

## ORDINANCE 2017-07

AN ORDINANCE BY THE GOVERNING AUTHORITY FOR THE CITY OF STONE MOUNTAIN, GEORGIA TO ESTABLISH APPENDIX A - ZONING, ARTICLE XVI: VACATION HOME FACILITIES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE AN EFFECTIVE DATE, TO REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND FOR OTHER PURPOSES.

### PART I

The Council of the City of Stone Mountain hereby ordains that APPENDIX A – ZONING, ARTICLE XVI: VACATION HOME FACILITIES, of *The Code of the City of Stone Mountain, Georgia* be established as follows:

Section 16-1. - Purpose, definitions, licenses.

#### *16-1.1 Purpose.*

- A. The purpose of this article is the establishment of land use regulations within the scope of the zoning powers of the municipal authority to govern vacation home facilities in the city. The intent of this article is to promote economic development in the vacation rental industry without harming existing residential properties.

#### *16-1.2 Definitions.*

- A. A lodging room is defined as a room that is used for temporary occupancy for a fee.
- B. An owner is defined as an individual, partner, or officer of a corporation who is an officer registered with the Corporations Division of the Georgia Secretary of State with title to real property.
- C. A vacation home facility is defined as a residential type establishment, with commercial enterprise, offering whole house rental with no more than four (4) lodging rooms for temporary occupancy for a fee and that does not offer food to guests.

#### *16-1.3 Licenses.*

- A. A vacation home facility shall obtain a home occupational tax certificate from the city.
- B. Fees for lodging in a vacation home facility are subject to local and state taxation ordinances.

Section 16-2. - Occupancy and parking restrictions.

#### *16-2.1 Occupancy restrictions.*

- A. A vacation home facility must meet the following occupancy restrictions:

1. Provide no more than four (4) lodging (guest) rooms with a minimum of 70 square feet per room.
2. Occupancy of a lodging room shall require at least 40 square feet per individual.
3. No occupancy shall exceed 10 consecutive days for any individual at a vacation home facility.
4. The owner of a vacation home facility shall live within the corporate boundaries of DeKalb County, Georgia.
5. Vacation home facilities shall be available for occupancy on a continuous basis except for repairs, renovations, or the absence of the owner.
6. Vacation home facilities shall be required to have a smoke alarm in each lodging room (guest room) and a fire extinguisher visible and accessible to guests. The facilities are subject to at least one annual inspection at the time of initial licensing and during renewal of the same.

*16-2.2 Parking restrictions.*

- A. Except where permitted by law, no parking shall be allowed on the street or in the front yard of a vacation home facility.
- B. Parking regulations relative to the zoning district in which the vacation home facility is located shall apply.

Section 16-3. - Signage.

*16-3.1 Signage.*

- A. No business and advertising signs shall be permitted.

PART II

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

PART III

This ordinance shall become effective on the \_\_\_\_\_ day of \_\_\_\_\_, 2017. This ordinance was proposed by Council Member \_\_\_\_\_ with a motion to adopt. Thereafter, the motion was seconded by Council Member \_\_\_\_\_. \_\_\_\_\_ Council Members voted in favor of the motion and \_\_\_\_\_ Council Members voted against the motion.

Signatures on next page.

\_\_\_\_\_  
Mayor Patricia Wheeler

\_\_\_\_\_  
Alicia Daniels, Asst. City Clerk

Approved as to form: \_\_\_\_\_  
City Attorney Joe Fowler

First read: \_\_\_\_\_

Second read: \_\_\_\_\_