

13-0-1121

(Do Not Write Above This Line)

AN ORDINANCE BY
CITY UTILITIES COMMITTEE

AN ORDINANCE TO REVISE CHAPTER 138 (STREETS, SIDEWALKS AND OTHER PUBLIC PLACES), ARTICLE I (IN GENERAL), SECTION 138-9 (VACATING AND ABANDONING STREETS), SO AS TO REVISE SECTION 138-9(k)(2) TO MAKE CERTAIN THAT NO ABANDONMENT OF PROPERTY BY THE CITY SHALL RESULT IN THE CREATION OF A DEAD-END STREET THAT DOES NOT INCLUDE INFRASTRUCTURE THAT WILL PERMIT VEHICLE TURN-AROUNDS; AND FOR OTHER PURPOSES.

ADOPTED BY
JUL 15 2013
COUNCIL

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1ST ADOPT 2ND READ & REFER
- PERSONAL PAPER REFER

Date Referred: 7/1/13

Referred To: City Utilities

A RESOLUTION

Date Referred: BY CITY UTILITIES COMMITTEE

Referred To:

Date Referred:

Referred To:

Committee: City Utilities
 Date: JUNE 25, 2013
 Chair: [Signature]
 Referred To: CUC

Committee: City Utilities
 Date: July 9 2013
 Chair: [Signature]
 Action: [Signature]
 Fav, Adv, Hold (See rev.side)
 Other
 Members: [Signatures]
 Refer To: [Signature]

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
 Readings
 Consent V Vote RC Vote

CERTIFIED
 JUL 15 2013
 ATLANTA CITY COUNCIL PRESIDENT
[Signature]

CERTIFIED
 JUL 15 2013
 Rhonda Daughlin Johnson
 MUNICIPAL CLERK

MAYOR'S ACTION
 APPROVED
 JUL 24 2013
 WITHOUT SIGNATURE
 BY OPERATION OF LAW

AN ORDINANCE BY
CITY UTILITIES COMMITTEE

AN ORDINANCE TO REVISE CHAPTER 138 (STREETS, SIDEWALKS AND OTHER PUBLIC PLACES), ARTICLE I (IN GENERAL), SECTION 138-9 (VACATING AND ABANDONING STREETS), SO AS TO REVISE SECTION 138-9(k)(2) TO MAKE CERTAIN THAT NO ABANDONMENT OF PROPERTY BY THE CITY SHALL RESULT IN THE CREATION OF A DEAD-END STREET THAT DOES NOT INCLUDE INFRASTRUCTURE THAT WILL PERMIT VEHICLE TURN-AROUNDS; AND FOR OTHER PURPOSES.

WHEREAS, the word “construed” that is now set out in Section 138-9(k)(2) of the Atlanta City Code is misspelled and that the correct spelling should be “constructed”; and

WHEREAS, Section 138-9(k)(2) requires that any abandonment authorized at Section 138-9 requires, as a condition of any such abandonment that city standard infrastructure shall be constructed by the petitioner, and

WHEREAS, the language in Section 138-9(k)(2) needs to be expanded to make certain that in the case of an abandonment that will result in the creation of a dead end street, that such dead end street be constructed so as to provide for vehicle turn-around infrastructure in compliance with City of Atlanta requirements as a condition of any such abandonment.

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

SECTION 1: That Section 138-9(k) of Article I of Chapter 138 shall be amended with deletions struck through and additions in bold:

(k) Physical conditions for abandonment. No street ~~nor~~ or right-of-way shall be abandoned unless the following conditions are met.

(1) No abandonment shall result in any parcel of land being left landlocked, nor shall any new lot be created which does not comply with the current applicable zoning and building permitting requirements.

(2) No abandonment shall ~~occur until all portions of the right-of-way or with a city standard cul-de-sac as defined in city's department of public works standard details.~~ **result in the creation of any dead end street without the inclusion of an appropriate turn-around infrastructure to be installed by the petitioner at the petitioner's expense as defined in the department of public works standard details.** It shall be a condition of any abandonment that appropriate city standard infrastructure shall be ~~construed~~ **constructed** by the petitioner, including the appropriate dedication of any additional land area required by construction of a cul-de-sac.



