CHAPTER 4.

USE DISTRICTS

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DIVISION 4.1. **GENERAL PROVISIONS**

Sec. 4.1.1. How to Use this Chapter

A. Use Districts

Whether a specific use is allowed on a site is determined by its Use District. Use Districts are organized into categories based on shared characteristics and similar use permissions. For ease of reference, these categories are grouped into two Consolidated Use Tables:

1. Use Table 1 includes use permissions for the following categories:
    a. Residential (R-)
    b. Residential Mix (RM-)
    c. Civic (CV-)
2. Use Table 2 includes use permissions for the remaining categories:
    a. Neighborhood Mix (NX-)
    b. Mixed Use (MX-)
    c. Industrial Flex (IX-)
    d. Industrial (I-)

B. Specific Uses

Uses are organized by use group (such as Residential Uses), use category (such as Household Living or Group Living), and then by specific use within that category (such as General Household Living or Live-Work). Use categories organize specific uses with similar attributes. Specific uses have permissions in the use table that determine if that use is allowed in a particular Use District.

C. Use Standards

1. Some Use Districts have standards that apply to any use in that particular Use District. These Use Districts are designated with two asterisks (**) next to the Use District name in the use table. These standards are found in *Sec. 4.3. Use Districts Standards*.
2. Some specific uses have standards that are required to be met for the use to be allowed. These uses are designated with an asterisk (*) next to the use permission in the use table. These standards are found in *Sec. 4.4. Specific Use Standards*.
3. Use standards can apply to all uses in a group, all uses in a category, or a specific use. For example, if the standard specifies "Residential Uses", the standard is referring to all uses in that group; and if the standard specifies "Household Living Uses", the standard is referring to all uses in that category.

Sec. 4.1.2. Applicability

A. Use District Requirements

1. Use District requirements apply based on the types of project activities proposed, as shown in the table below. Typically, more than one project activity will apply to a proposed project (for example, a renovation may also include a change of use and site modification).

		PROJECT ACTIVITY						
USE DISTRICT REQUIREMENTS		New Construction	Addition	Site Modification	Facade Modification	Change of Use	Renovation	Maintenance and Repair
Use District Permissions	*Sec. 4.2.*	●	●	●	○	●	●	○
Use District Standards	*Sec. 4.3.*	●	●	●	○	●	●	○
Use Definitions	*Sec. 4.4.*	●	●	●	○	●	●	○
Specific Use Standards	*Sec. 4.5.*	●	●	●	○	●	●	○
Accessory Uses	*Sec. 4.6.*	●	●	●	○	●	●	○
Temporary Uses	*Sec. 4.7.*	●	●	○	○	●	●	●

KEY: ● = Standards generally apply ○ = Standards do not apply

2. Project activity is defined in *Chapter 10. General Standards and Definitions*.

3. Where a requirement is listed as applying, any applicable Use District Permissions (*Div. 4.2.*), Use District Standards (*Div. XX*), or Specific Use Standards (*Div. 4.5.*) must be met. For existing buildings and uses, applicability may also be modified by *Chapter 9. Nonconformities*.

B. Relationship to Form Districts

If a use is allowed by the Use District, then the use must meet the requirements in both the Use District and the Form District assigned to the lot. For uses with additional standards listed in this Chapter, the Use District supersedes any conflicting standard listed in the Form District.

Sec. 4.1.3. Use Interpretations

A. Multiple principal uses are permitted on a lot when all such uses are allowed within the Use District and each use complies with all applicable standards.

B. When a proposed use is not listed in the Consolidated Use Tables, the Director has the responsibility for determining whether the proposed use is similar to an already listed use. Where a use contains a list of included uses, the uses on the list are to be considered example uses, and not all-inclusive. The Director will first determine what use category the use is most similar to, and then determine the most similar specific use.

C. When a proposed use is found by the Director not to be similar to an already listed use, the use is not allowed.

D. When determining whether a proposed use is similar to an already listed use, the Director will consider the following criteria:

1. Actual or projected characteristics of the use.
2. Amount and nature of any nuisances generated by the use.
3. Type, size, nature and arrangement of buildings and structures.
4. Relative amount and types of sales.
5. Relative number of employees and customers.
6. Hours of operation.
7. Number of vehicle trips generated, types of vehicles, and parking demand.
8. Anticipated amount and type of outdoor storage.
9. Likely impact on adjacent properties.

DIVISION 4.2. USE DISTRICT PERMISSIONS

Sec. 4.2.1. Use Table Interpretation

A. Use Table Key

1. Allowed Uses

P = A by-right allowed use.

P* = A by-right allowed use, provided it meets the use standards in the right-hand column of the use table.

2. Discretionary Allowed Uses

S = A use that is allowed only with a Special Use Permit.

S* = A use that is allowed only with a Special Use Permit, provided it also meets the use standards in the right-hand column of the use table.

3. Uses Not Allowed

-- = A use that is not allowed.

B. Use Restrictions

1. Distance

Where a minimum distance is required between certain uses, the distance is measured as the shortest straight line distance between the lot lines of the lots containing the uses.

2. Size

a. Size restrictions expressed as square feet (SF) in the use table refer to gross floor area per tenant.

b. Size restrictions expressed as acreage in the use table refer to the total area of the site.

Sec. 4.2.2. Consolidated Use Tables

A. Use Table 1

Use Category Specific Use	RESIDENTIAL (R-)					RESIDENTIAL MIX (RX-)			CIVIC (CV-)		Use Standards
	R1**	R2**	R3**	R4**	R5**	RX1**	RX2**	RX3**	CV1	CV2	
RESIDENTIAL USES											
Household Living											
General household living	P*	P*	P*	P*	P*	P	P	P	--	P	*Sec. XX.*
Live-work	--	--	--	--	P*	P*	P*	P*	--	--	*Sec. XX.*
Purpose-built student housing	--	--	--	--	--	P	P	P	--	P	
Group Living											
General supervised group living	S*	S*	S*	S*	S*	S*	S*	S*	--	S*	*Sec. XX.*
General unsupervised group living	--	--	--	--	--	--	--	--	--	--	
Dormitory, fraternity, or sorority	--	--	--	--	--	--	--	--	--	P	
Emergency shelter	--	--	--	--	--	--	--	S*	--	S*	*Sec. XX.*
Maternity supportive housing	P	P	P	P	P	P	P	P	--	P	
PUBLIC AND INSTITUTIONAL USES											
Civic											
General civic	P	P	P	P	P	P	P	P	--	P	
Community center, private	S	S	S	S	S	S	S	--	--	P	
Library or museum, private											
Up to 8,000 SF	S	S	S	S	S	S	S	S	--	P	
Above 8,000 SF	S	S	S	S	S	S	S	S	--	P	
Religious assembly	S	S	S	S	P	P	P	P	--	P	
Private Education											
General private education	S	S	S	S	S	S	S	S	--	P	
College or university, private	S	S	S	S	S	S	S	--	--	P	

KEY: **P** = Use allowed **S** = Use allowed by Special Use Permit **--** = Use not allowed
***** = Use standards apply, see *Div. 4.5. Specific Use Standards* ** = Use District standards apply, see *Div. 4.3. Use District Standards*

Use Category Specific Use	RESIDENTIAL (R-)					RESIDENTIAL MIX (RX-)			CIVIC (CV-)		Use Standards
	R1**	R2**	R3**	R4**	R5**	RX1**	RX2**	RX3**	CV1	CV2	
Commercial school											
Up to 8,000 SF	--	--	--	--	--	--	--	--	--	P	
Above 8,000 SF	--	--	--	--	--	--	--	--	--	P	
Day care, private											
Up to 8,000 SF	S	S	S	S	S	S	P	S	--	P	
Above 8,000 SF	S	S	S	S	S	S	S	S	--	P	
Parks and Open Space											
General parks and open space	S	S	S	S	S	P	P	P	P	P	
Cemetery	S	S	S	S	S	--	--	--	--	S	
Utility											
General utility	P	P	P	P	P	P	P	P	--	P	
Commercial wind or solar	--	--	--	--	--	--	--	--	--	--	
Wireless Telecommunication											
Type I: Modification	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	*Sec. XX.*
Type II: Small wireless collocation	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	*Sec. XX.*
Type III: Non-small wireless collocation	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	*Sec. XX.*
Type IV: Small wireless structure	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	*Sec. XX.*
Type V: Non-small wireless structure	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	*Sec. XX.*
COMMERCIAL USES											
Adult Establishment											
Adult Establishment	--	--	--	--	--	--	--	--	--	--	
Agriculture											
Farmers market	--	--	--	--	P*	P*	P*	P*	P*	P*	*Sec. XX.*
Indoor growing system	--	--	--	--	--	--	--	--	--	--	
Urban garden	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	*Sec. XX.*

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Use Category Specific Use	RESIDENTIAL (R-)					RESIDENTIAL MIX (RX-)			CIVIC (CV-)		Use Standards
	R1**	R2**	R3**	R4**	R5**	RX1**	RX2**	RX3**	CV1	CV2	
Entertainment and Recreation											
General indoor entertainment and recreation											
Up to 8,000 SF	--	--	--	--	--	--	--	--	--	--	
Above 8,000 SF	--	--	--	--	--	--	--	--	--	--	
General outdoor entertainment and recreation	--	--	--	--	--	--	--	--	--	--	
ATV park	--	--	--	--	--	--	--	--	--	--	
Club, private											
Up to 8,000 SF	--	--	--	--	--	--	--	--	--	P	
Above 8,000 SF	--	--	--	--	--	--	--	--	--	P	
Convention hall or event facility											
Up to 8,000 SF	--	--	--	--	--	--	--	--	--	--	
Above 8,000 SF	--	--	--	--	--	--	--	--	--	--	
Golf course	S	S	S	S	S	--	--	--	S	S	
Lounge or nightclub											
Up to 8,000 SF	--	--	--	--	--	--	--	--	--	--	
Above 8,000 SF	--	--	--	--	--	--	--	--	--	--	
Party house	--	--	--	--	--	--	--	--	--	--	
Sports arena, stadium, or field	S*	S*	S*	S*	S*	--	--	--	--	S	*Sec. XX.*
Food and Beverage											
General food and beverage											
Up to 2,000 SF	--	--	--	--	P	P	P	S	--	--	
2,001 - 4,000 SF	--	--	--	--	--	--	P	S	--	--	
4,001 - 8,000 SF	--	--	--	--	--	--	--	S	--	--	
Above 8,000 SF	--	--	--	--	--	--	--	--	--	--	

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Use Category Specific Use	RESIDENTIAL (R-)					RESIDENTIAL MIX (RX-)			CIVIC (CV-)		Use Standards
	R1**	R2**	R3**	R4**	R5**	RX1**	RX2**	RX3**	CV1	CV2	
Bakery, wholesale											
Up to 2,000 SF	--	--	--	--	P	--	--	--	--	--	
2,001 - 8,000 SF	--	--	--	--	P	--	--	--	--	--	
Above 8,000 SF	--	--	--	--	--	--	--	--	--	--	
Bar											
Up to 2,000 SF	--	--	--	--	P	P	P	S	--	--	
2,001 - 4,000 SF	--	--	--	--	--	--	P	S	--	--	
4,001 - 8,000 SF	--	--	--	--	--	--	--	S	--	--	
Above 8,000 SF	--	--	--	--	--	--	--	--	--	--	
Catering establishment											
Up to 2,000 SF	--	--	--	--	P	P	P	--	--	--	
2,001 - 8,000 SF	--	--	--	--	--	--	P	--	--	--	
Above 8,000 SF	--	--	--	--	--	--	--	--	--	--	
Delivery-based commercial kitchen	--	--	--	--	--	--	--	--	--	P	
Microbrewery, microdistillery, or winery	--	--	--	--	--	--	--	--	--	--	
Lodging											
General lodging											
Up to 30 guest rooms	--	--	--	--	--	--	--	--	--	--	
Above 30 guest rooms	--	--	--	--	--	--	--	--	--	--	
Bed and breakfast	--	P*	P*	P*	P*	P*	P*	P*	--	--	*Sec. XX.*
Short-term rental	P*	P*	P*	P*	P*	P*	P*	P*	--	P*	*Sec. XX.*
Medical											
General medical											
Up to 2,000 SF	--	--	--	--	P	P	P	P	--	P	
2,001 - 8,000 SF	--	--	--	--	--	--	P	P	--	P	
Above 8,000 SF	--	--	--	--	--	--	--	--	--	P	

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Use Category Specific Use	RESIDENTIAL (R-)					RESIDENTIAL MIX (RX-)			CIVIC (CV-)		Use Standards
	R1**	R2**	R3**	R4**	R5**	RX1**	RX2**	RX3**	CV1	CV2	
Hospital	--	--	--	--	--	--	--	--	--	P	
Medical laboratory	--	--	--	--	--	--	--	--	--	P	
Office											
General office											
Up to 2,000 SF	--	--	--	--	P	P	P	P	--	P	
2,001 - 8,000 SF	--	--	--	--	--	--	P	P	--	P	
Above 8,000 SF	--	--	--	--	--	--	--	--	--	P	
Sound recording studio											
Up to 2,000 SF	--	--	--	--	P	P	P	P	--	--	
2,001 - 8,000 SF	--	--	--	--	--	--	S	S	--	--	
Above 8,000 SF	--	--	--	--	--	--	--	--	--	--	
Parking											
Commercial parking lot	--	--	--	--	--	--	S	--	--	S	
Commercial parking structure	--	--	--	--	--	--	P	--	--	P	
Personal Service											
General personal service											
Up to 2,000 SF	--	--	--	--	P	P	P	P	--	--	
2,001 - 8,000 SF	--	--	--	--	--	--	P	P*	--	--	*Sec. XX.*
Above 8,000 SF	--	--	--	--	--	--	--	--	--	--	
Animal care, indoor											
Up to 8,000 SF	--	--	--	--	--	--	--	--	--	P*	*Sec. XX.*
Above 8,000 SF	--	--	--	--	--	--	--	--	--	P*	*Sec. XX.*
Animal care, outdoor	--	--	--	--	--	--	--	--	--	--	
Body art studio											
Up to 8,000 SF	--	--	--	--	--	--	--	--	--	--	
Above 8,000 SF	--	--	--	--	--	--	--	--	--	--	

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Use Category Specific Use	RESIDENTIAL (R-)					RESIDENTIAL MIX (RX-)			CIVIC (CV-)		Use Standards
	R1**	R2**	R3**	R4**	R5**	RX1**	RX2**	RX3**	CV1	CV2	
Funeral home	--	--	--	--	--	--	--	--	--	--	
Hair or nail salon											
Up to 2,000 SF	--	--	--	--	P	P	P	P	--	--	
2,001 - 8,000 SF	--	--	--	--	--	--	P	P	--	--	
Above 8,000 SF	--	--	--	--	--	--	--	--	--	--	
Laundry service											
Up to 2,000 SF	--	--	--	--	P	P	P	P	--	--	
2,001 - 8,000 SF	--	--	--	--	--	--	P	P*	--	--	*Sec. XX.*
Above 8,000 SF	--	--	--	--	--	--	--	--	--	--	
Retail											
General retail											
Up to 2,000 SF	--	--	--	--	P	P	P	P	--	--	
2,001 - 8,000 SF	--	--	--	--	--	--	P	P	--	--	
8,001 - 15,000 SF	--	--	--	--	--	--	--	--	--	--	
Above 15,000	--	--	--	--	--	--	--	--	--	--	
Alternative financial service	--	--	--	--	--	--	--	--	--	--	
Artisan workshop											
Up to 2,000 SF	--	--	--	--	P	P	P	S	--	--	
2,001 - 8,000 SF	--	--	--	--	--	--	P	S	--	--	
8,001 - 15,000 SF	--	--	--	--	--	--	--	--	--	--	
Above 15,000 SF	--	--	--	--	--	--	--	--	--	--	
Grocery store											
Up to 2,000 SF	--	--	--	--	P	P	P	P	--	--	
2,001 - 8,000 SF	--	--	--	--	--	--	P	P	--	--	
8,001 - 15,000 SF	--	--	--	--	--	--	--	--	--	--	
15,001 - 25,000 SF	--	--	--	--	--	--	--	--	--	--	
Above 25,000 SF	--	--	--	--	--	--	--	--	--	--	

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Use Category Specific Use	RESIDENTIAL (R-)					RESIDENTIAL MIX (RX-)			CIVIC (CV-)		Use Standards
	R1**	R2**	R3**	R4**	R5**	RX1**	RX2**	RX3**	CV1	CV2	
Hookah or vape store											
Up to 8,000 SF	--	--	--	--	--	--	--	--	--	--	
8,001 - 15,000 SF	--	--	--	--	--	--	--	--	--	--	
Above 15,000	--	--	--	--	--	--	--	--	--	--	
Package store											
Up to 8,000 SF	--	--	--	--	--	--	--	P*	--	--	*Sec. XX.*
8,001 - 15,000 SF	--	--	--	--	--	--	--	--	--	--	
Above 15,000 SF	--	--	--	--	--	--	--	--	--	--	
Retail bank											
Up to 8,000 SF	--	--	--	--	--	--	P	--	--	--	
Above 8,000 SF	--	--	--	--	--	--	--	--	--	--	
Small discount variety store											
Up to 2,000 SF	--	--	--	--	--	P*	P*	--	--	--	*Sec. XX.*
2,001 - 8,000 SF	--	--	--	--	--	--	P*	--	--	--	*Sec. XX.*
8,001 - 12,000 SF	--	--	--	--	--	--	--	--	--	--	
Transportation											
Passenger terminal	--	--	--	--	--	--	--	--	--	--	
Helipad	--	--	--	--	--	--	--	--	--	S	
Truck stop	--	--	--	--	--	--	--	--	--	--	
Vehicle Sale and Service											
Vehicle sale and rental, light	--	--	--	--	--	--	--	--	--	--	
Vehicle sale and rental, heavy	--	--	--	--	--	--	--	--	--	--	
Vehicle service and repair, light											
Up to 8,000 SF	--	--	--	--	--	--	--	--	--	--	
Above 8,000 SF	--	--	--	--	--	--	--	--	--	--	
Vehicle service and repair, heavy	--	--	--	--	--	--	--	--	--	--	

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Use Category Specific Use	RESIDENTIAL (R-)					RESIDENTIAL MIX (RX-)			CIVIC (CV-)		Use Standards
	R1**	R2**	R3**	R4**	R5**	RX1**	RX2**	RX3**	CV1	CV2	
Car wash	--	--	--	--	--	--	--	--	--	P*	*Sec. XX.*
Fuel sales	--	--	--	--	--	--	--	--	--	--	
Wholesale Trade											
General wholesale trade											
Up to 15,000 SF	--	--	--	--	--	--	--	--	--	--	
Above 15,000 SF	--	--	--	--	--	--	--	--	--	--	
Showroom											
Up to 15,000 SF	--	--	--	--	--	--	--	--	--	--	
Above 15,000 SF	--	--	--	--	--	--	--	--	--	--	
Wholesale trade mart	--	--	--	--	--	--	--	--	--	--	
INDUSTRIAL USES											
Industrial and Manufacturing											
Low-impact industrial and manufacturing											
Up to 8,000 SF	--	--	--	--	--	--	--	--	--	--	
8,001 - 15,000 SF	--	--	--	--	--	--	--	--	--	--	
Above 15,000 SF	--	--	--	--	--	--	--	--	--	--	
High-impact industrial and manufacturing	--	--	--	--	--	--	--	--	--	--	
Crematorium	--	--	--	--	--	--	--	--	--	--	
Research and development	--	--	--	--	--	--	--	--	--	P*	*Sec. XX.*
Warehouse and Distribution											
General warehouse and distribution											
Up to 15,000 SF	--	--	--	--	--	--	--	--	--	--	
Above 15,000 SF	--	--	--	--	--	--	--	--	--	--	
Data Center											
Up to 8,000 SF	--	--	--	--	--	--	--	--	--	--	
Above 8,000 SF	--	--	--	--	--	--	--	--	--	--	

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Use Category Specific Use	RESIDENTIAL (R-)					RESIDENTIAL MIX (RX-)			CIVIC (CV-)		Use Standards
	R1**	R2**	R3**	R4**	R5**	RX1**	RX2**	RX3**	CV1	CV2	
Freight terminal	--	--	--	--	--	--	--	--	--	--	
Micro-distribution hub											
Up to 2,000 SF	--	--	--	--	--	--	--	--	--	--	
2,000 - 8,000 SF	--	--	--	--	--	--	--	--	--	--	
Self-storage	--	--	--	--	--	--	--	--	--	S*	*Sec. XX.*
Storage yard	--	--	--	--	--	--	--	--	--	--	
Waste-Related Service											
General waste-related service	--	--	--	--	--	--	--	--	--	--	
Green waste	--	--	--	--	--	--	--	--	--	--	
Recycling drop-off center	--	--	--	--	--	--	--	--	--	--	
ACCESSORY USES											
Accessory dwelling unit											
1 accessory dwelling unit	--	P*	P*	P*	P*	--	--	--	--	--	*Sec. XX.*
Up to 2 accessory dwelling units	--	--	P*	P*	P*	--	--	--	--	--	*Sec. XX.*
Up to 4 accessory dwelling units	--	--	--	P*	--	--	--	--	--	--	*Sec. XX.*
Accessory residential structure	P*	P*	P*	P*	P*	P*	P*	P*	--	--	*Sec. XX.*
Drive-in	--	--	--	--	--	--	--	--	--	--	
Drive-thru, enclosed	--	--	--	--	--	--	--	--	--	--	
Drive-thru, unenclosed	--	--	--	--	--	--	--	--	--	--	
EV charging station, levels 1 and 2	P	P	P	P	P	P	P	P	P	P	
EV charging station, level 3	--	--	--	--	--	P	P	P	P	P	
Home art studio and gallery	P*	P*	P*	P*	P*	P*	P*	P*	--	P*	*Sec. XX.*
Home occupation	P*	P*	P*	P*	P*	P*	P*	P*	--	P*	*Sec. XX.*
Hookah or vapor consumption	--	--	--	--	--	--	--	--	--	--	
Outdoor amplified sound	--	--	--	--	--	--	--	S*	--	--	*Sec. XX.*
Outdoor dining	--	--	--	--	P*	P*	P*	P*	--	--	*Sec. XX.*

