

URBAN RENEWAL PLAN
CITY OF CLINTON, MISSISSIPPI
HISTORIC OLDE TOWNE URBAN RENEWAL DISTRICT

Section 1. General Description of the City of Clinton

Founded in 1823, the City of Clinton, Mississippi (the “City”) is located in Hinds County, Mississippi (the “County”) in the central section of the State of Mississippi (the “State”) and occupies 42.147 square miles. The City is located approximately seven (7) miles west of Jackson, Mississippi, the capital of the State.

Section 2. Description of the Urban Renewal Area

The Urban Renewal Law (*Miss. Code Ann. §43-35-1 et seq.*) provides an opportunity for a Municipality to address blight and deterioration. Section 43-35-3 of the Mississippi Code of 1972, as amended, defines a “Blighted Area” as any area that has

“a substantial number of slum, deteriorated or deteriorating structures, a predominance of defective or inadequate street layout, faulty lot layout in relation to size, adequacy, accessibility or usefulness, unsanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the fair market value of the land, defective or unusual conditions of title, or the existence of conditions which endanger life or property by fire or other causes, or any combination of such factors [that] substantially impairs or arrests the sound growth of the municipality, retards the provision of housing accommodations or constitutes an economic or social liability and is a menace to the public health, safety, morals, or welfare in its present condition and use.”

The Governing Authority did, by resolution dated June 19, 2018, declare certain property located in the City, as more particularly described in Exhibit I (“Historic Olde Towne Urban Renewal District”), incorporated herein and attached hereto, to be a “blighted area” within the meaning of Section 43-35-3 of the Urban Renewal Act, and did designate such area as appropriate for an urban renewal project. The property described in Exhibit I-A shall constitute the “Urban Renewal Area” for purposes of this Urban Renewal Plan.

The Historic Olde Towne Urban Renewal District boundaries follow the boundaries of the Historic Olde Towne District and include the lots and streets from the original survey of 1829. In 2017, the Olde Towne District was listed as a National Register District.

Section 3. Existence of Urban Renewal Plan

This Urban Renewal Plan shall constitute an urban renewal plan of the City of Clinton, Mississippi (the “City”), pursuant to Sections 43-35-1 *et seq.*, Mississippi Code of 1972, as amended and supplemented from time to time (the “Urban Renewal Act”), and as particularly defined in Section

43-35-13 of the Urban Renewal Act. To the greatest extent feasible, any urban renewal project or workable program formulated in connection with this Plan shall, pursuant to Section 43-35-9 of the Urban Renewal Act, encourage private investment.

This Plan contemplates the redevelopment, rehabilitation and renovation of structures that are substandard, deteriorated, have been condemned and/or because of their historic nature may not be demolished. Substandard structures shall include those structures that do not conform to the building and related codes of the City.

To the greatest extent feasible, any Project undertaken as part of this Urban Renewal Plan shall afford maximum opportunity to encourage the rehabilitation, renovation, new development and redevelopment of the area.

Under this Plan, where it deems necessary for or in connection with an urban renewal project, to eliminate unhealthy, unsanitary, or unsafe conditions, or otherwise remove or prevent the spread of blight or deterioration, the City may, in accordance with Section 43-35-17, Mississippi Code of 1972, as amended and supplemented, acquire real property. Property may subsequently be disposed of in accordance with Mississippi law.

Urban Renewal Projects shall specify the intended redevelopment, acquisition plan, and disposition plan.

The regulations set forth in this Urban Renewal Plan shall be interpreted and applied as the minimum requirements. Whenever the requirements set forth herein are at a variance with the requirements of any other lawfully adopted rules, regulations, ordinances, deed restrictions, or covenants, the most restrict, or that imposing the highest standard, shall govern.

Section 4. Comprehensive Plan and Urban Renewal Plan Goals and Objectives

This Urban Renewal Plan will serve to support and complement the City's Comprehensive Plan. This Plan shall be deemed to refer to the most recent land use map and zoning ordinance of the City. The objective of this Plan is to adhere to the purposes and the goals, objectives, vision and strategies of the Comprehensive Plan. The Plan further seeks to encourage development and redevelopment projects to facilitate their conformity to the City's Comprehensive Plan and the elements comprising the Comprehensive Plan.

