



The background of the slide features a blue-tinted image. On the left side, there is a tall, ornate stone monument with a statue on top. On the right side, there is a bridge spanning across a body of water. The overall scene is a landscape view.

# Short-Term Rentals: Feedback Discussion

York County Board of Supervisors  
April 2, 2024

# Senate Bill 544

- *Notwithstanding any other provision of law, general or special, no local ordinance enacted after December 31, 2023, shall require that a special exception, special use, or conditional use permit be obtained for the use of a residential dwelling as a short-term rental where the dwelling unit is also legally occupied by the property owner as his primary residence.*
- Current Status: Awaiting governor's decision

# BOS Feedback

- Consideration of comments from nearby residents
  - Inherent to SUP process
  - Addition to proposed section 24.1-409(m)-commission and board considerations
    - *The Board will consider comments from citizens*
- SUP expiration upon property transfer [*proposed Section 24.1-409(n)*]

- Signage
  - Voluntary condition of approval
- Appearance
  - Already covered in Current Section 24.1-409(a)
- Lodging only
  - Difficult to enforce; proposed Section 24.1-409(o) sets forth regulations for gatherings, parties, and events at Bed & Breakfast establishments

- Management
  - Requiring STRs to be managed by a “nationally recognized platform” may be a legal issue showing preference to one business over another
  - Enforcement challenge
- Preserve by-right in commercial districts?

RC	RR	R33	R20	R13	R7	RMF	NB	LB	GB	WCI	EO	IL	IG
S	S	S	S	S		S		P	P				

# Owner/Operator Residency

- Proposed Section 24.1-409 (e)
  - Allows for Board flexibility while establishing a preference of the owner living in the home or in an adjacent premises.
  - Define distance for owner/operator?
  - Suggestion to allow a temporary alternate contact?
- Additional criteria necessary?

