

ORDINANCE 20-26

AN ORDINANCE OF THE CITY OF WHITE HOUSE, TENNESSEE AMENDING ARTICLE V OF THE ZONING ORDINANCE, AS INDICATED BELOW, CONCERNING SHORT TERM RENTAL DEFINED REGULATIONS IN THE FOLLOWING ZONING DISTRICTS: R-40, LARGE LOT RESIDENTIAL DISTRICT, R-20, LOW DENSITY RESIDENTIAL DISTRICT, R-15, MEDIUM DENSITY RESIDENTIAL DISTRICT, R-10, HIGH DENSITY RESIDENTIAL DISTRICT, C-1R CENTRAL BUSINESS SERVICE DISTRICT-GATEWAY INFILL RESIDENTIAL, C-1 CENTRAL BUSINESS SERVICE DISTRICT, C-6 TOWN CENTER COMMERCIAL DISTRICT.

WHEREAS, the Board of Mayor and Aldermen wishes to amend the Zoning Ordinance to provide defined regulation for Short Term Rental in Zoning Districts.

NOW, THEREFORE, BE IT ORDAINED by the Board of Mayor and Aldermen that the Zoning Ordinance Articles V are amended as indicated below.

BE IT FURTHER ORDAINED that this Ordinance has been approved by the Planning Commission.

This ordinance shall become effective upon its final reading and adoption by the Board of Mayor and Aldermen, and publication, the public welfare requiring it.

First Reading: November 19, 2020 PASSED

Second Reading: December 17, 2020 PASSED



Michael Arnold, Mayor

ATTEST:



Derek Watson, City Recorder

(Definitions)

"Short-term rental unit" or "unit" means a residential dwelling that is rented wholly or partially for a fee for a period of less than thirty (30) continuous days and either defined as an owner occupied or primary short-term rental. Short-term-owner occupied includes a single-family dwelling occupied by a property owner or owners that reside in the residential dwelling unit on a permanent basis in addition to the rented rooms. Short-term rental primary includes a residential dwelling unit that is rented wholly without owner or owners occupying the residential dwelling unit.

4.100 Special Conditions for Review Pertaining to Bed and Breakfast Home Residences and Short-Term Rentals

- A. Bed and Breakfast Home Residences: In addition to the requirements for the applicable district, the following special conditions shall be met prior to issuing a conditional use permit:
1. Bed and breakfast residences shall be established only within preexisting single family dwellings.
 2. Bed and breakfast residences shall continuously maintain current licenses and permits as required by local and state agencies.
 3. Bed and breakfast residences shall be solely operated by members of the family residing in the residence.
 4. The only meal to be provided to guests shall be breakfast, and it shall only be served to guests taking lodging in the facility.
 5. No food preparation or cooking for guests shall be conducted within any bedroom made available for rent.
 6. Rooms used for sleeping shall be part of the primary residential structure and shall not have been specifically constructed or remodeled for rental purposes.
 7. Bed and breakfast residences shall be limited to a single on-premises sign which shall be no greater than eight (8) square feet in size, and shall be located no closer to the street, right-of-way line than fifteen (15) feet.
 8. One (1) off-street parking space shall be provided for each rentable room in addition to the required two (2) spaces required for the single-family residence. All such spaces shall be screened from view from adjoining property and shall not be located within any required front yard.
 9. If food is prepared or cooked, a menu made available, and a price is charged therefor, a food server's license must be obtained from the Tennessee Department of Health.
 10. A smoke detector shall be installed in each sleeping room, and a fire extinguisher (ABC) ten (10) pounds in size or larger shall be installed and made easily accessible on the floor or story.
 11. An evacuation plan must be approved by the city's building/fire official prior to the issuance of a use and occupancy permit for a bed and breakfast residence.
 12. Modifications of the structure or grounds may be made only if such changes are compatible with the character of the area or neighborhood, and the intent of the zoning district in which it is located.
 13. ***The Board shall review the existing neighborhood character including property sizes and street conditions and layout to determine if the use would be compatible in the neighborhood.***

Prior to the issuance of a certificate of occupancy for the establishment of any bed and breakfast residence not connected to the city's public sewerage system, certification shall be provided by the county health department approving the subsurface disposal system as being adequate to serve the total number of bedrooms occupied.

