06-O-0276

AN ORDINANCE 06-O-

BY: ZONING COMMITTEE Z-06-08

AN ORDINANCE TO AMEMD THE CITY OF ATLANTA SIGN ORDINANCE SO AS TO REDEFINE PRINCIPAL OCCUPANT; AND FOR OTHER PURPOSES

WHEREAS, a Principal Occupant of a building that is four (4) or more stories in height is allowed to have a Building Signature Sign on that building;

WHEREAS, the definition section of the Sign Ordinance contained in Section 16-28A.004 of the City of Atlanta Sign Ordinance defines Principal Occupant as a building tenant who has leased a minimum of 25 percent of the available leasable floor space of a specific building;

WHEREAS, buildings are now being built in the City of Atlanta that contain condominium units on the higher floors that are owned by the occupants and retail or commercial space on the lower floors that are leased to businesses;

WHEREAS, counting only actual leasable space in these buildings when calculating the 25 percent minimum could allow businesses without a significant presence in these buildings to have a Building Signature Sign;

WHEREAS, because of this it is necessary to amend the definition of Principal Occupant to include all of the space in a building that is capable of being occupied, whether owned or leased;

NOW THEREFORE BE AND IT IS HEREBY ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA AS FOLLOWS:

Section 1. That Section 16-28A.004 of the City of Atlanta Sign Ordinance be amended so as to delete the following definition of Principal Occupant:

> *Principal Occupant:* A building tenant who has leased a minimum of 25 percent of the leasable floor space of a specific building. Said lease to be for a period of not less than five years.

and replacing it with the following definition:

> *Principal Occupant:* A building tenant who occupies a minimum of 25 percent of the floor space of a specific building that is available for occupancy. Said lease to be for a period of not less than five years.

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Section 2. That all ordinances or parts of ordinances in conflict with this ordinance shall be repealed.