

Officials Mull Airbnb Rules

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HARRISONBURG — Harrisonburg and Rockingham County are joining the growing list of localities seeking to regulate the use of online home rental services, such as Airbnb.

Property owners who want to rent out parts or their entire homes can use [Airbnb.com](https://www.airbnb.com) to advertise their listing. For guests, the option can be cheaper than a hotel.

The rentals, considered short-term rentals, are unregulated in Rockingham and illegal in Harrisonburg in residential zoning districts. That could change, however, as city and county officials consider taxing the property owners and creating zoning regulations to address neighbors' concerns.

Local governments received power to impose restrictions on the rentals under legislation passed this year by the General Assembly and signed by Gov. Terry McAuliffe. The law allows local governments to adopt ordinances requiring people to register if they want to offer their property for short-term rentals, providing information necessary to regulate and tax them.

The law was passed as the business grows throughout the state.

Airbnb press secretary Crystal Davis said 8,200 Virginia properties, including 110 in Harrisonburg, hosted at least one guest in the past year. She didn't have information for the county.

Rentals were listed Wednesday in all but one Rockingham County town. Dozens of properties were available at Massanutten Resort. Many of the rentals were near the city, but some rentals were available in sparsely populated areas like Bergton, Criders, Fulks Run, Hinton, Rawley Springs and Ottobine.

Davis said the company has worked with several localities to seek the best solution for local regulations.

"We just want to make sure the lawmakers in those areas talk to our hosts," she said.

Under Consideration

County Administrator Stephen King said two related regulations are under consideration. The first would create a definition in the zoning ordinance for short-term rentals and dictate where

and how they are allowed. The ordinance would address complaints about noise, traffic, building and fire code.

“It’s really no different than when your neighbor has a party or has a large gathering,” King said. “It’s how are they accommodating those people and how are those neighbors being respectful of each other.

“When there’s someone coming in just temporarily, who’s renting, there’s a potential not to care about the neighbors as much.”

Rockingham also is considering imposing transient occupancy tax on the rentals. The idea was floated at a Board of Supervisors work session last month, when staff discussed plans to present a flat budget.

“That’s something the board is going to look at in the budget process,” King said.

Adam Fletcher, director of planning and community development, and city spokeswoman Mary-Hope Vass said Harrisonburg is considering allowing the businesses by special-use permit and imposing the transient occupancy tax.

The short-term rental issue has been simmering in Rockingham County since the mid-2000s.

In 2006, a Massanutten resident complained to county officials about shortterm renters who, he said, violated capacity restrictions, created parking problems and were often drunk in public.

In early 2010, the county decided to allow the rentals by right, saying they were a problem for the residents, their property owners association and private police force to solve.

In 2011, several property owners were unsuccessful in a lawsuit against their neighbors over the rentals.

Other Localities

In August, Augusta and Page counties passed ordinances regulating the rentals.

Augusta requires a special- use permit for shortterm rentals, but the property must be on a 5-acre parcel. It’s unclear if the rentals are taxed. Officials didn’t return a call for comment.

Page County allows short-term rentals by-right, but requires property owners to receive a business license, have a maximum occupancy determined by the county health department and pay transient occupancy tax, according to the Page News and Courier.

Several rentals are listed in Shenandoah County, but it's unclear if the county has or is considering regulations. Officials didn't respond to requests for comment.

Some localities in other parts of the state aren't allowing the rentals, while others require a permit or are considering different regulations depending on if the property owner stays in the home. Grottoes is also considering tackling the issue. Officials are mulling a proposal to require rentals to receive a conditional use permit to operate. Town Manager Jeff Nicely said short-term rentals aren't allowed under town code, but a property owner requested changes so they could rent an apartment above their garage. The Planning Commission will consider the ordinance at its meeting in late November.

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