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Use Category Specific Use	RESIDENTIAL (R-)					RESIDENTIAL MIX (RX-)			CIVIC (CV-)		Use Standards
	R1**	R2**	R3**	R4**	R5**	RX1**	RX2**	RX3**	CV1	CV2	
Outdoor display	--	--	--	--	P*	P*	P*	P*	--	--	*Sec. XX.*
Outdoor pet area	--	--	--	--	--	P	P	P	P	P	
Outdoor storage, minor	--	--	--	--	--	P*	P*	--	--	--	*Sec. XX.*
Outdoor storage, major	--	--	--	--	--	--	--	--	--	--	
Pedestrian bridge or tunnel	--	--	--	--	--	--	--	--	--	--	
Public Art	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	*Sec. XX.*
Renewable energy device	P	P	P	P	P	P	P	P	--	P	
TEMPORARY USES											
General temporary event											
Up to 90 days	--	--	--	--	--	--	--	P	P	P	
Beyond 90 days	--	--	--	--	--	--	--	S	P	S	
Active construction structure	P	P	P	P	P	P	P	P	P	P	
Temporary outdoor sales	--	--	--	--	--	--	--	--	P*	P*	*Sec. XX.*

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B. Use Table 2

Use Category Specific Use	NEIGHBORHOOD MIX (NX-)						MIXED-USE (MX-)														IND. FLEX (IX-)			IND. (I-)				Use Standards
	NX1**	NX2**	NX3**	NX4**	NX5**	NX6**	MX1	MX2	MX3	MX4	MX5	MX6	MX7	MX8	MX9	MX10	MX11**	MX12	MX13**	MX14	IX1	IX2	IX3**	I1	I2*	I1**	I2	
RESIDENTIAL USES																												
Household Living																												
General household living	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	--	Sec. XX.
Live-work	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*	--	Sec. XX.
Purpose-built student housing	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	--	
Group Living																												
General supervised group living	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	P*	S*	--	S*	--	--	Sec. XX.
General unsupervised group living	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	P*	S*	--	S*	--	S*	S*	--	Sec. XX.
Dormitory, fraternity, or sorority	--	--	--	--	--	--	--	--	--	S	P	S	S	S	S	P	S	S	S	P	S	S	S	--	S	--	--	
Emergency shelter	--	--	--	--	--	--	--	S*	S*	S*	--	S*	--	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	--	S*	--	Sec. XX.
Maternity supportive housing	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	P	P	
PUBLIC AND INSTITUTIONAL USES																												
Civic																												
General civic	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	P	P	
Community center, private	P	P	P	P	P	P	S	--	S	S	S	S	S	S	S	P	S	S	P	P	S	--	P	S	P	--	--	
Library or museum, private																												
Up to 8,000 SF	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	--	P	P	P	P	P	P	P	--	P	P	--	
Above 8,000 SF	S	S	S	S	S	S	P	--	P	P	P	P	P	P	--	--	P	P	P	P	--	P	P	--	P	P	--	
Religious assembly	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	P	P	

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Use Category Specific Use	NEIGHBORHOOD MIX (NX-)						MIXED-USE (MX-)													IND. FLEX (IX-)			IND. (I-)				Use Standards
	NX1**	NX2**	NX3**	NX4**	NX5**	NX6**	MX1	MX2	MX3	MX4	MX5	MX6	MX7	MX8	MX9	MX10	MX11**	MX12	MX13**	MX14	IX1	IX2	IX3**	I1	I2*	I1**	I2	
Private Education																												
General private education	--	--	--	--	--	--	S	S	P	S	P	P	P	P	P	P	P	P	P	P	P	--	P	~~P~~	~~P~~	--	--	
College or university, private	--	--	--	--	--	--	S	S	S	S	P	S	S	S	S	P	P	P	P	P	--	P	P	~~P~~	~~P~~	P	P	
Commercial school																												
Up to 8,000 SF	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	P	
Above 8,000 SF	--	--	--	--	--	--	--	P	P	P	P	P	P	P	P	--	P	--	P	P	--	P	P	~~P~~	~~P~~	P	P	
Day care, private																												
Up to 8,000 SF	P	P	P	P	P	P	P	S	P	S	S	S	S	S	S	P	P	P	P	P	P	P	P	~~--~~	~~P~~	P	--	
Above 8,000 SF	S	S	S	S	S	S	P	S	P	S	S	S	S	S	S	P	P	P	P	P	S	P	P	~~--~~	~~P~~	P	--	
Parks and Open Space																												
General parks and open space	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~~	P	P	
Cemetery	--	--	--	--	--		--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	~~--~~	~~--~~	S	S	
Utility																												
General utility	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~~	P	P	
Commercial wind or solar	--	--	--	--	--		--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	--	~~P~~	~~--~~	P	P	
Wireless Telecommunication																												
Type I: Modification	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*~~	P*	P*	*Sec. XX.*
Type II: Small wireless collocation	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*~~	P*	P*	*Sec. XX.*
Type III: Non-small wireless collocation	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*~~	P*	P*	*Sec. XX.*
Type IV: Small wireless structure	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*~~	P*	P*	*Sec. XX.*
Type V: Non-small wireless structure	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	~~S*~~	~~S*~~	S*	S*	*Sec. XX.*

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Use Category Specific Use	NEIGHBORHOOD MIX (NX-)						MIXED-USE (MX-)													IND. FLEX (IX-)			IND. (I-)				Use Standards
	NX1**	NX2**	NX3**	NX4**	NX5**	NX6**	MX1	MX2	MX3	MX4	MX5	MX6	MX7	MX8	MX9	MX10	MX11**	MX12	MX13**	MX14	IX1	IX2	IX3**	I1	I2*	I1**	I2	
COMMERCIAL USES																												
Adult Establishment																												
Adult Establishment	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	~~--~~	~~--~~	P*	P*	*Sec. XX.*
Agriculture																												
Farmers market	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*	P*	*Sec. XX.*
Indoor growing system	--	--	--	--	--	--	P	--	--	P	P	P	P	--	P	--	P	--	P	P	P	--	P	~~P~~	~~P~~	P	P	
Urban garden	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*~~	P*	P*	*Sec. XX.*
Entertainment and Recreation																												
General indoor entertainment and recreation																												
Up to 8,000 SF	P	P	S	--	P	P	--	P	P	P	P	P	P	P	P	P	P	S	P	P	S	P	P	~~P~~	~~S~~	P	--	
Above 8,000 SF	--	--	--	--	--	S	--	S	P	--	--	P	P	P	P	P	P	S	P	P	--	P	P	~~P~~	~~S~~	P	--	
General outdoor entertainment and recreation	--	--	--	--	--	--	--	--	--	--	P	--	P	--	--	--	P	--	--	P	--	--	P	~~--~~	~~P~~	P	P	
ATV park	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	~~--~~	~~--~~	S*	S*	*Sec. XX.*
Club, private																												
Up to 8,000 SF	P	S	P	P	P	S	P	--	P	P	P	P	P	P	P	P	P	P	P	P	--	P	P	~~--~~	~~P~~	P	P	
Above 8,000 SF	--	S	--	--	--	S	--	--	P	--	P	P	P	P	P	P	P	P	P	P	--	P	P	~~--~~	~~P~~	P	P	
Convention hall or event facility																												
Up to 8,000 SF	P	P	S	--	S	P	--	P	P	P	P	P	P	P	P	P	P	S	P	P	--	P	P	~~P~~	~~S~~	P	--	
Above 8,000 SF	--	--	--	--	--	S	--	--	P	P	P	P	P	P	P	P	P	S	P	P	--	P	P	~~P~~	~~S~~	P	--	
Golf course	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	~~--~~	~~--~~	--	--	

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Use Category Specific Use	NEIGHBORHOOD MIX (NX-)						MIXED-USE (MX-)														IND. FLEX (IX-)			IND. (I-)				Use Standards
	NX1**	NX2**	NX3**	NX4**	NX5**	NX6**	MX1	MX2	MX3	MX4	MX5	MX6	MX7	MX8	MX9	MX10	MX11**	MX12	MX13**	MX14	IX1	IX2	IX3**	I1	I2*	I1**	I2	
Lounge or nightclub																												
Up to 8,000 SF	P	P	--	--	--	--	--	--	P	P	P	P	P	P	P	P	P	S	P	S*	--	P	P	P	--	P	--	Sec. XX.
Above 8,000 SF	--	--	--	--	--	--	--	--	P	--	--	P	P	P	P	P	P	S	P	--	--	P	P	P	--	P	--	
Party house	S*	S*	S*	S*	S*	--	--	--	P*	--	--	P*	--	P*	P*	P*	P*	S*	S*	P*	S*	S*	P*	--	P*	--	--	Sec. XX.
Sports arena, stadium, or field	--	--	--	--	--	--	--	--	--	--	P	--	S	--	--	S	--	--	--	S	--	--	--	--	--	--	--	
Food and Beverage																												
General food and beverage																												
Up to 2,000 SF	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	P	--	
2,001 - 4,000 SF	P	P	P	P	P	P	P	S	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	--	
4,001 - 8,000 SF	P	P	P	P	P	P	--	S	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	--	
Above 8,000 SF	--	--	--	--	--	--	--	S	P	P	P	P	P	P	P	--	P	P	P	P	--	P	P	P	P	--	--	
Bakery, wholesale																												
Up to 2,000 SF	--	--	--	--	--	P*	P	--	--	P	P	P	P	P	P	P	P	P	--	P	P	P	P	P	P	P	P	Sec. XX.
2,001 - 8,000 SF	--	--	--	--	--	P*	P	--	--	P	P	P	P	P	P	P	P	P	--	P	P	P	P	P	P	P	P	Sec. XX.
Above 8,000 SF	--	--	--	--	--	--	--	--	--	P	--	P	P	--	P	S	P	P	--	P	P	P	P	P	P	P	P	
Bar																												
Up to 2,000 SF	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	P	--	Sec. XX.
2,001 - 4,000 SF	P	P	P	P	P	P*	P	S	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	--	Sec. XX.
4,001 - 8,000 SF	P	P	P	P	P	P*	--	S	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	--	Sec. XX.
Above 8,000 SF	--	--	--	--	--	--	--	S	P	--	P	P	P	P	P	P	P	P	P	P	--	P	P	P	P	--	--	
Catering establishment																												
Up to 2,000 SF	P	P	P	P	P	P*	P	P	P	P	P	P	P	P	P	P	P	P	--	P	P	--	P	--	P	P	P	Sec. XX.
2,001 - 8,000 SF	--	--	--	--	--	P*	P	P	P	P	P	P	P	P	P	P	P	P	--	P	--	--	P	--	P	P	P	Sec. XX.
Above 8,000 SF	--	--	--	--	--	--	--	--	P	P	P	P	--	P	P	P	P	P	--	P	--	--	P	--	P	P	P	

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Use Category / Specific Use	NEIGHBORHOOD MIX (NX-)						MIXED-USE (MX-)													IND. FLEX (IX-)			IND. (I-)				Use Standards
	NX1**	NX2**	NX3**	NX4**	NX5**	NX6**	MX1	MX2	MX3	MX4	MX5	MX6	MX7	MX8	MX9	MX10	MX11**	MX12	MX13**	MX14	IX1	IX2	IX3**	I1	I2*	I1**	I2	
Delivery-based commercial kitchen	--	--	--	--	--	P*	--	--	--	--	--	--	--	--	--	--	P	--	--	--	--	--	P	~~--~~	~~P~~	--	--	*Sec. XX.*
Microbrewery, microdistillery, or winery	--	S*	--	--	--	S	--	--	--	--	--	--	--	--	--	P	P	P	--	P	P	P	P	~~P~~	~~P~~	P	P	*Sec. XX.*
Lodging																												
General lodging																												
Up to 30 guest rooms	S*	S*	S*	--	S*	--	--	S	S	P	P	S	P	P	P	S	S	S	P	P	--	P	P	~~S~~	~~P~~	P	--	*Sec. XX.*
Above 30 guest rooms	--	--	--	--	--	--	--	--	S	S	P	--	P	P	P	S	S	S	P	P	--	P	P	~~--~~	~~P~~	P	--	
Bed and breakfast	--	--	--	--	--	--	P*	--	--	P*	--	--	P*	--	--	--	--	--	--	--	--	--	--	~~P*~~	~~--~~	--	--	*Sec. XX.*
Short-term rental	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*	--	*Sec. XX.*
Medical																												
General medical																												
Up to 2,000 SF	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	P	
2,001 - 8,000 SF	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	
Above 8,000 SF	--	--	--	--	--	--	--	--	P	P	P	P	P	--	P	P	P	P	P	P	P	P	P	~~--~~	~~P~~	P	P	
Hospital	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	S	--	--	P	--	--	--	~~--~~	~~--~~	--	P	
Medical laboratory	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	--	P	P	~~--~~	~~P~~	P	P	
Office																												
General office																												
Up to 2,000 SF	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~~	P	P	
2,001 - 8,000 SF	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~~	P	P	
Above 8,000 SF	--	--	--	--	--	--	--	--	--	P	P	P	P	--	P	--	P	P	P	P	--	P	P	~~P~~	~~P~~	P	P	
Sound recording studio																												
Up to 2,000 SF	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~~	P	P	
2,001 - 8,000 SF	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	~~S~~	~~S~~	S	S	
Above 8,000 SF	--	--	--	--	--	--	--	--	S	S	S	S	S	--	S	--	S	--	S	S	--	S	S	~~S~~	~~S~~	S	S	

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Use Category Specific Use	NEIGHBORHOOD MIX (NX-)						MIXED-USE (MX-)													IND. FLEX (IX-)			IND. (I-)				Use Standards
	NX1**	NX2**	NX3**	NX4**	NX5**	NX6**	MX1	MX2	MX3	MX4	MX5	MX6	MX7	MX8	MX9	MX10	MX11**	MX12	MX13**	MX14	IX1	IX2	IX3**	~~I1~~	~~I2*~~	I1**	I2	
Parking																												
Commercial parking lot	S	S	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	S	S	--	S	P	S	~~--~~	~~S~~	--	--	
Commercial parking structure	S	S	S	S	S	--	--	--	--	S	S	S	S	S	S	--	P	P	P	P	S	P	S	~~--~~	~~S~~	--	--	
Personal Service																												
General personal service																												
Up to 2,000 SF	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~~	P	--	
2,001 - 8,000 SF	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	--	
Above 8,000 SF	--	--	--	--	--	--	--	--	P	--	S	P	P	P	P	P	P	P	P	P	--	P	P	~~P~~	~~P~~	P	--	
Animal care, indoor																												
Up to 8,000 SF	P*	P*	P*	P*	P*	P*	--	--	--	--	--	--	--	--	--	P*	P*	P*	P*	P*	P*	P*	P*	~~--~~	~~P*~~	P*	P*	*Sec. XX.*
Above 8,000 SF	--	P*	--	--	--	--	--	--	--	--	--	--	--	--	--	P*	P*	P*	P*	P*	--	P*	P*	~~--~~	~~P*~~	P*	P*	*Sec. XX.*
Animal care, outdoor	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P*	~~--~~	~~P*~~	P*	P*	*Sec. XX.*
Body art studio																												
Up to 8,000 SF	P*	P*	P*	--	P*	P*	P*	P*	P*	P*	S*	S*	P*	S*	P*	--	P*	P*	P*	P*	--	P*	--	~~--~~	~~P~~	--	--	*Sec. XX.*
Above 8,000 SF	--	--	--	--	--	--	--	--	P*	P*	S*	S*	P*	S*	P*	--	P*	P*	P*	P*	--	P*	--	~~--~~	~~P~~	--	--	
Funeral home	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P*	S*	--	P*	--	--	--	~~--~~	~~--~~	--	--	*Sec. XX.*
Hair or nail salon																												
Up to 2,000 SF	P*	P*	P*	P*	P*	P*	P	P	P	P	P	S	P	S	P	P	P	P	P	P	P	P	P	~~--~~	~~P~~	P	--	*Sec. XX.*
2,001 - 8,000 SF	P*	P*	P*	P*	P*	P*	P	P	P	P	P	S	P	S	P	P	P	P	P	P	P	P	P	~~--~~	~~P~~	P	--	*Sec. XX.*
Above 8,000 SF	--	--	--	--	--	--	--	--	P	P	S	S	P	S	--	P	P	P	P	P	--	P	P	~~--~~	~~P~~	P	--	
Laundry service																												
Up to 2,000 SF	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	--	*Sec. XX.*
2,001 - 8,000 SF	--	--	--	--	--	--	P	P*	P	P	P	P	P	P	P	P	P	P	P	P	--	P	P	~~P~~	~~P~~	P	--	*Sec. XX.*
Above 8,000 SF	--	--	--	--	--	--	--	--	P	--	--	--	--	--	--	P	P	P	P	--	--	P	P	~~P~~	~~P~~	P	--	

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Use Category Specific Use	NEIGHBORHOOD MIX (NX-)						MIXED-USE (MX-)													IND. FLEX (IX-)			IND. (I-)				Use Standards
	NX1**	NX2**	NX3**	NX4**	NX5**	NX6**	MX1	MX2	MX3	MX4	MX5	MX6	MX7	MX8	MX9	MX10	MX11**	MX12	MX13**	MX14	IX1	IX2	IX3**	~~I1~~	~~I2*~~	I1**	I2	
Retail																												
General retail																												
Up to 2,000 SF	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~~	P	--	
2,001 - 8,000 SF	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~~	P	--	
8,001 - 15,000 SF	S	S	S	S	S	S	P	--	P	P	P	P	P	P	P	P	P	P	P	P	S	P	P	~~P~~	~~P~~	P	--	
Above 15,000	--	--	--	--	--	--	--	--	P	P	P	P	P	P	P	P	P	P	P	P	--	P	P	~~P~~	~~P~~	P	--	
Alternative financial service	--	--	--	--	--	--	--	--	P*	--	P*	P*	--	--	P*	P*	P*	P*	P*	P*	--	--	--	~~--~~	~~--~~	P*	--	*Sec. XX.*
Artisan workshop																												
Up to 2,000 SF	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~~	P	P	
2,001 - 8,000 SF	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~~	P	P	
8,001 - 15,000 SF	S	S	S	S	S	S	P	--	P	P	P	P	P	P	P	P	P	P	P	P	S	P	P	~~P~~	~~P~~	P	P	
Above 15,000 SF	--	--	--	--	--	--	--	--	P	P	P	P	P	P	P	P	P	P	P	P	--	--	P	~~P~~	~~P~~	P	P	
Grocery store																												
Up to 2,000 SF	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~~	P	--	
2,001 - 8,000 SF	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~~	P	--	
8,001 - 15,000 SF	P	P	P	P	P	P	--	--	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	~~P~~	~~P~~	P	--	
15,001 - 25,000 SF	S*	--	S*	--	S*	S*	--	--	P	P	P	P	P	P	P	P	P	P	P	P	S	P	P	~~P~~	~~P~~	P	--	*Sec. XX.*
Above 25,000 SF	--	--	--	--	--	--	--	--	P	P	P	P	P	P	P	P	P	P	P	P	--	P	P	~~P~~	~~P~~	P	--	
Hookah or vape store																												
Up to 8,000 SF	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*	--	*Sec. XX.*
8,001 - 15,000 SF	S*	S*	S*	S*	S*	S*	--	--	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	--	S*	P*	P*	~~P*~~	~~P*~~	P*	--	*Sec. XX.*
Above 15,000	--	--	--	--	--	--	--	--	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	--	--	P*	P*	~~P*~~	~~P*~~	P*	--	*Sec. XX.*
Package store																												
Up to 8,000 SF	P*	P*	S*	P*	P*	P*	P	P	--	--	P	P	P	P	P	P	P	P	P	P	P	--	P	~~P~~	~~P~~	P	--	
8,001 - 15,000 SF	S*	S*	S*	S*	S*	S*	--	--	--	--	P	P	P	P	P	P	P	P	P	P	S	--	P	~~P~~	~~P~~	P	--	
Above 15,000 SF	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	P	P	P	P	P	--	--	--	~~P~~	~~P~~	P	--	

