



City of East Point Equitable Growth & Inclusion Strategic Plan

June 2021

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Executive Summary

The Partnership for Southern Equity (PSE) is pleased to be working with the City of East Point on the development of an Equitable Growth & Inclusion Strategic Plan. The overall project scope is ambitious and innovative for a small city in the American South, and is only made possible with the bold vision and commitment of Mayor Deana Holiday Ingraham, City Councilmembers, and senior City staff. PSE has approached the work by designing a process that integrates City leadership insights, the collective wisdom of the full PSE team of planners, analysts, organizers and advocates, and the lived experience of East Point residents. The combination of knowledge and experience brought to this endeavor is grounded in **PSE's Principles of Shared Prosperity:**

- Development must happen with people, not to people;
- Public and private investments should produce outcomes for “people, planet & profit;”
- Equitable growth is the superior growth model; and
- Building capacity can enable communities to lead and own change efforts.

This *City of East Point Equitable Growth & Inclusion Strategic Plan* is provided not as a quick equity to-do list, but as a roadmap for the further exploration of equity solutions for the City of East Point. The findings in this Plan integrate PSE's understanding of current conditions in East Point, insight from a robust community engagement process, a preliminary review of internal City documents and best practice research. These processes helped identify a set of recommended strategies to promote equity in four

goal areas, including community engagement, just use of industrial land, inclusive housing and equitable economic development. Recommended actions are summarized after each goal area in a Matrix of Equity Strategies & Actions. *Additionally, **Appendix B includes details on all recommended actions in the matrices with an asterisk, and Appendix C provides a glossary with definitions and East Point-related context on many terms used throughout.***

For the sake of brevity and broader access, this final Plan omits other significant context information, research, and sample policies, which are available on the Plan website (<https://bit.ly/finalEGISP>), and in a linked preliminary report on the site.

Below is a summary of key take-aways from the completed research, engagement and analysis.

Engaged Community- Residents are a source of expertise, insight and skills for any city to activate for the benefit of the greater community. Engaged residents also serve a vital role in holding all leaders accountable to representing the best interests of the community -- a critical requirement for equity. East Point should formalize ways for residents to engage and contribute, representing both their neighborhoods/Wards and topics of interest to them. This investment in civic leadership development will pay long-term dividends in the equitable growth of the City.

Just Industry- East Point should engage with residents to articulate a clear vision for the City as a home for equitable, sustainable industrial jobs; in-

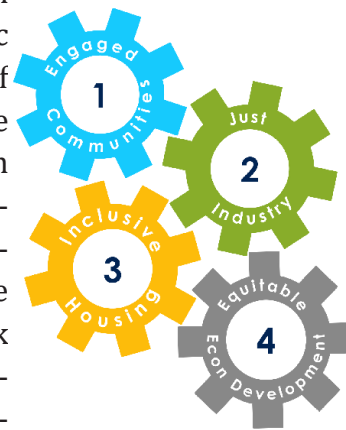
Executive Summary

tegrate this new vision into zoning code; and establish regulatory/finance mechanisms such as Impact Fees to ensure that communities are protected and directly benefit from a healthy industrial base. The City should solicit community input immediately around establishing a Community Benefits Ordinance in order to leverage this tool for short-term impact with development projects in the pipeline. *These tools are discussed in detail in **Appendix B**.*

Inclusive Housing - Unlike other cities struggling with affordable housing, East Point is at the beginning of its revitalization journey and still has affordable supply while development pressures are just beginning to mount. Now is the time to align the City's policies, programs and investments to preserve existing units and facilitate the development of new affordable housing by developing new sources of revenue and land; applying housing equity principles to the Unified Development Code design; strengthening eviction prevention efforts and supporting legacy homeowners; and developing essential partnerships to prepare East Point to utilize critical affordable housing tools.

Equitable Economic Development- Informed by the needs, wishes, and desires of local residents, equitable economic development is inclusive of the needs of ALL families. By developing equity-driven policies to promote community economic development as well as leveraging its own resources to advance equity outcomes, East Point can create an economic environment where every resident is regarded as an asset and no one as a liability. Equitable economic activity positively impacts legacy residents, low-wealth residents and historically disinvested communities of color. This can be accomplished by establishing inclusive infrastructure to govern municipal procurement and economic development; amplifying community voice through

Community Benefit Agreements (CBAs) and other regenerative investment strategies; and promoting oversight and accountability in the inclusion of local businesses and workforce in private development. As the first city in the southeast to commission an Equitable Growth & Inclusion Strategic Plan, East Point will be seen as a national leader in creating equitable places, people and shared prosperity. Equitable place-based strategies will strengthen the City's ability to develop land in ways that promote the economic security and well-being of all of East Point's residents. Equitable people-based strategies focus on removing barriers to opportunity for East Point residents, preparing them to thrive. Equitable prosperity-based strategies seek to ensure that East Point residents and businesses are provided the tools to actively participate in economic opportunities. PSE hopes that the last year of engagement and the recommendations included in this report help position East Point to pursue equity across place, people and prosperity.



Preparing for Unprecedented Growth

East Point is projected to see a tremendous amount of both population and economic growth over the next 30 years. According to the Atlanta Regional Commission's (ARC) estimates, Metro Atlanta will add 2.9 million people by 2050, pushing the 21-county region's population to 8.6 million. The largest population increases are expected to occur in several areas: parts of intown Atlanta, in the northern suburbs along the I-75, I-85 and Ga. 400 corridors, and on the Southside near the airport. ARC also projects that 1.2 million jobs will be added by 2050, bringing the region's total to 4.7 million, including self-employed¹.

Introduction

While economic growth is essential to securing economic opportunity for East Point residents, growth left to its own devices -- rather than intentionally designed to promote inclusion -- can exacerbate existing inequities and perpetuate patterns of development that exclude lower-income residents of color. Recognizing both the challenges and opportunities this projected growth will bring East Point, Mayor Deana Holiday-Ingraham and the City Council engaged the Partnership for Southern Equity (PSE) in early 2020 to develop an Equitable Growth & Inclusion Strategic Plan to help identify the goals, strategies and actions to ensure that the city will become a more equitable and inclusive community.

As a city with a history of structural racism dating back to its earliest land use plans that led to generations of Black families being saddled with enormous burdens that remain today, East Point meets this period of growth with an equity imperative. Future growth that doesn't remedy past harm will continue to increase the wealth divide and exacerbate the challenges facing the city's historically disinvested communities. Growth is coming whether East Point does anything differently moving forward from this process, but the City has a once-in-a-generation opportunity to align its policies and practices to intentionally promote inclusion and ensure that this growth benefits *all* East Point residents, both current and future.

Equity & Inclusion Strategic Plan Context

2020 was an unprecedented year to begin an extensive planning process that explicitly sought the participation of East Point's most vulnerable residents. Just as PSE geared up to begin its community engagement activities, the COVID-19 pandemic hit the United States, leaving nothing and no one untouched.

On the process side, the COVID-19 pandemic created significant barriers to face-to-face community engagement and in-person collaboration between the City and PSE. On the content side, the concentration of COVID-19 impacts in low-income communities of color mirrored and exacerbated the racial and economic inequities experienced by East Point residents and businesses *prior* to the pandemic.

What do we mean by equity and inclusion?

Equity is the fair and just inclusion into society in which all can participate, prosper and reach their full potential. Equitable policies and programs address the harm from past planning efforts and work to eliminate present and future harm to people of color, minority communities, seniors, disabled persons, and the LGBTQ community. Racial equity is in place when life outcomes are not determined by skin color.

Inclusion is the action or state of including or of being included within a group or structure. More than simply diversity and numerical representation, inclusion involves authentic and empowered participation in decision-making and a true sense of belonging.

In addition, the development of the Plan took place in a moment of national reckoning in the United States around racial justice, unprecedented in recent history. While the fight for racial equity has been continuous over the history of our nation, the demonstrations of 2020 involving tens of millions of Americans in all 50 states

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represented a more wide-spread acknowledgment of the systemic racism plaguing our country. While in many cities these demonstrations have not led to changed policies or conditions for people of color, East Point leadership began laying the groundwork in 2010 to create a more equitable future for its residents. This Plan release demonstrates to local residents and peer cities alike the seriousness of the City's commitment to an equitable and inclusive East Point.

Engagement Process and Vision

Even given these limits and context, development of this Plan was driven by wisdom and insight of hundreds of residents, stakeholders and City staff engaged via individual interviews, town halls, written surveys, and focus groups. In addition, PSE performed data analysis and policy research to ensure grounding of its recommendations in a deep understanding of current conditions and best practice in urban equity approaches. A full timeline of these events is available on the [Plan website](#).

This robust engagement produced the following vision statement:

East Point is an economically and racially diverse city that encourages inclusive growth to benefit all its residents. Its neighborhoods are safe healthy, affordable, welcoming, and form the foundation of a true sense of community.

Additionally, four main goals surfaced: **Engaged Community, Just Industry, Inclusive Housing, and Equitable Economic Development**. Within these goal areas, energy equity strategies and actions are identified as opportunities for reducing resident economic burdens and enhancing the

City's ability to attract 21st century commercial and industrial operations. In these times of extreme health inequity, actions throughout the Plan will bring the added benefit of improving health equity by addressing social determinants of health that are impacted by land use and economic policies. As development pressure increases on the communities south of I-20, these core goals can all be viewed as dimensions of East Point's preparation for increasing gentrification pressure. While gentrification is largely understood as a lack of affordable housing, PSE's gentrification systems analysis argues that an insufficient supply of affordable housing is only one part of the problem. Increased investment in a community increases the desirability of that community, attracting additional development interest.

Investments of any type drive a cycle of increasing upward pressure on living expenses, including rent and for-sale housing prices, but also property taxes, cost of goods/services, and utilities. Perversely, lower wealth residents often fund their own displacement when their tax dollars fund economic development incentives that accelerate investment without protections.

East Point communities want and deserve greater investments and amenities. To protect legacy residents and ensure that East Point remains an economically and racially diverse community, the City must develop a set of gentrification prevention and response strategies to manage the development pressure coming over the next 30 years. For lower wealth residents to enjoy the benefits of these new investments, the City must focus on managing development pressures with an eye towards inclusion, ensuring that affordable housing remains available and promoting higher wages and wealth creation as an integral part of its com-

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munity economic development strategy. Without these strategies in place, East Point risks a new displacement, foreclosure and eviction crisis that will leave the city even more vulnerable to a wave of speculative development and inequitable growth.

EQUITABLE GROWTH AND INCLUSION GUIDING PRINCIPLES

Guiding Principles

Research and East Point stakeholder input have identified a number of principles that will be essential in guiding the implementation of this Plan. These build upon the vision and principles identified in the City of East Point's 2017 Comprehensive Plan.²

- **Prioritize resident voices and perspectives:** Equitable growth is not possible without the commitment of City decision-makers valuing the needs of residents above the needs of private enterprise in all development decisions.
- **Historically-harmed residents must be authentically engaged in future growth decisions:** The racially discriminatory policies and actions of the past have created multi-generational harm that must be mitigated to create new opportunities for prosperity for all residents. Equity requires that those bearing the greatest burdens of this legacy must have a voice in future growth decisions - from land-use to business recruitment and incentives to permitting, zoning, construction and City operations.
- **Build resident engagement capacity:** Residents who are closest to problems are closest to their solutions, and the City must invest in building their capacity to contribute these solutions.
- **Collaborate with neighboring jurisdictions:** Many of East Point's current barriers to equitable growth are shared by surrounding communities and are simply too large and complex for these cities to resolve individually. Collaboration with neighboring jurisdictions must be prioritized to manage and direct growth.
- **Evolve organizational culture at the City:** Equitable policy and practice requires courage, and this courage requires an organizational culture that rewards bold thinking, cross-departmental collaboration, partnership development, and a deep commitment to transparent, data-informed decision-making and accountability.
- **Resist pressure to perpetuate inequitable systems:** Inequitable systems persist in our region because they continue to create benefit for those who contributed to their design and implementation. Those benefiting from these systems often apply pressure to ensure that systems do not change. Ethical standards in all public decision-making processes in the City will help to reduce this influence and ensure equitable stewardship of public resources and transparent decision-making.
- **Pursue green development:** Protection and optimization of East Point's green assets and commitment to renewable energy sourcing are essential to attracting long-term sustainable businesses and increasing community resilience to future shocks and stresses such as climate change, social unrest, and pandemics.

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Strategies

Following these principles and achieving the vision will require at least nine strategies that are woven throughout all four goal areas, and shown in the matrices following each. They include: A. Tapping into the wisdom of residents to steer equity action implementation, B. Integrating equity into the Unified Development Code, C. Equitable regulatory enforcement, D. Establishing new collaborative partnerships, E. Adopting policies that remove barriers to opportunity and incentivizing equitable practices, F. Leveraging available resources to gather data, engage key stakeholders, and accelerate equitable outcomes, G. Expanding and leveraging city-owned assets to pilot equity innovations, H. Investing in the protection of existing affordable housing and those dependent on it, and I. Aligning City purchasing practices with the equity vision.

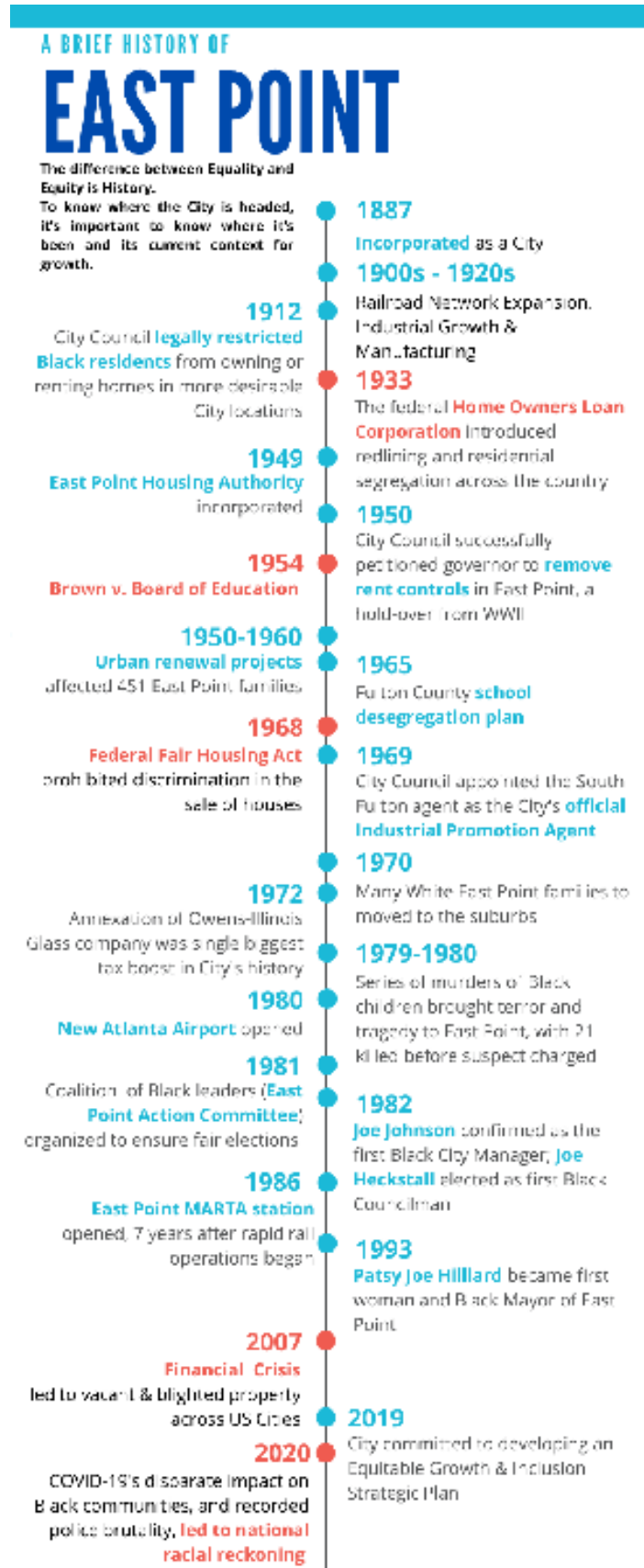
East Point's History

The timeline included on this page (figure 1) provides a brief snapshot of the City's history,³ in order to demonstrate the way that national trends, such as urban renewal, white flight, and others, played out uniquely in East Point --particularly in matters of housing, development, industry, and the role of systemic racism on a number of levels. *For the sake of brevity, it is not comprehensive. Likewise, the dates are not distributed to scale on the timeline, in order for the graphic to fit on the page.*

East Point Today

For the first time in several years, the City reported a 2019 increase in its tax digest, signaling a rise in property values across the City. With this impending rise in value, the efforts of Aerotropolis Atlanta Alliance to bring development to the communities around the airport, rich assets, currently affordable housing stock and an influx of business activity within the city, East Point is bracing for potentially transformational development over the next decade plus.

FIGURE 1. East Point Timeline



Engaged Community



East Point government welcomes and prepares residents to actively engage in City decision-making that impacts them.

GOAL 1: ENGAGED COMMUNITY

PRINCIPLES

- Those closest to any problem have the solutions.
- Partnerships are key to expanding community engagement capacity.
- A strong social infrastructure makes for a resilient community.
- Relationships are the core of community.
- Community engagement efforts should be intergenerational.

CURRENT CONDITIONS

In order to chart a path forward for community engagement, it's important to understand the wide range of individuals who call East Point home, and the barriers they have faced in terms of community engagement both before and during COVID-19.

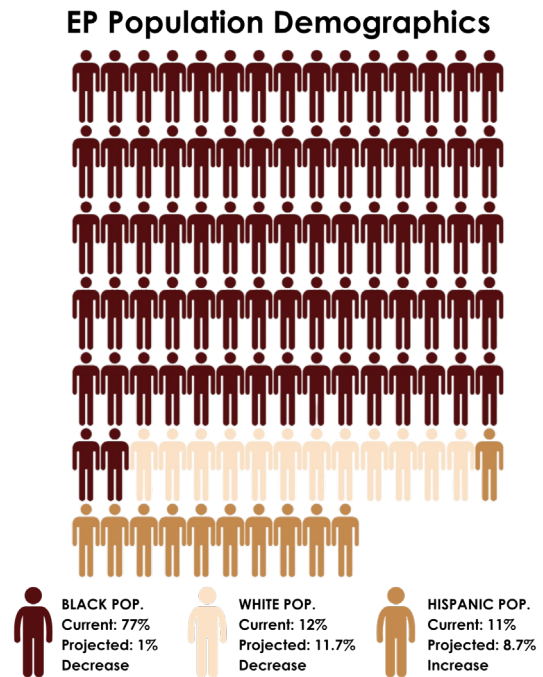
Population Change & Engagement

While population projections aren't readily available for the City of East Point, Atlanta Regional Commission projections indicate a 45% population growth across Fulton County by 2050. The County will become more diverse during this timeframe as well, with a projected 11.7% decrease in the White population, an 8.7% increase in the Hispanic community, a 4% increase in "other races," and a 1% decrease in the Black community (see Figure 2).⁴

Stakeholders throughout the Plan process often referenced the City's racial and cultural diversity when asked to ideate their vision of an equitable East Point. East Point is approximately 77% Black and 12% White.⁵

The City is on the precipice of transformational development. For many stakeholders engaged

FIGURE 2. Current & Projected Demographics



throughout the Plan, the early stages of gentrification are already here. In order for the City to foster engaged communities, a balance must be forged between retaining community anchors, like legacy and older residents, and welcoming new neighbors, like first-time homeowners and early career professionals.

PSE recognizes that building sustainable and intergenerational relationships requires time and trust, utilizing methods like Asset Based Community Development, which focuses on relationship-driven solutions that weave every individual's gifts and talents. Rapid migration, agitated by displacement and gentrification, however, can jeopardize efforts to engage communities. To counter this, new residents should be swiftly connected to legacy residents through neighborhood associations, community gatherings and other engagement efforts. At the same time, current residents should feel connected to resources that encourage housing and economic

GOAL 1: ENGAGED COMMUNITY

stability, aging in place, and intersectional community-building. Providing the platforms for communities to problem-solve using their own assets and skill sets not only accomplishes this sought-after balance, but expands the City's capacity to inform and connect residents in preparation for growth.

Digital Infrastructure

If equitably accessible, technology can be the gateway to numerous opportunities. As technology continues to pervade more and more aspects of daily life, digital access and literacy will continue to be critical topics for the City to consider in its efforts to foster economic and civic opportunity for its residents.

During the COVID-19 pandemic when many jobs and schools went online, internet access presented itself as a significant equity issue. 16.4% of East Point households lack internet access at home, presenting significant barriers for virtual learning and working. In addition, 11.4% of East Point households lack a computer device other than a smartphone.⁶

While all households without internet access are negatively impacted, some groups are more susceptible to longer-term impacts such as children enrolled in school, families with young children, and people of color. Out of East Point's roughly 5,700 students in K-12 schools, 5.7% of them live in a household without a computer. Students experiencing this disparity face barriers to virtual learning, submitting homework digitally, and studying using online resources.

Historically, the digital divide has and continues

to disproportionately impact households of color in East Point whose sole computer is their smartphone, which poses its own limitations for those who need or seek digital access.⁷

Community Feedback

At the beginning of the stakeholder engagement process for this Plan, PSE conducted a survey to capture insights from the community across several different topics. Out of the 346 total respondents, the ethnicity or race of respondents was fairly split between Black and White, a majority of respondents identified as female, and most respondents were between the ages of 35 and 55. Respondents represented 32 different neighborhoods, and the largest number of respondents were from the following neighborhoods: Jefferson Park, Conley Hills, Colonial Hills, and Frog Hollow.

Results of the survey signal a desire for more engagement opportunities and for the City to preserve its cultural diversity. In response to the question "How effective is East Point in celebrating, respecting, and representing the diverse social and cultural backgrounds of the City?", 59% of participants felt the City was only "somewhat effective." Most residents surveyed lean towards increasing the level of public art by local or diverse artists and many also yearn for more artist markets. In terms of engagement opportunities, most respondents seek opportunities to understand economic development in the City, to participate in local government decision making, and to provide feedback on decisions that impact their community.

More details about the community engagement process, including overall feedback is included in **Appendix A** of this Plan, as well as on the Plan website (link referenced in Intro).



GOAL 1: ENGAGED COMMUNITY

STRATEGY	ACTIONS	TARGETS & TIMEFRAME
GOAL 1, A. Tap into the wisdom of residents to steer equity action implementation	A1. Develop a formal structure for geographically-focused resident groups (Community Boards by Ward) to have ongoing input into City priority-setting and decision-making. Planning & Development Dept. should engage each Community Board in a biennial visioning session, using Asset-Based Community Development framework. Each Community Board should be the default community voice in the implementation of the Community Benefits Ordinance - and evolve into formal solicitation role in CZIM process.	4 Ward Community Boards established (40% renter membership) Quarterly meetings held <i>Short-term ('21-'22 begin implementation)</i>
	A2. Create dashboard to elevate transparency of procurement, land-use and economic development opportunities/actions. Keep it simple, and maintain it regularly. Dedicate space to Ward Community Boards. Summarize actions of DDA, EPDA, BIDA, the Planning & Zoning Commission and City Council with an emphasis on readability and accessibility. Design for smartphone viewing.	Dashboard live in 2021 <i>Short-term ('21-'22 begin implementation)</i>
	A3. Establish new topically-focused resident-driven Boards, Commissions and Committees (BCCs) to provide opportunities for citizen engagement. New efforts can be long-term or ad hoc in nature, and can build on existing prioritized initiatives and issues by the City and resident leaders. The City should convene an ad hoc Resident Engagement Committee to: (1) guide the structure and launch of the new bodies and (2) define a self-appointment process. Residents should be compensated, even if just nominal stipends.	Resident Engagement Committee Launched New BCC needs identified, governance defined New BCCs convened <i>Medium-term ('23-'24 begin implementation)</i>
	A4. Continue East Point Leaders for Equity Academy. Expand recruitment in low-wealth neighborhoods, ensure representation from all parts of the City, provide compensation, and develop curricula focused on history, leadership, equity, and inclusion.	2 classes conducted annually 40 leaders graduated annually <i>Short-term ('21-'22 begin implementation)</i>
	A5. Create new and/or update charters for all City Boards, Commissions and Committees (BCCs) to ensure that best practices in conflict of interest, ethics and transparency are in place, and residents can trust the governance of these bodies.	By-laws revised 2021 Annual BCC trainings conducted <i>Short-term ('21-'22 begin implementation)</i>

GOAL 1: ENGAGED COMMUNITY

STRATEGY NARRATIVE

STRATEGY A. TAP INTO THE WISDOM OF RESIDENTS TO STEER EQUITY ACTION IMPLEMENTATION.

Engaged residents are the secret assets that remain untapped in the City of East Point's quest for an equitable and inclusive city. What would East Point look and feel like if the gifts of all its residents were contributed? Investing in the social infrastructure necessary to engage these gifts is critical to achieving an equitable and inclusive East Point. The following actions will allow the City to tap into these gifts.

Action A1. Develop a formal structure for geographically-focused resident groups to have ongoing input into City priority-setting and decision-making.

The City of East Point's [Adopted Budget Fiscal Year 2021](#) recommended that the City Manager's Office establish a neighborhood planning system to solicit resident input into a range of city issues. This recommendation aligns with resident priorities expressed throughout PSE's engagement activities, and will be a critical factor in the successful implementation of this Plan. This structure could be formed as a Community Board by Ward to facilitate reasonable size and clear alignment with City Council districts. Considerations to factor into this structure include:

- **Determining membership:** Seats should be open for each neighborhood association and tenant association in the Ward, with additional seats for residents in communities lacking formal associations.
- **Board leadership:** Each Community Board should have elected rotating leaders to coordinate with City staff and City Council members. Leaders should also de-

velop robust resident contact mechanisms (building on existing infrastructure through utility bill inserts, City Communications Office and Census contact-building efforts).

- **City staff responsibilities:** East Point's Planning & Community Development Department should engage each Community Board in a biennial visioning session to identify resident goals and concerns about their neighborhoods using an Asset-Based Community Development framework.
- **Community Benefits Ordinance/Rezoning:** Each Community Board should be the default community voice in the implementation of the Community Benefits Ordinance; in addition, their review and support should be formally solicited in proposed rezoning applications as an evolution of the current Community Zoning Improvement Meeting structure.

East Point could benefit from collaborating with Athens-Clarke County as it is currently exploring development of a similar neighborhood planning structure meeting Georgia legal constraints and best practices in governance.

Action A2: Create dashboard to elevate transparency of procurement, land-use and economic development opportunities and actions.

During the community engagement for this Plan, residents expressed a lack of understanding around a range of City actions and actors. These included:

- the roles and powers of the quasi-governmental bodies the East Point Business and Industrial Development Authority (BIDA), the East Point Planning & Zoning Commission, the recently-reactivated Downtown Develop-

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ment Authority (DDA) focused on Main Street redevelopment, and the new East Point Development Authority (EPDA), focused on redevelopment of blighted residential areas;

- where and when they could provide input on land-use decisions that impacted their community; and
- how to find out about opportunities to do business with the City.

The City must ask:

Who can access what information?

What is the best digital infrastructure to facilitate community engagement?

Moreover, how is data about the city and its residents collected, stored, accessed, and protected?

By creating and maintaining an East Point Equity Dashboard to elevate both progress towards equity actions and ongoing development proposals and decisions, the City ensures that its commitment to equitable growth and inclusion is not a flash in the pan subject to changes in elected and staff leadership, but is a true north star in the long-term growth of the City. Considerations for successful dashboards include:

- **Keep it simple and maintain it regularly.** If the objective is resident engagement and local business growth, the site should be simple, easy to use and easy to update quarterly. Accountabilities should be established for the quarterly update of activities towards identified equity indicators and priorities. Those accountabilities should be included in staff performance management plans, in the governance expectations for all

City-convened boards and commissions, and as a standing agenda item in both internal staff leadership meetings and in City Council meetings.

- **Dedicated space to Ward Community Boards**, where said Boards can elevate Community Visions for prospective developer access, and where all City residents can have easy access to upcoming meeting information, agendas and minutes. This component may be most easily achieved by expanding the existing [Meeting Portal](#) to include Community Boards and other resident boards and commissions, which can be linked from the dashboard.
- **Summarize actions of DDA, EPDA, BIDA the Planning & Zoning Commission and City Council** with an emphasis on readability (best practices indicate framing all public communications within 8th grade reading level language) and accessibility, eliminating the requirement that stakeholders dig through meeting minutes for sought-after information. Voiced dissent regarding these actions from stakeholders and voting members should also be highlighted to increase transparency and accountability.
- **Design for smartphone viewing**, and tie all ongoing updates to the site into existing communication channels such as the See-Click-Fix mobile application, utility bill inserts, City social media postings, and opt-in text alerts.

Action A3: Establish new topically-focused resident-driven Boards, Commissions and Committees (BCCs) to provide opportunities for citizen engagement.

