



Z-16-69: AN ORDINANCE TO AMEND SECTION 16-029.001 OF THE 1982 CITY OF ATLANTA ZONING ORDINANCE BY AMENDING THE TEXT OF THE ORDINANCE, INCLUDING INDIVIDUAL ZONING DISTRICT REGULATIONS AND DEFINITIONS, SO AS TO HEREAFTER REQUIRE A SPECIAL USE PERMIT FOR MUSIC RECORDING STUDIOS; AND FOR OTHER PURPOSES.

The proposed amendment to the 1982 Atlanta Zoning Ordinance is to modify the text of Section 16-29.001 subsection (85) of the Ordinance for the purpose of defining and adding the term **"Music Recording Studios"** to the Code of Ordinances and to identify individual zoning districts in which music recording studios will be allowed. The Ordinance seeks to govern all music recording studios by making them permissible only by a Special Use Permit. Music recording studios shall be enclosed within sound proof buildings and no music recording studio shall be located within 500 feet of any residential district.



An example of a Recording Studio

Important Dates to Remember:

December 1st or 8th, 2016: Zoning Review Board (ZRB) public hearing

January 2017: City Council Zoning Committee and City Council.

The following table depicts the zoning districts in which music recording studios are proposed to be allowed.

Zoning District(s)	500 feet Distance Req'd.	Parking Req'd.	Floor Area Req'd.
C-1, C-2, C-3	Yes	-	-
R-LC	Yes	1 space for each 300 sq. ft.	N/A
Baltimore Block Landmark	Yes	-	-
SPI-17, Subarea 2	Yes	N/A	Not to exceed 5,000 sq. ft.
SPI-17, Subarea 3	Yes	N/A	Not to exceed 8,000 sq. ft.
Live Work District	Yes	1 per employee	N/A
SPI-15, Subarea 3	Yes	-	-
O-1	Yes	-	-
MLK, Jr. Landmark	Yes	-	-
Cabbagetown Landmark (Sub-area 4, 5)	Yes	-	-
C-3, C-4, C-5	Yes	-	-
I-1, I-2	Yes	1 space for each 300 sq. ft.	N/A
MR, MRC, LW, NC	Yes	-	-
Greenbriar Special Public Interest (Subareas 1-5)	Yes	-	-
SPI-3, SPI-16	Yes	-	-
SUP-12 (Subareas 1-2)	Yes	-	-
SPI-9 (Subareas 1-4)	Yes	-	-
SPI-21 (Subareas 1 2 3 4 5 6 8 9 10)	Yes	-	-
SPI-21 (Subareas 5-6)		-	-
Castleberry Hill Landmark (Subarea 1-2)	Yes	-	-

AN ORDINANCE BY
COUNCIL MEMBER FELICIA MOORE

2-16-069

AN ORDINANCE TO AMEND THE 1982 ATLANTA ZONING ORDINANCE, AS AMENDED, BY AMENDING THE TEXT OF THE ORDINANCE, INCLUDING INDIVIDUAL ZONING DISTRICT REGULATIONS AND DEFINITIONS, SO AS TO HEREAFTER REQUIRE A SPECIAL USE PERMIT FOR MUSIC RECORDING STUDIOS; AND FOR OTHER PURPOSES

WHEREAS, the Atlanta Zoning Ordinance does not currently define music recording studios and it is necessary to set apart music recording studios from general studios; and

WHEREAS, many music recording studios by their nature emit loud sounds and operate at all times of the day and night; and

WHEREAS, requiring sound proofing and a minimum distance of 500 feet from residential uses promotes public health, safety and welfare; and

WHEREAS, many music recording studios have commenced which are compatible with surrounding uses while other supportive housing uses have commenced which are not compatible with surrounding uses; and

WHEREAS, requiring special use permits for music recording studios will allow the governing body to determine on a case by case basis the compatibility of a music recording studio with surrounding uses and is hereby found to be in the public health, safety and general welfare; and

WHEREAS, a special use permit (sometimes referred to as a conditional use permit) is a zoning technique recognized in Georgia and around the country to provide for types of land use which are necessary and desirable, but which are potentially incompatible with uses allowed by right in the particular zoning district and therefore only allowed upon the condition that the use be approved by the governing body; and

WHEREAS, special use permits allow the governing body to anticipate proposed future land uses potentially in conflict with existing permitted uses, and affords the flexibility of permitting the proposed use upon compliance with conditions set out in the ordinance, or in the discretion of the local governing body.

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

Section 1. Section 16-29.001 of the Atlanta Zoning Ordinance, defining certain terms, is amended by adding a new subsection (85):

- (85) **Music Recording Studio:** A facility maintained and equipped for sound recording and mixing for the purposes of producing a product for commercial consumption.

