

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
Home Occupation	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
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
Terminal (Passenger)	P	P	S	S	P
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	N	N	N	N	P
Outdoor Storage	N	N	N	N	P

Wholesale Storage	N	N	N	N	P
Self-Service Storage	N	N	N	N	P
Terminal (Materials)	N	N	N	N	P
Warehouse	N	N	N	N	P
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
Science Research and Development	L(3)	L(4)	L(3)	L(4)	P
Sanitary Landfills, Landfills, Commercial Incinerators	N	N	N	N	N
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
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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; Ord. of 2-6-2024(3), § 7; Ord. of 12-5-2023(4), § 6; Ord. of 6-5-2024(1), § 1)