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Use Category Specific Use	NEIGHBORHOOD MIX (NX-)						MIXED-USE (MX-)													IND. FLEX (IX-)			IND. (I-)				Use Standards
	NX1**	NX2**	NX3**	NX4**	NX5**	NX6**	MX1	MX2	MX3	MX4	MX5	MX6	MX7	MX8	MX9	MX10	MX11**	MX12	MX13**	MX14	IX1	IX2	IX3**	I1	I2*	I1**	I2	
Retail bank																												
Up to 8,000 SF	P*	P*	S*	P*	P*	P*	P	P	P	P	P	P	P	P	P	P	P	P	P	P	--	P	P	~~P~~	~~P~~	P	--	*Sec. XX.*
Above 8,000 SF	--	--	--	--	--	S*	--	--	P	P	P	P	P	P	P	P	P	P	P	P	--	P	P	~~P~~	~~P~~	P	--	*Sec. XX.*
Small discount variety store																												
Up to 2,000 SF	P*	P*	--	P*	P*	--	P*	--	--	--	P*	P*	--	P*	P*	P*	P*	P*	P*	P*	--	P*	P*	~~P*~~	~~P*~~	P*	--	*Sec. XX.*
2,001 - 8,000 SF	P*	P*	--	P*	P*	--	--	--	--	--	P*	P*	--	P*	P*	P*	P*	P*	P*	P*	--	P*	P*	~~P*~~	~~P*~~	P*	--	*Sec. XX.*
8,001 - 12,000 SF	S*	S*	--	S*	S*	--	--	--	--	--	P*	P*	--	P*	P*	P*	P*	P*	P*	P*	--	P*	P*	~~P*~~	~~P*~~	P*	--	
Transportation																												
Passenger terminal	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	--	--	--	~~--~~	~~--~~	--	--	
Helipad	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	S	S	--	S	S	--	--	~~--~~	~~S~~	--	--	
Truck stop	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	~~--~~	~~--~~	S*	S*	*Sec. XX.*
Vehicle Sale and Service																												
Vehicle sale and rental, light	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P*	P*	P*	P*	--	P*	--	~~--~~	~~S*~~	P*	P*	*Sec. XX.*
Vehicle sale and rental, heavy	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	~~--~~	~~--~~	P*	P*	*Sec. XX.*
Vehicle service and repair, light																												
Up to 8,000 SF	P*	P*	P*	--	--	--	--	--	--	--	--	--	P*	--	--	--	P*	P*	P*	P*	--	S*	P*	~~P*~~	~~S*~~	P*	P*	*Sec. XX.*
Above 8,000 SF	--	--	--	--	--	--	--	--	--	--	--	--	P*	--	--	--	P*	--	P*	P*	--	--	--	~~P*~~	~~S*~~	P*	P*	*Sec. XX.*
Vehicle service and repair, heavy	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P*	--	--	--	~~--~~	~~--~~	P*	P*	*Sec. XX.*
Car wash	--	--	--	--	--	--	--	--	--	S*	--	--	S*	S*	S*	--	P*	P*	P*	P*	--	P*	P*	~~S*~~	~~S*~~	P*	P*	*Sec. XX.*
Fuel sales	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P*	--	P*	--	--	P*	--	~~P*~~	~~--~~	--	--	*Sec. XX.*
Wholesale Trade																												
General wholesale trade																												
Up to 15,000 SF	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	--	P	--	~~--~~	~~P~~	--	--	
Above 15,000 SF	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	--	--	--	~~--~~	~~P~~	--	--	

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Use Category Specific Use	NEIGHBORHOOD MIX (NX-)						MIXED-USE (MX-)														IND. FLEX (IX-)			IND. (I-)				Use Standards
	NX1**	NX2**	NX3**	NX4**	NX5**	NX6**	MX1	MX2	MX3	MX4	MX5	MX6	MX7	MX8	MX9	MX10	MX11**	MX12	MX13**	MX14	IX1	IX2	IX3**	I1	I2*	I1**	I2	
Showroom																												
Up to 15,000 SF	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	P	P	--	P	P	P	
Above 15,000 SF	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	--	S	P	--	P	P	P	
Wholesale trade mart	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	--	--	P	--	--	--	--	
INDUSTRIAL USES																												
Industrial and Manufacturing																												
Low-impact industrial and manufacturing																												
Up to 8,000 SF	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	P*	P*	*Sec. XX.*
8,001 - 15,000 SF	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P*	P*	--	P*	P	P	P*	P*	
Above 15,000 SF	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S*	--	--	P*	P	P	P*	P*	*Sec. XX.*
High-impact industrial and manufacturing	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S*	*Sec. XX.*
Crematorium	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	
Research and development	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P*	P*	P*	P*	--	--	P*	--	P*	P*	P*	*Sec. XX.*
Warehouse and Distribution																												
General warehouse and distribution																												
Up to 15,000 SF	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	--	P	P	P	
Above 15,000 SF	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	P	--	P	P	P	
Data Center																												
Up to 8,000 SF	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S*	--	--	--	S*	S*	--	S*	--	P*	S*	S*	*Sec. XX.*
Above 8,000 SF	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S*	--	--	--	S*	--	--	S*	--	S*	S*	S*	*Sec. XX.*
Freight terminal	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	S	

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	NX1**	NX2**	NX3**	NX4**	NX5**	NX6**	MX1	MX2	MX3	MX4	MX5	MX6	MX7	MX8	MX9	MX10	MX11**	MX12	MX13**	MX14	IX1	IX2	IX3**	I1	I2*	I1**	I2	
Micro-distribution hub																												
Up to 2,000 SF	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	P	P	
2,000 - 8,000 SF	--	--	--	--	--	--	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Self-storage	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S*	S*	--	S*	--	--	--	--	S*	S*	S*	Sec. XX.
Storage yard	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P*	P*	P*	P*	P*	Sec. XX.
Waste-Related Service																												
General waste-related service	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S*	Sec. XX.
Green waste	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P*	--	S*	S*	Sec. XX.
Recycling drop-off center	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P*	P*	P*	P*	P*	Sec. XX.
ACCESSORY USES																												
Accessory dwelling unit																												
1 accessory dwelling unit	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P*	P	P	P*	P*	
Up to 2 accessory dwelling units	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	
Up to 4 accessory dwelling units	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	
Accessory residential structure	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	--	--	--	--	--	--	--	Sec. XX.
Drive-in	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P*	P*	P*	P*	--	--	--	--	--	--	P*	P*	--	Sec. XX.
Drive-thru, enclosed	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P*	P*	P*	P*	--	--	--	--	--	--	P*	P*	--	Sec. XX.
Drive-thru, unenclosed	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P*	P*	P*	--	--	--	--	--	--	--	P*	P*	--	Sec. XX.
EV charging station, levels 1 and 2	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	P	P	
EV charging station, level 3	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	P	P	
Home art studio and gallery	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*	P*	P*	Sec. XX.

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	NX1**	NX2**	NX3**	NX4**	NX5**	NX6**	MX1	MX2	MX3	MX4	MX5	MX6	MX7	MX8	MX9	MX10	MX11**	MX12	MX13**	MX14	IX1	IX2	IX3**	I1	I2*	I1**	I2	
Home occupation	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*	P*	P*	*Sec. XX.*
Hookah or vapor consumption	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	P	--	
Outdoor amplified sound	--	--	--	--	--	--	P*	--	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	--	*Sec. XX.*
Outdoor dining	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*	P*	--	*Sec. XX.*
Outdoor display	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*	P*	--	*Sec. XX.*
Outdoor pet area	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	P	--	
Outdoor storage, minor	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*	P*	*Sec. XX.*
Outdoor storage, major	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P*	P*	P*	P*	--	P*	P*	P*	P*	P*	P*	P*	*Sec. XX.*
Pedestrian bridge or tunnel	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P*	--	--	--	--	--	--	--	*Sec. XX.*
Public Art	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	S*	*Sec. XX.*
Renewable energy device	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	P	P	
TEMPORARY USES																												
General temporary event																												
Up to 90 days	P	P	P	P	P	P	S	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Beyond 90 days	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		
Active construction structure	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	P	P	
Temporary outdoor sales	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*	P*	P*	*Sec. XX.*

KEY: **P** = Use allowed **S** = Use allowed by Special Use Permit **--** = Use not allowed
***** = Use standards apply, see *Div. 4.5. Specific Use Standards* ****** = Use District standards apply, see *Div. 4.3. Use District Standards*

DIVISION 4.3. USE DISTRICT STANDARDS

Sec. 4.3.1. Residential (R-) Use Districts

A. Intent

The Residential (R-) Use Districts are intended to support a variety of residential living options while preserving the character and scale of established neighborhoods. These districts prioritize housing, but may allow limited nonresidential uses, such as small-scale commercial or service uses, where appropriate, especially in historically mixed-use buildings. Standards are designed to maintain neighborhood compatibility, protect housing supply, and ensure that redevelopment or reuse of older buildings contributes to community stability and resilience.

B. Use District Standards

1. Applicability

The following use district standards apply only where the use table includes an asterisk (*) with the Use District name. Where no asterisk is present in the use table, these use district standards do not apply.

2. R5 Use District

a. Commercial Uses

i. Commercial uses are permitted only on or below the ~~street-level~~ ground story.

ii. When ~~nonresidential~~ commercial floor area exceeds 20,000 square feet or 0.5 times the net lot area, whichever is less, an equivalent or greater amount of residential floor area must be provided, up to the maximum permitted floor area.

3. All Residential (R-) Use Districts

a. Commercial Uses

Where commercial uses are allowed, the following standards apply:

i. The use must be located directly adjacent to the primary or side street;

ii. The Corner Store Alternate Form (*Sec. XX*) may be used.

b. Pre-1946 Commercial Use Buildings

i. In buildings used for a commercial purpose before 1946, the building is considered conforming and the following uses are allowed:

a) Day care, private;

b) General food and beverage;

c) General office;

d) General personal service;

e) Hair or nail salon;

f) General retail;

g) Artisan workshop; and

h) Grocery store.

ii. In buildings used for a commercial purpose before 1946, the building is considered conforming and the following uses are allowed with a Special Use Permit:

a) Bar.

iii. These provisions do not apply to buildings where a commercial use was established after 1945. These uses are considered nonconforming and must adhere to the standards in *Sec. XX, Nonconformities*.

c. Pre-1946 Residential Use Buildings

i. In buildings that contained multiple dwelling units before 1946, and the number of dwelling units is greater than what is allowed by the Form District, the building and number of dwelling units are considered conforming and may be re-established at any time.

ii. Additions to these buildings that increase the existing number of dwelling units are not permitted.

iii. Renovations are only permitted if the total number of existing dwelling units is not increased.

iv. If a building using this provision is unintentionally damaged by an act of nature, fire, flooding, or similar event, and the renovation cost does not exceed 60% of the replacement value of the building, the building and the existing number of dwelling units may be re-established and are considered conforming. Damaged or destroyed buildings not meeting this threshold are considered nonconforming and must adhere to the standards in *Sec. XX, Nonconformities*.

v. This provision does not apply to buildings where multiple dwelling units were first established after 1945. These dwelling units are considered nonconforming and must adhere to the standards in *Sec. XX, Nonconformities*.

Sec. 4.3.2. Residential Mix (RX-) Use Districts

A. Intent

The Residential Mix (RX-) Use Districts are intended to promote walkable, mixed-use neighborhoods that combine residential and limited commercial uses in a compatible and balanced way. These districts prioritize housing while allowing small-scale, ground-level commercial activity that serves nearby residents. Standards ensure that residential uses remain the primary focus of development, while encouraging active street frontages and neighborhood-serving businesses.

B. Use District Standards

1. Applicability

The following use district standards apply only where the use table includes an asterisk (*) with the Use District name. Where no asterisk is present in the use table, these use district standards do not apply.

2. All Residential Mix (RX-) Use Districts

a. Commercial Uses

Where commercial uses are allowed, the following standards apply:

i. Commercial uses are restricted to the ground story;

ii. The total floor area of residential uses must exceed the total floor area of commercial uses on the site; and

iii. Commercial uses must be located directly adjacent to the primary or side street.

Sec. 4.3.3. Neighborhood Mix (NX-) Use Districts

A. Intent

Neighborhood Mix (NX-) Use Districts are intended to support a diverse mix of residential, commercial, and service uses that contribute to active, livable neighborhoods. These districts allow for a broader range of uses than purely residential areas, while still maintaining compatibility with surrounding development through use limitations, hours of operation, and design standards. The intent is to foster vibrant, walkable communities that offer convenient access to daily needs without disrupting neighborhood character.

B. Use District Standards

1. Applicability

The following use district standards apply only where the use table includes an asterisk (*) with the Use District name. Where no asterisk is present in the use table, these use district standards do not apply.

2. All Neighborhood Mix (NX-) Use Districts

a. Entertainment and Recreation Uses

Entertainment and recreation uses must follow the hours of operation in *City of Atlanta Code of Ordinances, Section 10-209*, whether or not alcohol is served.

3. NX2 Use District

a. Commercial Uses

i. Commercial uses, except entertainment and recreation uses, food and beverage uses, and grocery store, are not allowed to operate between the hours of 12:00 a.m. to 6:30 a.m. on Monday through Thursday, except January 1st.

ii. Commercial uses, except entertainment and recreation uses, food and beverage uses, and grocery store, are not allowed to operate between the hours of 2:00 a.m. to 6:30 a.m. on Friday through Sunday and January 1st.

b. Food and Beverage Uses

i. Food and beverage uses are not allowed to operate between the hours of 2:00 a.m. to 6:30 a.m. on Monday through Thursday.

ii. There is no limit to the hours of operation on Friday through Sunday.

4. NX3 Use Districts

a. Commercial Uses

i. Commercial uses, except entertainment and recreation uses, food and beverage uses, and grocery store, are not allowed to operate between the hours of 12:00 a.m. to 6:30 a.m. on Monday through Thursday, except January 1st.

ii. Commercial uses, except entertainment and recreation uses, food and beverage uses, and grocery store, are not allowed to operate between the hours of 2:00 a.m. to 6:30 a.m. on Friday through Sunday and January 1st.

b. Entertainment and Recreation Uses

Entertainment and recreation uses must be conducted within a fully enclosed building.

5. NX4 Use District

a. Commercial Uses

Commercial uses are not allowed to operate between the hours of 2:00 a.m. to 6:30 a.m.

6. NX6 Use District

a. Entertainment and Recreation Uses

Entertainment and recreation uses must be conducted within a fully enclosed building.

b. Food and Beverage Uses

i. Food and beverage uses are not allowed to operate between the hours of 12:00 a.m. to 6:30 a.m. on Monday through Thursday.

ii. Food and beverage uses are not allowed to operate between the hours of 2:00 a.m. to 6:30 a.m. on Friday through Sunday and January 1st.

Sec. 4.3.4. Mixed-Use (MX-) Use Districts

A. Intent

Mixed-Use (MX-) Use Districts are intended to support vibrant, walkable areas where residential, commercial, and civic uses are integrated within the same site or building. These districts encourage higher-intensity development that promotes a mix of activities, supports transit use, and fosters a dynamic public realm. Standards are designed to ensure compatibility among uses, enhance street-level activity, and create complete, connected neighborhoods.

B. Use District Standards

1. MX11 Use District

a. Vehicle Sale and Services

~~Gasoline~~ Fuel dispensers and related vehicular services, such as air pumps and car washes, must not be located between the building and the street.

2. MX13 Use District

a. Office Uses

All office buildings with more than 50,000 square feet of gross office space must provide showering facilities, consisting of showers and lockers, at a minimum ratio of two facilities per 50,000 square feet. These facilities must be accessible to all tenants and their employees. No building is required to provide more than four showering facilities in total.

Sec. 4.3.5. Industrial Flex (IX-) Use Districts

A. Intent

Industrial-Flex (IX-) Use Districts are intended to support a mix of light industrial, employment, and limited non-industrial uses in a flexible development format. These districts prioritize industrial activity, such as production, repair, and small-scale manufacturing, while allowing compatible nonindustrial uses that contribute to job creation and economic vitality. Standards ensure that industrial uses remain a primary component of development, while accommodating evolving business models and supporting workforce-oriented uses in a modern, adaptable environment.

B. Use District Standards

1. Applicability

The following use district standards apply only where the use table includes an asterisk (*) with the Use District name. Where no asterisk is present in the use table, these use district standards do not apply.

2. IX3 Use District

a. Industrial Uses Required

i. In order to provide nonindustrial uses on a lot, a project must also provide a minimum amount of industrial uses meeting the standards for one of the options for industrial use requirement below.

ii. Nonindustrial uses must be provided concurrently with industrial uses, meeting the standards of the concurrency requirement below.

iii. The following uses, when allowed by the Use District, count toward the minimum required amount of industrial uses:

a) Industrial uses, except self-storage.

b) Accessory outdoor storage, minor and major.

c) Animal care, indoor.

d) Animal care, outdoor.

e) Artisan workshop.

f) Bakery, wholesale.

g) Catering establishment.

h) Commercial or trade school, provided the curriculum relates to a permitted industrial use.

i) Data centers, provided the combined floor area of this use and any grocery store use is limited to no more than 50% of the industrial use requirement.

j) Day care, private.

k) Delivery-based kitchen.

l) General office, provided the use supports the functionality and workforce needs of industrial use. Typical examples include office space for printing, maintenance, mailing, bookkeeping, and security services.

m) General personal service, provided the use offers repair service. Typical examples include locksmith; repair of consumer goods, such as appliances, clothes, shoes, clocks, watches, jewelry, electronics, and appliances; tailor, custom dressmaking, millinery; tinsmith, plating, or plumbing shop; and furniture repair or upholster.

n) Grocery store, provided the total floor area of this use is no larger than 30,000 square feet and the combined floor area of this use and any data center use is limited to no more than 50% of the industrial use requirement.

o) Indoor growing system.

p) Live-work, provided the nonresidential floor area exceeds the residential floor area.

q) Medical laboratory.

r) Microbrewery, microdistillery, or winery.

b. Options for Industrial Use Requirement

To satisfy the industrial use requirement, a project must meet the standards of one of the following options. The industrial use requirement will be triggered once 80% of the approved residential and commercial development has been constructed.

i. Option 1: Fixed Ratio Standards

a) The total floor area of all industrial uses must equal or exceed either:

1) 15% of the total floor area of nonindustrial uses with occupancy permits, or

2) 0.3 times the net lot area (NLA), whichever is less.

ii. Option 2: Lot Size Standards

a) Based on the size of an existing lot of record, the industrial use requirement may be satisfied by meeting the requirements in the following table:

Lot Size	Industrial Use Required (min)	Industrial Use Required (max)
less than 1 acre	2,000 SF	2,000 SF
1 to < 5 acres	30% of floor area or 0.30 FAR , whichever is less	50,000 SF
5 to < 10 acres	25% of floor area or 0.25 FAR, whichever is less	100,000 SF
10 to < 15 acres	20% of floor area or 0.20 FAR, whichever is less	125,000 SF
15 acres or larger	15% of floor area or 0.15 FAR, whichever is less	150,000 SF

b) The applicant may choose to provide the minimum required amount of industrial use based on the percentage of total floor area dedicated to industrial uses or FAR, whichever is less.

c) The maximum industrial use required caps the floor area of industrial uses that are required. An applicant may choose to provide more industrial uses beyond the cap, but it is not required to satisfy the industrial use requirements.

c. Concurrency Requirement for Industrial Uses

i. To accommodate phased implementation, no more than 80% of the total proposed floor area for nonindustrial uses may be constructed prior to the construction of any industrial uses. After 80% of the proposed nonindustrial floor area is constructed, construction of the required industrial uses is required.

~~% of Allowed Nonindustrial Floor Area with Occupancy Permit (max)~~	~~% of Required Industrial Floor Area with Occupancy Permit (min)~~
~~up to 10% of total proposed nonindustrial floor area~~	~~0% of total required industrial floor area~~
~~10% to < 25% of total proposed nonindustrial floor area~~	~~10% of total required industrial floor area~~
~~25% to < 50% of total proposed nonindustrial floor area~~	~~25% of total required industrial floor area~~
~~50% to < 75% of total proposed nonindustrial floor area~~	~~50% of total required industrial floor area~~
~~75% or more of total proposed nonindustrial floor area~~	~~100% of total required industrial floor area~~

ii. The percentage of allowed floor area for nonindustrial uses and required floor area for industrial uses is calculated based on the total floor area proposed for nonindustrial and industrial uses once all phases of the project are complete, and is not calculated per project phase.

Sec. 4.3.6. Industrial (I-) Use Districts

A. Intent

Industrial (I-) Use Districts are intended to accommodate a wide range of manufacturing, logistics, warehousing, and other industrial activities that support the city's economic base. These districts are designed to prioritize industrial operations while limiting residential and commercial uses to minimize conflicts and ensure long-term viability for industrial businesses. Limited nonindustrial uses may be allowed in older buildings to support adaptive reuse and preserve the industrial character of established areas.

B. Use District Standards

1. Applicability

The following use district standards apply only where the use table includes an asterisk (*) with the Use District name. Where no asterisk is present in the use table, these use district standards do not apply.

2. I1 ~~and I3~~ Use Districts

a. Buildings at Least 50 Years Old

The following uses are only allowed in buildings that are at least 50 years old:

i. Residential uses.

ii. Entertainment and recreation uses.

iii. Food and beverage uses, except deliverable based commercial kitchen.

iv. Lodging uses.

v. Medical uses.

vi. Retail uses, except artisan workshop.

Sec. 4.3.7. Civic (CV-) Use Districts

A. Intent

Civic (CV-) Use Districts are intended to accommodate public, institutional, and community-oriented uses such as parks, open space, schools, and campuses. These districts provide essential services, gathering spaces, and cultural or educational resources that support the well-being of neighborhoods and the city as a whole. Development in Civic districts is intended to be accessible, inclusive, and compatible with surrounding land uses.

B. Use District Standards

No additional use district standards apply to Civic (CV-) districts.

