

**ECONOMIC DEVELOPMENT INCENTIVES**  
**POLICY MANUAL**



City Council Resolution No. 9855

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**ECONOMIC DEVELOPMENT FINANCING**

**POLICY MANUAL**

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## INTRODUCTION

The City of Springfield seeks to be a community that welcomes new business investment and supports the businesses that have chosen the City as their home. A vibrant business community improves the quality of life for all residents. Quality of life and economic development are interdependent goals. Private investment and job creation can build a stronger community. Community improvement leads to maintaining a vibrant community that will keep existing businesses and attract new ones.

Economic development incentives, if used carefully, can help maintain and build employment opportunities and the property tax base the City needs to be strong. The purpose of this document is to establish the official policies of the City of Springfield for the use of economic development incentives. All projects will be evaluated using both the General Policies and the policies specific to the particular incentive.

The City of Springfield offers incentives in the following broad categories:

- **Special taxing districts** – Pursuant to State law, the City may establish or approve the establishment of special districts that can impose special assessments and/or taxes in order to pay for public improvements or to eliminate blight. These districts require the cooperation of a majority of the property owners in the district. Typical taxing districts include Neighborhood Improvement Districts (NID), Community Improvement Districts (CID) and Transportation Development Districts (TDD).
- **Property tax abatement** – Tax abatement is offered through a variety of programs geared to job creation, private investment, and redevelopment. Typically, the development continues to pay taxes on land and improvements based on their value prior to the new investment. All or a portion of the incremental increase in property taxes is abated for a set period of time. This incentive is sometimes referred to as Chapter 99 (Land Clearance for Redevelopment Authority), Chapter 100 (Industrial Development Bonds), or Chapter 353 (Urban Redevelopment Corporation).
- **Redirection of the incremental increase in taxes** – The development pays all taxes owed and a portion or all of the incremental increase in taxes resulting from development is captured and redirected to pay redevelopment project costs. Taxing jurisdictions continue to receive the taxes based on the pre-development value. A TIF may also capture new taxes imposed after the TIF is approved. This incentive is known as Tax Increment Financing (TIF).
- **Loan programs** – Loans are offered in targeted areas for acquisition and redevelopment of commercial properties.
- **Brownfields programs** – Assistance is available for environmental assessments and for environmental clean-up.

The incentives can be further divided into discretionary and non-discretionary. While most of the City's incentives are discretionary, a few are not. In the case of non-discretionary incentives, the City must provide the incentive if the applicant meets certain conditions.

## **General Policies**

1. It is the policy of the City of Springfield to consider the judicious use of incentives for projects which demonstrate a substantial and significant public benefit by constructing public improvements in support of developments that will, by creating new jobs and retaining existing employment; eliminate blight, strengthen the employment and economic base of the City, increase property values and tax revenues, reduce poverty, create economic stability, upgrade older neighborhoods, facilitate self-sufficiency, and implement the City's Comprehensive Plan and economic development strategy.
2. Developers are strongly encouraged to discuss their projects with staff prior to filing any applications for incentives.
3. The City encourages developers to meet with taxing jurisdictions that will be affected by the incentive.
4. All discretionary incentives will be subject to a "but for" test. There must be a finding by the City Council that the project would not occur, or would only occur at a significantly smaller scale, or will not be financially feasible or stable, or that public benefit will not occur if the incentive is not provided. Discretionary incentives will only be granted to those projects that would not otherwise occur if incentives were not provided, unless the City Council finds there to be an overriding public benefit or a reduction in costs that would otherwise be paid by the City.
5. Discretionary incentives will be granted only at the level necessary to make the project financially feasible.
6. The City encourages sustainable development and will consider additional incentives for those projects that achieve a Silver rating or higher from the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) program.
7. The City will consider additional incentives for projects that create or retain quality jobs that pay wages equal to or higher than the Greene County average wage and offer competitive benefits.
8. The City's "annual appropriation", or General Fund, guarantee will not be pledged for economic development projects, except in extraordinary cases.
9. Taxes will not be reduced below the base year, as established by the individual redevelopment plans, after an incentive is approved.
10. The City will not waive City permit, development, or incentive fees.
11. All projects receiving incentives must be consistent with the City's Comprehensive Plan and must comply with all applicable City zoning and building codes.
12. Since each project is unique, every proposal will be evaluated under the City's Policies on its individual merit and overall contribution to the local economy and the City's goals.
13. The City shall require periodic reporting evidencing compliance with the requirements of the program and measuring the economic benefit to the City and the region.

### **Economic Development Incentive Fees**

The use of economic development incentives is subject to the fees set forth in General Ordinance 5490, adopted August 22, 2005. Please see the *Economic Development Incentives Resource Guide (Resource Guide)* for the fee schedule.

### **Preliminary Funding Agreement**

Some projects requesting incentives are fairly straight-forward and can be handled by existing staff and within current work programs. Larger projects, particularly those that request establishment of a Tax Increment Financing District or use multiple financing tools, require substantial staff commitment and usually necessitate engaging outside consultants. The City does not have a source of funds to pay for costs incurred for additional legal, financial and other consultants or for out-of-pocket expenses and other costs resulting from services to research, analyze and plan for the most appropriate mix of funding sources. In those cases, the City will require that the applicant enter into a Preliminary Funding Agreement. A template for the Preliminary Funding Agreement is found in the *Resource Guide*.

### **State of Missouri Economic Development Incentives**

The State of Missouri offers economic development incentives including programs directed at job creation projects and downtown development. The City works closely with the State of Missouri to coordinate the economic development incentives administered by the Department of Economic Development.

## ECONOMIC DEVELOPMENT INCENTIVES

Program	Sales Tax	Property Tax	Business License Tax	Fees	Special Assessment	Bond Financing	Eminent Domain	Real Property Tax Abatement/Exemption	Personal Property Tax Abatement/Exemption	Sales Tax Exemption	Redirect Property Tax Increment	Redirect Sales Tax Increment	Loans	Grants
Community Improvement District	X	X	X	X	X	X								
Transportation Development District	X	X			X	X	X							
Neighborhood Improvement District					X	X								
Special Business District		X	X			X								
Land Clearance for Redevelopment Authority						X	X	X						
Industrial Development Bonds						X		X	X	X				
Urban Redevelopment Corporation						X	X	X						
Enhanced Enterprise Zone								X						
Access and Infrastructure Agreement												X		
Tax Increment Financing						X	X				X	X		
Small Business Development Loans													X	
Center City Façade Loans													X	
Microenterprise/Business Incentive Loans													X	
Brownfields Assessment Program														X
Brownfields Revolving Loan Fund													X	X

## COMMUNITY IMPROVEMENT DISTRICT

A Community Improvement District (CID) is a non-profit corporation or a separate political subdivision of the state that may be created for the purpose of issuing bonds, levying taxes, and applying special assessments to finance public improvements, public services, and blight removal within a defined area.

**Authorization** Sections 67.1401 to 67.1561 RSMo.

### **Eligible Activities**

Public improvements and services and blight removal may be financed by a CID. The improvements or services must be located or provided within the district boundaries. Eligible public improvements and services include, but are not limited to the following:

#### **Improvements**

- Parks
- Convention Centers
- Parking Lots
- Sidewalks
- Streets
- Bridges
- Storm Water Facilities
- Sanitary Sewer

#### **Services**

- Economic, Planning, Marketing or other Studies
- Waste Collection/Disposal
- Recreational and Cultural Activities
- Special Events
- Cleaning and Maintenance of Public and Private Property
- Security
- Facility Operation **Blight Removal** – CIDs may pay for the costs of demolishing, renovating, and rehabilitating structures (either public or private) that are located within blighted areas.

### **Financing**

The following sources of revenue may be utilized by CIDs organized as either political subdivisions or non-profit corporations:

- **Special Assessments** if approved by owners collectively owning more than 50% of the assessed value, and by more than 50% per capita of property owners in the district
- **Fees and rents** for district property or services
- **Grants**, gifts, or donations

The following sources of revenue are available only to CIDs organized as political subdivisions:

- **Property Tax** – may be imposed if approved by majority vote of qualified voters in the district
- **Sales Tax** – may be imposed in one-eighth of one percent increments up to a maximum of one percent if approved by majority vote of qualified voters in the district

Qualified voters are defined as registered voters living in the district or, if there are no registered voters, the property owners within the district.

**Bonds:** Community Improvement Districts may issue bonds, notes, and other obligations. Such obligations shall mature within 20 years of the date they are issued.

### **Approval Process**

A Community Improvement District is created by petition of the property owners. The petition must contain the signatures of property owners collectively owning more than 50% of the assessed value of real property, and more than 50% per capita of all owners of real property within the district. The petition must also contain the following elements:

1. A 5-year plan that describes the purposes of the proposed district, the proposed public improvements and services, and the estimated costs of those improvements and services;
2. Information on the type of district being proposed and its governance. CIDs may be organized either as a separate political subdivision of the state or as a non-profit corporation (this affects how the district may fund improvements and select its board of directors);
3. The maximum rates of property taxes and special assessments, if any, that may be imposed;
4. A statement concerning whether a sales tax will be sought;
5. A statement of limitations on the borrowing capacity and revenues of the district; and
6. The period of time the CID will exist.

