

ATLANTA ZONING DIAGNOSTIC

COMMUNITY PRESENTATION

JANUARY 11-12, 2016



[**canvas**] PLANNING GROUP

the
ZOECKLER
firm



THE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

SCHEDULE

MONTH	TASK
OCTOBER 2015	Best Practices, Case Studies, Strengths & Weaknesses, CDP Assessment, Legal Assessment, Stakeholder Interviews
NOVEMBER 2015	
DECEMBER 2015	
JANUARY 2016	Public Meetings, Identification of Short-Term Fixes, Summary of Stakeholder Input
FEBRUARY 2016	Final Recommendations on Code Structure, Topics/Issues to be Addressed in new Code
MARCH 2016	
APRIL 2016	Final Community/Stakeholder Presentations

STRENGTHS + WEAKNESSES

STRENGTHS

- Open space and public space is required in most districts
- The City allows neighborhood-specific use tailoring in NC, SPIs, and historic districts
- Non-residential zoning districts have buffering provisions that protect adjacent single-family neighborhoods from the impacts of more intense development patterns
- Industrial districts assure that manufacturing is allowed in the city
- Historic and conservation districts have preserved many of the city's historic resources
- NPUs enable broad-based community participation in zoning matters across the city

STRENGTHS + WEAKNESSES

STRENGTHS

- Individual zoning districts contain regulations for the district within the district text
- Newer SPIs, Quality of Life Districts, BeltLine Overlay, and Historic Districts have implemented a high quality of urban design that conforms with City policies
- Many districts allow compact, mixed-use developments or neighborhoods
- Some districts have no or very low on-site parking minimums, which can reduce driving and make efficient use of land
- Atlanta has strong bicycle parking requirements in many areas of the city

STRENGTHS + WEAKNESSES

WEAKNESSES

- Urban design requirements are repeated in many places across the Zoning Ordinance
- Streetscape requirements are usually tied to the zoning district and not the street type
- Parking requirements can result in the demolition or under-utilization of historic buildings
- Coordination could be improved between the Tree Ordinance, the Post-Development Storm Water Management Ordinance, other regulations, and the Zoning Ordinance
- FAR is poor at regulating the form of development
- The City lacks many modern use definitions

STRENGTHS + WEAKNESSES

WEAKNESSES

- There are many disjointed TDR provisions that are bulky and complex to use effectively
- Single-family residential districts do not facilitate the pattern and character of older established neighborhoods
- The various procedures and committees within the city is confusing and inconsistent
- The SAP process has exceeded the administrative capacity of the city to review it
- Zoning conditions placed on projects by neighborhoods and NPUs are often used to compensate for weak code provisions and can be difficult to administer

CDP ASSESSMENT

THE NEW ZONING CODE MUST...

- Address affordable housing and assisted living goals
- Protect the character of neighborhoods that are outside of Historic Districts
- Dis-incentivize surface parking facilities, single-use development and incentivize transit-supportive densities and pedestrian-oriented design for new development
- Create a new mixed use zoning district that facilitates light manufacturing and working uses with residential uses (aka a Live Work District)
- Provide transit-supportive zoning regulations at all existing and planned transit stations
- Ensure a greater variety of housing options are provided for in residential zoning districts
- Provide quality urban design controls and mixed use allowance in neighborhood commercial nodes and larger commercial districts
- Lower commercial development densities in exchange for greater residential development densities along certain thoroughfares
- Utilize graphic illustrations to better communicate regulations

WHAT WE'VE HEARD

PUBLIC PROCESS

- The process is too confusing!
- The role of the NPU is unclear and inconsistent across the city
- Growing number of new review committees further complicates the process

CODE STRUCTURE + ADMINISTRATION

- Utilize technology to make the code easier to use and understand
- The Code is not user –friendly; it's hard to find things and written in “legalese”
- Planning staff is under-staffed
- We need more/better/more consistent enforcement!!

ZONING DISTRICTS

- There are too many districts
- Zoning regulations do not match the built patterns of many neighborhoods
- Need greater consistency in terms, definitions, and calculations across districts

WHAT WE'VE HEARD

USES

- Provide modern uses and make sure they're all defined
- How can the Zoning Ordinance support affordable housing needs?

SITE + BUILDING DESIGN

- Reflect the actual built patterns of Atlanta's neighborhoods (and reduce the need for variances in the process)
- Unify design standards into a single location
- Delineate areas of the city that should have heightened design regulations

OTHER CODES + DEPARTMENTS

- Coordinate the Zoning Ordinance with other regulations/entities such as FEMA
- Align the Zoning Ordinance with the subdivision regulations to make sure elements such as streetscapes, sidewalks, new streets and block sizes are consistent

BEST PRACTICES

CONVENTIONAL APPROACH

Focuses on segregating land-use types, permissible uses, and the control of development intensity through simple numerical parameters.

