

## **ZONING ORDINANCE COMMITTEE**

October 20, 2021  
ELECTRONIC MEETING  
9:00 AM TO 11:00 AM

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**NOTICE OF ELECTRONIC MEETING:** Due to the ongoing COVID-19 pandemic, this [Zoning Ordinance Committee](#) meeting will be conducted as an Electronic Meeting pursuant to the adopted Continuity Ordinance adopted by the Board of Supervisors on March 16, 2021. Members of the public are strongly encouraged to view and participate in the meeting by electronic or other means, in furtherance of the Governor's Executive Orders and social distancing directives. This meeting will be conducted in the WebEx Events platform. Login/call-in information will be posted to [www.loudoun.gov/remoteparticipation](http://www.loudoun.gov/remoteparticipation) prior to the meeting.

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1. Call to Order/Review Agenda
2. Public Input
3. Disclosures
4. Status Updates on Other Zoning Ordinance Amendments<sup>i</sup> (ZOAM):
  - a) ZOAM-2020-0002: Cluster Subdivision Regulations: Preparing draft text; story mapping released on [GeoHub](#) for prime agricultural soils, cluster subdivisions, etc.; draft text to return to the Zoning Ordinance Committee on December 1, 2021.
  - b) ZOAM-2020-0001: Zoning Ordinance Rewrite: Zoning Districts and Village Conservation Overlay District to be reviewed by the Zoning Ordinance Committee on November 3 and 17, 2021.
5. ZOAM-2018-0001: Short-term Residential Rentals
6. Upcoming Meetings
  - a) Electronic meeting. Wednesday, November 3, 2021, 9:00 AM.
7. Adjourn

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<sup>i</sup> View project documents at [www.loudoun.gov/lola](http://www.loudoun.gov/lola).

## MEMORANDUM

To: Zoning Ordinance Committee  
From: Ethan Strickler, Planner, Zoning Administration  
Ryan Reed, Deputy Zoning Administrator  
Date: 10/13/2021  
Re: October 20, 2021 ZOC Meeting  
**Progress Update on ZOAM-2018-0001, Short-Term Rentals**

The Zoning Ordinance Committee (ZOC) is receiving a progress update on the Zoning Ordinance Amendment (ZOAM) to establish regulations and standards for a short-term rental accessory use and a short-term rental principal use. This project is proceeding in parallel to the Zoning Ordinance Rewrite (ZOR) effort and anticipated to reach completion during the first half of the calendar year 2022. This progress update provides ZOC with an overview of proposed changes to Articles 2, 3, 4, 5 and 8 of the Zoning Ordinance, Section 5-100 of the Zoning Ordinance (Accessory Uses and Structures), and Section 5-600 of the Zoning Ordinance (Additional Regulations for Specific Uses) pursuant to work plan guidance from the Board of Supervisors (Board) and the status thereof.

This is consistent with the ZOC bylaws that state, "created for the purpose of supporting the Commission, the BOS and Loudoun County staff by reviewing and recommending changes to the current Loudoun County Zoning Ordinance ("Zoning Ordinance")."

Recommendations may include, but are not limited to:

- a. Correcting errors and inconsistencies;
- b. Clarifying regulations;
- c. Simplifying the Zoning Ordinance to make it more user friendly;
- d. Keeping the Zoning Ordinance current to reflect changes in the state code, the market, economic, fiscal and land use conditions and the emergence of new uses;
- e. Addressing a specific issue;
- f. Identifying when proposed Zoning Ordinance amendments are inconsistent with the Comprehensive Plan and may require a Comprehensive Plan amendment (Board of Supervisors, October 6, 2020).

## **Project Description**

Pursuant to the direction included in the February 22, 2018, Board Business Meeting Action Item and the work plan attached to the October 19, 2017, Board Business Meeting Action Item, staff commenced the review of land-use and zoning issues related to Short-Term Rentals. The Short-Term Rental ZOAM was included in the 2018 ZOAM Work Plan adopted (9-0) by the Board at the February 6, 2018, Board Business Meeting. The short-term rental ZOAM was also included in the 2019 ZOAM Work Plan adopted (9-0) by the Board at the December 4, 2018, Board Business Meeting.

At its July 18, 2019, Business Meeting, the Board adopted (9-0) the Resolution of Intent to Amend (ROIA) the Zoning Ordinance to establish Short-Term Rentals as a new accessory use to residential uses<sup>1</sup>.

At its October 17, 2019, Business Meeting, the Board adopted (9-0) the revised Resolution of Intent to Amend (ROIA) the Zoning Ordinance to expand the scope of the ZOAM to include Commercial Whole-House Rentals<sup>2</sup> as a principal use in zoning districts that allow for residential uses.

## **Background**

Currently, the Revised 1993 Loudoun County Zoning Ordinance does not list Short-Term Rental uses as permitted in any zoning district. Therefore, the uses are not permitted uses in Loudoun County. If Short-Term Rentals are not added as permitted uses to the Zoning Ordinance, property owners wishing to operate these uses must comply with either the Bed and Breakfast Homestay, Bed and Breakfast Inn, Country Inn, Rural Retreat, and/or Rural Resort Establishment regulations. Such uses are only permitted in certain zoning districts, most of which are in western Loudoun County. As such, Short-Term Rentals would be precluded from operating in the suburban areas of the County in the absence of a ZOAM expressly providing for these uses in the Zoning Ordinance.

The draft Zoning Ordinance text amends Article 5 and Article 8 to define Short-Term Rental – Residential Accessory (“STR-RA”) uses, to establish STR-RAs as an accessory use to principal residential uses, and to provide additional performance standards to maintain the integrity of residential neighborhoods throughout the County as well as to distinguish STR-RAs from other similar facilities and commercial lodging uses, including, but not limited to, Bed and Breakfast Homestays, in the County. The

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<sup>1</sup> See July 18, 2019 Board of Supervisors Business Meeting Action Item 6, Attachment 2.

<sup>2</sup> See Copy Teste and the Revised Resolution of Intent to Amend from the October 17, 2019 Business Meeting, dated October 17, 2019.

proposed draft text is included with this Cover Memo for review and discussion prior to, and during, the October 20, 2021, ZOC meeting.

Initial rounds of Public Outreach regarding the proposed regulation of Short-Term Rentals identified Commercial Whole-House Rentals as a type of Short-Term Rental of residential property that is commonly being offered in both rural and suburban areas of the County. Therefore, the Board revised the original ROIA to include Short-Term Rental – Commercial Whole-House (“STR-CWH”) uses as a part of the ZOAM. The primary differences between STR-RAs and STR-CWHs are the type of use (accessory vs. principal), limitations on the number of calendar days per year the use is permitted to operate, and individual (separate) additional use regulations.

