

**AN ORDINANCE BY COUNCILMEMBER NATALYN M. ARCHIBONG TO AMEND THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, CHAPTER 74 “ENVIRONMENT”, ARTICLE VI “FLOOD AREA REGULATIONS”, AT SECTIONS 74-206.1, 74-206.2, AND 74-206.3 SO AS TO AMEND CERTAIN PROVISIONS IN SAID SECTIONS RELATIVE TO THE FILL IN FLOODPLAIN REQUIREMENTS FOR HISTORICALLY MODIFIED FLOODPLAIN AREAS; AND FOR OTHER PURPOSES.(HELD 4/28/15 FOR A WORK SESSION)**

WHEREAS, the City of Atlanta was required to adopt and administer Metropolitan North Georgia Water Planning District’s *Model Floodplain Management/Flood Damage Prevention Ordinance* or an equally floodplain management ordinance; and

WHEREAS, various sections of Chapter 74 “Environment”, Article VI “Flood Area Regulations” were amended in the Code of Ordinances to comply with conditions necessary to participate in the National Flood Insurance Program as required by the Federal Emergency Management Agency per the Atlanta City Council adopting Ordinance 13-O-1021 on May 20, 2013; and

WHEREAS, Sections 74-206.1, 74-206.2, and 74-206.3 were created to permit construction and land development in historically modified floodplains in a manner that minimized the risk to life and property from flooding of homes and businesses by placing reasonable restrictions and limitations on such development; and

WHEREAS, Section 74-203 defines a historically modified floodplain as an area, in a combined sewershed, in which significant portions of the historic “natural” stream have been enclosed in a pipe; and

WHEREAS, the City’s requirement for placing fill in historically modified floodplain areas is more restrictive than those outlined in the Metropolitan North Georgia Water Planning District’s *Model Floodplain Management/Flood Damage Prevention Ordinance* and places hardship on many property owners.

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

**SECTION 1:** That Chapter 74, Article VI, Section 74-206.1(f) of the Code of Ordinances of the City of Atlanta is hereby amended such that it shall read as follows:

Sec. 74-206.1 - Single-family structures in a historically modified floodplain area.

- (f) *Fill in Floodplain.* The placement of fill in the historically modified floodplain area may be allowed if it can be demonstrated that there will be no increase of flood elevation or adverse impacts on any upstream, downstream or adjacent property, ~~and results in no net loss in flood storage volume.~~

SECTION 2: That Chapter 74, Article VI, Section 74-206.2(f) of the Code of Ordinances of the City of Atlanta is hereby amended such that it shall read as follows:

Sec. 74-206.2 - Multifamily structures in a historically modified floodplain area.

- (f) *Fill in Floodplain.* The placement of fill in the historically modified floodplain area may be allowed if it can be demonstrated that there will be no increase of flood elevation or adverse impacts on any upstream, downstream or adjacent property, ~~and results in no net loss in flood storage volume.~~

SECTION 3: That Chapter 74, Article VI, Section 74-206.3(f) of the Code of Ordinances of the City of Atlanta is hereby amended such that it shall read as follows:

Sec. 74-206.3 - Non-residential structures in a historically modified floodplain area.


- (f) *Fill in Floodplain.* The placement of fill in the historically modified floodplain area may be allowed if it can be demonstrated that there will be no increase of flood elevation or adverse impacts on any upstream, downstream or adjacent property, ~~and results in no net loss in flood storage volume.~~

SECTION 4: That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed only to the extent of conflict.

**CITY COUNCIL  
ATLANTA, GEORGIA**

15-O-1148

**SPONSOR SIGNATURES**



Natalyn Mosby Archibong, Councilmember, District 5

**CITY COUNCIL  
ATLANTA, GEORGIA**

15-O-1148

**AN ORDINANCE BY COUNCILMEMBER NATALYN M. ARCHIBONG TO AMEND THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, CHAPTER 74 “ENVIRONMENT”, ARTICLE VI “FLOOD AREA REGULATIONS”, AT SECTIONS 74-206.1, 74-206.2, AND 74-206.3 SO AS TO AMEND CERTAIN PROVISIONS IN SAID SECTIONS RELATIVE TO THE FILL IN FLOODPLAIN REQUIREMENTS FOR HISTORICALLY MODIFIED FLOODPLAIN AREAS; AND FOR OTHER PURPOSES.(HELD 4/28/15 FOR A WORK SESSION)**

