



C H A T H A M   C O U N T Y - S A V A N N A H

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# METROPOLITAN PLANNING COMMISSION

*"Planning the Future - Respecting the Past"*

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M E M O R A N D U M

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**DATE:**           AUGUST 8, 2017

**TO:**             THE MAYOR AND ALDERMEN OF THE CITY OF SAVANNAH

**FROM:**          METROPOLITAN PLANNING COMMISSION

**SUBJECT:**       MPC RECOMMENDATION

**PETITION REFERENCED:**

**Text Amendments to the City of Savannah Zoning Ordinance**

**Re: Amendments to the Short-term Vacation Rental use in the following zoning ordinance sections:**

- Sec. 8-3025(a) (Provisions Regarding Uses in C Districts and R Zoning Districts); and,
- Sec. 8-3025(b) (Provisions Regarding Uses in the B districts and I Zoning Districts)
- Sec. 8-3028(9) (Victorian Planned Neighborhood Conservation District, Permitted Uses)
- Sec. 8-3046(b)(1)(d) (Planned Unit Development-Mixed Use)
- Sec. 8-3217 (Mid-City District Residential Use Standards)

**City of Savannah Text Amendments**  
**File No.: 17-004372-ZA**

**MPC ACTION:**

**Approval** of amendments to the City of Savannah zoning ordinance

**MPC STAFF RECOMMENDATION:**

**Approval** of amendments to the City of Savannah zoning ordinance

**MEMBERS PRESENT:** 10 + Vice Chairman

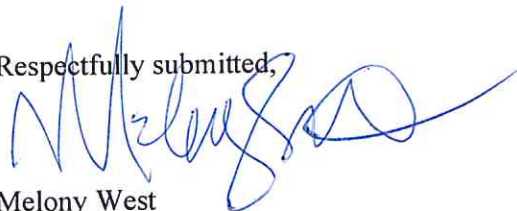
Tanya Milton, Chairman  
James Overton, Vice Chairman  
Shedrick Coleman  
Travis Coles  
Ellis Cook  
Joseph Ervin  
Karen Jarrett  
Lacy Manigault  
Timothy Mackey

Lee Smith  
Tom Woiwode

**PLANNING COMMISSION VOTE:** Approve Staff Recommendation (10-1)

<b>APPROVAL</b> Votes: 11	<b>DENIAL</b> Votes: 1	<b>ABSENT</b>
Milton Overton Cook Coleman Coles Jarrett Mackey Manigault Smith Woiwode	Ervin	Hernandez Suthers Welch

Respectfully submitted,



Melony West  
Interim Executive Director

/jh

Enclosure

cc Dyanne C. Reese, Clerk of Council  
Brooks Stillwell, City Attorney  
Lester B. Johnson, Assistant City Attorney  
Jennifer Herman, Assistant City Attorney  
Beth Barnes, Department of Inspections



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**METROPOLITAN PLANNING COMMISSION**  
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## Savannah City Council Agenda Item Information Sheet

Date of MPC Hearing: August 8, 2017

Type of Petition: Text Amendment

Staff Generated Petition: Y/N

### City of Savannah, Petitioner (File No. 17-004372-ZA)

In early 2017, the City of Savannah began to re-evaluate the short-term vacation rental (STVR) use. Specifically, this included a review of the certification process and the growth of this use. The certification process is known as “Administrative Enhancements.” The zoning portion is known as “Growth Management.”

In March and April of this year, the Department of Tourism Management and Ambassadorship held meetings with stakeholders, including neighborhood associations (Downtown, Victorian and Thomas Square/Mid-City), as well as the Short-term Vacation Rental Owners Association, Share Savannah, Tourism Leadership Council and representatives for the websites Expedia/Home Away.

The intent of the meetings was to address concerns (mostly from residents in the Historic and Victorian Districts) and work towards a solution in which all parties could find agreement. The Administrative Enhancements portion—amendments to the certification ordinance—was approved by City Council on August 3, 2017.

The Growth Management portion addresses zoning; specifically, the STVR use conditions. The text amendments propose to revise use conditions to: 1) limit the number of non-owner-occupied parcels that can have a vacation rental use within certain zoning districts within a ward; and, 2) limit the number of transient guests within the rental dwelling. These amendments are intended to help the more residential portions the Historic and Victorian districts retain long-term residents and to reduce impacts attributed to transient guests, such as noise and on-street parking.

The Planning Commission recommends approval of the amendments.



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## **METROPOLITAN PLANNING COMMISSION**

*"Planning the Future - Respecting the Past"*

M E M O R A N D U M

**TO:** City of Savannah Mayor and Aldermen

**FROM:** The Planning Commission

**DATE:** August 8, 2017

**SUBJECT:** Text Amendments to the City of Savannah Zoning Ordinance  
Re: Amendments to the Short-term Vacation Rental use to the following zoning ordinance sections:

- Sec. 8-3025(a) (Provisions Regarding Uses in C Districts and R Zoning Districts);
- Sec. 8-3025(b) (Provisions Regarding Uses in the B districts and I Zoning Districts)
- Sec. 8-3028(9) (Victorian Planned Neighborhood Conservation District, Permitted Uses)
- Sec. 8-3046(b)(1)(d) (Planned Unit Development-Mixed Use)
- Sec. 8-3217 (Mid-City District Residential Use Standards)

City of Savannah Study  
File No.: 17-003621-ZA

### **ISSUE:**

An amendment to the short-term vacation rental use to revise use conditions to: 1) limit the number of vacation rentals within certain zoning districts within a ward; 2) limit the number of transient guests within the rental dwelling; and, 3) create a time-period for re-establishing a vacation rental when a vacation rental property is transferred to a new owner.

