

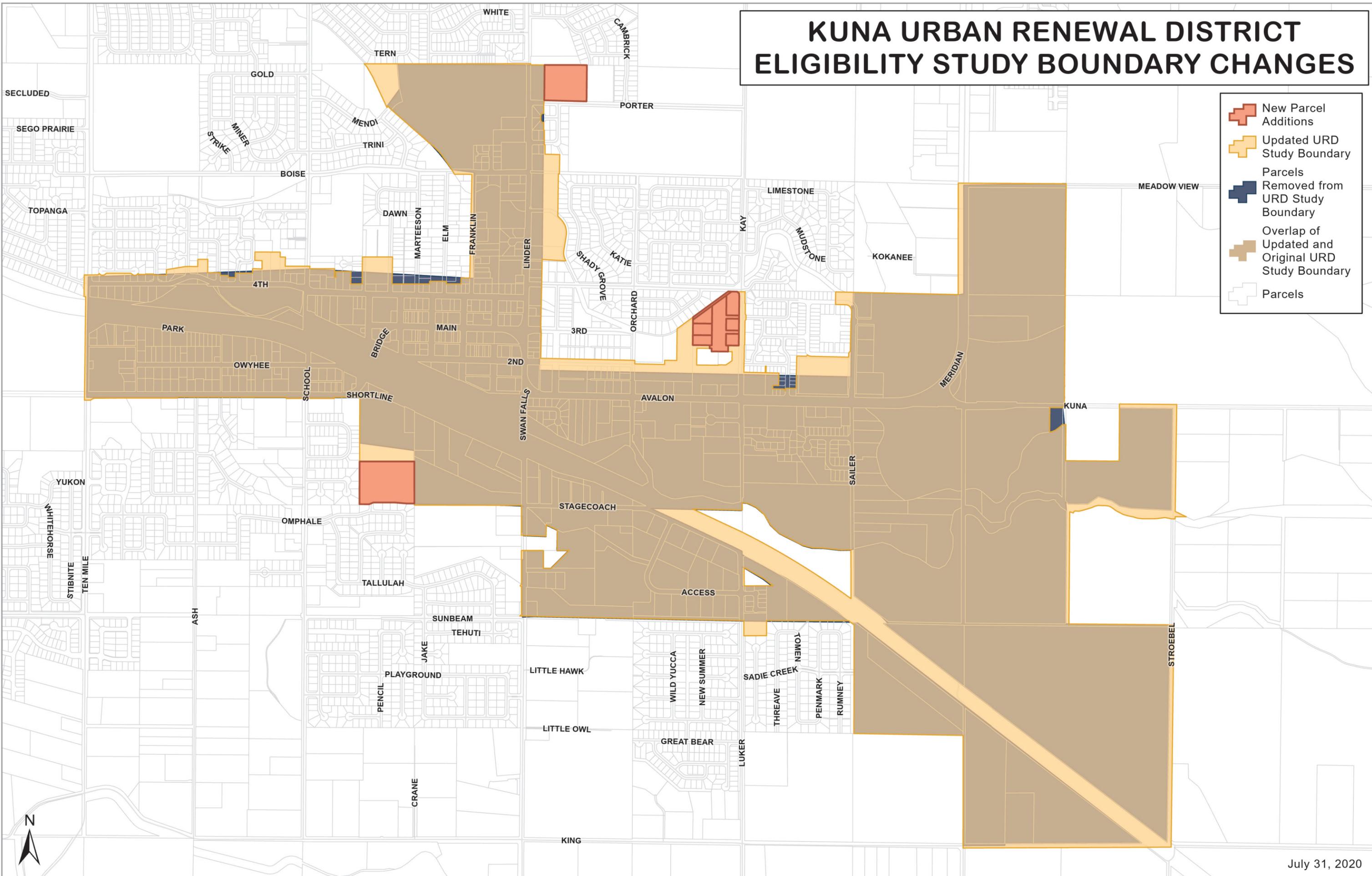
## **Kuna West Urban Renewal District Plan**

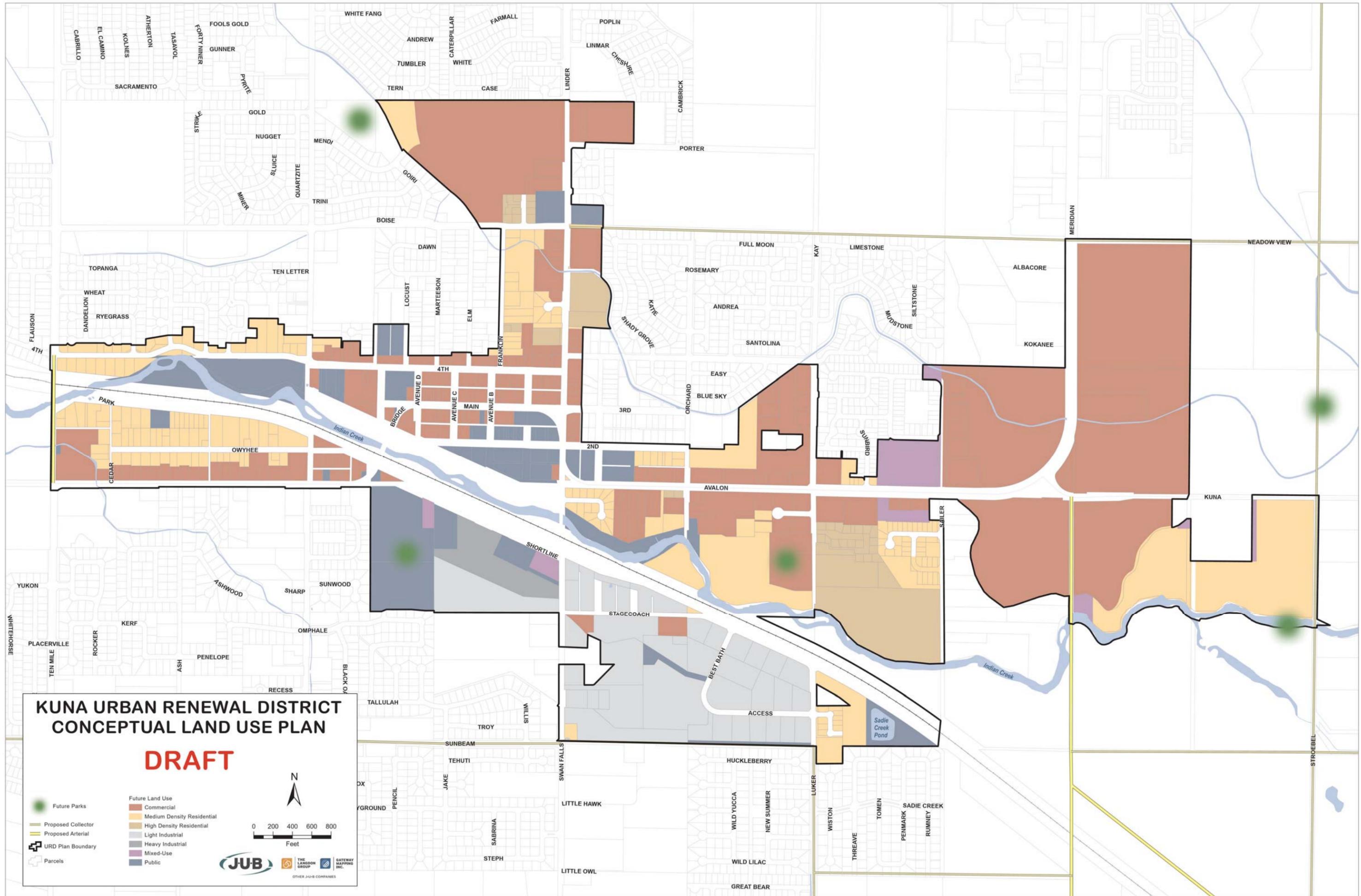
*August 5, 2020 URA Update*

1. Updated *Eligibility* boundary map
2. Draft Conceptual Land Use Plan map w/URD *Plan* boundary
3. Draft List - Potential Projects Within the West Kuna URD
4. Draft Public Outreach Plan
5. Draft URD Plan outline
6. Draft Economic/Feasibility Study outline

# KUNA URBAN RENEWAL DISTRICT ELIGIBILITY STUDY BOUNDARY CHANGES

-  New Parcel Additions
-  Updated URD Study Boundary
-  Parcels Removed from URD Study Boundary
-  Overlap of Updated and Original URD Study Boundary
-  Parcels



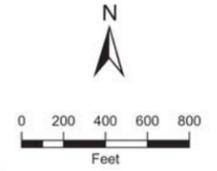


# KUNA URBAN RENEWAL DISTRICT CONCEPTUAL LAND USE PLAN

## DRAFT

- Future Parks
- Proposed Arterial
- Proposed Collector
- URD Plan Boundary
- Parcels

- Commercial
- Medium Density Residential
- High Density Residential
- Light Industrial
- Heavy Industrial
- Mixed-Use
- Public



## **Potential Projects Within the West Kuna URD**

### *Draft List – 07/31/20*

1. Highway 69 Curve into Avalon/Kuna Road: Intersection improvement
2. Extension of Highway 69 to Indian Creek to access future commercial and/or industrial properties/developments.
3. Allocate funds toward another overpass site in Kuna (Linder/Swan Falls Road or Ten Mile Road)
4. Water/Sewer system improvements (lift stations, pipe extensions, new well sites, etc.)
5. Downtown Kuna initiatives
  - a. 4th Street roadway improvements
  - b. Downtown Archway at Main Street and Avenue A
  - c. Streetscape/pedestrian facilities (benches, trash receptacles, etc.)
  - d. Wayfinding system (if eligible)
  - e. Street lighting
  - f. 4<sup>th</sup> Street Gym property redevelopment
  - g. Avenue A-D, Main Street to 4<sup>th</sup> Street improvements (note: Avenue C, D & B between Main & 4th planned for Design in 2021, ROW 2021, Construction 2022. Avenue A not programmed, anticipate design 2023, ROW 2023, and Construction 2024)
  - h. Bernie Fisher Park Downtown Activity Center/Parking lot
  - i. Purchase of blighted structures to sell for redevelopment
  - j. Helen Zamzows Park development, Bridge Avenue/Avalon Street and Shortline Street
  - k. Roundabout at Bridge Avenue/Avalon Street and Shortline Street intersection
  - l. Façade improvement program
  - m. Public alley improvements
6. Pathway improvements along Indian Creek and canals (extend to the east and west and create new north-south pathway connections on both sides of the creek).
7. Avalon Street/Kay Avenue intersection improvement (signalization?)
8. Avalon Street, Ten Mile Road and Meridian Road streetscape/entryway corridor improvements

9. Property Purchases - purchase property with future industrial or commercial use designation to create shovel ready properties for industrial/commercial companies
  - a. Blighted structures or property within the district for redevelopment initiatives. Potential purchase of greenfield land to help attract industrial/commercial users.
  - b. 4<sup>th</sup> Street Gym property for redevelopment/community gathering space
  - c. Mellin's property for a new Town Center (Boise Ave/Linder Road)
  - d. Avalon/Indian Creek frontage properties for redevelopment
  - e. Stroebel/Kuna Road/Indian Creek property for parking lot/commercial redevelopment/public recreation facilities/Greenbelt pathway extensions/Indian Creek facing lots for commercial type projects proposed in the Comp Plan
  - f. Owyhee/Bridge Avenue properties for commercial/residential redevelopment
10. Ability to work with Union Pacific on Rail Spurs for industrial or commercial users as well as improvements to at-grade crossings as needed.
11. Infrastructure connections to buildings, assistance with EDU charges, etc.
  - a. Commercial projects/areas
  - b. Industrial projects/areas
  - c. Hospital, educational or institutional centers
  - d. Library, Fire District or School District related projects and facilities
12. Fiber infrastructure to increase broadband capabilities and wifi locations for the public within Kuna

**City of Kuna**  
**Kuna West Urban Renewal District Creation**  
**Public Outreach Plan**  
**July 2020**

**A. Introduction**

**1. Background**

The City of Kuna adopted Urban Renewal legislation in 2011 and over the years has considered potential Urban Renewal Districts (URD). In 2019, following the city’s Comprehensive Planning effort, the City conducted public meetings regarding economic development initiatives and potential projects. Initial analysis regarding the designation of some specific areas as an Urban Renewal District occurred in early 2020. At that time, the Kuna City Council agreed that the Urban Renewal Agency (URA) should be activated and they appointed a Board of Commissioners for the Agency on March 17, 2020. Since then the Agency has focused on creating the Kuna West URD to facilitate the redevelopment of downtown and surrounding areas.

This public outreach plan provides a guide for methods and activities associated with engaging all interested parties in the Kuna West URD creation process.

**2. Goal and objectives**

The goal of the public outreach process is to engage interested citizens and stakeholders in the URD process and to fully inform all decision-makers. The following objectives support this goal:

- ✓ Provide complete, accurate and timely information regarding the URD process.
- ✓ Facilitate fair and constructive communication between the public and the URA.
- ✓ Offer meaningful and accessible opportunities for participation creating the URD.
- ✓ Ensure that all feedback is reflected in the creation of the URD, through appropriate modifications and as a summary of the public outreach process.

**3. Plan review**

This document is presented to the URA for their consideration and will be used as a living document to guide the URD process. This plan should be considered as a tool for organizing and executing a series of communications and activities in order to form a successful URD. The contents of this plan may be adapted into a future public involvement plan for the URA.

**B. URA Legal Requirements**

In Idaho, Urban Renewal agencies have basic public involvement requirements under the Idaho Code. These provisions impact all activities of the Agency and are described briefly below.

**Public Records Act:** Idaho Code Sections 74-101 through 74-1266 stipulate the processes associated with access to public records, including timeframes and exemptions. All agencies that are considered part of the government of Idaho, including local agencies, must provide documents of interest upon request.

**Open Meeting Law:** Idaho Code Sections 74-201 through 74-208 stipulate the methods by which government agency meetings, to decide and deliberate on public matters, are conducted. This applies to

meetings held by telecommunication. Further provisions for noticing of meetings and agendas and the use of executive sessions are included.

### C. Outreach Methods

The City of Kuna has met with a wide variety of agencies and individuals throughout the formation of the URA and early steps in the URD formation process, including the Kuna School District, Ada County, Ada County Highway District, Idaho Transportation Department, as well as numerous city agencies and committees. The City will also contact by direct mail all property owners within the district planning area, as described below.

Throughout the process the City will compile a list of interested parties to ensure that property owners and other key individuals and groups receive timely information. The list includes name, affiliation, mailing address, email address and telephone. Efforts to expand the list will continue throughout the public outreach process.

Specific methods to engage these individuals and others include:

#### 1. Electronic communication

The City will maintain a **website** <http://www.kunacity.id.gov/518/Kuna-Urban-Renewal-Agency> as a primary location for all project information to include project description and maps, meetings with agendas and minutes, and project reports. The website will also provide an opportunity for the public to offer comments, join the list of interested parties and submit comments. An **on-line survey** may also be added to the website as part of future outreach efforts.

The City will issue regular **emails** to interested parties. In this way individuals, groups, and stakeholders will receive current project information as well as notice of meetings, events, surveys and alerts to new material posted on the project website.

The City **social media** activities are largely hosted on Facebook, including informational posts and live streaming of URA Board meetings. This Facebook page will be updated routinely with new information regarding the project.

#### 2. Print communication

To ensure that affected property owners are informed, the City will **direct mail** a communication letter with a **questionnaire** and a printed **Frequently Asked Questions (FAQ) sheet** to all property owners within the proposed URD boundary.

The City will also post **notices** and other key information for public workshops at local businesses and public buildings. Standard noticing will be posted, through the City Clerk's office, for all public meetings.

The City, along with their consultants, will prepare project documentation in the form of memorandums, reports and other **publications**. These materials will be made available at City Hall. The digital versions will be posted on the URA website.

To facilitate public outreach, large format **displays** or presentation boards may be printed with pertinent information including maps and photographs. These may be used for public gatherings or as static displays at City Hall or other venues.

### 3. Events

In order to fully engage a wide variety of stakeholders and community members, events such as open houses, workshops, and presentations are essential. Given the constraints of the Covid 19 pandemic in 2020, these opportunities must be carefully considered and, in some cases, may require transitioning to on-line or virtual events. Targeted **interviews or small meetings** of less than 10 individuals may also be an appropriate alternative to traditional gatherings.

Modify this to address scoped Public Workshop as details evolve

The central forums for the creation of the Kuna West URD are **URA Board of Commissioners meetings**. These meetings are open to the public and include opportunities for public comment. The City serves as staff for these meetings, supported by their consultant team, ensuring that public notices, agendas and minutes are prepared and disseminated. (See section D, for URA Board timeline).

In addition to meetings of the URA Board, the City staff will also provide **briefings** or presentations to other city commissions, advisory boards and City Council, as needed. When appropriate joint **workshops** of these bodies may also be held. **Public hearings** before the Planning and Zoning Commission, City Council and Board of Ada County Commissioners will also occur throughout the process.

### 4. Media relations

The media will be included in public meeting and hearing notices. The City will purchase public notices as needed in the local newspaper of record in advance of Special URA board meetings not previously advertised. At the beginning of the year, the City mails out a card with a public meeting schedule to every household in Kuna City limits and the URA meetings will be included on that list. As appropriate, the city will reach out to media for major project milestones.

## D. Kuna West URD creation process

### 1. Key Messages

In order to provide clear, consistent and factual information when communicating about the Kuna URD the following key messages have been developed as a series of questions. The responses will evolve with project modifications and the natural progress of the project over time, however the basic questions should be retained. Please see the City's FAQ document for more information on how a URD is formed

- **What is the project?** The City of Kuna Urban Renewal Agency is in the process of creating the Kuna West Urban Renewal District to facilitate the redevelopment of the downtown and surrounding areas.
- **What are the project boundaries?** The boundaries encompass approximately xx acres including the greater downtown area and properties just east of Meridian Road, as depicted on Map 1. If an urban renewal plan is recommended, the boundary could be adjusted at that time. The boundary area will be reviewed in accordance with Idaho Statute governing urban renewal and for the financial capacity of the area to produce tax increment revenues.

- **Why is this important?** Idaho’s urban renewal laws enable communities to attract and retain businesses, promote job creation and encourage development of deteriorating and underutilized areas. The community at large benefits in several important ways:
  - Infrastructure upgrades enhance capacity
  - Improvements to local transportation systems address multiple community concerns
  - Increasing local tax base may result in future lower levy rates and enhanced school enrollment
- **How will it affect properties within the URD?** Property owners will see no increase in their taxes because of the Urban Renewal District, but they may see some infrastructure projects and new development occurring within the boundaries. New developments allow the Urban Renewal District to collect increment (or the addition of tax revenue from new development) specific to the planning area.
- **When will this occur?** Meetings are happening now as the URA is reviewing draft plans in August and September 2020, and then they will go to the URA Board, Ada County Board of Commissioners, the Kuna Planning & Zoning Commission as well as City Council before final adoption of a plan.
- **How can I learn more?** The City of Kuna has an Urban Renewal page on the website with information about upcoming meetings. If you would like to be included on a list of interested parties please email Lisa Holland ([lholland@kunaid.gov](mailto:lholland@kunaid.gov)) or fill out the survey on the Kuna Urban Renewal web page.

