



# NEIGHBORHOOD REVITALIZATION PLAN

ADOPTED DECEMBER 2, 2019

ORDINANCE NO. 2157

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**City of Augusta, Kansas**  
**Neighborhood Revitalization Plan**

### Purpose and Factual Findings

This plan is intended to promote the revitalization of certain areas of the City of Augusta through the rehabilitation, conservation or redevelopment of those areas in order to protect the public health, safety or welfare of the residents of the City. More specifically, a tax rebate incentive will be available for certain improvements or renovation of property within the area.

In accordance with the provisions of K.S.A. 12-17, 114 *et seq.*, the City Council has considered the existing conditions and alternatives with respect to the designated Area, the criteria and standards for a tax rebate and the necessity for Interlocal cooperation among the other taxing units. Accordingly, the Council has carefully reviewed, evaluated and determined the Area meets one or more of the conditions to be designated as a “neighborhood revitalization area.”

### Legal Description of Neighborhood Revitalization Area

The legal description of the Augusta Neighborhood Revitalization Area is attached to this plan as Exhibit A.

### Map of Neighborhood Revitalization Areas

A map outlining the Neighborhood Revitalization Areas for City of Augusta is attached to this plan as Exhibit B.

### Appraised Value of Real Property

The appraised valuations of the real estate contained in the Neighborhood Revitalization Area are available at Augusta City Hall, via the Butler County GIS Mapping Database.

### Listing of Owners of Record in Area

The names and addresses of each owner of record of real estate within the Neighborhood Revitalization Area are available at Augusta City Hall, via the Butler County GIS Mapping database.

### Zoning and Land Uses

The City of Augusta Zoning Map and the Future Land Use Map, which show the zoning classifications and land uses in the Neighborhood Revitalization Area, are hereby incorporated by reference and are available at Augusta City Hall.

## Criteria for Determination of Eligibility

### 1. Real property is eligible, including residential and all commercial types.

- 1.1. All real property and improvements within the City of Augusta are eligible if it meets the criteria determined within this plan.
- 1.2. Owners who wish to rehabilitate, add to existing buildings, or construct new buildings are eligible to apply for revitalization under this plan.
- 1.3. Condemned properties (as determined by the Augusta City Council) are eligible to apply for revitalization under this plan. These properties must qualify through a description of blight, health, or safety issues.
- 1.4. Buildings which are 25 years or older, meeting the “dilapidated structure” description as outlined in K.S.A. 12-17, 115(a) and determined through an evaluation by the City Building Inspector are eligible to apply for revitalization under this plan.

### 2. Residential Properties

- 2.1. All residential improvements on real property constructed in 1990 or earlier and located within the city limits of Augusta regardless of location shall be eligible for a 10-year tax rebate whose construction begins from January 1, 2020 to December 31, 2022.
- 2.2. All new residential real property being constructed on a vacant lot that was previously developed or requires demolition and is considered “infill” within the city limits of Augusta regardless of location shall be eligible for a 10-year tax rebate of up to \$500,000 of appraised value whose construction begins from January 1, 2020 to December 31, 2022.
- 2.3. All new residential real property located in a subdivision that is not at capacity within the city limits of Augusta shall be eligible for a 5-year tax rebate of up to \$500,000 of appraised value whose construction begins from January 1, 2020 to December 31, 2022.
- 2.4. All residential improvements on real property located in downtown Augusta with a zoning classification pertaining to the Main Street District shall be eligible for a 10-year tax rebate whose construction begins from January 1, 2020 to December 31, 2022. No financial cap on qualifying increases in appraised value.

### 3. Non-Residential Properties

- 3.1. Unless otherwise noted, all non-residential real and improved property within the city limits of Augusta may be eligible for a 5-year tax rebate of up to \$500,000 of appraised value whose construction begins from January 1, 2020 to December 31, 2022.

3.2. All non-residential improvements on real property located in downtown Augusta with a zoning classification pertaining to the Main Street District shall be eligible for a 10-year tax rebate whose construction begins from January 1, 2020 to December 31, 2022. No financial cap on qualifying increases in appraised value.

3.3. Properties located within the Augusta Industrial Park shall be excluded from the Neighborhood Revitalization Program.

3.4. Improvements to existing or construction of new structures used for public utility or railroad purposes shall not be eligible.

#### 4. Standards and Criteria for Eligibility, Review and Approval

4.1. Construction of improvement must have begun on or after January 1, 2020, the effective date of this plan. However, no application will be processed until the Interlocal Agreement has been approved by the Kansas Attorney General's Office and the same has been filed with the Secretary of State of the State of Kansas and the Butler County Register of Deeds.

