

AN ORDINANCE BY COUNCILMEMBER C T MARTIN 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 "CERTIFICATION, POSTING, AND UNIT REQUIREMENTS OF RESIDENTIAL OR MIXED USE PROJECTS WITH PUBLIC SUBSIDIES" SO AS TO NOTIFY THE PUBLIC OF PROPOSED DEVELOPMENTS THAT SEEK OR HAVE BEEN GRANTED PUBLIC SUBSIDIES; AND FOR OTHER PURPOSES.(HELD 8/25/15 AT THE REQUEST OF THE OFFICE OF BUILDINGS FOR FURTHER REVIEW.)

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 established pursuant to the Development Authorities Law (O.C.G.A. Section 36-62-1, *et seq.*), as amended and an activating Resolution 97-R-0177, adopted by Council on February 17, 1997, and approved by the Mayor on February 20, 1997, 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 2014 Housing Strategy for the City of Atlanta prepared by HR&A Advisors and Enterprise Community Partners, Inc., commissioned by the Atlanta Development Authority d/b/a Invest Atlanta, found that pursuant to the U.S. Census

(2012 5-Yr American Communities Survey) nearly 75,000 City of Atlanta residents spend more than 30% of their income on housing and are therefore cost burdened; 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 development authorities that remove valuable parcels from the City's tax rolls or grant taxpayer-funded benefits without reciprocal housing stock 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 its residents are notified of and benefit from proposed residential or mixed-used developments 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 Certification, Posting, and Unit Requirements for Residential and Mixed Use Projects with Public Subsidies.

All building permit applications for residential development projects and mixed

use development projects containing residential units shall inquire whether any aspect of the project to be undertaken has received any grant, tax abatement, subsidy or incentive from a "local development authority" within the meaning of the Development Authorities Law, O.C.G.A. §36-62-1, *et seq.* In the event the project has applied for or has received such grant, subsidy or incentive from such local development authority, the building permit applicant shall, upon building permit application, provide certification from the local development authority certifying the following:

1. The name of the building permit applicant and developer;
2. The name of the local development authority providing or potentially providing the grant, tax abatement, subsidy, or incentive;
3. The phone and email contact information of the local development authority providing the grant, tax abatement, subsidy, or incentive;
4. The full address of the residential or mixed-use project, including identification of the City Council District, Neighborhood Planning Unit, and Tax Allocation District (if applicable);
5. The total number of residential units proposed in the building permit application;
6. The number of units set aside for affordable workforce housing; and
7. The dollar value of the grant, tax abatement, subsidy or incentive.

No building permit application shall be deemed complete, nor shall review of such application commence by the Office of Buildings until such certification is submitted on a form provided by the Office of Buildings.

In addition, 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 copy of the certification 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 local development authority providing or potentially providing the grant, tax abatement, subsidy, or incentive;
3. The phone and email contact information of the local development authority providing the grant, tax abatement, subsidy, or incentive;
4. The total number of residential units proposed in the building permit application; and

5. The dollar value of the grant, tax abatement, subsidy or incentive.

No building permit application shall be reviewed until the building permit applicant files with the Office of Buildings an affidavit, in form prescribed by the Office of Buildings, from the individual responsible for physically posting the sign, that the posting has been placed at the property. The posting shall remain posted on the property until issuance of the final certificate of occupancy. Failure to maintain the sign posting at all times until final issuance shall constitute an offense within the meaning of

Sec. 1-8 of the Atlanta City Code.

Section Two: All ordinances or parts of ordinances in conflict herewith are waived for this instance only.

**CITY COUNCIL
ATLANTA, GEORGIA**

15-O-1360

SPONSOR SIGNATURES

Clarence T Martin Jr

Clarence "C. T." Martin, Councilmember, District 10

**CITY COUNCIL
ATLANTA, GEORGIA**

15-O-1360

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Workflow List:

Clerk of Council	Completed	08/18/2015 4:12 PM
Atlanta City Council	Completed	08/17/2015 1:00 PM
Community Development & Human Services Committee	Completed	08/25/2015 12:30 PM
Atlanta City Council	Completed	09/08/2015 1:00 PM
Community Development & Human Services Committee	Completed	09/15/2015 12:30 PM
Atlanta City Council	Completed	09/21/2015 1:00 PM
Atlanta City Council	Completed	09/21/2015 1:00 PM
Community Development & Human Services Committee	Completed	09/29/2015 12:30 PM
Atlanta City Council	Completed	10/05/2015 1:00 PM
Community Development & Human Services Committee	Completed	10/13/2015 12:30 PM
Atlanta City Council	Completed	10/19/2015 1:00 PM
Community Development & Human Services Committee	Completed	10/27/2015 12:30 PM
Atlanta City Council	Completed	11/02/2015 1:00 PM
Community Development & Human Services Committee	Completed	11/09/2015 12:30 PM
Atlanta City Council	Completed	11/16/2015 1:00 PM
Community Development & Human Services Committee	Completed	12/01/2015 12:30 PM
Atlanta City Council	Completed	12/07/2015 1:00 PM
Community Development & Human Services Committee	Completed	12/15/2015 12:30 PM
Atlanta City Council	Completed	01/04/2016 1:00 PM
Community Development & Human Services Committee	Completed	01/12/2016 12:30 PM
Atlanta City Council	Completed	01/19/2016 1:00 PM
Community Development & Human Services Committee	Completed	01/26/2016 12:30 PM
Atlanta City Council	Completed	02/01/2016 1:00 PM
Community Development & Human Services Committee	Completed	02/09/2016 12:30 PM
Atlanta City Council	Completed	02/15/2016 1:00 PM
Community Development & Human Services Committee	Completed	02/23/2016 12:30 PM
Atlanta City Council	Completed	03/07/2016 1:00 PM
Community Development & Human Services Committee	Completed	03/15/2016 12:30 PM
Atlanta City Council	Completed	03/21/2016 1:00 PM
Community Development & Human Services Committee	Completed	03/29/2016 12:30 PM
Atlanta City Council	Completed	04/18/2016 1:00 PM
Community Development & Human Services Committee	Completed	04/26/2016 12:30 PM
Atlanta City Council	Completed	05/02/2016 1:00 PM
Community Development & Human Services Committee	Completed	05/10/2016 12:30 PM
Atlanta City Council	Completed	05/16/2016 1:00 PM
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Atlanta City Council	Completed	06/06/2016 1:00 PM
Community Development & Human Services Committee	Completed	06/14/2016 12:30 PM
Atlanta City Council	Completed	06/20/2016 1:00 PM

Community Development & Human Services Committee	Completed	06/28/2016 12:30 PM
Atlanta City Council	Completed	07/05/2016 1:00 PM
Community Development & Human Services Committee	Completed	07/12/2016 12:30 PM
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Community Development & Human Services Committee	Completed	07/26/2016 12:30 PM
Atlanta City Council	Completed	08/15/2016 1:00 PM
Community Development & Human Services Committee	Completed	08/23/2016 12:30 PM
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Atlanta City Council	Completed	11/21/2016 1:00 PM
Community Development & Human Services Committee	Completed	11/29/2016 12:30 PM
Atlanta City Council	Completed	12/05/2016 1:00 PM
Community Development & Human Services Committee	Completed	12/13/2016 12:30 PM
Atlanta City Council	Pending	01/03/2017 1:00 PM
Mayor's Office	Pending	

HISTORY:

08/17/15 Atlanta City Council REFERRED WITHOUT OBJECTION

RESULT:	REFERRED WITHOUT OBJECTION	Next: 8/25/2015 12:30 PM
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08/25/15 Community Development & Human Services Committee HELD IN COMMITTEE

RESULT:	HELD IN COMMITTEE [UNANIMOUS]
AYES:	Dickens, Young Jr., Bottoms, Hall, Sheperd
ABSENT:	Michael Julian Bond, Cleta Winslow

09/08/15 Atlanta City Council RETURNED AS HELD

RESULT:	RETURNED AS HELD	Next: 9/15/2015 12:30 PM
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09/15/15 Community Development & Human Services Committee

09/21/15 Atlanta City Council RETURNED AS HELD

RESULT:	RETURNED AS HELD	Next: 9/29/2015 12:30 PM
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09/29/15 Community Development & Human Services Committee

10/05/15 Atlanta City Council RETURNED AS HELD

RESULT:	RETURNED AS HELD	Next: 10/13/2015 12:30 PM
10/13/15 COMMITTEE	Community Development & Human Services Committee	HELD IN
RESULT:	HELD IN COMMITTEE	Next: 10/19/2015 1:00 PM
10/19/15	Atlanta City Council	RETURNED AS HELD
RESULT:	RETURNED AS HELD	Next: 10/27/2015 12:30 PM
10/27/15	Community Development & Human Services Committee	
11/02/15	Atlanta City Council	RETURNED AS HELD
RESULT:	RETURNED AS HELD	Next: 11/9/2015 12:30 PM
11/09/15	Community Development & Human Services Committee	
11/16/15	Atlanta City Council	RETURNED AS HELD
RESULT:	RETURNED AS HELD	Next: 12/1/2015 12:30 PM
12/01/15	Community Development & Human Services Committee	
12/07/15	Atlanta City Council	RETURNED AS HELD
RESULT:	RETURNED AS HELD	Next: 12/15/2015 12:30 PM
12/15/15	Community Development & Human Services Committee	
01/04/16	Atlanta City Council	RETURNED AS HELD
RESULT:	RETURNED AS HELD	Next: 1/12/2016 12:30 PM
01/12/16	Community Development & Human Services Committee	
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RESULT:	RETURNED AS HELD	Next: 1/26/2016 12:30 PM
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02/15/16	Atlanta City Council	RETURNED AS HELD
RESULT:	RETURNED AS HELD	Next: 2/23/2016 12:30 PM
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RESULT:	RETURNED AS HELD	Next: 3/15/2016 12:30 PM
03/15/16	Community Development & Human Services Committee	
03/21/16	Atlanta City Council	RETURNED AS HELD

