

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE AUGUSTA RICHMOND COUNTY CODE SO AS TO AMEND SETION2-4 BY AMENDING THE BOUNDARIES AND STATISTICAL DATA ENTITLED “HARRISBURG/WEST END ENTERPRISE ZONE” TO PROVIDE AN EFFECTIVE DATE, TO REPEAL CONFLICTING ORDINANCES FOR OTHER PURPOSES

BE IT ORDAINED by the Augusta-Richmond County Commission, and it is hereby ordained by authority of the same as follows:

WHEREAS, Richmond County, Georgia, desires to create the proper economic and social environment, to induce the investment of private resources in productive business enterprises, and service enterprises, and encourage residential rehabilitation and new residential construction located in an area meeting criteria established under and set forth in Title 36, Chapter 88 et seq. and subsequently amended, known as the Enterprise Zone Employment Act of 1997 for the State of Georgia as set forth in Georgia Statutes Annotated, hereinafter referred to as the Act, and to provide employment to residents of such area;

SECTION 1. In the geographic area known as the Harrisburg as herein described in Exhibit A (Sites 1-2) being hereafter referred to as the "Nominated Area"), a copy of which is attached hereto and hereby incorporated by reference, in compliance with OCGA 36-88-6 and as subsequently amended, the following findings of fact are made:

BOUNDARY DESCRIPTION. Beginning at a point which is the intersection of the centerlines of Water Edge Drive and Thirteenth Street; thence, in a southwesterly direction along the centerline of Thirteenth Street a distance of 1772 feet, more or less, to a point located at the intersection of Thirteenth Street and Greene Street; thence, in a southeasterly direction along the centerline of Greene Street a distance of 900 feet more or less, to a point located at the intersection of Greene Street and Twelfth Street; thence, in a southwesterly direction along the centerline of Twelfth Street a distance of 2006 feet, more or less, to a point located on the centerline of Walton Way; thence, in a westerly direction along the centerline of Walton Way a distance of 8571 feet, more or less, to a point located on the centerline of Metcalf Street; thence, in a northeasterly direction a distance of 547 feet along the centerline of Metcalf Street to a point located on the centerline of Heckle Street; thence, in a southeasterly direction from along the centerline of Heckle Street a distance of 846 feet, more or less, to a point located on the centerline of Heckle Street at 33°28'34.18"N, 82° 0'5.36"W; thence, in a northeasterly direction from the centerline of Heckle Street at 33°28'34.18"N, 82° 0'5.36"W a distance of 347 feet, more or less, to a point located on the centerline line of Jenkins Street at 33°28'37.40"N, 82° 0'3.61"W; thence, in an easterly direction along the centerline of Jenkins Street a distance of 498 feet, more or less, to a point located at the intersection of Barnes Lane; thence in a northeasterly direction along the centerline of Barnes Lane a distance of 2322 feet more or less, to a point located at the intersection of Green Street; thence, in a westerly direction along the centerline of Green Street a distance of 1745 feet, more or less, to a point located at the intersection of Metcalf Street, located at

