

ARTICLE III  
DEFINITIONS OF TERMS USED IN ORDINANCE

**Add Bed and Breakfast definition**

Bed and Breakfast: A private residence which provides lodging and meals for guests, in which the owner or manager resides and which contains no more than eight (8) guest rooms.

**Add bed and breakfast to Motel definition in Article II Sec.50-31. Definitions.**

*Motel* means any structure or any portion of a structure, including any motel, lodging house, rooming house, dormitory, Turkish bath, bachelor hotel, hotel, motor hotel, auto court, inn, bed and breakfast, bed and breakfast inn, public club or private club, containing guestrooms and which is occupied, or is intended or designed for occupancy by guests, whether rent is paid in money, goods, labor, or otherwise. Such term does not include any jail, hospital, asylum, sanitarium, orphanage, prison, detention center or other buildings in which human beings are housed and detained under legal restraint.

**Amend Art. VI, Parking**

Use Classification	Minimum Parking Space Requirements
Bed and Breakfast	One space per guest room plus one space for each permanent resident.

### **Add Sections 728, 729, 730 and 731**

#### **Section 728. Bed and Breakfast; location.**

A Bed and Breakfast with no more than eight (8) guest rooms may be established within R-1A (Single Family Residential), R-1B (Single Family Residential), R-2 (Multiple Family Residential), PRO (Professional), DB (Downtown Business), and CB (Community Business) provided the following conditions are met and the proposed facility is compatible with the character of the area and does not negatively affect the health safety and general welfare of the area residents.

- 1) The residence shall be occupied by an owner or manager.
- 2) The rooms utilized are a part of the existing residential structure.
- 3) Sufficient off-street parking is provided as required by Article VI, Parking.
- 4) Signs shall be specified as in Section 729 (k)
- 5) Does not serve food or drink to the general public for pay.
- 6) May include incidental retail business related to the lodging business.

#### **Section 729. Conditional Use for Bed and Breakfast.**

(a) All owners of a Bed and Breakfast are required to apply for and obtain a Conditional Use as defined in Appendix D, Section 3 of this Code.

(b) All owners of a Bed and Breakfast are required to annually apply for and obtain an Occupational Tax Certificate under this Code with the City Clerk or his/her designee on forms provided by the City and shall provide such information as may be reasonably required.

(c) All business activity and storage must take place within the interior of the dwelling and/or accessory building with the exception of weddings, receptions, teas, showers or similar events which may take place on porches, patios, or decks which adjoin the main dwelling.

(d) No alteration to the exterior of the residential dwelling, accessory building, or yard that alters the residential character of the premises is permissible. Parking shall not alter the residential character of the premises.

- (e) The conduct of the Bed and Breakfast shall not violate any of the City's ordinances concerning nuisance, fire, or health, or any other City, County, State or other public laws or regulations applicable.
- (f) Bed and Breakfast establishments that wish to serve alcohol to guests must be licensed in accordance with Chapter 6, Alcoholic Beverages, of the Clarkesville Code of Ordinances.
- (g) The City reserves the right to perform an annual inspection of the premises during Occupation Tax renewal time period to confirm the continued occupancy of the Bed and Breakfast.
- (h) Signage shall be limited to one (1) sign which may not be interior illuminated erected on the property not to exceed four (4) square feet in area. Signage shall be professionally made and installed and shall meet the characteristic of the residence and character area.
- (i) Food may only be served to overnight guests and/or guests attending a wedding, reception, tea, shower or similar event as an accessory use for overnight guests of the Bed and Breakfast. Basic minimum requirements for food service shall be required.
- (j) Residence must meet current codes with Georgia amendments for residential housing, multifamily dwellings, rooming houses, and/or hotel fire codes. A fire escape plan shall be posted in guest bedrooms. Fire extinguisher(s) shall be readily accessible to guests at all times. There shall be a fire extinguisher in the kitchen. Working smoke alarms shall be in all sleeping rooms and common areas.
- (k) Any Conditional Use and Occupational Tax certificate is non-transferable.

Section 730. Bed and Breakfast Inn; location.

A Bed and Breakfast Inn with more than eight (8) guest rooms and no more than eighteen (18) guest rooms may be established within CB (Community Business) provided the following conditions are met and the proposed facility is compatible with the character of the area and does not negatively affect the health safety and general welfare of the area residents.

