

AN ORDINANCE

BY COUNCIL MEMBER C.T. MARTIN

**AN ORDINANCE TO AMEND APPENDIX A OF THE LAND DEVELOPMENT CODE, ENTITLED "BUILDING CODE AMENDMENTS" SO AS TO CREATE A NEW SECTION 104.9 TO BE ENTITLED "REVIEW AND POSTING OF RESIDENTIAL OR MIXED USE PROJECTS WITH PUBLIC SUBSIDIES" SO AS NOTIFY THE PUBLIC OF PROPOSED DEVELOPMENTS THAT SEEK OR HAVE BEEN GRANTED PUBLIC SUBSIDIES; TO FURTHER NOTIFY THE PUBLIC OF THE NUMBER OF AFFORDABLE HOUSING UNITS, IF ANY, PROPOSED FOR THE DEVELOPMENT; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City is actively engaged in economic development and the expansion, retention, and attraction of business to its environs; and

**WHEREAS**, the City finds that the targeted use of economic development incentives is an effective means to increase local revenues, expand the local economy, create and retain well-paying jobs, expand affordable workforce housing, and support a dynamic economy; and

**WHEREAS**, a diversified urban environment where people of all ages can live, work, learn, create, and recreate is in the best interests of all Atlanta; and

**WHEREAS**, The Atlanta Development Authority d/b/a Invest Atlanta ("Invest Atlanta") was created and is existing as the result Resolution 97-R-0177, adopted by Council on February 17, 1997, and approved by the Mayor on February 20, 1997, under and by virtue of the Constitution and the laws of the State of Georgia, in particular, the Development Authorities Law of the State, O.C.G.A. §36-62-1, *et seq.*, as amended, and is now existing and operating as a public body corporate and politic and an instrumentality of the State; and

**WHEREAS**, the City entered into Intergovernmental Agreements with Invest Atlanta for Economic Development Services and for Redevelopment Services; and

**WHEREAS**, Invest Atlanta is uniquely aware of the City's policies regarding the use of economic incentives for development and redevelopment; and

**WHEREAS**, the creation and preservation of housing stock at a level that is affordable to working families in the City is of paramount importance; and

**WHEREAS**, the City has a concern regarding public subsidies granted by other agencies and authorities that remove valuable parcels from the City's tax rolls or grant taxpayer-funded benefits without reciprocal value for the working persons and families of Atlanta; and

**WHEREAS**, the City has the power to regulate the erection and construction of buildings and all other structures; to adopt building, housing, plumbing, electrical, gas, and heating and air

conditioning codes; and to license the construction and erection of buildings and all other structures; and

**WHEREAS**, the City has the power to make, ordain, and establish such bylaws, ordinances, rules, and regulations as shall appear necessary for the security, welfare, convenience, and interest of the city and the inhabitants thereof and for preserving the health, peace, order, and good government; and

**WHEREAS**, the City wishes to ensure that residents are notified of proposed residential or mixed-used development that seek or have obtained the extraordinary benefit of taxpayer funded incentives from governmental entities.

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

**Section One:** Appendix A of the Land Development Code, entitled “Building Code Amendments” is amended by creating a new Section 104.9 to read as follows:

**Section 104.9 Review and Posting of Residential or Mixed Use Projects with Public Subsidies.**

All building permit applications for residential development and mixed use development projects shall inquire whether any aspect of the project to be undertaken has received any grant, subsidy or incentive from any public entity, whether city, county, state or federal and including, but not limited, to a local development authority. In the event the project has applied for or has received such grant, subsidy or incentive from such public entity, within twenty-four hours of application for the building permit, the building permit applicant shall cause to be posted at the property along the street frontage so as to be visible from the nearest public right-of-way, a sign not less than four by four feet which shall be entitled “NOTICE OF PUBLIC FINANCING” and which shall include the following:

1. The name of the building permit applicant and developer;
2. The name of the governmental entity providing or potentially providing the grant, tax abatement, subsidy, or incentive;
3. The phone and email contact information of the governmental entity providing the grant, tax abatement, subsidy, or incentive;
4. The total number of residential units proposed in the building permit application; and;
5. The total number of residential units affordable at 40% area-medium income, 60% area-medium income and 80% area medium income.

(Do Not Write Above This Line)

A RESOLUTION BY DR  
 AN ORDINANCE BY COUNCIL  
 MEMBER C.T. MARTIN  
 REGULAR REPORT REFER

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 AND FOR OTHER PURPOSES.

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

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- FINAL COUNCIL ACTION
- 2nd
  - 1st & 2nd
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  - Consent
  - V Vote
  - RC Vote

CERTIFIED

MAYOR'S ACTION

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