



DeKalb County Government

Manuel J. Maloof Center
1300 Commerce Drive
Decatur, Georgia 30030

Agenda Item

File #: 2019-4124

11/19/2019

File Status: Preliminary Item

Public Hearing: YES ☒ NO ☐

Department: Planning & Sustainability

SUBJECT:

COMMISSION DISTRICT(S): ALL DISTRICTS

Application of the Director of Planning and Sustainability for a text amendment to the Zoning Ordinance to add Film/Movie/Television Production Studios to the Use Table 4.1.

PETITION NO: D10. TA-19-1243418

PROPOSED USE: Film, Movie and Television Production Studios

LOCATION: DeKalb County

PARCEL NO. : All Districts

INFO. CONTACT: Marian Eisenberg

PHONE NUMBER: 404-371-4922

PURPOSE:

Application of the Director of Planning and Sustainability for a text amendment to the Zoning Ordinance to add Film/Movie/Television Production Studios to the Use Table 4.1. The property is located on properties throughout DeKalb County (County-wide).

RECOMMENDATION:

COMMUNITY COUNCIL: (10/14/19) CC-1 Approval; CC-2 Approval w/Conditions; CC-3 No Quorum; CC-4 Approval; CC-5 NO VOTE. (8/19/19) CC-1 Approval; CC-2 Approval w/conditions; CC-3 No Recommendation; CC-4 Approval w/ Conditions; CC-5 Approval.

PLANNING COMMISSION: (11/5/19) FULL CYCLE DEFERRAL; (9/10/19) APPROVAL

PLANNING STAFF: (11/5/19) APPROVAL (9/10/19) APPROVAL

STAFF ANALYSIS: The current DeKalb County Zoning Ordinance does not provide guidance on zoning regulations for the film, movie and television industry. This text amendment seeks to allow film and movie production on property in districts zoned Office-Distribution (OD) and Light Industrial (M). This text amendment also seeks to allow film and movie production on property in districts zoned Local Commercial (C-1) and General Commercial (C-2) with a Special Land Use Permit (SLUP) from the DeKalb County Board of Commissioners.

PLANNING COMMISSION VOTE: (11/5/19) Full Cycle Deferral 7-0-0. J. West moved, A. Atkins seconded for a full cycle deferral.; **(9/10/19) Approval 6-1-1.** P. Womack, Jr. moved, V. Moore seconded for approval, per Staff recommendation. J. West opposed; J. Johnson abstained.

COMMUNITY COUNCIL VOTE/RECOMMENDATION: (10/14/19) CC-1 Approval 3-0-0; CC-2 Approval (6-0-0) with the same conditions as recommended in Aug. 2019; CC-3 No Quorum; CC-4 Approval with a condition: "required to hire 10% local employees for studio; CC-5 No Recommendation. (8/19/19) CC-1 Approval 7-0-0; CC-2 Approval w/Conditions 6-0-0, Council recommended approval with condition that the verbiage in the use table shall read "Film/Movie Facilitates"; **CC-3 No Recommendation; CC-4 Approval w/Conditions 10-0-0,** Council recommended approval with the condition that the approval is only to allow Film/Movie production in the OD and M zoning districts as a permitted use; **CC-5 Approval 7-0-0,** Council voted for Approval of this text amendment.

