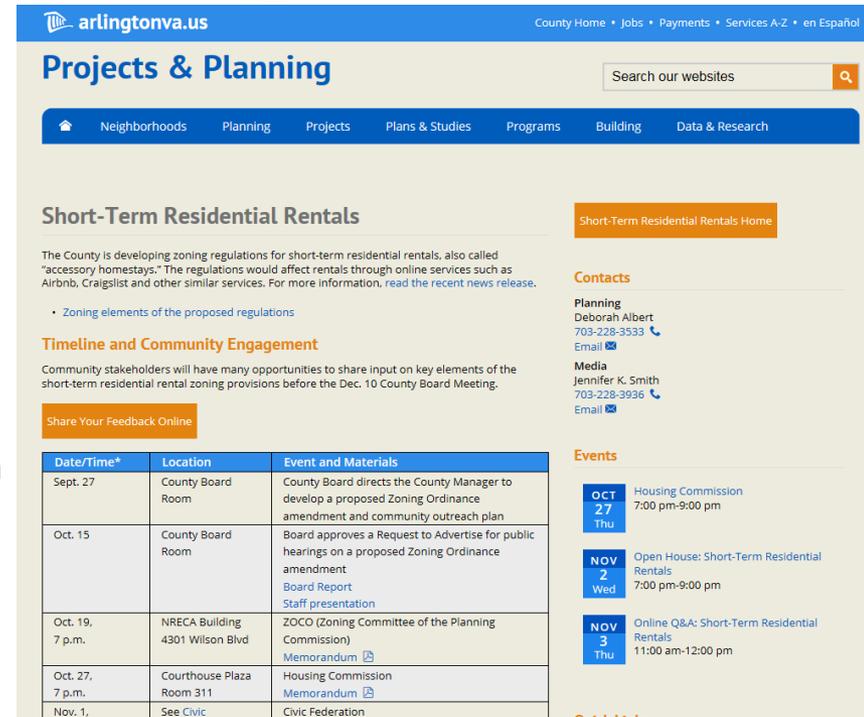
- >200 responses as of 11/4

- Public hearings

- November 30 - Planning Commission final consideration
- December 10 – County Board final consideration

- Web site – search “homestay” on County home page

- Subscription listserv used for email updates



The screenshot shows the Arlington Virginia website's 'Projects & Planning' section. The page title is 'Short-Term Residential Rentals'. It includes a search bar, navigation tabs (Neighborhoods, Planning, Projects, Plans & Studies, Programs, Building, Data & Research), and a 'Share Your Feedback Online' button. A table lists upcoming events with columns for Date/Time, Location, and Event and Materials. The table contains five rows of event information. To the right, there are sections for 'Contacts' (Planning and Media) and 'Events' (listing dates like OCT 27, NOV 2, and NOV 3).

Date/Time*	Location	Event and Materials
Sept. 27	County Board Room	County Board directs the County Manager to develop a proposed Zoning Ordinance amendment and community outreach plan
Oct. 15	County Board Room	Board approves a Request to Advertise for public hearings on a proposed Zoning Ordinance amendment Board Report Staff presentation
Oct. 19, 7 p.m.	NRECA Building 4301 Wilson Blvd	ZOCO (Zoning Committee of the Planning Commission) Memorandum [link]
Oct. 27, 7 p.m.	Courthouse Plaza Room 311	Housing Commission Memorandum [link]
Nov. 1.	See Civic	Civic Federation