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ALTERNATIVE 1

AN ORDINANCE TO AMEND SECTIONS 102, 111, 401, 501, 601, 901, 1110, 1125, 1521 AND 2203 OF THE CITY ZONING ORDINANCE AND SECTION 5.2 OF THE OCEANFRONT RESORT DISTRICT FORM-BASED CODE AND ADD SECTIONS 209.6 AND 241.2 OF THE CITY ZONING ORDINANCE PERTAINING TO THE DEFINITION, REQUIREMENTS AND USE OF HOME SHARING AND SHORT TERM RENTALS

Sections Amended: City Zoning Ordinance Sections 102, 111, 401, 501, 601, 901, 1110, 1125, 1521, and 2203 and Oceanfront Resort District Form-Based Code Section 5.2

Sections Added: City Zoning Ordinance Sections 209.6 and 241.2

WHEREAS, the public necessity, convenience, general welfare and good zoning practice so require;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VIRGINIA BEACH, VIRGINIA:

That Sections 102, 111, 401, 501, 601, 901, 1110, 1125, 1521, and 2203 of the City Zoning Ordinance and Section 5.2 of the Oceanfront Resort District Form-Based Code are hereby amended and reordained, and Sections 209.6 and 241.2 of the City Zoning Ordinance are hereby added and ordained, to read as follows:

ARTICLE 1. GENERAL PROVISIONS

....

Sec. 102. Establishment of districts and official zoning maps.

(a) In order to carry out the purposes and provisions of this ordinance, the following districts are hereby established:

....

(a1) There are hereby established the ~~Shore Drive Corridor Overlay District.~~ following overlay districts:

- (1) Shore Drive Corridor Overlay District ("SD");

- 46
47 (2) North End Overlay District ("NE");
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49 (3) Old Beach Overlay District ("OB");
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51 (4) Historic Kempsville Area Overlay District ("HK");
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53 (5) Workforce Housing Overlay District ("WF"); and
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55 (6) Short Term Rental Overlay District ("STR").
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57 Such districts shall be designated on the official zoning map by the an
58 appropriate notation "~~(SD)~~" following the designation of the underlying zoning district. As
59 an illustration, property in the Shore Drive Corridor Overlay District and in the B-4 Mixed
60 Use District shall be designated on the official zoning map as having the classification
61 "B-4(SD)."
62

63 ~~(a2) There is hereby established the North End Overlay District. Such district~~
64 ~~shall be designated on the official zoning map by the notation "(NE)" following the~~
65 ~~designation of the underlying zoning district. As an illustration, property lying within the~~
66 ~~North End Overlay District and the R-5R Residential Resort District shall be designated~~
67 ~~on the official zoning map as having the classification "R-5R(NE)."~~
68

69 ~~(a3) There is hereby established the Old Beach Overlay District. Such district~~
70 ~~shall be designated on the official zoning map by the notation "(OB)" following the~~
71 ~~designation of the underlying zoning district. As an illustration, property in the Old Beach~~
72 ~~Overlay District and in the R-5D Residential Duplex District shall be designated on the~~
73 ~~official zoning map as having the classification "R-5D(OB)."~~
74

75 ~~(a4) There is hereby established the Historic Kempsville Area Overlay District.~~
76 ~~Such district shall be designated on the official zoning map by the notation "(HK)"~~
77 ~~following the designation of the underlying zoning district. As an illustration, property in~~
78 ~~the Historic Kempsville Area Overlay District and in the B-2 Community Business~~
79 ~~District shall be designated on the official zoning map as having the classification "B-~~
80 ~~2(HK)."~~
81

82 ~~(a5) There is hereby established the Workforce Housing Overlay District. Such~~
83 ~~district shall be designated on the official zoning map by the notation "(WF)" following~~
84 ~~the designation of the underlying zoning district. As an illustration, property in the B-4~~
85 ~~Mixed Use District and in the Workforce Housing Overlay District shall be designated on~~
86 ~~the official zoning map as having the classification "B-4(WF)."~~ The Workforce Housing
87 Overlay District shall be limited to property located within those areas of the city
88 designated in section 2103 of this ordinance that has been rezoned to incorporate the
89 Workforce Housing Overlay District as an overlay to the underlying zoning classification
90 of the property.
91

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94 **Sec. 111. Definitions.**

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98 Home sharing. A dwelling in which a room or rooms are offered for rental for
99 compensation for a period of thirty (30) consecutive days or less by an owner who
100 utilizes the dwelling as his principal residence and occupies the dwelling during any
101 such rental period.

