



ZONING 101

Presented by:
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OUR OBJECTIVE TODAY: ZONING 101

1. Definition of Zoning & Building Codes
2. Types of “Tiny Houses”
3. Details about Zoning
4. City of Atlanta Example & Zoning Summary
5. Definitions and understanding terms
6. Recent R-5 Legislation and what it means for Atlanta
7. Details about Building Codes
8. Resources

NOTE: As an organization, if you would like Tiny House Atlanta to speak with a jurisdiction that has expressed interest in learning more about micro-housing or the tiny house movement, let us know and we are happy to present.





ZONING VS. BUILDING

Can I build my castle next to this bubbling stream?

Can it be a towering edifice, high enough to hide Rapunzel?

ZONING

- Most jurisdictions – cities or counties – are divided into zones or districts that regulate the physical development of the land and limit the uses to which a property may be put.
- These zoning districts also regulate the **height**, overall **size**, and **placement** of buildings on a lot, the **density** at which buildings may be constructed, and the number of **parking spaces** that must accompany each new building.
- The metro Atlanta area has over 60 jurisdictions. Each jurisdiction has its unique approach to land use.

BUILDING CODES

- While Zoning limit and prescribe land use, building codes designate the details of how the structures built on the land are to be constructed.
- Almost all jurisdictions in Georgia currently use the 2012 International Residential Code (IRC)



TYPES OF TINY HOUSES

- **In the taxonomy of Tiny Houses there are two types:**
- On a Permanent Foundation-
 1. Stand Alone House
 2. Accessory Dwelling Unit (ADU) Tiny House on Wheels
 - Regulated by zoning and IRC building code
- Tiny House On Wheels
 - Generally considered an RV by zoning (possibly a mobile or manufactured home)
 - Regulated by RV building standards, generally not IRC
- Tiny House Community
 - Could be on wheels or foundation
 - If on foundation, sometimes referred to as Cottage Court or Cottage Development and may have a set of zoning rules of its own.





ZONING



ZONING DISTRICTS

- Zoning Ordinances are a set of governmentally mandated guidelines for the use of land in any given area inside a particular jurisdiction
- These ordinances prescribe classifications to group land into include large categories like: Residential, Commercial, Recreational etc.
- These categories can then get subdivided into various different segments based on: location, lot size, height restrictions etc. These are generally referred to as “Zoning Districts” or “Zoning Classifications” and have names such as R-1, R-2.. C-1, C-2, I-1, I-2, etc.



EXAMPLE: ATLANTA DEPARTMENT OF CITY PLANNING→ OFFICE OF ZONING & DEVELOPMENT OR OFFICE OF BUILDINGS

- Most relevant city department to make tiny housing a legally viable, permanent housing solution in Atlanta
- Planning Director: Tim Keane
- Website:

<http://www.atlantaga.gov/index.aspx?page=191>

The screenshot displays the Atlanta City Planning website. On the left is a blue sidebar menu with links to various city departments and the Department of City Planning's sub-offices. The main content area has a green header for 'Atlanta, GA BRONZE LEVEL 2013-2016' and a 'Walk Friendly Communities' logo. Below the header, the page title is 'Department of City Planning'. A 'Listen' button is visible. The page includes a 'Formerly Department of Planning and Community Development' note, a thank-you message for a recent event, and the 'OFFICE OF THE COMMISSIONER' section. The mission statement is provided, followed by a news item dated February 2, 2017, about a public meeting. A photo of Commissioner Tim Keane is shown with his name and a 'Contact us' link. At the bottom, there is a banner for 'Our Future City' with the tagline 'Aspiring to the Beloved Community'.

Mayor's Office
Atlanta City Council
▼ Departments
Atlanta Information Management
Aviation
Corrections
Fire
Finance
Human Resources
Law
Parks & Recreation
▼ Department of City Planning
Office of Buildings
Office of Housing & Community Development
Office of Zoning & Development
View Online Permit Information
Missions and Visions
Office Hours and Meeting/Hearing Schedules
Eplans
ATL GIS - City of Atlanta Geographic Information Systems
Give Your Input on Proposed Transit Terminal
Contacts
Neighborhood Links

WALK FRIENDLY COMMUNITIES
Atlanta, GA
BRONZE LEVEL 2013-2016
www.walkfriendly.org

Government » Departments
Department of City Planning

Listen

Font Size: + - + Share & Bookmark Print [+ Feedback]

(Formerly Department of Planning and Community Development)

Thanks to those of you who came out to make our Second Annual Customer Appreciation Day special!!!!

