



# Newton County Development Services

1113 Usher Street, Suite 201, Covington, GA 30014  
678-625-1650

## ESTABLISHING A GROUP RESIDENCE HOME

### CHECKLIST

#### **STEP ONE: Zoning Compliance**

Depending on how many residents there will be and what zoning district the property is located in, either a zoning compliance form (approved by Staff) or a Conditional Use Permit (approved by the Board of Commissioners) will be required. Please contact the Zoning Administrator at the Development Services Department to determine which applies to your proposal. If a Conditional Use Permit is required, a pre-application meeting must be scheduled (at this meeting you will need a survey of your property).

\*If you are a GRH that will provide services for individuals up to the age of 18 years old, prior to issuance of zoning compliance, a 24-Hour Crisis Intervention Plan must be approved by law enforcement (or its designee). If you are a GRH that will provide services for individuals over the age of 18, prior to the issuance of a zoning compliance, a 24-hour Crisis Intervention Plan must be approved by the Department of Development Services. Please see the attached sheets for details on what should be contained in the Plan for your requested use. The Plan should be submitted to the Development Services Department and a review should be completed in approximately 5 days. Once the Plan is approved, a copy should be posted at all times at the property.

#### **STEP TWO: Obtain a Building Permit (If Applicable)**

If a building permit is required or if you are doing renovations, please contact the building department in Development Services.

#### **STEP THREE: Pass a Fire Marshal Inspection**

A Fire Marshal inspection will need to be scheduled. Please contact Newton County Fire if you are a Home Occupation (see the attached inspection checklist). If you are operating in a commercial district, please contact the State Fire Marshal's office. Fees for Fire Marshal plan review will be collected at this point (as applicable).

#### **STEP FOUR: Obtain Septic Tank Approval (If Applicable)**

If the property uses a septic tank and you are in a commercial location, you will need the Environmental Health Department to issue an approval.

#### **STEP FIVE: Obtain a State License**

Group residences (community living arrangements), and Personal care homes are licensed by the Georgia Department of Human Resources, Office of Regulatory Services, Personal Care Home Program. You must provide a copy of your approved license before advancing to the next step.

#### **STEP SIX: Obtain a Business License**

Fees for the fire inspection and any applicable impact fees will be collected at this point. Bring copies of your approved fire inspection, approved Zoning Compliance letter, Building Compliance Report (if applicable), and your approved State license to Development Services in order to complete the application for a business license.

**FEES (Subject to change)**

Conditional Use Permit – Commercial Occupation	\$800.00
Zoning Compliance Form – Home Occupation	\$50.00
Fire Inspection	\$100.00
Business License Administrative Fee	\$100.00
Business License Fee	Depending on the number of employees

**HELPFUL CONTACTS**

Building Department	678-625-1651
Zoning Administrator	678-625-1231
Newton County Fire Marshal	678-212-5412
State Fire Marshal (*Commercial license only)	404-656-2064
Environmental Health Department	770-784-2121
Business License	678-625-1655
GA DHS – Residential Child Care Licensing	404-657-9651
Personal Care Home Program	404-657-4076
Water and Sewer Authority	678-878-9329

**Newton County Fire Marshal’s Check-off Sheet for Residential Board and Care (Group of 6 or Less)**

<b>CHECK OFF</b>	<b>ITEM</b>	<b>CODE</b>	<b>SECTION</b>
	<b>ADDRESS</b>	<b>IFC, 2000</b>	<b>505.1</b>
	GAS	NFPA 54, 2006	7.2.1
	ELECTRICAL PANEL	NFPA 70, 2006	240.83
	HVAC	NFPA 101, 2000	4.6.12.1
	EXITS	NFPA 101, 2000	33.2.2.1
	EMERGENCY LIGHTING	NFPA 101, 2000	33.3.2.9
	EMERGENCY EVAC	IFC, 2000	404.2
	TRAVEL DISTANCE	NFPA 101, 2000	32.3.2.6.1
	VERTICAL OPENING	NFPA 101, 2000	33.2.3.1.1
	INTERIOR FINISH	NFPA 101, 2000	33.2.3.3
	DETECTION, ALARM	NFPA 101, 2000	33.2.3.4 - 3.4.3
	RES. SPRINKLER	NFPA 101, 2000	33.2.3.5.3
	FIRE ALARM SYS.	NFPA 101, 2000	33.2.3.4.1
	OCCUPANT NOTIFICATION	NFPA 101, 2000	9.6.3
	SMOKE ALARMS	NFPA 101, 2000	33.2.3.4.3
	PROTECTION HAZARDS	NFPA 101, 2000	33.2.3.2.1 & 33.2.3.2.2
	CORRIDOR WALLS	NFPA 101, 2000	33.2.3.6.1 – 33.2.3.6.4
	BUILDING SERVICES	NFPA 101, 2000	33.2.5 – 33.2.5.2.3
	PORTABLE FIRE EXTINGUISHERS	NFPA 101, 2000	33.3.3.5.5
	VENTHOOD/SUPPRESSION SYS.	IFC, 2000	609.2.2

