

City of Iola
Neighborhood Revitalization Plan
Residential • Commercial • Industrial



December 1, 2019 – November 30, 2022

Revised September 23, 2019

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CITY OF IOLA
NEIGHBORHOOD REVITALIZATION
TAX REBATE PROGRAM

Description of Program

This plan is intended to promote the revitalization and development of the City of Iola by stimulating new construction and the rehabilitation, conservation or redevelopment of residential, commercial and industrial properties. This revitalization will promote the prosperity of our City by protecting the health, safety and welfare of the citizens by offering property tax rebates as incentives for investments in rehabilitating our community. More specifically, certain incentives will be used for the acquisition and/or removal of abandoned structures and a property tax rebate incentive will be available for certain improvements.

In accordance with the provisions of K.S.A. 12-17, 118 et seq., the City Council has held a public hearing and considered the existing conditions and alternatives with respect to the designated area, the criteria and standards for a property tax rebate and the necessity for inter-local cooperation among the other taxing units in Allen County. Accordingly, the City Council, has carefully reviewed, evaluated and determined the area meets one or more of the conditions to be designated as a “Neighborhood Revitalization Area.”

DISCLAIMER

In the event the city experiences a natural disaster, as determined by the governing body, this plan shall utilize the value of the property on January 1 prior to said disaster for the appraised value prior to revitalization efforts.

SECTION I

GENERAL PROGRAM CRITERIA AND ELIGIBILITY REQUIREMENTS

- A. It is important to note that not all improvements are eligible for consideration under this plan. “Structure” means any building, wall or other structure, including the building and improvements to existing structures and fixtures permanently

assimilated to the real estate. Improvements that are not eligible for this plan include but are not limited to:

Non real estate items such as sprinkler systems, irrigation systems, fences, landscaping, gazebos, garden type structures, patios, hot tubs, swimming pools, irrigation wells and equipment, both agricultural and residential.

- B. There will be a three (3) year application period beginning December 1, 2019 and ending November 30, 2022. At the end of the three (3) years, the taxing entities will review the plan and determine its continuation. Those approved for tax rebates during the three (3) year period will continue to receive the property tax rebate up to the maximum number of years they qualified for as listed in Section VIII of this plan. The City of Iola agrees that if property outside of the designated boundaries of this program were to apply for this program the City will publish notice of and hold a public hearing pursuant to K.S.A. 12-17, 117(c) and will receive permission from all taxing entities before approving any rebates.
- C. Construction of an improvement must have commenced on or after June 1, 2012 as documented by a City of Iola building permit. Applications will not be processed until approval has been received on the inter-local agreement from the Kansas Attorney General's office.
- D. An application for a property tax rebate must be filed within sixty (60) calendar days of the issuance of a building permit. The City Council may extend this time period, for good cause shown by the applicant, for an additional period of up to 180 days on any application received after November 1, 2012.
- E. There must be a minimum increase in appraised valuation of \$5,000 for residential, commercial, and industrial properties as determined by the Allen County Appraiser's Office.
- F. New as well as existing improvements on property must conform to all local, state and federal codes, rules and regulations in effect at the time the improvements are made and shall remain in conformance for the duration of the property tax rebate period or the rebate shall be terminated.
- G. Any property owner that is currently delinquent in any tax payment or special assessment to Allen County or the City of Iola shall not be eligible for a rebate until such time as all taxes, bills and assessments have been paid. If at any time in future years the property owner becomes delinquent in any tax payment due on the property subject to rebate, then the property tax rebate will be terminated for that property for the year of delinquency and all future years.
- H. Qualified improvements on new construction eligible for property tax rebates under the Neighborhood Revitalization Plan may submit only one application per project.

