



**CITY COUNCIL
ATLANTA, GEORGIA**

19-O-1393

Z-19-76 AN ORDINANCE BY COUNCILMEMBERS J. P. MATZIGKEIT AND DUSTIN HILLIS AS SUBSTITUTED BY ZONING COMMITTEE TO AMEND THE 1982 ATLANTA ZONING ORDINANCE, AS AMENDED, BY AMENDING THE R-LC (RESIDENTIAL LIMITED COMMERCIAL DISTRICT), C-1 (COMMUNITY BUSINESS), C-2 (COMMERCIAL SERVICE), C-3 (COMMERCIAL RESIDENTIAL), C-4 (CENTRAL AREA COMMERCIAL RESIDENTIAL), C-5 (CENTRAL BUSINESS SUPPORT), I-1 (LIGHT INDUSTRIAL), I-MIX (INDUSTRIAL MIXED USE DISTRICT), I-2 (HEAVY INDUSTRIAL), NC (NEIGHBORHOOD COMMERCIAL), AND MRC (MIXED RESIDENTIAL COMMERCIAL) ZONING DISTRICTS SO AS TO ALLOW A "PARTY HOUSE" AS A USE.

WHEREAS, residential neighborhoods are designed for residential dwelling and the peaceful enjoyment of the residents; and

WHEREAS, it is beneficial for Atlanta's neighborhoods to continue to sponsor non-profit organizations by hosting events for their benefit in private homes; and

WHEREAS, in recent times there has been an accelerated intrusion of commercial uses in established residential areas by large-scale commercial events; and

WHEREAS, the occurrence of loud or unruly gatherings on residential property is a threat to the quiet enjoyment of the property and to the public health, safety, and welfare due to excessive noise, traffic obstruction of streets, service of alcohol to minors, public drunkenness, fights, disturbances of the peace, vandalism and litter; and

WHEREAS, such intrusion has caused the degradation of the residential character of the neighborhoods; and

WHEREAS, large-scale commercial events in dwelling units shall be directed to commercial areas where they are viable without infringing on the residential character of neighborhoods; and

WHEREAS, the Atlanta City Council finds that large-scale commercial events should be expressly prohibited in the R-1, R-2, R-2A, R-2B, R-3, R-3A, R-4, R-4A, R-4B, R-5, RG, MR, I-1, and I-2 and all residential subareas within SPI districts; and

WHEREAS, the Atlanta City Council finds that allowing large-scale commercial events in dwelling uses, subject to certain permits, will not negatively impact the intent of the RL-C, C-1, C-2, C-3, C-4, C-5, I-MIX, NC, MRC or all commercial subareas within SPI districts; and

WHEREAS, the Atlanta City Council finds this amendment to the affected zoning district regulations will serve the public health, safety, and general welfare of the community.

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THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS as follows:

Section 1: So as to add a new definition to Section 16-29.001 entitled “Party House”. Section 16-29.001 is hereby amended to add:

(86) *Party House:* A single-family, two-family, or multi-family dwelling unit, including all accessory structures and the dwelling unit’s curtilage, which is used for the purpose of hosting a commercial event. For this definition, commercial event includes parties, ceremonies, receptions or similar large-scale gatherings where a fee is charged for the use of the dwelling unit, whether or not the attendees are charged entry to the event; or parties, ceremonies, receptions or similar large-scale gatherings where attendees are charged entry. However, commercial event shall not include any event for the benefit of an entity organized pursuant to Title 26, Subtitle A - Income Taxes, Chapter 1 - Normal Taxes and Surtaxes, Subchapter F - Exempt Organizations, of the Internal Revenue Code of 1986, as amended. Where an SAP is required for a party house the criteria for approval shall be outlined in the SAP application as established by the Director of the Office of Zoning and Development.