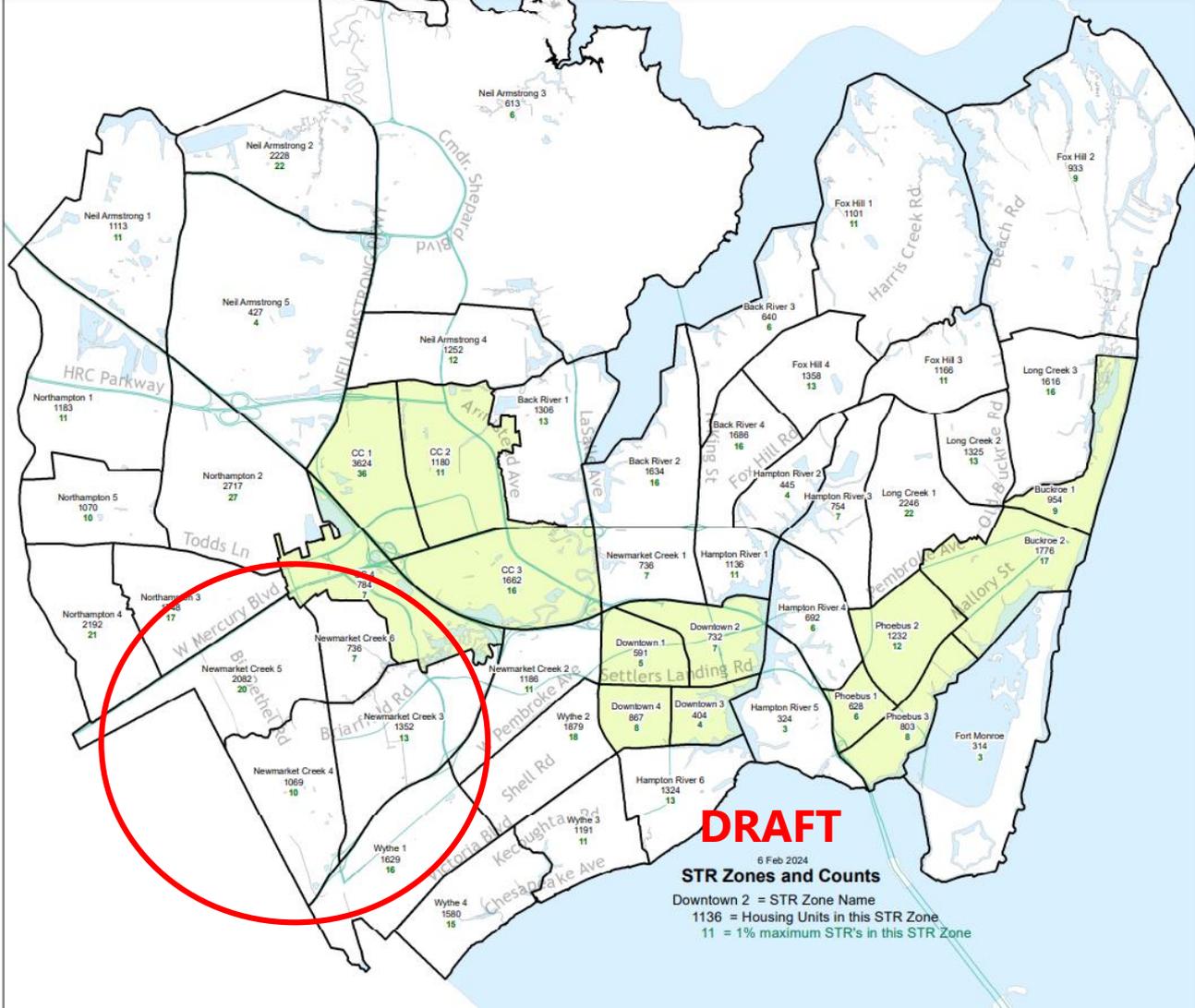
# Density/Location

- Geographic basis/boundaries
- Numerical standard
- Applicability
- Requirement vs Consideration
