



# Wachapreague Planning Commission January Meeting

Tuesday, January 17, 2023

## Commission Members

Joeckel, Aileen - **Chairperson**  
Elliott, Alena - **Vice-Chairperson**  
Watkinson, Tomeka - **Secretary**  
Bell, James  
Brittingham, Greg  
Elliott, Charles  
Vacant - **Council Rep**

## Commission Mission

Per: 15.2-2210 VA Code

All localities are required to create a local planning commission

The commission duties include

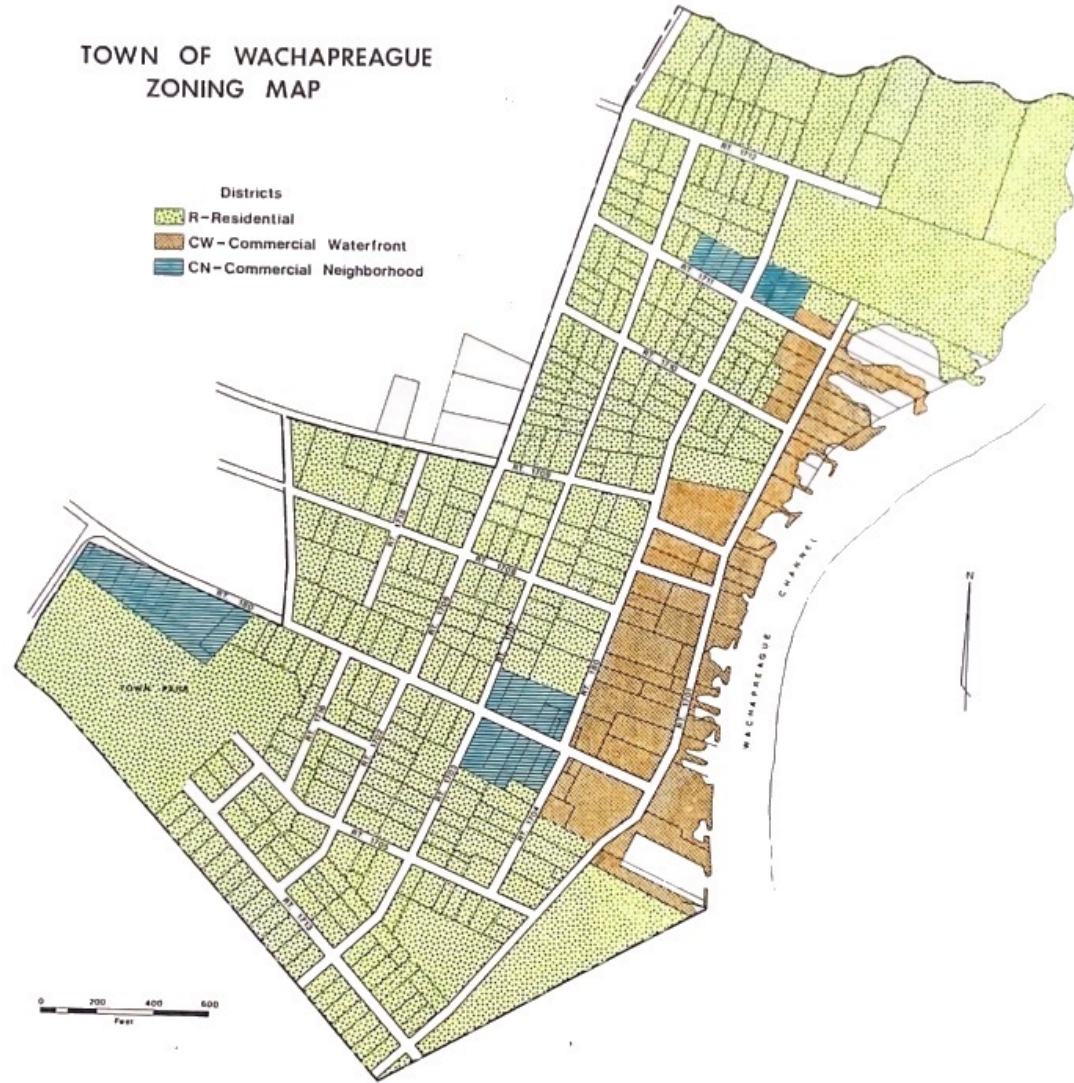
- preparing and recommending a Comprehensive Plan.
- Preparing and recommending a Capital Improvement Program.
- Preparing and recommending Zoning Map, Zoning Ordinances and related land use matters.