FORM-BASED APPROACH

Regulates the physical elements of development such as building types, massing, parking, streetscapes, and building design.



CVS Pharmacy – East Haven, CT



Davidson, NC

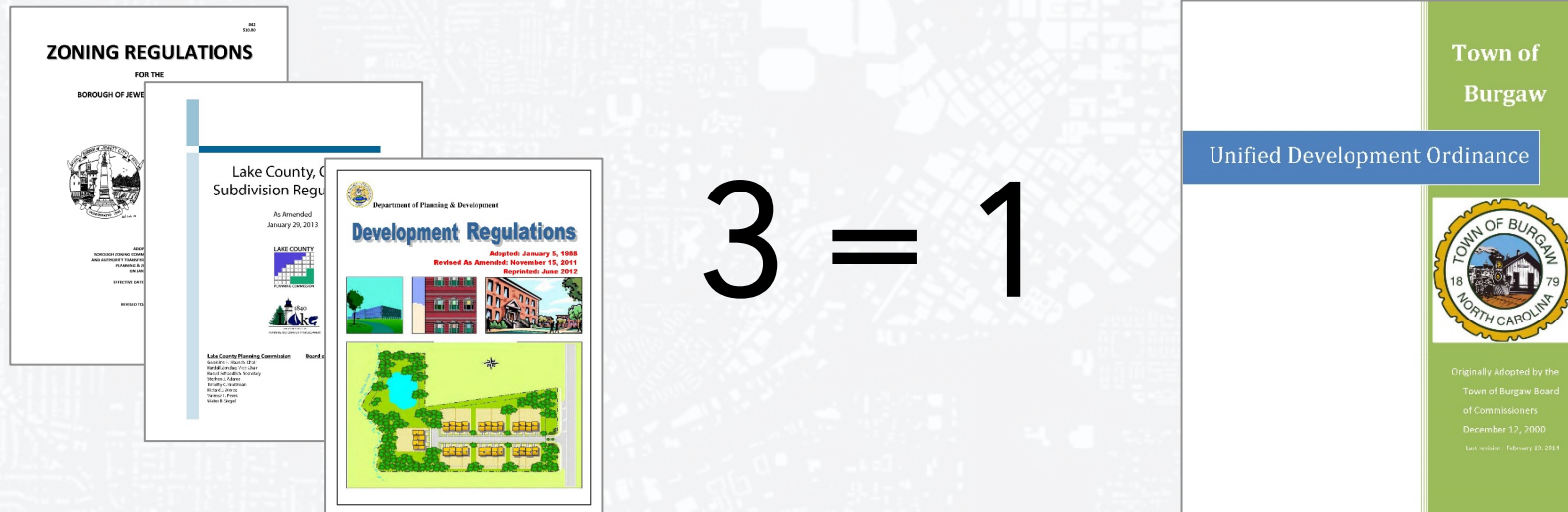
BEST PRACTICES

HYBRID APPROACH

A code that allocates land use zones and development controls with the application of form-based elements in designated areas where they are most beneficial.

UNIFIED DEVELOPMENT CODES

The unification of various ordinances that shape development into a single document (i.e. Storm Water, Erosion Control, Flood Protection, Tree Protection, etc.).