State law provides specific direction concerning the elements that must be contained in the petition. The City of Springfield has adopted a form petition and cooperative agreement that developers are strongly encouraged to use in drafting documents for establishment of a Community Improvement District.

State law also provides specific direction concerning the time period for certification of the petition by the City Clerk and for notice to property owners and the public. After giving proper notice, City Council shall hold a public hearing. Following the public hearing, City Council may adopt an ordinance establishing the district. The process for creating a Community Improvement District is relatively short, usually taking no longer than two months.

### **Board of Directors**

**Political Subdivision** - The petition specifies whether the Board of Directors will be elected by qualified voters or appointed by City Council. The Board of Directors shall consist of at least 5 but

not more than 30 members. Each director must either be a registered voter or an owner or authorized representative of a business or property in the district.

**Non-profit Corporation** - Directors are elected in accordance with Chapter 355 RSMo.

### **Economic Development Incentives Resource Guide**

The following information is available in the *Economic Development Incentives Resource Guide*:

- CID Formation Timeline
- CID Annual Timeline
- CID Petition Template
- CID Cooperative Agreement Template

### **Community Improvement District Policies**

1. The City of Springfield will consider the establishment of Community Improvement Districts to finance public improvements and/or public services that will directly benefit the property owners, business owners, customers, and residents of the district.
2. Community Improvement Districts formed for the purpose of financing public improvements will terminate when the public improvement expense has been reimbursed.
3. Perpetual CIDs are discouraged.
4. The developer and/or CID will be responsible for paying for the district public improvements and seeking reimbursement through district revenues. The City will not typically provide upfront financing.
5. CIDs established to provide additional funding to expedite retiring Tax Increment Financing (TIF) districts are encouraged, especially when non-captured CID revenues are pledged to assist the payment of TIF obligations that are CID eligible.
6. The developer and CID will enter into a cooperative agreement with the City of Springfield detailing the eligible CID projects and reimbursement schedule.
7. The CID petition must contain a provision that terminates the district after six (6) months if a cooperative agreement acceptable to the City and the district has not been executed.
8. To ensure consistency and ease of administration, developers will use the City's preferred petition and cooperative agreement forms.
9. The City may charge an administrative fee for work performed by the City for the CID. This is typically one and one-half (1½%) of district revenues.
10. The CID will comply with all applicable open meetings and open records laws.

### **Staff Contact**

Matt Schaefer  
Senior Planner  
840 North Boonville Avenue  
Springfield, MO 65802  
417/864-1100  
mschaefer@springfieldmo.gov

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## TRANSPORTATION DEVELOPMENT DISTRICT

A Transportation Development District (TDD) is a separate political subdivision of the state that may be created for the purpose of issuing bonds, levying taxes, and applying special assessments or tolls to finance transportation-related improvements. A TDD may finance transportation improvements outside of its boundaries so long as the improvements directly benefit the TDD.

**Authorization**                      Sections 238.200 through 238.275 RSMo.

### **Eligible Activities**

Transportation Development Districts may be utilized to fund, promote, plan, design, construct, improve, maintain, and operate transportation-related projects. Eligible projects include but are not limited to the following:

- Bridges
- Roads
- Highways
- Interchanges
- Intersections
- Signing
- Signalization
- Parking Lots
- Bus Stops
- Terminals
- Hangars
- Rest Areas
- Docks
- Airports
- Railroads
- Mass Transit
- Any similar or related improvement or infrastructure project

### **Eminent Domain**

If approved by the local transportation authority or the Missouri Highways and Transportation Commission, the District may use the power of eminent domain to acquire land for District projects.

### **Financing**

- **Sales Tax** - may be imposed in increments of one-eighth of one percent (1/8%) up to a maximum of one percent (1%) upon approval of a majority of qualified voters in the district.

- **Property Tax** - may be levied with the approval of at least 4/7 of the qualified voters within the district and may impose a property tax not to exceed the annual rate of \$0.10/\$100.00 assessed valuation.
- **Special Assessments** - may be imposed for improvements that specifically benefit properties within the district. Majority voter approval is required. More than one special assessment may be imposed within the district.

**Bonds:** Notes, and other obligations - May be issued to finance the transportation-related improvements. Term cannot exceed 40 years. Qualified voters are defined as registered voters living in the district or, if there are no registered voters, the property owners within the district.

### **Approval Process**

Transportation Development Districts may be created by a petition filed with the Circuit Court of the county in which the district is located. The petition shall consist of at least fifty registered voters within the proposed district or all owners of real property within the district if there are no registered voters in the district boundaries. A Transportation Development District petition may also be filed by the governing body of a city, or by two or more local transportation authorities (i.e., cities) by adoption of resolutions calling for the joint establishment of a district and then filing a petition with the Circuit Court requesting the creation of a district. The Circuit Court shall hear the case and determine whether the petition is defective, or the district is illegal or unconstitutional, or constitutes an undue burden on any property owner or is unjust and unreasonable. If the court determines the petition is valid, it may enter judgment declaring the district formed.

### **Board of Directors**

Because a Transportation Development District is a separate political subdivision of the state, it has its own board of directors that serves as its governing body. Directors are elected by qualified voters within the district if it was created by petition of registered voters, property owners or the governing body of a city. If created by petition of two or more local transportation authorities, the board of directors consists of the presiding officers of the local transportation authorities and a second representative of each local transportation authority.

### **Transportation Development District Policies**

The City of Springfield answers the TDD petition in court and can effectively block a TDD by refusing to enter into a contract with the TDD. The following policies apply to those TDDs where the City participates in the TDD establishment by virtue of the financed project(s) being City-initiated or where the TDD is part of a larger public/private partnership.

1. The City will consider supporting the establishment of Transportation Development Districts to finance public improvements and/or public services that will directly benefit the property owners, business owners, customers, and residents of the district.

2. Transportation Development Districts formed for the purpose of financing public improvements will terminate when the public improvement expense has been reimbursed unless the TDD is also intended to fund ongoing maintenance.
3. The developer and/or TDD will be responsible for paying for the district public improvements and seeking reimbursement through district revenues. The City will not typically provide upfront financing.
4. The developer and TDD will enter into a cooperative agreement with the City of Springfield detailing the eligible TDD projects, financing arrangements and reimbursement schedule.
5. To ensure consistency and ease of administration, developers will use the City's preferred cooperative agreement forms.
6. If the City administers the TDD sales tax, the City will typically deduct one and one-half percent (1½%) from district revenues collected for its administrative fee.
7. The TDD will comply with all applicable open meetings and open records laws.

### **Staff Contact**

Mary Lilly Smith  
Economic Development Director  
840 North Boonville Avenue  
Springfield, MO 65802  
417/864-1094  
[mlsmith@springfieldmo.gov](mailto:mlsmith@springfieldmo.gov)

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## NEIGHBORHOOD IMPROVEMENT DISTRICT

Neighborhood Improvement Districts (NIDs) are designed to finance public improvements that will benefit the district through assessments on properties within the district.

**Authorization** Article II, Section 38(c) of the Missouri Constitution and Sections 67.453 through 67.475 RSMo.

### **Eligible Activities**

Only public improvements or facilities may be financed by a Neighborhood Improvement District (NID). Such improvements must benefit property located within the district. However, the improvement may be located outside the district if the improvement benefits the property in the district. Eligible improvements include but are not limited to the following:

- Property Acquisition
- Streets
- Gutters
- Sidewalks
- Water, Gas, and Utility Mains
- Street Lights
- Parks and Playgrounds
- Storm Water Facilities
- Sanitary Sewer
- Off-Street Parking
- Engineering and legal fees associated with public improvement projects
- Maintenance of the project during the term of the bonds or notes

### **Financing**

- **Bonds:** Project improvements may be financed with general obligation bonds issued by the City. Maximum bond term is 20 years.
- **Special Assessments** - The bonds are repaid by special assessments placed on the properties within the district. Property owners may make a one-time lump sum payment before assessments are imposed.

NIDs established after August 28, 2004 must include provisions for maintenance of the project during the term of the bonds or notes. Section 67.469 RSMo. provides that the special assessment shall constitute a lien on the property.

### **Approval Process**

Unlike Community Improvement Districts and Transportation Development Districts, Neighborhood Improvement Districts are not separate political subdivisions. NIDs can be established in one of two ways. The City Council may adopt a resolution calling for an election of voters within the proposed

district. The election to establish the NID must pass by at least a 4/7 majority of district voters. Alternatively, a petition signed by at least 2/3 of property owners by area of all real property within the proposed district may be submitted for City Council consideration. Under both methods, the petition or the resolution calling for an election must identify the project name, proposed improvements, district boundaries, method of assessment, and other information required by law. Following the election or petition, the City will prepare plans for the proposed improvements and a preliminary assessment roll. After a public hearing and adoption of the resolution creating the NID, Council will order the improvements constructed, and assess the property owners within the district for the cost of the project after construction is completed.

### **Economic Development Incentives Resource Guide**

The following information is available in the *Economic Development Incentives Resource Guide*:

- NID Formation Timeline
- NID Petition Template

### **Neighborhood Improvement District Policies**

These policies supersede the NID policies contained in City Council Resolution 8101.

