

1 **CITY OF EAST POINT**
2 **FULTON COUNTY, GEORGIA**

3 **AN ORDINANCE BY THE CITY OF EAST POINT, GEORGIA, TO AMEND PART 10 Zoning Code and**
4 **Development Regulations, Chapter 2 – Zoning Regulations, Article A.- Definitions and Article C. -**
5 **Zoning Text, District Classifications and Boundaries to establish provisions for Home-Stay Lodging**
6 **in the following Zoning Districts, AG (Agricultural); R-1 (Single-Family Dwelling); R-L (Residential**
7 **Limited Single Family Dwelling); R-1A (Urban Residential); R-2 (Two-Family Dwelling); R-3**
8 **(Multifamily Development); R-4 (Multifamily Development); R-T (Residential Townhouse); CR**
9 **(Commercial Redevelopment); CUP (Community Unit Plan); E-I (Educational Institutional); M-I**
10 **(Medical Institutional); MIX (Mixed Use) as a Permitted Use with Prescribed conditions; To Provide**
11 **an Effective Date and For Other Purposes**

12
13 **WHEREAS**, the duly elected governing authority of the City of East Point, Georgia is the Mayor and
14 Council thereof; and

15 **WHEREAS**, the governing authority desires to amend the East Point Code of Ordinances Part 10,
16 Zoning Code and Development Regulations, Chapter 2, Article A Definitions and Article C of the Zoning Text,
17 District Classifications and Boundaries in order to provide defined terms for short term rental uses within the
18 City of East Point Zoning Ordinance and to allow Home-Stay Lodging as a permitted use within certain zoning
19 districts within the City of East Point; and

20
21 **WHEREAS**, the City has an interest in providing for the health, safety, and welfare of its residents;
22 and

23 **WHEREAS**, pursuant to the requirements of the Zoning Procedures Act and the East Point Code of
24 Ordinances, a properly advertised public hearing was held not less than 15 nor more than 45 days from the
25 date of publication of notice, and which public hearing was held on December 29, 2020; and

1 **WHEREAS**, after the public hearing held on December 29, 2020, the Mayor and City Council have
2 determined that allowing Home-Stay Lodging as defined in the City of East Point Zoning Code and
3 Development Regulations, as a permitted use in certain zoning districts would be in the best interest of
4 residents, property owners, businesses and citizens of the City of East Point; and

5
6 **NOW THEREFORE BE IT ORDAINED**, by the City Council of the City of East Point Georgia, and it is
7 hereby ordained by the authority of same that the proposed amendments to Part 10 Zoning Code and
8 Development Regulations, Chapter 2, Article A Definitions and Article C of the Zoning Text, District
9 Classifications and Boundaries be amended as follows:

10 **Section 1.** Part 10 of the Zoning Code and Development Regulations, Chapter 2, Article A. Section 10-2003.

11 - Definitions:

12 ***Dwelling unit:*** One (1) or more rooms together, constituting a separate, independent housekeeping
13 establishment for owner occupancy, or rental or lease, and physically separated from any other housing unit
14 which may be in the same structure and containing independent cooking and sleeping facilities for not more
15 than one (1) family.

16 ***Homestay Host:*** a permanent, full-time resident of a residential property who is present during the homestay
17 term for the entire time lodgers are staying on the property. The host may be temporarily absent from the
18 property for purposes related to normal residential activities, such as shopping, working, attending classes,
19 etc.; however, a host must be at the property overnight when lodgers are present.

20 ***Homestay Lodging:*** The business engaged in the rental of individual bedrooms within a dwelling unit that
21 serves as a host's principal residence, including any single-family or accessory apartment, that provides
22 lodging for pay, for a maximum continuous period not to exceed twenty-nine (29) consecutive days, that does
23 not include serving food, and to which the definition of family does not apply.