Section 2: City Code Sec. 16-09.005(1) governing special use permits in the R-LC (Residential Limited Commercial) zoning district is hereby amended to add subparagraph (g) which shall read:

(g) Party house provided that the use shall be prohibited within 150 feet of a property zoned R-1, R-2, R-2A, R-2B, R-3, R-3A, R-4, R-4A, R-4B, R-5, RG, MR or a property used for residential purposes measured from property line to property line.

Section 3: City Code Sec. 16-11.005(2) governing special administrative permit in the C-1 (Community Business District) zoning district is hereby amended to add subparagraph (g) which shall read:

(g) Party house provided that the use shall be prohibited within 150 feet of a property zoned R-1, R-2, R-2A, R-2B, R-3, R-3A, R-4, R-4A, R-4B, R-5, RG, MR or a property used for residential purposes measured from property line to property line.

Section 4: City Code Sec. 16-12.005(2) governing special administrative permits in the C-2 (Commercial Service District) zoning district is hereby amended to add subparagraph (g) which shall read:

(g) Party house provided that the use shall be prohibited within 150 feet of a property zoned R-1, R-2, R-2A, R-2B, R-3, R-3A, R-4, R-4A, R-4B, R-5, RG, MR or a property used for residential purposes measured from property line to property line.

Section 5: City Code Sec. 16-13.005(2) governing special administrative permits in the C-3 (Commercial Residential District) zoning district is hereby amended to add subparagraph (g) which shall read:



(g) Party house provided that the use shall be prohibited within 150 feet of a property zoned R-1, R-2, R-2A, R-2B, R-3, R-3A, R-4, R-4A, R-4B, R-5, RG, MR or a property used for residential purposes measured from property line to property line.

Section 6: City Code Sec. 16-14.005(2) governing special administrative permits in the C-4 (Central Area Commercial Residential District) zoning district is hereby amended to add subparagraph (h) which shall read:

(h) Party house provided that the use shall be prohibited within 150 feet of a property zoned R-1, R-2, R-2A, R-2B, R-3, R-3A, R-4, R-4A, R-4B, R-5, RG, MR or a property used for residential purposes measured from property line to property line.

Section 7: City Code Sec. 16-15.005(2) governing special administrative permits in the C-5 (Central Business Support District) zoning district is hereby amended to add subparagraph (g) which shall read:

(g) Party house provided that the use shall be prohibited within 150 feet of a property zoned R-1, R-2, R-2A, R-2B, R-3, R-3A, R-4, R-4A, R-4B, R-5, RG, MR or a property used for residential purposes measured from property line to property line.

Section 8: City Code Sec. 16-16A.006(2) governing special administrative permits in the I-MIX (Industrial Mixed Use District) zoning district is hereby amended to add subparagraph (d) which shall read:


(d) Party house provided that the use shall be prohibited within 150 feet of a property zoned R-1, R-2, R-2A, R-2B, R-3, R-3A, R-4, R-4A, R-4B, R-5, RG, MR or a property used for residential purposes measured from property line to property line.

Section 9: City Code Sec. 16-32.007(1) governing special use permits in the NC (Neighborhood Commercial District) zoning district is hereby amended to add subparagraph (n) which shall read:

(n) Party house provided that the use shall be prohibited within 150 feet of a property zoned R-1, R-2, R-2A, R-2B, R-3, R-3A, R-4, R-4A, R-4B, R-5, RG, MR or a property used for residential purposes measured from property line to property line.

Section 10: City Code Sec. 16-34.007(2) governing special administrative permits in the MRC (Mixed Residential Commercial District) zoning district is hereby amended to add subparagraph (u) which shall read:

(u) Party house provided that the use shall be prohibited within 150 feet of a property zoned R-1, R-2, R-2A, R-2B, R-3, R-3A, R-4, R-4A, R-4B, R-5, RG, MR or a property used for residential purposes measured from property line to property line.



Section 11: City Code Sec. 16-03.003 governing permitted principal uses and structures in the R-1 (R-1 Single-Family Residential District) zoning district is hereby amended to add the following language:

(5) The use of a building or premises as a Party house is expressly prohibited.

