

ARTICLE III  
DEFINITIONS OF TERMS USED IN ORDINANCE

**Add Bed and Breakfast definition**

Bed and Breakfast: A private residence which provides lodging and meals for guests, in which the host or hostess resides and in which no more than eight (8) guest families are lodged at the same time and which, while it may advertise and accept reservations, does not hold itself out to the public to be a restaurant, hotel, or motel, does not require reservations, and serves food only to overnight guests.

**Add bed and breakfast to Motel definition in Article II Sec.50-31. Definitions.**

*Motel* means any structure or any portion of a structure, including any motel, lodginghouse, roominghouse, dormitory, Turkish bath, bachelor hotel, hotel, motor hotel, auto court, inn, bed and breakfast, bed and breakfast inn, public club or private club, containing guestrooms and which is occupied, or is intended or designed for occupancy by guests, whether rent is paid in money, goods, labor, or otherwise. Such term does not include any jail, hospital, asylum, sanitarium, orphanage, prison, detention center or other buildings in which human beings are housed and detained under legal restraint.

**Amend Art. VI, Parking**

Use Classification	Minimum Parking Space Requirements
Bed and Breakfast	One space per guest room plus one space for each permanent resident.

### Add Sections 728, 729, 730 and 731

#### Section 728. Bed and Breakfast; location.

An owner occupied Bed and Breakfast with no more than eight (8) guest families may be established within R-1A (Single Family Residential), R-1B (Single Family Residential), R-2 (Multiple Family Residential), PRO (Professional), DB (Downtown Business), and CB (Community Business). The following requirements shall apply in addition to all other applicable requirements of this Code for the district in which such use is located:

- 1) The residence shall be owner occupied at all times.
- 2) The rooms utilized are a part of the primary residential use, and not specifically constructed for rental purposes.
- 3) Sufficient off-street parking is provided as required by Article VI, Parking.
- 4) Signs shall be specified as in Section 729 (k)
- 5) Length of stay shall not be more than fourteen (14) consecutive days.
- 6) No retail or other sales shall be permitted unless they are clearly incidental and directly related to the conduct of the home occupation.

#### Section 729. Conditional Use for Bed and Breakfast.

(a) All owners of a Bed and Breakfast are required to apply for and obtain a Conditional Use as defined in Appendix D, Section 3 of this Code.

(b) All owners of a Bed and Breakfast are required to apply for and obtain an Occupational Tax Certificate under this Code with the City Clerk or his/her designee on forms provided by the City and shall provide such information as may be reasonably required.

(c) Such occupations or uses are intended to provide reasonable flexibility in the application of this ordinance, but such home occupation shall not be granted if the essential character of a lot or structure within a residential district, in terms of use, traffic generation or appearance will be changed in the slightest degree by the occurrence of such occupations or activities. Minor alterations for parking may be considered. Under no circumstance shall interior remodeling be permitted without approval from the Zoning Administrator.

(d) All business activity and storage must take place within the interior of the dwelling and/or accessory building.

(e) No alteration to the exterior of the residential dwelling, accessory building, or yard that alters the residential character of the premises is permissible. Parking shall not alter the residential character of the premises.

(f) The home occupation shall not generate pedestrian or vehicular traffic beyond that normally generated by homes in the residential neighborhood.

(g) The conduct of the home occupation shall not violate any of the City's ordinances concerning nuisance, fire, or health, or any other City, County, State or other public laws or regulations applicable.

(h) The home shall not be used by the public for the hosting of receptions, private parties or the like.

(i) A list shall be maintained of all guests and their place of residence.

(j) Annual Inspection. The residence shall meet all conditions of this ordinance and other applicable ordinances and laws. There shall be an annual inspection of the premises used by the guest by the City upon Occupational Tax renewal.

(k) Signage shall be limited to one (1) non-illuminated sign erected on the property not to exceed four (4) square feet in area. Signage shall be professionally made and installed and shall meet the characteristic of the residence and character area.

(l) Food only served to overnight guests. Basic minimum requirements for food service shall be required.

(1) Only breakfast served.

(2) A Tourist Accommodation Permit is required.

(3) Establishment does not hold itself out to be a restaurant.

(m) Residence must meet current codes with Georgia amendments for residential housing, multifamily dwellings, rooming houses, and/or hotel fire codes. A fire escape plan shall be posted in guest bedrooms. Fire extinguisher(s) shall be readily accessible to guests at all times. There shall be a fire extinguisher in the kitchen. Working smoke alarms shall be in all sleeping rooms and common areas.

(n) Any Conditional Use and Occupational Tax certificate is non-transferable.

Section 730. Bed and Breakfast Inn; location.

