

CHAPTER 10

URBAN REVITALIZATION

EDITOR'S NOTE		
The following ordinances not codified herein, and specifically saved from repeal, have been adopted designating Urban Revitalization Areas in the City and remain in full force and effect.		
ORDINANCE NO.	ADOPTED	NAME OF AREA
145	March 12, 1990	Panora, Iowa, Urban Revitalization Area
218	April 28, 2003	Panora, Iowa, Urban Revitalization Area

ORDINANCE NO. 145**AN ORDINANCE ESTABLISHING THE PANORA, IOWA URBAN REVITALIZATION AREA**

AN ORDINANCE designating the entire incorporated city of the City of Panora, Iowa, as an urban revitalization area which shall be known as the **Panora, Iowa Urban Revitalization Area**.

WHEREAS, pursuant to the provisions of Chapter 404 of the Iowa Code, 1989 (the "Act"), the governing body of a city may, by ordinance, designate an area of the city, which satisfies the criteria of Section 404.1 of the Act, as an urban revitalization area; and

WHEREAS, pursuant to the provisions of the Act, the City Council of the City of Panora, Iowa, has heretofore intended and, by Resolution No. 90-3 has determined, with respect to the area within the City, legally described as follows:

The entire incorporated area of the City of Panora, Guthrie County, Iowa, West of the 5th P.M., as described in the plat books of the Guthrie County, Iowa Auditor's Office, and further limited to areas within this boundary which are zoned residential or commercial by the City of Panora, Guthrie County, Iowa;

to be known as the Panora, Iowa Urban Revitalization Area:

- A. That this area meets the criteria of Section 404.1(3) of the Iowa Code, 1989.
- B. That the preservation or redevelopment of this area is necessary in the interest of the public health, safety or welfare of the residents of the City of Panora, Iowa.

BE IT ORDAINED by the City Council for the City of Panora, Iowa:

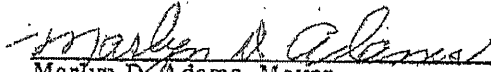
Section 1. That in accordance with the Act and in consideration of the recitations set out in the Preamble hereof, the area formed by the contiguous real estate parcels legally described as follows:

The entire incorporated area of the City of Panora, Guthrie County, Iowa, West of the 5th P.M., as described in the plat books of the Guthrie County, Iowa Auditor's Office, and further limited to areas within this boundary which are zoned residential or commercial by the City of Panora, Guthrie County, Iowa;

be, and the same is hereby designated as a revitalization area under the Act, which shall be known as the Panora, Iowa Urban Revitalization Area.

Section 2. This Ordinance shall be in effect after its final passage, approval and publication, as provided by law.

Passed by the City Council on the 12th day of March, 1990, and approved this 12th day of March, 1990.

  
Marilyn D. Adams, Mayor

ATTEST:   
Thomas H. McBride, City Clerk/Administrator

I certify that the foregoing was published as Ordinance No. 145 in the Guthrie County Vedette on the 22nd day of March, 1990.

  
Thomas H. McBride, City Clerk/Administrator

**ORDINANCE 218**

**AN ORDINANCE ESTABLISHING THE PANORA, IOWA  
URBAN REVITALIZATION AREA**

**AN ORDINANCE** designating the entire incorporated city of the City of Panora, Iowa, as an urban revitalization area which shall be known as the **Panora, Iowa Urban Revitalization Area**.

**WHEREAS**, pursuant to the provisions of Chapter 404 of the Iowa Code (2001) (the "Act"), the governing body of a city may, by ordinance, designate an area of the city, which satisfies the criteria of Section 404.1 of the Act, as an urban revitalization area; and

**WHEREAS**, pursuant to the provisions of the Act, the City Council of the city of Panora, Iowa, has heretofore intended and, by Resolution 03-10 has determined, with respect to the area within the City, legally described as follows:

Except for those areas designated and adopted as urban renewal districts, the entire incorporated area of the City of Panora, Guthrie County, Iowa, West of the 5<sup>th</sup> P.M., as described in the plat books of the Guthrie County, Iowa, Auditor's office, and further limited to areas within this boundary which are zoned residential or commercial by the City of Panora, Guthrie County, Iowa;

to be known as the **Panora, Iowa Urban Revitalization Area**:

- A. That this area meets the criteria of Section 404.1(3) of the Iowa Code (2001).
- B. That the preservation or redevelopment of this area is necessary in the interest of the public health, safety or welfare of the residents of the City of Panora, Iowa.
- C. The City of Panora has prepared a proposed Plan for the designated revitalization area, and the same has been adopted by the City.

