

# Guidelines for Establishing State of North Carolina Urban Progress Zones

## 1. Intent

As authorized in § 143B-437.09, the purpose of the State Urban Progress Zones is to provide economic incentives to stimulate new investment and job creation in economically distressed urban areas. A State Urban Progress Zone is an area comprised of one or more contiguous census tracts, census block groups, or both, or parts thereof, in the most recent federal decennial census that meets all conditions listed in section 2 of this document.

## 2. Qualifying an Area for Designation

The basis for identifying and qualifying an area for a State Urban Progress Zone is contiguous census tracts and census block groups as defined by the most recent decennial United States Bureau of Census. A local government may request the designation of an Urban Progress Zone. Each Zone must meet the minimum criteria specified in the General Statutes and described below.

A State of North Carolina Urban Progress Zone must meet the following minimum criteria specified in the General Statutes:

(a) Urban Progress Zone Defined. – An urban progress zone is an area that meets all of the following conditions:

- (1) It is comprised of part or all of one or more contiguous census tracts, census block groups, or both, in the most recent federal decennial census.
- (2) All of the area is located in whole within the primary corporate limits of a municipality with a population in excess of 10,000 according to the most recent annual population estimates certified by the State Budget Officer.
- (3) Every census tract and census block group that composes the area zone meets at least one of the following conditions:
  - a. It has a population that meets the poverty level threshold. The population of a census tract or census block group meets the poverty level threshold if more than twenty percent (20%) of its population is below the poverty level according to the most recent federal decennial census. twenty percent (20%) of its population is below the poverty level according to the most recent federal decennial census.
  - b. It is located adjacent to a census tract or census block group whose population meets the poverty level threshold and at least fifty percent (50%) of the part of it that is included in the area is zoned as non-residential. No more than thirty-five percent (35%) of the area of a zone may consist of census tracts or block groups that satisfy this condition only.
  - c. It has a population that has a poverty level that is greater than the poverty level of the population of the State and a per capita income that is at least ten percent (10%) below the per capita income of the State according to the most recent federal decennial census, and it has experienced a major plant closing and layoff within the past ten (10) years. A census tract or census block group has experienced a major plant closing and layoff if one its industries has closed one or more facilities in the census tract or census block group resulting in a layoff of at least three-thousand (3,000) employees working in the census tract or census block group and if the number of employees laid off is greater than seven (7%) of the population of the municipality according to the most recent federal decennial census.

(b) Limitations. – No census tract or block group may be located in more than one urban progress zone. The total area of all zones within a municipality may not exceed fifteen percent (15%) of the total area of the municipality unless the smallest possible area in the municipality satisfying all of the conditions of subsection (a) of this section exceeds fifteen percent (15%) of the total area of the municipality. In the case of a municipality where the smallest possible area in the municipality satisfying all of the conditions of subsection (a) of this section exceeds fifteen percent (15%) of the total area of the municipality, the smallest possible area in the municipality satisfying all of the conditions of subsection (a) of this section may be designated as an urban progress zone.

(c) Designation. – Upon application of a local government, the Secretary of Commerce shall make a written determination whether an area is an urban progress zone that satisfies the conditions and limitations of subsections (a) and (b) of this section. The application shall include all of the information listed in this subsection. A determination under this section is effective until December 31 of the year following the year in which the determination is made. The Department of Commerce shall publish annually a list of all urban progress zones with a description of their boundaries.

The application shall include all of the following requirements in order to be considered for designation:

1. A map showing the census tracts and block groups that would comprise the zone.
2. A detailed description of the boundaries of the area that would comprise the zone.
3. A zoning map for the municipality with the proposed zone clearly delineated upon it.
4. Detailed census information on the municipality and the proposed zone.
5. A resolution of the governing body of the municipality requesting the designation of the area as an urban progress zone. If applying under §143B-437.09(a)(3)c, you must state in the resolution that the proposed area has met all requirements set forth in this section.
6. Any other material required by the Secretary of Commerce.

### **3. Assistance with Preparation of an Application for Zone Designation.**

Assistance with preparation of the application for Urban Progress Zone Designation is available at the North Carolina Division of Community Assistance. Regional Offices may provide assistance with these guidelines. Contacts at these offices are provided on Attachment C.