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There are many small cities in Georgia that provide formal opportunities for residents and business owners to contribute to municipal decision-making in the form of Boards, Commissions and Committees. While East Point has taken some steps in this direction with the development of the Parks Commission, these efforts have stalled in spite of staff eagerness to support them and resident eagerness to participate. **Appendix D** provides a comparison of a number of other cities and the type of opportunities provided. Considerations in the establishment of new Boards, Commissions and Committees:

- **Target issues:** New efforts can be long-term or ad hoc in nature, and can build on existing prioritized initiatives and issues by the City and resident leaders such as: Clean Cities Initiative (formerly 50 Worst Properties)/Georgia Initiative for Community Housing (GICH), Unified Development Code/Comprehensive Plan Update, Parks & Recreation Advisory Commission, Equity, Youth Development, Arts & Culture and the Citizen's Police Academy. In addition, the City should poll residents to assess the types of boards, committees and commissions desired. In 2022 and beyond, the City should annually engage the Community Boards to surface new resident priorities and identify which of those priorities warrant an ongoing topic- or issue-focused body.
- **Resident Engagement Committee:** The City should convene an ad hoc Resident Engagement Committee to: (1) guide the structure and launch of the new boards and (2) define a self-appointment process. EPLE Class 1 graduates should be invited to participate in this Committee, which should look

to some of the example cities listed in **Appendix D** for best practices in terms of governance, term limits, ethics and conflict of interest policies, and member compensation.

- **Resident compensation:** Understanding that the City budget will be a constraint to substantial compensation for resident service on these boards, other Georgia cities have set a precedent around provision of stipends for such service. Even nominal stipends can make the difference in attracting residents of low- to moderate-income to participate, and sends the signal that resident time is valued.

Action A4. Continue East Point Leaders for Equity Academy.

While the City of East Point did convene a leadership class years ago, this offering was inactive during 2020-2021. PSE developed an equity-focused Leadership Academy in the process of developing this Plan to help build resident capacity for civic engagement as well as provide an opportunity for the City to gauge interest in leadership offerings more broadly.

PSE received 39 applications for 20 spots in the cohort, indicating resident interest. Based on session evaluations, 70% of participants agreed that training objectives were well met, 77% felt training content met their expectations, and 90% are likely or very likely to use the information provided during training. The City should continue working with external nonprofit partners to refine a leadership academy offering among other options for leadership development. One grounded in racial equity will ensure important conversations on race continue to expand resident awareness and knowledge and help residents understand the range of policy, programs and investments that

GOAL 1: ENGAGED COMMUNITY

reduce inequities. Critical elements to consider in ongoing leadership development efforts:

- **Expand recruitment in low-wealth neighborhoods** with limited leadership development opportunities, yet with enormous contributions to make to the City.
- **Curate cohorts to ensure representation from all parts of the City** and to foster opportunities for residents to develop relationships outside of their own communities.
- **Develop curricula** that lift up East Point history; articulate structural barriers to success that must be eliminated in order for communities of color to thrive; help participants identify their own leadership strengths and grow new leadership skills; and help participants organize and use their skills.
- **Provide compensation** to remove barriers to participation and demonstrate to participants that their time is valued.

In addition, East Point is encouraged to explore the establishment of additional leadership programs based on the model of Leadership Atlanta or Leadership South Fulton. While these leadership programs are more focused on existing business and civic leaders, East Point Leaders for Equity could serve as an on-ramp into a formal Leadership East Point program, providing a continuum of leadership offerings for the city while helping business and civic leaders remain in tune with resident priorities.

Action A5. Create new and/or update by-laws for all City Boards, Commissions and Committees to ensure that best practices in conflict of interest, ethics and transparency are in place, and residents can trust the governance of these bodies.

As a number of new resident Boards, Committees and Commissions are being launched, East Point should review the by-laws for existing boards such as BIDA, DDA, EPDA and the Planning & Zoning Commission and ensure that governance best practices are in place.

Just Industry



Development, industry, and community partners in East Point are socially responsible stewards, supporting healthy communities for all residents.

GOAL 2: JUST INDUSTRY

PRINCIPLES

- East Point must find an appropriate balance of industrial and commercial business close to schools, public greenspaces, freshwater sources and residences.
- Well-operated, environmentally-responsible industrial businesses have higher wage potential than many other sectors.
- Industrial reuse can support entrepreneurs and small businesses.
- Regional collaboration can establish equitable development standards across the region.
- Transition towards equitable land use will require all the tools in the toolbox.

CURRENT CONDITIONS

East Point's Oakleigh Industrial Park, Lawrence Avenue Industrial Area, and Willingham Industrial Area are all challenged by the abutment of residential use on multiple borders of the industrial districts, and future operations of the businesses in these districts require special attention because of their risk of continuing historic inequities in environmental justice, health and housing. The East Point Industrial District (now referenced as Willingham Industrial Area) is listed on the National Register of Historic Places, indicating its historic significance as an example of late nineteenth and early twentieth century industrial structures.

The potential to repurpose defunct and historic areas for community development and benefits should

prioritize investments that are in harmony with the environment and contribute to a more equitable East Point that delivers value to all of its stakeholders.

The City of East Point, through BIDA, DDA, and EPURDA can provide a number of incentives to prospective new industrial operations, including discounted utilities, bond financing, and others. While the current state of these offerings and practices has impact on the way that development occurs, these incentives are significant to all economic development, and are discussed fully in Goal 4: Equitable Economic Development.

Transportation Impacts

The city's early industrial focus, with the addition of links to the interstate highway system, MARTA and the Hartsfield-Jackson International Airport have directed East Point's economy for nearly a century. Industrial interests continue to view East Point as a strategic location for the development of a regional logistics/freight ecosystem.

Yet residents' respiratory health is jeopardized by continuous exposure to particulate matter from transportation emissions, and the City receives an average of 50 complaints weekly concerning airplane noise.

Environmental Injustice

Today, nearly 25% of East Point residential parcels are within 1,000 ft of at least one industrial parcel.⁸ Toxic emissions, noxious odors and hazardous waste pose a constant risk to human health, clean wa-

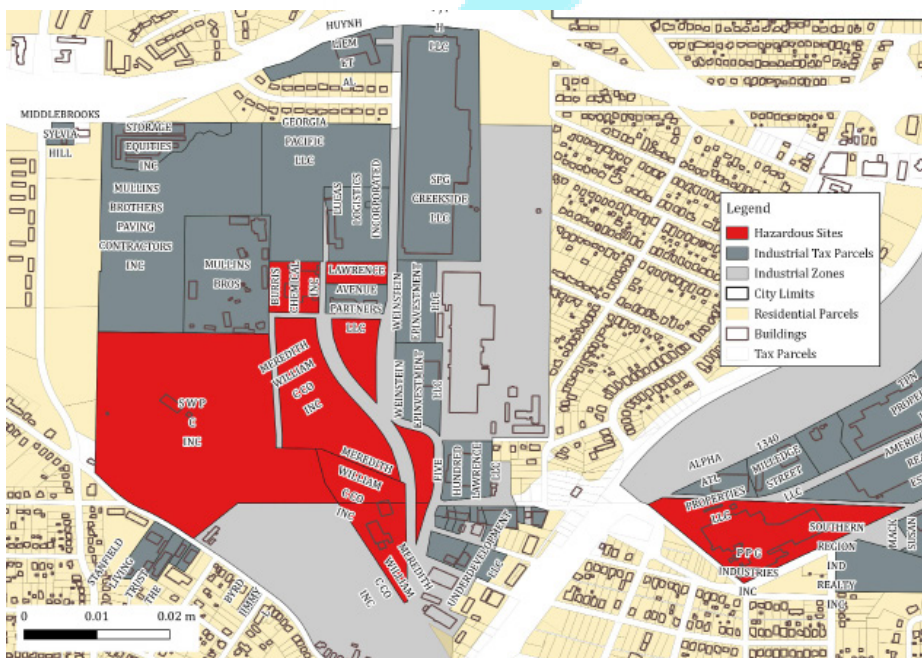
To highlight the importance of industrial emissions and contamination on surrounding communities, PSE developed an Environmental Justice Story Map that geographically presents detail of East Point's environmental data and related resident stories

GOAL 2: JUST INDUSTRY

ter, good soil, and quality of life in East Point. The intertwined history of redlining and industrial hazards in East Point intensifies the City's vulnerability to environmental racism and its attendant hazardous conditions. The U.S. Environmental Protection Agency (EPA) identified major hazardous waste sites in East Point with a history of creating dangerous conditions for the local community. These include SA Recycling, the Southern Wood Piedmont Company, William C. Meredith Co, Inc., and Brenntag Mid-South Inc. (see Map 1).

The East Point Environmental Collective (EPEC) organized in 2018 to reduce industrial pollution, protect natural resources, and improve community health, specifically relating to the increase in warehouses in East Point.⁹ EPEC remains an important partner for the City in the future to collaboratively determine policies and strategies needed to protect residents in close proximity to these hazardous sites.

MAP 1. Hazardous Industrial Sites



Analysis of Existing Industrial Zones

Early East Point and federal policy required that Black communities concentrate in land adjacent to industry. An analysis of East Point's 425 industrial zoned properties can help the City of East Point identify the unique experiences of residents living near industrial sites. These properties are mainly concentrated in Ward B and Ward D. The numbers in Table 1 reflect these overlaps and account for seeming inaccuracies in the totals.

Influence of Industrial Zones on Local Water Sources

The proximity of East Point's industrial zones to rivers and creeks is also concerning (see Map 2). The City is currently in the process of further analysis on point-source and potential nonpoint-source pollution emitted from these industries.

In early 2021, the State of Georgia Environmental Protection Division (EPD) met with the City of East Point Water & Sewer Director regarding the results of their water sampling and testing in East Point. After the meeting, EPD drafted a letter regarding water quality in the South River related to contaminants which will be followed by a letter regarding water odor. This recent development is a needed break-through in enforcement action by EPD, the agency responsible for compliance with state and federal environmental statutes; intervention by East Point's State Representative Kim Schofield and Mayor Holiday Ingraham was unfortunately required to elevate the issues stemming from lax EPD enforcement. Greater accountability is needed with the State EPD which regulates industrial discharge permits, stormwater permits, and illicit discharges.

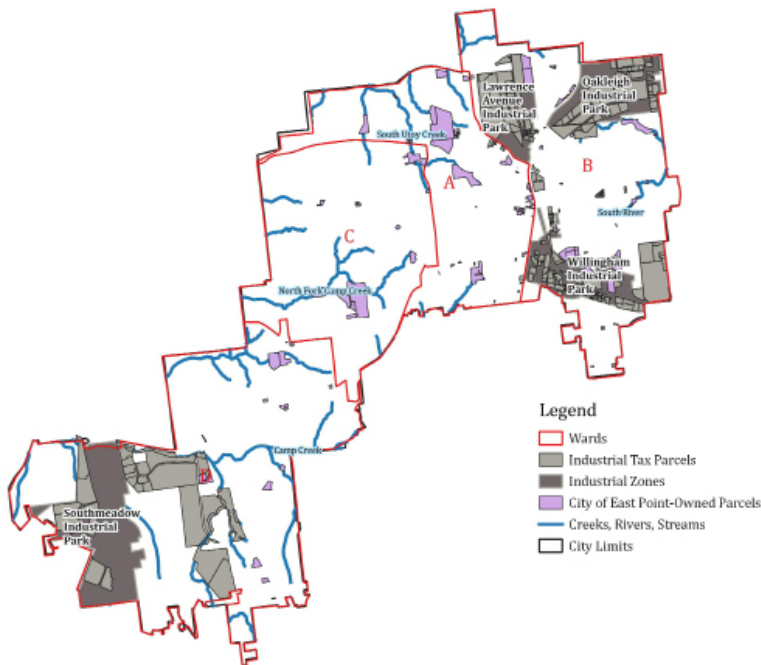
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TABLE 1. Industrial Proximity to Residences

	Industrial Zones	Residential Parcels within 1,000 ft of an Industrial Zone
Oakleigh Industrial Park	90 (21%)	811 (32.7%)
Willingham Industrial Area	208 (49%)	770 (31%)
Lawrence Avenue Industrial Area	71 (17%)	705 (28.4%)
Camp Creek Business Center	57 (13%)	136 (5.4%)
Southmeadow Industrial Park	30 (7%)	57 (2%)
Total in City of East Point	425	2,479

From a policy and code enforcement perspective, the City must consider the issue of emissions and regulated pollutants as a human health and an equity issue. Historically, these risks were minimized in economic development decisions in favor of job creation.

MAP 2. Industrial Proximity to Water



Additionally, the City is working to improve how it educates and communicates about important issues to its stakeholders by providing regular status updates on environmental concerns, investigations, and mitigations. While East Point Water & Sewer Department is not the authorized enforcement agency for state Partnership for Southern Equity

and federal environmental statutes and permit holders in East Point, it is authorized through the City's Public Nuisance Policy to inspect and fine facilities reported for suspected human health hazards. The department also has responsibilities for enforcing the City's Stormwater Program and

recently-updated Post-Development Stormwater Ordinance, which is an important tool in minimizing the stormwater and water quality impacts of land disturbance activities and construction. The department does exercise these authorities, but has limited staff capacity to support enforcement activities

Energy Services & Climate Change

As a municipal retail energy provider, East Point Power (EPP) is supplied by wholesale provider the Municipal Electric Authority of Georgia (MEAG), through a long-term contract to cover a base load of 85 megawatts per day of potential demand from its commercial and industrial (C&I) and residential customers (58% commercial, 42% residential). The fuel sourcing for EPP is under the control of MEAG, which is heavily invested in nuclear energy as the non-fossil fuel component of its fuel mix (see figure 3).

EPP must balance many considerations in its operations:

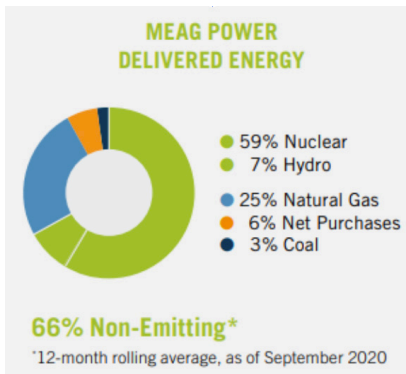
- Selling as many kilowatt hours (kWh) as possible to cover the cost of power provision to its customers and to generate revenue as an enterprise center for the City;
- Maintaining sufficient profit margin to offer discounted power as an economic development incentive for attracting new commercial and industrial customers;
- Balancing its commercial and residential rates

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to meet competitive demands in the commercial market while limiting rates for residential customers; and

- Ensuring reliable, affordable supply of power for all of its customers.

FIGURE 3. MEAG Power Delivered Energy



In an era of increasing scientific and political acknowledgement of human-influenced climate change, communities of color burdened with historic environmental injustices also face disproportionate burden of climate change impacts such as increasing intensity of flooding and heat events. Committing to climate action is therefore essential for cities working towards environmental justice. Cities such as Atlanta, Savannah, Decatur, Clarkston, and Athens-Clarke County have all adopted 100% Renewable Energy Resolutions (100% renewable sourcing by 2050) in recent years towards this end, sending a strong signal to their power providers of their intent to reduce their purchase of non-renewable power while serving the emerging market demand for clean energy.

Demand by the private sector in clean energy, which is increasingly defined to only include renewable sources such as solar, wind, hydro and geothermal, is increasing exponentially as the business risks of climate change become more widely understood. The Renewable Energy Buyers Alliance represents more than 230 companies who have made 100%

renewable power purchase commitments, including notable tech and online retail giants such as Microsoft, Facebook, and Amazon. These members demand clean power. Utilities who cannot serve this need are simply no longer competitive for these long-term utility contracts.

While other cities committing to 100% are served by large wholesale providers with ability to commit to meeting these renewable sourcing demands, the nature of EPP's contract with MEAG, a much smaller wholesaler, limits EPP's ability to source significant renewables to meet its contracted 85 megawatt/day demand. With residential and commercial growth in East Point and increasing electricity demand, EPP will soon need to purchase additional supply from MEAG. This additional purchase provides opportunity to increase demand on MEAG for clean supply, and MEAG is actively expanding solar sourcing to serve customers with these needs. Taking advantage of this opportunity to expand clean and green will ultimately benefits residents while attracting additional clean tech C&I customers and employers to the City.

Rethinking Industrial Rezoning

On February 13, 2020, the Mayor and City Council imposed a moratorium on new industrial uses are to balance the rights of the community and private property owners, prevent overdevelopment, and assure the long-term adequacy of private and public infrastructure. On December 20, 2020, the Mayor and City Council lifted the moratorium and adopted amended zoning districts, MXCI (Mixed Use Commercial Industrial), and WH-I (Warehouse Industrial). This was an important step toward resolving land use conflicts and fostering equitable planning and zoning coordination of future development.

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STRATEGY	ACTIONS	TARGETS & TIMEFRAME
<p>GOAL 2,B. Integrate equity into Unified Development Code</p>	<p>B1.Ensure that the Unified Development Code update includes provisions to minimize future harm to residents from industrial development. Expand physical and vegetated buffers between active industry and residences; require full disclosure of industrial emissions at permitting; limit new heavy industrial land uses; reduce allowable noise impacts.</p>	<p>Reduced resident complaints about discharges, odors, noise and other industrial impacts</p> <p><i>Short-term ('21-'22 begin implementation)</i></p>
<p>GOAL 2,C. Equitable regulatory enforcement</p>	<p>C1.Flex existing enforcement authorities, and escalate water, air and soil concerns to state environmental regulatory compliance agency.</p> <ul style="list-style-type: none"> - Water & Sewer Department’s provision of water services to industrial operations can be used as a creative compliance tool when repeat discharge violations continue to go unresolved. - City can require public examination of NPDES Industrial Activity Permits of any industrial operator proposing a project plan or seeking economic incentives. - More proactive partnerships with GDOT, FAA, EPA, EPD, and Airport Authority. 	<p>Improvement in EPD enforcement action re: violations in East Point.</p> <p>Companies unable to prove environmental compliance do not receive economic development incentives for coming to East Point.</p> <p><i>Short-term ('21-'22 begin implementation)</i></p>
	<p>C2.Develop public and business education that highlights commercial corridors and truck routes. Clarify expectations concerning enforcement parameters and effectiveness.</p>	<p>Increased understanding of codes and East Point’s enforcement parameters</p> <p><i>Short-term ('21-'22 begin implementation)</i></p>
	<p>C3.Improve See-Click-Fix adoption and quicker identification of environmental concerns by educating public on its full uses and enhancing its functionality when used on cellphones.</p>	<p>Increased See-Click-Fix users</p> <p>Reduced response time to violations</p> <p><i>Medium-term ('23-'24 begin implementation)</i></p>
	<p>C4.Elevate enforcement complaint response in Equity Dashboard (see Action A.2.)</p>	<p>Increased accountability and visibility of recurrent violations</p> <p><i>Long-term ('25-'26 begin implementation)</i></p>
	<p>C5.Increase camera surveillance in hotspot areas to support police efforts and deter truck transportation violators.</p>	<p>Reduced truck cut-through complaints / violations</p> <p><i>Short-term ('21-'22 begin implementation)</i></p>

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STRATEGY	ACTIONS	TARGETS & TIMEFRAME
GOAL 2,D. Establish new collaborative partnerships	D1.Incentivize a green/healthy transition for current East Point industrial businesses* through the provision of tax credits, grants/revolving loan programs and other incentives. Manufacturing can be greened through technology, materials, and/or cleaner energy sources. Consider collaboration with the Greenhouse Accelerator of the Green Chamber of the South and Atlanta Regional Commission's Green Communities Program.	Identification of businesses eager for support in green transition and connections with partners. <i>Short-term ('21-'22 begin implementation)</i>
	D2.Develop a Business Stewardship Council to formalize intentions for equitable balance in new era of industrial use. Develop a marketing campaign, and connect local entrepreneurial and maker communities to affordable incubator/start-up spaces. Connect Aerotropolis-targeted industry sectors with EP talent pipelines, inform design of new green & equitable industrial zoning code.	Increased available affordable access to local talent and small business incubation space <i>Medium-term ('23-'24 begin implementation)</i>
GOAL 2,E. Adopt policies that remove barriers to opportunity and incent equitable practices	E1.Develop an Impact Fee policy/program* to ensure that the City can meet infrastructure needs of business and new residents without drawing resources away from services to existing residents. <i>City Council approved a motion in Feb. '21 to implement an Impact Fee Study.</i> Next steps: engage consultant and create diverse Advisory Committee (at least 40% local stakeholders).	Additional revenue frees up other resources for education and enforcement <i>Short-term ('21-'22 begin implementation)</i>
	E2.Develop an Environmental Justice Ordinance* to require that each new commercial development application include a list of all potential discharges and emissions, a material storage plan, and accident risk analysis and emergency management plan.	Reduced new industry bringing environmental hazards <i>Medium-term ('23-'24 begin implementation)</i>
	E3.Develop a Community Benefits Ordinance* to ensure that commercial/ mixed-use/ industrial development receiving City incentives (ie. public financing, tax concessions, public land and special-use or zoning variance approvals) is held accountable to new equity standards. Examples of benefits may include capital improvements, MWBE sourcing, local hiring, childcare, open space amenity, cooperative businesses assets, healthy food resources, contributing to a fund for affordable housing units, home repairs and weatherization.	Reduced resident complaints about new industry Increased private investment in community amenities/needs <i>Short-term ('21-'22 begin implementation)</i>
	E4. Adopt a 100% Renewable Energy Resolution for additional power purchased from MEAG beyond base load agreement.	Sign Commitment for 100% renewably sourced by 2050.

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Strategy	Action	Targets & Timeframe
<p>GOAL 2,F. Leverage available resources to gather data, engage key stakeholders, and accelerate equitable outcomes</p>	<p>F1.Develop a comprehensive inventory of existing industrially-zoned land, utilizing research relating to the EPA Brownfields Grant and Community Prospectus Development Assistance, and the ARC Livable Centers Initiative Grant and Comprehensive Development Plan Update assistance. Fiscal impact analysis should also be performed to determine the contribution of industrial land to the City's budget and to recommend the right percentage of industrially-zoned land to balance tax revenue and jobs.</p>	<p>Data insights and assessments necessary for planning - ie. ownership, quantity/quality of land, buildings, businesses and products & services, market value, levels of contamination and clean-up needs, re-use potential</p> <p><i>Medium-term ('23-'24 begin implementation)</i></p>
	<p>F2.Establish an economic development strategy for re-use of industrially-zoned land. Consider employing tools such as EPA's Community Prospectus Development Assistance program and EPA Brownfield grant contractors. Strategy should take into account long-term plans for mitigating contaminated sites and returning them to productive use, use of the Community Benefits Ordinance and clean energy resources.</p>	<p>Just Industrial Land Re-use strategy sets a clear roadmap for the targeting and recruitment of sectors with minimal environmental and health impact, and bring family-supporting wages</p> <p><i>Medium-term ('23-'24 begin implementation)</i></p>
<p>GOAL 2,G. Expand and leverage city-owned assets to pilot equity innovations</p>	<p>G1.Ensure that commercial redevelopments on city-owned land integrate provisions for local hiring/contracting, deep affordability requirements if mixed-use, and local small business incubation. East Point should work with partners to raise funds to secure vacant and/or underutilized inventory of industrially-zoned land, with limited clean up requirements, to prioritize catalytic sites to serve as models of equitable development. The "model development" would feature one or more equitable approaches: the use of a CBA; a "clean industry" focus; a commitment to living wages; the inclusion of environment and health protection features, and Land Banking for future projects. Consider leveraging the following tools under City control of industrial properties: Right of First Refusal*, Land Banking, Brownfield Redevelopment.</p>	<p>Increased local hiring/contracting and available affordable access to small business incubation spaces</p> <p><i>Short-term ('21-'22 begin implementation)</i></p>

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STRATEGY NARRATIVE

STRATEGY B: INTEGRATE EQUITY INTO UNIFIED DEVELOPMENT CODE

Action B1: Ensure that the Unified Development Code update includes new land use provisions to minimize future harm to residents from industrial development:

- Expand physical and vegetated buffers between active industry and residences
- Require full disclosure of industrial emissions at permitting
- Limit new heavy industrial land uses
- Reduce allowable noise impacts.

East Point's ability to truly manage land use in a way that supports resident protections and attracts responsible new industrial uses has been hamstrung by a code that has not had a comprehensive update in decades. Now that the City is preparing to create a new rule book for land use, the intentional integration of equity principles and practices is essential.

STRATEGY C. EQUITABLE REGULATORY ENFORCEMENT

Action C1. Flex existing enforcement authorities and escalate water, air and soil concerns to state and federal environmental regulatory compliance agency.

Environmental Enforcement

The city of East Point has authority, under the Public Nuisance Policy and Post-Development Stormwater Ordinances, to monitor, investigate and enforce against violations to these statutes. The Water & Sewer Department's provision of wa-

ter services to industrial operations can also be used as a creative compliance tool when repeat discharge violations continue to go unresolved. While these tools have not been deployed in the past, PSE recommends the Department explore and implement options to educate local industrial businesses and community residents about its enhanced enforcement and any potential barriers to implementing a more muscular enforcement effort.

The Post-Development Stormwater Ordinance is a powerful tool to protect, maintain and enhance public health, safety, environment and general welfare by establishing minimum requirements and procedures to control the adverse effects of increased post-development stormwater runoff and nonpoint source pollution associated with new development and redevelopment.

The City of East Point can also request a public examination of all National Pollutant Discharge Elimination Systems (NPDES) Industrial Activity Permits, issued by EPA/EPD, of any industrial operator who proposes a project plan or seeks economic development incentives. Additionally, operational review of material storage management and noise testing is to be done regularly. Also, the city reserves the right to access all records current or past of companies looking to relocate to East Point. **These checks must be a standard part of the due diligence process for staff when companies seek economic development incentives and have a prior operational and compliance track record.** It simply stands to reason that a company unable to demonstrate it can do business without environmental violations should not be incentivized to set up shop in East Point.

Together, these East Point statutes provide some ability for the City to address environmental vio-

GOAL 2: JUST INDUSTRY

lators. Most other environmental law enforcement authority is outside of the City's jurisdiction, and falls to Georgia EPD, a notoriously industry-friendly and grossly under-resourced agency, with far more demand from local governments and citizens for enforcement than capacity to deliver. Investing political capital to elevate East Point's repeat violators of state and federal law, and persistent enforcement challenges can pay dividends, as in the recent water quality enforcement action.

More proactive partnerships with the Georgia Department of Transportation, Federal Aviation Authority, EPA, EPD and Airport Authority are needed to mitigate noise, discharge and emissions associated with East Point's industrial and transportation ecosystems.

Finally, in Georgia, business good deeds can often establish an unspoken quid pro quo relationship between business and regulatory agencies, in which a donation to the right event or campaign grants a blind eye to minor violations of laws. This is particularly pervasive in the American South, known for lax enforcement of environmental laws in particular. East Point must remain vigilant in its tracking of corporate support of City activities and potential violations, by ensuring that solicitations of support are not in conflict with compliance records, and resist the pressure to allow this pay-to-play culture to tie the hands of its staff in enforcement of laws.

Code Enforcement

Code enforcement for private property (residential and commercial) as well as in public spaces (roads) is the responsibility of East Point's Police Department. PSE recommends the Police Department coordinate with Water and Sewer on an enhanced enforcement approach to reduce and de-

ter industrial businesses from business processes that harm the environment and human health.

Action C2. Develop public and business education that highlights commercial corridors and truck routes to clarify expectations concerning enforcement parameters and effectiveness.

Education of both residents and businesses on an ongoing basis is needed to increase the understanding of both the City's jurisdictional constraints and their enforcement authorities. This will serve to redirect complaints that Police is unauthorized to resolve to the appropriate authorities, and put businesses - particularly transportation companies - on notice that enforcement is an increased priority.

Action C3. Improve See-Click-Fix adoption and quicker identification of environmental concerns.

Educate the public on the full uses of the City's web-based app, and enhance its functionality when used on cellphones. Resident input during this engagement process highlighted challenges with and lack of awareness of the city's web-based app for making it easier to report issues around infrastructure disrepair, as well as environmental complaints. Additional efforts around education of the tool and refinement of functionality could increase usage and speed response time.

Action C4. Elevate enforcement complaint response in Equity Dashboard.

Development of the East Point Equity Dashboard referenced in Goal 1, Strategy A, Action 3, can provide a useful tool in elevating and tracking response to environmental complaints, and creating public accountability for repeat violators.

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Action C5: Increase camera surveillance in hotspot areas to support police efforts and deter truck transportation violators.

Increasing camera surveillance is a priority for the East Point Police Department, as a cost-effective deterrent for all types of criminal offenses. Assessing the neighborhood streets most known for cut through traffic by trucks is a first step. With clarity on the worst cut throughs in hand, Police should focus some of its camera equipment budget on these areas. This will address a health, safety and quality of life concern voiced by many residents during PSE's engagement process.

STRATEGY D. ESTABLISH NEW COLLABORATIVE PARTNERSHIPS.

Action D1: Incentivize a green/healthy transition for current East Point industrial businesses.

Local governments can motivate green/healthy transitions for existing East Point industrial operations with the provision of tax credits, grants/revolving loan programs and other incentives. Manufacturing can be greened - and therefore be more protective of human health - through three avenues:

- Technology, by improving the manufacturing process or system;
- Materials, by using lower-impact substances; or
- Energy, by using cleaner energy sources or energy recovery.

