



CITY OF JONESBORO
Work Session
1859 CITY CENTER WAY
May 6, 2024 – 6:00 PM

NOTE: As set forth in the Americans with Disabilities Act of 1990, the City of Jonesboro will assist citizens with special needs given proper notice to participate in any open meetings of the City of Jonesboro. Please contact the City Clerk's Office via telephone (770-478-3800) should you need assistance.

Agenda

I. CALL TO ORDER - MAYOR DONYA L. SARTOR

II. ROLL CALL - MELISSA BROOKS, CITY CLERK

III. ADOPTION OF AGENDA

IV. PUBLIC COMMENTS

V. PRESENTATIONS

1. Presentation regarding Purse for a Purpose Toiletry Drive sponsored by The Atlanta Suburban Alumnae Chapter Delta Sigma Theta Sorority, Inc.
2. Presentation from Clayton County Public Schools – Shakira Rice, Executive Director of Creative Services & Employee & Community Engagement.

VI. WORK SESSION

1. Discussion and consideration on adoption of the Civility Resolution.
2. Discussion regarding appointment of four (4) members to the Historic Preservation Commission, Chapter 42, Article 2.
3. Further discussion regarding Jamrock South (Villa Sports Lounge) - Denial of Alcohol Pouring License 24-ALC-002 on April 8, 2024.
4. Discussion regarding a fee waiver request from Clayton County Department of Family and Children Services for use of Lee Street Park to host an Employee Appreciation event on June 20, 2024, from 11:00a to 3:00p.

5. Discussion regarding Conditional Use Permit application 24-CU-008 for a restaurant and event center by Reginald Howard / Mastermind Initiatives Inc., property owner, and Altimese Dees / The Real Estate Gallery of Georgia LLC / The Guest House Circa 1913 LLC, applicant, for property at 108 Williamson Mill Road (Parcel No. 13240B A006) Jonesboro, Georgia 30236.
6. Discussion regarding Conditional Use Permit Application 24-CU-007 for an Air BnB / short term rental by Mel & Ros Investment LLC, property owner, and Laurie Solano, applicant, for property at 135 North Avenue (Parcel No. 13240A D002), Jonesboro, Georgia 30236.
7. Discussion regarding Conditional Use Permit Application, 24-CU-006, for an Air BnB / short term rental by Cristian Solano-Badilla / Katamy Revolution LLC, property owner, and Laurie Solano, applicant, for property at 139 Smith Street (Parcel No. 13241A B004), Jonesboro, Georgia 30236.
8. Discussion regarding Conditional Use Permit Application, 24-CU-005, for an accessory guest quarters / mother-in-law suite by Dr. Donya L. Sartor, property owner and applicant, for property at 183 Lee Street (Parcel No. 13240C D006), Jonesboro, Georgia 30236.
9. Discussion regarding re-adoption of the Official Zoning Map for the City of Jonesboro, 24-MA-005, Ord. 2024-008.
10. Discussion regarding proposed text amendment to the City of Jonesboro Code of Ordinances, 24-TA-003, Ord. 2024-007, regarding updates and revisions to Article XVII – Additional Conditional Uses, Chapter 86 – Zoning, of the City of Jonesboro Code of Ordinances.
11. Discussion regarding proposed text amendment to the City of Jonesboro Code of Ordinances, 24-TA-002 Ord. 2024-006, regarding updates and revisions to Article VI – Conditional Uses, Chapter 86 – Zoning, of the City of Jonesboro Code of Ordinances.
12. Discussion regarding proposed text amendment to the City of Jonesboro Code of Ordinances, 24-TA-001, Ord. 2024-005, regarding updates and revisions to “Table of Uses Allowed by Zoning District”, Section 86-204, of Article VI – Conditional Uses, Chapter 86 – Zoning, of the City of Jonesboro Code of Ordinances.

VII. OTHER BUSINESS

- A. Executive Session - for the purpose of potential litigation, real estate, or personnel matters.
- B. Consider any action (s) if nessary based on decision (s) made in the Executive Session.

VIII. ADJOURNMENT

	CITY OF JONESBORO, GEORGIA COUNCIL Agenda Item Summary	Agenda Item # 5.1 - 1
		COUNCIL MEETING DATE May 6, 2024
Requesting Agency (Initiator) City Council	Sponsor(s) Mayor Sartor	
Requested Action <i>(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)</i> Presentation regarding Purse for a Purpose Toiletry Drive sponsored by The Atlanta Suburban Alumnae Chapter Delta Sigma Theta Sorority, Inc.		
Requirement for Board Action <i>(Cite specific Council policy, statute or code requirement)</i>		
Is this Item Goal Related? <i>(If yes, describe how this action meets the specific Board Focus Area or Goal)</i> Yes Innovative Leadership		
Summary & Background <i>(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)</i> Atlanta Suburban Alumnae Chapter Delta Sigman Theta Sorority, Inc.		
Fiscal Impact <i>(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)</i>		
Exhibits Attached <i>(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)</i> Toiletrie Drive Flyer (002)		
Staff Recommendation <i>(Type Name, Title, Agency and Phone)</i> City Council's Discretion		

FOLLOW-UP APPROVAL ACTION (City Clerk)		
Typed Name and Title Melissa Brooks, City Clerk	Date May, 6, 2024	
Signature	City Clerk's Office	

Atlanta Suburban Alumnae Chapter Delta Sigma Theta Sorority, Inc.

HUMAN TRAFFICKING **Purse for a Purpose Toiletry Drive**

Our chapter is partnering with the City of Jonesboro to collect toiletries to provide care kits for human and sex trafficking survivors. Donations are being accepted from **May 6, 2024 through May 10, 2024.**

Drop-off Location

Jonesboro City Center
1859 City Center Way
Jonesboro, GA 30236
8:00 a.m. - 5:00 p.m.

Please Donate

Soap, shampoo,
deodorant, toothpaste,
mouthwash, lotion, and
feminine products

Questions? Contact
mayweek@asacdst.org



	CITY OF JONESBORO, GEORGIA COUNCIL Agenda Item Summary	Agenda Item # - 2
		COUNCIL MEETING DATE May 6, 2024
Requesting Agency (Initiator) City Council	Sponsor(s) Mayor Sartor	
Requested Action <i>(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)</i> Presentation from Clayton County Public Schools – Shakira Rice, Executive Director of Creative Services & Employee & Community Engagement.		
Requirement for Board Action <i>(Cite specific Council policy, statute or code requirement)</i>		
Is this Item Goal Related? <i>(If yes, describe how this action meets the specific Board Focus Area or Goal)</i> Yes Innovative Leadership		
Summary & Background <i>(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)</i> Partnership with Clayton County Public Schools.		
Fiscal Impact <i>(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)</i>		
Exhibits Attached <i>(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)</i> •		
Staff Recommendation <i>(Type Name, Title, Agency and Phone)</i> City Council's Discretion		

FOLLOW-UP APPROVAL ACTION (City Clerk)		
Typed Name and Title Melissa Brooks, City Clerk	Date May, 6, 2024	
Signature	City Clerk's Office	

	CITY OF JONESBORO, GEORGIA COUNCIL Agenda Item Summary		Agenda Item # - 1	6.1
			COUNCIL MEETING DATE May 6, 2024	
Requesting Agency (Initiator) City Council		Sponsor(s) Mayor Sartor		
Requested Action <i>(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)</i> Discussion and consideration on adoption of the Civility Resolution.				
Requirement for Board Action <i>(Cite specific Council policy, statute or code requirement)</i>				
Is this Item Goal Related? <i>(If yes, describe how this action meets the specific Board Focus Area or Goal)</i> Yes Innovative Leadership				
Summary & Background <i>(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)</i> Adoption of the Civility Resolution and Pledge to become a City or Organization of Civility is recommended by Georgia Municipal Association.				
Fiscal Impact <i>(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)</i>				
Exhibits Attached <i>(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)</i> - GMA - Civility Pledge - Resolution-Civility 2024				
Staff Recommendation <i>(Type Name, Title, Agency and Phone)</i> City Council's Discretion				

FOLLOW-UP APPROVAL ACTION (City Clerk)		
Typed Name and Title Melissa Brooks, City Clerk	Date May, 6, 2024	
Signature	City Clerk's Office	

CIVILITY PLEDGE

The way we govern ourselves is often as important as the positions we take. Our collective decisions will be better when differing views have had the opportunity to be fully vetted and considered. All people have the right to be treated with respect, courtesy and openness. We value all input. We commit to conduct ourselves at all times with civility and courtesy to each other.

ADOPT THE CIVILITY RESOLUTION AND PLEDGE TO BECOME A CITY OR ORGANIZATION OF CIVILITY TODAY!

1. Download the appropriate model resolution.
2. Adopt the Resolution at a Council Meeting (City of Civility) or at a Board of Directors Meeting (Organization of Civility).
3. Email a signed copy of the resolution to gcs@gacities.com.
4. Renew Resolution every two years.



WWW.GACITIES.COM/CIVILITY

9 PILLARS OF CIVILITY



Be considerate of others' opinions. It's ok to agree to disagree.



Think about the impact of your actions and not the intent.



Manage your emotions. Get curious instead of furious.



Ask questions to learn. Answer questions with respect.



A silent voice is not always a weak voice. Sometimes it's ok not to respond.



Remember the acronym QTIP (Quit Taking It Personally).



Be Kind! Make your point about the issue, not the person.



Have empathy! Just because you have not experienced it, does not mean it does not exist.



Actively listen, to learn how to engage respectfully!



**A RESOLUTION
PLEDGING TO PRACTICE AND PROMOTE CIVILITY IN
THE CITY OF JONESBORO MAYOR AND CITY COUNCIL**

WHEREAS, the City of Jonesboro Mayor and City Council of Jonesboro, Georgia, recognizes that robust debate and the right to self-expression, as protected by the First Amendment to the United States Constitution, are fundamental rights and essential components of democratic self-governance; and

WHEREAS, the City of Jonesboro Mayor and City Council further recognizes that the public exchange of diverse ideas and viewpoints is necessary to the health of the community and the quality of governance in the Municipality; and

WHEREAS, the members of City of Jonesboro Mayor and City Council, as elected representatives of the community and stewards of the public trust, recognize their special role in modeling open, free, and vigorous debate while maintaining the highest standards of civility, honesty and mutual respect; and

WHEREAS, City Council meetings are open to the public and thus how City officials execute their legal duties is on public display; and

WHEREAS, civility by City officials in the execution of their legislative duties and responsibilities fosters respect, kindness and thoughtfulness between City officials, avoiding personal ill will which results in actions being directed to issues made in the best interests of residents; and

WHEREAS, civility between City officials presents an opportunity to set a positive example of conduct and promotes thoughtful debate and discussion of legislative issues, resulting in better public policy and a more informed electorate while also encouraging civil behavior between residents; and

WHEREAS, civility between City officials is possible if each member of the elected body remembers that they represent not only themselves, but the constituents of their district and city; and

WHEREAS, in order to publicly declare its commitment to civil discourse and to express its concern for the common good and well-being of all of its residents, the City of Jonesboro Mayor and City Council have determined to adopt this resolution.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION ONE

The City of Jonesboro Mayor and City Council pledge to practice and promote civility within the governing body as a means of conducting legislative duties and responsibilities.

SECTION TWO

The elected officials of the City of Jonesboro Mayor and City Council enact this civility pledge to build a stronger and more prosperous community by advocating for civil engagement, respecting others, and their viewpoints, and finding solutions for the betterment of the City of Jonesboro Mayor and City Council.

SECTION THREE

This pledge strives to ensure that all communication be open, honest, and transparent as this is vital for cultivating trust and relationships.

SECTION FOUR

This pledge strives to show courtesy by treating all colleagues, staff and members of the public in a professional and respectful manner whether in-person, online or in written communication, especially when we disagree.

SECTION FIVE

This pledge strives to ensure mutual respect to achieve municipal goals, recognizing that patience, tolerance and civility are imperative to success and demonstrates the Council’s commitment to respect different opinions, by inviting and considering different perspectives, allowing space for ideas to be expressed, debated, opposed, and clarified in a constructive manner.

SECTION SIX

This pledge demonstrates our commitment against violence and incivility in all their forms whenever and wherever they occur in all our meetings and interactions.

SECTION SEVEN

The City of Jonesboro Mayor and City Council expects members of the public to be civil in its discussion of matters under consideration by and before the City of Jonesboro Mayor and City Council, with elected officials, staff, and each other.

ADOPTED this 6th day of May 2024.

Dr. Donya L. Sartor, Mayor

Tracey Messick, Mayor Pro Tem

Alfred Dixon, Councilman

Don Dixon, Councilman

Bobby Lester, Councilman

Asjah Miller, Councilwoman

Billy Powell, Councilman

ATTEST:

Melissa Brooks, City Clerk

Attachment: Resolution-Civility 2024 (3750 : Civility Resolution 2024)



CITY OF JONESBORO, GEORGIA COUNCIL
Agenda Item Summary

Agenda Item #

6.2

- 2

COUNCIL MEETING DATE
May 6, 2024

Requesting Agency (Initiator)

Office of the City Manager

Sponsor(s)

Community Development Director Allen

Requested Action (Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)

Discussion regarding appointment of four (4) members to the Historic Preservation Commission, Chapter 42, Article 2.

Requirement for Board Action (Cite specific Council policy, statute or code requirement)

Selection of Four Historic Preservation Commission Board Appointments

Is this Item Goal Related? (If yes, describe how this action meets the specific Board Focus Area or Goal)

Yes Community Planning, Neighborhood and Business Revitalization, Innovative Leadership

Summary & Background

(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)

The re-appointments of existing members of the Design Review Commission and Historic Preservation Commission were tabled and taken off the consent agenda on the February 12th Council agenda, in an effort to get fresh voices on the Design Review Commission and Historic Preservation Commission.

Since then, the positions of both boards have been advertised on social media and various citizens, both old and new, have submitted applications.

As far as the Historic Preservation Commission is concerned, only one former member (Jule Segner) has re-applied. One member (Laura Dupuis) was just approved last summer and remains the sole person on the Board this time. This leaves three open seats for new members for the Board.

The following were the main qualifications for accepting applications, as advertised:

Sec. 42-28. - Creation of a historic preservation commission.

(a) Creation of the commission. There is hereby created a commission whose title shall be "historic preservation commission" (hereinafter "commission").

(b) Commission position within city government. The commission shall be part of the planning functions of the city.

(c) Commission members; number, appointment, terms and compensation.

(1) The commission shall consist of five members appointed by the mayor and ratified by the city council. **All members shall be residents of the city**, and shall be persons who have demonstrated special interest, experience or education in history, architecture or the preservation of historic resources.

(2) To the extent available in the city, at least three members shall be appointed from among professionals in the disciplines of architecture, history, architectural history, planning, archaeology or related professions.

The following four citizens have applied for the Historic Preservation Commission and meet the residency standard:

Mary Bruce, Penny Fauscett, Shuntae Lawrence, and Jule Segner. Mrs. Bruce and Mrs. Penny Fauscett have been long-time residents of the City. Mrs. Bruce has served with the Jonesboro Historical Society. Ms. Lawrence is a recent resident of the new Grove subdivision. Ms. Segner already has a lot of experience on the

FOLLOW-UP APPROVAL ACTION (City Clerk)

Typed Name and Title

Melissa Brooks, City Clerk

Date

May, 6, 2024

Signature

City Clerk's Office

Board and is re-applying.

If these four are appointed, the terms are staggered to prevent the entire Board having to be re-appointed at once and causing a delay in reviews by not having a working quorum (3) at any given time.

3-year term expiring 5/13/27 (Jule Segner)

3-year term expiring 5/13/27

2-year term expiring 5/13/26

2-year term expiring 5/13/26

1-year term expiring 8/14/24 (Laura Dupuis existing term)

Fiscal Impact

(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)

n/a

Exhibits Attached *(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)*

•

Staff Recommendation *(Type Name, Title, Agency and Phone)***Approval of Applicants**



CITY OF JONESBORO, GEORGIA COUNCIL
Agenda Item Summary

Agenda Item #

6.3

- 3

COUNCIL MEETING DATE

May 6, 2024

Requesting Agency (Initiator)

City Council

Sponsor(s)

Community Development Director Allen

Requested Action (Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)

Further discussion regarding Jamrock South (Villa Sports Lounge) - Denial of Alcohol Pouring License 24-ALC-002 on April 8, 2024.

Requirement for Board Action (Cite specific Council policy, statute or code requirement)

Reconsideration of License Denial

Is this Item Goal Related? (If yes, describe how this action meets the specific Board Focus Area or Goal)

Yes

Community Planning, Neighborhood and Business Revitalization

Summary & Background

(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)

24-ALC-002 to dispense beer, wine & distilled spirits at 8274 Tara Blvd, Jonesboro, GA 30236. The legal name is Villa Sports Lounge, LLC, which came before City Council at the April 8, 2024, Regular Session.

The item was denied by a vote of 4-2.

Please see the attached Sec. 6-51 – Denial of application; appeal from decision of mayor and council.

The applicant is applying to transfer a consumption on premises of distilled spirits, beer, and wine for the “Jamrock Jerk South” restaurant being relocated to 8274 Tara Blvd from its previous location at 8562 Tara Blvd. The restaurant’s new location should be finished in late spring. It will also have a new name – “Villa Sports Lounge, LLC.”

Background:

1. This location currently does not have an Alcohol Beverage License to pour distilled spirits, beer and wine. Applicant has been approved to operate a restaurant at this location, which is in the final stages of construction.
2. The subject restaurant is being relocated to the commercial strip center at 8274 Tara Blvd. Surrounding zoning, general plan land use designations and existing uses are denoted as primarily C-2 (Highway Commercial), with some residential across the street to the east.
3. Purpose. The C-2 highway commercial district is established to accommodate intense retail and service commercial uses along Jonesboro's arterial highways. A broad range of such uses anticipates traffic from surrounding areas traveling through the city and affords a broad segment of the business community access to the large customer volumes associated with such locations. The automobile is the principal means of transit for shoppers in this district, and convenient on-premises parking is a primary concern. Given the value of arterial locations intended to capture heavy retail traffic, such industrial uses as manufacturing, distribution and processing are prohibited in order to reserve high visibility and enhanced access locations for highway commercial uses.
4. Factual. This address has not had alcohol service in the past several years. In moving here, the applicant hopes to take advantage of heavy traffic flow on Tara Boulevard with more visibility than he had at the previous location.

Facts & Issues:

1. David Allen, Community Development Director, has reviewed the application packet. All requirements, per Chapter 6-

FOLLOW-UP APPROVAL ACTION (City Clerk)

Typed Name and Title

Melissa Brooks, City Clerk

Date

May, 6, 2024

Signature

City Clerk's Office

Alcoholic Beverages, were met.

2. The Jonesboro Chief of Police has conducted a computerized criminal history records check (annually) for the applicant and recommended approval based upon the background information received.

3. As required by Section 6-47, the applicant is required to submit a land survey, demonstrating compliance with the setbacks of that Code Section. The applicant has provided a survey (attached). Per Section 6-47, for those establishments selling beer, wine and distilled spirits, the licensee's premises cannot be located within 100 yards of any church building or within 200 yards of any school or education building, school ground, or college campus as defined in O.C.G.A. § 3-3-21. The survey presented shows that the nearest church (Faith Tabernacle) is 1056 yards away, nearest school (Lee Street Elementary) 1232 yards away, and there are no Alcohol Treatment Centers remotely close by (within 100 yards).

Fiscal Impact

(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)

Licensing Fees - \$5000

Exhibits Attached *(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)*

- Jam Rock South
- Survey

Staff Recommendation *(Type Name, Title, Agency and Phone)*

Council's Discretion

Melissa Brooks

From: LaTonya Wiley <lwiley@denmarkashby.com>
Sent: Friday, April 12, 2024 3:23 PM
To: Donya Sartor; Seddrick Hill
Cc: Melissa Brooks
Subject: Jamrock South Alcohol Permit Application

Madam Mayor and Mr. City Manager:

Based on my earlier assessment that, because the provisions of City Ordinance Sec. 6-51 (a) were not followed with respect to the April 8th action denying the above referenced application (i.e., the motion failed to specify the reasons for the denial), it is my recommendation that this matter be placed on the next Agenda under old business as follows:

"Jamrock South: Reopening April 8th Denial of Alcohol License"

As previously stated, the Motion to Reopen will be premised on ensuring the governing authority's compliance with the provisions of Sec. 6-51. That ordinance is reflected below:

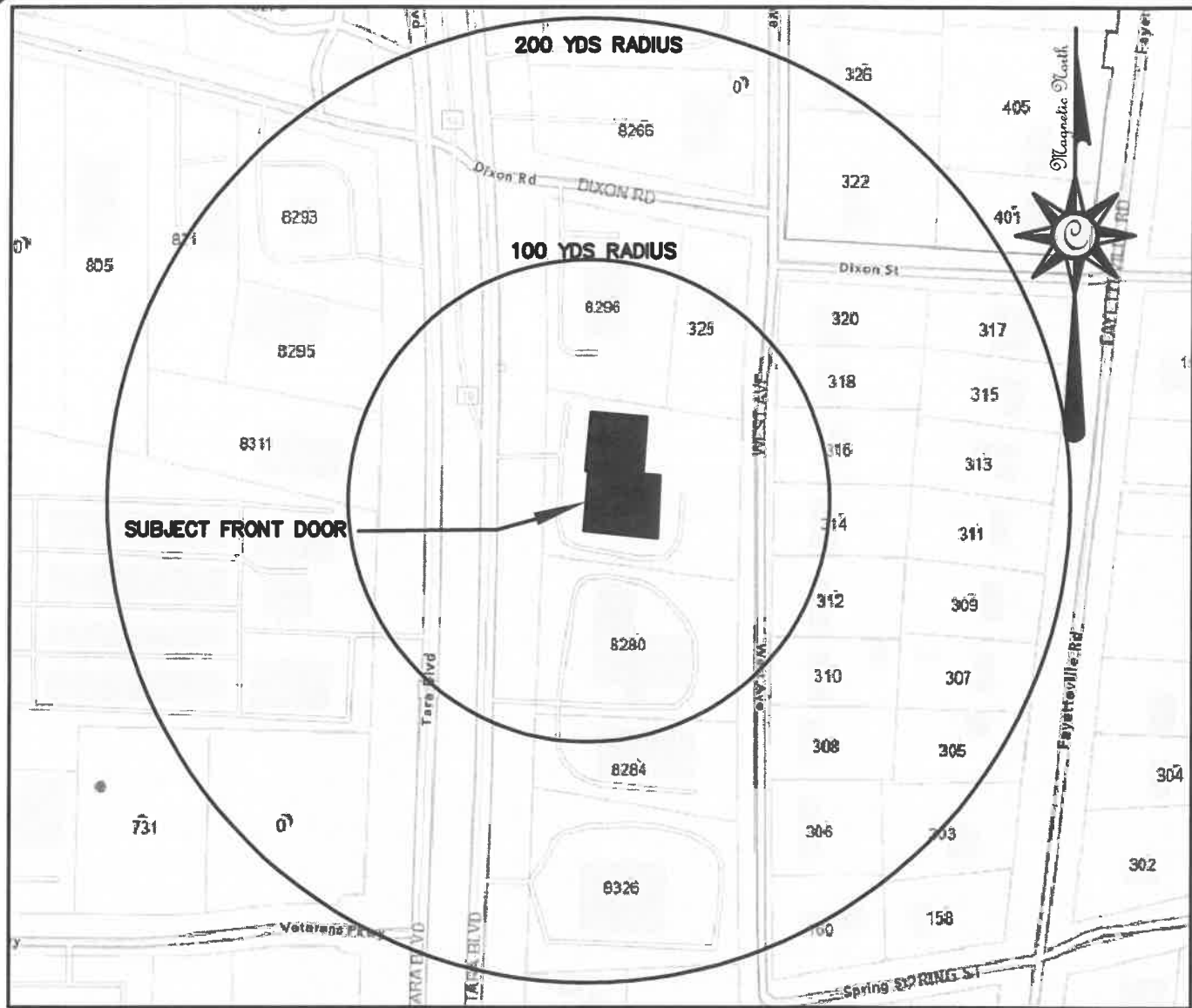
Sec. 6-51. - Denial of application; appeal from decision of mayor and council.

1. Whenever an application for license is denied by the mayor and council, the reasons for such denial shall be stated in writing and entered upon the minutes. A written notice of the denial shall also be mailed to the applicant at the address listed in the application, or personally delivered to the applicant, within seven calendars days of the decision to deny the application. Upon denial, the applicant may not reapply for a license under this chapter for 24 months after the date of the denial.
2. Should the applicant desire to appeal a decision of the mayor and council to deny the applicant's initial application for a license under this chapter, the applicant may appeal said decision to the Superior Court of Clayton County by filing a petition for writ of certiorari with said Superior Court in accordance with state Law.

Please advise if you have any additional questions or concerns regarding this matter.

Sincerely,

Attachment: Jam Rock South (3745 : Alcohol Beverage Pouring License)



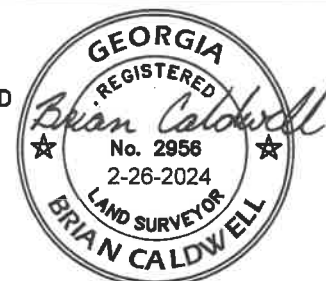
I BRIAN CALDWELL CERTIFY THAT THE DISTANCES BELOW WERE MEASURED
ACCORDING TO CLAYTON COUNTY CODE
THE NEAREST:

CHURCH 1056 YDS FAITH TABERNACLE OF THE HOLY SPIRIT, 210 FAYETTEVILLE RD
SCHOOL 1232 YDS LEE ST ELEMENTARY, 178 LEE ST

NONE OF THE FOLLOWING WERE FOUND WITHIN 100 YDS OF THE SUBJECT.
A CHURCH BUILDING, SCHOOL, SCHOOL GROUNDS, COLLEGE CAMPUS, PUBLIC
HOUSING OR AN ALCOHOL OR DRUG TREATMENT CENTER.

NO RESTRICTED LOCATIONS WITHIN MAPPING AREA

TIME SENSITIVE DOCUMENT DISTANCE SURVEYS WILL ONLY BE ACCEPTED
FOR A LIMITED TIME BY YOUR LOCAL AUTHORITY



GRAPHIC SCALE 1"=200'



SHEET	OF
1	1

DATE OF LAST VISIT
2-24-2024

JOB# TARA8274EF
DRAWN BY BC

DISTANCE SURVEY FOR Villa Sports Lounge

ADDRESS

8274 Tara Blvd, Ste E&F
Jonesboro, GA 30236

CLAYTON COUNTY, GEORGIA

COMPASS SURVEYING

**9337 Meadow Gate Lane
Jonesboro, Georgia 30236
Tel 404-550-9512
Fax 1-866-476-4318**

THIS DISTANCE SURVEY IS TO ACCOMPANY AN APPLICATION FOR AN ALCOHOL PERMIT ONLY
NOT TRANSFER OF TITLE OR OWNERSHIP

	CITY OF JONESBORO, GEORGIA COUNCIL Agenda Item Summary		Agenda Item # - 4	6.4
			COUNCIL MEETING DATE May 6, 2024	
Requesting Agency (Initiator) City Council		Sponsor(s) Mayor Sartor		
Requested Action <i>(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)</i> Discussion regarding a fee waiver request from Clayton County Department of Family and Children Services for use of Lee Street Park to host an Employee Appreciation event on June 20, 2024, from 11:00a to 3:00p.				
Requirement for Board Action <i>(Cite specific Council policy, statute or code requirement)</i>				
Is this Item Goal Related? <i>(If yes, describe how this action meets the specific Board Focus Area or Goal)</i> Yes Community Planning, Neighborhood and Business Revitalization				
Summary & Background <i>(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)</i> Clayton County Department of Family and Children Services is requesting a fee waiver for use of Lee Street Park on June 20, 2024, to host an Employee Appreciation event.				
Fiscal Impact <i>(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)</i> See attached application for an amount of \$1,050.00				
Exhibits Attached <i>(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)</i> Clayton County Family & Children Services				
Staff Recommendation <i>(Type Name, Title, Agency and Phone)</i> Council's Discretion				

FOLLOW-UP APPROVAL ACTION (City Clerk)		
Typed Name and Title Melissa Brooks, City Clerk	Date May, 6, 2024	
Signature	City Clerk's Office	



CITY OF JONESBORO

1859 City Center Way
Jonesboro, Georgia 30236
www.jonesboroga.com

COPY

APPLICATION FOR USE OF LEE STREET PARK

"OFFICE OF THE CITY CLERK"

- ✓ Please print legibly or type and fill out form completely.
- ✓ Submit application and pay all fees at least 30 days prior to use.
- ✓ Make payment by Credit Card, Cash or Cashier's Check payable to City of Jonesboro.
- ✓ If applicable, attach a copy of the Certificate of Liability naming the City as an additional Insured, Temporary Sales License, Liquor Liability Insurance, Food Handlers Permit.

Area(s) Requested
(Please Check)

Large Amphitheater _____
Small Amphitheater ☒ _____
Market Area _____
Pavilion _____

APPLICANT INFORMATION

Organization Name (If Applicable) <u>Clayton County Dept. of Family & Children Services</u>	Person Responsible for Reservation <u>Jackie Chavis</u>
Address: <u>877 Battle Creek Rd</u>	Home Phone #: <u>470-692-2374</u> Other Phone #: <u>404-205-9870</u>
City/Zip Code: <u>Jonesboro, GA 30236</u>	Email Address: <u>Jackie.chavis@dhs.ga.gov</u>

RESERVATION INFORMATION

Day of Week (circle): M T W **TH** F S SU REQUESTED DATE: 6/20/24

Reservation - START TIME: 11:00 **AM**/PM (including set-up) END TIME: 3:00 AM/**PM** (including clean-up)

Event Name: Employee Appreciation Total Expected Attendance: 125

Contact Person on Day of Event: Jackie Chavis Contact # on Day of Event: 404-205-9870

Type of Activity:

☐ Birthday Party ☒ Company Picnic ☐ Concert ☐ Fundraiser ☐ Wedding ☐ Other _____

This event will be: (check all that apply)

☒ Closed to the public/invited guest only ☐ Open to the public ☐ Generating Sales (i.e. admission fees, concessions, or entry fees)

☒ Use of Electricity

Please indicate any other special assistance from our Public Works Department you will need (ex. Extra garbage receptacles, etc.):

Extra garbage receptacles

Attachment: Clayton County Family & Children Services (3749 : Clayton County Family & Children Services Fee Waiver)

Are there any entertainment features related to your event? ☐ No ☒ Yes*

* Number of Performers: 1 Performer Name(s) DT Mike Performance Type: DJ

Will sound amplification be used? ☐ No ☒ Yes*

* Start Time: 12:00 End Time: 2:30 Describe Sound equipment used: turn table / speakers

Will you be erecting and using any tents or other temporary equipment? ☐ No ☒ Yes*

*Describe Equipment used: 2 tents and tables

Will you request any street closures or alterations? ☒ No ☐ Yes* (Time of Closure or Alteration: _____ AM/PM to _____ AM/PM)

*Location/Affected Street: N/A

Does your event involve the use of alcoholic beverages? ☒ No ☐ Yes*

*Please check all that apply: ☐ Free/Host Alcohol ☐ Alcohol Sales ☐ Host & Sales ☐ Beer ☐ Wine

Provide the name of the licensed bartender/caterer to serve the alcoholic beverages.

*Name of Caterer/Licensed Bartender: N/A Liquor License #: N/A

If your event includes the use of alcohol on City Property, Host Liquor Liability Insurance of at least \$1,000,000 per occurrence is required. For alcohol sales, you must also obtain a City of Jonesboro Temporary Sales License and an approved City Alcohol Permit. To serve alcohol, you must also obtain an approved City Alcohol Permit.

Will Food and/or refreshments be served? ☐ No ☒ Yes*

*What type of food and/or refreshments will be served? box lunches

Will you be hiring a caterer to serve food? ☐ No ☒ Yes*

*Caterer Name: Firehouse Subs Address: 46 Hudson Plaza Fayetteville Contact #: 770-460-6500

Will food and/or refreshments be sold? ☒ No ☐ Yes*

*What type of food and/or refreshments will be sold? _____

Who will prepare the food being served? ☒ Caterer* ☐ Other: _____

*Does the caterer have a current Food Handlers Permit? ☐ No ☒ Yes

FOR OFFICE USE ONLY

A copy of the following supplement documents are required:

☐ Proof of Liability Insurance -	Due Date: _____	Received On: _____
☐ Proof of Host Liquor Liability Insurance -	Due Date: _____	Received On: _____
☐ City Approved Alcohol Permit -	Due Date: _____	Received On: _____
☐ Jonesboro Temporary Sales License -	Due Date: _____	Received On: _____
☐ Current Food Handlers Permit -	Due Date: _____	Received On: _____

NOTE: All required documents must be submitted to the City at least 30 days prior to reservation date for the reservation to be confirmed.

FOR OFFICE USE ONLY	
Fee Computation: Office Use Only Refundable Deposit: \$ <u>300.00</u> Cleaning Fee: \$ <u>150.00</u> Security Fee: \$ <u>200.00</u> Amphitheatre: _____ hrs. @ \$ _____ per hour: \$ _____ Small Amph.: <u>4</u> hrs. @ \$ <u>100.00</u> per hour: \$ <u>400.00</u> Pavilion: _____ hrs. @ \$ _____ per hour: \$ _____ Market Area: _____ hrs. @ \$ _____ per hour: \$ _____ Other _____: \$ _____ Total Amount Due: \$ <u>1,050.00</u> 1 @ 50.00/hr. ☐ Cash ☐ Check # _____ ☐ Visa ☐ M/C ☐ Discover Cardholders Name: _____ Card Number: _____ Expires: _____ ☐ Refundable Deposit paid on: _____ ☐ Remaining amount of \$ _____ is due by: _____ ☐ All Fees paid on: _____	Payment Information: Office Use Only ☐ Cash ☐ Check # _____ ☐ Visa ☐ M/C ☐ Discover Cardholders Name: _____ Card Number: _____ Expires: _____ ☐ Refundable Deposit paid on: _____ ☐ Remaining amount of \$ _____ is due by: _____ ☐ All Fees paid on: _____
I have evaluated the application and in accordance with the City of Jonesboro's policies, this application is: ☐ Approved for use ☐ Denied for Use Comments/Notes: <u>Requesting Fee Waiver</u> <u>Requires 1 officer</u> Authorized by: _____ Title: _____ Date of Approval: _____	

LEE STREET PARK AMPHITHEATRE / PAVILION RENTAL PACKET

OFFICE OF THE CITY CLERK

STATEMENT OF USER RESPONSIBILITY

For Lee Street Park Rental

PARK USE

In consideration for the use of the City of Jonesboro Park Areas and Facilities, all users agree to the following:

1. The user assumes entire responsibility and liability for losses, damages and claims arising out injury or damage to the user's display, equipment and other property brought onto the premises of the City facility reserved and shall indemnify and hold harmless the City from any and all such losses, damages and claims arising out of such use.
2. Any group sponsoring or using a City-owned facility assumes all liability for any accidents that occur during the scheduled reservation time of the facility.
3. The user shall be responsible for the conduct of the participants attending the activity/event, with regard to the control and containment of litter, and for any damage to the premises beyond ordinary wear and tear.
4. Amplified music or other amplified sound is not allowed to be played at a volume that causes a nuisance for the area. No sound shall be permissible after 10:30 pm.
5. The user shall conduct all activities on the premises in accordance with any applicable federal, state, or local laws, ordinances and rules, including all park regulations, and shall comply with the requirements stated in the "Lee Street Park Amphitheater Rental Packet."
6. If approval is granted to the user to bring in any special portable devices (i.e., Bounce House) for use in conjunction with the reservation, the reserving party must submit a letter releasing the City of liability and must also post a sign at the device during the reservation time that the device is not the City's and the City is not responsible. However, if your event consists of more than 100 people, the authorized user shall submit a Certificate of Liability Insurance in the amount of at least \$1,000,000 per occurrence, naming the City of Jonesboro as an additional insured, no later than 30 days prior to the event.
7. It is unlawful for any person to use fireworks, firecrackers, explosives of any kind in any park.
8. The park rules require that you promptly remove any dog waste deposited on public or private property.
9. The park rules require that all dogs be leashed and barking must not become a nuisance.
10. No motorized vehicles are allowed in the park except in areas approved for such use.
11. No person may move any City owned equipment and/or supplies without written permission from the Director of Public Works.

The undersigned hereby makes application to the City of Jonesboro for use of the facility described above and certifies that the information given in the application is correct. The undersigned further states that he/she has the authority to make this application for the applicant and agrees that the applicant will observe the rules/regulations & policies/procedures of the City of Jonesboro. The applicant agrees to exercise the utmost care in the use of the premises and property and to defend and hold the City of Jonesboro harmless from all liability resulting from the use of said facilities. The applicant further agrees to reimburse the City of Jonesboro for any damage arising from the applicant's use of said facilities. The applicant signing this agreement will be considered the responsible party in case of damage, theft, or disturbances during the usage period. Applicant further agrees to pay any and all court costs, attorney fees and other fees related to the collection of damages for said facility including insufficient funds payment, stop payment or any other refusal to pay.

I have read, understand, and accept all procedures and regulations placed upon me for the rental of the listed rental location. I further acknowledge that I am 21 years of age or older and I understand that failure to comply with the established facility use guidelines (and within the established time frames), puts my meeting or event at risk of cancellation.

Jackie Chaney (Print Name) Jackie Chaney (Sign Name) 4.17.2024 (Date)

Kerry Holmes (Notary Public)



Maria Wetherington

From: Chavis, Jackie <Jackie.Chavis1@dhs.ga.gov>
Sent: Wednesday, April 17, 2024 4:23 PM
To: Maria Wetherington
Cc: Blosser, Kelly
Subject: Rental Packet Application - Clayton DFCS
Attachments: Rental Application Packet Clayton County DFCS.pdf

Good Afternoon, Ms. Wetherington,

Please the attached application to rent out the small pavilion free of cost on June 20th, 2024. Per your guidance to get the application in this week to get on the Mayor's Agenda next month to ask about reserving the small pavilion.

Thank you 😊



**Georgia Department
of Human Services**
Division of Family & Children Services

JACKIE CHAVIS
Administrative Assistant
 GEORGIA DIVISION OF FAMILY & CHILDREN
 SERVICES
 877 Battle Creek Road | Jonesboro, GA 30236
 M: 404.205.9870

jackie.chavis1@dhs.ga.gov
dfcs.ga.gov



Attachment: Clayton County Family & Children Services (3749 : Clayton County Family & Children Services Fee Waiver)



CITY OF JONESBORO

1859 City Center Way
Jonesboro, Georgia 30236
www.jonesboroga.com

RECEIVED
04/17/24

LEE STREET PARK AMPHITHEATRE / PAVILION RENTAL PACKET

"OFFICE OF THE CITY CLERK"



Lee Street Park

155 Lee Street
Jonesboro, Georgia 30236
www.jonesboroga.com

For additional information, please contact City Hall at (770)478-3800
Monday – Friday, 8:00 a.m. – 5:00 p.m.

Attachment: Clayton County Family & Children Services (3749 : Clayton County Family & Children Services Fee Waiver)

LEE STREET PARK AMPHITHEATRE / PAVILION RENTAL PACKET

"OFFICE OF THE CITY CLERK"

GENERAL RENTAL INFORMATION

PLEASE NOTE:

As with all our parks, reservations include only the area you have specifically requested. The activities of your event must be contained to the area reserved. The remainder of the park is still available to the general public to enjoy. There is no designated parking for event reservations. Please plan accordingly.

RENTAL INFORMATION:

- Handicap accessible.
- Available daily, unless prior reserved.
- Available rental hours are between 8am – 11:00 pm unless otherwise approved
- Reservations may be made up to 1 year in advance, but no less than 30 days prior to use, unless they do not require supplemental documentation.

THE FACILITY OFFERS THE FOLLOWING AMENTITIES:

- Farmers Market Area w/ Electrical Outlets
- Large Amphitheatre Stage
- Small Stage to Accommodate Smaller Events
- Covered Pavilion
- ___ Capacity Limit
- Recycling & Garbage Receptacles
- Park Benches
- Wheelchair Accessible

FEES AND RETURN POLICY

The Reservation fee is determined by the "Facility Rental Rate" chart located below. All renters pay a **Non-Refundable Cleaning Fee of \$150**, and a **Refundable Deposit as indicated below**. The refundable Deposit is to offset potential damage costs. If there is no damage, the deposit will be automatically refunded within five (5) business days after your reservation. To hold a reservation date, the Cleaning Fee, and Refundable Deposit (\$550) must be paid at the time of request. The Reservation Fee must be paid 30 days prior to the reservation date listed on the application.

Facility Rental Rates

	Rate I	Rate II	Rate III
Type of Event: *3 Hour Minimum	• Open or closed to public • Generate NO sales • NO Admission/Entry Fees • NO Concessions • NO Sponsor Signage Allowed	• Open to public • Generate Sales • Admission/Entry Fees • Concessions • Sponsor signage allowed	• Closed to public • Generate Sales • Admission/Entry Fees • Concessions • Sponsor Signage Allowed
Large Amphitheatre	• \$200 per hour • \$500 Refundable Deposit	• \$300 per hour / • \$500 Refundable Deposit	• \$500 per hour • \$500 Refundable Deposit
Small Amphitheatre	• \$100 per hour • \$300 Refundable Deposit	• \$200 per hour • \$300 Refundable Deposit	• \$400 per hour • \$300 Refundable Deposit
Farmers Market Area	• \$50 per hour • \$100 Refundable Deposit	• \$100 per hour • \$100 Refundable Deposit	• \$150 per hour • \$100 Refundable Deposit

LEE STREET PARK AMPHITHEATRE / PAVILION RENTAL PACKET

"OFFICE OF THE CITY CLERK"

Pavilion Rental

Type of Event: *3 Hour Minimum	Rate I	Rate II	Rate III
	• City Resident	• Non Resident	• County School • Government Entity
Pavilion	• \$50 per hour • \$20 per additional hour • \$150.00 Refundable Deposit	• \$100 per hour • \$25 per additional hour • \$150.00 Refundable Deposit	• Approval by Council

Cancellations received 30 days or more prior to the reservation date will receive a refund of all fees. If the applicant fails to provide at least 30 days cancellation notice, 20% of the Reservation Fee will be deducted before the refund is issued. Changes made to a reservation, 30 days or less from the original reservation date, will be charged 10% of the original reservation fee. We will not accommodate any minor changes to the reservation with less than 7 days notice, major changes no less than 30 days notice.

INSURANCE POLICY

If the applicant is using either of the Amphitheatre Areas (Large and/or Small Stage) for any of the activities listed below, and/or the activity includes more than 100 people, the applicant shall submit a Certificate of Liability Insurance in the amount of at least \$2,000,000 per occurrence with an endorsement naming the City of Jonesboro as an additional named insure before the application is approved.

1. Sale of Alcohol, food, beverages or souvenirs.
2. Event open to the General Public
3. Conducting Business (*trade shows*).
4. Involving animals
5. Non-Sanctioned sporting event.

ALCOHOL

- Only Beer and Wine can be served.
- Permission to serve and/or sell alcohol is only granted if:
 1. Services is done by a Licensed Alcohol Caterer and/or State of GA permitted Alcohol Server.
 2. Service must be done in a designated, monitored area.
 3. A Certificate of Liability in the amount of \$2,000,000 must be obtained and must include Host Liquor Liability.
 4. A City of Jonesboro Alcohol Permit must be approved.

LEE STREET PARK AMPHITHEATRE / PAVILION RENTAL PACKET

"OFFICE OF THE CITY CLERK"

5. If alcohol will be sold or included as part of an admission price, permission will be granted if:
 - a. Jonesboro Temporary Sales License is obtained. It must be displayed or made available upon request during the scheduled event.
6. The consumption of alcohol is restricted to the area of the park that has been reserved.
7. The City Clerk must receive copies of the required documents 30 days prior to the event.
8. The State of GA Caterer License and/or Jonesboro's server's permit must be available upon request during the scheduled event.
9. If found to be in violation of any of the above mentioned requirements, the City reserves the right to terminate alcohol service.

FOOD

- The City of Jonesboro is not responsible for health issues related to any food consumed at the event.
- Caterers are required to show proof of current Food Handlers Permit from Clayton County Board of Health.
- Individuals or groups planning to provide food at a public event, where it is prepared or served for consumption, are required to have proof of current Food Handlers Permit.

DECORATIONS

- Use of scotch tape or masking tape is not permitted on any walls throughout the Park.
- ABSOLUTELY NO bird seed, metallic confetti or rice, it's harmful to our environment.
- Candles are limited to those in glass bowls, where the flame is no higher than the glass.
- No signs or decorations shall be affixed to any trees, utility poles, buildings, or structures unless the City provides prior approval.

SEATING AND USE OF TENTS

- Extra seating and tents are the responsibility of the applicant.
- If seating is requested for any location on the lawn or amphitheater, only lawn or san-chair style seating is allowed. (This is a result of other chair puncturing the ground and damaging the irrigation system.)
- Tents requested for the lawn must be tethered down by weights, not by stakes. If weighted with water, the City of Jonesboro is not responsible for providing the water.

MUSIC

- Use of amplified sound requires adherence to City of Jonesboro Code of Ordinances, which requires that music or sound must be contained within the boundaries of the park. We reserve the right to check decibel level at the boundaries of the park.

CLEAN UP PROCESS

The applicant is responsible for removal of all decorations and any items of property brought to the Park. Trash shall be deposited in appropriate receptacles. If there is more trash than the receptacles will allow, the applicant is responsible for removal of extra trash from the grounds. Prior to leaving the facility, the applicant is responsible for cleaning and placing in order all areas used. If the site is left in good condition and no damage has occurred, the Deposit will be refunded within five (5) business days after the reservation fee. Any additional costs for clean up or damage above and beyond the Deposit amount shall be paid by the applicant.

APPROVAL OF APPLICATION

The City Clerk and Mayor will determine if the reservation request is appropriate for the facility. **Reservations are not confirmed until all required documents, full payment of all fees and deposit have been received.** The City may cancel or deny the application of any person or group when it is determined by the City that the proposed use of the facility will not be in the best interest of the City. A copy of the approved permit will be provided to the applicant and notice of the event will be forwarded to the Police & Public Works Departments.

WEDDINGS / LARGE SPECIAL EVENTS

- Mandatory meeting with City Clerk prior to event & application approval.
- Reservation time increase to 10pm for clean-up only.
- Only one event scheduled per day within 9am – 9pm time frame, as opposed to two per day for normal reservations.

SECURITY

One (1), off-duty, City of Jonesboro Police Officer, when available, must be provided by the renter for every 100 persons. The Officer shall be compensated \$50 per hour. The name of the Officer(s) assigned, must be provided to the City Clerk no later than seven (7) days prior to the event.



CITY OF JONESBORO, GEORGIA COUNCIL
Agenda Item Summary

Agenda Item #

6.5

- 5

COUNCIL MEETING DATE

May 6, 2024

Requesting Agency (Initiator)

Office of the City Manager

Sponsor(s)

Community Development Director Allen

Requested Action (Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)

Discussion regarding Conditional Use Permit application 24-CU-008 for a restaurant and event center by Reginald Howard / Mastermind Initiatives Inc., property owner, and Altimese Dees / The Real Estate Gallery of Georgia LLC / The Guest House Circa 1913 LLC, applicant, for property at 108 Williamson Mill Road (Parcel No. 13240B A006) Jonesboro, Georgia 30236.

