



AN ORDINANCE

BY COUNCILMEMBERS ANDRE DICKENS, MICHAEL JULIAN BOND, JOYCE SHEPERD, AND IVORY LEE YOUNG, JR.

AS SUBSTITUTED BY

FINANCE/EXECUTIVE COMMITTEE

A SUBSTITUTE ORDINANCE AUTHORIZING THE CHIEF FINANCIAL OFFICER OF THE CITY OF ATLANTA TO CREATE A BELTLINE AFFORDABLE WORKFORCE HOUSING IN-LIEU FEE TRUST FUND (600412) FOR THE PURPOSE OF ANTICIPATING AND APPROPRIATING IN-LIEU FEES AND ADMINISTRATIVE COSTS IN ACCORDANCE WITH THE AFFORDABLE WORKFORCE HOUSING (BELTLINE OVERLAY) REQUIREMENTS IN CHAPTER 36A OF THE CITY OF ATLANTA ZONING ORDINANCE PART 16 OF THE LAND DEVELOPMENT CODE; AND TO AMEND CHAPTER 54, ARTICLE I, OF THE ATLANTA CODE OF ORDINANCES SO AS TO CREATE A NEW SECTION ENTITLED “BELTLINE AFFORDABLE HOUSING TRUST FUND COMMISSION”; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta (the “City”) continually welcomes new persons to live and work in the City, and as a result the City’s Comprehensive Development Plan recognizes that many developed areas of the City, including the BeltLine Overlay District, are experiencing or are anticipated to experience residential development and redevelopment on scattered tracts of land; and

WHEREAS, affordable workforce housing benefits a diverse group of individuals, seniors and families including police, fire fighters, teachers, EMTs, medical assistants, bank tellers, administrative assistants, retail workers, city and county employees; and

WHEREAS, Chapter 36A of the City of Atlanta Zoning Ordinance, Part 16 of the Land Development Code (the “Affordable Workforce Housing (Beltline Overlay District)”) governs affordable workforce housing requirements for the BeltLine Overlay District; and

WHEREAS, Section 16-36A.007 provides that, in lieu of compliance with the affordable workforce housing requirement therein, an applicant may elect to pay an in-lieu fee and administrative cost to this housing trust fund for every affordable workforce housing unit not built; and

WHEREAS, it is necessary that a housing trust fund account be created in order to carry out the purpose and intent of Section 16-36A.007 of the Code; and

WHEREAS, the Atlanta City Council desires to amend Chapter 54, Article I, of the Atlanta Code of Ordinances so as to create a new section entitled “Beltline Affordable Housing Trust Fund Commission” which will evaluate the Beltline Affordable Workforce Housing In Lieu Fee Trust Fund annually and allocate funds to projects in accordance to this ordinance.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS as follows:

CITY COUNCIL
ATLANTA, GEORGIA

SECTION 1: That the Chief Financial Officer is hereby authorized to create a Beltline Affordable Workforce In Lieu Fee Housing Trust Fund **(600412)** in accordance with the Affordable Workforce Housing (Beltline Overlay District) and to anticipate and appropriate the payment of in-lieu fees and administrative costs, with the administrative costs not to exceed five (5) percent of the funds collected, as received pursuant to this ordinance.

SECTION 2: That the funds in the Beltline Affordable Workforce In Lieu Fee Housing Trust Fund may be used only in the Beltline subarea the funds were collected in or in an adjacent subarea for the production or preservation of affordable housing within the BeltLine Overlay District through acquisition, new construction, reconstruction, and/or rehabilitation with all assisted units to have a minimum affordability period as set forth in Section 16-36A.004 of the City of Atlanta Zoning Ordinance.

SECTION 3: The Code of Ordinances, City of Atlanta, Georgia, is hereby amended by adding a new section in Chapter 54, "Community Development", Article I to be numbered as Section 54-4, entitled "Beltline Affordable Housing Trust Fund Commission" such that it shall read as follows:

Sec. 54-4(a) – "Purpose"

The purpose of the Beltline Affordable Housing Trust Fund Commission ("Commission") shall be to make recommendations to the Atlanta City Council for the expenditure of funds collected in the Beltline Affordable Workforce In Lieu Fee Housing Trust Fund ("Beltline Trust Fund").

Sec. 54-4(b) – "Composition"

The Beltline Affordable Housing Trust Fund Commission shall be comprised of the following nine (9) members:

- One (1) member from the Atlanta Housing Authority to be appointed by the Mayor
- One (1) member shall be the Director of the Office of Housing and Community Development or her designee to be appointed by the Mayor
- One (1) member from the Atlanta Development Authority d/b/a Invest Atlanta to be appointed by the Mayor
- One (1) member from the Atlanta Beltline Inc. to be appointed by the Mayor
- One (1) member shall be a resident of the Beltline Overlay District to be appointed by Council Members from Districts 1,2,3,4, and post 1
- One (1) member shall be a resident of the Beltline Overlay District who participates in a City of Atlanta Housing program to be appointed by Council Members from Districts 5,6,7,8 and post 2
- One (1) member who is actively engaged as an advocate for low-income persons in connection with affordable housing to be appointed by Council Members from Districts 9,10,11,12, and post 3



- One (1) member from the for-profit development community to be appointed by the Council President
- One (1) member from the non-profit development community to be appointed by the Council President

Appointees shall be submitted to the Community Development/ Human Services Committee and confirmed by the Atlanta City Council.

Sec. 54-4(c) – “Staffing”

The Commission shall receive primary staff support and assistance from the City’s Office of Housing and Community Development. Other City departments and offices shall provide support and assistance as specifically requested by the Commission.

Sec. 54-3(d) – “Meeting, Reports, and Recommendations”

The chair of the Community Development/ Human Services Committee shall convene the first meeting of the Commission. The members shall elect their own chairperson and other officers they deem appropriate.

The Commission shall meet at least twice per year. The Office of Housing and Community Development will provide the Commission with an accounting of the funds in the Beltline Trust Fund, which Beltline Subarea the funds were collected from, and the number of units that may be produced and/or preserved from those funds once per year. The Commission shall make recommendations for distribution of the funds towards: preservation, production, rehabilitation and/or restoration of affordable units, and which subarea the funds should be spent at least once annually. The Office of Housing and Community Development shall present to City Council the recommendations of the Commission and the City Council shall either reject, modify, or approve the Commission’s recommendations.

Sec. 54-3(e) – “Terms of Office”

The terms of office shall be for a two-year period with the exception of the Mayoral and Presidential appointees who will serve three-year period.

Sec 54-3(f) – “Compensation”

Members of the Commission shall serve without compensation.

SECTION 4: This ordinance shall take effect sixty (60) days after adoption by the City Council and approval by the Mayor.

SECTION 5: That all ordinances and parts of ordinances in conflict herewith are hereby waived for purposes of this ordinance only, and only to the extent of the conflict only.

2017-75 (16-O-1593)

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A true copy,

Shonda Daughin Johnson
Municipal Clerk

ADOPTED by the Atlanta City Council
APPROVED as per City Charter Section 2-403

November 20, 2017
November 29, 2017