

# PERSONAL CARE HOMES

Council Workshop Thursday, April 28, 2018



## **EXISTING ORDINANCE**

- Family personal care home:
  - Home for elderly or handicapped adults [in a residence or other type building(s), non-institutional in character]
  - Licensed and regulated by the State
  - Offering care for up to six ambulatory persons
- 2 types of family personal care homes:
  - Handicapped
  - Elderly





## PERMITTED ZONING DISTRICTS

- Conservation and Residential Districts\*:
  - C-A, R-6, R-M, RIP, RIP-A, RIP-A-1, RIP-B-1, RIP-C, RIP-D, I-P, RMH
- Business & Industrial Districts\*:
  - R-B, RB-1, B-C, B-C-1, B-G, BG-1, BG-2, I-L, I-L-B, R-B-C, R-B-C-1,
- Mid-City\*\*:
  - TN-2, TC-1, TC-2
  - \* Not be permitted within 500 feet, as measured in any direction from property line to property line to another such care home or other type of care home
  - \*\* Special needs housing facilities shall have on-site supervision on a 24-hour basis.



### **NEWZO: PERSONAL CARE HOME**

- Any residence/group of buildings—for profit or not—that provides
  the provision of housing, food service, custodial care and activities for
  2+ ambulatory adults who do not require nursing care and who are
  not related to the owner or administrator
- Must comply with GA Administrative Code
- Enable residents to live independently in a watchful and family-like environment
  - Awareness of whereabouts
  - Ability and readiness to intervene if a crisis arises
  - Supervision with nutrition, medication and transient medical care
- Each resident provided—at minimum—the amount of square footage required for sleeping, bathroom, bathing and dining facilities as identified in GA Administrative Code



### **NEWZO: PERSONAL CARE HOME**

#### Does not include:

- Kitchen facilities where residents prepare and serve meals;
- Assisted living facilities, nursing homes, rooming houses, single room occupancy residences, or substance recovery facilities which do not provide personal care;
- Use of a residence/group of buildings as a home for individuals on parole, probation, or convicted and released from incarceration, for any crimes including child molestation, aggravated child molestation or child sexual abuse, as defined in O.C.G.A. §16-6-4 or individuals required to register as sex offenders pursuant to O.C.G.A. §42-1-12, as amended



## Household

- A single housekeeping unit consisting of one of the following:
  - an individual or 2+ related persons;
  - 4 or fewer non-related persons; or
  - 4 or fewer related and non-related persons; or
  - individuals with disabilities who have a physical or mental impairment that substantially limits one or more major life activities as defined by the Fair Housing Act who live as a housekeeping unit



## NEWZO: Types of Personal Care Homes

#### 1. Registered

 An operator-occupied personal care home in which the number of residents does exceed the number permitted by the "household" definition

#### 2. Family

A personal care home in which the number of residents does not exceed
 6 persons

#### 3. Group

 A personal care home in which the number of residents is at least 7 but not more than 15 persons

#### 4. Congregate

 A personal care home in which the number of residents exceeds 15 person but not more than 24 persons