## **2. Team Roles and Responsibilities**

Chris Engels, City of Kuna, Secretary of the Urban Renewal Board, Kuna City Clerk – City Council and City Department liaison  
Lisa Holland, City of Kuna, Economic Development Director/Agency Administrator – Project Manager  
Jared Empey, City of Kuna, Treasurer for the City and Urban Renewal Agency  
Lisa Bachman, J-U-B, Consultant Team lead  
Tim Blair, J-U-B, Project Engineer  
Meghan Conrad, Elam & Burke, Legal Counsel

## **3. Process and Milestones**

Listed below are all key dates for the Kuna West URD public outreach process. They are color coded by responsible entity: URA Board (blue), City Council and/or Planning and Zoning Commission (green) City personnel and/or Agency Administrator (orange), Consultant team (black)

**May 19, 2020 – Regular City Council Meeting**  
Council approves URD eligibility report by Resolution

**June 3, 2020 - Special URA Board Meeting**  
Project initiated by URA Board, Agency Administrator designated, project steps outlined

**June 8, 2020 - Agency Administrator mailed a letter to property owners, within the eligibility study area, that were in Ada County but not City limits to ask if they’d like to be included in the District planning area.**

***June 16, 2020 – Regular City Council meeting***

Select consultant team – J-U-B engineers and Alivia Metts

***July 1, 2020 – Regular URA Board Meeting***

Agency discussion regarding strategic planning and timelines

***July 22 & 29<sup>th</sup>, 2020 – Agency Administrator issues public notice through Kuna Melba News for Budget Hearing on August 5<sup>th</sup> URA Board meeting***

August 3<sup>rd</sup>, 2020 - Agency Administrator & City Clerk post Package of Materials for August 5<sup>th</sup> URA Board Meeting

***August 5, 2020 – Regular URA Board Meeting***

Agency discussion of Initial Draft Plan, boundaries, next steps and timelines

***August 7, 2020 – Agency Administrator mails letter, FAQ and questionnaire to affected property owners with responses expected August 28, 2020. Include Notice of August 27 virtual workshop.***

***August 11, 2020 – Agency Administrator issues public notice materials for August 27 Virtual Public Workshop***

Posts all notice information on project website; issues media release; emails/direct mails flyer to all interested parties, posts flyer in key community locations, and adds to Facebook

***August 14, 2020 – Email Planning and Zoning Commission/Council with August 5 URA findings, invitation to Public Workshop, and request comments in 5 – 7 days?***

***August 27, 2020 – Virtual Public Workshop (Phased – noon and 6 p.m. from at City Hall via ZOOM) J-U-B supported***

***September 2, 2020 – Regular URA Board Meeting***

Agency discussion regarding public outreach to date/results of workshop  
Consider URD plan for approval

***September 4, 2020 – Consultant formally transmits URD plan to City***

***September 7, 2020 – Agency Administrator/Planning and Zoning Director transmit plan to Planning and Zoning Commission***

***September 22, 2020 – Planning and Zoning Commission Meeting***

***J-U-B supported***

***September 25, 2020 – Agency Administrator submits Final Public Hearing Notice (30-day advance for City Council hearing date?)***

***September 28 - Ada County BOCC meeting (joint agency agreement? Plan review or adoption?) Identify who issues public notice materials and when***

***October 7, 2020 – Regular URA Board Meeting***

***October 16, 2020 – Agency Administrator/City Clerk issues public notice materials for November 3, City Council Meeting***

Posts all notice information on project website; issues media release; emails/direct mails flyer to all interested parties, posts flyer in key community locations, and adds to Facebook

***November 3, 2020 – Regular City Council Meeting***

1<sup>st</sup> reading by Council of URD Ordinance J-U-B supported  
November 17: 2<sup>nd</sup> reading; December 1: 3<sup>rd</sup> reading

***November 4, 2020 – Regular URA Board Meeting***

***December 2, 2020 – Regular URA Board Meeting***

**E. Evaluation of Kuna West URD creation process**

The City of Kuna will maintain records of all interactions with the public including documentation of all outreach activities, participants and feedback provided. This information will be included in presentations to the URA Board and be evaluated prior to undertaking future outreach efforts.



# City of Kuna Economic Development

PROPERTY OWNER

August 7, 2020

Re: Urban Renewal District for Kuna

Dear PROPERTY OWNER,

When it comes to infrastructure planning and financial resources, there are very few tools available to cities to help spur commercial development. With over 10,000 of our residents commuting to another city for work every day, we know that economic development is a priority to create jobs closer to home for our residents. We are limited in the number of commercial/industrial buildings in our community, as well as shovel-ready sites with infrastructure in place for commercial developments to locate.

The City is working with the Kuna Urban Renewal Agency (URA) to evaluate options to create an Urban Renewal District (URD) within the City of Kuna. If established, the URA would receive an allocation of taxes tied to an increase in property value of parcels within the URD to be used for infrastructure related purposes (roadways, sewer, water, pathways, removing blight, etc). A URA is not a taxing district and the establishment of a URD **does not** increase taxes, it helps the City focus dollars from new developments into specific improvement projects.

**Example:** If a piece of ground is assessed at \$100,000 when an Urban Renewal District is formed, and someone builds a structure on that ground that increases the assessed taxable value to \$500,000, the taxes collected on the original \$100,000 are allocated to the taxing districts as they always have been. The taxes collected on the additional \$400,000 of taxable value would be allocated to and be managed by the Urban Renewal Agency specific to the priorities listed in the District plan. Impact fees are still collected within the Urban Renewal District, so police/fire/Ada County Highway District or any other applicable impact fees would still need to be paid by new developments coming in. *Please refer to the enclosed FAQ document for more information about how Urban Renewal works.*

Once an Urban Renewal District boundary is determined, it is set in place for a period of up to twenty years, and the Agency has limited ability to adjust the boundaries and add new parcels in later. **Your property was identified in the eligibility study as a parcel to be considered, so we wanted to reach out and make sure we addressed any questions you might have (see enclosed questionnaire).** Again, you will not see an increase in taxes once you are included in the district; an Urban Renewal District simply allows us to focus dollars from new developments that take place during the next twenty years.

We are inviting your input on what priorities we should include within the plan. The district funds can only be used for infrastructure improvements, so our draft plan will include items like roadway projects, intersection improvements, sewer and water connections, and other improvements to Downtown Kuna. It helps us move up the timeline on projects that otherwise would be funded down the road.

We will be posting regular updates about the Urban Renewal District on the City's website: <https://www.kunacity.id.gov/518/Kuna-Urban-Renewal-Agency>. We are also hoping to schedule a virtual workshop for August 27<sup>th</sup> at X Time (tentative date to still be confirmed prior to letter going out), and would welcome your participation and feedback. Let us know if you'd like to attend and we'll be sure to get the zoom link to you.

Feel free to reach out to Lisa Holland (208) 559-5926, Chris Engels (208) 387-7727 or email [lholland@kunaid.gov](mailto:lholland@kunaid.gov) if you have any questions or an interest in being involved/informed along the way.

Sincerely,

Joe Stear  
Mayor of Kuna

Lisa Holland  
Economic Development Director

P.O. BOX 13  
KUNA ID 83634  
(208) 922-5546  
[www.KunaCity.id.gov](http://www.KunaCity.id.gov)

**Mayor**  
Joe Stear

**City Council**  
**Members**  
Briana Buban-Vonder Haar  
Richard Cardoza  
Warren Christensen  
Greg McPherson

**Economic**  
**Development**  
**Director**  
Lisa Holland  
[lholland@kunaid.gov](mailto:lholland@kunaid.gov)  
(208) 559-5926

# KUNA URBAN RENEWAL DISTRICT FREQUENTLY ASKED QUESTIONS



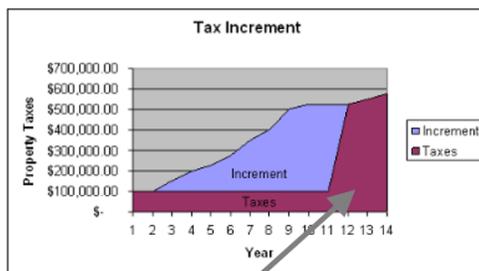
## What is an Urban Renewal District (URD)?

An Urban Renewal District is a Tax Increment Finance (TIF) tool that helps fund infrastructure to support redevelopment (downtown), development of bare undeveloped land (business/industrial parks) and brownfield development (industrial site).

Tax Increment Financing: when a URD is put into place, property tax values begin to be separated into two groups – the *base* and the *increment*. Revenues collected on the base values are allocated to the overlapping taxing districts (city, county, etc.). Revenues collected on the increment values are allocated to the urban renewal agency to fund public infrastructure improvements within the URD. After the district closes, the increment value is included in the taxable value for each taxing district (city, county, etc.).

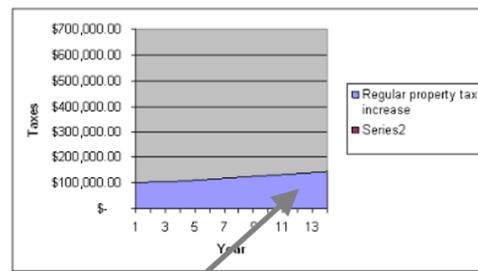
THE BASE...	THE INCREMENT...
The money that is collected based on the value of properties within the boundaries of the urban renewal district at the time the district is formed.	Any increase in revenues based on increased property values within the urban renewal district from the time the district is created until it is closed. The increment is then used to reimburse a developer or other proponents for building and creating public infrastructure that is accepted by the City.

TAX INCREMENT FINANCING GRAPH 1



Money that funds regular taxing entities. After year ten (or whatever the life of the district may be), most of the increased revenue flows back to the taxing districts. These funds open up an option for decreased levy rates and subsequent tax burden when a district closes.

TAX INCREMENT FINANCING GRAPH 2



This graph shows how increased revenues would look for taxing districts without a TIF. Without a TIF, many areas see no major development for many years.



## What is the process of establishing a URD?

- 1. Develop Eligibility Study** – determine if an area, or areas, meet(s) the eligibility requirements set forth in the definitions of a deteriorated area and/or a deteriorating area in the Law (Chapter 20, Title 50, Idaho Code) and Act (Chapter 29, Title 50, Idaho Code).
- 2. Approve a Resolution** – by the Kuna City Council to authorize the Urban Renewal Agency to prepare an urban renewal plan for the area.
- 3. Prepare Urban Renewal Plan/Feasibility Study** – a plan, to be approved by the Kuna City Council, identifying improvements and infrastructure needed to redevelop/revitalize the URD area(s).
- 4. Review Urban Renewal Plan** – refer URD Plan to the Planning and Zoning Commission for a finding that the plan is in conformity with the City's Comprehensive Plan; set a public hearing before the Kuna City Council to review the Plan.
- 5. Adopt Ordinance** – by the Kuna City Council, after conducting the public hearing approving the Urban Renewal Plan.



## *What are the goals of establishing the URD?*

The Kuna Downtown Revitalization Plan and Comprehensive Plan identify a URD as a key strategy to achieve many of the community's goals. A URD would help fund public improvements that support creating jobs through development or redevelopment that may not have occurred without the URD/TIF.

### **Community Goals**

1. Higher education
2. Transportation
3. Office parks
4. Industrial parks
5. Recreational amenities
6. Public safety



## *How is the boundary of the URD determined?*

The boundary, or boundaries of the URD(s), are determined by examining areas of the city that are prime for redevelopment (downtown) or development (future business and/or industrial areas). These areas will be evaluated to determine eligibility. Eligibility criteria, per Idaho Code, includes deteriorating buildings or sites, defective street layouts, faulty lot layout, insanitary or unsafe conditions, diversity of ownership, tax delinquency, defective and unusual conditions of title, or endangerment of life or property. An additional eligibility requirement is that upon establishment of the URD, the combined base values of any URDs (existing or proposed) cannot exceed 10 percent of the current assessed valuation of all taxable property within the City.



## *Does a URD take money away from other local government services?*

The establishment of the URD does not raise taxes or affect impact fees. The taxing districts overlapping the URD (city, county, schools, emergency services, etc.) receive all revenue to which they are entitled under state law and applicable budget and levy limits.



## *Is the URD going to increase taxes?*

No, property taxes are not increased when a URD is formed. The URD is not a taxing entity and cannot levy taxes. Assuming the redevelopment activities result in growth that would not have occurred otherwise, the URD's activities help raise property *values* within Kuna's renewal district(s) at a faster rate than Kuna as a whole. This translates into a more valuable property for the owner and in turn, more tax revenue in the district. .



## *What projects and/or improvements are anticipated?*

Urban renewal districts are formed in areas that are often in need of additional public infrastructure to support development or redevelopment. Anticipated improvements may include but are not limited to streets, sidewalks, public utilities, water, sewer, irrigation, lighting, etc.



## *How can I be involved?*

Contact the Kuna Economic Development Director to be added to the notification list:

**Lisa Holland**  
**208-559-5926**  
**lholland@kunaid.gov**



# Kuna West Urban Renewal District *Plan*

## STAKEHOLDER QUESTIONNAIRE

Date	
Name	
Position/organization	
Address / Property Location	
Phone	
E-mail	
Preferred Contact Method?	
Want to Receive Updates?	

## QUESTIONS

1. Are you familiar with Urban Renewal Districts? Do you have any questions about URDs?

---

---

2. What types of jobs and businesses should Kuna strive to attract?

---

---

---

---

3. What types of improvements/projects (streets, sidewalks, public utilities, water, sewer, irrigation, lighting) should be included in the URD Plan?

---

---

---

---

4. Do you have any ideas you would like to share, or additional questions?

---

---

---

---

## PUBLIC WORKSHOP NOTICE

INSERT DATE, TIME, PLACE

OTHER INFO ABOUT WORKSHOP LOGISTICS



DRAFT 07.31.2020

**URBAN RENEWAL PLAN FOR THE  
KUNA WEST URBAN RENEWAL PROJECT**

**THE URBAN RENEWAL AGENCY OF THE CITY OF KUNA  
CITY OF KUNA, IDAHO**

**Ordinance No. \_\_\_\_\_**  
**Adopted \_\_\_\_\_**  
**Effective \_\_\_\_\_**

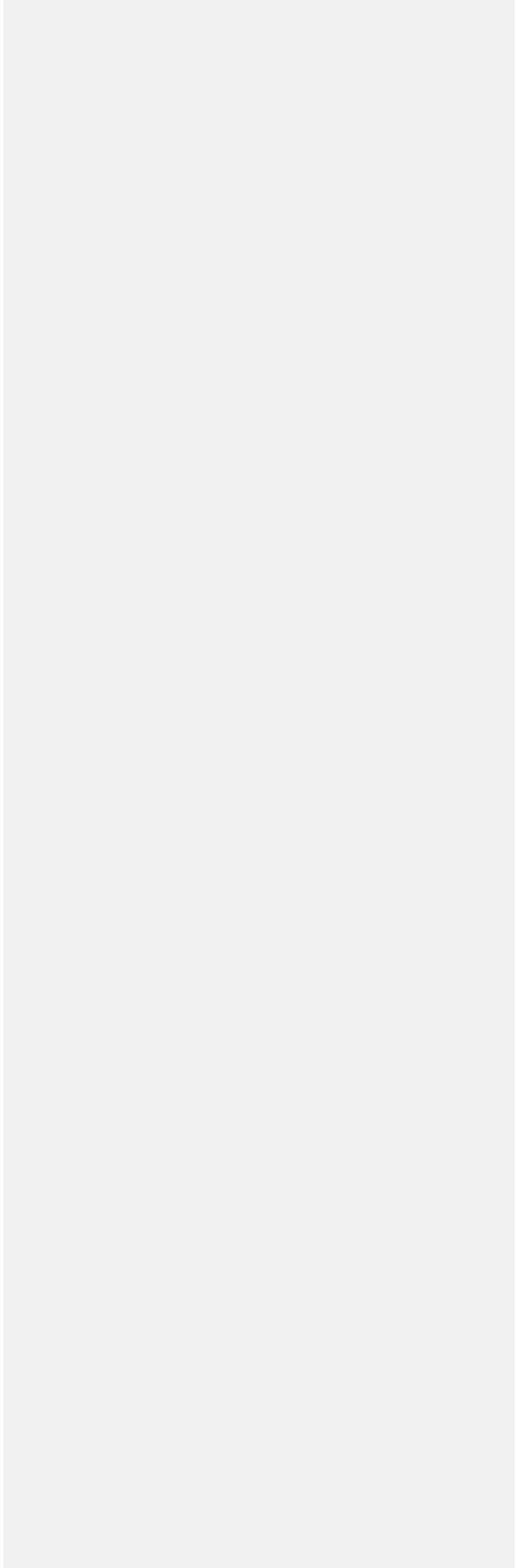


TABLE OF CONTENTS

	Page
100 INTRODUCTION .....	1
101 General Procedures of the Agency .....	4
102 Provisions Necessary to Meet State and Local Requirements: Conformance with the Idaho Urban Renewal Law of 1965, as Amended .....	5
103 History and Current Conditions of the Area .....	7
104 Purpose of Activities .....	8
105 Open Land Criteria .....	9
200 DESCRIPTION OF PROJECT AREA.....	10
300 PROPOSED REDEVELOPMENT ACTIONS .....	10
301 General.....	10
302 Urban Renewal Plan Objectives .....	13
303 Participation Opportunities and Agreement.....	14
303.1 Participation Agreements.....	14
304 Cooperation with Public Bodies .....	16
305 Property Acquisition .....	17
305.1 Real Property .....	17
305.2 Personal Property .....	18
306 Property Management.....	18
307 Relocation of Persons (Including Individuals and Families), Business Concerns, and Others Displaced by the Project.....	19
308 Demolition, Clearance and Site Preparation.....	19
309 Property Disposition and Development.....	19
309.1 Disposition by the Agency.....	20
309.2 Disposition and Development Agreements .....	20
309.3 Development by the Agency.....	21
310 Development Plans .....	22
311 [Reserved] .....	22
312 [Reserved] .....	22
313 Participation with Others .....	22
314 Conforming Owners.....	23
315 Arts Funding .....	23
400 USES PERMITTED IN THE PROJECT AREA.....	23
401 Designated Land Uses.....	23
402 [Reserved] .....	23
403 Public Rights-of-Way .....	23
404 Interim Uses .....	24
405 Development in the Project Area Subject to the Plan.....	24
406 Construction Shall Comply with Applicable Federal, State, and Local Laws and Ordinances and Agency Development Standards.....	24
407 [Reserved] .....	25
408 Nonconforming Uses .....	25

409	Design Guidelines for Development under a Disposition and Development Agreement or Owner Participation Agreement .....	25
500	METHODS OF FINANCING THE PROJECT .....	26
501	General Description of the Proposed Financing Method.....	26
502	Revenue Allocation Financing Provisions.....	26
	502.1 Economic Feasibility Study .....	28
	502.2 Assumptions and Conditions/Economic Feasibility Statement .....	28
	502.3 Ten Percent Limitation .....	30
	502.4 Financial Limitation.....	30
	502.5 [Reserved].....	32
	502.6 Participation with Local Improvement Districts and/or Community Infrastructure Districts .....	32
	502.7 Issuance of Debt and Debt Limitation .....	32
	502.8 Impact on Other Taxing Districts and Levy Rate .....	32
503	Phasing and Other Fund Sources .....	35
504	Lease Revenue and Bonds .....	35
505	Membership Dues and Support of Community Economic Development .....	36
600	ACTIONS BY THE CITY AND COUNTY .....	36
601	Maintenance of Public Improvements .....	37
700	ENFORCEMENT .....	38
800	DURATION OF THIS PLAN, TERMINATION, AND ASSET REVIEW .....	38
900	PROCEDURE FOR AMENDMENT OR MODIFICATION .....	39
1000	SEVERABILITY .....	40
1100	ANNUAL REPORT AND OTHER REPORTING REQUIREMENTS .....	40
1200	APPENDICES, ATTACHMENTS, EXHIBITS, TABLES .....	40

### **Attachments**

- Attachment 1      Boundary Map of Urban Renewal Project Area and Revenue Allocation Area
- Attachment 2      Legal Description of Urban Renewal Project Area and Revenue Allocation Area
- Attachment 3      Private Properties Which May be Acquired by the Agency
- Attachment 4      Map Depicting Expected Land Use and Current Zoning Map of the Project Area
- Attachment 5      Economic Feasibility Study
- Attachment 6      Agricultural Operation Consents
- Attachment 7      Ada County Board of County Commissioners Resolution No. \_\_\_\_\_ (eligibility)
- Attachment 8      Kuna City Council Resolution No. \_\_\_\_\_ (eligibility)
- Attachment 9      Ada County Board of County Commissioners Ordinance No. \_\_\_\_\_ (Intergovernmental Agreement and Transfer of Powers Ordinance)
- Attachment 10     Kuna City Council Resolution No. \_\_\_\_\_ (Intergovernmental Agreement – Ada County)

## 100 INTRODUCTION

This is the Urban Renewal Plan (the “Plan”) for the Kuna West Urban Renewal Project (the “Project”) in the City of Kuna (the “City”), state of Idaho. Attachments 1 through 10 attached hereto (collectively, the “Plan Attachments”) are incorporated herein and shall be considered a part of this Plan.

