

TEXT AMENDMENT ORDINANCE

Explore the past, present, and potential future of zoning in Atlanta at atlcitydesign.com/acdhousing

INTRODUCTION

City of Atlanta Ordinance 21-O-0456 (the “Text Amendment Ordinance”) includes policies recommended in Atlanta City Design Housing to create more affordable housing, lower housing production costs and car dependency, and create more housing options at a variety of price points throughout the city.

SECTION 1: SMALL, AFFORDABLE APARTMENTS

What does the “affordable housing near transit” section of the ordinance do?

The ordinance amends the MR-MU zoning district:

- **Reduces** by-right unit allowance from 4–12 to 1–4 to allow more variety of housing types at a smaller scale in MR-MU
- **Creates** an affordable housing density bonus:
 - 5–8 units could be constructed if either
 - 1 rental unit is rented at 60% AMI, or
 - 1 for-sale unit is sold at 80% AMI
 - 9–12 units could be constructed if either
 - 2 rental units are rented at 60% AMI, or
 - 2 for-sale units are sold at 80% AMI
- **Updated Development Control:**
 - **Changes** min. lot size from 2,000 to 5,000 sqft.
 - **Changes** min. street frontage from 25 ft to 40 ft.
 - **Adds** front setback of 25 ft (could be shorter if block has shorter setbacks)
 - **Adds** lot coverage max of 75%
 - **Adds** front porch requirement
 - **Keeps** 35ft height limit

What are small apartment buildings?

Small apartments are buildings with 12 or less housing units that can either be attached within a single structure or contained within several smaller detached structures, such as with Cottage Courts. These are most commonly associated with the MR-MU zoning district.

What is a density bonus?

A density bonus is a tool in the zoning code that allows for a property to increase in density in exchange for some type of public good. The proposed policy would allow MR-MU zoned properties to build small apartment buildings of up to 12 units of housing on a lot in exchange for providing affordable housing.

What does this mean for Atlanta?

The ordinance—together with ordinance 21-O-0454 (which rezones certain 1- and 2- family parcels in R4, R4A, and R5 districts near MARTA stations to MR-MU)—would help increase overall housing supply near transit while also ensuring that this new development includes dedicated affordable housing. MR-MU district is designed to support “missing middle” housing that includes greater affordability in a design that integrates well into the existing character of residential neighborhoods.

EXAMPLES OF SMALL APARTMENT BUILDINGS AND COTTAGE COURTS IN (OR NEAR) ATLANTA



SECTION 2: REMOVE RESIDENTIAL PARKING MINIMUMS

What are residential parking minimums?

The City of Atlanta requires that residential properties have a minimum number of parking spaces. These requirements, called “parking minimums,” were originally designed to ensure abundant parking but now contribute to soaring housing costs and a far greater supply of parking than is needed. These requirements also reinforce a pattern of car dependency, which can add significant costs to households that have limited access to alternative transportation options.

Residential parking minimums can increase the cost of housing construction in areas where residents do not want or need additional parking—or the associated costs.

What does the “remove residential parking minimums” section of the ordinance do?

The ordinance eliminates minimum residential parking requirements in all of the city’s primary zoned districts, except R1-R3, meaning there would be no requirement to create parking for residential uses in the vast majority of the city.

What does the “remove residential parking minimums” section of the ordinance not do?

The ordinance doesn’t impact existing parking requirements for non-residential uses (i.e. commercial, retail), Special Public Interest (SPI) districts, R1–R3 districts and other special zoning districts. It also doesn’t change existing parking maximums in any zoning district.

What does this mean for Atlanta?

Current residential parking minimums add significant cost to new housing development in Atlanta. This added cost directly impacts the cost of housing construction. And the cost to add required parking to large apartment buildings can be as much as the price to build a new unit in the building. These costs are normally passed on to renters and homeowners in their monthly rent or through an additional parking fee.

By eliminating residential parking minimums, the cost to produce housing can be lowered, which in turn can allow for more affordable rents and housing purchase prices. The market, rather than government regulation, would determine the amount of parking spaces that are needed.



Parking deck for a large apartment building in Midtown

COST OF PARKING GARAGE CONSTRUCTION (PER PARKING SPOT)

\$40K
/SPACE

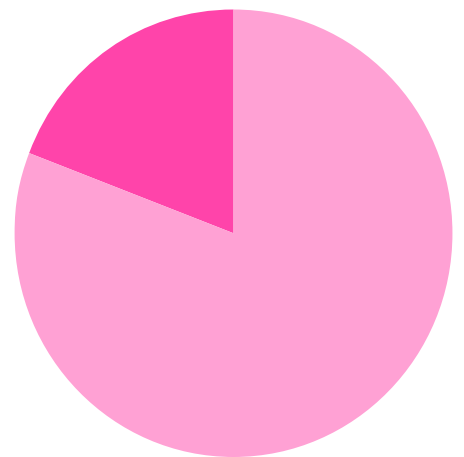
\$125
/MONTH

\$4
/DAY



19%
OF LAND IN
CITY DESIGN
GROWTH AREAS
IS DEDICATED
TO SURFACE
PARKING LOTS

SOURCE: CITY OF ATLANTA, 2021



SECTION 3: CREATE MORE FLEXIBLE OPTIONS FOR ADUs

What are “Accessory Dwelling Units” or “ADUs”?

