

**HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT**

Applicant Crystal F. Toombs

Request Text Amendment

Proposed Use Revise definition of Community Residence
(17.20.300)

Zoning Applicable in V-C, R-I,R-I-L,R-II,R-TF,R-MF,
AR-III,AR-IV districts

Location **Throughout Hall County**

Commission District One, Two, Three, and Four

Planning Commission Date December 05, 2022

Staff Recommendation Approval to amend the code provided “state
custody” does not mean the judicial system but
the Department of Human Services custody

Planning Commission Recommendation.....Approval
Vote: 5-0

Public Forum:

There were no comments in support or opposition.

Summary Analysis

The applicant is proposing to change the definition of *community residence* ([17.20.300](#)) to include pregnant or parenting youth. The applicant has expressed that there is a need for those youth in this situation; however, no statistics were provided.

Section [17.20.300](#) shall be amended to read as follows:

7.20.300. - Community residence.

"Community residence" means a single dwelling unit occupied on a relatively permanent basis in a family-like environment by a group of unrelated persons with disabilities, **or pregnant or parenting youth who are displaced and/or in State custody**, plus paid professional support staff provided by a sponsoring agency, either living with the residents on a 24-hour basis, or present whenever residents with disabilities are present at the dwelling; and which complies with the zoning regulations for the district in which the site is located. (See also the definitions of "care home," "disability," "dwelling unit," and "family.") "Family" means one or more persons permanently occupying a single dwelling unit, provided that unless all members are related by

blood or marriage no such family shall contain over five persons, but further provided that domestic servants employed on the premises may be housed on the premises or in an accessory building.

Text amendments are not specific to any one parcel but are applicable in all zoning districts where a community residence is allowed. Currently community residences are allowed in V-C, R-I, R-I-L, R-II, R-TF, R-MF, AR-III, and AR-IV districts.

When considering a text amendment, the Planning Commission must follow the same procedural guidelines as for a rezoning request (17.380.040), this includes public notice. The proposal was advertised in the Gainesville Times but since the proposal is not related to a specific parcel, no signs were posted.

The amendment proposal was submitted after the applicant inquired as to what districts allow “maternity homes”. Hall County regulations did not include a definition for maternity home, the most closely related term in the regulations is “community residence”.

As defined by DHS, a [maternity home](#) is “any place in which any person, society, agency, corporation or facility receives, treats or cares for, within any six-month period, more than one (1) pregnant woman whose child is to be born out of wedlock, either before, during or within two (2) weeks after childbirth. For purposes of these rules, services provided include full-time residential care, support and supervision for more than one (1) pregnant youth through 21 years of age who is either admitted during pregnancy or within two (2) weeks after delivery and who is not related to the owner by blood or marriage. For purposes of these rules, a maternity home may only provide such services to youth admitted to the home for a maximum period of eight (8) weeks following delivery unless providing second chance home services.”

➤ **Excerpts from the minutes of the December 5, 2022 meeting**

Applicant’s Presentation:

Randi Doveton, Planning Director, presented a summary of the request.

Crystal Toombs, 5721 Ridgewater Drive, Gainesville, presented the request. The applicant stated that she would like to be licensed to run a maternity care home for underage girls. She currently helps underage girls as a foster parent. Being a maternity care home would allow the applicant to run the home services without going through other agencies. The applicant stated they would only have 5-6 unrelated girls at a time.

Public Forum:

There were no comments in support or opposition.

Planning Commission Comments:

Mr. Braswell questioned if the type of use would need to be state licensed. The applicant stated that they will need licensing by the state to operate as well as go through other channels.

Motion: A motion to approve was made by Mr. Hunt and seconded by Mr. Varner. Vote: 5-0