24 ***Principal Residence:*** The domicile where an individual has a true, fixed, permanent home and principal
25 establishment, and to which place, whenever absent, the individual has the intention of returning. A principal
26 residence is the one a person: 1) uses as his/her mailing address; and 2) uses
27 the address on one of the following; his/her federal and state tax returns, military purposes, passport, vehicle
28 registration, insurance policy, driver's license, bank account, or any other bill or item that requires a response;
and 3) occupies for at least one hundred eighty-three (183) days during a calendar year.

Short Term Lodging: an accommodation for transient guests where, in exchange for compensation, a
dwelling unit is provided for lodging for a short period of time, not to exceed twenty-nine (29) consecutive
days.

1 **Section 2. Part 10 Zoning Code and Development Regulations, Chapter 2, Article C. Zoning Text, District**

2 **Classifications and Boundaries**

3 **Sec. 10-2060 AG-1 (Agricultural) (a) Permitted Uses**

- 4 (7) Home-Stay Lodging
a.) Short Term License Required

5
6 **Sec. 10-2061 R-1 (Single-Family Dwelling) (a) Permitted Uses**

- 7 (3) Home-Stay Lodging
a.) Short Term License Required

8
9 **Sec. 10-2062 R1-A (Urban Residential) (a) Permitted Uses**

- 10 (3) Home-Stay Lodging
a.) Short Term License Required

11
12 **Sec. 10-2063 R-L (Residential Limited Single-Family Dwelling (a) Permitted Uses**

- 13 (3) Home-Stay Lodging
a.) Short Term License Required

14
15 **Sec. 10-2064 R-2 (Two-Family Dwelling) (a) Permitted Uses**

- 16 (4) Home-Stay Lodging
a.) Short Term License Required

17
18 **Sec. 10-2065 R-3 (Multifamily Development) a) Permitted Uses**

- 19 (5) Home-Stay Lodging
a.) Short Term License Required

20
21 **Sec. 10-2066 R-4 (Multifamily Development) a) Permitted Uses**

- 22 (5) Home-Stay Lodging
a.) Short Term License Required

23 **Sec. 10-2068 CUP (Community Unit Plan) a) Permitted Uses**

- 24 (9) Home-Stay Lodging
a.) Short Term License Required

25
26 **Sec. 10-2069 R-T (Residential Townhouse a) Permitted Uses**

- 27 (3) Home-Stay Lodging
a.) Short Term License Required

1 **Sec. 10-2070 E-I (Educational Institutional) a) Permitted Uses**

- 2 (10) Home-Stay Lodging
3 a.) Short Term License Required

4 **Sec. 10-2071 M-I (Medical Institutional) a) Permitted Uses**

- 5 (17) Home-Stay Lodging
6 a.) Short Term License Required

7 **Sec. 10-2075 CR (Commercial Redevelopment) a) Permitted Uses**

- 8 (32) Home-Stay Lodging
9 a.) Short Term License Required

10 **Sec. 10-2076 MIX (Mixed Use) a) Permitted Uses**

- 11 (10) Home-Stay Lodging
12 a.) Short Term License Required

13 **Section 3.** That all ordinances of parts of ordinances in conflict with this ordinance are hereby repealed to
14 the extent of such conflict.

15 **Section 4.** That if any section, subsection, paragraph, sentence clause, phrase or portion of this ordinance
16 is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be
17 deemed severable and such holding shall not affect the validity of the remaining portions hereof.

18 Public Hearing: 12/29/2020

19 First Reading: waived

20 That this ordinance shall be effective on **January 1, 2021.**

21 SO PASSED AND APPROVED the 29th day of December 2020.

22 SPONSORED BY:



23 [Signature]
Deana Holiday Ingraham, Mayor

24 APPROVED AS TO FORM:

25 ATTEST:

26 Brad Bowman
Brad Bowman (Dec 31, 2020 10:44 EST)
27 Brad Bowman, City Attorney

28 Keshia McCullough
Keshia McCullough, City Clerk