The term “Project” is used herein to describe the overall activities defined in this Plan and conforms to the statutory definition of an urban renewal project. Reference is specifically made to Idaho Code §§ 50-2018(10) and 50-2903(13) for the various activities contemplated by the term “Project.” Such activities include both private and public development of property within the urban renewal area. The Kuna West Project Area is also referred to as the “Project Area.”

This Plan was prepared by the Board of Commissioners (the “Agency Board”) of the Urban Renewal Agency of the City of Kuna (the “Agency”), its consultants, and staff, and reviewed and recommended by the Agency pursuant to the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code, as amended (the “Law”), the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended (the “Act”), and all applicable local laws and ordinances.

Idaho Code § 50-2905 identifies what information the Plan must include with specificity as follows:

- (1) A statement describing the total assessed valuation of the base assessment roll of the revenue allocation area and the total assessed valuation of all taxable property within the municipality.
- (2) A statement listing the kind, number, and location of all proposed public works or improvements within the revenue allocation area.
- (3) An economic feasibility study.
- (4) A detailed list of estimated project costs.
- (5) A fiscal impact statement showing the impact of the revenue allocation area, both until and after the bonds are repaid, upon all taxing districts levying taxes upon property on the revenue allocation area.
- (6) A description of the methods of financing all estimated project costs and the time when related costs or monetary obligations are to be incurred;
- (7) A termination date for the plan and the revenue allocation area as provided for in section 50-2903(20), Idaho Code. In determining the termination date, the plan shall recognize that the agency shall receive allocation of revenues in the calendar

year following the last year of the revenue allocation provision described in the urban renewal plan.

- (8) A description of the disposition or retention of any assets of the agency upon the termination date. Provided however, nothing herein shall prevent the agency from retaining assets or revenues generated from such assets as long as the agency shall have resources other than revenue allocation funds to operate and manage such assets.

This Plan includes the above information with specificity.

The Project Area extends beyond the municipal boundary of the City to include parcels in unincorporated Ada County. Pursuant to Idaho Code Sections 50-2018(18) and 50-2906(1), the Ada County Board of County Commissioners (the “BOCC”) has deemed the Project Area eligible for an urban renewal project (Attachment 7). Further, for purposes of implementing this Plan, the BOCC entered into an intergovernmental agreement and adopted a transfer of powers ordinance (Attachment 9). As the Project Area develops, the City and County intend for the Project Area to be fully annexed into the City.

The proposed development of the Project Area as described in this Plan conforms to The City of Kuna 2019 Comprehensive Plan, *Envision Kuna*, (the “Comprehensive Plan”), and adopted by the City Council (the “City Council”). The Agency intends to rely heavily on any applicable City design standards which may cover all or part of the Project Area.<sup>1</sup>

**This Plan is subject to the Plan modification limitations and reporting requirements set forth in Idaho Code § 50-2903A. Subject to limited exceptions as set forth in Idaho Code § 50-2903A, if this Plan is modified by City Council ordinance, then the base value for the year immediately following the year in which modification occurs shall include the the current year’s equalized assessed value of the taxable property in the revenue allocation area, effectively eliminating the Agency’s revenue stream. Should the Agency have any outstanding financial obligations, the City shall not adopt an ordinance modifying this Plan unless modification is deemed to have not occurred as provided in Idaho Code § 50-2903A(1)(a)(i)-(iv) and written consent has been obtained by any creditors, including but not limited to lending institutions and developers who have entered into reimbursement agreements with the Agency.**

**A modification shall not be deemed to occur when “[t]here is a plan amendment to make technical or ministerial changes to a plan that does not involve an increase in the use of revenues allocated to the agency.” Idaho Code § 50-2903A(1)(a)(i). Annual adjustments as more specifically set forth in the Agency’s annual budget will be required to account for more/less estimated revenue and project timing, including prioritization of projects. Any**

---

<sup>1</sup> The redevelopment of the Project Area also conforms to the Ada County 2025 Comprehensive Plan, originally adopted November 2016, together with the December 2019 update. However, as the Project Area will ultimately be annexed into the City prior to development, the City’s Comprehensive Plan will guide development as addressed in the intergovernmental agreement between the City and the County.

**adjustments for these stated purposes are technical and ministerial and are not modifications under Idaho Code § 50-2903A.**

This Plan provides the Agency with powers, duties, and obligations to implement and further the program generally formulated in this Plan for the development, redevelopment, rehabilitation, and revitalization of the area within the boundaries of the Project Area. The Agency retains all powers allowed by the Law and Act. This Plan presents a process and a basic framework within which plan implementation, including contracts, agreements and ancillary documents will be presented and by which tools are provided to the Agency to fashion, develop, and proceed with plan implementation. The Plan has balanced the need for flexibility over the twenty (20)-year timeframe of the Plan to implement the improvements identified in Attachment 5, with the need for specificity as required by Idaho Code § 50-2905. The Plan narrative addresses the required elements of a plan set forth in Idaho Code § 50-2905(1), (5), (7) and (8). Attachment 5, together with the Plan narrative, meet the specificity requirement for the required plan elements set forth in Idaho Code § 50-2905(2)-(6), recognizing that actual Agency expenditures are prioritized each fiscal year during the required annual budgeting process.

Allowed projects are those activities which comply with the Law and the Act and meet the overall objectives of this Plan. The public-private relationship is crucial in the successful development and redevelopment of the Project Area. Typically, the public will fund enhanced public improvements like utilities, streets, and sidewalks which, in turn, create an attractive setting for adjacent private investment for a mixed-use residential (single family residential and increased density), light industrial, office, and commercial facilities.

The purpose of the Law and Act will be attained through the implementation of the Plan. The master goals of this Plan are:

Commented [MC1]: update

- a. The installation and construction of public improvements, including new collector and arterial streets; improvements to existing roadways and intersections, including the installation of traffic signals; installation of curbs, gutters and streetscapes, which for purposes of this Plan, the term “streetscapes” includes sidewalks, lighting, landscaping, benches, bike racks, wayfinding, public art and similar amenities between the curb and right of way line; installation and/or improvements to fiber optic facilities; improvements to public utilities including water and sewer improvements, and fire protection systems; removal, burying, or relocation of overhead utilities; extension of electrical distribution lines and transformers; improvement of irrigation and drainage ditches and laterals; and improvement of storm drainage facilities;
- b. The planning, design and construction of proposed improvements to Highway 69, including extension of Highway 69 to Indian Creek, and improvements to the intersection with Avalon/Kuna Road. The planning, design and construction of a new overpass site, and improvements to other existing roadways and intersections within the Project Area;

- c. The replanning, redesign, and development of undeveloped or underdeveloped areas which are stagnant or improperly utilized because of limited traffic access, underserved utilities, and other site conditions;
- d. The strengthening of the economic base of the Project Area and the community by the installation of needed public improvements to stimulate new private development providing employment and economic growth;
- e. The provision of adequate land for open space, street rights-of-way and pedestrian rights-of-way, including pathways along Indian Creek and the canals;
- f. The reconstruction and improvement of street corridors to allow traffic flows to move through the Project Area along with the accompanying utility connections, through the Project Area;
- g. The provision of public service utilities, which may be sited outside of the Project Area, but are necessary to the development of the Project Area, such as water system improvements, sewer system improvements and improvements to storm drainage facilities;
- h. In conjunction with the City, the establishment and implementation of performance criteria to assure high site design standards and environmental quality and other design elements which provide unity and integrity to the entire Project Area, including commitment of funds for planning studies, achieving high standards of development, and leveraging such development to achieve public objectives and efficient use of scarce resources;
- i. The strengthening of the tax base by encouraging private development, thus increasing the assessed valuation of properties within the Project Area as a whole and benefiting the various taxing districts in which the urban renewal area is located; and
- j. The funding of necessary public infrastructure to accommodate both public and private development.

**101 General Procedures of the Agency**

The Agency is a public body, corporate and politic, as defined and described under the Law and the Act. The Agency is also governed by its bylaws as authorized by the Law and adopted by the Agency. Under the Law, the Agency is governed by the Idaho open meeting law; the Public Records Act; the Ethics in Government Act of 2015, Chapters 1, 2 and 4 of Title 74, Idaho Code; reporting requirements pursuant to Idaho Code §§ 67-450B, 67-450E, 50-2903A and 50-2913; and the competitive bidding requirements under Chapter 28, Title 67, Idaho Code, as well as other procurement or other public improvement delivery methods.

Subject to limited exceptions, the Agency shall conduct all meetings in open session and allow meaningful public input as mandated by the issue considered or by any statutory or regulatory provision.

The Agency may adopt separate policy statements. Any modification to any policy statement is a technical or ministerial adjustment and is not a modification to this Plan under Idaho Code § 50-2903A.

**102 Provisions Necessary to Meet State and Local Requirements: Conformance with Idaho Code Sections 50-2008 and 50-2906**

Idaho law requires that the City Council, by resolution, must determine a geographic area be a deteriorated area or a deteriorating area, or a combination thereof, and designate such area as appropriate for an urban renewal project prior to preparation of an urban renewal plan. A consultant was retained to study a proposed project area and prepare an eligibility report. The eligibility report was submitted to the Agency. The Agency accepted the eligibility report by Agency Resolution No. 2020-02 on April 24, 2020, and thereafter submitted the eligibility report to the Ada County Board of County Commissioners and the City Council for their consideration.

As properties within the Project Area are outside the boundaries of the City and within the boundaries of unincorporated Ada County, and in accordance with Idaho Code § 50-2018(18), the Ada County Board of County Commissioners considered adoption of a resolution on May 7, 2020, finding the Project Area to be a deteriorated area and/or deteriorating area and finding a need for the urban renewal plan. The Ada County Board of County Commissioners declined to adopt the resolution.

The area studied was deemed by the City Council to be a deteriorating area and/or a deteriorated area and therefore eligible for an urban renewal project by adoption of Resolution No. R29-2020 on May 19, 2020. With the adoption of Resolution No. R29-2020, the City Council authorized the preparation of an urban renewal plan.

After adoption of Resolution No. R29-2020 by the City Council, adjustments were necessary to the Study Area map to conform to parcel lines. Additionally, it was determined additional parcels adjacent to the Study Area should be reviewed for eligibility. The consultant was retained to study the additional area and to prepare a supplemental eligibility report. The supplemental eligibility report was submitted to the Agency. The Agency accepted the supplemental eligibility report by Agency Resolution No. \_\_\_\_\_ on \_\_\_\_\_, and thereafter submitted the supplemental eligibility report to the Ada County Board of County Commissioners and the City Council for their consideration.

Following discussion, it was determined to limit the properties within the Project Area outside the boundaries of the City and within the boundaries of unincorporated Ada County, and in accordance with Idaho Code § 50-2018(18), the Ada County Board of County Commissioners adopted resolution on \_\_\_\_\_, finding the Project Area to be a deteriorated area and/or deteriorating area and finding a need for the urban renewal plan for certain parcels located within

unincorporated Ada County. A copy of Resolution No. \_\_\_\_\_ is attached hereto as Attachment 7.

[The additional area studied was deemed by the City Council to be a deteriorating area and/or a deteriorated area and therefore eligible for an urban renewal project by adoption of Resolution No. \_\_\_\_\_ on \_\_\_\_\_. With the adoption of \_\_\_\_\_, the City Council authorized the preparation of an urban renewal plan for the area, subject to the geographic limitations requested by the Ada County Board of County Commissioners.]

In accordance with the Law and Act, the necessary agricultural operation consents were obtained from owners of any agricultural operations within the Project Area for property that has been used as an agricultural operation within the last three (3) years. Copies of the agricultural operation consents are attached hereto as Attachment 6.

The Plan was prepared and submitted to the Agency for its review and approval. The Agency approved the Plan by the adoption of Agency Resolution No. \_\_\_\_\_ on \_\_\_\_\_, and submitted the Plan to the BOCC, and the City Council with its recommendation for adoption.

In accordance with the Law, this Plan was submitted to the Planning and Zoning Commission of the City. After consideration of the Plan, the Commission reported to the City Council that this Plan is in conformity with the City's Comprehensive Plan.

In accordance with the Law and the Act, the City Council and BOCC entered into an intergovernmental agreement concerning the administration and implementation of the Plan and the BOCC adopted a transfer of powers ordinance on \_\_\_\_\_, \_\_\_\_\_, by Ordinance No. \_\_\_\_\_.

Pursuant to the Law and Act, the City Council having published due notice thereof, a public hearing was held on this Plan. Notice of the hearing was duly published in the *Kuna Melba News*, a newspaper having general circulation in the City. The City Council adopted this Plan on \_\_\_\_\_, \_\_\_\_\_, by Ordinance No. \_\_\_\_\_.

### 103 History and Current Conditions of the Area

Commented [MC2]: Will want to add information to this section.

This Project Area includes an estimated \_\_\_\_\_ acres with a mix of land uses. The Project Area is generally located at the southernmost portion of Highway 69/Meridian Road and extends south to the Union Pacific Rail Line and west along West Avalon Street, including portions of Linder Avenue and Franklin Avenue. The Project Area continues west to include all properties from Linder Avenue to Ten Mile Road and from 4<sup>th</sup> Street to West Avalon Street. Additional properties are also included on the south side of the Union Pacific Rail Line along West Shortline Street and East Stagecoach Way. The Project Area includes properties located within the City limits as well as parcels within the City's area of impact, in unincorporated Ada County, which parcels are necessary to address improvements to the Highway 69 intersection into Avalon Road and Kuna Road, and to incent commercial development consistent with the Comprehensive Plan.

The Project Area includes mixed zoning for industrial, commercial and residential uses. A significant impediment to development is the extent of infrastructure necessary to develop and/or redevelop the area. Development potential within the Project Area is currently restricted due to defective or inadequate connectivity, vehicular and pedestrian, in the Project Area as well as lack of access to the municipal water system, which creates fire flow issues. Extension of a water distribution system throughout the Project Area is necessary to support development. Likewise, the sewer system will also need to be extended throughout the Project Area. Power system upgrades are also necessary. The Project Area lacks the public infrastructure necessary to properly serve economic development contemplated by the City's Comprehensive Plan.

The Plan proposes installation and improvements to public infrastructure and other publicly owned assets throughout the Project Area, as more specifically set forth in Attachment 5, creating the opportunity for commercial and industrial economic development, as well as the opportunity for expanded residential housing stock.

Project Area is underdeveloped and/or vacant and is not being used to its highest and best use due to a substantial number of deteriorating or deteriorated structures, deterioration of site, the predominance of defective or inadequate street layout, faulty lot layout, obsolete platting, outmoded street patterns, need for modern traffic requirements, insanitary and unsafe conditions, diversity of ownership and inadequate utility infrastructure needed for a larger development. The foregoing conditions have arrested or impaired growth in the Project Area.

The preparation and approval of an urban renewal plan, including a revenue allocation financing provision, gives the City additional resources to solve the public infrastructure and development impediment issues in this area. Revenue allocation financing should help to improve the situation. In effect, property taxes generated by new developments within the Project Area may be used by the Agency to finance a variety of needed public improvements and facilities. Finally, some of the new developments may also generate new jobs in the community that would, in turn, benefit area residents.

It is unlikely individual developers will take on the prohibitive costs of constructing the necessary infrastructure in the Project Area without the ability of revenue allocation to help

offset at least some of these costs. But for urban renewal and revenue allocation financing the proposed industrial and commercial developments would not occur.

#### **104 Purpose of Activities**

Attachment 5 includes the public improvements list identifying with specificity the proposed public improvements and projects contemplated in the Project Area. The description of activities, public improvements, and the estimated costs of those items are intended to create an outside limit of the Agency's activity. Due to the inherent difficulty in projecting future levy rates, future taxable value, and the future costs of construction, the Agency reserves the right to:

- a. change funding amounts from one Project to another.
- b. to re-prioritize the Projects described in this Plan and the Plan Attachments.
- c. Retain flexibility in funding the various activities in order to best meet the Plan and the needs of the Project Area.
- d. Retain flexibility in determining whether to use the Agency's funds or funds generated by other sources.
- e. Alter the location of proposed improvements set forth in Attachment 5 to support development when it occurs. The information included in Attachment 5 presents a realistic development scenario recognizing it is difficult to project with any certainty where the improvements will be sited until any future projects submit plans to the City for design review and permitting.

**The Agency intends to discuss and negotiate with any owner or developer of the parcels within the Project Area seeking Agency assistance during the duration of the Plan and Project Area.** During such negotiation, the Agency will determine the eligibility of the activities sought for Agency funding, the amount the Agency may fund by way of percentage or other criteria including the need for such assistance. The Agency will also take into account the amount of revenue allocation proceeds estimated to be generated from the developer's activities. The Agency also reserves the right to establish by way of policy, its funding percentage or participation, which would apply to all developers and owners.

Throughout this Plan, there are references to Agency activities, Agency funding, and the development, and contribution of public improvements. Such references do not necessarily constitute a full, final, and formal commitment by the Agency but, rather, grant to the Agency the discretion to participate as stated subject to achieving the objectives of this Plan and provided such activity is deemed eligible under the Law and the Act. The activities listed in Attachment 5 will be determined or prioritized as the overall Project Area develops and through the annual budget setting process.

The activities listed in Attachment 5 are also prioritized by way of importance to the Agency by the amounts funded, and by year of funding, with earlier years reflecting the more

important activities, achievement of higher objectives, long term goals, and commitments. As required by the Law and Act, the Agency will adopt more specific budgets annually. The projected timing of funding is primarily a function of the availability of market conditions and financial resources but is also strategic, considering the timing of private development partnership opportunities and the ability of certain strategic activities to stimulate development at a given points in time within the planned 20-year period of the urban renewal district and revenue allocation area.