Additional information related to North Carolina demographics can be found at <http://demog.state.nc.us/>

### **4. Submittal Information and Approval Process Information.**

1. Who may apply? Local municipal governments with a population greater than 10,000 may apply for zone designation. Action by the governing body is required for local government applicants. Local governments are encouraged to hold a public hearing prior to acting on a zone application. **UP Zones will only be designated within corporate limits of the municipality submitting the application.**

2. Submit the completed application form to: J. Keith Crisco, Secretary  
NC Department of Commerce  
c/o Gloria Nance-Sims, Director  
Division of Community Assistance  
4313 Mail Service Center  
Raleigh, NC 27699 -4313

3. The Secretary of Commerce will designate areas that meet statutory criteria. A determination of application is effective until December 31 of the year following the year in which the determination was made.

4. For information concerning the status of an application, applicants may call Will Best at (919) 733-2853 extension 265. Email – [Wbest@nccommerce.com](mailto:Wbest@nccommerce.com)

5. If an application is unsigned, incomplete or inaccurate, it will be returned to the applicant at the address on the application. The UP Zone application is in digital format containing macros. You must enable macros in order for the calculations to function. **HANDWRITTEN APPLICATIONS WILL NOT BE ACCEPTED**

6. Please send electronic copy of your completed application to [Wbest@nccommerce.com](mailto:Wbest@nccommerce.com)

7. An applicant will be notified by mail as to whether the application is approved or disapproved.

## 5. Detailed instructions to complete the Application for Zone Designation.

### Section I.

1. Municipality: This is the municipality in which the proposed Urban Progress Zone is primarily located.

2. Municipality Population: This is the most recent annual estimate of population certified by the Office of State Demographics - Internet address: <http://demog.state.nc.us/> .

3. Applicant Information: The applicant is limited to local municipal government. Be sure to designate a contact person to respond to any questions about the application.

### Section II.

Census Tract Data: Each census tract and block group must be entirely or partially within the current municipal limits, as those limits exist on the date of the application for Zone Designation. **Applications will be returned if the wrong census data is used. Be certain to follow these instructions exactly.**

#### A1 and A3

Census Tract and/or Block Group Number: This number is determined by locating census tracts and/or block groups on census tract/block group maps. Many municipalities have census maps for their jurisdiction. Other census data centers are listed on Attachments A and B. (*Hint: Each census tract and block group must be partially within the municipal boundaries.*)

#### A4

Total Area: This number is the total area in square miles of the census tract or block group.

#### A5

Total Population: Locate data on the 2000 Census of Population and Housing **Summary File 3** ([http://factfinder.census.gov/home/saff/main.html?\\_lang=en](http://factfinder.census.gov/home/saff/main.html?_lang=en)), at the enclosed listing of Census Data Centers. When analyzing total population from the data CD, locate the total population statistic in the Census Tract/Block Numbering Area (Totals) or Block Group (Totals), depending on what geographic identifier you are utilizing (i.e. tract or block group). Determine the population by the 100-Percent Count of Persons. *Applicant must have a municipal population greater than 10,000.*

**A6**

Total Population Below Poverty: *This function shall be performed manually. (File 3 P87 POVERTY STATUS)* For each census tract or block group, perform this calculation. Multiply the Total population of the census tract and/or block group by the Percent below poverty = Total population below poverty. Round to the nearest whole person.

**A7**

Percent Below Poverty: This statistic will be calculated for you. Select the General Profiles and scroll down to Income and Poverty; you will locate the Percent below Poverty under this heading. *(Hint: This number should not include the hundredths decimal. If a census tract or block group has less than 20.00% below poverty it does not qualify.*

**A8**

Percent that is Zoned as Nonresidential: This figure will be automatically calculated for you in the application.

**A9**

Is the census tract or block group contiguous to a census tract or block group with at least 20% poverty? Check YES or NO.

**Section II. B**

The data submitted in this section are for census tracts and block groups that are NOT entirely located within the proposed UPZ. Refer to § 143B-437.09 (d)

Columns 1 through 10 are the same as section II A.

Note: B4 requires Total Area (sq miles) within City Limits, B8 requires Total Area (sq miles) zoned as nonresidential within City Limits

**Section III.**

Zone Eligibility and Description

- A. Total area of the proposed zone: This will be done automatically.
- B. Does your municipality have an existing UPZ at the time of your application? There is a dropdown arrow that will allow you to select Yes or No. Be sure to total all current and pending zones.
- C. Combined Total Area: These figures will be automatically calculated for you in the application.
- D. Check the box to certify that the total area of the zones does not exceed 15% of the total area of the municipality. § 143B-437.09 (a)
- E. Total Area Zoned as Nonresidential: These figures will be automatically calculated for you in the application.
- F. Detailed description of the boundaries of the area that would comprise the zone. Please be specific.  
Note: Double click the box to enter MS Word.

