

**AN ORDINANCE
BY ZONING COMMITTEE**

Z-21-85

AN ORDINANCE TO AMEND THE 1982 ATLANTA ZONING ORDINANCE, AS AMENDED, BY CREATING A DEFINITION OF A “SHORT-TERM RENTAL” AND TO ALLOW A SHORT-TERM RENTAL AS A USE IN CERTAIN ZONING DISTRICTS; AND FOR OTHER PURPOSES.

WHEREAS, the Atlanta City Council adopted Ordinance No. 20-O-1656 establishing a regulatory framework for short-term rentals on March 15, 2021 and said ordinance was approved on March 24, 2021 pursuant to City Charter Section 2-403; and

WHEREAS, Ordinance No. 20-O-1656 established the regulatory framework in Atlanta City Code Section 20-1001, et al., by which the City of Atlanta shall govern the operation of short-term rentals within the City, but which did not supersede existing private agreements, leases, or covenants such as condo association rules should such agreements prohibit the operation of certain properties as short-term rentals; and

WHEREAS, the City Council desires to enact a companion zoning ordinance that will work in conjunction with the regulatory framework in Atlanta City Code Section 20-1001, et al.; and

WHEREAS, the City Charter, at Section 1-102(b), provides that the City shall have all powers necessary and proper to promote the safety, health, peace, and general welfare of the City and its inhabitants; and

WHEREAS, this ordinance is adopted pursuant to Georgia Constitution Article IX, Section II, Paragraph IV which empowers the governing authority of each county and of each municipality to adopt plans and exercise the power of zoning; and

WHEREAS, the City Council finds that this rezoning to allow short-term rentals subject to the regulations in Atlanta City Code Section 20-1001, et al., is in the best interest of the public health, safety, and welfare.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS
as follows:

Section 1: So as to add a new definition to City Code Sec. 16-29.001 entitled “Short-term rental”. Section 16-29.001 is hereby amended to add:

(88) *Short-term rental*: means an accommodation where, in exchange for compensation, a residential dwelling unit is provided for lodging for a period of time not to exceed 30 consecutive days. Provided, however, that no accessory dwelling unit may be used a short-term rental.

Section 2: City Code Sec. 16-03.003 governing permitted principal uses and structures in the R-1 (R-1 Single-Family Residential District) zoning district is hereby amended to add the following language:

(6) Short-term rentals, subject to the regulations in Atlanta City Code Section 20-1001.

Section 3: City Code Sec. 16-04.003 governing permitted principal uses and structures in the R-2 (R-2 Single-Family Residential District) zoning district is hereby amended to add the following language:

(6) Short-term rentals, subject to the regulations in Atlanta City Code Section 20-1001.

Section 4: City Code Sec. 16-04A.003 governing permitted principal uses and structures in the R-2A (R-2A Single-Family Residential District) zoning district is hereby amended to add the following language:

(5) Short-term rentals, subject to the regulations in Atlanta City Code Section 20-1001.

Section 5: City Code Sec. 16-04B.003 governing permitted principal uses and structures in the R-2B (R-2B Single-Family Residential District) zoning district is hereby amended to add the following language:

(5) Short-term rentals, subject to the regulations in Atlanta City Code Section 20-1001.

Section 6: City Code Sec. 16-05.003 governing permitted principal uses and structures in the R-3 (R-3 Single-Family Residential District) zoning district is hereby amended to add the following language:

(6) Short-term rentals, subject to the regulations in Atlanta City Code Section 20-1001.

Section 7: City Code Sec. 16-05A.003 governing permitted principal uses and structures in the R-3A (R-3A Single-Family Residential District) zoning district is hereby amended to add the following language:

(5) Short-term rentals, subject to the regulations in Atlanta City Code Section 20-1001.