DIVISION 4.4. **USE DEFINITIONS**

Sec. 4.4.1. **Residential Uses**

A. Household Living Uses

~~*Residential occupancy for at least 30 consecutive overnight stays in a building or portion of a building providing complete and permanent living facilities, including bathing and sleeping facilities, by a household. A household is defined as 1 or more people functioning as a single nonprofit housekeeping unit, with common access to, and common use of, all living, kitchen, and eating areas within the dwelling unit, provided that, unless all persons are related by blood, marriage, adoption or legal guardianship, a household is not permitted to contain over 4 people. Household Living use category includes the following specific uses:*~~

Residential occupancy for at least 30 consecutive overnight stays in a building or portion of a building providing complete and permanent living facilities, including bathrooms, kitchen, living rooms, and bedrooms, by 1 or more persons functioning as a single household. A household consists of persons with common access to, and common use of, all areas within the dwelling unit. Unless all persons are related by blood, marriage, adoption, or legal guardianship, no household may contain more than four persons; all related persons count as one person. The Household Living use category includes the following specific uses:

1. General Household Living

A household living use where a dwelling unit is occupied by a household. The number of dwelling units allowed on a lot is determined by the Form District (*Chapter 2*). Typical examples include single-unit houses, duplexes, multiplexes, townhouses, and multiunit buildings.

2. Live-Work

A household living use that includes nonresidential activity conducted wholly within the unit that allows employees, customers, clients, or patrons to visit.

3. Purpose-Built Student Housing

A household living use that is marketed to students of an accredited college or university; private school; or other recognized institution of higher learning, where there are ~~with~~ 12 or more dwelling units on a lot. The use is typically located near the school campus and offers amenities such as individual leases, fully-furnished units, and residence life programs specific to students. For this use, the definition of a household allows for up to 6 unrelated persons within a dwelling unit.

B. Group Living Uses

~~*Residential occupancy for at least 30 consecutive overnight stays in a building or portion of a building providing complete and permanent living facilities, including bathing and sleeping facilities, by a group of people not meeting the definition of a household. See Sec. XX. Household Living Uses for the definition of a household. Group Living use category includes the following specific uses:*~~

Residential occupancy for at least 30 consecutive overnight stays in a building or portion of a building providing complete and permanent living facilities, including bathrooms, kitchen, living rooms, and

bedrooms, by 2 or more persons who do not meet the definition of a household. See Sec. 4.3.1.A. Household Living Uses for the definition of a household. The Group Living use category includes the following specific uses:

1. General Supervised Group Living

A group living use that typically provide supervision, assistance, protection, medical care, or personal care to residents, in addition to room and board. Typical examples include assisted living, independent living, nursing home, inpatient hospice facility, intermediate care home, permanent supportive housing, personal care home, rehabilitation facility, skilled nursing facility, and transitional housing.

a. Additional Definitions

For the purposes of defining general supervised group living uses, the following words and phrases have the meanings ascribed to them in this Section unless a different meaning is clearly indicated by the context:

Assisted living. A personal care home with a minimum of 25 beds that is licensed by the State of Georgia as an assisted living community.

Independent living. A facility for adults at least 55 years of age or older with central dining facilities that provide residents, as part of their monthly fee, access to meals and other services such as housekeeping, linen service, transportation, and social and recreational activities. Independent living facilities do not provide, in a majority of the units, assistance with activities of daily living such as supervision of medication, bathing, dressing, and toileting, and do not provide licensed skilled nursing beds on the property.

Inpatient hospice facility. A facility that is licensed to provide acute inpatient care for hospice patients in beds that are not included in the certified bed capacity of another licensed facility. "Inpatient care" means short-term, 24-hour medically supervised care for the purpose of adjusting and monitoring the terminally ill patient's medications for pain control or managing acute or chronic symptoms that cannot be managed in another setting. Inpatient care is provided within the confines of a licensed hospital, a licensed skilled nursing facility, or a licensed inpatient hospice facility.

Intermediate care home. A facility that admits residents on medical referral only, and includes the provision of food, and special diets when required, shelter, laundry, and personal care services, such as help with dressing, getting in and out of bed, bathing, feeding, medications and similar assistance, such services being under appropriate licensed supervision. Intermediate care does not normally include providing care for bed-ridden patients except on an emergency or temporary basis.

Nursing home. A facility that admits patients on medical referral only and for whom arrangements have been made for continuous medical supervision, maintains the services and facilities for skilled nursing care, rehabilitative nursing care, and has a satisfactory agreement with a physician and dentist who will be available for any medical or dental emergency and who will be responsible for the general medical and dental supervision of the home.

Permanent supportive housing. Permanent housing in which supportive services are provided to assist unhoused persons with a disability to live independently. Permanent housing means community-based housing without a designated length of stay, and includes both permanent supportive housing and rapid rehousing. To be permanent housing, the program participant must be the tenant on a lease for a term of at least one year, which is renewable for terms that are a minimum of one month long, and is terminable only for cause. Supportive services means assistance that provides appropriate services or assists such persons in obtaining appropriate services, including health care, mental health treatment, alcohol and other substance abuse services, child care services, case management services, counseling, supervision, education, job training, and other services essential for achieving and maintaining independent living. Inpatient acute hospital care does not qualify as a supportive service. The term "unhoused" has the same meaning as "homeless," as defined in 24 CFR 578.3.

Personal care home. Any dwelling unit or building, whether operated for profit or not, which undertakes through its ownership or management to provide or arrange for the provision of housing, food service, and one or more personal services for two or more adults who are not related to the owner or administrator by blood or marriage. "Personal services" includes, but is not limited to, individual assistance with or supervision of self-administered medication and essential activities of daily living such as eating, bathing, grooming, dressing, and toileting.

Rehabilitation facility. A facility that is required to operate pursuant to a state license as a residential sub-acute detoxification program, a residential intensive treatment program, or a psychiatric rehabilitation treatment program.

Skilled nursing facility. A public or private institution or a distinct part of an institution which is primarily engaged in providing inpatient skilled nursing care and related services for patients who require medical or nursing care or rehabilitation services for the rehabilitation of injured, disabled, or sick persons. "Skilled nursing care " means the application of recognized nursing methods, procedures, and actions directed toward implementation of the physician's therapeutic and diagnostic plan, detection of changes in the human body's regulatory system, preservation of such body defenses, prevention of complications and emotional well-being, including but not limited to the following:

i. The administration of oral or injectable medications which cannot be self-administered. Other examples include the administration of oxygen, the use of suction, the insertion or changing of catheters, the application of medicated dressings, the use of aseptic technique and preparation of the patient for special procedures; and

ii. Observation in the care of the patient for symptoms or physical and mental signs that may develop and which will require attention of the physician and a revision in the patient's treatment regimen.

Transitional housing. Housing, where all program participants have signed a lease or occupancy agreement, the purpose of which is to facilitate the movement of unhoused persons and families into permanent housing within 24 months or such longer period as HUD determines necessary. The program participant must have a lease or occupancy agreement for a term of at least one month that ends in 24 months and cannot be

extended. The term "unhoused" has the same meaning as "homeless," as defined in 24 CFR 578.3.

2. General Unsupervised Group Living

A group living use that does not typically provide supervision, assistance, protection, or personal care to residents, in addition to room and board. Typical examples include roominghouse and single room occupancy (SRO) housing.

a. Additional Definitions

For the purposes of defining general unsupervised group living uses, the following words and phrases have the meanings ascribed to them in this Section unless a different meaning is clearly indicated by the context:

Roominghouse. A building containing 1 or more bedrooms that provide nontransient lodging accommodations, available to the general public only at weekly or longer rental terms, for unsupervised group living. To assist property owners, the public, enforcement officials, and courts in distinguishing a roominghouse from other residential living arrangements, the following characteristics are common indicators of a roominghouse: a) presence of common areas; b) posted house rules located in a common area; c) letters or numbers on individual bedrooms or the exterior mailbox; d) separate HVAC units serving individual bedrooms; e) former common areas converted into additional bedrooms; f) kitchen facilities, such as a hot plate, stove, microwave, or refrigerator, within individual bedrooms; and g) interior doors that lead directly into a bedroom and can be unlocked from outside the bedroom, or situations where the key, key fob, code, or other access method issued to an occupant unlocks fewer than all bedroom doors within the building.

Single-room occupancy (SRO). A building containing 50 or more dwelling units, each available for rental occupancy by one person for periods of seven days or longer, with all units accessed through a common primary entrance. The building must provide lounges, living rooms, or other common areas totaling at least five square feet per dwelling unit, and must have on-site management available 24 hours a day.

3. Dormitory, Fraternity, or Sorority

A group living use that is officially affiliated with an accredited college or university; private school; or religious institution. The term also includes student centers operated by religious institutions, approved by the educational institutions to which they relate, and that provide the same services as fraternities and sororities.

4. Emergency Shelter

A group living use where the primary purpose is to provide a temporary shelter for the unhoused and does not require occupants to sign leases or occupancy agreements. The term "unhoused" has the same meaning as "homeless," as defined in 24 CFR 578.3.

5. Maternity Supportive Housing

A group living use that holds a valid registration certificate from the State of Georgia as a maternity supportive housing residence. Maternity supportive housing is operated on behalf of a nonprofit organization and houses up to 6 pregnant women aged 18 or older and their minor

children at any time during the pregnancy and up to 18 months after childbirth. This term does not include the following:

a. Uses where medical service is regularly provided;

b. A child welfare agency, as defined in O.C.G.A. § 49-5-12;

c. Dwelling unit of a relative in which a woman receives maternity care; or

d. Any medical use.

Sec. 4.4.2. Public and Institutional Uses

A. Civic Uses

Uses that provide ongoing governmental, life safety, educational, and cultural services to the general public, and uses that provide meeting areas for religious practice. Civic use category includes the following specific uses:

1. General Civic

A civic use in any building, structure, or lot owned or operated by the federal government; State of Georgia; Fulton County; DeKalb County; MARTA; City of Atlanta; or any authority, agency, board, or commission of government, that is necessary to serve a public purpose. Typical examples include community center; government administrative building; library or museum; post office; police, fire or EMS station; public health facility; public works facility; school or university; and transit facility. The term specifically excludes "transit-oriented development" as specified in O.C.G.A. § 32-9-15.

2. Community Center, Private

A civic use that provides on-site social or recreational activities and programs where dues-paying membership is not required for access. The use typically includes activities such as community meetings, after school programs, or other social services to the general public. This use does not include activities that would be classified as residential uses or commercial uses.

3. Library or Museum, Private

A civic use with public significance by reason of its architecture, former use, or occupancy; a building serving as a repository for a collection of books, natural, scientific, literary curiosities or objects of interest; or the display of works of art, and arranged, intended, and designed to be viewed by members of the public, with or without an admission fee. This use may include, as an accessory use, a retail use for the sale of goods related to the facility to the public.

4. Religious Assembly

A civic use that provides meeting areas for religious activities, including facilities operated by a religious group and used for educational activities. This use may include accessory buildings, day care facilities, and dwelling units operated directly by the religious group. Typical examples include chapel, church, mosque, synagogue, and temple.

B. Private Education Uses

Privately owned and operated uses that provide educational services to students. Private Education use category includes the following specific uses:

1. General Private Education

A private education use that provides education to students at the pre-kindergarten, elementary, middle, or high school level.

2. College or University, Private

A private education use that provides post-secondary education to students. Typical examples include college or university, community college, seminary, and artistic or vocational school.

3. Commercial School

A private education use that is affiliated with a commercial or industrial use and teaches skills using heavy machinery; conducts a commercial enterprise, such as a driving school; or a similar school that does not offer a complete educational curriculum.

4. Day Care, Private

A private education use that regularly provides care services to 4 or more children or adults away from their residence for less than 24 hours a day. Typical examples include childcare center, prekindergarten, preschool, play school, nursery school, drop-in center, and adult day care center. This use does not include other public or private education uses or group living uses.

C. Parks and Open Space Uses

Uses that provide active or passive outdoor recreation. Typically, areas and facilities are publicly accessible and often contain recreational equipment or facilities. Parks and Open Space use category includes the following specific uses:

1. General Parks and Open Space

A parks and open space use that provides for outdoor recreation to the general public. Typical examples include neighborhood, community, or regional park; dog park; community or botanical garden; conservation or preservation area; public square or plaza; and recreational trail, greenway, or multi-use path. This use does not include sports arena and community center, private.

2. Cemetery

A parks and open space use that provides for the interment of human or animal remains, but does not include cremation services. Typical examples include a cemetery for earth interments, a columbarium for cinerary interments, or a mausoleum for vault interments. Includes all uses necessarily or customarily associated with interment of human remains, including mausoleums, chapels, benches, ledges, walls, graves, roads, paths, landscaping, and soil storage consistent with federal, state, and local laws on soil erosion and sedimentation control.

D. Utility Uses

Uses that distribute public or private utility services such as electricity, gas, sewer, water, cable and internet. Utility use category includes the following specific uses:

1. General Utility

A utility use that generally serves the immediate area in which they are located and typically do not regularly have on-site employees. Typical examples include on-site stormwater retention or detention facility; neighborhood serving telephone exchange or switching center; gas, electric, telephone, or cable transmission lines; water or wastewater pump station or lift station; gas gates; drainage well; water supply water well; and public utilities. This use does not include wireless telecommunications or data centers.

2. Commercial Wind or Solar

A utility use that is exclusively used for the commercial generation of electricity using wind turbines or solar panels. This use does not include private wind or solar generation for personal use.

E. Wireless Telecommunication Uses

Uses that include a facility for the provision of radio waves or wireless service. Wireless Telecommunication use category includes the following specific uses:

1. Type I: Modification

An eligible facilities request for modification of a previously approved eligible support structure that does not propose a substantial change to the physical dimensions of such structure.

2. Type II: Small Wireless Collocation

A request to collocate a small wireless facility using an existing structure whether or not it has an existing antenna facility that is used or to be used for the provision of personal wireless service.

3. Type III: Non-Small Wireless Collocation

A request to collocate a non-small wireless facility using an existing structure whether or not it has an existing antenna facility that is used or to be used for the provision of personal wireless service.

4. Type IV: Small Wireless Structure

A request to deploy a small wireless facility using a new structure.

5. Type V: Non-Small Wireless Structure

A request to deploy a non-small wireless facility using a new structure.

6. Additional Definitions

Terms not defined in this Section or elsewhere in this Code have the meanings defined in federal law. The following terms only apply to use standards and definitions related to wireless communication uses:

Accessory equipment. Any equipment serving or being used in conjunction with a wireless facility or wireless support structure and includes, but is not limited to, utility or transmission equipment, power supplies, generators, batteries, cables, equipment buildings, cabinets, and storage sheds, shelters, or similar structures.

Alternative design. A new wireless support structure or wireless facility designed to resemble light standards, clock towers, bell steeples, trees, and similar alternative designs.

Antenna. An apparatus designed for the purpose of emitting radio frequency (RF) radiation, to be operated or operating from a fixed location pursuant to FCC authorization, for the transmission of writing, signs, signals, data, images, pictures, and sounds of all kinds, including the transmitting device and any on-site equipment, switches, wiring, cabling, power sources, shelters or cabinets associated with that antenna and added to a tower, structure, or building as part of the original installation of the antenna. For most services, an antenna will be mounted on or in, and is distinct from, a supporting structure such as a tower, structure or building. However, in the case of AM broadcast stations, the entire tower or group of towers constitutes the antenna for that station. For purposes of this Section, the term antenna does not include unintentional radiators, mobile stations, or devices authorized under Part 15 of CFR Title 47.

Antenna equipment. Equipment, switches, wiring, cabling, power sources, shelters or cabinets associated with antenna, located at the same fixed location as the antenna, and, when collocated on a structure, is mounted or installed at the same time as such antenna.

Antenna facility. An antenna and associated antenna equipment.

Base station. A structure or equipment at a fixed location that enables Commission-licensed or authorized wireless communications between user equipment and a communications network. The term does not encompass a tower as defined herein or any equipment associated with a tower.

i. The term includes, but is not limited to, equipment associated with wireless communications services such as private, broadcast, and public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul.

ii. The term includes, but is not limited to, radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration (including Distributed Antenna Systems and small-cell networks).

iii. The term includes any structure other than a tower that, at the time the relevant application is filed with the City under Section 1.6100, supports or houses equipment described in this definition that has been reviewed and approved under the City zoning or siting process, even if the structure was not built for the sole or primary purpose of providing such support.

iv. The term does not include any structure that, at the time the relevant application is filed with the City, does not support or house equipment described in this definition.

Collocate. Mounting or installing an antenna facility on a pre-existing structure; or modifying a structure for the purpose of mounting or installing an antenna facility on that structure.

Collocation also means the mounting or installation of transmission equipment on an eligible support structure for the purpose of transmitting or receiving radio frequency signals for communications purposes.

Eligible facilities requests. Any request for modification of an existing tower or base station that does not substantially change the physical dimensions of such tower or base station, involving:

i. Collocation of new transmission equipment;

ii. Removal of transmission equipment; or

iii. Replacement of transmission equipment.

Eligible support structure. Any tower or base station, provided that it is existing at the time the relevant application is filed with the City.

Existing. A constructed tower or base station that has been reviewed and approved by the City under the applicable zoning or siting process, including any building permit, Certificate of Endorsement, or Special Use Permit.

Modification. The improvement, upgrade, expansion, or replacement of existing wireless facilities on an existing wireless support structure or within an existing equipment compound.

Previously authorized. Approval that the City issued under applicable law before the deployment of personal wireless service facilities, including, but not limited to, any building permit, Certificate of Endorsement, or Special Use Permit.

Site. For towers, the current boundaries of the leased or owned property surrounding the tower and any access or utility easements currently related to the site, and, for other eligible support structures, further restricted to that area in proximity to the structure and to other transmission equipment already deployed on the ground. The current boundaries of a site are the boundaries that existed as of the date that the original support structure or a modification to that structure was last reviewed and approved by the City, if the approval of the modification occurred before the Spectrum Act adoption on February 22, 2012, or otherwise outside of the Section 6409(a) process.

Small wireless facilities. Facilities that meet each of the following conditions:

i. The facilities:

a) Are mounted on structures 50 feet or less in height including their antennas; or

b) Are mounted on structures no more than 10% taller than other adjacent structures; or

c) Do not extend existing structures on which they are located to a height of more than 50 feet or by more than 10%, whichever is greater;

ii. Each antenna associated with the deployment, excluding associated antenna equipment, is no more than 3 cubic feet in volume;

iii. All other wireless equipment associated with the structure, including the wireless equipment associated with the antenna and any pre-existing associated equipment on the structure, is no more than 28 cubic feet in volume;

iv. The facilities do not require antenna structure registration under Part 17 of the Code of Federal Regulation; and

v. The facilities do not result in human exposure to radio frequency radiation in excess of the applicable safety standards specified in 47 CFR § 1.1307(b).

Structure. A pole, tower, base station, or other building whether or not it has an existing antenna facility, that is used or to be used for the provision of personal wireless service (whether on its own or co-mingled with other types of services).

Substantial change. The proposed modification or collocation meets any of the following criteria:

i. It increases the height of the tower by more than 10% or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed 20 feet, whichever is greater; for other eligible support structures, it increases the height of the structure by more than 10% or more than 10 feet, whichever is greater. Changes in height should be measured from the original support structure in cases where deployments are or will be separated horizontally, such as on buildings' rooftops; in other circumstances, changes in height should be measured from the dimensions of the tower or base station, inclusive of originally approved appurtenances and any modifications that were approved before the passage of the 2012 Spectrum Act (47 U.S.C. § 1455(a)).

ii. For any eligible support structure, it involves installation of more than the standard number of new equipment cabinets for the technology involved, but not to exceed four cabinets; or, for towers in the public rights-of-way and base stations, it involves installation of any new equipment cabinets on the ground if there are no pre-existing ground cabinets associated with the structure, or else involves installation of ground cabinets that are more than 10% larger in height or overall volume than any other ground cabinets associated with the structure;

iii. It entails any excavation or deployment outside of the current site, except that, for towers other than towers in the public rights-of-way, it entails any excavation or deployment of transmission equipment outside of the current site by more than 30 feet in any direction. The site boundary from which the 30 feet is measured excludes any access or utility easements currently related to the site;

iv. It would defeat the concealment elements of the eligible support structure; or

v. It does not comply with conditions associated with the City's prior siting approval of the construction or modification of the eligible support structure or base station equipment, provided however that this limitation does not apply to any modification that is non-compliant only in a manner that would not exceed the thresholds identified in 47 CFR § 1.40001(b)(7)(i) through (iv).

Tower. Any structure built for the sole or primary purpose of supporting any FCC-licensed or authorized antennas and their associated facilities, including structures that are constructed for wireless communications services including, but not limited to, private, broadcast, and

public safety services, as well as unlicensed wireless services and fixed wireless services such as microwave backhaul, and the associated site.

Utility. Any person, corporation, municipality, county, or other entity, or department thereof or entity related or subordinate thereto, providing retail or wholesale electric, data, cable, or telecommunications services.

Wireless facility. The set of equipment and network components, exclusive of the underlying wireless support structure, including antennas, transmitters, receivers, base stations, power supplies, cabling, and accessory equipment, used to provide wireless data and wireless telecommunication services.

Wireless support structure. A freestanding structure, such as a monopole, tower, either guyed or self-supporting, or suitable existing or alternative structure designed to support or capable of supporting wireless facilities. Such term does not include any telephone or electrical utility pole or any tower used for the distribution or transmission of electrical service.

Sec. 4.4.3. Commercial Uses

A. Adult Establishment Uses

Uses associated with the sale or viewing of sexually-oriented content or paraphernalia. Adult Establishment use category includes the following specific uses:

1. Adult Establishment

An adult establishment use that includes adult arcade, adult bookstore, adult cabaret, adult motion picture theater, and sexual device shop.

a. Additional Definitions

For the purposes of defining adult establishment uses, the following words and phrases have the meanings ascribed to them in this Section unless a different meaning is clearly indicated by the context:

Adult arcade. A commercial establishment to which the public is permitted or invited that maintains booths or rooms smaller than 100 square feet, where image-producing devices are regularly maintained to show images characterized by their emphasis upon matter exhibiting "specified sexual activities" or "specified anatomical areas."

