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8.1. General

8.1.1. Classification of Use

A. General

No land may be used except for a use permitted in the district in which it is located.

B. Principal Uses

1. In order to regulate a variety of similar uses, use categories have been established for principal uses. Use categories provide a systematic basis for assigning uses to appropriate categories with other, similar uses. Use categories classify principal uses and activities based on common functional, product or physical characteristics.
2. Where a use category contains a list of included uses, the list is to be considered example uses, and not all-inclusive. The Director has the responsibility for categorizing all uses.
3. The use table in Sec. 8.2 establishes permitted uses in Agricultural Districts, Residential Districts, Business Districts, and Form-Based Codes.
4. The use tables and text in Article 6 establish additional permitted use requirements in special purpose districts.
5. Definitions and any use standards for principal uses are specified in Sec. 8.3 through Sec. 8.7. Standards always apply unless indicated for use permits only.

C. Accessory Uses

1. An accessory use is any use that is usually subordinate in both purpose and size, incidental to, and customarily

associated with a permitted principal use located on the same lot.

2. Accessory uses must be constructed concurrently with or after a principal use.
3. The use tables in Sec. 8.2 establish permitted accessory uses in Agricultural Districts, Residential Districts, Business Districts, and Form-Based Codes.
4. Sec. 8.8.1 through Sec. 8.8.5 establish specific accessory uses also allowed in the A-L, CUP, O-I, C-1, and MIX districts.
5. Definitions and any use standards for accessory uses are specified in Sec. 8.8. Standards always apply unless indicated for use permits only.

D. Temporary Uses

1. A temporary use is a use that is in place for a limited period of time only.
2. The use tables in Sec. 8.2 establish permitted temporary uses in Agricultural Districts, Residential Districts, Business Districts, and Form-Based Codes.
3. Definitions and any use standards for temporary uses are specified in Sec. 8.9. Standards always apply unless indicated for use permits only.

8.1.2. Principal Uses Not Listed

A permitted use not specifically listed is prohibited unless the Director determines it to be part of a use category as described below.

- A. The Director is responsible for categorizing all principal uses. If a proposed use is not listed in a use category, but is similar to a

listed use, the Director may consider the proposed use part of that use category. When determining whether a proposed use is similar to a listed use, the Director must consider the following criteria:

1. The actual or projected characteristics of the proposed use.
2. The relative amount of site area or floor area and equipment devoted to the proposed use.
3. Relative amounts of sales.
4. The customer type.
5. The relative number of employees.
6. Hours of operation.
7. Building and site arrangement.
8. Types of vehicles used and their parking requirements.
9. The number of vehicle trips generated.
10. How the proposed use is advertised.
11. The likely impact on surrounding properties.
12. Whether the activity is likely to be found independent of the other activities on the site.

- B.** Where a use not listed in a use table is found by the Director not to be similar to any other permitted use, the use is only permitted following a text amendment (See Sec.12.3.).

8.1.3. Accessory Uses Not Listed

An accessory use not specifically listed is prohibited unless the Director determines the accessory use:

- A.** Is clearly incidental to and customarily found in connection with an allowed principal use; and

- B.** Is subordinate to and serving an allowed principal use.

8.1.4. Permitted Use Table Key

The following applies to the use tables found in Sec. 8.2 and in Form-Based Codes:

- A. Permitted Use (P).** Indicates a use is permitted in the respective district. The use is also subject to all other applicable requirements of this UDC, including use standards found in the right-hand column of the use table.
- B. Administrative Permit (A).** Indicates a use may be permitted in the respective district only where approved by the Director in accordance with Sec. 12.5.1. Uses permitted by administrative permit are subject to all other applicable requirements of this UDC, including any applicable use standards.
- C. Warrant (W).** Indicates a use may be permitted in the respective district only where approved by the Director by warrant in Form-Based Codes. Uses permitted by warrant are subject to all other applicable requirements of this UDC, including any applicable use standards.
- D. Use Permit (U).** Indicates a use may be permitted in the respective district only where approved by the City Council in accordance with Sec. 12.5.2. Uses permitted by use permit are subject to all other applicable requirements of this UDC, including any applicable use standards, except where the use standards are expressly modified by the City Council as part of the use permit approval.
- E. Use Prohibited.** An empty cell indicates that a use is prohibited in the respective district.

