



**URBAN
DEVELOPMENT**

PLANNING DIVISION

HATTIESBURG PLANNING COMMISSION

SPECIAL CALLED MEETING

PUBLIC HEARING STAFF REPORTS

December 11, 2024

Special Called Meeting for the Planning Commission

December 11, 2024, 1:00 PM

Jackie Dole Sherrill Community Center (Dining Room)

220 W Front Street

I. Business Meeting

1. Review and approval of the December 11th Special Called Meeting's agenda
2. Review and approval of the minutes of the December 4th, 2024 meeting
3. Building Report
4. Planning Report
5. Chair's Report
6. Introductions

II. Public Hearing

1. Presentation of Petitions for Public Hearing
 - A. **Zoning Change Request**- Pennie Allen, Property Owner and Applicant, and Estella Jones, Applicant, request approval for rezoning from A-1 (General Agricultural) to A-2 (Agricultural Residential) for a property located at 34 South Hills Drive (PPIN 27754, Ward 5, Forrest County).
 - B. **Historic Flood Variance Request**- Southern Gents of Mississippi LLC, Property Owner, and Nick Williams, Representative, request a variance from Article 6, Section E, which states that qualifying historic structures may apply for a flood variance from the requirement to elevate or floodproof the structure, for a structure at 215 Main Street (PPIN 18535, Ward 4, Forrest County).
 - C. **Tax Increment Financing "Redevelopment Plan" Request**- A petition has been filed by the City of Hattiesburg for a Tax Increment Financing "Redevelopment Plan" as described in the following: This Tax Increment Financing Redevelopment Plan for the City of Hattiesburg, Mississippi, 1996, as Amended and Restated November 2024 (the "Redevelopment Plan") is an amendment to and a restatement of that Tax Increment Financing Redevelopment Plan, City of Hattiesburg, Mississippi, 1996, and is being adopted and implemented by the City of Hattiesburg, Mississippi (the "City") pursuant to Section 21-45-1 et seq., Mississippi Code of 1972, as amended (the "TIF Act"). Projects implemented under this Redevelopment Plan may be undertaken in collaboration with Forrest County, Mississippi and Lamar County, Mississippi and/or other counties, cities and governing authorities pursuant to Section 17-13-1 et seq., Mississippi Code of 1972, as amended (the "Interlocal Act"), and/or the Regional Economic Development Act as authorized by Section 57-64-1 et seq., Mississippi Code of 1972, as amended and applicable (the "REDA Act").
 - D. **Removed by Staff - Text Amendment Request** - ~~A petition has been filed by the City of Hattiesburg to adopt an amendment to the Land Development Code No. 3209, as amended,~~

~~in Section 5 (Uses), Section 7 (Design), Section 11 (Administration), and Section 13 (Definitions). More specifically, the changes concern temporary uses, mobile homes, and processes. This is an abbreviated summary of the topics addressed in the proposed amendment, and interested parties are encouraged to contact City Hall to review the proposed amendment in its entirety.~~

III. Other Business

IV. Adjournment

December 2024 HPC Item: A
Pennie Allen, Property Owner/Applicant, Estella Jones, Applicant
Request for: Request for Rezoning (A-1 to A2)



**Board of Adjustment
Case Fact Sheet**

Name of Petitioners: Pennie Allen, Property Owner/Applicant, Estella Jones, Applicant

Address of Property:	Tax Parcel	PPIN:	Ward:
34 South Hills Drive	2-042M-35-009.00	27754	5

Request: **Request for Rezoning — A-1 (General Agricultural) to A-2 (Agricultural Residential)**

Purpose of Request: Pennie Allen, Property Owner and Applicant, and Estella Jones, Applicant, requests approval for rezoning from A-1 (General Agricultural) to A-2 (Agricultural Residential) for a property located at 34 South Hills Drive (PPIN 27754, Ward 5, Forrest County).

History / Background: The applicant met with staff to discuss the residential use of their agriculturally zoned property. The property is currently zoned A-1, which requires a minimum lot size of 3 acres and does not permit subdivision below this threshold. The applicant's property contains an existing residence, and they wish to subdivide the lot to establish an additional legal parcel. The intended use is for a family member to construct a new home on the subdivided lot.

The proposed subdivision would create two 1-acre lots, which is smaller than the minimum lot size allowed under the current A-1 zoning. To establish this minor subdivision as part of their family estate planning, the applicant is seeking rezoning of the property to A-2 (Agricultural Residential). The

December 2024 HPC Item: A
Pennie Allen, Property Owner/Applicant, Estella Jones, Applicant
Request for: Request for Rezoning (A-1 to A2)

A-2 zoning designation could be considered the least impactful change, as the primary difference reduced lot size requirements while maintaining similar agricultural and residential uses.

The proposed subdivision is also considered infill development, and no roads will be created with this subdivision and utilities are already available along the street frontage. Infill development is considered to be an alternative to urban sprawl as it is the development of underused or vacant land in communities. The proximity to existing utilities can reduce the strain on development and can make development overall more efficient. It also reduces the travel distance for residents who work and shop in the City of Hattiesburg.

Applicant Summary: See Attached

Applicable Regulations:

SECTION 4 Zoning Districts Established

A-1 General Agricultural District: The purpose of the A-1 Agricultural District is to permit agricultural uses and low-density residential development. This district is consistent with the Rural Residential / Agricultural District in the Comprehensive Plan. The district is intended to encourage and protect rural uses from urbanization until such is warranted and the appropriate change in district classification is made.

A-2 Agricultural Residential District: The purpose of the A-2 Agricultural District is to permit low-density single-family residential development along with restrictive agricultural uses. This district is consistent with the Rural Residential / Agricultural District in the Comprehensive Plan. The district is intended to encourage and protect large lots, open space and low-density population.

Present Zoning: A-1 (General Agricultural)

Present Use: Residential Lot

December 2024 HPC Item: A
Pennie Allen, Property Owner/Applicant, Estella Jones, Applicant
Request for: Request for Rezoning (A-1 to A2)

Future Land Use: Industrial/Corporate Office District

**Surrounding Zoning:
and Land Use:**

North: A-1 (General Agricultural) and I-1 (Light Industrial)
South: R-1A (Single-Family Residential)
East: A-1 (General Agricultural) and I-1 (Light Industrial)
West: A-1 (General Agricultural)

**Letters or
Concerns stated:**

Staff have not received any letters or concerns regarding this project at the time of writing of this report.

Options:

Recommend **approval or denial** of the request approval for rezoning from A-1 (General Agricultural) to A-2 (Agricultural Residential) for a property located at 34 South Hills Drive (PPIN 27754, Ward 5, Forrest County).

Basis for approval (Zoning Change):

- I. There was a mistake in the original zoning
- II. The character of the neighborhood has changed substantially so that rezoning is clearly justified **and** there is a public need for the rezoning
- III. Annexation

SUBJECT PARCEL

34 South Hills Drive— Zoning Change Request

Pennie Allen, Property Owner and Applicant, and Estella Jones, Applicant, request approval for rezoning from A-1 (General Agricultural) to A-2 (Agricultural Residential) for a property located at 34 South Hills Drive (PPIN 27754, Ward 5, Forrest County).





Zoning Map
 34 South Hills Drive
 A-1
 R-1A

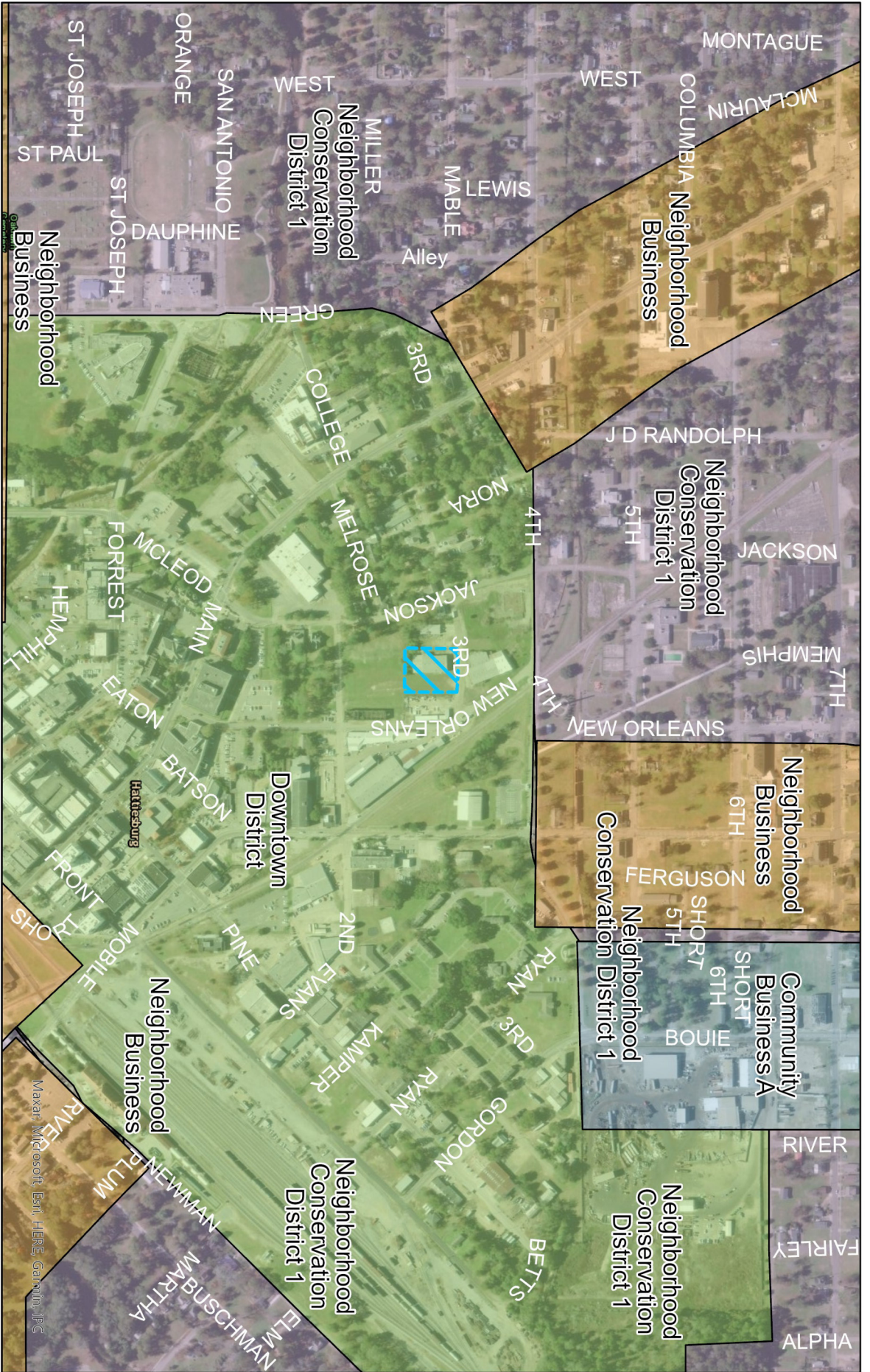
Zoning Change Request
 34 South Hills Drive
 PPIN: 27754
 Flood Zone: X, AE, SX
 Ward 5, Forrest County

DISCLAIMER: This map is ONLY FOR REFERENCE. There is NO WARRANTY of the accuracy of data. This information CANNOT be used as a substitute for legal, business, tax or other professional advice. Map Exported on: 11/25/2024 10:45 AM

0 780 Feet

URBAN DEVELOPMENT PLANNING DIVISION

Center: 89°16'38"W 31°15'51"N



Future Land Use Map

313 E 3rd

- Community Business A
- Downtown District
- Neighborhood Business
- Neighborhood Conservation District 1

Conditional Use Approval &
 Variance Request
 313 E 3rd Street
 Ward 4, Forrest County
 PPIN 15708, Flood Zone SX 500




URBAN DEVELOPMENT PLANNING DIVISION
 Center: 89° 17'31"W 31° 19'51"N

DISCLAIMER: This map is ONLY FOR REFERENCE. There is NO WARRANTY of the accuracy of data. This information CANNOT be used as a substitute for legal, business, tax or other professional advice. Map Exported on: 9/18/2024 9:20 AM

Site Aerial



Surrounding Area



Surrounding Area





URBAN DEVELOPMENT PLANNING DIVISION

Public Hearing Application

P.O. BOX 1898 (200 Forrest Street/39401)
Hattiesburg, MS 39403-1898
Department of Urban Development
(601) 545-4599 or FAX (601) 545-1962

APPLICANT:

Applicant Name: Pennie Allen
Project Name: Estella Jones
Proposed Use(s): Primary Residence
Project Street Address: 34 South Hill Drive
PPIN Number(s) (if unknown, can be found on tax receipt): _____

PLEASE BE SURE TO FILL OUT PP. 1-5 AND SEE FEES ON P. 6

Application for (check all appropriate types):

- Variance (see below)
- Subdividing of Lot, Parcel, or Tract (see p. 12)
- Street or Alley Renaming (see pp. 13-14)
- Vacating Street or Alley (see pp. 13-14)
- Conditional Use (see below)
- Re-Zoning (see below)
- Overlay District
- Planned Mixed-Use District

For Variance Only (check all appropriate variance types), see pp. 7 & 8:

- Sign
- Setback (front, side, or rear _____)
- Lot Width
- Lot Coverage Area
- Buffer
- Off-Site Parking
- Open Space
- Other: _____

For Conditional Use Permit Only (check applicable type), see pp. 9 & 10:

- Automotive Filling Station
- Digital Billboard, New
- Restaurant
- Other: _____
- Telecommunications
- Digital Billboard, Replacement
- Solar Farm

For Re-Zoning Only, see p. 11:

Existing Zoning: A1
Proposed Zoning: A2

STAFF USE ONLY – Do Not Complete:

Pre-Application Date: _____ Planner: _____
 Parcel Number(s): _____ Historic District(s): _____
 Flood Zone(s): _____ Zoning District(s): _____
 Project No.: _____
Code Sections:
 LDC Section No. _____
 Section No. _____
 Section No. _____
 Section No. _____
 Section No. _____

RECEIVED DATE & INITIALS:

RECEIVED

OCT 14 2024

BY: DA

OWNER AFFIDAVIT PAGE

THIS PAGE MUST BE SIGNED IN FRONT OF A NOTARY, BY THE OWNER(S) OF THE SUBJECT PROPERTY

WITNESS THE SIGNATURES of the OWNER(s) of the subject property located at
34 South Hills Drive Hattiesburg MS
Street Address City State
on this the 14 day of 10, 2024

In the matter of this request, the property owner further authorizes the following named person(s) to represent them at the public hearing on this petition.

on this the _____ day of _____, 20____.

Pennie Allen
Property Owner (print)

Pennie allen
Property Owner (signature)

STATE OF MS

COUNTY OF Forrest

Personally came and appeared before me, the within named Pennie Allen, who signed and delivered the above and foregoing instrument as and for their free act and deed on the day and year therein mentioned, and who acknowledge to me that they are the owner(s) of the subject property as described in this Public Hearing Application.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 14th day of October, 2024.

Hazel Young
NOTARY PUBLIC



My Commission Expires:

APPLICANT AFFIDAVIT PAGE

THIS PAGE MUST BE SIGNED IN FRONT OF A NOTARY, BY THE **APPLICANT** OF THIS PETITION, ONLY IF DIFFERENT FROM THE OWNER(S) OF THE SUBJECT PROPERTY

WITNESS THE SIGNATURES of the **APPLICANT**(s) of the subject property located

at 706 N 30th Ave Hattiesburg MS
Street Address City State

on this the 14 day of October, 2024.

Estella Jones
Applicant (print)

[Signature]
Applicant (signature)

STATE OF MS

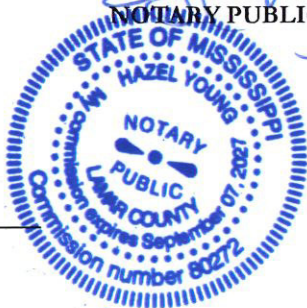
COUNTY OF Jones

Personally came and appeared before me, the within named Estella Jones

who signed and delivered the above and foregoing instrument as and for their free act and deed on the day and year therein mentioned, and who acknowledge to me that they are the owner(s) of the subject property as described in this Public Hearing Application.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 14th day of October, 2024.

Hazel Young
NOTARY PUBLIC



My Commission Expires:

Document Prepared by and Return to:
Jessica B. Vaughn (MSB #101893)
Main Street Land Title, LLC
317 N. Main St.
Petal, MS 39465
(601)-544-8550

STATE OF MISSISSIPPI
COUNTY OF FORREST

INDEXING INSTRUCTIONS: Pt. SE ¼ of the NW ¼ of the SW ¼, Section 35, Township 4 North, Range 13 West, Forrest County, MS.

