

CITY OF SMYRNA

COMMUNITY DEVELOPMENT DEPARTMENT

MEMORANDUM

To: Mayor and Council

From: Rusty Martin AICP, Community Development Director
Joey Staubes AICP, Planner II

Date: February 10, 2022

CC: Planning and Zoning Board
Joe Bennett – City Administrator

RE: Zoning Code Amendment – Accessory Uses and Structures

BACKGROUND

The Community Development Department is proposing a change to Article V, Section 501.3 to allow accessory structures be utilized for short-term rentals and be consistent with the short-term rental ordinance. The Planning & Zoning Board recommended **approval** by a vote of 6-0 at the February 14, 2022 meeting.

ANALYSIS

The proposed short-term rental ordinance allows accessory structures to be utilized for short-term rental (30 days or less) when the property is owner occupied. Owner occupied is defined in the short-term rental ordinance as:

Owner occupied property means real property which contains one or more dwelling unit(s) where one of the dwelling units is occupied by the property owner and constitutes his/her primary place of residence.

STAFF COMMENTS

Community Development has reviewed the City's Zoning Ordinance and has made the following code amendment:

Subsections of Section 501 of the Zoning Ordinance shall be amended to read as follows (amended portions are highlighted).

ARTICLE V. – GENERAL PROVISIONS

Sec. 501 – Accessory uses and structures.

(501.3) Residential accessory uses and structures such as garages, greenhouses or workshops shall not be rented or occupied for gain; **except as permitted in Article XI of**

Chapter 22 - Businesses of the city's Code of Ordinances as it pertains to the operation of short-term rental units.