06-O-2496

Z-06-121

A SUBSTITUTE ORDINANCE BY:
ZONING COMMITTEE

AN ORDINANCE TO AMEND THE 1982 ZONING ORDINANCE OF THE CITY OF ATLANTA, AS AMENDED, SO AS TO CREATE A NEW CHAPTER TO BE ENTITLED CHAPTER 36. BELTLINE OVERLAY DISTRICT; TO ESTABLISH OVERLAY REGULATIONS FOR SAID DISTRICT; TO ENACT, BY REFERENCE AND INCORPORATION, A MAP ESTABLISHING THE BOUNDARIES OF SAID DISTRICT; AND TO DESIGNATE AND INCLUDE IN THE OVERLAY CERTAIN PROPERTIES, EXCLUSIVE OF CERTAIN PROPERTY ZONED R-1 (SINGLE-FAMILY RESIDENTIAL) THROUGH R-5 (TWO-FAMILY RESIDENTIAL) AND PROPERTY ZONED AS A SPECIAL PUBLIC INTEREST DISTRICT THAT ARE RECOGNIZED LOTS OF RECORD AT THE ENACTMENT OF THIS PART, SO AS TO SUPPORT THE FUTURE IMPLEMENTATION OF THE ATLANTA BELTLINE; AND FOR OTHER PURPOSES.

WHEREAS, the BeltLine is a historic rail corridor having the potential to transform the City of Atlanta by attracting and organizing future growth in the region around parks, green spaces, trails, transit and economic development encircling the urban core of the City; and

WHEREAS, an optimal implementation of the BeltLine concept combines new green spaces, trails, transit, and development along 22 miles of historic rail segments that encircle the urban core; and

WHEREAS, the implementation of the BeltLine concept would serve to revitalize certain areas of the City dominated by an underutilized industrial landscape and become a unique and innovative solution to the City's scattered pattern of growth by providing a connected network of parks, green spaces, trails and pedestrian-friendly streetscapes linking existing neighborhoods previously severed by rail and industry, in addition to providing a 22-mile transit loop to reduce dependence on the automobile; and

WHEREAS, the enhancement of single-family neighborhoods, the preservation of cultural, historic and natural resources, the strengthening of the downtown urban core and the encouragement of pedestrian, bicycle and mass transit are among the current policy goals expressed in Urban Design and Transportation Elements of the Comprehensive Development Plan; and

WHEREAS, new residential and commercial development along the BeltLine should promote the transit accessibility and neighborhood connectivity via pedestrian, bicycle and mass transit opportunities; and

WHEREAS, the Beltline Redevelopment Plan was adopted by City Council on November 7, 2005, and approved by the Mayor on November 9, 2005 to be used as the framework for the implementation of the BeltLine project; and

WHEREAS, in order to establish a regulatory framework for the implementation of development around the BeltLine in a manner to support BeltLine planning concepts.

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, AS FOLLOWS:

Section 1: That the 1982 Zoning Ordinance of the City of Atlanta is hereby amended by adding a new **Chapter 36. BeltLine Overlay District Regulations**, which shall read as shown on the attached "Attachment A".

Section 2: That the 1982 Zoning Ordinance Map of the City of Atlanta is hereby amended as shown on "Attachment B".

Section 3: That all ordinances or parts of ordinances in conflict with this ordinance shall be waived to the extent of the conflict.

Attachment A

Chapter 36. BeltLine Overlay District Regulations

Section 16-36.001. Scope of Regulations.

The scope of the regulations set forth in this chapter are the regulations in the BeltLine Overlay District. These regulations are as follows:

1. The existing zoning map and underlying zoning regulations governing all properties within the BeltLine Overlay District shall remain in full force and effect. The regulations contained within this chapter shall be overlaid upon, and shall be imposed in addition to, said existing zoning regulations with the exception of existing lots of record that are zoned R-1 through R-5 or Special Public Interest District and not located immediately adjacent to the BeltLine Corridor. Except where it is otherwise explicitly provided, whenever the following overlay regulations are at variance with said existing underlying zoning regulations, the regulations of this chapter shall apply.
2. Whenever the following regulations are at variance with historic district regulations of Part 16, Chapter 20, the more stringent regulations shall apply with the exception of regulations specific to the Beltline Corridor whereas not to impact designated historic structures or buildings.

Section 16-36.002. Findings, Purpose and Intent.

The BeltLine is a major initiative to link green space, trails, transit and economic development in Atlanta serving as a catalyst for transformative growth and investment encircling the urban core of the City by invigorating an underutilized rail corridor and surrounding underutilized industrial properties to create a better connected, more diversified City where people across the spectrum of age, income, ethnicity, and culture can live, work, shop, meet, and play.

The BeltLine represents a unique opportunity: to enhance the quality of life in the City; preserve and revitalize existing neighborhoods; make greater mixed-use development feasible; strategically introduce or increase density and optimize resources in select locations; increase the affordable housing inventory; promote air quality; reduce auto dependency; and concurrently advance economic development through an increased tax base.

The City finds that taking special consideration to ensure that the redevelopment of properties adjacent to and within walking distance of the BeltLine Corridor entails a compatible mixture of residential, commercial, cultural and recreational uses, and design standards conceptualized in the BeltLine Redevelopment Plan is crucial to promote and ensure the public health, safety and welfare of its citizens. The City recognizes that as the BeltLine attracts new development, the orientation and character of that growth should encourage pedestrian and transit-oriented uses and activities designed to support an urban character to foster the most positive impact on affected communities. By establishing the BeltLine Overlay District, the City intends to institute a regulatory approach that

anticipates, manages, and encourages quality BeltLine development opportunities and impacts. Therefore, policies to promote these objectives within the BeltLine Overlay Zoning area will serve to:

1. Implement certain recommendations contained in the comprehensive study known as the BeltLine Redevelopment Plan as adopted by the City of Atlanta;
2. Preserve a continuous corridor along the BeltLine route of sufficient dimension for the implementation of transit, multi-use trails and green space;
3. Promote and maximize opportunities for safe and accessible green spaces, plazas, public art, and cultural and institutional buildings;
4. Preserve opportunities for connecting trails reaching beyond the BeltLine to create a broad network of trails throughout the City;
5. Encourage a grid of smaller blocks and connected streets to improve access to the BeltLine, reduce congestion, and further the urban character of the area;
6. Preserve the historic physical character of the industrial districts along the BeltLine by promoting adaptive re-use of historic structures and encouraging new construction to be consistent with the size, scale and/or character of those buildings;
7. Ensure that new construction is compatible with the character of existing established adjacent single family neighborhoods;
8. Create new mixed-use and commercial nodes at BeltLine station areas that are pedestrian and transit-oriented;
9. Create a diversified urban environment where people can live, work, shop, meet and play;
10. Promote public health and safety by providing a pedestrian-oriented environment that includes active street-level uses, sufficient sidewalk widths, and primary pedestrian access from sidewalks to adjacent building entrances;
11. Promote development of a wide range of housing types appropriate to meet various housing needs and income levels;
12. Facilitate safe, pleasant and convenient pedestrian and bicycle circulation and minimize conflict between pedestrians and alternative transit modes;
13. Provide accessible and sufficient parking in an unobtrusive manner by encouraging shared parking solutions and minimizing commercial parking in residential neighborhoods;
14. Maximize air and water quality, including that which supports tree planting, greenspace and watershed protection, and bicycle parking;
15. Improve the aesthetics of street and built environments.

Section 16-36.003. Boundaries.

The boundaries of the BeltLine Overlay District shall be as shown on the official zoning map Attachment B adopted herewith entitled "BeltLine Overlay District." Any future property in which any portion of said property is located within the boundary of the Beltline Overlay District shall be subject to the full regulations set forth in this Chapter.

Section 16-36.004. Procedures.

1. Rezoning - Pre-Application: In addition to the current rezoning procedures, any applications for rezoning within the BeltLine Overlay District subject area will begin with a pre-application consultation between the applicant and the Bureau of Planning as set by the Bureau of Planning.

2. Special Administrative Permit requirement and procedures:

   A Special Administrative Permit (SAP) application and a specified number of copies of each site plan, landscape plan and elevation drawings of each exterior façade shall be submitted, as applicable, and approved by the Director of the Bureau of Planning, under the requirements specified in Section 16-25.004, prior to the issuance of a building permit.

   In addition to SAP submittal as specified above, the applicant shall also provide to the Director of the Bureau of Planning a United States Postal Service certificate of mailing (first-class) of one (1) copy of the full SAP application to the appropriate Neighborhood Planning Unit (NPU) chair or their designee for the purpose of notification and comment, and also a signed affidavit of said NPU notification. Said appropriate NPU shall have a period of 21 days from the date of the said certificate of mailing to provide one set of written comments to the Bureau of Planning prior to any SAP approval.

   All exterior demolition, new construction (including additions to existing buildings), expansions of outdoor dining or any construction which results in increased lot coverage, modification of the building footprint, or modification of building facades that alters the configuration of openings, shall be subject to said site plan and building elevation approval as part of the SAP.

   Any subdivisions, consolidations and replats shall conform to any proposed City of Atlanta future street plans in addition to the requirement of Part 15 of the City Code. When a conflict arises between Part 15 and this Chapter, the requirements of this Chapter shall apply.

   Where the proposed development may require one or more special administrative permits, processing by the Director of the Bureau of Planning shall include consideration of such special administrative permits. Where underlying regulations require variance, special exception or special use permit action, the special administrative permit shall not be issued until the necessary approval has been obtained.

3. Exemptions from the Special Administrative Permit requirement:

   Existing lots of record that have an underlying zoning designation of R-1 through R-5 or Special Public Interest (SPI) and not located immediately adjacent to the BeltLine Corridor shall be used and constructed as is otherwise permitted pursuant to the provisions of part 16 and shall not require the obtaining of a special administrative permit (SAP) except as required by the underlying zoning district.

