



## Housing Advisory Committee (HAC)

Wednesday, November 20 , 2019

12:00 – 2:00 PM

Neighborhood Development Services (NDS) Conference Room  
City Hall, 605 E. Main Street

### Agenda

1. Call to Order / Introductions / Housekeeping / Minutes
2. Subcommittee Updates – respective chairs
  - i. Strategy/Outreach – RFP timeline
  - ii. Policy –
    1. LLRR Fund progress
    2. Land Bank (d'Oronzio in lieu of SC Chairs)
  - iii. Allocations
3. AirBnB regulation and ordinance enforcement -
4. City Update
5. County Update
6. UVA Update
7. Other Business
8. Public comment \*

\* Note – at the discretion of the Chair, public comments related to particular agenda items may be solicited at that point in the meeting.

#### **Staff Contact:**

John Sales, Housing Program Coordinator ([salesj@charlottesville.org](mailto:salesj@charlottesville.org)), 434-970-3315



**Housing Advisory Committee (HAC)  
Meeting**

**When**

Wednesday, October 16, 2019  
12:00noon

**Where**

Neighborhood Development Services (NDS) Conference Room  
City Hall, 605 E. Main Street

**HAC members present: Chris Meyer, Phil d’Oronzio, Councilor Hill, Cory Demchak (for Jen Jacobs), LD Perry, Chris Murray, Anthony Haro, Ridge Schuyler, Russell Ray, S. Lisa Herndon, Nancy Kidd**  
**Staff present: Alex Ikefuna, Brenda Kelley, Erin Atak, John Sales**

**Agenda:**

1. Call to Order (12:08) / Introductions / Housekeeping / Minutes (July and September)
  - i. Correct Cliff Fox and LD Perry names for the July minutes. Approved
  - ii. Move to amend time 1:18 not 12:18 for the September minutes. Approved
2. Subcommittee Updates – respective chairs  
Policy –Schuyler/Rosensweig  
The City Council passed the Landlord Risk Reduction Fund in order to encourage the uptick on the usage of the vouchers. The ordinance required the landlord to sue the tenant and get a judgment in order to access the fund. Ridge stated based upon his discussion with landlords they do not want to take tenants to court if they do not have to in order to access the fund. The idea was to induce additional landlords to accept vouchers if additional funding was provided to cover excessive damages outside of the security deposit. Ridge stated a “lot of people were anxious about the judgment portion of the program”. Another problem identified is first month rent and last month rent is not provided. Ridge stated there are landlords to provide units but not tenants with funding for

## DRAFT HAC MEETING MINUTES 10/16/2019

security deposits or first month rent and last month rent. We (HAC) suggest that a funding administrator would set money aside instead of transferring the funds to the landlord. Tenant education would be used as a screening mechanism for landlords. The tenant education could be provided through VHDA's Tenant Education Guidebook. Councilor Hill asked how much additional funds would be needed?. At this time it is not known if additional funds are needed. Councilor Hill advised that this would need to go back in front of the Council because some big changes are proposed. One suggestion to address the "skin in the game" theory is that the tenant would need to provide 10% of their rental portion over the 12 month period or complete financial education classes. Ridge advised that the landlords who he spoke with stated the security deposit is normally accessed for non-paid rent and accrued fees. Anthony stated that none of the other programs he researched required the tenant to provide funding for the security deposit and the assistance available per unit ranged from \$1,000- \$10,000 in those programs. The Oregon program had a judgment requirement which they removed, because a large portion of tenants did not come to court. Councilor Hill asked how do we limit the fund from being taken advantage of? Ridge responded that it is a pilot program and the amount limited per unit will reduce the program's exposure. Ridge stated the big barrier is coming up with the cash to get the individuals into the unit. S. Lisa stated the program could work but there has to be a focus on education. S. Lisa recommended a requirement for a mid-point inspection after 6 months living in the unit. LD Perry stated that developmental programs such as this program typically suffer because they are weak, we could have this same issue 20 years from now and the administrative piece needs to be on point. Councilor Hill stated that strong consistent administration is the key. Chris Murray stated that without landlords this does not exist. Chris Meyer stated that he sees a problem with the requirement of re-renting the units to another low income household through a rental assistance program. Brenda stated that if you don't require that then you are going against your 3 goals listed on the first page. Anthony stated it is important to not lose track that we are attempting to add private market units. After some discussion the group agreed to remove the requirement to re-rent the unit to another family receiving rental assistance. Councilor Hill stated that there must be some matrix developed to track the program progress. LD Perry agreed that there must be some performance measurements for the program. The group agreed some performance matrixes must be created to be able to judge the success or failure of the pilot program. Chair Phil stated the following items needs to be addressed before the program can move forward based upon the conversation today:

1. Clarify matrix
2. Create a clean program proposal
3. Funding needs
4. Administration cost
5. Exact changes to ordinance

## DRAFT HAC MEETING MINUTES 10/16/2019

### 6. Landlord Outreach

### 7. Leveraging options

Brenda identified some additional staff concerns that need to be addressed before taking the program back in front of City Council for approval. The concerns are listed below:

- What is excessive and beyond when determining damages
- Need to define the requirements of the administrator in the program guidelines.
- At the previous Council meeting the Councilors requested additional skin in the game for the tenants.

### 3. City Update

- i. RFP - Still in procurement

### 4. County Update

- i. None

### 5. UVA Update

- i. None

### 6. Other Business

- i. CAHF allocation recommendation went to the City Council and it was passed with a 5-0 vote for VSH and a 4-1 vote for AHIP. The City Council would like for the recommendation to come back in front of them if VSH does not meet the conditions of the funding.
- ii. S. Lisa requested the HAC website page be updated.
- iii. Chris Meyer stated his neighborhood has concerns about long term Airbnb's in his neighborhood. He would like to know about enforcement action. Alex stated the primary source of enforcement comes from complaints. Phil asked what information is readily available on stats and staff information about Airbnbs? Alex responded that he can ask the zoning administrator to attend the next meeting.
- iv. S. Lisa asked for meeting announcements and emails to the HAC in advance.

### 7. Public comment \*

- i. None

Adjourned at 1:33pm.

Sec. 34-1172. - Standards—Home occupations.

A home occupation authorized by a provisional use permit shall be subject to the following regulations:

- (1) A home occupation shall be permitted only where the character of such use is such that it is clearly subordinate and incidental to the principal residential use of a dwelling.
- (2) In addition to the resident of the dwelling, not more than one (1) other individual may be engaged in the activities of the home occupation business on the property at any given time. There must be off-street parking available for this other individual.
- (3) No more than three (3) customers or clients of a home occupation business shall be present on the premises at the same time; for homestays: no more than six (6) adult overnight guests are allowed, per tax map parcel, per day. No customers, clients or employees shall be allowed to visit the property on which a home occupation business is conducted earlier than 8:00 a.m. or later than 9:00 p.m.; these hours of operation shall not apply to a homestay.
- (4) Deliveries of supplies associated with the home occupation business shall occur only between the hours of 8:00 a.m. and 9:00 p.m.
- (5) No mechanical or electrical equipment shall be employed within or on the property, other than machinery or equipment customarily found in a home.
- (6) No outside display of goods, and no outside storage of any equipment or materials used in the home occupation business shall be permitted.
- (7) There shall be no audible noise, or any detectable vibration or odor from activities or equipment of the home occupation beyond the confines of the dwelling, or an accessory building, including transmittal through vertical or horizontal party walls.
- (8) The storage of hazardous waste or materials not otherwise and customarily associated residential occupancy of a dwelling is prohibited.
- (9) There shall be no sales of any goods, other than goods that are accessory to a service delivered on-premises to a customer or client of the home occupation business.
- (10)

With the exception of homestays: (i) a home occupation business must be conducted entirely within the dwelling, an accessory building or structure, or both and (ii) not more than 25% of the total floor area of the dwelling shall be used in the conduct of the home occupation business, including storage of stock-in-trade or supplies.

