

White County BOC grapples with rental regulation

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When the White County Board of Commissioners decided to discuss short-term rental properties at its Feb. 25 work session, they didn't designate the meeting as a public hearing.

But when a number of interested citizens showed up to listen to the debate, Commission Chairman Travis Turner took the unusual step of soliciting input from the audience.

Most of them resided in neighborhoods that have already experienced problems with short-term rentals -- a situation in which a property owner allows paying guests to stay in all

or part of a house. Such scenarios have proliferated all over the country with the success of travel websites such as Airbnb. And it seems that no community has figured out how to handle the phenomenon. In fact, White County has placed a 90-day moratorium on new rental properties in order to try to come up with some guidelines.

"We used Lumpkin County's ordinance as a template," said White County Economic and Community Development Director John Sell, as Turner reminded the crowd that this was only a draft version.

Specifically, this ordinance spells out the quali-

fications that are required to be a "short-term rental host" -- an owner of a residential dwelling unit that is leased to "transient guests" for no more than 30 days at a time.

How many "guests" is crucial. If your property can accommodate more than 16 sleeping people, it meets the definition of a hotel/motel and has to comply with all the regulations that are already in place for that type of business.

The ordinance also addresses the issue of traffic management, which is one of the major concerns for neighbors of these properties. Guests' vehicles will have to be parked on "designated hard-surfaced

areas," not along the roadside, in right-of-ways or in neighbors' yards.

Rental "hosts" will have to meet all the usual requirements for environmental, health, safety and fire regulations. They have to make sure the trash is picked up, and there's no noise between 10 p.m. and 6 a.m.

Most importantly from the county government's point of view, they have to collect hotel/motel tax from their guests, which is equal to 8 percent of the rent. They also will have to pay for an occupational tax certificate and a "short-term rental host license."

But who is going to make sure that the hosts comply with all these rules? Sell

said the county doesn't have enough code enforcement staff to go out and inspect all the short-term rental places.

Another issue yet to be determined: Should these rentals be restricted to certain land-use classifications? Since the current version of the county's land-use ordinance makes no mention of this type of business, short-term rentals could theoretically be located on any category of property, from business to agricultural to single-family residential.

This raises another question: Should short-term rentals be allowed in subdivisions? People move to such neighborhoods with the expectation that

they will be surrounded by other families -- not by businesses that provide lodging to travelers.

"This is starting to get under my skin," said county commissioner Edwin Nix. "If it were up to me, I would say, you can't do it in subdivisions, period."

After about 20 minutes, Turner called a halt to the discussion.

"Due to the complexity of this item, I feel we're going to have to schedule an additional meeting," he said.

Turner added that it was likely the commission would have to extend the current moratorium on short-term rental requests, which is set to expire April 8.