

**Application No. 2019M-006-08 STR Whole-House / 2019M-006-09 STR Home-Stay**

**PROPOSED ACTION**

Text Amendment to Amend Part 10 Zoning Code and Development Regulations Chapter 2 - Zoning Regulations, Article A. Definitions and Article C. Zoning Text, District, Classifications and Boundaries to Establish Provisions for Short Term Rentals - **Whole House Lodging** in Certain Zoning Districts R1-A (Urban Residential), R-2 (Two-Family Dwelling), R-3 (Multifamily Development), R-4 (Multifamily Development), R-T (Residential Townhouse) and C-R (Commercial Redevelopment) as Uses Permitted with Prescribed Conditions and to Add Definitions

Text Amendment to Amend Part 10 Zoning Code and Development Regulations Chapter 2 - Zoning Regulations, Article A. Definitions and Article C. Zoning Text, District, Classifications and Boundaries to Establish Provisions for Short Term Rentals – **Home-Stay Lodging** in Certain Zoning Districts R1-A, R-2, R-3, R-4, R-T and C-R as Uses Permitted with Prescribed Conditions and to Add Definitions

**PURPOSE**

- ❖ Reduce noise, parking, traffic and trash problems.
- ❖ Eliminate party houses, public utility and services burdens
- ❖ Reduce Short Term Rentals (STR) commercial effect on neighborhood character single family communities
- ❖ Improve permit and tax compliance to increase tax revenue.
- ❖ Ensure a level playing field between traditional lodging providers and unlawful STR.
- ❖ Reduce tension between STR property owners and their neighbors.
- ❖ Improve city’s responsiveness to neighbor complaints.
- ❖ Provide for property maintenance accountability and longevity.

**LOCATION:**

**Whole-House STR in the following Zoning District Classifications**

Proposed Zoning Districts	
<b>R1A</b>	<b>Urban Residential</b>
<b>R-2</b>	<b>Two-Family Dwelling</b>
<b>R-3</b>	<b>Multifamily Development</b>
<b>R-4</b>	<b>Multifamily Development</b>
<b>R-T</b>	<b>Residential Townhouse</b>
<b>CR</b>	<b>Commercial Redevelopment</b>

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R1A	<b>Urban Residential</b>
R-2	<b>Two-Family Dwelling</b>
R-3	<b>Multifamily Development</b>
R-4	<b>Multifamily Development</b>
R-T	<b>Residential Townhouse</b>
C-R	<b>Commercial Redevelopment</b>
AG-1	<b>Agricultural</b>
R-L	<b>Residential Limited Single-Family Dwelling</b>
R-1	<b>Single Family Dwelling</b>
CUP	<b>Community Unit Plan</b>
E-I	<b>Educational Institutional</b>
M-I	<b>Medical Institutional</b>
MIX	<b>Mixed Use</b>

**WARDS:**            The Proposed Allowable Zoning Districts for Whole-House STR will Impact each Ward as shown in Table 1.0

Proposed Zoning Districts to Allow STR's	Ward A	Ward B	Ward C	Ward D	Totals
R1A Urban Residential	1,700	2,700	0	3	4,403
R-2 Two-Family Dwelling	9	35	3	18	65
R-3 Multifamily Development	26	24	9	16	72
R-4 Multifamily Development	13	3	0	2	18
R-T Residential Townhouse	0	18	0	5	41
CR Commercial Redevelopment	349	138	0	4	491
<i>Total properties impacted</i>	2,097	2,918	12	48	5,090

Table 1.0

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**APPLICANT'S INTENT:** To Add Provisions, To Allow Homestay and Whole House STR Lodging. To Add Administrative Guidelines to manage Home Stay and Whole House Lodging, Registration Application Intake Process, Business License process and Annual Business License Renewal Process and a Taxation process.

