Spotsylvania County
Planning Commission Agenda
Executive Summary

Meeting Date: Wednesday, January 21, 2026

Title: Staff Presentation of Short-Term Rental Ordinance

Type: Action Item

Agenda Title: Staff Presentation of Short-Term Rental Ordinance

Recommendation:

Summary: Staff will present a draft short-term rental ordinance and requests the Planning Commission's authorization to initiate the amendment and public hearings. Draft ordinance is attached.

Financial Impact:

Staff Contacts:
Kimberly Pomatto, Director of Planning & Zoning

Legal Counsel:

Additional Background/Other Considerations:

Consequence of Denial/Inaction:

ATTACHMENTS:
1. Draft STR Ordinance 01142026

CODE OF THE COUNTY
Chapter 23 - ZONING
ARTICLE 4. - DEVELOPMENT REVIEW PROCEDURES

DIVISION 15. SHORT TERM-RENTALS

DIVISION 15. SHORT-TERM RENTALS

Sec. 23-4.15.1. Definitions.

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, mortgagee in possession, licensee, or any other possessory capacity.

Property Owner, as defined in section 23-2.1.4., Definitions.

Short-term Rental means a room or rooms, including an entire building, 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 Permit means a permit issued by the Zoning Administrator or designee, authorizing, subject to certain conditions, a dwelling or portion thereof to be used as a Short-term Rental. A Short-term Rental Permit is required for the lawful operation of a Short-term Rental in Spotsylvania County.

Subject Property means the parcel (as defined in County Code Section 20-2.1.3) on which the Short-term Rental is situated.

(Ord. No. _____, _____)

Sec. 23-4.15.2. Permit Required.

It shall be unlawful for any Property Owner or Operator to operate a Short-term Rental without a current, valid Short-term Rental Permit. Property Owner must apply annually with Spotsylvania County for a current Short-term Rental Permit. No Short-term Rental Permit shall be issued unless Property Owner and Operator demonstrate compliance with the program and that there are no arrearages with regard to associated taxes, including but not limited to real property, sales, and transient occupancy taxes, and fees.

(Ord. No._____, _____)

Sec. 23-4.15.3. Same-Duration, scope and conditions.

(a) A Short-term Rental Permit issued in accordance with this article is valid from approval date for a period of one (1) year.

(b) Only one (1) Short-term Rental Permit can be issued for any single Subject Property.

(c) All Short-term Rental Permits issued in accordance with this article are subject to the following:

(1) Maximum occupancy means the occupancy of the entire building in which the Short-term Rental is situated, even if only a portion of it is offered for Short-term Rental. Maximum occupancy at any given time is limited to the permitted per person per day occupancy rating of the sewage disposal system serving the building subject to Short-term Rental as permitted by the Virginia Department of Health or in accordance with the Virginia Uniform Statewide Building Code whichever is less. The maximum occupancy must be posted in a visible location within the Short-term Rental for renter awareness.

(2) If applicable, the septic system serving the building subject to Short-term Rental must be pumped out annually and be in compliance with Virginia Department of Health regulations. Any notice of violation issued by the Virginia Department of Health will result in the issuance of a notice of violation by the Zoning Administrator.

(3) Each room with sleeping accommodations, whether or not designated as a bedroom and whether or not offered for rent, must be equipped with an operational smoke alarm. A fire exit plan must be prepared by the Property Owner and posted in a visible location within the Short-term Rental for renter awareness.

(4) dThe Property Owner must have a valid and applicable tax account(s) with the Commissioner of Revenue for the Subject Property.

(d) The zoning district of the Subject Property must allow Short-term Rental use. Nothing in this section shall be construed to repeal, amend or otherwise affect any zoning ordinance of the county, except the addition that, pursuant to Section 23-6.1.2, the Short-term Rental use is permissible in the A-2, A-3, R-A, R-1, R-2, R-3, R-8, R-12, R-R, PDH, R-MHP, Ru, V, PRR, MU zoning districts.

(Ord. No. _____, _____)

Sec. 23-4.15.4. Same-Application-Fee.

(a) Any Property Owner seeking a Short-term Rental Permit must submit a completed form application from the Planning and Zoning Department to the Zoning Administrator, or designee. The form must contain or be accompanied by such information and plans as required on the form or as determined necessary by the

Zoning Administrator, including at a minimum the following:

(1) Property Owner identification, including name, mailing address, phone number, email address and, if different, Short-term Rental property address, phone number, and any associated email address, and confirmation of whether the Short-term Rental is owner-occupied;
(2) Name, address, phone number, and email address of Operator, if the Subject Property is not operated by the Property Owner;
(3) Name, address, phone number, and email address of local responsible party in the event of an emergency or nuisance issue;
(4) Application must be signed by the Property Owner and, if different, also the Operator of the Subject Property. Signing the application constitutes the Property Owner's and Operator's agreement to abide by all applicable statutes, ordinances, laws, regulations, and rules, and grants authority to Spotsylvania County to enter onto the property for the purpose of conducting inspections to verify compliance.
(5) Property description including the subject address, zoning district, lot area, number of bedrooms, number of bedrooms subject to rental, and septic system capacity;
(6) Commissioner or Revenue tax account information for the subject address;

(7) Attachments:

(i) Short-term Rental floorplan identifying all rooms, sleeping accommodations, fire exits, location of smoke alarms;
(ii) Fire exit plan;
(iii) Septic System Pump out certificate from a Virginia Department of Professional and Occupational Regulation (DPOR) licensed Sewage Handler;
(iv) Copy of a completed Spotsylvania Building Safety Department Health Department Confirmation form confirming sewage disposal system capacity;
(v) Signed acknowledgement of receipt of Short-term Rental standards and affidavit confirming compliance with the standards.

(b) Registration fee of fifty dollars ($280) tendered to Spotsylvania County.

(Ord. No. _____, _____)

Sec. 23-4.15.5. Penalties and violations.

The Zoning Administrator shall revoke the then-current Short-tern Rental Permit upon violation of any provision of this ordinance. If the revocation occurs within two months of the expiration date of the then-current permit, the revocation renders the Subject Property ineligible for a Short-term Rental Permit for a one (1)-year period immediately following the expiration of the period during which the revocation occurred. A Subject Property at

which three (3) Notices of Violation have been issued within a five (5)-year period is not eligible to receive a Short-term Rental Permit for the next five (5) years following the third violation.

Except as set forth hereafter, the penalties in this section terminate upon the fee simple conveyance of the Subject Property by a duly recorded deed to a third party in an arms-length transaction. For purposes of this exception, none of the following is a conveyance to a third party in an arms-length transaction: (i) when any purchaser and any seller are related by blood or marriage; (ii) when any purchaser and any seller are corporate entities having one (1) or more shareholders, members, or owners in common; or (iii) when any purchaser was an owner of the Subject Property during any point in time in the five (5) years prior to the date of conveyance. Regardless of the identity of the purchaser, the penalties in this section do not terminate upon the fee simple conveyance of the Subject Property by a duly-recorded deed to a third party in an arms-length transaction if the Subject Property has the same Operator before and after the conveyance.

Violations are enforced pursuant to and in accordance with Article 9 of this Chapter (§ 23-9.1.1, *et seq.*). Revocation of the Short-term Rental Permit is subject to appeal to the Board of Zoning Appeals as set forth in County Code § 23-3.6.1, and from the Board of Zoning Appeals to the Circuit Court of Spotsylvania County pursuant to Virginia Code § 15.2-2314.

(Ord. No. _____, _____)