- I. Tax rebates are subject to the approval of each taxing unit. See the County Clerk for taxing units who have adopted the Tax Rebate Program of the Neighborhood Revitalization Plan. A tax rebate will be based on the increase in assessed value following the first full year of completion.
- J. Tax rebates transfer with ownership of the qualifying property. The tax rebate period does not change and the termination of the rebate is still calculated based on the original application date not on the date of the new transfer of ownership. If a property is sold the rebate is paid to the person who paid the initial tax.
- K. Tax rebate will be made as provided in Section X (7).
- L. In any given year (1-10), the rebate paid will be based upon the lesser of the increase in assessed value from the first year or the value as assessed in the current year.
- M. Construction must be completed within one year of the application date for the tax rebate. A one-year extension may be allowed by the City Council under certain circumstances.
- N. No application will be considered for an improvement for which an unresolved tax protest has been filed.
- O. If future year values are protested, the property owner shall take the lesser of the two values for the purpose of this program, i.e. the rebate from this program or the abated value as granted by the Board of Tax Appeals. No rebate will be paid during the pendency of any tax protest.
- P. Property eligible for tax incentives under any other program adopted pursuant to statutory or constitutional authority shall be eligible to submit an application.
- Q. Any rebate granted for a property class will be nullified if the property owner changes the property classification, i.e. from the residential to the commercial property classification.

SECTION II

NEIGHBORHOOD REVITALIZATION AREAS AND ASSOCIATED LEGAL DESCRIPTIONS

- A. The area included in this neighborhood revitalization plan is as described in the Iola, KS Code of Ordinances, Iola City Code Chapter 1, Section 1-108 except for the areas listed as follows:

Areas Excluded from Neighborhood Revitalization

All properties owned by the City of Iola, Allen County, Unified School District 257, and Allen Community College.

SECTION III

ASSESSED VALUATION OF LAND AND BUILDINGS WITHIN AREA

The year 2019 existing assessed valuation on parcels of real estate in the proposed Neighborhood Revitalization area is (\$30,822,863) in the Primary Target Area.

SECTION IV

LISTING OF OWNERS OF RECORD IN AREA

The names and addresses of the owners of record of real estate within the area are on file in the Allen County Appraiser's Office at 1 N. Washington.

SECTION V

EXISTING ZONING AND LAND USE

A zoning map, a list of zoning districts for the area, and existing land use map are on file in the Iola Code Services office at 2 E. Jackson.

SECTION VI

CAPITAL IMPROVEMENTS PLANNED FOR THE AREA

Capital improvements to the designated areas may include mill and overlay, curb and gutter, sidewalk replacement and or installation and possible updating of utility infrastructure.

SECTION VII

PROPERTIES ELIGIBLE FOR TAX REBATE

Residential Property:

1. Rehabilitation, alterations and additions to any existing residential structure, including the alteration of a single-family home into a multi-family dwelling, shall be eligible. Rental property is eligible. Mobile homes are not eligible.
2. Construction of new residential structures, including the conversion or all or part of a non-residential structure into a residential structure, shall be eligible.
3. Improvements to existing residential accessory structures or construction of new residential accessory structures such as garages, storage buildings and workshops are eligible. Swimming pools, hot tubs, fences, landscaping, gazebos, garden type structures, and patios are not eligible.
4. Eligible residential property may be located anywhere in the neighborhood revitalization area.

Commercial/Industrial Property:

1. Rehabilitation, alterations, and additions to any existing commercial/industrial structure used for retail, office, manufacturing, warehousing, institutional or other commercial or industrial purposes shall be eligible.
2. Construction of new commercial/industrial structures, including the conversion of all or part of a non-commercial structure into a commercial structure, used for retail, office, manufacturing, warehousing, institutional, or other commercial or industrial purposes shall be eligible. Improvements to existing structures or construction of new structures used for public utility or railroad purposes shall not be eligible.
3. Commercial or industrial property may be located anywhere in the neighborhood revitalization area and must be properly zoned to be eligible.

