



**CITY COUNCIL  
ATLANTA, GEORGIA**

**21-O-0457**

**Z-21-75 AN ORDINANCE BY COUNCILMEMBER CLETA WINSLOW AS SUBSTITUTED BY ZONING COMMITTEE TO AMEND THE 1982 ATLANTA ZONING ORDINANCE, AS AMENDED, BY CREATING A NEW CHAPTER 16-18D TO BE ENTITLED SPI-4 (ASHVIEW HEIGHTS AND ATLANTA UNIVERSITY CENTER SPECIAL PUBLIC INTEREST DISTRICT); TO CODIFY REGULATIONS GOVERNING SAID DISTRICT; TO DELINEATE THE BOUNDARIES OF SAID DISTRICT; AND FOR OTHER PURPOSES.**

AN ORDINANCE

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BY COUNCILMEMBER CLETA WINSLOW

AS SUBSTITUTED BY ZONING COMMITTEE

Z-21-75

A SUBSTITUTE ORDINANCE TO AMEND THE 1982 ATLANTA ZONING ORDINANCE, AS AMENDED, BY CREATING A NEW CHAPTER 16-18D TO BE ENTITLED SPI-4 (ASHVIEW HEIGHTS AND ATLANTA UNIVERSITY CENTER SPECIAL PUBLIC INTEREST DISTRICT); TO CODIFY REGULATIONS GOVERNING SAID DISTRICT; TO DELINEATE THE BOUNDARIES OF SAID DISTRICT; AND FOR OTHER PURPOSES.

WHEREAS, the Ashview Heights neighborhood was established in 1920 and the Atlanta University Center neighborhood is home to Clark Atlanta University, Morehouse College, Morris Brown College, Spelman College and the Interdenominational Theological Center; and

WHEREAS, the joint desire of both neighborhoods is to impact growth and development; and

WHEREAS, the 2016 Comprehensive Development Plan NPU-T policies encourage the preservation of the historic residential and commercial integrity of the communities within NPU-T including Atlanta University Center and desires to prevent the further degradation of the residential neighborhoods and desires to prevent the intrusion of non-residential uses in established residential areas; and

WHEREAS, in 2017 the westside neighborhoods of Ashview Heights, Atlanta University Center, English Avenue and Vine City developed the Westside Land Use Framework Plan; and

WHEREAS, in 2018 the neighborhoods of Ashview Heights and Atlanta University Center jointly met and drafted zoning regulations that were consistent with the Westside Land Use Framework Plan; and

WHEREAS, new residential and commercial uses should achieve architectural, site and street design consistent with the existing built environment; and

WHEREAS, a diversified urban environment where people can live, work, meet and recreate should be created; and

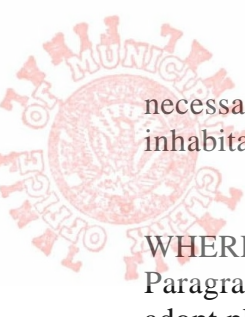
WHEREAS, sufficient, safe and accessible open space for active and passive enjoyment by residents should be provided; and

WHEREAS, new attractive, neighborhood-serving commercial districts should be created for existing underserved neighborhoods; and

WHEREAS, the City recognizes Ashview Heights and Atlanta University Center neighborhoods importance to the health, economic welfare, and safety of the citizens of Atlanta; and

WHEREAS, the City Charter, at Section 1-102(b), provides that the City shall have all powers

2021-53(21-O-0457)



necessary and proper to promote the safety, health, peace, and general welfare of the City and its inhabitants; and

WHEREAS, this ordinance is adopted pursuant to Georgia Constitution Article IX, Section II, Paragraph IV which empowers the governing authority of each county and of each municipality to adopt plans and exercise the power of zoning; and

WHEREAS, the City Council of the City of Atlanta finds that this rezoning in the best interest of the public health, safety, and welfare.

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

Section 1. The 1982 Atlanta Zoning Ordinance, as amended and codified as Part 16 of the Land Development Code which is Part III of the Atlanta City Code, is hereby further amended by creating a new zoning district entitled SPI-4 Ashview Heights and Atlanta University Center Special Public Interest District. Said zoning district shall be codified as Chapter 18D of the Atlanta Zoning Ordinance.

Section 2. Atlanta City Code Sec. 16-18D which is currently repealed is hereby amended and shall hereafter read as set forth on Attachment “A” to this ordinance.

Section 3. The Official Zoning Map is hereby amended to delineate the boundaries of the SPI-4 Ashview Heights and Atlanta University Center Special Public Interest District. The boundary of said district, including sub-areas, shall be as set forth in Attachment “B” to this ordinance.

Section 4: Should any section or provision of this ordinance, including attachments hereto, or the application thereof to any person or circumstance, be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the ordinance, including attachments hereto, as a whole or any section thereof other than the section or provision, or application thereof, specifically declared to be invalid.



A true copy,

Foris Webb III  
Municipal Clerk

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

NOV 01, 2021  
NOV 10, 2021



## **Attachment A**

### **Section 16-18D.001. Scope of provisions.**

The regulations set forth in this Chapter or set forth elsewhere in this part when referred to in this Chapter, are the Regulations of the Atlanta University Center (AUC) and Ashview Heights Special Public Interest District (SPI-4). These regulations shall supplant existing districts or portions of existing districts as shown on the attached map referenced in Section 16-18D.004, except that all existing categories of historic protection designated pursuant to Chapter 20 of Part 16 shall continue in full force and effect and said existing historic protection regulations shall be overlaid upon, and shall be imposed in addition to, the regulations set forth in this Chapter. Whenever the following regulations are at variance with said existing historic protection regulations, the historic protection regulations shall apply. The SPI-4 AUC and Ashview Heights regulations shall take precedence over the Atlanta Zoning Ordinance whenever a conflict between the two exists. When specific reference is not provided in the SPI ordinance, the Atlanta Zoning Ordinance, as amended, shall apply.

The regulations set forth in Sections 16-18D.001 through Section 16-18D.021 shall apply to all properties located within the SPI-4 AUC and Ashview Heights, including all subareas within the District.

