

PETITION TO AMEND THE FULTON COUNTY ZONING RESOLUTION

2005Z – 0101

COMMUNITY ZONING BOARD PUBLIC HEARINGS

October 18, 2005 (SOUTH) – DEFERRED FOR THIRTY (30) DAYS

November 15, 2005 (NORTH) - APPROVAL

BOARD OF COMMISSIONERS PUBLIC HEARING

December 7, 2005 – DEFERRED UNTIL FEBRUARY 1, 2006

February 1, 2006 – DEFERRED UNTIL APRIL 5, 2006

This item was deferred without discussion at the February 1, 2006 Board of Commissioners meeting.

APRIL 5, 2006 – APPROVED with the following changes:

- In circumstances where conflict exists between overlay guidelines and this ordinance or resolution, the following will apply:
 1. Overlay guidelines will generally supersede general ordinance and/or resolutions.
 2. If the issue is specifically excluded in the Overlay, the ordinance and/or resolution will apply.
 3. If the issue is addressed in both documents, the more restrictive will apply.
 - All units shall be owner-occupied.
 - The use shall not be allowed in unsewered AG-1 (Agricultural).
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STAFF RECOMMENDATION

APPROVAL

WRAP-UP

PROPOSED AMENDMENTS

Part 1 - To amend Article III, Section 3.3.19. (S) to define *senior housing*.

Part 2 - To amend Article 19 to add Section 19.4.41(2) for a Use Permit for Senior Housing.

Part 1

Senior housing. A single family or multi-family development 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.

Part 2

19.4.41(2) **SENIOR HOUSING.**

- A. **Required Districts:** A Use Permit shall be required in any district in which the use is allowed. The use is allowed in all districts except M-1A, M-1 and M-2 and unsewered AG-1.
- B. **Standards:** In circumstances where conflict exists between overlay guidelines and this ordinance or resolution: (1) Overlay guidelines will generally supersede general ordinance and/or resolutions; (2) If the issue is specifically excluded in the Overlay, the ordinance and/or resolution will apply; (3) If the issue is addressed in both documents, the more restrictive will apply.
1. Building height shall be in accordance with the underlying zoning.
 2. Dwelling units for seniors shall be exempted from any part of this ordinance which restricts density.
 3. No more than 15 dwelling units per acre shall be allowed in a single family development. No more than 20 dwelling units per acre shall be allowed in a multi-family development.
 4. No dwelling unit shall contain more than two (2) bedrooms.

5. Multi-family dwelling units shall have a minimum of six hundred (600) square feet of gross floor area. Single family dwelling units shall have a minimum of eight hundred (800) square feet of gross floor area.
6. A 50-foot principal building setback shall be provided for attached dwelling units adjacent to single family residential districts and/or AG-1 districts. Accessory structures may be located in the rear and side yards only but shall not be located in a minimum yard.
7. Parking spaces shall be calculated as one and four tenths (1.4) spaces per dwelling unit.
8. No parking shall be allowed in the minimum front yard setback.
9. Senior facilities must be served by public water and sewer.
10. Landscape strips and buffers shall be provided as specified in the O-I district in Article 4.23.
11. The property shall be deed restricted to senior housing except as provided for by Fair Housing laws.
12. Facility shall comply with all applicable local, state, and federal regulations and copies of any applicable permits shall be provided to the Department of Environment and Community Development prior to the issuance of a certificate of occupancy.
13. Projects are encouraged to incorporate Easy Living and applicable accessibility standards.(as administered and copyrighted by a coalition of Georgia citizens including AARP of Georgia, Atlanta Regional Commission, Concrete Change, Georgia Department of Community Affairs, Governor's Council on Developmental Disabilities, Home Builders Association of Georgia, Shepherd Center and the Statewide Independent Living Council of Georgia).
14. Housing shall have at least 80% of the occupied dwelling units occupied by at least one person who is 55 years of age or older which shall be verified by the property owner in a manner deemed acceptable pursuant to policies and procedures adopted by the Director of Environment and Community Development.
15. All units shall be owner-occupied.