Requirement for Board Action (Cite specific Council policy, statute or code requirement)

City Code Section 86-105 – O&I Zoning Purpose and Standards; 86-597, 86-532 Conditional Use Standards

Is this Item Goal Related? (If yes, describe how this action meets the specific Board Focus Area or Goal)

Yes Economic Development, Community Planning, Neighborhood and Business Revitalization

Summary & Background

(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)

Agency recommendation – **Approval of Conditional Use application, with conditions**; Recently, the applicant applied for a zoning request for a restaurant and event hosting at the subject property, both of which require a conditional use permit. Zoned O&I (Office-Institutional), there is already a functional building and paved parking lot there. There are currently only access drives to Williamson Mill Road, which quickly turns onto North Avenue. The two-story building was recently renovated for salon suites, but the owner was not able to make that use come to fruition. Before that, the property was the location of the Millar Law Firm. Most recently, the property was approved for a daycare, but that has not come to fruition either. This property is adjacent to the old Jonesboro City Hall at 124 North Avenue, and is actually surrounded by city-owned property on all sides.

Purpose. The O-I office and institutional district is established to promote development of professional and business uses in park like settings. The O-I district is intended as a transitional district, buffering single family development in particular from encroachment of more intense non-residential uses. Proximity to a variety of residential districts is also intended to enhance economic opportunity for businesses and improve resident access to business services and institutions. In order to protect the desired character of the district, residential uses and more intense uses which may adversely affect the character of this district, such as those reserved for Jonesboro's commercial and industrial, are prohibited. In a similar manner, the O-I district is limited to professional and institutional uses, and does not encompass activities involving the retail sale, storage or processing of merchandise.

The restaurant use, while widely permitted in other areas of Jonesboro, requires a conditional use permit with the following conditions:

Sec. 86-597. NAICS 722511 – Restaurants, Full-Service, Family and Quality Restaurants

The following conditions are assigned in the O&I district:

(1) **Off-street parking and/or drop-off space adequate** to meet the needs of the proposed facility shall be provided.

Sec. 86-410. - Off-street parking requirements.

(15) Restaurants, cafeterias, night clubs, taverns and similar establishments shall provide the larger of one space per **100 square feet of gross floor area** or one space for every three seats for customers, **plus one space for every two employees on the shift of greatest employment.**

FOLLOW-UP APPROVAL ACTION (City Clerk)

Typed Name and Title

Melissa Brooks, City Clerk

Date

May, 6, 2024

Signature

City Clerk's Office

The property currently has 15 parking spaces, including one handicap parking space. It shares no property with any other business. Definite eating areas (3 rooms on first floor) total 641 square feet / 100 = 7 parking spaces required. (The number of seats is not known at this time.) Other possible eating areas (2 rooms on first floor at rear) total 342 square feet / 100 = 4 parking spaces required. Total of 11 required for eating areas. This leaves 4 more for employees.

Being surrounded by city-owned property on all sides, could the City lease some parking spaces to the restaurant?

The event center portion of the building also requires a conditional use permit with the following conditions:

Sec. 86-532. NAICS 531120 – Lessors of Nonresidential Building (except Mini-warehouses), including Event Centers (Excluding funerals and wakes)

The following conditions are assigned in the H-1, H-2, O&I, M-X, C-2, and M-1 districts:

(1) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided. **See below.**

(2) Any alcohol service and consumption on the premises must conform to Chapter 6 standards, Alcoholic Beverages. **So noted.**

(3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking). **Complies.**

(4) A minimum 50-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property. **None of the properties touching the subject property are residentially-zoned.**

Sec. 86-410. - Off-street parking requirements.

(28) Theaters, auditoriums, places of worship, libraries, museums, art galleries, funeral homes, gymnasiums, stadiums and other places of assembly shall provide the larger of one space for each four fixed seats or one space for each 25 square feet of floor area available for the accommodation of moveable seats in the largest assembly room, whichever is greater, **plus one space for each 150 square feet of ground area used for assembly.**

(The number of seats is not known at this time.) A stated before, the property currently has 15 parking spaces, including one handicap parking space. It would share parking with the restaurant; however, some of the dining in the restaurant would likely tie-in with some of the events in the building, such as birthdays or baby showers, also people who request to use a private room in the back for a training or meeting. The applicant does not desire to host weddings, parties, or anything of that nature. She would like to make available space for business meetings, networking, and trainings in the conference room areas for the purpose of generating sales for the restaurant.

Definite gathering areas (1 room on first floor and 2 rooms on second floor) total 748 square feet / 150 = 5 parking spaces required. (The number of seats is not known at this time.) Same employees as the restaurant.

To be safe, with the restaurant and the event center, there probably needs to be about 20 parking spaces, meaning the addition of about 5 paved parking spaces somewhere on the property. There may be room for some more at the rear edge of the existing parking lot.

Being surrounded by city-owned property on all sides, could the City lease some parking spaces?

Staff recommendation: Approval of application; A nice, high-end restaurant is much desired in the City and in the integrity of the nice building at 108 Williamson Mill Road would be preserved. This location is fairly close to downtown and very close to Hearthside Jonesboro. This restaurant / meeting space would not have the traffic volume of cheaper restaurant fare. The property is surrounded by city-owned property on all sides, so it could not be a nuisance to an adjacent neighbor.

Should the Mayor and Council choose to approve this application, the following minimum approval conditions should apply:

1. All required elements (grease trap, etc.) must be completely installed prior to obtaining a business license to legally operate.
2. Use of Massengale Park playground and pavilion is prohibited.

3. No parking on the street is allowed.
4. All ADA access requirements must be met.
5. Sprinkler system may be required per Fire Marshal requirements.
6. Any alcohol service requires separate approval and must conform to the requirements of Chapter 6, Alcoholic Beverages.

Fiscal Impact*(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)*

Private Owner

Exhibits Attached *(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)*

- Zoning Info
- Property Pictures
- Proposal
- Conditional Use - Restaurant, Event Center - Legal Notice
- Meeting Notice Letter
- Zoning Sign

Staff Recommendation *(Type Name, Title, Agency and Phone)***Approval, with Conditions**



CITY OF JONESBORO
 124 North Avenue
 Jonesboro, Georgia 30236
 City Hall: (770) 478-3800
 Fax: (770) 478-3775
 www.jonesboroga.com

ZONING VERIFICATION REQUEST

Important Notice:

BEFORE leasing, purchasing, or otherwise committing to a property you are **STRONGLY ADVISED** to confirm that the zoning and physical layout of the building and site are appropriate for the business use intended and will comply with the City's Zoning Ordinance. This includes having a clear understanding of any code restrictions, limitations or architectural guidelines that may impact your operation and any building and site modifications that may be necessary to open your business. This document does not authorize a business to conduct business without an Occupational Tax Certificate. This could result in closure and/or ticketing.

Applicant's Information

Name of Applicant: Altimese Dees (The Real Estate Gallery of Georgia, LLC.)
 Name of Business: The Guest House Circa 1913, LLC.
 Property's Address: 108 Williamson Mill Rd, Jonesboro, GA 30236
 Email Address: deesaltimese@gmail.com
 Phone: (Day): 678-644-1712 (Evening): 678-644-1712

Property Information

Current Use of Property: Hair salon never took flight; previously a Law Office

Proposed Use of Property (Please provide in great detail the intended use of the property):

1. First choice is to open a Bed & Breakfast with an elegant restaurant that would serve a healthy cuisine under the name 'The Guest House Circa 1913'.
2. If not allowed, we would consider opening a group home for seniors.

Applicant's Signature

DocuSigned by:
Altimese Dees

Date 4/3/2024

FOR OFFICE USE ONLY:

34210ABEB46B4C3...

Current Zoning: OT1

NAICS Code: 721191, 722511, 62399

Required Zoning: SEE ATTACHED SHEET

Conditional Use Needed? ☒ Yes or ☐ No

☐ APPROVED

DENIED ☐

Comments:

GROUP HOME NOT ALLOWED - B+B REQUIRES CONDITIONAL USE PERMIT
AND MUST COMPLY WITH CHAPTER 18, ARTICLE XII; RESTAURANT REQUIRES

Zoning Official Signature

Date

4/3/24

CONDITIONAL USE PERMIT
AND MUST COMPLY WITH SEC.

86-597

Attachment: Zoning Info (3760 : 108 Williamson Mill Road - Restaurant-Event Center)

Applicant – Altimese Dees / The Real Estate Gallery of Georgia LLC

Name of Business – The Guest House Circa 1913, LLC

Address – 108 Williamson Mill Road

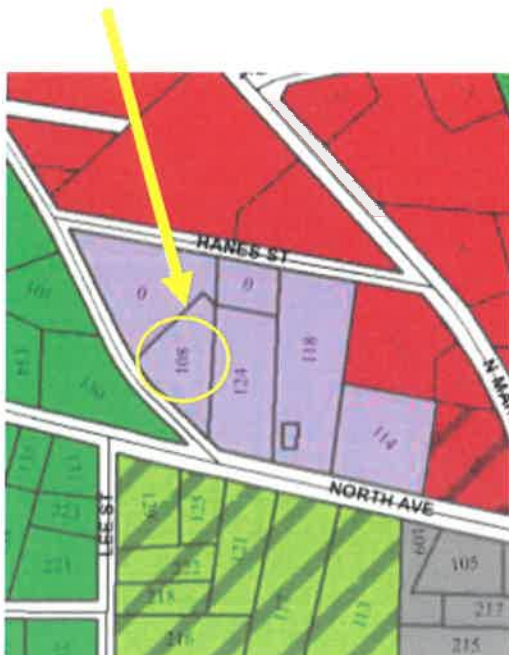
Zoning District – O&I

NAICS Code: 721191, 722511, 62399

Proposed Use: Bed and Breakfast with restaurant, or group home for seniors

NAICS Code	USES	R-2	R-4	R-C	CC M	RM	H-1	H-2	O&I	MX	C-1	C-2	M-1	Code Section
721191	Bed-and-Breakfast Inns	N	N	N	N	C	C	C	C	C	C	N	N	Sec. 86-543; Sec. 86-118
722511	Restaurants, Full-Service, Quality Restaurants	N	N	N	P	N	P	P	C	P	P	P	N	Sec. 86-597
62399	Other Residential Care Facilities Care, Group Homes for Adults without Major Disabilities, and not involving Mental Health or Substance Abuse)	C	C	N	N	N	N	N	N	N	N	N	N	Sec. 86-127; Sec. 86-118

Use is permitted "by right" in the district indicated = P; Use is permitted as a conditional use (section indicated) = C; Use is not permitted = N





Sec. 86-597. NAICS 722511 – Restaurants, Full-Service, Family and Quality Restaurants

The following conditions are assigned in the O&I district:

(1) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.

Sec. 86-543. NAICS 721191 – Bed and Breakfast Inns

The following conditions are assigned in the R-M, H-1, H-2, O&I, MX, and C-2 districts:

(1) The standards of Chapter 18, Article XII shall control development of bed and breakfasts.

ARTICLE XII. - BED AND BREAKFAST ESTABLISHMENTS

Sec. 18-460. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Bed and breakfast establishment means a structure occupied and operated by all of its owners, wherein lodging or lodging and breakfast only are provided to guests for compensation for a period no longer than 14 consecutive days. The dwelling unit in which the bed and breakfast takes place shall be the principal residence of the owner, and the owner shall live in the structure when the bed and breakfast establishment is in operation.

Guest means a person who pays a fee to the owner of a bed and breakfast establishment for the purpose of lodging at that establishment.

Lodging room means a room that is used for temporary occupancy for a fee.

Sec. 18-461. - Exceptions.

This article shall not apply to hotels, inns, motels, motor lodges, boardinghouses, roominghouses, or other establishments providing rooms to guests for compensation. None of these establishments shall be permitted in the city except as otherwise allowed by ordinances of the city. No bed and breakfast establishment shall be operated except as allowed in this article.

Sec. 18-462. - Temporary establishments.

This article shall not apply to bed and breakfast establishments being operated on a temporary basis for charitable or civic organizations. These establishments shall be permitted at the discretion of the mayor and city council upon application for no more than four consecutive days and for no more than eight days per calendar year.

Sec. 18-463. - License required and regulatory fee.

It shall be unlawful for any person to operate a bed and breakfast establishment without having first obtained a license. The annual regulatory fee for operation of a bed and breakfast establishment in the city shall be set forth in the schedule of fees and charges for the whole or any part of one year, and shall be paid at city hall not later than December 15 of the preceding year or upon the filing of an application for the license.

Sec. 18-464. - Guest register.

The owner shall keep a register of all guests of the bed and breakfast establishment. Such list shall be available for inspection by the city and/or its designee at all reasonable times.

David Allen

From: Altimese Dees <deesaltimese@gmail.com>
Sent: Thursday, April 4, 2024 9:14 AM
To: David Allen
Cc: Reginald Howard
Subject: Re: Zoning Verification - 108 Williamson Mill Road, The Guest House Circa 1913 LLC

Hi Mr. Allen,

Thank you for this information. I have another question, please: In nice restaurants that I visit, I sometimes see a small group of people celebrating a birthday or having a baby shower; and also people who request to use a private room in the back for a training or meeting. In these instances, would I have to obtain a Conditional use permit? I do not desire hosting weddings, parties, or anything of that nature. But, I would like to make available space for business meetings, networking, and trainings in the conference room areas for the purpose of generating sales for the restaurant. Would these uses require a Conditional use permit? Thank you.

With best regards,

**Altimese L. Dees**

Broker/ Chief Executive Officer
 The Real Estate Gallery of Georgia, LLC.

3225 Cumberland Blvd., Suite 100, Atlanta, GA 30339 <http://www.RealEstateGalleryGA.com>



On Apr 4, 2024, at 8:43 AM, David Allen <dallen@jonesboroga.com> wrote:

Next available meetings are:

May 6 – Work Session
 May 13 – Public Hearing / Vote

I would need the completed application and \$600 non-refundable fee by the end of next week.

I cannot guarantee approval.

From: David Allen
Sent: Thursday, April 4, 2024 8:23 AM
To: 'Altimese Dees' <deesaltimese@gmail.com>
Cc: Reginald Howard <reginaldhowardphd@gmail.com>
Subject: RE: Zoning Verification - 108 Williamson Mill Road, The Guest House Circa 1913 LLC

Real estate would be a permitted use.

2017 NAICS Code	USES	R- 2	R- 4	R- C	CCM	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
5312	Real Estate Agents and Brokers Offices	N	N	N	P	N	P	P	P	P	P	P	N	

An event center is considered separate from the restaurant use and also requires a conditional use permit. It must comply with the following conditions:

Sec. 86-532. NAICS 531120 – Lessors of Nonresidential Building (except Mini-warehouses), including Event Centers (Excluding funerals and wakes)

The following conditions are assigned in the H-1, H-2, O&I, M-X, C-2, and M-1 districts:

- (1) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.*
- (2) Any alcohol service and consumption on the premises must conform to Chapter 6 standards, Alcoholic Beverages.*
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).*
- (4) A minimum 50-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.*

The use must be approved first before we worry about the Health Department and the grease trap. The person who handles grease traps is Troy Usry of the Clayton County Water Authority.

From: Altimeese Dees <deesaltimese@gmail.com>

Sent: Wednesday, April 3, 2024 8:17 PM

To: David Allen <dallen@jonesboroga.com>

Cc: Reginald Howard <reginaldhowardphd@gmail.com>

Subject: Re: Zoning Verification - 108 Williamson Mill Road, The Guest House Circa 1913 LLC

Hi Mr. Allen,

After reviewing the information you provided, my husband and I have determined that a Bed & Breakfast would not be possible at this location because (1) This property would not be our primary residence; (2) It would take a lot to add an ensuite bathroom to at least three bedrooms; (3) We wouldn't be able to operate a restaurant within the same facility as the B&B. Therefore, we would like to apply for a Conditional use permit to operate a restaurant with the capability to host special events, such as meetings, workshops, baby/wedding showers, etc. Please note that I would also need to use this address as the office for my company, The Real Estate Gallery of Georgia. If this is permissible, please send me the application and instructions to pay the \$600 fee.

Also, can you provide an estimate of how long it will take to go through the process and obtain approval/denial and, if approved, a permit?

You also stated:

The restaurant requires a grease trap permit and Health Dept. approval.

How can I obtain a grease trap permit? Who should I contact?

When would I contact the Health Department for approval - before or after receiving the Conditional use permit?

Thank you.

With best regards,



Altimese Dees, CRS, EcoBroker

Real Estate Broker & Land Consultant,
The Real Estate Gallery of Georgia, Realtors

678-644-1712

770-217-7518

www.RealEstateGalleryGA.com

deesaltimese@gmail.com

3225 Cumberland Blvd, Suite 100, Atlanta, GA 30339

770-217-7529



On Wed, Apr 3, 2024 at 3:49 PM David Allen <dallen@jonesboroga.com> wrote:

Hello,

Applicant – Altimese Dees / The Real Estate Gallery of Georgia LLC

Name of Business – The Guest House Circa 1913, LLC

Address – 108 Williamson Mill Road

Zoning District – O&I

NAICS Code: 721191, 722511, 62399

Proposed Use: Bed and Breakfast with restaurant, or group home for seniors

Attachment: Zoning Info (3760 : 108 Williamson Mill Road - Restaurant-Event Center)

Please find attached your zoning verification request. Your request for a group home is hereby denied due to improper zoning (see attached sheet).

Pursuant to our Zoning Ordinance, your request for a bed-and-breakfast and a restaurant both require a Conditional Use Permit. They must also conform to the requirements of Section 86-597 and Chapter 18, Article XII, respectively. **Please note the meal restrictions and residency requirements of the bed and breakfast in the conditions on the attached sheet.**

If you like, I can attach a copy of the Conditional Use Application that must be submitted should you wish to move forward. Please note that the cost of a conditional use permit is \$600.00. Further instructions are prescribed within the application.

Conditional use definition: A use not automatically permitted by right, but may be permitted within a zoning district, subject to requirements specified in this chapter or imposed by the mayor and council.

Restaurant requires grease trap permit and Health Dept. approval.

Any structural alterations to the building require permits and inspections.

Should you have questions and/or concerns, please feel free to contact me.

Thanks,

<CONDITIONAL USE APP.pdf>

<Credit Card Authorization Form Revised 3.30.2022.pdf>

Clayton County GIS Map



4/23/2024, 11:17:24 AM

Attachment: Property Pictures (3760 : 108 Williamson Mill Road - Restaurant-Event Center)

Google Maps 100 Williamson Mill Rd

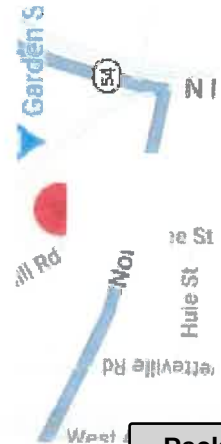
Jonesboro, Georgia

Google Street View

Jan 2022 See more dates



Image capture: Jan 2022 © 2024 Google



Google Maps 100 Williamson Mill Rd

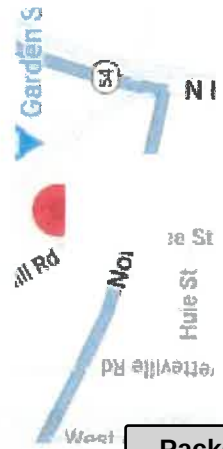
Jonesboro, Georgia

Google Street View

Jan 2022 See more dates



Image capture: Jan 2022 © 2024 Google



Google Maps 101 Williamson Mill Rd

Jonesboro, Georgia

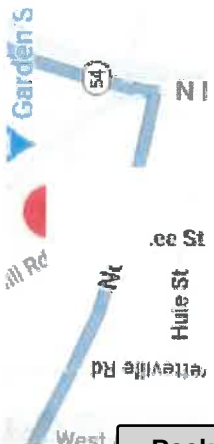
Google Street View

Jan 2022

See more dates



Image capture: Jan 2022 © 2024 Google



Google Maps 108 Williamson Mill Rd

Jonesboro, Georgia

Google Street View

Jan 2022 See more dates

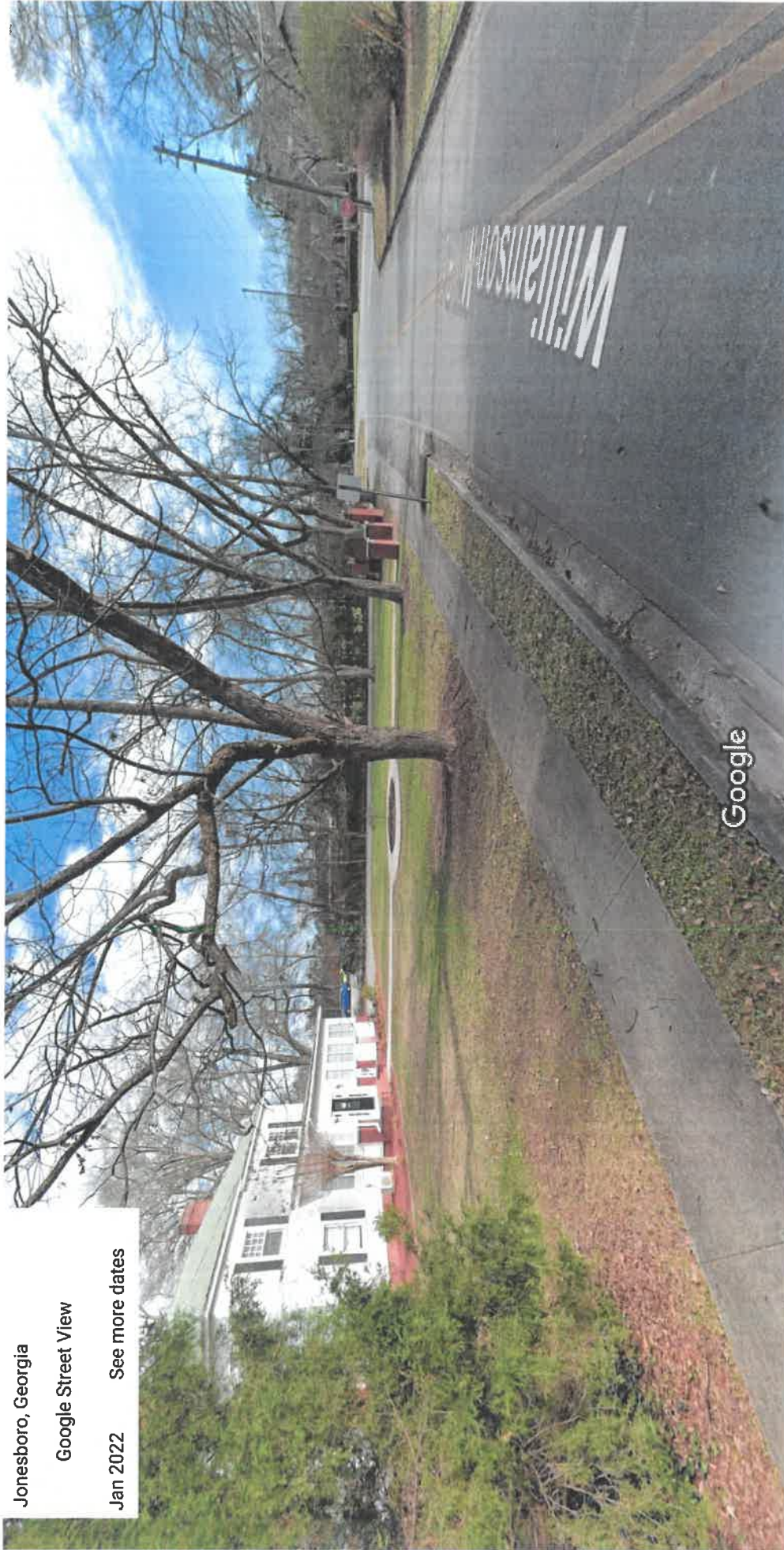
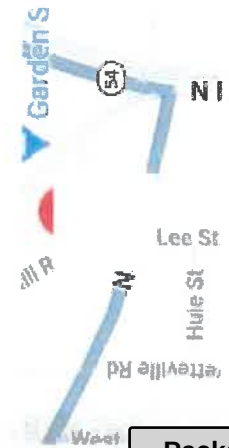


Image capture: Jan 2022 © 2024 Google



Google Maps 175 Hanes St

Jonesboro, Georgia

Google Street View

Mar 2022 See more dates



Image capture: Mar 2022 © 2024 Google



Google Maps 128 Hanes St

Jonesboro, Georgia

Google Street View

Mar 2022 See more dates

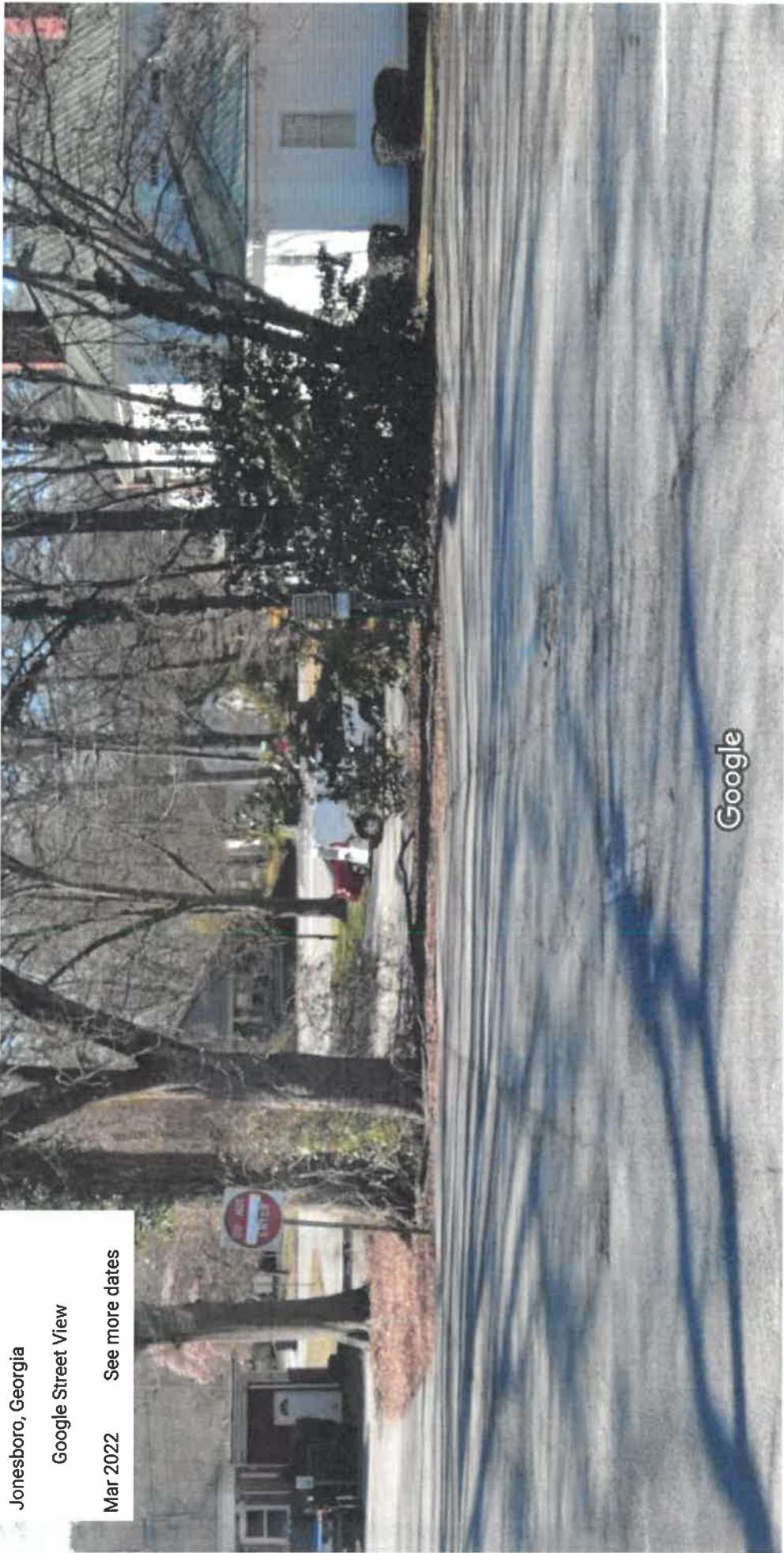


Image capture: Mar 2022 © 2024 Google



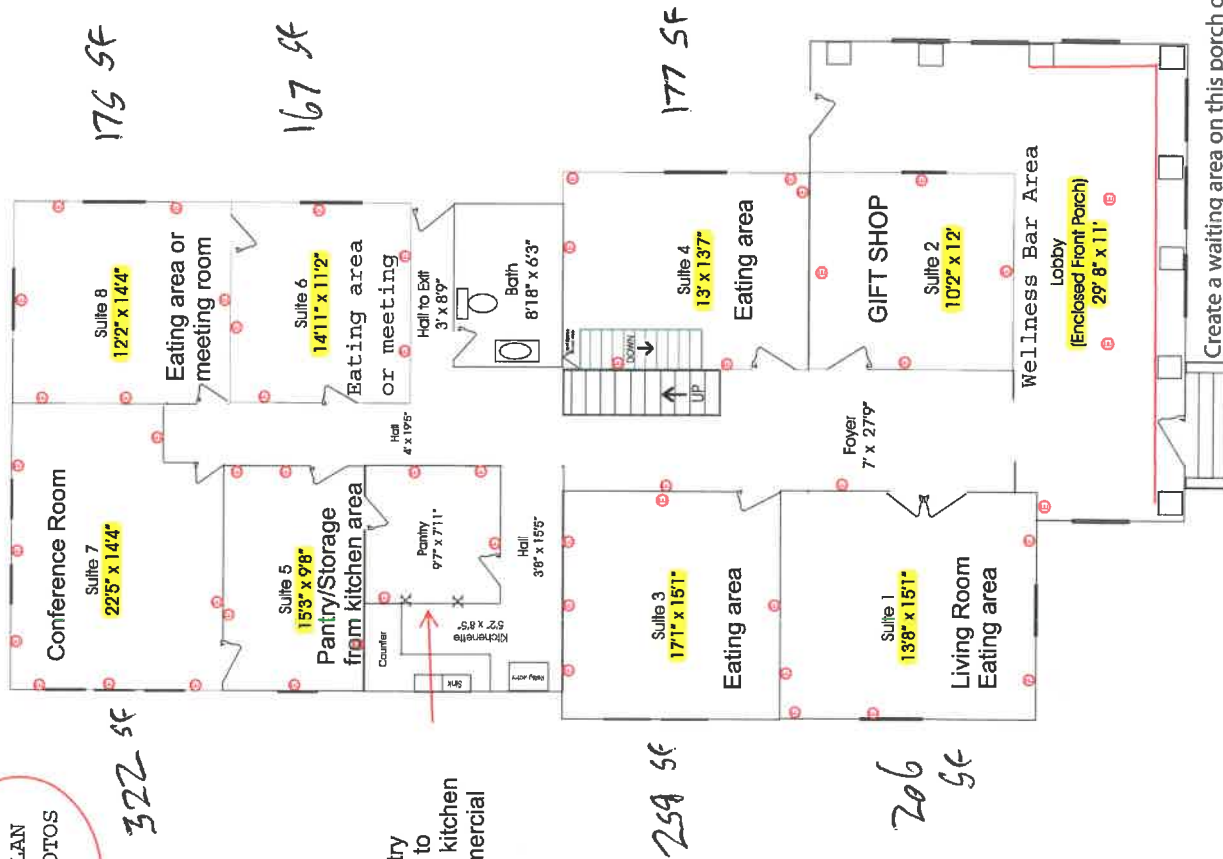
The Guest House Circa 1913, LLC.

Application for Conditional Use Permit to operate a Restaurant/ Event Center at
108 Williamson Mill Rd, Jonesboro, GA 30236



Attachment: Proposal (3760 : 108 Williamson Mill Road - Restaurant-Event Center)

PRELIMINARY
FLOOR PLAN
WITH PHOTOS



1st Floor

OTHER POSSIBLE
EATING AREA

$$\begin{array}{r} 175 \\ + 167 \\ \hline 342 / 100 = 4 \end{array}$$

DEFINITE EATING AREA

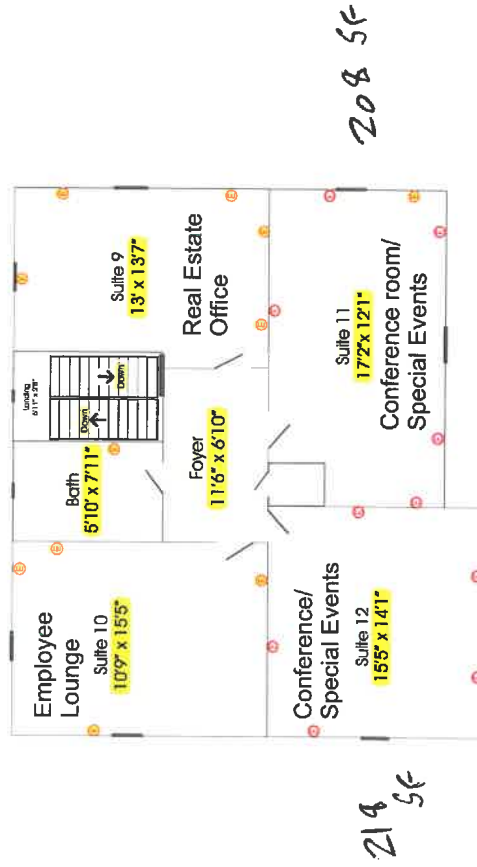
$$\begin{array}{r} 258 \\ + 177 \\ \hline 206 \\ 641 / 100 = 7 \end{array}$$

GATHERING AREAS

$$\begin{array}{r} 322 \\ + 218 \\ \hline 208 \\ 748 / 150 = 5 \end{array}$$

Delete pantry
in this area to
expand the kitchen
into a commercial
kitchen.

Create a waiting area on this porch opposite from
the Wellness Bar. Add benches for seating.



The Guest House Circa 1913



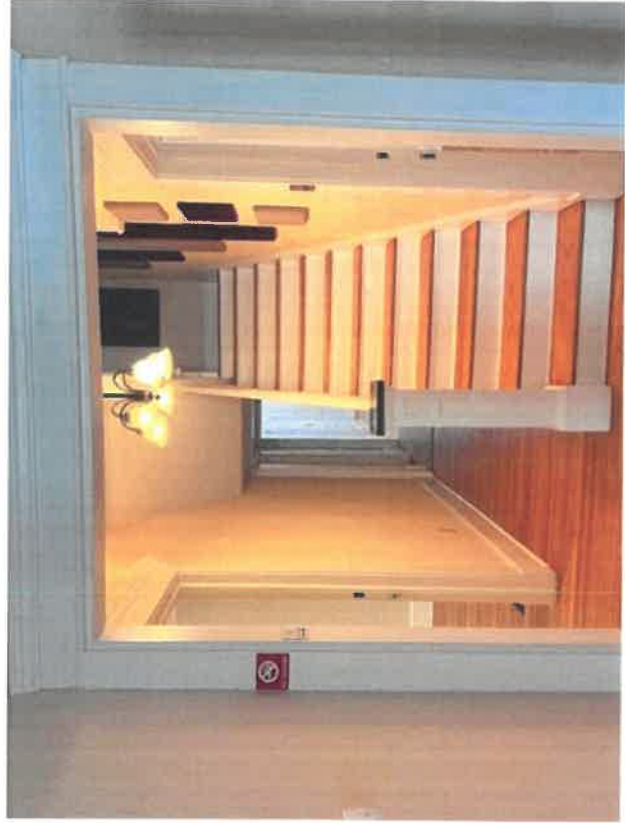
Planned Enhancements: Awning over the front door and possibly some French shutters.







Attachment: Proposal (3760 : 108 Williamson Mill Road - Restaurant-Event Center)









Legal Notice

Public Hearing will be held by the Mayor and Council of the City of Jonesboro at 6:00 P.M. on May 13, 2024, in the court chambers of the Jonesboro City Center, 1859 City Center Way, Jonesboro, GA, to consider a Conditional Use Permit application for a restaurant and event center by Reginald Howard / Mastermind Initiatives Inc., property owner, and Altimese Dees / The Real Estate Gallery of Georgia LLC / The Guest House Circa 1913 LLC, applicant, for property at 108 Williamson Mill Road (Parcel No. 13240B A006) Jonesboro, Georgia 30236. Mayor and Council will first discuss this item during their Work Session at 6:00 P.M. on May 6, 2024, also in the court chambers of the Jonesboro City Center, 1859 City Center Way, Jonesboro, GA.

David Allen
Community Development Director

Publish 4/24/24



MEMORANDUM

To: Altimese Dees
9329 Sweetbriar Circle
Jonesboro, Ga. 30236

From: David D. Allen
City of Jonesboro
1859 City Center Way
Jonesboro, GA 30236

Date: April 23, 2024

Re: Notification of Request for Conditional Use Permit – Restaurant / Event Center;
108 Williamson Mill Road, Parcel No. 13240B A006

Dear Applicant,

This letter is to serve as notification that the City of Jonesboro has received your request for a conditional use permit for the above referenced property concerning the following:

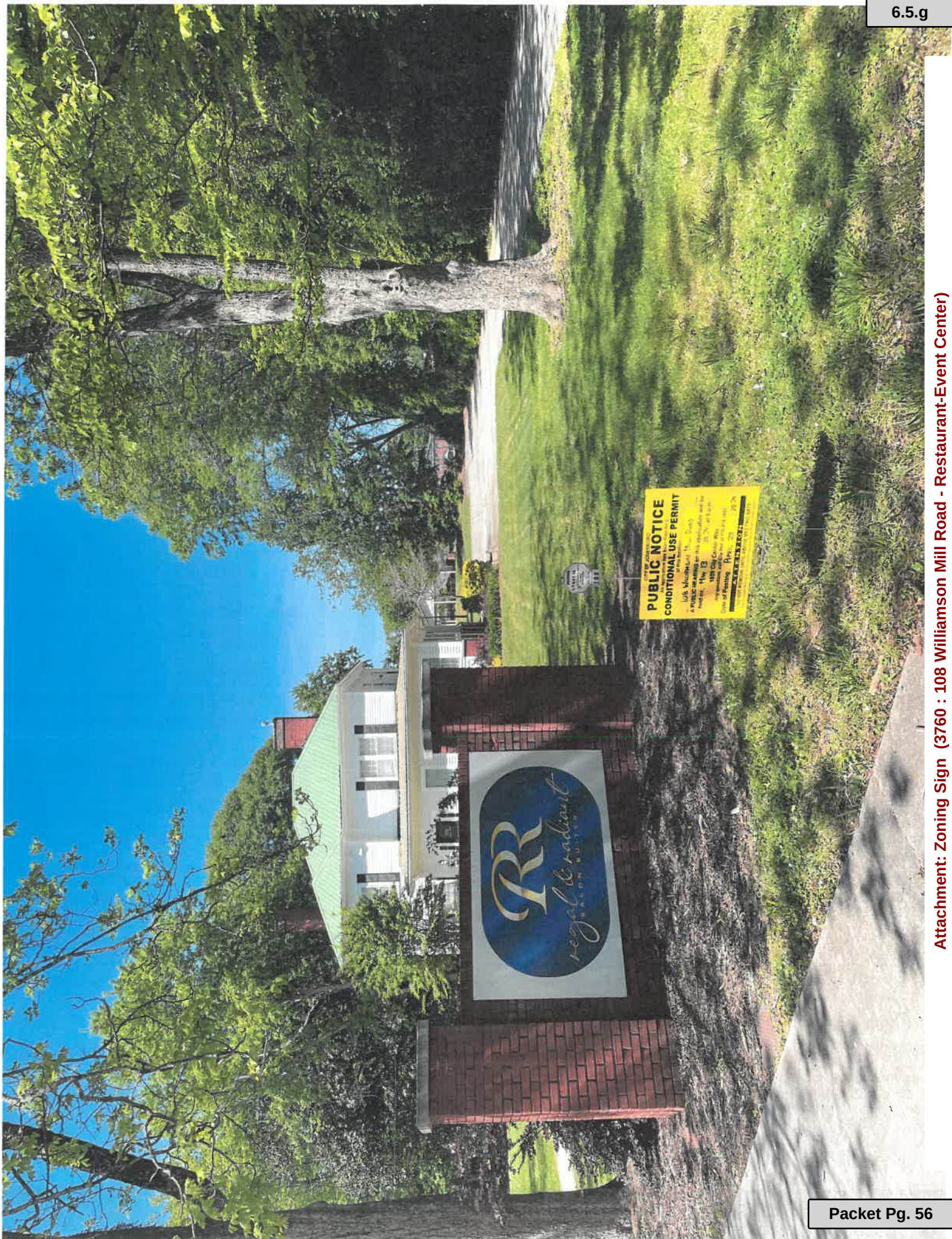
- Restaurant / Event Center

A Public Hearing has been scheduled for Monday, May 13, 2024 at 6:00 pm before the Jonesboro Mayor and City Council to consider the request as described above. A Work Session has been scheduled on the same item for Monday, May 6, 2024 at 6:00 pm. The meetings will both be conducted in the court chambers of the Jonesboro City Center, 1859 City Center Way, Jonesboro, Ga.

Should you have any questions regarding the decision, please do not hesitate to contact me at 770-478-3800 or at dallen@jonesboroga.com.

Sincerely,

David D. Allen
Community Development Director / Zoning Administrator



CITY OF JONESBORO

PUBLIC NOTICE

An application has been filed for a

CONDITIONAL USE PERMIT

at this location

108 WILLIAMSON MILL ROAD

A PUBLIC HEARING on this application will be
held on MAY 13 20 24, at 6 p.m.

1859 City Center Way

Any questions, call City Hall at 770-478-3800

Date of Posting - APRIL 23 - 20 24

ATTENTION

DO NOT REMOVE UNTIL ABOVE MEETING DATE

Anyone caught defacing or removing this sign shall be guilty of a misdemeanor



CITY OF JONESBORO, GEORGIA COUNCIL
Agenda Item Summary

Agenda Item #

6.6

- 6

COUNCIL MEETING DATE

May 6, 2024

Requesting Agency (Initiator)

Office of the City Manager

Sponsor(s)

Community Development Director Allen

Requested Action (Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)

Discussion regarding Conditional Use Permit Application 24-CU-007 for an Air BnB / short term rental by Mel & Ros Investment LLC, property owner, and Laurie Solano, applicant, for property at 135 North Avenue (Parcel No. 13240A D002), Jonesboro, Georgia 30236.

Requirement for Board Action (Cite specific Council policy, statute or code requirement)

City Code Section 86-98 – R-4 Zoning Purpose and Standards; Article XVII Addit. Conditional Uses; Chapter 18

Is this Item Goal Related? (If yes, describe how this action meets the specific Board Focus Area or Goal)

Yes Economic Development, Community Planning, Neighborhood and Business Revitalization

Summary & Background

(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)

Agency recommendation – **Denial of Conditional Use application**; Recently, the City was informed that the existing residence at 139 Smith Street was being used, without permission, as an Air BnB (short-term rental). Code enforcement informed the current owner of this. The applicant submitted a zoning verification form for an Air BnB / short term rental, at the residence there, **but also submitted another zoning form for an Air BnB at 135 North Avenue, which they also own**. There is already a functional residence and paved driveway there, which underwent some structural and cosmetic enhancements over the last couple of years. The only access is North Avenue. The property is zoned R-4 (Single-Family Residential).

Sec. 86-98. – R-4 Single-family residential district.

- (a) *Purpose. The R-4 single family residential district is established to provide for single family detached dwellings on individual lots having a minimum area of one-quarter acre. The district is intended to create and preserve a neighborhood setting in which smaller lots are desired. While the R-4 district is primarily free of non-residential uses as well as higher density residential uses, the district may adjoin such districts and may be located near the downtown. Public and institutional uses traditionally found in relatively low density neighborhoods are compatible with the R-4 district. Such development is also typically served by a network of local streets to minimize traffic impacts on the neighborhood.*

While 139 Smith Street was already listed on the Air BnB website, there was no clear listing for 135 North Avenue. However, on the zoning form for 135 North Avenue, the description started out as “Air BnB listing.” Just as is the case for 139 Smith Street, the applicant has fulfilled none of the registration requirements for Chapter 18 yet.

Air Bnbs / short term rentals require a conditional use permit in the City and must comply with Section 86-542 and Chapter 18, Article XIII.

Sec. 86-542. NAICS 721199 – All Other Travel Accommodation, including Short Term Rentals (Air BnBs)

The following conditions are assigned in the H-1, H-2, O&I, M-X, and C-1 districts:

(1) The standards of Chapter 18, Article XIII shall control development of short-term rentals.

FOLLOW-UP APPROVAL ACTION (City Clerk)

Typed Name and Title

Melissa Brooks, City Clerk

Date

May, 6, 2024

Signature

City Clerk's Office

Per the applicant:

Per the tax records, the house is a 3 bedroom / 1 bathroom, meaning 6 guests could stay at the house at one time.

The house is equipped with a full kitchen (Stove, Refrigerator, Microwave etc).

Parking will only be permitted in the driveway only...no street parking.

ARTICLE XIII. - SHORT-TERM RENTALS**Sec. 18-490. - Purpose.**

It is the purpose of this article to protect the public health, safety and general welfare of individuals and the city at-large; to monitor and provide reasonable means for citizens to mitigate impacts created by occupancy of short-term rental units; and to implement regulations to protect the integrity of the city's neighborhoods.

Sec. 18-491. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

City means the City of Jonesboro.

Short-term rental means an accommodation for transient guests where, in exchange for compensation, a residential dwelling unit is provided for lodging for no more than 30 days. Such use may or may not include an on-site manager. A residential dwelling includes all housing types with the exception that the use excludes group or congregate living or lodging uses. No meals are provided to guests.

Short-term rental occupants means guests, tourists, lessees, vacationers or any other person who, in exchange for compensation, occupy a dwelling unit for lodging for a period of time not to exceed 30 consecutive days.

Sec. 18-492. - Exceptions.

This article shall not apply to hotels, inns, motels, motor lodges, boardinghouses, rooming houses, bed and breakfast inns, or other establishments providing rooms to guests for compensation. None of these establishments shall be permitted in the city except as otherwise allowed by ordinances of the city. No short-term rental establishment shall be operated except as allowed in this article.

Sec. 18-493. - Non-profit entity exception.

This article shall not apply to short-term rental establishments being operated on a temporary basis for any registered non-profit entity, for no more than four consecutive days and for no more than eight days per calendar year.

Sec. 18-494. - License required and regulatory fee.

It shall be unlawful for any person to operate a short-term rental establishment without having first obtained an occupation tax certificate and a city business license. The annual regulatory fee for operation of a short-term rental establishment in the city shall be set forth in the schedule of fees and charges for the whole or any part of one year and shall be paid at City Hall not later than December 15 of the preceding year or upon the filing of an application for the license. No license issued under this article may be transferred or assigned or used by any person other than the one to whom it is issued, or at any location other than the one for which it is issued. Licensee shall publish a short-term rental license number in every print, digital, or internet advertisement and any property listing in which the short-term rental is advertised.

Sec. 18-495. - Guest register.

The owner shall keep a register of all guests of the short-term rental establishment. Such list shall be available for inspection by the city and/or its designee at all reasonable times and upon reasonable notice.

Sec. 18-496. - Financial records.

All license holders shall maintain separate records which show all activities of their short-term rental establishment. All such documents and related papers shall be available to the city's designated agent at all reasonable times.

Sec. 18-497. - Stipulations.

