

## **ORDINANCE NO. 757-2002**

**AN ORDINANCE DESIGNATING A CERTAIN AREA AS REINVESTMENT ZONE NUMBER TWO FOR COMMERCIAL TAX ABATEMENT AS PROVIDED IN THE PROPERTY REDEVELOPMENT AND TAX ABATEMENT ACT; ESTABLISHING THE NUMBER OF YEARS FOR THE DISTRICT; PROVIDING PROCEDURES AND GUIDELINES FOR REDEVELOPMENT; AUTHORIZING AGREEMENTS TO EXEMPT FROM TAXATION PART OF THE VALUE OF REAL PROPERTY IN ORDER TO ENCOURAGE DEVELOPMENT AND REDEVELOPMENT; PROVIDING A SEVERABILITY CLAUSE AND EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Winnsboro, Texas ("City") desires to encourage supervised improvements by property owners through tax abatement procedures within its jurisdiction by the Property Redevelopment and Tax Abatement Act ("Act"); and

**WHEREAS**, a resolution was duly passed by the City on the 8<sup>th</sup> day of January, 2002, expressing its intent to provide a tax abatement program; and

**WHEREAS**, City called a public hearing and published notice of such public hearing and has given written notice to all taxing units within the jurisdiction of the proposed Reinvestment Zone Number Two for Commercial Tax Abatement; and

**WHEREAS**, it is believed that development and redevelopment in the proposed area would be beneficial to the City, whereas otherwise this area constitutes an economic and social liability to the public health, safety, morals and welfare in their present condition and use by reason of the presence of a substantial number of substandard, deteriorated or deteriorating structures; faulty lot layout in relation to size, accessibility, or usefulness and unsanitary and unsafe conditions; and

**WHEREAS**, the City at such hearing invited any interested person to appear and speak for or against the creation of the reinvestment zone, the boundaries of the proposed investment zone, whether all or part of the property described as Exhibit "A" should be included in such proposed reinvestment zone, and the concept of tax abatement; and

**WHEREAS**, at such hearing, recommendations were given as to the number of years the district should be created, the number of years in which an agreement would be available, as well as the percentage of tax exemption to be applied to taxable real property that is developed or redeveloped in accordance with proposed guidelines.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WINNSBORO, TEXAS:**

Section 1: That the facts and recitations contained in the preambles of this ordinance are hereby found and declared to be true and correct and are incorporated herein for all purposes.

Section 2: That the City, after conducting such hearing, having further studied recommendations, as well as the evidence presented at the public hearing, has made the following findings based on evidence and testimony presented to it.

- a) That the public hearing on the adoption of the reinvestment zone under the provisions of the Act has been properly called;
- b) That the City has jurisdiction to hold and conduct this public hearing on the creation of the proposed reinvestment zone pursuant to the Act;
- c) That the creation of the proposed reinvestment zone with boundaries described in Exhibit "A" will result in improvements that are feasible and practical and will benefit the City, its residents and property owners and to the property and property owners in the reinvestment zone; and
- d) That the reinvestment zone, as defined in Exhibit "A", meets the criteria for the creation of the reinvestment zone as set forth in the Act in that:
  - (i) The zone is in an area that substantially impairs or arrests the sound growth of the City and constitutes an economic and social liability to the public health, safety, morals and welfare in its present condition and use by reason of the presence of the substantial number of substandard, deteriorated, or deteriorating structures; faulty lot layout in relation to size, accessibility and usefulness; unsanitary or unsafe conditions and deterioration of site or other improvements; and
  - (ii) The improvements in the reinvestment zone will enhance significantly the value of all taxable real property in the reinvestment zone.

Section 3: That the City hereby creates Winnsboro Reinvestment Zone Number Two for Commercial Tax Abatement, in the area described on Exhibit "A" attached hereto and made a part hereof for all purposes.

Section 4: That the redevelopment guidelines for Winnsboro Reinvestment Zone Two for Commercial Tax Abatement, are set out on Exhibit "B" attached hereto and made a part hereof for all purposes.

Section 5: That the designation of Winnsboro Reinvestment Zone Number Two for Commercial Tax Abatement, shall expire five (5) years from the date of this ordinance, unless renewed as provided by the Act, or at an earlier time designated by subsequent ordinance.

Section 6: That written agreements as provided in the Act with owners of taxable real property located within the reinvestment zone shall be for a period not to exceed ten (10) years, and will provide that the increased value of the taxable real property due to the development or redevelopment will be exempted from taxation as provided for

in the respective schedule as Exhibit "C". The taxable real property that is subject to the above-mentioned exemption includes both the land and the improvements on the land.

Section 7: That if any provision of this ordinance shall be held to be invalid or unconstitutional, the remainder of such ordinance shall continue in full force and effect the same as if such invalid or unconstitutional provision had never been a part of it.

Section 8: That it is hereby officially found and determined that the meeting at which this ordinance is passed is open to the public as required by law and that public notice of the time, place and purpose of said meeting was given as required by law.