8.2.3. Use Table for Deerfield FBC

This table expands the categories of Sec. 7B.5.12 (Table 9A) and Sec. 7B.5.13 (Table 9B) to delegate specific permitted uses within Deerfield Form-Based Code Transect Zones.

Key: P=Permitted Use A=Administrative Permit W=Warrant U=Use Permit Empty Cell=Prohibited								
Use Category Specific Use	Deerfield Form-Based Code							
	T2 [1]	T3	T4	T4-P [3]	T4-O	T5 [2]	T6	Definition/ Standards
Residential Uses [5]								
All household living, as listed below:								Sec. 8.3.1
Single-family	P	P	P	P	P	<u>U</u>	<u>U</u>	Sec. 8.3.1.B
Duplex			P	P	P	P		Sec. 8.3.1.C
Townhouse			<u>P</u>	<u>P</u>	<u>U</u>	<u>U</u>	<u>P</u>	Sec. 8.3.1.D
Triplex			P	P	P	P		Sec. 8.3.1.E
Quadruplex			P	P	P	P		Sec. 8.3.1.F
Loft apartment				P	P	P	<u>P</u>	Sec. 8.3.1.G
Neighborhood apartment								Sec. 8.3.1.H
Multifamily			<u>U</u>		<u>U</u>	U	U	Sec. 8.3.1.I
Senior housing	U	U	U	U	U	U	U	Sec. 8.3.1.J
Live-work		P	P	P	P	P		Sec. 8.3.1.K
Work-live		P	P	P	P	P	P	Sec. 8.3.1.L
All group living, as listed below:								Sec. 8.3.2
Alternative senior housing	U	U	U					Sec. 8.3.2.B
Boardinghouse, rooming house								Sec. 8.3.2.C
Convalescent center/nursing home/hospice				P	P	P	P	Sec. 8.3.2.D
Group residence			U		U	U	U	Sec. 8.3.2.E
Group residence for children (5 to 8 children)	U	U	U		U	U	U	Sec. 8.3.2.F
Group residence for children (9 to 15 children)						U	U	Sec. 8.3.2.F
Personal care home/assisted living				P	P	P	P	Sec. 8.3.2.G
All relocated residential structures	W	W	W	W	W	W		Sec. 8.3.3
Public/Institutional Uses								
All civic, as listed below:								Sec. 8.4.1.A
Church, temple, or other place of worship	U	U	U	P	P	P	P	Sec. 8.4.1.B
Colleges and universities	U	U	U	U	U	U	U	Sec. 8.4.1.C
Library, private				P	P	P	P	Sec. 8.4.1.D

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Use Category Specific Use	Deerfield Form-Based Code							
	T2 [1]	T3	T4	T4-P [3]	T4-O	T5 [2]	T6	Definition/ Standards
Museum, private					WP	WP	WP	Sec. 8.4.1.E
Public use	P	P	P	P	P	P	P	Sec. 8.4.1.F
School, private (K-12)	U	U	U	U	U	U	U	Sec. 8.4.1.G
School, public (K-12)	P	P	P	P	P	P	P	Sec. 8.4.1.H
School, special	U	U	U	U	U	U	U	Sec. 8.4.1.I
All parks and open space, as listed below:								Sec. 8.4.2
Cemetery/mausoleum	U	U	U					Sec. 8.4.2.B
Golf course								Sec. 8.4.2.C
Open space, private	A	A	A	A	A	A	A	Sec. 8.4.2.D
Recreational court, private	W	W	W		W	W	W	Sec. 8.4.2.E
Recreational court, public								Sec. 8.4.2.F
Recreational field	U	U	U		U	U	U	Sec. 8.4.2.G
Retreat, campground	U							Sec. 8.4.2.H
Swimming pool, public					U	U	U	Sec. 8.4.2.I
All utility substations	W	W	W	W	W	W	W	Sec. 8.4.3
All small wireless facilities and antennas	See Sec. 8.4.4 Small Wireless Facilities and Antennas							Sec. 8.4.4
All telecommunications facilities	See Sec. 8.4.5 Telecommunication Facilities							Sec. 8.4.5
Commercial Uses								
All adult entertainment establishments, as listed below:								Sec. 8.5.1
Adult bookstore								Sec. 8.5.1.A
Adult entertainment establishments								Sec. 8.5.1.B
All aircraft landing areas:								Sec. 8.5.2
All bars								Sec. 8.5.2
All day care facilities			U	U	P	P	P	See 8.5.4
All festivals or events, outdoor/indoor	U	U	U		U	U	U	Sec. 8.5.5
All indoor recreation, except as listed below:					P	P	P	Sec. 8.5.6
Assembly hall, event facility						U	U	Sec. 8.5.6.B
Conference center					W	W	P	Sec. 8.5.6.D
Convention center							P	Sec. 8.5.6.E
Gym, health spa, or yoga studio					P	P	P	Sec. 8.5.6.F