Section 8: City Code Sec. 16-06.003 governing permitted principal uses and structures in the R-4 (R-4 Single-Family Residential District) zoning district is hereby amended to add the following language:

(6) Short-term rentals, subject to the regulations in Atlanta City Code Section 20-1001.

Section 9: City Code Sec. 16-06A.003 governing permitted principal uses and structures in the R-4A (R-4A Single-Family Residential District) zoning district is hereby amended to add the following language:

(5) Short-term rentals, subject to the regulations in Atlanta City Code Section 20-1001.

Section 10: City Code Sec. 16-06B.003 governing permitted principal uses and structures in the R-4B (R-4B Single-Family Residential District) zoning district is hereby amended to add the following language:

(5) Short-term rentals, subject to the regulations in Atlanta City Code Section 20-1001.

Section 11: City Code Sec. 16-07.003 governing permitted principal uses and structures in the R-5 (R-5 Two-Family Residential District) zoning district is hereby amended to add the following language:

(6) Short-term rentals, subject to the regulations in Atlanta City Code Section 20-1001.

Section 12: City Code Sec. 16-08.003 governing permitted principal uses and structures in the R-G (R-G Residential General District) zoning district is hereby amended to add the following language:

(11) Short-term rentals, subject to the regulations in Atlanta City Code Section 20-1001.

Section 13: City Code Sec. 16-09.003 governing permitted principal uses and structures in the R-LC (Residential-Limited Commercial District) zoning district is hereby amended to add the following language:

(16) Short-term rentals, subject to the regulations in Atlanta City Code Section 20-1001.

Section 14: City Code Sec. 16-10.003 governing permitted principal uses and structures in the O-I (Office-Institutional District) zoning district is hereby amended to add the following language:

(22) Short-term rentals, subject to the regulations in Atlanta City Code Section 20-1001.

Section 15: City Code Sec. 16-11.003 governing permitted principal uses and structures in the C-1 (Community Business District) zoning district is hereby amended to add the following language:

(34) Short-term rentals, subject to the regulations in Atlanta City Code Section 20-1001.

Section 16: City Code Sec. 16-12.003 governing permitted principal uses and structures in the C-2 (Commercial Service District) zoning district is hereby amended to add the following language:

(39) Short-term rentals, subject to the regulations in Atlanta City Code Section 20-1001.

Section 17: City Code Sec. 16-13.003 governing permitted principal uses and structures in the C-3 (Commercial Residential District) zoning district is hereby amended to add the following language:

(39) Short-term rentals, subject to the regulations in Atlanta City Code Section 20-1001.

Section 18: City Code Sec. 16-14.003 governing permitted principal uses and structures in the C-4 (Central Area Commercial Residential District) zoning district is hereby amended to add the following language:

(39) Short-term rentals, subject to the regulations in Atlanta City Code Section 20-1001.

Section 19: City Code Sec. 16-15.003 governing permitted principal uses and structures in the C-5 (Central Business Support District) zoning district is hereby amended to add the following language:

(41) Short-term rentals, subject to the regulations in Atlanta City Code Section 20-1001.

Section 20: City Code Sec. 16-16.003 governing permitted principal uses and structures in the I-1 (Light Industrial District) zoning district is hereby amended to add the following language:

(28) Short-term rentals, subject to the regulations in Atlanta City Code Section 20-1001.

Section 21: City Code Sec. 16-16A.004(4) governing permitted principal uses and structures in the I-MIX (Industrial Mixed Use District) zoning district is hereby amended to add the following language:

(d) Short-term rentals, subject to the regulations in Atlanta City Code Section 20-1001.

Section 22: City Code Sec. 16-17.003 governing permitted principal uses and structures in the I-2 (Heavy Industrial District) zoning district is hereby amended to add the following language:

(28) Short-term rentals, subject to the regulations in Atlanta City Code Section 20-1001.

