



AN ORDINANCE BY *Natalyn Archibong*
COUNCILMEMBER NATALYN ARCHIBONG

MSW _____

AN ORDINANCE TO AMEND THE 1982 ATLANTA ZONING ORDINANCE, AS AMENDED, BY AMENDING THE NC-2 EAST ATLANTA VILLAGE NEIGHBORHOOD COMMERCIAL DISTRICT SO AS TO REQUIRE ALL MULTIFAMILY DWELLINGS INCLUDE AT LEAST TWENTY PERCENT (20%) OF THE TOTAL FLOOR AREA AS GROUND LEVEL COMMERCIAL USES; AND FOR OTHER PURPOSES.

WHEREAS, Ordinance 01-O-1169, adopted by Atlanta City Council on November 05, 2001, and approved by operation of law on November 14, 2001, created the NC-2 East Atlanta Village Neighborhood Commercial zoning district (“NC-2 zoning district); and

WHEREAS, Chapter 32B of the Atlanta Zoning Ordinance governs uses and development standards in the NC-2 zoning district; and

WHEREAS, residential and some commercial uses are permissible in the NC-2 zoning district; and

WHEREAS, the purpose and intent of the NC zoning districts is to encourage pedestrian flow through the design of mixed-use buildings with sidewalk level retail uses; and

WHEREAS, the purpose and intent of the NC zoning districts is to promote a nodal form of neighborhood commercial areas to include proportionately significant residential uses; and

WHEREAS, the Atlanta City Council finds that it is to the benefit of the residents in the NC-2 zoning district to promote a balance of commercial and residential uses which serve the East Atlanta Village neighborhood and its adjacent neighborhoods; and

WHEREAS, the Atlanta City Council finds that requiring all multifamily attached and detached developments to include twenty percent (20%) or more of ground level commercial uses will further the intent of the NC-2 zoning district; and

WHEREAS, the Atlanta City Council finds this amendment to the NC-2 zoning district regulations will serve the public health, safety, and general welfare of the community.

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

Section 1: So as to require all multifamily dwellings to contain at least twenty percent (20%) of the total floor area as ground level commercial uses in the NC-2 zoning district, City Code Section 16-32B.002(2) which reads:

2. *Permitted Principal Uses.* In further limitation of those permitted principal uses and structures set forth in Sec. 16-32.005:



- a. The number of automobile service stations within the district shall not exceed two.
- b. The number of tattoo and body piercing establishments shall not exceed three.
- c. The following uses shall be permitted if the parcel on which they are located is separated by a minimum distance of 500 linear feet, measured from property line to property line, from any like use: barber shops, beauty supply, beauty school, hair salons, and manicure and nail salons. This shall not be construed to mean that a mixture of the above said uses as part of a single parcel or business establishment shall be prohibited. Said uses or combination of uses shall not exceed 4,000 square feet of floor area.
- d. Parking structures and surface lots to serve primary uses within the district.
- e. The following uses shall not have establishments exceeding 8,000 square feet of floor area, except where permitted by special use permit issued pursuant to section 16-32.007:
 1. Commercial recreation establishments, including theaters and health and fitness establishments, and other places of assembly and similar uses with primary activities conducted within fully enclosed buildings.
 - ii. Banks, credit unions, savings and loan associations, and similar financial institutions but not including any drive-through service window. Automatic teller machines and night drops are permitted.

Is hereby amended to read:

2. *Permitted Principal Uses.* In further limitation of those permitted principal uses and structures set forth in Sec. 16-32.005:

- a. The number of automobile service stations within the district shall not exceed two.
- b. The number of tattoo and body piercing establishments shall not exceed three.
- c. The following uses shall be permitted if the parcel on which they are located is separated by a minimum distance of 500 linear feet, measured from property line to property line, from any like use: barber shops, beauty supply, beauty school, hair salons, and manicure and nail salons. This shall not be construed to mean that a mixture of the above said uses as part of a single parcel or business establishment shall be prohibited. Said uses or combination of uses shall not exceed 4,000 square feet of floor area.



d. Parking structures and surface lots to serve primary uses within the district.

e. The following uses shall not have establishments exceeding 8,000 square feet of floor area, except where permitted by special use permit issued pursuant to section 16-32.007:

i. Commercial recreation establishments, including theaters and health and fitness establishments, and other places of assembly and similar uses with primary activities conducted within fully enclosed buildings.

ii. Banks, credit unions, savings and loan associations, and similar financial institutions but not including any drive-through service window. Automatic teller machines and night drops are permitted.

f. All multifamily dwellings shall contain at least twenty percent (20%) of the total floor area, excluding accessory uses, as ground level commercial uses in the same principal structure.

Section 2: That all ordinances, parts of ordinances, and resolutions in conflict herewith are hereby waived for purposes of this Ordinance only, and only to the extent of said conflict.

A true copy,


Municipal Clerk

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

DEC 03, 2018
DEC 12, 2018

2018-61(18-0-1320)

PAGE 3 OF 3