

# **Pawnee County Neighborhood Revitalization Plan**

## **2014**

**Effective January 1<sup>st</sup>, 2014 thru December 31<sup>st</sup>, 2018**

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## **NEIGHBORHOOD REVITALIZATION PLAN PAWNEE COUNTY, KS**

***Purpose:*** These plans are intended to promote the revitalization and development of the County of Pawnee by stimulating new construction and rehabilitation, conservation or redevelopment of the area in order to protect the public health, safety or welfare of the residents of the County by offering certain incentives, which include tax rebates. In accordance with the provisions of K.S.A. 12-17, 114 et seq., the Pawnee County Commissioners have held public hearings and considered the existing conditions and alternatives with respect to the designed area, the criteria and standards for a tax rebate and the necessity for inter-local cooperation among the other taxing units. Accordingly, the commissioners have carefully reviewed, evaluated and determined that the designated Area meets one or more of the conditions; to be designated as a “neighborhood revitalization area/dilapidated structure.”

***Revitalization Areas:*** Areas eligible to make application for a property tax rebate upon adoption of this plan include the area shown on the map designated as “Attachment A”, and the general legal descriptions designated as “Attachment B”.

### **PART I:      LEGAL DESCRIPTION OF GENERAL NEIGHBORHOOD REVITALIZATION AREA.**

The legal descriptions of the area with in the territorial boundaries of Pawnee County, Kansas are depicted on Attachment B, with maps on Attachment A. They are also on file at the Pawnee County Register of Deeds office.

### **PART II:      EXISTING ASSESSED VALUATION OF THE REAL ESTATE IN THE PROPOSED AREA, LISTING THE LAND AND BUILDING VALUES SEPARATELY.**

The existing assessed valuation of the real estate in the proposed area, listing land and building values separately, is on record in the office of the County Appraiser of Pawnee County.

### **PART III:    LIST OF NAMES AND ADDRESSES OF THE OWNERS OF RECORD OF REAL ESTATE WITHIN THE AREA.**

The names and addresses of the owners of record of real estate with the proposed area are on record in the office of the County Appraiser of Pawnee County.





## **Attachment B**

### **Pawnee County Neighborhood Revitalization Area Legal Description**

1. Maps depicting the existing Parcels of real estate covered by both Plans have been prepared and are attached as well as on file in the office of the County Appraiser of Pawnee County and the same are adopted as part of both Plans by reference.
2. The legal description of the real estate forming the boundaries of the area included in the Pawnee County Neighborhood Revitalization shall be all described real estate located within Pawnee County, Kansas, and all real estate within the corporate limits of the cities of Burdett, Garfield, Larned and Rozel, including any future annexation of real estate to said cities.

**PART IV: EXISTING ZONING CLASSIFICATIONS AND DISTRICT BOUNDARIES AND THE EXISTING AND PROPOSED LAND USES WITHIN THE AREA.**

**Comprehensive Zoning Regulations for the Pawnee County Summary Description of Zoning Districts**

**A-1 – Agricultural** – It is the intent of this district to provide for a full range of agricultural activities by family farms on land used for agricultural purposes, including processing and sale of agricultural products raised on the premises; and at the same time offer protection to land used for agricultural purposes from the depreciating effect of objectionable, hazardous, incompatible and unsightly uses. The District is also intended to protect watersheds and water supplies; to protect the use of natural resources in the production of agricultural products and prevent and/or discourage their conversion to other uses not in the interests of the citizens of Pawnee County; to protect forest and scenic areas; to conserve fish and wildlife habitat; to promote forestry; and to prevent and/or discourage untimely scattering of residential, and/or more dense urban development. In the “AG” District, no building, structure, land or premises shall be used and no building or structure shall be hereafter erected, constructed, reconstructed, moved or altered, except for one or more of the following uses: agricultural use, grain storage structures, single family dwellings, group homes as defined by the regulations, and manufactured homes.

In the Agricultural District, the minimum dimensions of yards required along designated major roads and highways in Pawnee County shall be as follows: The depth of the front yard shall be at least 75 feet. There shall be a side yard on each side of a dwelling. No side yard shall be less than 50 feet. The depth of the rear yard shall be at least 50 feet. Every lot shall be a minimum of 40 acres. A lot described as a quarter/quarter (i.e.  $\frac{1}{4}$  of  $\frac{1}{4}$  of a section) or as a Government Lot from the original government survey shall be deemed to meet the lot size requirements for the “AG” Agricultural District even though said lot may net less than a full 40 acres. A maximum of two (2) dwellings may be established on each forty (40) acres. A minimum of two (2) acres of land with a minimum of 165 feet of lot width must be provided for each dwelling. The dwellings may be located next to one another in the same general location on the twenty acres. The minimum width of a lot shall be 660 feet. The minimum depth of a lot shall be 660 feet. There shall not be a lot width to lot depth ratio greater than 1:4. In the event of unusual lot configurations, the Zoning Administrator shall determine whether the lot dimensions meet the spirit and intent of this requirement.

**RR – Rural Residential District Regulations** – The purpose of this District is to provide for the platted rural, low-density residential developments that retain the character of a rural area with very limited residential development. This district is intended to serve as a transition area between agricultural lands and more dense suburban residential development. Hence, it is suitable in rural locations where adequate public roads and public services are available, but it is not suitable in areas predominately agricultural in character where public and/or private services are adequate only to meet the needs of farm residences and farm operations. In the “RR” District, no building, structure, land or premises shall be used and no building or structure shall be hereafter erected, constructed, reconstructed, moved or altered, except for one or more of the following uses: single family dwellings, group homes as defined in the regulations, and manufactured homes.

In the “RR” Rural Residential District, the height of the non agricultural buildings or structures shall not exceed 35 feet and/or 2  $\frac{1}{2}$  stories in height. The depth of the front yard shall be at least 75 feet.

There shall be a side yard on each side of the dwelling. No side yards shall be less than 50 feet. The Depth of the rear yard shall be at least 50 feet. The minimum width of a lot shall be 330 feet. The minimum depth of a lot shall be 330 feet. There shall not be a lot depth to lot width ratio greater than 3:1. In the event of unusual lot configurations, the Zoning Administrator shall determine whether the lot dimensions meet the spirit and intent of this requirement. Every dwelling hereafter erected, constructed, reconstructed, moved or altered shall provide a minimum lot area of 435,600 square feet or ten (10) acres per dwelling unit.

**SR – Suburban Residential District Regulations** – The purpose of this District is to provide for the platted development of residential neighborhoods that promote the characteristics of a rural area at a low-density level of development. This district is designed to be used in those areas where the adequate provision of water and sewage disposal exists or can be provided; and where other infrastructure presently exists or can be demonstrated and proved to the satisfaction of the county.

In “SR” District, no building, structure, land or premises shall be used and no building or structure shall be hereafter erected, constructed, reconstructed, moved or altered, except for one or more of the following uses: single family dwelling, group homes as defined in the regulations, and manufactured homes.

In the “SR” Suburban Residential District, the height of nonagricultural buildings or structures shall not exceed 35 feet and/or 2 ½ stories in height. The depth of the front yard shall be at least 50 feet. There shall be a side yard on each side of the dwelling. No side yard shall be less than 30 feet. The depth of the rear yard shall be at least 50 feet. The minimum width of a lot shall be 165 feet. The minimum depth of a lot shall be 250 feet. There shall not be a lot width to lot depth ratio greater than 3:1. In the event of unusual configurations, the Zoning Administrator shall determine whether the lot dimensions meet the spirit and intent of this requirement. Every dwelling hereafter erected, constructed, reconstructed, moved or altered shall provide a minimum lot area of 87,120 square feet or two (2) acres per dwelling unit.

