

Ordinance 23-007

Exhibit A

**Table 2-1
Permitted and Special Uses by Residential Zoning District**

Use	See Also Sec.	R-30	R-20	R-15	MDR	PUD-R
ACCESSORY USES						
Accessory uses and structures not otherwise listed in this table, determined by the community development director to be normally incidental to one or more permitted principal uses	Sec. 4-05	P	P	P	P	P
Accessory apartment, attached	Sec. 4-10	S	S	S	S	S
Accessory apartment, detached	Sec. 4-10	S	S	S	S	S
Carport or garage		P	P	P	P	P
Construction field office	Sec. 4-210	P	P	P	P	P
Fallout shelter		P	P	P	P	P
Family day care home	Sec. 4-110	P	P	P	P	P
Fence	Sec. 4-135	See Table 4.1				
Greenhouse, private		P	P	P	P	P
Guest house	Sec. 4-160	P	P	P	P	P
Home occupation	Sec. 4-170	P	P	P	P	P
Intermodal container, temporary	Sec. 4-180	P	P	P	P	P
Junk	Sec. 4-185	X	X	X	X	X
Model home or subdivision sales officer, temporary	Sec. 4-285	P	P	P	P	P
Parking space, parking lot accessory to one or more permitted uses	Sec. 4-235	P	P	P	P	P
Parking of commercial vehicle or semi-trailer	Sec. 4-270	X	X	X	X	X
Recreation facility, private (tennis court, swimming pool)	Sec. 4-295	P	P	P	P	P
Roadside stand		S	X	X	X	X
Solar energy system, building mounted	Sec. 4-275	P	P	P	P	P
Solar energy system, ground mounted	Sec. 4-280	S	S	S	S	S
Tower, amateur radio	Sec. 4-435	P	P	P	P	P
Utility substation		P	P	P	P	P
Yard or garage sale	Sec. 4-335	P	P	P	P	P
AGRICULTURAL USES						
Livestock and animal quarters	Sec. 4-200	S	X	X	X	X
Poultry	Sec. 4-200 (d)	P	P	P	P	P
Production of crops	Sec. 4-15	P	P	P	P	P
Timbering and forestry	Sec. 4-15	P	P	P	P	P
Agriculture, agricultural facility, or agricultural operation not otherwise specifically indicated in this table		S	S	X	X	X
RESIDENTIAL USES						
Boarding house		X	X	X	X	X
Conservation subdivision	Art.15 Div. 9	P	P	P	P	P
Dwelling, detached single-family	Sec. 4-130	P	P	P	P	P
Dwelling, two-family (duplex)	Sec. 4-125	X	X	X	P	P
Dwelling, attached single-family (fee simple or condo)	Sec. 4-120	X	X	X	P	P
Dwelling, multiple-family		X	X	X	X	X
<u>Group home</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>S</u>	<u>S</u>
<u>Halfway House</u>	<u>Sec. 4-161</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>
Live-work unit		X	X	X	S	S
Loft		X	X	X	P	P
Manufactured home	Sec. 4-205	X	X	X	X	X
Modular home (see def. industrialized building)		P	P	P	P	P
Model home or subdivision sales office, temporary	Sec. 4-285	P	P	P	P	P
Relocated residential structure		S	S	S	S	S
INSTITUTIONAL USES						
Church, temple, synagogue, or place of worship	Sec. 4-70	S	S	S	S	S
Club or lodge, nonprofit (civic, fraternal, social)	Sec. 4-75	S	S	S	S	S

Continuing care retirement community		X	X	X	S	S
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**Table 2-3
Permitted and Special Uses in
Mixed-Use and Non-residential Zoning Districts**

