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1 2 3	<u>AMEN</u>	N ORDINANCE OF THE CITY OF STONECREST, GEORGIA, DING CHAPTER 27, ARTICLE IV ADDING SUPPLEMENTAL USE REGULATIONS FOR SHORT TERM VACATION RENTALS
4 5 6 7 8 9	WHEREAS,	the City of Stonecrest is authorized to exercise the power of zoning Ga. Const. Art. IX, Section II, ¶ IV, Ga. Const. Art. IX, Section II, ¶¶ I and III, Official Code of Georgia Annotated (O.C.G.A.) § 36-66-1 et seq., the City's Charter, the City's general police powers, and by other powers and authority provided by federal, state and local laws applicable hereto; and
10 11 12	WHEREAS,	the City of Stonecrest continues to exercise its zoning powers to provide comprehensive city planning and ensure a safe, healthy, and aesthetically pleasing community; and
13 14 15	WHEREAS,	as the City of Stonecrest experiences growth and gains knowledge through the exercise of these powers, it is necessary to and, amend, and/or remove certain requirements in the Zoning Ordinance; and
16 17 18	WHEREAS,	the City of Stonecrest recognizes necessity of implementing regulations which protect the health, safety and welfare of its citizens as well as tourists in the city who choose alternative accommodations, such as Short Term Vacation Rentals.
19 20 21 22		the Zoning Procedures Law, O.C.G.A. § 36-66-1, et seq., provides statutory requirements which must be met by a local government to enact zoning ordinances and make zoning decisions, including, requiring publication of notice and public hearing prior to the enactment of zoning ordinances;
23 24	WHEREAS,	the City of Stonecrest has advertised and held public hearings on 9/11/18 and 9/17/18 on the adoption of the amendment to Chapter 27, Article IV.
25 26 27	WHEREAS,	this Ordinance seeks to regulate Short Term Vacation Rentals through its substantial zoning powers to ensure a safe, healthy, and aesthetically pleasing community for the citizens and visitors of the City of Stonecrest, Georgia.
28 29	THEREFOR follows:	E, the Mayor and City Council of the City of Stonecrest, Georgia, hereby ordain as
30 31 32	Section 1: T Chapter 27, follows:	he Code of the City of Stonecrest, Georgia, is hereby amended by adding Article IV, Section 4.2.58 – Short Term Vacation Rental, which reads as
33	4.2.58 - S	hort Term Vacation Rental
34 35	The follow	wing applies to all Short Term Vacation Rentals ("STVR"):
36 37	A. N	o individual renting the property shall stay for longer than 30 consecutive days.

5.5

- B. The STVR shall not be operated in such a way as to change the residential character of the neighborhood in which it is located and shall comply with the noise ordinance.
 - C. In every dwelling of two (2) or more rooms, every room occupied for sleeping purposes by one (1) occupant shall contain not less than 70 square feet of floor area, and every room occupied for sleeping purposes by more than one (1)two (2) occupant shall contain at least fifty (50) one hundred twenty (120) additional square feet of floor area. Maximum occupancy limits for any overnight guests must not exceed two guests for every bedroom located in the STVR.
 - D. Every bedroom shall have a window facing directly and opening to the outdoors.
 - E. Every bedroom shall have access to not less than one water closet and lavatory without passing through another bedroom. Every bedroom in an STVR shall have access to not less than one water closet and lavatory located in the same story as the bedroom or an adjacent story.
 - F. Maximum occupancy for an STVR at any point in time shall not exceed the occupancy as determined by one person per every one hundred and fifty (150) square feet of floor area for the first occupant thereof and at least one hundred (100) additional square feet of floor area per additional occupant, or the occupancy limits are by the fire code adopted by the City, whichever is less.
 - 6. There shall also be provided at least one (1) off-street parking space for each bedroom used as a part of the STVR.
 - H. No signs or advertising are permitted to identify or advertise the existence of the STVR, beyond those otherwise allowed for the residential property.
 - I. All STVR units shall be furnished with a telephone that is connected to a landline or similar type connection, including a voice over internet protocol, in order that 911 dispatch may be able to readily identify the address and/or location from where the call is made when dialed.
 - J. A diagram depicting two evacuation routes shall be posted on or immediately adjacent to every required egress door.
 - K. No individual renting a STVR shall use the STVR for a special event, party, or temporary outdoor event. No owner or operator of a STVR shall permit a STVR to be used for a special event, party, or temporary event.
 - L. It shall be unlawful to establish, operate, or cause to be operated a STVR in the city within 500 feet of another STVR, bed and breakfast, boarding house, Home stay bed and breakfast residence, hotel/motel, hotel/motel extended stay, personal care home, or child caring institutions. Measurements for this subsection shall be made in a straight line without regard to intervening structures or objects, between the closest points on the property lines of the two uses.