- Exemption for Yorktown Village

# Local Example - Hampton

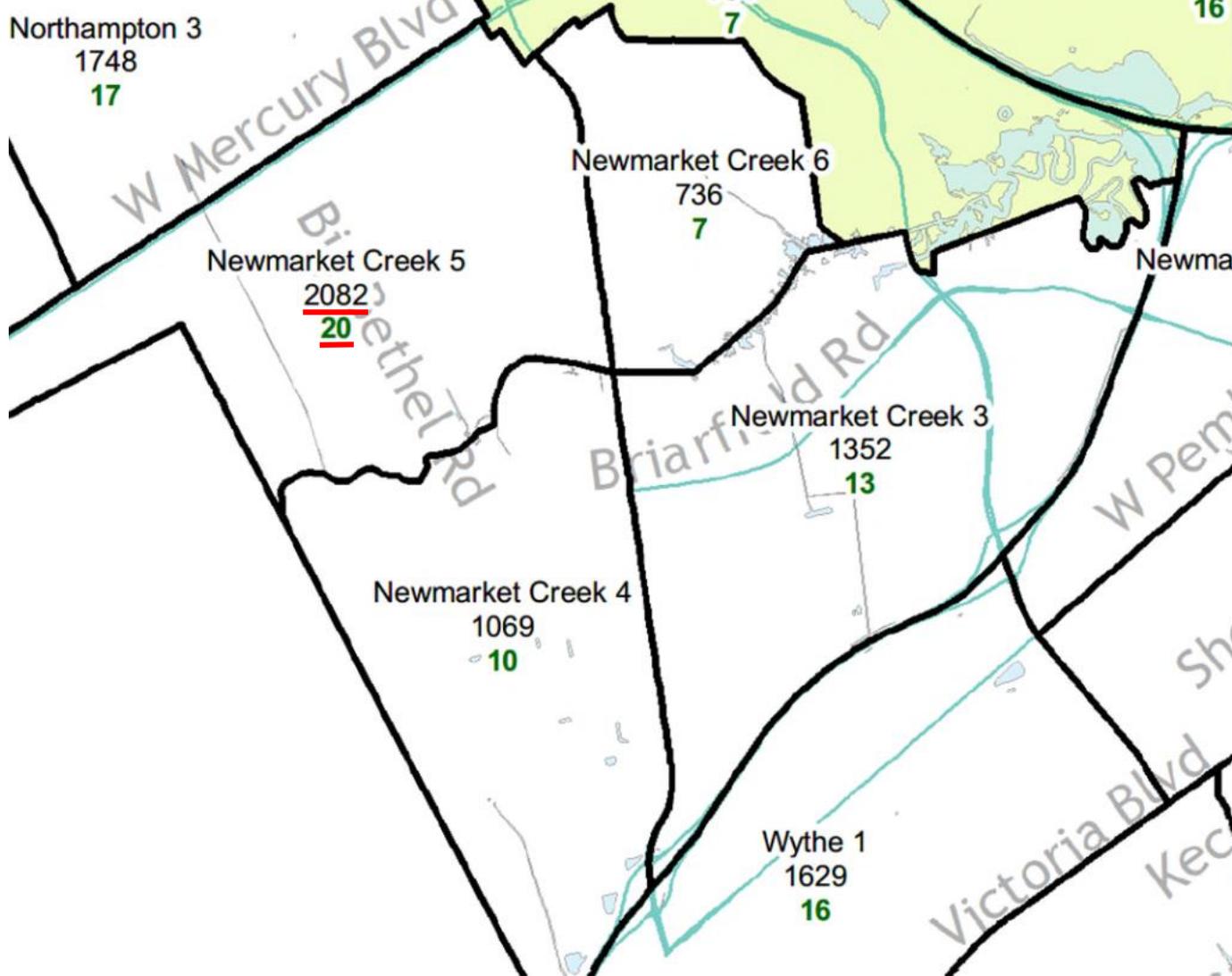
City staff recommendations from Feb. 6<sup>th</sup> Council Work Session;

