

1 **BILL NO. G-16-01-07 as amended**

2 **General Ordinance No. G- 2-16**

3 **AN ORDINANCE AMENDING CHAPTER 153 OF THE**
4 **CITY OF FORT WAYNE, INDIANA, CODE OF ORDINANCES:**
5 **“PLANNING AND DEVELOPMENT” BY ADDING § 153.19(C)**

6 **WHEREAS**, pursuant to the authority of Ind. Code § 6-1.1-12.1 *et al.*, the City of Ft.
7 Wayne has implemented real and personal property tax deductions (abatements) as a
8 means to attract new businesses to the Ft. Wayne area; and

9 **WHEREAS**, with regard to real property, a qualifying applicant currently may receive
10 a 3, 5, 7, or 10 year abatement depending on a number of factors such as the size of the
11 investment and the number and quality of jobs created; and

12 **WHEREAS**, the current scoring system places significant emphasis on the
13 economic benefits to be derived from the proposed redevelopment or rehabilitation; and

14 **WHEREAS**, for some types of developments such as speculative buildings, it can be
15 impossible for an applicant to accurately predict the economic benefits that will derive from
16 the project; and

17 **WHEREAS**, in these cases, the applicant may over or under estimate the
18 anticipated economic benefits, which can result in the applicant receiving a shorter-term
19 abatement or losing a longer-term abatement for failure to comply; and

20 **WHEREAS**, the City believes it is in the City's best interest to encourage all types of
21 development, including the development of specifically defined speculative buildings; and

22 **WHEREAS**, to encourage the development of speculative buildings, the City desires
23 to create a mechanism that would allow developers of certain specifically defined speculative
24 buildings to receive the same 10-year abatement enjoyed by other developers.

25 **NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE**
26 **CITY OF FORT WAYNE, INDIANA:**

27 **SECTION 1.** That Chapter 153 of the Ft. Wayne Code of Ordinances: “PLANNING
28 AND DEVELOPMENT” is amended to add the following sub-section in Section 153.19:

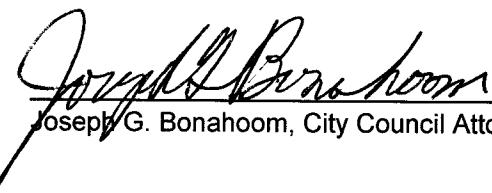
1 (C) Projects involving the redevelopment or rehabilitation of a speculative building may
2 receive a ten-year phased deduction (abatement) without adhering to the City's Review
3 System. For purposes of this subsection, a "speculative building" is any building
4 development, construction, or rehabilitation of at least 50,000 square feet that is reasonably
5 likely to create new jobs when the developer has no formal commitment from a buyer or
6 tenant to purchase or lease the end product, whether the end product is a fully completed,
7 move-in ready building or a partially completed shell suitable for build-out improvements by
8 the future owner or tenant. Additional incentives for the final build out and personal property
9 (equipment) may be considered upon the identification of the end user. Any additional
10 incentives will adhere to the City's Review System for real and personal property abatement
11 at the time of submittal.

12 **SECTION 2.** That the City is directed to take all action necessary and proper for the
13 implementation of this Ordinance.

14 **SECTION 3.** That this Ordinance shall be in full force and effect from and after its
15 passage and any and all necessary approval by the Mayor.

16 
17 _____
18 Russell Jehl, Council Member

19 APPROVED AS TO FORM AND LEGALITY

20 
21 _____
22 Joseph G. Bonahoom, City Council Attorney

BILL NO. G-16 01-0760 amended

General Ordinance No.

AN ORDINANCE AMENDING CHAPTER 153 OF THE CITY OF FORT WAYNE, INDIANA, CODE OF ORDINANCES: "PLANNING AND DEVELOPMENT" BY ADDING § 153.19(C)

WHEREAS, pursuant to the authority of Ind. Code § 6-1.1-12.1 *et al.*, the City of Ft. Wayne has implemented real and personal property tax deductions (abatements) as a means to attract new businesses to the Ft. Wayne area; and

WHEREAS, with regard to real property, a qualifying applicant currently may receive a 3, 5, 7, or 10 year abatement depending on a number of factors such as the size of the investment and the number and quality of jobs created; and

WHEREAS, the current scoring system places significant emphasis on the economic benefits to be derived from the proposed redevelopment or rehabilitation; and

WHEREAS, for some types of developments such as speculative buildings, it can be impossible for an applicant to accurately predict the economic benefits that will derive from the project; and

WHEREAS, in these cases, the applicant may over- or under-estimate the anticipated economic benefits, which can result in the applicant receiving a shorter-term abatement or losing a longer-term abatement for failure to comply; and

WHEREAS, the City believes it is in the City's best interest to encourage all types of development, including the development of specifically defined speculative buildings; and

WHEREAS, to encourage the development of speculative buildings, the City desires to create a mechanism that would allow developers of certain specifically defined speculative buildings to receive the same 10-year abatement enjoyed by other developers.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That Chapter 153 of the Ft. Wayne Code of Ordinances: "PLANNING AND DEVELOPMENT" is amended to add the following sub-section in Section 153.19:

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1 (C) Projects involving the redevelopment or rehabilitation of a speculative
2 building may receive a ten-year deduction (abatement) without adhering to the City's Review
3 System. For purposes of this subsection, a "speculative building" is any building
4 development, construction, or rehabilitation of at least 50,000 square feet that is reasonably
5 likely to create at least 50 new jobs at an average hourly wage of \$20.00 per job, when the
6 developer has no formal commitment from a buyer or tenant to purchase or lease the end
7 product, whether the end product is a fully completed, move-in ready building or a partially
8 completed shell suitable for build-out improvements by the future owner or tenant.

