



Community Benefits Agreements (CBAs) & Community Benefit Ordinances



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What are Community Benefits Agreements & Ordinances?

- Agreements and local laws designed to ensure new development provide social, economic, and environmental benefits without harming the neighborhood
- Negotiated with affected community groups
- Includes guidelines for developer to deliver benefits
- Secures community support for the project
- Common Benefits
 - Affordable housing and community facilities
 - Local/disadvantaged hiring and job access
 - Living wages and job training programs
 - Improved project design and green/open space
 - Financial support and other community needs



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What to Consider Before Adopting a CBA Ordinance?

Scope & triggers	Policy goals	Community representation	Benefit structure
Form of commitment	Enforceability	Measurement & reporting	Administration & cost
Equity & consistency	Market feasibility	Integration with existing tools	Community benefits fund



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What are the Goals of CBAs?



- Increases inclusiveness and accountability in development projects
- Negotiated directly between developers and community groups/coalitions
- Provides a platform for community involvement and addressing stakeholder concerns
- Ensures promised community benefits are realized
- Gives community groups a voice in use of public resources (e.g., tax incentives, subsidies, etc.)
- Clearly defined benefits for the community
- Time frames for achieving benefits
- Provisions for monitoring and evaluation



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CBA's Often Focus on Workforce Benefits

- **Inclusive Hiring and Promotions**
 - Target 45% new hires and 20% promotions from historically disadvantaged groups
 - Ban-the-box policy
- **Training and Apprenticeships**
 - Pre-apprenticeship program (life skills & mentoring)
 - Technical training
- **Workplace Protections**
 - Discrimination and harassment complaint system
 - Job protection and anti-retaliation
- **Safety and Support**
 - OSHA safety training
 - On-site debt clinics
 - Support transportation gaps (shuttles and ride-share)



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Potential Administrative Advantages of CBAs



More predictable, consistent expectations than ad hoc negotiations



Better alignment of public assistance with measurable public benefit



Earlier, structured community engagement can reduce late-stage conflict



Formal monitoring and reporting improves accountability for promised benefits



Can standardize workforce and inclusion outcomes (local/disadvantaged hiring, MWBE, training pipelines)



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What are the Common Risks / Disadvantages Associated with CBAs?

Administrative burden may require staffing for facilitation, compliance tracking, reporting, and enforcement

Market sensitivity may affect project feasibility/ shift investment elsewhere if requirements are overly rigid or thresholds are set too low

Questions about legitimacy on who represents the community and potential for stakeholder capture

Inconsistent outcomes without clear standards can create perceptions of unfairness

Legal risk arises when rules feel unfair or benefits do not match the required actions



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Examples of CBAs in Action



City of Savannah / Department Name / Title of Presentation

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Nashville MLS Stadium

- Stand Up Nashville (SUN) and Nashville Soccer Holdings
- 10-acre mixed-use development with 30,000-seat stadium
- \$255M revenue bonds and \$50M fairgrounds upgrades
- Key benefits:
 - Affordable Housing: 20% units set aside with 3-bedroom family units
 - Stadium workers earn up to \$15.50+/hr
 - Targeted hiring program for individuals with employment barriers
 - Childcare facility, artisan retail spaces and youth soccer programs
 - Safety training
 - Minority contractor inclusion
- Joint Community Advisory Committee monitors CBA and reports annually



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Birmingham, AL CBA



- CBA signed by:
 - New Flyer (bus manufacturer)
 - Jobs to Move America and Greater Birmingham Ministries (nonprofits supporting fair jobs, community well-being and social justice)
- Build a jobs pipeline for low-income and historically disadvantaged workers in public transit bus manufacturing
- Applies to California operations (closed) and Anniston, AL



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Atlanta Beltline CBA

- Ordinance ensures projects benefit residents (legacy homeowners and small businesses)
- Capital projects receiving TAD bond proceeds must include legal agreements insuring compliance with community benefits principles—*not just physical infrastructure*:
 - Affordable workforce housing
 - Economic development
 - Job creation
 - Public health
 - Streetscapes
 - Public art
 - Environmental clean-up
 - Historic preservation
 - Sustainability
- Advisory Committee oversees allocation of TAD bond proceeds to ensure they support principles and community needs



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City of St. Petersburg CBA

- Ordinance applies to:
 - Private projects with a permit value of \$2+ Million
 - 20% City participation (\$400K minimum)
 - Excludes City-led projects
- Three-tiered system based on project investment
- Requires a Community Impact Report
- Enforceable community benefits are incorporated into the Development Agreement adopted by Council
- CBAs follow set criteria but are tailored to each project
- Projects also reviewed by a 7-member Neighborhood Advisory Council



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St. Petersburg CBA Process

- Developer approaches City for project requiring financial support
- City assesses project interest and applicability of CBA requirements
- Developer submits Impact Report and City drafts term sheet discussions
- Developer presents project to affected neighborhood; collects feedback on desired community benefits
- City and developer finalize draft term sheet; Neighborhood Advisory Council (NAC) provides input
- Include CBA provisions (e.g., neighborhood investment, CBA Fund contributions)
- Developer presents final plan to neighborhood
- Final review and input by NAC on development agreement
- Agreement considered by Council
- Upon approval, compliance and reporting procedures begin



