

1 CITY OF EAST POINT  
2 FULTON COUNTY, GEORGIA

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

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 Short-Term Lodging as a permitted use within  
19 certain zoning districts within the City of East Point; and  
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21 **WHEREAS**, the City has an interest in providing for the health, safety, and welfare of its residents;  
22 and  
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24 **WHEREAS**, pursuant to the requirements of the Zoning Procedures Act and the East Point Code of  
25 Ordinances, a properly advertised public hearing was held not less than 15 nor more than 45 days from the  
26 date of publication of notice, and which public hearing was held on the 7<sup>th</sup> day of December, 2020; and  
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1           **WHEREAS**, after the public hearing held on December 7, 2020, the Mayor and City Council have  
2 determined that allowing home stay short term 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  
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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 Short-Term Lodging:*** The business engaged in the rental of individual bedrooms within a  
21 dwelling unit that serves as a host's principal residence, including any single-family or accessory apartment,  
22 that provides lodging for pay, for a maximum continuous period not to exceed twenty-nine (29) consecutive  
23 days, that does 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 **Whole-house Lodging**- a business engaged in the rental of an entire dwelling unit that provides lodging for  
2 pay, for a maximum continuous period of twenty-nine (29) days, that does not include serving food. Whole-  
3 house lodging uses are exempt from the definition of "family."

4 **Section 2.** Part 10 Zoning Code and Development Regulations, Chapter 2, Article C. Zoning Text, District  
5 Classifications and Boundaries

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 **Sec. 10-2069 R-T (Residential Townhouse a) Permitted Uses**  
2 (3) Home-Stay Short Term Lodging  
3 a.) Short Term License Required

4 **Sec. 10-2070 E-I (Educational Institutional) a) Permitted Uses**  
5 (10) Home-Stay Short Term Lodging  
6 a.) Short Term License Required

7 **Sec. 10-2071 M-I (Medical Institutional) a) Permitted Uses**  
8 (17) Home-Stay Short Term Lodging  
9 a.) Short Term License Required

10 **Sec. 10-2075 CR (Commercial Redevelopment) a) Permitted Uses**  
11 (32) Home-Stay Short Term Lodging  
12 a.) Short Term License Required

13 **Sec. 10-2076 MIX (Mixed Use) a) Permitted Uses**  
14 (10) Home-Stay Short Term Lodging  
15 a.) Short Term License Required

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

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

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

22 **SO PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_ 2020.

23 **SPONSORED BY:**

24 \_\_\_\_\_  
25 Deana Holiday Ingraham, Mayor

26 **APPROVED AS TO FORM:**

27 **ATTEST:**

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Brad Bowman, City Attorney

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Keshia McCullough, City Clerk

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