### **BACKGROUND**

The background for this text amendment is described in two sections: 1) the purpose and process leading up to the adoption of the short-term vacation rental use in 2014; and, 2) the purpose and process leading up to this proposed amendment.

**I. Initial Adoption of the Short-term Vacation Rental Use**

- a. In 2014, the City of Savannah adopted the “Short-term Vacation Rental” use as a permitted use within certain mixed-use zoning districts in the following areas: Historic District, Victorian District and the Mid-City District (see Ward map for neighborhood locations). Because some of the zoning districts within the Historic District also exist outside of this area, vacation rentals are permitted outside of its boundaries.
- b. A Short-term Vacation Rental (STVR) is defined as: “An accommodation for transient guests where, in exchange for compensation, a residential dwelling is rented for lodging for a period of time not to exceed 30 consecutive days. Such use may or may not include an on-site manager. For the purposes of this definition, a residential dwelling shall include all housing types and shall not include group living or lodging uses.”
- c. In 2014, the rental of a dwelling unit for transient lodging was not identified as a specific land use within the zoning ordinance. However, the City did permit them in zoning districts where “inns” were permitted. An inn is defined as “A lodging establishment providing bedrooms and meals to transient guests which contains not more than 15 bedrooms or suites.” In comparison, an STVR is a dwelling structure in its entirety, including the premises.
- d. While working on the updated zoning ordinance for the City (known as NewZO), staff was contacted by several STVR operators who requested that the use be recognized as a specific land use in the new zoning ordinance because of operational differences between this use and inns. Non-zoning related concerns were also expressed, including confusion regarding the process to obtain business approval. City staff agreed and determined that action was necessary prior to the adoption of a new zoning ordinance.
- e. During its research, staff identified many communities throughout the United States that had adopted or were in the process of preparing ordinances to regulate short-term vacation rentals. Not unlike Savannah, many of these communities struggled with how best to regulate a use whose growth was fueled by the internet. Websites, such as “Airbnb” and “VRBO,” provide a platform for vacation rental owners to advertise. Too often, however, STVR owners by-passed required approvals and operated “under-the-radar.”
- f. Not unlike other communities, Savannah was also “catching-up” with how best to regulate this unique use that has both residential and commercial characteristics. The State of Georgia, unlike some other states, did not have any short-term vacation rental regulations, and neither did any other communities in Georgia.
- g. At that time, City staff identified more than 300 short-term residential rentals, some of which had been operating in compliance with the “inn” interpretation or that did not obtain a tax certificate to conduct business. City staff sent notices to those operators who were not operating in zoning districts where inns were permitted. Those operators were required to cease operation until zoning compliance could be achieved.

- h. The City convened two meetings in February, 2014 to begin discussion the STVR use with interested parties. City and MPC staff began to meet with a small group of short-term residential rental owners, property management companies, the Tourism Leadership Council and representatives from the Downtown Neighborhood Association and the Victorian District Neighborhood Association (neighborhoods with nearly all of the existing rentals).
- i. The meetings resulted in discussion of many issues and led to two separate ordinances. The zoning ordinance addressed land use (i.e., zoning districts where the use is proposed, use conditions and parking). A certificate process—codified in the City Code apart from the zoning ordinance—addressed procedural matters (i.e., the process to obtain business approval, payment of taxes and violations). A “good neighbor” agreement form and a building/life-safety acknowledgement form were also developed.
- j. The short-term vacation rental text amendment was adopted on November 10, 2014 and took effect on January 1, 2015. The City’s Department of Tourism Management and Ambassadorship has oversight the STVR program.
- k. To assist the public, Tourism Management and Ambassadorship developed a webpage to provide information about the certification and renewal process, zoning, and taxes. A map showing all approved STVRs is provided. And for those who may have a complaint about a vacation rental operation, a phone number and an online form are available. The webpage is: <http://www.savannahga.gov/index.aspx?NID=1476>.

## **II. The Short-term Vacation Rental Use Since January 1, 2015**

- a. In 2015 the City received 388 applications. In 2016 the City received 266 applications, For 2017, the year-to-date number of applications received is 485.
- b. The majority of the rentals are in the Historic District (82%), and most are located in the more predominantly residential portions of the district (i.e., the “R” zoning districts; in particular, the RIP-A or Medium Density Residential zoning district).
- c. As the number of rentals increased, some residents of the Historic and Victorian Districts have expressed concern with the increasing number of vacation rentals that had previously been owner-occupied or long-term rental residences. Some complaints have also been made regarding parking, garbage and behavior of transient guests.
- d. In early 2017, the City of Savannah began to re-evaluate the STVR use certification process and its growth. The certification process is known as “Administrative Enhancements.” The zoning portion is known as “Growth Management.”
- e. In March and April, City staff held meetings with stakeholders, including neighborhood associations (Downtown, Victorian and Thomas Square/Mid-City), as well as the Short-term Vacation Rental Owners Association, Share Savannah, Tourism Leadership Council and representatives for the websites Expedia/Home Away.