SECTION VIII

TAX REBATE PROGRAM SCHEDULE

RESIDENTIAL, COMMERCIAL AND INDUSTRIAL PROPERTIES LOCATED IN TARGET AREAS

Year 1 100% rebate on increase in appraised valuation

Year 2 100 % rebate on increase in appraised valuation

Year 3	100 % rebate on increase in appraised valuation
Year 4	100% rebate on increase in appraised valuation
Year 5	100% rebate on increase in appraised valuation
Year 6	100% rebate on increase in appraised valuation
Year 7	80% rebate on increase in appraised valuation ³
Year 8	60% rebate on increase in appraised valuation
Year 9	40% rebate on increase in appraised valuation
Year 10	20% rebate on increase in appraised valuation

A \$25.00 up-front, non-refundable application fee will be charged to cover the Allen County Appraiser’s office time and administration of the initial application

5% of each rebate will be retained by Allen County to cover the annual administration costs of administering the program.

This shall include the rehabilitation of existing structures and/or additions to existing structures and new construction.

SECTION IX

CONTENTS OF APPLICATION FOR TAX REBATE

An application for a rebate of property tax increments shall contain the following information.

Part 1

1. The owner’s name
2. The owner’s mailing address
3. The owner’s daytime phone number
4. The address of the property
5. The legal description of the property
6. The parcel I.D. number
7. The building permit number

8. The existing use of the property
9. The proposed improvements
10. The age of the principal building(s)
11. The occupancy status during the last 5 years
12. Buildings proposed to be or actually demolished
13. The proposed improvements
14. Estimated cost of improvements
15. The date construction started
16. Estimated date for completion of construction
17. The County Appraiser's statement of existing assessed valuation of improvements

SECTION X

PROCEDURES TO SUBMIT APPLICATION

1. The applicant shall obtain a building permit from the City of Iola Code Services office.
2. The applicant shall obtain an Application for Tax Rebate form from the City of Iola Code Services office.
3. The applicant shall complete and sign Part 1 of the application and file the original with the City Code Services office as provided for in Section I (D).
4. The City of Iola Code Services office shall forward the application along with a complete set of building plans and building permit information to the Allen County Appraiser's office for determination of the existing assessed valuation of the improvements.
5. Upon completion by the Allen County Appraiser's office the Appraiser's office shall return the application to the applicant. The applicant shall certify the status of the improvement project as of January 1 following the commencement of the construction process by completing and signing Part 2 of the application. The applicant shall file the application with the Allen County Appraiser's office on or before May 31, preceding the commencement of the tax rebate period. A rebate period begins after January 1 of the year when the applicant has completed 100% of the improvements. Example: for a project completed in October 2012, the rebate period would begin on January 1, 2013 with the rebate provided for the tax payment due by December 20, 2013.
6. The Allen County Appraiser shall conduct an on-site inspection of the construction project and determine the new valuation of the real estate as of January 1, and shall complete his/her portion of the application and report the new valuation to the

Allen County Clerk by June 15. The tax records on the project shall be revised by the Allen County Clerk's office.

7. Upon determination by the Allen County Appraiser's office that the improvements meet the percentage test for rebate, determination by the Allen County Treasurer's office that the taxes and assessments on the property are not delinquent, and determination by the City of Iola Code Services office that the project and application meets the requirements for a tax rebate, the Allen County Appraiser's office shall notify the applicant and the Allen County Treasurer's office of the rebate percentage due for each year of the rebate period.
8. Upon the full payment of the real estate tax for the subject property for the initial and each succeeding tax year extending through the specified rebate period, a tax rebate shall be made to the applicant. The tax rebate shall be made within thirty (30) days from the tax distribution dates of January 20 and June 5 in accord with the provisions of K.S.A. 12-1678a, following the due date of payment and submittal of a receipt by the applicant to the Allen County Treasurer's office. The tax rebate shall be made from the Neighborhood Revitalization Fund established by Allen County in conjunction with the other taxing units participating in the Interlocal Agreement. The Allen County Appraiser's office shall make periodic reports on the tax rebate program to the governing bodies of the participating taxing units.