Collaboration with the Greenhouse Accelerator of the Green Chamber of the South and Atlanta Regional Commission's Green Communities Program

could help identify existing East Point businesses prime for operational pivots towards more green and sustainable operations and markets. This concept of supporting existing businesses for greater success and community contribution is discussed in more detail as a foundational element of inclusive economic development.

Action D2: Develop a Business Stewardship Council.

This Council will recognize local businesses (including multi-family property owners/managers) demonstrating commitment to fiscal, environmental and community stewardship; attract new equitable, green developments, and create an ecosystem of local entrepreneurs and small businesses to access opportunities.

By formalizing East Point's intention to find equitable balance in a new era of industrial use, the City signals an end to business as usual, while inviting partners seeking innovation and equity in industrial use. This announcement could indicate the kick off of a collaborative effort with explicit goals of:

- Developing a marketing campaign and coalition around East Point as an Equitable Growth Hub;
- Connecting local entrepreneurial and maker communities to affordable, available industrial space for area incubator-graduates and startups;
- Connecting Aerotropolis-targeted industry sectors with East Point talent pipelines; and
- Informing the design of a new East Point green and equitable industrial zoning code - a new model for the Aerotropolis area.

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STRATEGY E. ADOPT POLICIES THAT REMOVE BARRIERS TO OPPORTUNITY AND INCENTIVIZE EQUITABLE PRACTICES.

Action E1. Develop an Impact Fee policy/program.

Impact Fees will ensure that the City can meet the infrastructure needs of business and new residents without drawing resources away from services to existing residents. Current and anticipated development pressure in south Fulton county make Impact Fees a particularly relevant tool as cities within the Aerotropolis region work to both attract development and ensure those investments create tangible benefits for the cities' current and future residents.

Development Impact Fees are authorized by the State of Georgia in the Georgia Code [O.C.G.A. § 36-71-2(8)]. Development Impact Fees are defined as “a payment of money imposed....as a condition of development approval to pay for a proportionate share of the cost of system improvements needed to serve new growth and development.” In other words, developers are charged Impact Fees so that the actual municipal costs for the additional residential or commercial development are paid for by the new development, rather than the local government. Impact Fees ensure that future growth pays its share to accommodate the additional demands on city infrastructure and services posed by specific projects. An impact analysis of future development can help local governments plan how to manage future growth as well as help direct and prioritize investments aligned with the city's comprehensive plan.

Allowable services covered by Impact Fees include libraries, recreation, water supply, roads

and bridges, public safety, wastewater treatment and storm-water management. Impact fees are currently a source of revenue imposed on new construction in many parts of Metro Atlanta, including Atlanta, Sandy Springs and Roswell.

City Council approved a motion in February 2021 to implement an Impact Fee Study. After the consultant is engaged, the City is required by state law to appoint an Advisory Committee to guide the development and implementation of the Impact Fee program, composed of at least 40% local stakeholders. This advisory committee will need to reflect residents from a diversity of neighborhoods, ages, income levels, races, and occupation types. If relevant to the project paying Impact Fees, the Advisory Committee can advocate for the fees to be used to fund mitigation measures such as additional enforcement resources for truck cut-through traffic, or additional tree plantings (to offset air emissions) in residential areas. As an incentive, communities can adopt an Impact Fee exemption for affordable housing developments, extraordinary employment opportunities and specialized economic growth.

Action E2. Develop an Environmental Justice Ordinance (EJO) to require health impacts on residents be considered in zoning decisions.

The EJO must also include an Environmental Justice Assessment, to ensure the City has a fully-informed and defensible understanding of the historic barriers that living in close proximity to industrial land has created for East Point residents through environmental, health and economic data analysis, and interviews with long-time residents.

An EJO could require that each new commercial development application in the city include a list of all

GOAL 2: JUST INDUSTRY

potential discharges and emissions, a material storage plan and an accident risk analysis and emergency management plan. EJOs help formalize and set objective standards for the review process; address process challenges experienced by residents seeking to challenge individual projects; and mitigate developer influence in the approval process.

Action E3. Develop a Community Benefits Ordinance (CBO) to ensure that commercial/ mixed-use/industrial development receiving City incentives is held accountable to new equity standards through incentives for addressing community-identified needs.

Examples may include, but are not limited to, capital improvements, Minority/Women-owned Business Enterprise sourcing, local hiring, childcare, open space amenity, cooperative business assets, healthy food resources, contributing to a Community Benefits Trust fund for affordable housing units, home repairs and weatherization.

CBOs formalize the conditions under which Community Benefits Agreements (subsequently referred to as CBAs) come into play in a project. CBAs are project-specific contracts negotiated and signed between a community coalition and private entity, such as real estate developers or corporations, that details the provision of specific resources, opportunities and/or facilities to be delivered for the benefit of an impacted community.

The focus of the agreement usually revolves around mitigation or offset of negative development externalities, but often also focuses on ensuring that impacted communities are not excluded from the potential benefits of a new project as well. Proj-

ect-specific CBAs ensure that new development creates opportunities for local businesses, workers, and communities. While CBAs are often thought of in an economic inclusion context, they have been useful in advancing several different types of benefits relating to health equity, social/wrap-around services, and equitable land use policies.

The City of East Point should create a Community Benefits Ordinance as a planning and community development tool that establishes conditions for receiving public financing, tax concessions, public land and special-use or zoning variance approvals.

CBO conditions would include the requirement to engage with impacted communities to draft a mutually agreed-upon CBA. The ordinance mechanisation and thresholds triggers are drafted, reviewed and voted on in a ballot referendum. Within this document, PSE includes several references to CBAs and considerations on where and how to apply them. These are only a snapshot of how CBAs can be used, but ultimately, they are best used to amplify local community voice in the development process. Historically this process has failed to consider what communities desire while in development/redevelopment.

Action E4. Adopt a 100% Renewable Energy Resolution.

Commit that all *additional* power purchased from MEAG *beyond its base load agreement* will be 100% renewably sourced by 2050. See **Appendix I** for a sample 100% Renewable Energy Resolution to modify.

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STRATEGY F. LEVERAGE EXTERNAL RESOURCES TO GATHER DATA, ENGAGE KEY STAKEHOLDERS, AND ACCELERATE EQUITABLE OUTCOMES.

Action F1: Develop a comprehensive inventory of existing industrially-zoned land.

Potential EPA grants and technical assistance program offerings (Brownfields, EJ, Community Prospectus Development Assistance) and ARC grants (Livable Centers Initiative and Comprehensive Development Plan Update) will require that East Point gain a deeper understanding of its current assets and liabilities relating to current industrially-zoned land. This is an opportunity to thoroughly assess ownership, quantity and quality of land, buildings (industrial square footage, floor-to-area ratios), businesses and their products and services, market value, levels of contamination and clean-up needs, and reuse potential. Fiscal impact analysis should also be performed to determine the contribution of industrial land to the City of East Point budget and to recommend the right percentage of industrially-zoned land for East Point to balance tax revenue and jobs.

In addition to the data collection and analysis processes undertaken through these 2021 projects, East Point should also remain in contact with Aerropolis Alliance as it plans to assess the relative municipal tax benefits of commercial vs. industrial development for south Fulton cities. Expanding the boundaries of their research to include the City of East Point could yield valuable information and a potential collaboration. East Point can look to the City of Minneapolis and their creation of an [Industrial Land Use and Employment Policy Plan](#).

Action F2: Establish an economic development strategy for re-use of industrially-zoned land.

With its industrial land use inventory in hand, tools like EPA's Community Prospectus Development Assistance program and EPA Brownfield grant contractors assessing redevelopment opportunities for the Willingham corridor and other Brownfields sites, East Point is positioned to take a bold new approach to framing an economic development strategy for industrial land.

This strategy should take into account long-term plans for mitigating contaminated sites and returning them to productive use, use of the Community Benefits Ordinance and clean energy resources. Collaboration with Aerropolis Alliance can ensure that insights from their clean cluster approach to economic development informs the East Point strategy. Completion of this strategy will allow East Point to have a clear roadmap for the targeting and recruitment of sectors with minimal environmental and health impact, and bring family-supporting wages.

STRATEGY G: EXPAND AND LEVERAGE CITY-OWNED ASSETS TO PILOT EQUITY INNOVATIONS

Action G1: Ensure that commercial redevelopments on city-owned land integrate provisions for local hiring/contracting, deep affordability requirements if mixed-use, and local small business incubation.

East Point should work with partners to raise funds to secure vacant and/underutilized inventory of industrially-zoned land, with limited clean up requirements, to prioritize catalytic sites to serve as models of equitable development. The "model development" would feature two or more equitable approaches: the use of a CBA, a "clean industry" focus, a commitment to livable wages, the inclusion of environment and health protection features,

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and Land Banking for future projects. These catalytic sites might also qualify for innovative financing like CDBG, federal Historic Preservation Tax Credits, Industrial Revenue Bonds, New Market Tax Credits, state/local brownfield grants and revolving loan funds, Section 108 funding, Tax Allocation Districts, Opportunity Zone and private equity.

Preliminary analysis of industrial zone parcel maps indicate that the City of East Point has some ownership of parcels in or adjacent to the Willingham Industrial Area and Lawrence Avenue Industrial Area. A number of tools can be leveraged under City control of industrial properties, including but not limited to:

- *Right of First Refusal* - The Right of First Refusal ordinance concept, being piloted in Baltimore, Denver and San Francisco, as a tool for land acquisition by City and/or community partners for affordable housing production. This tool should also be explored for land acquisition for industrial redevelopment projects benefiting the community as well.
- *Land Banking* - Although land banks tend to be associated with affordable housing development, land banking is also effectively used to repurpose industrial property. The Center for Community Progress, a national nonprofit with many local ties to PSE, can be a resource to explore land banking for equitable industrial property redevelopment.
- *Brownfield Redevelopment* - Redeveloping contaminated brownfield sites into new, equitable industrial use provides the City of East Point an opportunity to remove a public health hazard while creating opportunity

for new high-wage employment. Exploring a district-scale or multi-site approach to this type of redevelopment offers greater opportunities than individual site approaches, while financing can be complex and return on investment must include community benefits. Examples of innovative industrial redevelopments utilizing many of these financial tools include the [NextFab Philly](#) collaborative machine and digital tool makerspace project as well as [Chicago's The Plant](#) local food research and production facility

Inclusive Housing



3

East Point residents of all income levels have access to quality, stable housing in safe neighborhoods.

GOAL 3: INCLUSIVE HOUSING

PRINCIPLES

- Data is king, and a vacant property strategy is key.
- Neighborhoods cycle between deteriorated, stable, revitalizing and gentrifying over time, and there are different strategies that are relevant to communities at different points over this cycle.
- Promote permanent affordability.
- Dedicate East Point staff time to housing, and create a Housing Advisory Board to engage community residents.
- Multi-jurisdictional approaches to address housing challenges may be necessary.

CURRENT CONDITIONS

East Point's history is similar to cities across the nation in terms of the impact of redlining and residential segregation. In the 1930s, the federal Home Owners Loan Corporation (HOLC) assessed mortgage lending risk (a practice referenced today as red-lining) for parts of East Point that are today known as wards A and B; these communities' proximity to East Point's industrially-zoned land exacerbated this racially-driven practice. The red-lining and segregation that ensued has impacted the outcomes for residents in these neighborhoods for generations.¹⁰

However, the City of East Point is now on the brink of transformational change. Gentrification vulnerability studies show that the

city is not far behind southwest Atlanta census tracts in terms of its vulnerability to gentrification.¹¹

This growing risk can be seen in the rate of increase in East Point home values. While the median home value in East Point (\$180,430) is still significantly lower than that of Atlanta (\$311,092), ***Zillow reveals that the percent increase in home value for East Point from January 2020 to January 2021 was 9.8%, compared to 5.4% in Atlanta.***

These upward trends in both home prices and rents play out in what East Point residents can - and increasingly, cannot - afford.

Research and engagement throughout the Plan process revealed that East Point and its residents struggle particularly with the following:

- **Gentrification and Displacement.** Based on an overview of the Atlanta Regional Commission's Metro Atlanta Housing Tool,¹² 92% of East Point's housing supply is best defined as fitting within submarkets that reflect both increasing revitalization and rapidly climbing home prices, as well as deteriorated neighborhoods with high vacancy rates and low prices. These communities are attractive to speculative developers, creating a city ripe for gentrification and potential displacement.
- **Evictions** compromise both household and neighborhood stability, and their prevention is a critical strategy for protecting low- and moderate-income East Point residents. Census Tract 113.05, which includes the Sun Valley neighborhood, has a very high eviction rate of 19% (2016). Census Tract 112.01, which includes Colonial Hills, also has a high eviction rate at almost 15%. Evictions in East Point have also

GOAL 3: INCLUSIVE HOUSING

swelled since the pandemic, driven by both household and housing market factors. Additionally, over the last four or five years, at least 20 multifamily complexes in East Point have been purchased by corporate or out-of-state buyers. This has led to significant rent increases along with displacement due to renovations and tightened lease requirements (income three times rent, no one on lease with a felony conviction) limiting residents' ability to move back.

- **Vacant property.** The American Communities Survey estimates that there are 3,411 vacant units in East Point, reflecting a 19% residential vacancy rate. The City created its Clean City Initiative (CCI; formerly 50 Worst Properties program) in 2010 to address the concentration of vacant residential units in the legacy neighborhoods of East Washington, River Park and Center Park, with a focus on enforcement, clean-up/board-up and demolition. East Point's recent Georgia Initiative for Community Hous-

ing application asserts that fully 20% of the city's residents live adjacent to or in the vicinity of a vacant property, and identified 271 vacant properties in these legacy neighborhoods as the focus of their GICH project. In order to develop a comprehensive, city-wide vacant property strategy, the City will need to more fully understand the gap between the ACS number (3,411) and the CCI Properties number (271) and develop interventions to address the range of vacant properties in East Point.

- **Shortage of subsidized housing.** There are only two sources of subsidized affordable units in East Point: the East Point Housing Authority (EPHA) and the Low Income Housing Tax Credit (LIHTC) program. The supply of available *subsidized* housing clearly does not meet the demand for East Point, as the wait-lists for many of the public housing units were closed even before COVID-19 and have not been open to new applicants since 2010.

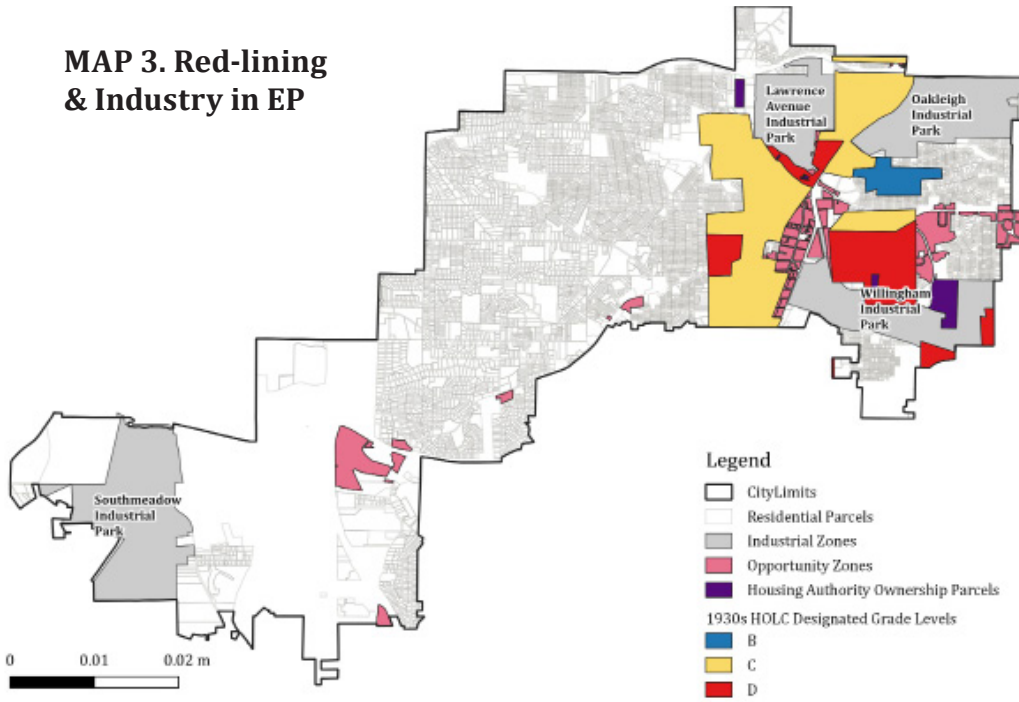
There are only 3,858 units in East Point that have formal time limits on their requirement to remain affordable. While the 200 EPHA-owned units will remain affordable in perpetuity, LIHTC units are only required to remain affordable for 30 years, and units that accept Section 8 vouchers only remain affordable for as long as the owner decides to rent to folks with vouchers.

As a result, although much of East Point's current housing stock is considered affordable, most of it is what is called Naturally Occurring Affordable Housing (NOAH).¹³ This is a critical distinction, as NOAH units are vulnerable to market forces which can and have resulted in increasing rents and for-sale housing prices in East Point, leading to a loss of affordable units over time. Any inclusive housing strategy



GOAL 3: INCLUSIVE HOUSING

MAP 3. Red-lining & Industry in EP



income households in those communities bear some of the highest energy burdens in the nation, spending 9.7% of their mean household income on energy (gas and electric).¹⁴

In addition to utility costs, the average combined housing and transportation burden consumes 43% of monthly household income in East Point, significantly above the 30% recommended by the Center for Neighborhood Technology.¹⁵ Based on Atlanta’s analysis of similar housing stock and

will need to include policies, programs and investments to protect East Point’s NOAH units, as *preservation* of affordable units costs significantly less than the *production* of a new affordable unit to replace those lost through market forces.

income areas, East Point should anticipate that its low-wealth residents also carry energy burdens that impact affordability, livability, economic stability and cap wealth potential. See Figure 4.^{16,17}

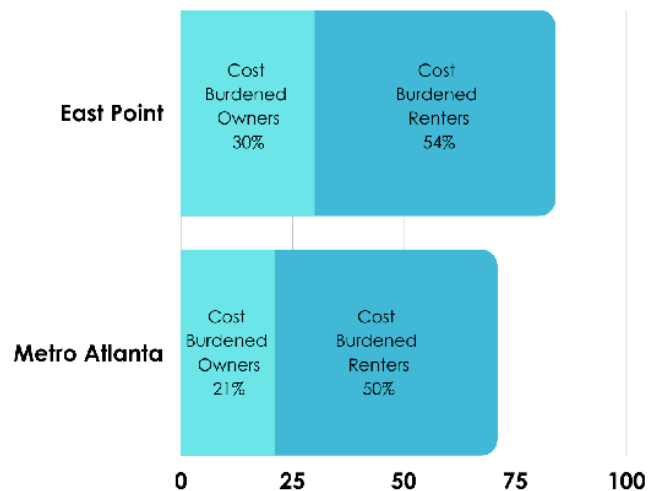
Residential Energy Burden as Housing Destabilizer

Renters, legacy owners and East Point Housing Authority residents engaged in this plan development reported that they regularly paid several hundred dollars per month in utilities. Multiple residents reported that burdensome utility rates were one reason they were considering moving out of East Point.

While East Point Power has not conducted data analysis regarding the level of energy burden experienced by residential customers, analysis conducted by the City of Atlanta, Georgia Tech, and Greenlink Group for adjacent Atlanta zip codes with similar housing types has found that lower

FIGURE 4. Housing Burden: EP vs. Metro ATL

Housing Cost Burden



GOAL 3: INCLUSIVE HOUSING

The last 20 years of urban revitalization in Metro Atlanta has shown that housing affordability will disappear and displacement will rise in the face of increased population and development pressure unless local government intentionally aligns its policies, programs and investments to ensure this doesn't happen. East Point is in the enviable position of being able to engage in this effort at the beginning of its revitalization/gentrification phase, and is better positioned than other cities have been to ensure that the city remains a mixed-income community whose upcoming growth benefits *all* its residents.

At the same time, however, East Point lacks a data-driven and comprehensive affordable housing plan to deal with the projected population and economic growth coming to the communities south of I-20. While the City has gathered information about the number, condition and distribution of vacant properties in the East Washington, River Park and Center Park neighborhoods as part of the Clean City Initiative, it needs to perform a comprehensive housing assessment across the city to identify and rank current and future housing issues facing East Point over the next 5-10 years.

While the performance of the recommended comprehensive housing assessment was beyond the scope of this project, this report presents a proposed framework for a comprehensive housing plan, with a set of recommended strategies for the City to prioritize based on data delivered through this future assessment.

East Point's Noteworthy Housing Resources During Pandemic

During the overwhelming economic crisis caused by COVID-19, the City was successful in securing significant resources to provide assistance to those families

struggling to cover basic housing and utility expenses. Between CARES Act, Fulton County's Emergency Solutions and CDBG funding, the City was able to deliver more than \$1 million in direct assistance for rent, utilities and mortgage expenses, providing an essential safety net for hundreds of residents.

GOAL 3: INCLUSIVE HOUSING

Strategy	Action	Targets & Timeframe
GOAL 3,B. Integrate equity into Unified Development Code	B2.Ensure the UDC promotes the preservation and production of inclusive housing. Amend Amenity Package Requirements, eliminate minimum heated floor area requirements, eliminate minimum off-street parking requirements, and allow construction of 1 to 4 units on all residentially-zoned properties.	Adopted UDC integrates zoning support for inclusive housing & promotes development of more cost-effective housing. Zoning is aligned with neighboring cities and regional plans. <i>Short-term ('21-'22 begin implementation)</i>
GOAL 3,D. Establish new collaborative partnerships	D3.Build partnerships focused on affordable housing development to assist in accessing private capital and additional public subsidy, acquire property, pull together complex project finances, perform construction management, and provide income compliance and property management. Create Community Land Trust.*	MOUs developed with non-profits to promote homeownership assistance. South Fulton Community Land Trust established. <i>Medium-term ('23-'24 begin implementation)</i>
	D4.Partner with Groundswell and explore adaptation of LaGrange, Georgia's Save on Utilities Long-term (SOUL) Initiative to reduce energy burden on low income residents and to further position East Point for federal infrastructure funding opportunities.	Reduced energy burden, improving livability and home affordability, for City residents. <i>Short-term ('21-'22 begin implementation)</i>
GOAL 3,E. Adopt policies that remove barriers to opportunity & incent equitable practices	E5.Adopt Mandatory Inclusionary Zoning Ordinance.* Consider: minimum number of units trigger, targeted percent Area Median Income, in-lieu fee structure, developer incentives, and affordability tenure.	Adopted IZ generates new units accessible for all income levels <i>Short-term ('21-'22 begin implementation)</i>

GOAL 3: INCLUSIVE HOUSING

Strategy	Action	Targets & Timeframe
GOAL 3,G. Expand and leverage city-owned assets to pilot equity innovations	G2.Develop a strategic land acquisition pipeline. Use the Georgia Initiative for Community Housing process to formally join the Metro Atlanta Land Bank, inventory land for residential development potential, and create Judicial In-Rem Tax Foreclosure process.	Public investment leveraged for private investment in affordable housing, and parcels secured. <i>Medium-term ('23-'24 begin implementation)</i>
GOAL 3,H. Invest in the protection of existing affordable housing and those dependent on it	H1.Protect existing low and moderate-income renters and owners* through eviction prevention, owner-occupied rehab, weatherization, and targeted and expanded homeowner exemptions.	Increased households stabilized. Reduced speculative flipping. <i>Medium-term ('23-'24 begin implementation)</i>
	H2.Conduct a comprehensive housing assessment, including insights on housing conditions, location and timeframe for LIHTC affordability, and identification of developable residentially zoned parcels.	Completed Housing Assessment. Targets set for retention, development, revenue, parcel acquisition. <i>Short-term ('21-'22 begin implementation)</i>
	H3.Develop local sources of revenue, and accelerate efforts to access federal dollars.*	Increased funding flows to affordable housing activities <i>Short-term ('21-'22 begin implementation)</i>
	H4.Protect existing affordable units.* Provide support to nonprofits trying to acquire publicly-subsidized properties before they lose their affordability. Preserve NOAH units through energy-efficiency & functional upgrades, and voluntary property tax abatements.	Increased units retained <i>Medium-term ('23-'24 begin implementation)</i>

GOAL 3: INCLUSIVE HOUSING

STRATEGY NARRATIVE

STRATEGY B. INTEGRATE EQUITY INTO UNIFIED DEVELOPMENT CODE.

Action B2. Ensure the UDC promotes the preservation and production of inclusive housing:

As discussed in Goal 2, the upcoming UDC revision process should remove barriers to affordable housing production, leverage the development of market-rate housing towards affordable housing goals, and promote the development of more cost-effective housing to lower home prices and rents in the long-term. Specific revisions vis-a-vis housing should include but not be limited to:

- **Amenity Package Requirements (APR):** The list of APRs in the Zoning Code, Section 10, Article C for multi-family residential in all districts (Commercial Redevelopment, Mixed-Use, R-3 Multifamily, R-4 Multifamily, R-T Residential Townhouse, and Educational Institutional) are largely suburban in nature and are incompatible with denser urban environments, costly, and tend to limit the development of smaller multi-family developments. Amend the list of APRs in Section 10, Article C for multi-family residential in all districts (Commercial Redevelopment, Mixed-Use, R-3 Multifamily, R-4 Multifamily, R-T Residential Townhouse, and Educational Institutional). Additionally, adjust the density bonuses in the APR so that they also promote affordability and/or more sustainable building approaches.
- **Minimum Heated Floor Area Requirements:** The inclusion of minimum heated floor area has been found by courts in

some cases to exclude low-income families and to serve as one of the most pervasive factors in exclusionary zoning. Many modern zoning code regulations eliminate the minimum heated floor area altogether. [The City of Brookhaven](#) provides an excellent example of a zoning code rewrite.

- **Minimum Parking Requirements:** This recommendation aligns with the 2017 Comprehensive Plan update which stated that “(e)xcessive parking requirements increase the cost of development, harm the environment, and use valuable land. Minimum requirements for off street parking should be eliminated in the downtown area, and reduced elsewhere....to promote compact redevelopment/infill, to reduce development costs, and to encourage the use of alternative modes of travel.” However, many traditional construction financing lenders are uncomfortable lending to projects that do not provide two parking spaces per unit, so East Point and its nonprofit development partners would need to create relationships with several banks that would agree to invest in projects with fewer spaces before this revision would have impact.
- **Align zoning with adjacent cities and the Aerotropolis land-use plan:** The UDC rewrite must also consider the zoning in municipalities adjacent to East Point’s boundaries, including Hapeville, College Park, South Fulton, and Atlanta, especially as it relates to the potential rezoning of industrial land to mixed-use at the border of East Point and surrounding municipalities. The City should coordinate with its neighbors

GOAL 3: INCLUSIVE HOUSING

and be intentional in setting land use policy at its borders that aligns and transitions smoothly with land uses in adjoining jurisdictions. East Point should also coordinate its UDC revision with current efforts by Aerotropolis to update its land-use plan.

STRATEGY D. ESTABLISH NEW COLLABORATIVE PARTNERSHIPS.

Action D3. Build partnerships focused on affordable housing development.

The City needs non-profit development partners to access private capital and additional public subsidy, acquire property, pull together complex project finances, perform construction management, and provide income compliance and property management. East Point should pursue a partnership with a highly capable nonprofit affordable housing developer interested in targeting one of the communities in the path of projected population and economic growth south of I-20. Potential partners could include but are not limited to the Atlanta Neighborhood Development Partnership, Mercy Housing, or National Church Residences.

- **Promote homeownership:** The 2017 Comprehensive Plan update identified promoting homeownership in both the Traditional Urban Neighborhood and the Redevelopment Neighborhood Character Areas as a key housing goal. Perhaps as part of a more comprehensive housing needs assessment, East Point planners should meet with relevant neighborhood associations and stakeholders to identify barriers and determine the assistance required to support homeownership. This may involve options like Down Payment Assistance (DPA), homebuyer education and credit repair, Community

Land Trusts, etc. Some best practice examples can be seen with the [Grove Park Foundation](#) and the West End's [Committed to Communities](#).

- **Community Land Trusts:** Community Land Trusts (CLTs) are the national best practice for producing housing that remains affordable in perpetuity, and represents strong stewardship of limited public subsidy. The [Atlanta Land Trust](#) provides an excellent example. The model requires the nonprofit CLT retain ownership of the underlying land while selling or renting the structure to an income-qualified buyer. The transaction includes a deed restriction attached to the sale or income limits included in the lease to preserve affordability for 99 years. On the homeownership side, the CLT trade-off involves limiting the amount of equity recapture available to CLT buyers in return for lower-price points making homeownership available to low- and moderate-income buyers as well as the maintenance of the affordable unit in perpetuity to ensure neighborhoods remain mixed-income in the face of revitalization/gentrification. East Point should consider **partnering with other municipalities in the Tri-Cities area to form a South Fulton Community Land Trust. Like other nonprofits, CLTs have administrative infrastructure and funding needs, and it is more fiscally prudent to create a single CLT across multiple jurisdictions. Although there will be politics involved in determining how to best fund a multi-jurisdiction CLT as well as how to equitably distribute housing production across multiple cities, the efficiency and sustainability benefits should far outweigh these challenges.**

Action D4. Partner with Groundswell and explore adaptation of LaGrange, Georgia's

GOAL 3: INCLUSIVE HOUSING

Save on Utilities Long-term (SOUL) Initiative.

