



## ZOAM-2018-0001-Short Term Residential Rentals / Commercial Whole House

Section (for sorting only)	COMMENTS TO DRAFT TEXT
<b>5-669 &amp; 5-670</b>	<b>5-669 &amp; 5-670 COMMENTS IN COMMON</b>
5-669 & 5-670	<b>FROM ROUND 1 REFERRAL INPUT.</b> How will the Intensity of multiple uses on the same parcel be evaluated, approved, monitored, enforced? The draft text precludes multiple <u>lodging uses</u> (e.g., B&B types), but that may not address other uses on the same property. How will quantity of acre requirements be determined?
STRR-ATT-2	<b>FROM ROUND 1 REFERRAL INPUT.</b> STRR SUMMARY TABLE. NOISE. <b>New Comment:</b> Although a prohibition on private parties has been included for both STRR and CWH, there is still an inconsistency in not applying noise standards for a business use in the vicinity of non-business property owners. A house full of 16 people, with or without a "party" could still result in excessive noise. Can this be added to provide consistent performance standards across all lodging? <u>From Route 1 Referral Input:</u> Why do STRR and CWH only reference 5-1507 Noise standards (55dB for Residential and Rural Economy Uses) without stipulating the same Noise restrictions (no outdoor music permitted between 11pm and 10am, Fri. Sat and preceding a holiday and 10pm to 10am other days) as B&B requirements in 5-601 A, B and C? This creates inconsistent application of regulations for similar operations.
<b>5-669</b>	<b>SHORT TERM RESIDENTIAL RENTAL -- ACCESSORY USE</b>
5-669(C)(1)	<b>FROM ROUND 1 REFERRAL INPUT.</b> 5-669(C)(1) RESIDENCY REQUIREMENT. How will enforcement be done for the requirement that "The Operator shall reside on the parcel . . . for a minimum of 185 days per calendar year"?
5-669(C)(4)	5-669(C)(4)a&b. LVHA Input: CAN STRR have a difference capacity level for Villages than other districts/overlays/place types? A maximum of four room rentals per property/home appears to be even too many -- like a mini boarding house—is that the purpose to have 'boarding houses in rural villages? A way of residents have a means to have a business in their home ? I can see maybe one or two per house, but up to four?? And a max of eight renters?
5-669(C)(4)c	5-669(C)(4)c. RENTAL CAPACITY. Individual sewage disposal systems. Please confirm how the wells and septic restrictions will be monitored and enforced. Example -- is this a requirement to receive a permit only? Or will annual inspections by the Health Department also be done?
5-669	ROAD ACCESS. STRR 5-669 was silent on Road Access. The requirements should be made the same as B&B Homestay to be consistent and avoid applying for STRR as a less restrictive option.

