



City of Lilburn

in Gwinnett County

State of Georgia

**Ordinance
Number:**

2022-587

Date of Reading and Adoption: June 13, 2022
At the meeting of the Lilburn City Council held at 340 Main Street, Lilburn, Georgia.

**AN ORDINANCE AMENDING THE CITY OF LILBURN ZONING
ORDINANCE, ARTICLE 6, ARTICLE 7 AND ARTICLE 14 TO CLARIFY TEXT,
REMOVE REDUNDANT LANGUAGE AND TO ACCOMMODATE SHORT-
TERM RENTALS, AND TO PROVIDE FOR AN EFFECTIVE DATE, AND FOR
OTHER PURPOSES.**

I

Modify Section 602, Use table as follows:

SPECIFIC USES	R1	R2	MU*	TC	CB	O-I	IA	U.S. 29	Section Reference	Comment/ Condition
*Upon Master Concept Plan approval										
RESIDENTIAL USES										
ACCESSORY USES										
Dwelling										
Accessory Use - Attached or detached	P	P	P	C	C			C	Art. 7	In CB and MU, also includes apartment above or behind commercial or office use in the same building.
Amateur Radio Transmitter	P	P	P	P	P	P	P	P		
Caretaker or Watchman Quarters					P	P				Accessory use.
Community Amenity Recreation Facility (subdivision tennis courts and/or pool or building)	P	P	P	C	P			P		Permitted as part of a mixed-use commercial project in CB under U.S. 29 Overlay in MU. <u>Commercial standards apply.</u>
Conservation and/or Common Area	P	P	P	P	P	P	P	P		Permitted when integrated into site plan as non-primary use.
Dormitory			P			P				Permitted as ancillary supporting use to a hospital use, medical facility, or associated educational facility.
Home-based Occupation	P	P	P	P	P	P		P	Art. 7	<u>Subject to HO criteria and licensing; in existing residential dwellings units only in OI and CB in Overlay Districts.</u>
Pet House Structure	P	P	P	P						Restricted to rear yard setback area. No kennels.
Private Tennis Court	P	P	P	P					Art. 7	Administrative conditional approval required for lighting.
Storage Shed	P	P	P	P						Rear yard only. <u>Subject to setback, bldg. separation and material review.</u>
Subdivision Tennis Courts and/or Pool	P	P	P		P			P	Art. 6, 603	
Swimming Pool (private)	P	P	P	P					Art. 7	Subject to structure separation and fencing requirements
Business										
Farm Stand Sale of Products Produced on Premises	C			S		C				Requires a temporary use permit and subject to minimum lot size and setback requirements.
Personal Hair Salon	S	S								Single family residence only.
Short Term Rental	C	C	C	C	S			S	Art. 7	<u>SUP for residential in CB and US29. Compliance inspections and business license apply.</u>
Agricultural										
Non-commercial keeping of Fowl/Livestock	C								Art. 7	Subject to minimum lot size and setback requirements on private lot.
Non-commercial Agriculture	C									Subject to minimum 1 acre minimum lot size, R-1 minimum setback, and floodplain requirements on private lot.
Agriculture/Livestock Accessory Buildings and Uses	P						P			Includes ponds, fishing lakes, barns, storage/tack sheds. Subject to minimum lot size and setback requirements.
Private Horse Stables and Riding for Residents	S								Art. 6, 603	Subject to minimum lot size and setback requirements.

II

Add Section 739, Short-Term Rentals as follows:

Section 739. Short-Term Rentals.

739-1. Definitions. Short-Term Rentals, as defined in Article 14, Definitions, are permitted in R-1, R-2, MU zoning districts, and existing residential dwellings within CB districts, and in the same districts within the Town Center Overlay and the US 29 Overlay boundaries subject to the following conditions:

739-2. Permitting and Application Requirements. No person shall rent, lease, or otherwise exchange for compensation all or any portion of a dwelling as a short-term rental without first applying for a short-term rental permit and obtaining a certificate of compliance and a business license in compliance with the regulations contained in Article XIV, Short-Term Rentals, of Chapter 14, Businesses, of Lilburn City Code. The allowance of short-term rentals pursuant to this section shall not prevent enforcement of additional restrictions in restrictive covenants or other private contractual agreements or arrangements.

739-3. Life safety and sanitation.

1. The occupancy shall be limited to two adults per bedroom plus three adults per each short-term rental property. The bedrooms shall be inspected by the City of Lilburn's building official prior to issuance of a certificate of approval or compliance.
2. Short term rentals shall meet all applicable building codes. For properties served by septic, short-term rentals shall meet applicable environmental health regulations.
3. The owner and/or short-term rental agent shall maintain a house number that is visible from the street at all times according to building codes.

739-4. Parking. Parked vehicles:

1. Shall not be parked on the city right-of-way or along any roadways at any time; and
2. Shall be parked on the property only in approved parking spaces on designated hard surfaced areas with concrete, asphalt or contained decorative stone surfacing and shall not be permitted outside such hard surfaced areas (i.e., no parking in yards or neighbors' properties).

739-5. Signs prohibited. There shall be no signs permitted in conjunction with a short-term rental. Signs on vehicles are not permitted.

739-6. Taxes. Short-term rental owners are subject to state sales tax, city taxes, included but not limited to the hotel/motel tax, and are liable for payment thereof as established by state law and city code. The city may seek to enforce payment of all applicable taxes to the extent provided by law, including injunctive relief.

III

Add a definition to Article 14 as follows:

Article 14. Definitions

Short-Term Rental: an accommodation for transient guests where, in exchange for compensation, a residential dwelling is rented in whole or in part for lodging for a period of time not to exceed 30 consecutive days. Such use may or may not include an on-site manager. For purposes of this definition, a residential dwelling shall include all housing types and shall not include group living or other lodging uses.

Amendments to accommodate Short Term Rentals shall become effective July 1, 2022.

SO ORDAINED this the 13th day of June, 2022.

Tim Dunn, Mayor
City of Lilburn

ATTEST:

Melissa L. Penate, CMC
City Clerk