## NEWZO: PRINCIPAL USE TABLE

| ✓= Permitted Use                      | L= | Lin | nited | Us       | е        | ;        | S=S      | peo | cial L          | lse   |       | Blar     | ık C     | ell :    | = Us     | se n  | ot p   | erm        | itted    | i  |              |            |      |      |          |          |          |          |          |          |          |          |   |          |          |     |          |     |      |     |   |   |                  |
|---------------------------------------|----|-----|-------|----------|----------|----------|----------|-----|-----------------|-------|-------|----------|----------|----------|----------|-------|--------|------------|----------|--|--------------|------------|------|------|----------|----------|----------|----------|----------|----------|----------|----------|---|----------|----------|-----|----------|-----|------|-----|---|---|------------------|
|                                       |    |     |       |          |          |          |          |     |                 |       |       |          |          |          |          |       |        |            |          |  | ZN.2         | - 1        | 1    |      |          |          |          |          |          |          |          |          |   |          |          |     |          |     |      |     |   |   |                  |
| PRINCIPAL USES                        | S  | C-M | C-P   | A-1      | RSF-E    | RSF-30   | RSF-20   |     | KSF-10<br>RSF-6 | 9 190 | C-JCN | RT 4     | TR-1     | TR-2     | TR-3     | DME 4 | DAME 9 | Z-LIMIN-Z  | KMI      | KIMHP<br>TN-1  | Interior Lot | Corner Lot | TN-3 | TC-1 | TC-2     | D-R      | D-N      | D-C      | D-CBD    | D-X      | D-W      | Ol-T     | Ю | OI-E     | BL.      | N-9 | B-C      | B-M | IL-R | I-I | н | Ξ | Use<br>Standards |
| Intermediate care facility            |    |     |       |          |          |          |          |     |                 |       |       |          |          |          |          |       |        |            |          |  |              |            |      |      |          |          | 1        | ✓        | 1        | 1        |          |          |   | ✓        |          |     | 1        |     |      |     |   |   |                  |
| Nursing home                          |    |     |       |          |          |          |          |     |                 |       |       |          |          |          |          |       |        | ,          | /        | ~  |              |            |      | 1    | 1        |          | 1        | ✓        | 1        | 1        |          |          |   | 1        |          | ✓   | 1        |     |      |     |   |   |                  |
| Assisted living facility              | 0  |     | 6     | 66       |          |          |          |     | 83              | 0     |       | 2        | 66       |          | 8        |       | ~      | ,          | /        | ~  | · /          | 1          |      | 1    | 1        | 1        | ~        | 1        | 1        | 1        | S 20     | 1        |   | ✓        | 1        | ✓   | ✓        |     |      | 20  | 0 |   |                  |
| Personal care home, registered        |    |     |       | <b>✓</b> | <b>✓</b> | <u>✓</u> | <b>✓</b> | ,   | <u> </u>        | ~     | 1     | <b>✓</b> | <b>✓</b> | <b>✓</b> | <b>✓</b> |       | ·      | 1          | <u> </u> | <u> </u>   | <b>✓</b>     | <b>✓</b>   |      | ✓    | <b>✓</b> | <b>✓</b> | <u>^</u> | <b>✓</b> | <b>✓</b> | <u>✓</u> | <u>✓</u> | <b>✓</b> |   | <u>✓</u> | <u>✓</u> | ✓   | ✓        |     |      |     |   |   | Sec. 8.3.20      |
| Personal care home, family            |    |     |       | <b>✓</b> | S        | S        |          |     |                 |       |       |          | S        | S        |          | S     |        | ١,         | <u> </u> | <b>✓</b>   | <b>✓</b>     | <b>✓</b>   |      | ✓    | ✓        | S        | ✓        | <b>✓</b> | <b>✓</b> | <b>✓</b> |          | <b>✓</b> |   | <b>✓</b> | ✓        | ✓   | <b>✓</b> |     |      |     |   |   | Sec. 8.3.20      |
| Personal care home, group             | 3  |     |       | <b>✓</b> |          |          |          |     | 55              | 3     |       |          | S        |          | 3        |       | 5      | ,          | <u> </u> | <b>✓</b>   |              | ✓          |      | ✓    | ✓        | <b>✓</b> | ✓        | <b>✓</b> |          |          | (A 5)    | - 3      |   |          |          |     | 3        |     |      | 33  | 3 |   | Sec. 8.3.20      |
| Personal care home, congregate        |    |     |       |          |          |          |          |     |                 |       |       |          |          |          |          |       | S      | ,          | <u> </u> |  |              |            |      |      |          | <b>✓</b> | ✓        | <b>✓</b> |          |          |          |          |   | <b>✓</b> |          |     |          |     |      |     |   |   | Sec. 8.3.20      |
| Community living arrangement          |    |     |       |          |          |          |          |     |                 |       |       |          |          |          |          |       | 5      | 5          | 3        |  |              |            |      |      |          | S        | S        | <b>✓</b> |          |          |          |          |   | <b>✓</b> |          |     |          |     |      |     |   |   | Sec. 8.3.20      |
| Substance recovery facility           |    |     |       |          |          |          |          |     | 92              |       |       |          |          |          |          |       |        | 89         |          |  |              | 100        |      | S    | S        |          | S        | S        | S        | S        | S 80     |          |   | S        |          |     | S        |     |      | S   |   |   | Sec. 8.3.19      |
| COMMERCIAL                            |    |     |       |          |          |          |          |     |                 |       |       |          |          |          |          |       |        |            |          |  |              |            |      |      |          |          |          |          |          |          |          |          |   |          |          |     |          |     |      |     |   |   |                  |
| Office:                               |    |     |       |          |          | Г        | Г        |     |                 | Т     |       |          |          |          |          |       |        |            |          |  |              |            |      |      |          |          |          |          | T        | П        |          | T        |   |          |          |     |          | Т   |      |     |   | Т |                  |
| Office, general                       |    |     |       |          |          |          |          |     |                 |       |       |          |          |          |          |       | 27     | 20         |          | ~  | · ·          | ~          | ~    | 1    | 1        | 1        | 1        | 1        | 1        | 1        | 1        | ~        | 1 | <b>✓</b> | 1        | 1   | 1        | L   | 1    | 1   | ✓ | 1 | Sec. 8.4.1       |
| Call center                           |    |     |       |          |          |          |          |     |                 |       |       |          |          |          |          |       |        |            |          |  |              |            |      |      | 1        |          | 1        | 1        | 1        | 1        |          |          |   | ✓        |          | ✓   | 1        |     |      | 1   |   |   |                  |
| Day labor employment<br>center        |    |     |       |          |          |          |          |     | 30              |       |       |          |          |          |          |       |        | 20         |          | a de la companya de l |              |            |      |      | L        |          |          | L        | L        | L        |          |          |   |          |          |     | L        |     |      | L   | L |   | Sec. 8.4.2       |
| Office, medical                       |    |     |       |          |          |          |          |     |                 |       |       |          |          |          |          |       |        |            |          | ~  | •            |            | 1    | 1    | 1        | L        | 1        | 1        | 1        | 1        | 1        | S        | 1 | 1        | 1        | ~   | 1        |     |      |     |   |   | Sec. 8.4.3       |
| Office, utility/contractor            |    |     |       |          |          |          |          |     |                 |       |       |          |          |          |          |       |        |            |          |  |              |            |      | L    | L        |          |          | L        | L        | L        |          |          | L | L        |          | L   | 1        |     | 1    | 1   | 1 |   | Sec. 8.4.4       |
| Studio/multimedia production facility |    |     |       |          |          |          |          |     | 30              |       |       |          | - 14     |          |          |       | 5      | \$2.<br>Ed |          |  |              |            |      | L    | L        | 1        | 1        | 1        | 1        | 1        | 1        |          |   | 1        |          | L   | 1        |     | 1    | ~   | 1 |   | Sec. 8.4.5       |
| Indoor Recreation:                    |    |     |       |          |          |          |          |     |                 |       |       |          |          |          |          |       |        |            |          |  |              |            |      |      |          |          |          |          |          |          |          |          |   |          |          |     |          | T   |      |     |   |   |                  |
| Arena; convention center              |    |     |       |          |          |          |          |     | 10              |       |       |          | 63       |          |          |       |        | 20         |          |  |              | 65         |      |      |          |          | 1        |          | 1        | 1        |          |          |   |          |          |     | 1        | T   |      | ✓   |   |   |                  |
| Indoor amusement                      |    |     |       |          |          |          |          |     |                 |       |       |          |          |          |          |       |        |            |          |  |              |            |      | 1    | 1        | 5        | 1        | 1        | 1        | 1        | 1        |          |   |          |          | 1   | 1        | T   |      | 1   |   |   |                  |



