



Colonial Heights
City Council Special Meeting
June 20, 2023

Colonial Heights City Council Meeting

June 20, 2023



- 1. Call to Order**
- 2. Roll Call**
- 3. Declarations Of Personal Interest**

Colonial Heights City Council Meeting

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4. Closed Meeting Pursuant To The Code Of Virginia In Accordance With The Following Provision:

- ▶ *Paragraph A.3 of Section 2.2-3711, to discuss or consider the acquisition of two parcels of real property for a public purpose, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body. One of the parcels is a .25-acre parcel on Highland Avenue with a single-family residence, and the other is a .15-acre parcel on James Avenue with a single-family residence.*

Colonial Heights City Council Meeting

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5. Vote To Come Back Into Open Meeting.

The Council has been in a closed meeting pursuant to the Code of Virginia in accordance with the following provision:

- ▶ *Paragraph A.3 of Section 2.2-3711, to discuss or consider the acquisition of two parcels of real property for a public purpose, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body. One of the parcels is a .25-acre parcel on Highland Avenue with a single-family residence, and the other is a .15-acre parcel on James Avenue with a single-family residence.*

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Consideration of the following certification:

Each member will now certify that to the best of the member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements of the act and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting by the public body. Any member who believes there was a departure from the requirements of clauses (i) and (ii) shall so state prior to the vote, indicating the substance of the departure that, in his judgment, has taken place.

Roll Call. An affirmative vote shall constitute certification of compliance.

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6. A Work Session On The Following Items:

A. City Vision And Mission Statement Presentation

City Vision Statement

City of Colonial Heights Vision:

To be a thriving community
where everyone is welcome

City Mission Statement

City of Colonial Heights Mission:

To provide exceptional services to our community each and every day

Goal Areas:

- ❖ Exceptional Services
(Government/Administrative Departments)
- ❖ Premier Health and Safety
(Public Safety; Building Inspections; Recreational Activities; Social/Human Services)
- ❖ Community Appeal
(Aesthetics; Community Appearance; Community Revitalization; Code Enforcement)

Goal Areas Cont.:

- ❖ Thriving Economy

(Economic and Community Development; Planning; Infrastructure; Sports Tourism)

- ❖ Excellent Educational Opportunities

(Centralized Location for Higher Education Opportunities; Excellent K-12 School System)