The Study (Attachment 5) has described a list of prioritized public improvements and other related activities with an estimated cost in 2020 dollars of approximately \$\_\_\_\_\_. This amount does not take into account inflationary factors, such as increasing construction costs, which would increase that figure depending on when the owner, developer and/or Agency is able to develop, construct or initiate those activities. The Study has concluded the capacity of revenue allocation funds through the term of the Plan based on the assumed development projects and assessed value increases will likely generate an estimated \$\_\_\_\_\_ in revenue allocation proceeds. The Agency reserves the discretion and flexibility to use revenue allocation proceeds in excess of the amounts predicted in the event higher increases in assessed values occur during the term of the Plan for the improvements and activities identified. Additionally, the Agency reserves the discretion and flexibility to use other sources of funds unrelated to revenue allocation to assist in the funding of the improvements and activities identified.

### **105 Open Land Criteria**

The Project Area includes open land requiring the area meet the conditions set forth in Idaho Code § 50-2008(d). These conditions include defective or unusual conditions of title, diversity of ownership, tax delinquency, improper subdivisions, outmoded street patterns, deterioration of site, and faulty lot layout, all of which are included in one form or another in the definitions of deteriorated area or deteriorating area set forth in Idaho Code §§ 50-2018(8), (9) and 50-2903(8). The issues listed only in Idaho Code § 50-2008(d)(4)(2) (the open land section) include economic disuse, unsuitable topography, and “the need for the correlation of the area with other areas of a municipality by streets and modern traffic requirements, or any combination of such factors or other conditions which retard development of the area.”

Open land areas qualify for Agency acquisition and development for residential uses if the City Council determines there is a shortage of housing of sound standards and design which is decent, safe and sanitary in the City, that the need for housing will be increased as a result of the clearance of deteriorated areas, that the conditions of blight in the area and the shortage of decent, safe and sanitary housing contributes to an increase in the spread of disease and crime and constitutes and menace to the public health, safety, morals, or welfare, and that the acquisition of the area for residential uses is an integral part of and essential to the program of the City. Due to the City’s expected growth, the need for housing is significant and integral to a successful mixed-use project area. Further, the existing zoning designations in the Project Area allow for increased residential density surrounding potential industrial and commercial projects.

Commented [MC3]: Confirm

Open land areas qualify for Agency acquisition and development for primarily nonresidential uses if acquisition is necessary and appropriate to facilitate the proper growth and development of the community in accordance with sound planning standards and local community objectives if any of the deteriorating area conditions set forth in Idaho Code §§ 50-2018(8), (9) and 50-2903(8) apply. But such areas also qualify if any of the issues listed only in Idaho Code § 50-2008(d)(4)(2) apply. The lack of water and sewer facilities, large parcel size, a deficient street system, lack of fire protection facilities, diversity of ownership, and economic disuse, are all conditions which delay or impair development of the open land areas and satisfy the open land conditions as more fully supported by the Kuna Urban Renewal District Eligibility Study, Kuna West District, prepared by J-U-B Engineers, Inc., dated April 2020, and as supplemented.

This Plan does anticipate Agency acquisition of property within the Project Area; however, the acquisition of specific parcels is unknown at this time. Should the Agency determine the need to acquire property as further set forth in Attachment 3, then the open land areas qualify for Agency acquisition and development.

## **200 DESCRIPTION OF PROJECT AREA**

The boundaries of the Project Area and the Revenue Allocation Area are shown on the Boundary Map of Urban Renewal Project Area and Revenue Allocation Area, attached hereto as Attachment 1 and incorporated herein by reference, and are described in the Legal Description of Urban Renewal Project Area and Revenue Allocation Area, attached hereto as Attachment 2 and incorporated herein by reference. For purposes of boundary descriptions and use of proceeds for payment of improvements, the boundary shall be deemed to extend to the outer boundary of rights-of-way or other natural boundary unless otherwise stated.

## **300 PROPOSED REDEVELOPMENT ACTIONS**

### **301 General**

The Agency proposes to eliminate and prevent the spread of deteriorating conditions and deterioration in the Project Area by employing a strategy to improve and develop public and private lands, and to grow the economy in the Project Area. Implementation of the strategy includes, but is not limited to the following actions:

- a. The engineering, design, installation, construction, and/or reconstruction of storm water management infrastructure to support compliance with federal, state and local regulations for storm water discharge and to support private development;
- b. The provision for participation by property owners and developers within the Project Area to achieve the objectives of this Plan;
- c. The engineering, design, installation, construction, and/or reconstruction of streets and streetscapes, including but not limited to [\_\_\_\_\_] and

**Commented [MC4]:** Make sure use of funds is adequately described in this list. Narrative of projects.

- related pedestrian facilities, curb and gutter, intersection and rail crossing improvements, and traffic signals;
- d. The engineering, design, installation, construction, and/or reconstruction of utilities (within and outside of the Project Area) including but not limited to improvements and upgrades to the water distribution system, water capacity improvements, water storage upgrades, sewer system improvements and upgrades, lift station, and improvements, and upgrades to power, gas, fiber optics, communications and other such facilities. Construction of utilities outside of the Project Area are directly related to the growth and development within the Project Area, but cannot be sited within the Project Area;
  - e. Removal, burying, or relocation of overhead utilities; removal or relocation of underground utilities; extension of electrical distribution lines and transformers; improvement of irrigation and drainage ditches and laterals; undergrounding or piping of laterals; addition of fiber optic lines or other communication systems; public parking facilities, and other public improvements, including but not limited to, fire protection systems, roadways, curbs, gutters, and streetscapes, which for purposes of this Plan, the term streetscapes includes sidewalks, lighting, landscaping, benches, signage, bike racks, public art, and similar amenities between the curb and right-of-way line; and other public improvements, including public open spaces that may be deemed appropriate by the Board;
  - f. The acquisition of real property for public right-of-way improvements, public parks, pedestrian facilities, pathways and trails, recreational access points and to encourage development opportunities consistent with the Plan, including but not limited to future disposition to qualified developers;
  - g. The acquisition of real property for utility undergrounding and streetscape improvements to create development opportunities consistent with the Plan, including but not limited to future disposition to qualified developers and for qualified developments, including economic development;
  - h. The disposition of real property through a competitive process in accordance with this Plan, Idaho law, including Idaho Code § 50-2011, and any disposition policies adopted by the Agency;
  - i. The demolition or removal of certain buildings and/or improvements for public rights-of-way, pedestrian facilities, utility undergrounding and streetscape improvements to encourage and enhance transportation and mobility options, decrease underutilized parcels, to eliminate unhealthful, unsanitary, or unsafe conditions, eliminate obsolete or other uses detrimental to the public welfare or otherwise to remove or to prevent the spread of deteriorating or deteriorated conditions;

- j. The management of any property acquired by and under the ownership and control of the Agency;
- k. The development or redevelopment of land by private enterprise or public agencies for uses in accordance with this Plan;
- l. The construction and financial support of infrastructure necessary for the provision of improved transit and alternative transportation;
- m. The engineering, design, installation, construction, and/or reconstruction of below ground infrastructure to support the construction of certain municipal buildings pursuant to Idaho Code § 50-2905A, including \_\_\_\_\_;
- n. The provision of financial and other assistance to encourage and attract business enterprise including but not limited to start-ups and microbusinesses, mid-sized companies and large-scale corporations and industries;
- o. The provision of financial and other assistance to encourage greater density;
- p. The rehabilitation of structures and improvements by present owners, their successors, and the Agency;
- q. The preparation and assembly of adequate sites for the development and construction of facilities for commercial, office, retail, residential, and governmental use;
- r. In collaboration with property owners and other stakeholders, working with the City to amend zoning regulations (if necessary) and standards and guidelines for the design of streetscape, festival streets, plazas, multi-use pathways, parks and open space and other like public spaces applicable to the Project Area as needed to support implementation of this Plan;
- s. In conjunction with the City, the establishment and implementation of performance criteria to assure high site design standards and environmental quality and other design elements which provide unity and integrity to the entire Project Area, including commitment of funds for planning studies, achieving high standards of development, and leveraging such development to achieve public objectives and efficient use of scarce resources;
- t. To the extent allowed by law, lend or invest federal funds to facilitate development and/or redevelopment;
- u. The provision for relocation assistance to displaced Project Area occupants, as required by law, or within the discretion of the Agency Board for displaced businesses;

- v. Agency and/or owner-developer construction, participation in the construction and/or management of public parking facilities that support a desired level and form of development to enhance the vitality of the Project Area;
- w. Other related improvements to those set forth above as further set forth in Attachment 5.

In the accomplishment of these purposes and activities and in the implementation and furtherance of this Plan, the Agency is authorized to use all the powers provided in this Plan and all the powers now or hereafter permitted by Law and Act.

### **302 Urban Renewal Plan Objectives**

Urban renewal activity is necessary in the Project Area to combat problems of physical deterioration or deteriorating conditions. As set forth in greater detail in Section 103, the Project Area has a history of stagnant growth and development compared to other areas of the City based on deteriorated or deteriorating conditions that have arrested or impaired growth in the Project Area primarily attributed to: deterioration of site, predominance of defective or inadequate street layout, faulty lot layout, unsafe conditions, outmoded street patterns, obsolete platting and obsolescence. The Plan for the Project Area is a proposal to work in partnership with public and private entities to improve, develop, and grow the economy within the Project Area by the implementation of a strategy and program set forth in Section 301.

The provisions of this Plan are applicable to all public and private property in the Project Area. The provisions of the Plan shall be interpreted and applied as objectives and goals, recognizing the need for flexibility in interpretation and implementation, while at the same time not in any way abdicating the rights and privileges of the property owners which are vested in the present and future zoning classifications of the properties. All development under an owner participation agreement shall conform to those standards specified in Section 303.1 of this Plan.

**It is recognized that the Ada County Highway District has exclusive jurisdiction over all public street rights-of-way within the Project Area, except for state highways. Nothing in this Plan shall be construed to alter the powers of the Ada County Highway District pursuant to Title 40, Idaho Code.**

This Plan must be practical in order to succeed. Particular attention has been paid to how it can be implemented, given the changing nature of market conditions. Transforming the Project Area into a vital, thriving part of the community requires an assertive strategy. The following list represents the key elements of that effort:

- a. Initiate simultaneous projects designed to revitalize the Project Area. From street and utility improvements to significant new public or private development, the Agency plays a key role in creating the necessary momentum to get and keep things going.

- b. Develop new mixed-use residential, retail, commercial, industrial and office opportunities and encourage economic development.
- c. Secure and improve certain public open space in critical areas.
- d. Initiate projects designed to increase workforce transportation and mobility options.

Without direct public intervention, much of the Project Area could conceivably remain unchanged and in a deteriorated and/or deteriorating condition for the next twenty (20) years. The Plan creates the necessary flexible framework for the Project Area to support the City's economic development while complying with the "specificity" requirement set forth in Idaho Code § 50-2905.

Land use in the Project Area will be modified to the extent that underutilized, underdeveloped, and vacant land and land now devoted to uses inconsistent with the future land uses of the area will be converted to residential, commercial, industrial retail and office uses. In implementing the activities described in this Plan, the Agency shall give due consideration to the provision of adequate open space, park and recreational areas and facilities that may be desirable for neighborhood improvement, with special consideration for the health, safety, and welfare of residents in the general vicinity of the site covered by the Plan.

### **303 Participation Opportunities and Agreement**

#### **303.1 Participation Agreements**

The Agency shall enter into various development participation agreements with any existing or future owner of property in the Project Area, in the event the property owner receives assistance from the Agency in the development and/or redevelopment of the property. The term "owner participation agreement" or "participation agreement" is intended to include all participation agreements with a property owner, including reimbursement agreements, grant agreements or other participation agreements. In that event, the Agency may allow for an existing or future owner of property to remove the property and/or structure from future Agency acquisition subject to entering into an owner participation agreement. The Agency may also enter into owner participation agreements with other future owners and developers within the Project Area throughout the duration of this Plan in order to implement the infrastructure improvements set forth in this Plan.

Each structure and building in the Project Area to be rehabilitated or to be constructed as a condition of the owner participation agreement between the Agency and the owner pursuant to this Plan will be considered to be satisfactorily rehabilitated and constructed, and the Agency will so certify, if the rehabilitated or new structure meets the standards set forth in an executed owner participation agreement and meets the conditions described below:

- a. Any such property within the Project Area shall be required to conform to all applicable provisions, requirements, and regulations of this Plan. The owner participation agreement may require as a condition of financial participation by the Agency a commitment by the property owner to meet the greater objectives of the land use elements identified in the Comprehensive Plan, and applicable zoning ordinances. Upon completion of any rehabilitation each structure must be safe and sound in all physical respects and be refurbished and altered to bring the property to an upgraded marketable condition that will continue throughout an estimated useful life for a minimum of twenty (20) years.
- b. Any owner shall give due consideration to the provision of adequate park and recreational areas and facilities that may be desirable for neighborhood improvement, with special consideration for the health, safety and welfare of children and seniors residing in the general vicinity of the site covered by the Plan.
- c. All such buildings or portions of buildings which are to remain within the Project Area shall be rehabilitated or constructed in conformity with all applicable codes and ordinances of the City.
- d. Any new construction shall also conform to all applicable provisions, requirements, and regulations of this Plan, as well as to all applicable codes and ordinances of the City.

**All owner participation agreements will address development timing, justification and eligibility of project costs, and achievement of the objectives of the Plan. The Agency shall retain its discretion in the funding level of its participation. Obligations under owner participation agreements shall terminate no later than the termination date of this Plan, December 31, 2040. The Agency shall retain its discretion to negotiate an earlier date to accomplish all obligations under any owner participation agreement.**

In all participation agreements, participants who retain real property shall be required to join in the recordation of such documents as may be necessary to make the provisions of this Plan applicable to their properties. Whether or not a participant enters into a participation agreement with the Agency, the provisions of this Plan are applicable to all public and private property in the Project Area.

In the event a participant fails or refuses to rehabilitate, develop, use, and maintain its real property pursuant to this Plan and a participation agreement, the real property or any interest therein may be acquired by the Agency in accordance with Section 305.1 of this Plan and sold or leased for rehabilitation or development in accordance with this Plan.

Owner participation agreements may be used to implement the following objectives:

- a. Encouraging property owners to revitalize and/or remediate deteriorated areas or deteriorating areas of their parcels to accelerate development in the Project Area.

- b. Subject to the limitations of the Law and the Act, providing incentives to property owners to encourage utilization and expansion of existing permitted uses during the transition period to prevent a decline in the employment base and a proliferation of vacant and deteriorated parcels in the Project Area during the extended redevelopment of the Project Area.
- c. To accommodate improvements and expansions allowed by City regulations.
- d. Subject to the limitations of the Law and Act, providing incentives to improve nonconforming properties so they implement the design guidelines contained in this Plan to the extent possible and to encourage an orderly transition from nonconforming to conforming uses through the term of the Plan.
- e. Provide for advance funding by the developer/owner participant of those certain public improvements related to or needed for the private development and related to the construction of certain public improvements. In that event, the Agency will agree as set out in the participation agreement to reimburse a portion of, or all of, the costs of public improvements identified in the participation agreement from the revenue allocation generated by the private development.

#### **304 Cooperation with Public Bodies**

Certain public bodies are authorized by state law to aid and cooperate, with or without consideration, in the planning, undertaking, construction, or operation of this Project. The Agency shall seek the aid and cooperation of such public bodies and shall attempt to coordinate this Plan with the activities of such public bodies in order to accomplish the purposes of redevelopment and the highest public good.

The Agency, by law, is not authorized to acquire real property owned by public bodies without the consent of such public bodies. The Agency will seek the cooperation of all public bodies which own or intend to acquire property in the Project Area. All plans for development of property in the Project Area by a public body shall be subject to Agency approval, in the event the Agency is providing any financial assistance.

Subject to applicable authority, the Agency may impose on all public bodies the planning and design controls contained in this Plan to ensure that present uses and any future development by public bodies will conform to the requirements of this Plan; provided, however, the Ada County Highway District has exclusive jurisdiction over Ada County Highway District streets. The Agency is authorized to financially (and otherwise) assist any public entity in the cost of public land, buildings, facilities, structures, or other improvements of the Project Area as allowed by the Law and Act.

The Agency intends to cooperate to the extent allowable with the City and ACHD, as the case may be, for the engineering, design, installation, construction, and/or reconstruction of public infrastructure improvements, including, but not limited to water, sewer, storm drainage,

electrical, natural gas, telecommunication, or other similar systems and lines, streets, roads, curbs, gutters, sidewalks, walkways, parking facilities and unoccupied auxiliary structures. The Agency shall also cooperate with the City and ACHD on various relocation, screening, or underground projects and the providing of fiber optic capability. To the extent any public entity, including the City, has funded certain improvements, the Agency may reimburse those entities for those expenses. The Agency also intends to cooperate and seek available assistance from state, federal and other sources for economic development.

Commented [MC5]: Update

In the event the Agency is participating in the public development by way of financial incentive or otherwise, the public body shall enter into a participation agreement with the Agency and then shall be bound by the Plan and other land use elements and shall conform to those standards specified in Section 303.1 of this Plan.

This Plan does not financially bind or obligate the Agency to any project or property acquisition; rather, for purposes of determining the economic feasibility of the Plan certain projects and expenditures have been estimated and included in the analysis. Agency revenue and the ability to fund reimbursement of eligible Project Costs is more specifically detailed in any owner participation agreement and in the annual budget adopted by the Agency Board.

### **305 Property Acquisition**

#### **305.1 Real Property**

Only as specifically authorized herein, the Agency may acquire, through the voluntary measures described below, but is not required to acquire, any real property located in the Project Area where it is determined that the property is needed for construction of public improvements, required to eliminate or mitigate the deteriorated or deteriorating conditions, to facilitate economic development, including acquisition of real property intended for disposition to qualified developers through a competitive process, and as otherwise allowed by law. The acquisition shall be by any means authorized by law, including, but not limited to, the Law, the Act, and the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, but shall not include the right to invoke eminent domain authority except as authorized herein. The Agency is authorized to acquire either the entire fee or any other interest in real property less than a fee, including structures and fixtures upon the real property, without acquiring the land upon which those structures and fixtures are located.

The Agency intends to acquire any real property through voluntary or consensual gift, devise, exchange, or purchase. Such acquisition of property may be for the development of the public improvements identified in this Plan. Such properties may include properties owned by private parties or public entities. This Plan does not anticipate the Agency's widespread use of its resources for property acquisition, except for the construction of public improvements.

In the event the Agency identifies certain property which should be acquired to develop certain public improvements intended to be constructed under the provisions of this Plan, the Agency shall coordinate such property acquisition with any other public entity (e.g., without limitation, the City, the state of Idaho, or any of its authorized agencies), including the assistance

of the Agency of funds to acquire said property either through a voluntary acquisition or the public entity's invoking of its eminent domain authority as limited by Idaho Code Section 7-701A.

The Agency is authorized by this Plan to acquire the properties identified in Attachment 3 hereto, including but not limited to property to be acquired for the extension or expansion of certain rights-of-way.