As a result of the revised ROIA, the draft Zoning Ordinance text also amends Articles 2, 3, 4, 5, and 8 to define Short-Term Rental – Commercial Whole-House uses, to establish STR-CWHs as a principal use permitted by right, by minor special exception, or by special exception in zoning districts that allow for residential uses (see Attachment 4), and to provide additional performance standards to distinguish STR-CWHs from other similar facilities and commercial lodging uses, including, but not limited to, Bed and Breakfast Inns, in the County. The proposed draft text is included with this Cover Memo for review and discussion prior to, and during, the October 20, 2021, ZOC meeting.

### **Next Steps after October 20<sup>th</sup> ZOC Meeting**

An abbreviated version of the ZOC Work Plan is shown below. The next meeting will be November 3, 2021 and will be the first ZOC review of the Zoning Districts. Based on ZOC input, Zoning Districts will be revisited at the November 17, 2021 meeting if necessary. Please be advised that the workplan schedule is tentative and subject to change.

## Tentative Zoning Ordinance Committee Work Plan

Topic	Meeting Date	Packet Distribution
Standalone ZOAM: Short Term Residential Rentals	20-Oct	13-Oct
Zoning Districts (and VCOD)	3-Nov	27-Oct
Zoning Districts (and VCOD)	17-Nov	10-Nov
Standalone ZOAM: Cluster Subdivision Regulations	1-Dec	24-Nov
Signs	15-Dec	8-Dec
Development Standards	5-Jan	29-Dec
Development Standards, Nonconformities	19-Jan	12-Jan
Attainable Housing	2-Feb	26-Jan
Procedures	16-Feb	9-Feb
<b>NOTE: EnCode changes to be released to public on beginning April 2022</b>		
<b>NOTE2: Draft chapters to be reviewed as part of April 2022 referral package: Ch. 1 Introduction, Ch. 10 Officials, Boards and Commissions, Ch. 11 Rules of Interpretation</b>		
<b>NOTE3: ZOC Work Plan subject to change</b>		

### Attachments

1. ZOAM-2018-0001 Revised Draft Text for Short-Term Rental – Residential Accessory uses, dated October 13, 2021.
2. ZOAM-2018-0001 Revised Draft Text for Short-Term Rental – Commercial Whole-House uses, dated October 13, 2021.

1 **ARTICLE 5**

2 **ADDITIONAL REGULATIONS AND STANDARDS**

3 **5-101 Permitted Accessory Uses and Structures.**

4 (A) **Residential.**

5 ...

6 (21) Short-Term Rental – Residential Accessory, pursuant to Section 5-669.

7 **5-669 Short-Term Rental – Residential Accessory.**

8 (A) **Modifications Not Permitted.** Notwithstanding Section 5-600 of this  
9 Ordinance, this Section 5-669(A) and Sections 5-669(B), 5-669(C), 5-  
10 669(D), 5-669(E), and 5-669(H) below shall not be modified by Minor  
11 Special Exception.

12  
13 (B) **Registration.** A Short-Term Rental – Residential Accessory use shall be  
14 permitted only on a property that the Operator has registered in accordance  
15 with Chapter 1470 of the Codified Ordinances of Loudoun County, unless  
16 exempted from the registration requirement by Chapter 1470.03.

17  
18 (1) An “Operator” must meet the definition of “Operator” under  
19 Chapter 1470 of the Codified Ordinance of Loudoun County.

20  
21 (2) The annual registration must be on display in a visible location upon  
22 entry into the Short-Term Rental – Residential Accessory use and  
23 included with all advertising materials.

24  
25 (C) **Intensity and Character.**

26  
27 (1) **Residency Requirement.** The Operator must be a permanent  
28 resident of the parcel that contains the Short-Term Rental –  
29 Residential Accessory use. For the purposes of this section, a  
30 permanent resident is a person who occupies a dwelling for a  
31 minimum of 185 days out of the calendar year as their primary  
32 residence.

33  
34 (2) **Management Requirements.** The Operator, or a Manager  
35 designated by the Operator, must be available at all times during all  
36 rental periods to address issues that arise. During all rental periods,  
37 the Operator or Manager must:

38  
39 (i) Be available by phone or electronic means within 30 minutes  
40 and must be available to be onsite within 60 minutes.

- 41 (ii) Provide contact information of the Operator and/or Manager  
42 to guests of the Short-Term Rental – Residential Accessory  
43 use in writing prior to the beginning of the rental period. The  
44 contact information must also be posted in a visible location  
45 within the area available for rent.
- 46 (3) **Rental Period.** A dwelling, or portion thereof, may only be used as  
47 a Short-Term Rental – Residential Accessory use for a maximum of  
48 180 days in a calendar year.
- 49
- 50 (4) **Rental Capacity.** The following capacity limits apply to a Short-  
51 Term Rental – Residential Accessory use per night:
- 52
- 53 (a) **Guest Rooms.** The number of rooms and/or bedrooms used  
54 for overnight accommodations for guests shall not exceed 4  
55 per parcel.
- 56
- 57 (b) **Guest Capacity.** The total number of guests permitted per  
58 night shall not exceed two per room that meets the  
59 requirements of a bedroom under the Building Code, not to  
60 exceed a maximum of 8 guests per parcel. This requirement  
61 is not intended to limit the number of guests that may sleep  
62 in a given bedroom nor the number of dwelling units per  
63 parcel used for the Short-Term Rental – Residential  
64 Accessory use.
- 65
- 66 (c) For parcels served by an individual sewage disposal system,  
67 the total number of guests permitted per night for a Short-  
68 Term Rental – Residential Accessory use shall not exceed  
69 the maximum permitted capacity of the individual sewage  
70 disposal system, as approved by the Health Department.
- 71
- 72 (5) **Food Service Not Permitted.** The Operator or Manager shall not  
73 be permitted to prepare, serve, or arrange for the catering of food, or  
74 alcoholic beverages for consumption by any guests of the Short-  
75 Term Rental – Residential Accessory use. The Short-Term Rental –  
76 Residential Accessory use may not contain restaurant facilities.
- 77
- 78 (6) **Private Parties and/or Temporary Special Events Not**  
79 **Permitted.** Private parties and/or Special Events pursuant to Section  
80 5-500(C) shall not be permitted in association with the Short-Term  
81 Rental – Residential Accessory use.
- 82

83 (7) Dwelling Unit Types Permitted. A Short-Term Rental –  
84 Residential Accessory use is permitted to operate in the principal  
85 dwelling unit and/or in any accessory dwelling unit approved  
86 pursuant to Section 5-613 provided that the capacity limits set forth  
87 in Section 5-669(C)(4) are met for the parcel as a whole.

88  
89 (D) Zoning Permit Requirements. A Zoning Permit shall be required for all  
90 Short-Term Rental – Residential Accessory uses.

