



# Regulating Build-to-Rent: Challenges, Lessons, Outlook

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**Fall Conference 2022 – Columbus, Georgia**  
**September 15, 2022**

Moderated by Brantley Day, AICP, Community Development Agency Director  
Cherokee County, Georgia



# Regulating Build-to-Rent: Challenges, Lessons, Outlook

## OVERVIEW

- Presentation by Ann Lippmann - Paulding County
- Presentation by Margaret Stallings - Cherokee County
- Presentation by Tracy Albers - City of Woodstock
- Presentation by Nancy Moon - City of Holly Springs
- Panel Discussion, Q&A

An aerial photograph of a suburban residential development. The houses are arranged in clusters, surrounded by lush green trees and lawns. A paved road winds through the center of the development. The background shows rolling hills under a clear blue sky.

# PAULDING COUNTY Build-to-Rent: Challenges, Lessons & Outlook

GPA Fall Conference — September 15, 2022

# ABOUT PAULDING COUNTY

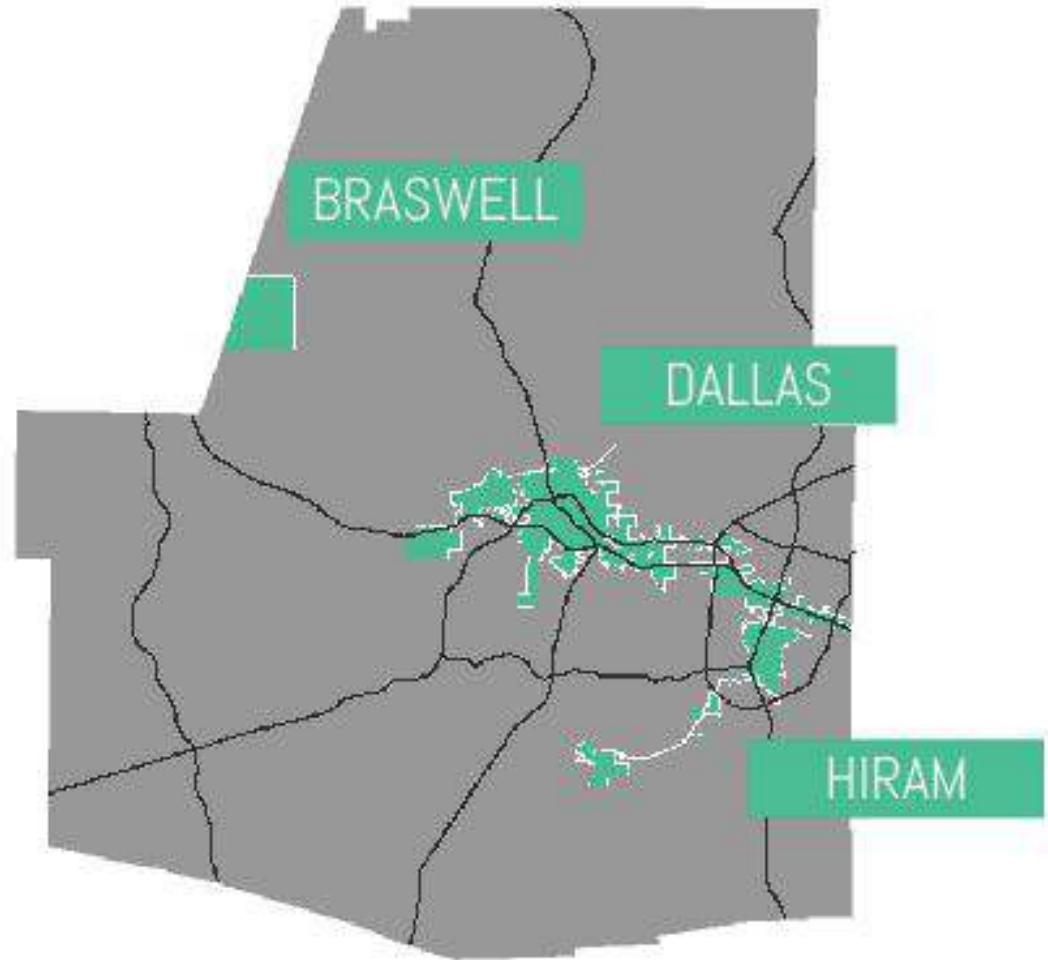
# Paulding County in Georgia



# Paulding County in Metro Atlanta



# Cities in Paulding County



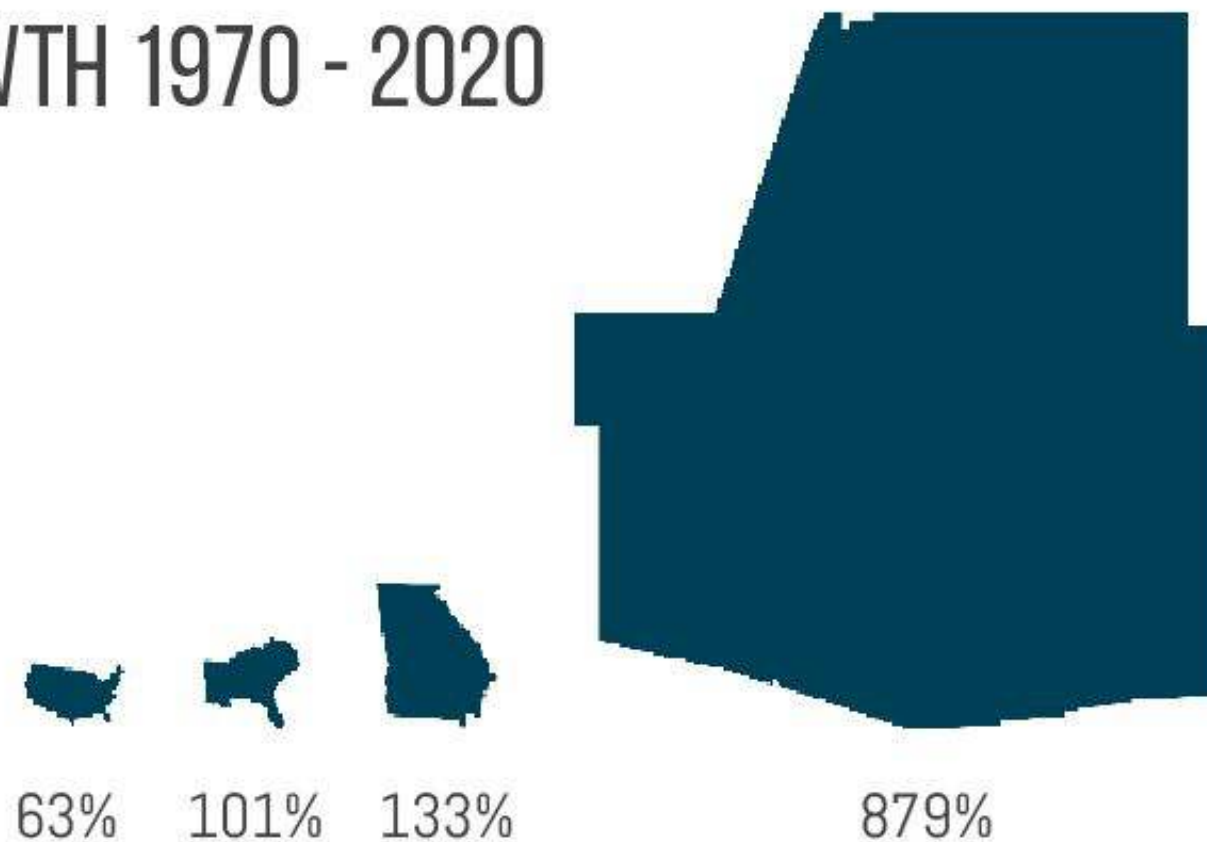
# PAULDING COUNTY GROWTH



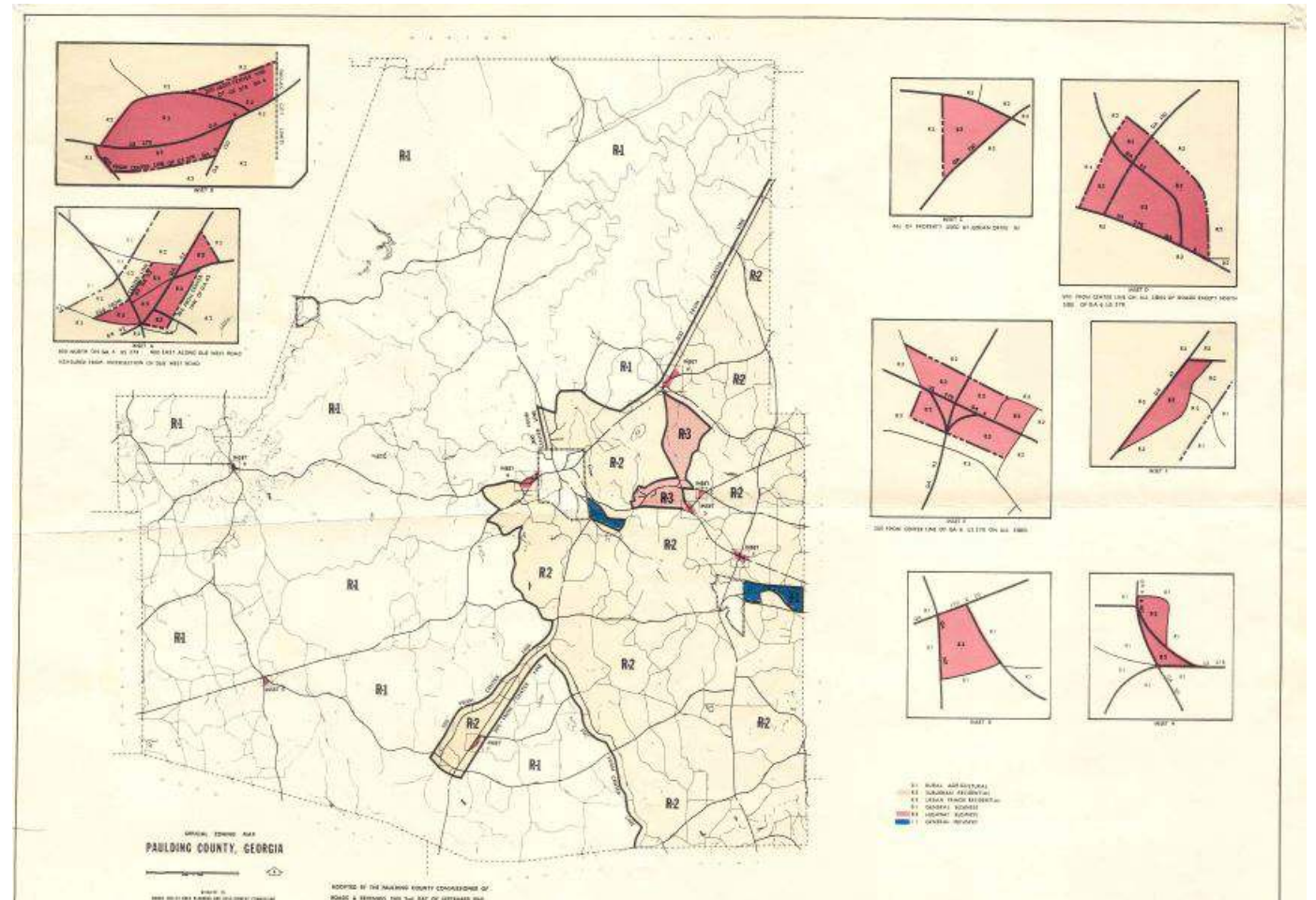
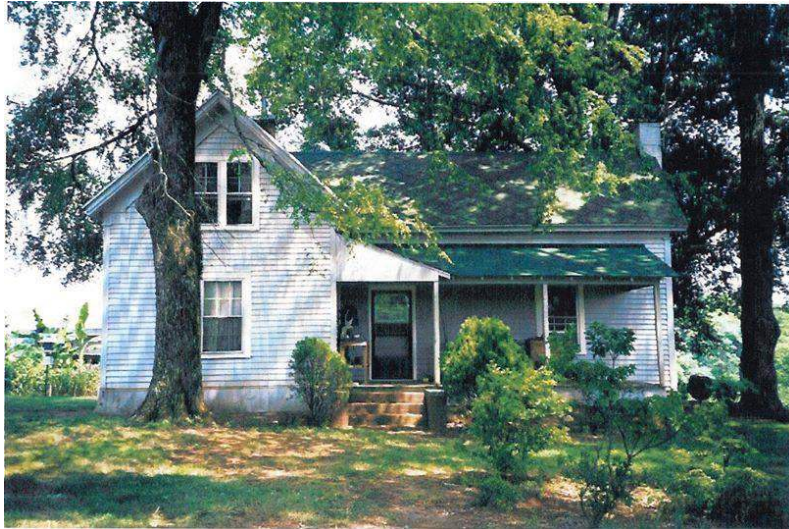
# Growth Comparison