1. Petitions requesting establishment of a NID must be signed by owners of at least 2/3 by area of all real property in the proposed district.
2. The sale of bonds authorized for an approved NID shall be determined by the City. All costs normally associated with the sale of bonds shall be considered project costs and shall be reimbursed through the special assessments.
3. If development is to occur before bond sale, NID petitioners must provide a written commitment from an acceptable lending institution to finance the NID improvements for the district on an interim basis.
4. The property in the district liable for the special assessment must have a value sufficient to service the debt. Value may be determined using the Greene County Assessor's data or an appraisal prepared by an appraiser acceptable to the City.
5. NID petitions must indicate the intent of each petitioner to dedicate, without cost, right-of-way and easements needed to carry out the NID projects.
6. Each petitioner must certify that he does not have a financial interest in an existing development that has delinquent special assessments or taxes.
7. NID petitioners will be financially responsible for any project cost overruns in excess of the maximum bonding amount authorized by City Council.
8. NID petitioners will be financially responsible for any costs involved in the preparation of preliminary plans regardless of the outcome of the district formation.
9. NID petitioners must provide an acceptable market analysis and feasibility study to establish economic viability of the project and the rate of development that can be supported.
10. For developer-initiated NIDs, the developer shall indemnify the City against any non-payment of assessments.
11. The City retains the right to place a lien on properties for non-payment of special assessments.

## **Staff Contact**

Mary Lilly Smith  
Economic Development Director  
840 North Boonville  
Springfield, MO 65802  
417/864-1094  
[mlsmith@springfieldmo.gov](mailto:mlsmith@springfieldmo.gov)

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## **SPECIAL BUSINESS DISTRICT**

A Special Business District (SBD) is a separate political subdivision of the state that may impose additional property taxes and business license taxes to fund certain public improvements and services within the district. An SBD may be created by City Council upon receiving a petition requesting the formation of a district.

**Authorization**                      Sections 71.790 through 71.808 RSMo.

### **Eligible Activities**

Special Business Districts may be used to fund the following types of public improvements and services:

#### **Improvements**

- Streets and Sidewalks
- Bus Stops
- Convention Centers and Arenas
- Street Furniture
- Landscaping
- Childcare Facilities
- Parking Facilities

#### **Services**

- Public Transportation
- Lease Space for Outdoor Dining
- Security and Janitorial Personnel
- Maintenance of Public Property (i.e., Streets, Sidewalks, Street Furniture/Landscaping)
- Grant Permits for Private Usage of Public Space (i.e., Newsstands, Pushcart Vendors, Sidewalk Cafes)
- Promote Business Activity within the District
  
- **Financing**

With the approval of qualified voters, Special Business Districts may issue general obligation bonds or notes for a maximum of 20 years and in a maximum amount of 10% of the total assessed value of all land within the district. Districts are also authorized to issue revenue bonds to pay for the costs of acquiring, constructing, or improving revenue-producing facilities. However, such bonds shall be repaid only by the revenue-generating facilities.

The following sources of revenue may be used by Special Business Districts located in cities with populations under 350,000 to fund improvements and services and to amortize outstanding bonds:

- **Property Taxes** – may be imposed in an amount not to exceed \$0.85 per \$100.00 assessed valuation

- **Business License Taxes** – may be imposed in an amount not to exceed 50% of the other business license taxes in the district

Section 71.798 RSMo. states that the City Council has the sole discretion as to how the revenue derived from any SBD tax or any revenue derived from disposition of assets of the district shall be used within the scope of the SBD purposes. This section also states that the City shall not decrease the level of publicly funded services in the district existing prior to creation of the district or transfer the financial burden of providing the services to the district unless the services at the same time are decreased throughout the City.

### **Approval Process**

One or more owners of real property subject to real property taxes may petition the City Council to establish, enlarge or decrease the size of a Special Business District. The Council may then adopt a resolution of intent to establish or change a Special Business District. Prior to the establishment of a Special Business District, the City Council shall conduct a survey and investigation to determine the improvements needed in the proposed district, the approximate cost of land acquisition, the area to be included in the district, the need for special services and other matters related to the establishment of the district. A written report of the survey must be filed in the office of the City Clerk and be a public record. After proper notice, Council may vote to establish the Special Business District and set the initial rate of levy to be imposed on the property.

### **Governance**

In cities with populations under 350,000 people, the City Council serves as the governing body of the SBD. The City Council also appoints a seven member SBD board that serves as an advisory board to the City Council. In cities with populations greater than 350,000 people, the SBD board is the governing body of the SBD.

### **Special Business District Policy**

1. The City will encourage applicants to consider the use of Community Improvement Districts (CIDs) instead of Special Business Districts since the CID legislation provides for more community input and representation than does the SBD legislation.

### **Staff Contact**

Mary Lilly Smith  
Economic Development Director  
840 North Boonville  
Springfield, MO 65802  
417/864-1094  
[mlsmith@springfieldmo.gov](mailto:mlsmith@springfieldmo.gov)

**LAND CLEARANCE FOR REDEVELOPMENT AUTHORITY**  
**“CHAPTER 99”**

The Land Clearance for Redevelopment Authority (LCRA) provides incentives to encourage investment and the removal of blight and blighting conditions within designated urban renewal areas. The LCRA designates urban renewal areas and associated redevelopment plans. It has the ability to authorize property tax abatement for redevelopment projects that conform to an approved redevelopment plan.

**Authorization**                      Sections 99.300 through 99.715 RSMo.

**Eligible Activities**

Within an approved redevelopment area, the Land Clearance for Redevelopment Authority may undertake the following types of activities:

- Land Acquisition
- Land Disposition
- Building Construction and Rehabilitation
- Blight Removal Activities

**Eminent Domain** – If approved as part of a redevelopment plan, the LCRA may acquire property through the use of eminent domain.

**Blight** – The statute defines “blighted area” as “an area which, by reason of the predominance of defective or inadequate street layout, insanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes an economic or social liability or a menace to the public health, safety, morals, or welfare in its present condition and use.”

**Program Benefits**

**Property Tax Abatement** – 100% of the taxes on the increase in assessed value of both land and improvements for 10 years. During the abatement period, the property owner continues to pay taxes on the land and improvements that existed prior to redevelopment.

**Bonds:** The LCRA may issue bonds to finance redevelopment and blight remediation.

**Approval Process**

The Land Clearance for Redevelopment Authority is governed by a board of five (5) commissioners that are appointed by the Mayor and confirmed by the City Council. Commissioners serve three-year terms.

The LCRA may prepare blight studies and redevelopment plans, review privately-prepared blight studies and redevelopment plans, and recommend their approval to City Council. Within designated redevelopment areas, the LCRA reviews redevelopment projects for consistency with the adopted redevelopment plan. Projects that conform to the plan are entitled to property tax abatement equal to 100% of the increase in assessed value of the land and improvements for a ten-year period. In *Casey's Marketing Co. v. Land Clearance for Redevelopment Authority of Independence, MO.*, 101 S.W.3d 23 (Mo. App. W.D.) the Court determined that under Section 99.700 RSMo., if the property has been blighted and the proposal meets the redevelopment plan, the developer is entitled to tax abatement as a matter of right.

### **Economic Development Incentives Resource Guide**

The following information is available in the *Economic Development Incentives Resource Guide*:

- LCRA Processing Timeline
- LCRA Application for Property Tax Abatement

### **Land Clearance for Redevelopment Authority Policies**

1. Proposed redevelopment plans must be reviewed by the Planning and Zoning Commission and found to be consistent with the City of Springfield Comprehensive Plan.
2. Proposals for redevelopment plans and property tax abatement pursuant to Chapter 99 RSMo. will be strongly discouraged in approved Tax Increment Financing districts because tax abatement conflicts with the intent of the TIF statute to capture the incremental increase to fund TIF improvements.
3. Applicants for property tax abatement will be required to enter into a cooperative agreement with the City of Springfield, covenanting that the property will continue to be used in a manner consistent with the redevelopment plan throughout the abatement period or the abatement will be subject to termination.

### **Staff Contact**

Bill Weaver  
Development Economist  
840 North Boonville  
Springfield, MO 65802  
417/864-1034  
[bweaver@springfieldmo.gov](mailto:bweaver@springfieldmo.gov)

## **INDUSTRIAL DEVELOPMENT BONDS “CHAPTER 100”**

Industrial Development Bonds issued pursuant to Chapter 100 RSMo. may be used to provide real and personal property tax exemption and to provide sales tax exemption on qualified purchases.

**Authorization** Article VI, Sections 27 and 27(b), Missouri Constitution; Sections 100.010 to 100.200 RSMo.

### **Eligible Activities**

Industrial development bonds may be issued to finance the land, buildings, fixtures, and machinery for warehouses, distribution facilities, research and development facilities, office industries, service industries engaged in interstate commerce, industrial plants, and certain types of commercial development. Retail and service industries in intrastate commerce are not eligible.