RESULT: RETURNED AS HELD Next: 3/29/2016 12:30 PM

03/29/16 Community Development & Human Services Committee

04/18/16 Atlanta City Council RETURNED AS HELD

RESULT: RETURNED AS HELD Next: 4/26/2016 12:30 PM

04/26/16 Community Development & Human Services Committee

05/02/16 Atlanta City Council RETURNED AS HELD

RESULT: RETURNED AS HELD Next: 5/10/2016 12:30 PM

05/10/16 Community Development & Human Services Committee

05/16/16 Atlanta City Council RETURNED AS HELD

RESULT: RETURNED AS HELD Next: 5/24/2016 12:30 PM

05/24/16 Community Development & Human Services Committee

06/06/16 Atlanta City Council RETURNED AS HELD

RESULT: RETURNED AS HELD Next: 6/14/2016 12:30 PM

06/14/16 Community Development & Human Services Committee

06/20/16 Atlanta City Council RETURNED AS HELD

RESULT: RETURNED AS HELD Next: 6/28/2016 12:30 PM

06/28/16 Community Development & Human Services Committee

RESULT: RETURNED AS HELD Next: 7/12/2016 12:30 PM

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VOTE RECORD - ORDINANCE 15-O-1360						
<input type="checkbox"/> ADOPTED <input type="checkbox"/> ADVERSED <input type="checkbox"/> FAVORABLE <input type="checkbox"/> ACCEPTED AND FILED <input type="checkbox"/> FIRST READING <input type="checkbox"/> SECOND READING <input type="checkbox"/> THIRD READING <input type="checkbox"/> FOURTH READING <input type="checkbox"/> FIFTH READING <input type="checkbox"/> REFERRED TO COMMITTEE <input type="checkbox"/> HELD IN COMMITTEE <input type="checkbox"/> TABLED <input type="checkbox"/> DEFERRED <input type="checkbox"/> RECONSIDERED <input type="checkbox"/> FILED <input type="checkbox"/> ADOPTED AS AMENDED <input type="checkbox"/> AMENDED <input type="checkbox"/> ACCEPTED <input type="checkbox"/> SUBSTITUTED <input type="checkbox"/> AMENDED SUBSTITUTE <input type="checkbox"/> FILED BY COMMITTEE <input type="checkbox"/> REFERRED TO ZRB AND ZC <input type="checkbox"/> REFERRED WITHOUT OBJECTION <input type="checkbox"/> ADOPTED SUBSTITUTE <input type="checkbox"/> ADOPTED SUBSTITUTE AS AMENDED <input type="checkbox"/> FORWARDED WITH NO RECOMMENDATI <input type="checkbox"/> REFERRED TO SC <input type="checkbox"/> FILED WITHOUT OBJECTION <input type="checkbox"/> FAILED <input type="checkbox"/> FORWARDED TO FC/NQ <input type="checkbox"/> FAVORABLE/SUBSTITUTE <input type="checkbox"/> FAVORABLE/SUB/AMENDED <input type="checkbox"/> FAVORABLE/SUB/AMND/COND <input type="checkbox"/> FAVORABLE/AMND/COND						
			YES/AYE	NO/NAY	ABSTAIN	ABSENT
	MICHAEL JULIAN BOND		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	MARY NORWOOD		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	ANDRE DICKENS		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	CARLA SMITH		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	KWANZA HALL		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	IVORY LEE YOUNG JR.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	CLETA WINSLOW		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	NATALYN MOSBY ARCHIBONG		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	ALEX WAN		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	HOWARD SHOOK		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	YOLANDA ADREAN		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	FELICIA A. MOORE		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	CLARENCE "C. T." MARTIN		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	KEISHA LANCE BOTTOMS		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	JOYCE SHEPERD		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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Certified by Presiding Officer	Certified by Clerk
<p>Mayor's Action</p> <p><i>See Authentication Page Attachment</i></p>	