Note: Each Item will be explained at the initial inspection

**GROUP RESIDENCE HOME**  
**ZONING COMPLIANCE APPLICATION**  
**FOR HOME OCCUPATION ONLY**

Please note that the zoning review for a Group Residence Home is the first step in a process that requires additional approvals. As the application paperwork has made clear, a group residence home will also require fire marshal approval, possible building permits and approval from the Environmental Health Department and other agencies as applicable. Although the zoning review may take only a few days to complete, the process to obtain final approval from all reviewers may take upwards of six (6) months.

LOCATION OF PROPERTY/BUSINESS ADDRESS (LEGAL ADDRESS)		CITY	STATE	ZIP CODE
IS THE APPLICANT THE OWNER OF THE PROPERTY? YES OR NO	PROPERTY OWNERS NAME:	HOW LONG HAS PROPERTY BEEN OWNED BY THIS PERSON? _____ YEARS _____ MONTHS		
DOES THE APPLICANT RESIDE AT THE PROPERTY FULL TIME? YES OR NO If NO, where does the applicant reside either Full time or Part time? _____ ADDRESS _____ CITY _____ STATE _____ ZIP				
BUSINESS NAME (if any):	MAP & PARCEL#	ZONING:	OVERLAY DISTRICT:	
APPLICANT NAME:	2 <sup>ND</sup> APPLICANT NAME (IF APPLICABLE)			
APPLICANT'S ADDRESS	CITY	STATE	ZIP CODE	
CONTACT NUMBER	2 <sup>ND</sup> NUMBER/CELL NUMBER	EMAIL		
WILL ANY MEDICAL/NURSING SERVICES BE PROVIDED? YES OR NO	WHAT LICENSES ARE REQUIRED TO OPERATE THE GROUP RESIDENCE?			
TOTAL NUMBER OF PEOPLE BEING CARED FOR:	IS THIS A NEW OR EXISTING HOME? EXISTING	NEW	OR	
WILL THIS BUSINESS LOCATION REQUIRE ANY CHANGES, ALTERATIONS AND/OR ADDITIONS TO THE BUILDING? (IF YES, PLEASE PROVIDE INFORMATION) YES OR NO	WILL YOU NEED ANY ADDITIONAL ELECTRICAL OR PLUMBING WORK? (IF YES, PLEASE PROVIDE INFORMATION) YES OR NO			

I have provided the required information as listed above. I understand that unless otherwise noted the zoning approval is valid for 120 days. I understand that after the zoning review has been completed, additional permits may be required.

Applicant's Signature \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

Applicant's Signature \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_



# NEWTON COUNTY ZONING REGULATIONS

## DEFINITIONS

### **Disability**

A physical or mental impairment that substantially limits one or more of a person's major life activities, including a person having a record of such an impairment or being regarded as having such an impairment. A "disability" does not include current illegal use of, or addiction to, any federally controlled substance, as defined in Section 102 of the Controlled Substances Act, 21 U.S.C. 802 or successor law. "Major life activities" means functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working. "Has a record of such an impairment" means has a history of, or has been classified as having, a mental or physical impairment that substantially limits one or more major life activities.

### **Family**

A group of individuals related by blood, marriage, adoption, or guardianship, or not more than four persons not so related, living together in a dwelling unit as a single housekeeping unit under a common housekeeping management plan based on an intentionally structured relationship providing organization and stability.

### **Group residence for persons 18 years of age and over with a disability, home occupation**

A residence in which a resident manager (who is a member of the family residing in the residence) and up to three unrelated persons with a disability protected under the Fair Housing Act reside and which is licensed by the State Department of Community Health as a Personal Care Home or Community Living Arrangement. The Fair Housing Act affords no protections to individuals with or without disabilities who present a direct threat to the persons or property of others. Determining whether someone poses such a direct threat must be made on an individualized basis, however, and cannot be based on general assumptions or speculation about the nature of a disability.

### **Group residence for persons up to the age of 18 years old with or without a disability, home occupation**

Any dwelling, whether operated for profit or not, which undertakes, through its ownership or management, to provide full-time care for minors up to the age of 18 years old outside of their homes. Full-time care shall include, but is not limited to, the provision of room, board, health care, counseling, and other related services. Group residences for children are allowed in all residential zoning districts with up to 6 children. This use is also known as a Group Home or Child Care Institution (CCI) and requires licensure by the State of Georgia Department of Human Services Residential Child Care Licensing Unit. This use shall not include Foster Care Homes.

