

# CITY COUNCIL WORK SESSION



Department of

**CITY PLANNING**

## Atlanta Zoning Ordinance Update

**ATLANTA ZONING  
ORDINANCE UPDATE**

March 28, 2018



# ATLANTA CITY DESIGN PROJECT

## The Atlanta City Design: Aspiring to the Beloved Community.

**“The goal of Atlanta City Design is to ensure Atlanta grows in a way that protects the integrity of our people and places.”**

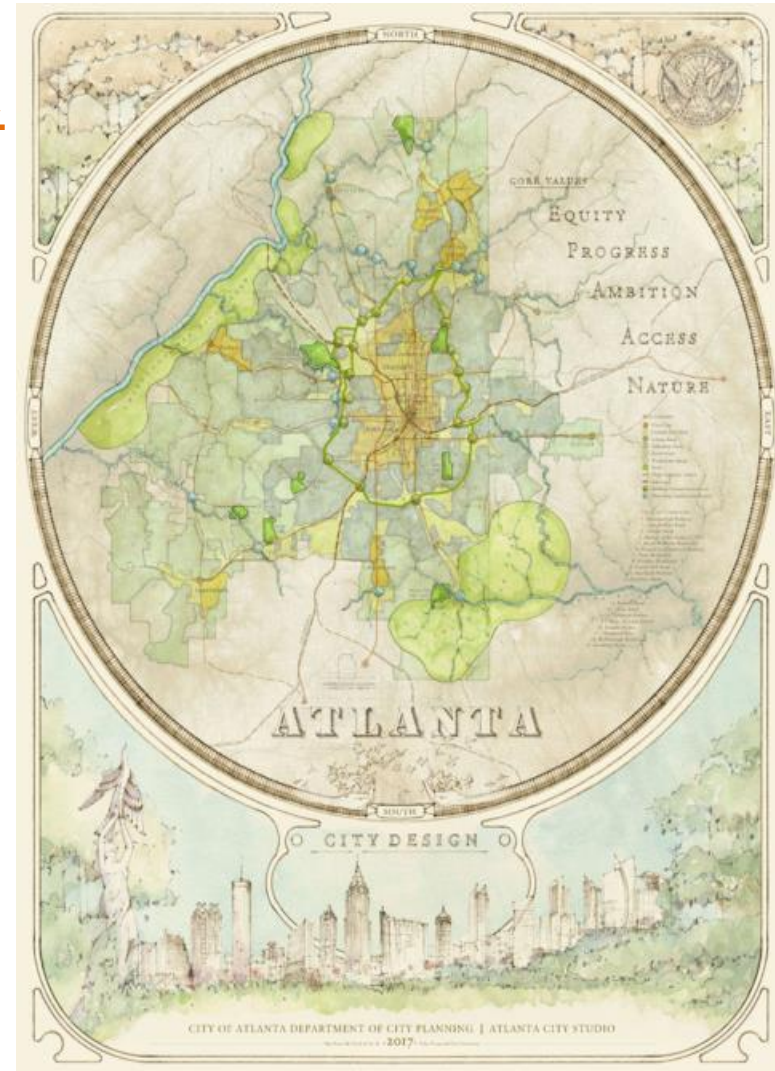
*Commissioner Keane*

### The Atlanta City Design Project will:

- Envision what growth would like in Atlanta
- Describe how Atlanta can become a better place to do business while tripling its population in twenty years
- The project will translate directly into the city’s new Zoning Ordinance, mobility plan, and other plans

### Core Values

**Equity • Progress • Ambition • Access • Nature**





# WHERE DID WE COME FROM?

## The Current State of Zoning

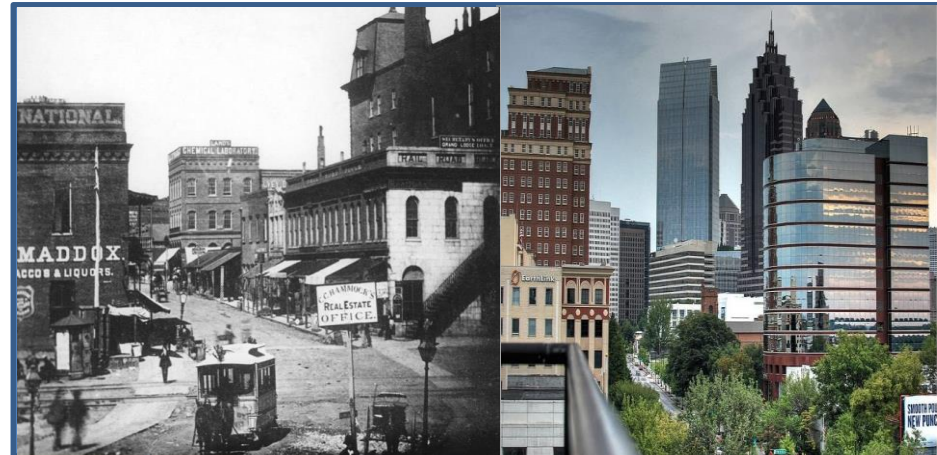
The Zoning Ordinance was first adopted in 1973, with the current structure adopted and approved in a major revision in 1976, culminating with another revision in 1982.

- Atlanta's Zoning regulations are lengthy and has not been systematic reviewed for several decades
- Atlanta's Ordinance is the usual outcome of changing times and a piecemeal approach to updating regulations
- Atlanta's Ordinance has grown in both volume and complexity and the administrative procedures have become somewhat inconsistent.
- Atlanta's Ordinance has become confusing and hard to use which makes it difficult to interpret and challenging to new development trends.