Section 2: So as to not include music recording studios as a permitted principal use in the C-1 zoning district, City Code Sec. 16-11.003(20) which reads:

- (20) **Offices, clinics (including veterinary if animals are kept within soundproof buildings), laboratories, studios, and similar uses, but not blood donor stations except at hospitals.**

Is hereby amended to read:

- (20) **Offices, clinics (including veterinary if animals are kept within soundproof buildings), laboratories, studios, but not music recording studios, and similar uses, but not blood donor stations except at hospitals.**

Section 3: So as to add music recording studios as a use permissible only by special use permit in the C-1 zoning district, City Code Sec. 16-11.005 is amended to add subparagraph (n) to read as follows:

- (n) **Music recording studios. Music recording studios shall be enclosed within sound proof buildings and no music recording studios shall be located within 500 feet of any residential district.**

Section 4: So as to not include music recording studios as a permitted principal use in the Baltimore Block Landmark District, City Code Sec. 16-20F.004(1)(b) which reads:

- (b) **Offices, studios and galleries.**

Is hereby amended to read:

- (b) **Offices, studios, but not music recording studios, and galleries.**

Section 5 So as to add music recording studios as a use permissible only by special use permit in the Baltimore Block Landmark District, City Code Sec. 16-20F.007 is amended to add subparagraph (2) to read as follows:

- (2) **Music recording studios. Music recording studios shall be enclosed within sound proof buildings and no music recording studios shall be located within 500 feet of any residential district.**

Section 6: So as to not include music recording studios as a permitted principal use in the R-LC zoning district, City Code Sec. 16-09.003(4) which reads:

- (4) **Offices, studios, clinics (other than veterinary), clinical laboratories.**

Is hereby amended to read:

- (4) Offices, studios, but not music recording studios, clinics (other than veterinary), clinical laboratories.

Section 7: So as to add music recording studios as a use permissible only by special use permit in the R-LC zoning district, City Code Sec. 16-09.005(1) is amended to add subparagraph (g) to read as follows:

- (g) Music recording studios. Music recording studios shall be enclosed within sound proof buildings and no music recording studios shall be located within 500 feet of any residential district.

Section 8: So as to add music recording studios as a use that is subject to minimum off-street parking requirements in the R-LC zoning district, City Code Sec. 16-09.011(5) which reads:

- (5) Offices, studios, clinics, clinical laboratories: One (1) space for each 300 square feet of floor area.

Is hereby amended to read:

- (5) Offices, studios, music recording studios, clinics, clinical laboratories: One (1) space for each 300 square feet of floor area.

Section 9: So as to not include music recording studios as a permitted principal use in SPI-17, Subarea 2, City Code Sec. 16-18Q.026(1)(b)(i) and which reads:

- (i) Offices, studios, clinics (including veterinary), laboratories and similar uses, but not blood donor stations except at hospitals. Veterinary clinics including all kennels and accessory areas shall be enclosed within soundproof buildings.

Is hereby amended to read:

- (i) Offices, studios, but not music recording studios, clinics (including veterinary), laboratories and similar uses, but not blood donor stations except at hospitals. Veterinary clinics including all kennels and accessory areas shall be enclosed within soundproof buildings.

Section 10: So as to add music recording studios as a use permissible only by special use permits in SPI-17, Subarea 2, City Code Sec. 16-18Q.026(2)(a) and which reads:

- (a) Special use permits. Eating and drinking establishments provided they do not exceed 5,000 square feet of floor area.

Is hereby amended to read:

- (a) Special use permits.
- i. Eating and drinking establishments provided they do not exceed 5,000 square feet of floor area.
 - ii. Music recording studios provided they do not exceed 5,000 square feet of floor area. Music recording studios shall be enclosed within sound proof buildings and no music recording studios shall be located within 500 feet of any residential district.

Section 11: So as to not include music recording studios as a permitted principal use in SPI-17, Subarea 3, City Code Sec. 16-18Q.027(1)(c)(iv) and which reads:

- (iv) Offices, studios, clinics (including veterinary), laboratories and similar uses, but not blood donor stations except at hospitals. Veterinary clinics including all kennels and accessory areas shall be enclosed within soundproof buildings.

Is hereby amended to read:

- (iv) Offices, studios, but not music recording studios, clinics (including veterinary), laboratories and similar uses, but not blood donor stations except at hospitals. Veterinary clinics including all kennels and accessory areas shall be enclosed within soundproof buildings.