QUITCLAIM DEED

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00) cash in hand paid and other good and valuable consideration, the receipt and sufficiency of all of which are hereby acknowledged, the undersigned;

Pennie Lee Allen, Grantor
34 South Hills Dr.
Hattiesburg, MS 39401
601-543-8661

does hereby grant, bargain, sell, remise, release, and forever quitclaim unto

Estella Katherine Allen Jones, Grantee
706 N. 30th Ave.
Hattiesburg, MS 39401
601-606-8698

but subject to the exceptions, reservations, restrictions, covenants and conditions, if any, hereafter stated, in and to the following described land and property located in Forrest County, State of Mississippi, and more particularly described as follows, to-wit:

See Exhibit A attached hereto.

IT IS AGREED AND UNDERSTOOD that the taxes for the current year have been prorated as of this date on an estimated basis, and when said taxes are actually determined, if the proration as of this date is incorrect, the Parties hereto agree to pay on the basis of an actual proration.

Grantor acknowledges by signing this Quitclaim Deed and Grantee acknowledges by accepting it, that this Quitclaim Deed was prepared without the benefit of a title examination or a title opinion as to said real property, that neither Grantor nor Grantee requested or received same from the drafter of the Quitclaim Deed, and that the representations and warranties made herein are the express and implied representations and warranties of the Grantor and not of the drafter.

WITNESS THE SIGNATURE OF THE GRANTOR on the date herein acknowledged.

Pennie Lee Allen

Pennie Lee Allen

STATE OF MISSISSIPPI
COUNTY OF LAMAR

Personally appeared before me, the undersigned authority in and for the said county and state, on this the 2nd day of October, 2024, within my said jurisdiction, the within named **Pennie Lee Allen** who acknowledged that he/she/they executed the above and foregoing instrument.

GIVEN MY HAND AND OFFICIAL SEAL OF OFFICE, this 2nd day of October, 2024.

Briaunna Sanders

NOTARY PUBLIC

My Commission Expires: _____



EXHIBIT A

Parcel 2:



CERTIFIED COPY PAGE

FORREST COUNTY, MS:
I, LANCE C. REID, CHANCERY CLERK OF THE ABOVE NAMED
COUNTY, AND STATE, DO CERTIFY THAT THE FOREGO IS A TRUE AND
CORRECT COPY OF THE ORIGINAL AS APPEARS IN:
DEED - 1400 AT PAGE - 60 IN SAID COURT.
WITNESS MY HAND AND SEAL THIS Thursday, July 28, 2022.

LANCE C. REID, CHANCERY CLERK



DEED

Bk:1400 Page:60-62

RCD: 07/28/2022 @ 4:37:37:PM

FORREST COUNTY, MS

LANCE C. REID CHANCERY CLERK

Prepared by:
Bennett Tax Co., Inc.
P.O. Box 3786
Meridian, MS 39303

Index instructions:
NW ¼ of the SW ¼
S 35, T 4 N, R 13 W

Return to:
Pennie Lee Allen
204 Leeville Rd. Apt. # 4
Petal, MS 39465

STATE OF MISSISSIPPI
COUNTY OF FORREST

QUITCLAIM DEED

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00), cash in hand paid, and other good, legal and valuable considerations, the receipt and sufficiency of all of which is hereby acknowledged, BENNETT TAX CO., INC., Grantor,

P.O. Box 3786
Meridian, MS 39303
(601) 681-4535

does hereby sell, convey, and quitclaim unto:

PENNIE LEE ALLEN, Grantee,
204 Leeville Road, Apt. # 4
Petal, MS 39465
(601) 543-8661

all its right, title, and interest in and to the following described real property situated, lying and being in the county of Forrest, Mississippi to-wit:

Beginning at the Northwest corner of the Southeast ¼ of the Northwest ¼ of the Southwest ¼ run South 330 ft., run East 264 ft., run North 330 ft., run West 264 ft. to beginning, Section 35, Township 4 North, Range 13 West, Forrest County, Mississippi. Also being Parcel # 2-042M-35-009.00 and PPIN # 27754.

It is the intent of the Grantor to Quitclaim that property described in the Tax Deed recorded in the office of the Chancery Clerk of Forrest County, Mississippi, in Book 1398 at Pages 691-693.

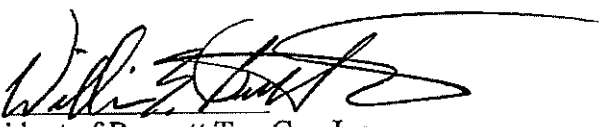
This instrument does not cover any rights of the Grantor arising out of tax sales subsequent to August 26, 2019.

Grantee herein assumes any and all taxes due or to become due on the above described property.

This Quitclaim Deed supersedes all prior agreements between the parties, contains the entire and final agreement of the parties, and cannot be changed except by their written consent. Neither party has relied upon any statement or representation made by the other party not contained herein. Neither party shall be bound by any terms, conditions, oral statements, warranties, or representations not herein contained. Seller makes no warranties concerning the condition and/or status of the title to the property. Buyer acknowledges that the property described herein is sold "as is" and "where is". Buyer further acknowledges that the property described herein was purchased at a tax sale, and no confirmation suit to confirm and quiet title has been filed by the Seller. Buyer agrees that the Seller shall not be responsible for confirming title acquired via the tax deed and/or tax sale. It shall be Buyer's obligation and responsibility to make all arrangements and bear all costs, expenses, and/or attorney's fees to confirm and quiet title in and to the property. As such, Seller's and/or Buyer's interest in the property described herein is subject to being terminated and Buyer may be forced to vacate the property and acknowledges that no refunds will be given.

IN WITNESS WHEREOF, the Grantor has caused this instrument to be signed on this the 25th day of July, 2022.

BENNETT TAX CO., INC.

By: 
President of Bennett Tax Co., Inc.

STATE OF MISSISSIPPI
COUNTY OF LAUDERDALE

Personally appeared before me, the undersigned authority in and for the said county and state, on this 25 day of July, 2022, within my jurisdiction, the within named William E. Bennett, III, duly identified before me, who acknowledged that he is President of Bennett Tax Co., Inc., a Mississippi corporation, and that for and on behalf of the said corporation, and as its act and deed, he signed and delivered the above and foregoing instrument, after first having been duly authorized by said corporation so to do.

Tracey G. Garrett
NOTARY PUBLIC

My commission expires:

02/28/2025





**URBAN
DEVELOPMENT
PLANNING DIVISION**

**Planning Commission
Case Fact Sheet**

Names of Petitioner: Southern Gents of Mississippi LLC, Property Owner, and Nick Williams, Representative

Address of Property:
215 N Main Street

Tax Parcels
2-029I-10-130.00

PPIN:
18535

Ward:
4

Request: **Historic Flood Variance** from the Flood Damage Prevention Ordinance

Purpose of Request: Southern Gents of Mississippi LLC, Property Owner, and Nick Williams, Representative, requests a variance from Article 6, Section E, which states that qualifying historic structures may apply for a flood variance from the requirement to elevate or flood proof the structure, for a structure at 215 Main Street (PPIN 18535, Ward 4, Forrest County).

History / Background: The building is constructed below the Base Flood Elevation (BFE) established by FEMA and it is appraised at \$260,000 with an improvement valuation of \$360,500. The Flood Damage Prevention Ordinance defines this as a substantial improvement to the facility (improvements made that exceed 50% of the structure's value that take place over a ten-year period). A structure in a hazardous flood zone that proposes Substantial Improvement must come into compliance with the Flood Damage Prevention Ordinance or may apply for a variance from these requirements if qualifying.

This applicant has met the requirements of Chapter 10. Article 6. Section E. 1-3 as a "Bona-fide Historic Structure". Planning Commission approval is required for "Flood Variances" See the included Flood Ordinance for guidance.

The Base Flood Elevation is 150.0'. This is the estimated level of water in a 100-year flood event. The elevation of the building's first floor is 148.54'. A compliant building would need an elevation of at least 151.0', be floodproofed, or be provided relief from the code through a Historic Flood Variance.

In consideration of approving a historic flood variance, the planning commission should consider the feasibility of compliance with either elevation or "floodproofing", and whether these changes would destroy or irreparably alter the historic character of the structure. They should also weigh the potential impacts of the improvements in its flood risk to the property, adjacent properties, or surrounding areas.

Applicant Summary: * See Attached *

Applicable Regulations:

SECTION 4 Zoning Districts Established

4.5.11 B-4 Downtown Business District: The Downtown Business District is intended to promote the concentration and vitality of commercial and business uses in the historic central business area of the City and as such, encourages a mixture of complementary uses with a pedestrian orientation. This district is characterized by wall-to-wall and lot-line-to-lot-line development, pedestrian walkways, a vertical mix of uses, upper floor residential uses, and off-street public parking lots.

ORDINANCE 3294

Definitions

Substantial Improvement: The term "substantial improvement" means any combination of reconstruction, rehabilitation, or other improvement of a structure taking place during a ten-year period in which the cumulative percentage of improvement equals or exceeds 50 percent of the current market value of the structure before the start of construction of the improvement. The costs for determining substantial improvement include the costs of additions. This term "substantial improvement" includes structures which have incurred repetitive loss or substantial

damage, regardless of the actual repair work performed.

(2) The term "substantial improvement" does not apply to:

- a. Any project for improvement of a building required to correct existing violations of state or local existing health, sanitary, or safety code specifications which have been identified by the code enforcement official and which are minimum necessary to assure safe living conditions, provided that said code deficiencies were not caused by neglect or lack of maintenance on the part of the current or previous owners; or
- b. Any alteration of a historic structure provided that the alteration will not preclude the structure's continued designation as a historic structure.

Article 6, Section E: Historic structures.

Variations may be issued for the repair or rehabilitation of historic structures only upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum to preserve the historic character and design of the structure.

(1) The building must be a bona fide historic structure. As followed by definition.

(2) The project must maintain the historic status of the structure. If the proposed improvements to the structure will result in it being removed from or ineligible for the National Register or federally-certified state or local inventory, then the proposal cannot be granted an exemption from the substantial improvement rule. Written review and approval of proposed plans by the local historic preservation board and/or the historic planner, if it is federally-certified, or by the state historic preservation office. If the plans are approved, you can grant the exemption. If no, no exemption can be permitted.

(3) Take all possible flood damage reduction measures. Even though the exemption to the substantial improvement rule means the building does not have to be elevated to or above BFE or be renovated with flood-resistant materials that are not historically sensitive, many things can and should be done to

reduce the flood damage potential.

Article 6, Section E – Special Conditions

- 1) Upon consideration of the factors listed in this division, and the purposes of this article, the HPC may attach such conditions to the granting of variances as it deems necessary to further the purposes of this article

CODE OF ORDINANCES, CHAPTER 10, ARTICLE 6, SECTION E

See attached Ordinance Excerpt

Present Zoning: The property is currently zoned B-4 (Downtown Business District).

Present Use: Vacant building/lot.

Future Land Use: Downtown District

Surrounding Zoning and Land Use:
North: B-4 Downtown Business
South: B-4 Downtown Business
East: B-4 Downtown Business
West: B-4 Downtown Business

Letters or Concerns stated: The Planning Division Office has received no calls or letters of concern as of finalizing this report.

Option: Recommend **Approval** or **Denial** of the request for a variance from

Article 6, Section E, which states that qualifying historic structures may apply for a flood variance from the requirement to elevate or flood proof the structure, for a structure at 215 Main Street (PPIN 18535, Ward 4, Forrest County).

Basis for approval:

Conditions for Flood Variances (Article 6, Section C of the Flood Damage Prevention Ordinance:

(a) Variances shall only be issued when there is:

(1) A showing of good and sufficient cause;

(2) A determination that failure to grant the variance would result in exceptional hardship; and

(3) A determination that the granting of a variance will not result in increased flood heights, additional threats to public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

(b) The provisions of this article are minimum standards for flood loss reduction; therefore, any deviation from the standards must be weighed carefully. Variances shall only be issued upon a determination that the variance is the minimum necessary deviation from the requirements of this article, considering the flood hazard, to afford relief. In the instance of a historic structure, a determination that the variance is the minimum necessary so as not to destroy the historic character and design of the building.

(c) Any applicant to whom a variance is granted shall be given written notice specifying the difference between the base flood elevation and the elevation to which the lowest floor is to be built and stating that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

(d) The floodplain administrator shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency and Mississippi Emergency Management Agency upon request.

(e) Upon consideration of the factors listed above and the purposes of this article, the HPC may attach such conditions to the granting of variances as it deems necessary to further the purposes of this article.

(f) Variances shall not be issued "after the fact."



MAYOR
Toby Barker

COUNCIL - WARD ONE
Jeffrey George

COUNCIL - WARD TWO
Deborah Denard Delgado

COUNCIL - WARD THREE
Carter Carroll

COUNCIL - WARD FOUR
Dave Ware

COUNCIL - WARD FIVE
Nicholas Brown

Internal MEMORANDUM

To: Cory Long, Planning Manager
From: Russell Archer, Historic Preservation Planner
Date: November 18, 2024
Re: 215 Main Street, Hattiesburg, Forrest County

This memo is to confirm that the building at **215 Main Street** is a contributing structure in the Hub City Downtown National Register District (Boundary Increase II) (2012) and falls within the boundaries of the Hub City Downtown Conservation District. As such, this structure meets the criteria for bona-fide “historic structure” as outlined in the City’s Flood Damage Prevention Ordinance, Article 6, Section E.

**See attached Historic Resources Inventory Fact Sheet accessed via the MDAH online database on November 18, 2024.*

Additionally, please be advised that the exterior renovations that are currently proposed for the building were properly reviewed and approved by the Hattiesburg Historic Conservation Commission on November 13, 2024. A *Certificate of Appropriateness* has been issued for the proposed work.

Search Results	Fact Sheet	Architectural	Photos	Map
--------------------------------	----------------------------	-------------------------------	------------------------	---------------------

Location Information
(for the commercial building)

10-12-2012

Russell Archer

Name: commercial building
 Address: 215 Main Street, North
 City/County: Hattiesburg, Forrest County

Architectural Information

Construction Date: c.1900
 No. of Stories: 1

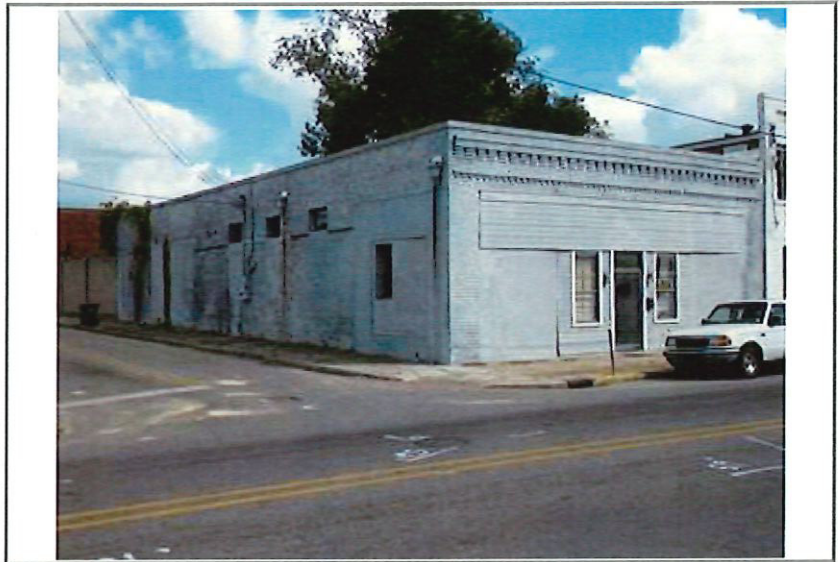
Registration Information

NR District: Hub City (Boundary Increase I)
 Name: (2002)
 NR Status: Contributing
 Element No.: 2

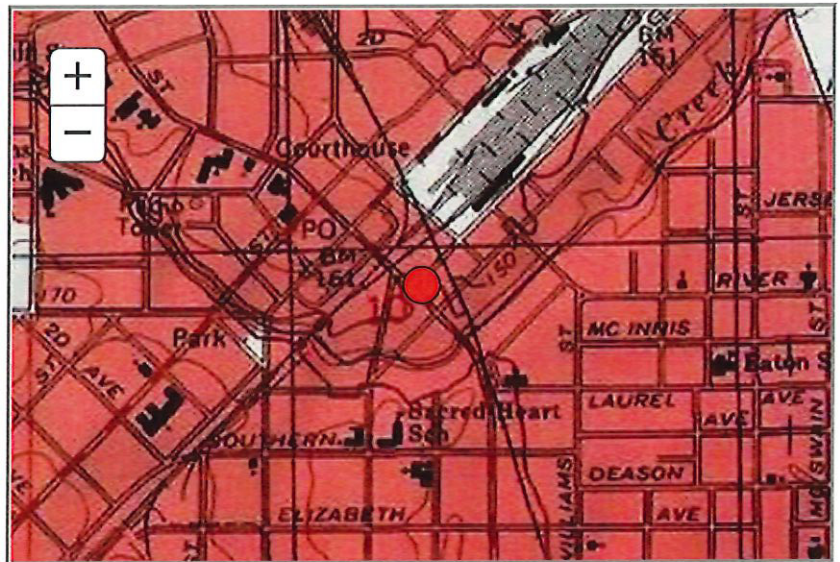
NR District: Hub City (Boundary Increase II)
 Name: (2012)
 NR Status: Contributing
 Element No.: 49

Context/Comments

Former element #2 in Hattiesburg Hub City Boundary Increase No. 1 Historic District.