Neighborhood Revitalization Application: Part 1

For Property Tax Rebate

Part 1

Owner's Name _____ Daytime Phone _____

Owner's Mailing Address _____

Property Address _____

Legal Description of Property _____

Property Type () Residential () Commercial/Industrial

Zoning District _____ Existing Use _____ Proposed Use _____

Age of Principal Building _____ Occupancy Status Last 5 Years _____

List Buildings to be or Actually Demolished:

List Proposed Improvements:

(Be specific, use additional sheets if needed.)

Total Cost of Improvements \$ _____ () Actual () Estimated

Building Permit Number _____ Date Construction Will Begin _____

Date Construction Will Be Complete _____ () Actual () Estimated

By signing this application, the applicant agrees to abide by the terms and conditions of the Neighborhood Revitalization Plan (NRP). The applicant acknowledges that they have received with this application a complete description of the NRP from the City of Iola and fully understands the terms and conditions as set forth in the plan. The applicant understands that this application must be returned to the City of Iola Code Services Office **within 60 days of being issued a building permit**. Failure to submit the application within the time frame set forth in the plan will cause the application to be not in conformance to the plan.

Applicant Signature _____ Date _____

Neighborhood Revitalization Application: Part 2

Certifications

Property Owner's Use

As of January 1 following commencement of construction the improvements are:

() Complete () Incomplete

By _____ Date _____
(Owner's Signature)

Allen County Appraiser's Use

The improvements made to this property () DO () DO NOT meet the required increase in assessed valuation of \$5,000 for Residential, Commercial, or Industrial property.

By _____ Date _____
(County Appraiser)

Allen County Clerk's Use

As of (date) _____ taxes and special assessments on this parcel of property () ARE () ARE NOT delinquent.

By _____ Date _____
(County Clerk)

City Clerk's Use

As of (date) _____ bid assessments on this parcel of property () ARE () ARE NOT delinquent.

By _____ Date _____
(City Clerk)

City Planning and Development's Use

The above application () IS () IS NOT in conformance with the requirements of the City of Iola Neighborhood Revitalization Plan. Reason application is not in conformance _____

By _____ Date _____
(Code Services Officer)

Neighborhood Revitalization Checklist: Part 3
Application Checklist

- () Application form Part 1 is completed and signed by the applicant.
- () The property where improvements will be made is in a designated Neighborhood Revitalization area.
- () The application was turned in within 60 days of issuing a building permit.
- () A building permit was issued for the project in accordance with the NRP and applicable codes. Permit # _____
- () Project plans were submitted with the application if applicable.
- () Checked with City Clerk's office for money owed to the City of Iola by the applicant or on the property.
- () Application fee of \$25.00 to the Allen County Treasurer was submitted with the application.
- () Code Services made a determination of compliance.
- () Copy of the application and all attachments and placed in file
- () Original application and attachments with application fee forwarded to the Allen County Appraiser's office Date _____

Application Instructions

Applicant

1. Obtain a building permit.
2. It is the applicant's responsibility to read the information contained in this packet. If there is a part of this packet that the applicant does not understand, please call the City of Iola Code Services office at 620-365-4903 for assistance.
3. Complete Part 1 of the application, sign and date the application.
4. Return the completed Part 1 of the application along with Parts 2 & 3 to the City of Iola Code Services office.
5. Include any necessary attachments with the application.
6. Include the application fee of \$25.00 made out to Allen County Treasurer with the completed application.
7. Return the application to the City of Iola Code Services office **within 60 days** of being issued a building permit.
8. Owner's Name and Address are those where the owner of the property in the application lives and/or receives mail.
9. Property Address is that property that will be improved.
10. A legal description of the property can be obtained from a deed, title insurance or at the Allen County Appraiser's office.
11. Zoning information can be obtained from the City of Iola Code Services office.
12. Be specific about the improvements to be made to the property and use additional sheets if needed. Drawings are also helpful.
13. Be sure that all parts of Part 1 of the application are complete.