

Appendix D

Preliminary Zoning Recommendations

1.0 INTRODUCTION

Zoning changes are a critical recommendation of this study because it is only through changes in zoning that the urban design requirements necessary to support walking and transit modes can be realized. In addition, comprehensive zoning changes along the corridor will ensure that property owners and developers are treated similarly throughout the corridor, and held to the same standards of development.

As a corridor study, this plan primarily restricts rezoning recommendations to parcels located directly on or in close proximity to Northside Drive. In some cases, rezoning recommendations may have been extended for a specific reason, such as to incorporate what would have been left a very small area which would be left with different zoning and therefore very difficult to develop, or to give an entire node development consistency.

Generally, the plan recommends using the City of Atlanta Quality of Life (QOL) zoning code for most of the area. The QOL districts require developments to be much more urban in character, with a high degree of consideration for pedestrian infrastructure, safety and comfort, and specify the use of urban design characteristics that favor the development of sustainable, quality, pedestrian-friendly and human-scaled communities.

The zoning changes recommended in this study are intended to balance the community's and stakeholders' wishes for the corridor, market realities, and the current rights of land owners. They are intended to maintain properties values, while enacting controls to support greater pedestrian orientation. Many of the urban design characteristics will increase development costs and challenge the expressed desire to increase affordable or workforce housing. As a result, the study recommends zoning changes that achieve the community's vision while providing an economic incentive to redevelop existing, profitable auto-oriented uses.

It is likely that the design standards recommended by proposed zoning changes could enhance property values. By increasing design requirements and prohibiting suburban-style development, proposed zoning changes raise the bar for new development, protect high quality development, and protect neighborhoods. Without them, there is little incentive for a developer to invest in a street-oriented retail building if the adjacent parcel can compete for the same tenants with a low-grade, lower rent box surrounded by parking.

The zoning proposed is intended as a preliminary framework for addressing zoning issues in the Northside Drive Corridor. Rezoning, particularly for an area as large and diverse as Northside Drive, is a complex process that will require additional feedback from and collaboration with local stakeholders after the plan itself is adopted. This is a preliminary version from where we will begin. During the implementation phase of the plan, there will be continuing opportunities for consultation with affected stakeholders on zoning issues.

2.0 GOALS OF THE ZONING RECOMMENDATIONS

2.1 Allow and Encourage Walking and Transit

As Northside Drive becomes increasingly part of the urban core of Atlanta, it is important that proposed zoning changes gradually eliminate development types that are designed to be accessible only by automobile and increase land uses that favor more urban, pedestrian-oriented buildings. Before this can occur, however, amendments to the City of Atlanta's 15 Year Future Land Use Plan Map and subsequent zoning changes must occur.

2.2 Allow and Encourage Mixed Use Development

Priority actions for this study are to update the 15 Year Future Land Use Plan Map and implement subsequent zoning changes. These actions are intended to codify recommended land uses, urban design standards and streetscape treatments. Land use recommendations focus on increasing the "Mixed-Use" classification in many areas, while zoning changes support use of the pedestrian-oriented Quality of Life Zoning Codes.

2.3 Intensify the Corridor

A primary development policy of the City of Atlanta is to direct the intensification of development, including multifamily residential development of all types, to the underutilized corridors through the city, so as to not encroach on existing single-family residential neighborhoods. This plan accomplishes this primarily by recommending the rezoning of formerly-industrial sites from the I1 and I2 zoning districts (maximum FAR of 2.0 with very limited residential) that have marginal economic sustainability as industrial uses to mixed-use districts such as MRC2 (maximum combined residential and non-residential FAR with bonuses of 2.696) and MRC3 (maximum combined residential and non-residential FAR with bonuses of 3.696).

Most commercially-zoned properties in the corridor already have zoning which permits non-residential densities far in excess of what is currently built. In addition, several sites are recommended to be rezoned from strictly commercial districts (C1, C2, C3) to the Multifamily Residential (MR) Quality of Life district – in most cases to recognize and/or intensify a current multifamily residential use.

