

ORDINANCE 621

AN ORDINANCE DESIGNATING AN AREA OF EVANSDALE, IOWA,
AS THE EVANSDALE URBAN REVITALIZATION AREA.

WHEREAS, pursuant to the provisions of Chapter 404, Code of Iowa (the "Act"), the governing body of a city may, by ordinance, designate an area of the city as a revitalization area upon the completion of procedures specified in the Act; and

WHEREAS, pursuant to the provisions of the Act, the Council of Evansdale, Iowa, has by resolution determined, with respect to an area within the City, hereinafter described in Section 1 and known as the Evansdale Urban Revitalization Area that:

(a) *The Evansdale Urban Revitalization Area is an area which is appropriate as an economic development area as defined in Section 403.17 of the Code of Iowa. Furthermore, the Evansdale Urban Revitalization Area is an area which is appropriate for public improvements related to housing and residential development, or construction of housing and residential development, including single or multifamily housing.*

(b) *The economic development and housing and residential development in the Evansdale Urban Revitalization Area is necessary in the interest of the public welfare of the residents of the City and the Evansdale Urban Revitalization Area substantially meets the criteria set forth in Section 404.1 of the Act.*

WHEREAS, pursuant to the provisions of the Act, the City prepared a Proposed Plan for the Evansdale Urban Revitalization Area and held a public hearing on the Proposed Plan for the Evansdale Urban Revitalization Area; and

WHEREAS, pursuant to the provisions of the Act, the City has adopted the Proposed Plan for the Evansdale Urban Revitalization Area;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Evansdale, in Black Hawk County, Iowa, as follows:

Section 1. In accordance with the Act and in consideration of the recitations set out in the preamble hereof, the area formed by contiguous real estate parcels with a legal description as follows:

All real property within the incorporated municipal limits of the City of Evansdale, Iowa, as of December 1, 2011.

is hereby designated as a revitalization area under the Act, which shall be known as the Evansdale Urban Revitalization Area.

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 3. 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. This ordinance shall be in effect after its final passage, approval and publication, as provided by law.

PASSED AND ADOPTED THIS 21ST DAY OF FEBRUARY, 2012.

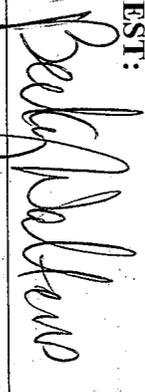
First Reading: 01/17/2012

Second Reading: 02/07/2012

Third Reading: 02/21/2012

ATTEST:


Chad Deutsch, Mayor


Becky Walters, City Clerk

I certify that the foregoing was published as Ordinance 621 on the 19th day of March, 2012.
Becky Walters, City Clerk

STATE OF IOWA
COUNTY OF BLACK HAWK
CITY OF EVANSDALE

SS

I, the undersigned, do hereby certify that I am the duly appointed City Clerk of the City of Evansdale, Iowa, and do hereby certify that "Ordinance No. 621. An Ordinance Designating an Area of Evansdale, Iowa, as the Evansdale Urban Revitalization Area", of which the printed slip attached to the publisher's original affidavit hereto attached is a true and complete copy, was published on the date and in the newspaper specified in such affidavit, and that such newspaper has a general circulation in said City.

WITNESS MY HAND hereto affixed this 3rd day of April, 2012.

Bertha Johnson
City Clerk

(Attach hereto publisher's affidavit of publication with clipping of ordinance as published.)

(PLEASE NOTE: Do not sign and date this certificate until you have checked a copy of the published notice and have verified that it was published on the date indicated in the publisher's affidavit.)

URBAN REVITALIZATION PLAN
CITY OF EVANSDALE, IOWA
EVANSDALE URBAN REVITALIZATION AREA
2011

INTRODUCTION

The Urban Revitalization Act, Chapter 404 of the Code of Iowa, is intended to encourage development, redevelopment and revitalization within a designated area of a city by authorizing property tax development incentives to the private sector. Qualified real estate within a designated area may be eligible to receive a total or partial exemption from property taxes on improvements for a specified number of years, with the goal of providing communities with a long-term increase or stabilization in the local tax base by encouraging new construction which might not otherwise occur.

Section 404.1 of the Code of Iowa provides that a City Council may designate an area of the City as a revitalization area, if that area meets the following definitions:

“An area which is appropriate as an economic development area as defined in section 403.17 of the Code of Iowa;” and

“An area designated as appropriate for public improvements related to housing and residential development, or construction of housing and residential development including single or multifamily housing.”

Section 404.2 of the Code of Iowa requires that a city prepare a plan to govern activities within the proposed revitalization area, and the balance of this document is intended to set out the elements of a plan that are mandated by state law.

A. DESCRIPTION OF THE AREA AND MAP

The revitalization area shall be known as the Evansdale Urban Revitalization Area (the “Revitalization Area”), and the legal description of real property to be included within the Revitalization Area is as follows:

All real property contained within the incorporated limits of the City of Evansdale, Black Hawk County, State of Iowa as of December 1, 2011.

A map showing the real property to be included within the Revitalization Area is attached as Exhibit A.