The site of Terminal Station is now the Richard B. Russel Federal Building

## How has the City Changed?

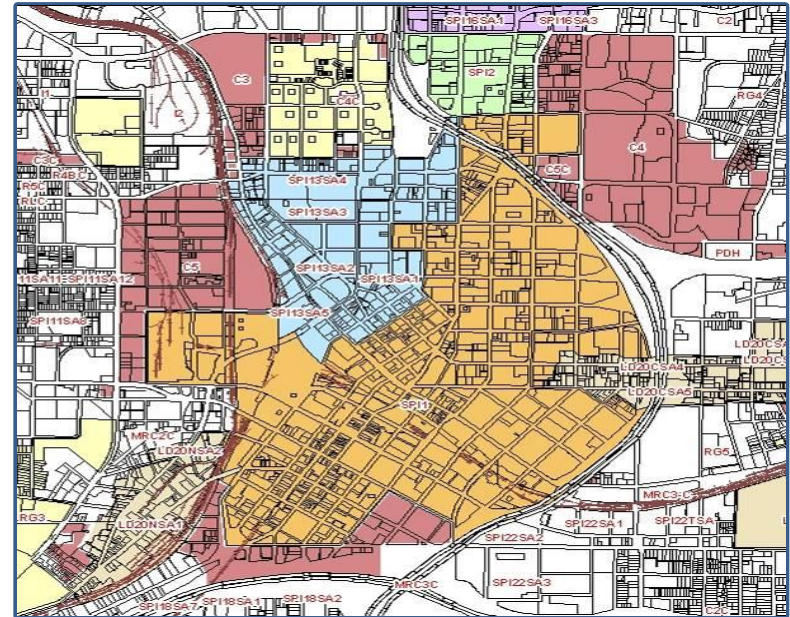


THEN: Peachtree Street was an important commercial thoroughfare in Atlanta in the late 1800s. NOW: Today, Peachtree has a mixture of historic and newer buildings.  
(Photo: Wikimedia Commons)

# HOW DID WE GET THERE?

## 1996 Centennial Olympic Games

- The 1996 Centennial Olympic Summer Games brought more than 72 million visitors to the city during the events
- The Olympic had an economic impact of over \$5.4 Billion
- The physical infrastructure was improved for roadways, streetscapes, public transportation and the expansion of the Hartsfield Jackson International airport



Existing Downtown Zoning

## Atlanta's Zoning Districts

- Traditional Zoning Codes vs. Form Based Zoning Codes
- Personal papers introduced to answer concerns of communities
- Land Development and increase in population





# WHERE ARE WE NOW?

## Zoning Ordinance Update

The Mayor and City Council began the process of reviewing the Atlanta Zoning Ordinance by performing a diagnostic of the existing zoning code provisions. The diagnostic resulted in a document that made a series of recommendations to the Zoning Ordinance.

The Diagnostic categorized the recommendations into:

- 1) Those that could be completed in a relatively short period of time or “Quick Fixes;” and
- 2) Those that would require a comprehensive overhaul of the current Zoning Ordinance and would likely require a period of two to four years to complete.

2016 - Zoning Ordinance Diagnostic

2017 - Zoning Ordinance Update Phase I

2018 - Zoning Ordinance Update Phase II

2019 - Zoning Ordinance Update Rewrite



## Zoning Ordinance Update

The intent of the Zoning Ordinance Update is to make amendments to the current zoning regulations that are bold, innovative and rooted in stake holder and public input recommendations.

# WHERE ARE WE NOW?

## ATLANTA ZONING ORDINANCE UPDATE

### Community Engagement

Our mission was to help people easily understand the importance of updating the Atlanta Zoning Ordinance. To that end, staff owned the project by providing public involvement and community outreach in the following ways:

- 5000** Public Information Email Messages Delivered with Phase I Informational Booklets
- 2000** Zoning Ordinance Phase I Informational Postcards Disseminated
- 300** Quick Fixes “Buttons” disseminated throughout neighborhoods
- 25** Attended individual neighborhood planning unit meetings
- 20** Attended Executive Committee and association meetings to discuss and review proposed Quick Fixes
- 12** Held Public Open Forums and Open House Sessions for the community at each quadrant of the city
- 10** Held one-on-one informational sessions with Staff and sister



# Neighborhood Planning Units Recommendations - PHASE I

	Approval	Denial	Defferal	Planner
A	x			Patrick Sullivan
B	x			Jessica Lavandier
C	x			Alex Deus
D	x			Jon McKenley
E	x			Rodney Milton
F	x			Doug Young
G	x			Mary Darby
H	x			Susan Coleman
I	x			Keyetta Holmes
J	x			Jerrel Leonard
				Tshaka Warren
K		x		
L			x	Monique Forte
M	x			Erica Pines
N	x			Julia Billings
O	x			Racquel Jackson
P	x			Nicole Mitchell
Q	x			Sushmita Arjyal
R	x			Erica Pines
S	x			Jon McKenley
T	x			Carter Coleman
V	x			Nathan Brown
W	x			Christian Olteanu
X	x			Matt Adams
Y	x			James Washington
Z	x			Bakari Height
Tally of Votes:	23	1	1	

**92% Approval**



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# CITY COUNCIL WORK SESSION



## ATLANTA ZONING ORDINANCE UPDATE - PHASE I





# PROTECTING NEIGHBORHOOD CHARACTER



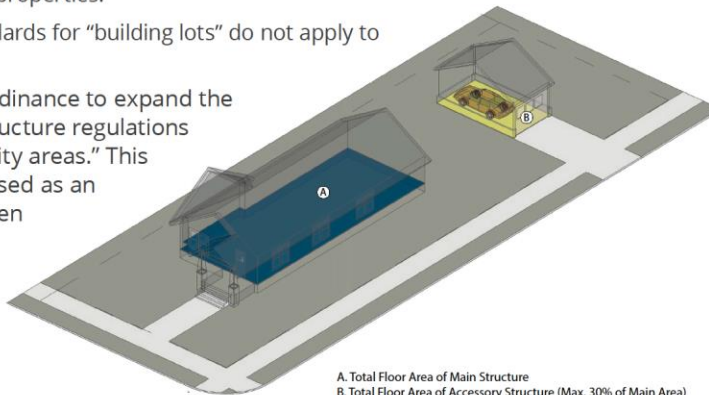
## » ACCESSORY USES IN R-DISTRICTS

### What are we trying to solve?

- » Regulations discourage amenities such as pools, club houses, and common open space in residential subdivisions.
- » Subdivision regulations don't allow the creation of lots that are smaller than the minimum size required for a single family house.
- » The Zoning Ordinance does not clearly allow an individual lot in an R-district to be used solely for the types of amenities that are typically provided in residential subdivisions.