The intent of the meetings was to identify concerns and make agreed upon improvements to Administrative Enhancements and Growth Management. More information is located in the attached Short-term Vacation Rental Report (June 30, 2017) prepared by the Department of Tourism Management and Ambassadorship.

- f. The group agreed with the changes to the Administrative Enhancement portion that will amend the certification process described in Division II (Code of General Ordinances), Part 8 (Planning and Regulation of Development), Chapter 11 (Short-term Vacation Rentals).

These changes include, but are not limited to the submission of insurance documentation that specifically identifies that a dwelling unit is insured for short-term vacation rental use (presently, only proof of insurance is required); approval of the use by a condo or property owner association, if applicable; and, notification to adjacent property owners of the proposed vacation rental use.

City Council adopted the amended certification ordinance on August 3, 2017. The unofficial ordinance is attached and is for information only.

- g. The Growth Management portion proposes changes to the zoning ordinances, including: 1) placing a “cap” on the number of parcels within a ward (and in specified zoning districts) that can have an STVR; 2) reducing the number of people who can stay in a vacation rental; and, 3) providing a six-month time period to re-establish a vacation rental when a property with an STVR certificate is sold. Off-street parking requirements are not proposed to change.

More information on these changes is located below in the “Findings” section.

## **FINDINGS:**

1. **Cap on the Number of Short-term Vacation Rentals:** Placing a cap on the number of non-owner occupied vacation rentals within the Historic, Victorian and Mid-City districts was discussed at length with the stakeholder group.

Most residents desired a maximum of 15% of all residential dwellings within a ward while others, including property management firms, sought a 35% cap. Because there was no consensus, City staff suggested an alternate 20% cap, which both sides accepted. This cap would apply only to the more predominately residential zoning districts within the Savannah Historic, Victorian and Mid-City Districts as follows:

- Savannah Historic: RIP, RIP-A, RIP-A-1, RIP-B, RIP-B-1 RIP-C, RIP-D, I-P & R-D
- Victorian: 1-R, 2-R and 3-R
- Mid-City: TN-2

After the agreed upon amendment was sent to MPC, it was determined that tracking the total number of dwelling units within a ward was not possible. Staff verified this after consultation with the Board of Assessors. Therefore, the 20% cap is now proposed on parcels instead of dwelling units. Some parcels may have more than one dwelling and could have multiple STVRs. In the TN-2 district, no more than one STVR is proposed per parcel and the parcels in this district must be owner-occupied. There is no cap within the predominantly commercial districts within these neighborhoods.

2. **Reduction of the Number of Transient Guests:** The number of transient adult guests within an STVR is proposed to be reduced by two. The current allowance is two adults per bedroom plus two per dwelling unit (which takes into account the use of a sleeper sofa not within a bedroom).

The proposal is for no more than four adult transient guests within vacation rental dwellings that have up to two bedrooms. For three or more bedrooms, the limitation is two adult transient guests per bedroom. This change would not change the number of adults permitted in a studio or one-bedroom vacation rental.

3. **Time Period for Re-establishing an STVR:** When a property with an STVR certificate is sold, the certificate is not transferable and the use must cease. It is proposed that the new owner be given an opportunity to re-apply for a certificate within six months of the date of the property transfer.

The proposed language is: "Notwithstanding the foregoing, upon the transfer of title of a residential dwelling that maintained a short-term vacation rental certificate at the time of transfer, such dwelling can be re-established as a pre-existing, nonconforming use in the event the per ward cap is maximized, if the transferee applies for a short-term vacation rental certificate within six (6) months of the date of transfer."

Because the use ceases when the certificate is no longer valid, the use cannot continue to operate as a non-conforming use. Therefore, it is suggested that this language be located in the certification ordinance instead of the zoning ordinance. At the Planning Commission meeting, there was discussion that the proposed language should be revised to reflect the transfer of a parcel instead of a dwelling unit. The Department of Tourism Management and Ambassadorship will provide the revised text.

### **ALTERNATIVES:**

1. Recommend approval of the amendments as proposed.
2. Recommend approval of alternate amendments.
3. Recommend denial of the proposed amendments.



The proposed amendments provide an improved approach to better protect the integrity of the more residential portions of the Savannah Historic, Victorian and Mid-City neighborhoods. Non-owner-occupied properties with vacation rentals would be limited, while owner-occupied properties would not. The more commercial zoning districts would not have a cap or an owner-occupancy requirement. The attached map reflects the proposed amendments. While the amendments may not be ideal for all parties, they represent the outcome of numerous meetings with many stakeholders.