◀ 1 of 3 ▶

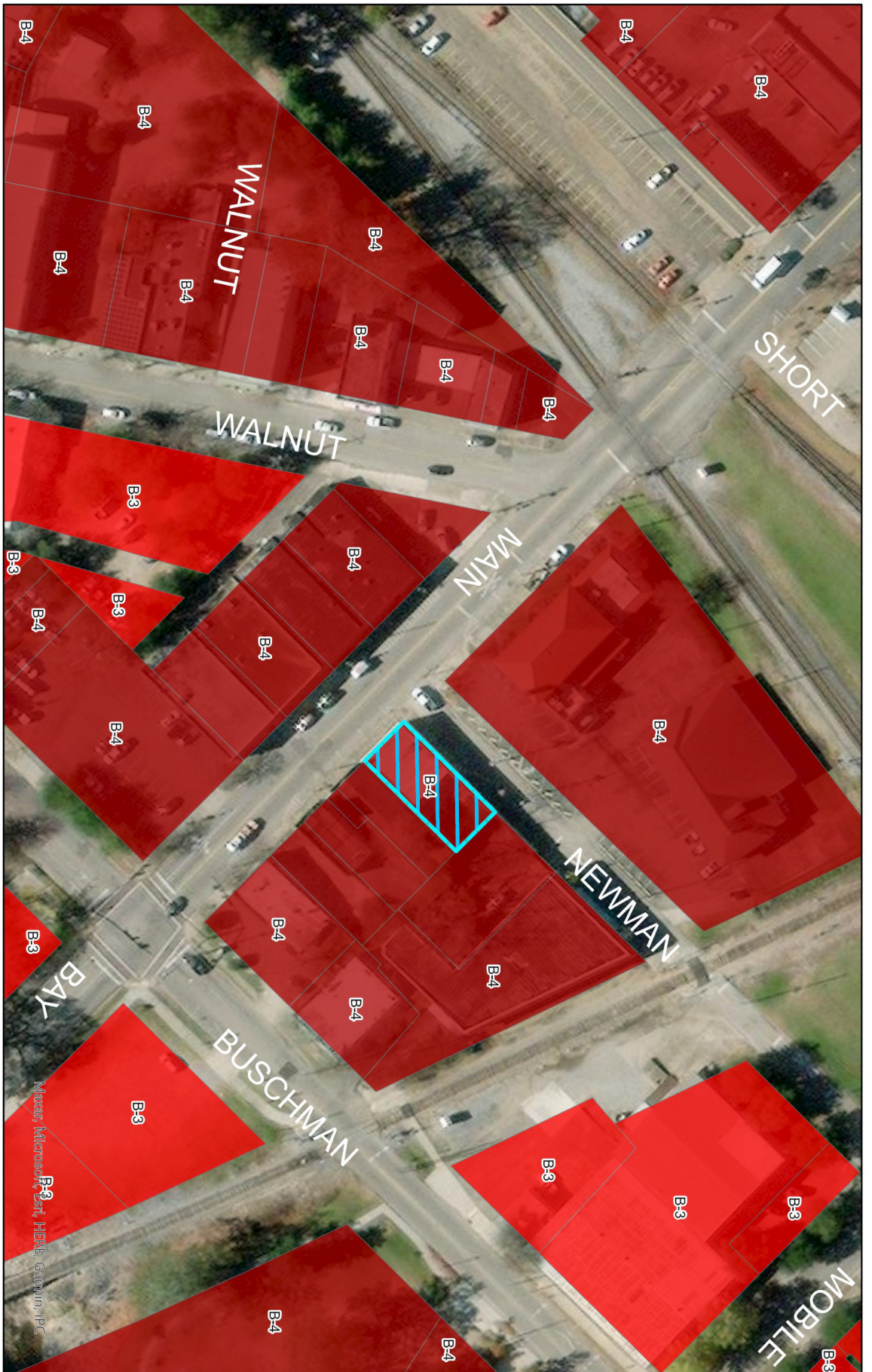


SUBJECT PARCEL




215 Main Street— Historic Flood Variance Request

Southern Gents of Mississippi LLC, Property Owner, and Nick Williams, Representative, request a variance from Article 6, Section E, which states that qualifying historic structures may apply for a flood variance from the requirement to elevate or floodproof the structure, for a structure at 215 Main Street (PPIN 18535, Ward 4, Forrest County).





Zoning Map

-  215 Main Street
-  B-3
-  B-4

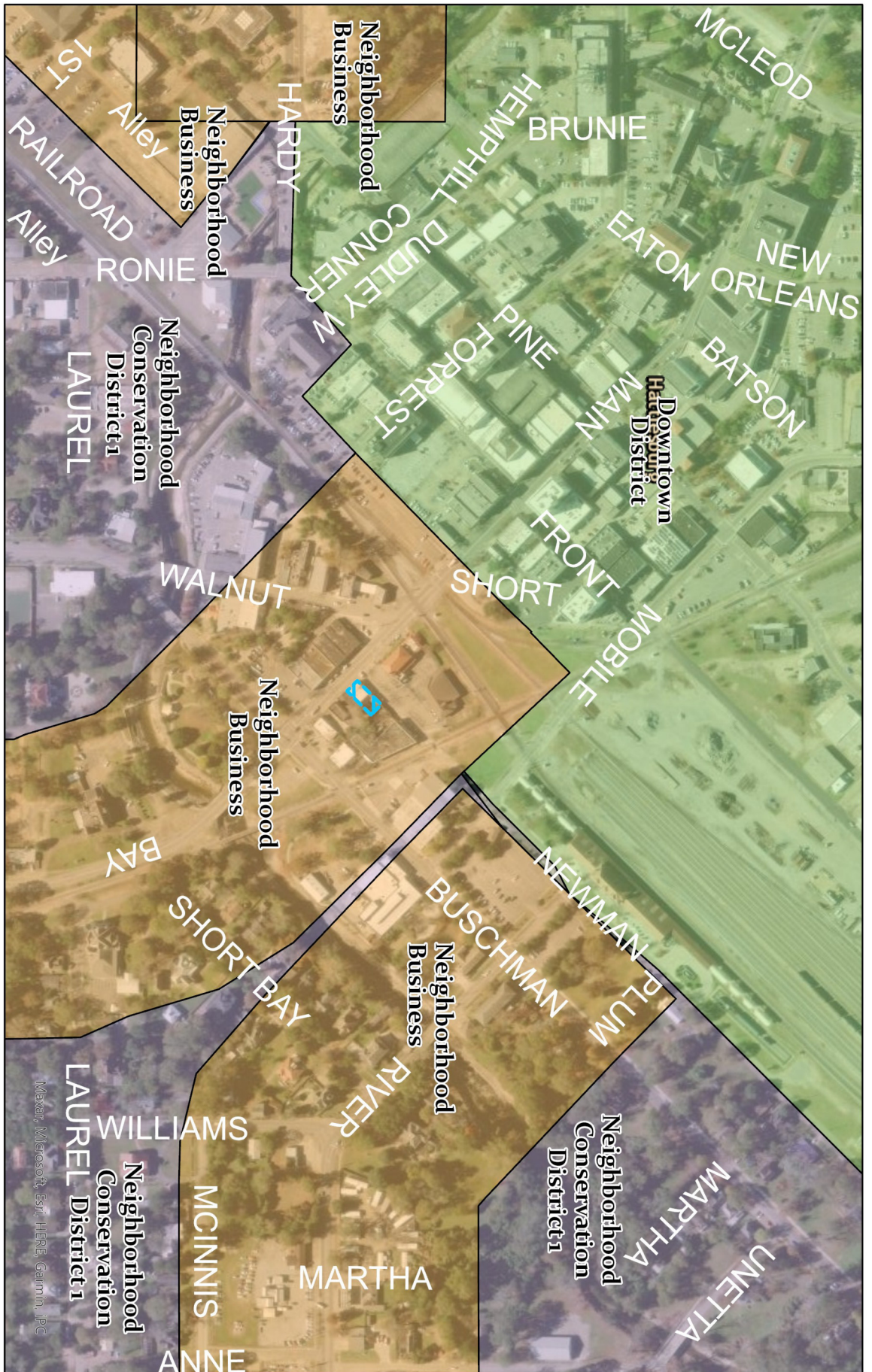
Historic Flood Variance Request






215 Main Street
 PPIN: 18535
 Flood Zone: X, AE, SX
 Ward 4, Forrest County



URBAN DEVELOPMENT
PLANNING DIVISION
 Center: 89°17'17"W 31°19'31"N

DISCLAIMER: This map is ONLY FOR REFERENCE. There is NO WARRANTY of the accuracy of data. This information CANNOT be used as a substitute for legal, business, tax or other professional advice. Map Exported on: 11/25/2024 9:43 AM



-  Future Land Use Map
-  215 Main Street
-  Downtown District
-  Neighborhood Business
-  Neighborhood Conservation District 1







Historic Flood Variance Request
 215 Main Street
 PPIN: 18535
 Flood Zone: X, AE, SX
 Ward 4, Forrest County



URBAN DEVELOPMENT
PLANNING DIVISION
 Center: 89°17'17"W 31°19'33"N

DISCLAIMER: This map is ONLY FOR REFERENCE. There is NO WARRANTY of the accuracy of data. This information CANNOT be used as a substitute for legal, business, tax or other professional advice. Map Exported on: 11/25/2024 10:14 AM



-  Flood Zone Map
-  215 Main Street
-  FLOODWAY AREA IN ZONE AE
-  ZONE A (100 yr flood - no elevation)
-  ZONE AE (100 yr flood w / elevation)
-  ZONE SX (500 yr flood)

Historic Flood Variance Request
 215 Main Street
 PPIN: 18535
 Flood Zone: X, AE, SX
 Ward 4, Forrest County

DISCLAIMER: This map is ONLY FOR REFERENCE. There is NO WARRANTY of the accuracy of data.
 This information CANNOT be used as a substitute for legal, business, tax or other professional advice.
 Map Exported on: 11/25/2024 10:19 AM

0 1,000 Feet




URBAN DEVELOPMENT
PLANNING DIVISION
 Center: 89°17'17"W 31°19'33"N

Site Aerial



Surrounding Area



Surrounding Area



VARI-1024-0011



URBAN DEVELOPMENT PLANNING DIVISION

Public Hearing Application

P.O. BOX 1898 (200 Forrest Street/39401)
Hattiesburg, MS 39403-1898
Department of Urban Development
(601) 545-4599 or FAX (601) 545-1962

APPLICANT:

Applicant Name: Cliff Collins
Project Name: 215 Main St. Lounge
Proposed Use(s): _____
Project Street Address: 215 Main St., Hattiesburg, MS, 39401
PPIN Number(s) (if unknown, can be found on tax receipt): _____

PLEASE BE SURE TO FILL OUT PP. 1-5 AND SEE FEES ON P. 6

Application for (check all appropriate types):

- Variance (see below)
- Subdividing of Lot, Parcel, or Tract (see p. 12)
- Street or Alley Renaming (see pp. 13-14)
- Vacating Street or Alley (see pp. 13-14)
- Conditional Use (see below)
- Re-Zoning (see below)
- Overlay District
- Planned Mixed-Use District

For Variance Only (check all appropriate variance types), see pp. 7 & 8:

- Sign
- Setback (front, side, or rear _____)
- Lot Width
- Lot Coverage Area
- Buffer
- Off-Site Parking
- Open Space
- Other: Substantial Improvement

For Conditional Use Permit Only (check applicable type), see pp. 9 & 10:

- Automotive Filling Station
- Digital Billboard, New
- Restaurant
- Other: _____
- Telecommunications
- Digital Billboard, Replacement
- Solar Farm

For Re-Zoning Only, see p. 11:

Existing Zoning: _____
Proposed Zoning: _____

STAFF USE ONLY – Do Not Complete:

Pre-Application Date: _____ Planner: _____
Parcel Number(s): _____ Historic District(s): _____
Flood Zone(s): _____ Zoning Districts(s): _____

Project No.: _____

Code Sections:

LDC Section No. _____
Section No. _____
Section No. _____
Section No. _____
Section No. _____

RECIVED DATE & INITIALS:

OWNER AFFIDAVIT PAGE

THIS PAGE MUST BE SIGNED IN FRONT OF A NOTARY, BY THE OWNER(S) OF THE SUBJECT PROPERTY

WITNESS THE SIGNATURES of the OWNER(S) of the subject property located at
215 N. MAIN ST HATTIESBURG MISSISSIPPI
Street Address City State

on this the 22ND day of OCTOBER, 2024.

In the matter of this request, the property owner further authorizes the following named person(s) to represent them at the public hearing on this petition.

NICHOLAS WILLIAMS

on this the 22ND day of OCTOBER, 2024.

Clifford Collins
Property Owner (print)
[Signature]
Property Owner (signature)

STATE OF MS
COUNTY OF Forrest

Personally came and appeared before me, the within named Clifford Collins, who signed and delivered the above and foregoing instrument as and for their free act and deed on the day and year therein mentioned, and who acknowledge to me that they are the owner(s) of the subject property as described in this Public Hearing Application.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 22nd day of October, 2024.

[Signature]
NOTARY PUBLIC

My Commission Expires:
9/13/27



APPLICANT AFFIDAVIT PAGE

THIS PAGE MUST BE SIGNED IN FRONT OF A NOTARY, BY THE **APPLICANT** OF THIS PETITION, **ONLY IF DIFFERENT FROM THE OWNER(S) OF THE SUBJECT PROPERTY**

WITNESS THE SIGNATURES of the **APPLICANT(s)** of the subject property located

at 215 MAIN ST. HATTIESBURG MS
Street Address City State

on this the 22 day of OCTOBER, 2024.

Nicklas Klivians
Applicant (print)

Nicklas Klivians
Applicant (signature)

STATE OF MS
COUNTY OF Forest

Personally came and appeared before me, the within named Nicklas Klivians Nicklas Klivians, who signed and delivered the above and foregoing instrument as and for their free act and deed on the day and year therein mentioned, and who acknowledge to me that they are the owner(s) of the subject property as described in this Public Hearing Application.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE, this the 22nd day of October, 2024.