These partnerships can help reduce energy burden on low income residents and further position East Point for federal infrastructure funding opportunities.

SOUL is built on the Pay As You Save (PAYS) model, a residential energy efficiency retrofit framework and program proven in a number of locations for financing improvements in indoor air quality and energy efficiency via on-bill financing. This structure ties repayment to the meter/dwelling, without creating debt for the customer. Customer bills go down, energy burden is reduced, and even respiratory-disease-related medical bills may cut back as a result of improved housing stability. The model is critically available not only to homeowners, but to renters as well - a significant population of East Point's most energy burdened households.

SOUL is executed through the support of national nonprofit Groundswell. A partnership with Groundswell may limit implementation burdens on the utility, as Groundswell would serve as administrator for the program, provide extensive utility data analysis, geographically pinpoint energy burdens, and define scope of need.

In the case of LaGrange, SOUL's upfront capital is provided by the City of LaGrange's CDBG funds. EPP would need to identify a capital stream to front an East Point SOUL initiative, but the timing needed for early data analysis and program design (no cost to EPP) is perfectly aligned to make SOUL a shovel-ready project for federal infrastructure and energy efficiency funding expected to launch in late summer 2021. The LaGrange Power Utility is also a MEAG utility and it's found that the program worked well within the municipal utility structure.

On-bill financing is another solution increasingly offered by power providers to address high energy burden and remove access to upfront capital as a significant barrier to investment in home energy-reducing retrofits. This should be contemplated as a complementary component to SOUL.

STRATEGY E. ADOPT POLICIES THAT REMOVE BARRIERS TO OPPORTUNITY AND INCENTIVIZE EQUITABLE PRACTICES

Action E5. Adopt Mandatory Inclusionary Zoning Ordinance.

A mandatory Inclusionary Zoning (IZ) ordinance should be one of East Point's first priorities in the development of an equitable housing strategy. IZ allows cities to leverage market-rate housing development towards the production of affordable units by requiring developers building above a certain unit amount to set aside a specific percentage of units for low-and-moderate income renters and/or buyers at identified income levels. By leveraging residential development wherever it happens, IZ also ensures that affordable units are distributed throughout the city and works against the concentration of housing for low and moderate-income residents. IZ ordinances can also include an option to allow developers to pay a fee "in-lieu" of producing the required affordable units in their project (see **Appendix G**). Key elements of IZ ordinances that the City - in partnership with community residents - will need to consider are spelled out in Appendix G.

Action G2. Develop a strategic land acquisition pipeline.

Control of developable land translates to control over the pace and type of development. Getting land off the speculative real estate market before prices rise too much further will reduce

GOAL 3: INCLUSIVE HOUSING

the cost of preserving and producing affordable housing, and will position East Point to better manage the projected growth coming to south Fulton and its impact on low-income residents.

STRATEGY G. EXPAND AND LEVERAGE CITY-OWNED ASSETS TO PILOT EQUITY INNOVATIONS.

Action 1. Develop a strategic land acquisition pipeline. Control of developable land translates to control over pace/type of development. Getting land off the speculative real estate market before prices rise too much further will reduce the cost of preserving and producing affordable housing, and will position East Point to better manage the projected growth coming to south Fulton and its impact on low-income residents.

- **Formally join the Metro Atlanta Land Bank:** Partnership with the Metro Atlanta Land Bank (MALB, formerly called the Fulton County/City of Atlanta Land Bank) was identified as a 2018 activity in the 2017 Comprehensive Plan. While the City entered into conversation with MALB and developed some draft agreement documents, three years later the partnership still has not been formalized. Putting property in the Land Bank allows past taxes to be extinguished, title to be cleared, and the parcel to be maintained; it also allows the property to be held outside of the speculative real-estate market without a time limit while a disposition strategy is being developed, reducing the cost of land (and therefore the required subsidy) in a given affordable housing project.
- **Local dollars for direct acquisition:** Once East Point develops a more comprehensive housing

plan and can put some numbers on the level of funding that will be needed, it can set a projected annual budget for affordable housing activities and determine which combination of funding sources described above make the most sense. The City should use its public investments to leverage private investments in affordable housing, including but not limited to bank financing, Community Development Finance Institutions (CDFIs) and philanthropic investments.

- **Inventory City, County, MARTA and utility-owned land for residential development potential:** The City could then create the partnerships necessary to purchase and/or receive land donations.
- **Judicial In-Rem Approaches:** The City should explore how to best leverage its code enforcement/demolition liens into a judicial foreclosure program. This would allow East Point to shift its vacant property approach from “clean-up/board-up” to getting these properties back in productive use and back on the tax rolls. In addition, membership in the Metro Atlanta Land Bank would allow East Point to functionally contract out its asset management function once they acquired these blighted properties.
- **Georgia Initiative for Community Housing (GICH).** East Point is participating in the recent GICH cohort, utilizing technical assistance to develop a strong vacant property strategy for the 271 units identified by the 50 Worst Properties Program in the East Washington, River Park and Center Park neighborhoods. These blighted properties can negatively impact property values, safety, crime and community character in the neighborhoods in which

GOAL 3: INCLUSIVE HOUSING

they are found. Additionally, they are a draw for speculative real estate developers looking to purchase property in neighborhoods that are predicted to increase in value as population and economic growth come to East Point.

The City should look to the GICH to help finalize MALB membership, develop a land acquisition pipeline, and create a local Judicial In-Rem Code Enforcement process and coordinate it with East Point's existing Judicial In-Rem Tax Foreclosure process.

STRATEGY H. INVEST IN THE PROTECTION OF EXISTING AFFORDABLE HOUSING AND THOSE DEPENDENT ON IT.

Action H1. Protect existing low and moderate-income renters and owners.

These efforts are relevant across all of the neighborhood life-cycle categories, including *deteriorated*, *stable*, *revitalizing* and *gentrifying*. Action steps include:

- **Eviction prevention:** Eviction prevention includes information (access to info on tenants's rights and eviction defense processes); financial support (rent and utilities assistance); and legal protection (low-cost/free legal defense, mediation, 90-day notice period, etc.) East Point should consider working with non-profits to support and/or complement their current efforts. Additional City efforts could include identifying serial eviction filing trends (the City can look to [NYC's Displacement Alert Project](#)), as well as preparing for the financial challenges that will face East Point renters once the national eviction moratorium is lifted and back rent is owed.
- **Owner-occupied rehab for senior/low-income homeowners:** Many older homeowners

on a fixed income lack the resources to maintain their properties, decreasing their safety and increasing their vulnerability to offers from speculative investors/developers. In response, develop a moderate rehab program targeting low-income senior homeowners. This could be volunteer-based (Decatur GA's MLK Day) or on-going and city-funded. Focus should be on making the home safe and weather-proof.

- **Targeted and expanded homeowner exemptions:** A Homestead Exemption is a legal provision that helps reduce the amount of property taxes owed on owner-occupied homes. According to the 2020 Fulton County Homestead Exemption Guide, East Point has a \$2,000 general homestead exemption available to all residents in addition to the basic \$30,000 Fulton exemption offered to all homeowners in the county. East Point's exemption is the lowest of all the cities in Fulton that have one - the others range from \$4,000 to \$40,000. In addition, East Point has an additional homestead exemption for all residents over 70 who make \$72,264 or below. East Point should explore the **fiscal impacts of increasing its basic homestead exemption as well as reducing the age to 65 for the senior exemption and making it more income targeted**, linking it to a percentage of East Point's Area Median Income of \$40,882 instead of to its current Social Security income limits. These changes will make the most sense as East Point's neighborhoods move from **stable** to **revitalizing**, and would help reduce the financial pressure for legacy residents to sell and leave the city.

Action H2. Conduct a comprehensive housing assessment.

This assessment should include data and insight

GOAL 3: INCLUSIVE HOUSING

around housing conditions throughout the city, the location and time-frame for the expiration of LIHTC units' affordability requirements, a fuller understanding of the vacant property challenge outside the 50 Worst Properties neighborhoods, identification of developable residentially zoned parcels (both vacant structures and vacant land), and a deeper dive into the projected direct and opportunity costs of a range of acquisition, development and redevelopment, and public policy approaches.

Action H3. Develop local sources of revenue and accelerate efforts to access federal dollars to support affordable housing activities.

Because East Point has fewer than 50,000 residents it is not considered a Participating Jurisdiction (PJ) by the Department of Housing and Urban Development (HUD), and as such does not have "by-right" access to Community Development Block Grant (CDBG), HOME and Emergency Shelter Grant (ESG) funds, three of the primary federal funding sources that larger cities historically have used as their primary source of funding for affordable housing activities. As a result, East Point will need to develop local sources of funding to support affordable housing activities, as well as accelerate their efforts to access these federal dollars. As access to federal funds is a high-priority recommendation, we will provide comprehensive recommendations relative to how to best pursue these CDBG, HOME and ESG dollars, and include details on the other sources in Appendix F.

- **CDBG/HOME/ESG:** In the absence of PJ status, for many years East Point has been engaged in a Cooperative Agreement with Fulton County allowing the City - along with other non-PJ municipalities in Fulton - to compete for CDBG, HOME and ESG funds from the County; histori-

cally, East Point has received some limited funding for park projects, but has been turned down by the county for affordable housing projects.

In order to develop more competitive proposals, the City should look to DCA and Fulton's Consolidated Plans to ensure that proposed projects are aligned with state and county goals. In addition, East Point should look to DCA's annual Performance Evaluation Report (PER) and Fulton's Consolidated Annual Performance Evaluation Report (CAPER) to position their applications to fill gaps between goals proposed in the Consolidated Plans and goals reported achieved in the PER and CAPER reports.

Local sources of revenue that can be used for affordable housing activities include:

- **Housing Opportunity Bond (HOB):** HOBs are publicly issued municipal bonds secured by the local government's general funds.
- **Tax Increment Financing (TIF):** Georgia's cities and counties can sell bonds to finance infrastructure and other redevelopment efforts (including housing) within a specially defined area called a Tax Allocation District or TAD. The bonds are secured by a "tax allocation increment" which is the increase in the property tax revenues resulting from redevelopment activities undertaken. It is important to note that the City of East Point currently has two TADS: the Camp Creek TAD, which is the highest performing TAD in the state, and the Cleveland Avenue Corridors TAD.
- **In-Lieu Fees in IZ Ordinance:** In-lieu fees can be collected from private residential developers under an Inclusionary Zoning ordinance (see Action E5). In-Lieu Fees are allowed as an al-

GOAL 3: INCLUSIVE HOUSING

ternative to the requirement to create a certain percentage of affordable units in a given market-rate development - developers can pay a pre-determined “by-unit” fee to the City.

- **Impact fees/“liberated” general revenue:** While impact fees can’t be used directly to support affordable housing development city-wide, the collection of the fees to pay for necessary infrastructure for specific projects can “liberate” general revenue that would have otherwise been used. The city could dedicate some or all of this “liberated” revenue to an affordable housing fund.

Action H4. Protect existing affordable units.

Prioritizing the preservation of existing affordable housing supply in East Point is both practical and fiscally responsible, and is least expensive in **deteriorated** and **stable** neighborhoods. East Point can first begin to address this strategy through the following steps:

- **Expiring subsidized units:** Determine the location and affordability expiration dates of all 3,858 federally subsidized units. Publicly-subsidized properties in revitalizing neighborhoods are most at risk of flipping to market rate once their affordability requirement expires. There is a dearth of best practices nationally in terms of dealing with expiring units, but East Point can look to the efforts of the National Equity Fund, the Enterprise Social Equity Fund and the MacArthur Foundation to provide dollars and other support to nonprofits trying to acquire Low Income Housing Tax Credits (LIHTC) and other publicly-subsidized properties before they lose their affordability. The CHN Housing Partners in Cleveland also has an innovative lease/purchase program for residents of LIHTC

properties at risk of losing their affordability.

- **Naturally Occurring Affordable Housing units:** The vast majority of East Point’s affordable units are naturally occurring, i.e. not publicly subsidized. Strategies to ensure the preservation of NOAH units include:

-Energy-efficiency and functional upgrades: The City (and potential partners) can provide grants or low-interest loans for energy-efficiency and functional upgrades linked to an affordability covenant. Many NOAH owners lack the capital to invest in preventive maintenance. The Washington D.C. Small Building Program is a good example of such a program targeting properties between 5 and 20 units; the majority of East Point’s multi-family property falls within this range.

-Voluntary property tax credit: As housing markets heat up, rental properties in revitalizing and gentrifying neighborhoods become more vulnerable to rent increases and being flipped to condos or townhomes. East Point can explore the impact of offering a property tax abatement in return for an affordability covenant. The City should look at the city of Decatur, GA’s current exploration of a 50% property tax abatement in return for a 5-10 year affordability covenant. Decatur projects this would cost less than \$1 million annually (or appr. \$10,000 per unit) to cover all of its 933 NOAH units, much less expensive than what it would take to replace each unit as it is lost.

Equitable Economic Development



All East Point residents have opportunities to grow and contribute their skills and talents locally and participate in shared prosperity.

GOAL 4: EQUITABLE ECONOMIC DEVELOPMENT

PRINCIPLES

- Municipalities have a responsibility to promote the economic inclusion of all local residents through economic development.
- The essence of a true community revitalization plan is to enable all families to become economically independent, increasing the City's tax base and the quality of services, such as infrastructure and education.
- Governments and other anchor partners play a critical role in influencing their local economies.
- Strategic sourcing is a critical piece of any economic development strategy. Through procurement, cities can use dollars for goods and services to impact local small and diverse suppliers who can meet municipal needs.
- Inclusive procurement by government agencies can greatly impact scale and growth for small and diverse business owners.

Equitable economic and community development will require a paradigm shift on many levels, including the embracing of existing residents and small businesses as assets worth equitable consideration. Through an asset-based approach, the city can leverage resident voices and local institutions to guide the way it develops. By taking inventory of community assets and resources - including the culture, skills, and historical knowledge of residents - the city is positioned to create opportunities for economic growth that include residents.

Additionally, through the design of public policy explicitly focused on developing and including the “untapped economic assets” of un- and underem-

ployed residents to create opportunities to grow wealth, the City can achieve its intended equitable status. Policy, and subsequent internal procedures, will institutionalize equitable approaches by addressing implicit and explicit bias in individuals and municipal operations that hinder economic inclusion. From this perspective, the City can both eliminate barriers and manufacture opportunities for inclusion using its own resources (such as workforce development, procurement, and economic development); the design of business incentives (requiring living wages, affordable housing, or other community services as a condition of incentives); or targeted private investment in East Point through strategic partnerships. Each create economic opportunities for East Point residents.

CURRENT CONDITIONS

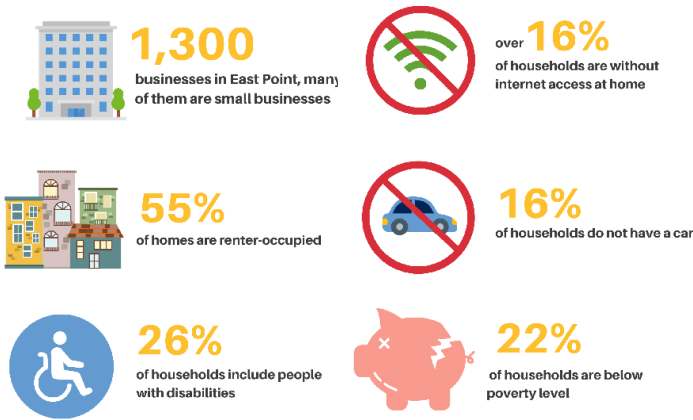
Demographics & Economic Indicators Community Snapshot

Consistent with sister cities, College Park and Hapeville, East Point lags Fulton County, the Atlanta-Sandy Springs-Alpharetta, and the nearby City of Atlanta in many economic indicators. Compared to Fulton County and neighboring City of Atlanta, East Point has the lowest percentage of residents with a Bachelor's degree or higher, highest percent of persons living in poverty, lowest median income, and per capita income, among other descriptors of community economic health (see Figure 5).

East Point's local economy is largely supported by service sector and retail businesses, which represent nearly two-thirds of all jobs within the city. There are just over 1,300 businesses located within the City limits that support over 15,000

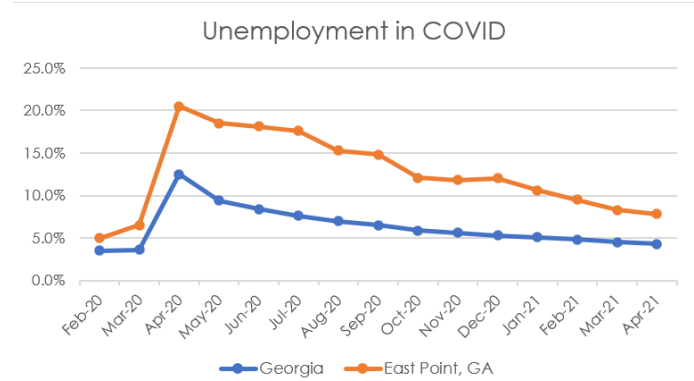
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FIGURE 5. EP Demographics Snapshot



local workers (15,776), but it is not clear how many of these jobs are worked by East Point residents. Additionally, supplemental data illustrates that a large portion of these businesses have fewer than twenty employees and are between 0-5 years in age, indicating a significant presence of small businesses, micro businesses, and startups who are likely less able to hire additional staff.¹⁸

East Point’s unemployment figures have trended higher than neighboring Atlanta, and this remains no exception. Furthermore, because of the city’s significant service and retail sector, the impact of the economic crisis of COVID-19 on East Point residents was especially pronounced, as those were two of the industries hit hardest by shelter in place orders. Charting monthly unemployment data from the inception of the COVID-19 pandemic, reflects the enormity of the unemployment challenges faced by East Point residents during this period, as the unemployment rate in East Point was regularly double that of neighboring Atlanta.



While most recent unemployment data has shown a steady increase in employment, signaling a return to work for many, the local unemployment rate remains 3.5 points higher than Atlanta.

Educational Context

Schools play a critical role in preparing an economy’s future workforce. The economic vitality of a community and its local public education are closely linked. Research reinforces how quality education is a driver of economic mobility. According to the Georgia Department of Education’s College and Career Ready Performance Index (CCRPI) 2019 report (Figure 8), Tri-Cities High School (a Fulton County Schools campus and the only local public high school) is the third lowest performing high school in Fulton County with a grade of 62.6 out of 100 and only 40% of Tri-Cities High School graduates are considered college or career ready.¹⁹ Similar trends are seen at the regional level in local elementary and middle schools as well, where according to the United Way of Metro Atlanta 2018 Child Well Being Index, where approximately 15% of students in East Point Zip codes 30344 and 30337 are exceeding 3rd grade reading levels, a particularly strong driver of future social and economic outcomes.²⁰

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Despite this, East Point's schools certainly have assets, including an exceptional and underrated performing arts program at Tri-Cities High School including an exceptional lineage of artists and creatives. Additionally, City of East Point leadership has worked diligently to influence the quality of local educational services and supplemental student support services. In 2015, Mayor Ingraham established a Joint Learning Committee (JLC) that brings together school leaders, city department heads, and leaders from public, private, and non-profit sectors to extend learning in out-of-school time, increase parent and youth engagement, and enhance workforce development. Other City-led efforts, such as "Mentor Mondays" and My Brothers and Sisters Keeper in The Point (MBSK) have been established to provide community youth with social and emotional supports to help them achieve educational and personal success.

East Point Commerce

Per East Point's economic development data, some of the greatest commercial opportunities for the city are also businesses that add to resident quality of life, diversifying industry and a mix of services found more commonly in economically diverse neighborhoods. Of issue to residents is fresh food access, and the City is working to address this, with significant work conducted through the *East Point City Agriculture Plan*²¹, a first in the region, and the recent creation of an East Point Urban Agriculture Manager to steward the implementation of this plan. Not only will the implementation of the plan address health inequities regarding limited access to fresh fruits and vegetables in the city, but it will also provide support for an ecosystem of Black farmers, urban farmers, food product

producers, and worker owned cooperative businesses, a growing economic sector in the region.

Additionally, there are several other emerging sectors that can be leveraged for East Point's economic growth, particularly high wage sectors that are already among East Point's larger employers. These industries (with at least 80 employees or more), expected to grow over the next 5 years, each expecting at least a 1% growth in jobs and \$60,000 in salary (approximate to Georgia's livable wage), include residential and commercial construction, several healthcare related fields, airplane technicians, and real estate activities. Sectors forecasting the most growth include software publishers, outpatient care centers, and physician's offices.



Economic Development Programs and Incentives

The City of East Point offers many programs designed to attract investments for local businesses and resources for community development. Included in the resources are a facade improvement grant program designed to maintain the appear-

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ance of storefront properties, a utilities waiver program, and services to waive business licenses and fees for local businesses. Despite the presence of these resources, local entrepreneurs, particularly those seeking to create innovative solutions that promote opportunity, report being constrained by the City's business licensing process, cumbersome applications, and outdated ordinances.

The City also has two Tax Allocation Districts (TADs, established in 2001 and 2006) along the Camp Creek commercial corridor and the Main Street corridor in downtown East Point. The city also contains a Federally designated Opportunity Zone and is a qualified Federal HUBZone (Historically Underutilized Business) along Ft. McPherson corridor until December 2021. The HUBZone program is an often-underutilized tool designed to fuel small business growth by awarding at least three percent of federal contracting dollars to HUBZone-certified companies annually. The City of East Point also has a prominent industrial district on the National Park Service's Historic Places Inventory.

While there is no available data on the number of total minority businesses in the community, there is data suggesting that there are many microbusinesses and early-stage companies that could benefit from a series of trainings within the entrepreneurial ecosystem to aid in their growth. This would also allow the City to build availability to compete for future goods and services contracts.

The City of East Point offers a variety of programs to attract, retain and build businesses. Many available programs are property tax incentives that center on reduced or waived property tax payments. While these tools may be useful to attract industry, there

are lingering questions regarding their utility, particularly due to the potential impact on necessary community services, such as local education. Many researchers are skeptical about the long-term benefits of repurposing tax revenue because of the opportunity cost of these investments and the lack of tangible benefit for residents, such as jobs, wages, or business opportunities.²² Over the past three (3) fiscal years (FY 2018, 2019, and 2020) East Point's Business and Industrial Development Authority (BIDA) has induced four projects with Memoranda of Understanding (MOU's) with the Fulton County Board of Tax valued at just under \$100 million in revenue. While PSE understands the potential of tax tools for economic development, the focus on regenerative economic outcomes precludes us from advocating for the continued use of property tax waivers and incentives, unless they are coupled with a policy (such as a Community Benefits Agreement/Ordinance) that creates direct, significant, and measurable economic opportunity for impacted communities.

Other programs offered include their "8 at 8" Business breakfast, which brings together local businesses and business organizations for dialogue with the City Manager, and the Tri-Cities Networking Series, done in conjunction with the Economic Development teams from neighboring Hapeville and College Park.

One of the most impactful and versatile tools for local governments are Community Development Block Grants (CDBG) which can be used for infrastructure, economic development projects, public facilities installation, community centers, housing rehabilitation, public services, clearance/acquisition, microenterprise assistance, code enforcement, homeowner assistance, and many other services. However, due to East Point's population size, they

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do not meet the entitlement requirements to control their own CDBG funding. In Georgia, only urban cities with populations above 50,000 and urban counties with populations over 200,000 control their own entitlements. Because of East Point's size, they must petition Fulton County for CDBG funds. Per staff interviews, the City has historically only received a small amount in CDBG funds from the County, forcing them to prioritize where the funds are most needed. Historically these investments have gone to Parks and Recreation.

Lastly, the City's Economic Development department also publishes its Main Street Business Directory online, along with a resource guide with local services for youth and families. This guide is available for online download as an Excel spreadsheet on the City's Economic Development Website.

Energy Supply Constraints for Industry Recruitment

As is discussed in Goals 2 and 3, the operation of its own municipal utility provides the City of East Point with opportunities for increasing equity and climate change outcomes. From an economic development perspective, never has this been more of a resource in seeking to both advance environmental justice and attract new industries. All electricity utilities, including EPP, must rethink the role of the utility - away from the 20th century model of selling kWh and towards an emerging role of:

- Providing clean energy services to commercial and industrial clients,
- Providing energy efficiency services to all clients, and

- Providing electric transportation system services to meet the growing needs for Electric Vehicle infrastructure.

Utilities who make this shift in their business model are increasingly able to grow revenue, but this transition requires the ability to source clean electrons. As discussed under Goal 2 Just Industry, increasing C&I market demand for alternative and renewable energy (solar, wind, hydro or geothermal with solar being most economical in Georgia) is the direction of the future. Without access to clean power, EPP will be unable to access this revenue opportunity and will be at a competitive disadvantage when seeking to recruit new corporate anchors to the city. As more corporate entities commit to renewable energy sources, they have begun to prioritize relocation in markets that support their climate values. It will be critical for the city to begin to design a transition plan that accommodates supporting infrastructure to aid in this transition and secure future competitiveness.

Reprioritizing Equitable Development

In East Point's past, equitable development has been less of a priority due to the City's need to sustain its tax base. As such, some local businesses (small, medium, and large businesses) have expressed concerns with the City's supportive services and access to capital. The City offers limited supports, few financial products, and financial assistance, meaning that it needs strong partners, such as the Small Business Administration (SBA) or Access to Capital for Entrepreneurs (ACE) to provide support.

Overall, while East Point has many assets that should help accelerate its economic development

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efforts, there has been a level of inconsistency in its approach that has impacted its success. With a desire to move towards an economically inclusive future, the lack of clarity over the City's economic development strategy creates a level of uncertainty for both staff responsible for implementing the vision and residents who are unsure of what is next for their community. Furthermore, despite being an overwhelming community of color, there are few programs in place to promote and facilitate economic opportunities for people of color (such as targeted hiring and supplier diversity programs).

Moreover, with a long history of industrial development and financial contributions that helped sustain the city, there is a perception that there is an informal network of industrial developers that use their relationships and political influence to win deals in the community. Conversely, many local small businesses (several who have maintained their business presence in East Point for the last decade or more) express very little active relationship with the city and admit rarely, if ever, receiving outreach on bid opportunities. In addition to supportive services, financial supports, and relationship access, the business community desires to see the City of East Point become more dynamic in addressing their concerns through a mixture of innovative and best practice tools. Residents also report asking for the City to explore their permitting and licensing process, with several reporting that the city's rigid restrictions impede the opportunity to support the community and small businesses through pop-ups programs. Additionally, using policy tools such as Community Benefits Agreements, they see a pathway to create connectivity for both small business owners and a benefit to the local community.

Workforce Development Initiatives

Recognizing the importance of preparing East Point residents for high quality career pathways of the future, the city has supported the following workforce development programs in recent years:

- **Film & TV industry training** – launched in 2018, the Amazing Stories Foundation Film & TV Apprenticeship Program prepares participants in metro Atlanta to begin a career in Georgia's film industry soon after completion of the program. Participants in East Point's first two cohorts of the program saw 100% placement rate. Cohort 3 is in progress.
- **Construction Ready training** – East Point has partnered in 2021 with the Construction Education Foundation of Georgia (CEF-GA) in bringing its' well-respected Construction Ready program to the city. This program offers classes that prepare residents for a career in the construction industry, including training, credentialing, and job placement assistance after the course, with more than a 90% placement rate.
- **Logistics and Inventory Control training** – STRIVE Atl has collaborated with the city in 2021 to offer its Certified Logistics and Inventory Control Program to East Point residents. With greater than 90% placement rate, this program offers preparation for careers in the logistics industry, which includes career coaching, logistics credentialing, training from local technical colleges, and job placement assistance.

Also in 2021, East Point was also successful in securing a \$132,400 Environmental Workforce Develop-

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ment and Job Training Grant from the U.S. Environmental Protection Agency. These funds will allow for training for 72 students and placing at least 44 of them in jobs related to cleanup activities in brown-field sites in their communities – a benefit for those residents able to build career skills and employment, for residents no longer living near blighted brown-field sites cleaned up, and for the City in the increased ability to redevelop valuable industrial lands.

With many workforce opportunities and programs available, the city must ensure they are doing a great job magnifying all the local opportunities for prospective job seekers.

Procurement Overview

The City of East Point's Procurement office is under the supervision of the City Manager. In the absence of a procurement director (role currently unfilled) the City Manager manages day to day direction of procurement by the city. Purchases made by the City are governed by Division II Chapter 3 of the City of East Point Code of Local Ordinances (Ord. No. 1111-95, § 1, 7-3-95), which governs contracts for the procurement of equipment, supplies, services, construction, professional and consultant services solicited or contracted by the City. The Purchasing office has a centralized function, with the Purchasing Director and designated staff primarily responsible for purchasing on the City's behalf. User departments are consulted in the purchasing process by making recommendations for awards based on "best and lowest" criteria where appropriate.