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Use Category Specific Use	Deerfield Form-Based Code							
	T2 [1]	T3	T4	T4-P [3]	T4-O	T5 [2]	T6	Definition/ Standards
Pool hall								Sec. 8.5.6.G
Theater					P	P	P	Sec. 8.5.6.H
All lodging, as listed below:								Sec. 8.5.7
Bed and breakfast inn	U	U	P		P	P	P	Sec. 8.5.7.B
Country inn								Sec. 8.5.7.C
Hotel/motel					P	P	P	Sec. 8.5.7.D
All medical, except as listed below:				P	P	P	P	Sec. 8.5.8
Hospital						P	P	Sec. 8.5.8.C
All nightclubs								Sec. 8.5.9
All office, except as listed below:				P[4]	P	P	P	Sec. 8.5.10
Bail bondsman								Sec. 8.5.10.B
Business, trade, arts school					W	W	W	Sec. 8.5.10.C
Check cashing establishment					W	W	W	Sec. 8.5.10.D
Escort and dating service								Sec. 8.5.10.E
Data center						P	P	Sec. 8.5.10.F
Radio, TV station					U	U	U	Sec. 8.5.10.H
Recording studio					U	U	U	Sec. 8.5.10.I
All outdoor recreation, as listed below:					W	W	W	Sec. 8.5.11
Amphitheater	U							Sec. 8.5.11.B
Driving range					P	P	P	Sec. 8.5.11.C
Outdoor amusements					W	W	W	Sec. 8.5.11.D
Outdoor auditorium	W	P	P	P	P	P	P	Sec. 8.5.11.E
Racetrack					P	P	P	Sec. 8.5.11.F
Stadium (private school)	U	U	U	U	U	U	U	Sec. 8.5.11.G
Stadium (sports)								Sec. 8.5.11.H
All personal service, except as listed below:			P	P	P	P	P	Sec. 8.5.12
Animal care (indoor)	W				W	W	W	Sec. 8.5.12.B
Animal care (outdoor)								Sec. 8.5.12.C
Animal care (pet grooming)					P	P	P	Sec. 8.5.12.D
Catering establishment					P	P	P	Sec. 8.5.12.E

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Use Category Specific Use	Deerfield Form-Based Code							
	T2 [1]	T3	T4	T4-P [3]	T4-O	T5 [2]	T6	Definition/ Standards
Fortune telling establishment								Sec. 8.5.12.H
Funeral home					P	P	P	Sec. 8.5.12.G
Landscape business					PU	PU	PU	Sec. 8.5.12.J
Laundromat					W	W	W	Sec. 8.5.12.I
Laundry and dry cleaning shop					P	P	P	Sec. 8.5.12.J
Massage parlor								Sec. 8.5.12.K
Tattoo and body art or piercing establishment								Sec. 8.5.12.O
All restaurants, except as listed below:			P	P	P	P	P	Sec. 8.5.13
Brewpub			P	P	P	P	P	Sec. 8.5.13.B
Drive in/up restaurant				P	P	P	P	Sec. 8.5.13.C
Fast food restaurant			P		P	P	P	Sec. 8.5.13.D
Limited Food Service Restaurant								Sec. 8.5.13.F
Limited tap establishment								Sec. 8.5.13.D
All retail sales, except as listed below:			P	P	P	P	P	Sec. 8.5.14
Art gallery			P	P	P	P	P	Sec. 8.5.14.B
Artist studio	U		U	U	U	U	U	Sec. 8.5.14.C
Craft beer and/or wine market				U	U	U	U	Sec. 8.5.14.D
Equine garment fabrication	U							Sec. 8.5.14.E
Flea market and second-hand surplus retailers								Sec. 8.5.14.F
Garden center					P	P	P	Sec. 8.5.14.G
Pawnshop						W	W	Sec. 8.5.14.H
Retail package distilled spirit store				U		U	U	Sec. 8.5.14.I
Retail package malt beverage/ wine store				P	P	P	P	Sec. 8.5.14.J
Specialty gift shop			P	P	P	P	P	Sec. 8.5.14.K
Vape shop								Sec. 8.5.14.L
All vehicular, as listed below:								Sec. 8.5.15
Automobile and light truck sales/leasing						W	W	Sec. 8.5.15.B
Automotive garage								Sec. 8.5.15.C
Automotive specialty shop					P	P	P	Sec. 8.5.15.D
Car wash, principal					W	W	W	Sec. 8.5.15.E

