

Municipal Clerk
Atlanta, Georgia

04-O-1821

A SUBSTITUTE ORDINANCE BY:
ZONING COMMITTEE

Z-04-122

AN ORDINANCE TO AMEND THE 1982 ZONING ORDINANCE OF THE CITY OF ATLANTA TO REZONE CERTAIN PROPERTIES WITHIN THE CHESHIRE BRIDGE ROAD CORRIDOR FROM THE R-4 (SINGLE-FAMILY RESIDENTIAL) DISTRICT, C-1 (COMMUNITY BUSINESS), C-1-C (COMMUNITY BUSINESS-CONDITIONAL) AND THE C-2-C (COMMERCIAL SERVICE-CONDITIONAL) DISTRICTS TO THE NC-4 CHESHIRE BRIDGE ROAD NORTH NEIGHBORHOOD COMMERCIAL DISTRICT, AND FOR OTHER PURPOSES.

NPU: F

COUNCIL DISTRICT 6

WHEREAS, the Cheshire Bridge Road Study was adopted by City Council on September 21, 1999, and approved by the Mayor on September 30, 1999; and

WHEREAS, the Cheshire Bridge Road Study recommended rezoning the northern end of Cheshire Bridge Road to a Neighborhood Commercial district; and

WHEREAS, the Cheshire Bridge Road Study task force has requested the City to rezone portions of the Cheshire Bridge Road corridor to a Neighborhood Commercial district; and

WHEREAS, the proposed application is in keeping with the purposes and intent of the regulations of the Neighborhood Commercial District ordinance; and

WHEREAS, the 1982 City of Atlanta Zoning Ordinance and official zoning maps should be amended to include the proposed new designation;

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

Section 1: That the 1982 City of Atlanta Zoning Ordinance is hereby amended by adding a new Chapter 32D. NC-4 Cheshire Bridge Road North Neighborhood Commercial District, and the official zoning maps established in connection therewith are changed to include certain properties located along the Cheshire Bridge Road corridor. Said district shall read as follows:

Chapter 32D. NC-4 Cheshire Bridge Road North Neighborhood Commercial District

Section 16-32D.001. Scope of Provisions.

The regulations set forth in this chapter, or set forth elsewhere in this part, when referred to in this chapter, are the regulations for the NC-4 Cheshire Bridge Road North Neighborhood Commercial District. The general NC district regulations shall apply to this NC-4 district except where said NC-4 district regulations conflict with the general NC regulations, said NC-4 regulations shall apply.

Section 16-32D.002. Specific Regulations.

The following regulations are specific to the NC-4 Cheshire Bridge Road North Neighborhood Commercial District.

1. Permitted Principal Uses: Parking structures and lots to serve primary uses within the district.
2. Special Use Permits: Retail establishments between eight thousand (8,000) square feet and fifteen thousand (15,000) square feet in floor area.
3. Special Administrative Permits:
 - a. Variations in street tree requirements. Variations are subject to constraints such as overhead or underground utilities.
 - b. Demolition and relocation of existing retail establishments that exceed eight thousand (8,000) square feet into a new structure, provided that there is no increase in total floor area of the establishment.
4. Street furniture and tree planting zone: Along Cheshire Bridge Road the street furniture and tree planting zone shall be landscaped except where on-street parking is provided, and shall have a minimum width of ten (10) feet adjacent to curb. On-street parking may be placed in the street furniture zone, provided that street trees are installed in bulb-outs located at intervals within the area used for on-street parking, as approved by the Bureau of Planning.
5. Outdoor dining within required sidewalk: outdoor dining may encroach into the sidewalk clear zone provided the following criteria are met:
 - a. Shall have a minimum of eight (8) feet wide of unobstructed sidewalk clear zone area when located adjacent to the street furniture and tree planting zone;
 - b. No permanent structure or ornamentation shall be located within the area where encroachment is permitted and no element shall be attached to the sidewalk in any way;
 - c. At such time as the outdoor dining use is discontinued, sidewalks shall comply with all requirements of this Chapter; and

- d. Outdoor dining may be separated from the sidewalk only with movable planters, fencing or similar non-fixed barriers provided they do not exceed a height of thirty-six (36) inches including any plant material.
6. Minimum Off-street Parking Requirements:
- a. *Banks and similar institutions*: One (1) space for each three hundred (300) square feet of floor area.
 - b. *Clothing and tailor shops*: One (1) space for each three hundred (300) square feet of floor area.
 - c. *Laundry and dry cleaning pick-up stations and coin operated laundromats*: One (1) space for each three hundred (300) square feet of floor area.
 - d. *Retail establishments, including catering, delicatessen and bakeries, but not other uses as provided below*: One (1) space for each three hundred (300) square feet of floor area.
 - e. *Sales and repair establishments for home appliances, bicycles, lawn mowers, shoes, clocks and watches, and the like*: One (1) space for each three hundred (300) square feet of floor area.

Section 2: That the 1982 Zoning Ordinance Map of the City of Atlanta is hereby amended as shown on "Attachment A".

Section 3: That all ordinances or parts of ordinances in conflict with this ordinance shall be repealed.

ADOPTED by City Council
APPROVED by the Mayor

January 03, 2005
January 10, 2005

"ATTACHMENT A"
Z-04-122
PROPOSED
NC-4 CHESHIRE BRIDGE ROAD NORTH
NEIGHBORHOOD COMMERCIAL DISTRICT
NPU F/ COUNCIL DISTRICT 6
DISTRICT 17 - LANDLOT 5