The city transitioned to an online vendor registration platform through an IonWave software solution in the summer of 2020. Prior to this transition

the city maintained a paper registration process, which small businesses often find arduous and time consuming in registration. The City is not required by policy to make attempts to include small, local, or minority/female businesses in their procurement. The City also does not certify, nor maintains a list of certified local small and diverse businesses to recruit from for City contracts. However, with a prerequisite Disparity Study (outlined in the Supreme Court's decision in *City of Richmond v. J.A. Croson Co.*, 488 U.S. 469) the city is not permitted to design a race-conscious remedial contracting program with permissible contracting goals based on race. In the absence of a minority contracting program, the City has a local business contracting incentive.

Additional detail on the City of East Point procurement policy analysis is included in (Appendix I). Including discussion on bonding and insurance requirements, vendor registration and prompt payment procedures.

PSE's interviews with City's procurement staff and former Procurement Director highlighted the following challenges and opportunities for procurement inclusion:

- Updating the City's procurement policy to reflect current regulations.
- Maintaining a current list of vendors and building consistent outreach.
- Tracking data on its spending with diverse business groups through improvement of its procurement dashboard to include comprehensive data needed for reporting.
- Supporting capacity building for local "mom

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and pop businesses” to perform on large government contracts.

- Creating a supportive service or technical assistance platform to aid in business growth.
- Trying to meet insurance guidelines has been an issue, especially for larger projects. The Purchasing Director does maintain the autonomy by policy to provide waivers to bonding and insurances, and that is something they exercise when appropriate. Per the former Procurement Director, it largely depends on how technical the work is and whether they hire subcontractors that they must ensure are paid with bond requirements. More information on insurance, bonding and securities thresholds are included in **Appendix I**.
- Providing teeth behind the City’s procurement model to encourage contractors to do business with diverse firms.
- Providing training on policies and procedures that can promote and illustrate what mechanisms are available to promote inclusive procurement.

Resources and Opportunities

1. Local Business Preferences

The City enacted a race neutral 5% bid incentive for local businesses bidding for contracts as a prime contractor in November 2015. According to the written policy, this program was designed to promote the creation of employment opportunities for residents and for businesses located within the city. The city recognizes here that it has influence as a

purchaser of goods and services, and the subsequent economic impact that can potentially benefit the city from expanded job and business opportunities for its residents and businesses through additional revenues generated by its activities.

In administration, the city grants the lesser between 5% of the total bid or a five-point scoring boost to all responsive and responsible local vendors. This provision is applicable only to the city’s acquisition of materials, equipment, or services through the request for proposal (RFP) or request for qualification (RFQ) process as provided in code sections 4-3303, 4-3307, and 4-3313.²³ This benefit is not extended to subcontractors and the city does not currently maintain data on either the amount spent with local firms or the frequency this incentive is used.

2. Small Business Subcontracting Goals

In the absence of a Croson analysis and Minority and Female Business Enterprise (MFBE) contracting goals program, the Supreme Court and other lower courts have permitted the use of race neutral subcontractor goals to promote the participation of small businesses in government contracts. The City of East Point can legally establish small and local business subcontractor goals to help encourage participation of local firms in procurement.

3. Outreach and Supportive Services

Best practices encourage local governments to invest in training and services for their local small business community. Through these services, governments can mitigate contracting risk by building the proficiency and capacity of local vendors to perform on government contracts. This, along with targeted outreach to small and diverse businesses, are considered among the permit-

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ted supportive services allowed by the courts.

4. Data Tracking and Infrastructure

Governments must use data to guide policy decisions for the local business community. Currently, the City of East Point does not track or report specific metrics around procurement success with small, local, or diverse businesses. Capturing this data will provide the city an additional tool for analysis around the success or failure of its procurement program in connecting with local diverse business owners.

5. Prompt Payment

The City does not currently have a codified prompt payment ordinance or provision that outlines the conditions for prompt payment, but it does include prompt pay language in contract template outlining a joint check policy in the event of non-payment of subcontractors. In an interview with procurement staff, it was noted that it was their practice to attempt to pay vendors within thirty days, but we neither have written documentation of that being associated with any codified policy or procedure or data illustrating how effective the City is at meeting this deadline with its vendor.

In the construction contract template, Article V, section 2.4, it states the following:

“The Contractor shall promptly pay each Subcontractor out of the amount paid to the Contractor on account of such Subcontractor’s Work and / or Service(s), the amount to which such Subcontractor is entitled. In the event the City becomes informed that the Contractor has not paid a Subcontractor as herein provided, the City shall have the right, but not the duty, to issue future checks in

payment to the Contractor of amounts otherwise due hereunder naming the Contractor and such Subcontractor as joint payees. Such joint check procedure, if employed by the City, shall create no rights in favor of any person or entity beyond the right of the named payees to payment of the check and shall not be deemed to commit the City to repeat the procedure in the future. (Article V, Section 2.4)”

Additionally, the city renders payment against itself at up to 4% interest per annum for an unexcused failure to pay its prime contractors. This provision only kicks in after payment is not made within 60 calendar days of the date due.

Generally, as businesses move down the supply chain it takes longer for subsequent contractor tiers to receive payment for services received. For example, if a prime contractor is paid 30 days from completion of the work, its subcontractors may be required to perform work and not be compensated for up to 60 days or longer, significantly impacting their liquidity, bonding capacity, or ability to perform other work. For aggrieved contractors who provided labor or material to contractors as in not paid in full within 90 days from the date on which that person performed the last of the labor or supplied the material, they have the right to sue on the payment bond for any amount unpaid at the time.²⁴

6. Federal DBE Participation

Federal pass-through grants, received by the city from the federal government, are often received to finance different municipal service needs. Under 49 CFR Part 26 these contracts are subject to Diverse Business Enterprise (DBE) participation requirements that the City is responsible for facilitating. Cur-

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rently, all federal grants are managed by the Grants Manager under the East Point Finance Director. If a grant for service or work requires DBE utilization, the procurement team develops a solicitation that will “mirror” the utilization required in the grant. Furthermore, the City will require documentation that provides proof that the Selected Provider has met and is meeting the required utilization. This information is then conveyed to the Grant Manager who then provides it to the provider of the grant. However, the procurement team could not provide data to track the City’s success with meeting DBE goals.

As previously referenced, parts of East Point are also included in a Federal HUBZone designed to prioritize contract access for HUBZone certified firms on federal contracts.

The city also does not offer any vendor training, supportive services to assist vendors in doing business with the government, does not produce any annual procurement forecasts for vendors, or have any workforce inclusion programming applied through its procurement.

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Strategy	Action	Targets & Timeframe
GOAL 4,B. Integrate equity into Unified Development Code	B3.Adjust zoning to allow neighborhood retail (via Accessory Commercial Units) through the Unified Development Code rewrite process. Consider piloting with the vacant King Grocery/Stop n Shop on Veterans Street.	UDC is re-written <i>Medium-term ('23-'24 begin implementation)</i>
GOAL 4,D. Establish new collaborative partnerships	D5.Explore creation of a Community Improvement District (CID) to support public services & community development in commercial corridors.	Identification of interested businesses along commercial corridors. <i>Short-term ('21-'22 implementation)</i>
	D6.Utilize local creatives in community beautification and placemaking efforts. Establish an Artist in Residence program.	Outreach to creative entrepreneurs and training to engage with the procurement process. <i>Medium-term ('23-'24 begin implementation)</i>
	D7.Leverage philanthropic partners and other grants to support economic innovation through alternative sources of capital, resources and incentives for cooperative businesses and other wealth building tools	Identified sources to finance innovation <i>Short-term ('21-'22 begin implementation)</i>
	D8.Engage various partners to showcase youth talent and create career pipelines for local students: - Work with Tri-Cities High school's performing arts department to pilot programs that showcase students' creativity and arts talent, including East Point's emerging film industry. Also partner with arts organizations like Savannah College of Art & Design and High Museum, as well as local film industry. - Connect to Fulton County Youth Committee, Fulton County Opportunity Youth Initiative and other coalitions that promote economic opportunity for youth. - Career exploration through in-school guided curriculum.	Community Benefits Ordinance includes provisions to provide opportunity to local students and resources to local schools <i>Medium-term ('23-'24 begin implementation)</i>
	D9. Coordinate regional vendor fairs and development of a procurement forecasting tool with other Tri-Cities communities and the Atlanta Aerotropolis.	Construct a City procurement forecasting tool for anticipated expenditures for the current or upcoming fiscal year <i>Medium-term ('23-'24 begin implementation)</i>

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Strategy	Action	Targets & Timeframe
GOAL 4,D. Establish new collaborative partnerships	D10.Develop a micro-vending program that supports pop-up markets for emerging small businesses, with a focus on diverse and women-owned vendors. This will provide opportunity to showcase East Point businesses in downtown and to revitalize corridors.	Launch first pilot pop-up market in Summer 2023. Medium-term ('23-'24 begin implementation)
	D11.Conduct a Procurement Disparity Study and supplemental Workforce Analysis to establish whether a race-conscious contracting program is needed. City Council may also evaluate working with its surrounding municipalities (College Park and Hapeville) to conduct a multijurisdictional disparity study to split costs.	Budget for study allocated. <i>Medium-term ('23-'24 begin implementation)</i>
GOAL 4,E. Adopt policies that remove barriers to opportunity and incent equitable practices	E6.Establish clear Equitable Economic Development vision for East Point. Using the vision outlined in this Plan as a foundation, engage residents through the Comprehensive Plan Update process to develop a more thorough, resident-driven vision.	Updated Economic Development Plan including economic inclusion policy promoting local procurement/workforce inclusion and a commercial non-discrimination policy. <i>Short-term ('21-'22 begin implementation)</i>
	E7.Establish policies to promote economic inclusion , including a Procurement inclusion policy, and First Source hiring policy.*	Draft policies by end of 2021; present to Council for adoption in early 2022. <i>Short-term ('21-'22 begin implementation)</i>
GOAL 4,F. Leverage available resources to gather data, engage key stakeholders, and accelerate equitable outcomes	F3.Track data, city spending, and perform targeted outreach to boost local, small, minority, and female business enterprise.* Identify current data tracking and reporting capacity, and fill any identified data infrastructure needs. Creation of a vendors list or a list of certified East Point vendors from other government agencies (such as Fulton County, City of Atlanta, or Georgia Dept. of Transportation) or trained local workforce would aid in economic inclusion efforts. Develop outreach procedures in conjunction with updated procurement policies.	Regular tracking and reporting on Small, Local, and MFBE participation in municipal procurement Shareable vendor list developed and made available to prospective bidders and developers <i>Short-term ('21-'22 begin implementation)</i>

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Strategy	Action	Targets & Timeframe
<p>GOAL 4, I. Align city purchasing practices with equity vision</p>	<p>I1. Build staff capacity for economic equity:</p> <ul style="list-style-type: none"> - Hire economic equity officer responsible for overseeing economic inclusion in East Point. - Invest in training on contract compliance for City procurement staff. Explore participation in the ACCA (American Contract Compliance Association) National Training Institute to obtain Compliance Administrator certification. 	<p>Hire finalized by mid-2022.</p> <p>At least 2 staff members trained through ACCA by 2022.</p> <p><i>Short-term ('21-'22 begin implementation)</i></p>
	<p>I2. Remove barriers for small and local businesses in permitting, registration, and contracting.</p> <ul style="list-style-type: none"> - Review risk assessment process to determine whether the City is over assigning risk to small businesses or on small-dollar contracts. - Establish procedures in which the Procurement Director can waive bonding and insurances on small business contracts. - Review permitting process, remove procedural barriers, and create formal prompt payment policy to ensure that vendors are paid in a timely manner. 	<p><i>Short-term ('21-'22 begin implementation)</i></p>
	<p>I3. Establish small business subcontracting goals and prime contracting sheltered markets provision for municipal procurement to equalize the playing field for small dollar contracts between only small firms. Establish thresholds for local businesses to compete by revenue and size standards-- within which larger businesses are restricted from bidding on contracts and competing against smaller firms.</p>	<p>Subcontracting goals established</p> <p>Sheltered markets provision developed</p> <p><i>Short-term ('21-'22 begin implementation)</i></p>
	<p>I4. Create plain language outreach documents to simplify the City's procurement policies and process for business owner use.</p>	<p>Administrative action using Plain Writing Act of 2010 for guidance (https://www.plainlanguage.gov/guidelines/).</p> <p><i>Short-term ('21-'22 begin implementation)</i></p>
	<p>I5. Implement Performance-Based Contracting, in which an agency identifies what problem needs to be solved and allows suppliers to make bids detailing their proposed solutions. This approach contrasts with "best and lowest" procurement and clears the way for innovation and value in procurement. It also shifts risk management from owner to client.</p>	<p>Performance-based Contracting incorporated into rewrite of the City's procurement code and incorporated into City solicitation process.</p> <p><i>Short-term ('21-'22 begin implementation)</i></p>

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STRATEGY NARRATIVE

To address challenges to the City's economic inclusion infrastructure. PSE recommends investment in a mixed strategy that allows them to establish best practice approaches that can support subsequent economic inclusion innovation. Full descriptions of these potential strategies are included below, as well as in **Figure X**.

STRATEGY B. INTEGRATE EQUITY INTO UNIFIED DEVELOPMENT CODE

Using the city's control over zoning, approaches can be designed that guide future development and elevate creative land use strategies that create economic opportunity for residents.

Action B3. Adjust zoning to allow neighborhood retail. The Unified Development Code rewrite process also provides the opportunity for East Point to allow for Accessory Commercial Units (ACUs) in residentially zoned districts. ACUs are small commercial units that are accessory to the principal residential use on the site. They provide an excellent pathway for entrepreneurs seeking out small scale commercial property and aid in development of denser, more walkable, mixed-use neighborhoods. This would pair excellently with the recommendation in the EP City Agriculture Plan around developing a Healthy Corner Store Incentive program. *The city could pilot this approach with the vacant King Grocery/Stop n Shop on Veterans Street.*

STRATEGY D. ESTABLISH AND EXPAND COLLABORATIVE PARTNERSHIPS

The city should coordinate development of its

economic ecosystem by identifying and strengthening strategic partnerships that will insulate start-up businesses, new industry, and provide opportunities through local anchors or coordinated regional workforce initiatives.

Action D4. Partner with Groundswell and explore adaptation of LaGrange, Georgia's Save on Utilities Long-term (SOUL) Initiative. Will aid in reducing energy burden on experienced by low-wealth residents and to further position East Point for federal infrastructure funding opportunities.

Action D5. To galvanize business participation in commercial and corridor redevelopment, the city should explore creation of a Community Improvement District on the Cleveland Ave and Main Street Commercial Corridors ("CID", also known as a Business Improvement District or "BID"). Georgia CIDs are a type of business improvement district where a group of property owners within a defined geographic area where a majority of owners agree to impose additional taxes or fees on themselves (such as a property tax) to fund public services. Georgia BIDs are controlled by a quasi-governmental entity that responds to market and institutional failure through residents (namely business owners) committing to pay a special purpose tax that is levied against commercial properties. These funds are then deployed by a non-governmental board. Resources can then be used for a variety of special interest projects including, but not limited to

Construction and maintenance of city streets
Parks, recreational areas, and facilities
Stormwater and sewage systems
Development, storage, treatment, purification, and

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distribution of water
Public transportation
Other services, including façade improvement programs.

The Atlanta Airport CID is currently in operation and is comprised of the Airport West Community Improvement District (AWCID) and the Airport South Community Improvement Districts (ASCID). The AWCID is composed of parts of East Point and neighboring cities (Atlanta, College Park, Hapeville, and South Fulton) but is primarily composed of the Camp Creek commercial district and not the Cleveland Ave. Or Main Street corridors. Expansion of this strategy to neighborhood businesses in other parts of the city may aid in addressing blight and other community infrastructure needs.

Action D6. Utilize local creatives in community beautification and placemaking efforts. Public arts programs are currently used in many cities across the Country and can both respond to resident desires to see more cultural programming, the need to beautify entryways into the city, and provide jobs and opportunities for local students, residents, and creatives.

Through an Artist in Residence program and other types of investments in public arts, the city can engage the creative economy and promote diversity through culture and the built environment, shaping the future of East Point while preserving its past. The city should conduct outreach to local emerging creative entrepreneurs, students, and local makers and make strategic efforts to create economic opportunities through creative placemaking (art and murals), cultural events (music, concerts, and events), and other types of public arts procurement.

Action D7. Explore creative financing tools through philanthropic partners and other grants to support economic innovation. These tools can be used for neighborhood stabilization, start up financing, or exploration of alternative business models, such as worker owned cooperatives, where profit sharing can aid in wealth building. Additionally, philanthropy can help de-risk capital access for small and diverse firms who may have challenges accessing capital through traditional institutions.

Action D8. Engage various partners to showcase youth talent and create career pipelines for local students. This includes:

- Partnering with Tri-Cities High school's performing arts department to pilot several programs, including:
 - * Connection to the city's Artist in Residence program.
 - * Partnerships with arts organizations such as Savannah College of Art and Design and the High Museum to expose students to arts-based careers.
 - * Continue building pathway programs both to careers in City government and through Atlanta and East Point's emerging film industry, including exposure to off camera careers as set workers, cameramen, and writers.

Any drafted Community Benefits Ordinance should also include opportunities for local students, particularly in underserved regions of the city, through sponsorships, job training, and targeted resources to East Point schools.

GOAL 4: EQUITABLE ECONOMIC DEVELOPMENT

Action D9. Coordinate regional vendor fairs and development of a procurement forecasting tool with other Tri-Cities communities and the Atlanta Aerotropolis Alliance. Best practices for positioning small and local businesses to become suppliers for the city require significant outreach and amplification of procurement opportunities. Because of the proximity between cities, it is not uncommon for local governments to share vendors. By creation a regional forecasting tool, these firms will be equipped with the lead time necessary to compete for future business opportunities.

Action D10. Develop a micro-vending program that supports pop-up markets for emerging small businesses, with a focus on diverse and women-owned vendors. Through a revision of the city's permitting process, East Point could use a micro-vending strategy to showcase East Point microbusinesses without the need to place them in brick-and-mortar establishments. This will provide opportunity to showcase East Point businesses in downtown and to revitalize corridors.

Action D11. Conduct a Procurement Disparity Study and supplemental Workforce Analysis. This study and analysis will establish whether a race-conscious contracting program is needed and legally permissible. City Council may also evaluate working with its surrounding municipalities (College Park and Hapeville) to conduct a multijurisdictional disparity study to split costs.

STRATEGY E. ADOPT POLICIES THAT REMOVE BARRIERS TO OPPORTUNITY AND INCENT EQUITABLE PRACTICES.

Action E6. The City must establish a clear economic development vision for its future. The vision should help determine best land use strategy for future development while leveraging its existing assets to further its future development vision.

Action E7. Establish policies to promote economic inclusion. The City should establish a Small and Local business procurement inclusion policy and First Source hiring policy to promote activity with local vendors and workforce on City developments and procurement.

STRATEGY F. LEVERAGE EXISTING RESOURCES TO GATHER DATA, ENGAGE KEY STAKEHOLDERS, AND ACCELERATE EQUITABLE OUTCOMES.

By capturing available data and sharing across departments and the community, the city will help position local workforce professionals and small and diverse entrepreneurs for success. They will also have more resources to aid in data driven decision making.

Action F3. Track data, city spending, and perform targeted outreach to boost local, small, minority, and female business enterprise. Identify current data tracking and reporting capacity and fill any identified data infrastructure needs. Creation of a vendors list or a list of certified diverse East Point businesses from other government agencies (such as Fulton County, City of Atlanta, or Georgia Dept. of Transportation) or trained local workforce would aid in economic inclusion efforts. Develop outreach procedures in conjunction with updated procurement policies.

GOAL 4: EQUITABLE ECONOMIC DEVELOPMENT

STRATEGY I. ALIGN CITY PURCHASING PRACTICES WITH EQUITY VISION.

Clear policy and procedures empower staff to act by eliminating ambiguity in their work function and insulates them from harm by establishing clear boundaries to their autonomy.

Action 11. Build staff capacity for economic equity: Hire economic equity officer responsible for overseeing economic inclusion in East Point. Invest in training on contract compliance for City procurement staff. Explore participation in the ACCA (American Contract Compliance Association) National Training Institute to obtain Compliance Administrator certification.

Action 12. Remove barriers for small and local businesses in permitting, registration, and contracting. There are several process related challenges that can impede small and diverse businesses from engaging with the procurement process. By reviewing things like risk assessment to determine whether the City is over assigning risk to small businesses, standing up prompt payment processes, establishing clear guidelines for bonding and insurance waivers, and reviewing and streamlining permitting, the city can remove procedural barriers to local business participation.

Action 13. Establish small business subcontracting goals and prime contracting sheltered markets provision for municipal procurement to equalize the playing field for small dollar contracts between only small firms. By establishing thresholds that bar large firms from bidding on contracts, you incentivize smaller local businesses to against companies of a similar size.

Action 14. Create plain language outreach documents to simplify the City's procurement policies and process for business owner use. Contracting is a challenging topic steeped in legalese and complex language. By creating plain language outreach documents the city will help de-mystify the contracting process and attract more small and diverse vendors.

Action 15. Implement Performance-Based Contracting, or "challenge-based" procurement in which an agency identifies what problem needs to be solved and allows suppliers to make bids detailing their proposed solutions. This approach contrasts with "lowest and best" procurement and clears the way for innovation and best value in procurement. It also shifts risk management from owner to client by allowing the client to provide the most comprehensive solution responsive to the City's needs.

Conclusion

Ensuring East Point's vision will take significant commitment to the strategies included here. Being an economically and racially diverse city that encourages inclusive growth to benefit all its residents, and creating neighborhoods that are safe, healthy, affordable, welcoming, and form the foundation of a true sense of community, requires intentionality. The City's bold leadership in pursuing this Plan, as well as strong resident involvement throughout the process, demonstrates that East Point is up for the task.

Working towards engaged communities, just industry, inclusive housing, and equitable economic development for East Point will have a much-intended consequence: increasing the resilience of all East Point residents and businesses to withstand future shocks and chronic stressors, be they global health crises, increasingly devastating storms or heat waves fueled by climate change, or other economic disasters. There is simply no resilience without equity. Embracing equity at this pivotal time in our history prepares East Point not only to survive, but to thrive, and to be a model equitable City for many others in the region.

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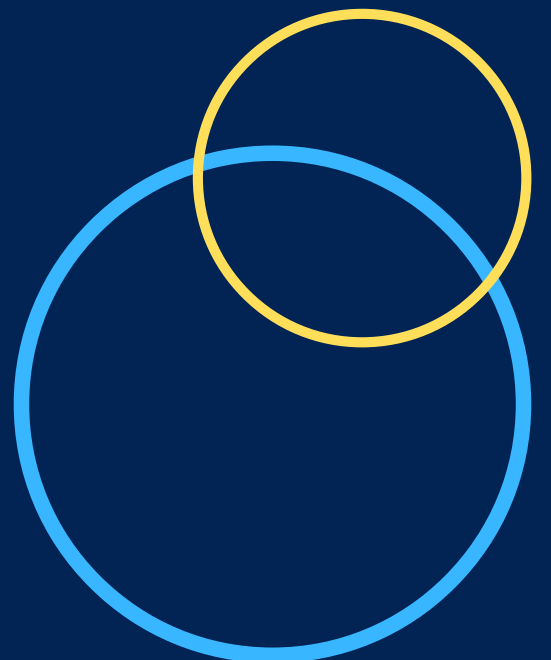
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Appendices



APPENDIX A: Findings from the Community Engagement Process

In the early months of a global pandemic, PSE was faced with adapting its plans for extensive face to face engagement with East Point residents to shape the development of this plan - the cornerstone of any equitable planning process. An online survey was released, and a Summer of Equity series sought to bring as many residents as possible into the conversations about equity remotely and through socially-distanced, outdoor events.

Big Idea Zoom panels introduced stakeholders to innovations in equity

Zoom Big Idea sessions received more than 300 views

- Inclusive Housing (Aug 6th)
- Community Benefits (July 28th)
- Environmental Justice (Aug. 13th)
- Small Box Retail + Healthy Food Access (Aug. 20th)
- Small Business Procurement Inclusion (Sept. 24th)
- **Stabilizing Neighborhoods, Retaining Affordability coming up (Oct. 22nd)**



Recordings Remain available on <https://www.eastpointcity.org/partnership-for-southern-equity/>

Listening Sessions allow COVID-safe, intimate resident conversations on equity



Residents expressed

- Small box retail and new industrial land use should be **limited and under new terms**
- Concerns about displacement and increasing housing costs

Sessions held in Ward B (July 29th), Ward A (August 5th), Ward D (August 19th), and Ward C (September 2nd)

Print distribution efforts specifically sought to reach and engage renter communities



In addition to digital outreach, nearly 500 print copies of surveys and event flyers were distributed at:

- Regency Park Apartments
- Garden Court Apartments
- Dodson Court Apartments
- Park at Galaway Apartments
- Parkside Apartments
- Impact Church

Print pieces were also distributed by hand at:

- East Point MARTA Station
- Wayfield Foods

More than 600 individuals were engaged throughout these early efforts, and later online focus groups and business stakeholder meetings. This nearly year-long process revealed themes which remained fairly consistent across the process. Residents seek action on the following high-level issues:

- ❑ **Vacant properties:** Develop plan to repurpose vacant, abandoned, and underutilized properties for community usage and benefit.
- ❑ **High utility prices:** Address and reduce high utility prices.
- ❑ **Reduce range of environmental hazards:** Residents are concerned about litter, landfills in residential areas, brownfield sites, noise pollution, hazardous waste and developers and industry that don't provide community benefits. Set higher standards for business around environmental impacts.
- ❑ **Housing access:** Improve housing affordability and increase housing choice.

- ❑ **Access to green space:** Create more green space and facilitate access to green space for recreation, exercise, youth sports, community gatherings, etc.
- ❑ **Workforce development:** Develop youth career pipelines and workforce training for higher-wage jobs. Focus on links to higher ed and non-traditional career preparation.
- ❑ **2-way communication:** Improve communication systems between residents & City about planning efforts, job opportunities, economic development projects and other critical decisions.
- ❑ **Small business:** Residents want East Point to focus more on recruiting and supporting small businesses and less about warehouses.
- ❑ **Fiscal impact of new development:** Residents believe businesses should be required to financially contribute to mitigating their impacts on infrastructure, road maintenance, the provision of emergency services etc.



Appendix B

Select Strategies &
Actions Descriptions



GREEN TRANSITION FOR EAST POINT BUSINESSES

What is it?

Manufacturing can be greened several ways: technology, by improving the manufacturing process or system; materials, by using lower-impact substances; or energy, by using cleaner energy sources or energy recovery. The City of East Point can motivate existing industries to transition to greener operations through tax and other incentives.

Challenges:

Many firms face some of the following obstacles: ensuring a steady demand for their green products, freeing up the time and resources to apply for government incentive programs, competing for government production contracts, and conducting research and development for new sustainable products.

Details:

The City could help manufacturing firms overcome some of the challenges involved in a green transition by providing training and assistance for emerging green jobs and by removing barriers to government incentive programs.

Example:

The Plant in Chicago, IL is converting a former meatpacking building in a struggling neighborhood of the city into a net-zero energy collaborative community of food businesses.

More Info:

Local governments can motivate green/healthy transitions for existing East Point industrial operations with the provision of tax credits, grants/revolving loan programs and other incentives. Collaboration with the Greenhouse Accelerator of the Green Chamber of the South could help identify existing East Point businesses prime for operational pivots towards more green and sustainable operations and markets.

IMPACT FEES

What is it?

Local government charges a one-time fee to private developers to help pay for some costs of water, sewer, emergency services, and other things needed by new developments. It is a tool for cities to make sure that developers pay their own way. Without impact fees in place, city taxpayers end up paying for the additional strain on the city's infrastructure and service capacity.

Challenges:

Upfront admin. costs. Successful impact fees are set at rates that are high enough to cover the full costs of the development on city systems. However, if these fees are set too high, they could discourage developers from coming to the city.

Details:

Many cities in the northern part of the Atlanta metro region started charging impact fees nearly 20 years ago when they were rapidly growing, while many southside communities saw little growth and didn't want fees to be a barrier to investment. But with the many opportunities available on the southside today, now is the time for cities like East Point to explore the benefits of using impact fees.

Example:

Atlanta updated their impact fee study and ordinances in June of 2020, for the first time since their implementation in 1993. The new impact fees doubled the previous costs because of an increase in land values and construction costs. The main areas of changes in the impact fee structure were transportation and parks, which included making fees that were originally specific to the Northside uniform across the city.

More Info:

Allowable services covered by impact fees include libraries, recreation, water supply, roads and bridges, public safety, wastewater treatment and storm-water management. Impact fees are currently a source of revenue imposed on new construction in many parts of Metro Atlanta, including Atlanta, Sandy Springs and Roswell.

