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(Do Not Write Above This Line) 1364

AN ORDINANCE *Joyce m. Sheperd*
BY COUNCIL MEMBER JOYCE SHEPERD

AN ORDINANCE 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.

ADOPTED BY

JUL 05 2016

COUNCIL

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred 6/20/2016

Referred To: CD/HR

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee Date Chair Referred To

Committee Date Chair Action Fav. Adv. Hold (see rev. side) Other Members Refer To

Committee Date Chair Action Fav. Adv. Hold (see rev. side) Other Members Refer To

Committee Date Chair Action Fav. Adv. Hold (see rev. side) Other Members Refer To

Committee Date Chair Action Fav. Adv. Hold (see rev. side) Other Members Refer To

FINAL COUNCIL ACTION
 2nd 1st & 2nd 3rd
Readings
 Consent V Vote RC Vote

CERTIFIED
JUL 05 2016
ATLANTA CITY COUNCIL PRESIDENT

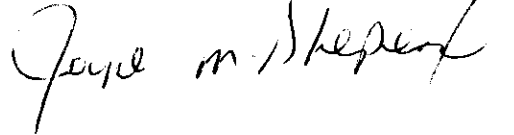
CERTIFIED
JUL 05 2016
MAYORAL CLERK

MAYOR'S ACTION

APPROVED

JUL 05 2016
MAYOR

AN ORDINANCE
BY COUNCIL MEMBER JOYCE SHEPERD



AN ORDINANCE 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-O-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, 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 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.

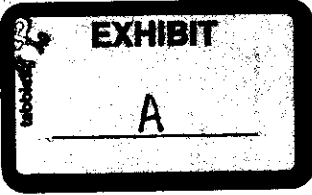
A true copy,

Rhonda Raughia Johnson
Municipal Clerk

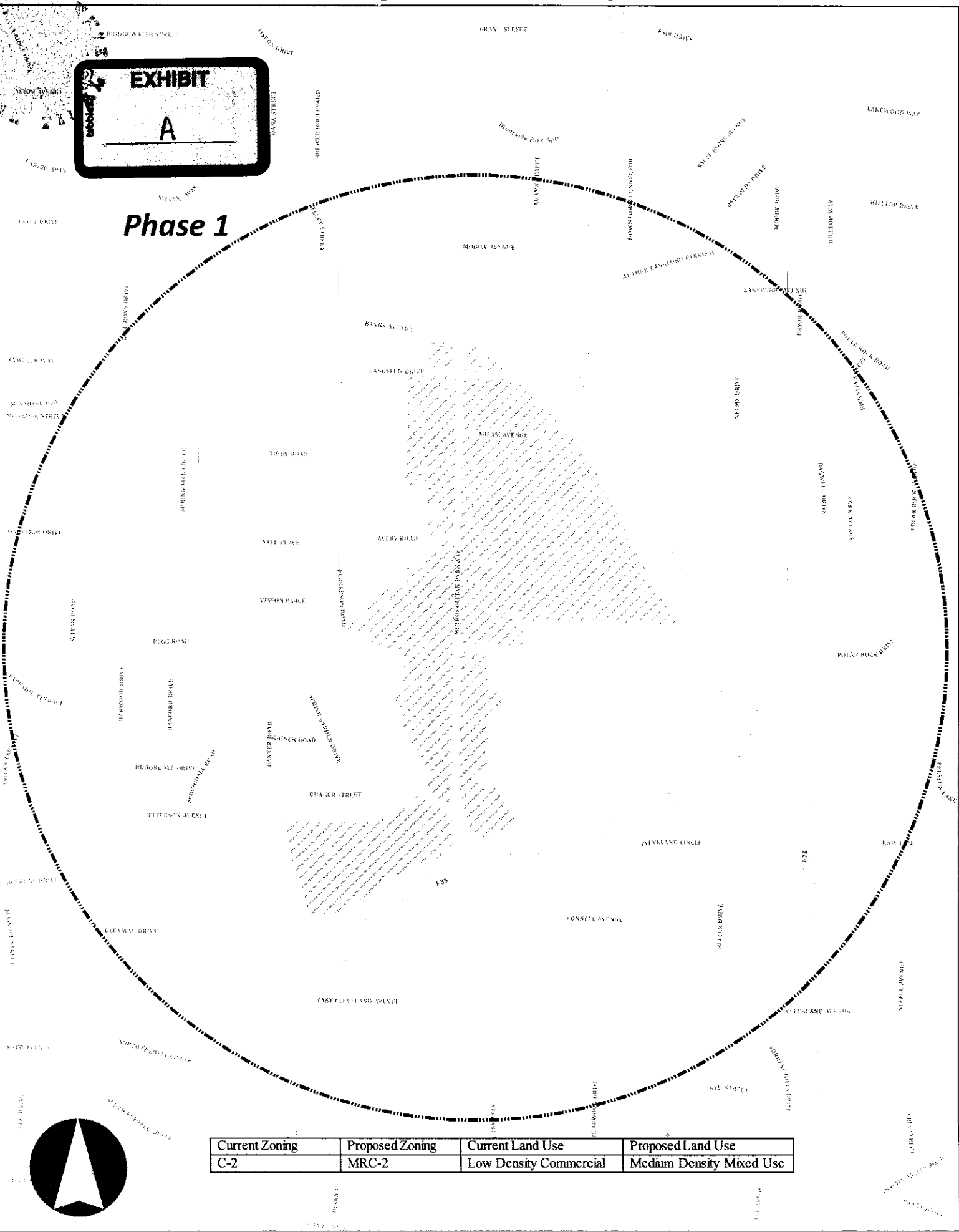
ADOPTED by the Atlanta City Council
APPROVED by Mayor Kasim Reed

