



Frederick County, VA Short-Term Lodging (STL) Permit Application

Application Revised February 28, 2024

SUBMISSION REQUIREMENTS

1. **APPLICATION FORM:** The application (pages 2 through 4) should be complete with signatures. *The owner should provide a "Local Emergency Contact" only when the owner is also the "Operator." If a designated "Operator" is provided separate from the owner, no "Local Emergency Contact" information and signature is required. The "Local Emergency Contact" may not be someone in the same household as the owner.*
2. **APPLICATION FEE:** Application fee in the amount for \$200 for a two (2) year permit. Payment should be made in the form of a check payable to the "Treasurer of Frederick County" or electronic means through the Treasurer's office.
3. **SAFETY/EXIT PATHWAY PLAN:** Please provide a copy of the plan posted inside the door of each sleeping room showing the exit pathway from the sleeping room used for STL to the nearest exit from the dwelling or manufactured home. The plan may be drawn by hand or created electronically.
4. **REVIEW AGENCY APPROVAL:** Approvals are required from following agencies: the Frederick County Building Official (Building Inspections Department), the Frederick County Fire Marshal, and the Virginia Department of Health (VDH, only required if property has a well and on-site sewage disposal system. Planning and Development will forward the application to the listed agencies. It is the responsibility of the applicant to schedule inspection dates for the appropriate agencies.
5. **ZONING REVIEW FORM AND BUSINESS LICENSE:** A zoning review form and business license are required for STL operations within Frederick County. A zoning review form can be submitted with this application. The business license application can be submitted through the Business Division in the Commissioner of Revenue's Office. Both forms can be submitted in person or via web at <https://www.fcva.us/departments/commissioner-of-the-revenue/business-division>. Should there be any questions about the business license application, you may contact the Business Division at (540) 665-5681.

A completed application and fee check should be submitted in hard copy with signatures to the Department of Planning & Development: 107 N. Kent Street, Suite 202, Winchester, VA 22601.

Questions regarding the application and/or short-term lodging regulations? Contact the Department of Planning and Development at 540-665-5651.

The following standards govern the establishment and operation of a short-term lodging (STL) use as an accessory use to the principal occupancy of a dwelling, pursuant to the Frederick County Zoning Ordinance:

A dwelling or manufactured home used for STL shall comply with the following standards (pursuant to §165-204.35):

- **Be available for inspection** by the County during reasonable hours and in accordance with the Zoning Ordinance. Comply with the requirements of the applicable version of the Virginia Uniform Statewide Building Code or Virginia Manufactured Home Safety Regulations, as determined by the Building Official.
- Have a working multi-purpose **fire extinguisher, smoke detectors and carbon monoxide detectors** (when required for a fireplace or gas service).
- Have a **plan posted** inside the **door of each sleeping room showing the exit pathway** from the sleeping room used for STL to the nearest exit from the dwelling or manufactured home. (A copy of which shall be attached to this STL Permit Application).
- Have **at least two (2) designated off-street parking spaces** available for lodgers, which the Operator has the authority to reserve for STL purposes.
- The maximum number of lodgers per night may not exceed **10 unrelated persons**, except where the Uniform Statewide Building Code requires fewer occupants.
- The maximum number of rental **contracts for a short-term lodging dwelling unit per night is one (1)**. All lodgers occupying a STL dwelling unit must be associated with the same rental contract.
- **Special events**, including weddings, parties, banquets, fund raising, commercial or advertising activities, and any other gathering of persons other than the authorized lodgers, whether for direct or indirect compensation—are **prohibited** in association with any STL unless the owner has a separate approved conditional use permit (CUP).

A STL Owner/Operator must:

- Obtain **written consent from the owner** of the property for the STL use if the STL Operator is not the owner of the real property that will be used for short-term lodging.
- Be responsible for determining whether any regulations, prohibitions, and covenants applicable to the dwelling or manufactured home prohibit STL.
- **Designate** at least one (1) person who consents to serve as a Local Emergency Contact to accept service of any legal papers relating to the STL use for the STL owner and/or operator.
- **Maintain a guest log** including the name, address, and telephone number of all overnight lodgers. The guest log must be made available upon request to any County employee or agent tasked with enforcing the Zoning Ordinance or other applicable part of the County Code.
- **Remain in compliance** with the Commissioner of the Revenue regarding Business License, Business Equipment, and the Transient Occupancy Tax (TOT) collection and remittance.