**Workflow List:**

Clerk of Council	Completed	04/21/2015 4:37 PM
Atlanta City Council	Completed	04/20/2015 1:00 PM
City Utilities Committee	Completed	04/28/2015 9:30 AM
Atlanta City Council	Completed	05/04/2015 1:00 PM
City Utilities Committee	Completed	05/12/2015 9:30 AM
Atlanta City Council	Completed	05/18/2015 1:00 PM
City Utilities Committee	Completed	05/26/2015 9:30 AM
Atlanta City Council	Completed	06/01/2015 1:00 PM
City Utilities Committee	Completed	06/09/2015 9:30 AM
Atlanta City Council	Completed	06/15/2015 1:00 PM
City Utilities Committee	Completed	06/23/2015 9:30 AM
Atlanta City Council	Completed	07/06/2015 1:00 PM
City Utilities Committee	Completed	07/14/2015 9:30 AM
Atlanta City Council	Completed	07/20/2015 1:00 PM
City Utilities Committee	Completed	07/28/2015 9:30 AM
Atlanta City Council	Completed	08/17/2015 1:00 PM
City Utilities Committee	Completed	08/25/2015 9:30 AM
Atlanta City Council	Completed	09/08/2015 1:00 PM
City Utilities Committee	Completed	09/15/2015 9:30 AM
Atlanta City Council	Completed	09/21/2015 1:00 PM
City Utilities Committee	Completed	09/29/2015 9:30 AM
Atlanta City Council	Completed	10/05/2015 1:00 PM
City Utilities Committee	Completed	10/13/2015 9:30 AM
Atlanta City Council	Completed	10/19/2015 1:00 PM
City Utilities Committee	Completed	10/27/2015 9:30 AM
Atlanta City Council	Completed	11/02/2015 1:00 PM
City Utilities Committee	Completed	11/09/2015 9:30 AM
Atlanta City Council	Completed	11/16/2015 1:00 PM
City Utilities Committee	Completed	12/01/2015 9:30 AM
Atlanta City Council	Completed	12/07/2015 1:00 PM
City Utilities Committee	Completed	12/15/2015 9:30 AM
Atlanta City Council	Completed	01/04/2016 1:00 PM
City Utilities Committee	Completed	01/12/2016 9:30 AM
Atlanta City Council	Completed	01/19/2016 1:00 PM
City Utilities Committee	Completed	01/26/2016 9:30 AM
Atlanta City Council	Completed	02/01/2016 1:00 PM
City Utilities Committee	Completed	02/09/2016 9:30 AM
Atlanta City Council	Completed	02/15/2016 1:00 PM
City Utilities Committee	Completed	02/23/2016 9:30 AM
Atlanta City Council	Completed	03/07/2016 1:00 PM

City Utilities Committee	Completed	03/15/2016 9:30 AM
Atlanta City Council	Completed	03/21/2016 1:00 PM
City Utilities Committee	Completed	03/29/2016 9:30 AM
Atlanta City Council	Completed	04/18/2016 1:00 PM
City Utilities Committee	Completed	04/26/2016 9:30 AM
Atlanta City Council	Completed	05/02/2016 1:00 PM
City Utilities Committee	Completed	05/10/2016 9:30 AM
Atlanta City Council	Completed	05/16/2016 1:00 PM
City Utilities Committee	Completed	05/24/2016 9:30 AM
Atlanta City Council	Completed	06/06/2016 1:00 PM
City Utilities Committee	Completed	06/14/2016 9:30 AM
Atlanta City Council	Completed	06/20/2016 1:00 PM
City Utilities Committee	Completed	06/28/2016 9:30 AM
Atlanta City Council	Completed	07/05/2016 1:00 PM
City Utilities Committee	Completed	07/12/2016 9:30 AM
City Utilities Committee	Completed	07/12/2016 9:30 AM
Atlanta City Council	Completed	07/18/2016 1:00 PM
City Utilities Committee	Completed	07/26/2016 9:30 AM
Atlanta City Council	Completed	08/15/2016 1:00 PM
City Utilities Committee	Completed	08/23/2016 9:30 AM
Atlanta City Council	Completed	09/06/2016 1:00 PM
City Utilities Committee	Completed	09/13/2016 9:30 AM
City Utilities Committee	Completed	09/13/2016 9:30 AM
Atlanta City Council	Completed	09/19/2016 1:00 PM
City Utilities Committee	Completed	09/27/2016 9:30 AM
Atlanta City Council	Completed	10/03/2016 1:00 PM
City Utilities Committee	Completed	10/11/2016 9:30 AM
Atlanta City Council	Completed	10/17/2016 1:00 PM
City Utilities Committee	Completed	10/25/2016 9:30 AM
Atlanta City Council	Completed	11/07/2016 1:00 PM
City Utilities Committee	Completed	11/15/2016 9:30 AM
Atlanta City Council	Completed	11/21/2016 1:00 PM
City Utilities Committee	Completed	11/29/2016 9:30 AM
Atlanta City Council	Pending	12/05/2016 1:00 PM
Mayor's Office	Pending	

**HISTORY:**

04/20/15 Atlanta City Council REFERRED WITHOUT OBJECTION

<b>RESULT:</b>	<b>REFERRED WITHOUT OBJECTION</b>
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04/28/15 City Utilities Committee HELD IN COMMITTEE

<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 5/4/2015 1:00 PM</b>
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05/04/15 Atlanta City Council RETURNED AS HELD

<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 5/12/2015 9:30 AM</b>
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05/12/15 City Utilities Committee HELD IN COMMITTEE

<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 5/18/2015 1:00 PM</b>
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05/18/15 Atlanta City Council RETURNED AS HELD