91  
92 (1) In accordance with Section 6-1000, the Zoning Permit application  
93 must provide such information and documentation as necessary to  
94 demonstrate compliance with all applicable Zoning Ordinance  
95 requirements and authorize the Zoning Administrator to conduct an  
96 inspection prior to approval of the Zoning Permit to verify  
97 compliance with all applicable Zoning Ordinance requirements. At  
98 a minimum, the Zoning Permit application must provide the  
99 following:

- 100  
101 a. Written consent from the property owner,  
102 b. The name and contact information of the Operator and/or  
103 Manager (if applicable),  
104 c. The type of dwelling unit(s) that will be rented,  
105 d. The address of the dwelling unit(s) that will be rented,  
106 e. The maximum rental capacity,  
107 f. The dates that the property will be rented, and  
108 g. A sketch plan showing the location of the dwelling unit(s) being  
109 rented and the required parking.

110  
111 (2) The approved Zoning Permit for the Short-Term Rental –  
112 Residential Accessory use must be displayed in a visible location  
113 upon entry into the Short-Term Rental- Residential Accessory use  
114 and included with all advertising materials.

115  
116 (3) The Zoning Permit for a Short-Term Rental – Residential Accessory  
117 use shall be valid for only the original Operator and dwelling(s)  
118 listed on the Zoning Permit application and must not be transferable  
119 to any future Operator or other property. Changes to the information  
120 pertaining to the Operator or dwelling(s) listed on the Zoning Permit  
121 will require the issuance of a new Zoning Permit.

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123 (4) No more than one Zoning Permit for a Short-Term Rental –  
124 Residential Accessory use shall be permitted per parcel.

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(5) A Zoning Permit for a Short-Term Rental – Residential Accessory use shall not be issued on a parcel that is subject to an approved zoning permit for a Bed and Breakfast Homestay use, Bed and Breakfast Inn use, Country Inn use, Rural Retreats and Resorts use, or Short-Term Rental – Commercial Whole House use.

(6) The County approval of a Short-Term Residential Accessory use through the issuance of a Zoning Permit is not intended to abrogate, annul or otherwise interfere with any easement, covenant or other private agreement or legal relationship, such as those of a Homeowners’ Association. However, where the regulations of this Ordinance are more restrictive or impose higher standards or requirements than such easements, covenants or other private agreements or legal relationships, the regulations of this Ordinance shall govern.

(E) **Simultaneous Rental Contracts Not Permitted.** All guests staying within an individual and separate dwelling unit during a rental period for a Short-Term Rental – Residential Accessory use shall be covered under the same rental agreement.

(F) **Parking Requirements.**

(1) In addition to the off-street parking spaces required for the existing dwelling units on the parcel, pursuant to Section 5-1100, the following parking requirements apply, and such parking spaces must be shown on the sketch plan required in Section 5-669(D):

(a) For a rental capacity of 4 or less guests, one (1) off-street parking space shall be required.

(b) For a rental capacity of 5-8 guests, two (2) off-street parking spaces shall be required.

(2) The Zoning Administrator may modify the parking requirements of this Section if the Operator can demonstrate that the requirements of this Section cannot be met because of (a) the exceptional size and/or shape of the lot; (b) environmental or engineering constraints on the lot; (c) special accessibility needs; or (d) other extraordinary situations or conditions of the lot. The Zoning Administrator may attach conditions to any modification to ensure that the results of the

167 modification will be in accordance with the purpose and intent of  
168 this Section.

169  
170 (3) On-street parking is not permitted to count towards the required  
171 parking unless requested pursuant to Section 5-669(F)(2).

172  
173 (G) **Safety Requirements.** To the extent permissible under state law, the Short-  
174 Term Rental – Residential Accessory use must include the following:

175  
176 (1) Each bedroom and floor of the dwelling or accessory dwelling used  
177 for the Short-Term Rental – Residential Accessory use must have  
178 an operational smoke detector that is interconnected with the smoke  
179 detectors in the rest of the structure.

180  
181 (2) Each floor of the dwelling or accessory dwelling used for the Short-  
182 Term Rental – Residential Accessory use must have at least one  
183 operational fire extinguisher that is clearly marked and accessible to  
184 guests.

185  
186 (3) Each floor of such dwelling must have at least one operational  
187 carbon monoxide detector.

188  
189 (4) All rooms used for sleeping must have at least two means of egress.

190  
191 (5) A fire safety plan and emergency contact information, including the  
192 contact information for the Operator or Manager, local law  
193 enforcement, and fire and rescue, must be posted in a visible location  
194 within the Short-Term Rental – Residential Accessory use.

195  
196 (H) **Use of Affordable Dwelling Units (ADUs) Not Permitted.** ADUs  
197 provided in accordance with Article 7 of this Ordinance may not be used  
198 for Short-Term Rental – Residential Accessory uses.

199  
200 **Proposed Article 8 Definition(s):**

201 **S**

202 **Short-Term Rental – Residential Accessory:** The renting of a portion or the entirety of a  
203 dwelling as an accessory use to a principal dwelling that is the primary residence of the Operator,  
204 for a period of fewer than 30 consecutive days, and no more than 180 days per calendar year, in  
205 exchange for compensation.

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**ARTICLE 5**

**ADDITIONAL REGULATIONS AND STANDARDS**

**5-101 Permitted Accessory Uses and Structures.**

(A) **Residential.**

...

(21) Short-Term Rental – Residential Accessory, pursuant to Section 5-669.

**5-669 Short-Term Rental – Residential Accessory.**

(A) Modifications Not Permitted. Notwithstanding Section 5-600 of this Ordinance, this Section 5-669(A) and Sections 5-669(B), 5-669(C), 5-669(D), 5-669(E), and 5-669(H) ~~5-669(BC)(1), 5-669(BC)(3), 5-669(BC)(4), 5-669(BC)(5), 5-669(CD), 5-669(DE), and 5-669(G)~~ below shall not be modified by Minor Special Exception.

(B) Registration. A Short-Term Rental – Residential Accessory use shall be permitted only on a property that the Operator has registered in accordance with Chapter 1470 of the Codified Ordinances of Loudoun County, unless exempted from the registration requirement by Chapter 1470.03.

(1) An “Operator” must meet the definition of “Operator” under Chapter 1470 of the Codified Ordinance of Loudoun County.

(+2) The annual registration must be on display in a visible location upon entry into the Short-Term Rental – Residential Accessory use and included with all advertising materials.

(C) **Intensity and Character.**

(1) **Residency Requirement.** The Operator ~~shall must reside on~~ be a permanent resident of the parcel that contains the Short-Term Rental – Residential Accessory use. For the purposes of this section, a permanent resident is a person who occupies a dwelling for a minimum of 185 days out of the calendar year as their primary residence.

