

# Urban Redevelopment Plan Amendment and Opportunity Zone Legislation



November 2010



City of Atlanta  
Department of Planning & Community  
Development

ADA  
Atlanta Development Authority

## **URBAN REDEVELOPMENT PLAN AMENDMENT EXECUTIVE SUMMARY**

### **Purpose of Legislation**

The City of Atlanta proposes to amend the City of Atlanta's Urban Redevelopment Plan (URP) and Urban Redevelopment Area (URA). The reason for this change is to increase the boundary of Atlanta's URP and to broaden the focus of economic development issues facing certain areas of our community. A copy of the currently approved plan is available on line on the Office of Planning's web page. The draft amended plan will be available to the public on the web page on November 22, 2010.

### **Amendments to the Urban Redevelopment Plan**

The Urban Redevelopment Plan for the City of Atlanta was written with a focus on transportation and infrastructure. The amended URP highlights broader economic development issues facing the area in addition to those already covered; this includes poverty, job loss, population growth, and other economic development needs. The amended plan highlights areas with pervasive poverty, underdevelopment, general distress, and blight, displaying these issues through data identifying problems such as job loss, vacancy rates, and low building permit activity.

The current Atlanta Urban Redevelopment Plan highlights and addresses several key outstanding issues identified in the community redevelopment plans throughout the city to guide future public and private investment. The plan identifies future development opportunities in transit and infrastructure and suggests potential stabilization methods in neighborhoods. These important redevelopment issues will remain in the amended plan. Including additional data points such as job loss and unemployment in the URP will allow the City of Atlanta to better leverage private and public investment in areas that are in greatest need of job creation. A specific example of this initiative includes the City of Atlanta's application for the state's opportunity zone designation to assist in job creation after the passage of the amended URP.

### **New Boundary Distinction**

The new boundary of the URA will include the current redevelopment area and will be extended to include some census tract block groups with, or adjacent to those with, 15% or greater poverty. The area identified for the amended boundary has significant poverty, unemployment, home foreclosures, dilapidated structures, and/ or general distress. The issues facing this area are consistent with the criteria required by state code defining a URP.

### **Example: Opportunity Zone**

One of the suggestions included in the amended redevelopment plan is an application to the state for Opportunity Zone designation for areas within the amended URA. An Opportunity Zone (OZ) is a Georgia designation that is currently administered through the Department of Community Affairs for areas with 15% or greater poverty and with an adopted Urban Redevelopment Plan. An OZ would allow Atlanta to increase the amount of state job tax credits from \$1,750 to \$3,500 per job and would lower the job creation requirement from 15 to 2 jobs. Therefore, a company creating 2 or more jobs in one year would receive \$3,500/ job/ year for 5 years. There is no fiscal impact from this program on City of Atlanta; instead, this is a state-based tax incentive that will encourage job growth in our community.

## **PUBLIC COMMENT**

The legislation to amend the Urban Redevelopment Plan and to apply for the Opportunity Zone will be on the agenda of the City Council Community Development and Human Resources Committee Quarterly Public Hearing on Monday, November 29, 2010 at 6:00 pm. Citizens are encouraged to come out and provide comments. Staff from the Department of Planning and Community Development and Atlanta Development Authority will be present.

## **Frequently Asked Questions** **Urban Redevelopment Plan Amendments**

### **How was the boundary for the amended URA determined?**

- The new boundary is a **data-driven boundary** based upon the following criteria:
  1. All block groups with 15% or greater poverty.
  2. Two major parcels which were surrounded by 15% or greater poverty were added. This included Fort McPherson and Chattahoochee Industrial Area.
- The entire existing URA is included in the new boundary.

### **Why was the boundary amended?**

- To include additional areas in the city in need of redevelopment.
- To create a data-driven boundary for Atlanta's Urban Redevelopment Plan.
- To provide a larger portion of the city with access to public and private redevelopment dollars only used within areas with an URP.

