



LANCASTER COUNTY, VIRGINIA APPLICATION FOR SPECIAL EXCEPTION (UNHOSTED SHORT-TERM RENTAL (STR))

Please fill out separate forms for each short-term rental being operated

FEE: The special exception application fee is **\$400.00**. Please include a check with your application, made payable to **“Treasurer, Lancaster County,”** and return to **Lancaster County, Virginia, Department of Planning and Land Use, 8311 Mary Ball Road, Lancaster, VA 22503**. Payment can also be received online at webfeepay.com. Please contact the Department of Planning and Land Use for further instructions prior to making any online payments.

PART 1 PROPERTY OFFERED FOR UNHOSTED SHORT-TERM RENTAL

STR Location Address: _____

Tax Map No(s): _____

Total number of bedrooms to be advertised for rent: _____

Total Number of guests allowed (including invited visitors): _____

Applicant (Property Owner) Name: _____

Name & Title of Officer, if business: _____

Mailing Address: _____

Phone Number(s): _____

Email Address(s): _____

PART 2 REQUIRED DOCUMENTS TO BE ATTACHED TO APPLICATION

*Please **initial** next to each statement below on the line provided to indicate compliance*

_____ I have attached a copy of my Commercial General Liability Insurance

_____ I have attached a copy of my Certificate of Occupancy

_____ I have attached a copy of my On-Site Septic Operational Permit OR Certificate of Occupancy for public sewer

_____ I have attached a copy of my parking plan

PART 3 OCCUPANCY LIMIT

The maximum number of people permitted to be on any short-term rental site, including overnight guests and invited visitors at other times, shall not exceed 20 persons at any time during the entire rental period. A different limit may be established as a condition of approval by the Board of Supervisors.

*Please insert an **“X”** below to indicate your answer*

Do you wish to request an increase in the occupancy limit? YES NO

*If you answered **“Yes”** above, please **initial** below to indicate compliance. If you answered **“No”** above, please leave blank.*

_____ I have attached a narrative describing my management plan for gatherings larger than 20 persons.

PART 4 APPLICANT ACKNOWLEDGES THE FOLLOWING REGULATIONS:

Please **initial** next to each statement on the line provided

_____ Short-term rental is rented for less than 30 consecutive days in exchange for payment or charge.

_____ Overnight guests shall be limited to a maximum of 2 persons per bedroom, excluding their minor children. The maximum number of people permitted to be on any short-term rental site, including overnight guests and invited visitors at other times, shall not exceed 20 persons at any time during the entire rental period (**unless specifically approved by the Board of Supervisors as part of the Special Exception Permit**).

_____ Maximum number of rented nights shall not exceed 240 per calendar year.

_____ Rental shall have no more than two rental contracts during any consecutive seven-day period and shall be limited to operating in one structure per property. The rented structure must have a Certificate of Occupancy form the Lancaster County Building Official verifying its use as a habitable structure.

_____ Operator shall maintain a registry showing the names and addresses of all transient visitors, all the dates rented and all of the short-term rental gross receipts. Said registry shall be retained for 4 years and must be made available, upon reasonable advance notice, to the Director of Planning and Land Use to verify that the short-term rental is being operated in accordance with the Lancaster County code.

_____ All short-term rental operators shall post in a prominent place within the rental unit a summary of applicable county ordinances (to be provided by the Director of Planning and Land Use), a copy of the parking plan, trash and waste pickup schedules, if any, emergency telephone numbers and any additional rules for short-term rental tenants.

_____ The short-term rental operator, his or her employee, or an authorized independent contractor shall be able to respond, by phone or in person, to any law enforcement or local government official or guest within 60 minutes in order to address any issues.

_____ The short-term rental operator is primarily responsible for visitors' safety under this ordinance and may have additional safety requirements under state and federal law.

_____ One working smoke detector shall be installed and maintained for each bedroom as provided in conformance with the provisions of the Uniform Statewide Building Code. Smoke detectors shall be inspected and tested at least quarterly to ensure they are in good working order.

_____ In short-term rentals equipped with propane, a working carbon monoxide (CO) detector shall be installed and maintained per the manufacturer's recommendations on each floor or level of the dwelling equipped for guests to sleep overnight.

