

ARTICLE VI. - CONDITIONAL USES

Sec. 86-121. - Generally.

Conditional uses may be permitted upon a finding by Mayor and Council that the proposed use conforms to the minimum listed conditions and the standards of review of this article. Approval of conditional uses is subject to the procedural requirements of property rezoning of Article XII.

A conditional use will continue so long as the use thereby allowed is actually being conducted on the property to which it applies or as subsequently modified by the Mayor and Council pursuant to the provisions of this chapter, once activity authorized by a conditional use has been discontinued for a period of 60 days, the conditional use shall expire without further action by the Mayor and Council and such use may not thereafter be made on premises without reapplication therefore and approval thereof by the Mayor and Council. In making the decision regarding whether or not a conditional use has been discontinued, the Zoning Administrator shall base his judgment upon objective criteria gained from observation of the premises. The subjective intent of the owner or lessee of the property shall not be considered.

The following conditional uses may be permitted in the zoning districts specified. The listed conditions and standards below are minimum requirements, and the Mayor and Council may elect to impose additional conditions and standards on proposed uses based on the individual context of each case and consideration of the highest and best use for each property.

Sec. 86-122. – NAICS 62441, 6244 Child day care.

DAY CARE CENTER

Any place operated by a person, society, agency, corporation, institution, or group wherein are received, for pay, for group care for fewer than 24 hours per day without transfer of legal custody 19 or more children under 18 years of age.

GROUP DAY CARE HOME

Any place operated by any person or group wherein are received for pay not less than seven nor more than 18 children under 18 years of age for care and supervision for less than 24 hours per day.

Day care centers and group day care homes may be permitted as a conditional use in an CCM, H-2, O&I, C-1, C-2 or MX district, subject to the following conditions:

(1) Every child day care facility shall provide proof of an approved Georgia Department of Human Services registration certificate prior to issuance of a Certificate of Occupancy, and shall conform to all applicable local, state, and federal standards, including Bright From the Start current program standards, O.C.G.A. Chapter 591-1-1. An on-site outdoor play area is required, subject to the following minimum standards:

(a) Size requirements.

(1) For Centers with a licensed capacity of 19 or more children first licensed after March 1, 1991, the Center shall provide or have ready access to an outdoor play area. The minimum size of the outdoor area must be equal to one hundred (100) square feet times one-third ($\frac{1}{3}$) of the Center's licensed capacity for children.

(2) For Centers with a licensed capacity of 18 or fewer children first licensed after April 21, 1991, the Center shall provide or have ready access to an outdoor play area. The minimum size of the outdoor area must be equal to one hundred (100) square feet times the center's licensed capacity for children.

(b) Playground Occupancy. At least one hundred (100) square feet shall be available for each child occupying the outside play area at any one time. Groups of children may be rotated if necessary so that one hundred (100) square feet per child is provided at all times.

(c) Location. Playgrounds shall be adjacent to the Center or in an area which can be reached by a safe route or method approved by the Department. Except in School-age Centers, the playground shall have shaded areas.

(d) Fence or Approved Barriers. Playgrounds shall be protected from traffic or other hazards by a four (4) foot or higher secure fence or other barrier approved by this Department. Fencing material shall not present a hazard to children and shall be maintained so as to prevent children from leaving the playground area by any means other than through an approved access route. Fence gates shall be kept closed except when persons are entering or exiting the area.

(e) Playground Surfaces. Except in School-age Centers, the playground shall have a surface suitable for varied activities. Hard surfaces, such as gravel, concrete, or paving shall not exceed one-fourth ($\frac{1}{4}$) of the total playground area.

(f) Equipment. Playground equipment shall provide an opportunity for the children to engage in a variety of experiences and shall be age-appropriate. For example, toddlers shall not be permitted to swing in swings designed for School-age Children. The outdoor equipment shall be free of lead-based paint, sharp corners and shall be regularly maintained in such a way as to be free of rust and splinters that could pose significant safety hazard to the children. All equipment shall be arranged so as not to obstruct supervision of children.

(g) Anchoring of Certain Equipment. Climbing and swinging equipment shall be anchored.

(h) Fall Zones and Surfacing. Climbing and swinging equipment shall have a resilient surface beneath the equipment and the fall zone from such equipment must be adequately maintained by the Center to assure continuing resiliency.

(i) Safety and Upkeep of Playground. Playgrounds shall be kept clean, free from litter and free of hazards, such as but not limited to rocks, exposed tree roots and exposed sharp edges of concrete.

(2) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided. No on-street parking shall be permitted in conjunction with any child day care facility. Adequate drop-off / pickup traffic circulation shall be provided to prevent vehicle backup onto City streets. Mayor and Council may attach conditions to an approval or may deny approval of a child day

care facility upon finding that the proposed facility is within 500 feet of an establishment licensed for the sale of alcoholic beverages or within 500 feet of potentially hazardous land uses or activities that present unacceptable risks to operation of a child day care facility. "Potentially hazardous land uses or activities" include, but are not limited to, gasoline service stations, heavy industrial operations, storage of flammable materials, high pressure underground pipelines or truck or rail loading areas. Applications within 500 feet of these hazardous land uses shall provide a written evacuation plan to be considered by Mayor and Council.

Mayor and Council may attach conditions to an approval or may deny approval of a child day care facility upon a finding that traffic conditions present unacceptable risks to operation of the facility and/or the safety of children proposed to be served by the facility or that traffic impacts associated with the proposed facility would substantially jeopardize the appropriate use of neighboring properties.