### **Section 16-18D.002. Statement of intent.**

The intent of the Council in establishing SPI-4 as a zoning district is as follows:

1. Preserve, protect and foster the redevelopment of AUC and Ashview Heights through the integration of transportation and land use planning in a way that balances local, regional, and state economic benefits;
2. Preserve and protect AUC and Ashview Heights's historic buildings and sites as recognized by the inclusion of several buildings on the National Register of Historic Places;
3. Encourage the development of housing that provides a range of opportunities for citizens within the District;
4. Encourage a compatible mixture of residential, commercial, industrial, cultural and recreational uses;
5. Create an urban environment where people can live, work, meet and play;
6. Promote pedestrian safety by providing for pleasant and convenient sidewalk level pedestrian circulation that minimizes impediments by vehicles;
7. Encourage the use of MARTA and other public transit facilities and alternative transportation modes;
8. Combine elements of stormwater mitigation and green infrastructure throughout the AUC and neighboring Atlanta Housing properties and the Castleberry Hill neighborhood to reduce runoff and improve water quality; and
9. Enhance the efficient utilization of accessible and sufficient parking facilities in an unobtrusive manner, including encouraging shared parking and alternative modes of transportation.



### **Section 16-18D.003. Boundaries of district established.**

The boundaries of the SPI-4 AUC and Ashview Heights are shown on map Attachment B which by this reference is incorporated into and made a part of this chapter and this part. The SPI-4 AUC and Ashview Heights Special Public Interest District is divided into thirteen (13) subareas as shown on said map Attachment B and which are described as follows.

All subareas are regulated by both conventional zoning and development standards and guidelines. The intent of these standards is to establish clear minimum development standards, allow for the orderly progression of development, and provide flexibility over time without compromising the goals and objectives of SPI-4.

<b>SPI-4 AUC and Ashview Heights Subareas</b>
1 – Ashview Heights/Just Us Single Family and Low Density Residential
2 – Sells Medium Density Residential
3 – Westview Drive Low Density Mixed Use
4 – Ashby Medium Density Mixed Use
5 – Lucille/Parsons High Density and Very High Density Residential
6 – BeltLine Napoleon Low Density Residential
7 – Lowery Low Density Mixed Use
8 – Stonewall I-Mix
9 – AUC Village Low Density Residential
10 – Downtown West High Density Mixed Use
11 – Walnut Medium Density Residential
12 – AUC Central Office Institutional
13 – Friendship Village High Density Mixed Use

*Table 1: AUC and Ashview Heights Subareas*

### **Section 16-18D.004. Application procedures.**

1. A Special Administrative Permit (SAP) application with a site plan, landscape plan, and elevation drawings of each exterior facade shall be submitted, as applicable, and approved by the Office of Zoning and Development prior to filing for a building permit. All exterior demolition, new construction (including additions to existing buildings), new or expanded outdoor dining, or work which results in increased lot coverage, modification of the building footprint, or modification of building facades, shall be subject to said SAP approval. All applications for a SAP shall be processed in accordance with the standards and procedures applicable to said SAP applications contained in Chapter 25 of Part 16 except as otherwise modified by this chapter 18D. No SAP shall be issued until after such time any other required Special Use Permit or Board of Zoning Adjustment action has been obtained.
2. Administrative variations: As part of general action when plans require approval of an SAP, the Office of Zoning and Development may authorize variations from regulations generally applying based on written findings, to be filed as a public record, that either:



- a. A plan proposed by an applicant, while not strictly in accordance with regulations applying generally within the district, satisfies the public purposes and intent of such regulations, and provides public protection to an equivalent or greater degree than strict enforcement of such regulations would provide; or
  - b. 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 that time or in the future.
  - c. Variances and special exceptions shall be required from the board of zoning adjustment (BZA) in cases such as minimum transitional yards, transitional height planes, minimum open spaces, maximum building height, maximum fence height, maximum (as applicable) parking and loading requirements, and signage limitations.
3. The Office of Zoning and Development may exempt certain classes of applications for SAPs from detailed review requirements as set forth upon written findings that generally within these districts, the actions proposed are of such a character or scale as to make detailed reviews and approval 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 16-18D.005. Redevelopment requirements.**

Any property wherein 60 percent or greater of the principal building is removed, destroyed or altered shall be redeveloped in accordance with the requirements of this chapter notwithstanding any other provisions in Part 16, Chapter 24 to the contrary.

#### **Section 16-18D.006. Street framework.**

The AUC and Ashview Heights property is bounded by a network of improved public streets including Martin Luther King, Jr. Drive along the northern edge and Northside Drive that serves as the eastern boundary of the district, the Atlanta BeltLine as the western boundary, and I-20 the southern boundary. New public streets, private streets, and alleys shall be permitted in SPI-4, and will be designed to comply with the appropriate City of Atlanta standards as identified in the Atlanta Transportation Plan and the NTND Street Standards 138-102.1.

1. The arrangement, design, extent, width, grade, and location of all new streets shall be considered in relation to existing and planned streets, to topographical conditions, to public convenience and safety, and in their appropriate relation to the proposed uses of the land to be served by such streets.
2. All new public and private streets shall be located and designed so as to preserve mature trees when feasible and shall include the sidewalk requirements specified in the District regulations.