City Council approved a motion in February 2021 to implement an Impact Fee Study. After the consultant is engaged, the City is required by state law to appoint an Advisory Committee to guide the development and implementation of the Impact Fee program, composed of at least 40% local stakeholders. This advisory committee will need to reflect residents from a diversity of neighborhoods, ages, income levels, races, and occupation types. If relevant to the project paying impact fees, the Advisory Committee can advocate for the fees to be used to fund mitigation measures such as additional enforcement resources for truck cut-through traffic, or additional tree plantings (to offset air emissions) in residential areas. As an incentive, communities can adopt an Impact Fee exemption for affordable housing developments, extraordinary employment opportunities and specialized economic growth.

COMMUNITY BENEFITS ORDINANCE (CBO)

What is it?

A tool to make sure that a developer delivers on promises of bringing resources to the local community or meeting requirements to reduce negative impacts of development.

Challenges:

Require a lot of negotiation, oversight, administration, and enforcement. Community groups often struggle to enforce the terms of what developers commit.

Details:

A city Community Benefits Policy can include a local hiring requirement, a living wage requirement for jobs on-site, an energy efficiency requirement for buildings on-site, or other benefits residents seek.

Example:

City of Detroit – first in the nation to pass a Community Benefits Ordinance (CBO); approved by ballot initiative in 2016. When a project is large enough to trigger the CBO, a neighborhood advisory council is created and the city helps negotiate terms between the developer and the affected community.

More Info:

Community Benefits Ordinances formalize the conditions under which Community Benefits Agreements (subsequently referred to as CBAs,) come into play in a project. CBAs are project-specific contracts negotiated and signed between a community coalition and private entity, such as real estate developers or corporations, that details the provision of specific resources, opportunities and/or facilities to be delivered for the benefit of an impacted community. The focus of the agreement usually revolves around mitigation or offset of negative development externalities, but often also focuses on ensuring that impacted communities are not excluded from the potential benefits of a new project as well.

The City of East Point should create a Community Benefits Ordinance as a planning and community development tool that establishes conditions for receiving public financing, tax concessions, public land and special-use or zoning variance approvals. These conditions would include the requirement to engage with impacted communities to draft a mutually agreed upon CBA. The ordinance mechanism and thresholds triggers are drafted, reviewed and voted on in a citywide election.

ENVIRONMENTAL JUSTICE (EJ) ORDINANCE

What is it?

Environmental justice (EJ) is the fair treatment and equal access to decision-making that impacts a community's environment and resident health. City initiatives addressing environmental justice can include putting additional requirements on developers to assess, disclose and fix environmental impacts from their projects, pay additional pollution control fees, add extra buffers between polluting activities and neighborhoods, or limit new polluting businesses entirely.

Challenges:

Often, cities are reluctant to ban polluting industries or make the development process more difficult for them because they believe that they rely on them for taxes and jobs. Cities are also not always prepared to decide which proposed developments will be harmful to the environment and residents. Environmental justice policies and programs can require extra staff time and energy, and sometimes cities don't have the budgets to prioritize this area of work.

Details:

An EJO could require that each new commercial development application in the city include a list of all potential discharges and emissions, a material storage plan and an accident risk analysis and emergency management plan.

Example:

In Fulton County, the Board of Commissioners voted to establish the Fulton County EJ Initiative in 2010. The county approved funding for an Environmental Health Planner position and began to collaborate with the Department of Health and Wellness on strategies to address public health issues using local tools. Fulton County does not have jurisdiction over the city of East Point when it comes to this EJ Initiative.

More Info:


Environmental injustices have happened for generations in East Point's older neighborhoods, with residents having negative impacts from living near industry. An EJ Ordinance must also include an Environmental Justice Assessment, to ensure the City has a fully-informed and defensible understanding of the historic barriers that living in close proximity to industrial land has created for East Point residents through environmental, health and economic data analysis, and interviews with long-time residents.

RIGHT OF FIRST REFUSAL

What is it?

A law that requires that when property goes up for sale in a certain area, buyers proposing public benefit get the first chance to buy it before it goes on the open market. These buyers could include the city, organized tenants of a building, or developers willing to meet affordability requirements.

Challenges:



Complexities and administration of the policy, and concerns from owners about deterring some developers.

Details:

Different forms of this policy are called Tenant Right of First Refusal, Tenant Opportunity to Purchase, and City Opportunity to Purchase. These policies do not limit a private property owner from getting fair market value for their property – they just give potential buyers who want to see public benefit from the opportunity a chance to compete with private buyers focused on profit.

Example:

Denver, Colorado approved a Right of First Refusal ordinance in 2015. This law means that owners of affordable housing properties must notify the city before they sell their units, and it gives the city the chance to purchase those properties to maintain their affordability before they can be sold at a market rate. Many other cities, including Washington, DC and Baltimore, Maryland, have similar policies.

COMMUNITY LAND TRUST

What is it?

When a member-based non-profit organization called a community land trust (CLT) buys and manages land, primarily for the purpose of preserving permanent housing affordability and land security.

Challenges:

Financial and logistical complexities

Details:

Often, the CLT helps residents become and remain homeowners. The land trust keeps ownership of the land the home sits on when the home is sold. That way, when property taxes increase, the CLT covers this cost, helping to protect the homeowner. When the homeowner is ready to sell the home, they are required to sell at an affordable price to another low to moderate-income homebuyer (with some profit allowed). This allows the homeowner to build wealth, and the home stays affordable for the next family.

Example:

Atlanta Land Trust – More than 30 public, private, nonprofit, and community organizations, under the leadership of the Atlanta BeltLine Partnership, Annie E. Casey Foundation, and Georgia ACT, were involved in creating the Atlanta Land Trust. The Trust focuses primarily on parts of the City that have been impacted by Atlanta BeltLine development.

More Info:

Community Land Trusts (CLTs) are the national best practice for producing housing that remains affordable in perpetuity, and represents strong stewardship of limited public subsidy. The model requires the nonprofit CLT retain ownership of the underlying land while selling or renting the structure to an income-qualified buyer; the transaction includes a deed restriction attached to the sale or income limits included in the lease to preserve affordability for 99 years. Deed restrictions will also set limits on the income of next-generation buyers, and/or limit the amount of equity a seller can capture at sale. On the homeownership side, the CLT tradeoff involves limiting the amount of equity recapture available to CLT buyers in return for lower-price points making homeownership available to low- and moderate-income buyers as well as the maintenance of the affordable unit in perpetuity to ensure neighborhoods remain mixed income in the face of revitalization/gentrification.

INCLUSIONARY ZONING (IZ) ORDINANCE

What is it?

Any policy that requires or provides incentives for the creation of low to middle priced housing when new development occurs. As housing prices rise, developers and landowners make greater profit for building commercial and residential developments, so these policies seek to “capture” a part of the higher value by requiring that developers include some units in developments that are reserved for low to middle-income families (that otherwise would not include it).

Details:

A city inclusionary zoning policy might require developers to sell or rent 10 to 30 percent, for instance, of new residential units (apartments, condos or townhouses usually) to lower-income residents. Often a policy will offer the developer alternative ways to meet requirements, such as paying a fee into a fund that the city could use to support other programs that help keep East Point affordable.

Challenges:

State legislation sometimes limits inclusionary housing policies, or there is a general lack of political will to support them.

Example:

City of Decatur - new residential developments of five or more new housing units are required to reserve 10% of the units for people making incomes equal to or lower than 80% of Area Median Income (AMI) for rental units, or less than or equal to 120% of AMI for owner-occupied condos or townhomes. This works out to about \$66,000-\$99,000 for a family of four.

More Info:

Key elements of IZ ordinance that the City - in partnership with community residents - will need to consider include: Minimum number of units triggered (what size projects will the IZ ordinance cover?), percent Area Median Income targets, in-lieu fee structure (to allow developers to pay into an affordable housing fund in-lieu of producing required units), developer incentives (if desired), and affordability tenure (set the length of time that the units must remain affordable, and integrate a mechanism to ensure compliance).

PSE also recommends that the City conduct further review of emerging assessments of IZ efficacy as terms of an IZ are drafted.

DETAILED AFFORDABLE HOUSING RETENTION ACTIONS

Protecting Existing Affordable Units

Prioritizing the preservation of existing affordable housing supply in East Point is both practical and fiscally responsible, and is least expensive in deteriorated and stable neighborhoods. East Point can first begin to address this strategy through the following steps:

Expiring subsidized units: Determine the location and affordability expiration dates of all 3,858 federally subsidized units (LIHTC/Project-Based Section 8); publicly-subsidized properties in revitalizing neighborhoods are most at risk of flipping to market rate once their affordability requirement expires. East Point can look to the efforts of the National Equity Fund, the Enterprise Social Equity Fund and the MacArthur Foundation to provide support to nonprofits trying to acquire LIHTC and other publicly-subsidized properties before they lose their affordability; CHN Housing Partners in Cleveland also has an innovative lease/purchase program for residents of LIHTC properties at risk of losing their affordability.

NOAH units: Strategies include energy-efficiency and functional upgrades: The City (and potential partners) can provide grants or low-interest loans for energy-efficiency and functional upgrades linked to an affordability covenant. Many NOAH owners are small and lack the capital to invest in preventive maintenance. The Washington D.C. Small Building Program is a good example of such a program targeting properties between 5 and 20 units; the majority of East Point's multi-family property falls within this range.

Voluntary property tax abatement: As housing markets heat up, rental properties in revitalizing and gentrifying neighborhoods become more vulnerable to rent increases and being flipped to condos/townhomes. East Point can explore the impact of offering a property tax abatement in return for an affordability covenant. The City should look at the city of Decatur, GA's current exploration of a 50% property tax abatement in return for a 5-10 year affordability covenant; Decatur projects this would cost less than \$1 million annually (or appr. \$10,000 per unit) to cover all of its 933 NOAH units, much less expensive than what it would take to replace each unit as it is lost.

DETAILED AFFORDABLE HOUSING RETENTION ACTIONS

Protecting Existing Low- and Moderate-Income Renters & Owners

Protect existing low and moderate-income renters and owners. These efforts are relevant across all of the neighborhood life-cycle categories, including deteriorated, stable, revitalizing and gentrifying. Action steps include:

Eviction prevention: Eviction prevention includes information (access to info on tenants' rights and eviction defense processes); financial support (rent and utilities assistance); and legal protection (low-cost/free legal defense, mediation, 90-day notice period, etc.) East Point should work with community housing partners and explore how to support and/or complement their current efforts. Additional City efforts could include identifying serial eviction filing trends, as well as preparing for the financial challenges that will face East Point renters once the national eviction moratorium is lifted and back rent is owed.

Owner-occupied rehab for senior/low-income homeowners: Many older homeowners on a fixed income lack the resources to maintain their properties, decreasing their safety and increasing their vulnerability to offers from speculative investors/developers. In response, develop a moderate rehab program targeting low-income senior homeowners. Model could be volunteer-based (Decatur GA's MLK Day) or on-going and city-funded. Focus should be on making the home safe and weather-proof.

Weatherization/energy burden: East Point's older housing stock combined with the EPP's long-term sourcing contract have led to high and burdensome energy costs, especially for low-income residents. In response, the City should develop on-bill financing for energy retrofits, and begin development of a data-sharing agreement and MOU with Groundswell to determine feasibility of replicating their SOUL program, an innovative solution for both homeowner and renter energy burden reduction (see Goal 4, Strategy D for more detail around the SOUL model).

Targeted and expanded homeowner exemptions: A Homestead Exemption is a legal provision that helps reduce the amount of property taxes owed on owner-occupied homes. According to the 2020 Fulton County Homestead Exemption Guide, East Point has a \$2,000 general homestead exemption available to all residents in addition to the basic \$30,000 Fulton exemption offered to all homeowners in the county. East Point's exemption is the lowest of all the cities in Fulton that have one - the others range from \$4,000 to \$40,000. In addition, East Point has an additional homestead exemption for all residents over 70 who make \$72,264 or below.

East Point should explore the fiscal impacts of increasing its basic homestead exemption as well as reducing the age to 65 for the senior exemption and making it more income targeted, linking it to a percentage of East Point's AMI of \$40,882 instead of to its current Social Security income limits. These changes will make the most sense as East Point's neighborhoods move from stable to revitalizing and gentrifying, and would help reduce the financial pressure for legacy residents to sell and leave the city.

DETAILED AFFORDABLE HOUSING FUNDING ACTIONS

Local and federal funding sources to support affordable housing activities

CDBG/HOME/ESG: In the absence of Participating Jurisdiction status (see CDBG in Appendix C), for many years East Point has been engaged in a Cooperative Agreement with Fulton County allowing the City - along with other non-PJ municipalities in Fulton - to compete for CDBG, HOME and ESG funds from the County; historically, East Point has received some limited funding for park projects, but has been turned down by the county for affordable housing projects. And while Fulton has recently decided to pull out of its role as a Participating Jurisdiction, they probably have six years of these federal funds left to spend. To date, PSE has been unable to confirm whether East Point has signed an updated Agreement at the end of 2020.

If yes, East Point will be committed to only accessing these federal dollars from Fulton through 2023. In order to develop more competitive proposals, the City should look to DCA and Fulton's Consolidated Plans to ensure that proposed projects are aligned with state and county goals; in addition East Point should look to DCA's annual Performance Evaluation Report (PER) and Fulton's Consolidated Annual Performance Evaluation Report (CAPER) to position their applications to fill gaps between goals proposed in the Consolidated Plans and goals reported achieved in the PER and CAPER reports. If, however, the City isn't bound by a Cooperative Agreement, they can compete for CDBG dollars managed by the Department of Community Affairs, although these dollars are very competitive and have tended to go to rural infrastructure projects.

Housing Opportunity Bond (HOB): HOBs are publicly issued municipal bonds secured by the local government's general funds.

Tax Increment Financing (TIF): Georgia's Redevelopment Powers Law was adopted by the General Assembly in 1985 and gives cities and counties the authority to sell bonds to finance infrastructure and other redevelopment efforts (including housing) within a specially defined area called a Tax Allocation District or TAD. The bonds are secured by a "tax allocation increment" which is the increase in the property tax revenues resulting from redevelopment activities undertaken.

In-Lieu Fees in IZ Ordinance: In-lieu fees can be collected from private residential developers under an Inclusionary Zoning ordinance (recommended below). In-Lieu Fees are allowed as an alternative to the requirement to create a certain percentage of affordable units in a given market-rate development - developers can pay a pre-determined "by-unit" fee to the City.

FIRST SOURCE HIRING POLICY

What is it?

First Source policies are designed to increase job opportunities for residents by requiring employers who receive local contracts or other incentives to recruit local residents as the “first source” for available jobs.

Challenges:

Requires strong workforce development and employer partners to work effectively. The City has no authority over private hiring decisions and cannot ensure that jobs will be provided to those in need or diverse workers. Jobs may not be full-time or pay livable wages. Programs require significant oversight and administration and must be carefully crafted to overcome potential legal challenges.

Details:

A First Source Hiring Policy will usually require contractors who have received contracts from the City to make a good faith effort in hiring City residents for jobs.

Example:

DeKalb County has a First Source Ordinance.

More Info:

A database, such as a First Source Registry, that holds a list of qualified and trained local residents, would make the policy easier to implement. Most metro counties have a Worksource board that facilitates local workforce development and training partnerships that would be a necessary partner in this effort as well.

MFBE & SBE IN PROCUREMENT POLICY

What is it?

Nearly all governments purchase goods and services from businesses to aid in government operations. Minority or Female owned Business Enterprise (MFBE), Small Business Enterprise (SBE), or Local Business Enterprise programs (LBE) are types of supplier diversity programs designed to provide opportunities to local, small, and diverse businesses through government contracting. These policies encourage the City to include businesses either owned by a person of color, a female, is considered small, or is in the City of East Point through participation goals.

Details:

Government contracting is very challenging, and can be cost prohibitive. The City would need to also provide supportive services and resources (like procurement forecasts) to prepare diverse suppliers for government contracting. The City should explore stronger partnership with the County procurement and compliance staff as well to engage and connect local businesses with County contracts.

Challenges:

These policies are very complex and require significant investment and administration from the City. There are many legal challenges to create a program with minority business goals. The City would need to conduct an independent "Disparity Study" to determine whether there has been discrimination in the awarding of contracts by race and/or gender.

Example:

The City of Atlanta has one of the nation's model MFBE programs and regularly awards over a third of all of their contracts to diverse business owners. The Fulton County government has a similar purchasing program that has been very successful for local diverse businesses.

100% Renewable Energy Resolution

A commitment on the part of municipalities to a wide range of targets that achieve clean and carbon-free energy. These resolutions were largely adopted by mayors and local leaders across the country after the United States announced its withdrawal from the Paris climate agreement. *Atlanta, Savannah, Decatur, Clarkston, and Athens-Clarke County have all adopted 100% Renewable Energy Resolutions in recent years, sending a strong signal to their power providers of their intent to reduce their purchase of non-renewable power and serve the emerging market demand for clean energy.*

Accessory Commercial Units (ACUs)

Small commercial units that are accessory to the principal residential use on the site. ACUs provide an excellent pathway for entrepreneurs seeking out small scale commercial property and aid in development of denser, more walkable, mixed-use neighborhoods. *This strategy would pair excellently with the recommendation in the East Point City Agriculture Plan around developing a Healthy Corner Store Incentive program.*

Asset-based Community Development Framework

Within this framework, the City leverages resident voices and local institutions to guide the way it develops. By taking inventory of community assets and resources – including the culture, skills, and historical knowledge of local residents - the City is positioned to create opportunities for economic growth that include residents.

Boards, Commissions, and Committees

There are many small cities in Georgia that provide formal opportunities for residents and business owners to contribute to municipal decision-making in the form of Boards, Commissions and Committees. *While East Point has taken some steps in this direction with the development of the Parks Commission, these efforts have stalled despite staff eagerness to support them and resident eagerness to participate.*

Business Stewardship Council

A business group that would be appointed to promote responsible growth in the City, akin to an ambassador role. The Business Stewardship Council would recognize local businesses (including multi-family property owners/managers) demonstrating commitment to fiscal, environmental and community stewardship; attract new equitable, green developments, and create an ecosystem of local entrepreneurs and small businesses to access opportunities.

Community Development Block Grants (CDBG)

Federal funding through the US Department of Housing and Urban Development (HUD) that can be used for a wide range of activities, including housing rehabilitation, code enforcement, public facility improvements, social services, and more. *Because East Point has fewer than 50,000 residents it is not considered a Participating Jurisdiction (PJ) by HUD and as such does not have “by-right” access to CDBGs.*

Community Improvement District (CID)

A type of business improvement district (BID), an economic development tool, in which a group of property owners within a defined geographic area agree to self-impose additional taxes or fees in order to fund public services. CIDs use these additional funds to supplement or enhance governmental services and facilities like construction and maintenance of city streets, parks and recreation, public transportation, and more.

Equity

Equity is the fair and just inclusion into society in which all can participate, prosper, and reach their full potential. Equitable policies and programs address the harm from past planning efforts and work to eliminate present and future harm to people of color, minority communities, seniors, disabled persons, and the LGBTQ community. Racial equity is in place when life outcomes are not determined by skin color.

Inclusion

Inclusion is the action or state of including or of being included within a group or structure. More than simply diversity and numerical representation, inclusion involves authentic and empowered participation in decision-making and a true sense of belonging.

Land Bank

A public authority that transforms vacant, abandoned, and tax-foreclosed property back to a productive use. Although land banks tend to be associated with affordable housing development, land banking is also effectively used to repurpose industrial property. *Partnership with the Metro Atlanta Land Bank (MALB, formerly called the Fulton County/City of Atlanta Land Bank) was identified as a 2018 activity in the 2017 Comprehensive Plan. While the City entered into conversation with MALB and developed some draft agreement documents, three years later the partnership has still not been formalized. Putting property in the Land Bank allows past taxes to be extinguished, title to be cleared, and the parcel to be maintained; it also allows the property to be held outside of the speculative real-estate market without a time limit while a disposition strategy is being developed, reducing the cost of land (and therefore the required subsidy) in a given affordable housing project. The Center for Community Progress, a national nonprofit with many local ties to PSE, can be a resource to explore land banking for equitable industrial property redevelopment.*

Memorandum of Understanding (MOU)

A memorandum of understanding (MOU) is a type of agreement that expresses mutually accepted expectations and/or negotiations between two or more parties. While MOUs are not legally binding, they can signal a future binding contract.

MFBE, LBE, SBE

MFBE stands for Minority & Female Business Enterprises. LBE stands for Local Business Enterprises. SBE stands for Small Business Enterprises.

See-Click-Fix

[See-Click-Fix](#) is a mobile app and website that can be utilized to request government attention on a wide range of matters, from abandoned vehicles to drainage/flooding issues, power outages to park maintenance.

Sheltered Market

A sheltered market is a procurement tool that restricts the bidder pool for public contracts only for small businesses. In a sheltered market program, governments traditionally establish thresholds for local businesses to compete by revenue and size standards. Within these contract thresholds, larger businesses are restricted from bidding on contracts and competing against smaller firms.

Save on Utilities Long-term (SOUL)

SOUL is executed through the support of the national nonprofit Groundswell. It is built on the Pay As You Save (PAYS) model, a residential energy efficiency retrofit framework and program proven in a number of locations for financing improvements on indoor air quality and energy efficiency via bill financing. This structure ties repayment to the meter/dwelling, without creating debt for the customer. Customer bills go down, energy burden is reduced, and even respiratory-disease-related medical bills may cut back as a result of improved housing stability. *East Point Power (EPP) would need to identify a capital stream to front an East Point SOUL initiative, but the timing needed for early data analysis and program design (no cost to EPP) is perfectly aligned to make SOUL a shovel-ready project for federal infrastructure and energy efficiency funding expected to launch in late summer 2021.*

Unified Development Code (UDC)

A local policy instrument to help local governments respond to the way development occurs, in which traditional zoning and subdivision regulations are combined with other desired city regulations such as design guidelines and water management. It serves as a local policy instrument. *The City of East Point secured a contractor for their Unified Development Code update in late 2020, providing an excellent opportunity to incorporate equity into its code and TO update portions that have not been updated in 15 years.*

APPENDIX D: Resident Committees

City	Population	Median Household Income	Resident Committees
East Point	34,957	\$43,453	
Kennesaw	33,960	\$70,930	<p>Kennesaw Citizens Advisory Committee¹</p> <ul style="list-style-type: none"> • Evaluates proposals and programs and sends recommendations to Mayor and Council • Appointment by the Mayor and Council • Membership limited to residents, those living within a one mile buffer of city limits, and business owners operating in the City
Brookhaven	53,819	\$92,604	<p>Boards and Commissions²</p> <ul style="list-style-type: none"> • Members appointed by the Mayor • Available Boards include Advisory Audit Committee; Board of Appeals; Brookhaven Arts and Culture Commission; Brookhaven Convention and Visitors Bureau; Park Bond Oversight Committee; Planning Commission; and Social Justice, Race, and Equity Commission • Possibility of submitting a General Interest in Serving application
Gainesville	39,991	\$51,520	Boards and Committees ³

¹ <https://www.kennesaw-ga.gov/boards-and-commissions/>

² <https://www.brookhavenga.gov/bc>

³ <https://www.gainesville.org/164/Boards-Committees>

			<ul style="list-style-type: none"> • Terms vary depending on the board
			<ul style="list-style-type: none"> • 20 options for committees on which residents can serve, ranging from Parks and Recreation to Tax Allocation District (TAD) advisory committees • Term length and number of members ranges depending on the committee • Some members selected through an application process, and others by nomination
Tucker	35,965	\$70,522	<p>Community Council⁴</p> <ul style="list-style-type: none"> • Dissolved in March 2020 • Objective was to act as a review board for amendments to the comprehensive plan, land use, and zoning updates • Reported to planning commission
Newnan	39,019	\$63,606	<p>Newnan Citizen Academy⁵</p> <ul style="list-style-type: none"> • Yearly 9-course program for residents, students, and business owners in the city • Goals of learning more about the city and functioning of local government to increase
Douglasville	33,052	\$58,606	<p>Citizens Academy⁶</p> <ul style="list-style-type: none"> • 10-week program for residents, business owners, or people who work in the city

⁴ https://www.tuckerga.gov/government/community_council/index.php

⁵ http://www.cityofnewnan.org/residents/newnan_citizen_academy.php

⁶ <https://www.douglasvillega.gov/our-city/a-dose-of-douglasville-citizens-academy>

			engagement with resident and business communities
			<ul style="list-style-type: none"> Objective of learning the functioning of the city government system and create closer relationships between residents and local government
Chamblee	29,232	\$61,797	Recreation Advisory Committee ⁷ <ul style="list-style-type: none"> Committee of between five and nine residents nominated by the Parks and Recreation Director Act as connection between Parks and Recreation, City Council, and community Two-year term available for renewal
Lawrenceville	29,719	\$52,585	Boards and Commissions ⁸ <ul style="list-style-type: none"> Lawrenceville has 8 commissions that residents can apply to, including a Board of Appeals; Downtown Architectural Review Board; Financial Review Citizen Committee; Lawrenceville Development Authority; Downtown Development Authority of Lawrenceville; Lawrenceville Housing Authority; Planning Commission; and Stormwater Utility Board
Duluth	29,370	\$71,220	Boards and Commissions ⁹

⁷ <https://www.chambleega.com/198/Recreation-Advisory-Committee>

⁸ <https://www.lawrencevillega.org/200/Boards-Commissions>

⁹ https://duluthga.net/community/get_7involved/boards_and_commissions.php

			<ul style="list-style-type: none"> Residents are able to apply to a selection of commissions and boards including the Alcohol Beverage Review Board; Board of Ethics; Downtown Development Authority; Duluth Public Arts Commission; Duluth Tax Allocation District Advisory Committee; Employee Benefits and Audit Committee; Parks and Recreation Advisory Board; Parsons Alley Design Review Committee; Planning Commission; Urban Redevelopment Agency; Veteran Marker Committee; and Zoning Board of Appeals
Stockbridge	29,089	\$61,291	<p>Committees and Boards¹⁰</p> <ul style="list-style-type: none"> 6-week Citizens Academy to introduce residents to the structures of local government Available committees include Council on Aging; Downtown Development Authority; Public Facilities Authority; Development Authority; Planning Commission; Board of Ethics; Historical Preservation Commission; and Main Street Advisory Board City also has a Youth Council Advisory Committee

¹⁰ <https://www.cityofstockbridge.com/pview.aspx?id=2553>

Insights from Detroit

In 2016, Detroit voters passed a CBO that includes the establishment of a Neighborhood Advisory Council (NAC) for each development impact area. NAC members are impact area residents, at least 18 years old, who are nominated by the community. “Two are elected by residents, four are selected by the City of Detroit Planning and Development Department, two are selected by Detroit City Council’s At-Large Members, and one is selected by the local District Council Member whose district contains the largest portion of the impacted area.”¹ NACs in Detroit are composed of nine residents from the impact area — defined as the development census tract, as well as adjacent impacted areas — who serve as the liaisons with residents and work with the developer to establish the scope of community benefits which are included in the final development agreement approved by the City Council.

Before the project begins, the City organizes community meetings over a three-month period to introduce the project to the public. The potential impacts of the project are discussed so that all residents can give input on the project regardless of whether they serve on the NAC. The development of any CBO should be driven by a community coalition and result from an equitable engagement process.

Finally, despite their growing popularity, CBAs are not a quick fix for equity issues and require a significant level of negotiation, oversight, administration, and enforcement. When framed as Community Benefit Plans by developers as good faith offers, rather than Agreements with the local government being party to a legally binding Agreement, community groups often lack the resources to enforce the terms of what developers commit.

The City of Detroit’s Civil Rights, Inclusion, and Opportunity Department (CRIO) monitors and enforces agreements and publishes biannual compliance reports regarding the developers’ fulfillment of the negotiated terms of the CBA. Additionally, the CRIO maintains an online portal for the public to comment or register their concerns to the enforcement committee. The Committee’s investigation findings are presented to the NAC in writing.

Lastly, the City of Detroit has a “claw-back clause of City-provided benefits, revocation of land transfers or land sales, penalties and fees.” The City holds the developer accountable to the list of benefits agreed to and requires regular submissions of compliance reports. Similarly, the City of East Point should ensure that a supportive framework for the implementation and facilitation of a CBA is designed prior to launch. More information on how to design programming that supports economic inclusion is discussed in the section on economic inclusion below.

CBA Terms vs. Process

Internal policy set by the local government should clearly outline the process and conditions under which CBAs are required for both public and private sector investments. Thresholds for different level of terms, enforcement and other mechanisms for the deployment of the CBA tool should also be identified. A CBA can be a versatile tool, applicable in many circumstances where investments are

¹ (<https://theneighborhoods.org/story/what-exactly-detroits-community-benefits-ordinance>)

being made in infrastructure. The City's CBA Policy should consider codifying the City's use of the tool itself when making infrastructure investments that impact surrounding communities to leverage its purchasing power and demonstrate its commitment to walking the walk.

CBA terms are where the agreement captures the benefits of the investment or development that the impacted community has articulated, how and when they will be delivered.

Action Steps

The City of East Point has an opportunity to increase the involvement of the community when vetting new development. Community engagement helps to source a large amount of useful information to consider the potential benefits and challenges of development, particularly the effects on those most impacted.