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Use Category Specific Use	Deerfield Form-Based Code							
	T2 [1]	T3	T4	T4-P [3]	T4-O	T5 [2]	T6	Definition/ Standards
Gasoline station					P	P	P	Sec. 8.5.15.F
Parking					W	W	W	Sec. 8.5.15.G
Repair garage, automobile								Sec. 8.5.15.H
Repair garage, truck and heavy equipment								Sec. 8.5.15.I
Service station								Sec. 8.5.15.J
Industrial Uses								
All alcoholic beverage production						U	U	Sec. 8.6.1
All craft manufacturing						U	U	Sec. 8.6.2
All light manufacturing						U	U	Sec. 8.6.3
All research and development						W	W	Sec. 8.6.4
All self-storage					P	P	P	Sec. 8.6.5
All waste-related services, except as listed below:								Sec. 8.6.6.A
Collecting recycling center					W	W	W	Sec. 8.6.6.B
Open Uses								
All agriculture, as listed below:								Sec. 8.7.1.A
Agricultural operations	P							Sec. 8.7.1.B
Agriculture-related activities	U							Sec. 8.7.1.C
Barn (property 5 ac. or larger)	P							Sec. 8.7.1.D
Barn (property less than 5 ac.)	U							Sec. 8.7.1.D
Composting	P							Sec. 8.7.1.E
Farm winery, Georgia farm winery	U							Sec. 8.7.1.F
Plant nursery	P							Sec. 8.7.1.G
Rural or agricultural event facility	U							Sec. 8.7.1.H
All riding areas:	U,P							Sec. 8.7.2
Accessory Uses								
Accessory uses not otherwise listed below, as determined by the Director:	P	P	P	P	P	P	P	Sec. 8.8
Accessory barn	P							Sec. 8.8.6.
Accessory dwelling unit	P	P	P	P	P	P		Sec. 8.8.7
Accessory manufactured home	U							Sec. 8.8.8
Antenna (up to 90 ft. in height)	W	W	W	W	W	W	W	Sec. 8.8.9.B.2

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	T2 [1]	T3	T4	T4-P [3]	T4-O	T5 [2]	T6	Definition/ Standards
Antenna (over 90 ft. in height)	U	U	U	U	U	U	U	Sec. 8.8.9.B.3
Car wash, accessory					P	P	P	Sec. 8.8.10
Drive-through				P	P	P	P	Sec. 8.8.11
Greenhouse, non-commercial	P	P	P	P	P	P	P	Sec. 8.8.12
Guesthouse	W	W	W	W	W	W		Sec. 8.8.13
Home occupation	P	P	P	P	P	P	P	Sec. 8.8.14
Keeping of exotic or wild animals								Sec. 8.8.15
Keeping of horses	P	P	P	P	P	P	P	Sec. 8.8.16
Outdoor storage and display	P	P	P	P	P	P	P	Sec. 8.8.17
Skywalks	U					U	U	Sec. 8.8.18
Swimming pool, private	A	A	A	A	A	A	A	Sec. 8.8.19
Temporary Uses								
Media production	A	A	A	A	A	A	A	Sec. 8.9.1
Push cart					A	A	A	Sec. 8.9.2
Real estate sales trailers	A	A	A	A	A	A	A	Sec. 8.9.3
Revival tent								Sec. 8.9.4
Roadside produce stands	A	A	A	A	A	A	A	Sec. 8.9.5
Roadside vending								Sec. 8.9.6
Seasonal business use	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	Sec. 8.9.7
Temporary classroom	A	A	A	A	A	A	A	Sec. 8.9.8
Nonstructural consumer fireworks retail sales facility								Sec. 8.9.9
Temporary consumer fireworks retail sales facility						A	A	Sec. 8.9.10
Temporary manufactured home	A	A	A	A	A	A		Sec. 8.9.11
Temporary office	A	A	A	A	A	A	A	Sec. 8.9.12
Temporary structures (other)	A	A	A	A	A	A	A	Sec. 8.9.13
Temporary use of existing dwelling	A	A	A	A	A	A		Sec. 8.9.14