OFFICE OF THE COMMISSIONER
The Office of the Commissioner provides leadership, policy direction, and centralized staff support for the Offices of Planning, Buildings, and Housing. Support services include administration, budget, personnel management, legislative liaison, policy collaboration and coordination and technical support and workload functions.

MISSION
The mission of the Department of Planning and Community Development is to enable high quality, sustainable and equitable growth and development of Atlanta by facilitating more options for travel, abundant housing for all people, thriving neighborhoods, exceptional design in architecture and public spaces, preservation of historic resources, innovative regulatory practices, safe and durable buildings, attentive customer service, and resident involvement in all our work.

February 2, 2017, we met to discuss what the future of our city could look like - incorporating all of the strategic recommendation given at the public meetings held over the past several months. If you missed it, you can view the presentation here: [Our Future City!](#)


Commissioner Tim Keane
[Contact us](#)


Our Future City
Aspiring to the Beloved Community



City of Atlanta

updated
4/20/2017

As of April 2017, Atlanta is re-writing its Code. The date of release is uncertain. In addition, a petition to allow ADUs in the R-5 district has passed its first regulatory hurdle. Stay tuned.

CATEGORY	Allowed? YES/NO/LIMITED	Locations Allowed	Summary of SOME Restrictions	Links for Specific information
Stand Alone (no minimum square foot, or dwelling units < 1000SF allowed)	YES No Minimum square footage	Citywide	none beyond IRC building code	Atlanta Zoning Ordinance
ADU (attached or detached)	NO	Could be allowed in R-5 soon	Guest houses allowed - No independent kitchen facilities. Guests, relatives, employees, only. No rent	Atlanta Zoning Ordinance 16-29.001(10)(c)
Tiny House Community (Cottage Court)	Current Code does not address Cottage Court	NA	NA	NA
Tiny House on Wheels (RV or Mobile Home))	LIMITED	RVs Citywide Mobile Homes in an existing mobile home park	cannot be occupied for longer than 30 days	Atlanta Zoning Ordinance 16-29.001(12)(a)2

Links for General Information

[City Main Webpage](#)

[Zoning webpage](#)

[Atlanta Zoning Ordinance](#)

[Atlanta Zoning Map](#)