Section 23: City Code Section 16-18A.006(Residential Dwellings/Lodgings) governing use regulations and structures in the SPI-1 zoning district is hereby amended to add the following language:

Short-term rentals, subject to the regulations in Atlanta City Code Section 20-1001.	P	P	P	P	P	P	P
--	---	---	---	---	---	---	---

Section 24: City Code Section 16-18B.007 governing permitted principal uses and structures in the SPI-2 zoning district is hereby amended to add the following language:

Short-term rentals, subject to the regulations in Atlanta City Code Section 20-1001.	P	P	P	P	P
--	---	---	---	---	---

Section 25: City Code Section 16-18C.006 governing permitted principal uses and structures in the SPI-3 zoning district is hereby amended to add the following language:

Short-term rentals, subject to the regulations in Atlanta City Code Section 20-1001.	P	P	P	P	P	P	P	P	P
--	---	---	---	---	---	---	---	---	---

Section 26: City Code Section 16-18E.007 governing residential subareas permitted principal uses and structures in the SPI-5 zoning district is hereby amended to add the following language:

(6) Short-term rentals, subject to the regulations in Atlanta City Code Section 20-1001.

Section 27: City Code Section 16-18F.005 governing Subarea 1 in the SPI-6 zoning district is hereby amended to add the following language:

(1)(f) Short-term rentals, subject to the regulations in Atlanta City Code Section 20-1001.

Section 28: City Code Section 16-18F.006 governing Subarea 2 in the SPI-6 zoning district is hereby amended to add the following language:

(1)(g) Short-term rentals, subject to the regulations in Atlanta City Code Section 20-1001.

Section 29: City Code Section 16-18F.007 governing Subarea 3 in the SPI-6 zoning district is hereby amended to add the following language:

(1)(g) Short-term rentals, subject to the regulations in Atlanta City Code Section 20-1001.

Section 30: City Code Section 16-18F.008 governing Subarea 4 in the SPI-6 zoning district is hereby amended to add the following language:

(1)(g) Short-term rentals, subject to the regulations in Atlanta City Code Section 20-1001.

Section 31: City Code Section 16-18G.007 governing Subarea 2 and 3 in the SPI-7 zoning district is hereby amended to add the following language:

(4) Short-term rentals, subject to the regulations in Atlanta City Code Section 20-1001.

Section 32: City Code Section 16-18I.007 governing permitted principal uses and structures in the SPI-9 zoning district is hereby amended to add the following language:

Short-term rentals, subject to the regulations in Atlanta City Code Section 20-1001.	P	P	P	P
--	---	---	---	---

Section 33: City Code Section 16-18K.004 governing permitted principal uses and structures in

the SPI-11 zoning district is hereby amended to add the following language:

Short-term rentals, subject to the regulations in Atlanta City Code Section 20-1001.	P	P	P	P	P	P	P	P	P	P	P	P
--	---	---	---	---	---	---	---	---	---	---	---	---

Section 34: City Code Section 16-18L.006 governing permitted principal uses and structures in the SPI-12 zoning district is hereby amended to add the following language:

Short-term rentals, subject to the regulations in Atlanta City Code Section 20-1001.	P	P	P	P
--	---	---	---	---

Section 35: City Code Section 16-18O.005 governing permitted principal uses and structures in the SPI-15 subareas is hereby amended by adding the following language:

- (17) Short-term rentals, subject to the regulations in Atlanta City Code Section 20-1001.

Section 36: City Code Section 16.18P.005 governing permitted principal uses and structures in the SPI-16 zoning district is hereby amended to add the following language:

Short-term rentals, subject to the regulations in Atlanta City Code Section 20-1001.	P	P	P
--	---	---	---

Section 37: City Code Section 16.18Q.005 governing permitted principal uses and structures in the SPI-17 zoning district is hereby amended to add the following language:

- 5. Short-term rentals, subject to the regulations in Atlanta City Code Section 20-1001.

