

Sec. 9-10-2. - Permitted uses.

The following uses and their accessory uses are permitted as shown in the use table below:

Commercial Zoning Districts	C-G General	C-D Downtown	C-O Office	C-N Neighborhood	C-R Rural
<i>Residential Categories</i>					
Agriculture	N	N	N	N	P
Single-Family Dwellings	S, L(11)	S, L(11)	S, L(11)	S, L(11)	S, L(11)
Accessory Dwelling Units	S	S	N	S	S
Dwellings Above or Below Businesses	P, L(1)	P, L(1)	P, L(1)	P, L(1)	P, L(1)
Duplexes	N	N	N	N	N
Personal care homes, individual	S, L(12)	S, L(12)	S, L(12)	S, L(12)	S, L(12)
Personal care homes, family	S, L(12)	S, L(12)	S, L(12)	S, L(12)	S, L(12)
Personal care homes, group	P, L(12)	P, L(12)	P, L(12)	P, L(12)	P, L(12)
Personal care homes, congregate	P, L(12)	P, L(12)	P, L(12)	P, L(12)	P, L(12)
Multifamily Dwellings	P, L(1)	P, L(1)	P, L(1)	P, L(1)	P, L(1)
Class "A" Manufactured Homes	N	N	N	N	P, L(10)
Class "B" Manufactured Homes	N	N	N	N	N
Boarding House, Rooming House	S	S	S, L(13)	S	S
Dormitory	S	S	S, L(13)	S	S
Halfway House	S, L(15)	S, L(15)	S, L(15)	S, L(15)	S, L(15)
Community Garden	P	P	P	P	P
<i>Commercial Categories</i>					
Home Occupation	P	P	P	P	P

Sales of products grown on site	N	N	N	N	P
Hostels	P	P	P	P	P
Hotels	P	P	N	L(4)	N
Motels	P	N	N	N	N
Bed and Breakfast	P	P	P	P	P
Retail Sales and Service	P	P	L(2)	L(3)	L(4)
Convenience Store	P, L(8)	S	S	P, L(8)	P, L(8)
Theaters (less than 1,000 seats)	P	P	N	N	N
Restaurant or Bar	P	P, L(16)	N	P	P
<i>Commercial Categories</i>					
Drive-Through Facility	P, L(7)	N	N	S, L(7)	N
Professional Services and Office	P	P	L(4)	L(3)	L(4)
Quick Vehicle Servicing	P	N	N	N	N
Vehicle Repair	P	P	N	P, L(2)	P
Auto and RV Sales	P, L(8)	N	N	N	N
Laundry Facilities	P, L(8)	P	S	P, L(8)	P
Equestrian Facilities	N	N	N	N	P
Commercial Outdoor Recreation	S	N	N	N	P
Indoor Recreation	P	P	N	N	N
Major Event Entertainment	S	S	N	N	S
Commercial Parking Structures or Lots	S	S, L(5)	N	N	N
Administrative or Research Facilities	P	P	P	L(4)	L(4)
Broadcasting or production Studios	P	P	N	P	P
Temporary Uses	P	P	P	P	P
Temporary Special Event	P, L(14)	P, L(14)	N	N	P, L(14)

<i>Industrial Categories</i>					
Printing/Publishing	P	P	N	N	N
Bakeries	P	P	N	L(2)	L(2)
Bottling Plants	P	P	N	L(2)	L(2)
Manufacture of Non-Odiferous Foods	N	N	N	N	N
Feed Lots and Slaughterhouses	N	N	N	N	N
Food Processing	L(6)	N	N	N	N
Light Manufacturing	L(6)	L(6)	N	N	L(6)
Heavy Manufacturing	N	N	N	N	N
Wholesale Sales	P	P	N	N	P
Wholesale Nurseries	N	N	N	N	P
Distribution Center	P	N	N	N	P
Outdoor Storage	N	N	N	N	N
Wholesale Storage And Distribution	N	N	N	N	N
Self-Service Storage	P	N	N	N	N
Construction Materials Sales	P	N	N	N	N
Junk Yards and Auto Wrecking	N	N	N	N	N
Kennels	P	N	N	N	P
Veterinary Clinics	P	N	S	S	P
Transfer Stations	N	N	N	N	N
Sanitary Landfills, Landfills, Commercial Incinerators	N	N	N	N	N
Science Research and Development	L(3)	L(4)	N	N	P
Asphalt Plants	N	N	N	N	N
Mines, mining, surface mining, quarries, gravel pits, sand pits	N	N	N	N	N