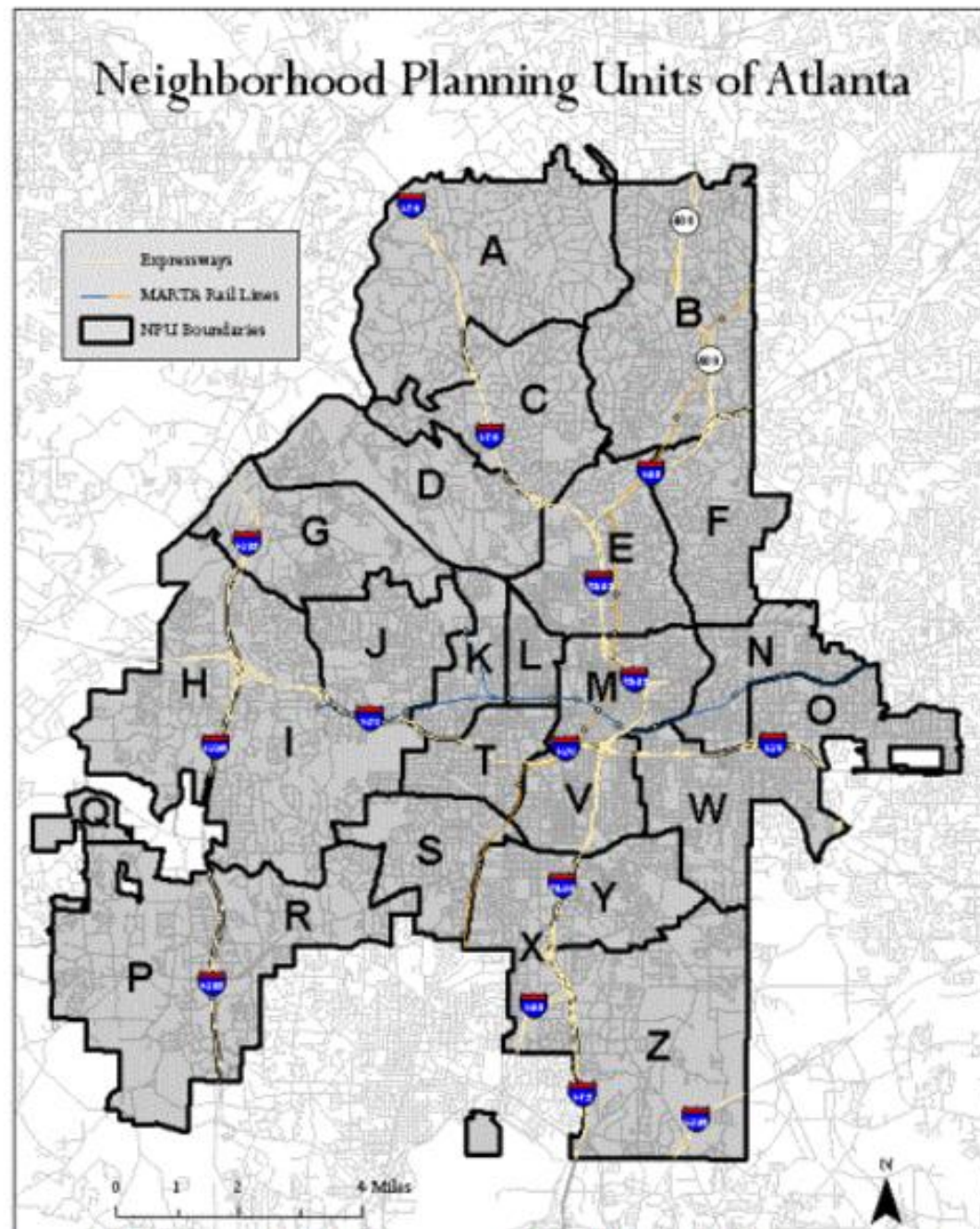
zoning planner phone
404-330-6145



CITY OF ATLANTA=80 ZONING DISTRICTS

- And, that's not all... there are:
- conditional ordinances in certain districts
- 27 Neighborhood Planning Units (NPUs) which have some say in the rules as well as what they approve when non administrative approvals are required (NPU map follows)
- special circumstances for non-conforming lots
- variances that can be granted (deviations from the ordinance requirements that the jurisdiction may chose or refuse to approve)
- neighborhood conformity rules that apply...
- and other exceptions to all these different zoning district rules
- For today let's: K.I.S.S. Keep It Sweet and simple





<http://www.atlantaga.gov/index.aspx?page=739>



Summary of Zoning Regulations in R Districts

		R-1	R-2	R-2A	R-2B	R-3	R-3A	R-4	R-4A	R-4B	R-5
MINIMUM SETBACKS	FRONT	60 ft.	60 ft.	60 ft.	50 ft.	50 ft.	50 ft.	35 ft.	30 ft.	20 ft.	30 ft.
	SIDE^a	25 ft.	15 ft.	15 ft.	10 ft.	10 ft.	10 ft.	7 ft.	7 ft.	5 ft.	7 ft. ^c
	REAR	35 ft.	30 ft.	30 ft.	20 ft.	20 ft.	15 ft.	15 ft.	15 ft.	5 ft.	7 ft. ^c
LOT REQUIREMENTS	MINIMUM LOT AREA	2 acres	1 acre	30,000 sq.ft.	28,000 sq.ft.	18,000 sq.ft.	13,500 sq.ft.	9,000 sq.ft.	7,500 sq.ft.	2,800 sq.ft.	7,500 sq.ft.
	MINIMUM STREET FRONTAGE^b	200 ft.	150 ft.	100 ft.	100 ft.	100 ft.	85 ft.	70 ft.	50 ft.	40 ft.	50 ft. ^c
	MAXIMUM LOT COVERAGE	25%	35%	35%	40%	40%	45%	50%	55%	85%	55%
	MAXIMUM FLOOR AREA RATIO	0.25	0.30	0.35	0.40	0.40	0.45	0.50	0.50 ^d	0.75 ^e	see section 16-07.010
	MINIMUM REQUIRED CAR PARKING SPACES	2	2	2	2	2	2	1	1	1	see section 16-07.010

Setback Distance from the property line to the nearest part of the applicable building, structure, or sign, measured perpendicularly to the property line.