- (a) Advertisements promoting a property as a residential short-term rental shall constitute prima facie evidence of the operation of a residential short-term rental dwelling unit.
- (b) The property owner must designate an individual to serve as a rental agent to respond to issues associated with short-term rentals. The agent may be the property owner.
- (c) Within the historic districts and Historic Residential Overlay District, no more than ten percent of homes within each district shall be used as short-term rentals, on a first-come, first-serve basis. **There are currently not 10% or more of residences within these Districts that are registered as short-term rentals. This property is not in either district.**
- (d) Tenants must be at least 25 years of age to enter into a contractual arrangement with the owner/operator of a short-term rental dwelling.
- (e) Properties containing both a principal residential dwelling and accessory residential dwelling, shall only use one residential structure as a short-term rental, not both. **No other building.**

Sec. 18-498. - Procedure.

Applicants for a short-term rental license shall submit, on an annual basis, an application for a short-term rental license to the city. The application shall be furnished under oath on a form specified by the city manager or designee, accompanied by a non-refundable application fee as set by the mayor and city council. Such application must include:

- (a) A report from a certified home inspector verifying that the rental unit is in compliance with life safety and habitability codes, including an evaluation of the floor plan for the unit, verifying that all rooms meet applicable Code requirements. **As part of each business in the City's annual renewal process, a safety inspection by Safebuilt and the County Fire Marshal is usually required. (The Fire Marshal confirmed that they currently do not inspect these homes.)**
- (b) The name, address, telephone and email address of the owner(s) of record of the dwelling unit for which a license is sought, and the address of the short-term rental dwelling unit. If such owner is not a natural person, the application shall identify all partners, officers and/or directors of any such entity, including personal contact information.
- (c) Name and phone number of the rental agent who is available 24 hours a day, seven days a week, to respond to complaints regarding the operation or occupancy of the short-term rental unit/property.
- (d) A notarized statement signed by the owner or operator that the short-term rental will be in compliance with these regulations.
- (e) Proof of ownership.
- (f) Proof of insurance.
- (g) Evidence that short-term rental properties are enrolled with City of Jonesboro's sanitation service.
- (h) Copy of a sample short-term rental agreement used by the owner/operator, which shall include at least the following provisions: (1) The occupant(s)' agreement to abide by all of the requirements of this article, any other applicable city ordinances, state and federal law and acknowledgement that his or her rights under the agreement may not be transferred or assigned to anyone else; (2) The occupant(s)' acknowledgement that it shall be unlawful to allow or make any noise or sound that exceeds the limits set forth in the city's noise ordinance; and (3) The occupant(s)' acknowledgement and agreement that violation of the agreement or this article may result in immediate termination of the agreement and eviction from the short-term rental unit by the owner or agent, as well as the potential liability for payments of fines levied by the city. **(4) All trash will be promptly and properly disposed of within 12 hours of the departure of a guest. (5) No on-street parking for guests will be allowed. (6) 24-hour contact name and phone number. (7) A statement from the tenant stating that he/she will use their best efforts to assure that the use of the premises by short-term rental occupants will not disrupt the neighborhood, and they will not interfere with the rights of neighboring property owners to the quiet enjoyment of their properties.**
- (i) Affidavit of adjacent property owner notification. The applicant of a short-term rental shall provide, in writing, notice to adjacent property owners within 250 feet of a local telephone number, name and address of a rental agent/property manager who will accept and handle complaints immediately relating to tenant activities.
- (j) The owner's sworn acknowledgement that he or she has received a copy of this article, has reviewed it and understands its requirements.
- (k) **The number and location of parking spaces allotted to the premises. The driveway and the rear area, provide roughly 4 parking spaces, which is adequate for two couples staying simultaneously in the house. Not adequate for 6 people.**
- (l) Any other information that this article requires the owner to provide to the city as part of an application for a short-term rental license. The city manager or designee shall have the authority to obtain additional information from the applicant as necessary to achieve the objectives of this article.
- (m) A written certification from the short-term rental agent that he or she agrees to perform the duties specified in this article.

Sec. 18-499. - Rental unit conditions.

- (a) Each short-term rental must provide sufficient off-street parking for residents and/or guests.
- (b) Maximum occupancy is limited to four persons per dwelling unit with up to two bedrooms. For dwelling units with three or more bedrooms, the number shall not exceed two persons per bedroom. At least one person over the age of 25 must be a guest of a short-term rental unit at all times during its occupancy. **The house has 3 bedrooms, which could allow for 6 people at one time.**
- (c) A legible copy of the short-term rental unit license shall be posted within the unit and include all of the following information:
- (d) The name, address, telephone number and email address of the short-term rental agent;(2)The occupation tax certificate number;(3)The maximum occupancy of the unit;(4)The maximum number of vehicles that may be parked at the unit; and(d)Short-term rental units must be properly maintained and regularly inspected by the owner to ensure continued compliance with applicable zoning, building, health and life safety code provisions.

Sec. 18-500. - Complaints.

All complaints shall proceed as follows:

- (1) The complaining party shall first attempt to communicate with the designated contact person/rental agent on the affidavit of adjacent property owner's notification.
- (2) The designated contact person/rental agent shall respond promptly to the complaint, regardless of the time of day and make reasonable efforts to remedy any situation that is out of compliance with the conditions of the short-term rental uses.
- (3) If the response is not satisfactory to the complaining party and/or the source of the complaint continues unabated, the complaining party must provide a written complaint to the city's designee responsible for approving short-term rentals. The complaint shall include a description of the informal and formal attempts that have been made to resolve the complaint. A copy of the written complaint will be provided to the rental agent and contact person by the city.
- (4) The city shall attempt to resolve the complaint. The rental agent shall provide a written response to the city with the anticipated corrective action within ten days from the date of notification by the city.
- (5) **Three violations of this article within a 12-month period are grounds for review by the city to determine if the short-term rental license should be revoked.**
- (6) A license for a short-term rental may also be revoked if the property is engaged in any prohibited activities listed herein.

Sec. 18-501. - Prohibitions.

- (a) **No on-street parking is permitted. There should already be adequate parking on the property for four people maximum.**
- (b) **The short-term rental property may not be utilized as an event center. Existence of advertisement or promotional materials regarding same shall be prima facie evidence of the short-term rental property owner's violation of this provision. So noted.**
- (c) **No exterior or interior alterations shall be made for the express purpose of adding guest rooms to the short-term rental facility. All significant exterior or interior alterations shall require a permit from the city. Will need to be rectified and inspected prior to the commencement of the residence as an Air BnB.**

Sec. 18-502. - Discrimination prohibited.

No owner/operator of a short-term rental establishment shall discriminate regarding his or her guests on the basis of race, color, sex, religion, creed or natural origin.

Sec. 18-503. - Short-term rental agent.

- (a) The property owner may serve as the short-term rental agent. Alternatively, the owner may designate a natural person as his or her agent who is over age 18.
- (b) The duties of the short-term rental agent are to:(1)Be reasonably available to handle any problems arising from use of the short-term rental unit;(2)Appear on the premises of any short-term rental unit within two hours following notification from the city of issues related to the use or occupancy of the premises. This includes, but is not limited to, notification that occupants of the short-term rental unit have created unreasonable noise or disturbances, engaged in disorderly conduct or committed violations of this Code or other applicable law pertaining to noise, disorderly conduct, overcrowding, consumption of alcohol or use of illegal drugs. Failure of the agent to timely appear to two or more complaints regarding violations may be grounds for penalties as set forth in this article. This is not intended to impose a duty to act as a peace officer or otherwise require the agent to place himself or herself in a perilous situation;(3)Receive and accept service of any notice of violation related to the use or occupancy of the premises; and(4)Monitor the short-term rental unit for compliance with this article.
- (c) An owner may change his or her designation of a short-term rental agent temporarily or permanently; however

there shall only be one such agent for a property at any given time. To change the designated agent, the owner shall notify the city in writing of the new agent's identity, together with all information regarding such person as required by the applicable provisions of this article.

Sec. 18-504. - Grant or denial of application.

All complete applications shall be reviewed within 30 days of filing and shall be granted unless the applicant fails to meet the conditions and requirements of this article, or otherwise fails to demonstrate the ability to comply with local, state or federal law. Any false statements or information provided in the application are grounds for revocation, suspension and/or imposition of penalties, including denial of future applications.

Sec. 18-505. - Short-term rental regulation procedure.

- (a) To ensure the continued application of the intent and purpose of this article, the city manager or designee shall notify the owner of a short-term rental unit of all instances in which nuisance behavior of the rental guest or the conduct of his or her short-term rental unit agent results in a citation for a code violation or other legal infraction.
- (b) The city manager or designee shall maintain in each short-term rental location file a record of all code violation charges, founded accusations and convictions occurring at or relating to a short-term rental unit. When a property owner has accumulated three code violations for a particular property within a period of 12 consecutive months, the city may revoke any pending licenses and, subsequently, reject all applications for the subject premises for a period of 12 consecutive months.
- (c) If a short-term rental unit owner has been cited and found to be in violation of any zoning, building, health or life safety code provision, the owner must demonstrate compliance with the applicable code prior to being eligible to receive a short-term rental license.
- (d) Violations of this article are subject to the following fines, which may not be waived or reduced and which may be combined with any other legal remedy available to the city: (1) First violation: \$500.00. (2) Second violation within the preceding 12 months: \$750.00. (3) Third or subsequent violation within the preceding 12 months: \$1,000.00.
- (e) A person aggrieved by the city's decision to revoke, suspend or deny a short-term rental license may appeal the decision to the city manager or designated hearing officer. The appeal must be filed with the city manager's office in writing, within 30 calendar days after the adverse action and it shall contain a concise statement of the reasons for the appeal. Timely filing of an appeal shall stay the revocation, suspension or denial pending a decision by the city manager.
- (f) The city manager or appointed hearing officer shall consider the appeal within 30 days after receipt by the city manager of a request unless otherwise agreed in writing by the city and aggrieved party. All interested parties shall have the right to be represented by counsel, to present testimony and evidence, and to cross-examine witnesses. The city manager or designated hearing officer shall render a determination in writing within five days of the hearing, which will constitute a final ruling on the application. A party aggrieved by the city manager or designated hearing officer's decision may appeal same by petition for writ of certiorari with the Clayton County Superior Court in accordance with state law.
- (g) Nothing in this section shall limit the city from enforcement of its Code, state or federal law by any other legal remedy available to the city. Nothing in this section shall be construed to limit or supplant the power of any city inspector or other duly empowered officer under the city's ordinances, rules and regulations and the authority granted under state law, as amended, to take necessary action, consistent with the law, to protect the public from property which constitutes a public nuisance or to abate a nuisance by any other lawful means of proceedings.

Sec. 18-506. - Taxes.

Short-term rental unit owners are subject to state sales tax and all applicable city taxes, including, but not limited to, the hotel/motel tax, and are liable for payment thereof as established by state law and this Code. The city may seek to enforce payment of all applicable taxes to the extent provided by law, including injunctive relief.

None of the basic requirements (license, inspections, guest register, etc.) have been met yet. Mayor and Council have to consider the possibility of the same illegal process here that code enforcement encountered at 139 Smith Street. The location is not an ideal spot for an Air BnB considering due to the houses on North Avenue being so close together. This is a more quite residential area than the Smith Street house.

If denied, it could still be used as a long-term rental, unregulated.

Should the Mayor and Council approve the request, the following conditions should apply:

1. All requirements of Chapter 18 shall be documented to have been met prior to issuance of a City business license and a CO.
2. Rentals records shall be promptly submitted to the City monthly.
3. The subject property shall be restricted to two people per bedroom (maximum of four people). No other areas outside of the existing bedrooms shall be considered sleeping areas.
4. No other bedrooms shall be used without prior approval of the City.
5. Any future exterior renovations to the residence shall be subject to approval by the Design Review Commission.

Fiscal Impact

(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)

Private Owner

Exhibits Attached *(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)*

- Zoning Info
- Property Pictures
- Site Plan
- Conditional Use - 135 North Avenue - Air BnB - Legal Notice
- Meeting Notice Letter
- Zoning Sign

Staff Recommendation *(Type Name, Title, Agency and Phone)*

Denial



CITY OF JONESBORO
 1859 City Center Way
 Jonesboro, Georgia 30236
 City Hall: (770) 478-3800
 Fax: (470) 726-1646
 www.jonesboroga.com

ZONING VERIFICATION REQUEST

Important Notice:

BEFORE leasing, purchasing, or otherwise committing to a property you are **STRONGLY ADVISED** to confirm that the zoning and physical layout of the building and site are appropriate for the business use intended and will comply with the City's Zoning Ordinance. This includes having a clear understanding of any code restrictions, limitations or architectural guidelines that may impact your operation and any building and site modifications that may be necessary to open your business. This document does not authorize a business to conduct business without an Occupational Tax Certificate. This could result in closure and/or ticketing.

Applicant's Information

Name of Applicant: Laurie Solano
 Name of Business: N/A
 Property's Address: 135 North Ave, Jonesboro, GA 30236
 Email Address: solano-al@icloud.com / sdano-albert@yahoo.com
 Phone: (Day): (678) 689-9673 (Evening): Same

Property Information

Current Use of Property: Long Term Rental
 Proposed Use of Property (Please provide in great detail the intended use of the property):
Air Bnb Listing - offering 2-night stay minimums for business or
leisure stay with agreement to firm house rules including no parties
at any time, adherence to quiet hours, etc.
 Applicant's Signature: _____ Date: 03/28/24

FOR OFFICE USE ONLY:

Current Zoning: R-4

NAICS Code: 721199

Required Zoning: _____

Conditional Use Needed? ☒ Yes or ☐ No

☐ APPROVED

DENIED ☐

Comments:

CONDITIONAL USE PERMIT REQUIRED AND MUST COMPLY
WITH CHAPTER 18, ARTICLE XIII SHORT

Zoning Official Signature

Date

3/28/24

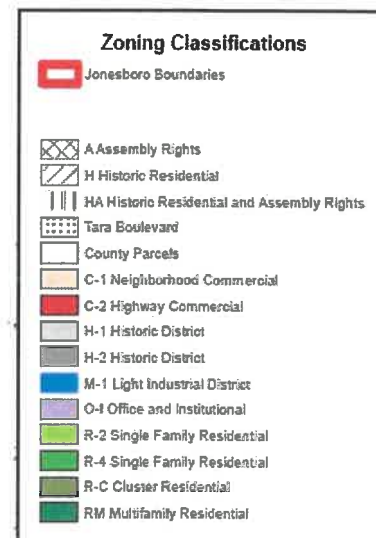
TECH REMIT

Attachment: Zoning Info (3759 : 135 North Avenue - Air BnB)

Applicant – Laurie Solano
Name of Business – n/a
Address – 135 North Avenue
Zoning District – R-4
NAICS Code: 721199
Proposed Use: Air BnB

NAICS Code	USES	R-2	R-4	R-C	CCM	RM	H-1	H-2	O&I	MX	C-1	C-2	M-1	Code Section
721199	All Other Travel Accommodation, including Short Term Rentals (Air BnBs)	C	C	N	N	N	C	C	C	C	C	N	N	Chapter 18; Sec. 86-542; Sec. 86-118

Use is permitted "by right" in the district indicated = P; Use is permitted as a conditional use (section indicated) = C; Use is not permitted = N



Sec. 86-542. NAICS 721199 – All Other Travel Accommodation, including Short Term Rentals (Air BnBs)

The following conditions are assigned in the H-1, H-2, O&I, M-X, and C-1 districts:

(1) The standards of Chapter 18, Article XIII shall control development of short-term rentals.

Sec. 18-494. - License required and regulatory fee.

It shall be unlawful for any person to operate a short-term rental establishment without having first obtained an occupation tax certificate and a city business license. The annual regulatory fee for operation of a short-term rental establishment in the city shall be set forth in the schedule of fees and charges for the whole or any part of one year and shall be paid at City Hall not later than December 15 of the preceding year or upon the filing of an application for the license. No license issued under this article may be transferred or assigned or used by any person other than the one to whom it is issued, or at any location other than the one for which it is issued. Licensee shall publish a short-term rental license number in every print, digital, or internet advertisement and any property listing in which the short-term rental is advertised.

Sec. 18-495. - Guest register.

The owner shall keep a register of all guests of the short-term rental establishment. Such list shall be available for inspection by the city and/or its designee at all reasonable times and upon reasonable notice.

Sec. 18-496. - Financial records.

All license holders shall maintain separate records which show all activities of their short-term rental establishment. All such documents and related papers shall be available to the city's designated agent at all reasonable times.

Sec. 18-497. - Stipulations.

(a)Advertisements promoting a property as a residential short-term rental shall constitute prima facie evidence of the operation of a residential short-term rental dwelling unit.(b)The property owner must designate an individual to serve as a rental agent to respond to issues associated with short-term rentals. The agent may be the property owner.(c)Within the historic districts and Historic Residential Overlay District, no more than ten percent of homes within each district shall be used as short-term rentals, on a first-come, first-serve basis.(d)Tenants must be at least 25 years of age to enter into a contractual arrangement with the owner/operator of a short-term rental dwelling.(e)Properties containing both a principal residential dwelling and accessory residential dwelling, shall only use one residential structure as a short-term rental, not both.

Sec. 18-498. - Procedure.

Applicants for a short-term rental license shall submit, on an annual basis, an application for a short-term rental license to the city. The application shall be furnished under oath on a form specified by the city manager or designee, accompanied by a non-refundable application fee as set by the mayor and city council. Such application must include:

(a)A report from a certified home inspector verifying that the rental unit is in compliance with life safety and habitability codes, including an evaluation of the floor plan for the unit, verifying that all rooms meet applicable Code requirements.
 (b)The name, address, telephone and email address of the owner(s) of record of the dwelling unit for which a license is sought, and the address of the short-term rental dwelling unit. If such owner is not a natural person, the application shall identify all partners, officers and/or directors of any such entity, including personal contact information.(c)Name and phone number of the rental agent who is available 24 hours a day, seven days a week, to respond to complaints regarding the operation or occupancy of the short-term rental unit/property.(d)A notarized statement signed by the owner or operator that the short-term rental will be in compliance with these regulations.(e)Proof of ownership.(f)Proof of insurance.(g)Evidence that short-term rental properties are enrolled with City of Jonesboro's sanitation service.(h)Copy of a sample short-term rental agreement used by the owner/operator, which shall include at least the following provisions:(1)The occupant(s)' agreement to abide by all of the requirements of this article, any other applicable city ordinances, state and federal law and acknowledgement that his or her rights under the agreement may not be transferred or assigned to anyone else;(2)The occupant(s)' acknowledgement that it shall be unlawful to allow or make any noise or sound that exceeds the limits set forth in the city's noise ordinance; and(3)The occupant(s)' acknowledgement and agreement that violation of the agreement or this article may result in immediate termination of the agreement and eviction from the short-term rental unit by the owner or agent, as well as the potential liability for payments of fines levied by the city.(4)All trash will be promptly and properly disposed of within 12 hours of the departure of a guest.(5)No on-street parking for guests will be allowed.(6)24-hour contact name and phone number.(7)A statement from the tenant stating that he/she will use their best efforts to assure that the use of the premises by short-term rental occupants will not disrupt the neighborhood, and they will not interfere with the rights of neighboring property owners to the quiet enjoyment of their properties.(i)Affidavit of adjacent property owner notification. The applicant of a short-term rental shall provide, in writing, notice to adjacent property owners within 250 feet of a local telephone number, name and address of a rental agent/property manager who will accept and handle complaints immediately relating to tenant activities.(j)The owner's sworn acknowledgement that he or she has received a copy of this article, has reviewed it and understands its requirements.(k)The number and location of parking spaces allotted to the premises.(l)Any other information that this article requires the owner to provide to the city as part of an application for a short-term rental license. The city manager or designee shall have the authority to obtain additional information from the applicant as necessary to achieve the objectives of this article. (m)A written certification from the short-term rental agent that he or she agrees to perform the duties specified in this article.

Sec. 18-499. - Rental unit conditions.

(a)Each short-term rental must provide sufficient off-street parking for residents and/or guests.(b)Maximum occupancy is limited to four persons per dwelling unit with up to two bedrooms. For dwelling units with three or more bedrooms, the number shall not exceed two persons per bedroom. At least one person over the age of 25 must be a guest of a short-term rental unit at all times during its occupancy.(c)A legible copy of the short-term rental unit license shall be posted within the unit and include all of the following information:(1)The name, address, telephone number and email address of the short-term rental agent;(2)The occupation tax certificate number;(3)The maximum occupancy of the unit;(4)The maximum number of vehicles that may be parked at the unit; and(d)Short-term rental units must be properly maintained and regularly inspected by the owner to ensure continued compliance with applicable zoning, building, health and life safety code provision

Sec. 18-500. - Complaints.

All complaints shall proceed as follows:

(1)The complaining party shall first attempt to communicate with the designated contact person/rental agent on the affidavit of adjacent property owner's notification.(2)The designated contact person/rental agent shall respond promptly to the complaint, regardless of the time of day and make reasonable efforts to remedy any situation that is out of compliance with the conditions of the short-term rental uses.(3)If the response is not satisfactory to the complaining party and/or the source of the complaint continues unabated, the complaining party must provide a written complaint to the city's designee responsible for approving short-term rentals. The complaint shall include a description of the informal and formal attempts that have been made to resolve the complaint. A copy of the written complaint will be provided to the rental agent and contact person by the city. (4)The city shall attempt to resolve the complaint. The rental agent shall provide a written response to the city with the anticipated corrective action within ten days from the date of notification by the city. (5)Three violations of this article within a 12-month period are grounds for review by the city to determine if the short-term rental license should be revoked.(6)A license for a short-term rental may also be revoked if the property is engaged in any prohibited activities listed herein

Sec. 18-501. - Prohibitions.

(a)No on-street parking is permitted. (b)The short-term rental property may not be utilized as an event center. Existence of advertisement or promotional materials regarding same shall be prima facie evidence of the short-term rental property owner's violation of this provision. (c)No exterior or interior alterations shall be made for the express purpose of adding guest rooms to the short-term rental facility. All significant exterior or interior alterations shall require a permit from the city.

Sec. 18-502. - Discrimination prohibited.

No owner/operator of a short-term rental establishment shall discriminate regarding his or her guests on the basis of race, color, sex, religion, creed or natural origin.

Sec. 18-503. - Short-term rental agent.

(a)The property owner may serve as the short-term rental agent. Alternatively, the owner may designate a natural person as his or her agent who is over age 18. (b)The duties of the short-term rental agent are to:(1)Be reasonably available to handle any problems arising from use of the short-term rental unit;(2)Appear on the premises of any short-term rental unit within two hours following notification from the city of issues related to the use or occupancy of the premises. This includes, but is not limited to, notification that occupants of the short-term rental unit have created unreasonable noise or disturbances, engaged in disorderly conduct or committed violations of this Code or other applicable law pertaining to noise, disorderly conduct, overcrowding, consumption of alcohol or use of illegal drugs. Failure of the agent to timely appear to two or more complaints regarding violations may be grounds for penalties as set forth in this article. This is not intended to impose a duty to act as a peace officer or otherwise require the agent to place himself or herself in a perilous situation;(3)Receive and accept service of any notice of violation related to the use or occupancy of the premises; and(4)Monitor the short-term rental unit for compliance with this article.(c)An owner may change his or her designation of a short-term rental agent temporarily or permanently; however there shall only be one such agent for a property at any given time. To change the designated agent, the owner shall notify the city in writing of the new agent's identity, together with all information regarding such person as required by the applicable provisions of this article.

Sec. 18-504. - Grant or denial of application.

All complete applications shall be reviewed within 30 days of filing and shall be granted unless the applicant fails to meet the conditions and requirements of this article, or otherwise fails to demonstrate the ability to comply with local, state or federal law. Any false statements or information provided in the application are grounds for revocation, suspension and/or imposition of penalties, including denial of future applications.

Sec. 18-505. - Short-term rental regulation procedure.

(a)To ensure the continued application of the intent and purpose of this article, the city manager or designee shall notify the owner of a short-term rental unit of all instances in which nuisance behavior of the rental guest or the conduct of his or her short-term rental unit agent results in a citation for a code violation or other legal infraction.(b)The city manager or designee shall maintain in each short-term rental location file a record of all code violation charges, founded accusations and convictions occurring at or relating to a short-term rental unit. When a property owner has accumulated three code violations for a particular property within a period of 12 consecutive months, the city may revoke any pending licenses and, subsequently, reject all applications for the subject premises for a period of 12 consecutive months.(c)If a short-term rental unit owner has been cited and found to be in violation of any zoning, building, health or life safety code provision, the owner must demonstrate compliance with the applicable code prior to being eligible to receive a short-term rental license.(d)Violations of this article are subject to the following fines, which may not be waived or reduced and which may be combined with any other legal remedy available to the city:(1)First violation: \$500.00.(2)Second violation within the preceding 12 months: \$750.00.(3)Third or subsequent violation within the preceding 12 months: \$1,000.00.(e)A person aggrieved by the city's decision to revoke, suspend or deny a short-term rental license may appeal the decision to the city manager or designated hearing officer. The appeal must be filed with the city manager's office in writing, within 30 calendar days after the adverse action and it shall contain a concise statement of the reasons for the appeal. Timely filing of an appeal

shall stay the revocation, suspension or denial pending a decision by the city manager. (f)The city manager or appointed hearing officer shall consider the appeal within 30 days after receipt by the city manager of a request unless otherwise agreed in writing by the city and aggrieved party. All interested parties shall have the right to be represented by counsel, to present testimony and evidence, and to cross-examine witnesses. The city manager or designated hearing officer shall render a determination in writing within five days of the hearing, which will constitute a final ruling on the application. A party aggrieved by the city manager or designated hearing officer's decision may appeal same by petition for writ of certiorari with the Clayton County Superior Court in accordance with state law. (g)Nothing in this section shall limit the city from enforcement of its Code, state or federal law by any other legal remedy available to the city. Nothing in this section shall be construed to limit or supplant the power of any city inspector or other duly empowered officer under the city's ordinances, rules and regulations and the authority granted under state law, as amended, to take necessary action, consistent with the law, to protect the public from property which constitutes a public nuisance or to abate a nuisance by any other lawful means of proceedings.

Sec. 18-506. - Taxes.

Short-term rental unit owners are subject to state sales tax and all applicable city taxes, including, but not limited to, the hotel/motel tax, and are liable for payment thereof as established by state law and this Code. The city may seek to enforce payment of all applicable taxes to the extent provided by law, including injunctive relief.

David D. Allen, Zoning Administrator / Community Development Director
March 28, 2024

Clayton County GIS Map



4/23/2024, 9:32:33 AM



Attachment: Property Pictures (3759 : 135 North Avenue - Air BnB)

Google Maps 135 GA-54



Jonesboro, Georgia
Google Street View
Mar 2022 See more dates

Image capture: Mar 2022 © 2024 Google



Attachment: Property Pictures (3759 : 135 North Avenue - Air BnB)

Google Maps 130 GA-54

Jonesboro, Georgia

Google Street View

Mar 2022 See more dates



Image capture: Mar 2022 © 2024 Google



[illegible]

Google Maps 137 GA-54

Jonesboro, Georgia

Google Street View

Mar 2022 See more dates



Image capture: Mar 2022 © 2024 Google



Legal Notice

Public Hearing will be held by the Mayor and Council of the City of Jonesboro at 6:00 P.M. on May 13, 2024, in the court chambers of the Jonesboro City Center, 1859 City Center Way, Jonesboro, GA, to consider a Conditional Use Permit Application for an Air BnB / short term rental by Mel & Ros Investment LLC, property owner, and Laurie Solano, applicant, for property at 135 North Avenue (Parcel No. 13240A D002), Jonesboro, Georgia 30236. Item will first be discussed at the Work Session on May 6, 2024 at 6:00 P.M., also in the court chambers of the Jonesboro City Center, 1859 City Center Way, Jonesboro, GA 30236.

David Allen
Community Development Director

Publish 4/24/24



MEMORANDUM

To: Cristian Solano-Badilla
7675 Tara Blvd.
Jonesboro, Ga. 30236

From: David D. Allen
City of Jonesboro
1859 City Center Way
Jonesboro, GA 30236

Date: April 22, 2024

Re: Notification of Request for Conditional Use Permit –Air BnB (Short Term Rental); 135 North Avenue, Parcel No. 13240A D002

Dear Applicant,

This letter is to serve as notification that the City of Jonesboro has received your request for a conditional use permit for the above referenced property concerning the following:

- Air BnB (Short Term Rental)

A Public Hearing has been scheduled for Monday, May 13, 2024 at 6:00 pm before the Jonesboro Mayor and City Council to consider the request as described above. A Work Session has been scheduled on the same item for Monday, May 6, 2024 at 6:00 pm. The meetings will both be conducted in the court chambers of the Jonesboro City Center, 1859 City Center Way, Jonesboro, Ga.

Should you have any questions regarding the decision, please do not hesitate to contact me at 770-478-3800 or at dallen@jonesboroga.com.

Sincerely,

David D. Allen
Community Development Director / Zoning Administrator



Attachment: Zoning Sign (3759 : 135 North Avenue - Air BnB)

CITY OF JONESBORO

PUBLIC NOTICE

An application has been filed for a

CONDITIONAL USE PERMIT

at this location

135 North Avenue

A PUBLIC HEARING on this application will be
held on MAY 13 2024, at 6 p.m.

1859 City Center Way

Any questions, call City Hall at 770-478-3800

Date of Posting APRIL 23 2024

ATTENTION

DO NOT REMOVE UNTIL ABOVE MEETING DATE

Anyone caught defacing or removing this sign shall be guilty of a misdemeanor



CITY OF JONESBORO, GEORGIA COUNCIL
Agenda Item Summary

Agenda Item #

6.7

- 7

COUNCIL MEETING DATE

May 6, 2024

Requesting Agency (Initiator)

Office of the City Manager

Sponsor(s)

Community Development Director Allen

Requested Action (Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)

Discussion regarding Conditional Use Permit Application, 24-CU-006, for an Air BnB / short term rental by Cristian Solano-Badilla / Katamy Revolution LLC, property owner, and Laurie Solano, applicant, for property at 139 Smith Street (Parcel No. 13241A B004), Jonesboro, Georgia 30236.

Requirement for Board Action (Cite specific Council policy, statute or code requirement)

City Code Section 86-98 – R-4 Zoning Purpose and Standards; Article XVII Addit. Conditional Uses; Chapter 18

Is this Item Goal Related? (If yes, describe how this action meets the specific Board Focus Area or Goal)

Yes Economic Development, Community Planning, Neighborhood and Business Revitalization

Summary & Background

(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)

Agency recommendation – **Denial of Conditional Use application**; Recently, the City was informed that the existing residence at 139 Smith Street was being used, without permission, as an Air BnB (short-term rental). Code enforcement informed the current owner of this. There was someone renting it for another week at that point, and then the owner was directed to have no one else renting it until the required Council meetings. The applicant submitted a zoning verification form for an Air BnB / short term rental, at the residence there. There was already a functional residence and paved driveway there, which underwent some cosmetic enhancements (stone veneer on exterior, flooring and painting on interior) last year. The only access is Smith Street (directly across from the City Center and Lee Street Park). The property is zoned R-4 (Single-Family Residential).

Sec. 86-98. – R-4 Single-family residential district.

- (a) *Purpose. The R-4 single family residential district is established to provide for single family detached dwellings on individual lots having a minimum area of one-quarter acre. The district is intended to create and preserve a neighborhood setting in which smaller lots are desired. While the R-4 district is primarily free of non-residential uses as well as higher density residential uses, the district may adjoin such districts and may be located near the downtown. Public and institutional uses traditionally found in relatively low density neighborhoods are compatible with the R-4 district. Such development is also typically served by a network of local streets to minimize traffic impacts on the neighborhood.*

As long as the use complied with the occupancy restrictions of Chapter 18, it should not be too busy for the immediate area. Smith Street is already a busy street. However, the applicant has fulfilled none of the registration requirements for Chapter 18 yet.

Air Bnbs / short term rentals require a conditional use permit in the City and must comply with Section 86-542 and Chapter 18, Article XIII.

Sec. 86-542. NAICS 721199 – All Other Travel Accommodation, including Short Term Rentals (Air BnBs)

The following conditions are assigned in the H-1, H-2, O&I, M-X, and C-1 districts:

(1) The standards of Chapter 18, Article XIII shall control development of short-term rentals.

FOLLOW-UP APPROVAL ACTION (City Clerk)

Typed Name and Title

Melissa Brooks, City Clerk

Date

May, 6, 2024

Signature

City Clerk's Office

Per the applicant:

The house is a 3 bedroom / 2 bathroom, with 6 guests maximum staying at the house at one time.

The house is equipped with a full kitchen (Stove, Refrigerator, Microwave etc).

Parking will only be permitted in the driveway only...no street parking.

ARTICLE XIII. - SHORT-TERM RENTALS**Sec. 18-490. - Purpose.**

It is the purpose of this article to protect the public health, safety and general welfare of individuals and the city at-large; to monitor and provide reasonable means for citizens to mitigate impacts created by occupancy of short-term rental units; and to implement regulations to protect the integrity of the city's neighborhoods.

Sec. 18-491. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

City means the City of Jonesboro.

*Short-term rental means an accommodation for transient guests where, in exchange for compensation, a residential dwelling unit is provided for lodging for **no more than 30 days**. Such use may or may not include an on-site manager. A residential dwelling includes all housing types with the exception that the use excludes group or congregated living or lodging uses. **No meals are provided to guests.***

Short-term rental occupants means guests, tourists, lessees, vacationers or any other person who, in exchange for compensation, occupy a dwelling unit for lodging for a period of time not to exceed 30 consecutive days.

Sec. 18-492. - Exceptions.

*This article shall not apply to hotels, inns, motels, motor lodges, boardinghouses, rooming houses, bed and breakfast inns, or other establishments providing rooms to guests for compensation. None of these establishments shall be permitted in the city except as otherwise allowed by ordinances of the city. **No short-term rental establishment shall be operated except as allowed in this article.***

Sec. 18-493. - Non-profit entity exception.

This article shall not apply to short-term rental establishments being operated on a temporary basis for any registered non-profit entity, for no more than four consecutive days and for no more than eight days per calendar year.

Sec. 18-494. - License required and regulatory fee.

*It shall be unlawful for any person to operate a short-term rental establishment without having first obtained an **occupation tax certificate and a city business license**. The annual regulatory fee for operation of a short-term rental establishment in the city shall be set forth in the schedule of fees and charges for the whole or any part of one year and shall be paid at City Hall not later than December 15 of the preceding year or upon the filing of an application for the license. No license issued under this article may be transferred or assigned or used by any person other than the one to whom it is issued, or at any location other than the one for which it is issued. Licensee shall publish a short-term rental license number in every print, digital, or internet advertisement and any property listing in which the short-term rental is advertised.*

Sec. 18-495. - Guest register.

The owner shall keep a register of all guests of the short-term rental establishment. Such list shall be available for inspection by the city and/or its designee at all reasonable times and upon reasonable notice.

Sec. 18-496. - Financial records.

All license holders shall maintain separate records which show all activities of their short-term rental establishment. All such documents and related papers shall be available to the city's designated agent at all reasonable times.

Sec. 18-497. - Stipulations.

- (a) Advertisements promoting a property as a residential short-term rental shall constitute prima facie evidence of the operation of a residential short-term rental dwelling unit.
- (b) The property owner must designate an individual to serve as a rental agent to respond to issues associated with short-term rentals. The agent may be the property owner.
- (c) Within the historic districts and Historic Residential Overlay District, no more than ten percent of homes within each district shall be used as short-term rentals, on a first-come, first-serve basis. **There are currently not 10% or more of residences within these Districts that are registered as short-term rentals. This property is not in either district.**
- (d) Tenants must be at least 25 years of age to enter into a contractual arrangement with the owner/operator of a short-term rental dwelling.
- (e) Properties containing both a principal residential dwelling and accessory residential dwelling, shall only use one residential structure as a short-term rental, not both. **No other building.**

Sec. 18-498. - Procedure.

Applicants for a short-term rental license shall submit, on an annual basis, an application for a short-term rental license to the city. The application shall be furnished under oath on a form specified by the city manager or designee, accompanied by a non-refundable application fee as set by the mayor and city council. Such application must include:

- (a) A report from a certified home inspector verifying that the rental unit is in compliance with life safety and habitability codes, including an evaluation of the floor plan for the unit, verifying that all rooms meet applicable Code requirements. **As part of each business in the City's annual renewal process, a safety inspection by Safebuilt and the County Fire Marshal is usually required. (The Fire Marshal confirmed that they currently do not inspect these homes.)**
- (b) The name, address, telephone and email address of the owner(s) of record of the dwelling unit for which a license is sought, and the address of the short-term rental dwelling unit. If such owner is not a natural person, the application shall identify all partners, officers and/or directors of any such entity, including personal contact information.
- (c) Name and phone number of the rental agent who is available 24 hours a day, seven days a week, to respond to complaints regarding the operation or occupancy of the short-term rental unit/property.
- (d) A notarized statement signed by the owner or operator that the short-term rental will be in compliance with these regulations.
- (e) Proof of ownership.
- (f) Proof of insurance.
- (g) Evidence that short-term rental properties are enrolled with City of Jonesboro's sanitation service.
- (h) Copy of a sample short-term rental agreement used by the owner/operator, which shall include at least the following provisions: (1) The occupant(s)' agreement to abide by all of the requirements of this article, any other applicable city ordinances, state and federal law and acknowledgement that his or her rights under the agreement may not be transferred or assigned to anyone else; (2) The occupant(s)' acknowledgement that it shall be unlawful to allow or make any noise or sound that exceeds the limits set forth in the city's noise ordinance; and (3) The occupant(s)' acknowledgement and agreement that violation of the agreement or this article may result in immediate termination of the agreement and eviction from the short-term rental unit by the owner or agent, as well as the potential liability for payments of fines levied by the city. **(4) All trash will be promptly and properly disposed of within 12 hours of the departure of a guest. (5) No on-street parking for guests will be allowed. (6) 24-hour contact name and phone number. (7) A statement from the tenant stating that he/she will use their best efforts to assure that the use of the premises by short-term rental occupants will not disrupt the neighborhood, and they will not interfere with the rights of neighboring property owners to the quiet enjoyment of their properties.**
- (i) Affidavit of adjacent property owner notification. The applicant of a short-term rental shall provide, in writing, notice to adjacent property owners within 250 feet of a local telephone number, name and address of a rental agent/property manager who will accept and handle complaints immediately relating to tenant activities.
- (j) The owner's sworn acknowledgement that he or she has received a copy of this article, has reviewed it and understands its requirements.
- (k) **The number and location of parking spaces allotted to the premises. Counting the driveway, the garage, and the rear area, there are about 6 parking spaces, which is adequate for two couples staying simultaneously in the house's two bedrooms.**
- (l) Any other information that this article requires the owner to provide to the city as part of an application for a short-term rental license. The city manager or designee shall have the authority to obtain additional information from the applicant as necessary to achieve the objectives of this article.
- (m) A written certification from the short-term rental agent that he or she agrees to perform the duties specified in this article.

Sec. 18-499. - Rental unit conditions.

- (a) Each short-term rental must provide sufficient off-street parking for residents and/or guests.
- (b) Maximum occupancy is limited to four persons per dwelling unit with up to two bedrooms. For dwelling units with three or more bedrooms, the number shall not exceed two persons per bedroom. At least one person over the age of 25 must be a guest of a short-term rental unit at all times during its occupancy. **The house has three bedrooms, which would allow for 6 people maximum at one time.**
- (c) A legible copy of the short-term rental unit license shall be posted within the unit and include all of the following information:
- (d) The name, address, telephone number and email address of the short-term rental agent;(2)The occupation tax certificate number;(3)The maximum occupancy of the unit;(4)The maximum number of vehicles that may be parked at the unit; and(d)Short-term rental units must be properly maintained and regularly inspected by the owner to ensure continued compliance with applicable zoning, building, health and life safety code provisions.

Sec. 18-500. - Complaints.

All complaints shall proceed as follows:

- (1) The complaining party shall first attempt to communicate with the designated contact person/rental agent on the affidavit of adjacent property owner's notification.
- (2) The designated contact person/rental agent shall respond promptly to the complaint, regardless of the time of day and make reasonable efforts to remedy any situation that is out of compliance with the conditions of the short-term rental uses.
- (3) If the response is not satisfactory to the complaining party and/or the source of the complaint continues unabated, the complaining party must provide a written complaint to the city's designee responsible for approving short-term rentals. The complaint shall include a description of the informal and formal attempts that have been made to resolve the complaint. A copy of the written complaint will be provided to the rental agent and contact person by the city.
- (4) The city shall attempt to resolve the complaint. The rental agent shall provide a written response to the city with the anticipated corrective action within ten days from the date of notification by the city.
- (5) **Three violations of this article within a 12-month period are grounds for review by the city to determine if the short-term rental license should be revoked.**
- (6) A license for a short-term rental may also be revoked if the property is engaged in any prohibited activities listed herein.

Sec. 18-501. - Prohibitions.

- (a) **No on-street parking is permitted. There should already be adequate parking on the property.**
- (b) **The short-term rental property may not be utilized as an event center. Existence of advertisement or promotional materials regarding same shall be prima facie evidence of the short-term rental property owner's violation of this provision. So noted.**
- (c) **No exterior or interior alterations shall be made for the express purpose of adding guest rooms to the short-term rental facility. All significant exterior or interior alterations shall require a permit from the city. Will need to be rectified and inspected prior to the commencement of the residence as an Air BnB.**

Sec. 18-502. - Discrimination prohibited.

No owner/operator of a short-term rental establishment shall discriminate regarding his or her guests on the basis of race, color, sex, religion, creed or natural origin.

Sec. 18-503. - Short-term rental agent.

- (a) The property owner may serve as the short-term rental agent. Alternatively, the owner may designate a natural person as his or her agent who is over age 18.
- (b) The duties of the short-term rental agent are to:(1)Be reasonably available to handle any problems arising from use of the short-term rental unit;(2)Appear on the premises of any short-term rental unit within two hours following notification from the city of issues related to the use or occupancy of the premises. This includes, but is not limited to, notification that occupants of the short-term rental unit have created unreasonable noise or disturbances, engaged in disorderly conduct or committed violations of this Code or other applicable law pertaining to noise, disorderly conduct, overcrowding, consumption of alcohol or use of illegal drugs. Failure of the agent to timely appear to two or more complaints regarding violations may be grounds for penalties as set forth in this article. This is not intended to impose a duty to act as a peace officer or otherwise require the agent to place himself or herself in a perilous situation;(3)Receive and accept service of any notice of violation related to the use or occupancy of the premises; and(4)Monitor the short-term rental unit for compliance with this article.
- (c) An owner may change his or her designation of a short-term rental agent temporarily or permanently; however

there shall only be one such agent for a property at any given time. To change the designated agent, the owner shall notify the city in writing of the new agent's identity, together with all information regarding such person as required by the applicable provisions of this article.

Sec. 18-504. - Grant or denial of application.

All complete applications shall be reviewed within 30 days of filing and shall be granted unless the applicant fails to meet the conditions and requirements of this article, or otherwise fails to demonstrate the ability to comply with local, state or federal law. Any false statements or information provided in the application are grounds for revocation, suspension and/or imposition of penalties, including denial of future applications.

Sec. 18-505. - Short-term rental regulation procedure.

- (a) To ensure the continued application of the intent and purpose of this article, the city manager or designee shall notify the owner of a short-term rental unit of all instances in which nuisance behavior of the rental guest or the conduct of his or her short-term rental unit agent results in a citation for a code violation or other legal infraction.
- (b) The city manager or designee shall maintain in each short-term rental location file a record of all code violation charges, founded accusations and convictions occurring at or relating to a short-term rental unit. When a property owner has accumulated three code violations for a particular property within a period of 12 consecutive months, the city may revoke any pending licenses and, subsequently, reject all applications for the subject premises for a period of 12 consecutive months.
- (c) If a short-term rental unit owner has been cited and found to be in violation of any zoning, building, health or life safety code provision, the owner must demonstrate compliance with the applicable code prior to being eligible to receive a short-term rental license.
- (d) Violations of this article are subject to the following fines, which may not be waived or reduced and which may be combined with any other legal remedy available to the city: (1) First violation: \$500.00. (2) Second violation within the preceding 12 months: \$750.00. (3) Third or subsequent violation within the preceding 12 months: \$1,000.00.
- (e) A person aggrieved by the city's decision to revoke, suspend or deny a short-term rental license may appeal the decision to the city manager or designated hearing officer. The appeal must be filed with the city manager's office in writing, within 30 calendar days after the adverse action and it shall contain a concise statement of the reasons for the appeal. Timely filing of an appeal shall stay the revocation, suspension or denial pending a decision by the city manager.
- (f) The city manager or appointed hearing officer shall consider the appeal within 30 days after receipt by the city manager of a request unless otherwise agreed in writing by the city and aggrieved party. All interested parties shall have the right to be represented by counsel, to present testimony and evidence, and to cross-examine witnesses. The city manager or designated hearing officer shall render a determination in writing within five days of the hearing, which will constitute a final ruling on the application. A party aggrieved by the city manager or designated hearing officer's decision may appeal same by petition for writ of certiorari with the Clayton County Superior Court in accordance with state law.
- (g) Nothing in this section shall limit the city from enforcement of its Code, state or federal law by any other legal remedy available to the city. Nothing in this section shall be construed to limit or supplant the power of any city inspector or other duly empowered officer under the city's ordinances, rules and regulations and the authority granted under state law, as amended, to take necessary action, consistent with the law, to protect the public from property which constitutes a public nuisance or to abate a nuisance by any other lawful means of proceedings.

Sec. 18-506. - Taxes.

Short-term rental unit owners are subject to state sales tax and all applicable city taxes, including, but not limited to, the hotel/motel tax, and are liable for payment thereof as established by state law and this Code. The city may seek to enforce payment of all applicable taxes to the extent provided by law, including injunctive relief.

None of the basic requirements (license, inspections, guest register, etc.) have been met yet. Mayor and Council have to consider the illegal process that code enforcement encountered. However, the location is an ideal spot for an Air BnB considering its location to events in Lee Street Park and Broad Street.

If denied, it could still be used as a long-term rental, unregulated.

Should the Mayor and Council approve the request, the following conditions should apply:

1. All requirements of Chapter 18 shall be documented to have been met prior to issuance of a City

- business license and a CO.
2. Rentals records shall be promptly submitted to the City monthly.
3. The subject property shall be restricted to two people per bedroom (maximum of four people). No other areas outside of the existing bedrooms shall be considered sleeping areas.
4. No other bedrooms shall be used without prior approval of the City.
5. Any future exterior renovations to the residence shall be subject to approval by the Design Review Commission.

Fiscal Impact

(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)

Private Owner

Exhibits Attached *(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)*

- Correspondence
- Zoning Info
- Property Pictures
- Listing
- Site Plan
- Conditional Use - 139 Smith Street - Air BnB - Legal Notice
- Meeting Notice Letter
- Zoning Sign

Staff Recommendation *(Type Name, Title, Agency and Phone)*

Denial

David Allen

From: David Allen
Sent: Thursday, April 11, 2024 8:32 AM
To: Laurie Solano
Cc: Seddrick Hill; Donya Sartor; Maria Wetherington; Pat Daniel; Gregory Warren
Subject: RE: Zoning Verification - 139 Smith Street, Air BnB

These cannot legally be used as short term rentals / air bnb without Council approval.

From: David Allen
Sent: Wednesday, April 10, 2024 8:28 AM
To: Laurie Solano <lsolano.altcris@gmail.com>
Cc: Seddrick Hill <shill@jonesboroga.com>; Donya Sartor <dsartor@jonesboroga.com>; Maria Wetherington <mwetherington@jonesboroga.com>; Pat Daniel <pdaniel@jonesboroga.com>; Gregory Warren <Gwarren@jonesboroga.com>
Subject: FW: Zoning Verification - 139 Smith Street, Air BnB

Reminder about this week's deadline.