2.4 Encourage Concentration of Development at Activity Centers and Transit Stations

A primary condition for sustaining walking and transit transportation modes is the concentration of development within areas easily traversed on foot (generally ¼ mile). This plan accomplishes this by selectively identifying parcels in the immediate vicinity of the identified transit stops (which were chosen based on the location of current activities), and increasing the allowable development intensities there. In cases where identified transit stops are in close proximity to existing single-family neighborhoods, such as Vine

City, English Avenue, Home Park, Loring Heights and Berkeley Heights, such recommended increases were done only selectively.

3.0 ZONING DISTRICTS

The districts called for in this framework are described in the sections below. Details of these districts are also given in Tables D-1, D-2 and D-3, which includes current values and those updated values called for in this plan (see Section 4.0).

3.1 The Mixed Residential/Commercial (MRC) QOL Zoning District

The mixed-use MRC district allows a higher commercial component than residential. However, it does allow mixed use developments that contain significant residential components. Intensity bonuses and other incentives encourage developers to provide on-street parking, new public streets, additional open space, residential balconies, and storefront retail.

Specifics on this zoning district are given in Tables D-1, D-2 and D-3, The plan calls for the use of the MRC2 and MRC3 subdistricts, and for use of certain conditions on the MRC3 district in certain locations (MRC3-C).

MRC2 The MRC2 subdistrict is a medium-intensity mixed use district that allows a maximum non-residential (commercial) FAR of 2.5, plus a residential FAR of 0.696.

MRC3 The MRC3 subdistrict is a higher intensity subdistrict that allows a maximum non-residential FAR of 4.0 plus a maximum residential FAR of 3.2.

MRC3-C When shown in Figures 5-1 and 5-2, “MRC3-C” indicates a special variant (“conditioned” version) of the MRC3 district.¹ To encourage a greater balance of commercial and residential uses, the following conditions are proposed to be added to the MRC3 designation at these locations:

- Non-residential uses, not including live-work and office spaces, are limited to the first 2 stories.
- Sizes of individual retail, restaurant, repair or commercial recreation establishments, and clubs and lodges, shall not exceed 15,000 square feet along busier streets (arterials and collector streets such as Northside Drive, 10th Street, 14th Street, and MLK Boulevard), and 10,000 square feet elsewhere.

¹ Note that these are the same conditions proposed to be used in the Upper Westside LCI Plan for parcels in close proximity.

3.2 The Multifamily Residential (MR) QOL Zoning District

This district is primarily multi-story residential, but allows some commercial uses as long as they are open to the public, serve the general community, and meet similar urban design standards.

MR3 A moderate density district that also serves as a reasonable transition between single-family residential and either higher-density residential or moderate-density commercial districts. Currently the maximum permitted FAR is 0.696, and the district allows condominium, apartment, and townhouse residences up to 80 feet tall.²

MR4A A moderately-high density multi-family district that allows a maximum residential FAR of 1.49 and some commercial uses. The district allows condominium, apartment, and townhouse residences up to 80 feet tall.

MR5A A high density multi-family district that allows a maximum residential FAR of 3.2 and some commercial uses. The district allows condominium, apartment, and townhouse residences up to a height of 150 feet (12-15 stories).

MR5B The MR5B district is very similar to MR5A, however, it has additional height restrictions and is intended to provide a better transition to single-family districts than MR5A by using additional step-down requirements.

3.3 The Office/Institutional (OI) Zoning District

In certain areas, the preliminary recommendations call for the use of the **Office/Institutional (OI)** district. This district, as its name implies, allows office uses and institutional uses, such as schools and churches. It does not permit general retail uses or other commercial uses. The OI district has a maximum FAR of 3.0. It allows residential uses up to a maximum FAR of 3.2. It is not a Quality of Life zoning district.

4.0 RECOMMENDED UPDATES TO QUALITY OF LIFE (QOL) ZONING DISTRICTS (“TEXT AMENDMENTS”)

4.1 Allow Viable Commercial Uses in Multifamily Residential (MR) District MR4A and Allow Continuous Ground-floor Commercial Uses in Districts MR5A, MR5B, and MR6

While most of the recommended land use and urban design requirements can be achieved through use of the City of Atlanta Quality of Life Zoning (QOL) Districts, there is one notable exception. Currently, there is no district for mid-rise uses that are primarily residential on upper floors with continuous ground floor retail and other non-residential uses.

² Although the maximum height is 80 feet in the MR3 district, a maximum FAR of 0.696 will rarely allow buildings of over 2 stories (12-25 feet).

