

**CITY OF LOOKOUT MOUNTAIN, GEORGIA**

**ORDINANCE NO. 298**

AN ORDINANCE to amend the City of Lookout Mountain, Georgia's Ordinance No. 292 (the Amended and Restated Zoning Ordinance), to enlarge the City of Lookout Mountain's Single Family/Business Conference District to include certain additional property, to establish a definition of Bed and Breakfast Inns, to add Bed and Breakfast Inns (as so defined and with additional limitations) to the list of permitted uses within the City's Single Family/Business Conference District, and for other purposes.

WHEREAS, the Municipal Planning Commission of the City of Lookout Mountain (the "Planning Commission"), after careful study and deliberation, has determined that the City's Single Family/Business Conference District should be enlarged to include certain properties hereinafter specifically described located at the corner of Red Riding Hood Trail and Mockingbird Lane and abutting Aladdin Road and has further determined that Bed and Breakfast Inns, as specifically defined herein and under the terms and conditions set forth herein, are a suitable use of property within the City's Single Family/Business Conference District, that such use does not adversely affect the economic value or uses of adjacent and nearby properties, and that such use is in furtherance of the general welfare and economic interests of the City of Lookout Mountain and its citizens; and

WHEREAS, the Planning Commission, after proper notice, has conducted a public hearing on this proposed zoning amendment in accordance with the City's Zoning Procedures and Standards Ordinance (Ordinance No. 289) and has fully considered all standards set forth in said Ordinance; and

WHEREAS, the Planning Commission, in accordance with Section 9 of the Zoning Procedures and Standards Ordinance, has prepared its report on this proposed zoning amendment, evaluating the standards set forth in the Zoning Procedures and Standards Ordinance and recommending that the City Council approve and adopt this zoning amendment; and

WHEREAS, after careful study and deliberation, the City Council has concurred in the Planning Commission's findings and recommendations;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Lookout Mountain, Georgia, and IT IS HEREBY ORDAINED:

SECTION 1. Section 10-1 of Ordinance No. 292 (DEFINITIONS) is hereby amended by the addition of the following new Paragraph (5):

(5) Bed and Breakfast Inn. A transient lodging establishment comprised of not less than four (4) nor more than twenty (20) guest rooms or suites, which establishment provides breakfast, prepared on premises and included in the room rate, as the only meal served but with weddings and special lunches or dinners also permitted for registered guests. To constitute a Bed and Breakfast Inn, all of the following conditions must be met:

(a) The establishment must maintain at all times a current register of the names and addresses of guests staying on the premises;

(b) No guest may be registered or occupy a guest room or suite for a more than thirty (30) consecutive days and no more than ninety (90) total days in any calendar year;

(c) There may be no more than three (3) exterior signs on the property to identify the facility, none of which may be more than twenty-four (24) square feet in size, with any additional exterior signage being limited to small direction signs for ingress/egress;

(d) The establishment must comply with all federal, state and local requirements for the preparation, handling and serving of food;

(e) The establishment must comply with all rules and regulations of the Georgia Department of Labor and Industry and all other applicable building, safety, and fire codes of the federal, state and local government;

(f) The establishment must provide one full bathroom, which shall include one toilet, washbasin, and bath and/or shower, for each guest room or suite;

(g) Any amenities such as tennis court, swimming pool, etc., shall be solely for the use of the establishment's registered guests; and

(h) Cooking facilities may not be contained in any single-bedroom accommodations.

The current Paragraph (5) of Section 10-1 shall be renumbered as Paragraph (6), and each remaining paragraph in Section 10-1 shall be renumbered in sequence.

SECTION 2. Section 10-2(F) of Ordinance No. 292 (Boundaries of Single Family/Business Conference District) is hereby amended by adding the following described property thereto, thereby rezoning said property as Single Family/Business Conference and adding said property to the Single Family/Business Conference District:

That tract or parcel of land lying and being in Original Land Lot Number 35 in the 9<sup>th</sup> District and 4<sup>th</sup> Section of Walker County, Georgia, being known and designated as Lot Nos. 69-B, 70-B, 304, 305, 306, 307, 308 and the north 10 feet of Lot No. 309, Fairyland

Estates Subdivision, as shown by plat recorded in Plat Book 1, Page 75, in the Office of the Clerk of the Superior Court of Walker County, Georgia.

SECTION 3. Section 10-8(A) of Ordinance No. 292 (Single Family/Business

Conference District, Uses Permitted) is hereby amended by the addition of the following new

Paragraph (6):

(6) Bed and Breakfast Inns but only in strict and continued compliance with all of the following conditions:

(a) The property on which the Bed and Breakfast Inn is located must be comprised of one or more contiguous lots totaling at least two (2) contiguous acres undivided by any municipal street or state or county road or highway;

(b) Access to the establishment or to any guest room, suite or unit shall only be available through a commonly shared parking area, in the interior of the property, which serves the entire facility;

(c) Any house or other building with more than 2,500 square feet of living space which is located on the same property as a Bed and Breakfast Inn may only be used as a single family dwelling occupied by the owner or manager of the Bed and Breakfast Inn or by a lessee under a written lease having a term of at least one (1) year;

(d) Off-street parking must be provided on site at a ratio of at least 1.0 spaces but not more than 1.5 spaces per guest room or suite, including those located in cottages or houses, with no on-street parking allowed, and in no event shall the vehicles of persons frequenting the premises exceed the number of parking spaces available in the on-site, off-street parking areas;

(e) No retail sales shall be permitted at the establishment other than sales to guests of memorabilia, gift, and travel accessory items which sales shall only occur as a

activity subordinate to the operation of the inn in an interior area adjacent to the designated office or breakfast areas;

(f) The owner or manager-in-charge of the Bed and Breakfast Inn must be a legal resident of the City of Lookout Mountain, Georgia; and

(g) The architecture, design and use of a Bed and Breakfast Inn shall preserve the character of the Lookout Mountain community and local historic properties.

SECTION 4. Savings Clause. If any of the sections, subsections, sentences, clauses or phrases of this Ordinance are for any reason held to be unconstitutional or invalid, the validity of the remaining portions of this Ordinance shall not be thereby affected since it is the express intent of the Council of the City to pass each section, phrase, paragraph and word separately.

SECTION 5. Repealer. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION 6. Part of Code of Ordinances. It is the intention of the Council of the City that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City, and the Sections of this Ordinance may be renumbered to accomplish such intention.

SECTION 7. Effective Date. This Ordinance shall be effective ten (10) days after its adoption and approval by at least three (3) members of the Council for the City of Lookout Mountain, Georgia, after two (2) readings at least one (1) week apart.

APPROVED on first reading on August 18, 2016.


  
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Member of City Council

  
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Member of City Council

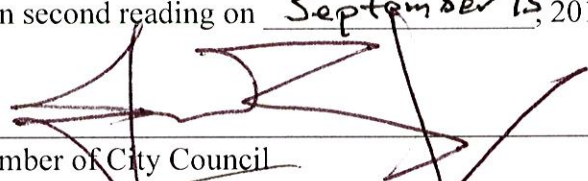
  
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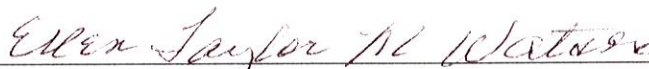
  
Mayor of Lookout Mountain, Georgia

APPROVED AND ADOPTED on second reading on September 15, 2016.

  
Member of City Council

  
Member of City Council

  
Member of City Council

  
Member of City Council

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Member of City Council

  
Mayor of Lookout Mountain, Georgia

ATTEST:

  
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City Clerk