



AGENDA REPORT

To: Planning Commission

From: Ben Song, Community Development Director

Agenda: March 4, 2025 – Planning Commission

Item: **A-25-002 – Zoning Ordinance Text Amendment to Define and Establish Standards for Group Home Use**

Item Summary

Staff is initiating a text amendment to define and establish standards for group home use in residential zoning districts. Staff proposes establishing appropriate standards through the Administrative Permit process to manage group home use in the City.

Background

The City's Zoning Ordinance currently lacks specific guidance and regulation of group home use. A "group home" typically provides housing for unrelated occupants with disabilities, often in conjunction with service operators that reside and provide services to those individuals. To date, the City has been applying the definition of a "family" to define such situations, which allows up to 4 unrelated individuals to cohabitate/occupy a residential dwelling unit. To better serve and provide appropriate parameters for group home use, the City needs to establish a proper definition and standards for the use.

Analysis

Staff reviewed ordinances from adjacent and nearby jurisdictions for group homes and identified the applicable requirements for regulation purposes.

Staff recommends amending the following articles of the Zoning Ordinance: Article III – Definitions and Article XIX – Administrative Permits and Use Permits.

1. Add definition for "Group Home"

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.

2. Add Administrative Permit for "Group Home" as Section 19.3.5 and renumber Administrative Uses to maintain alphabetical order (i.e. "Guest House" will become 19.3.5(1)).

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.

Attachment(s)

1. Draft Amendment Ordinance
2. Joint Statement of DOJ and HUD pertaining to Group Homes, Local Land Use, and The Fair Housing Act