Sec. 86-123. - NAICS 624410, 6244 Family day care (in home).

FAMILY DAY CARE HOME

A private residence operated by any person who receives therein for pay for supervision and care fewer than 24 hours per day, without transfer of legal custody, at least three, but not more than six children under 18 years of age who are not related to such person and whose parents or guardians are not residents in the same private residence.

Family day care homes may be permitted as a conditional use in an R-2, R-4, H-1, H-2 **and M-X** districts, subject to the following conditions:

- (1) The exterior of the dwelling shall not be altered in a manner inconsistent with dwellings in the immediate neighborhood that are occupied in single-family use.
- (2) No parking facility shall be installed in the front yard.
- (3) Must provide an outdoor play area containing a minimum area of 500 square feet. Such play area shall be fenced using a minimum fence height of four feet and established in the rear yard. A stockade type fence shall be installed along any boundary with a residential use. Such fencing shall comply with the building setback of the adjoining residential property, as appropriate.

Sec. 86-124. – NAICS 62412 Services for the elderly and persons with disabilities.

ADULT DAY CARE HOME

A facility in which for compensation at least three, but not more than six persons 18 years of age or older, who have difficulty in functioning independently, receive care for fewer than 24 hours per day without transfer of legal custody.

Adult day care homes may be permitted as a conditional use in an R-2 or R-4 district, subject to the following conditions:

(1) On-site parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.

(2) The exterior of the dwelling shall not be altered in a manner inconsistent with dwellings in the immediate neighborhood that are occupied in single-family use.

(3) No parking facility shall be installed in the front yard. (4) An outdoor seating area comprised of a porch, deck, gazebo or similar structure suitable for no fewer than four adults must be provided.

Sec. 86-125. - NAICS 624120 Adult day care center.

A facility in which for compensation seven or more persons 18 years of age or older, who have difficulty in functioning independently, receive care for fewer than 24 hours per day without transfer of legal custody.

Adult day-care centers may be permitted as a conditional use in an CCM, H-2, O&I, M-X, C-1, or C-2 district, subject to the following conditions:

(1) Must be located on a street having a classification of collector or greater.

(2) Must be established on a lot having a minimum area of one acre.

(3) On-site parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.

(4) An outdoor amenity area containing a minimum area of 2,000 square feet and comprised of such furnishings as benches, picnic tables and shelters as well as pedestrian walks to create an amenity suitable for adults must be provided.

(5) Mayor and Council may attach conditions to approval of a facility which have as their purpose protection of the public health, safety, morals, and general welfare, or Mayor and Council may deny approval of an adult day care facility upon a finding that conditions on or near such proposed facility render it unsuitable for establishment of an adult day care facility.

Sec. 86-126. - NAICS 6239 Continuing care retirement communities.

PERSONAL CARE HOME

Any dwelling that provides or arranges for the provision of housing, food service, and one or more personal services for two or more adults who are not related to the owner or administrator by blood or marriage. Personal services include, but are not limited to, individual assistance with and supervision of self-administered medications and essential activities or daily living such as eating, bathing, grooming, dressing, and toileting.

Personal care homes may be permitted as a conditional use in an O&I, **M-X** or C-2 district, subject to the following conditions:

- (1) The personal care home shall provide on-site parking and/or drop-off space adequate to meet the needs of the proposed facility;
- (2) The operator of the personal care home shall provide the Jonesboro Police and Clayton County Fire Departments a current list of residents living in the facility who have disabilities, and information concerning special needs, so as to ensure each resident's safety and evacuation from the premises in the event of a fire or similar emergency.
- (3) The personal care home shall obtain all required federal and state permits and/or licenses.

Sec. 86-127. - Other residential care facilities.

GROUP HOME FOR THE DISABLED

Any dwelling unit designed for single family occupancy and occupied by no more than eight disabled individuals. Group homes do not include boarding houses, halfway houses, homeless shelters or similar occupancy, nor shall the term include occupancy by any releases of any penal institution or place for persons convicted of a crime, persons found to be juvenile delinquents or juveniles found to be persons in need of supervision. In addition to disabled individuals, up to two additional occupants acting as house parents or guardians may reside in a group home.

Group homes may be permitted as a conditional use in an R-2, R-4, **or M-X** district, subject to the following conditions:

- (1) No additional parking beyond the existing driveway and garage areas shall be permitted on the property where the group home is located, and vehicles may only be parked in such areas. Should additional parking be required, the operator of the group home may apply for an administrative variance from the city manager; any increase in pavement shall be confined to the rear of the lot.
- (2) The operator of the group home shall provide the Jonesboro Police Department and Clayton County Fire Department with a current list of residents living in the facility who have disabilities, and information concerning special needs, to ensure each resident's well-being and safe evacuation from the premises in the event of a fire or similar emergency.
- (3) Any modifications to the existing structure shall not increase the square footage of the structure.
- (4) Any exterior modifications to the existing structure shall be consistent with the residential character of the surrounding neighborhood.
- (5) A group home shall not be established within 1,500 feet of an existing group home.
- (6) The group home shall not require occupancy of individual bedrooms by more than two individuals.
- (7) Group homes shall comply with all fire and life safety codes, and obtain all federal and state permits or licenses, as appropriate.
- (8) The existing structure shall be upgraded and inspected by the city with respect to accommodation and accessibility by disabled individuals.