### What is being proposed?

- » Update the subdivision regulations to:
  - Clarify that "amenity areas" may include structures for amenity elements, such as swimming pools, tennis courts, club houses and similar features.
  - Expand the definition of a "lot" to include amenity areas.
  - Requires amenity areas to be buffered from adjoining areas so they do not negatively impact surrounding properties.
  - Clarify that the standards for "building lots" do not apply to amenity areas.
- » Update the Zoning Ordinance to expand the accessory use and structure regulations to include new "amenity areas." This will allow a lot to be used as an amenity area only when provided as part of a larger subdivision and only for use as an open space.



A. Total Floor Area of Main Structure  
B. Total Floor Area of Accessory Structure (Max. 30% of Main Area)

## » ACCESSORY STRUCTURE SIZE

### What are we trying to solve?

- » There are special regulations for accessory structures such as detached garages.
- » The regulations limit the total floor area of accessory structures to less than 30% of the "floor area of the main structure."
- » It is unclear if "floor area of the main structure" includes:
  - The total building footprint.
  - The habitable floor area.
  - Basements.
- » The accessory structure floor area regulation needs more specificity.

### What is being proposed?

- » Refine the reference to the "main structure" by linking the term to the citywide definition of "residential floor area," which excludes basements.
- » Provide specificity in how the floor area of the accessory structure is applied, and clarify that floor area is intended to mean the gross floor area of the entire accessory structure, regardless of whether or not it is conditioned/habitable.

## » ACCESSORY STRUCTURE HEIGHT

### What are we trying to solve?

- » Current regulations limit the height of accessory structures in side yards to 30 inches.
- » Modern, highly efficient HVAC (heating, ventilation, and air conditioning) condensers are taller than 30 inches.
- » Replacing old HVAC condensers with new ones frequently requires a variance because most new units are over 30 inches in height.

### What is being proposed?

- » Increase the height of HVAC systems in required yards to 44 inches to accommodate new HVAC condensers.
- » All other accessory structures within required yards would remain limited to a maximum of 30 inches.





# PROTECTING NEIGHBORHOOD CHARACTER



## » INDEPENDENT DRIVEWAYS

### What are we trying to solve?

- » The Zoning Ordinance requires “conforming lots” to have their own driveway. The driveway must be entirely on the lot and directly connected to a public street.
- » The regulation does not allow private alleys or shared driveways.
- » The regulation applies, even if the zoning district doesn’t require parking. This is a challenge in historic districts or districts where no parking is required.
- » Relief from this requirement can only be granted by the Board of Zoning Appeals.

### What is being proposed?

- » Delete the requirement for independent driveways in order to allow more creative design approaches.



## » STORAGE PODS IN R-DISTRICTS

### What are we trying to solve?

- » Storage pods are increasingly used on properties for short-term storage needs.
- » There are no standards for their location and duration in the Zoning Ordinance.

### What is being proposed?

- » Define “storage pods”.
- » Create new regulations in R-1 through R-5 districts.
- » Create a maximum time limit of 60 days in any 365-day period per lot.
- » Require storage pods to have visible notation on the exterior of the container stating the dates of delivery and retrieval of the pod.
- » Require storage pods to be located away from streets and visibility triangles.

# CREATING USER-FRIENDLY REGULATIONS



## » DELETION OF UNUSED DISTRICTS

### What are we trying to solve?

- » There are three Midtown zoning districts in the text of the Zoning Ordinance that were replaced over a decade ago by Special Public Interest Districts (SPIs).
- » These unused districts make the Zoning Ordinance longer than it needs to be.

### What is being proposed?

- » Delete the following unused districts:
  - SPI 3 Midtown District Regulations
  - SPI 4 Arts Center District Regulations
  - SPI 10 Upper Midtown neighborhood Regulations



## » SUP TRANSFERS

### What are we trying to solve?

- » The transfer of ownership of a Special Use Permit (SUP) must be approved by the City Council, even though the permit itself and its provisions do not change.
- » The transfer of ownership would function better as an administrative process.

### What is being proposed?

- » Give the Office of Zoning and Development the authority to approve the transfer of ownership of a Special Use Permit.
- » Require change of ownership applicants to provide verification of their ability to adhere to the terms and conditions of the Special Use Permit of which they are proposing to receive ownership. This would not allow for any changes to the conditions, criteria, or site plans assigned to previously approved SUPs.

## » NON-CONFORMING PLATS

### What are we trying to solve?

- » There needs to be clarity in the subdivision requirements regarding limitations on non-conforming lots when they are created between adjoining properties during the re-plat process.

### What is being proposed?

- » Update the portion of the subdivision code that addresses re-plats between adjoining properties.
- » Prohibit the creation of non-conforming lots that would increase the degree of nonconformity with both the subdivision and zoning regulations.



# SUPPORTING JOBS & INNOVATION



## » NON-CONFORMING BUILDING HEIGHTS

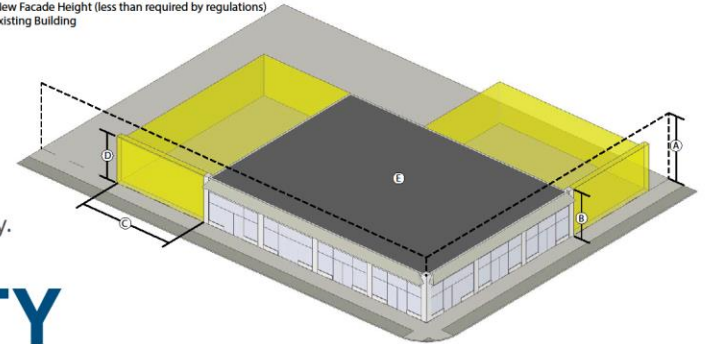
### What are we trying to solve?

- » Many new zoning districts require minimum building facade heights along certain streets.
- » Existing buildings with facades that are less than the minimum height requirement face challenges when making small additions because the code requires the additions to be taller than the existing building.
- » Relief from this requirement can only be granted by the Board of Zoning Appeals.

### What is being proposed?

- » Allow existing buildings that do not meet the minimum building facade height requirement to expand their footprint up to 35 ft in any direction before the minimum building facade height requirements apply.

