



DeKalb County Department of Planning & Sustainability

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Planning Commission Hearing Date: January 9, 2024

Board of Commissioners Hearing Date: January 25, 2024

TEXT AMENDMENT ANALYSIS

AGENDA NO.: 2023-1466 ZONING CASE NO.: TA-24-1246761 COMMISSION DISTRICTS: All

APPLICANT: Department of Planning & Sustainability

SECTIONS OF ZONING ORDINANCE AFFECTED BY AMENDMENTS: Sections 27-4.1 Use Table, Section- 4.2 Supplemental Use Regulations

REASON FOR REQUEST:

On December 17, 2019 the Board of Commissioners approved a film studio text amendment to the *Zoning Ordinance* to introduce “film, movie, and television production” as a permissible use. That text amendment allowed film studios as a permitted use in the OD (Office Distribution) and M (Light Industrial) zoning districts and the Indian Creek Overlay District.

In order to expand economic development opportunities for this fast-growing industry in DeKalb County, Commissioner Robert Patrick (District 1) initiated consideration of this text amendment proposal to expand by-right land use options to the C-1 (Local Commercial), C-2 (General Commercial), MU-4 (Mixed-Use High Density), and MU-5 (Mixed-Use Very High Density) zoning districts (see attached).

STAFF RECOMMENDATION: 60-DAY DEFFERAL.

**STATE OF GEORGIA
DeKalb County**

AN ORDINANCE TO AMEND THE USE TABLE OF SECTION 4.1.3 OF CHAPTER 27 OF THE ZONING ORDINANCE OF DEKALB COUNTY TO ADD “FILM, MOVIE, TELEVISION AND PRODUCTION STUDIOS” AS PERMITTED USES IN THE C-1 (LOCAL COMMERCIAL), C-2 (GENERAL COMMERCIAL), O-I (OFFICE-INSTITUTIONAL), AND MU-4 AND MU-5 (MIXED-USE HIGH DENSITY AND MIXED-USE VERY HIGH DENSITY) DISTRICTS; TO PROVIDE FOR REPEAL OF CONFLICTING ORDINANCES; TO PROVIDE FOR AN ADOPTION AND EFFECTIVE DATE; TO PROVIDE FOR CODIFICATION; AND TO PROVIDE FOR OTHER LAWFUL PURPOSES.

WHEREAS, the Board of Commissioners is authorized to exercise zoning powers to protect and promote the County's health, safety, and general welfare;

WHEREAS, the zoning code currently allows “Film/movie/television production studios” only in the OD (Office-Distribution) and M (Light Industrial) districts, and the Indian Creek Overlay District, and;

WHEREAS, the proposed zoning text amendment creates a unique opportunity to further enhance and diversify DeKalb County’s economy, generate a significant number of new jobs, and further attract other businesses and investment to the County; and

WHEREAS, it is in the best interest of DeKalb County to amend the zoning ordinance in the furtherance of the public health, safety, general welfare, and economic growth and sustainability; and

NOW THEREFORE, BE IT ORDAINED by the Governing Authority of DeKalb County, Georgia, and be it hereby ordained by the Authority of same, that Chapter 27 of the Zoning Ordinance of DeKalb County, is hereby amended as follows:

PART I ENACTMENT

By amending Use Table of Article 4, Section 4.1.3 of Chapter 27, of the Zoning Ordinance of DeKalb County is hereby amended to add “Film/movie/television production studios” as permitted uses by right to the C-1, C-2, O-I, MU-4 and MU-5 districts with language as shown in table columns below:

Sec. 4.1.3. Use table.

Use	IS	C-1	C-2	OD	M	M-2	MU-1	MU-2	MU-3	MU-4,5	4
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		P	P	P	P					P	✓
Indoor recreation (bowling alleys, movie theatres and other activities conducted wholly indoors)		P	P	P	P	P	P	P	P	P	✓
Nightclub or late night establishment		SP	SP	SP	SP	SP	SP	SP	SP	SP	✓
Outdoor recreation (miniature golf, batting cages,											✓

Sec. 4.2.58. – Film/movie/television production studios.

- A. Film and television production studios may film outdoors on studio property if compliant with all provisions of [chapter 15](#), film production.
- B. On-site filming, production, performance and other ancillary activities shall occur within fully enclosed soundproof stages and/or buildings.

PART 2: All ordinances or parts of ordinances in conflict herewith are hereby expressly repealed.

PART 3: The Ordinance shall be codified in a manner consistent with the laws of the State of Georgia and the DeKalb County.

PART 4: It is the intention of the governing body, and it is hereby ordained that the provisions of this Ordinance shall become and be made part of the Code of Ordinances, DeKalb County, Georgia.

PART 5: This Ordinance shall become effective immediately on the date of adoption by the board of commissioners and approval by the chief executive officer.

PART 6: Should any section or provision of this ordinance be declared by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity of the ordinance as a whole nor any part thereof other than the part so declared to be invalid or unconstitutional. All ordinances or resolutions, or parts thereof, in conflict with this ordinance are repealed.

DRAFT