		KEY: P – Permitted use Pa – Permitted as an accessory use														SA – Special administrative permit from director of planning SP – Special land use permit from BoC (SLUP)									
Use	RE	RLG	R-100	R-85	R-75	R-60	RSM	MR-1	MR-2	HR-1,2,3	MHP	RNC	OI	OIT	NS	C-1	C-2	OD	M	M-2	MU-1	MU-2	MU-3	MU-4,5	See Section 4.2
INSTITUTIONAL / PUBLIC																									
Community Facilities																									
Cemetery, columbarium, mausoleum	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP			P	P				P							✓
Club, order or lodge, fraternal, non-commercial													P	P		P	P	P	P		P	P	P	P	
Coliseum or stadium/not associated with church or school																P	P	P					SP	P	✓
Funeral home, mortuary													P	P		P	P				P	P	P	P	
Golf course or clubhouse, public or private	P	P	P	P	P	P	P				P		P	P			P	P	P						✓
Government facilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Hospital or accessory ambulance service													P	P					P				P	P	
Library or museum								P	P	P			P	P	P	P	P	P			P	P	P	P	
Cultural facilities								SP	SP	SP			SP	SP		SP	SP	SP	SP		SP	SP	SP	SP	
Recreation club	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP		SP						P						SP	✓
Neighborhood or subdivision clubhouse or amenities	P	P	P	P	P	P	P	P	P	P	P	P	P	P							P	P	P	P	✓
Places of worship	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP		SP	P	P	P	P	P	P	P	P	P	P	P	P	✓
Recreation, outdoor																	P	P	P	P					✓
Swimming pools, commercial	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	P	P		P	P	P	P			Pa	Pa	Pa	✓
Tennis courts, swimming pools, play or recreation areas, community	Pa	Pa	Pa	Pa	Pa	Pa	Pa	Pa	Pa	Pa	Pa	Pa	P	P		P	P	P	P			Pa	Pa	Pa	✓
Education																									
Colleges, universities, research & training facilities													P	P		P	P	P	P		P	P	P	P	
Private educational services, home occupation	Pa	Pa	Pa	Pa	Pa	Pa	Pa	Pa	Pa	Pa		Pa					P				Pa	Pa			✓
Private kindergarten, elementary, middle or high schools	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	P	P		P	P	P				SP	SP	SP	✓
Vocational schools													P	P		P	P	P	SP	SP	P	P	P	P	✓
Specialized schools								SP	SP	SP			P	P	P	P	P	P	SP	SP	P	P	P	P	✓
COMMERCIAL																									
Automobile, boat and trailer sales and service																									
Automobile or truck rental or leasing facilities																P	P		P	P					✓
Automobile brokerage													P	P		P	P		P			P	P	P	✓
Auto recovery, storage																		P	P						✓
Automobile repair or maintenance, minor																P	P		P	P					✓
Automobile repair, major																	P	P	P						✓
Automobile sales or truck sales																	P	P	P	P					✓
Automobile service stations															SP	SP	SP		P	P					✓
Automobile upholstery shop																	P	P	P	P					
Automobile wash/wax service																	P	P	P						✓
Boat sales																	P	P	P						✓
Retail automobile parts or tire store																	P	P	P						✓
Service area, outdoor																	Pa	Pa	Pa						✓
Trailer or RV salesroom & lot																	P	P	P						✓
Office																									
Accounting office								Pa	Pa	Pa			P	P	P	P	P	P			P	P	P	P	
Building or construction office								Pa	Pa	Pa			P	P		P	P	P	P						✓
Building, landscape, heavy construction contractor office (material, equipment, storage)																	P	P	P	P					✓
Engineering or architecture office								Pa	Pa	Pa			P	P	P	P	P	P	P	P	P	P	P	P	
Finance office or banking								Pa	Pa	Pa			P	P	P	P	P	P			P	P	P	P	