Any interior renovations or exterior repairs not explicitly set forth shall not require SAP approval. Said classes of special administrative permit applications may be exempted from detailed review requirements upon written findings that generally within these districts, the actions proposed are of such a character or of such a scale as to make detailed reviews and approval by the Planning Director unnecessary. Where applications for special administrative permits are determined by reference to such findings to be thus exempted, the permit shall be issued if otherwise lawful.

Section 16-36.005. Provisions for Administrative Variations From Regulations.

As part of general action when plans require approval of a special administrative permit, the Director of the Bureau of Planning may authorize variations from regulations generally applying based on written findings that either:

1. A plan proposed by an applicant, while not strictly in accord with regulations applying generally within the district, satisfies the public purposes and intent, and provides public protection to an equivalent or greater degree; or
2. In the particular circumstances of the case, strict application of a particular regulation or regulations is not necessary for the accomplishment of public purposes or the provision of public protection, at the time or in the future.

Notation concerning the existence of such variation shall be made by written findings of SAP approval to be filed in the office of the Bureau of Buildings as public record. Variances and special exceptions from underlying zoning regulations shall be required from the Board of Zoning Adjustment (BZA) in cases such as minimum yards (not adjacent to the street), minimum transitional yards, minimum open spaces, maximum building height, maximum fence height, minimum parking and loading requirements and signage limitations among others.

Section 16-36.006. Demolition of Existing Structures and Redevelopment Requirements.

Any structure fifty years or older shall not be demolished for the purpose of creating open space. All requests for demolition of buildings fifty years or older shall include concept plans for the redevelopment of the property that are sufficient to obtain an SAP for the development of the new structure.

Any property wherein sixty (60%) percent or greater of the principal building is removed or destroyed by any means shall be redeveloped in accordance with the requirements of this Chapter notwithstanding any other provisions in Part 16, Chapter 24 to the contrary, specifically including the installation of sidewalks and street trees.

Section 16-36.007. Definitions.

For purposes of this chapter, the following definitions shall apply:

1. BeltLine Corridor: Property located inside the BeltLine Overlay District that is:
   a. Owned by or subject to easements owned by, leased, or otherwise in favor of the Georgia Department of Transportation or a railroad subject to the jurisdiction of the

Interstate Commerce Commission Termination Act of 1995, 49 U.S.C. § 10101, *et seq* and used for transit related purposes; or

b. Shown as railroad right-of way on the City of Atlanta 200' scale cadastral maps as maintained by the Bureau of Planning as of November 20, 2006; or
c. Shown as part of the transit corridor by the BeltLine Redevelopment Plan adopted by the City of Atlanta in November 2005 (and as amended by map Attachment B).

2. Immediately adjacent: Physically touching or bordering upon without an intervening right-of-way.
3. Useable Open Space: As defined in Section 16-28.010(5)(a).
4. Public Space: As defined in Section 16-28.012(2).
5. Sidewalk-level: Any building floor within five (5) vertical feet of the adjacent required sidewalk, provided supplemental zone or Beltline Corridor.
6. Street Furniture and Tree Planting Zone: The portion of a continuous sidewalk located immediately adjacent to the curb reserved for the placement of street trees and street furniture including utility and light poles, waste receptacles, fire hydrants, traffic signs, traffic control boxes, newspaper boxes, transit shelters, bicycle racks, seating and similar elements in a manner that does not obstruct pedestrian access or motorist visibility. Such elements, where installed, shall be a type specified by the Director of the Bureau of Planning in accordance with uniform design standards utilized by the Director for placement of such objects in the public right-of-way.
7. Street Trees: All newly planted street trees shall be a minimum caliper of three (3) inches measured 36 inches above ground, shall be a minimum of 12 feet in height, shall have a minimum mature height of 40 feet, and shall be limbed up to a minimum height of seven (7) feet. Trees shall have a minimum planting area of 40 square feet planted with evergreen ground cover such as mondo grass or liriope spicata or covered with hardwood mulch. Flowers and seasonal plantings may be planted in tree planting areas but shall be supplemented by hardwood mulch when not planted. Tree grates shall be prohibited.
8. Sidewalk Clear Zone: The portion of a continuous sidewalk located immediately contiguous to the street furniture and tree planting zone reserved for pedestrian circulation and passage and unobstructed by any permanent objects to a height of eight (8) feet. No fixed elements, including traffic control boxes or other utility structures, shall be placed above ground in the Clear Zone. The Clear Zone shall have a consistent cross-slope not exceeding two (2%) percent.
9. Supplemental Zone: The area between any building, parking lot or parking structure and the back of the required sidewalk or Beltline Corridor when no intervening building exists.
10. Fenestration: The design and placement of windows and entrances in a building façade.
11. Shared Parking: Joint use of a parking area for more than one use. Note that shared parking involves parking spaces that are used at different times by different uses, to eliminate the need to meet the minimum parking requirement for each principal use.

Section 16-36.008. Permitted and Prohibited Uses and Structures.

1. Permitted Uses: The underlying zoning requirements shall apply unless specifically prohibited by this chapter.
2. Prohibited Uses: The underlying zoning prohibited use requirements shall apply.

3. Permitted Accessory Uses & Structures: Accessory uses and structures permitted within this district shall include those customarily accessory and clearly incidental to permitted principal uses and structures and specifically includes clubhouses, pools, other recreation amenities, and parking to serve authorized residential and non-residential uses within the district, subject to the restrictions contained elsewhere in this chapter.

Section 16-36.009. Transitional Uses and Yards.

1. Transitional height planes: The underlying zoning requirements shall apply.
2. Transitional yards: Where this district adjoins an R-1 through R-5, RG-1, RG-2, MR-1, MR-2, RLC or PD-H district without an intervening street: a minimum of twenty (20) feet is required which shall not be used for the purpose of parking, paving, loading, servicing or any other activity with the exception of pedestrian walkways, trails, private alleys or drives up to ten (10) feet in width. Such yards shall otherwise be planted as approved by the City Arborist and maintained as a landscaped strip.
3. Screening: The underlying zoning requirements shall apply.

Section 16-36.010. Open Space Requirements and Incentives.

Except as provided below, open space requirements are regulated per the underlying zoning.

1. Required yards and requirements for sidewalk and supplemental zone widths which are constructed on private property may be counted towards Useable Open Space Requirements (UOSR) or public space requirements. Such space may include planted areas, fountains, community gardens, parks plazas, hardscape elements related to sidewalks and plazas, and similar features which are located on private property.
2. Balconies for residential units, which are enclosed on three (3) sides or less, may be counted towards UOSR for a maximum depth of six (6) feet.
3. The buffer area, as required in Section 16-36.011(2)(a) and 16-36.011(3), may be counted toward UOSR or public space requirements even if such buffer area is dedicated to the city or other governmental entity for recreation use, conveyed to a conservation group or is subject to permanent easements for public use.
4. Supplemental zone area may be counted towards UOSR or public space requirements except as specified in Section 16-36.013(1) and 16-36.013(2).
5. Open Space Incentives:
   a. New streets incentive: New public streets, or private streets which function as public streets, may be counted towards UOSR and public space requirements provided the following criteria are met:
      i. Connects two other public streets or private streets not currently directly connected; and
      ii. Meets the sidewalk requirements of section 16-36.012; and
      iii. When adjacent to a park area, new streets shall meet all above requirements along each park edge; and
      iv. Gates shall not be permitted across said streets.

b. Connectivity incentive: Developments which provide connectivity across public rights-of-way which do not provide pedestrian access, such as railroads and freeways, may be permitted by the Director of the Bureau of Planning to be counted towards UOSR or public space requirements provided the following criteria are met:
   i. Said connectivity shall be achieved through the use of public streets, private streets which function as public streets, pedestrian walkways or shared use paths; and
   ii. Meets the sidewalk requirements of section 16-36.012 for new streets; or
   iii. Shared-use paths shall be a minimum width of 15'-0"; and
   iv. Streets and shared-use paths shall connect to other public streets and shared-use paths or parks.
c. On-street parking incentive: New on-street parking may be counted towards UOSR or public space requirements provided the following criteria are met:
   i. No on-street parking currently exists in the public right-of-way adjacent to the project area for which credit is sought; and
   ii. The new on-street parking is located where there is no existing street lane; and
   iii. All new on-street parking shall be accessible to the general public; and
   iv. Sidewalk extensions are provided at street intersections as applicable; and
   v. All other sidewalk requirements of this chapter are met.

Section 16-36.011. Site Limitations.

Except as provided below, development controls are regulated per the underlying zoning.

1. Site plans shall conform to any proposed City of Atlanta future street plans to limit block sizes and enhance connectivity, unless granted a variation in accordance with this Chapter. Said future street plans shall supplant any other block face requirements.
2. Properties adjacent to a public space such as a park space, greenway trail or railroad right-of-way (but not the BeltLine Corridor) shall meet the following requirements:
   a. Shall have a minimum 20-foot wide buffer along the property line adjacent to said public space in existence or proposed by the City. Said buffer shall be completely landscaped excluding walkways, benches and other such recreational features as approved by the Director of the Bureau of Planning.
   b. Shall not locate off-street surface parking lots or loading docks between any building and said public space except in cases where meeting this would require the development to be in conflict with the requirements of section 16-36.014 or section 16-36.018.
   c. Shall include an entrance to all adjacent uses which:
      i. Shall face and be visible from said public space.
      ii. Shall be directly accessible from said public space.
3. Properties adjacent to the BeltLine Corridor:
   a. Shall have a minimum 20-foot wide buffer along any part of the property adjacent to the BeltLine Corridor. Said buffer shall be completely landscaped excluding walkways, benches and other such recreational features as approved by the director of the Bureau of Planning except as specified below.

b. Shall meet the requirements of Section 16-36.011(2)(b) and 16-36.011(2)(c) above except as specified below.

c. Any property within or adjacent to the BeltLine Corridor that is being used for transportation purposes or any property that has been acquired primarily for non-transportation use prior to November 20, 2006 shall not be regulated by this Section. However, any property within the BeltLine Corridor shall be governed by this Section if either:

   i. Acquired in fee simple or under a long-term ground lease after November 20, 2006; or

   ii. Ceases to be used for presently active operational transit purposes after the date of this ordinance.

