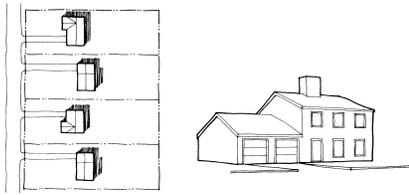
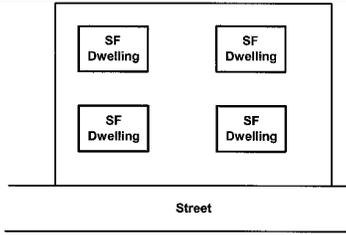
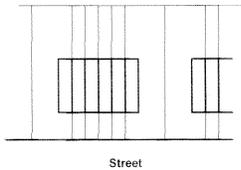
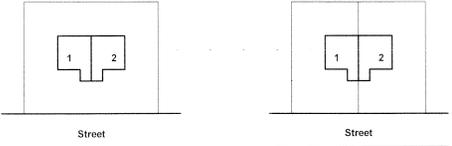
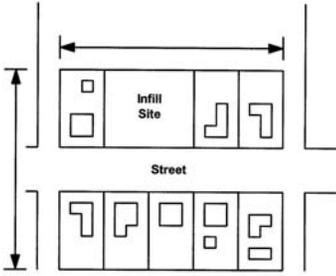


**TABLE 9-5-1  
 PERMITTED AND SPECIAL USES FOR RESIDENTIAL ZONING DISTRICTS**

● = Permitted	○ = Special Use	X = Not Permitted
Permitted use: A use by right which is specifically authorized in a particular zoning district, or permitted by right in a particular overlay zone.	Special use: A use that would not be appropriate generally or without restriction throughout a particular zoning district and is not automatically permitted by right within said zoning district, but which, if controlled as to number, area, location, relation to the neighborhood or other pertinent considerations, may be found to be compatible and approved by the Governing Body in accordance with this Unified Land Development Code. An approved special use runs with the property.	Use is prohibited.

Use	Definition	Specific Regulations	R-I-A	R-I	N-C	R-II	R-O
<b>AGRICULTURAL USES</b>							
Agriculture	Agriculture: Farming, including plowing, tilling, cropping, utilization of best management practices, seeding, cultivating or harvesting for the production of food and fiber products (except commercial logging and timber harvesting operations); aquaculture; sod production; orchards; Christmas tree plantations; nurseries; and the cultivation of products as part of a recognized commercial enterprise. This term specifically includes "horticulture," (i.e., orchards), or the growing of fruits, vegetables, herbs, flowers or ornamental plants. This term also includes plant nurseries and greenhouses, where lands or structures are used primarily to cultivate trees, shrubs, flowers or other plants.		●	X	X	X	X
Animal quarters for horses only, with an allowable intensity of one horse per two acres (principal use)	Animal quarters: Any building or structure which surrounds or is used to raise, breed (husbandry), house, shelter, care for, feed, exercise, train, exhibit, display, or show any animals or livestock other than domestic pets. This is not intended to apply to non-structural, fenced land for grazing. This includes the term "barn" when used to shelter livestock or other animals.	9-10-3-8	●	X	X	X	X
Forestry	Forestry: An operation involved in the growing, conserving, and managing of forests and forest lands. Forestry operations or practices include the raising and harvesting of timber, pulp woods and other forestry products for commercial purposes, the construction of roads, insect and disease control, fire protection, and may include the temporary operation of a sawmill and/or chipper to process the timber cut from the parcel or parcels. This term does not include the cutting of timber associated with approved land development.		●	X	X	X	X

