

RESOLUTION NO. 3844

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS, ADOPTING A CHAPTER 380 ECONOMIC DEVELOPMENT POLICY RELATIVE TO AUTHORIZING AND IMPLEMENTING A PROPERTY REHABILITATION PROGRAM; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Chapter 380 of the Texas Local Government Code provides for implementation of an Economic Development Program intended to develop and expand the local economy by promoting and encouraging the development and redevelopment projects that enhance a city's economic base and that may also diversify and expand job opportunities; and

WHEREAS, the City of Carrollton ("City") may, pursuant to Chapter 380 of the Texas Local Government Code, provide incentives, including grants intended to stimulate business and commercial activity; and

WHEREAS, Chapter 380 allows the City to provide incentives consisting of loans and grants of City funds, use of City personnel, facilities and services with or without charge, for the promotion of economic development; and

WHEREAS, neither Chapter 380 of the Texas Local Government Code, nor the Texas Constitution, Article III, Section 52-a, specify the type, kind or extent of incentives that may be provided by a city for the promotion of economic development; and

WHEREAS, the City has undertaken programs to support the redevelopment of existing commercial and retail uses in order to promote economic development within the City which is essential for the continued economic growth of the City; and

WHEREAS, it is well established that the reduction of visual blight and deterioration in commercial and retail areas encourages the relocation of businesses and attracts new business enterprises, as well as the expansion of existing business enterprises within the City, which in turn stimulates growth, creates jobs and increases property and sales tax revenues; and

WHEREAS, the well-being and economic growth of the Carrollton community benefits all its citizens; and

WHEREAS, the City Council of the City of Carrollton ("City Council") has determined that removing billboards will allow property development; improve the strategic corridor's visual character; increase property values; and create incentives that encourage private investment along the strategic corridor which will attract and encourage additional business relocation and expansion;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CARROLLTON, TEXAS, THAT:

SECTION 1

All of the above premises are found to be true and correct legislative and factual findings of the City Council, and they are hereby approved, ratified and incorporated into the body of this Resolution as if copied in their entirety.

SECTION 2

The City Council hereby approves the Chapter 380 Economic Development Program Billboard Removal Tax Rebate Policy which will provide up to one hundred percent (100%) of the total cost of the total billboard lease value and the cost of the actual billboard removal and demolition, with a maximum City investment of \$285,000, as further specified in the Policy, attached hereto as Exhibit A and incorporated by reference for all purposes herein.

SECTION 3

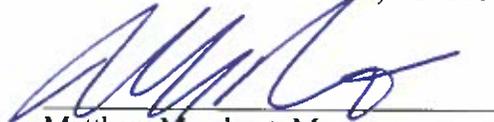
The City Manager is authorized to take those steps reasonable and necessary to comply with the intent of this Resolution.

SECTION 4

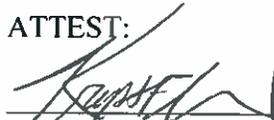
This Resolution shall take effect immediately from and after its passage.

DULY PASSED AND APPROVED by the City Council of the City of Carrollton, Texas this 13th day of October, 2015.

CITY OF CARROLLTON, TEXAS


Matthew Marchant, Mayor

ATTEST:


Krystle Nelinson, City Secretary



APPROVED AS TO FORM:


Meredith A. Ladd, City Attorney

APPROVED AS TO CONTENT:


Ravi Shah
Director of Development Services



Billboard Removal Tax Rebate Program

Overview

The City of Carrollton is committed to sustaining the highest quality of development and quality of life for its citizens. The City Council has identified billboard sign control as one of the most important, yet difficult, issues facing some of the undeveloped corridors in north Carrollton. Because of these billboards' size and intrusion on prime development property, they are of particular concern to future development.

Because the economic vitality of Carrollton heavily depends on the quality of infrastructure, including visual appeal, the removal of billboards is necessary to protect and preserve the beauty, character, economic and aesthetic value of the land and to protect the safety, welfare and public health of Carrollton citizens.

The commercial and economic component of the Billboard Removal Tax Rebate Program is intended to facilitate the removal of billboards and allow for development to occur on property without the interference of existing billboards. Under this program, tax rebates will be provided to assist in the removal of billboards for qualified properties in order to reduce visual clutter and blight and help the affected properties develop to their full potential.

Program Objectives

The City of Carrollton's Billboard Removal Tax Rebate Program is part of the *ECONOMIC DEVELOPMENT GRANT INCENTIVE PROGRAM*. The limits of the proposed billboard removal areas are defined as properties fronting and near IH-35E, Frankford Road, Josey Lane, Hebron Parkway/Park Boulevard, Marsh Lane, Parker Road, Plano Parkway and Dozier Road.

The objective of the program is to create an incentive program along these corridors to remove obstacles to future property development, improve the corridors' visual character, sustain property values, and create incentives to encourage private investment in property.

Eligibility

A property owner may be eligible for assistance under this program if they meet all of the following criteria:

- The applicant must be lawfully capable of conducting business in Texas.
- The property is located within the City limits of Carrollton.
- All payments for City-provided utilities and all property taxes are current for the property.
- The applicant must complete an application and follow the application process.
- A Tax Rebate Agreement must be approved by the Carrollton City Council prior to the start of any removal or demolition work.
- A tax rebate will only be given for the complete removal of billboard(s). Alterations or modifications will not be considered under this program.
- The applicant's property must not be under enforcement action of the Property Standards Board.

Program Criteria

- The billboard structure must be in compliance with City codes and be properly permitted by TxDOT or other entities.
- Removal of the billboard must be complete, leaving no part of the billboard or its utility connections remaining.
- Billboard being removed is not covered by the removal incentive provided in the Carrollton Sign Regulations for digital conversion or any other removal or relocation incentive program offered elsewhere.
- The applicant will provide the City with the lease documents, if any, and provide documentation demonstrating how the lease of the billboard will be terminated, including all required payments, if applicable.

Incentive

A qualified application may be eligible for the following incentives from the City of Carrollton:

Subject to the terms and conditions of a Tax Rebate Agreement, the City may make rebates of ad valorem taxes on the property upon which the billboard is located under this program, for a period not to exceed five (5) years, equal to up to 100% of the total billboard lease value and the cost of the actual billboard removal and demolition, not to exceed a total incentive of \$285,000.

- All demolition permit fees required by the City of Carrollton directly related to the removal of the billboard shall be waived.

Incentive Terms

- The ad valorem tax rebate will only apply after a CO (Certificate of Occupancy) has been issued for the new development on the property and the first year's total property taxes have been paid to the City of Carrollton
- Any expense(s) owed to the billboard owner are the responsibility of the applicant.
- The terms of the tax rebate incentive and removal/demolition Tax Rebate will be specifically outlined in the Tax Rebate Agreement.

Application Process

- An application for a tax rebate incentive must be submitted in the approved format to the Development Services Department by the land owner. If the property has multiple owners, all owners must sign the application. Staff will verify ownership information.
- The owner(s) shall, at the time the application is submitted, include two estimates detailing the removal/demolition costs as well as the project timeline for the billboard to be removed.
- All applications will be reviewed by the City Council Re-Development Sub-Committee. City staff may pre-review the application and make appropriate comments and recommendations for changes prior to submission to the Re-Development Sub-Committee.
- Any modification to the applications must be made prior to forwarding the application to the full City Council based on the City Council Re-Development Sub-Committee recommendation.
- City Council will review the recommendation of the Re-Development Sub-Committee and take action to either approve or deny the tax rebate application.

** Applications are determined on a case-by-case approach. Each case will be reviewed and by the Re-Development Sub-Committee and approved by the City Council*