

The Atlanta Zoning Ordinance Rewrite



DISCUSSION DRAFT MEETING #5

MODULE III: ADMINISTRATION

CALEB RACICOT, TSW, CONSULTANT TEAM

February 3, 2025

DCP

AGENDA

PROGRESS UPDATE

DRAFT ADMINISTRATION PROCESSES

QUESTION & ANSWERS

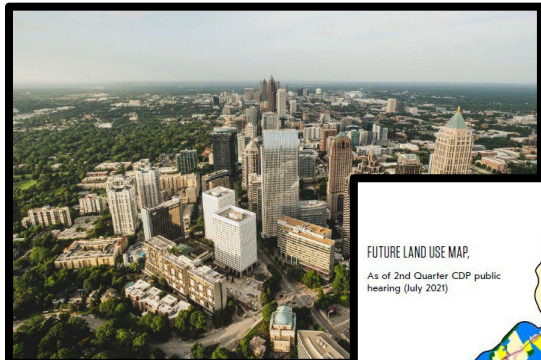
NEXT STEPS

Meeting Goal

To introduce the new code's Site Development standards. This will allow you to be familiar with the key updates before you review the draft document.

PROGRESS UPDATE

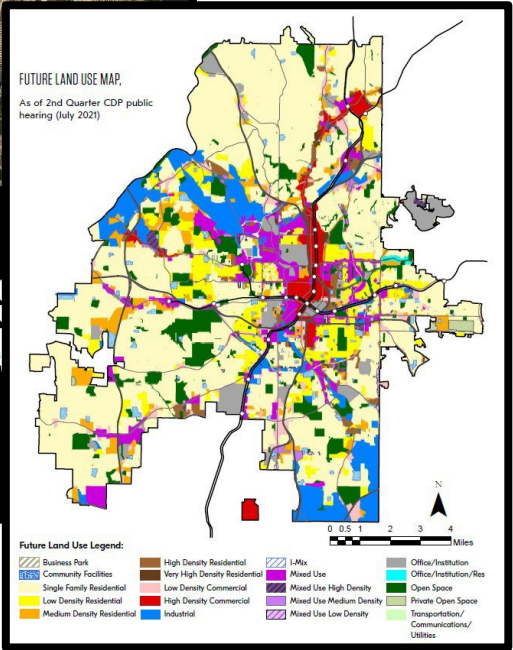
COMPREHENSIVE PLAN / ATL ZONING 2.0



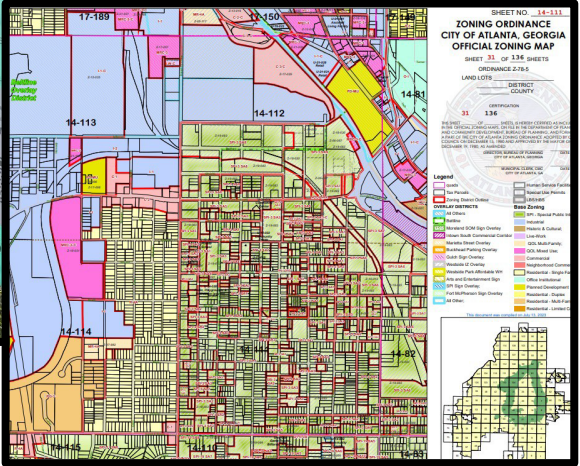
**CITY OF ATLANTA
2021 COMPREHENSIVE
DEVELOPMENT PLAN**

Released November 2021

PLAN A



The Plan



The Law

COMPREHENSIVE PLAN / ATL ZONING 2.0



COMPREHENSIVE PLAN / ATL ZONING 2.0

BENEFITS OF COORDINATION

- A unified framework to guide growth
- Information sharing
- Public comment sharing

PLAN A OPEN HOUSE: PREVIEW ADOPTION AND IMPLEMENTATION

2/6/25 5:30-8:00 PM at City Hall
Register at www.atlantaforall.com/events



ATL ZONING 2.0 MODULES

THREE MODULES

- Modules are similar types of zoning regulations
- These modules are...