KEY: P – Permitted use													SA – Special administrative permit from director of planning													
Pa – Permitted as an accessory use													SP – Special land use permit from BoC (SLUP)													
Use	RE	RLG	R-100	R-85	R-75	R-60	RSM	MR-1	MR-2	HR-1,2,3	MHP	RNC	OI	OIT	NS	C-1	C-2	OD	M	M-2	MU-1	MU-2	MU-3	MU-4,5	See Section 4.2	
COMMERCIAL (cont'd)																										
Office (cont'd)																										
General business office								Pa	Pa	Pa			P	P	P	P	P	P			P	P	P	P		
Insurance office								Pa	Pa	Pa			P	P	P	P	P	P			P	P	P	P		
Legal office								Pa	Pa	Pa			P	P	P	P	P	P			P	P	P	P		
Medical office								Pa	Pa	Pa			P	P	P	P	P	P			P	P	P	P		
Real estate office								Pa	Pa	Pa			P	P	P	P	P	P			P	P	P	P		
Recreation and Entertainment																										
Adult entertainment establishments																	P		P						✓	
Adult service facility																	P		P	P					✓	
Drive-in theater																	P		P	P					✓	
Fairground or amusement park																	P		P	P					✓	
Film/Movie/Television Production Studios																SP	SP	P	P						✓	
Indoor recreation (bowling alleys, movie theatres & other activities conducted wholly indoors)														P	P	P	P	P	P	P	P	P	P	P		
Nightclub or late night establishment													Pa			SP	SP	SP	SP	SP	SP	SP	SP	SP	✓	
Outdoor recreation (miniature golf, batting cages, tennis, Go-cart & other outdoor activities)	SP																P	P	SP						✓	
Special events facility	SP												P	P		P	P	P	P		P	P	P	P		
Theaters with live performance, assembly or concert halls, or similar entertainment within enclosed building													P	P		P	P						P	P		
Retail																										
Alcohol outlet -package store, primary																SP	SP	P	P		SP	SP	SP	SP	✓	
Alcohol outlet -beer and/or wine store, beer growler, primary															SP	SP	SP	P	P		SP	SP	SP	SP	✓	
Alcohol outlet - beer and wine, accessory to retail less than 12,000 sf (see also 4.1.3 (F))															SP	SP	SP	P	P		SP	SP	SP	SP	✓	
Apparel or accessories store															P	P	P				P	P	P	P		
Art gallery								Pa	Pa	Pa					P	P	P	P			P	P	P	P		
Book, greeting card, or stationery store															P	P	P	P			P	P	P	P		
Camera or photography															P	P	P	P			P	P	P	P		
Commercial greenhouse or plant nursery															P	P	P		P		P				✓	
Computer or computer software store															P	P	P	P			P	P	P	P		
Convenience store (see alcohol outlet or fuel pumps accessory)															P	P	P	P	P	P	P	P	P	P	✓	
Drive-through facilities (other than restaurants) in Activity Center character areas																SP	SP				SP	SP	SP	SP	✓	
Drive-through facilities (other than restaurants) in all other character areas																SP	SP				SP				✓	
Farm or garden supply store	P														P	P	P	P	P		P	P				
Farmer's market, permanent													P	P	P	P	P	P	P	P	P	P	P	P	✓	
Farmer's market, temporary/seasonal	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	✓	
Florist													Pa		P	P	P	P			P	P	P	P		
Specialty food stores (e.g., coffee, ice cream) (see alcohol outlet)													Pa		P	P	P	P			P	P	P	P		
Fuel dealers, manufacturers or wholesalers																	P		P	P						
Fuel pumps															SP	SP	SP		P	P	SP	SP	SP	SP	✓	
Fuel pumps in character areas other than activity centers and as allowed in 4.2.28															P	P	P		P	P					✓	
Fuel pumps in activity centers															SP	SP	SP		SP	SP	SP	SP	SP	SP	✓	

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Use	RE	RLG	R-100	R-85	R-75	R-60	RSM	MR-1	MR-2	HR-1,2,3	MHP	RNC	OI	OIT	NS	C-1	C-2	OD	M	M-2	MU-1	MU-2	MU-3	MU-4,5	See Section 4.2
Fuel pumps, accessory to large scale retail w/in 1000 feet of interstate highway interchange measured from RW to property line																Pa	Pa	Pa	Pa						✓
Gift, novelty, or souvenir store													Pa		P	P	P	P			P	P	P	P	
Gold buying, precious metals																Pa	P	P							
Grocery stores (see alcohol outlet)								Pa	Pa	Pa					P	P	P	P			P	P	P	P	
Hardware store or other building materials store															P	P	P	P	P	P	P	P	P	P	
Hobby, toy or game store															P	P	P	P			P	P	P	P	
Jewelry store															P	P	P	P			P	P	P	P	
Music or music equipment store (retail)															P	P	P	P			P	P	P	P	
Liquor store (see alcohol outlet)													Pa		SP	SP	SP	P	P						✓
News dealer or news store													P	P	P	P	P	P	P	P	P	P	P	P	
Office supplies & equipment store															P	P	P	P	P		P	P	P	P	