**R-1 – Single – Family Residential** – The purpose of this District is to provide for platted single-family residential development of a more urban character where public sanitary sewers and water, and other necessary public utilities and serves are present to support the development

In “R-1” District, no building structure, land or premises shall be used and not building or structure shall be hereafter erected, constructed, reconstructed, moved or altered, except for one or more of the following uses: single family dwellings or group homes as defined by the Regulations.

In the “R-1” Single Family Residential District, the height of the nonagricultural buildings or structures shall not exceed 35 feet and/or 2 ½ stories in height. The depth of the front yard shall be at least 30 feet. There shall be a side yard on each side of the dwelling. No side yard shall be less than 15 feet. The depth of the rear yard shall be at least 20 feet. The minimum width of a lot shall be 100 feet. The minimum depth of a lot shall be 150 feet. Every dwelling hereafter erected, constructed, reconstructed, moved or altered shall provide a minimum lot area of 20,000 square feet.

**V-1 – Village District Regulations** – This District is designed to encourage the continued existence of small unincorporated “villages” by placing few restrictions on their use and further residential development. No development of new “villages” is contemplated under these provisions and only



fill-in type development of existing “villages” with low intensity uses is intended.

In “V-1” District, no building, structure, land or premises shall be used and no building or structure shall be hereafter erected, constructed, reconstructed, moved or altered, except for one or more of the following uses: any use permitted in the “R-1” Single-Family Residential District.

In “V-1” Village District, the height of the buildings and structures shall not exceed 35 feet and/or 2 ½ stories in height. The depth of the front yard shall be at least 25 feet. There shall be a side yard on each side of a building. No side yard shall be less than 5 feet. The depth of the rear yard shall be at least 20 feet. No minimum lot dimensions are established, however, it is anticipated that every lot shall provide sufficient setbacks as specified herein and still provide adequate building area. No minimum lot area is established, however it is expected that sufficient area will be provided to meet the requirements established herein and provide for the proper provision for safe water and the sanitary disposal of sewage in accordance with the Pawnee County Environmental/Sanitary Code.

“R-1A” - Single-Family Residential District – The purpose of this District is to provide for single-family residential development of a moderately spacious character where public utilities are present to support the development. The District is also designed to protect and preserve existing development of a similar character.

In “R-1A” District, no building, structure, land or premises shall be used and no building or structure shall be hereafter erected, constructed, reconstructed, moved or altered, except for one or more of the following uses: single family dwellings and group homes as defined by the Regulations.

In the “R-1A” Single-Family Residential District, the height of the buildings or structures shall not exceed 35 feet and/or 2 ½ stories in height. The depth of the front yard shall be at least 25 feet. There shall be a side yard on each side of the dwelling. No side yard shall be less than 5 feet. The depth of the rear yard shall be at least 20 feet. The minimum width of a lot shall be 80 feet. The minimum depth of a lot shall be 100 feet. Every dwelling hereafter erected, constructed, reconstructed, moved or altered, shall provide a minimum lot area of 10,000 square feet per family.

“R-1B” – Single-Family Residential District – The purpose of this District is to provide for single-family residential development of a higher density, serviced by public utilities, and accessible to public infrastructure capable of supporting the development. The District is also designed to protect and preserve existing development of a similar character.

In “R-1B” District, no building, structure, land or premises shall be used and no building or structure shall be hereafter erected, constructed, reconstructed, moved or altered, except for one or more of the following uses: single-family dwellings and group homes as defined by the Regulations.

In the “R-1B” Single-Family Residential District, the height of the buildings or structures shall not exceed 35 feet and/or 2 ½ stories. The depth of the front yard shall be at least 25 feet. There shall be a side yard on each side of the dwelling. No side yard shall be less than 5 feet. The depth of the rear yard shall be at least 20 feet. The minimum width of a lot shall be 65 feet. The minimum depth of a lot shall be 100 feet. Every dwelling hereafter erected, constructed, reconstructed, moved or altered, shall provide a minimum lot area of 7,000 square feet per family.

C-1 – Highway Business – This district is intended to provide commercial locations for uses which serve as a convince to the traveler, require large areas of land, or require a location on a highway or arterial in order to have an efficient operation. Screening and off-street parking are required to reduce adverse effects of surrounding residential uses. Minimum lot area is 7,500 square feet. Minimum lot width is 75 feet. Minimum front yard is 25 feet, side is 10 feet and rear is 20 feet.

C-2 - Office Business – The intent of this district is to provide a zone which is suitable to accommodate service and office uses which are located adjacent to the central business district or on arterioles leading to the downtown area. The district is also intended to serve as a transition zone between intensive commercial districts and less intensive residential areas. Minimum lot area is 7,500 square feet. Minimum lot width is 75 feet. Yard requirements; front is 25 feet, side is 10 feet and rear is 20 feet.

I-1 – Light Industrial – The intent of this district is to permit industrial uses that are not obnoxious due to appearance, noise, dust, or odor; that do not require intensive land coverage; and that can be compatibly developed with adjacent districts. Minimum lot requirement is 5,000 square feet. Minimum lot width is 50 feet. Minimum yard requirements; front is 25 feet, side is 10 feet and rear is 30 feet.

I-2 – Heavy Industrial – The “I-2” Heavy Industrial District is intended for the purpose of allowing basic or primary industries which are generally not compatible with residential and/or commercial activity. Certain extremely obnoxious or hazardous uses will require special permission to locate in this district. Minimum lot area is 10,000 square feet. Minimum lot width is 100 feet. Minimum yard requirements; front is 25 feet, side is 10 feet and rear is 30 feet.

FW – Floodway Overlay District – FF – Flood fringe Overlay District – These two zones shall be consistent with the numbered and unnumbered A zones as identified on the Flood Insurance Rate Map (FIRM) provided by the Federal Emergency Management Agency.

## Zoning for the City of Larned

### ARTICLE 3 GENERAL PROVISIONS

- 3.10 Jurisdictional Area: The provisions of these regulations shall apply to all structures and land in the incorporated areas of Larned, Kansas; and the unincorporated area within three (3) miles of the corporate limits of Larned, provided that only those quarter-sections of land fully within the three (3) mile area shall be included.
- 3.11. The jurisdictional area shall be shown on the Official Zoning District Map.
- 3.12. In the event that the annexation of land to the City of Larned increases the area to which jurisdiction could be extended, such extension of jurisdiction shall only be made by the same procedure required for the amendment of these zoning regulations as provided by Article 10.
- 3.20. Establishment of Districts: The jurisdictional area is hereby divided into thirteen (13) zoning districts which are designated as follows:

“A-1” Agricultural District  
 “A-2” Agricultural District – Urban Fringe  
 “R-S” Suburban Residential District  
 “R-1” Single-Family Residential District  
 “R-2” Two-Family Residential District  
 “R-3” Multi-Family Residential District  
 “R-4” Mobile Home Park Residential District  
 “C-1” Highway Business District  
 “C-2” Office Business District  
 “C-3” Central Business District  
 “I-1” Light Industrial District  
 “I-2” Heavy Industrial District

