

BOARD POLICY	
SUBJECT	Short-Term Rental Homes Policy (tourist homes and bed & breakfast inns)
POLICY NUMBER	BP24-30
ORIGINAL EFFECTIVE DATE	June 18, 2024
REVISION DATE	
HISTORICAL REFERENCE	R24-62 (June 18, 2024)

The objective of this policy is to establish additional guidelines that the Board may consider when evaluating use permit requests for the establishment of short-term rental homes (tourist homes and bed & breakfast inns). This policy will benefit the Board, Planning Commission, staff, and prospective applicants by providing clarity as to the criteria by which these applications will be evaluated, in conjunction with the zoning regulations for short-term rental homes as detailed in Section 24.1-409 of the York County Zoning Ordinance.

Procedure:

1. Applicability:

In addition to the provisions of Chapter 24.1-409, *Standards for boarding houses and short-term rental homes (tourist home and bed and breakfast establishments)* of the York County Zoning Ordinance, the Board may consider the guidelines detailed herein when evaluating an application for a short-term rental home.

2. Definitions (as referenced in Section 24.1-104):

- a. **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.
- b. **Bed & Breakfast Inn** – A dwelling in which, for compensation, breakfast and overnight accommodations are provided for transient guests.

3. Short-Term Rental Guidelines:

- a. When located in single-family residential zoning districts, short-term rental homes must have the appearance of a single-family detached residence and typical residential accessory structures.
- b. The Board will receive and consider comments from nearby residents when considering applications for short-term rental homes.
- c. The owner of a tourist home should reside either in the home or in an adjacent premises. If residing in an adjacent premises, the owner of a tourist home should reside within 3,000-feet of the tourist home. Tourist homes located within the Yorktown Village Activity zoning district are not subject to the prior distance restriction.
- d. A property owner should be limited to operating one (1) tourist home within York County. Owners of tourist homes located within the Yorktown Village Activity zoning district will be exempt from this limitation.
- e. When a bed and breakfast establishment is located in a residential zoning district, the owner of the property or the proprietor will live on the premises or on adjacent premises.

- f. New short-term rental homes, other than those located within the Yorktown Village Activity zoning district, should adhere to the following distance standards:
- (1) Short-term rental homes located in the Resource Conservation (RC), Rural Residential (RR) and Single-Family Low-Density (R33) zoning districts should not be located within one-half (0.5) mile of another short-term rental home.
 - (2) Short-term rental homes located in the Medium-Density Single Family Residential (R20) and Planned Development (PD) zoning districts should not be located within a one-quarter (0.25) mile of another short-term rental home.
 - (3) Short-term rental homes located in the High-Density Single Family (R13) and Multi-Family Residential (RMF) zoning districts should not be located within 750-feet of another short-term rental home.
- g. The Board may, as a condition of approval, limit a Special Use Permit or Yorktown Village Activity permit to the applicant.
- h. The Board will consider the adequacy and capacity of the adjacent roadway network to accommodate a proposed short-term rental home.
- i. A short-term rental that is equipped with a swimming pool shall comply with the barrier requirements set forth in Section 305 of the International Swimming Pool and Spa Code. The applicant shall provide satisfactory proof to the Building Official that the pool barrier meets current code or obtain a pool barrier permit from the Division of Building Safety prior to the approval of the Special Use Permit. Any approved application shall schedule an inspection every three (3) years by Building Safety for compliance with these requirements.
4. Nothing in this policy shall be deemed to prohibit the operation of an existing approved short-term rental home at the time of the original effective date.