**Approval** of amendments to the City of Savannah zoning ordinance as follows:

**I. Article B. (Zoning Districts), Sec. 8-3025(a) (Provisions Regarding Uses in the B Districts and the I Districts)**

Index for Conservation ("C") and Residential ("R") Districts Use Schedule																						
Use											Use No.											
Short-term Vacation Rental											Use 14a											
<i>List of Uses</i>	<i>C-A</i>	<i>C-M</i>	<i>C-R</i>	<i>R-20</i>	<i>R-10</i>	<i>R-6</i>	<i>R-6-A</i>	<i>R-6-B</i>	<i>R-6-C</i>	<i>R-4</i>	<i>R-M</i>	<i>RIP</i>	<i>RIP-A</i>	<i>RIP-A-1</i>	<i>RIP-B</i>	<i>RIP-B-1</i>	<i>RIP-C</i>	<i>RIP-D</i>	<i>I-P</i>	<i>R-M-H</i>	<i>RMH-1</i>	<i>R-D</i>
Lodging Facilities																						
(14a) Short-term Vacation Rental	-	--	--	--	--	--	--	--	--	--	--	X	X	X	X	X	X	X	X	--	--	X

a. For parcels of land that are not owner-occupied and that have a Conservation or Residential zoning classification, the short-term vacation rental use is limited to no more than 20% of all parcels within the ward where the property is located. This limitation applies only to wards within the boundaries of the Savannah Historic District.

**Owner-occupied is defined in Division II, Part 8, Chapter 11 ("Short-term Vacation Rentals"). A ward is a small geographic area within the Savannah Historic District that is identified on the ward map maintained by the Department of Tourism Management and Ambassadorship.**

- The number of occupants shall not exceed four (4) adults for dwelling units with no more than two bedrooms; for dwelling units with three or more bedrooms, the number shall not exceed two (2) adults per bedroom. Bedrooms are subject to verification of building code compliance by the Zoning Administrator.**

- d. The short-term vacation rental use requires short-term vacation rental certificate. See Division II, Part 8, Chapter 11 (“Short-term Vacation Rentals”).**

**ENACT**

Index for Business (“B”) and Industrial (“I”) Districts Use Schedule																		
Use									Use No.									
Short-term Vacation Rental									9d									
List of Uses	R-B	RB-I	B-H	B-N	BN-I	B-C	BC-I	B-G	BG-I	BG-2	B-B	I-L	IL-B	I-H	P-IL-T	R-B-C	RB-C-I	O-I
Lodging Facilities																		
(9d) Short-term Vac. Rental	--	--	X	--	--	X	X	X	--	--	X	--	--	--	--	X	X	--
a. <del>The number of occupants shall not exceed two (2) adults per bedroom plus two (2) adults for each dwelling, subject to the verification of building code compliance by the Zoning Administrator.</del>																		
<b>The number of occupants shall not exceed four (4) adults for dwelling units with no more than two bedrooms; for dwelling units with three or more bedrooms, the number shall not exceed two (2) adults per bedroom. Bedrooms are subject to verification of building code compliance by the Zoning Administrator.</b>																		
b. There shall be no change in the exterior appearance of the dwelling and premises, or other visible evidence of the conduct of a short term residential rental.																		

### **III. Article B. (Zoning Districts), Sec. 8-3028(d) (Victorian Planned Neighborhood Conservation District, Permitted Uses)**

[illegible]

IV. Article B. (Zoning Districts), Sec. 8-3046(b)(1)d.14. (Planned Unit Development-Mixed Use District)

REPEAL

(14) Short-term Vacation Rental

- |   |
|---|
| i. <del>The number of occupants shall not exceed two (2) adults per bedroom plus two (2) adults for each dwelling, subject to the verification of building code compliance by the Zoning Administrator.</del> |
| ii. <del>There shall be no change in the exterior appearance of the dwelling and premises, or other visible evidence of the conduct of a short term residential rental.</del>                                 |

*Note: There are no properties with this zoning district in the city. Savannah River Landing was previously a PUD-MXU but was rezoned in 2017.*

V. Article K. (Mid-City District.) Sec. 8-3217(5). (Residential Use Standards, Short-term Vacation Rental).

(5) Short-term Vacation Rental
a. In the TN-2 district, a short-term vacation rental use is limited to <del>within an accessory dwelling and only when the principal residence is owner-occupied</del> one dwelling per parcel and only when the principal dwelling unit is owner-occupied. <u>Owner-occupied is defined in Division II, Part 8, Chapter 11 ("Short-term Vacation Rentals").</u>
b. <del>The number of occupants shall not exceed two (2) adults per bedroom plus two (2) adults for each dwelling, subject to the verification of building code compliance by the Zoning Administrator.</del>  The number of occupants shall not exceed four (4) adults for dwelling units with no more than two bedrooms; for dwelling units with three or more bedrooms, the number shall not exceed two (2) adults per bedroom. Bedrooms are subject to verification of building code compliance by the Zoning Administrator.
c. There shall be no change in the exterior appearance of the dwelling and premises, or other visible evidence of the conduct of a short term residential rental.
e. The short-term vacation rental use requires a short-term vacation rental certificate. See Division II, Part 8, Chapter 11 ("Short-term Vacation Rentals").