#### **Section 16-18D.007. Permitted principal uses and structures.**

1. Permitted Principal Uses:



- a. A building or premise shall be used only for the principal purposes as indicated with a “P” in the SPI-4 Use Table.
  - b. For the purposes of this Chapter, uses at sidewalk-level in what would otherwise be classified as an independent primary parking structure shall not constitute principal uses.
2. Permitted Accessory Uses and Structures: Accessory structures and uses permitted within this district shall include those indicated with a “PA” in the SPI-4 Use Table as well as those customarily accessory and clearly incidental to permitted principal uses and structures and specifically includes parking to serve authorized residential and non-residential uses within the district, subject to the restrictions contained in this Chapter.
  - a. Accessory uses in Subarea 5 shall be located on the ground floor of a building containing a principal use and shall not occupy more than 50% of the ground floor area.
  - b. Accessory structures shall be placed to the rear of the principal structure and shall not exceed 80% of the height of the principal structure.
  - c. Accessory structures shall be located so as to minimize the view from the public right-of-way.
3. Special Use Permits and Special Administrative Permits: Special use permits shall be required as indicated with “SUP” and Special Administrative Permits as indicated with “SAP” in the SPI-4 Use Table. These uses shall be subject to the limitations and requirements set herein or elsewhere in this part, and subject to the applicable procedures and requirements set forth in Section 16-25.001 et seq.
4. Prohibited uses: Any principal use and structure not specifically listed in the SPI-4 Table of Uses is prohibited in this district. The Director is authorized to determine the classification of a use listed in this district where such use is combined with another use, or the classification of the use does not meet an applicable definition. Additionally:
  - a. No use or manner of operation shall be permitted which is obnoxious or offensive by reason of odor, smoke, noise, glare, fumes, gas, vibration, unusual danger of fire or explosion, emission of particulate matter, or interference with radio or television communication, or is otherwise incompatible with the character of the district and its relation to adjoining districts.
  - b. AUC Central Office Institutional Subarea 12 prohibited uses include: adult businesses as defined in Section 16-29.001(3), bakeries & catering, including wholesale operations, union halls, hiring halls, yards for storage of contractor’s equipment; sand and gravel; lumber and the like, junk yards, salvage yards and scrap metal processors, sales and leasing agencies for new and used passenger automobile, and commercial vehicles, pawn shops, personal care homes, plumbing, tinsmithing, cabinet shops, service & repair establishments, rooming houses, sales & repair for home appliances, lawn mowers, shoes, clocks, service stations, battery exchanges and car washes, shelter, supportive housing, telecom switchboards, power generators, relay equipment, warehousing and self-storage, secure storage or mixed-use storage repair garages, paint and body shops, welding shops, and two-family dwellings.





**Table 2: SPI-4 Use Table**

	SA 1	SA 2	SA 3	SA 4	SA 5	SA 6	SA 7	SA 8	SA 9	SA 10	SA 11	SA 12	SA 13
Accessory Dwelling Units	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA
Bakeries & catering, including wholesale operations	X	P	P	P	X	X	X	X	X	X	X	X	P
Banks, S&L and similar financial institutions	X	P	P	P	X	X	X	X	X	X	X	P	P
Barber & Beauty shops & similar personal services	X	X	P	P	X	X	P	P	X	P	X	P	P
Bed & Breakfast Inn	SUP	P	P	P	X	P	P	X	X	P	SUP	SUP	P
Broadcasting Towers & line-of-sight relay devices (telephones, radio, tv)	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	X
Business or Commercial Schools	X	X	X	P #	X	X	P	P	X	P	X	P	P
Car Washes	X	X	X	SUP #	X	X	SUP	SUP	X	SUP	X	X	SUP
Child care centers, kindergarten & special schools	X	P	X	SUP #	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP
Churches, Synagogues, Temples, Mosques & religious worship facilities	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP
Civil, service, garden, neighborhood or private clubs	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP
Clubs & Lodges	X	X	X	P #	X	X	P	X	X	P	X	P	P
Commercial Greenhouses	X	X	X	P	X	X	P	P	X	P	X	SUP	P
Commercial Recreation, Theatres, Convention Halls,	X	X	X	P	X	X	P	P	X	P	X	P	P

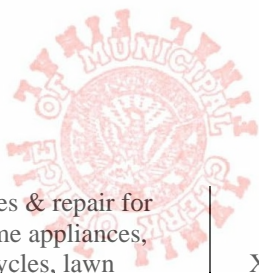


Assembly Halls Community Centers, Community Services, Recreational Centers	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	P	SUP
Devices for generation of energy, solar panels, wind generators, similar	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA
Dormitories, fraternity houses & sorority houses	X	X	X	SUP #	X	X	SUP	X	X	SUP	X	P	SUP
Eating & Drinking Establishments	X	P	P*	P !	X	X	P	P	X	P	X	P	P
Farmers' Market	SAP	SAP	SAP	SAP	SAP	SAP	SAP	SAP	SAP	SAP	SAP	P	SAP
Grocery Stores	X	P	P*	P	X	X	X	X	X	X	X	P	P
Guest House, Servant Quarters, Lodging for caretakers/watchmen	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA
Hotels up to 30 Rooms	X	X	X	P #	X	X	P	X	X	P	X	SUP	P
Hotels more than 30 Rooms	X	X	X	P ▲	X	X	P	X	X	P	X	P	P
Institutions of higher learning, colleges & universities	X	X	SUP	SUP	X	X	SUP	SUP	X	SUP	X	P	SUP
Laundry & dry cleaning & Collection Stations, no more than 5,000 sf	X	X	P	P	X	X	P	P	X	P	X	P	P
Market Gardens	X	PA*	X	X	X	X	X	X	PA*	X	X	P	X
Multi-family dwellings	X	P	P	P	P	P	P	P	P	P	P	P	P
Museums, Galleries, Auditoriums, Libraries & similar Cultural Facilities	X	X	P	P	X	X	P	SUP	X	P	X	P	P
Nursing Homes &	X	X	X	SUP	X	X	SUP	X	X	SUP	X	SUP	SUP





