

CITY OF KUNA ORDINANCE NO. 2022-34

BY THE CITY COUNCIL:

**MCPHERSON, BRUCE,
BIGGS, LARAWAY**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF KUNA, IDAHO, APPROVING THE URBAN RENEWAL PLAN FOR THE KUNA EAST URBAN RENEWAL PROJECT, WHICH PLAN INCLUDES REVENUE ALLOCATION FINANCING PROVISIONS; AUTHORIZING THE CITY CLERK TO TRANSMIT A COPY OF THIS ORDINANCE AND OTHER REQUIRED INFORMATION TO COUNTY AND STATE OFFICIALS AND THE AFFECTED TAXING ENTITIES; PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY; PROVIDING FOR WAIVER OF THE READING RULES; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council (the "City Council") and Mayor of the City of Kuna (the "City") created the Urban Renewal Agency of the City of Kuna, Idaho (the "Agency") authorizing it to transact business and exercise the powers granted by the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code, as amended (hereinafter the "Law"), and the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended (hereinafter the "Act") upon making the findings of necessity required for creating said Agency;

WHEREAS, the City Council, after notice duly published, conducted a public hearing on the Urban Renewal Plan for the Kuna West Urban Renewal Project (the "Kuna West Plan");

WHEREAS, following said public hearing, the City Council adopted its Ordinance No. 2020-32 on November 17, 2020, approving the Kuna West Plan and making certain findings, including establishing the Kuna West revenue allocation area (the "Kuna West Project Area");

WHEREAS, pursuant to Idaho Code Section § 50-2008, an urban renewal project may not be planned or initiated unless the local governing body has, by resolution, determined such area to be a deteriorated area or deteriorating area, or combination thereof, and designated such area as appropriate for an urban renewal project;

WHEREAS, an urban renewal plan shall (a) conform to the general plan for the municipality as a whole, except as provided in Section 50-2008(g), Idaho Code; and (b) 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, zoning and planning changes, if any, land uses, maximum densities, building requirements, and any method or methods of financing such plan, which methods may include revenue allocation financing provisions;

WHEREAS, Idaho Code Section 50-2906, also requires that in order to adopt an urban renewal plan containing a revenue allocation financing provision, the local governing body must make a finding or determination that the area included in such plan is a deteriorated area or deteriorating area;

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WHEREAS, Idaho Code Section 50-2906, also requires that in order to adopt an urban renewal plan containing a revenue allocation financing provision, the local governing body must make a finding or determination that the area included in such plan is a deteriorated area or deteriorating area;

WHEREAS, based on inquiries and information presented by certain public entities, certain interested parties and property owners, the City and Agency commenced certain discussions concerning examination of an area located within the City, to determine whether the area may be deteriorating or deteriorated and should be examined as to whether such an area is eligible for an urban renewal project;

WHEREAS, in the fall of 2021, the City engaged the services of J-U-B ENGINEERS, Inc. (J-U-B) to commence an eligibility study and preparation of an eligibility report of an area 1,528 acres in size, and which generally includes the parcels located along Cole Road, between Curtis Road and S. Five Mile Road and extending just north of Kuna Mora Road and south of Barker Road to the Union Pacific Railroad. The eligibility study area is commonly referred to as the Kuna East District Study Area (the “Kuna East Study Area”). All parcels in the Kuna East Study Area are located within the City of Kuna city limits;

WHEREAS, the Agency obtained the Kuna Urban Renewal District Eligibility Study for the Kuna East District, dated December 2021 (the “Report”), which examined the Kuna East Study Area for the purpose of determining whether such area was a deteriorating area, a deteriorated area, or a combination of both a deteriorating area and a deteriorated area, as those terms are defined by Idaho Code Sections 50-2018(8), (9) and 50-2903(8);

WHEREAS, pursuant to Idaho Code Sections 50-2018(8), (9) and 50-2903(8), which define the qualifying conditions of a deteriorating area and a deteriorated area, several of the conditions necessary to be present in such an area are found in the Kuna East Study Area, i.e.,

- a. substantial number of deteriorated or deteriorating structures;
- b. the predominance of defective or inadequate street layout;
- c. faulty lot layout in relation to size, adequacy, accessibility, or usefulness; obsolete platting;
- d. insanitary or unsafe conditions;
- e. deterioration of site or other improvements; and
- f. the existence of conditions which endanger life or property by fire and other causes.

WHEREAS, the Kuna East Study Area is predominantly open land;

WHEREAS, under the Act a deteriorated area includes any area which is predominantly open and which, because of obsolete platting, diversity of ownership, deterioration of structures or improvements, or otherwise, results in economic underdevelopment of the area or substantially impairs or arrests the sound growth of a municipality. See, Idaho Code § 50-2903(8)(c);

WHEREAS, Idaho Code Sections 50-2018(9), 50-2903(8) and 50-2008(d) list the additional conditions applicable to open land or open areas, including open land areas to be acquired by Agency, which are the same or similar to the conditions set forth in the definitions of “deteriorating area” and “deteriorated area;”

WHEREAS, the Report addresses the necessary findings concerning including open land within any urban renewal area as defined in Idaho Code Sections 50-2018(9), 50-2903(8)(c), and 50-2008(d);

WHEREAS, the effects of the listed conditions cited in the Report result in economic underdevelopment of the area, substantially impairs or arrests the sound growth of a municipality, constitutes an economic or social liability, and is a menace to the public health, safety, morals, or welfare in its present condition or use;

WHEREAS, the Agency Board, on January 5, 2022, adopted Resolution No. URA 03-2021, accepting the Report and authorized the Chair, Vice-Chair, or Administrator of Agency to transmit the Report to the City Council requesting its consideration for designation of an urban renewal area and requesting the City Council to direct Agency to prepare an urban renewal plan for the Kuna East Study Area, which plan may include a revenue allocation provision as allowed by the Act;

WHEREAS, under the Law and Act, Idaho Code Sections 50-2903(8)(f) and 50-2018(8) and (9), the definition of a deteriorating area and a deteriorated area shall not apply to any agricultural operation as defined in Section 22-4502(2), Idaho Code, absent the consent of the owner of the agricultural operation except for an agricultural operation that has not been used for three (3) consecutive years;

WHEREAS, the Kuna East Study Area includes parcels subject to such consent and any necessary consents have been obtained;

WHEREAS, the City Council on February 1, 2022, adopted Resolution No. R05-2022 and declared the Kuna East Study Area described in the Report to be a deteriorated area or a deteriorating area, or a combination thereof, as defined by Chapters 20 and 29 of Title 50, Idaho Code, as amended, that such Kuna East Study Area is appropriate for an urban renewal project, and directed Agency to commence preparation of an urban renewal plan for the area designated;

WHEREAS, in order to implement the provisions of the Act and the Law either Agency may prepare a plan, or any person, public or private, may submit such plan to Agency;

WHEREAS, pursuant to the Law and the Act, as amended, the Agency prepared the Urban Renewal Plan for the Kuna East Urban Renewal Project (the “Kuna East Plan”), as set forth in Exhibit 3 attached hereto, and the corresponding urban renewal/revenue allocation area referred to as the Kuna East project area (the “Kuna East Project Area,” the “Project Area,” or “Revenue Allocation Area”), to develop and/or redevelop a portion of the City, pursuant to the Law and the Act, as amended;

WHEREAS, the Kuna East Project Area is shown on the “Boundary Map of Kuna East Urban Renewal Project Area and Revenue Allocation Area” and described in the “Legal Description of Kuna East Urban Renewal Project Area and Revenue Allocation Area,” which are attached to the Kuna East Plan as Attachments 1 and 2 respectively. The boundaries of the Kuna East Project Area are slightly smaller than the Kuna East Study Area to ensure the boundaries are within the City limits;

WHEREAS, the Act authorizes Agency to adopt revenue allocation financing provisions as part of an urban renewal plan;

WHEREAS, the Kuna East Plan contains revenue allocation financing provisions as allowed by the Act;

WHEREAS, Agency and the City Council reviewed and considered the proposed public improvements within the Kuna East Project Area at several meetings during 2022;

WHEREAS, the Agency Board considered all comment and information submitted to the Agency during several Board meetings throughout 2022, in addition to the City staff's efforts to meet with property owners, taxing districts, and other stakeholders, in order to promote input into the Kuna East Plan;

WHEREAS, on September 14, 2022, the Agency Board passed Resolution No. URA03-2022 proposing and recommending the approval of the Kuna East Plan;

WHEREAS, the Agency submitted the Kuna East Plan to the Mayor and City Council;

WHEREAS, the Mayor and City Clerk have taken the necessary action in good faith to process the Kuna East Plan consistent with the requirements set forth in Idaho Code Sections 50-2906 and 50-2008;

WHEREAS, pursuant to the Law, at a meeting held on September 27, 2022, the Kuna Planning and Zoning Commission considered the Kuna East Plan and found by P & Z Resolution No. PZ01-2022 that the Kuna East Plan is in all respects in conformity with the City of Kuna Comprehensive Plan, as may be amended (the "Comprehensive Plan") and forwarded its findings to the City Council, a copy of which is attached hereto as Exhibit 1;

WHEREAS, the notice of public hearing of the Kuna East Plan was caused to be published by the Kuna City Clerk in its official newspaper the *Kuna-Melba News* on September 28, and October 12, 2022, a copy of said notice is attached hereto as Exhibit 2;

WHEREAS, as of September 29, 2022, the Kuna East Plan was submitted to the affected taxing entities and separately to the Ada County Highway District ("ACHD"), available to the public, and under consideration by the City Council;

WHEREAS, the City Council during its regular meeting of November 1, 2022, held such public hearing on the Kuna East Plan as noticed;

WHEREAS, as required by Idaho Code sections 50-2905 and 50-2906, the Kuna East Plan contains the following information with specificity which was made available to the general public and all affected taxing districts prior to the public hearing on November 1, 2022, the regular meeting of the City Council, at least thirty (30) days but no more than sixty (60) days prior to the date set for final reading of the Ordinance: (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) 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, notes and/or other obligations are repaid, upon all taxing districts levying taxes upon property in 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; and (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;

WHEREAS, the Kuna East Plan authorizes certain projects to be financed by owner/developer participation agreements and proceeds from revenue allocation. Revenue allocation bonds or loans are permissible;

WHEREAS, appropriate notice of the Kuna East Plan and revenue allocation provision contained therein has been given to the affected taxing districts and to the public as required by Idaho Code §§ 50-2008 and 50-2906;

WHEREAS, it is necessary and in the best interest of the citizens of the City, to adopt the Kuna East Plan and to adopt, as part of the Kuna East Plan, revenue allocation financing provisions that will help finance urban renewal projects to be completed in accordance with the Kuna East Plan, in order to: (1) encourage private development in the urban renewal area; (2) to prevent and arrest decay of the Kuna East Project Area due to the inability of existing financing methods to provide needed public improvements; (3) to encourage the affected taxing districts to cooperate in the allocation of future tax revenues arising in the Kuna East Project Area in order to facilitate the long-term growth of their common tax base; (4) to encourage the long-term growth of their common tax base; (5) to encourage private investment within the City and (6) to further the public purposes of the Agency;

WHEREAS, the City Council finds that the equalized assessed valuation of the taxable property in the revenue allocation area as shown and described in Attachments 1 and 2 of the Kuna East Plan is likely to increase, and continue to increase, as a result of initiation of urban renewal projects in accordance with the Kuna East Plan;

WHEREAS, under the Law and Act any such plan should provide for (1) a feasible method for the location of families who will be displaced from the urban renewal area in decent, safe, and sanitary dwelling accommodations within their means and without undue hardship to such families; (2) the urban renewal plan should conform to the general plan of the municipality as a whole; (3) the urban renewal plan should 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 the children residing in the general vicinity of the site covered by the plan; and (4) the urban renewal plan should afford maximum opportunity, consistent with the sound needs of the municipality as a whole, for the rehabilitation or redevelopment of the urban renewal area by private enterprise;

WHEREAS, if the urban renewal area consists of an area of open land to be acquired by the urban renewal agency, such area shall not be so acquired unless (1) if it is to be developed for residential uses, the local governing body shall determine that a shortage of housing of sound standards and design which is decent, safe, and sanitary exists in the municipality; that the need for housing accommodations has been or will be increased as a result of the clearance of slums in other areas; that the conditions of blight in the area and the shortage of decent, safe, and sanitary housing cause or contribute to an increase in and spread of disease and crime and constitute a 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 municipality; or (2) if it is to be developed for nonresidential uses, the local governing body shall determine that such nonresidential uses are necessary and appropriate to facilitate the proper growth and development of the community in accordance with sound planning standards and local community objectives, which acquisition may require the exercise of governmental action, as provided in the Law, because of defective or unusual conditions of title, diversity of ownership, tax delinquency, improper subdivisions, outmoded street patterns, deterioration of site, economic disuse, unsuitable topography or faulty lot layouts, 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;

WHEREAS, pursuant to Chapter 14, Title 40, Idaho Code, ACHD is granted certain authority and jurisdiction over public rights of way within the Kuna East Project Area;

WHEREAS, ACHD also had the opportunity to provide comments on the proposed Kuna East Plan;

WHEREAS, the Agency obtained written consent concerning certain property within the Kuna East Project Area, which may have been deemed an agricultural operation, as stated above. True and correct copies of the agricultural operation consents are included as Attachment 6 to the Kuna East Plan;

WHEREAS, the base assessment roll of the Kuna East Project Area, together with the base assessment roll values of the Kuna West Plan, cannot exceed ten percent (10%) of the current assessed values of all the taxable property in the City;

WHEREAS, it is necessary, and in the best interests of the citizens of the City to adopt the Kuna East Plan;

WHEREAS, the City Council at its regular meeting held on November 1, 2022, considered the Kuna East Plan as proposed and made certain comprehensive findings.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF KUNA, IDAHO:

SECTION 1: It is hereby found and determined that:

- (a) The Kuna East Project Area as defined in the Kuna East Plan is a deteriorated area or a deteriorating area as defined in the Law and the Act and qualifies as an eligible urban renewal area under the Law and Act.
- (b) The rehabilitation, conservation, development and redevelopment of the urban renewal area pursuant to the Kuna East Plan are necessary in the interests of public health, safety, and welfare of the residents of the City.
- (c) There continues to be a need for the Agency to function in the City.
- (d) The Kuna East Plan conforms to the City of Kuna Comprehensive Plan as a whole.
- (e) The Kuna East Plan gives due consideration to the provision of adequate park and recreation areas and facilities that may be desirable for neighborhood improvement recognizing the commercial and industrial components of the Kuna East Plan and the need for public improvements to support the goals of the commercial/industrial uses of the area, and shows consideration for the health, safety, and welfare of any children, residents, or businesses in the general vicinity of the urban renewal area covered by the Kuna East Plan.
- (f) The Kuna East Plan affords maximum opportunity consistent with the sound needs of the City as a whole for the rehabilitation, development and redevelopment of the urban renewal area by private enterprises.
- (g) Pursuant to Idaho Code §§ 50-2007(h) and 50-2008(d)(l), the Kuna East Plan provides a feasible method for relocation obligations of any displaced families residing within the Kuna East Project Area and there is not anticipated to be any activity by the Agency that would result in relocation.
- (h) The collective base assessment rolls for the existing Kuna West Project Area and the Kuna East Project Area, do not exceed ten percent (10%) of the assessed values of all the taxable property in the City.
- (i) The Kuna East Plan includes the requirements set forth in Idaho Code § 50-2905 with specificity.
- (j) The Kuna East Plan is 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, zoning and planning changes (if any), land uses, maximum densities, building requirements, and any method or methods of financing such plan, which methods may include revenue allocation financing provisions.
- (k) The urban renewal area, which includes the deteriorating area, as defined in Idaho Code section 50-2018(9) and Idaho Code section 50-2903(8)(f), does include agricultural operations for which the Agency has not received written consent, or which have not been used for agricultural purposes for three (3) consecutive years.

- (1) The portion of the Kuna East Project Area which is identified for non-residential uses is necessary and appropriate to facilitate the proper growth and development standards in accordance with the objectives of the Comprehensive Plan to overcome economic disuse, the need for improved traffic patterns, and the need for the correlation of this area with other areas of the City.

SECTION 2: The City Council finds that the Kuna East Project Area is predominantly open land, that the Agency may acquire any open land within the Kuna East Project Area, but does not intend to do so on any widespread basis, and that the Kuna East Project Area is planned to be developed and/or redeveloped in a manner that may primarily include nonresidential uses. Provided, however, the City Council finds that for the portions of the Kuna East Project Area deemed to be "open land," the criteria set forth in the Law and Act have been met.

SECTION 3: The City Council finds that the portion of the Kuna East Project Area which is identified for nonresidential uses is necessary and appropriate to facilitate the proper growth and development standards in accordance with the objectives of City's Comprehensive Plan, to overcome economic disuse, the need for improved traffic patterns, and the need for the correlation of this area with other areas of the City.

SECTION 4: The Kuna East Plan, a copy of which is attached hereto and marked as Exhibit 3 and made a part hereof by attachment, be, and the same hereby is approved. As directed by the City Council, the City Clerk and/or the Agency may make certain technical corrections or revisions in keeping with the information and testimony presented at the November 1, 2022, hearing and incorporate changes or modifications, if any.

SECTION 5: The boundaries of the Kuna East Project Area overlap the boundaries of the ACHD, which has the responsibility for the maintenance of roads and highways within the City. The Agency is currently negotiating an agreement with the ACHD pursuant to Idaho Code Section 50-2908(2)(a)(iv) for the Kuna East Project Area.

SECTION 6: The City Council declares that nothing within the Kuna East Plan is intended or shall be interpreted to usurp the jurisdiction and authority of ACHD as defined in chapter 14, Title 40, Idaho Code. Further, pursuant to Section 40-1415, Idaho Code, ACHD has authority over the planning, location, design, construction, reconstruction, and maintenance of the City rights of way and accompanying curbs, gutters, culverts, sidewalks, paved medians, bulkheads, and retaining walls. In the planning process, ACHD shall take into consideration the principles contained in the Plan.

SECTION 7: No direct or collateral action challenging the Kuna East Plan shall be brought prior to the effective date of this Ordinance or after the elapse of thirty (30) days from and after the effective date of this Ordinance adopting the Kuna East Plan.

SECTION 8: Upon the effective date of this Ordinance, the City Clerk is authorized and directed to transmit to the County Auditor and Ada County Assessor, and to the appropriate officials of Ada County Board of County Commissioners, City of Kuna, Ada County Highway District, Kuna Joint School District #3, Ada County Ambulance/EMS, Kuna Cemetery District,

College of Western Idaho, Kuna Library District, Ada County Mosquito Abatement District, Kuna Rural Fire District and the State Tax Commission a copy of this Ordinance, a copy of the legal description of the boundaries of the Revenue Allocation Area, and a map indicating the boundaries of the Kuna East Project Area.

SECTION 9: The City Council hereby finds and declares that the equalized assessed valuation of the Revenue Allocation Area as defined in the Kuna East Plan, is likely to increase as a result of the initiation and completion of urban renewal projects pursuant to the Kuna East Plan.

SECTION 10: The City Council hereby approves and adopts the following statement policy relating to the appointment of City Council members as members of the Agency's Board of Commissioners: If any City Council members are appointed to the Board, they are not acting in an ex officio capacity but, rather, as private citizens who, although they are also members of the City Council, are exercising their independent judgment as private citizens when they sit on the Board. Except for the powers to appoint and terminate Board members and to adopt the Kuna East Plan, the City Council recognizes that it has no power to control the powers or operations of the Agency.

SECTION 11: So long as any Agency bonds, notes or other obligations are outstanding, the City Council will not exercise its power under Idaho Code section 50-2006 to designate itself as the Agency Board.

SECTION 12: This Ordinance shall be in full force and effect immediately upon its passage, approval, and publication and shall be retroactive to January 1, 2022, to the extent permitted by the Act.

SECTION 13: The provisions of this Ordinance are severable, and if any provision of this Ordinance or the application of such provision to any person or circumstance is declared invalid for any reason, such determination shall not affect the validity of remaining portions of this Ordinance.

SECTION 14: The Summary of this Ordinance, a copy of which is attached hereto as Exhibit 4, is hereby approved.

SECTION 15: All ordinances, resolutions, orders, or parts thereof in conflict herewith are hereby repealed, rescinded, and annulled.

SECTION 16: Savings Clause. This Ordinance does not affect an action or proceeding commenced or right accrued before this Ordinance takes effect.

SECTION 17: That pursuant to the affirmative vote of one-half (1/2) plus one (1) of the members of the full Council, the rule requiring two (2) separate readings by title and one (1) reading in full be, and the same is hereby, dispensed with, and accordingly, this Ordinance shall be in full force and effect upon its passage, approval and publication.

PASSED by the City Council of the City of Kuna, Idaho, this 15th day of November 2022.

APPROVED by the Mayor of the City of Kuna, Idaho, this 15th day of November 2022.

APPROVED:



Joe Stear, Mayor

ATTEST:



Chris Engels, City Clerk



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

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

Ordinance No. 2022-34
Adopted November 1, 2022
Effective January 1, 2022

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 Idaho Code Sections 50-2008 and 50-2906	5
	103 History and Current Conditions of the Area	6
	104 Purpose of Activities	7
	105 Open Land Criteria	9
200	DESCRIPTION OF PROJECT AREA	9
300	PROPOSED REDEVELOPMENT ACTIONS	10
	301 General	10
	302 Urban Renewal Plan Objectives	12
	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.....	19
	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.....	25
	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.....	27
	502.1 Economic Feasibility Study	28
	502.2 Assumptions and Conditions/Economic Feasibility Statement	29
	502.3 Ten Percent Limitation	30
	502.4 Financial Limitation.....	30
	502.5 [Reserved].....	32
	502.6 Participation with Local Improvement Districts and/or Business Improvement Districts	32
	502.7 Issuance of Debt and Debt Limitation	33
	502.8 Impact on Other Taxing Districts and Levy Rate	33
503	Phasing and Other Fund Sources	35
504	Lease Revenue and Bonds	36
505	Membership Dues and Support of Community Economic Development	36
600	ACTIONS BY THE CITY AND OTHER PUBLIC ENTITIES.....	36
601	Maintenance of Public Improvements	38
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 Kuna East Urban Renewal Project Area and Revenue Allocation Area
Attachment 2	Legal Description of Kuna East 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 Consent

100 INTRODUCTION

This is the Urban Renewal Plan (the “Plan”) for the Kuna East Urban Renewal Project (the “Project”) in the city of Kuna (the “City”), state of Idaho. Attachments 1 through 6 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 East Project Area is also referred to as the “Project Area” or the “Revenue Allocation 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 proposed development and redevelopment of the Project Area as described in this Plan conforms to the City of Kuna 2019 Comprehensive Plan, *Envision Kuna* (the “Comprehensive Plan”), adopted by the Kuna City Council (the “City Council”) on July 16, 2019. The Agency intends to rely heavily on any applicable City zoning and design standards which may cover all or part of the Project Area.

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 current year’s equalized assessed value of the taxable property in the revenue allocation area, effectively eliminating the Agency’s revenue stream.

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

Further, a modification shall not be deemed to occur when “[t]here is a plan amendment to support growth of an existing commercial or industrial project in an existing revenue allocation area, subject to the provisions of section 50-2905A, Idaho Code.” Idaho Code § 50-2903A(1)(a)(iv). The Project includes the development and/or redevelopment of commercial and industrial projects.

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. In this case, pursuant to the City's zoning and Future Land Use Map, development within the Project Area will be focused on commercial and industrial development.

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

- a. To support the planning, design, and construction of public infrastructure and improvements to support commercial and industrial development opportunities;
- b. The installation and construction of public improvements, including new north-south and east-west local, collector and arterial streets; improvements to existing roadways, including but not limited to improvements to Kuna Mora Road, Cole Road and Curtis Road and intersection improvements within the Project Area, 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, including but not limited to a new lift station, force main and storage and capacity upgrades, and fire protection systems; natural gas distribution improvements; 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;
- c. The replanning, redesign, and development of undeveloped or underdeveloped areas which are stagnant or improperly utilized because of limited traffic access, underserved utilities, large lot size 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 for economic growth through diverse, resilient, regionally supportive, enhanced employment opportunities.