Use	See also	MXU	O-I	NRC	CRC	CBD	BP	LI	HI
ACCESSORY									
Automated teller machine (with drive-through)	Sec. 4-35	X	X	P	P	X	P	X	X
COMMERCIAL	See also	MXU	O-I	NRC	CRC	CBD	BP	LI	HI
Adult business	Sec. 4-585	X	X	X	X	X	X	S	S
Animal hospital or veterinary clinic		X	S	P	P	S	P	P	X
Animal shelter	Sec. 4-30	X	X	X	X	X	P	P	X
Appliance repair	Sec. 4-50	X	X	X	X	X	P	P	X
Artist studio		P	P	P	P	P	P	P	X
Auto parts and tire store (New Only)		X	X	X	P	X	P	P	X
Automobile rental	Sec. 4-40	X	X	X	P	X	X	P	P
Automobile repair	Sec. 4-40	X	X	X	X	X	X	P	P
Automobile sales (new)	Sec. 4-40	X	X	X	X	X	X	P	P
Automobile sales (used)	Sec. 4-40	X	X	X	X	X	X	X	P
Automobile sales broker (office, no inventory)		X	P	X	P	X	P	P	P
Automobile service	Sec. 4-50	X	X	X	X	X	X	P	P
Bakery, retail		P	X	P	P	P	P	P	X
Bail bonding or bondsperson		X	X	X	X	X	X	X	X
Bed and breakfast inn	Sec. 4-55	S	S	P	P	P	P	X	X
Body piercing		X	X	X	X	X	X	X	X
Broadcasting tower or studio		X	P	X	P	S	P	P	P
Building sales (including manufactured home)		X	X	X	X	X	X	P	P
Business service establishment, not exceeding 2,500 square feet of gross floor area per establishment		P	P	P	P	P	P	P	X
Business service establishment, more than 2,500 square feet of gross floor area per establishment		S	S	P	P	P	P	P	X
Camp or campground		X	X	X	S	X	X	X	X
Car wash		X	X	S	S	X	X	S	X
Catering establishment		X	X	X	P	X	P	P	X
Clinic		P	P	P	P	P	P	X	X
Commercial recreational facility, indoor		P	X	P	P	S	P	P	P
Commercial recreational facility, outdoor	Sec. 4-85	X	X	P	P	X	P	P	P
Conference center		X	X	X	P	P	P	X	X
Construction contractor's establishment		X	X	X	P	X	P	P	P
Consumer fireworks retail facility		X	X	P	P	X	S	S	S
Convenience store, without fuel pumps		P	X	P	P	P	S	X	X
Convenience store, with fuel pumps	Sec. 4-150	X	X	X	S	X	S	S	X
Courier or message service		X	P	X	P	P	P	P	X

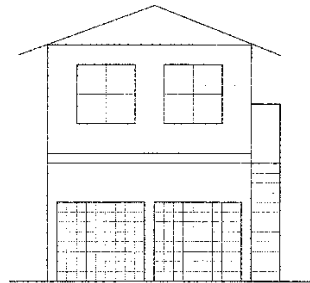
Data processing center		X	P	X	P	P	P	P	X
Use	See also	MXU	O-I	NRC	CRC	CBD	BP	LI	HI
Day care, including group day care home, and basic social (non-medical) adult day care serving not more than 18 adults)	Sec. 4-110	P	P	P	P	S	P	X	X
Day care, child learning center (19 or more), or basic social adult day care serving 19 or more adults, or medical adult day care serving any number	Sec. 4-110	X	S	S	P	S	P	X	X
Exterminator, pest control or disinfecting service		X	P	P	P	S	P	P	P
Fairground		X	X	X	P	X	S	P	X
Farmers market		X	X	X	P	P	P	P	X
Finance, insurance, and real estate establishments, including bank, 2,500 square feet or less of gross floor area per establishment		P	P	P	P	P	P	P	X
Finance, insurance, and real estate establishments, including bank, more than 2,500 square feet of gross floor area per establishment		S	S	P	P	P	P	P	X
Fitness center		X	X	S	P	S	P	P	X
Flea market	Sec. 4-140	X	X	X	X	X	X	S	X
Fuel sales, gasoline and diesel, retail	Sec. 4-150	X	X	X	S	X	P	P	P
Fuel tank sales		X	X	X	X	X	X	P	P
Funeral home	Sec. 4-151	X	X	X	S	X	S	P	P
Furniture repair or reupholstering		X	X	X	P	S	P	P	X
Greenhouse, plant nursery		X	X	X	P	X	P	P	X
Golf course with country club		X	X	X	P	X	P	S	X
Hookah bar or hookah lounge		X	X	X	X	X	X	X	X
<u>Halfway House</u>	<u>Sec. 4-161</u>	<u>S</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>S</u>	<u>X</u>	<u>X</u>	<u>X</u>
Internet business		P	P	P	P	S	P	P	X
Janitorial, building and carpet cleaning		X	X	X	P	S	P	P	P
Kennel	Sec. 4-195	X	X	X	S	X	S	P	X
Landscaping company		X	X	X	X	X	P	P	X
Lawn and garden store		X	X	X	P	X	P	P	X
Laundry, laundromat		X	X	P	P	X	P	P	X
Locksmith, security service		P	P	P	P	P	P	P	X
Lodging service, hotel		X	X	X	P	P	S	X	X