(2) Management Requirements. The Operator, or a Manager designated by the Operator, must be available at all times during all rental periods to address issues that arise. During all rental periods, the Operator or Manager must:

- 41 (i) Be available by phone or electronic means within 30 minutes  
42 and must be available to be onsite within 60 minutes.
- 43 (ii) Provide contact information for of the Operator and/or  
44 Manager to guests of the Short-Term Rental – Residential  
45 Accessory use in writing prior to the beginning of the rental  
46 period. The contact information must also be posted in a  
47 visible location within the area available for rent.

48  
49  
50 ~~(2)~~(3) **Use Limitation Rental Period.** A dwelling or portion thereof, unit  
51 may only be used as a Short-Term Rental – Residential Accessory  
52 use for a maximum of 180 days in a calendar year.

53  
54 ~~(3)~~(4) **Rental Capacity.** ~~For the purposes of determining the maximum~~  
55 ~~number of guests permitted in~~ The following capacity limits apply to  
56 a Short-Term Rental – Residential Accessory use per night, ~~the~~  
57 ~~following shall apply:~~

58  
59 (a) **Guest Rooms.** The number of rooms and/or bedrooms used  
60 for overnight accommodations for guests shall not exceed 4  
61 per parcel.

62  
63 ~~(a)~~(b) **Guest Capacity.** The total number of guests permitted per  
64 night shall ~~be not exceed based on~~ two per room that meets  
65 the requirements of a bedroom ~~as specified~~ under the  
66 Building Code, not to exceed a maximum of 8 ~~10~~ guests per  
67 parcel. This requirement is not intended to limit the number  
68 of guests that ~~can may~~ sleep in a given bedroom nor the  
69 number of dwelling units per parcel used for the Short-Term  
70 Rental – Residential Accessory use...

71  
72 ~~(b)~~(c) For parcels served by an individual sewage disposal system,  
73 the total number of guests permitted per night for a Short-  
74 Term Rental – Residential Accessory use ~~shall further be~~  
75 ~~limited by the~~ shall not exceed the maximum permitted  
76 capacity of the individual sewage disposal system, as  
77 approved by the Health Department.

78  
79 (5) **Food Service Not Permitted.** -The Operator or Manager shall not  
80 be permitted to prepare, serve, or arrange for the catering of provide  
81 food, ~~service or~~, alcoholic beverages for consumption by any guests

82 of, or arrange for the catering of food or beverages for the Short-  
83 Term Rental – Residential Accessory use. The Short-Term Rental –  
84 Residential Accessory use may not contain restaurant facilities.

85  
86 (6) Private Parties and/or Temporary Special Events Not  
87 Permitted. Private parties ~~are permitted, and/or provided the overall~~  
88 ~~number of guests and private party attendees does not exceed the~~  
89 ~~rental capacity for the Short Term Rental – Residential Accessory~~  
90 ~~use.~~ Special Events under pursuant to Section 5-500(C) shall not  
91 be permitted as part of in association with the Short-Term Rental –  
92 Residential Accessory use.

93  
94 ~~(6)~~(7) Dwelling Unit Types Permitted. A Short-Term Rental –  
95 Residential Accessory use is permitted to operate in the principal  
96 dwelling unit and/or in any accessory dwelling unit approved  
97 pursuant to Section 5-613 provided that the capacity limits set forth  
98 in Section 5-669(C)(4) are met for the parcel as a whole.

99  
100 ~~(D) Registration.~~ A Short Term Rental – Residential Accessory use shall be  
101 permitted only on a property that the Operator has registered in accordance  
102 with Chapter 1470 of the Codified Ordinances of Loudoun County. An  
103 “Operator” shall meet the definition of “Operator” found in Chapter 1470  
104 of the Codified Ordinance of Loudoun County.

105  
106 ~~(E)~~(D) Zoning Permit Requirementsd. -A Zoning Permit shall be required for all  
107 Short-Term Rental – Residential Accessory uses.

108  
109 (1) In accordance with Section 6-1000, the Zoning Permit application  
110 ~~shall~~must provide such information and documentation as  
111 necessary to demonstrate compliance with all applicable Zoning  
112 Ordinance requirements and authorize the Zoning Administrator to  
113 conduct an inspection prior to approval of the Zoning Permit to  
114 verify compliance with all applicable Zoning Ordinance  
115 requirements. At a minimum, the Zoning Permit application must  
116 provide the following:

- 117  
118 a. Written consent from the property owner,  
119 b. The name and contact information of the Operator and/or  
120 Manager (if applicable),  
121 c. The type of dwelling unit(s) that will be rented,  
122 d. The address of the dwelling unit(s) that will be rented,  
123 e. The maximum rental capacity,  
124 f. The dates that the property will be rented, and

125 a-g. A sketch plan showing the location of the dwelling unit(s) being  
126 rented and the required parking.

127  
128 (2) The approved Zoning Permit for the Short-Term Rental –  
129 Residential Accessory use ~~shall~~ must be displayed in a visible  
130 location upon entry into the Short-Term Rental- Residential  
131 Accessory use and included with all advertising materials.  
132

133 (3) The Zoning Permit for a Short-Term Rental – Residential Accessory  
134 use shall be valid for only the original Operator, ~~parcel,~~ and  
135 dwelling(s) listed on the Zoning Permit application and ~~shall~~ must  
136 not be transferable to any future Operator or other property. Changes  
137 to the information pertaining to the Operator or dwelling(s) listed on  
138 the Zoning Permit will require the issuance of a new Zoning Permit.

139  
140 (4) No more than one Zoning Permit for a Short-Term Rental –  
141 Residential Accessory use shall be permitted per parcel.  
142

143 (5) A Zoning Permit for a Short-Term Rental – Residential Accessory  
144 use shall not be issued on a parcel that is subject to an approved  
145 zoning permit for a Bed and Breakfast Homestay use, Bed and  
146 Breakfast Inn use, Country Inn use, Rural Retreats and Resorts use,  
147 or Short-Term Rental – Commercial Whole House use. ~~use subject~~  
148 ~~to Section 5-601 (Bed and Breakfast Homestay, Bed and Breakfast~~  
149 ~~Inn, Country Inn, and Rural Retreats and Rural Resorts) or for a use~~  
150 ~~subject to Section 5-670 (Short Term Rental – Commercial Whole~~  
151 ~~House uses).~~

152  
153 (6) The County approval of a Short-Term Residential Accessory use  
154 through the issuance of a Zoning Permit is not intended to  
155 abrogate, annul or otherwise interfere with any easement, covenant  
156 or other private agreement or legal relationship, such as those of a  
157 Homeowners' Association. However, where the regulations of this  
158 Ordinance are more restrictive or impose higher standards or  
159 requirements than such easements, covenants or other private  
160 agreements or legal relationships, the regulations of this Ordinance  
161 shall govern.