- e. The provision of adequate land for open space, street rights-of-way and pedestrian rights-of-way, including pathways;
- f. The establishment of an internal street network as well as the reconstruction and improvement of street corridors to allow traffic flows to move through the Project Area along with the accompanying utility connections throughout 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, gas and electrical 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;
- j. The acquisition of real property to support development and/or redevelopment initiatives consistent with the Law and Act; and
- k. 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. 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, 67-1076, 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. The Agency is also governed by its bylaws as authorized by the Law and adopted by the Agency.

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 (the “Study Area”) and prepare an eligibility report. The Kuna Urban Renewal District Eligibility Study, Kuna East District, dated December 2021 (the “Report”), was submitted to the Agency. The Agency accepted the Report by Agency Resolution No. URA 03-2021 on January 5, 2022, and thereafter submitted the Report to the City Council for its consideration.

The Study Area 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. R05-022 on February 1, 2022. With the adoption of Resolution No. R05-22, the City Council declared the Study Area described in the Report to be a deteriorated area and/or a deteriorating area as defined by Chapters 20 and 29, Title 50, Idaho Code, as amended, that such area is appropriate for an urban renewal project and directed the Agency to commence preparation of an urban renewal plan. The boundaries of the Project Area are slightly smaller than the Study Area to ensure the boundaries are within the City limits.

Under the Law and Act, Idaho Code Sections 50-2903(8)(f) and 50-2018(8) and (9), the definition of a deteriorating area shall not apply to any agricultural operation as defined in section 22-4502(2), Idaho Code, absent the consent of the owner of the agricultural operation except for an agricultural operation that has not been used for three (3) consecutive years.

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

In addition to the discussions occurring at several Agency Board meetings in 2022, Agency staff met with property owners, taxing districts and other stakeholders regularly in an effort to provide an opportunity for all to weigh in on the scope of the Plan and Project Area. Property owners within the Study Area were advised of the planning efforts and there was a joint City Council, Planning and Zoning Commission and Agency Board workshop on August 2, 2022, to help address the scope of the Plan.

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. 2022-03 on September 14, 2022, and submitted the Plan to 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.

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

This Project Area includes an estimated 1,538.50 acres, 1,488 acres of which are undeveloped open land. The Project Area is generally located along Cole Road, between Curtis Road and South Five Mile Road. The Project Area extends just north of Kuna Mora Road and south of Barker Road to the Union Pacific Railroad. The Project Area is located entirely within the city of Kuna city limits.

The Project Area includes an area in transition from historical agricultural uses to a proposed mix of light and heavy industrial and commercial uses. Significant impediments to development include extensive infrastructure needs necessary to develop the Project Area consistent with the goals of the City's Comprehensive Plan; lack of an internal street network and limited connectivity to the broader community; and the existence of large, oversized lots that do not support development goals. The Report cites a number of deteriorating conditions, as outlined in the Law and the Act, existing within the Project Area, including the presence of a substantial number of deteriorated or deteriorating structures; predominance of defective or inadequate street layout; faulty lot layout in relation to size, adequacy, accessibility, or usefulness/obsolete platting; insanitary and unsafe conditions; and deterioration of site or other improvements. Current infrastructure within the Project Area is not of a nature to support the commercial and/or industrial uses identified in the Future Land Use Map and the City's Comprehensive Plan. As a result, development potential within the Project Area is currently restricted and would not occur in the foreseeable future without tools to support the City's planning goals. The majority of the Project Area lacks an internal street network to serve interior development creating connectivity issues. Further, existing parcel sizes appropriate for historic agricultural uses are not properly configured for the development patterns envisioned in the Future Land Use Map. Extension, improvements, and upgrades to water and sewer facilities are necessary in order to develop certain commercial and industrial projects. At this time, the Project Area lacks the public infrastructure necessary to properly serve the proposed uses and the economic development goals as 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, including but not limited to: planning, design, and construction of improvements to streets, streetscapes, and pedestrian/bike facilities, and/or the construction of new internal street networks, and other public facilities, including but not limited to the installation, expansion of, or improvements to, sewer and water facilities, fiber optic facilities, electric facilities, storm drainage facilities and other similar public infrastructure improvements as necessary creating the

framework for the development of commercial and industrial economic development projects consistent with the City's Comprehensive Plan. The City has seen several waves of accelerated residential growth. To balance this residential growth, this Plan supports the investment in public infrastructure to increase employment opportunities so that residents may work where they live.

A significant portion of the Project Area is underdeveloped and/or vacant and is not being used to its highest and best use due to the existence of significant impediments to development. The conditions outlined above have resulted in economic underdevelopment of the Project Area and have substantially impaired or arrested the sound growth of the City, constituted an economic and social liability and are a menace to the public health, safety, morals or welfare in its present condition and use.

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, new commercial and industrial developments are anticipated to 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 significant capital infrastructure costs. But for urban renewal and revenue allocation financing, the proposed public improvements to support revitalization and new industrial and commercial developments within the Project Area would not occur.

104 Purpose of Activities

Attachment 5 includes the public improvements lists identifying with specificity the proposed public improvements and projects contemplated in the Project Area, including the project type and location. The projects are prioritized with Priority A Projects identified as those that are most important to incent revitalization and new development. Additional unfunded projects are identified in the Priority B Projects list and the Priority C Projects list (collectively Priority A Projects, Priority B Projects and Priority C Projects may be referred to as the "Priority Projects Lists"). 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 Priority Projects Lists 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 siting of improvements 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 and may prioritize the projects as development occurs.

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 and economic feasibility by the amounts funded, and by year of funding. 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 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 in the list of projects with an estimated cost in 2022 dollars of approximately \$47,879,000.00. 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 \$58,075,814.00 in revenue allocation proceeds. The Study has further identified and described a

list of unfunded projects and public improvements in the Priority B Projects list and the Priority C Projects list in the total amount of \$70,126,000.00. 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 in the Priority Projects Lists. 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 in any of the Priority Projects Lists.

105 Open Land Criteria

This Plan contemplates limited Agency acquisition of property within the Project Area, in part, to support public information improvements related to the Agency's economic development goals. The Project Area is predominantly 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 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 presence of a substantial number of deteriorated or deteriorating structures; predominance of defective or inadequate street layout; faulty lot layout in relation to size, adequacy, accessibility, or usefulness/obsolete platting; insanitary and unsafe conditions; and deterioration of site or other improvements; lack of water and sewer facilities; large parcel size; a deficient street system; lack of fire protection facilities; 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 East District, prepared by J-U-B Engineers, Inc., dated December 2021.

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 Kuna East 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 Kuna East 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, to increase connectivity, 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 improvements to portions of Kuna Mora Road, Barker Road, Cole Road and Curtis Road, and related pedestrian facilities, curb and gutter, intersection improvements, and traffic signals;
- d. The engineering, design, installation and/or construction of new local, collector and arterial rights-of way including the establishment of internal street networks to support connectivity within the Project Area, as well as connectivity with the broader community, together with new north-south and east-west collectors;
- e. 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, including extension of the water distribution system, water capacity improvements, water storage upgrades, sewer system improvements and upgrades, including extension of the sewer collection system, sewer capacity improvements, additional land application, lift station and force main, and improvements, and upgrades to power, gas, fiber optics, communications and other such facilities. To the extent construction of utilities outside of the Project Area are identified, such improvements are directly related to the growth and development within the Project Area, but cannot be sited within the Project Area;
- f. 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

pipng 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, way-finding, 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;

- g. The acquisition of real property for public right-of-way improvements, public parks, pedestrian facilities, pathways, and trails and to encourage development opportunities consistent with the Plan, including but not limited to future disposition to qualified developers;
- h. 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;
- i. 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;
- j. 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;
- k. The management of any property acquired by and under the ownership and control of the Agency;
- l. The development or redevelopment of land by private enterprise or public agencies for uses in accordance with this Plan;
- m. 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;
- n. The rehabilitation of structures and improvements by present owners, their successors, and the Agency;
- o. The preparation and assembly of adequate sites for the development and construction of facilities for industrial and commercial use;

- p. In collaboration with property owners and other stakeholders, working with the City to amend zoning regulations (if necessary) and standards and guidelines as needed to support implementation of this Plan;
- q. 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;
- r. To the extent allowed by law, lend or invest federal funds to facilitate development and/or redevelopment;
- s. 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;
- t. 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: the presence of a substantial number of deteriorated or deteriorating structures; predominance of defective or inadequate street layout; faulty lot layout in relation to size, adequacy, accessibility, or usefulness/obsolete platting; insanitary and unsafe conditions; deterioration of site or other improvements and inadequate utility infrastructure needed for a larger commercial and industrial developments. 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 and in Attachment 5.

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. Support new commercial and industrial development opportunities and encourage development projects that support the goals of developing a vibrant commercial/industrial corridor.
- c. Support development that includes public open space amenities, including securing and improving certain public open space in critical areas.
- d. Initiate projects designed to support the increase of mixed density employment opportunities, and commercial and industrial projects, and to encourage transportation planning to support connectivity and efficient circulation of all transportation means.

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 objectives while complying with the "specificity" requirement set forth in Idaho Code § 50-2905.

Land use in the Project Area may be modified to the extent that underutilized, underdeveloped, deteriorated, deteriorating and vacant land and land now devoted to uses inconsistent with the future land uses of the area will be converted to a commercial and industrial employment corridor. 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 Project Area covered by the Plan, recognizing, however, the primary purpose of this Plan and Project Area is to support new private development providing for economic growth through diverse, resilient, regionally supportive, enhanced employment opportunities and to establish a thriving commercial and industrial area.

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 forms of 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 pursuant to the requirements of the Law and Act, and the Agency will so certify, if the rehabilitated or new structure meets the standards set forth in an executed owner participation agreement and complies with applicable provisions of this Plan, local codes and ordinances, the Idaho Code 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, and other requirements deemed appropriate and necessary by the Agency. 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, recognizing the commercial and industrial uses contemplated in the Project Area.
- 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, 2042. 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 under a participation agreement 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 and generally consistent with this Plan for the Project Area.
- 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. Though no specific advance funding by a developer/owner participant is shown in the cash analysis attachments, this Plan specifically allows for such an advance.

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 (or the Idaho Transportation Department), as the case may be, for the engineering, design, installation, construction, and/or reconstruction of public infrastructure improvements, including, but not limited to improvements to Kuna Mora Road, Barker Road, Curtis Road and Cole Road and related streetscapes and intersection improvements; the installation and construction of new local, collector and arterial streets, including new north-south and east-west collectors and related streetscapes and intersection improvements; other public infrastructure installation, expansion and/or upgrades to water, sewer, storm drainage, electrical, natural gas, telecommunication, or other similar systems and lines; improvements to streetscapes, curbs, gutters, sidewalks, walkways, public parking facilities and other improvements set forth in Section 301 and in Attachment 5. The Agency shall also cooperate with the City and ACHD (or the Idaho Transportation Department) on various relocation, screening, or undergrounding projects and the providing of fiber optic capability, and the funding of gas, electrical water, and sewer improvements. To the extent any public entity, including the City and/or ACHD, 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.

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 City, Agency and/or any other public entity 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 by Idaho law and provided 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 anticipates the Agency's use of its resources for property acquisition, for the construction of public improvements or to dispose of real property to a qualified developer to incent certain types of development as permitted by the Law and Act.

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 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 for the uses identified in Attachment 3 hereto, including but not limited to property to be acquired for the

extension or expansion of certain rights-of-way or to accommodate underground public facilities. 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 those defined in Section 301 of the Plan and in Attachment 5. Further, the Agency may acquire real property to facilitate commercial and/or industrial 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 commercial and industrial uses. The public improvements are intended to be dedicated to the City and/or other appropriate public entity, as the case may be, 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, or by the City with the Agency acting in an advisory capacity,¹ 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, 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 development and/or redevelopment, and such rental or lease shall be pursuant to such policies as the Agency may adopt.

¹ House Bill 1044, adopted by the Idaho Legislature during the 2021 Legislative Session, limited the Agency's ability to exercise eminent domain.

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, public 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 law, including 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 disposition and development 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 and to support the planning, design and transportation goals set forth in the Comprehensive 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, 2042. 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 §§ 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.

Any public facility ultimately owned by the Agency shall be operated and managed in such a manner to preserve the public purpose nature of the facility. Any lease agreement with a

private entity or management contract agreement shall include all necessary provisions sufficient to protect the public interest and public purpose.

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, design overlays and be supportive of the goals set forth in the Plan.

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 or participate with the private or public sector with regard to any programs administered by the Idaho Department of Commerce, or other State or federal agencies, 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, including the future land use map and zoning classifications, as may be amended. For the most part, the Project Area includes commercial and industrial development. Provided, however, nothing herein within this Plan shall be deemed to be granting any particular right to zoning classification or use.

402 [Reserved]

403 Public Rights-of-Way

The Project Area contains existing maintained public rights-of-way included within the boundaries, as shown on several maps included within Attachment 5, including but not limited to portions of: Kuna Mora Road, Barker Road, Cole Road, and Curtis Road. 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 or Ada County Highway District (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, alleys 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 accordance with any applicable policies and standards of the Idaho Transportation Department, the City or ACHD 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 design standards of the City, ACHD, or the Idaho Department of Transportation as may be applicable; and 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

Within the limits, restrictions, and controls established in this Plan, the Agency is authorized to establish heights of buildings, density, land coverage, setback requirements, design criteria, traffic circulation, traffic access, and other development and design controls necessary for proper development of both private and public areas within the Project Area. Any development must also comply with the City's zoning ordinance regarding heights, setbacks, density, and other like standards.

In the case of property which is the subject of a disposition and development agreement or owner participation agreement with the Agency, no new improvement shall be constructed, and no existing improvement shall be substantially modified, altered, repaired, or rehabilitated, except in accordance with this Plan. Under a disposition and development agreement or 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. The Agency shall find that any approved plans do comply with this Plan. The Agency reserves the right to impose such design standards on an ad hoc basis through the approval process of the disposition and development agreement or owner participation agreement. Any change to such approved design must be consented to by the Agency and such consent may be conditioned upon reduction of Agency's financial participation towards the Project.

In the event the Agency adopts design standards or controls, those provisions will thereafter apply to each site or portion thereof in the Project Area. These additional design standards or controls will be implemented through the provisions of any disposition and development agreement or owner participation agreement. These controls are in addition to any standards 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

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 from other urban renewal project areas. 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, as properly budgeted and

subject to any constitutional and/or statutory limitations, 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, 2022. 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 of certain eligible public infrastructure improvements to be reimbursed pursuant to an owner participation agreement 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, market adjustments, future priorities 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 appropriate funds consisting of revenue allocation proceeds on an annual basis without the issuance of notes or bonds. The Agency may also obtain advances or loans from the City or Agency, 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 any owner/developer or public entity for the cost of eligible public improvements pursuant to a participation agreement.

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 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 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.

502.1 Economic Feasibility Study

Attachment 5 constitutes the Economic Feasibility Study (the "Study"), prepared by Alivia Metts, with The Metts Group. The Study constitutes the financial analysis required by the Act and is based upon existing information from property owners, 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 and as prioritized in the Priority Projects Lists, which will facilitate commercial and industrial developments 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, the 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 Priority Projects Lists, or activities within Attachment 5 are prioritized by way of importance to the Agency, with the Priority A Projects being identified as the most important, by feasibility based on estimated revenues to be received, amounts funded, and by timing of the proposed funding. The projected timing of funding is primarily a function of the availability of financial resources and market conditions but is also strategic, considering the timing of anticipated or projected private development partnership opportunities and the ability of certain strategic activities to stimulate development at a given point in time within the duration of the Plan and Project Area.

The assumptions concerning revenue allocation proceeds are based upon certain anticipated or projected new developments, assessed value increases, and assumed tax levy rates as more specifically set forth in Attachment 5. In projecting new construction, the Study considered parcels identified as expected to develop over the life of the Project Area, communications with potential developers and City staff, and historical market absorption rates for commercial and industrial improvements.

The types of new construction expected in the Project Area are commercial and industrial facilities. The Project Area has potential for a significant increase in commercial and industrial growth due to the location of the Project Area. However, without a method to construct the identified public improvements such as water and sewer improvements, street infrastructure, and pedestrian amenities, 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 current assessed taxable value for the City as of January 1, 2022, less homeowners' exemptions, is \$3,416,648,619.00. Therefore, the 10% limit is \$341,664,861.00.

The adjusted base assessment roll value of the existing Kuna West revenue allocation area as of January 1, 2022, is \$77,405,189.00.

The estimated base value for the proposed Project Area², less homeowners' exemptions, is \$6,215,000.00. The adjusted base value for the existing Kuna West revenue allocation area and the estimated base value for the proposed Project Area, less homeowners' exemptions, is \$83,620,189, which is less than 10% of the City's 2022³ taxable 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

² This Plan assumes any increase in value on the agricultural parcel will be allocated to the increment value.

³ Due to the timing of the assessment process and creation of this Plan, the 2022 values have been used to establish compliance with the 10% limitation. Using the 2022 values, the total adjusted base value of the existing revenue allocation areas combined with the value of this Project Area are an estimated 2.4% of the total taxable value of the City.

value of new development as that development occurs along with possible land reassessment based on a construction start. For purposes of determining feasibility, the Study reviews and analyzes two potential development scenarios over the duration of the Project Area, including a scenario where none of the projected development occurs, and a second scenario where 100% of the projected development occurs in the beginning of the Project Area's life and the potential future developments, which are less certain to occur, are projected using a 50% development scenario distributed across the remaining ten (10) years of the Project Area's life.

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.⁴ Based on these funding sources, the conclusion is that the Project is feasible.

The Study has further identified and described a list of "unfunded" improvements in the total amount of \$70,126,000.00 as set forth in the Priority B Projects list and the Priority C Projects list. 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 the Priority B Projects list and the Priority C Projects list. 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 in the Priority Projects Lists 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 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 § 50-2903A.**

Attachment 5 lists those public improvements the Agency intends to construct or fund 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, City, or other public entity, to any particular level of funding; rather, identification of the activity in the Plan allows the Agency to negotiate

⁴ See Idaho Code § 50-2905.

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 the proposed public infrastructure and other improvement projects in the Project Area are generally shown in Attachment 5 recognizing that the specific location of the projects will depend on the type and timing of development. The change in the location of the improvements shown in Attachment 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 District ("LID") 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 taxable 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, than 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 may 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.⁵ From and after December 31, 2006, Idaho

⁵ House Bill 389 amended Idaho Code Sections 63-802 and 63-301A limiting the value placed on the new construction roll and available to a taxing district for a budget capacity increase. This could result in lower levy rates over time.

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 the Project Area or deannexation of area from the Project Area, the taxing entities will be able to include a percentage⁶ of the increment value on the new construction roll for purposes of setting the following year’s budget and revenue from such value is not limited to the eight percent cap set forth in Idaho Code § 63-802.

As the 2022 certified levy rates are not determined until late September or October 2022, the 2021 certified levy rates have been used in the Study for purposes of the analysis.⁷ Those taxing districts and certified 2021 levy rates are as follows:⁸

<u>Taxing Districts</u>	<u>Levy Rates:</u>
Ada County	.001744946
Ada County Ambulance	.000099800
College of Western Idaho	.000104843
ACHD	.000597271
City of Kuna	.001754099
Kuna Cemetery	.000078568
Kuna Rural Fire	.000811490
Kuna School #3 – Tort only	.000031085
Kuna School Community Library	.000331138
Southwest Ada County Mosquito Abatement	.000017776
TOTAL⁹	.005571016

House Bill 587, as amended in the Senate, effective July 1, 2020, amends Idaho Code Section 50-2908 altering the allocation of revenue allocation funds to the Agency from the Ada County Highway District levy.¹⁰ This amendment will apply to this Project Area and provides: “[i]n the case of a revenue allocation area first formed or expanded to include the property on or after July 1, 2020, all taxes levied by any highway district, unless the local governing body that created the revenue allocation area has responsibility for the maintenance of roads or highways” will be allocated to the applicable highway district, which in this case is the Ada County Highway District.

⁶ Pursuant Idaho Code Sections 63-802 and 63-301A, 80% of the total eligible increment value is added to the new construction roll.

⁷ Due to the timing of the taxing districts’ budget and levy setting process, certification of the 2022 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 2021 levy rates are used. Use of the 2021 levy rates provides a more accurate base than estimating the 2022 levy rates.

⁸ It is unclear how the personal property tax exemption set forth in Idaho Code § 63-602KK, and as amended by House Bill 389, effective January 1, 2022, may impact the levy rate.

⁹ Net of voter approved bonds and levies.

¹⁰ Senate Bill 1107, as amended in the Senate, effective July 1, 2021, made a corresponding amendment to Idaho Code Section 40-1415(3) to address the responsibility for funding certain urban renewal projects.

However, amended Idaho Code Section 50-2908 further provides the highway district and Agency may enter into an agreement for a different allocation. A copy of any agreement is required to be submitted to the Idaho State Tax Commission and to the Ada County Clerk by the Ada County Highway District as soon as practicable after the parties have entered into the agreement and by no later than September 1 of the year in which the agreement takes effect. The Plan includes significant transportation elements, and the Agency intends to work with the Ada County Highway District to enter into an agreement allowing the Agency to retain the revenues from the highway district levies.

The Study has made certain assumptions for purposes of determining the economic feasibility of the project. First, for purposes of the Study, it is assumed the levy rate will remain constant for the duration of the Project Area at a rate of .005571016. As the levy rate fluctuates annually and it is difficult to project the future levy rate with any accuracy, it is reasonable to use a static levy rate to support the revenue generation projection. Even if the levy rate should decrease over time, it is unlikely the revenue would decrease at the same rate, assuming there would be significant growth within the Project Area. Second, inflationary growth is projected at a conservative 3%/year, which is lower than increases occurring in recent years. Third, new development projections are based, in part, on communications with City staff, property owners and developers concerning current projected developments anticipated to occur in the first half of the duration of the Project Area. Pursuant to the Study, it is anticipated these developments will reach 100% buildout. Fourth, based on catalytic development potential, the Study reasonably assumes additional industrial development will follow. This assumption concerning future development is less certain, and therefore, a conservative 50% buildout development scenario was utilized, which value was distributed across the remaining ten years of the Project Area's life. Finally, if the overall levy rate is less than projected, or if expected development fails to occur as estimated, the Agency will likely 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 may include City, and other public entity partners, and developer participation. It is important to note this Plan does not financially bind or obligate the City, Agency and/or any other public entity to any project or property acquisition. The City and/or any other local government entity continues to be subject to statutory and constitutional budget and levy limitations. Agency and/or other public entity participation in any project shall be determined by the amount of revenue allocation funds generated and pursuant to the annual budgeting process.

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 OTHER PUBLIC ENTITIES

The City 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 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, or a business improvement district.
- 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. Joint funding of certain public improvements, including but not limited to those identified in this Plan and Attachment 5 to the Plan.
- l. Use of public entity labor, services, and materials for construction of the public improvements identified in this Plan and in Attachment 5 to this Plan.
- m. Assist with coordinating and implementing the public improvements in the Project Area identified in the Study.

The foregoing actions, if taken by the City and/or the Ada County Highway District, do not constitute any commitment for financial outlays by the City or the Ada County Highway District.

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. The Agency expects to dedicate public improvements to the City or the Ada County Highway District, as the case may be.

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, 2042, except for any revenue allocation proceeds received in calendar year 2043, as contemplated by Idaho Code § 50-2905(7). The Agency may use proceeds in 2043 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, 2042.

Idaho Code § 50-2903(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, 2043, or if the Agency determines an earlier termination 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. For those assets which do not provide such resources or revenues, the Agency will likely convey such assets to the City or the Ada County Highway District, depending on the nature of the asset.

900 PROCEDURE FOR AMENDMENT OR MODIFICATION

To the extent there are 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, and pursuant to Idaho Code §§ 67-1076 and 50-2006(5)(c), the Agency is required to file with the City and the State Controller's Office, on or before March 31 of each year, a report of the Agency's activities for the preceding calendar year, which report shall include the financial data and audit reports required under Idaho Code §§ 67-1075 and 67-1076 . 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 § 67-1076, 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.