- A. Minimum Facade Height Required by District Regulations
- B. Existing Facade Height (less than required by regulations)
- C. Maximum 35 ft Horizontal Facade Expansion
- D. New Facade Height (less than required by regulations)
- E. Existing Building



# ENSURING HOUSING DIVERSITY



## » MR/RG SINGLE-FAMILY MINIMUM LOT SIZES

### What are we trying to solve?

- » Today multi-family districts allow single-family and two-family houses. However, the minimum required lot sizes for these uses are much larger than is characteristic of Atlanta's historic patterns.
- » The large lot sizes discourage providing single-family and two-family houses in multi-family districts, even if they would be appropriate or desirable.

### What is being proposed?

- » Allow the following lots sizes in MR and RG districts:
  - Detached single-family and two-family lot: minimum 1,000 sq ft lot, minimum 20 ft width
  - Zero lot line (i.e. townhouses): minimum 800 sq ft lot, minimum 16 ft width (typical)

# EXPANDING TRANSPORTATION OPTIONS



## » BIKE PARKING STANDARDS

### What are we trying to solve?

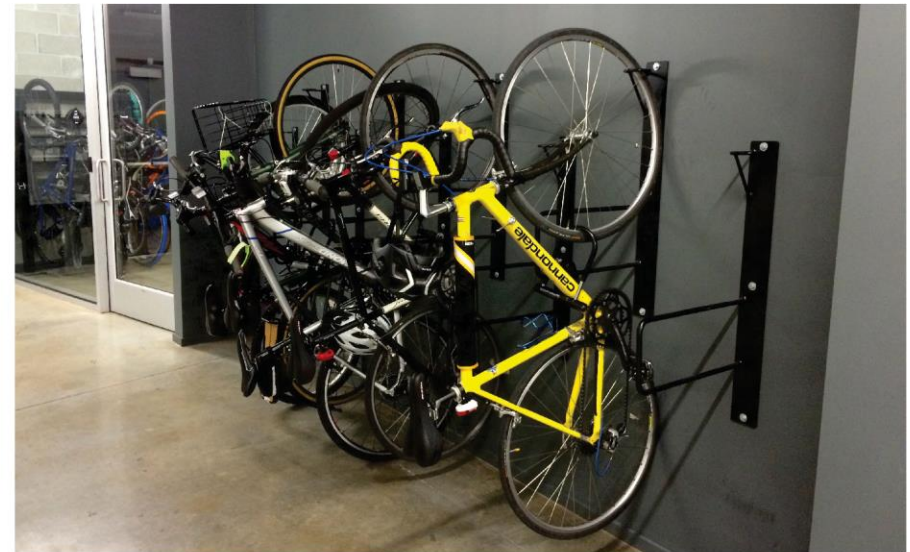
- » There are 18 separate, often conflicting, sets of bike parking standards.
- » Many current standards:
  - Do not include requirements for residential uses.
  - Allow bike parking to be poorly located.
- » No current standards include premium/long-term bike parking requirements.

### What is being proposed?

- » Create one consistent set of citywide bike parking standards.
- » Require bike parking for each building on a site.
- » Require bike parking for both non-residential and multifamily uses.
- » Establish standards for exterior racks and interior enclosed bike parking.

- » Require the following **fixed bicycle rack standards:**
  - May not be inside a building, but may be covered.
  - Must be publicly accessible and lit.
  - Must be accessible to a street or trail without the use of stairs.
  - Must include a metal anchor to secure the bicycle in conjunction with a lock.
  - Must be as close as the closest automobile space (except handicapped).
  - May not block the sidewalk and must be in the amenity zone, a maximum of 100 ft from the building door.
  - Must be of a type specified by the City, if located in the public right-of-way.
- » Require the following **enclosed bicycle parking standards:**
  - May be enclosed storage lockers, a room in a building, or in a parking structure.
  - Must be accessible to occupants, entrances, and walkways. Must be secure, weather resistant, and lit.
  - Must be accessible to a street or trail without the use of stairs or elevators.
- » Require showers and lockers for all offices greater than 50,000 sf.

	Fixed Bicycle Rack Parking Spaces	Enclosed Bicycle Parking Spaces	Maximum Combined Requirement
<b>Residential Uses</b>			
Multifamily (less than 10 units):	1 per 5 units, 2 min.	n/a	No more than 50 spaces required
Multifamily (10 or more units):	1 per 10 units, 2 min.	1 per 10 units, 2 min.	No more than 50 spaces required
<b>Non-residential Uses</b>			
Offices:	1 per 8,000 sf, 2 min.	1 per 8,000 sf, 2 min.	No more than 50 spaces required
All other non-residential uses:	1 per 4,000 sf, 2 min.	n/a	No more than 50 spaces required





# EXPANDING TRANSPORTATION OPTIONS



## » SIDEWALK REQUIREMENTS

### What are we trying to solve?

- » Newer zoning districts require sidewalks to be installed with development.
- » Older zoning districts (e.g. O-I, R-LC, RG, C, I) lack sidewalk requirements.
- » Single-family developments are only required to provide sidewalks when subdivision occurs.
- » New infill houses that are not part of subdivisions can be built without repairing or upgrading the sidewalks in front of them.

### What is being proposed?

- » Require the following new sidewalks to be installed with development in O-I, R-LC, RG, C, and I:
  - Minimum 5 ft amenity zone along the curb for items such as street trees, benches, utility poles, public art, waste receptacles, fire hydrants, traffic signs, traffic control boxes, newspaper boxes, transit shelters and similar items.
  - Minimum 10 ft walk area on arterial and collector streets.
  - Minimum 6 ft walk area on other streets.

- » Require the following new sidewalks to be installed with development in R-4 and R-5 (except when historic, landmark, or overlay standards apply):
  - Repair existing sidewalk, or
  - Install amenity zone and walk area to match abutting properties'; or
  - If no sidewalk exists on abutting properties, install amenity zone and walk area to match the block, or
  - If no sidewalk exists on the block, install a minimum 2 ft amenity zone and minimum 5 ft walk area.

- Walk areas may be reduced to a minimum of 3 ft to avoid existing trees.
- » Enable the Director of the Office of Zoning and Development to make adjust to sidewalk requirements if:
  - Existing sidewalks are not in need of repair; or
  - Trees existing in the proposed sidewalk zone contain trees having a diameter at breast height (DBH) of 6 inches or more; or
  - Topographic conditions would result in a sidewalk 12 inches above or below the finished curb; or
  - Topographic conditions would prevent driveway access upon completion of the sidewalk; or
  - Physical conditions exist such as existing structures, existing utility devices, or rock outcroppings in the sidewalk area; or
  - Sidewalks on the block are of a different size;
  - There are no sidewalks on the block; or
  - If historic district or SPI district regulations conflict.