In adopting the 2018 Comprehensive Plan ("Clinton Next"), the City established goals for the City to foster a pattern of growth and development. The purpose and overall goal of the City of Clinton is to make Clinton a healthy, safe and convenient place to live and work, and to provide a pleasant and attractive atmosphere for living, shopping, recreation, civic and cultural, and service functions. Another goal is to retain and expand existing businesses located within Clinton, and to attract new businesses and to meet the needs of the community. Additionally, Clinton Next identifies the goal of promoting development of well designed, attractive commercial uses in appropriately zoned areas of Clinton. The Plan further identifies a need and recommends that the City continue to use the adopted zoning and building codes to address neglected and abandoned properties.

Clinton Next specifically identifies the following objectives:

- To preserve the unique and appealing downtown environment which will encourage and enhance development by private developers consistent with the culture, heritage, and vision of the City.
- To promote the preservation and redevelopment of Clinton's downtown area.
- To encourage the reuse and reinvestment in vacant commercial facilities to address declining property values.
- To encourage proper land use patterns and to enforce zoning laws to insure compatibility of land uses.
- To provide a mechanism through which development and redevelopment will be in accordance with the City's Land Use Plan.
- To protect and preserve property values.

The Urban Renewal Plan shall further seek to address properties that have been condemned or have been found to be demolished by neglect. Such properties include deterioration to the extent that it creates or permits a hazardous or unsafe condition as determined by the City's building inspector. Additionally, this Plan shall seek to address properties that are characterized by one or more of the following:

- Those buildings which have parts thereof which are so attached that they may fall and injure persons or property.
- Deteriorated or inadequate foundations.
- Defective or deteriorated floor supports, or floor supports inefficient to carry imposed loads with safety.
- Members of walls or other vertical supports that split, lean, list, or buckle due to defective material, workmanship, or deterioration.
- Members of walls or other vertical supports that are insufficient to carry imposed loads with safety.
- Members of ceilings, roofs, ceiling and roof supports, or other horizontal members which sag, split, or buckle due to defective material, workmanship, or deterioration.
- Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that are insufficient to carry imposed loads with safety.
- Fireplaces or chimneys which list, bulge, or settle due to defective material, workmanship, or deterioration.
- Any fault, defect, or condition in the building which renders the same structurally unsafe or not properly watertight.

Section 5. The Urban Renewal Project

The Urban Renewal Project shall be developed for residential and nonresidential purposes, including, without limitation, commercial and retail, as applicable, in a manner designed to: (i) eliminate, reduce or prevent the development or spread of blight, (ii) encourage needed urban rehabilitation, (iii) provide for the redevelopment of blighted areas, (iv) provide for the repair,

removal or restoration of deteriorated or deteriorating structures, and (v) such other activities and incentives reasonably determined necessary to achieve the objectives of this Urban Renewal Plan. The Urban Renewal Project may also include: (i) potential enhancements to public roads, public utilities and public infrastructure improvements, (ii) sidewalk improvements, street lighting and other potential street scaping, as applicable, and (iii) parks, walking trails, and other public recreational and community facilities, all as determined from time to time by the City, and all to be located within the Urban Renewal Area within the City. The Urban Renewal Plan may provide for more diligent enforcement of housing, zoning and occupancy controls and standards, require removal of congestion and blight, encourage voluntary rehabilitation, including compelling the repair and rehabilitation of deteriorated or deteriorating structures, and the clearance of blighted areas.

The Governing Authority of the City may acquire property within the Project Site (by donation, purchase, or lease) and construct on such property the Public Improvements, and other public infrastructure or other improvements consistent with the provisions of the Urban Renewal Act.

To the extent allowed by law, if necessary to implement this Urban Renewal Project, the Governing Authority of the City shall have the right to exercise the rights provided for by Section 43-35-17 of the Urban Renewal Act.