From: David Allen
Sent: Friday, March 29, 2024 9:55 AM
To: solano albert@yahoo.com; Albert Solano <ticoleo777@icloud.com>; solano al@icloud.com; Laurie Solano <lsolano.altcris@gmail.com>
Subject: RE: Zoning Verification - 139 Smith Street, Air BnB

Next available Council meetings are May 6th and May 13th. I need completed applications for each address (attached) and application fee (\$600 each) by the second week of April.

Fees are non-refundable. I cannot guarantee approval.

From: David Allen
Sent: Thursday, March 28, 2024 4:27 PM
To: solano albert@yahoo.com; Albert Solano <ticoleo777@icloud.com>; solano al@icloud.com; Laurie Solano <lsolano.altcris@gmail.com>
Subject: Zoning Verification - 139 Smith Street, Air BnB

Hello,

Applicant – Laurie Solano
Name of Business – n/a
Address – 139 Smith Street
Zoning District – R-4
NAICS Code: 721199

Attachment: Correspondence (3758 : 139 Smith Street - Air BnB)

Proposed Use: Air BnB

Please find attached your zoning verification request. Pursuant to our Zoning Ordinance, your request requires a Conditional Use Permit. It must also conform to the requirements of Chapter 18, Article XIII, Short Term Rentals.

If you like, I can attach a copy of the Conditional Use Application that must be submitted should you wish to move forward. Please note that the cost of a conditional use permit is \$600.00. Further instructions are prescribed within the application.

Conditional use definition: A use not automatically permitted by right, but may be permitted within a zoning district, subject to requirements specified in this chapter or imposed by the mayor and council.

Should you have questions and/or concerns, please feel free to contact me.

No one is legally permitted to use or occupy the residence on the property as an Air BnB until (or if) Council approval is obtained and all other requirements are met. Failure to comply can result in citations to Municipal Court. Mr. Arthur Williams must leave on April 15th and no more occupants until (or if) Council approval is obtained.

Residence is subject to safety inspections.

Thanks,

David Allen

From: David Allen
Sent: Tuesday, March 26, 2024 2:54 PM
To: 'Laurie Solano'
Cc: 'Albert Solano'; Gregory Warren; Bryant Robinson; Pat Daniel; Maria Wetherington
Subject: RE: 139 Smith Street

It's a little more complicated than that.

The paperwork is to apply for a public hearing to ask the City Council for approval for an Air BnB, which has been functional for well over a year. They could very well say "no" and then what would your plan for the residence be?

Also, the house at 139 Smith has been picked up by the County Tax Assessor office as "renovated" and going from 89k last year to low 170s this year. It actually sold in for 175 in May of 2023. That suggests a lot of interior remodeling, beyond just the new stone veneer on the outside.

All of this seems to follow the "easier to ask forgiveness than to ask permission" policy you all have operated by with the City in the recent past. Quite frankly, a contractor should know better. Several years ago, the issue was doing work without permits or inspections on Lee Street and North Avenue. Then it was putting stone on brick at 222 Lee Street. And now this.

Also, since Mr. Solano told me a few years ago that he was not a State licensed contractor, how did the work at 139 Smith Street get done when he lives at 204 Lee Street? You can only work on a house that you will live in without a license.

For starters, the house at 139 Smith Street needs to cease being occupied until the City can justify a C.O. being issued and it needs to stop being used as an Air BnB until (or if) a conditional use permit is approved by the City Council.

From: David Allen
Sent: Tuesday, March 26, 2024 1:30 PM
To: 'Laurie Solano' <lsolano.altcris@gmail.com>
Cc: Albert Solano <ticoleo777@icloud.com>; Gregory Warren <Gwarren@jonesboroga.com>; Bryant Robinson <brobinson@jonesboroga.com>; Pat Daniel <pdaniel@jonesboroga.com>; Maria Wetherington <mwetherington@jonesboroga.com>
Subject: RE: 139 Smith Street

Paperwork for what?

From: Laurie Solano <lsolano.altcris@gmail.com>
Sent: Tuesday, March 26, 2024 1:26 PM
To: David Allen <dallen@jonesboroga.com>
Cc: Albert Solano <ticoleo777@icloud.com>
Subject: Re: 139 Smith Street

Attachment: Correspondence (3758 : 139 Smith Street - Air BnB)

Hey David, the new code enforcement manager stopped by a little earlier to introduce himself and he collected all of the info for that property. I gave him my direct contact info and we'll be sure to take care of all paperwork once it is sent to us. Thanks

Sent from my iPhone

On Mar 26, 2024, at 10:57 AM, David Allen <dallen@jonesboroga.com> wrote:

What is the name of the owner?

From: Laurie Solano <lsolano.altcris@gmail.com>

Sent: Tuesday, March 26, 2024 10:55 AM

To: David Allen <dallen@jonesboroga.com>

Cc: Albert Solano <ticoleo777@icloud.com>; Laurie Solano <lsolano.altcris@gmail.com>

Subject: Re: 139 Smith Street

Hi David, no I am not the owner of that property however it is a family member who owns it. As far as I know there is no work being done on that home currently and no plans for future work at this time.

Albert

Sent from my iPhone

From: David Allen <dallen@jonesboroga.com>

Date: March 26, 2024 at 09:40:02 EDT

To: Albert Solano <ticoleo777@icloud.com>, solano_albert@yahoo.com

Subject: 139 Smith Street

Good morning, Mr. Solano,

Are you the owner of 139 Smith Street across the street from the new Jonesboro city hall? I saw some recent stone work on that house.

Attachment: Correspondence (3758 : 139 Smith Street - Air BnB)

David Allen

From: Laurie Solano <lsolano.altcris@gmail.com>
Sent: Tuesday, March 26, 2024 1:26 PM
To: David Allen
Cc: Albert Solano
Subject: Re: 139 Smith Street

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Sent: Tuesday, March 26, 2024 10:55 AM
To: David Allen <dallen@jonesboroga.com>
Cc: Albert Solano <ticoleo777@icloud.com>; Laurie Solano <lsolano.altcris@gmail.com>
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Date: March 26, 2024 at 09:40:02 EDT
To: Albert Solano <ticoleo777@icloud.com>, solano_albert@yahoo.com
Subject: 139 Smith Street

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Are you the owner of 139 Smith Street across the street from the new Jonesboro city hall? I saw some recent stone work on that house.

Attachment: Correspondence (3758 : 139 Smith Street - Air BnB)



CITY OF JONESBORO
 1859 City Center Way
 Jonesboro, Georgia 30236
 City Hall: (770) 478-3800
 Fax: (470) 726-1646
 www.jonesboroga.com

ZONING VERIFICATION REQUEST

Important Notice:

BEFORE leasing, purchasing, or otherwise committing to a property you are STRONGLY ADVISED to confirm that the zoning and physical layout of the building and site are appropriate for the business use intended and will comply with the City's Zoning Ordinance. This includes having a clear understanding of any code restrictions, limitations or architectural guidelines that may impact your operation and any building and site modifications that may be necessary to open your business. This document does not authorize a business to conduct business without an Occupational Tax Certificate. This could result in closure and/or ticketing.

Applicant's Information

Name of Applicant: Laurie Solano
 Name of Business: N/A
 Property's Address: 139 Smith Street, Jonesboro, GA 30236
 Email Address: solano-al@icloud.com / solano-albert@yahoo.com
 Phone: (Day): (678) 689-7673 (Evening): Same

Property Information

Current Use of Property: Long Term Rental
 Proposed Use of Property (Please provide in great detail the intended use of the property):
AirBnb Listing - offering 2 night min. stay for business or leisure with a agreement to firm house rules including no parties at any time, adherence to quiet hours, etc.

Applicant's Signature

Date

FOR OFFICE USE ONLY:

Current Zoning: R4

NAICS Code: 721199

Required Zoning: R2A4, H1+2/MX

Conditional Use Needed? ☒ Yes or ☐ No

☐ APPROVED

DENIED ☐

Comments:

Conditional Use Permit Required and Must Comply with Chapter 18, Article XII, SHAR

Zoning Official Signature

Date

3/28/24

Team Reynolds

Attachment: Zoning Info (3758 : 139 Smith Street - Air BnB)

Currently hosting

Arthur Williams



Park house · Serenity Is At Your Doorstep

Mar 26 – Apr 15 (20 nights)

4 guests · \$2,687.68

About Arthur

☆ 5.0 rating from 2 reviews

✓ Identity verified

🔗 Joined Airbnb in 2022

Show profile

Send or request money

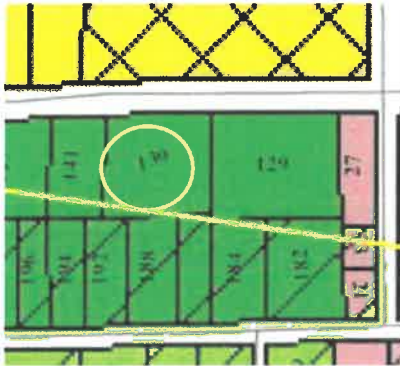
Message

Call

Applicant – Laurie Solano
Name of Business – n/a
Address – 139 Smith Street
Zoning District – R-4
NAICS Code: 721199
Proposed Use: Air BnB

NAICS Code	USES	R-2	R-4	R-C	CCM	RM	H-1	H-2	O&I	MX	C-1	C-2	M-1	Code Section
721199	All Other Travel Accommodation, including Short Term Rentals (Air BnBs)	C	C	N	N	N	C	C	C	C	C	N	N	Chapter 18; Sec. 86-542; Sec. 86-118

Use is permitted "by right" in the district indicated = P; Use is permitted as a conditional use (section indicated) = C; Use is not permitted = N



Sec. 86-542. NAICS 721199 – All Other Travel Accommodation, including Short Term Rentals (Air BnBs)

The following conditions are assigned in the H-1, H-2, O&I, M-X, and C-1 districts:

(1) The standards of Chapter 18, Article XIII shall control development of short-term rentals.

Sec. 18-494. - License required and regulatory fee.

It shall be unlawful for any person to operate a short-term rental establishment without having first obtained an occupation tax certificate and a city business license. The annual regulatory fee for operation of a short-term rental establishment in the city shall be set forth in the schedule of fees and charges for the whole or any part of one year and shall be paid at City Hall not later than December 15 of the preceding year or upon the filing of an application for the license. No license issued under this article may be transferred or assigned or used by any person other than the one to whom it is issued, or at any location other than the one for which it is issued. Licensee shall publish a short-term rental license number in every print, digital, or internet advertisement and any property listing in which the short-term rental is advertised.

Sec. 18-495. - Guest register.

The owner shall keep a register of all guests of the short-term rental establishment. Such list shall be available for inspection by the city and/or its designee at all reasonable times and upon reasonable notice.

Sec. 18-496. - Financial records.

All license holders shall maintain separate records which show all activities of their short-term rental establishment. All such documents and related papers shall be available to the city's designated agent at all reasonable times.

Sec. 18-497. - Stipulations.

(a)Advertisements promoting a property as a residential short-term rental shall constitute prima facie evidence of the operation of a residential short-term rental dwelling unit.(b)The property owner must designate an individual to serve as a rental agent to respond to issues associated with short-term rentals. The agent may be the property owner.(c)Within the historic districts and Historic Residential Overlay District, no more than ten percent of homes within each district shall be used as short-term rentals, on a first-come, first-serve basis.(d)Tenants must be at least 25 years of age to enter into a contractual arrangement with the owner/operator of a short-term rental dwelling.(e)Properties containing both a principal residential dwelling and accessory residential dwelling, shall only use one residential structure as a short-term rental, not both.

Sec. 18-498. - Procedure.

Applicants for a short-term rental license shall submit, on an annual basis, an application for a short-term rental license to the city. The application shall be furnished under oath on a form specified by the city manager or designee, accompanied by a non-refundable application fee as set by the mayor and city council. Such application must include:

(a)A report from a certified home inspector verifying that the rental unit is in compliance with life safety and habitability codes, including an evaluation of the floor plan for the unit, verifying that all rooms meet applicable Code requirements.
 (b)The name, address, telephone and email address of the owner(s) of record of the dwelling unit for which a license is sought, and the address of the short-term rental dwelling unit. If such owner is not a natural person, the application shall identify all partners, officers and/or directors of any such entity, including personal contact information.(c)Name and phone number of the rental agent who is available 24 hours a day, seven days a week, to respond to complaints regarding the operation or occupancy of the short-term rental unit/property.(d)A notarized statement signed by the owner or operator that the short-term rental will be in compliance with these regulations.(e)Proof of ownership.(f)Proof of insurance.(g)Evidence that short-term rental properties are enrolled with City of Jonesboro's sanitation service.(h)Copy of a sample short-term rental agreement used by the owner/operator, which shall include at least the following provisions:(1)The occupant(s)' agreement to abide by all of the requirements of this article, any other applicable city ordinances, state and federal law and acknowledgement that his or her rights under the agreement may not be transferred or assigned to anyone else;(2)The occupant(s)' acknowledgement that it shall be unlawful to allow or make any noise or sound that exceeds the limits set forth in the city's noise ordinance; and(3)The occupant(s)' acknowledgement and agreement that violation of the agreement or this article may result in immediate termination of the agreement and eviction from the short-term rental unit by the owner or agent, as well as the potential liability for payments of fines levied by the city.(4)All trash will be promptly and properly disposed of within 12 hours of the departure of a guest.(5)No on-street parking for guests will be allowed.(6)24-hour contact name and phone number.(7)A statement from the tenant stating that he/she will use their best efforts to assure that the use of the premises by short-term rental occupants will not disrupt the neighborhood, and they will not interfere with the rights of neighboring property owners to the quiet enjoyment of their properties.(i)Affidavit of adjacent property owner notification. The applicant of a short-term rental shall provide, in writing, notice to adjacent property owners within 250 feet of a local telephone number, name and address of a rental agent/property manager who will accept and handle complaints immediately relating to tenant activities.(j)The owner's sworn acknowledgement that he or she has received a copy of this article, has reviewed it and understands its requirements.(k)The number and location of parking spaces allotted to the premises.(l)Any other information that this article requires the owner to provide to the city as part of an application for a short-term rental license. The city manager or designee shall have the authority to obtain additional information from the applicant as necessary to achieve the objectives of this article. (m)A written certification from the short-term rental agent that he or she agrees to perform the duties specified in this article.

Sec. 18-499. - Rental unit conditions.

(a)Each short-term rental must provide sufficient off-street parking for residents and/or guests.(b)Maximum occupancy is limited to four persons per dwelling unit with up to two bedrooms. For dwelling units with three or more bedrooms, the number shall not exceed two persons per bedroom. At least one person over the age of 25 must be a guest of a short-term rental unit at all times during its occupancy.(c)A legible copy of the short-term rental unit license shall be posted within the unit and include all of the following information:(1)The name, address, telephone number and email address of the short-term rental agent;(2)The occupation tax certificate number;(3)The maximum occupancy of the unit;(4)The maximum number of vehicles that may be parked at the unit; and(d)Short-term rental units must be properly maintained and regularly inspected by the owner to ensure continued compliance with applicable zoning, building, health and life safety code provision

Sec. 18-500. - Complaints.

All complaints shall proceed as follows:

(1)The complaining party shall first attempt to communicate with the designated contact person/rental agent on the affidavit of adjacent property owner's notification.(2)The designated contact person/rental agent shall respond promptly to the complaint, regardless of the time of day and make reasonable efforts to remedy any situation that is out of compliance with the conditions of the short-term rental uses.(3)If the response is not satisfactory to the complaining party and/or the source of the complaint continues unabated, the complaining party must provide a written complaint to the city's designee responsible for approving short-term rentals. The complaint shall include a description of the informal and formal attempts that have been made to resolve the complaint. A copy of the written complaint will be provided to the rental agent and contact person by the city. (4)The city shall attempt to resolve the complaint. The rental agent shall provide a written response to the city with the anticipated corrective action within ten days from the date of notification by the city. (5)Three violations of this article within a 12-month period are grounds for review by the city to determine if the short-term rental license should be revoked.(6)A license for a short-term rental may also be revoked if the property is engaged in any prohibited activities listed herein

Sec. 18-501. - Prohibitions.

(a)No on-street parking is permitted. (b)The short-term rental property may not be utilized as an event center. Existence of advertisement or promotional materials regarding same shall be prima facie evidence of the short-term rental property owner's violation of this provision. (c)No exterior or interior alterations shall be made for the express purpose of adding guest rooms to the short-term rental facility. All significant exterior or interior alterations shall require a permit from the city.

Sec. 18-502. - Discrimination prohibited.

No owner/operator of a short-term rental establishment shall discriminate regarding his or her guests on the basis of race, color, sex, religion, creed or natural origin.

Sec. 18-503. - Short-term rental agent.

(a)The property owner may serve as the short-term rental agent. Alternatively, the owner may designate a natural person as his or her agent who is over age 18. (b)The duties of the short-term rental agent are to:(1)Be reasonably available to handle any problems arising from use of the short-term rental unit;(2)Appear on the premises of any short-term rental unit within two hours following notification from the city of issues related to the use or occupancy of the premises. This includes, but is not limited to, notification that occupants of the short-term rental unit have created unreasonable noise or disturbances, engaged in disorderly conduct or committed violations of this Code or other applicable law pertaining to noise, disorderly conduct, overcrowding, consumption of alcohol or use of illegal drugs. Failure of the agent to timely appear to two or more complaints regarding violations may be grounds for penalties as set forth in this article. This is not intended to impose a duty to act as a peace officer or otherwise require the agent to place himself or herself in a perilous situation;(3)Receive and accept service of any notice of violation related to the use or occupancy of the premises; and(4)Monitor the short-term rental unit for compliance with this article.(c)An owner may change his or her designation of a short-term rental agent temporarily or permanently; however there shall only be one such agent for a property at any given time. To change the designated agent, the owner shall notify the city in writing of the new agent's identity, together with all information regarding such person as required by the applicable provisions of this article.

Sec. 18-504. - Grant or denial of application.

All complete applications shall be reviewed within 30 days of filing and shall be granted unless the applicant fails to meet the conditions and requirements of this article, or otherwise fails to demonstrate the ability to comply with local, state or federal law. Any false statements or information provided in the application are grounds for revocation, suspension and/or imposition of penalties, including denial of future applications.

Sec. 18-505. - Short-term rental regulation procedure.

(a)To ensure the continued application of the intent and purpose of this article, the city manager or designee shall notify the owner of a short-term rental unit of all instances in which nuisance behavior of the rental guest or the conduct of his or her short-term rental unit agent results in a citation for a code violation or other legal infraction.(b)The city manager or designee shall maintain in each short-term rental location file a record of all code violation charges, founded accusations and convictions occurring at or relating to a short-term rental unit. When a property owner has accumulated three code violations for a particular property within a period of 12 consecutive months, the city may revoke any pending licenses and, subsequently, reject all applications for the subject premises for a period of 12 consecutive months.(c)If a short-term rental unit owner has been cited and found to be in violation of any zoning, building, health or life safety code provision, the owner must demonstrate compliance with the applicable code prior to being eligible to receive a short-term rental license.(d)Violations of this article are subject to the following fines, which may not be waived or reduced and which may be combined with any other legal remedy available to the city:(1)First violation: \$500.00.(2)Second violation within the preceding 12 months: \$750.00.(3)Third or subsequent violation within the preceding 12 months: \$1,000.00.(e)A person aggrieved by the city's decision to revoke, suspend or deny a short-term rental license may appeal the decision to the city manager or designated hearing officer. The appeal must be filed with the city manager's office in writing, within 30 calendar days after the adverse action and it shall contain a concise statement of the reasons for the appeal. Timely filing of an appeal

shall stay the revocation, suspension or denial pending a decision by the city manager. (f)The city manager or appointed hearing officer shall consider the appeal within 30 days after receipt by the city manager of a request unless otherwise agreed in writing by the city and aggrieved party. All interested parties shall have the right to be represented by counsel, to present testimony and evidence, and to cross-examine witnesses. The city manager or designated hearing officer shall render a determination in writing within five days of the hearing, which will constitute a final ruling on the application. A party aggrieved by the city manager or designated hearing officer's decision may appeal same by petition for writ of certiorari with the Clayton County Superior Court in accordance with state law. (g)Nothing in this section shall limit the city from enforcement of its Code, state or federal law by any other legal remedy available to the city. Nothing in this section shall be construed to limit or supplant the power of any city inspector or other duly empowered officer under the city's ordinances, rules and regulations and the authority granted under state law, as amended, to take necessary action, consistent with the law, to protect the public from property which constitutes a public nuisance or to abate a nuisance by any other lawful means of proceedings.

Sec. 18-506. - Taxes.

Short-term rental unit owners are subject to state sales tax and all applicable city taxes, including, but not limited to, the hotel/motel tax, and are liable for payment thereof as established by state law and this Code. The city may seek to enforce payment of all applicable taxes to the extent provided by law, including injunctive relief.

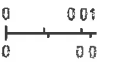
David D. Allen, Zoning Administrator / Community Development Director
March 28, 2024

Clayton County GIS Map



4/22/2024, 2:16:22 PM

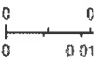
Attachment: Property Pictures (3758 : 139 Smith Street - Air BnB)



Clayton County GIS Map



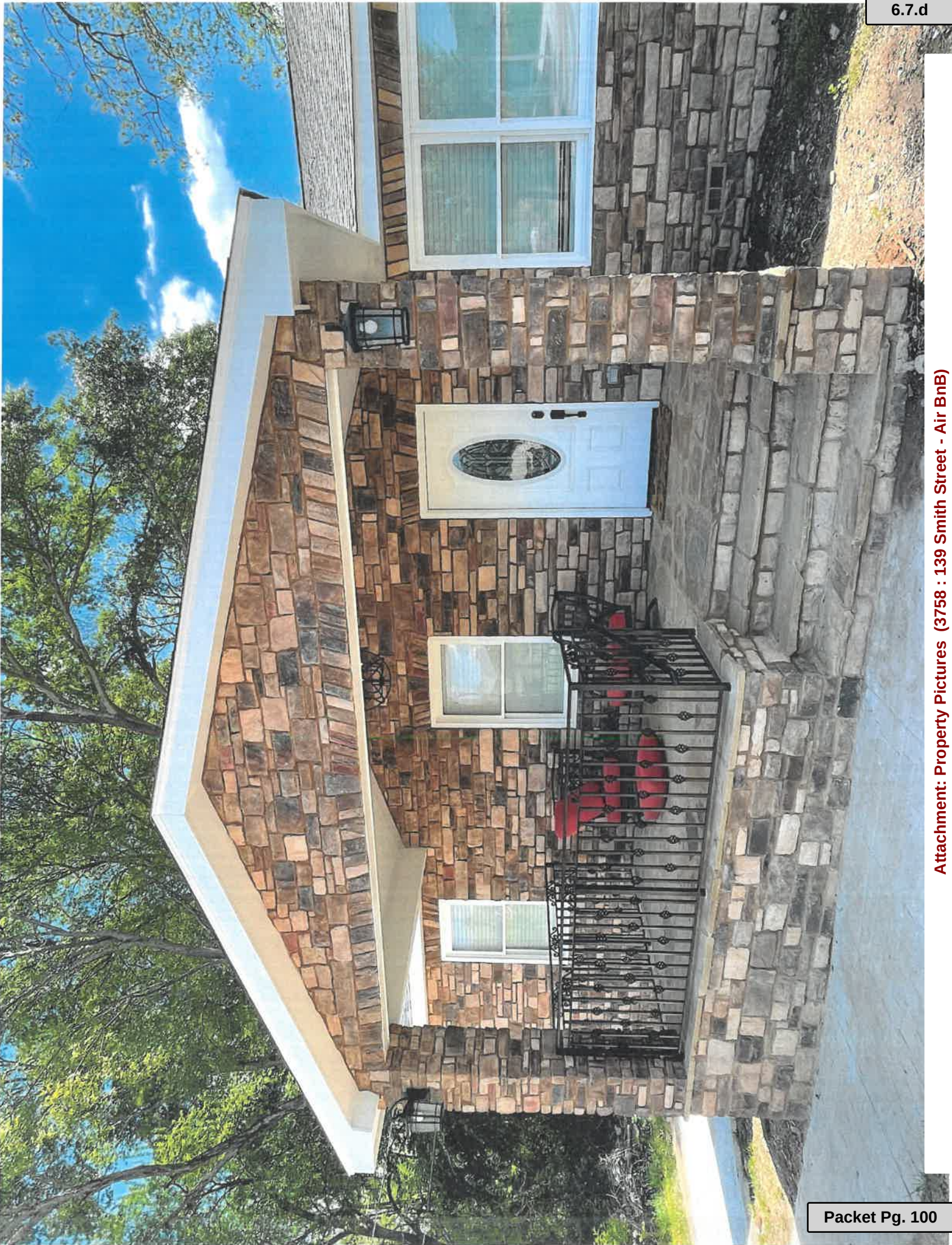
4/22/2024, 2:19:02 PM



Attachment: Property Pictures (3758 : 139 Smith Street - Air BnB)









Attachment: Property Pictures (3758 : 139 Smith Street - Air BnB)



Attachment: Property Pictures (3758 : 139 Smith Street - Air BnB)

Serenity Is At Your Doorstep

[Share](#) [Save](#)



Entire home in Jonesboro, Georgia

6 guests · 3 bedrooms · 4 beds · 2 baths

Guest favorite

4.89
★★★★★

9
[Reviews](#)

Hosted by Seyla

Superhost · 1 year hosting

Self check-in

Check yourself in with the smartlock.

Seyla is a Superhost

Superhosts are experienced, highly rated Hosts.

Free cancellation for 48 hours

Get a full refund if you change your mind.

Welcome back

Looks like you last logged in with Facebook.

Continue as David



\$146 night

CHECK-IN 6/2/2024	CHECKOUT 6/7/2024
GUESTS 1 guest	

Reserve

You won't be charged yet

\$146 x 5 nights	\$730
Cleaning fee	\$150
Airbnb service fee	\$124

Total before taxes \$1,004



4/22/24, 2:40 PM

Serenity Is At Your Doorstep - Houses for Rent in Jonesboro, Georgia, United States - Airbnb

equipped to ensure a seamless and delightful stay for both parents and little ones alike. Create lasting memories in our well-decorated, sweet abode that's bathed in sunshine and designed to make your family feel right at home....

 [Report this listing](#)

[Show more](#) >

What this place offers

-  Park view
-  Kitchen
-  Wifi
-  Dedicated workspace
-  Free parking on premises
-  TV
-  Washer
-  Dryer
-  Air conditioning
-  Patio or balcony

Show all 44 amenities

5 nights in Jonesboro

Jun 2, 2024 - Jun 7, 2024

<

Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We
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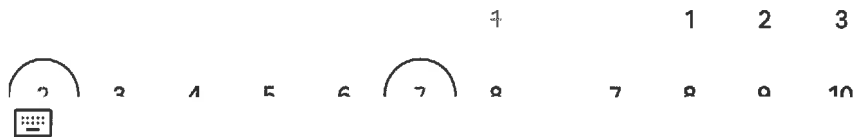
Welcome back

Looks like you last logged in with Facebook.

Attachment: Listing (3758 : 139 Smith Street - Air BnB)

June 2024

July 2024



4.89

Guest favorite

One of the most loved homes on Airbnb based on ratings, reviews, and reliability

Overall rating

- 5
- 4
- 3
- 2
- 1

Cleanliness

4.9



Accuracy

5.0



Check-in

5.0



Communication

5.0



Location

4.6



Value

4.8



Chartavious

2 years on Airbnb

★★★★★ · 4 weeks ago · Stayed a few nights

It was beautiful in the inside clean looked like the photos. And the host was very responsive whenever I messaged her.

Anthony

Connecticut, United States

★★★★★ · March 2024 · Stayed a few nights

Clean home and nice interior. The surrounding neighborhood is quiet. Plenty of parking.

- . .

Welcome back

Looks like you last logged in with Facebook.

Attachment: Listing (3758 : 139 Smith Street - Air BnB)

Ian

4 months on Airbnb

★★★★★ · February 2024 · Group trip

House and Host were great, would 100% recommend!

Breyonia

Bethlehem, Georgia

★★★★ · February 2024 · Stayed with kids

Nice Place! Loved the marble. Very peaceful and host was nice!

Chiquilla

Atlanta, Georgia

★★★★★ · January 2024 · Stayed with kids

Great host, responds instantly, house was Lovely and clean and will definitely be rebooking

[Show all 9 reviews](#)**Where you'll be**

Jonesboro, Georgia, United States

Meet your Host**Welcome back**

Looks like you last logged in with Facebook.



Seyla
 Superhost

4.92 ★

Rating

1

Year hosting

 Speaks English and Spanish

 Lives in Jonesboro, Georgia

[Show more](#) >

Seyla is a Superhost

Superhosts are experienced, highly rated hosts who are committed to providing great stays for guests.

Host details

Response rate: 100%

Responds within an hour

[Message Host](#)



To protect your payment, never transfer money or communicate outside of the Airbnb website or app.

Things to know

House rules

Check-in: 4:00 PM - 11:00 PM

Checkout before 11:00 AM

6 guests maximum

[Show more](#) >

Safety & property

Welcome back

Looks like you last logged in with Facebook.

Legal Notice

Public Hearing will be held by the Mayor and Council of the City of Jonesboro at 6:00 P.M. on May 13, 2024, in the court chambers of the Jonesboro City Center, 1859 City Center Way, Jonesboro, GA, to consider a Conditional Use Permit Application for an Air BnB / short term rental by Cristian Solano-Badilla / Katamy Revolution LLC, property owner, and Laurie Solano, applicant, for property at 139 Smith Street (Parcel No. 13241A B004), Jonesboro, Georgia 30236. Item will first be discussed at the Work Session on May 6, 2024 at 6:00 P.M., also in the court chambers of the Jonesboro City Center, 1859 City Center Way, Jonesboro, GA 30236.

David Allen
Community Development Director

Publish 4/24/24



MEMORANDUM

To: Cristian Solano-Badilla
7675 Tara Blvd.
Jonesboro, Ga. 30236

From: David D. Allen
City of Jonesboro
1859 City Center Way
Jonesboro, GA 30236

Date: April 22, 2024

Re: Notification of Request for Conditional Use Permit –Air BnB (Short Term Rental); 139 Smith Street, Parcel No. 13241A B004

Dear Applicant,

This letter is to serve as notification that the City of Jonesboro has received your request for a conditional use permit for the above referenced property concerning the following:

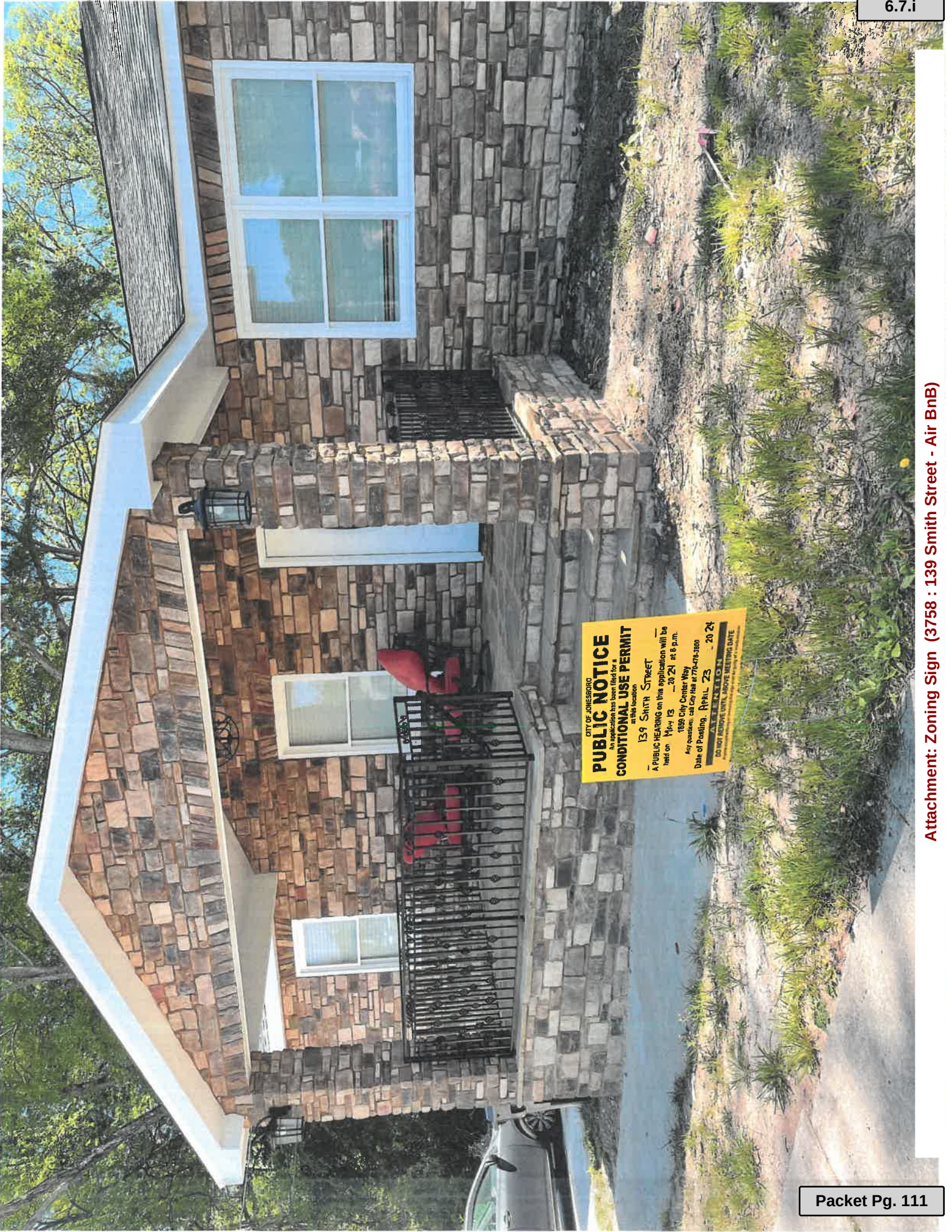
- Air BnB (Short Term Rental)

A Public Hearing has been scheduled for Monday, May 13, 2024 at 6:00 pm before the Jonesboro Mayor and City Council to consider the request as described above. A Work Session has been scheduled on the same item for Monday, May 6, 2024 at 6:00 pm. The meetings will both be conducted in the court chambers of the Jonesboro City Center, 1859 City Center Way, Jonesboro, Ga.

Should you have any questions regarding the decision, please do not hesitate to contact me at 770-478-3800 or at dallen@jonesboroga.com.

Sincerely,

David D. Allen
Community Development Director / Zoning Administrator



Attachment: Zoning Sign (3758 : 139 Smith Street - Air BnB)

CITY OF JONESBORO

PUBLIC NOTICE

An application has been filed for a
CONDITIONAL USE PERMIT

at this location

139 SMITH STREET

A PUBLIC HEARING on this application will be
held on. MAY 13 — 20.24 at 6 p.m.

1859 City Center Way

Any questions, call City Hall at 770-478-3800

Date of Posting. APRIL 23 — 20 24

ATTENTION

DO NOT REMOVE UNTIL ABOVE MEETING DATE

Anyone caught defacing or removing this sign shall be guilty of a misdemeanor



CITY OF JONESBORO, GEORGIA COUNCIL
Agenda Item Summary

Agenda Item #

6.8

- 8

COUNCIL MEETING DATE

May 6, 2024

Requesting Agency (Initiator)

Office of the City Manager

Sponsor(s)

Community Development Director Allen

Requested Action (Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)

Discussion regarding Conditional Use Permit Application, 24-CU-005, for an accessory guest quarters / mother-in-law suite by Dr. Donya L. Sartor, property owner and applicant, for property at 183 Lee Street (Parcel No. 13240C D006), Jonesboro, Georgia 30236.

Requirement for Board Action (Cite specific Council policy, statute or code requirement)

City Code Section 86-97 R-2 Single-Family Residential Standards; Article XVII Additional Conditional Uses

Is this Item Goal Related? (If yes, describe how this action meets the specific Board Focus Area or Goal)

Yes

Community Planning, Neighborhood and Business Revitalization

Summary & Background

(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)

Agency recommendation – **Approval (with conditions) of Conditional Use application;** Recently, the applicant inquired about the process for building an accessory dwelling (guest quarters / mother-in-law suite) for a relative on the same property as her current residence at 183 Lee Street. At 1.37 acres, the property is one of the larger home properties in the City. The property is zoned R-2 Single-Family Residential and is also in the Historic Residential Overlay. It shares a driveway with 179 Lee Street. There are single-family residences all along Lee Street around the subject property.

Several years ago, guest quarters / mother-in-law suites were required to have a conditional use permit, as an added control measure to regulate their size, etc. The following conditions apply to these accessory dwelling units:

Sec. 86-650. – Guest Quarters / Mother-in-law Suites, accessory to principal dwelling

The following conditions are assigned in the R-2, R-4, H-1, H-2, and MX districts:

(1) Shall only be located in the rear yard of the principal dwelling.

(2) Shall not be located on a lot without a principal dwelling.

(3) Maximum dwelling size (heated) shall be 750 square feet.

(4) Shall match exterior style, color, and material.

The proposed guest quarters complies with all of these conditions.

The proposed guest quarters will be behind and on the same lot as the applicant's main residence. The heated area is proposed to be 612 square feet. The unheated, non-living area (garage / shop and patio) will be 1164 square feet, for a grand total of 1776 square feet. The guest quarters will be roughly the same exterior style and color as the main residence and will not be fully seen from the street.

In addition, there are several more requirements for accessory buildings in the code:

Sec. 86-270. - Accessory buildings.

All accessory buildings shall be set back a minimum of 100 percent of the front yard setback for the district; however no accessory building other than a detached garage may be located between the principal dwelling and the public right-of-

FOLLOW-UP APPROVAL ACTION (City Clerk)

Typed Name and Title

Melissa Brooks, City Clerk

Date

May, 6, 2024

Signature

City Clerk's Office

way. A minimum side yard and rear yard setback of five feet shall apply to accessory building located a distance greater than 20 feet from the principal dwelling; otherwise the building setbacks for the principal dwelling shall apply to the accessory building.

Should the Council approve the application, the following additional approval conditions shall apply:

- 1. The Design Review Commission and Historic Preservation Commission shall review the exterior design prior to construction.**

Fiscal Impact

(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)

Private Owner

Exhibits Attached (Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)

- Property Pictures
- Zoning Info
- Dwelling Design
- Site Plan
- Conditional Use - 183 Lee Street - Guest Quarters - Legal Notice
- Meeting Notice Letter
- Zoning Sign

Staff Recommendation *(Type Name, Title, Agency and Phone)*

Approval, with Conditions

Google Maps 179 Lee St



Image capture: Jan 2022 © 2024 Google



Google Maps 183 Lee St

Jonesboro, Georgia

Google Street View

Jan 2022 See more dates



Image capture: Jan 2022 © 2024 Google



Google Maps 183 Lee St

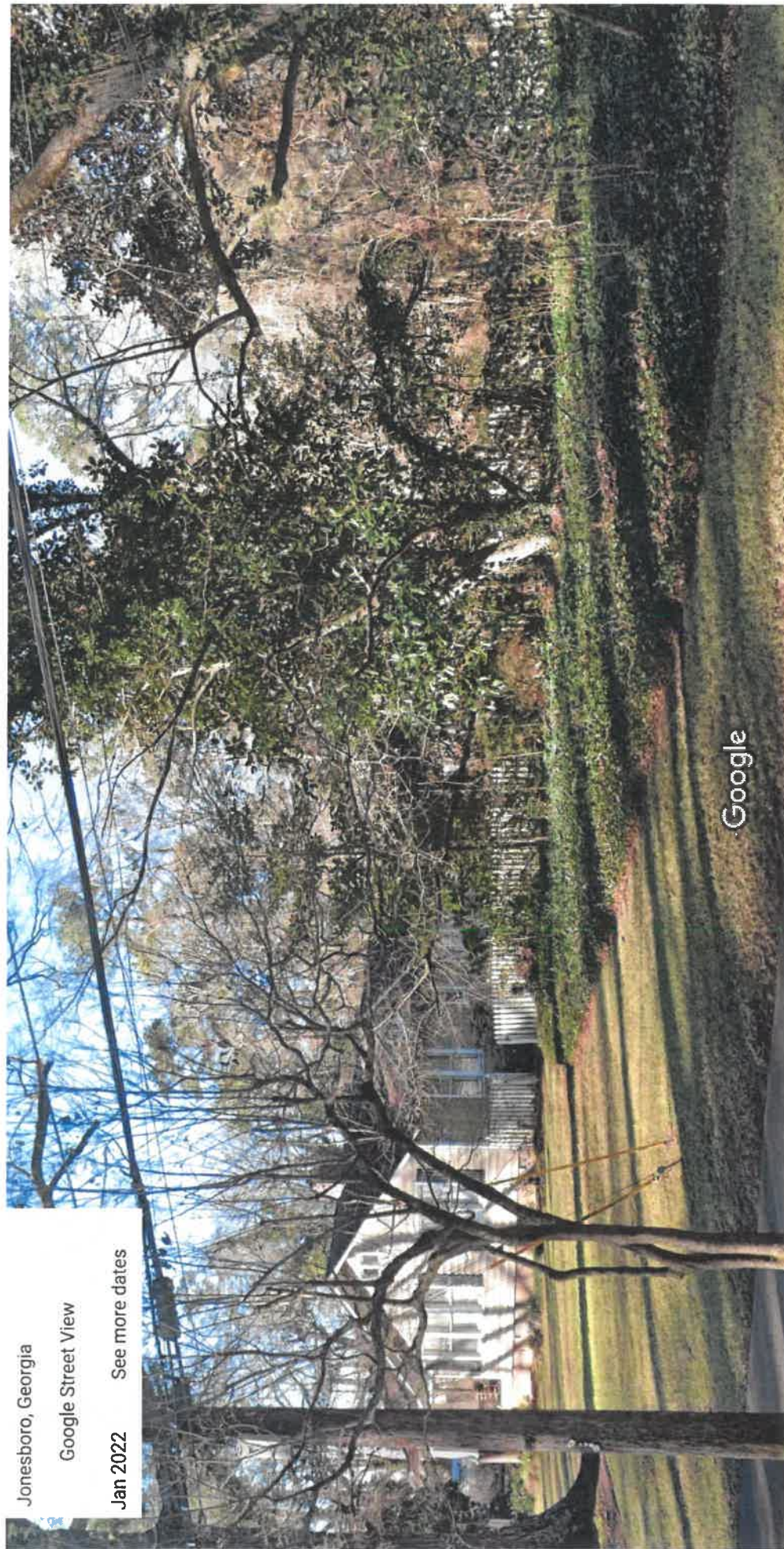


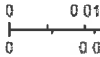
Image capture: Jan 2022 © 2024 Google



Clayton County GIS Map



4/22/2024, 1:41:56 PM



Attachment: Property Pictures (3756 : 183 Lee Street - Guest Quarters)

Sec. 86-204. - Table of Uses Allowed by Zoning Districts.

P = Use is permitted "by right" in the Zoning District indicated

C = Use is permitted only as an approved conditional use permit (code section indicated)

N = Use is not permitted in the Zoning District indicated

2017 NAICS Code	USES	R- 2	R- 4	R- C	C C M	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
	RESIDENTIAL USES													
n/a	Single Family Detached Dwelling, Site-Built	P	P	P	N	N	P	P	N	P	N	N	N	Sec. 86-111; Article VII; Sec. 86-117
n/a	Single Family Detached Dwelling, Manufactured, Mobile, or Modular with Permanent Foundation	N	N	N	N	N	N	N	N	N	N	N	N	Article VII
n/a	Two-Family Dwelling (Duplex)	N	N	N	N	C	N	N	N	C	N	N	N	Article VII; Sec. 86-117; Sec. 86-118
n/a	Triplexes and Quadruplexes, not part of Apartment Communities	N	N	N	N	N	N	N	N	N	N	N	N	
n/a	Single Family Attached (Townhouses and Condominiums)	N	N	N	C	C	C	C	N	C	N	N	N	Sec. 86-202; Sec. 86-117; Sec. 86-118
n/a	Multifamily (Apartments)	C	C	N	C	C	C	C	N	C	N	N	N	Sec. 86-205; Sec. 86-117; Sec. 86-118
n/a	Mixed Use Dwelling, including Lofts	N	N	N	C	P	C	C	C	P	C	N	N	Sec. 86-182; Sec. 86-117; Sec. 86-118

2017 NAICS Code	USES	R- 2	R- 4	R- C	C C M	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
n/a	Recreational Vehicle, Trailer, or Camping Trailer, used as Living Quarters or Dwelling	N	N	N	N	N	N	N	N	N	N	N	N	Sec. 86- 62
n/a	Home Occupation	P	P	P	P	P	P	P	N	P	N	N	N	Sec. 86- 274
n/a	"Tiny" Houses, with permanent foundations	N	N	N	N	N	N	N	N	C	N	N	N	Sec. 86- 649
* n/a	Guest Quarters / Mother-in-law Suites, accessory to principal dwelling	C	C	N	N	N	C	C	N	C	N	N	N	Sec. 86- 650
INSTITUTIONAL USES														
8139	Business, Professional, Labor, Political and Similar Organizations	N	N	N	N	N	C	C	P	C	N	C	N	Sec. 86- 206
8132	Charitable Organization Offices, including Grantmaking and Giving Services	N	N	N	N	N	P	P	P	C	N	P	N	Sec. 86- 207
62411	Child and Youth Services, including Adoption Agencies and Foster Services, but not Group or Youth Homes	N	N	N	N	N	C	C	P	N	N	P	N	Sec. 86- 208
8131	Churches and Other Places of Worship	N	N	N	C	N	C	C	C	C	C	C	C	Sec. 86-183
81311	Religious Organizations, other than Churches and other Places of Worship	N	N	N	N	N	C	C	C	C	C	C	C	Sec. 86- 183

Sec. 86-649. – “Tiny” Homes, with permanent foundations

The following conditions are assigned in the MX district:

- (1) Shall only be part of a mixed-use development with a minimum parent tract size of 87,120 square feet (two acres).
- (2) Minimum dwelling size shall be 500 square feet (heated).
- (3) Site plan for development, including lot size and width, setbacks, density, and any necessary buffers, shall be reviewed and approved by the Mayor and City Council.
- (4) A minimum of three different exterior elevations shall be provided for tiny house developments.



Sec. 86-650. – Guest Quarters / Mother-in-law Suites, accessory to principal dwelling

The following conditions are assigned in the R-2, R-4, H-1, H-2, and MX districts:

- (1) Shall only be located in the rear yard of the principal dwelling.
- (2) Shall not be located on a lot without a principal dwelling.
- (3) Maximum dwelling size (heated) shall be 750 square feet.
- (4) Shall match exterior style, color, and material.