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Policy Discussion Framework

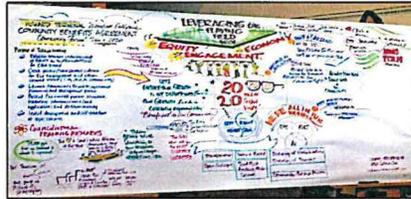
SCOPE → PROCESS ↓	Public Funding Based (triggered when public funds are used) <ul style="list-style-type: none"> • narrower scope; • aligns benefits to public assistance; • often easier to administer; • fewer projects 	Development Scope Based (triggered by rezoning or size/scale of development) <ul style="list-style-type: none"> • wider coverage; • stronger leverage on large projects; • higher admin costs; • higher risks of feasibility sensitivity
	Menu / Points Based <ul style="list-style-type: none"> • more predictable & faster; • reduces "arbitrariness"; • higher risk of "check-the-box" outcomes 	<ul style="list-style-type: none"> • best when Council wants uniformity & speed; • market is price-sensitive.
Bespoke Negotiation Based <ul style="list-style-type: none"> • tailored to impacts and neighborhood needs; • more risk of inconsistency; • higher transaction costs 	<ul style="list-style-type: none"> • best when impacts are varied; and • city has strong facilitation capacity; and • clear enforcement tools. 	<ul style="list-style-type: none"> • best when Council expects significant leverage; and • city can absorb higher admin burden/costs.



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Next Steps

- Begin discussions with community about CBA program
 - Continue to research best practices
 - Develop goals for CBA/CBO
 - Create CBA criteria
 - Consider creation of an advisory council
 - Determine if CBA fund is needed and how it could operate
 - Provide strategies for reporting



Community Benefits Agreements / Ordinances Discussion

City Council Policy Discussion Handout

Working definitions

- Private CBA: legally enforceable contract between a developer and community coalition.
- City CBA program/ordinance: establishes triggers + a community process; enforceable commitments are typically embedded in a development agreement, incentive agreement, or land disposition agreement.
- Public funded based benefits: benefits requirements tied to public subsidies (abatements, land transfer, TIF/TAD, grants, etc).
- Development scope-based benefits: benefits requirements tied to size and scope of new development (rezoning, planned developments, permit value, etc.)

I. Common questions every community must answer before adopting a CBA ordinance/program

Topic	Questions to answer (minimum design specs)
Scope & triggers	Which projects trigger requirements (subsidy/incentive, rezoning, permit value, land disposition), at what thresholds, and what exemptions apply?
Policy goals	What outcomes are we prioritizing (affordable housing, anti-displacement, local/disadvantaged hiring, small business, environmental resilience, public realm)?
Community representation	Who participates, how are impacted residents centered, and how do we avoid capture by a narrow coalition?
Benefit structure	Menu/points system (predictability) or bespoke negotiation (flexibility)? Do we set a minimum "floor" of required benefits?
Form of commitment	Where do commitments live (standalone CBA, development agreement, incentive/land disposition agreement)?
Enforceability	Who enforces, what remedies exist (clawback, liquidated damages, performance bond, withholding milestones), and can third parties enforce?
Measurement & reporting	How are key terms defined, what data is reported, how often, and who verifies (audits, dashboards)?
Administration & cost	Which department owns the program, what staffing is required, and is there an advisory council/board (composition/authority/conflicts rules)?
Equity & consistency	How do we ensure similarly situated projects face similar requirements, and benefits don't concentrate only in already-advantaged areas?
Market feasibility	How will requirements affect project feasibility and competitiveness vs neighboring jurisdictions? Is there a hardship/off-ramp with guardrails?
Integration with existing tools	What gap is this solving beyond current zoning conditions, development agreements, incentives policies, and existing housing/community development tools?
Community benefits fund	Will we allow payments-in-lieu? If so, formula, governance, eligible uses, targeting, and transparency requirements?

II. Pros and cons of adopting a community benefits ordinance/program

Pros	Cons / risks
<ul style="list-style-type: none"> • More predictable, consistent expectations than ad hoc negotiations (especially with clear triggers and a menu). • Better alignment of public assistance with measurable public benefit. • Earlier, structured community engagement can reduce late-stage conflict. • Formal monitoring and reporting improves accountability for promised benefits. • Can standardize workforce and inclusion outcomes (local/disadvantaged hiring, MWBE, training pipelines). 	<ul style="list-style-type: none"> • Administrative burden: facilitation, compliance tracking, reporting, and enforcement require sustained staffing. • Market sensitivity: overly rigid or low-threshold requirements may affect feasibility or shift investment elsewhere. • Legitimacy risk: disputes over who represents the community; potential for stakeholder capture. • Inconsistency risk if outcomes are bespoke without standards (perceived unfairness). • Legal risk if structured like an improper exaction or if benefits are not tied/proportional to impacts (state-specific legal review needed).

III. Policy Discussion Framework

	Public Funding Based (triggered when public funds are used)	Development Scope Based (triggered by rezoning or size/scale of development)
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	<ul style="list-style-type: none"> • best when impacts are varied; and • city has strong facilitation capacity; and • clear enforcement tools. 	<ul style="list-style-type: none"> • best when Council expects significant leverage; and • city can absorb higher admin burden/costs.