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AN ORDINANCE
BY COUNCILMEMBER AARON WATSON

AN ORDINANCE TO AUTHORIZE THE REDUCTION OF SPECIAL ADMINISTRATIVE PERMIT FEES FOR URBAN GARDENS AS PRINICPAL USES ON LOTS IN RESIDENTIAL ZONING DISTRICTS; AND FOR OTHER PURPOSES.

WHEREAS, the Mayor and the City Council of the City of Atlanta desire to increase access to healthy, local and affordable foods, encourage community building, and support local agriculture and economic development by making urban gardening opportunities accessible to all interested citizens; and

WHEREAS, to this end the City Council of the City of Atlanta has amended the City of Atlanta zoning ordinance to provide for urban gardens and market gardens as permitted uses; and

WHEREAS, pursuant to the amendment to the Zoning Ordinance, urban gardens may be allowed as a permitted principal use on undeveloped lots in residential districts by Special Administrative Permit (SAP) issued in accordance with Code Sec. 16-25.004; and

WHEREAS, pursuant to Appendix B to Part III of the City of Atlanta Code of Ordinances, Sec. 6-1007(f)(5), the application fee currently applicable to an SAP for urban garden is $250.00; and

WHEREAS, the Office of Planning has determined that due to the relative simplicity of an application for an urban garden SAP, the review and processing would require less staff time and therefore incur substantially lower costs than do other types of SAP applications; and

WHEREAS, the estimated actual cost of reviewing and processing an urban garden SAP is $35.00;

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

SECTION 1: That the application fee for a Special Administrative Permit for an urban garden as principal use on a lot in a residential zoning district be decreased from $250.00 to $35.00;

SECTION 2: That the Code of Ordinances, Part III, Appendix B: Fees shall be revised as necessary to reflect the imposition of fees in accordance with Section 1 above. Specifically, Section 6-1007(f) of Appendix B, which currently reads as follows:

> ***Special administrative permits***: The special administrative permit application fee shall be based on the following schedule:
>
> (1) Developments (new construction or any construction which results in increased lot coverage, modification of the building footprint, modification of building facades that alters the configuration of openings, and conversions or additions to existing buildings) less than 50,000 square feet of floor area: $500.00.
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> (2) Developments greater than or equal to 50,000 square feet of floor area but less than 250,000 square feet of floor area: $1,000.00.
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> (3) Developments greater than or equal to 250,000 square feet of floor area: $1,500.00
>
> (4) Cell towers and co-location of antenna: $250.00
>
> (5) Exterior demolition, expansions of outdoor dining and all others not listed above: $250.00

shall be revised to insert new subsection (5) and to renumber current subsection (5) as subsection (6), so that the amended section shall read as follows:

> ***Special administrative permits***: The special administrative permit application fee shall be based on the following schedule:
>
> (1) Developments (new construction or any construction which results in increased lot coverage, modification of the building footprint, modification of building facades that alters the configuration of openings, and conversions or additions to existing buildings) less than 50,000 square feet of floor area: $500.00.
>
> (2) Developments greater than or equal to 50,000 square feet of floor area but less than 250,000 square feet of floor area: $1,000.00.
>
> (3) Developments greater than or equal to 250,000 square feet of floor area: $1,500.00
>
> (4) Cell towers and co-location of antenna: $250.00

(5) Urban gardens: $35.00

(6) Exterior demolition, expansions of outdoor dining and all others not listed above: $250.00

SECTION 3: Said fees shall become effective immediately upon the passage of this Ordinance.

SECTION 4: All ordinances or parts of ordinances in conflict with this ordinance shall be waived for the purposes of this Ordinance only, and only to the extent of the conflict.