

Sec. 4.1.1. - Overview, findings, purpose.

- A. *General overview.* The regulations contained within this article IV shall apply to all zoning districts within DeKalb County except as otherwise specified herein. Dimensions, site location and architectural requirements shall be indicated on required site development plans.
- B. *General findings and purpose.* Certain land uses require the imposition of additional regulations to mitigate a range of negative impacts on the public health, safety, welfare as well as environmental, aesthetic, and infrastructure impacts.
- C. *Findings and purpose for certain land uses.* National studies show that a concentration of certain land uses—including alcohol outlets, automobile gas stations, check cashing establishments, convenience stores, drive-through restaurants, and pawn shops—negatively impact the public health, safety, welfare, property values, economic development and social vitality of communities and neighborhoods. Local governments across the country recognize the negative impacts of such uses and impose additional regulations and distance requirements to mitigate such impacts. Local studies, including the report "The Relationship Between SLUP6 Businesses and Negative Outcomes in DeKalb County" by Dean Dabney, Ph.D., presented to the board of commissioners on May 9, 2017, confirm that these land uses within unincorporated DeKalb County are associated with increased crime, automobile accidents, lower property values, and other negative impacts to the public health and welfare.

([Ord. No. 15-06](#), 8-25-2015; [Ord. No. 17-01](#), Pt. I, 5-23-2017)

Editor's note— [Ord. No. 17-01](#), Pt. I, adopted May 23, 2017, changed the title of § 4.1.1 from "Overview" to read as herein set out.

Sec. 4.1.2. - Interpretation of unlisted uses.

Where a particular use is not specifically listed in Table 4.1 Use Table, the director of planning shall have the authority to permit the use if the use is similar to uses permitted by this article. The director of planning shall give due consideration to the purpose and intent statements contained in this zoning chapter concerning the base zoning districts involved, the character of the uses specifically identified and the character of the uses in question.

([Ord. No. 15-06](#), 8-25-2015)

Sec. 4.1.3. - Use table.

Table 4.1 indicates the permitted uses within the base zoning districts. Even though a use is listed as an allowable use within a particular base zoning district, additional use restrictions may apply based on the applicable overlay zoning district requirements specified in article 3, overlay districts.

- A. The uses listed in Table 4.1 shall be permitted only within the zoning districts identified, and no use shall be established and no structure associated with such use shall be erected, structurally altered or enlarged unless the use is permitted as:
 - 1. A permitted use (P);
 - 2. A special use (SP) subject to the special land use permit application procedures specified in article 7;
 - 3. An administratively approved use (SA) subject to the special administrative permit procedures specified in article 7;

4. An accessory use (Pa) as regulated by this article 4. Table 4.1 does not list all accessory uses but clarifies uses acceptable as accessory, though not typically considered principal uses for the zoning classification.
 5. Uses lawfully established prior to the effective date of this zoning ordinance.
- B. Any use not listed in Table 4.1 below or interpreted to be allowed by the director of planning pursuant to section 4.1.2 is prohibited. Any applicant denied a permit to allow a use of property in a zoning district other than as provided in this section may file an appeal before the zoning board of appeals as provided in article 7.
- C. If there is a conflict between Table 4.1 and the text of this chapter, the text shall prevail.

Table 4.1 Use Table

Use	KEY:														SA - Special administrative permit from director of planning										See Section 4.2		
	RE	RLG	R-100	R-85	R-75	R-60	RS	M-1	M-2	HR-1,2,3	MHP	RNC	OI	OIT	NS	C-1	C-2	OD	M	M-2	MU-1	MU-2	MU-3	MU-4,5			
AGRICULTURAL																											
Agriculture and Forestry																											
Commercial greenhouse or plant nursery	P														P	P	P		P	P	P						✓
Temporary or portable sawmill	P																		P	P						✓	
Urban, community garden, up to 5 ac.	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	✓	
Urban, community garden, over 5 ac.	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA		
Animal Oriented Agriculture																											
Dairy	P																		P	P						✓	

Dwelling, two-family							P	P	P	P		P								P	P	P	P	
Dwelling, single-family, accessory (guesthouse, in-law suite)	P a	Pa	Pa	P a	P a	P a	Pa	Pa	Pa											Pa	Pa	Pa	Pa	✓
Home occupation, no customer contact	S A	SA	SA	S A	S A	S A	SA	SA	SA	SA	SA	SA								SA	SA	SA	SA	✓
Home occupation, with customer contact	S P	SP	SP	S P	S P	S P	SP	SP	SP	SP	SP	SP								SP	SP	SP	SP	✓
Live/work unit								P	P	P			P	P	P	P	P	P	P	P	P	P	P	✓
Mobile home park											P													
Accessory uses or structures	P a	Pa	Pa	P a	P a	P a	Pa	Pa	Pa	Pa	Pa	Pa	P a	Pa	P a	P a	P a	P a	P a	Pa	Pa	Pa	Pa	✓
Housing and Lodging																								
Bed and breakfast	S P	SP	SP				SP	SP	SP	SP			P	P	P	P					P	P	P	✓
Bed and breakfast, home stay	S P	SP	SP	S P	S P	S P	SP	SP	SP	SP		SP												✓
Boarding/Rooming house								SP	P	P														
Convents or monasteries	S P	SP	SP	S P	S P	S P	SP	SP	SP				P	P							P	P	P	✓
Dormitory													P a	Pa	P a	P a	Pa	P a		Pa	Pa	Pa	Pa	
Extended stay hotel/motel													S P		S P	S P					SP	SP	SP	✓

