

**AN ORDINANCE
BY ZONING COMMITTEE**

**19-O-1381
Z-19-58**

AN ORDINANCE BY ZONING COMMITTEE TO AMEND THE 1982 ATLANTA ZONING ORDINANCE, AS AMENDED, CITY OF ATLANTA CODE OF ORDINANCES PART 16, SO AS TO ADD A NEW CHAPTER 39 ENTITLED “EMORY CAMPUS PARKING OVERLAY DISTRICT”; TO DEFINE CERTAIN TERMS; AND FOR OTHER PURPOSES. NPU F COUNCIL DISTRICT 6

WHEREAS, Emory is unique in Atlanta in its combination of a college campus, research facilities, and hospital/healthcare facilities; and

WHEREAS, Emory focuses on its provision of campus access and mobility for students, faculty, patients, physicians, staff and visitors on and around the Emory campus; and

WHEREAS, Emory embraces and provides incentives for alternative commute options. Emory provides commute counselors, software for commute planning/tracking, participant subsidies and incentives for participation; and

WHEREAS, the Comprehensive Development Plan identifies solving traffic congestion as the highest community-ranked needs among all needs (Pg. 203); and

WHEREAS, inordinate new vehicular parking is incongruent with the preservation of existing neighborhoods; and

WHEREAS, creating maximum parking regulations rather than a minimum for the Emory University campus will help in reducing space used for parking. It will also preserve larger green spaces and create a better opportunity for future developments rather than being used as space for asphalt.

WHEREAS, it is to the benefit of the residents in the City of Atlanta to impose by zoning ordinance certain parking requirements, including a cap on the amount of parking allowed in order to manage traffic and congestion; 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, the City Charter, at Section 1-102(c)(42), authorizes the City to regulate land use by the adoption of zoning ordinances, planning ordinances, and other regulatory ordinances; 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, such zoning powers include, among other things, the power of local governments to provide within their respective territorial boundaries for the zoning or districting of property



for various uses and the prohibition of other or different uses within such districts and for the regulation of development and the improvement of real estate within such districts in accordance with the uses of property for which such districts were established.

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

Section 1: The Atlanta Zoning Ordinance, City Code of Ordinances, Part 16 (Zoning), is hereby amended by adding a new Chapter 39 entitled “Emory Parking Overlay District”, which shall read as shown on **Exhibit “A”** attached hereto and incorporated herein by this reference.

Section 2: The Official Zoning Map, as amended, is hereby further amended as shown on **Exhibit “B”**, attached hereto and incorporated herein by this reference.

Section 3: All ordinances or parts of ordinances in conflict with this ordinance are repealed to the extent of any conflict.

Section 4: It is declared the intention of the City of Atlanta that the provisions of any part of this ordinance are severable. If any court of competent jurisdiction shall adjudge any provision of this ordinance to be invalid, such judgment shall not affect any other provision of this ordinance not specifically included in the judgment. If a court of competent jurisdiction shall adjudge invalid the application of any provision of this ordinance to a particular property, development, building or structure, such judgment shall not affect the application of said provision to any other property, development, building or structure not specifically included in said judgment.

A true copy,

Municipal Clerk

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

**AUG 19, 2019
AUG 28, 2019**

2019-44(19-O-1381)

PAGE 2 OF 4



Exhibit A

Chapter 39. – EMORY CAMPUS PARKING OVERLAY DISTRICT

Sec. 16-39.001. - Scope of regulations.

The scope of the regulations set forth in this chapter are the regulations in the Emory Campus Parking Overlay District. The scope of these regulations are as follows:

1. The existing zoning map and underlying zoning regulations governing all properties within the Emory Campus Parking Overlay District shall remain in full force and effect. The regulations contained within this chapter shall be overlaid upon, and shall be imposed in addition to, said existing zoning regulations. Except where it is otherwise explicitly provided, whenever the following overlay regulations are at variance with said existing underlying zoning regulations, the regulations of this chapter shall apply.
2. Whenever the following regulations are at variance with historic district regulations of Part 16, Chapter 20, the more stringent regulations shall apply so not to impact designated historic structures or buildings.

Sec. 16-39.002. Findings and statement of intent.

The intent of this chapter and of the regulations herein is to set forth the maximum parking that may be provided onsite for future development within the Emory Campus Parking Overlay District.

Sec. 16-39.003. Applicability

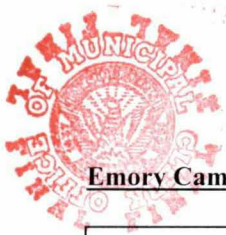
The regulations herein shall affect future development within the Emory Campus Parking Overlay District. Any previously approved developments and/or parking facilities shall not be affected.

Sec. 16-39.004. Off street parking facilities permitted

Parking structures, either principal or accessory use, are permitted within the Emory Campus Overlay District.

Sec. 16-39.005. Off-street parking requirement.

Parking requirements: The maximum number of parking spaces allowed shall be in accordance with the following Emory Campus Parking Overlay District Table:



Emory Campus Parking Overlay District Table

	Parking Spaces	
	Minimum	Maximum
Residential Dwellings/Lodgings		
Hotels and motels (spaces per lodging unit)	None	2.0
Residential Dwellings	None	2 spaces per dwelling unit
Dorms, fraternities, sororities	None	.75 per bed
Non-Residential Uses (Spaces per 1,000 sq. ft. of floor area)		
Eating and Drinking Establishments (not including student or hospital dining)	Underlying zoning controls	Underlying zoning controls
Commercial/Retail (not Eating and Drinking Establishments)	None	2.0
Institutional	None	2.0
Office	None	2.0
Medical Office/Hospital	None	4.5
Recreation/Entertainment	None	2.0

Any administrative variation to increase the allowable parking requirement of this chapter shall be based upon the following criteria:

- User demand based for on campus parking throughout the Emory Campus Parking Overlay District.
- Parking efficiency and utilization for on campus uses throughout the Emory Campus Parking Overlay District.
- Parking available off campus within one-quarter-mile radius.