

Council Requests Short-Term Rental Requirement Changes

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HARRISONBURG — Harrisonburg officials are working on proposed regulations that would allow homeowners to rent their property through [airbnb.com](https://www.airbnb.com) without a permit — if they also stay overnight at the house with the guests.

At City Council's meeting last week, Adam Fletcher, the city's director of planning and community development, gave an update on the ongoing effort to address short-term rental properties.

Council took no action on the matter.

The growth in recent years of [airbnb.com](https://www.airbnb.com)

and other online services that connect property owners directly with tenants for short stays has left some localities scrambling on how to deal with them.

Renters offer all or part of their property on a first-come, first-serve basis to people who can reserve space for one or more nights, circumventing Harrisonburg's transient occupancy tax and other rules that hotels and similar operations must follow.

They are technically not allowed in Harrisonburg except properties zoned B- 1 central business, but many operate in residential areas regardless.

Staff presented a previous proposal to council in September that would have

lumped airbnb properties in with bed-and-breakfasts as short-term rentals and require them to have a special-use permit to operate in residential areas.

At that meeting, council tabled the ordinance amendments, with Councilman Ted Byrd saying he was skeptical anyone would pay a few hundred dollars and wait three months for a permit when they could continue to rent their property for free as many are now — in violation of Harrisonburg's ordinance.

The new proposal allows "homestay," meaning property owners have the right to allow guests to stay in their home as long as it's their primary residence and they are present during the lodging period. "If you don't reside there then you'd apply for a special- use permit, which

would also allow for the short-term operator to not have to be present during the lodging period,” Fletcher said. Staff also believe short-term rentals should only be available during high-demand times, including James Madison University’s graduation and football weekends.

Councilman Chris Jones said the potential regulations would be difficult to enforce.

“We aren’t going to know if residents are renting property out only on the designated weekends or for a certain number of days per year,” he said, adding that airbnbs and bed-and-breakfasts have been operating without a short-term permit for years.

Fletcher said staff also have concerns about how the city would monitor homestays, and continue to believe a special-use permit is the best option to regulate all short-term rentals.

He also noted high occupancy rates in residential properties had been a concern that council raised in September.

“We are increasing occupancy in these units by default with the homestay,” he said.

Once completed, Fletcher said, the proposal will go to the Planning Commission for review.

At the earliest, the commission won’t see the draft until January, so the regulations are not expected to come before council again until at least February, Fletcher said.

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