



Overview

What:

Incremental changes in the Land Development Code will promote gentle density increases and residential infill in neighborhoods previously zoned exclusively for single family homes. The goal is to remove regulatory barriers that suppress the market's ability to provide affordable housing options at a small neighborhood scale. Amendments to the text of the Zoning Ordinance will accomplish the following:

- Promote affordable housing near transit by designating MR-MU zoning classification as 1-4 housing units by right and creating a tiered density bonus. The bonus allows for up to 8 units if 1 unit is affordable and up to 12 units if 2 units are affordable.
- Remove residential parking minimums in all residential zoning districts except R1-R3 districts.
- Create more flexible options for Accessory Dwelling Units (ADU).
 - Allow for attached ADUs such as a basement apartment or ADU over garage.
 - Increase the height limit for detached ADUs from 20 feet to 24 feet.
 - Allow ADUs in R4B districts.
 - Allow ADU rear and side setbacks in R4, R4A, R4B to be 4 feet as already allowed in R5 districts.
 - Count only the conditioned space toward ADU square footage allowance.
 - Cap the size of detached ADUs at 750 sq. ft. OR 30% of the main dwelling, whichever is greater.
 - Allow for the sale of ADUs through detached zero-lot-line/fee simple configuration currently used for duplexes in R5. This process allows for separate ownership of the units but maintains the existing development controls on the whole lot.
 - Expand total unit allowance in R5 from 2 to 3 to allow for Duplex + ADU configuration.

Why: Atlanta is growing significantly as a city but the current zoning code does not currently allow the full diversity of housing needs in the city. In order to accommodate growth in population and shrinking household sizes, Atlanta needs more housing types at varying price points. Atlanta's housing market includes developers and investors from the private, philanthropic, and public sectors. All confirm regulatory barriers to building housing for the current and future residents of Atlanta. Changes in Atlanta's zoning will set the conditions to provide more housing that Atlantans can afford as the city grows.

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 to include affordable housing provisions. The MR-MU district was created in 2018 to allow for small apartment buildings of up to 12 units in limited areas of the city. **The changes to MR-MU are:**

- Change the by-right unit allowance from 4–12 to 1–4 to allow more variety of housing types at a smaller scale in MR-MU
- Allow for multiple structures to increase flexibility of unit configuration
- Create a tiered 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

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. Small apartment buildings are proven types of “missing middle” housing that are often more affordable than single-family housing or large apartment buildings. They also tend to integrate nicely into the existing character of residential neighborhoods and increase “gentle density” near transit.

EXAMPLES OF SMALL APARTMENT BUILDINGS AND COTTAGE COURTS IN ATLANTA



Midtown



Midtown



Old Fourth Ward



Little Five Points



Poncey-Highland



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 reenforce 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.



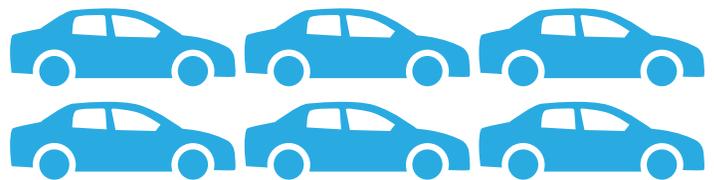
Parking deck for a large apartment building in Midtown

COST OF PARKING GARAGE CONSTRUCTION (PER PARKING SPOT)

\$40K
/SPACE

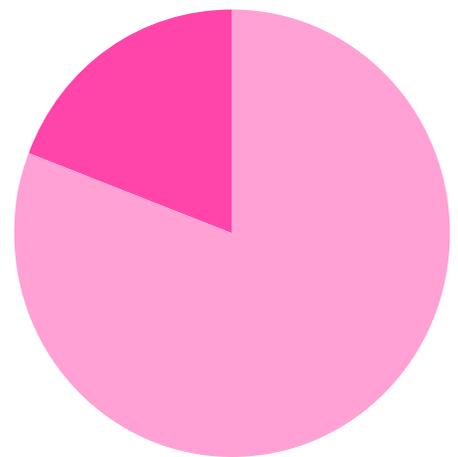
\$125
/MONTH

\$4
/DAY



19%
OF LAND IN
CITY DESIGN
GROWTH AREAS
IS DECICATED
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, like a basement apartment or garage conversion (Size max: 50% of main)
- Increases detached ADU height from 20ft to 24ft to allow second floor and over garage
- Expands ADU allowance to the R4B district
- Makes ADU rear and side setback in R4, R4A, R4B to 4ft (already allowed in R5)
- Only counts conditioned space toward ADU square footage allowance (currently, garage space counts against the 750 sq. ft. allowance for ADU which limits the ability to build a unit-over-garage style of ADU)
- Caps the size of detached ADUs at 750 sq. ft. OR 30% of the main dwelling, whichever is greater. Currently, detached ADUs are capped at 750 sq. ft. Allowing for an option to build an ADU up to 30% of the main dwelling would allow for the ADU to scale proportionate to the main dwelling.
- Allows for the sale of ADUs through detached zero-lot-line/fee simple configuration currently used for duplexes in R5. **This would not be a formal subdivision.** This process allows for separate ownership of the units but maintains the existing development controls on the whole lot.
- Expands total unit allowance in R5 from 2 to 3 to allow for Duplex + ADU configuration

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.

WHO CAN BENEFIT FROM MORE FLEXIBLE ADU OPTIONS?

STUDENT



ALUMNUS/GRANDPARENT



ALUMNI COUPLE



TREES



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.



ADUs in Grant Park



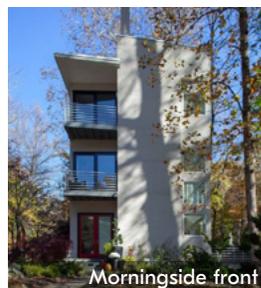
Over-under basement unit in O4W



Attached ADU in Midtown



ADU over garage



Morningside front



Morningside rear basement unit