

**AN ORDINANCE
BY COUNCILMEMBERS ANDRE DICKENS, KWANZA HALL, AND CLETA
WINSLOW**

AN ORDINANCE TO AMEND CHAPTER 146, ARTICLE II OF THE CITY OF ATLANTA CODE OF ORDINANCES TO ADD A NEW DIVISION 3 ENTITLED “BELTLINE OVERLAY DISTRICT” SO AS TO PROVIDE A CITY REAL PROPERTY AD VALOREM TAX INCENTIVE FOR AFFORDABLE WORKFORCE HOUSING; AND FOR OTHER PURPOSES.

WHEREAS, the City has adopted a mandatory affordable workforce housing zoning ordinance applicable to multi-family rental construction in the Beltline Overlay zoning district; and

WHEREAS, the City Council finds that adoption of an annual city real property ad valorem tax incentive is in the public health, safety and welfare.

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

Section 1: Chapter 146, Article II is hereby amended by adding a Division 3 entitled “Beltline Overlay District”, codified as City Code Section 146-76 which shall read:

Chapter 146, Article II

Division 3. - BELTLINE OVERLAY DISTRICT

Sec. 146-76. - Incentive for compliance with affordability requirement.

A development in compliance with the affordability requirement in section 16-36A.004 shall be entitled to an annual city real property tax incentive of up to \$ [REDACTED] per rental unit in the development for so long as every affordable workforce housing unit in the development complies with the affordability requirement therein for the preceding calendar year. The maximum incentive period is 30 years. The city shall certify to the applicable county tax commissioner on an annual basis entitlement to the incentive based on satisfactory evidence provided by the owner(s). Units in receipt of a valid certificate of occupancy prior to January 1, 2017 shall not be eligible for this incentive.

It is declared the intention of the City of Atlanta that the provisions of any part of this ordinance are severable. If any court of competent jurisdiction shall adjudge any provision of this ordinance to be invalid, such judgment shall not affect any other provision of this ordinance not specifically included in the judgment. If a court of competent jurisdiction shall adjudge invalid the application of any provision of this ordinance to a particular property, development, building or structure, such judgment shall not affect the application of said provision to any other property, development, building or structure not specifically included in said judgment.

Section 2: This ordinance shall take effect sixty (60) days after adoption by the City Council and approval by the Mayor.

Section 3: All ordinances or parts of ordinances in conflict with this ordinance are repealed to the extent of any conflict.

Section 4: It is declared the intention of the City of Atlanta that the provisions of any part of this ordinance are severable. If any court of competent jurisdiction shall adjudge any provision of this ordinance to be invalid, such judgment shall not affect any other provision of this ordinance not specifically included in the judgment. If a court of competent jurisdiction shall adjudge invalid the application of any provision of this ordinance to a particular property, development, building or structure, such judgment shall not affect the application of said provision to any other property, development, building or structure not specifically included in said judgment.