_____ At least one (1) working fire extinguisher shall be provided and maintained per the manufacturer recommendations in the short-term rental. A fire extinguisher shall be located in or near the kitchen or any other area equipped for heating of food, and any other area which has any flame (including any wood-burning fireplace). At least quarterly, the short-term rental operator, his or her employee, or an authorized independent contractor shall inspect all fire extinguishers to ensure they are in good working order.

PART 5 APPLICANT ACKNOWLEDGES THE FOLLOWING ACTIVITIES ARE PROHIBITED:

Please **initial** next to each statement on the line provided

_____ No commercial uses. Commercial uses are strictly prohibited, unless specifically authorized as a condition of approval of the Special Exception by the Board of Supervisors for unhosted short-term

rentals or as authorized on a case-by-case basis by the Director of Planning and Land Use for hosted short-term rentals as outlined in Section 29-4-2 regarding larger gathering limits.

_____ No nuisances. No short-term rental operator or other person shall cause or allow a disturbance or nuisance that significantly affects the surrounding neighborhood.

_____ No disruptive parties or events. No short-term rental operator or other person shall allow, cause or participate in any disruptive party or any other disruptive event at any short-term rental or any property adjacent thereto.

_____ No inconsistent noise or activity. The noise and activity at a short-term rental shall be consistent with the typical level of noise and activity of the neighborhood in its vicinity.

_____ Quiet hours. Quiet hours at a short-term rental shall be from 11 p.m. to 7 a.m. daily (9 a.m. on Sunday). During those hours, there shall be no loud talking, singing, barking animals, amplified sound or other disturbing noise audible at the property line of the short-term rental.

_____ No Trespass. It is expressly forbidden for guests or visitors at a short-term rental to trespass on the lands or property of another.

_____ Portable or temporary shelters. No tents, travel trailers, recreational vehicles or similar portable or temporary shelters, including trailered boats, may be used as a short-term rental.

_____ No "open invite" parties or events. No parties or events without a set list of guests are permitted. No parties or events advertised, on social media or otherwise, to the public or large groups of people are permitted.

PART 6 ACKNOWLEDGEMENT AND CERTIFICATION

The undersigned applicant is hereby applying for a Special Exception Permit for an unhosted short-term rental located on the above-described property, as required by *Part I, Article 29 – Short Term Rental Regulations, of the Lancaster County Zoning Ordinance*. I affirm that the statements made in this application are correct. I further understand that upon the occurrence of a violation of a condition imposed on a Special Exception Permit, the Board of Supervisors may revoke the Special Exception Permit after notice and hearing as required in the Code of Virginia Section 15.2-2204.

_____ Date: _____
Applicant's Signature and Title, if applicable

FOR OFFICE USE ONLY:	
Permit Application Number: _____	Zoning Category: _____ Voting District: _____
Received by: _____	Date Received: _____
Application Fee Paid <input type="checkbox"/> Yes <input type="checkbox"/> No	Registry Fee Paid <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A, Exempt
Are the owners current on payment of their Transient Occupancy Tax? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A, first time registry	
Based on the on-site septic permit/certificate of occupancy for properties on public sewer, how many bedrooms are allowed? _____; how many guests are allowed, excluding their minor children? _____	
Board of Supervisors Action: <input type="checkbox"/> Approved <input type="checkbox"/> Denied	Date of Action: _____
Conditions: _____	



LANCASTER COUNTY, VIRGINIA

APPLICATION FOR SPECIAL EXCEPTION (UNHOSTED SHORT-TERM RENTAL (STR))

DEFINITIONS AND HELPFUL TIPS

PART 1 PROPERTY OFFERED FOR UNHOSTED SHORT-TERM RENTAL

"Short-Term Rental" (abbreviated "STR") 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.

"Unhosted Short-Term Rental" (abbreviated "Unhosted STR") means a dwelling where a portion of or the entire dwelling is used for sleeping or lodging for transient renters, which is rented for less than 30 consecutive days in exchange for a charge. The maximum number of rented nights shall not exceed 240 per calendar year.

PROPERTY INFORMATION: Only one 911-addressed property is to be used on one application. If you are seeking to host multiple rentals, an application needs to be filled out for each rental address.