<i>Institutional Categories</i>					
Basic Utilities	P, L(9)	P	P	P	P
Community Service	P, L(9)	P	P	P	P
Parks And Open Areas	P, L(9)	P	P	P	P
Churches	P, L(9)	P	P	P	P
Business/Trade Schools	P, L(9)	P	L(4)	L(4)	P
Day Care, Kindergarten, Elementary, Middle, and High School	P, L(9)	P	P	P	P
Colleges	P, L(9)	P	L(4)	L(3)	P
Nursing Homes	P, L(9)	P	P	P	P
Hospital	P, L(9)	P	P	P	P
Medical Centers	P, L(9)	P	P	P	P
Cemeteries	P, L(9)	P	P	P	P
Mortuaries	P, L(9)	P	P	P	P
Fraternity or Sorority	S	S	S, L(13)	S	S
Semi-Public Halls, Clubs, or Lodges	S, L(9)	S	S, L(13)	S	S
Drug Rehabilitation Center or Other Facility for Treatment of Drug Dependency	P	P	N	N	N

Legend:

P = Permitted outright

S = Subject to approval under the special use procedures section

N = Prohibited use

L(1) = Permitted only on second story and above or in the basement level of the structure. At least 50 percent of the ground floor shall be leasable commercial space not used for parking, none of the ground floor shall be used for self-service storage, and the commercial space shall be accessed only through a publicly accessible building entrance. Access to residential dwellings shall

not be through the designated area comprising the minimum 50% commercial space. Multifamily residential uses arranged in any other manner on a commercially-zoned property are permitted only as a special use permit. For C-D zone properties in the North Downtown Design Area, ground floor dwellings are permitted subject to the associated design standards and limitations found in section 9-10-6(D)(7) and are not subject to the commercial standards noted above in L(1).

L(2) = Uses are limited to no more than 2,500 square feet of gross floor area per lot.

In addition, Retail Sales and Service uses in the Milledge Avenue Corridor Special District Overlay shall be permitted only on lots with Milledge Avenue street frontage equal to or greater than the minimum lot width and only in buildings with primary orientation toward Milledge Avenue.

L(3) = Uses are limited to no more than 10,000 square feet of gross floor area per lot, except grocery stores, science research and development facilities, and colleges, which may have 36,000 square feet of gross floor area per lot; provided however multifamily dwellings and dwellings above businesses are permitted under L(1) above. Any development exceeding these parameters shall be subject to approval under the special use procedure section.

L(4) = Uses are limited to no more than 10,000 square feet of gross floor area per lot.

L(5) = Parking in more than 50 percent of the ground floor in a parking structure is not permitted.

L(6) = Light manufacturing of products sold on site permitted, area of manufacture not to exceed 1,500 square feet.

L(7) = Drive-through facilities are not permitted in these zones when located on Level One corridors, based on the Athens-Clarke County Corridor Designations Chart, as provided in section 9-25-8 J.

L(8) = Parking areas are permitted between the building and the street, provided that landscaping is included adjacent to the street pursuant to subsection 9-30-9 E.6. of this title.

L(9) = No more than 25 percent of required parking spaces are permitted between the building and the street.

L(10) = Class "A" Manufactured Homes on individual lots are permitted, subject to the following criteria:

1. The portion of the lot upon which the manufactured home is to be located shall not exceed a slope of ten percent following excavation or fill.
2. The manufactured home shall be multi-sectional, no less than 24 feet in width, and have a minimum enclosed floor area of 1,000 square feet.
3. The manufactured home shall have a roof pitch of a minimum of three feet in height for each 12 feet in width.