- STR “zones” - density cap varies between certain zones (1% to 3%)
- Allow 2 STRs be adjacent or across street, but not “sandwich” a home
- Do not distinguish between whole house and owner occupied STR, or full time vs part time STR
- Except when meeting certain criteria, STRs allowed by-right with Administrative Permit



**DRAFT**

6 Feb 2024  
**STR Zones and Counts**  
 Downtown 2 = STR Zone Name  
 1136 = Housing Units in this STR Zone  
 11 = 1% maximum STR's in this STR Zone



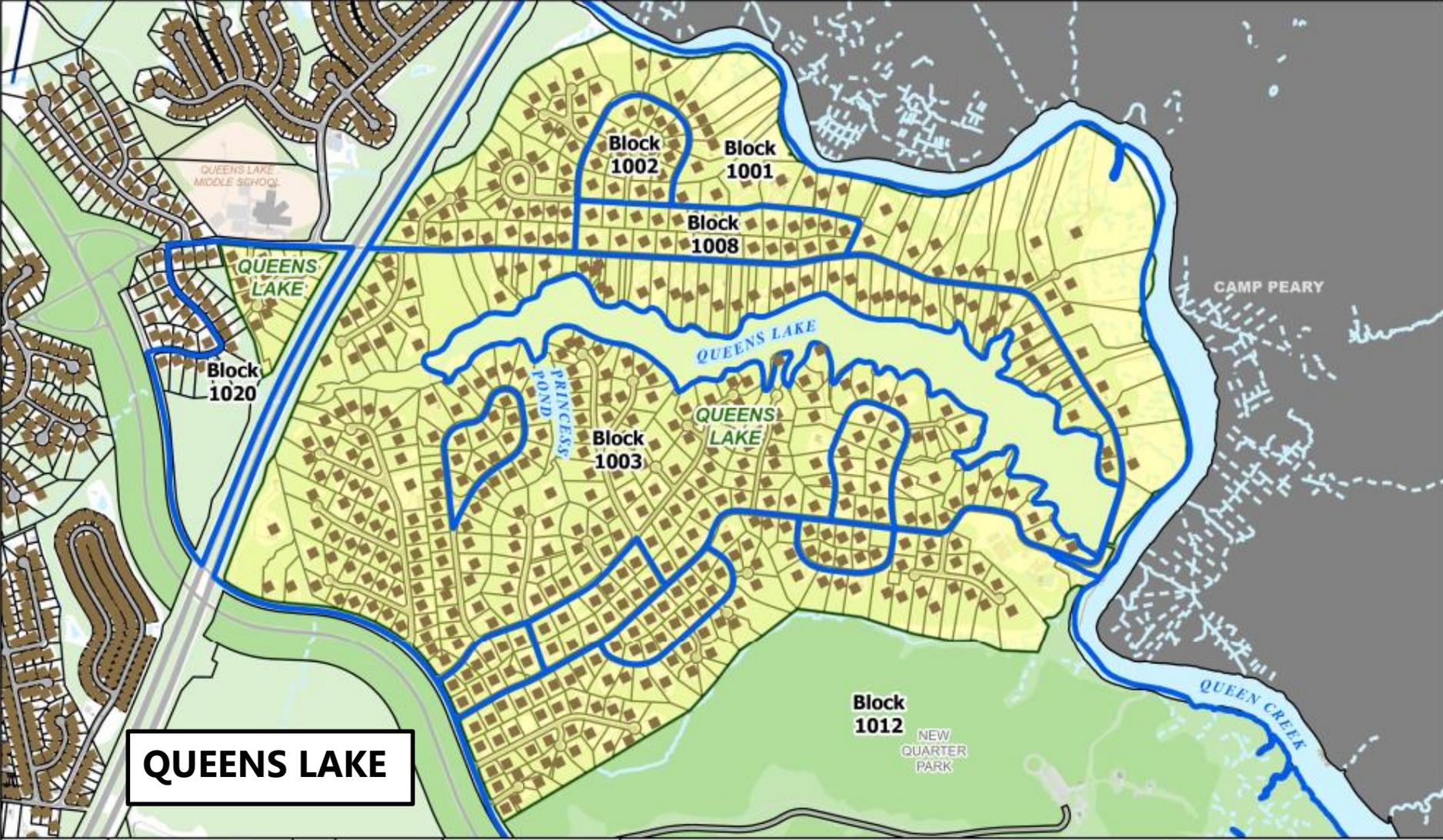
