

AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA, WITH RESPECT TO **COMMERCIAL SHORT-TERM RENTALS AND HOME OCCUPATION SHORT-TERM RENTALS**; AND FOR OTHER PURPOSES.

The Commission of Athens-Clarke County, Georgia, hereby ordains as follows:

SECTION 1. Concerning this ordinance, the Commission of Athens-Clarke County hereby provides the following background:

(a) On February 6, 2024, the Commission of Athens-Clarke County adopted an ordinance entitled "AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA, WITH RESPECT TO SHORT-TERM RENTALS; AND FOR OTHER PURPOSES," commonly referred to as the "Short-Term Rental Ordinance." The Mayor of Athens-Clarke County approved the Short-Term Rental Ordinance on that same date.

(b) On June 3, 2025, the Commission of Athens-Clarke County adopted an ordinance entitled, "AN ORDINANCE TO AMEND THE CODE OF ATHENS-CLARKE COUNTY, GEORGIA, WITH RESPECT TO OPERATION OF SHORT-TERM RENTALS; AND FOR OTHER PURPOSES," which made certain modification to the Short-Term Rental Ordinance. The Mayor of Athens-Clarke County approved this ordinance on June 6, 2025.

(c) The Unified Government of Athens-Clarke County regulates land use through Title 9 of the Code of Athens-Clarke County, Georgia. Article I of that Title is known as "The Zoning Ordinance of Athens-Clarke County, Georgia," and may be referred to as the "Zoning Ordinance" in this Section 1.

(d) The Short-Term Rental Ordinance, as amended, has established a definition for the terms "short-term rental," "short-term rental, commercial," and "short-term rental, home occupation."

(e) The Short-Term Rental Ordinance, as amended, has further established the zoning districts where commercial short-term rentals and home occupation short-term rentals are allowed either as a permitted use or special use.

(f) It is the intent of the Commission of Athens-Clarke County to amend the Zoning Ordinance to further refine and clarify the regulation and use of short-term rentals in certain zoning districts. As part of these amendments, the Commission of Athens-Clarke County desires to revise the zoning districts within which commercial short-term rentals are allowed as a special use. The Commission further desires to make minor clarifications to the definition of "short-term rental, home occupation" and minor modifications concerning certain regulations pertaining to home occupation short-term rentals.

(g) This Section 1 provides important background related to this ordinance, and thus, constitutes an integral part of this ordinance.

Adopted the 2nd day of December, 2025
Christine M. Howard
 Clerk of Commission

Approved the 2nd day of December, 2025
Kelly [Signature]
 Mayor

SECTION 2. Section 9-2-1 of the Code of Athens-Clarke County, Georgia, entitled “*General*,” is hereby amended by adding the phrase “standards for which are found in section 9-15-16,” to the second sentence within the definition of “*Short-term rental, home occupation*,” so that said definition now reads as follows:

Short-term rental, home occupation: Any short-term rental (STR) which is rented by the owner-occupant or the primary resident of the residential dwelling unit. For the purposes of this definition, a person must apply for and receive a home occupation permit (and comply with all requirements of the permit) to have a home occupation short-term rental, standards for which are found in section 9-15-16. As it applies to short-term rentals, an “owner-occupant” is a person who is an owner of record of a parcel and occupies the parcel as the person’s primary residence.

SECTION 3. Section 9-5-2 of the Code of Athens-Clarke County, Georgia, entitled “*Permitted uses*,” is hereby amended by deleting the notation “S” in the row labeled “Short-Term Rental, Commercial,” under the column labeled “AR,” and replacing said notation with “P, L(9)” so that the pertinent portion of the use table for the Agricultural Residential (AR) District now reads as follows:

<i>Commercial Categories</i>	
Home Occupation	P
Sales of products grown on site	P
Hostels	N
Hotels	N
Motels	N
Bed and Breakfast	L(1), S
Short-Term Rental, Commercial	P, L(9)
Retail Sales And Service	L(2), S
Convenience Store	S
Theaters (less than 1,000 Seats)	N
Restaurant or Bar	L(3), S
Drive-Through Facility	N
Professional Services and Office	N
Quick Vehicle Servicing	N
Vehicle Repair	N
Auto and RV Sales	N
Laundry Facilities	N
Equestrian Facilities	P
Commercial Outdoor Recreation	S
Indoor Recreation	N
Major Event Entertainment	N
Commercial Parking Structures or Lots	N
Terminal (Passenger)	S
Administrative or Research Facilities	S
Broadcasting or Production Studios	S

Temporary Uses	P
Temporary Special Event	P, L(7)

Said Section 9-5-2 of the Code of Athens-Clarke County, Georgia, is further amended by deleting the language for footnote (L)(9) and replacing said language so that footnote L(9) now reads as follows:

L(9) = Short-Term Rental, Commercial uses are not permitted in an "AR neighborhood," as defined in section 9-15-18. Refer to section 9-15-28 for more information concerning Short-Term Rental, Commercial uses.