Table Notes:

1. T4-Open.
2. Includes T5-Limited subject to Sec. 7B.6.9 (Table 9A) and Sec. 7B.6.10 (Table 9B).
3. T4-Permissive. See Sec. 7B-4.6.A.5 for additional restrictions in the Five Acre Road Zone. Townhomes are permitted only in Five Acre Road Zone.
4. Financial establishments are only allowed in the Five Acre Road Zone.
5. Residential uses are prohibited on any parcel abutting Highway 9, excluding the Five Acre Road Zone (as shown on the adopted April 27, 2015, Regulating Plan); except when located in a vertically mixed-use building.

8.3. Residential Uses

8.3.1. Household Living

A. Defined

Residential occupancy of a dwelling unit by a household. Household living includes the following:

1. Single-family.
2. Duplex.
3. Townhouse.
4. Triplex.
5. Quadruplex.
6. Loft apartment.
7. Neighborhood apartment.
8. Multifamily.
9. Senior housing.
10. Live-work.
11. Work-live.

B. Single-family

1. Defined

One dwelling unit in a single structure on its own lot that is not attached to any other dwelling unit by any means.

2. Use Standards

a. Deerfield Form-Based Code

- i. Single-family homes can be part of a mixed use development.
- ii. The number of single-family homes will be determined by the City Council.

C. Duplex

1. Defined

Two dwelling units in a single structure on its own lot.

D. Townhouse

1. Defined

Three or more dwelling units where each unit is only separated vertically by a common side wall. Units cannot be vertically stacked. The term townhouse and rowhouse are synonymous.

2. Use Standards

a. Deerfield Form-Based Code

- i. Townhouses must not be adjacent to properties designated T2.
- ii. The maximum number of dwelling units in a building is eight six.
- iii. Townhouses are only permitted on sites where more than 50% of the total floor area is dedicated to office, retail, or lodging functions.
- iv. Townhouses must conform to Sec. 7B.4.18.G.2.e and Sec. 7B.4.18.H (Specific to Townhouses).

E. Triplex

1. Defined

Three dwelling units in a single building that does not meet the definition of townhouse, loft apartment, or neighborhood apartment, and where each unit has direct access to the outside or to a common hall.

F. Quadruplex

1. Defined

Four dwellings in a single building that does not meet the definition of townhouse, loft apartment, or neighborhood apartment, and where each unit has direct access to the outside or to a common hall.

G. Loft Apartment

1. Defined

Three or more dwelling units in a single building when:

- a. The building is located within the Crabapple Form-Based Code or Deerfield Form-Based Code;
- b. The total number of said dwelling units does not exceed 30 per development; and
- c. The building's first story only contains non-residential uses or residential lobbies, leasing offices, fitness centers, or multi-purpose rooms serving the residential use.

2. Use Standards

When loft apartments are allowed by use permit, they must conform to the multifamily use standards in Sec. 8.3.1.I.2.

H. Neighborhood Apartment

1. Defined

Three or more dwelling units in a single building when:

- a. The building is located within the Crabapple Form-Based Code;
- b. The total number of said dwelling units does not exceed 30 per development; and

- c. The use does not otherwise meet the definition of loft apartment.

2. Use Standards

When neighborhood apartments are allowed by use permit, they must conform to the multifamily use standards in Sec. 8.3.1.I.2).

I. Multifamily

1. Defined

Five or more dwellings in a single building that does not otherwise meet the definitions of townhouse, triplex, quadruplex, loft apartment, or neighborhood apartment.