# IMPROVING URBAN DESIGN



## » MRC BUILDING PLACEMENT

### What are we trying to solve?

- » MRC is a mixed-use district that is used across the city.
- » Current regulations do not require a side/rear yard setback for non-residential uses or for residential uses with no windows along a side/rear lot line.
- » Residential uses with windows along a side/rear lot line must provide a minimum 20 ft side/rear yard setback.
- » Twenty feet is far greater than required by building code. It is also inconsistent with Atlanta's traditional development patterns and good urban design.

### What is being proposed?

- » Eliminate the 20 ft setback requirement for residential units with windows.
- » Retain existing transitional yard requirements adjacent to R and RG districts.



## » UNIFIED DEVELOPMENT PLANS

### What are we trying to solve?

- » Most districts discourage coordinated master planned developments.
- » If master planned developments are subdivided, each lot must comply with all zoning requirements, despite being part of a master planned development. This discourages common parking areas, larger open spaces, and good urban design.
- » Relief may only be granted by variance/special exception, but master planned developments often do not meet the code's technical hardship requirements.

### What is being proposed?

- » Allow unified development plans by Special Administrative Permit in all districts, except R-1 through R-5, R-LC, and PD- districts.
- » Use the current provisions of SPI-12 as a model for the citywide standards.
- » Allow the site (before subdivision) to determine conformance with side and rear setbacks, transitional yards, transitional height plains, lot coverage, on-site parking and loading, open space, and floor area ratio.



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# CITY COUNCIL WORK SESSION



## ATLANTA ZONING ORDINANCE UPDATE - PHASE II



# EXPANDING TRANSPORTATION OPTIONS



## » (2.6) LOADING REQUIREMENTS

### THE PROBLEM



- » The number of loading spaces required varies by zoning district and is relatively high compared to other cities in the region.
- » Loading space requirements do not reflect recent changes to delivery patterns, especially for smaller buildings and uses, so special exceptions and administrative variations are frequently granted.
- » Reductions in on-site loading are some of the most commonly granted variances.



### PROPOSED SOLUTION



- » Reduce the required number of loading spaces citywide
- » Establish a single citywide standard for loading requirements
- » Allow shared loading and the use of officially-designated and marked on-street loading zones citywide
- » Exempt buildings and portions of buildings built before 1965 from loading space requirements

#### Proposed Loading Requirements

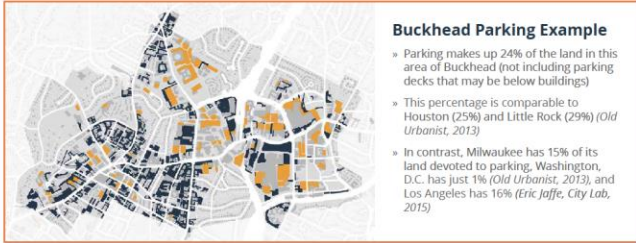
	Unit of Measure	Number of Required Loading Spaces	
		12 x 35 feet	12 x 55 feet
<b>Residential Dwellings and Lodging</b>	Less than 50 units	None	None
	51 to 200 units	1	None
	201 units and above	2	None
<b>All Other Uses</b>	Up to 15,000 sq. ft. floor area	None	None
	15,001 to 250,000 sq. ft. floor area	1	None
	250,001 sq. ft. and above	2	1



# EXPANDING TRANSPORTATION OPTIONS



## » (2.9) PARKING



### AUTOMOBILE DEPENDENCE

- » Requiring too much parking increases the chances that people will drive (*Source: SDOT and SDCI*)
- » Parking facilities can negatively impact the pedestrian experience
- » Congestion continues to increase, and will worsen with population growth
- » Atlanta has mass transit that should be used more effectively to accommodate growth
- » **80%** of household trips are non-work related. In walkable neighborhoods, many of these trips can be made on foot or bicycle, boosting health and accessibility (*Robert Steuteville, Congress for the New Urbanism, March 2018*).

### ENVIRONMENTAL CONCERNS

- » Urban heat island effect is increased by car exhaust
- » Expansive parking lots create stormwater runoff issues
- » Air and water quality issues because of the above

(*Sources: Sara Bronin, Planning, February 2018; Alan Durning, Grist, 2013*)



### PUBLIC HEALTH & QUALITY OF LIFE

- » Obesity and other health issues are increased with sedentary lifestyles
- » Sitting in the car for multiple hours is not healthy
- » Quality of life affected by road rage and number of hours in the car
- » Transit increases the predictability of commute times and promotes active lifestyles



**CURRENT PARKING REQUIREMENTS CONFLICT WITH STATED CITY GOALS**



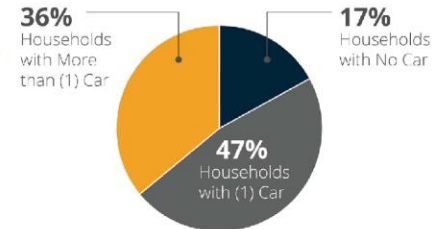
### AFFORDABILITY & EQUITY

- » **1 parking space = \$25,000 to \$55,000** to build (deck) (*Source: Alan Durning, Grist, 2013*)
- » Parking requirements increase the cost of development and housing
- » Parking increases the cost of rent by **~\$225** per parking spot on average (*Source: Seth Goodman*)
- » Disproportionate effect on low-income residents and small businesses (*Source: Alan Durning, Grist, 2013*)
- » Residents of suburban areas spend **57%** of income on housing + transportation; people living in TOD spend **41%** on housing + transportation (*Source: SDOT & SDCI*)
- » Atlanta's average car ownership cost: **\$8,167 + \$2,357** for vehicle miles traveled cost (*Source: Housing + Transportation Affordability Index*)
- » **Other results:** fewer units, unable adapt buildings, housing is dispersed, costs are shifted to non-car owners, lengthy and costly variance process (*Sources: Alan Durning, Grist, 2013*)

