



CITY COUNCIL
ATLANTA, GEORGIA

AN AMENDED ORDINANCE

05-O-1127

BY CITY UTILITIES COMMITTEE

TO AMEND ARTICLE IX OF CHAPTER 74 OF THE CODE OF ORDINANCES - POST-DEVELOPMENT STORM WATER MANAGEMENT FOR NEW DEVELOPMENT AND REDEVELOPMENT - (ORDINANCE 04-O-0327) IN ORDER TO CLARIFY THE INTENT AND THE APPLICABILITY; AND FOR OTHER PURPOSES.

WHEREAS, the City Council adopted Article IX of Chapter 74 of the Code of Ordinances- Post-Development Storm Water Management for New Development and Redevelopment, on September 7, 2004, the Mayor approved on September 15, 2004, and per the ordinance became effective on November 15, 2004; and

WHEREAS, an intent of the Article was to mitigate historically increased storm water discharge by reducing the allowable release from new development and/or redeveloped properties; and

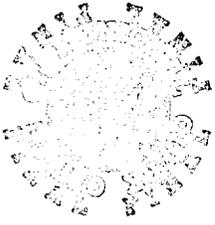
WHEREAS, in applying the requirements of the Article to proposed building permits under review, issues have arisen as to the intent and applicability of certain activities to the requirements mandated; and

WHEREAS, in certain cases in which minor changes to a building or site are proposed, the Article would require expensive and complex storm water management solutions which are disproportionate to the proposed project.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1: Article IX, Section 74-504. Applicability, be deleted in its entirety and replaced with an amended Section 74-504, Applicability, which reads as follows:

- a) This ordinance shall be applicable to land development and redevelopment as identified below, including, but not limited to, building permit applications requiring site development review, subdivision applications, and other applications involving land disturbing activities, unless exempt pursuant to Section 74-504 (c). These standards apply to any new development or redevelopment site that meets one or more of the following criteria:
- 1) New development that involves the creation of any impervious cover;
 - 2) New development that involves land development activities of one (1) disturbed acre or more;
 - 3) Redevelopment that includes the creation, addition, or demolition and replacement of any impervious cover;



- 4) Redevelopment that involves land development activity of one (1) disturbed acre or more;
 - 5) Any new development or redevelopment, regardless of size, that meets the definition of a hotspot land use; or
 - 6) Land development activities that are smaller than the minimum applicability criteria set forth in Section 74-504 (c), if such activities are part of a larger common plan of development, even though multiple, separate and distinct land development activities may take place at different times on different schedules.
- b) Compliance with Section 74-502 (b) (2) that limits the peak rate of discharge to not more than seventy per cent (70%) of the pre-developed peak rate of discharge from the property shall be applied as follows:
- 1) For new development or redevelopment, the discharge rate limitation shall be applied to the area of the site impacted by the proposed work, provided that the impacted area does not exceed 35% of the total parcel;
 - 2) For new development or redevelopment in which the area of the site impacted by the work exceeds 35% of the total parcel area, the discharge rate limitation shall be applied to the total parcel area; or
 - 3) For a subdivision of land, whether in an undeveloped or redeveloped condition, the discharge rate limitation shall be applied to the total parcel(s) area.
- c) The following activities are exempted from this ordinance:
- 1) Construction of single-family or duplex residential structures in which the proposed work results in less than one (1) disturbed acre or less than 5000 square feet of impervious cover;
 - 2) Additions or modifications to existing single-family or duplex residential structures in which the proposed work results in less than one (1) disturbed acre or less than 5000 square feet of total area of existing and new impervious cover;
 - 3) Agricultural or silvicultural land management activities within properly zoned areas;
 - 4) Installations, repairs, or modifications to storm drains, drainage structures, storm water management facilities, or other drainage facilities to improve drainage capabilities;
 - 5) Installations, repairs, or modifications to sanitary sewer facilities to expand or improve sanitary sewer service capabilities;
 - 6) Installations of dumpster pads with drains connected to sanitary sewers;
 - 7) Installations or modifications to existing structures to accommodate Americans with Disability Act (ADA) requirements such as elevator shafts, handicapped access ramps, enlarged entrances or exits, et cetera.;
 - 8) Installations or modifications to existing structures to address health and safety issues or compliance with City of Atlanta Code requirements such as fire escapes, stairways, additional exits, et cetera.;
 - 9) Installations to existing structures of incidental mechanical or electrical equipment placed on areas of previously existing impervious surfaces;



- 10) Overlays or resurfacing of existing impervious paved surfaces;
 - 11) Any work permitted in the public rights of way such as the installations of sidewalks, driveway aprons, street cuts, et cetera; or
 - 12) Any minor work which in the professional judgment of the Commissioner of the Department of Watershed Management is deemed in the best interest of the City.
- d) For development activities involving the construction of individual homes which are otherwise exempt from this ordinance, the following minimum requirements shall apply:
- 1) Lots shall be graded to ensure that storm water exiting individual lots under post-developed conditions does not adversely impact the adjacent lots as a result of concentrated flows, flooding, erosion, or deposits of silt or sediment.
 - 2) Within the building permit process, the applicant shall submit a grading, erosion and sediment control plan to the Site Development Section of the Department of Watershed Management identifying the following:
 - a. Existing and proposed ground contours and elevations
 - b. Sanitary and storm sewers, structures and easements
 - c. Location, configuration and finished floor elevations for existing and proposed building structures
 - d. Location, configuration and finished elevations for existing and proposed paved areas
 - e. Erosion and sediment control practices in conformance with the Manual for Erosion and Sediment Control in Georgia, Chapter 6
 - f. Plan shall be signed and sealed by State of Georgia registered architect, landscape architect, engineer or land surveyor

SECTION 2: That all ordinances and parts of ordinances in conflict herewith be waived to the extent of the conflict

A true copy,

Deputy Clerk

ADOPTED as amended by the Council
APPROVED by the Mayor

JUL 18, 2005
JUL 26, 2005

RCS# 6873
7/18/05
6:52 PM

Atlanta City Council

Regular Session

05-O-1127 AMEND CHPT 74 POST DEVELOPMENT STORM WTR
 MGMNT NEW DEV CLARIFY INTENT/APPBLTY
 ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 1
ABSENT 0

E Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
NV Winslow	Y Muller	Y Sheperd	NV Borders

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AN ORDINANCE BY:
CITY UTILITIES COMMITTEE

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ADOPTED BY

JUL 1 8 2005

COUNCIL

AS AMENDED

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred 7-5-2005

Referred To: City Utilities

Date Referred

Referred To:

Date Referred

Referred To:

First Reading
 Committee Date 7/19/05
 Chair George H. Jones
 Referred To City Utilities

Committee City Utilities
 Date 7/19/05
 Chair George H. Jones

Action
 Fav, Adv, Hold (see rev. side)
 Other None

Members
George H. Jones
Shirley Cuddehe
Clair Mueller

Refer To

Committee

Date

Chair

Action
Fav, Adv, Hold (see rev. side)
Other

Members

Refer To

Committee

Date

Chair

Action
Fav, Adv, Hold (see rev. side)
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
 Consent
 V Vote
 RC Vote

CERTIFIED

JUL 1 8 2005

CERTIFIED
JUL 1 8 2005

MAYOR'S ACTION

Handwritten signature