



QUICK REFERENCE GUIDE TO YORK COUNTY'S SHORT-TERM RENTAL HOME (STR) POLICIES

If you are thinking about renting out your house, an accessory structure, or one or more rooms in your house on a short-term basis (i.e., fewer than 90 days), here are some things you need to know:

- In York County, short-term rentals (STRs) fall into the category of either tourist homes or bed and breakfast inns (B&Bs). The difference between the two is that in a B&B, breakfast is provided in addition to overnight accommodations, and the property owner is required to live on the premises or in an adjacent premises.
- Tourist homes and B&Bs are permitted as a matter of right in the LB (Limited Business) and GB (General Business) zoning districts. In residential zoning districts – RC, RR, R33, R20, R13, and RMF – they are permitted only upon the issuance of a Special Use Permit by the Board of Supervisors. Special Use Permits are a special privilege granted by the Board under a specific set of circumstances and conditions, and each application is unique. The Special Use Permit process typically takes between two and three months. It requires two advertised public hearings, one before the Planning Commission and one before the Board of Supervisors.

Any Special Use Permit application to establish a short-term rental must include the following items:

- A completed application form
- A Sketch Plan of the property clearly showing the property and all existing and planned physical improvements (e.g., the house and any garages, sheds, or other accessory structures, driveways, parking areas, etc.)
- A Floor Plan of the interior of the house with all rooms clearly labeled and with all areas that will be available to renters clearly identified.
- 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. In addition, the narrative description must specify if individual rooms within the house will be rented or if the property will be offered as a whole house rental.
- A Special Use Permit application filing fee of \$560. The check should be made payable to Treasurer, County of York.

Performance Standards for Short-Term Rentals:

- STRs in residential districts must have the appearance of a single-family detached home and normal accessory residential structures.
- In residential districts, *either* one freestanding sign, not exceeding three (3) square feet in area and three feet (3') in height, *or* one four (4) square foot wall sign, is permitted.

Performance Standards for Short-Term Rentals (continued):

- All parking must be accommodated on the site and not on the street. A minimum of two (2) parking spaces – or one (1) space if the owner/proprietor does not reside in the home – are required plus one (1) additional space for each sleeping room.
- The maximum number of guests will be determined by the Board of Supervisors based on the density and character of the area and the size and characteristics of the site.
- STRs are subject to the state sales tax as well as the 5% County transient occupancy tax and \$2.00 per night room tax. The proprietor is required to obtain a 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.
- An Emergency Action Plan identifying exit routes, fire extinguisher locations, and other life safety procedures must be approved by the Fire Marshal and posted conspicuously for guests' review.
- One or more fire extinguishers with a minimum rating of 2A10BC must be installed. The location(s) will be determined by the fire code official.
- A fire inspection conducted by the Department of Fire and Life Safety is required prior to the commencement of the STR use and annually thereafter.
- All smoke detectors must be interconnected and installed in accordance with the 2012 Virginia Residential Code, Section R314.

The Planning Commission and the Board of Supervisors will use the following criteria when evaluating your Special Use Permit application:

- Is the proposed STR compatible with the policies established in the York County Comprehensive Plan?
- Is the proposed STR compatible with the character of adjacent properties and the surrounding neighborhood and with existing and planned development?
- Are utilities, screening, landscaping, and open space adequate?
- Is there adequate on-site parking? (On-street parking will not be permitted.)
- Is the proposed STR consistent with the intent and function of the zoning district in which it is located?
- Does the proposed STR comply with all of the performance standards set forth in Section 24.1-409 of the Zoning Ordinance?
- Would the proposed STR have any negative external impacts, and if so, can they be mitigated through the establishment of special conditions?

If you are interested in applying for a Special Use Permit to operate a short-term rental, please contact the York County Planning Division at (757) 890-3404 or by email at planning@yorkcounty.gov, or visit our office at 100 County Drive in the York County Operations Center on Goodwin Neck Road.