4. The manufactured home shall have no metal siding and shall have wood, wood-product, or vinyl siding and composition or metal roofing.
5. The manufactured home shall be placed on an excavated and back-filled foundation, and the foundation shall be fully enclosed.
6. The foundation area of the manufactured home shall be fully skirted in masonry.

L(11) = Shall follow the general regulations found in table 9-7-3 under the RS-5 zoning regulations, RS-5 tree canopy standards found in 8-7-15, RS-5 standards found in 9-26-3, and reviewed under 9-25-8.B standards. Lots of record existing prior to February 6, 2007 and subdivision plats submitted for approval prior to February 6, 2007 shall be exempt from the special use requirement.

L(12) = Refer to section 9-15-19 for regulations governing personal care homes.

L(13) = Special use approval in the Milledge Avenue Corridor Special District Overlay is not required for expansion of less than 40% of the heated floor space existing on April 6, 2010 for existing legal nonconforming uses on existing lots of record. Multiple expansions over time shall be added together to determine the percentage of expansion. The exception for expansion of less than 40% does not apply to currently existing special uses with binding site plans. In addition to the approval criteria for special uses provided in section 9-20-5, in evaluating the effect of a 40% or more expansion of an existing use or establishment of a new use in the Milledge Avenue Corridor Special District Overlay, the proximity to similar uses shall be a relevant factor to be considered in review of the proposed use.

L(14) = Temporary special events, as defined in section 9-2-1, are subject to, but not limited to, the following conditions:

1. The boundary of the temporary special event, as described on the approved site plan, shall not be located within 300 feet of any RS (Single-Family Residential) zone or RM (Mixed Density Residential) zone.
2. A temporary special event shall have a duration of not more than 72 consecutive hours, including setup and breakdown of the event.
3. No more than two temporary special events may occur for any one property in each calendar year; a temporary special event shall not occur more frequently than once in a three-month period on the subject property.
4. Sufficient improved or unimproved off-street parking, to be approved by the Planning Director, with access to be approved by the Department of Transportation and Public Works, shall be provided.
- 5.

All temporary special events shall apply for and obtain, if required, an Athens-Clarke County Special Events Permit per Chapter 6-5 and shall comply with all applicable local, state, and federal regulations.

L(15) = Refer to section 9-15-21 for more information concerning halfway houses.

L(16) = A bar, as defined in Section 9-2-1, is a permitted use if the maximum occupancy, as determined by the fire marshal, is 100 or fewer persons. A proposed bar occupancy exceeding this maximum occupancy shall be subject to approval under the Special Use procedures section.

(Ord. of 12-5-2000, § 1; Ord. of 5-7-02, § 1; Ord. of 4-1-2003, § 1; Ord. of 12-2-2003, § 3; Ord. of 8-2-2005, § 1; Ord. of 8-1-2006, § 8; Ord. of 8-1-2006, § 5; Ord. of 12-06-2006, § 1; Ord. of 2-6-2007, § 1; Ord. of 4-3-2007, § 5; Ord. of 6-5-2007, § 1; Ord. of 6-3-2008, § 1 Ord. of 4-6-2010, §§ 2, 3; Ord. of 4-5-2011, § 6; Ord. of 7-5-2011, § 1; Ord. of 10-2-2012, § 2; Ord. of 12-4-2012, § 8; Ord. of 2-5-2013, § 6; Ord. of 2-4-2014, § 6; Ord. of 2-3-2015, § 1; Ord. of 7-3-2018(3), § 3; Ord. of 12-4-2018(6), § 1; Ord. of 10-6-2020(1), § 1; Ord. of 2-2-2021(1), § 2; Ord. of 12-12-2022(4), §§ 1, 2)

Sec. 9-30-9. - Design requirements.