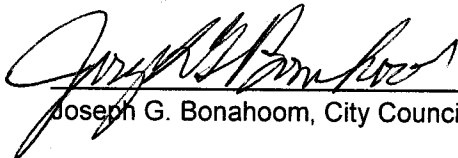
9 **SECTION 2.** That the City is directed to take all action necessary and proper for the
10 implementation of this Ordinance.

11 **SECTION 3.** That this Ordinance shall be in full force and effect from and after its
12 passage and any and all necessary approval by the Mayor.

13 

Russell Jehl, Council Member

14 APPROVED AS TO FORM AND LEGALITY

15 

Joseph G. Bonahoom, City Council Attorney

BILL NO. G-16-01-07

REPORT OF COMMITTEE ON REGULATIONS

FEBRUARY 02, 2016

*Tom Didier, Chair
Tom Freistroffer, Co-Chair
All Council Members*

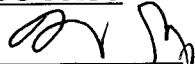
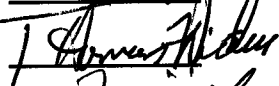
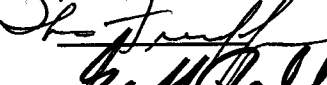

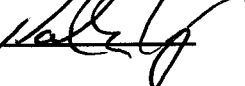
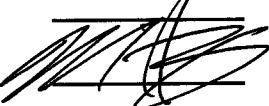
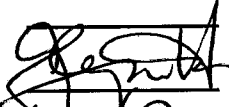
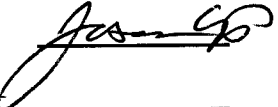
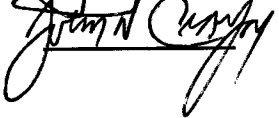
AN ORDINANCE AMENDING CHAPTER 153 OF THE CITY OF FORT WAYNE, INDIANA, CODE OF ORDINANCES: "PLANNING AND DEVELOPMENT" BY ADDING § 153.19(C) **COMMITTEE ON REGULATIONS HAVE HAD SAID** Ordinance under consideration and beg leave to report back to the Common Council that said ordinance

DO PASS

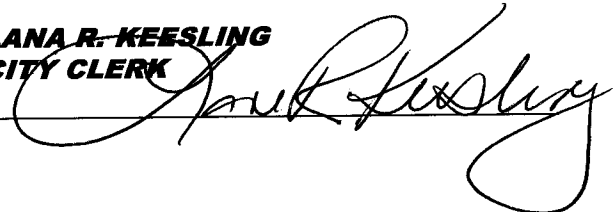
DO NOT PASS

ABSTAIN

NO REC

	_____	_____	_____
	_____	_____	_____
	_____	_____	_____
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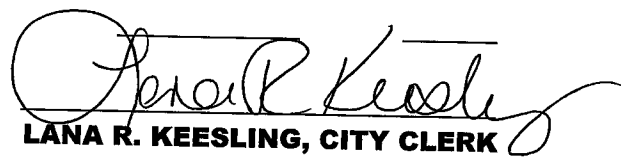
**LANA R. KEESLING
CITY CLERK**



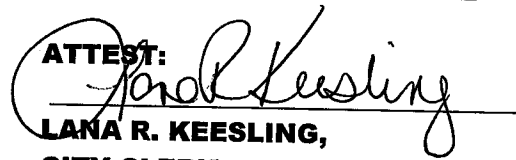
Public Hearing Date, if applicable N/A
 Read the first time in full and on motion by Councilman TOM DIDIER,
 Read the second time by title and referred to the REGULATIONS, committee
 Read the third time in full and on motion by Councilman TOM DIDIER,
 placed on its passage by the following vote:


	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
TOTAL VOTES	<u>6</u>	<u>2</u>		<u>1</u>
ARP		<u>✓</u>		
BARRANDA	<u>✓</u>			
CRAWFORD				<u>✓</u>
DIDIER	<u>✓</u>			
ENSLEY		<u>✓</u>		
FREISTROFFER	<u>✓</u>			
HINES	<u>✓</u>			
JEHL	<u>✓</u>			
PADDOCK	<u>✓</u>			

DATED: 2/9/16

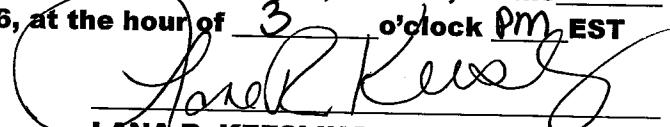

LANA R. KEESLING, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING) (ORDINANCE) (RESOLUTION) NO. _____ on the 9TH day of FEBRUARY, 2016

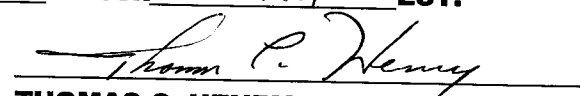
ATTEST:

LANA R. KEESLING, CITY CLERK


PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10TH day of FEBRUARY, 2016, at the hour of 3 o'clock PM EST


LANA R. KEESLING, CITY CLERK

Approved and signed by me this 10TH day of FEBRUARY 2016, at the hour of 3:00 o'clock PM EST.


THOMAS C. HENRY, MAYOR