**ARTICLE 3
USE DEFINITIONS**

A

Accessory apartment, attached: A second dwelling unit that is added to the structure of an existing site-built single-family dwelling, for use as a complete, independent living facility for a single household, with provision within the accessory apartment for cooking, eating, sanitation and sleeping. Such a dwelling is considered an accessory use to the principal dwelling.

Accessory apartment, detached: A second dwelling unit that is added to an existing accessory structure (e.g., residential space above a detached garage), or as a new freestanding accessory building, for use as a complete, independent living facility for a single household, with provision within the accessory apartment for cooking, eating, sanitation and sleeping. Such a dwelling is considered an accessory use to the principal dwelling. Includes the term garage apartment.



Accessory Apartment, Detached
(Above Garage Shown)

Duplex: A two-family dwelling; a building designed or arranged to be occupied by two families or households living independently of each other and where both dwelling units are located on the same lot in fee-simple title.

Dwelling: A building, other than a manufactured home, mobile home, house trailer, or recreational vehicle, which is designed, arranged or used for permanent living, and/or sleeping quarters.

~~*Dwelling, single family detached:* A residential building, whether site built or an industrialized building, designed for occupancy by one family or household. This definition does not include manufactured home, mobile home, house trailer, or recreational vehicle.~~

Dwelling, single family detached: A single-family dwelling unit consists of one or more rooms which are arranged, designed or used as living quarters for one family including up to one unrelated adult, or two or fewer unrelated adults and their children and/or grandchildren.

- (1) A single-family dwelling unit shall have an interior bathroom and complete kitchen facilities, permanently installed.
- (2) A single-family dwelling unit shall have at least 390 square feet of living building square footage (as determined and maintained in the records of the Cobb County Tax Assessor) per each adult occupant.
- (3) No more than one vehicle per 390 square feet of living building square footage may be parked regularly overnight on the property upon which the single-family dwelling unit exists. Of the total number of vehicles allowed per 390 square feet of living building square footage, there shall be a maximum of four or less (of the total) parked outside of a garage, carport or the like for properties zoned R-20, R-15, MDR and PUD-R..

Of the total number of vehicles allowed per 390 square feet of living building square footage, there shall be a maximum of five or less (of the total) parked outside of a garage, carport or the like for properties zoned R-30. Other zoning districts used for single family dwelling units shall have no more than four vehicles parked outside. This includes vehicles parked within the right-of-way adjacent to a dwelling unit. "Regularly" means a majority of days in any seven-day period.

Exceptions to this definition may be considered as a special use by Mayor & Council.

Dwelling, single family attached: A single-family dwelling unit consists of one or more rooms which are arranged, designed or used as living quarters for one family including up to one unrelated adult, or two or fewer unrelated adults and their children and/or grandchildren.

- (1) A single-family dwelling unit shall have an interior bathroom and complete kitchen facilities, permanently installed.
- (2) A single-family dwelling unit shall have at least 390 square feet of living building square footage (as determined and maintained in the records of the Cobb County Tax Assessor) per each adult occupant.
- (3) No more than one vehicle per 390 square feet of living building square footage may be parked regularly overnight on the property upon which the single-family dwelling unit exists. Of the total number of vehicles allowed per 390 square feet of living building square footage, there shall be a maximum of four or less (of the total) parked outside of a garage, carport or the like for properties zoned MDR and PUD-R. Other zoning districts used for single family dwelling units shall have no more than four vehicles parked outside. This includes vehicles parked within the right-of-way adjacent to a dwelling unit. "Regularly" means a majority of days in any seven-day period.

Exceptions to this definition may be considered as a special use by the Mayor & Council.