[Signature]
NOTARY PUBLIC

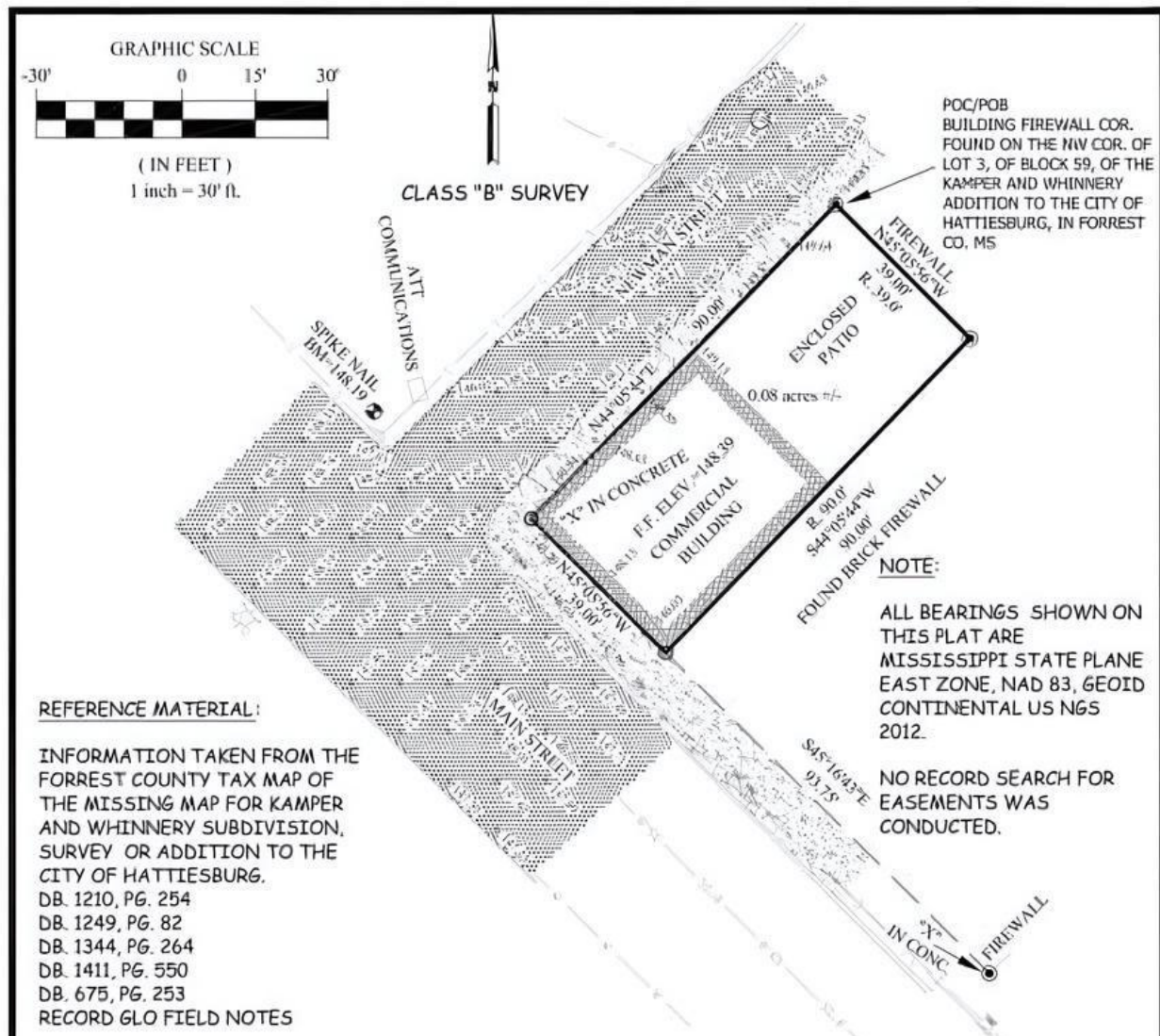
My Commission Expires:
9/13/2027



215

DESIGN BOOK

PROVIDED BY  **SPECIAL DELIVERY**
Design Group



LEGEND

—	PROPERTY LINE
—	DEED LINE
—	OVERHEAD COMMUNICATIONS
C	CABLE
8" SS	8" SANITARY SEWER
W	WATER LINE
●	MONUMENT FOUND
○	MONUMENT SET
IPF	IRON PIN FOUND
IPS	IRON PIN SET (1/2"x18")
POB	POINT OF BEGINNING
POC	POINT OF COMMENCEMENT
MPF	METAL PIPE FOUND
APR	AS PER RECORD
X 100.00	SPOT ELEVATION

DESCRIPTION
Beginning at a metal pipe found on the intersection of the South margin of a railroad right of way line and the West line of Lot 4, Block 103, of the Kamper and Whinnery, 1st Addition to the City of Hattiesburg, Forrest County Mississippi, said point being the POINT OF BEGINNING; thence South 89°53'16" East, a distance of 100.00 feet to an iron pin on the west margin of Mobile Street; thence along said road South, a distance of 149.25 feet to a "X" chiseled into concrete on the Southeast corner of said Lot 4; thence West, a distance of 100.00 feet to an iron pin on the Southwest corner of said Lot 4; thence North, a distance of 149.45 feet to the POINT OF BEGINNING.

Containing 0.34 acres, more or less, and located in part of Lot 4, Block 103, of the Kamper and Whinnery, 1st Addition to the City of Hattiesburg, Section 10, Township 4 North, Range 13 West, Forrest County Mississippi

BOUNDARY LINE

BE
LAND SURVEYING

33 Egan Road
Covington, MS 39423
philip.ball@gmail.com
(7) 601-441-3459
(T) 601-738-0031

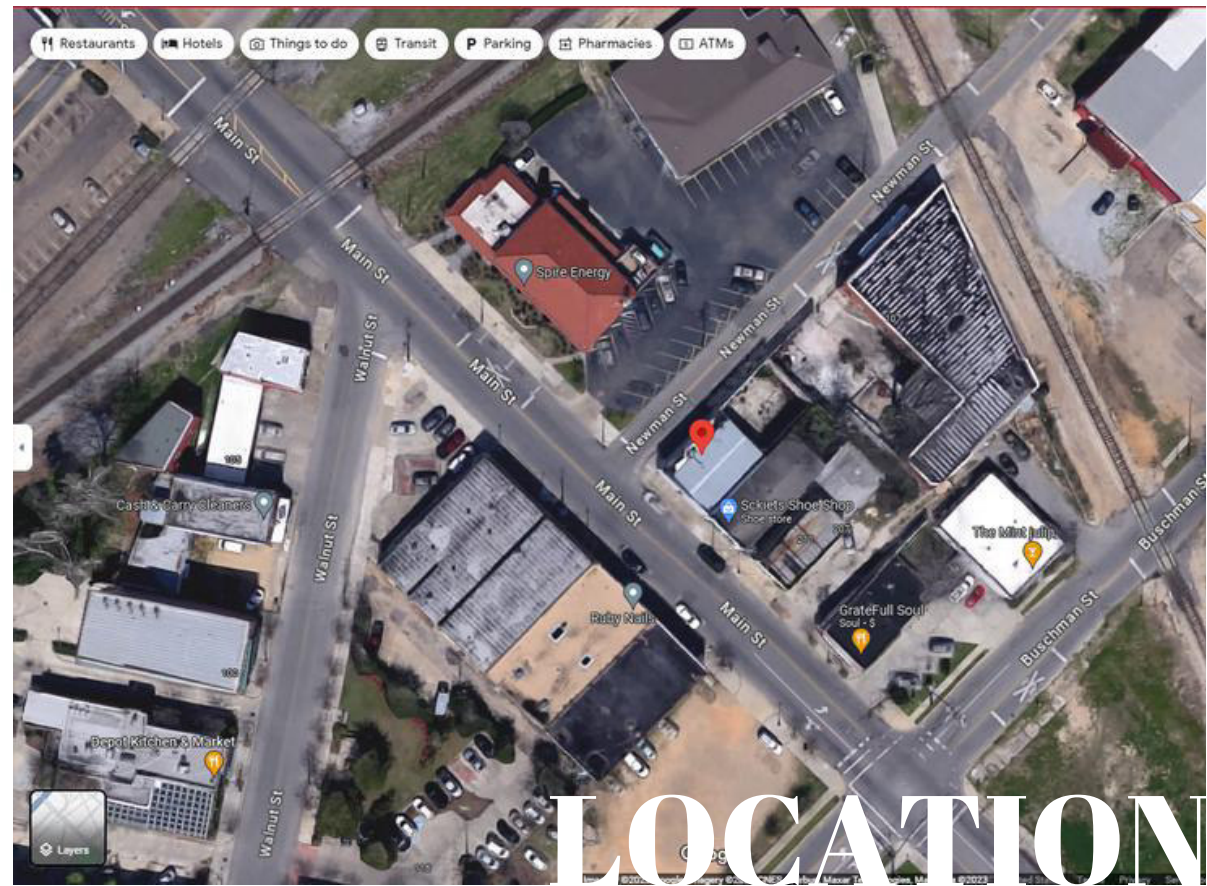
I certify that the information on this plat is thorough and accurate to the best of my knowledge and belief.

PHILLIP W. BALL
LAND SURVEYOR
2021 LICENSED PROFESSIONAL
PLS-02821
STATE OF MISSISSIPPI

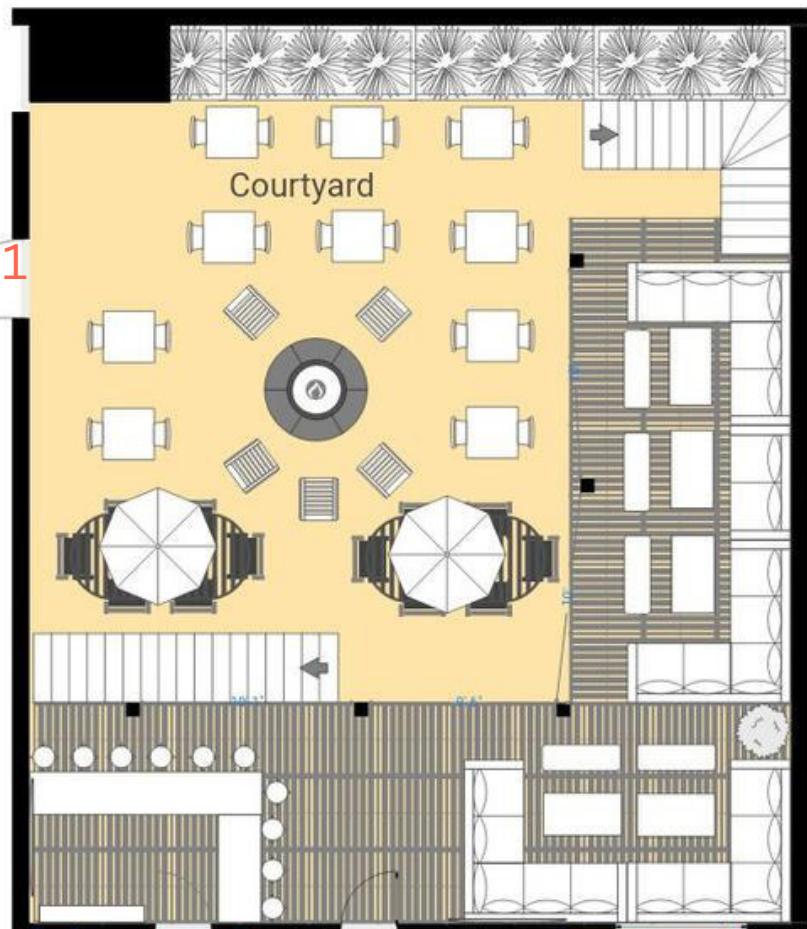
SURVEY FOR:
CLIFF COLLINS
LOT 3, AND PART OF LOT 4 OF BLK 59 OF KAMPER AND WHINNERY, 1st. ADD. S 10, T-4-N, R-13-W FORREST COUNTY, MS

project no:	3147g001	drawn by:	P.W.B.
survey date:	6/26/24	checked by:	P.W.B.
stamped date:	7/8/24	sworn	PHILLIP BALL

NO ABSTRACT OF TITLE, TITLE COMMITMENT, OR RESULTS OF SUCH WERE FURNISHED TO THE SURVEYOR, NOR WAS ANY SUCH MADE BY THE SURVEYOR. ALL RECORDS USED ARE LISTED HEREON.



FB-1



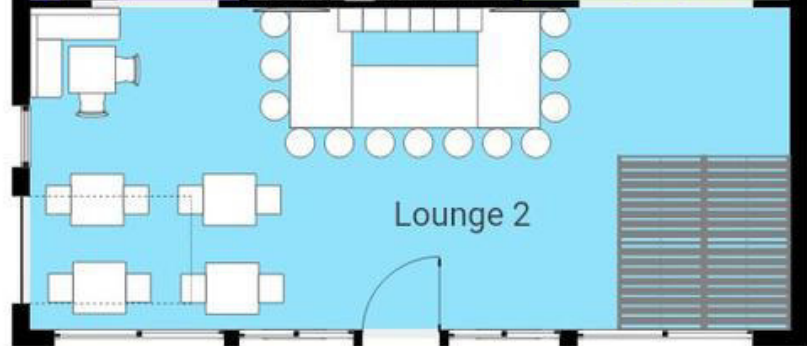
LEGEND

- Courtyard
- Kitchen
- Lounge Area 1
- Lounge Area 2
- Lounge Area 3
- Lounge Area 4
- Office/Storage

According to NFPA 13, all newly constructed commercial buildings that are 5,000 square feet or larger are required to have fire sprinkler systems. The surface area of this existing building is 1,788 sq.ft. and the courtyard space including the proposed patio space is 2,389 sq.ft. giving a total of 4,177 sq.ft. The fire area has an occupant load of 200 and will not exceed 300.

These appear to be 3 ft. above grade on the EC photos

FB-2



FB-3

These appear to be 3 ft. above grade on the EC photos



1:140
Page 1/3



RENLITA
A-750 NUFOLD
CUSTOM OPENING

HANGING
LIGHT PENDANT
OPTION

60" - 75"
SMART TV

CEILING
FRAME WITH
HANGING PLANT

CUSTOM
LED SIGN
ON GREENERY WALL

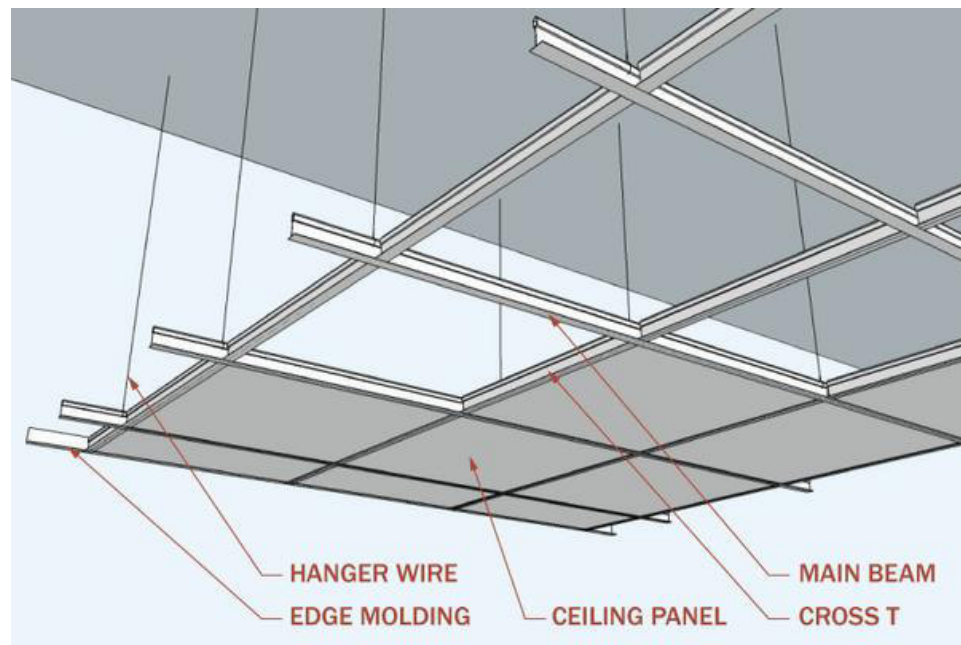
HANGING
LIGHT PENDANT
OPTION

STAGE



215

Proposed
LOUNGE AREA 2



Suspended Acoustic Ceiling Components

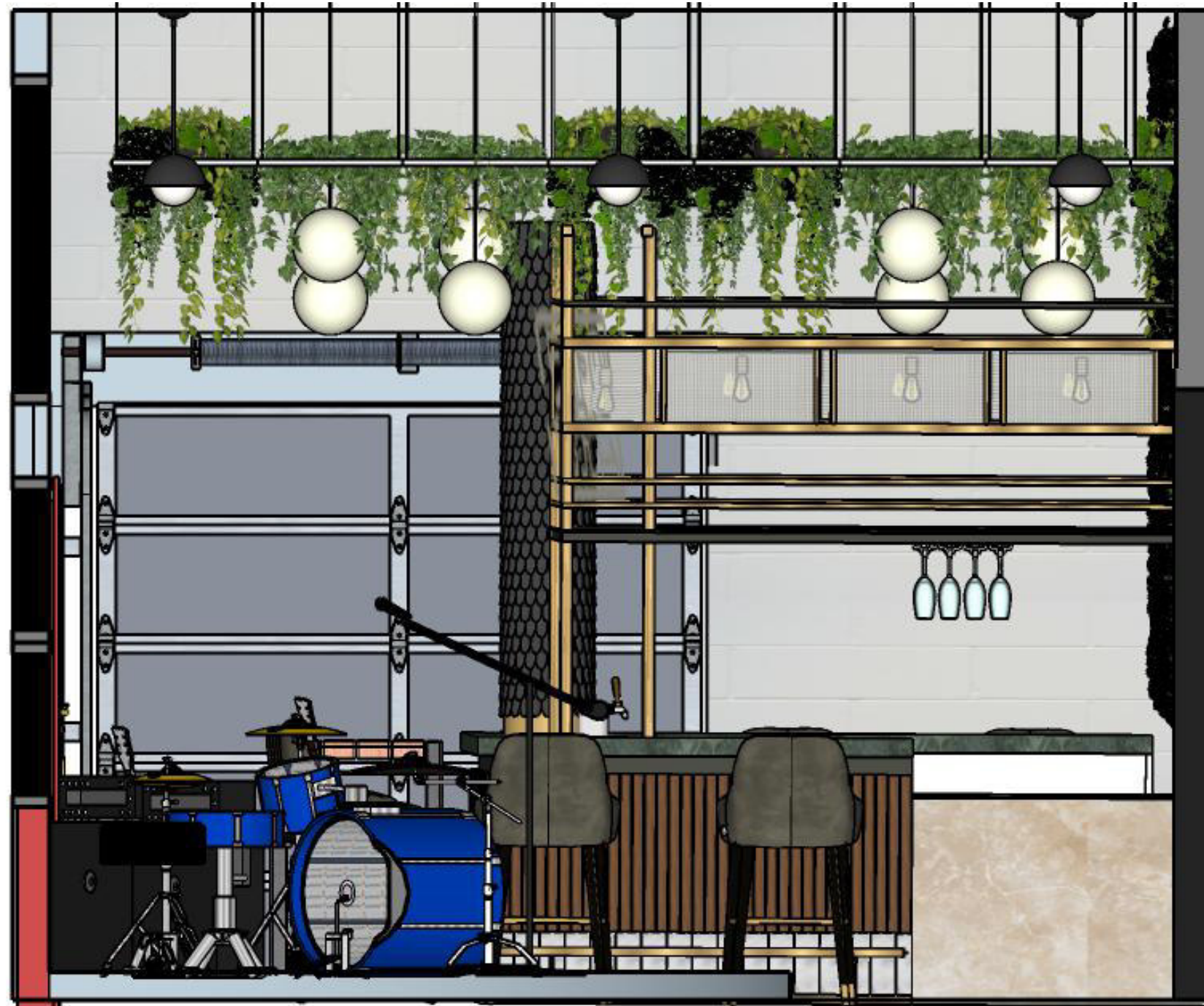
The diagram below identifies the major components of a suspended lay-in ceiling. The continuous main beam T shapes are suspended from the structure above by hanger wires. Shorter cross T segments connect to the main beam T shapes to make a rigid frame. Edge molding shapes are attached to the walls around the perimeter of the room. Finally, ceiling panels are dropped into the grid to finish the ceiling.