CASE STUDIES

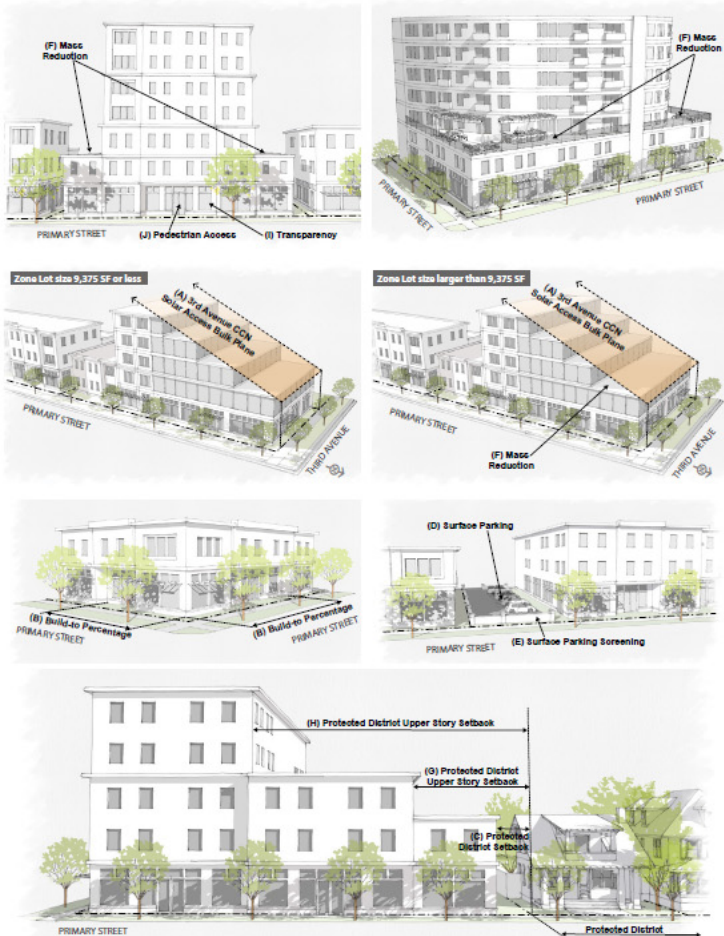
DENVER, COLORADO



DENVER

TYPE OF CODE	Hybrid
ADOPTED	2010
OVERHAUL DURATION	2005-2010
CONSULTANT FEES	\$850,000
NUMBER OF STAFF	Increased over time
PREVIOUS OVERHAUL	1956
NEIGHBORHOOD CONTEXTS	7
LAND EXCLUDED FROM ZONING MAP AMENDMENTS	22.5
STAFF MEMBERS ON TECHNICAL REVIEW COMMITTEE	45
STAKEHOLDERS/PUBLIC MEETINGS IN YEAR OF ADOPTION	200+

D. Cherry Creek General


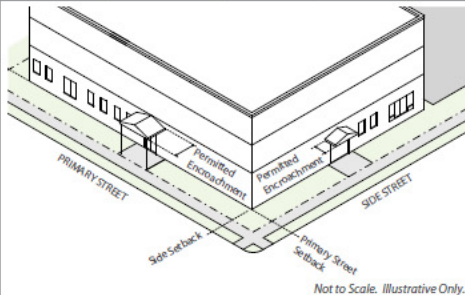



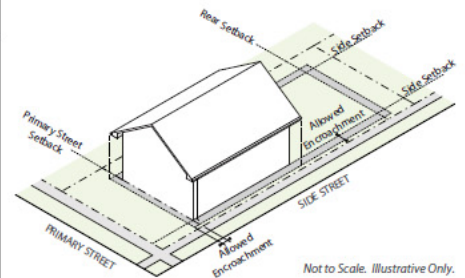
CHERRY CREEK GENERAL

HEIGHT	C-CCN-3	C-CCN-4	C-CCN-5	C-CCN-7	C-CCN-8	C-CCN-12
Stories (max)	3	4	5	7	8	12
Feet (max)	45'	57'	70'	96'	110'	150'
3rd Avenue CCN Bulk Plane Applies (see Article 13, Division 13.1)	Yes	Yes	Yes	Yes	Yes	Yes
Height Exceptions	See Section 7.3.7.1					


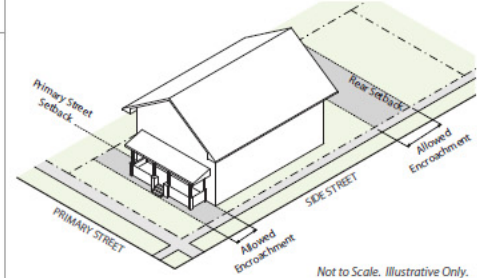
SITING	C-CCN-3	C-CCN-4	C-CCN-5	C-CCN-7	C-CCN-8	C-CCN-12
REQUIRED BUILD-TO						
B Primary Street (% within min/max)	70% 5'/15'	70% 5'/15'	70% 5'/15'	70% 5'/15'	70% 5'/15'	70% 5'/15'
SETBACKS						
Primary Street (min)	5'	5'	5'	5'	5'	5'
Side Interior (min)	0'	0'	0'	0'	0'	0'
C Side Interior, adjacent to Protected District (min)	10'	10'	10'	10'	10'	10'
Rear, alley and no alley (min)	0'	0'	0'	0'	0'	0'
Rear, adjacent to Protected District, alley/no alley (min)	0'/10'	0'/10'	0'/10'	0'/10'	0'/10'	0'/10'
Setback Exceptions and Encroachments	See Sections 7.3.7.3 and 7.3.7.4					
PARKING						
D Surface Parking between building and Primary Street	Not Allowed					
E Surface Parking Screening Required	See Article 10, Division 10.5					
Vehicle Access	See Section 7.3.5.2					