### **What are the amendments to the Urban Redevelopment Plan?**

- The URP has been amended so that it is a more comprehensive and strategic plan for redevelopment of the city.
- In addition to transportation and infrastructure, the new URP will also highlight job growth opportunities, population growth and patterns, vacancy rates, building permit activity, and other economic development criteria.

### **What do we stand to gain by amending the Urban Redevelopment Plan?**

- More of the city can benefit from the programs and resources included in the URP.
- Including job loss and unemployment in the URP will allow the city to better leverage private and public investment in areas that are in greatest need of job creation.
- One example of a redevelopment tool that can be used after the URP amendment is passed is the state's Opportunity Zone program.

### **What is an Opportunity Zone?**

- A State of Georgia redevelopment tool which provides incentives for job creation.
- Any legal business entity creating 2 or more full time jobs will receive \$3500/ job/ year for 5 years in state tax credits towards income tax and state withholding.
- A minimum wage requirement is set by the State of Georgia.
- **Examples:**
  - o Small Business ABC expands their business and creates 4 new jobs in an Atlanta Opportunity Zone
    - **4 jobs \* \$3,500 \* 5 years = \$70,000** in tax credits
  - o Company XYZ relocates their corporate headquarters from New York to an Atlanta Opportunity Zone, creating 600 jobs
    - **600 jobs \* \$3,500 \* 5 years = \$10,500,000** in tax credit

### **What is the cost to the City of Atlanta?**

- The OZ is a state designation and has no financial cost to the City of Atlanta.
- ADA has secured assistance from Georgia Power to help with the amendment to the Urban Redevelopment Plan and Boundary as well as to help with the OZ application in order to lessen the assistance needed by the Department of Planning and city employees.

### **What is the timeline for the OZ application?**

- ADA intends to file our completed application by the end of the year, 2010.
- Georgia Department of Community Affairs requests 45-60 days for application review before granting the opportunity zone.
- Opportunity Zones exist for 10 years before expiration.
- Additional OZ application may be filed in the future. Possible areas for a Phase 2 application include: Atlanta streetcar district, Murphy's Triangle, White Street, DeKalb Industrial area, and Whitehall.

### **What other communities in the Metro Atlanta region have an OZ?**

- Cities of Acworth and Marietta in Cobb County; unincorporated Cherokee County; Cities of Roswell, Sandy Springs, and Union City as well as unincorporated Fulton County; City of Norcross and unincorporated Gwinnett County are all current Opportunity Zones.

### **Why not designate as much of Atlanta as possible as an OZ?**

- ADA has met with DCA and we have been advised to apply for Opportunity Zones in phases. The first phase will include select areas with potential for industrial, office, and small business job creation. These areas have been pre-approved by the State.
- Atlanta can apply for opportunity zones in phases.
- The new boundary of the Urban Redevelopment Plan allows for the greatest area possible for future eligibility for the OZ program.

### **Contact**

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**A RESOLUTION BY  
COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE**

**10-R-**

**A RESOLUTION AMENDING RESOLUTION 10-R-1228 FOR THE  
PURPOSE OF AMENDING THE GEOGRAPHIC BOUNDARIES OF  
ATLANTA URBAN REDEVELOPMENT AREA NO. 1; REAFFIRMING  
ALL OTHER PROVISIONS CONTAINED IN RESOLUTION 10-R-1228;  
AND FOR OTHER PURPOSES.**

**WHEREAS**, on July 6, 2010, the Atlanta City Council approved Resolution 10-R-1228 which declared that the area shown in Exhibit A thereto qualified as an Urban Redevelopment Area and designated such area as the City of Atlanta Urban Redevelopment Area, No.1; and

**WHEREAS**, after careful study and consideration, the Atlanta City Council has determined that the boundaries of City of Atlanta Urban Redevelopment Area, No. 1 should be amended to reflect the area outlined on Exhibit A hereto; and

**WHEREAS**, the Atlanta City Council desires to reaffirm the findings set forth in Resolution 10-R-1228 that one or more areas exist in the City meeting the definition of a slum area under Chapter 61 of Title 36 of the Official Code of Georgia (the "Urban Redevelopment Law") and that it is in the public interest that Urban Redevelopment Law be exercised in the City.