Frontage Length of the shortest property line that adjoins a public street. Also known as the width of the lot.

Floor area ratio (FAR) A number which, when multiplied by the gross square footage of a lot, results in the total amount of heated or air conditioned square footage or “livable area” which may be built on a lot, excluding finished or unfinished basement space, attic space, and accessory structures, including garages.

Lot coverage Total area of the lot that is covered by the footprints of main and accessory structures including houses, guest houses, garages, and swimming pools, as well as all pervious or impervious driveways, turnarounds, walkways, patios, decks, tennis courts, and parking spaces.

Read the complete Atlanta zoning ordinance online at www.municode.com.

^a For corner lots, the required yard along the secondary (side) street must be half the depth indicated above for the front yard.

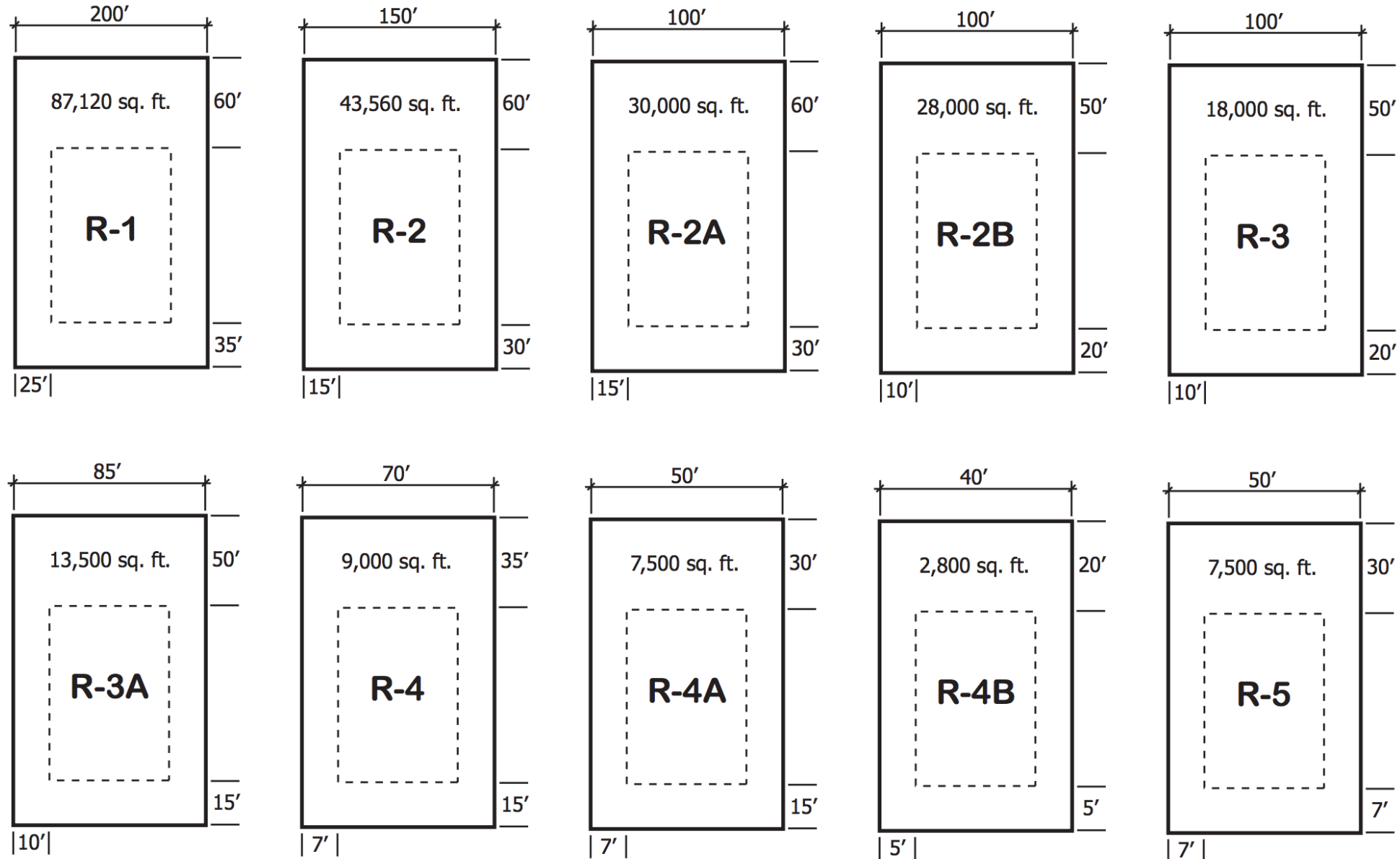
^b Plus 10% if corner lot.