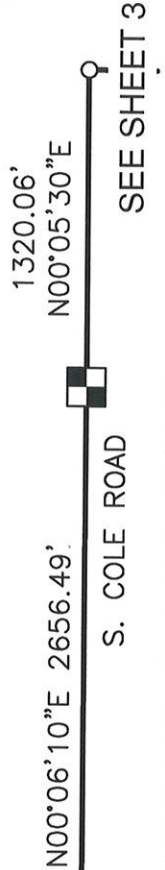
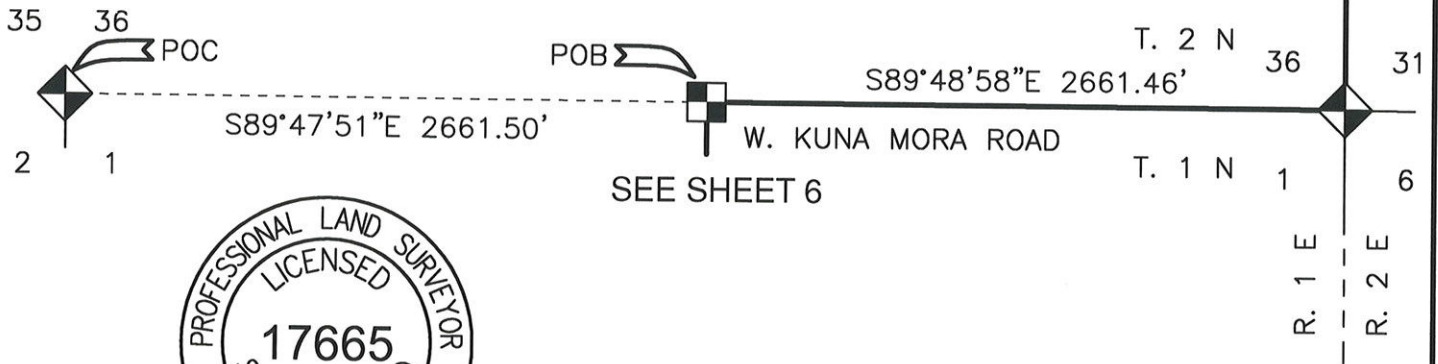
1200 APPENDICES, ATTACHMENTS, EXHIBITS, TABLES

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 Kuna East Urban Renewal Project Area and Revenue Allocation Area

SEE SHEET 7
FOR LEGEND AND
LINE TABLES



Timothy Harrigan
9/19/2022

EXHIBIT "B"

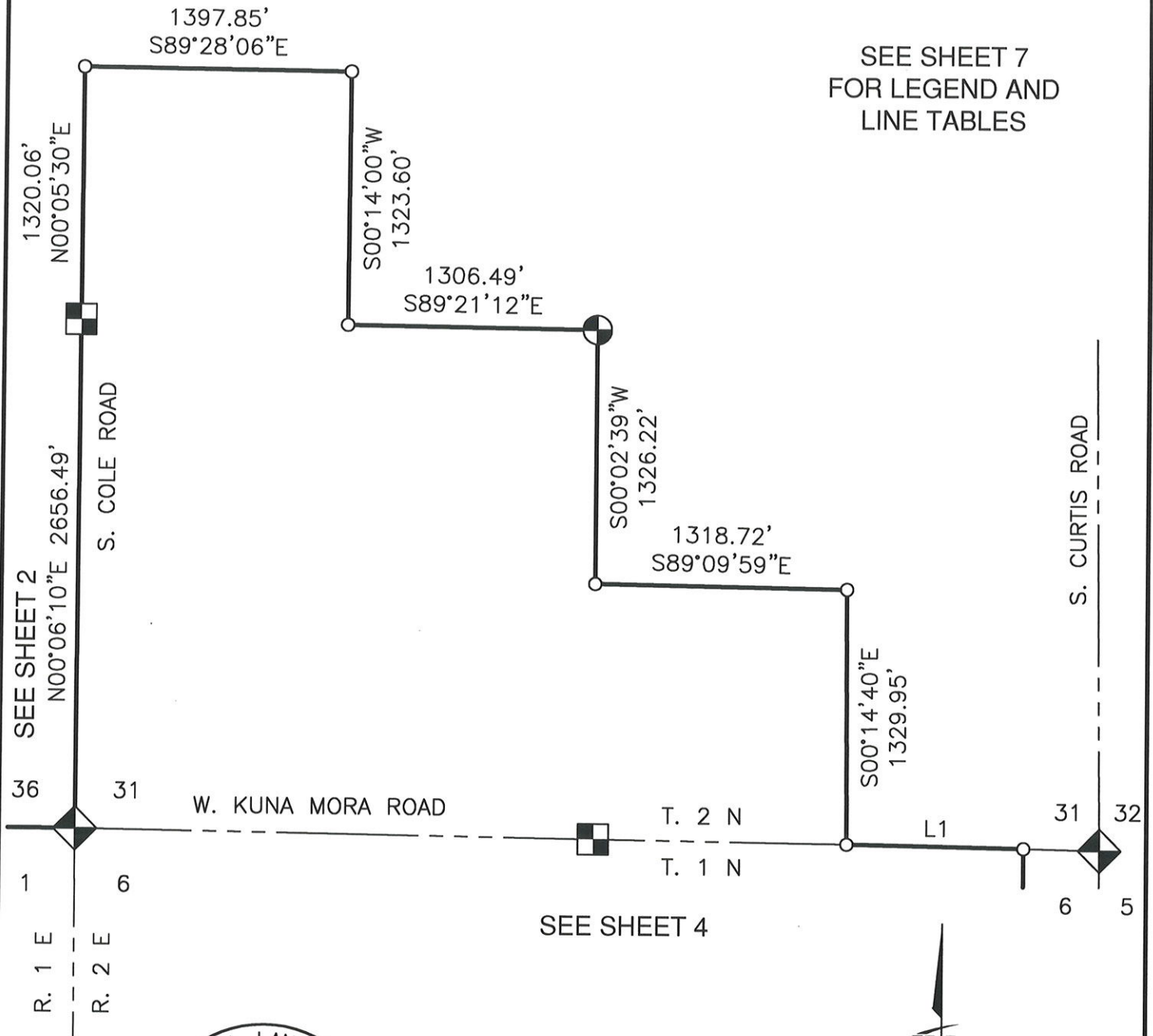
PRJ. NO. 10-22-016



CITY OF KUNA
EAST - URBAN RENEWAL DISTRICT LEGAL DESCRIPTION
PORTIONS OF SECTIONS 6, 7, AND 18, T1N, R2E, SECT. 1, T1N, R1E, & SECT. 31,
T2N, R2E, BOISE MERIDIAN, CITY OF KUNA, COUNTY OF ADA, STATE OF IDAHO

SHEET
2 OF 7

SEE SHEET 7
FOR LEGEND AND
LINE TABLES



122
9/19/2022



SEE SHEET 4

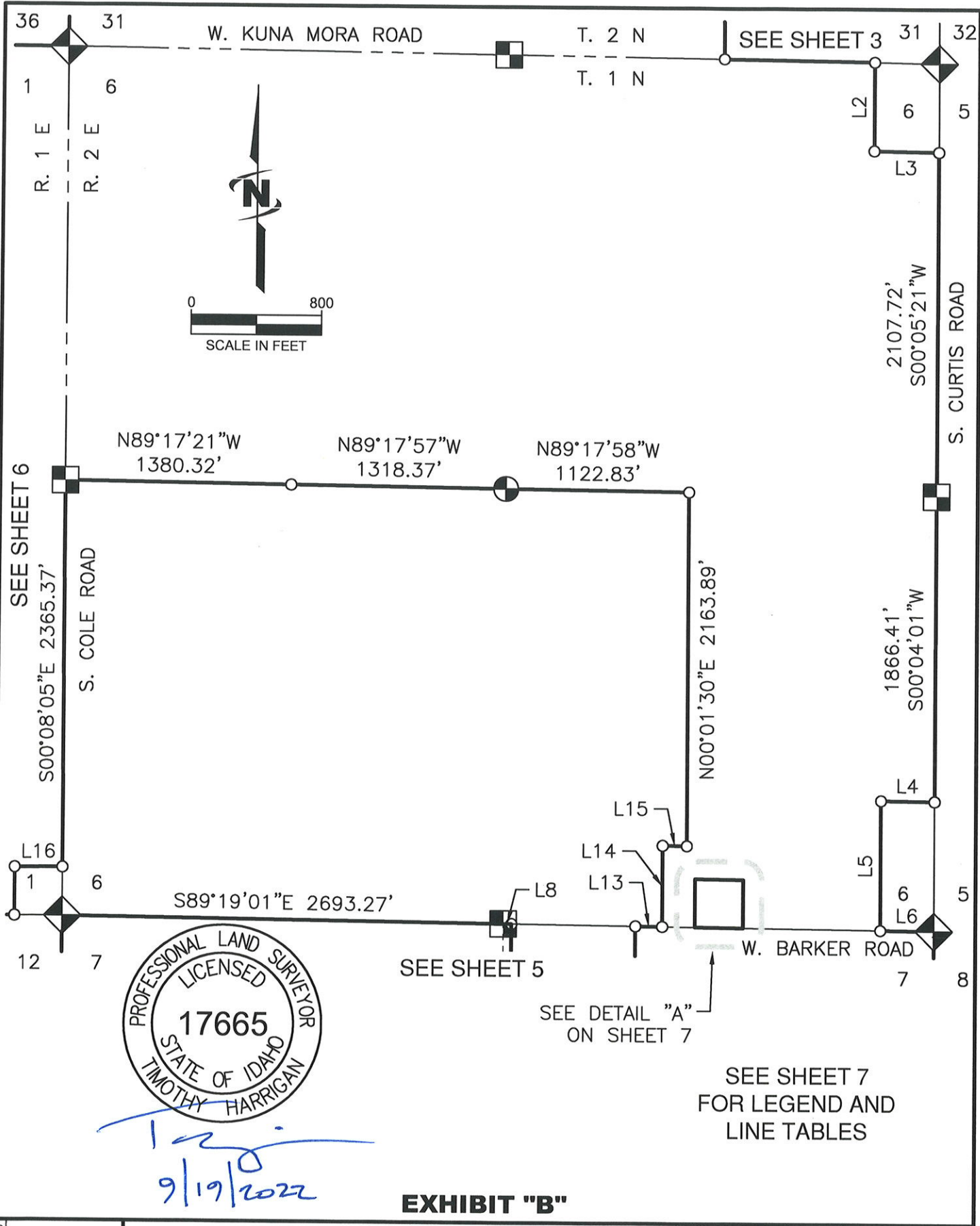
EXHIBIT "B"

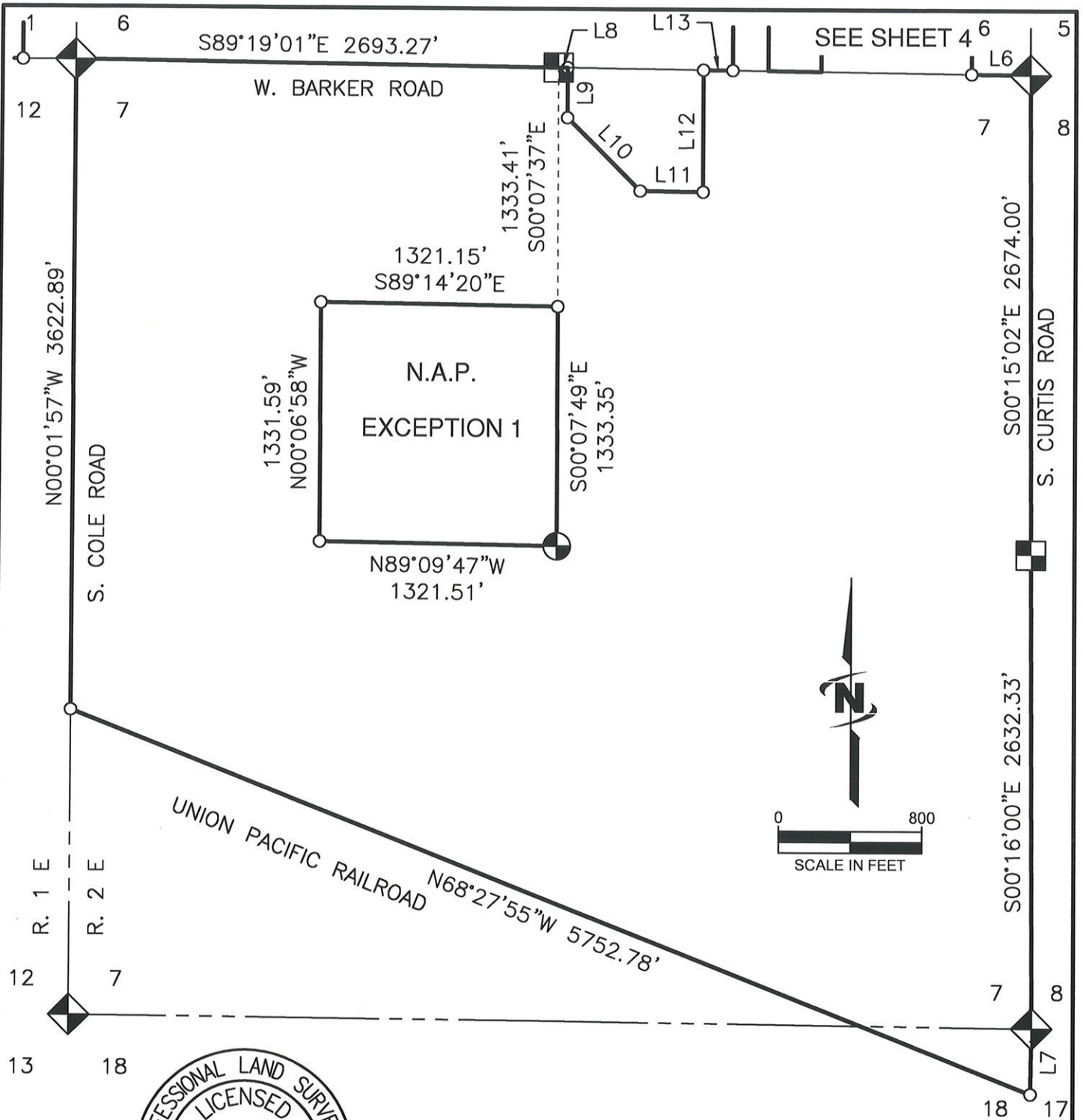
CITY OF KUNA

EAST - URBAN RENEWAL DISTRICT LEGAL DESCRIPTION

PORTIONS OF SECTIONS 6, 7, AND 18, T1N, R2E, SECT. 1, T1N, R1E, & SECT. 31, T2N, R2E, BOISE MERIDIAN, CITY OF KUNA, COUNTY OF ADA, STATE OF IDAHO

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3 OF 7





12
9/19/2022

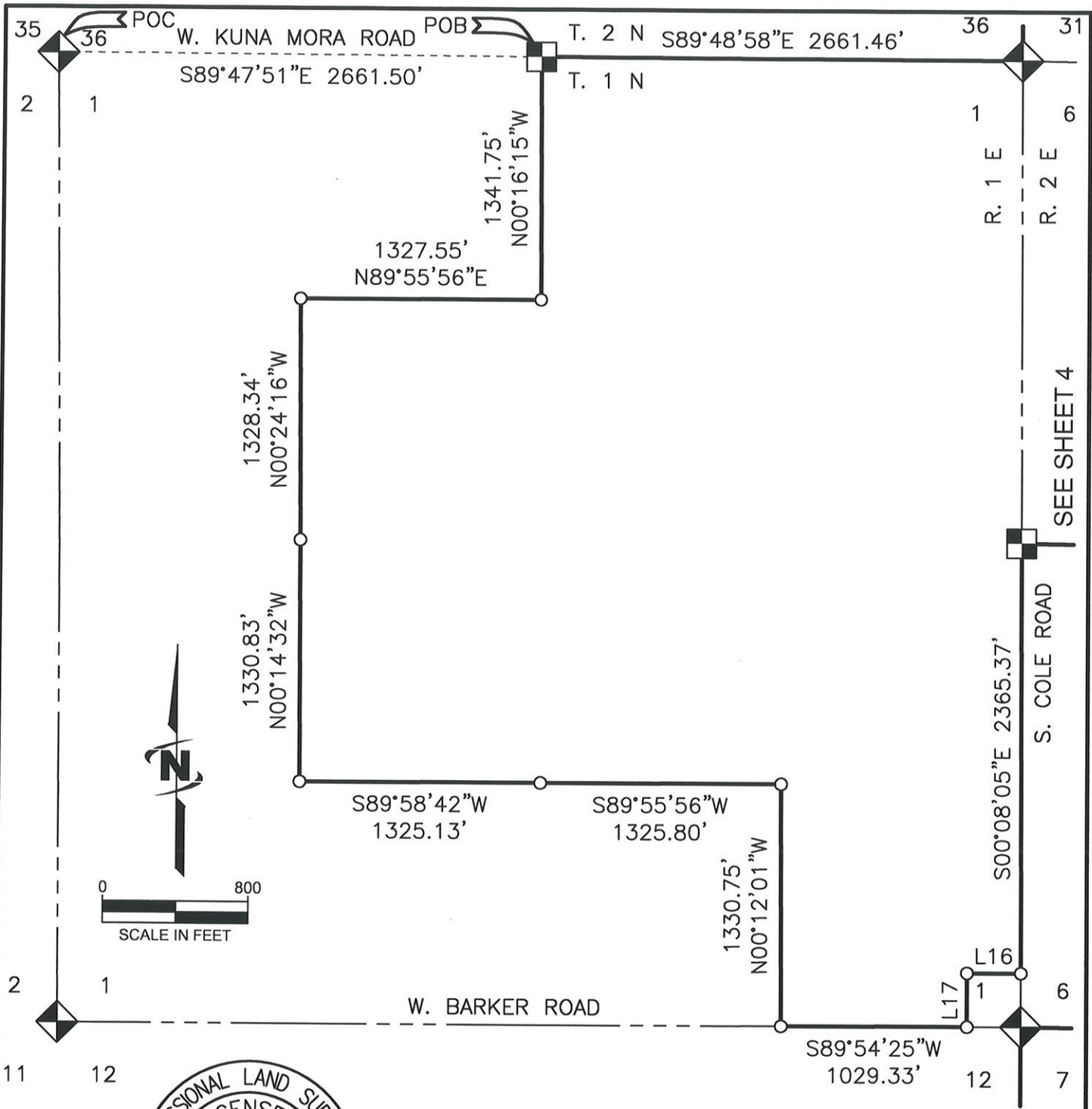
SEE SHEET 7
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EXHIBIT "B"



CITY OF KUNA
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SHEET
 5 OF 7










9/19/2022

SEE SHEET 7
FOR LEGEND AND
LINE TABLES

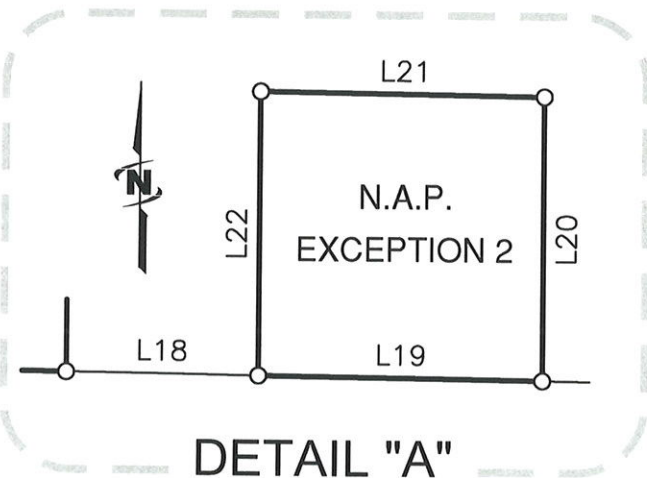
EXHIBIT "B"

PRJ. NO. 10-22-016 J-U-B ENGINEERS, INC.	CITY OF KUNA EAST - URBAN RENEWAL DISTRICT LEGAL DESCRIPTION	SHEET 6 OF 7
	PORTIONS OF SECTIONS 6, 7, AND 18, T1N, R2E, SECT. 1, T1N, R1E, & SECT. 31, T2N, R2E, BOISE MERIDIAN, CITY OF KUNA, COUNTY OF ADA, STATE OF IDAHO	

LEGEND

-  - SECTION LINE
-  - TIE LINE
-  - URD BOUNDARY LINES
-  - SECTION CORNER
-  - QUARTER CORNER
-  - CENTER QUARTER CORNER
-  - DIMENSION POINT
- POC - POINT OF COMMENCEMENT
- POB - POINT OF BEGINNING
- N.A.P. - NOT A PART

LINE TABLE		
NO.	BEARING	DIST.
L1	S89°00'46"E	925.42'
L2	S00°05'21"W	545.00'
L3	S89°00'46"E	400.00'
L4	N89°19'01"W	330.00'
L5	S00°04'01"W	792.05'
L6	S89°19'01"E	330.05'
L7	S00°50'11"W	364.70'
L8	S89°19'01"E	50.00'
L9	S00°07'52"E	280.04'
L10	S44°59'42"E	575.09'
L11	S89°18'09"E	352.75'
L12	N00°07'54"W	681.98'
L13	S89°19'01"E	164.85'
L14	N00°01'30"E	495.06'
L15	S89°19'01"E	147.50'
L16	S89°54'25"W	295.00'
L17	S00°07'21"E	295.00'
L18	S89°19'01"E	200.00'
L19	S89°19'01"E	295.00'
L20	N00°01'30"E	295.05'
L21	N89°19'01"W	295.00'
L22	S00°01'30"W	295.05'



DETAIL "A"

SCALE: 1"=200'

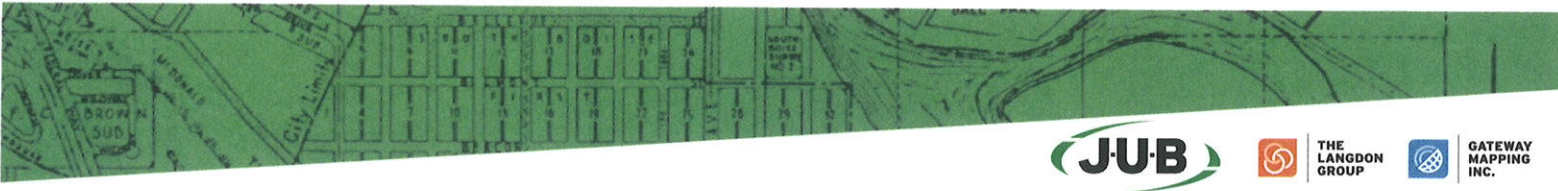


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9/19/2022

EXHIBIT "B"

Attachment 2

Legal Description of Kuna East Urban Renewal Project Area and Revenue Allocation Area



J-U-B FAMILY OF COMPANIES

Exhibit "A"
Kuna East Urban Renewal District (URD)
Legal Description

Project No. 10-22-016 September 19, 2022

A tract of land situate in portions of Sections 6, 7, and 18 of Township 1 North, Range 2 East, Section 1 of Township 1 North, Range 1 East, and Section 31 of Township 2 North, Range 2 East, Boise Meridian, City of Kuna, County of Ada, State of Idaho, and being more particularly described as follows:

Commencing at the northwest corner of said Section 1; thence from said Point of Commencement, South 89°47'51" East, coincident with the north line of said Section 1 a distance of 2,661.50 feet to the north quarter corner of said Section 1, said corner being the **Point of Beginning** of this description;

thence from said **Point of Beginning**, South 89°48'58" East, continuing coincident with the north line of said Section 1, a distance of 2,661.46 feet to the northeast corner of said Section 1; thence leaving said north line, coincident with the west line of said Section 31 the following two (2) consecutive courses and distances:

1. North 00°06'10" East, a distance of 2,656.49 feet to the west quarter corner of said Section 31, and
2. North 00°05'30" East, a distance of 1,320.06 feet to the northwest corner of Government Lot 2 of said Section 31;

thence leaving said west line, the following six (6) consecutive courses and distances:

1. South 89°28'06" East, coincident with the north line of said Government Lot 2, a distance of 1,397.85 feet to the northeast corner of said Government Lot 2,
2. South 00°14'00" West, coincident with the east line of said Government Lot 2, a distance of 1,323.60 feet to the southeast corner of said Government Lot 2,
3. South 89°21'12" East, a distance of 1,306.49 feet to the center quarter corner of said Section 31,
4. South 00°02'39" West, a distance of 1,326.22 feet to the center-south sixteenth corner of said Section 31,
5. South 89°09'59" East, a distance of 1,318.72 feet to the southeast sixteenth corner of said Section 31, and
6. South 00°14'40" East, a distance of 1,329.95 feet to the east sixteenth corner on the south line of said Section 31;

thence South $89^{\circ}00'46''$ East, coincident with the south line of said Section 31, a distance of 925.42 feet to the northeasterly corner of the tract of land described in the Special Warranty Deed recorded as Instrument No. 2021-178270, Official Records of Ada County, as said tract is shown on the Record of Survey No. 11796, Ada County Records; thence coincident with the northeasterly lines of said tract the following two (2) consecutive courses and distances:

1. South $00^{\circ}05'21''$ West, a distance of 545.00 feet, and
2. South $89^{\circ}00'46''$ East, a distance of 400.00 feet to a point on the east line of the aforesaid Section 6;

thence coincident with said east line, the following two (2) consecutive courses and distances:

1. South $00^{\circ}05'21''$ West, a distance of 2,107.72 feet to the east quarter corner of said Section 6, and
2. South $00^{\circ}04'01''$ West, a distance of 1,866.41 feet to an angle point in the easterly line of the tract of land described as Parcel 4 in the Special Warranty Deed recorded as Instrument No. 2022-013972, Official Records of Ada County, as said tract is shown on the Record of Survey No. 10795, Ada County Records;

thence coincident with the southeasterly lines of said tract the following two (2) consecutive courses and distances:

1. North $89^{\circ}19'01''$ West, a distance of 330.00 feet, and
2. South $00^{\circ}04'01''$ West, a distance of 792.05 feet to a point on the south line of said Section 6;

thence South $89^{\circ}19'01''$ East, coincident with said south line, a distance of 330.05 feet to the southeast corner of said Section 6; thence leaving said south line, coincident with the east line of the aforesaid Section 7, the following two (2) consecutive courses and distances:

1. South $00^{\circ}15'02''$ East, a distance of 2,674.00 feet to the east quarter corner of said Section 7, and
2. South $00^{\circ}16'00''$ East, a distance of 2,632.33 feet to the southeast corner of said Section 7;

thence leaving said east line, South $00^{\circ}50'11''$ West, coincident with the east line of the aforesaid Section 18, a distance of 364.70 feet to the intersection of said east line with the northerly right-of-way line of the Union Pacific Railroad as said right-of-way is shown on the Record of Survey No. 12419, Ada County Records; thence leaving said east line, North $68^{\circ}27'55''$ West, coincident with said right-of-way line, a distance of 5,752.78 feet to the intersection of said right-of-way with the west line of the aforesaid Section 7; thence North $00^{\circ}01'57''$ West, coincident with said west line, a distance of 3,622.89 feet to the northwest

corner of said Section 7; thence leaving said west line, South 89°19'01" East, coincident with the north line of said Section 7, a distance of 2,693.27 feet to the north quarter corner of said Section 7, said corner being hereinafter referred to as Point "A"; thence continuing South 89°19'01" East, coincident with said north line, a distance of 50.00 feet to an angle point in the northerly line of the tract of land described as Parcel 7 in the Warranty Deed recorded as Instrument No. 2021-171629, Official Records of Ada County, as said tract is shown on the Record of Survey No. 12419, Ada County Records; thence coincident with the northerly line of said tract, the following four (4) consecutive courses and distances:

1. South 00°07'52" East, a distance of 280.04 feet,
2. South 44°59'42" East, a distance of 575.09 feet,
3. South 89°18'09" East, a distance of 352.75 feet, and
4. North 00°07'54" West, a distance of 681.98 feet to a point on the north line of said Section 7;

thence South 89°19'01" East, coincident with said north line, a distance of 164.85 feet to the southwest corner of the tract of land described as Parcel 4 in the Special Warranty Deed recorded as Instrument No. 2022-013972, Official Records of Ada County, as said tract is shown on the Record of Survey No. 10795, Ada County Records, said corner being hereinafter referred to as Point "B"; thence leaving the north line of said Section 7, coincident with the westerly lines of said tract, the following three (3) consecutive courses and distances:

1. North 00°01'30" East, a distance of 495.06 feet,
2. South 89°19'01" East, a distance of 147.50 feet, and
3. North 00°01'30" East, a distance of 2,163.89 feet to a point on the north line of the southeast quarter of the aforesaid Section 6;

thence North 89°17'58" West, coincident with said north line, a distance of 1,122.83 feet to the center quarter corner of said Section 6; thence coincident with the north line of the southwest quarter of said Section 6, the following two (2) consecutive courses and distances:

1. North 89°17'57" West, a distance of 1,318.37 feet to the northeast corner of Government Lot 6 of said Section 6, and
2. North 89°17'21" West, a distance of 1,380.32 feet to the west quarter corner of said Section 6;

thence South 00°08'05" East, coincident with the west line of said Section 6, a distance of 2,365.37 feet to the northeast corner of the tract of land described as Parcel 4 in the Corrected Bargain and Sale Deed recorded as Instrument No. 2016-028450, Official Records of Ada County; thence coincident with the respective northerly and westerly lines of said tract, the following two (2) consecutive courses and distances:

1. South 89°54'25" West, a distance of 295.00 feet to the northwesterly corner thereof, and

2. South 00°07'21" East, a distance of 295.00 feet to a point on the south line of the aforesaid Section 1;

thence South 89°54'25" West, coincident with said south line, a distance of 1,029.33 feet to the east sixteenth corner on the south line of said Section 1; thence leaving said south line, North 00°12'01" West, coincident with the west line of the southeast quarter of the southeast quarter of said Section 1, a distance of 1,330.75 feet to the southeast sixteenth corner of said Section 1; thence South 89°55'56" West, coincident with the south line of the northwest quarter of the southeast quarter of said Section 1, a distance of 1,325.80 feet to the center-south sixteenth corner of said Section 1; thence South 89°58'42" West, coincident with the south line of the northeast quarter of the southwest quarter of said Section 1, a distance of 1,325.13 feet to the southwest sixteenth corner of said Section 1; thence North 00°14'32" West, coincident with the west line of northeast quarter of the southwest quarter of said Section 1, a distance of 1,330.83 feet to the center-west sixteenth corner of said Section 1; thence North 00°24'16" West, coincident with the west line of the southeast quarter of the northwest quarter of said Section 1, a distance of 1,328.34 feet to the southwest corner of Government Lot 3 of said Section 1; thence coincident with the respective south and east lines of said Government Lot 3, the following two (2) consecutive courses and distances:

1. North 89°55'56" East, a distance of 1,327.55 feet to the southeast corner of said Government Lot 3, and
2. North 00°16'15" West, a distance of 1,341.75 feet to the **Point of Beginning**.

EXCEPTING THEREFROM, a tract of land situate in the northwest quarter of the aforesaid Section 7, being more particularly described as follows:

Commencing at the aforesaid Point "A", thence South 00°07'37" East, coincident with the east line of the northwest quarter of said Section 7, a distance of 1,333.41 feet to the center-north sixteenth corner of said Section 7, said corner being the **Point of Beginning**, of this Exception;

thence from said **Point of Beginning**, South 00°07'49" East, coincident with the east line of the northwest quarter of said Section 7, a distance of 1,333.35 feet to the center quarter corner of said Section 7; thence North 89°09'47" West, coincident with the south line of the northwest quarter of said Section 7, a distance of 1,321.51 feet to the southeast corner of Government Lot 2 of said Section 7; thence North 00°06'58" West, coincident with the east line of said Government Lot 2, a distance of 1,331.59 feet to the northeast corner of said Government Lot 2; thence South 89°14'20" East, coincident with the north line of the southeast quarter of the northwest quarter of said Section 7, a distance of 1,321.15 feet to the **Point of Beginning**.

FURTHER EXCEPTING THEREFROM, a tract of land situate in the southeast quarter of the aforesaid Section 6, being more particularly described as follows:

Commencing at the aforesaid Point "B", thence South 89°19'01" East, coincident with the south line of said Section 6, a distance of 200.00 feet to the **Point of Beginning** of this Exception;

thence from said **Point of Beginning**, continuing South 89°19'01" East, coincident with said south line, a distance of 295.00 feet; thence leaving said south line, the following three (3) consecutive courses and distances:

1. North 00°01'30" East, a distance of 295.05 feet,
2. North 89°19'01" West, a distance of 295.00 feet, and
3. South 00°01'30" West, a distance of 295.05 feet to the **Point of Beginning**.

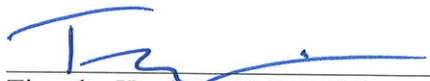
The above-described tract of land contains a net area of 1,538.50 acres of land, more or less.

The above-described tract of land is shown on Exhibit "B" attached hereto and made a part hereof.

End of Description.

J-U-B ENGINEERS, Inc.

This description was prepared by me or under my supervision. If any portion of this description is modified or removed (including, but not limited to, the graphic portion shown on Exhibit "B") without the written consent of Timothy Harrigan, PLS, all professional liability associated with this document is hereby declared null and void.


Timothy Harrigan, PLS 17665

9/19/2022
Date



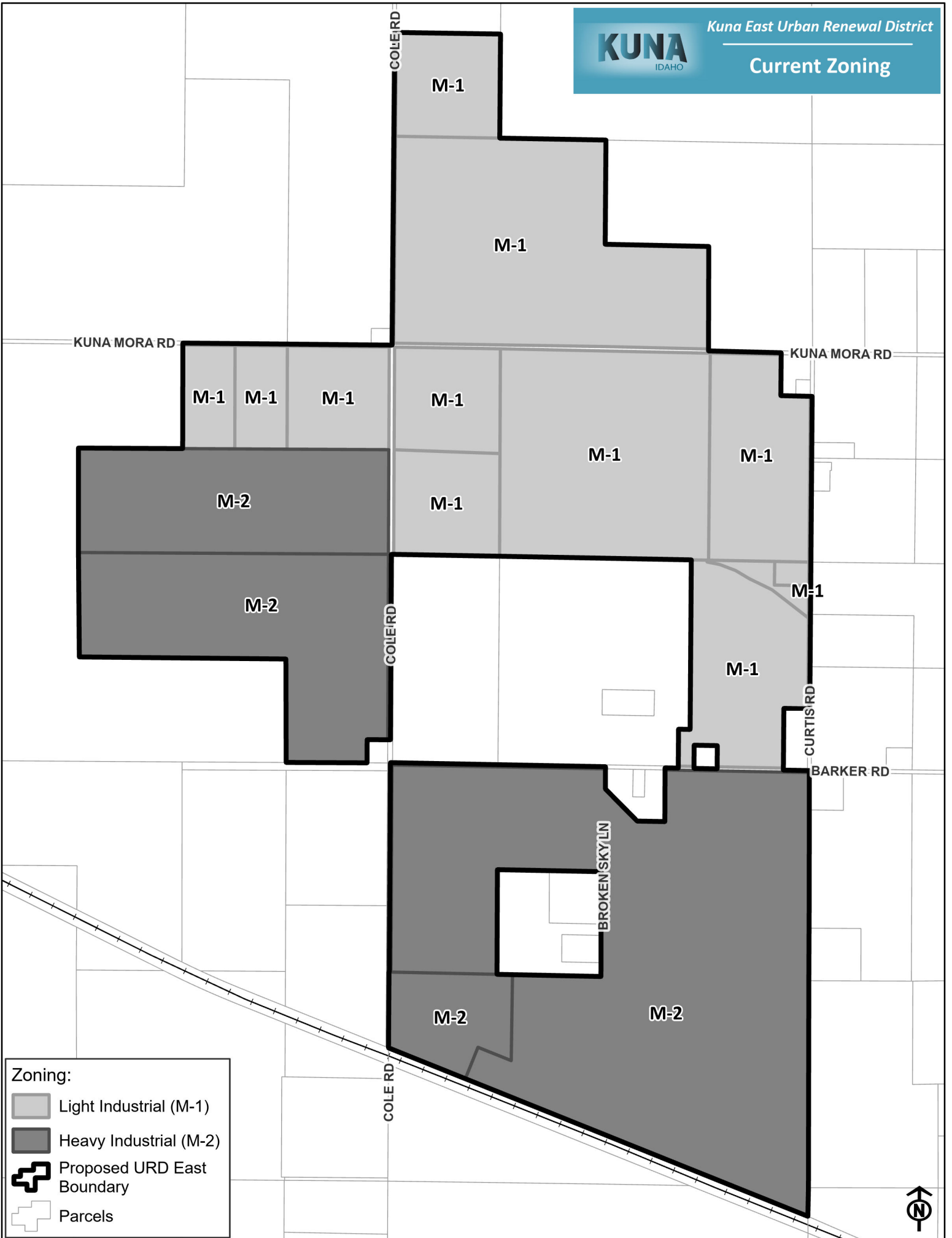
Attachment 3

Private Properties Which May Be Acquired by the 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 commercial and industrial areas; or
 - e) assemble for the construction of certain public improvements, including but not limited to streets, streetscapes, water and sewer improvements, natural gas facility improvements, electrical facility improvements, fiber optic improvements, pedestrian/bike paths and trails, and other public 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

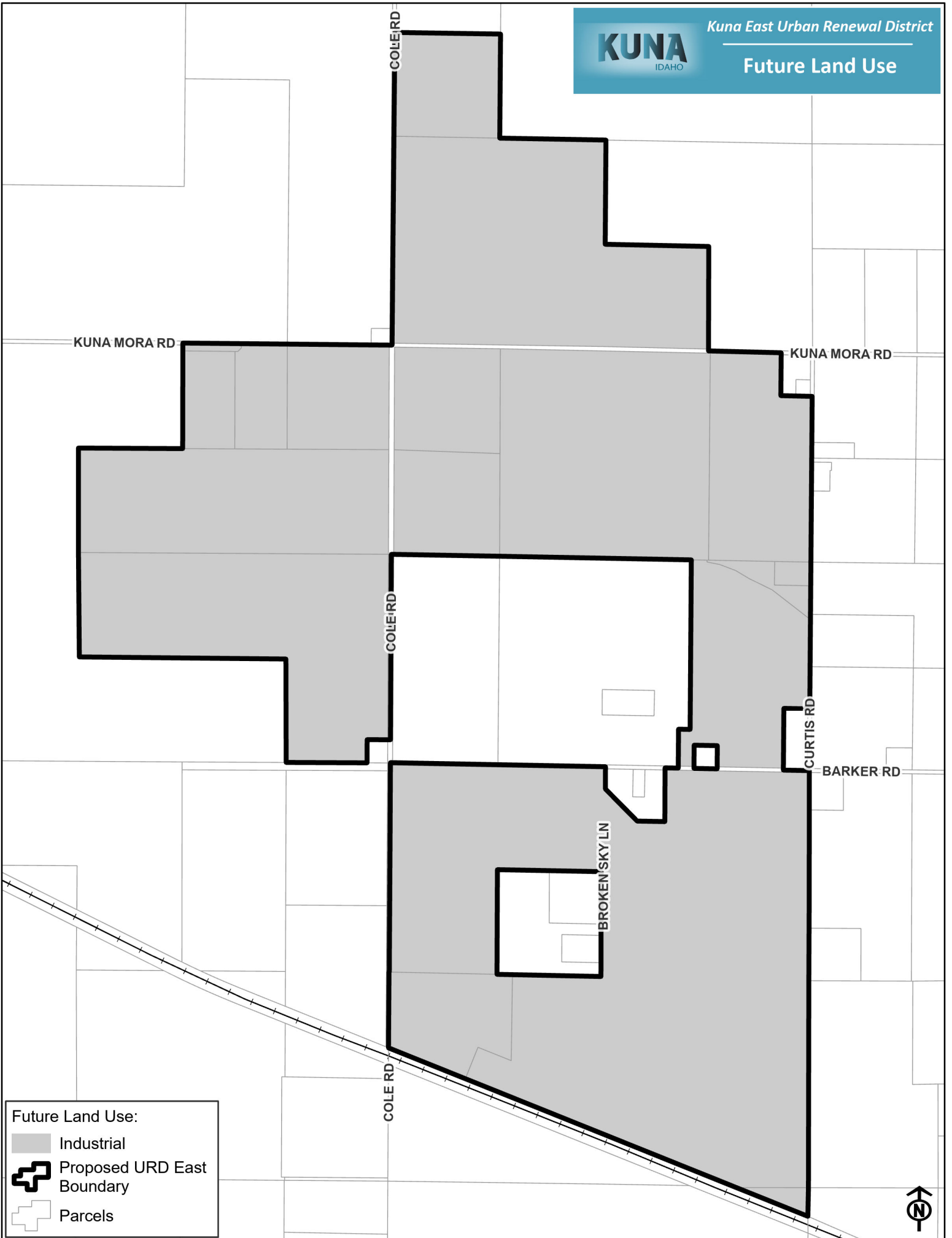
Map Depicting Expected Land Uses and Current Zoning Map
of the Project Area






Zoning:

-  Light Industrial (M-1)
-  Heavy Industrial (M-2)
-  Proposed URD East Boundary
-  Parcels





Future Land Use:

-  Industrial
-  Proposed URD East Boundary
-  Parcels



Attachment 5

Economic Feasibility Study

KUNA

IDAHO

Kuna East Urban Renewal District Economic Feasibility Study



August 2022

Prepared by:  TheMettsGroup

Table of Contents

Introduction	2
Boundary	2
Existing Conditions.....	3
Zoning	3
Social and Economic Conditions	4
Financial Analysis	5
Future Development.....	5
Public Improvement Projects.....	8
Projected Assessed Values.....	9
Projected Tax Increment Revenue.....	10
Taxing Districts	13
Jobs	15
Conclusion.....	16
Appendix: Cash Flow.....	0

Introduction

Urban renewal and revenue allocation financing are one of the most significant tools available to Idaho communities for attracting and retaining businesses, generating economic development, promoting job creation and encouraging development of deteriorating and underutilized areas.

The State of Idaho provides limited options for cities and counties to use in financing costly public infrastructure and other needed public improvements necessary to attract and retain businesses. Revenue allocation financing allows communities to make a site “ready” for development, including extending water, sewer, streets and other significant capital public infrastructure improvements that reduce the cost to businesses of relocating or expanding. Revenue allocation financing also allows Idaho cities and counties to compete with other areas in attracting industry and business to Idaho.

This Economic Feasibility Study (the “Study”) reviews the financial feasibility of the proposed Urban Renewal Plan for the Kuna East Urban Renewal Project (the “Plan”) and the corresponding Kuna East revenue allocation area (the “Kuna East District” or “Project Area”). The Project Area includes approximately 1,530 acres within the City of Kuna, Idaho (the “City”). According to the 2020 Decennial Census, 24,011 people reside in the City of Kuna—roughly 8,800 more people than a decade ago (4.7% annual growth rate). The latter part of the decade has seen faster growth.

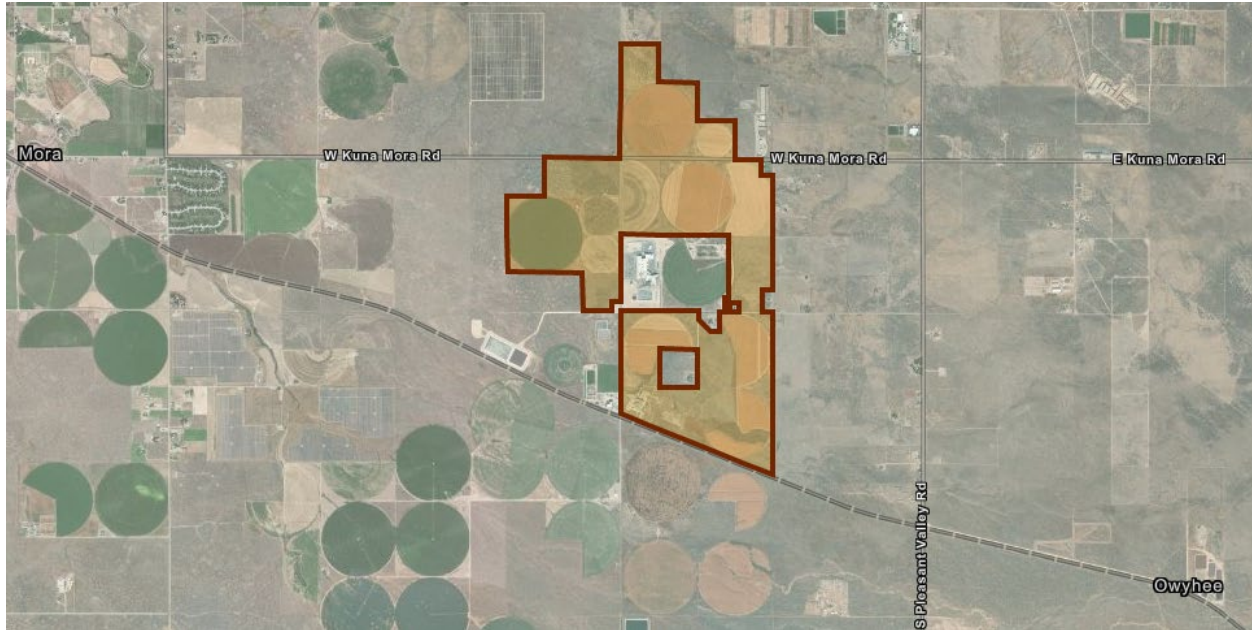
This Study constitutes an economic feasibility study as required by Idaho Code § 50-2905 and lays the groundwork to assess the feasibility of the proposed Project Area from an economic perspective, including an analysis of whether the proposed new developments are sufficient to cover the anticipated costs of the public infrastructure costs. The public benefits resulting from this partnered development include:

- Job creation from implementing the Plan as well as potential for “spinoff” developments both within and outside of the Kuna East District boundaries
- Underutilized property or land can be developed to a productive use
- Infrastructure upgrades enhance capacity for surrounding area and community at large
- Improvements to local transportation systems benefit the community at large
- Increasing local tax base may mean property owners enjoy lower levy rates in the future
- Successful projects generate increased sales and income taxes for the State

Boundary

The Kuna East District is generally located along Cole Road, between Curtis Road and S. Five Mile Road. The Project Area extends just north of Kuna Mora Road and south of Barker Road to the Union Pacific Railroad. This boundary, as shown in Figure 1, was developed jointly by City of Kuna staff, Kuna Urban Renewal Agency, and J-U-B Engineers, Inc.

Figure 1. Kuna East Urban Renewal District Boundary

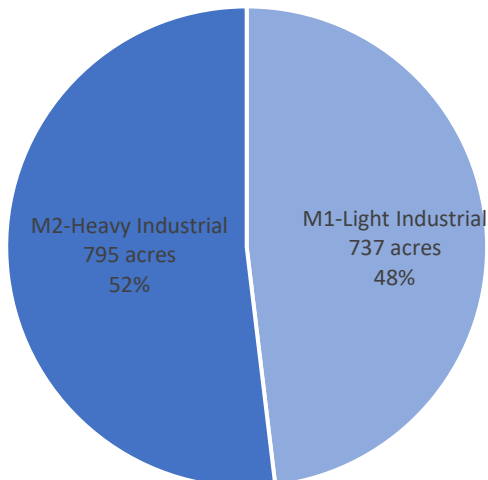


Existing Conditions

Zoning

The Kuna East District contains approximately 1,530 acres with land uses that are zoned, or have recently been rezoned, for industrial purposes. The Kuna East District is comprised of large industrial establishments, open space currently and previously used for agricultural purposes, and a few residences. The Project Area contains some agricultural properties that are vacant and have previously been farmed (within the last three years) that have the potential to be developed, with block sizes and lots/parcels and blocks exceeding 75,000 square feet in size. Table 1 provides a breakdown of the current zoning within the proposed district. The Kuna East District is predominantly open land as there are 1,488 acres of open space present within the Kuna East District, or 96% of the District is open land.