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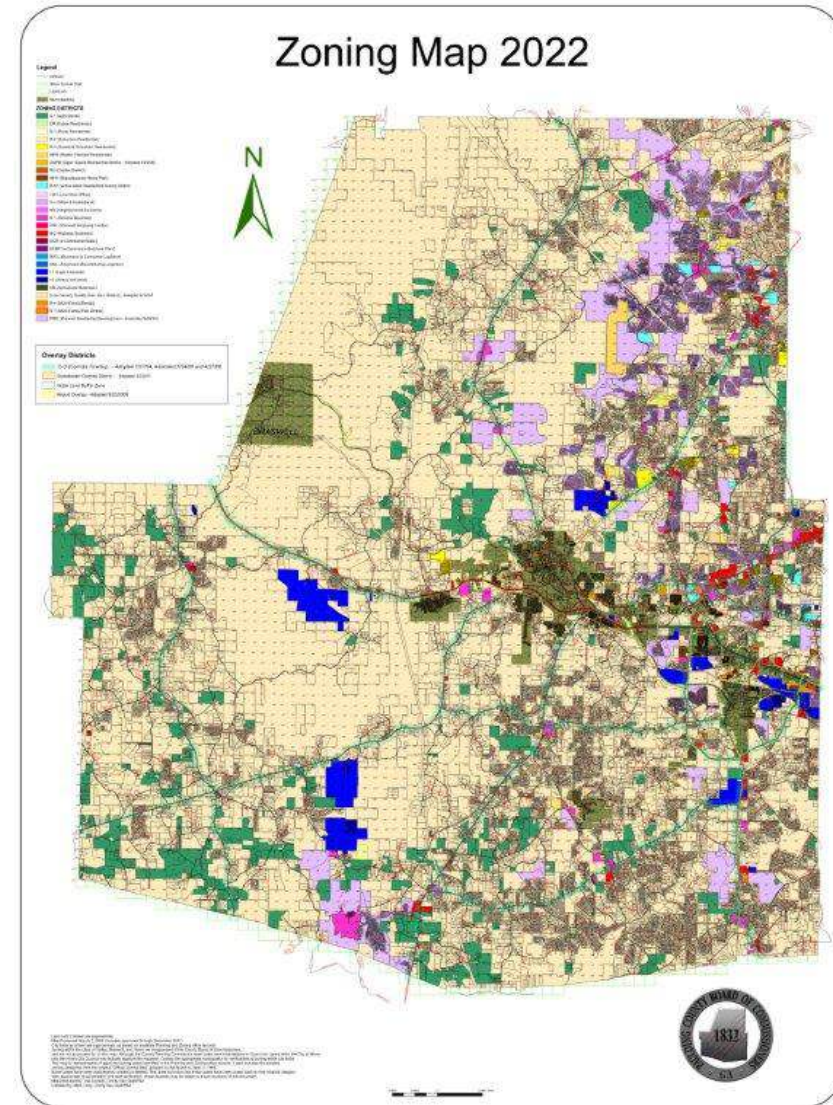
GROWTH 1970 - 2020