^c Except for zero-lot-line development.

^d Unless the lot is less than the minimum lot area of 7,500 sq. ft. See ordinance Section 16-06A.008.

^e Unless the lot is less than the minimum lot area of 2,800 sq. ft. See ordinance Section 16-06B.008.

MINIMUM RESIDENTIAL LOT REQUIREMENTS



These diagrams are intended for reference only.
For complete regulations, please consult the Atlanta zoning ordinance online at www.municode.com.



DEFINITIONS:

- ADU- Accessory Dwelling Unit, sometimes called accessory structure, carriage house, in-law suite, secondary suite, or accessory suite. Basically it is an additional separate dwelling unit on a property that would normally accommodate only one dwelling unit. Many jurisdictions have special sections of the code dedicated to this, and they determine how large or small they can be, where they can be located, etc.
- Minimum lot size- minimum square footage or dimensions of the land (lot) permissible for a structure in a particular zoning classification, be it single family, etc.
- Setbacks- The distance which a building is set back from a street or road, a river or other stream, a shore or flood plain, or any other place which is deemed to need protection. Depending on the jurisdiction, other things like fences, landscaping, septic tanks, and various potential hazards or nuisances might be regulated. Setbacks are generally set in municipal ordinances or zoning. Setbacks along state, provincial, or federal highways may also be set in the laws of the state or province, or the federal government.
- Single Family Use- a zoning classification describing property with a structure designed to house 1 family, not a duplex or apartment, with just one single address
- Zero Lot Line- a term that usually applies to multi family use properties such as townhouses where the entire width of the lot is used by the structure, and therefore there are no side setbacks for the interior structures.
- Zoning Classification/ District- The classification that the jurisdiction gives a particular piece of land, such as SFR1, R-1, C, I etc. Class can be sometimes referred to as the overall umbrella of all residential districts, and then district can be more specific than class to refer to R-1, R-2, R-3, etc.