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105 Hotel and motel. A building or group of attached or detached buildings containing
106 dwelling or lodging units in which fifty (50) percent or more of the units are lodging units,
107 and for which compensation is exchanged for short-term occupancy of the dwelling or
108 lodging units. A hotel shall include a lobby, clerk's desk or counter and facilities for
109 registration and keeping of records relating to hotel guests. ~~This term also includes~~
110 ~~motels.~~

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114 Principal residence. Principal residence shall be the location where a person
115 lives fifty (50) percent or more of the time. A person shall not have more than one (1)
116 principal residence.

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120 Short term rental. A dwelling that does not meet the definition of home sharing in
121 which a room or rooms, or the entire dwelling are rented for thirty (30) consecutive days
122 or less for compensation.

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124 **ARTICLE 2. GENERAL REQUIREMENTS AND PROCEDURES APPLICABLE TO**
125 **ALL DISTRICTS**

126

127 **A. REGULATIONS RELATING TO LOTS, YARDS, HEIGHTS, OFF-STREET**
128 **PARKING, OFF-STREET LOADING, AND CERTAIN USES**

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132 **Sec. 209.6. Home sharing.**

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134 1. All parking must be provided on the property in which the home sharing is
135 located;

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2. No noise shall be created in excess of what is normally expected in a residential neighborhood;
3. No additional traffic shall be created in excess of what is normally expected in a residential neighborhood;
4. The owner must provide contact information sufficient to allow the city to communicate with the owner occupying the dwelling at all times during the rental period;
5. To the extent permitted by state law, each dwelling offered as a home share must maintain registration with the Commissioner of Revenue's office and pay all applicable taxes. Adjudicated violations of three (3) applicable local, state or federal laws or regulations may result in the revocation of said registration;
6. There shall be posted in a conspicuous place within the dwelling the complete text of City Code Sections 23-69 through 23-71 (noise), 31-26, 31-27 and 31-28 (solid waste collection), 12-5 (fires on the beach) and 12-43.2 (fireworks);
7. All refuse shall be placed in automated refuse receptacles, where provided, and comply with the requirements of City Code Sections 31-26, 31-27 and 31-28;
8. There shall be no more than one (1) rental contract during any consecutive seven (7) day period;
9. The owner shall provide proof of liability insurance applicable to the rental activity of at least one million dollars (\$1,000,000.00) underwritten by insurers acceptable to the city;
10. All emergency exits in the structure shall be clearly marked; and
11. The City may inspect the property at any reasonable time, after notice, to verify compliance with the provisions listed above.

C. CONDITIONAL USES AND STRUCTURES

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Sec. 241.2 Short term rental.

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1. All parking must be provided on the property in which the short term rental is located;
2. No noise shall be created in excess of what is normally expected in a residential neighborhood;
3. No additional traffic shall be created in excess of what is normally expected in a residential neighborhood;
4. No events with more than fifty (50) people present, shall be held absent a special events permit. Events with more than fifty (50) people are limited to no more than three (3) events in a calendar year. No more than one hundred (100) people shall be present at any event held on the property;
5. The owner or the owner's agent must be identified and able to be present on the site within thirty (30) minutes of being contacted at all times during the rental period;
6. No signage shall be on site, except that each short term rental is allowed one (1), one-foot by one-foot sign, posted on the building, that identifies the short term rental;
7. To the extent permitted by state law, each short term rental must maintain registration with the Commissioner of Revenue's office and pay all applicable taxes. Adjudicated violations of three (3) applicable local, state or federal laws or regulations may result in the revocation of said registration;
8. There shall be posted in a conspicuous place within the dwelling the complete text of City Code Sections 23-69 through 23-71 (noise), 31-26, 31-27 and 31-28 (solid waste collection), 12-5 (fires on the beach) and 12-43.2 (fireworks);
9. All refuse shall be placed in automated refuse receptacles, where provided, and comply with the requirements of City Code Sections 31-26, 31-27 and 31-28;
10. There shall be no more than one (1) rental contract during any consecutive seven (7) day period;

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11. The owner shall provide proof of liability insurance applicable to the rental activity of at least one million dollars (\$1,000,000.00) underwritten by insurers acceptable to the city;

12. The maximum number of persons on the property after 10:00 p.m. and before 7:00 a.m. shall be two (2) individuals per bedroom plus four (4) additional persons;

13. All emergency exits in the structure shall be clearly marked; and

14. The City may inspect the property at any reasonable time, after notice, to verify compliance with the provisions listed above.