# 1970 Census Population – 17,620



# 2020 Census Population – 168,661



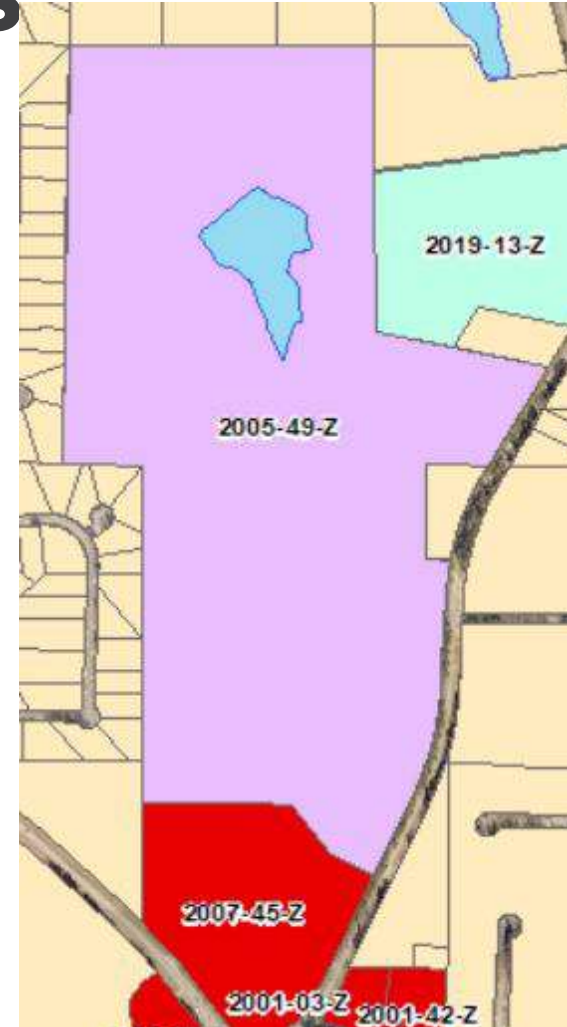
# THE RISE OF BUILD-TO-RENT

# 2019-2021 Permit Data

Year	Permits Issued	DR Horton		ResiBuilt	
		#	%	#	%
2019	1,348	159	11.8%	96	7.12%
2020	1,765	261	14.8%	96	5.44%
2021	1,928	372	19.3%	81	4.20%

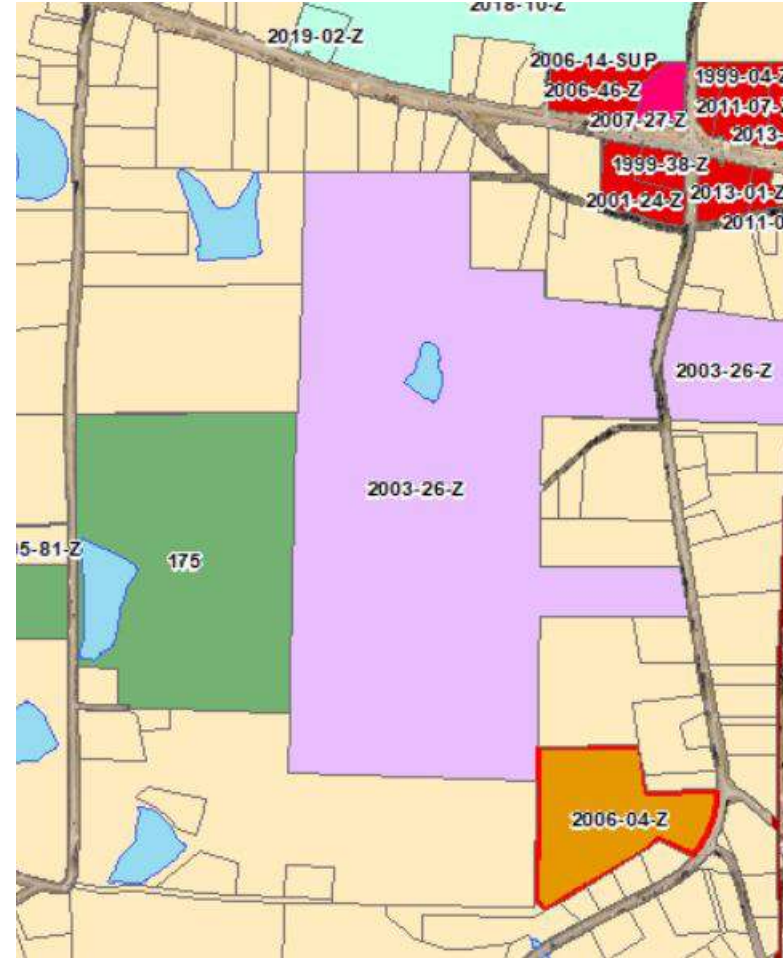
# Acquisition of Previously Zoned Undeveloped Properties

- Zoning Case 2005-49-Z
- Approved for 328 lots in 2005
- Preliminary Plat Submitted in October 2021 for 322 lots on behalf of Starlight Homes



# Acquisition of Previously Zoned Undeveloped Properties

- Zoning Case 2003-26-Z
- Approved for 301 lots in 2003
- Preliminary Plat Submitted in December 2021 for 274 lots on behalf of American Homes for Rent



**WHAT DID WE  
DO?**



# Steps Taken During Creation of Unified Development Ordinance

Moratoriums	<p>Resolution 21-12 “Imposing a 180-Day Moratorium on Single Family Residential Build to Rent Land Use Activities” enacted May 25, 2021</p> <p>Resolution 2021-40 “Imposing a Moratorium on Acceptance of Residential Subdivision Rezoning Requests” enacted December 14, 2021 and extended February 22, 2022</p>
Affidavit	<p>County Attorney created an Affidavit of Compliance with Zoning Moratorium which required anyone submitting either a rezoning application, preliminary plat or application for civil plan review/residential construction plan review swearing the submission did not involve the construction of units that would be leased to occupants for any time during the first 12 months of occupancy.</p>
Special Exception Use	<p>UDO adoption in March of 2022 included Residential Build-to-Rent as a Special Exception Use in the R-3 Zoning District</p>