Section 12: So as to add music recording studios as a use permissible only by special use permit in SPI-17, Subarea 3, City Code Sec. 16-18Q.027(2)(a) is amended to add subparagraph (vii) to read as follows:

- (vii) Music recording studios provided they do not exceed 8,000 square feet of floor area. Music recording studios shall be enclosed within sound proof buildings and no music recording studios shall be located within 500 feet of any residential district.

Section 13: So as to not include music recording studios as a permitted principal use in the Live Work district, City Code Sec. 16-33.004(1)(c)(ii) which reads:

- (ii) Offices, arts and crafts galleries and studios.

Is hereby amended to read:

- (ii) Offices, arts and crafts galleries and studios, but not music recording studios.

Section 14 So as to not include music recording studios as an permitted principal use in the Live Work district, City Code Sec. 16-33.004(2)(m) and which reads:

- (m) Offices, studios, clinics (including veterinary), laboratories and similar uses. Veterinary clinics including all kennels and accessory areas shall be enclosed

within soundproof buildings, subject to the provisions in chapter 74, article IV, noise control.

Is hereby amended to read:

- (m) Offices, studios, but not music recording studios, clinics (including veterinary), laboratories and similar uses. Veterinary clinics including all kennels and accessory areas shall be enclosed within soundproof buildings, subject to the provisions in chapter 74, article IV, noise control.

Section 15: So as to add music recording studios as a use permissible only by special use permit in the Live Work district, City Code Sec. 16-33.006(1) is amended to add subparagraph (r) which shall read:

- (r) Music recording studios. Music recording studios shall be enclosed within sound proof buildings and no music recording studios shall be located within 500 feet of any residential district.

Section 16: So as to add music recording studios as a use that is subject to minimum off-street parking requirements, City Code Sec. 16-33.020(4)(j) which reads:

- (j) Offices, arts and crafts galleries and studios permitted in subsection 16-33.004(1): Two per single-family residential and two-family residential units; two and one-half per multi-family residential units, and one per employee.

Is hereby amended to read:

- (j) Offices, arts and crafts galleries and studios, including music recording studios permitted in subsection 16-33.004(1): Two per single-family residential and two-family residential units; two and one-half per multi-family residential units; and one per employee.

Section 17: So as to not include music recording studios as a permitted principal use in the SPI 15 zoning district, City Code Sec. 16-180.028(k) and which reads:

- (k) Offices, studios, clinics (including veterinary), laboratories and similar uses, but not blood donor stations except at hospitals. Veterinary clinics including all kennels and accessory areas shall be enclosed within sound proof buildings when located within 300 feet of any residential district from the closest point of the nearest residential building to the closest point of the veterinary clinic.

Is hereby amended to read:

- (k) Offices, studios, but not music recording studios, clinics (including veterinary), laboratories and similar uses, but not blood donor stations except at hospitals.

Veterinary clinics including all kennels and accessory areas shall be enclosed within sound proof buildings when located within 300 feet of any residential district from the closest point of the nearest residential building to the closest point of the veterinary clinic.

Section 18: So as to add music recording studios as a use permissible only by special use permits in SPI 15, City Code Sec. 16-180.007(1) and which reads:

- (1) Special use permits. Off-street surface parking (30 spaces or more).

Is hereby amended to read:

- (1) Special use permits.
 - a. Off-street surface parking (30 spaces or more).
 - b. Music recording studios. Music recording studios shall be enclosed within sound proof buildings and no music recording studios shall be located within 500 feet of any residential district.

Section 19: So as to not include music recording studios as an permitted principal use in the SPI 15 zoning district, City Code Sec. 16-180.028(1)(k) which reads:

- (k) Offices, studios, clinics (including veterinary), laboratories and similar uses, but not blood donor stations except at hospitals. Veterinary clinics including all kennels and accessory areas shall be enclosed within sound proof buildings when located within 300 feet of any residential district from the closest point of the nearest residential building to the closest point of the veterinary clinic.

Is hereby amended to read:

- (k) Offices, studios, but not recording studios, clinics (including veterinary), laboratories and similar uses, but not blood donor stations except at hospitals. Veterinary clinics including all kennels and accessory areas shall be enclosed within sound proof buildings when located within 300 feet of any residential district from the closest point of the nearest residential building to the closest point of the veterinary clinic.

Section 20: So as to add music recording studios as a use permissible only by special use permit in SPI 15, City Code Sec. 16-180.028(3)(a) is amended to add subparagraph (vii) to read as follows:

- (vii) Music recording studios. Music recording studios shall be enclosed within sound proof buildings and no music recording studios shall be located within 500 feet of any residential district.

Section 21: So as to not include music recording studios as a permitted principal use in the O-I zoning district, City Code Sec. 16-10.003(11) and which reads:

- (11) Offices, studios, clinics (other than veterinary) and clinic laboratories, but not blood donor stations except in conjunction with a hospital.

