

# CITY OF ATLANTA

## 2019 LEGISLATIVE PACKAGE



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Attachment: 2019 Legislative Package (18-R-4425 : 2019 Legislative Package)

## CITY OF ATLANTA 2019 LEGISLATIVE PACKAGE

1. **COMMUNITY DEVELOPMENT**

- A. Allow local governments to waive development impact fees for projects that provide affordable housing without requiring replenishment from sources other than the development impact fee fund.
  
- B. Authorize owners of Community Land Trust homes to receive the same homestead exemptions as other homeowners.

2. **REVENUES & FINANCE**

- A. Require Georgia State Patrol to send tickets written within a municipality to file them with that municipal court.

3. **MUNICIPAL GOVERNMENT**

- A. Allow local governments to regulate lobbyists on the local level.

## DEVELOPMENT IMPACT FEES

**Summary** – The requested change in State law will incentivize the creation of affordable housing by allowing counties and municipalities to lower the cost of development for projects that provide affordable housing.

The proposal would eliminate the requirement of a county or municipality to fund a development project's proportionate share of the system improvements through a revenue source other than development impact fees if the development project provides affordable housing.

**Requested Change to Current Law** – O.C.G.A. § 36-71-4(1) currently provides that a county or municipality may adopt a development impact fee ordinance that exempts all or part of development projects from development impact fees if such projects provide affordable housing. However, the counties and municipalities are required to fund the exempt development project's proportionate share of the system improvement through a revenue source other than development impact fees.

The goal of the proposal is to allow a county or municipality to exempt all or part of development projects from development impact fees if such projects provide affordable housing but not require the county or municipality to fund the development project's proportionate share of the system improvement through a revenue source other than development impact fees.

O.C.G.A. § 36-71-4(1) currently states:

(1) A municipal or county development impact fee ordinance may exempt all or part of particular development projects from development impact fees if:

- (1) Such projects are determined to create extraordinary economic development and employment growth or affordable housing;
- (2) The public policy which supports the exemption is contained in the municipality's or county's comprehensive plan; and
- (3) The exempt development project's proportionate share of the system improvement is funded through a revenue source other than development impact fees.

The proposed changes are as follows:

(1) A municipal or county development impact fee ordinance may exempt all or part of particular development projects from development impact fees if:

- (1) Such projects are determined to create extraordinary economic development and employment growth or affordable housing;
- (2) The public policy which supports the exemption is contained in the municipality's or county's comprehensive plan; and
- (3) The exempt development project's proportionate share of the system improvement is funded through a revenue source other than development impact fees, with the exception of developments that create affordable housing whose proportionate share of the system improvement is not required to be funded through a revenue source other than development impact fees.

**Expenses/Fiscal Estimate** – The City has not traditionally exempted development projects that provide affordable housing from the payment of impact fees due to the City’s funding obligation under State law. Because of this, additional research to estimate the impact of this proposal will be done. Incentivizing the creation of affordable housing would bring an added value to the property, benefitting the city.

**Additional Information** – The requested change in State law will incentivize the creation of affordable housing by allowing counties and municipalities to lower the cost of development for development projects that provide affordable housing.

## COMMUNITY LAND TRUST

**Summary** – The City of Atlanta is in the midst of an affordable housing crisis. The challenges to affordability, specifically in areas with high redevelopment potential, are dominated by escalating property values and ultimately increased property taxes. The increase in property taxes becomes a barrier to residents, specifically elderly and low-income households. The purpose of this proposal is to amend state law to allow for homeowners of Community Land Trust (“CLT”) single-family homes to utilize homestead exemptions that are available to other homeowners.

**Requested Change to Current Law** – The CLT still owns the land, but the homeowner cannot take advantage of exemptions that are available to other homeowners. This change would allow for homestead exemptions and help keep homeowners in these affordable homes.

## MUNICIPAL COURT

**Summary** – The Georgia State Patrol (“GSP”) has jurisdiction to patrol the public roads and highways of the state and to enforce the traffic laws of Georgia. The practice of the GSP has been to book traffic offenses occurring in the jurisdiction of the City of Atlanta in the State Courts of Fulton and DeKalb Counties. The Municipal Court of the City of Atlanta has jurisdiction to hear and try all warrants for the violation of any state law. It can also bind over anyone to an appropriate higher court for trial.

**Requested Change to Current Law** – This proposal would require the GSP to book tickets written within the corporate boundaries of the City of Atlanta to the Municipal Court of the City.

## LOCAL REGULATION OF LOBBYISTS

**Summary** – The Georgia Ethics in Government Act (O.C.G.A. §21-5-1 et seq.) (“Act”) requires persons engaged in lobbying before certain public officers, including every elected municipal official, to register with the Georgia Government Transparency and Campaign Finance Commission.

The Act requires lobbyists to wear their identification badges while engaging in lobbying in a government facility, including municipal facilities. Lobbyists are also required to file a disclosure report with the Commission, and file a copy to the local government clerk, of any expenditure for lobbying on the state and/or local level.

The City requires all elected officials and certain employees, to receive annual training regarding the requirements of lobbyists under the Act. The Department of Procurement will include a written notice of the state law requirements related to registered lobbyists in all contracts and source selection forms.

**Requested Change to Current Law** – Authorize local governments to apply additional regulations on lobbyists, as deemed appropriate.

# KEISHA LANCE BOTTOMS

*Mayor*  
☞

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