Convalescent Centers													
Offices, Arts & Crafts galleries and studios	X	X	P	P	X	X	P	SUP	X	P	X	P	P
Outdoor Amusement, exhibits, entertainment, meetings (>90 days)	X	X	X	SUP #	X	X	SUP	SUP	X	SUP	SUP	SUP	SUP
Outdoor Amusement, exhibits, entertainment, meetings (<90 days)	X	X	X	SAP	X	X	SAP	SAP	X	SAP	X	SAP	SAP
Park for Hire structure with > 2 stories above grade for temp. vehicle storage	X	X	X	SUP	X	X	SUP	SUP	X	SUP	X	SUP	SUP
Parking structures & surface lots (accessory)	X	PA	PA	PA	PA	X	PA	PA	X	PA	PA	PA	PA
Parks & Playgrounds	P	P	P	P	P	P	P	P	P	P	P	P	P
Personal Care Homes	SUP	SUP	SUP	SUP	SUP	SUP	SUP	X	SUP	SUP	SUP	X	SUP
Plumbing, tinsmithing, cabinet shops, service & repair establishments	X	X	X	P #	X	X	P	P	X	P	X	X	P
Printing Shops	X	X	P	P	X	X	P	P	X	P	X	SUP	P
Private Greenhouses & Garages	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA
Private Schools	SUP	SUP	SUP	P ▲	SUP	SUP	SUP	SUP	SUP	SUP	SUP	P	P
Professional or Personal Service Establishments, not hiring halls	X	X	SUP	P ▲	X	X	P	P	X	P	X	P	P
Public Schools	P	P	X	X	X	P	X	X	P	P	X	P	P
Retail Establishments (except auto sales or rental)	X	X	P	P	X	X	P	P	X	P	X	P	P



Sales & repair for home appliances, bicycles, lawn mowers, shoes, clocks	X	X	P	P	X	X	P	P	X	P	X	X	P
Service Stations (automobile)	X	X	X	X	X	X	SUP	P	X	P	X	X	P
Shelter	X	X	X	SUP	X	X	SUP	X	X	SUP	X	X	X
Single-Family dwellings	P	P	P	P	P	P	P	P	P	P	P	P	P
Supportive Housing	X	X	X	P #	P	P	P	P	P	P	P	X	X
Swimming Pools, Tennis Courts	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA	PA
Tailoring, Custom Dressmaking, Millinery & similar	X	X	P	P	X	X	P	P	X	P	X	P	P
Telecom Switchboards, power generators, relay equipment	X	X	X	X	X	X	X	SUP	X	X	X	X	X
Two-Family Dwellings	P**	X	X	X	X	X	X	X	X	X	X	X	X
Urban Gardens	X	X	X	P #	P	P	P	P	P	P	P	P	P

P = Permitted Principal uses and Structures

PA = Permitted Accessory Uses and Structures

SAP = Special Administrative Permits

SUP = Special Use Permit

SEP = Special Exception Permit

X = Not Permitted

\* = Not to Exceed 4,000 Square Feet

\*\* = Limited to west of Lawton Street, north of Westview Drive and Parsons Street

# = Not Permitted west of Joseph Lowery Blvd

! = Limited to 4,000 Square Feet west of Joseph Lowery Blvd

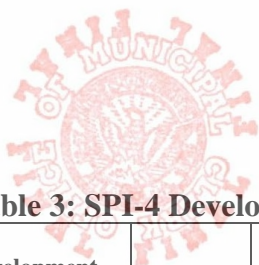
▲ = SUP Required west of Joseph Lowery Blvd



#### **Section 16-18D.008. Development controls.**

See SPI-4: Development Controls Table for Bulk Limitations, Building and Lot Coverage, Open Space Requirements, Yard Requirements, and Height Requirements.

For purposes of this chapter, and notwithstanding the provisions of Code Section 16-29.001(24), mixed-use development is defined as any development which contains as principal uses both residential and non-residential uses on the same development site, and in which both of such uses are at least 20 percent of the total floor area, excluding accessory uses.

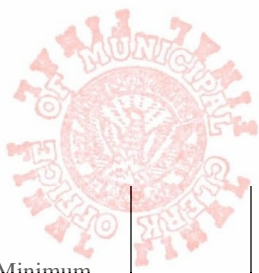


**Table 3: SPI-4 Development Control Table**

<b>Development Controls</b>	<b>SA 1</b>	<b>SA 2</b>	<b>SA 3</b>	<b>SA 4</b>	<b>SA 5</b>	<b>SA 6</b>	<b>SA 7</b>	<b>SA 8</b>	<b>SA 9</b>	<b>SA 10</b>	<b>SA 11</b>	<b>SA 12</b>	<b>SA 13</b>
<b>Maximum FAR</b>													
a) Residential	0.50	1.49	1.49	2.00	2.00	2.00	1.00	1.30	0.50	4.00	1.00	3.20	4.00
b) Non - Residential	N/A	N/A	0.50	1.00	N/A	N/A	0.50	2.00	N/A	2.00	N/A	3.00	2.00
<b>Maximum Building Coverage</b>	70%	85%	85%	85%	85%	85%	85%	85%	70%	85%	70%	None	85%
<b>Open Space Requirements</b>													
a) Non-residential	None	None or 5% *	None or 5% *	None or 5% *	None	None	None or 5% *	None or 5% *	None	10% or 20%	None or 5% *	None or 5% *	10% or 20%
<b>Minimum Building Height Along Streets (ft) along arterials or collectors</b>	N/A	N/A	18'	18'	N/A	N/A	18'	18'	N/A	24'	N/A	18'	24'
<b>Maximum Building Height (ft)</b>	35'	40'	40' ***	55'	105'	55'	40'	45"	35'	105'	40'	None	105' or 290' **
<b>Minimum Lot Size (sq ft)</b>	5,000 sf	5,000 sf	2,500 sf	2,500 sf	None	5,000 sf	2,000	None	1,000 sf	None	2,000 sf	None	None



<b>Minimum Frontage (ft)</b>	Frontage to conform to the existing, predominant block face pattern.	20'	None	None	None	Frontage to conform to the existing, predominant block face pattern.	None	None	20'	None	20'	None	None
<b>Setbacks</b>													
a) Minimum Street Furniture Zone (width in ft)	3' or match existing block	3' or match existing block	5'	5'	3' or match existing block	3' or match existing block	5'	5'	3' or match existing block	3' or match existing block	5'	5'	5'
b) Minimum Sidewalk Clear Zone (width in ft)	5' or match existing block	5' or match existing block	10' arterials & collector s. 6' all other streets.	10' arterials & collector s. 6' all other streets.	5' or match existing block	5' or match existing block	10'	10'	5' or match existing block	5' or match existing block	10'	5' or match existing block	5' or match existing block
c) Minimal Supplemental Zone (width in ft)	None	5'	5'	5'	5' arterials & collector s. 6' all other streets.	5' arterials & collector s. 6' all other streets.	5' arterials & collector s. 6' all other streets.	5' arterials & collector s. 6' all other streets.	5' arterials & collector s. 6' all other streets.	5' arterials & collector s. 6' all other streets.	5' arterials & collector s. 6' all other streets.	None or 5' when sidewalk level is residential	5'
e) Minimum Side Yard (ft) not adjacent to street	7'	7'	None or 5'	None or 5'	None or 5'	None or 5'	None or 5'	None or 5'	None or 5'	None or 5'	None or 5'	None for nonresidential uses. For residential uses 5'	None or 5'