The Agency is authorized by this Plan and Idaho Code §§ 50-2010 and 50-2018(12) to acquire the properties identified in Attachment 3 hereto for the purposes set forth in this Plan. The Agency has identified its intent to acquire and/or participate in the development of certain public improvements, including, but not limited to streets, streetscapes, water and sewer improvements, environmental remediation/site preparation, public parking, community facilities, including but not limited to parks, pedestrian/bike paths and trails, multi-purpose athletic and performance facilities, recreation facilities and other public facilities, such as a joint police, fire and/or emergency medical services facility. Further, the Agency may acquire real property to facilitate commercial development by assembling and disposing of developable parcels. The Agency's property acquisition will result in remediating deteriorating conditions in the Project Area by facilitating the development of mixed-use, residential, commercial, retail and industrial areas. The public improvements are intended to be dedicated to the City upon completion. The Agency reserves the right to determine which properties identified, if any, should be acquired. The open land areas qualify for Agency acquisition as further set forth in Section 105 of this Plan.

It is in the public interest and may be necessary, in order to eliminate the conditions requiring redevelopment and in order to execute this Plan, for the power of eminent domain to be employed by the Agency to acquire real property in the Project Area for the public improvements identified in this Plan, which cannot be acquired by gift, devise, exchange, purchase, or any other lawful method.

Under the provisions of the Act, the urban renewal plan "shall be sufficiently complete to indicate such land acquisition, demolition, and removal of structures, redevelopment, improvements, and rehabilitation as may be proposed to be carried out in the urban renewal area." Idaho Code § 50-2018(12). The Agency has generally described those properties by use as set out in Attachment 3 for acquisition for the construction of public improvements. The Agency may also acquire property for the purpose of developing streetscape and public utilities. The Agency reserves the right to determine which properties, if any, should be acquired.

### **305.2 Personal Property**

Generally, personal property shall not be acquired. However, where necessary in the execution of this Plan, the Agency is authorized to acquire personal property in the Project Area by any lawful means, including eminent domain for the purpose of developing the public improvements described in section 305.1.

### **306 Property Management**

During the time real property, if any, in the Project Area is owned by the Agency, such property shall be under the management and control of the Agency. Such property may be rented or leased by the Agency pending its disposition for redevelopment, and such rental or lease shall be pursuant to such policies as the Agency may adopt.

**307 Relocation of Persons (Including Individuals and Families), Business Concerns, and Others Displaced by the Project**

If the Agency receives federal funds for real estate acquisition and relocation, the Agency shall comply with 24 C.F.R. Part 42, implementing the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended.

The Agency reserves the right to extend benefits for relocation to those not otherwise entitled to relocation benefits as a matter of state law under the Act or the Law. The Agency may determine to use as a reference the relocation benefits and guidelines promulgated by the federal government, the state government, or local government, including the State Department of Transportation and the Ada County Highway District. The intent of this section is to allow the Agency sufficient flexibility to award relocation benefits on some rational basis, or by payment of some lump-sum per case basis. The Agency may also consider the analysis of replacement value for the compensation awarded to either owner occupants or businesses displaced by the Agency to achieve the objectives of this Plan. The Agency may adopt relocation guidelines which would define the extent of relocation assistance in non-federally-assisted projects and which relocation assistance to the greatest extent feasible would be uniform. The Agency shall also coordinate with the various local, state, or federal agencies concerning relocation assistance as may be warranted.

In the event the Agency's activities result in displacement, the Agency shall comply with, at a minimum, the standards set forth in the Law. The Agency shall also comply with all applicable state laws concerning relocation benefits. The Agency shall also coordinate with the various local, state, or federal agencies concerning relocation assistance.

**308 Demolition, Clearance and Site Preparation**

The Agency is authorized (but not required) to demolish and clear buildings, structures, and other improvements from any real property in the Project Area as necessary to carry out the purposes of this Plan.

Further, the Agency is authorized (but not required) to prepare, or cause to be prepared, as building sites any real property in the Project Area owned by the Agency including site preparation. In connection therewith, the Agency may cause, provide for, or undertake the installation or construction of streets, utilities, parks, pedestrian walkways, parking facilities, drainage facilities, and other public improvements necessary to carry out this Plan.

**309 Property Disposition and Development**

### **309.1 Disposition by the Agency**

For the purposes of this Plan, the Agency is authorized to sell, lease, lease/purchase, exchange, subdivide, transfer, assign, pledge, encumber by mortgage or deed of trust, or otherwise dispose of any interest in real property under the reuse provisions set forth in Idaho Code § 50-2011 and pursuant to any disposition policies adopted by the Agency. To the extent permitted by law, the Agency is authorized to dispose of real property by negotiated lease, sale, or transfer without public bidding.

Real property acquired by the Agency may be conveyed by the Agency and, where beneficial to the Project Area, without charge to any public body as allowed by law. All real property acquired by the Agency in the Project Area shall be sold or leased to public or private persons or entities for development for the uses permitted in this Plan.

### **309.2 Disposition and Development Agreements**

To provide adequate safeguards to ensure that the provisions of this Plan will be carried out and to prevent the recurrence of deteriorating conditions, all real property sold, leased, or conveyed by the Agency is subject to the provisions of this Plan.

The Agency shall reserve such powers and controls in the disposition and development documents as may be necessary to prevent transfer, retention, or use of property for speculative purposes and to ensure that development is carried out pursuant to this Plan.

Leases, lease/purchases, deeds, contracts, agreements, and declarations of restrictions of the Agency may contain restrictions, covenants, covenants running with the land, rights of reverter, conditions subsequent, equitable servitudes, or any other provisions necessary to carry out this Plan. Where appropriate, as determined by the Agency, such documents, or portions thereof, shall be recorded in the office of the Recorder of Ada County, Idaho.

All property in the Project Area is hereby subject to the restriction that there shall be no discrimination or segregation based upon race, color, creed, religion, sex, age, national origin, or ancestry in the sale, lease, sublease, transfer, use, occupancy, disability/handicap, tenure, or enjoyment of property in the Project Area. All property sold, leased, conveyed, or subject to a participation agreement shall be expressly subject by appropriate documents to the restriction that all deeds, leases, or contracts for the sale, lease, sublease, or other transfer of land in the Project Area shall contain such nondiscrimination and nonsegregation clauses as required by law.

As required by law or as determined in the Agency's discretion to be in the best interest of the Agency and the public, the following requirements and obligations shall be included in the disposition and development agreement.

That the developers, their successors, and assigns agree:

- a. That a detailed scope and schedule for the proposed development shall be submitted to and agreed upon by the Agency.
- b. That the purchase or lease of the land and/or subterranean rights and/or air rights is for the purpose of redevelopment and not for speculation.
- c. That the building of improvements will be commenced and completed as jointly scheduled and determined by the Agency and the developer(s).
- d. That the site and construction plans will be submitted to the Agency for review as to conformity with the provisions and purposes of this Plan.
- e. All new construction shall have a minimum estimated life of no less than twenty (20) years.
- f. That rehabilitation of any existing structure must assure that the structure is safe and sound in all physical respects and be refurbished and altered to bring the property to an upgraded marketable condition which will continue throughout an estimated useful life for a minimum of twenty (20) years.
- g. That the Agency receives adequate assurance acceptable to the Agency to ensure performance under the contract for sale.
- h. All such buildings or portions of the buildings which are to remain within the Project Area shall be reconstructed in conformity with all applicable codes and ordinances of the City.
- i. All disposition and development documents shall be governed by the provisions of Section 409 of this Plan.
- j. All other requirements and obligations as may be set forth in any participation policy established and/or amended by the Agency.

**The Agency also reserves the right to determine the extent of its participation based upon the achievements of the objectives of this Plan. Obligations under any disposition and development agreement and deed covenants, except for covenants which run with the land beyond the termination date of this Plan, shall terminate no later than December 31, 2040. The Agency shall retain its discretion to negotiate an earlier date to accomplish all obligations under any disposition and development agreement.**

### **309.3 Development by the Agency**

To the extent now or hereafter permitted by law, the Agency is authorized to pay for, develop, or construct public improvements within the Project Area for itself or for any public body or entity, which public improvements are or would be of benefit to the Project Area. Specifically, the Agency may pay for, install, or construct the public improvements authorized

under Idaho Code Section 50-2007, 50-2018(10) and (13), and 50-2903(9), (13), and (14), and as otherwise identified in Attachment 5, attached hereto and incorporated herein by reference, and may acquire or pay for the land required therefore.

The Agency may enter into contracts, leases, and agreements with the City or other public body or private entity pursuant to this section, and the obligation of the Agency under such contract, lease, or agreement shall constitute an indebtedness of the Agency as described in Idaho Code § 50-2909 which may be made payable out of the taxes levied in the Project Area and allocated to the Agency under Idaho Code § 50-2908(2)(b) and Section 500 of this Plan or out of any other available funds.

### **310 Development Plans**

All development plans (whether public or private) prepared, pursuant to an owner participation or disposition and development agreement, shall be submitted to the Agency Board for approval and architectural review. All development in the Project Area must conform to those standards specified in Section 409. Additionally, development must be consistent with all City ordinances.

**311 [Reserved]**

**312 [Reserved]**

### **313 Participation with Others**

Under the Law, the Agency has the authority to lend or invest funds obtained from the federal government for the purposes of the Law if allowable under federal laws or regulations. The federal funds that may be available to the Agency are governed by regulations promulgated by the Department of Housing and Urban Development for the Community Development Block Grant Program (“CDBG”), the Economic Development Administration, the Small Business Administration, or other federal agencies. In order to enhance such grants, the Agency’s use of revenue allocation funds is critical.

Under those regulations the Agency may participate with the private sector in the development and financing of those private projects that will attain certain federal objectives.

The Agency may, therefore, use the federal funds for the provision of assistance to private for-profit business, including, but not limited to, grants, loans, loan guarantees, interest supplements, technical assistance, and other forms to support, for any other activity necessary or appropriate to carry out an economic development project.

As allowed by law, the Agency may also use funds from any other sources for any purpose set forth under the Law or Act.

The Agency may enter into contracts, leases, and agreements with the City, or other public body or private entity, pursuant to this section, and the obligation of the Agency under such contract, lease, or agreement shall constitute an indebtedness of the Agency as described in

Idaho Code § 50-2909 which may be made payable out of the taxes levied in the Project Area and allocated to the Agency under Idaho Code § 50-2908(2)(b) and Section 500 of this Plan or out of any other available funds.

### **314 Conforming Owners**

The Agency may, at the Agency’s sole and absolute discretion, determine that certain real property within the Project Area presently meets the requirements of this Plan, and the owner of such property will be permitted to remain as a conforming owner without a participation agreement with the Agency, provided such owner continues to operate, use, and maintain the real property within the requirements of this Plan.

### **315 Arts Funding**

The Agency encourages public art and performing arts through joint ventures with private developers and in cooperation with the City. Whenever possible, any Agency arts funding will be used to leverage additional contributions from developers, other private sources, and public or quasi-public entities for purposes of including public art within the streetscape projects identified in this Plan.

## **400 USES PERMITTED IN THE PROJECT AREA**

### **401 Designated Land Uses**

The Agency intends to rely upon the overall land use designations and zoning classifications of the City, as may be amended, and as depicted on Attachment 4 and as set forth in the City’s Comprehensive Plan Land Use Map, including the future land use map and zoning classifications, as may be amended. For the most part, the Project Area is proposed as mixed-use residential, commercial, retail and office development. Provided, however, nothing herein within this Plan shall be deemed to be granting any particular right to zoning classification or use.

Commented [MC6]: Confirm.

### **402 [Reserved]**

### **403 Public Rights-of-Way**

Commented [MC7]: Will need to be updated to refer to ACHD authority.

The Project Area includes existing maintained public rights-of-way as shown on Attachment 1, including but not limited to: \_\_\_\_\_. Any new roadways, including new collectors and/or arterials to be engineered, designed, installed and constructed in the Project Area, will be constructed in conjunction with any applicable policies and design standards of the City (and State and Federal standards, as the case may be) regarding dedicated rights-of-way. Additional public streets, alleys, and easements may be created in the Project Area as needed for proper development, and other potential roadways generally shown in Attachment 5.

Additional improvements to existing streets and easements may be created, improved, or extended in the Project Area as needed for development. Existing dirt roadways, streets,

easements, and irrigation or drainage laterals or ditches may be abandoned, closed, or modified as necessary for proper development of the Project Area, in conjunction with any applicable policies and standards of the City regarding changes to dedicated rights-of-way, and appropriate irrigation or drainage districts regarding changes to laterals or ditches.

Any development, maintenance and future changes in the interior or exterior street layout shall be in accordance with the objectives of this Plan and the City's design standards; shall be effectuated in the manner prescribed by State and local law; and shall be guided by the following criteria:

- a. A balancing of the needs of proposed and potential new developments for adequate vehicular access, vehicular parking, and delivery loading docks with the similar needs of any existing developments permitted to remain. Such balancing shall take into consideration the rights of existing owners and tenants under the rules for owner and tenant participation adopted by the Agency for the Project and any participation agreements executed thereunder;
- b. The requirements imposed by such factors as topography, traffic safety, and aesthetics; and
- c. The potential need to serve not only the Project Area and new or existing developments, but to also serve areas outside the Project Area by providing convenient and efficient vehicular access and movement.

The public rights-of-way may be used for vehicular and/or pedestrian traffic, as well as for public improvements, public and private utilities, and activities typically found in public rights-of-way.

#### **404 Interim Uses**

Pending the ultimate development of land by developers and participants, the Agency is authorized to use or permit the use of any land in the Project Area for interim uses that are not in conformity with the uses permitted in this Plan. However, any interim use must comply with applicable City Code or Ada County Code.

#### **405 Development in the Project Area Subject to the Plan**

All real property in the Project Area, under the provisions of either a disposition and development agreement or an owner participation agreement, is made subject to the controls and requirements of this Plan. No such real property shall be developed, rehabilitated, or otherwise changed after the date of the adoption of this Plan, except in conformance with the provisions of this Plan.

#### **406 Construction Shall Comply with Applicable Federal, State, and Local Laws and Ordinances and Agency Development Standards**

All construction in the Project Area shall comply with all applicable state laws, the Kuna City Code, as may be amended from time to time, and any applicable City Council ordinances pending codification, including but not limited to, regulations concerning the type, size, density and height of buildings; open space, landscaping, light, air, and privacy; the undergrounding of utilities; limitation or prohibition of development that is incompatible with the surrounding area by reason of appearance, traffic, smoke, glare, noise, odor, or similar factors; parcel subdivision; off-street loading and off-street parking requirements.

In addition to applicable codes, ordinances, or other requirements governing development in the Project Area, additional specific performance and development standards may be adopted by the Agency to control and direct redevelopment activities in the Project Area in the event of a disposition and development agreement or owner participation agreement.

**407 [Reserved]**

**408 Nonconforming Uses**

The Agency may permit an existing use to remain in an existing building and site usage in good condition, which use does not conform to the provisions of this Plan, provided that such use is generally compatible with existing and proposed developments and uses in the Project Area. The owner of such a property must be willing to enter into an owner participation agreement and agree to the imposition of such reasonable restrictions as may be necessary to protect the development and use of the Project Area.

The Agency may authorize additions, alterations, repairs, or other improvements in the Project Area for uses which do not conform to the provisions of this Plan where such improvements are within a portion of the Project Area where, in the determination of the Agency, such improvements would be compatible with surrounding Project uses and development.

All nonconforming uses shall also comply with the City codes and ordinances.

**409 Design Guidelines for Development under a Disposition and Development Agreement or Owner Participation Agreement**

Under a disposition and development agreement and an owner participation agreement, the design guidelines and land use elements of the Plan shall be achieved to the greatest extent feasible, though the Agency retains the authority to grant minor variations under this Plan and subject to a negotiated agreement between the Agency and the developer or property owner.

Under those agreements, the architectural, landscape, and site plans shall be submitted to the Agency and approved in writing by the Agency. In such agreements, the Agency may impose additional design controls. One of the objectives of this Plan is to create an attractive pedestrian environment in the Project Area. Therefore, such plans shall give consideration to good design and amenities to enhance the aesthetic quality of the Project Area. These additional design standards or controls will be implemented through the provisions of any owner

participation agreement or disposition and development agreement. These controls are in addition to any standard and provisions of any applicable City building or zoning ordinances; provided, however, each and every development shall comply with all applicable City zoning and building ordinances.

## **500 METHODS OF FINANCING THE PROJECT**

**Commented [MC8]:** Will be updated to be consistent with Study assumptions.

### **501 General Description of the Proposed Financing Method**

The Agency is authorized to finance this Project with revenue allocation funds, financial assistance from the City (loans, grants, other financial assistance), state of Idaho, federal government or other public entities, interest income, developer advanced funds, donations, loans from private financial institutions (bonds, notes, line of credit), the lease or sale of Agency-owned property, public parking revenue, or any other available source, public or private, including assistance from any taxing district or any public entity.

The Agency is also authorized to obtain advances, lines of credit, borrow funds, and create indebtedness in carrying out this Plan. The Agency may also consider an inter-fund transfer or grant from the City. The principal and interest on such advances, funds, and indebtedness may be paid from any funds available to the Agency. The City, as it is able, may also supply additional assistance through City loans and grants for various public improvements and facilities.

The City or any other public agency may expend money to assist the Agency in carrying out this Project.

As allowed by law and subject to restrictions as are imposed by law, the Agency is authorized to issue notes or bonds from time to time, if it deems appropriate to do so, in order to finance all or any part of the Project. Neither the members of the Agency nor any persons executing the bonds are liable personally on the bonds by reason of their issuance.

### **502 Revenue Allocation Financing Provisions**

The Agency hereby adopts revenue allocation financing provisions as authorized by the Act, effective retroactively to January 1, 2020. These revenue allocation provisions shall apply to all taxing districts which are located in or overlap the Revenue Allocation Area shown and described on Attachments 1 and 2 to this Plan. The Agency shall take all actions necessary or convenient to implement these revenue allocation financing provisions. The Agency specifically finds that the equalized assessed valuation of property within the Revenue Allocation Area is likely to increase as a result of the initiation of the Project.

The Agency, acting by one or more resolutions adopted by its Board, is hereby authorized to apply all or any portion of the revenues allocated to the Agency pursuant to the Act to pay as costs are incurred (pay-as-you-go) or to pledge all or any portion of such revenues to the repayment of any moneys borrowed, indebtedness incurred, or notes or bonds issued by the

Agency to finance or to refinance the Project Costs (as defined in Idaho Code § 50-2903(14)) of one or more urban renewal projects.

The Agency may consider a note or line of credit issued by a bank or lending institution premised upon revenue allocation funds generated by a substantial private development contemplated by the Study, as defined in Section 502.1, which would allow the Agency to more quickly fund the public improvements contemplated by this Plan. Likewise, a developer/owner advanced funding could achieve the same purpose.

Upon enactment of a City Council ordinance finally adopting these revenue allocation financing provisions and defining the Revenue Allocation Area described herein as part of the Plan, there shall hereby be created a special fund of the Agency into which the County Treasurer shall deposit allocated revenues as provided in Idaho Code § 50-2908. The Agency shall use such funds solely in accordance with Idaho Code § 50-2909 and solely for the purpose of providing funds to pay the Project Costs, including any incidental costs, of such urban renewal projects as the Agency may determine by resolution or resolutions of its Board.