# R-3 Special Exception allowed provided:

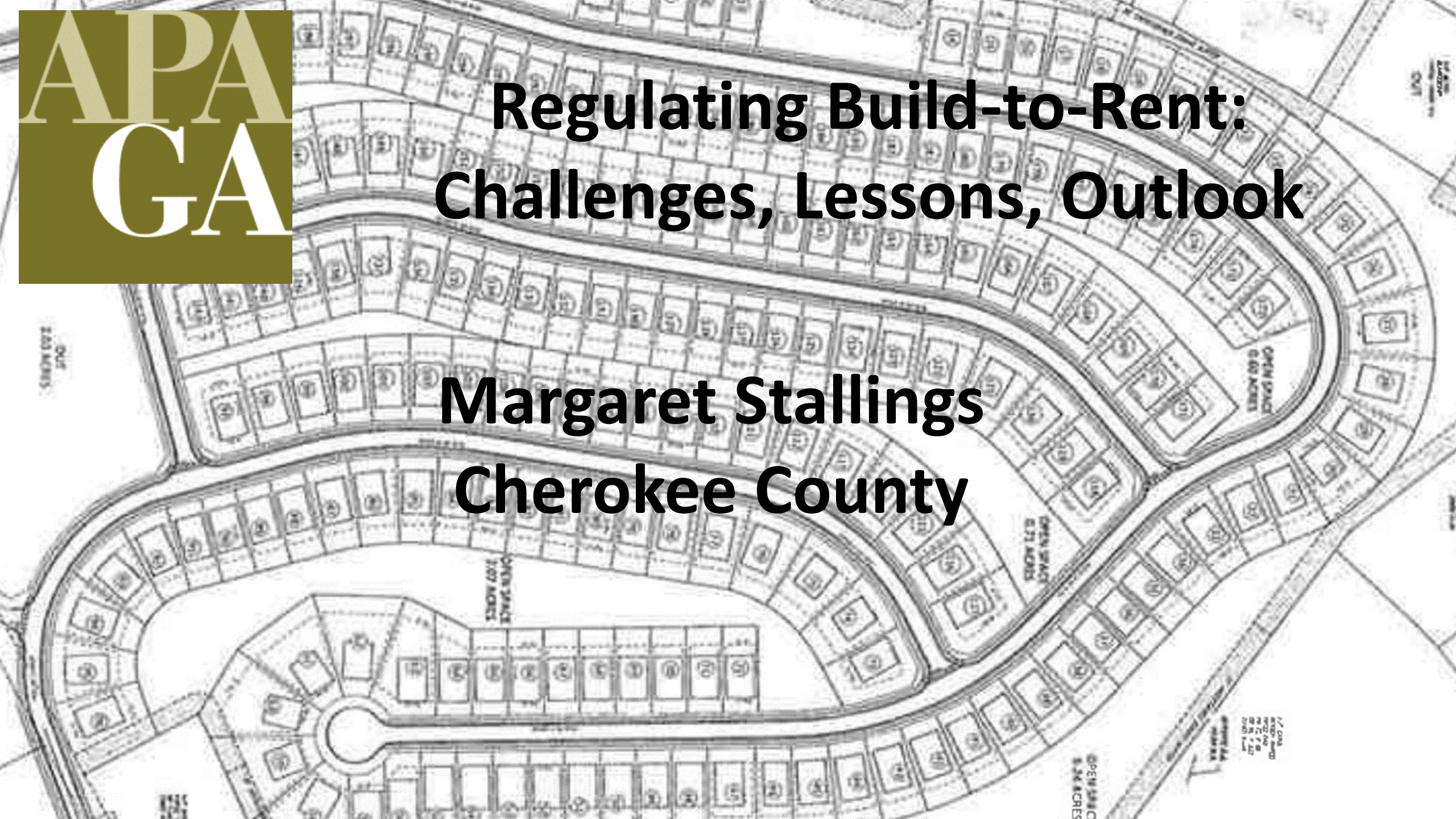
- A Management Company shall manage any Residential Build-To-Rent community based from a staffed, on-site office with standard business hours of at least 9:00 am to 5:00 pm, Monday through Friday.
- Any Residential Build-To-Rent community must dedicate at least five percent of the gross land area for an amenity area, including one of the following features: amphitheater, clubhouse, garden, park, playground, pool area or recreation facilities.
- All Residential Build-To-Rent communities may only use the following materials on the façades of units: brick, cast stone, concrete siding, natural wood or stone.
- Each unit within a Residential Build-To-Rent community must have individual connections to utilities with individual service accounts, including but not limited to electricity, water/sewer, telephone, natural gas, and services for solid waste/recycling.





