

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CORSICANA, TEXAS, CREATING THE CORSICANA DOWNTOWN REVITALIZATION DISTRICT; DESCRIBING THE BOUNDARIES THEREOF; CREATING THE PROVISION FOR A CERTIFICATE OF APPROPRIATENESS; PROVIDING FOR REINVESTMENT TAX ABATEMENTS; PROVIDING FOR THE ENFORCEMENT THEREOF; PROVIDING FOR A SEPARABILITY CLAUSE; AND PROVIDING FOR THE PUBLICATION THEREOF.

WHEREAS, Section 211.005 et. sec. of the Texas Local Government Code authorizes the City of Corsicana as follows:

The governing body of a municipality may divide the municipality into districts of a number, shape, and size the governing body considers best for carrying out this subchapter. Within each district, the governing body may regulate the construction, reconstruction, alteration, repair, or use of buildings, other structures, or land.

Section 1. **PURPOSE**

The City of Corsicana (the City) does hereby declare that as a matter of public policy the creation of this Downtown Revitalization District (the district) is necessary to encourage economic development, redevelopment, and renovation activity within the boundaries of this district. Furthermore, the City provides for certain tax abatements and provides specific regulations and administrative procedures to promote the continued viability, development, redevelopment, and renovation for all properties located within this district. This act is intended to:

- a. Perpetuate, protect, and enhance the district which represents the integral elements of the City's downtown significance;
- b. To facilitate overall development, redevelopment, and renovation within the district;
- c. To stabilize and improve property valuations within the district;
- d. To strengthen the economy of the City and to provide support and stimulus to the local economy;
- e. To provide economic assistance to Downtown property owners within the district;
- f. To enhance the City's attractiveness to tourists and visitors;
- g. To encourage new construction and reconstruction of property located within the district.

Section 2. **DESIGNATION OF REVITALIZATION DISTRICT**

The boundaries of the Downtown Revitalization District (the district) designated henceforth shall be specified in detail and shall be filed in writing in the City Secretary's office for public inspection. A map of the district (EXHIBIT "A") shall be attached to this document.

THE CORSICANA DOWNTOWN REVITALIZATION DISTRICT shall be outlined as follows:

BEGINNING at a point located at the northwest boundary of the district located at the intersection of 2nd Avenue and 12th Street;
Thence commencing eastward and along 2nd Avenue to the Union Pacific Railroad;
Thence south along the Railroad to the Old Cotton Belt Railroad right of way and also being the south property line of the City of Corsicana Visitor's Center;
Thence to the west along the Cotton Belt Railroad to 12th Street;
Thence to the north along 12th Street to the place of Beginning.

Section 3. CERTIFICATE OF APPROPRIATENESS FOR STRUCTURAL ALTERATIONS OR NEW CONSTRUCTION

The Certificate of Appropriateness (COA) must be submitted by the real property owner to the City of Corsicana (the City) for consideration and approval by the Historic Landmark Commission prior to the commencement of structural alterations or new construction to the exterior façade of any building within the Downtown Revitalization District, as required by Chapter 12, Article 12.700, Section 12.703, City Code of Ordinances.

Section 4. CERTIFICATE OF APPROPRIATENESS APPLICATION PROCEDURE

- a. Prior to the commencement of any construction, reconstruction, alteration, or repair to the exterior façade of any building within the Downtown Revitalization District, the property owner shall file an application for a Certificate of Appropriateness (COA) with the Planning & Zoning Department for the City of Corsicana, Texas.
- b. The COA form will request the following information:
 1. Name, address, telephone number(s) of the applicant, detailed description of proposed work;
 2. Location and photographs of the property;
 3. Elevation drawings of the proposed changes;
 4. Sample of materials to be used including paint samples and any materials that differ from existing or original materials;
 5. If the proposal includes signs or lettering, a scaled drawing showing the type of lettering to be used, all dimensions and colors, a description of materials to be used, method of illumination (if any), and a plan showing the sign's location on the property;
 6. Site plan if modifications are requested; and,
 7. Any other reasonable information that may be required by the City in order to visualize the proposed work.
- c. Following the submission of the application, no building permit shall be issued until the application for a COA has been reviewed and approved by the City's Planning & Zoning Department. The COA shall be in addition to, and not in lieu of, any other building permit that may be required by any other ordinance of the City of Corsicana.
- d. No change shall be made in application of any building permit after issuance of a COA without resubmitting to the City and approval thereof in same manner as provided above.
- e. All decisions of the City pertaining to the COA shall be in writing and shall be hand delivered to the applicant, or a designated representative, upon approval and a copy filed with the Historic Preservation Officer for public inspection. The City shall state the reasons for denying or modifying any application. If denied, no further obligation shall be upon the property owner under this ordinance in regards to the proposed construction, reconstruction, alteration, or repair. However, all other City ordinances will apply to the property. Any application denied during the review process can be appealed to the City of Corsicana City Council, which will have final approval authority.