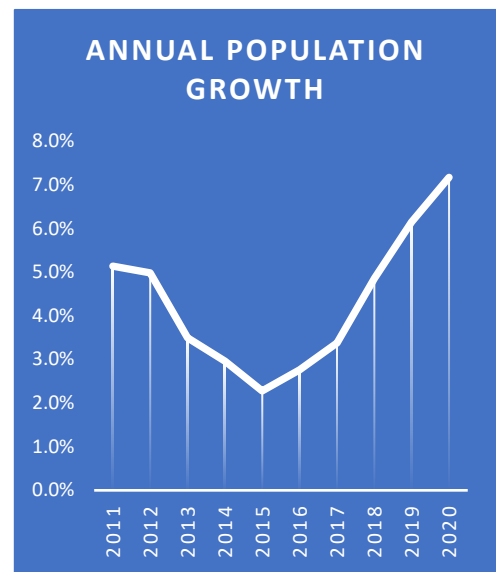
Table 1. Breakdown of Current Zoning within Kuna East Urban Renewal District



Social and Economic Conditions



Regional Overview	Kuna
Historical Population Change (2015 - 2020)	27%
Total Industry Jobs (2015)	4,087
Total Industry Jobs (2020)	4,601
Total Industry Jobs Change %	13%
Current Average Earnings	\$52,059
GRP	\$495,595,422
Labor Force (Jul 2019)	255,774
Participation Rate (Jul 2019)	66.1%
Median Household Income (2018)	\$64,456
Building Permits Change (2013-2018)	267%



Source: U.S. Census

Financial Analysis

Taxable Value of Property in Area

The estimated total assessed value of all properties in the proposed Kuna East District boundary is \$6,215,000 (assessment year 2022)—which includes any homeowners exemptions. This is roughly 0.18% of the current assessed taxable value for the City as of January 1, 2022, in the amount of \$3,416,648,619. The combined base assessment rolls for the proposed Kuna East District and the West Kuna District do not exceed 10% of the 2022 assessed taxable value for the City.

Table 2. Total Estimated Assessed Value, 2022

Kuna East Urban Renewal District	\$6,215,000
West Kuna Urban Renewal District	\$77,405,189
City of Kuna Total Assessed Valuation	\$3,416,648,619
Share of URDs of Total City:	2.4%

Note: includes home exemptions, but not operating property
Source: Ada County

Future Development

Proposed improvement projects contained within this Study adhere to the City's future land use and zoning plans as set forth in *Envision Kuna*, City of Kuna 2019 Comprehensive Plan, as well as other City planning documents.



Information contained in this section was obtained from J-U-B Engineers, Inc. in coordination with City officials and staff. Based on information received, there is development interest in the proposed Kuna East District, and the Study anticipates a significant development within the Project Area north of Kuna Mora Road could occur within the first several years of the Kuna East District. An additional industrial project may occur to the west and south of Kuna Mora Road. All future development scenarios comply with the City of Kuna 2019 Comprehensive Plan. The map below illustrates the proposed location of future public infrastructure improvements recognizing actual siting of improvements is likely to change based upon future development, which improvements will provide opportunities to spur future development and redevelopment in the District. But for urban renewal, development of this desired industrial area would likely continue to lag due to the significant public infrastructure needs.

Development of these parcels were accounted for in the model and are grounded on current planned developments and potential for development based on the current interest. For purposes of this analysis, 100% of the planned projects are assumed at the beginning of the District's life (2022-2028). The potential for future developments are less certain; therefore, the remaining parcels were projected using a 50% development scenario and distributed across the remaining 10 years of the District's life (2034 to the end of District's life in 2042, however, increment is collected through 2043).

Projected valuations were determined based on similar developments within the region and infrastructure cost estimates were provided by J-U-B Engineers, Inc. The timing of future development is based on existing public infrastructure and how it benefits adjacent areas. It is reasonable to project that as the Kuna East District matures, other parcels are likely to develop within this well-defined industrial area. The further out the project is made, the less certainty exists, and therefore, the model assumes a 50% buildout for these projects. Thus, we provide a no-build scenario and a development scenario to

provide the Kuna Urban Renewal Agency with the conservative and most comprehensive picture of what to expect from a tax increment revenue perspective.

Public Improvement Projects

Public infrastructure and improvement projects anticipated within the Kuna East District boundary are outlined in the tables below, for a total estimated cost of roughly \$118 million in 2022 dollars (see Table 3). Due to revenue projections as more fully set forth below, all identified projects may not be funded. The projects were prioritized by City staff based, in part, on currently identified capital infrastructure projects, estimates based on infrastructure needs to build out an industrial area, and long-range projects identified by the Ada County Highway District. Conversations with property owners within the Kuna East District, stakeholders, taxing district representatives and public officials also occurred. This Study is premised upon the economic feasibility of the Priority A Projects (total estimated cost of \$47.9 million). The unfunded projects are set forth in the list of Priority B Projects and the Priority C Projects. Public infrastructure and improvement projects prioritized as a high priority within the proposed Kuna East District are detailed in Table 4.

If development occurs more quickly than projected and/or other funding sources become available through either grants or partnerships with the City and/or the Ada County Highway District on project funding, then the Agency may reprioritize projects as listed in A, B and C below. Additionally, the Agency may be able to undertake additional projects through developer advanced funding of projects. Please note that some of these estimates will change as projects move forward and are more defined. The estimated project costs do not account for inflation.

Table 3. Estimated Project Costs by Priority Level

Priority Level (Public/Private)	Total
Total Public	\$118,005,000
Priority A	\$47,879,000
Priority B	\$61,179,000
Priority C	\$8,947,000
Total Private	\$94,511,000
Total Infrastructure Improvements	\$212,516,000

Source: J-U-B Engineers, Inc., City of Kuna, author's calculations

Table 4. Potential Public Infrastructure and Improvement Projects, Priority A projects

Project #	Project Name	Priority A
W3B	Future 2 MG Storage Tanks (2)	\$5,066,000
W4B	Future Booster Station Capacity Upgrades	\$775,000
S8	Future Lift Station and Force Main ⁹	\$8,432,000
R1	Kuna Mora Rd (Future Expressway)	\$10,497,000
R5	N-S Minor Collector	\$3,910,000
R6	Cole Rd (Local)	\$8,817,000
R7	Curtis Rd (Local)	\$9,552,000
G1	Natural Gas Distribution Improvements	\$830,000
Total Infrastructure Costs for Priority A		\$47,879,000

Source: J-U-B Engineers, City of Kuna, author's calculations

Table 5. Potential Public Infrastructure and Improvement Projects, Priority B and C projects

Project	Project Name	Priority B
R2	E-W Minor Collector	\$3,958,000
R3	Barker Rd (Minor Collector)	\$4,545,000
R4	E-W Major Collector	\$935,000
S1B	Future WWTP Capacity Upgrades ⁶	\$44,156,000
S5	Additional Land Application as needed ⁷	\$7,585,000
Total Infrastructure Costs for Priority B		\$61,179,000

Project	Project Name	Priority C
W10	6,000 gpm Future Production Capacity (Location TBD)	\$8,947,000
Total Infrastructure Costs for Priority C		\$8,947,000

Note: If grants or other leveraging funding sources become available, or a development occurs sooner than anticipated, priority B or C projects may be completed earlier or projects may be re-prioritized.

Source: J-U-B Engineers, City of Kuna, author's calculations

Projected Assessed Values

The projected property assessed values within the Kuna East District are grounded on current projected developments and potential for future development based on the current interest. For purposes of this report analysis, 100% of the projects under discussion are assumed at the beginning of the District's life (if established in 2022) and the potential future developments are less certain; therefore, the remaining parcels were projected using a 50% development scenario and distributed across the remaining 10 years of the District's lift (end of District life is 2042, however, increment is collected through 2043). Table 6 provides a summary of this development scenario. All numbers from herein reflect this development scenario.

The projected assessed values were based on similar developments in the County and their current assessed values based on average assessed values per square feet. The growth percentages shown reflect very conservative assumptions and account for historical average annual inflationary adjustments of 3% (smoothing out of recent high inflationary years).

The following buildout scenarios provide a conservative, yet holistic approach.

The Kuna East District's termination date is December 31, 2042; however, the Agency will continue to receive revenue allocation proceeds from assessment year 2042 in 2043. Therefore, the projected property assessed values at end of district life are stated for the year 2043.

Projected Property Assessed Value at End of District Life

\$6.2M

BASE

\$11.6M

NO DEVELOPMENT

\$918.1M

END OF DISTRICT LIFE

Table 6. Projected Assessed Value Growth

Year	No Development		Development Scenario	
	Projected Assessed Value	Inflation	Projected Assessed Value	Percent Growth
2022	\$6,215,000	3.0%	\$6,215,000	---
2023	\$6,401,450	3.0%	\$38,086,305	512.8%
2024	\$6,593,494	3.0%	\$176,344,553	363.0%
2025	\$6,791,298	3.0%	\$181,634,890	3.0%
2026	\$6,995,037	3.0%	\$264,432,312	45.6%
2027	\$7,204,888	3.0%	\$272,365,281	3.0%
2028	\$7,421,035	3.0%	\$417,651,898	53.3%
2029	\$7,643,666	3.0%	\$430,181,455	3.0%
2030	\$7,872,976	3.0%	\$443,086,899	3.0%
2031	\$8,109,165	3.0%	\$456,379,506	3.0%
2032	\$8,352,440	3.0%	\$470,070,891	3.0%
2033	\$8,603,014	3.0%	\$484,173,018	3.0%
2034	\$8,861,104	3.0%	\$522,025,991	7.8%
2035	\$9,126,937	3.0%	\$561,014,554	7.5%
2036	\$9,400,745	3.0%	\$601,172,774	7.2%
2037	\$9,682,767	3.0%	\$642,535,740	6.9%
2038	\$9,973,251	3.0%	\$685,139,596	6.6%
2039	\$10,272,448	3.0%	\$729,021,567	6.4%
2040	\$10,580,621	3.0%	\$774,219,997	6.2%
2041	\$10,898,040	3.0%	\$820,774,380	6.0%
2042	\$11,224,981	3.0%	\$868,725,395	5.8%
2043	\$11,561,731	3.0%	\$918,114,940	5.7%

Projected Tax Increment Revenue

The projected revenue allocation proceeds also referred to as Tax Increment Revenues (TIF) from the assessed value growth broken out in the no-build and development scenarios are shown in Table 7 and Table 8. By the end of the District’s life, it is estimated that there is potential to generate roughly \$5.1 million in that fiscal year from tax increment in the defined development scenario and roughly \$30,000 if no development would occur at all. Cumulatively, if fully developed as defined, the proposed district is estimated to generate approximately \$58.1 million in tax increment revenue and \$292,000 with no development.

Figure 4. Projected Tax Increment Revenue at end of Kuna East Urban Renewal District life

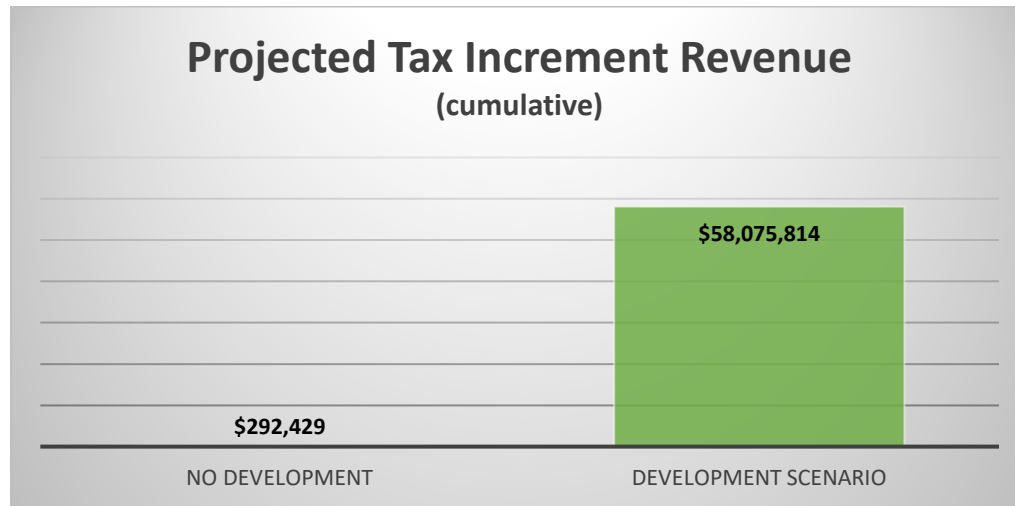


Table 7. Tax Increment Revenue Projection: No Development Scenario

No Development						
Year	Projected Assessed Value	Base	Increment Value	Levy Rate	Tax Increment Yield (annual)	TIF (cumulative)
2022	\$6,215,000	\$6,215,000	---	0.005571016	---	---
2023	\$6,401,450	\$6,215,000	---	0.005571016	---	---
2024	\$6,593,494	\$6,215,000	\$378,494	0.005571016	\$2,109	\$2,109
2025	\$6,791,298	\$6,215,000	\$576,298	0.005571016	\$3,211	\$5,319
2026	\$6,995,037	\$6,215,000	\$780,037	0.005571016	\$4,346	\$7,556
2027	\$7,204,888	\$6,215,000	\$989,888	0.005571016	\$5,515	\$13,071
2028	\$7,421,035	\$6,215,000	\$1,206,035	0.005571016	\$6,719	\$19,790
2029	\$7,643,666	\$6,215,000	\$1,428,666	0.005571016	\$7,959	\$27,749
2030	\$7,872,976	\$6,215,000	\$1,657,976	0.005571016	\$9,237	\$36,985
2031	\$8,109,165	\$6,215,000	\$1,894,165	0.005571016	\$10,552	\$47,538
2032	\$8,352,440	\$6,215,000	\$2,137,440	0.005571016	\$11,908	\$59,446
2033	\$8,603,014	\$6,215,000	\$2,388,014	0.005571016	\$13,304	\$72,749
2034	\$8,861,104	\$6,215,000	\$2,646,104	0.005571016	\$14,741	\$87,491
2035	\$9,126,937	\$6,215,000	\$2,911,937	0.005571016	\$16,222	\$103,713
2036	\$9,400,745	\$6,215,000	\$3,185,745	0.005571016	\$17,748	\$121,461
2037	\$9,682,767	\$6,215,000	\$3,467,767	0.005571016	\$19,319	\$140,780
2038	\$9,973,251	\$6,215,000	\$3,758,251	0.005571016	\$20,937	\$161,717
2039	\$10,272,448	\$6,215,000	\$4,057,448	0.005571016	\$22,604	\$184,321
2040	\$10,580,621	\$6,215,000	\$4,365,621	0.005571016	\$24,321	\$208,642
2041	\$10,898,040	\$6,215,000	\$4,683,040	0.005571016	\$26,089	\$234,732
2042	\$11,224,981	\$6,215,000	\$5,009,981	0.005571016	\$27,911	\$262,642
2043	\$11,561,731	\$6,215,000	\$5,346,731	0.005571016	\$29,787	\$292,429

*adjusted for inflation (3%)

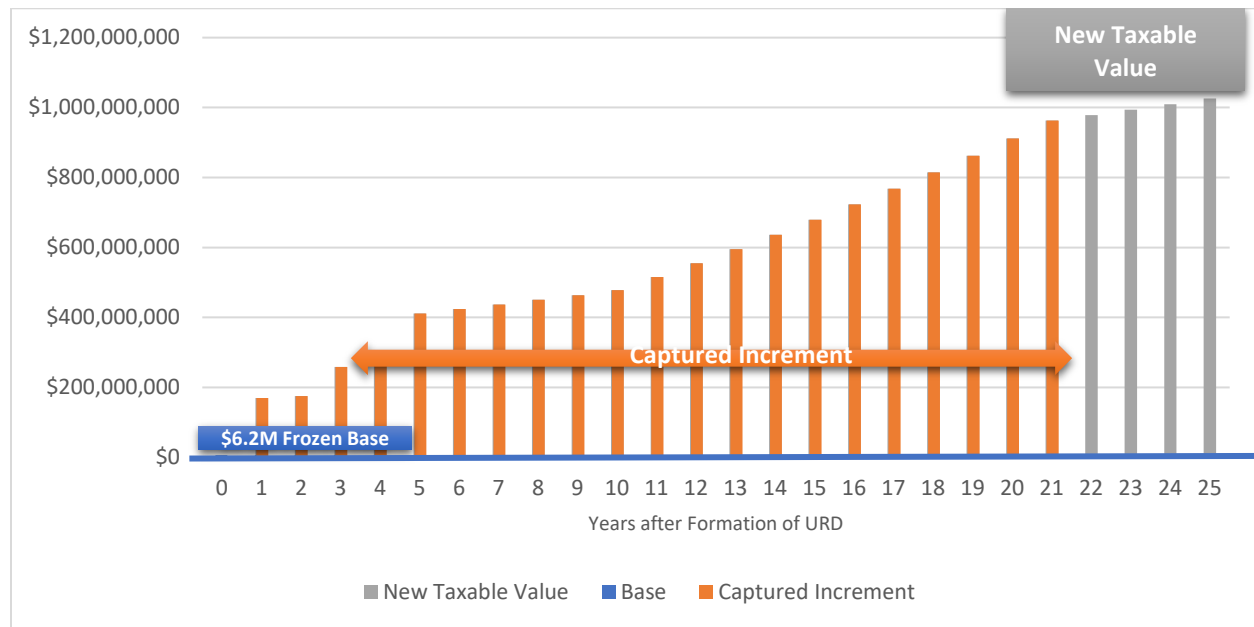
Table 8. Tax Increment Revenue Projection: Development Scenario

Development Scenario						
Year	Projected Assessed Value	Base	Increment Value	Levy Rate	Tax Increment Yield (annual)	TIF (cumulative)
2022	\$6,215,000	\$6,215,000	---	0.005571016	---	---
2023	\$38,086,305	\$6,215,000	---	0.005571016	---	---
2024	\$176,344,553	\$6,215,000	\$170,129,553	0.005571016	\$947,794	\$947,794
2025	\$181,634,890	\$6,215,000	\$175,419,890	0.005571016	\$977,267	\$1,925,061
2026	\$264,432,312	\$6,215,000	\$258,217,312	0.005571016	\$1,438,533	\$2,415,800
2027	\$272,365,281	\$6,215,000	\$266,150,281	0.005571016	\$1,482,727	\$3,898,527
2028	\$417,651,898	\$6,215,000	\$411,436,898	0.005571016	\$2,292,122	\$6,190,649
2029	\$430,181,455	\$6,215,000	\$423,966,455	0.005571016	\$2,361,924	\$8,552,573
2030	\$443,086,899	\$6,215,000	\$436,871,899	0.005571016	\$2,433,820	\$10,986,393
2031	\$456,379,506	\$6,215,000	\$450,164,506	0.005571016	\$2,507,874	\$13,494,267
2032	\$470,070,891	\$6,215,000	\$463,855,891	0.005571016	\$2,584,149	\$16,078,415
2033	\$484,173,018	\$6,215,000	\$477,958,018	0.005571016	\$2,662,712	\$18,741,127
2034	\$522,025,991	\$6,215,000	\$515,810,991	0.005571016	\$2,873,591	\$21,614,718
2035	\$561,014,554	\$6,215,000	\$554,799,554	0.005571016	\$3,090,797	\$24,705,516
2036	\$601,172,774	\$6,215,000	\$594,957,774	0.005571016	\$3,314,519	\$28,020,035
2037	\$642,535,740	\$6,215,000	\$636,320,740	0.005571016	\$3,544,953	\$31,564,988
2038	\$685,139,596	\$6,215,000	\$678,924,596	0.005571016	\$3,782,300	\$35,347,288
2039	\$729,021,567	\$6,215,000	\$722,806,567	0.005571016	\$4,026,767	\$39,374,055
2040	\$774,219,997	\$6,215,000	\$768,004,997	0.005571016	\$4,278,568	\$43,652,623
2041	\$820,774,380	\$6,215,000	\$814,559,380	0.005571016	\$4,537,923	\$48,190,546
2042	\$868,725,395	\$6,215,000	\$862,510,395	0.005571016	\$4,805,059	\$52,995,605
2043	\$918,114,940	\$6,215,000	\$911,899,940	0.005571016	\$5,080,209	\$58,075,814

*includes planned and projected development and is adjusted for inflation (3%)

Figure 5 summarizes the increment revenue throughout the life of the Kuna East District under the development scenario and the new taxable valuable into perpetuity. For purposes of this report analysis, 100% of the projects under discussion are assumed at the beginning of the District’s life (if established in 2022) and the potential future developments are less certain; therefore, the remaining parcels were projected using a 50% development scenario and distributed across the remaining 10 years of the District’s life (end of District life is 2042, however, increment is collected through 2043).

Figure 5. Captured Increment throughout life of Kuna East Urban Renewal District (under Development Scenario)



Taxing Districts

The assessed value of the properties in an urban renewal district at the time the district is put in place is called the **base** value. The **increment** value is the amount that the assessed value increases above the base after the urban renewal district is put in place. In general, and subject to Idaho Code 50-2908, an agency receives an allocation of revenue from property tax dollars generated from incremental value.

Taxing districts have the ability to collect their full budget requests. Under Idaho Code § 63-802, taxing entities are limited in their ability to increase the property tax portion of their budgets, which as assessed values rise could result in a likely reduction of the levy rate over time.

In addition, without the Revenue Allocation Area and its ability to pay for public improvements and public facilities, fewer substantial improvements within the Kuna East District 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.

A 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. Urban renewal does not impact budgets of taxing districts.

The Study has made certain assumptions concerning the levy rate. It is difficult to project with any accuracy the levy rate over time so for purposes of this Study have used a constant levy rate. More than likely, this rate will be lower in future years as development occurs. If the overall levy rate is less than projected, or the assessed values do not increase as expected, or 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 (e.g. from voter approved levies and bonds) 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.

Dedicating efforts to maintaining a healthy economy is one variable in a viable city. These efforts will produce induced economic benefits in terms of jobs, sales, and expected overall increase in population.

Jobs

Job creation is one of the core outcomes of urban renewal. As a result of business growth within an urban renewal district, the spill-over effects from job creation and the wealth it generates is injected throughout the region.

The potential future development of this District is used to estimate the number of jobs and resulting multiplier effects. The economic activity related to these jobs is a result of the millions of dollars of goods and services purchased from local vendors and the wages and benefits paid to local workers. The initial outlay of funds circulates to the business owners and employees that supply the materials, goods and services needed for business. These contractors, businesses, and employees continue the economic ripple effect by purchasing goods and services.

This job impact analysis breaks down the job impacts by use, using the most conservative estimates. Initial jobs were estimated using industry standards—floor-to-area ratios based on building sites and average number of employees per square foot by industry.

The extent to which the initial expenditures multiply is estimated using economic models that depict the relationships between industries and firms and their employees. These models are built upon expenditure patterns that are reported to the U.S. Bureau of Labor Statistics, the U.S. Census Bureau and the Bureau of Economic Analysis. Data is regionalized so that it reflects and incorporates local conditions such as average wages, expenditure patterns and resource availability and costs.

