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**Sec. 113-181. Table of conditional uses.**

The following is a table of permitted and conditional uses by zoning district:

P = Permitted	C = Conditional use	X = Not permitted
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See also article V of this chapter for specific use regulations which may apply.

TABLE 5.1													
PERMITTED AND CONDITIONAL USES BY ZONING DISTRICT													
	R-1	R-1A	R-2	R-3	OP	INST	CBD	NS	HB	PSC	OCMS	MU	M-1
Accessory apartment, attached	C	C	P	P	X	X	X	X	X	X	X	X	X
Accessory apartment, detached	X	X	C	C	X	X	X	X	X	X	X	X	X
Accessory uses and structures not otherwise listed in this table, determined by the zoning administrator to be normally incidental to one or more permitted principal uses	P	P	P	P	P	P	P	P	P	P	P	P	P
Active recreational facilities, nonprofit, such as tennis courts and swimming pools, as accessory to one or more permitted uses	P	P	P	P	P	P	P	X	X	X	P	P	X
Adaptive reuse of a detached single-family dwelling for a personal service establishment or enclosed retail establishment	X	X	X	X	C	X	P	P	P	X	X	C	X
Agricultural production of field crops,	P	P	X	X	X	X	X	X	X	X	X	X	X

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fruits, nuts, and vegetables													
Animal hospitals and veterinary clinics	X	X	X	X	X	X	P	X	P	P	X	X	X
Automobile financing, sales and/or service establishments	X	X	X	X	X	X	X	X	C (note (3))	C (note (3))	X	X	C (note (3))
Bed and breakfast inns	X	X	X	X	C	X	P	P	P	P	X	P	X
Boardinghouse and roominghouses	X	X	X	C	C	C	C	X	X	X	X	X	X
Business service establishments, not exceeding 2,500 square feet of gross floor area	X	X	X	X	X	C	X	X	X	X	X	X	X
Business service establishments of more than 2,500 square feet of gross floor area	X	X	X	X	X	C	P	C	P	P	P	P	P
CBD shop	X	X	X	X	C	C	X	X	C	C	C	X	C
Carwashes	X	X	X	X	X	X	X	X	P	P	X	X	X
Cemeteries	P	P	P	P	X	P	P	X	X	X	X	X	P
Churches, temples, synagogues, and places of worship, including cemeteries as accessory uses	C	C	C	C	P	P	P	P	P	P	P	P	P
Circuses	X	X	X	X	X	P	C	X	P	P	X	X	X
Clinics	X	X	X	X	P	P	P	P	P	P	P	P	X
Club or lodge, nonprofit, sponsored by a civic or similar organization	X	X	X	X	P	P	P	P	P	P	P	P	P
Colleges and universities	X	X	X	X	X	P	P	X	P	P	P	P	X
Commercial recreational facility, indoor	X	X	X	X	X	C	P	X	P	P	C	P	X
Commercial recreational facility, outdoor	X	X	X	X	X	C	X	X	C	C	C	P	X
Communication towers and antennas	X	X	X	X	C	C	X	C	C	C	C	X	P

Community recreation	P	P	P	P	X	C	C	X	X	X	X	P	X
Conference centers and retreat centers	X	X	X	X	X	P	P	X	P	P	P	P	X
Conservation areas and passive recreational facilities	P	P	P	P	P	P	P	P	P	P	P	P	P
Contractor's establishments, including cabinet shops	X	X	X	X	X	X	C	X	P	X	X	X	P
Convenience stores with or without gasoline pumps	X	X	X	X	X	X	P	P	P	P	X	C	X
Day care centers serving no more than 17 persons	X	X	X	C	P	P	P	P	P	P	P	P	X
Day care centers serving 18 persons or more	X	X	X	X	C	C	P	P	P	P	P	P	X
Distribution of products and merchandise	X	X	X	X	X	X	X	X	X	X	X	X	P
Drive-through facilities	X	X	X	X	X	X	P	X	P	P	X	C	X
Dwellings, single-family detached, fee-simple	P	P	P	P	X	X	X	X	X	X	X	P	X
Dwellings, single-family detached, condominium	X	X	X	P	X	X	X	X	X	X	X	P	X
Dwellings, single-family attached (townhouses)	X	X	X	P	X	X	C	X	X	X	X	P	X
Dwellings, two-family (duplexes)	X	X	P	P	X	X	X	X	X	X	X	P	X
Dwellings, multifamily (apartments and attached condominiums)	X	X	X	P	X	X	C	X	X	X	X	P	X
Dwellings, located within a building containing another principal use (dwelling must be located above other principal use, e.g., walk up apartment over retail)	X	X	X	X	X	X	P	X	X	X	X	P	X