162  
163  
164 ~~(F)(E)~~ **Prohibition on Simultaneous Rental Contracts Not Permitted.** All  
165 guests staying within an individual and separate dwelling unit during a

166 rental period for a Short-Term Rental – Residential Accessory use shall be  
167 covered under the same rental agreement.  
168

169 **(F) Parking Requirements.**  
170

171 **(1) In addition to the off-street parking spaces required for the existing**  
172 **dwelling units on the parcel, pursuant to Section 5-1100, A**  
173 **minimum of one (1) off-street parking space shall be required for**  
174 **the Short-Term Rental – Residential Accessory use. the following**  
175 **parking requirements apply and such parking spaces must be shown**  
176 **on the sketch plan required in Section 5-669(D):**  
177

178 **(a) For a rental capacity of 4 or less 3-4 guests, one (1) off-street**  
179 **parking space shall be required.**  
180

181 **(b) For a rental capacity of 5-8 guests, two (2) off-street parking**  
182 **spaces shall be required.**  
183

184 **(23) The Zoning Administrator may modify the parking requirements of**  
185 **this Section if the Operator can demonstrate that the requirements of**  
186 **this Section cannot be met because of (a) the exceptional size and/or**  
187 **shape of the lot; (b) environmental or engineering constraints on the**  
188 **lot; (c) special accessibility needs; or (d) other extraordinary**  
189 **situations or conditions of the lot. The Zoning Administrator may**  
190 **attach conditions to any modification to ensure that the results of the**  
191 **modification will be in accordance with the purpose and intent of**  
192 **this Section.**  
193

194 **(34) On-street parking is not permitted to count towards the required**  
195 **parking unless requested pursuant to Section 5-669(F)(2).**  
196

197 **(G) Safety Requirements. To the extent permissible under state law, t**  
198 **he Short-Term Rental – Residential Accessory use shall ~~must~~ include the**  
199 **following:**  
200

201 **(1) Each bedroom and floor of the dwelling or accessory dwelling used**  
202 **for the Short-Term Rental – Residential Accessory use shall ~~must~~**  
203 **have an operational smoke detector that is interconnected with the**  
204 **smoke detectors in the rest of the structure.**  
205

206 **(2) Each floor of the dwelling or accessory dwelling used for the Short-**  
207 **Term Rental – Residential Accessory use shall ~~must~~ have at least**

208 one operational fire extinguisher that is clearly marked and  
209 accessible to guests.

210  
211 (3) ~~If the dwelling or accessory dwelling used for the Short-Term Rental~~  
212 ~~—Residential Accessory use is served by any gas appliance(s),~~  
213 ~~Each floor of such dwelling shall~~must have at least one operational  
214 carbon monoxide detector.

215  
216 (4) All rooms used for sleeping ~~shall~~must have at least two means of  
217 egress.

218  
219 (5) A fire safety plan and emergency contact ~~number information,~~  
220 ~~including the contact information for the Operator or Manager, local~~  
221 ~~law enforcement, and fire and rescue, shall~~must be posted in a  
222 visible location within the Short-Term Rental – Residential  
223 Accessory use.

224  
225 (H) Use of Affordable Dwelling Units (ADUs) Not Permitted. ADUs  
226 provided in accordance with Article 7 of this Ordinance may not be used  
227 for Short-Term Rental – Residential Accessory uses.

228  
229  
230 **Proposed Article 8 Definition(s):**

231 **S**

232 **Short-Term Rental – Residential Accessory:** The renting of a portion ~~of,~~ or the entirety of, a  
233 dwelling as an accessory use to a principal dwelling that is the primary residence of the Operator,  
234 for a period of fewer than 30 consecutive days, and no more than 180 days ~~in a per~~in a per calendar year,  
235 in exchange for compensation.

236

1 **5-670 Short-Term Rental – Commercial Whole-House**

2 **A. Modifications Not Permitted.** Notwithstanding Section 5-600 of this Ordinance, this  
3 Section 5-670(A) and Sections 5-670(B), 5-670(C)(1), 5-670(C)(2), 5-670(C)(4), 5-  
4 670(C)(5), 5-670(D), 5-670(E), and 5-670(K) shall not be modified by Minor Special  
5 Exception.

6  
7 **B. Registration.** A Short-Term Rental – Commercial Whole-House use shall be permitted  
8 only on a property that the Operator has registered in accordance with Chapter 1470 of the  
9 Codified Ordinances of Loudoun County, unless exempted from the registration  
10 requirement by Chapter 1470.03.

11  
12 (1) An “Operator” must meet the definition of “Operator” found in  
13 Chapter 1470 of the Codified Ordinance of Loudoun County.

14  
15 (2) The annual registration must be on display in a visible location upon  
16 entry into the Short-Term Rental – Commercial Whole-House use and  
17 included with all advertising materials.

18  
19 **C. Intensity and Character.**

20 (1) **Management.**

21 (a) **Management Requirements.** The Operator, or a Manager  
22 designated by the Operator, must be available at all times during all  
23 rental periods to address issues that arise. During all rental periods, the  
24 Operator or Manager must:

25 (i) Be available by phone or electronic means within 30  
26 minutes and must be available to be onsite within 60  
27 minutes.

28 (ii) Provide contact information for the Operator and/or  
29 Manager to guests of the Short-Term Rental –  
30 Commercial Whole House use in writing prior to the  
31 beginning of the rental period. The contact  
32 information must also be posted in a visible location  
33 within the area available for rent.

34  
35 (2) **Rental Capacity.** For the purposes of determining the maximum  
36 number of guests permitted in a Short-Term Rental – Commercial  
37 Whole-House use per night, the following shall apply:

38 (a) **Guest Rooms.** The number of rooms and/or bedrooms used for  
39 overnight accommodations for guests shall not exceed 8 per  
40 parcel.  
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(b) **Guest Capacity.** Unless otherwise specified in this Section, the maximum number of guests permitted per night shall not exceed two per room that meets the requirements of a bedroom under the Building Code, not to exceed a maximum of 16 guests per parcel. This requirement is not intended to limit the number of guests that may sleep in a given bedroom nor the number of dwelling units per parcel used for the Short-Term Rental – Commercial Whole House use.

(c) For parcels served by an individual sewage disposal system, the total number of guests permitted per night for a Short-Term Rental – Commercial Whole-House use shall not exceed the maximum permitted capacity of the individual sewage disposal system approved by the Health Department.

(3) **Lot Area:**

(a) The minimum lot area for a Short-Term Rental – Commercial Whole-House use with greater than 4 rooms and/or bedrooms used for overnight accommodations for guests or a Guest Capacity of greater than 8 guests per night, as defined by Section 5-670(C)(2), shall be 5 acres.

(4) **Food Service Not Permitted.** The Operator or Manager shall not be permitted to prepare, serve, or arrange for the catering of food or alcoholic beverages for consumption by any guests of the Short-Term Rental – Commercial Whole-House use. The Short-Term Rental – Commercial Whole-House use may not contain restaurant facilities.

(5) **Private Parties and/or Special Events Not Permitted.** Private parties and/or Special events pursuant to Section 5-500(C) shall not be permitted in association with the Short-Term Rental – Commercial Whole-House use.