**FINANCE:** Short Term Rental Permit for HomeStay and Short Term Rental Permit and Business License for Whole-House

**BUSINESS LICENSES:** To require Registration and Occupational Tax Licensing with annual renewals

**LEGAL:** Drafted 3 Ordinances

- 1.) HomeStay STR Zoning Ordinance for permitted uses in allowable zoning districts and definitions
- 2.) WholeHouse STR Zoning Ordinance for permitted uses in allowable zoning districts and definitions
- 3.) Business License Amendment Ordinance, Ch9. Rental Dwellings and Rental Units

**FINDINGS OF FACT**

After reviewing city data, Ward B would be impacted the most by the proposed STR Ordinance, having approximately 2,918 parcels with zoning destinations eligible for STR registration. Ward A is the 2<sup>nd</sup> most impacted area of the city with 2,097 properties that could potentially be eligible to register as a STR in the City of East Point. Ward C having only 12 parcels with zoning district designation that would be eligible, is the least impacted Ward in the city, while Ward D has approximately 48 parcels that could become eligible.

In total, as the proposed STR Ordinance is written, approximately 5,090 parcels in all would potentially be eligible for STR registration with the City of East Point.

There are other factors that will impact whether a home would receive the registration privileges, the proposed Ordinance could impose distance/separation requirements, parking requirements and guest per bedroom maximums. A lottery system could also be imposed based on the how many applications are received within a certain area. These areas need further review and discussion.

**Proper Enforcement Component**

Without proper enforcement, only a portion of the Short-Term Rental may be registered and pay their fair share of taxes. It is recommended that the city obtain assistance from a 3<sup>rd</sup> party provider to enforcement coverage for mobile registration, address identification, compliance monitoring, rental activity monitoring, tax collection, dedicated code compliance hotline.

The City has crafted a STR RFP bid posted on October 13, 2020 through the Procurement and Contracts Department. The City of East Point, (City), is requesting electronic proposals from qualified vendors who have the

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demonstrated capability to complete a comprehensive inventory of short-term rentals within a City. Also, the selected vendor shall develop and implement a system for the registration, permitting, administration, monitoring and enforcement of the City's Short-Term Rental regulations. The bid will close on November 13, 2020.