The City should draft an ordinance to implement community benefit practices for development. In a City of East Point Community Benefits Ordinance, developments expected to incur any capital, real estate or tax investment from the City require a public review process that should be required to hold public meetings and notify residents within impact distance to the development site. A review of best practices from other cities can reveal useful strategies for the city to rethink industrial development and ensure it yields explicit benefits for adjacent impacted communities.

Potential CBA Terms to Consider

Recognizing the urgency for a response to community needs during COVID-19, on April 21, 2020, PSE developed the following community benefits recommendations for the City of East Point regarding development for a distribution company. PSE created these recommendations with an understanding of equitable city planning and best practices for creating and implementing community benefits agreements. These recommendations were developed without a community engagement process due to the crisis, and the recommendations are not a direct reflection of the needs voiced by East Point residents. However, if East Point residents are given the opportunity to voice their needs or recommendations for community benefits, they may closely reflect the recommendations below. PSE's recommendations for the distribution company include:

1. *Local hiring policy requirement* – Potential employees within 2 miles (ZONE-1), 5 miles (ZONE-2), and East Point City Limits (ZONE-3) – Concentric employment strategy – To encourage local preferential treatment for jobs on-site,
2. Developer investment in *workforce cultivation program* for transportation, warehouse, administrative and logistical jobs. This program could be connected to a technical school, workforce development agency or nonprofit,
3. *Living wage floor requirement* for jobs on-site,
4. *MBE/Socio economic disadvantaged/race neutral* requirement for a portion of the development project and future business generation of site. This recommendation supports a previous resolution adopted by council,
5. Development of yearly *paid high school internships* for two (2) senior high school students. Recommended minimum \$15.00/hr. pay.
6. *Energy efficiency requirement* for buildings on-site,

7. *Recycling requirement* for buildings on-site,
8. Development and capitalization of *mini grants program* for community-based organizations and neighborhood groups to support community building efforts in East Point,
9. Investment in *East Point Path* to support mobility for East Point residents and workers,
10. *Optimal utilization of land* with a portion allocated for commercial and mix-use development.

APPENDIX F: Environmental Justice Ordinance Guidance

The following are areas of consideration and exploration for the City of East Point in drafting a new EJO and compliance enforcement program.

Compliance: The ordinance can create an EJ Officer position shared by the Water & Sewage and Police Departments to review permit applications with the authority to reject permit requests for any project that can potentially violate the public nuisance ordinance and serve citations on future violators.

EJ Checklist: This ordinance requires all industrial or commercial development applicants with an environmental permit from the state, federal, or county regulating agency to submit an Environmental Justice Checklist.

Green Zones: Green Zones are place-specific and customizable, but the community decision-making aspects, tools for designation, and steps for implementation are replicable. While this concept grew out of the environmental justice movement in California, and was adopted by the City of Los Angeles, Commerce and the County of Los Angeles, other cities like Minneapolis also pursued this approach, inspired by the work of communities in California.

Amortization Ordinance: The Westside Specific Plan created amortization guidelines for incompatible land uses, leading to the drafting of an amortization ordinance. Amortization is a process to terminate a nonconforming use after a period of time that is sufficient to allow the business to recover their investment in the use/business. The timeline for termination is based on several factors, including the cost of land and improvements, length of time the land use has existed, the adaptability of the land and improvements, the cost of moving elsewhere, whether the use is significantly non-conforming, compatibility with existing land use patterns and densities of the neighborhood, and threat to public health and safety.

Fees: In early 2016, Minneapolis adopted the Pollution Control Annual Registration Fee (formerly the Pollution Control Annual Billing Fee). This is an annual registration for business owners, property owners, and landlords for equipment that creates or potentially creates pollution. The system was created to incentivize businesses and households to eliminate the use of outdated and hazardous equipment. The registration fee is mandatory and renewed annually. Those subject to the pollution control fee are nonresidential properties and residential properties with four or more units where housing contains certain types of equipment and processes. In April 2016, the city amended its License Fee Schedule to align fees to service, add fees for the amount of pollution emitted, and allow businesses that undertake voluntary emission-reduction projects to be temporarily exempt from fees. The structure was changed to charge polluters by emissions rather than by equipment.

The pollution fees pay for environmental work on polluted indoor and outdoor air, groundwater and surface waters, and land. The fees also help to pay for Minneapolis's Green Business Cost Share program, which provides funds for green business practices that focus on reducing volatile organic compound emissions, particulate matter emissions, or other Hazardous Air Pollutants.

https://library.municode.com/mn/minneapolis/codes/code_of_ordinances?nodeId=COOR_TIT3AIP0ENPR_CH47ENAIP0

CITY OF DECATUR INCLUSIONARY ORDINANCE

6.3.1. Household Living

A. **Defined**

Residential occupancy of a dwelling unit by a house-hold. Household living includes the following:

1. Single-family detached dwelling.
2. Accessory dwelling unit (ADU).
3. Single-family attached dwelling.
4. Two-family dwelling.
5. Multiple-family dwelling.
6. Home occupation.
7. Live-work.
8. Lifecycle dwelling.
9. Inclusionary dwelling.

B. **Single-Family Attached, Multiple-Family Dwelling**

1. **NMU**

Where a multiple-family dwelling is allowed as a limited use, it is allowed only in the upper stories of a mixed use building. A lobby or other entrance is allowed on the ground floor.

2. **C-1**

Where a single-family attached or multiple-family dwelling is allowed as a limited or conditional use in C-1, ground floor residential cannot be visible from a public street and must be located behind space constructed for nonresidential occupancy. There are no restrictions on upper floors.

3. **C-2**

Where a single-family attached or multiple-family dwelling is allowed as a limited or conditional use in C-2, ground floor residential cannot be visible along the following streets and must be located behind space constructed for nonresidential occupancy.

- a. Ponce de Leon Avenue (entire portion);
- b. Church Street (from Trinity Place to Commerce Drive);
- c. East Courthouse Square (entire portion); and
- d. Sycamore Street (from McDonough Street to Church Street).

C. **Downtown Multiple Dwelling**

1. **Development Standards**

- a. Minimum lot area: One acre—Exceptions to the minimum lot area may be approved after public hearing by the Planning Commission and approval of the City Commission.
- b. Minimum lot area per family: 1,000 square feet for buildings of three or less stories; 620 square feet for buildings of four or more stories.

2. Supplemental Standards for Approval

- a. Open space. The proposed development shall provide a minimum of 5% outdoor amenity space for residents and other tenants.
- b. Parking. Parked vehicles shall be screened from view from the public right-of-way. Vehicular parking for the proposed development shall be:
 - i. Underground;
 - ii. Effectively screened by retail or residential space;
 - iii. Effectively screened by a combination of architectural and landscape features (a minimum of 60% of the parking facility wall area must be screened); or
 - iv. Effectively screened by landscape treatment (a minimum of 60% of the parking facility wall area must be screened).
- c. Ingress and egress. The proposed points of vehicular ingress and egress must maintain or improve existing traffic patterns and provide safe and convenient access for bicyclists and pedestrians.
- d. Site utilities. All utilities for the proposed development shall be underground.

D. Live-Work

1. Defined

Nonresidential activity conducted wholly within a residential dwelling that allows employees, customers, clients or patrons to visit.

2. Standards

Where a live-work is allowed as a limited use, it is subject to the following:

- a. Live-work is only permitted in units with street level access.
- b. A minimum of one person must occupy the live-work unit as their primary place of residence.
- c. The live-work unit may employ no more than two persons not living on the premises at any one time.
- d. No business storage or warehousing of material, supplies or equipment is permitted outside of the live-work unit.
- e. The nonresidential use of the unit is limited to the use allowed in the zoning district.
- f. No equipment or process may be used in connection with the live-work unit that creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses, off the premises.
- g. No more than 5 customers are permitted on the premises at any one time.

E. Residential Conditional Use Permit

When a residential use is allowed as a conditional use, the following items shall be considered in determining whether the residential use shall be approved:

1. The suitability of the proposed residential use in view of the use and development of adjacent and nearby properties.
2. The impact that the proposed residential use will have on the public safety, traffic on the public streets, transportation facilities, utilities, and other public services.
3. The impact that the proposed residential use will have on established property values and on the health, safety, comfort and general welfare of the residents of the City.
4. The use standards of Sec. 6.3.1.C. apply.

F. Inclusionary Dwelling

Where single-family detached dwelling, single-family attached dwelling, two-family dwelling, multiple-family dwelling, or downtown multiple dwelling is permitted, or allowed as a limited use or as a conditional use, it is subject to the following:

1. Applicability and Minimum Project Size.
 - a. Any new development that includes at least five single-family dwelling units, attached or detached;
 - b. Any new development that includes at least five single-family lots;
 - c. Any new development that creates at least five multiple-family dwelling units;
 - d. Any renovation or reconstruction of existing multiple-family dwelling units that increases the number of dwelling units by at least five dwelling units; or
 - e. Any change in use of all or part of an existing development of one or more buildings from a nonresidential use to a residential use that has at least five dwelling units.
2. Standards.
 - a. A development that is subject to this Section shall designate a minimum of ten percent of the total number of dwelling units or lots to be developed as inclusionary dwelling units. To calculate the number of inclusionary dwelling units or lots, the total number of proposed units shall be multiplied by ten percent. If the product contains a fraction, a fraction of 0.5 or more shall be rounded up to the next higher integer, and fraction of less than 0.5 shall be rounded down to the next lower integer.
 - b. The inclusionary dwelling units in the proposed development shall be:
 - i. Designed to have a number of bedrooms in the same proportion as the market rate dwelling units;
 - ii. Interspersed and among the market rate dwelling units within the development;
 - iii. Built concurrently with the market rate dwelling units; and
 - iv. Designed to be functionally equivalent in style and quality with the market rate dwelling units in the development.

- c. A development that is subject to this Section may incorporate a density bonus to accompany and support the inclusionary dwelling requirements.
 - i. To calculate the density bonus for multiple-family developments, the maximum number of dwelling units approved in the applicable zoning district shall be multiplied by 20 percent. If the product contains a fraction, a fraction of 0.5 or more shall be rounded up to the next higher integer, and fraction of less than 0.5 shall be rounded down to the next lower integer.
 - ii. For single-family detached dwellings, the minimum lot size and minimum lot width required by the applicable zoning district may be reduced by up to 25 percent to accommodate the additional lots.
- d. A multiple-family development that provides on-site inclusionary dwelling units may reduce the total number of off-street parking required per Section 7.1.3. by ten percent without a special exception.
- e. The inclusionary dwelling units and lots, as applicable, shall be located within the development, except in accordance with the following alternatives to on-site development, which shall be included in the Inclusionary Housing Plan:
 - i. Inclusionary dwelling units are built on a separate site within the City of Decatur appropriately zoned for the residential use.
 - ii. Payment in lieu is made to the City of Decatur Housing Trust Fund for development of inclusionary dwelling units or improvement of existing affordable housing in the City of Decatur prior to issuance of building permit of the development. The Decatur City Commission shall annually establish the per dwelling unit payment amount in its schedule of fees.
- f. Inclusionary dwelling units or lots that will be owner-occupied shall be:
 - i. Restricted to households having an income that does not exceed 120 percent of the area median income for the family size having the same number of persons as the subject household for the Atlanta-Sandy Springs-Marietta, Georgia, Metropolitan Statistical Area, as published by the U.S. Department of Housing and Urban Development as of the date of the household's application, and whose housing and utility costs do not exceed 30 percent of the household's annual gross income; and
 - ii. Maintained as inclusionary dwelling units through a land use restriction agreement with the City of Decatur and by a ground lease agreement with the Decatur Land Trust for a period no less than permissible by Georgia state law.
- g. Inclusionary dwelling units that will be leased or rented shall be:
 - i. Restricted to households having an income that does not exceed 80 percent of the area median income for the family size having the same number of persons as the subject household for the Atlanta-Sandy Springs-Marietta, Georgia, Metropolitan Statistical Area, as published by the U.S. Department of Housing and Urban Development as of the date of the household's application, and whose housing and utility costs do not exceed 30 percent of the household's annual gross income; and

- ii. Maintained as inclusionary dwelling units through a land use restriction agreement with the City of Decatur for a period no less than permissible by Georgia state law.
 - h. Subleasing of any leased inclusionary dwelling unit is not permitted. Leasing of any owner-occupied inclusionary dwelling unit is not permitted.
 - i. The owner must provide a notice of availability to the City's Zoning Administrator of its intent to rent or sell an inclusionary dwelling unit.
 - j. An affidavit must be provided to the City's Zoning Administrator confirming that household eligibility requirements have been met. Any agreement must be in writing and provided to the City upon request.
 - k. A non-eligible household may occupy an inclusionary dwelling unit if an eligible household is not available to purchase or rent the dwelling unit. If an inclusionary dwelling unit is being offered for lease, a non-eligible household may occupy it on the date 90 days after the City's receipt of a notice of availability. If an inclusionary dwelling unit is being sold, a non-eligible household may occupy it on the date 120 days after the City's receipt of a notice of availability.
3. Supplemental Standards for Approval.
- a. Prior to issuance of any development approvals, the developer shall submit an Inclusionary Housing Plan in accordance with the adopted Inclusionary Housing Plan Guidelines.
 - b. The Zoning Administrator shall certify in writing that the development for which approval is sought is consistent with all applicable requirements of this Section and the Inclusionary Housing Plan Guidelines.
 - c. Prior to the submittal of any development application, a pre-application conference between the developer and the Zoning Administrator is required to discuss the application and relevant requirements of the Inclusionary Housing Plan.
 - d. A land use restriction agreement shall be executed between the City Manager and the developer, in a form promulgated by the City and approved by the City Attorney, based on the Inclusionary Housing Plan, which land use restriction agreement sets forth the land use restrictions required by this Section, as further provided for in the Inclusionary Housing Plan Guidelines.
 - e. Prior to issuance of the certificate of occupancy for a development subject to this Section, the developer shall provide the UDO Administrator with a fully executed copy of the land use restriction agreement providing sufficient indicia that it has been recorded in the real property records maintained by the Clerk of the Superior Court of DeKalb County.

CITY OF BROOKHAVEN INCLUSIONARY ZONING OVERVIEW

CITY OF BROOKHAVEN – CITY-WIDE MANDATORY WORKFORCE HOUSING

Proposed Mandatory Workforce Housing City-Wide

The City of Brookhaven has released the latest draft of its City Zoning Ordinance rewrite. This is a comprehensive document with substantial, significant changes to land development patterns in Brookhaven. Of particular importance, the latest draft version includes a mandatory inclusionary zoning provision applicable to residential developments in the Buford Highway Overlay district.

The City defines “Workforce Housing” as for-sale or rental housing units that are affordable to those households earning less than 80% AMI (currently, \$69,700).

The City provides for incentives to developers that restrict more than the mandatory minimum amounts of units to Workforce Housing, including additional height bonus, waiver of fees, and expedited permitting. Additionally, the required Workforce Housing units do not apply towards density maximums.

The Brookhaven Planning Commission took up discussion of the complete proposed Zoning Ordinance at its Work Session and Commission meeting on September 5th. At these hearings, the Planning Commission expanded the mandatory Workforce Housing requirements to apply city-wide. Previously, the mandatory workforce housing provisions applied only in the Buford Highway Overlay District.

The Planning Commission did delay formal recommendation of the proposed Zoning Ordinance, including the mandatory Workforce Housing provisions, until its October 3rd meeting.

The Council will compile all feedback from members into a document for submittal to Brookhaven staff and City Council. Please do not hesitate to contact Taylor Morison at tm@councilforqualitygrowth.org.

As part of the City of Brookhaven’s Zoning Ordinance update, it has included a provision for mandatory Workforce Housing minimums city-wide.

The proposed Ordinance stipulates that whenever the City approves a special land use permit or the rezoning of property, the developer must restrict at least 10% of the dwelling units as Workforce Housing. For this proposed provision to apply, the SLUP or rezoned property must contain 10 or more new or additional dwelling units on one or more lots or parcels under common ownership or control. This applies to new construction, rehabilitation, or conversion from rental housing to condominiums. However, Workforce Housing units are not counted as dwelling units for the purpose of calculating maximum allowable density.

The City defines “Workforce Housing” as for-sale or rental housing units that are affordable to those households earning less than 80% AMI (currently, \$69,700).

The City provides for incentives to developers that restrict more than the mandatory minimum amounts of units to Workforce Housing, including additional height bonus, waiver of fees, and expedited permitting.

A. Pertinent Definitions

- a. Residential Housing Project – “One or more buildings that collectively contain 10 or more new or additional dwelling units on one or more lots or parcels under common ownership or control...” Under this definition, a “residential housing project” may consist of new construction, rehabilitation, or the conversion of rental housing to condominiums. This definition is directed to be construed broadly.
 - b. Workforce Housing -- “For-sale or rental housing units that are affordable to those households earning no more than 80-percent AMI” (currently Atlanta MSA AMI is \$69,700).
- B. Mandatory Inclusionary Zoning Minimums
- a. Whenever the City approves a special land use permit or the rezoning of property, and such property is subsequently developed with a residential housing project, the developer MUST restrict at least 10-percent of the dwelling units in the residential housing project as workforce housing.
 - b. Workforce Housing units are not counted as dwelling units for purpose of calculating the maximum allowable density allowed on the subject property.
- C. Developer Incentives for Exceeding Mandatory Inclusionary Zoning Minimums
- a. Developers will be granted one additional story of bonus building height for each 10-percent of workforce housing units provided in excess of the mandatory minimums (e.g. 20% workforce housing equals one additional story).
 - b. Residential and mixed-use buildings on properties within this district may exceed the maximum applicable building height limit of the underlying zoning district if approved through the special and use permit procedures.
 - c. The Planning Commission is authorized to recommend, and the City Council is authorized to approve, other incentives to projects that exceed applicable mandatory minimum provisions of workforce housing, including fee waiver, expedited permitting, and financial assistance.

Please see below for estimated sales price and rental price of an “affordable unit” for an individual(s) making 80-percent of the Atlanta Area Median Income, as defined in this proposed Ordinance. Assumptions are based on FHA guidelines that no more than 30-percent of gross annual income should be dedicated to housing. This can be interpreted to mean that no more than 30% of gross annual income should be dedicated to rent or mortgage, solely, or that no more than 30% of gross annual income should be dedicated to all living expenses (generally, utilities, homeowner’s insurance, HOA fees, etc.). The below models are based on the assumption that no more than 30% of gross annual income should be dedicated to rent or mortgage, without controlling for tertiary housing costs.

Atlanta MSA AMI = \$69,700	City of Brookhaven	Atlanta MSA 80% AMI =\$55,760
-----------------------------------	---------------------------	--------------------------------------

Affordability Calculator – Ownership Model	
	Total Est. Sales Price*
Family of One	\$123,000
Family of Two	\$141,700
Family of Three	\$161,000
Family of Four	\$179,600
Family of Five	\$194,500

*Total Est. Sales Price assumes 30-year fixed mortgage at annual interest rate of 4.1%

Affordability Calculator – Renter Model	
	Rent
Family of One	\$976
Family of Two	\$1,115
Family of Three	\$1,255
Family of Four	\$1,394
Family of Five	\$1,506

AMI percentage adjustments for family size are 70% for one person. AMI percentage adjustments for family size are 80% for two persons. AMI percentage adjustments for family size are 90% for three persons. AMI percentage adjustments for family size are 100% for four persons. AMI percentage adjustments for family size are 108% for five persons.

CITY OF ATLANTA INCLUSIONARY HOUSING ORDINANCE

+ + + +

CITY OF ATLANTA

*Added a
new chapter
to zoning
code*

*make
article 13?*

*parking
between 1 space
per 200-500 sq
ft
1 space per
unit*



Standard parking

Article 11

OFFICE OF MUNICIPAL CLERK

STATE OF GEORGIA

COUNTY OF FULTON



CITY OF ATLANTA

I, **Foris Webb III**, do hereby certify that I am the duly appointed **Deputy Municipal Clerk** of the City of Atlanta, Georgia, and as such am in charge of keeping the Minutes of the City Council of the said City of Atlanta. I further certify that the attached is a true and correct copy of an Ordinance (17-O-1556).

ORDINANCE 17-O-1556 BY COUNCILMEMBERS IVORY LEE YOUNG, MICHAEL JULIAN BOND AND ANDRE DICKENS AS SUBSTITUTED BY ZONING COMMITTEE AND AMENDED BY THE ATLANTA CITY COUNCIL TO AMEND THE 1982 ATLANTA ZONING ORDINANCE, AS AMENDED, CITY OF ATLANTA CODE OF ORDINANCES PART 16, SO AS TO ADD A NEW CHAPTER 37 ENTITLED "WESTSIDE AFFORDABLE WORKFORCE HOUSING DISTRICT"; TO DEFINE CERTAIN TERMS; TO PROVIDE FOR RELATED REQUIREMENTS, PROCEDURES AND INCENTIVES; TO AMEND THE OFFICIAL ZONING MAP; TO AMEND THE 1982 ATLANTA ZONING ORDINANCE, AS AMENDED, CITY OF ATLANTA CODE OF ORDINANCES PART 16, CHAPTER 28, SECTION 16-28.023, SO AS TO ALLOW TRANSFER OF DEVELOPMENT RIGHTS FOR UNUSED DENSITY BONUS; AND FOR OTHER PURPOSES..

ADOPTED as amended by the Atlanta City Council
APPROVED by Mayor Kasim Reed

November 20, 2017
November 29, 2017

all as the same appears from the original which is of record and on file in my said office.
GIVEN under my hand and seal of office this 30th day of November, 2017.

Deputy Municipal Clerk

Certification completed by EOJ

<p>17-01556 BROWN WALK AHEAD THIS WAY Day</p>	<p>First Reading Committee _____ Date _____ Chair _____ Referred To _____</p>		<p>FINAL COUNCIL ACTION <input type="checkbox"/> 2nd <input type="checkbox"/> 1st & 2nd <input type="checkbox"/> 3rd Readings <input type="checkbox"/> Consent <input type="checkbox"/> V Vote <input checked="" type="checkbox"/> RC Vote</p>
<p>AN ORDINANCE TO AMEND THE 1982 ATLANTA ZONING ORDINANCE, AS AMENDED, CITY OF ATLANTA CODE OF ORDINANCES PART 16, SO AS TO ADD A NEW CHAPTER 37 ENTITLED "WESTSIDE AFFORDABLE WORKFORCE HOUSING DISTRICT"; TO DEFINE CERTAIN TERMS; TO PROVIDE FOR RELATED REQUIREMENTS, PROCEDURES AND INCENTIVES; TO AMEND THE OFFICIAL ZONING MAP; AND FOR OTHER PURPOSES. <i>Substituted As Amended</i></p>	<p>Committee _____ Date _____ Chair _____ Action Fav. Adv. Hold (see rev. side) Other _____ Members _____ _____ _____ Refer To _____</p>	<p>Committee _____ Date _____ Chair _____ Action Fav. Adv. Hold (see rev. side) Other _____ Members _____ _____ _____ Refer To _____</p>	<p>CERTIFIED NOV 9 0 2017 MAYOR CERTIFIED NOV 20 2017 MAYOR</p>
<p><input type="checkbox"/> CONSENT REFER <input type="checkbox"/> REGULAR REPORT REFER <input type="checkbox"/> ADVERTISE & REFER <input type="checkbox"/> 1st ADOPT 2nd READ & REFER <input checked="" type="checkbox"/> PERSONAL PAPER REFER</p> <p>ADOPTED BY NOV 2 0 2017 COUNCIL</p> <p>Date Referred: 9-5-17 Referred To: ZRB + zoning</p> <p>Date Referred: _____ Referred To: _____</p> <p>Date Referred: _____ Referred To: _____</p>	<p>Committee _____ Date _____ Chair _____ Action Fav. Adv. Hold (see rev. side) Other _____ Members _____ _____ _____ Refer To _____</p>	<p>Committee _____ Date _____ Chair _____ Action Fav. Adv. Hold (see rev. side) Other _____ Members _____ _____ _____ Refer To _____</p>	<p>MAYOR'S ACTION APPROVED NOV 9 0 2017 MAYOR</p>

17-O-1556

Z-17-72

**AN ORDINANCE
BY COUNCILMEMBERS IVORY LEE YOUNG AND ANDRE DICKENS AS
SUBSTITUTED BY ZONING COMMITTEE**

AN ORDINANCE TO AMEND THE 1982 ATLANTA ZONING ORDINANCE, AS AMENDED, CITY OF ATLANTA CODE OF ORDINANCES PART 16, SO AS TO ADD A NEW CHAPTER 37 ENTITLED "WESTSIDE AFFORDABLE WORKFORCE HOUSING DISTRICT"; TO DEFINE CERTAIN TERMS; TO PROVIDE FOR RELATED REQUIREMENTS, PROCEDURES AND INCENTIVES; TO AMEND THE OFFICIAL ZONING MAP; TO AMEND THE 1982 ATLANTA ZONING ORDINANCE, AS AMENDED, CITY OF ATLANTA CODE OF ORDINANCES PART 16, CHAPTER 28, SECTION 16-28.023, SO AS TO ALLOW TRANSFER OF DEVELOPMENT RIGHTS FOR UNUSED DENSITY BONUS; 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 Westside, are experiencing or are anticipated to experience residential development and redevelopment on scattered tracts of land; and

WHEREAS, the City's Comprehensive Development Plan recognizes that a broad range of housing types and price levels can bring people of diverse ages, races, and incomes into daily interaction, strengthening the personal and civic bonds essential to an authentic community; therefore, it is in the best interest of the City that its workforce have as many tools at its disposal to be able to afford to live in the City and have a full range of housing options; and

WHEREAS, among the current policy goals expressed in the City's Comprehensive Development Plan is the creation of an affordable and walkable city, to retain, grow and attract middle-income residents by promoting the development of middle-income housing within the context of mixed-income neighborhoods, promoting housing affordability in order to minimize the number of households that must pay more than thirty percent (30%) of their income in rent payments, and increasing the availability of affordable workforce housing; and

WHEREAS, the neighborhoods of English Avenue, Vine City, Ashview Heights, and the Atlanta University City are experiencing significant public and private investment and are adjacent to the Beltline Overlay District as well as the new Mercedes Benz Stadium; and

WHEREAS, these neighborhoods represent the boundaries of several local and federal initiatives including the Westside Tax Allocation District, University Choice Neighborhoods, and the Westside Promise Zone; and

WHEREAS, the City's Comprehensive Development Plan's recommendations include providing development incentives to builders and developers to assist them in the construction of new, low, and moderate-income housing; and

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



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WHEREAS, the City Charter, at Section 1-102(b), provides that the City shall have all powers necessary and proper to promote the safety, health, peace, and general welfare of the City and its inhabitants; and

WHEREAS, the City's Comprehensive Development Plan, as supported by the 2014 Housing Strategy for the City of Atlanta, identifies inclusionary zoning as a policy tool to help accomplish the goal of reducing the number of Atlanta residents who spend a disproportionately high percentage of their income on housing; and

WHEREAS, the City Charter, at Section 1-102(c) (42), authorizes the City to regulate land use by the adoption of zoning ordinances, planning ordinances, and other regulatory ordinances; and

WHEREAS, increased development and the finite supply of developable land within the Westside has caused concerns about affordability of housing for low and moderate-income citizens of the City, as chronicled in recent local news stories; and

WHEREAS, a zoning ordinance with incentives for providing affordable workforce housing will aid the City in its goal to maintain a diverse population for persons of various income levels and ensure the availability of affordable workforce housing for the City's workforce to live within the City, including, the Westside neighborhood; and

WHEREAS, The City encourages developers to seek Housing Choice vouchers or the award of project-based rental subsidy from the Housing Authority of the City of Atlanta, Georgia ("AHA") for the affordable units as available in order to offset providing affordable housing.

WHEREAS, this ordinance is adopted pursuant to Georgia Constitution Article IX, Section II, Paragraph IV which empowers the governing authority of each county and of each municipality to adopt plans and exercise the power of zoning; and

WHEREAS, such zoning powers include, among other things, the power of local governments to provide within their respective territorial boundaries for the zoning or districting of property for various uses and the prohibition of other or different uses within such districts and for the regulation of development and the improvement of real estate within such districts in accordance with the uses of property for which such districts were established.

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

Section 1: The Atlanta Zoning Ordinance, City Code of Ordinances, Part 16 (Zoning), is hereby amended by adding a new Chapter 37 entitled "Westside Affordable Workforce Housing Overlay District", which shall read as shown on Exhibit "A" attached hereto and incorporated herein by this reference.

Section 2: The Official Zoning Map, as amended, is hereby further amended as shown on Exhibit "B", attached hereto and incorporated herein by this reference.

Section 3: The initial in-lieu fee rates referenced in Section 16-37.007 are attached hereto as Exhibit "C".



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Section 4: The City Code of Ordinances, Part 16, Chapter 28, Section 16-28.023(2)(c), which sets forth eligible "sending areas" for transfer of development rights, is hereby amended by adding a new sub-paragraph 4 which shall read as follows:

- (5) One or more lots or parcels providing affordable workforce housing units in compliance with chapter 37 of this part.