- 3.30 Zoning District Maps: The boundaries of the districts are shown on the Official Zoning District Maps which are filed in the office of the City Clerk. Each of the said zoning maps, with all notations, references and other information shown thereon, is as much a part of these zoning regulations as if such notations, references and other information were specifically set forth herein.
- 3.40 Rules Where Uncertainty May Arise: Where uncertainty exists with respect to the boundaries of the various districts as shown on the Official Zoning District Maps, incorporated herein, the following rules apply:
- 3.41 The district boundaries are the centerlines of streets, alleys waterways, and railroad right-of-way, unless otherwise indicated; and where the designation of boundary line on the zoning map coincides with the location of a street alley, waterway, or railroad right-of-way, the centerline of such street, alley, waterway or railroad rights-of-way shall be construed to be the boundary line of such district.
- 3.42 Where the district boundaries do not coincide with the location of streets, waterways, or railroad rights-of-way but do coincide with lot lines, such lot lines shall be construed to be the boundary of such district.
- 3.43 Where the district boundaries do not coincide with the location of streets, waterways, or railroads, or railroad rights-of-way, the district boundaries shall be determined by the use of the scale shown on the zoning map.
- 3.50 Exemptions: The following structures and uses shall be exempt from the provisions of these regulations except for the provisions of Article 13:
- 3.51 Poles, wires, cables, conduits, vaults, laterals, pipes, mains, valves, or other similar equipment for the distribution to consumers of telephone or other communications, electricity, gas, or water, or the collection of sewage or surface water operated or maintained by a public utility but not including substations located on or above the surface of the ground.
- 3.52 Railroad tracks, signals, bridges and similar facilities and equipment located on a railroad right-of-way and maintenance and repair work on such facilities and equipment.
- 3.53 Agriculture as defined by these regulations, except that these uses shall not be exempt from front yard requirements. In the event that any structure or land ceases to be used only for agriculture, then such structure or land shall be subject to the applicable regulations of this ordinance.
- 3.54. Retaining walls.
- 3.55. Public signs.

- 3.60. Application of Regulations: The following general requirements shall apply to all zoning districts.
- 3.61. No building, structure or land shall hereafter be used or occupied and no building or structure or part thereof shall hereafter be erected, constructed, reconstructed, moved or structurally altered except in conformity with these regulations.  
For the purpose of determining setback requirements, a satellite antenna shall be considered an accessory building and shall comply with the requirements of Section 5.22 of Article 5 of this Ordinance.  
Before a satellite antenna is placed or installed on any lot or tract of land subject to the provisions of the Larned Zoning Ordinance, a building permit shall first have been obtained pursuant to Sections 11.21, 11.30, 11.40 and 11.80 of said Ordinance. Application for such permit shall be made on a form provided by the City Clerk, the fee charged for the issuance of such permit shall be Five Dollars (\$5.00) and a permit shall not be issued until the Zoning Administrator has inspected and approved the location proposed by the applicant and a description thereof entered by the Zoning Administrator on said application and permit showing compliance with the required setback distances, which application shall be retained by the Zoning Administrator as a City record.
- 3.70. Annexed Land: All land which hereafter may be annexed to the City of Larned shall be classified the same as its classification prior to annexation.

#### **ARTICLE 4 DISTRICT REGULATIONS**

- 4.10. “A-1” AGRICULTURAL DISTRICT.
- 4.11. Intent: It is the intent of this district to provide for agricultural and related uses; and preserve and protect agricultural resources.
- 4.12. Permitted Uses: Generally, farming and ranching operations, single-family homes (including mobile home on permanent foundations), recreational, religious educational, institutional and public uses are permitted. For a specific listing or permitted uses, see Appendix “A” of these regulations.
- 4.13. Conditional Uses: Generally, feedlots, livestock auction facilities, sand and gravel extraction, oil and gas operations, salvage yards and the sale of agricultural products are allowed on a conditional basis. For a specific listing of conditionally permitted uses, see Appendix “A” of these regulations.
- 4.14. Intensity of Use Regulations:  
1. Minimum lot area: 40 acres for residential uses; 1 acre for all other uses.  
Providing, however, that for each contiguous forty (40) acre tract of land under one ownership, one lot of no less than (1) acre in size may be sold off for single-family residential purposes. This residence is permitted in addition to the residence that is permitted on the original forty (40) or more acre tract.
2. Minimum lot width: 150 feet
- 4.15. Height Regulations: Maximum structure height: 35 feet.
- 4.16. Yard Regulations:  
1. Maximum front yard:  
a. The front yard shall be a minimum of 25 feet in depth measured from the front lot line, except on collector streets, the minimum front yard shall be 65

feet measured from the centerline of the street; and except on arterial streets, the minimum front yard shall be 75 feet measured from the centerline of the street.

- b. Where lots have a double frontage, the required front yard shall be provided on both streets.
  - c. In those instances where lots front on both intersecting streets within the same block, the corner lot shall maintain a front yard set out in “a” above on both streets.
  - d. In those instances where lots front on only one of the intersecting streets within the same block, the corner lot shall maintain a front yard setback, as set out in “a” above, or that street upon which other lots front and the setback on the other intersecting street may be reduced to not less than 15 feet.
  - e. The buildable width of a lot of record at the time of the passage of this regulation need not be reduced to less than 35 feet, except where necessary to provide a yard along the side street with a depth of not less than five (5) feet.
- 2. Minimum side yards: 10 feet on each side of a zoning lot.
  - 3. Minimum rear yard: 30 feet.

4.17. Use Limitations: None

4.20. “A-2” AGRICULTURAL DISTRICT – URBAN FRINGE

4.21. Intent: It is the intent of this district to provide for agricultural and related uses in a manner which will facilitate the eventual conversion of the land in this district to more intensive urban uses.

4.22. Permitted Uses: Generally, farming operations, single-family residences, religious uses, see Appendix “A” of these regulations.

4.23. Conditional Uses: Generally, modular homes used as single-family residences, cemetery, petroleum (crude) and natural gas drilling and semi-public uses are permitted on a conditional basis. For a specific listing of conditionally permitted uses, see Appendix “A” of these regulations.

4.24. Intensity of Use Regulations:

- 1. Minimum lot area: Twenty acres for residential uses; one acre for all other uses. Providing, however, that for each contiguous twenty (20) acre tract of land under one ownership, one lot containing not less than 12,500 square feet in size may be sold off for single-family residential purposes. This residence is permitted in addition to the residence that is permitted on the original twenty (20) or more acre tract.
- 2. Minimum lot width: 125 feet.

4.25. Height Regulations: Maximum structure height: 35 feet.

4.26. Yard Regulations: Same as “A-1” District. See Section 4.16.

4.27. Use Limitations: None.

4.30. “R-S” SUBURBAN RESIDENTIAL DISTRICT

4.31. Intent: The intent of this district is to provide for low density residential development in a suburban setting, including those supplementary uses which reinforce residential neighborhoods.