Section 2:

1. It is hereby declared to be the intention of the Mayor and City Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are and were, upon their enactment, believed by the Mayor and City Council to be fully valid, enforceable and constitutional.

2. It is hereby declared to be the intention of the Mayor and City Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and City Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

3. In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and City Council that such invalidity, unconstitutionality, or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

4. All ordinances or resolutions and parts of ordinances or resolutions in conflict herewith are hereby expressly repealed.

5. The within ordinance shall become effective upon its adoption.

6. The provisions of this Ordinance shall become and be made part of The Code of the City of Stonecrest, Georgia, and the sections of this Ordinance may be renumbered to accomplish such intention.

SO ORDAINED AND EFFECTIVE this the 17 day of Sept., 2018.

Jason Lary, Sr., Mayor

As to form:

Apprøýed

TMOD 18-0003 & 0004

Attachment #2

09/11/2018 Planning Commission Use Table 4.1 (guesthouse, in-law suite)

Housing and Lodging contact 7 or more no more than six (6) persons Convents or monasteries Boarding/Rooming house Bed and breakfast, home stay Bed and breakfast Accessory uses or structures Mobile home park Live/work unit Home occupation, with customer Home occupation, no customer Extended stay hotel/motel Dormitory Shelter for homeless persons, 7-20 Senior housing Child caring institution, group, 4-6 Personal care home, group, 4-6 Personal care home, community, Nursing care facility or hospice Short Term Vacation Rental Fratemity house or sorority house Table 4.1 Use Table Shelter for homeless persons for Child caring institution, community, Hotel/Motel Transitional housing facility, 7-20 Use **XEY:** P - Permitted use Pa - Permitted as an accessory use å SA ςp g P S Ра ş ş ဗူ RE З υ Ş ЗS ş Pa SP SP å S ş RLG SP U Š SP S Pa Ş ŝ R-100 g ş å σ Š SP S S ş g Ŷ R-85 ဒူ ş U ş SP Ş å SP Pa R-75 SP å ט ဒူ SP P Ъ Ŕ S ဒူ S မွ R-60 U Ş ş SP ង မှ SP **RSM** SP Ψ, SP ę ဇူ S ş ŝ Ъ σ MR-1 ş သူ ט SP φ Sp ş SA Sp MR-2 Ş P B SP ŝ S U SP ş S Ş S 20 U HR-1,2,3 SP SP Ŷ ŝ SP SP å SP S Ŷ 왐 D MHP SP - Special land use permit (SLUP) SA - Special administrative permit from Community Development Director ŝ ş U 8 Š SP B SP ŝ RNC ĸ Pa SP TD aa D D OI U å 왐 S SP T U Ţ ╼ U U U J U σ OIT 70 σα U U U Ţ ס r o U σ α o o υO യെ g NS Ş ŝ U ဗူ Pa g C-1 Sp U SP บ υ ס Ţ ש U ס־ SP P D B Pa C-2 Ψ U U U U U σ T Pa OD Pa U Ϋ́ S B ğ σ M ş ŝ ည M-2 SP U U ᢐ $\supset C$ υo סס യ വ o T MU-1 υo o o TO O SA å Pa SP Ба Pa MU-2 ဗူ ş Sp ט־ U υ T U T SA Ş S ဥ Pa MU-3 SP ŝ Pa U Ϋ́P U U U υ Sp န SA Pa В ş SP U MU-4,5 ŝ U U S U U σ See Section 4.2 ۷,