Use	Definition	Specific Regulations	R-I-A	R-I	N-C	R-II	R-O
Riding academy or equestrian center	Riding academy or equestrian center: An establishment where horses are kept for riding or are kept for competition or educational purposes incidental to a club, association, ranch, educational institution or similar establishment but which does not involve commercial sales and is not open to the general public for a fee.		○	X	X	X	X
<b>RESIDENTIAL USES</b>			<b>R-I-A</b>	<b>R-I</b>	<b>N-C</b>	<b>R-II</b>	<b>R-O</b>
Dwelling, single-family detached, fee-simple,	 <p>DWELLING, SINGLE-FAMILY DETACHED</p>	Dwelling, single-family detached, fee-simple: A site-built residential building, or a single-family residential industrialized building designed for occupancy by one family only, where each dwelling is located on its own lot. This term does not include manufactured homes or mobile homes.	9-10-2-6	●	●	●	●
Dwelling, single-family detached, condominium	 <p>Dwelling, Single-Family Detached, Condominium</p>	Dwelling, single-family detached, condominium: A site-built residential building, or residential industrialized building designed for occupancy by one family only, where more than one dwelling is located on a single lot and the land is owned in common. This term does not include manufactured homes or mobile homes.	9-10-2-3	X	X	X	●
Dwelling, single-family attached (townhouse)	 <p>Townhouses (Attached Single Family Fee Simple)</p>	Dwelling, single-family attached, fee-simple (townhouse): One (1) of a group of three or more single-family, attached dwelling units under fee simple ownership. Attached single-family dwellings that are not under fee-simple ownership are considered row houses (multi-family dwellings).	9-10-2-5	X	X	X	●

Use	Definition	Specific Regulations	R-I-A	R-I	N-C	R-II	R-O	
Dwelling, two-family (duplex)	 <p style="text-align: center;">Dwelling, Two Family (Duplex) on One Lot</p> <p style="text-align: center;">Dwelling, Two Family (Duplex) Zero Lot Line, Fee Simple</p>	Dwelling, two-family (duplex): A building designed or arranged to be occupied by two (2) families living independently of each other. The building contains two dwelling units either on one lot, or, each dwelling is located on its own lot in fee-simple title and the two dwelling units are attached along a common property line.	9-10-2-6	X	X	X	●	●
Dwelling, multiple-family, including apartments, condominiums, and cooperatives	 <p style="text-align: center;">DWELLING, GARDEN APARTMENT</p>	Dwelling, multi-family: A building other than a duplex, designed for or occupied exclusively by three (3) or more families with separate household facilities for each family. This term includes attached residential condominiums, row houses (not fee-simple ownership) and apartments.	9-10-2-3	X	X	X	●	●
Infill residential development project	 <p style="text-align: center;">Infill Site and Established Residential Area</p>	Infill residential development project: A development containing detached, site-built single-family dwellings or single-family residential industrialized buildings constructed on property in an established residential area containing detached, single-family dwellings on individual lots. This use does not prevent the redevelopment or further subdivision of property within the R-I-A, R-II and R-O zoning districts.	Chapter 9-10-12  Section 9-10-2-6	X	●	●	X	X
Model home	Model home: A principal residential building, temporarily open to viewing by prospective homebuyers, on property containing or proposed to contain a residential subdivision, and which may also be used temporarily as real estate sales office for lots in the residential subdivision.		●	●	●	●	●	

Use	Definition	Specific Regulations	R-I-A	R-I	N-C	R-II	R-O
Relocated residential structure	Relocated residential structure: A detached, site-built single-family dwelling or single-family residential industrialized building (i.e., excluding a manufactured home or mobile home) that is moved or disassembled into more than one structure and moved to another site, whether temporarily or permanently.	9-10-2-4 9-10-2-6	●	●	●	●	●
<b>RECREATIONAL USES</b>			<b>R-I-A</b>	<b>R-I</b>	<b>N-C</b>	<b>R-II</b>	<b>R-O</b>
Community recreation facility	Community recreation facility: A private recreational facility for use solely by the residents and guests of a particular residential development and located within the boundaries of such development, which may include any of the following: indoor facilities such as community meeting rooms; and outdoor facilities such as swimming pools, tennis courts, and playgrounds.	9-10-2-1	●	●	●	●	●
Conservation area	Conservation area: Any land set aside for conservation of the land in its natural state.		●	●	●	●	●
Golf course as part of residential subdivision	Golf course as part of residential subdivision: A recreational facility involving the game of golf, designed within or around but on the same development site as a residential subdivision, for members which include but may not be limited to residents of the residential subdivision of which it is a part.		○	○	○	○	X
<b>INSTITUTIONAL USES</b>			<b>R-I-A</b>	<b>R-I</b>	<b>N-C</b>	<b>R-II</b>	<b>R-O</b>
Cemetery	Cemetery: The use of property as a burial place.		X	○	○	○	○
Church, temple, synagogue, or place of worship	Church: A building or structure, or group of buildings or structures, which by design and construction are primarily intended for conducting organized religious services. Associated accessory uses include but are not limited to: schools, meeting halls, indoor recreational facilities, unlighted outdoor recreational facilities, day care, counseling, and kitchens. This term includes synagogues, temples, and other places of worship.	9-10-5-1	●	●	●	●	●