~~*Dwelling unit:* One or more rooms connected together and constituting a separate, independent housekeeping establishment with complete provisions for cooking, eating, sleeping, bathing and personal hygiene, and physically set apart from any other dwelling unit in the same structure, and serving one family or household only. This does not include units in hotels or other structures designed for transient residence.~~

E

Excavation: The mechanical removal of earth material.

Exterminator: An establishment engaged in pest control for businesses, institutions, residences, or industries.

Fallout shelter: An accessory building or underground facility designed for the protection of life from radioactive fallout. A fallout shelter may be an accessory use to a dwelling or other principal use.

F

Fairground: An area of land permanently established and intended to be devoted to seasonal community events, and which may include agricultural related office buildings, animal shows and judging, carnivals, circuses, community meeting or recreational buildings and uses, concerts, food booths and stands, games, rides, rodeos, sales and auctions. A fairground not owned by the public is an outdoor commercial recreation facility.

~~*Family:* One or more related persons or 4 or less unrelated persons occupying a dwelling and living as a single housekeeping unit provided that all related persons are related by blood, marriage or adoption. All related persons are limited to the spouse, parents, grandparents, grandchildren, stepchildren, sons, daughters, brothers or sisters of the owner or the tenant or of the owner's or the tenant's spouse. Domestic servants employed on the premises may be housed on the premises without being counted as a family. The term "family" shall not be construed to mean fraternity, sorority, club, student center, group care homes, foster homes and is to be distinguished from persons occupying a boarding house, rooming house, hotel, or apartment unit as herein defined.~~

Family means two or more persons related by blood, legal adoption, or marriage, occupying a dwelling. Related means persons are all related to each other within the fourth degree, as defined in O.C.G.A. § 53-2-1, which includes parents, children, grandparents, grandchildren, brothers and sisters. State of Georgia authorized foster children of a family member shall also be deemed a member of the family for this purpose. A child or children and any parent(s) and/or guardian(s) of that child or children shall also be considered a family.

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 13 years of age who are not related to such persons

G

Garage: A building, or part thereof, used or designed to be used for the parking and storage of vehicles. A garage in the customary sense is distinguished from a carport in that it is fully enclosed. It may be attached to a single-family dwelling or may be an accessory building. In such context a garage is an accessory use to a single-family dwelling.

Greenhouse: A building designed or used for growing or propagating plants, with walls or roof usually designed to transmit light.

Group day care home: Any place operated by any person(s), partnership, association or corporation wherein are received for pay for group care not less than 7 nor more than 18 children under 18 years of age for less than 24 hours without transfer of legal custody and which is required to be licensed or commissioned by the Georgia Department of Early Care and Learning.

~~*Group home:* Any dwelling unit with unrelated persons living as a single housekeeping unit in a manner that does not meet the definition of a family.~~

Group home means a dwelling unit, operated by an affiliate of a national, regional, state, county or city organization with a philanthropic mission, shared by four or fewer persons, excluding resident staff, who live together as a single housekeeping unit and in a long term, family-like environment in which staff persons provide care, education and participation in community activities, under a structured and scheduled plan that must be provided to the city, for the residents with the primary goal of enabling the residents to live as independently as possible in order to reach their maximum potential under the direction and guidance of a designated managing caregiver, designated as such by the affiliate organization, who must be a resident of the group home and available by telephone on a 24-hour basis in case of complaints. A copy of the home rules shall be provided to the city as well as (if applicable) evidence of active enforcement under the Georgia Association of Recovery Residence standards. The schedule of activities may be verified via periodic inspection by community development staff. 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, a home for the detention and/or rehabilitation of juveniles adjudged delinquent or unruly and placed in the custody of the state, or other housing facilities serving as an alternative to incarceration. The term "group home" shall also not allow the use of a dwelling as an apartment 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;
- (2) Having a record of having such an impairment; or
- (3) Being regarded as having such an impairment.

However, "disabled" shall not include persons who currently use illegal controlled substances, persons who have been convicted of the illegal manufacture or distribution of controlled substances, sex offenders, and juvenile offenders or persons with or without disabilities who present a direct threat to the persons or property of others.

Guest house: An accessory use to a dwelling designed and intended for the temporary housing of visitors to a property at the behest of the property residents for no fee or other consideration.