Zoning Ordinance of the City of Stonecrest

Zoning Ordinance of the City of Stonecrest

Automobile, boat and trailer sales and service

Specialized schools	Vocational schools	middle or nigh schools	Private kindergarten, elementary,	Private educational services, home	and training facilities	Education research	play or recreation areas, community	Tennis courts, swimming pools,	Swimming pools commercial	Docreation outdoor	Dlaces of worship	Neighborhood or subdivision	Recreation club	Cultural facilities	Library or museum	service	Hospital or accessory ambulance	private	Golf course or clubhouse, public or	Empro home mortilary	Coliseum or stadium/not	commercial	mausoleum Club order or lodge fraternal, non-	Cemetery, columbarium,	Community Facilities		Use	X ET.	
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[2412467/1]

Zoning Ordinance of the City of Stonecrest

Indoor recreation (bowling alleys, movie theatres and other activities	Fairground or amusement park	Drive-in theater	Sexually Oriented Business	Recreation and Entertainment	Real estate office	Medical office	Legal office	Insurance office	General business office	Finance office or banking	Engineering or architecture office	(material, equipment, storage)	Building, landscape, heavy construction contractor office	Building or construction office	Accounting office	Office	Trailer or RV salesroom and lot	Service area, outdoor	Retail automobile parts or tire store	Boat sales	Automobile wash/wax service	Automobile upholstery shop	Automobile service stations	Automobile sales or truck sales	Automobile repair, major	minor	Auto recovery, storage	Automobile property	Automobile brokerage	Autorionie of flack feital of		Use	
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Fuel dealers, manufacturers or wholesalers	Specialty food stores (e.g., coffee, ice cream) (see alcohol outlet)	Fortune Tellina	Florist	rarmers market, temporary/seasonal	rarmer's market, permanent	Farm or garden supply store	areas	Drive-through facilities (other than restaurants) in all other character	restaurants) in Activity Certier	Drive-through facilities (other than	Convenience store (see alcohol outlet or fuel pumps accessory)	store	Computer or computer software	Camera or photography	store	Art gallery	Apparel or accessories store	or accessory	Alcohol outlet, retail sales, primary	Retail	building	entertainment within enclosed	Theaters with live performance, assembly or concert halls, or similar	Special events facility	batting cages, tennis, Go-cart and other outdoor activities)	Outdoor recreation (miniature golf,	Nightclub or late night establishment		Use	VE F
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Zoning Ordinance of the City of Stonecrest

electronics store providing sales of merchandise with shopping center) materials store Trade shops: electrical, plumbing, heating/cooling, roofing/siding, with no outside storage alcohol outlet no outdoor storage Music or music equipment store Grocery stores (see alcohol outlet) Gold buying, precious metals Fuel pumps, accessory Pet supply store Pawn shop, title loan News dealer or news store Hobby, toy or game store Hardware store or other building Gift, novelty, or souvenir store Sporting goods or bicycle sale Retail warehouses/wholesales Retail, 5,000 sf or less Radio, television or consumer Pharmacy or drug store (see Office supplies and equipment Liquor store (see alcohol outlet) Jewelry store attoo Parlor and Piercing Studio Specialty store Shopping center Retail, over 5,000 sf (see also Variety store Thrift, secondhand, antique store Use <u>주</u>: P - Permitted use Pa - Permitted as an accessory use RE RLG R-100 R-85 R-75 R-60 **RSM** Pa D D MR-1 S S n a MR-2 Pa В D a o o HR-1,2,3 D a SP - Special land use permit (SLUP) MHP SA - Special administrative permit from Community Development Director a D **RNC** D B D a OI D a B υ J ס OIT ர ம סב עו T S ဗူ Ţ NS τ J ס U U T U Ţ υ Ū U ס Ψ U π S_O 8 SP U U C-1 ဗူ U ש U U U ש U σ Ţ U υ U U U U 给 SP U U C-2 U וסי ס U J U U U υ σ U U ש U σ U Ū σ T OD ᢐᢐ σ ס ס U U T υ U U ס T U U U U U U σ ס T U M υ σ U σ σ U U שר U U υ U υ M-2 υ Ţ U D W U U σ ש σ U MU-1 U U T ש וס ס σ U υ U ΤŪ υ MU-2 U ס U U U U ט־ σ ס U U U U Ū υ σ U U 왐 υ MU-3 ס ס σ υ σ σ U U U σ U υ ╗ U T U å U MU-4,5 Ū U U U U U σ U ט ט ס־ U v U Q See Section 4.2

Table 4.1 Use Table.