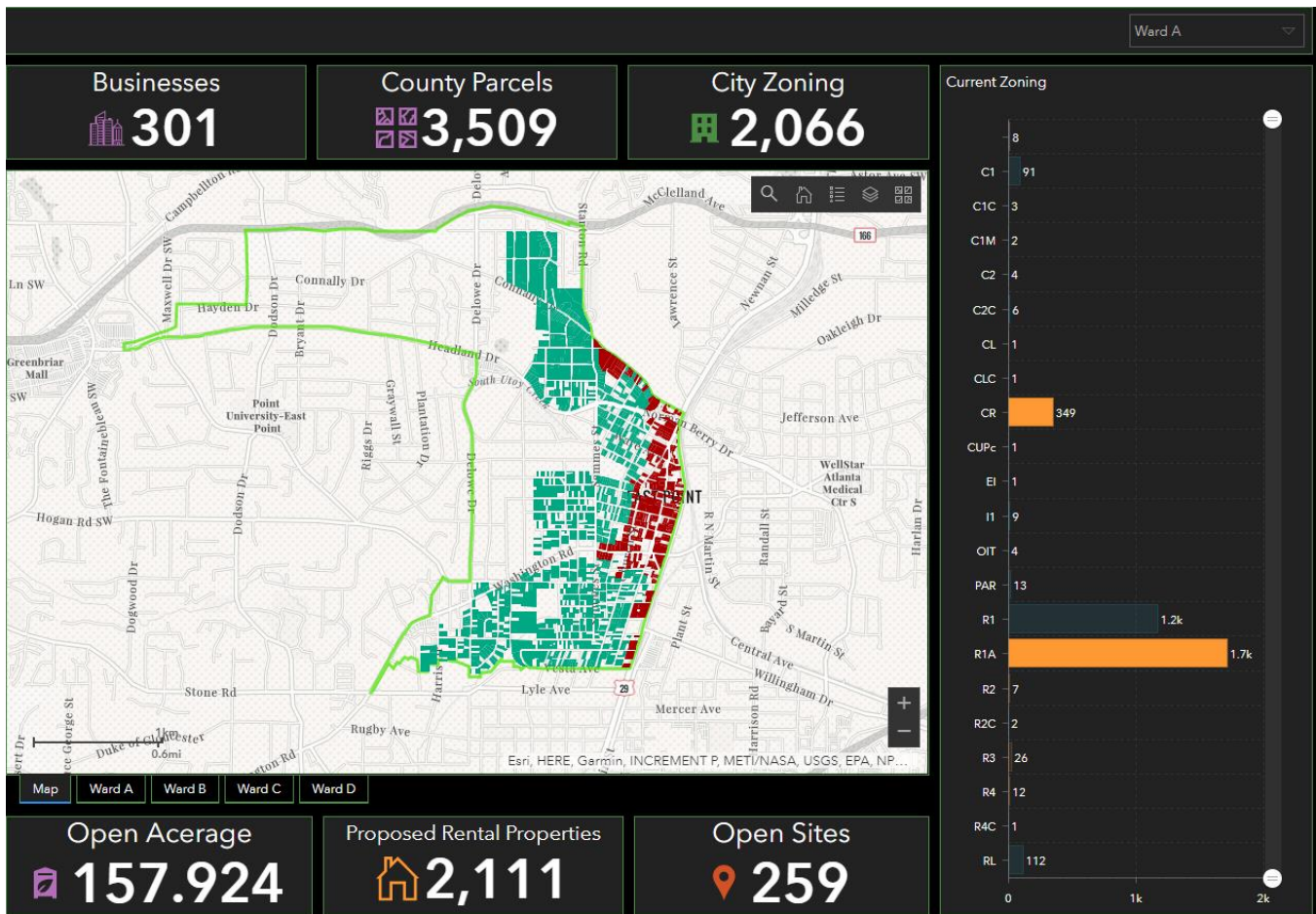
**COUNCIL ACTION:**

Determinations regarding the following outstanding STR policy content:

1. Annual Business Licensing and Short-Term License Requirements
2. Parking Minimum and/or Maximums (Standard Parking Requirements Current Zoning Ordinance and/or Shared Parking Arrangement documentation)
3. Maximum Number of Guests 10 (ten) guests including host(s)
4. Home – Stay STR and Whole-House STR Maximum Number of Days Proposed (29 days)
5. ~~Geographic Area Map Component of Allowable areas and/or Districts. (Up for discussion based on data analysis) NONE~~
6. ~~Distance Requirements (Up for discussion based on data analysis) NONE~~
7. ~~Lottery Process (Up for discussion based on data analysis.) NONE~~