Ion Globe 14" Pendant



Artificial Greenery Wall "Coastal Dreams" 40" x 40" (Indoor/Outdoor UV) Assorted Foliage Landscape Panel

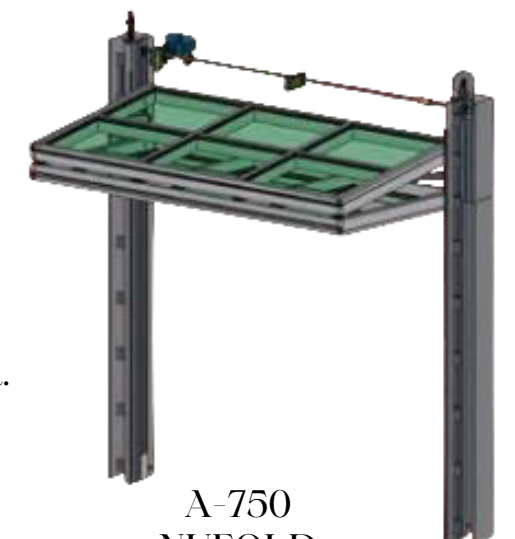


Type 1 Artificial Hanging Ferns
Artificial hanging fern with an ultra-realistic and ornamental appearance is an ideal choice for ceiling wall decor in scenes such as offices, buildings, and bars. The natural color and clear texture make the whole plant vivid.

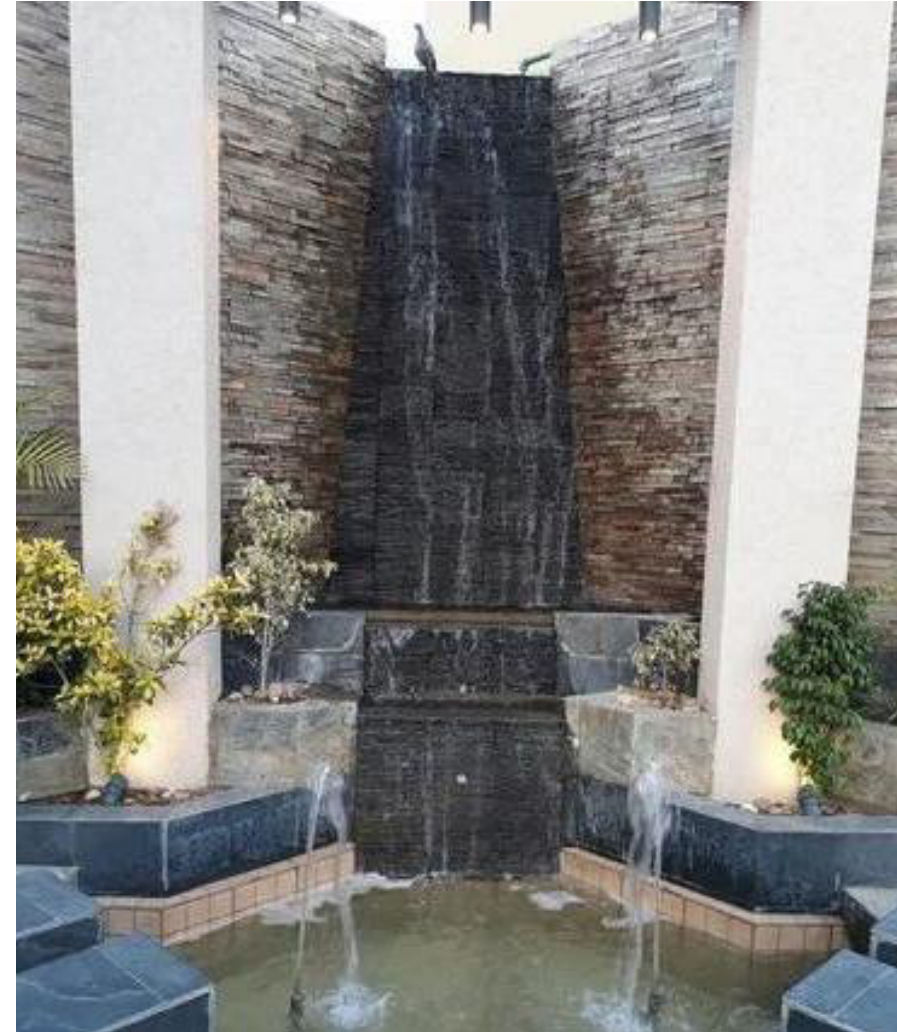
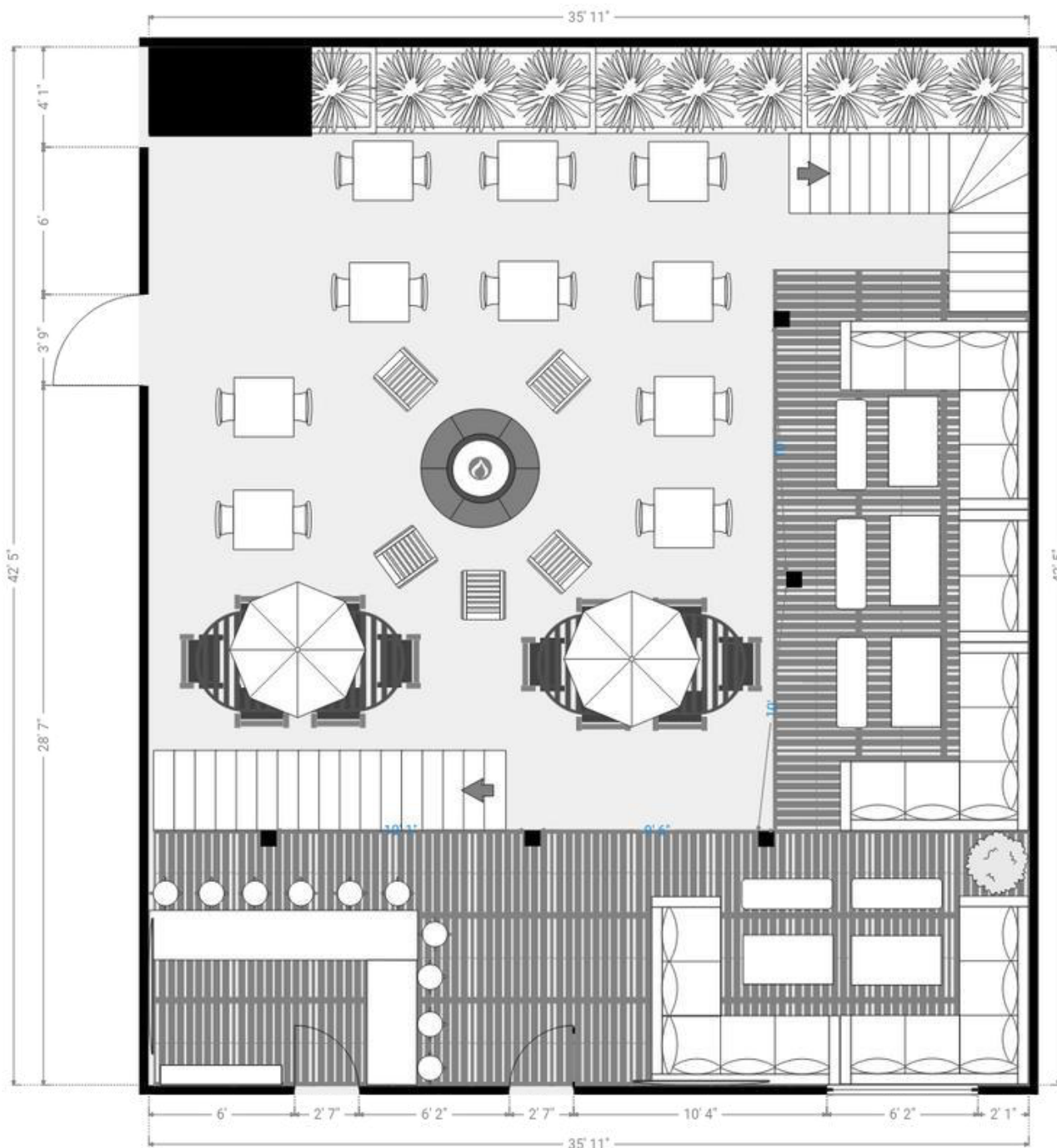
Wave grass leaf with soft-touch
UV resistance for long outdoor application
Fire retardant for long indoor use
ISO, BSCI, GMP certified
Our MOQ: 300 pieces