DISCUSSION DRAFTS

- 85% drafts
- Intended for review, comment, and refinement

Konveio Discussion Draft Review www.atlzoning.com

The screenshot displays a web interface for reviewing discussion drafts. The main content area shows a document with the following sections:

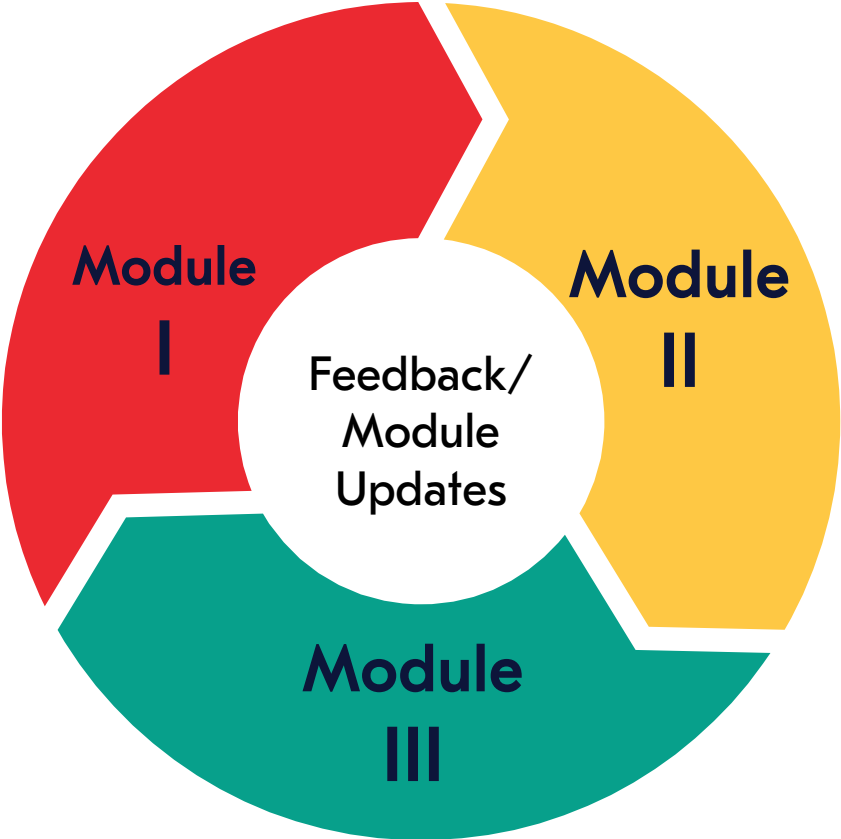
- Preservation and Heritage**: Sustain and enhance Audubon Park as a public...
- Education and Culture**: Foster opportunities for education and commur... Celebrate the cultural heritage of the Park
- Access / Infrastructure**: Investigate improvements to circulation / access... Recommend strategies for water management
- Recreation / Entertainment / Wellness**: Evaluate use of recreational open space... Maintain and enhance exercise and athletic faci...
- Environmental Stewardship**: Conserve and enrich the landscape and environ... Evaluate best horticultural practices for applicat... Preserve and augment tree canopy

A comment overlay is visible on the right side of the document. It includes a search bar at the top with the text "Type to search". The overlay has a blue header with "Comments" and a "Close" button. The form fields are:

- Your name**: Roger Moore
- E-mail**: RMoore@helpful.com
- Add Comment**: I've enjoyed this park for 75 years and want my great grandchildren to say the same.
- Comment Type**: Suggestion
- I have read and agree to the [Terms & Conditions](#) and [Privacy Policy](#).
- I'm not a robot (with a CAPTCHA logo)
- Add Comment** button

At the bottom of the document, there is a caption: "[Right: Image of the Stanley Ray Meditation Area at Audubon Park. Image courtesy of Audubon Nature Institute.]" and two buttons: "Guided Tour" and "Full Document". The footer of the interface says "Powered by Konveio".

ATL ZONING 2.0 MODULES



REVISED DISCUSSION DRAFT



ATLZONING



ADOPTION DRAFT



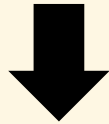
ATLZONING

MODULE I: FORM & USE DISTRICTS

MAY 20, 2024 / JULY 9TH Q&A

- Form Districts
- Use Districts
- Use Definitions and Standards

EXISTING ZONING DISTRICT



[FORM DISTRICT] – [USE DISTRICT]



MODULE II: DEVELOPMENT STANDARDS

DECEMBER 4TH / JANUARY 13TH Q&A

- Rules of Interpretation
- **Development Bonuses (forthcoming)**
- Blocks and Connectivity
- Streets and Streetscapes
- Multi-Modal Access and Parking
- Vehicle Access and Parking
- Transitions and Screening
- Fences and Walls
- Landscape Standards
- **Signs (forthcoming)**
- Outdoor Lighting