A statement listing proposed public improvements and facilities, a schedule of improvements, an economic feasibility study, estimated project costs, fiscal impact upon other taxing districts, and methods of financing project costs required by Idaho Code § 50-2905 is included in this Plan and in Attachment 5 to this Plan. This information necessarily incorporates estimates and projections based on the Agency's and consultants' present knowledge and expectations. The Agency is hereby authorized to adjust the presently anticipated urban renewal projects and use of revenue allocation financing of the related Project Costs if the Board deems such adjustment necessary or convenient to effectuate the general objectives of the Plan in order to account for revenue inconsistencies and unknown future costs. Agency revenue and the ability to fund reimbursement of eligible Project Costs is more specifically detailed in the annual budget.

The Agency may also appropriate funds consisting of revenue allocation proceeds on an annual basis without the issuance of notes or bonds. The Agency has also provided for obtaining advances or loans from the City or Agency, or from the Agency's other revenue allocation area, or private entity and financial institutions in order to immediately commence construction of certain of the public improvements. Developer advanced funding of public improvements could also achieve the same purpose. The revenue allocation proceeds are hereby irrevocably pledged for the payment of the principal and interest on the advance of monies or making of loans or the incurring of any indebtedness such as bonds, notes, and other obligations (whether funded, refunded, assumed, or otherwise) by the Agency to finance or refinance the Project in whole or in part, including reimbursement to developers for the cost of eligible public improvements

Revenues will continue to be allocated to the Agency until termination of the revenue allocation area as set forth in Section 800. Attachment 5 incorporate estimates and projections based on the Agency's and its consultants' present knowledge and expectations concerning the length of time to complete the improvements and estimated future revenues. The activity may take longer depending on the significance and timeliness of development. Alternatively, the

activity may be completed earlier if revenue allocation proceeds are greater or the Agency obtains additional funds from another source.

The revenue allocation proceeds are hereby irrevocably pledged for the payment of the principal and interest on the advance of monies or making of loans or the incurring of any indebtedness such as bonds, notes, and other obligations (whether funded, refunded, assumed, or otherwise) by the Agency to finance or refinance the Project in whole or in part.

The Agency is authorized to make such pledges as to specific advances, loans, and indebtedness as appropriate in carrying out the Project.

The Agency reserves the right to either pay for Project Costs from available revenue (pay as you go basis) or borrow funds by incurring debt through notes or other obligations.

Revenue allocation proceeds are deemed to be only a part of the proposed funding sources for the payment of public improvements and other project improvements. Additionally, project funding is proposed to be phased for the improvements, allowing various sources of funds to be accumulated for use.

Revenues will continue to be allocated to the Agency until termination of the revenue allocation area as set forth in Section 800. Attachment 5 incorporates estimates and projections based on the Agency's and the consultants' present knowledge and expectations concerning the length of time to complete the improvements and estimated future revenues. The activity may take longer depending on the significance and timeliness of development. Alternatively, the activity may be completed earlier if revenue allocation proceeds are greater or the Agency obtains additional funds.

#### **502.1 Economic Feasibility Study**

Attachment 5 constitutes the Economic Feasibility Study ("Study"), prepared by Alivia Metts, the Metts Group. The Study constitutes the financial analysis required by the Act and is based upon existing information from the developers, the Agency, the City and others.

#### **502.2 Assumptions and Conditions/Economic Feasibility Statement**

The information contained in Attachment 5 assumes certain completed and projected actions. All debt is projected to be repaid no later than the duration period of the Plan. The total amount of indebtedness (and all other loans or indebtedness), developer reimbursement and the amount of revenue generated by revenue allocation are dependent upon the extent and timing of private development. Should all of the development take place as projected, the project indebtedness could be extinguished earlier, dependent upon other legal obligations. Should private development take longer to materialize, or should the private development be

substantially less than projected, then the amount of revenue generated will be substantially reduced and debt may continue for its full term.

The Plan and the Plan Attachments incorporate estimates and projections based on the Agency's and consultants' present knowledge and expectations. The Plan proposes certain public improvements as set forth in Attachment 5, which will facilitate development in the Revenue Allocation Area.

The assumptions set forth in the Study are based upon the best information available to the Agency and its consultants through public sources or discussions with property owners, developers, City and others. The information has been analyzed by the Agency and its consultants in order to provide an analysis that meets the requirements set forth under the Law and Act. At the point in time when the Agency may seek a loan from lenders or others, a more detailed and then-current financial pro forma will be presented to those lenders or underwriters for analysis to determine the borrowing capacity of the Agency. As set forth herein, the Agency reserves the right to fund the Project on a "pay as you go" basis. The Agency Board will prioritize the activities set forth in this Plan and determine what funds are available and what activities can be funded. The Agency will establish those priorities through its mandated annual budgetary process.

The assumptions concerning revenue allocation proceeds are based upon certain anticipated development, assessed value increases, and assumed tax levy rates as more specifically set forth in Attachment 5. In projecting new construction, the Study considered \_\_\_\_\_ the proposed project plans provided by the developers, the developers' anticipated build-out timeline, and historical market absorption rates for commercial, retail and residential improvements.

The types of new construction expected in the Project Area are: commercial, office, medical and nursing facility, residential, including residential above retail and office, live-work residences, higher density townhome, and single-family homes, lodging and retail. Developers have identified significant interest in these development types. The Project Area has potential for a significant increase in residential growth as interest has been expressed for new construction single family, condominium and higher density living, particularly with regard to the close access and walkability to the County-owned wellness complex. Several large parcels in the Project Area have recently been acquired for development purposes. Other owners have expressed interest in developing their properties or selling to a developer. However, without a method to construct the identified public improvements such as main water and sewer lines and street infrastructure, development is unlikely to occur in much of the Project Area.

The financial analysis set forth in Attachment 5 has taken into account and excluded levies that do not flow to the Agency consistent with Idaho Code § 50-2908.

It is understood that application of certain exemptions, including the homeowner's exemption and Idaho Code § 63-602K, which provides for personal property tax exemption to businesses may have the effect of reducing the increment value, which in turn reduces revenue.

### 502.3 Ten Percent Limitation

Under the Act, the base assessed valuation for all revenue allocation areas cannot exceed gross/net ten percent (10%) of the current assessed taxable value for the entire City. According to the Ada County Assessor, the assessed taxable value for the City as of January 1, 2020, less homeowners' exemptions, is \$ \_\_\_\_\_. Therefore, the 10% limit is \$ \_\_\_\_\_.

The estimated base value for the proposed Project Area (after the agricultural exemption is lifted<sup>2</sup>) is \$ \_\_\_\_\_, which is less than 10% of the City's 2017 value.

### 502.4 Financial Limitation

The Study identifies several capital improvement projects. Use of any particular funding source for any particular purpose is not assured or identified. Use of the funding source shall be conditioned on any limitations set forth in the Law, the Act, or by contract. If revenue allocation funds are unavailable, then the Agency will need to use a different funding source for that improvement.

The amount of funds available to the Agency from revenue allocation financing is directly related to the assessed value of new improvements within the Revenue Allocation Area. Under the Act, the Agency is allowed the revenue allocation generated from inflationary increases and new development value. Increases have been assumed based upon the projected value of new development as that development occurs along with possible land reassessment based on a construction start.

The Study, with the various estimates and projections, constitutes an economic feasibility study. Costs and revenues are analyzed, and the analysis shows the need for public capital funds during the project. Multiple financing sources including proposed revenue allocation notes, annual revenue allocations, developer contributions, city contributions, interfund loan, and other funds are shown. This Study identifies the kind, number, and location of all proposed public works or improvements, a detailed list of estimated project costs, a description of the methods of financing illustrating project costs, and the time when related costs or monetary obligations are to be incurred. See Idaho Code § 50-2905. Based on these funding sources, the conclusion is that the Project is feasible.

The information contained in the Study assumes certain projected actions. First, the Agency has projected an advance from the City, County and Agency to assist with funding the planning, engineering and construction of the new Interstate 15 interchange. Additionally, the

---

<sup>2</sup> Pursuant to House Bill 560 enacted during the 2020 Legislative Session, as of July 1, 2020, there is no longer a speculative value exemption for agricultural land. Instead, the market value of land actively devoted to agriculture is its "actual use value." This statutory change will have an impact on the current allocation of value between the base value and the increment value as there is no longer an agricultural tax exemption. Previously, any increase in valuation caused by the removal of the agricultural tax exemption from undeveloped agricultural land in a revenue allocation area was added to the base assessment roll. With the removal of the exemption, going forward the base value of agricultural land will be the actual use value. To be conservative, this Plan has considered an increase in the base assessment roll stemming from the removal of any existing agricultural exemptions.

Agency has projected an advance from the developers, City and the Agency to assist with funding the local road connecting the new Interstate 15 interchange to Olympus Drive and the Olympus Drive expansion. Under the provisions of the Act, the revenue allocation may continue until the end of the Plan term. Second, the total amount of indebtedness and the amount of revenue generated by revenue allocation is dependent upon the extent and timing of private development. The Agency may also re-prioritize projects and the location of those projects pursuant to market conditions, project timing, funding availability, etc. as more specifically detailed in the annual budget.

The Agency reserves the discretion and flexibility to use revenue allocation proceeds in excess of the amounts projected in the Study for the purpose of funding the additional identified projects and improvements. The projections in the Study are based on reasonable assumptions and existing market conditions. However, should the Project Area result in greater than anticipated revenues, the Agency specifically reserves the ability to fund the additional activities and projects identified in this Plan. Further, the Agency reserves the discretion and flexibility to use other sources of funds unrelated to revenue allocation to assist in the funding of the improvements and activities identified, including but not limited to owner participation agreements and disposition and development agreements. The Agency may also, re-prioritize projects pursuant to market conditions, project timing, funding availability, etc. as more specifically detailed in the annual budget.

The proposed timing for the public improvements may very well have to be adjusted depending upon the availability of some of the funds and the Agency's ability to finance any portion of the Project. **Any adjustment to Project timing or funding is technical or ministerial in nature and shall not be considered a modification of the Plan pursuant to Idaho Code Section 50-2903A.**

Attachment 5 lists those public improvements the Agency may reimburse the developer and public entities for through the term of the Plan. The costs of improvements are estimates only as it is impossible to know with any certainty what the costs of improvements will be in future years. There is general recognition that construction costs fluctuate and are impacted by future unknowns, such as, the cost of materials and laborers. Final costs will be determined by way of construction contract public bidding or by an agreement between the developer/owner and Agency. The listing of public improvements does not commit the Agency to any particular level of funding; rather, identification of the activity in the Plan allows the Agency to negotiate the terms of any reimbursement with the developer and/or the public entities. This Plan does not financially bind or obligate the Agency to any project or property acquisition; rather, for purposes of determining the economic feasibility of the Plan certain projects and expenditures have been estimated and included in the analysis. Agency revenue and the ability to fund reimbursement of eligible Project Costs is more specifically detailed in any participation agreement and in the annual budget adopted by the Agency Board. The proposed location and siting of roads and utilities in the Project Area is generally shown in Attachment 5.5 recognizing that the specific location of roads and utilities will depend on the type and timing of development. The change in the location of the improvements shown on Attachment 5.5 does not constitute a modification to the Plan.

The Agency reserves its discretion and flexibility in deciding which improvements are more critical for development or redevelopment, and the Agency intends to coordinate its public improvements with associated development by private developers/owners. Where applicable, the Agency also intends to coordinate its participation in the public improvements with the receipt of certain grants or loans which may require the Agency's participation in some combination with the grant and loan funding.

Generally, the Agency expects to develop those improvements identified in Attachment 5 first, in conjunction with private development within the Project Area generating the increment as identified in Attachment 5.

The Plan has shown that the equalized valuation of the Revenue Allocation Area as defined in the Plan is likely to increase as a result of the initiation and completion of urban renewal projects pursuant to the Plan.

#### **502.5 [Reserved]**

#### **502.6 Participation with Local Improvement Districts and/or Business Improvement Districts**

Under the Idaho Local Improvement ("LID") District Code, Chapter 17, Title 50, Idaho Code, the City has the authority to establish local improvement districts for various public facilities, including, but not limited to, streets, curbs, gutters, sidewalks, storm drains, landscaping, and other like facilities. To the extent allowed by the Law and the Act, the Agency reserves the authority, but not the obligation, to participate in the funding of local improvement district facilities. This participation may include either direct funding to reduce the overall cost of the LID or to participate as an assessed entity to finance the LID project. Similarly, to the extent allowed by the Law and the Act, the Agency reserves the authority, but not the obligation, to participate in the funding of the purposes specified under the Business Improvement Districts, Chapter 26, Title 50, Idaho Code.

#### **502.7 Issuance of Debt and Debt Limitation**

Any debt incurred by the Agency as allowed by the Law and Act shall be secured by revenue allocation funds as allowed by the Act. All such debt shall be repaid within the duration of this Plan, except as may be authorized by law.

#### **502.8 Impact on Other Taxing Districts and Levy Rate**

An estimate of the overall impact of the revenue allocation project on each taxing district is shown in the Study through the new development projections set forth in Attachment 5.

The assessed value for each property in a revenue allocation area consists of a base value and an increment value. The base value is the assessed value as of January 1 of the year in which a revenue allocation area is approved by a municipality, with periodic adjustments allowed by Idaho law. The increment value is the difference between the adjusted base assessed

value and current assessed value in any given year while the property is in a revenue allocation area. Under Idaho Code § 63-802, taxing entities are constrained in establishing levy rates by the amount each budget of each taxing district can increase on an annual basis. Taxing entities submit proposed budgets to the County Board of Commissioners, which budgets are required to comply with the limitations set forth in Idaho Code § 63-802. Therefore, the impact of revenue allocation on the taxing entities is more of a product of the imposition of Idaho Code § 63-802, then the effect of urban renewal.

The County Board of Commissioners calculates the levy rate required to produce the proposed budget amount for each taxing entity using the assessed values which are subject to each taxing entity's levy rate. Assessed values in urban renewal districts which are subject to revenue allocation (incremental values) are not included in this calculation. The combined levy rate for the taxing entities is applied to the incremental property values in a revenue allocation area to determine the amount of property tax revenue which is allocated to an urban renewal agency. The property taxes generated by the base values in the urban renewal districts and by properties outside revenue allocation areas are distributed to the other taxing entities. Properties in revenue allocation areas are subject to the same levy rate as they would be outside a revenue allocation area. The difference is how the revenue is distributed. If the overall levy rate is less than assumed, the Agency will receive fewer funds from revenue allocation.

In addition, without the Revenue Allocation Area and its ability to pay for public improvements and public facilities, fewer substantial improvements within the Revenue Allocation Area would be expected during the term of the Plan; hence, there would be lower increases in assessed valuation to be used by the other taxing entities.

One result of new construction occurring outside the revenue allocation area (Idaho Code §§ 63-802 and 63-301A) is the likely reduction of the levy rate as assessed values increase for property within each taxing entity's jurisdiction. From and after December 31, 2006, Idaho Code § 63-301A prohibits taxing entities from including, as part of the new construction roll, the increased value related to new construction within a revenue allocation area until the revenue allocation authority is terminated. Any new construction within the Project Area is not available for inclusion by the taxing entities to increase their budgets. Upon termination of this Plan or deannexation of area, the taxing entities will be able to include the accumulated new construction roll value in setting the following year's budget and revenue from such value is not limited to the three percent increase allowed in Idaho Code § 63-802(1)(a).

As the 2020 certified levy rates are not determined until late September 2020, the 2019 certified levy rates have been used in the Study for purposes of the analysis. For Tax Year 2019<sup>3</sup>, those districts and rates for the parcels located within the City are as follows:<sup>4</sup>

---

<sup>3</sup> Due to the timing of the taxing districts' budget and levy setting process, certification of the 2020 levy rates did not occur until this Plan had been prepared. In order to provide a basis to analyze the impact on the taxing entities, the 2019 levy rates are used. Use of the 2019 levy rates provides a more accurate base than estimating the 2020 levy rates.

<sup>4</sup> It is unclear how the personal property tax exemption set forth in Idaho Code § 63-602KK may impact the levy rate.

Taxing Districts

Levy Rates:

Ada County	.002549212
Ada County Ambulance	.000121963
College of Western Idaho	.000128506
<i>ACHD</i>	<i>.000771526</i>
City of Kuna	.002367198
Kuna Cemetery	.000108161
Kuna Rural Fire	.001058883
Kuna School #3	.000029716
Kuna School Community Library	.000425868
Southwest Ada County Mosquito Abatement	.000021765
<b>TOTAL<sup>5</sup></b>	<b>0.007582798</b>

For Tax Year 2019,<sup>6</sup> those districts and rates for the parcels located within the unincorporated County are as follows:<sup>7</sup>

Taxing Districts

Levy Rates:

Ada County	.002549212
Ada County Ambulance	.000121963
College of Western Idaho	.000128506
<i>ACHD</i>	<i>.000771526</i>
Kuna Cemetery	.000108161
Kuna Rural Fire	.001058883
Kuna School #3	.000029716
Kuna School Community Library	.000425868
Pest Extermination	.000105649
Southwest Ada County Mosquito Abatement	.000021765
<b>TOTAL<sup>8</sup></b>	<b>0.005321249</b>

TOTAL LEVY

.00760169

<sup>5</sup> Net of voter approved bonds and levies.

<sup>6</sup> Due to the timing of the taxing districts' budget and levy setting process, certification of the 2020 levy rates did not occur until this Plan had been prepared. In order to provide a basis to analyze the impact on the taxing entities, the 2019 levy rates are used. Use of the 2019 levy rates provides a more accurate base than estimating the 2020 levy rates.

<sup>7</sup> It is unclear how the personal property tax exemption set forth in Idaho Code § 63-602KK may impact the levy rate.

<sup>8</sup> Net of voter approved bonds and levies.

The Study has made certain assumptions concerning the levy rate. First, it is anticipated the parcels currently located outside the jurisdictional boundaries of the City and in unincorporated Ada County will be annexed into the City. As a result, the levy rate applied to parcels within the boundaries of the City has been used to estimate revenue. Second, the levy rate is estimated to stay level for the life of the revenue allocation area. As the actual impact of the expiration of any property tax abatements granted pursuant to Idaho Code § 63-602NN and property value fluctuations on the levy rate is unknown, the Study has assumed a conservative levy rate of \_\_\_\_\_. The annual increment value is expected to increase by approximately \_\_\_\_\_% (\_\_\_\_\_ % annual increase in land values and a \_\_\_\_\_ % annual increase in improvement values) over the term of the Plan once the improvements have been completed and fully assessed by the County. If the overall levy rate is less than projected, or if expected development fails to occur as estimated, the Agency shall receive fewer funds from revenue allocation.

Pursuant to Idaho Code § 50-2908, the Agency is not entitled to revenue allocation proceeds from certain levy increases which are allowed by either specific statutory authorization or approved by an election of the qualified electors of the particular taxing district. Therefore, for any levy election, the Agency will not receive revenue allocation funds which would have been generated by imposing that levy on the assessed valuation within the Project Area. The Study has taken this statute into account. This is also the reason there is limited impact to Kuna School District #3 (tort levy only).

### **503 Phasing and Other Fund Sources**

The Agency anticipates funding only a portion of the entire cost of the public improvements shown on Attachment 5. Other sources of funds shall include City, County and developer participation. Agency participation shall be determined by the amount of revenue allocation funds generated.