Sec. 86-128. - NAICS 51912 Libraries and archives.

Libraries may be permitted as a conditional use in an R-2, R-4, CCM, RM, H-1, H-2, MX, C-1, C-2, or M-1 districts, subject to the following condition:

- (1) A landscaped buffer having a minimum horizontal dimension of 20 feet and an average horizontal dimension of 30 feet shall be maintained when abutting a residential use.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) Must be stand-alone buildings (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) Must meet the requirements of Article XIII – Parking, Loading, and Interior Circulation.
- (5) No paved parking area shall be established within 25 feet of a lot that is zoned residential or contains a residential use.
- (6) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

Sec. 86-129. - NAICS 6233 Retirement community.

The following conditions are assigned in the H-2, O&I, and MX districts:

- (1) A maximum of 90 dwelling units shall be permitted.
- (2) Must be located on a street having a classification of collector or greater.
- (3) Must be established on a lot having a minimum area of two acres.

Sec. 86-130. - NAICS 71312 Amusement arcades, indoor.

The following conditions are assigned in the H-1, H-2, MX districts:

- (1) Establishments shall be limited to a maximum floor area of 2,000 square feet.
- (2) No activities shall occur in parking lot or other outdoor areas.

Sec. 86-131. - NAICS 713990 Billiard and pool halls (all uses permitted except shooting ranges).

The following conditions are assigned in the H-2, **M-X** and C-2 districts:

- (1) The sale or on-premises consumption of alcoholic beverages is prohibited.
- (2) No activities shall occur in parking lot or other outdoor areas.

Sec. 86-132. - NAICS 515 Broadcasting, **TV, cable, and radio, except internet.**

The following conditions are assigned in the H-1, H-2, O&I, MX, C-1, and C-2 districts:

- (1) No transmission towers may be located on the property.

Sec. 86-133. - NAICS 512132 Motion picture theaters (except drive-ins).

The following conditions are assigned in the H-2, MX, C-2, and M-1 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) Must be stand-alone buildings (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) Must meet the requirements of Article XIII – Parking, Loading, and Interior Circulation.
- (5) A minimum 50-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially-zoned property.
- (6) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

Sec. 86-134. - NAICS 512132 Motion picture theaters: drive ins.

The following conditions are assigned in the M-X, C-2, and M-1 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) No screen shall be visible from any street.
- (4) No central loudspeaker system shall be permitted.
- (5) No outdoor theater shall be permitted adjacent to any residential district.
- (6) Must be stand-alone buildings (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (7) Must meet the requirements of Article XIII – Parking, Loading, and Interior Circulation.
- (8) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building

height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

Sec. 86-135. - NAICS 711130 Musical groups and artist.

The following conditions are assigned in the H-1, H-2, O&I, MX and C-2 districts:

(1) No noise generated by the use shall be perceptible at the property boundary.

Sec. 86-136. - NAICS 712190 **Public** Nature parks and other similar institutions.

The following conditions are assigned in the H-1, H-2, and C-1 districts:

(1) No parking facilities shall be permitted with 50 feet of a residential property.

Sec. 86-137. - NAICS 51219 Pre-production and Postproduction services and other related motion picture and video industries.

The following conditions are assigned in the H-2, O&I, MX and C-1 districts:

(1) No noise generated by the use shall be perceptible at the property boundary.

Sec. 86-138. - NAICS 51224, 51225 Sound recording industries.

The following conditions are assigned in the H-1, H-2, O&I, MX, C-1, and M-1 districts:

(1) No noise generated by the use shall be perceptible at the property boundary.

Sec. 86-139. - 5221 Banks, credit unions, and saving institutions.

The following conditions are assigned in the CCM district:

(1) No drive-thru teller or drive-thru ATM machines shall be permitted.

Sec. 86-140. - NAICS 621991 Blood and organ banks.

The following conditions are assigned in the O&I and C-2 districts:

- (1) Blood plasma donor facilities are prohibited.
- (2) Applicable waste storage / disposal procedures shall be followed, per State and Federal guidelines.
- (3) Must be stand-alone buildings (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).

- (4) Must meet the requirements of Article XIII – Parking, Loading, and Interior Circulation.
- (5) No paved parking area shall be established within 25 feet of a lot that is zoned residential or contains a residential use.

Sec. 86-141. - NAICS 236, 237, 238 Construction and Contractors, Specialty and General (including swimming pool installation), with No Outdoor Storage or parking of equipment / large construction vehicles.

The following condition is assigned in the H-1, H-2, **and O&I** districts:

- (1) No outdoor storage of materials or parking of equipment / large construction vehicles is permitted.

Sec. 86-142. - NAICS 236, 237, and 238 Construction and contractors, Specialty and General (including swimming pool installation), with outdoor storage.

The following condition is assigned in the M-1 district:

- (1) Outdoor storage is permitted provided such storage is confined to the rear yard and is screened using fencing or landscaping which completely obscures the view from adjoining properties and public rights-of-way. Such screening shall have a minimum height of eight feet.

Sec. 86-143. - NAICS 561320 Temporary help services.