Colonial Heights City Council Meeting

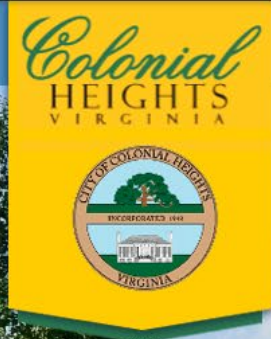
June 20, 2023



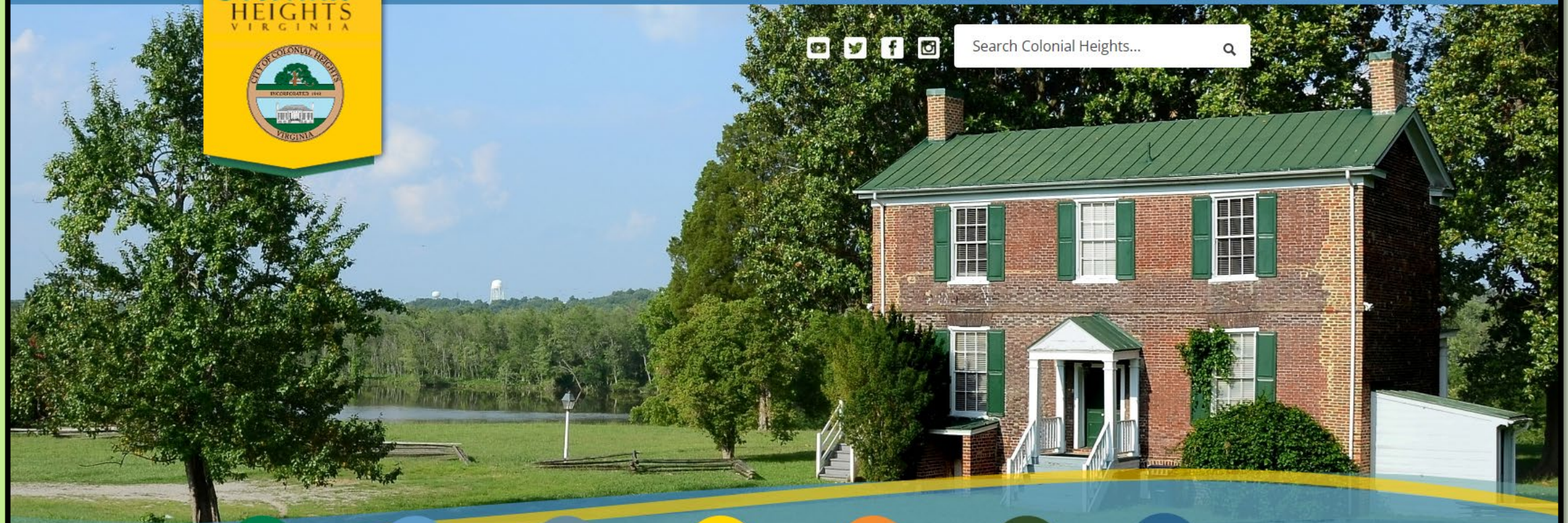
- 6. A Work Session On The Following Items:**
 - B. Discussion Regarding A City Logo Concept**

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A stylized monogram logo consisting of the letters 'C' and 'H' in a black, serif font. The 'C' is on the left and the 'H' is on the right, with a thin white line connecting them.

Colonial Heights


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A stylized monogram logo consisting of the letters 'C' and 'H' in a dark blue, serif font. The 'C' has a green outline on its left side. The 'C' is on the left and the 'H' is on the right, with a thin white line connecting them.

