



Agenda  
City of Clarkesville  
Planning Commission Work  
Session  
6:00 AM February 13, 2024

1. Call to order
2. Unfinished business
  - 2.a Discuss the final draft of zoning ordinance Section 731 - Short-term rentals.
3. New business  
No new business.
4. Adjournment

Section 731. Short-term Rentals; Purpose.

The purpose of this article is to establish regulations for the use of a residential structure or any part thereof as a short-term rental in the City of Clarkesville while minimizing the negative, secondary effects on surrounding properties, to ensure proper safety precautions are in place, and to facilitate the collection and payment of hotel/motel taxes as allowed by state law and city code.

Section 732. License required.

It is unlawful for any person to operate or advertise as a short-term rental within the city without a valid business occupational tax license, and authorization to collect hotel/motel tax.

Section 733. Permitted uses.

(a) Short-term rentals are allowed as a permitted use in DB Downtown Business District and HB Highway Business District. Short-term rentals in the Downtown Business District shall not be permitted on first-floor or street-level spaces.

(b) Short-term rentals are allowed as a conditional use in R-1 Residential Single-Family, R-1A Residential Single-Family, R-1B Residential Single-Family, R-2 Residential Multi-Family, PRO Professional, and CB Community Business Districts. Short-term rental properties in these districts will have to acquire a conditional use permit through the process outlined in this ordinance and obtain an occupational tax license and hotel/motel tax authorization certificate, prior to renting the property.

(c) Short-term rentals are prohibited in R Single-Family Residential, INS Institutional, and M-1 Light Industrial Districts.

(d) Conditional use permits for short-term rentals will not be issued to property owners in subdivisions unless short-term rentals are specifically allowed by the subdivision or homeowners association covenants - or with a signed majority of the homeowners in the subdivision if there is no homeowners association.

### Section 734. Applications and Location.

Short-term rental conditional use permit applications have to comply with Appendix D, Section 3 of the Zoning Ordinance and in addition:

- 1) Acknowledge that the applicant will keep the total number of guests to that number which can safely stay on the premises and that the applicant may be subject to the State of Georgia's fire safety code regulations.
- 2) Certify that there are no deed restrictions and/or covenants on a property that prohibits the use of the property as a short-term rental.
- 3) Certify that the owner has commercial or specific short-term rental insurance for the property.
- 4) Attest by owner or third-party inspector that short-term rentals meet applicable International Building Code, International Fire Code regulations and NFPA 101 Life Safety Codes.
- 5) Short-term rentals must be located at least fifteen hundred (1,500) feet from an existing short-term rental. This measurement is from property line to property line.

### Section 735. Short-term rental requirements.

This section applies to all short-term rental properties in the City of Clarkesville and is in addition to any rules that the property is subject to via any land covenants, homeowner association covenants, subdivision rules, etc.

Parking. Vehicles shall not be parked on any public right-of-way so as to hinder access to such and shall not be parked along any roadways which would cause safety issues, hinder access to such roadways or be in violation of any laws, subdivision rules, etc.

Solid waste/trash. Trash and refuse shall not be left or stored in such a way that would cause safety issues, hinder access to the public right-of-way, violate subdivision rules, etc.

Noise. Short-term rentals shall not violate any noise or sound regulations, subdivision rules, etc.

Hours of operation. Check-in/departure and other rental-related activities should occur between 3 p.m. and 10 p.m.

Additional information. Short-term rental owners or responsible parties must provide the City of Clarkesville Clerk's office with the following information:

1. Full contact information for a local contact (responsible party) who is available 24 hours a day to respond within two hours to any complaint about the property or guest behavior.
2. The 911 address for all properties owned/operated by the occupational tax license owner or responsible management company within the City of Clarkesville.
3. Certify that there are no unpaid financial obligations to the City of Clarkesville.
4. Business occupation tax certificate and hotel/motel tax authorization certificate must be prominently displayed at the property.

Section 736. Violations.

All violations will be dealt with in accordance with article XXVI of this Ordinance.