The following conditions are assigned in the C-2 and M-1 districts:

- (1) No client of any such facility may report to the facility more than one hour prior to the opening of the business or remain on the premises more than one hour following closing of the business.
- (2) The building located on the property shall contain sufficient area, either inside or outside, configured in such a way as to prevent potential laborers who have congregated in the building or on the property from being observed from any right-of-way or any adjoining property.
- (3) The proposed site for a labor pool shall not be located within 1,000 feet of an existing labor pool.
- (4) The labor pool shall provide a safe area on the property where the day laborers may be picked up and dropped off. Any such area shall not include any right-of-way immediately adjacent to the property or on any adjoining property not owned or leased by the labor pool.
- (5) The labor pool shall be limited to commercial locations on Tara Boulevard that are zoned C-2.

Sec. 86-144. - NAICS 54194 Veterinary services including animal hospital.

The following conditions are assigned in the O&I, C-2 and M-1 districts:

- (1) No outdoor runs or kennels shall be permitted.

Sec. 86-145. - NAICS 81299 Miscellaneous personal services, including bail bonding, dating services, shoe-shine services, fortunetelling, tattoo parlor, etc.

The following conditions are assigned in the O&I, C-2, **and M-1** districts:

- (1) Dating and escort services shall be prohibited.
- (2) Bail bonding companies must obtain Clayton County Sheriff / Police Department approval prior to seeking a conditional use permit.

Sec. 86-146. - NAICS 81222 Cemeteries

The following conditions are assigned in the R-2, R-4, O&I districts:

- (1) No associated crematorium facilities shall be permitted.
- (2) The lot shall be a minimum of five acres.
- (3) No dwelling, other than a one-family dwelling for a caretaker, shall be permitted.
- (4) No building shall be located within 100 feet of any property boundary.
- (5) The lot shall have direct access to an arterial or major collector road.
- (6) All gravesites shall be a minimum of (50) 50 feet from any property boundary.

Sec. 86-147. - NAICS 532284 Consumer goods rental.

The following conditions are assigned in the O&I and C-1 districts:

- (1) No overnight outdoor storage or display of merchandise or equipment shall be permitted.

Sec. 86-148. - NAICS 812320 Dry-cleaning and laundry services (except coin operated).

The following conditions are assigned in the CCM, **H-2**, and O&I districts:

- (1) No dry-cleaning plants shall be permitted. Such establishments shall be limited to customer drop off and pick-up.

Sec. 86-149. - NAICS 4543 Direct selling establishments, including fuel dealers.

The following conditions are assigned in the C-2 district:

- (1) No on-site storage of fuels shall be permitted.

Sec. 86-150. - NAICS 5323 General rental centers.

The following conditions are assigned in the MX and O&I districts:

- (1) No overnight outdoor storage or display of merchandise or equipment shall be permitted.

Sec. 86-151. - NAICS 811411 Home and garden equipment repair and maintenance.

The following conditions are assigned in the C-2 and M-1 districts:

- (1) No overnight outdoor storage or display of merchandise or equipment shall be permitted.

Sec. 86-152. - NAICS 48841 Motor vehicle towing and storage.

The following conditions are assigned in the C-2 and M-1 districts:

- (1) Vehicle storage shall be limited to a 30-day period.
- (2) Storage shall be screened utilizing a 10-foot landscaped buffer and opaque fencing having a minimum height of six feet; landscaping as prescribed in Article 86-15 shall be maintained outside the fencing.

Sec. 86-153. - NAICS 561491 Repossession services.

The following conditions are assigned in the C-2 and M-1 districts:

- (1) No outdoor storage of repossessed vehicles, equipment or materials of any sort shall be permitted.

Sec. 86-154. - NAICS 81142 Re-upholstery and furniture repair, no outdoor storage.

The following conditions are assigned in the H-1, H-2 and C-1 districts:

- (1) No outdoor display or storage of merchandise or materials shall be permitted.
- (2) Window displays shall not include merchandise in various states of repair or disrepair.

Sec. 86-155. - NAICS 5617 Services to buildings and dwellings, no outdoor storage.

The following conditions are assigned in the **H-2**, O&I, **M-X** and C-1 districts:

- (1) No on-site storage of chemicals or other potentially toxic or hazardous materials or supplies shall be permitted.
- (2) No trucks shall be stored on site for 24-hour periods or overnight.

(3) No on-site 24-hour storage of chemical compounds used in the conduct of businesses classified under this NAICS code shall be permitted.

Sec. 86-156. - NAICS 541380 Testing laboratories (mechanical products).

The following conditions are assigned in the C-2 and M-1 districts:

(1) No testing facility shall be permitted which introduces excessive noise, odor, vibration, electrical interference, threat of fire, explosion, or involves hazardous materials or other objectionable activities.

Sec. 86-157. - NAICS 4542 Vending machine operators.

The following conditions are assigned in the H-2 and O&I districts:

(1) No on premises vending machine sales shall be permitted.

(Ord. No. 05-08, § 2(6.36), 8-15-05, 2-11-19)

Sec. 86-158. - NAICS 6243 Vocational rehabilitation services.

The following conditions are assigned in the H-1, H-2, O&I and C-2 districts:

(1) No client of any such facility may report to the facility more than one hour prior to the opening of the business or remain on the premises more than one hour following closing of the business.

(2) The building located on the property shall contain sufficient area, either inside or outside, configured in such a way as to prevent potential laborers who have congregated in the building or on the property from being observed from any right-of-way or any adjoining property.

Sec. 86-159. - NAICS 7224 Bars, taverns, and other drinking places (alcohol).

The following conditions are assigned in the H-1, H-2, MX and C-1 districts:

(1) See chapter 6, Alcoholic beverages.

Sec. 86-160. - NAICS 44122 Boat dealers.