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES**, that Resolution 10-R-1228 is hereby amended to amend the boundaries of City of Atlanta Urban Redevelopment Area, No. 1 to conform to the boundaries described on Exhibit A hereto and declares the area set forth on Exhibit A hereto as City of Atlanta Urban Redevelopment Area No. 1.

**BE IT FURTHER RESOLVED THAT** the area described in Exhibit A attached hereto qualifies as an Urban Redevelopment Area (i) in which there is a predominance of buildings or improvements which by reason of dilapidation, deterioration, age or obsolescence and inadequate provision for ventilation, light, air, sanitation, or open spaces of buildings or improvements is conducive to ill health, delinquency and is detrimental to the public health safety, morals or welfare, (ii) which by reason of a predominance of defective or inadequate street layout substantially impairs the sound growth of the City and (iii) which by reason of the presence of a substantial number of deteriorated or deteriorating structures constitutes an economic or social liability and is a menace to public health, safety, morals or welfare in its present condition and use. The Atlanta City Council furthermore declares by reason of these conditions such area is designated as appropriate for an urban redevelopment project.

**BE IT FURTHER RESOLVED THAT** the Atlanta City Council affirms the findings set forth in Resolution 10-R-1228 and reaffirms the declaration that one or more areas exist in the City

meeting the definition of a slum area under the Urban Redevelopment Law and that the rehabilitation, conservation, or redevelopment, or combination thereof, of such area or areas is necessary in the interest of the public health, safety, morals, or welfare of residents of the City.

**A RESOLUTION**

**BY COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE**

**A RESOLUTION TO AMEND THE CITY OF ATLANTA  
URBAN REDEVELOPMENT PLAN FOR ATLANTA  
URBAN REDEVELOPMENT AREA NO. 1, AS AMENDED;  
AND FOR OTHER PURPOSES.**

**WHEREAS**, Resolution 10-R-1228 (the "**Prerequisite Resolution**") adopted by the City Council of the City of Atlanta (the "**City Council**") on July 6, 2010, determined that one or more slum areas exist in the City of Atlanta (the "**City**") and that the rehabilitation, conservation, or redevelopment, or a combination thereof, of such area or areas is necessary in the interest of the public health, safety, morals, or welfare of the residents of the City; and

**WHEREAS**, the Prerequisite Resolution also designated a certain geographic territory within the boundaries of the City as the City of Atlanta Urban Redevelopment Area No. 1, (the "**Urban Redevelopment Area**") and determined that the Atlanta Urban Redevelopment Area qualifies as an "urban redevelopment area" within the meaning of § 36-61-2(20) of the Urban Redevelopment Law of Georgia (O.C.G.A. § 36-61-1, *et seq.*, as amended) (the "**Urban Redevelopment Law**"); and

**WHEREAS**, in order to facilitate the financing of certain "urban redevelopment projects" within the Urban Redevelopment Area, the City prepared its "City of Atlanta Urban Redevelopment Plan" (the "**Urban Redevelopment Plan**") in accordance with § 36-61-7(b) of the Urban Redevelopment Law; and

**WHEREAS**, Resolution 10-R-1333, adopted by the City Council on July 19, 2010, approved the Urban Redevelopment Plan for the Urban Redevelopment Area; and

**WHEREAS**, Resolution 10-R-XXX amended the Urban Redevelopment Area to include other geographic territory within the boundaries of the City and determined that the Atlanta Urban Redevelopment Area, as amended, qualifies as an "urban redevelopment area" within the meaning of the Urban Redevelopment Law; and

**WHEREAS**, the Urban Redevelopment Law authorizes the City to amend, from time to time, the Urban Redevelopment Plan, which in the case of a substantial modification of an approved Urban Redevelopment Plan, requires prior public notice and hearing; and