Current MR districts have adequate residential FARs, but a limit of non-residential uses to 5% of floor area prevents the creation of viable neighborhood commercial uses in all but the largest buildings.

A critical recommended update to the **MR4A** district is:

- Increase of the allowable non-residential floor area to 20% of total floor area.

A critical recommended update to the **MR5A**, **MR5B**, and **MR6** districts is:

- Permit non-residential uses only in the first two stories of a building. A free-standing one or two story all non-residential building could be built.

Other recommended updates to the **MR4A**, **MR5A**, **MR5B**, and **MR6** districts are:

- Have the requirement that 10% of units built above an FAR of 0.696 be affordable per the current Quality of Life District definition.
- Limit the sizes of individual retail, restaurant, repair or commercial recreation establishments, and clubs and lodges, to 15,000 square feet along arterials and collector streets and 10,000 square feet elsewhere.
- Provide a sidewalk level Storefront or Residential Treatment. Residential Treatment shall:
 - Provide doors and vertical windows arranged horizontally at the sidewalk-level,
 - Provide windows for a minimum of 30 percent of the total sidewalk-level street facade area, with each façade being calculated independently,
 - Provide porches, stoops, or wheelchair accessibility at each sidewalk level unit entrance, and
 - Prohibit garage doors opening onto the street.
 - Require window frames to be recessed a minimum of two inches from the exterior façade.
 - Prohibit exterior wooden stairs that are visible from the street.
 - Require exterior chimneys to extend to the ground.
 - Require porches to be a minimum of six feet in depth and eight feet in width.
 - Require exterior columns be a minimum width of five and one-half inches.
 - Require foundations be faced in brick, terracotta, stone, masonry with the appearance of brick, terracotta or stone, poured-in-place rubbed concrete, or hard coat stucco.
 - Prohibit parking deck heights that extend beyond the height of adjacent buildings on the same parcel unless said deck is

completely enclosed by a building of equal or greater height.

- Allow parking decks to front the sidewalk for a maximum length of 125 feet, but not exceeding 50 percent of the building façade length.
- Permit administrative variations to all district requirements except Floor Area Ratio and building height regulations.

4.2 Rebalance the MRC2 District to Encourage Mixed-Use

The current MRC2 subdistrict does not contain adequate a base residential floor area ratio (FARs) to support new mixed-use development that contains significant amounts of both non-residential and residential development, especially on sites that are not large. In addition, the affordable housing bonus requirements in the MRC districts are too high to encourage their use. They also contain commercial FARs that are much higher than are appropriate for many areas.

The current MRC2 subdistrict has a base non-residential FAR of 0.696 – the same as the MRC1 subdistrict, while its non-residential base FAR is 2.5 – much higher than the MRC1 subdistrict’s non-residential base of 1.0. It is recommended that the base residential FAR of the MRC2 subdistrict be updated to approximately 1.5, so that it falls midway between the residential FAR values for MRC1 and MRC3.

See Tables D-1, D-2, and D-3 for more information on the QOL zoning districts.

4.3 Update Incentives for Affordable/Workforce/Lifecycle Housing

“Affordable,” “workforce,” and “lifecycle” housing are all critical to supporting the diverse community envisioned for the Northside Drive corridor. However, because of land costs and the nature of the residential housing market, the private sector, left on its own, has failed to meet the demand for this housing type. This said, given market conditions, imposing both mandatory affordable housing requirements and higher development costs associated with street-oriented buildings and streetscapes is not the answer. This will only drive developers to other areas where these requirements do not exist. For this reason, projects with tax abatements or other public supports notwithstanding, the affordable housing bonuses contained in the current Quality-of-Life Zoning Districts are unlikely to ever be utilized anywhere in the city because they require 20% of the entire development, above a given base, to be affordable. The recommendation for the proposed changes to the MR district includes a bonus wherein 10% of the bonus must be affordable. This is a more viable option for developers and would result in affordable units where there are now none.

Even more affordable units could be achieved by expanding the Urban Enterprise Zone, or a similar program, citywide. The program requires 20% of new housing units be affordable, but currently, the program is seen more as a development incentive than an affordable housing tool. Recent real estate trends suggest that the enticing development to depressed neighborhoods is no longer the critical challenge to Atlanta – providing affordable housing is.