(D) **Zoning Permit Requirements.** A Zoning Permit shall be required for all Short-Term Rental – Commercial Whole-House uses.

(1) In accordance with Section 6-1000 the Zoning Permit application must provide such information and documentation as necessary to

85 demonstrate compliance with all applicable Zoning Ordinance  
86 requirements and authorize the Zoning Administrator to conduct an  
87 inspection prior to approval of the Zoning Permit to verify compliance  
88 with all applicable Zoning Ordinance requirements. At a minimum, the  
89 Zoning Permit application must provide the following:

- 90 a. Written consent from the property owner,
- 91 b. The name and contact information of the Operator and/or  
92 Manager (if applicable),
- 93 c. The type of dwelling unit(s) that will be rented,
- 94 d. The address of the dwelling unit(s) that will be rented,
- 95 e. The maximum rental capacity,
- 96 f. The dates that the property will be rented, and
- 97 g. A sketch plan showing the location of the dwelling unit(s) being  
98 rented and the required parking.

99  
100 (2) The approved Zoning Permit for the Short-Term Rental – Commercial  
101 Whole-House use must be displayed in a visible location upon entry into  
102 the Short-Term Rental – Commercial Whole-House use and included  
103 with all advertising materials.

104  
105 (3) The Zoning Permit for a Short-Term Rental – Commercial Whole-  
106 House use shall be valid for only the original Operator and dwelling(s)  
107 listed on the Zoning Permit application and must not be transferable to  
108 any future Operator or other property. Changes to the information  
109 pertaining to the Operator or dwelling(s) listed on the Zoning Permit  
110 will require the issuance of a new Zoning Permit.

111  
112 (4) No more than one Zoning Permit for a Short-Term Rental – Commercial  
113 Whole-House use shall be permitted per parcel.

114  
115  
116 (5) A Zoning Permit for a Short-Term Rental – Commercial Whole-House  
117 use shall not be issued on a parcel that is subject to an approved Zoning  
118 Permit for a Bed and Breakfast Homestay use, Bed and Breakfast Inn  
119 use, Country Inn use, Rural Retreats and Resorts use, or Short-Term  
120 Rental – Residential Accessory use.

121  
122 (6) The County approval of a Short-Term Rental – Commercial Whole  
123 House use through the issuance of a Zoning Permit is not intended to  
124 abrogate, annul or otherwise interfere with any easement, covenant or  
125 other private agreement or legal relationship, such as those of a  
126 Homeowners' Association. However, where the regulations of this  
127 Ordinance are more restrictive or impose higher standards or

128 requirements than such easements, covenants or other private  
129 agreements or legal relationships, the regulations of this Ordinance shall  
130 govern.

131  
132 (E) **Prohibition on Simultaneous Rental Contracts.** All guests staying within an  
133 individual and separate dwelling unit during a rental period for a Short-Term  
134 Rental – Commercial Whole-House use must be covered under the same rental  
135 agreement.

136  
137 (F) **Parking Requirement.** Parking and Loading requirements for a Short-Term  
138 Rental – Commercial Whole-House use shall be provided pursuant to Section  
139 5-1102. The required off-street parking spaces for a Short-Term Rental –  
140 Commercial Whole-House Rental use are 2.5 per dwelling unit, 1 per room  
141 and/or bedroom used for overnight accommodations for guests, and 1 per  
142 Operator/Manager. On-street parking is not permitted to count towards required  
143 parking.

144  
145 (G) **Exterior Lighting.** Exterior lighting for a Short-Term Rental – Commercial  
146 Whole-House use shall be subject to Sections 5-652(A)(1), 5-652(A)(2), and 5-  
147 652(A)(3) (Exterior Lighting Standards). In addition to said requirements of  
148 Section 5-652, the maximum height of pole-mounted exterior lighting shall be  
149 12 feet.

150  
151 (H) **Roads/Access.** For any Short-Term Rental – Commercial Whole-House use  
152 that is located on a lot or parcel which does not have frontage on a publicly  
153 maintained road, documentation shall be provided to the Zoning Administrator,  
154 at the time of Zoning Permit application, demonstrating that the private access  
155 easement serving such lot may be used to provide access to the establishment.

156  
157 (I) **Safety Requirements.** To the extent permissible under state law, the Short-  
158 Term Rental – Commercial Whole-House use must include the following:

159  
160 (1) Dwellings used for Short-Term Rental – Commercial Whole-House  
161 uses must meet the fire and building code requirements as defined in  
162 13VAC5-51-91. Section A. 109.1 Inspection and Section 310.2 of the  
163 USBC or inspecting under § 27-98.2 of the Code of Virginia.

164  
165 (2) Each bedroom and floor of the single family detached dwelling or  
166 accessory dwelling used for the Short-Term Rental – Commercial  
167 Whole-House use must have an operational smoke detector that is  
168 interconnected with the smoke detectors in the rest of the structure.

169

- 170 (3) Each floor of the single family detached dwelling or accessory dwelling  
171 used for the Short-Term Rental – Commercial Whole-House use must  
172 have at least one operational fire extinguisher that is clearly marked and  
173 accessible to guests.
- 174
- 175 (4) Each floor of such dwelling must have at least one operational carbon  
176 monoxide detector.
- 177
- 178 (5) All rooms used for sleeping must have at least two means of egress.
- 179
- 180 (6) A fire safety plan and emergency contact information, including the  
181 contact information for the Operator or Manager, local law  
182 enforcement, and fire and rescue, must be posted in a visible location  
183 within the Short-Term Rental – Commercial Whole House use.
- 184
- 185 (J) A structure existing prior to January 7, 2003, located within an Historic Site  
186 District or Historic and Cultural Conservation District may be used as a Short-  
187 Term Rental – Commercial Whole-House and shall be exempt from the  
188 minimum lot area requirements specific above, provided that any expansion or  
189 enlargement of such structure shall not exceed 15% of the total floor area  
190 existing prior to January 7, 2003, unless a greater expansion is approved by  
191 Minor Special Exception, pursuant to Section 6-1300.
- 192
- 193 (K) Use of Affordable Dwelling Units (ADUs) Not Permitted. ADUs provided in  
194 accordance with Article 7 of this Ordinance may not be used for Short-Term  
195 Rental – Commercial Whole House Rental uses.
- 196

197

198

199 **Article 8 – Definitions**

200 S

201 **Short-Term Rental – Commercial Whole House:** The renting of a non-owner-occupied single  
202 family detached dwelling or a non-owner-occupied accessory dwelling that is accessory to a  
203 principal single family detached dwelling in which the entire dwelling is used for providing  
204 overnight accommodations for a period of fewer than 30 consecutive days in exchange for  
205 compensation.