Use	Definition	Specific Regulations	R-I-A	R-I	N-C	R-II	R-O
Club or lodge, nonprofit	Club or lodge, nonprofit: A building or premises, used for associations or organizations of an educational, fraternal, or social character, not operated or maintained for profit. Representative organizations include Elks, Veterans of Foreign Wars, and Lions and for youth activities such as boys and girls clubs. This term includes civic, social, fraternal organizations operating on a nonprofit basis. The term shall not include casinos, nightclubs, bottle clubs, or other establishments operated or maintained for profit.	9-10-5-2	○	○	○	○	○
Continuing care retirement community	Continuing care retirement community: A residential facility providing multiple, comprehensive services to older adults. Such facility normally contains a combination of independent living units, assisted living, and skilled nursing care units.	9-10-5-3	X	X	X	○	○
Crisis Center	Crisis center: A facility or portion thereof and premises that are used for the purposes of emergency shelter, crisis intervention, including counseling, referral, hotline response, and similar human social service functions. Said facility may include meal preparation, distribution, or service for residents of the center as well as nonresidents, merchandise distribution, or shelter, including boarding, lodging, or residential care. This term includes domestic violence and centers, homeless shelters, and halfway houses.		X	X	X	○	○
Group home	Group home: A single household of four (4) or more unrelated persons, whether or not they are developmentally disabled, and whether or not they are under the supervision of a resident manager.	9-10-5-5	X	X	X	○	○
Institutionalized residential living and care facilities, serving eighteen (18) persons or less	Institutionalized residential living and care facility: An umbrella term that encompasses the following uses: assisted living facility, convalescent home, personal care home, intermediate care home, nursing home, and skilled nursing care facility.	9-10-5-4	X	X	X	○	○
Rooming house	Rooming house: A single household within which a resident family or manager offers lodging or lodging and meals to two or more unrelated adults in exchange for monetary compensation or other consideration.	9-10-5-5	X	X	X	○	○
School, private: elementary, middle, or high	School, private, elementary, middle, or high: An educational use for students in grades K through twelve or for only certain ranges of grades K through twelve, not operated by the City of Gainesville School System or the Hall County Board of Education, which has a curriculum at least equal to a public school with regard to the branches of learning and study required to be taught in the public schools of the state of Georgia.		●	●	●	●	●