Section 12: City Code Sec. 16-04.003 governing permitted principal uses and structures in the R-2 (R-2 Single-Family Residential District) zoning district is hereby amended to add the following language:

(5) The use of a building or premises as a Party house is expressly prohibited.

Section 13: City Code Sec. 16-04A.003 governing permitted principal uses and structures in the R-2A (R-2A Single-Family Residential District) zoning district is hereby amended to add the following language:

(4) The use of a building or premises as a Party house is expressly prohibited.

Section 14: City Code Sec. 16-04B.003 governing permitted principal uses and structures in the R-2B (R-2B Single-Family Residential District) zoning district is hereby amended to add the following language:

(4) The use of a building or premises as a Party house is expressly prohibited.

Section 15: City Code Sec. 16-05.003 governing permitted principal uses and structures in the R-3 (R-3 Single-Family Residential District) zoning district is hereby amended to add the following language:

(5) The use of a building or premises as a Party house is expressly prohibited.

Section 16: City Code Sec. 16-05A.003 governing permitted principal uses and structures in the R-3A (R-3A Single-Family Residential District) zoning district is hereby amended to add the following language:

(4) The use of a building or premises as a Party house is expressly prohibited.

Section 17: City Code Sec. 16-06.003 governing permitted principal uses and structures in the R-4 (R-4 Single-Family Residential District) zoning district is hereby amended to add the following language:

(5) The use of a building or premises as a Party house is expressly prohibited.

Section 18: City Code Sec. 16-06A.003 governing permitted principal uses and structures in the R-4A (R-4A Single-Family Residential District) zoning district is hereby amended to add the following language:



(4) The use of a building or premises as a Party house is expressly prohibited.

Section 19: City Code Sec. 16-06B.003 governing permitted principal uses and structures in the R-4B (R-4B Single-Family Residential District) zoning district is hereby amended to add the following language:

(4) The use of a building or premises as a Party house is expressly prohibited.

Section 20: City Code Sec. 16-07.003 governing permitted principal uses and structures in the R-5 (R-5 Two-Family Residential District) zoning district is hereby amended to add the following language:

(5) The use of a building or premises as a Party house is expressly prohibited.

Section 21: City Code Sec. 16-08.003 governing permitted principal uses and structures in the R-G (R-G Residential General District) zoning district is hereby amended to add the following language:

(10) The use of a building or premises as a Party house is expressly prohibited.

Section 22: City Code Sec. 16-16.003 governing permitted principal uses and structures in the I-1 (Light Industrial District) zoning district is hereby amended to add the following language:

(27) The use of a building or premises as a Party house is expressly prohibited.

Section 23: City Code Sec. 16-17.003 governing permitted principal uses and structures in the I-2 (Heavy Industrial District) zoning district is hereby amended to add the following language:

(27) The use of a building or premises as a Party house is expressly prohibited.

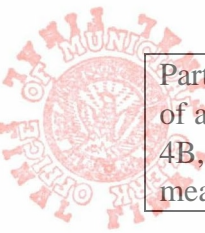
Section 24: City Code Sec. 16-35.005 governing permitted principal uses and structures in the MR (Multifamily Residential District) zoning district is hereby amended to add the following language:

(7) The use of a building or premises as a Party house is expressly prohibited.

