

**AN ORDINANCE BY  
ZONING COMMITTEE**

**AN ORDINANCE TO AMEND SEC. 6-1007(F) OF THE LAND DEVELOPMENT CODE, PART III OF THE CITY CODE, SO AS TO SET THE FEE FOR PROCESS AND REVIEW OF SPECIAL ADMINISTRATIVE PERMIT APPLICATIONS BY THE OFFICE OF PLANNING FOR MARKET GARDENS AND URBAN GARDENS; AND FOR OTHER PURPOSES.**

**WHEREAS**, the Mayor and the City Council desire to increase access to healthy, local and affordable foods, encourage community building, and support local agriculture and economic development by making urban gardening opportunities accessible to all interested citizens; and

**WHEREAS**, to this end the City Council, pursuant to Ordinance 14-O-1092, amended the Atlanta Zoning Ordinance to provide for urban gardens and market gardens as permitted uses; and

**WHEREAS**, pursuant to the zoning amendment, urban gardens may be allowed as permitted principal uses on undeveloped lots in residential districts and in certain other zoning districts by special administrative permit (SAP) issued in accordance with City Code Sec. 16-25.004; and

**WHEREAS**, pursuant to Sec. 6-1007(f)(5), the application fee currently applicable to an SAP for urban and market gardens is \$250.00; and

**WHEREAS**, the Office of Planning has determined that due to the relative simplicity of an application for an urban garden or market garden SAP, the review and processing would require less staff time and therefore incur substantially lowers costs than to other types of SAP applications; and

**WHEREAS**, the estimated actual cost of reviewing and processing an urban garden and market garden SAP application is at least \$30.00.

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

Section 1: The application fee for a special administrative permit for an urban garden and for a market garden shall be \$30.

Section 2: Section 6-1007(f) of the Land Development Code, Part III of the Code of Ordinances entitled “Special Administrative Fees” and which reads as follows:

(f) Special administrative permits: The special administrative permit application fee shall be based on the following schedule:

(1) Developments (new construction or any construction which results in increased lot coverage, modification of the building footprint, modification of building facades that alters the configuration of openings, and conversions or additions to existing buildings) less than 50,000 square feet of floor area: \$500.00.

(2) Developments greater than or equal to 50,000 square feet of floor area but less than 250,000 square feet of floor area: \$1,000.00.

(3) Developments greater than or equal to 250,000 square feet of floor area: \$1,500.00

(4) Cell towers and co-location of antenna: \$250.00

(5) Exterior demolition, expansions of outdoor dining and all others not listed above: \$250.00

Is hereby amended such that Section 6-1007(f) shall hereafter read as follows:

(f) Special administrative permits: The special administrative permit application fee shall be based on the following schedule:

(1) Developments (new construction or any construction which results in increased lot coverage, modification of the building footprint, modification of building facades that alters the configuration of openings, and conversions or additions to existing buildings) less than 50,000 square feet of floor area: \$500.00.

(2) Developments greater than or equal to 50,000 square feet of floor area but less than 250,000 square feet of floor area: \$1,000.00.

(3) Developments greater than or equal to 250,000 square feet of floor area: \$1,500.00

(4) Cell towers and co-location of antenna: \$250.00

(5) Urban gardens and market gardens: \$30.00.

(6) Exterior demolition, expansions of outdoor dining and all others not listed above: \$250.00.