**BE IT ORDAINED** by the City Council for the City of Panora, Iowa:

**SECTION 1. PURPOSE.** That in accordance with the Act and in consideration of the recitations set out in the Preamble hereof, the area formed by the contiguous real estate parcels legally described as follows:

Except for those areas designated and adopted as urban renewal districts, the entire incorporated area of the City of Panora, Guthrie County, Iowa, West of the 5<sup>th</sup> P.M., as described in the plat books of the Guthrie County, Iowa, Auditor's office, and further limited to areas within this boundary which are zoned residential or commercial by the City of Panora, Guthrie County, Iowa;

**ORDINANCE 218**  
**PAGE TWO**

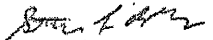
be, and the same is hereby designated as a revitalization area under the Act, which shall be known as the Panora, Iowa Urban Revitalization Area.

**SECTION 2. REPEALER.** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**SECTION 3. SEVERABILITY.** If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.


**SECTION 4. WHEN EFFECTIVE.** This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed and approved by the Council this 28<sup>th</sup> day of April 2003.

  
Steven Baket, Mayor

SEAL

ATTEST:

  
Susan Cosner, City Administrator

CITY OF PANORA, IOWA  
URBAN REVITALIZATION PLAN

APRIL 2003  
renewed 01/01/17

## TABLE OF CONTENTS

	<u>Page No.</u>
Overview of Urban Revitalization Law	1
Selection Criteria for Panora, Iowa	1
The Plan Components	
A.    Legal Description of Proposed Area	2
B.    Assessed Valuations	
C.    Owner Identification	2
D.    Existing Zoning	3
E.    Existing Land Use	3
F.    Proposed Land Use	3
G.    Proposals for Improved and Expanded City Services	
H.    Applicability of Plan	3
I.    Relocation	4
J.    Tax Exemption Schedules	4
K.    Outside Funding Assistance	5
L.    Application Requirements and Prior Approval	5
M.    Repeal of Ordinance	7

In 1979, the Iowa General Assembly enacted the Urban Revitalization Act giving City governing bodies the authority to designate an area or areas of the City as Urban Revitalization Areas. This measure has been codified as Chapter 404, Code of Iowa. Under the Act, qualified real estate within the designated areas may be eligible to receive a total or partial exemption from property taxes on improvements for a specified number of years. The primary intent of this bill is to provide communities with a long-term increase or stabilization in their tax base by encouraging rehabilitation or new construction which might not otherwise have occurred.

To be considered for designation, an area must meet one of three criteria: (1) have a predominance of buildings, both residential and non-residential, which can be considered detrimental to the public health, safety or welfare due to dilapidation, overcrowding, or a predominance of unsanitary or undesirable conditions; (2) have a substantial number of deteriorated or deteriorating structures, predominance of defective or inadequate street layout, incompatible land use relationships, faulty lot layout in relation to size, adequacy, accessibility or usefulness, unsanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the actual value of the land, defective or unusual conditions of title, or the existence of conditions which endanger life or property by fire and other causes, or a combination of such factors, substantially impairs or arrests the sound growth of municipality, retards the provision of housing accommodations or constitutes an economic or social liability and is a menace to the public health, safety, or welfare in its present condition and use; (3) have a predominance of buildings or improvements which by reason of age, history, architecture or significance should be preserved or restored to productive use.

#### SELECTION CRITERIA FOR PANORA, IOWA:

Under the Revitalization Act, the City is granted the authority to designate all or certain



portions of the City which meet the specified criteria as revitalization areas. Accordingly, on April 14, 2003, the City Council adopted a resolution finding that the proposed Panora, Iowa Urban Revitalization area meets the criteria of Section 404.1(3), 2001 Code of Iowa and that the rehabilitation, conservation, redevelopment or a combination thereof is necessary in the interests of the public health, safety or welfare of the residents of the City.