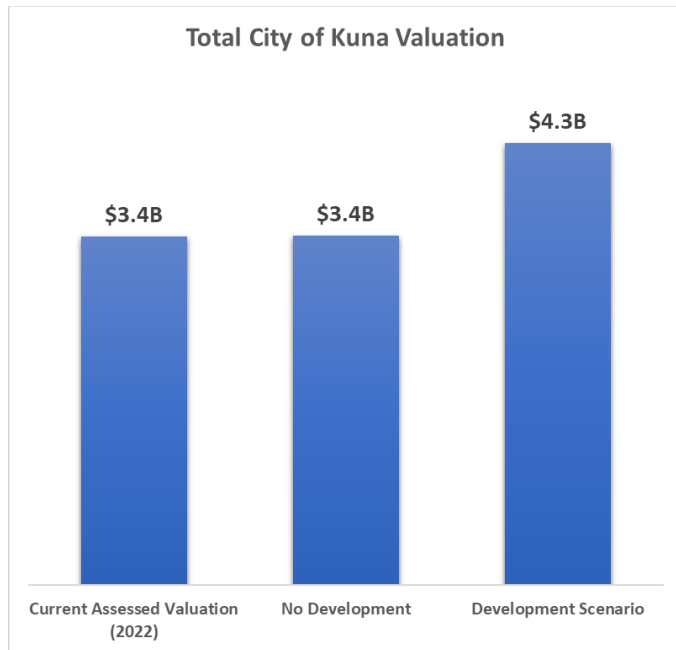
The multipliers used in this analysis were generated by an economic modeling tool produced by IMPLAN and were cross-referenced with U.S. Bureau of Economic Analysis' RIMS II multipliers.

Table 9. Total Job Impacts

Total JOB IMPACTS		
Direct	Indirect + Induced	Total
1,792	140	1,932

Conclusion

Given the proposed infrastructure project and improvement list focusing on Priority A Projects, planned and potential development estimates and data to project tax increment revenue, the proposed Kuna East Urban Renewal District is economically feasible. The unfunded projects identified in Priority B Projects and Priority C Projects could be undertaken should revenue allocation proceeds exceed projections, or other funding sources become available. The Kuna East District has the potential to add roughly \$918 million to property tax assessments following termination of the district, into perpetuity. If no development would occur, an additional \$11.6 million to the current assessed valuation could be expected.



Increment revenue projected to accrue is upwards of \$58.1 million if fully developed as analyzed and \$292,000 in a no development scenario.

The anticipated industrial growth stimulated by the creation of this Kuna East District, will lead to job creation. For planning purposes, the District has the potential to create roughly 1,800 direct jobs if developed as analyzed under the Development Scenario. The additional 1,800 jobs would create another 140 jobs in other sectors across the community and region. Such impacts which will create an increase of flow of earnings to circulate around the community by, ultimately, increasing tax revenues and the overall tax base—bettering the community as a whole.

Cumulative Estimated Tax Increment Revenue Generated by End of District Life	
No Development	Development Scenario
\$292,429	\$58,075,814

Appendix: Cash Flow

Cash Flow Analysis Kuna East Urban Renewal District Based on 100% Development of Planned Projects and 50% Development of Projected (Priority A Infrastructure Projects)

Planning Year	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21
Year	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043
Beginning Balance	\$ -	\$ -	\$ -	\$ 847,794	\$ 895,061	\$ 2,233,594	\$ 2,841,322	\$ 5,033,443	\$ 2,229,367	\$ 4,563,188	\$ 2,562,561	\$ 638,210	\$ 3,200,922	\$ 1,758,513	\$ 533,310	\$ 3,747,829	\$ 3,693,782	\$ 3,877,082	\$ 4,304,849	\$ 4,573,417	\$ 4,235,341	\$ 4,164,400
Source of Funds																						
Revenue Allocation	---	---	947,794	977,267	1,438,533	1,482,727	2,292,122	2,361,924	2,433,820	2,507,874	2,584,149	2,662,712	2,873,591	3,090,797	3,314,519	3,544,953	3,782,300	4,026,767	4,278,568	4,537,923	4,805,059	5,080,209
City Contribution	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
Other Revenue	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
Total Funds Available	\$ -	\$ -	\$ 947,794	\$ 1,825,061	\$ 2,333,594	\$ 3,716,322	\$ 5,133,443	\$ 7,395,367	\$ 4,663,188	\$ 7,071,061	\$ 5,146,710	\$ 3,300,922	\$ 6,074,513	\$ 4,849,310	\$ 3,847,829	\$ 7,292,782	\$ 7,476,082	\$ 7,903,849	\$ 8,583,417	\$ 9,111,341	\$ 9,040,400	\$ 9,244,609
Use of Funds																						
Infrastructure Expenditures																						
Total Infrastructure Expenditures¹	\$ -	\$ -	\$ -	\$ 830,000	\$ -	\$ 775,000	\$ -	\$ 5,066,000	\$ -	\$ 4,408,500	\$ 4,408,500	\$ -	\$ 4,216,000	\$ 4,216,000	\$ -	\$ 3,499,000	\$ 3,499,000	\$ 3,499,000	\$ 3,499,000	\$ 3,910,000	\$ 4,776,000	\$ -
Water Improvements						575,000		5,066,000														
Sewer Improvements													4,216,000	4,216,000								
Road Improvements																						
Electrical Improvements																						
Gas Improvements				583,000																		
Fiber/broadband Improvements																						
Other Public Infrastructure Improvements																						
Net available for Operating Expenses & Debt Service	\$ -	\$ -	\$ 947,794	\$ 995,061	\$ 2,333,594	\$ 2,941,322	\$ 5,133,443	\$ 2,329,367	\$ 4,663,188	\$ 2,662,561	\$ 738,210	\$ 3,300,922	\$ 1,858,513	\$ 633,310	\$ 3,847,829	\$ 3,793,782	\$ 3,977,082	\$ 4,404,849	\$ 4,673,417	\$ 4,335,341	\$ 4,264,400	\$ 9,244,609
Operating Expenses																						
Agency Operating Expenses ²	\$ -	\$ -	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000
Total Operating Expenses	\$ -	\$ -	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000
Net Available after Investments & Operating Expenses	\$ -	\$ -	\$ 847,794	\$ 895,061	\$ 2,233,594	\$ 2,841,322	\$ 5,033,443	\$ 2,229,367	\$ 4,563,188	\$ 2,562,561	\$ 638,210	\$ 3,200,922	\$ 1,758,513	\$ 533,310	\$ 3,747,829	\$ 3,693,782	\$ 3,877,082	\$ 4,304,849	\$ 4,573,417	\$ 4,235,341	\$ 4,164,400	\$ 9,144,609
Reimbursement Agreements																						
Available for reimbursement (to public entities, property owners or developers pursuant to a participation agreement)	\$ -	\$ -	\$ 847,794	\$ 895,061	\$ 2,233,594	\$ 2,841,322	\$ 5,033,443	\$ 2,229,367	\$ 4,563,188	\$ 2,562,561	\$ 638,210	\$ 3,200,922	\$ 1,758,513	\$ 533,310	\$ 3,747,829	\$ 3,693,782	\$ 3,877,082	\$ 4,304,849	\$ 4,573,417	\$ 4,235,341	\$ 4,164,400	\$ 9,144,609
OPA Reimbursement	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Debt Service	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Use of Funds	\$ -	\$ -	\$ 100,000	\$ 930,000	\$ 100,000	\$ 875,000	\$ 100,000	\$ 5,166,000	\$ 100,000	\$ 4,508,500	\$ 4,508,500	\$ 100,000	\$ 4,316,000	\$ 4,316,000	\$ 100,000	\$ 3,599,000	\$ 3,599,000	\$ 3,599,000	\$ 4,010,000	\$ 4,876,000	\$ 4,676,000	\$ 100,000
Ending Balance	\$ -	\$ -	\$ 847,794	\$ 895,061	\$ 2,233,594	\$ 2,841,322	\$ 5,033,443	\$ 2,229,367	\$ 4,563,188	\$ 2,562,561	\$ 638,210	\$ 3,200,922	\$ 1,758,513	\$ 533,310	\$ 3,747,829	\$ 3,693,782	\$ 3,877,082	\$ 4,304,849	\$ 4,573,417	\$ 4,235,341	\$ 4,164,400	\$ 9,144,609

¹Agency operations are estimated at 15% per year. ²Use of funds are infrastructure projects prioritized by the City. Priority A projects were used in this analysis, however, Priority B and C projects may be re-prioritized at any point by the Agency and City.
³Project costs may include property acquisition

Attachment 6

Agricultural Operation Consents

[Exhibits B and C Were Originally Attached to Each Consent; To Avoid Duplication and to Reduce Document Size Exhibits B and C Are Attached One Time to the Last Consent]

AGRICULTURAL OPERATION CONSENT FORM

COMES NOW **David Wali**, authorized representative of GC Kuna Land L.C., an Utah LLC ("GC Kuna Land"), and states that [GC Kuna Land] owns that certain property generally described as Parcel Identification Number **S2007111102** in the real property records of Ada County, Idaho, and more particularly described on Exhibit A attached hereto and incorporated herein by reference (the "Property"), and hereby certifies:


(1) that the Property has been used, within the last three (3) years, as an agricultural operation; and

(2) that the undersigned has reviewed the materials provided in Exhibit B, and has had an opportunity to review the urban renewal eligibility report, dated December 2021, entitled the Kuna Urban Renewal District Eligibility Report, Kuna East District, prepared by J-U-B Engineers, Inc. and as attached hereto as Exhibit C.

Further, David Wali, authorized representative of GC Kuna Land an Utah LLC, hereby provides his consent and approval that the subject Property, or a portion of such Property, may be included within a proposed urban renewal area and may be deemed appropriate for inclusion within an urban renewal project area as defined by the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code, as amended, and the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended, as the property possesses certain characteristics of eligibility.

DATED this 20th day of September, 2022.

GC Kuna Land L.C.


Name: David Wali
Title: owner

STATE OF IDAHO)
) ss:
County of Ada)

On this 20th day of September, 2022, before me, a Notary Public for the state of Idaho, personally appeared Dave Wali, known or identified to me to be the representative of the owner that executed the instrument or the person who executed the instrument on behalf of said owner and acknowledged to me that such owner executed the same.



Notary Public

My Commission Expires on 08/14/2024



EXHIBIT A

PARCEL NUMBER

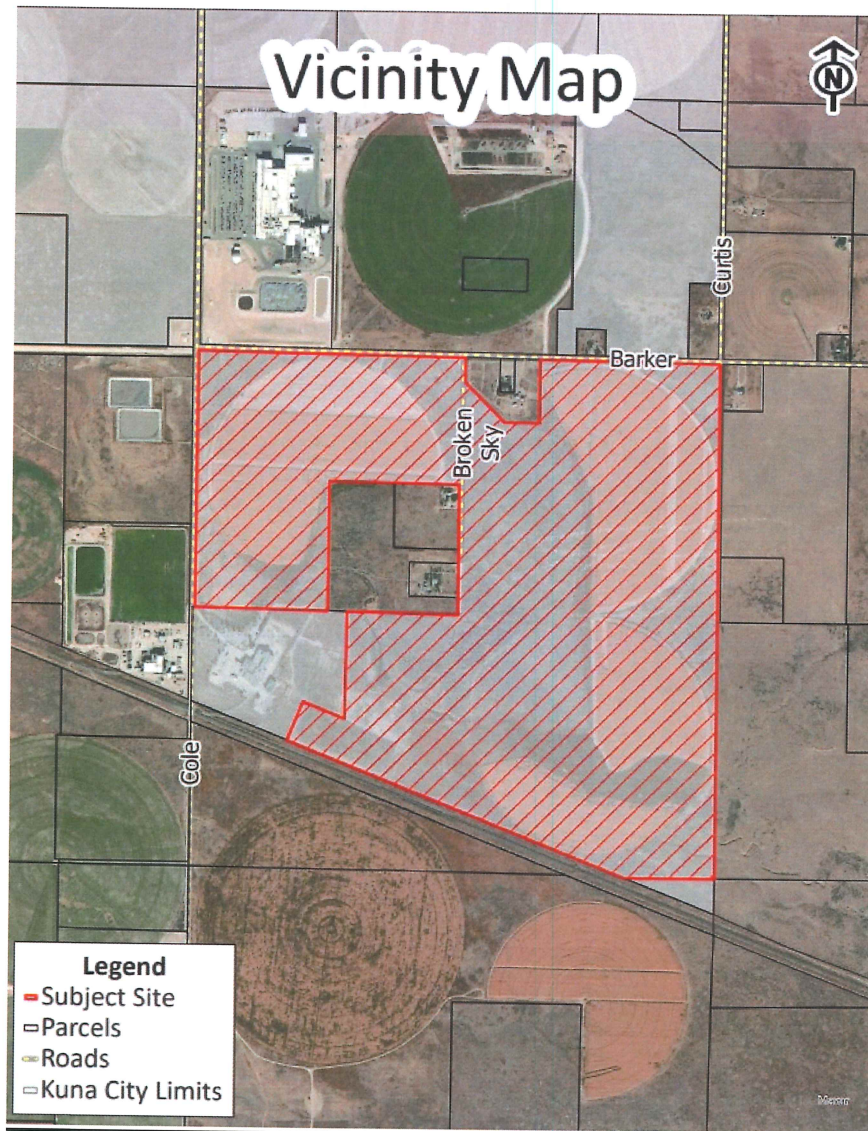
S2007111102

ADDRESS

S COLE RD KUNA, ID 83634-0000

DESCRIPTION

PAR #1100 N'LY SEC 7 1N 2E LYING N'LY OF UP RR R/W NE COR SEC18 1N 2E



**AGRICULTURAL OPERATION CONSENT FORM AND LIMITATION ON
AGENCY'S RIGHT OF EMINENT DOMAIN**

COMES NOW, CS Property Development LLC, a Delaware limited liability company (“CS”), and states that it owns that certain property generally described as Ada County Assessor Parcel Numbers S2006417205, S2006417265, S2006417500 in the real property records of Ada County, Idaho, and more particularly described on Exhibit A attached hereto and incorporated herein by reference (the “Property”) and acknowledges:

(1) that the Property has been used, within the last three (3) years, as an agricultural operation; and


(2) CS hereby provides its consent and approval that the Property, may be included within a proposed urban renewal area and may be deemed appropriate for inclusion within an urban renewal project area as defined by the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code, as amended, and the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended.

Pursuant to Idaho Code § 50-2010, the Kuna Urban Renewal Agency (“Agency”) has the ability to acquire property by negotiation or condemnation, eminent domain. However, the Agency’s ability to exercise the right of eminent domain is limited as set forth in Idaho Code §§ 50-2010 and 7-701A. The Agency may not directly exercise the right of eminent domain; rather, the Agency may act only in an advisory capacity to the local governing body, in this case the City Council of the City of Kuna (the “City Council”), related to decisions of eminent domain within the urban renewal area. Any final decision regarding the use of eminent domain within the urban renewal area shall be made by the City Council.

The Agency does not intend to acquire real property within the urban renewal area by eminent domain. The Agency hereby confirms that it will not recommend condemnation of the Property by way of eminent domain to the City Council without the prior written consent of CS. The City Council on September 20, 2022 adopted Resolution No. R71-2022 stating that the City Council shall not use eminent domain, condemnation or any other method of taking the Property or any portion thereof pursuant to Idaho Code §§ 50-2010(a) and 7-701A(3) or any other statutory, administrative rule or regulatory authority unless CS provides its prior written consent.

DATED this 23rd day of September, 2022.

CS Property Development, LLC



Name: Thomas J. Basabe

Title: Director

STATE OF Idaho)
County of Elmore) ss:

On this 23 day of September, 2022, before me, a Notary Public for the state of Idaho, personally appeared Thomas J. Basabe, known or identified to me to be the Director of the limited liability company that executed the instrument or the person who executed the instrument on behalf of said limited liability company and acknowledged to me that such limited liability company executed the same.

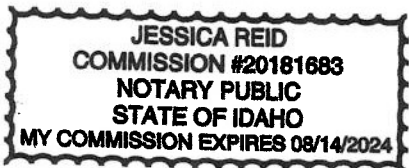


Carrie L. Rahier
Notary Public
My Commission Expires on July 11, 2023

Kuna Urban Renewal Agency
By [Signature]
Chair

STATE OF Idaho)
County of Ada) ss:

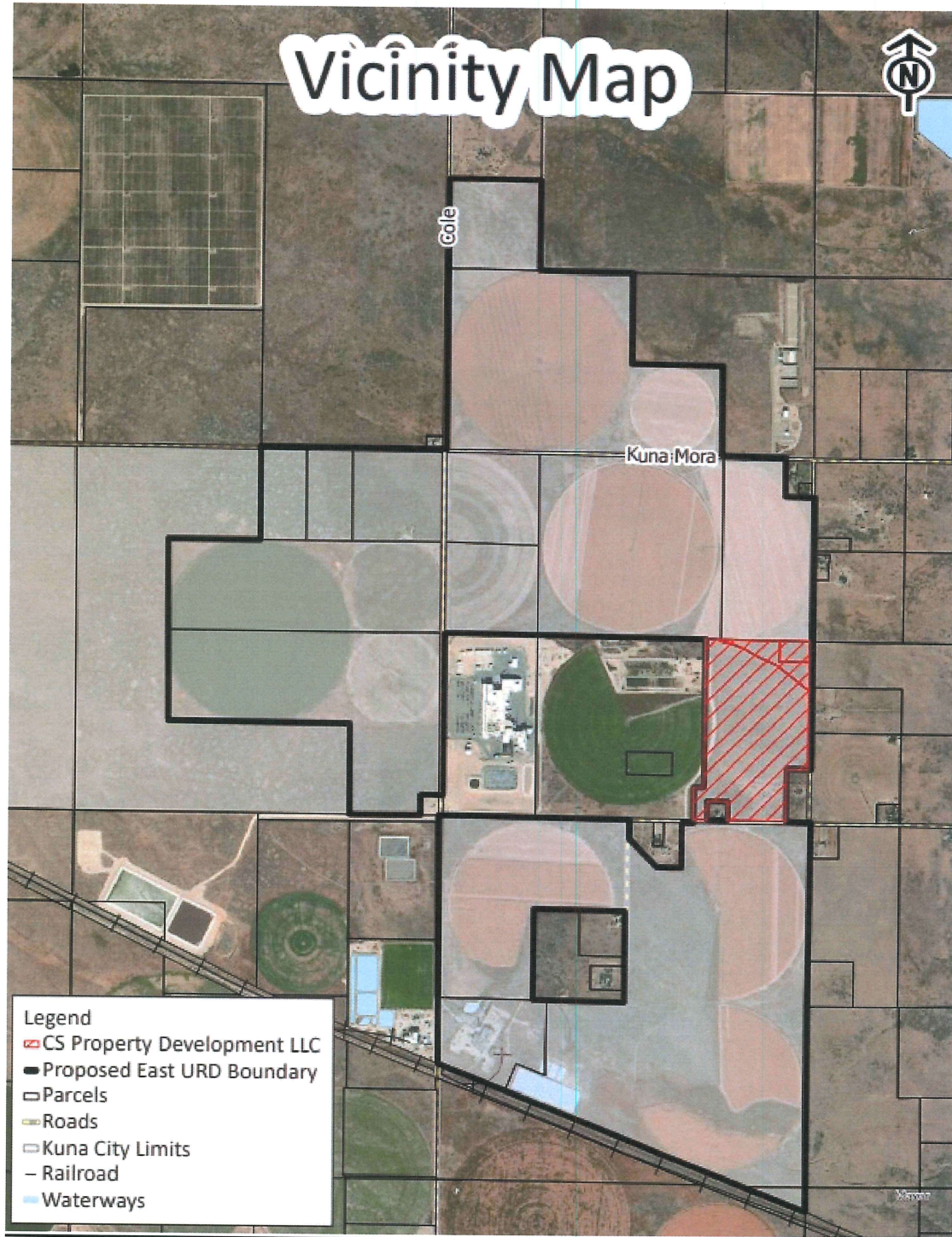
On this 20th day of September, 2022, before me, a Notary Public for the state of Idaho, personally appeared Greg McPherson, known or identified to me to be the Chair of the Kuna Urban Renewal Agency that executed the instrument or the person who executed the instrument on behalf of the Kuna Urban Renewal Agency and acknowledged to me that such Greg McPherson executed the same.



[Signature]
Notary Public
My Commission Expires on 08/14/2024

EXHIBIT A

Parcel Numbers S2006417205, S2006417265, S2006417500



AGRICULTURAL OPERATION CONSENT FORM

COMES NOW **Stephanos Collias**, authorized representative of Holton Equidebt, LLC, an Idaho limited liability company (“Holton Equidebt”), and states that of Holton Equidebt owns that certain property generally described as Parcel Identification Number S2101110050 in the real property records of Ada County, Idaho, and more particularly described on Exhibit A attached hereto and incorporated herein by reference (the “Property”), and hereby certifies:

(1) that the Property has been used, within the last three (3) years, as an agricultural operation; and

(2) that the undersigned has reviewed the materials provided in Exhibit B, and has had an opportunity to review the urban renewal eligibility report, dated December 2021, entitled the Kuna Urban Renewal District Eligibility Report, Kuna East District, prepared by J-U-B Engineers, Inc. and as attached hereto as Exhibit C.

Further, Stephanos Collias, authorized representative of Holton Equidebt, an Idaho limited liability company, hereby provides his consent and approval that the subject Property, or a portion of such Property, may be included within a proposed urban renewal area and may be deemed appropriate for inclusion within an urban renewal project area as defined by the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code, as amended, and the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended, as the property possesses certain characteristics of eligibility.

DATED this 3rd day of August, 2022.

Holton Equidebt, LLC

Name: STEPHANOS J. COLLIAS

Title: Managing Member

EXHIBIT A

PARCEL NUMBER

S2101110050

ADDRESS

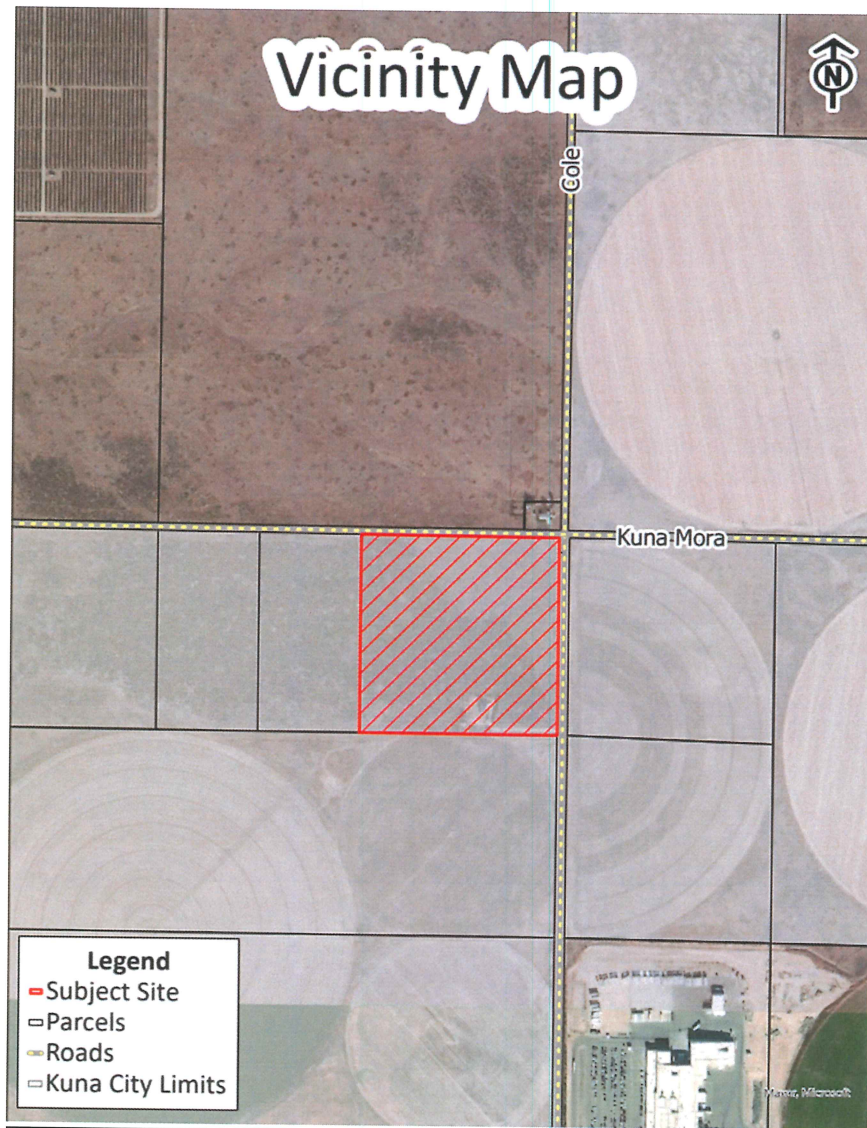
16005 S COLE RD KUNA , ID 83634

DESCRIPTION

PAR #0050 OF GOVT LOT 01

SEC 1 1N 1E

#111000-S



AGRICULTURAL OPERATION CONSENT FORM

COMES NOW **Stephanos J Collias**, and states that he owns that certain property generally described as Parcel Identification Number **S2101120620** in the real property records of Ada County, Idaho, and more particularly described on Exhibit A attached hereto and incorporated herein by reference (the "Property"), and hereby certifies:

(1) that the Property has been used, within the last three (3) years, as an agricultural operation; and

(2) that the undersigned has reviewed the materials provided in Exhibit B, and has had an opportunity to review the urban renewal eligibility report, dated December 2021, entitled the Kuna Urban Renewal District Eligibility Report, Kuna East District, prepared by J-U-B Engineers, Inc. and as attached hereto as Exhibit C.