Adult bookstore. A commercial establishment which, as one of its principal business activities, offers for sale or rental for any form of consideration any one or more of the following: Books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes, compact discs, digital video discs, slides, or other visual representations which are characterized by their emphasis upon the display of "specified sexual activities" or "specified anatomical areas." A principal business activity exists where the commercial establishment meets any of the following criteria:

i. At least 25% of the establishment's displayed merchandise consists of said items;

ii. At least 25% of the establishment's revenues derive from the sale or rental, for any form of consideration, of said items;

iii. The establishment maintains at least 25% of its floor area for the display, sale, or rental of said items;

iv. The establishment maintains at least 500 square feet of its floor area for the display, sale, or rental of said items;

v. The establishment regularly offers for sale or rental at least 500 of said items; or

vi. The establishment regularly makes said items available for sale or rental and holds itself out, in any medium, as an establishment that caters to adult sexual interests.

Adult cabaret. A nightclub, bar, juice bar, restaurant, bottle club, or similar commercial establishment that regularly offers live semi-nude conduct. No establishment will avoid classification as an adult cabaret by offering nude conduct.

Adult motion picture theater. A commercial establishment to which the public is permitted or invited that maintains viewing rooms that are 100 square feet or larger where films or videos characterized by their emphasis upon "specified sexual activities" or "specified anatomical areas" are regularly shown.

Characterized by. Describing the essential character or quality of an item. As applied in this Section, no business will be classified as an adult establishment by virtue of showing, selling, or renting materials rated NC-17 or R by the Motion Picture Association of America.

Employ, employee, employment. Describe and pertain to any person who works or engages in activity for pay on the premises of an adult establishment, on a full time, part time, temporary, or contract basis, regardless of whether the person is denominated an employee, independent contractor, agent, lessee, or otherwise. Employee does not include a person exclusively on the premises for repair or maintenance of the premises or for the delivery of goods to the premises, or an attorney, accountant, or similar state-licensed professional performing professional services for the business.

Floor space. The floor area inside an establishment that is visible or accessible to patrons for any reason, excluding restrooms.

Nudity or nude conduct. The showing of the human male or female genitals, pubic area, vulva, or anus with less than a fully opaque covering, or the showing of the female breast with less than a fully opaque covering of any part of the nipple and areola. For purposes of this Section, a "fully opaque covering" must not consist of any substance that can be washed or peeled off the skin (such as paint, make-up, or latex).

Operate. To cause to function or to put or keep in a state of doing business.

Operator. Any person who manages, supervises, or controls the adult establishment or a portion of the establishment. A person may be found to be an operator regardless of whether such person is an owner, part owner, or licensee of the business.

Person. An individual, proprietorship, partnership, corporation, association, or other legal entity.

Premises. The real property upon which the adult establishment is located, and any accessory buildings, including, but not limited to, the adult establishment, the grounds, private walkways, and parking lots or parking garages, under the ownership, control, or supervision of the operator.

Regularly. The consistent and repeated doing of an act on an ongoing basis.

Semi-nude or semi-nudity. The showing of the female breast below a horizontal line across the top of the areola and extending across the width of the breast at that point, or the showing of the male or female buttocks, with less than a fully opaque covering. This definition includes the lower portion of the human female breast, but does not include any portion of the cleavage of the human female breasts exhibited by a bikini, dress, blouse, shirt, leotard, or similar wearing apparel provided the areola is not exposed in whole or in part. For purposes of this use category, a "fully opaque covering" may not consist of any substance that can be washed or peeled off the skin (such as paint, make-up, or latex).

Sexual device. Any three-dimensional object designed for stimulation of the male or female human genitals, anus, buttocks, nipple, or for sadomasochistic use or abuse of oneself or others and includes devices commonly known as dildos, vibrators, penis pumps, cock rings, anal beads, butt plugs, nipple clamps, and physical representations of the human genital organs. Nothing in this definition will be construed to include devices primarily designed for protection against sexually transmitted diseases or for preventing pregnancy.

Sexual device shop. A commercial establishment meeting any of the following criteria:

i. Where more than 100 sexual devices are regularly made available for sale or rental; or

ii. Where sexual devices are regularly made available for sale or rental and the establishment regularly gives special prominence to sexual devices (e.g., by using lighted display cases for sexual devices, having a room or discrete area of the establishment significantly devoted to sexual devices, positioning sexual devices near cash registers or similar points of sale, hosting events focused on sexual devices, or holding itself out to the public as a place that focuses on sexual devices).

iii. This definition will not be construed to include commercial establishment that makes no more than 200 sexual devices regularly available for sale or rental and that operates a pharmacy employing a licensed pharmacist who regularly fills prescriptions in the same tenant space where the sexual devices are made available.

Specified anatomical areas. Includes the following areas:

i. Human genitals, pubic region; buttock; and female breast below a point immediately above the top of the areola that are less than completely and opaquely covered; and

ii. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

Viewing room. The room or booth where a patron of an adult establishment would ordinarily be positioned while watching a film, videocassette, digital video disc, or other video on an image-producing device.

B. Agriculture Uses

Uses dedicated to the growing and harvesting of food crops or non-food crops, such as flowers and ornamental plants, for use on-site or for sale or distribution off-site or on-site. Agriculture use category includes the following specific uses:

1. Farmers Market

An agriculture use where vending activity is conducted outdoors in an open-air environment and accessible to the general public.

a. Additional Definitions

The following terms only apply to use standards and definitions related to farmers market uses:

Producer. A person or entity that raises or farm products on land that the person or entity farms and owns, rents or leases; or a person or entity that creates (by cooking, canning, baking, preserving, roasting, etc.) value-added farm products; and whose method of production has been verified by the Office of Sustainability based on the standards set forth in their internal operating regulation.

Farm products. Fruits, vegetables (including soy-based), mushrooms, herbs, grains, legumes, nuts, shell eggs, honey or other bee products, flowers, nursery stock, livestock food products (including meat, milk, yogurt, cheese and other dairy products), and seafood.

Value-added farm product. Any product processed by a Producer from a Farm Product, such as baked goods, jams and jellies, canned vegetables, dried fruit, syrups, salsas, salad dressings, flours, coffee, smoked or canned meats or fish, sausages, or prepared foods.

Vending structure. A temporary, movable booth, stall, table, tent or other structure used for the sale of goods or for display purposes at a farmers market.

Vendor. Any person who sells any goods, wares, merchandise, food or drink at a farmers market.

2. Indoor Growing System

An agriculture use for systems for cultivation of plants (excluding marijuana, which is regulated elsewhere), fish, seafood, or insects. These systems may include, but are not limited to: aquaculture; aquaponics; hydroponics; entomoculture (insects); and vertical farming.

3. Urban Garden

An agriculture use that includes an area of land managed and maintained by a person or group of persons, for outdoor growing and harvesting, farming, community gardening, or any other outdoor use, which contributes to the production of agricultural, floricultural, or horticultural products for beautification, education, recreation, community use, consumption, off-site sale, or off-site donation. On-site sales are permitted. This use does not include gardens located on lots with residential structures and grown for personal use of the residents of those lots.

C. Entertainment and Recreation Uses

Uses that provide continuous or periodic assembly, entertainment, or recreational activity. Entertainment and Recreation use category includes the following specific uses:

1. General Indoor Entertainment and Recreation

An entertainment and recreation use that operates primarily in an indoor setting. Typical examples include amusement center, arcade, auditorium, bingo hall, bowling alley, cinema, dance hall, gymnasium, ice or roller skating rink, indoor sports, pool hall, and theater.

2. General Outdoor Entertainment and Recreation

An entertainment and recreation use that operates primarily in an outdoor setting. Typical examples include amusement or water park; amphitheater; arena; athletic complex; ballfields; basketball or tennis court; bicycle, skateboarding, or roller blading facility; drive-in or outdoor theater; golf driving range; and miniature golf course.

3. ATV Park

An entertainment and recreation use where motorcycles and other motor vehicles drive directly upon dirt, water, rocks, sand, snow, ice, marsh, swampland, and similar unpaved surfaces in an indoor or outdoor facility.

4. Club, Private

An entertainment and recreation use that provides meeting areas for membership organizations that hold regular social or educational meetings or events for dues-paying members and their guests.

5. Convention Hall or Event Facility

An entertainment and recreation use operated for the purpose of providing accommodations for temporary conventions; trade shows and other similar activities; and events, including parties, ceremonies, receptions, or similar gatherings, where a fee is typically charged for the use of the facility.

6. Golf Course

An entertainment and recreation use that provides for a large landscaped area for playing golf including support facilities and buildings. This use does not include a facility used exclusively as a golf driving range.

7. Lounge or Nightclub

See definition in City of Atlanta Code of Ordinances, Section 10-1.

8. Party House

An entertainment and recreation use that includes a single-unit, two-unit, or multi-unit dwelling unit and its premises used for a commercial event which includes a ceremony, reception, large scale gathering, or party that charges a fee for the use of the property or an entry fee, donation, or operation cost from its attendees to gain entry. This does not include events for 501(c)(3) non-profits or business, civic, professional, or political organizations or campaigns.

9. Sports Arena, Stadium, or Field

An entertainment and recreation use intended primarily for the playing or viewing of athletic events. Sports arena, stadium, or field may also be used for entertainment and other public gathering purposes, such as conventions, circuses, or concerts.

D. Food and Beverage Uses

A facility that prepares and sells food and drink for on- or off-premises consumption. Food and Beverage use category includes the following specific uses:

1. General Food and Beverage

A food and beverage use that prepares and sells food or beverage and may only serve alcohol for on-premise consumption as an accessory use. Typical examples include retail bakery, cafe, coffee and tea shop, fast food establishment, ice cream or yogurt shop, juice or smoothie bar, and restaurant.

2. Bakery, Wholesale

A food and beverage use that provides for the preparation of baked goods for wholesale or institutional distribution.

3. Bar

See definition in City of Atlanta Code of Ordinances, Section 10-1.

4. Catering Establishment

A food and beverage use where a facility is used for the preparation and distribution of foods in a ready-to-consume or partially ready state directly to mobile food trucks or for consumption at events off-site. This use does not include the on-site sale of individual meals or individual beverages.

5. Delivery-Based Commercial Kitchen

A food and beverage use that provides kitchen and operating space to two or more businesses that prepare and sell food for same-day pickup and delivery where customers order the food using online and telephone sales and where the establishment does not serve dine-in customers or walk-up customers.

6. Microbrewery, Microdistillery, or Winery

See definition in City of Atlanta Code of Ordinances, Section 10-1. This use includes any biergartens accessory to this use.

E. Lodging Uses

Uses with individual sleeping or living units that provide overnight accommodations to guests for short-term stays of less than 30 days. Lodging use category includes the following specific uses:

1. General Lodging

A lodging use that provides a variety of short-term stay facilities. Typical examples include hotel, motel, inn, hostel, and extended stay facility.

2. Bed and Breakfast

A lodging use that provides lodging in guest rooms with no in-room cooking facilities. A bed and breakfast may include dining facilities and meeting rooms.

3. Short-Term Rental

A lodging use where, in exchange for compensation, any portion of a principal dwelling unit, accessory dwelling unit, or accessory residential structure, is provided for lodging for a period of time not to exceed 30 consecutive days.

F. Medical Uses

Uses that provide medical, surgical or dental care to patients such as the diagnosis, treatment, mitigation, cure or prevention of disease. Medical use category includes the following specific uses:

1. General Medical

A medical use that administers human health care in a non-hospital, outpatient setting. Typical examples include medical office or clinic, dental office or clinic, acute care facility, ambulatory care facilities, optometrist, orthodontist, physical therapy office, surgical out-patient facility, urgent care, dialysis center, and blood bank.

2. Hospital

A medical use that administers primarily in-patient, intensive, human medical or surgical care, including stand-alone emergency care services.

3. Medical Laboratory

A medical use that conducts medical research or testing and examining of materials derived from the human body, such as fluid, tissue or cells, for the purpose of providing information on diagnosis, treatment, mitigation, cure or prevention of disease. Includes compounding of drugs and chemicals, not involving sale directly to the public.

G. Office Uses

Uses characterized by activities conducted in a private or co-working setting and generally focusing on business, professional, or financial services. Office use category includes the following specific uses:

1. General Office

An office use that provides space for a variety of business, professional or financial services to be conducted. Typical examples include accounting, advertising, architecture, auditing, banking, bookkeeping, consulting, contracting, design, employment, engineering, insurance, investment, legal, real estate, security or technology services, call centers, radio or TV broadcasting studio, and film studio.

2. Sound Recording Studio

An office use where a facility is maintained and equipped for sound recording and mixing for the purposes of producing a product for commercial consumption.

H. Parking Uses

Uses that provide parking as a principal use. Parking use category includes the following specific uses:

1. Commercial Parking Lot

A parking use that provides vehicle storage or parking on a surface lot as a principal use, whether or not a fee is charged. The use also includes vehicle storage or parking on a surface lot as an accessory use when the amount exceeds any applicable parking maximums unless a variance is granted by the Board of Zoning Adjustment.

2. Commercial Parking Structure

A parking use that provides vehicle storage and parking in a building or structure as a principal use, whether or not a fee is charged. The use also includes vehicle storage or parking in a building or structure as an accessory use when the amount exceeds any applicable parking maximums unless a variance is granted by the Board of Zoning Adjustment.

I. Personal Service Uses

Uses involved in providing personal care or repair services. Personal Service use category includes the following specific uses:

1. General Personal Service

A personal service use that provides a variety of personal care or repair services. Typical examples include locksmith; copy, printing or shipping service; massage therapist or acupuncturist; repair of consumers goods, such as appliances, clothes, shoes, clocks, watches, jewelry, electronics, and appliances; tailor, custom dressmaking, millinery; tinsmith, plating, or plumbing shop; and furniture repair or upholster.

2. Animal Care, Indoor

A personal service use that provides for the care and boarding of animals, or for the treatment of sick or injured animals, and that operates completely in an indoor setting.

3. Animal Care, Outdoor

A personal service use that provides for the care and boarding of animals, or for the treatment of sick or injured animals, and that includes outdoor facilities.

4. Body Art Studio

A personal service use that provides a tattoo or piercing placed on the body of a person for aesthetic or cosmetic purposes.

5. Funeral Home

A personal service use that engages in undertaking services, such as preparing the human dead for burial and in arranging and managing funerals. This use includes mortuaries, but does not include crematoriums.

6. Hair or Nail Salon

A personal service use that includes barber shops, beauty shops, manicure shops and similar personal service uses.

7. Laundry Service

A personal service use that includes self-service laundromat, laundry drop-off facility, or dry-cleaning that does not involve hazardous chemicals.

J. Retail Uses

Uses involved in the sale, lease, or rent of new or used products to end consumers. Retail use category includes the following specific uses:

1. General Retail

A retail use that sells, leases, or rents a variety of new or used products. Typical examples include appliance store; bicycle sales, rental, or repair; bookstore; clothing or shoe store; craft or fabric store; electronics store; department store; drug store or pharmacy; florists; home goods or furniture store; hardware or home improvement store; optical center; pet store; sporting goods store; toy store; motor vehicle parts or equipment store; convenience store; photography or art gallery; and jewelry store.

2. Alternative Financial Service

A retail use that offers high interest, short-term loans or check cashing services. Also includes establishment which offer in the regular course of business a "pawn transaction" as defined in O.C.G.A. § 44-12-139. Typical examples include check cashing, pawnshop, payday lending, precious metal and gem dealers, and title loan centers.

3. Artisan Workshop

A retail use that provides for the production and sale of handcrafted or artisan products. Typical examples include art studio; ceramic manufacturing; glass blowing; jewelry manufacturing; metalwork; musical instrument manufacturing; leatherwork; and woodworking, cabinet makers or furniture manufacturing.

4. Grocery Store

A retail use that primarily engages in the sale of unprepared food, such as fruits, vegetables, meat, poultry, dry goods, canned, and frozen foods, and which may also sell limited household and personal care items.

5. Hookah or Vape Store

A retail use that primarily engages in the sale of alternative nicotine products, vape juice, ~~or both~~ consumable vape products, vapor devices, consumable hemp products, or any similar products.

This use includes any retail establishment where consumable vape products, vapor devices, consumable hemp products, or any similar products constitute at least 35% of the aggregate retail sales. ~~25% of the floor area of the publicly accessible area is devoted to the sale of alternative nicotine products, vape juice, or both~~.

a. Additional Definitions

The following terms only apply to use standards and definitions related to hookah or vape store uses:

Alternative nicotine products. ~~Any products or devices that employ an electronic heating element, electronic circuit, power source, battery, or other electronic, chemical, or mechanical means to produce a vapor that delivers nicotine to the person inhaling from the device, including electronic cigarettes, electronic cigars, electronic pipes, electronic bongs, and electronic hookahs and, whether manufactured, distributed, marketed, or sold as an electronic cigarette, electronic cigar, or electronic pipe.~~ Any material that contains nicotine, but does not contain tobacco leaf, and is intended for human consumption, whether such material is chewed, absorbed, dissolved, or ingested by any other means. This includes, but is not limited to, nicotine gel, pouches, or gum or dissolvable nicotine strips, sticks, lozenges, or pellets. This does not include cigars, cigarettes, loose or smokeless tobacco, consumable vapor products, or any product regulated as a drug or therapeutic device by the United States Food and Drug Administration under Chapter V of the Federal Food, Drug, and Cosmetic Act. GA Code Ann. § 48-11-1.

Consumable hemp products. A hemp product intended to be ingested, absorbed, or inhaled by humans or animals. GA Code Ann. § 2-23-3.

Consumable vapor products. Any liquid solution, whether it contains nicotine or not, that is intended to be headed into an aerosol state and inhaled by an individual. This includes, but is not limited to, e-liquid, e-juice, vapor juice, and cartridges that are pre-filled with such as solution. This does not include any alternative nicotine product, cigar, cigarette, loose or smokeless tobacco, perfume, potpourri, essential oil, or product regulated as a drug or therapeutic device by the United States Food and Drug Administration under Chapter V of the Federal Food, Drug, and Cosmetic Act. GA Code Ann. § 48-11-1.

~~**Vape juice.** Any liquid that contains compounds containing pharmaceutical grade vegetable glycerin, propylene glycol, nicotine, food-grade flavoring, and water, and can be used for vaping by means of an alternative nicotine product.~~

Vapor devices. Any system or device developed or intended to deliver a consumable vapor product to an individual who inhales from the device. This includes, but is not limited to, an electronic nicotine delivery system, an electronic cigarette, electronic cigar, electronic pipe, vape pen, vape tool, or electronic hookah. This does not include fragrance or essential oil diffusers, air fresheners, or any product regulated as a drug or device by the United States Food and Drug Administration under Chapter V of the Federal Food, Drug, and Cosmetic Act. GA Code Ann. § 48-11-1.

6. Package store

A retail use that primarily engages in the sale of alcoholic beverages, such as beer, wine, and whiskey, for off-premise consumption. This use includes liquor store and any use classified as

Industry No. 5921 in the Standard Industrial Classification (SIC) Manual, 1972 prepared by the Executive Office of the President - Office of Management and Budget.

7. Retail Bank

A retail use that includes bank, savings and loan association, or similar financial institution that provides on-site services to customers. This term also includes lots where an automated teller machine (ATM) is the only use on the lot.

8. Small Discount Variety Store

A retail use less than 12,000 square feet in floor area that offers a variety of consumer products, including household goods, personal care products, food or beverages for off-premise consumption, entertainment products, electronics, and other consumer products, at a discounted rate. This use does not include retail uses with fuel sales and accessory retail uses typically less than 5,000 square feet in floor area located inside civic uses, office buildings, hotels, hospitals, and similar locations that primarily serve employees and visitors of the facility.

K. Transportation Uses

Uses that facilitate the boarding, loading, arrival or departure of passengers for a variety of mobility and transportation options including trains, buses, cars, and helicopters. Transportation use category includes the following specific uses:

1. Passenger Terminal

A transportation use where a facility is privately owned or operated for the pickup, drop off and interchange of passengers. Typical examples include bus terminals, multi-modal facility, rail stations, and passenger related mass transit facilities.

2. Helipad

A transportation use where a facility is intended for the landing and take-off of a helicopter.

3. Truck Stop

A transportation use where a facility is intended to serve semi-truck drivers that generally includes some combination of the following uses: fuel sales, overnight parking for semi-trucks, a convenience store, a restaurant, or showering or dormitory facilities utilized as a rest area for truck drivers.

L. Vehicle Sales and Service Uses

Uses that sell, rent, lease, service or repair motorcycles, scooters, passenger vehicles, commercial vehicles, recreational vehicles, and heavy equipment. Vehicle Sales and Service use category includes the following specific uses:

1. Vehicle Sale and Rental

A vehicle sales and service use that sells, rents, or leases vehicles, and vehicles available for sale or rent are typically stored outdoors on-site. Typical examples include automobile sale or rental, truck or trailer rental, recreational vehicle sale or rental, and heavy equipment sale or rental. Vehicle sale and rental is broken down into the following specific uses:

a. Vehicle Sale and Rental, Light

A vehicle sales and service use that sells, rents, or leases vehicles including automobiles, motorcycles, scooters, pickup trucks, vans, and trailers.

b. Vehicle Sale and Rental, Heavy

A vehicle sales and service use that sells, rents, or leases vehicles including recreational vehicles, boats, 18-wheelers, and heavy equipment.