Sec. 86-651. – NAICS 561990 Business Incubator, hosting administrative office suites

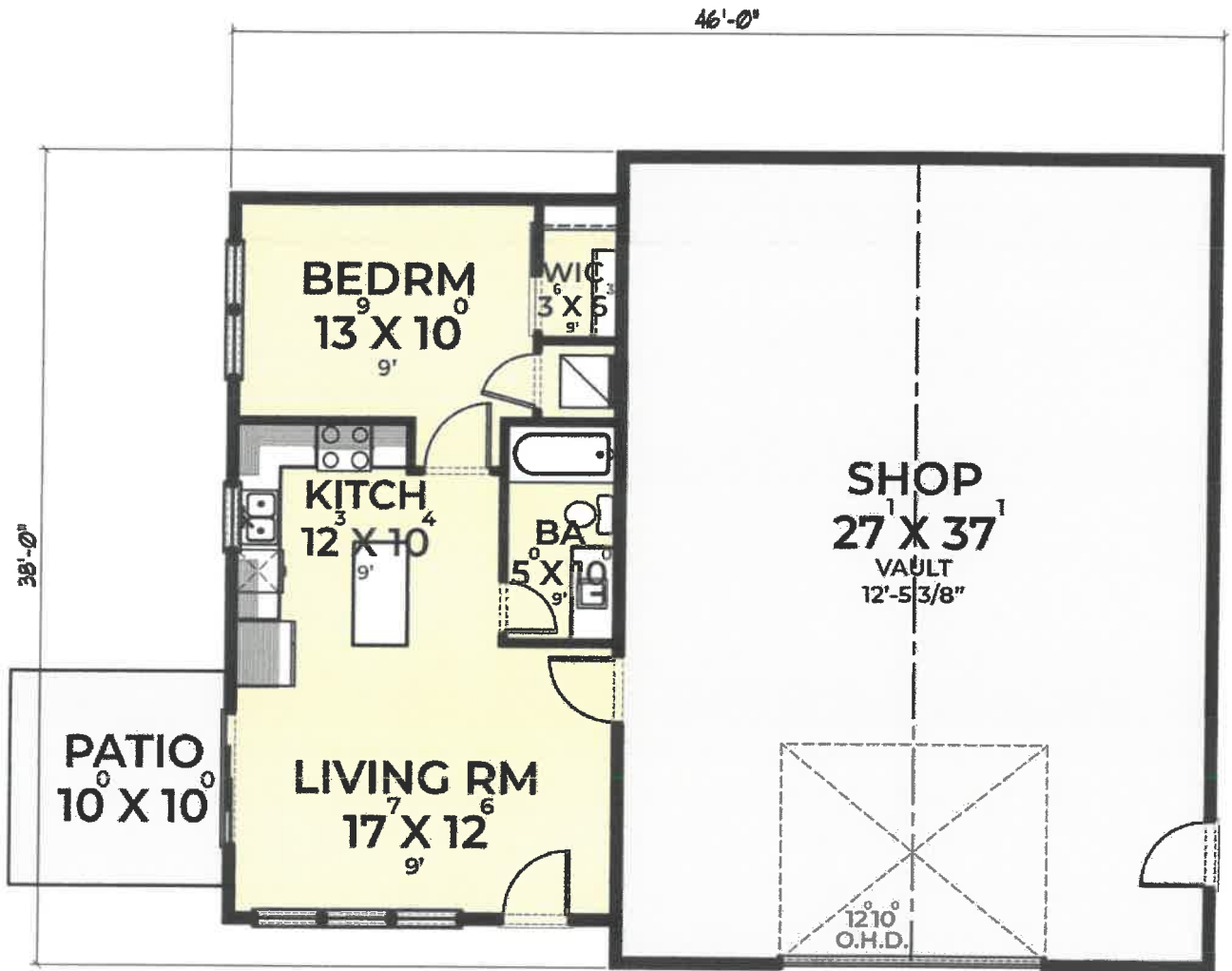
The following conditions are assigned in the CCM, C-1, and M-1 districts:

- (1) All individual businesses within shall be administrative uses only, with no excessive levels of noise, fumes, or traffic.
- (2) All individual businesses within shall be required to obtain their own business license.
- (3) No large trucks vehicles or equipment associated with businesses shall be parked on the property.
- (4) Suites shall not be used primarily as storage units.

Sec. 86-652. – NAICS 811111, 811112, 811113, 811118, 811198, 811121 All Types of Vehicle Repair and Maintenance, but not Oil Change and Lubrication Shops

The following conditions are assigned in the C-2 district:

- (1) No vehicles in a state of disrepair shall be parked or stored in view of the street or adjacent residential areas.
- (2) All applicable regulations concerning the proper storage and disposal of fluids shall be observed.
- (3) A 25-foot-wide vegetative buffer shall be established between repair facilities and adjacent residential properties.
- (4) No junkyard or salvage yard shall occur on the property.



MAIN FLOOR PLAN

Heated 612

Unheated 1,164



Attachment: Dwelling Design (3756 : 183 Lee Street - Guest Quarters)

Clayton County GIS Map



4/22/2024, 9:50:04 AM

Attachment: Site Plan (3756 : 183 Lee Street - Guest Quarters)

Legal Notice

Public Hearing will be held by the Mayor and Council of the City of Jonesboro at 6:00 P.M. on May 13, 2024, in the court chambers of the Jonesboro City Center, 1859 City Center Way, Jonesboro, GA, to consider a Conditional Use Permit Application for an accessory guest quarters / mother-in-law suite by Dr. Donya L. Sartor, property owner and applicant, for property at 183 Lee Street (Parcel No. 13240C D006), Jonesboro, Georgia 30236. Item will first be discussed at the Work Session on May 6, 2024 at 6:00 P.M., also in the court chambers of the Jonesboro City Center, 1859 City Center Way, Jonesboro, GA 30236.

David Allen
Community Development Director

Publish 4/24/24



MEMORANDUM

To: Donya Sartor
183 Lee Street
Jonesboro, Ga. 30236

From: David D. Allen
City of Jonesboro
1859 City Center Way
Jonesboro, GA 30236

Date: April 22, 2024

Re: Notification of Request for Conditional Use Permit – Guest Quarters / Mother-in-law Suite; 183 Lee Street, Parcel No. 13240C D006

Dear Applicant,

This letter is to serve as notification that the City of Jonesboro has received your request for a conditional use permit for the above referenced property concerning the following:

- Guest Quarters / Mother-in-law suite

A Public Hearing has been scheduled for Monday, May 13, 2024 at 6:00 pm before the Jonesboro Mayor and City Council to consider the request as described above. A Work Session has been scheduled on the same item for Monday, May 6, 2024 at 6:00 pm. The meetings will both be conducted in the court chambers of the Jonesboro City Center, 1859 City Center Way, Jonesboro, Ga.

Should you have any questions regarding the decision, please do not hesitate to contact me at 770-478-3800 or at dallen@jonesboroga.com.

Sincerely,

David D. Allen
Community Development Director / Zoning Administrator

Attachment: Meeting Notice Letter (3756 : 183 Lee Street - Guest Quarters)



Attachment: Zoning Sign (3756 : 183 Lee Street - Guest Quarters)

CITY OF JONESBORO

PUBLIC NOTICE

An application has been filed for a
CONDITIONAL USE PERMIT
at this location

183 Lee Street

A PUBLIC HEARING on this application will be
held on MAY 13 2024, at 6 p.m.

1859 City Center Way

Any questions, call City Hall at 770-478-3800

Date of Posting APRIL 23 2024

ATTENTION

DO NOT REMOVE UNTIL ABOVE MEETING DATE

Anyone caught defacing or removing this sign shall be guilty of a misdemeanor

	CITY OF JONESBORO, GEORGIA COUNCIL Agenda Item Summary	Agenda Item # - 9	6.9
		COUNCIL MEETING DATE May 6, 2024	
Requesting Agency (Initiator) Office of the City Manager		Sponsor(s) Community Development Director Allen	
Requested Action <i>(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)</i> Discussion regarding re-adoption of the Official Zoning Map for the City of Jonesboro, 24-MA-005, Ord. 2024-008.			
Requirement for Board Action <i>(Cite specific Council policy, statute or code requirement)</i> Zoning Map Re-Adoption			
Is this Item Goal Related? <i>(If yes, describe how this action meets the specific Board Focus Area or Goal)</i> Yes Community Planning, Neighborhood and Business Revitalization			
Summary & Background <i>(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)</i> Staff Recommendation – Approval of the updated Zoning Map; The map was last formally adopted this past January, and the following changes have occurred since then: <i>Certain tract of land to be de-annexed, 24-MA-002, Ord. 2024-002, from the City into unincorporated Clayton County pursuant to a signed petition. Tract of land lying and being in the City of Jonesboro, Georgia, as described in Deed Book 10846, Pages 350 to 352 (Parcel No. 12016D B001Z). Approved March 11, 2024.</i> <i>Map Amendment, 24-MA-003 Ord. 2024-003, to the Official Zoning Map for rezoning of property located along North Main Street (Parcel No. 13209C E003), Jonesboro, Ga 30236 from Mixed Use (MX) to Multi-Family Residential (RM), for the purposes of a townhome development. Approved April 8, 2024.</i> <i>Map Amendment, 24-MA-004 Ord. 2024-004, to the Official Zoning Map for rezoning of property located along Tara Boulevard (Parcel No. 13210D B007), Jonesboro, Ga 30236 from Highway Commercial (C-2) to Multi-Family Residential (RM). Approved April 8, 2024.</i>			
Fiscal Impact <i>(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)</i> n/a			
Exhibits Attached <i>(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)</i> - Jonesboro Zoning May 13 2024 - Public Hearing Notice - Zoning Map Adoption 051324			
Staff Recommendation <i>(Type Name, Title, Agency and Phone)</i> Approval			

FOLLOW-UP APPROVAL ACTION (City Clerk)		
Typed Name and Title Melissa Brooks, City Clerk	Date May, 6, 2024	
Signature	City Clerk's Office	

City of Jonesboro Georgia



Zoning Classifications

-  A Assembly Rights
-  H Historic Residential
-  AH Historic Residential and Assembly F
-  T Tara Boulevard
-  S Active Senior District
-  G Gateway South District
-  C-1 Neighborhood Commercial District
-  C-2 Highway Commercial District
-  CCM City Center Mixed Use District
-  H-1 Historic District
-  H-2 Historic District
-  M-1 Light Industrial District
-  MX Mixed Use District
-  O-I Office and Institutional District
-  R-2 Single Family Residential District
-  R-4 Single Family Residential District
-  R-C Cluster Residential District
-  RM Multifamily Residential District

 Jonesboro City Limit

DESIGNATION OF 155 SMITH ST.
AS HISTORIC PROPERTY BY
MAYOR AND CITY COUNCIL
JUNE 13, 2022, PARCEL NO.
13241A B909

This is to certify that this is the Official Zoning referred to in this Section of Ordinance 2015-0 of the City of Jonesboro, Georgia

Official Adoption Date: May 13, 2024

Dr. Donya L. Sartor, Mayor _____

David Allen, Interim City Manager _____

City Attorney _____

I, David Allen, Interim City Manager of the City of Jonesboro, Georgia, do hereby certify that this is the Official Zoning Map of the City of Jonesboro, Clayton County, Georgia, contemporaneously present in chamber at the time it was adopted by the Mayor and Council of Jonesboro, Georgia on the 13th day of May 13, 2024.

David Allen, Interim City Manager _____

Addresses and parcel boundaries are based on data provided by the Clayton County Tax Assessor's Office and are not guaranteed by the City of Jonesboro to be accurate.



0 1,000 2,000 3,000 4,000
Feet

THE CITY OF JONESBORO, GEORGIA
NOTICE OF PUBLIC HEARING

The City of Jonesboro Mayor and City Council will hold a public hearing on the 13th day of May, 2024, at 6:00 p.m. in the court chambers of the Jonesboro City Center, which is located at 1859 City Center Way, Jonesboro, Georgia 30236 for the purpose of due process of the following:

A Public Hearing pursuant to the Georgia Zoning Procedures Act, O.C.G.A. §36-66-1, et. seq., to re-adopt the Official Zoning Map for the City of Jonesboro. At the hearing, members of the public shall have the opportunity to voice their comments on the proposed ordinance as required under the law.

David D. Allen
Zoning Administrator / Community Development Director

Publish 4/24/24

	CITY OF JONESBORO, GEORGIA COUNCIL Agenda Item Summary		Agenda Item # 6.10 - 10
			COUNCIL MEETING DATE May 6, 2024
Requesting Agency (Initiator) Office of the City Manager		Sponsor(s) Community Development Director Allen	
Requested Action <i>(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)</i> Discussion regarding proposed text amendment to the City of Jonesboro Code of Ordinances, 24-TA-003, Ord. 2024-007, regarding updates and revisions to Article XVII – Additional Conditional Uses, Chapter 86 – Zoning, of the City of Jonesboro Code of Ordinances.			
Requirement for Board Action <i>(Cite specific Council policy, statute or code requirement)</i> Article XVII Additional Conditional Uses			
Is this Item Goal Related? <i>(If yes, describe how this action meets the specific Board Focus Area or Goal)</i> Community Planning, Neighborhood and Business Revitalization			
Summary & Background <i>(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)</i> Periodically, the Community Development Department reviews its Table of Uses, based on its experience with citizens over the past year. Some uses are made easier to do in certain districts (more “business friendly”) and other uses are made more restrictive in certain districts in order to better protect nearby citizens. With changes to the Table of Uses, there are corresponding changes to the Additional Conditional Uses section, Article XVII. Also, there are additions or revisions to the specific approval conditions of certain uses. The attached changes to the Additional Conditional Uses section are in red bold print.			
Fiscal Impact <i>(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)</i> n/a			
Exhibits Attached <i>(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)</i> • Additional Conditional Uses REV - May 2024 • Legal Notice - Additional Conditional Uses Revision May 2024			
Staff Recommendation <i>(Type Name, Title, Agency and Phone)</i> Approval			

FOLLOW-UP APPROVAL ACTION (City Clerk)		
Typed Name and Title Melissa Brooks, City Clerk	Date May, 6, 2024	
Signature	City Clerk's Office	

ARTICLE XVII. – ADDITIONAL CONDITIONAL USES

(Reference Sec. 86-121. through 86-220.)

Sec. 86-499. NAICS 621420 – Outpatient Substance Abuse Centers

The following conditions are assigned in the O&I district:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) On-site parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (5) A minimum 50-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.
- (6) Must conform to the advertising / public notice requirements of O.C.G.A. Title 36, Chapter 66, Section 36-66-4 (f), regarding zoning decisions relating to the location or relocation of a facility for the treatment of drug dependency.
- (7) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

Sec. 86-500. NAICS 621491 – HMO Medical Centers

The following conditions are assigned in the **O&I**, M-X and C-2 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) On-site parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (5) A minimum 50-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.
- (6) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building

height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

Sec. 86-501. NAICS 621493 – Freestanding Ambulatory Surgical and Emergency Centers

The following conditions are assigned in the O&I and C-2 districts:

- (1) Must be located on a street having a classification of arterial or greater.
- (2) Must be established on a lot having a minimum area of one acre.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) On-site parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (5) A minimum 50-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.
- (6) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

Sec. 86-502. NAICS 62149 – Other Outpatient Care Centers

The following conditions are assigned in the O&I, M-X, and C-2 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) On-site parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (5) A minimum 50-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.
- (6) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

Sec. 86-503. NAICS 621999 – All Other Miscellaneous Ambulatory Health Care Services

The following conditions are assigned in the ~~H-1~~, H-2, O&I, M-X, and C-2 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) On-site parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (5) A minimum 50-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.
- (6) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

Sec. 86-504. NAICS 622110 – General Medical and Surgical Hospitals

The following conditions are assigned in the O&I, C-2, and **M-1** districts:

- (1) Must be located on a street having a classification of arterial.
- (2) Must be established on a lot having a minimum area of one acre.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) On-site parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (5) A minimum 50-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.
- (6) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

Sec. 86-505. NAICS 6222 – Psychiatric and Substance Abuse Hospitals

The following conditions are assigned in the O&I district:

- (1) Must be located on a street having a classification of arterial.

- (2) Must be established on a lot having a minimum area of one acre.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) On-site parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (5) A minimum 50-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.
- (6) Must conform to the advertising / public notice requirements of O.C.G.A. Title 36, Chapter 66, Section 36-66-4 (f), regarding zoning decisions relating to the location or relocation of a facility for the treatment of drug dependency.
- (7) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

Sec. 86-506. NAICS 6223 – Other Hospitals

The following conditions are assigned in the O&I and C-2 districts:

- (1) Must be located on a street having a classification of arterial.
- (2) Must be established on a lot having a minimum area of one acre.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) On-site parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (5) A minimum 50-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.
- (6) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

Sec. 86-507. NAICS 623990 – Other Residential Care Facilities Care, Youth Homes

The following conditions are assigned in the R-2 and R-4 districts:

- (1) No additional parking beyond the existing driveway and garage areas shall be permitted on the property where the youth home is located, and vehicles may only be parked in such areas. Should

additional parking be required, the operator of the youth home may apply for an administrative variance from the city manager; any increase in pavement shall be confined to the rear of the lot.

(2) Any modifications to the existing structure shall not increase the square footage of the structure.

(3) Any exterior modifications to the existing structure shall be consistent with the residential character of the surrounding neighborhood.

(4) A youth home shall not be established within 1,500 feet of an existing youth home.

(5) The youth home shall not require occupancy of individual bedrooms by more than two individuals.

(6) Youth homes shall comply with all fire and life safety codes, and obtain all federal and state permits or licenses, as appropriate.

(7) The existing structure shall be upgraded and inspected by the city with respect to accommodation and accessibility by disabled individuals.

(8) No individuals (except employees) over the age of 18 shall be lodged at the home.

(9) No persons who are registered sex offenders, have other criminal history or require substance abuse treatment shall be allowed lodging on the premises.

Sec. 86-508. NAICS 8133 – Social Advocacy Organizations

The following conditions are assigned in the **H-2** and M-X districts:

(1) Must be located on a street having a classification of collector or greater.

(2) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.

(3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).

Sec. 86-509. NAICS 813312 – Environmental and Conservation Organizations

The following conditions are assigned in the H-1, H-2, M-X and C-2 districts:

(1) Must be located on a street having a classification of collector or greater.

(2) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.

(3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).

Sec. 86-510. NAICS 6241 – Social Services Assistance, including Individual and Family Services

The following conditions are assigned in the H-2, MX and C-2 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).

Sec. 86-511. NAICS 923, 924, 925, 9261, 92612 – Administration of Programs, but not transitional housing

The following conditions are assigned in the H-1, H-2, **MX** and C-2 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

Sec. 86-512. NAICS 92613 – Utility Regulation and Administration

The following conditions are assigned in the H-1, H-2, M-X, and C-2 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

Sec. 86-513. NAICS 92614 – Agricultural Market and Commodity Regulation

The following conditions are assigned in the H-1, H-2, M-X, and C-2 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

Sec. 86-514. NAICS 92615 – Licensing and Regulating Commercial Sectors

The following conditions are assigned in the H-1, H-2, M-X, and C-2 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

Sec. 86-515. NAICS 711120 – Dance Company Studios, without Theaters

The following conditions are assigned in the CCM, H-1, H-2, O&I, MX, C-1 and C-2 districts:

- (1) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.

Sec. 86-516. NAICS 711212 – Racetracks, Including Small Vehicles, Go-Karts and Motorcycles

The following conditions are assigned in the C-2 and M-1 districts:

- (1) Must be located on a street having a classification of arterial.
- (2) Must be established on a lot having a minimum area of one acre.

- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) On-site parking space adequate to meet the needs of the proposed facility shall be provided.
- (5) A minimum 75-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.
- (6) Operating times shall not exceed 8 pm, Monday through Saturday, and 5 pm on Sunday.
- (7) Outdoor lighting shall be night-sky friendly.
- (8) No central loudspeaker system shall be permitted.
- (9) Nuisance noise shall be reduced to adjacent properties through noise-reducing mufflers, etc.

Sec. 86-517. NAICS 71131 – Promoters of Performing Arts, Sports & Similar Events W/ Facilities

The following conditions are assigned in the C-2 and M-1 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) A minimum 50-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.
- (5) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

Sec. 86-518. NAICS 711410 – Agents and Managers for Artists, Athletes, Entertainers, and Other Public Figures

The following conditions are assigned in the M-X district:

- (1) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (2) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).

Sec. 86-519. NAICS 711510 – Independent Artist, Writers, and Performers, Live Entertainment

The following conditions are assigned in the H-1, H-2, O&I, M-X, and C-2 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) No noise generated by the use shall be perceptible at the property boundary.

Sec. 86-520. NAICS 71311 – Amusement and Theme Parks

The following conditions are assigned in the M-X, C-2, and M-1 districts:

- (1) Must be located on a street having a classification of arterial.
- (2) Must be established on a lot having a minimum area of one acre.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) On-site parking space adequate to meet the needs of the proposed facility shall be provided.
- (5) A minimum 75-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.
- (6) Operating times shall not exceed 8 pm, Monday through Saturday, and 5 pm on Sunday.
- (7) Outdoor lighting shall be night-sky friendly.
- (8) No central loudspeaker system shall be permitted.
- (9) Nuisance noise shall be reduced to a minimum to adjacent properties.

Sec. 86-521. NAICS 7139 – Other Amusement and Recreation Industries

The following conditions are assigned in the C-2 and M-1 districts:

- (1) Must be located on a street having a classification of arterial.
- (2) Must be established on a lot having a minimum area of one acre.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) On-site parking space adequate to meet the needs of the proposed facility shall be provided.
- (5) A minimum 75-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.
- (6) Operating times shall not exceed 8 pm, Monday through Saturday, and 5 pm on Sunday.
- (7) Outdoor lighting shall be night-sky friendly.

- (8) No central loudspeaker system shall be permitted.
- (9) Nuisance noise shall be reduced to a minimum to adjacent properties.

Sec. 86-522. NAICS 713940 – Fitness and Recreational Sports Centers, Health Clubs

The following conditions are assigned in the CCM, H-1, H-2, O&I, and C-1 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.

Sec. 86-523. NAICS 71212 – Other Historical Sites, Open to General Public

The following conditions are assigned in the H-1, H-2, and O&I districts:

- (1) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (2) A minimum 50-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.
- (3) Operating times shall not exceed 8 pm, Monday through Saturday, and 5 pm on Sunday.

Sec. 86-524. NAICS 71213 – Zoos and Botanical Gardens

The following conditions are assigned in the O&I and M-X districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (3) A minimum 50-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.
- (4) Operating times shall not exceed 8 pm, Monday through Saturday, and 5 pm on Sunday.
- (5) Outdoor lighting shall be night-sky friendly.
- (6) Outdoor storage and loading areas shall be screened from the road and from adjacent properties.

Sec. 86-525. NAICS 5614 – Business Support Services

The following conditions are assigned in the M-X district:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.

Sec. 86-526. NAICS 5222, 522390, 52298 – Credit Related Businesses, including Pawn Shops

The following conditions are assigned in the M-X and C-2 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (3) No pawn shop shall be permitted adjacent to any residential district.
- (4) For pawn shops, no outdoor display of merchandise is allowed.
- (5) The standards of Chapter 18, Article VII shall control operating of pawn shops.

Sec. 86-527. NAICS 561311, 561330 – Employment Staffing Businesses and Professional Employer Organizations (Staff Leasing Services)

The following conditions are assigned in the H-1 ~~and M-X~~ district:

- (1) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.

Sec. 86-528. NAICS 9211 – Executive, Legislative, and Other General Government Support

The following conditions are assigned in the M-X ~~and C-2~~ districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

Sec. 86-529. NAICS 5612 – Facilities Support Services

The following conditions are assigned in the C-2 district:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) A minimum 75-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.
- (5) Outdoor storage and loading areas shall be screened from the road and from adjacent properties.

Sec. 86-530. NAICS 52232 – Financial Transactions Processing, Reserve, and Clearinghouse Activities

The following conditions are assigned in the H-2 district:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).

Sec. 86-531. NAICS 621492 – Kidney Dialysis Centers

The following conditions are assigned in the H-2, M-X, **C-1** and C-2 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (3) Applicable waste storage / disposal procedures shall be followed, per State and Federal guidelines.

Sec. 86-532. NAICS 531120 – Lessors of Nonresidential Building (except Mini-warehouses), including Event Centers (Excluding funerals and wakes)

The following conditions are assigned in the H-1, H-2, O&I, M-X, C-2, and M-1 districts:

- (1) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.

- (2) Any alcohol service and consumption on the premises must conform to Chapter 6 standards, Alcoholic Beverages.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) A minimum 50-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.

Sec. 86-533. NAICS 812199 – Massage Therapy, State Licensed Only

The following conditions are assigned in the H-1, H-2, and O&I districts:

- (1) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (2) All individuals performing massage therapy must be licensed by the State of Georgia.

Sec. 86-534. NAICS 6215 – Medical and Diagnostic Laboratories

The following conditions are assigned in the H-1, H-2 **and MX** districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) Applicable waste storage / disposal procedures shall be followed, per State and Federal guidelines.

Sec. 86-535. NAICS 521 – Monetary Authorities-Central Bank

The following conditions are assigned in the **MX** district:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).

Sec. 86-536. NAICS 5419 – Other Professional, Scientific, and Technical Services

The following conditions are assigned in the H-1, H-2, M-X, and C-1 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).

Sec. 86-537. NAICS 5417, 54171, 54172 – Research and Development in the Physical, Engineering, and Life Sciences, Social Sciences and Humanities

The following conditions are assigned in the H-1, H-2, M-X, C-2 and M-1 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).

Sec. 86-538. NAICS 523 – Securities, Commodity Contract, and Other Financial Investments and Related Activities

The following conditions are assigned in the M-X district:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.

Sec. 86-539. NAICS 541940 – Veterinary services including animal hospital, with outdoor runs.

The following conditions are assigned in the C-2 and M-1 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (3) Outdoor runs shall be located in the rear yard only and shall be screened from roads and adjacent properties.
- (4) A minimum 50-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.
- (5) No overnight, outdoor lodging of animals shall be allowed.

Sec. 86-540. NAICS 621112 – Office of Mental Health Specialists

The following conditions are assigned in the ~~H-1, H-2~~, M-X ~~and C-1~~ district:

- (1) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (2) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).

Sec. 86-541. NAICS 54185 – Large-Scale, Outdoor Advertising, including Billboard Displays

The following conditions are assigned in the C-2 and M-1 districts:

- (1) Must be located on a street having a classification of arterial.
- (2) Must not exceed twenty (20) feet in height.

Sec. 86-542. NAICS 721199 – All Other Travel Accommodation, including Short Term Rentals (Air BnBs)

The following conditions are assigned in the R-2, R-4, H-1, H-2, O&I, ~~and~~ M-X, ~~and C-1~~ districts:

- (1) The standards of Chapter 18, Article XIII shall control development of short-term rentals.

Sec. 86-543. NAICS 721191 – Bed and Breakfast Inns

The following conditions are assigned in the ~~R-M~~, H-1, H-2, O&I, MX, and C-2 districts:

- (1) The standards of Chapter 18, Article XII shall control development of bed and breakfasts.

Sec. 86-544. NAICS 56143, 561439 – Business Service Centers, including Copy Shops, Mail Centers, and Internet Café

The following conditions are assigned in the ~~H-1~~ ~~and~~ C-1 districts:

- (1) Establishments shall be limited to a maximum floor area of 2,000 square feet.

Sec. 86-545. NAICS 811192 – Car Washes

The following conditions are assigned in the M-X, C-2, and M-1 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.

(3) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.

(4) Must be located in a stand-alone building (no planned centers or connected storefronts).

Sec. 86-546. NAICS 812220 – Crematories, within Funeral Homes or Stand Alone

The following conditions are assigned in the C-2 and M-1 districts:

(1) For stand-alone crematories, the lot shall be a minimum of five acres, if burials also occur on the property (including columbariums).

(2) For stand-alone crematories, the lot shall be a minimum of three acres, if no burials occur on the property.

(3) The lot shall have direct access to an arterial or major collector road.

(4) No building or other structure shall be located within 100 feet of any property boundary.

(5) Any gravesites shall be a minimum of (50) 50 feet from any property boundary.

(6) Building and other structures shall be screened from the road and adjacent properties.

(7) For crematories within funeral homes, the facility shall not be a separate building from the funeral home and shall be located at the rear of the funeral home and shall match the exterior façade of the funeral home.

(8) For crematories within funeral homes, the facility shall be a setback a minimum of 50 feet from rear and side property lines.

(9) All crematory operators shall be properly State licensed.

(10) All crematories must submit to all required State annual inspections and demonstrate compliance with any State and Federal emission standards.

Sec. 86-547. NAICS 81231 – Coin-Operated Laundries and Drycleaners, drop-off

The following conditions are assigned in the C-1 and M-1 districts:

(1) Must be located on a street having a classification of collector or greater.

(2) Establishments shall be limited to a maximum floor area of 2,000 square feet

Sec. 86-548. NAICS 53241 – Machinery and Equipment **(Small and Heavy)** Rental and Leasing

The following conditions are assigned in the C-2 and M-1 districts:

(1) Must be located on a street having a classification of arterial.

(2) Machinery / equipment for rental shall be parked in the rear yard of the business and shall be screened from adjacent properties.

Sec. 86-549. NAICS 532283 – Home Health Equipment Rental

The following conditions are assigned in the ~~O&L~~ and C-1 district:

- (1) Must be located on a street having a classification of collector or greater.
- (2) No outdoor display or storage of merchandise or materials shall be permitted.

Sec. 86-550. NAICS 532284 – Recreational Goods Rental, including golf cart rentals

The following conditions are assigned in the C-2 district:

- (1) Must be located on a street having a classification of arterial.
- (2) Recreational vehicles for rental shall be parked in the rear yard of the business and shall be screened from adjacent properties.
- (3) No outdoor display or storage of non-vehicle merchandise or materials shall be permitted in the front yard.

Sec. 86-551. NAICS 812191 – Diet and Weight Reducing Centers

The following conditions are assigned in the H-1 and H-2 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.

Sec. 86-552. NAICS 454110 – Electronic Shopping and Mail-Order Houses

The following conditions are assigned in the ~~H-1~~ and H-2 district:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).

Sec. 86-553. NAICS 532281 – Formal Wear & Costume Rental

The following conditions are assigned in the O&I district:

- (1) Establishments shall be limited to a maximum floor area of 2,000 square feet
- (2) No outdoor display or storage of merchandise or materials shall be permitted.

Sec. 86-554. NAICS 72111 – Hotels (except Casino Hotels) and Motels, including Extended Stay Facilities

The following conditions are assigned in the CCM, H-1, H-2, O&I, M-X, and C-2 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (3) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided; no shared parking with adjacent uses.
- (4) Shall be no higher than three (3) stories in height.
- (5) Lodging rooms shall be accessed through a central lobby.
- (6) Lodging rooms shall be cleaned by professional staff daily.
- (7) No hotel, motel, or extended stay facility located within the City shall allow a person or persons to occupy any such facility for more than thirty (30) days during a one-hundred eighty (180) day period, except where:
 - a) Occupation of a hotel, motel, or extended stay facility in excess of thirty (30) consecutive days in a one hundred eighty (180) period may occur when a specific business entity desires such occupation for an employment-related purpose which requires temporary occupancy, including, but not limited to, relocation service and
 - b) a government, charity, or insurance agency desires such occupation to house individuals or families as a result of a natural disaster.
- (8) A minimum 25-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, single-family detached residential property.
- (9) Extended stay facilities shall have secure parking.

Sec. 86-555. NAICS 81293 – **Standalone** Parking Lots and Garages, Commercial **(including expansions)**

The following conditions are assigned in the CCM, H-1, H-2, O&I, M-X, C-1, C-2, and M-1 districts:

- (1) The standards of Chapter 86, Article XIII shall control development of parking lots.
- (2) The standards of Chapter 86, Article XV shall control landscaping and buffering of parking lots.

- (3) Lighting shall be night-sky friendly.
- (4) Parking garages shall not exceed two (2) stories in height.

Sec. 86-556. NAICS 812910 – Animal Kennels / Boarding

The following conditions are assigned in the M-1 district:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of three acres and a minimum frontage of 200 feet.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) Outdoor runs shall be located in side and rear yards only.
- (5) Outdoor runs and other outdoor animal areas shall be enclosed in a minimum 6-foot tall opaque fence.
- (6) A minimum 50-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.
- (7) The keeping of wild or exotic animals, as defined in the Code of Georgia, is prohibited.
- (8) All facilities must be State licensed and be inspected periodically by the State. Copies of official inspection reports shall be provided to the City at time of annual business license renewal. Repeated violations of City and State standards may result in a revocation of the license.

Sec. 86-557. NAICS 812910 – Animal Rescue Shelter

The following conditions are assigned in the O&I and M-1 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) Outdoor runs shall be located in side and rear yards only.
- (5) Outdoor runs and other outdoor animal areas shall be enclosed in a minimum 6-foot tall opaque fence.
- (6) A minimum 50-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.

(7) All facilities must be State licensed and be inspected periodically by the State. Copies of official inspection reports shall be provided to the City.

(8) No overnight, outdoor lodging of animals is allowed.

(9) No at-large drop-offs of animals are allowed.

(10) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

Sec. 86-558. NAICS 812921 – Photo-finishing Laboratories (except One-Hour)

The following conditions are assigned in the **H-1** district:

(1) Establishments shall be limited to a maximum floor area of 2,000 square feet

Sec. 86-559. NAICS 54192 – Photographic Services and Studios, Including Framing Shops

The following conditions are assigned in the **M-1** district:

(1) Establishments shall be limited to a maximum floor area of 2,000 square feet

Sec. 86-560. NAICS 611513 – Apprenticeship Training

The following conditions are assigned in the H-1, H-2, O&I, M-X, C-2, and M-1 districts:

(1) Must be located on a street having a classification of collector or greater.

(2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.

(3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).

(4) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.

Sec. 86-561. NAICS 811420 – Antique Furniture Repair and Restoration Shop

The following conditions are assigned in the H-1, H-2, and C-1 districts:

(1) No outdoor display or storage of merchandise or materials shall be permitted.

(2) Window displays shall not include merchandise in various states of repair or disrepair.

(3) All loading / unloading shall occur at the rear of the building.

Sec. 86-562. NAICS 721310 – Rooming / Boardinghouses

The following conditions are assigned in the RM district:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) Dwellings shall not exceed two (2) stories in height.
- (4) The dwelling shall comply with all fire and life safety codes, and obtain all federal and state permits or licenses, as appropriate.
- (5) The dwelling shall not exceed occupancy of individual bedrooms by more than two individuals.
- (6) No dwelling located within the City shall allow a person or persons to occupy any such dwelling for more than thirty (30) days during a one-hundred eighty (180) day period.

Sec. 86-563. NAICS 561621 – Security Systems Services (except Locksmiths)

The following conditions are assigned in the H-1, H-2, and M-X districts:

- (1) Must be located on a street having a classification of collector or greater.

Sec. 86-564. NAICS 5619 – Other Support Services, including packaging and labeling, convention and trade show organizers, inventory, traffic control, water conditioning, lumber grading and related services

The following conditions are assigned in the **O&I and** C-2 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) No outside storage shall be visible from the road or adjacent properties.

Sec. 86-565. NAICS 661422, 561421 – Telemarketing Bureaus and Telephone Answering Services

The following conditions are assigned in the ~~H-1 and~~ H-2 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).

Sec. 86-566. NAICS 56152 – Tour Operators with Tour Vehicles

The following conditions are assigned in the H-1, H-2, and C-2 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Vehicles may not be parked on a property without an associated office building.
- (3) Office must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) Vehicles must be parked in the rear yard of the property.

Sec. 86-567. NAICS 53212 – Truck, Utility Trailer, and RV (Recreational Vehicle) Rental and Leasing, including Moving Truck Rental

The following conditions are assigned in the C-2 and M-1 districts:

- (1) Must be located on a street having a classification of arterial.
- (2) Vehicles may not be parked on a property without an associated office building.
- (3) Office must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) Vehicles must be parked in the rear yard of the property.

Sec. 86-568. NAICS 61161 – Fine Arts Schools

The following conditions are assigned in the O&I and M-X districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (4) All other applicable standards of Section 86-113 shall be met.

Sec. 86-569. NAICS 611610 – Small-scale Pottery and Ceramics Shop

The following conditions are assigned in the O&I, M-X, and C-1 districts:

- (1) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (2) Establishments shall be limited to a maximum floor area of 2,000 square feet.

Sec. 86-570. NAICS 61162 – Sports and Recreation Instruction, including Exercise and Yoga

The following conditions are assigned in the O&I, M-X, and C-1 districts:

- (1) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (2) Establishments shall be limited to a maximum floor area of 2,000 square feet

Sec. 86-571. NAICS 611620 – Sports and Recreation Instruction, including Gymnastics and Martial Arts

The following conditions are assigned in the O&I, M-X, and C-1 districts:

- (1) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (2) Establishments shall be limited to a maximum floor area of 2,000 square feet

Sec. 86-572. NAICS 6117 – Educational Support Services (non-instructional)

The following conditions are assigned in the H-1, H-2, MX and C-2 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.

Sec. 86-573. NAICS 5621, 562119 – Waste Collection

The following conditions are assigned in the O&I and M-1 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of three acres and a minimum frontage of 200 feet.

- (4) All waste vehicles, equipment, and receptacles shall be located in the rear yard.
- (5) All waste shall be contained in proper receptacles.
- (6) A minimum 75-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.
- (7) All waste vehicles, equipment, and receptacles shall be screened from the road and adjacent properties.
- (8) All applicable State and Federal regulations shall be met.

Sec. 86-574. NAICS 5622 – Waste Treatment and Disposal

The following conditions are assigned in the M-1 district:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of three acres and a minimum frontage of 200 feet.
- (4) All waste vehicles, equipment, and receptacles shall be located in the rear yard.
- (5) All waste shall be contained in proper receptacles.
- (6) A minimum 75-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.
- (7) All waste vehicles, equipment, and receptacles shall be screened from the road and adjacent properties.
- (8) All applicable State and Federal regulations shall be met.
- (9) No long-term storage of solid or liquid waste shall occur on the property.

Sec. 86-575. NAICS 5629 – Remediation and Other Waste Services

The following conditions are assigned in the ~~O&H~~ and M-1 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of three acres and a minimum frontage of 200 feet.
- (4) All waste vehicles, equipment, and receptacles shall be located in the rear yard.
- (5) All waste shall be contained in proper receptacles.
- (6) A minimum 75-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.

(7) All waste vehicles, equipment, and receptacles shall be screened from the road and adjacent properties.

(8) All applicable State and Federal regulations shall be met.

(9) No long-term storage of solid or liquid waste shall occur on the property.

Sec. 86-576. NAICS 562991 – Septic Tank and Related Services

The following conditions are assigned in the M-1 district:

(1) Must be located on a street having a classification of collector or greater.

(2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.

(3) All waste vehicles and equipment shall be located in the rear yard.

(4) All waste shall be contained in proper receptacles.

(5) A minimum 75-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.

(6) All waste vehicles and equipment shall be screened from the road and adjacent properties.

(7) All applicable State and Federal regulations shall be met.

(8) No long-term storage of solid or liquid waste shall occur on the property.

Sec. 86-577. NAICS 45392 – Art Dealers

The following conditions are assigned in the ~~M-X and C-1~~ O&I districts:

(1) Establishments shall be limited to a maximum floor area of 2,000 square feet.

Sec. 86-578. NAICS 453920 – Art Gallery

The following conditions are assigned in the O&I, ~~M-X, and C-1~~ districts:

(1) Establishments shall be limited to a maximum floor area of 2,000 square feet.

(2) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.

Sec. 86-579. NAICS 453920 – Temporary, Outdoor Arts Market

The following conditions are assigned in the H-1, H-2, O&I, ~~C-2 and M-1~~ districts:

- (1) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (2) No permanent, arts-related structures are allowed on the property.
- (3) May be allowed on the same property as another use.

Sec. 86-580. NAICS 44131 – Automotive Parts and Accessories Stores, With Outdoor Storage, Excluding Tires

The following conditions are assigned in the C-2 and M-1 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Outdoor storage shall be in the rear yard of the business and shall be screened from the road and from adjacent properties.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).

Sec. 86-581. NAICS 722514 – Cafeterias, Grill Buffets, and Buffets

The following conditions are assigned in the H-1, H-2, **and** O&I, **and** ~~C-1~~ districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Establishments shall be limited to a maximum floor area of 4,000 square feet.
- (3) A minimum 50-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.

Sec. 86-582. NAICS 44512 – Convenience Food Stores with fuel pumps, Gasoline Stations, Full Service and with Convenience Stores

The following conditions are assigned in the ~~M-X~~, C-2, and M-1 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) A minimum 50-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.

Sec. 86-583. NAICS 452210 – Department Stores

The following conditions are assigned in the H-1 and H-2 districts:

- (1) Must be located on a street having a classification of collector or greater.

(2) Establishments shall be limited to a maximum floor area of 5,000 square feet.

Sec. 86-584. NAICS 453998 – Store Retailers not Specified Elsewhere, Including Fireworks Shops but not Tobacco Stores

The following conditions are assigned in the M-X **and C-1** districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Establishments shall be limited to a maximum floor area of 2,000 square feet.
- (3) No outdoor display or storage of merchandise or materials shall be permitted.
- (4) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).

Sec. 86-585. NAICS 72231 – Food Service Contractors

The following conditions are assigned in the **H-2 and O&I** districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) A minimum 50-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.
- (4) Drop-off and loading areas must be located in the rear yard.
- (5) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).

Sec. 86-586. NAICS 442291 – Window Treatment Stores

The following conditions are assigned in the H-1 And H-2 districts:

- (1) Establishments shall be limited to a maximum floor area of 2,000 square feet.
- (2) No outdoor display or storage of merchandise or materials shall be permitted.

Sec. 86-587. NAICS 44413 – Hardware Stores

The following conditions are assigned in the H-1 And H-2 districts:

- (1) Must be located on a street having a classification of collector or greater.

- (2) Establishments shall be limited to a maximum floor area of 4,000 square feet.
- (3) No outdoor display or storage of merchandise or materials shall be permitted.

Sec. 86-588. NAICS 451120 – Arts & Crafts Retail Sales, Supply Stores

The following conditions are assigned in the O&I, ~~M-X~~, and ~~C-1~~ district:

- (1) Establishments shall be limited to a maximum floor area of 2,000 square feet.
- (2) No outdoor display or storage of merchandise or materials shall be permitted.

Sec. 86-589. NAICS 44411 – Home Centers (Building Materials and Supplies)

The following conditions are assigned in the **MX and C-2** districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) A minimum 75-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.
- (4) Drop-off and loading areas must be located in the rear yard.
- (5) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).

Sec. 86-590. NAICS 72233 – Mobile Food Services, Including Carts and Individual Food Trucks

The following conditions are assigned in the H-1, H-2, O&I, **MX** and C-2 districts:

- (1) The City may, in its discretion, allow trucks, trailers, and carts specifically designed for storage and service of food to be parked at City designated sites, in addition to recognized City event sites.
- (2) Must meet all health department requirements.
- (3) Vehicle may park at business owner's residence within the City while not operating, provided that the vehicle does not exceed the size restrictions of Sec. 86-274.
- (4) The commercial lot's parking supply exists in excess of that required by Code for uses or commercial space existing on the site and two off-street parking spaces shall be reserved for the exclusive use of customers of each mobile food vendor.
- (5) In addition to Mayor and Council, approval, must have the written and notarized permission of the commercial property owner.

- (6) Must not be parked overnight on any property within the City other than the business owner's residence.
- (7) Door to door solicitations are prohibited.
- (8) Hours of operation shall not exceed 8:00 am to 8:00 pm. for non-event sales.
- (9) For non-event sales, the sale of non-food items is prohibited.
- (10) For non-event sales, business must be contained within the vehicle(s). No tents or tables allowed to be set up outside of the vehicle(s).
- (11) Except in City designated "food truck courts", more than one mobile food service provider shall be on the same property.

Sec. 86-591. NAICS 722330 – Food Truck Courts and Parks (for profit and not-for-profit)

The following conditions are assigned in the H-1, H-2, O&I, M-X, C-1 and C-2 districts:

- (1) The City may, in its discretion, allow for the concentrated parking of mobile food vendors at City designated sites, in addition to recognized City event sites.
- (2) Must be located on a street having a classification of collector or greater.
- (3) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (4) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided. No parking on City streets unless specifically authorized by the City.
- (5) Must present site plan to the City showing the spacing of vendors and the circulation of customers on the property.
- (6) Must meet all health department requirements (for profit and not-for-profit).
- (7) Adequate trash receptacles shall be provided on the premises to dispose of food wrappers, food utensils, paper products, cans, bottles, food and other such waste. Such receptacles shall be located no more than ten feet from each food truck. The food truck vendor shall be responsible for removing all trash, litter and refuse from the site at the end of each business day.
- (8) No LED strip lighting shall be used in conjunction with any food truck court.
- (9) Loudspeaker use shall conform to the City Noise Ordinance.
- (10) A minimum distance of 100 feet shall be maintained between any food truck and the entrance to any restaurant.
- (11) The food truck shall not be located within any required setback, any sight distance triangle or required buffer.

(12) Access aisles sufficient to provide emergency access to any food truck shall be provided subject to approval by the fire marshal.

(13) "Non-profit" food truck events, as referenced in O.C.G.A. 26-2-39, occurring in privately-owned food truck courts and parks shall be limited to four (4) events per calendar year.

(14) All individual food truck participants within private food truck courts / parks shall be subject to an annual application and application fee submitted to the City of Jonesboro.

Sec. 86-592. NAICS 441228 – Motorcycle, ATV, and Other Vehicle Dealers

The following conditions are assigned in the C-2 district:

- (1) Must be located on a street having a classification of arterial.
- (2) Vehicles for sale shall be parked in the rear yard of the business and shall be screened from adjacent properties.

Sec. 86-593. NAICS 45439 – Other Direct Selling Establishments

The following conditions are assigned in the O&I, C-2, and M-1 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) A minimum 50-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.
- (4) Drop-off and loading areas must be located in the rear yard.
- (5) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).

Sec. 86-594. NAICS 447190 - Other Gasoline Stations (includes Truck stop)

The following conditions are assigned in the M-1 district:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) A minimum 75-foot wide buffer shall be maintained between the property and any adjacent, residentially-zoned property.

(4) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.

(5) Overnight parking of trucks shall only occur in the rear yard.

Sec. 86-595. NAICS 4412 –Other Motor Vehicle Dealers

The following conditions are assigned in the C-2 district:

- (1) Must be located on a street having a classification of arterial.
- (2) Vehicles for sale shall be parked in the rear yard of the business and shall be screened from adjacent properties.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).

Sec. 86-596. NAICS 44121 – Recreational Vehicle Dealers

The following conditions are assigned in the C-2 and M-1 districts:

- (1) Must be located on a street having a classification of arterial.
- (2) Vehicles for sale shall be parked in the rear yard of the business and shall be screened from adjacent properties.
- (3) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (4) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).

Sec. 86-597. NAICS 722511 – Restaurants, Full-Service, Family and Quality Restaurants

The following conditions are assigned in the O&I district:

- (1) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.

Sec. 86-598. NAICS 722513 – Restaurants, Limited-Service, including Fast Food and Take-Out, with or without drive-through windows.

The following conditions are assigned in the H-1, H-2, **MX** and C-1 districts:

- (1) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.

(2) A minimum 50-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.

Sec. 86-599. NAICS 722515 – Snack and Nonalcoholic Beverage Bars, including cafes and coffee shops

The following conditions are assigned in the O&I district:

- (1) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (2) Establishments shall be limited to a maximum floor area of 2,000 square feet.

Sec. 86-600. NAICS 445230 – Outdoor Farmers Market

The following conditions are assigned in the **H-1, H-2 and C-2** districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided. No parking on City streets unless specifically authorized by the City.
- (5) Must present site plan to the City showing the spacing of vendors and the circulation of customers on the property.
- (6) Must meet all health department requirements.
- (7) The Mayor and Council shall determine operational times.
- (8) No LED strip lighting shall be used in conjunction with any farmers market.
- (9) No loudspeakers shall be used for announcements or hawking of products in conjunction with any farmers market.

Sec. 86-601. NAICS 44132 – Tire Dealers

The following conditions are assigned in the C-2 and M-1 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.

- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) Outdoor storage of tires and other products are prohibited.

Sec. 86-602. NAICS 45331 – Consignment Stores

The following conditions are assigned in the ~~H-1, H-2~~, M-X, and C-1 districts:

- (1) Establishments shall be limited to a maximum floor area of 2,000 square feet.
- (2) No outdoor display or storage of merchandise or materials shall be permitted.