MODULE III: ADMINISTRATION

TONIGHT / MARCH 17TH Q&A

- Administration
 - Approval Processes
 - Nonconformities
 - Enforcement



STANDARDS NOT IN ZONING

ENVIRONMENTAL REGULATIONS

- Tree protection
- Stormwater
- Soil erosion and sedimentation
- Flood protection
- Noise

BUILDING CODES

HOUSING CODE

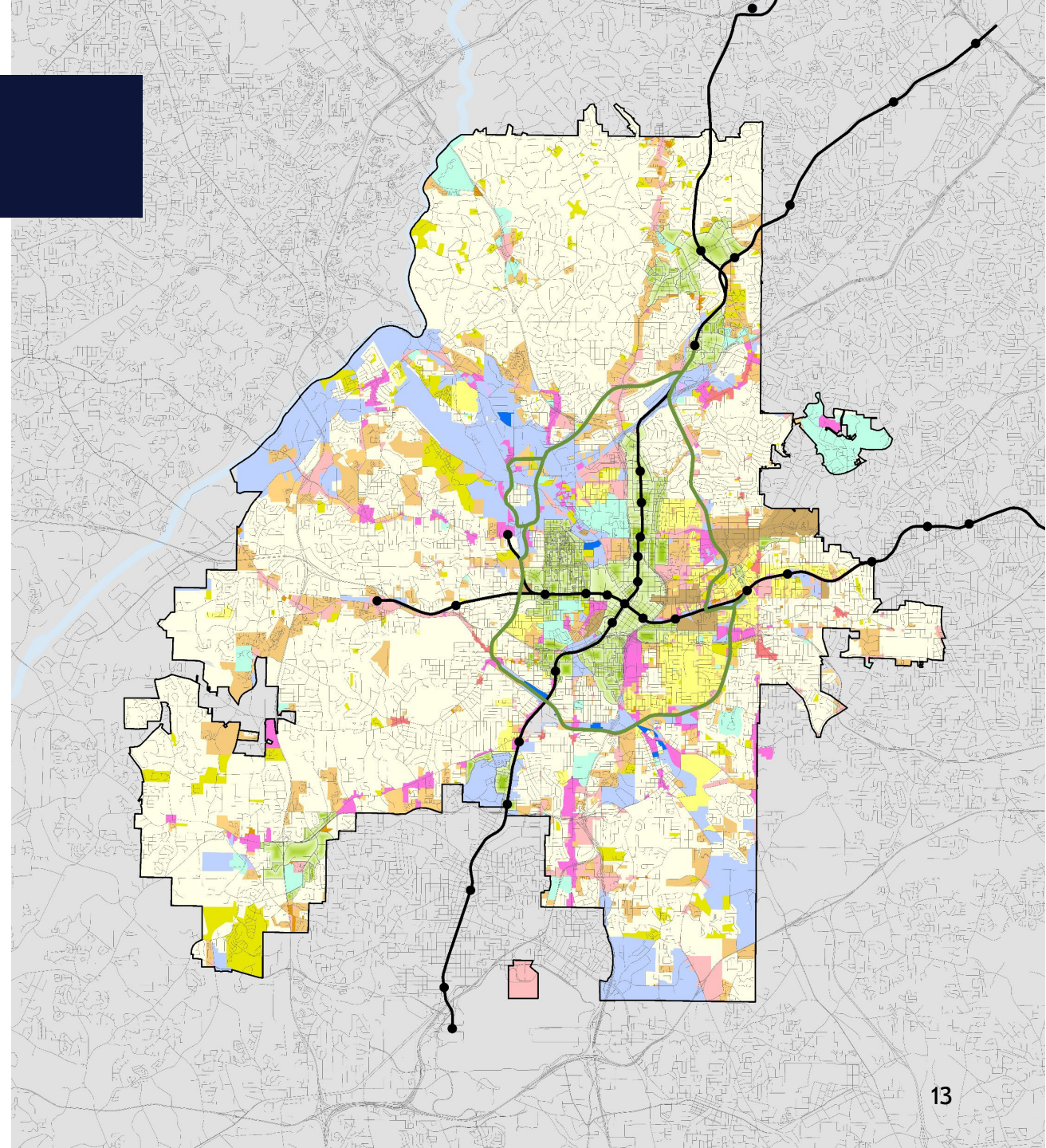


NEW OFFICIAL ZONING MAP

USE A 1-TO-1 CONVERSION

- Avoid rezoning any property
- Allow City plans, especially the comprehensive plan, to guide any future changes after the new code is adopted