Section 5: This ordinance shall apply unless the landowner (or lawful agent): a) submitted a proper application for building permit (including a land disturbance permit or foundation permit) to the proper authority prior to the effective date of this ordinance; or b) obtained a validly issued building permit (including a land disturbance permit or foundation permit) from the proper authority prior to the effective date of this ordinance. Once a valid building permit (including a land disturbance permit or foundation permit) has issued, the landowner has a right to develop the property pursuant to that permit, during its term as set forth in the building code amendments, notwithstanding this ordinance's effective date prior to the issuance of the valid building permit. The proper application for or valid approval of a special administrative permit prior to the effective date of this ordinance shall not exempt any proposed development from the terms of this ordinance unless a proper application for building permit (including land disturbance permit or foundation permit) was submitted to the proper authority prior to the effective date of this ordinance.

Section 6: This ordinance shall take effect sixty (60) days after adoption by the City Council and approval by the Mayor.

Section 7: All ordinances or parts of ordinances in conflict with this ordinance are waived to the extent of any conflict.

Section 8: 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.

A true copy,

Rhonda Daughlin Johnson
Municipal Clerk

ADOPTED as amended by the Atlanta City Council
APPROVED by Mayor Kasim Reed

NOV 20, 2017
NOV 29, 2017

Exhibit A

**Chapter 37. – WESTSIDE AFFORDABLE WORKFORCE HOUSING OVERLAY
DISTRICT**



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Sec. 16-37.001. - Scope of regulations.

The scope of the regulations set forth in this chapter are the regulations in the Westside Affordable Workforce Housing Overlay District. These regulations are as follows:

1. The existing zoning map and underlying zoning regulations governing all properties within the Westside Affordable Workforce Housing Overlay District shall remain in full force and effect. The regulations contained within this chapter shall be overlaid upon, and shall be imposed in addition to, said existing zoning regulations. Except where it is otherwise explicitly provided, whenever the following overlay regulations are at variance with said existing underlying zoning regulations, the regulations of this chapter shall apply.
2. The provisions of this chapter shall apply to all residential rental developments of ten (10) or more new residential rental dwelling units in the Westside Affordable Workforce Housing Overlay District except those residential rental developments governed by City Code Section 54-1(c) (publicly-subsidized multi-family residential property), in which case said code section shall govern the provision of affordable housing.
3. Whenever the following regulations are at variance with historic district regulations of Part 16, Chapter 20, the more stringent regulations shall apply whereas not to impact designated historic structures or buildings.

Sec. 16-37.002. Findings and statement of intent.

Providing a range of affordable housing choices in the Westside Affordable Workforce Housing Overlay District is a difficult but vital objective. Housing shortages for persons of various income levels are detrimental to the public health, safety and welfare, causing detrimental transportation, environmental, business and social consequences. The purpose of this chapter is to increase the availability of housing choices for individuals and families earning at or below sixty percent (60%) or at or below eighty percent (80%) of the area median income ("AMI") as calculated and published annually by the U.S. Department of Housing and Urban Development for the Atlanta – Sandy Springs – Marietta metropolitan area.

Therefore, City policies that promote these objectives will serve to:

1. Implement the goals, policies, and objectives contained in the City's Comprehensive Development Plan;
2. Ensure diverse housing options continue to be available for persons and/or households at or below AMI;
3. Maintain a balanced community by encouraging the finite supply of developable land to provide housing opportunities appropriate to meet various needs and income levels;
4. Ensure the availability of housing with better access to jobs in the city and thereby promoting household economic mobility through increased access to MARTA and other public transit;



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6. Improve the opportunity for working people to elevate their economic status;
7. Encourage the construction of affordable workforce housing by offering zoning incentives for the provision of affordable workforce housing as a portion of residential development to address both existing and anticipated future housing needs in the Westside Affordable Workforce Housing Overlay District;
8. Afford developers of residential development the flexibility to meet the broad objectives of the City's policies to assist in providing a percentage of affordable workforce housing units as a portion of development; and
9. Provide opportunities to have on-site, privately produced, owned and managed, long-term affordable units.

Sec. 16-37.003. Definitions.

As used in this chapter, unless specifically stated otherwise, the following terms shall have the meanings set forth below:

1. *Actively marketed*: Applicant shall coordinate with the City of Atlanta Office of Housing and Community Development or its program designee(s) to locate and place Workforce Residents in available affordable workforce housing units. If Applicant coordinates in writing and in a commercially reasonable manner with the City of Atlanta Office of Housing and Community Development for a period of sixty (60) days with respect to any affordable workforce housing unit from the completion of such units or the vacation of any such unit by any Workforce Resident, and despite such coordination, such unit has not been leased to Workforce Resident then such units shall be counted towards the affordable workforce housing unit requirement if so certified by the City of Atlanta Office of Housing and Community Development.
2. *Affordable workforce housing unit(s)*: A residential rental unit in the Westside Affordable Workforce Housing Overlay District that complies with the affordability requirement in section 16-37.004.
3. *Applicant*: Any person, firm, partnership, association, joint venture, corporation, or any other entity or combination of entities or affiliated entities and any transferee of all or part of the real property at one location, which after this chapter takes effect develops a total of ten (10) or more new residential rental dwelling units at one location in the Westside Affordable Workforce Housing Overlay District.
4. *At one location*: All real property of the Applicant in the Westside Affordable Workforce Housing Overlay District if:
 - a. Such properties are contiguous at any point;
 - b. Such properties are separated only by a public or private right-of-way or utility corridor right-of-way, at any point; or
 - c. Such properties are separated only by other real property of the Applicant which is not subject to this chapter at the time of any building permit, site plan, and development or subdivision application by the Applicant.



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5. *ELURA*: A Land Use Restrictive Agreement between the City and the Applicant that shall encumber property in a manner that will require the development and active marketing of a percentage of units as affordable workforce housing units.

6. *Market rate unit(s)*: A residential rental unit that is not an affordable workforce housing unit.

7. *Workforce Resident*: the person or persons occupying an affordable workforce housing unit earning in the aggregate no more than eighty percent (80%) of the Area Medium Income ("AMI") for the Atlanta-Sandy Springs-Marietta area, as published by the United States Department of Housing and Urban Development ("HUD") or no more than sixty percent (60%) AMI depending on the applicable affordability requirement below. The published income limits will be adjusted by household size. The income limits and rent limits will be adjusted annually according to the HUD published limits.

Sec. 16-37.004. On-Site Affordability requirement.

All improvement of real property in the Westside Affordable Workforce Housing Overlay District, regardless of the number of parcels, upon which ten (10) or more new residential rental dwelling units will be constructed at one location, shall comply with the applicable affordability requirement set forth below. The affordability requirement shall apply for the greater of twenty (20) years from the date of the issuance of the certificate of occupancy; or such longer period from the date of the issuance of the certificate of occupancy, as permitted by state law at the time of the issuance of the building permit. The affordable workforce housing units shall be substantially similar in construction and appearance (e.g., square footage, type and brand of appliances, materials used for countertops, flooring, etc.) to the market rate units, and shall not be in isolated areas in the development, but shall be interspersed among market rate units. The number of bedrooms in the Affordable Workforce Housing Units (e.g. 1 bedroom, 2 bedroom, 3 bedroom) shall be proportionate to the number of bedrooms in the market rate units.

(1) At least fifteen percent (15%) of the total residential rental units shall be actively marketed for lease to households having an income, as certified by the prospective tenant(s) at the time of execution of the applicable lease agreement, that does not exceed eighty percent (80%) AMI for the family size having the same number of persons as the subject household for the Atlanta-Sandy Springs-Marietta, Georgia HUD Metro Fair Market Rent Area (as published by HUD as of the date of the tenant's application). The monthly rent amount (not including utilities and mandatory fees) for each affordable workforce housing unit shall be no more than thirty percent (30%) of the household's monthly gross income as published periodically by HUD; or

(2) At least ten percent (10%) of the total residential rental units shall be actively marketed for lease to households having an income, as certified by the prospective tenant(s) at the time of execution of the applicable lease agreement, that does not exceed sixty percent (60%) of the AMI for the family size having the same number of persons as the subject household for the Atlanta-Sandy Springs-Marietta, Georgia HUD Metro Fair Market Rent Area (as published by HUD as of the date of the tenant's application). The



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monthly rent amount (not including utilities and mandatory fees) for each affordable workforce housing unit shall be no more than thirty percent (30%) of the household's monthly gross income as published periodically by HUD.

Units actively marketed for lease in accordance with the terms of the LURA shall be considered to be in compliance with the requirements of this Chapter 37.

Sec. 16-37.005. Plans to conform.

Upon the face of the permit plans, and as a condition of the special administrative permit and/or building permit for improvement of real property subject to the affordability requirement, the Applicant shall acknowledge by signature, for itself its successors and assigns on the permit plans, that it will satisfy the requirements of 16-37.004 or 16-37.007 and certify which floorplans to be built within the property will be the affordable units and the number of units to be designated affordable within each floorplan type.

Sec. 16-37.006. Certificate of occupancy.

Unless Applicant satisfies the requirements of 16-37.007, the following requirements shall apply:

1. *Concurrency.* Applicant shall use best efforts to develop affordable workforce housing unit(s) concurrently with market rate units; and
2. *LURA.* No temporary or final certificate of occupancy shall be issued until a LURA in the form provided by the City is recorded in the county real estate records where the property lies and a recorded copy is affixed to the application for certificate of occupancy.

Sec. 16-37.007. In-lieu option.

In lieu of compliance with the on-site affordability requirement, the Applicant may elect to pay an in-lieu fee to the City to be deposited into the Westside Affordable Workforce Housing In-Lieu Fee Trust Fund prior to issuance of a building permit. In-lieu fees are a public record and calculated yearly to reflect the current market. Rates will be published and made available on the City of Atlanta Department of City Planning website no later than June 1 of each year and will be effective July 1 of that same year. The in-lieu fees plus administrative costs are based on the approximate cost of construction of replacement affordable workforce housing units not built on-site.

Sec. 16-37.008. Density bonus.

A development in compliance with the affordability requirement shall be entitled to a 15% floor-area ratio increase above the floor-area ratio set by the current zoning for the development ("density bonus"). In the event the Applicant chooses not to use any or all of the density bonus on-site, such density bonus may be severed in the form of development rights, pursuant to the procedures set forth in section 16-28.023 (Transfer of development rights). In the event construction of all or a portion of the density bonus would exceed the maximum floor area



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ratio set forth in the City's comprehensive development plan, if any, Applicant shall only be entitled to apply for transfer of development rights for such excess portion.

Evidence of a development exercising the density bonus on-site shall be entitled to an increase of the maximum parking requirements of 16-36.020(2), if necessary, but only commensurate with the number of spaces required in accordance with the density bonus granted. Evidence of a development exercising the option to increase the density on-site will only be obligated to comply with the minimum open space requirements set by the underlying zoning district for the development.

Sec. 16-36A.009. Parking incentives.

A development in compliance with the affordability requirement shall be entitled to a reduction in the minimum parking requirement set by the underlying zoning district for the development.

- (a) *Minimum Parking for Residential Uses:* There will be no minimum parking requirement for a residential development within the Westside Affordable Workforce Housing Overlay District.
- (b) *Minimum Parking for Non-Residential Uses in a Mixed Residential Commercial Development:* The minimum parking requirement set by the underlying zoning for the development will be reduced by 25%.

Sec. 16-36A.010. Application Review.

- (a) *Priority Application Review:* A development that will meet the on-site affordability requirement shall be entitled to an expedited administrative review of the special administrative permit ("SAP"). The SAP will be given priority and be reviewed within twenty-one (21) days.
- (b) *Major Projects Meeting:* A development in compliance with the on-site affordability requirement shall be given major project status and will be afforded a "Major Projects Meeting" in which representatives from all departments that will review the development for permitting will meet with the applicant to identify potential issues and articulate expectations and requirements for permitting.

Sec. 16-37.011. Monitoring and Enforcement.

The City of Atlanta's Office of Buildings shall enforce the affordability requirement prior to issuance of the certificate of occupancy. The Office of Housing and Community Development shall enforce the affordability requirement after issuance of the certificate of occupancy.

1. *Compliance report.* Each development shall comply with reporting requirements set forth in the LURA, as described in section 16-37.006.



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2. *Non-compliance.* No development shall maintain its eligibility for incentives under this chapter unless a valid LURA remains in effect and unless the development continuously meets the affordability requirement during the entire period of the LURA. The City may take any other legal remedies allowed under the LURA including but not limited to seeking an injunction to prevent the leasing of units that would cause the project to exceed the number of Market Rate units to be leased under the LURA.
3. *Enforcement.* Violations of the requirements in this chapter shall be subject to the penalties outlined in Atlanta City Code Sec. 16-30.002.

Sec. 16-36A.012. Reporting.

The Office of Housing and Community Development will provide a status report every two (2) years on the program. The report will include the number of affordable units created pursuant to this chapter, the dollar amount of in lieu fees collected, and the dollar amount of in lieu fees expended.

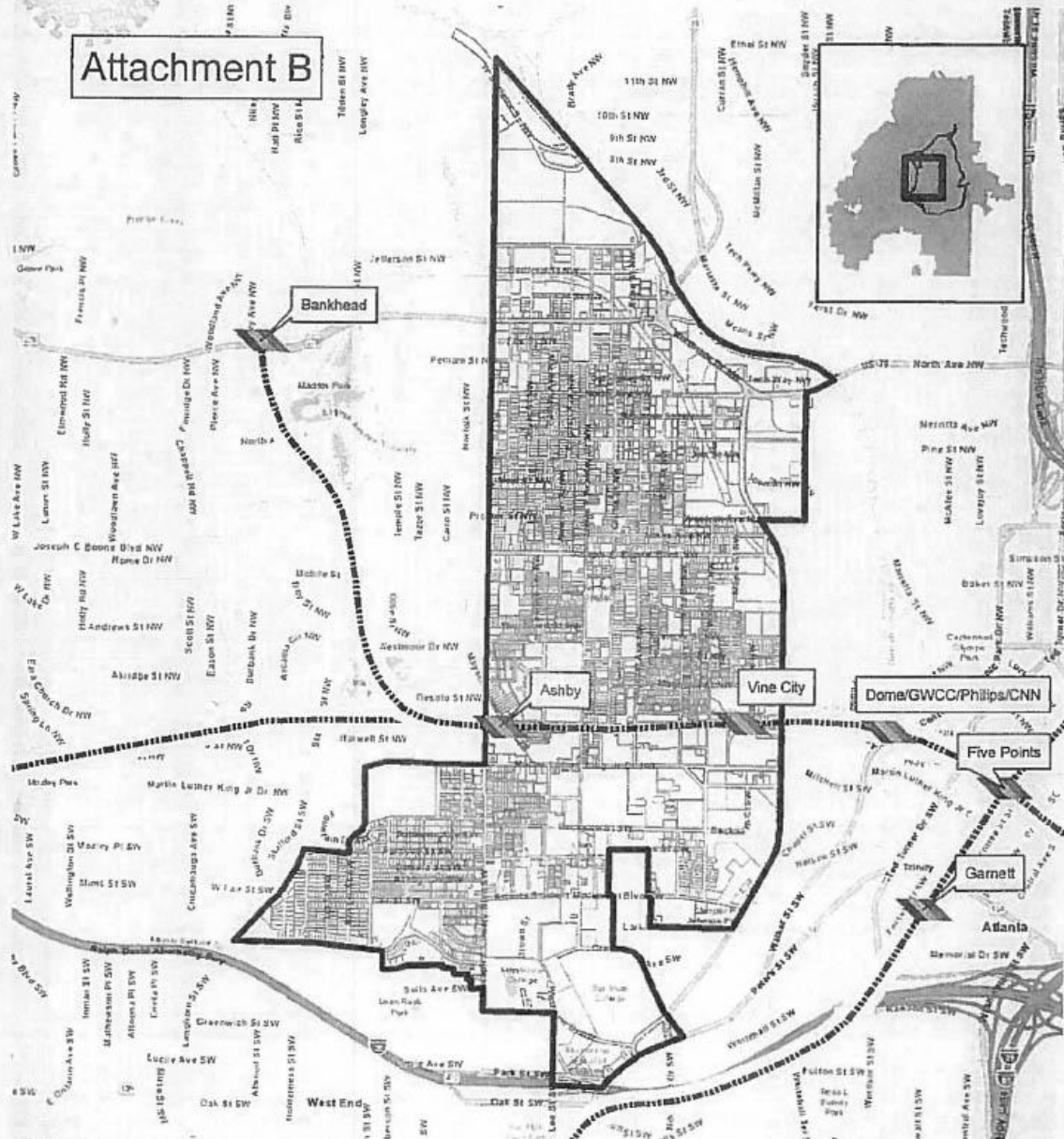
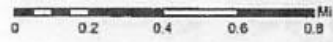
Sec. 16-37.013. Severability.

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

Westside IZ Overlay District

Westside IZ

Attachment B



Notes:
 Date: 11/3/2017
 Requested By:
 User Name: sthenderson
 Path: C:\Users\sthenderson\Documents\sthenderson\Backup\MXD\Westside\Z\BeltlineF.mxd

THIS MAP IS PROVIDED AS A PUBLIC SERVICE
 The City of Atlanta has made known that this Data contains known errors and inconsistencies. The City of Atlanta in no way ensures, represents or warrants the accuracy and/or reliability of the Data and/or map products being developed. The user of the Data and/or map products assumes all risks and liabilities which may arise from the information produced by Maps or Data furnished to User by the City of Atlanta



EXHIBIT C

Westside Inclusionary Zoning Affordable Housing In Lieu Fee Rates:

	Construction Costs/Unit	Land Costs/Unit	Total/Unit
	\$133,218	\$12,333	\$145,551



Z-17-72/ Westside Affordable Workforce Housing District
ZRB Hearing - November 9, 2017

	NPU						No Vote	Pending	Comments
		Approved	Denied	Abstained	Deferred	Taken	NPU Vote		
Z-17-72/ Westside Affordable Workforce Housing District	A							Tie Vote 1-1-3	
	B	X							
	C	X							
	D	X							
	E	X							
	F	X							
	G	X							
	H	X							
	I	X							
	J	X							
	K	X							
	L	X							
	M	X							
	N	X							
	O	X							
	P	X							
	Q	X							
	R	X							
	S	X							
	T	X							
	V	X							
	W	X							
	X	X							
	Y	X							
Z	X								
UDC	N/A	N/A	N/A	N/A	N/A	N/A	N/A		
Total:	24	0	0	0	0	0	0		

Data has shown that inclusive procurement by government agencies can greatly impact opportunities for small and diverse business owners. Government contracting, both with federal and local governments, can produce considerable opportunity for those capable of navigating its potential challenges. Nowhere is this more apparent than in the City of Atlanta, where former Mayor Maynard H. Jackson's minority contracting mandate on a newly developed terminal at what is now Hartsfield-Jackson Atlanta International Airport was a catalyst for creating numerous black millionaires. Some of the most prominent Black entrepreneurs in American history were given opportunities that helped change the trajectory of their lives and the City as a whole. Atlanta's black middle class was subsequently built through these entrepreneurs who continue to bring countless dollars in economic impact to the City and region through spending with other businesses and wages paid to employees and family and philanthropic donations. All examples of the potential return on investment for governments willing to promote procurement inclusion.

Finding ways to include these entrepreneurs in city purchasing and development, then, can play a critical role in building the economic vitality of a community. Data has shown that Entrepreneurs of color are more likely to hire other people of color and from their local neighborhoods helping to alleviate unemployment. Those wages are subsequently reinvested in the local community through spending with other businesses, creating economic impact. By investing in the growth on diverse entrepreneurs through contracts, governments can shelter against displacement by providing avenues for the community to grow with new development by providing access to wages and economic stability.

The City of East Point is on the precipice of economic change that has the potential to displace legacy residents and business owners alike. By using its resources to both address bias (implicit or explicit), and process and policy barriers in the awarding of contracts, East Point's diverse vendors will be better positioned to participate in the city's economic revitalization.

A. Procurement Overview

The City of East Point's Contracts & Procurement office is under the direction of City Manager, Mr. Frederick Gardiner. The Procurement Director position is currently vacant but was filled by Ms. Ella Sizemore through late 2020. In her absence procurement decisions are overseen by the City Manager's office. Mission and Vision for the Contracts and Procurement Department is below:

Mission: The Contracts and Procurement Department shall comply with all federal and state laws, as well as regulations and procedures established by the City of East Point. Contracts and Procurement creates methods to reduce the cost of government spending with integrity and fairness. Creating and encouraging opportunities for vendor participation is essential to our community for economic growth.

Goal: Our goal is to ensure the taxpayers of the City of East Point that we practice ethical measures to procure expenditures, which promotes vendor opportunity cost savings and improve operational efficiency.

The City also established internal working goals for Contracts and Procurement for 2020 and 2021. Some priority items include an update to their procurement policy, development of a procedures manual, and protecting the city through their contract template. Goals for the current fiscal year are included below.

FY 21 GOALS

- Complete Policy and Procedures
- Partner with neighboring Cities to host vendor conference.
- Hire Contracts Administrator
- Establish and use Contract template to protect.

Purchases made by the City are governed by Division II Chapter 3 of the City of East Point Code of Local Ordinances (Ord. No. 1111-95, § 1, 7-3-95), which governs contracts for the procurement of equipment, supplies, services, construction, professional and consultant services solicited or entered by the City. The Purchasing office has a centralized function, with the Purchasing Director and designated staff primarily responsible for purchasing on the behalf of all City departments. While the manage solicitations and bids, user departments are consulted in the purchasing process by making recommendations for awards based on “best and lowest” criteria where appropriate.

The City maintains a procurement “dashboard” for internal usage which allows them to identify information pertaining to the number of contracts that are uploaded into their new financial system, BS&A, and the number of contract renewals. Data for reporting within this system, predominantly related to spending reports and disaggregated data on spending with local, small, and diverse firms was unavailable for this study and is not currently tracked by the City.

Part of the lack of data tracking around spending with historically underutilized groups is because there are currently few supplier diversity programs active within the City. Currently, outside of a 5% Local Business Preference, the City does not have any other supplier diversity programming.

B. Department Budget

While doing an analysis of policy and procedure allows you to understand day to day staff priorities and constraints, looking at department budgets give a level of understanding to resources and administrative priority. Currently the Contracts and Procurement department has a budget of \$632,230, a progressive increase from both its FY18 and FY19 budget. The previous two years saw the department grow significantly (nearly \$200,000) in both personal services and operating expenditures. Part of this may be a function on the City’s focus on professional development within the department and investments with the departments data capacity. During FY20 the City launched both a new ERP system and new vendor registration platform, which may have temporarily increased the budget. Departmental goals also include certifying staff as purchasing professionals, training which was presumably financed from the City budget.

The adopted FY21 budget has decreased slightly from the amended FY20 budget but is still slightly higher than the FY19 actual allotment.

BUDGET SUMMARY				
Category Description	FY18	FY19	FY20	FY21
	Actual	Actual	Amended	Adopted
Expenditure Category				
Personal Services	\$ 477,508	\$ 562,687	\$ 632,230	\$ 547,798
Operating	\$ 27,110	\$ 33,765	\$ 71,550	\$ 52,010
TOTAL	\$ 504,618	\$ 596,452	\$ 703,780	\$ 599,808

C. Contract Thresholds

Formal and informal contract thresholds vary by municipality and contract type. Policy states that unless otherwise authorized by law, all city contracts in an amount greater than \$12,500.00, except for the purchase, sale, and disposition of real estate, shall be awarded by competitive sealed bidding, pursuant to of the municipal code, section 4-3302 (Competitive sealed bidding), except as provided in Section 4-3303 through 4-3307 and section 4-3704, 3707 and 3323.

For contracts at \$25,000 and above, an advertisement inviting bids shall be published at least once a week for two consecutive weeks, in at least one newspaper of general circulation in the city, at least fourteen days preceding the date set for receipt of bids. Public notice is not required if the contract does not exceed \$25,000.00 and the purchasing agent has established and maintains a current bidders' list.

PSE was unable to review current spending thresholds analysis to determine the average size of contract awarded by the City over the study period.

D. Vendor Registration, Outreach and Prequalification

It had been reported in interviews with staff that there was no automated vendor registration process, however the City was scheduled to update to an online software platform, IonWave, in the spring of 2020. This system is anticipated to allow online solicitation and bid submission.

The City also does not maintain an automated vendor list or list of local certified MFBE businesses. To supplement this approach, the City posts bids on the state Department of Administrative services website. This statewide approach may also impact their ability to reach local businesses. Reportedly, the City does little outreach to local businesses outside of non-mandatory pre-bid meetings which are not always required for every project. This is one priority area identified by the City, who had been working to host a regional vendor fair with neighboring cities.

While they do not commonly prequalify, policy permits them the right to implement a prequalification process as the City's discretion.

E. Bonding and Securities

Bid security is required for all competitive sealed bidding for contracts for supplies and services when the price is estimated by the purchasing agent to exceed \$100,000. Bid security shall be a bond provided by a surety company authorized to do business in the State of Georgia, or the equivalent in cash, cashier's check, or certified check.

The purchasing agent is authorized to reduce or waive performance and payment bonds for contracts for equipment, supplies, and services for \$100,000 or less, when the purchasing agent makes a written determination that it is in the best interests of the city to do so. The purchasing agent is also authorized to reduce or waive payment bonds on contracts for professional or consultant services when appropriate, but the policy does not define what the appropriate conditions for these waivers should be.

F. Insurance Requirements

Insurance requirements have been a historic barrier to small and minority business participation in government contracting. Naturally risk adverse governments may use insurance requirements as a means of passing risk to small businesses, who then must invest working capital in maintaining costly insurances. Insurance requirements should be carefully crafted to the size and type of the contract, to avoid over exposure to risk for small businesses.

While the City’s insurance ordinance does not specify ranges of insurance expected for different types of procurements, the City’s contract templates outline the following insurance limit requirements:

Workers’ Compensation	Type and Limits
State and Other	Statutory
Employers Liability	Each Accident - \$100,000 Disease Policy Limit - \$500,000 Disease Each Employee - \$100,000
Commercial General Liability – General Aggregate	Each Occurrence - \$1,000,000 Annual Aggregate- \$1,000,000
Products and Completed Operations	Each Occurrence - \$1,000,000 Annual Aggregate - \$1,000,000
Personal Injury	Annual Aggregate - \$1,000,000
Automobile Liability (any vehicle)	Bodily Injury (Each Person) - \$1,000,000 Each Occurrence - \$1,000,000
Property Damage	Each Occurrence - \$1,000,000
Property Insurance	Fire and Extended Coverage including an “All-risk” Builder’s Risk Form - Not Required

G. Prompt Payment

The City does not have a codified prompt payment ordinance or provision that outlines the conditions for prompt payment, but it does include prompt pay language in contract template outlining a joint check policy in the event of non-payment of subcontractors. In an interview with procurement staff, it was noted that it was their practice to attempt to pay vendors within thirty days, but we neither have written documentation of that being associated with any codified policy or procedure or data illustrating how effective the City is at meeting this deadline with its vendor.

In the construction contract template, Article V, section 2.4, it states the following:

“The Contractor shall promptly pay each Subcontractor out of the amount paid to the Contractor on account of such Subcontractor's Work and / or Service(s), the amount to which such Subcontractor is entitled. In the event the City becomes informed that the Contractor has not paid a Subcontractor as herein provided, the City shall have the right, but not the duty, to issue future checks in payment to the Contractor of amounts otherwise due hereunder naming the Contractor and such Subcontractor as joint payees. Such joint check procedure, if employed by the City, shall create no rights in favor of any person or entity beyond the right of the named payees to payment of the check and shall not be deemed to commit the City to repeat the procedure in the future. (Article V, Section 2.4)”

Additionally, the City renders payment against itself at up to 4% interest per annum for an unexcused failure to pay its prime contractors. This provision only kicks in after payment is not made within 60 calendar days of the date due.

Generally, as contractors move down the supply chain it takes longer for subsequent contractor tiers to receive payment for services received. For aggrieved contractors who provided labor or material to contractors as in not paid in full within 90 days from the date on which that person performed the last of the labor or supplied the material, they have the right to sue on the payment bond for any amount unpaid at the time (Ord. No. 1111-95, § 1, 7-3-95).

H. Supplier Diversity and Workforce Programming

Currently, the City has no equity initiatives nor supplier diversity initiatives designed to promote the inclusion of small or diverse businesses in its procurement. There are no policies or programs to support or encourage inclusion of small and diverse businesses, at either the prime or subcontractor level.

Preventing the City launching a full, race conscious procurement program, is a current disparity study that can respond to the need for a factual predicate per the Supreme Court's decision in *City of Richmond v. J. A. Croson Co.*, 488 U.S. 469 (1989). In this case, the supreme court ruled that there is a need to establish a factual predicate, or factual basis that discrimination is occurring in the awarding of contracts. This study needs to meet the Court's standard of strict scrutiny identifying both a factual basis and compelling government interest to remediate any allegations of discrimination. This study should identify both the availability of minority businesses within the relevant market and measure current and historical spending trends disaggregated by race and industry. Once the strict scrutiny standard is satisfied, if there are identified disparities by the race and gender status of vendors in the City's procurement, the City would then have justification to