Custom Neon Sign
Myneonstore.com

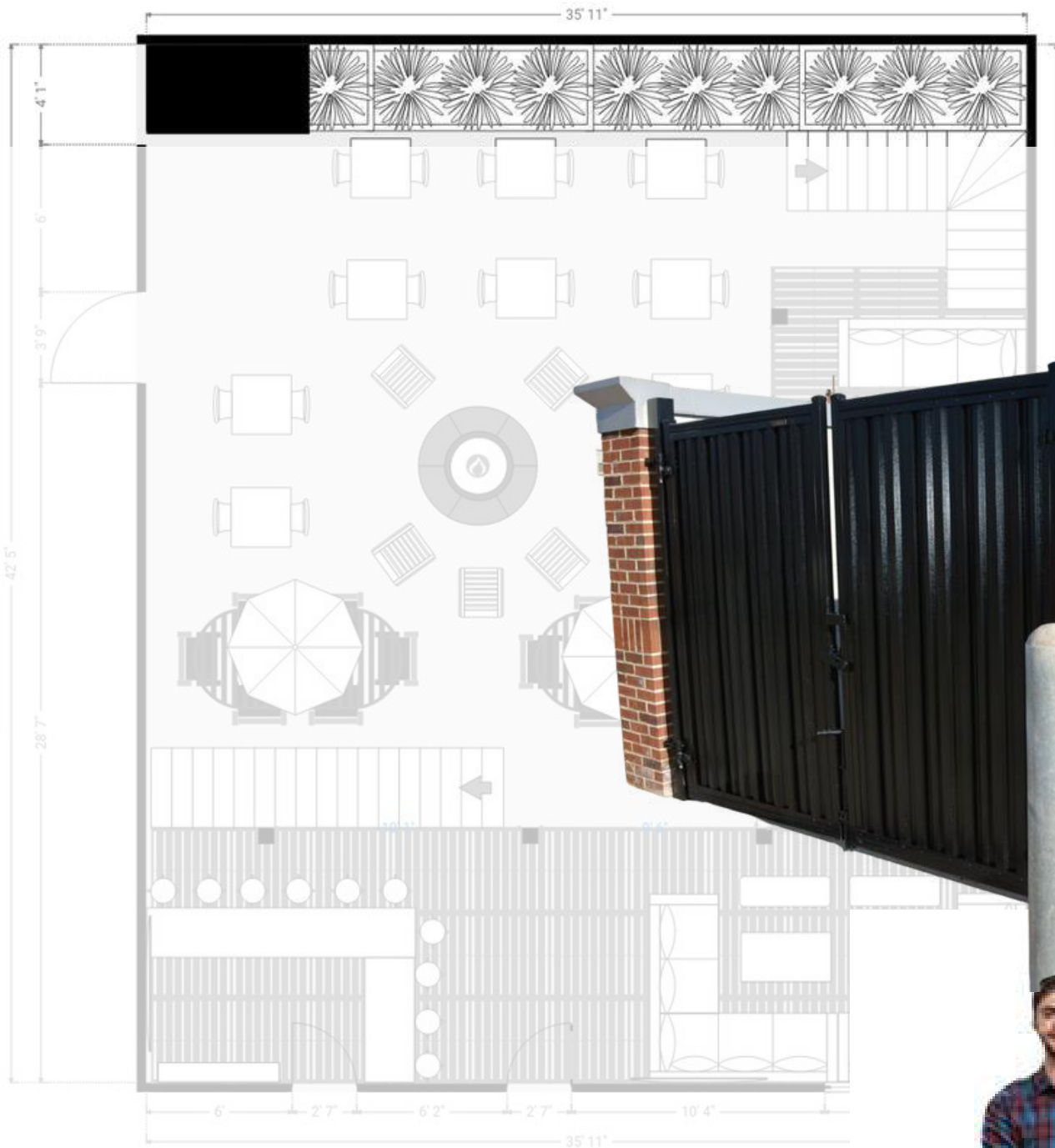


A-750
NUFOLD
Dual-Panel Counterweight
Balanced Vertical Opening



215

Proposed
COURTYARD AREA



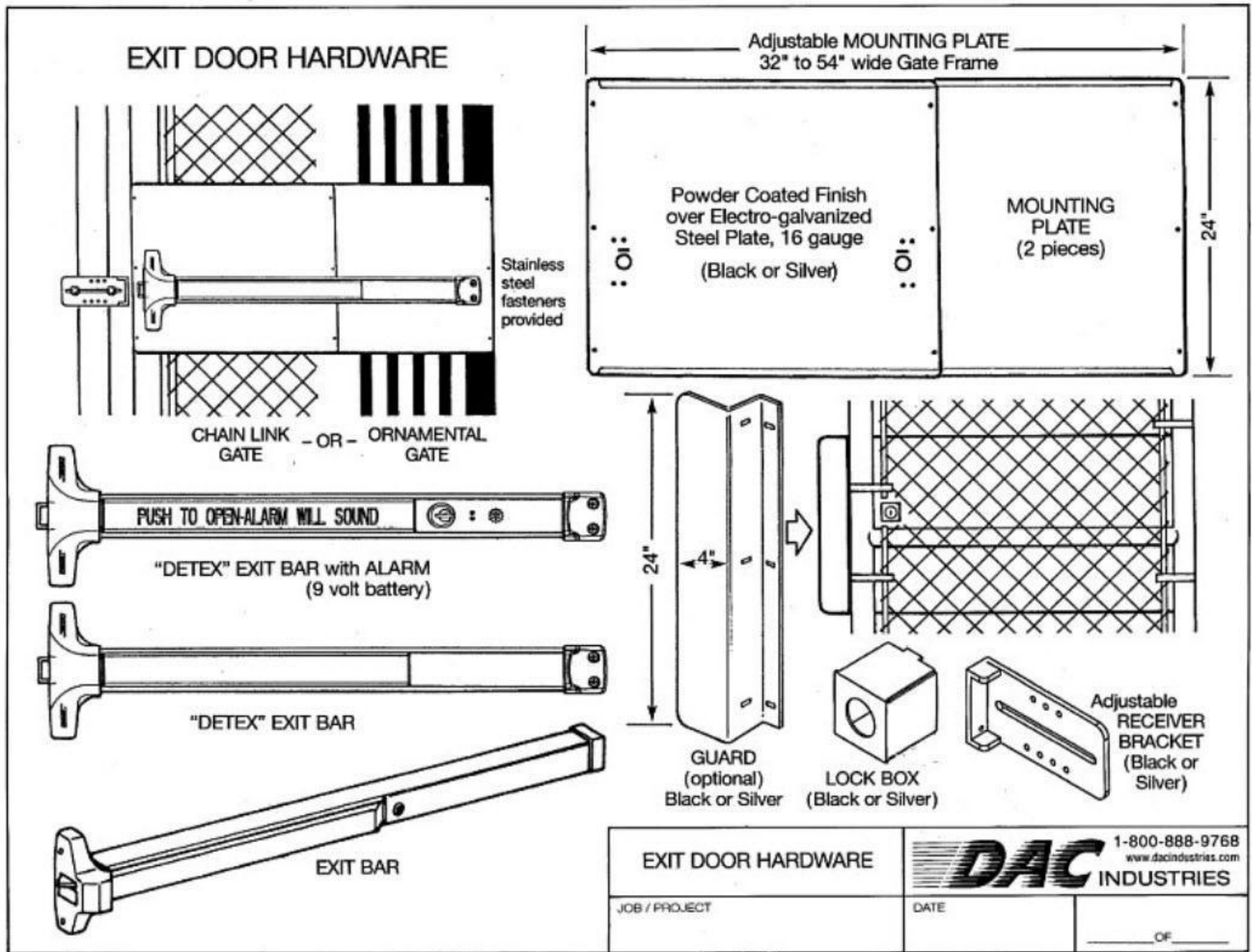
3 ft

3 ft

6 ft

215

Proposed
DUMPSTER AREA



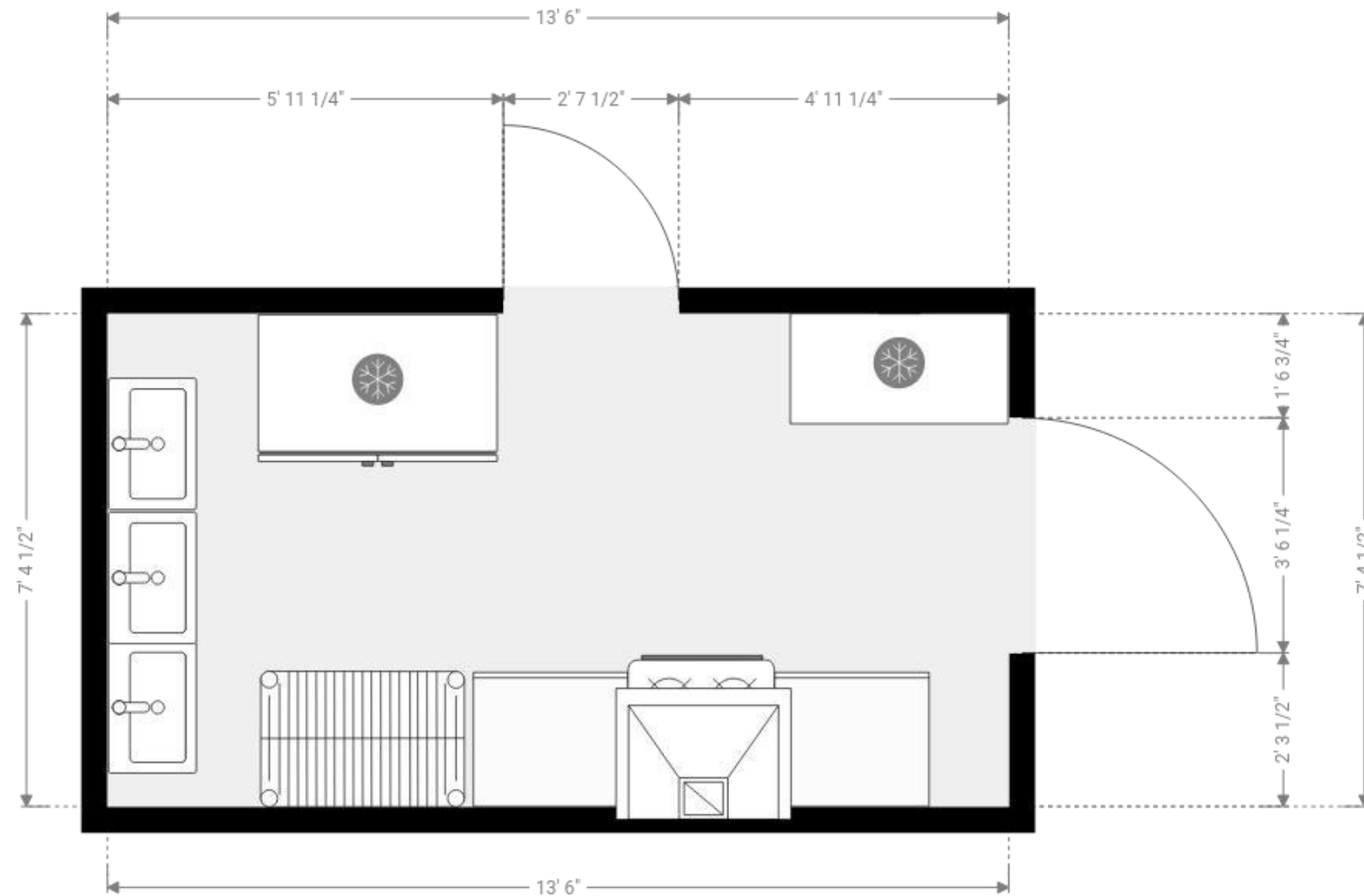
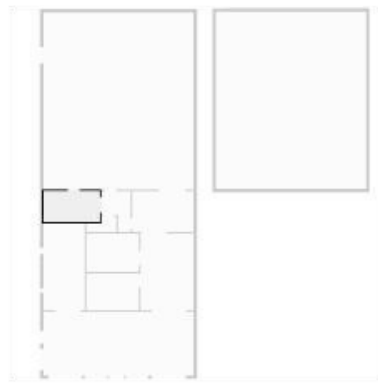
GreatFence.com

215

Proposed
COURTYARD
EGRESS



Featured Above: D-6045 Superior Detex Exit Bar Kit.
Kit includes: bar, plate, receiver, lock box and fasteners.
Choose between silver or black plate. (Mounting plate not shown)



Kitchen Area

215

The Schier GB-500 should be adequate for both the restaurant and the proposed onsite dumpster pad. If for some reason its not feasible to tie in the dumpster with the restaurant interceptor you may consider a Schier #GB-75 125 gal interceptor for the dumpster pad.

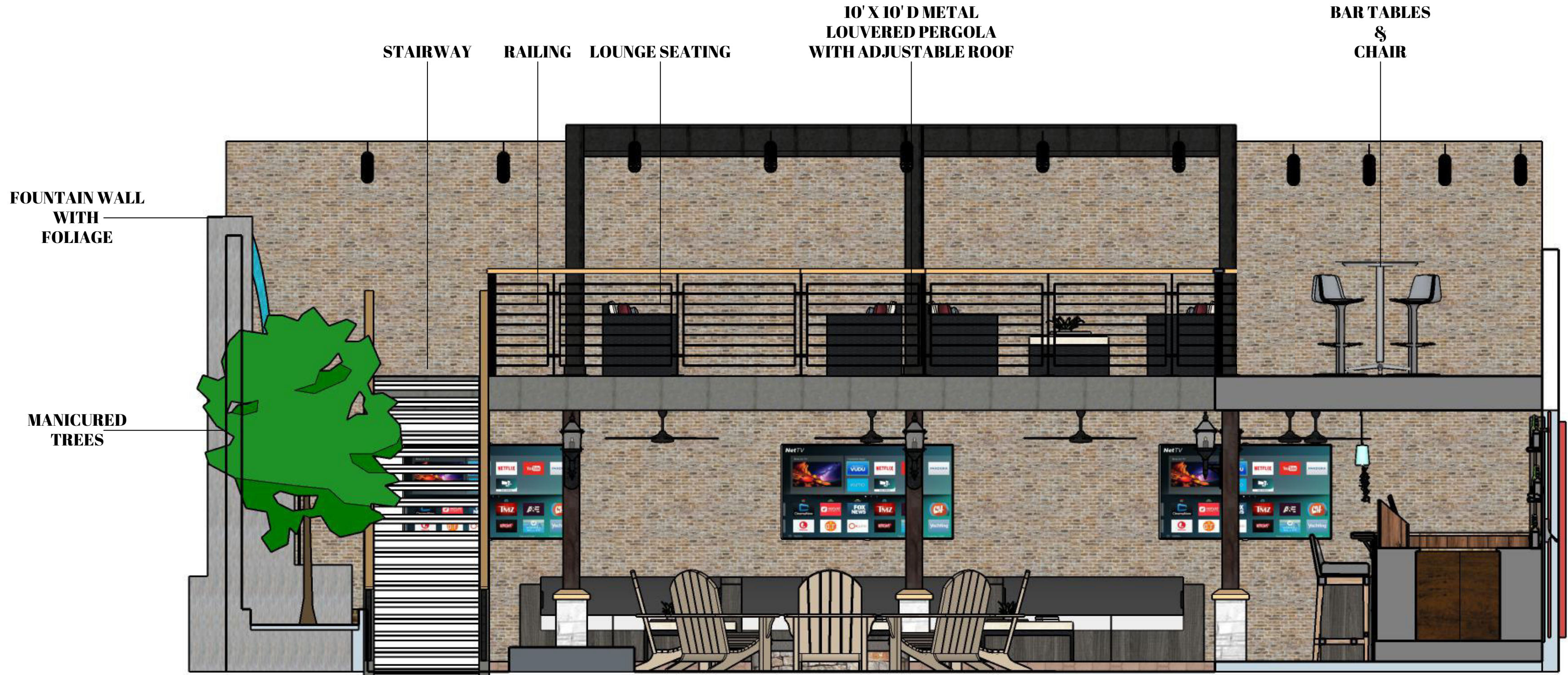
Schier #GB-75

Great Basin High Capacity Grease Interceptor 125 gal., 75 GPM, 861 lbs. grease capacity, 4" FPT with 4" plain end adapters, with cast iron cover, pickable 24" gas/water tight, H-20 rated, proof-load tested to 40,000 lbs. Lifetime Guaranteed design.



215

Proposed
COURTYARD AREA



215

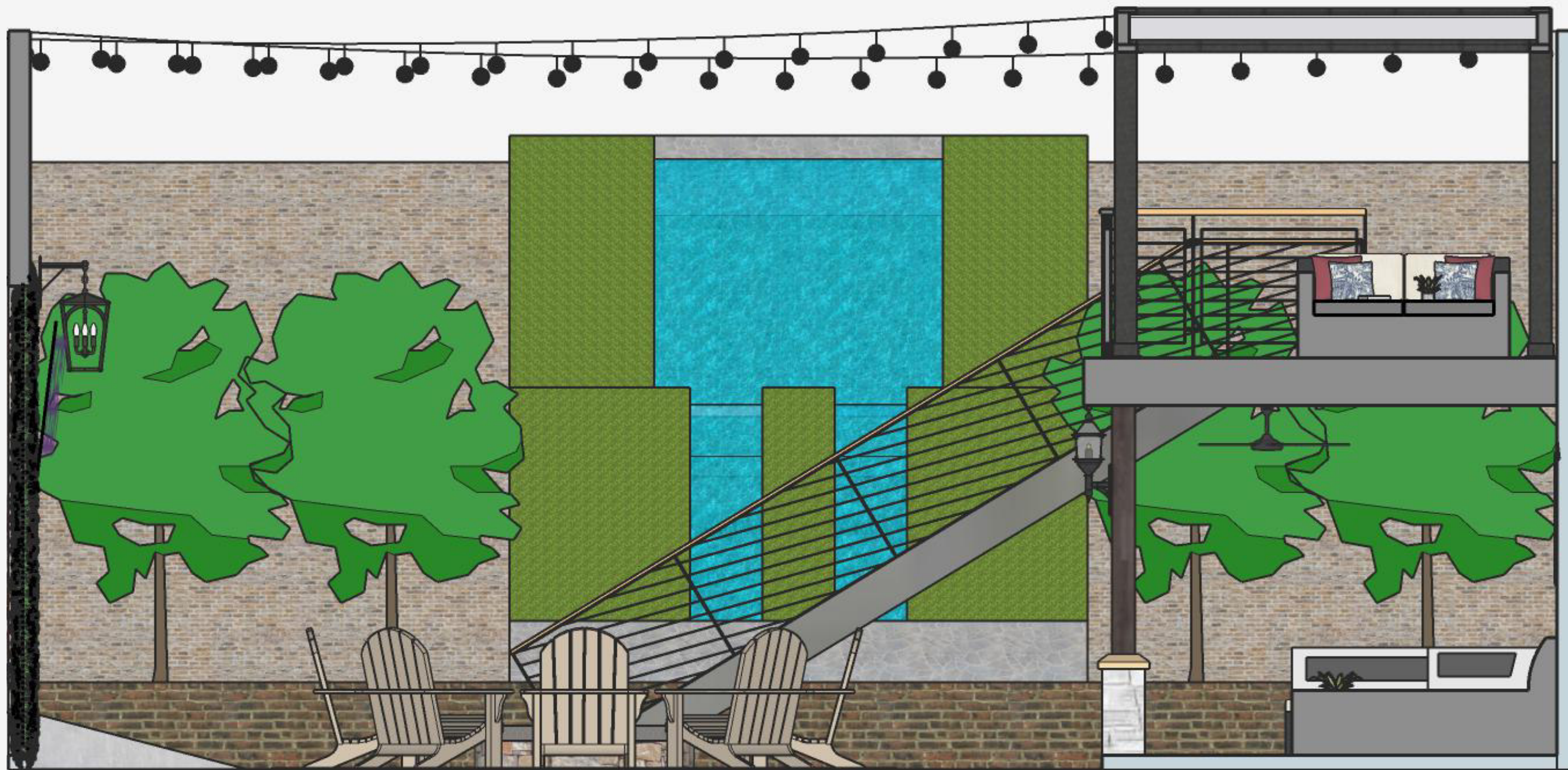
Proposed
COURTYARD AREA

STAIRWAY
TYPE
IS SUBJECT TO
CHANGE

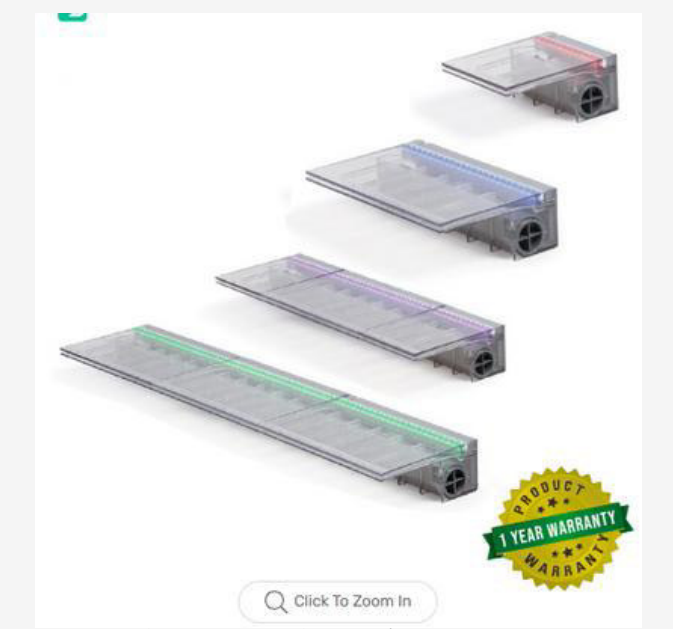


215

Proposed
COURTYARD AREA



Villa Pergola Motorized
With Edge Lighting



Atlantic Color Changing
Colorfalls

- The only modular waterfall system with multiple light and configuration options
- 48 vibrant color options and 18 preset modes
- Includes a remote control module to select color and pattern
- Dual inlets for plumbing flexibility allow multiple Colorfalls to be linked to make a waterfall of any width!
- Recommended for water features with no fish or plants.

LAMPS PLUS

BON PERGOLA
DESIGNED IN CALIFORNIA



215

Proposed
COURTYARD AREA



215
Huskies Lounge
215

SCKIETS
SHOE SHOP

215



215

215
215



DEED

Bk:1344 Page:264-266

RCD: 08/10/2020 @ 9:48:52:AM

FORREST COUNTY, MS

LANCE C. REID CHANCERY CLERK

Document Prepared by and Return to:

File No. P20F-479

**Greer Law Firm, PLLC
14 Orleans Drive, Suite A
Hattiesburg, MS 39402
Ph.: (601)583-2133
Facsimile (601)583-2449**

**INDEXING INSTRUCTIONS: All of Lot 3 and Part of Lot 4, All in Block 59 of the
Kamper and Whinnery Subdivision, Forrest County, Mississippi**

**STATE OF MISSISSIPPI
COUNTY OF FORREST**

WARRANTY DEED

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00), cash in hand paid and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the undersigned,

**Keith A. Cascio, Grantor(s)
P.O. Box 1101
Hattiesburg, MS 39403
Phone: (504) 232-0988**

do(es) hereby sell, convey, bargain and warrant to:

**Brittany Mallion, Grantee(s)
215 Main Street
Hattiesburg, MS 39401
Phone: 601-543-4012**

fee simple title, but subject to the exceptions, reservations, restrictions, covenants and conditions, if any, hereafter stated the following described property and all appurtenances thereunto belonging situated in Forrest County, Mississippi, more particularly and certainly described as follows:

All of Lot 3 and the Northwest 5 2/3 feet of Lot 4 (said 5 2/3 feet of Lot 4 lying alongside and adjoining aforesaid Lot 3), all in Block 59 of the Kamper and Whinnery Subdivision, Survey or Addition to the City of Hattiesburg, in Forrest County, Mississippi as per the map or plat of said subdivision on file and of record in the office of the Chancery Clerk of Forrest County, Mississippi; together with all improvements thereon and appurtenances thereunto belonging.

