



**CITY COUNCIL  
ATLANTA, GEORGIA**

**23-O-1003**

**Z-23-22 AN ORDINANCE BY COUNCILMEMBERS JASON DOZIER, MATT WESTMORELAND, LILIANA BAKHTIARI, JASON WINSTON, DUSTIN HILLIS, AMIR FAROKHI, HOWARD SHOOK, MARY NORWOOD, ANDREA L. BOONE, KEISHA SEAN WAITES, MARCI COLLIER OVERSTREET, AND ALEX WAN AS AMENDED BY ZONING COMMITTEE AND AS SUBSTITUTED BY ATLANTA CITY COUNCIL TO AMEND PART III CODE OF ORDINANCES - LAND DEVELOPMENT CODE, PART 16 - ZONING, CHAPTER 36 “BELTLINE OVERLAY AND DISTRICT REGULATIONS”, SECTION 16-36.020 OFF-STREET PARKING AND LOADING REQUIREMENTS SO AS TO REQUIRE NO MINIMUM AMOUNT OF PARKING; AND FOR OTHER PURPOSES.(FAVORABLE AS AMENDED BY ZONING COMMITTEE 8/14/23)**

AN ORDINANCE BY COUNCILMEMBERS JASON DOZIER, 23-O-1003  
MATT WESTMORELAND, LILIANA BAKHTIARI, JASON WINSTON, Z-23-22  
DUSTIN HILLIS, AMIR FAROKHI, HOWARD SHOOK, MARY NORWOOD,  
ANDREA L. BOONE, KEISHA SEAN WAITES AND MARCI COLLIER OVERSTREET  
AS SUBSTITUTED BY CITY COUNCIL

A SUBSTITUTE TO AMEND PART III CODE OF ORDINANCES - LAND DEVELOPMENT CODE, PART 16 - ZONING, CHAPTER 36 “BELTLINE OVERLAY AND DISTRICT REGULATIONS”, SECTION 16-36.020 OFF-STREET PARKING AND LOADING REQUIREMENTS SO AS TO REQUIRE NO MINIMUM AMOUNT OF PARKING; AND FOR OTHER PURPOSES

WHEREAS, the Atlanta BeltLine project is one of the most comprehensive urban revitalization and economic development efforts ever undertaken within the City of Atlanta, and consists of a combination of greenspace, trails, transit and new development along 22 miles of historic railroad corridor that encircle the City of Atlanta; and

WHEREAS, in order to preserve and protect existing character and ensure that future development around the Beltline encompasses its goals of providing economic development that increases walkability, uses of alternate modes of transportation and reduces traffic congestion and furthers the urban character of the area, the Beltline Overlay was created to align these goals with specific zoning requirements for the area immediately surrounding the Beltline; and

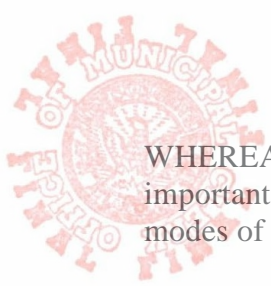
WHEREAS, while still adhering to underline zoning and land use requirements for impacting properties, the Beltline Overlay provides for additional development standards and prohibits specific uses and restricts parking requirements that are not consistent with the desired goals of the Beltline development vision; and

WHEREAS, as the areas around the Beltline continue to further develop issues such as more demand for parking related to Beltline development is starting to increase; and

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WHEREAS, while the development and addition of housing, retail, restaurants, and other amenities is important, it is imperative to support through policy the mission of the Beltline to encourage alternate modes of transportation and decrease vehicle trips and usage; and

WHEREAS, in order to ensure that the Beltline and adjacent development and uses fully align with the vision and intention of the system when initially created and as it further develops and that it is not a vehicle traffic generator, it has become evident that changes must be made to the parking minimum requirements by removing such requirements within the Beltline Overlay; and

WHEREAS, the number of people struck and killed by walking is at the highest number in 40 years; and

WHEREAS, the Governors Highway Safety Association estimates that the number of pedestrian deaths will continue to increase; and

WHEREAS, black pedestrians are twice as likely to be struck and killed while walking than white pedestrians; and