4. Public or private access paths to connect to any existing or proposed greenway trails, including the BeltLine, shall be built to a minimum paved width of 15'-0" for two-directional bicycle and pedestrian use.

5. Drive-through service windows, drive-in facilities and associated queuing areas shall not be located between a building and the street, unless otherwise prohibited by the underlying zoning. Such facilities shall also be limited to two (2) drive-through or drive-in facilities and two (2) queuing lanes.

6. Gasoline fuel dispenser structures and associated vehicular services such as air pumps and car washes shall not be located between a building and the street, unless otherwise prohibited by the underlying zoning.

7. Storage, digital industry switchboards, power generators and other relay equipment and rooms housing such equipment shall be permitted, with the exception of a minimum depth of 20 feet of the sidewalk-level street frontage beginning at any building facade along the public sidewalk.

8. Parking within a building or structure structures shall be permitted subject to meeting the requirements in Section 16-36.017(3).

9. Sidewalk and supplemental zone minimum width requirements as specified in Section 16-36.012 and 16-36.013 shall supplant any minimum setback requirements for any yards immediately adjacent to any public or private street.

10. Properties adjacent to the BeltLine corridor or any railroad right-of-way with an existing or proposed multi-use trail shall meet the following requirements:

   d. Shall have a minimum 20-foot wide buffer along the property line adjacent to said public space in existence or proposed by the City. Said buffer shall be completely landscaped excluding walkways, benches and other such recreational features as approved by the director of the Bureau of Planning. A development may count this buffer area as part of the required open space or public space for the lot, even if such setback area is dedicated to the city or other governmental entity for recreation use or such buffer area is conveyed to a conservation group.

   e. Shall provide a new public access street (or streets) in accordance with the Beltline Street Framework Plan, unless granted a variation in accordance with this Chapter.

   f. Shall not locate off-street parking areas or loading docks between any building and said space except in cases where meeting this would require the development to be in conflict with the requirements of section 16-36.016 or section 16-36.020.

   g. Shall include an entrance to all adjacent uses which:

      i. Shall face and be visible from the BeltLine corridor, park space, greenway or any railroad right-of-way with an existing or proposed multi-use rail-trail.

ii. Shall be directly accessible from said space from the Beltline corridorpark space, greenway, abandoned rail line or any railroad right-of way line with an existing or proposed multi-use rail-trail.

Section 16-36.012. Sidewalks.

Public sidewalks shall be located along all public streets and shall have the minimum widths specified in the BeltLine: Sidewalk and Supplemental Zone Table. Sidewalks shall consist of two zones: a street furniture and tree planting zone; and a clear zone. The following regulations shall apply to all public sidewalks:

1. Paving Materials: All sidewalk paving shall be a type specified by the Director of the Bureau of Planning in accordance with uniform design standards utilized by the Director for placement of such objects in the public right-of-way.
2. Street trees: are required as indicated in the BeltLine: Sidewalk and Supplemental Zone Table. Street trees shall be planted a maximum of 30 feet on center within the street furniture and tree planting zone and spaced equal distance between street lights. All plantings, planting replacement and planting removal shall be approved by the City Arborist. The area between required plantings shall either be planted with evergreen ground cover such as mondo grass or liriope spicata or shall be paved as approved by the Director of the Bureau of Planning.
3. Decorative pedestrian lights: where appropriate, shall be placed at a maximum of 60 feet on center and spaced equidistant between required street trees within the street furniture and tree planting zone. All said lights shall be Atlanta Type "C" or other as approved by the Director of the Bureau of Planning.
4. Objects in the street furniture and tree planting zone: Trash receptacles, benches, bike racks or other similar elements shall be placed within the street furniture and tree planting zone and be a type specified by the Director of the Bureau of Planning in accordance with uniform design standards utilized by the Director for placement of such objects in the public right-of-way. Awning, canopies or similar elements shall be prohibited within the street furniture and tree planting zone.
5. Visibility at Intersections: Nothing shall be erected, placed, planted or allowed to grow in such a manner as to impede visibility within visibility triangles at street intersections, as measured from the curb, between the heights of two and one-half (2'-6") feet and eight (8) feet above grade. See Section 16-28.008(9): Visibility at intersections.
6. Overhead Utilities: Upon redevelopment of a parcel reasonable efforts shall be made to place utilities underground or to the rear of structures.

Section 16-36.013. Supplemental Zone.

The Supplemental Zone shall have the minimum widths specified in the BeltLine: Sidewalk and Supplemental Zone Table.

1. The supplemental zone shall be no more than 30 inches above the adjacent public sidewalk for a minimum linear distance of 15 feet from the nearest edge of the adjacent

sidewalk or Beltline Corridor unless existing topographical considerations render this requirement unreasonable.

2. Plazas, terraces, porches and stoops within the supplemental zone shall have a maximum finished floor height of 30 inches above finished-grade unless existing topographical considerations render this requirement unreasonable.
3. Requirements for Supplemental Zones:
   a. Adjacent to all uses: shall provide a pedestrian walkway with a minimum width of four (4) feet through said supplemental zone to connect to the adjacent required sidewalk. Said walkway shall be perpendicular to the street unless topography prohibits.
   b. Adjacent to sidewalk-level residential uses:
      i. Said zone shall be landscaped except for terraces, porches, stoops and walkways.
      ii. For all such buildings with more than four (4) residential units: Shall be permitted to share said required pedestrian walkway with one (1) adjacent unit.
4. Fences and walls: shall only be allowed in the supplemental zone when meeting the following regulations:
   a. For all sidewalk-level residential and outdoor dining uses (including adjacent to the Beltline Corridor):
      i. Fences shall not exceed 42 inches in height.
      ii. Walls shall not exceed 24 inches in height unless existing topography requires a retaining wall of greater height.
      iii. Outdoor dining may be separated from the sidewalk only with movable planters, fencing, or similar barriers provided they do not exceed a height of 36 inches including any plant material.
   b. For all other non-residential sidewalk-level uses: fencing is prohibited.
5. Supplemental zones providing a depth of 15 feet or less shall not be counted towards UOSR or public space requirements unless all sidewalk-level non-residential uses are visible and accessible from the adjacent sidewalk by the general public.
6. Supplemental zones providing a depth greater than 15 feet shall be counted towards UOSR or public space requirements only when the following additional requirements are met:
   a. Shall permit and allow pedestrians to walk on a minimum of eighty (80%) percent of the surface of the supplemental zone excluding fountains, pedestrian furniture, public art and similar elements.
   b. When adjacent non-residential sidewalk-level uses are provided, all sides of buildings fronting said zone meet the requirements of Section 16-36.014(7).

BeltLine: Sidewalk and Supplemental Zone Table			
Sidewalks*		Supplemental Zone	Street Trees in Street Furniture and Tree Planting Zone
Street Furniture and Tree Planting Zone Minimum Width	Sidewalk Clear Zone Minimum Width	Minimum Width	
5 feet	10 feet	0 or 5 feet**	Required 30' apart on-center

* Within 20 feet of an abutting an R, R-G, MR, PD-H, or LW district without an intervening street or railroad right-of-way, the sidewalk area shall taper as necessary to provide a smooth transition to the existing R, R-G, MR, PD-H, LW district sidewalk. In the event that the abutting district has no existing sidewalk, the sidewalk shall taper to a width of six feet. **5 feet minimum required when located adjacent to sidewalk-level residential uses or located along streets which function as an arterial or collector; otherwise no supplemental zone requirement.

Section 16-36.014. Relationship of Building to Street.

The regulations contained in this section apply to all buildings and structures, including parking structures.

1. Building floors shall be delineated to, and including, the third story above the sidewalk-level executed through windows, belt courses, cornice lines or similar architectural detailing.
2. The primary pedestrian entrance to all sidewalk-level uses with public street, private street or Beltline Corridor frontage shall be architecturally articulated, face, be visible from, and be directly accessible from said required sidewalk along such street or Beltline Corridor. The use of fire-escape, entrance-only and exit-only doors as primary entrances is explicitly prohibited.
   a. For residential uses:
      i. All such buildings, except assisted living, with more than four (4) residential units shall have individual entrances to such units directly accessible from the sidewalk and shall open directly onto the adjacent sidewalk, supplemental zone, terrace, porch, plaza, or park adjacent to the sidewalk.
      ii. Said buildings shall have porches, stoops or wheelchair access at each sidewalk-level entrance.
   b. For non-residential uses:
      i. Shall remain unlocked during business hours.
      ii. Shall be at-grade with the closest portion of the adjacent required sidewalk.
3. All residential uses not located at sidewalk-level shall have pedestrian access to the required public sidewalk via a lobby fronting and accessible from said sidewalk.
4. A street address number shall be located directly above or beside the primary building and business establishment entrances, shall be clearly visible from the sidewalk, and shall have a minimum height of six (6) inches.
5. No walls, except retaining walls, shall be located between a public street, private street or BeltLine Corridor and any building, with the exception of screening for authorized off-street loading areas. Retaining walls shall be finished poured concrete or shall be faced with stone, brick or smooth stucco. See Section 16-29.001(25).
6. Fences and walls shall meet the following regulations.
   a. For all uses not adjacent to a street or BeltLine Corridor: Fences and walls not exceeding six feet in height may be erected.
   b. No barbed wire, razor wire, uncoated chain link fence or similar elements shall be visible from any public plaza, sidewalk-level outdoor dining area, the BeltLine Corridor or any other public right-of-way.
7. Fenestration: shall be provided at the minimum percent as specified herein and in the BeltLine: Fenestration Table. Fenestration shall not utilize painted glass, reflective glass or other similarly treated or opaque windows. Tinted glass shall have a transmittance factor of 50 percent or greater and shall have a visible light reflectance