ARTICLE 4. - AGRICULTURAL DISTRICTS

(a) *Principal and conditional uses.* The following chart lists those uses permitted within the AG-1 and AG-2 Agricultural Districts. Those uses and structures in the respective agricultural districts shall be permitted as either principal uses indicated by a "P" or as conditional uses indicated by a "C." Uses and structures indicated by an "X" shall be prohibited in the respective districts. No uses or structures other than as specified shall be permitted.

Use	AG-1	AG-2
....		
<u>Home sharing meeting the requirements of section 209.6</u>	<u>P</u>	<u>P</u>
....		
<u>Short term rental</u>	<u>C</u>	<u>C</u>
<u>Short term rental within the STR Overlay District</u>	<u>P</u>	<u>P</u>
....		

(b) *Accessory uses and structures.* Uses and structures which are customarily accessory and clearly incidental and subordinate to principal uses and structures, including but not limited to, an accessory activity operated for profit in a residential dwelling unit where (i) there is no change in the outside appearance of the building or premises or any visible or audible evidence detectable from outside the building lot, either permanently or intermittently, of the conduct of such business except for one (1) nonilluminated sign not more than one (1) square foot in area mounted flat against the residence; (ii) no traffic is generated, including traffic by commercial delivery vehicles, by such activity in greater volumes than would normally be expected in the

252 neighborhood, and any need for parking generated by the conduct of such activity is
 253 met off the street and other than in a required front yard; (iii) the activity is conducted on
 254 the premises which is the bona fide residence of the principal practitioner, and no
 255 person other than members of the immediate family occupying such dwelling units is
 256 employed in the activity; (iv) such activity is conducted only in the principal structure on
 257 the lot; (v) there are no sales to the general public of products or merchandise from the
 258 home, except for agricultural products, or agricultural-related products, incidental to an
 259 agricultural operation on which the dwelling unit is located; and (vi) the activity is
 260 specifically designed or conducted to permit no more than one (1) patron, customer, or
 261 pupil to be present on the premises at any one time. Notwithstanding the provisions of
 262 clauses (ii) and (vi) hereof, ministers, marriage commissioners and other persons
 263 authorized by law to perform the rites of marriage may permit a maximum of eight (8)
 264 persons on the premises at any one time in connection with the performance of such
 265 rites, provided that all other requirements of subdivision (b)(2) are met. The following
 266 are specifically prohibited as accessory activities: Convalescent or nursing homes,
 267 tourist homes, massage or tattoo parlors, body piercing establishments, radio or
 268 television repair shops, auto repair shops, or similar establishments. Rental of rooms in
 269 a dwelling or the entire dwelling for more than thirty (30) consecutive days is an
 270 accessory use to the dwelling.

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274 **ARTICLE 5. RESIDENTIAL DISTRICTS.**

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278 **Sec. 501. Use regulations.**

279
 280 (a) *Principal and conditional uses.* The following chart lists those uses permitted
 281 within the R-40 through R-2.5 Residential Districts. Those uses and structures in the
 282 respective residential districts shall be permitted as either principal uses indicated by a
 283 "P" or as conditional uses indicated by a "C." Uses and structures indicated by an "X"
 284 shall be prohibited in the respective districts. No uses or structures other than as
 285 specified shall be permitted.

Uses	Residential Districts									
	R-40	R-30	R-20	R-15	R-10	R-7.5	R-5D	R-5R	R-5S	R-2.5

....										
<u>Home sharing meeting the requirements of section 209.6</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
....										
<u>Short term rental</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Short term rental within the STR Overlay District</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
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(b) *Accessory uses and structures.* Uses and structures which are customarily accessory and clearly incidental and subordinate to principal uses and structures and where such accessory structures do not exceed the height of the principal structure and, in all residential zoning districts, except for R-30 and R-40, do not exceed five hundred (500) square feet of floor area or twenty (20) percent of the floor area of the principal structure, whichever is greater. In the R-30 and R-40 residential zoning districts, accessory uses and structures shall not exceed thirty (30) percent of the floor area of the principal structure. Such accessory uses and structures include but are not limited to:

....

- (7) Rental of rooms in a dwelling or the entire dwelling for more than thirty (30) consecutive days is an accessory use to the dwelling.