- 4.32. Permitted Uses: Generally, single-family residences, parks, and home occupations are permitted. For specific listing of permitted uses, see Appendix “A” of these regulations.
- 4.33. Conditional Uses: Generally, educational and religious uses are permitted. For a specific listing of conditionally permitted uses, see Appendix “A” of these regulations.
- 4.34. Intensity of Use Regulations:
1. Minimum lot area: 1 acre.
  2. Minimum lot width: 150 feet.
- 4.35. Height Regulations: Maximum structure height: 35 feet.
- 4.36. Yard Regulations: Same as “A-1” District. See Section 4.16.
- 4.37. Use Limitations: None
- 4.40. “R-1” SINGLE-FAMILY RESIDENTIAL DISTRICT
- 4.41. Intent: The intent of this district is to provide for low density residential development including those uses which reinforce residential neighborhoods.
- 4.42. Permitted Uses: Generally, single-family residence, parks and home occupations are permitted. For a specific listing of permitted uses, see Appendix “A” of these regulations.
- 4.43. Conditional Uses: Generally, educational and religious uses, physicians’ services, dental services, chiropractors’ services and Day Care Centers are permitted on a conditional basis. For a specific listing of those uses which are conditionally permitted, see Appendix “A” of these regulations.
- 4.44. Intensity of Use Regulations:
1. Minimum lot area: 7,500 square feet.
  2. Minimum width: 60 feet.
- 4.45. Height Regulations: Maximum structure height: 35 feet.
- 4.46. Yard Regulations: Same as “A-1” District. See section 4.16.
- 4.47. Use Limitations: None
- 4.50. “R-2” TWO-FAMILY RESIDENTIAL DISTRICT
- 4.51. Intent: The intent of this district is to provide for moderate density residential development, including two-family and higher density single-family dwellings, in a manner which will encourage a strong residential neighborhood.
- 4.52. Permitted Uses: Generally, single-family residences, two-family residences and home occupations are permitted. For a specific listing of permitted uses, see Appendix “A” of these regulations.
- 4.53. Conditional Uses: Generally, attached single-family dwellings, zero lot line single-family dwellings, educational and religious uses and physicians’ services, dental services, and chiropractors’ services are permitted on a conditional basis. For a specific listing of conditionally permitted uses see Appendix “A” of these regulations.
- 4.54. Intensity of Use Regulations:
1. Minimum lot area: Single –family – 5,000 square feet  
Two-family – 3,000 square feet  
Single-family attached – 3,000 square feet/dwelling unit.  
Other uses – 7,500 square feet
  2. Minimum lot width: 150 feet.
- 4.55. Height Regulations: Maximum structure height: 35 feet.

- 4.56. Yard Regulations:  
1. Front Yard: Same as “A-1” District.  
2. Side Yard: Not less than five (5) feet, except as provided in Sections 9.23f and 9.23g.  
3. Rear Yard: Same as “A-1 District.
- 4.57. Use Limitations: None
- 4.60. “R-3”MULTI-FAMILY RESIDENTIAL DISTRICT
- 4.61. Intent: The intent of this district is to provide for high density residential development, including single family, two-family and multi-family residences, in a manner which will encourage a strong residential neighborhood.
- 4.62. Permitted Uses: Generally, single-family residences, two-family residences and multi-family dwellings and home occupations are permitted. For a specific listing of permitted uses, see Appendix “A” of these regulations.
- 4.63. Conditional Uses: Generally, single-family dwellings and zero lot line dwellings, group or boarding homes, nursing homes, educational and religious uses and physicians’ services, dental services and chiropractors services basis. For a specific listing of conditionally permitted uses, see Appendix “A” of these regulations.
- 4.64. Intensity of Use Regulations:  
1. Minimum lot area: Single –family – 5,000 square feet  
Two-family – 3,000 square feet/dwelling unit.  
Single-family attached – 3,000 square feet/dwelling unit.  
Multi-family – 1,500 square feet/d.u. or 6,000 square feet, whichever is less.  
Dwellings for the Elderly – 1,000 square feet/d.u.  
Other uses – 7,500 square feet.  
2. Minimum lot width: 50 feet.
- 4.65. Height Regulations: Maximum structure height: 45 feet.
- 4.66. Yard Regulations: Same as in “R-2” District, except that multi-family uses shall have a side yard of not less than seven (7) feet.
- 4.67. Use Limitations: None
- 4.70. “R-4” MOBILE HOME PARK RESIDENTIAL DISTRICT
- 4.71. Intent: It is the intent of this district to provide low density mobile home park development which is compatible with the character of the surrounding neighborhood in which it is located. Mobile home parks are considered as a residential use and should be located in areas where services and amenities are available such as those found in conventional residential areas.
- 4.72. Permitted Uses: The listing of permitted uses is set out in Appendix “A” of these regulations.
- 4.73. Conditional Uses: The listing of conditional uses is set out in Appendix “A” of these regulations.
- 4.74. Intensity of Use Regulations:  
1. Minimum lot area: Mobile home park, 5 acres.  
2. Minimum lot width: 300 feet.
- 4.75. Height Regulations: Maximum structure height: 35 feet.

4.76. Yard Regulations: Same as in “A-1” District. See Section 4.16.

4.77. Use Limitations: Each mobile home park shall be designed in accordance with the following minimum design standards:

1. Minimum design standards:

- a. The park shall be located on a well-drained site, properly graded to insure rapid drainage and freedom from stagnant pools of water.
- b. Mobile home parks hereafter approved shall have a maximum density of eight (8) mobile homes per gross acre, and a minimum area of 4,000 square feet shall be provided for each mobile home space.
- c. Each mobile home space shall be at least 40 feet wide and be clearly defined.
- d. Mobile home shall be located on each space so as to maintain a setback of no less than 30 feet from any public street, highway right-of-way or residential district boundary; as to maintain a setback of no less than ten (10) feet from the edge of a park roadway or sidewalk or a rear boundary line when such boundary line is not common to any public street, highway right-of-way or “R-4” District boundary; and as to maintain a setback of no less than five (5) feet from any side boundary line of a mobile home space.
- e. All mobile homes shall be so located to maintain a clearance of not less than twenty (20) feet from another mobile home and as to maintain a clearance of not less than twenty (20) feet between any mobile home. No mobile home shall be located closer than 25 feet from any building within the park.
- f. All mobile home spaces shall front upon a private roadway of not less than 24 feet in width, including curbs on each side; provided, however, that no on-street parking is permitted. If parallel parking is permitted on one side of the street, the width shall be increased to 30 feet and if parallel parking is permitted on both sides of the street, the width shall be increased to 36 feet. All roadways shall have unobstructed access to a public street.
- g. Common walks shall be provided in locations where pedestrian traffic is concentrated; for example, to the entrance and to the office and other important facilities. Common walks should preferably be through interior areas removed from the vicinity of streets.
- h. All roadways and sidewalks within the mobile home park shall be of all-weather surfacing and shall be adequately lighted at night.
- i. A community building may be provided which may include recreation facilities, laundry facilities, storm shelter and other similar uses.
- j. Each mobile home park shall devote a minimum of 200 square feet per mobile home space for recreational area. Individual recreational areas shall not be less than 5,000 square feet and required setbacks, roadways and off-street parking spaces shall not be considered as recreation space. A minimum of 50% of the recreational facilities shall be constructed prior to the development of one-half of the project and all recreational facilities shall be constructed by the time the project is 75% developed.
- k. Each mobile home space shall be provided with a paved patio or equivalent other than parking space of not less than 200 square feet. No open storage of any unsightly materials shall be permitted within the mobile home park and



the space beneath the mobile home shall be considered open storage.

2. Water Supply:

- a. An accessible, safe and potable supply of water as approved by the State Health Department shall be provided in each park. If a public water supply is reasonably available to the park, it shall be used.
- b. The size, location and installation of water lines shall be in accordance with the requirement of the Building Codes of the City.
- c. Individual water service connections shall be provided at each mobile home space.
- d. When a private water supply is provided, it shall provide an adequate water supply with minimum flow rates of four (4) gallons per minute for each of the first five (5) mobile home spaces; an additional two (2) gallons per minute for each additional space for the next ten (10) spaces; an additional one and one-half (1-1/2) gallons per minute for each additional space for the next twenty-five (25) spaces; and an additional one (1) gallons per minute for each additional twenty (20) pounds per square inch of pressure at all connections provided.