2. Vehicle Service and Repair

A vehicle sales and service use that services and repairs vehicles. Typical examples include automobile repair or servicing, tire sales or installation, heavy truck servicing or repair, and heavy equipment repair. Vehicle Service and Repair is broken down into the following specific uses.

a. Vehicle Service and Repair, Light

A vehicle sales and service use where limited repair is conducted on vehicles weighing up to 10,000 pounds where the work is typically done in one day and vehicles are not left outdoors overnight on-site. Typical examples include audio and alarm installation, brakes and exhaust services, battery replacement, tire and alignment services, emissions testing, oil and lube service, minor scratch and dent repair, glass and windshield repair, window tinting, and vehicle inspections.

b. Vehicle Service and Repair, Heavy

A vehicle sales and service use where substantial repair is conducted on vehicles weighing up to 10,000 pounds where the work is typically done over a several day period and vehicles are left outdoors overnight on-site, or any service and repair on vehicles weighing more than 10,000 pounds. Typical examples include transmission and engine repair, body repair and paint shops, semi-truck service and repair, and used tire collection or sales.

3. Car Wash

A vehicle sales and service use that cleans and details vehicles.

4. Fuel Sales

A vehicle sales and service use that sells and dispenses vehicle fuel, including diesel, gasoline, hydrogen, electricity, and other alternative fuels. The use does not include accessory EV charging stations.

M. Wholesale Trade Uses

Uses primarily engaged in selling products in bulk to retailers or business representatives for resale rather than to end consumers for direct consumption. Wholesale Trade use category includes the following specific uses:

1. General Wholesale Trade

A wholesale trade use where products are generally sold by a business representative with the intention that they will be resold to consumers for direct consumption, and the products are allowed on-site to be picked up by the business representative.

2. Showroom

A wholesale trade use where sample products are displayed for sale and all products sold are shipped or delivered to the business representative. The products are not allowed on-site for pick up by the business representative. This use does not include vehicle showrooms.

3. Wholesale Trade Mart

A wholesale trade use operated exclusively for the purpose of providing accommodations for multiple general wholesale trade uses or showrooms.

Sec. 4.4.4. Industrial Uses

A. Industrial and Manufacturing Uses

Uses involved in the manufacturing, processing, fabrication, packaging, or assembly of goods. Products may be finished or semi-finished and are generally made for the wholesale market, for transfer to other plants, or to order for firms or consumers. Goods are generally not displayed or sold on-site, but if so, they are a subordinate part of sales. Relatively few customers come to the site. Industrial and Manufacturing use category includes the following specific uses:

1. Low-Impact Industrial and Manufacturing

An industrial and manufacturing use where the following characteristics are present or anticipated:

a. Majority of manufacturing or industrial activity takes place indoors;

b. No significant heat, noise, sounds, vibrations, odors, or particulates detectable off premises;

c. No significant use of dangerous or harmful chemicals;

d. No significant use of highly combustible or flammable materials, liquids, or gases;

e. No use of hazardous or explosive materials; and

f. Limited or no outdoor storage.

Typical examples include manufacturing, processing, fabrication, packaging or assembly of prefabricated parts, consumer electronics, computers, appliances, optical devices or instruments, medical or surgical instruments, alcoholic and non-alcoholic beverages, cosmetics, clothing or shoes, printed or photographic materials, signs, small automotive parts; welding or machine shops; industry laundries; exterminators; and commercial food preparation.

2. High-Impact Industrial and Manufacturing

An industrial and manufacturing use where some or all of the following characteristics are present or anticipated:

a. The majority of manufacturing or industrial activity takes place outdoors.

b. Significant heat, noise, sounds, vibrations, odors or particulates may be detectable by neighboring properties.

c. Significant use of dangerous or harmful chemicals.

d. Significant use of highly combustible or flammable materials, liquids, or gases.

e. Use of hazardous, radioactive, or explosive materials.

Typical high-impact industrial examples include abrasives manufacturing; acid manufacturing; annealing or heat treating plants; acid manufacture; asphalt plants; battery rebuilding; concrete plants, cement plants, plants for the manufacture of lime, gypsum, or plaster of Paris; distillation of bones and glue manufacture; explosive manufactures or storage; fat rendering and fertilizer manufacture; hazardous toxic materials, including radioactive materials; paper and paper pulp manufacture; petroleum refining or fuel oil distribution; solid fuel yard; smelting of tin, copper, zinc, or iron ores; and resource extraction such as sand, gravel, clay, topsoil or dirt extraction, and quarries.

3. Crematorium

An industrial and manufacturing use where a facility used for the cremation of human and pet remains.

4. Research and Development

An industrial and manufacturing use focused primarily on the research and development of new products, or for scientific research intended for manufacture, production, or sale of products elsewhere. Typical examples include plastics, genetics, biotechnology, pharmaceuticals, and polymers.

B. Warehouse and Distribution Uses

Uses involved in the storage or movement of goods for themselves or other entities. Goods are generally delivered to other establishments or the final consumer. There is little or no on-site sales activity with customers present. Warehouse and Distribution use category includes the following specific uses:

1. General Warehouse and Distribution

A warehouse and distribution use characterized by primarily indoor movement and activity. Typical examples include fulfillment center, distribution center, frozen food lockers, household moving storage, general freight storage, and warehouse.

2. Data Center

A warehouse and distribution use primarily for the storage, management, processing, and transmission of digital data, housing computer and network equipment, systems, servers, appliances and other associated components related to digital data operations. May also include air handlers, power generators, water cooling and storage facilities, utility substations, and other associated utility infrastructure to support sustained operations at the data center.

3. Freight Terminal

A warehouse and distribution use involved in freight pick-up, transfer, or distribution by rail or truck and characterized by significant outdoor movement and activity. Typical examples include

containerized freight yard, inter-modal freight terminal, switching yard, trucking terminal, trailer storage yard, and shipping container storage yard.

4. Micro-Distribution Hub

A warehouse and distribution use up to 8,000 square feet in floor area providing the receipt, transfer, short-term storage, and dispatching of retail merchandise and similar goods. This use does not include retail uses that sometimes transfers or dispatch retail merchandise to other retail establishments.

5. Self- Storage

A warehouse and distribution use that offers secure self-storage for household goods in individual rooms, compartments, lockers, or containers, where customers bring goods for storage ~~and retrieve them at any time~~ during normal business hours.

6. Storage Yard

A warehouse and distribution use primarily intended for the outdoor storage of material, equipment, or vehicles for a period greater than 24-hours, and any structures associated with the outdoor storage. Typical examples include construction storage yard, lumberyard, sand or gravel yard, equipment yard, towing service storage yard, vehicle storage lot, school bus lot, impound lot, and wholesale greenhouse or nursery. The use may involve the sale or rental of items stored.

C. Waste-Related Service Uses

Uses that receive solid or liquid wastes from others for disposal on the site or for transfer to another location, uses that collect waste, or uses that manufacture or produce goods or energy from the composting of organic material. Waste-Related use category includes the following specific uses:

1. General Waste-Related Service

A waste-related service use that receives solid or liquid wastes from others for on-site storage, on-site disposal, or transfer to another location. Typical examples include incinerators, rendering plants, animal waste facilities, solid waste operations, junkyards, landfills, transfer stations, vehicle-related waste facilities, tire processing operations, and recycling facilities with outdoor storage.

2. Green Waste

A waste-related service use that accepts garden, wood, and other organic waste to reprocess into compost, wood chips, or other products, including the use of power-driven processing equipment. Facilities which receive green waste (garden, wood, or other organic waste) for shipment to another facility for reprocessing or composting are included in this type of facility.

3. Recycling Drop-Off Center

A waste-related service use with a salvage, recycling, or recovery operation that is conducted completely indoors or involving outdoor operations with all materials stored in containers located in a fenced yard.

DIVISION 4.5. SPECIFIC USE STANDARDS

Sec. 4.5.1. Applicability

The following use standards apply only where the use table (*Sec. XX*) includes an asterisk (*) for the use permission in the applicable Use District. Where no asterisk is present in the use table, these use standards do not apply.

Sec. 4.5.2. Residential Uses

A. Household Living Uses

1. General Household Living

a. Residential (R-) Use Districts

A Special Use Permit is required when a lot has no street frontage.

b. NX6 Use District

Where 5 or more dwelling units are in a building, at least 50% of the ground story of the building must contain Commercial Uses.

2. Live-Work

a. All Use Districts

i. The total floor area of a live-work unit, including residential and nonresidential uses, is limited to 4,000 square feet or less.

ii. The floor area of nonresidential uses are limited to 50% or less of the total floor area of a live-work unit.

iii. Nonresidential uses must be located on the ground story.

iv. Nonresidential uses are limited to:

a) General food and beverage;

b) General medical;

c) General office;

d) General personal service;

e) General retail; or

f) Artisan workshop.

B. Group Living Uses

1. General Supervised Group Living

a. All Use Districts

i. The operator of the facility must comply with all applicable local, state and federal laws and regulations, including state minimum codes. Copies of all applicable approved licenses and permits, including but not limited to, state licenses and business license must be provided to the Department before issuance of the occupancy permit.

ii. General supervised group living is not allowed within 2,000 feet of any other general supervised group living or emergency shelter. This requirement may be waived by the City Council in approving the Special Use Permit.

iii. Supervised group living must be within a distance of 1/2 mile of a public transportation station or stop. This requirement may be waived by the City Council in approving the Special Use Permit.

iv. If located in a Residential (R-) Use District, the design of the structure must be residential in appearance.

2. General Unsupervised Group Living

a. All Use Districts

i. Meals may be provided from a single central kitchen and compensation for such meals, if provided, must be included in the weekly or longer rental rate.

ii. No restaurant, meeting, reception, or banquet facilities may be provided.

iii. Other accessory uses, such as recreational facilities, are permitted provided they are appropriate to the size of the facility and operated solely for the residents and their guests.

3. Emergency Shelter

a. All Use Districts

i. The operator of the facility must comply with all applicable local, state, and federal laws and regulations, including state minimum codes. Copies of all applicable approved licenses and permits, including but not limited to, state licenses and business license must be provided to the Department before issuance of the occupancy permit.

ii. Emergency shelter is not allowed within 2,000 feet of any other emergency shelter or general supervised group living. This requirement may be waived by the City Council in approving the Special Use Permit.

iii. Emergency shelter must be within a distance of 1/2 mile of a public transportation station or stop. This requirement may be waived by the City Council in approving the Special Use Permit.

Sec. 4.5.3. Public and Institutional Uses

A. Wireless Telecommunications Uses

1. Intent

The intent of wireless communication uses is to provide procedural and substantive requirements for the location, construction, collocation, modification and operation of wireless communication facilities on property located outside the public right-of-way in accordance with applicable federal and state law where otherwise not preempted by such federal or state law.

2. Application Requirements

The following are required components of applications for wireless communication uses:

a. All Types

i. An applicant must pay the application fees as provided in City Code.

ii. The applicant must provide the Section of state or federal statute or regulation under which applicant seeks review and approval.

iii. The applicant can only be required to provide documents, information, and fees adopted by City Council, as well as forms promulgated by the Office of Zoning and Development or the Office of Buildings, pertaining to the location, construction, collocation, modification, or operation of such wireless facilities.

b. Type I: Modification

i. Type I applications take the form of an application for building or electrical permit as determined by the Office of Buildings.

ii. When an applicant asserts in the application that a request for modification is covered by 47 CFR § 1.6100 or 47 U.S.C. § 1455(a), or as thereafter amended, the applicant must provide the following documentation or information which is reasonably related to determining whether the request meets the requirements of said Section:

a) An as-built site plan with elevations depicting and providing the measurements of the current deployment of antenna and previously approved eligible support structure on the site;

b) A proposed site plan with elevations depicting and providing the measurements, with reference to the proposed total measurements and delta, of the proposed deployment for modification of the previously approved eligible support structure on the site;

c) A narrative description of the proposed modification and explanation of why the proposed modification of an eligible support structure does not substantially change the physical dimensions of such structure by reference to each component contained within the definition of "substantial change"; and

d) Those items set forth in the *Criteria for Review and Decision* Section below.

c. Type II: Small Wireless Collocation or Type III: Non-Small Wireless Collocation

i. Type II applications take the form of an application for building or electrical permit as determined by the Office of Buildings.

ii. Type III applications take the form of an application for Certificate of Endorsement *(see Sec. XX)*.

iii. When an applicant asserts in the application that a request for collocation is covered by 47 CFR § 1.6001 et seq., or as thereafter amended, the applicant must provide the following documentation or information which is reasonably related to determining whether the request meets the requirements of said Section:

a) An as-built site plan with elevations depicting and providing the measurements of the current deployment of wireless facilities and wireless support structure on the site;

b) A proposed site plan with elevation(s) depicting and providing the measurements, with reference to the proposed total measurements and delta, of the proposed collocation of a small wireless facility (Type II) or non-small wireless facility (Type III), as the case may be;

c) A narrative describing the proposed collocation and explaining why the proposed collocation is either a small wireless facility or a non-small wireless facility, as the case may be; and

d) Those items set forth in the *Criteria for Review and Decision* Section below.

d. Type IV: Small Wireless Structure or Type V: Non-Small Wireless Structure

i. Type IV applications take the form of an application for a Certificate of Endorsement *(see Sec. XX)*.

ii. Type V applications take the form of an application for Special Use Permit *(see Sec. XX)*.

iii. When an applicant asserts in the application that a request for deployment is covered by 47 CFR § 1.6001 et seq., or as thereafter amended, the applicant must provide the following documentation or information which is reasonably related to determining whether the request meets the requirements of said Section:

a) A proposed site plan with elevations depicting and providing the measurements, with reference to the proposed total measurements of the proposed deployment of a small wireless facility (Type IV) or non-small wireless facility (Type V), as the case may be

b) A written evaluation of the technical, business, or service characteristics of such proposed wireless facility;

c) An inventory of its existing structures that are either within the City or within one quarter mile of the city limit, including specific information about the location, height and design of each tower. The Office may share such information with other applicants applying for Special Use Permits or Certificates of Endorsements, or with other organizations seeking to locate wireless support structure or wireless facilities within the City, provided, however, that the Office, by sharing such information, is not in any way representing or warranting that such sites are available or suitable.

d) A radio frequency analyses and any other documentation intended to demonstrate the proposed service characteristics of the proposed wireless facility, to illustrate the need for such wireless facility, or to justify the business decision to deploy the proposed new wireless facility rather than collocate on an existing structure; and

e) A letter from a radio frequency engineer certifying the applicant's proposed wireless facilities will not interfere with public safety emergency communications; and

f) Those items set forth in the *Criteria for Review and Decision* Section below and those items required to show compliance with the *Conditions of Approval* Section below.

3. Review and Decision Process

a. Type I: Modification

i. Upon application, the Office reviews to determine whether or not the application is complete and proposes a substantial change. Concurrently, the Office of Buildings reviews to determine whether the application complies with state minimum standards codes. Type I applications are decided by the Office of Buildings based upon a written record as to whether the building or electrical permit satisfies the requirements in this Section and for building or electrical permits generally.

ii. Within 60 days of the date on which an applicant submits an application seeking approval pursuant to 47 CFR § 1.6100, or as thereafter amended, the Office of Building must approve the application unless it determines that the application is not covered by said Section.

iii. The 60-day period begins when the application is filed with the Office of Buildings, and may be tolled only by mutual agreement or in cases where the Office determines that the application is incomplete.

iv. To toll the time frame for incompleteness, the Office must provide written notice to the applicant within 30 days of receipt of the application, clearly and specifically delineating all missing documents or information. Such delineated information is limited to documents or information listed in this Section.

v. The time frame for review begins running again when the applicant makes a supplemental submission in response to the Office's notice of incompleteness.

vi. Following a supplemental submission, the Office will have 10 days to notify the applicant that the supplemental submission did not provide the information identified in the original notice delineating missing information. The time frame is tolled in the case of second or subsequent notices pursuant to the procedures identified in this Section. Second or subsequent notices of incompleteness may not specify missing documents or information that were not delineated in the original notice of incompleteness.

vii. In the event the Office of Building fails to approve or deny a request seeking approval under this Section within the time frame for review (accounting for any tolling), the request will be deemed granted. The deemed grant does not become effective until the applicant notifies the Office in writing after the review period has expired (accounting for any tolling) that the application has been deemed granted.

b. Type II: Small Wireless Collocation

i. Upon application, the Office reviews to determine whether or not the application is complete and proposes a small wireless facility using an existing structure. Concurrently, the Office of Buildings reviews to determine whether the application complies with state minimum standards codes. Type II applications are decided by the Office of Buildings based upon a written record as to whether the building or electrical permit satisfies the requirements in this Section and for building or electrical permits generally.

ii. Within 10 days of the date an application is filed with the Office of Buildings, the Office must determine whether or not:

a) The application is complete; and

b) The proposed collocation is for a small wireless facility using an existing structure.

iii. If the Office determines the application is not a complete application, it must within 10 days of the filing of the application notify the applicant in writing of any information required to complete such application.

iv. To the extent additional information is required to complete the application, the time required by the applicant to provide such information will not be counted toward the 60-day decision period.

v. If the Office determines the application is a complete application and the proposed collocation is for a small wireless facility, the Office of Buildings must commence review for compliance with state minimum standard codes. Applications that required additional information to become complete will, when complete, be immediately transmitted to the Office of Buildings for decision.

vi. Within 60 days of the date a Type II application is filed with the Office of Buildings, unless another date is specified in a written agreement between the Office and the applicant, the Office of Building must:

a) Make its final decision to approve or disapprove the application based on compliance with state minimum standard codes and whether or not the request is for a small wireless facility using an existing structure; and

b) Advise the applicant in writing of its final decision supported by the written record.

c. Type III: Non-Small Wireless Collocation

i. Upon application, the Office initially reviews to determine whether or not the application is complete and proposes a non-small wireless facility using an existing structure. Concurrently, the Office of Building reviews to determine whether the application complies with state minimum standards codes. Type III applications are decided by the office based upon a written record as to whether the Certificate of Endorsement applications satisfies the requirements in this Section and for Certificates of Endorsement generally.

ii. Within 30 days of the date of application, the Office must determine if it is a complete application and, if it determines the application is not a complete application, notify the applicant in writing of any information required to complete such application.

iii. To the extent additional information is required to complete the application, the time required by the applicant to provide such information will not be counted toward the 90-day review period.

iv. A complete application must be e-mailed by the Office to the appropriate Neighborhood Planning Unit (NPU) for its review and comment with regard to the criteria set for in this Section. The NPU will have 30 days from receipt to complete this review.

v. Within 90 days of the date a Type III application is filed with the Office, unless another date is specified in a written agreement between the Office and the applicant, the Office must:

a) Make its final decision to approve or disapprove the application based on the criteria set for in this Section and for Certificates of Endorsements generally; and

b) Advise the applicant in writing of its final decision supported by the written record.

d. Type IV: Small Wireless Structure

i. Upon application, the Office initially reviews to determine whether or not the application is complete and proposes a small wireless facility using a new structure. Type IV applications are decided by the Office based upon a written record as to whether the Certificate of Endorsement application satisfies the requirements in this Section and for Certificates of Endorsements generally.

ii. Within 10 days of the date of application, the Office must determine if it is a complete application and, if it determines the application is not a complete application, notify the applicant in writing of any information required to complete such application.

iii. To the extent additional information is required to complete the application, the time required by the applicant to provide such information will not be counted toward the 90-day review period.

iv. A complete application must be e-mailed by the Office to the appropriate Neighborhood Planning Unit (NPU) for its review and comment with regard to the criteria set for in this Section. The NPU will have 30 days from receipt to remit any written comment to the Office.

v. Within 90 days of the date an application for modification or collocation of wireless facilities is filed with the Office, unless another date is specified in a written agreement between the Office and the applicant of zoning and development, the office must:

a) Make its final decision to approve or disapprove the application based on the criteria set for in this Section and for Certificates of Endorsements generally; and

b) Advise the applicant in writing of its final decision supported by the written record.

e. Type V: Non-Small Wireless Structure

i. Upon application, the Office initially reviews to determine whether or not the application is complete and proposes a non-small wireless facility using a new structure. Type V applications are decided by the City Council after public hearing and based upon a written record as to whether the Special Use Permit application satisfies the requirements in this Section and for Special Use Permits generally.

ii. Within 30 days of the date of application, the Office must determine if it is a complete application and, if it determines the application is not a complete application, notify the applicant in writing of any information required to complete such application.

iii. To the extent additional information is required to complete the application, the time required by the applicant to provide such information will not be counted toward the 150-day review period.

iv. A complete application must be e-mailed by the office to the appropriate Neighborhood Planning Unit (NPU) for its review and comment with regard to criteria set for in this Section. The NPU will have 60 days to remit any written comment to the Office.

v. Within 150 days of the submission of the initial application, unless another date is specified in a written agreement between the Office and the applicant, the City Council must:

a) Make its final decision to approve or disapprove the application based on the criteria set for in this Section and on the criteria for Special Use Permits generally; and

b) Advise the applicant in writing of its final decision supported by the written record.