factor of 10 or less. (For additional parking deck requirements see Section 16-36.017(3)):

a. Street-fronting non-residential uses along the Beltline Corridor and along streets that function as arterial streets and collector streets shall meet the following sidewalk-level requirements, with the exception of churches and fire stations:
   i. The length of facade without intervening fenestration or entryway shall not exceed 20 feet.
   ii. Fenestration and entrances shall be provided for a minimum of sixty-five (65%) percent of the length of all street frontages:
      a) Beginning at a point not more than three feet above the sidewalk, to a height no less than ten feet above the sidewalk; or
      b) Beginning at the finished floor elevation to a height no less than ten feet above the finished floor elevation when the finished floor elevation is three or more feet above the sidewalk; or
      c) Beginning at a point not more than sidewalk level, to a height no less than ten feet above the finished floor elevation when the finished floor elevation is below the sidewalk.
b. Street and Beltline Corridor-fronting residential uses and non-residential uses along local streets, with the exception of churches and fire stations: Fenestration and entrances shall be provided for a minimum of thirty (30%) percent of the length of all street frontages.
c. Such buildings shall have windows at sidewalk-level on each street frontage facade which are substantially similar in size to the sidewalk level front facade windows.

BeltLine: Fenestration Table

		Street or Corridor Classification		
		Arterial or Collector	**Local**	**Beltline Corridor**
Use	**Residential**	30% minimum length	30% minimum length	30% minimum length
	Non-Residential*	65% minimum length	30% minimum length	65% minimum length

* No minimum fenestration requirement for churches and fire-stations.

Section 16-36.015. Signage

Refer to Section 16-28A. Sign Ordinance for regulations pertaining to the underlying zoning category.

Section 16.36.016. Loading Areas, Loading Dock Entrances and Building Mechanical and Accessory Features.

1. Dumpsters and loading areas: shall be paved with impervious materials and shall be screened so as not to be visible from any public plaza, sidewalk-level outdoor dining area, public sidewalk, public right-of-way or BeltLine Corridor. In addition, dumpsters and loading areas serving residential uses shall be enclosed with opaque walls not less than six (6) feet in height.

2. Loading dock entrances for nonresidential uses shall be screened so that loading docks and related activity are not visible from the public right-of-way or BeltLine Corridor.
3. Building mechanical and accessory features.
   a. Shall be located to the side, rear, or roof of the principal structure and shall be in the location of least visibility from the public right-of-way. Screening with plant or fence materials shall be required if the equipment is otherwise visible from the public right-of-way.
   b. When located on rooftops shall be incorporated in the design of the building and screened with building materials similar to the building.
   c. Shall not be permitted between the building and any public street.

Section 16-36.017. Driveway Curb Cuts, Driveways and Parking Structures.

1. Driveway curb cuts:
   a. Shall be a maximum of 24 feet for two-way entrances and 12 feet for one-way entrances, unless otherwise permitted by the Commissioner of Public Works.
   b. Shall not be permitted on any street that functions at the location on the right-of-way in question as an arterial street or collector street when access may be provided from a local street with the exception of hotels and hospitals.
   c. All sidewalk paving materials shall be continued across any intervening driveway curb cut at the same prevailing grade and cross slope as the adjacent sidewalk clear zone.
   d. Shall have a band of textured concrete adjacent to the street which is in-line and equal in width to the street furniture zone and shall have a textured band of concrete adjacent to the sidewalk which is in-line with the supplemental zone with a minimum width of five (5) feet from the sidewalk or such standard as developed by the Department of Public Works.
   e. Maximum permitted number of driveway curb cuts for each development, subject to the provisions of Section 16-25.002(3):
      i. Developments with only one street frontage, which is less than 300 feet in length: one (1);
      ii. Developments with only one street frontage, which is greater than or equal to 300 feet in length: two (2);
      iii. Developments with more than one street frontage: one (1) located on each street frontage;
      iv. For the purposes of this Section, two curb cuts serving two one-way driveways shall only be counted as one curb cut.
2. Driveways:
   a. Driveways or circular drives, except to reach the side yard or rear yard or an on-site parking facility, are not permitted between the sidewalk and a building, and shall be perpendicular to any adjacent street with the exception of hotels, hospitals, childcare centers, kindergartens and special schools, subject to provisions in Section 16-25.002(3).
   b. All contiguous sidewalk-level residential units shall share one common drive, located in rear yards or side yards without street frontage, to serve garages and parking areas.

c. Independent driveways are not required for single and two family dwellings or when access is provided by a private alley.

d. Notwithstanding the provisions of Section 16-28.006(10), the Director of the Bureau of Planning may authorize a common or joint driveway when adjacent lots have direct vehicular access to a street or a driveway from a private street which functions as a public street based on traffic considerations when a perpetual easement agreement is agreed upon by all affected property owners and a copy of such agreement is provided to the Bureau of Planning.

3. Parking structures either principal or accessory use:

a. When located immediately adjacent to the BeltLine corridor, any public right-of-way, public park, private street or adjacent R-1 through R-5, RLC, R-G, MR, PD-H district:

i. Shall be delineated to, and including, the third story above the sidewalk-level executed through windows, belt courses, cornice lines or similar architectural detailing and shall conceal automobiles from view. Said structure shall have an appearance similar to that of the adjoining or attached residential, commercial or mixed-use structure.

ii. Parking structure facades shall have openings screened with mesh or decorative panels, tinted or sandblasted glass, or similar screening elements so as to prevent views into the parking structure.

iii. Parking decks shall be illuminated with uplighting or shall contain shielded internal light bulbs to eliminate light spillage outside the structure. See Section 16-36.018 for additional lighting requirements.

b. Along all facades not along the BeltLine corridor, any public right-of-way, public park, or private street: Shall provide a continuous landscaped strip between the structure and property line to be planted as indicated in Section 16-36.017(3)(c)(i) below.

c. Facades along the BeltLine corridor, any public right-of-way, public park, or private street:

i. Shall meet the façade treatment requirements as applicable in Section 16-36.012(5) unless topographic considerations render this requirement unreasonable. In such case, a continuous minimum five feet wide landscaped strip shall be provided between the structure and the public sidewalk, except at ingress and egress points into the structure. Said landscaped strip shall be planted with street trees spaced a maximum distance of 20 feet on center, as defined in Section 16-36.007. The landscape strip shall also be planted with evergreen ground cover such as mondo grass, liriope spicata, ivy or evergreen shrubs with a maximum mature height of 24 inches. All plantings, planting replacement and planting removal shall be approved by the City Arborist.

ii. Shall meet an active-use depth requirement from said parking structure façade at sidewalk-level, except at ingress and egress points into said parking structures. When two or more floors meeting the definition of sidewalk-level exist within the same building, this requirement shall only apply to the frontage of each floor located within five vertical feet above or below the grade of the adjacent sidewalk. For the purposes of this chapter active uses shall be serviced by plumbing, heating, and electricity and are limited to residential, retail, eating and drinking establishments, museum, gallery, office, institutional, auditorium,

library, hotel lobby, or cultural facility uses, and shall not include parking, non-residential storage areas, driveway or queuing lanes parallel to the adjacent street. Minimum active-use depths shall be provided as follows:

1) Residential uses: minimum depth of 10 feet.
2) All other uses (as specified above): minimum depth of 20 feet.

4. All developments, including parking decks, shall have walkways a minimum width of four feet connecting ground level parking to the public sidewalks and to all building entrances.
5. Entrances to garages and carports that serve a single residential unit, and which are located less than 20 feet behind the façade of the principal structure, shall face the rear yard or a side yard which has no street frontage.
6. Drop-off lanes: Where on-street parking is provided, certain parking spaces may be utilized as drop-off spaces, when permitted by the Commissioner of Public Works. Drop-off spaces or lanes are otherwise prohibited.

Section 16-36.018. Lighting, Security, and Maintenance Requirements.

1. All lighting, including all parking decks and lots, loading areas, and lit canopies, shall reduce light spillage onto adjacent residentially used properties by providing cutoff luminaries that have a maximum 90 degree illumination.
2. All lighting that up-lights trees, buildings or other elements, shall be located a minimum height of eight feet above the sidewalk, driveway or pedestrian area when not located within completely landscaped areas.

Section 16-36.019. Minimum Landscaping Requirements for Surface Parking Lots.

The requirements of City of Atlanta Code of Ordinances, Chapter 158 Vegetation, Article II Tree Protection, Section 30 Parking Lot Requirements shall apply to this district in addition to the street tree planting requirements, with additional requirements as follows:

1. Said surface parking lot requirements shall apply to all lots regardless of size;
2. Existing parking lots shall not be required to reduce the number of parking spaces by more than three (3) percent as a result of implementing the following surface parking lot landscaping regulations:
   a. All parking bays shall be terminated with a landscape strip a minimum width of five (5) feet and equal to the length of the parking bay.
   b. All required landscaped areas shall be planted with evergreen groundcover or shrubs with a maximum mature height of 30 inches; and
   c. All required landscaped buffer strips, regardless of length, shall have a minimum of one (1) tree planted per 30 feet of length with a minimum caliper of two and one half (2.5) inches.

Section 16-36.020. Off-street parking and loading requirements.

In addition to the provisions of subsection 16-28.008(7), which shall apply and are incorporated herein the following parking requirements shall apply to all permitted uses. (See also sections 16-28.013 and 16-28.014.)