2. Use Standards

a. C-1

- i. Multifamily dwellings may only be located in buildings that also contain first story commercial uses.
- ii. Multifamily dwellings may only be located above or behind first story commercial uses.

b. Form-Based Codes

- i. Required off-street parking spaces may be no greater than 400 feet away, as measured along a pedestrian walkway, from the door of the unit they serve.
- ii. Multifamily developments must incorporate on-site outdoor amenity spaces for passive or active recreational use by occupants, subject to the following:

- a. Outdoor amenity space is required in the ratio of 75 square feet per dwelling unit.
- b. Outdoor amenity space may be met in one contiguous open area or in multiple open areas on the lot. To receive credit the area must be at least 10 feet in both length and width.
- c. Outdoor amenity space may be at-grade or above-grade.
- d. Outdoor amenity space may be roofed but cannot be enclosed.
- e. Outdoor amenity space must not be parked or driven upon, except for emergency access.
- f. When calculating outdoor amenity space, the following may be included: swimming pools, paved surfaces and structures when they are a part of approved features such as gazebos, fountains, and plazas (but excluding any parking areas serving such approved features), ground-level active and passive recreational facilities, roof decks, and roof top gardens.
- g. When calculating outdoor amenity space, civic spaces counting towards the minimum requirements of the applicable zoning

district ~~must not~~ may be included.

h. All outdoor amenity spaces and other landscaped areas must be maintained by a professional landscaper.

~~h.i.~~ All residential units must be accessed from a conditioned interior hallway.

~~iii. At least 50% of dwelling units above the first story must have balconies with a minimum floor dimension of 6 feet by 10 feet.~~

~~iv. j.~~ Adequate provision for the disposal of refuse must be made within each multifamily building, or at a central point or points to facilitate collection. Disposal arrangements are the responsibility of the building owner.

~~v. k.~~ Each dwelling unit must have central heating and cooling facilities.

~~vi. l.~~ Laundry facilities are required as follows:

~~a. i.~~ A common laundry room with at least one automatic washing machine and one clothes-drying machine for every 15 dwelling units; or

~~b. ii.~~ Washer and dryer hook-ups installed in each dwelling unit.

J. Senior Housing

1. Defined

Household living developments intended for, operated for and designed to accommodate residents 55 years of age and older. Senior housing communities are designed for seniors to live on their own, but with the security and conveniences of community living. Some provide communal dining rooms and planned recreational activities (congregate living or retirement communities), while others provide housing with only minimal amenities or services.

2. Conflicts with Other Regulations

When conflict exists between an underlying zoning district or overlay and these senior housing standards:

- a. Overlays and Form-Based Codes will prevail;
- b. If the issue is specifically excluded in the overlay or Form-Based Code, these standards will prevail; and
- c. If the issue is addressed in both areas, the more restrictive will prevail.

3. Use Standards

- a. Building height must conform to zoning district regulations.
- b. Dwelling units for seniors are exempt from any part of this UDC which restricts density, except Sec. 8.3.1.J.3.c below.
- c. No more than 5 dwelling units per acre are allowed in a single-family development. No more than 20 dwelling units per acre are allowed in a multifamily development.
- d. No dwelling unit may contain more than two bedrooms.

- e. Multifamily dwelling units must have at least 600 square feet of floor area. Single-family dwelling units must have at least 800 square feet of floor area.
- f. Accessory structures may only be in rear and side yards but not a minimum yard.
- g. No parking is allowed in the minimum front yard setback.
- h. Senior facilities must be served by public water and sewer.
- i. For sites on 4 acres or less, a 50-foot-wide undisturbed buffer or alternative screening design, with a 10-foot improvement setback, must be located adjacent to all agricultural/T2 districts and all property zoned, used, or developed for residential uses.
- j. For sites on more than 4 acres, a 75-foot-wide undisturbed buffer or alternative screening design, with a 10-foot improvement setback, must be located adjacent to all agricultural/T2 districts and all property zoned, used, or developed for residential uses.
- k. To make buffers seem natural, an equal mix of four species must be used, except when alternative screening is used.
- l. When alternative screening design is used, the buffer must provide as much or more year-round visual screening as the otherwise required buffer would. The alternative screening must also be planted as required by the City Arborist.

- m. The property must be deed restricted to senior housing except as provided for by fair housing laws.
- n. Projects are encouraged to incorporate easy living and applicable accessibility standards as administered and copyrighted by a coalition of state citizens, including:
 - i. AARP of Georgia.
 - ii. Atlanta Regional Commission.
 - iii. Concrete Change.
 - iv. Georgia Department of Community Affairs.
 - v. Governor's Council on Developmental Disabilities.
 - vi. Homebuilders Association of Georgia.
 - vii. Shepherd Center.
 - viii. Statewide Independent Living Council of Georgia.
- o. Housing must have at least 80% of the occupied dwelling units occupied by at least one person who is 55 years of age or older which must be verified by the property owner in a manner deemed acceptable pursuant to policies and procedures adopted by the Director.
- p. All units must be owner-occupied.