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Pawn shop, title loan																	P	P	P						✓	
COMMERCIAL (cont'd)																										
Retail (cont'd)																										
Pet supply store															P	P	P	P	P		P	P				
Pharmacy or drug store(see alcohol outlet)								Pa	Pa	Pa		Pa	Pa	Pa	P	P	P	P			P	P	P	P		
Radio, television or consumer electronics store																P	P	P			P	P	P	P		
Retail, 5,000 sf or less								Pa	Pa	Pa			Pa	Pa	P	P	P	P	P	P	P	P	P	P		
Retail, over 5,000 sf (see also shopping center)															P	P	P	P			P	P	P	P		
Retail warehouses/wholesales providing sales of merchandise with no outdoor storage																P	P	P	P		P	P	P	P		
Shopping center															P	P	P	P			P	P	P	P		
Specialty store															P	P	P	P			P	P	P	P		
Sporting goods or bicycle sale															P	P	P	P			P	P	P	P		
Thrift, secondhand, antique store																P	P		P							
Trade shops: electrical, plumbing, heating/cooling, roofing/siding, with no outside storage													P	P		P	P	P	P	P						
Variety store													Pa		P	P	P	P	P			P	P	P	P	
Temporary Commercial Uses																										
Temporary outdoor sales, seasonal	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	✓	
Temporary produce stand	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	✓	
Temporary outdoor retail sales	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	✓	
Temporary outdoor events	SA	SA	SA	SA	SA	SA	SA						SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	✓	
Temporary trailer, as home sales office or construction trailer	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	✓	
Restaurant/Food establishments																										
Brewpub															P	P	P		P		P	P	P	P		
Catering establishments													P	P		P	P		P		P	P	P	P		
Restaurants (acc. to hotel/motel)													P			P	P	P				P	P	P		
Restaurants (non-drive-thru)								Pa	Pa	Pa		Pa	Pa	Pa	P	P	P		P		P	P	P	P		
Restaurants with a drive-thru configuration in Activity Center character areas																SP	SP				SP				✓	
Restaurants with a drive-thru configuration located in all other character areas and as allowed in 4.2.23)																P	P				P				✓	
Transportation and Storage																										
Bus or rail stations or terminals for passengers																SP	SP		SP	SP	SP	SP	SP	SP		
Heliport													SP			SP	SP	SP	P	P			SP	SP	✓	
Parking, commercial lot													Pa			P	P	P	P		P	P	P	P	✓	
Parking, commercial garage													Pa			P	P	P	P		P	P	P	P		
Taxi, ambulance or limousine service, dispatching or storage.																P	P	P	P						✓	
Taxi, ambulance, limousine dispatch office only (no vehicle parking)													P	P	P	P	P		P	P	P	P	P	P		
Taxi stand													P	P	P	P	P	P	P	P	P	P	P	P		
Services																										
Adult day care center - 7 or more									P	P	P	P		P	P	P	P	P	P			P	P	P	✓	
Adult day care facility - up to 6	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP		SP			P	P	P	P			P	P	P	P	✓	
Animal hospitals, veterinary clinic															P	P	P	P	P	P	P				✓	
Animal shelter / rescue center	SP																P	P	P	P					✓	
Banks, credit unions or other similar financial institutions									Pa	Pa	Pa			P	P	P	P	P		P		P	P	P		
Barber shop/ beauty salon or similar establishments									Pa	Pa	Pa			Pa	P	P	P	P	P	P		P	P	P		
Check cashing establishment, primary																	P		P						✓	

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Use	RE	RLG	R-100	R-85	R-75	R-60	RSM	MR-1	MR-2	HR-1,2,3	MHP	RNC	OI	OIT	NS	C-1	C-2	OD	M	M-2	MU-1	MU-2	MU-3	MU-4,5	See Section 4.2		
Check cashing establishment, accessory																P	P		P	P	P	P	P	P	✓		
COMMERCIAL (cont'd)																											
Services (cont'd)																											
Child day care center (Kindergarten) - 7 or more								P	P	P	P		P	P	P	P	P	P	P		P	P	P	P	✓		
Child day care facility - up to 6	SP	SP	SP	SP	SP	SP	SP	P	P	P		SP	P	P	P	P	P	P				P	P	P	✓		
Coin laundry								Pa	Pa	Pa		Pa			P	P	P					P	P	P			
Dog day care								SP	SP	SP						P	P		P	P	P	SP	SP	SP	✓		
Dog grooming								Pa	Pa	Pa						P	P		P	P	P	P	P	P	✓		
Dry cleaning agencies, pressing establishments, or laundry pick-up stations								Pa	Pa	Pa			P	P	P	P	P		P	P	P	P	P	P			
Fitness center	Pa	Pa	Pa	Pa	Pa	Pa	Pa	Pa	Pa	Pa	Pa		P	P	P	P	P		P	P	P	P	P	P			
Kennel, breeding or boarding	SP														Pa	Pa	P		P	P					✓		
Kennel, commercial	SP															P	P		P	P							
Kennel, noncommercial	P	SP	SP	SP	SP																						
Landscape business																P	P		P	P							
Mini-warehouse														SP		P	P	P	P	P							
Outdoor storage, commercial																	P		P	P					✓		
Personal services establishment								Pa	Pa	P		Pa	Pa	Pa	P	P	P		P		P	P	P	P			
Photoengraving, typesetting, electrotyping																	P		P	P	P	P					
Photographic studios													P	P	P	P	P		P		P	P	P	P			
Plumbing, HV/AC equipment establishments with no outdoor storage																P	P		P	P							
Publishing or printing establishments													P	P			P		P	P							
Quick copy printing store													P	P	P	P	P		P	P	P	P	P	P			
Services, Medical and Health																											
Ambulance service or emergency medical services, private																P	P		P								
Health services clinic													P	P	P	P	P	P	P		P	P	P	P			
Home healthcare service													P	P		P	P		P		P	P	P	P			
Kidney dialysis center													P	P		P	P		P		P	P	P	P			
Medical or dental laboratories													P	P		P	P		P	P			SA	SA			
Services, Repair																											
Furniture upholstery or repair; home appliance repair or service																P	P		P	P							
Personal service, repair (watch, shoes, jewelry)								Pa	Pa	Pa			P	P	P	P	P		P		P	P	P	P			
Service area, outdoor																	Pa		Pa	P					✓		
INDUSTRIAL																											
Alcohol or alcoholic beverage manufacturing																			P	P							
Alternative energy production																		SP	SP	SP							
Automobile/truck manufacturing																				P							
Brick, clay, tile, or concrete products terra cotta manufacturing																				P							
Building materials or lumber supply establishment																	P		P								
Cement, lime, gypsum, or plaster of Paris manufacturing																				P							
Compressed gas fuel station																	SP		P	P							
Chemical manufacture, organic or inorganic																				P							
Contractor, general (See also Building or Construction Office)																		P		P	P		P	P	✓		
Contractor, heavy construction, outside storage																		P		P	P				✓		
Contractor, special trade																		P		P	P						
Crematoriums													SP				SP	SP		SP	SP				✓		