33°29'4.10"N, 82° 0'1.49"W; thence, in a northeasterly from 33°29'4.10"N, 82° 0'1.49"W a distance of 208 feet, more or less, to a point located at the intersection of Saint Luke Street and Metcalf Street located at 33°29'6.00"N, 33°29'6.00"N; thence, continue in a northeasterly direction along the centerline of Metcalf Street a distance of 394 feet, more or less, to a point located at the intersection of Welsh Lane; thence, in a northwesterly direction along the centerline of Welsh Lane a distance of 1022 feet, more or less, to a point located at the intersection of Tubman Street; thence, in a northeasterly direction along the centerline of Tubman Street a distance of 185 feet, more or less, to a point located at the intersection of Broad Street; thence, in a northwesterly direction along the centerline of Broad Street a distance of 97 feet, more or less, to a point located at the intersection of Wood Street; thence, in a northeasterly direction along the centerline of Wood Street a distance of 173 feet, more or less, to a point located at the intersection of Browns Lane; thence, in a southeasterly direction along the centerline of Browns Lane a distance of 1966 feet, more or less, to a point located at the intersection of Grace Street; thence, in a northeasterly direction along the centerline of Grace Street a distance of 416 feet, more or less, to a point located at the intersection of Peral Avenue; thence, continue in a northeasterly direction along the centerline of Pearl Avenue a distance of 497 feet, more or less, to a point located at the intersection of Eve Street; thence, in a northeasterly direction along the centerline of Eve Street a distance of 526 feet, more or less, to a point located at the intersection of Goodrich Street; thence, in a northwesterly direction along the centerline of Goodrich Street a distance of 309 feet, more or less, to a point located at 33°29'19.68"N, 81°59'37.51"W; thence, in a northeasterly direction from 33°29'19.68"N, 81°59'37.51"W a distance of 604 feet, more or less, to a point located at 33°29'19.94"N, 81°59'30.37"W of River Watch Parkway; thence, in a southeasterly direction along the centerline of River Watch Parkway a distance of 3925 feet, more or less, to a point located at the intersection of Reynolds Street; thence, continue in a southeasterly direction along the centerline of Reynolds Street a distance of 1296 feet, more or less, to a point located at the intersection of 14th Street; thence, in a northeasterly direction along the centerline of 14th Street a distance of 260 feet, more or less, to a point located at the intersection of Market Street; thence, continue in a northeasterly direction from the intersection of Market Street a distance of 96 feet, more or less, to a point located at 33°28'55.01"N, 81°58'38.63"W along Waters Edge Drive; thence in a northeasterly direction along centerline of Waters Edge Drive a distance of 983 feet, more or less, to the point of beginning.

a.) *Pervasive Poverty:*

The Nominated Area suffers from pervasive poverty that is widespread throughout the nominated area and is evidenced and established by the following criteria:

1.) The Georgia Code requires that for parcels within the nominated area, the parcels must be within or adjacent to a census block group where the ratio of income to poverty level for at least 15 percent of the residents shall be less than 1.0. The census block groups within the proposed area range from 49.6% to 63.3% of the residents below the poverty level. This information was obtained from the 2020 Census of population and Housing.

b.) *Unemployment:*

The Georgia Code requires that the average rate unemployment for the nominated area for the preceding full calendar year be at least 10 percent higher than the state average for unemployment. The state rate of unemployment for 2021 was 3.5% and the 2021 unemployment for the area was 23.7%, approximately 16.52% greater than the state average. This information was obtained from the Georgia Department of Labor for 2021 the most recent full year for which information is available.

c.) *General Distress:*

The Nominated Area suffers from general distress and adverse conditions as evidenced from the data collected, and such indicators of distress are outlined as followed: The Photographic Survey of the Nominated Area attached hereto as Exhibit B indicates that there are vacant, dilapidated, or deteriorating buildings that exist within the nominated area. Vacant and unused manufacturing space abounds in the nominated area. The Nominated Area, once primarily a center of textile manufacturing in nature, shows significant loss of business with a need for new employment opportunities to utilize the existing vacancies. Consequently, the area shows evidence of creeping blighted conditions that although scattered throughout the area, potentially pose a threat of further disinvestments creating a diminishing tax base within the area. Although most areas in the greater Central Savannah River Area (Augusta-Richmond County) region have increased in population, the population of the Distressed Sites and the surrounding area has declined by five (5) percent.

SECTION 2. Based upon the findings of fact set forth in Section 1 of this ordinance in addition to ample additional evidence, the Board of Commissioners finds the Nominated Area meets the qualifications of the Enterprise Zone Employment Act.

SECTION 3. In order to alleviate the above conditions the Board of Commissioners hereby designates the Nominated Area described in Exhibit A, attached hereto and incorporated by reference herein, as an Enterprise Zone to be known as the "Harrisburg Enterprise Zone Development Area."

SECTION 4. The Augusta Richmond County Commission shall be the authorized agency to act in all matters pertaining to the enterprise zones and reserves the power to grant the incentives listed below to qualifying businesses or qualifying service enterprises in accordance with the authorization granted local governments in the administration of the enterprise zone in the Enterprise Zone Employment Act.

