



TOWN OF ALTAVISTA PLANNING COMMISSION

April 3, 2023

AGENDA COVER SHEET

AGENDA ITEM #: 9.1

Unfinished Business

Title: Short Term Rental Discussion

Staff Resource: Sharon D. Williams, AICP, Community Development Director

Action(s):

Receive the information from staff and discuss possible options for a Short Term Rental Ordinance.

Explanation:

Staff is preparing to draft a short term rental ordinance and is seeking guidance from the Planning Commission.

Background:

On October 1, 2022, §58.1-3826 of the Code of Virginia was enacted, which requires that Third Party Accommodation Intermediary Companies file, collect, and remit the local Transient Occupancy Tax, as well as retail sales and use tax on rooms, lodgings, and accommodations. The Town of Altavista is required to accept the payments submitted; however, there is no provision within the Zoning Ordinance that defines or regulates this use. The Code of Virginia § 58.1-3826 (C). states “For any retail sale of accommodations facilitated by an accommodations intermediary, the accommodations intermediary shall be deemed under this article as a facility making a retail sale of an accommodation. The accommodations intermediary shall collect the tax imposed pursuant to this article, computed on the room charge, and shall remit the same to the locality and shall be liable for the same.”

Staff has reviewed ordinances from other localities to guide the Planning Commission's short term rental discussion. Matters to consider are:

1. Should short term rentals be permitted by-right or with a Special Use Permit.
2. Should there be a limit on the number of days per year that a property can be used for this purpose.
3. Is a restriction on the number of days that a house can be rented necessary? After 30 days lodging tax can no longer be charged for the use.
4. There are generally two types of rentals, which are homestay and entire house rentals. A homestay is the accessory or secondary use of a residential dwelling or a portion thereof by a host to provide room or space that is intended for short term transient rental purposes in exchange for a charge for the occupancy. Entire house rentals are houses where the owner is not present. Should both types of rentals be permitted.
5. Should the use be permitted in all zoning districts?
6. If this use is approved, what should be the registration process and associated fees.
7. What is the recommended process for violations, if the use is approved. Should this be an administrative act by staff or should a more formal process be established.

Funding Source(s):

Public Hearing Ad

Attachments: *(click item to open)*

[*Short Term Rental 3.29.23.pdf*](#)

[*15.2-983. Creation of registry for short-term rental of property.pdf*](#)
[*transient occupancy tax.pdf*](#)