### **504 Lease Revenue and Bonds**

Under the Law (Idaho Code § 50-2012), the Agency is authorized to issue revenue bonds to finance certain public improvements identified in the Plan. Under that type of financing, the public entity would pay the Agency a lease payment annually which provides certain funds to the Agency to retire the bond debt. Another variation of this type of financing is sometimes referred to as conduit financing, which provides a mechanism where the Agency uses its bonding authority for the Project, with the end user making payments to the Agency to retire the bond debt. These sources of revenues are not related to revenue allocation funds and are not particularly noted in the Study, because of the “pass through” aspects of the financing. Under the Act, the economic feasibility study focuses on the revenue allocation aspects of the Agency’s financial model.

These financing models typically are for a longer period of time than the 20-year period set forth in the Act. However, these financing models do not involve revenue allocation funds, but rather funds from the end users which provide a funding source for the Agency to continue to

own and operate the facility beyond the term of the Plan as allowed by Idaho Code § 50-2905(8) as those resources involve funds not related to revenue allocation funds.

#### **505 Membership Dues and Support of Community Economic Development**

The Act is premised upon economic development being a valid public purpose. To the extent allowed by the Law and the Act, the Agency reserves the authority to use revenue allocation funds to contract with non-profit and charitable organizations established for the purpose of supporting economic development and job creation. Additionally, the Agency reserves the authority to expend revenue allocation funds to join, participate and support non-profit organizations established to support Agency best practices and administration. The line item of Operating Expenses within the Study shall be deemed to include expenditures for the purposes described in this section as may be deemed appropriate during the annual budgetary process.

#### **600 ACTIONS BY THE CITY AND COUNTY**

The City and County shall aid and cooperate with the Agency in carrying out this Plan and shall take all actions necessary to ensure the continued fulfillment of the purposes of this Plan and to prevent the recurrence or spread in the area of conditions causing deterioration. Actions by the City and County may include, but not be limited to, the following:

- a. Institution and completion of proceedings necessary for changes and improvements in private and publicly owned public utilities within or affecting the Project Area.
- b. Revision of zoning (if necessary) within the Project Area to permit the land uses and development authorized by this Plan.
- c. Imposition wherever necessary of appropriate controls within the limits of this Plan upon parcels in the Project Area to ensure their proper development and use.
- d. Provision for administrative enforcement of this Plan by the City after development. The City and the Agency may develop and provide for enforcement of a program for continued maintenance by owners of all real property, both public and private, within the Project Area throughout the duration of this Plan.
- e. Building Code enforcement.
- f. Performance of the above actions and of all other functions and services relating to public peace, health, safety, and physical development normally rendered in accordance with a schedule which will permit the redevelopment of the Project Area to be commenced and carried to completion without unnecessary delays.

- g. Institution and completion of proceedings necessary for the establishment of a local improvement district under Chapter 17, Title 50, Idaho Code.
- h. The undertaking and completing of any other proceedings necessary to carry out the Project.
- i. Administration of Community Development Block Grant funds that may be made available for this Project.
- j. Appropriate agreements with the Agency for administration, supporting services, funding sources, and the like.
- k. The waiver of any hookup or installation fee for sewer, water, or other utility services for any facility owned by any public agency, including any Agency facility.
- l. Joint funding of certain public improvements, including but not limited to improvements to sewer treatment facilities.
- m. Use of public entity labor, services, and materials for construction of the public improvements listed in this Plan.
- n. The waiver of any city impact fee for development within the Project Area.
- o. Institution and completion of proceedings necessary for the establishment of a community infrastructure district under Chapter 31, Title 50, Idaho Code.
- p. Assist with coordinating and implementing the public improvements in the Project Area identified in the Study.

The foregoing actions, if taken by the City, do not constitute any commitment for financial outlays by the City.

Actions by the County shall include, but not be limited to, entering into an agreement with the Agency and/or the City as may be necessary to make improvements to the portion of the Project Area located within the boundaries of the County, to coordinate with the City on annexation proceedings, and to coordinate with the Agency and/or City on the establishment of a community infrastructure district. The foregoing actions, if taken by the County, do not constitute any commitment for financial outlays by the County.

#### **601 Maintenance of Public Improvements**

The Agency has not identified any commitment or obligation for long-term maintenance of the public improvements identified. The Agency will need to address this issue with the

appropriate entity, public or private, who has benefited from or is involved in the ongoing preservation of the public improvement.

**700 ENFORCEMENT**

The administration and enforcement of this Plan, including the preparation and execution of any documents implementing this Plan, shall be performed by the Agency and/or the City.

**800 DURATION OF THIS PLAN, TERMINATION, AND ASSET REVIEW**

Except for the nondiscrimination and nonsegregation provisions which shall run in perpetuity, the provisions of this Plan shall be effective, and the provisions of other documents formulated pursuant to this Plan, shall be effective for twenty (20) years from the effective date of the Plan subject to modifications and/or extensions set forth in Idaho Code § 50-2904. The revenue allocation authority will expire on December 31, 2040, except for any revenue allocation proceeds received in calendar year 2041, as contemplated by Idaho Code § 50-2905(7). The Agency may use proceeds in 2041 to complete the projects set forth herein. As stated in the Plan, any owner participation agreement or disposition and development agreement obligations will cease as of December 31, 2040.

Idaho Code § 50-2093(5) provides the Agency shall adopt a resolution of intent to terminate the revenue allocation area by September 1. In order to provide sufficient notice of termination to the affected taxing districts to allow them to benefit from the increased budget capacity, the Agency will use its best efforts to provide notice of its intent to terminate this Plan and its revenue allocation authority by May 1, 2041, or if the Agency determines an earlier terminate date, then by May 1 of the early termination year:

- a. When the Revenue Allocation Area plan budget estimates that all financial obligations have been provided for, the principal of and interest on such moneys, indebtedness, and bonds have been paid in full or when deposits in the special fund or funds created under this chapter are sufficient to pay such principal and interest as they come due, and to fund reserves, if any, or any other obligations of the Agency funded through revenue allocation proceeds shall be satisfied and the Agency has determined no additional project costs need be funded through revenue allocation financing, the allocation of revenues under Idaho Code § 50-2908 shall thereupon cease; any moneys in such fund or funds in excess of the amount necessary to pay such principal and interest shall be distributed to the affected taxing districts in which the Revenue Allocation Area is located in the same manner and proportion as the most recent distribution to the affected taxing districts of the taxes on the taxable property located within the Revenue Allocation Area; and the powers granted to the urban renewal agency under Idaho Code § 50-2909 shall thereupon terminate.

- b. In determining the termination date, the Plan shall recognize that the Agency shall receive allocation of revenues in the calendar year following the last year of the revenue allocation provision described in the Plan.
- c. For the fiscal year that immediately predates the termination date, the Agency shall adopt and publish a budget specifically for the projected revenues and expenses of the Plan and make a determination as to whether the Revenue Allocation Area can be terminated before January 1 of the termination year pursuant to the terms of Idaho Code § 50-2909(4). In the event that the Agency determines that current tax year revenues are sufficient to cover all estimated expenses for the current year and all future years, by May 1, but in any event, no later than September 1, the Agency shall adopt a resolution advising and notifying the local governing body, the county auditor, and the State Tax Commission, recommending the adoption of an ordinance for termination of the Revenue Allocation Area by December 31 of the current year, and declaring a surplus to be distributed as described in Idaho Code § 50-2909 should a surplus be determined to exist. The Agency shall cause the ordinance to be filed with the office of the county recorder and the Idaho State Tax Commission as provided in Idaho Code § 63-215.

Upon termination of the revenue allocation authority of the Plan to the extent the Agency owns or possesses any assets, subject to the following paragraph, the Agency intends to dispose of any remaining assets by granting or conveying or dedicating such assets to the City, unless based on the nature of the asset, disposition to another public entity is more appropriate.

As allowed by Idaho Code § 50-2905(8), the Agency may retain assets or revenues generated from such assets as long as the Agency shall have resources other than revenue allocation funds to operate and manage such assets. Similarly, facilities which provide a lease income stream to the Agency for full retirement of the facility debt will allow the Agency to meet debt services obligations and provide for the continued operation and management of the facility.

#### **900 PROCEDURE FOR AMENDMENT OR MODIFICATION**

To the extent there is any outstanding loans or obligations, this Plan shall not be modified pursuant to the provisions set forth in Idaho Code § 50-2903A. Modification of this Plan results in a reset of the base value for the year immediately following the year in which the modification occurred to include the current year's equalized assessed value of the taxable property in the revenue allocation area, effectively eliminating the Agency's revenue stream as more fully set forth in Idaho Code § 50-2903A subject to certain limited exceptions contained therein, including the exception to allow an amendment to support growth of an existing commercial or industrial project. I.C. § 50-2903A(1)(a)(iv). As more specifically identified above, the Agency's projections are based on estimated values, estimated levy rates, estimated future development, and estimated costs of future construction/improvements. Annual adjustments as more specifically set forth in the Agency's annual budget will be required to account for more/less estimated revenue and prioritization of projects. Any adjustments for these stated

purposes are technical and ministerial and are not deemed a modification under Idaho Code § 50-2903A(1)(a)(i).

**1000 SEVERABILITY**

If any one or more of the provisions contained in this Plan to be performed on the part of the Agency shall be declared by any court of competent jurisdiction to be contrary to law, then such provision or provisions shall be null and void and shall be deemed separable from the remaining provisions in this Plan and shall in no way affect the validity of the other provisions of this Plan.

**1100 ANNUAL REPORT AND OTHER REPORTING REQUIREMENTS**

Under the Law, the Agency is required to file with the City, on or before March 31 of each year, a report of the Agency’s activities for the preceding calendar year, which report shall include a complete financial statement setting forth its assets, liabilities, income, and operating expenses as of the end of such calendar year. This annual report shall be considered at a public meeting to report these findings and take comments from the public.

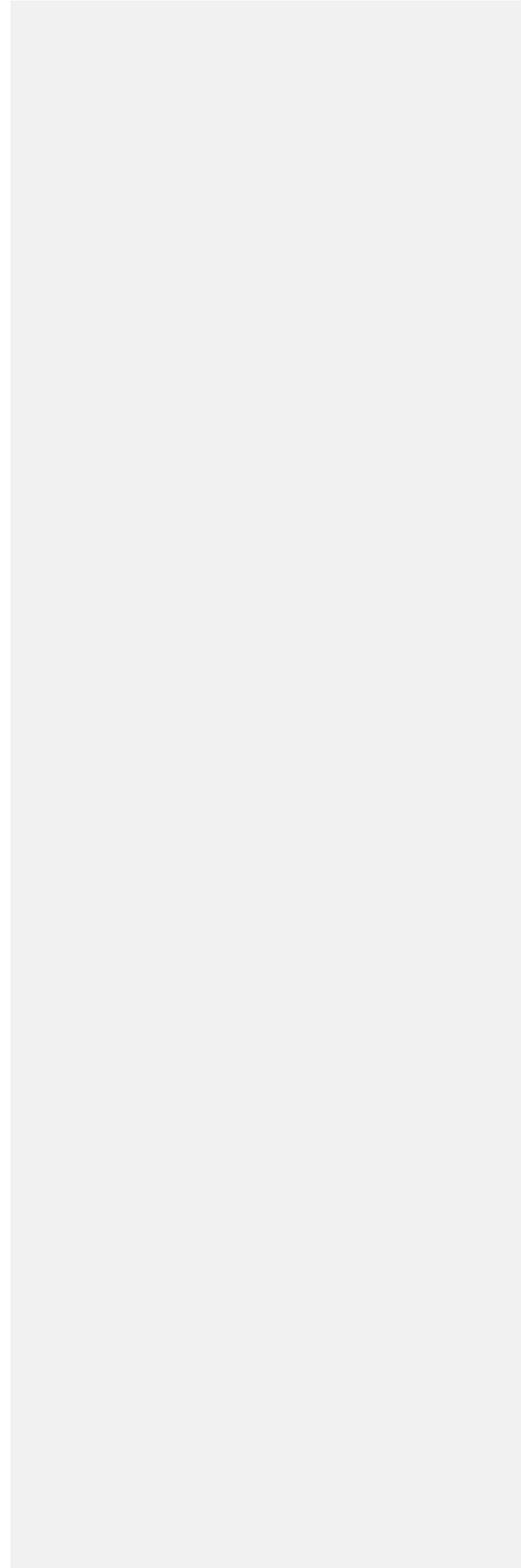
Additionally, the Agency must comply with certain other reporting requirements as set forth in Idaho Code § 67-450E, the local government registry portal, Idaho Code § 50-2913, the tax commission plan repository, and Idaho Code § 50-2903A, the tax commission’s plan modification annual attestation. Failure to report the information requested under any of these statutes results in significant penalties, including loss of increment revenue, and the imposition of other compliance measures by the Ada County Board of County Commissioners.

**1200 APPENDICES, ATTACHMENTS, EXHIBITS, TABLES**

All attachments and tables referenced in this Plan are attached and incorporated herein by their reference. All other documents referenced in this Plan but not attached are incorporated by their reference as if set forth fully.

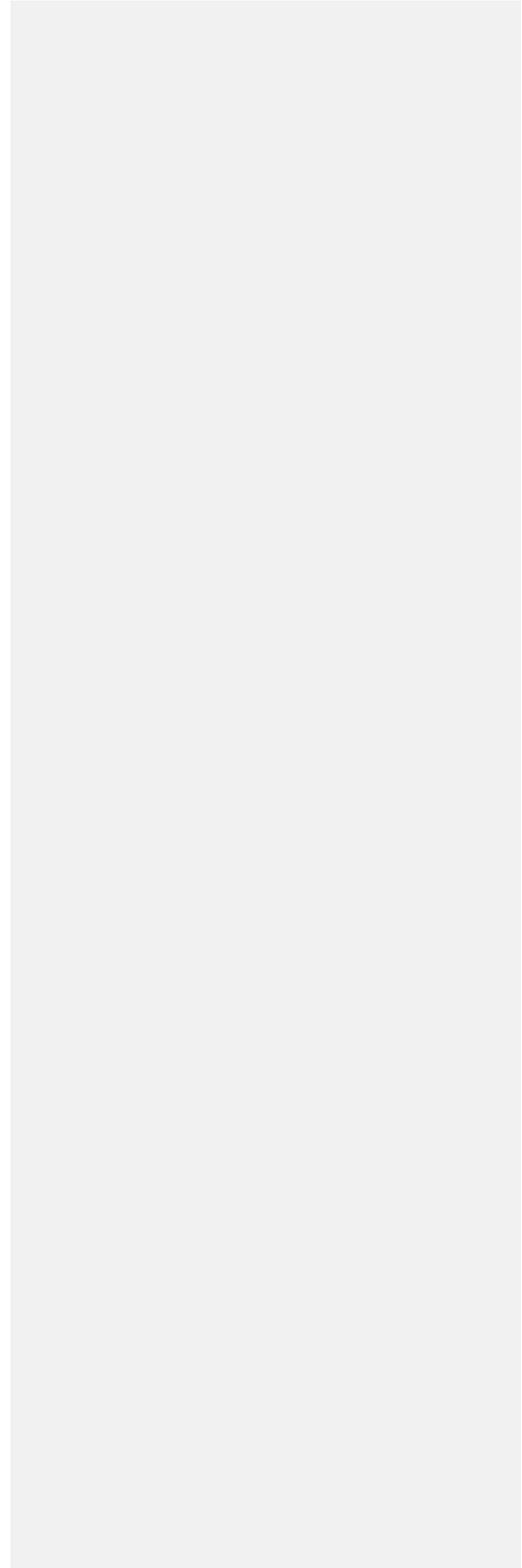
Attachment 1

Boundary Map of Urban Renewal Project Area and Revenue Allocation Area



Attachment 2

Legal Description of Urban Renewal Project Area and Revenue Allocation Area



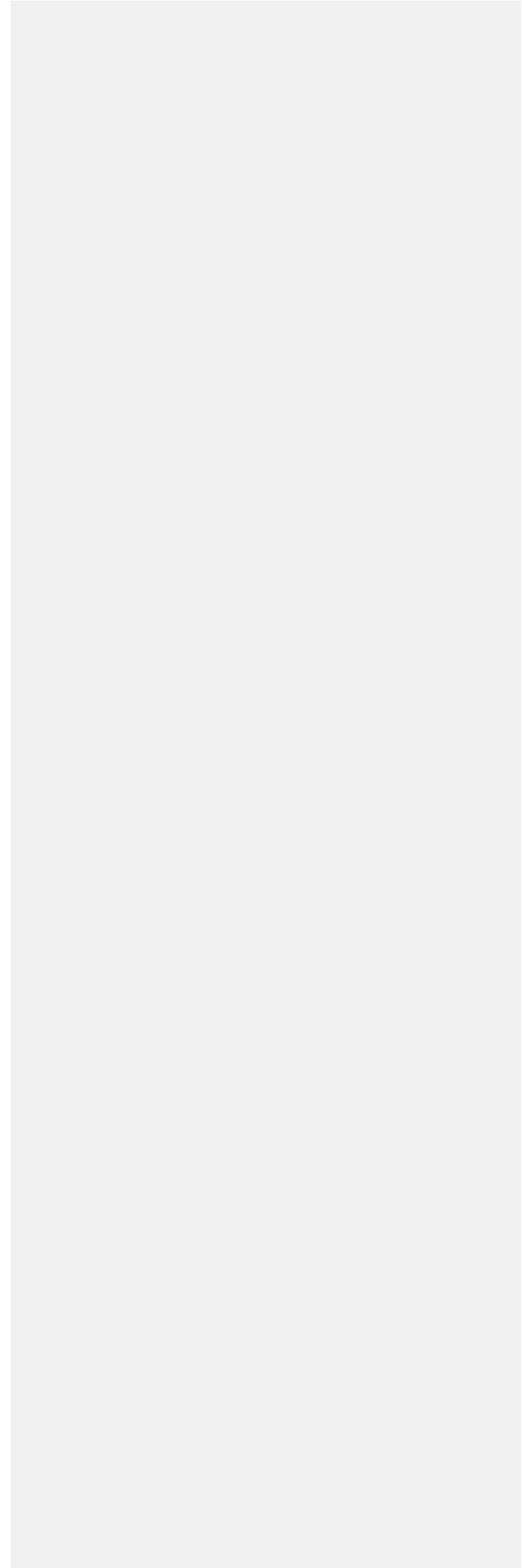
### Attachment 3

#### Private Properties Which May Be Acquired by Agency

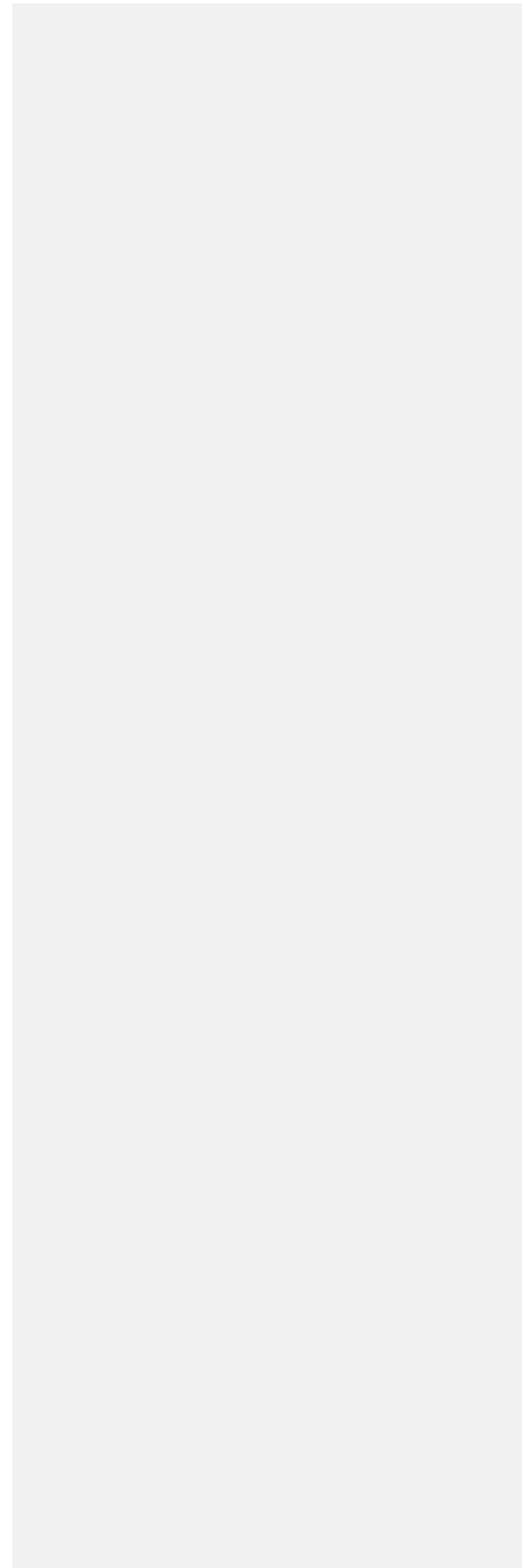
1. The Agency has not identified any particular parcel for the construction of public improvements or for private redevelopment. Properties which may be subject to acquisition include parcels to:
  - a) assemble with adjacent parcels to facilitate redevelopment;
  - b) assemble with adjacent rights-of-way to improve configuration and enlarge parcels for redevelopment;
  - c) reconfigure sites for development and possible extension of streets or pathways;
  - d) assemble for future transfer to qualified developers to facilitate the development of mixed-use, residential, commercial and retail areas; or
  - e) assemble for the construction of certain public improvements, including but not limited to streets, streetscapes, water and sewer improvements, environmental remediation/site preparation, parking, community facilities, parks, pedestrian/bike paths and trails, recreation access points, multi-purpose athletic and performance facilities and other public facilities, including fire, police, EMS facilities.
2. The Agency reserves the right to acquire any additional right-of-way or access routes near or around existing or planned rights-of-way.
3. The Agency reserves the right to acquire property needed to provide adequately sized sites for high priority projects for the development of public improvements (the exact location of which has not been determined).
4. Other parcels may be acquired for the purpose of facilitating catalyst or demonstration projects, constructing public parking, constructing new streets or pathways, enhancing public spaces, or to implement other elements of the urban renewal plan strategy and/or any master plan for the Project Area.