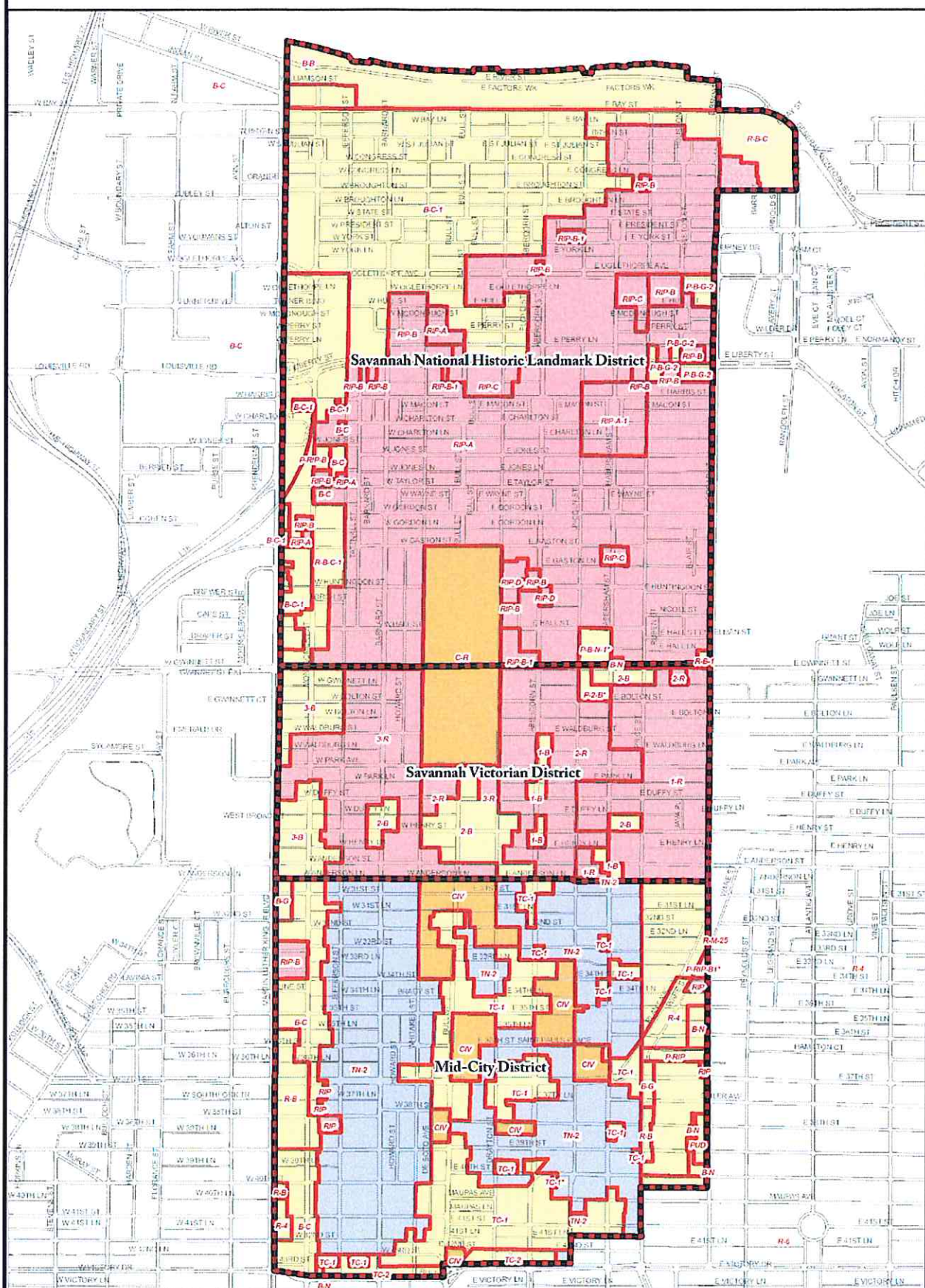
## **VI. “Nonconforming” Short-term Vacation Rentals**

The following is recommended to be placed in the Division II, Part 8, Chapter 11 (“Short-term Vacation Rentals”) instead of the Zoning Ordinance.

“Notwithstanding the foregoing, upon the transfer of title of a residential dwelling that maintained a short-term vacation rental certificate at the time of transfer, such dwelling can be re-established as a pre-existing, nonconforming use in the event the per ward cap is maximized, if the transferee applies for a short-term vacation rental certificate within six (6) months of the date of transfer.”