5.0 PARCEL-LEVEL ZONING CHANGE RECOMMENDATIONS

5.1 Rezoning Maps

Zoning changes are proposed as shown in Figure D-1 (North Corridor – from I-75 to approximately DL Hollowell Pkwy) and Figure D-2 (South Corridor – from approximately DL Hollowell Parkway to I-20). Colors show current zoning districts, and areas outlined with thick black borders show recommended rezonings. Callout boxes give the recommended new zoning district for each bordered area.

5.2 Assumption of QOL District Updates

New zoning districts (“To: ...”) that are followed by an asterisk (for example, “To: MRC2*”) assume that the changes identified in Section 4.0 of this appendix (Updates to QOL Districts) have been made. In the event that they have not been made, rezonings should be made to the next higher intensity subdistrict within the identified district, and conditions should be added to achieve what is called for in this plan. For instance, if the indicated updates have not been made to the MRC2 district, than all those rezonings shown as “To: MRC2*” should instead rezone to MRC3-C.

5.3 Deering Road Segment Special Conditions

This plan recommends the acquisition of additional right-of-way in the Deering Road segment (I-75 to approximately 17th Street/Atlantic Station) to achieve a total of six travel lanes with center median for transit and automobiles, and 15 feet of right-of-way on both sides of the roadway for pedestrians (5-ft tree planting/street furniture zone plus 10-ft clear zone sidewalk). Rezoning for properties in the Deering Road segment that have frontage directly on Northside Drive will include an additional condition (“-C” appended to zoning district identifier) that will specify a **minimum front yard setback**. This condition will restrict buildings from being sited within the likely area for right-of-way acquisition.

5.4 Properties Located in the Upper Westside LCI Study Area

Properties located on the western side of Northside Drive from Bishop St. to DL Hollowell Pkwy. and from approximately Travis St. to Western Ave., and on the eastern side of Northside Drive from approximately Marietta St. to Western Ave. are located within the rezoning area of the recently-completed and approved Upper Westside LCI Plan -- identified on Figures D-1 and D-2 by a thick blue dashed line. The parcel-specific rezoning proposed for these properties is shown in the figures in order to give the reader a complete picture of proposed zoning in the Northside Drive area. However, this study did not make the specific rezoning recommendations for properties in this area.

NB: Issues regarding proposed rezoning of parcels within the Upper Westside LCI plan area should be directed to the project manager for the Upper Westside LCI Project within the Bureau of Planning.

Table D-1. Recommended Zoning Districts -- Permitted Uses

Note that where updates to specifics are proposed by this plan, both the existing values and recommended new values are given. This table is given as a reference for the purpose of evaluating preliminary zoning recommendations of the Northside Drive Corridor Study only. It is not intended as a substitute for the Zoning Ordinance of the City of Atlanta and may not be accurate.

P = Permitted	SUP = Permitted with Special Use Permit
P* = Permitted, up to 5% of total building area	SAP = Permitted with Special
P** = Permitted with restrictions (see zoning code)	Administrative Permit
P(X) = Permitted, up to X square feet	X = Not permitted

	MRC2/3	MR3	MR4A	MR5A/B	OI
Single-family dwellings	P	P	P	P	P
Two-family dwellings	P	P	P	P	P
Multi-family dwellings	P	P	P	P	P
Group homes	SUP	X	X	X	P
Rooming houses	SUP	X	X	X	P
Single room occupancy residences	SUP	X	X	X	P
Dormitories	SUP	X	X	X	P
Park-for-hire surface lots	SUP	X	X	X	X
Park-for hire decks	P	X	X	X	X
Automobile service stations	P	X	X	X	X
Gas stations	P	X	X	X	X
Repair garages, paint and body shops	P	X	X	X	X
Truck stops	SUP	X	X	X	X
MARTA structures	P	P	P	P	P
Helicopter landing facilities	SUP	X	X	X	SUP
Telecommunications switchboards	P	X	X	X	X
Broadcasting towers lower than 70 feet in height	SAP	X	X	X	SAP
Broadcasting towers greater than 70 feet in height	SUP	X	X	X	SUP
Bakeries and catering establishments	P	P*(2,000)	P*(2,000)	P*(4,000)	X
Dry cleaning collection stations	P	P*(2,000)	P*(2,000)	P*(4,000)	X
Dry cleaning facilities	P	X		X	X
Laundromats	P	P*(2,000)		P*(4,000)	X
Tailoring and dressmaking	P	P*(4,000)		P*(4,000)	X
Banks	P	X	X	X	X
Automatic teller machines	P	X	X	X	X
Barber shops, beauty shops, nail shops	P	P*(2,000)	P*(4,000)	P*(4,000)	X
Photocopying or	P	X	X	X	X