Dwellings for caretaker or night watchman	X	X	X	X	X	C	X	X	C	C	X	C	P
Exterminating and pest control businesses and disinfecting services	X	X	X	X	X	X	P	X	P	P	X	X	P
Family day care homes in a single-family detached dwelling only	C	C	C	C	P	P	P	P	P	X	X	P	X
Finance, insurance and real estate establishments 2,500 square feet of gross floor area or less per establishment	X	X	X	X	P	C	P	P	P	P	P	P	X
Finance, insurance and real estate establishments with more than 2,500 square feet of gross floor area per establishment	X	X	X	X	X	C	P	C	P	P	P	P	X
Funeral homes and mortuaries	X	X	X	X	X	P	P	X	P	P	X	X	X
Gardens, noncommercial, as accessory to residential use	P	P	P	P	P	P	P	P	P	X	X	P	X
Greenhouses, noncommercial, as accessory to residential use	P	P	X	X	P	P	P	P	P	X	X	P	X
Golf courses	C	C	C	C	C	C	C	C	C	C	C	C	C
Guesthouses	P	P	P	P	P	P	P	P	P	X	X	P	X
Health spas	X	X	X	X	X (note (2))	X	P	X	P	P	P	P	X
Heliports and helistops	X	X	X	X	X	C	X	X	C	C	C	X	C
Home occupations in a single-family detached dwelling only	P	P	P	P	P	P	P	P	P	X	X	P	X
Hospitals	X	X	X	X	X	P	X	X	X	P	P	X	X
Horse stables, noncommercial, as	P	X	X	X	X	X	X	X	X	X	X	X	X

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accessory to residential use													
Institutional residential living and care facilities, serving no more than 17 persons	X	X	X	P	P	P	P	X	P	X	X	C	X
Institutional residential living and care facilities, serving 18 or more persons	X	X	X	X	C	P	P	X	P	X	X	C	X
Junkyard/salvage yard	X	X	X	X	X	X	X	X	X	X	X	X	P
Kennels	X	X	X	X	X	X	X	X	P	X	X	X	C
Landfills	X	X	X	X	X	X	X	X	X	X	X	X	C
Landscaping companies	X	X	X	X	X	X	X	X	P	P	X	X	P
Livestock raising	X	X	X	X	X	C	X	X	X	X	X	X	X
Livestock raising, not including poultry and hogs	P	X	X	X	X	X	X	X	X	X	X	X	X
Lodging services	X	X	X	X	X	C	P	X	P	P	P	X	X
Machine shops	X	X	X	X	X	X	X	X	P	X	X	X	P
Manufactured homes	X	X	X	X	X	X	X	X	X	X	X	X	X
Manufactured home parks	X	X	X	C	X	X	X	X	X	X	X	X	X
Manufacturing, processing, assembling	X	X	X	X	X	X	X	X	X	X	X	C	P
Manufacturing, processing, assembling that requires an air quality permit from the state environmental protection division	X	X	X	X	X	X	X	X	X	X	X	X	C
Marinas	X	X	X	X	X	P	X	X	P	X	X	X	X
Mini-warehouses and self-storage facilities	X	X	X	X	X	X	X	X	P	C	C	X	P
Mobile homes	X	X	X	X	X	X	X	X	X	X	X	X	X
Museums	X	X	X	X	C	P	P	X	P	X	X	P	X
Offices	X	X	X	X	P	P	P	P	P	P	P	P	P