Is hereby amended to read:

- (11) Offices, studios, but not music recording studios, clinics (other than veterinary) and clinic laboratories, but not blood donor stations except in conjunction with a hospital.

Section 22: So as to add music recording studios as a use permissible only by special use permits in zoning district O-I, City Code Sec. 16-10.005(1) is amended to add subparagraph (i) to read as follows:

- (i) Music recording studios. Music recording studios shall be enclosed within sound proof buildings and no music recording studios shall be located within 500 feet of any residential district.

Section 23: So as to hereafter allow music recording studios only by special use permit in the Martin Luther King Jr. Landmark zoning district, the use table codified at City Code Sec. 16-20C.005 is amended to add to the table that music recording studios (to be placed in alphabetical order) are permitted in sub-area 4 only by special use permit by the letters "SUP**". The use table is further amended to add in the key the symbol "**" which shall read:

- ** Music recording studios shall be enclosed within sound proof buildings and no music recording studios shall be located within 500 feet of any residential district.

Music recording studios shall be prohibited in sub-areas 1, 2, & 3.

Section 24: So as to not include music recording studios as a permitted principal use in the Cabbagetown Landmark District, The Mill (Subarea 1), City Code Sec. 16-20A.007(1)(e) which reads:

- (e) Offices, clinics, laboratories, studios.

Is hereby amended to read:

- (e) Offices, clinics, laboratories, studios, but not music recording studios.

Section 25: So as to add music recording studios as a use permissible only by special use permits in Cabbagetown Landmark District, The Mill (Subarea 1), City Code Sec. 16-120A.007 is amended to add subparagraph (3) to read as follows:

- (3) *Special permits.* The following uses are permissible only by special permit of the kind indicated, subject to limitations and requirements set forth herein or elsewhere in this part:

- (a) *Special use permits: Music recording studios.* Music recording studios shall be enclosed within sound proof buildings and no music recording studios shall be located within 500 feet of any residential district.

Section 26: So as to not include music recording studios as a permitted principal use in the Cabbagetown Landmark District, Neighborhood commercial/services (Subarea 4), City Code Sec. 16-20A.010(1)(c) which reads:

- (c) Offices, studios, clinics (including veterinary if animals are kept within soundproof structures), laboratories, and similar use.

Is hereby amended to read:

- (c) Offices, studios, but not music recording studios, clinics (including veterinary if animals are kept within soundproof structures), laboratories, and similar use.

Section 27: So as to add music recording studios as a use permissible only by special use permit in the Cabbagetown Landmark District, Neighborhood commercial/services (Subarea 4), City Code Sec. 16-20A.010(3)(a) is amended to add subparagraph (4) to read as follows:

- (4) Music recording studios. Music recording studios shall be enclosed within sound proof buildings and no music recording studios shall be located within 500 feet of any residential district.

Section 28: So as to not include music recording studios as a permitted principal use in the Cabbagetown Landmark District, Transitional commercial (Subarea 5), City Code Sec. 16-20A.011(1)(d)(3) which reads:

- (3) Offices, studios, clinics (including veterinary if animals are kept within soundproof buildings), laboratories, and similar use.

Is hereby amended to read:

- (3) Offices, studios, but not music recording studios, clinics (including veterinary if animals are kept within soundproof buildings), laboratories, and similar use.

Section 29: So as to add music recording studios as a use permissible only by special use permit in the Cabbagetown Landmark District, Transitional commercial (Subarea 5), City Code Sec. 16-20A.011(3)(a) is amended to add subparagraph (7) to read as follows:

- (7) Music recording studios. Music recording studios shall be enclosed within sound proof buildings and no music recording studios shall be located within 500 feet of any residential district.

Section 30: So as to not include music recording studios as a permitted principal use in the C-3 zoning district, City Code Sec. 16-13.003(22) and which reads:

- (22) Offices, clinics (including veterinary), laboratories, studios, and similar uses, but not blood donor stations except at hospitals. Veterinary clinics shall be located within soundproof buildings when located within 300 feet of any residential district.

Is hereby amended to read:

- (22) Offices, clinics (including veterinary), laboratories, studios, not including music recording studios and similar uses, but not blood donor stations except at hospitals. Veterinary clinics shall be located within soundproof buildings when located within 300 feet of any residential district.

Section 31: So as to add music recording studios as a use permissible only by special use permit in the C-3 zoning district, City Code Sec. 16-13.005(1) is amended to add sub-paragraph (m) which shall read:

- (m) Music recording studios. Music recording studios shall be enclosed within sound proof buildings and no music recording studios shall be located within 500 feet of any residential district.