**WHEREAS**, on November \_\_, 2010 and November \_\_, 2010, public notice of the public hearing was published in the *Atlanta Journal Constitution*, a newspaper having a general circulation in the area of operation of the City and such public notice provided, among other information, the time, date, place and purpose of the hearing and identified the Urban Redevelopment Area, as amended; and

**WHEREAS**, in accordance with § 36-61-7(c) of the Urban Redevelopment Law, the City held a public hearing to consider the Urban Redevelopment Plan, as amended, on November 29, 2010; and

**WHEREAS**, the City has prepared various comprehensive development and redevelopment plans and studies for areas overlapping the proposed Urban Redevelopment Plan, as amended, and has determined that the Urban Redevelopment Plan, as amended, is consistent with and conforms to the general plans of the City; and

**WHEREAS**, it is not anticipated that any families will be displaced from the Urban Redevelopment Area, as amended, as a result of the implementation of the Urban Redevelopment Plan, as amended, and therefore no method for relocation of such families need be provided; and

**WHEREAS**, the City Council has determined that the Urban Redevelopment Plan, as amended, will afford maximum opportunity, consistent with the sound needs of the City as a whole, for the rehabilitation or redevelopment of the Urban Redevelopment Area, as amended, by private enterprise, including but not limited to, the creation of new jobs incentivized by tax credits granted by the State after designation of certain areas within the Urban Redevelopment Area, as amended, as Opportunity Zones by the Georgia Department of Community Affairs; and

**WHEREAS**, the City Council has determined that the Urban Redevelopment Plan, as amended, constitutes an appropriate part of the City's workable program for utilizing appropriate private and public resources to reduce the number of unoccupied and deteriorating structures, to develop transportation and infrastructure opportunities, to eliminate inadequate street layout, and to encourage needed urban rehabilitation, rehabilitation and conservation in furtherance of the public purpose of protecting the public health, safety, morals and welfare of the City, all as set forth in the Urban Redevelopment Law; and

**WHEREAS**, after careful study and investigation, the City desires to amend the Urban Redevelopment Plan adopted pursuant to Resolution 10-R-1333.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES** that all statements, findings, and recitations set forth in the above and foregoing preambles are hereby determined and declared to be true and correct.