The Zoning Administrator’s issuance of a permit does not abrogate, nullify, or invalidate any other provision of federal, state, or local law; any restrictive covenant; or any property owners’ association by-law.

I acknowledge and understand the above requirements. Failure to follow any of the above standards may result in the revocation of my permit and/or penalties.

Signature of STL Operator

Date

SHORT-TERM LODGING OPERATOR

STL Operator Name:	
Street Address of STL:	Unit:
City:	Zip Code:
PIN #:	Zoning District:
Magisterial District:	
Operator Phone Number:	Email:
Number of Bedrooms:	Number of Guests (up to 10 unrelated):

OWNER OF THE PROPERTY *(only if different from the Operator)*

Property Owner Name:	
Street Address:	State:
City:	Zip Code:
Owner Phone Number:	Email:

LOCAL EMERGENCY CONTACT *(only required if the Property Owner/STL Operator are the same person; must reside in Frederick County)*

Local Emergency Contact Name:	
Street Address:	State: Virginia
City:	Zip Code:
Agent Phone Number:	Email:

OFF-STREET PARKING LOCATION: Please provide a statement in the box below identifying the location of at least two (2) designed off-street parking spaces available for lodgers, which you as the Operator have the authority to reserve for STL purposes. *The owner may attach a separate sketch indicating the location of designate parking, as necessary.*

SHORT-TERM LODGING OPERATOR CERTIFICATION

As an OPERATOR, my signature on this form certifies that I understand the requirements of the Short-Term Lodging (STL) Permit, all information is true and accurate, and that I agree to the following:

1. To abide by the standards set forth in §165-204.35 and any other applicable requirements of the Zoning Ordinance and to any other applicable federal, state, and local laws and regulations, whether related to the building in which the use is conducted or to the use itself.
2. That the dwelling or manufactured home will be open for inspection by County personnel during reasonable hours; and
3. That I acknowledge that the application property may be located within an area that is subject to additional restrictions pursuant to covenants, bylaws, regulations, or other limitations imposed pursuant to the Property Owners' Association Act, Condominium Act, or the Virginia Real Estate Cooperative Act. As such, I acknowledge that issuance of this Permit DOES NOT abrogate, nullify, override, or otherwise have any effect on the applicability of any such regulations, declarations, or limitations applicable to this property. Compliance with any such regulations, declarations, or limitations is the responsibility of the Operator/Owner.
4. To remain in compliance with the Commissioner of the Revenue regarding Business License, Business Equipment, and the Transient Occupancy Tax (TOT) collection and remittance.
5. That this permit expires, without notice at 11:59 P.M. on the last day of the period of validity and requires renewal every two (2) years.
6. That failure to abide by the regulations set forth in the Zoning Ordinance §165-204.35 may result in permit revocation.

I certify that I understand the requirements of the Short-Term Lodging Permit and will comply with all standards set forth in the Zoning Ordinance and any other applicable regulation, limitation, or requirement.

Signature of STL Operator

Date

SHORT-TERM LODGING OWNER CERTIFICATION

I certify that I am the owner of the property identified on this application and I consent to the use of the property for short-term lodging, as will be operated by the applicant identified herein. I acknowledge that any violation related to the short-term lodging is deemed to be a violation by both the Operator and the Owner.

Signature of Property Owner

Date

EMERGENCY CONTACT CERTIFICATION *(only required if the Property Owner/STL Operator are the same person)*

I certify that I understand the responsibilities of the Local Emergency Contact for the short-term lodging operation and consent to perform the duties outlined on in this Permit Application, in conformance with the Zoning Ordinance.

Signature of Local Emergency Contact

Date

FOR INTERNAL USE ONLY – To-Be-Completed by Planning and Development Department Staff	
Zoning Administrator Signature:	
Date of Approval of Short-Term Lodging (STL):	
Short-Term Lodging (STL) Permit Number:	STL #:
Period of Validity (Two-Years from Date of Approval):	
Fee:	\$200.00
Receipt Number:	