Section 38: City Code Section 16.18R.005 governing permitted principal uses and structures in the SPI-18 zoning district is hereby amended to add the following language:

Short-term rentals, subject to the regulations in Atlanta City Code Section 20-1001.	P	P	P	P	P	P	X	X	P	P
--	---	---	---	---	---	---	---	---	---	---

Section 39: City Code Section 16.18S.006 governing permitted principal uses and structures in the SPI-19 zoning district is hereby amended to add the following language:

Short-term rentals, subject to the regulations in Atlanta	P	P	P	P	P	P	P	P	P	P	P
---	---	---	---	---	---	---	---	---	---	---	---

City Code Section 20-1001.											
----------------------------	--	--	--	--	--	--	--	--	--	--	--

Section 40: City Code Section 16.18T.005 governing permitted principal uses and structures in the SPI-20 zoning district is hereby amended to add the following language:

Short-term rentals, subject to the regulations in Atlanta City Code Section 20-1001.	P	P	P	P	P	P
--	---	---	---	---	---	---

Section 41: City Code Section 16.18U.008 governing permitted principal uses and structures in the SPI-21 zoning district is hereby amended to add the following language:

Short-term rentals, subject to the regulations in Atlanta City Code Section 20-1001.	P	P	P	P	P	P	P	P	P	P
--	---	---	---	---	---	---	---	---	---	---

Section 42: City Code Section 16.18V.005(Residential Dwellings/Lodgings) governing permitted principal uses and structures in the SPI-22 zoning district is hereby amended to add the following language:

Short-term rentals, subject to the regulations in Atlanta City Code Section 20-1001.	P	P	P	P	P
--	---	---	---	---	---

Section 43: City Code Sec. 16-19A.003 governing permitted principal uses and structures in the PD-H (Planned Development Housing District) zoning district is hereby amended to add the following language:

- (6) Short-term rentals, subject to the regulations in Atlanta City Code Section 20-1001.

Section 44: City Code Sec. 16-19B.003 governing permitted principal uses and structures in the PD-MU (Planned Development Mixed Use District) zoning district is hereby amended to add the following language:

- (25) Short-term rentals, subject to the regulations in Atlanta City Code Section 20-1001.

Section 45: City Code Sec. 16-19C.003 governing permitted principal uses and structures in the PD-OC (Planned Development Office Commercial District) zoning district is hereby amended to add the following language:

(22) Short-term rentals, subject to the regulations in Atlanta City Code Section 20-1001.

Section 46: City Code Sec. 16-19E.003 governing permitted principal uses and structures in the PD-CS (Planned Development Conservation Subdivision District) zoning district is hereby amended to add the following language:

(4) Short-term rentals, subject to the regulations in Atlanta City Code Section 20-1001.

Section 47: City Code Sec. 16-20A.007(1) governing permitted principal uses and structures in the Cabbagetown Landmark District zoning district is hereby amended to add the following language:

k) Short-term rentals, subject to the regulations in Atlanta City Code Section 20-1001.

Section 48: City Code Sec. 16-20A.008(1) governing permitted principal uses and structures in the Cabbagetown Landmark District zoning district is hereby amended to add the following language:

c) Short-term rentals, subject to the regulations in Atlanta City Code Section 20-1001.

Section 49: City Code Sec. 16-20A.009(3) governing permitted principal uses and structures in the Cabbagetown Landmark District zoning district is hereby amended to add the following language:

d) Short-term rentals, subject to the regulations in Atlanta City Code Section 20-1001.

Section 50: City Code Sec. 16-20A.010(1) governing permitted principal uses and structures in the Cabbagetown Landmark District zoning district is hereby amended to add the following language:

f) Short-term rentals, subject to the regulations in Atlanta City Code Section 20-1001.

Section 51: City Code Sec. 16-20A.011(1) governing permitted principal uses and structures in the Cabbagetown Landmark District zoning district is hereby amended to add the following language:

g) Short-term rentals, subject to the regulations in Atlanta City Code Section 20-1001.