# County Data

- Fixed STR density based on housing units in a geographic area

OR

- Radius from existing STR

# Density



**QUEENS LAKE**

**Block 1002**

**Block 1001**

**Block 1008**

**Block 1020**

**Block 1003**

**Block 1012**

NEW QUARTER PARK

QUEENS LAKE MIDDLE SCHOOL

QUEENS LAKE

QUEENS LAKE

QUEENS LAKE

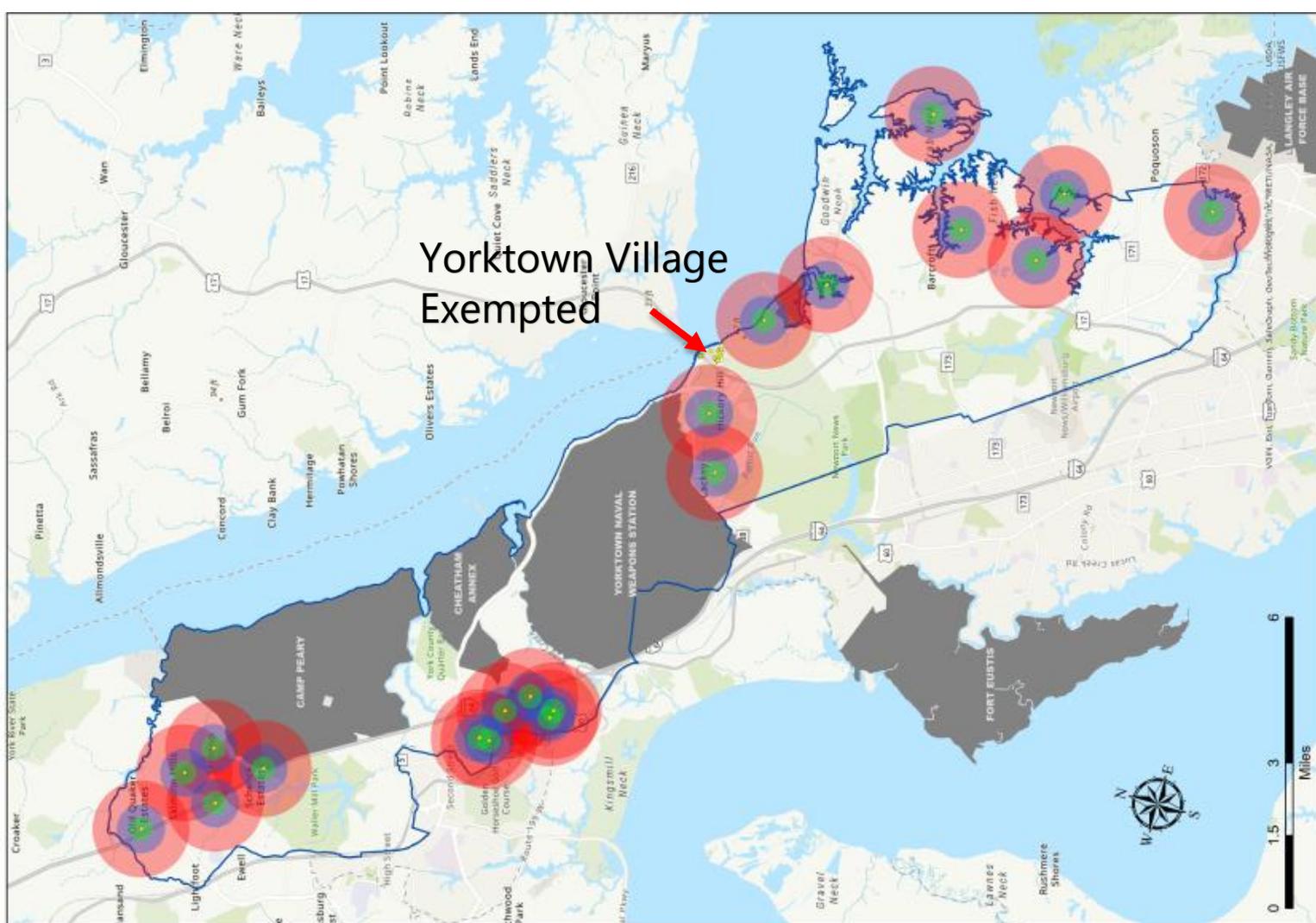
CAMP PEARY

QUEEN CREEK

# Density Considerations

- STR area creation; difficult to develop a uniform basis
- Need to normalize housing unit density per area

