

ROSWELL ZONING ORDINANCE

Chapter 3.2 Definitions

Adult care center: Any building or buildings, or other place, whether operated for profit or not, which undertakes through its ownership or management to provide for less than twenty-four-hour per day, basic "adult day care" or "adult day health services" to three or more aging adults, not related by blood or marriage, who require basic services. Such an establishment which receives a payment, fee or grant for any of the adults receiving care, whether or not operating for profit or which is held out to the public to be an establishment which regularly provides adult custodial services.

Adult day care: The provision of a comprehensive plan of services that meets the needs of aging adults, under a social model, as defined means a program that addresses primarily the basic social and recreational activities needed to be provided to aging adults, but also provides, as required, limited personal care assistance, supervision, or assistance essential for sustaining the activities of daily living. Such programs of care shall be based on individual plans of care and shall be provided for less than twenty-four (24) hours per day.

Adult day health services: The provision of a comprehensive plan of services that meets the needs of aging adults under a medical model, as defined means a comprehensive program that provides aging adults with the basic social, rehabilitative, health, and personal care services needed to sustain essential activities of daily living and to restore or maintain optimal capacity for self-care. Such program of care shall be based on individual plans of care and shall be provided for less than twenty-four (24) hours per day.

Aging adults: Persons sixty (60) years of age or older or mature adults below the age of sixty (60) whose needs and interests are substantially similar to persons sixty (60) years of age or older who have physical or mental limitations that restrict their abilities to perform the normal activities of daily living and impede independent living.

Continuing care retirement community: A residential facility providing multiple, comprehensive services to older adults. Such facility shall contain a combination of independent living units, assisted living, and skilled nursing care units as defined herein.

Day care center: Any place operated by a person, society, agency, corporation, institution or group, and licensed or registered by the State of Georgia and licensed by the City of Roswell 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.

Dwelling unit: A building, or portion thereof, designed, arranged and used for living quarters for one (1) or more persons living as a single housekeeping unit with cooking facilities, but not including units in hotels or other structures designed for transient residence.

Family: An individual; or two (2) or more persons related by blood, legal adoption or marriage within the third degree of consanguinity or within the second degree of affinity, and no more than two (2) other persons who are not related within the third degree of consanguinity or within the second degree of affinity. The degree of consanguinity or affinity is computed by the civil law method. An individual's relatives within the third degree of consanguinity are the individual's parent or child (relatives in the first degree); brother, sister, grandparent or grandchild (relatives in the second degree); and great-grandparent, great-grandchild, aunt who is a sister of a parent of the individual, uncle who is a brother of a parent of the individual, nephew who is a child of a brother or sister of the individual, or niece who is a child of a brother or sister of the individual (relatives in the third degree). Two (2) individuals are related to each other by affinity if they are married to each other, as defined by O.C.G.A. § 19-3-3.1, or the spouse of one (1) of the individuals is related by consanguinity to the other individual. A husband and wife are related to each other in the first degree by affinity. For other relationships by affinity, the degree of relationship is the same as the degree of the underlying relationship by consanguinity. As it relates to E-1, E-2, R-1, R-2 or R-3 single-family housing, "family" does not include:

- (1) Any society, club, fraternity, sorority, association, lodge, combine, federation, coterie or any like organizations;
- (2) Any group of individuals whose association to each other is temporary and/or seasonal in nature;
- (3) Any group of individuals who are in a group living arrangement as a result of a criminal offense.

Family day care home: A private residence in which a business, registered by the State of Georgia and licensed by the City of Roswell, 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 ordinance, a family day care home may be operated as a home occupation, subject to the requirements of this ordinance.

Independent living: Adults at least fifty-five (55) years of age or older living within multi-family rental properties with central dining facilities that provide residents, as part of their monthly fee, access to meals and other services such as housekeeping, linen service, transportation, and social and recreational activities. Such properties do not provide, in a majority of the units, assistance with activities of daily living (ADLs) such as supervision of medication, bathing, dressing, toileting, etc. There are not licensed skilled nursing beds in the property.

Institutional: Institutional uses shall include nonprofit clubs or lodges, continuing care retirement communities, institutional residential living and care facilities, public uses, and schools, colleges and universities.

Institutional residential living and care facilities: An umbrella term that encompasses the following uses as specifically defined in this ordinance: assisted living facility, independent living, intermediate care home, nursing home, skilled nursing care facility, and personal care home.

Intermediate care home: A facility which admits residents on medical referral; it maintains the services and facilities for institutional care and has a satisfactory agreement with a physician and dentist who will provide continuing supervision including emergencies; it complies with rules and regulations of the Georgia Department of Human Resources. The term "intermediate care" means the provision of food, including special diets when required, shelter, laundry and personal care services, such as help with dressing, getting in and out of bed, bathing, feeding, medications and similar assistance, such services being under appropriate licensed supervision. Intermediate care does not normally include providing care for bed patients except on an emergency or temporary basis.

Rooming house: A building where, for compensation, lodging only is provided for not more than ten (10) persons.

Skilled nursing care facility: A facility which admits residents on medical referral; it maintains the services and facilities for skilled nursing care and has a satisfactory agreement with a physician and dentist who will provide continuing supervision including emergencies; it complies with rules and regulations of the Georgia Department of Human Resources. The term "skilled nursing care" means the application of recognized nursing methods, procedures, and actions directed toward implementation of the physician's therapeutic and diagnostic plan, detection of changes in the human body's regulatory system, preservation of such body defenses, prevention of complications and emotional well-being, including but not limited to the following:

- (a) The administration of oral or injectable medications which cannot be self-administered. Other examples include the administration of oxygen, the use of suction, the insertion or changing of catheters, the application of medicated dressings, the use of aseptic technique and preparation of the patient for special procedures;
- (b) Observation in the care of the patient for symptoms and/or physical and mental signs that may develop and which will require attention of the physician and a revision in the patient's treatment regimen.