### **Program Benefits**

- **Real Property Tax Abatement** – The property is owned by the City during the bond term and thus is exempt from taxes. A payment in lieu of taxes (PILOT) agreement may be required to modify the level of abatement
- **Personal Property Tax Abatement** – Chapter 100 may also be used to purchase machinery and fixtures. As with the real property, the City owns the equipment during the bond term
- A **PILOT** agreement may be required to modify the level of abatement
- **Sales Tax Exemption** – Equipment purchases may be structured such that the City’s sales tax exemption is used

**Bonds:** Chapter 100 bonds may be tax exempt, which makes it possible to issue the bonds at a lower interest rate compared to conventional financing.

### **Approval Process**

Chapter 100 RSMo. allows local governments to issue bonds to finance industrial development projects and certain types of commercial development for private corporations, partnerships, and individuals. Upon issuance of the bonds, the company transfers ownership of the development site and/or equipment to the local government. The bond proceeds are then used to fund the construction of the development project. The company buys the bonds and repays them over a set time period. Once the bonds are completely repaid, the local government conveys title of the site and/or equipment back to the company.

City Council must hold a public hearing prior to approving Chapter 100 bonds and must notify all taxing jurisdictions of the public hearing.

The use of Chapter 100 Industrial Development Bonds can be particularly beneficial when coupled with the Missouri Quality Jobs program. The Quality Jobs program can provide state tax credits for companies which create at least 100 jobs with an average wage equal or greater than the county

average wage. This portion of Quality Jobs also provides a “local incentive bonus” to the company only when the local community provides a local incentive equal to 50% of the total tax benefit for ten (10) years. This can be achieved through granting real and personal property tax exemption using Chapter 100 RSMo. The Chapter 100 policy acknowledges this by providing for its use in situations where job creation meets the Quality Job standard. The policy also provides for the use of Chapter 100 bond financing for existing businesses making an additional investment in their facility and creating or retaining quality jobs.

### **Economic Development Incentives Resource Guide**

The following information is available in the *Economic Development Incentives Resource Guide*:

- Industrial Development Bonds (Chapter 100) Process
- Industrial Development Bonds (Chapter 100) Pre-Application

### **Industrial Development Bond Policies**

1. Real property tax exemption through Chapter 100 RSMo. may be considered for projects that meet the following criteria:
  - a. For existing businesses, the total new investment in real property must be a minimum of \$5 million and the business must create or retain a minimum of 100 jobs with an average wage equal or greater than the Greene County average wage.
  - b. For new businesses, the total new investment in real property must be a minimum of \$5 million OR the business must create a minimum of 100 jobs with an average wage equal or greater than the Greene County average wage within two (2) years.
  - c. The job creation/retention component may be waived or modified for projects where the City Council finds there to be an overriding public benefit.
  - d. Property tax exemption will typically mirror the abatement level granted through the Enhanced Enterprise Zone program (Sections 135.950 through 135.973, RSMo.). The exemption will be granted at a rate of 50% on improvements for 10 years, except in those cases where the development achieves a Silver rating or higher from the U.S. Green Building Council’s Leadership in Energy and Environmental Design (LEED) program. Those projects may be granted a 25% bonus exemption (total 75% exemption). The City will require the company to make payments in lieu of taxes to all taxing jurisdictions in an amount equal to the “unabated” property taxes. These PILOTS will be distributed in accordance with local levies.
  - e. Property taxes will not be reduced below the amount of tax on land and improvements paid in the year preceding the application for Chapter 100 exemption.
  - f. The company will be required to annually report employment numbers to the City. Tax exemption shall be terminated effective the last day of the calendar year in the event the company reduces its labor force by more than 25% from the preceding year or by more than 50% from the date of the first year of the abatement.

2. Personal property tax exemption through Chapter 100 RSMo. may be considered for projects that meet the following criteria:
  - a. For existing businesses the total personal property to be acquired and installed must have a cost of at least \$5 million and the business must create or retain a minimum of 100 jobs with an average wage equal or greater than the Greene County average wage.
  - b. For new businesses, the total personal property to be acquired and installed must have a cost of \$5 million OR the company must create a minimum of 100 new jobs with an average wage equal or greater than the Greene County average wage within two (2) years.
  - c. The exemption will typically be granted at a rate of 50% on new personal property for 10 years. The City will require the company to make payments in lieu of taxes to all taxing jurisdictions in an amount equal to 50% of the exempted personal property taxes. These PILOTS will be distributed in accordance with local levies.
  - d. Replacement of equipment financed under a previous Springfield Chapter 100 Bond issuance is not eligible.
  - e. The company will be required to annually report employment numbers to the City. Tax exemption shall be terminated effective the last day of the calendar year in the event the company reduces its labor force by more than 25% from the preceding year or by more than 50% from the date of the first year of the abatement.
3. The City will not extend its sales tax exemption for purchases unless City Council finds there to be an extraordinary public benefit or the savings from such exemption will be used to reduce the City's cost in connection with a project.
4. All projects will be subject to the following:
  - a. The City may consider an increased exemption level in those cases where the jobs created or retained pay 150% or more of the Greene County average wage.
  - b. The beneficiary will be responsible for all costs relating to issuing the bonds and obtaining the exemption.
  - c. PILOTS are due by December 31 of each year. Failure to pay PILOTS will result in termination of the tax exemption.
  - d. The beneficiary will be required to submit annual compliance reports. Failure to comply with the terms of the PILOT and lease agreements will result in a loss or reduction in the exemption.

### **Staff Contact**

Mary Lilly Smith  
Economic Development Director  
840 North Boonville  
Springfield, MO 65802  
417/864-1094  
[mlsmith@springfieldmo.gov](mailto:mlsmith@springfieldmo.gov)

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## URBAN REDEVELOPMENT CORPORATIONS

### “CHAPTER 353”

The purpose of the Urban Redevelopment Corporations Law is to encourage the redevelopment of blighted areas through property tax abatement.

**Authorization** Chapter 353 RSMo.; Chapter 36, Article II, Springfield City Code

#### **Eligible Activities**

Within an approved redevelopment area, an Urban Redevelopment Corporation may undertake the following types of activities:

- Land Acquisition
- Land Disposition
- Building Construction and Rehabilitation
- Blight Removal Activities

**Eminent Domain** – An Urban Redevelopment Corporation operating pursuant to a redevelopment agreement with a municipality for a particular redevelopment area may exercise the power of eminent domain provided the agreement was executed prior to December 31, 2006.

**Blight** – The statute defines “blighted area” as “that portion of the city within which the legislative authority of such city determines that by reason of age, obsolescence, inadequate or outmoded design or physical deterioration have become economic and social liabilities, and that such conditions are conducive to ill health, transmission of disease, crime or inability to pay reasonable taxes.”

#### **Program Benefits**

**Property Tax Abatement** – 100% of the taxes on the increase in assessed value of the land and 100% of the taxes on the value of the improvements for 10 years and 50% of the taxes on the increase in assessed value of the land and improvements for the next 15 years.

Under this program, real property taxes can be abated for a period up to 25 years. During the first 10 years of tax abatement, 100% of the incremental increase in property taxes for the land and the improvements are abated. The property owner continues to pay property taxes during this period based on the assessed value of the land only (exclusive of improvements) during the year preceding the Urban Redevelopment Corporation obtaining title of the property.

During the last 15 years of tax abatement, 50% of real property taxes on the land and improvements may be abated. The City has the authorization to provide up to 100% abatement in the 15 year period; however, most Chapter 353 projects in Springfield receive 50% abatement. Payments in lieu of taxes (PILOTS) may be imposed on the Urban Redevelopment Corporation by contract with the

City. They are paid on an annual basis to offset a portion of the taxes that are abated. The City of Springfield typically imposes PILOTS during the initial 10 year abatement period to offset any loss of tax revenue on existing improvements that has been abated.

### **Procedures for Obtaining Tax Abatement**

Pursuant to Chapter 353 RSMo., real property tax abatement may only be offered within blighted areas. In order to obtain tax abatement, an Urban Redevelopment Corporation must be organized in accordance with the general corporations laws of Missouri and obtain title to the blighted property. In addition, the Urban Redevelopment Corporation must prepare a Blight Report, Tax Impact Statement and a Development Plan. The Blight Study is reviewed by the Land Clearance for Redevelopment Authority (LCRA) which makes a recommendation to City Council regarding blight. The Development Plan is reviewed by the Planning and Zoning Commission for consistency with the Comprehensive Plan. All documents, including a City-prepared Redevelopment Agreement, are then forwarded to the City Council which conducts a public hearing, followed by adoption of an ordinance declaring the redevelopment area blighted, approving the Development Plan and Redevelopment Agreement and authorizing real property tax abatement.

**Blight Report** - This document must be sufficient to prove blight pursuant to Section 353.020(2) RSMo.

**Tax Impact Statement** - This is a written statement of the impact on ad valorem taxes the proposed tax abatement will have on the taxing jurisdictions. At a minimum, the statement must include an estimate of the amount of ad valorem tax revenues of each jurisdiction that will be affected by the abatement.

**Development Plan** - This document identifies the proposed redevelopment area, the redevelopment projects, the program to be implemented in order to remove blighting influences, and the estimated project costs.