1 **5-670 Short-Term Rental – Commercial Whole-House**

2 (A) Modifications Not Permitted. Notwithstanding Section 5-600 of this  
3 Ordinance, this Section 5-670(A) and Sections 5-670(B), 5-670(C)(1), 5-  
4 670(C)(2), 5-670(C)(4), 5-670(C)(5), 5-670(D), 5-670(E), and 5-670(K)-and  
5 Sections 5-670(B)(2)(c) and (d), 5-670(B)(3)(a), 5-670(C), 5-670(D), and 5-  
6 670(F) shall not be modified by Minor Special Exception.

7  
8 (B) Registration. A Short-Term Rental – Commercial Whole-House use shall be  
9 permitted only on a property that the Operator has registered in accordance with  
10 Chapter 1470 of the Codified Ordinances of Loudoun County, unless exempted  
11 from the registration requirement by Chapter 1470.03.

12  
13 (1) An “Operator” must meet the definition of “Operator” found in Chapter  
14 1470 of the Codified Ordinance of Loudoun County.

15  
16 (2) The annual registration must be on display in a visible location upon entry  
17 into the Short-Term Rental – Commercial Whole-House use and included with  
18 all advertising materials.

19  
20 (C) Intensity and Character.

21  
22 (1) Management.

23 (a) Management Requirements. The Operator, or a Manager  
24 designated by the Operator, must be available at all times during all  
25 rental periods to address issues that arise. During all rental periods, the  
26 Operator or Manager must:

27 (i) Be available by phone or electronic means within 30  
28 minutes and must be available to be onsite within 60  
29 minutes.

30 (ii) Provide contact information for the Operator and/or  
31 Manager to guests of the Short-Term Rental –  
32 Commercial Whole House use in writing prior to the  
33 beginning of the rental period. The contact  
34 information must also be posted in a visible location  
35 within the area available for rent.

36 ~~(1) Contact information of the Operator responsible for addressing~~  
37 ~~complaints and emergencies must be provided to guests of the Short-~~  
38 ~~Term Rental – Commercial Whole House use.~~

40 (2) ~~Guest Rooms and Rental Capacity.~~ For the purposes of determining  
41 the maximum number of ~~guest rooms and~~ guests permitted in a Short-  
42 Term Rental – Commercial Whole-House use per night, the following  
43 shall apply:  
44

45 (a) Guest Rooms. The number of ~~guest rooms~~rooms and/or  
46 bedrooms used for overnight accommodations for guests shall  
47 not exceed ~~8+0~~ per parcel.  
48

49 (b) Guest Capacity. ~~The number of guests per night shall not~~  
50 ~~exceed 10 per night. Unless otherwise specified in this Section,~~  
51 the maximum number of guests permitted per night shall not  
52 exceed two per room that meets the requirements of a bedroom  
53 under the Building Code, not to exceed a maximum of 16 guests  
54 per parcel. This requirement is not intended to limit the number  
55 of guests that may sleep in a given bedroom nor the number of  
56 dwelling units per parcel used for the Short-Term Rental –  
57 Commercial Whole House use.  
58

59 ~~The maximum number of guests per night shall be determined~~  
60 ~~based on two per room that meets the requirements of a bedroom~~  
61 ~~as specified under the Building Code. This requirement is not~~  
62 ~~intended to limit the number of guests that can sleep in a given~~  
63 ~~bedroom.~~  
64

65  
66 (c) ~~For parcels served by an individual sewage disposal system, the~~  
67 ~~total number of guests permitted per night for a Short-Term~~  
68 ~~Rental – Commercial Whole-House use shall further be limited~~  
69 ~~further by the shall not exceed the~~ maximum permitted capacity  
70 of the individual sewage disposal system approved by the Health  
71 Department.  
72

73 (3) **Lot Area:**  
74

75 (a) ~~The minimum lot area for a Short Term Rental – Commercial~~  
76 ~~Whole House use with 4 or fewer guest rooms shall be the same~~  
77 ~~as the minimum lot area required for the zoning district in which~~  
78 ~~the Short Term Rental – Commercial Whole House use is~~  
79 ~~located.~~  
80

81 (a) The minimum lot area for a Short-Term Rental – Commercial  
82 Whole-House use with ~~more~~ greater than 4 rooms and/or  
83 bedrooms used for overnight accommodations for guests  
84 rooms or a Guest Capacity of greater than 8 guests per night, as  
85 defined by Section 5-670(C)(2), shall be 5 acres, unless a larger  
86 lot area is required by the zoning district in which the Short-  
87 Term Rental – Commercial Whole House use is located.  
88

89 (b) —

90  
91 (4) **Food Service Not Permitted.** The Operator or Manager shall not be  
92 permitted to prepare, serve, or arrange for the catering of food or  
93 alcoholic beverages for consumption by any guests of the Short-Term  
94 Rental – Commercial Whole-House use. The Short-Term Rental –  
95 Commercial Whole-House use ~~shall~~ may not contain restaurant  
96 facilities, ~~and may not provide food service for overnight guests or~~  
97 ~~private party attendees.~~  
98

99 (5) **Private Parties and/or Special Events Not Permitted.** Private parties  
100 ~~are permitted, provided the overall number of guests and private party~~  
101 ~~attendees does not exceed the rental capacity for the Short-Term Rental~~  
102 ~~– Commercial Whole House use, and/or~~ Special events ~~under pursuant~~  
103 ~~to~~ Section 5-500(C) shall not be permitted in ~~conjunction~~ association  
104 with the Short-Term Rental – Commercial Whole-House use.  
105

106 (C) ~~Registration.~~ A Short-Term Rental – Commercial Whole House use shall be  
107 ~~permitted only on a property that the Operator has registered in accordance with~~  
108 ~~Chapter 1470 of the Codified Ordinances of Loudoun County. An “Operator”~~  
109 ~~shall meet the definition of “Operator” found in Chapter 1470 of the Codified~~  
110 ~~Ordinance of Loudoun County.~~  
111

112 (D) **Zoning Permit Requirements.** A Zoning Permit shall be required for all Short-  
113 Term Rental – Commercial Whole-House uses.  
114

115 (1) In accordance with Section 6-1000 the Zoning Permit application ~~shall~~  
116 must provide such information and documentation as necessary to  
117 demonstrate compliance with all applicable Zoning Ordinance  
118 requirements and authorize the Zoning Administrator to conduct an  
119 inspection prior to approval of the Zoning Permit to verify compliance  
120 with all applicable Zoning Ordinance requirements. At a minimum, the  
121 Zoning Permit application must provide the following:

122 a. Written consent from the property owner,

- b. The name and contact information of the Operator and/or Manager (if applicable),
- c. The type of dwelling unit(s) that will be rented,
- d. The address of the dwelling unit(s) that will be rented,
- e. The maximum rental capacity,
- f. The dates that the property will be rented, and
- ~~a-g.~~ A sketch plan showing the location of the dwelling unit(s) being rented and the required parking.