# Public Hearing

Tuesday, January 17, 2023

Proposed Ordinance: Short Term Rental  
Proposed: Ordinance: Bed and Breakfast

# TOWN OF WACHAPREAGUE ZONING MAP

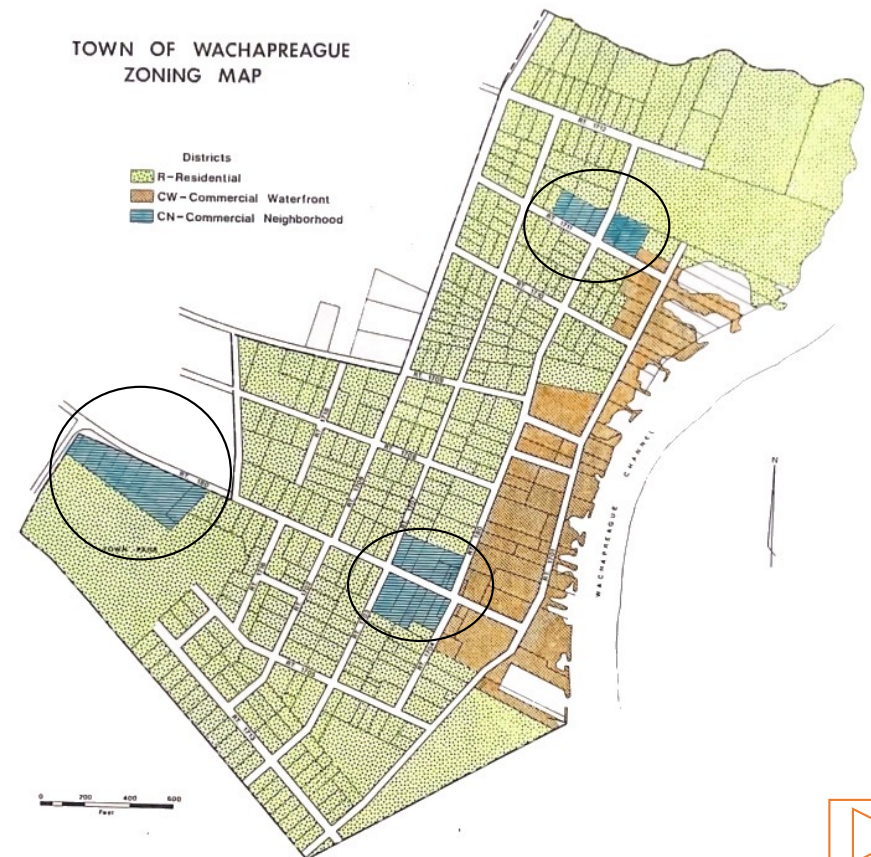


## SHORT TERM RENTAL (STR)

Short-term rental means a lodging use, that is not a hotel or motel or bed and breakfast, in which a dwelling unit, or portion thereof, that is offered or provided to a guest by a short-term rental operator for a fee and for fewer than thirty consecutive nights.

# SHORT TERM RENTAL (STR)

- Short-term rentals are allowed in the commercial neighborhood (CN) districts.
- Short-term rentals are prohibited in residential districts (R).
- A total of five (5) short-term rentals will be allowed. This number may be increased/decreased as needed by the Planning Commission and Town Council.



# SHORT TERM RENTAL (STR)

- Accessory structures shall not be used or occupied as short-term rentals.
- Properties will allow no more than two guests per bedroom and no more than four persons for each full bathroom. Families with children under the age of 18 are not limited to the number of guests allowed.
- The property must provide off-street parking for one vehicle for every two guests. Provisions will be made to park boats and trailers elsewhere on the property and not on public streets.
- The property owner must provide local contact information for a responsible party who will be available 24 hours a day, seven days a week, to respond to, and resolve issues and complaints that arise during a period in which the dwelling is being used as a short-term rental. This contact information will be made available to all adjoining property owners and will be posted in the short-term rental property.

# SHORT TERM RENTAL (STR)

- The short-term rental shall comply with all applicable town, county, state and federal statutes, regulations, and ordinances.
- Every short-term rental must obtain a business license.
  - The business license will be revoked if three or more substantiated complaints are received by the town, or failure to maintain compliance with any of the regulations set forth herein.
- Every short-term rental is required to submit transient occupancy tax (TOT). If any short-term rental is idle for 12 consecutive months or does not submit TOT as defined, the business license is automatically rescinded, and the owner must reapply using the process in place at the time of the reapplication.
- To the extent permitted by state law, each short-term rental must maintain registration with the Commissioner of Revenue's office and pay all applicable taxes.

# SHORT TERM RENTAL (STR)

- The owner of the property must annually provide the town with proof of insurance for property damage and liability in an amount no less than the full replacement value of the structure as it exists at the time of application and an amount of liability coverage no less than \$1,000,000.00 per occurrence and \$2,000,000.00 in aggregate.
- The property owner shall provide annual documentation to the town Zoning Administrator that the dwelling meets all applicable building code requirements for smoke alarms, carbon monoxide detectors, and fire suppression.
- The town reserves the right to inspect the residence based on complaints to verify that the short-term rental is being operated in accordance with the regulations set forth within this section.