Further, **Stephanos J Collias**, hereby provides his consent and approval that the subject Property, or a portion of such Property, may be included within a proposed urban renewal area and may be deemed appropriate for inclusion within an urban renewal project area as defined by the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code, as amended, and the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended, as the property possesses certain characteristics of eligibility.

DATED this 3rd day of August, 2022.

Stephanos J Collias



Name: STEPHANOS J. COLLIAS

Title: _____

EXHIBIT A

PARCEL NUMBER

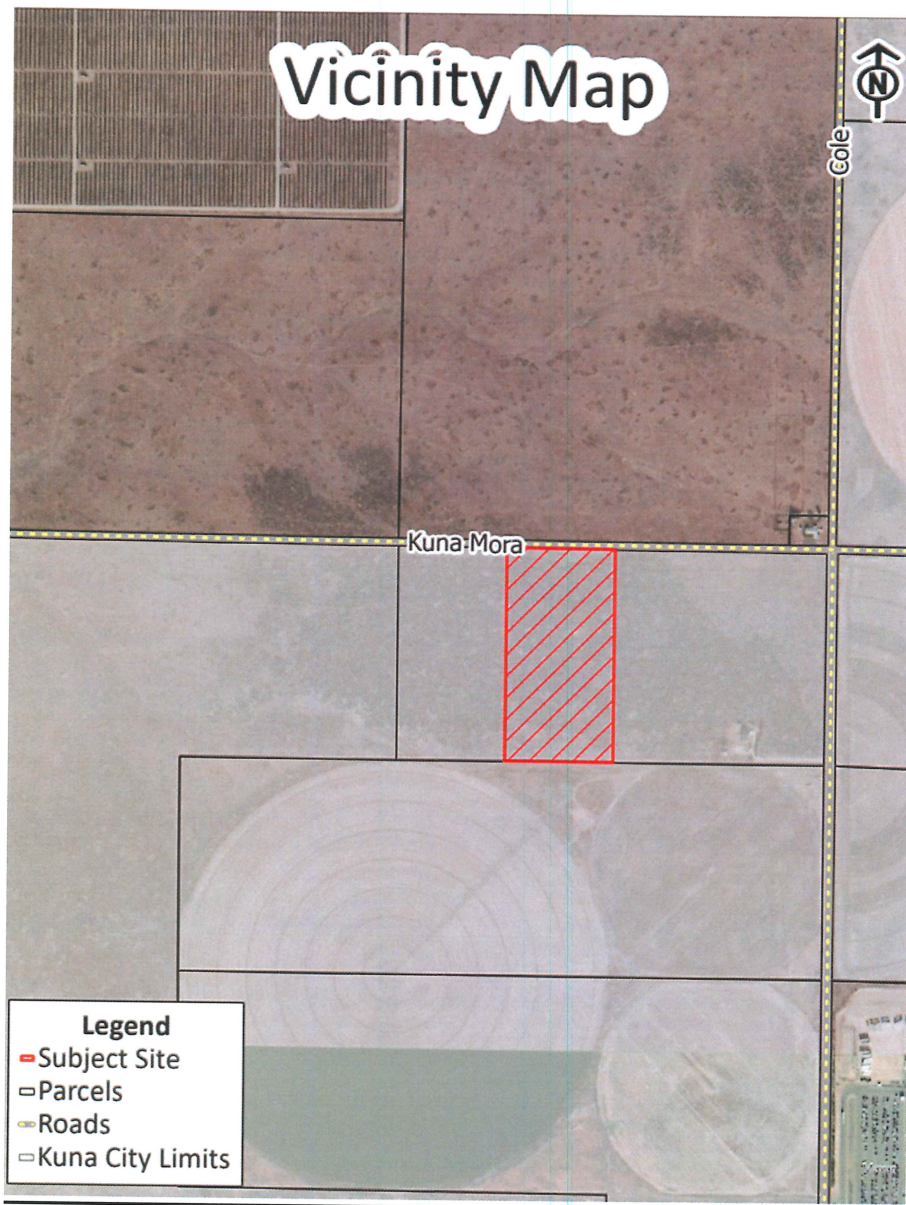
S2101120620

ADDRESS

W KUNA MORA RD KUNA, ID 83634-0000

DESCRIPTION

PAR #0620 POR GOV LOT 2 SEC 1 1N 1E PARCEL B ROS 12692



AGRICULTURAL OPERATION CONSENT FORM

COMES NOW **Stephanos Collias**, authorized representative of Collias Cattle Company, LLC, an Idaho limited liability company (“Collias Cattle Company”), and states that of Collias Cattle Company owns that certain property generally described as Parcel Identification Number **S2101310000** in the real property records of Ada County, Idaho, and more particularly described on Exhibit A attached hereto and incorporated herein by reference (the “Property”), and hereby certifies:

(1) that the Property has been used, within the last three (3) years, as an agricultural operation; and

(2) that the undersigned has reviewed the materials provided in Exhibit B, and has had an opportunity to review the urban renewal eligibility report, dated December 2021, entitled the Kuna Urban Renewal District Eligibility Report, Kuna East District, prepared by J-U-B Engineers, Inc. and as attached hereto as Exhibit C.

Further, Stephanos Collias, authorized representative of Collias Cattle Company, an Idaho limited liability company, hereby provides his consent and approval that the subject Property, or a portion of such Property, may be included within a proposed urban renewal area and may be deemed appropriate for inclusion within an urban renewal project area as defined by the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code, as amended, and the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended, as the property possesses certain characteristics of eligibility.

DATED this 3rd day of August, 2022.

Collias Cattle Company, LLC


Name: STEPHANOS J. COLLIAS
Title: MEMBER

EXHIBIT A

PARCEL NUMBER

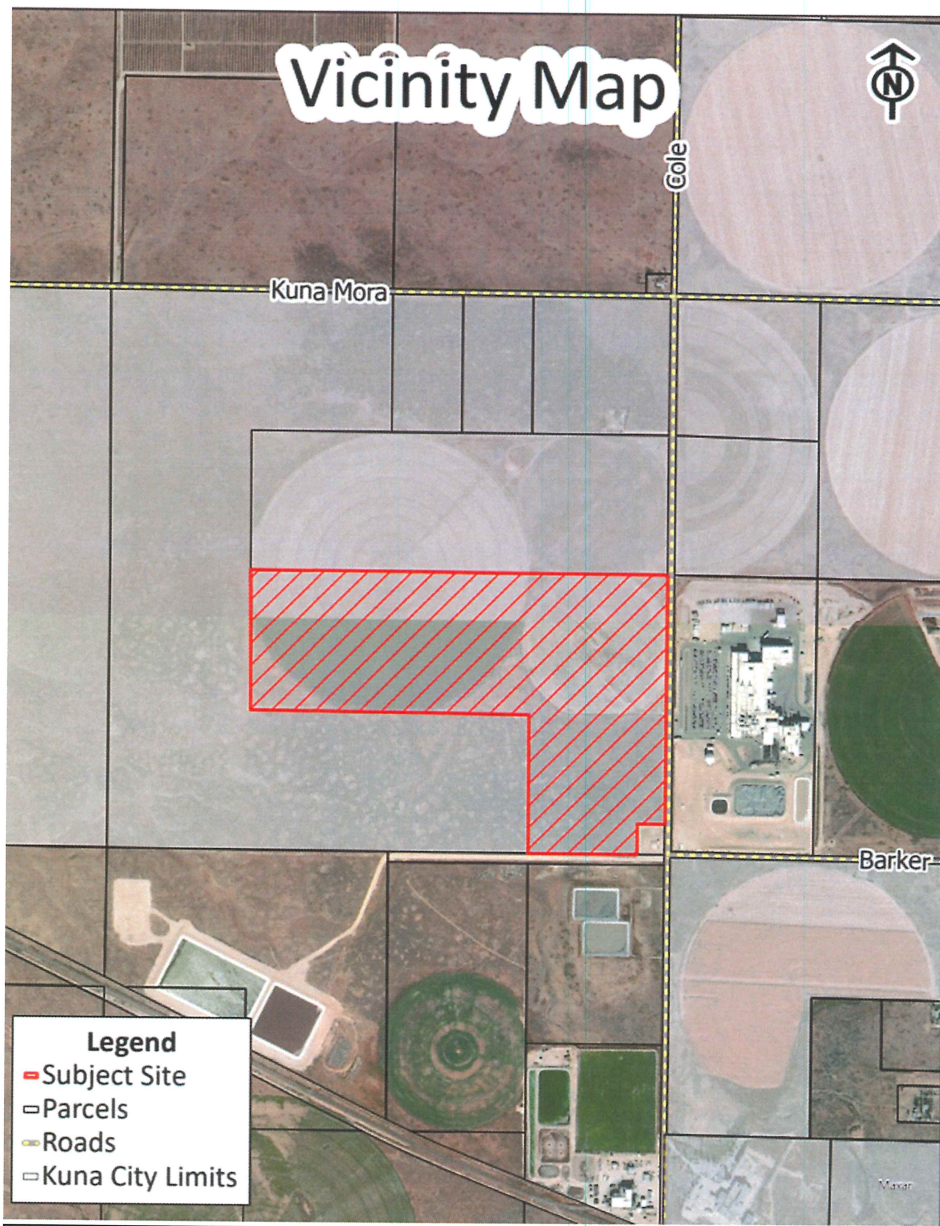
S2101310000

ADDRESS

S COLE RD KUNA, ID 83634-0000

DESCRIPTION

NE4SW4 N2SE4 SE4SE4 EXC SE 2A SEC 1 1N 1E



AGRICULTURAL OPERATION CONSENT FORM

COMES NOW James Gatzolis, authorized representative of Narragansett Properties LLC, and states Narragansett Properties LLC owns that certain property generally described as Parcel Identification Number **S2101130000** in the real property records of Ada County, Idaho, and more particularly described on Exhibit A attached hereto and incorporated herein by reference (the "Property"), and hereby certifies:

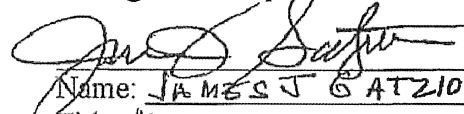
(1) that the Property has been used, within the last three (3) years, as an agricultural operation; and

(2) that the undersigned has reviewed the materials provided in Exhibit B, and has had an opportunity to review the urban renewal eligibility report, dated December 2021, entitled the Kuna Urban Renewal District Eligibility Report, Kuna East District, prepared by J-U-B Engineers, Inc. and as attached hereto as Exhibit C.

Further, James Gatzolis, authorized representative of Narragansett Properties LLC hereby provides his consent and approval that the subject Property, or a portion of such Property, may be included within a proposed urban renewal area and may be deemed appropriate for inclusion within an urban renewal project area as defined by the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code, as amended, and the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended, as the property possesses certain characteristics of eligibility.

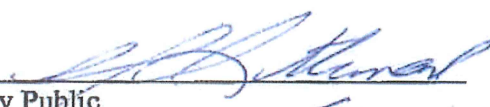
DATED this 02nd day of September, 2022.

Narragansett Properties LLC


Name: JAMES J GATZOLIS
Title: Manager

STATE OF Illinois)
County of Cook) ss:

~~Illinois~~ On this 22nd day of September, 2022, before me, a Notary Public for the state of ~~Illinois~~, personally appeared JAMES J. SATZOLIS, known or identified to me to be the Manager of the Norvaxsett Properties LLC that executed the instrument or the person who executed the instrument on behalf of said Norvaxsett Properties LLC and acknowledged to me that such manager executed the same.



Notary Public
My Commission Expires on July 14, 2024

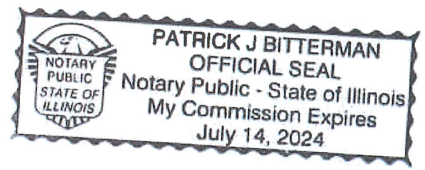


EXHIBIT A

PARCEL NUMBER

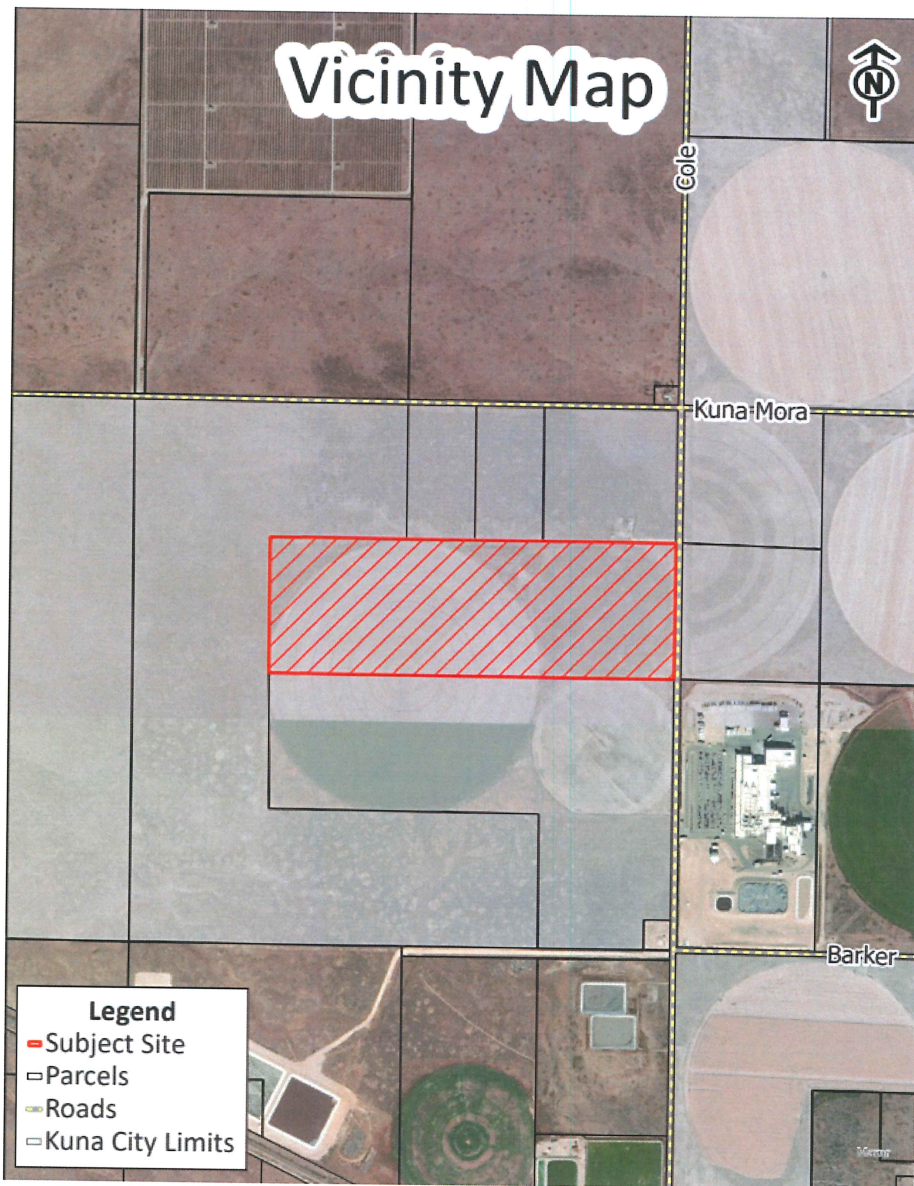
S2101130000

ADDRESS

S COLE RD KUNA, ID 83634-0000

DESCRIPTION

S2NE4 SE4NW4 SEC 1 1N 1E #7706240





AGRICULTURAL OPERATION CONSENT FORM

COMES NOW Brisbie LLC, an Idaho limited liability company (“Brisbie”), and states that Brisbie owns and has recently acquired those certain parcels of real property generally described as Parcel Identification Numbers S1531233600, S1531300000, S2006121115, and S2006121150 in the real property records of Ada County, Idaho, and more particularly described on Exhibit A attached hereto and incorporated herein by reference (the “Property”), and hereby certifies:

(1) To Brisbie’s knowledge, the Property has been used, within the last three (3) years, as an agricultural operation; and

(2) Brisbie has reviewed the materials provided in Exhibit B, and has had an opportunity to review the urban renewal eligibility report, dated December 2021, entitled the Kuna Urban Renewal District Eligibility Report, Kuna East District, prepared by J-U-B Engineers, Inc. and as attached hereto as Exhibit C.

Further, Brisbie hereby provides its consent and approval that the subject Property, or a portion of such Property, may be included within a proposed urban renewal area and may be deemed appropriate for inclusion within an urban renewal project area as defined by the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code, as amended, and the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended, as the property possesses certain characteristics of eligibility.

DATED this 18th day of April, 2022.

BRISBIE LLC, a Delaware limited liability company

A handwritten signature in black ink that reads "Paul Clements".

Name: PAUL CLEMENTS

Title: AUTHORIZED REPRESENTATIVE



STATE OF Idaho)
) ss:
County of Ada)

On this 18th day of April, 2022, before me, a Notary Public for the state of Idaho, personally appeared Paul Clements, known or identified to me to be the Authorized Rep of the Bushie LLC that executed the instrument or the person who executed the instrument on behalf of said Bushie LLC and acknowledged to me that such Paul Clements executed the same.

CHRIS ENGELS
COMMISSION #56917
NOTARY PUBLIC
STATE OF IDAHO
MY COMMISSION EXPIRES 10/15/2022

Chris Engels
Notary Public
My Commission Expires on 10/15/2022



EXHIBIT A

PARCEL NUMBERS AND LEGAL DESCRIPTIONS

The Land referred to herein below is situated in the County of Ada, State of ID, and is described as follows:

PARCEL 1:

Ada County parcel no. S1531233600
(NNA S Cole Rd)

LOT 2, SECTION 31, TOWNSHIP 2 NORTH, RANGE 2 EAST, BOISE MERIDIAN, ADA COUNTY, IDAHO.

PARCEL 2:

Ada County parcel no. S1531300000
(6990 W Kuna Mora Rd)

LOTS 3 AND 4 AND THE EAST HALF OF THE SOUTHWEST QUARTER AND THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER, ALL IN SECTION 31, TOWNSHIP 2 NORTH, RANGE 2 EAST OF THE BOISE MERIDIAN, IN ADA COUNTY, STATE OF IDAHO.

PARCEL 3:

Ada County parcel no. S2006121115
(6601 W Kuna Mora Rd)

BASIS OF BEARINGS FOR THIS DESCRIPTION IS NORTH 0°08'05" WEST BETWEEN THE 5/8" REBAR ILLEGIBLE CAP MARKING THE SOUTHWEST CORNER OF SECTION 6, AND THE ALUMINUM CAP MARKING THE WEST QUARTER CORNER OF SECTION 6, BOTH IN TOWNSHIP 1 NORTH, RANGE 2 EAST, BOISE MERIDIAN

PARCEL B RECORD OF SURVEY 10795 RECORDED JANUARY 30, 2017, AS INSTRUMENT NO. 2017009059, BEING A PORTION OF GOVERNMENT LOT 1, GOVERNMENT LOT 2 AND 3, SOUTHWEST QUARTER OF THE NORTHWEST QUARTER, SOUTH HALF OF THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 1 NORTH, RANGE 2 EAST, BOISE MERIDIAN, ADA COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:



COMMENCING AT AN ALUMINUM CAP MARKING THE NORTHEAST CORNER OF SECTION 6; THENCE

SOUTH 0°05'21" WEST, COINCIDENT WITH THE EAST LINE OF SAID SECTION 6, A DISTANCE OF 545.00 FEET TO A 5/6" REBAR WHICH IS THE POINT OF BEGINNING; THENCE CONTINUING

SOUTH 0°05'21" WEST, COINCIDENT WITH THE EAST LINE OF SAID SECTION 6, A DISTANCE OF 2107.72 FEET TO THE EAST QUARTER OF SAID SECTION 6; THENCE

NORTH 89°17'57" WEST, COINCIDENT WITH THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 6, A DISTANCE OF 2645.64 FEET TO A 5/8" REBAR MARKING THE C1/4 CORNER OF SAID SECTION 6; THENCE

NORTH 89°17'57" WEST, COINCIDENT WITH THE SOUTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 6, A DISTANCE OF 1318.37 FEET TO A 5/8" REBAR MARKING THE CW1/16 CORNER; THENCE

NORTH 0°09'14" WEST, COINCIDENT WITH THE WEST LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER AND THE WEST LINE OF GOVERNMENT LOT 3, A DISTANCE OF 2663.23 FEET TO A 5/6" REBAR MARKING THE NORTHWEST CORNER OF SAID GOVERNMENT LOT 3; THENCE

SOUTH 89°25'26" EAST, COINCIDENT WITH THE NORTH LINE OF SAID GOVERNMENT LOT 3, A DISTANCE OF 1324.71 FEET TO A 1/2" REBAR MARKING THE NORTH QUARTER CORNER OF SAID SECTION 6; THENCE

SOUTH 89°00'46" EAST, COINCIDENT WITH THE NORTH LINE OF GOVERNMENT LOT 2 AND 1, A DISTANCE OF 2250.75 FEET TO A 5/8" REBAR; THENCE

SOUTH 0°05'21" WEST PARALLEL WITH THE SAID EAST LINE OF SECTION 6, A DISTANCE OF 545.00 FEET TO A 5/8" REBAR; THENCE

SOUTH 89°00'46" EAST, PARALLEL WITH SAID NORTH LINE OF GOVERNMENT LOT 1, A DISTANCE OF 400.00 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPTING:

PARCEL B OF ROS 11735, RECORDED AS INSTRUMENT NO. 2019015763, BEING A PORTION OF THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 1 NORTH, RANGE 2 EAST, BOISE MERIDIAN, ADA COUNTY, IDAHO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH 1/4 CORNER OF SAID SECTION 6 FROM WHICH THE NORTHEAST CORNER OF SAID SECTION 6 BEARS SOUTH 89°00'46" EAST, 2,650.75 FEET;

THENCE ALONG THE NORTH BOUNDARY LINE OF SAID SECTION 6



SOUTH 89°00'46" EAST, 1,348.00 FEET TO THE REAL POINT OF BEGINNING. THENCE CONTINUING ALONG SAID NORTH BOUNDARY LINE

SOUTH 89°00'46" EAST, 902.76 FEET; THENCE LEAVING SAID NORTH BOUNDARY LINE

SOUTH 00°05'21" WEST, 545.00 FEET; THENCE

SOUTH 89°00'46" EAST, 400.00 FEET TO A POINT ON THE EAST BOUNDARY LINE OF SAID SECTION 6; THENCE ALONG SAID EAST BOUNDARY LINE

SOUTH 00°05'21" WEST, 2,107.72 FEET TO THE EAST QUARTER CORNER OF SAID SECTION 6; THENCE THE EAST-WEST CENTERLINE OF SAID SECTION 6

NORTH 89°17'57" WEST, 1,302.66 FEET; THENCE LEAVING SAID EAST-WEST CENTERLINE

NORTH 00°05'21" EAST, 2,659.23 FEET TO THE REAL POINT OF BEGINNING.