Section 6. Relationship to Local Objective

The Urban Renewal Project shall be accomplished in accordance with applicable codes and ordinances adopted by the City's Governing Authority, including building codes and zoning ordinances unless exceptions are made in accordance with law. Careful consideration shall be given to the purposes identified in the City's Zoning Ordinance, Article XVI "Olde Towne Clinton District (OTC)". The Urban Renewal Project will provide for residential, non-residential, retail, commercial and community facilities for use by the residents of the City, the acquisition of which is an integral part of and essential to the City's plan for redevelopment and will alleviate conditions which stifle development within the Urban Renewal Area. The City shall use commercially reasonable efforts to consider all applicable zoning, land use, maximum densities and the overall Urban Renewal Plan for the Project Site.

Section 7. Ownership of Urban Renewal Project

The City may sell, lease or otherwise transfer real property constituting the Urban Renewal Project for such uses as permitted under the Urban Renewal Act, or may retain such property for public use, all as permitted under the Urban Renewal Act.

Section 8. Financing

Upon approval of the Urban Renewal Plan, the City may proceed with the sale and issuance of Bonds or such other credit or financing facilities as may be available in order to finance a portion of the Urban Renewal Project and/or provide funding for any Public Improvements as approved by the City and/or any property owner grants provided in connection with this Urban Renewal Plan, pursuant to Section 43-35-21 of the Urban Renewal Act.

Section 9. Regional Economic Development Alliance

In connection with this Urban Renewal Project, the City may request the participation and support of Hinds County, Mississippi (the "County") through an alliance under the Regional Economic Development Act ("REDA"). In the event that such a REDA alliance is created with the County, the City shall have all power and authority to provide for this Urban Renewal Project as provided under this Urban Renewal Plan, the Urban Renewal Act and/or REDA. The City may also request County participation and support through an interlocal cooperate agreement under separate statutory authority.

Section 10. Ad Valorem Taxes

The Urban Renewal Project shall be fully subject to ad valorem taxation, unless exempted by further action of the Governing Authority of the City, or unless otherwise exempt under Mississippi law.

Section 11. Waiver

Any requirement or condition contained in this Urban Renewal Plan, or further provided for in an Urban Renewal Project may, upon request and for good cause shown, be waived or modified by the Governing Authority for the City.

Section 12. Amendment

This Urban Renewal Plan may be modified in accordance with the provisions of the Mississippi Urban Renewal Law.

There came on for consideration at a duly constituted meeting of the Mayor and Members of the Board of Aldermen of the City of Clinton, Mississippi, held on the 19th day of June, 2018, the following Resolution:

A RESOLUTION BY THE BOARD OF ALDERMEN OF THE CITY OF CLINTON, MISSISSIPPI DETERMINING, ESTABLISHING, AND DESIGNATING URBAN RENEWAL AREA WITHIN THE CITY OF CLINTON, MISSISSIPPI AS APPROPRIATE FOR URBAN RENEWAL PLANS, PROJECTS, AND DEVELOPMENT AND FOR RELATED PURPOSES

WHEREAS, the Mississippi "Urban Renewal Law," Title 43, Chapter 35, Article I of the Mississippi Code of 1972, as amended, authorizes municipal governing authorities in Mississippi, after making certain findings, to undertake and carry out urban renewal plans and projects as defined therein and to exercise various powers within the slum and/or blighted area(s) in the City of Clinton ("City"); and

WHEREAS, pursuant to Section 45-53-11 of the Mississippi Code of 1972, as amended, the City of Clinton has determined that the area described or set out in Exhibit "A" attached hereto is (a) blighted and (b) the rehabilitation, conservation, redevelopment or combination thereof of such area is necessary in the interest of the public health, safety, morals and/or welfare of the residents of the City; and