4.2. The estimated construction cost of the project, as shown on the corresponding building permit, must reflect a minimum value of:

4.2.1. Residential: At least \$5,000 or ten percent (10%) of the assessed valuation of the building(s) on the property as determined by the County Appraiser's current records, whichever is higher. Maximum of five (5) years for new construction in a subdivision and ten (10) years for infill development and rehabilitation projects. 95% tax rebate.

4.2.2. Non-Residential: At least \$10,000 or fifteen percent (15%) of the assessed valuation of the building(s) on the property as determined by the County Appraiser's current records, whichever is higher. Maximum of five (5) years. 95% tax rebate.

4.3. All new as well as existing improvements on property must conform to adopted zoning, building, mechanical, electrical, plumbing, and fire codes, and other applicable regulations in effect in the Neighborhood Revitalization Program target area at the time the improvements are made and must remain in conformance with such regulations for the duration of the rebate period. Failure to remain in compliance may result in termination of the rebate. **Permits must be approved before commencement of construction.**

4.4. Any property that is delinquent in payment to Butler County of real estate tax and/or special assessment will forfeit any current and future rebates. If withdrawn from the NRP

program, the property owner may submit a request to be reinstated in the program, which shall be made within five (5) days of the effective date of the Notice of Withdrawal received from the City of Augusta. The request must be in the form of a written request, setting forth the grounds for the appeal and the mailing address of the person(s) or entity making the request, which shall be filed with the City Clerk. The City Clerk shall schedule the request hearing to take place before the City Council not more than thirty (30) days after receiving the written request. Written notice of the hearing shall be given to the property owner by mailing the same to the address provided in the written request. Unless otherwise noted, the withdrawal from the NRP Program shall remain in effect during the pendency of the hearing. The Augusta City Council, at their sole discretion, may reinstate any NRP property one time after being delinquent on the abovementioned taxes or assessments during the life of the property's participation in the NRP program. No property shall be granted such consideration for reinstatement if it was disqualified from the NRP program prior to January 1, 2020 or has previously been granted a one-time reinstatement to the program. The decision of the request made by the City Council shall be final and in writing.

4.5. Only owners are eligible for tax rebates. If the property that has been approved for a tax rebate is sold, the rebate remains in effect and will transfer to the new property owner.

4.6. City and County staff shall have the authority and discretion to approve or reject applications based on the eligibility standards and review criteria contained herein. If any applicant is dissatisfied with city staff's decision, a written appeal may be submitted to the Augusta City Council for final determination. If any applicant is dissatisfied with county staff's decision, a written appeal may be submitted to the Butler County Board of County Commissioners.

4.7. Properties eligible for tax incentives under any other program shall be eligible to submit applications under only one program at a time.

## Application Procedure

1. Obtain a 2020 Neighborhood Revitalization Program application from the Community Development Department at Augusta City Hall or online at the following web address: [https://www.augustaks.org/businesses/incentives/neighborhood\\_revitalization\\_program\\_\(nrp\).php](https://www.augustaks.org/businesses/incentives/neighborhood_revitalization_program_(nrp).php)
2. Prior to the commencement of construction of any improvement or new construction for which a tax rebate will be requested, the property owner shall complete Parts One and Two of the application. Part Two must include a permit number obtained from the Community Development Office. A non-refundable \$25.00 application fee payable to the City of Augusta must be submitted with the application.

3. The City will forward the application to the County after certifying the property meets the criteria.
4. If the plan is approved, the Community Development Department will forward the application to the County Appraiser, who will then forward a copy of the application to the County Clerk for monitoring purposes.
5. The owner will have a maximum of one year to complete the project unless otherwise approved.
6. Immediately upon completion of the project, the property owner shall file Part Three of the application with the Community Development Department. Upon receipt of Part Three, the Community Development Department – Inspection Division shall conduct an on-site inspection of the construction project (improvement, rehabilitation, or new) to confirm completion.
7. After confirmation of project completion is received from the Community Development Department – Inspection Division, the completed application will be forwarded to the County, certifying the project is in compliance with the eligibility requirements for a tax rebate. The County Appraiser will then report the valuation to the County Clerk by June 1<sup>st</sup>. The tax records shall be revised accordingly.
8. Real estate tax payments must be made on time to be eligible for this plan.
9. Upon timely payment in full of all real estate tax and special assessments for the property, a rebate of the taxes related to the valuation improvement (less a 5% administrative fee) will be made to the property owner by Butler County Treasurer's Office within 45 days of due date of taxes.
10. No rebate will be provided for any property with open valuation and/or classification appeals until all disputes have been fully litigated. The time for NRP properties to appeal their value is in the spring with the informal process. Property owners will not receive his/her rebate for that taxing year if they appeal through a payment under protest when the taxes are due in December and in May. All matters regarding appeal for valuation shall be coordinated with the Butler County Appraiser's Office.