### THE PLAN COMPONENTS:

#### **A. Legal Description;**

Except for those areas designated and adopted as urban renewal districts, the rest of the entire incorporated area of the City of Panora, Guthrie County, Iowa, West of the 5<sup>th</sup> P.M., as described in the plat books of the Guthrie County, Iowa, Auditor's office, and further limited to areas within this boundary which are zoned residential or commercial by the City of Panora, Guthrie County, Iowa.

Appendix "A" is a map of the incorporated City of Panora, Iowa and more particularly those areas within the City of Panora, Iowa zoned residential and commercial by the City of Panora, Guthrie County, Iowa (urban renewal districts are delineated).

#### **B. Assessed Valuations:**

A listing of existing assessed valuations of all real estate in the proposed area is on file at City Hall.

#### **C. Owner Identification:**

A listing of the names and addresses of the owners of record of real estate within the area is on file at City Hall.

**D. Existing Zoning:**

Existing Zoning as identified in the Panora Zoning Ordinance is AG — Agricultural; RS — Residential; MH — Manufactured Housing; AC — Arterial Commercial; BC - Business Commercial; LI — Light Industrial; HI — Heavy Industrial, and PD — Planned Development.

Existing Land Use:

Existing land use in this area conforms with the existing AG, RS, AC and BC zoning. The existing land uses within this area are commercial, professional, retail stores and residential.

**F. Proposed Land Use:**

Proposed land use will remain generally unchanged.

**G. Proposals for Improved and Expanded City Services:**

There are currently no improvements scheduled for the Panora, Iowa Urban Revitalization District.

**H. Applicability of Plan:**

The revitalization is applicable to residential or commercial property within the designated area. The revitalization is for both new construction and rehabilitation/additions. The City estimates that the area will remain a designated revitalization area for a period of three years, from January 1, 2017, and continuing through January 1, 2019: The terms of this plan may be extended by Council action and the update of this plan. (Resolution 16-51 12/12/16)

**I. Relocation:**

In the event relocation occurs as a result of the tax abatement program, the following provisions must be met:

1. Benefits: Upon application for and verification of eligibility for tax abatement to a property owner by the City, qualified tenants in designated areas, whose displacement is due to action on the part of a property owner to qualify for said tax abatement under this Plan, shall be compensated by the property owner for one month's rent and for actual reasonable moving and related expenses.
2. Eligibility: "Qualified Tenant" as used in this Plan, shall mean the legal occupant of a dwelling unit which is located within the area and who has occupied the same dwelling unit continuously since one year prior to the City's adoption of this Plan.
3. Least costly approach: The amount of compensation for an eligible expense shall not exceed the least costly method of accomplishing the objective of the compensation without causing undue hardship to the displaced tenant and/or landlord.

**J Tax Exemption Schedules:**

Each property owner may implement upon application and approval by the Panora, Iowa, City Council as follows: All qualified real estate, assessed as residential property, is eligible to receive an exemption from taxation on the actual value added by the improvement for a period of three (3) years at the following rates: 75% for the first year, 50% for the second year, and 25% for the third year. All qualified real estate assessed as commercial is eligible to receive an exemption from taxation on the actual value added by the improvement for a period of three (3) years at the following rates: 75% for the first year, 50% for the second year, and 25% for the third year.

In order to qualify for tax exemption, improvements to real estate located within the Area must increase the actual value of the property, other than land, by at least ten (10%) percent for qualified real estate assessed as residential property and by at least fifteen (15%) percent for qualified real estate assessed as commercial. Qualified real estate also means land upon which no structure existed at the start of the new construction, which is located in the designated revitalization area and upon which new construction has been added during the time so designated. "Improvements" include rehabilitation and additions to the existing structure as well as new construction on vacant land or on land with existing structures.

