

ORDINANCE NO. 2023-1116-2

AN ORDINANCE TO AMEND THE CITY OF CANTON UNIFIED DEVELOPMENT CODE TO PROVIDE FOR SHORT-TERM RENTALS AS A HOME OCCUPATION AND TO ADD SHORT-TERM RENTALS AS A PERMITTED USE IN CERTAIN ZONING CATEGORIES

WHEREAS, the City Council has determined to add short-term rentals as an allowed use of property in Chapter 18, Article XV of the Code of the City of Canto, Georgia and desires to amend the Unified Development Code to provide for those areas where short-term rental units will be allowed;

NOW THEREFORE, IT IS HEREBY ORDAINED BY THE GOVERNING AUTHORITY OF THE CITY OF CANTON as follows:

1. Section 106.01.02 of the Unified Development Code is amended to add the definition of "Short-term rental unit" to read as follows:

Short-term rental unit means an accommodation for transient guests where, in exchange for monetary compensation, a residential dwelling unit, either the primary structure or portion thereof, or any approved accessory dwelling, is provided for lodging for a period of time not to exceed 30 consecutive days. For the purposes of this definition, a residential dwelling shall include all single family and multi-family housing types with no more than five bedrooms offered for rent and shall exclude group living or other lodging uses, as defined in the Unified Development Code and regulated separately throughout this Code. A motor vehicle as defined in O.C.G.A. Title 40 may not be used as a short-term rental. A property that has been advertised or listed via the internet or other media sources (e.g. www.vrbo.com, www.airbnb.com, etc.) for short term rental shall be prima facie evidence the property is being used as a short-term rental.

2. Section 104.02.03(2) is amended to add subsection (k) to read as follows:

"(k) Short-term rental units allowed under Chapter 18, Article XV of the Code of the City of Canton, Georgia.

3. The table of uses in Section 102.04.02 is amended to add "Short-term Rental Units" as a permitted use under "Residential" and show it as a permitted use in zoning categories R-40, R-20, R-15, R-10, R-4, RA-6, RA-8, RM-15, PD, NC, GC and CBD.

4. If any portion of this Ordinance be declared invalid or unconstitutional by any court or competent jurisdiction or if the provisions of any part of this Ordinance as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this Ordinance not so held to be invalid. It is hereby declared to be the intent of the City Council to provide for separable and divisible parts and does hereby adopt any and all parts hereof as may not be held invalid for any reason.

5. This Ordinance shall become effective on the date the Mayor signs the ordinance indicating approval, ten days after the adoption of the ordinance if the Mayor has not signed nor vetoed, or immediately upon an affirmative vote of the City Council after the Mayor's veto, whichever shall first occur.

Attest:

Annie Fortner
Annie Fortner
CITY CLERK

Bill Grant
Bill Grant, MAYOR
Date: 11/16/2023

Approved as to form:

Robert M. Dyer
Robert M. Dyer, City Attorney



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First Reading _____

Adopted by Council 11/16/2023

Approved by Mayor 11/16/2023

Veto by Mayor _____

Second Vote by Council _____

Effective Date _____

Annie Fortner
Annie Fortner, City Clerk