

4/1/14

14-0-1198

AN ORDINANCE BY COUNCILMEMBER YOLANDA ADREAN

TO APPLY TRANSPORTATION DEVELOPMENT IMPACT FEES TO BE PAID IN CONNECTION WITH THE REDEVELOPMENT OF 464 BISHOP STREET AND 560, 568 and 576 TRABERT AVENUE, NW SO THAT SAID TRANSPORTATION DEVELOPMENT IMPACTS FEES WILL FUND THE PARTIAL COST OF CERTAIN TRANSPORTATION PROJECTS WITHIN THE LORING HEIGHTS MASTER PLAN; AND FOR OTHER PURPOSES.

ADOPTED BY

MAY 05 2014

COUNCIL

substitute

Committee Date Chair Referred To

Committee Transportation Date 4/30/14 Chair [Signature]

Action Fav, Adv, Hold (see rev. side) Other

Members [Signatures]

Refer To

First Reading

Committee Date Chair

Committee Date Chair

Action Fav, Adv, Hold (see rev. side) Other

Members

Refer To

FINAL COUNCIL ACTION 1st & 2nd 3rd Readings Consent [X] V. Vote RC Vote [X]

CERTIFIED CERTIFIED MAY 05 2014 ATLANTA CITY COUNCIL PRESIDENT [Signature]

CERTIFIED MAY 05 2014 [Signature] MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

MAY 14 2014 WITHOUT SIGNATURE BY OPERATION OF LAW

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

Date Referred: 4-21-14

Referred To: Transportation

Date Referred:

Referred To:

Date Referred:

Referred To: CMC Staff Conf Subst Fwd

**AN ORDINANCE  
BY COUNCIL MEMBER YOLANDA ADREAN  
AS SUBSTITUTED BY CITY COUNCIL**

**AN ORDINANCE TO PROVIDE THAT TRANSPORTATION DEVELOPMENT IMPACT FEES TO BE PAID IN CONNECTION WITH THE DEVELOPMENTS OF 464 BISHOP STREET AND 560, 568 AND 576 TRABERT AVENUE, N.W. FUND, IN WHOLE OR IN PART, TRANSPORTATION SYSTEM IMPROVEMENTS IDENTIFIED IN THE LORING HEIGHTS MASTER PLAN; TO CONDITION THE EXPENDITURE OF SAID FEES ONLY AT SUCH TIME AS TRANSPORTATION SYSTEM IMPROVEMENT PROJECT(S) IDENTIFIED WITHIN THE MASTER PLAN ARE INCLUDED IN THE CAPITAL IMPROVEMENT ELEMENT OF THE COMPREHENSIVE DEVELOPMENT PLAN; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Atlanta Development Impact Fee Ordinance (hereinafter, the "Impact Fee Ordinance") was adopted by the City Council on March 18, 1993, and approved by the Mayor on March 26, 1993; and

**WHEREAS**, one purpose of the Impact Fee Ordinance is to ensure that new land development bear a proportionate share of the cost of new public facilities, including transportation facilities necessary to serve such growth; and

**WHEREAS**, development projects at 464 Bishop Street and 560, 568 and 576 Trabert Avenue are within the Loring Heights Neighborhood boundary ("Loring Heights developments") and will pay development impact fees, including transportation impact fees; and

**WHEREAS**, Ordinance 12-O-0209 adopted Loring Heights Neighborhood Master Plan and incorporated it into the City's Comprehensive Development Plan; and

**WHEREAS**, the Loring Heights Neighborhood Master Plan calls for a series of transportation improvement projects including traffic calming, streetscape, pedestrian and intersection improvements on Deering Road, NW and sidewalk projects on internal neighborhood streets ("system improvements"); and

**WHEREAS**, use of transportation impact fees collected from the Loring Heights developments to partially fund said system improvements within the Loring Heights Neighborhood have been considered and it is found that such system improvements, as set forth in the Master Plan, will have the greatest effect on the level of service for roads, streets, bridges, including rights of way, traffic signals, landscaping, or any local components of state or federal highways impacted by the Loring Heights developments; and

**WHEREAS**, the Development Impact Fee Act requires that any system improvement for which transportation impact fees are to be expended be identified in the Capital Improvements Element of the Comprehensive Development Plan prior to expenditure.

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

**Section 1:** Transportation development impact fees paid in connection with the redevelopment of 464 Bishop Street and 560, 568 and 576 Trabert Avenue, N.W. fund, in whole or in part, system improvement projects, as identified within the Loring Heights Neighborhood Master Plan which creates additional service available to serve new growth and development.

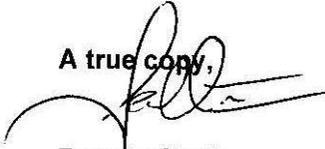
**Section 2:** Notwithstanding Section 1, expenditure of such fees shall only occur at such time as the transportation system improvement project(s) identified within the Loring Heights Neighborhood Master Plan are included within the capital improvement element of the Comprehensive Development Plan.

**Section 3:** This ordinance shall become effective immediately upon its approval by the City Council and signature by the Mayor or by operation of law.

A true copy,

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

MAY 05, 2014  
MAY 14, 2014

  
Deputy Clerk

RCS# 278  
5/05/14  
2:53 PM

Atlanta City Council

14-O-1178

IMPACT FEES FOR BISHOP STREET

ADOPT ON SUB

YEAS: 12  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 4  
EXCUSED: 0  
ABSENT 0

NV Smith	Y Archibong	Y Moore	Y Bond
Y Hall	Y Wan	Y Martin	NV Norwood
NV Young	Y Shook	Y Bottoms	Y Dickens
Y Winslow	Y Adrean	Y Sheperd	NV Mitchell

14-O-1178