

Agenda Item

File ID: 2026-0628

Substitute 6/23/2026

Public Hearing: YES ☒ NO ☐

Department: Planning and Sustainability

SUBJECT:

Commission District(s): All Districts.

Application of Director of Planning & Sustainability for a text amendment to amend Chapter 24 pertaining to an excise tax on Short-Term Rentals and Chapter 27 pertaining to zoning, for the purpose of clarifying provisions. This text amendment is County-wide.

Petition No.: 2026-0628 TA-26-1248065

Proposed Use: An excise tax on Short-Term Rentals, Chapter 27.

Location: County-wide

Parcel No.: N/A

Information Contact: Racquel Jackson, Special Assistant to the Director of P&S.

Phone Number: 404-371-2155

PURPOSE:

Application of Director of Planning & Sustainability for a text amendment to amend Chapter 24 pertaining to an excise tax on Short-Term Rentals and Chapter 27 pertaining to zoning, for the purpose of clarifying provisions. This text amendment is County-wide.

RECOMMENDATION: APPROVAL

COMMUNITY COUNCIL: (April 2026) CC-1: No Quorum; **CC-2:** Approval; **CC-3:** Approval; **CC-4:** Approval; **CC-5:** Approval w/amendment.

PLANNING COMMISSION: (May 2026) Approval.

STAFF RECOMMENDATION: Approval.

PLANNING STAFF ANALYSIS: See attached staff report and ordinance.

PLANNING COMMISSION VOTE:(May 5, 2026) Approval 7-0-1. Commissioner Moore moved, Commissioner Osler seconded for Approval, per Staff recommendation. Commissioner Cooper abstained.

COMMUNITY COUNCIL VOTE/RECOMMENDATION: (April 2026) CC-1: No Quorum. Members present voted for Approval. **CC-2:** Approval 12-0-0. **CC-3:** Approval 8-0-0; **CC-4:** Approval 9-0-0; **CC-5:** Approval (9-0-1) with the following amendment: Under Sec. 4.2.15, “felonies, sex crimes and crimes against children” shall be added to the list of reasons for denial/revocation/suspension.

AN ORDINANCE

**AN ORDINANCE TO AMEND THE CODE OF DEKALB COUNTY, GEORGIA,
CHAPTER 24 PERTAINING TO AN EXCISE TAX ON SHORT TERM RENTALS AND
CHAPTER 27 PERTAINING TO ZONING.**

WHEREAS, on July 24, 2025, the DeKalb County Board of Commissioners adopted an ordinance establishing a regulatory framework for short term rentals, including permitting, taxation, and operational requirements in the unincorporated areas of the County;

WHEREAS, the DeKalb County Board of Commissioners is vested with authority to regulate land use through the adoption of planning and zoning ordinances which reasonably relate to the public health, safety and general welfare of its citizens; and

WHEREAS, short-term rentals continue to operate within the County and represent a growing segment of the local lodging market.

NOW, THEREFORE, be it ordained by the Governing Authority of DeKalb County, Georgia, and it is hereby ordained by the authority of same, that Chapters 24 and 27 of the Code of DeKalb County, as Revised 1988, be amended as follows:

DRAFT

PART I. ENACTMENT

By amended Chapter 24, Article IX, to read as follows:

ARTICLE IX. EXCISE TAX ON SHORT TERM RENTALS ORDINANCE

Sec. 24-179. Permit, *license*, registration of innkeeper and certificate of authority.

- (a) Every person engaging or about to engage in business as an operator of a short-term rental in the county shall obtain a *license* issued by the County's Business License Division of the Department of Planning & Sustainability according to the provisions established in chapter 27, article 4 of this Code. Persons engaged in such business prior to the enactment of this article must register with the County's Business License Division no later than 30 days after the date that this article becomes effective. Failure to comply with the *license* requirements and/or supplemental regulations established in chapter 27 is a violation of this article.

.....

DRAFT

By amending Chapter 27, Section 4.1.3 (Table 4.1, *Use Table*), to insert the use table to add a new use classification under the “Housing and Lodging” category to read as follows:

Short Term Rental – Permitted as an accessory use (Pa) in the following zoning districts: RE, RLG, R-100, R-85, R-75, R-60, RSM, MR-1, MR-2, HR-1, 2, 3, MPH and RNC.

By amending Chapter 27, Section 4.2.15, to revise the existing language to read as follows:

Sec. 4.2.15. – Bed and breakfast inn, home stay and short term rentals.