Accessory Dwelling Units (ADUs), also called basement apartments, granny flats, carriage houses and garage apartments, are small residential units that are accessory to the main dwelling unit. ADUs can be attached to the main dwelling unit, such as with the conversion of a basement or attached garage into a dwelling unit. They can also be detached, that is, constructed as a separate smaller dwelling unit located on the same parcel as the main housing unit.

What does the ADU section of the ordinance do?

The ordinance expands the types and designs of ADUs that can be constructed in the city and the areas where they can be built. The ordinance:

- **Allows** ADUs to be attached to the main dwelling (50% of main or 1000 sq ft).
- Adds ADUs to R4B (1 ADU max)
- **Allows** 3 total units in R5: i.e. Duplex + ADU, Single-Fam + 2 ADUs
- **Allows** for-sale ADUs while preserving original ‘parent’ lot controls.
- **Increases** detached ADU height from 20ft to 24ft
- **Changes** ADU rear and side setback in R4/R4A/R4B to 4ft (already in R-5).
- **Removes** language that excludes ADUs from FAR calculation.
- **Updates** allowable size to 1000 sqft. max for detached ADUs. Removes ‘or 30% of main dwelling’ language
- **Updates** for-sale ADU language to clarify that only 1 zero-lot-line is allowed per lot



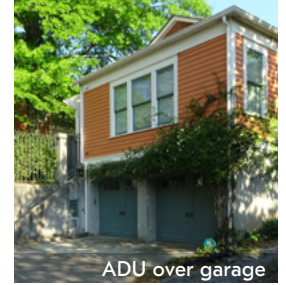
ADUs in Grant Park



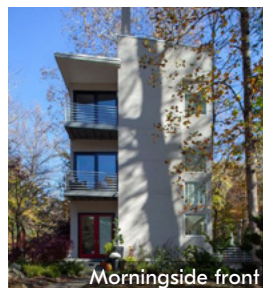
Over-under basement unit in O4W



Attached ADU in Midtown



ADU over garage



Morningside front



Morningside rear basement unit

What does the ADU section of the ordinance not do?

The ordinance amends the types of configuration options for ADU construction in R4–R5 districts but would not substantially change the allowable uses already allowed in these districts (except for adding ADU allowance in R4B).

The ordinance would only allow a single ADU to be built on parcels that contain a main, single-family, stand-alone home; in R-5 districts the ADU could be built on the same parcel as a duplex. It would not impact or allow for the construction of any other type of housing structure that is not already permitted.

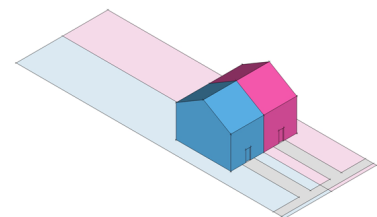
The ordinance does not allow ADUs in the city’s R1–R3 single-family districts.

How would for-sale ADUs work?

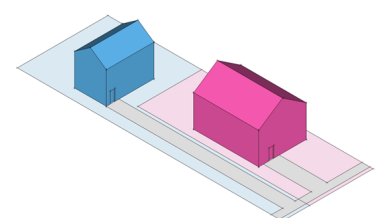
ADUs could allow for ownership by using a provision in the zoning code called ‘zero-lot-line’. This is currently used in the R5 district to allow each side of a duplex to be sold separately. It allows two the units to be separated for ownership purposes only, but keeps the existing controls on the parcel.

- Zero-lot-line allows for separate ADU ownership but the original ‘parent lot’ development controls still govern the whole property.
- It is **NOT** a formal subdivision.
- This is already used regularly in R5 for duplexes in Atlanta.
- Allowing zero-lot-line for detached ADUs would:
 - Make ADU construction easier to finance (because ADU could be collateralized)
 - Create more affordable ownership opportunities

EXISTING DUPLEX ZERO-LOT-LINE



PROPOSED ADU ZERO-LOT-LINE



What does this mean for Atlanta?

ADUs increase the diversity of housing options for residents by providing the opportunity for smaller homes on the lot of larger ones. This can be helpful for multigenerational living, increasing low-cost housing in Atlanta, increasing the economic diversity of neighborhoods, and adding gentle density to single-family neighborhoods.