1. Minimum parking: The number of off-street parking spaces required shall be as follows:
   a. For residential uses: One (1) space per dwelling unit.
   b. For non-residential uses: Determined by the underlying zoning except in such cases where the underlying zoning has no minimum parking requirement whereas the minimum parking required shall be one (1) space per 300 square feet of floor area.
2. Maximum Parking: No development, unless granted a special exception by the Board of Zoning Adjustment, shall have parking in excess of:
   a. For residential uses:
      i. 1.25 spaces per each one-bedroom unit.
      ii. 2.00 spaces per each two or greater bedroom unit.
   b. For non-residential uses: The greater of the following either:
      i. Ten (10) spaces greater than the minimum parking required; or
      ii. Twenty-five (25%) percent of the minimum parking required.
3. Minimum loading: The number and size of off-street loading spaces required shall be determined by the underlying zoning.
4. Shared Parking and Loading:
   a. Reduction of on-site parking required may be granted by administrative variation subject to evidence of a shared parking arrangement within 600 feet of the property and not located either:
      i. Within districts R-1 through R-5, RLC or PDH; and
      ii. Immediately adjacent to single family dwellings in districts RG-1, RG-2, MR-1 and MR-2.
      iii. Said evidence of a shared parking arrangement shall include the following:
         a) A to-scale map indicating location of proposed parking spaces; and
         b) Written consent of property owners agreeing to the shared parking arrangement; and
         c) Copies of parking leases. Renewed leases shall be filed with the Bureau of Planning. Failure to file or lapse of such required lease agreement with the Bureau of Planning shall terminate said shared parking arrangement.
   b. Reduction of on-site loading required may be granted by administrative variation subject to evidence of a shared loading arrangement that avoids conflicting loading demands and not located either:
      i. Within districts R-1 through R-5, RLC or PDH; and
      ii. Immediately adjacent to single family dwellings in districts RG-1, RG-2, MR-1 and MR-2.
5. Off-street surface parking lots:
   a. Shall be accessory to a permitted principal use only, provided that parking spaces serving another principal permitted use may use such facility for shared parking during non-normal business hours by compliance with the parking requirements of the underlying zoning.
   b. Shall not be located between a building and the street without an intervening building.
   c. No portion of any parcel on which a building has been demolished, destroyed, or otherwise removed shall be utilized for an independent primary park-for-hire surface parking lot.
6. For office uses:

a. All developments shall reserve and designate at least five percent of the employee parking spaces "Carpool Only." Such spaces shall be located near the building's employee entrance or other preferable locations within the employee parking areas as approved by the director of the Bureau of Traffic and Transportation.
b. All new parking structures shall be built to accommodate vanpool access at entry level. The minimum ceiling height for vanpools is eight feet two inches (8'-2").

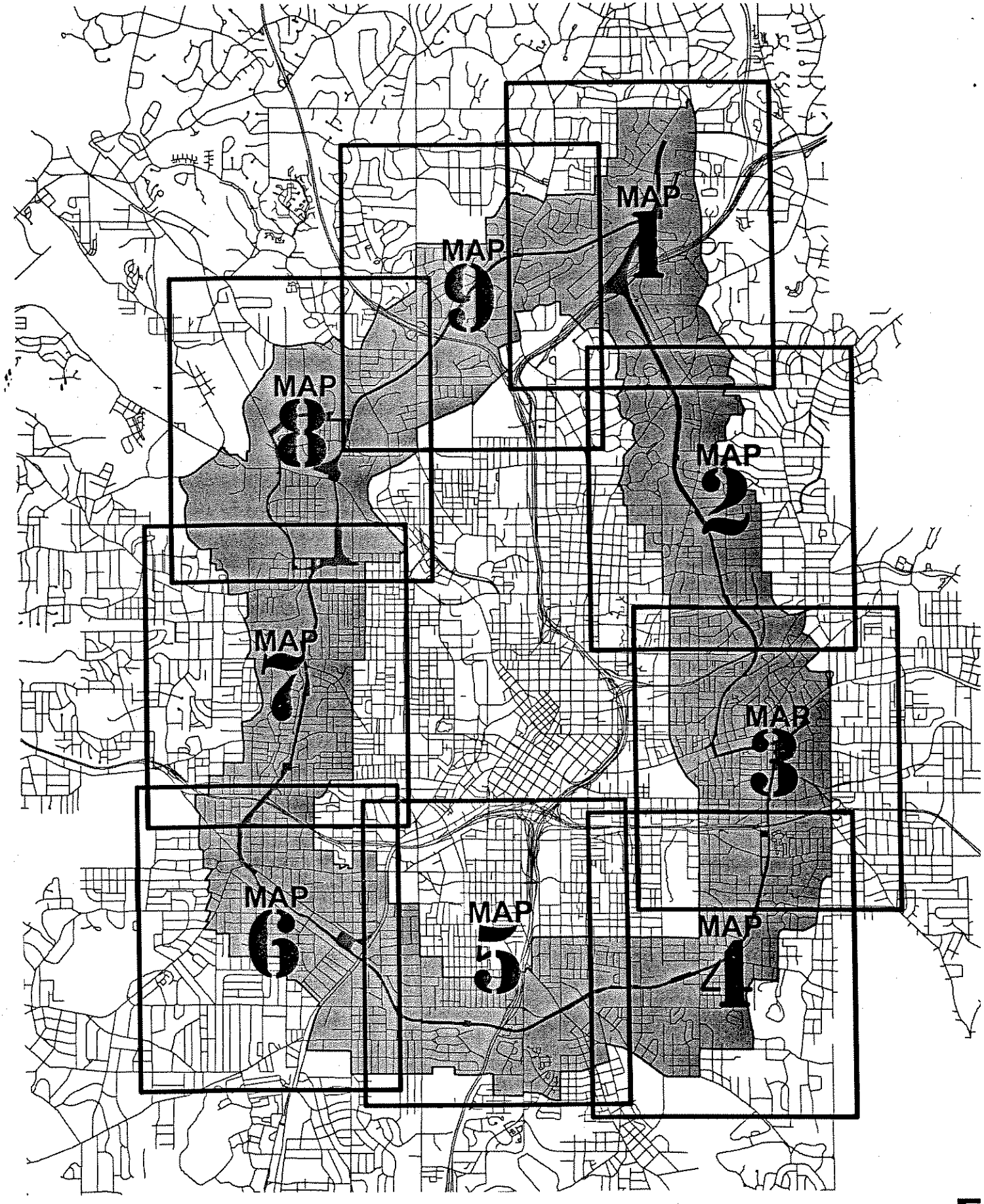
Section 16-18V.021. Off-Street Bicycle Parking.

Bicycle/Moped Parking: All spaces provided shall include a metal anchor sufficient to secure the bicycle/moped frame when used in conjunction with a user-supplied lock and shall be a type specified by the Director of the Bureau of Planning as applicable.

1. No development, except a one or two-family development, shall have fewer than two (2) bicycle/moped parking spaces nor be required to exceed a maximum of 50 spaces.
2. Non-residential developments shall provide bicycle/moped parking facilities at a ratio of at least one (1) bicycle/moped parking space for every 4,000 square feet of non-residential floor area. Each space shall be located within the street furniture zone or supplemental zone a maximum horizontal distance of 100 feet from the building entrance.
3. Multi-family developments shall provide said facilities at a ratio of at least one (1) bicycle/moped parking space for every five (5) multi-family units.

Section 16-36.022. Pedestrian bridges and tunnels.

1. Bridges, tunnels, buildings, and parking structures are prohibited when located above or below the BeltLine Corridor, public streets, private streets which function as public streets, or other public rights-of-way unless granted an administrative variation subject to the following:
   a. There are extraordinary and exceptional conditions pertaining to the particular property in question because of its size, shape, topography, subsurface conditions, or overhead structures; and
   b. Such conditions are peculiar to the property in question; and
   c. Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the Zoning Ordinance of the City of Atlanta.