ARTICLE 6. - APARTMENT DISTRICTS

....

Sec. 601. - Use regulations.

(a) *Principal and conditional uses.* The following chart lists those uses permitted within the A-12 through A-36 Apartment Districts. Those uses and structures in the respective apartment districts shall be permitted as either principal uses indicated by a "P" or as conditional uses indicated by a "C." Uses and structures indicated by an "X" shall be prohibited in the respective districts. No uses or structures other than as specified shall be permitted.

Use	A-12	A-18	A-24	A-36
....				
<u>Home sharing meeting the requirements of section 209.6</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
....				
<u>Short term rental</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Short term rental within the STR Overlay District</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
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(b) *Accessory uses and structures.* Uses and structures which are customarily accessory and clearly incidental and subordinate to principal uses and structures, including but not limited to:

....

(3) Rental of rooms in a dwelling or the entire dwelling for more than thirty (30) consecutive days is an accessory use to the dwelling.

....

ARTICLE 9. - BUSINESS DISTRICTS

....

Sec. 901. - Use regulations.

(a) *Principal and conditional uses.* The following chart lists those uses permitted within the B-1 through B-4K Business Districts. Those uses and structures in the respective business districts shall be permitted as either principal uses indicated by a "P" or as conditional uses indicated by a "C." Uses and structures indicated by an "X" shall be prohibited in the respective districts. No uses or structures other than as specified shall be permitted.

Use	B-1	B-1A	B-2	B-3	B-4	B-4C	B-4K
....							
<u>Home sharing meeting the requirements of section 209.6</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>P</u>	<u>P</u>	<u>P</u>
....							

Short term rental	X	X	X	X	C	C	C
Short term rental within the STR Overlay District	X	X	X	X	P	P	P
....							

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341 (b) *Accessory uses and structures.* Uses and structures which are customarily
342 accessory and clearly incidental and subordinate to the principal uses and structures,
343 including, but not limited to:

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347 (2) Rental of rooms in a dwelling or the entire dwelling for more than thirty
348 (30) consecutive days is an accessory use to the dwelling.

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350 **ARTICLE 11. - PLANNED DEVELOPMENT DISTRICTS**

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352 **Sec. 1110. - Land use regulation.**

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356 (c) Within a PD-H1 District, all of the principal uses and structures permitted within an
357 A-12 Apartment District other than hospitals and sanitariums, together with the
358 following enumerated uses and structures, shall be permitted:

359
360 (1) Fraternity and sorority houses, student dormitories and student centers;

361
362 (2) Housing for seniors and disabled persons, with a conditional use permit;

363
364 (3) Marinas;

365
366 (4) Private clubs or social centers provided that clubs where conduct of commercial
367 affairs is a principal activity shall not be permitted; and

368
369 (5) Residential care for seniors, provided that no more than two (2) employees
370 including a bona fide resident of the dwelling shall be permitted;

371
372 (6) Home sharing meeting the requirements of section 209.6; and

373
374 (7) Short term rental within the STR Overlay District.

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376 (d) Within a PD-H1 District, the following uses shall be allowed as conditional uses:

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378 (1) Communication towers;

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- (2) Family day-care homes;
- (3) Group homes;
- (4) Kennels, residential;
- (5) Religious uses;
- (6) Wind energy conversion systems, free standing and roof-mounted; and
- (7) Home-based wildlife rehabilitation facilities, provided that the principal structure is a single-family dwelling and the lot is greater than two thousand five hundred (2,500) square feet; and
- (8) Short term rental.

B. - PD-H2 PLANNED UNIT DEVELOPMENT DISTRICT

....

Sec. 1125. - Allowed uses.

Within the PD-H2 District, only the following uses and structures shall be permitted:

- (a) *Principal uses and structures.*
 - (1) Dwelling units of the types specified in the land use plan;
 - (2) Public buildings, structures, and other public uses;
 - (3) Recreational facilities of the type described in the plan;
 - (4) Child care education centers, in connection with public or private elementary schools or churches, provided that such uses shall not be eligible for residential density credit;
 - (5) Day-care centers, provided that such uses shall not be eligible for residential density credit;
 - (6) Public utilities installations and substations; provided offices or storage or maintenance facilities shall not be permitted; and provided, further, that utilities substations, other than individual transformers, shall be surrounded by a wall, solid except for entrances and exits, or by a fence with a screening hedge five (5) to six (6) feet in height; and provided also, transformer vaults for underground utilities and like uses shall require only a landscaped screening hedge, solid except for access opening;

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(7) Home sharing meeting the requirements of section 209.6; and

(8) Short term rental within the STR Overlay District.