Section 52: City Code Sec. 16-20B.004(1) governing permitted principal uses and structures in the Druid Hills Landmark District zoning district is hereby amended to add the following language:

f. Short-term rentals, subject to the regulations in Atlanta City Code Section 20-1001.

Section 53: City Code Sec. 16-20B.005(1) governing permitted principal uses and structures in the Druid Hills Landmark District zoning district is hereby amended to add the following language:

- c. Short-term rentals, subject to the regulations in Atlanta City Code Section 20-1001.

Section 54: City Code Sec. 16-20B.006(1) governing permitted principal uses and structures in the Druid Hills Landmark District zoning district is hereby amended to add the following language:

- c. Short-term rentals, subject to the regulations in Atlanta City Code Section 20-1001.

Section 55: City Code Sec. 16-20B.008(1) governing permitted principal uses and structures in the Druid Hills Landmark District zoning district is hereby amended to add the following language:

- c. Short-term rentals, subject to the regulations in Atlanta City Code Section 20-1001.

Section 56: City Code Sec. 16-20C.005(RESIDENTIAL and DWELLING USES) governing permitted principal uses and structures in the Martin Luther King Jr Landmark District zoning district is hereby amended to add the following language:

Short-term rentals, subject to the regulations in Atlanta City Code Section 20-1001.	P	P	P	P
--	---	---	---	---

Section 57: City Code Sec. 16-20F.004(1) governing permitted principal uses and structures in the Baltimore Block Landmark District zoning district is hereby amended to add the following language:

- h. Short-term rentals, subject to the regulations in Atlanta City Code Section 20-1001.

Section 58: City Code Sec. 16-20N.008(2.) governing permitted principal uses and structures in the Castleberry Hill Landmark District zoning district is hereby amended to add the following language:

- (l) Short-term rentals, subject to the regulations in Atlanta City Code Section 20-1001.

Section 59: City Code Sec. 16-20R.005(1.) governing permitted principal uses and structures in the Means Street Landmark District zoning district is hereby amended to add the following language:

- t. Short-term rentals, subject to the regulations in Atlanta City Code Section 20-1001.

Section 60: City Code Sec. 16-20T.005(1.)(f.) governing permitted principal uses and structures in the Pratt-Pullman Landmark District zoning district is hereby amended to add the following language:

- ii. Short-term rentals, subject to the regulations in Atlanta City Code Section 20-1001.

Section 61: City Code Sec. 16-20V.011(RESIDENTIAL AND DWELLING USES) governing permitted principal uses and structures in the Poncey-Highland Historic District zoning district is hereby amended to add the following language:

Short-term rentals, subject to the regulations in Atlanta City Code Section 20-1001.	P	P	P	P	P	P	X
--	---	---	---	---	---	---	---

Section 62: City Code Sec. 16-32.005 governing permitted principal uses and structures in the NC (Neighborhood Commercial District) zoning district is hereby amended to add the following language:

- 12. Short-term rentals, subject to the regulations in Atlanta City Code Section 20-1001.

Section 63: City Code Sec. 16-33.004(1.) governing permitted principal uses and structures in the LW (Live Work District) zoning district is hereby amended to add the following language:

- f. Short-term rentals, subject to the regulations in Atlanta City Code Section 20-1001.

Section 64: City Code Sec. 16-34.005 governing permitted principal uses and structures in the MRC (Mixed Residential Commercial District) zoning district is hereby amended to add the following language:

- 35. Short-term rentals, subject to the regulations in Atlanta City Code Section 20-1001.

Section 65: City Code Sec. 16-35.005 governing permitted principal uses and structures in the MR (Multi-Family Residential District) zoning district is hereby amended to add the following language:

- 8. Short-term rentals, subject to the regulations in Atlanta City Code Section 20-1001.

Section 66: That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby waived to the extent of the conflict.