SECTION 5. The Augusta Richmond County Commission may grant incentives, as provided by OCGA 36-88-7 and 36-88-9 and as may be subsequently amended from time to time. Such incentives will be negotiated by the Commissioner on a case-by-case basis and may include, but not be limited to, exemptions from any or all of the following:

a.) Occupation taxes;

b.) Building Permit Fees;

- c.) Sign Permit Fees;
- d.) Business License Administrative Fee;
- e.) Rezoning Fees;
- f.) Engineering Fees;
- g.) State and municipal ad valorem taxes, excluding property taxes imposed by school districts;
- h.) Other local fees authorized by the Board of Commissioners, as may be applicable.

The Augusta Richmond County Commission may make determinations of eligibility for each business enterprise or service enterprise based on the quality and quantity of such additional economic stimulus as may be created within Augusta Richmond County, Georgia. Criteria for consideration may include but not be limited to the following:

- a.) The number of jobs to be created above the state threshold of five jobs.
- b.) Capital investment or reinvestment by the business equal to or greater than the amount of ad valorem tax abated over the first five years of the tax incentive;
- c.) Locating in a vacant or historic building;
- d.) Demolishing an obsolete, abandoned and/or deteriorating pre-existing structure;
- e.) Enhancing the area by incorporating elements such as significant landscaping, area compatible facade materials and exclusion of billboards on premises;
- f.) Assembling multiple tracts of land for one project; and
- g.) creating jobs for residents of the Enterprise Zone and surrounding area.

SECTION 7. The Augusta Richmond County Commission further directs and designates its (Name or Agency) as liaison for communication with the Georgia Department of Community Affairs; the Georgia Department of Industry, Trade, and Tourism; the business community; and all others to oversee enterprise zone activities and administration, and communication with qualified businesses, qualified service enterprises and qualifying residential developments as outlined in this ordinance.

SECTION 8. The Augusta Richmond County Commission has the power to administer, require, and enforce compliance with the provisions of the ordinance and such administrative rules or regulations adopted hereinafter by way of resolution including but

not limited to reports and data information from businesses within the enterprise zone to verify compliance with this ordinance and state law.

SECTION 9. A qualifying business enterprise or service enterprise shall enter into a contractual agreement with the County setting forth the incentives offered to such entity and including the guidelines for the recapture, revocation, or reimbursement of the incentives should the terms of the contract be violated by the target business.

SECTION 10. This ordinance shall take effect immediately. All ordinances or parts of ordinances in conflict herewith are hereby repealed. Should any section, provision, or clause of any part of this Ordinance be declared invalid or unconstitutional, or if the provisions of any part of this Ordinance as applied to any particular situation or set for circumstances be declared invalid or unconstitutional, such invalidity shall not be construed as to affect portions of this Ordinance not so held to be invalid, or the application of this Ordinance to other circumstances not so held to be invalid. It is hereby declared as the intent of this Ordinance would have been adopted had such invalid portion not been included herein.

PASSED, ADOPTED, SIGNED, APPROVED AND EFFECTIVE this ____ day of _____, 2023.

(SEAL)

AUGUSTA, GEORGIA

By: _____
Garnett L. Johnson
Mayor

Attest:

Clerk of Commission
STATE OF GEORGIA
RICHMOND COUNTY

FIRST READING _____

SECOND READING _____

CLERK'S CERTIFICATE

I, LENA J. BONNER, Clerk of Commission, DO HEREBY CERTIFY that the foregoing pages constitute a true and correct copy of an ordinance adopted by the Augusta-Richmond County Commission ("the Commission") at an open public meeting duly called and lawfully assembled at 2:00 P.M., on the ____ day of _____, 2023, in connection with the foregoing ordinance, that such ordinance has not been modified or rescinded as of the date hereof, and the original of such ordinance being duly recorded in the Minute Book of the Commission, which Minute Book is in my custody and control.

I do hereby CERTIFY that there was a quorum of the Commissioners present at such meeting, and that such ordinance was duly adopted by the pursuant to the constituting and governing laws of the Augusta-Richmond County Commission. Witness my hand and the official seal of Augusta, Georgia this ____ day of _____, 2023.

(SEAL)

Lena J. Bonner
Clerk of Commission

DRAFT

EXHIBIT "A"

DRAFT

EXHIBIT "B"

DRAFT