(b) *Accessory uses.* Uses which are customarily accessory and clearly incidental and subordinate to the principal uses shall be allowed as accessory uses. Rental of rooms in a dwelling or the entire dwelling for more than thirty (30) consecutive days is an accessory use to the dwelling.

(c) *Conditional uses.*

(1) Religious uses, provided that such use shall not be eligible for residential density credit;

(2) Family day-care homes; foster homes and group homes, provided that such uses shall not be eligible for residential density credit;

(3) Home occupations;:

(4) Housing for seniors and disabled persons; and

(5) Short term rental.

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C. RT-3 RESORT TOURIST DISTRICT

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Sec. 1521. Use regulations.

(a) The following chart lists those uses permitted within the RT-3 Resort Tourist District as either principal uses, as indicated by a "P" or as conditional uses, as indicated by a "C." Conditional uses shall be subject to the provisions of Part C of Article 2 (section 220 et seq.). Except for single-family, duplex, semidetached and attached dwellings, buildings within the RT-3 District may include any principal or conditional uses in combination with any other principal or conditional use. No uses or structures other than those specified shall be permitted. All uses, whether principal or conditional, should to the greatest extent possible adhere to the provisions of the Special Area Design Guidelines (Urban Areas) set forth in the Reference Handbook of the Comprehensive Plan.

Use	RT-3
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....	
<u>Home sharing meeting the requirements of section 209.6</u>	<u>P</u>
....	
<u>Short term rental</u>	<u>C</u>
<u>Short term rental within the STR Overlay District</u>	<u>P</u>
....	

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(b) *Accessory uses and structures* : Uses and structures which are customarily accessory and clearly incidental and subordinate to the principal uses and structures; provided, however, that drive-through facilities shall not be permitted as an accessory use:

....

(2) Rental of rooms in a dwelling or the entire dwelling for more than 30 consecutive days is an accessory use to the dwelling.

ARTICLE 22. - CENTRAL BUSINESS CORE DISTRICT

....

B. - DEVELOPMENT REGULATIONS

....

Sec. 2203. - Use regulations.

(a) The following chart lists those uses permitted within the Central Business Core District. Uses and structures shall be allowed either as principal uses, indicated by a "P", or as conditional uses, indicated by a "C." Uses and structures indicated by an "X" shall be prohibited, unless allowed by special exception for Alternative Compliance pursuant to Section 2205. No uses or structures other than as specified herein or as allowed pursuant to subsection (b) shall be permitted.

Use	District CBC
....	
<u>Home sharing meeting the requirements of section 209.6</u>	<u>P</u>
....	

<u>Short term rental</u>	<u>C</u>
<u>Short term rental within the STR Zoning District</u>	<u>P</u>
....	

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497 (b) If a proposed use is not expressly permitted pursuant to subsection (a), but is
498 similar to a listed use, the Zoning Administrator may categorize the proposed use as a
499 use permitted by this section, either as a principal or conditional use. In determining
500 whether a proposed use is similar to a listed use, the Zoning Administrator shall
501 consider (1) the actual or projected characteristics of the proposed use in comparison
502 to those of the most similar listed use; and (2) the categorization of the proposed use
503 in the Standard Land Use Coding Manual (First Edition January 1965). Rental of
504 rooms in a dwelling or the entire dwelling for more than thirty (30) consecutive days is
505 an accessory use to the dwelling.
506

507 **APPENDIX 1. - OCEANFRONT RESORT DISTRICT FORM-BASED CODE**

509

510 **Sec. 5.2. Permitted Use Table.**

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USE	MIXED-USE BUILDING		COMMERCIAL BUILDING	APARTMENT BUILDING	ROW HOUSE		DETACHED HOUSE	CIVIC BUILDING	Use Standard /Notes
	Ground Floor	Upper Floors	Ground Floor	All Floors	Ground Floor	Upper Floors	All Floors	All Floors	
LODGING									
....									
<u>Home sharing meeting the requirements of section 209.6</u>	=	L	=	=	L	L	L	=	See Sec. 209.6
....									
<u>Short term rental</u>	=	C	=	=	C	C	C	=	See Sec. 241.2
<u>Short term rental within the STR Overlay District</u>	=	L	=	=	L	L	L	=	See Sec. 241.2
....									