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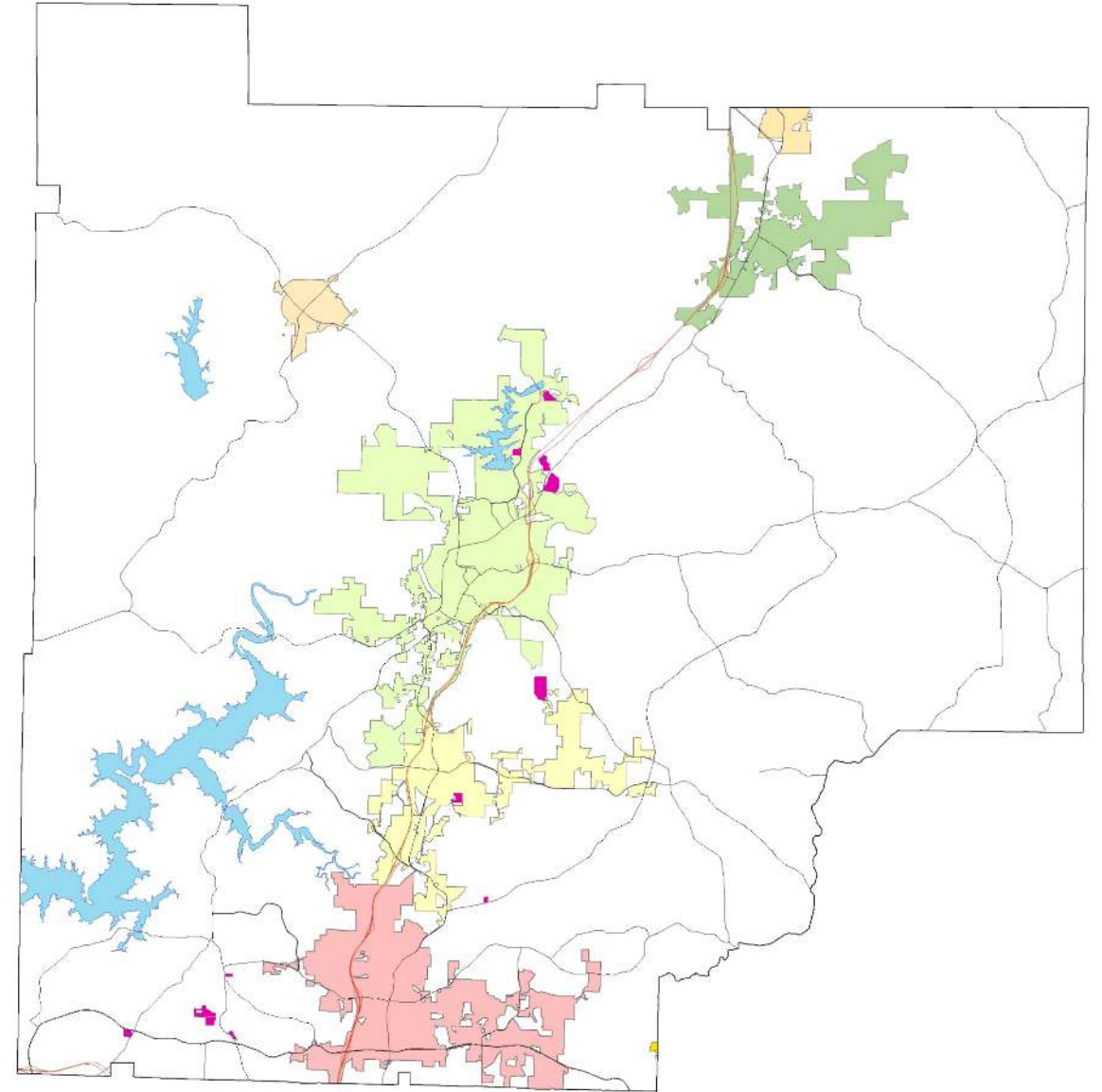
Margaret Stallings  
Cherokee County



# Cherokee Experience

2019-2022

- Existing LDPs & Zonings flipped from “For Sale” to “For Rent” quickly
- Impacted over 1,300 units in 12-18 months
- 1 project approved in June 2022 since ordinance changes



# Cherokee County Strategy

## *3 Basic Elements*

### **Zoning Ordinance Updates**

- Allow “For Rent” use in limited residential districts (RD-3, TND, RM-10 & RM-16)

### **Changes to Platting & Permitting**

- Single-Family to be subdivided into true lots per plat
- Land Disturbance Permit is subject to review if transferred

### **Alignment of Development Regulations**

- Private Streets Approval
- Model Home Requirements
- Covenants, Conditions & Restrictions

# Zoning Ordinance Updates

*Defined “For Rent” vs. “For Sale” Communities*

*Revised Purpose Statements for Districts*

*Updated RD-3, RM-10 & RM-16 Zones*

*Split Residential Uses on Permitted Uses Table*

- “For Sale” has a maximum of 10% rental
- “For Rent” available in 4 districts but must be approved for that specific use

# Changes to Platting & Permitting

*Require all single-family homes to be on separate, platted lots*

- Applies to both “For Sale” and “For Rent” uses

*Implemented a LDP Permit Transfer Review*

- Information required concerning use

# Alignment of Development Regs

## *Approval process for Private Streets*

- County Engineer makes recommendation
- Board of Commissioners makes final decision

