

## Sec. 16-34.005. - Permitted principal uses and structures.

A building or premises shall be used for the following permitted principal uses and structures:

1. Automobile service stations, provided that no service station may be located within 1,500 feet of another service station, battery exchange stations, car washes.
2. Banks, savings and loan associations, and similar financial institutions.
3. Barber shops, beauty shops, manicure shops and similar personal service establishments.
4. Business or commercial schools.
5. Childcare centers, kindergartens and special schools.
6. Clubs and lodges.
7. Commercial greenhouses.
8. Commercial recreation establishments, including bowling alleys, theaters, convention halls, places of assembly and similar uses with primary activities conducted within fully enclosed buildings. Pool halls, billiard parlors and amusement arcades allowed only by special use permits.
9. Digital industry switchboards, power generators and other relay equipment and rooms housing such equipment when located on subterranean levels or the second floor above sidewalk level and higher, or on ground floors provided that retail, office, institutional, or residential uses are provided for a minimum depth of 20 feet from any building façade along the public sidewalk.
10. Restaurants, bars, coffee shops, delicatessens, taverns and other eating and drinking establishments including those licensed for the on-premises consumption of malt beverages, wine and/or distilled spirits.
11. Institutions of higher learning, including colleges and universities.
12. Laundry and dry-cleaning stores, collection stations or plants; laundry and dry cleaning establishments where customers operate equipment.
13. Mortuary and funeral homes.
14. Museums, art galleries, libraries, and similar profit or non-profit cultural facilities.
15. New and used car sales, including other motorized vehicles such as mopeds and motorcycles.
16. Nursing homes and convalescent centers.
17. Offices, studios, clinics (including veterinary), laboratories and similar uses, but not blood donor stations except at hospitals. Veterinary clinics including all kennels and accessory areas shall be enclosed within sound proof buildings when located within 300 feet of any residential use from the closest point of the nearest residential building to the closest point of the veterinary clinic, subject to the provisions in chapter 74, article IV, noise control.

18. Park-for-hire parking decks.
19. Plumbing, air conditioning service and repair.
20. Photocopying or blueprinting shops.
21. Professional or service establishments, but not hiring halls.
22. Public schools or private schools having similar academic curricula and special schools for exceptional children.
23. Repair garages, paint and body shops.
24. Retail establishments.
25. Sales and repair establishments for home appliances, bicycles, lawn mowers, shoes, clocks and similar household goods.
26. Subject to the requirements of section 16-34.010(7) and not when any part of the property is within 500 feet of the beltline corridor as defined in City Code Section 16-36.007, mixed-use storage facility having less than 100,000 square feet of total floor area of storage use. An existing mixed-use storage facility within 500 feet of the beltline corridor may be redeveloped at its existing floor area ratio and consistent with the requirements of this part.
27. Single-family, two-family and multi-family dwellings.
28. Structures and uses required for operation of MARTA or a public utility but not including uses involving storage, train yards, warehousing switching or maintenance shop as the primary use.
29. Tailoring, custom dressmaking, millinery and similar establishments.
30. Supportive housing.
31. Urban gardens.
32. Market gardens.
33. Microbrewery and microdistillery (as defined by City of Atlanta Code Section 10-1).
34. Small discount variety stores, provided that no small discount variety store may be located within 5,280 feet of another small discount variety store.
35. Short-term rentals, subject to the regulations in Atlanta City Code section 20-1001.

Any principal use and structure not specifically listed above is prohibited in this district.

All commercial sales and service shall be conducted within enclosed permanent structures and there shall be no unenclosed displays of merchandise with the exception of off-street parking and outdoor dining. Outdoor sales or displays are permissible only by special permit as set forth below.

No use or manner of operation shall be permitted which is obnoxious or offensive by reason of odor, smoke, noise, glare, fumes, gas, vibration, unusual danger of fire or explosion, emission of particulate matter, or interference with radio or television communication, or is otherwise incompatible with the

character of the district and its relation to adjoining districts.

Pursuant to section 16-28.016, adult businesses are not permitted uses in any district.

(Ord. No. 2002-40, § 1, 5-28-02; Ord. No. 2005-41(06-O-0381), § 54, 7-12-05; Ord. No. 2009-24(08-O-1251), § 2AF, 6-9-09; Ord. No. 2009-61(09-O-1076), §§ 2(2), 4(2), 10-13-09; Ord. No. 2014-53(14-O-1278), § 2(Attach. B), 12-10-14; Ord. No. 2014-22(14-O-1092), § 2-UU, 6-11-14; Ord. No. 2017-68(17-O-1159), § 3, 11-29-17); Ord. No. 2018-46(18-O-1303), § 1, 10-10-18; Ord. No. 2019-20(18-O-1679), § 16, 3-13-19; Ord. No. 2019-66(19-O-1504), § 31, 12-11-19; Ord. No. 2021-60(21-O-0682), § 64, 12-15-21)