<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 5/26/2015 9:30 AM</b>
05/26/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 6/1/2015 1:00 PM</b>
06/01/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 6/9/2015 9:30 AM</b>
06/09/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	
06/15/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 6/23/2015 9:30 AM</b>
06/23/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	
07/06/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 7/14/2015 9:30 AM</b>
07/14/15	City Utilities Committee	
07/20/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 7/28/2015 9:30 AM</b>
07/28/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 8/17/2015 1:00 PM</b>
08/17/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 8/25/2015 9:30 AM</b>
08/25/15	City Utilities Committee	
09/08/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 9/15/2015 9:30 AM</b>
09/15/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 9/21/2015 1:00 PM</b>
09/21/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 9/29/2015 9:30 AM</b>
09/29/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 10/5/2015 1:00 PM</b>
10/05/15	Atlanta City Council	RETURNED AS HELD

<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 10/13/2015 9:30 AM</b>
10/13/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 10/19/2015 1:00 PM</b>
10/19/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 10/27/2015 9:30 AM</b>
10/27/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 11/2/2015 1:00 PM</b>
11/02/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 11/9/2015 9:30 AM</b>
11/09/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 11/16/2015 1:00 PM</b>
11/16/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 12/1/2015 9:30 AM</b>
12/01/15	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 12/7/2015 1:00 PM</b>
12/07/15	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 12/15/2015 9:30 AM</b>
12/15/15	City Utilities Committee	
01/04/16	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 1/12/2016 9:30 AM</b>
01/12/16	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 1/19/2016 1:00 PM</b>
01/19/16	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 1/26/2016 9:30 AM</b>
01/26/16	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 2/1/2016 1:00 PM</b>
02/01/16	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 2/9/2016 9:30 AM</b>
02/09/16	City Utilities Committee	HELD IN COMMITTEE

<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 2/15/2016 1:00 PM</b>
02/15/16	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 2/23/2016 9:30 AM</b>
02/23/16	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 3/7/2016 1:00 PM</b>
03/07/16	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 3/15/2016 9:30 AM</b>
03/15/16	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 3/21/2016 1:00 PM</b>
03/21/16	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 3/29/2016 9:30 AM</b>
03/29/16	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 4/18/2016 1:00 PM</b>
04/18/16	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 4/26/2016 9:30 AM</b>
04/26/16	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 5/2/2016 1:00 PM</b>
05/02/16	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 5/10/2016 9:30 AM</b>
05/10/16	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 5/16/2016 1:00 PM</b>
05/16/16	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 5/24/2016 9:30 AM</b>
05/24/16	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 6/6/2016 1:00 PM</b>
06/06/16	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 6/14/2016 9:30 AM</b>
06/14/16	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 6/20/2016 1:00 PM</b>
06/20/16	Atlanta City Council	RETURNED AS HELD



<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 6/28/2016 9:30 AM</b>
06/28/16	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 7/5/2016 1:00 PM</b>
07/05/16	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 7/12/2016 9:30 AM</b>
07/12/16	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 7/18/2016 1:00 PM</b>
07/18/16	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 7/26/2016 9:30 AM</b>
07/26/16	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 8/15/2016 1:00 PM</b>
08/15/16	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 8/23/2016 9:30 AM</b>
08/23/16	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 9/6/2016 1:00 PM</b>
09/06/16	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 9/13/2016 9:30 AM</b>
09/13/16	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 9/19/2016 1:00 PM</b>
09/19/16	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 9/27/2016 9:30 AM</b>
09/27/16	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 10/3/2016 1:00 PM</b>
10/03/16	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 10/11/2016 9:30 AM</b>
10/11/16	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 10/17/2016 1:00 PM</b>
10/17/16	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 10/25/2016 9:30 AM</b>
10/25/16	City Utilities Committee	HELD IN COMMITTEE

<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 11/7/2016 1:00 PM</b>
11/07/16	Atlanta City Council	RETURNED AS HELD
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 11/15/2016 9:30 AM</b>
11/15/16	City Utilities Committee	HELD IN COMMITTEE
<b>RESULT:</b>	<b>HELD IN COMMITTEE</b>	<b>Next: 11/21/2016 1:00 PM</b>
<b>RESULT:</b>	<b>RETURNED AS HELD</b>	<b>Next: 11/29/2016 9:30 AM</b>



<ul style="list-style-type: none"><li><input type="checkbox"/> FAVORABLE/AMENDED</li><li><input checked="" type="checkbox"/> RETURNED AS HELD</li><li><input type="checkbox"/> FAVORABLE ON CONDITION</li><li><input type="checkbox"/> FAVORABLE/SUB/CONDITION</li><li><input type="checkbox"/> QUADRENNIALY TERMINATED</li><li><input type="checkbox"/> QUESTION CALLED</li><li><input type="checkbox"/> ROUTED TO COW</li><li><input type="checkbox"/> SUSTAINED</li><li><input type="checkbox"/> OVERRIDEN</li><li><input type="checkbox"/> NOT ACCEPTED BY COMMITTEE</li><li><input type="checkbox"/> SUSTAINED W/O OBJECTION</li><li><input type="checkbox"/> TABLED W/O OBJECTION</li></ul>	
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Certified by Presiding Officer	Certified by Clerk
<p>Mayor's Action</p> <p><i>See Authentication Page Attachment</i></p>	