

Planning Commission Hearing Date: May 5, 2026
Board of Commissioners Hearing Date: May 28, 2026

STAFF ANALYSIS

CASE NO.:	TA-26-1248065	File ID #: 2026-0628
Address:	County-Wide	Commission Districts: All Districts
Zoning Districts:	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:	DeKalb County 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. 24-177. Exemptions.

2. Overnight lodgings, rooms, or accommodations furnished due to incidence of domestic violence. *The agent shall provide legal documentation verifying incidents of domestic violence;*

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 to comply with the *license* requirements and/or supplemental regulations established in chapter 27 is a violation of this article.

Sec. 24-185 Enforcement; fraudulent returns; violations and criminal penalties.

(c) The county shall establish and maintain a 24/7 hotline to receive public complaints regarding short-term rentals. Complaints shall be documented and routed to the appropriate county department for review, investigation, and enforcement, as applicable.

(d) Any short-term rental property that is determined to be a chronic nuisance property shall be subject to the provision of Chapter 27 of this code.

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.*
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*.

9. All short-term rentals shall be subject to nuisance and noise regulations pursuant to chapter 16 of this Code *and the chronic nuisance property ordinance pursuant to Chapter 27 of this Code.*
10. *A short-term rental shall not be used, operated, or advertised as a party house or for the use of residential entertainment pursuant to Sec.9.1.3.*
11. *Nothing in this section shall be construed to override or supersede any private covenants, deed restrictions, or homeowner's association (HOA) regulations that prohibit or restrict short-term rentals. Property owners shall remain responsible for complying with all applicable private restrictions.*

Therefore, Staff recommends “**Approval**” of this text amendment.