The following conditions are assigned in the C-2 **and M-1** districts:

(1) No outdoor storage or display of used boats, used trailers or any equipment, motors or accessories shall be permitted.

Sec. 86-161. - NAICS 444 Building material and garden equipment and supplies dealers.

The following conditions are assigned in the C-2 and M-1 districts:

- (1) No overnight outdoor storage or display of merchandise or equipment shall be permitted.

Sec. 86-162. - NAICS 44419 Building material dealers, lumber yards.

The following conditions are assigned in the C-2 and M-1 districts:

- (1) Outdoor storage shall be screened utilizing a ten-foot landscaped buffer and opaque fencing having a minimum height of six feet; landscaping as prescribed in article XV shall be maintained outside the fencing. Side or rear yard only.
- (2) Proposed locations adjacent to residential areas shall be subject to additional buffers.

Sec. 86-163. - NAICS 441110/44112 Car dealers, new or used and car dealers, used.

The following conditions are assigned in the C-2 and M-1 districts:

- (1) The primary use of the property shall be retail sales of vehicles.
- (2) All vehicle servicing shall be performed in an entirely enclosed structure.
- (3) No vehicles that are in a state of disrepair shall be displayed.
- (4) Automotive repair shall be operated only as an accessory to a new car dealership.
- (5) No outdoor storage of parts, materials or equipment shall be permitted.

Sec. 86-163.1. - NAICS 425120 Automobile brokers—Office only.

The following conditions are assigned in the C-2 districts:

- (1) Automobile brokers assigned in the C-2 districts shall operate in an "office only" capacity.
- (2) "Office only" shall mean: a. No vehicle to be brokered for sale, lease, or otherwise, shall be delivered to, displayed, or parked at any time on the premises; b. Vehicles for sale or lease, whether directly or indirectly, shall not be delivered to, displayed, or parked on the premises at any time; c. Maintenance, repair, refurbishing, washing, or detailing of automobiles on the premises is prohibited.

Sec. 86-164. - NAICS 4481 Clothing and clothing accessories stores.

The following conditions are assigned in the O&I district:

- (1) Establishments shall be limited to a maximum floor area of 6,000 square feet.

Sec. 86-165. - NAICS 445120 Convenience food stores, without fuel pumps.

The following conditions are assigned in the C-1, C-2, and M-1 districts:

(1) Establishments shall be limited to a maximum floor area of 4,000 square feet.

Sec. 86-166. - NAICS 4421 Furniture and home furnishing stores.

The following conditions are assigned in the H-1 and C-1 districts:

(1) Establishments shall be limited to a maximum floor area of 6,000 square feet.

Sec. 86-167. - NAICS 452319 All other General merchandise stores.

The following conditions are assigned in the O&I and **M-1** districts:

(1) Establishments shall be limited to a maximum floor area of 6,000 square feet.

Sec. 86-168. - NAICS 45322 Gift, novelty, and souvenir stores.

The following conditions are assigned in the O&I ~~and C-1~~ district:

(1) Establishments shall be limited to a maximum floor area of 4,000 square feet.

Sec. 86-169. - NAICS 44511 Large-scale Grocery stores and supermarkets.

The following conditions are assigned in the H-1, H-2, **O&I, and M-1** districts:

(1) Establishments shall be limited to a maximum floor area of 20,000 square feet.

Sec. 86-170. - NAICS 4442, 44422 Lawn and garden equipment and supply stores, nursery, and farm supply

The following conditions are assigned in the **M-X** and C-1 districts:

(1) No overnight outdoor storage or display of merchandise or equipment shall be permitted.

Sec. 86-171. - NAICS 4532 Office supplies and stationery stores, gifts.

The following conditions are assigned in the O&I district:

(1) Establishments shall be limited to a maximum floor area of 6,000 square feet.

Sec. 86-172. - NAICS 44613 Optical goods stores

The following conditions are assigned in the O&I district:

- (1) Establishments shall be limited to a maximum floor area of 6,000 square feet.

Sec. 86-173. - NAICS 45391 Pet and pet supplies stores.

The following conditions are assigned in the H-1, H-2 and MX districts:

- (1) No outdoor runs shall be permitted.

Sec. 86-174. - NAICS 81291 Pet care, grooming, training, pet sitting, and boarding (except veterinary services).

The following conditions are assigned in the H-2 and O&I districts:

- (1) No outdoor runs or kennels shall be permitted.

Sec. 86-175. - NAICS 44611 Pharmacies and drug stores.

The following conditions are assigned in the CCM, ~~H-1, H-2,~~ and O&I districts:

- (1) Establishments shall be limited to a maximum floor area of 8,000 square feet.

Sec. 86-176. - NAICS 443142 Music stores - Prerecorded tape, compact disc and record stores.

The following conditions are assigned in the **O&I** district:

- (1) Establishments shall be limited to a maximum floor area of 4,000 square feet.

~~Sec. 86-177. - NAICS 53223 Video tape and disc rental.~~

~~The following conditions are assigned in the H-1 district:~~

- ~~(1) Establishments shall be limited to a maximum floor area of 4,000 square feet.~~

Sec. 86-178. - NAICS 4533 Used merchandise stores, including thrift stores.

The following conditions are assigned in the C-1, C-2 and M-1 districts:

- (1) No overnight outdoor storage or display of merchandise or equipment shall be permitted.
- (2) Establishments shall be limited to a maximum floor area of 4,000 square feet.