Section 25: City Code Section 16-18A.006 governing use regulations and structures in the SPI-1 zoning district is hereby amended to add the following language:

Party House provided that the use shall be prohibited within 150 feet of a property zoned R-1, R-2, R-2A, R-2B, R-3, R-3A, R-4, R-4A, R-4B, R-5, RG, MR or a property used for residential purposes measured from property line to property line	P	P	P	X	P	P	P
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Section 26: City Code Section 16-18B.007 governing permitted principal uses and structures in the SPI-2 zoning district is hereby amended to add the following language:



Party house provided that the use shall be prohibited within 150 feet of a property zoned R-1, R-2, R-2A, R-2B, R-3, R-3A, R-4, R-4A, R-4B, R-5, RG, MR or a property used for residential purposes measured from property line to property line	S A P	S A P	S A P	S A P	S A P
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Section 27: City Code Section 16-18C.006 governing permitted principal uses and structures in the SPI-3 zoning district is hereby amended to add the following language:

Party house provided that the use shall be prohibited within 150 feet of a property zoned R-1, R-2, R-2A, R-2B, R-3, R-3A, R-4, R-4A, R-4B, R-5, RG, MR or a property used for residential purposes measured from property line to property line	X	X	X	S A P	S A P	S A P	S A P	S A P	S A P
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Section 28: City Code Section 16-18E.007 governing residential subareas permitted principal uses and structures in the SPI-5 zoning district is hereby amended to add the following language:

(5) The use of a building or premises as a Party house is expressly prohibited.

Section 29: City Code Section 16-18F.005 governing Subarea 1 in the SPI-6 zoning district is hereby amended to add the following language:

(1)(d) The use of a building or premises as a Party house is expressly prohibited.

Section 30: City Code Section 16-18F.006 governing Subarea 2 in the SPI-6 zoning district is hereby amended to add the following language:

(1)(f) The use of a building or premises as a Party house is expressly prohibited.

Section 31: City Code Section 16-18F.007 governing Subarea 3 in the SPI-6 zoning district is hereby amended to add the following language:

(1)(f) The use of a building or premises as a Party house is expressly prohibited.

Section 32: City Code Section 16-18G.007 governing Subarea 2 and 3 in the SPI-7 zoning district is hereby amended to add the following language:

(3) The use of a building or premises as a Party house is expressly prohibited.



Section 33: City Code Section 16-18I.007 governing permitted principal uses and structures in the SPI-9 zoning district is hereby amended to add the following language:

Party Houses provided that the use shall be prohibited within 150 feet of a property zoned R-1, R-2, R-2A, R-2B, R-3, R-3A, R-4, R-4A, R-4B, R-5, RG, MR or a property used for residential purposes measured from property line to property line	S A P	S A P	S A P	S A P
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Section 34: City Code Section 16-18K.004 governing permitted principal uses and structures in the SPI-11 zoning district is hereby amended to add the following language:

Party Houses provided that the use shall be prohibited within 150 feet of a property zoned R-1, R-2, R-2A, R-2B, R-3, R-3A, R-4, R-4A, R-4B, R-5, RG, MR or a property used for residential purposes measured from property line to property line	S A P	S A P	S A P	X	X	X	X	X	S A P	S A P	S U P	S A P
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Section 35: City Code Section 16-18L.006 governing permitted principal uses and structures in the SPI-12 zoning district is hereby amended to add the following language:

Party Houses provided that the use shall be prohibited within 150 feet of a property zoned R-1, R-2, R-2A, R-2B, R-3, R-3A, R-4, R-4A, R-4B, R-5, RG, MR or a property used for residential purposes measured from property line to property line	S A P	S A P	S A P
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Section 36: City Code Section 16-18O.028(3)(a) governing permitted principal uses and structures in the SPI-15 commercial subareas is hereby amended by adding the following language:

viii. Party house provided that the use shall be prohibited within 150 feet of a property zoned R-1, R-2, R-2A, R-2B, R-3, R-3A, R-4, R-4A, R-4B, R-5, RG, MR or property used for residential purposes measured from property line to property line.

Section 37: City Code Section 16.18O.029(1) governing permitted principal uses and structures in the SPI-15 residential subareas hereby amended by adding the following language:

f. The use of a building or premises as a Party house is expressly prohibited.

