

11-0-0095
(Do Not Write Above This Line)

AN ORDINANCE Z-10-38
BY ZONING COMMITTEE

AN ORDINANCE TO AMEND
THE 1982 CITY OF ATLANTA
ZONING ORDINANCE, AS
AMENDED, SO AS TO ALLOW
ASSISTED LIVING
FACILITIES, AS DEFINED IN
SECTION 16-29.001(16)(b) AS A
USE WITHIN THE PLANNED
DEVELOPMENT-HOUSING
(PD-H) AND PLANNED
DEVELOPMENT-MIXED USE
(PD-MU) ZONING DISTRICTS,
SUBJECT TO APPROVAL OF A
SPECIAL USE PERMIT; AND
FOR OTHER PURPOSES.

SUBSTITUTE ADOPTED BY

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred 01/18/11

Referred To: ZEB/Zoning

Date Referred 02/01/11

Referred To: ZEB/Zoning

Date Referred

Referred To:

First Reading

Committee Zoning
Date Feb 16 2011
Chair [Signature]
Referred To ZEB/Zoning

Committee Zoning
Date Feb 16 2011
Chair [Signature]
Action ad substitute
Fav, Adv, Hold (see rev. side)
Other
Members [Signatures]
Refer To ZEB/Zoning

Committee _____
Date _____
Chair _____
Action _____
Fav, Adv, Hold (see rev. side)
Other _____
Members _____
Refer To _____

Committee Zoning
Date June 29 2011
Chair [Signature]
Action ON substitute
Fav, Adv, Hold (see rev. side)
Other
Members [Signatures]
Refer To [Signature]

Committee _____
Date _____
Chair _____
Action _____
Fav, Adv, Hold (see rev. side)
Other _____
Members _____
Refer To _____

- FINAL COUNCIL ACTION
- 2nd
 - 1st & 2nd
 - 3rd
 - Consent
 - V Vote
 - RC Vote

CERTIFIED
JUL 05 2011
ATLANTA CITY COUNCIL PRESIDENT
[Signature]

CERTIFIED
JUL 05 2011
Renee Dausch Johnson
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED
JUL 14 2011
WITHOUT SIGNATURE
BY OPERATION OF LAW



**CITY COUNCIL
ATLANTA, GEORGIA**

Municipal Clerk
Atlanta, Georgia

11-O-0095

Z-10-38

**A SUBSTITUTE ORDINANCE
BY ZONING COMMITTEE**

AN ORDINANCE TO AMEND THE 1982 CITY OF ATLANTA ZONING ORDINANCE, AS AMENDED, SO AS TO ALLOW ASSISTED LIVING FACILITIES, AS DEFINED IN SECTION 16-29.001(16)(b) AS A USE WITHIN THE PLANNED DEVELOPMENT-HOUSING (PD-H) AND PLANNED DEVELOPMENT-MIXED USE (PD-MU) ZONING DISTRICTS; AND FOR OTHER PURPOSES.

WHEREAS, there is an increased demand for assisted living facilities in the City of Atlanta; and

WHEREAS, assisted living facilities are allowed by approval of a Special Use Permit in the RG, R-LC, O-I, C-1, C-2, C-3, C-4, C-5 MR and LW zoning districts; and

WHEREAS, public health, safety and welfare are increased by allowing assisted living facilities to be included as a component of larger residential and mixed use developments; and

WHEREAS, in order for assisted living facilities to be included as a component of residential and mixed use planned developments which are allowed under PD-H and PD-MU zoning regulations;

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS AS FOLLOWS:

Section 1: That the uses allowed in those developments which are governed by Chapter 19A Planned Development-Housing (PD-H) be amended by adding Section 16-19A.003 (4) which is to read as follows:

Section 16-19A.003 (4) Assisted Living Facilities, as defined in Section 16-29.001(16)(b) provided that such facility is a part of a PD-H consisting of greater than 500,000 square feet of gross floor area in one or more multi-unit buildings and the assisted living facility is less than 20% of the gross floor area of the overall PD-H and is less than 20% of any building within the PD-H development in which the facility is located and further provided however that such building shall have not less than 250,000 square feet of gross floor area devoted to all uses including the assisted living portion. Such facility must also meet all requirements that would otherwise be required for a special use permit and the satisfaction of those requirements shall be a condition of the zoning.



- (a) When not otherwise approved as a part of the original PD-H, the assisted living facility component may be permitted by Special Use Permit, subject to the limitations and requirement set forth herein and elsewhere in this part.

Section 2: That the uses allowed in those developments which are governed by Chapter 19B Planned Development-Mixed Use (PD-MU) be amended by adding Section 16-19B.003 (19) which is to read as follows:

Section 16-19B.003 (19) Assisted Living Facilities, as defined in Section 16-29.001(16)(b) provided that such facility is a part of a PD-MU consisting of greater than 500,000 square feet of gross floor area in one or more multi-unit buildings and the assisted living facility is less than 20% of the gross floor area of the overall PD-MU and is less than 20% of any building within the PD-MU development in which the facility is located and further provided however that such building shall have not less than 250,000 square feet of gross floor area devoted to all uses including the assisted living portion. Such facility must also meet all requirements that would otherwise be required for a special use permit and the satisfaction of those requirements shall be a condition of the zoning.

- (a) When not otherwise approved as a part of the original PD-MU, the assisted living facility component may be permitted by Special Use Permit subject to the limitations and requirement set forth herein and elsewhere in this part.

Section 3. This ordinance shall become effective immediately upon signing by the Mayor or as otherwise provided by the operation of law

A true copy,

A handwritten signature in black ink, appearing to read "K. A. ...", written over a horizontal line.

Deputy Clerk

ADOPTED by the Atlanta City Council July 05, 2011
RETURNED WITHOUT SIGNATURE OF THE MAYOR
APPROVED as per City Charter Section 2-403 July 14, 2011

RCS# 1245
7/05/11
2:03 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE 11-O-0247,11-O-0095,11-O-0074,11-O-0372

ADOPT ON SUB

YEAS: 11
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 3

Y Smith	Y Archibong	Y Moore	Y Bond
Y Hall	Y Wan	Y Martin	Y Watson
NV Young	Y Shook	Y Bottoms	B Willis
B Winslow	B Adrean	Y Sheperd	NV Mitchell

MULTIPLE