Sec. 86-179. - NAICS 484 Truck Transportation (Freight); Logistics

The following conditions are assigned in the M-1 district:

- (1) Trucks shall not be stored in the front yard.

Sec. 86-180. - NAICS 488991 Packing and crating.

The following conditions are assigned in the M-1 district:

- (1) Pallets shall be screened from view from the public right-of-way and adjacent property and shall be stacked no higher than the screening or ten feet above grade, whichever height is most restrictive.
- (2) Such screening shall be accomplished utilizing a ten-foot landscaped buffer and opaque fencing having a minimum height of eight feet; landscaping as prescribed in article XV shall be maintained outside the fencing.

Sec. 86-181. - NAICS 4853 Taxi and limousine service.

The following conditions are assigned in the ~~M-X~~ and C-2 ~~and M-1~~ districts:

- (1) No on-site vehicle maintenance, other than washing, shall be permitted.

Sec. 86-182. - Mixed family, including lofts.

The following conditions are assigned in the CCM, H-1, H-2, O&I and C-1 districts:

- (1) No residential unit shall occupy a street level space.

Sec. 86-183. - NAICS 8131, 81311 Churches, other places of worship, and religious organizations.

The following conditions are assigned in the CCM, H-1, H-2, O&I, MX, C-1, C-2, and M-1 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) Must conform to Chapter 6 setbacks, Alcoholic Beverages.
- (4) Must be stand-alone buildings (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (5) Must meet the requirements of Article XIII – Parking, Loading, and Interior Circulation.
- (6) Must meet applicable buffer requirements of Article XV – Landscaping and Buffers.

(7) No paved parking area shall be established within 25 feet of a lot that is zoned residential or contains a residential use.

(8) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

Sec. 86-184. - NAICS 8134 Civic and social organizations, with provisions for bar or restaurant.

The following conditions are assigned in the CCM, H-1, H-2, O&I, MX, C-1, C-2, and M-1 districts:

(1) Must be located on a street having a classification of collector or greater.

(2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.

(3) Must conform to Chapter 6 standards, Alcoholic Beverages.

Sec. 86-185. - NAICS 81341 Civic and social organizations, without private bar or restaurant.

The following conditions are assigned in the CCM, H-1, H-2, O&I, MX, C-1, C-2, and M-1 districts:

(1) Must be located on a street having a classification of collector or greater.

(2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.

Sec. 86-186. - NAICS 6113 Private schools: colleges and universities.

The following conditions are assigned in the H-2, O&I, MX, C-2, and M-1 districts:

(1) Must be located on a street having a classification of collector or greater.

(2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.

(3) Must be stand-alone buildings (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).

(4) Must meet the requirements of Article XIII – Parking, Loading, and Interior Circulation.

(5) No paved parking area shall be established within 25 feet of a lot that is zoned residential or contains a residential use.

(6) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building

height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

Sec. 86-187. - NAICS 6111 Private schools: elementary and secondary.

The following conditions are assigned in the R-2, R-4, ~~RC~~, RM, H-1, H-2, O&I, MX, C-1, C-2, and M-1 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) Must be stand-alone buildings (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) Must meet the requirements of Article XIII – Parking, Loading, and Interior Circulation.
- (5) No paved parking area shall be established within 25 feet of a lot that is zoned residential or contains a residential use.
- (6) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

Sec. 86-188. - NAICS 6112 Private schools: junior colleges.

The following conditions are assigned in the O&I, MX, C-2, and M-1 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) Must be stand-alone buildings (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) Must meet the requirements of Article XIII – Parking, Loading, and Interior Circulation.
- (5) No paved parking area shall be established within 25 feet of a lot that is zoned residential or contains a residential use.
- (6) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

Sec. 86-189. - NAICS 71399 Community Recreation Facility Buildings (non-profit) including YMCA, Senior Centers, and City Recreational Centers **and similar facilities linked or not linked to religious denominations.**

The following conditions are assigned in the R-C, RM, H-1, H-2, O&I, MX, C-1, C-2, and M-1 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) Must be stand-alone buildings (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) Must meet the requirements of Article XIII – Parking, Loading, and Interior Circulation.
- (5) A minimum 50-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially-zoned property.
- (6) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

Sec. 86-190. - NAICS 71391 Golf courses and country clubs.

The following conditions are assigned in the R-2, R-4, and MX districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.

Sec. 86-191. - NAICS 712110 Museums, but not art galleries - 452920

The following conditions are assigned in the CCM, H-1, H-2, O&I, MX, and C-2 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) Must meet the requirements of Article XIII – Parking, Loading, and Interior Circulation.
- (4) For new developments, no proposed, paved parking area shall be established within 25 feet of an adjacent lot which contains an existing residential use.
- (5) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building

height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

(6) No museums with obscene subject matter shall be permitted, as defined in the Adult Entertainment Ordinance, Sec. 10-32, for public indecency, specified sexual activities, and specified anatomical areas.

(7) Any alcohol service shall conform to the requirements for an on-premises arts license.

Sec. 86-192. - NAICS 71399 Neighborhood Rec. Centers, incl. Tennis, Pools and Active Primarily Outdoor Amenities, with or w/o Food Sales (Private)

The following conditions are assigned in the RM, O&I, MX, C-1, and C-2 districts:

(1) Must be located on a street having a classification of collector or greater.

(2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.

(3) All other applicable standards of Section 86-113 shall be met.