Open air businesses	X	X	X	X	X	X	C	X	P	P	X	C	C
Open storage yards as principal uses	X	X	X	X	X	X	X	X	C	C	X	X	P
Parking lots and decks, off-site, as principal uses	X	X	X	X	C	P	P	X	P	P	P	P	P
Personal service establishments	X	X	X	X	C (note (2))	C	P	P	P	P	P	P	X
Printing and blueprinting facilities	X	X	X	X	X	X	P	P	P	P	P	C	P
Produce stand, vegetable stand, fruit stand, roadside stand	X	X	X	X	X	X	X	X	X	X	X	X	C
Public and semipublic uses	P	P	P	P	P	P	P	P	P	P	P	P	P
Radio and television stations, studios, and offices, including transmission towers and dishes as accessory uses	X	X	X	X	C	X	C	X	P	P	P	C	X
Recreational vehicle parks	X	X	X	X	X	C	X	X	C	X	X	X	X
Recycling collection centers	X	X	X	X	X	P	P	X	P	P	P	C	P
Recycling and recovery facilities	X	X	X	X	X	X	X	X	C	X	X	X	P
Research, scientific, and testing laboratories	X	X	X	X	X	X	X	X	X	X	P	C	P
Restaurants, including outside seating areas but not including drive-ins or drive-through facilities	X	X	X	X	X (note (2))	C	P	P	P	P	P	P	X
Retail trade establishments, enclosed	X	X	X	X	X (note (2))	C	P	P	P	P	P	P	X
School for the arts	X	X	X	X	C	P	P	X	P	P	P	C	P
Schools, private elementary, middle, and high	X	X	X	X	C	P	P	X	P	P	P	C	X

Schools, public	P	P	P	P	P	P	P	P	P	P	P	C	P
Schools, special	X	X	X	X	X	P	P	X	P	P	P	C	P
Service and fuel filling stations	X	X	X	X	X	X	P	P	P	P	X	C	P
Showrooms, as principal uses	X	X	X	X	X	X	X	X	X	C	X	X	P
Special event facilities	X	X	X	X	C	P	P	X	P	P	P	P	X
Taxicab companies and limousine services	X	X	X	X	X	X	P	X	P	P	X	X	P
Temporary open-air market	X	X	X	X	P	X	P	P	P	X	X	X	X
Warehouses and storage buildings	X	X	X	X	X	X	X	X	C	X	X	X	P
Wholesale trade establishments	X	X	X	X	X	X	X	X	C	C	X	X	P
Wrecked motor vehicle compounds	X	X	X	X	X	X	X	X	C	X	X	X	P
Uses not specified in this table	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)

**Note—**

;le=2;(1) In cases where a use is proposed but is not listed in this table, the zoning administrator shall make an administrative determination as to whether or not the use is permitted in the zoning district or districts in question. The zoning administrator may determine that such use is substantially similar to a permitted use and allow that use to be permitted. The zoning administrator may determine that such use is substantially similar to a conditional use, and permit that use as a conditional use. The zoning administrator may determine that such use is prohibited altogether in the zoning district or districts in question. In making such determinations, the zoning administrator shall consult the purpose and intent statements of the zoning district or districts in question, in addition to comparing the use in question to uses specifically listed in this table.

;le=2;(2) In the OP zoning district, within principal buildings of an office complex or use with a minimum aggregate gross floor area of 10,000 square feet or more, the following uses shall be permitted outright but restricted as to size and location within a building principally used as offices: Retail trade establishments, personal service establishments, restaurants including outside seating areas but not including drive-in or drive-through facilities, business service establishments not exceeding 2,500 square feet of gross floor area, and health spas. The total space within an office complex or use that can be devoted to one or more of these uses in the aggregate is ten percent of the total gross floor area of the office complex or use.

;le=2;(3) With respect to an "auto broker," this use shall be conditional only in the event that any automobiles are stored on site or are stored at a different location within the jurisdictional limits of the City of Cumming. If no automobiles are stored on site or at a different location within the jurisdictional limits of the City of Cumming, the "auto broker" use shall be a permissible use where it is otherwise identified as conditional.

(Ord. of 2-18-2003, table 5.1; Ord. of 5-12-2005, § 2(A), (B); Ord. of 12-20-2005, § 2(A), (B); Ord. of 3-17-2009, § 3; Ord. of 2-16-2010, § 4; Ord. of 2-5-2019, § 2 ; Ord. of 2-5-2019, § 1 ; Ord. of 12-17-2019, § 5 ; Ord. of 8-4-2020, § 1 ; Ord. of 9-15-2020, § 1 ; Ord. of 11-4-2020, § 2 )