Please see the revised conversion table for specific conversions from existing zoning districts to new Form Districts – Use Districts



DRAFT ADMINISTRATION

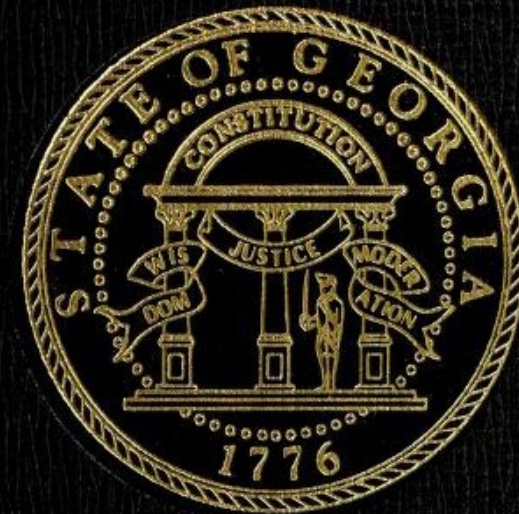
DISCUSSION DRAFT – FOR REVIEW AND COMMENT

OVERVIEW

ZONING ADMINISTRATION IS SHAPED BY LEGAL CONSIDERATIONS

- Federal law
- Georgia Zoning Procedures Law
- Case law

OFFICIAL CODE OF GEORGIA ANNOTATED



OVERVIEW

SUMMARY OF REVIEW AUTHORITY

- Codified NPU role
 - Review and recommendation (RR) for legislative review
 - RR for variances
 - Review and comment (RC) for administrative relief
- Codified Development Review Committee (DRC) roles
 - RR for design review

DIVISION 9.1. REVIEW AUTHORITY

Sec. 9.1.1. Summary of Review Authority

The following table summarizes the review, approval, and appeal authority of the various review bodies and officials that implement and administer the Zoning Ordinance.

	REVIEW AND APPROVAL AUTHORITY						NOTICE			
	Neighborhood Planning Unit	Development Review Committee	Director	Zoning Review Board	Board of Zoning Adjustment	City Council	Posted	Mailed	Published	
APPROVAL PROCESS										
Legislative Review										
Zoning Amendment	Sec. XX	RR		RR	RR-PH		D-M	Y	Y	Y
Special Use Permit	Sec. XX	RR		RR	RR-PH		D-M	Y	Y	Y
Transfer of Development Rights	Sec. XX	RR		RR	RR-PH		D-M	Y	Y	Y
Historic Review										
Permit Review										
Common Review Procedures	Sec. XX			D						
Development Review	Sec. XX		RR	D						
Sign Permit	Sec. XX			D						
Temporary Use Review	Sec. XX			D						
Administrative Relief										
Administrative Modification				D						
Administrative Variation		RC		D						
Quasi-Judicial Review										
Variance		RR		RR		D-PH		Y	Y	Y
Appeal of Administrative Decision						D-PH		Y	Y	Y

KEY: RC = Review and Comment RR = Review and Recommend D = Final Decision
-PH = Public Hearing -M = Meeting Y = Required

OVERVIEW

SUMMARY OF REVIEW AUTHORITY

- Zoning Review Board (ZRB) still exclusive forum for public hearings (PH)
- Board of Zoning Adjustments (BZA) still handles variances
 - No more special exceptions

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Permit Review										
Common Review Procedures	Sec. XX			D						
Development Review	Sec. XX		RR	D						
Sign Permit	Sec. XX			D						
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OVERVIEW

COMMON REVIEW PROCEDURES

- Legislative review
 - Maintain newspaper, sign, and letter notification
 - Maintain Office of Zoning and Development (OZD) review and recommendation
 - Formalize NPU review and recommendation
- Variances
 - Maintain newspaper, sign, and letter notification
 - Maintain OZD review and recommendation
 - Formalize NPU review and recommendation



OVERVIEW

COMMON REVIEW PROCEDURES

- **Administrative Relief**
 - Maintain and enhance OZD review and decision
 - Formalize NPU review and comment
- **Building permits, certificates of occupancy (CO's), business licenses (BL)**
 - Maintain and streamline OZD review and decision for zoning ordinance compliance.
 - Maintain all approval authorities
- **Codified Concept Review Committee**
 - Maintain pre-submission review for some application types



