

11-0-1237

(Do Not Write Above This Line)

AN ORDINANCE
BY COMMUNITY
DEVELOPMENT/HUMAN
RESOURCES

AN ORDINANCE TO AMEND
THE LAND DEVELOPMENT
CODE, PART 19, CHAPTER 1,
ENTITLED "DEVELOPMENT
IMPACT FEES"; AND FOR
OTHER PURPOSES.

AUTOMATICALLY TERMINATED
AND
FILED BY CLERK
PER CHARTER SECTION 2-407
DEC 02 2013

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

Date Referred 9/6/11
 Referred To: CD/HR
 Date Referred
 Referred To:
 Date Referred

489536-1
Referred To:

First Reading

Committee CD/HR
 Date 8/30/11
 Chair Joseph N. Soper
 Referred To CD/HR

FINAL COUNCIL ACTION
 2nd 1st & 2nd 3rd
 Readings
 Consent V Vote RC Vote

CERTIFIED
 DEC 02 2013
 ATLANTA CITY COUNCIL PRESIDENT
[Signature]

CERTIFIED
 DEC 02 2013
 Rhonda Dandridge Johnson
 MUNICIPAL CLERK

MAYOR'S ACTION

Committee CD/HR
 Date 9/13/11
 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 CD/HR
 Date 1/31/12
 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

**A SUBSTITUTE ORDINANCE BY
COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE**

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF
THE CITY OF ATLANTA, PART III LAND DEVELOPMENT,
PART 19, FEES, PERMITS, LICENSES AND CHARGES,
CHAPTER 1, DEVELOPMENT IMPACT FEES; AND FOR OTHER
PURPOSES**

WHEREAS, Chapter 71 of Title 36 of the Official Code of Georgia, (the “Georgia Development Impact Fee Act”) authorizes municipalities and counties which have adopted a comprehensive plan containing a capital improvements element to impose by ordinance development impact fees as a condition of development approval on all development pursuant to and in accordance with its provisions;

WHEREAS, the City of Atlanta (the “City”) adopted its initial development impact fee ordinance in 1993 after completion of the study required by the Georgia Development Impact Fee Act; and

WHEREAS, the purpose of the Georgia Development Impact Fee Act and the development impact fee ordinances that are adopted pursuant to its authority is to create an equitable program for planning and financing public facilities needed to serve new growth and development is necessary in order to promote and accommodate orderly growth and development and to protect the public health, safety, and general welfare; and

WHEREAS, in order to update the information on which the City’s development impact fee ordinance is based and to align the fees charged with the current cost of public facilities needed to serve new growth and development, the City and its consultant, Duncan Associates performed an Impact Fee Study dated November 2010; (<http://www.atlantaga.gov/modules/showdocument.aspx?documentid=4659>); and

WHEREAS, to promote the goals of creating an equitable program for planning and financing public facilities needed to serve new growth and development; promoting and accommodating orderly growth and development and to protect the public health, safety, and general welfare, the City development impact fee ordinance is to be amended consistent with the Georgia Development Impact Fee Act and the study performed by Duncan Associates;

NOW THEREFORE, the City Council of the City of Atlanta Georgia, hereby ordains as follows:

Section 1: Section 19-1001 through and including Section 19-1024 of the Code of Ordinances, City of Atlanta, Georgia, are hereby amended to read as set forth in Exhibit “A” as of the date that this ordinance becomes effective.

Section 2: The findings of the Duncan Associates Impact Fee Study of November 2010 (<http://www.atlantaga.gov/modules/showdocument.aspx?documentid=4659>) are adopted as the basis for the passage of this ordinance. A copy is attached hereto as Exhibit "B."

Section 3: It is specifically intended that this ordinance shall be construed to preserve the levy and imposition of development impact fees on all development consistent with the development impact fee ordinance in effect at the time that such fees would be due and to require that such fees be paid as a condition of permitting such development.

Section 4: This ordinance shall become effective on January 1, 2013 and any development impact fee which shall become due on or after that date shall be charged at the rates set forth in the amendments to Section 19-1001 through and including Section 19-1024 of the Code of Ordinances, City of Atlanta, Georgia, as set forth in Exhibit "A."