

**AN ORDINANCE TO AMEND THE CITY OF JOHNS CREEK CODE OF
ORDINANCES, APPENDIX A – ZONING, TO DEFINE AND ESTABLISH
STANDARDS FOR GROUP HOME USE**

WHEREAS, the City of Johns Creek, Georgia, is authorized by the State of Georgia Constitution to execute zoning power within its city limits;

WHEREAS, the City originally adopted its Zoning Ordinance in January 2007, adopting the Fulton County Zoning Resolution in its entirety, including all definitions;

WHEREAS, the City recognizes the lack of specific guidance and regulation of group home use, and the need to establish a proper definition and standards for group home use in residential zoning districts; and

WHEREAS, the Code of Ordinances Appendix A – Zoning should be amended to add definition for “Group Home” and to create a new administrative permit with standards for group home.

NOW THEREFORE, the Mayor and Council of the City of Johns Creek hereby ordain that Appendix A – Zoning, Article III, Section 3.3. “Definitions;” and Article XIX, Section 19.3.5. and 19.3.5(1). are amended as follows:

Article III, Section 3.3.7. G.

Group Home. A residential dwelling unit containing four (4) or fewer persons, excluding resident owner, or no more than six (6) persons including the resident owner, who live together as a single housekeeping unit and in a long term, family-like environment in which the resident owner, serving as the primary caregiver to the residents, provides care, education and participation in community activities for the residents with the primary goal of enabling the residents to live as independently as possible in order to reach their maximum potential.

The term "group home" shall not include a halfway house, a treatment center for alcoholism or drug abuse, a work release facility for convicts or ex-convicts, or a home for detention and/or rehabilitation of juveniles adjudged delinquent or unruly and placed in custody of the state or other housing facilities serving as an alternate to incarceration. The term "group home" shall also not allow the use of a dwelling as an apartment, rooming house or duplex. A "group home" shall not allow use of the dwelling as a home for individuals on parole, probation, or convicted and released from incarceration, for any crimes including child molestation, aggravated child molestation, or child sexual abuse, as defined in O.C.G.A. §16-6-4 or individuals required to register as sex offenders pursuant to O.C.G.A. §42-1-12.

A group home may include a home for the disabled. As used in this subsection, the term "disabled" shall mean: 1. Having a physical or mental impairment that substantially limits one or more of such person's major life activities so that such person is incapable of living independently; or 2. Having a record of having such an impairment or being regarded as having such an impairment. A physical or mental impairment includes, but is not limited to, conditions such as orthopedic, visual, speech and hearing impairments; neurological impairments such as stroke, Parkinson's disease, and cerebral palsy; brain injuries; autism; and developmental disabilities. However, the

term "disabled" shall not include current, illegal use of or addiction to a controlled substance, nor shall it include any person whose residency in the home would constitute a direct threat to the health and safety of other individuals.

Article XIX, Section 19.3.5. Group Home.

A. *Required Districts:* R-1, R-2, R-2A, R-3, R-3A, R-4, R-4A, R-5, R-5A, R-6, CUP and AG-1

B. *Standards:*

1. A group home cannot be located within one mile (measured in a straight line from property line to property line, without regard to intervening structures or objects) of any other group home.
2. A group home shall be limited to a single residential dwelling unit or structure.
3. All areas of the dwelling or structure, except individual bedrooms, shall be available for the common use of all persons occupying the dwelling in a family-like environment.
4. One (1) parking space shall be provided for each two (2) bedrooms of the dwelling unit, but at no point shall the visible storage/parking on the property exceed four (4) vehicles.

Article XIX, Section 19.3.5(1). Guest House.

A. *Required Districts:* R-1, R-2, R2A, R-3, R-3A, R-4, R-4A, R-5, R-5A, R-6, NUP, CUP, TR, A, A-L, AG-1, O-I and MIX when Accessory to a Single-Family Dwelling.

B. *Standards:*

1. No more than one guest house structure per lot may be used for occupancy by relatives, guest(s) or employees that work on the property without payment for rent.
2. A separate kitchen facility shall be allowed.
3. Heated floor area shall be a minimum of 650 square feet and a maximum of 1,500 square feet.
4. Principal building setbacks shall apply.
5. The location shall be limited to the rear yard.

SO ORDAINED, this _____ day of _____, 2025.

Approved:

John Bradberry, Mayor

ATTEST:

Approved as to Form:

Allison Tarpley, City Clerk

Angela C. Couch, City Attorney

(Seal)