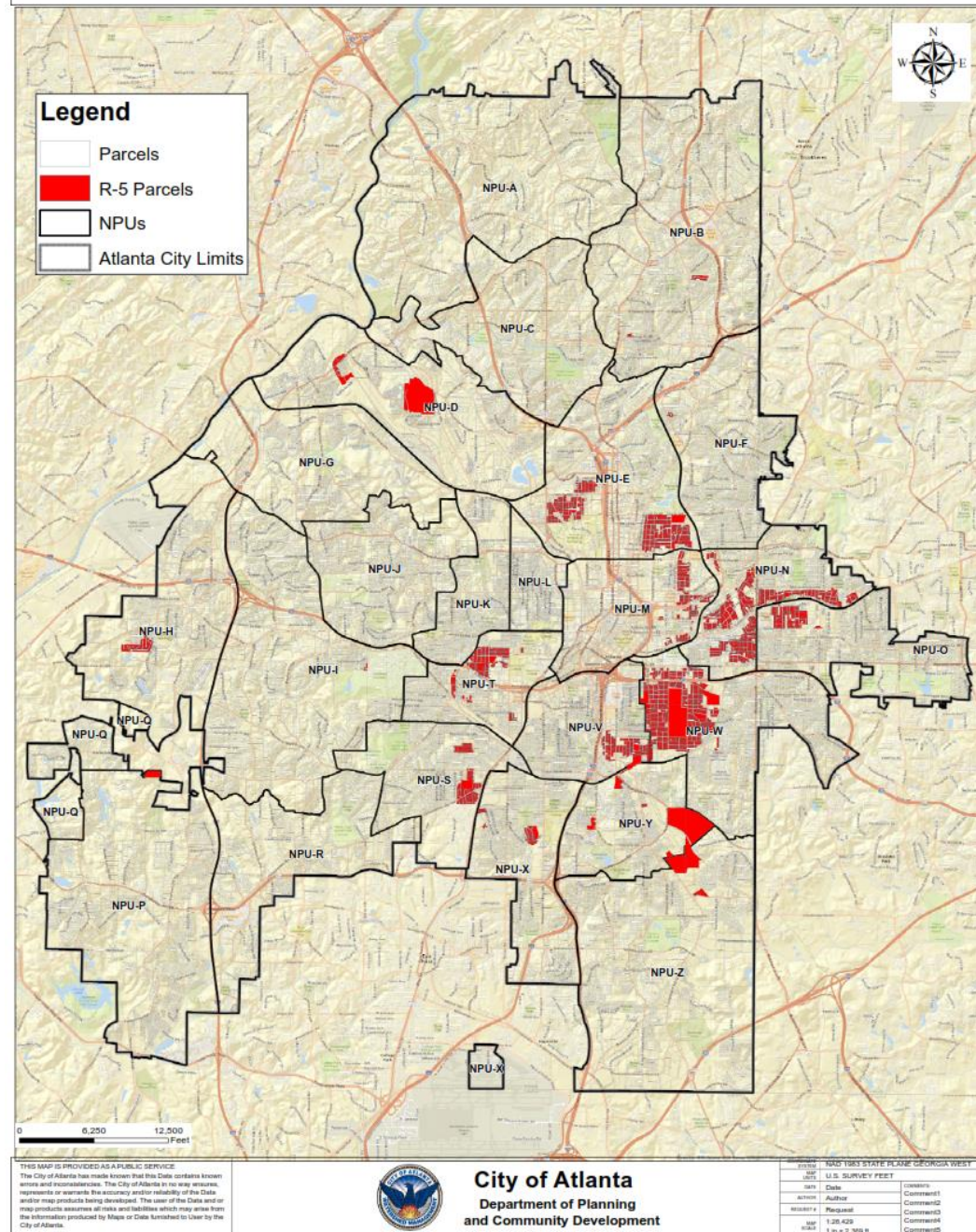
RECENT R-5 LEGISLATION APPROVED

Atlanta City Council approved the proposed legislation, after review by each of the 27 Atlanta NPUs and the recommendation for approval by the Zoning Review Board

- What does it change?
- Where is there R-5 in the Atlanta city limits?
- What does this mean for the tiny house movement?



City Of Atlanta with R-5 Parcels





BUILDING CODES



CODES REFERENCE GUIDE

Area	Primary	Supplement
Occupancy Classification	LSC	IBC
Building Construction Types including allowable height, allowable building areas, and the requirements for sprinkler protection related to minimum building construction types.	IBC	LSC
Means of Egress	LSC	NONE
Standpipes	IBC	IFC
Interior Finish	LSC	NONE
HVAC Systems	IMC	NONE
Vertical Openings	LSC	NONE
Sprinkler Systems minimum construction standard	LSC	NONE
Fire Alarm Systems	LSC	NONE
Smoke Alarms and Smoke Detection Systems	State Statute and LSC	NONE
Portable Fire Extinguishers	IFC	NONE
Cooking Equipment	LSC and NFPA 96	NONE
Fuel Fired Appliances	IFGC	NFPA 54
Liquid Petroleum Gas	NFPA 58	NFPA 54
Compressed Natural Gas	NFPA 52	NONE

CODES, CODES, CODES TO DECIPHER

All structures on every property in the City of Atlanta, and State of Georgia are governed by these codes...



INTERNATIONAL RESIDENTIAL (BUILDING) CODE (IRC) (2012)

SECTION R304 MINIMUM ROOM AREAS

R304.1 Minimum area.

Every *dwelling* unit shall have at least one habitable room that shall have not less than 120 square feet (11 m²) of gross floor area.

R304.2 Other rooms.

Other habitable rooms shall have a floor area of not less than 70 square feet (6.5 m²).

Exception: Kitchens.

R304.3 Minimum dimensions.