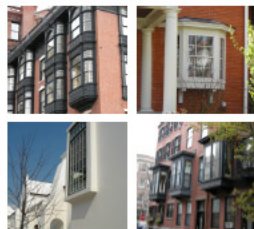
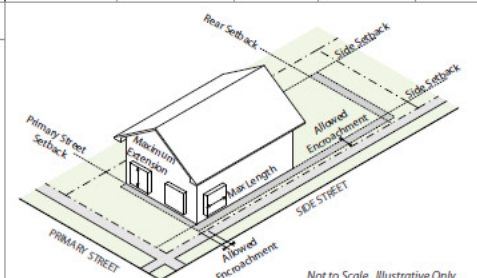
DESIGN ELEMENTS	C-CCN-3	C-CCN-4	C-CCN-5	C-CCN-7	C-CCN-8	C-CCN-12
BUILDING CONFIGURATION						
F Mass Reduction where Zone Lot Size is greater than 9,375 square feet (min)	25%	25%	25%	25%	25%	25%
Mass Reduction where Zone Lot Size is 9,375 square feet or less, as of October 27, 2014 (min)	na	na	na	na	na	na
Upper Story Setback Above 27', adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)						
G	20'/25'	20'/25'	20'/25'	20'/25'	20'/25'	20'/25'
Upper Story Setback Above 51', adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)						
H	na	35'/40'	35'/40'	35'/40'	35'/40'	35'/40'
STREET LEVEL ACTIVATION						
I Transparency, Primary Street (min)	60%					
J Pedestrian Access, min 1 per building	Entrance					
USES						
All C-CCN						
All permitted Primary Uses shall be allowed within this building form. See Division 7.4 Uses and Parking						

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Canopies providing cover to an entrance: The width shall be no greater than 25% of the width of the face of the building or 20', whichever is less; and Shall be open on three sides. Intent: Provide protection from the weather for pedestrians entering the building and define street entrances to the building.	All S- Zone Districts, except S-SU and S-TH	Any distance	Any distance	Not allowed	Not allowed
 Illustrative only	 Not to Scale. Illustrative Only.				

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Gutters and Roof Overhang	All S- Zone Districts	3'	3'	3'; if setback is less than 5': 2'	5'
Intent: To allow features of structures intended to repel weather	 Illustrative only				
	 Not to Scale. Illustrative Only.				



	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Porches (1 story or multi-story), Decks, Patios, Exterior Balconies, Stoops, and above-grade stairways at the ground story connected to a porch: May be covered; All sides shall be at least 50% open except for any side abutting a building facade. Intent: To promote elements which provide for street activation.	All S- Zone Districts	8' and minimum of 1' between right-of-way and first riser of above-grade stairway	5' and minimum of 1' between right-of-way and first riser of above-grade stairway	Not allowed	5'
 Illustrative only	 Not to Scale. Illustrative Only.				

	ZONE DISTRICTS	PRIMARY STREET	SIDE STREET	SIDE INTERIOR	REAR
Projecting Windows: Shall be a minimum of 1.5' above finished floor; Shall not extend floor to ceiling; and No individual projection shall be more than 10' in horizontal length at the opening along the face of the building. Intent: To allow for improved interior daylighting.	All S- Zone Districts	1.5'	1.5'	Not allowed	1.5'
 Illustrative only	 Not to Scale. Illustrative Only.				

CASE STUDIES

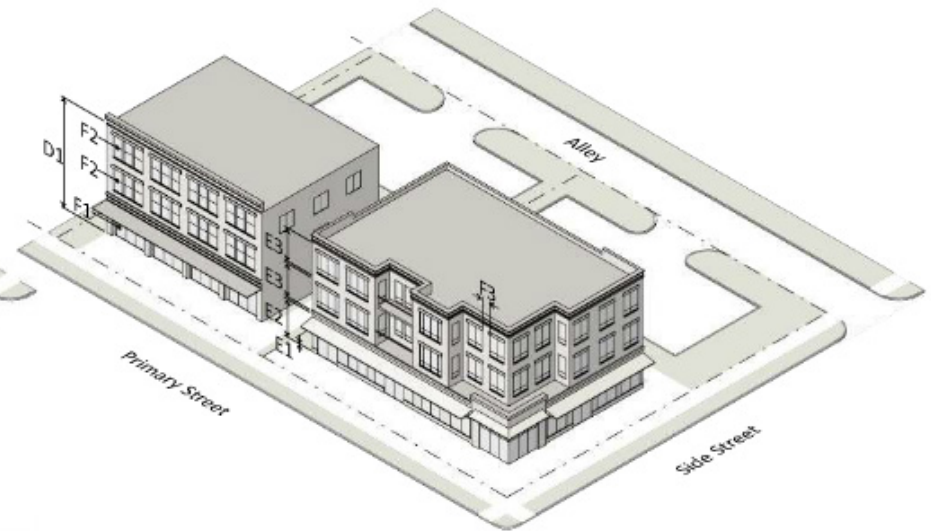
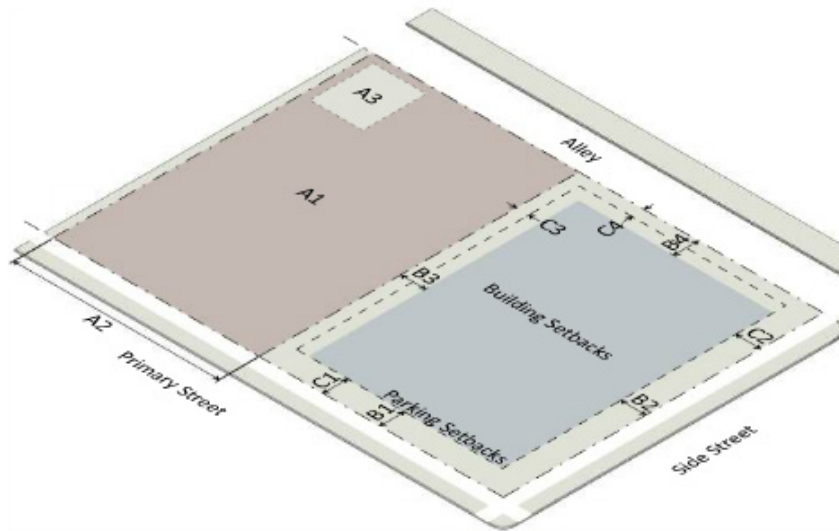
RALEIGH, NORTH CAROLINA