513

Adopted by the Council of the City of Virginia Beach, Virginia, on the _____ day
of _____, 2018.

APPROVED AS TO CONTENT:

APPROVED AS TO LEGAL SUFFICIENCY:

Planning Department

City Attorney's Office

CA14135

R-10

November 2, 2017

1 AN ORDINANCE TO ADD ARTICLE 23,
2 CONSISTING OF SECTIONS 2300 THROUGH 2303,
3 (SHORT TERM RENTAL OVERLAY DISTRICT) TO
4 THE CITY ZONING ORDINANCE ESTABLISHING
5 REGULATIONS AND REQUIREMENTS
6 PERTAINING TO SHORT TERM RENTALS
7

8 Sections Added: City Zoning Ordinance Sections
9 2300 - 2303
10

11 WHEREAS, the public necessity, convenience, general welfare and good zoning
12 practice so require;
13

14 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VIRGINIA
15 BEACH, VIRGINIA:
16

17 That Article 23 of the City Zoning Ordinance, consisting of Sections 2300 through
18 2303, is hereby added and ordained to read as follows:
19

20 **ARTICLE 23. SHORT TERM RENTAL OVERLAY DISTRICT**
21

22 **Sec. 2300. Findings; intent.**
23

24 The City Council hereby finds that there are certain areas of the City in which
25 residential dwellings are, and historically have been, rented to vacationers or others on
26 a short term basis. In these areas, the City Council finds that such uses, when
27 appropriately regulated, may be carried on without adversely affecting the quiet
28 enjoyment of neighboring properties. In other areas of the City, short term rentals are
29 not compatible with the residential use of the surrounding properties and are often the
30 cause of excessive noise, illegal or improper parking, traffic violations, congestion and
31 litter, thereby interfering with the quiet enjoyment of the residential neighborhood in
32 which they occur. The provisions of this Article allow short term rentals, with appropriate
33 restrictions, only in those areas in which short term rentals may be carried on without
34 adversely affecting the quiet enjoyment of neighboring properties.
35
36

37 **Sec. 2301. District boundaries.**

38
39 The Short Term Rental Overlay District boundaries shall be as designated on the
40 official zoning map of the city (STR).

41
42 **Sec. 2302. Application of regulations.**

43
44 The designation of any property as lying within the Short Term Rental Overlay
45 District shall be in addition to, and not in lieu of, the underlying zoning district
46 classification of such property, such that any property situated in the Short Term Rental
47 Overlay District shall also lie within one or more of the zoning districts enumerated in
48 Section 102(a) of this ordinance. All such property shall be subject to the requirements
49 of this Article as well as to all other regulations applicable to it, and to the extent that
50 any provision of this Article conflicts with any other ordinance or regulation, the
51 provision of this Article shall control.

52
53 **Sec. 2303. Use regulations.**

54
55 (a) Subject to general requirements and to the regulations of the underlying
56 zoning district, all uses and structures permitted as principal, conditional or accessory
57 uses in the underlying zoning district in which they are located shall be permitted
58 within the Short Term Rental Overlay District.

59
60 (b) Short term rentals shall be a permitted use, if they comply with the
61 requirements of City Zoning Ordinance § 241.2.

62
Adopted by the Council of the City of Virginia Beach, Virginia, on the _____ day
of _____, 2018.

APPROVED AS TO CONTENT:

APPROVED AS TO LEGAL SUFFICIENCY:

Planning Department

City Attorney's Office

CA14136
R-3
February 15, 2018

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Version 2

AN ORDINANCE TO AMEND THE OFFICIAL
ZONING MAP BY THE DESIGNATION AND
INCORPORATION OF PROPERTY INTO THE
SHORT TERM RENTAL OVERLAY DISTRICT

WHEREAS, the public necessity, convenience, general welfare and good zoning practice so require;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF VIRGINIA BEACH, VIRGINIA:

That the official zoning map of the City of Virginia Beach be, and hereby is, amended by the designation and incorporation of the area attached hereto and made a part hereof, having been, displayed to City Council and on file in the Department of Planning as the short term rental overlay district.

Adopted by the Council of the City of Virginia Beach, Virginia, on the _____ day of _____, 2018.

APPROVED AS TO CONTENT:

APPROVED AS TO LEGAL SUFFICIENCY:

Planning Department

City Attorney's Office

CA14137
R-3
February 28, 2018