### CAR OWNERSHIP IN ATLANTA (2016)

- » 17% of City of Atlanta households do not have a vehicle (compared to 9% in the U.S. as a whole)
- » 47% of City of Atlanta households only have 1 car
- » 4.6% of Atlanta homeowners don't own a car
- » 26% of Atlanta renters don't own a car

(*Source: U.S. Census, American Community Survey, 2016*)



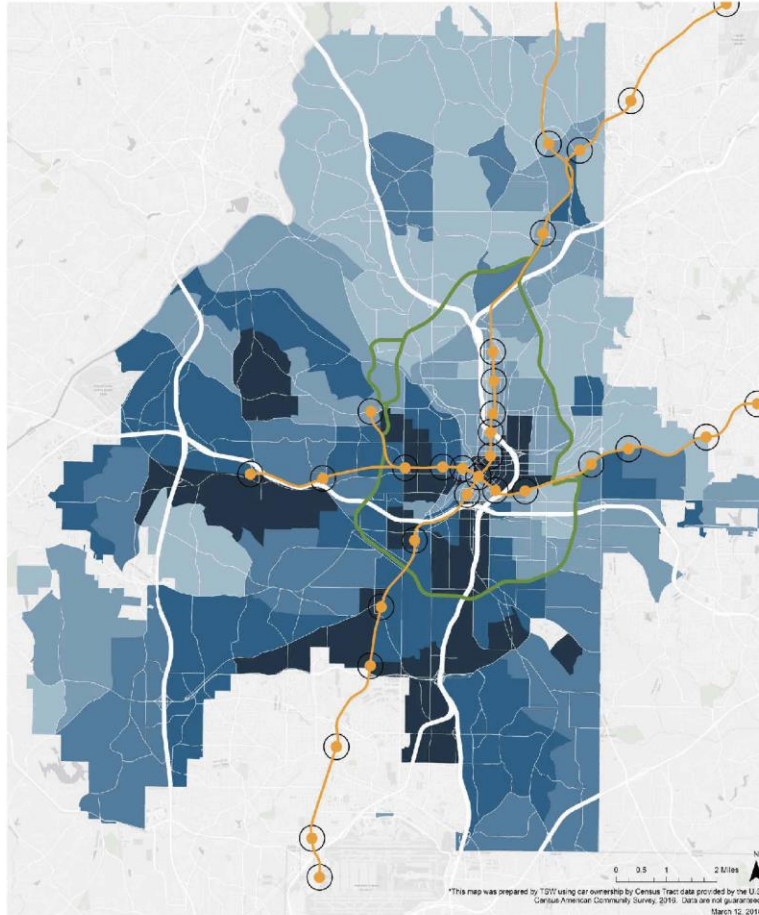
# EXPANDING TRANSPORTATION OPTIONS



## » (2.9) PARKING

### THE PROBLEM

Existing parking requirements date from 1982 and create concerns related to the environment, public health, quality of life, automobile dependence, affordability, and equity. This is especially true around MARTA stations, where current regulations discourage the type of development that would take advantage of transit.



### PROPOSED SOLUTIONS

- » Allow adjacent on-street parking to count toward parking requirements citywide
- » Eliminate all minimum parking requirements citywide for buildings built prior to 1965, except for individual businesses over 2,000 square feet that hold an alcohol license
- » Reduce minimum required parking for “elderly housing” to 0.5 parking spaces per residential unit
- » Allow shared parking between different uses by right in O-I, C, I, and RG zoning districts
- » Eliminate parking requirements and introduce parking caps in RG, RL-C, O-I, C, I, PDMU, PDOC, PDBP, NC, LW, MR, and MRC within ¼ mile of a “fixed guideway transit” station or stop
- » Update the BeltLine Overlay District to remove conflicts with these changes



# ENSURING HOUSING DIVERSITY



## » (2.1) ACCESSORY DWELLINGS

### THE PROBLEM



“Guest houses” are currently allowed in all R-1 through R-5 zoning districts, but installing a stove or allowing someone to live in one changes its classification to an “accessory dwelling unit,” which is only allowed in the R-5 district. Accessory dwelling units were once legal citywide, and those that still exist can provide extra income for the homeowner, new housing options, and more affordable rents than are found in large apartments buildings.



**NOTE:** In most zoning districts, it is currently illegal to exclusively use any dwelling unit, including an accessory one, for short term rental (e.g. Airbnb). Changing this is not proposed as part of the Zoning Ordinance update.



## ATLANTA ZONING ORDINANCE UPDATE

### PHASE II

### PROPOSED SOLUTION



- » Allow accessory dwellings in R-1 through R-4 zoning districts
- » Create a consistent approach to accessory dwellings in R zoning districts (eliminate R-5 distance requirements)
- » Remove parking requirements for accessory dwellings
- » Require that accessory dwellings conform with all existing zoning and development regulations (lot coverage, setbacks, height, density, stormwater runoff, etc.)

## DID YOU KNOW?

Decatur legalized accessory dwellings  
**citywide** in 2015.

Only **17** have been built since

A **one-bedroom accessory dwelling** costs between

# \$100-150K

to build in the Atlanta Area,  
depending on size (Source: Eric Kronberg)

PROPOSED UPDATES » March 2018

# ENSURING HOUSING DIVERSITY



## » (2.8) MISSING MIDDLE HOUSING

### WHAT IS MISSING MIDDLE HOUSING?

Before the current Zoning Ordinance was adopted in 1982, duplexes, triplexes, and small apartment houses were legal in most of Atlanta. These still exist in many neighborhoods, despite being illegal to build today, and are termed “legal non-conforming” by the Zoning Ordinance. These buildings provide “invisible density” that is virtually indistinguishable from single-family houses. More importantly, they also often provide “natural occurring workforce housing” because they are less expensive than newer buildings. **Unfortunately, between 2005 and 2014, Atlanta lost 9,267 residential units in multifamily buildings with between 2 and 9 units (Bleakly Advisory Group).**

### THE PROBLEM

Existing zoning does not properly support existing and future “Missing Middle” housing types, even though they are an established historic development pattern in many city neighborhoods