Habitable rooms shall not be less than 7 feet (2134 mm) in any horizontal dimension.

Exception: Kitchens.

R304.4 Height effect on room area.

Portions of a room with a sloping ceiling measuring less than 5 feet (1524 mm) or a furred ceiling measuring less than 7 feet (2134 mm) from the finished floor to the finished ceiling shall not be considered as contributing to the minimum required habitable area for that room.

SECTION 1207 INTERIOR SPACE DIMENSIONS

1207.1 Minimum room widths.

Habitable spaces, other than a kitchen, shall not be less than 7 feet (2134 mm) in any plan dimension. Kitchens shall have a clear passageway of not less than 3 feet (914 mm) between counter fronts and appliances or counter fronts and walls.

1207.2 Minimum ceiling heights.

Occupiable spaces, habitable spaces and corridors - not less than 7 feet 6 inches (2286 mm). Bathrooms, toilet rooms, kitchens, storage rooms and laundry rooms - not less than 7 feet (2134 mm).

Exceptions: 1. 1207.2.1 Furred ceiling.

1207.3 Room area. Every dwelling unit shall have at least one room that shall have not less than 150 square feet (13.9 m²) of net floor area. Other habitable rooms except kitchens shall have a net floor area of not less than 70 square feet (6.5 m²).

1207.4 Efficiency dwelling units.

An efficiency living unit shall conform to the requirements of the code except as modified herein:

1-3. A living room of not less than 220 square feet (20.4 m) of floor area. An additional 100 square feet (9.3 m) of floor area shall be provided for each occupant of such unit in excess of two, with a separate closet, a kitchen sink, cooking appliance and refrigeration facilities, each having a clear working space of not less than 30 inches (762 mm) in front. And...

4. A separate bathroom containing a water closet, lavatory, bathtub/shower



INTERNATIONAL RESIDENTIAL (BUILDING) CODE (IRC) (2015)

- **R304.2 Other rooms.**
Other habitable rooms shall have a floor area of not less than 70 square feet (6.5 m²). Exception: Kitchens.
- **R304.3 Minimum dimensions.**
Habitable rooms shall not be less than 7 feet (2134 mm) in any horizontal dimension. Exception: Kitchens.
- **R304.4 Height effect on room area.**
Portions of a room with a sloping ceiling measuring less than 5 feet (1524 mm) or a furred ceiling measuring less than 7 feet (2134 mm) from the finished floor to the finished ceiling shall not be considered as contributing to the minimum required habitable area for that room.
- **R306.1 Toilet facilities.**
Every dwelling unit shall be provided with a water closet, lavatory, and a bathtub or shower.
- **R307.1 Space required.**
Bathroom fixtures shall be spaced in accordance with Figure R307.1
 - 30"x30" minimum shower size
 - 21" clearance in front of toilet and sink (can overlap)
 - 24" clearance for shower door
 - 15" from center of toilet to side wall
- **R306.2 Kitchen.**
Each dwelling unit shall be provided with a kitchen area and every kitchen area shall be provided with a sink.



PROPOSED TINY HOUSE AMENDMENT TO IRC

- Applies to Tiny Houses (less than 400 square feet) on permanent foundations (NOT on wheels)
- IRC adopted on a national level last year
- Georgia has proposed adopting the appendix as well and the Committee will vote on it 6/22/17, with the final vote in November
- If approved, it will go into effect for the State January 1, 2018
- Individual municipalities (cities, counties) will need to adopt so we may need to encourage them to do so, and there could be a delay in dissemination to the local level.
- Copy of proposed appendix available:

<http://www.dca.state.ga.us/development/ConstructionCodes/documents/2017SCACSub-committeeProposedAmendmentsReportR1.pdf>