Section 38: City Code Section 16.18P.005 governing permitted principal uses and structures in the SPI-16 zoning district is hereby amended to add the following language:



Party Houses provided that the use shall be prohibited within 150 feet of a property zoned R-1, R-2, R-2A, R-2B, R-3, R-3A, R-4, R-4A, R-4B, R-5, RG, MR or a property used for residential purposes measured from property line to property line	S U P	X S U P
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Section 39: City Code Section 16.18Q.005 governing permitted principal uses and structures in the SPI-17 zoning district is hereby amended to add the following language:

4. The use of a building or premises as a Party house in Subarea 1 and 4 is expressly prohibited.

Section 40: City Code Section 16.18Q.026(2.) governing special permits Subarea 2: Piedmont North in the SPI-17 Zoning District is hereby amended to add the following language:

b. Special use permits. Party Houses provided that the use shall be prohibited within 150 feet of a property zoned R-1, R-2, R-2A, R-2B, R-3, R-3A, R-4, R-4A, R-4B, R-5, RG, MR or a property used for residential purposes measured from property line to property line.

Section 41: City Code Section 16.18Q.027(2.) governing special permits Subarea 3: 10th and Piedmont in the SPI-17 Zoning District is hereby amended to add the following language:

c. Special administrative permit. Party Houses provided that the use shall be prohibited within 150 feet of a property zoned R-1, R-2, R-2A, R-2B, R-3, R-3A, R-4, R-4A, R-4B, R-5, RG, MR or a property used for residential purposes measured from property line to property line.

Section 42: City Code Section 16.18R.005 governing permitted principal uses and structures in the SPI-18 zoning district is hereby amended to add the following language:

Party Houses provided that the use shall be prohibited within 150 feet of a property zoned R-1, R-2, R-2A, R-2B, R-3, R-3A, R-4, R-4A, R-4B, R-5, RG, MR or a property used for residential purposes measured from property line to property line	S A P	S A P	S U P	X	X	X	X	X	X	S A P
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Section 43: City Code Section 16.18S.006 governing permitted principal uses and structures in the SPI-19 zoning district is hereby amended to add the following language:

Party Houses provided that the use shall be prohibited within 150 feet of a property zoned R-1, R-2, R-2A, R-2B, R-3, R-3A, R-4, R-4A, R-4B, R-5, RG, MR or a property used for residential purposes measured from property line to property line	S A P	S A P	S A P	S A P	X	X	X	S A P	S A P	S U P	S A P
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Section 44: City Code Section 16.18T.005 governing permitted principal uses and structures in the SPI-20 zoning district is hereby amended to add the following language:

Party Houses provided that the use shall be prohibited within 150 feet of a property zoned R-1, R-2, R-2A, R-2B, R-3, R-3A, R-4, R-4A, R-4B, R-5, RG, MR or a property used for residential purposes measured from property line to property line	S A P	S U P	S A P	S A P	X	X
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Section 45: City Code Section 16.18U.008 governing permitted principal uses and structures in the SPI-21 zoning district is hereby amended to add the following language:

Party Houses provided that the use shall be prohibited within 150 feet of a property zoned R-1, R-2, R-2A, R-2B, R-3, R-3A, R-4, R-4A, R-4B, R-5, RG, MR or a property used for residential purposes measured from property line to property line	S A P	S A P	S A P	S U P	X	X	X	S A P	S A P	S A P
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Section 46: City Code Section 16.18V.005 governing permitted principal uses and structures in the SPI-22 zoning district is hereby amended to add the following language:

Party Houses provided that the use shall be prohibited within 150 feet of a property zoned R-1, R-2, R-2A, R-2B, R-3, R-3A, R-4, R-4A, R-4B, R-5, RG, MR or a property used for residential purposes measured from property line to property line	S A P	S A P	S A P	S A P	S A P
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Section 47: That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby waived to the extent of the conflict.

A true copy,

Foris Webb III
Municipal Clerk

ADOPTED by the Atlanta City Council
APPROVED per City Charter Section 2-403

OCT 19, 2020
OCT 28, 2020