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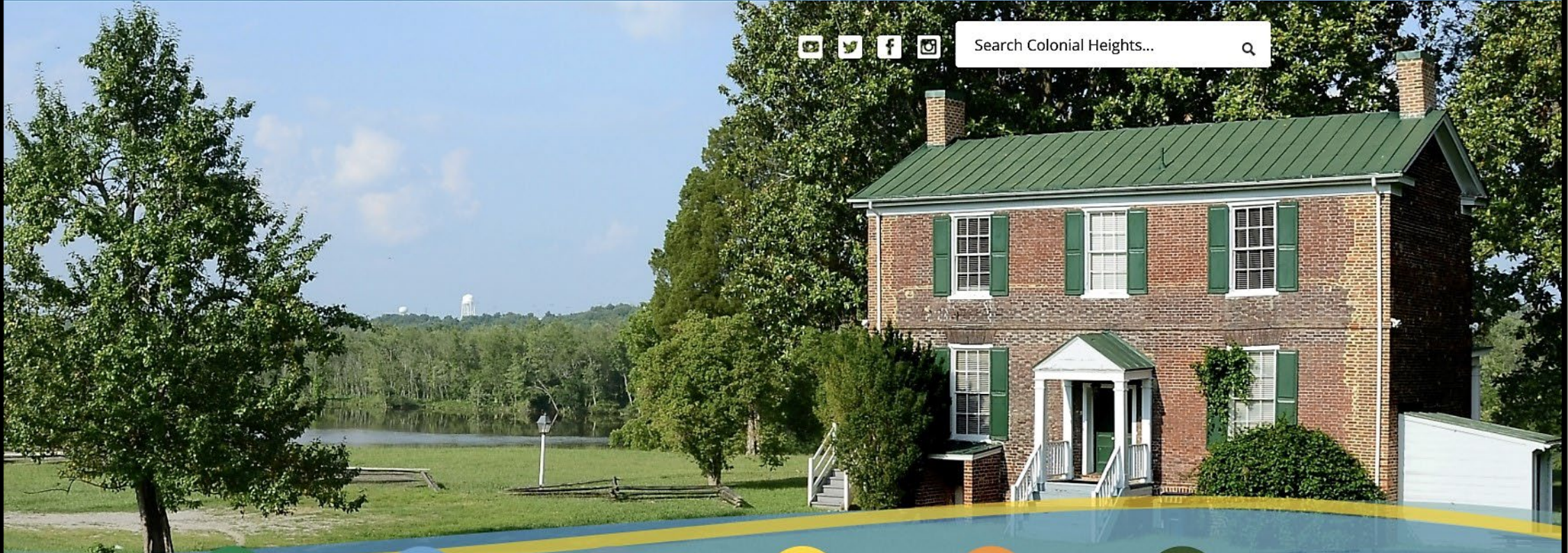
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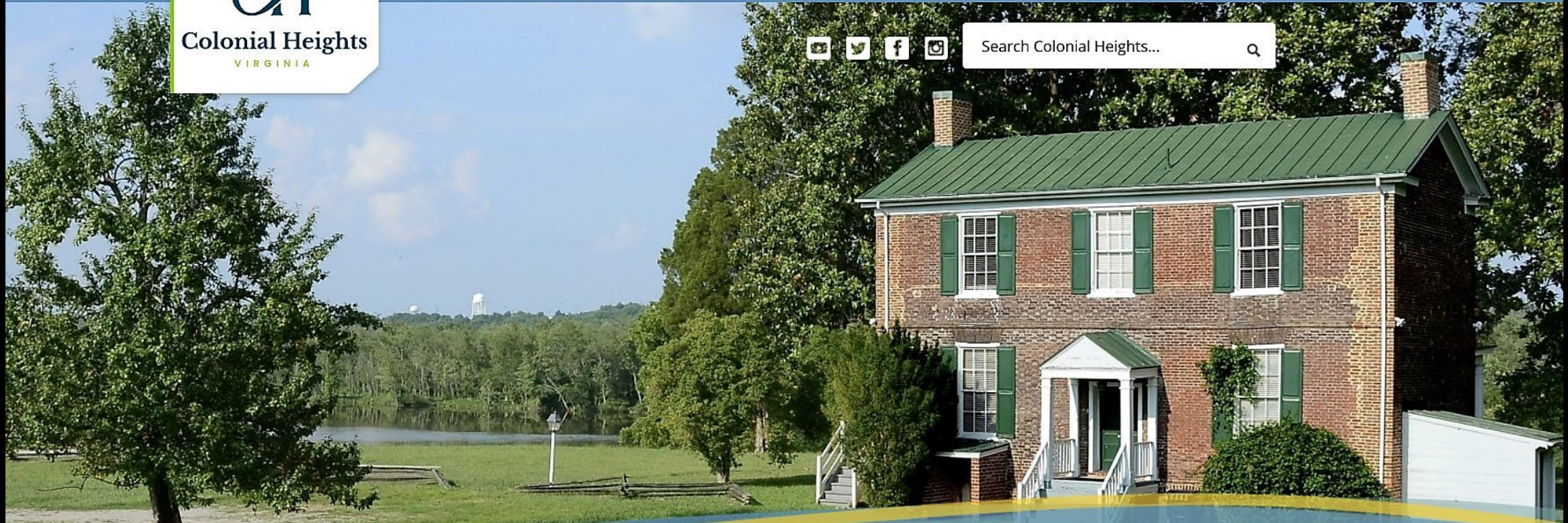
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6. A Work Session On The Following Items:

C. Public Works Projects Update

Public Works Project Update

Project Name	Funding	Federal/State Funding	Local Match	Total Cost
Lakeview Ave Widening	RSTP	\$7,412,507	\$750,492	\$8,162,999
Branders Bridge Right Turn Lane	CMAQ	\$824,308	\$0	\$824,308
Westover Ave. Right Turn Lane	CMAQ	\$1,336,968	\$39,313	\$1,376,281
North Elementary Sidewalks Phase II	TAP	\$939,706	\$159,900	\$1,099,606
ARGT Phase V	TAP	\$1,010,780	\$264,036	\$1,274,816

Project Name	Funding	Federal/State Funding	Local Match	Total Cost
Boulevard at Temple Intersection Improvements	CMAQ	\$1,644,944	\$0	\$1,644,944
Ridge Road Reconstruction	RS	\$330,353	\$330,353	\$660,706
High School Sidewalks	TAP	\$568,675	\$142,169	\$710,844
Boulevard Paving	SGR	\$534,867	\$0	\$534,867
Middleschool Sidewalks	TAP	\$184,699	\$32,082	\$216,781

Project Name	Funding	Federal/State Funding	Local Match	Total Cost
Boulevard Trail Spur	SmartScale/TAP	\$873,604	\$79,000	\$952,604
Boulevard Sidewalks	STBG	\$3,900,000	\$0	\$3,900,000
ARGT Phase VI	SmartScale	\$3,807,235	\$0	\$3,807,235

Route 1 & Temple Avenue Intersection Improvements



Public Works Project Update

Active Construction FY23-24

(Anticipated End of Construction)

- Pavement Preservation 2023 (Summer 2023)
- Boulevard Paving (Summer 2023)
- Lakeview Avenue Modernization (Fall 2023)
- North Elementary Sidewalks Phase 2 (Fall 2023)
- Branders Bridge Rd Right Turn Lane (Fall 2023)
- Westover Ave Right Turn Lane (Spring 2024)
- ARGV, PH V (Summer 2024)

Public Works Project Update

Non-Transportation Projects

- Lakeview Dam
- Lexington Ave Drainage Project
- Main Pump Station Valves

Public Works Project Update

Infrastructure Projects

▪ Sewer

- Tri-State to start work to address up to \$3.4 million of sewer line rehabilitation work.
- Pump replacement at Sherwood Hills Pump Station
- Support beam at Main Pump Station
- Address combinator at Main Pump Station

▪ Water

- Address outstanding items associated with Water Tower inspections
- Multiple areas to replace failing waterline

Public Works Project Update

Lead Service Line Inventory

- Staff working to collect all available information on Lead Service lines within the City.
- Information will need to be obtained on public and private side of service lines.
- Staff anticipates applying for funding in July/August.
- EPA requirement for information to be submitted in the initial lead service line inventory by October 16, 2024.

Public Works Project Update

Recycling Center- Request made to explore extended hours

- Add Mondays from 8AM to 5PM to opening hours
- Existing staff has the ability to work additional hours
- Additional expenses include a 20% increase in material processing costs

Public Works Project Update

Upcoming Grant Opportunities

- Revenue Sharing (VDOT) – Ridge Road Improvements
- Drinking Water State Revolving Fund (VDH)-Various water distribution projects
- Bridge Investment Program (FHWA) – Address Sherwood Drive Bridge
- Stormwater Local Assistance Fund (DEQ) – TMDL credit purchases

Colonial Heights City Council Meeting

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6. A Work Session On The Following Items:

D. Short-Term Rental ordinance Presentation And Discussion

VII. Staff Report of Research on Short-Term Rental Ordinances

Background

- A Short Term Rental (STR) is a use emerging in residential neighborhoods
- RL (Residential Low Density) district is the predominant zoning district for City's residential neighborhoods and housing
- Currently Short Term Rentals are not authorized in RL district
- Recent bills introduced to state legislature would pre-empt authority of jurisdictions without an ordinance regulating Short Term Rentals ("STR")