C. The following supplemental regulations apply to all short term rentals:

1. No person shall rent, lease or otherwise exchange for compensation all or any portion of a dwelling unit as a short term rental, as defined by this Code, without first obtaining a *license* from the County’s Business License Division of the Department of Planning & Sustainability and complying with the regulations contained in this section.
2. No *license* issued under this section may be transferred or assigned or used by any person other than the one to whom it is issued, or at any location other than the one for which it is issued.
3. Applicants shall submit an application for a short-term rental *license* to the County’s Business License Division on an annual basis. Application fees shall be established by the department. Such application shall include:
 - a. Name, address, telephone number and email address of the owner(s) of record of the dwelling unit for which a *license* is sought;
 - b. Address of the dwelling unit to be used as a short-term rental;
 - c. Name, address, telephone number and email address of the short-term rental Agent, as defined in chapter 24, article 9 of this Code, which shall constitute his or her 24-hour contact information. An owner may serve as the rental Agent and is responsible for notifying the department of a change to the rental Agent and/or any such contact information within five (5) business days of said change;
 - d. Owner’s sworn acknowledgement that he or she has received a copy of this section, reviewed it and understands such requirements;
 - e. The number and location of parking spaces allotted to the premises;

- f. Owner's agreement to use his or her best efforts to assure use of the premises by occupants will neither disrupt the neighborhood nor interfere with the rights of neighboring property owners to the quiet enjoyment of their properties; and
 - g. Any other information the County's Business License Division of the Department of Planning & Sustainability deems necessary to achieve the objectives of this section.
- 4. The director of the Department of Planning & Sustainability is hereby authorized to deny an application, or a renewal thereof, for a short-term rental *license* pursuant to section 15-45 of this Code. Furthermore, the director is authorized to suspend or revoke a short-term rental *license* based on the determination that one or more of the conditions outlined in section 15-45 has occurred.
- 5. Any owner who is adversely affected or aggrieved by a final decision of the director shall have the right to appeal such denial, suspension, or revocation to the hearing officer pursuant to the procedures outlined in section 15-46 of this Code. An appeal shall be based on a claim that the director's decision was based on an erroneous finding of a material fact or an incorrect application of this Code or other applicable laws and regulations.
- 6. For purposes of historic preservation, a short-term rental *license* will not be approved for any dwelling unit located in the locally designated historic districts of the county.
- 6. Owners and/or short-term rental agents are prohibited from advertising, marketing, and/or promoting the use of his or her short-term rental for a special event (i.e., party, concert, reunion, banquet, wedding, reception, or any similar activities). Failure to comply can result in suspension or revocation of the *license*.
- 7. All short-term rentals shall be subject to an excise tax pursuant to chapter 24 of this Code.
- 8. All short-term rentals shall be subject to nuisance and noise regulations pursuant to chapter 16 of this Code.

PART II. EFFECTIVE DATE

This ordinance shall become effective after adoption by the Board of Commissioners and approval by the Chief Executive Officer.

PART III. SEVERABILITY

Should any section or provision of this ordinance be declared by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity of the ordinance as a whole, nor any part thereof, other than the part so declared to be invalid or unconstitutional. All ordinances or resolutions, or parts thereof, in conflict with this ordinance are repealed.

DRAFT

ADOPTED by the DeKalb County Board of Commissioners, this _____ date of 2026.

CHAKIRA JOHNSON

Presiding Officer
Board of Commissioners
DeKalb County, Georgia

APPROVED by the Chief Executive Officer of DeKalb County, this _____ day
of 2026.

LORRAINE COCHRAN-JOHNSON

Chief Executive Officer
DeKalb County, Georgia

ATTEST:

BARBARA H. SANDERS-NORWOOD, CCC

Clerk to the Board of Commissioners and
Chief Executive Officer
DeKalb County, Georgia

APPROVED AS TO SUBSTANCE:

APPROVED AS TO FORM:

JULIANA NJOKU

Director, Planning & Sustainability
DeKalb County, Georgia

TERRY G. PHILLIPS

Interim County Attorney
DeKalb County, Georgia



DeKalb County Government Services Center
178 Sams Street, Decatur, GA 30030
404-371-2155

[Public Hearings, Agenda & Minutes | DeKalb County, GA](#)

Board of Commissioners Hearing Date: June 23, 2026

STAFF ANALYSIS

CASE NO.:	TA-26-1248065	File ID #: 2026-0628
Address: NA	County-Wide	Commission Districts: All Districts
Zoning:	All Residential Districts	
Request:	Application of the Director of Planning and Sustainability to Amend Chapter 24 pertaining to an excise tax on Short Term Rentals and Chapter 27 pertaining to zoning for the purpose of clarifying provisions and for other purposes.	
Applicant/Agent:	Director of Planning & Sustainability Department	
Sections of the Zoning Ordinance Affected by the Amendment:	Chapter 27 of the Zoning Ordinance, to amend Section 4.1.3 (Use Table) and to amend section 4.2.15 (Bed and Breakfast Inn, Home Stay, and Short-Term Rental) related to the introduction of regulations of short-term rental accommodations.	