Sec. 86-603. NAICS 452311 – Warehouse Clubs and Supercenters

The following conditions are assigned in the M-X district:

- (1) Must be located on a street having a classification of arterial.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (5) A minimum 50-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.
- (6) Drop-off and loading areas must be located in the rear yard.

Sec. 86-604. NAICS 45399 – All Other Miscellaneous Store Retailers, including Flea Markets

The following conditions are assigned in the H-1, H-2, M-X, C-1, and C-2 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Establishments shall be limited to a maximum floor area of 2,000 square feet.
- (3) No outdoor display or storage of merchandise or materials shall be permitted.
- (4) Flea markets must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).

Sec. 86-605. NAICS 453991 – Tobacco Stores, Cigar Shops, Vape Shops, CBD Stores, but not Cigar Lounge

The following conditions are assigned in the M-X **and** C-1 districts:

- (1) Establishments shall be limited to a maximum floor area of 2,000 square feet.
- (2) No outdoor display or storage of merchandise or materials shall be permitted.
- (3) All ATF requirements shall be met.

Sec. 86-606. NAICS 311, 3121, 31211, 3122, 313, 314, 315, 316, 321, 324, 327, 331, 332, 333, 334, 335, 336, 337, and 339 – Any Manufacturing with Outdoor Storage

The following conditions are assigned in the M-1 district:

- (1) Outdoor storage is permitted provided such storage is confined to the rear yard and is screened using fencing or landscaping which completely obscures the view from adjoining properties and public rights-of-way. Such screening shall have a minimum height of eight feet.
- (2) A minimum 75-foot-wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.
- (3) No facility shall be permitted which introduces excessive noise, odor, vibration, electrical interference, threat of fire, explosion, or involves hazardous materials or other objectionable activities.

Sec. 86-607. NAICS 53113 – Mini-warehouses and Self-Storage Units (Indoor and Outdoor)

The following conditions are assigned in the C-2 and M-1 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) A minimum 75-foot wide buffer shall be maintained between the property and any adjacent, residentially-zoned property.
- (4) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (5) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (6) Must have security fencing around perimeter of premises.
- (7) All lighting shall be night-sky friendly.
- (8) Storage of hazardous materials is prohibited.
- (9) Storage of items outside of provided storage units is prohibited.

Sec. 86-608. NAICS 51212– Motion Picture and Video Distribution

The following conditions are assigned in the C-2 district:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) No noise generated by the use shall be perceptible at the property boundary.

Sec. 86-609. NAICS 51211– Motion Picture and Video Production

The following conditions are assigned in the C-2 and M-1 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) No noise generated by the use shall be perceptible at the property boundary.

Sec. 86-610. NAICS 322– Paper Manufacturing

The following conditions are assigned in the M-1 district:

- (1) Outdoor storage of materials is prohibited.
- (2) A minimum 75-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.
- (3) No facility shall be permitted which introduces excessive noise, odor, vibration, electrical interference, threat of fire, explosion, or involves hazardous materials or other objectionable activities.

Sec. 86-611. NAICS 323 – Printing and Related Support Activities

The following conditions are assigned in the H-1, **and** H-2, **and** ~~C-1~~ districts:

- (1) Establishments shall be limited to a maximum floor area of 2,000 square feet.
- (2) No outdoor display or storage of merchandise or materials shall be permitted.
- (3) No noise generated by the use shall be perceptible at the property boundary.

Sec. 86-612. NAICS 31212 – Breweries, Large-Scale

The following conditions are assigned in the H-1, H-2, **C-2** and M-1 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) A minimum 75-foot wide buffer shall be maintained between the property and any adjacent, residentially-zoned property.
- (4) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (5) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (6) Any applicable standards of Chapter 6, Alcoholic Beverages, must be met.

Sec. 86-613. NAICS 312120 – Micro-breweries

The following conditions are assigned in the H-1, H-2, C-2, and M-1 districts:

- (1) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (2) A minimum 75-foot wide buffer shall be maintained between the property and any adjacent, residentially zoned property.
- (3) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (4) Any applicable standards of Chapter 6, Alcoholic Beverages, must be met.

Sec. 86-614. NAICS 312120 – Brew Pubs and Growler Shops

The following conditions are assigned in the H-1, H-2, and C-2 districts:

- (1) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (2) All standards of Chapter 6, Alcoholic Beverages, must be met.

Sec. 86-615. NAICS 31214 – Distilleries, Large-Scale

The following conditions are assigned in the H-1, H-2, **C-2** and M-1 districts:

- (1) Must be located on a street having a classification of collector or greater.

- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) A minimum 75-foot wide buffer shall be maintained between the property and any adjacent, residentially-zoned property.
- (4) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (5) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (6) Any applicable standards of Chapter 6, Alcoholic Beverages, must be met.

Sec. 86-616. NAICS 312140 – Micro-distilleries

The following conditions are assigned in the H-1, H-2, **C-2** and M-1 districts:

- (1) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (2) A minimum 75-foot wide buffer shall be maintained between the property and any adjacent, residentially zoned property.
- (3) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (4) Any applicable standards of Chapter 6, Alcoholic Beverages, must be met.

Sec. 86-617. NAICS 493 – Warehousing and Storage

The following conditions are assigned in the M-1 district:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) A minimum 75-foot wide buffer shall be maintained between the property and any adjacent, residentially-zoned property.
- (4) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (5) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (6) All lighting shall be night-sky friendly.
- (7) Storage of hazardous materials is prohibited.

(8) Outdoor storage is permitted provided such storage is confined to the rear yard and is screened using fencing or landscaping which completely obscures the view from adjoining properties and public rights-of-way. Such screening shall have a minimum height of eight feet.

Sec. 86-618. NAICS 423, 423930, 424 – Merchant Wholesalers, Durable Goods (including piece goods) With or without Customer Showrooms and /or Outdoor Storage; Recyclable Material Merchant Wholesalers With Outdoor Storage

The following conditions are assigned in the M-1 district:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) A minimum 75-foot wide buffer shall be maintained between the property and any adjacent, residentially-zoned property.
- (4) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (5) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (6) All lighting shall be night-sky friendly.
- (7) Outdoor storage is permitted provided such storage is confined to the rear yard and is screened using fencing or landscaping which completely obscures the view from adjoining properties and public rights-of-way. Such screening shall have a minimum height of eight feet.

Sec. 86-619. NAICS 325 – Chemical Manufacturing, Including Pharmaceutical and Medicine Manufacturing

The following conditions are assigned in the M-1 district:

- (1) Outdoor storage of materials is prohibited.
- (2) A minimum 75-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.
- (3) No facility shall be permitted which introduces excessive noise, odor, vibration, electrical interference, threat of fire, explosion, or involves hazardous materials or other objectionable activities.

Sec. 86-620. NAICS 326 – Plastics and Rubber Products Manufacturing

The following conditions are assigned in the M-1 district:

- (1) Outdoor storage of materials is prohibited.
- (2) A minimum 75-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.
- (3) No facility shall be permitted which introduces excessive noise, odor, vibration, electrical interference, threat of fire, explosion, or involves hazardous materials or other objectionable activities.

Sec. 86-621. NAICS 4855– Charter Bus Industry

The following conditions are assigned in the C-2 and M-1 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Vehicles may not be parked on a property without an associated office building.
- (3) Office must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) Vehicles must be parked in the rear yard of the property.

Sec. 86-622. NAICS 4885 – Freight Transportation Arrangement (Logistics)

The following conditions are assigned in the C-2 and M-1 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) A minimum 75-foot wide buffer shall be maintained between the property and any adjacent, residentially-zoned property.
- (4) Loading areas must be located in the rear yard.

Sec. 86-623. NAICS 4821– Rail Transportation Company (Office Only)

The following conditions are assigned in the H-1, H-2, and C-2 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Office must be located in a stand-alone building (no planned centers or connected storefronts).
- (3) Vehicles must be parked in the rear yard of the property.
- (4) Outdoor storage is permitted provided such storage is confined to the rear yard and is screened using fencing or landscaping which completely obscures the view from adjoining properties and public rights-of-way. Such screening shall have a minimum height of eight feet.

Sec. 86-624. NAICS 487 – Scenic and Sightseeing Transportation

The following conditions are assigned in the H-1, H-2 **and C-2** districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Vehicles may not be parked on a property without an associated office building.
- (3) Office must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) Vehicles must be parked in the rear yard of the property.

Sec. 86-625. NAICS 4852 – Interurban and Rural Bus Transportation

The following conditions are assigned in the O&I, M-1, **and C-2** districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Vehicles may not be parked on a property without an associated office building.
- (3) Office must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) Vehicles must be parked in the rear yard of the property.

Sec. 86-626. NAICS 4854 – School and Employee Bus Transportation

The following conditions are assigned in the O&I and M-1 districts:

- (1) Vehicles must be parked in the rear yard of the property.

Sec. 86-627. NAICS 4882 – Support Activities for Rail Transportation

The following conditions are assigned in the H-1, H-2, O&I, and M-1 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Office must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (3) Heavy equipment and vehicles must be parked in the rear yard of the property.
- (4) Outdoor storage is permitted provided such storage is confined to the rear yard and is screened using fencing or landscaping which completely obscures the view from adjoining properties and public rights-of-way. Such screening shall have a minimum height of eight feet.

Sec. 86-628. NAICS 4884 – Support Activities for Road Transportation

The following conditions are assigned in the O&I and M-1 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Office must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (3) Heavy equipment and vehicles must be parked in the rear yard of the property.
- (4) Outdoor storage is permitted provided such storage is confined to the rear yard and is screened using fencing or landscaping which completely obscures the view from adjoining properties and public rights-of-way. Such screening shall have a minimum height of eight feet.

Sec. 86-629. NAICS 4889 – Other Support Activities for Transportation

The following conditions are assigned in the O&I and M-1 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Office must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (3) Heavy equipment and vehicles must be parked in the rear yard of the property.
- (4) Outdoor storage is permitted provided such storage is confined to the rear yard and is screened using fencing or landscaping which completely obscures the view from adjoining properties and public rights-of-way. Such screening shall have a minimum height of eight feet.

Sec. 86-630. NAICS 491 – Postal Service

The following conditions are assigned in the H-1, H-2, **O&I** and C-1 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) A minimum 50-foot wide buffer shall be maintained between the property and any adjacent, residentially-zoned property.
- (3) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (4) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (5) Postal vehicles must be parked in the rear of the property.
- (6) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building

height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

Sec. 86-631. NAICS 11142, 111421 – Nursery, Floriculture, and Tree Production

The following conditions are assigned in the **MX and** C-2 districts:

- (1) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (2) Must be located on a street having a classification of collector or greater.
- (3) Premises must contain an administrative building.
- (4) Administrative office must be a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (5) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (6) Drop-off and loading areas must be located in the rear yard.

Sec. 86-632. NAICS 2211 – Power Generation and Supply

The following conditions are assigned in the M-1 district:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) A minimum 75-foot wide buffer shall be maintained between the property and any adjacent, residentially-zoned property.
- (4) All applicable State and Federal regulations must be met.

Sec. 86-633. NAICS 2212 – Natural Gas Distribution

The following conditions are assigned in the M-1 district:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) A minimum 75-foot wide buffer shall be maintained between the property and any adjacent, residentially-zoned property.
- (4) All applicable State and Federal regulations must be met.

Sec. 86-634. NAICS 2213 – Water, Sewage, and Other Systems

The following conditions are assigned in the M-1 district:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) A minimum 75-foot wide buffer shall be maintained between the property and any adjacent, residentially-zoned property.
- (4) All applicable State and Federal regulations must be met.

Sec. 86-635. NAICS 22132 – Sewage Treatment Facilities

The following conditions are assigned in the M-1 district:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) A minimum 75-foot wide buffer shall be maintained between the property and any adjacent, residentially-zoned property.
- (4) All applicable State and Federal regulations must be met.

Sec. 86-636. NAICS 713990 – Recreational Shooting Clubs

The following conditions are assigned in the C-2 and M-1 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) All shooting activities must be indoor only.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) On-site parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (5) A minimum 50-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.
- (6) All indoor shooting ranges shall be of soundproof construction whereby the sound from the discharge of any firearm and the impact of any projectile shall not be plainly audible across any adjoining property line or at a distance of 50 feet from the building, whichever distance is greater.

- (7) No piece of the projectile or target shall leave the building as a result of the activities taking place therein.
- (8) All weapons brought into any indoor shooting range shall be in a case designed for the weapon such that no part of a weapon is visible while inside the case. Certified law enforcement officers in uniform are exempt from this requirement.
- (9) All indoor shooting ranges shall comply with all local, state, and /or federal regulations related to indoor shooting ranges.
- (10) A site plan shall be submitted to the City, which shows the location of buildings, parking, etc.
- (11) At least one qualified individual in the sponsoring club or organization shall be properly certified for shooting range supervision. Each facility shall adopt safety rules and regulations subject to review by the City.
- (12) Shooting range design and operation shall conform to the most current standards of the National Rifle Association (NRA) Range Sourcebook.
- (13) The National Association of Shooting Ranges (NASR) and the Occupational Safety and Health Administration (OSHA) publication titled "Lead Management and OSHA Compliance for Indoor Shooting Ranges" shall be consulted in planning and constructing indoor shooting ranges.
- (14) No service or sales of alcoholic beverages shall be allowed within the shooting range facility or on the shooting range property.
- (15) The indoor shooting range shall be covered by accident and liability insurance, amount to be determined by the City of Jonesboro.

Sec. 86-637. NAICS 4453 – Beer, Wine, and Liquor Stores

The following conditions are assigned in the C-2 district:

- (1) Must be located on a street having a classification of arterial (Tara Boulevard and Georgia Highway 138 Spur).
- (2) Must be located in a free-standing building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking) that is a minimum 10,000 square feet, is new, but in any case, not older than 20 years old since original construction and must be located in the C-2 Highway Commercial District zoning district, requiring a conditional use permit.
- (3) The retail package distilled spirits license shall be limited by population of the City according to the most recent decennial census, with one (1) such establishment allowed in the City for each 2400 residents.
- (4) Such additional regulations as would safeguard the health, safety and welfare of the citizens of the City.

Sec. 86-638. - NAICS 44612 Cosmetics, Beauty Supplies, and Perfume Stores, with no care services.

The following conditions are assigned in the H-1 and H-2 districts:

- (1) Establishments shall be limited to a maximum floor area of 2,000 square feet.
- (2) No outdoor display or storage of merchandise or materials shall be permitted.

Sec. 86-639. - NAICS 44412 Paint and Wallpaper Stores.

The following conditions are assigned in the H-1 and H-2 districts:

- (1) Establishments shall be limited to a maximum floor area of 2,000 square feet.
- (2) No outdoor display or storage of merchandise or materials shall be permitted.

Sec. 86-640. - NAICS 562920 Materials Recovery Facilities, Including Collection Bins for Recyclable Materials

The following conditions are assigned in the O&I, C-2 **and M-1** districts:

For Buildings:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of three acres and a minimum frontage of 200 feet.
- (4) All recovery vehicles and equipment shall be located in the rear yard.
- (5) All loose materials shall be contained in proper receptacles.
- (6) A minimum 75-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially zoned property.
- (7) All recovery vehicles and equipment shall be screened from the road and adjacent properties.
- (8) All applicable State and Federal regulations shall be met.

For Collection Bins (Mobile structures for temporary storage of recyclable materials):

- (1) Shall not be located on any vacant or undeveloped lots, or any lots with a residential use.
- (2) Shall be limited to a maximum of one bin per single parcel of property and two bins per planned commercial centers or connected storefronts.
- (3) Shall not be located within any rights-of-way or easements, or adjacent to any paths or sidewalks.
- (4) Shall not be located in any designated parking areas, parking aisles, buffer areas, or fire lanes.
- (5) Shall not be located in any front yard of a building.

- (6) Bins shall be placed on a durable, all-weather surface.
- (7) Bins shall be made of painted metal or UV-resistant vinyl, fiberglass, or other durable, low-maintenance material.
- (8) Shall not be used as dumpsters, for rubbish, trash, or waste. Bin shall state for “recyclable materials only.”
- (9) A business license for organizations using bins within the City of Jonesboro is required and written permission from the current property owner for use of the bin(s) must be obtained prior to issuance of a business license and placement on a property.
- (10) Bins shall be maintained in good repair and clean condition and free of materials accumulated outside of the bin.
- (11) If any bin violates any of these conditions twice, the City of Jonesboro shall direct the bin owner to remove the bin from the City after written notice is sent to the current property owner and the bin owner via certified mail or personal service.

Sec. 86-641. - NAICS 713990 Adult Entertainment Facilities

The following conditions are assigned in the M-1 district:

- (1) Must comply with all requirements of Chapter 10, Article II.

Sec. 86-642. - NAICS 713990 Cigar Lounges, with or without alcoholic beverage service

The following conditions are assigned in the H-1, H-2, MX, and C-2 districts:

- (1) Shall derive revenue from the sale of food, alcohol or other beverages that is incidental to the sale of the tobacco products;
- (2) Shall prohibit entry to a person under the age of 21 years of age during the time when the establishment is open for business;
- (3) Shall prohibit any food or beverage not sold directly by the business to be consumed on the premises;
- (4) Shall maintain a valid permit for the retail sale of cigar products;
- (5) Shall maintain a valid permit to operate a smoking bar issued by the Georgia Department of Revenue;
- (6) Shall abide by the provisions in Chapter 6 of the City Code regarding the sale and consumption of alcoholic beverages;
- (7) Shall be and remain engaged in the business of selling cigars generated 40 percent or more of its total annual gross income from the on-site sale of such cigar products and the rental of humidors.

(8) Shall be and remain registered with the State Health Department. A smoking bar registration shall remain in effect for one year and shall be renewable only if in the preceding calendar year the smoking bar generated 40 percent or more of its total annual gross income from the on-site sale of cigar products and the rental of on-site humidors;

(9) Shall post signs at each entrance and exit clearly stating that smoking is allowed on all or part of the premises and anyone under the age of 21 is prohibited from entering the premises;

(10) Outdoor seating and dining areas are prohibited in the Historic District;

(11) Shall designate (where allowed) outdoor seating and dining areas within ten feet of an entrance or exit of the smoking bar as "non-smoking";

(12) Cigar lounges must have and maintain a ventilation system that exhausts smoke from the business and is designed in accordance with current building code standards for the occupancy classification in use. The air handling systems from the smoking area shall be independent from the main air handling system that serves all other areas of the building and all air within the smoking area shall be exhausted directly to the outside by an exhaust fan. No air from the smoking area shall be recirculated to other parts of the building. During the hours of operation, the interior of the premises of a smoking bar shall be maintained with adequate illumination to make the conduct of patrons within the premises readily discernible to a person with normal vision.

(13) Where allowed, outdoor smoking areas shall have no ashtrays remain outdoors after normal business hours.

Sec. 86-643. – NAICS 551114 Corporate management office

The following conditions are assigned in the C-1 district:

(1) Establishments shall be limited to a maximum floor area of 2,000 square feet.

Sec. 86-644. – NAICS 561591 Convention Centers, Convention and Visitors Bureaus

The following conditions are assigned in the CCM district:

(1) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.

(2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.

(3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).

(4) A minimum 50-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, non-commercial use.

(5) Height regulations. The maximum height for buildings abutting a non-commercial use shall be three stories or 45 feet as measured at any point 30 feet from any common property line. Building height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 60 feet.

Sec. 86-645. – NAICS 62191 Ambulance services (transportation)

The following conditions are assigned in the C-2 **and M-1** districts:

(1) A minimum 25-foot-wide buffer shall be maintained between the facility (including ambulance parking areas) and any adjacent, residentially zoned properties.

Sec. 86-646. – NAICS 1125 Aquaculture

The following conditions are assigned in the M-1 district:

(1) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.

(2) A minimum 25-foot-wide buffer shall be maintained between any beds, pools, or tanks associated with the facility and any adjacent, residentially zoned properties.

Sec. 86-647. – NAICS 11291 Apiculture (Beekeeping)

The following conditions are assigned in the M-1 district:

(1) Must be established on a lot having a minimum area of one-half acre and a minimum frontage of 100 feet.

(2) A minimum 25-foot-wide buffer shall be maintained between hive structures and adjacent properties.

Sec. 86-648. – NAICS 1152 Support Activities for Animal Production

The following conditions are assigned in the M-1 district:

(1) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.

(2) A minimum 25-foot-wide buffer shall be maintained between any structures associated with the facility and adjacent properties.

Sec. 86-649. – “Tiny” Homes, with permanent foundations

The following conditions are assigned in the MX district:

- (1) Shall only be part of a mixed-use development with a minimum parent tract size of 87,120 square feet (two acres).
- (2) Minimum dwelling size shall be 500 square feet (heated).
- (3) Site plan for development, including lot size and width, setbacks, density, and any necessary buffers, shall be reviewed and approved by the Mayor and City Council.
- (4) A minimum of three different exterior elevations shall be provided for tiny house developments.

Sec. 86-650. – Guest Quarters / Mother-in-law Suites, accessory to principal dwelling

The following conditions are assigned in the R-2, R-4, ~~H-1~~, H-2, and MX districts:

- (1) Shall only be located in the rear yard of the principal dwelling.
- (2) Shall not be located on a lot without a principal dwelling.
- (3) Maximum dwelling size (heated) shall be 750 square feet.
- (4) Shall match exterior style, color, and material.

Sec. 86-651. – NAICS 561990 Business Incubator, hosting administrative office suites

The following conditions are assigned in the CCM, ~~C-1~~, and M-1 districts:

- (1) All individual businesses within shall be administrative uses only, with no excessive levels of noise, fumes, or traffic.
- (2) All individual businesses within shall be required to obtain their own business license.
- (3) No large trucks vehicles or equipment associated with businesses shall be parked on the property.
- (4) Suites shall not be used primarily as storage units.

Sec. 86-652. – NAICS 811111, 81112, 811112, 811113, 811118, 811198, 811121 All Types of Vehicle Repair and Maintenance, but not Oil Change and Lubrication Shops

The following conditions are assigned in the C-2 district:

- (1) No vehicles in a state of disrepair shall be parked or stored in view of the street or adjacent residential areas.
- (2) All applicable regulations concerning the proper storage and disposal of fluids shall be observed.
- (3) A 25-foot-wide vegetative buffer shall be established between repair facilities and adjacent residential properties.
- (4) No junkyard or salvage yard shall occur on the property.

Sec. 86-653. – NAICS 811412 Appliance Repair and Maintenance

The following conditions are assigned in the C-2 districts:

- (1) No appliances in a state of disrepair shall be stored outside.

Sec. 86-654. – NAICS 8113 Commercial and Industrial Machinery and Equipment (except Automotive and Electronic) Repair and Maintenance; No Outdoor Storage

The following conditions are assigned in the C-2 districts:

- (1) No machinery or equipment in a state of disrepair shall be stored outside.
- (2) A 50-foot-wide vegetative buffer shall be established between repair facilities and adjacent residential properties.

Sec. 86-655. – NAICS 611691 Small-scale Tutoring and Exam Preparation, 10 students or less

The following conditions are assigned in the C-1 districts:

- (1) Tutoring services shall not be located in stand-alone buildings or suites larger than 2000 square feet.
- (2) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided for 2 to 3 students simultaneously.

Sec. 86-656. – NAICS 44420 Mulch and Gravel Sales, Outdoor Yards

The following conditions are assigned in the C-2 and M-1 districts:

- (1) Shall not be located on a property less than one acre in size.
- (2) No products or equipment shall be visible from the street.
- (3) A 50-foot-wide vegetative buffer shall be established between facilities and adjacent residential properties.

Sec. 86-657. – NAICS 451110 Firearms Dealers, Physical Store

The following conditions are assigned in the O&I and C-2 districts:

- (1) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (2) A minimum 25-foot-wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, non-commercial use.
- (3) No gun testing or target practice shall occur on the premises.
- (4) All ATF regulations shall be observed.

Sec. 86-658. – NAICS 221118 Electronic Vehicle Charging Stations (**privately funded**)

The following conditions are assigned in the CCM, RM, H-1, H-2, O&I, MX, C-1, C-2, and M-1 districts:

- (1) EV stations are considered accessory to the primary use on the property.
- (2) Site plan for stations shall be reviewed and approved by the Mayor and City Council.
- (3) Charging station outlets and connector devices shall be no higher than 48 inches from the surface where mounted. Equipment mounted on pedestals, lighting posts, bollards, or other devices shall be designed and located as to not impede pedestrian travel or create trip hazards on sidewalks.
- (4) Adequate battery charging station protection, such as concrete-filled steel bollards, shall be used. Curbing may be used in lieu of bollards, if the battery charging station is setback a minimum of 24 inches from the face of the curb.
- (5) Electric vehicle charging stations shall be maintained in all respects, including the functioning of the equipment. A phone number or other contact information shall be provided on the equipment for reporting when it is not functioning or other problems are encountered.
- (6) Unless otherwise directed by the City, within ninety (90) days of cessation of use of the electric vehicle charging station, the property owner or operator shall restore the site to its original condition. Should the property owner or operator fail to complete said removal within ninety (90) days, the [local government] shall conduct the removal and disposal of improvements at the property owner or operator's sole cost and expense.

Sec. 86-659. – NAICS 81219 Other Personal Care Services, including Day Spa and Med Spa, but not Tattoo Parlor or Massage Therapy

The following conditions are assigned in the H-1, H-2, and MX districts:

- (1) Day spa services include body wraps, body scrubs, waxing, and facials, but not hair care or massage.
- (2) Med spa services include non-surgical face lifts, microdermabrasion, collagen induction therapy, chemical peels, botox applications, and skin disease treatments, but not hair care or massage.

Sec. 86-660. – NAICS 45111 Sporting Goods Stores, but not Firearms Dealers

The following conditions are assigned in the C-1 district:

- (1) Shall not be located in stand-alone buildings or suites larger than 4000 square feet.
- (2) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided onsite.

Sec. 86-661. – NAICS 451110 Firearms Dealers, Online sales only

The following conditions are assigned in the H-1, **H-2, and O&I** districts:

- (1) No gun testing or target practice shall occur on the premises.

- (2) All ATF regulations shall be observed.
- (3) No walk-in customers are allowed.

Sec. 86-662. – NAICS 712110 Selfie Museums

The following conditions are assigned in the H-1, H-2 **and C-1** districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Shall not be located in building suites larger than 2000 square feet.
- (3) No photographic activities or props shall occur outside of the building.
- (4) No props of an obscene nature shall be permitted, as defined in the Adult Entertainment Ordinance, Sec. 10-32, for public indecency, specified sexual activities, and specified anatomical areas.

Sec. 86-663. – NAICS 811191 Automotive Oil Change and Lubrication Shops

The following conditions are assigned in the C-2 district:

- (1) Must be located on a street having a classification of arterial.
- (2) All applicable regulations concerning the proper storage and disposal of fluids shall be observed.
- (3) No vehicles in a state of disrepair shall be parked or stored in view of the street or adjacent residential areas.

Sec. 86-664. – NAICS 624230 Community Clothing Services, such as Clothes Closet (Active Distribution and Storage)

The following conditions are assigned in the O&I, C-2 and M-1 districts:

- (1) Must be located on a street having a classification of collector or greater.**
- (2) No outside storage or storage bins allowed.**
- (3) No after-hours donations allowed.**
- (4) No distribution of clothes to citizens after 6 pm.**
- (5) Offsite loading / parking for facility shall be adequate enough to prevent parking on the street.**

(Am. Ord. 2022-018, 8-08-22, **5-13-24**)

Legal Notice

Public Hearing will be held by the Mayor and Council of the City of Jonesboro at 6:00 P.M. on May 13, 2024 in the court chambers of the Jonesboro City Center, 1859 City Center Way, Jonesboro, GA, to consider a proposed text amendment to the City of Jonesboro Code of Ordinances, regarding updates and revisions to Article XVII – Additional Conditional Uses, Chapter 86 – Zoning, of the City of Jonesboro Code of Ordinances. Mayor & Council will first discuss the item at their Work Session, to be held on May 6, 2024 at 6 pm, also in the court chambers of the Jonesboro City Center, 1859 City Center Way, Jonesboro, GA

David Allen
Community Development Director

Publish 4/24/24

	CITY OF JONESBORO, GEORGIA COUNCIL Agenda Item Summary	Agenda Item # 6.11 - 11
		COUNCIL MEETING DATE May 6, 2024
Requesting Agency (Initiator) Office of the City Manager	Sponsor(s) Community Development Director Allen	
Requested Action <i>(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)</i> Discussion regarding proposed text amendment to the City of Jonesboro Code of Ordinances, 24-TA-002 Ord. 2024-006, regarding updates and revisions to Article VI – Conditional Uses, Chapter 86 – Zoning, of the City of Jonesboro Code of Ordinances.		
Requirement for Board Action <i>(Cite specific Council policy, statute or code requirement)</i> Article VI Conditional Uses		
Is this Item Goal Related? <i>(If yes, describe how this action meets the specific Board Focus Area or Goal)</i> Community Planning, Neighborhood and Business Revitalization		
Summary & Background <i>(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)</i> Periodically, the Community Development Department reviews its Table of Uses, based on its experience with citizens over the past year. Some uses are made easier to do in certain districts (more “business friendly”) and other uses are made more restrictive in certain districts in order to better protect nearby citizens. With changes to the Table of Uses, there are corresponding changes to the Conditional Uses section, Article VI. Also, there are additions or revisions to the specific approval conditions of certain uses. The attached changes to the Conditional Uses section are in red bold print.		
Fiscal Impact <i>(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)</i> n/a		
Exhibits Attached <i>(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)</i> - Conditional Uses REV - May 2024 - Legal Notice - Conditional Uses Revision May 2024		
Staff Recommendation <i>(Type Name, Title, Agency and Phone)</i> Approval		

FOLLOW-UP APPROVAL ACTION (City Clerk)		
Typed Name and Title Melissa Brooks, City Clerk	Date May, 6, 2024	
Signature	City Clerk's Office	

ARTICLE VI. - CONDITIONAL USES

Sec. 86-121. - Generally.

Conditional uses may be permitted upon a finding by Mayor and Council that the proposed use conforms to the minimum listed conditions and the standards of review of this article. Approval of conditional uses is subject to the procedural requirements of property rezoning of Article XII.

A conditional use will continue so long as the use thereby allowed is actually being conducted on the property to which it applies or as subsequently modified by the Mayor and Council pursuant to the provisions of this chapter, once activity authorized by a conditional use has been discontinued for a period of 60 days, the conditional use shall expire without further action by the Mayor and Council and such use may not thereafter be made on premises without reapplication therefore and approval thereof by the Mayor and Council. In making the decision regarding whether or not a conditional use has been discontinued, the Zoning Administrator shall base his judgment upon objective criteria gained from observation of the premises. The subjective intent of the owner or lessee of the property shall not be considered.

The following conditional uses may be permitted in the zoning districts specified. The listed conditions and standards below are minimum requirements, and the Mayor and Council may elect to impose additional conditions and standards on proposed uses based on the context of each case.

Sec. 86-122. – NAICS 62441, 6244 Child day care.

DAY CARE CENTER

Any place operated by a person, society, agency, corporation, institution, or group wherein are received, for pay, for group care for fewer than 24 hours per day without transfer of legal custody 19 or more children under 18 years of age.

GROUP DAY CARE HOME

Any place operated by any person or group wherein are received for pay not less than seven nor more than 18 children under 18 years of age for care and supervision for less than 24 hours per day.

Day care centers and group day care homes may be permitted as a conditional use in an CCM, H-2, O&I, C-1, C-2 or MX district, subject to the following conditions:

(1) Every child day care facility shall provide proof of an approved Georgia Department of Human Services registration certificate prior to issuance of a Certificate of Occupancy, and shall conform to all applicable local, state, and federal standards, including Bright From the Start current program standards, O.C.G.A. Chapter 591-1-1. An on-site outdoor play area is required, subject to the following minimum standards:

(a) Size requirements.

(1) For Centers with a licensed capacity of 19 or more children first licensed after March 1, 1991, the Center shall provide or have ready access to an outdoor play area. The minimum size of the outdoor area must be equal to one hundred (100) square feet times one-third (1/3) of the Center's licensed capacity for children.

(2) For Centers with a licensed capacity of 18 or fewer children first licensed after April 21, 1991, the Center shall provide or have ready access to an outdoor play area. The minimum size of the outdoor area must be equal to one hundred (100) square feet times the center's licensed capacity for children.

(b) Playground Occupancy. At least one hundred (100) square feet shall be available for each child occupying the outside play area at any one time. Groups of children may be rotated if necessary so that one hundred (100) square feet per child is provided at all times.

(c) Location. Playgrounds shall be adjacent to the Center or in an area which can be reached by a safe route or method approved by the Department. Except in School-age Centers, the playground shall have shaded areas.

(d) Fence or Approved Barriers. Playgrounds shall be protected from traffic or other hazards by a four (4) foot or higher secure fence or other barrier approved by this Department. Fencing material shall not present a hazard to children and shall be maintained so as to prevent children from leaving the playground area by any means other than through an approved access route. Fence gates shall be kept closed except when persons are entering or exiting the area.

(e) Playground Surfaces. Except in School-age Centers, the playground shall have a surface suitable for varied activities. Hard surfaces, such as gravel, concrete, or paving shall not exceed one-fourth (1/4) of the total playground area.

(f) Equipment. Playground equipment shall provide an opportunity for the children to engage in a variety of experiences and shall be age-appropriate. For example, toddlers shall not be permitted to swing in swings designed for School-age Children. The outdoor equipment shall be free of lead-based paint, sharp corners and shall be regularly maintained in such a way as to be free of rust and splinters that could pose significant safety hazard to the children. All equipment shall be arranged so as not to obstruct supervision of children.

(g) Anchoring of Certain Equipment. Climbing and swinging equipment shall be anchored.

(h) Fall Zones and Surfacing. Climbing and swinging equipment shall have a resilient surface beneath the equipment and the fall zone from such equipment must be adequately maintained by the Center to assure continuing resiliency.

(i) Safety and Upkeep of Playground. Playgrounds shall be kept clean, free from litter and free of hazards, such as but not limited to rocks, exposed tree roots and exposed sharp edges of concrete.

(2) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided. No on-street parking shall be permitted in conjunction with any child day care facility. Adequate drop-off / pickup traffic circulation shall be provided to prevent vehicle backup onto City streets. Mayor and Council may attach conditions to an approval or may deny approval of a child day

care facility upon finding that the proposed facility is within 500 feet of an establishment licensed for the sale of alcoholic beverages or within 500 feet of potentially hazardous land uses or activities that present unacceptable risks to operation of a child day care facility. "Potentially hazardous land uses or activities" include, but are not limited to, gasoline service stations, heavy industrial operations, storage of flammable materials, high pressure underground pipelines or truck or rail loading areas. Applications within 500 feet of these hazardous land uses shall provide a written evacuation plan to be considered by Mayor and Council.

Mayor and Council may attach conditions to an approval or may deny approval of a child day care facility upon a finding that traffic conditions present unacceptable risks to operation of the facility and/or the safety of children proposed to be served by the facility or that traffic impacts associated with the proposed facility would substantially jeopardize the appropriate use of neighboring properties.

Sec. 86-123. - NAICS 624410, 6244 Family day care.

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 18 years of age who are not related to such person and whose parents or guardians are not residents in the same private residence.

Family day care homes may be permitted as a conditional use in an R-2, R-4, ~~R-C, R-M~~, H-1 or H-2 district, subject to the following conditions:

- (1) The exterior of the dwelling shall not be altered in a manner inconsistent with dwellings in the immediate neighborhood that are occupied in single-family use.
- (2) No parking facility shall be installed in the front yard.
- (3) Must provide an outdoor play area containing a minimum area of 500 square feet. Such play area shall be fenced using a minimum fence height of four feet and established in the rear yard. A stockade type fence shall be installed along any boundary with a residential use. Such fencing shall comply with the building setback of the adjoining residential property, as appropriate.

Sec. 86-124. – NAICS 62412 Services for the elderly and persons with disabilities.

ADULT DAY CARE HOME

A facility in which for compensation at least three, but not more than six persons 18 years of age or older, who have difficulty in functioning independently, receive care for fewer than 24 hours per day without transfer of legal custody.

Adult day care homes may be permitted as a conditional use in an R-2 ~~or~~ R-4, ~~R-C, or R-M~~ district, subject to the following conditions:

- (1) On-site parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (2) The exterior of the dwelling shall not be altered in a manner inconsistent with dwellings in the immediate neighborhood that are occupied in single-family use.
- (3) No parking facility shall be installed in the front yard. (4) An outdoor seating area comprised of a porch, deck, gazebo or similar structure suitable for no fewer than four adults must be provided.

Sec. 86-125. - NAICS 624120 Adult day care center.

A facility in which for compensation seven or more persons 18 years of age or older, who have difficulty in functioning independently, receive care for fewer than 24 hours per day without transfer of legal custody.

Adult day-care centers may be permitted as a conditional use in an CCM, H-2, O&I, M-X, C-1, or C-2 district, subject to the following conditions:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre.
- (3) On-site parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (4) An outdoor amenity area containing a minimum area of 2,000 square feet and comprised of such furnishings as benches, picnic tables and shelters as well as pedestrian walks to create an amenity suitable for adults must be provided.
- (5) Mayor and Council may attach conditions to approval of a facility which have as their purpose protection of the public health, safety, morals, and general welfare, or Mayor and Council may deny approval of an adult day care facility upon a finding that conditions on or near such proposed facility render it unsuitable for establishment of an adult day care facility.

Sec. 86-126. - NAICS 6239 Continuing care retirement communities.

PERSONAL CARE HOME

Any dwelling that provides or arranges 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 include, but are not limited to, individual assistance with and supervision of self-administered medications and essential activities or daily living such as eating, bathing, grooming, dressing, and toileting.

Personal care homes may be permitted as a conditional use in an O&I, ~~MX~~ or C-2 district, subject to the following conditions:

- (1) The personal care home shall provide on-site parking and/or drop-off space adequate to meet the needs of the proposed facility;
- (2) The operator of the personal care home shall provide the Jonesboro Police and Clayton County Fire Departments a current list of residents living in the facility who have disabilities, and information concerning special needs, so as to ensure each resident's safety and evacuation from the premises in the event of a fire or similar emergency.
- (3) The personal care home shall obtain all required federal and state permits and/or licenses.

Sec. 86-127. - Other residential care facilities.

GROUP HOME FOR THE DISABLED

Any dwelling unit designed for single family occupancy and occupied by no more than eight disabled individuals. Group homes do not include boarding houses, halfway houses, homeless shelters or similar occupancy, nor shall the term include occupancy by any releases of any penal institution or place for persons convicted of a crime, persons found to be juvenile delinquents or juveniles found to be persons in need of supervision. In addition to disabled individuals, up to two additional occupants acting as house parents or guardians may reside in a group home.

Group homes may be permitted as a conditional use in an R-2 or R-4 district, subject to the following conditions:

- (1) No additional parking beyond the existing driveway and garage areas shall be permitted on the property where the group home is located, and vehicles may only be parked in such areas. Should additional parking be required, the operator of the group home may apply for an administrative variance from the city manager; any increase in pavement shall be confined to the rear of the lot.
- (2) The operator of the group home shall provide the Jonesboro Police Department and Clayton County Fire Department with a current list of residents living in the facility who have disabilities, and information concerning special needs, to ensure each resident's well-being and safe evacuation from the premises in the event of a fire or similar emergency.
- (3) Any modifications to the existing structure shall not increase the square footage of the structure.
- (4) Any exterior modifications to the existing structure shall be consistent with the residential character of the surrounding neighborhood.
- (5) A group home shall not be established within 1,500 feet of an existing group home.
- (6) The group home shall not require occupancy of individual bedrooms by more than two individuals.
- (7) Group homes shall comply with all fire and life safety codes, and obtain all federal and state permits or licenses, as appropriate.
- (8) The existing structure shall be upgraded and inspected by the city with respect to accommodation and accessibility by disabled individuals.

Sec. 86-128. - NAICS 51912 Libraries and archives.

Libraries may be permitted as a conditional use in an R-2, R-4, CCM, RM, H-1, H-2, MX, C-1, C-2, **or M-1** districts, subject to the following condition:

- (1) A landscaped buffer having a minimum horizontal dimension of 20 feet and an average horizontal dimension of 30 feet shall be maintained when abutting a residential use.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) Must be stand-alone buildings (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) Must meet the requirements of Article XIII – Parking, Loading, and Interior Circulation.
- (5) No paved parking area shall be established within 25 feet of a lot that is zoned residential or contains a residential use.
- (6) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

Sec. 86-129. - NAICS 6233 Retirement community.

The following conditions are assigned in the H-2, **O&I, and MX** districts:

- (1) A maximum of 90 dwelling units shall be permitted.
- (2) Must be located on a street having a classification of collector or greater.
- (3) Must be established on a lot having a minimum area of two acres.

Sec. 86-130. - NAICS 71312 Amusement arcades, indoor.

The following conditions are assigned in the H-1, H-2, MX districts:

- (1) Establishments shall be limited to a maximum floor area of 2,000 square feet.
- (2) No activities shall occur in parking lot or other outdoor areas.

Sec. 86-131. - NAICS 713990 Billiard and pool halls (all uses permitted except shooting ranges).

The following conditions are assigned in the H-1, H-2, and C-2 districts:

- (1) The sale or on-premises consumption of alcoholic beverages is prohibited.
- (2) No activities shall occur in parking lot or other outdoor areas.

Sec. 86-132. - NAICS 515 Broadcasting.

The following conditions are assigned in the H-1, H-2, O&I, MX, C-1, and C-2 districts:

- (1) No transmission towers may be located on the property.

Sec. 86-133. - NAICS 512132 Motion picture theaters (except drive-ins).

The following conditions are assigned in the ~~H-1~~, H-2, MX, C-2, and **M-1** districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) Must be stand-alone buildings (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) Must meet the requirements of Article XIII – Parking, Loading, and Interior Circulation.
- (5) A minimum 50-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially-zoned property.
- (6) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

Sec. 86-134. - NAICS 512132 Motion picture theaters: drive ins.

The following conditions are assigned in the M-X, C-2, **and M-1** districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) No screen shall be visible from any street.
- (4) No central loudspeaker system shall be permitted.
- (5) No outdoor theater shall be permitted adjacent to any residential district.
- (6) Must be stand-alone buildings (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (7) Must meet the requirements of Article XIII – Parking, Loading, and Interior Circulation.
- (8) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building

height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

Sec. 86-135. - NAICS 711130 Musical groups and artist.

The following conditions are assigned in the H-1, H-2, O&I, MX and C-2 districts:

- (1) No noise generated by the use shall be perceptible at the property boundary.

Sec. 86-136. - NAICS 712190 Nature parks and other similar institutions.

The following conditions are assigned in the H-1, H-2, **and C-1** districts:

- (1) No parking facilities shall be permitted with 50 feet of a residential property.

Sec. 86-137. - NAICS 51219 Pre-production and Postproduction services and other related motion picture and video industries.

The following conditions are assigned in the **H-2**, O&I, **MX and C-1** districts:

- (1) No noise generated by the use shall be perceptible at the property boundary.

Sec. 86-138. - NAICS 51224, 51225 Sound recording industries.

The following conditions are assigned in the H-1, H-2, O&I, MX, C-1, and M-1 districts:

- (1) No noise generated by the use shall be perceptible at the property boundary.

Sec. 86-139. - 5221 Banks, credit unions, and saving institutions.

The following conditions are assigned in the CCM district:

- (1) No drive-thru teller or drive-thru ATM machines shall be permitted.

Sec. 86-140. - NAICS 621991 Blood and organ banks.

The following conditions are assigned in the O&I and C-2 districts:

- (1) Blood plasma donor facilities are prohibited.
- (2) Applicable waste storage / disposal procedures shall be followed, per State and Federal guidelines.
- (3) Must be stand-alone buildings (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).

- (4) Must meet the requirements of Article XIII – Parking, Loading, and Interior Circulation.
- (5) No paved parking area shall be established within 25 feet of a lot that is zoned residential or contains a residential use.

Sec. 86-141. - NAICS 236, 237, 238 Construction and Contractors, Specialty and General, With No Outdoor Storage

The following condition is assigned in the H-1, H-2, and O&I districts:

- (1) No outdoor storage of materials is permitted.

Sec. 86-142. - NAICS 236, 237, and 238 Construction and contractors, Specialty and General, with outdoor storage.

The following condition is assigned in the M-1 district:

- (1) Outdoor storage is permitted provided such storage is confined to the rear yard and is screened using fencing or landscaping which completely obscures the view from adjoining properties and public rights-of-way. Such screening shall have a minimum height of eight feet.

Sec. 86-143. - NAICS 561320 Temporary help services.

The following conditions are assigned in the C-2 and M-1 districts:

- (1) No client of any such facility may report to the facility more than one hour prior to the opening of the business or remain on the premises more than one hour following closing of the business.
- (2) The building located on the property shall contain sufficient area, either inside or outside, configured in such a way as to prevent potential laborers who have congregated in the building or on the property from being observed from any right-of-way or any adjoining property.
- (3) The proposed site for a labor pool shall not be located within 1,000 feet of an existing labor pool.
- (4) The labor pool shall provide a safe area on the property where the day laborers may be picked up and dropped off. Any such area shall not include any right-of-way immediately adjacent to the property or on any adjoining property not owned or leased by the labor pool.
- (5) The labor pool shall be limited to commercial locations on Tara Boulevard that are zoned C-2.

Sec. 86-144. - NAICS 54194 Veterinary services including animal hospital.

The following conditions are assigned in the O&I, C-2 and M-1 districts:

- (1) No outdoor runs or kennels shall be permitted.

Sec. 86-145. - NAICS **81299 Miscellaneous** personal services, including bail bonding, dating services, shoe-shine services, fortunetelling, tattoo parlor, etc.

The following conditions are assigned in the ~~H-1, H-2~~, O&I, ~~M-X, C-1~~ and C-2 districts:

- (1) Dating and escort services shall be prohibited.
- (2) Bail bonding companies must obtain Clayton County Sheriff / Police Department approval prior to seeking a conditional use permit.**

Sec. 86-146. - NAICS 81222 Cemeteries

The following conditions are assigned in the R-2, R-4, ~~R-C, RM~~, O&I, ~~C-1, and C-2~~ districts:

- (1) No associated crematorium facilities shall be permitted.
- (2) The lot shall be a minimum of five acres.
- (3) No dwelling, other than a one-family dwelling for a caretaker, shall be permitted.
- (4) No building shall be located within 100 feet of any property boundary.
- (5) The lot shall have direct access to an arterial or major collector road.
- (6) All gravesites shall be a minimum of (50) 50 feet from any property boundary.

Sec. 86-147. - NAICS 532284 Consumer goods rental.

The following conditions are assigned in the O&I and C-1 districts:

- (1) No overnight outdoor storage or display of merchandise or equipment shall be permitted.

Sec. 86-148. - NAICS 812320 Dry-cleaning and laundry services (except coin operated).

The following conditions are assigned in the CCM, ~~H-1~~, H-2, **and** O&I, ~~and C-1~~ districts:

- (1) No dry-cleaning plants shall be permitted. Such establishments shall be limited to customer drop off and pick-up.

Sec. 86-149. - NAICS 4543 Direct selling establishments, including fuel dealers.

The following conditions are assigned in the C-2 district:

- (1) No on-site storage of fuels shall be permitted.

Sec. 86-150. - NAICS 5323 General rental centers.

The following conditions are assigned in the MX and O&I districts:

- (1) No overnight outdoor storage or display of merchandise or equipment shall be permitted.

Sec. 86-151. - NAICS 811411 Home and garden equipment repair and maintenance.