JUL 05, 2016
JUL 06, 2016

Lakewood LCI Phase I Zoning/Land Use: Metropolitan Permit Moratorium



Phase 1



| Current Zoning | Proposed Zoning | Current Land Use | Proposed Land Use |
|----------------|-----------------|------------------------|--------------------------|
| C-2 | MRC-2 | Low Density Commercial | Medium Density Mixed Use |

| Parcels | |
|---------------------------|---------------------------|
| 2263 METROPOLITAN PKWY SW | 2150 METROPOLITAN PKWY SW |
| 2244 METROPOLITAN PKWY SW | 2224 METROPOLITAN PKWY SW |
| 0 CLEVELAND AVE SW REAR | 2521 METROPOLITAN PKWY SW |
| 2449 METROPOLITAN PKWY SW | 2546 METROPOLITAN PKWY SW |
| 2353 METROPOLITAN PKWY SW | 2165 METROPOLITAN PKWY SW |
| 2380 METROPOLITAN PKWY SW | 0 STEWART AVE SW |
| 2338 METROPOLITAN PKWY SW | 2430 METROPOLITAN PKWY SW |
| 2285 METROPOLITAN AVE SW | 2410 METROPOLITAN PKWY SW |
| 2440 METROPOLITAN PKWY SW | 2461 METROPOLITAN PKWY SW |
| 0 METROPOLITAN PKWY SW | 2393 METROPOLITAN PKWY SW |
| 2508 METROPOLITAN PKWY SW | 2375 METROPOLITAN PKWY SW |
| 2420 METROPOLITAN PKWY SW | 0 STEWART AVE SW |
| 2464 METROPOLITAN PKWY SW | 0 METROPOLITAN PKWY SW |
| 2151 METROPOLITAN PKWY SW | 2208 METROPOLITAN PKWY SW |
| 2477 METROPOLITAN PKWY SW | 2536 METROPOLITAN PKWY SW |
| 2333 METROPOLITAN PKWY SW | 2265 METROPOLITAN PKWY SW |
| 2153 METROPOLITAN PKWY SW | 2370 METROPOLITAN PKWY SW |
| 2353 METROPOLITAN PKWY SW | 2175 METROPOLITAN PKWY SW |
| 2461 METROPOLITAN PKWY SW | 553 MILAM AVE SW |
| 2473 METROPOLITAN PKWY SW | 569 MILAM AVE SW |
| 2214 METROPOLITAN PKWY SW | 541 MILAM AVE SW |
| 2160 METROPOLITAN PKWY SW | 560 MILAM AVE |
| 2202 METROPOLITAN PKWY SW | 542 MILAM AVE |
| 0 METROPOLITAN PKWY SW | 568 MILAM AVE |
| 2280 METROPOLITAN PKWY SW | 535 MILAM AVE SW |
| 0 METROPOLITAN PKWY SW | 556 MILAM AVE SW |
| 2555 METROPOLITAN PKWY SW | |