- (11) For pet grooming services, all animals must be kept inside during the provision of services and no animals may be boarded or kept overnight.
- (12) All parking in connection with the home occupation business (including, without limitation, parking of vehicles marked with advertising or signage for the home business) must be in driveway and garage areas on the property, or in available on-street parking areas.
- (13) Homestays may not have any exterior signage. For other home occupation businesses: one (1) exterior sign, of dimensions no greater than two (2) square feet, may be placed on the exterior of the dwelling or an accessory structure to indicate the presence or conduct of the home business: and (i) this sign may not be lighted; and (ii) in all other respects the property from which a home occupation business is to be conducted must be in compliance with the sign regulations set forth within Division 4, section 34-1020, et seq.
- (14) Except for a sign authorized by subparagraph (13) above, there shall be no evidence or indication visible from the exterior of the dwelling that the dwelling or any accessory building is being utilized in whole or in part for any purpose other than residential occupancy.
- (15) Applicants for a provisional use permit authorizing a home occupation shall provide evidence of a city business license (or a statement from the commissioner of revenue that no city business license is required), proof of payment of taxes required by City Code, Chapter 30, if any, and a certificate of occupancy or other written indication from the city's building code official that use of the dwelling or accessory building for the home occupation business is in compliance with all applicable building code regulations.
- (16) In addition to the provisions of subparagraphs (1)—(16), above, the following regulations shall apply to homestays:
  - a. An individual who applies for a provisional use permit to authorize the operation of a homestay shall present proof of:
    - (i)

Such individual's ownership of, and permanent residence at, the property that is the subject of the application. Acceptable proof of permanent residence includes: applicant's driver's license, voter registration card or U.S. passport, showing the address of the property, or other document(s) which the zoning administrator determines provide equivalent proof of permanent residence by the applicant at the property that is the subject of the application.

- (ii) Contact information for a responsible party. If the owner is not the responsible party who will be available during the time of service, then the responsible party must be identified and must sign the application form.
- b. No food shall be prepared for or served to guests of the homestay by the owner or the owner's agent(s) or contractor(s).
- c. Every homestay shall have working smoke detectors, carbon monoxide detectors and fire extinguishers, and all such equipment shall be accessible to overnight guests of the homestay at all times. Every homestay shall comply with requirements of the applicable version of the Virginia Uniform Building Code, as determined by the City's Building Code Official.
- d. By his or her application for a provisional use permit for a homestay, an applicant authorizes city inspectors to enter the subject property, upon reasonable advance written notice to the applicant, at least one (1) time during the calendar year for which the permit is valid, to verify that the homestay is being operated in accordance with the regulations set forth within this section.
- e. Each provisional use permit for a homestay will be valid from January 1 (or such other date during a calendar year on which such permit is issued) through December 31 of the calendar year in which the permit is issued. During this period of validity, the owner of the homestay must occupy the dwelling as his or her residence for more than one hundred eighty (180) days.
- f. A provisional use permit for a homestay may be revoked by the zoning administrator (i) in the event that three (3) or more substantiated complaints are received by the city within a calendar year, or (ii) for

failure to maintain compliance with any of the regulations set forth within this section. A property owner whose provisional use permit has been revoked pursuant to this paragraph shall not be eligible to receive any new provisional use permit for a homestay, for the remaining portion of the calendar year in which the permit is revoked, and for the entire succeeding calendar year.

(17) The following are specifically prohibited, and shall not be deemed or construed as activities constituting a home occupation:

- a. Auto detailing, where more than two (2) vehicles being serviced are present on the property at any given time.
- b. Barber shops or beauty salons having more than two (2) chairs.
- c. Funeral home with or without chapel.
- d. Medical or dental clinic (other than psychiatric or psychological counseling services).
- e. Motor vehicle sales, repair, equipment installation, and similar activities.
- f. Nursing homes and adult care facilities.
- g. Offices or staging facilities for any non-professional service-oriented businesses (for example, maid services, landscaping and lawn maintenance services, construction services, etc.), except where the sole activity on the premises would be telephone order/dispatching functions and there would be no vehicles, equipment, workers, or customers on the premises at any time.
- h. Repair or testing of machinery, including internal combustion engines.
  - i. Restaurants.
  - j. Retail or wholesale sales, where any goods or merchandise are (i) displayed or otherwise offered or available on-site for sale or purchase, or (ii) delivered to or picked-up by purchasers on-site, including, without limitation: antique shops, sales of firearms, computer sales, and similar activities.
  - k. Schools, nursery schools, and day care facilities.
  - l. Veterinary clinics and animal kennels.