H

Hazardous waste: Any materials defined or

Halfway house shall mean any dwelling used as a residence by individuals on parole, probation, or serving a criminal sentence on condition of house arrest, for the purpose of rehabilitation of the individual while transitioning back into the community.

Halfway houses shall not be located within 1,000 feet of any child care facility, private or public school, church, school bus stop, public or private playground and parks or swimming pools, or other areas where minors congregate as defined in O.C.G.A. § 42-1-12(a)(3).

Halfway houses are not allowed in any residential zoning districts, (including any MXU or CBD districts) except by a special use permit (SUP) granted by the Mayor & Council . Halfway houses are not allowed in mixed use districts, (including MXU and CBD) except by a special use permit (SUP) granted by the Mayor & Council. Applications for special use permits for halfway houses shall comply with the provisions of O.C.G.A. § 36-66-4(f), as may be amended from time to time.

Helicopter landing pad: Any structure or area which is designed or constructed for use, or used, as a helicopter landing area or any structure or area which is used as a helicopter landing area. A helicopter landing pad is an accessory use-.....

ARTICLE 4
SPECIFIC USE PROVISIONS

Division I. Uses.

- Sec. 4-05. Accessory Use, Building or Structure.
- Sec. 4-10. Accessory Dwelling Unit.
- Sec. 4-15. Agricultural Crops and Activities.
- Sec. 4-20. Animal Shelter.
- Sec. 4-25. Asphalt or Concrete Plant.
- Sec. 4-30. Attendant's Shelter.
- Sec. 4-35. Automated Teller Machine.
- Sec. 4-40. Automobile Repair.
- Sec. 4-45. Automotive Sales.
- Sec. 4-50. Automotive Service.
- Sec. 4-55. Bed and Breakfast Inn.
- Sec. 4-60. Blasting Operations.
- Sec. 4-65. Caretaker's Residence.

- Sec. 4-70. Church or Place of Worship.
- Sec. 4-75. Club or Lodge, Nonprofit.
- Sec. 4-80. Collection Bin.
- Sec. 4-85. Commercial Recreation Facility, Outdoor.
- Sec. 4-90. Community Donation Center.
- Sec. 4-95. Community Food or Housing Shelter.
- Sec. 4-100. Community Recreation.
- Sec. 4-105. Dam.
- Sec. 4-110. Day Care.
- Sec. 4-115. Drive-through.
- Sec. 4-120. Dwelling, Single-family Attached (Fee Simple or Condominium Townhouse).
- Sec. 4-125. Dwelling, Two-family (Duplex).
- Sec. 4-130. Dwelling Unit.
- Sec. 4-135. Fence or Wall.
- Sec. 4-140. Flea Market.
- Sec. 4-145. Food Truck.
- Sec. 4-150. Fuel Pump.
- Sec. 1-151. Funeral Homes.
- Sec. 4-155. Golf Driving Range.
- Sec. 4-156. Group Homes-
- Sec. 4-160. Guest House.
- Sec. 4-161. Halfway House
- Sec. 4-165. Heating and Air Conditioning Units, Accessory.
- Sec. 4-170. Home Occupation.
- Sec. 4-175. Institutional Residential Living and Care Facility.
- Sec. 4-180. Intermodal Container, Temporary.
- Sec. 4-185. Junk or Junked Vehicle.
- Sec. 4-190. Junkyard.
- Sec. 4-195. Kennel.
- Sec. 4-200. Livestock and Animal Quarters.
- Sec. 4-205. Manufactured Home.
- Sec. 4-210. Manufactured Home, Temporary (Construction).
- Sec. 4-215. Manufactured Home, Temporary (Medical Hardship).
- Sec. 4-220. Manufacturing or Fabrication Accessory to Retail Use.
- Sec. 4-225. Mobile Home.

Sec. 4-230. Outdoor Display and Storage-.....

Sec. 4-65. Caretaker's Residence.

A residence for a caretaker or night watchman may be permitted as a use accessory to a business or industrial establishment, subject to compliance with the following regulations:

- (a) **Evidence of need.** Evidence of need for full-time security or on-site management after operation hours must be submitted to and accepted by the community development director.
- (b) **Specifications.** The caretaker's residence shall contain a minimum of 600 square feet of heated floor area, which may be included inside a principal building on the lot or as a detached residential structure separate from the principal building(s) on the lot.
- (c) **Parking.** Two off-street parking spaces shall be provided in addition to the parking required for the principal uses(s).