# Buffer Radius

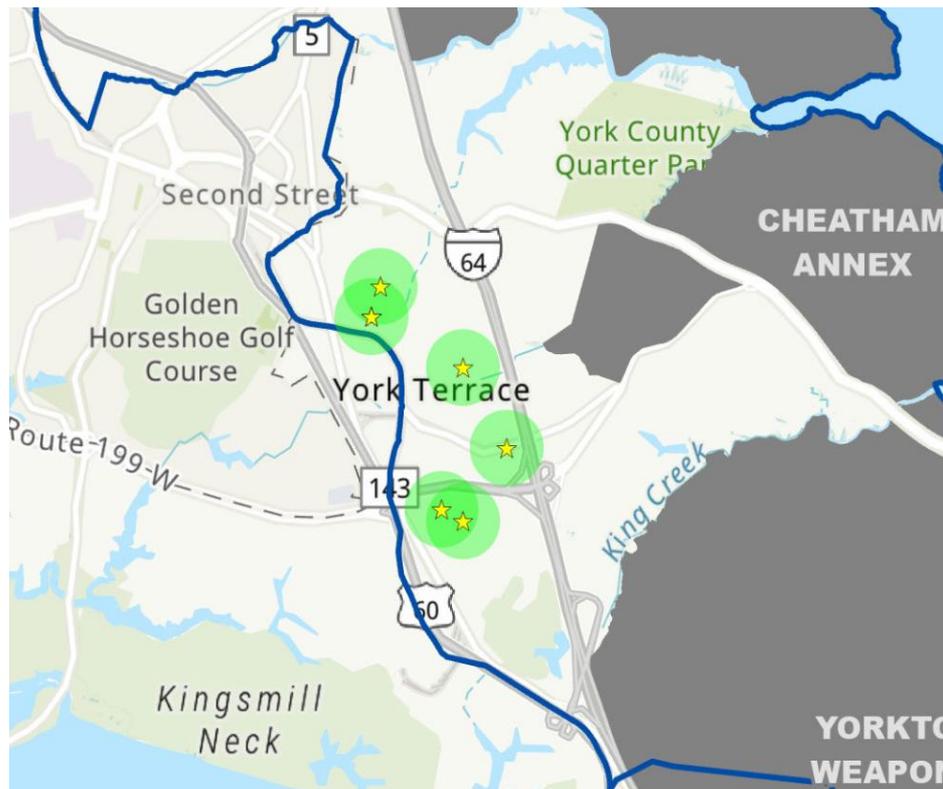


Yorktown Village  
Exempted

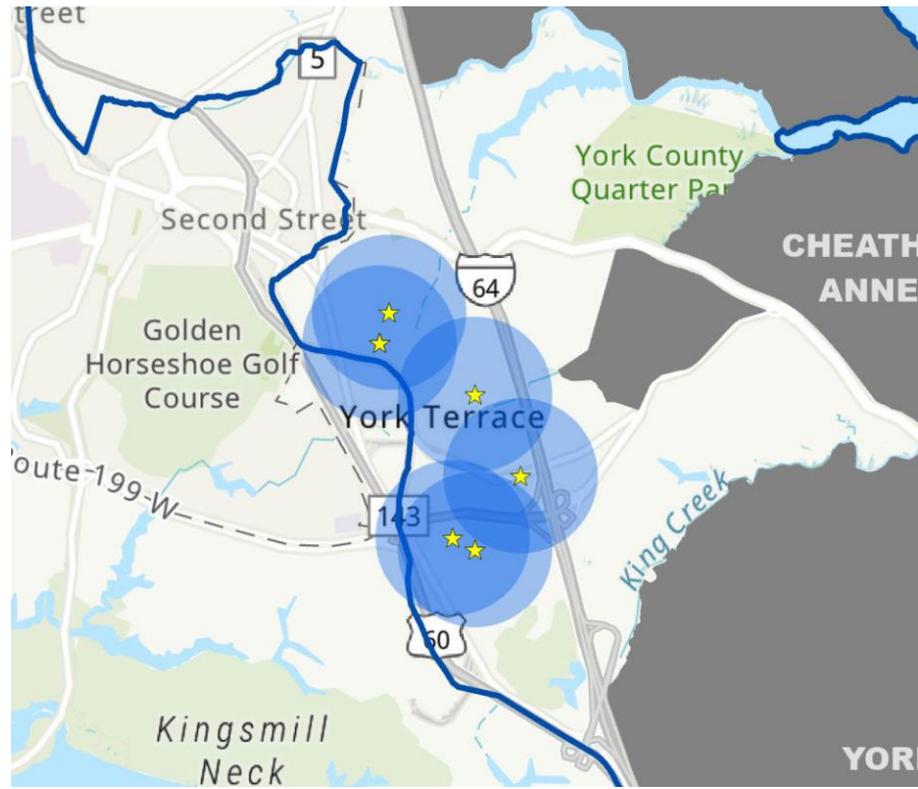
STRs buffered at  
1 mile,  
1/2 mile, and  
1/4 mile

- ★ Approved Short Term Rentals (STRs)
- Green circle: 1/4 Mile Buffer
- Blue circle: 1/2 Mile Buffer
- Red circle: 1 Mile Buffer

