

SPECIAL USE PERMIT-19-0019. 530 Neck-O-Land Road Tourist Home

Staff Report for the December 10, 2019, Board of Supervisors Public Hearing

SUMMARY FACTS

Applicant: Mrs. Emily Huffman

Land Owner(s): Emily Huffman
Wilson Huffman

Proposal: To allow for the short-term rental of two tourist homes containing two units each. These units are all located on one parcel. The owners will live off-site.

Location: 530 Neck-O-Land Road

Tax Map/Parcel No.: 5510200009

Project Acreage: ± 0.918 acres

Zoning: R-8, Rural Residential

Comprehensive Plan: Low Density Residential

Primary Service Area: Inside

Staff Contact: Scott Whyte, Senior Landscape Planner II

PUBLIC HEARING DATES

Planning Commission: November 6, 2019, 6:00 p.m.

Board of Supervisors: December 10, 2019, 5:00 p.m.

FACTORS FAVORABLE

1. With the proposed conditions, staff finds the proposal to be compatible with the surrounding zoning and development.

2. With the proposed conditions, the proposal is consistent with the recommendations of the Comprehensive Plan.
3. Adequate off-street parking is provided.
4. The applicant has acknowledged that, should this application be approved, she will obtain the proper licensing and inspections through the County and will be subject to appropriate use-based taxes.
5. Impacts: See Impact Analysis on Page 3.

FACTORS UNFAVORABLE

1. Impacts: See Impact Analysis on Page 3.

SUMMARY STAFF RECOMMENDATION

Approval, subject to the proposed conditions.

PLANNING COMMISSION RECOMMENDATION

At its November 6, 2019 meeting, the Planning Commission recommended denial of this Special Use Permit (SUP) by a vote of 4-2.

CHANGES SINCE PLANNING COMMISSION

None.

PROJECT DESCRIPTION

- The property currently consists of a single-family home with an accessory apartment. The property also contains a duplex behind the single-family home. The owner would like to use all four units

This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.

SPECIAL USE PERMIT-19-0019. 530 Neck-O-Land Road Tourist Home

Staff Report for the December 10, 2019, Board of Supervisors Public Hearing

as separate tourist home units. This SUP, if granted, would allow short-term rentals throughout the year. No changes to the footprint of the home or duplex are proposed.

- The Zoning Ordinance defines a tourist home as “a dwelling where lodging or lodging and meals are provided for compensation for up to five rooms which are open to transients.” The proposed conditions limit the number of bedrooms available for rent to three in unit A, and one in unit B in the house, and two bedrooms for each of units C and D contained in the duplex. Should a future expansion add another bedroom, an SUP amendment would be required.

SURROUNDING ZONING AND DEVELOPMENT

The subject property is located between two other R-8, Rural Residential zoned properties near the end of Neck-O-Land Road. Single-family dwellings are located to the north and west. The property to the south contains two dwellings with two units each, similar to this property. The eastern rear property line abuts property zoned Public Lands adjacent to the Colonial Parkway.

COMPREHENSIVE PLAN

The property is designated Low Density Residential on the 2035 Comprehensive Plan Land Use Map, as are all adjacent properties with the exception of the Public Lands property to the east. Appropriate primary uses recommended by the Comprehensive Plan include single-family homes, multifamily units, accessory units, and cluster housing. Limited commercial uses may also be considered appropriate should the proposal meet the following standards:

- Complements the residential character of the area. Staff finds the proposal consistent with the residential character of the area, as no exterior changes to the home or property are proposed.

- Have traffic, noise, lighting, and other impacts similar to surrounding residential uses. Staff finds that impacts will be similar to nearby residential uses. Traffic is anticipated to be typical of what the current residential use produces. The subject property must adhere to the County’s Noise Ordinance, and the proposed SUP conditions will restrict commercial signage and exterior lighting. Future expansions of the use would require an SUP amendment.
- Generally be located on collector or arterial roads at intersections. The segment of Neck-O-Land Road on which the subject property is located is classified by the Virginia Department of Transportation as a local road; however, the road appears adequate to support this use.
- Provide adequate screening and buffering to protect the character of nearby residential areas. The subject parcel does contain some mature vegetation, and the existing landscaping on the property is typical of a single-family residence. Staff finds that the residential character of the area will not be visually impacted negatively by this proposal.