Attachment 4

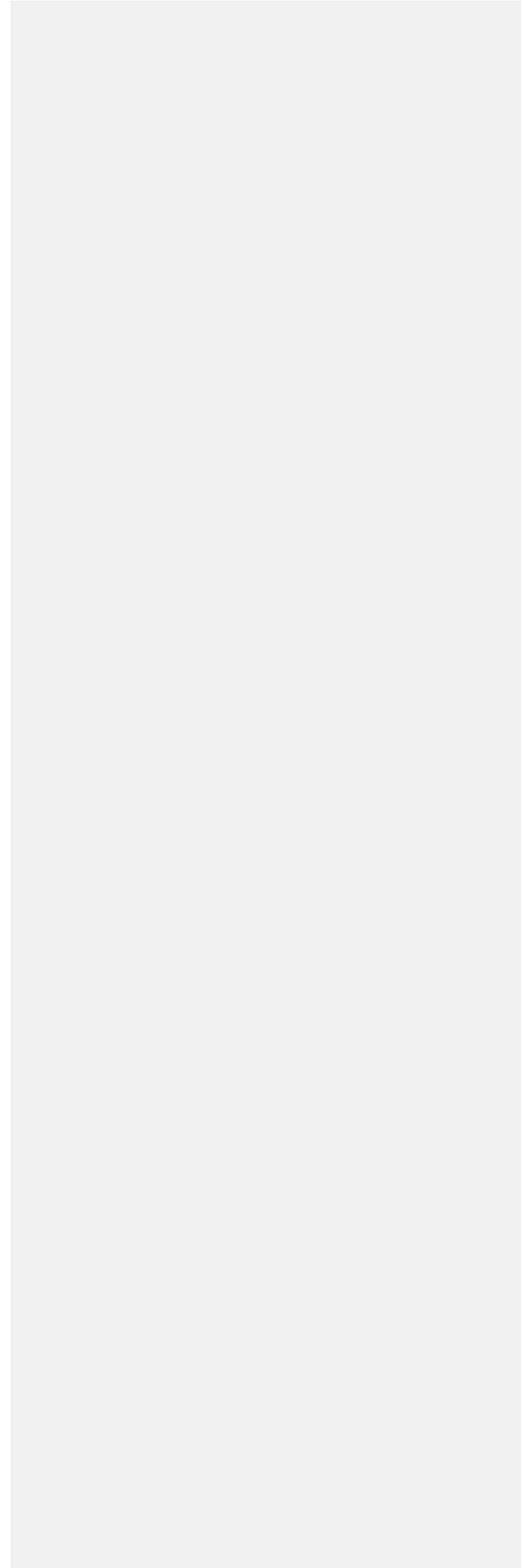
Map Depicting Expected Land Uses and Current Zoning Map  
of the Project Area



Attachment 5  
Economic Feasibility Study

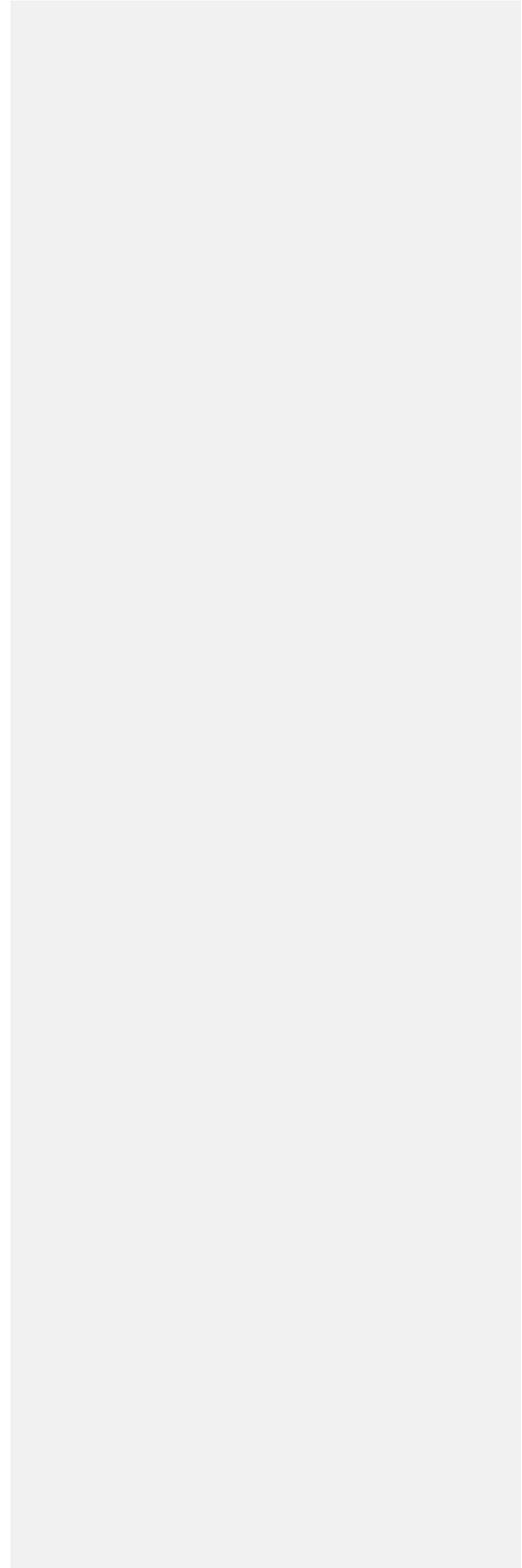


Attachment 6  
Agricultural Operation Consents



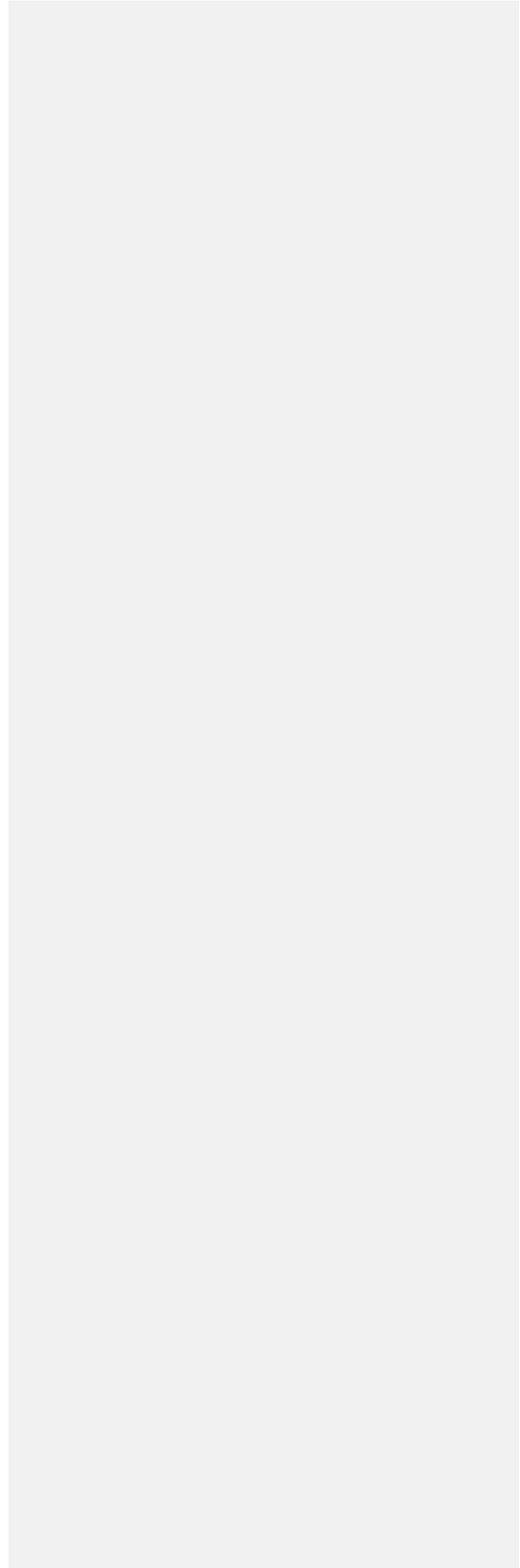
Attachment 7

Ada County Board of County Commissioners Resolution No. \_\_\_\_\_ (eligibility)



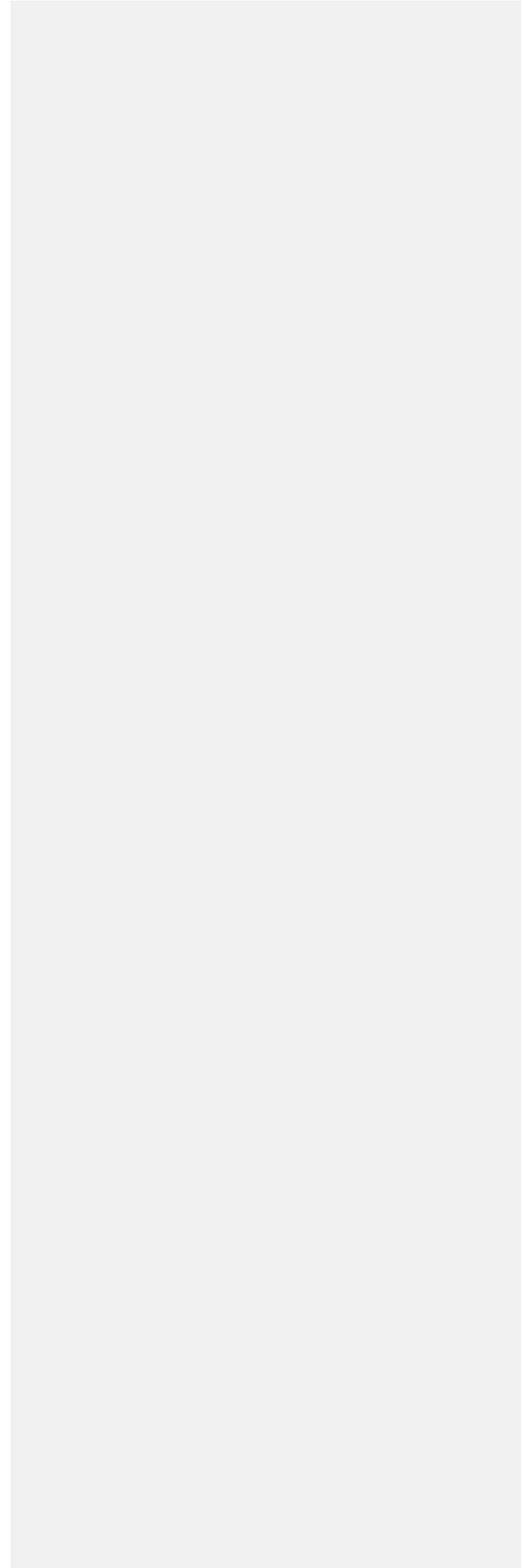
Attachment 8

Kuna City Council Resolution Nos. \_\_\_\_\_ (eligibility)



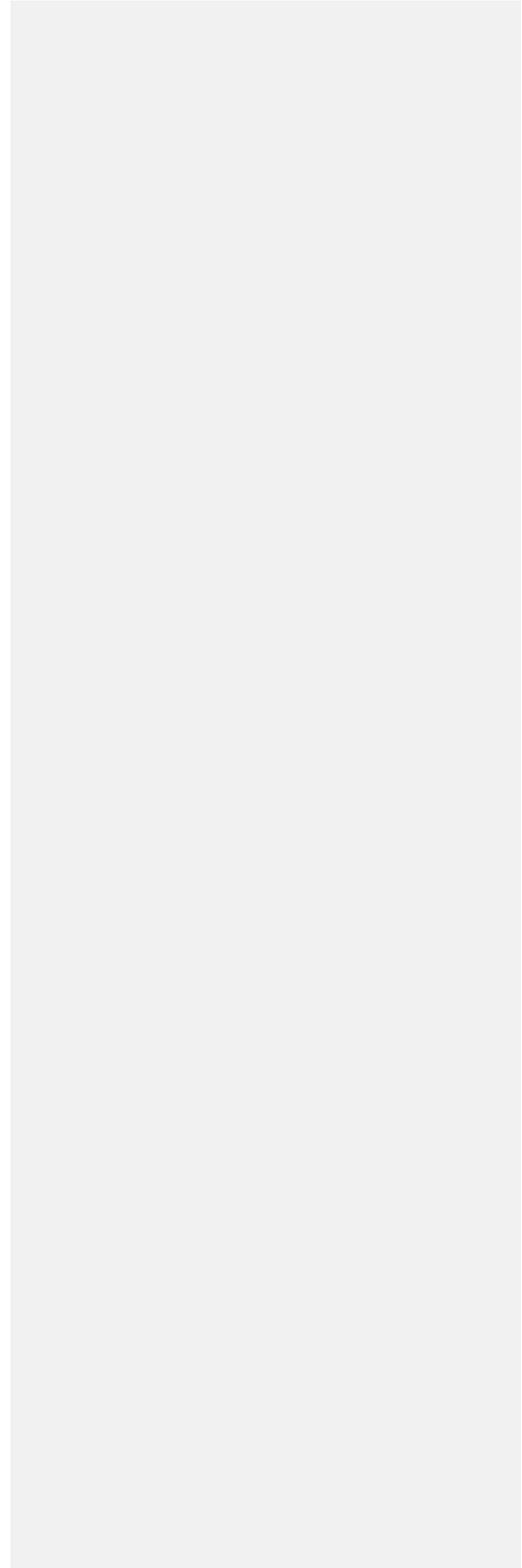
Attachment 9

Ada County Board of County Commissioners Ordinance No. \_\_\_\_ (Intergovernmental Agreement and Transfer of Powers Ordinance)

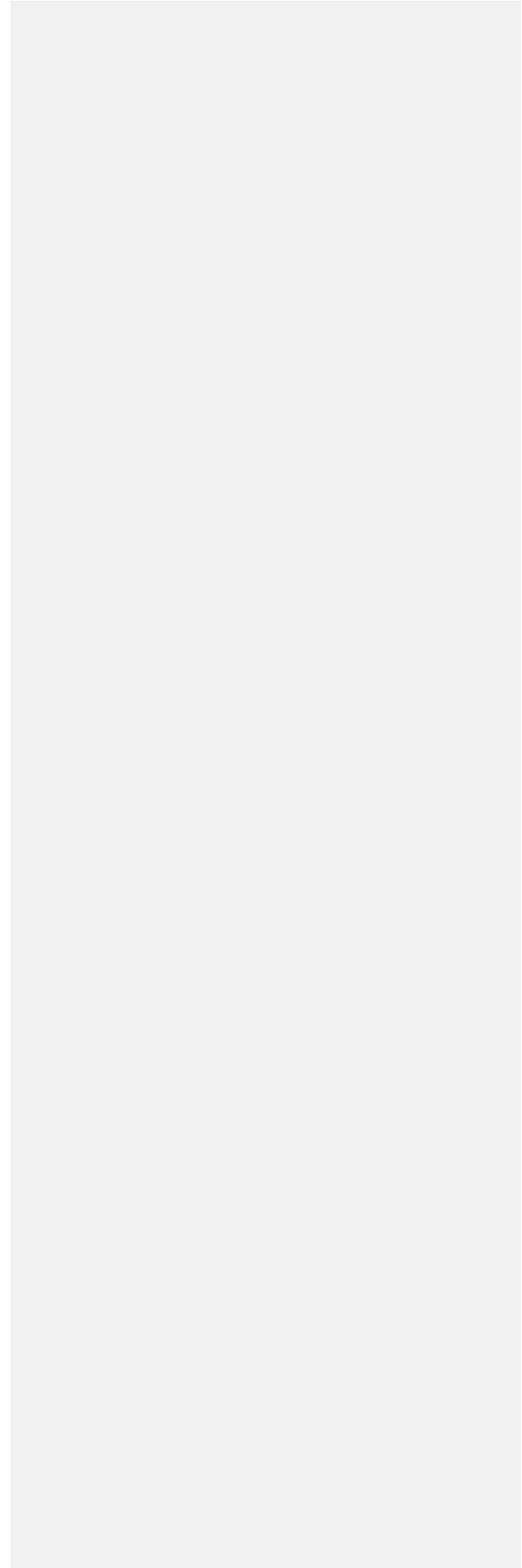


Attachment 10

Kuna City Council Resolution No. \_\_\_\_\_(Intergovernmental  
Agreement –Ada County)



4821-1531-9237, v. 2



# **DRAFT Economic/Feasibility Study Outline**

- I. Introduction
- II. Boundary
- III. Existing Conditions
  - A. Zoning
  - B. Existing and Planned Infrastructure
  - C. Social Conditions
- IV. Financial Analysis
  - A. Future Development
  - B. Projected Assessed Values
  - C. Projected Tax Increment Revenue
  - D. Taxing Districts
- V. Job Impacts
- VI. Conclusion
- VII. Appendices