**Redevelopment Agreement** - This document outlines the Urban Redevelopment Corporation's obligations for implementing the Development Plan. It typically includes the following:

- Procedures for Acquiring Property
- Payments in Lieu of Taxes (PILOTS)
- The period for which the Tax Abatement will be provided
- The time period in which the Urban Redevelopment Corporation will operate
- Procedures for the Corporation to transfer Title to Property in the Redevelopment Area

After the abatement period starts, the property may be transferred from the Redevelopment Corporation to a development entity and the tax abatement will continue provided the developer complies with the contractual obligations on an on-going basis.

### **Economic Development Incentives Resource Guide**

The following information is available in the *Economic Development Incentives Resource Guide*:

- Urban Redevelopment Corporation (Chapter 353) Tax Abatement Timeline
- Urban Redevelopment Corporation (Chapter 353) Abatement Review Process
- Urban Redevelopment Corporation (Chapter 353) Application for Approval of Development Plan
- Redevelopment Agreement Template

### **Urban Redevelopment Corporation Policies**

Real property tax abatement through Chapter 353 RSMo. may be considered for projects that meet the following criteria:

1. Proposed blight studies must be reviewed by the Land Clearance for Redevelopment Authority for their recommendation regarding blight.
2. Proposed development plans must be reviewed by the Planning and Zoning Commission and found to be consistent with the City of Springfield Comprehensive Plan.
3. Property tax abatement will typically be granted at a rate of 100% on improvements and on the incremental increase in land value for ten (10) years and 50% on land and improvements for the next 15 years, except in those cases where the development achieves a Silver rating or higher from the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) program. Those projects may be granted 25% bonus abatement in years 11 – 25 (total 75% abatement).
4. Property taxes will not be reduced below the amount of tax on land and improvements paid in the year preceding the application for Chapter 353 abatement. During years 1 – 10, the City will require annual payments in lieu of taxes (PILOTS) equal to the property taxes paid for improvements during the year preceding when the corporation obtained title to the property within the redevelopment area.
5. Proposals for development plans and property tax abatement pursuant to Chapter 353 RSMo. will be strongly discouraged in approved Tax Increment Financing districts because tax abatement conflicts with the intent of the TIF statute to capture the incremental increase of taxes to fund TIF improvements.
6. Applicants for property tax abatement will be required to enter into a redevelopment agreement with the City of Springfield, covenanting that the property will continue to be used in a manner consistent with the redevelopment plan throughout the abatement period or the abatement will be subject to termination.

### **Staff Contact**

Matt Schaefer  
 Senior Planner  
 840 North Boonville  
 Springfield, MO 65802  
 417/864-1100  
 mschaefer@springfieldmo.gov

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## ENHANCED ENTERPRISE ZONE

The Enhanced Enterprise Zone (EEZ) program encourages business development and job creation by granting property tax abatement and state tax credits to business enterprises that locate or expand within designated enhanced enterprise zones. Zone boundaries are established in conjunction with the Missouri Department of Economic Development and are based on areas of low income and high unemployment, the potential to create sustainable jobs in a targeted industry and the impact on local industry cluster development. The City of Springfield administers four enhanced enterprise zones consisting of the Springfield, North Springfield, Southeast Springfield, and West Springfield Zones. Combined, they encompass nearly all of Springfield and the surrounding unincorporated portions of Greene County.

### **Authorization**

Sections 135.950 through 135.973 RSMo.

City of Springfield Resolutions 9243, 9745, 9746, and 9747

City of Springfield Special Ordinances 24774, 25710, 25711, and 25712

### **Eligible Activities**

Businesses that operate within the following business clusters are eligible for EEZ incentives provided they are located within an Enhanced Enterprise Zone and make improvements to their real property.

#### **By NAICS Codes:**

- 21: Mining, Quarrying, and Oil and Gas Extraction
- 22: Utilities
- 23: Construction
- 31-33: Manufacturing
- 42: Wholesale Trade
- 48-49: Transportation and Warehousing
- 51: Information
- 52: Finance and Insurance
- 53: Real Estate, Rental and Leasing
- 54: Professional, Scientific, and Technical Services
- 55: Enterprise Management
- 56: Administrative and Support, Waste Management, and Remediation Services
- 62: Health Care and Social Assistance
- 71: Arts, Entertainment, and Recreation
- 72: Accommodation and Food Services; excluding eating and drinking establishments
- 81: Other Services

All gambling establishments (NAICS industry group 7132), retail trade (NAICS sectors 44 and 45), education services (NAICS sector 61), religious organizations (NAICS industry group 8131), public administration (NAICS sector 92), and food and drinking places (NAICS subsector 722) are excluded by Section 135.950(9) RSMo. from receiving Enhanced Enterprise Zone benefits.

By Section 348.015(14)RSMo.

Value-added agricultural products.

By Section 135.950(9)(b) RSMo.

Headquarters or administrative offices of an otherwise excluded business may qualify for benefits if the offices serve a multistate territory. In the event a national, state, or regional headquarters operation is not the predominant activity of a project facility, the new jobs and investments of such headquarters operation are considered eligible for benefits under this section if the other requirements are satisfied. Service industries may be eligible only if a majority of its annual revenues will be derived from out-of-state.

### **Program Benefits**

**Property Tax Abatement** - Qualified businesses locating in the Enhanced Enterprise Zone are entitled to receive local real property tax abatement on 50% of the new investment (excluding land and personal property) for a period of ten (10) years.

In order to encourage sustainable building practices, qualified businesses may also be entitled to an additional 25% real property tax abatement (75% total abatement) if the business facility achieves a Silver rating or higher under the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) program.

**State Tax Credits** - State tax credits can be applied to income taxes, excluding withholding taxes, as defined in Chapter 143 RSMo. The tax credits are refundable, and may also be transferred, sold, or assigned. Tax credits are disbursed by the Missouri Department of Economic Development at its discretion based on economic benefit to the state, the number of new jobs, wages, the amount of capital investment, and the availability of state funds. In order to qualify for state tax credits, a business must meet the qualification requirements for property tax abatement and create, on an average annual basis, at least two new jobs and \$100,000 of new investment.

### **Approval Process**

**Property Tax Abatement** – The City Economic Development Director is designated as the Enhanced Enterprise Zone (EEZ) Administrator. Upon application by a business, the EEZ Administrator certifies to the County Assessor that the business is physically located in the Zone and is an eligible industry to receive abatement.

**State Tax Credits** – The Springfield Area Chamber of Commerce works with individual businesses to obtain tax credit proposals from the State Department of Economic Development. Tax credits are awarded when the company fulfills the obligations of the proposal.

## **Economic Development Incentives Resource Guide**

The following information is available in the *Economic Development Incentives Resource Guide*:

- Map of Springfield Enhanced Enterprise Zones
- Enhanced Enterprise Zone Application for Certification

### **Enhanced Enterprise Zone Policies**

1. Businesses that locate or expand within a designated Enhanced Enterprise Zone and qualify as one of Springfield's targeted industries are entitled to 50% abatement on improvements for ten (10) years.
2. Property tax abatement will typically not be granted above the 50% level, except in those cases where the development achieves a Silver rating or higher from the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) program. Those projects will be granted 25% bonus abatement (75% total abatement).
3. Businesses must apply for Enhanced Enterprise Zone abatement prior to the County Assessor assessing the improvements and certifying the improvements to the County Collector.
4. Property taxes will not be reduced below the amount of tax on land and improvements paid in the year preceding the certification for Enhanced Enterprise Zone abatement.

### **Staff Contacts**

#### Property Tax Abatement

Matt Schaefer  
Senior Planner  
840 North Boonville  
Springfield, MO 65802  
417/864-1100  
mschaefer@springfieldmo.gov

#### State Tax Credits

Ryan Mooney  
Springfield Area Chamber of Commerce  
202 South John Q. Hammons Parkway  
Springfield, MO 65806  
417/862-5567  
ryan@springfieldchamber.com

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## ACCESS AND INFRASTRUCTURE AGREEMENT

### (DEVELOPER AGREEMENT)

The City of Springfield negotiates Access and Infrastructure Agreements to provide necessary public improvements in conjunction with new development. Traditionally these agreements are used to finance public improvements for which there is already a need but no public funds available to finance.

**Authorization** Sections 2-16(3), (5), (25) and (29); Sections 10.1 and 10.5 Springfield City Charter

### **Eligible Activities**

Eligible types of public improvements include, but are not limited to, the following:

- Intersection Improvements
- Street Widening
- Traffic Signals
- Streetscape Improvements
- Regional Stormwater Detention Facilities

### **Program Benefits**

Typically, Access and Infrastructure Agreements involve either sales tax reimbursement or developer participation. The agreements are customized to the particular public improvement need.

**Sales Tax Reimbursement** - City participation in this type of Access and Infrastructure Agreement is predicated on creation of new sales tax revenue. The developer pays for the improvements and is reimbursed through new sales tax revenues generated by the development. The City typically uses 50% of the 1% general sales tax for reimbursement.

**Developer Participation** – In this type of agreement the developer provides partial or total funding to expedite an unfunded public improvement that will benefit his development.

### **Approval Process**

An Access and Infrastructure Agreement is a contract between the City and a private developer and must be approved by City Council. The terms of the contract are negotiated between City staff and the developer.