## *Model Home Process (only for projects on sewer)*

- Must be converted to “For Sale” units – no permanent offices

## *Covenants, Conditions and Restrictions (“For Sale”)*

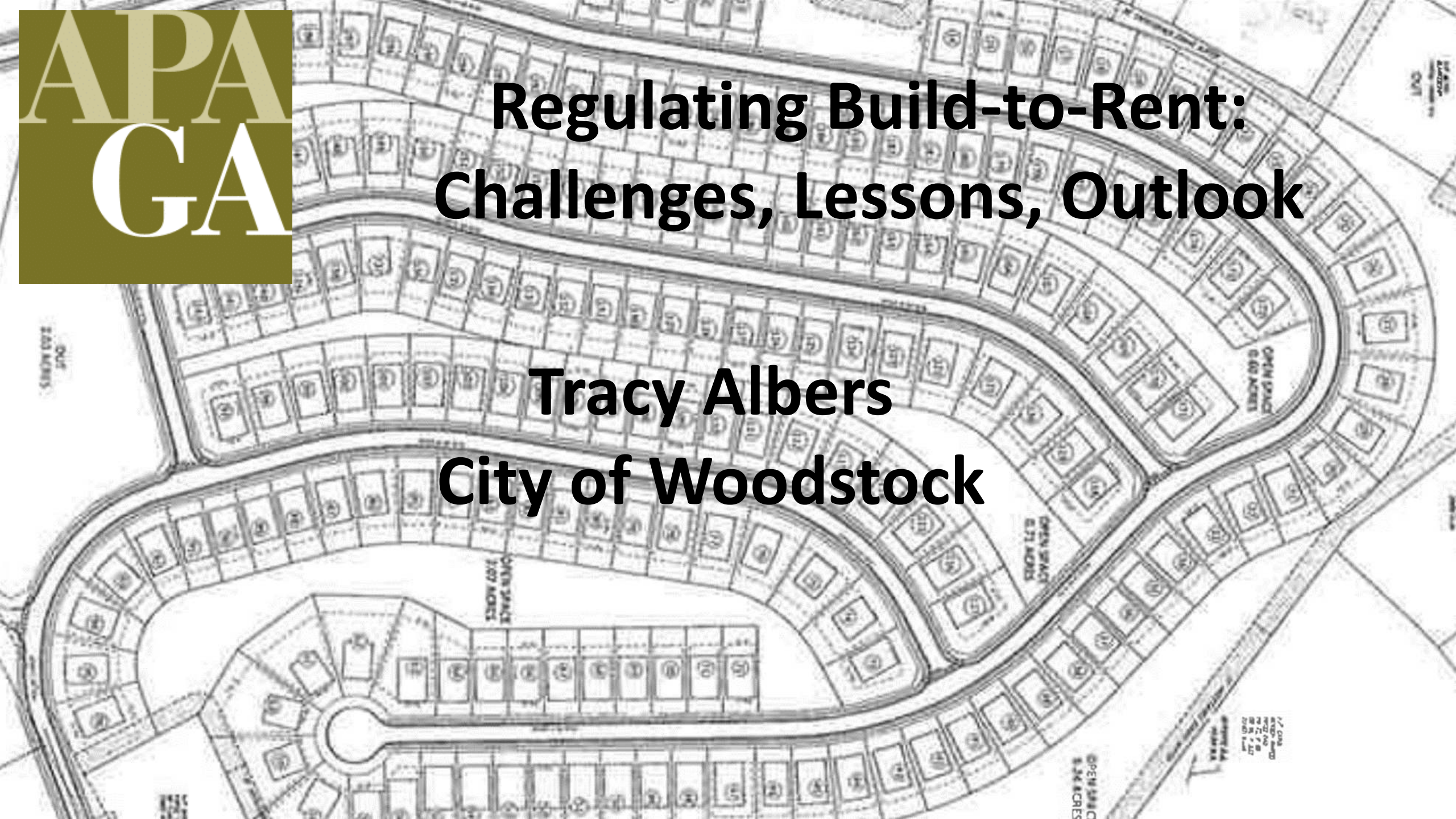
- Property Owner’s Association
- Rental Cap of 10% max.





# Regulating Build-to-Rent: Challenges, Lessons, Outlook

**Tracy Albers**  
**City of Woodstock**



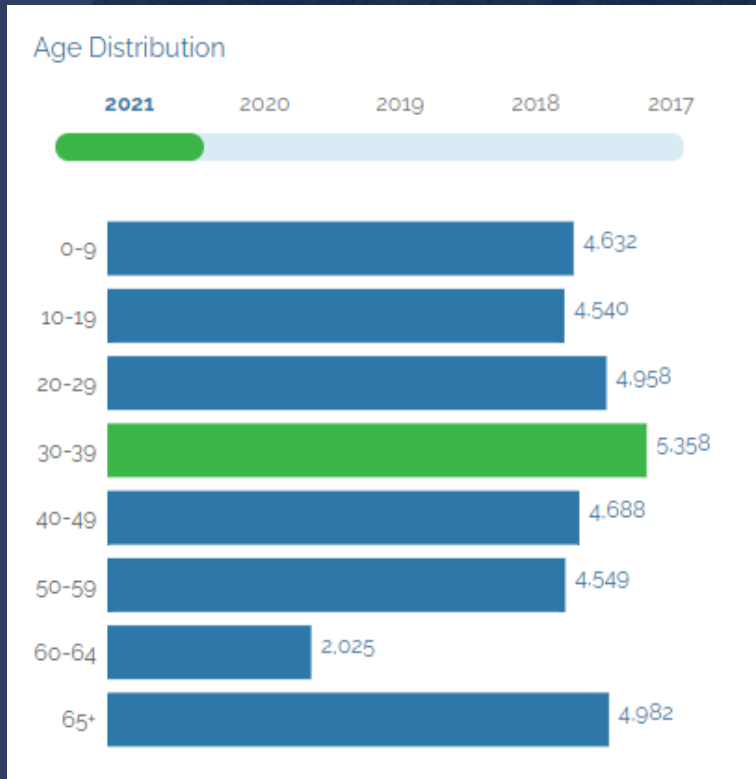
# Welcome to Woodstock

- Cherokee County, G A
- Part of the Atlanta Metropolitan Area
- 2020 Census: 5,065 (Est for 7/2021 is 36,198)
- 13.01 Square Miles
- 21.75 miles of trails
- Eight parks



# Residential Demand

- New residential neighborhoods
  - Single-family detached
  - Attached
  - Condominiums
- Infill residential
- SF demo and rebuilds
- Apartments
- Mixed-Use
- Senior Housing
- Dodged the BTR Bullet
- 



