

**AN ORDINANCE  
BY COUNCIL MEMBER YOLANDA ADREAN**

**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.



CITY COUNCIL  
ATLANTA, GEORGIA

AN ORDINANCE BY COUNCILMEMBER YOLANDA ADREAN TO AMEND THE CITY OF ATLANTA 2011 COMPREHENSIVE DEVELOPMENT PLAN (CDP) SO AS TO INCORPORATE THE COLLIER VILLAGE BLUEPRINTS PLAN; AND FOR OTHER PURPOSES.

**Review List:**

Atlanta City Council

Pending

|   |                    |
|---|--------------------|
| Certified by Presiding Officer                              | Certified by Clerk |
|   |                    |
| Mayor's Action<br><i>See Authentication Page Attachment</i> |                    |

LEGISLATION HISTORY - BLUE BACK