Use	Definition	Specific Regulations	R-I-A	R-I	N-C	R-II	R-O
School, professional	An educational institution with a curriculum and offering instruction in a profession devoted primarily to business, such as but not limited to dancing, acting, barbers and beauticians, broadcasting, bartending, and including medical specialties (e.g., therapeutic massage). This is distinguished from a trade school and other types of schools as defined.		X	X	X	X	●
School, special	School, special: An educational use not operated by the City of Gainesville School System or Hall County Board of Education that provides special education to more than two students at a time, including but not limited to the training of gifted, learning disabled, and mentally or physically handicapped persons.		○	○	○	○	●
<b>OFFICE AND COMMERCIAL USES</b>			<b>R-I-A</b>	<b>R-I</b>	<b>N-C</b>	<b>R-II</b>	<b>R-O</b>
Adaptive reuse of a detached single-family dwelling for an office	Adaptive reuse of a detached single-family dwelling: The conversion of a detached, single-family dwelling to a new, different use.		X	X	X	X	●
Adaptive reuse of a detached single-family dwelling for personal service establishment	Adaptive reuse of a detached single-family dwelling: The conversion of a detached, single-family dwelling to a new, different use.		X	X	X	X	○
Adaptive reuse of a detached single-family dwelling for a restaurant without drive-through	Adaptive reuse of a detached single-family dwelling: The conversion of a detached, single-family dwelling to a new, different use.		X	X	X	X	○
Adaptive reuse of a detached single-family dwelling for an enclosed retail establishment	Adaptive reuse of a detached single-family dwelling: The conversion of a detached, single-family dwelling to a new, different use.		X	X	X	X	○
Bed and breakfast inn	Bed and breakfast inn: A business establishment operated within a dwelling by the owner-occupant, offering temporary lodging and one or more meals to the traveling public while away from their normal places of residence.	9-10-6-2	X	X	X	X	○
Business service establishment, not exceeding 2,500 square feet of gross floor area	Business service establishment: The use of a building or premises primarily for rendering a service to other business establishments on a contract or fee basis, such as advertising, credit reporting, computer programming and data processing, photocopying, blueprinting and duplication services, commercial art and graphic design, mailing agencies, employment services, detective, protective, and security system services, accounting, auditing, and bookkeeping services, messenger services and couriers, business consulting firms, interior decorating, and locksmiths. This use is distinguished from an "office" use in that business service establishments have frequent visitations by patrons or clients of such business services.		X	X	X	X	○

Use	Definition	Specific Regulations	R-I-A	R-I	N-C	R-II	R-O
Clinic	Clinic: An institution or professional office, other than a hospital or nursing home, where persons are counseled, examined, and/or treated by one or more persons providing any form of healing or medical health service. Persons providing these services may offer any combination of counseling, diagnostic, therapeutic or preventative treatment, instruction, or services, and which may include medical, physical, psychological, or mental services and facilities for primarily ambulatory persons. Patients are not lodged overnight and are admitted for examination or treatment requiring only short (e.g., a matter of a few hours) recovery time.		X	X	X	X	○
Custom order shop	Custom order shop: A business establishment that offers merchandise but which maintains no merchandise inventory on site other than display items (which shall not be visible from the exterior of the building).		X	X	X	X	○
Day care center serving eighteen (18) persons or less	Day care center: Any place operated by a person, society, agency, corporation, institution or group, and licensed or registered by the State of Georgia as a group day care home or day care center, wherein are received for pay for group supervision and care, for fewer than twenty-four (24) hours per day, seven (7) or more children under eighteen (18) years of age.	9-10-6-4	X	X	X	○	○
Museum	Museum: A building having public significance by reason of its architecture or former use or occupancy, or a building serving as a repository for a collection of natural, scientific, literary curiosities or objects of interest, or works of art, and arranged, intended, and designed to be viewed by members of the public with or without an admission fee, and which may include as an accessory use the sale of snacks and goods to the public as gifts or for their own use.		X	X	X	X	●
Office	Office: A building or portion thereof wherein services are performed involving predominantly administrative, professional or clerical operations and not involving retail sales or other sales of any kind, or business service establishments on the premises.		X	X	X	X	●
Personal service establishment, 2,500 square feet or less of gross floor area per establishment	Personal service establishment: A facility engaged in the provision of services to persons and their apparel, including but not limited to barber and beauty shops, coin-operated laundromats, full-service laundries, dry cleaners, photographic studios, massage therapy, shoe repair and shoeshine shops, tattoo parlor and travel agencies.		X	X	X	X	○
Special event facility	Special event facility: A facility or assembly hall available for lease by private parties or special events such as weddings.		X	X	X	X	○