3. Sewage Disposal:

- a. Individual sewer connections shall be provided for each mobile home space and shall be installed in accordance with the Building Codes of the City. If a public sewer system is reasonably available to the park, it shall be used.
- b. When the sewer lines of the park are not connected to a public sewer, a sewage treatment plant or sewage disposal system approved by the County Health officer shall be provided.

4. Tie-downs and Ground Anchors: All mobile homes shall be secured to the ground by tie-downs and ground anchors in accordance with the Mobile Home and Recreational Vehicle Code, K.S.A. 75-1211 to 75-1234.
5. Electrical: Each mobile home space shall be provided with an individual outlet supply which shall be installed in accordance with the Building Codes of the City and requirements of the electric supplier.
6. Gas: Natural gas hookups, when provided, shall be installed in accordance with the Building Codes of the City and the regulations of the supplier.

7. Refuse and Garbage Handling:

- a. Storage, collection and disposal of refuse in a park shall be so conducted as to create no health hazards, harborage, insect breeding areas, accident, fire hazards or air pollution.
  - b. All refuse shall be stored in fly-tight, watertight, rodent-proof containers. containers shall be provided in sufficient number and capacity to properly store all refuse.
  - c. Refuse racks shall be provided for all refuse containers. Such racks shall be designed as to prevent the containers from being tipped to minimize spillage and container deterioration and to facilitate cleaning around them.
  - d. Refuse and garbage shall be removed from the park at least once each week. all refuse shall be collected and transported in covered vehicles or covered containers.
  - e. The park owner shall insure that containers at all stands are emptied regularly and maintained in a usable sanitary condition.
8. Blocking: All mobile homes shall be blocked at a maximum of ten (10) foot centers around the perimeter of each mobile home and this blocking shall provide twenty-four (24) inches by twenty-four (24) inches bearing upon the stand.
9. Pad Requirements: Shall be a flexible surface with a minimum of five (5) inches thick gravel, stone or compacted surface, treated to discourage plant growth, constructed to discharge water and edged to prohibit fraying or spreading of surfacing materials; or shall be of a hard surface of a minimum of two eighteen (18) inch wide concrete ribbons or slabs capable of carrying the weight and of sufficient length to support all blocking points of the mobile home.
10. Fire Safety Standards: When liquefied petroleum gas is used in a mobile home park, containers for such gas shall not hold more than twenty-five (25) gallons water capacity, shall be the liquefied petroleum gas containers approved by the United State Commerce Commission for its intended purposes, and shall be attached to the mobile home in a manner approved by the Liquefied Petroleum Gas Association.

4.78

Application Requirements:

1. An applicant for "R-4" Mobile Home Park District shall prepare or cause to be prepared a preliminary Mobile Home Park Plan, drawn to scale of not less than 1"-100', and twenty (20) copies of said Plan shall be submitted to the Planning Commission for its review and recommendations. Said plan shall be designed in accordance with Section 4-77.1 Minimum Design Standards and shall have contours shown to two (2) foot intervals.

2. Upon approval of the preliminary mobile home park plan by the Planning Commission, the applicant shall prepare and submit a final plan which shall incorporate any changes or alterations requested. The final plan and the Planning Commission recommendation shall be forwarded to the Governing Body for their review and final action.
3. Any substantial deviation from the approved plan, as determined by the Zoning Administrator, shall constitute a violation of the zoning certificate authorizing construction of the project. Changes in plans shall be resubmitted for reconsideration and approval by the Planning Commission and the Governing Body prior to the issuance of a zoning certificate.

## **PART V: PROPERTY ELIGIBLE FOR A TAX REBATE**

**PLAN A:** Larned City, Pawnee County, USD #351, #495, and #496.

**PLAN B:** Burdett, Garfield and Rozel Cities, Pawnee County and USD #495 and #496.

### *Residential Improvements:*

Rehabilitation, additions or new construction of any residential dwelling structure, including single and multi-family, as may be permitted in the Comprehensive Zoning Regulations, provided there is a minimum increase of \$1,150 in Assessed Valuation for residential property to receive a tax rebate.

### *Commercial and Agricultural Improvements:*

Rehabilitation, additions or new construction of any office, industrial, commercial or agricultural structure(s) as may be permitted by the Comprehensive Zoning Regulations provided there is a minimum increase of \$2,500 in Assessed Valuation on agricultural, commercial, and/or industrial property to receive a tax rebate.

See Map – Attachment A - For property and areas within the Pawnee County limits eligible for the Pawnee County Neighborhood Revitalization Program.

## **VI: CRITERIA FOR DETERMINATION OF ELIGIBILITY**

1. “Structure” means any building, wall or other structure, including the building and improvements to existing structures and fixtures permanently assimilated to the real estate.

Exceptions will include, but not necessarily be limited to:

- Non-real estate items
- Sprinkling systems, fences, landscaping, garden type structures, hot tubs, above ground swimming pools, sidewalks, driveways, irrigation wells and equipment, (both agriculture and residential.)

2. Both plans will remain in effect through December 31, 2018, and will be re-evaluated at any time. A property owner may apply for tax rebate as appropriate any time during the program. The length of the tax rebate will be for seven (7) years for Agricultural, Commercial and Industrial Properties and seven (7) years for residential property. Any application approved by December 31, 2018, will receive the tax rebate.
3. Construction of an improvement must have begun on or after January 1, 2014, provided, however, that no application will be processed until the inter-local agreement has been approved by the Kansas Attorney General's office.
4. There must be a minimum increase of \$1,150 in Assessed Valuation for residential property (which equates to about \$10,000 in appraised value) to receive a tax rebate. Cost estimates of the proposed investment must be submitted with this application. There must be a minimum increase of \$2,500 in Assessed Valuation on agricultural, commercial and /or industrial property, (which equates to about \$10,000 on appraised value depending on type of business) to receive a tax rebate. Cost estimates of the proposed investment must be submitted with this application. Minimum increase amounts are valid for both Plans.
5. New as well as existing improvements on property must conform with all codes, rules, and regulations in effect at the time the improvements are made. Tax rebates may be terminated if improvements or new construction do not conform to code during the seven year rebate period.
6. Any property owner that is delinquent in any real estate tax payment and/or special assessment in Pawnee County shall not be eligible for any rebate and will be removed from the Revitalization Program if delinquency occurs during their 7-year period and will forfeit any current or future rebates. Delinquency is defined as; "Any tax and/or special assessment that is not paid by the scheduled due dates and has entered into a period where interest is assigned as a penalty by the county for unpaid condition." NOTE: Any commercial or industrial property valued at \$200,000 or more which has been removed from the Revitalization Program due to delinquent taxes, and subsequently has an arms-length transaction sale, the NEW owner may request the Committee to reevaluate and reinstate the property's participation in the Program for the remaining years left on the original application.
7. Qualified improvements or new construction eligible for tax rebates under the Pawnee County Neighborhood Revitalization Plan may submit only one application per project.
8. Tax rebates are subject to approval through the process set out in "Part X, Standards and Criteria for Review and Approval". See the County Clerk of taxing units who have adopted the Tax Rebate Program of the Pawnee County Neighborhood Revitalization Plan. A tax rebate will be based on the increase (increment) in appraised value.
9. Tax rebates will transfer with ownership of the qualifying property. The participating owner is responsible for passing on the rules and general information of the plan to subsequent owners.

10. The tax rebate is made within sixty (60) days after the real estate tax is paid in full. If property tax is paid in semiannual payments, the rebate is made following the last payment.

11. In any given year (1 through 7), 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.

12. Construction must be completed in one year with a one year automatic extension. Extensions beyond that period will be considered on a case by case basis.