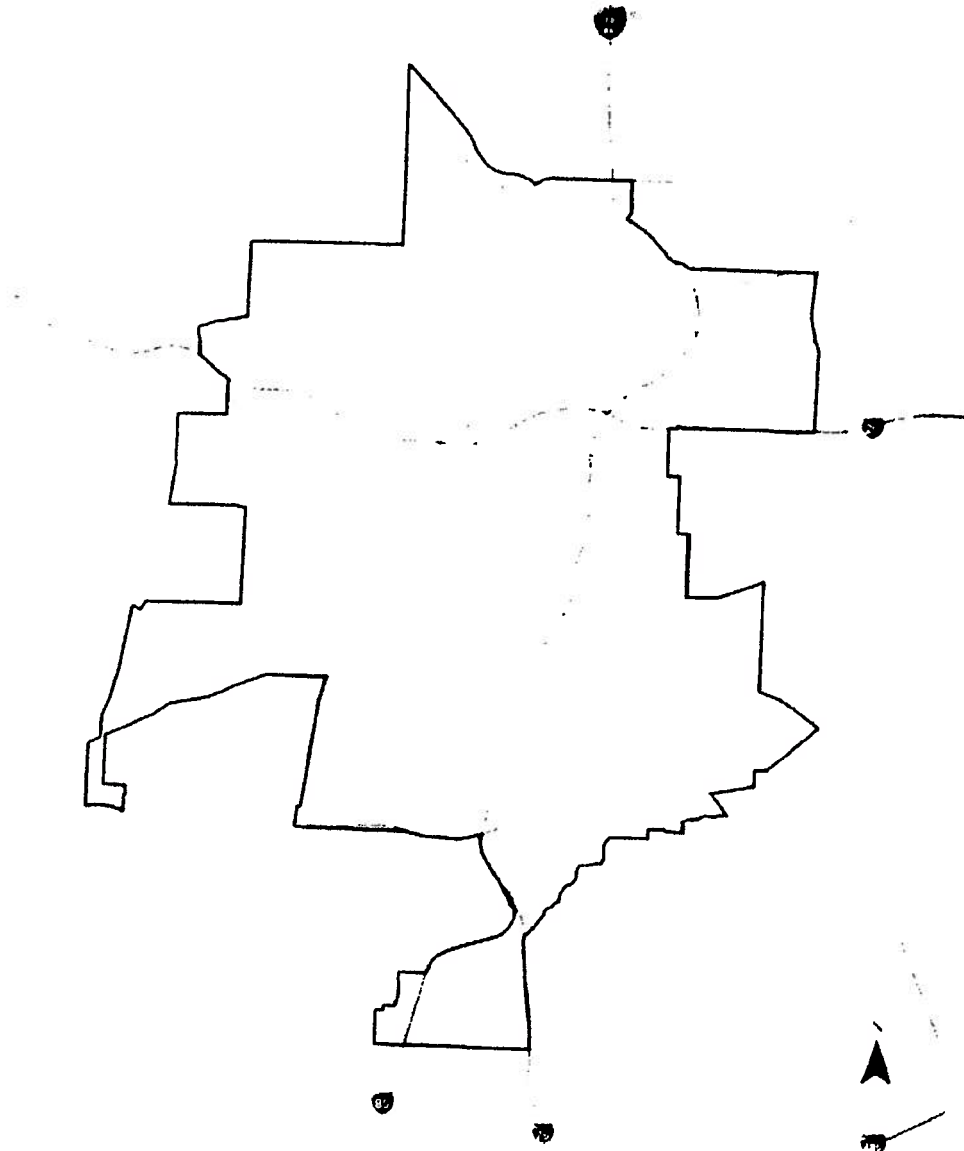
**BE IT FURTHER RESOLVED** that the Urban Redevelopment Plan, as originally approved pursuant to Resolution 10-R-1333, is hereby amended in the form attached hereto as Exhibit "A" and incorporated herein by reference, and the urban redevelopment projects set forth therein are hereby approved. Any change in the urban redevelopment projects set forth in the Urban Redevelopment Plan, as amended, must be approved by the City Council. The Urban Redevelopment Plan, as amended, is consistent with and incorporates the various other currently existing development plans listed on pages 2 and 3 of the Urban Redevelopment Plan, and all projects to be undertaken under the Urban Redevelopment Plan, as amended, shall be consistent with the currently existing development plans list in the Urban Redevelopment Plan, as amended.

**BE IT FURTHER RESOLVED** that any and all resolutions or ordinances or parts of resolutions or ordinances in conflict with this resolution be and the same are hereby repealed.

**BE IT FURTHER RESOLVED** that this Resolution shall be effective immediately upon its adoption by the City Council.



**CITY OF ATLANTA**  
**URBAN REDEVELOPMENT PLAN**



**A RESOLUTION BY  
COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE**

10-R-

**A RESOLUTION AUTHORIZING THE MAYOR, THROUGH THE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT, TO APPLY TO THE GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS (DCA) FOR DESIGNATION OF CERTAIN AREAS WITHIN THE CITY AS “OPPORTUNITY ZONES” PURSUANT TO THE STATE OF GEORGIA’S OPPORTUNITY ZONE TAX CREDIT PROGRAM.**

