

COUNTY OF HENRICO, VIRGINIA
BOARD OF SUPERVISORS
SPECIAL MEETING
February 27, 2018

The Henrico County Board of Supervisors convened a special meeting on Tuesday, February 27, 2018, at 5:30 p.m., in the County Manager's Conference Room, Administration Building, Henrico County Government Center, Parham and Hungary Spring Roads, Henrico, Virginia.

Members of the Board Present:

Frank J. Thornton, Chairman, Fairfield District
Tyrone E. Nelson, Vice Chairman, Varina District
Thomas M. Branin, Three Chopt District
Courtney D. Lynch, Brookland District
Patricia S. O'Bannon, Tuckahoe District

Other Officials Present:

John A. Vithoukias, County Manager
Joseph P. Rapisarda, Jr., County Attorney
Barry R. Lawrence, CMC, Assistant to the County Manager/Clerk to the Board
Tanya B. Harding, CMC, Deputy Clerk/Administrative Assistant
Timothy A. Foster, Deputy County Manager for Community Operations
Douglas A. Middleton, Deputy County Manager for Public Safety
Anthony J. Romanello, Deputy County Manager for Community Services
Randall R. Silber, Deputy County Manager for Community Development
Benjamin A. Sheppard, Assistant Director of Public Relations & Media Services

Mr. Thornton called the meeting to order at 5:35 p.m. He welcomed everyone and noted Mr. Branin would be arriving momentarily.

Mr. Vithoukias briefly referred to the items on this special meeting agenda. Mrs. O'Bannon pointed out there were resolutions on the 7:00 p.m. regular meeting agenda to initiate zoning ordinance amendments for the first two items.

Regulation of Short-Term Rentals

Mr. Vithoukias recognized Ben Blankinship, Principal Planner, who explained the origin of the name "Airbnb." Mr. Blankinship narrated a slide presentation on this agenda item. He began by explaining the need for an amendment to the County Code to address short-term rentals by highlighting a situation in the Three Chopt District where a homeowner's house is being used for "unhosted" rentals that has sparked numerous complaints from the neighborhood regarding noise, traffic, and other issues. Mr. Blankinship explained state legislation passed in 2017 that authorizes localities to create a registry of short-term rentals and to regulate them through zoning. Mr. Vithoukias and Mr. Rapisarda confirmed for Mrs. O'Bannon that the regulation of Airbnbs involves land use issues.

Mr. Blankinship continued his presentation by identifying the County departments that are working together to study the regulation of short-term rentals. He concluded that the primary concerns with short-term rentals are public safety and maintaining the integrity of residential neighborhoods. In addition to noise and traffic, complaints have included safety, parking, late-night activity, and property values. Mr. Blankinship recommended the Board consider amending the zoning ordinance and also consider requiring the registration of short-term rentals to facilitate the enforcement of regulations and handling of complaints. In response to a question from Mrs. Lynch, Mr. Blankinship enumerated potential operating and safety requirements for short-term rentals, including limits on occupancy levels and the installation of smoke detectors. Mr. Branin mentioned a family in his neighborhood experienced a major health issue at an Airbnb home in California where they were poisoned by natural gas. He asked that County staff take into account public safety concerns when drafting the proposed ordinance. Joe Emerson, Director of Planning, explained for Mrs. O'Bannon why the proposed ordinance will not address recreational vehicles and campers that are temporarily placed on private property during race weekends at Richmond International Raceway. In response to a question from Mrs. Lynch, Mr. Blankinship and Mr. Rapisarda provided examples of regulations contained in short-term rental ordinances that have been considered or adopted by other localities.

Mr. Blankinship finished his presentation by identifying the next steps in initiating a registration ordinance and a zoning ordinance amendment. He noted the registration ordinance, unlike the zoning ordinance amendment, will not be reviewed by the Planning Commission before coming to the Board. Mr. Thornton suggested the County will try to develop regulations that are efficacious.

The Board recessed for dinner at 5:54 p.m. and reconvened at 6:06 p.m.

Regulation of Breweries, Wineries, and Distilleries

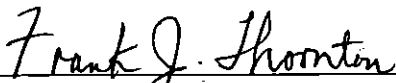
Mr. Vithoulkas recognized Mr. Blankinship, who narrated a slide presentation on this item. Mr. Blankinship began by highlighting the rapid growth of craft breweries nationwide and in Virginia. He noted Richmond was cited by VinePair as one of the world's top 10 beer destinations for 2018. Mr. Blankinship reviewed the County's current zoning regulations pertaining to brewing or the distilling of liquors and cited pertinent State Code amendments in recent years relating to breweries, wineries, and distilleries. He recommended the Board consider amendments to the zoning ordinance to account for the recent State Code changes, to provide opportunities for smaller craft breweries without imposing regulations appropriate for industrial-scale plants, and to clarify the regulation of retail-scale operations such as brew pubs and microbreweries. He concluded his presentation by identifying the next steps in initiating an amendment to the County's zoning ordinance.

Following Mr. Blankinship's presentation, there was discussion by Mrs. O'Bannon and Mr. Blankinship regarding Virginia Alcoholic Beverage Control (ABC) requirements for serving food at breweries. Mr. Blankinship responded to questions from Mr. Thornton and Mr. Nelson relating to craft brewery growth in the Richmond region. In response to a question from Mrs. O'Bannon, Mr. Emerson clarified that Henrico's zoning ordinance is outdated with respect to the regulation of breweries, wineries, and distilleries, which has put Henrico at a competitive disadvantage in attracting and accommodating craft breweries.

Regular Meeting Agenda Items

Mr. Vithoukas reviewed the agenda for the 7:00 p.m. meeting. He advised the Board that he had no Manager's Comments. Mr. Vithoukas noted the two land use items on the public hearing agenda were companion cases and suggested they be presented and heard together although they would require different votes. He and Mr. Branin discussed the amount of time that should be allocated for proponents and opponents of these cases. Mr. Vithoukas referred to the four other public hearing items and five general agenda items. At his request, Mr. Foster elaborated on the last item on the general agenda, an award of contracts for annual traffic and engineering services. Mr. Foster responded to questions from Mrs. O'Bannon concerning the allocation of these services among contractors.

There being no further business, the meeting was adjourned at 6:23 p.m.



Chairman, Board of Supervisors
Henrico County, Virginia