## **PART VII: CONTENTS OF AN APPLICATION FOR A REBATE OF PROPERTY TAX INCREMENTS.**

### **Part I – General Information**

- A. Owner's Name
- B. Address of Property
- C. Legal Description of Property
- D. Day Phone Number
- E. E-Mail Address
- F. Existing/Proposed Property Use
- G. Type of Improvements (Exterior or Interior)
- H. Estimated Date of Completion
- I. Estimated Cost of Improvements
- J. Estimated Tax Rebate
- K. Type of Structure, Single, Two, or Multi-Family, Commercial, Agricultural
- L. List of Buildings Proposed to be or Actually Demolished (if any)
- M. If Residential Rental Property, a List of Current Tenant(s) Occupying the Structure and Date of Tenant(s) Occupancy or Relocation.

See next page for a more comprehensive look at the application procedure.

## PART VIII. APPLICATION PROCEDURE

Prior to filing the Application for Neighborhood Revitalization Plan's Tax Rebate, you will need to do the following:

1. Obtain a permit for new construction or construction of improvements to existing structures from the Pawnee County Zoning Administrator, or if the improvements are within the "3-Mile" jurisdiction zone of the City of Larned or within the city limits of Larned, Kansas, the City of Larned Zoning Administrator. If the construction is within the city limits of Garfield, Burdett or Rozel, a permit would be obtained from that city's Zoning Administrator. It shall be the responsibility of the issuing Zoning Administrator to inform the applicant of the availability of the possible tax credit.
2. Obtain an application from the County Appraiser's Office.
3. Prior to the commencement of construction on any improvement or new construction for which a tax rebate will be requested, the applicant-owner will complete Part 1 of the Pawnee County Neighborhood Revitalization Application. **Requests must be received and approved by the review committee pursuant to "Part X, Standard and Criteria for Review and Approval" before commencement of construction.**  
**There will be no exceptions!!**
4. Part 1 of the application must be filed with the County Appraiser's Office, with a non-refundable \$40.00 application fee prior to the commencement of construction.
5. The County Appraisers Office will review a copy of Part 1 and Part 2 of the application within fifteen (15) working days, indicating approval or denial of the project within the Neighborhood Revitalization guidelines, with the final determination pending upon the increased valuation of said property.
6. Copies of the application will be held on file at the County Appraisers Office of Pawnee County.
7. For any improvement that is only partially completed as of January 1 following the commencement of construction:
  - A. The owner-applicant will file Part 3 with Pawnee County Appraiser on or before December 15 preceding the commencement of a tax rebate period indicating their anticipated status of construction on January 1.
8. For any improvement that is completed on or before January 1, following the commencement of construction:
  - A. The owner-applicant will file Part 3 of the application with the County Appraiser on or before December 31, preceding commencement of the tax rebate period, certifying the completion of construction.
9. Soon after January 1, the County Appraiser will conduct an on-site inspection of the new construction project (improvement, rehabilitation, or new) and determine the new valuation of the real estate accordingly. The valuation is then reported to the County Clerk by June 15. The tax records will be revised.
10. Upon filing Part 3, and the determination of the new valuation of the said real estate, the form will be filed the County Appraiser certifying the project is in compliance with the eligibility requirements for a tax rebate. The owner-applicant will be notified immediately.

11. Upon payment in full of the real estate tax for the subject property for the initial and each succeeding year period extending through the specified rebate period, and within a thirty (30) day period following the date of tax distribution by Pawnee County to the other taxing units, a tax rebate in the amount of the tax increment will be made to the owner. The tax rebate will be made by the County Treasurer of Pawnee County through the Neighborhood Revitalization Fund established in conjunction with the other taxing units participating in an Inter-local Agreement.

BUILDING PERMIT # \_\_\_\_\_

TAX ID# \_\_\_\_\_

**APPLICATION FOR TAX REBATE UNDER PAWNEE COUNTY  
NEIGHBORHOOD REVITALIZATION PLAN  
PART 1**

**CIRCLE ONE**

**PLAN A**

**PLAN B**

Owner's Name \_\_\_\_\_ Day Phone No. \_\_\_\_\_

Owner's Mailing Address \_\_\_\_\_

Owner's E-Mail Address \_\_\_\_\_

Address of Property \_\_\_\_\_

Parcel Information Number \_\_\_\_\_

Legal Description of Property

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Use additional sheets if necessary)

Proposed Property Use

**Residential:** \_\_\_\_ New OR \_\_\_\_ Rehab; \_\_\_\_ Rental OR \_\_\_\_ Owner-Occupied

\_\_\_\_ Residence \_\_\_\_ Other (explain) \_\_\_\_\_

\_\_\_\_ Single Family \_\_\_\_ Multi-Family \_\_\_\_ Number of Units

**Commercial:** \_\_\_\_ New OR \_\_\_\_ Rehab; \_\_\_\_ Rental OR \_\_\_\_ Owner-Occupied

**Industrial:** \_\_\_\_ New OR \_\_\_\_ Rehab; \_\_\_\_ Rental OR \_\_\_\_ Owner-Occupied

**Agricultural:** \_\_\_\_ New OR \_\_\_\_ Rehab; \_\_\_\_ Rental OR \_\_\_\_ Owner-Occupied

Improvements and Associated Costs (Attach drawings and dimensions)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Use additional sheets if necessary)



**PART 1, Continued . . .**

Estimated or Actual Date of Completion \_\_\_\_\_

Estimated or Actual Cost of Improvements      Materials \$\_\_\_\_\_ Labor \$\_\_\_\_\_  
(Documentation is needed to support these)

List of Buildings Proposed to be or Actually Demolished \_\_\_\_\_  
\_\_\_\_\_

Does the applicant own the land? \_\_\_\_\_ Yes      \_\_\_\_\_ No

Will the proposed project be on a foundation?      \_\_\_\_\_ Yes      \_\_\_\_\_ No

How will the proposed be taxed? \_\_\_\_\_ Property      \_\_\_\_\_ Real Estate

I have read and do hereby agree to follow all application procedures and criteria. I further understand that this application will void one year from the date below, if improvements or construction hasn't begun.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

\* A non-refundable \$40 application fee must accompany this application.

**FOR COUNTY APPRAISER'S USE ONLY**

As of \_\_\_\_\_, 20\_\_\_\_, the assessed valuation is:

Land	\$
Improvements	\$
TOTAL	\$

Based upon the above listed improvements and associated costs supplied by the applicant, the improvements will \_\_\_\_\_ will not \_\_\_\_\_ meet the terms for a tax rebate.

By \_\_\_\_\_ Date \_\_\_\_\_  
*Pawnee County Appraiser's Office*

**APPLICATION FOR TAX REBATE UNDER PAWNEE COUNTY  
NEIGHBORHOOD REVITALIZATION PLAN  
PART 2**

***COMMENCEMENT OF CONSTRUCTION***

Construction Estimated to Begin On \_\_\_\_\_ Building Permit No. \_\_\_\_\_  
(where applicable)

Estimated Date of Completion of Construction \_\_\_\_\_

By \_\_\_\_\_ Date \_\_\_\_\_  
(Applicant's Signature)

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**APPLICATION FOR TAX REBATE UNDER PAWNEE COUNTY  
NEIGHBORHOOD REVITALIZATION PLAN  
STATUS OF CONSTRUCTION/COMPLETION  
PART 3**

\_\_\_\_\_ Incomplete Project as of January 1, \_\_\_\_\_ following commencement.