Fraternity house or sorority house								SP	P	P			S P							P	P			
Hotel/Motel													P							P	P	P		
Nursing care facility or hospice								P	P				P	P						P	P	P	P	
Personal care home, community, 7 or more							SP	SP	P	P			P	SP	S P	P	P			P	P	P	P	✓
Personal care home, group, 4-6	S P	SP	SP	S P	S P	S P	SP	SP	P	P	P	SP	P	SP	S P	P	P			P	P	P	P	✓
Child caring institution, group, 4-6	S P	SP	SP	S P	S P	S P	SP	SP	P	P	P	SP	P	P	P	P	P			P	P	P	P	✓
Child caring institution, community, 7 or more							SP	SP	P	P			P	SP	S P	P	P			P	P	P	P	✓
Senior housing	S P	SP	SP	S P	S P	S P	SP	SP	SP	SP	SP	SP	S P	SP						SP	SP	SP	SP	✓
Shelter for homeless persons, 7-20									SP	SP			S P	SP		P	P							✓
Shelter for homeless persons for no more than six (6) persons								SP	SP	SP			S P	SP		S P								✓
Transitional housing facility, 7-20								SP	SP	SP			S P	SP		P	P							✓
INSTITUTIONAL/PUBLIC																								
Community Facilities																								

Cemetery, columbarium, mausoleum	S P	SP	SP	S P	S P	S P	SP	SP	SP	SP			P	P			P							✓
Club, order or lodge, fraternal, non-commercial													P	P	P	P	P	P	P	P	P	P	P	
Coliseum or stadium/not associated with church or school															P	P					SP	P	✓	
Funeral home, mortuary													P	P	P	P			P	P	P	P		
Golf course or clubhouse, public or private	P	P	P	P	P	P	P				P		P	P		P	P	P					✓	
Government facilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Hospital or accessory ambulance service													P	P			P				P	P		
Library or museum								P	P	P			P	P	P	P	P			P	P	P	P	
Cultural facilities								SP	SP	SP			S P	SP	S P	S P	SP	S P		SP	SP	SP	SP	
Recreation club	S P	SP	SP	S P	S P	S P	SP	SP	SP	SP		SP					P						SP	✓
Neighborhood or subdivision clubhouse or amenities	P	P	P	P	P	P	P	P	P	P	P	P	P	P						P	P	P	P	✓
Places of worship	S P	SP	SP	S P	S P	S P	SP	SP	SP	SP		SP	P	P	P	P	P	P	P	P	P	P	P	✓
Recreation, outdoor																P	P	P	P				✓	

Swimming pools, commercial	S P	SP	SP	S P	S P	S P	SP	SP	SP	SP	SP	SP	P	P	P	P	P			Pa	Pa	Pa	✓
Tennis courts, swimming pools, play or recreation areas, community	P a	Pa	Pa	P a	P a	P a	Pa	Pa	Pa	Pa	Pa	Pa	P	P	P	P	P			Pa	Pa	Pa	✓

Education

Colleges, universities, research and training facilities													P	P	P	P	P	P	P	P	P	P	
Private educational services, home occupation	P a	Pa	Pa	P a	P a	P a	Pa	Pa	Pa	Pa		Pa			P			Pa	Pa			✓	
Private kindergarten, elementary, middle or high schools	S P	SP	SP	S P	S P	S P	SP	SP	SP	SP	SP	SP	P	P	P	P			SP	SP	SP	✓	
Vocational schools													P	P	P	P	S P	S P	P	P	P	P	✓
Specialized schools							SP	SP	SP				P	P	P	P	S P	S P	P	P	P	P	✓

COMMERCIAL

Automobile, boat and trailer sales and service

Automobile or truck rental or leasing facilities															P	P	P	P				✓
Automobile brokerage													P	P	P	P			P	P	P	✓
Auto recovery, storage																	P	P				✓
Automobile repair or															P	P	P	P				✓