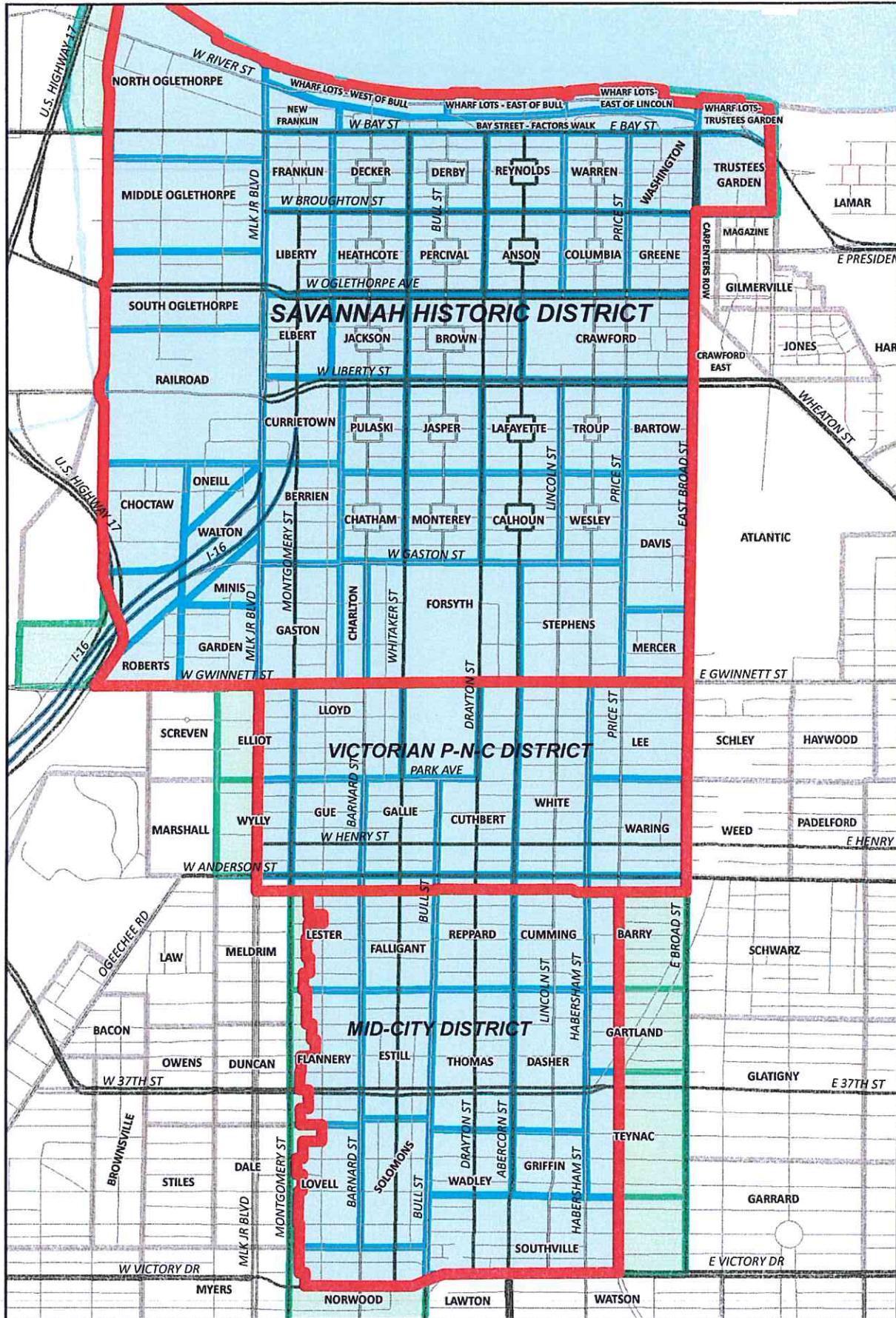


# Proposed Short-term Vacation Rental Text Amendment





# Wards within the Savannah, Victorian and Mid-City Districts



04 AUGUST 2017



CITY OF  
*savannah*

0 1,000 2,000 3,000 4,000 Feet



**REVISIONS AS APPROVED ON AUGUST 3, 2017 BY CITY COUNCIL**

**11. - SHORT-TERM VACATION RENTALS<sup>[17]</sup>**

*Please note this does not represent the official version of the ordinance which requires signatures by the Mayor and Clerk of Council.*

Sec. 8-10010. - Intent; purpose.

It is the purpose of this chapter to protect the public health, safety and general welfare of individuals and the community at large; to monitor and provide reasonable means for citizens to mitigate impacts created by occupancy of short-term vacation units; and to implement rationally based, reasonably tailored regulations to protect the integrity of the city's neighborhoods.

Sec. 8-10011. - Definitions; general provisions.

*Code compliance verification form* is a document executed by a short-term vacation owner certifying that the short-term vacation unit complies with applicable zoning, building, health and life safety code provisions. No person shall allow occupancy or possession of any short-term vacation rental unit if the premises is in violation of any applicable zoning, building, health or life safety code provisions.

*Owner-occupied property* refers to real property which contains one or more dwelling units where the principal dwelling unit must be occupied by the property owner and constitute his/her primary and usual place of residence. The dwelling units must share the Property Identification Number assigned by the Chatham County Board of Assessors. Proof of owner-occupancy requires proof of a valid homestead exemption submitted with the application for a short-term vacation rental certificate. In lieu of homestead exemption, a sworn affidavit and supporting documentation providing proof of residency must be provided by the applicant stating that the primary dwelling unit is the legal residence and domicile of the resident. Proof of residency is required in the form of 1) a valid Georgia Driver's License or Georgia Identification Card and 2) registration for vehicles owned by and registered in the name of the applicant or Chatham County Voter's Registration Card.

*Short-term vacation rental occupants* means guests, tourists, lessees, vacationers or any other person who, in exchange for compensation, occupy a dwelling unit for lodging for a period of time not to exceed 30 consecutive days.

*Short-term vacation rental* means an accommodation for transient guests where, in exchange for compensation, a residential dwelling unit is provided for lodging for a period of time not to exceed 30 consecutive days. Such use may or may not include an on-site manager. For the purposes of this definition, a residential dwelling shall include all housing types and shall exclude group living or other lodging uses, as defined in division II, code of general ordinances, part 8, planning and regulation of development, chapter 3, zoning, as amended.

