

13-0-1324

13-0-1324

(Do Not Write Above This Line)

AN ORDINANCE BY COUNCILMEMBER YOLANDA ADREAN

AN ORDINANCE BY COUNCILMEMBER YOLANDA ADREAN IMPOSING A MORATORIUM WITHIN THE COLLIER VILLAGE, AS DEFINED HEREIN, ON THE ACCEPTANCE OF ANY BUILDING PERMIT APPLICATION FOR NEW CONSTRUCTION FOR A PERIOD NOT TO EXCEED ON HUNDRED AND EIGHT (180) DAYS; AND FOR OTHER PURPOSES.

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

Date Referred

Referred To:

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee
Date
Chair
Referred To

Committee zoning
Date 10/30/13
Chair [Signature]
Action Fav, Adv, Hold (see rev. side) on substitute
Members Carla Smith, [Signature], [Signature]
Refer To

Committee
Date
Chair
Action Fav, Adv, Hold (see rev. side)
Other
Members
Refer To

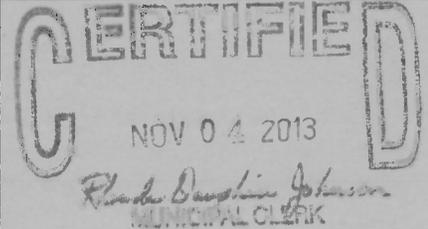
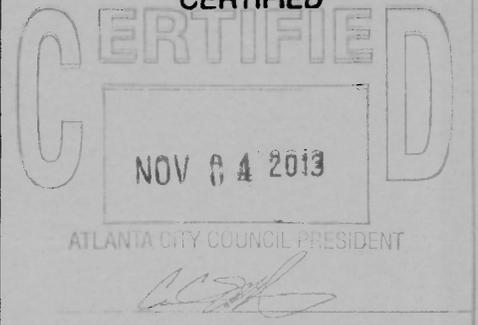
Committee
Date
Chair
Action Fav, Adv, Hold (see rev. side) Other
Members
ADOPTED BY
NOV 04 2013
COUNCIL
Refer To

Committee
Date
Chair
Action Fav, Adv, Hold (see rev. side) Other
Members
Refer To

FINAL COUNCIL ACTION

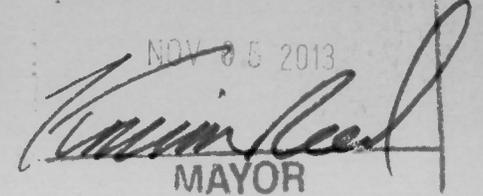
- 2nd, 1st & 2nd, 3rd Readings, Consent, V Vote, RC Vote

CERTIFIED



MAYOR'S ACTION

APPROVED





CITY COUNCIL
ATLANTA, GEORGIA

**A SUBSTITUTE ORDINANCE
BY COUNCIL MEMBER YOLANDA ADREAN**

13-O-1324

AN ORDINANCE IMPOSING A MORATORIUM WITHIN THE COLLIER VILLAGE, AS DEFINED HEREIN, ON THE ACCEPTANCE OF ANY BUILDING PERMIT APPLICATION FOR NEW CONSTRUCTION FOR A PERIOD NOT TO EXCEED ONE HUNDRED AND EIGHTY (180) DAYS; AND FOR OTHER PURPOSES.

WHEREAS, the area generally bounded by Interstate 75, Howell Mill Drive, and Collier Road is known as the Collier Village; and

WHEREAS, the City Council is concurrently considering the adoption of the Collier Village Blueprint (hereafter "Blueprint") planning document into the Comprehensive Development Plan (CDP) as a policy guide for the future development within the Collier Village; and

WHEREAS, the Blueprint recommends the rezoning of multi-family and commercial zoned parcels to corresponding Quality of Life zoning districts, namely Multi-Family Residential (MR) and Mixed Residential Commercial (MRC) consistent with the vision and recommendations set forth therein; and

WHEREAS, rezoning legislation will shortly be introduced to carry out the vision and recommendations set forth in the Collier Village Blueprints; and

WHEREAS, it is expected that the CDP amendment and rezoning process will take approximately one-hundred eighty (180) days before the legislation can be considered by the City Council for a final vote.

WHEREAS, it is the intent of the City Council to impose this moratorium for only that length of time that is necessary for all stakeholders to review the proposed CDP amendment and rezoning and follow the requisite procedures under City Code and state law; and

WHEREAS, new construction inconsistent with the Blueprint would undermine the important planning principles, vision and recommendations set forth therein in furtherance of the public health, safety and general welfare; and

WHEREAS, moratoria is a well-recognized and court-sanctioned land use tool in furtherance of local planning and zoning powers by preserving the status quo while the governing authority formulates a more permanent development strategy. Tahoe-Sierra Preservation Council, Inc. v. Tahoe Regional Planning Agency, 535 U.S. 302 (2002); City of Roswell v. Outdoor Systems, Inc., 274 Ga. 130 (2001).



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

Section 1. A moratorium is imposed on the acceptance of any building permit application for any new construction within the Collier Village, as more fully described on Exhibit "A", attached hereto. The Director of the Office of Buildings shall accept no building permit application for new construction on any parcel within the area set forth on Exhibit "A".

Section 2. For purposes of this ordinance, new construction shall be defined as any construction which would result in one or more new buildings, increased lot coverage, and modification of the building footprint . Additions to existing buildings shall constitute new construction.

Section 3. The moratorium imposed by this ordinance will expire one hundred and eighty (180) days from the date that this ordinance becomes effective. Notwithstanding the foregoing, if there is a final vote of the City Council on the rezoning of the area described in Exhibit "A" before the expiration of the one hundred and eighty (180) days, the moratorium will expire on the date when the rezoning ordinance becomes effective or on the date when the City Council votes to deny the rezoning ordinance.

Section 4. This ordinance shall become effective immediately upon signing by the Mayor or as otherwise provided by the operation of law.

A true copy,

Phonda Daughlin Johnson
Municipal Clerk

ADOPTED by the Atlanta City Council
APPROVED by Mayor Kasim Reed

NOV 04, 2013
NOV 05, 2013



Exhibit A Collier Village



RCS# 3126
11/04/13
3:21 PM

Atlanta City Council

MULTIPLE

13-O-1324, 13-O-1207

ADOPT ON SUB

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 1

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

MULTIPLE