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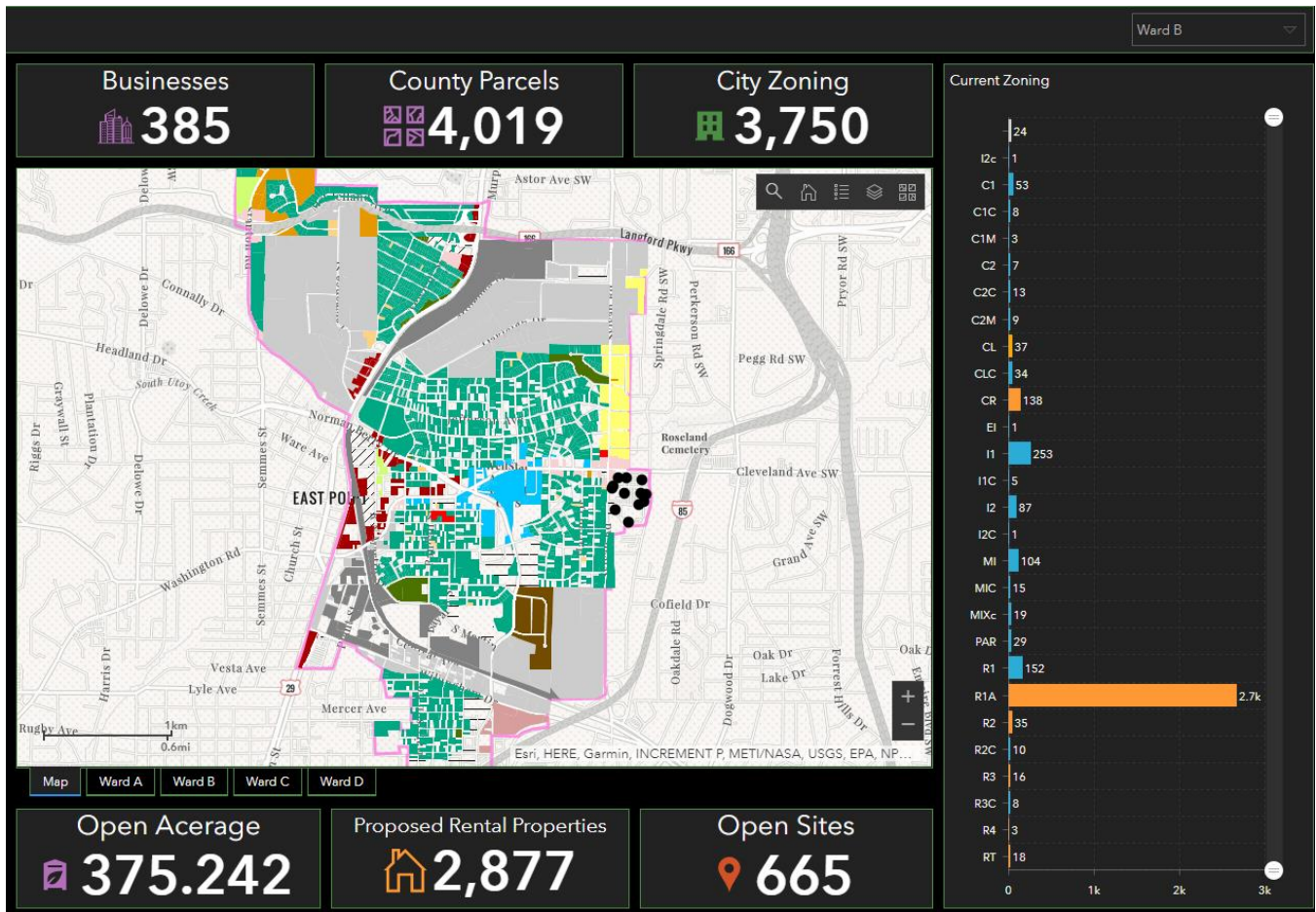
Exhibit A  
Ward A STR Zoning Map



There are approximately 2,100 parcels located in Ward A, within the 6 zoning classifications being considered for Short Term Rental housing eligibility. 61.5% of Ward A parcels have a zoning classification considered for STR's.