Map created by  
Timothy Kropp, GIS Department



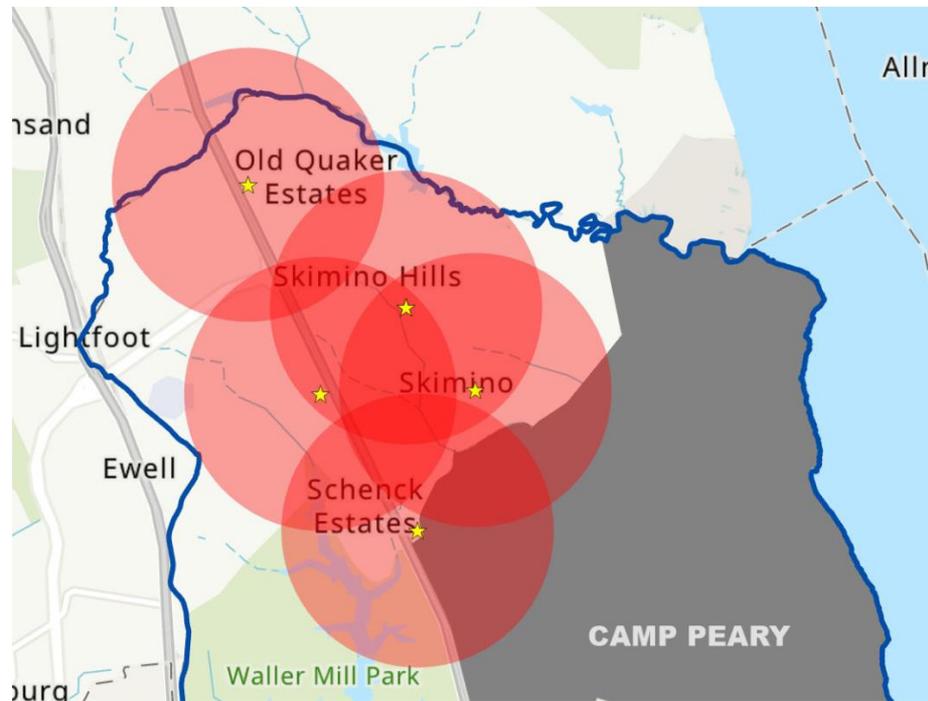
1/4 Mile Buffer



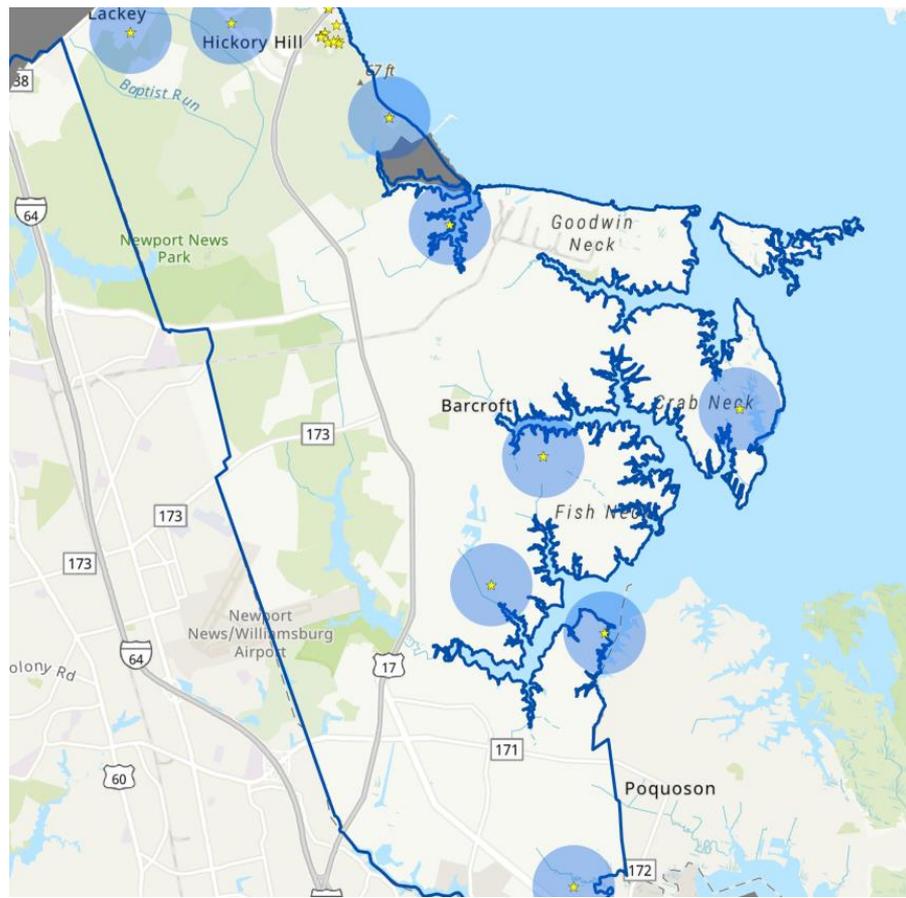
1/2 Mile Buffer



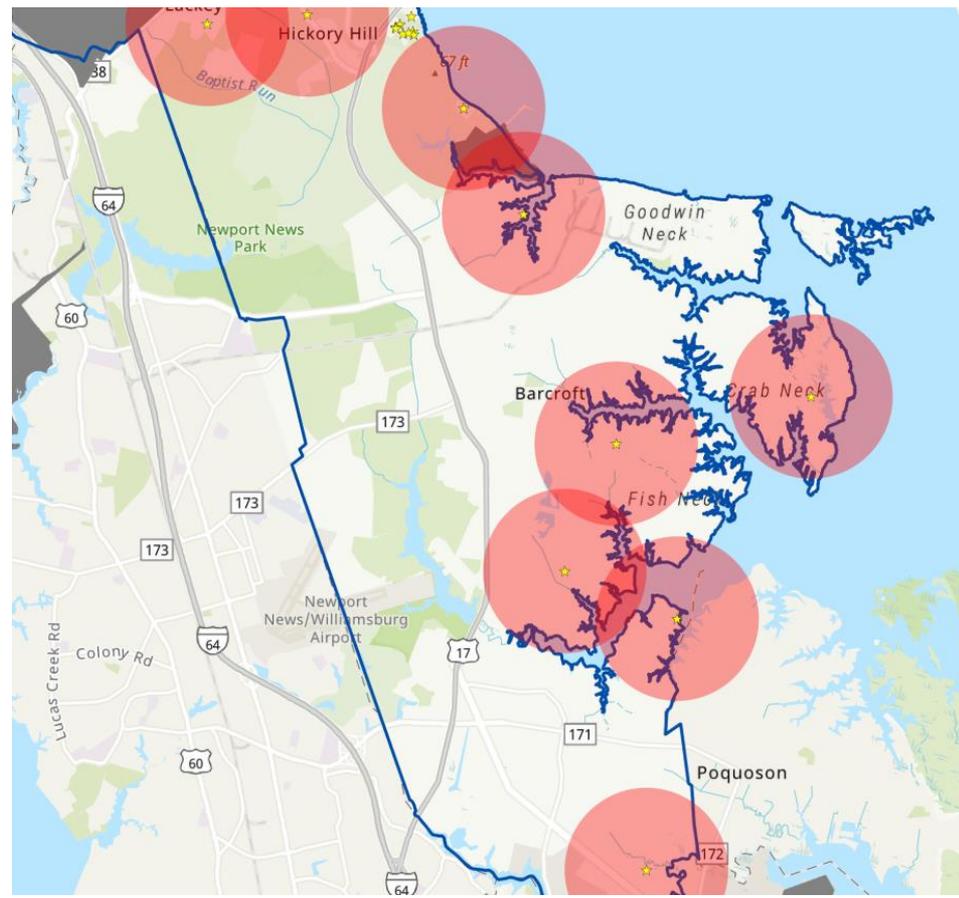
1/2 Mile Buffer



1 Mile Buffer



1/2 Mile Buffer



1 Mile Buffer

# Criteria?

- Geographic basis/boundaries
- Overlapping applications
- Numerical standard
- Applicability
- Required vs Consideration
- Exemption for Yorktown Village

# Next Steps

- Draft STR zoning text amendments to Planning Commission
- OR
- Reconsider previously proposed STR zoning text amendments

# Current Cases

- April 16<sup>th</sup> BOS: Theresa & Donald Newsom
- Outstanding:
  - Hope Durley – PC on August 9, 2023
  - J.R. Howard – PC on March 13, 2024

The background of the slide features a blue-tinted image of a tall, ornate monument on the left and a bridge spanning a body of water on the right. The monument has a statue on top and a base with decorative elements. The bridge is a truss-style bridge with a central arch.

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WHITEMAN'S SWAMP

Block 1121

Block 1125

Block 1119

Block 1123

Block 1126

Block 1124

Block 1122

CARVER GARDENS

Block 1120



# Calthrop Neck Road Residential Density

**413 Residential Address Points** off of Calthrop Neck Road

1% --> 4 Households

**401 Total Households** in Overlapping 2020 Census Blocks

1% --> 4 Households

Block2020	Total Households 2020
1001	78
1003	2
1002	26
1009	25
1008	124
1007	3
1006	4
1005	17
1004	123
1013	9

 2020 Census Blocks



# Compliance with State Code

- Any new adopted amendments to Section 24.1-409 will enact the provisions of SB544 if adopted
- Require additional revisions to Zoning Ordinance to comply with state code (§ **15.2-983**)