

**EXECUTIVE ORDER 2023-040**

**BY THE MAYOR**

**DIRECTING THAT THE DIRECTORS OF THE DEPARTMENT OF CITY PLANNING'S OFFICE OF BUILDINGS AND OFFICE OF ZONING AND DEVELOPMENT ACCEPT NO NEW REZONING APPLICATIONS, BUILDING PERMIT APPLICATIONS, LAND DISTURBANCE PERMIT APPLICATIONS, SPECIAL USE PERMIT APPLICATIONS, SPECIAL ADMINISTRATIVE PERMIT APPLICATIONS, SUBDIVISION APPLICATIONS, REPLATTING APPLICATIONS, OR LOT CONSOLIDATION APPLICATIONS FOR PARCELS WITHIN THE AREA DESIGNATED IN THIS ORDER, IN ORDER TO GIVE THE ATLANTA CITY COUNCIL TIME TO REVIEW REGULATIONS TO ADDRESS CONCERNS AND TO IMPOSE A MORATORIUM.**

**WHEREAS**, the City of Atlanta (the "City") has been vested with substantial powers, rights and functions to generally regulate the practice, conduct or use of property for the purposes of maintaining health, morals, safety, peace and the general welfare of the City of Atlanta; and

**WHEREAS**, the Atlanta Medical Center is a 120-year-old institution that sits in the heart of the City on a 25-acre site (the "site"), as more particularly described on the map attached hereto as Exhibit A; and

**WHEREAS**, previous city planning efforts such as the Old Fourth Ward Master Plan, which was adopted by the Atlanta City Council pursuant to Ordinance No. 08-O-1572 on September 15, 2008 and approved by the Mayor on September 23, 2008, have designated the Atlanta Medical Center as a piece of essential infrastructure for the community, and further contemplated that the medical center would continue to be a staple in the community providing both health care and jobs; and

**WHEREAS**, the announcement of the closure of the Atlanta Medical Center has created doubt and uncertainty about future planning efforts for the community and the surrounding property owners; and

**WHEREAS**, while the individual parcels comprising the site are currently used altogether as a hospital campus, the parcels are zoned as a mix of zoning categories, including C-1 Community Business District Regulations, C-2 Commercial Service District, C-4 Central Area Commercial Residential District, and some of the properties fall within both the Beltline Overlay District and Beltline Affordable Workforce Housing District; and

**WHEREAS**, any future uses of the site, whether those uses are medical or otherwise, should be developed under a rezoning category that is consistent with both the future land use map and consistent with the character of the surrounding area; and

**WHEREAS**, pursuant to Executive Order 2022-101, as ratified by Ordinance No. 22-O-1777, which was adopted and approved on October 17, 2022, a moratorium on the acceptance of applications for rezonings, building permits, land disturbance permits, special use permits, special administrative permits, subdivisions, replattings, and lot consolidations related to any parcel(s) within the site was put into effect for a period of one hundred eighty (180) days commencing on the date the moratorium became effective; and

**WHEREAS**, the City desires to ensure that it shall have a limited amount of additional time to continue its efforts to conduct a planning review, including development planning, for the properties located within the site as more particularly described on Exhibit A to further address the impact of proposed changes in the area; and

**WHEREAS**, pursuant to Section 2-182 of the City of Atlanta Code of Ordinances, the Mayor may issue executive orders which apply to events of short duration, and which expire at the next meeting of Atlanta City Council subsequent to the issuance thereof unless ratified by a majority vote of the members present and voting; and

**WHEREAS**, there continues to be an urgent need which is substantially related to the public health, safety and welfare, such that an executive order be issued to support an ordinance continuing the aforesaid moratorium on the acceptance of applications for rezonings, building permits, land disturbance permits, special use permits, special administrative permits, subdivisions, replattings, and lot consolidations related to any parcel(s) within the site as more particularly described on the attached map shown in Exhibit A so that the purpose of the moratorium not be circumvented until such a time as an appropriate planning or rezoning ordinance can be acted on by the Atlanta City Council; and

**WHEREAS**, this executive order will be for a brief and specific period of time which shall be from the date of execution of this order until the next City Council meeting.

**NOW THEREFORE, I, ANDRE DICKENS, AS MAYOR OF THE CITY OF ATLANTA, HEREBY AUTHORIZE, ORDER AND DIRECT AS FOLLOWS:**

**SECTION 1:** That as of the date of execution of this order, the Directors of the Office of Buildings and the Office of Zoning and Development are hereby authorized, ordered and directed to refuse to accept new applications for rezonings, building permits, land disturbance permits, special use permits, special administrative permits, subdivisions, replattings, and lot consolidations for any projects located within the site and map area, as indicated on Exhibit A and attached to this order.

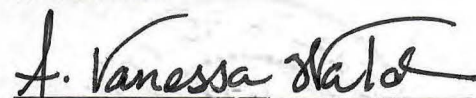
**SECTION 2:** This order shall not apply to building permits for repair or remediation work required for emergency work related to any life safety concerns at a particular building.