g) Minimum Rear Yard (ft) not adjacent to street	15'	15'	None or 5'	None or 5'	None or 5'	None or 5'	None or 5'	None or 5'	5'	None or 5'	5'	None for nonresidential uses. For residential uses minimum 5'	5'
Transitional Height Requirements	N/A	Required	Required	Required	Required	N/A	Required	Required	N/A	Required	Required	Required	Required

**NOTES:**

\* Development less than one acre - no open space requirements. Developments greater than one acre - a minimum of five percent of the net lot area shall be public space.

\*\* Only buildings along Northside Drive

\*\*\* Maximum height 55' in all of the contiguous subarea 3 adjacent to Beltline corridor

Transitional Height Requirements: where required see Section 16-29.062





#### **Section 16-18D.009. Site limitations.**

1. Maximum Block Lengths: any new development proposing to contain an entire block face greater than 400 600' feet in length shall be traversed by new public or private streets that create block faces no more than 400', except when topographical conditions prevent the introduction of new streets as required, or to allow new streets to coincide with an existing street grid. For the purposes of this chapter, a block face shall be measured from the back of sidewalk clear zones or required supplemental zones. Such streets shall function as public streets.
2. Cul-de-sacs are prohibited. However, mid-block roadways constructed to provide future connectivity between public streets shall not be considered a cul-de-sac.

#### **Section 16-18D.010. Transitional uses and yards.**

1. Transitional uses: Where a lot in any subarea of this district abuts a lot in R-1 through R-G, or PD-H district or SPI-4 Subareas 1, 2, 3, 5, 6, 9, and 10 at the side along the same street frontage, and without an intervening street, such lot within this district, or the first 100 feet on such lot if it is wider than 100 feet, shall not be used for any drive-through service window or drive-in facility, car wash, service station, mortuary or funeral home, sales lot for automobiles, repair garage, or paint and body shop even where otherwise specifically authorized.
2. Transitional height planes: Where any Subarea of this district adjoins an R-1 through R-G, or PD-H district or SPI-4 Subareas 1, 2, 3, 5, 6, 9, and 10 with or without an intervening street, height within this district shall be limited by the Transitional Height Plane requirements as defined in section 16-29.001(62).
3. Transitional yards: Where any Subarea of this district adjoins Subareas 1, 2, 3, 5, 6, 9, and 10 and any Residential land use, with or without an intervening street or without meeting the conditions of this chapter, a minimum of 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 private alleys or drives up to ten feet in width. Such yards shall be planted as approved by the city arborist and maintained as a landscaped strip.
  - a. Where any Subarea of this district adjoins Subareas 1, 6, 9, and any Residential land use and contains a building, structure, or use located in both zoning districts, a transitional yard is not required, provided that the portion of the building, structure, or use within 20 feet of such designations shall only contain principal or accessory uses and structures permitted in such district.
  - b. Screening: In addition to the above transitional yard requirements, permanent opaque walls six feet in height shall be provided and shall be maintained in sightly condition.
4. Zero-lot-line development. Zero-lot-line subdivision is permitted for multifamily residential uses provided a minimum of 800 square feet in lot area is provided.



## **Section 16-18D.011. Sidewalks.**

Sidewalks shall be located along all public and private streets and shall have the components and widths specified in the SPI-4 Development Controls Table. The following regulations shall apply to all sidewalks:

1. Sidewalks shall consist of at least two zones, a landscape or street furniture zone and a clear zone.
  - a. The landscape or street furniture zone shall be located immediately adjacent to the curb. Said zone shall be used for the required planting of trees and the placement of street furniture including waste receptacles, fire hydrants, traffic signs, newspaper vending boxes, bus shelters, bicycle racks and similar elements, in a manner that does not obstruct pedestrian access or motorist visibility and as approved by the Director of the Office of Zoning and Development. A landscape zone shall be planted with groundcover and shall locate street furniture adjacent to the clear zone on concrete pads as needed. A street furniture zone shall be hardscaped with pavers and provide open areas for the planting of trees shall be landscaped with groundcover.
  - b. The clear zone shall be located immediately contiguous to the landscape or street furniture zone and shall be continuous. Said zone shall be unobstructed for a minimum height of eight (8) feet and shall have a consistent cross-slope not exceeding two (2) percent.
2. Street trees are required along all streets and shall be planted in the landscape or street furniture zone.
  - a. Along existing streets where trees are present, new trees shall be spaced to match the existing spacing between trees.
  - b. On new streets or streets where no trees exist, new trees shall be planted in the ground a maximum of 30 feet on center within the street furniture and tree planting zone and spaced equal distance between street lights. All newly planted trees shall be a minimum of three inches in caliper 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 feet. Trees shall have a minimum planting area of 40 square feet. 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 Planning.
3. Decorative Pedestrian Street lights where installed, shall be placed approximately sixty (60) feet on center and spaced equidistant between required street trees. Said lights shall be located within the landscape or street furniture zone. Applicant shall coordinate with the Department of Public Works regarding the final decision of the proposed layout and type.
4. Paving: In major corridors, all paving within the street furniture and tree planting zone shall be a type specified by the Director of Zoning and Development in accordance with uniform design standards utilized by the Director for placement of such objects in the public right-of-way.
  - a. Where property within this district abuts a single family, low density residential, or low-density mixed-use district without an intervening street, the sidewalk area within 20 feet of such districts shall taper as necessary to provide a smooth transition. In the



event that the abutting district has no existing sidewalk, the sidewalk shall taper to a width of six feet.