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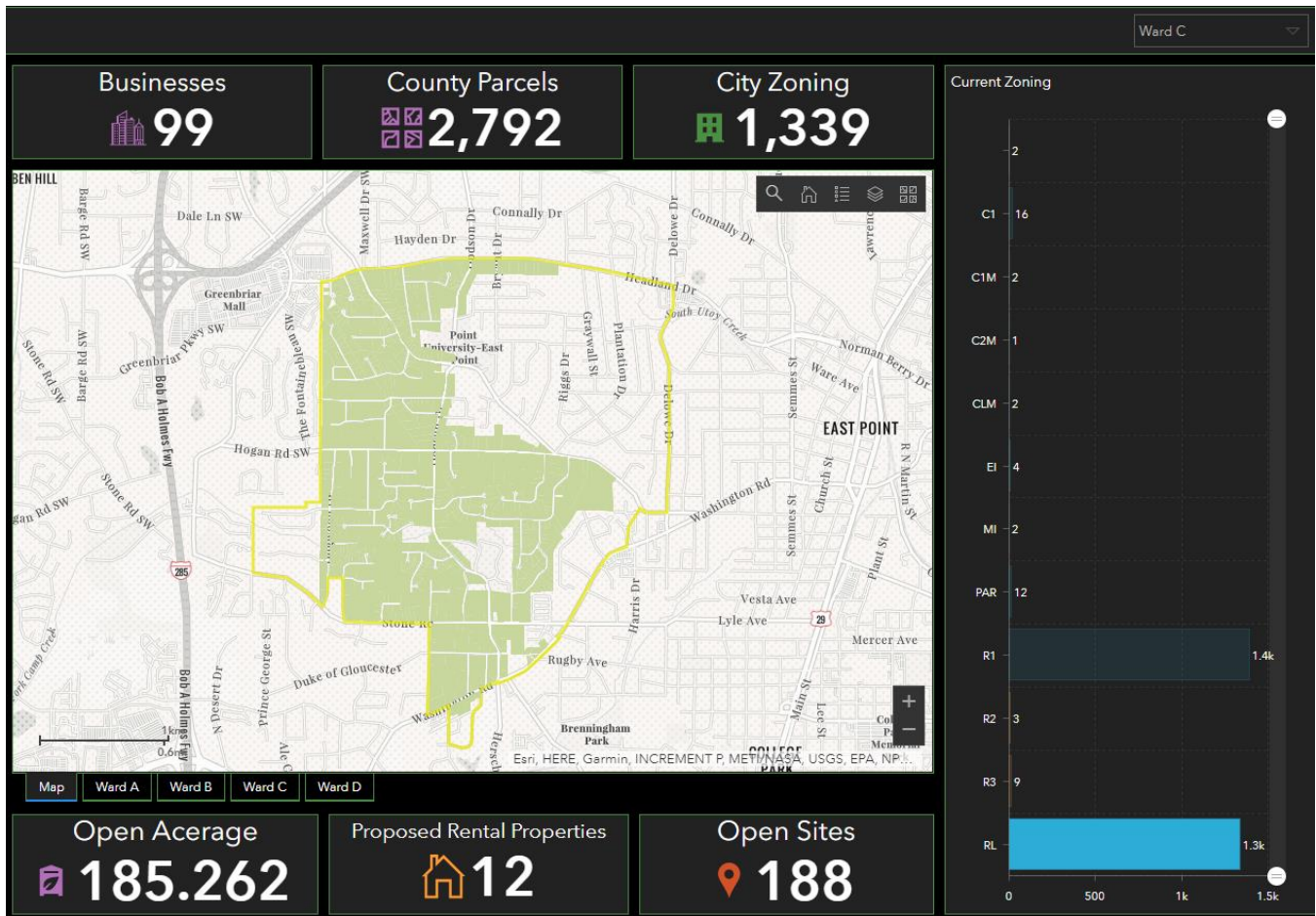
Exhibit B  
Ward B STR Zoning Map



There are approximately 2,900+/- parcels located in Ward B within the 6 zoning classifications being considered for Short Term Rental housing eligibility. 71% of Ward B parcels have a zoning classification considered for STR's.