The following conditions are assigned in the C-2 and M-1 districts:

- (1) No overnight outdoor storage or display of merchandise or equipment shall be permitted.

Sec. 86-152. - NAICS 48841 Motor vehicle towing and storage.

The following conditions are assigned in the C-2 and M-1 districts:

- (1) Vehicle storage shall be limited to a 30-day period.
- (2) Storage shall be screened utilizing a 10-foot landscaped buffer and opaque fencing having a minimum height of six feet; landscaping as prescribed in Article 86-15 shall be maintained outside the fencing.

Sec. 86-153. - NAICS 561491 Repossession services.

The following conditions are assigned in the ~~O&I~~, C-2 and M-1 districts:

- (1) No outdoor storage of repossessed vehicles, equipment or materials of any sort shall be permitted.

Sec. 86-154. - NAICS 81142 Re-upholstery and furniture repair, no outdoor storage.

The following conditions are assigned in the H-1, H-2 and C-1 districts:

- (1) No outdoor display or storage of merchandise or materials shall be permitted.
- (2) Window displays shall not include merchandise in various states of repair or disrepair.

Sec. 86-155. - NAICS 5617 Services to buildings and dwellings, **no outdoor storage.**

The following conditions are assigned in the O&I and C-1 districts:

- (1) No on-site storage of chemicals or other potentially toxic or hazardous materials or supplies shall be permitted.
- (2) No trucks shall be stored on site for 24-hour periods or overnight.

(3) No on-site 24-hour storage of chemical compounds used in the conduct of businesses classified under this NAICS code shall be permitted.

Sec. 86-156. - NAICS 541380 Testing laboratories **(mechanical products)**.

The following conditions are assigned in the ~~O&I~~, C-2 and M-1 districts:

(1) No testing facility shall be permitted which introduces excessive noise, odor, vibration, electrical interference, threat of fire, explosion, or involves hazardous materials or other objectionable activities.

Sec. 86-157. - NAICS 4542 Vending machine operators.

The following conditions are assigned in the H-2 and O&I districts:

(1) No on premises vending machine sales shall be permitted.

(Ord. No. 05-08, § 2(6.36), 8-15-05, 2-11-19)

Sec. 86-158. - NAICS 6243 Vocational rehabilitation services.

The following conditions are assigned in the H-1, H-2, **O&I** and C-2 districts:

(1) No client of any such facility may report to the facility more than one hour prior to the opening of the business or remain on the premises more than one hour following closing of the business.

(2) The building located on the property shall contain sufficient area, either inside or outside, configured in such a way as to prevent potential laborers who have congregated in the building or on the property from being observed from any right-of-way or any adjoining property.

Sec. 86-159. - NAICS 7224 Bars, taverns, and other drinking places (alcohol).

The following conditions are assigned in the H-1, H-2, **MX** and C-1 districts:

(1) See chapter 6, Alcoholic beverages.

Sec. 86-160. - NAICS 44122 Boat dealers.

The following conditions are assigned in the C-2 district:

(1) No outdoor storage or display of used boats, used trailers or any equipment, motors or accessories shall be permitted.

Sec. 86-161. - NAICS 444 Building material and garden equipment and supplies dealers.

The following conditions are assigned in the C-2 and M-1 districts:

- (1) No overnight outdoor storage or display of merchandise or equipment shall be permitted.

Sec. 86-162. - NAICS 44419 Building material dealers, lumber yards.

The following conditions are assigned in the C-2 and M-1 districts:

- (1) Outdoor storage shall be screened utilizing a ten-foot landscaped buffer and opaque fencing having a minimum height of six feet; landscaping as prescribed in article XV shall be maintained outside the fencing. Side or rear yard only.
- (2) Proposed locations adjacent to residential areas shall be subject to additional buffers.

Sec. 86-163. - NAICS 441110/44112 Car dealers, new or used and car dealers, used.

The following conditions are assigned in the C-2 and M-1 districts:

- (1) The primary use of the property shall be retail sales of vehicles.
- (2) All vehicle servicing shall be performed in an entirely enclosed structure.
- (3) No vehicles that are in a state of disrepair shall be displayed.
- (4) Automotive repair shall be operated only as an accessory to a new car dealership.
- (5) No outdoor storage of parts, materials or equipment shall be permitted.

Sec. 86-163.1. - NAICS 425120 Automobile brokers—Office only.

The following conditions are assigned in the C-2 districts:

- (1) Automobile brokers assigned in the C-2 districts shall operate in an "office only" capacity.
- (2) "Office only" shall mean: a. No vehicle to be brokered for sale, lease, or otherwise, shall be delivered to, displayed, or parked at any time on the premises; b. Vehicles for sale or lease, whether directly or indirectly, shall not be delivered to, displayed, or parked on the premises at any time; c. Maintenance, repair, refurbishing, washing, or detailing of automobiles on the premises is prohibited.

Sec. 86-164. - NAICS 4481 Clothing **and clothing accessories** stores.

The following conditions are assigned in the **O&I** district:

- (1) Establishments shall be limited to a maximum floor area of 6,000 square feet.

Sec. 86-165. - NAICS 445120 Convenience food stores, without fuel pumps.

The following conditions are assigned in the ~~MX~~-C-1, C-2, and M-1 districts:

- (1) Establishments shall be limited to a maximum floor area of 4,000 square feet.

Sec. 86-166. - NAICS 4421 Furniture and home furnishing stores.

The following conditions are assigned in the H-1, ~~H-2~~ and C-1 districts:

- (1) Establishments shall be limited to a maximum floor area of 6,000 square feet.

Sec. 86-167. - NAICS 452319 **All other** General merchandise stores.

The following conditions are assigned in the **O&I and** C-1 districts:

- (1) Establishments shall be limited to a maximum floor area of 6,000 square feet.

Sec. 86-168. - NAICS 45322 Gift, novelty, and souvenir stores.

The following conditions are assigned in the O&I and C-1 districts:

- (1) Establishments shall be limited to a maximum floor area of 4,000 square feet.

Sec. 86-169. - NAICS 44511 Grocery stores and supermarkets.

The following conditions are assigned in the ~~H-1~~, H-2 ~~and C-1~~ district:

- (1) Establishments shall be limited to a maximum floor area of 20,000 square feet.

Sec. 86-170. - NAICS 4442, 44422 Lawn and garden equipment and supply stores, nursery, and farm supply

The following conditions are assigned in the H-2 and C-1 districts:

- (1) No overnight outdoor storage or display of merchandise or equipment shall be permitted.

Sec. 86-171. - NAICS 4532 Office supplies and stationery stores, gifts.

The following conditions are assigned in the O&I ~~and C-1~~ district:

- (1) Establishments shall be limited to a maximum floor area of 6,000 square feet.

Sec. 86-172. - NAICS 44613 Optical goods stores

The following conditions are assigned in the O&I district:

- (1) Establishments shall be limited to a maximum floor area of 6,000 square feet.

Sec. 86-173. - NAICS 45391 Pet and pet supplies stores.

The following conditions are assigned in the H-1, H-2 and MX districts:

- (1) No outdoor runs shall be permitted.

Sec. 86-174. - NAICS 81291 Pet care, grooming, training, pet sitting, and boarding (except veterinary services).

The following conditions are assigned in the ~~H-1~~, H-2, **and** O&I ~~and C-1~~ districts:

- (1) No outdoor runs or kennels shall be permitted.

Sec. 86-175. - NAICS 44611 Pharmacies and drug stores.

The following conditions are assigned in the CCM, H-1, H-2, **and O&I** districts:

- (1) Establishments shall be limited to a maximum floor area of 8,000 square feet.

Sec. 86-176. - NAICS 443142 Music stores - Prerecorded tape, compact disc and record stores.

The following conditions are assigned in the H-1 and H-2 districts:

- (1) Establishments shall be limited to a maximum floor area of 4,000 square feet.

Sec. 86-177. - NAICS 53223 Video tape and disc rental.

The following conditions are assigned in the H-1 district:

- (1) Establishments shall be limited to a maximum floor area of 4,000 square feet.

Sec. 86-178. - NAICS 4533 Used merchandise stores, including thrift stores.

The following conditions are assigned in the C-1, C-2 and M-1 districts:

- (1) No overnight outdoor storage or display of merchandise or equipment shall be permitted.
- (2) Establishments shall be limited to a maximum floor area of 4,000 square feet.

Sec. 86-179. - NAICS 484 Truck Transportation (Freight); Logistics

The following conditions are assigned in the M-1 district:

- (1) Trucks shall not be stored in the front yard.

Sec. 86-180. - NAICS 488991 Packing and crating.

The following conditions are assigned in the M-1 district:

- (1) Pallets shall be screened from view from the public right-of-way and adjacent property and shall be stacked no higher than the screening or ten feet above grade, whichever height is most restrictive.
- (2) Such screening shall be accomplished utilizing a ten-foot landscaped buffer and opaque fencing having a minimum height of eight feet; landscaping as prescribed in article XV shall be maintained outside the fencing.

Sec. 86-181. - NAICS 4853 Taxi and limousine service.

The following conditions are assigned in the C-2 and M-1 districts:

- (1) No on-site vehicle maintenance, other than washing, shall be permitted.

Sec. 86-182. - Mixed family, including lofts.

The following conditions are assigned in the CCM, H-1, H-2, O&I and C-1 districts:

- (1) No residential unit shall occupy a street level space.

Sec. 86-183. - NAICS 8131, 81311 Churches, other places of worship, and religious organizations.

The following conditions are assigned in the CCM, H-1, H-2, O&I, MX, C-1, C-2, and M-1 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) Must conform to Chapter 6 setbacks, Alcoholic Beverages.
- (4) Must be stand-alone buildings (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (5) Must meet the requirements of Article XIII – Parking, Loading, and Interior Circulation.
- (6) Must meet applicable buffer requirements of Article XV – Landscaping and Buffers.

(7) No paved parking area shall be established within 25 feet of a lot that is zoned residential or contains a residential use.

(8) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

Sec. 86-184. - NAICS 8134 Civic and social organizations, with provisions for bar or restaurant.

The following conditions are assigned in the **CCM**, H-1, H-2, O&I, MX, C-1, C-2, and M-1 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) Must conform to Chapter 6 standards, Alcoholic Beverages.

Sec. 86-185. - NAICS 81341 Civic and social organizations, without private bar or restaurant.

The following conditions are assigned in the **CCM**, H-1, H-2, O&I, MX, C-1, C-2, and M-1 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.

Sec. 86-186. - NAICS 6113 Private schools: colleges and universities.

The following conditions are assigned in the H-2, O&I, MX, C-2, and M-1 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) Must be stand-alone buildings (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) Must meet the requirements of Article XIII – Parking, Loading, and Interior Circulation.
- (5) No paved parking area shall be established within 25 feet of a lot that is zoned residential or contains a residential use.
- (6) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building

height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

Sec. 86-187. - NAICS 6111 Private schools: elementary and secondary.

The following conditions are assigned in the R-2, R-4, RC, RM, H-1, H-2, O&I, MX, C-1, C-2, and M-1 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) Must be stand-alone buildings (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) Must meet the requirements of Article XIII – Parking, Loading, and Interior Circulation.
- (5) No paved parking area shall be established within 25 feet of a lot that is zoned residential or contains a residential use.
- (6) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

Sec. 86-188. - NAICS 6112 Private schools: junior colleges.

The following conditions are assigned in the O&I, MX, C-2, and M-1 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) Must be stand-alone buildings (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) Must meet the requirements of Article XIII – Parking, Loading, and Interior Circulation.
- (5) No paved parking area shall be established within 25 feet of a lot that is zoned residential or contains a residential use.
- (6) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

Sec. 86-189. - NAICS 71399 Community Recreation Facility Buildings (non-profit) including YMCA, Senior Centers, and City Recreational Centers

The following conditions are assigned in the R-C, RM, H-1, H-2, O&I, MX, C-1, C-2, and M-1 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) Must be stand-alone buildings (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) Must meet the requirements of Article XIII – Parking, Loading, and Interior Circulation.
- (5) A minimum 50-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially-zoned property.
- (6) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

Sec. 86-190. - NAICS 71391 Golf courses and country clubs.

The following conditions are assigned in the R-2, R-4, ~~R-C, RM, O&I~~ and MX districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.

Sec. 86-191. - NAICS 712110 Museums, but not art galleries - 452920

The following conditions are assigned in the CCM, H-1, H-2, O&I, MX, and C-2 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) Must meet the requirements of Article XIII – Parking, Loading, and Interior Circulation.
- (4) For new developments, no proposed, paved parking area shall be established within 25 feet of an adjacent lot which contains an existing residential use.
- (5) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building

height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

(6) No museums with obscene subject matter shall be permitted, as defined in the Adult Entertainment Ordinance, Sec. 10-32, for public indecency, specified sexual activities, and specified anatomical areas.

(7) Any alcohol service shall conform to the requirements for an on-premises arts license.

Sec. 86-192. - NAICS 71399 Neighborhood Rec. Centers, incl. Tennis, Pools and Active Primarily Outdoor Amenities, with or w/o Food Sales (Private)

The following conditions are assigned in the RM, O&I, MX, C-1, and C-2 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) All other applicable standards of Section 86-113 shall be met.

Sec. 86-193. - NAICS 7111 Performing arts theaters: drama, dance, music.

The following conditions are assigned in the CCM, H-1, H-2, O&I, MX, and C-2 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) Must be stand-alone buildings (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) Must meet the requirements of Article XIII – Parking, Loading, and Interior Circulation.
- (5) A minimum 50-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially-zoned property.
- (6) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

Sec. 86-194. - NAICS 711211 Stadiums, coliseums, arenas, amphitheaters.

The following conditions are assigned in the CCM, MX, C-2, and M-1 districts:

- (1) Must be located on a street having a classification of collector or greater.

- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) Must be stand-alone buildings (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) Must meet the requirements of Article XIII – Parking, Loading, and Interior Circulation.
- (5) A minimum 50-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially-zoned property.
- (6) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

Sec. 86-195. - NAICS 711110 Theater companies and dinner theaters.

The following conditions are assigned in the CCM, H-1, H-2, MX and C-2 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) Must be stand-alone buildings (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) Must meet the requirements of Article XIII – Parking, Loading, and Interior Circulation.
- (5) No paved parking area shall be established within 25 feet of a lot that is zoned residential or contains a residential use.
- (6) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

Sec. 86-196. - NAICS 6114 Business schools and computer and management training.

The following conditions are assigned in the H-2, O&I, MX and C-2 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.

Sec. 86-197. - NAICS 6115 Technical and trade schools.

The following conditions are assigned in the ~~H-1~~, H-2, O&I, MX, C-2 and M-1 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) Truck driving schools shall be restricted to the M-1 district.
- (4) Must be stand-alone buildings (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (5) Must meet the requirements of Article XIII – Parking, Loading, and Interior Circulation.
- (6) No paved parking area shall be established within 25 feet of a lot that is zoned residential or contains a residential use.
- (7) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

Sec. 86-198. - NAICS 6116 Other schools and instruction, but not small-scale tutoring (10 students or less)

The following conditions are assigned in the H-1, H-2, O&I, **MX** and C-2 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (3) Must be stand-alone buildings (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) Must meet the requirements of Article XIII – Parking, Loading, and Interior Circulation.
- (5) No paved parking area shall be established within 25 feet of a lot that is zoned residential or contains a residential use.
- (6) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

Sec. 86-199. - NAICS 5151 Radio and television broadcasting.

The following conditions are assigned in the H-1, H-2, O&I, MX, C-1, and C-2 districts:

(1) No telecommunications structures greater than 20 feet in height, whether ground or building mounted, shall be permitted.

Cross reference— Telecommunications, Chapter 70.

Sec. 86-200. - NAICS 51913, 519130 Internet publishing, broadcasting, and web search portals.

The following conditions are assigned in the H-1, H-2, O&I MX, and C-2 districts:

(1) No telecommunications structures greater than 20 feet in height, whether ground or building mounted, shall be permitted.

Sec. 86-201. - NAICS 517 Telecommunications.

The following conditions are assigned in the H-1, H-2, O&I, **MX**, C-1, C-2, M-1 districts:

(1) No telecommunications structures greater than 20 feet in height, whether ground or building mounted, shall be permitted.

Sec. 86-202. - Townhouses and condominiums.

The following conditions are assigned in the CCM, R-M, H-1, H-2, and MX districts:

(1) The standards of the R-A district shall control development of townhouses and condominiums.

Sec. 86-203. - Funeral homes and funeral services.

The following conditions are assigned in the O&I and C-2 districts:

(1) Must be located on a street having a classification of collector or greater.

(2) Must be established on a lot having a minimum area of one acre.

(3) On-site parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.

Sec. 86-204. – Table of Uses (**Revised May 13, 2024**)

Sec. 86-205. – Multi-family (Apartment **Communities**)

The following conditions are assigned in the R-2, R-4, CCM, R-M, H-1, H-2 and M-X districts:

- (1) The standards of the R-M district shall control development of apartments.
- (2) Must be located off a street having a classification of collector or greater.
- (3) A minimum 25-foot wide buffer shall be maintained along all property lines adjacent to any single-family, detached residential property.

Sec. 86-206. - NAICS 8139 Business, Professional, Labor, Political and Similar Organizations.

The following conditions are assigned in the H-1, H-2, M-X, and C-2 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (3) The sale or on-premises consumption of alcoholic beverages is prohibited.

Sec. 86-207. - NAICS 8132 Charitable Organization Offices, including Grantmaking and Giving Services.

The following conditions are assigned in the M-X district:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.

Sec. 86-208. - NAICS 62411 Child Youth Services, including Adoption and Foster Services.

The following conditions are assigned in the H-1 and H-2 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (3) No lodging for children or workers shall be provided on the premises.

Sec. 86-209. - NAICS 624210 Community Food Services, such as Food Banks, with no Meals Prepared or Served on Premises (i.e. Soup Kitchens)

The following conditions are assigned in the O&1, C-2, and M-1 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (3) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (4) Must be located in a stand-alone building (no planned centers or connected storefronts).
- (5) A minimum 50-foot wide buffer shall be maintained between built elements of the proposed facility and any adjacent, residentially-zoned property.
- (6) Onsite pickup by customers shall be prohibited on evenings and on Sundays.

Sec. 86-210. - NAICS 62422 Community Housing Services, including transitional housing

The following conditions are assigned in the R-2, R-4, R-M, and O&I districts:

- (1) No additional parking beyond the existing driveway and garage areas shall be permitted on the property where the housing is located, and vehicles may only be parked in such areas. Should additional parking be required, the operator may apply for an administrative variance from the city manager; any increase in pavement shall be confined to the rear of the lot.
- (2) The operator of the housing service shall provide the Jonesboro Police Department and Clayton County Fire Department with a current list of residents temporarily living in the facility who have disabilities, and information concerning special needs, to ensure each resident's well-being and safe evacuation from the premises in the event of a fire or similar emergency.
- (3) Any modifications to the existing structure shall not increase the square footage of the structure.
- (4) Any exterior modifications to the existing structure shall be consistent with the residential character of the surrounding neighborhood.
- (7) The dwelling shall comply with all fire and life safety codes, and obtain all federal and state permits or licenses, as appropriate.
- (8) The existing dwelling shall be upgraded and inspected by the city with respect to accommodation and accessibility by disabled individuals.
- (9) No persons who are registered sex offenders, have other criminal history or require substance abuse treatment shall be allowed temporary housing on the premises.
- (10) The length of stay for temporary residents shall be determined by the City Council.
- (11) Within the Historic Districts, the Historic Residential Overlay District, and the other residential districts, no more than 5% of homes within each district shall be used for community housing services.

Sec. 86-211. - NAICS 62423 Emergency and Other Relief Services, but not Shelters or Re-settlements

The following conditions are assigned in the O&I, C-2, and M-1 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Off-street parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (3) Must be established on a lot having a minimum area of one acre and a minimum frontage of 150 feet.
- (4) Must be located in a stand-alone building (no planned centers or connected storefronts).
- (5) Outside storage of any relief items and equipment shall not visible from the street(s).
- (6) No lodging shall be provided on premises.

Sec. 86-212. - NAICS 624190 Other Individual and Family Services, including Counseling (Except Offices of Mental Health Specialists)

The following conditions are assigned in the **C-1** district:

- (1) Must be located in a stand-alone building (no planned centers or connected storefronts).
- (2) On-site parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.

Sec. 86-213. - NAICS 623110 Nursing Care Facilities, including Nursing Homes.

The following conditions are assigned in the O&I and C-2 districts:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre.
- (3) On-site parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (4) Must be located in a stand-alone building (no planned centers or connected storefronts).
- (5) The operator of the facility shall provide the Jonesboro Police Department and Clayton County Fire Department with a current list of residents living in the facility who have disabilities, and information concerning special needs, to ensure each resident's well-being and safe evacuation from the premises in the event of a fire or similar emergency.
- (6) A minimum 50-foot wide buffer shall be maintained between built elements of the proposed facility and any adjacent, residentially-zoned property.

Sec. 86-214. - NAICS 6232 Residential Mental Health Facilities

The following conditions are assigned in the O&I district:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre.
- (3) Must be located in a stand-alone building (no planned centers or connected storefronts).
- (4) On-site parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (5) A minimum 50-foot wide buffer shall be maintained between built elements of the proposed facility and any adjacent, residentially-zoned property.

Sec. 86-215. - NAICS 62321 Residential Developmental Disability Homes (Major Disability)

The following conditions are assigned in the O&I district:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).
- (4) On-site parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.
- (5) A minimum 50-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially-zoned property.
- (6) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

Sec. 86-216. - NAICS 62322 Residential Mental and Substance Abuse Care

The following conditions are assigned in the O&I district:

- (1) Must be located on a street having a classification of collector or greater.
- (2) Must be established on a lot having a minimum area of one acre.
- (3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).

(4) On-site parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.

(5) A minimum 50-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially-zoned property.

(6) Must conform to the advertising / public notice requirements of O.C.G.A. Title 36, Chapter 66, Section 36-66-4 (f), regarding zoning decisions relating to the location or relocation of a facility for the treatment of drug dependency.

(7) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

Sec. 86-217. - NAICS 62331 Continuing Care, Assisted Living Facilities

The following conditions are assigned in the O&I, M-X, and C-2 districts:

(1) Must be located on a street having a classification of collector or greater.

(2) Must be established on a lot having a minimum area of one acre.

(3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).

(4) On-site parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.

(5) A minimum 50-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially-zoned property.

(6) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

Sec. 86-218. - NAICS 6214 Medical Outpatient Care Centers

The following conditions are assigned in the H-2, **O&I**, M-X, and C-2 districts:

(1) Must be located on a street having a classification of collector or greater.

(2) Must be established on a lot having a minimum area of one acre.

(3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).

(4) On-site parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.

(5) A minimum 50-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially-zoned property.

(6) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

Sec. 86-219. - NAICS 621410 Family Planning Centers, Including Family Planning Counseling

The following conditions are assigned in the H-2, O&I, and C-2 districts:

(1) Must be located on a street having a classification of collector or greater.

(2) Must be located in a stand-alone building (no planned centers or connected storefronts).

Sec. 86-220. - NAICS 62142 Outpatient Mental Health Centers

The following conditions are assigned in the O&I district:

(1) Must be located on a street having a classification of collector or greater.

(2) Must be established on a lot having a minimum area of one acre.

(3) Must be located in a stand-alone building (no planned centers, connected storefronts sharing a common wall, or lots with zero lot line development or shared parking).

(4) On-site parking and/or drop-off space adequate to meet the needs of the proposed facility shall be provided.

(5) A minimum 50-foot wide buffer shall be maintained between built elements (including paved parking areas) of the proposed facility and any adjacent, residentially-zoned property.

(6) Height regulations. The maximum height for buildings abutting a residential district or use shall be three stories or 35 feet as measured at any point 30 feet from any common property line. Building height may be increased one foot for every additional foot beyond a distance of 30 feet from any common property line.; however, no building shall ever exceed a total height of 75 feet.

(Am. Ord. 2022-17, 8-8-22, 8-14-23, **5-13-24**)

Legal Notice

Public Hearing will be held by the Mayor and Council of the City of Jonesboro at 6:00 P.M. on May 13, 2024 in the court chambers of the Jonesboro City Center, 1859 City Center Way, Jonesboro, GA, to consider a proposed text amendment to the City of Jonesboro Code of Ordinances, regarding updates and revisions to Article VI – Conditional Uses, Chapter 86 – Zoning, of the City of Jonesboro Code of Ordinances. Mayor & Council will first discuss the item at their Work Session, to be held on May 6, 2024 at 6 pm, also in the court chambers of the Jonesboro City Center, 1859 City Center Way, Jonesboro, GA

David Allen
Community Development Director

Publish 4/24/24

	CITY OF JONESBORO, GEORGIA COUNCIL Agenda Item Summary		Agenda Item # 6.12 - 12
			COUNCIL MEETING DATE May 6, 2024
Requesting Agency (Initiator) Office of the City Manager		Sponsor(s) Community Development Director Allen	
Requested Action <i>(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)</i> Discussion regarding proposed text amendment to the City of Jonesboro Code of Ordinances, 24-TA-001, Ord. 2024-005, regarding updates and revisions to "Table of Uses Allowed by Zoning District", Section 86-204, of Article VI – Conditional Uses, Chapter 86 – Zoning, of the City of Jonesboro Code of Ordinances.			
Requirement for Board Action <i>(Cite specific Council policy, statute or code requirement)</i> Sec. 86-204 Table of Uses			
Is this Item Goal Related? <i>(If yes, describe how this action meets the specific Board Focus Area or Goal)</i> Community Planning, Neighborhood and Business Revitalization			
Summary & Background <i>(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)</i> Periodically, the Community Development Department reviews its Table of Uses, based on its experience with citizens over the past year. Some uses are made easier to do in certain districts (more "business friendly") and other uses are made more restrictive in certain districts in order to better protect nearby citizens. The attached changes to the Table of Uses are in red bold print.			
Fiscal Impact <i>(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)</i> n/a			
Exhibits Attached <i>(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)</i> • Table of Uses 5.13.24 • Legal Notice - Table of Uses Revision May 2024			
Staff Recommendation <i>(Type Name, Title, Agency and Phone)</i> Approval			

FOLLOW-UP APPROVAL ACTION (City Clerk)		
Typed Name and Title Melissa Brooks, City Clerk	Date May, 6, 2024	
Signature	City Clerk's Office	

Sec. 86-204. - Table of Uses Allowed by Zoning Districts.

P = Use is permitted "by right" in the Zoning District indicated

C = Use is permitted only as an approved conditional use permit (code section indicated)

N = Use is not permitted in the Zoning District indicated

2017 NAICS Code	USES	R- 2	R- 4	R- C	C C M	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
	RESIDENTIAL USES													
n/a	Single Family Detached Dwelling, Site-Built	P	P	P	N	N	P	P	N	P	N	N	N	
n/a	Single Family Detached Dwelling, Manufactured, Mobile, or Modular with Permanent Foundation	N	N	N	N	N	N	N	N	N	N	N	N	
n/a	Two-Family Dwelling (Duplex)	N	N	N	N	C	N	N	N	C	N	N	N	Sec. 86-118
n/a	Triplexes and Quadruplexes, not part of Apartment Communities	N	N	N	N	N	N	N	N	N	N	N	N	
n/a	Single Family Attached (Townhouses and Condominiums)	N	N	N	C	C	C	C	N	C	N	N	N	Sec. 86- 202; Sec. 86-117; Sec. 86-118
n/a	Multifamily (Apartment Communities)	C	C	N	C	C	C	C	N	C	N	N	N	Sec. 86-205; Sec. 86-117; Sec. 86-118
n/a	Mixed Use Dwelling, including Lofts	N	N	N	C	P	C	C	C	P	C	N	N	Sec. 86-182; Sec. 86-117; Sec. 86-118

Attachment: Table of Uses 5.13.24 (3751 : Table of Uses - Revised)

2017 NAICS Code	USES	R- 2	R- 4	R- C	C C M	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
n/a	Recreational Vehicle, Trailer, or Camping Trailer, used as Living Quarters or Dwelling	N	N	N	N	N	N	N	N	N	N	N	N	Sec. 86- 62
n/a	Home Occupation	P	P	P	P	P	P	P	N	P	N	N	N	Sec. 86- 274
n/a	"Tiny" Houses, with permanent foundations	N	N	N	N	N	N	N	N	C	N	N	N	Sec. 86- 649
n/a	Guest Quarters / Mother-in-law Suites, accessory to principal dwelling	C	C	N	N	N	N	C	N	C	N	N	N	Sec. 86- 650
	INSTITUTIONAL USES													
8139	Business, Professional, Labor, Political and Similar Organizations	N	N	N	N	N	C	C	P	C	N	C	N	Sec. 86- 206
8132	Charitable Organization Offices, including Grantmaking and Giving Services	N	N	N	N	N	P	P	P	C	N	P	N	Sec. 86- 207
62411	Child and Youth Services, including Adoption Agencies and Foster Services, but not Group or Youth Homes	N	N	N	N	N	C	C	P	N	N	P	N	Sec. 86- 208
8131	Churches and Other Places of Worship	N	N	N	C	N	C	C	C	C	C	C	C	Sec. 86-183
81311	Religious Organizations, other than Churches and other Places of Worship	N	N	N	C	N	C	C	C	C	C	C	C	Sec. 86- 183

2017 NAICS Code	USES	R- 2	R- 4	R- C	C C M	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
8134	Civic and Social Organizations, with provisions for Private Bar or Restaurant	N	N	N	C	N	C	C	C	C	C	C	C	Sec. 86-184; Chap. 6
81341	Civic and Social Organizations, without Bar or Restaurant	N	N	N	C	N	C	C	C	C	C	C	C	Sec. 86-185
624210	Community Food Services, such as Food Banks, with no Meals Prepared or Served on Premises (i.e. Soup Kitchens)	N	N	N	N	N	N	N	C	N	N	C	C	Sec. 86-209; Sec. 86-118
62422	Community Housing Services, including transitional housing	C	C	N	N	C	N	N	C	N	N	N	N	Sec. 86-210; Sec. 86-118
62423	Emergency and Other Relief Services, but not Shelters or Re-settlements	N	N	N	N	N	N	N	C	N	N	C	C	Sec. 86-211
624230	Community Clothing Services, such as Clothes Closet (Indoor Storage Only)	N	N	N	N	N	N	N	P	N	N	P	P	
624230	Community Clothing Services, such as Clothes Closet (Active Distribution and Storage)	N	N	N	N	N	N	N	C	N	N	C	C	Sec. 86-664
515	Broadcasting, Except Internet	N	N	N	N	N	C	C	C	C	C	C	P	Sec. 86-132, Sec. 86-199
51912	Libraries and Archives	C	C	N	C	C	C	C	P	C	C	C	C	Sec. 86-128
51913	Internet Publishing and Web Search Portals	N	N	N	N	N	P	P	P	C	N	P	P	Sec. 86-200

Attachment: Table of Uses 5.13.24 (3751 : Table of Uses - Revised)

519130	Internet Broadcasting	N	N	N	N	N	C	C	C	C	N	P	P	Sec. 86-200
62441	Nursery school (Child Day Care Services) (Out of Home)	N	N	N	C	N	N	C	C	C	C	C	N	Sec. 86-122
624410	Family Day Care (In Home)	C	C	N	N	N	N	N	N	N	N	N	N	Sec. 86-123
2017 NAICS Code	USES	R- 2	R- 4	R- C	C C M	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
62412	Adult Day Care (In Home)	C	C	N	N	N	N	N	N	N	N	N	N	Sec. 86-124
624120	Adult Day Care Center (Out of Home)	N	N	N	C	N	N	C	C	C	C	C	N	Sec. 86-125
624190	Other Individual and Family Services, incl. Counseling (Except Offices of Mental Health Specialists)	N	N	N	N	N	P	P	P	N	C	P	N	Sec. 86-212
623110	Nursing Care Facilities, including Nursing Homes	N	N	N	N	N	N	N	C	N	N	C	N	Sec. 86-213; Sec. 86-118
6232	Residential Mental Health Facilities	N	N	N	N	N	N	N	C	N	N	N	N	Sec. 86-214; Sec. 86-118
62321	Residential Developmental Disability Homes (Major Disability)	N	N	N	N	N	N	N	C	N	N	N	N	Sec. 86-215; Sec. 86-118
62322	Residential Mental and Substance Abuse Care	N	N	N	N	N	N	N	C	N	N	N	N	Sec. 86-216; Sec. 86-118
62331	Continuing Care, Assisted Living Facilities	N	N	N	N	N	N	N	C	C	N	C	N	Sec. 86-217; Sec. 86-118

2017 NAICS Code	USES	R- 2	R- 4	R- C	C C M	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
6214	Medical Outpatient Care Centers	N	N	N	N	N	N	C	C	C	N	C	N	Sec.-86-218
621410	Family Planning Centers, Including Family Planning Counseling	N	N	N	N	N	N	C	C	N	N	C	N	Sec. 86- 219
62142	Outpatient Mental Health Centers	N	N	N	N	N	N	N	C	N	N	N	N	Sec. 86-220
621420	Outpatient Substance Abuse Centers	N	N	N	N	N	N	N	C	N	N	N	N	Sec. 86- 499
621491	HMO Medical Centers	N	N	N	N	N	N	N	C	C	N	C	N	Sec.-86- 500
621493	Freestanding Ambulatory Surgical and Emergency Centers	N	N	N	N	N	N	N	C	N	N	C	N	Sec.-86- 501
62149	Other Outpatient Care Centers	N	N	N	N	N	N	N	C	C	N	C	N	Sec.-86- 502
62191	Ambulance Services (Transportation)	N	N	N	N	N	N	N	N	N	N	C	C	Sec. 86- 118; Sec. 86-645
621991	Blood and Organ Banks	N	N	N	N	N	N	N	C	N	N	C	N	Sec. 86- 140; Sec. 86-118
621999	All Other Miscellaneous Ambulatory Health Care Services	N	N	N	N	N	N	C	C	C	N	C	N	Sec 86-503
622110	General Medical and Surgical Hospitals	N	N	N	N	N	N	N	C	N	N	C	C	Sec.-86- 504; Sec. 86-118
6222	Psychiatric and Substance Abuse Hospitals	N	N	N	N	N	N	N	C	N	N	N	N	Sec.-86- 505; Sec. 86-118

2017 NAICS Code	USES	R- 2	R- 4	R- C	C C M	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
6223	Other Hospitals	N	N	N	N	N	N	N	C	N	N	C	N	Sec. 86-506
6239	Other Residential Care Facilities Care, Personal Care Homes	N	N	N	N	N	N	N	C	N	N	C	N	Sec. 86-126; Sec. 86-118
62399	Other Residential Care Facilities, Group Homes for Adults w/o Major Disabilities, not Mental Health or Substance Abuse)	C	C	N	N	N	N	N	N	N	N	N	N	Sec. 86-127; Sec. 86-118
623990	Other Residential Care Facilities Care, Youth Homes	C	C	N	N	N	N	N	N	N	N	N	N	Sec. 86-507; Sec. 86-118
6113	Colleges, Universities and Professional Schools	N	N	N	N	N	N	C	C	C	N	C	C	Sec. 86-186
6111	Elementary and Secondary Schools, including religious schools	C	C	C	N	C	C	C	C	C	C	C	C	Sec. 86-187
6112	Junior Colleges	N	N	N	N	N	N	N	C	C	N	C	C	Sec. 86-188
623312	Retirement Community, without Nursing Care	N	N	N	N	P	N	C	C	C	N	N	N	Sec. 86-129; Sec. 86-118
8133	Social Advocacy Organizations	N	N	N	N	N	N	C	P	C	N	N	N	Sec. 86-508
813312	Environment and Conservation Organizations	N	N	N	N	N	C	C	P	C	N	C	N	Sec. 86-509
6241	Social Services Assistance, including Individual and Family Services	N	N	N	N	N	N	C	P	C	N	C	N	Sec. 86-510
923	Admin. of Human Resource Programs, Incl. Education, Health, and Veterans' Affairs, but not transitional housing	N	N	N	P	N	C	C	P	C	N	C	N	Sec. 86-511

2017 NAICS Code	USES	R- 2	R- 4	R- C	C C M	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
924	Administration of Environmental Quality Programs	N	N	N	P	N	C	C	P	P	N	P	N	Sec. 86-511
925	Administration of Housing Programs, Urban Planning, Rural, and Community Development, but not transitional housing	N	N	N	P	N	C	C	P	P	N	P	N	Sec. 86-511
9261	Administration of Economic Programs	N	N	N	P	N	C	C	P	P	N	P	N	Sec. 86-511
92612	Administration of Transportation Programs	N	N	N	P	N	C	C	P	C	N	C	N	Sec. 86-511
92613	Utility Regulation and Administration	N	N	N	N	N	C	C	P	C	N	C	N	Sec. 86-512
92614	Agricultural Market and Commodity Regulation	N	N	N	N	N	C	C	P	C	N	C	N	Sec. 86-513
92615	Licensing and Regulating Commercial Sectors	N	N	N	N	N	C	C	P	C	N	C	N	Sec. 86-514
	ARTS, ENTERTAINMENT, AND RECREATION													
7111	Performing Arts Theaters: Drama, Dance, Music	N	N	N	C	N	C	C	C	C	N	C	N	Sec. 86-193; 86-114
711110	Dinner Theaters, Cabaret, Concert Hall, Live Entertainment	N	N	N	C	N	C	C	N	C	N	C	N	Sec. 86-195; 86-114
711120	Dance Company Studios, without Theaters	N	N	N	C	N	C	C	C	C	C	C	N	86-114; Sec. 86-515

2017 NAICS Code	USES	R- 2	R- 4	R- C	C C M	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
711130	Musical Groups and Artists, Live Entertainment	N	N	N	N	N	C	C	C	C	N	C	N	Sec. 86-135
711211	Sports Stadiums, Coliseums, Arenas, Amphitheaters	N	N	N	C	N	N	N	N	C	N	C	C	Sec. 86-194
711212	Racetracks, Including Small Vehicles, Go-Karts and Motorcycles	N	N	N	N	N	N	N	N	N	N	C	C	Sec. 86-516; Sec. 86-118
71131	Promoters of Performing Arts, Sports & Similar Events W/ Facilities	N	N	N	N	N	N	N	N	N	N	C	C	Sec. 86-517
711310	Art Center, Not Performing Arts	N	N	N	P	N	P	P	P	P	N	P	N	86-114
711320	Promoters of Performing Arts, Sports, and Similar Events without Facilities; Booking Agenc	N	N	N	N	N	P	P	P	P	N	P	N	86-114
711410	Agents and Managers for Artists, Athletes, Entertainers, and Other Public Figures	N	N	N	N	N	P	P	P	C	N	P	N	86-114; Sec. 86-518
7115	Artist's Studios, Including Makerspaces	N	N	N	P	N	P	P	P	P	N	P	N	86-114
711510	Independent Artist, Writers, and Performers, Live Entertainment	N	N	N	N	N	C	C	C	C	N	C	N	86-114; Sec. 86-519
71311	Amusement and Theme Parks	N	N	N	N	N	N	N	N	C	N	C	C	Sec. 86-520; Sec. 86-118
71312	Amusement Arcades, Indoor	N	N	N	N	N	C	C	N	C	N	P	N	Sec. 86-130, Sec. 86-109 (c)(5); Sec. 86-118

2017 NAICS Code	USES	R- 2	R- 4	R- C	C C M	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
7132	Gambling Industries (Primary Use)	N	N	N	N	N	N	N	N	N	N	N	N	
7139	Other Amusement and Recreation Industries	N	N	N	N	N	N	N	N	N	N	C	C	Sec. 86-521; Sec. 86-118
713991	Billiard and Pool Halls	N	N	N	N	N	C	C	N	N	N	C	N	Sec. 86-131, 86-109 c5; Sec. 86-118
713990	Recreational Shooting Clubs	N	N	N	N	N	N	N	N	N	N	C	C	Sec. 86-636; Sec. 86-118
713990	Non-governmental Shooting Galleries and Shooting Ranges	N	N	N	N	N	N	N	N	N	N	N	N	Sec. 86-118
713990	Hookah Lounge (Smoking Bar, but not Cigar Lounge)	N	N	N	N	N	C	C	N	C	N	C	N	Sec. 18-92; Sec. 86-118
713950	Bowling Centers	N	N	N	N	N	N	N	N	N	N	P	N	Sec. 86-118
713940	Fitness and Recreational Sports Centers, Health Clubs	N	N	N	C	N	C	C	C	P	C	P	N	Sec. 86-522
71391	Golf Courses and Country Clubs	C	C	N	N	N	N	N	N	C	N	N	N	Sec. 86-190; Sec. 86-118
512131	Motion Picture Theaters (except Drive-Ins)	N	N	N	N	N	N	C	N	C	N	C	C	Sec. 86-133; Sec. 86-118
512132	Drive-In Motion Picture Theaters	N	N	N	N	N	N	N	N	C	N	C	C	Sec. 86-134; Sec. 86-118
712110	Museums	N	N	N	C	N	C	C	C	C	N	C	N	Sec. 86-191
71212	Other Historical Sites, Open to General Public	N	N	N	N	N	C	C	C	N	N	N	N	Sec. 86-113; 86-523

2017 NAICS Code	USES	R- 2	R- 4	R- C	C C M	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
712190	Nature Parks and Other Similar Institutions	N	N	N	P	N	C	C	P	P	C	N	N	Sec. 86-136
71213	Zoos and Botanical Gardens	N	N	N	N	N	N	N	C	C	N	N	N	Sec. 86-524; Sec. 86-118
71399	Neighborhood Rec. Centers, incl. Tennis, Pools & Active Primarily Outdoor Amenities, with or w/o Food Sales (Private)	N	N	N	N	C	N	N	C	C	C	C	N	Sec. 86-192
71399	Passive Parks, Playgrounds and Other Open Space Amenities, including Squares, Greens and Pocket Parks (private)	P	P	P	P	P	P	P	P	P	P	P	P	
71399	Community Recreation Facility (non-profit) including YMCA, Senior Centers, City Recreational Centers, and similar facilities linked to religious denominations	N	N	C	N	C	C	C	C	C	C	C	C	Sec. 86-189
51219	Postproduction Services and Other Motion Picture and Video Industries	N	N	N	N	N	C	P	C	C	C	P	P	Sec. 86-137; Sec. 86-118
51224	Sound Recording Studios	N	N	N	N	N	C	C	C	C	N	P	C	Sec. 86-138
51225	Record Production and Distribution	N	N	N	N	N	C	C	C	C	N	P	C	Sec. 86-138
713990	Cigar Lounges, with or Without Alcoholic Beverage Service	N	N	N	N	N	C	C	N	C	N	C	N	Sec. 86-642; Sec. 86-118
712110	Selfie Museums	N	N	N	N	N	C	C	P	P	C	P	N	Sec. 86-662

2017 NAICS Code	USES	R- 2	R- 4	R- C	C C M	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
	GENERAL OFFICE USES													
5412	Accounting, Tax Preparation, Bookkeeping, and Payroll Services	N	N	N	P	N	P	P	P	P	P	P	N	
5413	Architectural, Engineering, Land Planning, Drafting, Surveying, Mapping and Related Services	N	N	N	P	N	P	P	P	P	P	P	N	
54135	Building Inspection Services	N	N	N	P	N	P	P	P	P	P	P	N	
5221	Banks, Credit Unions and Savings Institutions	N	N	N	C	N	P	P	P	P	P	P	N	Sec. 86-139
5614	Business Support Services	N	N	N	N	N	P	P	P	C	P	P	N	Sec. 86-525
236	General Building Construction / Development, Office Only with no Outdoor Storage or Equipment Parking	N	N	N	N	N	C	C	P	N	N	P	P	Sec. 86-141; Sec. 86-118
236	General Building Construction / Development, with Outdoor Storage and / or Equipment Parking	N	N	N	N	N	N	N	N	N	N	N	C	Sec. 86-142; Sec. 86-118
237	Heavy and Civil Engineering Construction, Office Only with no Outdoor Storage or Equipment Parking	N	N	N	N	N	C	C	C	N	N	C	P	Sec. 86-141; Sec. 86-118
237	Heavy & Civil Engineering Construct, with Outdoor Storage or Equipment Parking	N	N	N	N	N	N	N	N	N	N	N	C	Sec. 86-142; Sec. 86-118

Attachment: Table of Uses 5.13.24 (3751 : Table of Uses - Revised)

2017 NAICS Code	USES	R- 2	R- 4	R- C	C C M	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
238	Specialty Trade Contractors, Office Only with no Outdoor Storage or Equipment Parking	N	N	N	N	N	C	C	C	N	N	P	P	Sec. 86- 141; Sec. 86-118
238	Specialty Trade Contractors, with Outdoor Storage and / or Equipment Parking	N	N	N	N	N	N	N	N	N	N	N	C	Sec. 86- 142; Sec. 86-118
5415	Computer Systems Design and Related Services	N	N	N	P	N	P	P	P	P	P	P	N	
52229	Consumer Lending and Credit	N	N	N	N	N	P	P	P	N	N	P	N	
522298	All Other Nondepository Credit Intermediation, Including Pawn Shops	N	N	N	N	N	N	N	N	N	N	C	N	Sec. 86-109 (c)(5); Sec. 86-526; Sec. 86-118
551114	Corporate Management Offices, Office Only	N	N	N	P	N	P	P	P	P	C	P	P	Sec. 86- 643
5222	Credit Card Issuing and Sales Financing	N	N	N	N	N	N	P	P	C	N	P	N	Sec. 86- 526
522390	Other Activities Related to Credit Intermediation, Including Check Cashing Services	N	N	N	N	N	N	N	N	C	N	P	N	Sec. 86-109 (c)(5); Sec. 86-526; Sec. 86-118
561311	Employment Placement Agencies (Staffing)	N	N	N	N	N	C	P	P	P	N	P	N	Sec. 86- 527
561330	Professional Employer Organizations (Staff Leasing Services)	N	N	N	N	N	C	P	P	P	N	P	N	Sec. 86- 527

Attachment: Table of Uses 5.13.24 (3751 : Table of Uses - Revised)

2017 NAICS Code	USES	R- 2	R- 4	R- C	C C M	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
9211	Executive, Legislative, and Other General Government Support	N	N	N	P	N	P	P	P	C	N	C	N	Sec. 86-528
5612	Facilities Support Services	N	N	N	N	N	N	N	N	N	N	C	P	Sec. 86-529; Sec. 86-118
52232	Financial Transactions Processing, Reserve, and Clearinghouse Activities	N	N	N	N	N	N	C	P	N	N	P	N	Sec. 86-530
525	Funds, Trust, and Other Financial Vehicles	N	N	N	P	N	P	P	P	P	P	P	N	
524	Insurance Carriers and Related Activities	N	N	N	P	N	P	P	P	P	P	P	N	
5414	Interior Design, Graphic Design & Other Specialized Design Services	N	N	N	P	N	P	P	P	P	P	P	N	
9221	Justice, Public Order and Safety Activities	N	N	N	P	N	P	P	P	P	P	P	N	
621492	Kidney Dialysis Centers	N	N	N	N	N	N	C	P	C	C	C	N	Sec. 86-531; Sec. 86-118
5411	Legal Services, including Attorneys' Offices	P*	P*	P*	P	P*	P	P	P	P	P	P	P	*Home Occupation
531120	Lessors of Nonresidential Building (except Miniwarehouses), including Event Centers (Excluding funerals and wakes)	N	N	N	N	N	C	C	C	C	N	C	C	Sec. 86-532; Sec. 86-118;
5511	Management of Companies and Enterprises	N	N	N	N	N	P	P	P	P	N	P	P	

Attachment: Table of Uses 5.13.24 (3751 : Table of Uses - Revised)