Section 32: So as to not include music recording studios as a permitted principal use in the C-2 zoning district, City Code Sec. 16-12.003(22) and which reads:

- (22) Offices, clinics (including veterinary), laboratories, studios, and similar uses, but not blood donor stations except at hospitals. Veterinary clinics shall be located within soundproof buildings when located within 300 feet of any residential district.

Is hereby amended to read:

- (22) Offices, clinics (including veterinary), laboratories, studios, but not including music recording studios, and similar uses, but not blood donor stations except at hospitals. Veterinary clinics shall be located within soundproof buildings when located within 300 feet of any residential district.

Section 33: So as to add music recording studios as a use permissible only by special use permit in the C-2 zoning district, City Code Sec. 16-12.005(1) is amended to add sub-paragraph (1) which shall read:

- (1) Music recording studios. Music recording studios shall be enclosed within sound proof buildings and no music recording studios shall be located within 500 feet of any residential use

Section 34: So as to not include music recording studios as a permitted principal use in the I-2 zoning district, City Code Sec. 16-17.003(10) and which reads:

- (10) Offices and clinics (including veterinary), laboratories, studios.

Is hereby amended to read:

- (10) Offices, clinics (including veterinary), laboratories, studios, but not including music recording studios.

Section 35: So as to add music recording studios as a use permissible only by special use permit in the I-2 zoning district, City Code Sec. 16-17.005(1) is amended to add sub-paragraph (z) which shall read:

- (z) Music recording studios. Music recording studios shall be enclosed within sound proof buildings and no music recording studios shall be located within 500 feet of any residential district.

Section 36: So as to add music recording studios as a use that is subject to off-street parking requirements in the I-2 zoning district, City Code Sec. 16-17.009(6) which reads:

- (6) Office, clinics (other than veterinary), laboratories, studios: One space per 300 square feet.

Is hereby amended to read:

- (6) Office, clinics (other than veterinary), laboratories, studios, including music recording studios: One space per 300 square feet.

Section 37: So as to not include music recording studios as permitted principal use in the Inman Park Historic District Railroad Corridor Commercial and Industrial District, Subarea 3, City Code Sec. 16-20L.008(13)(n) which reads:

- (n) Offices and clinics, including veterinary clinics, laboratories, studios, and similar uses. Veterinary clinics shall be located within soundproof buildings when located within 300 feet of any residential district.

Is hereby amended to read:

- (9) Offices and clinics, including veterinary clinics, laboratories, studios, but not music recording studios, and similar uses. Veterinary clinics shall be located within soundproof buildings when located within 300 feet of any residential district.

Section 38: So as to not include music recording studios as permitted principal use in the Inman MR zoning district, City Code Sec. 16-35.005(5)(f) which reads:

- (f) Offices and studios.

Is hereby amended to read:

- (f) Offices and studios, but not music recording studios.

Section 39: So as to include music recording studios as use permissible only by special use permit in the MR zoning district, City Code Sec. 16-35.007(1) is amended to add sub-paragraph (m) which shall read:

- (m) Music recording studios. Music recording studios shall be enclosed within sound proof buildings and no music recording studios shall be located within 500 feet of any residential district.

Section 40: So as to not include music recording studios as a permitted principal use in the MRC zoning district, City Code Sec. 16-34.005(17) which reads:

- (17) Offices, studios, clinics (including veterinary), laboratories and similar uses, but not blood donor stations except at hospitals. Veterinary clinics including all kennels and accessory areas shall be enclosed within sound proof buildings when located within 300 feet of any residential district from the closest point of the nearest residential building to the closest point of the veterinary clinic, subject to the provisions in chapter 74, article IV, noise control.

Is hereby amended to read:

- (17) Offices, studios, but not music recording studios, clinics (including veterinary), laboratories and similar uses, but not blood donor stations except at hospitals. Veterinary clinics including all kennels and accessory areas shall be enclosed within sound proof buildings when located within 300 feet of any residential district from the closest point of the nearest residential building to the closest point of the veterinary clinic, subject to the provisions in chapter 74, article IV, noise control.

Section 41: So as to include music recording studios as use permissible only by special use permit in the MRC zoning district, City Code Sec. 16-34.007(1) is amended to add sub-paragraph (s) which shall read:

- (s) Music recording studios. Music recording studios shall be enclosed within sound proof buildings and no music recording studios shall be located within 500 feet of any residential district.

Section 42: So as to not include music recording studios as a permitted principal use in the LW zoning district, City Code Sec. 16-33.004(1)(c)(ii) which reads:

- (ii) Offices, arts and crafts galleries and studios.

Is here by amended to read:

- (ii) Offices, arts and crafts galleries and studios, but not music recording studios.