*Short-term vacation rental agent* means a natural person designated by the owner of a short-term vacation rental on the short-term vacation rental certificate application. Such person



shall be available for and responsive to contact at all times and someone who is customarily present at a location within the city for purposes of transacting business.

Sec. 8-10012. - Short-term vacation rental certificate.

No person shall rent, lease or otherwise exchange for compensation all or any portion of a dwelling unit as short-term vacation rental, as defined in section 8-10011, without first obtaining a business tax certificate from the revenue director and complying with the regulations contained in this section. No certificate issued under this chapter may be transferred or assigned or used by any person other than the one to whom it is issued, or at any location other than the one for which it is issued.

Sec. 8-10013. - Application for short-term vacation rental certificate.

(a) Applicants for a short-term vacation rental certificate shall submit, on an annual basis, an application for a short-term vacation rental certificate to the tourism management and ambassadorship director of the City of Savannah. The application shall be furnished under oath on a form specified by the city manager, accompanied by a non-refundable application fee as set forth in the city's annual revenue ordinance. Such application should include:

- (1) The name, address, telephone and email address of the owner(s) of record of the dwelling unit for which a certificate is sought. If such owner is not a natural person, the application shall identify all partners, officers and/or directors of any such entity, including personal contact information;
- (2) The address of the unit to be used as a short-term vacation rental;
- (3) The name, address, telephone number and email address of the short-term vacation rental agent, which shall constitute his or her 24-hour contact information;
- (4) The owner's sworn acknowledgement that he or she has received a copy of this section, has reviewed it and understands its requirements;
- (5) The number and location of parking spaces allotted to the premises;
- (6) The owner's agreement to use his or her best efforts to assure that use of the premises by short-term vacation rental occupants will not disrupt the neighborhood, and will not interfere with the rights of neighboring property owners to the quiet enjoyment of their properties; and
- (7) Any other information that this chapter requires the owner to provide to the city as part of an application for a short-term vacation rental certificate. The city manager or his or her designee shall have the authority to obtain additional information from the applicant as necessary to achieve the objectives of this chapter.
- (8) If the rental agent changes, the property owner shall notify the City of Savannah within five business days.

(b) Attached to and concurrent with submission of the application described in this section, the owner shall provide:

- (1) The owner's sworn code compliance verification form;
- (2) A written exemplar rental agreement, which shall consist of the form of document to be executed between the owner and occupant(s), which shall contain the following provisions and which shall be posted in the short-term vacation rental unit:

- a. The occupant(s)' agreement to abide by all of the requirements of this chapter, any other City of Savannah ordinances, state and federal law and acknowledgement that his or her rights under the agreement may not be transferred or assigned to anyone else;
  - b. The occupant(s)' acknowledgement that it shall be unlawful to allow or make any noise or sound that exceeds the limits set forth in the City's noise ordinance;
  - c. The occupant(s)' acknowledgement and agreement that violation of the agreement or this chapter may result in immediate termination of the agreement and eviction from the short-term vacation rental unit by the owner or agent, as well as the potential liability for payments of fines levied by the city; and
  - d. The occupant(s)' acknowledgement on the maximum occupancy of the short-term vacation rental unit and, if available, the location of on-site parking.
- (3) Proof of the owner's current ownership of the short-term vacation rental unit;
  - (4) Proof of insurance indicating the premises is used as a short-term vacation rental; and
  - (5) A written certification from the short-term vacation agent that he or she agrees to perform the duties specified in subsection 8-10014(b); and
  - (6) For condominiums, as defined by the Georgia Condominium Act, O.C.G.A. §§ 44-3-70, et seq., provide a copy of the adopted condominium declaration either explicitly permitting leasing of the dwelling unit(s) for less than 30 days or adopted condominium declaration which contains no prohibition on short-term vacation rentals or the leasing of dwelling units for less than 30 days.
- (c) Certificate holder shall publish a short-term vacation rental certificate number and exemplar rental agreement in every print, digital, or internet advertisement and any property listing in which the short-term vacation rental is advertised.

Sec. 8-10014. - Short-term vacation rental agent.

- (a) The owner of a short-term vacation rental shall designate a short-term vacation rental agent on its application for a short-term vacation rental certificate. A property owner may serve as the short-term vacation rental agent. Alternatively, the owner may designate a natural person as his or her agent who is over age 18.
- (b) The duties of the short-term vacation rental agent are to:
  - (1) Be reasonably available to handle any problems arising from use of the short-term vacation rental unit;
  - (2) Appear on the premises of any short-term vacation rental unit within two hours following notification from the city of issues related to the use or occupancy of the premises. This includes, but is not limited to, notification that occupants of the short-term vacation rental unit have created unreasonable noise or disturbances, engaged in disorderly conduct or committed violations of the City of Savannah Code of Ordinances or other applicable law pertaining to noise, disorderly conduct, overcrowding, consumption of alcohol or use of illegal drugs. Failure of the agent to timely appear to two or more complaints regarding violations may be grounds for penalties as set forth in this chapter. This is not intended to impose a duty to act as a peace officer or otherwise require the agent to place himself or herself in a perilous situation;

- (3) Receive and accept service of any notice of violation related to the use or occupancy of the premises; and
  - (4) Monitor the short-term vacation rental unit for compliance with this chapter.
- (c) An owner may change his or her designation of a short-term vacation rental agent temporarily or permanently; however there shall only be one such agent for a property at any given time. To change the designated agent, the owner shall notify the tourism management and ambassadorship director in writing of the new agent's identity, together with all information regarding such person as required by the applicable provisions of section 8-10013.