OVERVIEW

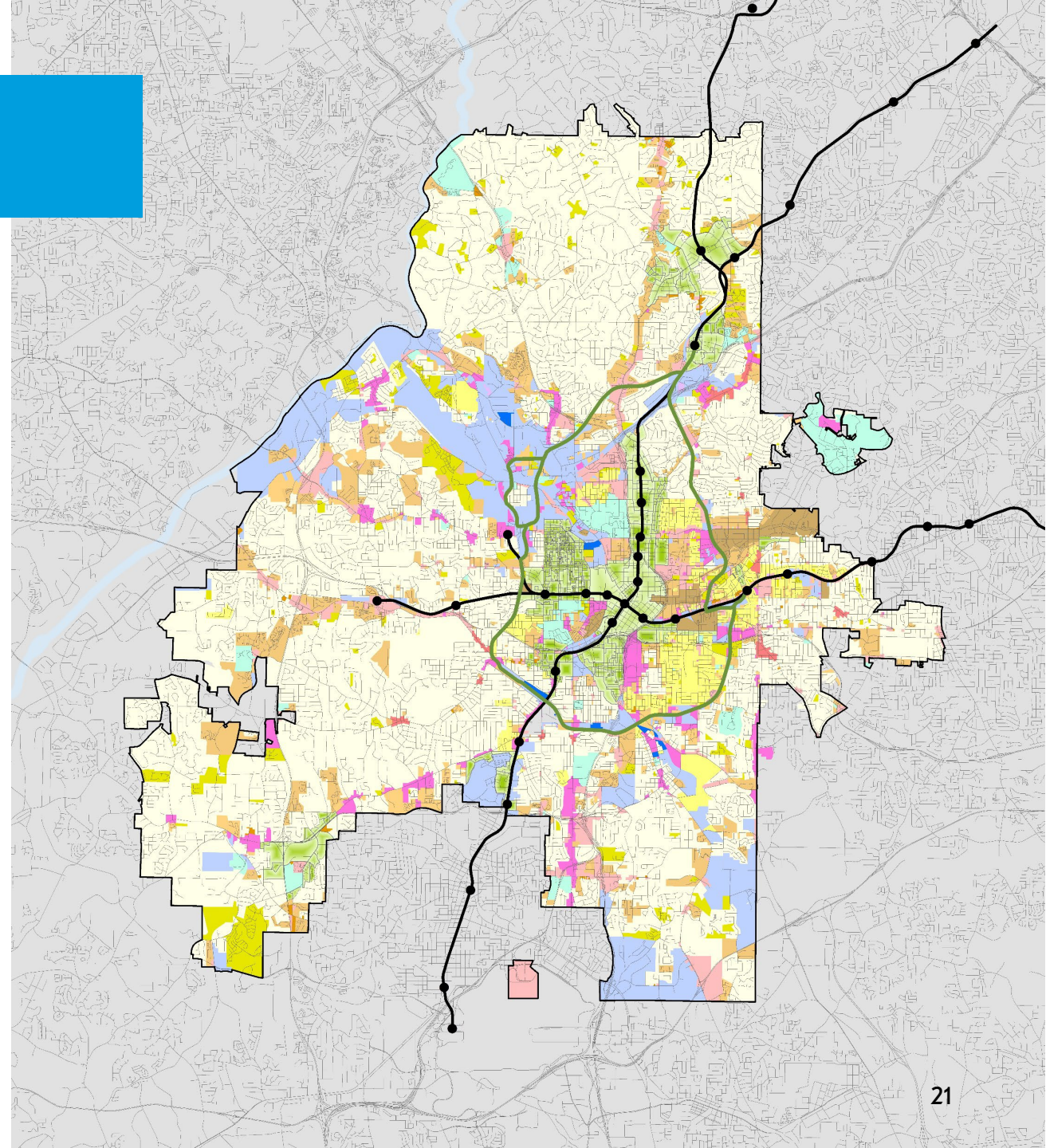
UPDATES TO REFLECT STATE LAW

- 30-day newspaper notice for variances
- Codified process for City-initiated rezone from single-unit to multi-unit housing
- Codified process for annexation



LEGISLATIVE REVIEW

- Rezoning
 - Change to the Official Zoning Map
 - Change or Form or Use District
- Text amendment
 - Change to the text of the code



LEGISLATIVE REVIEW

Transfer Development Rights (TDRs)

- Still by special use permit (SUP)
- Development rights include floor area and height (NEW)
- Sending areas
 - Maintains LBS or HBS and special characteristics (woodland, natural habitats, wetlands, etc.).
 - Expands to include non-residential buildings greater than 5,000 SF in LD and HD districts.
- Receiving areas
 - Properties in RS, UG, UC, and legacy districts (e.g. SPI-2, SPI-9, SPI-12, SPI-16)
 - At least 5% of residential units must be rented to tenants earning less than 80% AMI



LEGISLATIVE REVIEW

Transfer Development Rights (TDRs)

- Clarify procedures
 - Sending properties with special characteristics must be conveyed to the City for conservation. Requires a City resolution stating intent to acquire before SUP approval and must then acquire
 - Receiving properties must be “suitable” for the increased development

No substantially adverse environmental, economic, or social impacts on the receiving property or on neighboring properties by virtue of the amount or type of development rights sought to be transferred.