Section 43: So as to not include music recording studios as a permitted principal use in the LW zoning district, City Code Sec. 16-33.004(2)(m) which reads:

- (m) Offices, studios, clinics (including veterinary), laboratories and similar uses. Veterinary clinics including all kennels and accessory areas shall be enclosed within soundproof buildings, subject to the provisions in chapter 74, article IV, noise control.

Is hereby amended to read:

- (m) Offices, studios, but not music recording studios, clinics (including veterinary), laboratories and similar uses. Veterinary clinics including all kennels and accessory areas shall be enclosed within soundproof buildings, subject to the provisions in chapter 74, article IV, noise control.

Section 44: So as to include music recording studios as use permissible only by special use permit in the LW zoning district, City Code Sec. 16-33.006(1) is amended to add sub-paragraph (r) which shall read:

- (r) Music recording studios. Music recording studios shall be enclosed within sound proof buildings and no music recording studios shall be located within 500 feet of any residential district.

Section 45: So as to not include music recording studios as a permitted principal use in the NC zoning district, City Code Sec. 16-32.005(7)(i) which reads:

- (i) Offices, studios, clinics (including veterinary if animals are kept within soundproof buildings), laboratories, and similar uses but not blood donor stations.

Is hereby amended to read:

- (i) Offices, studios, but not music recording studios clinics (including veterinary if animals are kept within soundproof buildings), laboratories, and similar uses but not blood donor stations.

Section 46: So as to include music recording studios as use permissible only by special use permit in the NC zoning district, City Code Sec. 16-32.006(1) is amended to add sub-paragraph (m) which shall read:

- (m) Music recording studios. Music recording studios shall be enclosed within sound proof buildings and no music recording studios shall be located within 500 feet of any residential district.

Section 47: So as to hereafter allow music recording studios only by special use permit in the Greenbriar Special Public Interest district, the use table codified at City Code Sec. 16-18T.005 is amended to add to the table that music recording studios (to be placed in alphabetical order) are permitted in sub-area 1 through 5 only by special use permit by the letters "SUP*" The use table is further amended to add in the key the symbol "*" which shall read:

- * Music recording studios shall be enclosed within sound proof buildings and no music recording studios shall be located within 500 feet of any residential district.

Music recording studios are not permitted in sub-area 6.

Section 48: So as to not include music recording studios as a permitted principal use in the SPI-16 zoning district, City Code Sec. 16-18P.005(9) which reads:

- (9) Offices, studios, clinics (including veterinary), laboratories and similar uses, but not blood donor stations except at hospitals. Veterinary clinics including all kennels and accessory areas shall be enclosed within soundproof buildings.

Is hereby amended to read:

- (9) Offices, studios, but not music recording studios, clinics (including veterinary), laboratories and similar uses, but not blood donor stations except at hospitals. Veterinary clinics including all kennels and accessory areas shall be enclosed within soundproof buildings.

Section 49: So as to include music recording studios as use permissible only by special use permit in the SPI-16 zoning district, City Code Sec. 16-18P.007(1) is amended to add sub-paragraph (i) which shall read:

- (i) Music recording studios. Music recording studios shall be enclosed within sound proof buildings and no music recording studios shall be located within 500 feet of any residential district.

Section 50: So as to hereafter allow music recording studios only by special use permit in the SPI-12 zoning district, the use table codified at City Code Sec. 16-18L.006 is amended to add to the table that music recording studios (to be placed in alphabetical order) are permitted in sub-area 1 only by special use permit by the letters "SUP", in sub-area 2 only by special use permit by the letters "bSUP". The use table is further amended to add in the key the symbol "f" which shall read:

- f Music recording studios shall be enclosed within sound proof buildings and no music recording studios shall be located within 500 feet of any residential district.

Music recording studios are not permitted in sub-area 3.

Section 51: So as to hereafter allow music recording studios only by special use permit in the SPI-9 zoning district, the use table codified at City Code Sec. 16-18I.007 is amended to add to the table that music recording studios (to be placed in alphabetical order) are permitted in sub-area 1 through 4 only by special use permit by the letters "SUP*" and to allow active sidewalk level use. The use table is further amended to add in the key the symbol "*" which shall read:

- * Music recording studios shall be enclosed within sound proof buildings and no music recording studios shall be located within 500 feet of any residential district.

Section 52: So as to not include music recording studios as a permitted principal use in the SPI-4 Arts Center district, City Code Sec. 16-18D.003(19) which reads:

- (19) Offices, clinics, laboratories, studios and similar uses, but not blood donor stations except at hospitals.

Is hereby amended to read:

- (19) Offices, clinics, laboratories, studios, but not music recording studios, and similar uses, but not blood donor stations except at hospitals.