**Section IV.**

Acknowledgements and Signature

Check the box to acknowledge the required criteria has been included and satisfied.

Signature:

The Chief Elected Official shall sign the application form. The signature certifies official action to apply for zone designation by the governing body.

***Note: Unsigned, incomplete, or inaccurate applications will be returned to the Applicant.***

**Department of Commerce - Business/Industry Regional Offices**

Western Regional Department of  
Commerce Office (Lenoir)  
P.O. Box 429  
602 Morganton Blvd. S.W.  
Lenoir, North Carolina 28645  
828/757-5651 FAX: 828/754-8856

Western Regional Department  
of Commerce Office (Fletcher)  
3 General Aviation Drive  
Fletcher, North Carolina 28732  
828/654-9852 FAX 828/654-9859

Carolinas Regional Department  
of Commerce Office (Charlotte)  
8210 Univ. Exec. Park Dr. Suite 260  
Charlotte, North Carolina 28262  
704/547-5750 FAX: 704/547-5747

Global Transpark Regional  
Department of Commerce (Greenville)  
601-H Country Club Drive  
Greenville, North Carolina 27834  
252/355-9048 FAX: 252/355-9051

Southeastern Regional Department  
of Commerce Office (Fayetteville)  
Wachovia Building, Suite 802  
Fayetteville, North Carolina, 28301  
910/486-1549 FAX: 910/486-1826

Western Regional Department  
of Commerce Office (Bryson City)  
Economic Agrarian Growth Rep.  
P.O. Box 1940  
50 Main Street, Room 228  
Bryson City, North Carolina 28713  
828/488-0300 FAX: 828/488-3950

Piedmont Triad Regional  
Dept. of Commerce Office (Greensboro)  
7614 Business Park Drive  
Greensboro, North Carolina 27409  
336/668-0474 FAX: 336/668-2164

Research Triangle Regional  
Department of Commerce Office (Raleigh)  
301 N. Wilmington Street, P.O. Box 29571  
Raleigh, North Carolina 27626-0571  
919/733-5148 FAX: 919/733-9299

Northeastern Regional  
Department of Commerce Office (Edenton)  
P.O. Box 405  
119 W. Water Street  
Edenton, North Carolina 27932  
252/482-2444 FAX: 252/482-7444

**Census Data Locations - Public Libraries**

Mecklenburg  
Public Library of Charlotte & Mecklenburg County  
310 North Tryon St.  
Charlotte, NC 28202  
(704) 336-2980  
*Have data for 13 counties*

Appalachian University  
Belk Library  
Boone, NC  
(828) 262-2186

Cumberland County Public Library  
300 Maiden Lane  
Fayetteville, NC  
(910) 483-3745

Western Carolina University  
Hunter Library  
Cullowhee, NC  
(828) 227-7316  
*Have data for limited area*

UNC - Asheville  
D. Hiden Ramsey Library  
1 University Heights  
Asheville, NC 28804-8504  
(821) 251-6336  
*Have data for Buncombe Co.*

East Carolina University  
Joyner Library  
Greenville, NC 27834  
(252) 328-6601

UNC - Wilmington  
Randell Library  
601 S. College Rd  
Wilmington, NC 28403  
(910) 962-3272

Duke University  
Perkins Library  
Flowers Dr.  
Durham, NC 27706  
(919) 660-5880  
*Have data for a limited area*

State of North Carolina  
State Library of North Carolina  
109 E. Jones St.  
Raleigh, NC 27601-2807  
(919) 733-3270

Forsyth County Library  
660 W. Fifth  
Winston-Salem, NC 27101  
(336) 727-2208  
*Have data for a limited area*

**Division of Community Assistance Regional Office Information**

**Asheville Regional Office\***

31 College Place  
Building B  
Asheville, NC 28801  
TEL. (828) 251-6914  
FAX (828) 251- 6918

**Raleigh Regional Office\***

4313 Mail Service Center  
Raleigh, NC 27699 - 4313  
TEL. (919) 733-2850  
FAX (919) 733-5262

**Fayetteville Regional Office\***

225 Green Street  
Fayetteville, NC 28301  
TEL. (910) 829-6384  
FAX (910) 437-2535

**Washington Regional Office\***

128 East 2<sup>nd</sup> Street  
Washington, NC 27889  
TEL: (252) 974-1308  
FAX: (252) 974-2900

**Winston Salem Regional Office**

8025 North Point Blvd. Suite 256  
Winston Salem, NC 27106  
TEL. (336) 896-7050  
FAX (336) 896-7052

\*denotes GIS staff and operations on site