- Development rights must be registered with the City to monitor severance, ownership, assignment and transfer



PERMIT REVIEW

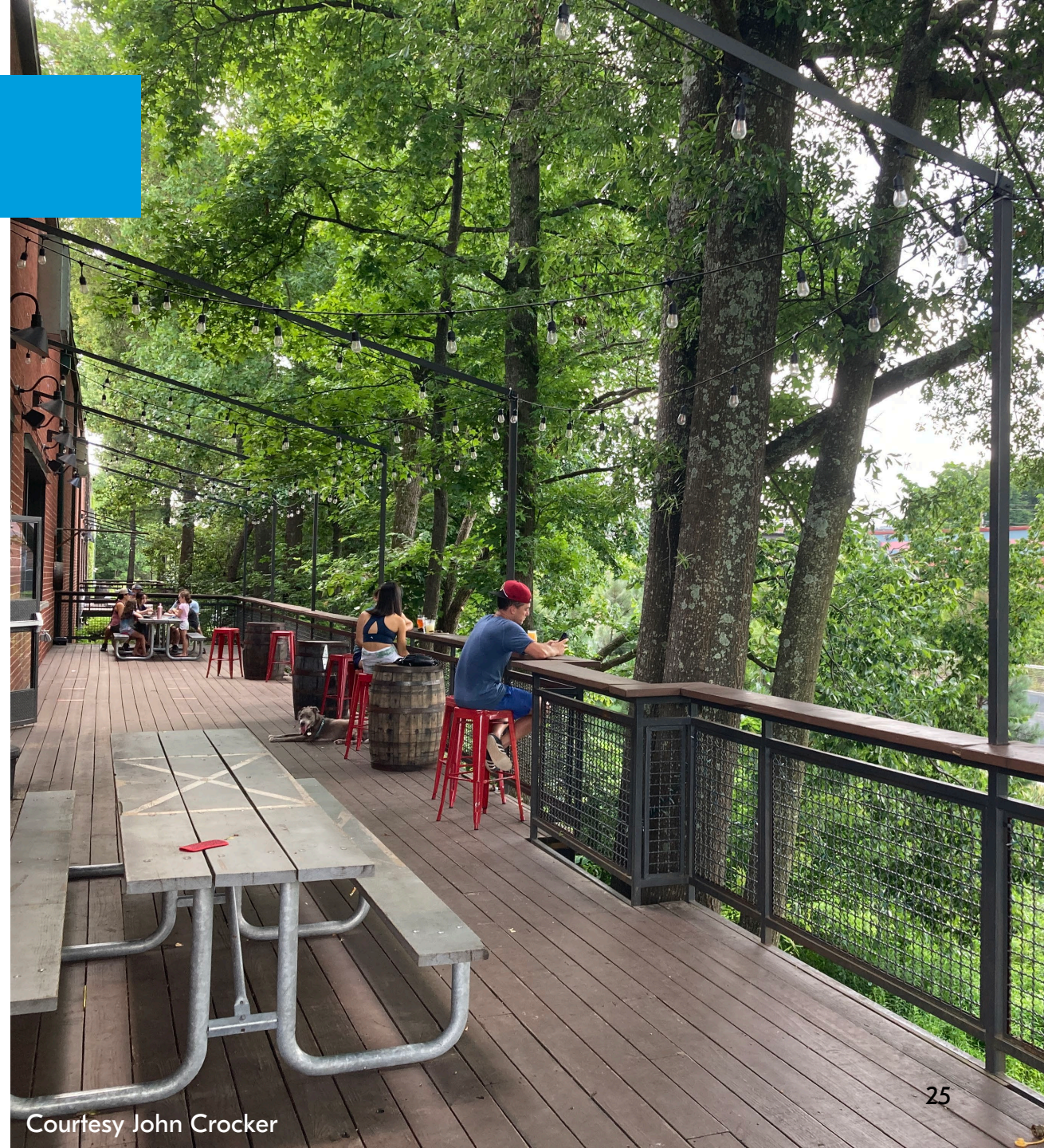
- Special administrative permits (SAPs)
- Eliminate SAPs
 - Require **strict compliance** with the zoning ordinance in all districts (including former SPIs)
 - If strict compliance is shown, OZD will approve as part of building permit process
 - If strict compliance not shown, applicant must apply and obtain administrative relief through that process (shown below) or obtain a variance from the BZA.