**WHEREAS**, pursuant to OCGA § 48-7-40.1(c), the commissioner of the Georgia Department of Community Affairs (DCA) is authorized to designate as “less developed areas” (more commonly known as and hereafter referred to as “**Opportunity Zones**”), any area which is within or adjacent to one or more contiguous census block groups with a poverty rate of 15 percent or greater as determined from data in the most current United States decennial census, where a redevelopment plan has been adopted pursuant to Chapter 61 of Title 36 (“**Urban Redevelopment Law**”) and which, in the opinion of the commissioner of community affairs, displays pervasive poverty, underdevelopment, general distress, and blight (hereafter “threshold requirements”); and

**WHEREAS**, the Department of Planning and Community Development, Office of Planning, has worked with the Atlanta Development Authority (ADA) to identify multiple areas within the City that meet the threshold requirements for designation as an Opportunity Zone as more fully depicted on Exhibit “A” hereto; and

**WHEREAS**, once designated by DCA as an Opportunity Zone, businesses which locate to or expand from an Opportunity Zone and create at least two jobs therein may qualify for a \$3,500 state tax credit per eligible new job created, the use of the tax credit against 100 % of Georgia income tax liability and payroll withholding, and other benefits (“**Opportunity Zone Tax Credit Program**”); and

**WHEREAS**, the City’s residents and businesses will benefit from Opportunity Zone designation by DCA pursuant to the state’s Opportunity Zone Tax Credit Program.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF ATLANTA GEORGIA, HEREBY RESOLVES**, that the Mayor, through the Department of Planning and Community Development, is hereby authorized to submit an application on behalf of the City of Atlanta for Opportunity Zone designation by the Commissioner of the Georgia Department of Community Affairs for those areas more fully depicted on Exhibit “A” and listed on Exhibit “B”, attached hereto and incorporated herein by reference.

**BE IT FURTHER RESOLVED**, that the Mayor is hereby authorized to sign the requisite cover letter to the application to the Commissioner of DCA or any other necessary action to cause a complete application to be submitted.

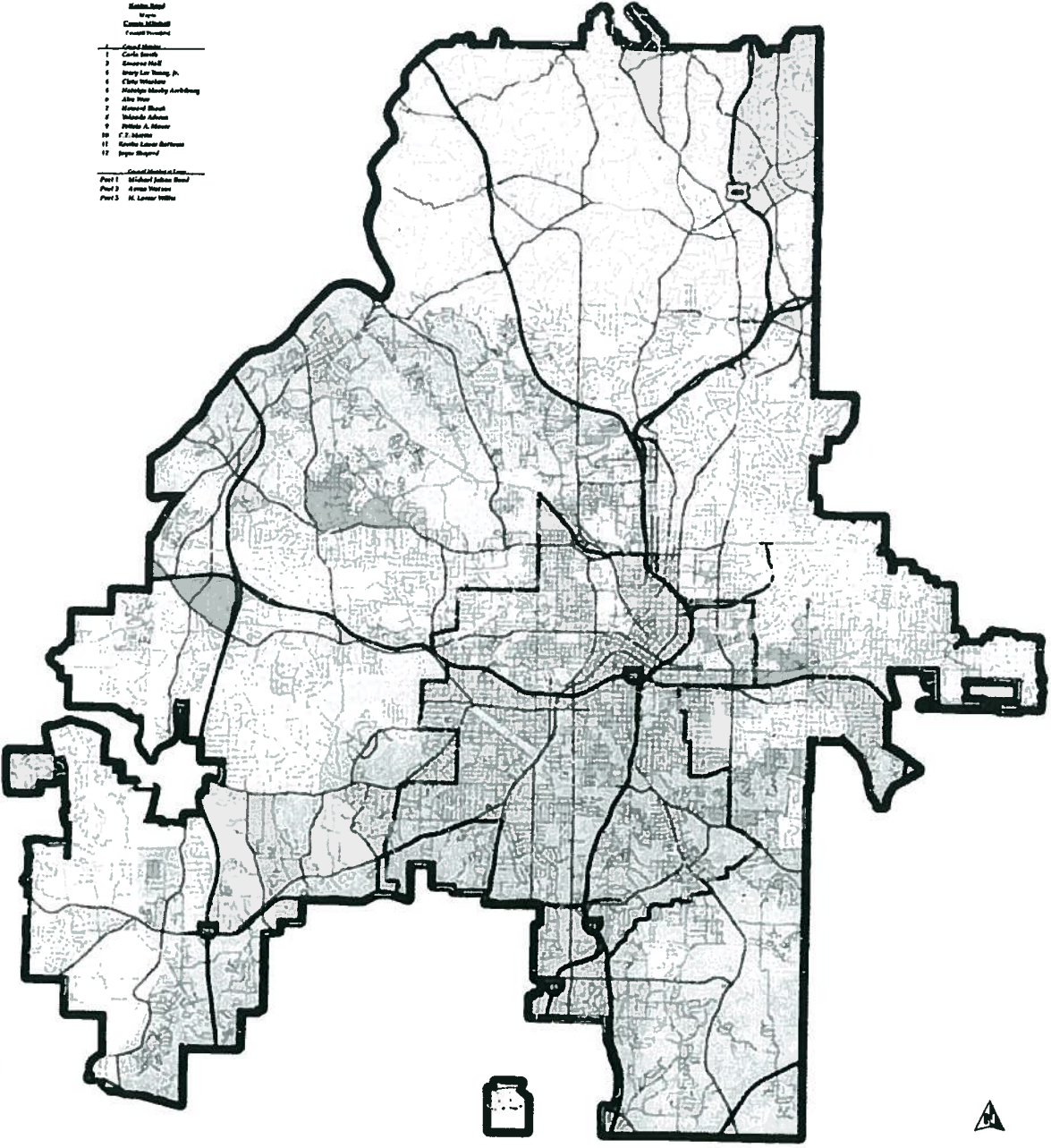
**BE IT FURTHER RESOLVED**, that the City Attorney is authorized to certify to the Commissioner of DCA that the authorizing resolution, Resolution 10-R-1333, for the urban redevelopment plan for Atlanta Urban Redevelopment Area No. 1, as amended, was adopted in accordance with applicable law and applicable public hearing requirements.