### **Group residence for persons 18 years of age or over with a disability, congregate.**

A residence in which 5 or more unrelated persons with a disability protected under the Fair Housing Act reside and which is licensed by the State Department of Community Health as a Personal Care Home or Community Living Arrangement. The Fair Housing Act affords no protections to individuals with or without disabilities who present a direct threat to the persons or property of others. Determining whether someone poses such a direct threat must be made on an individualized basis, however, and cannot be based on general assumptions or speculation about the nature of a disability.

### **Group residence for persons up to the age of 18 years old with or without a disability, congregate**

Any dwelling, whether operated for profit or not, which undertakes, through its ownership or management, to provide full-time care for minors up to the age of 18 years old outside of their homes. Full-time care shall include, but is not limited to, the provision of room, board, health care, counseling, and other related services. Group residences congregate is for 7 or more children. This use is also known as a Group Home or Child Care Institution (CCI) and requires licensure by the State of Georgia Department of Human Services Residential Child Care Licensing Unit. This use shall not include Foster Care Homes.

## **Personal Services**

Provision of services, on a daily basis, that include, but are not limited to, ambulation and transfer, and essential activities of daily living such as eating, bathing, grooming, dressing, and toileting.

## **Resident Manager**

A person who lives in a group residence and is responsible for daily operation of the residence and care given to residents on a 24-hour per day basis. In Group Home Residences for persons under the age of 18 years old regulated by the State Department of Human Services or State Department of Community Health the Resident Manager may include the adequate Child Care Staff Worker(s) in accordance with the Official Code of Georgia (O.C.G.A.) Sec. 49-5-1 et seq., (Rule 290-2-5-.08 Administration and Organization Part 6).

## **APPLICABLE STANDARDS of Section 510-298 of the Newton County Zoning Ordinance**

### **Sec. 510-298 GROUP RESIDENCE**

- A. The following standards apply to a Group Residence for persons 18 years of age and over with a disability, home occupation:
1. The design and or maintenance of the structure used for the group residence must be residential in appearance and in keeping with neighboring homes. No external signage or other evidence of the use of the dwelling as other than a residential dwelling unit shall be permitted.
  2. The group residence shall be operated in a manner compatible with the neighborhood and shall not be detrimental to adjacent properties by reason of traffic, noise, light, refuse, parking or other activities. Adequate off-street parking shall be provided for residents, staff and visitors such that, except for planned special events, there are no vehicles parked on the street or road right-of-way; and visitation hours and any outside provision of services shall be restricted so as to not create undue traffic congestion.
  3. Personal services may be provided for residents; however, no medical or nursing services shall be provided.
  4. A group residence for persons 18 years of age and over with a disability, home occupation, with 4 or fewer persons is allowed as of right in all residential zoning districts. The resident manager, who must be a member of the family residing in the residence, is counted toward the limit.
- B. The following standards apply to a Group Residence for persons up to the age of 18 years old with or without a disability, home occupation:
1. The design and or maintenance of the structure used for the group residence must be residential in appearance and in keeping with neighboring homes. No external signage or other evidence of the use of the dwelling as other than a residential dwelling unit shall be permitted.
  2. The group residence shall be operated in a manner compatible with the neighborhood and shall not be detrimental to adjacent properties by reason of traffic, noise, light, refuse, parking or other activities. Adequate off-street parking shall be provided for residents, staff and visitors such that, except for planned special events, there are no vehicles parked on the street or road right-of-way; and visitation hours and any outside provision of services shall be restricted so as to not create undue traffic congestion.
  3. Personal services may be provided for residents; however, no medical or nursing services shall be provided.
  4. A Group Residence for persons under the age of 18 years old with or without a disability, home occupation, is allowed as of right in all residential zoning districts, with up to six children. The Resident Manager is responsible for daily operation of the residence and care given to residents on a 24-hour per day basis. In Group Home Residences for persons up to the age of 18 years old regulated by the State Department of Human Services or State Department of Community Health the Resident Manager may include the adequate Child Care Staff Worker(s) in accordance with the Official Code of Georgia (O.C.G.A.) Sec. 49-5-1 et seq., (Rule 290-2-5-.08 Administration and Organization Part 6).