WHEREAS, Georgia is one of the 10 deadliest states for pedestrian fatalities; and

WHEREAS, since 2010, over 3,000 Atlanta families have been impacted by traffic violence; and

WHEREAS, pedestrians struck and killed by people driving cars in Atlanta more than doubled between 2020 and 2021; and


WHEREAS, in April 2020, the Atlanta City Council voted unanimously to adopt Vision Zero, a strategy to eliminate all traffic fatalities and severe injuries, as Atlanta's official roadway safety program; and

WHEREAS, more than 75% of pedestrian fatality victims were black people; and

WHEREAS, 14 pedestrians were killed in collisions with cars within the BeltLine overlay since 2015, but 8 of those collisions occurred in just the last two years; and

WHEREAS, there were 47 pedestrians seriously injured in collisions with cars within the BeltLine overlay since 2015, but 25 of those collisions occurred in just the last two years; and

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



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 to amend the Beltline Overlay is in the best interest of the public health, safety, and welfare; and

WHEREAS, the requirement that nightclubs licensed for the sale and service of alcohol for consumption on the premises maintain “adequate parking for a nightclub” as defined in the Alcohol Code at Section 10-1 shall not be disturbed by the actions contained in this ordinance.

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

Section 1: That the Zoning Ordinance of the City of Atlanta, Chapter 36 “Beltline Overlay and District Regulations” Section 16-36.020 be amended as follows with language to be added underlined and bolded and language to be removed stricken through:

Sec. 16-36.020. Off-street parking and loading requirements.

In addition to the provisions of subsection 16-28.008(7), which shall apply and are incorporated herein the following parking requirements shall apply to all permitted uses. (See also sections 16-28.013 and 16-28.014.)

1. *Minimum parking:* With the exception of the minimum parking requirements applicable to Commercial Food Preparation, Delivery-based commercial kitchens, and Eating and Drinking Establishments which shall be determined by the underlying zoning, there will be no minimum parking requirement within the BeltLine Overlay District. The number of off-street parking spaces required shall be as followings:

a. ~~For residential uses: Determined by the underlying zoning and any applicable provisions of section 16-28.014, but not more than one space per dwelling units.~~

b. ~~For non-residential uses: Determined by the underlying zoning and any applicable provisions of section 16-28.014.~~

2. *Maximum parking:* No development, unless granted a special exception by the board of zoning adjustment or subject to "2.c" below, shall have parking in excess of:

a. *For residential uses:*

i. One space per each one-bedroom unit.

ii. Two spaces per each two or greater bedroom unit.

- b. *For non-residential uses:* The greater of the following either:
- i. Ten spaces greater than the minimum parking ~~required~~ as determined by the underlying zoning and any applicable provisions of section 16-28.014; or
  - ii. Twenty-five percent greater than the minimum parking ~~required~~ as determined by the underlying zoning and any applicable provisions of section 16-28.014.
- iii. When the underlying zoning has no minimum requirement, one space per 300 square feet of floor area shall be used to determine conformance with "2.b.i" and "2.b.ii" immediately above.
- c. High capacity transit maximums. Paragraphs "2.a" and "2.b" immediately above shall not apply to developments subject to the high capacity transit parking requirement of [section 16-28.014 \(14\)](#).
  - d. The parking maximums of paragraph "2" immediately above shall not include newly created on-street parking along a public street or private street built to public standards.

**SECTION 2:** That any nonconforming structures or nonconforming uses shall be governed by Chapter 24 of the Atlanta Zoning Ordinance, Section 16-24.001, et. seq.

**SECTION 3:** That this ordinance shall become effective when signed by the Mayor or the applicable date pursuant to Section 2-403 of the Charter of the City of Atlanta.

**SECTION 4:** That all ordinances or parts of ordinances that are in conflict with the terms of this ordinance are hereby waived to the extent of the conflict.

A true copy,



Corrine A. Lindo

Municipal Clerk

**ADOPTED by the Atlanta City Council**

**FEB 05, 2024**

**APPROVED per City Charter Section 2-403**

**FEB 14, 2024**