Owner occupied Bed and Breakfast Inns with more than two (2) guest families and no more than ten (10) guest families may be established within CB (Community Business). The following requirements shall apply in addition to all other applicable requirements of this Code for the district in which such use is located:

- 1) The residence shall be owner occupied at all times.
- 2) The rooms utilized are a part of the primary residential use, and not specifically constructed for rental purposes.
- 3) Sufficient off-street parking is provided as required by Article VI, Parking.
- 4) Signs shall be specified as in Article VIII.
- 5) Length of stay shall not be more than fourteen (14) consecutive days.
- 6) No retail or other sales shall be permitted unless they are clearly incidental and directly related to the conduct of the home occupation.

Section 731. Conditional Use for Bed and Breakfast Inn.

(a) All owners of a Bed and Breakfast Inn are required to apply for and obtain a Conditional Use as defined in Appendix D, Section 3 of this Code.

(b) All owners of a Bed and Breakfast Inn are required to apply for and obtain an Occupational Tax Certificate under this Code with the City Clerk or his/her designee on forms provided by the City and shall provide such information as may be reasonably.

(c) Such occupations or uses are intended to provide reasonable flexibility in the application of this ordinance, but such occupation shall not be granted if the essential character of a lot or structure within a residential district, in terms of use, traffic generation or appearance will be changed in the slightest degree by the occurrence of such occupations or activities. Minor alterations for parking may be considered. Under no circumstance shall interior remodeling be permitted without approval from the Zoning Administrator.

- (d) All business activity and storage must take place within the interior of the dwelling and/or accessory building.
- (e) No alteration to the exterior of the residential dwelling, accessory building, or yard that alters the residential character of the premises is permissible. Parking shall not alter the residential character of the premises.
- (f) The occupation shall not generate pedestrian or vehicular traffic beyond that normally generated by homes in the residential neighborhood.
- (g) The conduct of the occupation shall not violate any of the City's ordinances concerning nuisance, fire, or health, or any other City, County, State or other public laws or regulations applicable.
- (h) The home shall not be used by the public for the hosting of receptions, private parties or the like.
- (i) A list shall be maintained of all guests and their place of residence.
- (j) Annual Inspection. The residence shall meet all conditions of this ordinance and other applicable ordinances and laws. There shall be an annual inspection of the premises used by the guest by the City upon Occupational Tax renewal.
- (k) Food only served to overnight guests. Basic minimum requirements for food service shall be required.
  - (1) Only one meal served.
  - (2) A Tourist Accommodation Permit is required.
  - (3) Establishment does not hold itself out to be a restaurant.
- (l) Residence must meet current codes with Georgia amendments for residential housing, multifamily dwellings, rooming houses, and/or hotel fire codes. A fire escape plan shall be posted in guest bedrooms. Fire extinguisher(s) shall be readily accessible to guests at all times. There shall be a fire extinguisher in the kitchen. Working smoke alarms shall be in all sleeping rooms and common areas.
- (m) Any Conditional Use and Occupational Tax certificate is non-transferable.

Add conditional use to the following districts

ARTICLE XI

R-1A, SINGLE-FAMILY RESIDENTIAL DISTRICT

Section 1103. Conditional Uses.

Bed and Breakfast as defined in Article III of this ordinance and in accordance with Article VII Sections 728 and 729 of this ordinance.

ARTICLE XII

R-1B, SINGLE-FAMILY RESIDENTIAL DISTRICT

Section 1203. Conditional Uses.

Bed and Breakfast as defined in Article III of this ordinance and in accordance with Article VII Sections 728 and 729 of this ordinance.

ARTICLE XIII

R-2, MULTIPLE-FAMILY RESIDENTIAL DISTRICT

Section 1303. Conditional Uses.

Bed and Breakfast as defined in Article III of this ordinance and in accordance with Article VII Sections 728 and 729 of this ordinance.

ARTICLE XV

PRO, PROFESSIONAL DISTRICT

Section 1503. Conditional Uses.

5. Bed and Breakfast as defined in Article III of this ordinance and in accordance with Article VII Sections 728 and 729 of this ordinance.

ARTICLE XVI  
DB, DOWNTOWN BUSINESS DISTRICT

Section 1603. Conditional Uses.

5. Bed and Breakfast as defined in Article III of this ordinance and in accordance with Article VII Sections 728 and 729 of this ordinance.

ARTICLE XVII  
CB, COMMUNITY BUSINESS DISTRICT

Section 1703. Conditional Uses.

9. Bed and Breakfast as defined in Article III of this ordinance and in accordance with Article VII Sections 728 and 729 of this ordinance.

10. Bed and Breakfast Inn as defined in Article III of this ordinance and in accordance with Article VII Sections 730 and 731.