### PROPOSED SOLUTION

- » Create a new MR-MM zoning district similar to MR-1 and MR-2, but with the following provisions:
  - » Require a 5-foot side yard
  - » Limit the number of units to a maximum of 12 per building, but **do not limit floor area ratio (FAR)**
  - » Prohibit all non-residential uses
  - » **Prohibit freestanding parking decks**
  - » Set minimum parking requirements at 0.5 parking spaces per unit
  - » Allow in areas shown as low-density residential (or higher) in the city's Comprehensive Plan
- » Create custom grandfather provisions for existing historic missing middle housing
  - » Should apply only to buildings that are **at least 50 years old** and have 12 or fewer residential units
  - » Should apply only in R-3 through R-5, RG, and MR zoning districts
  - » Allow buildings to be used for multifamily residential even if they sit wholly or partially unused for more than a year
- » **Allow renovations** as long as square footage doesn't increase
- » Allow buildings to be restored (with the same or few number of residential units) if **unintentionally damaged** (such as by fire), as long as the cost of restoration is 60% or less than the replacement cost for the whole building
- » Allow buildings to be restored (with the same or few number of residential units) if **unintentionally destroyed** (such as by fire), as long as the cost of restoration is 60% or less than the replacement cost for the whole building, and if granted a special exception by the Board of Zoning Adjustment (BZA)
- » Allow buildings to be restored (with the same or few number of residential units) if **intentionally damaged**, as long as the cost of restoration is 20% or less than the replacement cost for the whole building
- » Allow the amount of existing parking to meet the parking requirements

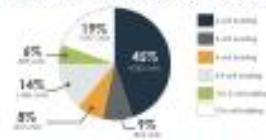
Image Courtesy: Opticos



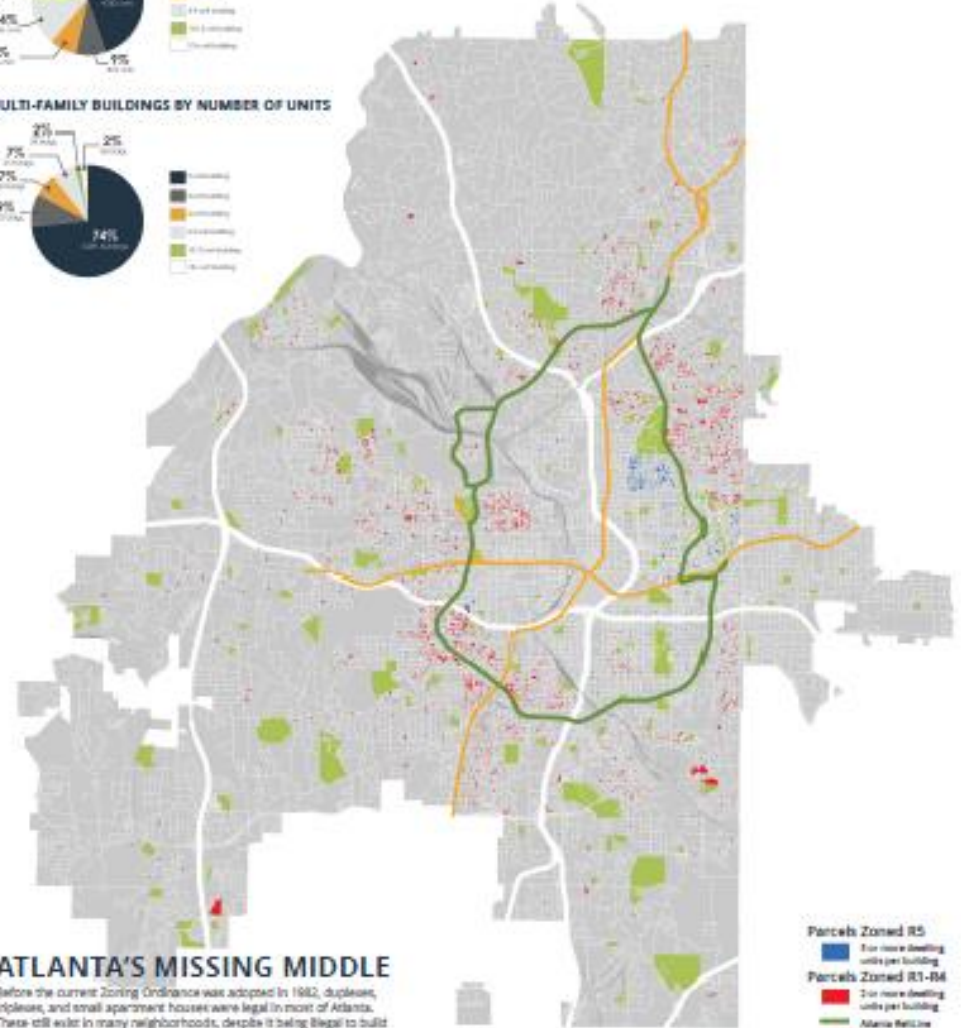
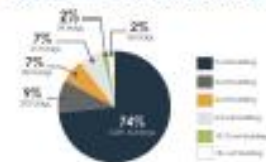


# ATLANTA'S EXISTING NON-CONFORMING MISSING MIDDLE HOUSING

MULTI-FAMILY RESIDENTIAL UNITS BY BUILDING SIZE



MULTI-FAMILY BUILDINGS BY NUMBER OF UNITS



## ATLANTA'S MISSING MIDDLE

Before the current Zoning Ordinance was adopted in 1982, duplexes, triplexes, and small apartment houses were legal in most of Atlanta. These still exist in many neighborhoods, despite it being illegal to build them today. They are termed "legal non-conforming" by the Zoning Ordinance. These buildings provide "invisible density" that is virtually indistinguishable from single-family houses. More importantly, they also often provide "natural occurring workforce housing" because they are less expensive than newer buildings. Unfortunately, between 2005 and 2014, Atlanta lost 9,267 residential units in multifamily buildings with between 2 and 9 units (Meeky Advisory Group).