SECTION 4. Section 9-8-2 of the Code of Athens-Clarke County, Georgia, entitled "*Permitted uses*," is hereby amended by adding the notation "L(9)" in the row labeled "Home Occupation" and the columns labeled "RM-1," "RM-2," and "RM-3," respectively, and deleting the notation "S" and replacing it with "N" in the row labeled "Short-Term Rental, Commercial," and the columns labeled "RM-1," "RM-2," and "RM-3," respectively, so that the pertinent portions of the use table for the Mixed Density (RM) Districts now read as follows:

Zoning Districts	RM-1	RM-2	RM-3
<i>Residential Categories</i>			
Agriculture	N	N	N
Single-Family Dwellings	P	P	P
Accessory Dwelling Units	L(7)	L (7)	L(7)
Dwellings Above Businesses	P	P	P
Duplexes	P	P	P
Personal care homes, individual	P, L(6)	P, L(6)	P, L(6)
Personal care homes, family	P, L(6)	P, L(6)	P, L(6)
Personal care homes, group	S, L(6)	S, L(6)	S, L(6)
Personal care homes, congregate	S, L(6)	S, L(6)	S, L(6)
Multifamily Dwellings	P	P	P
Class "A" Manufactured Homes	L(1)	L(1)	L(1)
Class "B" Manufactured Homes	L(2)	L(2)	L(2)
Boarding House, Rooming House	S	S	S
Dormitory	S	S	S
Halfway House	S, L(8)	S, L(8)	S, L(8)
Community Garden	P	P	P
Home Occupation	P, L(9)	P, L(9)	P, L(9)
<i>Commercial Categories</i>			
Sales of products grown on site	N	N	N
Hostels	N	P	P
Hotels	N	N	N
Motels	N	N	N
Bed and Breakfast	L(3)	L(4)	L(4)
Short-Term Rental, Commercial	N	N	N

Said Section 9-8-2 of the Code of Athens-Clarke County, Georgia, is further amended by adding a new footnote L(9) below the use table for the Mixed Density Residential (RM) Districts that shall read as follows:

L(9) = Short-term rental home occupation uses are permitted with an allowance for one accommodation per dwelling unit or guest house as defined in this Title, provided however, that each dwelling unit or guest house must be occupied by an owner-occupant or primary resident.

SECTION 5. Section 9-10-2 of the Code of Athens-Clarke County, Georgia, entitled "*Permitted uses*," is hereby amended by adding the notation "L(17)" in the row labeled "Home Occupation" and the columns labeled "C-G," "C-D," "C-O," "C-N," and "C-R" respectively, so that the pertinent portions of the use table for the Commercial-General, Commercial-Downtown, Commercial-Office, Commercial-Neighborhood, and Commercial-Rural Districts now read as follows:

Commercial Zoning Districts	C-G General	C-D Downtown	C-O Office	C-N Neighborhood	C-R Rural
<i>Residential Categories</i>					
Agriculture	N	N	N	N	P
Single-Family Dwellings	S, L(11)	S, L(11)	S, L(11)	S, L(11)	S, L(11)
Accessory Dwelling Units	S	S	N	S	S
Dwellings Above or Below Businesses	P, L(1)	P, L(1)	P, L(1)	P, L(1)	P, L(1)
Duplexes	N	N	N	N	N
Personal care homes, individual	S, L(12)	S, L(12)	S, L(12)	S, L(12)	S, L(12)
Personal care homes, family	S, L(12)	S, L(12)	S, L(12)	S, L(12)	S, L(12)
Personal care homes, group	P, L(12)	P, L(12)	P, L(12)	P, L(12)	P, L(12)
Personal care homes, congregate	P, L(12)	P, L(12)	P, L(12)	P, L(12)	P, L(12)
Multifamily Dwellings	P, L(1)	P, L(1)	P, L(1)	P, L(1)	P, L(1)
Class "A" Manufactured Homes	N	N	N	N	P, L(10)
Class "B" Manufactured Homes	N	N	N	N	N

Boarding House, Rooming House	S	S	S, L(13)	S	S
Dormitory	S	S	S, L(13)	S	S
Halfway House	S, L(15)	S, L(15)	S, L(15)	S, L(15)	S, L(15)
Community Garden	P	P	P	P	P
Home Occupation	P, L(17)	P, L(17)	P, L(17)	P, L(17)	P, L(17)
Commercial Categories					
Sales of products grown on site	N	N	N	N	P
Hostels	P	P	P	P	P
Hotels	P	P	N	L(4)	N
Motels	P	N	N	N	N
Bed and Breakfast	P	P	P	P	P
Short-term Rental, Commercial	P	P	P	P	P

Said Section 9-10-2 of the Code of Athens-Clarke County, Georgia, is further amended by adding a new footnote L(17) below the use table for the Commercial-General, Commercial-Down-town, Commercial-Office, Commercial-Neighborhood, and Commercial-Rural Districts that shall read as follows:

L(17) = Short-term rental home occupation uses are permitted with an allowance for one accommodation per dwelling unit or guest house as defined in this Title, provided however, that each dwelling unit or guest house must be occupied by an owner-occupant or primary resident.