K. Live-Work

1. Defined

A mixed use unit consisting of commercial and residential use. The commercial use/function may be anywhere in the unit. It is intended to

be occupied by a business operator who lives in the same structure that contains the commercial activity.

L. Work-Live

1. Defined

A mixed use unit consisting of a commercial and residential use/function. It typically has a substantial commercial component that may accommodate employees and walk-in trade. The unit is intended to function predominantly as workspace with incidental Residential accommodations that meet basic habitability requirements.

8.3.2. Group Living

A. Defined

Residential occupancy of a structure by a group of people that does not meet the definition of household living. Generally, group living facilities have a common eating area for residents, and residents may receive care or training. Group living includes the following:

- 1. Alternative senior housing.
- 2. Boarding/roominghouse.
- 3. Convalescent center/nursing home/hospice.
- 4. Group residence.
- 5. Group residence for children.
- 6. Personal care home/assisted living.

B. Alternative Senior Housing

1. Defined

Any dwelling, whether operated for profit or not, which undertakes through its ownership or management to

provide or arrange 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" includes, but is not limited to, individual assistance with or supervision of self-administered medication, assistance with ambulation and transfer, and essential activities of daily living such as eating, bathing, grooming, dressing, and toileting.

2. Use Standards

- a. Facility must be for persons 55 years of age and above.
- b. The owner of the subject property may reside on site.
- c. The home must be approved and licensed by the State of Georgia or any agency through which it acts.
- d. Necessary staff may reside in a legal accessory building such as a guest house.
- e. Structures must retain the outward appearance of a single-family dwelling.
- f. Parking must be located to the side and rear of the principal structure but outside minimum building setbacks or inside a garage.
- g. No alternative senior housing facility must be operated within 1,320 feet of any other alternative senior housing facility. The 1,320-foot distance is measured by the straight line which is the shortest distance between the property lines of the two tracts of land on which each facility is located.

- h. The home must obtain an occupation tax certificate before operation.

C. Boarding/Roominghouse

1. Defined

A facility other than a hotel/motel that contains individual rooms without cooking facilities that are rented to the general public. The facility may or may not provide meals and may or may not have shared living areas and cooking facilities.

D. Convalescent Center/Nursing Home/Hospice

1. Defined

A state-licensed use in which domiciliary care is provided to convalescing chronically or terminally ill persons who are provided with food, shelter and care and not meeting the test of family.

The term does not include hospitals, clinics, or similar institutions devoted primarily to the diagnosis and treatment of the sick or injured.

2. Use Standards

- a. Facilities must be for 5 or more persons.
- b. Permitted curb cut access must be from an arterial or a major collector.
- c. For sites on 4 acres or less, a 50-foot-wide undisturbed buffer or alternative screening design, with a 10-foot improvement setback, must be located adjacent to all agricultural/T2 districts and all property zoned, used, or developed for residential uses.

- d. For sites on more than 4 acres, a 75-foot-wide undisturbed buffer or alternative screening design, with a 10-foot improvement setback, must be located adjacent to all agricultural/T2 districts and all property zoned, used, or developed for residential uses.
- e. To make buffers seem natural, an equal mix of four species must be used, except when alternative screening is used.
- f. When alternative screening design is used, the buffer must provide as much or more year-round visual screening as the otherwise required buffer would. The alternative screening must also be planted as required by the City Arborist.
- g. No parking is allowed within the minimum front yard setback.
- h. Rooms or suites of rooms may be designed with separate kitchen facilities.

E. Group Residence

1. Defined

A state-licensed 24-hour residential facility functioning as a single housekeeping unit for the sheltered care of persons with special needs which, in addition to providing food and shelter, may also provide some combination of personal care, social or counseling services and transportation. Bedroom suites must not include kitchen facilities.

The term does not include those facilities which exclusively care for children under the age of 17 years.