WHEREAS, certain lands and areas that are set forth, described, and/or delineated in Exhibit "A" attached hereto, including, but not limited to property identified as 110/112 East Leake Street, are determined to be blighted in that (i) the predominance of defective and inadequate street layouts, unsuitable topography, and/or faulty or deficient lot layouts in relation to size, adequacy, accessibility, and usefulness of such properties, and their economic disuse, all of which, collectively or singularly, substantially impair the sound growth of the City, (ii) the variety of ownership and defective or unusual conditions of title associated with these properties substantially impair or arrest the sound growth of the City, and/or (iii) there is a prevailing or existing need for the correlation of such areas with other areas of the City by streets and modern traffic requirements as well as other factors and conditions which have heretofore and continue to retard development of such areas; and the lands and areas that are set forth,

Exhibit "I"

described, and/or delineated in attached Exhibit "A" that are presently developed or underdeveloped are also determined to be blighted in that (i) they have a presence of deteriorated or deteriorating structures, (ii) they have inadequate street layouts, outmoded street patterns, unsuitable topography, or fault or deficient lot layouts in relation to size, adequacy, accessibility or usefulness, (iii) there is a variety of ownership and defective or unusual conditions of title associated with these properties, and/or (iv) there is a prevailing or existing need for the correlation of such areas of the City by streets and modern traffic requirements as well as other factors and conditions that retard development of these areas, collectively or singularly of which substantially impair or arrest the sound growth of the City; and

WHEREAS, in accordance with authorities and powers under the Urban Renewal Act, and other authorities and powers conferred upon the City as a municipality in the State of Mississippi, the Governing Authority does hereby find, determine, establish, and designate the area(s) set forth, described, and/or delineated in Exhibit "A" attached hereto as "Urban Renewal Areas" or districts within the city for purposes of urban renewal projects or development in accordance with *Miss. Code Ann.* §43-35-1, et sq. (Rev. 2015) and as being appropriate for "Urban Renewal Plans" and/or "Urban Renewal Projects" and development within the scope of the Urban Renewal Act.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF CLINTON, MISSISSIPPI, AS FOLLOWS:

Section 1. That the matters, facts and things recited in the Preamble hereto are hereby adopted as the official findings of the Governing Authority.

Section 2. That it is hereby officially found and determined that the area(s) that are described, set out, or delineated in Exhibit "A" attached hereto are blighted areas existing in the City and the rehabilitation, conservation, redevelopment, or a combination thereof, of such areas is necessary in the interest of the public health, safety, morals or welfare of the residents of the City.

Section 3. That it is further hereby found and determined that those areas described, set out, or delineated in Exhibit "A" attached hereto shall be, and hereby are, established and designated as "Urban Renewal Areas" or districts within the City and as being appropriate for "Urban Renewal Plans,"

“Urban Renewal Projects,” and/or development or improvements within the scope of the Urban Renewal Act.

Section 4. That the Governing Authority reserves the right to continue to evaluate, assess, establish, and/or designate areas as blighted and in need of rehabilitation, conservation, redevelopment, or a combination thereof, in the best interests of the residents of the City and as “Urban Renewal Areas” or districts and/or otherwise appropriate for Urban Renewal Plans or Projects.

Section 5. That this Resolution shall take full force and effect immediately upon its passage and enactment according to law, or at the earliest date of effect under law, and shall be spread upon the Minutes of the City.

The above and foregoing Resolution, after having been first reduced to writing and no request being made by the Mayor or any member of the Board of Aldermen that the Resolution be read by the City Clerk before any vote was taken, was introduced by Alderman Ellis, seconded by Alderman CASHION and was adopted by the following roll call vote:

Alderwoman Garrett: ABSENT
Alderman Ellis: AYE
Alderman Martin: DID NOT VOTE
Alderman Barnett: AYE
Alderman Perritt: ABSENT
Alderwoman Cossitt: AYE
Alderman Cashion: AYE

Whereupon the Mayor declared the Resolution approved and adopted, this the 19th day of June 2018.