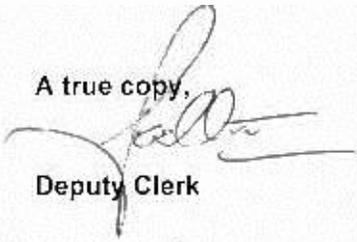
The amended provision shall then read as follows:

(k) Physical conditions for abandonment. No street or right-of-way shall be abandoned unless the following conditions are met.

(1) No abandonment shall result in any parcel of land being left landlocked, nor shall any new lot be created which does not comply with the current applicable zoning and building permitting requirements.

(2) No abandonment shall result in the creation of any dead end street without the inclusion of an appropriate turn-around infrastructure to be installed by the petitioner at the petitioner's expense as defined in the department of public works standard details. It shall be a condition of any abandonment that appropriate city standard infrastructure shall be constructed by the petitioner, including the appropriate dedication of any additional land area required by construction of a cul-de-sac.

SECTION 2: That all ordinances and parts of ordinances on conflict herewith be and the same are hereby repealed in this instance only.

A true copy,

Deputy Clerk

ADOPTED by the Atlanta City Council
APPROVED as per City Charter Section 2-403

JUL 15, 2013
JUL 24, 2013

RCS# 2897
7/15/13
3:34 PM

Atlanta City Council

CONSENT AGENDA SECTION I (PAGES 3-20)
EXCEPT 1138;1189;1154
ADOPT

YEAS: 10
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 0
ABSENT 2

NV Smith	Y Archibong	Y Moore	Y Bond
NV Hall	Y Wan	Y Martin	NV Watson
Y Young	B Shook	Y Bottoms	Y Willis
Y Winslow	Y Adrean	B Sheperd	NV Mitchell

+

		07-01-13
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED ON CONSENT
1. 13-O-1127	36. 13-R-3332	41. 13-R-3337
2. 13-O-1153	37. 13-R-3333	42. 13-R-3338
3. 13-O-0311	38. 13-R-3334	43. 13-R-3339
4. 13-O-1122	39. 13-R-3335	44. 13-R-3340
5. 13-O-1123	40. 13-R-3336	45. 13-R-3341
6. 13-O-1139		46. 13-R-3342
7. 13-O-1183		47. 13-R-3343
8. 13-O-1185		48. 13-R-3344
9. 13-O-1119		49. 13-R-3345
10. 13-O-1120		50. 13-R-3346
11. 13-O-1121		51. 13-R-3347
12. 13-O-1125		52. 13-R-3348
13. 13-O-1155		53. 13-R-3349
14. 13-R-3312		54. 13-R-3350
15. 13-R-3315		55. 13-R-3351
16. 13-R-3325		56. 13-R-3352
17. 13-R-3326		57. 13-R-3353
18. 13-R-3266		58. 13-R-3354
19. 13-R-3322		59. 13-R-3355
20. 13-R-3323		60. 13-R-3356
21. 13-R-3316		61. 13-R-3357
22. 13-R-3317		62. 13-R-3358
23. 13-R-3306		63. 13-R-3359
24. 13-R-3307		64. 13-R-3360
25. 13-R-3308		65. 13-R-3361
26. 13-R-3318		66. 13-R-3362
27. 13-R-3375		67. 13-R-3363
28. 13-R-3313		68. 13-R-3364
29. 13-R-3320		69. 13-R-3365
30. 13-R-3324		70. 13-R-3366
31. 13-R-3327		71. 13-R-3367
32. 13-R-3328		72. 13-R-3368
33. 13-R-3329		73. 13-R-3369
34. 13-R-3330		74. 13-R-3370
35. 13-R-3331		75. 13-R-3371
		76. 13-R-3372
		77. 13-R-3373