

**Before completing the application, please read Zoning Ordinance §25-434 regulations found below.**

Upon receipt of the attached application and fee, Staff will review your short-term rental application to determine if you are in compliance, and may schedule a site visit.

Sec. 25-434. - Bed and breakfast and short-term rental establishments.

- (a) No occupation of a room or dwelling for short-term rental shall be permitted except in compliance with this section.
- (b) No short-term rental establishments may violate the provisions of Chapter 15. Offenses – Miscellaneous, Article II. Noise of the Botetourt County Code. In addition, any short-term rental establishment which has been granted a special exceptions permit by the board of supervisors is not to be exempted from the Noise Ordinance as stated in Sec. 15-54.
- (c) The following uses are permitted subject to all applicable district regulations of this chapter, including supplemental regulations listed for each use within this section, and following the issuance of a zoning permit and a short-term rental permit. The applicant shall submit the short-term rental permit application to the zoning administrator prior to the occupation of a room or dwelling for short-term rental and the application shall contain the following information:
  - 1) All relevant parcel information, including the tax map number, zoning district, address, and magisterial district.
  - 2) The applicant's name, address, and personal contact information, and the name, address, and personal contact information of the owner if different from that of the applicant.
  - 3) Information concerning the dwelling or portion of a dwelling which is to be rented, including the number of bedrooms, and whether the owner or applicant currently lives in the dwelling or on the property. The applicant shall also provide any additional information regarding the proposed use as required by the zoning administrator.
  - 4) The applicant shall certify the following:
    - a. There will be no change to the outside appearance of the dwelling or premises.
    - b. All vehicles shall be parked on the lot on which the rental establishment is located and shall be parked in driveways or parking areas designed and built to be parking areas.
    - c. Noise generated by the short-term rental use shall not violate the provisions of the Botetourt County Noise Ordinance.
    - d. The owner or manager has a plan to properly dispose of waste.
    - e. The number and placement of smoke detectors and fire extinguishers shall be compliant with the requirements of the current Virginia Construction Code.
  - 5) In addition, the applicant shall provide:
    - a. An approved Sewage Disposal Permit or other similar documentation from the Health Department, if applicable. If no permit is available, or the property is served by public or community water, the maximum permitted overnight occupancy shall be limited to 2 persons over 2 years in age per each bedroom.
    - b. A concept plan identifying the location of the rental unit(s) on the parcel and any additional structures on the property, setbacks, means of access, existing or proposed lighting, proposed signage and required on-site tenant parking areas.
    - c. Manager information, if the manager is not the applicant.
    - d. Any required fees.

- (d) The applicant shall be responsible for updating the short-term rental permit on file with the zoning administrator due to any changes. If the change in use or density results in the classification of the short-term rental as a different use, it must conform to all of the district requirements and supplemental regulations in this section. If the change of use is such that it is permitted only upon the granting of a special exception permit by board of supervisors, the short-term rental may not be occupied as such without first obtaining a special exception permit.
- (e) If the applicant has supplied materially misleading information relating to the approval of a short-term rental permit, or if the zoning administrator determines that there are reasonable grounds for revocation of short term rental permit, the zoning administrator may take action in accordance with Sec. 25-522. If the short term rental permit is revoked, any activities continuing pursuant to such permit shall be deemed to be in violation of this chapter and subject to the penalties detailed in Sec. 25-522.
- (f) Except as expressly provided in this section, no guest may occupy a short-term rental more than thirty consecutive nights in one calendar year. The operator of the short-term rental shall maintain a log of all guests, including their name, address, license plate number, and length of stay, and shall make the log available to county staff upon request.
- (g) The regulations listed below shall govern individual short-term rental uses as listed:
- 1) **Homestay** – An owner-occupied single-family dwelling, or portion thereof, where short-term lodging is provided, with or without meals, for compensation, to transient guests only. Meals may be provided to guests only. Up to 4 guest rooms may be provided, but the homestay shall be leased exclusively to any one family or group who area obligated by any one contract at one time.
    - a. The owner of the premises shall reside in and provide full-time management of this establishment at all times while the homestay is occupied by one or more guests.
    - b. The establishment shall not contain restaurant facilities, but may provide food service for transient, overnight guests only.
    - c. Up to four guestrooms may be provided for paying guests. Rooms may only be rented out under one contract at a time.
  - 2) **Cabin or cottage** - A single dwelling unit located on a single parcel, which is made available for short term rental (less than thirty days) in its entirety. More than one dwelling unit being used for short term rental on the same parcel shall be known as a Cabin or Cottage, Resort. The owner may reside, full-time, in a separate dwelling unit onsite.
    - a. There shall be no more than one cabin or cottage per parcel, provided that this requirement is in addition to those requirements listed in section 25-431(e) and in the relevant district regulations listed in Article II of this ordinance. Only one dwelling unit may be made available for short term rental per parcel.
    - b. Twenty-four hour off-site management is required. Contact information for the property manager must be kept updated with the zoning administrator and posted on the premises.
    - c. The maximum number of guests shall be determined by the septic capacity, as documented by the Health Department. If no permit is available, or the property is served by public or community water, the maximum permitted overnight occupancy shall be limited to 2 persons over 2 years in age per each bedroom.
  - 3) **Cabin or cottage, resort** - A lot, or tract of land operated as a commercial enterprise on which multiple dwelling units are made available for short term rental(less than 30 days). The owner may live in a separate dwelling unit on the site. Cabin or cottage resort does not mean mobile home park as defined herein.
    - a. The cabin or cottage, resort will have a maximum density of one dwelling unit per acre,
    - b. On-site management is required. Hours and contact information shall be updated with the zoning administrator.
    - c. The maximum number of guests shall be determined by the septic capacity, as documented by the Health Department. In lieu of provision of Health Department approval, the applicant may have up to two adult guests per bedroom of each dwelling unit.
    - d. Access to the property shall be acceptable to the Chief of Fire and Emergency Services.
  - 4) **Bed and breakfast** - A single-family dwelling, or portion thereof, where short-term lodging is provided for compensation to transient guests only. The operator may or may not live on the