2017 NAICS Code	USES	R- 2	R- 4	R- C	C C M	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
5416	Management, Scientific, and Technical Consulting Services, including Executive Search and Management Consulting	N	N	N	N	N	P	P	P	P	N	P	N	
812199	Massage Therapy, State Licensed Only	N	N	N	N	N	C	C	C	P	P	P	N	Sec. 86-109 ©(5); 86- 533; Sec. 86-118
6215	Medical and Diagnostic Laboratories	N	N	N	N	N	C	C	P	C	N	P	P	Sec. 86-534
6212	Offices of Dentists	N	N	N	P	N	P	P	P	P	P	P	N	
521	Monetary Authorities-Central Bank	N	N	N	N	N	P	P	P	C	N	P	N	Sec. 86- 535
52231	Mortgage and Non-mortgage Loan Brokers	N	N	N	P	N	P	P	P	P	P	P	N	
5111	Newspaper, Periodical, Book, and Database Publishers	N	N	N	P*	N	P	P	P	P	N	P	N	*Excluding Adult Entertainme nt
511199	All Other Publishers	N	N	N	N	N	P	P	P	P	N	P	N	
5611	Office Administrative Services	N	N	N	P	N	P	P	P	P	P	P	P	
53132	Offices of Real Estate Appraisers	N	N	N	P	N	P	P	P	P	P	P	N	
53139	Other Activities Related to Real Estate	N	N	N	N	N	P	P	P	P	P	P	N	
5419	Other Professional, Scientific, and Technical Services	N	N	N	N	N	C	C	P	C	C	P	P	Sec. 86-536

2017 NAICS Code	USES	R- 2	R- 4	R- C	C C M	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
5312	Real Estate Agents and Brokers Offices	N	N	N	P	N	P	P	P	P	P	P	N	
5311	Real Estate Leasing Company	N	N	N	N	N	P	P	P	P	P	P	N	
53131	Real Estate Property Managers	N	N	N	N	N	P	P	P	P	P	P	N	
54171	Research and Development in the Physical, Engin., and Life Sciences	N	N	N	N	N	C	C	P	C	N	C	C	Sec. 86- 537
54172	Research and Develop- ment in the Social Sci- ences and Humanities	N	N	N	N	N	C	C	P	C	N	C	C	Sec. 86- 537
5417	Scientific Research and Development Services	N	N	N	N	N	C	C	P	C	N	C	C	Sec. 86- 537
523	Securities, Commodity Contract, and Other Fi- nancial Investments and Related Activities	N	N	N	N	N	P	P	P	C	N	P	N	Sec. 86- 538
5112	Software Publishers	N	N	N	P	N	P	P	P	P	N	P	N	
561320	Temporary Help Services, Manual Labor Pools	N	N	N	N	N	N	N	N	N	N	C	C	Sec. 86-143, Sec. 86-109 (c)(5); Sec. 86-118
54194	Veterinary Services, in- cluding Animal Hospitals, No Outdoor Runs or Cages	N	N	N	N	N	N	N	C	N	N	C	C	Sec. 86- 144; Sec. 86-118
541940	Veterinary Services, including Animal Hospitals, With Outdoor Runs or Cages	N	N	N	N	N	N	N	N	N	N	C	C	Sec. 86- 539; Sec. 86-118

2017 NAICS Code	USES	R- 2	R- 4	R- C	C C M	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
6213	Offices of Other Health Practitioners, including cognitive therapies	N	N	N	N	N	P	P	P	P	P	P	N	
621111	Offices of Physicians, Except Mental Health Specialists	N	N	N	P	N	P	P	P	P	P	P	N	
621112	Office of Mental Health Specialists	N	N	N	N	N	P	P	P	C	P	P	N	Sec. 86-540
	COMMERCIAL / RETAIL USES													
561990	Business Incubator, hosting administrative office suites	N	N	N	C	N	P	P	P	P	P	P	C	Sec. 86-651
5418	Advertising, Public Relations, and Related Services (Indoor Only)	N	N	N	P	N	P	P	P	P	P	P	N	
54185	Outdoor Advertising, Large-scale, including Billboard Displays	N	N	N	N	N	N	N	N	N	N	C	C	Sec. 86-541; Sec. 86-118
811198	All Other Automotive Repair and Maintenance	N	N	N	N	N	N	N	N	N	N	C	P	Sec. 86-118; Sec. 86-652;
721199	All Other Travel Accommodation, including Short Term Rentals (Air BnBs)	C	C	N	N	N	C	C	C	C	N	N	N	Chapter 18; Sec. 86-542; Sec. 86-118
721211	RV Parks and Campgrounds	N	N	N	N	N	N	N	N	N	N	N	N	
811412	Appliance Repair and Maintenance	N	N	N	N	N	N	N	N	N	N	C	P	Sec. 86-118; Sec. 86-653

2017 NAICS Code	USES	R- 2	R- 4	R- C	C C M	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
561613	Armored Car Services	N	N	N	N	N	N	N	N	N	N	P	P	Sec. 86-118
811121	Automotive Body, Paint, Interior, and Maintenance	N	N	N	N	N	N	N	N	N	N	C	P	Sec. 86-118; Sec. 86-652;
811112	Automotive Exhaust Sys- tem Repair	N	N	N	N	N	N	N	N	N	N	C	P	Sec. 86-118; Sec. 86-652;
811191	Automotive Oil Change and Lubrication Shops	N	N	N	N	N	N	N	N	N	N	C	P	Sec. 86- 118; Sec. 86-663
811111	Automotive Repair, Gen- eral, including engine re- pair and replacement	N	N	N	N	N	N	N	N	N	N	C	P	Sec. 86-118; Sec. 86-652
811113	Automotive Transmission Repair	N	N	N	N	N	N	N	N	N	N	C	P	Sec. 86-118; Sec. 86-652
812111	Barber Shops	N	N	N	N	N	N	N	P	P	P	P	N	
812112	Beauty Salons, Including Hair, Makeup, Lashes and Brows, but not Day Spa, Med Spa, or Massage Therapy	N	N	N	N	N	N	N	P	P	P	P	N	
721191	Bed-and-Breakfast Inns	N	N	N	N	N	C	C	C	C	C	N	N	Sec. 86- 543; Sec. 86-118
6114	Business Schools and Computer and Management Training	N	N	N	N	N	N	C	C	C	N	C	N	Sec. 86-196
56143	Business Service Centers, including Copy Shops and Mail Centers	N	N	N	P	N	C	P	P	P	C	P	N	Sec. 86-544

2017 NAICS Code	USES	R- 2	R- 4	R- C	C C M	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
561439	Other Business Service Centers, Including Internet Cafe	N	N	N	P	N	P	P	P	P	C	P	N	Sec. 86-544
811192	Car Washes	N	N	N	N	N	N	N	N	C	N	C	C	Sec. 86-545 Sec. 86- 118;
81222	Cemeteries	C	C	N	N	N	N	N	C	N	N	N	N	Sec. 86- 146; Sec. 86-118
812220	Crematories, within Funeral Homes or Stand Alone	N	N	N	N	N	N	N	N	N	N	C	C	Sec. 86-146; Sec. 86-546; Sec. 86-118
81231	Coin-Operated Laundries and Drycleaners, drop-off	N	N	N	N	N	N	N	N	N	C	P	C	Sec. 86- 547; Sec. 86-118
56144	Collection Agencies	N	N	N	N	N	P	P	P	N	N	P	N	
8113	Commercial and Industrial Machinery and Equipment (except Automotive and Electronic) Repair and Maintenance; No Outdoor Storage	N	N	N	N	N	N	N	N	N	N	C	P	Sec. 86- 118; Sec. 86-654
5324	Small Machinery and Equipment Rental and Leasing	N	N	N	N	N	N	N	N	N	N	C	P	Sec. 86-548; Sec. 86-118
53241	Heavy Machinery and Equipment Rental and Leasing	N	N	N	N	N	N	N	N	N	N	C	C	Sec. 86-548; Sec. 86-118
53221	Consumer Electronics and Appliances Rental, no outdoor storage	N	N	N	N	N	N	N	N	N	N	P	N	Sec. 86-118
532283	Home Health Equipment Rental	N	N	N	N	N	N	N	P	N	C	P	N	Sec. 86- 549; Sec. 86-118

2017 NAICS Code	USES	R- 2	R- 4	R- C	C C M	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
532284	Recreational Goods Rental, including golf cart rentals	N	N	N	N	N	N	N	N	N	N	C	P	Sec. 86-550; Sec. 86-118
532289	All Other Consumer Goods Rental	N	N	N	N	N	N	N	C	N	C	P	P	Sec. 86-147; Sec. 86-118
532284	Consumer Goods Rental, including furniture rental, party supply rentals	N	N	N	N	N	N	N	C	N	C	P	P	Sec. 86-147; Sec. 86-118
561591	Convention Centers, Convention and Visitors Bureaus	N	N	N	C	N	P	P	P	P	N	P	N	Sec. 86-644
492	Couriers and Messenger Services	N	N	N	N	N	P	P	P	P	P	P	N	
561492	Court Reporting and Stenotype Services	N	N	N	N	N	P	P	P	N	N	P	N	
56145	Credit Bureaus	N	N	N	P	N	P	P	P	P	P	P	N	
518	Data Processing Services	N	N	N	N	N	P	P	P	P	N	P	N	
6244	Day Care Center and Group Day Care Home, Child	N	N	N	N	N	N	N	C	C	C	C	N	Sec. 86-122
6244	Family Day Care Home, Child (6 or fewer children in care)	C	C	N	N	N	N	C	N	N	N	N	N	Sec. 86-123
812191	Diet and Weight Reducing Centers	N	N	N	N	N	C	C	P	N	P	P	N	Sec. 86-551
4543	Direct Selling Establishments, including Fuel Dealers	N	N	N	N	N	N	N	N	N	N	C	P	Sec. 86-149; Sec. 86-118

2017 NAICS Code	USES	R- 2	R- 4	R- C	C C M	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
812320	Dry-cleaning and Laundry Services (except Coin-Operated)	N	N	N	C	N	N	C	C	P	P	P	P	Sec. 86-148
8112	Electronic and Precision Equipment Repair and Maintenance, no outdoor storage	N	N	N	N	N	N	N	N	N	N	P	P	Sec. 86-118
454110	Electronic Shopping and Mail-Order Houses	N	N	N	N	N	N	C	P	N	N	P	N	Sec. 86-552; Sec. 86-118
532281	Formal Wear & Costume Rental	N	N	N	P	N	P	P	C	P	P	P	N	Sec. 86-553
81221	Funeral Homes and Funeral Services	N	N	N	N	N	N	N	C	N	N	C	N	Sec. 86-203; Sec. 86-118
5323	General Rental Centers	N	N	N	N	N	N	N	C	C	N	P	P	Sec. 86-150; Sec. 86-118
811411	Home and Garden Equipment Repair and Maintenance	N	N	N	N	N	N	N	N	N	N	C	C	Sec. 86-151; Sec. 86-118
6216	Home Health Care Services	N	N	N	N	N	P	P	P	P	P	P	N	
72111	Hotels (except Casino Hotels) and Motels, including Extended Stay Facilities	N	N	N	C	N	C	C	C	C	N	C	N	Sec. 86-554; Sec. 86-118
56161	Investigation and Security Services	N	N	N	N	N	P	P	P	P	N	P	N	

2017 NAICS Code	USES	R- 2	R- 4	R- C	C C M	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
533	Lessors of Non-financial Intangible Assets (not copy-righted works)	N	N	N	N	N	P	P	P	P	N	P	N	
81233	Linen and Uniform Supply	N	N	N	N	N	N	N	N	N	P	P	P	Sec. 86-118
561622	Locksmiths	N	N	N	N	N	P	P	P	P	P	P	P	
54191	Marketing Research and Public Opinion Polling	N	N	N	N	N	P	P	P	P	N	P	N	
81299	Miscellaneous Personal Services, including bail bonding, dating services, shoe-shine services, fortunetelling, tattoo parlor, etc.	N	N	N	N	N	N	N	C	N	N	C	N	Sec. 86-145, Sec. 86-109 (c)(5); Sec. 86-118
48841	Motor Vehicle Towing and Storage	N	N	N	N	N	N	N	N	N	N	C	C	Sec. 86-152, Sec. 86-109 (c)(5); Sec. 86-118
812113	Nail Salons, no other beauty services	N	N	N	N	N	P	P	P	P	P	P	N	
53242	Office Machinery and Equipment Rental and Leasing	N	N	N	N	N	N	N	P	N	N	P	P	Sec. 86-118
812922	One-Hour Photo-finishing	N	N	N	N	N	P	P	P	P	P	P	N	
811118	Other Automotive Mechanical and Electrical Repair and Maintenance	N	N	N	N	N	N	N	N	N	N	C	P	Sec. 86-118; Sec. 86-652
81112	Automotive Body, Interior, and Glass Repair / Replacement	N	N	N	N	N	N	N	N	N	N	C	P	Sec. 86-118; Sec. 86-652
5191	Other Information Services	N	N	N	N	N	P	P	P	P	N	P	N	

2017 NAICS Code	USES	R- 2	R- 4	R- C	C C M	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
81219	Other Personal Care Services, including day spa, med spa, but not tattoo parlor or massage therapy	N	N	N	N	N	C	C	N	C	N	P	N	Sec. 86-109 (c)(5); Sec. 86-118; Sec. 86-659
81293	Standalone Parking Lots and Garages, Commercial (including expansions)	N	N	N	C	N	C	C	C	C	C	C	C	Article XIII; Sec. 86-555; Sec. 86-118
92215	Parole Offices and Probation Offices	N	N	N	N	N	N	N	P	N	N	P	N	
92219	Other Justice and Safety Activities	N	N	N	N	N	P	P	P	P	P	P	P	
53211	Passenger Car Rental and Leasing	N	N	N	N	N	N	N	N	N	N	P	P	Sec. 86-109 ©(5); Sec. 86-118
8114	Personal & Household Goods Repair & Maintenance, including jewelry, garments, watches, musical instruments and bicycles; No Outdoor Storage	N	N	N	P	N	P	P	P	P	P	P	P	Sec. 86-118
81291	Pet Care, Grooming, Training, Pet Sitting (except Veterinary Services)	N	N	N	N	N	N	C	C	N	P	P	P	Sec. 86-174; Sec. 86-118
812910	Animal Kennels / Boarding	N	N	N	N	N	N	N	N	N	N	N	C	Sec. 86-556; Sec. 86-118
812910	Animal Rescue Shelter, Public or Private	N	N	N	N	N	N	N	C	N	N	N	C	Sec. 86-557; Sec. 86-118
812921	Photo-finishing Laboratories (except One-Hour)	N	N	N	N	N	C	P	P	N	P	P	P	Sec. 86-558

2017 NAICS Code	USES	R- 2	R- 4	R- C	C C M	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
54192	Photographic Services and Studios, Including Framing Shops	N	N	N	P	N	P	P	P	P	P	P	C	Sec. 86-559
6115	Technical and Trade Schools	N	N	N	N	N	N	C	C	C	N	C	C	Sec. 86-197; Sec. 86-118
611513	Apprenticeship Training	N	N	N	N	N	N	C	C	C	N	C	C	Sec. 86-560; Sec. 86-118
561491	Repossession Services	N	N	N	N	N	N	N	N	N	N	C	C	Sec. 86-153, Sec. 86-109 (c)(5); Sec. 86-118
81142	Re-upholstery and Furniture Repair, no outdoor storage	N	N	N	N	N	C	C	N	N	C	P	P	Sec. 86-154; Sec. 86-118
811420	Antique Furniture Repair and Restoration Shop	N	N	N	N	N	C	C	N	N	C	P	P	Sec. 86-561
721310	Rooming and Boarding Houses	N	N	N	N	C	N	N	N	N	N	N	N	Sec. 86-562; Sec. 86-118
561612	Security Guards and Patrol Services	N	N	N	N	N	N	N	P	N	N	P	P	
561621	Security Systems Services (except Locksmiths)	N	N	N	N	N	C	C	P	C	P	P	P	Sec. 86-563
5617	Services to Buildings and Dwellings, (including pest control, janitorial services, landscape services, carpet cleaning, pool maintenance, gutter cleaning) No outdoor storage	N	N	N	N	N	N	N	C	N	C	P	P	Sec. 86-155; Sec. 86-118

2017 NAICS Code	USES	R- 2	R- 4	R- C	C C M	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
81143	Shoe Repair	N	N	N	P	N	P	P	P	P	P	P	P	
81149	Other Household Goods Repair and Maintenance	N	N	N	N	N	P	P	P	P	P	P	P	Sec. 86-118
5619	Other Support Services, including packaging and labeling, convention and trade show organizers, inventory, traffic control, water conditioning, lumber grading and related services	N	N	N	N	N	N	N	C	N	N	C	P	Sec. 86-564; Sec. 86-118
561422	Telemarketing Bureaus	N	N	N	N	N	N	C	P	N	N	P	N	Sec. 86-565; Sec. 86-118
561421	Telephone Answering Services	N	N	N	N	N	N	C	P	N	N	P	N	Sec. 86-565
541380	Testing Laboratories (Mechanical Products)	N	N	N	N	N	N	N	N	N	N	C	C	Sec. 86-156
54193	Translation and Interpretation Services	N	N	N	N	N	P	P	P	P	N	P	N	
5615	Travel Agencies and Reservation Services	N	N	N	P	N	P	P	P	P	N	P	N	
56152	Tour Operators with Tour Vehicles	N	N	N	N	N	C	C	N	N	N	C	N	Sec. 86-566; Sec. 86-118
53212	Truck, Utility Trailer, and RV (Recreational Vehicle) Rental and Leasing, including Moving Truck Rental	N	N	N	N	N	N	N	N	N	N	C	C	Sec. 86-109 ©(5); Sec. 86-567; Sec. 86-118
4542	Vending Machine Operators	N	N	N	N	N	N	C	C	N	N	P	N	Sec. 86-157; Sec. 86-118

2017 NAICS Code	USES	R- 2	R- 4	R- C	C C M	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
532282	Video Tape and Disc Rental	N	N	N	N	N	C	P	N	P	P	P	N	Sec. 86-177; Sec. 86-118
6116	Other Schools and Instruction, but not small-scale tutoring	N	N	N	N	N	C	C	C	C	N	C	N	Sec. 86-198; Sec. 86-118
61161	Fine Arts Schools	N	N	N	P	N	P	P	C	C	N	P	N	Sec. 86-568
611610	Small-scale Pottery and Ceramics Shop	N	N	N	P	N	P	P	C	C	P	P	N	Sec. 86-569
61162	Sports and Recreation Instruction, including Exercise and Yoga	N	N	N	P	N	P	P	C	C	P	P	N	Sec. 86-570
611620	Sports and Recreation Instruction, including Gymnastics and Martial Arts	N	N	N	P	N	P	P	C	C	P	P	N	Sec. 86-571
6117	Educational Support Services (non-instructional)	N	N	N	N	N	C	C	P	C	N	C	N	Sec. 86-572
611691	Small-scale Tutoring and Exam Preparation, 10 students or less	N	N	N	N	N	P	P	P	P	C	P	N	Sec. 86-655
6243	Vocational Rehabilitation Services	N	N	N	N	N	C	C	C	N	N	C	N	Sec. 86-158; Sec. 86-118
5621	Waste Collection	N	N	N	N	N	N	N	C	N	N	N	C	Sec. 86-573; Sec. 86-118
562119	Other Waste Collection, Except Hazardous Waste	N	N	N	N	N	N	N	C	N	N	N	C	Sec. 86-573; Sec. 86-118
5622	Waste Treatment and Disposal	N	N	N	N	N	N	N	N	N	N	N	C	Sec. 86-574; Sec. 86-118

2017 NAICS Code	USES	R- 2	R- 4	R- C	C C M	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
5629	Remediation and Other Waste Services	N	N	N	N	N	N	N	N	N	N	N	C	Sec. 86-575; Sec. 86-118
562920	Materials Recovery Facilities, Including Collection Bins for Recyclable Materials	N	N	N	N	N	N	N	C	N	N	C	C	Sec. 86-640; Sec. 86-118
562991	Septic Tank and Related Services	N	N	N	N	N	N	N	N	N	N	N	C	Sec. 86-576; Sec. 86-118
4431	Electronics and Appliance Stores, Including Computers and Cameras	N	N	N	P	N	N	P	N	P	N	P	N	
45392	Art Dealers	N	N	N	P	N	P	P	C	P	P	P	N	Sec. 86-577
453920	Art Gallery	N	N	N	P	N	P	P	C	P	P	P	N	Sec. 86-578
453920	Temporary, Outdoor Arts Market	N	N	N	N	N	C	C	C	N	N	C	C	Sec. 86-579
44131	Automotive Parts and Accessories Stores, With No Outdoor Storage, Excluding Tires	N	N	N	N	N	N	N	N	N	N	P	P	Sec. 86-118
44131	Automotive Parts and Accessories Stores, With Outdoor Storage, Excluding Tires	N	N	N	N	N	N	N	N	N	N	C	C	Sec. 86-580; Sec. 86-118
7224	Bars, Taverns and Other Drinking Places (Alcoholic Beverages)	N	N	N	N	N	C	C	N	C	C	P	N	Sec. 86-159
4453	Beer, Wine and Liquor Stores	N	N	N	N	N	N	N	N	N	N	C	N	Sec. 86-637; 6-44

2017 NAICS Code	USES	R- 2	R- 4	R- C	C C M	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
45121	Book Stores and News Dealers	N	N	N	P*	N	P	P	P	P	P	P	N	*Excluding Adult Entertain mt
4441	Building Material and Supplies Dealers	N	N	N	N	N	N	N	N	N	N	C	C	Sec. 86- 161; Sec. 86-118
44419	Other Building Material Dealers, Lumber Yards	N	N	N	N	N	N	N	N	N	N	C	C	Sec. 86-162
722514	Cafeterias, Grill Buffets, and Buffets	N	N	N	N	N	C	C	C	P	P	P	N	Sec. 86-581
44111	Car Dealers, New Vehicles Only	N	N	N	N	N	N	N	N	N	N	C	C	Sec. 86- 163; Sec. 86-118
441110	Car Dealers, New or Used Vehicles	N	N	N	N	N	N	N	N	N	N	C	C	Sec. 86-163, Sec. 86-109 (c)(5); Sec. 86-118
4251	Electronic Markets and Agents and Brokers	N	N	N	N	N	N	N	P	P	N	P	N	
425120	Wholesale Trade Agents and Brokers, Incl. Automobile Brokers (Office Only)	N	N	N	N	N	N	N	N	N	N	P	N	Sec. 86- 163.1; Sec. 86-118
72232	Caterers (Not food trucks)	N	N	N	N	N	P	P	N	P	N	P	N	
4481	Clothing Stores	N	N	N	P	N	P	P	C	P	P	P	N	Sec. 86-164

2017 NAICS Code	USES	R- 2	R- 4	R- C	C C M	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
44815	Clothing Accessories Stores	N	N	N	P	N	P	P	C	P	P	P	N	Sec. 86-164
44512	Convenience Food Stores with fuel pumps	N	N	N	N	N	N	N	N	N	N	C	C	Sec. 86-582; Sec. 86-118
445120	Convenience Food Stores without fuel pumps	N	N	N	N	N	N	N	N	N	C	C	C	Sec. 86-165; Sec. 86-118
44612	Cosmetics, Beauty Supplies, and Perfume Stores, with no care services	N	N	N	P	N	C	C	N	P	P	P	N	Sec. 86-638
452210	Department Stores	N	N	N	N	N	C	C	N	P	P	P	N	Sec. 86-583
453998	Store Retailers not Specified Elsewhere, Incl. Fireworks Shops but not Tobacco Stores	N	N	N	N	N	N	N	N	C	C	P	P	Sec. 86-584; Sec. 86-118
4531	Florists	N	N	N	P	N	P	P	N	P	P	P	N	
72231	Food Service Contractors	N	N	N	N	N	N	C	C	P	N	P	P	Sec. 86-585; Sec. 86-118
4421	Furniture Stores	N	N	N	N	N	C	P	N	P	P	P	N	Sec. 86-166
4422	Furnishings Stores (Minor Interior Décor Only)	N	N	N	P	N	P	P	P	P	P	P	N	
44221	Floor Covering Stores (No outdoor storage)	N	N	N	N	N	N	N	N	N	N	P	P	Sec. 86-118
442291	Window Treatment Stores	N	N	N	N	N	C	C	N	N	P	P	P	Sec. 86-586

2017 NAICS Code	USES	R- 2	R- 4	R- C	C C M	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
4471	Gasoline Stations, Full Service	N	N	N	N	N	N	N	N	N	N	C	C	Sec. 86-118; Sec. 86-582
44711	Gasoline Stations with Convenience Stores	N	N	N	N	N	N	N	N	N	N	C	C	Sec. 86-118; Sec. 86-582
452319	All Other General Merchandise Stores	N	N	N	N	N	P	P	C	P	C	P	N	Sec. 86-167
44511	Grocery Stores and Supermarkets (except Specialty Food Stores and Convenience Food Stores)	N	N	N	N	N	N	C	N	P	P	P	N	Sec. 86-169
44413	Hardware Stores	N	N	N	N	N	C	C	N	P	P	P	P	Sec. 86-587; Sec. 86-118
45112	Hobby, Toy and Game Stores	N	N	N	P	N	P	P	N	P	P	P	N	
451120	Arts & Crafts Retail Sales, Supply Stores	N	N	N	P	N	P	P	C	P	P	P	N	Sec. 86-588
44411	Home Centers (Building Materials and Supplies)	N	N	N	N	N	N	N	N	C	N	C	P	Sec. 86-589; Sec. 86-118
4483	Jewelry, Luggage, and Leather Goods Stores	N	N	N	P	N	P	P	N	P	P	P	N	
4442	Lawn and Garden Equipment and Supplies Stores	N	N	N	N	N	N	C	N	N	C	P	P	Sec. 86-170; Sec. 86-118
44422	Nursery, Garden, and Farm Supply Stores	N	N	N	N	N	N	C	N	N	C	P	P	Sec. 86-170; Sec. 86-118
444220	Mulch and Gravel Sales, Outdoor Yards	N	N	N	N	N	N	N	N	N	N	C	C	Sec. 86-656

2017 NAICS Code	USES	R- 2	R- 4	R- C	C C M	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
44619	Miscellaneous Health and Personal Care Stores, including Health Foods and Specialty Health Products, but not CBD stores	N	N	N	P	N	P	P	N	P	P	P	N	
72233	Mobile Food Services, Including Carts and Individual Food Trucks	N	N	N	P	N	C	C	C	C	N	C	N	86-114; 86-590; Sec. 86-118
72233	Food Truck Base of Operations (at another restaurant or business)	N	N	N	N	N	N	N	N	N	N	N	N	Per Clayton Co. Health Dept.
722330	Food Truck Courts and Parks	N	N	N	P	N	C	C	C	C	C	C	N	86-114; 86-591
44122	Motorcycle, Boat, and Other Vehicle Dealers	N	N	N	N	N	N	N	N	N	N	C	P	Sec. 86-160; Sec. 86-118
441228	Motorcycle, ATV, and Other Vehicle Dealers	N	N	N	N	N	N	N	N	N	N	C	P	Sec. 86-592; Sec. 86-118
45114	Musical Instrument and Supplies Stores	N	N	N	P	N	P	P	N	P	P	P	N	
45439	Other Direct Selling Establishments	N	N	N	N	N	N	N	C	N	N	C	C	Sec. 86-593
4532	Office Supplies, Stationery, and Gift Stores	N	N	N	P	N	P	P	C	P	P	P	N	Sec. 86-171; Sec. 86-168
44613	Optical Goods Stores	N	N	N	P	N	P	P	C	P	P	P	N	Sec. 86-172
447190	Other Gasoline Stations (includes Truck stop)	N	N	N	N	N	N	N	N	N	N	N	C	Sec. 86-594; Sec. 86-118

Attachment: Table of Uses 5.13.24 (3751 : Table of Uses - Revised)

4412	Other Motor Vehicle Dealers	N	N	N	N	N	N	N	N	N	N	C	P	Sec. 86-595
2017 NAICS Code	USES	R- 2	R- 4	R- C	C C M	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
44412	Paint and Wallpaper Stores	N	N	N	N	N	C	C	N	P	P	P	N	Sec. 86-639
45391	Pet and Pet Supplies Stores, no Outdoor Storage or Displays	N	N	N	N	N	C	C	N	C	P	P	N	Sec. 86-173; Sec. 86-118
44611	Pharmacies and Drug Stores	N	N	N	C	N	C	C	C	P	P	P	N	Sec. 86-175
443142	Music Stores (Prerecorded Tape, Compact Disc, and Records)	N	N	N	P	N	C	C	N	P	P	P	N	Sec. 86-176
44121	Recreational Vehicle Dealers	N	N	N	N	N	N	N	N	N	N	C	C	Sec. 86-596
722511	Restaurants, Full-Service, Family Restaurants	N	N	N	P	N	P	P	C	P	P	P	N	Sec. 86-597
722511	Restaurants, Full-Service, Quality Restaurants	N	N	N	P	N	P	P	C	P	P	P	N	Sec. 86-597
722513	Restaurants, Limited-Service, including Fast Food and Take-Out, with drive-through windows.	N	N	N	N	N	C	C	N	C	C	P	P	Sec. 86-598; Sec. 86-118
722513	Restaurants, Limited-Service, including Fast Food and Take-Out, without drive-through windows.	N	N	N	P	N	P	P	C	P	P	P	P	Sec. 86-598
45113	Sewing, Needlework, and Piece Goods Stores	N	N	N	P	N	P	P	N	P	P	P	N	

4482	Shoe Stores	N	N	N	P	N	P	P	N	P	P	P	N	
2017														
NAICS	USES	R-2	R-4	R-C	C C M	RM	H-1	H-2	O&I	MX	C-1	C-2	M-1	Code Section
Code														
722515	Snack and Nonalcoholic Beverage Bars, including cafes and coffee shops	N	N	N	P	N	P	P	C	P	P	P	P	Sec. 86-599
4452	Specialty Food Stores, including Meat, Fish, Fruit and Vegetable Markets, Baked Goods, Candy and Nut Stores	N	N	N	P	N	P	P	N	P	P	P	N	
445230	Outdoor Farmers Market	N	N	N	P	N	C	C	N	P	N	C	N	86-114; Sec. 86-600; Sec. 86-118
45111	Sporting Goods Stores, but not Firearms Dealers	N	N	N	N	N	P	P	N	P	C	P	N	Sec. 86-660
451110	Firearms Dealers, Online sales only	N	N	N	N	N	C	C	C	N	N	P	N	Sec. 86-661
451110	Firearms Dealers, physical store	N	N	N	N	N	N	N	C	N	N	C	N	Sec. 86-657
44132	Tire Dealers	N	N	N	N	N	N	N	N	N	N	C	C	Sec. 86-601; Sec. 86-118
484	Truck Transportation (Freight) Logistics	N	N	N	N	N	N	N	N	N	N	N	C	Sec. 86-179; Sec. 86-118
4533	Used / Secondhand Merchandise Stores, including Thrift Stores but not Consignment or Antique Shops	N	N	N	N	N	N	N	N	N	C	C	C	Sec. 86-178; Sec. 86-118
45331	Consignment Stores	N	N	N	N	N	N	N	N	C	C	P	N	Sec. 86-602
453310	Antique Shops, but not Flea Markets	N	N	N	P	N	P	P	N	P	P	P	N	
452311	Warehouse Clubs and Supercenters	N	N	N	N	N	N	N	N	C	N	P	N	Sec. 86-603; Sec. 86-118

2017 NAICS Code	USES	R- 2	R- 4	R- C	C C M	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
45393	Manufactured, Mobile, Home Dealers	N	N	N	N	N	N	N	N	N	N	N	N	
45399	All Other Miscellaneous Store Retailers, including Flea Markets	N	N	N	N	N	C	C	N	C	C	C	N	Sec. 86-604; Sec. 86-118
453991	Tobacco Stores, Cigar Shops, and Vape Shops CBD Stores, but not Cigar Lounge	N	N	N	N	N	N	N	N	C	C	P	N	Sec. 86-605; Sec. 86-118
	MANUFACTURING, WHOLESALING, AND WAREHOUSING													
337	Furniture and Related Product Manufacturing, With No Outdoor Storage	N	N	N	N	N	N	N	N	N	N	N	P	Sec. 86-118
337	Furniture and Related Product Manufacturing, With Outdoor Storage	N	N	N	N	N	N	N	N	N	N	N	C	Sec. 86-606; Sec. 86-118
3121	Beverage Manufacturing, Non-alcoholic, with No Outdoor Storage	N	N	N	N	N	N	N	N	N	N	N	P	
3121	Beverage Manufacturing, Non-alcoholic, with Outdoor Storage	N	N	N	N	N	N	N	N	N	N	N	C	Sec. 86-606
812332	Industrial Launderers	N	N	N	N	N	N	N	N	N	N	N	P	
53113	Mini-warehouses and Self-Storage Units (Indoor and Outdoor)	N	N	N	N	N	N	N	N	N	N	C	C	Sec. 86-607; Sec. 86-118

2017 NAICS Code	USES	R- 2	R- 4	R- C	C C M	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
339	Miscellaneous Manufacturing (including toys, jewelry, silverware, medical / dental equipment and supplies, sporting goods, office supplies, signs, caskets, gaskets, home accessories, etc. and similar processing/assembly of products), With No Outdoor Storage	N	N	N	N	N	N	N	N	N	N	N	P	Sec. 86-118
339	Miscellaneous Manufacturing (including toys, jewelry, silverware, medical / dental equipment and supplies, sporting goods, office supplies, signs, caskets, gaskets, home accessories, etc. and similar processing/assembly of products), With Outdoor Storage	N	N	N	N	N	N	N	N	N	N	N	C	Sec. 86- 606; Sec. 86-118
51212	Motion Picture and Video Distribution	N	N	N	N	N	N	N	N	N	N	C	P	Sec. 86- 608
51211	Motion Picture and Video Production	N	N	N	N	N	N	N	N	N	N	C	C	Sec. 86-609
322	Paper Manufacturing	N	N	N	N	N	N	N	N	N	N	N	C	Sec. 86- 610; Sec. 86-118
512191	Preproduction and Other Related Industries	N	N	N	N	N	P	P	C	P	C	P	P	Sec. 86- 137
323	Printing and Related Support Activities	N	N	N	N	N	C	C	N	N	P	P	P	Sec. 86- 611

2017 NAICS Code	USES	R- 2	R- 4	R- C	C C M	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
31211	Soft Drink and Ice Manufacturing, With no Outdoor Storage	N	N	N	N	N	N	N	N	N	N	N	P	Sec. 86-118
31211	Soft Drink and Ice Manufacturing, With Outdoor Storage	N	N	N	N	N	N	N	N	N	N	N	C	Sec. 86- 606; Sec. 86-118
31212	Breweries, Large-Scale	N	N	N	N	N	C	C	N	N	N	C	C	Sec. 86- 612; Sec. 86-118
312120	Micro-breweries	N	N	N	P	N	C	C	N	N	N	C	C	86-114; Sec. 86- 613
312120	Brew Pubs and Growler Shops	N	N	N	P	N	C	C	N	N	N	C	N	86-114; Sec. 86- 614
31214	Distilleries, Large-Scale	N	N	N	N	N	C	C	N	N	N	C	C	Sec. 86- 615; Sec. 86-118
312140	Micro-distilleries	N	N	N	P	N	C	C	N	N	N	C	C	86-114; Sec. 86- 616
3122	Tobacco Manufacturing	N	N	N	N	N	N	N	N	N	N	N	C	Sec. 86- 606; Sec. 86-118
493	Warehousing and Storage	N	N	N	N	N	N	N	N	N	N	N	C	Sec. 86-617; Sec. 86-118

2017 NAICS Code	USES	R- 2	R- 4	R- C	C C M	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
423	Merchant Wholesalers, Durable Goods, With No Customer Showrooms and /or Outdoor Storage	N	N	N	N	N	N	N	N	N	N	N	P	
423	Merchant Wholesalers, Durable Goods, With Customer Showrooms and /or Outdoor Storage	N	N	N	N	N	N	N	N	N	N	N	C	Sec. 86-618
423930	Recyclable Material Merchant Wholesalers With No Outdoor Storage	N	N	N	N	N	N	N	N	N	N	N	P	
423930	Recyclable Material Merchant Wholesalers With Outdoor Storage	N	N	N	N	N	N	N	N	N	N	N	C	Sec. 86-618
424	Merchant Wholesalers, Non-Durable Goods (including piece goods), With No Customer Showrooms and /or Outdoor Storage	N	N	N	N	N	N	N	N	N	N	N	P	
424	Merchant Wholesalers, Non-Durable Goods (including piece goods), With Customer Showrooms and /or Outdoor Storage	N	N	N	N	N	N	N	N	N	N	N	C	Sec. 86-618
311	Food Manufacturing, with no Outdoor Storage	N	N	N	N	N	N	N	N	N	N	N	P	Sec. 86-118
311	Food Manufacturing, with Outdoor Storage	N	N	N	N	N	N	N	N	N	N	N	C	Sec. 86-606; Sec. 86-118
313	Textile Mills, with no Outdoor Storage	N	N	N	N	N	N	N	N	N	N	N	P	Sec. 86-118
313	Textile Mills, with Outdoor Storage	N	N	N	N	N	N	N	N	N	N	N	C	Sec. 86-606; Sec. 86-118

2017 NAICS Code	USES	R- 2	R- 4	R- C	C C M	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
314	Textile Product Mills, with no Outdoor Storage	N	N	N	N	N	N	N	N	N	N	N	P	Sec. 86-118
314	Textile Product Mills, with Outdoor Storage	N	N	N	N	N	N	N	N	N	N	N	C	Sec. 86-606; Sec. 86-118
315	Apparel and Apparel Accessories Manufacturing, with no Outdoor Storage	N	N	N	N	N	N	N	N	N	N	N	P	Sec. 86-118
315	Apparel and Apparel Accessories Manufacturing, with Outdoor Storage	N	N	N	N	N	N	N	N	N	N	N	C	Sec. 86-606; Sec. 86-118
316	Leather and Allied Product Manufacturing, Including footwear, With No Outdoor Storage	N	N	N	N	N	N	N	N	N	N	N	P	Sec. 86-118
316	Leather and Allied Product Manufacturing, Including footwear, With Outdoor Storage	N	N	N	N	N	N	N	N	N	N	N	C	Sec. 86-606; Sec. 86-118
321	Wood Product Manufacturing, Including Millwork, With No Outdoor Storage	N	N	N	N	N	N	N	N	N	N	N	P	Sec. 86-118
321	Wood Product Manufacturing, Including Millwork, With Outdoor Storage	N	N	N	N	N	N	N	N	N	N	N	C	Sec. 86-606; Sec. 86-118
324	Petroleum & Coal Products Manufact.	N	N	N	N	N	N	N	N	N	N	N	C	Sec. 86-606; Sec. 86-118
325	Chemical Manufacturing, Including Pharmaceutical and Medicine Manufacturing	N	N	N	N	N	N	N	N	N	N	N	C	Sec. 86-619; Sec. 86-118

2017 NAICS Code	USES	R- 2	R- 4	R- C	C C M	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
326	Plastics and Rubber Products Manufacturing	N	N	N	N	N	N	N	N	N	N	N	C	Sec. 86-620; Sec. 86-118
327	Non-metallic Mineral Product Manufact.	N	N	N	N	N	N	N	N	N	N	N	C	Sec. 86-606; Sec. 86-118
331	Primary Metal Manufacturing	N	N	N	N	N	N	N	N	N	N	N	C	Sec. 86-606; Sec. 86-118
332	Fabricated Metal Product Manufact. With No Outdoor Storage	N	N	N	N	N	N	N	N	N	N	N	P	Sec. 86-118
332	Fabricated Metal Product Manufacturing, With Outdoor Storage	N	N	N	N	N	N	N	N	N	N	N	C	Sec. 86-606; Sec. 86-118
333	Machinery Manufacturing, With No Outdoor Storage	N	N	N	N	N	N	N	N	N	N	N	P	Sec. 86-118
333	Machinery Manufacturing, With Outdoor Storage	N	N	N	N	N	N	N	N	N	N	N	C	Sec. 86-606; Sec. 86-118
334	Computer and Electronic Product Manufactur., With No Outdoor Storage	N	N	N	N	N	N	N	N	N	N	N	P	Sec. 86-118
334	Computer and Electronic Product Manufacturing, With Outdoor Storage	N	N	N	N	N	N	N	N	N	N	N	C	Sec. 86-606; Sec. 86-118
335	Electrical Equipment and Appliance Manufacturing With No Outdoor Storage	N	N	N	N	N	N	N	N	N	N	N	P	Sec. 86-118
335	Electrical Equipment and Appliance Manufacturing With Outdoor Storage	N	N	N	N	N	N	N	N	N	N	N	C	Sec. 86-606; Sec. 86-118

2017 NAICS Code	USES	R- 2	R- 4	R- C	C C M	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
336	Transportation Equipment Manufacturing	N	N	N	N	N	N	N	N	N	N	N	C	Sec. 86-606; Sec. 86-118
	TRANSPORTATION, COMMUNICATION, AND UTILITIES													
4855	Charter Bus Industry	N	N	N	N	N	N	N	N	N	N	C	C	Sec. 86-621; Sec. 86-118
4885	Freight Transportation Arrangement (Logistics)	N	N	N	N	N	N	N	N	N	N	C	C	Sec. 86-622; Sec. 86-118
488991	Packing and Crating	N	N	N	N	N	N	N	N	N	N	N	C	Sec. 86-180; Sec. 86-118
517312	Wireless Telecommunications Carriers (New Cell Towers)	N	N	N	N	N	C	C	C	C	C	C	C	Sec. 86-201; Chapter 70
517312	Wireless Telecommunications Carriers (Co-Locations)	N	N	N	P	N	P	P	P	P	P	P	P	Sec. 86-201; Chapter 70
517312	Wireless Telecommunications Carriers (Small Cell Permitting on New Poles in Right-of-Way)	P @	P @	P @	P @	P @	P #	P #	P	P @	P	P	P	#=Sec. 70-71(a)(10), @=Sec. 70-103
517312	Wireless Telecommunications Carriers (Small Cell Permitting on Existing Poles in Right-of-Way)	P	P	P	P	P	P #	P #	P	P	P	P	P	#=Sec. 70-71(a)(10)
4821	Rail Transportation Co. (Office Only)	N	N	N	N	N	C	C	P	N	N	C	P	Sec. 86-623; Sec. 86-118

2017 NAICS Code	USES	R- 2	R- 4	R- C	C C M	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
487	Scenic and Sightseeing Transportation	N	N	N	N	N	C	C	N	N	N	C	P	Sec. 86-624; Sec. 86-118
485991	Special Needs Transportation	N	N	N	N	N	N	N	N	N	N	P	P	Sec. 86-118
4852	Interurban and Rural Bus Transportation	N	N	N	N	N	N	N	C	N	N	C	C	Sec. 86-625; Sec. 86-118
4853	Taxi and Limousine Service	N	N	N	N	N	N	N	N	N	N	C	C	Sec. 86-181; Sec. 86-118
4851	Urban Transit Systems, except Taxi and Limousine Service	N	N	N	N	N	N	N	N	N	N	P	P	
4854	School & Employee Bus Transportation	N	N	N	N	N	N	N	C	N	N	N	C	Sec. 86-626; Sec. 86-118
4882	Support Activities for Rail Transportation	N	N	N	N	N	C	C	C	N	N	N	C	Sec. 86-627; Sec. 86-118
4884	Support Activities for Road Transportation	N	N	N	N	N	N	N	C	N	N	N	C	Sec. 86-628; Sec. 86-118
4889	Other Support Activities for Transportation	N	N	N	N	N	N	N	C	N	N	N	C	Sec. 86-629; Sec. 86-118
491	Postal Service	N	N	N	N	N	C	C	P	C	C	P	P	Sec. 86-118; 86-630
445210	Mobile Specialty Food Sales, including Meat, Fish, Fruit and Vegetables	N	N	N	N	N	N	N	N	N	N	N	N	

Attachment: Table of Uses 5.13.24 (3751 : Table of Uses - Revised)

2017 NAICS Code	USES	R- 2	R- 4	R- C	C C M	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
	AGRICULTURAL USES													
	Private, Non-commercial Garden	P	P	P	N	N	P	P	N	P	N	N	N	
11142	Nursery and Floriculture Production	N	N	N	N	N	N	N	N	C	N	C	P	Sec. 86- 631; Sec. 86-118
111421	Nursery and Tree Production	N	N	N	N	N	N	N	N	N	N	C	P	Sec. 86-631; Sec. 86-118
112	Animal Production, including all types of Livestock Farming	N	N	N	N	N	N	N	N	N	N	N	N	Sec. 14-9 (f); Sec. 86- 118
1123	Poultry and Egg Production, Commercial	N	N	N	N	N	N	N	N	N	N	N	N	Sec. 86-118
	Other Poultry Production, Personal Use, Non-Commercial	P	P	N	N	N	P	P	N	N	N	N	N	Sec. 14-51; Sec. 86-118
1125	Aquaculture	N	N	N	N	N	N	N	N	N	N	N	C	Sec. 86-646
11291	Apiculture (Beekeeping)	N	N	N	N	N	N	N	N	N	N	N	C	Sec. 86-647
1152	Support Activities for Animal Production	N	N	N	N	N	N	N	N	N	N	N	C	Sec. 86-648
	UTILITIES													
2211	Power Generation and Supply	N	N	N	N	N	N	N	N	N	N	N	C	Sec. 86-632
2212	Natural Gas Distribution	N	N	N	N	N	N	N	N	N	N	N	C	Sec. 86-633
2213	Water, Sewage, and Other Systems	N	N	N	N	N	N	N	N	N	N	N	C	Sec. 86- 634; Sec. 86-118

2017 NAICS Code	USES	R- 2	R- 4	R- C	C C M	RM	H- 1	H- 2	O&I	MX	C- 1	C- 2	M- 1	Code Section
22132	Sewage Treatment Facilities	N	N	N	N	N	N	N	N	N	N	N	C	Sec. 86-635; Sec. 86-118
221118	Electronic Vehicle Charging Stations (privately funded)	N	N	N	C	C	C	C	C	C	C	C	C	Sec. 86-658
	ADULT ENTERTAINMENT													
713990	Adult Entertainment Facilities	N	N	N	N	N	N	N	N	N	N	N	C	Sec. 86-641; Sec. 86-118

(Ord. No. 05-08, 8-15-05; Ord. No. 2006-05, § 1, 9-19-2006; Ord. No. 2015-10, § 3, 8-10-2015; [Ord. No. 2016-03, § 2, 2-8-2016](#); Ord. No. [2017-03](#), § 1, 2-13-2017) (Ord. No. 2019-05, 2-11-19, 2-10-20) (8-10-20) (6-14-21) (3-14-22) (7-11-22) (8-15-23) **(5-13-24)**)

Legal Notice

Public Hearing will be held by the Mayor and Council of the City of Jonesboro at 6:00 P.M. on May 13, 2024 in the court chambers of the Jonesboro City Center, 1859 City Center Way, Jonesboro, GA, to consider a proposed text amendment to the City of Jonesboro Code of Ordinances, regarding updates and revisions to “Table of Uses Allowed by Zoning District”, Section 86-204, of Article VI – Conditional Uses, Chapter 86 – Zoning, of the City of Jonesboro Code of Ordinances. Mayor & Council will first discuss the item at their Work Session, to be held on May 6, 2024 at 6 pm, also in the court chambers of the Jonesboro City Center, 1859 City Center Way, Jonesboro, GA

David Allen
Community Development Director

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