This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.

SPECIAL USE PERMIT-19-0019. 530 Neck-O-Land Road Tourist Home**Staff Report for the December 10, 2019, Board of Supervisors Public Hearing**

| Impacts/Potentially Unfavorable Conditions | Status <i>(No Mitigation Required/Mitigated/Not Fully Mitigated)</i> | Considerations/Proposed Mitigation of Potentially Unfavorable Conditions |
|---|--|---|
| <u>Public Transportation: Vehicular</u> | <u>No Mitigation Required</u> | <ul style="list-style-type: none">- The proposal is not anticipated to generate traffic exceeding a typical residential use.- The subject property is located on a local road. No changes anticipated to Level of Service on Neck-O-Land Road. |
| <u>Public Transportation: Pedestrian/Bicycle</u> | <u>No Mitigation Required</u> | <ul style="list-style-type: none">- Pedestrian/bicycle accommodations are currently provided close to this location on the Colonial Parkway. |
| <u>Public Safety</u> | <u>No Mitigation Required</u> | <ul style="list-style-type: none">- Subject property is located within a 5-minute radius of Fire Station 3.- The proposal does not generate impacts that require mitigation to the County's emergency services or facilities. |
| <u>Public Schools</u> | <u>No Mitigation Required</u> | <ul style="list-style-type: none">- The proposal will not generate school children. |
| <u>Public Parks and Recreation</u> | <u>No Mitigation Required</u> | <ul style="list-style-type: none">- The proposal does not generate impacts that require mitigation to the County's parks and recreation services or facilities. |
| <u>Public Libraries and Cultural Centers</u> | <u>No Mitigation Required</u> | <ul style="list-style-type: none">- The proposal does not generate impacts that require mitigation to public libraries or cultural centers. |
| <u>Groundwater and Drinking Water Resources</u> | <u>No Mitigation Required</u> | <ul style="list-style-type: none">- The proposal does not generate impacts that require mitigation to groundwater or drinking water resources. |
| <u>Watersheds, Streams and Reservoirs</u> | <u>No Mitigation Required</u> | <ul style="list-style-type: none">- The Stormwater and Resource Protection Division has reviewed this application and had no objections. No new impervious surface is proposed as part of this SUP request. Should exterior site improvements be made in the future, such as a deck expansion or paved parking area, those improvements would be subject to additional environmental review at that time. |
| <u>Cultural/Historic</u> | <u>No Mitigation Required</u> | <ul style="list-style-type: none">- The subject property has been previously disturbed and has no known cultural resources on-site. |
| <u>Nearby and Surrounding Properties</u> | <u>No Mitigation Required</u> | <ul style="list-style-type: none">- Traffic is anticipated to be typical of a residential home, the subject property must adhere to the County's Noise Ordinance, and the proposed SUP conditions will restrict commercial signage and exterior lighting. Future expansions of the use would require an SUP amendment. |
| <u>Community Character</u> | <u>No Mitigation Required</u> | <ul style="list-style-type: none">- This segment of Neck-O-Land Road is not designated as a Community Character Corridor but is within the Jamestown Island-Jamestown Settlement-Greensprings Road Community Character Area.- Existing façade and landscaping maintain the property's residential character, and parking is not located directly on the road. |

This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.

PROPOSED SPECIAL USE PERMIT CONDITIONS

Proposed conditions are provided as Attachment No. 1.

STAFF RECOMMENDATION

Staff finds the proposal to be compatible with surrounding development and consistent with the recommendations of the adopted Comprehensive Plan. Staff recommends that the Board of Supervisors recommend approval of this application, subject to the attached conditions.

WSW/md
SUP19-19NkOLand

Attachments:

1. Resolution
2. Location Map
3. Master Plan
4. Applicant Letter
5. Unapproved Minutes of the November 6, 2019, Planning Commission Meeting