**SECTION 3:** This order shall remain in effect until the next City Council meeting.

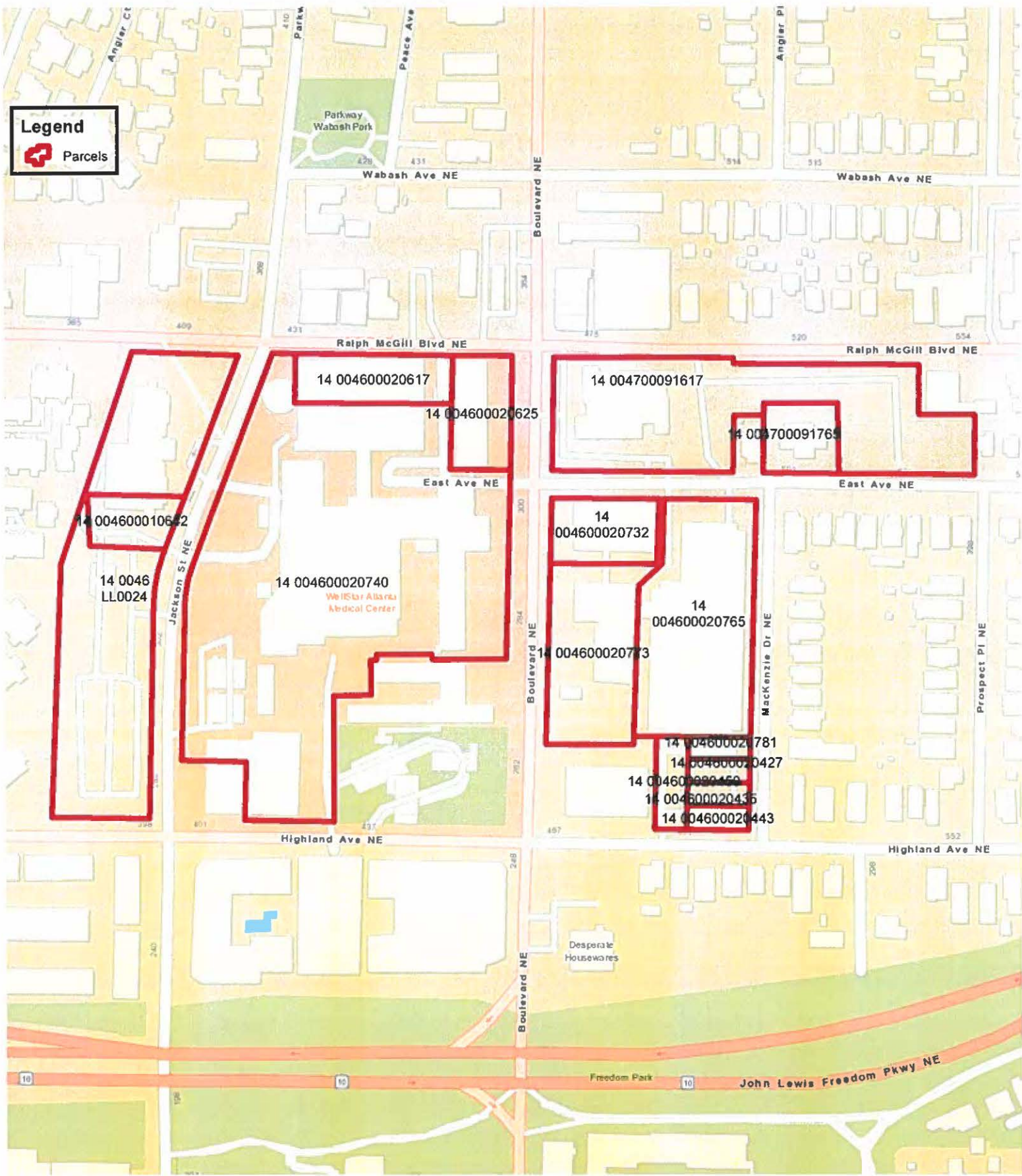
**SO ORDERED** this 17<sup>th</sup> day of April, 2023.

  
Andre Dickens, Mayor

ATTESTED:

  
Municipal Clerk

# Exhibit A – Properties subject to moratorium



Requested By: Date: 9/21/2022  
 User Name:  
 Path: C:\Users\cpghsten\OneDrive - City Of Atlanta\Desktop\MXD Templates\8-5x11\_Portrait.mxd



THIS MAP IS PROVIDED AS A PUBLIC SERVICE. The City of Atlanta has made known that this data contains known errors and inaccuracies. The City of Atlanta in no way ensures, represents or warrants the accuracy and/or reliability of the data and/or map products being developed. The user of the data and/or map products assumes all risks and liabilities which may arise from the information produced by Maps or Data furnished to Use by the City of Atlanta.