RESOURCES

- How to Determine in which Jurisdiction a Property is located?
 - Google: GIS and the name of the city/county and state
 - For specific lots in City of Atlanta: gis.atlantaga.gov/index.html → Interactive Maps → Enter address and zoom out to see the zoning district (<http://gis.atlantaga.gov/interactivemaps-3-col.html>)
 - If the jurisdiction does not have GIS, try the jurisdictions website, or go to www.qpublic.com to look for property records (also available through the county's tax assessor website).
 - Alternatively: 1) Go to Google Maps and type in the city or county and it will show a general border relatively close to the actual border. 2) Go to www.realtor.com to verify a jurisdiction.
- How to Get a Copy of the Zoning Code/ Ordinances:
 - www.Municode.com- Many Georgia municipalities have their code of ordinances posted on this website for free
 - If not on Municode- you can check the jurisdiction's website, or politely request a copy from the Planning & Zoning Department (usually sent via fax, email or mail depending on the jurisdiction, and some of them charge, so please let us know if that if you run into that)
- Accessing our Database of Zoning Summaries from THA Zoning Committee:
www.TinyHouseAtlanta.com => RESOURCES => Zoning & Building Codes
- Georgia Adopted Building Codes (from IRC):
<http://www.dca.state.ga.us/development/constructioncodes/programs/codeamendments.asp>



TEN STEPS TO INITIATE FRIENDLY ZONING CHANGES (PER AMERICAN TINY HOUSE ASSOCIATION)

How to Initiate Tiny House Friendly Zoning Changes [Blog Post Link](#)

1. Research the existing zoning regulations to determine what is allowed within the current codes. You may want to contact both the city and the county, since different regulations can apply to property that is within the city limits versus in unincorporated areas.
2. Define your goals. Would you like to....
 - eliminate or reduce square foot minimums for new houses on foundations?
 - allow accessory dwelling units in the backyards of existing homes?
 - redefine accessory dwelling units to include tiny houses on wheels?
 - create a tiny house community (pocket neighborhood)? Will it be for tiny houses on wheels, on foundations, or a mix? Will residency be open to anyone or only a special group (veterans, low income households, homeless folks)?
3. Draft a presentation that explains what you are asking for and how it will benefit the city or county. Prepare both a high level overview and a more detailed plan with definitions, illustrations, pictures and numbers. If possible, include references to other regions that have adopted the same regulations that you would like to see in your neighborhood.
4. Decide whom to approach. It may take a few phone calls to the local zoning & planning commission to determine who would be the best person.



FUTURE -TEN STEPS TO INITIATE FRIENDLY ZONING CHANGES- WE ARE STILL WORKING ON 1-4, BUT FYI

5. Ask for an informal meeting with the individual you identified above. (Here's a [sample email](#).)
6. During the meeting, maintain a positive, friendly attitude. Present just your overview and be receptive to any concerns raised. See [the tips below](#). As the meeting wraps up, be sure you understand next steps
 1. Will there be a follow up meeting with this person? Do you need to provide additional information?
 2. Or is the next step a more formal presentation at a regularly scheduled Planning Commission meeting? How do you get on the calendar? Is an application required? Must you pay a fee?
7. Modify your more detailed plan based on the information you learned at your initial meeting.
8. Prepare to speak at the Planning Commission: For those that are unfamiliar with your local government operations, all meetings most likely follow [Robert's Rules of Order](#). There will be an agenda, and you will need to get on it if you want to address an agenda item (like your tiny house zoning request). Contact your officials and request to be put on the agenda to address your item. If you did not get on the agenda ahead of time, there may be some speaker cards in the meeting room that you can fill out and turn into the secretary prior to the start of the meeting. When your name is called, move to the podium, state your name and address for the record, and address your item. How much or how little needs to be said will be dependent on any opposition you may face from the Commission members.
9. Present your plan to the next level of authority, perhaps the City Council. The same meeting rules apply as above.
10. If your plan is not approved (either is rejected or no motion is taken on it), don't give up. You may be able to present it again at the next meeting.



WANT TO LEARN MORE?

ZONING 201- JUNE 8TH 7-9 PM

On Meetup.com: <https://www.meetup.com/Tiny-House-Atlanta-Meetup/events/240218011/>

1. Learn exactly how to determine the zoning classification for a specific property (explained in more detail with more examples than general Zoning 101 explanation)
2. Learn how exactly you research the existing zoning regulations & best contacts in various counties & cities of interest
3. Learn how to document those regulations & contacts using our zoning analysis form- Zoning Committee

▪ Questions? Contact:

Jeffrey Johnson (Zoning Committee): (770) 490-1511 daddyj1580@icloud.com

Kim Bucciero (404) 388-4391 kim@tinyhouseatlanta.com

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