Parcels Zoned RS  
 One or two dwelling units per building  
 Parcels Zoned RM-RM  
 Three or more dwelling units per building  
 Atlanta Metro Line  
 I-75/I-85  
 Atlanta Parks

# CREATING USER-FRIENDLY REGULATIONS



## » (2.2) DEFINITIONS

### THE PROBLEM

Some zoning terms are ambiguous and need updating

### PROPOSED SOLUTION

- » Update SPI-1 (Downtown Atlanta) to distinguish between establishments that sell or lease cars, mopeds, and bicycles
- » Update the definition of floor area to clarify how the area of live/work spaces is calculated
- » Update the definition of places of worship to be religion neutral
- » Create a new definition of “fixed guideway transit,” as required by proposed parking regulations
- » Do not change definitions of building height, basement, cellar, or attic, due to significant differences between the building code and the Zoning Ordinance

## » (2.13) QUALITY OF LIFE VARIATIONS

### THE PROBLEM

Quality of Life zoning districts allow City staff to grant a limited number of administrative variations, but more clarity is needed to indicate exactly which variations are allowed to be granted administratively

### PROPOSED SOLUTION

- » Update the zoning to specify that requests for the following types of variances must be decided by the Board of Zoning Adjustments (BZA) rather than City staff
  - » Minimum setbacks (not adjacent to the street)
  - » Transitional yards
  - » Transitional height planes
  - » Open space requirements
  - » Maximum building height
  - » Maximum fence height
  - » Minimum parking requirements
  - » Minimum loading requirements
  - » Sign limitations

## » (2.11) TELECOMMUNICATIONS

### THE PROBLEM

There have been some technical and procedural changes related to telecommunications in the state law in recent years



### PROPOSED SOLUTION

- » Update 16-24.002(3)(i) and related cross references to provide better consistency with state BILD Act and current staff procedures
- » Do not draft new telecommunications code or re-locate into new chapter at this time
- » Eliminate unnecessary SAP permit requirements for collocations meeting state requirements, so applicants can proceed directly to permitting



# PROTECTING NEIGHBORHOOD CHARACTER



## » (2.3) HISTORIC LOT PATTERNS

### THE PROBLEM



Many established neighborhoods in Atlanta have smaller or narrower lots than what is required by existing R-1 through R-5 zoning

### PROPOSED SOLUTION

» In R-1 through R-5 zoning districts, allow the size and frontage of new lots to be no smaller than the smallest and no larger than the largest lot on the same block face

## » (2.12) TRANSITIONAL HEIGHT PLANE

### THE PROBLEM

Certain situations allow transitional height plane requirements to be circumvented. Also, many older zoning districts do not have updated lists of zoning districts in which the height plane should apply.

### PROPOSED SOLUTION

- » Use a distance-based requirement for transitional height planes to ensure that low-density areas are protected
- » Require transitional height planes to apply near the following districts:
  - » R-1 through R-5
  - » RG-1, RG-2, MR-1, MR-2, MR-MM
  - » Landmark, Historic, PD, and SPI districts with uses and densities similar to the above



# PROTECTING NEIGHBORHOOD CHARACTER



## » (2.10) NEIGHBORHOOD DESIGN STANDARDS

### THE PROBLEM



Many single-family residential neighborhoods want some minimal level of design controls, but there are currently no tools to provide this except historic district zoning



### PROPOSED SOLUTIONS



- » Establish the following design controls for R-4 through R-5 districts
  - » Require front-facing garages to be set back at least 20 feet from the front facade
  - » Require porches and stoops on new houses when they exist on 50% or more of the existing houses on a block
  - » Require a street-facing front door and windows on the front of the house
  - » New additions to existing houses with non-conforming side yard setbacks should be allowed, provided that the maximum building height is reduced by the same amount as the non-conforming side yard setback

#### *Example*

*Side yard setback required by zoning: 7 feet*

*Existing house side yard setbacks: 4 feet on one side and 5 feet on the other side*

*Total dimension of side yard setbacks that are non-conforming: 5 feet (3 + 2 feet)*

*Maximum height allowed: 35 feet*

*Adjusted maximum height allowed: 30 feet*





# CREATING VIBRANT CORRIDORS & DISTRICTS



## » (2.4) I DISTRICT USES

### THE PROBLEM

Industrial Zoning districts are intended for the development of industrial land uses, but the existing I-1 district allows several non-industrial uses that do not complement viable industrial districts

### PROPOSED SOLUTIONS

- » Allow the following uses in the I-1 district only in buildings which are 50 years or older:
  - » Restaurants and bars
  - » Recreational establishments
  - » Retail
  - » Hotels
  - » Multi-family dwellings
  - » Supportive housing

## » (2.5) I-MIX DISTRICT

### THE PROBLEM

The City has identified the need for a zoning district that can be used in transitioning industrial areas—a district that allows residential uses while requiring the retention or integration of businesses and light-manufacturing uses

### PROPOSED SOLUTIONS

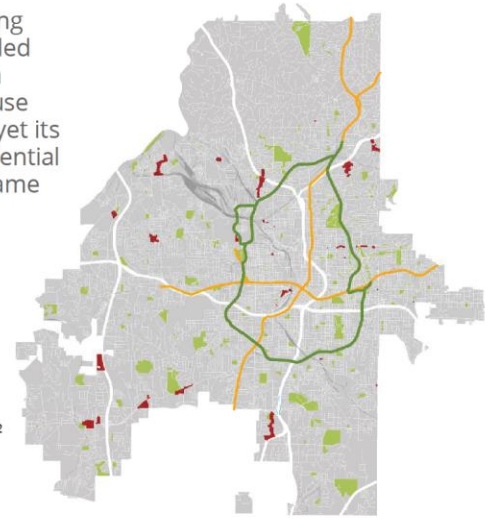
- » Create a new I-MIX zoning district to allow a mix of light-industrial and non-industrial uses
- » Cap floor area ratio (FAR) at 3.3 and require a least 30% of the development floor area to be industrial
- » Prohibit non-industrial uses from getting an occupancy permit before required industrial uses
- » Limit building height to 225 feet, with transitional height planes adjacent to residential districts
- » Incorporate quality of life design standards, like those found in MR, MRC, and NC districts



## » (2.7) MRC-2 RESIDENTIAL DENSITY

### THE PROBLEM

The MRC-2 zoning district is intended to be a medium density mixed-use zoning district, yet its maximum residential density is the same as MRC-1



### PROPOSED SOLUTION

- » Increase the maximum residential floor area ratio (FAR) allowed in MRC-2 from 0.696 to 1.49
- » Keep the maximum total FAR allowed in MRC-2 at 3.196

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**Thank You!**