RALEIGH

TYPE OF CODE	Hybrid
ADOPTED	2013
OVERHAUL DURATION	2009-2013
CONSULTANT FEES	\$500,000
NUMBER OF STAFF	20 at peak/5 core team
DISTRICTS ELIMINATED OR CONSOLIDATED	21
STAKEHOLDERS/PUBLIC MEETINGS IN YEAR OF ADOPTION	50
MINIMUM OPEN SPACE REQUIREMENT IN HIGH DENSITY DISTRICTS	10% of building sqft
CONTACT	travis.crane@raleighnc.gov

Sec. 3.2.6. Mixed Use Building



	OP-, OX- NX-, CX-, IX-	DX-
A. Lot Dimensions		
A1 Area (min)	n/a	n/a
A1 Area (max)	10 acres (NX- only)	n/a
A2 Width (min)	n/a	n/a
A3 Outdoor amenity area (min)	10%	10%
B. Building/Structure Setbacks		
B1 From primary street (min)	5'	3'
B2 From side street (min)	5'	3'
B3 From side lot line (min)	0' or 6'	0' or 6'
B4 From rear lot line (min)	0' or 6'	0' or 6'
B4 From alley (min)	5'	5'
C. Parking Setbacks		
C1 From primary street (min)	10'	10'
C2 From side street (min)	10'	10'
C3 From side lot line (min)	0' or 3'	0' or 3'
C4 From rear lot line (min)	0' or 3'	0' or 3'

	OP-, OX- NX-, CX-, IX-	DX-
C4 From alley (min)	5'	5'
D. Height		
D1 Principal building (max)	Set by district	Set by district
D2 Accessory structure (max)	25'	25'
E. Floor Heights		
E1 Ground floor elevation (min)	0'	0'
E2 Ground story height, floor to ceiling (min)	13'	15'
E3 Upper story height, floor to ceiling (min)	9'	9'
F. Transparency		
F1 Ground story (min)	50%	66%
F2 Upper story (min)	20%	20%
F3 Blank wall area (max)	20'	20'
G. Allowed Building Elements		
Balcony		
Gallery, awning		

See Sec. 1.5.11. for specific building element requirements.