STAFF RECOMMENDATION: APPROVAL

On July 24, 2025, the DeKalb County Board of Commissioners adopted an ordinance establishing a regulatory framework for short term rentals, including permitting, taxation, and operational requirements in the unincorporated areas of the County. The proposed text amendment updates the existing short term rental ordinance to clarify regulatory requirements, strengthen administrative and enforcement provisions, and ensure compatibility with surrounding residential neighborhoods while maintaining short term rental opportunities. This proposal reflects changes from TA-24-1246762 (#2023-1467).

This proposal is to amend Chapter 24, Article IX, to revise the existing language to read as follows:

Sec. 24-179 Permit, *license*, registration of innkeeper and certificate of authority.

(a) Every person engaging or about to engage in business as an operator of a short-term rental in the county shall obtain a *license* issued by the County's Business License Division of the Department of Planning & Sustainability according to the provisions established in chapter 27, article 4 of this Code. Persons engaged in such business prior to the enactment of this article must register with the County's Business License Division no later than 30 days after the date that this article becomes effective. Failure to comply with the *license* requirements and/or supplemental regulations established in chapter 27 is a violation of this article.

By amending Chapter 27, Section 4.1.3 (Table 4.1, Use Table), to update the use table by adding a new use classification under the "Housing and Lodging" category to read as follows:

Short Term Rental – Permitted as an accessory use (Pa) in the following zoning districts: RE, RLG, R-100, R-85, R-75, R-60, RSM, MR-1, MR-2, HR-1, 2, 3, MPH and RNC.

By amending Chapter 27, Section 4.2.15, to revise the existing language to read as follows:

Sec. 4.2.15. – Bed and breakfast inn, home stay and short-term rentals.

C. The following supplemental regulations apply to all short-term rentals:

1. No person shall rent, lease or otherwise exchange for compensation all or any portion of a dwelling unit as a short-term rental, as defined by this Code, without first obtaining a *license* from the County's Business License Division of the Department of Planning & Sustainability and complying with the regulations contained in this section.
2. No *license* issued under this section may be transferred or assigned or used by any person other than the one to whom it is issued, or at any location other than the one for which it is issued.
3. Applicants shall submit an application for a short-term rental *license* to the County's Business License Division on an annual basis. Application fees shall be established by the department. Such application shall include:
 - a. Name, address, telephone number and email address of the owner(s) of record of the dwelling unit for which a *license* is sought;
4. The director of the Department of Planning & Sustainability is hereby authorized to deny an application, or a renewal thereof, for a short-term rental license pursuant to section 15-45 of this Code. Furthermore, the director is authorized to suspend or revoke a short-term rental *license* upon a determination that one or more of the following conditions has occurred:
 - a. *The applicant or license holder has provided false or misleading information in connection with the application or operation of a short-term rental;*
 - b. *The operation of the short-term rental constitutes a threat to public health, safety, or welfare;*
 - c. *The applicant or license holder has been convicted of a felony, where such conviction is reasonably related to the operation or oversight of the short-term rental;*
 - d. *The short-term rental has three (3) or more documented violations that resulted in the issuance of citations;*
 - e. *Any condition set forth in Section 15-45 of this code has been met.*
5. Any owner who is adversely affected or aggrieved by a final decision of the director shall have the right to appeal such denial, suspension, or revocation to the hearing officer pursuant to the procedures outlined in section 15-46 of this Code. An appeal shall be based on a claim that the director's decision was based on an erroneous finding of a material fact or an incorrect application of this Code or other applicable laws and regulations.
6. For purposes of historic preservation, a short-term rental *license* will not be approved for any dwelling unit located in the locally designated historic districts of the county.
7. Owners and/or short-term rental agents are prohibited from advertising, marketing, and/or promoting the use of his or her short-term rental for a special event (i.e., party, concert, reunion, banquet, wedding, reception, or any similar activities). Failure to comply can result in suspension or revocation of the *license*.
8. All short-term rentals shall be subject to an excise tax pursuant to chapter 24 of this Code.
9. All short-term rentals shall be subject to nuisance and noise regulations pursuant to chapter 16 of the code.

Therefore, Staff is recommending "**Approval**".