The above warranty and this conveyance are made subject to any and all valid and outstanding oil, gas and mineral leases, exceptions, reservations, and conveyances.


The above warranty and this conveyance are made subject to any and all easements for public roads and public utilities as presently laid out, constructed or in use, and also to all private easements, covenants and restrictions.

The above warranty and this conveyance are subject to those certain protective covenants and building restrictions recorded in the office of the Chancery Clerk of Forrest County, Mississippi.

The above warranty and this conveyance are subject to the zoning, site plan or subdivision regulations of the city or county that the subject property is located within and any air, water, pollution and flood control regulations imposed by any governmental authority having jurisdiction over the same.

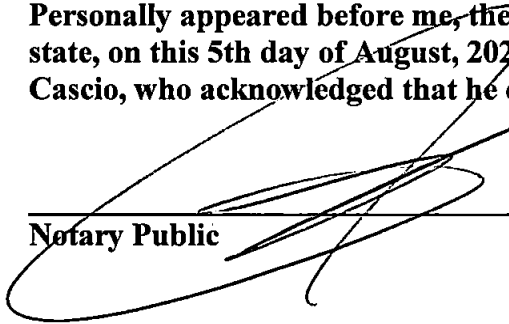
It is agreed and understood that taxes for the current year have been prorated as of this date on an estimated basis, and when said taxes are actually determined, if the proration as of this date is incorrect, then the Grantors agree to pay to said Grantee or his/her assigns any deficit on an actual proration. In the event that the proration based on the estimated tax is determined to be greater than the actual proration necessary, the Grantee agrees to refund to said Grantor the difference between the estimated proration and the actual proration.

WITNESS THE SIGNATURE(S) OF THE UNDERSIGNED on this the 5th day of August, 2020.

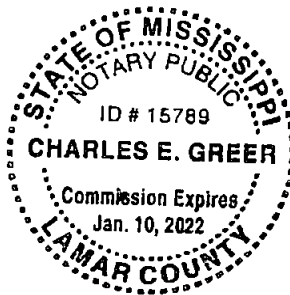

Keith A. Cascio

**STATE OF MISSISSIPPI
COUNTY OF LAMAR**

Personally appeared before me, the undersigned authority in and for the said county and state, on this 5th day of August, 2020, within my jurisdiction, the within named Keith A. Cascio, who acknowledged that he executed the above and foregoing instrument.



Notary Public



FOREST COUNTY MS LANCE C. REID
I CERTIFY THIS INSTRUMENT WAS FILED ON 8/10/2020 9:48:52 AM AND RECORDED IN DEED BOOK:1344 PAGE:264

Flood Damage Prevention Ordinance
Historic Structure Variance Criteria
Ord. 3294

Address: 215 Main St., Hattiesburg, MS 39401

CHAPTER 10. ARTICLE 6. SECTION E. HISTORIC STRUCTURES.

Historic structures may apply for a variance. If the repair or rehabilitation of a historic structure meet the following three criteria, the buildings will not have to be elevated or flood-proofed.

- 1) **The building must be a bona-fide “historic structure.”** As followed by definition.

The building at 215 Main St. is a bona-fide historic structure as defined in the ordinance. According to the Mississippi Department of Archives and History (MDAH), the building is listed in the National Register of Historic Places (NRHP) and holds significant historical value. This listing confirms that the structure qualifies for the variance based on its historical status.

- 2) **The project must maintain the historic status of the structure.** If the proposed improvements to the structure will result in it being removed from or ineligible for the National Register or federally-certified state or local inventory, then the proposal cannot be granted an exemption from the substantial improvement rule.

- a) Written review and approval of proposed plans by the local historic preservation board and/or the Historic Planner, if it is federally-certified, or by the state historic preservation office. If the plans are approved, you can grant the exemption. If no, no exemption can be permitted.

The proposed renovations will maintain the building’s historic status. There will be no alterations that would lead to the structure being removed from or rendered ineligible for the National Register or any certified state or local inventory. All improvements will follow the necessary guidelines to preserve its historic integrity while making it functional for commercial use.

- a) Written review and approval of the renovation plans will be sought from the local Historic Preservation Board or the state historic preservation office (MDAH). This approval will ensure that the project adheres to preservation standards and that the historical status of the building remains intact.

3) Take all possible flood damage reduction measures. Even though the exemption to the substantial improvement rule means the building does not have to be elevated to or above BFE, or be renovated with flood-resistant materials that are not historically sensitive, many things can and should be done to reduce the flood damage potential. Examples include:

a) Locating mechanical and electrical equipment above the BFE or floodproofing it.

a) Mechanical and electrical equipment will be elevated above the Base Flood Elevation (BFE) or floodproofed to protect them from flood damage.

b) Elevating the lowest floor of an addition to or above the BFE with the change in floor elevation disguised externally.

b) Any additions to the structure will have their lowest floor elevated to or above the BFE, and any changes in floor elevation will be externally disguised to maintain the building's historic appearance.

c) Building the lowest floor of an addition with flood-resistant materials and providing hydrostatic openings.

c) If an addition is required, flood-resistant materials will be used where appropriate, and hydrostatic openings will be provided to reduce flood damage while preserving the architectural character of the building.

See Article 6 Section A – D for additional information
W:\Planning\Planning Applications\Flood Variance worksheet 2022.docx

TAX INCREMENT FINANCING REDEVELOPMENT PLAN
FOR THE CITY OF HATTIESBURG, MISSISSIPPI, 1996, AS
AMENDED AND RESTATED NOVEMBER 2024



Prepared By:
Gouras & Associates, LLC
P.O. Box 1465
Ridgeland, MS 39158
601-605-8128 P 601-605-8129 F
chrisgouras@gourasandassociates.com
christiana@gourasandassociates.com

ARTICLE I
THE TAX INCREMENT FINANCING ACT

- A. This *Tax Increment Financing Redevelopment Plan for the City of Hattiesburg, Mississippi, 1996, as Amended and Restated November 2024* (the “Redevelopment Plan”) is an amendment to and a restatement of that *Tax Increment Financing Redevelopment Plan, City of Hattiesburg, Mississippi, 1996*, and is being adopted and implemented by the City of Hattiesburg, Mississippi (the “City”) pursuant to Section 21-45-1 *et seq.*, Mississippi Code of 1972, as amended (the “TIF Act”). Projects implemented under this Redevelopment Plan may be undertaken in collaboration with Forrest County, Mississippi and Lamar County, Mississippi and/or other counties, cities and governing authorities pursuant to Section 17-13-1 *et seq.*, Mississippi Code of 1972, as amended (the “Interlocal Act”), and/or the Regional Economic Development Act as authorized by Section 57-64-1 *et seq.*, Mississippi Code of 1972, as amended and applicable (the “REDA Act”).
- B. A “redevelopment plan” means a plan for the acquisition, clearance, reconstruction, rehabilitation or future use of a redevelopment project area which shall be sufficiently complete: (i) to indicate its relationship to definite local objectives as to appropriate land uses and improved traffic, public transportation, public utilities, recreational, residential, commercial and community facilities and other public improvements; and (ii) to indicate proposed land uses, waterfront uses, if any, and building requirements in the area. A redevelopment plan may include interlocal cooperation agreements between a municipality and a county whereby both agree to pledge revenues payable to them to fund the debt of service of any indebtedness incurred pursuant to the TIF Act.
- C. Tax Increment Financing (“TIF”) is a legal, constitutionally accepted financing mechanism to accomplish development and redevelopment of municipalities and counties throughout the State of Mississippi (the “State”). TIF is a tool that can be used to induce or encourage economic development and is a local incentive that can be accessed and used through the City’s own initiative. This Redevelopment Plan permits the adoption and administration of TIF plans (“TIF Plans”¹) for projects on any lands lying within the corporate limits of the City as the same exists as of the date of approval hereof and as may be modified thereafter (the “Redevelopment Project Area”).
- D. After the adoption of a TIF Plan, the clerk will certify the assessed value of the real property, including personal property located thereon, described in the TIF Plan. Property taxable at the time of the certification shall be included in the assessed value at its most recently determined valuation. Property exempt from taxation at the time a TIF Plan is adopted shall be included at zero unless it was taxable when the TIF Plan was approved, in which case its most recently determined assessed valuation before it became exempt shall be included. These assessed values are referred to as the “Original Assessed Value.”
- E. Each year thereafter, the clerk will certify the amount by which the assessed value of real property, including personal property located thereon, described in the TIF Plan has

¹ A short overview of the adoption of TIF Plans is provided in Article II

increased or decreased from the Original Assessed Value. These assessed values are referred to as the “Current Assessed Value.”

- F.** The clerk shall certify the amount of the Captured Assessed Value to the City each year for the duration of the TIF Plan. The City may choose to retain all or a portion of the Captured Assessed Value for purposes of TIF if the TIF Plan provides that all or a portion of the Captured Assessed Value is necessary to finance the redevelopment project, including the cost of establishing necessary reserves to insure payment of revenue bonds.
- G.** Pursuant to the TIF Act, Tax Increment Financing Bonds, notes, or other debt obligations (“TIF Bonds”) may be issued by the City to construct improvements or reimburse developers for the construction of improvements that will induce development activity.
- H.** To provide for the payment of the TIF Bonds, the City and other participating jurisdictions, if any, may pledge all or part of the ad valorem taxes generated on the Captured Assessed Value. The City may elect to pledge increases in retail sales tax rebates generated by the projects to provide for the payment of TIF Bonds as authorized by the TIF Act, as well as other sources of revenue as may permitted under the REDA Act. Participating jurisdictions and governing authorities may also elect to pledge revenues pursuant to applicable State law.
- I.** If the TIF Plan provides that only a portion of the Captured Assessed Value is necessary to finance the TIF Bonds, only that portion shall be set aside and the remainder shall be apportioned to the various municipal tax levy funds and the various county tax levy funds. If the TIF Plan provides that a portion of the retail sales tax rebate is to be used to finance the TIF Bonds, only that portion shall be set aside, and the remainder may be used by the City as authorized by State law.
- J.** In most cases, TIF is used to construct public infrastructure improvements (i.e., roads, utilities, drainage, parking, etc.) even though it can be used for other purposes.
- K.** School taxes **cannot** be used to retire TIF Bonds. The schools can use those funds in their normal operations.
- L.** There is **no** financial obligation on the part of the City if TIF Bonds are issued other than the pledge of the ad valorem tax revenues on real and personal property and/or sales tax rebates if applicable. TIF Bonds are secured solely by increased ad valorem tax revenues and/or sales tax rebates and are not general obligations secured by the full faith, credit, and taxing power of the City. Additionally, if a county participates in TIF Bonds, those TIF Bonds are secured solely by increased ad valorem tax revenues and are not general obligations secured by the full faith, credit, and taxing power of the County.

ARTICLE II THE TAX INCREMENT FINANCING PROCESS

- A.** The steps for adopting this Redevelopment Plan are below:

- (1) The Redevelopment Plan designating all or part of the City as “a Redevelopment Project Area” is prepared.
- (2) The Mayor and City Council (the “Governing Body”) of the City adopts a resolution determining the necessity for utilizing TIF and setting a public hearing in connection with the Redevelopment Plan.
- (3) The Redevelopment Plan is referred to the City’s Planning Commission for review.
- (4) City’s Planning Commission finds that the Redevelopment Plan conforms to the City’s Comprehensive Plan.
- (5) The City publishes a notice of public hearing in accordance with the TIF Act.
- (6) A public hearing is held at which time the Redevelopment Plan and related matters are presented to the public, and citizens are given an opportunity to comment.
- (7) The Governing Body adopts a resolution approving and adopting the Redevelopment Plan.

B. The steps for adopting a TIF Plan or any amendment to a TIF Plan pursuant to this Redevelopment Plan are below:

- (1) A TIF Plan is prepared for a specific economic development project. A TIF Plan must conform to the TIF Act, and must include the following: (a) a statement of the objectives of the City with regard to the TIF Plan; (b) a statement indicating the need and proposed use of the TIF Plan in relationship to the Redevelopment Plan; (c) a statement containing the cost estimates of the redevelopment project and the projected sources of revenue (ad valorem taxes, sales taxes, and the proceeds of any other financial assistance) to be used to meet the costs including estimates of tax increments and the total amount of indebtedness to be incurred; (d) a list of all real property to be included in the TIF Plan; (e) the duration of the TIF Plan’s existence; (f) a statement of the estimated impact of the TIF Plan upon the revenues of all taxing jurisdictions in which the redevelopment project is located; and (g) a statement requiring that a separate fund be established to receive any ad valorem taxes and/or sales tax rebates and the proceeds of any other financial assistance.
- (2) The Governing Body adopts a resolution acknowledging the availability of the TIF Plan and setting a public hearing for the TIF Plan in accordance with the TIF Act.
- (3) The City conducts a public hearing at which time the TIF Plan is presented to the public and citizens are given an opportunity to comment.
- (4) After the public hearing and assuming there are no further amendments made to the TIF Plan after the public hearing, the Governing Body of the City adopts a resolution approving the TIF Plan.

- (5) Pursuant to further proceedings of the City, bond counsel will proceed with the TIF Bond issuance process as called for under the TIF Plan and draft any agreements entered into between the City and the developer(s) of the projects permitted in the TIF Plan.

ARTICLE III

TAX INCREMENT FINANCING REDEVELOPMENT PLAN OBJECTIVES

- A. This Redevelopment Plan has been developed in conformity with State law and will be implemented in accordance with the goals, objectives, and strategies of City's the Comprehensive Plan entitled *Comprehensive Plan 2008-2028, City of Hattiesburg, Mississippi* (as subsequently amended or modified, the "Comprehensive Plan"). The Comprehensive Plan was approved in 2008 and updated and replaced the comprehensive plan adopted by the City in 1988. As of the date of this Redevelopment Plan, the City is in the process of preparing an update to the Comprehensive Plan. This Redevelopment Plan shall be used by the City to facilitate development and redevelopment projects consistent with and in accordance with the City's duly adopted Comprehensive Plan which may change or be updated from time to time.
- B. The Redevelopment Plan herein incorporates by reference the goals, objectives, and strategies and intended purposes of the Comprehensive Plan. Because it is the intent of the Governing Body for this Redevelopment Plan to be implemented consistently with the goals, objective and strategies of the Comprehensive Plan, if any portion of this Redevelopment Plan shall conflict with amendments and updates to the Comprehensive Plan, the Comprehensive Plan shall control.
- C. This Redevelopment Plan contemplates that the City will utilize TIF as a tool to assist the City in implementing goals, objectives, strategies, and recommendations of the Comprehensive Plan and is intended to support and complement the Comprehensive Plan. The forty-five goals of the Comprehensive Plan are as follows:
 - (1) Continue to protect and enhance the City's quality of life—stabilize and protect neighborhoods, build sidewalks and bikeways, invest in education, public facilities and spaces—in order to uphold the City's reputation as a great place to live, work, retire, shop, and recreate.
 - (2) Continue to make the City a great place to own and operate a business, large or small; promote policies and programs to sustain and improve small businesses;
 - (3) Continue to market the many qualities that make the City a desirable place to locate a business; identify and enhance the qualities of the City's environment that will attract a diverse, sustainable range of businesses and industries;
 - (4) Make improvement of the City's public schools a community-wide priority; strive to make the Hattiesburg Public School District synonymous with superior education;
 - (5) Make efforts to ensure that public facilities—utilities, streets and traffic controls, public safety, etc.—complement the efforts of private schools to create safe and pleasant learning environments;
 - (6) Market the City as a college town; identify, enhance and promote the qualities that