### **Economic Development Incentives Resource Guide**

The following information is available in the *Economic Development Incentives Resource Guide*:

- Access and Infrastructure Agreement Sales Tax Rebate Application

## **Access and Infrastructure Agreement Policies**

1. Access and Infrastructure Agreements will be used for public works improvements only.
2. Sales tax reimbursement contracts will typically use 50% of the City's 1% general sales tax to reimburse the developer for the public improvements. Dedicated taxes, such as the capital improvements and transportation sales taxes, will not typically be utilized in the sales tax reimbursement.
3. City reimbursement to the developer will typically occur over a three (3) to five (5) year period and will be explicitly defined in the Access and Infrastructure Agreement. Outstanding developer expenditures not reimbursed at the end of the Agreement term will be the developer's responsibility.
4. The City will pay the developer interest on the unpaid balance of the public improvement at a rate of two percent (2%) over the latest City general obligation bond issue.
5. When considering a Developer Participation Access and Infrastructure Agreement, the City will evaluate the project on the merits of available matching funds (if necessary), compatibility with the current work program, and whether the project addresses an immediate or emerging public need.

## **Staff Contact**

Mary Lilly Smith  
Economic Development Director  
840 North Boonville  
Springfield, MO 65802  
417/864-1094  
mlsmith@springfieldmo.gov

## TAX INCREMENT FINANCING

Tax Increment Financing (TIF) provides for the redirection of the incremental increase in sales and property tax revenue resulting from a redevelopment project to be used for approved project-related costs, infrastructure and capital improvements.

**Authorization** Sections 99.800 through 99.865 RSMo.; Sections 2-241 through 2-242 Springfield City Code; City of Springfield Resolution 8898.

### **Eligible Activities**

Tax Increment Financing may be used to reimburse the following types of redevelopment project costs:

- Professional Services
- Plans and Specifications
- Land Acquisition and Site Preparation
- Public Improvements
- Private Improvements, provided the TIF District has been declared blighted

**Eminent Domain** – If granted the power by City Council, the TIF Commission may use eminent domain in a TIF area to obtain property for use by a private developer implementing a project approved in the TIF plan.

### **Program Benefits**

The following revenue sources are transferred to a special allocation fund that is administered by the City and used to finance project costs.

**Payments in Lieu of Taxes (PILOTS)** - The tax increment produced as a result of increased assessed property values over the base level. The Statute authorizes the redirection of 100% of the incremental increase in property taxes to the TIF special allocation fund. Taxing jurisdictions will continue to receive taxes based on the property values prior to the redevelopment.

**Economic Activity Taxes (EATS)** - The Statute authorizes the redirection of 50% of the incremental increase in taxes generated by economic activities within the project, such as new sales, earnings, profits, utility, food, and beverage taxes.

**Bonds:** The TIF Commission may also issue obligations to pay for Redevelopment Project Costs and pledge the funds in the special allocation fund to retire the obligations. Maximum bond term is 23 years.

### **Tax Increment Financing Commission**

The Statute requires that a TIF Commission be established by City Council. The Commission must include two (2) members appointed by the County Commission; two (2) members appointed by the

School District; one (1) member appointed by the “other taxing districts” that levy real property taxes within the proposed TIF District; and six (6) members appointed by the Mayor and confirmed by the City Council. Springfield City Code Section 2-241 requires that one of the six (6) mayoral appointees be a representative of the Springfield – Greene County Library and one be a member of City Council.

### **Concept of Tax Increment Financing**

TIF is based on the premise that there will be an increase in the value of real property, new jobs and other economic activity within the redevelopment area as redevelopment occurs. As the property is improved, the assessed value of real property in the redevelopment area increases above the base level. By applying property taxes to the increase in the assessed value of the property over the base level, a tax increment is produced. These tax increments, also referred to as “payments in lieu of taxes” or PILOTS, are transferred to a special allocation fund that is administered by the City. The City and County also transfers 50% of all incremental sales tax revenues to this fund. The money collected in the special allocation fund is then used to pay directly for the redevelopment project costs or to retire bonds or other obligations issued to pay such costs.

### **Approval Process**

Projects using Tax Increment Financing must have a redevelopment plan approved by City Council after a recommendation from the Tax Increment Financing Commission. A key element of the TIF Plan is to document that the area would not be developed unless the incentive is implemented. Section 99.810.1(1) RSMo. requires this “but for” provision. Once approved, the redevelopment project may utilize Tax Increment Financing for up to 23 years.

The redevelopment plan designates the redevelopment area, describes the redevelopment project, and sets forth a comprehensive program for redevelopment. The redevelopment area must contain property classified as the following or any combination thereof:

- **Blighted Areas** - Areas which retard the provision of housing accommodations or constitute an economic or social liability or a menace to the public health, safety, morals, or welfare in its present condition and use, due to specific conditions;
- **Conservation Areas** - Areas in the City in which 50% or more of the structures have an age of 35 years or more and may become blighted because of certain specific conditions, or;
- **Economic Development Areas** - Areas that do not meet the requirements for a “Blighted Area” or “Conservation Area” and in which the Council finds that redevelopment is in the public interest because it will discourage economic development activities from moving to another state; or result in increased employment; or result in preservation or enhancement of the tax base of the City.

Notices must be provided to taxing jurisdictions, to property owners and the general public prior to adoption of the redevelopment plan and Tax Increment Financing. The TIF Commission and the City Council must conduct a public hearing prior to adoption.

## **Economic Development Incentives Resource Guide**

The following information is available in the *Economic Development Incentives Resource Guide*:

- Timeline for Adoption of a Tax Increment Financing Plan
- Tax Increment Financing Pre-Application

### **Tax Increment Finance Policies**

These policies supersede the TIF policies contained in City Council Resolution 8213.

1. Each TIF application must demonstrate that the applicant has thoroughly explored the use of alternative financing methods.
2. TIF applicants must demonstrate that they have the financial ability to complete and operate the project.
3. The use of TIF will be considered for those projects which demonstrate a substantial and significant public benefit by constructing public improvements in support of developments that will create new jobs and retain existing employment, eliminate blight, and/or strengthen the employment and economic base of the City.
4. Most favorable consideration will be given to TIF plans that propose no more than 20% of total project costs (including all hard and soft costs and developer fees) be reimbursed with TIF revenues.
5. Any developer receiving TIF assistance shall provide a minimum of fifteen percent (15%) cash equity investment in the project. TIF revenue and land values shall not be used to supplant cash equity. Projects with equity contributions from the developer in excess of 25% will be viewed more favorably.
6. TIF applications for retail and commercial projects will be considered for projects that encourage an inflow of customers from outside the City or will provide services or fill retail markets that are currently unavailable or in short supply in the City. Additional consideration will be given to projects in excess of \$15 million or the development of vacant property in areas where the project will be the initial development or will serve as a catalyst for further quality development.
7. TIF projects which are constructed in phases are viewed with greater skepticism. TIF projects that propose a reasonable and certain end date for construction and occupancy and demonstrate clearly and convincingly how those goals will be achieved will be viewed positively. Projects with commitments by tenants by lease or other legally binding contracts will be viewed with greater favor.
8. The term of the TIF shall be the minimum necessary, with shorter terms receiving more favorable consideration than those extending the maximum 23 years.
9. Most favorable considerations will be given to TIF projects that provide immediate benefit to taxing jurisdictions.
10. Proposed blight studies for TIF districts must be reviewed by the Land Clearance for Redevelopment Authority and TIF Commission for their recommendations regarding blight.
11. The City will maintain a retainage account until each project is completed or satisfies other performance standards.

12. The City may charge an administrative fee of 2% of annual TIF revenues to partially offset the cost of record-keeping for each TIF project. The fee may be assessed on a quarterly basis against the annual increment generated by the TIF project.
13. Notwithstanding the foregoing, TIF applications which do not meet the above criteria will be viewed favorably if the application clearly demonstrates that the project is of vital interest to the City and will significantly assist the City in the elimination of blight, financing desirable public improvements, strengthening the employment and economic base of the City, increasing property values, reducing poverty, creating economic stability, upgrading older neighborhoods, and/or facilitating economic self-sufficiency.

**Staff Contact**

Mary Lilly Smith  
Economic Development Director  
840 North Boonville  
Springfield, MO 65802  
417/864-1094  
mlsmith@springfieldmo.gov

## SMALL BUSINESS DEVELOPMENT LOAN PROGRAM

The Small Business Development Loan Program (SBDL) is designed to provide financial assistance for small business concerns and non-profit organizations to expand employment opportunities, stimulate private investment and eliminate slum and blight conditions in selected areas of the community.