- 1) The residence shall be occupied by an owner or manager.
- 2) The rooms utilized are a part of the primary residential use, and if any structural modifications are contemplated or required, construction plans to include access, parking, signage, screening and landscaping shall be submitted and reviewed in order to determine compliance with City Ordinances and the facility's compatibility with adjacent properties.
- 3) Sufficient off-street parking is provided as required by Article VI, Parking.
- 4) Signs shall be specified as in Article VIII.
- 5) May include incidental retail business related to the lodging business occupation.

Section 731. Conditional Use for Bed and Breakfast Inn.

- (a) All owners of a Bed and Breakfast Inn are required to apply for and obtain a Conditional Use as defined in Appendix D, Section 3 of this Code.
- (b) All owners of a Bed and Breakfast Inn are required to annually apply for and obtain an Occupational Tax Certificate under this Code with the City Clerk or his/her designee on forms provided by the City and shall provide such information as may be reasonably.
- (c) All business activity and storage must take place within the interior of the dwelling and/or accessory building with the exception of weddings, receptions, teas, showers or similar events which may take place on porches, patios, or decks which adjoin the main dwelling.
- (d) The conduct of the occupation shall not violate any of the City's ordinances concerning nuisance, fire, or health, or any other City, County, State or other public laws or regulations.

(e) The City reserves the right to perform an annual inspection of the premises during Occupation Tax renewal time period to confirm the continued occupancy of the Bed and Breakfast.

(f) Food may be served to guests attending a wedding, reception, tea, shower or similar event as an accessory use for groups and individuals who are not overnight guests provided that:

1. The offsite impacts as proposed are, in the opinion of the Council, not a burden on or a nuisance to nearby and adjacent property owners; and
2. The onsite impacts do not diminish the use or enjoyment of the principal use of the property as a Bed and Breakfast Inn.

(g) Bed and Breakfast Inns that wish to serve alcohol to guests must be licensed in accordance with Chapter 6, Alcoholic Beverages, of the Clarkesville Code of Ordinances.

(h) All structures must meet current codes with Georgia amendments for residential housing, multifamily dwellings, rooming houses, and/or hotel fire codes. A fire escape plan shall be posted in guest bedrooms. Fire extinguisher(s) shall be readily accessible to guests at all times. There shall be a fire extinguisher in the kitchen. Working smoke alarms shall be in all sleeping rooms and common areas.

(i) Any Conditional Use and Occupational Tax certificate is non-transferable.

Add conditional use to the following districts

## ARTICLE XI

### R-1A, SINGLE-FAMILY RESIDENTIAL DISTRICT

#### Section 1103. Conditional Uses.

Bed and Breakfast as defined in Article III of this ordinance and in accordance with Article VII Sections 728 and 729 of this ordinance.

## ARTICLE XII

### R-1B, SINGLE-FAMILY RESIDENTIAL DISTRICT

#### Section 1203. Conditional Uses.

Bed and Breakfast as defined in Article III of this ordinance and in accordance with Article VII Sections 728 and 729 of this ordinance.

#### ARTICLE XIII

##### R-2, MULTIPLE-FAMILY RESIDENTIAL DISTRICT

###### Section 1303. Conditional Uses.

Bed and Breakfast as defined in Article III of this ordinance and in accordance with Article VII Sections 728 and 729 of this ordinance.

#### ARTICLE XV

##### PRO, PROFESSIONAL DISTRICT

###### Section 1503. Conditional Uses.

5. Bed and Breakfast as defined in Article III of this ordinance and in accordance with Article VII Sections 728 and 729 of this ordinance.

#### ARTICLE XVI

##### DB, DOWNTOWN BUSINESS DISTRICT

###### Section 1603. Conditional Uses.

5. Bed and Breakfast as defined in Article III of this ordinance and in accordance with Article VII Sections 728 and 729 of this ordinance.

#### ARTICLE XVII

##### CB, COMMUNITY BUSINESS DISTRICT

###### Section 1703. Conditional Uses.

9. Bed and Breakfast as defined in Article III of this ordinance and in accordance with Article VII Sections 728 and 729 of this ordinance.

10. Bed and Breakfast Inn as defined in Article III of this ordinance and in accordance with Article VII Sections 730 and 731.