- Indianament -	Taxi stand	Taxi, ambulance, limousine dispatch office only (no vehicle	Taxi, ambulance or limousine service, dispatching or storage.	Parking, commercial garage	Parking, commercial lot	Heliport	Bus or rail stations or terminals for passengers	Transportation and Storage	Restaurants with a drive-thru configuration (all other character areas)	Restaurants with a drive-thru configuration in Activity Center character area	Restaurants (non-drive-thru)	Restaurants (acc. to hotel/motel)	Catering establishments	Brewpub/Beer Growler	Restaurant/Food establishments	Temporary trailer, as home sales office or construction trailer	Temporary outdoor events	Temporary outdoor retail sales	Temporary produce stand	Temporary outdoor sales, seasonal	Temporary Commercial Uses	Use .	KEY;
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similar financial institutions Dry cleaning agencies, pressing establishments, or laundry pick-up similar establishments accessory primary Multi-warehouse Massage Establishment (Kindergarten) - 7 or more electrotyping Barber shop/ beauty salon or Animal hospitals, veterinary clinic Adult day care facility - up to 6 Adult day care center - 7 or more Dog grooming Dog day care Check cashing establishment, Check cashing establishment, Banks, credit unions or other Animal shelter/rescue center Child day care facility - up to 6 Child day care center Fitness center Coin laundry Personal services establishment Outdoor storage, commercial Mini-warehouse Kennel, commercial Kennel, breeding or boarding Photoengraving, typesetting Landscape business Kennel, noncommercial Use AEY: P - Permitted use Pa - Permitted as an accessory use ςŖ क्षक ŝ SP RE O_D SP RLG Pa ş D a R-100 Ş Pa R-85 Sp Pa R-75 R-60 Pa Pa RSM ςp g ဒူ Pa MR-1 Pa S S Pa ď P B Ъ U SP 교육 Pa Ра Pa υ MR-2 D D Ъ U 20 D a ş Pa O O ş ည ည HR-1,2,3 Pa g ט T U U å Pa MHP SP - Special land use permit (SLUP) SA - Special administrative permit from Community Development Director ס SP RNC Pa SP U Ъ υ U OI U Pa σ ס־ OIT ס U T O CO വ വ U U U 7 NS U U ű υ U U σ T U Pa U C-1 σ U Ŷ σ å σ J σ v T J U T U U C-2 ş မှ SP U U U U σ U υ U U σ U U υ U U σ U J T OD T U U U U М SP U U U Ψ ש U v T T ס־ U U σ U σ v T Ţ U U ᆔᅂ ש U M-2 σ U U U U T σ U Ţ U Ţ U T T U MU-1 U U T U υ U T U Sp U MU-2 U υ U σ U σ σ U U U T U КĄ MU-3 U U U σ U U U U U ש U U T U MU-4,5 왂 τ υ σ T σ υ U υ σ U Ţ U See Section 4.2 < Κ,

Table 4.1 Use Table.

Zoning Ordinance of the City of Stonecrest

Services, Medical and Health Publishing or printing establishments storage establishments with no outdoor Services, Repair medical services, private Contractor, general (See also Building or Construction Office) establishment shoes, jewelry) Furniture upholstery or repair; home appliance repair or service of Paris manufacturing products terra cotta manufacturing manufacturing Plumbing, HV//AC equipment NDUSTRIAL Ambulance service or emergency Photographic studios Quick copy printing store norganic Medical or dental laboratories Kidney dialysis center Health services clinic Table 4.1 Use Table. Compressed gas fuel station Building materials or lumber supply Brick, clay, tile, or concrete Automobile/truck manufacturing Alternative energy production Alcohol or alcoholic beverage Service area, outdoor Personal service, repair (watch, Home healthcare service Chemical manufacture, organic or Cement, lime, gypsum, or plaster Use XEY: P - Permitted use Pa - Permitted as an accessory use RE **RLG** R-100 R-85 R-75 R-60 **RSM** MR-1 D D g MR-2 Ра HR-1,2,3 MHP SP - Special land use permit (SLUP) SA - Special administrative permit from Community Development Director RNC Ol σ U Q U U U υ U OIT U σ σ σ ָסר U ש U U T NS ď C-1 U υ Ţ σ U U U U U U C-2 D a ס־ U U U SP P Ū Ψ U υ υ U U σ ס OD 给 ש a D U U M U U U U U U σ "ס U U υ Ψ ש v U M-2 Ψ υ U π U ס J υ ש U ט U σ U ס σ ט ו U MU-1 טד MU-2 ש־ U σ U σ U MU-3 U σ U ס ס Ū ╗ υ Ş ס MU-4,5 U ט J U See Section 4.2