**Authorization** 24 CFR Part 570; City of Springfield General Ordinance 4743; City of Springfield Special Ordinances 25095 and 25447

### **Eligible Activities**

Loans may be issued by the City to small business owners, non-profit organizations, and real estate developers within project areas for several activities, including:

- Acquisition of Property and Buildings
- Clearance and Removal
- Relocation
- Mixed Use Development
- Rehabilitation
- Machinery/Equipment
- Residential Rental Rehabilitation
- Historic Preservation
- New Construction

### **Meeting a National Objective**

The Small Business Development Loan Program is funded through the federal Community Development Block Grant program and through loan repayments. All projects funded through this program must meet one or both of the National Objectives in accordance with 24 CFR 570-208, summarized as:

- Principally benefitting low and moderate-income households by meeting identified service/product needs of such households residing in the target area, or by providing job creation or retention. The jobs must be new and filled by persons who were low-moderate income at the time of hiring. Jobs filled by family members do not fulfill loan requirements. Generally, one full-time equivalent job must be created for each \$35,000 loaned.
- Aiding in the prevention or elimination of slums or blighted conditions within the target area.

### **Program Benefits**

**Loans** – Loans are available for eligible activities in the following areas:

- Boonville Avenue
- Commercial Street Historic District

- Downtown
- Walnut Street Historic District
- Westside Neighborhood

In addition, **job creation** projects may be funded in a broader area generally bounded by Grand (South); Glenstone (East); West Bypass (West) and Kearney Street/I-44 (North) if it is determined that significant benefit to low-moderate income persons will occur only if the loan is approved. There is no maximum loan amount, except the loan shall not exceed the actual cost of the rehabilitation and/or development costs of the project.

### **Loan Terms**

- 90 Day LIBOR (London Interbank Offered Rate) plus 95 points per annum simple interest, adjusted monthly. 5% minimum interest rate
- Secured by appropriate collateral and personal guarantees
- Negotiable amortization, with principal due in 20 years
- Loans generally not assumable

### **Approval Process**

A Loan Committee comprised of senior staff personnel assigned by the Director of Planning and Development reviews and evaluates all loan applications. The committee is provided legal counsel by an Assistant City Attorney.

### **Strict and lengthy federal environmental review regulations apply, prior to the commitment of any funds to a project, whether public or private.**

Applications must be submitted on the application form approved by the Loan Committee. The City Redevelopment Review Team shall review all properties and provide written comments to staff on projects requesting loan assistance for property acquisition, construction or rehabilitation.

City staff works with the developer on construction and rehabilitation projects to provide a work write-up and cost estimate. The Committee may request that the applicant submit redevelopment bids for contractor/contract approval. Based upon the information submitted, the Loan Committee shall either approve or disapprove the application. The applicant may appeal any decision of the Loan Committee to the Land Clearance for Redevelopment Authority Board of Commissioners.

### **Economic Development Incentives Resource Guide**

The following information is available in the *Economic Development Incentives Resource Guide*:

- Rules and Regulations for the Small Business Development Loan Program
- Small Business Development Commercial Loan Application
- Maps of Program Areas

## **Small Business Development Loan Policies**

The *Rules and Regulations for the Small Business Development Loan Program* was adopted by City Council as Special Ordinance 25447 and provides extensive guidance on this program. That document is included in the *Resource Guide* and is incorporated herein as Policy for the Small Business Loan Program.

### **Staff Contact**

Melissa Barton  
Community Development Loan Officer  
840 North Boonville  
Springfield, MO 65802  
417/864-1098  
mbarton@springfieldmo.gov

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## CENTER CITY FAÇADE IMPROVEMENT LOAN PROGRAM

The Center City Façade Improvement Loan Program is designed to promote and encourage rehabilitation of building facades within the Center City area. It is a part of the City's Small Business Development Loan Program and subject to the same rules and regulations as that program.

**Authorization** 24 CFR Part 570; City of Springfield General Ordinance 4743; City of Springfield Special Ordinances 25095 and 25447

### **Eligible Activities**

- Purchase of doors and windows only unless the total scope of a project is limited to the façade. If the total scope of a project is limited to the façade, then the repair or reconstruction of the exterior façade of commercial structures in the Center City Target Area is eligible.
- Structure must be currently occupied by a business or be the subject of a signed lease for future occupancy.
- The interior of the building must be in sound repair and subject to the City's Redevelopment Review Team inspection.

### **Meeting a National Objective**

The Façade Improvement Loan Program is funded through the federal Community Development Block Grant program and through loan repayments. All projects funded through this program must meet the following objective in accordance with 24 CFR 570-208, summarized as:

- Aiding in the preservation or elimination of slums or blighted conditions within the target area.

### **Program Benefits**

**Loans** – Loans up to \$75,000 are available for façade improvements in the following areas:

- Boonville Avenue
- Commercial Street Historic District
- Downtown
- Walnut Street Historic District

### **Loan Terms**

- 90 Day LIBOR (London Interbank Offered Rate) plus 95 points per annum simple interest, adjusted monthly. 5% minimum interest rate
- Secured by appropriate collateral and personal guarantees
- 10 year term - payments deferred first five (5) years, amortized over years 6 - 10
- Loans generally not assumable

## **Approval Process**

A Loan Committee comprised of senior staff personnel assigned by the Director of Planning and Development reviews and evaluates all loan applications. The committee is provided legal counsel by an Assistant City Attorney.

### **Strict and lengthy federal environmental review regulations apply, prior to the commitment of any funds to a project, whether public or private.**

Applications must be submitted on the application form approved by the Loan Committee. The City Redevelopment Review Team shall review all properties and provide written comments to staff on projects requesting loan assistance for property acquisition, construction or rehabilitation.

City staff works with the developer on construction and rehabilitation projects to provide a work write-up and cost estimate. The Committee may request that the applicant submit redevelopment bids for contractor/contract approval. Based upon the information submitted, the Loan Committee shall either approve or disapprove the application. The applicant may appeal any decision of the Loan Committee to the Land Clearance for Redevelopment Authority Board of Commissioners.

### **Economic Development Incentives Resource Guide**

The following information is available in the *Economic Development Incentives Resource Guide*:

- Rules and Regulations for the Small Business Development Loan Program
- Center City Façade Loan Application
- Map of Project Area

### **Center City Façade Improvement Loan Policies**

The *Rules and Regulations for the Small Business Development Loan Program* was adopted by City Council as Special Ordinance 25447 and provides extensive guidance on this program. That document is included in the *Resource Guide* and is incorporated herein as Policy for the Center City Façade Improvement Loan Program.

### **Staff Contact**

Melissa Barton  
Community Development Loan Officer  
840 North Boonville  
Springfield, MO 65802  
417/864-1098  
mbarton@springfieldmo.gov

## MICROENTERPRISE LOAN PROGRAM/BUSINESS INCENTIVE LOAN PROGRAM

The purpose of the Microenterprise Loan Program/Business Incentive Loan Program is to facilitate economic development through the establishment, stabilization, and expansion of microenterprises and small businesses.

### Authorization

24 CFR Part 570; City of Springfield Special Ordinance 25447

### Eligible Activities

- Working Capital
- Merchandise Inventory
- Equipment
- Furniture and Fixtures
- Infill Improvements
- Other Start-up Costs

### Eligible Applicants

Microenterprise Loans are limited to retail businesses with five (5) or fewer employees at the time of the loan application.

Business Incentive Loans are available for businesses with more than five (5) employees.

### Meeting a National Objective

The Microenterprise Loan Program/Business Incentive Loan Program is funded through the federal Community Development Block Grant program. All projects funded through this program must meet one or more of the National Objectives for Microenterprise Assistance in accordance with 24 CFR 570, summarized as:

- **Low-Moderate Income Area Benefit** – qualifies if the microenterprise assisted provides services to a residential area that has a sufficiently high percentage of low-moderate income persons.
- **Low-Moderate Limited Income** – microenterprise assistance is provided to a low-moderate income person who owns or is developing a microenterprise.
- **Low-Moderate Income Jobs** – the microenterprise assisted will create or retain jobs, 51% or more of which will benefit low-moderate income persons.

### Program Benefits

**Loans** – Loans up to \$25,000 are available for eligible activities in the following areas within the general loan boundaries of Grand (South); Glenstone (East); West Bypass (West); and City Limits (North). The Loan Committee may consider providing additional financing if the business is creating at least one (1) full-time equivalent job per \$10,000 in additional financing

## **Loan Terms**

- 12 year term
- 5% fixed interest rate with interest-only payments in years 1 and 2
- Principal and interest payments in years 3 - 12
- Secured by appropriate collateral and personal guarantees
- Business plan is required
- Recipient must attend one year of quarterly education sessions
- Bank participation is recommended
- Borrower injection is required

## **Approval Process**

A Loan Committee comprised of senior staff personnel assigned by the Director of Planning and Development reviews and evaluates all loan applications. The committee is provided legal counsel by an Assistant City Attorney.

Applications must be submitted on the application form approved by the Loan Committee. The City Redevelopment Review Team shall review all properties and provide written comments to staff on projects requesting loan assistance for construction or rehabilitation.

Based upon the information submitted, the Loan Committee shall either approve or disapprove the application. The applicant may appeal any decision of the Loan Committee to the Land Clearance for Redevelopment Authority Board of Commissioners.

## **Economic Development Incentives Resource Guide**

The following information is available in the *Economic Development Incentives Resource Guide*:

- Rules and Regulations for the Small Business Development Loan Program (Chapter 3A)
- Microenterprise/Business Incentive Loan Application
- Map of Project Area

## **Policy**

The *Rules and Regulations for the Microenterprise Loan Program/Business Incentive Loan Program* was adopted by City Council as Special Ordinance 25447 and provides extensive guidance on this program. That document is incorporated into the Rules and Regulations for the Small Business Development Loan Program included in the *Resource Guide* and is incorporated herein as Policy for the Microenterprise Loan Program/Business Incentive Loan Program.