B. DESIGNATION CRITERIA

In accordance with Subsections 4 and 5 of Section 404.1 of the Code of Iowa, the City Council of the City has designated the Revitalization Area as appropriate for economic development and for public improvements related to housing and residential development, or construction of housing and residential development including single or multifamily housing.

C. OBJECTIVES

This plan is prepared in conformance with Section 404.2 of the Code of Iowa for the purpose of providing incentives and outlining procedures to enhance the potential for construction of housing residential development in the Revitalization Area. Planning goals include revitalizing the area through the promotion of housing construction and residential development, stabilizing and increasing the tax base, and providing overall aesthetic improvement.

D. PRESENT ZONING AND PROPOSED LAND USE

Much of the property within the Revitalization Area is zoned for residential purposes, and new residential development is proposed in the Revitalization Area.

E. PROPOSALS FOR EXPANDING CITY SERVICES

The City proposes that, as it becomes financially feasible, the provision of municipal services to the Revitalization Area will be expanded and improved to meet the demands of new residential development.

F. ELIGIBLE IMPROVEMENTS

Eligible property improvements, as used in this plan, include new residential construction on vacant land or on land with existing structures, located within the Revitalization Area. Also included are improvements to existing residential structures. For purposes of this Section F of the Plan "residential" shall include properties assessed as residential and properties assessed as commercial and used as residential dwellings, be they single or multifamily.

Assessed value added by improvements, as used in this plan, means the actual, assessed value added as of the first year for which the exemption was received. In order to be eligible for tax abatement, the increase in assessed value of the property must be (1) in an amount not less than \$10,000; and (2) result in an increase in the assessed valuation of the property improved of at least 15%.

All improvements, in order to be considered eligible, must be completed in conformance with all applicable regulations of the City of Evansdale, and must be completed during the time the Revitalization Area is designated by ordinance as a revitalization area. no abatement will be allowed hereunder unless an occupancy permit has been issued by the City with respect to the project for which the abatement is requested.

G. TIME FRAME

Eligibility for tax abatement under this plan will exist after the date of the adoption of the ordinance designating the Revitalization Area, until, in the opinion of the City Council, the desired level of revitalization has been attained or economic conditions are such that the continuation of the exemption granted would cease to be of benefit to the City, in which case the City Council may repeal the ordinance, pursuant to Section 404.7 of the Code of Iowa. In the event the ordinance is repealed, all exemptions granted prior to such repeal shall continue until their expiration.

H. EXEMPTIONS

All qualified real estate assessed as residential property is eligible to receive an exemption from taxation on the first \$75,000 of actual value added by the improvements for a period of not more than five years. The length of the abatement benefit shall be in accordance with the following schedule:

(1) For properties with a total assessed valuation in the range of \$150,000-199,999 at the time of the issuance of a certificate of occupancy with respect to the project, the abatement shall extend for a period of three years.

(2) For properties with a total assessed valuation in the range of \$200,000-249,999 at the time of the issuance of a certificate of occupancy with respect to the project, the abatement shall extend for a period of four years.

(3) For properties with a total assessed valuation of \$250,000 or more at the time of the issuance of a certificate of occupancy with respect to the project, the abatement shall extend for a period of five years.

I. APPLICATION PROCEDURES

An application shall be filed for each new exemption claimed. The property owner must apply to the City for an exemption by February 1st of the assessment year for which the exemption is first claimed. The application shall contain, but not be limited to, the following information: the nature of the improvement, its cost, and the estimated or actual date of completion of the improvement.

J. APPROVAL OF APPLICATIONS

The City Council shall approve all applications submitted for completed projects if:

1. The project, as determined by the City Council, is in conformance with this plan;
2. The project is located within the Revitalization Area; and,
3. The improvements were made during the time the Revitalization Area was designated by ordinance as a revitalization area.

All approved applications shall be forwarded to the County Assessor for review, pursuant to Section 404.5 of the Code of Iowa. The County Assessor shall make a physical review of all properties with approved applications. The County Assessor shall determine the increase in actual value for tax purposes due to the improvements and notify the applicant of the determination, which may be appealed to the local board of review pursuant to Section 441.37 of the Code of Iowa. After the initial tax exemption is granted, the County Assessor shall continue to grant the tax exemption for the time period specified on the approved application. The tax exemptions for the succeeding years shall be granted without the owner(s) having to file an application for succeeding years.

K. OTHER SOURCES OF REVITALIZATION FUNDS

The City anticipates no federal or state grants or loans for improvements in the Revitalization Area at this time other than those of conventional lending institutions at normal market rates.

However, it is not the intention of the City to prohibit the use of other appropriate federal or state revitalization or incentive programs within the area.

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DORSEY & WHITNEY LLP, ATTORNEYS, DES MOINES, IOWA

L. RELOCATION PROVISIONS

The City does not anticipate the displacement or relocation of any persons, families, or businesses as a result of the improvements to be made in the Revitalization Area.

M. OWNERS OF PROPERTY AND ASSESSED VALUATION

The names and addresses of the owners of the property located within the Revitalization Area are:

The assessed valuation of the property located within the Revitalization Area is: _____

EXHIBIT A

MAP OF PROPERTY IN EVANSDALE RESIDENTIAL REVITALIZATION AREA