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5-699 & 5-670	<p><b>LOUDOUN HISTORIC VILLAGE ALLIANCE INPUT:</b>  <i>Where does the maximum of 180 days come? Appears to be high for a dense community, i.e. a rural historic village.            What will the penalties be for violation(s)? i.e. 3 or more zoning complaints, failure to respond to guest complaint, etc...            How will the fabric of our rural historic villages be preserved?            Negative impact to the availability of affordable housing.            How will the playing field be leveled with B&amp;B's such as transient occupancy tax and fees, business licenses, inspections, etc...            Concern that the number of properties with short term rentals could dominate the rural historic villages.            Concern that rural historic villages' properties will transition to commercial/absent owners.</i></p>
<b>5-670</b>	<b>SHORT TERM RENTAL -- COMMERCIAL WHOLE HOUSE</b>
5-670	<p>5-670. <b>FROM ROUND 1 REFERRAL INPUT.</b> Agree with concerns from multiple groups and Community Planning: "<i>permanent conversion of entire homes into short-term rental facilities raises concerns related to housing availability . . . [and] preservation of affordable housing stock. . . housing for farm laborers . . . year-round tenant housing . . . permanent commercial uses could disincentivize "</i> longer term residential rentals. This is contrary to parallel efforts for the Unmet Housing Needs Strategic Plan.</p>
5-670(B)	<p>5-670. <b>FROM ROUND 1 REFERRAL INPUT.</b> INTENSITY AND CHARACTER. This use as drafted creates a Primary Use that will in many districts be more intense and contrary to the existing neighborhoods, making it contrary to the 2019 Comp Plan Policies and Actions.            5-670. ZONING DISTRICTS. Requests have been made to restrict CWH rentals in the following districts: AR-1, AR-2, A-10, A-3, RC, JLMA-20, TR-10, TR-3, PD-CV (permitted in "Village Core" and "Village Conservancy and Village Satellite Conservancy"), PD-RV (permitted in "Village Center – Residential Area" and "Village Center – Commercial and Workplace Areas")</p>
5-670(B)	<p>5-670(B) <b>FROM ROUND 1 REFERRAL INPUT.</b> INTENSITY AND CHARACTER -- USE LIMITATION. The 5-670 draft is silent for Use Limitation for CWH rentals, thereby creating a less restrictive start-up to compete with B&amp;B's. Multiple groups (including LCHCA) recommend a restriction of 60 to 90 days for non-resident owner whole house rentals. Use Limitation would also address concerns expressed about the 2017 exemption given to Real Estate Professionals from local STRR registration, and Real Estate Investment Trust (REIT) abuse of the STRR market in Loudoun high-tourism areas.</p>
5-670	<p>5-670. <b>NEW COMMENT.</b> LVHA is/remains concerned that a Commercial Whole House can be rented 365 days per year. Can a cap be considered for the CWH use overall, and if not, can there be a cap on days by district, overlay or place type?</p>
5-670	<p>5-670. <b>NEW COMMENT.</b> Ag Use owners question: The CWH standards appear to drive rural Loudoun's balance of tourism vs. other rural businesses and residents to be far more weighted to just tourism.            Given the national issues surrounding commercial entities buying up lots of housing stock, plus our more local issues, this seems like a good time to pump the brakes so we don't lose a lot of housing stock to commercial ownership or skew our balance of uses in the rural economy. It also seems like these regulations are written to "bring people into compliance" rather than to lay out what vision the county has for actually allowing these uses.</p>
5-670(C)(2)a	<p>5-670(C)(2)a. CWH RENTAL CAPACITY. LHVA Concern. A max capacity of 16 people in one property for a VILLAGE is "a lot of people." As previously asked, can Villages have a different capacity requirement for this district/overlay/place type?</p>

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5-670(C)(2)b	5-670(C)(2)b. CWH RENTAL CAPACITY. GUEST ROOMS. Questions have been raised on "the number of rooms and/or bedrooms used for overnight accommodations for guests shall not exceed 8 per parcel." Could "rooms" include, for example, the kitchen if there are beds placed there for "overnight accommodation?" Can "rooms" vs. "bedrooms" be made more clear?
5-670(C)(2)c	5-670(C)(2)c. CWH RENTAL CAPACITY. Individual sewage disposal systems. Please confirm how the wells and septic restrictions will be monitored and enforced. Example -- is this a requirement to receive a permit only? Or will annual inspections by the Health Department also be done?
5-670(C)3.a	5-670(C)3(a). Commercial whole house rentals must have 5 acres if they have 4 or more bedrooms. Most houses in eastern Loudoun have 4 bedrooms (or more), but may not have 5 acres. Won't this skew CWH rentals to the rural policy area?
5-670(C)5	5-670(C)(5), Definition of a private party. This is not intended to restrict the CWH renters from having a birthday party or small dinner party, not exceeding the occupancy limits, correct? Alternative language along the lines of "small private parties for the occupants and their guests are permitted up to allowed the occupancy capacity" may be considered.
5-670(D)6	5-670(D)6. Zoning Permit requirements / HOA. How will these requirements be enforced? If not enforced, then they appear more to be "double speak."
5-670(H)	5-670(H) ROADS/ACCESS. What kind of documentation would be required to define private access easement permission?
5-670(K)	5-670(K). The prohibition on using ADUs is great, but many of the under 4 bedroom houses on under 5 acre lots are more affordable than ADUs in eastern Loudoun. How will they be protected from being pulled off the market in favor of commercial whole house rentals?