## **Staff Contact**

Melissa Barton  
Community Development Loan Officer  
840 North Boonville  
Springfield, MO 65802  
417/864-1098  
mbarton@springfieldmo.gov

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## **BUSINESS INCENTIVE LOAN PROGRAM FOR HOME-BASED BUSINESSES**

The purpose of the Business Incentive Loan Program for Home-Based Businesses is to provide assistance to new or existing home-based businesses within the loan boundaries.

### **Authorization**

24 CFR Part 570; City of Springfield Special Ordinance 25706

### **Eligible Activities**

- Working Capital
- Inventory
- Equipment
- Furniture and Fixtures
- Other Start-up Costs

### **Eligible Applicants**

Home-Based Business Loan applicants must be low-moderate income; must be owner-occupant(s) of the business location and must be located within the general loan boundaries of Grand (South); Glenstone (East); West Bypass (West); and City Limits (North). The business must have current city and/or other appropriate business licenses and must be a permitted home-occupation as allowed in the zoning ordinance.

### **Meeting a National Objective**

The Business Incentive Loan Program for Home-Based Businesses is funded through the federal Community Development Block Grant program. All projects funded through this program must meet one or more of the National Objectives for Microenterprise Assistance in accordance with 24 CFR 570, summarized as:

- **Low-Moderate Income Area Benefit** – qualifies if the microenterprise assisted provides services to a residential area that has a sufficiently high percentage of low-moderate income persons.
- **Low-Moderate Limited Income** – microenterprise assistance is provided to a low-moderate income person who owns or is developing a microenterprise.
- **Low-Moderate Income Jobs** – the microenterprise assisted will create or retain jobs, 51% or more of which will benefit low-moderate income persons.

### **Program Benefits**

**Loans** – Loans between \$2,500 and \$15,000 are available for eligible activities described above.

## **Loan Terms**

- 10 year maximum term
- 5% fixed interest rate with interest-only payments in years 1 and 2
- Minimum \$50 monthly payment
- Business plan required
- Recipient must attend one (1) year of quarterly education sessions
- Borrower injection is required
- Loans shall be secured by appropriate collateral

## **Approval Process**

A Loan Committee comprised of senior staff personnel assigned by the Director of Planning and Development reviews and evaluates all loan applications. The committee is provided legal counsel by an Assistant City Attorney.

Applications must be submitted on the application form approved by the Loan Committee. The City Redevelopment Review Team shall review all properties and provide written comments to staff on projects requesting loan assistance for construction or rehabilitation.

Based upon the information submitted, the Loan Committee shall either approve or disapprove the application. The applicant may appeal any decision of the Loan Committee to the Land Clearance for Redevelopment Authority Board of Commissioners.

## **Economic Development Incentives Resource Guide**

The following information is available in the *Economic Development Incentives Resource Guide*:

- Rules and Regulations for the Small Business Development Loan Program (Chapter 3A)
- Microenterprise/Business Incentive Loan Application
- Map of Project Area

## **Policy**

The *Rules and Regulations for the Microenterprise Loan Pilot Program/Business Incentive Loan Program* was adopted by City Council as Special Ordinance 25447 and provides extensive guidance on this program. That document is incorporated into the Rules and Regulations for the Small Business Development Loan Program included in the *Resource Guide* and is incorporated herein as Policy for the Microenterprise Loan Program/Business Incentive Loan Program.

**Staff Contact**

Melissa Barton  
Community Development Loan Officer  
840 North Boonville  
Springfield, MO 65802  
417/864-1098  
mbarton@springfieldmo.gov

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## BROWNFIELDS ASSESSMENT PROGRAM

The Brownfields Assessment Program provides environmental assessments and clean-up planning for eligible sites to help facilitate remediation and/or redevelopment/reuse of property within the City of Springfield.

**Authorization** Multiple cooperative agreements between the City of Springfield and the United States Environmental Protection Agency (EPA)

### **Eligible Activities**

- Phase I Environmental Site Assessments
- Phase II Environmental Site Assessments
- Clean-up Planning Activities to prepare sites for remediation (actual clean-up is not eligible)

The *Criteria for Use of Assessment Funds* provides further information about this assessment program, requirements for eligibility, and terms for consideration by the Brownfields Committee prior to authorizing use of funds. This document is included in the *Resource Guide*.

### **Program Benefits**

Direct technical assistance is available at no cost to applicants to perform Phase I and Phase II environmental assessments in accordance with ASTM Standards and for clean-up planning on properties that may have been contaminated with either hazardous substances or petroleum. The program works to assess, clean-up, and facilitate redevelopment/reuse of these “brownfields” properties.

### **Approval Process**

Applicants submit an Application for Assessment Funding to the Brownfields Coordinator who requests a site eligibility determination from the EPA or the Missouri Department of Natural Resources. Following a successful site eligibility determination, the Brownfields Committee will review the application and, based upon the information provided by the applicant, the Committee shall either approve or disapprove the application by vote. The Brownfields Committee reviews and approves applications for assessments in accordance with the *Criteria for Use of Assessment Funds*.

### **Economic Development Incentives Resource Guide**

The following information is available in the *Economic Development Incentives Resource Guide*:

- Application for Assessment Funding
- Access Agreement for Assessment
- *Criteria for Use of Assessment Funds*

## **Policy**

The *Criteria for Use of Assessment Funds* provides guidance on this program. This document is included in the *Resource Guide* and is incorporated herein as Policy for the Brownfields Assessment Program. The Brownfields Program is made possible through EPA grants. The Cooperative Agreements between the City and EPA for each assessment grant also provide overriding policy for carrying out activities under this program.

## **Staff Contact**

Olivia Hough  
Senior Planner/Brownfields Coordinator  
840 North Boonville  
Springfield, MO 65802  
417/864-1092  
ohough@springfieldmo.gov

## BROWNFIELDS REVOLVING LOAN FUND PROGRAM

The Brownfields Revolving Loan Fund is designed to provide financial assistance as an economic incentive to encourage eligible entities to clean up environmental contamination on brownfields sites.

### Authorization

City of Springfield Special Ordinance 25541

### Eligible Activities

- Removing, mitigating, or preventing the release or threat of a release of a hazardous substance, pollutant, contaminant, petroleum product or controlled substance into the environment
- Site assessment or site monitoring activities that are reasonable, necessary and incidental to the clean-up process
- Costs associated with meeting public participation, worker health and safety, and program management requirements
- Compliance with state and federal laws applicable to the clean-up

The *Policies and Procedures for the Brownfields Program Revolving Loan Fund* provides extensive guidance on eligible/ineligible activities, applicants and sites. This document is included in the *Resource Guide*.

### Program Benefits

Loans and grants are available for the cleanup of hazardous substances on eligible sites.

**Grants** - Grants are only available to political subdivisions, Indian tribes and qualifying non-profit organizations. The maximum grant amount is \$200,000 and requires a 20% cost share. Grants cannot exceed 40% of the total Brownfields Revolving Loan Fund.

**Loans** - There is no maximum principal amount for loans. Loans cannot exceed the actual cost of the clean-up and directly related eligible costs of the project. Eligible borrowers include for-profit enterprises.

### Loan Terms

The interest rate for the loan shall be calculated on a sliding scale relative to the length of the repayment term. For example:

- 0-2 years repayment – 0% interest
- 2-5 years repayment – 3% interest
- 5-10 years repayment – 6% interest
- 10 year maximum term
- All loans will be secured by a deed of trust, personal guarantee, and may require additional collateral

## **Approval Process**

The Brownfields Committee, appointed by the Director of Planning and Development, is charged with administering the Revolving Loan Fund in accordance with the adopted Policies and Procedures. The committee is provided legal counsel by an Assistant City Attorney.

Applicants must submit a pre-application to the Brownfields Committee who will determine project eligibility. Once the project has been determined eligible, the applicant will be invited to submit a full application. The Committee may request that the applicant submit clean-up bids from an approved contractor. Based upon the information submitted, the Loan Committee shall either approve or disapprove the application. The applicant may appeal any decision of the Loan Committee to the Land Clearance for Redevelopment Authority Board of Commissioners.

## **Economic Development Incentives Resource Guide**

The following information is available in the *Economic Development Incentives Resource Guide*:

- *Policies and Procedures for the Brownfields Program Revolving Loan Fund*
- Brownfields Revolving Loan Fund Pre-Application
- Brownfields Revolving Loan Fund Application

## **Policy**

The *Policies and Procedures for the Brownfields Program Revolving Loan Fund* was adopted by City Council as Special Ordinance 25541 and provides extensive guidance on this program. That document is included in the *Resource Guide* and is incorporated herein as Policy for the Brownfields Program Revolving Loan Fund.

## **Staff Contact**

Olivia Hough  
Senior Planner/Brownfields Coordinator  
840 North Boonville  
Springfield, MO 65802  
417/864-1092  
ohough@springfieldmo.gov