**K. Outstanding Funding Assistance:**

The City may seek Federal and/or State grant or loan programs in developing proposed projects. Federal programs are available through the Department of Housing and Urban Development (HUD) and the Farmers Home Administration (FmHA). Stated programs are available through the Iowa Housing Finance Authority and the Iowa Department of Economic Development.

**L. Application Requirements and Prior Approval:**

A person may submit a proposal for an improvement project to the City Council to receive prior approval for eligibility for a tax exemption on the project. The Council shall, by resolution, give its prior approval for an improvement project if the project is in conformance with the plan for revitalization. Such prior approval shall not entitle the owner to exemption from taxation until the improvements have been completed and found to be qualified real estate; however, if the proposal is not approved, the person may submit an amended proposal for the City Council to approve or reject. An application shall be filed by the owner of the property with the City Council by February 1 of the assessment year for

which the exemption is first claimed, but not later than the year in which all improvement included in the project are first assessed for taxation. The application shall be made only on forms approved and supplied by the City of Panora, Iowa.

The City Council shall approve the application, subject to review by the local assessor, if the project is in conformance with the plan of revitalization developed by the City, is located within a designated revitalization area, and if the improvements were made during the time the area was so designated. The City Council shall forward for review all approved applications to the appropriate local assessor by February 1 of each year. Applications for exemptions for succeeding years for approved projects shall not be required.

The local assessor shall review each first year application by making a physical review of the property, to determine if the improvements made increased the actual value of the qualified real estate by the respective percentage. If the assessor determines that the actual value of that real estate has increased by at least the requisite percent, the assessor shall proceed to determine the actual value of the property and certify the valuation to the county auditor at the time of transmitting the assessment rolls. However, if a new structure is erected on land upon which no structure existed at the start of new construction, the assessor shall proceed to determine the actual value of the property and certify the valuation to the county auditor at the time of transmitting the assessment rolls. The assessor shall notify the applicant of the determination and the assessor's decision may be appealed to the local board of review. If an application for exemption is denied as a result of failure to sufficiently increase the value of the real estate, the owner may file a first annual application in any subsequent year when additional improvements are made to satisfy requirements.

After the tax exemption is granted, the local assessor shall continue to grant the tax

exemption, with periodic physical review by the assessor, for the time period of the exemption. The tax exemptions for the succeeding years shall be granted without the taxpayer having to file an application for the succeeding years.

**M. Repeal of Ordinance**

As stated in Section 404.7 of the Code of Iowa, the City Council may repeal the ordinance establishing the revitalization area, when, in the opinion of the City Council, the desired level or revitalization has been attained or economic conditions are such that the continuation of the exemption granted by this chapter would cease to be of benefit to the city. In that event, all existing exemptions shall continue until their expiration.

CITY OF PANORA, IOWA  
APPLICATION FOR TAX EXEMPTION  
(Urban Revitalization Tax Exemption)

Iowa law requires you (owner of real estate) to make application to the City of Panora for Urban Revitalization tax exemption. You must complete and submit this application for your improvement project to the city, to receive prior approval for eligibility for tax exemption.

The city, by resolution, may give its prior approval for your improvement project, if your project is in conformance with the plan for revitalization developed by the city. A copy of the city's Urban Revitalization Plan may be reviewed at the office of the city administrator. Such prior approval by the city shall not entitle you to the exemption from taxation until the improvement project has been completed and found to be qualified real estate. However, if your application is not approved by the city, you may submit an amended application for approval.

An application must be made for each new exemption claimed.

All applications approved by the city are subject to review and approval by the Guthrie County Assessor, on or before February 1, of the assessment year for which the exemption is first claimed. It is strongly recommended that you consult the Guthrie County Assessor prior to completing this application.

Please complete the following section and sign.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone No: \_\_\_\_\_

Legal Description of Improvement Project: \_\_\_\_\_

\_\_\_\_\_

Address of Improvement Project: \_\_\_\_\_

\_\_\_\_\_

Nature of Improvement: \_\_\_\_\_

\_\_\_\_\_

Cost of Improvement: \_\_\_\_\_

Actual Date of Completion: \_\_\_\_\_

Exemption Period: Three (3) Years

Signature: \_\_\_\_\_