premises. Meals may be provided to guests only. Up to fifteen (15) guest rooms may be provided.

- a. The owner or manager shall provide full-time management of the establishment at all times when the facility is occupied by one (1) or more guests.
- b. The establishment shall not contain restaurant facilities, but may provide food service for transient, overnight guests only.
- c. Up to fifteen (15) guestrooms may be provided for paying guests.
- d. Access to the property shall be acceptable to the Chief of Fire and Emergency Services.
- e. Health Department approval for sewage disposal, water supply, and kitchen facilities shall be submitted prior to site plan approval and issuance of a short-term rental permit.

The applicant shall certify the following:

- 1. There will be no change to the outside appearance of the dwelling or premises.
- 2. All vehicles shall be parked on the lot on which the rental establishment is located and shall be parked in the driveways or parking areas identified on the concept plan.
- 3. Noise generated by the short-term rental use shall not violate the provisions of the Botetourt County Noise Ordinance.
- 4. The number and placement of smoke detectors and fire extinguishers is compliant with the requirements of the current Virginia Construction Code.
- 5. There is a plan to properly dispose of solid waste generated on the property.

\_\_\_\_\_ **(initial)**

\_\_\_\_\_  
*Signature of applicant/property owner*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Signature of applicant/property owner*

\_\_\_\_\_  
*Date*

**Short-Term Rental Permit Application**

Botetourt County Community Development  
Planning & Zoning  
57 S. Center Drive, Daleville, VA 24083  
540.928.2080  
E: [planning@botetourtva.gov](mailto:planning@botetourtva.gov)



Upon approval of the Short-term Rental Permit, it is the responsibility of the applicant to obtain a Business License and collect the required Transient Occupancy Tax. For more information, please contact the Commissioner of the Revenue at 540-928-2050.

<b>Request</b>	
Please check the type of Short-term Rental (as defined in Zoning Ordinance): Homestay <input type="checkbox"/> Cabin or Cottage <input type="checkbox"/> Cabin or Cottage Resort <input type="checkbox"/> Bed & Breakfast <input type="checkbox"/>	
<b>Parcel Information</b>	
Street Address:	Tax Map Parcel #:
<b>Owner Information</b>	
Name:	Phone #:
Mailing Address:	
City, State, Zip code:	Email:
<b>Applicant Information (if different from above)</b>	
Name:	Phone #:
Mailing Address: <i>Click or tap here to enter text.</i>	24 hour contact phone # (if different from above):
City, State, Zip code:	Email:
<b>Dwelling Information</b>	
Number of dwellings on the Tax Map Parcel:	Owner occupied: <b>Y</b> <b>N</b> Manager occupied: <b>Y</b> <b>N</b>
Total Number of bedrooms in the home:	
Total Number of bedrooms used as guestrooms for short term rental:	
<b>Submitted with this application:</b>	
<ol style="list-style-type: none"><li>1. Approved Sewage Disposal System Permit issued by the Health Department, if applicable. If no permit is available, or the property is served by public or community sewer, the maximum permitted overnight occupancy shall be limited to 2 persons, over 2 year in age, per each bedroom.</li><li>2. Concept Plan identifying location of the rental unit and any additional structures on the property, setbacks, access (the driveway), existing or proposed lighting, proposed signage and required on-site tenant parking areas.</li><li>3. Manager information, if owner does not live on-site.</li><li>4. Permit application fee.</li></ol>	