- B. Short Term Rentals-Owner Occupied: In addition to the requirements for the applicable district, the following special conditions shall be met prior to issuing a conditional use permit:***

- 1. A property owner must reside permanently in the single-family dwelling in order for a single-family dwelling to include no more than two (2) rooms available for rental.***

2. *Property owner to continuously maintain current licenses and permits as required by local and state agencies. A building and fire safety inspection shall be required with the city licensing process.*
3. *No food preparation or cooking for guests shall be conducted within any room made available for rent. The room for rent shall not be an independent dwelling unit including a kitchen.*
4. *Rooms used for sleeping shall be part of the primary residential structure and not located in a detached or accessory building.*
5. *One (1) off-street parking space shall be provided for each rentable room in addition to the required two (2) spaces required for the single-family dwelling.*
6. *Modification of the structure or grounds may be made only if such changes are compatible with the character of the area or neighborhood, and the intent of the zoning district in which it is located.*
7. *Conditional use application to include plans to show rental room locations and set-up and parking area.*
8. *The Board shall review the existing neighborhood character including property sizes and street conditions and layout to determine if the use would be compatible in the neighborhood.*

C. Short Term Rentals-Primary: In addition to the requirements for the applicable district, the following special conditions shall be met prior to issuing a conditional use permit

1. *No more than four (4) bedroom or sleeping rooms in the residential dwelling unit is permitted*
2. *Dwelling to be rented wholly and shall not include partial or individual room rentals.*
3. *Property owner to continuously maintain current licenses and permits as required by local and state agencies. A building and fire safety inspection shall be required with the city licensing process.*
4. *No food preparation or cooking for guests shall be conducted within any sleeping room made available for rent. Only one shared kitchen facility is permitted.*
5. *One (1) off-street parking space shall be provided for each rentable sleeping room.*
6. *Conditional use application to include plans to show building floor plans and parking area. If application approved, the City's site plan process of the Zoning Ordinance and Commercial Designs Standards is required for all building and parking lot alterations and expansions.*

5.052.1 R-40, Large Lot Residential District

- C. (7) Uses Permitted as Special Exceptions
Bed and Breakfast Home Residences and Short-Term Rental Owner Occupied. (See Article IV, Section 4.100, Special Conditions for Review Pertaining to Bed and Breakfast Home Residences).

5.052.2 R-20, Low Density Residential Districts

- C. (8) Uses Permitted as Special Exceptions

Bed and Breakfast Home Residences and *Short-Term Rental-Owner Occupied*. (See Article IV, Section 4.100, Special Conditions for Review Pertaining to Bed and Breakfast Home Residences).

5.052.3 R-15, Medium Density Residential District

C. (8) Uses Permitted as Special Exceptions
Bed and Breakfast Home Residences and Short-Term Rentals- Owner Occupied (See Article IV, Section 4.100, Special Conditions for Review Pertaining to Bed and Breakfast Home Residences).

5.052.4 R-10, High Density Residential District

C. (8) Uses Permitted as Special Exceptions
Bed and Breakfast Home Residences and Short-Term Rentals-Owner Occupied. (See Article IV, Section 4.100, Special Conditions for Review Pertaining to Bed and Breakfast Home Residences).

5.056.5 Residential Planned Developments
 Table I-Permitted Uses and Structures
 Residential Planned Development

Residential Activities

Districts

Permanent Residential

SRPUD

NCRPUD

<i>Dwelling Attached</i>	N	P
<i>Dwelling One-Family Detached</i>	P	P
<i>Dwelling Two-Family Detached</i>	P	N
<i>Dwelling Semi-Detached</i>	P	P
<i>Dwelling Mobile Home</i>	N	N
<i>Dwelling Multi-Family</i>	N	P
<i>Residential Accessory Dwelling Unit (section 4.190)</i>	SE	SE
<i>Semi-Permanent Residential</i>	N	N
<i>Short-Rentals- Owner Occupied (4.100)</i>	SE	SE

5.053.1 C-1, Central Business Service District

C. (8) Uses Permitted as Special Exceptions
Short Term Rentals (4.100)

5.053.1.1 C-1R Central Business Service District- Gateway Infill Residential

C. (3) Uses Permitted as Special Exceptions
Short Term Rentals

5.053.6 C-6, Town Center Commercial District

C. Uses Permitted as Special Exceptions:
Short-Term Rentals (4.100)