- C. A Group residence for persons 18 years of age or over with a disability, congregate, and a Group Residence for persons up to the age of 18 years old with or without a disability, congregate are allowed with conditional use in the OI, CN, CH and CG zoning districts.
- D. The operator of the group residence shall comply with all applicable local, state and federal laws and regulations. Copies of all applicable licenses and permits, including but not limited to a Newton County business license, and State licenses, shall be provided to the Development Services Department. Evidence shall be made available to the Development Services Department on an annual basis that the group residence maintains and is in compliance with all licensing requirements.
- E. The group residence shall comply with all applicable building, housing, and fire codes. A fire inspection shall be required prior to the issuance of a business license and shall be required annually prior to the renewal of said business license.
- F. The applicant shall submit a 24-hour crisis intervention plan. It shall be within the county's discretion to require the group residence to enter into a memo of understanding with the appropriate local agencies such as schools, hospitals or other crises intervention agencies for provision of emergency services, including, where applicable, 24-hour crises intervention.
- G. The operator of a group residence housing juveniles shall provide the Newton County Sheriff's Department with a current list of residents. If any of the juveniles were placed in the group residence by the Department of Family and Children's Services, a list shall also be provided to the Newton County Office of the Department of Family and Children's Services. Said list shall be updated within ten days of a change in residents. The operator of the group residence shall also provide a 24-hour contact number for the person or organization owning the group residence.

**EXHIBIT “A”**

**USE TABLE**

Type of Use	Applicable Use Standards	Zoning Districts																
		A	RE	A-R	R-1	R-2	R-3	MSR	DR	RMF	MH P	MHS	OI	CN	CH	CG	M-1	M-2
Dwelling, Single Family		A	A	A	A	A	A	A	A	A	A	A						
Group Residence for persons 18 years of age and older with a disability, home occupation	510-298	A	A	A	A	A	A	A	A	A	A	A						
Group residence for persons up to the age of 18 years old with or without a disability, home occupation	510-298	A	A	A	A	A	A	A	A	A	A	A						
Group residence for persons 18 years of age or over with a disability, congregate	510-298												CU	CU	CU	CU		
Group residence for persons up to the age of 18 years old with or without a disability, congregate	510-298												CU	CU	CU	CU		



## 24-Hour Crisis Intervention Plan (Child)

**\*FOR GRH SERVING INDIVIDUALS UNDER THE AGE OF 18 YEARS OLD**

- Plans will have sections addressing the following:
  - (1) Physical Fights
  - (2) Hospital Emergencies
  - (3) Psychological Emergencies
  - (4) Runaways
  
- Plans will include contact information (name, address, phone numbers) for the following:
  - (1) The Probation Officer/Case Worker for each resident, available 24 hours per day by pager or phone
  - (2) Supervisors/administrators of the group residence

This information must also be typed and posted next to the business license at the front door of the group residence, along with a statement describing the youth served by the residence (i.e., Department of Family and Children's Services, Department of Juvenile Justice, deprived or delinquent youth, etc.).

- Steps to resolution will be in writing and made part of training, and copies should be kept on file at the group residence
  
- Plans may be required to address the following:
  - (1) Direct supervision at all times
  - (2) Group processing of incidents
  - (3) On-call staff available to remove a child from the home and provide direct supervision in a controlled environment away from the other children until a Court Service Worker can be contacted to pick up the child
  - (4) Immediately contacting a Court Service Worker when problems arise with a child in placement
  - (5) When 911 is contacted, the assigned Court Service Worker should be contacted by the group residence to prepare a plan for the child once he/she is in custody
  - (6) Certification in crisis intervention for house parents
  - (7) Information on each child's social and criminal history and 24-hour contact information for the Court Service Worker should be on file at the group residence. All information should be provided by the child's Court Service Worker or case manager prior to placement of the child in the residence
  - (8) Written agreement with the Court Service Worker for timely removal of the child from the residence when the placement is disrupted
  - (9) Having a Mental Health Crisis Intervention worker either on staff or available for emergency situations
  - (10) Written Discipline and Behavior Management Plan
  - (11) Written rules regarding Activities and Work Schedules for unstructured time.

## 24-Hour Crisis Intervention Plan (Adult)

**\*FOR GRH SERVING INDIVIDUALS OVER THE AGE OF 18 YEARS OLD**

- Plans will have sections addressing the following as applicable:
  - (1) How the individuals will be placed? What agencies will provide clients?
  - (2) Hospital Emergencies
  - (3) Psychological Emergencies
  - (4) Leaving Premises without permission or adequate supervision
  - (5) Physical Fights
  
- Plans will include contact information (name, address, phone numbers) for the following:
  - (1) Supervisors/administrators of the group residence; if a home occupation, the resident manager must reside in the home.

This information must also be typed and posted next to the business license at the front door of the group residence, along with a statement describing the individuals served by the residence (i.e., Department of Community Affairs, etc.).

- Steps to resolution will be in writing, and copies should be kept on file at the group residence
  
- Plans may be required to address the following:
  - (1) Direct supervision at all times
  - (2) Group processing of incidents
  - (3) Certification in crisis intervention for house parents
  - (4) Written Discipline and Behavior Management Plan
  - (5) Written rules regarding Activities for unstructured time