



ARLINGTON COUNTY, VIRGINIA
ARLINGTON COUNTY PLANNING COMMISSION

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MICHELLE STAHLHUT
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GIZELE C. JOHNSON
CLERK

January 25, 2017

Arlington County Board
2100 Clarendon Boulevard
Suite 300
Arlington, Virginia 22201

SUBJECT: 1. ZOA-2016-13 Accessory Homestay Amendments

Amendments to the Arlington County Zoning Ordinance to revise standards for accessory homestay (x12.9.12) to allow accessory homestay in dwelling units used by either an owner or renter as his/her primary residence; to remove the limitation on number of contracts per night for accessory homestay use; and to make updates for clarity and consistency and update references.

RECOMMENDATIONS:

The Planning Commission recommends the County Board

Adopt the attached ordinance to amend, reenact and recodify the Arlington County Zoning Ordinance to allow accessory homestay in dwelling units used by either an owner or renter as his/her primary residence; to remove the limitation on number of contracts per night for accessory homestay use; and to make updates for clarity and consistency and update references, as shown in Attachment A to the staff report dated January 9, 2017. Commissioner Schroll seconded the motion.

Dear County Board Members:

The Planning Commission heard this item at its January 17, 2017 public hearing. Deborah Albert, Department of Community Planning, Housing and Development (CPHD) Planning gave a presentation on the background of the proposed amendment.

PUBLIC SPEAKERS

There was one public speaker for this item.

Jim Huryz, Fairlington resident, asserted that population is continuing to grow, and that many neighborhoods are not designed for accessory homestay. The regulations are not enforceable and many will remain illegal. This is a consequence of the “new urbanism,” which he believes does

P.C. #35.

not allow any deviation or alternative to Smart Growth. There are consequences to continually forcing more people into Arlington.

REVIEW PROCESS

There has not been additional commission review of this issue.

PLANNING COMMISSION DISCUSSION

Commissioner Hughes asked whether staff has produced an outreach plan to ensure multi-family residents are aware of the proposed changes. Staff responded that the changes will be posted on the webpage and sent to the short-term rental and Planning and Building E-news listservs. Commissioner Hughes suggested it should also be highlighted by the press release, following County Board consideration.

Commissioner Siegel asked if staff had conducted any research about homeowner associations that do or do not allow short-term rental. Ms. Albert responded that staff does not anticipate studying that issue, and also noted that HOA's are free to make their own rules.

Commissioner Gutshall asked, in light of the Building Official's ruling that multi-family buildings in which the predominant use is residential would not have to comply with the stricter hotel standards as originally assumed by staff, whether there were any discussions among staff about the potential difference in life-safety risks between newer and older multi-family buildings. Ms. Albert responded that staff would follow up to determine whether the issue had been discussed.

PLANNING COMMISSION MOTION

Commissioner Siegel moved the Planning Commission recommend the County Board approve the ordinance as shown in Attachment A to the staff report dated January 9, 2017, to amend, reenact and recodify the Arlington County Zoning Ordinance to allow accessory homestay in dwelling units used by either an owner or renter as his/her primary residence; to remove the limitation on number of contracts per night for accessory homestay use; and to make updates for clarity and consistency and update references.

Commissioner Gutshall suggested changing the term "resident" to something "host" in order to avoid confusion with such terms elsewhere in the zoning code. Ms. Albert agreed that staff would research uses of the word "resident," and consider whether another term would be more appropriate.

The Planning Commission voted unanimously 7-0 to support the motion with Commissioners Gutshall, Siegel, Iacomini, Sockwell, Hughes, Gearin, and Schroll in support.

Respectfully Submitted,
Arlington County Planning Commission



Erik Gutshall