5. No awning or canopy shall encroach beyond the clear zone.
6. Trash receptacles or similar elements, where installed, shall be a type specified by the Director of Zoning and Development in accordance with uniform design standards utilized by the Director for placement of such objects in the public right-of-way and shall be placed within the street furniture and tree planting zone.
7. Entryway doors shall not open into the clear zone.

#### **Sec. 16-18D.012. Supplemental zone.**

For purposes of these regulations, the area between any building, parking garage, or parking lot and the required sidewalk, when no intervening building exists, shall be defined as the supplemental zone. Supplemental zones shall meet the following requirements. Except as otherwise specified below, the square footage contained within a supplemental zone which meets all the following supplemental zone requirements may be counted towards.

##### **1. Supplemental zone general requirements.**

*\*\*Refer to Development Controls Table for width requirements*

- a. Where sidewalk level residential units are located, the supplemental zone shall be landscaped with the exception of terraces, porches, stoops and walkways, which may occupy a maximum of two-thirds of the supplemental zone area;
  - b. Terraces, porches and stoops shall have a maximum finished floor height of 24 inches above finished-grade, unless existing topographical considerations render this requirement unreasonable, subject to the provisions in subsection (3);
  - c. The supplemental zone shall be no more than 24 inches above the adjacent public sidewalk, unless existing topographical considerations render this requirement unreasonable; and
  - d. Any authorized walls surrounding landscaped and grassed areas shall not exceed a maximum height of 24 inches, except retaining walls, which shall not exceed a maximum height of 36 inches unless existing topography requires a retaining wall of greater height.
  - e. Fencing permitted only when:
    - i. The supplemental zone is located between sidewalk level residential units and the adjacent street; or
    - ii. Said fencing is used to separate authorized outdoor dining from the required sidewalk.
2. Developments of greater than one acre in area and adjacent to existing transit stops which have no shelters shall provide a shelter within the supplemental zone for a minimum of one such stop.
  3. Fences and walls shall meet the following regulations:
    - a. For residential uses adjacent to the sidewalk, fences shall not exceed 42 inches in height and walls shall not exceed 36 inches in height when located between the primary building and the street, or between any supplemental zone and the adjacent street. For non-residential uses adjacent to the sidewalk, fences are prohibited when



- located between the building and the sidewalk except where specifically authorized elsewhere in this chapter for outdoor dining.
- b. Retaining walls located adjacent to a sidewalk along a public street shall not exceed a height of 36 inches. The combined height of a fence, where otherwise authorized and retaining wall shall not exceed a height of 42 inches, unless existing topography prohibits retaining walls of a lesser height. Retaining walls shall be finished poured concrete or shall be faced with stone, brick, or smooth stucco. See section 16-29.001(25)(b) for definition of retaining wall.
  - c. No walls, except retaining walls, shall be located between the street and any building, except for screening for authorized off-street loading areas.
  - d. Fences and walls between the primary building and the lot line may be erected but shall not exceed 6 feet in height for residential uses, shall not exceed 9 feet in height for non-residential uses. Fences may be permitted between the building and the street during demolition and construction but may not exceed 36 months from the issuance of the land disturbance permit.
  - e. For outdoor dining and ground floor residential uses movable planters, movable fencing, or similar movable barriers are allowed to separate uses from the sidewalk, provided they do not exceed a height of 36 inches, including any plant material.
  - f. Barbed wire, razor wire, and chain link fencing are prohibited permanent fencing materials.

#### **Sec. 16-18D.013.Relationship of Building to Street.**

1. Delineation of building floors at the third story above sidewalk level and lower shall be articulated through windows, belt courses, cornice lines or similar architectural detailing.
2. Massing and articulation: Building shall include variety in facade treatment, materials, textures, colors and/or window and door patterns and provide a depth change at a minimum of two feet to provide visual interest for every 10 feet of wall area.
3. Roofs: All detached single family residential buildings shall have a gable, pitched, or hipped roof minimum roof pitch of 4/12. Flat roofs for detached single family residential buildings are not permitted. Multi-family and mixed-use buildings with flat roofs shall be designed with a 3-foot minimum height parapet.
4. The primary pedestrian entrance for access to all sidewalk level uses and business establishments with public or private street frontage
  - a. Shall face and be visible from the public street when located adjacent to such street. When located adjacent to a street that functions as an arterial street or a collector street, said entrance shall face and be visible from such street.
5. A street address number shall be located directly above the primary building entrance, shall be clearly visible from the sidewalk and shall be a minimum of six inches in height.
6. Fenestration:
  - a. Street-fronting non-residential uses, with the exception of churches and fire stations, along streets that function as arterial streets and collector streets shall meet the following sidewalk level requirements:



- i. The length of the facade without intervening fenestration or entryway shall not exceed 20 feet.
    - ii. Fenestration shall not utilize painted glass, reflective glass or other similarly treated or opaque windows. Entrances may be counted towards fenestration requirements.
    - iii. Fenestration shall be provided for a minimum of 65 percent of the length of all street frontages:
      1. Beginning at a point not more than 3 feet above or below the sidewalk, or
      2. 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 feet or less above the sidewalk; or
      3. Beginning at a point not more than sidewalk level, to a height no less than 10 feet above the finished floor elevation, when the finished floor elevation is below the sidewalk.
  - b. Thirty percent (30%) fenestration shall be provided for the length of the sidewalk level frontage for residential uses on all streets, and for non-residential uses except for churches and fire stations, on all streets other than streets that function as arterial streets and collector streets.
    - i. For single family residential uses any façades that face a public or private street shall consist of fenestration that shall be no less than 15 percent and no greater than 40 percent of the total surface wall area. Façades that do not face a public or private street shall consist of fenestration that shall be no less than ten percent of the total surface wall area. Windows may be individual or grouped. No individual window unit shall exceed 28 square feet. Within each individual window unit, no individual window sash, either fixed or operable, shall exceed 16 square feet.
    - ii. Windows shall be double-hung.
    - iii. Each double-hung window shall be surrounded by wood trim between four and six inches wide and shall include a bottom sill. Windows grouped together shall have center mullions two inches wider than the side trim.
  - c. Height of windowsills on the public or private street fronting façade shall be no less than two and one-half feet and no more than three and one-half feet above finished floor elevation. Windows on said façade shall have a minimum height of three feet.
  - d. All windows shall include windowpanes recessed a minimum of two inches from the adjacent façade, unless the façade is constructed as a glass curtain wall.
  - e. Flat "snap-in" muntins and muntins sandwiched between layers of glass are prohibited.
7. Buildings with residential uses at the sidewalk level, or park level shall meet the following regulations:
- a. All primary pedestrian entrances not adjacent to a public sidewalk shall be linked to the public sidewalk with a pedestrian walkway a minimum of five feet wide.
  - b. All such buildings with more than four residential units that are adjacent to the sidewalk shall have individual entrances to such units directly accessible from the sidewalk and shall open directly onto the adjacent sidewalk, park, trail, plaza,