(2) The approved Zoning Permit for the Short-Term Rental – Commercial Whole-House use ~~shall~~must be displayed in a visible location upon entry into the Short-Term Rental – Commercial Whole-House use and included with all advertising materials.

(3) The Zoning Permit for a Short-Term Rental – Commercial Whole-House use shall be valid for only the original Operator, ~~parcel,~~ and dwelling(s) listed on the Zoning Permit application and ~~shall~~must not be transferable to any future Operator or other property. Changes to the information pertaining to the Operator or dwelling(s) listed on the Zoning Permit will require the issuance of a new Zoning Permit.

(4) No more than one Zoning Permit for a Short-Term Rental – Commercial Whole-House use shall be permitted per parcel.

~~(5) The Zoning Permit must indicate which dwelling(s) on the parcel is/are being used for the Short Term Rental – Commercial Whole House use. Zoning Permits for Short Term Rental – Commercial Whole House uses shall and Manager (if applicable) designate whether the use is being conducted in a single family detached dwelling or accessory dwelling and shall state the number of guest rooms in the dwelling(s) being used for a Short Term Rental – Commercial Whole House use and required parking.~~

(5) A Zoning Permit for a Short-Term Rental – Commercial Whole-House use shall not be issued on a parcel that is subject to an approved Zoning Permit for a Bed and Breakfast Homestay use, Bed and Breakfast Inn use, Country Inn use, Rural Retreats and Resorts use, or Short-Term Rental – Residential Accessory use. ~~use subject to Section 5-601 (Bed and Breakfast Homestay, Bed and Breakfast Inn, Country Inn, Rural Retreats and Rural Resorts Establishments) or for a use subject to Section 5-669 (Short Term Residential Rental – Residential Accessory Uses).~~

166 (6) The County approval of a Short-Term Rental – Commercial Whole  
167 House use through the issuance of a Zoning Permit is not intended to  
168 abrogate, annul or otherwise interfere with any easement, covenant or  
169 other private agreement or legal relationship, such as those of a  
170 Homeowners’ Association. However, where the regulations of this  
171 Ordinance are more restrictive or impose higher standards or  
172 requirements than such easements, covenants or other private  
173 agreements or legal relationships, the regulations of this Ordinance shall  
174 govern.

175  
176 (E) **Prohibition on Simultaneous Rental Contracts.** All guests staying within an  
177 individual and separate dwelling unit during a rental period for a Short-Term  
178 Rental – Commercial Whole-House use ~~shall~~must be covered under the same  
179 rental agreement.

180  
181 (F) **Parking Requirement.** Parking and Loading requirements for a Short-Term  
182 Rental – Commercial Whole-House use shall be provided ~~as required for a Bed~~  
183 ~~and Breakfast Homestay~~ pursuant to Section 5-1102. The required off-street  
184 parking spaces for a Short-Term Rental – Commercial Whole-House Rental use  
185 are 2.5 per dwelling unit, 1 per room and/or bedroom used for overnight  
186 accommodations for guests, and 1 per Operator/Manager. On-street parking is  
187 not permitted to count towards required parking.

188  
189 (G) **Exterior Lighting.** Exterior lighting for a Short-Term Rental – Commercial  
190 Whole-House use shall be subject to Sections 5-652(A)(1), 5-652(A)(2), and 5-  
191 652(A)(3) (Exterior Lighting Standards). In addition to ~~the said~~ requirements  
192 of Section 5-652, the maximum height of pole-mounted exterior lighting shall  
193 be 12 feet.

194  
195 (H) **Roads/Access.** For any Short-Term Rental – Commercial Whole-House use  
196 that is located on a lot or parcel which does not have frontage on a publicly  
197 maintained road, documentation shall be provided to the Zoning Administrator,  
198 at the time of Zoning Permit application, demonstrating that the private access  
199 easement serving such lot may be used to provide access to the establishment.

200  
201 (I) **Safety Requirements.** To the extent permissible under state law, tThe Short-  
202 Term Rental – Commercial Whole-House use ~~shall~~must include the following:

203  
204 (1) Dwellings used for Short-Term Rental – Commercial Whole-House  
205 uses must meet the fire and building code requirements as defined in  
206 13VAC5-51-91. Section A. 109.1 Inspection and Section 310.2 of the  
207 USBC or inspecting under § 27-98.2 of the Code of Virginia.  
208

209 ~~(1)~~(2) Each bedroom and floor of the single family detached dwelling or  
210 accessory dwelling used for the Short-Term Rental – Commercial  
211 Whole-House use ~~shall~~must have an operational smoke detector that is  
212 interconnected with the smoke detectors in the rest of the structure.  
213

214 ~~(2)~~(3) Each floor of the single family detached dwelling or accessory dwelling  
215 used for the Short-Term Rental – Commercial Whole-House use ~~shall~~  
216 must have at least one operational fire extinguisher that is clearly  
217 marked and accessible to guests.  
218

219 ~~(3)~~(4) ~~If the single family detached dwelling or accessory dwelling used for~~  
220 ~~the Short Term Rental – Commercial Whole House use is served by any~~  
221 ~~gas appliance(s),~~ Each floor of such dwelling ~~shall~~must have at least  
222 one operational carbon monoxide detector.  
223

224 ~~(4)~~(5) All rooms used for sleeping ~~shall~~must have at least two means of egress.  
225

226 ~~(5)~~(6) A fire safety plan and emergency contact ~~number information, including~~  
227 ~~the contact information for the Operator or Manager, local law~~  
228 ~~enforcement, and fire and rescue, shall~~must be posted in a visible  
229 location within the Short-Term Rental – Commercial Whole House use.  
230

231 (J) A structure existing prior to January 7, 2003, located within an Historic Site  
232 District or Historic and Cultural Conservation District may be used ~~for as~~ a  
233 Short-Term Rental – Commercial Whole-House ~~use and shall be exempt from~~  
234 ~~the minimum lot area requirements specific above, provided that-~~ aAny  
235 expansion or enlargement of such structure shall not exceed 15% of the total  
236 floor area existing prior to January 7, 2003, unless a greater expansion is  
237 approved by Minor Special Exception, pursuant to Section 6-1300.  
238

239 (K) Use of Affordable Dwelling Units (ADUs) Not Permitted. ADUs provided in  
240 accordance with Article 7 of this Ordinance may not be used for Short-Term  
241 Rental – Commercial Whole House Rental uses.  
242  
243  
244  
245

246 **Article 8 – Definitions**

247 S

248 **Short-Term Rental – Commercial Whole House:** The renting of a non-owner-occupied single  
249 family detached dwelling or a non-owner-occupied accessory dwelling [that is accessory to a](#)  
250 [principal single family detached dwelling](#) in which the entire dwelling is used for providing  
251 overnight accommodations for a period of fewer than 30 consecutive days in exchange for  
252 compensation.

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