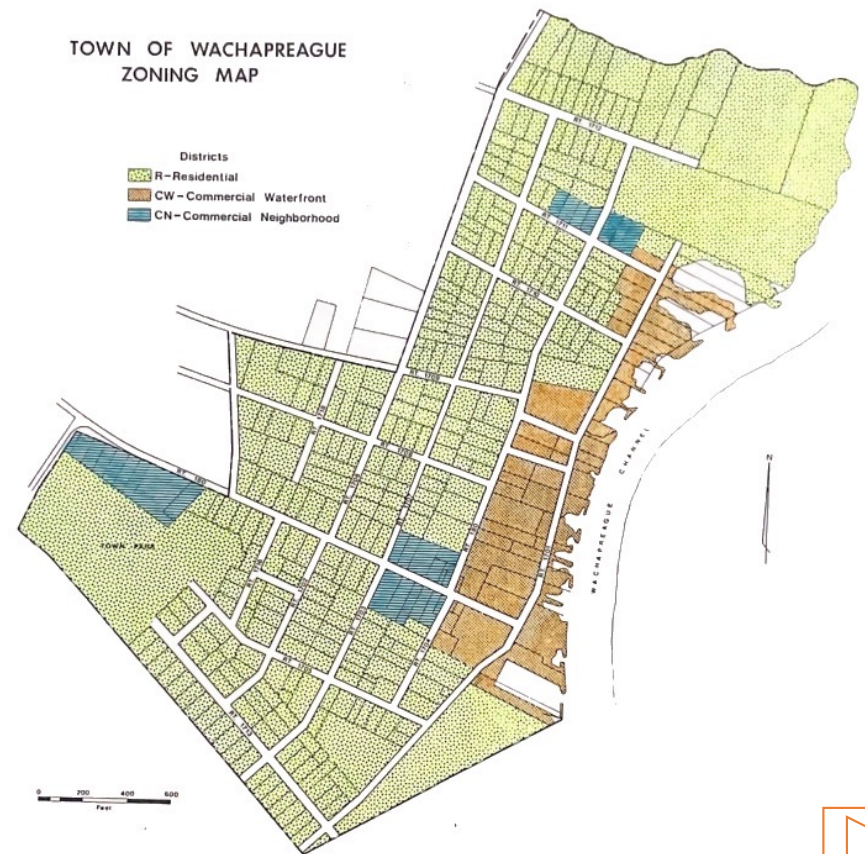


## BED AND BREAKFAST (B&B)

A bed and breakfast (B&B) is an owner-occupied residence with room(s) set aside for overnight paid accommodations where breakfast is served.

# BED AND BREAKFAST (B&B)

- Bed and breakfasts are allowed in both the commercial neighborhood (CN) and residential (R) districts.
- A total of five (5) Bed and breakfasts will be allowed. This number may be increased/decreased as needed by the Planning Commission and Town Council.



## BED AND BREAKFAST (B&B)

- Accessory structures shall not be used or occupied as bed and breakfasts.
- Properties will allow no more than two guests per bedroom and no more than four persons for each full bathroom. Families with children under the age of 18 are not limited to the number of guests allowed.
- The property must provide off-street parking for one vehicle for every two guests. Provisions will be made to park boats and trailers elsewhere on the property and not on public streets.
- The bed and breakfast shall comply with all applicable town, county, state and federal statutes, regulations, and ordinances.

# BED AND BREAKFAST (B&B)

- Every bed and breakfast must obtain a business license and maintain a Special Use Permit (SUP) from the town. Special Use Permits for B&Bs expire two-years from the date of issuance and must be reconsidered by town council following the application process in place at the time of the renewal request.
- The current Special Use Permit expires on change of property ownership. In the case of a contingent sale, the purchaser may apply for the Special Use Permit prior to closing if the purchaser wishes to continue operation as a Bed and Breakfast.
- The Special Use Permit may be revoked if three or more substantiated complaints are received by the town, or failure to maintain compliance with any of the regulations set forth herein

# BED AND BREAKFAST (B&B)

- Every bed and breakfast is required to submit transient occupancy tax (TOT). If any bed and breakfast is idle for 12 consecutive months or does not submit TOT as defined, the Special Use Permit is automatically rescinded, and the owner must reapply using the process in place at the time of the reapplication.
- To the extent permitted by state law, each bed and breakfast must maintain registration with the commissioner of revenue's office and pay all applicable taxes.
- The property owner shall provide annual documentation to the town Zoning Administrator that the dwelling meets all applicable building code requirements for smoke alarms, carbon monoxide detectors, and fire suppression.
- The town reserves the right to inspect the residence based on complaints to verify that the bed and breakfast is being operated in accordance with the regulations set forth within this section.



# PUBLIC COMMENT