Dog day care								SP	SP	SP					P	P	P	P	P	SP	SP	SP	✓
Dog grooming								Pa	Pa	Pa					P	P	P	P	P	P	P	P	✓
Dry cleaning agencies, pressing establishments, or laundry pick-up stations								Pa	Pa	Pa		P	P	P	P	P	P	P	P	P	P		
Fitness center	P a	Pa	Pa	P a	P a	P a	Pa	Pa	Pa	Pa	Pa		P	P	P	P	P	P	P	P	P	P	
Kennel, breeding or boarding	S P													P a	P a	P	P	P					✓
Kennel, commercial	S P														P	P	P	P					
Kennel, noncommercial	P	SP	SP	S P	S P																		
Landscape business															P	P	P	P					
Mini-warehouse													SP		P	P	P	P					
Outdoor storage, commercial																P	P	P					✓
Personal services establishment								Pa	Pa	P		Pa	P a	Pa	P	P	P	P	P	P	P	P	
Photoengraving, typesetting, electrotyping																P	P	P	P	P			
Photographic studios												P	P	P	P	P	P	P	P	P	P		
Plumbing, HV/AC equipment establishments with no outdoor storage																P	P	P	P				

beverage manufacturing																			
Alternative energy production										SP	S P	S P							
Automobile/truck manufacturing												P							
Brick, clay, tile, or concrete products terra cotta manufacturing													P						
Building materials or lumber supply establishment										P		P							
Cement, lime, gypsum, or plaster of Paris manufacturing													P						
Compressed gas fuel station										S P		P	P						
Chemical manufacture, organic or inorganic													P						
Contractor, general (See also Building or Construction Office)										P		P	P			P	P		✓
Contractor, heavy construction, outside storage										P		P	P						✓
Contractor, special trade										P		P	P						

Crematoriums													S P			S P		S P							✓	
Distillation of bones or glue manufacture																		P								
Dry cleaning plant																		P	P							
Dye works																			P							
Explosive manufacture or storage																				S P						
Fabricated metal manufacture																				P						
Fat rendering or fertilizer manufacture																				S P						
Fuel dealers, manufactures or wholesalers																		P	P							
General aviation airport																			S P	S P					✓	
Heavy equipment repair service or trade																		P	P	P						
Ice manufacturing plant																				P	P					
Incidental retail sales of goods produced or processed on the premises																				P a	P a					
Incineration of garbage or refuse when conducted																				S P						

within an enclosed plant																				
Industrial, heavy																S	P			
Industrial, light															P	P				
Intermodal freight terminal, bus or rail freight or passenger terminal, or truck terminal																S	P			
Leather manufacturing or processing																P				
Light malt beverage manufacturer (See also Brewpub)											P	a	P	a	P	P	Pa	Pa	Pa	Pa
Light manufacturing															P	P				
Manufacturing, heavy																S	P			✓
Manufacturing operations not housed within a building																S	P			✓
Mines or mining operations, quarries, asphalt plants, gravel pits or soil pits																S	P	S	P	✓
Outdoor storage, industrial																P	P			✓
Paper or pulp manufacture																S	P			✓

rated capacity or drop hammer																					
Research, experimental or testing laboratories													P	P							
Rubber or plastics manufacture													P	P							
Salvage yard (Junkyard)													S	S							✓
Solid waste: general disposal, landfill, private industry disposal, handling facility, thermal treatment technology or hazardous/toxic materials including radioactive materials													S	P							✓
Smelting: copper, iron, zinc, or ore													S	P							
Storage yard, except vehicle													S	P							✓
Storage yard for damaged or confiscated vehicles													S	P							✓
Sugar refineries														P							
Tire retreading or recapping													P	P							
Towing or wreckage service													P	P							

Transportation equipment manufacture																			P													
Transportation equipment storage or maintenance (vehicle)																			P	P										✓		
Truck stop or terminal																			P	S P												
Vehicle storage yard																			P	P												
Warehousing or Storage																			P	P	P											
COMMUNICATION - UTILITY																																
Amateur radio service or antenna	S P	SP	SP	S P	S P	S P	SP												SP												✓	
Electric transformer station, gas regulator station or telephone exchange																																
Radio or television broadcasting studio																P				P												
Radio or television broadcasting transmission facility																				P a												
Satellite television antennae	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P												✓

WIRELESS TELECOMMUNICATION (cell tower)

Stealth design up to 150' on property used for non-residential purposes	S P		SP	SP	S P	S P	S P	SP															✓	
Stealth design up to 150'								SP	SP	SP			SP	S P				SP	SP	SP	SP		✓	
New support structure or stealth design up to 199'													S A		S A	S A	S A	S A					✓	
COW's (non-emergency or event, no more than 120 days)	S A	SA	SA	S A	S A	S A	SA	SA	SA	SA	SA	SA	S A	SA	S A	S A	S A	S A	S A	S A	SA	SA	SA	✓
COW's (declared emergency)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	✓
Attached wireless telecommunication facility, used for non-residential purposes (prohibited if used as residential)	S A	SA	SA	S A	S A	S A	SA																✓	
Attached wireless telecommunication facility								P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	✓
Monopole or attached facility in utility company's easements or rights-of-way	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	✓

([Ord. No. 15-06](#), 8-25-2015; [Ord. No. 16-07](#), Pt. I, 6-28-2016; [Ord. No. 17-01](#), Pt. I, 5-23-2017; [Ord. of 7-23-2019\(2\)](#), Pt. I; [Ord. of 12-17-2019](#))