



# Short-Term Lodging (STL)

## Zoning Ordinance Amendment & Companion Amendment to Chapter 4 of the County Code

# OPTIONS and RECOMMENDATIONS

*Number of Nights an STL can be Operated:*

## Staff recommendation:

- 90 nights, Operator not required to be present

## Planning Commission recommendation:

- 15 nights without Operator presence
- Additional 30 nights if Operator present

## Options:

- 0-180 nights if Operator is present or not present

# OPTIONS and RECOMMENDATIONS

*Number of Persons Who Can Rent Per Night:*

Staff Recommendation:

- 6 adults

Planning Commission Recommendation:

- 4 adults

Options:

- Any number of renters (except as limited by Virginia USBC)

# OPTIONS and RECOMMENDATIONS

## *Parking/Advertising Requirements:*

### Staff Recommendation:

- Identify in all advertisements where renters can park or specify no parking available at property

### Planning Commission Recommendation:

- Require designation of one parking space that the Operator has authority to reserve/designate
- Include STL Permit Number & identify location of required parking & any other parking or public transportation options

### Options:

- Require 1-2 parking spaces

# OPTIONS and RECOMMENDATIONS

## *Who Can Operate an STL:*

### Staff and Planning Commission Recommendation:

- Only a permanent resident ( $\geq$  185 days of occupancy) of a dwelling

## *Authorized Agent Requirement:*

### Staff and Planning Commission Recommendation:

- Requires a designated adult to address issues

### Options:

- Require Operator to be present at all times or establish additional requirements related to the Authorized Agent's physical proximity and response time

# OPTIONS and RECOMMENDATIONS

*Maximum Number of Contracts per Night:*

Staff and Planning Commission Recommendation:

- 1 contract maximum per night

Options:

- Up to 5 contracts per night

*Prohibit Commercial Event Use:*

Staff and Planning Commission Recommendation:

- Prohibit hosting of commercial events such as parties, weddings, catered dinners etc.
- Except when activity is directly hosted by principal resident dwelling

# OPTIONS and RECOMMENDATIONS

## *Fees for STL Permit:*

### Staff and Planning Commission

#### Recommendation:

- \$200 for a 2 year permit

#### Options:

- \$50 - \$250 for a 1 or 2 year permit

## *Fees for Bed and Breakfast*

### *Special Exception:*

### Staff and Planning Commission

#### Recommendation:

- \$8,180 (currently \$16,375)

#### Options:

- \$4,085 - \$16,375

# Additional Planning Commission Recommendations

- Expedited follow-up amendment to permit the consideration of the following additional options:
  - Establish a special permit process to allow:
    - additional nights per year with or without the operator present
    - increase the # of adult lodgers
    - special permit fee of not less than \$910
  - Require a fire and safety inspection
    - appropriate fee for such an inspection
  - Reduce the Notice of Violation appeal period from 30 days to 10 days



# Additional Planning Commission Recommendations

- Require permit be notarized/operator affirms all information on application is true and correct under penalty of perjury
- Monitor STL activity and recommend necessary changes to the Board's current enforcement policy (i.e. special team to investigate and monitor compliance)
- Report status of STLs to the Commission and Board 12 - 18 months
- Explore possibility of entering into an agreement with the three major hosting platforms, Airbnb, VRBO, and Flip Key, to remove non-compliant operators from those platforms.



# Short-Term Lodging County Ordinance Chapter 4 Amendments

# Current & Advertised Amendments

Topic	Current Ordinance	Advertised Ordinance Amendment
<b>Hotel Definition</b>	Any public or private hotel, inn, apartment hotel, hostelry, tourist home or house, motel, rooming house or other lodging place within the County offering lodging <u>for <b>four</b> or more persons at any one time</u> , and the owner and operator thereof, who, for compensation, furnishes lodging to any transients as hereinafter defined.	Any public or private hotel, inn, apartment hotel, hostelry, tourist home or house, motel, rooming house, <u>any place that offers Short Term Lodging as defined in Article 20, Part 3 of the Fairfax County Zoning Ordinance</u> , or other lodging place within the County offering lodging <u>for <b>one</b> or more persons at any one time</u> , and the owner and operator thereof, who, for compensation, furnishes lodging to any transients as hereinafter defined.
<b>Transient Definition</b>	Any person who, for any <u>period of not more than thirty consecutive days</u> either at his own expense or at the expense of another, obtains lodging or the use of any space in any hotel as hereinabove defined, for which lodging or use of space a charge is made.	Any person who, for any <u>period of less than thirty consecutive days</u> either at his own expense or at the expense of another, obtains lodging or the use of any space in any hotel as hereinabove defined, for which lodging or use of space a charge is made.
<b>Filing Requirements</b>	Quarterly filing requirement. Monthly filing optional.	Monthly filing requirement. Quarterly filing discontinued.

# Considerations for Chapter 4 Amendments

- Proposed Tax Code amendments use a definition from the proposed Zoning Ordinance amendments.
- If amendments to the Zoning Ordinance are not approved, the Tax Code amendments cannot go forward.
- If amendments to the Zoning Ordinance are approved, a second vote on the proposed Tax Code amendments is required.

# Recommendations

Staff recommends the Board adopt a Short-Term Lodging Ordinance with a delayed effective date of 12:01 a.m. October 1, 2018.



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