

AN ORDINANCE BY COUNCILMEMBER JOYCE SHEPERD IMPOSING A MORATORIUM WITHIN THE METROPOLITAN PARKWAY COMMERCIAL CORRIDOR-SOUTH ON THE ACCEPTANCE OF ANY BUILDING PERMIT APPLICATION FOR NEW CONSTRUCTION FOR A PERIOD NOT TO EXCEED ONE HUNDRED AND FIFTY (150) DAYS; AND FOR OTHER PURPOSES.

WHEREAS, for purposes of this ordinance, Metropolitan Parkway between Langford Parkway and Interstate 85 is known as the Metropolitan Parkway Commercial Corridor-South (hereafter "Corridor"); and

WHEREAS, pursuant to Ordinance 13-0-1216, the City Council previously adopted the Lakewood Livable Centers Initiative (hereafter "Lakewood LCI") planning document into the Comprehensive Development Plan (CDP) as a policy guide for the future development within the Corridor; and

WHEREAS, the Lakewood LCI recommends the rezoning of parcels with the Corridor to the 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 Lakewood LCI; and

WHEREAS, it is expected that the CDP amendment and rezoning process will take approximately one-hundred fifty (150) 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 Lakewood LCI 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,

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 Metropolitan Parkway Commercial Corridor- South, 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/or modification of the existing building footprint. Additions to existing buildings shall constitute new construction.

Section 3. The moratorium imposed by this ordinance will expire one hundred and fifty (150) 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 fifty (150) 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

16-O-1364

SPONSOR SIGNATURES


Joyce Sheperd, Councilmember, District 12

**CITY COUNCIL
ATLANTA, GEORGIA**

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Workflow List:

Clerk of Council	Completed	06/21/2016 3:10 PM
Atlanta City Council	Completed	06/20/2016 1:00 PM
Community Development & Human Services Committee	Completed	06/28/2016 12:30 PM
Atlanta City Council	Completed	07/05/2016 1:00 PM
Atlanta City Council	Completed	07/05/2016 1:00 PM
Mayor's Office	Pending	

HISTORY:

06/20/16 Atlanta City Council REFERRED WITHOUT OBJECTION

RESULT:	REFERRED WITHOUT OBJECTION	Next: 6/28/2016 12:30 PM
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06/28/16 Community Development & Human Services Committee FAVORABLE

RESULT:	FAVORABLE [UNANIMOUS]	Next: 7/5/2016 1:00 PM
AYES:	Dickens, Young Jr., Bond, Archibong, Hall, Sheperd, Winslow	

07/05/2016 Atlanta City Council ADOPTED

RESULT:	ADOPTED BY CONSENT VOTE [13 TO 0]
AYES:	Bond, Norwood, Dickens, Smith, Young Jr., Winslow, Archibong, Wan, Shook, Moore, Martin, Bottoms, Sheperd
ABSENT:	Yolanda Adrean
AWAY:	Kwanza Hall

LEGISLATION HISTORY – BLUE BACK

AN ORDINANCE BY COUNCILMEMBER JOYCE SHEPERD IMPOSING A MORATORIUM WITHIN THE METROPOLITAN PARKWAY COMMERCIAL CORRIDOR-SOUTH ON THE ACCEPTANCE OF ANY BUILDING PERMIT APPLICATION FOR NEW CONSTRUCTION FOR A PERIOD NOT TO EXCEED ONE HUNDRED AND FIFTY (150) DAYS; AND FOR OTHER PURPOSES.

VOTE RECORD - ORDINANCE 16-O-1364						
<input checked="" type="checkbox"/> ADOPTED <input type="checkbox"/> ADVERSED <input type="checkbox"/> FAVORABLE <input type="checkbox"/> ACCEPTED AND FILED <input type="checkbox"/> FIRST READING <input type="checkbox"/> SECOND READING <input type="checkbox"/> THIRD READING <input type="checkbox"/> FOURTH READING <input type="checkbox"/> FIFTH READING <input type="checkbox"/> REFERRED TO COMMITTEE <input type="checkbox"/> HELD IN COMMITTEE <input type="checkbox"/> TABLED <input type="checkbox"/> DEFERRED <input type="checkbox"/> RECONSIDERED <input type="checkbox"/> FILED <input type="checkbox"/> ADOPTED AS AMENDED <input type="checkbox"/> AMENDED <input type="checkbox"/> ACCEPTED <input type="checkbox"/> SUBSTITUTED <input type="checkbox"/> AMENDED SUBSTITUTE <input type="checkbox"/> FILED BY COMMITTEE <input type="checkbox"/> REFERRED TO ZRB AND ZC <input type="checkbox"/> REFERRED WITHOUT OBJECTION <input type="checkbox"/> ADOPTED SUBSTITUTE <input type="checkbox"/> ADOPTED SUBSTITUTE AS AMENDED <input type="checkbox"/> FORWARDED WITH NO RECOMMENDATI <input type="checkbox"/> REFERRED TO SC <input type="checkbox"/> FILED WITHOUT OBJECTION <input type="checkbox"/> FAILED <input type="checkbox"/> FORWARDED TO FC/NQ <input type="checkbox"/> FAVORABLE/SUBSTITUTE <input type="checkbox"/> FAVORABLE/SUB/AMENDED <input type="checkbox"/> FAVORABLE/SUB/AMND/COND <input type="checkbox"/> FAVORABLE/AMND/COND						
			YES/AYE	NO/NAY	ABSTAIN	ABSENT
	MICHAEL JULIAN BOND	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	MARY NORWOOD	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	ANDRE DICKENS	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	CARLA SMITH	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	KWANZA HALL	VOTER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	AWAY
	IVORY LEE YOUNG JR.	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	CLETA WINSLOW	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	NATALYN MOSBY ARCHIBONG	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	ALEX WAN	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	HOWARD SHOOK	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	YOLANDA ADREAN	VOTER	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	FELICIA A. MOORE	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	CLARENCE "C. T." MARTIN	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	KEISHA LANCE BOTTOMS	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	JOYCE SHEPERD	VOTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<ul style="list-style-type: none"><input type="checkbox"/> FAVORABLE/AMENDED<input type="checkbox"/> RETURNED AS HELD<input type="checkbox"/> FAVORABLE ON CONDITION<input type="checkbox"/> FAVORABLE/SUB/CONDITION<input type="checkbox"/> QUADRENNIALY TERMINATED<input type="checkbox"/> QUESTION CALLED<input type="checkbox"/> ROUTED TO COW<input type="checkbox"/> SUSTAINED<input type="checkbox"/> OVERRIDEN<input type="checkbox"/> NOT ACCEPTED BY COMMITTEE<input type="checkbox"/> SUSTAINED W/O OBJECTION<input type="checkbox"/> TABLED W/O OBJECTION	
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[Unanimous]

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