\_\_\_\_\_ Complete Project as of January 1, \_\_\_\_\_ following commencement.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
(Applicant's Signature)

**FOR COUNTY APPRAISER'S USE ONLY**

The Above Improvements:

\_\_\_\_\_ Meets the minimum increase of \$1,150 in Assessed Valuation for Residential Property

\_\_\_\_\_ Does not meet the increase of \$1,150 in Assessed Valuation for Residential Property

\_\_\_\_\_ Meets the minimum increase of \$2,500 in Assessed Valuation for Agricultural,  
Commercial, or Industrial Property

\_\_\_\_\_ Does not meet the increase of \$2,500 in Assessed Valuation for Agricultural,  
Commercial, or Industrial Property

By \_\_\_\_\_ Date \_\_\_\_\_  
*Pawnee County Appraiser's Office*

**FOR COUNTY CLERK'S USE ONLY**

As of \_\_\_\_\_, 20\_\_\_\_, Taxes on This Parcel \_\_\_\_Are \_\_\_\_Are Not Current

By \_\_\_\_\_ Date \_\_\_\_\_  
*Pawnee County Clerk's Office*

## **PART X. Standards and Criteria for Review and Approval.**

Each of the governing bodies of the taxing units participating in the Pawnee County Neighborhood Revitalization Plan shall designate one (1) representative to serve on a review committee, which committee shall have authority and discretion to approve or reject applications for tax rebates. Each governing body shall submit the name and contact information of their designated representative to the Pawnee County Appraiser's office. Upon receipt of an application for tax rebate the Pawnee County Appraiser's office will schedule a meeting with the representatives of the taxing units that levy taxes on the real estate described in the application for rebate. The representatives of the taxing unit, levying taxes on the real estate described in the application for rebate shall constitute the review committee. Said committee shall meet ten (10) days after receipt of the application for tax rebate. In the event said review committee rejects the application the Pawnee County Appraiser's office will immediately notify the applicant of the rejection and the applicant's right to file a written appeal to the Pawnee County Appraiser's office within ten (10) days of the receipt of the notice of rejection. In the event of a notice of appeal filed with the Pawnee County Appraiser's office, the Pawnee County Appraiser's office will notify the governing bodies of the taxing units levying taxes on the property described in the rejected tax rebate application within ten (10) days of the date of the receipt of said notice of appeal. Each governing body receiving a notice of appeal will make final determination on the application for tax rebate. To override and grant a rejected application for rebate, one hundred percent (100%) of the governing bodies of the taxing units levying taxes on the real estate described in the rejected application must determine that said application should be granted.

## **PART XI. Conditions For Rebate Termination**

1. Failure to build or maintain the property to applicable codes, rules and regulations shall cause the rebate application to be terminated.
2. If the owner-applicant fails to pay the full property tax amount thereof on or before December 20 of each year, or ½ thereof on or before December 20 and the remaining ½ thereof on or before May 10<sup>th</sup>, the property will be removed from the eligible rebate program. Whenever any date prescribed for the payment of property taxes occurs on a Saturday or Sunday, such date for payment shall be extended until the next following regular business day of the office of the County Treasurer. In addition, any late fees, fines, surcharges are not eligible for rebate.

**PART XII.**  
**NEIGHBORHOOD REVITALIZATION ACT**

**PLAN A – Larned City, Pawnee County, USD #351, #495, and #496.**

**PLAN B – Burdett, Garfield and Rozel Cities, Pawnee County, USD #495 and #496**

**CRITERIA FOR AGRICULTURAL, COMMERCIAL AND INDUSTRIAL PROPERTIES**

**NEW & REHAB PROPERTIES**

**\$2,500+ increase in Assessed Valuation**

**(Equates to \$10,000 in appraised value)**

**CRITERIA FOR RESIDENTIAL PROPERTIES**

**NEW & REHAB PROPERTIES**

**\$1,150+ increase in Assessed Valuation**

**(Equates to \$10,000 in appraised value)**

	<b>PLAN A</b>	<b>PLAN B</b>
<b>YEAR 1</b>	<b>90%</b>	<b>95%</b>
<b>YEAR 2</b>	<b>90%</b>	<b>95%</b>
<b>YEAR 3</b>	<b>90%</b>	<b>85%</b>
<b>YEAR 4</b>	<b>90%</b>	<b>85%</b>
<b>YEAR 5</b>	<b>90%</b>	<b>75%</b>
<b>YEAR 6</b>	<b>75%</b>	<b>65%</b>
<b>YEAR 7</b>	<b>50%</b>	<b>55%</b>

- Each applicant must apply for a permit. This permit is a \$40.00 up-front, non-refundable application fee charged to cover the Appraiser’s office time and administration costs.
  - Shall include stand-alone structures.
  - If the applicant is delinquent on their tax payments one year, the contract is null and void and the applicant will not be eligible for the Neighborhood Revitalization Plan in future years.  
Delinquency is defined as; “Any tax and/or special assessment that is not paid by the scheduled due dates and has entered into a period where interest is assigned as a penalty by the county for unpaid condition.”
  - An annual review of the property will be done by the appraiser after the first year of completion.
  - If the property should sell during the first seven years of the rebate program, the program’s rebate will continue with the new owner.
  - Shall include the rehabilitation of existing structures and/or additions to existing structures.
- \*\*\*The intended purpose or use of the structure will determine if the project is Agriculture, Commercial, Industrial, or Residential.

**PART XIII.**  
**Questions and Answers**

**1. What is the Neighborhood Revitalization Plan?**

During the 1994 legislative session, lawmakers passed Senate Bill 732, which provides tax rebates for new construction and the rehabilitation of existing structures. Each municipality must adopt a plan and designate an area in which they want to promote revitalization and development or redevelopment within the county.

**2. What is a “tax rebate”?**

It is a refund of the property taxes which would otherwise be payable on the actual value added to a property due to a qualified improvement. The rebate only applies to the additional taxes resulting from the increase in assessed value of the property due to the improvement. Under the Neighborhood Revitalization Plan, the taxes relating to the assessed value on the property prior to the improvement may not be reduced and will continue to be payable.

**3. What is a “qualified improvement”?**

Qualified improvement to a structure includes new construction, rehabilitation, and additions.

**4. How is “structure” defined?**

“Structure” means any building, wall or other structure, including the building and improvements to existing structures and fixtures assimilated to the real estate.

**5. What kind of “improvements” will increase the assessed value?**

New construction, additions and major rehabilitations will increase the assessed value. Repairs generally will not increase the assessed value unless there are several major repairs completed at the same time.

**6. How long does the tax rebate run under the Neighborhood Revitalization Plan?**

Both plans will remain in effect through December 31, 2018, and will be re-evaluated at any time. A property owner may apply for tax rebate as appropriate any time during the program. The length of the tax rebate will be for seven (7) years for Agricultural, Commercial and Industrial Properties and seven (7) years for residential property. Any application approved by December 31, 2018, will receive the tax rebate.

**7. Can property taxes be eliminated using the tax rebate?**

There will always be some taxes on property. Under Neighborhood Revitalization, the existing assessed value of the property and the resulting taxes prior to the improvements will continue. Also the rebate begins at 90% of the new assessed value for **PLAN A** and at 95% for **PLAN B**.

**8. How do the terms Assessed Valuation and Appraised Value differ?**

Assessed valuation is the value of the property for taxing purposes, not the appraised value. For example, if the appraised value on a residential building is \$100,000, the assessed value is \$11,500.