Sec. 86-193. - NAICS 7111 Performing arts theaters: drama, dance, music.

The following conditions are assigned in the CCM, H-1, H-2, O&I, MX, and C-2 districts:

(1) Must be located on a street having a classification of collector or greater.

(2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.

(3) Must be stand-alone buildings (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).

(4) Must meet the requirements of Article XIII – Parking, Loading, and Interior Circulation.

(5) A minimum 50-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially-zoned property.

(6) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

Sec. 86-194. - NAICS 711211 Stadiums, coliseums, arenas, amphitheaters.

The following conditions are assigned in the CCM, MX, C-2, and M-1 districts:

(1) Must be located on a street having a classification of collector or greater.

(2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.

(3) Must be stand-alone buildings (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).

(4) Must meet the requirements of Article XIII – Parking, Loading, and Interior Circulation.

(5) A minimum 50-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially-zoned property.

(6) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

Sec. 86-195. - NAICS 711110 Theater companies and dinner theaters.

The following conditions are assigned in the CCM, H-1, H-2, MX and C-2 districts:

(1) Must be located on a street having a classification of collector or greater.

(2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.

(3) Must be stand-alone buildings (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).

(4) Must meet the requirements of Article XIII – Parking, Loading, and Interior Circulation.

(5) No paved parking area shall be established within 25 feet of a lot that is zoned residential or contains a residential use.

(6) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

Sec. 86-196. - NAICS 6114 Business schools and computer and management training.

The following conditions are assigned in the H-2, O&I, MX and C-2 districts:

(1) Must be located on a street having a classification of collector or greater.

(2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.

Sec. 86-197. - NAICS 6115 Technical and trade schools.

The following conditions are assigned in the H-1, H-2, O&I, MX, C-2 ~~and M-1~~ districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) Truck driving schools shall be restricted to the M-1 district.
- (4) Must be stand-alone buildings (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (5) Must meet the requirements of Article XIII – Parking, Loading, and Interior Circulation.
- (6) No paved parking area shall be established within 25 feet of a lot that is zoned residential or contains a residential use.
- (7) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

Sec. 86-198. - NAICS 6116 Other schools and instruction, but not small-scale tutoring (10 students or less)

The following conditions are assigned in the H-1, H-2, O&I, MX, C-2 ~~and M-1~~ districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) Must be stand-alone buildings (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) Must meet the requirements of Article XIII – Parking, Loading, and Interior Circulation.
- (5) No paved parking area shall be established within 25 feet of a lot that is zoned residential or contains a residential use.
- (6) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

Sec. 86-199. - NAICS 5151 Radio and television broadcasting.

The following conditions are assigned in the H-1, H-2, O&I, MX, C-1, and C-2 districts:

(1) No telecommunications structures greater than 20 feet in height, whether ground or building mounted, shall be permitted.

Cross reference— Telecommunications, Chapter 70.

Sec. 86-200. - NAICS ~~51913~~, 519130 Internet ~~publishing~~, broadcasting, ~~and web search portals including podcasts~~.

The following conditions are assigned in the H-1, and H-2, ~~O&I, MX, and C-2~~ districts:

(1) No telecommunications structures greater than 20 feet in height, whether ground or building mounted, shall be permitted.

Sec. 86-201. - NAICS 517 Telecommunications.

The following conditions are assigned in the H-1, H-2, O&I, MX, C-1, C-2, M-1 districts:

(1) No telecommunications structures greater than 20 feet in height, whether ground or building mounted, shall be permitted.

Sec. 86-202. – **Single-Family Attached Dwellings**, Townhouses and condominiums.

The following conditions are assigned in the CCM, R-M, H-1, H-2, and MX districts:

(1) The standards of the R-A district shall control development of townhouses and condominiums.

Sec. 86-203. - Funeral homes and funeral services.

The following conditions are assigned in the O&I and C-2 districts:

(1) Must be located on a street having a classification of collector or greater.

(2) Must be established on a lot having a minimum area of one acre.

(3) On-site parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.

Sec. 86-204. – Table of Uses (Revised June 10, 2024)

Sec. 86-205. – Multi-family (Apartment Communities)

The following conditions are assigned in the R-2, R-4, CCM, R-M, H-1, H-2 and M-X districts:

- (1) The standards of the R-M district shall control development of apartments.
- (2) Must be located off a street having a classification of collector or greater.
- (3) A minimum 25-foot wide buffer shall be maintained along all property lines adjacent to any single-family, detached residential property.

Sec. 86-206. - NAICS 8139 Business, Professional, Labor, Political and Similar Organizations.

The following conditions are assigned in the H-1, H-2, M-X, and C-2 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (3) The sale or on-premises consumption of alcoholic beverages is prohibited.

Sec. 86-207. - NAICS 8132 Charitable Organization Offices, including Grantmaking and Giving Services.

The following conditions are assigned in the **C-1** district:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.

Sec. 86-208. - NAICS 62411 Child Youth Services, including Adoption and Foster Services.

The following conditions are assigned in the H-1 and H-2 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (3) No lodging for children or workers shall be provided on the premises.

Sec. 86-209. - NAICS 624210 Community Food Services, such as Food Banks, with no Meals Prepared or Served on Premises (i.e. Soup Kitchens)

The following conditions are assigned in the O&1, C-2, and M-1 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (3) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (4) Must be located in a stand-alone building (no planned centers or connected storefronts).
- (5) A minimum 50-foot wide buffer shall be maintained between built elements of the proposed facility and any adjacent, residentially-zoned property.
- (6) Onsite pickup by customers shall be prohibited on evenings and on Sundays.