Zoning Ordinance of the City of Stonecrest

outside storage plant when conducted within an enclosed produced or processed on the wholesalers manufacture manufacture rail freight or passenger terminal, or premises truck terminal Fuel dealers, manufactures or Explosive manufacture or storage Dye works Dry cleaning plant Distillation of bones or glue Crematoriums Contractor, special trade Contractor, heavy construction, housed within a building (See also Brewpub) General aviation airport Fat rendering or tertilizer Fabricated metal manufacture Incidental retail sales of goods Heavy equipment repair service or Incineration of garbage or refuse ice manufacturing plant Manufacturing, heavy Light malt beverage manufacturer Leather manufacturing or Intermodal freight terminal, bus or Industrial, light Industrial, heavy Manufacturing operations not Light manufacturing Use XEX: Pa - Permitted as an accessory use P - Permitted use RE RLG R-100 R-85 R-75 R-60 **RSM** MR-1 MR-2 HR-1,2,3 MHP SP - Special land use permit (SLUP) SA - Special administrative permit from Community Development Director RNC OI OIT NS Ъ C-1 Pa C-2 U T Pa T OD σ U σ M σ 20 Ψ υ ס־ U σ Ü U M-2 Ъ סס U U υ U U ס U סס π U U Ţ U U ס σ U σ U MU-1 Ø U MU-2 P_D MU-3 Ра MU-4,5 D B See Section 4.2

Table 4.1 Use Table.

Zoning Ordinance of the City of Stonecrest

Zoning Ordinance of the City of Stonecrest

quarries, asphalt plants, gravel pits manufacture, processing or production, refining or machinery not requiring the use of products, equipment, machine tools, watches, toys, electrical appliances, within a building press punch over 100 tons rated electronic, light sheet metal wholly within a building materials including radioactive technology or hazardous/toxic team truck yards handling facility, thermal treatment landfill, private industry disposal laboratories capacity or drop hammer Outdoor storage, industrial Radioactive materials: utilization. Petroleum or inflammable liquids Paper or pulp manufacture Mines or mining operations, Railroad car classification yards or Repair/manufacture of clocks, Recycling plant Recycling collection Recovered materials processing Recovered materials facility wholly Storage yard, except vehicle Solid waste: general disposal, Salvage yard (Junkyard) Rubber or plastics manufacture Research, experimental or testing Table 4.1 Use Table. Smelting: copper, iron, zinc, or ore Use XEY: P - Permitted use Pa - Permitted as an accessory use RE RLG R-100 R-85 R-75 R-60 **RSM** MR-1 MR-2 HR-1,2,3 SP - Special land use permit (SLUP) SA - Special administrative permit from Community Development Director MHP RNC Pa OI OIT Pa NS Pa C-1 Pa C-2 OD v M U U U U v ש σ U U J Ţ M-2 U υ U U U U σ U σ υ U U σ U σ σ Ή MU-1 MU-2 MU-3 MU-4,5 < < Ç. 4 See Section 4.2

Attached wireless telecommunication facility	COW's (declared emergency)	COW's (non-emergency or event, no more than 120 days)	New support structure or stealth design up to 199'	Stealth design up to 150'	telecommunication facility, used for non-residential purposes (prohibited if used as residential)	Attached wireless	WIRELESS TELECOMMUNICATION (cell tower)	Satellite television antennae	Radio or television broadcasting transmission facility	studio or television broadcasting	exchange	Electric transformer station, gas regulator station or telephone	Amateur radio service or antenna	COMMUNICATION - UTILITY	Warehousing or Storage	Vehicle storage yard	Truck stop or terminal	Transportation equipment storage or maintenance (vehicle)	Transportation equipment manufacture	Towing or wreckage service	Tire retreading or recapping	Sugar refineries	confiscated vehicles	Storage yard for damaged or	Use	KEY	Table 4.1 Use Table.
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Monopole or attached facility in utility company's easements or rights-of-way	Use	Table 4.1 Use Table. KEY:
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