VII. Staff Report of Research on Short-Term Rental Ordinances

Similarities to Other Uses

- Hotels and Bed and Breakfasts
 - Each guest stays less than 30 days
 - Hotels are only allowed in commercial districts BB and GB
 - Bed and Breakfasts allowed only in RM by SEP, and RH administratively
- Accessory Apartments
 - Portions of a dwelling or accessory structure rented for longer than 30 days
 - Administratively allowed only as part of a detached single-family dwelling
 - Requires an SEP to be located in an accessory structure

VII. Staff Report of Research on Short-Term Rental Ordinances

Key Definitions and Terminology

- "**Short-term rental**" means the provision of a room or space that is suitable or intended for occupancy for dwelling, sleeping, or lodging purposes, for a period of fewer than 30 consecutive days, in exchange for a charge for the occupancy.
 - "hosted" STR - A hosted STR is one where the homeowner resides on the premises during its operation as an STR
 - "non-hosted STR" - A non-hosted STR is a dwelling that is not occupied by the owner when rented to users. Typically these are managed by an off-site owner.
- "**Operator**" means the proprietor of any dwelling, lodging, or sleeping accommodations offered as a short-term rental, whether in the capacity of owner, lessee, sublessee, mortgagee in possession, licensee, or any other possessory capacity.

VII. Staff Report of Research on Short-Term Rental Ordinances

Key Benefits from STRs

- Supplemental income for homeowners who host
- Supplemental income can help make homeownership more affordable
- Generates additional tax revenue from transient occupancy taxes
- Provides a different type of lodging from typical hotels that can meet different demands/needs
- Additional lodging can encourage tourism of the City and region
- Can serve to attract future residents if visitors enjoy their stay

VII. Staff Report of Research on Short-Term Rental Ordinances

Key Impacts/Concerns for STRs

- Parking and Traffic
- Noise related to parties
- Loss of residential character
- Allowing non-hosted units spurs investors to acquire residential properties in neighborhoods and operate as a commercial revenue generating use, which can lead to a reduction of affordable housing for owner residents.
- Competition for non-hosted units can lead to bidding wars that can price out owner residents due to an increase in prices in comparison quotes for nearby dwellings.
- Excessive occupancy that may exceed safety ratings for structures intended for residential use.
- Change in demand for City services, such as police patrols, garbage disposal and recycling services, water and sewer usage

VII. Staff Report of Research on Short-Term Rental Ordinances

Trends Among Other Jurisdictions

- All localities require written consent from the property owner in some form (via letter, signature on permit application, etc.).
- Many localities allow STRs in neighborhoods where the property owner resides at the STR (“hosted STR”).
- Many localities allow hosted STRs by an administrative process (home occupation permit, zoning permit, short term rental application, etc.).
- All localities impose taxes on the use (required by the state).
- All localities require some sort of zoning approval that must be obtained prior to operation regardless of hosting status.
- Many localities require an inspection prior to operation for non-hosted STRs.

VII. Staff Report of Research on Short-Term Rental Ordinances

Trends Among Other Jurisdictions

- All localities enforce penalties for not obtaining approval for an STR or for repeated violations of Code of Conditions of Approval (includes prohibition to operate as an STR).
- Not all of localities mention the use of a registry or a registry fee (this may be because of the exemption for licensed realtors). However, many localities do charge an annual fee for the STR use.
 - Either by registry or by annual permit.
- For localities that allow non-resident STRs, many require the equivalent of a Special Exception Permit and contact information for the operator/authorized agent for the STR to be provided to the locality.

VII. Staff Report of Research on Short-Term Rental Ordinances

PC recommendations:

- The STR ordinance should define a “resident hosted STR” use, which is an STR use operated by an on-site resident.
- The STR ordinance should define a “non-hosted STR” use, which is an STR operated by an off-site owner.
- The STR ordinance should establish a legislative approval process for “non-hosted STR” uses via a Special Exception Permit (SEP).
- The STR ordinance should establish parking standards for STR uses.
- The STR ordinance should limit the number of STR uses within a specific residential neighborhood.