Sec. 86-210. - NAICS 62422 Community Housing Services, including transitional housing

The following conditions are assigned in the R-2, R-4, R-M, and O&I districts:

- (1) No additional parking beyond the existing driveway and garage areas shall be permitted on the property where the housing is located, and vehicles may only be parked in such areas. Should additional parking be required, the operator may apply for an administrative variance from the city manager; any increase in pavement shall be confined to the rear of the lot.
- (2) The operator of the housing service shall provide the Jonesboro Police Department and Clayton County Fire Department with a current list of residents temporarily living in the facility who have disabilities, and information concerning special needs, to ensure each resident's well-being and safe evacuation from the premises in the event of a fire or similar emergency.
- (3) Any modifications to the existing structure shall not increase the square footage of the structure.
- (4) Any exterior modifications to the existing structure shall be consistent with the residential character of the surrounding neighborhood.
- (7) The dwelling shall comply with all fire and life safety codes, and obtain all federal and state permits or licenses, as appropriate.
- (8) The existing dwelling shall be upgraded and inspected by the city with respect to accommodation and accessibility by disabled individuals.
- (9) No persons who are registered sex offenders, have other criminal history or require substance abuse treatment shall be allowed temporary housing on the premises.
- (10) The length of stay for temporary residents shall be determined by the City Council.
- (11) Within the Historic Districts, the Historic Residential Overlay District, and the other residential districts, no more than 5% of homes within each district shall be used for community housing services.

Sec. 86-211. - NAICS 62423 Emergency and Other Relief Services, but not Shelters or Re-settlements

The following conditions are assigned in the O&I, C-2, and M-1 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (3) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (4) Must be located in a stand-alone building (no planned centers or connected storefronts).
- (5) Outside storage of any relief items and equipment shall not be visible from the street(s).
- (6) No lodging shall be provided on premises.

Sec. 86-212. - NAICS 624190 Other Individual and Family Services, including Counseling (Except Offices of Mental Health Specialists)

The following conditions are assigned in the **M-X** and C-1 districts:

- (1) Must be located in a stand-alone building (no planned centers or connected storefronts).
- (2) On-site parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.

Sec. 86-213. - NAICS 623110 Nursing Care Facilities, including Nursing Homes.

The following conditions are assigned in the O&I, **M-X** and C-2 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre.
- (3) On-site parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (4) Must be located in a stand-alone building (no planned centers or connected storefronts).
- (5) The operator of the facility shall provide the Jonesboro Police Department and Clayton County Fire Department with a current list of residents living in the facility who have disabilities, and information concerning special needs, to ensure each resident's well-being and safe evacuation from the premises in the event of a fire or similar emergency.
- (6) A minimum 50-foot wide buffer shall be maintained between built elements of the proposed facility and any adjacent, residentially-zoned property.

Sec. 86-214. - NAICS 6232 Residential Mental Health Facilities

The following conditions are assigned in the O&I district:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre.
- (3) Must be located in a stand-alone building (no planned centers or connected storefronts).
- (4) On-site parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (5) A minimum 50-foot wide buffer shall be maintained between built elements of the proposed facility and any adjacent, residentially-zoned property.

Sec. 86-215. - NAICS 62321 Residential Developmental Disability Homes (Major Disability)

The following conditions are assigned in the O&I district:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) On-site parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (5) A minimum 50-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially-zoned property.
- (6) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

Sec. 86-216. - NAICS 62322 Residential Mental and Substance Abuse Care

The following conditions are assigned in the O&I district:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).

(4) On-site parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.

(5) A minimum 50-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially-zoned property.

(6) Must conform to the advertising / public notice requirements of O.C.G.A. Title 36, Chapter 66, Section 36-66-4 (f), regarding zoning decisions relating to the location or relocation of a facility for the treatment of drug dependency.

(7) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

Sec. 86-217. - NAICS 62331 Continuing Care, Assisted Living Facilities

The following conditions are assigned in the O&I, M-X, and C-2 districts:

(1) Must be located on a street having a classification of collector or greater.

(2) Must be established on a lot having a minimum area of one acre.

(3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).

(4) On-site parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.

(5) A minimum 50-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially-zoned property.

(6) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

Sec. 86-218. - NAICS 6214 Medical Outpatient Care Centers

The following conditions are assigned in the H-2, O&I, M-X, and C-2 districts:

(1) Must be located on a street having a classification of collector or greater.

(2) Must be established on a lot having a minimum area of one acre.

(3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).

(4) On-site parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.

(5) A minimum 50-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially-zoned property.

(6) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

Sec. 86-219. - NAICS 621410 Family Planning Centers, Including Family Planning Counseling

The following conditions are assigned in the H-2, O&I, and C-2 districts:

(1) Must be located on a street having a classification of collector or greater.

(2) Must be located in a stand-alone building (no planned centers or connected storefronts).

Sec. 86-220. - NAICS 62142 Outpatient Mental Health Centers

The following conditions are assigned in the O&I district:

(1) Must be located on a street having a classification of collector or greater.

(2) Must be established on a lot having a minimum area of one acre.

(3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).

(4) On-site parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.

(5) A minimum 50-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially-zoned property.

(6) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

(Am. Ord. 2022-17, 8-8-22, 8-14-23, 6-10-24, **8-10-24**)