Section 53: So as to include music recording studios as use permissible only by special use permit in the SPI-16 zoning district, City Code Sec. 16-18P.007(1) is amended to add subparagraph (i) which shall read:

- (i) Music recording studios. Music recording studios shall be enclosed within sound proof buildings and no music recording studios shall be located within 500 feet of any residential district

Section 54: So as to not include music recording studios as a permitted principal use in the SPI-3 Midtown district, City Code Sec. 16-18C.003(19) which reads:

- (19) Offices, clinics, laboratories, studios and similar uses, but not blood donor stations except at hospitals.

Is hereby amended to read:

- (19) Offices, clinics, laboratories, studios, but not music recording studios, and similar uses, but not blood donor stations except at hospitals.

Section 55: So as to include music recording studios as use permissible only by special use permit in the SPI-3 Midtown zoning district, City Code Sec. 16-18C.005(1) is amended to add sub-paragraph (i) which shall read:

- (i) Music recording studios. Music recording studios shall be enclosed within sound proof buildings and no music recording studios shall be located within 500 feet of any residential district.

Section 56: So as to not include music recording studios as a permitted principal use in the I-1 zoning district, City Code Sec. 16-16.003(9) which reads:

- (9) Offices, clinics (including veterinary), laboratories, studios.

Is hereby amended to read:

- (9) Offices, clinics (including veterinary), laboratories, studios, but not music recording studios.

Section 57: So as to include music recording studios as use permitted only by special use permit in the I-1 zoning district, City Code Sec. 16-16.005(1) is amended to add sub-paragraph (r) which shall read:

- (r) Music recording studios. Music recording studios shall be enclosed within sound proof buildings and no music recording studios shall be located within 500 feet of any residential district.

Section 58: So as to add music recording studios as a use that is subject to minimum off-street parking requirements, City Code Sec. 16-16.009(6) which reads:

- (6) Office, clinics (other than veterinary), laboratories, studios: One space per 300 square feet.

Is hereby amended to read:

- (6) Office, clinics (other than veterinary), laboratories, studios, music recording studios: One space per 300 square feet.

Section 59: So as to not include music recording studios as a permitted principal use in the C-5 zoning district, City Code Sec. 16-15.003(24) which reads:

- (24) Offices, clinics (including veterinary), laboratories, studios and similar uses, but not blood donor stations except at hospitals. Veterinary clinics shall be located within soundproof buildings when located within 300 feet of any residential district.

Is hereby amended to read:

- (24) Offices, clinics (including veterinary), laboratories, studios, but not music recording studios and similar uses, but not blood donor stations except at hospitals. Veterinary clinics shall be located within soundproof buildings when located within 300 feet of any residential district.

Section 60: So as to include music recording studios as use permissible only by special use permit in the C-5 zoning district, City Code Sec. 16-15.005(1) is amended to add sub-paragraph (j) which shall read:

- (j) Music recording studios. Music recording studios shall be enclosed within sound proof buildings and no music recording studios shall be located within 500 feet of any residential district.

Section 61: So as to not include music recording studios as a permitted principal use in the C-4 zoning district, City Code Sec. 16-14.003(21) which reads:

- (21) Offices, clinics (including veterinary), laboratories, studios and similar uses, but not blood donor stations except at hospitals. Veterinary clinics shall be located within soundproof buildings when located within 300 feet of any residential district.

Is hereby amended to read:

- (21) Offices, clinics (including veterinary), laboratories, studios, but not music recording studios and similar uses, but not blood donor stations except at hospitals. Veterinary clinics shall be located within soundproof buildings when located within 300 feet of any residential district.

Section 62: So as to include music recording studios as use permissible only by special use permit in the C-4 zoning district, City Code Sec. 16-14.005(1) is amended to add sub-paragraph (j) which shall read:

- (j) Music recording studios. Music recording studios shall be enclosed within sound proof buildings and no music recording studios shall be located within 500 feet of any residential district.

Section 63: So as to not include music recording studios as a permitted principal use in the Castleberry Hill Landmark district, Subarea 1, City Code Sec. 16-20N.008(2)(g) which reads:

- (g) Offices, studios and similar uses provided that no such individual business establishment shall exceed 15,000 square feet of floor area.

Is hereby amended to read:

- (g) Offices, studios, but not music recording studios and similar uses provided that no such individual business establishment shall exceed 15,000 square feet of floor area.

Section 64: So as to add music recording studios as a use permissible only by special use permits in Castleberry Hill Landmark District, Subarea 1, City Code Sec. 16-20N.008 is amended to add subparagraph (4) to read as follows:

- (4) *Special permits.* The following uses are permissible only by special permit of the kind indicated, subject to limitations and requirements set forth herein or elsewhere in this part:
 - (a) Special use permits: Music recording studios. Music recording studios shall be enclosed within sound proof buildings and no music recording studios shall be located within 500 feet of any residential district.

