

Development of Impact Fee Projects

BACKGROUND OF THE DEVELOPMENT IMPACT FEE PROGRAM

Atlanta’s Development Impact Fee program was established in 1993. In March of 2021, the Atlanta City Council adopted an updated fee study and associated ordinance for the first time since the program’s inception. This update adjusts fee levels for escalating costs, expands eligible improvements for Parks and Transportation impact fee funding, and implements administrative changes to meet the City’s current needs, to name a few. Both the Development Impact Fee Program and Capital Improvements Element are part of the Atlanta’s Comprehensive Development Plan (CDP).

WHAT ARE IMPACT FEES?

Impact fees are a one-time fee by a local government on a new or proposed development project to pay for all or a portion of the costs of providing public services to the new development.

WHAT IS THE CAPITAL IMPROVEMENTS ELEMENT (CIE)?

The CIE is comprised of the Impact Fee Annual Financial Report and a Schedule of Improvements. The Annual Financial Report provides a summary of impact fees collected, encumbered and expended by category of public facility and service area for the last audited fiscal year. The Schedule of Improvements identifies capital projects to be financed in whole or in part by impact fees during the upcoming five years. The CIE approval process requires transmittal from the Atlanta City Council to the Georgia Department of Community Affairs (DCA) and the Atlanta Regional Commission (ARC), review by DCA/ARC, and final adoption by the Atlanta City Council by October 31st annually. The CIE is an element of the CDP, that is updated yearly. Our CDP is named Plan A.



WHAT TYPES OF PROJECTS ARE ELIGIBLE?

Generally, development impact fees can only be spent on projects that:

- Are Capital Improvements that are public facilities, and are designed to provide a service to the community at large.
- Have a useful life of 10 years or more
- Create additional capacity*

**For a complete understanding of “capacity”, it is necessary to review the underlying fee study which is incorporated into the City’s ordinance, found at www.atlantaga.gov/cieupdate*

If a project meets the general criteria, then it must next be identified on the CIE before funds can be expended on that project. However, please note even if a project is deemed eligible to be placed on the CIE, it does not guarantee the project will be funded. An adequate amount of impact fees must be collected to cover the cost of eligible projects. In addition, projects are prioritized based on community need, facility planning strategies and other factors.

Examples of impact fee projects*, by type:

PARKS & RECREATION <i>Collected and project executed city wide</i>	PUBLIC SAFETY <i>APD & Atlanta Fire & Rescue Collected and project executed city wide</i>	TRANSPORTATION** <i>Collected and project executed city wide</i>
Land Acquisition New Buildings Multi-Use Trails Park Equipment Site Improvements	Land Acquisition New Buildings Equipment	Multi-Use Trails Park Equipment Site Improvements

**Projects are reviewed on a case-by-case basis.*

***Learn more about Submitting Transportation Projects by downloading our special fact sheet [here](#).*

HOW TO SUBMIT PROJECT REQUESTS?

Please visit www.atlantaga.gov/cieupdate to access the CIE project submission tool. You will also find detailed work instructions on how to navigate the tool. The submission tool is usually available to receive project requests between early February through mid-March. Project selections are typically complete by the end of April.

WHAT’S NEXT AFTER PROJECTS ARE SUBMITTED?

After the project submission phase is concluded, submitted projects are reviewed by the City’s Law Department to determine eligibility. If deemed eligible, projects are then placed on the CIE.

QUESTIONS?

Please contact COAImpactfees@atlantaga.gov



Submitting Transportation Projects

HOW TO USE THIS FACT SHEET?

This fact sheet is provided as a general guide for submitting Transportation Impact Fee projects for inclusion on the Capital Improvements Element (CIE). However, each project submitted must undergo a full review to comply with Georgia State Law, the City of Atlanta Code of Ordinances, and the underlying Impact Fee Study.

STEP 1: PROJECT ELIGIBILITY GUIDELINES

SYSTEM IMPROVEMENTS

Capital improvements that are public facilities designed to provide service to more than one project or to the community at large, in contrast to “Project improvements”.

CAPITAL IMPROVEMENT

An improvement with a useful life of ten years or more, by new construction or other action, which increases the service capacity of a public facility (public facility includes “Transportation facilities”).

CAPACITY

To fully understand “Capacity,” please review the fee study referenced in the City’s ordinance, available at www.atlantaga.gov/impactfees. The Department of Law evaluates and determines projects that meet the capacity criteria.

Project Submission

Anyone can submit a project for consideration. If it meets the eligibility criteria, it can be added to the Capital Improvements Element (CIE) during the annual update. The City Council transmits the CIE update to the Georgia Department of Community Affairs (DCA) and the Atlanta Regional Commission (ARC) for review and compliance. Gray areas do exist.

Submit projects to gain clarity and for determination, as they are reviewed on a case-by-case basis.



STEP 2: PROJECT ELIGIBILITY GUIDELINES

EXPENDITURES OF IMPACT FEES

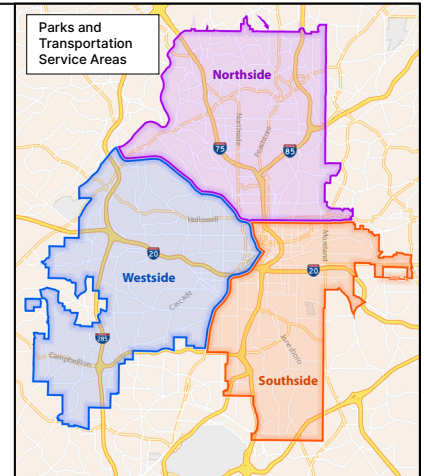
Expenditures of impact fees shall be made only for the category of system improvements and in the service area for which the impact fee was imposed.

GENERAL CRITERIA

If a project meets the general criteria, then it must be identified on the CIE before money can be spent on that project. The CIE approval process requires transmittal from the City Council to DCA/ARC, review by DCA/ARC, and final adoption by the City Council.

PROXIMITY/ LEVEL OF SERVICE

1. The proximity of the proposed system improvements to developments within the service area which have generated development impact fees collected for roads, streets, bridges, including rights of way, traffic signals, landscaping, or any local components of state or federal highways; and
2. The proposed system improvements which will have the greatest effect on level of service for roads, streets, bridges, including rights of way, traffic signals, landscaping, or any local components of state or federal highways impacted by the developments which have paid such impact fees.



Eligible Project Types for Transportation Facilities*

- Signals
 - Complete Streets
 - City-owned arterial and collector roadways
 - Streetscape
 - Intersection Improvements
 - Road Widening
- The following types of projects may be eligible when they are a component of a larger street/roadway capacity expanding project:
- o Sidewalks
 - o Multi-use Trails
 - o Bicycle and Pedestrian Improvements

Ineligible Project Types for Transportation Facilities*

Transportation impact fees cannot be used to pay for direct access improvements to a particular development project including but not limited to the following:

1. Site driveways and local residential and nonresidential streets,
2. Median cuts made necessary by those driveways or local residential and nonresidential streets,
3. Right turn and left turn, and deceleration or acceleration lanes leading to or from those driveways or local residential and nonresidential streets,
4. Local residential and nonresidential streets or intersection improvements whose primary purpose at the time of construction is to provide direct access to the development project, and
5. Necessary right-of-way dedications required for those items set forth in 1-4 above.

**Not an exhaustive list. Project eligibility is reviewed on a case-by-case basis.*