- A. Size and access. All required parking areas shall be designed in accordance with the parking layout chart adopted by the planning director. All parking spaces shall be a minimum of nine by 18 feet and shall have a 24-foot back-up space except where parking is angled, and except as permitted in this chapter of this title.
- B. Driveways and turn-arounds. Driveways and turn-arounds providing access to parking areas shall conform to the following provisions:
 1. A driveway for a single dwelling shall have a minimum width of nine feet, and a shared driveway serving two units shall have a width of 12 feet.
 2. Except for a single-family or two-family dwelling, groups of more than five parking spaces per lot shall be provided with adequate aisles or turn-around areas so that all vehicles may enter the street in a forward manner.
 3. Except for a single-family or two-family dwelling, more than five parking spaces shall be served by a driveway design and constructed to facilitate the flow of traffic on or off the site, with due regard to pedestrian and vehicle safety, and shall be clearly and permanently marked and defined. In no case shall two-way and one-way driveways be less than 20 feet and 12 feet respectively.
- C. Vertical clearances. Driveways, aisles, turn-around areas and ramps shall have a minimum vertical clearance of seven feet six inches which normally results in a floor-to-floor height of approximately ten feet for their entire length and width.
- D. Sight distance requirements. Driveways shall meet the sight distance requirements of Section 9-15-2, Section 7-2-7, and the Transportation and Public Works Department *Technical Standards*.
- E. Development and maintenance. The development and maintenance as provided below shall apply in all cases, except single-family and two-family dwellings.
 1. Paving. All required parking areas, aisles, turn-arounds and driveways shall be paved with pervious or impervious concrete, asphalt or comparable surfacing, constructed to standards on file in the office of the Athens-Clarke County Transportation and Public Works Director. Parking lots in residential zones that contain less than ten spaces may be surfaced with a permeable material, such as crushed rock, to the standards of the transportation and public works director.
 2. Drainage. All required parking areas, aisles and turn-arounds shall have provisions made for the on-site collection of drainage waters to eliminate sheet flow of such waters onto sidewalks, public rights-of-way, and abutting private property.
 - 3.

Driveway approaches. Approaches shall be paved with concrete surfacing constructed to standards on file in the office of the Athens-Clarke County Transportation and Public Works Director.

4. Marking. Parking lots of more than five spaces shall have all spaces permanently and clearly marked, except for overflow parking areas constructed of permeable materials.
5. Wheel stops. Wheel stops shall be a minimum of four inches in height and width and six feet in length. They shall be firmly attached to the ground and so constructed as to withstand normal wear. Wheel stops shall be provided where appropriate for all spaces abutting property lines, buildings, landscaping, and no vehicle shall overhang a public right-of-way.
6. Screening standards.
 - a. Where parking abuts upon a public or private street, a decorative masonry wall, evergreen hedge screen of 30 to 42 inches in height and a minimum of 12 inches in width, or other comparable evergreen plantings approved by planning staff, shall be established parallel to and not nearer than two feet from the right-of-way line. Screen planting shall be of such size and number to provide the required screening with 12 months after installation. The area between the wall or hedge and street line shall be landscaped. All vegetation shall be maintained in good condition. The required wall or screening shall be designed to allow for free access to the site and sidewalk by pedestrians.
 - b. In all zones, except single-family zones and the C-D zone, where parking facilities or driveways are located adjacent to residential zones, school yards, or like institutions, a sight-obscuring fence, wall, or evergreen hedge not less than six feet high shall be provided between the parking facility or driveway and the property line. Said wall, fence, or hedge shall be reduced to 30-42 inches within 20 feet of street property lines, shall be maintained in good condition, and not interfere with sight clearance triangles. Screen planting shall be of such size and number to provide the required screening within 12 months after installation. Adequate provisions shall be made to protect walls, fences or plant materials from being damaged by vehicles using said parking areas. Where a similar buffer and/or screening are required under a separate section, the buffer and/or screening will not be an additional requirement. The more intensive buffer and/or screening requirement shall apply.
7. Landscaping and tree canopy standards. Tree canopy cover in parking areas shall be met in accordance with section 8-7-15(j).
8. Lighting of parking areas within 100 feet of property in residential zones shall be directed into or on the site and away from property lines such that the light element shall not be directly visible from abutting residential property.

(Ord. of 12-5-2000, § 1; Ord. of 8-3-2004, § 2; Ord. of 6-7-2005, § 17; Ord. of 6-5-2007, § 12; Ord. of 7-7-2009, § 5; Ord. of 5-1-2012, § 15)