USE CATEGORY Specific Use	RESIDENTIAL					MIXED USE							SPECIAL					Definition/ Use Standards
	R-1	R-2	R-4	R-6	R-10	RX-	OP-	OX-	NX-	CX-	DX-	IX-	CM	AP	IH	MH	CMP	
PUBLIC & INSTITUTIONAL																		
CIVIC, EXCEPT AS LISTED BELOW:	L	L	L	L	L	P	P	P	P	P	P	P	--	P	P	--	P	Sec. 6.3.1.A. & E.
Cemetery	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	--	L	Sec. 6.3.1.B.
College, community college, university	--	--	--	--	--	--	P	P	--	P	P	P	--	--	--	--	P	Sec. 6.3.1.C.
School, public or private (K-12)	L	L	L	L	L	L	L	L	L	L	L	L	--	L	--	--	L	Sec. 6.3.1.D.
PARKS, OPEN SPACE AND GREENWAYS	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 6.3.2.A.
MINOR UTILITIES	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 6.3.3.A.
MAJOR UTILITIES, EXCEPT AS LISTED BELOW	--	--	--	--	--	--	--	--	--	--	--	S	--	--	S	--	--	Sec. 6.3.3.B.
Telecommunication tower (<250 ft)	L	L	L	L	L	L	L	L	L	L	L	L	--	L	L	L	L	Sec. 6.3.3.C.
Telecommunication tower (≥250 ft)	S	S	S	S	S	S	S	S	S	S	S	S	--	S	S	S	S	Sec. 6.3.3.D.
COMMERCIAL																		
DAY CARE, AS LISTED BELOW:																		Sec. 6.4.1.A.
Day care, home	L	L	L	L	L	L	--	L	L	L	L	L	--	L	--	L	L	Sec. 6.4.1.B.
Day care center	S	S	S	S	S	S	L	L	L	L	L	L	--	--	--	S	L	Sec. 6.4.1.C.
INDOOR RECREATION, EXCEPT AS LISTED BELOW:	--	--	--	--	--	--	--	--	P	P	P	P	--	--	--	--	P	Sec. 6.4.2.A.
Adult establishment	--	--	--	--	--	--	--	--	--	S	S	S	--	--	S	--	--	Sec. 6.4.2.B.
Health club	--	--	--	--	--	L	P	P	P	P	P	P	--	--	--	--	--	Sec. 6.4.2.C.
Sports academy	--	--	--	--	--	--	--	P	P	P	P	P	--	--	--	--	--	Sec. 6.4.2.D.
MEDICAL	--	--	--	--	--	L	P	P	P	P	P	P	--	--	--	--	P	Sec. 6.4.3.A. & B.
OFFICE	--	--	--	--	--	L	P	P	P	P	P	P	--	--	--	--	P	Sec. 6.4.4.A. & B.
OUTDOOR RECREATION, EXCEPT AS LISTED BELOW:	--	--	--	--	--	--	--	--	--	P	P	P	--	--	--	--	P	Sec. 6.4.5.A.
Golf course	L	L	L	L	L	--	--	--	--	P	--	P	--	--	--	--	P	Sec. 6.4.5.B.
Outdoor sports or entertainment facility (≤250 seats)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	--	P	P	Sec. 6.4.5.C.
Outdoor sports or entertainment facility (>250 seats)	S	S	S	S	S	S	S	S	S	S	S	S	--	S	S	S	S	Sec. 6.4.5.C.
Riding stables	L	--	--	--	--	--	--	--	--	--	--	L	--	L	--	--	--	Sec. 6.4.5.D.

Key: P = Permitted Use L = Limited Use S = Special Use -- = Use Not Permitted

CASE STUDIES

PHILADELPHIA, PENNSYLVANIA



PHILADELPHIA

TYPE OF CODE	Hybrid
ADOPTED	2012
OVERHAUL DURATION	2008-2012
CONSULTANT FEES	\$750,000 (+\$250k for staff)
NUMBER OF STAFF	2 full-time
PAGES OF CODE REDUCED	258
DISTRICTS ELIMINATED OR CONSOLIDATED	44
CITIZENS PARTICIPATING IN THE PROCESS	3,400
NUMBER OF PUBLIC MEETINGS	Over 100

The Basics of Zoning in Philadelphia

EVEN THE MOST COMPLEX PROJECTS DESERVE A SIMPLE OVERVIEW

Summary Table of Decision-Makers

TYPE OF APPLICATION	ADVISORY AND DECISION-MAKING AUTHORITY				
	✓ = Decision-making authority				
	L&I	Zoning Board	Planning Commission	Civic Design Review Committee	City Council
Zoning Permit	✓				
Special Exception		✓	(advisory)		
Variance		✓	(advisory)		
Subdivision			✓		
Civic Design Review				(advisory)	
Zoning Map Amendment			(advisory)		✓
Minor Master Plan Amendment			✓		
Major Master Plan Amendment			(advisory)		✓



My Project is By-Right

JUST ONE GO-AHEAD AND YOU'RE GOOD TO GO

Q: What should I do if L&I determines my project is not "By-Right?"

A: L&I will issue a refusal to the application. If a refusal is issued, the applicant has two options:

Option 1: Revise the application to bring it into compliance.

Option 2: Appeal L&I's decision to the Zoning Board and request a variance. Go to Chapter 4 (Variances).

In this chapter, you will learn how to obtain approval of a by-right project, as well as which projects are not by right.

The Step-by-Step Process

Step 1.

Apply for a zoning permit at the Department of Licenses & Inspections (L&I). Bring all of the required application materials. Use the **Zoning Permit Application Checklist** in Part B of the manual to help keep track of the submittals.

Step 2.

L&I confirms whether the project needs Civic Design Review. If the project needs Civic Design Review, L&I cannot issue a zoning permit until the applicant completes Chapter 6 (Civic Design Review). Go to Chapter 6 before continuing on to Step 3.

Step 3.

L&I reviews the application to confirm that it satisfies all of the zoning provisions of the base district and any applicable overlay districts.

Finish.

L&I has determined that the application complies with the Zoning Code. L&I will approve and issue a permit. Post a copy of the permit on the property for 30 days. The permit application will be valid for 3 years (or 6 months, if the application is for a change of use only). If the applicant does not start construction (or apply for a Certificate of Occupancy if the application is for a change of use only) within this timeframe, the zoning permit will expire. The applicant can ask for 1 one-year extension if more time is needed.

