

NOTICE OF PUBLIC HEARING

The Harrisonburg City Council will hold public hearings on March 12, 2019 at 7:00 p.m., or as soon as the agenda permits, in the City Council Chambers located at 409 South Main Street, Harrisonburg, Virginia, to consider the following:

City of Harrisonburg Capital Improvement Program FY 2019-2020 through 2023-2024

Public hearing to consider the proposed Capital Improvement Program, for fiscal years 2019-2020 through fiscal years 2023-2024. The Capital Improvement Program is a multi-year projection and scheduling of capital projects of \$50,000 or greater. This plan is prepared annually in an effort to facilitate planning and setting priorities among capital improvements needs over a subsequent five-year period. Copies of the capital improvement program are available for review on the city's website, in the Department of Planning and Community Development, the City Manager's Office, and the Massanutten Regional Library.

Zoning Ordinance and Title 4 Finance, Taxation, Procurement Amendments – Homestays and Short Term Rentals

Public hearing to consider two options for multiple Zoning Ordinance amendments and modifications to Title 4 Finance, Taxation, Procurement, which are all associated with proposed regulations to allow for "homestays" and "short term rentals" (i.e. Airbnbs, VRBOs, etc.). Changes to the Zoning Ordinance for Option 1 include adding a definition for "Short term rental" and eliminating the existing definition of "Bed and breakfast facilities" within Section 10-3-24, adding regulations for Off-Street Parking Regulations for Short Term Rentals to Section 10-3-25, and adding the "Short term rental" use as a special use permit within the following zoning districts: R-1, R-2, R-3 (Multiple Dwelling), R-3 (Medium Density), R-4, R-5, R-6, R-7, MX-U, B-1, and U-R. A new article titled Article DD. – Short Term Rentals is proposed with sections regulating and specifying: registration requirements and general regulations including penalties for operating a short term rental without first registering and limiting a contract with a guest for accommodation space to a maximum of thirty (30) consecutive nights. The sections of the Zoning Ordinance impacted by adding "Short term rentals" as a permissible special use permit include: 10-3-34, 10-3-40, 10-3-46, 10-3-48.4, 10-3-52, 10-3-55.4, 10-3-56.4, 10-3-57.4, 10-3-58.4, 10-3-85, and 10-3-180. These sections are amended by either adding "Short term rentals" as a new use for the district or by replacing the existing "Bed and breakfast facilities" use with "Short term rentals." The "Short term rental" definition within the Zoning Ordinance is proposed as follows: "The provision of a bedroom or accommodation space within the principal building or any accessory building that is suitable or intended for occupancy for dwelling, sleeping, or lodging purposes and is offered in exchange for a charge for the occupancy." Zoning Ordinance Section 10-3-13 currently states that "[a]ny person, firm, or corporation found in violation of the Zoning Ordinance, upon conviction shall be guilty of a class 1 misdemeanor." Section 10-3-13 is proposed to be amended to allow violations of Article DD to be subject to civil penalties of \$100.00 for the first offense, \$250.00 for the second offense, and \$500.00 for each subsequent offense arising from the same set of operative facts. Option 2 includes the same proposed amendments as those specified in Option 1, but includes a new use called "homestay." The "homestay" definition within the Zoning Ordinance is proposed as follows: "In a single-family detached, duplex, or townhouse dwelling, the provision of a bedroom or accommodation space within the principal building that is suitable or intended for

occupancy for dwelling, sleeping, or lodging purposes and is offered in exchange for a charge for the occupancy, and where the operator is present during the lodging period.” The new Article DD. - Homestays and Short Term Rentals would allow homestays to be rented for guest lodging for no more than forty-five (45) nights per calendar year; would limit the maximum number of adult guests at one time in a homestay unit to six (6); would restrict operators from marketing or using homestays as a location for weddings, receptions, or other events; and would require operators to maintain the property as their primary residence. A homestay would be permitted by right within a single-family detached, duplex or townhouse dwelling within the following zoning districts: R-1, R-2, R-3 (Medium Density), R-4, R-5, R-6, R-7, MX-U, B-1, and U-R. In addition to the proposed amendments described in Option 1, the sections of the Zoning Ordinance impacted by adding “homestays” as a by right use include: 10-3-33, 10-3-39, 10-3-48.3, 10-3-51, 10-3-53.3, 10-3-56.3, 10-3-57.3, 10-3-58.3, 10-3-84, and 10-3-179. For both Option 1 and 2, Title 4 Finance, Taxation, Procurement Section 4-2-76.1 (2) would be modified by adding “short term rental” to the definition of “Hotel” and eliminating the reference to other lodging places that offer lodging for four (4) or more persons at any one time. Subsection (4) of Section 4-2-76.1 is also being modified by amending the definition of “Transient” by eliminating the words “hereinabove” and replacing them with “in this section.” For Option 2, “homestay” would also be added to the Title 4 definition of “Hotel.”

Applications, maps, and other information are available for review in the Department of Planning & Community Development, 409 South Main Street, 2nd Floor, Monday through Friday, 8:00 a.m. to 5:00 p.m. All persons interested will have an opportunity to express their views at these public hearings.

Publication dates:

Monday, February 25, 2019

Monday, March 4, 2019