
Sec. 24-4431. Accessory Short-term Rental (as accessory to a dwelling)

- A. Conditional use permit.** A conditional use permit is required for short term rental, hosted stays (see Article 8, Division 5, General Definitions) that are (1) located in a guesthouse, (2) located on a lot that does not abut a public street for at least 80 feet, (3) occupied by more than six short-term renters at any time, or (4) rented more than a total of 60 days in any calendar year, and for short term rental, unhosted stays (see Article 8, Division 5, General Definitions).
- B. Principal residence and ownership required.** Only a dwelling that is occupied by the property owner for at least 185 days per year may be offered for short-term rental. Prior to offering any property as a short-term rental, the property owner must certify, on a form provided by the Planning Director, that the property owner occupies the property for at least 185 days per year. For purposes of this section, ownership includes, among other forms, a dwelling (1) held by a person alone or in conjunction with his spouse as tenant or tenants for life or joint lives, (2) held in a revocable inter vivos trust over which a person or a person and his spouse hold the power of revocation, or (3) held in an irrevocable trust under which a person alone or in conjunction with his spouse possesses a life estate or an estate for joint lives or enjoys a continuing right of use or support. However, ownership does not include a dwelling held under a leasehold or term of years.
- C. Parking spaces.** One off-street parking space must be provided for each guestroom in addition to parking spaces required for the principal dwelling.
- D. Resolution of issues and complaints.** During short-term rental, hosted stays, the property owner must respond to and resolve issues and complaints that arise in connection with the stay at any time. For short-term rental, unhosted stays, prior to offering the property as a short-term rental, the property owner must provide, on a form provided by the Planning Director, the name and contact information of an adult who will be available at all times when the property is occupied as a short-term rental. The designated adult must respond in person at the property within 30 minutes whenever necessary to resolve issues and complaints arising in connection with the short-term rental.
- E. Limit on number of occupants.** The occupancy of any property during a short-term rental may not exceed a number equal to twice the number of bedrooms in the dwelling.
- F. Limitation on additional uses.** No property owner may offer as a short-term rental any property that is also used for a family day home, group home, assisted living facility, massage therapy, or taxi or other carrier service. No property owner may offer, allow, or provide a short-term rental for any other commercial use not customarily incidental to a one-family dwelling, including, without limitation, commercial use for parties, banquets, weddings, receptions, meetings, filming, or advertising activities.
- G. Prohibition against double-booking.** No property owner may rent any property pursuant to two or more booking transactions for the same dates, such that no two separately-booked groups of short-term renters may occupy the same property at the same time. For the purpose of this prohibition, a "booking transaction" is any transaction in which there is a charge to one or more short-term renters by a property owner in exchange for the occupancy of the property.
- H. Prohibition against renting to minors.** No property owner may provide a short-term rental unless at least one of the short-term renters is 18 years of age or older.

Article 4 Use Regulations

Division 4. Accessory Uses and Structures

- I. *Hours of check-in and check-out.* The property owner may not offer check-in or check-out services to short-term renters between the hours of 11:00 p.m. and 7:00 a.m.
- J. *Provision of smoke detectors, etc.* The property owner of any property offered for short-term rental must provide and maintain in good working order every smoke detector, carbon monoxide detector, and fire extinguisher required to be in the short-term rental by law. No property owner may obstruct any emergency egress required by law.
- K. *Posting of information required.* The property owner must conspicuously post the following information in any property offered for short-term rental:
 - 1. The property address;
 - 2. The name and contact information of the property owner and, if applicable, the adult designated pursuant to subsection D above;
 - 3. Detailed instructions for emergency shut-off of gas, electricity, and water, including the locations of gas and water valves and circuit breakers;
 - 4. Recycling and trash collection schedules; and
 - 5. The Henrico County noise ordinance.
- L. *Limitation on pets.* No property owner may allow more than three pets to be kept on the property of a short-term rental at any time.
- M. *Record of rentals.* The property owner must keep an accurate and complete record of each short-term rental for two years from the ending date of the rental and provide those records to the Planning Director for inspection upon the Director's request. The record of each rental must show, at a minimum, the beginning and ending dates of each rental and the number of persons occupying the dwelling.

Sec. 24-4432. Accessory Solar Energy Equipment

- A. Accessory solar energy equipment must comply with the maximum height standards for the zoning district in which it is located, except roof-mounted equipment may extend a maximum of three feet above the roofline of the building on which it is mounted, regardless of building height.
- B. Accessory solar energy equipment must not produce glare on neighboring properties.

Sec. 24-4433. Accessory Tasting and Retail Sales (as accessory to winery, brewery, or distillery)

A minimum of one off-street parking space meeting the requirements of Article 5, Division 1, Access, Circulation, Off-Street Parking, and Loading, must be provided for every 100 square feet of tasting areas and other areas designed for on-premise consumption of food and beverages.

Sec. 24-4434. Accessory Truck Rental (as accessory to retail sales, mini-warehouse, or self-service storage)

- A. A parking space must be provided for each rental vehicle, in addition to the off-street parking spaces required in Article 5, Division 2, Off-Street Parking and Loading.