Chapter 2

The "Two-Step" Permit Option for Civic Design Review

L&I offers a two-step zoning permit option for Civic Design Review projects that do not require a special exception or variance approval. In the first step, the applicant submits an application for a "conditional zoning permit." The conditional zoning permit provides early confirmation that a zoning application will comply with the use, dimensional, and parking requirements of the Zoning Code. In the second step, the applicant submits a full zoning permit application that attaches the building design, landscape details, lighting, and other design aspects of the project to the conditional zoning permit obtained by the applicant during the first step.

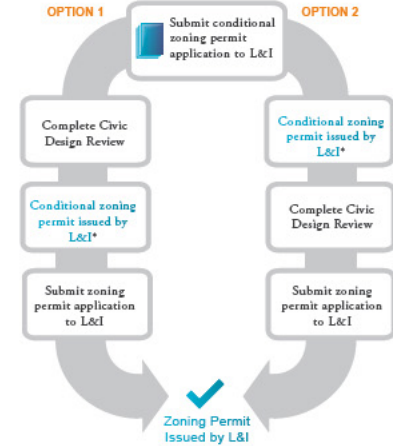
The two-step permit process enables an applicant to identify potential issues with the development proposal early in the process, to make informed decisions on the project's design, and to invest in the project with a reasonable level of predictability in the outcome of the final zoning permit review.

The applicant can elect to complete the CDR process (and the related notice to and meetings with Registered Community Organizations) at either the conditional zoning permit or the subsequent zoning permit review phase. If the applicant completes the CDR process prior to the issuance of the conditional zoning permit, CDR need not be repeated during the second step.

One Step:



Two Step:



* The applicant must notify any Registered Community Organizations in the project area of the conditional zoning permit within 15 days of receipt of the permit.

