AN ORDINANCE TO AMEND CHAPTER 56 OF THE CODE OF ORDINANCES OF RABUN COUNTY, GEORGIA, RELATING TO ZONING; TO AMEND DEFINITIONS RELATED TO FRONT-YARD SETBACKS, ROADSIDE SETBACKS, LOT WIDTH, AND SHORT-TERM RENTALS; TO AMEND PROVISIONS GOVERNING CORNER LOT SETBACKS; TO AMEND AREA, YARD, AND HEIGHT REQUIREMENTS; TO PROVIDE FOR REPEAL OF CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER LAWFUL PURPOSES.

WHEREAS, the Rabun County Board of Commissioners is authorized pursuant to the Constitution and laws of the State of Georgia to adopt and amend zoning regulations in the interest of the public health, safety, and welfare; and

WHEREAS, the Rabun County Planning and Zoning Commission has reviewed and recommended amendments to Chapter 56 of the Rabun County Code of Ordinances relating to setback standards, lot measurements, short-term rental definitions, and administrative variance authority; and

WHEREAS, the Rabun County Board of Commissioners finds that the proposed amendments will improve clarity, consistency, and administrative efficiency in the enforcement and application of the Rabun County Zoning Ordinance while maintaining appropriate protections for adjacent property owners, public safety, and environmental regulations;

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of Rabun County, Georgia, and it is hereby ordained by authority of the same, that Chapter 56 of the Rabun County Code of Ordinances is amended as follows:

SECTION 1.

Amendment to Section 56-1 – Definitions

Section 56-1 of Chapter 56 of the Rabun County Code of Ordinances is hereby amended by revising and adding the following definitions and language:

Building Setback Line

"Building setback line" means a line establishing the minimum allowable distance between any wall of a building or portion of any structure and the street right-of-way or property line when measured perpendicularly thereto. In the case of corner lots or double-frontage lots, front-yard requirements shall be observed for those areas adjacent to street rights-of-way.

For purposes of this ordinance, the term "front-yard setback" shall be synonymous with "roadside setback." Both terms refer to the minimum distance required between a structure and the property line adjoining a public or private street or road right-of-way.

For any road for which there is no deeded right-of-way, the required setback shall be measured from the edge of the traveled roadway or, where applicable, from the outer edge of the shoulder area that is publicly maintained.

Lot Width

"Lot width" means the horizontal distance between side lot lines measured at the minimum required front-yard or roadside setback line.

Short-Term Rental (Vacation Cottage)

"Short-Term Rental (Vacation Cottage)" means the renting or leasing of a detached, attached, or semi-detached single-family dwelling unit or any part thereof, excluding a bed and breakfast or inn, where the term of occupancy, possession, or tenancy is less than thirty (30) consecutive calendar days.

Renting or leasing, as used herein, means the payment of compensation, money, rent, or other bargained-for consideration in exchange for occupancy, possession, or use of the property.

The property shall be zoned for short-term rental (vacation cottage) use or otherwise qualify pursuant to county ordinance, shall be classified as a business, and the owner shall possess a current Short-Term Rental License and Public Accommodation License (Occupational Tax License).

SECTION 2.

Amendment to Section 56-213 – Corner Lots

Section 56-213 of Chapter 56 of the Rabun County Code of Ordinances is hereby amended to read as follows:

Sec. 56-213. – Corner Lots.

The side-yard setback requirements for corner lots shall be the same as the front-yard or roadside setback requirements, as defined in Section 56-1 of this ordinance.

For purposes of interpretation, the term "front-yard setback" shall include "roadside setback," and the more restrictive requirement shall apply where applicable.

SECTION 3.

Amendment to Section 56-134 – Area, Yard, and Height Requirements[1]

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[1] *This amendment to Section 56-134 eliminates the distinction between major arterial streets, minor arterial streets, and other streets for purposes of front yard setback requirements. This amendment establishes a single uniform front yard/roadside setback applicable to all streets regardless of classification.*

Section 42-234(a)(3) of the Rabun County Code of Ordinances, entitled "Minimum Street Pavement Widths and Specifications," is hereby amended by deleting the existing provision relating to turnarounds and cul-de-sacs and substituting in lieu thereof the following language: *"Turnarounds and cul-de-sacs shall provide a paved area with a minimum diameter of eighty (80) feet (forty-foot (40-foot) radius), measured from edge-of-pavement to edge-of-pavement, or back-of-curb to back-of-curb where applicable."*

SECTION 4.

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

Unless specifically amended or modified herein, all remaining portions of Chapter 42 of Rabun County's CODE OF ORDINANCES titled "SUBDIVISIONS" shall remain in full force and effect, unchanged and unamended hereby.Any ordinance in conflict with said ordinance amendment is specifically repealed. This ordinance shall become effective immediately upon adoption, after the second reading by the County.

PLACED ON FIRST READING AT THE REGULAR MEETING ON THE 26th DAY OF MAY, 2026.

PLACED ON FINAL HEARING AND ADOPTION ON THE 28th DAY OF JULY, 2026.

RABUN COUNTY, by and through its Board of Commissioners

_____ L.S.
Greg James, Chairman

_____ L.S.
Tom Garrison

_____ L.S.
Scott Crane

_____ L.S.
Kent Woerner

_____ L.S.
Will Nichols

This is to certify that the above Ordinance was adopted at a regular meeting of the Rabun County Board of Commissioners as provided by law. This 28 day of July, 2026.

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Linda Ramey, County Clerk

RABUN COUNTY BOARD OF COMMISSIONERS SEAL