Sec. 4-70. Church or Place of Worship.

Churches or places of worship shall be governed by the following requirements:

- (a) **Minimum street frontage.** The church or place of worship shall be located on a lot with a minimum of 150 feet of frontage on a public street with a classification of major or greater.....

Sec. 4-130. Dwelling Unit. All dwelling units, including on-site built and industrialized housing shall meet or exceed the requirements of this Section. Manufactured homes, except for those located within a manufactured home park, shall also meet or exceed the requirements of this Section.

(a) Occupancy. A single-family dwelling unit consists of one or more rooms which are arranged, designed or used as living quarters for one family including up to one unrelated adult, or two or fewer unrelated adults and their children and/or grandchildren.

- (1) A single-family dwelling unit shall have an interior bathroom and complete kitchen facilities, permanently installed.
- (2) A single-family dwelling unit shall have at least 390 square feet of living building square footage (as determined and maintained in the records of the Cobb County Tax Assessor) per each adult occupant.
- (3) No more than one vehicle per 390 square feet of living building square footage may be parked regularly overnight on the property upon which the single-family dwelling unit exists. Of the total number of vehicles allowed per 390 square feet of living building square footage, there shall be a maximum of four or less (of the total) parked outside of a garage, carport or the like for properties zoned R-20, R-15, MDR and PUD-R. Of the total number of vehicles allowed per 390 square feet of living building square footage, there shall be a maximum of five or less (of the total) parked outside of a garage, carport or the like for properties zoned R-30. Other zoning districts used for single family dwelling units shall have no more than four vehicles parked outside. This includes vehicles parked within the right-of-way adjacent to a dwelling unit. "Regularly" means a majority of days in any seven-day period.

Exceptions to this definition may be considered as a special use by the Mayor & Council.

Sec. 4-156. Group Homes

Group home means a dwelling unit, operated by an affiliate of a national, regional, state, county or city organization with a philanthropic mission, shared by four or fewer persons, excluding resident staff, who live together as a single housekeeping unit and in a long term, family-like environment in which staff persons provide care, education and participation in community activities, under a structured and scheduled plan that must be provided to the city, for the residents with the primary goal of enabling the residents to live as independently as possible in order to reach their maximum potential under the direction and guidance of a designated managing caregiver.

- A) Designated managing caregiver must be designated as such by the affiliate organization,
- B) Designated managing caregiver must be a resident of the group home and available by telephone on a 24-hour basis in case of complaints.
- C) A copy of the home rules shall be provided to the city as well as (if applicable) evidence of active enforcement under the Georgia Association of Recovery Residence standards.
- D) The schedule of activities may be verified via periodic inspection by community development staff.

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, a home for the detention and/or rehabilitation of juveniles adjudged delinquent or unruly and placed in the custody of the state, or other housing facilities serving as an alternative to incarceration. The term "group home" shall also not allow the use of a dwelling as an apartment 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;
- (2) Having a record of having such an impairment; or
- (3) Being regarded as having such an impairment.

However, "disabled" shall not include persons who currently use illegal controlled substances, persons who have been convicted of the illegal manufacture or distribution of controlled substances, sex offenders, and juvenile offenders or persons with or without disabilities who present a direct threat to the persons or property of others.

Sec. 4-161. Halfway Houses

- A) Halfway houses shall not be located within 1,000 feet of any child care facility, private or public school, church, school bus stop, public or private playground and parks or swimming pools, or other areas where minors congregate as defined in O.C.G.A. § 42-1-12(a)(3) as may be amended from time to time.
- (a)B) Halfway houses are not allowed in any residential zoning districts, (including any MXU or CBD districts) except by a special use permit (SUP) granted by the Mayor & Council . Halfway houses are not allowed in mixed use districts, (including MXU and CBD) except by a special use permit (SUP) granted by the Mayor & Council. Applications for special use permits for halfway houses shall comply with the provisions of O.C.G.A. § 36-66-4(f), as may be amended from time to time.