Section 65: So as to not include music recording studios as a permitted principal use in the Castleberry Hill Landmark district, Subarea 2, City Code Sec. 16-20N.008(10)(k) which reads:

- (k) Offices, studios, clinics (including veterinary if animals are kept within soundproof structures); laboratories, and similar use, but not blood donor stations except at hospitals. Veterinary clinics shall be located within soundproof buildings when located within 300 feet of any residential district.

Is hereby amended to read:

- (k) Offices, studios, but not music recording studios, clinics (including veterinary if animals are kept within soundproof structures); laboratories, and similar use, but not blood donor stations except at hospitals. Veterinary clinics shall be located within soundproof buildings when located within 300 feet of any residential district.

Section 66: So as to add music recording studios as a use permissible only by special use permits in Castleberry Hill Landmark District, Subarea 2, City Code Sec. 16-20N.008 is amended to add subparagraph (12) to read as follows:

- (12) *Special permits.* The following uses are permissible only by special permit of the kind indicated, subject to limitations and requirements set forth herein or elsewhere in this part:

- (a) **Special use permits: Music recording studios.** Music recording studios shall be enclosed within sound proof buildings and no music recording studios shall be located within 500 feet of any residential district.

Section 67: So as to hereafter allow music recording studios only by special use permit in the SPI- 21 zoning district, the use table codified at City Code Sec. 16-18U.008 is amended to add to the table that music recording studios (to be placed in alphabetical order) are permitted only by special use permit in sub-areas 1, 2, 3, 4, 8, 9, 10 by the letters "SUP²⁷", in sub-areas 5 and 6 by the letters "SUP²⁷ (8,000)". The use table is further amended to add in the key the symbol "27" which shall read:

- 27 Music recording studios shall be enclosed within sound proof buildings and no music recording studios shall be located within 500 feet of any residential district.

Music recording studios are not permitted in sub-area 7.

Section 68: So as to hereafter allow music recording studios only by special use permit in the SPI- 11 zoning district, the use table codified at City Code Sec. 16-18K.004 is amended to add to the table that music recording studios (to be placed in alphabetical order) are permitted only by special use permit in sub-areas 1, 2, 3, 9, 10 and 12 by the letters "SUP^{2*}", in sub-areas 8 and 11 by the letters "SUP^{2**}". The use table is further amended to add in the note "2" which shall read:

- 2 Music recording studios shall be enclosed within sound proof buildings and no music recording studios shall be located within 500 feet of any residential district.

Music recording studios are not permitted in sub-areas 4, 5, 6 and 7.

Section 69: That all ordinances and parts of ordinances in conflict herewith are repealed, but only to the extent of the conflict.

#16

10463

16 0 1489

(Do Not Write Above This Line) 1489

AN ORDINANCE BY

COUNCILMEMBER KEISHA LANCE
BOTTOMS

AN ORDINANCE TO AMEND THE
1982 CITY OF ATLANTA ZONING
ORDINANCE, AS AMENDED, SO AS
TO ALLOW OUTDOOR AQUATIC
RECREATION ESTABLISHMENTS
AS A USE WITHIN THE PLANNED
DEVELOPMENT-MIXED USE (PD-
MU) ZONING DISTRICTS, SUBJECT
TO APPROVAL OF A SPECIAL USE
PERMIT; AND FOR OTHER
PURPOSES.

CONSENT REFER

REGULAR REPORT REFER

ADVERTISE & REFER

1ST ADOPT 2ND READ & REFER

PERSONAL PAPER REFER

Date Referred: September 16, 2016

Referred To: 3.08 & zoning

Date Referred: _____

Referred To: _____

Date Referred: _____

Referred To: _____

Date Referred: _____

Referred To: _____

First Reading

Committee _____

Date _____

Chair _____

Referred To _____

Committee _____

Date _____

Chair _____

Action _____

Fav, Adv, Hold

Other _____

Members _____

Refer To _____

Committee _____

Date _____

Chair _____

Action _____

Fav, Adv, Hold

Other _____

Members _____

Refer To _____

Committee _____

Date _____

Chair _____

Action _____

Fav, Adv, Hold

Other _____

Members _____

Refer To _____

Committee _____

Date _____

Chair _____

Action _____

Fav, Adv, Hold (see rev. side)

Other _____

Members _____

Refer To _____

FINAL COUNCIL ACTION

2nd 1st & 2nd 3rd

Readings

Consent V Vote RC Vote

CERTIFIED

MAYOR'S ACTION