	MRC2/3	MR3	MR4A	MR5A/B	OI
blueprint shops					
Retail establishments	P	X	X	X	X
Sales and repair establishments	P	P*(4,000)	P*(4,000)	P*(4,000)	X
Plumbing, air conditioning service and repair	P	X	X	X	X
Grocery stores	P	X	X	X	X
Hotels	SUP	X	X	X	P**
Mortuaries and funeral homes	P	X	X	X	X
New and used car sales	P	X	X	X	X
Nursing homes and convalescent centers	P	X	X	X	SUP
Restaurants, bars	P	P*(4,000)	P*(8,000)	P*(8,000)	X
Theaters	P	X	X	X	X
Bowling alleys	SUP	X	X	X	X
Poolrooms and amusement arcades	SUP	X	X	X	X
Museums, art galleries, libraries	P	P*(8,000)	P*(8,000)	P*(8,000)	P
Bingo parlors	SUP	X	X	X	X
Adult businesses	X	X	X	X	X
Outdoor amusement enterprises	SUP	X	X	X	SUP
Offices, studios	P	P*(8,000)	P*(8,000)	P*(8,000)	P
Clinics	P	X	X	X	P**
Professional or service establishments	P	X	X	X	X
Childcare centers and kindergartens	P	X	X	X	P
Clubs and lodges	P	X	X	X	P
Colleges and universities	P	X	X	X	P
Business or commercial schools	P	X	X	X	P
Public schools	P	P	P	P	P
Private schools	P	X	X	X	P
Churches and synagogues	SUP	X	X	X	P**/SE**
Community centers	SUP	X	X	X	P
Light manufacturing	X	X	X	X	X
Commercial greenhouses	P	X	X	X	X
Security storage centers	P	X	X	X	X
Hospitals	SUP	X	X	X	P

Table D-2. MRC, C, I Zoning Districts – Development Intensities

		DISTRICT							
		MRC1	MRC2	MRC3	C1	C2	C3	I1	I2
FAR - Residential		0.696	Cur: 0.696 Upd: 1.5	3.2	0.696	0.696	3.2	N/A	N/A
FAR - Nonresidential		Cur: 1.0 Upd: 1.5	2.5	4.0	2.0	3.0	5.0	2.0	2.0
FAR - Total Combined		2.196	4.0	7.2	2.696	3.696	8.2	2.0	2.0
FAR – Total With Bonuses		3.196	4.5	8.2	No Bonuses				
Min Total Open Space (Residential)		NA			See Table I -- Land Use Intensity (LUI) Table in Zoning Ordinance				
Min Public Space - Nonresidential		Less than 0.5 acres: 10% Greater than 0.5 acres: 20%			NA				
Minimum Façade Height		24'			None				
Maximum Building Height^	<100'	35'			None		225'	None	
	<300'	52'	52'						
	>300'	225'	225'	225'					
Transitional Height Plane^^		YES			YES				
Front Setback		None			10'	10'	10'	40'	40'
Minimum Sidewalk Width (incl tree planting zone)		15'			None				
Minimum Supplemental Zone Supplemental Width		Local street : none Collector/Arterial street: 5'			None				

Note:

^ Within specified distance of residential districts

^^ Applies when this district adjoins R, R-G 1, R-G 2, MR-1, MR-2, RLC or PD-H districts with a height limitation less than the subject district .

Table D-3. MR, RG Zoning Districts – Development Intensities

	MR3	MR4A	MR5A/B	RG3	RG4	OI
FAR - Residential	0.696	1.49	3.20	0.696	1.49	3.2
Maximum Nonresidential	None	Current: 5% Proposed: 20%	Current: 5% Proposed: Unlim. on 1 st /2 nd stories	None		3.0

Figure D-1: Preliminary Zoning Recommendations (North Corridor)

Figure D-2: Preliminary Zoning Recommendations (South Corridor)