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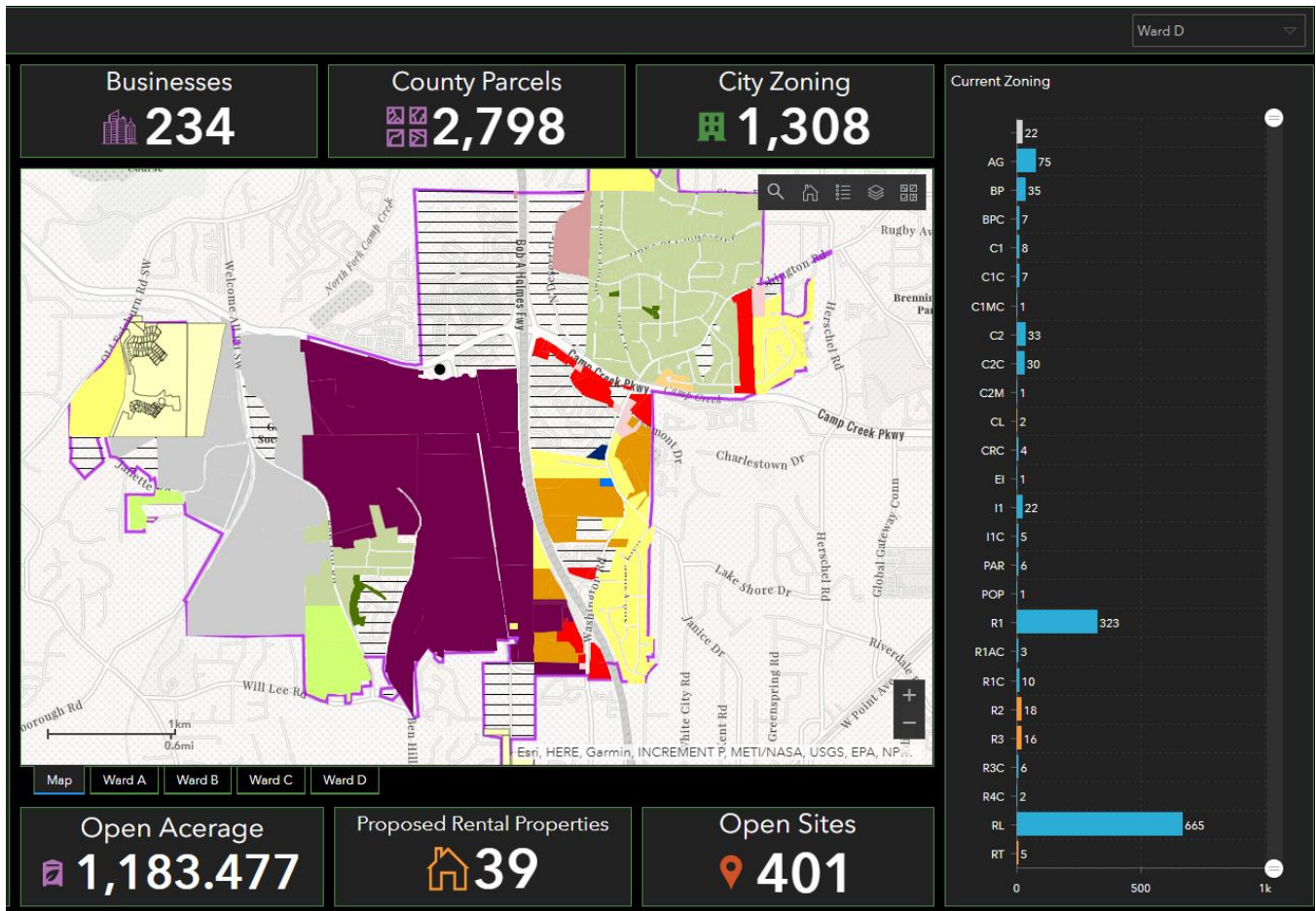
Exhibit C  
Ward C STR Zoning Map



There are approximately 12 parcels located in Ward C within the 6 zoning classifications being considered for Short Term Rental housing eligibility. 0.42% of Ward C has a zoning classification considered for STR's.

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Exhibit D  
Ward d STR Zoning Map



There are approximately 40+/- parcels within the 6 zoning classifications being considered for Short Term Rental housing eligibility. 1.39% of the of Ward D parcels have a zoning classification considered for STR's.