terrace or porch adjacent to the sidewalk. All pedestrian walkways providing such access shall be perpendicular to the street, unless topography prohibits, and shall be permitted to share said walkway with one adjacent unit.

- c. Such buildings shall have windows at sidewalk-level or park/trail level on each street frontage which are substantially similar in size to the sidewalk level front facade windows.
8. Siding and Foundation:
  - a. A building's main/street facing facade should have a minimum of two different cladding materials, excluding the fenestration material.
  - b. Single family and two-family: All exterior facades shall be brick, wood, or Hardiplank, (cementitious siding). Hardiplank siding shall be a maximum of 6 inches in width.
  - c. Multi-family, Mixed Use, and non-residential:
    - i. All exterior facades adjacent to a public street, public park, and/or trail shall be brick, Hardiplank (cementitious siding) stone, cast stone, architectural metal panels, or true stucco.
  - d. All exterior facades not adjacent to a public street shall be brick, stone, cast stone, true stucco, concrete masonry units, split-faced concrete, or split-faced block.
  - e. Single family and Two Family: foundations shall be finished with brick, smooth stucco, or smooth finish concrete at least 2 ft above grade.
9. Front porches.
  - a. Front porches and/or stoops on the façade of the principal structure shall be required when such treatments are established by a majority of the single-family detached dwellings on the block face.
  - b. Front porches, when required, shall:
    - i. Be a minimum of 12-feet wide or one-third the width of the front façade, whichever is greater, and a minimum of eight feet deep; and
    - ii. Contain roofs, a minimum of 6-inch wide porch roof supports, and steps.
  - c. For parcels with more than one street frontage, the front porch requirements of this section shall only be required to be applied to the building façade located in the front yard of the parcel, and not the half-depth front yard, side yard, or rear yard.
10. Garages. Garages with front-facing garage doors shall be recessed and located a minimum distance of 10 linear feet behind the front façade of the principal structure. For parcels with more than one street frontage, front-facing garage doors shall be defined as those facing the front yard of the parcel, and not the half-depth front yard, side yard, or rear yard.
11. Front doors. Front doors shall face and be visible from the adjacent street.

#### **Sec. 16-18D.014. Minimum open space requirements.**

1. Open space shall be required only for non-residential uses. All other uses shall have no open space requirements.
2. For nonresidential uses, including all nonresidential components of mixed-use developments:
  - a. Developments of less than equal to one-half acre: A minimum of ten (10) percent of the net lot area shall be public space.





b. Developments greater than one-half acre: A minimum of twenty (20) percent shall be public space. (See section 16-28.012 for definitions and measurements. Required yards and requirements for sidewalk and supplemental zone widths which are constructed on private property may be counted towards this requirement. Such public space may include planted areas, fountains, community gardens, parks plazas, hardscape elements related to sidewalks and plazas, and similar features.)

#### **Section 16-18D.015. Signage.**

The regulations for SPI-4 shall be the same as the regulations in subsection (6) C-2 (Commercial Service) District, provided that;

- a. No freestanding signs shall be permitted for new developments. One freestanding sign per property shall be permitted for pre-existing principal structures setback a minimum of 40 feet from the property line with street frontage. Said freestanding sign shall not be in the sidewalk street furniture zone or clear zone and shall not exceed 48 square feet in sign area and a height of 15 feet.
- b. No shopping center signs shall be permitted.
- c. Building signature signs: Subject to the restrictions set forth in section 16-28A.007(p).

#### **Section 16-18D.016. Dumpsters, loading areas and entrances, mechanical and accessory features.**

1. Off-street loading requirements shall be in accordance with the provisions of Section 16-28.015 of the Atlanta Zoning Ordinance.
2. Dumpsters and loading docks shall not be located between any building and the street, public park, and/or trail and shall be located in the side or rear yard, screened from public view with opaque walls or fences a minimum of six (6) feet in height, and paved with impervious materials.
3. Where provided, all loading spaces shall provide vertical clearance of fourteen (14) feet and shall not be located within the required sidewalk.

Building mechanical and accessory features:

- a. Shall not be permitted between the building and any public street and public park;
  - b. Shall be located to the side or rear of the principal structure and shall not be visible from the public right-of-way. Screening with plant or building materials shall be required where the equipment would otherwise be visible from the public right-of-way.
  - c. When mechanical and accessory equipment is located on building roofs, they shall be incorporated into the design of the building and screened with building materials similar to the building, such as a penthouse or parapet wall.
4. 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.

#### **Section 16-18D.017. Driveways, curb cuts, parking and drive-through facilities.**



1. Driveways:

- a. Driveways are not permitted between the sidewalk and a building, and shall be perpendicular to any adjacent street, except for a driveway to reach the side yard or rear yard or an on-site parking facility.
- b. All contiguous ground-floor residential units shall share one common drive, located in rear yards or side yards without street frontage, to serve garages, carports and parking areas.
- c. All sidewalk paving materials shall be continued across any intervening driveway at the same prevailing grade and cross slope as on the adjacent sidewalk clear zone.
- d. No circular drives shall be located between any building and any public street with the exception of hotels, child care centers, and senior centers.
- e. Drive-through service windows and drive-in facilities shall not be located between the principal structure and the street.

