

# CA 22-02 Short-Term Rentals

## ADOPTED 20230912

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### Sec. 74-2. Definitions.

*Bed and breakfast inn* See Short-term rental dwelling.

Short-term rental dwelling means the provision of a room or space that is suitable or intended for occupancy for dwelling, sleeping, or lodging purposes, for a period of fewer than 30 consecutive days, in exchange for a charge for the occupancy.

Short-term rental dwelling operator means the proprietor of any dwelling, lodging, or sleeping accommodations offered as a short-term rental, whether in the capacity of owner, lessee, sublessee, or any other possessory capacity.

### Sec. 74-16. Short-term rental dwelling

(a) Short-term rental dwellings shall be subject to the following standards:

(1) Registration: Before advertising or operating this use, the operator must register annually with The County's Planning & Zoning Department, and must provide at least the operator's name, address, and phone numbers of property owner(s) and any designee(s), and the addresses of any properties being registered. The registration must be updated annually before January 1<sup>st</sup>. There is no registration fee. Operator must also obtain a valid Business License from the Commissioner of the Revenue.

(2) Exemptions from registration: Registration is not required if the operator is exempted from registration under Virginia Code § 15.2-983(B)(2).

(3) Maximum occupancy: Occupancy is limited to the maximum number of residents allowed by the wastewater system permit.

(4) Fire Safety Inspection: A Fire Safety Inspection is required annually and before initial use. This inspection includes the following but is not limited to, checking smoke detectors, carbon monoxide alarms for proper function, ensuring readily accessible fire extinguisher is available; ensuring all egress paths are open and proper emergency escape and rescue opening per the Virginia Residential Code and the Virginia Safety and Fire Prevention Code.

(5) If food is prepared onsite by the Owner, Operator or his Designee, for consumption by guests or any transient occupants, all Federal, State and Local regulations regarding food service must be met.

(6) Quiet Hours: No outdoor music, amplified or acoustic, between the hours of 11:00 p.m. and 7:00 a.m.

(b) Penalties:

(1) Nonregistration Penalty: Any operator required to register who offers for short-term rental of a property that is not registered with the County is subject to a penalty of \$500.00 per violation. The Penalty will be assessed after seven (7) business days from when the apparent violation was discovered. Unless and until an operator pays the penalty and registers the property, the operator may not continue to offer the property as a short-term rental dwelling.

(2) Multiple Violations: Each ten-day period that an unregistered property is offered as a short-term rental dwelling constitutes a separate violation. Violations for a particular short-term rental dwelling shall not exceed \$5,000.00. An operator required to register shall be prohibited from offering a

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specific property as a short-term rental dwelling upon more than three violations of applicable State laws or any County ordinances or regulations, as they relate to the short-term rental dwelling.

- (c) This ordinance shall be effective as of January 1, 2024 and applies to all existing and future businesses.

#### **Sec. 74-132. Permitted uses and structures.**

Permitted uses and structures in the A-2 district are as follows:

- (1) Minor subdivisions, conventional.
- (2) Major subdivisions, cluster.
- (3) Single-family detached dwellings.
- (4) Two-family dwellings.
- (5) Manufactured homes.
- (6) Accessory uses and structures.
- (7) Agriculture, general farming and forestry.
- (8) Boarding, rooming or lodging houses and bed and breakfast inns.
- (9) Boat landings and piers.
- (10) Cabinet-making, furniture and upholstery shops (home-based).
- (11) Cemeteries, family or church (subject to Code of Virginia § 57-26).
- (12) Childcare (home-based).
- (13) Churches (less than one hundred thousand (100,000) square feet).
- (14) Farm-based equipment sales/service.
- (15) Foster care and adult family care (home-based).
- (16) Garden shops, greenhouses, nurseries.
- (17) Home occupations (refer to section 74-2).
- (18) Hunting lodges and clubs and boat clubs.
- (19) In home daycare.
- (20) Kennels, private.
- (21) Off-street parking for permitted uses.
- (22) One room schoolhouses.
- (23) Poultry processing facilities (refer to chapter 74, article XXIII).
- (24) Preserves and conservation areas.
- (25) Riding schools, horse breeding establishments, riding stables.
- (26) Sawmills (portable).
- (27) Short-term rental dwelling
- (28) Special events.
- (29) Wayside stands (temporary, seasonable or sale of on-site farm products).