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Distillation of bones or glue manufacture																				P						
INDUSTRIAL (cont'd)																										
Dry cleaning plant																			P	P						
Dye works																				P						
Explosive manufacture or storage																				SP						
Fabricated metal manufacture																				P						
Fat rendering or fertilizer manufacture																				SP						
Fuel dealers, manufactures or wholesalers																			P	P						
General aviation airport																			SP	SP					✓	
Heavy equipment repair service or trade																	P		P	P						
Ice manufacturing plant																			P	P						
Incidental retail sales of goods produced or processed on the premises																			Pa	Pa						
Incineration of garbage or refuse when conducted within an enclosed plant																				SP						
Industrial, heavy																				SP						
Industrial, light																			P	P						
Intermodal freight terminal, bus or rail freight or passenger terminal, or truck terminal																				SP						
Leather manufacturing or processing																				P						
Light malt beverage manufacturer (See also Brewpub)															Pa	Pa	Pa		P	P	Pa	Pa	Pa	Pa		
Light manufacturing																			P	P						
Manufacturing, heavy																				SP					✓	
Manufacturing operations not housed within a building																				SP					✓	
Mines or mining operations, quarries, asphalt plants, gravel pits or soil pits																			SP	SP					✓	
Outdoor storage, industrial																			P	P					✓	
Paper or pulp manufacture																				SP					✓	
Petroleum or inflammable liquids production, refining																				SP					✓	
Radioactive materials: utilization, manufacture, processing or emission																				SP					✓	
Railroad car classification yards or team truck yards																			SP	SP					✓	
Recovered materials facility wholly within a building																			P	P					✓	
Recovered materials processing wholly within a building																			P	P					✓	
Recycling collection													Pa		Pa	Pa	Pa		SP	SP						
Recycling plant																			SP	SP						
Repair/manufacture of clocks, watches, toys, electrical appliances, electronic, light sheet metal products, equipment, machine tools, or machinery not requiring the use of press punch over 100 tons rated capacity or drop hammer																			P	P						
Research, experimental or testing laboratories																				P	P					
Rubber or plastics manufacture																				P	P					
Salvage yard (Junkyard)																			SP	SP					✓	
Solid waste: general disposal, landfill, private industry disposal, handling facility, thermal treatment technology or hazardous/toxic materials including radioactive materials																				SP					✓	
Smelting: copper, iron, zinc, or ore																				SP						

Sec. 4.2.58. – Film/Movie/Television Production Studios.

- A. Film and television production studios may be located in the C-1 and C-2 zoning districts only if they replace or repurpose existing retail structures and utilize soundproofing measures in order to be in compliance with all provisions of Chapter 16, Article VII, Noise Ordinance.
- B. Film and television production studios may film outdoors on studio property if compliant with all provisions of Chapter 15, Film Production.