- make student living outside the classroom interesting and enjoyable;
- (7) Promote greater collaboration between the City, the University of Southern Mississippi, and William Carey University on land use, transportation/circulation, community events, and community building initiatives;
 - (8) Promote the construction of high-quality housing in a range of housing types, prices and densities; preserve existing housing stock that is in good condition;
 - (9) Promote home ownership opportunities and downpayment assistance programs to enable more residents to achieve the American dream of owning a home;
 - (10) Protect the value, safety and stability of neighborhoods by ensuring that local zoning and development decisions do not create potential nuisances—noises, odors, vibrations, increases in nonresidential traffic—or allow inappropriate nonresidential encroachments;
 - (11) Empower neighborhood residents to take active roles in improving neighborhood conditions and furthering neighborhood plans through participation in neighborhood associations; mobilize neighborhood residents to improve neighborhood conditions and participate in civic issues and community decision-making;
 - (12) Preserve, protect, and promote officially designated and otherwise well-recognized historic districts and resources;
 - (13) As a certified retirement community, provide residential development options and quality of life amenities that are attractive to retirees;
 - (14) Strive to be the outstanding city in Southeast Mississippi for health care facilities and skilled health care personnel. Ensure that all residents have access to quality health care and medical services;
 - (15) Create and maintain clean, attractive public and private spaces in the City; make the appearance of the City something that is recognized and admired by visitors and a source of pride for residents;
 - (16) Celebrate and promote the City’s beauty, history and culture by holding community events, honoring people and events that have influenced the City’s culture, and protecting the city’s cultural and historic places and structures;
 - (17) Protect the distinctive qualities of the City’s natural environment—longleaf pine trees, scenic rivers and creeks—for the use and enjoyment of future generations;
 - (18) Recognize that the policies and actions undertaken today in the City will have a lasting impact on future generations. Embrace the principles of sustainable development to conserve and protect natural resources, improve air and water quality, enhance public health and well-being, and ensure prosperity and a high quality of life for all current and future residents;
 - (19) Preserve and maintain the beauty and character of the City by preserving the region’s distinctive topography;
 - (20) Promote land use and development practices that consider the environment’s natural stormwater drainage and clarification systems—creeks, streams, watercourses, wetlands, and floodplains; Discourage new development in wetlands and flood prone areas;
 - (21) The City has a well-established urban forest. Preserve and maintain the beauty and character of the City by promoting policies to protect and preserve the City’s tree canopy.
 - (22) Strive to protect residents and property owners from environmental hazards;

- (23) Protect the residents of the City by lowering the risks and reducing the effects of disasters on critical facilities; identify and implement mitigation strategies that will reduce or prevent catastrophic damages, casualties, physical and/or financial losses;
- (24) Plan appropriately for the orderly arrangement of land uses to create a city with safe, convenient, attractive, sustainable, healthy neighborhoods and districts;
- (25) Encourage the formation and maintenance of healthy, complete residential districts with a range of appropriate housing types, public uses, and neighborhood-serving retail and service businesses; protect neighborhoods from encroachment of incompatible land uses and developments;
- (26) Encourage a wider range of multi-family housing options, such as second-floor apartments above storefronts, townhomes, and condominiums, as alternatives to conventional apartment complexes;
- (27) Direct student housing to locations that are accessible to area colleges and universities without negatively impacting established, stable residential neighborhoods;
- (28) Promote high-quality, well-designed, sustainable mixed-use developments;
- (29) Provide a range of retail and service businesses that are accessible and convenient to all areas of the City;
- (30) Foster industrial development in industrial parks and in designated industrial districts in the City; attract and encourage a diverse mix of research and technology enterprises and light industries;
- (31) Provide adequate space for public and quasi-public land uses in the City. Ensure that public and quasi-public uses are appropriately sited to be accessible to residents and visitors.
- (32) Promote and advance Downtown Hattiesburg as the City’s central business district—the heart of civic activities, entertainment, commerce, banking, specialty retail, urban residential, arts and culture;
- (33) Promote and advance a Community Development Renewal District to promote a healthy balance of homes, services, and work opportunities inside the district and based on the principle that all segments of the population deserve healthy vibrant places to live and work and recreate.
- (34) Ensure opportunities for local cultural interaction within the Community Development Renewal District to address a variety of planning elements that bring people together in public spaces and venues;
- (35) Promote “green” building and development throughout the Community Development Renewal District. Provide solutions that bring about a cleaner, healthier, and greener natural environment. Discourage activity and development that destroys, degrades, or pollutes the natural environment;
- (36) Maintain a safe, efficient and convenient network of streets and sidewalks that are well constructed, well-maintained; build transportation facilities that are designed to reflect the character of surrounding land uses and provide the amenities desired by pedestrians and the motoring public;
- (37) Treat walking and bicycling as viable transportation modes as opposed to amenities only to be funded when grant monies are available. Adopt a “Complete Streets” policy as a guide for all future transportation decisions;
- (38) Provide adequate utility services to all residents of the City;
- (39) Embrace new technologies and be proactive in using and supporting technologies

- and technology-based industries to enhance the City’s quality of life;
- (40) Provide adequate community facilities in all areas of the City. Supply sufficient funds and personnel to ensure that adequate community services are provided in all areas of the City;
 - (41) Provide a wide variety of passive and active recreational activities in the City for young children, young adults, families, adults, retirees, and persons with disabilities;
 - (42) Realize the full potential of the Hattiesburg Zoo—the only city-owned and operated zoo in the State. Continue to build the zoo’s reputation as a respected environmental education center. Market and promote its educational programs and school partnerships;
 - (43) Ensure the safety of City residents and visitors by providing adequate police and fire protection in all areas of the City; and
 - (44) Ensure that the Comprehensive Plan is a living document that is implemented through day-to-day public decision-making, public budgeting, and through the actions of the many public, quasi-public and private agencies and individuals that impact the city’s form and function;
 - (45) Develop an integrated geographic information system (GIS) designed to manage georeferenced data from all city departments and provide access to map data (zoning, flood zones, tax parcel information, etc.) to the citizens via the City’s website.

D. This Redevelopment Plan and subsequent TIF Plans will require that developments induced under the TIF Act be constructed in accordance with the Comprehensive Plan together with the *Hattiesburg, Mississippi Land Development Code, Ordinance #3209*, adopted February 21, 2017, and as updated September 8, 2020, as the same may be supplemented or updated from time to time (the “LDC”), the intent of which is to ensure that no development activity shall occur on any public or private property within the jurisdiction of the LDC until and unless all applicable development approvals for the development activity have been granted. All developments assisted with TIF must adhere to the objectives and requirements of the LDC, the street and road design standards of the City and requirements of the City governing utilities and drainage improvements, among other things.

**ARTICLE IV
DESCRIPTION OF REDEVELOPMENT PROJECT AREA**

- A.** Redevelopment Project Area Description: The Redevelopment Project Area designated by this Redevelopment Plan will consist of all real property located within the corporate limits of the City. It is the City’s intent to expedite the use of TIF for the benefit of the public, therefore in the event the City annexes other property, this Redevelopment Plan shall include said additional property without the necessity of amending same.
- B.** Redevelopment Project Area Boundary Map: A map of the Redevelopment Project Area encompassing all real property located within the corporate limits of the City is attached hereto in Exhibit 1.

ARTICLE V
REDEVELOPMENT TECHNIQUES TO IMPLEMENT POLICIES

- A. This Redevelopment Plan shall be implemented primarily by the City, exercising the redevelopment powers conferred upon the City by the TIF Act. The techniques to be used to meet the goals and objectives of the Redevelopment Plan include rehabilitation and renovation, expansion of existing buildings, acquisition of real property, demolition and removal of buildings, construction of improvements, new development and redevelopment, consolidation of title, elimination of environmental deficiencies and blighting influences, construction of parking facilities, and encouragement of rehabilitation, renovation, new development and redevelopment by private enterprise. A brief description of each component or technique of the Redevelopment Plan follows:
- B. Rehabilitation and Renovation: This Redevelopment Plan provides for the utilization of TIF powers of the City to rehabilitate and renovate structures, which are: (a) substandard structures² on which rehabilitation or renovation is practical in the judgment of the owners thereof; or (b) structures in which, in the judgment of the owner thereof, rehabilitation will result in a higher and better use for the property on which such structure is located.
- C. Acquisition of Real Property: Real property shall be acquired as provided in Article IX of the Redevelopment Plan.
- D. Demolition and Removal of Structures: This Redevelopment Plan shall be implemented in some instances through the demolition and removal of structures. This Redevelopment Plan provides for the demolition and removal of the following structures, if necessary and appropriate:
- (1) Substandard structures as to which, in the judgment of the owner thereof, rehabilitation is not practical;
 - (2) Structures, which in the judgment of the owner thereof, are economically obsolete;
 - (3) Structures, which in the judgment of the owner thereof, prevent maximum utilization of the property on which such structures are located;
 - (4) Structures that have been acquired by the City and determined by the Governing Body of the City to be economically obsolete; and
 - (5) Structures that have been acquired by the City and that Governing Body determines prevent the maximum utilization of the property on which such structures are located.
- E. Construction of Improvements: This Redevelopment Plan provides for the construction of

² A substandard structure is a structure that does not conform to the building and related codes of the City as are in force and effect from time to time.

new improvements for uses on vacant or cleared land within the Redevelopment Project Area. Such construction shall be in accordance with the Comprehensive Plan, LDC, and all other applicable codes and ordinances of the City as may be in force and effect.

- F.** Development and Redevelopment: Under the provisions of this Redevelopment Plan, vacant or cleared land held by the City may be disposed of to private parties for new development or redevelopment. Such disposition of land by the City shall be in accordance with the Redevelopment Plan and applicable State law.

This Redevelopment Plan encourages the new development or redevelopment of vacant or cleared land, which is acquired by private enterprises.

- G.** Consolidation of Title: This Redevelopment Plan provides for the elimination of diverse patterns of ownership, which prevent or restrict development of large tracts of land.

In the event that the City determines that optimum utilization of a particular tract of land cannot be attained because of diversity of ownership, and that action by the City is likely to enhance the possibility of development of such tracts, the City may take such actions as it determines to be necessary to consolidate title to such tract of land.

- H.** Elimination of Environmental Deficiencies and Blighting Influences: This Redevelopment Plan provides for the City to undertake to determine any and all factors, which prevent or restrict new development or redevelopment within the Redevelopment Project Area. The Governing Body of the City shall take such action as it deems necessary to reduce or eliminate such factors or the effects thereof.

Environmental deficiencies and blighting influences that the City may deem necessary to reduce or eliminate include, but are not limited to, physical conditions, ownership patterns, non-conforming land uses, improper development, etc.

- I.** Construction of Off-Street Parking Facilities: This Redevelopment Plan provides for the construction of off-street parking facilities to serve the demand within the Redevelopment Project Area. Parking facilities shall be constructed in accordance with the Comprehensive Plan, LDC, and other applicable codes and ordinances of the City.

- J.** Encouragement of Rehabilitation, Renovation, New Development and Redevelopment by Private Enterprise: This Redevelopment Plan provides that the City shall, to the greatest extent feasible, afford maximum opportunity to encourage the rehabilitation, renovation, new development and redevelopment of the Redevelopment Project Area by private enterprise.

In order to utilize appropriate private and/or public resources to eliminate and prevent the development or spread of slums and urban blight, to encourage needed urban rehabilitation and renovation, to provide for the redevelopment of slum and blighted areas, and to provide for and encourage the new development or redevelopment of vacant or cleared lands, the City shall encourage rehabilitation, renovation, clearance, new development or redevelopment within the Redevelopment Project Area by:

- (1) Carrying out a program of voluntary repair, renovation, and rehabilitation of buildings or other improvements in accordance with this Redevelopment Plan, including making loans to defray all or part of the costs (including costs of acquiring real estate) of repairing and rehabilitating buildings or other improvements in accordance with this Redevelopment Plan; and
- (2) Making loans to defray all or part of the costs of acquiring real property, demolishing and removing buildings and improvements and constructing improvements (including buildings) in the Redevelopment Project Area in accordance with this Redevelopment Plan.

Such loans shall be made only from the proceeds of revenue bonds or notes of the City secured solely by the City's rights in connection with such loans; shall be made upon such terms and conditions as the City shall determine; and shall be subject to such additional requirements as the City shall impose.

**ARTICLE VI
LAND USES, MAXIMUM DENSITIES, LAND DEVELOPMENT,
AND BUILDING REQUIREMENTS**

- A. Land Uses/Zoning Ordinance: This Redevelopment Plan is to be implemented in accordance with the Comprehensive Plan and, therefore, provides for adherence to the City's land use plan. Land use in the Redevelopment Project Area is regulated by the LDC, as the same may be amended from time to time. The map delineating the zoning districts for the City is on file in the Office of the City Clerk of the City.
- B. Maximum Densities/Zoning Ordinance: The LDC of the City shall regulate the maximum development densities in the Redevelopment Project Area.
- C. Land Development/Subdivision Regulations: This Redevelopment Plan shall require that any development assisted with TIF be developed in conformity with regulations and standards of the City governing the subdivision of land, namely the LDC.
- D. Building Requirements/Building and Related Codes: This Redevelopment Plan requires that any new construction and any rehabilitation shall meet the requirements of the building and related codes of the City as may be in effect from time to time.

**ARTICLE VII
REAL PROPERTY ACQUISITION**

- A. Procedures: This Redevelopment Plan requires that all property acquisitions by the City shall be made in accordance with the TIF Act. Discrimination of any kind shall be prohibited. Race, color, creed, national origin, age, and sex shall in no way affect any aspect of the land acquisition process.
- B. Property to Be Acquired: Under the provisions of this Redevelopment Plan, the City may,

at its discretion, acquire real property (as defined in the TIF Act) for needed public facilities within the Redevelopment Project Area (including, but not limited to, surface or multi-story parking facilities).

Where necessary to eliminate unhealthy, unsanitary or unsafe conditions, lessen density, eliminate obsolete or other uses detrimental to the public welfare, or otherwise to remove or prevent the spread of blight or deterioration, the City may, from time to time in its discretion, acquire mortgages made to finance costs of (1) acquiring real property, (2) demolishing and removing buildings and improvements, and (3) constructing improvements in the Redevelopment Project Area in accordance with this Redevelopment Plan.

ARTICLE VIII TRAFFIC CONTROL AND MAJOR CIRCULATION ROUTES

This Redevelopment Plan is to be implemented in conformity with the Comprehensive Plan. The City shall, from time to time, establish major traffic circulation routes for the Redevelopment Project Area and will maintain traffic controls. The City's transportation plan, subdivision regulations, street design and construction standards govern street widths, ingress and egress patterns, turn lanes, turn restrictions, and vehicle limitation established by weight.

The City's regulations, along with realignment, widening, and overlaying of existing streets will achieve improved traffic circulation and flow for City and pass-through traffic. Traffic control and circulation in the Redevelopment Project Area will utilize appropriate signage and electronic signalization as necessary and will provide optimum access to existing and proposed off-street parking. This Redevelopment Plan will be implemented so as to efficiently integrate traffic circulation and flow into the zoning scheme of the City and the general circulation patterns of the community.

ARTICLE IX OFF-STREET PARKING, LOADING AND UNLOADING SPACE

This Redevelopment Plan conforms to the LDC and other codes and ordinances wherein off-street parking, loading and unloading space requirements shall be regulated and controlled.

ARTICLE X RELATIONSHIP TO POLICIES REGARDING APPROPRIATE LAND USES, IMPROVED TRAFFIC, PUBLIC TRANSPORTATION, PUBLIC UTILITIES, RECREATIONAL AND COMMUNITY FACILITIES, AND OTHER PUBLIC IMPROVEMENTS

This Redevelopment Plan will serve to support and complement the Comprehensive Plan and the LDC. The objective of this Redevelopment Plan is to adhere to the purposes and the goals, objectives, vision, and strategies of the Comprehensive Plan and the LDC and to use TIF as an inducement for development and redevelopment pursuant to the Act. This Redevelopment Plan seeks to utilize TIF to incentivize capital investment that will encourage the redevelopment of blighted areas, strengthen the entire community by carefully planning the location of shopping

centers and the design of business establishments, increase the tax base, increase retail sales tax rebates, increase revenues from special tourism taxes and economic development and increase job opportunities in the City. This Redevelopment Plan seeks to encourage revitalization of the Redevelopment Project Area by inducing new development and redevelopment. Public facilities and services will be improved and properly maintained as a result of the implementation of this Redevelopment Plan. This Redevelopment Plan seeks to encourage development and redevelopment projects and to insure their conformity to the Comprehensive Plan, the LDC and the elements comprising both the Comprehensive Plan and the LDC.

**ARTICLE XI
PROVISIONS OF REGULATIONS DECLARED TO BE MINIMUM REQUIREMENTS**

For the purposes of this Redevelopment Plan, regulations referred to shall be interpreted and applied as minimum requirements. Whenever the requirements of these regulations are at variance with the requirements of any other lawfully adopted rules, regulations, ordinances, deed restrictions or covenants, the most restrictive or that imposing a higher standard shall govern.

**ARTICLE XII
WAIVER OF REQUIREMENTS**

- A. Any requirement or condition contained in this Redevelopment Plan may, upon request and for good cause shown, be waived or modified by the City to the extent permissible under law.
- B. If any provision of this Redevelopment Plan is held by a court of competent jurisdiction to be illegal, invalid or contrary to public policy, such finding shall not affect the remaining provisions of this Redevelopment Plan, and this Redevelopment Plan shall be construed and continue in existence as if such illegal, invalid or contrary to public policy was not contained herein.

**ARTICLE XIII
PROVISIONS FOR AMENDING THE PLAN**

This Redevelopment Plan may be modified by the City in accordance with the TIF Act, as the same may be amended from time to time.

EXHIBIT 1
Redevelopment Project Area
 (encompasses all real property located
 within the corporate limits of the City as of November 2024)