CITY OF CLINTON, MISSISSIPPI

By: Philip R. Fisher
Philip R. Fisher, Mayor

ATTEST:

By: Russell L. Wall
Russell L. Wall, City Clerk

(SEAL)



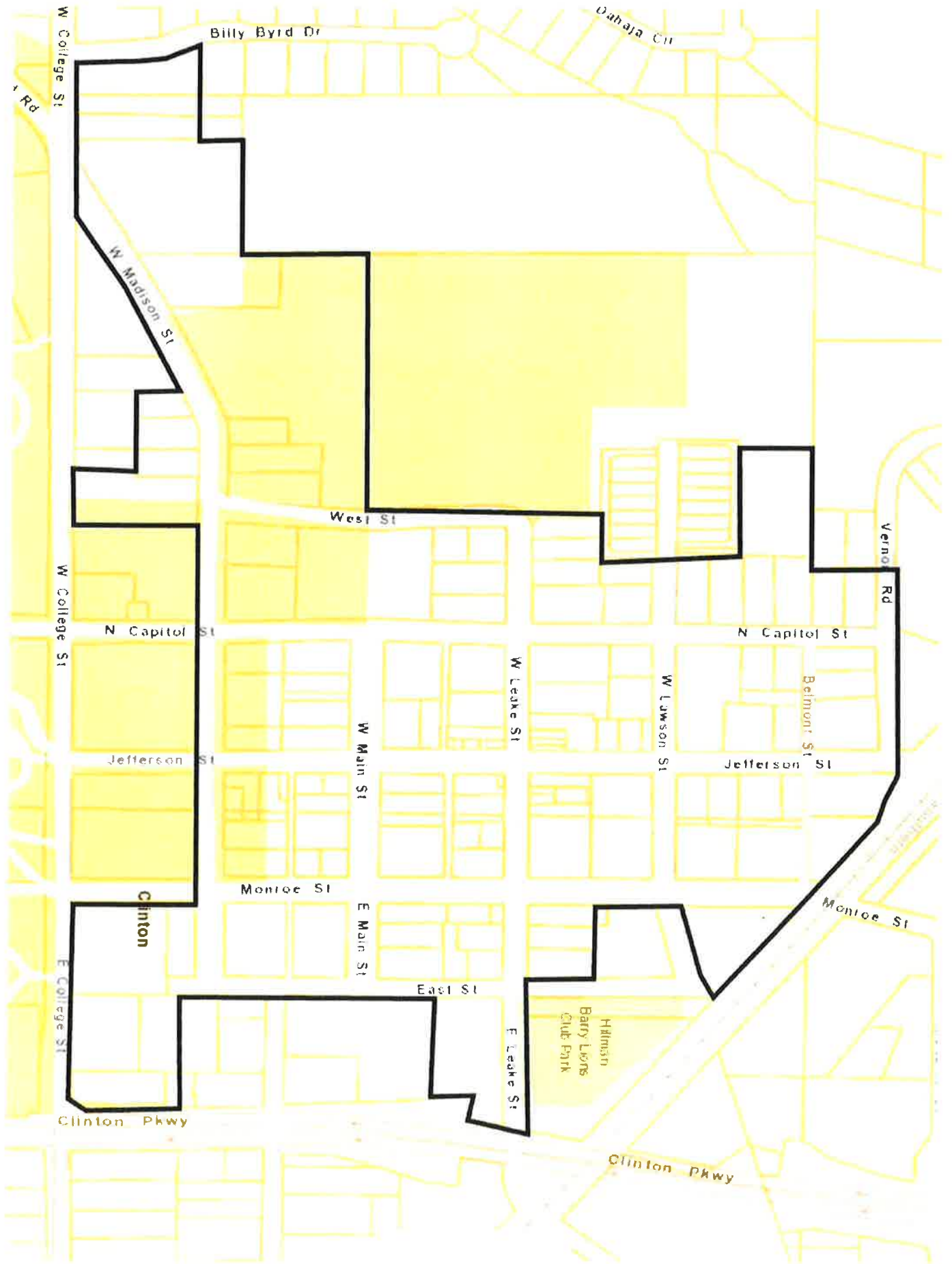


Exhibit "A"