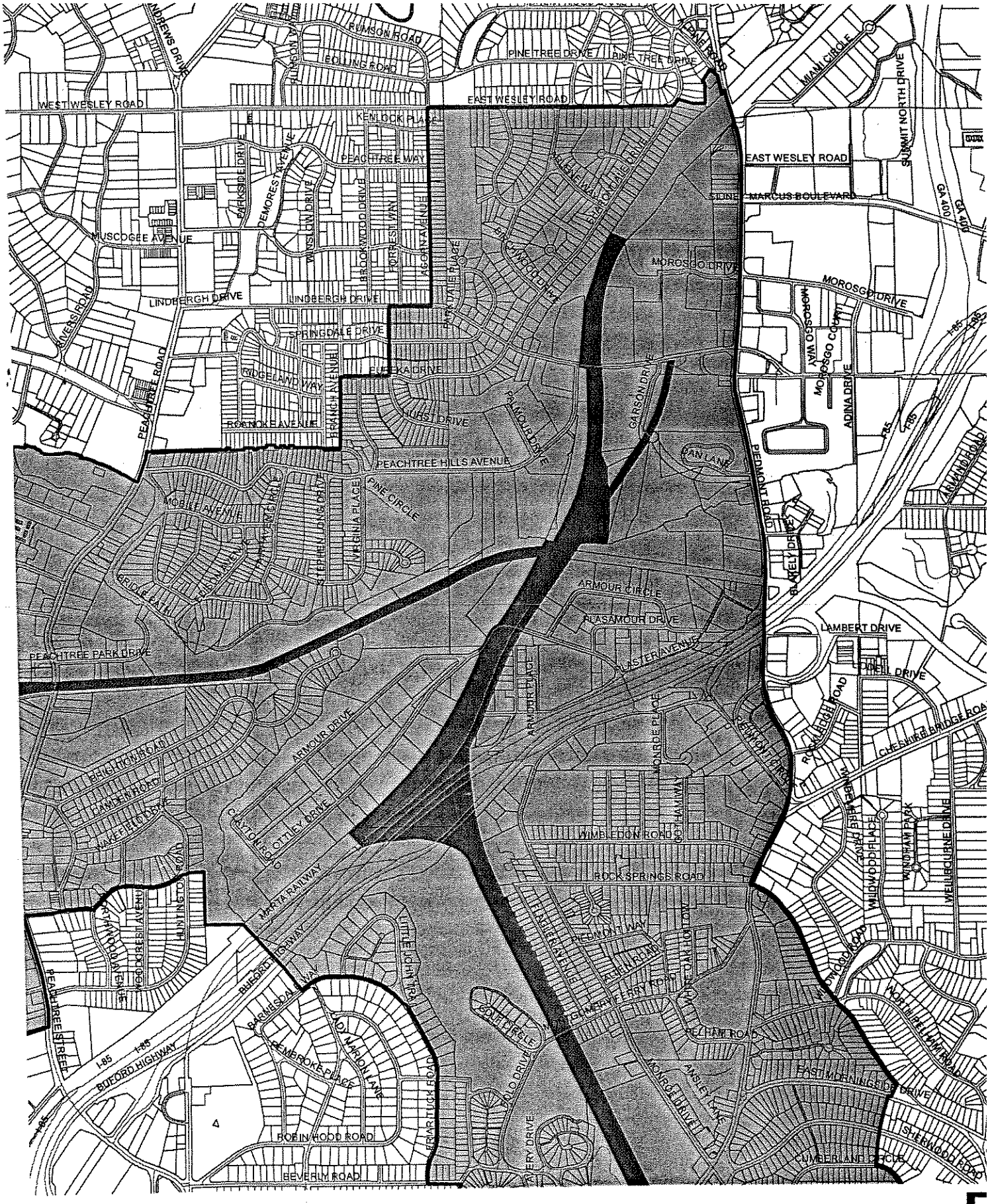


Key Map : Beltline Overlay District Boundaries

CITY OF ATLANTA : DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

ATTACHMENT B

13 FEB 200



MAP 1 : Beltline Overlay District Boundaries

CITY OF ATLANTA : DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

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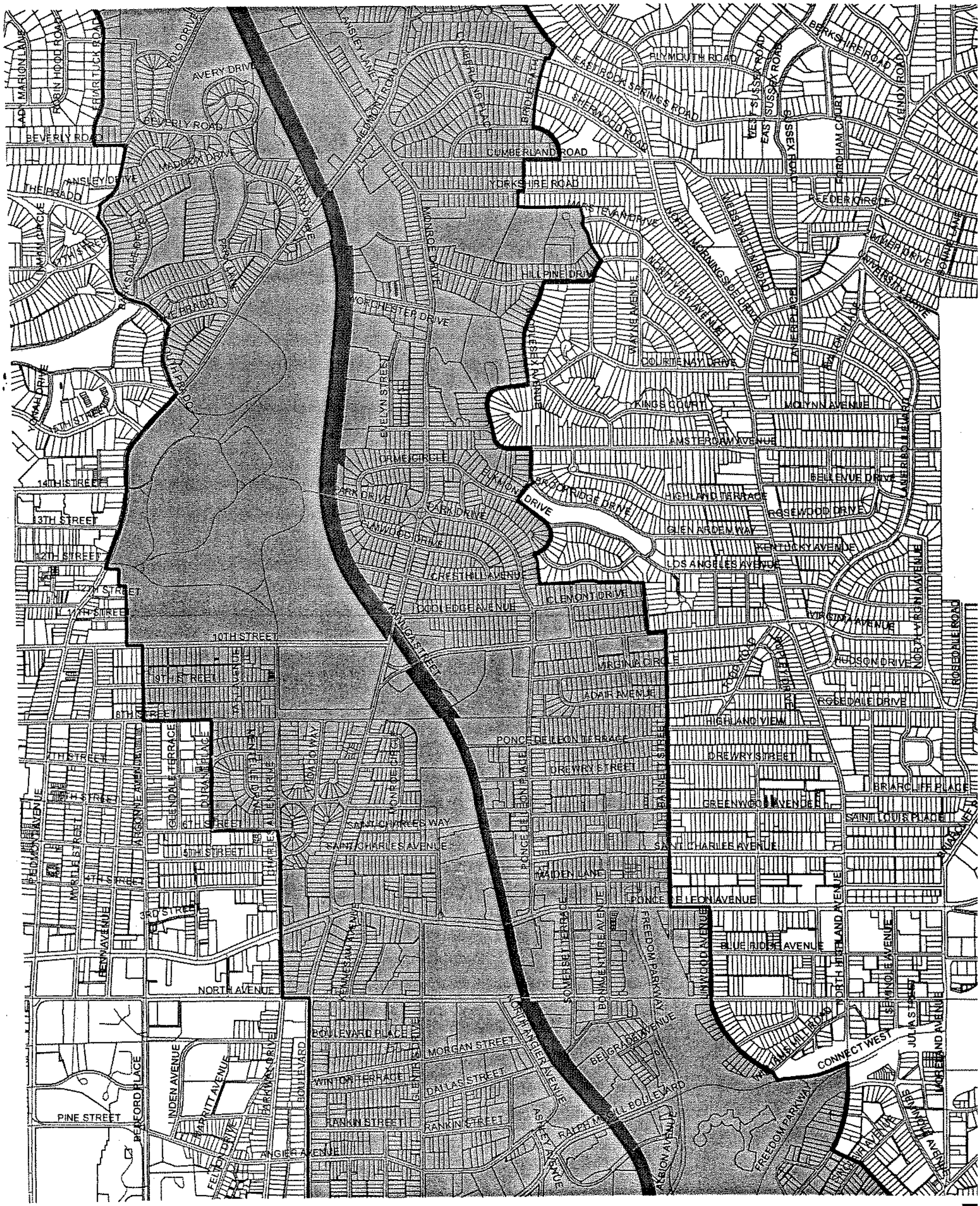

MAP 2 : Beltline Overlay District Boundaries

CITY OF ATLANTA : DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

ATTACHMENT B

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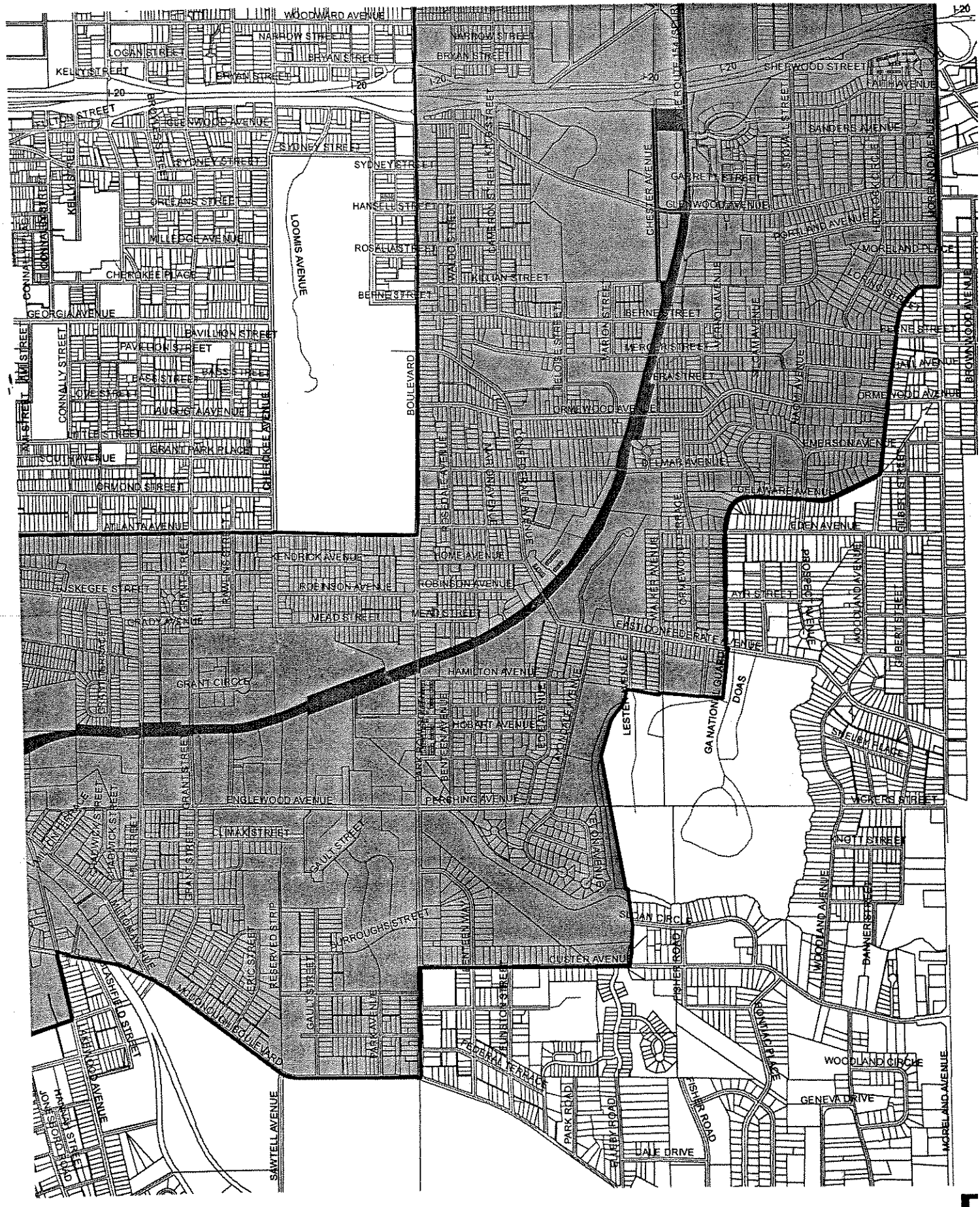
MAP 3 : Beltline Overlay District Boundaries

