

# Downtown Overlay District

## Incentive Application for New Businesses



On August 1, 2017, the City of Brownsville adopted the Downtown Overlay District Ordinance (DOD) to stimulate economic development in Downtown Brownsville by incentivizing new businesses that will augment the City's downtown revitalization efforts and will transform downtown into a vibrant hub for working, living, shopping, and entertainment.

New businesses applying for a Certificate of Occupancy (CO) within the DOD may qualify to have applicable building and zoning fees waived. In order to qualify for this incentive, new businesses must meet one of the following permitted uses:

- (1) Retail and service business such as an antique store, barber shop or drug store
- (2) Art and arts-related business such as a dance school, photo studio or theatre
- (3) Entertainment business such as a restaurant, coffee house or bar

All businesses located within the DOD are required to obtain a Certificate of Appropriateness (COA) in order for the Building Permits Division to issue a CO. Applicants must submit a completed COA application and an Incentive Application for New Downtown Businesses in order to determine your eligibility in this incentives program.

## Minimum Standards

**New businesses shall submit drawings for store layout and signage with this application.**

The following businesses do not qualify for this incentive:

- (1) Online-only stores
- (2) Discount stores
- (3) Used goods stores, except for antique stores \*
- (4) Wholesale stores
- (5) Thrift stores
- (6) Outlets
- (7) Secondhand stores
- (8) Dollar stores

\*Chapter 348, Article 1, Sec. 348-2Antique store means a fully enclosed building which:

- (1) Is used primarily for the retail sale of any of the following items:
  - a. Old furniture, being at least 50 years old and constituting at least 75 percent of the total furniture;
  - b. Reproduction furniture, being clearly marked as a copy of old furniture and constituting no more than 20 percent of the total furniture;
  - c. Clothing, being at least 50 years old and being sold for at least \$20.00 for each piece of clothing;
  - d. Work of art, decorative object, or other collectible, being at least 15 years old and being sold for at least \$5.00 each; and
- (2) Is a store where every item being sold is in good condition and where the average age of all such items is at least 50 years and where all signs and advertising prominently use the word "antique" or "antiques"; and

(3) Does not involve junk, garage sale, paperback books, or advertising as a used furniture outlet or flea market.



## Prohibited Uses

- (1) Blood or plasma centers
- (2) Gambling arcades
- (3) Payday lenders, car title lenders, or check cashing establishments
- (4) New privately-owned parking facilities
- (5) Bulk apparel store (ropa usada) - means the wholesale or retail sale, storage, distribution, or handling of new or used clothing, shoes, or accessories, if any such items emit offensive odors or are in a pile on the floor, bale, or disorderly pile inside any container anywhere on the premises at any time (see Chapter 348, Article 1, Sec.348-2).

This is not an exhaustive list of all the prohibited uses. For a complete list, refer to Chapter 348.

## DOD Requirements

Lastly, all businesses within the DOD must comply with all requirements set forth in the DOD Ordinance, specifically the following conditions:

- (1) Establishments shall make necessary and reasonable efforts to discourage criminal activity and vandalism, both on the site and on adjacent properties. Such measures may include the provision of adequate and sufficient lighting, the elimination of dark areas, and the hiring of security personnel.
- (2) Establishments shall make necessary and reasonable provisions to properly maintain the façade by immediately repairing any damage, removing boards from windows and/or removing graffiti so that the property remains in good condition.
- (3) Exterior grounds shall be maintained in a safe, sanitary and clean condition; free of litter, garbage, waste or items considered a hazard to the public health and safety and the overall appearance and visibility of the area.

For more information about the DOD or if you need assistance filling out this form, contact the Downtown District Manager at 956-548-6156 or [miriam.suarez@cob.us](mailto:miriam.suarez@cob.us) .

# Process to Obtain Fee Waiver

The process to qualify for this incentive is as follows:

- (1) Apply for a Certificate of Occupancy (CO) for a **new** business located within the Downtown Overlay District (DOD) with one of the following permitted uses: retail, arts, and entertainment.
- (2) Fill out and submit a completed application for a Certificate of Appropriateness (COA).
- (3) Fill out and submit a completed DOD Incentive Application for New Businesses.
- (4) Once the DOD application has been reviewed, a Release Letter will be issued by the Downtown District Manager stating whether or not the applicant qualifies for the fee waiver. **NOTE:** A Release Letter is required in order to issue a COA.
- (5) If a COA is approved, the COA and Release Letter will be sent to both the Building Permit and Zoning Divisions notifying them to waive all applicable building and zoning fees. **NOTE:** The applicant is still responsible for applying for all necessary permits even if the fees are waived.
- (6) If the COA is denied, the applicant is not eligible to receive any incentives.

## Building and Zoning Fees

The following is a list of fees that may be waived, when applicable:

### BUILDING FEES

Certificate of Occupancy (CO)	\$100
Building Permit Application	Fees vary
Sign Permit Application	Fees vary
Subcontractor Application for Permit	Fees vary

**NOTE:** Re-inspection fees are not included as part of this incentive.

### ZONING FEES

**Re-zone:** Commercial, office, retail, multi-family, industrial

0 – 1 acre \$500

#### Conditional Use Permit Applications for Alcohol

Liquor Stores \$2,500

Bars \$4,000

Wet Stores

- Less than 500 sq. ft. \$1,000
- More than 500 sq. ft. \$2,500

Wet Restaurants

- Less than 750 sq. ft. \$1,000
- More than 750 sq. ft. \$2,500