Fill in all applicable tax map parcels that will be used as part of the rental, one of which must be the parcel the premises is located on. Additional parcels could include, for example: 1) adjacent, vacant parcels to be used for recreation as part of the rental (i.e. a beach access property owned by the applicant that is to be advertised as part of the rental offering), or 2) if the premises straddles a common property line of parcels owned by the applicant, both parcels should be listed. Parcel information can be looked up on the Lancaster County, Virginia Geographic Information System at <http://gis.lancova.com/>.

TOTAL NUMBER OF BEDROOMS & GUESTS: Overnight guests shall be limited to a maximum of two persons per bedroom, excluding their minor children. The maximum number of people permitted to be on any short-term rental site, including overnight guests and invited visitors at other times, shall not exceed 20 persons at any time during the entire rental period. The number of bedrooms shall be determined by the Virginia Department of Health Septic System Operational Permit or a Certificate of Occupancy for public sewer.

APPLICANT (PROPERTY OWNER): Fill in applicable information for the recorded, title owner of the real estate being offered for rental. Do not enter anyone that is a lessee, sublessee, licensee, or any other person or entity in possessory capacity. The applicant must be the recorded, title owner of the real estate to obtain a special exception permit.

PART 2 REQUIRED DOCUMENTS TO BE ATTACHED TO APPLICATION

Commercial General Liability Insurance: All STRs shall maintain a Commercial General Liability Insurance, specifically endorsed for Short Term Rentals, for a minimum of \$500,000.00, from a firm licensed to provide insurance in Virginia. Attach a copy of the Certificate of Insurance to this application.

Certificate of Occupancy: All STRs must have a Certificate of Occupancy on file with the County verifying its use as a habitable structure. If you cannot locate your Certificate of Occupancy, you may contact the Lancaster County Building Office at 804.462.5480 and request a copy if available. If you do not have a certificate of occupancy, one can be obtained by contacting the Building Department, in writing at build@lancova.com and requesting a short-term rental inspection. **The fee is \$50.00.**

On-Site Septic System/Public Sewer: To support the number of bedrooms and guests your provided in Part 1, provide one of the following: the Virginia Department of Health Operational Permit for an on-site septic system or a Certificate of Occupancy for public sewer. You may request your septic permitting information from the Virginia Department of Health utilizing the FOIA Request Portal at <https://vdh.nextrequest.com>, or by calling 804-462-9919 ext. 13. **Please reference the Three Rivers Health District and request your septic permit, sketch and operational permit.**

Parking Plan: You are required to have at least 1 parking space for each bedroom and/or other place equipped for guests to sleep. Please provide a visual depiction of the proposed parking area. You may use your existing survey or online satellite imagery and simply outline the parking area, designate the number of parking spots available, and provide any other pertinent information in writing.

PART 3 OCCUPANCY LIMIT

Overnight guests shall be limited to a maximum of 2 persons per bedroom, excluding their minor children. The maximum number of people permitted to be on any short-term rental site, including overnight guests and invited visitors at other times, shall not exceed 20 persons at any time during the entire rental period.

A different limit may be established as a condition of approval by the Board of Supervisors, by providing a general description of the type and manner of gatherings you will be hosting, as well as providing an adequate management plan for said gatherings.

If you request an increase in the occupancy limit, details in the management plan may include, but are not limited to, the following items: parking arrangements, solid waste collection & removal, noise, additional bathroom facilities (i.e. porta-john).

If you do not request an increase in the occupancy limit now, you may subsequently do so by applying for amendment to your existing special exception permit, providing the management plan, paying a \$400.00 application fee and having a public hearing at a Board of Supervisors meeting. Adjacent property owners will be notified of the public hearing, and the hearing will be advertised in the Rappahannock Record. (Your annual registry and Transient Occupancy Tax will need to be verified as current as well.)

PART 4, PART 5 and PART 6 ACKNOWLEDGEMENTS AND CERTIFICATION

Please be sure to initial each statement as identified under Parts 4 and 5 and sign under Part 6. Any missing initials or signatures will render the application incomplete and no further action will be taken until the application is fully acknowledged and signed.

Should you need to obtain a copy of the full Short-Term Rental Regulations as provided by Part I, Article 29 of the Lancaster County Zoning Ordinance, as amended, a digital copy is available on the County's website at <http://www.lancova.com> or a hard copy may be obtained from the Planning & Land Use Department located at 8311 Mary Ball Road, Lancaster, VA 22503.