CITY OF ATLANTA : DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

ATTACHMENT B **13 FEB 20**



MAP 4 : Beltline Overlay District Boundaries

CITY OF ATLANTA : DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

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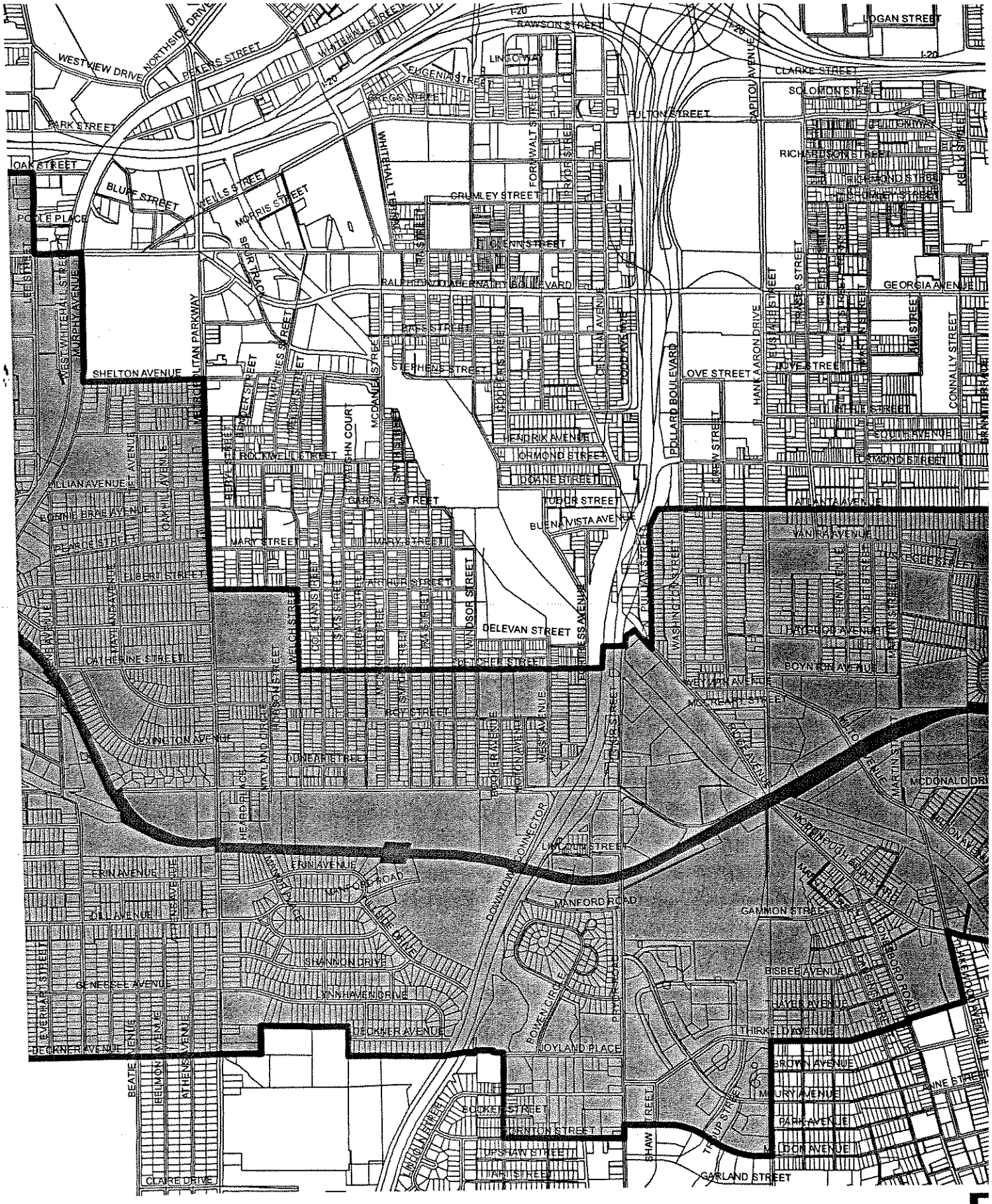

MAP 5 : Beltline Overlay District Boundaries

CITY OF ATLANTA : DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

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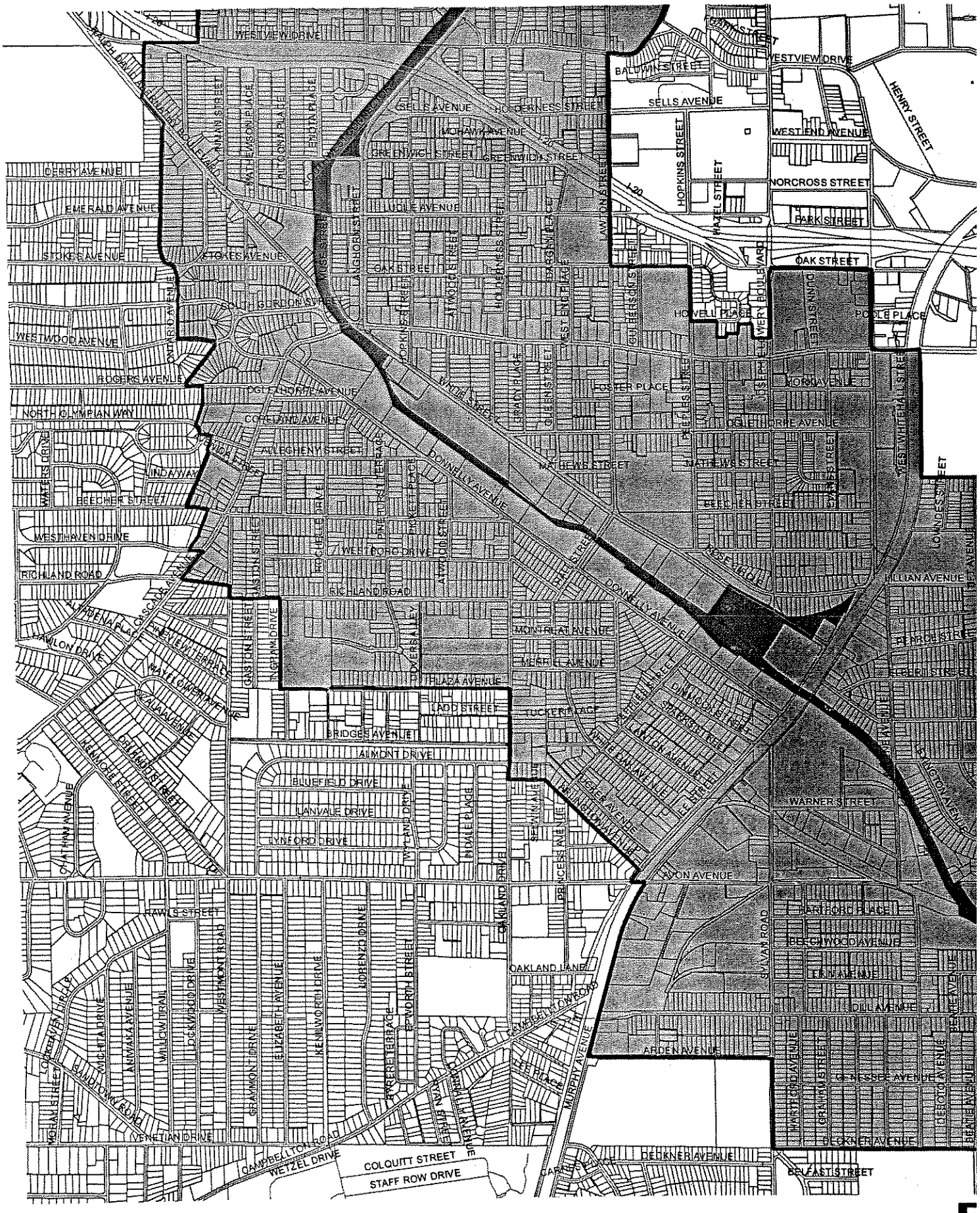

MAP 6 : Beltline Overlay District Boundaries

CITY OF ATLANTA : DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

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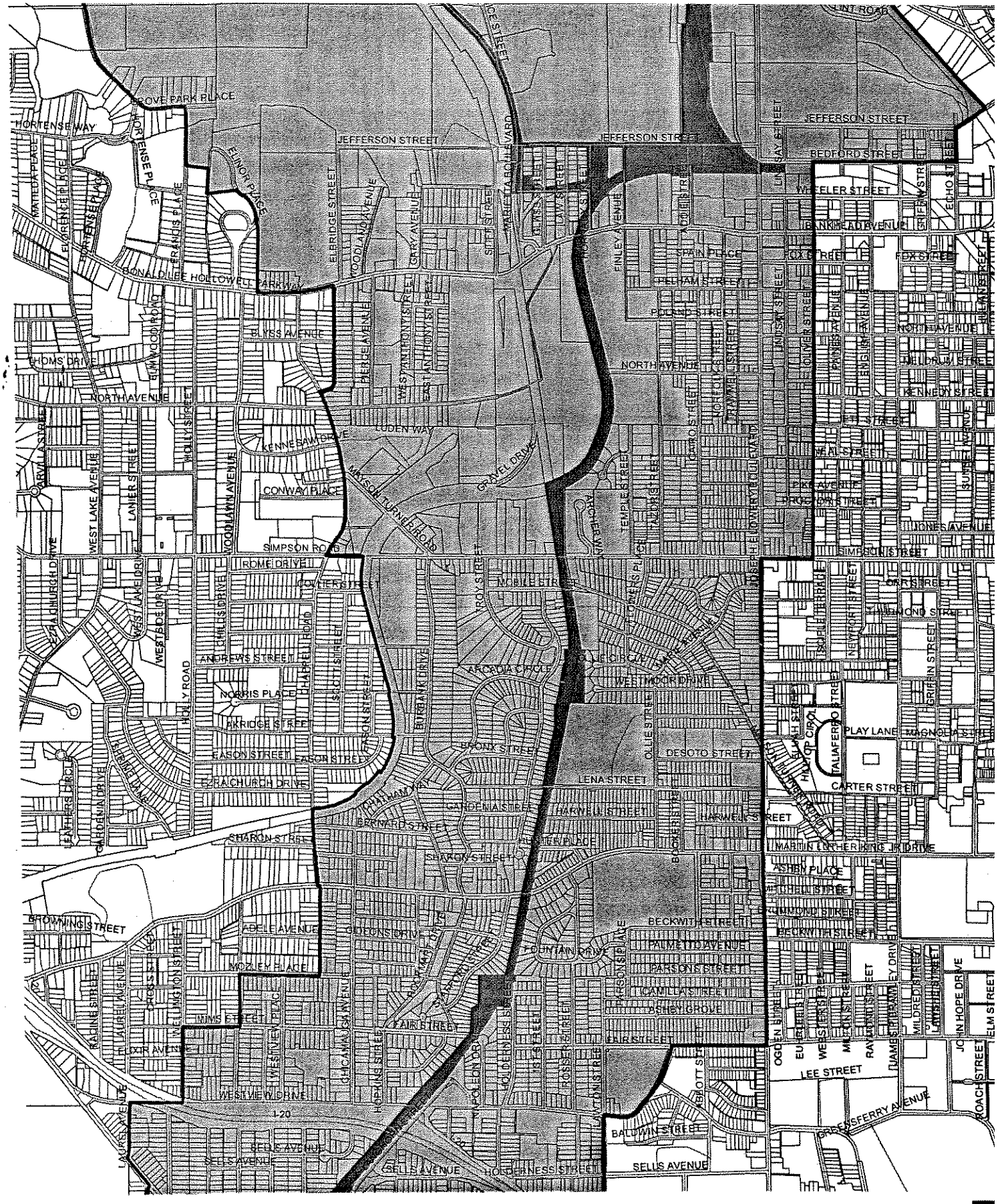