4. Criteria for Review and Decision

a. Type III, Type IV, and Type V

i. No new wireless support structure may be permitted unless the applicant reasonably demonstrates that such wireless support structure is necessary and that no existing wireless support structure can accommodate the applicant's proposed wireless facility. To demonstrate that no existing wireless support structure can accommodate the applicant's proposed wireless facility, the applicant must submit evidence that one or more of the following conditions exist:

a) No existing wireless support structure is located within the geographic area required to meet the applicant's engineering requirements;

b) No existing wireless support structure is of sufficient height to meet the applicant's engineering requirements;

c) Existing wireless support structures do not have sufficient structural strength to support applicant's proposed wireless facility;

d) The applicant's proposed wireless facility would cause electromagnetic interference with the proposed wireless facility on the existing wireless support structure, or the wireless facility on the existing wireless support structure would cause interference with the operations of the applicant's proposed wireless facility;

e) The fees, costs or contractual provisions required by the owner in order to share an existing wireless support structure or adapt an existing wireless support structure for sharing are unreasonable; or

f) The applicant demonstrates that there are other limiting factors which render existing wireless support structures unsuitable.

ii. The height of the proposed wireless support structure and proposed wireless facility is regulated and limited in relation to the following:

a) Proximity to residential structures and residential district boundaries;

b) The surrounding topography;

c) The surrounding tree coverage and foliage; and

d) The design of the proposed wireless support structure and proposed wireless facility, with particular reference to design characteristics which have the effect of reducing or eliminating visual obtrusiveness

iii. In no event may any proposed wireless support structure and proposed wireless facility exceed the minimum height necessary to accomplish its intended function as certified by a registered engineer licensed by the State of Georgia. Said certification is the responsibility of the applicant and must be submitted to the Office at the time application is made.

iv. Under no circumstances may any proposed wireless support structure exceed 200 feet in height as measured from existing grade. Any proposed accessory equipment within the equipment compound may not exceed the height limitation specified in the Form District in which the property is located.

v. Any proposed wireless support structure and proposed wireless facility must be painted in a neutral color identical to or closely compatible with the surroundings, and in such a manner as to make the proposed wireless support structure and proposed wireless facility as visually unobtrusive as possible.

vi. Any proposed wireless support structure and proposed equipment compound must be enclosed by security fencing no less than 6 feet in height, and said proposed wireless support structure must be equipped with an appropriate anti-climbing device. Said fencing must be buffered with landscaping and screened to alleviate such potentially adverse effects as may be created by noise, glare, odor, lighting, or signs.

vii. Any wireless support structure and wireless facility that are proposed in Residential Use Districts will be permitted only upon a showing by the applicant that said wireless support structure and wireless facility may not be located on a property with a nonresidential Use District in the same area in such a way as to adequately satisfy its intended purpose. The foregoing requirement of a showing must include submission of an affidavit identifying all properties with a nonresidential Use District which the applicant has considered for the location of the antenna and related equipment. The applicant must identify the boundaries of the geographical area necessary to accomplish the intended purpose of the proposed wireless facility. The affidavit must state the specific reasons that the

wireless facility may not be located on the properties with a nonresidential Use District. The affidavit must also include all technical information (excluding information that relates to trade secrets or proprietary information) necessary to review the application including information relating to field strength, power density and frequency of actual or potential emissions from those facilities and any other information pertinent to the requirements set forth in this Section. The affidavit must further include all contractual and financial information specifically relating to the subject site and the lease to be entered into.

5. Conditions of Approval

a. Type V:

The City Council may impose conditions on the approval of a Special Use Permit required for a Type V application to protect the public health, safety and general welfare. In the regulation of the placement or construction of any new wireless support structure or wireless facility, the City may not:

i. Condition the approval of any application for a new wireless support structure on a requirement that a modification or collocation to such structure be subject to a review that is inconsistent with the requirements of O.C.G.A. § 36-66B-4;

ii. Require the removal of existing wireless support structures or wireless facilities as a condition to approval of an application for a new wireless facility or wireless support structure unless such existing wireless support structure or wireless facility is abandoned and owned by the applicant; or

iii. Require the applicant to place an antenna or other wireless communications equipment on publicly owned land or on a publicly or privately owned water tank, building, or electric transmission tower as an alternative to the location proposed by the applicant.

Sec. 4.5.4. Commercial Uses

A. Adult Establishment Uses

1. Intent

The intent of adult establishment uses is to regulate adult establishments in order to promote the health, safety, and general welfare of the citizens of the City, and to establish reasonable and uniform regulations to prevent the deleterious secondary effects of adult establishments within the City. The provisions of the standards have neither the purpose nor effect of imposing a limitation or restriction on the content or reasonable access to any communicative materials, including sexually oriented materials. Similarly, it is neither the intent nor effect of the standards to restrict or deny access by adults to sexually oriented materials protected by the First Amendment, or to deny access by the distributors and exhibitors of sexually oriented entertainment to their intended market. Neither is it the intent nor effect of the standards to condone or legitimize the distribution of obscene material.

2. Findings and Rationale

a. Based on evidence of the adverse secondary effects of adult establishment uses presented in hearings and in reports made available to the City Council, and on findings, interpretations, and narrowing constructions incorporated in applicable cases, the City Council finds:

i. Adult establishment uses are associated with a wide variety of adverse secondary effects including, but not limited to, personal and property crimes, human trafficking, prostitution, potential spread of disease, lewdness, public indecency, obscenity, illicit drug use and drug trafficking, negative impacts on surrounding properties, urban blight, litter, and sexual assault and exploitation. Alcohol consumption impairs judgment and lowers inhibitions, thereby increasing the risk of adverse secondary effects.

ii. Adult establishment uses should be separated from sensitive land uses to minimize the impact of their secondary effects upon such uses, and should be separated from other adult establishments, to minimize the secondary effects associated with such uses and to prevent an unnecessary concentration of adult establishments in one area.

iii. Each of the foregoing negative secondary effects constitutes a harm which the City has a substantial government interest in preventing and abating. The City's interest in regulating adult establishments extends to preventing future secondary effects of either current or future adult establishments that may locate in the City. The City finds that the cases and documentation relied on in this Chapter are reasonably believed to be relevant to said secondary effects.

b. In this Code, the City adopts and incorporates its stated findings and legislative record related to the adverse secondary effects of adult establishments, including the judicial opinions and reports related to such secondary effects.

3. Adult Establishment

a. All Use Districts

i. Adult establishment is not allowed within 500 feet of any Residential (R-) or Residential Mix (RX-) Use District.

ii. Adult establishment is not allowed within 1,000 feet of the following uses:

a) Religious assembly;

b) General civic;

c) General private education; or

d) General park and open space.

iii. Adult establishment is not allowed within 1,000 feet of another adult establishment.

iv. If an adult establishment meets all other standards of this Code, adult establishment in a location that satisfies the standards in this Section will not be deemed non-compliant by virtue of a subsequent establishment or expansion of a Use District or use identified in this Section or the subsequent establishment or expansion of another adult establishment.

B. Agriculture Uses

1. Farmers Market

a. All Use Districts

i. At least 75% of the displayed inventory of the products sold in each farmers market must be farm products or value-added farm products.

ii. At least 75% of the vendors participating during the market's hours of operation must be either producers, family members, employees or agents of producers.

iii. If a booth sells farm products or value-added farm products that are not produced by the vendor, the booth must explicitly disclose the producer's name and location in writing with lettering that is at least 2 inches tall and visible to the consumer.

b. Residential Mix (RX-) Use Districts

Farmers market is not permitted on undeveloped lots.

2. Urban Garden

a. All Use Districts

i. Hoop-houses, greenhouses, trellises, raised beds, tool sheds, and other accessory structures typically associated with urban gardens are allowed.

ii. Machinery and equipment typically associated with urban gardens are allowed. When not in use, all machinery and equipment must be stored to not be visible from any public street, sidewalk, or right-of-way unless the following standards are met:

a) The machinery or equipment is intended for ordinary household use;

b) The machinery or equipment is borrowed or rented for no more than 7 days; or

c) The urban garden is located in an Industrial Flex (IX-) or Industrial (I-) Use District.

iii. Vending or sales associated with an urban garden can only occur between 7:00 a.m. and 9:00 p.m. Set up of sales operations may begin no earlier than 6:00 a.m. and take-down may end no later than 10:00 p.m. Community supported agriculture (CSA) pick-ups are allowed at any time during the sales hours.

b. Residential (R-) Use Districts

i. Urban garden is only permitted as a principal use on undeveloped lots.

ii. Urban garden is only permitted as an accessory use on lots with a Public and Institutional Use.

C. Entertainment and Recreation Uses

1. ATV Park

a. All Use Districts

i. ATV park is only allowed on a site at least 10 acres in size.

ii. ATV park is not allowed within 3,000 feet of any Residential Use.

2. Lounge or Nightclub

a. MX14 Use District

i. Significant noise or sounds must not be detectable by neighboring properties.

ii. For the purposes of this Section, "significant noise" means any sound that produces noticeable bass or vibration inside nearby buildings or is plainly audible more than 50 feet beyond the property line.

iii. Lounge or nightclub is not allowed in any outdoor area on the ground story.

3. Party House

a. All Use Districts

Party house is not allowed within 150 feet of any Residential Use.

4. Sports Arena, Stadium, or Field

a. Residential (R-) Use Districts

i. The is use only permitted when it is officially affiliated with a general private education use.

ii. Other general outdoor entertainment and recreation uses are not permitted.

D. Food and Beverage Uses

1. Bakery, wholesale

a. NX6 Use District

Bakery, wholesale is only permitted when the establishment has a general retail use.

2. Bar

a. NX6 Use District

No more than 2 bar establishments are allowed on each block face.

3. Catering Establishment

a. NX6 Use District

Catering establishment is only permitted when the establishment has a general retail use.

4. Delivery-Based Commercial Kitchen

a. NX6 Use District

Delivery-based commercial kitchen is limited to 4,000 square feet or less of total floor area per lot.

5. Microbrewery, Microdistillery, or Winery

a. NX2 Use District

i. No sound, amplified or otherwise, may be audible from off of the lot.

ii. If the person who is the licensee for the City of Atlanta Alcoholic Beverage License ceases to be the licensee, then the Special Use Permit will expire 90 days after the person ceases to be the licensee, and a new Special Use Permit must be in place for the establishment to continue operations.

iii. Doors and loading bays facing any street must be closed at all times, except during the ingress or egress of individuals, the movement of raw materials, other supplies and finished products into and out of the building.

iv. The permittee must present an unloading and loading plan for all materials, which must be attached to the Special Use Permit application. The written plan must also be accompanied by scale drawings showing any of the elements discussed in the plan. One drawing must be for loading and a second for unloading. The plan must, at a minimum, discuss the following:

a) Where vehicles involved in loading and unloading will be parked during the process;

b) The amount of time the vehicles will be parked during the loading and unloading process;

c) The amount of time required for loading and unloading;

d) The times of day that loading and unloading will take place;

e) The volume of material being moved;

f) The path of travel for loading and unloading materials, and;

g) Any lanes of travel that will be blocked during the process and the proposed arrangements to handle any blockage.

v. The duration of a Special Use Permit is 2 years. If a Special Use Permit is being renewed, unless otherwise stated, the first renewal will be for a period of 5 years, the second and any subsequent renewals will be for a period of 10 years.

vi. No outdoor storage is allowed.

E. Lodging Uses

1. General Lodging

a. Neighborhood Mix (NX-) Use Districts

i. Convention hall or event facility is only allowed as an accessory use and the total floor area is limited to 500 square feet.

ii. This use is not allowed within 500 feet of any public or private school.

2. Bed and Breakfast

a. All Use Districts

i. The structure containing the bed and breakfast must meet the following standards:

a) Must be at least 1,200 square feet in floor area; and

b) Must meet one of the following:

1) Must be individually listed on the National Register of Historic Places; or

2) Must be contributing to a district listed on the National Register of Historic Places; or

3) Must be within a district listed on the National Register of Historic Places and be architecturally compatible with the district in comparison to the physical descriptions or architectural information available in the official National Register of Historic Places Nomination, as determined by the Executive Director of the Urban Design Commission.

ii. The structure containing the bed and breakfast must substantially maintain its original or historic exterior appearance based on physical descriptions or architectural information available in the official National Register of Historic Places Nomination as determined by the Executive Director of the Urban Design Commission.

iii. A property owner or manager must reside on the property as their primary residence. Up to 2 additional on-site employees may also reside on the property, for a total of 3 unrelated individuals, to manage and maintain the property.

iv. The property must provide no less than 3 and no more than 8 rooms for overnight guests.

v. Guest stays are limited to a minimum of 1 night and a maximum of 30 consecutive nights.

vi. The daily charge to guests must include sleeping accommodations and breakfast. Rooms may not contain independent cooking facilities unless the property is located in a Form District that allows for more than 1 principal dwelling unit.

3. Short-Term Rental

a. All Use Districts

i. For accessory structures to be used for short-term rental, the property owner must occupy the lot as their primary residence.

ii. Short-term rentals are subject to the regulations in Atlanta City Code Section 20-1001.

iii. Short-term rentals are restricted in the areas identified on the Short-Term Rental Map.

F. Personal Service Uses

1. General Personal Service

a. RX3 Use District

General personal service is limited to 4,000 square feet or less of total floor area per lot.

2. Animal Care, Indoor

a. All Use Districts

Noises from animals must not be detectable by an adjacent lot.

3. Body Art Studio

a. All Use Districts

Body art studio is not allowed within 1,500 feet of another body art studio.

4. Funeral Home

a. All Use Districts

Funeral home is not allowed within 100 feet of any House-Scale (H-) or Neighborhood-Scale (N-) Form District.

5. Hair or Nail Salon

a. Neighborhood Mix (NX-) Use Districts

Hair or nail salon is not allowed within 500 feet of another hair or nail salon on a different lot. This does not apply to multiple establishments on the same lot.

6. Laundry Service

a. Neighborhood Mix (NX-) Use Districts

Laundry service is not allowed within 1,500 feet of another laundry service.

b. RX3 and MX2 Use Districts

Laundry service is limited to 4,000 square feet or less of total floor area per lot.

G. Retail Uses

1. Alternative Financial Service

a. All Use Districts

Alternative financial service is not allowed within 1,500 feet of another alternative financial service.

2. Hookah or Vape Store

a. All Use Districts

i. Hookah or vape store is not allowed within 1,000 feet of another smoke shop on a

different lot. This does not apply to multiple establishments on the same lot.

ii. Hookah or vape store is not allowed within 1,000 feet of the following uses:

a) General civic, operating as a school or day care;

b) General private education; or

c) Private day care,

b. NX6 Use District

Hookah or vape store is not allowed within 1,500 feet of another smoke shop or establishment with an accessory hookah or vapor consumption use.

3. Package Store

a. RX3 Use District

Package store is limited to 4,000 square feet or less of total floor area per lot.

b. Neighborhood Mix (NX-) Use Districts

Package store is not allowed within 1,500 feet of another package store.

~~4. Retail Bank~~

~~a. Neighborhood Mix (NX-) Use Districts~~

~~ATMs are not allowed.~~

4. Small Discount Variety Store

a. All Use Districts

Small discount variety store is not allowed within 5,280 feet of another small discount variety store.

b. Neighborhood Mix (NX-) Use Districts

Small discount variety store is not allowed within 2,000 feet of another Retail Use with a total floor area of 8,000 square feet or larger.

H. Transportation Uses

1. Truck Stop

a. All Use Districts

i. Truck stop is not allowed within 1,500 feet of another truck stop. This does not apply to multiple uses on the same lot.

ii. Truck stop is not allowed within 1,500 feet of the following uses:

a) Residential (R-) Use District;

b) Public school;

c) Religious assembly;

d) General private education;

e) Day care, private;

f) General parks and open space;

g) Cemetery; or

h) Hospital.

I. Vehicle Sale and Service Uses

1. Light Vehicle Sale and Rental

a. All Use Districts

Light vehicle sale and rental is not allowed within 100 feet of any House-Scale (H-) or Neighborhood-Scale (N-) Form District.

b. Mixed-Use (MX-) Use Districts

Light vehicle sale and rental is not allowed to store vehicles in a parking lot. Any vehicles stored on-site must be in a parking structure. Vehicles may also be displayed in a building functioning as a showroom.

2. Heavy Vehicle Sale and Rental

a. All Use Districts

Heavy vehicle sale and rental is not allowed within 100 feet of any House-Scale (H-) or Neighborhood-Scale (N-) Form District.

3. Light Vehicle Service and Repair

a. All Use Districts

i. Light vehicle service and repair is not allowed within 1,500 feet of any other Vehicle Sale and Service Use. This does not apply to multiple uses on the same lot.

ii. Light vehicle service and repair is not allowed within 100 feet of any House-Scale (H-) or Neighborhood-Scale (N-) Form District.

iii. When abutting a common lot line of a Residential Use, a Medium Transition Screen (*Sec. XX. Transition Screens*) is required.

iv. Any outdoor storage must meet the requirements of *Sec. XX Outdoor Storage, Major*.

4. Heavy Vehicle Service and Repair

a. All Use Districts

i. Heavy vehicle service and repair is not allowed within 1,500 feet of any other Vehicle Sale and Service Use. This does not apply to multiple uses on the same lot.

ii. Heavy vehicle service and repair is not allowed within 100 feet of any House-Scale (H-) or Neighborhood-Scale (N-) Form District.

iii. When abutting a common lot line of a Residential Use, a High Transition Screen (*Sec. XX. Transition Screens*) is required.

iv. Any outdoor storage must meet the requirements of *Sec. XX Outdoor Storage, Major*.

5. Car Wash

a. All Use Districts

i. Car wash is not allowed within 1,500 feet of any other Vehicle Sale and Service Use. This does not apply to multiple uses on the same lot.

ii. Car wash is not allowed within 100 feet of any House-Scale (H-) or Neighborhood-Scale (N-) Form District.

b. All Mixed Use (MX-), Industrial Flex (IX-), and Civic (CV-) Use Districts

i. Car wash is only allowed as an accessory to a lodging, office, medical, and vehicle sale and service use.

ii. The use must not be visible from any lot line.

iii. The use is not allowed to have signage that is visible from any lot line.

6. Fuel Sales

a. All Use Districts

i. Fuel sales is not allowed within 1,500 feet of any Vehicle Sale and Service Use. This does not apply to multiple uses on the same lot.

ii. Fuel sales is not allowed within 100 feet of any House-Scale (H-) or Neighborhood-Scale (N-) Form District.

Sec. 4.5.5. Industrial Uses

A. Industrial and Manufacturing Uses

1. Low-Impact Industrial and Manufacturing

a. All Use Districts

i. When abutting a common lot line of a Residential Use, a Medium Transition Screen (*Sec. XX. Transition Screens*) is required.

2. High-Impact Industrial and Manufacturing

a. All Use Districts

i. When abutting a common lot line of a Residential Use, a High Transition Screen (*Sec. XX. Transition Screens*) is required.

ii. Any outdoor storage must meet the requirements of *Sec. XX Outdoor Storage, Major*.

3. Research and Development

a. All Use Districts

i. When abutting a common lot line of a Residential Use, a Medium Transition Screen (*Sec. XX. Transition Screens*) is required.

ii. Heat, noise, vibrations, odors, or particulates must not be detectable by an adjacent lot.

B. Warehouse and Distribution Uses

1. Data Center

a. All Use Districts

i. Data center is not permitted in the Beltline Overlay District.

ii. Data center is not permitted within 1/2 mile of a high-capacity transit stop.

b. All Use Districts, Except I2

i. Data center is limited to 8,000 square feet or less of total floor area per lot.

ii. At least 50% of the total floor area of all buildings on a site must have a use other than data center ~~or self-storage~~.

iii. No occupancy permit may be issued for a data center use before one or more occupancy permits have been issued for non-data center ~~or non-self-storage~~ permitted uses on the site. Furthermore, the combined floor area of all said other permitted uses holding occupancy permits must equal or exceed the combined floor area of the data center ~~and self-storage~~ uses.

iv. Any building with data center is required to provide an active depth (see *Sec. XX. Active Depth*) of at least 30 feet for any portion of the building facing a public street, public park, the Beltline, or other multi-use trail. The active depth requirement applies to any story with this use.

2. Self-Storage

a. All Use Districts

i. Self-storage is not permitted in the Beltline Overlay District.

ii. Self-storage is not permitted within 1/2 mile of a high-capacity transit stop.

iii. Self-storage is not allowed within 100 feet of any House-Scale (H-) or Neighborhood-Scale (N-) Form District.

b. Mixed-Use (MX-) and Civic (C-) Use Districts

i. At least 50% of the total floor area of all buildings on a site must have a use other than self-storage ~~or data center~~.

ii. Self-storage is limited to 8,000 square feet or less of total floor area per lot.

iii. No occupancy permit may be issued for a self-storage use before one or more occupancy permits have been issued for non-self-storage ~~or non-data center~~ permitted uses on the site. Furthermore, the combined floor area of all said other permitted uses holding occupancy permits must equal or exceed the combined floor area of the self-storage ~~and data center~~ uses.

iv. Any building with self-storage is required to provide an active depth (see *Sec. XX. Active Depth*) of at least 30 feet for any portion of the building facing a public street, public park, the Beltline, or other multi-use trail. The active depth requirement applies to any story with this use.

v. Each compartment or storage unit must be exclusively accessible from the interior of the structure.

vi. The use must be climate-controlled.

vii. There must be secured-access to the structure (other than front desk).

3. Storage Yard

a. All Use Districts

i. When abutting a common lot line of a Residential Use, a High Transition Screen (*Sec. XX. Transition Screens*) is required.

ii. Any outdoor storage must meet the requirements of *Sec. XX Outdoor Storage, Major*.

C. Waste-Related Service Uses

1. General Waste-Related Service

a. All Use Districts

i. When abutting a common lot line of a Residential Use, a High Transition Screen (*Sec. XX. Transition Screens*) is required.

ii. Any outdoor storage must meet the requirements of *Sec. XX Outdoor Storage, Major*.