# Codes and Policy Guidance

- Getting ahead of BTR
- Lessons learned from the Great Recession
- Preserving the 80-20 split
- Future residential development capacity - assumes maximum 5 percent BTR Discretionary
- approval for BTR projects Development
- standards that require amenities, on-site management, etc.
- BTR is multi-family with Wall Street Landlord masquerading as single-family



# Legislative Erosion: Georgia Edition

State legislation to preempt local  
regulatory control:

- Allow BTR by-right in any zone where residential
- Limit discretionary review
- Limit reasonable development and/or design standards



# Preserving SF Neighborhood Character

## - Harder Every Day

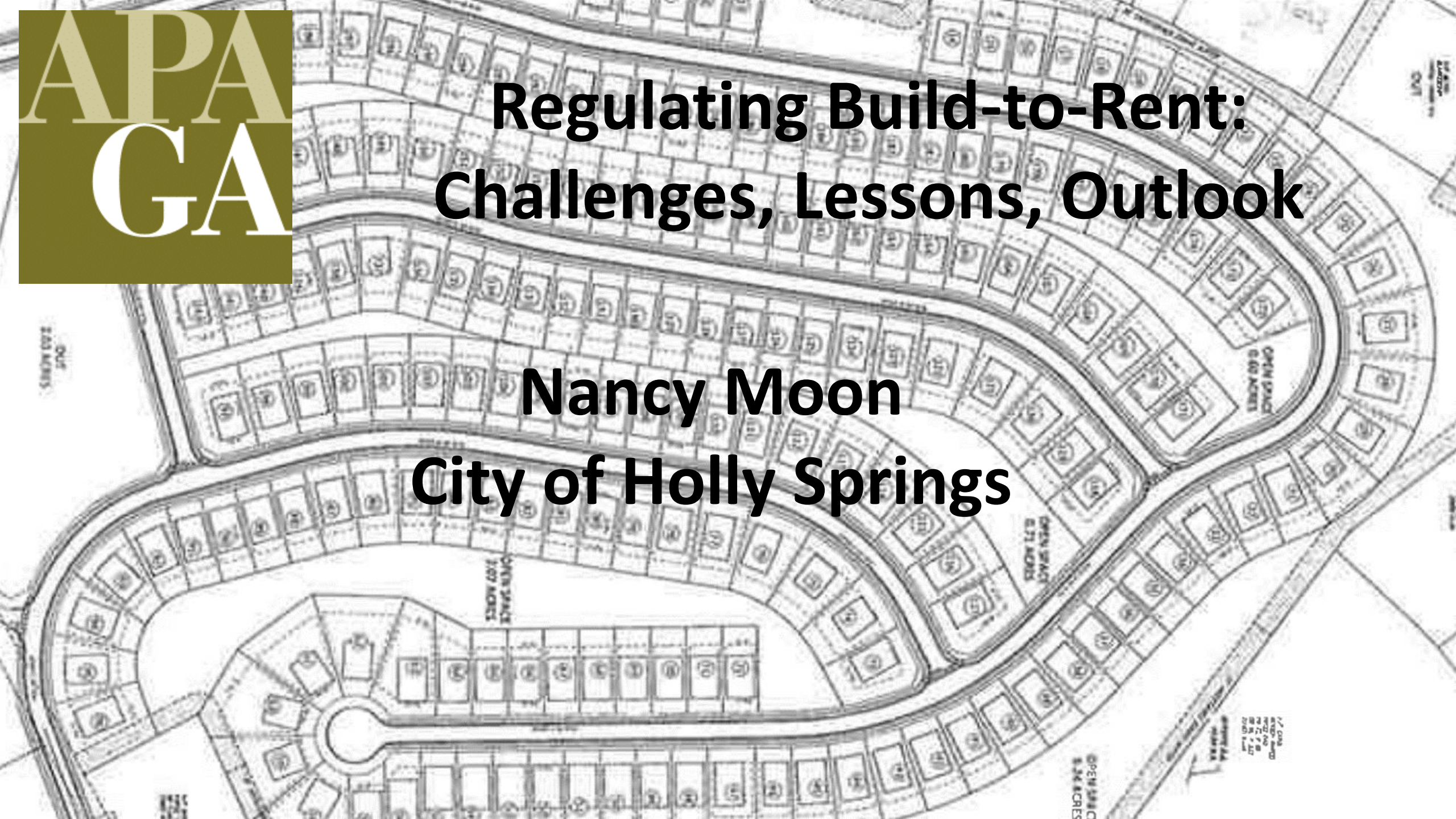
- Short Term Rentals
- COVID Work from Home
- Demolishing aging housing stock
- BTR
  - Buy to Rent or Build to Rent
  - Local vs. National Corporate
- Apartments vs. BTR
- Allow with guardrails or risk losing local regulatory control





# Regulating Build-to-Rent: Challenges, Lessons, Outlook

**Nancy Moon**  
**City of Holly Springs**



# Build-to-Rent District - 1

## *Description*

- 20% or more occupied tenants

## *Permitted Uses*

- Single-family, Two-family, Townhomes or Quad homes
- PDR & TND Permitted and Special Exceptions

## *Prohibited Uses*

- Short Term Rentals

## *Design Provisions*

- Follow PDR/TND requirements
- May be developed without platting individual lots



# Build-to-Rent District - 2

## *Maintenance Provisions*

- On-site office, staffed Monday through Friday
- Responsible to maintain:
  - Homes/Units
  - Accessory Structures
  - Water system & utilities
  - Roadways, drives and parking areas
  - Drainage systems
  - Recreational facilities
  - Landscaping, buffers and conservation areas

## *Occupancy Provisions*

- Submitted prior to issuance of building permit



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## Panel Discussion