**9. How can I determine if I am eligible for a tax rebate?**

There must be a minimum increase of \$1,150 in Assessed Valuation for residential property (which equates to about \$10,000 in appraised value) and \$2,500 in Assessed Valuation (which equates to about \$10,000 in appraised value depending on the type of business) for commercial, industrial or agricultural property. New, as well as existing improvements must conform with all codes, rules and regulations in effect. You should secure a building permit for most improvements, where applicable. Call the County or City Zoning Board to find out if you need a building permit. If building in the 3-mile zone surrounding the City of Larned or the City of Larned, contact the Larned City Zoning Administrator.

**10. If qualified improvements have been made, how does one obtain a tax rebate?**

A property owner must file, and have an approved application with the County Appraiser before construction begins. There will be no exceptions!!

**11. Who applies?**

The property owner. Even if, as a lessee, you are doing the improvements and your lease agreement has you paying the taxes, the property owner must apply. The tax rebate will be included as part of the property's tax record for the term of the rebate regardless of who owns or occupies the property.

**12. How often do I need to apply?**

Apply each year that you make a qualifying improvement to the property, even though the improvements may not actually be completed during the year. If no further improvements are made, the initial application will be sufficient without the property owner having to file an additional application for succeeding years in which a tax rebate is received.

**13. Will the schedule of tax rebates as determined by the increase in assessed value in the first year ever change?**

Yes, the total taxes rebated to you over the seven year period may decrease only if the assessed value of the property decreases. However, if the assessed value of your property increases during the seven years, your rebates will not increase. In other words, the rebate paid in any given year (1-7) will be based upon the lesser of the increase in assessed value from the first year, OR the value assessed in the current year.

## **PART XIV.**

### **BENEFITS OF THE TAX REBATE PROGRAM**

- It will provide incentives for housing improvements.
- The benefits of this program will apply to individual homeowners as well as businesses.
- It does not interfere with current property tax revenues.
- The program will create new long term tax revenue, without creating a fiscal burden for the cities and the county.
- It will offer incentives for development where development might not otherwise occur.
- It will help create jobs because historically jobs follow development.
- It will reverse the outward migration of residents, and the resulting deterioration of neighborhoods within the county.
- It will help stabilize land values.
- It will strengthen the fiscal capacity of our city and county governments to grow and serve our area.
- It provides a limited window of opportunity for participation, thereby prompting immediate response.
- It will encourage housing, commercial and industrial development in the county.



**PART XVI.**  
**PAWNEE COUNTY TAX REBATE WORKSHEET**

**APPRAISER'S SECTION:**

Parcel ID# \_\_\_\_\_ Tract # \_\_\_\_\_ Owner \_\_\_\_\_

Legal Description

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Address \_\_\_\_\_

Appraised Value of Improvements After Rebate Project	\$ _____
Appraised Value of Improvements Before Rebate Project	\$- _____
Appraised Value due to the 20____ Rebate Project	\$= _____
Classification percentage applicable to Rebate Project	% _____
Assessed Value due to 20____ Rebate Project	\$= _____

---

**CLERK'S SECTION:**

Year	Assessed Value 20	Mill Levy of Participators	Tax Subject to Rebate	Rebate Percentage	Amount Tax Rebate
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

## **Pawnee County Neighborhood Revitalization Program Disaster Plan**

This section will be activated when 10% of the dwellings and/or commercial are destroyed or drastically affected by the disaster. The 10% will be calculated in the smallest geographic area participating in the Pawnee County Inter-Local Neighborhood Revitalization Plan affected by the disaster. Also, the prior year assessed value WILL NOT be subtracted from the new valued construction. Once threshold is met, the participating entities that met the threshold will change to disaster formula; for the remainder of the disaster year and one additional tax year. All other participating entities will remain at their original Neighborhood Revitalization Plan.

A disaster is generally defined as the consequence of when a potential natural hazard becomes a physical event and this interacts with human activities and where human vulnerability, caused by the lack of planning, lack of appropriate emergency management or the event being unexpected, leads to financial, structural and human losses. The resulting loss depends on the capacity of the population to support or resist the disaster, their resilience. This understanding is concentrated in the formulation: disasters occur when hazards meet vulnerability.

A natural hazard will hence never result in a natural disaster in areas without vulnerability, e.g. strong earthquakes in uninhabited areas. The term natural has consequently been disputed because the events simply are not hazards or disasters without human involvement. The degree of potential loss can also depend on the nature of the hazard itself, ranging from single lightning strike, which threatens a very small area, to impact events, which have the potential to end civilization.

With the general definition of disaster taken into account, Pawnee County will determine the scope of the disaster by utilizing the following points during the decision making process:

- a) Is the impact of a natural or man-made hazard that negatively affects society or environment;
- b) Any emergency that overwhelms the capability of the local resources;
- c) A serious disruption of the functioning of a community or society causing widespread human, material, economic or environmental losses which exceed the ability of the affected community or society to cope using its own resources;
- d) Any occurrence that causes damage, ecological destruction, loss of human lives, or deterioration of health and health services on a scale sufficient to warrant an extraordinary response from outside the affected community.

- I. See Regulations – Section I
- II. See Regulations – Section II
- III. See Regulations – Section III
- IV. See Regulations – Section IV
- V. See Regulations – Section V
- VI. See Regulations – Section VI
- VII. See Regulations – Section VII
- VIII. See Regulations – Section VIII
- IX. See Regulations – Section IX
- X. See Regulations – Section X
- XI. See Regulations – Section XI
- XII. Rebate Formula \*\*\*
  - a) Criteria for agricultural, commercial and industrial

\$2,500+ increase in Assessed Valuation  
(Equates to \$10,000 in appraised value)

YEAR 1	65%
YEAR 2	65%
YEAR 3	65%
YEAR 4	50%
YEAR 5	40%
YEAR 6	40%
YEAR 7	40%

- Each applicant must apply for a permit. This permit is a \$40.00 up-front, non-refundable application fee charged to cover the Appraiser's office time and administration costs.
- Shall include stand-alone structures.
- If the applicant is delinquent on their tax payments one year, the contract is null and void and the applicant will not be eligible for the Neighborhood Revitalization Plan in future years. Delinquency is defined as; "Any tax and/or special assessment that is not paid by the scheduled due dates and has entered into a period where interest is assigned as a penalty by the county for unpaid condition."
- An annual review of the property will be done by the appraiser after the first year of completion.
- If the property should sell during the first seven years of the rebate program, the program's rebate will continue with the new owner.

b) Criteria for residential property

\$1,150+ increase in Assessed Valuation  
(Equates to \$10,000 in appraised value)

YEAR 1	65%
YEAR 2	65%
YEAR 3	65%
YEAR 4	50%
YEAR 5	40%
YEAR 6	40%
YEAR 7	40%

- Each applicant must apply for a permit. This permit is a \$40.00 up-front, non-refundable application fee charged to cover the Appraiser's office time and administration costs.
- Shall include stand-alone structures.
- If the applicant is delinquent on their tax payments one year, the contract is null and void and the applicant will not be eligible for the Neighborhood Revitalization Plan in future years. Delinquency is defined as; "Any tax and/or special assessment that is not paid by the scheduled due dates and has entered into a period where interest is assigned as a penalty by the county for unpaid condition."
- An annual review of the property will be done by the appraiser after the first year of completion.
- If the property should sell during the first seven years of the rebate program, the program's rebate will continue with the new owner.
- Shall include the rehabilitation of existing structures and/or additions to existing structures.

\*\*\* The intended purpose or use of the structure will determine if the project is agricultural, commercial, industrial, or residential.

XIII See Regulations – Section XIII  
XIV See Regulations – Section XIV  
XV See Regulations – Section XV