PERMIT REVIEW

Special administrative permits (SAPs)

- Streamline review for projects that meet all zoning standards
- Establish new procedures for variations



PERMIT REVIEW

Development Review Committees (DRCs)

- Maintain codified roles
 - Downtown, Midtown, Beltline, Buckhead, Lindbergh
 - Review and recommend for design review
 - Require applicants to presents at DRC meetings
 - Limit to 45-day DRC review and recommend (including any administrative relief), concurrent with OZD review



PERMIT REVIEW

Temporary uses

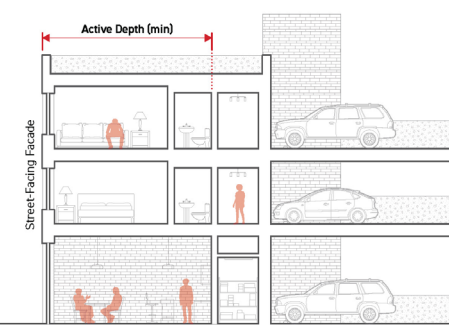
- Applies to uses or events not holding a Mayor's Office of Special Events (MOSE) permit
 - Less than 90 days in duration
- Different from outdoor sales associated with a business
- Examples
 - BBQ vendor at a gas station
 - Outdoor market (except farmers markets)
 - Food truck on private property (except food truck parks)



ADMINISTRATIVE RELIEF

Provides two types of relief

- Certificate of Administrative Modification (CAM)
 - Only as specified in Chapter 3 Rules for Zoning Districts or Chapter 8 Development Standards
 - Generally, up to 10% of a numeric standard
- Certificate of Administrative Variation (CAV)
 - Only as specified in Chapter 3 Rules for Zoning Districts and Chapter 8 Development Standards
 - Generally, up to 30% of a numeric standard



E. Relief

1. A reduction of up to 10% of the active depth requirement may be granted in accordance with [Sec. XX. Administrative Adjustment](#).
2. A reduction beyond 10% may be granted in accordance with [Sec. XX. Variance](#).

Relief options, as applicable:

- Administrative relief; or
- Board of Zoning Appeals (BZA)

Note

Chapters 3 and 8 will reflect this in next Module II update

ADMINISTRATIVE RELIEF

Certificate of Admin. Variation (CAV)

- Decided by OZD Director
- Review and comment by NPU
- The Director must find the plan:
 - Meets public purpose and provides protection to an equivalent or greater degree; or
 - Shows that strict compliance is not necessary for the accomplishment of the public purpose or public protection
- Once approved, a sign must be posted for 30-day appeal period (NEW)
- Valid for 36 months unless a building permit is filed or issued



NONCONFORMITIES

- Maintain types
 - Uses
 - Structures
 - Uses and structures in combination
- Eliminate amortization for structures \$5,000 or less
- Allow nonconformities to continue indefinitely so long as not ceased for more than 12 months or converted to another use
- Do not allow altering a structure



NONCONFORMITIES

- Allow one- or two-dwelling unit structure, if destroyed by any means, to rebuild on same foundation to same location and height for permitted use
- Allow all other nonconforming structures:
 - If accidental destruction, may rebuild on same foundation to same location and height for permitted use
 - If intentional destruction more than 60%, must conform to ordinance
 - If destroyed less than 60%, may restored to same or lesser size in location if restoration begins within 12 months; otherwise must conform.