VII. Staff Report of Research on Short-Term Rental Ordinances

PC recommendations :

- The STR ordinance should establish an inspection process prior to the operation of an STR.
- The STR ordinance should limit the number of guests allowed in the unit.
- The STR ordinance should regulate the number of guest pets allowed in an STR.
- Signs for STR uses should be prohibited in residential neighborhoods.
- STR uses should be limited near schools.

VII. Staff Report of Research on Short-Term Rental Ordinances

Staff recommends requiring:

- Written permission from property owner for property to operate as a Short-term Rental;
- Zoning approval prior to operation of the STR;
- Penalties for non-compliance with City Code.

State of Virginia requires:

- Tax collection for the use (§ 58.1-3826. **Scope of transient occupancy tax.**)

VII. Staff Report of Research on Short-Term Rental Ordinances

Scope and Timeline for Ordinance Adoption

- June 20 – CC worksession to get CC direction
- July – start drafting using City Council Recommendations
 - Compile relevant portions of ordinances to regulate STR for sample language
 - Coordinate with other City agencies for input
- Prior to PC PH
 - Council Preview of Draft Ordinance
 - Publish proposed draft on website to allow public review and comment
- Sept. or Oct. – PC public hearing
- Oct. or Nov. – CC public hearing
- Nov. or Dec. – CC 2nd reading

VII. Staff Report of Research on Short-Term Rental Ordinances

Key Points to Remember

- The overall objective is to get regulations for the use adopted before any new state law prohibits local restrictions of STRs.
- The recommendations are general and will be refined during ordinance drafting.
- The formal ordinance to regulate STRs will come before Council at a future date.
- STR uses still required to meet all City codes and requirements:
 - Building Code
 - Property Maintenance Code
 - Zoning Ordinance
 - Noise Ordinance
 - Tall Grass Ordinance
 - Exterior Storage and Clutter Ordinance
 - Limits to number of animals (Chapter 98-10)

VII. Staff Report of Research on Short-Term Rental Ordinances

Staff Recommendation

Staff recommends City Council provide direction regarding:

- (i) Planning Commission recommendations,
- (ii) Staff recommendations, and
- (iii) key topics under Council's purview.

Upon such direction, Staff will develop a DRAFT ordinance for the regulation of Short Term Rental uses to be brought forward to Council for consideration at a future Council meeting.

VII. Staff Report of Research on Short-Term Rental Ordinances

Key issues to discuss - Staff recommendations:

- Written permission from property owner for property to operate as a Short-term Rental
- Zoning approval prior to operation of the STR;
- Tax collection for the use (required by the State); and
- Penalties for non-compliance with City Code.

VII. Staff Report of Research on Short-Term Rental Ordinances

Key issues to discuss - PC recommendations:

- The STR ordinance should define a “resident hosted STR” use, which is an STR use operated by an on-site resident.
- The STR ordinance should define a “non-hosted STR” use, which is an STR operated by an off-site owner.
- The STR ordinance should establish a legislative approval process for “non-hosted STR” uses via a Special Exception Permit (SEP).
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VII. Staff Report of Research on Short-Term Rental Ordinances

Key issues to discuss - PC recommendations:

- The STR ordinance should establish an inspection process prior to the operation of an STR.
- The STR ordinance should limit the number of guests allowed in the unit.
- The STR ordinance should regulate the number of guest pets allowed in an STR.
- Signs for STR uses should be prohibited in residential neighborhoods.
- STR uses should be limited near schools.

VII. Staff Report of Research on Short-Term Rental Ordinances

Key issues to discuss:

- Should the STR ordinance establish an administrative approval process for “hosted STR” uses?
 - Planning Commission was split on this recommendation (3-3).
- Should an accessory structure be allowed to operate as an STR?
- Does City Council want an annual registration process and fee for STRs?
- Does City Council want penalties in place for non-compliance with the STR ordinance?
- How does City Council want to address STR uses operating at this time?

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7. Adjournment



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