2. Use Standards

- a. Facilities must be for 5 or more persons.
- b. Permitted curb cut access must not be from a local street.
- c. For sites on 4 acres or less, a 50-foot-wide undisturbed buffer or alternative screening design, with a 10-foot improvement setback, must be located adjacent to all agricultural/T2 districts and all property zoned, used, or developed for residential uses.
- d. For sites on more than 4 acres, a 75-foot-wide undisturbed buffer or alternative screening design, with a 10-foot improvement setback, must be located adjacent to all agricultural/T2 districts and all property zoned, used, or developed for residential uses.
- e. To make buffers seem natural, an equal mix of four species must be used, except when alternative screening is used.
- f. When alternative screening design is used, the buffer must provide as much or more year-round visual screening as the otherwise required buffer would. The alternative screening must also be planted as required by the City Arborist.
- g. No parking is allowed within the minimum front yard setback.
- h. No group residence facility must be operated within 1,320 feet of any group residence or ground residence for children facility. The 1,320-foot distance is measured by the straight line which is the

shortest distance between the property lines of the two tracts of land on which each facility is located.

F. Group Residence for Children

1. Defined

A dwelling unit or facility in which fulltime residential care is provided for children under the age of 17 years as a single housekeeping unit. A group residence must comply with applicable federal, state, and local licensing requirements. A group residence must not serve the purpose of, or as an alternative to, incarceration.

2. Use Standards

a. Agricultural Districts, T2, R-1, R-2, R-2A, R-3, R-3A, R-4, R-4A, R-5, R-5A, NUP, CUP

- i. Facility must be for no more than 8 children.
- ii. No group residence for children facility must be operated within 1,320 feet of any other group residence or ground residence for children facility. The 1,320-foot distance is measured by the straight line which is the shortest distance between the property lines of the two tracts of land on which each facility is located.

b. R-6, TR

- i. Facility must be for no more than 15 children.
- ii. No group residence for children facility must be operated within 1,320 feet of any other group residence or group residence

for children facility. The 1,320-foot distance is measured by the straight line which is the shortest distance between the property lines of the two tracts of land on which each facility is located.

G. Personal Care Home, Assisted Living

1. Defined

A state-licensed use in which domiciliary care is provided to adults who are provided with food, shelter and personal services.

The term does not include:

- a. Hospitals.
- b. Convalescent centers.
- c. Nursing homes.
- d. Hospices.
- e. Clinics.
- f. Similar institutions devoted primarily to the diagnosis and treatment of the sick or injured.

2. Use Standards

- a. Facilities must be for 5 or more persons.
- b. Permitted curb cut access must be from an arterial or a major collector. Permitted curb cut access may be allowed from a minor collector if within 1,000 feet of the property line of an institutional use.
- c. No parking allowed in the minimum front yard setback.
- d. For sites on 4 acres or less, a 50-foot-wide undisturbed buffer or alternative screening design, with a

- 10-foot improvement setback, must be located adjacent to all agricultural/T2 districts and all property zoned, used, or developed for residential uses.
- e. For sites on more than 4 acres, a 75-foot-wide undisturbed buffer or alternative screening design, with a 10-foot improvement setback, must be located adjacent to all agricultural/T2 districts and all property zoned, used, or developed for residential uses.
- f. To make buffers seem natural, an equal mix of four species must be used, except when alternative screening is used.
- g. When alternative screening design is used, the buffer must provide as much or more year-round visual screening as the otherwise required buffer would. The alternative screening must also be planted as required by the City Arborist.
- h. Rooms or suites of rooms may be designed with separate kitchen facilities.

8.3.3. Relocated Residential Structure

A. Defined

A dwelling which has been removed from one location for relocation to another lot.

B. Use Standards

1. Applicant must include the following with the application for the administrative permit:
 - a. The address from which the structure is being relocated.

- b. A photograph of the structure before its relocation.
 - c. The total heated floor area of the relocated structure any proposed additions to it.
2. The location of the structure and the heated floor area of the structure must comply with the minimum standards of the zoning district to which it is moved and all conditions of zoning.
3. The residential structure must be affixed to a permanent foundation within 6 months of the date of the house moving permit, and the certificate of occupancy must not be issued until such improvements are completed.
4. All these standards (except subparagraph 2 above), and other applicable regulations must be met within one year of the date of permit issuance.
5. A house-moving permit must be obtained from the Director in conjunction with the administrative permit.
6. A building permit for the repair and construction of said structure must be obtained within 30 days of the administrative permit issuance.
7. The exterior of the structure must be brought into compliance with the City housing code within 6 months of the issuance of the administrative permit.
8. Before occupancy, a certificate of occupancy must be obtained from the Director.