Use	Definition	Specific Regulations	R-I-A	R-I	N-C	R-II	R-O
<b>OTHER USES</b>							
Mixed-use building	Mixed-use building: A building designed, planned and constructed as a unit, used partially for residential use and partially for office, personal service, retail, entertainment or public uses. This term includes live-work units, which are jointly used for commercial and residential purposes but where the residential use of the space is secondary or accessory to the primary use as a place of work.		X	X	X	X	○
Public use	Public use: Any building, structure, or use owned and/or operated by the federal government, state of Georgia, Hall County or other County, the City of Gainesville, another municipality, or any authority, agency, board, or commission of the above governments, that is necessary to serve a public purpose, such as but not limited to the following: government administrative buildings, post offices, police and fire stations, schools, libraries and publicly operated museums, public health facilities and public hospitals, public works camps, parks and community centers, public roads and streets, airports, water and sanitary sewerage intake, collection, pumping, treatment, and storage facilities, emergency medical facilities, and jails and correctional facilities.		●	●	●	●	●
Utility company substation	Utility company substation: A facility used for the transmission or distribution of services provided by a utility company, such as an electrical transformer station, telephone junction box, cable box, television box, or natural gas regulator station.	9-10-10-4	●	●	●	●	●
<b>ACCESSORY USES</b>							
Accessory use or structure	Accessory use or structure: A use or structure that is permitted on a property in conjunction with a principal use. An accessory use or structure is incidental to the principal use and would not exist independent of the principal use.	9-10-1-1 9-10-3-2	●	●	●	●	●
Accessory apartment, detached	 <p>Accessory Apartment, Detached (Above Garage Shown)</p> <p>Accessory apartment, detached: A second dwelling unit that is added to an existing accessory structure (e.g., residential space above a detached garage), or as a new freestanding accessory building, for use as a complete, independent living facility for a single household, with provision within the accessory apartment for cooking, eating, sanitation and sleeping. Such a dwelling is considered an accessory use to the principal dwelling. Includes the term garage apartment.</p>	9-10-3-4	X	X	X	●	●

Use	Definition	Specific Regulations	R-I-A	R-I	N-C	R-II	R-O
Accessory apartment, attached	Accessory apartment, attached: A second dwelling unit that is added to the structure of an existing site-built single-family dwelling or residential industrialized building, for use as a complete, independent living facility for a single household, with provision within the accessory apartment for cooking, eating, sanitation and sleeping (e.g., "in-law suite"). Such a dwelling is considered an accessory use to the principal dwelling.	9-10-3-4	X	X	X	●	●
Construction field office	Construction field office: A building or structure temporarily located on a site under development and/or construction which houses offices of the construction contractor. Includes the term "construction trailer."		●	●	●	●	●
Family day care home	Family day care home: A private residence in which a business, registered by the State of Georgia, is operated by any person who receives therein (for pay) for supervision and care for fewer than twenty-four (24) hours per day, three (3) to not more than six (6) children under eighteen (18) years of age who are not residents in the same private residence. For purposes of this Unified Land Development Code, a family day care home may be operated as a home occupation, subject to the requirements of this Ordinance.	Chapter 9-10-4	●	●	●	●	●
Guest house	Guest house: An accessory use to a dwelling designed and intended for the occasional housing of visitors to a property at the behest of the property residents for no fee or other consideration, not rented or otherwise used as a separate dwelling.	9-10-3-3	●	●	●	●	●
Home occupation	Home occupation: Any use, occupation or activity conducted entirely within a dwelling by the residents thereof, which is clearly incidental and secondary to the use of the dwelling for residence purposes and does not change the character thereof.	Chapter 9-10-4	●	●	●	●	●
Tower, amateur radio	Tower, amateur radio: A freestanding or building-mounted structure, including any base, tower or pole, antenna, and appurtenances, intended for airway communication purposes by a person holding a valid amateur radio (HAM) license issued by the Federal Communications Commission.		○	○	○	○	○

Use	Definition	Specific Regulations	R-I-A	R-I	N-C	R-II	R-O
Yard sale	Yard sale: The temporary sale of home furniture, appliances, clothing and/or domestic items owned by an occupant of a residential dwelling and taking place on the premises on which such occupant resides, whether in the yard or in a carport or garage. Yard sales which do not take place on the premises where such occupant resides are considered open-air businesses, except that this shall not be construed to prevent the sale of such items by another family or household in connection with an event where such items are sold by the occupant of a residence on the premises where the yard sale occurs. This term includes garage sales.	9-10-3-6	●	●	●	●	●