

**MAJOR CONSIDERATIONS FOR DISCUSSION AND RESOLUTION  
BY THE “FOCUS GROUP ON RENTAL HOUSING NEAR THR COLLEGE”**

- WHAT IS THE LEGAL LIABILITY OF MEMBERS OF THE FOCUS GROUP? IS THE CITY PROVIDING D & O INSURANCE (OR ITS EQUIVALENT) OR LEGAL ASSISTANCE FOR MEMBERS OF THE FOCUS GROUP SHOULD IT BECOME NECESSARY?
- TO WHAT EXTENT IS THE COLLEGE OF WILLIAM & MARY GOING TO ASSIST IN THE ENFORCEMENT OF THE UNRELATED OCCUPANCY REGULATIONS? IT IS UNDERSTOOD THAT THE COLLEGE WILL NOT BE EXPECTED TO PHYSICALLY ENFORCE THE REGULATIONS BUT WILL THE COLLEGE AGREE TO PROVIDE STUDENT OFF CAMPUS HOUSING INFORMATION TO ASSIST CITY AUTHORITIES IN THEIR ENFORCEMENT ACTIVIITY? FURTHER, IF STUDENTS ARE FOUND TO BE IN VIOLATION OF THE REGULATIONS WILL THE COLLEGE IMPOSE SUFFICIENT PENALTY ON STUDENTS WHO MISREPRESENT THEIR OCCUPANCY SITUATION SUCH AS WITHHOLDING GRADES OR DISMISSAL BECAUSE OF AN HONOR CODE VIOLATION?
- TO PROTECT THE NEIGHBORHOODS THERE MUST BE A RESTRICTION PLACED ON THE NUMBER OF HOMES IN ANY GIVEN NEIGHBORHOOD THAT CAN BE ELIIGIBLE FOR INCREASED OCCUPANCY. FOR EXAMPLE ONLY THOSE HOMES IN THE RENTAL PROGRAM AS OF 31 DECEMBER 2008 SHHOULD BE CONSIDERED AS POSSIBLY ELIGIBLE FOR FOUR UNRELATED INDIVIDUAL OCCUPANCY.
- RECOGNIZE THAT PURCHASE OF A SINGLE FAMILY HOME BY AN INVESTOR FOR THE PURPOSE OF RENTING THE RESIDENCE IS IN FACT OPERATING A BUSINESS WHICH IS NOT ALLOWED IN RESIDENTIAL AREAS ZONED RS-2. OWNERS OF SUCH RESIDENCES SHOULD BE REQUIRED TO RENT ONLY TO SINGLE FAMILIES AND CONFORM TO ZONING REGULATIIONS. RESIDENCES IN RS-2 ZONED AREAS AND OWNED BY A LLC OR HAS A TIN # WOULD APPLY.
- REALISTIC SIZE RESTRICTIONS MUST BE IMPOSED FOR HOUSES APPLYING FOR INCREASED OCCUPANCY. CURRENTLY SUGGESTED MINIMUM OF 1200 SQ. FT. IS BELIEVED TO BE UNSATISFACTORY.
- PARKING REGULATIONS MUST BE ESTABLISHED AND REALISTIC ENFORCEMENT PROVISIONS PLACED IN EFFECT. PARKING SHOULD BE LIMITED TO THAT WHICH IS CURRENTLY AVAILABLE. CONSTRUCTION OF ADDITIONAL PARKING SPACES ON THE PROPERTY SHOULD BE PROHIBITED.

- DETERMINE WHAT THE DESIRED EXTENT OF THE PROGRAM WILL BE? HOW MANY STUDENTS ARE WE TRYING TO ACCOMMODATE?
- A COMPREHENSIVE INVENTORY OF ELIGIBLE HOUSES SHOULD BE MADE. THE FOLLOWING INPUT FROM ELAINE McBETH (PLANNING COMMISSION MEMBER) APPLIES.

My main concern in how this is proceeding is how separate is it from what we learned in the comp plan process. At that time, and after community meetings, we decided that any discussion on this topic required that we have a comprehensive inventory of housing to determine which houses were viable for more than 3...that we would then evaluate this grouping of 4+ bedroom homes for adequate parking...further narrowing the list...and then make some decisions (rules and regs) based on this short list.

This idea had a comparability to how we addressed B&B's -- larger ones with more land and thus more rooms -- and like B&B's considered these larger properties more as businesses and less as homes -- one idea was to limit them to being on the main roads or within a certain distance to the main roads, like we do with B&B's.

This idea was also trying to address a fairness issue to owners of truly large homes ....not to encourage the carving up of otherwise modest sized homes (like mine) into warrens of small bedrooms.

Chris' initial offering of 1200 sq ft as a starting point comes from her independent evaluation of establishing a starting point for this conversation that is NOT based on any of these prior discussions -- I have told Chris this, but the 1200 sq ft doesn't seem to go away.

Since you are in the starting discussions, I would hope that you or like minded folks might bring back this idea of an inventory.

- SHOULD PROPERTY OWNERS BE ABLE TO RESTRICT THE NUMBER OF RENTAL UNITS IN THEIR NEIGHBORHOODS?
- RESIDENTS SHOULD NOT BE ASKED TO BE A “FOUNDED” COMPLAINTENT. BURDEN SHOULD BE PLACED ON THE CITY AND COLLEGE.

- DIFFICULTIES WITH PRIOR ENFORCEMENT ACTIVITY SHOULD BE EXPLORED TO DETERMINE ULTIMATE ENFORCABILITY OF ANY RECOMMENDATION BY THE FOCUS GROUP.
- A “NO CONVERSION” CLAUSE SHOULD BE INCLUDED TO ENSURE HOMES UNDER THE RENTAL PPROGRAM CAN NOT BE CONVERTED INTO MULTIPLE BEDROOM APARTMENT TYPE STRUCTURES.