SECTION 6. Section 9-11-2 of the Code of Athens-Clarke County, Georgia, entitled "*Permitted uses*," is hereby amended by adding the notation "L(9)" in the row labeled "Home Occupation" and the columns labeled "E-O," and by deleting the notation "S" in the row labeled "Short-term Rental, Commercial," and the column labeled "E-I, Employment Industrial," and replacing said notation with "N", so that the pertinent portions of the use table for the Employment-Office, Employment-Industrial, and Industrial Districts now read as follows:

Zoning Categories	E-O Employment Office	E-I Employment Industrial	I Industrial
Residential Categories			
Agriculture	L(4)	L(4)	L(4)
Single Family Dwellings	L(3)	N	N
Accessory Dwelling Units	L(7)	N	N
Dwellings Above Businesses	N	N	N
Duplexes	P, L(3)	N	N

Personal care homes	N	N	N
Multifamily Dwellings	L(3)	N	N
Class "A" Manufactured Homes	L(3)	N	N
Class "B" Manufactured Homes	N	N	N
Boarding House or Rooming House	L(3)	S, L(3)	N
Dormitory	L(3)	S, L(3)	N
Halfway House	N	N	N
Community Garden	P	P	P
Home Occupation	P, L(9)	N	N
<i>Commercial Categories</i>			
Sale of products grown on site	N	N	N
Hostels	N	N	N
Hotels	P	P	N
Motels	P	P	N
Bed and Breakfast	P	P	N
Short-term Rental, Commercial	P	N	N

Said Section 9-11-2 of the Code of Athens-Clarke County, Georgia, is hereby further amended by adding a new footnote L(9) below the use table for the Employment-Office, Employment-Industrial, and Industrial Districts that shall read as follows:

L(9) = Short-term rental home occupation uses are permitted with an allowance for one accommodation per dwelling unit or guest house as defined in this Title, provided however, that each dwelling unit or guest house must be occupied by an owner-occupant or primary resident.

SECTION 7. Section 9-15-16 of the Code of Athens-Clarke County, Georgia, entitled "*Home occupations*," is hereby amended by deleting the word "Either" in the first sentence of sub-section (O), paragraph (7) thereof, and replacing it with "In the AR and RS zones," so that said sub-section (O), paragraph (7) now reads as follows:

7. Short-term rental, home occupation. In the AR and RS zones, the principal residential structure or an accessory structure can be utilized as a short-term rental; however, only one structure on the same parcel may be utilized as a short-term rental at any given time. In either case, a portion of the structure or the entirety of the structure can be utilized as a short-term rental, notwithstanding the default limitation that home occupations must only utilize 25 percent of the dwelling.

SECTION 8. Section 9-15-28 of the Code of Athens-Clarke County, Georgia, entitled “*Short-Term Rentals*,” is hereby amended by deleting the current language of sub-section (c), paragraph (2) thereof, and replacing such language so that said sub-section (c), paragraph (2) now reads as follows:

- (2) If an STR is allowed as a special use or has been approved as a special use prior to *[date certain]* in a certain zoning district, it shall be considered a conforming use if a special use permit has been issued, and shall remain a conforming use for so long as the special use permit is not expired, terminated, or revoked.

As it relates to this amendment to Section 9-15-28 of the Code of Athens-Clarke County, Georgia, it is the express intent of the Commission of Athens-Clarke County that the bracketed and italicized phrase “*[date certain]*” shall be replaced with the month, day, and year that this ordinance becomes effective as set forth in Section 2-204 of the Charter of the Unified Government of Athens-Clarke County, Georgia. The Clerk of Commission, in consultation with the Athens-Clarke County Attorney, is expressly authorized to ensure that said date is reflected in the codified version of this ordinance.

SECTION 9. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 10. The provisions of this ordinance are severable, and should any part of this ordinance be deemed by the final decision of a court of competent jurisdiction to be invalid, such invalidity shall not affect the validity of the ordinance as a whole, or any part thereof other than the part declared to be invalid.

SECTION 11. The Clerk of Commission is authorized, in consultation with the Athens-Clarke County Attorney, to correct any scrivener’s errors that may be found herein after the adoption and approval hereof.

SECTION 12. This ordinance shall become effective once approved by the Mayor or as otherwise set forth in Section 2-204 of the Charter of the Unified Government of Athens-Clarke County, Georgia.