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| | | 07-05-16 |
|-----------------------------|------------------------------|------------------------------|
| ITEMS ADOPTED ON CONSENT | ITEMS ADVERSED ON CONSENT | ITEMS ADVERSED ON CONSENT |
| 1. 16-O-1372 | 42. 16-R-3849 | 83. 16-R-3890 |
| 2. 16-O-1175 | 43. 16-R-3850 | 84. 16-R-3891 |
| 3. 16-O-1325 | 44. 16-R-3851 | 85. 16-R-3892 |
| 4. 15-O-1341 | 45. 16-R-3852 | 86. 16-R-3893 |
| 5. 16-O-1364 | 46. 16-R-3853 | 87. 16-R-3894 |
| 6. 16-O-1374 | 47. 16-R-3854 | 88. 16-R-3895 |
| 7. 16-O-1360 | 48. 16-R-3855 | 89. 16-R-3896 |
| 8. 16-O-1362 | 49. 16-R-3856 | 90. 16-R-3897 |
| 9. 16-O-1363 | 50. 16-R-3857 | 91. 16-R-3898 |
| 10. 16-O-1365 | 51. 16-R-3858 | 92. 16-R-3899 |
| 11. 16-O-1368 | 52. 16-R-3859 | 93. 16-R-3900 |
| 12. 16-O-1369 | 53. 16-R-3860 | 94. 16-R-3901 |
| 13. 16-O-1370 | 54. 16-R-3861 | 95. 16-R-3902 |
| 14. 16-O-1373 | 55. 16-R-3862 | 96. 16-R-3903 |
| 15. 16-R-3837 | 56. 16-R-3863 | 97. 16-R-3904 |
| 16. 16-R-3838 | 57. 16-R-3864 | 98. 16-R-3905 |
| 17. 16-R-3921 | 58. 16-R-3865 | 99. 16-R-3906 |
| 18. 16-R-3715 | 59. 16-R-3866 | 100. 16-R-3907 |
| 19. 16-R-3922 | 60. 16-R-3867 | 101. 16-R-3908 |
| 20. 16-R-3923 | 61. 16-R-3868 | 102. 16-R-3909 |
| 21. 16-R-3924 | 62. 16-R-3869 | 103. 16-R-3910 |
| 22. 16-R-3918 | 63. 16-R-3870 | 104. 16-R-3911 |
| 23. 16-R-3919 | 64. 16-R-3871 | 105. 16-R-3912 |
| 24. 16-R-3920 | 65. 16-R-3872 | 106. 16-R-3913 |
| 25. 16-R-3835 | 66. 16-R-3873 | 107. 16-R-3914 |
| 26. 16-R-3843 | 67. 16-R-3874 | 108. 16-R-3915 |
| 27. 16-R-3844 | 68. 16-R-3875 | 109. 16-R-3916 |
| 28. 16-R-3841 | 69. 16-R-3876 | 110. 16-R-3917 |
| 29. 16-R-3925 | 70. 16-R-3877 | |
| 30. 16-R-3926 | 71. 16-R-3878 | |
| 31. 16-R-3927 | 72. 16-R-3879 | |
| 32. 16-R-3928 | 73. 16-R-3880 | |
| 33. 16-R-3929 | 74. 16-R-3881 | |
| 34. 16-R-3930 | 75. 16-R-3882 | |
| 35. 16-R-3931 | 76. 16-R-3883 | |
| 36. 16-R-3932 | 77. 16-R-3884 | |
| 37. 16-R-3933 | 78. 16-R-3885 | |
| 38. 16-R-3845 | 79. 16-R-3886 | |
| 39. 16-R-3846 | 80. 16-R-3887 | |
| 40. 16-R-3847 | 81. 16-R-3888 | |
| 41. 16-R-3848 | 82. 16-R-3889 | |

MAYOR'S ACTION AUTHENTICATION PAGE



16-O-1364

Adopted by the Atlanta City Council

July 5, 2016

APPROVED
JUL 06 2016
[Signature]
MAYOR

MAYOR'S ACTION