## **NewZO: Use Standards**

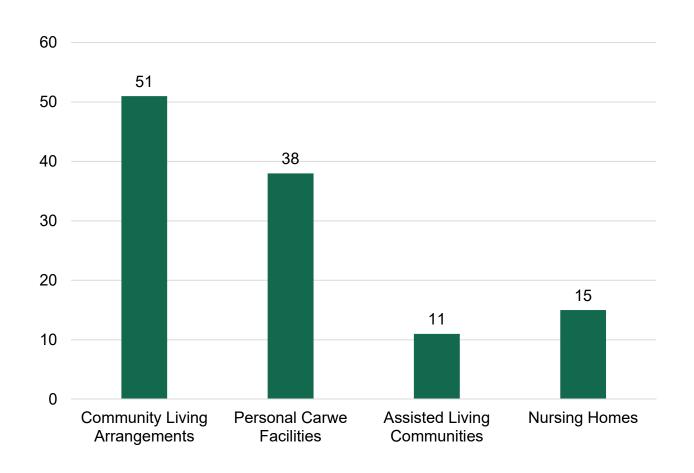
- "S" requires Special Use Permit
- Approval by Mayor and Aldermen:
  - Public hearing notice (signage and neighborhood notification)
  - With approval, option to add modifications or conditions to the permit
- Special Use Condition:
  - Not be permitted within 500 feet, as measured in any direction from property line to property line to another such care home or other type of care home
- Local governments prohibited from performing inspections of residential rental property [O.C.G.A. §36-74-30(b)], yet State requirements call for Fire Inspection





## LONG-TERM CARE FACILITIES

As registered by the State of Georgia (2018)





## **BTCs Issued**

| Business Tax Certificate – Active Registrations               | 2016 | 2017 | 2018 |
|---|------|------|------|
| 621610 - Home Health Care Services                            | 48   | 53   | 59   |
| 623110 - Nursing Care Facilities (Skilled Nursing Facilities) | 21   | 21   | 27   |
| 623210 - Res Intellectual and Develop Disability Facilities   | 1    | 1    | 1    |
| 623220 - Resident Mental Health and Sub Abuse Facilities      | 3    | 3    | 3    |
| 623990 - Other Residential Care Facilities                    | 0    | 1    | 1    |
| TOTAL   | 73   | 79   | 91   |

