

ZONING ORDINANCE EXCERPTS – SHORT-TERM RENTALS

Sec. 24.1-104. Definitions.

Bed and breakfast inn. A dwelling in which, for compensation, breakfast and overnight accommodations are provided for transient guests.

Tourist home. An establishment, either in a private dwelling or in a structure accessory and subordinate to a private dwelling, in which temporary accommodations are provided to overnight transient guests for a fee.

Sec. 24.1-409. Standards for boarding houses and short-term rental homes (tourist home and bed and breakfast establishments).

- (a) When located in single-family residential zoning districts, boarding houses and short-term rental homes (tourist homes and bed and breakfast establishments) shall have the appearance of a single-family detached residence and normal residential accessory structures.
- (b) Signage for properties occupied by short-term rental homes shall be permitted in accordance with section 24.1-703(b)(2).
- (c) Any parking demand generated by the conduct of such use shall be accommodated off the street in a suitably located and surfaced space.
- (d) When a bed and breakfast establishment is located in a residential zoning district, the owner of the property shall live on the premises or in an adjacent premises and shall be the operator/provider of the bed and breakfast accommodations and services.
- (e) The owner/proprietor of a tourist home shall reside either in the home or in an adjacent premises or shall designate a responsible party, who may be the applicant, and who shall be available to promptly respond to and resolve problems or complaints that arise while rentals are taking place. The owner shall be responsible for providing the Sheriff's Office with the responsible party's contact information, including name, address, phone number, and email address.
- (f) The owner/proprietor of a short-term rental home shall be responsible for obtaining all applicable permits and/or approvals required in accordance with regulations of the Virginia Uniform Statewide Building Code and the Department of Fire and Life Safety prior to use of a structure as a short-term rental home.
- (g) The board shall specify the maximum number of persons who may be accommodated in the proposed use. Such determination shall be based on a consideration of the density and character of the vicinity in which located and of the size and characteristics of the proposed site.
- (h) The following emergency/life safety requirements shall apply to the operation of a short-term rental home:

- (1) An Emergency Action Plan identifying exit routes, fire extinguisher locations, and other life safety procedures shall be submitted to and approved by the Fire Marshal and posted conspicuously for guests' review.
 - (2) One or more fire extinguishers with a minimum rating of 2A10BC shall be installed. The location(s) shall be determined by the fire code official.
 - (3) The establishment shall be maintained in accordance with the State and Local Fire Prevention Code and the Virginia Residential Code and shall have a fire inspection conducted by the Department of Fire and Life Safety prior to the commencement of the short-term rental home and annually thereafter.
 - (4) All smoke detectors shall be interconnected and installed in accordance with the 2012 Virginia Residential Code, Section R314, or as it may from time to time be amended.
- (i) The owner/proprietor shall obtain a York County business license, establish a County transient occupancy tax account, and file with the Virginia Department of Taxation for a Virginia State Sales Tax account.
 - (j) In addition to the submittal requirements set forth in section 24.1-115(a) of this chapter, any special use permit application for a short-term rental home shall be accompanied by the following items which, in addition to the standards set forth in section 24.1-115(b)(3) of this chapter, shall be considered by the planning commission and board of supervisors in their evaluation of the appropriateness of the proposed short-term rental home:
 - (1) A detailed narrative description of the project specifying the proposed operating procedures; provisions for monitoring of guests' behavior; the maximum number of occupants (both children and adults); the minimum and maximum length of stay, if any; the number of bedrooms to be rented; and provisions for accommodating off-street parking. The narrative description shall also specify if individual rooms within the house will be rented or if the property will be offered as a whole house rental.
 - (2) A floor plan of the structure clearly delineating all of the rooms in the house and specifically identifying those rooms and areas that will be available to renters.
 - (k) In evaluating any special use permit application for a short-term rental home, the commission and board shall consider the adequacy and capacity of the adjacent roadway network, including pavement widths, traffic volumes, and street ownership and maintenance arrangements as applicable, to accommodate the proposed use without adversely affecting neighboring properties.

Sec. 24.1-606. Minimum off-street parking and loading requirements.

- (a) *Category 1 - Residential and related uses.*

USE	OFF-STREET PARKING SPACES	OFF-STREET LOADING SPACES
(1) Dwelling: single-family detached & duplex	Two (2) spaces per unit	None.
(2) Dwelling: single-family attached (townhouse & multiplex)	Two (2) spaces per unit; plus One (1) space per three (3) units for visitor parking	None.
(3) Dwelling: multi-family	One and one-half (1½) spaces per unit; plus One (1) space per three (3) units for visitor parking.	None.
(4) Manufactured Home on individual lot	Two (2) spaces per unit.	None.
(5) Manufactured Home Park	Two (2) spaces per unit; plus One (1) space per three (3) units for visitor parking.	None.
(6) Rooming, Boarding, Lodging House, Bed and Breakfast, Tourist Home	Two (2) spaces, or one (1) space if the owner/proprietor does not reside in the home; plus One (1) space per each sleeping room.	None.
(7) Group Home	Three (3) spaces, plus One (1) space per each two (2) beds:	None
(8) Senior Housing – Independent Living Facility	One (1) space per unit; plus one space per six (6) units for visitor parking	None
(9) Senior Housing – Congregate Care Facility, Assisted Living Facility	One (1) space per two (2) units; plus one space per six (6) units for visitors	None

Sec. 24.1-703. Permitted signs.

- (b) Other provisions of Section 24.1-703 notwithstanding, the following permanent signs shall be permitted in accordance with conditions and requirements as stated and in compliance with provisions of Section 24.1-702, unless otherwise specified herein.
- (1) On property occupied by a drive-in restaurant two (2) additional signs, wall or free-standing, may be installed along each drive-through lane (e.g., for menu or other information). The maximum area of each sign shall be thirty-two (32) square feet, and such signs shall not be legible from any public right-of-way.
 - (2) On residentially zoned property containing a tourist home or bed and breakfast use, one (1) non-illuminated freestanding sign not exceeding three (3) square feet in area and three (3) feet in height, or one (1) non-illuminated wall sign not exceeding four (4) square feet in area, may be installed unless otherwise specified by the Board of Supervisors in conjunction with the approval of a special use permit for such use.