NONCONFORMITIES

- Maintain NS Form District standards that allows existing one-dwelling unit structures with nonconforming side setbacks to expand or renovate vertically when
 - There is not further encroachment;
 - Height is less than district limit minus the existing setback conformity
- Maintain rule that non-use for 12 months results in loss of status
 - Clarify that the subjective intent not to “abandon” is irrelevant. Use it or lose it.
- Require signs that are abandoned for more than 12 months to conform (NEW)



QUESTIONS AND ANSWERS

10 minutes

FOLLOW-UP Q&A SESSION

January 13th via Zoom

Sign up at www.atlzoning.com

NEXT STEPS

DISCUSSION DRAFT REVIEW

SIGN ORDINANCE, BONUSES

- Posted to website mid-February

SCHEDULED MEETING

- Module III: Q&A Session —
3/17/2025



STAY IN TOUCH

WEBSITE: WWW.ATLZONING.COM

HOTLINE: 404-546-0116

E-MAIL: ATLZONING2@ATLANTAGA.GOV

RECORDINGS AVAILABLE ON YOUTUBE 

- Search "Atlanta Department of City Planning" for access

Questions for March 17th?

Please feel free to email questions in advance

FOLLOW-UP Q&A SESSION

MARCH 17TH VIA ZOOM

SIGN UP IN-PERSON OR AT WWW.ATLZONING.COM

CODE DRAFTS FOR REVIEW & FEEDBACK



Konveio Discussion Draft Review www.atlzoning.com

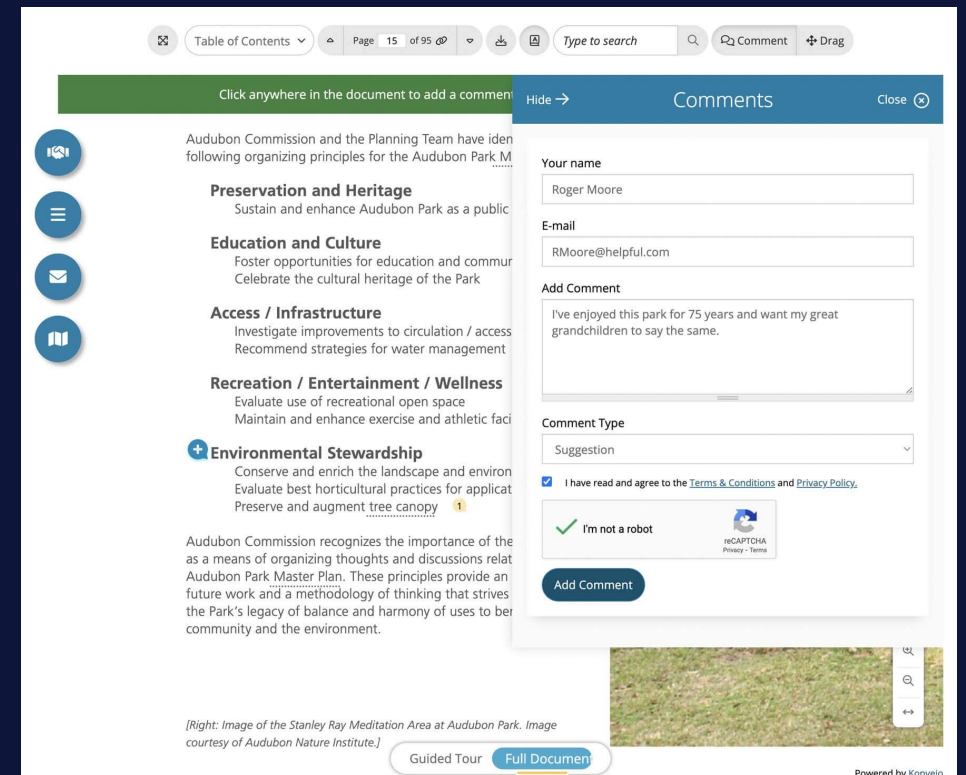


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Click anywhere in the document to add a comment

Audubon Commission and the Planning Team have identified the following organizing principles for the Audubon Park Master Plan:

- Preservation and Heritage**
Sustain and enhance Audubon Park as a public park.
- Education and Culture**
Foster opportunities for education and community programs.
Celebrate the cultural heritage of the Park.
- Access / Infrastructure**
Investigate improvements to circulation / access.
Recommend strategies for water management.
- Recreation / Entertainment / Wellness**
Evaluate use of recreational open space.
Maintain and enhance exercise and athletic facilities.
- Environmental Stewardship**
Conserve and enrich the landscape and environment.
Evaluate best horticultural practices for application.
Preserve and augment tree canopy.

Audubon Commission recognizes the importance of the park as a means of organizing thoughts and discussions related to the future work and a methodology of thinking that strives to honor the Park's legacy of balance and harmony of uses to benefit the community and the environment.

[Right: Image of the Stanley Ray Meditation Area at Audubon Park. Image courtesy of Audubon Nature Institute.]

Guided Tour Full Document

Powered by Konveio