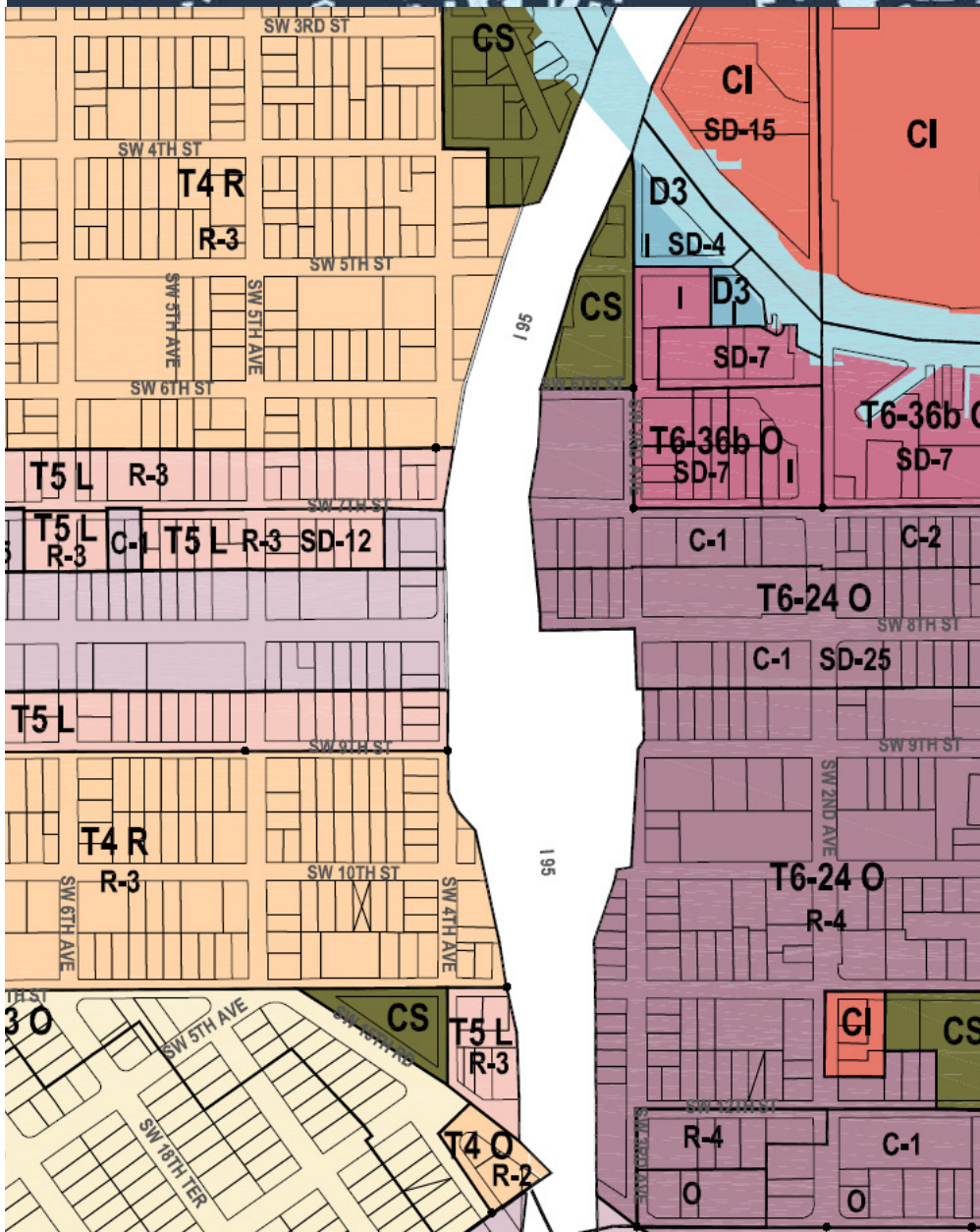
CASE STUDIES

MIAMI, FLORIDA



MIAMI

TYPE OF CODE	Form-based
ADOPTED	2010
OVERHAUL DURATION	2005-2010
CONSULTANT FEES	\$3,000,000
NUMBER OF STAFF	2 full-time
PAGES OF CODE REDUCED	25
DISTRICTS ELIMINATED OR CONSOLIDATED	44
CITIZENS PARTICIPATING IN THE PROCESS	3,400
NUMBER OF PUBLIC MEETINGS	Over 500



MIAMI 21
AS ADOPTED - MAY 2015

ARTICLE 5. SPECIFIC TO ZONES
ILLUSTRATION 5.6 URBAN CORE TRANSECT ZONES (T6-36)

BUILDING DISPOSITION

LOT OCCUPATION	
a. Lot Area	5,000 s.f. min.
b. Lot Width	100 ft. min.
c. Lot Coverage	- 1-8 Stories: 80% max. - Above 8 th Story: 18,000 sq. ft. max. Floorplate for Residential & Lodging 30,000 sq. ft. max. Floorplate for Office & Commercial
d. Floor Lot Ratio (FLR)	T6-36a: 12 / 40% additional Public Benefit T6-36b: 22 / 40% additional Public Benefit
e. Frontage at Front Setback	70% min.
f. Open Space	10% Lot Area min.
g. Density	150 du/acre max.*

BUILDING SETBACK	
a. Principal Front	10 ft. min.; 20 ft. min. above 8 th Story
b. Secondary Front	10 ft. min.; 20 ft. min. above 8 th Story
c. Side	0 ft. min.; 30 ft. min. above 8 th Story
d. Rear	0 ft. min.; 30 ft. min. above 8 th Story
e. Abutting Side or Rear TS	0 ft. min. 1 st through 5 th Story 10 ft. min. 6 th through 8 th Story 30 ft. min. above 8 th Story

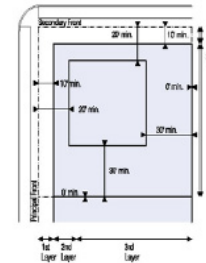
BUILDING CONFIGURATION

FRONTAGE	
a. Common Lawn	prohibited
b. Porch & Fence	prohibited
c. Terrace or L.C.	prohibited
d. Forecourt	permitted
e. Sloop	permitted
f. Shopfront	permitted (T6-36 L and T6-36 O only)
g. Gallery	permitted by Special Area Plan
h. Arcade	permitted by Special Area Plan

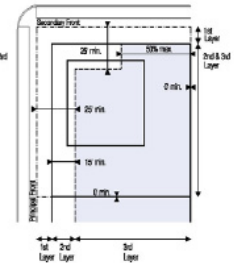
BUILDING HEIGHT	
a. Min. Height	2 Stories
b. Max. Height	36 Stories
c. Max. Benefit Height	24 Stories Abutting all Transects Zones except T3

* Or as modified in Diagram 9

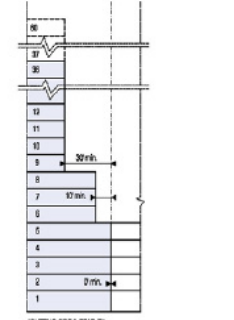
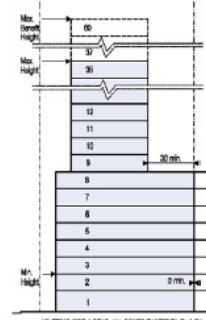
BUILDING PLACEMENT



PARKING PLACEMENT



BUILDING HEIGHT



An aerial photograph of a city grid, likely New York City, showing a dense network of streets and buildings. The image is rotated 90 degrees clockwise. A semi-transparent dark blue rectangular box is centered over the image, containing white text.

Q + A
20 minutes

An aerial map of Atlanta, Georgia, rendered in a dark blue color scheme. The map shows a dense network of streets and building footprints. A semi-transparent dark blue rectangular box is centered over the map, containing white text. The text is the primary focus of the image.

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