MAP 7 : Beltline Overlay District Boundaries

CITY OF ATLANTA : DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

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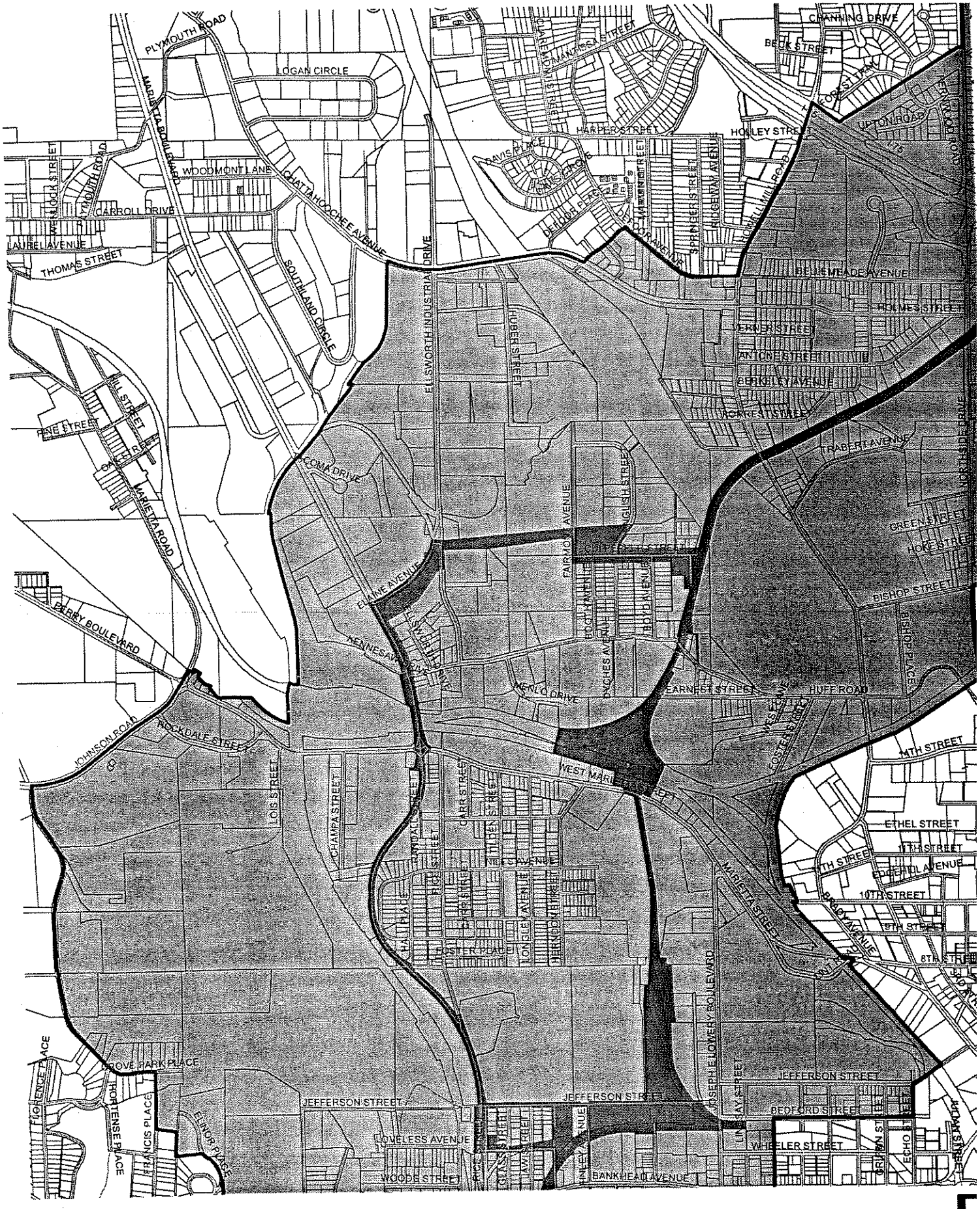

MAP 8 : Beltline Overlay District Boundaries

CITY OF ATLANTA : DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

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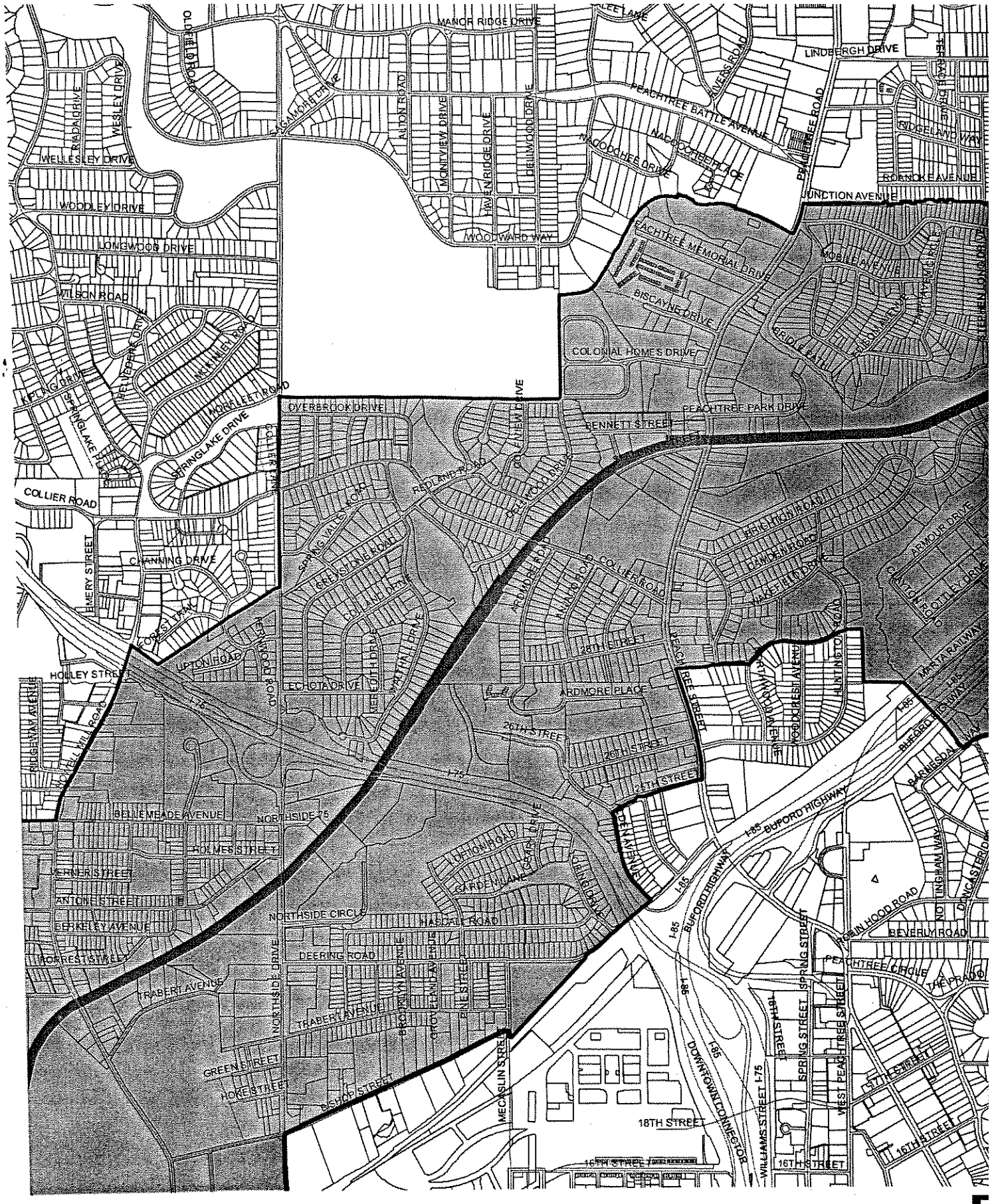

MAP 9 : Beltline Overlay District Boundaries

CITY OF ATLANTA : DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

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