2. Curb Cuts:

- a. Driveway and curb cut widths shall be a maximum of 24 feet for two-way entrances and a maximum of 12 feet for one-way entrances, unless otherwise authorized by the Office of Public Works.
- b. Except as authorized in subsection 16-35.011(2) of the Atlanta Zoning Ordinance, no more than one curb cut shall be permitted for each development, if properties with more than one street frontage may have one curb cut located on each street frontage.

3. 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 which meet the requirements of items ii, iii, and iv below; and
- ii. Meets the requirements of section 16-18D.011; and
- iii. The maximum width shall be 36 feet which shall include, two on-street parallel parking lanes, two travel lanes and sidewalk extensions at intersections and shall have granite curbs; and
- iv. When adjacent to a park area, new streets shall meet all above requirements along each park edge.
- v. Gates shall not be permitted across said streets

**Section 16-18D.018. Minimum landscaping, barrier, and lighting requirements for surface parking lots.**

1. 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 except as modified as follows:

- a. Said parking lot requirements shall apply to all lots regardless of size;
- b. All parking bays shall be terminated with a landscaped strip a minimum width of five feet and equal to the length of the parking bay.
- c. All required landscaped areas shall be planted with evergreen groundcover or shrubs with a maximum height of 30 inches.



2. Lighting. All parking facility lighting shall reduce light spillage onto adjacent properties by providing cutoff luminaires which have a maximum 90-degree illumination.
3. Maintenance. Parking spaces and driving lanes shall be clearly defined and maintained as such. See section 16-28.026 for additional requirements.

**Section 16-18D.019. - Off-street parking requirements and loading requirements.**

1. Parking requirements: The minimum number of parking spaces required, and maximum number allowed shall be in accordance with the following SPI-4 AUC and Ashview Heights Parking Table. Any variation to increase the maximum allowable parking requirement shall be based upon criteria including, but not limited to the following:
  - a. Tenant demand based upon on-site uses; and
  - b. Parking efficiency and utilization for on-site uses; and
  - c. Parking available off-site within one-quarter-mile radius.
2. All parking areas and structures shall have delineated walkways at a minimum width of 4 feet, connecting parking to the required sidewalks and building entrances.
3. Parking between a building and a street:
  - a. Off-street surface parking shall not be located between a building and the street without an intervening building, with the exception of; religious institutions with more than one street frontage shall not be permitted to have parking located between a building and a street without an intervening building only on the street that fronts the defined front yard. For religious institutions with more than one street frontage, side yards and rear yards with street frontages shall be permitted to have parking located between a building and a street without an intervening building.
4. Parking structures (either principal or accessory use): In addition to requirements contained in section 16-28.028 the following regulations shall apply:
  - a. Commercial uses shall occupy a minimum depth of 20 feet of the ground floor street frontage beginning at any building facade along the public sidewalk, except at ingress and egress points. Such commercial uses located in this area shall meet the requirements of section 16-18D.013.
  - b. When located immediately adjacent to any public right-of-way, private street, public park, trail, or single-family residential district:
    - i. Shall have an appearance of a horizontal storied building on all levels. Said structure shall have an appearance similar to or compatible with that of the adjoining or attached structure, including fenestration patterns and materials;
    - ii. May not have ramping that is visible from the public right-of-way, private street, public park, trail or single-family residential district; and
    - iii. Above-ground parking structures shall be designed so that the only openings at street level are those to accommodate vehicle entrances and pedestrian access to the structure. Any openings for ventilation, service, or emergency access located on the first-floor level in the building facade shall be an integral part of the overall building design or screened from view with landscaping at least 10 feet in height.
5. Office uses, additional requirements:



- a. All office developments over 10,000 square feet shall reserve and designate, if parking is provided at least five percent of the-parking spaces "Carpool Only." Such spaces shall be located near the building's entrance or other preferable locations within the employee parking areas as approved by the commissioner of public works; and
- b. All new parking structures shall be built to accommodate vanpool access at entry level. The minimum ceiling height for vanpools is 8 feet 2 inches.

**Table 4: SPI-4 AUC and Ashview Heights Parking Table**

	Parking Spaces	
	Minimum	Maximum
Residential Dwellings		
Hotels and motels (spaces per lodging unit)	None	1.0
Residential Dwellings <ul style="list-style-type: none"><li>• Per each one bedroom unit</li><li>• Per each two or more-bedroom unit</li></ul>	None	1.25 2.25
Non-residential Uses (Spaces per 1,000 sq. ft. of floor area)		
Eating and drinking establishments	None	2.5
Commercial/retail (not eating and drinking establishments)	None	2.5
Institutional	None	2.5
Office	None	2.5
Recreation/Entertainment	None	1.5
All Other Users	None	2.0

**Section 16-18D.020. Bicycle parking.**

1. Minimum bicycle parking spaces shall be provided in accordance with 16-28.014(6).

**Section 16-18D.021. – Stormwater Management.**

All developments in SPI-4 shall consider the following subject to the approval of Watershed Management.

1. Stormwater measures that can capture runoff with a combination of cisterns, ephemeral streams, greenways, landscaping, and wetlands.
2. Other measures to reduce runoff that include but are not limited to green roofs, permeable pavements, vegetated swales, etc.



3. The inclusion of specific AUC institutions as part of the strategy: Clark Atlanta University, Spelman College, Morris Brown College, and the Interdenominational Theological Center (ITC),
4. The inclusion of the nearby Castleberry Hill neighborhood and the Atlanta Housing Authority properties as part of the strategy.

Work would be broken into 4 separate projects and would capture the 22.4 MG (million gallons) of stormwater runoff generated during to a 100-year storm event. Project designs should be implemented in accordance with applicable local laws and the Georgia Stormwater Management Manual, Volumes 1 and 2, 2016 edition.

An integrated and comprehensive approach of incorporating stormwater mitigation measures and green infrastructure is more suitable than costlier alternatives such as developing separate water runoff and sewer systems. Stormwater runoff can be retained in cisterns for re-use and detained on floodplains to prevent the overloading the sewer system. A development may utilize stormwater detention as a recreation space in SPI-4.