Section 5. REINVESTMENT TAX CREDIT

Pursuant to the authority granted to the City of Corsicana as reflected in the Texas Property Tax Code and the Texas Local and Government Code, certain real property located within the boundaries of the Corsicana Downtown Revitalization District (the district) described herein, are eligible to receive reinvestment tax credits upon the terms and conditions hereinafter ordained as follows:

- a. Eligible real property and property owner must be current with all ad valorem property taxes.
- b. Eligible property owners, upon approval by the City Council, shall be entitled to a reinvestment tax credit equal to the amount of investment for construction, reconstruction, alteration, or repair completed within a calendar year.
- c. The maximum tax credit for a project shall not exceed the annual tax liability of the real property for the year in which the investment was made. The amount of reinvestment tax credit per project shall be determined by the City of Corsicana on a case-by-case basis.
- d. The investments eligible shall be made for new construction, structural repairs and improvements, electrical repairs and improvements, plumbing repairs and improvements, mechanical repairs and improvements, interior repairs and improvements, and/or exterior improvements or restoration made to the physical structure. Routine maintenance shall not be eligible for credit. Taxes incurred for investment in personal property shall not be eligible for credit.
- e. Each property owner who desires to apply for a tax credit shall apply for said relief on or before December 31st of the year the tax credit is to be granted. The tax credit, if granted, shall be applicable to only one (1) year. Subsequent tax credits for additional projects must be applied for each year.
- f. In addition to the above requirements, each applicant must submit documentation reflecting the cost and the payment for each eligible investment project such as invoices marked as being paid-in-full from contractors performing the work. Each reinvestment project must be completed within the same calendar year as the year in which the tax credit is to be granted.
- g. All contemplated projects must be approved by the City of Corsicana City Council prior to work being done. The City of Corsicana will inspect all work performed to make certain that all applicable City ordinances and codes are followed.
- h. The applicant must secure all City permits and must secure periodic inspection of the project to insure proper completion of the project.

Section 6. FIVE-YEAR TAX ABATEMENT APPLICATION PROCEDURE

Pursuant to the authority granted to the City of Corsicana as reflected in the Texas Property Tax Code and the Texas Local and Government Code, certain real property located within the boundaries of the Corsicana Downtown Revitalization District (the district) described herein, are eligible to receive ad valorem tax abatement upon the terms and conditions hereinafter ordained as follows:

- a. Eligible real property and property owner must be current with all ad valorem property taxes.
- b. The estimated cost of the rehabilitation project shall equal or exceed 20% of the most recent assessed ad valorem tax valuation of the structure or \$20,000, whichever is less.
- c. The investments eligible shall be investments made for new construction, structural repairs and improvements, electrical repairs and improvements, plumbing repairs and improvements, mechanical repairs and improvements, interior repairs and improvements, and/or exterior improvements or restoration made to the physical structure. Taxes incurred for investment in personal property shall not be eligible for abatement.
- d. For exterior modification to the property, an application for a Certificate of Appropriateness shall be submitted to the Historic Preservation Officer for review by Corsicana Landmark Commission for compatibility with the Downtown Overlay Design Guidelines.
- e. All contemplated projects must be approved by the City of Corsicana City Council prior to work being done. The City

of Corsicana will inspect all work performed to make certain that all applicable City ordinances and codes are followed.

- f. The applicant must secure all City permits and must secure periodic inspection of the project to insure proper completion of the project.
- g. Following the submission by the property owner of the Application for Tax Abatement and COA (if applicable) and approval by the City Council, the incremental increase in the amount of the appraised value of the structural alterations or new construction shall not be added to the tax roll for a period of five (5) years.
- h. Once a property owner has received a tax abatement under this ordinance, the property must be on the tax roll at full value for a minimum of 10 years before that property is eligible for tax abatement again.

Section 7. SEPARABILITY

If any section, paragraph, subdivision, clause, phrase, or provision of this Ordinance shall be adjudged invalid or unconstitutional, the same shall not affect the validity of this Ordinance as a whole or any part or provision thereof other than the part so decided to be invalid or unconstitutional.

Section 8. PUBLICATION

This ordinance shall take effect immediately after its passage, approval, and publication as required by law.

Section 9. EFFECTIVE DATE

The guidelines and criteria adopted herein shall be effective from the date of passage and shall remain effective for five (5) years from such date of adoption unless otherwise repealed or amended by a majority vote of the City Council for the City of Corsicana, Texas.

PASSED, APPROVED and ADOPTED this 11th day of **February, 2019**.

(Signed original document on file at the Corsicana City Government Center, available for review upon advance written request.)

Don Denbow, Mayor

ATTEST:

Cathy McMullan, Acting City Secretary

APPROVED AS TO FORM:

Kerri Anderson Donica, City Attorney