# Proposed Expanded Urban Redevelopment Area

## Exhibit A



- City Council**  
Mayor  
Council Members
- Council Districts**
- 1. Cook's Branch
  - 2. Greenville
  - 3. Irving Lee Young, Jr.
  - 4. City West
  - 5. Multiple Minority Aesthetics
  - 6. John W. Kim
  - 7. Howard Street
  - 8. McKinley Avenue
  - 9. White A. Miller
  - 10. F. J. Alvarado
  - 11. Kamille Lamm Barlow
  - 12. Paper Street
- Council Member at Large**
- Part 1. Michael Johnson
  - Part 2. Aron Hovine
  - Part 3. N. Lamar Wilson



### Legend

Existing Urban Redevelopment Area

Proposed Urban Redevelopment Area

CITY LIMIT

## Exhibit B

Opportunity Zone	
ID # (*)	Name /Subareas
1	Ben Hill Village
2	Greenbriar
3	Harbin
4	Delowe
5	Cleveland Avenue/Kmart Shopping Center
6	Metropolitan Village
7	Cleveland Avenue Gateway
8	Crossroads Center
9	Lakewood Park
10	Martin Luther King/Fairburn Road
11	Martin Luther King/Natatorium
12	H.E. Holmes MARTA Station
13	West Lake MARTA Station
14	Woodmere Area
15	James Jackson Parkway
16	Center Hill
17	Cooper Street School
18	North Avenue
19	Southside Industrial
20	H.E. Holmes Marta Station
21	Recreation Authority Parking Area
22	Midtown
23	Downtown 1
24	Atlanta Industrial Park
25	Atlanta Industrial Park
26	Atlanta Industrial Park
27	Martin Luther king/Northside Drive
28	Chattahoochee Industrial District
29	Lee Street
30	Fort McPherson
31	Vine City/English Avenue
32	Vine City/English Avenue
33	University Avenue Industrial Area
(*) See map for details	