Section 9: The caption of this ordinance shall be published one time in the City's official newspaper, and shall be effective immediately after its passage and publication

PASSED AND APPROVED THIS 8<sup>th</sup> DAY OF JANUARY, 2002.

CITY OF WINNSBORO, TEXAS

By Carolyn Jones  
Carolyn Jones, Mayor

ATTEST:

Nell M. Hollingsworth  
Nell M. Hollingsworth, City Secretary

## **Boundaries**

### **Reinvestment Zone Number Two for Commercial Tax Abatement**

COMMENCING at the intersection of the northern boundary of West Broadway and the western boundary of North Main;

THENCE North along the western boundary of North Main to the intersection of Locust Street if it were extended West across Main Street;

THENCE East from said extended northern boundary of Locust Street along the northern boundary of Locust Street to the intersection of Locust and North Walnut;

THENCE Southerly along the East boundary of North Walnut to the intersection of North Walnut Street and East Broadway;

THENCE West along the northern boundary of Broadway Street to the POINT OF BEGINNING and including all real property located along said route.

Exhibit "A"

PINE

MAIN

WALNUT

# CITY OF WINNSBORO DOWNTOWN

SAGE

HILL  
34



PARKING  
FIRST NATIONAL BANK  
342 - 5275

MUNN CLEANERS  
342 - 5338

SOUTH-WESTERN ELECTRIC POWER COMPANY  
342 - 6109

ONE WAY

WALNUT

BEATY GENERAL HOME  
42 - 5211

WILSONS JEWELERS  
342 - 5862

WINNSBORO FLORAL  
342 - 6637

WESTERN AUTO  
342 - 5539

HAZLEWOOD FURNITURE  
342 - 6785

RHONDA'S PIZZA  
342 - 3718

BELLS PHARMACY  
342 - 5241

MICRO / ELECTRO TECHNIQUES  
342 - 3475

SANDY FISHER CPA  
342 - 3581

NABORS & HORTON INSURANCE  
342 - 5555

NOW & AGAIN 220 MARKET  
342 - 5191

WELCOME TO FLOWERLAND  
342 - 6310

CINDY'S BEAUTY SALON  
342 - 3166

THE MERCANTILE  
342 - 6995

MAIN

MARKET

FRANKLIN

WALNUT

B & B  
BAIT & TACKLE  
GRO • GAS • U • HAUL

FRANKLIN NATIONAL BANK

OLD RAILROAD DEPOT

**Procedures and Guidelines for  
Tax Abatement Agreement Within  
Reinvestment Zone Number Two for  
Commercial Tax Abatement**

**Procedures**

Prior to beginning any demolition, rehabilitation, reconstruction or construction of any improvements proposed to be included in a tax abatement agreement, the owner and/or developer shall first submit to the City Council a written request for determination of eligibility of the proposed improvements. Upon the determination of eligibility, the owner and/or developer shall submit design development documents.

**Redevelopment Guidelines**

I. **General Redevelopment.**

1. Redevelopment activity should take full advantage of the unique architectural character of many of the older buildings in the area.
2. Redevelopment must be of a high quality in order to create the image needed to attract desirable development into the zone.
3. Buildings must be rehabilitated to meet all city codes as a minimum standard.
4. Normal maintenance costs shall not be considered eligible for tax abatement.

II. **Land Use.**

1. Promote and encourage uses, which generate large numbers of people to create a stimulating atmosphere and provide a sense of security.
2. Encourage quality office development.
3. Encourage development, which will generate outdoor activity, such as sidewalk cafes, street vendors, sidewalk art sales and concerts.

III. **Architectural Considerations.**

1. The historical character of the zone should be preserved where possible in the redevelopment process.
2. The original character and architectural integrity of each building should be maintained where possible.

**Exhibit "B"**

3. Original metal, brick, wood or stone exteriors should be retained where possible.
4. When refinishing of exterior walls is necessary, new exterior finishes should use colors and textures, which would blend with the original.

IV. Exterior Building Repairs.

1. Remove all miscellaneous abandoned electrical, plumbing, drainage and other mechanical equipment from the building exterior.
2. New mechanical systems and utility service should be installed in such a way that they will not detract from the appearance of the building.
3. Leave all openings intact where possible. Avoid cement blocking or boarding up of windows and doors.
4. Lighting, landscaping and signing should be carefully used to create a pleasant and secure environment throughout the area.

V. New Construction.

1. New buildings should be of quality design and construction.
2. New construction should complement and blend with the existing structures.
3. Landscaping and lighting should be encouraged.

**Tax Abatement Schedule**  
**Reinvestment Zone Number Two for**  
**Commercial Tax Abatement**

**Improvements to an Existing Structure**  
**(Must Exceed \$5,000 to Qualify)**

<u>Term</u> <u>Of Abatement</u>	<u>Percentage</u> <u>of Abatement</u>
1 – 5 years	100%
6 – 10 years	50%

**New Construction**  
**(Abatement Eligibility Begins with Investment**  
**in Excess of \$50,000**

<u>Term</u> <u>Of Abatement</u>	<u>Percentage</u> <u>of Abatement</u>
1 – 5 years	75%
6 – 10 years	50%

Exhibit “C”