Sec. 8-10015. - Grant or denial of application.

- (a) All of-record real property owners adjacent to a proposed short-term vacation rental shall be notified of the use prior to the issuance of an initial short-term vacation rental certificate. Notification shall be issued by short-term vacation rental applicant and proof of notification provided to the City. The notification to the property owners shall include:
- (1) Street address of the proposed short-term vacation rental;
  - (2) Location of any on-site parking for short-term vacation rental occupants;
  - (3) Maximum occupancy requirements;
  - (4) Copy of the short-term vacation exemplar rental agreement;
  - (5) Name of property owner; and
  - (6) Name of rental agent and contact information.

Review of an application shall be conducted in accordance with due process principles and shall be granted unless the applicant fails to meet the conditions and requirements of this chapter, or otherwise fails to demonstrate the ability to comply with local, state or federal law. Any false statements or information provided in the application are grounds for revocation, suspension and/or imposition of penalties, including denial of future applications.

Sec. 8-10016. - Short-term vacation rental units.

- (a) A legible copy of the short-term vacation rental unit certificate shall be posted within the unit and include all of the following information:
- (1) The name, address, telephone number and email address of the short-term vacation rental agent;
  - (2) The business tax certificate number;
  - (3) The maximum occupancy of the unit;
  - (4) The maximum number of vehicles that may be parked at the unit; and
- (b) Short-term vacation rental units must be properly maintained and regularly inspected by the owner to ensure continued compliance with applicable zoning, building, health and life safety code provisions.

Sec. 8-10017. - Short-term vacation regulation procedure.

- (a) To ensure the continued application of the intent and purpose of this chapter, the tourism management and ambassadorship director of the city shall notify the owner of a short-term vacation rental unit of all instances in which nuisance behavior of the rental guest or the conduct of his or her short-term vacation rental unit agent results in a citation for a code violation or other legal infraction.
- (b) The tourism management and ambassadorship director shall maintain in each short-term vacation rental location file a record of all code violation charges, founded accusations and

convictions occurring at or relating to a short-term vacation rental unit. When a property owner has accumulated three code violations for a particular property within a period of 12 consecutive months, the city shall revoke any pending certificates and reject all applications for the subject premises for a period of 12 consecutive months.

(c) If a short-term vacation rental unit owner has been cited and found to be in violation of any zoning, building, health or life safety code provision, the owner must demonstrate compliance with the applicable code prior to being eligible to receive a short-term vacation rental certificate.

(d) Citations for code violations and any other violation of the city code may be heard by a short-term vacation rental staff board or the Recorder's Court of Chatham County. The staff board shall be comprised of full-time city employees as appointed by the city manager or his/her designee and shall include at least one staff member selected from revenue, zoning, tourism and the Savannah-Chatham Metropolitan Police Department. The staff board will receive evidence; however, the official rules of evidence will not govern the proceeding. The staff board will issue a written finding as to each alleged infraction, specifically identifying each founded accusation, which shall constitute a violation.

(e) Violations of this chapter are subject to the following fines, which may not be waived or reduced and which may be combined with any other legal remedy available to the City:

(1) First violation: \$500.00.

(2) Second violation within the preceding 12 months: \$750.00.

(3) Third violation within the preceding 12 months: \$1,000.00.

(f) A person aggrieved by the city's decision to revoke, suspend or deny a short-term vacation rental certificate may appeal the decision to the city manager. The appeal must be filed with the city manager's office in writing, within 30 calendar days after the adverse action and it shall contain a concise statement of the reasons for the appeal. Timely filing of an appeal shall stay the revocation, suspension or denial pending a decision by the city manager.

(g) The city manager or appointed designee shall consider the appeal within 30 days after receipt by the city manager of a request unless otherwise agreed in writing by the city and aggrieved party. All interested parties shall have the right to be represented by counsel, to present testimony and evidence, and to cross-examine witnesses. The city manager shall render a determination, which will constitute a final ruling on the application.

(h) Nothing in this section shall limit the city from enforcement of its code, state or federal law by any other legal remedy available to the city. Nothing in this section shall be construed to limit or supplant the power of any city inspector, deputy marshal or other duly empowered officer under the city's ordinances, rules and regulations and the authority granted under state law, as amended, to take necessary action, consistent with the law, to protect the public from property which constitutes a public nuisance or to abate a nuisance by any other lawful means of proceedings.

#### Sec. 8-10018. Taxes.

Short-term vacation rental unit owners are subject to state sales tax, city taxes, including but not limited to the hotel/motel tax, and are liable for payment thereof as established by state law and the city code. The city may seek to enforce payment of all applicable taxes to the extent provided by law, including injunctive relief.