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**Sec. 74-162. Permitted uses and structures.**

Permitted uses and structures in the A-20 district are as follows:

- (1) Minor subdivisions, conventional.
- (2) Major subdivisions, conventional.
- (3) Single-family detached dwellings.
- (4) Modular homes.
- (5) Agriculture, general farming and forestry.
- (6) Boarding, rooming or lodging houses and bed and breakfast inns.
- (7) Boat landings and piers.
- (8) Foster care and adult family care (home-based).
- (9) Guest houses.
- (10) Home occupations.
- (11) In home daycare
- (12) Kennels, private.
- (13) Preserves and conservation areas.
- (14) Short-term rental dwelling

**Sec. 74-182. Permitted uses and structures.**

Permitted uses and structures in the RA-1 district are as follows:

- (1) Minor subdivisions, conventional.
- (2) Major subdivisions, cluster.
- (3) Single-family detached dwellings.
- (4) Modular housing units.
- (5) Accessory uses and structures.
- (6) Agriculture, provided that any agricultural industry plant shall be located at least two hundred (200) feet back from the street.
- (7) Churches, cemeteries.
- (8) Dairying and forestry, provided that any processing plant or sawmill shall be located at least two hundred (200) feet back from the street.
- (9) Foster care and adult family care (home-based).
- (10) General farming.
- (11) Home occupations.
- (12) In home daycare.
- (13) Kennels, private.
- (14) Lodges, hunting clubs, boat clubs and golf clubs.

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- (15) Parks, playgrounds and recreation areas of a public or noncommercial nature.
- (16) Preserves and conservation areas.
- (17) Public utility booster or relay stations, transformer substations, transmission lines, pipes, meters and other facilities for the provision and maintenance of public utilities, including railroads and facilities, and water and sewer installations, all with a conditional use permit, and subject to the 35-foot height limit for this district.
- (18) Sawmills, portable, with a conditional use permit.
- (19) Schools, hospitals and similar public or semipublic buildings.
- (20) Short-term rental dwelling
- (21) Retail commercial establishments which provide goods and/or services directly related to the recreational activities available in the public recreational area to which access is provided in this zone, but only with conditional use permit, and provided the architectural design, any signs, and layout of the premises are in keeping with the natural and aesthetic qualities of the area.

### **Sec. 74-222. Permitted uses and structures.**

Permitted uses and structures in an R-1 district are as follows:

- (1) Minor subdivisions, conventional.
- (2) Major subdivisions, cluster.
- (3) Single-family detached dwellings.
- (4) Two-family dwellings.
- (5) Modular housing units.
- (6) Accessory uses and structures.
- (7) Boarding, rooming or lodging houses and bed and breakfast inns.
- (8) Foster care and adult family care (home-based).
- (9) Home occupations.
- (10) In home daycare.
- (11) Off-street parking as required by this chapter.
- (12) Public utilities such as poles, lines, distribution transformers, pipes, meters, and/or other facilities necessary for the provisions and maintenance, including water and sewer facilities.
- (13) Short-term rental dwelling

### **Sec. 74-262. Permitted uses and structures.**

Permitted uses and structures in an R-2 district are as follows:

- (1) Minor subdivisions, conventional.
- (2) Major subdivisions, cluster.
- (3) Single-family detached dwellings.
- (4) Two-family dwellings.

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- (5) Modular housing units
- (6) Accessory uses and structures.
- (7) Schools, churches, parks and playgrounds.
- (8) Child care centers and kindergartens.
- (9) Boarding, rooming or lodging houses and bed and breakfast inns.
- (10) Home occupations.
- (11) Off-street parking as required.
- (12) Professional offices.
- (13) Gift shops and antique shops.
- (14) Beauty shops and barbershops.
- (15) Preserves and conservation areas.
- (16) Cemeteries.
- (17) Uses relating to agriculture shall be limited to raising of field crops, including hay and grazing pasture land and animals as permitted in section 74-264.
- (18) Public utilities such as poles, lines, distribution transformers, pipes, meters and/or other related facilities, including water and sewer facilities.
- (19) Foster care and adult family care (home-based).
- (20) Short-term rental dwelling

### **Sec. 74-302. Permitted uses and structures.**

Permitted uses and structures in an R-3 district are as follows:

- (1) Minor subdivisions, conventional.
- (2) Major subdivisions, cluster.
- (3) Single-family detached dwellings.
- (4) Two-family dwellings.
- (5) Modular housing units.
- (6) Accessory uses and structures.
- (7) Boarding, rooming or lodging houses and bed and breakfast inns.
- (8) Cemeteries.
- (9) Church or civic community centers.
- (10) Foster care and adult family care (home-based).
- (11) Home occupations.
- (12) In home daycare.
- (13) Public library, civic clubs and lodges.
- (14) Short-term rental dwelling

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- (14) Uses relating to agriculture, limited to the raising of field crops, haying and grazing pasture land, the keeping of animals and fowl, and forestry.