2. Green Waste

a. All Use Districts

i. When abutting a common lot line of a Residential Use, a High Transition Screen (*Sec. XX. Transition Screens*) is required.

ii. Any outdoor storage must meet the requirements of *Sec. XX Outdoor Storage, Major*.

3. Recycling Drop-Off Center

a. All Use Districts

i. When abutting a common lot line of a Residential Use, a High Transition Screen (*Sec. XX. Transition Screens*) is required.

ii. Any outdoor storage must meet the requirements of *Sec. XX Outdoor Storage, Major*.

DIVISION 4.6. ACCESSORY USES

Sec. 4.6.1. General Provisions

A. Permitted Accessory Uses

1. The Consolidated Use Tables in *Sec. XX* establish the allowed accessory uses and structures in each Use District. Multiple accessory uses are allowed on a lot when the uses are all allowed and the standards for all uses can be met.
2. An accessory use or structure not specifically listed in the permitted use table (*Sec. XX)* is not allowed unless the Director determines the use meets the following standards:
    a. The use is clearly incidental to and customarily found in connection with an allowed principal use;
    b. The use is subordinate to and serving an allowed principal use;
    c. The use is subordinate in area, extent, and purpose to the principal use; and
    d. The use is located on the same lot as the principal use.

B. Rules for All Accessory Uses and Structures

1. An accessory use or structure may be established at the same time as, but not before, the permitted principal use.
2. Accessory structures must comply with the dimensional requirements of the Form District.
3. Accessory structures may not encroach into a primary or side street yard, unless stated otherwise in *Sec. XX Rules for Form Districts*.
4. In House-Scale (H-) and Neighborhood-Scale (N-) Form Districts, accessory structures may not occupy more than 25% of the rear yard.

Sec. 4.6.2. Definitions and Standards

A. Accessory Dwelling Unit

1. Definition

A dwelling unit typically arranged to accommodate long-term stays of 30 days or more that is secondary to the principal use with independent cooking facilities.

2. Standards

a. All Use Districts

i. Accessory dwelling units may be attached or detached from the principal dwelling unit.

ii. Accessory dwelling units must be located on the same lot as the principal dwelling unit.

iii. The maximum number of accessory dwelling units allowed per lot is determined by the Use District.

iv. Accessory dwelling units are not permitted on lots where the existing number of dwelling units exceeds the maximum allowed and is therefore nonconforming.

v. The total floor area of each accessory dwelling unit is limited to 850 square feet.

vi. The floor area of accessory dwelling units counts toward the maximum allowable FAR of the Form District.

vii. When an accessory dwelling unit as attached to the principal dwelling unit, any exterior door providing access to the accessory dwelling unit is not allowed on a street-facing building facade along a primary street. An exterior door is permitted on a street-facing building facade along a side street.

viii. Pedestrian access must be provided from the street to the accessory dwelling unit and may be accommodated through a driveway or alley.

B. Accessory Residential Structure

1. Definition

A structure that is commonly associated with household living and detached from the principal dwelling unit. Typical examples include guest houses, pool houses or cabanas, greenhouses, garden sheds, private garages, barns, and similar structures.

2. Standards

a. All Use Districts

i. Accessory residential structures must be detached from the principal dwelling unit.

ii. Accessory residential structures must be located on the same lot as the principal dwelling unit.

iii. The total floor area of all accessory residential structures on a lot is limited to 30% of the total floor area of the principal dwelling unit.

iv. The floor area of accessory residential structures counts toward the maximum allowable FAR of the Form District.

v. Accessory residential structures may not be used as a dwelling unit.

vi. Accessory residential structures may not be used for stays of 30 days or more.

vii. Accessory residential structures may not contain any independent kitchen or cooking facilities.

C. Drive-In

1. Definition

An establishment where customers park and remain in their vehicles while receiving continuous service from an employee of the business. This does not include facilities that provide designated parking spaces solely for customers to pick up a single order without ongoing service.

D. Drive-Through, Enclosed

1. Definition

A facility, enclosed within a building or parking structure, allowing for customers to conduct a transaction at a service window or mechanical device while remaining in their vehicle.

2. Standards

a. All Use Districts

i. Drive-through, enclosed must meet all the standards of *Sec. XX, Other Vehicle Use Areas*.

ii. No part of the use, including queuing lanes, is allowed within 100 feet of any House-Scale (H-) or Neighborhood-Scale (N-) Form District.

iii. Only 1 queuing lane is allowed.

iv. Service windows, menu boards, trash receptacles, ordering boxes, or other objects associated with a drive-through are not allowed within 60' of any primary or side street lot line and must be fully screened from any primary or side street lot line.

v. The queuing lane is not allowed within 60' of any primary or side street lot line and must be fully screened from any primary or side street lot line. This does not include a driveway providing access to other parking areas.

vi. When the use is an accessory to a food and beverage use, a dining room or walk-up window must be provided and must be available to customers at all times the drive-through is operating.

vii. Applications for new drive-through facilities or changes of use involving drive-through service must include a stacking demand study prepared by a licensed traffic engineer. The study must establish anticipated peak-hour stacking requirements and account for the specific business type; the percentage of customers using drive-through, pick-up, or dine-in service; average service time per customer; number of order lanes; and identified peak service times.

E. Drive-Through, Unenclosed

1. Definition

A facility allowing for customers to conduct a transaction at a service window or mechanical device while remaining in their vehicle.

2. Standards

a. All Use Districts

i. Drive-through, unenclosed must meet all the standards of *Sec. XX, Other Vehicle Use Areas*.

ii. No part of the use, including queuing lanes, is allowed within 100 feet of any House-Scale (H-) or Neighborhood-Scale (N-) Form District.

iii. When the use is an accessory to a food and beverage use, a dining room or walk-up window must be provided and must be available to customers at all times the drive-through is operating.

iv. Applications for new drive-through facilities or changes of use involving drive-through service must include a stacking demand study prepared by a licensed traffic engineer. The study must establish anticipated peak-hour stacking requirements and account for the specific business type; the percentage of customers using drive-through, pick-up, or dine-in service; average service time per customer; number of order lanes; and identified peak service times.

F. EV Charging Station, Level 1 or 2

1. Definition

Facility providing electric vehicle charging stations with Level 1 or Level 2 charging equipment.

G. EV Charging Station, Level 3

1. Definition

Facility providing electric vehicle charging stations with direct current fast charging (DCFC) equipment.

H. Home Art Studio and Gallery

1. Definition

a. The creation, presentation and sale of works of art when conducted in a dwelling unit.

b. For the purposes of this definition, "works of art" is defined as including, but not limited to, the following categories: Two- or three-dimensional objects, including paintings, sculptures, collages, constructions, and handmade books; photographs; prints, including silk-screens, etchings, lithographs, intaglios, woodcuts, and monotypes; drawings; jewelry; ceramics; textile designs; and weavings.

c. The works of art must be handmade by the applicant; of the applicant's own design; and not solely intended for utilitarian use.

d. This definition specifically excludes T-shirts, objects produced from kits or moulds, objects produced by numbers, or objects created by mass-production.

e. For purposes of this definition, "mass-production" means the creation of more than 5 completed objects per day by wholly mechanical means, but specifically excludes objects created through the process of photography and printmaking.

f. This use does not include uses classified as Home Occupation.

2. Standards

a. All Use Districts

i. Before filing an application with the Office of Buildings, the applicant must secure a "Home Art Studio and Gallery Certificate" from the Office of Cultural Affairs stating the following:

a) That the proposed home art studio and gallery meets the definitional requirements for works of art; and

b) The specific category or categories of works of art that are to be created for sale at the proposed location.

ii. The certificate must then be presented by the applicant to the Office of Buildings as a part of the home art studio and gallery application.

iii. If a permit is subsequently granted by the Office of Buildings, no work of art outside the scope of the certificate may be presented or sold at the authorized location unless the certificate has been amended by the Office of Cultural Affairs. All amended certificates must be presented to the Office of Buildings so that the existing permit may be appropriately amended by the Office of Buildings before any sales are conducted.

iv. The use of the dwelling unit for the home art studio and gallery must be clearly incidental and subordinate to its use for residential purposes by its occupants. No more than 50% of the floor area of the dwelling or 500 square feet, whichever is less, is allowed to be used as a home art studio and gallery.

v. The use is allowed in a lawful accessory residential structure.

vi. There may be no more than 6 public sales presentations per year of works of art for sale at a home art studio and gallery. Each sales presentation must consist of no more than 12 consecutive hours scheduled between the hours of 9:00 a.m. and 9:00 p.m.

vii. The applicant must inform the Director of the Office of Buildings in writing, of each planned sales presentation at least 10 days in advance of each presentation. The Director will maintain a record of all sales presentations and locations to ensure compliance with these standards.

viii. All works of art presented for sale at a home art studio and gallery must have been created on the premises.

ix. Only persons living on the premises may present and offer for sale works of art at a home art studio and gallery sale. Any person who obtains authorization permitting the conduct of a home art studio and gallery must reside on the lot as their primary place of residence.

x. Assembly or group instruction is not allowed in connection with the home art studio and gallery. Individual instruction on a one-to-one basis is permitted.

xi. No traffic may be generated by home art studio and gallery in greater volumes than would normally be expected in the neighborhood, and any need for parking generated by the

conduct of such home art studio and gallery must be met off-street. This requirement does not apply during the sales presentation periods.

xii. No equipment or process may be used in home art studio and gallery which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot. In the case of electrical interference, no equipment or process may be used which creates visual or audible interference in any radio or television receiver off the premises or causes fluctuations in line voltage off the premises.

I. Home Occupation

1. Definition

a. An occupation conducted on the same lot as a dwelling unit.

b. This use includes any activity for which the City of Atlanta would normally require a business license and specifically includes the use of the premises by professional persons engaged in the practice of law, business, or personal services.

c. This use includes the use of the premises by a manufacturer's representative providing that no merchandise is stored on the premises, other than samples which may be transported by hand and which are usually carried by a salesman, agent, or representative to prospects' offices or places of business.

2. Standards

a. All Use Districts

i. No more than 2 individuals are allowed to be engaged in home occupation, one of whom must reside on the lot as their primary place of residence.

ii. The use of the dwelling unit for the home occupation must be clearly incidental and subordinate to its use for residential purposes by its occupants and no more than 25% of the floor area of the dwelling unit, or 500 square feet, whichever is less, is allowed to be used for the conduct of the home occupation.

iii. The use is allowed in a lawful accessory structure.

iv. Assembly or group instruction is not allowed in connection with the home occupation. Individual instruction on a one-on-one basis are permitted.

v. No product may be sold on the premises. This provision will not be construed as prohibiting sales by telephone when delivery of the merchandise is to take place elsewhere.

vi. No traffic may be generated by home occupation in greater volumes than would normally be expected in the neighborhood and any need for parking generated by the conduct of home occupation must be met off the street.

vii. No equipment or process may be used in home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot. In the case of electrical interference, no equipment or process may be used

which creates visual or audible interference in any radio or television receiver off the premises or causes fluctuations in line voltage off the premises.

viii. Any person who obtains authorization permitting the conduct of a home occupation must reside on the lot as their primary place of residence.

ix. Any sign advertising a home occupation, including those mounted inside windows and doors, that is visible from a lot line is not allowed to be internally or externally illuminated.

J. Hookah or Vapor Consumption

1. Definition

Any use involving the sale and on-premise consumption of alternative nicotine products, vape juice, or both.

K. Outdoor Amplified Sound

1. Definition

The outdoor use of a speaker or any other electronic device that transmits sounds. The term does not include sound from an exterior fire alarm or burglar alarm, provided such alarm is responding to a fire or burglary and is shut off within 15 minutes of activation.

2. Standards

a. All Use Districts

i. Outdoor amplified sound is not allowed within 50 feet of any House-Scale (H-) or Neighborhood-Scale (N-) Form District.

ii. The transmission of outdoor amplified sound is prohibited beyond the hours of operation of a business.

iii. The use must meet the requirements the City of Atlanta Code of Ordinances, Chapter 74. Environment, Article IV. Noise Control.

L. Outdoor Dining

1. Definition

Accessory outdoor dining on the property of a permitted principal commercial use. Outdoor dining is in an unenclosed area with or without tables, chairs, and other furnishings set up for the purpose of drinking or eating food and beverages.

2. Standards

a. All Use Districts

i. Outdoor dining must obtain approval from the Atlanta Department of Transportation to encroach in the public right-of-way in accordance with City of Atlanta Code of Ordinances, Chapter 138, Article VIII.

ii. The use is not allowed to impair the ability of pedestrians to use the sidewalk. There must be a minimum of 6 feet of clear distance on the sidewalk at all times.

b. NX2 Use District

Outdoor dining on a rooftop is not allowed within 50 feet of a property in a Residential (R-) Use District.

c. NX4 Use District

Outdoor dining is not allowed to operate between the hours of 11:00 p.m. to 6:30 a.m.

M. Outdoor Display

1. Definition

Accessory outdoor display of products actively available for sale on the property of a permitted principal commercial use or industrial use. Typical examples include clothes, books, and housewares.

2. Standards

a. All Use Districts

i. Outdoor display must abut the primary facade with the principal customer entrance, may not extend more than 10 feet from the facade, and may not exceed 8 feet in height.

ii. The use must be removed and placed inside a building at the end of each business day.

iii. The use must obtain approval from the Atlanta Department of Transportation to encroach in the public right-of-way.

iv. The use is not allowed to impair the ability of pedestrians to use the sidewalk. There must be a minimum of 6 feet of clear distance on the sidewalk at all times.

N. Outdoor Pet Area

1. Definition

An outdoor fenced area intended to be used by unleashed pets.

O. Outdoor Storage, Minor

1. Definition

Accessory outdoor storage of merchandise, goods, inventory, materials, or other similar items on the property of a permitted principal nonresidential use. Outdoor storage, minor includes items that are actively available for sale and items stored in boxes, in creates, or on pallets. Typical examples include plants and garden tools, outdoor furniture, and holiday decorations.

2. Standards

a. All Use Districts

i. Outdoor storage, minor may not encroach in the public right-of-way.

ii. The use is not allowed to impair the ability of pedestrians to use the sidewalk. There must be a minimum of 6 feet of clear distance on the sidewalk at all times.

iii. When abutting a common lot line of a residential use, a Low Transition Screen (*Sec. XX. Transition Screens*) is required.

P. Outdoor Storage, Major

1. Definition

Accessory outdoor storage of merchandise, goods, inventory, materials, equipment, or other similar items on the property of a permitted nonresidential use. Outdoor storage, major includes items that are stored on the site and not intended for immediate sale or use. Typical examples include contractor's equipment, used tires, fleet vehicles, trailers, storage of soil, mulch, stone, lumber, pipe, steel, concrete, wood, vehicles waiting repair and operable vehicle storage.

2. Standards

a. All Use Districts

i. Outdoor storage, major must be screened from any street with Medium Transition Screen (*Sec. XX. Transition Screens*).

ii. When abutting a common lot line of a residential use, a *Landscape Screen Type X* is required.

Q. Pedestrian Bridge or Tunnel

1. Definition

A continuous structure which spans across (bridge) or runs under (tunnel) a public street, pedestrian way, access or service road or open space, making connection within a lot or between two adjacent lots and is intended for the passage of pedestrians only. The structure does not include the use of the structure for automobiles.

2. Standards

a. MX14 Use District

i. Pedestrian tunnels, buildings, parking structures and privately owned vehicular bridges and tunnels are prohibited when located above or below public streets, with the exception of tunnels for service and loading purposes.

ii. Pedestrian bridges when located above a public street are only allowed when all the following criteria are met:

a) The pedestrian bridge must connect two buildings that are owned by the same owner and are operated by a common business enterprise;

b) The two buildings connected by the pedestrian bridge must have a combined total floor area of more than 3,500,000 square feet;

c) The facades of the two buildings connected by the pedestrian bridge are considered street-facing facades and must meet all of the requirements of the Form District;

d) The streets abutting the two buildings connected by the pedestrian bridge must meet the streetscape requirements of *Sec. XX (Streetscapes)*.

e) The pedestrian bridge must be located at least 36 feet above the spanned public street, as measured vertically from the highest finished grade elevation of the paved surface to the lowest point of the bridge structure;

f) The pedestrian bridge must not exceed of 15 feet wide at any point;

g) At least 50% of the wall area of the pedestrian bridge must consist of transparent material; and

h) All requirements of City of Atlanta Code of Ordinances, Section 138-25 must be met.

iii. The following additional structures are allowed, even if the other use standards above are not met:

a) One tunnel spanning the width of Linden Avenue between Peachtree Street and West Peachtree Street; provided that all requirements of City of Atlanta Code of Ordinances, Section 138-25 are met.

b) One two-level pedestrian bridge spanning across Linden Avenue between Peachtree Street and West Peachtree Street which bridge must be at least 17 feet 6 inches above Linden Avenue as measured vertically from the highest finished grade elevation of Linden Avenue to the lowest point of the bridge structure; provided that all requirements of City of Atlanta Code of Ordinances, Section 138-25 are met. The Department of Public Works and the Department of City Planning has the authority to approve signs on the bridge subject to the approval of both departments and in accordance with *Sec. XX (Signs)*.

c) Pedestrian bridges spanning across Luckie Street between Baker Street and Ivan Allen, Jr. Boulevard which must be at least 17 feet above Luckie Street as measured vertically from the finished grade elevation of Luckie Street to the point of the bridges structure directly above; provided that all requirements of City of Atlanta Code of Ordinances, Section 138-25 are met. The Department of Public Works and the Department of City Planning has the authority to approve signs on the bridge subject to the approval of both departments and in accordance with *Sec. XX (Signs)*.

R. Public Art

1. Definition

Public art is a visual, noncommercial artistic expression that is intended to be, and can be, viewed from a public right-of-way.

2. Standards

a. All Use Districts

Public art that meets the criteria outlined below may be conditionally located in any district. In keeping with the purpose and intent of this Section, the Atlanta City Council may approve

a work of public art by ordinance. Such approval may not be granted unless the ordinance includes the following three preliminary certifications:

a) A certification from the Director of the Bureau of Traffic and Transportation, or their designee, stating that the proposed work will not create a traffic hazard or pose an undue and dangerous distraction to motorists or pedestrians.

b) A certification from the Executive Director of the Urban Design Commission, or their designee, stating that the proposed work does not contain, and is not primarily intended to convey, a commercial message. The name of a sponsor may be displayed on an adjacent plaque or similar display, provided it does not exceed two square feet in area; and

c) A certification from the Director of the Bureau of Cultural Affairs, or their designee, stating that the proposed work is not inconsistent with the City of Atlanta's Public Art Program.

    1) If the City Council is provided with the above certifications, it may approve, conditionally or otherwise, a work of public art upon finding that the proposed installation does not negatively impact the public interest with respect to aesthetics, sign clutter, or public safety. In making this determination, the Council must consider the required certifications; the spatial relationship of the proposed work to the building or premises on which it is located and to the surrounding area; vehicular and pedestrian traffic safety; the presence of nearby signs; and the size, dimensions, and other physical characteristics of the proposed artwork.

    2) In applying these criteria, the Council shall not restrict or regulate the content or message of the proposed work.

S. Renewable Energy Device

1. Definition

Devices for the generation of energy, such as solar panels, wind generators and similar devices.

DIVISION 4.7. **TEMPORARY USES**

Sec. 4.7.1. General Provisions

A. Permitted Temporary Uses

1. The Consolidated Use Tables in *Sec. XX* establish the allowed temporary uses and structures in each Use District.

2. Temporary uses are characterized by their short-term or seasonal nature and by the fact that permanent improvements are not made to the lot or principal structure.

B. Rules for all Temporary Uses

1. All temporary uses must follow the procedures in *Sec. XX. Temporary Use Review* unless otherwise stated in this Section.

~~2. No more than 2 temporary uses will be permitted for the same lot in any calendar year. Each event or activity authorized by the Director must be separated by a period of no less than 30 consecutive days.~~

2. A temporary use must not have substantial detrimental impacts to neighboring properties.

3. Temporary events requiring an outdoor events permit according to City of Atlanta Code of Ordinances, Chapter 142 are not reviewed by the Office of Zoning and Development and are not required to meet the standards of this Division.

Sec. 4.7.2. Definitions and Standards

A. General Temporary Event

1. Definition

A temporary outdoor amusement enterprise, exhibit, entertainment, music venue, meeting, or outdoor area for religious ceremonies, other than those requiring an outdoor events permit according to City of Atlanta Code of Ordinances, Chapter 142.

B. Active Construction Structure

1. Definition

A temporary structure needed for active construction projects. Typical examples include construction offices, portable toilets, security fencing, scaffolding, cranes, concrete mixers, storage sheds, and similar structures that are only on the premises until completion of construction.

2. Standards

Active construction structures may not be placed within building setbacks that are less than 20 feet.

C. Temporary Outdoor Sales

1. Definition

A temporary stand, tent, or booth intended to accommodate the display and sale of products to consumers.

2. Standards

a. All Use Districts

i. Temporary outdoor sales is not allowed in any yard subject to a transition, frontage, or screening requirement in *Sec. XX Transitions and Screening* or *Sec. XX Specific Use Standards*.

ii. Temporary outdoor sales are not permitted on vacant lots without a Special Use Permit as specified in *Sec. XX Special Use Permit*.

iii. The use is not allowed to impair the ability of pedestrians to use the sidewalk. There must be a minimum of 6 feet of clear distance on the sidewalk at all times.

iv. The use is not allowed to operate between the hours of 11:00 p.m. to 6:30 a.m.