PARCEL 4:

Ada County parcel no. S2006121150
(NNA W Kuna Mora Rd)

PARCEL B OF ROS 11735, RECORDED AS INSTRUMENT NO. 2019015763, BEING A PORTION OF THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 1 NORTH, RANGE 2 EAST, OF THE BOISE MERIDIAN, ADA COUNTY, IDAHO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH 1/4 CORNER OF SAID SECTION 6 FROM WHICH THE NORTHEAST CORNER OF SAID SECTION 6 BEARS SOUTH 89°00'46" EAST, 2,650.75 FEET;

THENCE ALONG THE NORTH BOUNDARY LINE OF SAID SECTION 6 SOUTH 89°00'46" EAST, 1,348.00 FEET TO THE REAL POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID NORTH BOUNDARY LINE SOUTH 89°00'46" EAST, 902.76 FEET;

THENCE LEAVING SAID NORTH BOUNDARY LINE SOUTH 00°05'21" WEST, 545.00 FEET;

THENCE SOUTH 89°00'46" EAST, 400.00 FEET TO A POINT ON THE EAST BOUNDARY LINE OF SAID SECTION 6;

INB2595691



THENCE ALONG SAID EAST BOUNDARY LINE SOUTH 00°05'21" WEST, 2,107.72 FEET TO THE EAST 1/4 CORNER OF SAID SECTION 6;

THENCE ALONG THE EAST-WEST CENTERLINE OF SAID SECTION 6 NORTH 89°17'57" WEST, 1,302.66 FEET;

THENCE LEAVING SAID EAST-WEST CENTERLINE NORTH 00°05'21" EAST, 2,659.23 FEET TO THE REAL POINT OF BEGINNING.



EXHIBIT B

EXCERPTS OF STATUTES

IDAHO CODE §§ 50-2018(8) AND (9)

(8) "Deteriorated area" shall mean an area in which there is a predominance of buildings or improvements, whether residential or nonresidential, which by reason of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, or crime, and is detrimental to the public health, safety, morals or welfare. Provided however, this definition shall not apply to any agricultural operation, as defined in section [22-4502\(2\)](#), Idaho Code, absent the consent of the owner of the agricultural operation or to any forest land as defined in section [63-1701\(4\)](#), Idaho Code, absent the consent of the forest landowner, as defined in section [63-1701\(5\)](#), Idaho Code, except for an agricultural operation or forest land that has not been used for three (3) consecutive years.

(9) "Deteriorating area" shall mean an area which by reason of the presence of a substantial number of deteriorated or deteriorating structures, predominance of defective or inadequate street layout, faulty lot layout in relation to size, adequacy, accessibility or usefulness, insanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the fair value of the land, defective or unusual conditions of title, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, substantially impairs or arrests the sound growth of a municipality, retards the provision of housing accommodations or constitutes an economic or social liability and is a menace to the public health, safety, morals or welfare in its present condition and use; provided, that if such deteriorating area consists of open land the conditions contained in the proviso in section [50-2008\(d\)](#), Idaho Code, shall apply; and provided further, that any disaster area referred to in section [50-2008\(g\)](#), Idaho Code, shall constitute a deteriorating area. Provided however, this definition shall not apply to any agricultural operation, as defined in section [22-4502\(2\)](#), Idaho Code, absent the consent of the owner of the agricultural operation or to any forest land as defined in section [63-1701\(4\)](#), Idaho Code, absent the consent of the forest landowner, as defined in section [63-1701\(5\)](#), Idaho Code, except for an agricultural operation or forest land that has not been used for three (3) consecutive years.

**IDAHO CODE § 50-2008**

50-2008. PREPARATION AND APPROVAL OF PLAN FOR URBAN RENEWAL PROJECT. (a) An urban renewal project for an urban renewal area shall not be planned or initiated unless the local governing body has, by resolution, determined such area to be a deteriorated area or a deteriorating area or a combination thereof and designated such area as appropriate for an urban renewal project.

(b) An urban renewal agency may itself prepare or cause to be prepared an urban renewal plan, or any person or agency, public or private, may submit such a plan to an urban renewal agency. Prior to its approval of an urban renewal project, the local governing body shall submit such plan to the planning commission of the municipality, if any, for review and recommendations as to its conformity with the general plan for the development of the municipality as a whole. The planning commission shall submit its written recommendations with respect to the proposed urban renewal plan to the local governing body within sixty (60) days after receipt of the plan for review. Upon receipt of the recommendations of the planning commission, or if no recommendations are received within said sixty (60) days, then without such recommendations, the local governing body may proceed with the hearing on the proposed urban renewal project prescribed by subsection (c) hereof.

(c) The local governing body shall hold a public hearing on an urban renewal project, after public notice thereof by publication in a newspaper having a general circulation in the area of operation of the municipality. The notice shall describe the time, date, place and purpose of the hearing, shall generally identify the urban renewal area covered by the plan, and shall outline the general scope of the urban renewal project under consideration.

(d) Following such hearing, the local governing body may approve an urban renewal project and the plan therefor if it finds that (1) a feasible method exists for the location of families who will be displaced from the urban renewal area in decent, safe and sanitary dwelling accommodations within their means and without undue hardship to such families; (2) the urban renewal plan conforms to the general plan of the municipality as a whole; (3) the urban renewal plan gives 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 residing in the general vicinity of the site covered by the plan; and (4) the urban renewal plan will afford maximum opportunity, consistent with the sound needs of the municipality as a whole, for the rehabilitation or redevelopment of the urban renewal area by private enterprise: Provided, that if the urban renewal area consists of an area of open land to be acquired by the urban renewal agency, such area shall not be so acquired unless (1) if it is to be developed for residential uses, the local governing body shall determine that a shortage of housing of sound standards and design which is decent, safe and sanitary exists in the municipality; that the need for housing accommodations has been or will be increased as a result of the clearance of slums in other areas; that the conditions of blight in the area and the shortage of decent, safe and sanitary housing cause or contribute to an increase in and spread of disease and crime and constitute a 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 municipality, or (2) if it is to be developed for nonresidential uses, the local governing body shall determine that such nonresidential uses are necessary and appropriate to facilitate the proper growth and



development of the community in accordance with sound planning standards and local community objectives, which acquisition may require the exercise of governmental action, as provided in this act, because of defective or unusual conditions of title, diversity of ownership, tax delinquency, improper subdivisions, outmoded street patterns, deterioration of site, economic disuse, unsuitable topography or faulty lot layouts, 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.

(e) An urban renewal plan may be modified at any time: Provided that if modified after the lease or sale by the urban renewal agency of real property in the urban renewal project area, such modification may be conditioned upon such approval of the owner, lessee or successor in interest as the urban renewal agency may deem advisable and in any event shall be subject to such rights at law or in equity as a lessee or purchaser, or his successor or successors in interest, may be entitled to assert.

(f) Upon the approval by the local governing body of an urban renewal plan or of any modification thereof, such plan or modification shall be deemed to be in full force and effect for the respective urban renewal area, and the urban renewal agency may then cause such plan or modification to be carried out in accordance with its terms.

(g) Notwithstanding any other provisions of this act, where the local governing body certifies that an area is in need of redevelopment or rehabilitation as a result of a flood, fire, hurricane, earthquake, storm, or other catastrophe respecting which the governor of the state has certified the need for disaster assistance under 42 U.S.C. section 5121, or other federal law, the local governing body may approve an urban renewal plan and an urban renewal project with respect to such area without regard to the provisions of subsection (d) of this section and the provisions of this section requiring a general plan for the municipality and a public hearing on the urban renewal project.

(h) Any urban renewal plan containing a revenue allocation financing provision shall include the information set forth in section [50-2905](#), Idaho Code.

**IDAHO CODE §50-2903(8)**

(8) "Deteriorated area" means:

- (a) Any area, including a slum area, in which there is a predominance of buildings or improvements, whether residential or nonresidential, which by reason of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, or crime, and is detrimental to the public health, safety, morals or welfare.
- (b) Any area which by reason of the presence of a substantial number of deteriorated or deteriorating structures, predominance of defective or inadequate street layout, faulty lot layout in relation to size, adequacy, accessibility or usefulness, insanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the fair value of the land, defective or unusual conditions of title, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, results in economic underdevelopment of the area, substantially impairs or arrests the sound growth of a municipality, retards the provision of housing accommodations or constitutes an economic or social liability and is a menace to the public health, safety, morals or welfare in its present condition and use.
- (c) Any area which is predominately open and which because of obsolete platting, diversity of ownership, deterioration of structures or improvements, or otherwise, results in economic underdevelopment of the area or substantially impairs or arrests the sound growth of a municipality. The provisions of section [50-2008](#)(d), Idaho Code, shall apply to open areas.
- (d) Any area which the local governing body certifies is in need of redevelopment or rehabilitation as a result of a flood, storm, earthquake, or other natural disaster or catastrophe respecting which the governor of the state has certified the need for disaster assistance under any federal law.
- (e) Any area which by reason of its proximity to the border of an adjacent state is competitively disadvantaged in its ability to attract private investment, business or commercial development which would promote the purposes of this chapter.
- (f) "Deteriorated area" does not mean not developed beyond agricultural, or any agricultural operation as defined in section [22-4502](#)(1), Idaho Code, or any forest land as defined in section [63-1701](#)(4), Idaho Code, unless the owner of the agricultural operation or the forest landowner of the forest land gives written consent to be included in the deteriorated area, except for an agricultural operation or forest land that has not been used for three (3) consecutive years.

INB2595691



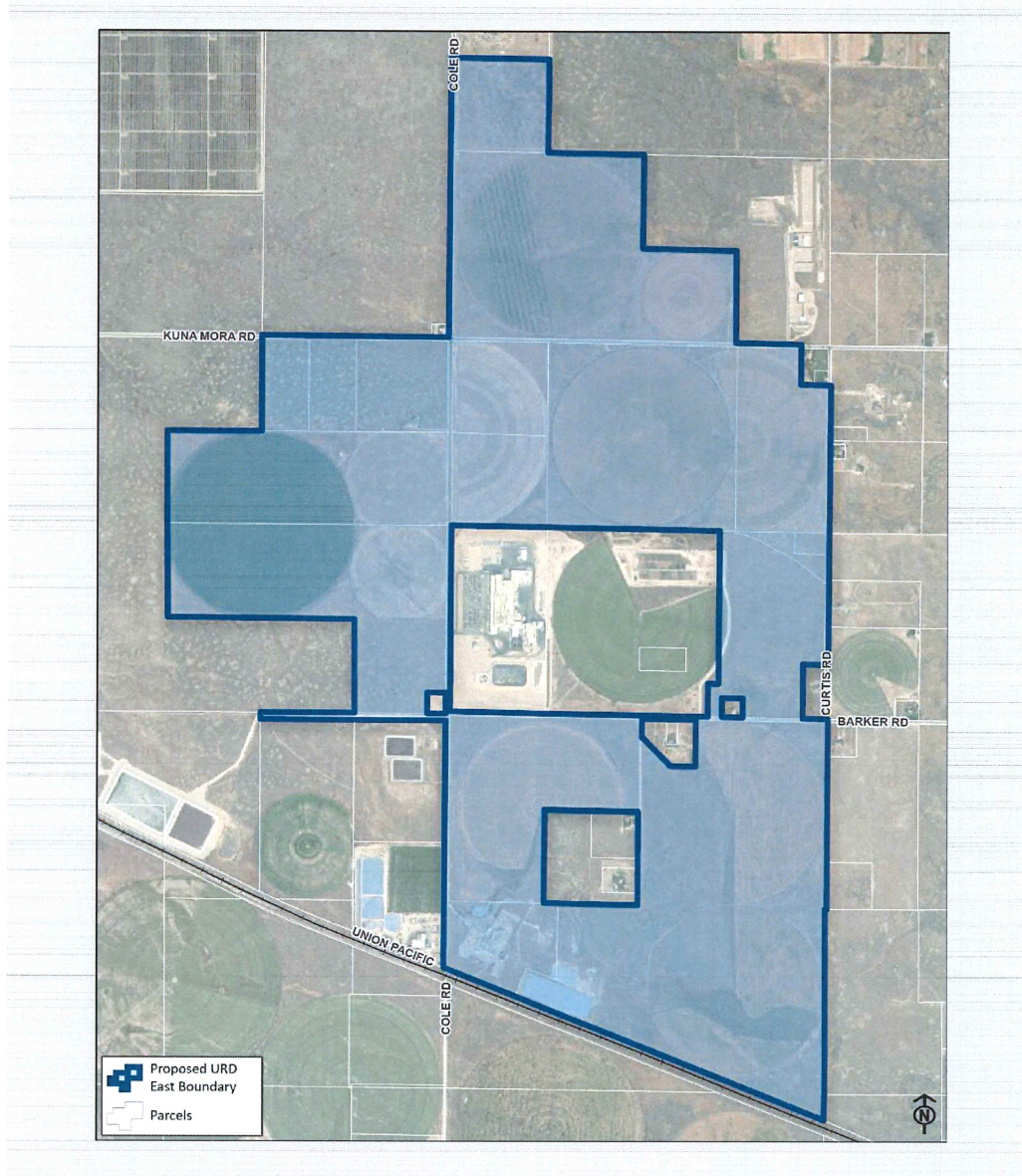
EXHIBIT C
ELIGIBILITY REPORT

4888-2866-9450, v. 1



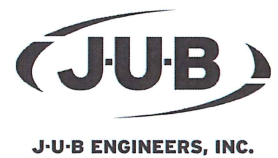
Kuna Urban Renewal District Eligibility Study

KUNA EAST DISTRICT



This document was prepared for the City of Kuna by J-U-B Engineers, Inc.

DECEMBER 2021





CONTENTS

	Page
Executive Summary	1
Location	1
Characteristics.....	2
Conclusion.....	2
City of Kuna Urban Renewal Agency	3
Purpose of Report	3
Background	3
Present Conditions in the Study Area	4
Methodology	4
Deteriorating Area Characteristics	4
Summary	7
Open Land Requirements for Urban Renewal Districts	12
Ten Percent Limitation on Assessed Valuation within the Revenue Allocation Area (RAA)	16
Appropriateness of the Area for an Urban Renewal Project	16
Conclusion	17
Figures	
Figure 1 - Proposed Kuna East District.....	1
Figure 2 – Intersection of Kuna Mora Road and Cole Road	2
Figure 3 – Present Conditions	4
Figure 4 – Deteriorating Conditions.....	8
Figure 5 – Insufficient Infrastructure	9
Figure 6 – Lot Size	10
Figure 7 – Inadequate Street Layout.....	11
Figure 8 – Zoning Map	14
Figure 9 – Agricultural Lands.....	15
Tables	
Table 1 – Eligibility Criteria Findings	18
Appendices	
Appendix A – Idaho Urban Renewal Statutes	
Appendix B - Photo Exhibit	

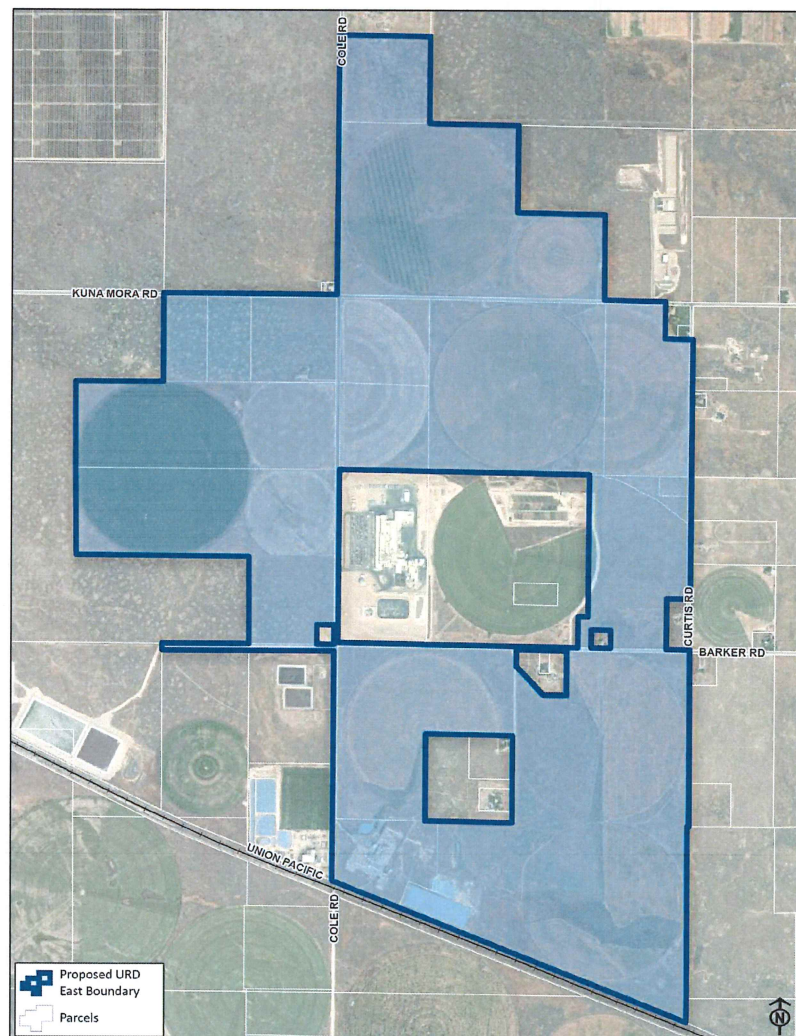
Executive Summary

This Kuna Urban Renewal District Eligibility Study for the proposed Kuna East District (the "Report") provides the technical support for a policy decision by the City of Kuna Urban Renewal Agency, Mayor and City Council to create a new urban renewal district located northeast of the downtown core of the City of Kuna (the "City"). Properties within the urban renewal Study Area (the "Study Area") represent predominantly undeveloped, open land in an area transitioning from agricultural uses to commercial and industrial uses. This Report provides the basis to declare the Study Area as a deteriorating area, as set forth in Idaho Code Sections 50-2018(9) and 50-2903(8)(b).

Location

The Study Area is generally located along Cole Road, between Curtis Road and S Five Mile Road. The Study area extends just north of Kuna Mora Road and south of Barker Road to the Union Pacific Railroad as seen in **Figure 1**. All parcels are located within the City of Kuna city limits.

Figure 1 - Proposed Kuna East District





Characteristics

The Study Area contains approximately 1,528 acres with land uses that are zoned, or have recently been rezoned, for industrial purposes. The Study Area is comprised of large industrial establishments, open space currently and previously used for agricultural purposes, and a few residences. The Study Area contains some agricultural properties that are vacant and have previously been farmed (within the last three years) that may have the potential to be developed, with block sizes and lots/parcels and blocks exceeding 75,000 square feet in size. These agricultural properties will require owner consent forms pursuant to Idaho Code Section 50-2018(9) and 50-2903(8)(f). Both the industrial corridors extending south along Cole Road exhibit some deteriorating building facades and aging public infrastructure. Furthermore, the vast majority of the Study Area lacks curb, gutter, sidewalks, stormwater facilities and lighting.

Conclusion

The Study Area is found to be eligible under the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code and the Local Economic Development Act, Chapter 29, Title 50, Idaho Code as it conforms to the definition of a “deteriorating area” specifically outlined in the Present Conditions section of this report. **Figure 2** illustrates the types of existing conditions that that qualify the Study Area for an urban renewal plan/project as set forth in Idaho Code Sections 50-2018(9) and 50-2903(8)(b).

Figure 2 – Intersection of Kuna Mora Road and Cole Road

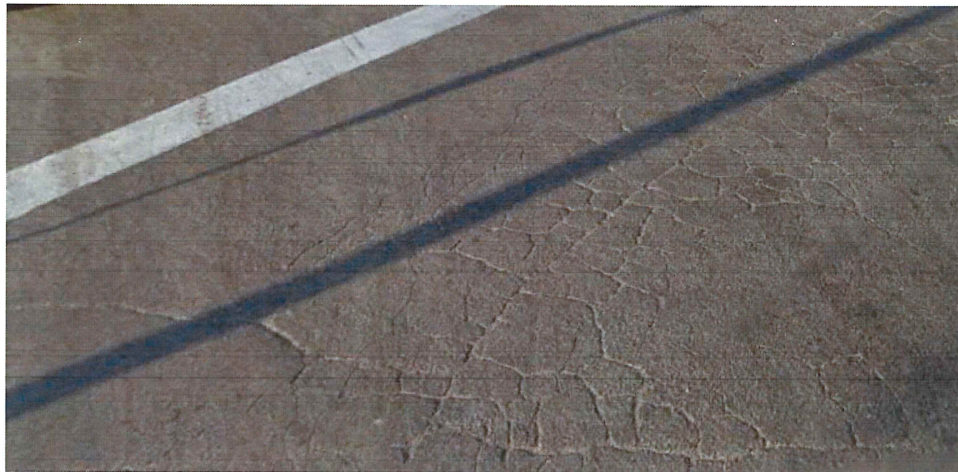


Figure 2 displays the deterioration of the pavement which qualified under eligibility criteria 5, deterioration of site or other improvements (as discussed in more detail below).



City of Kuna Urban Renewal Agency

The proposed urban renewal district will be the second urban renewal district established within the City of Kuna. The first urban renewal district within the City, Kuna West District was adopted by the City Council pursuant to Ordinance No. 2020-32 on November 17, 2020.

In the winter of 2021, the City engaged the services of J-U-B ENGINEERS, Inc. (J-U-B) to analyze the Study Area for a proposed Kuna East District and prepare an eligibility report to determine if it meets the criteria for consideration as an urban renewal district.

Purpose of Report

This Report serves as “Step 1” in creating an urban renewal district. Following adoption of the findings in this Report by resolution of the City Council, an urban renewal plan will need to be prepared pursuant to Idaho Code Section 50-2905 and 50-2008, in part, to identify specific projects and improvements to be made within the proposed district.

This Report focuses on a Study Area of approximately 1,528 acres of large industrial establishments, open space previously used for agricultural purposes, and sparse residences. The Study Area examined in this report is generally described as extending along Cole Road, between the Union Pacific Railroad and just north of Kuna Mora Road. (Refer to **Figure 1**).

The purpose of this report is to determine if the Study Area meets the criteria outlined in Idaho statutes, Idaho Code Sections 50-2018(9) and 50-2903(8)(b), defining a “deteriorating area.” (**Appendix A** presents Idaho Urban Renewal Statutes).

Background

The City’s population has grown 33 percent from 2010 to 2018 according to U.S. Census data (*American Community Survey*). Although there have been commercial and industrial building permits issued within the City in recent years, the number of permits for dwelling units quadrupled in two years, climbing from 365 in 2014 to 1,854 in 2016. This increase in residential building permits has remained constant since the 2016 boom. To balance this residential growth, the City Council is investing in the possible creation of a proposed urban renewal district to increase employment opportunities, foster

STEPS TO CREATE AN URBAN RENEWAL DISTRICT

- 1.** Develop Eligibility Study to determine if an area meets the eligibility requirements set forth in the definitions of a deteriorated area and/or a deteriorating area in the Law and Act.
- 2.** Approval of a resolution by the City Council to authorize the Agency to prepare an urban renewal plan for the area.
- 3.** Prepare an urban renewal plan and recommend its approval to the City Council.
- 4.** Refer the urban renewal plan to the Planning and Zoning Commission and schedule a public hearing before the City Council to review the plan.
- 5.** Adoption of an ordinance by City Council after conducting public hearing approving the urban renewal plan.



public/private partnerships, and to increase the tax base within a major portion of the City's industrially zoned land.

Present Conditions in the Study Area

Methodology

Conditions were evaluated in the Study Area through site visits conducted by City staff and J-U-B analysts, contacts with various City officials, and a review of public infrastructure inventory maps and assessor property information.

Deteriorating Area Characteristics

Under Idaho law, an area must meet the definition of a deteriorated area or a deteriorating area in order to be eligible for inclusion in an urban renewal area. For the purpose of this report, the analysis was focused on whether the proposed area meets the requirements of I.C. 50-2018(9) and 50-2903(8)(b) for a deteriorating area, which is attached as **Appendix A**. In order to qualify as a deteriorating area, the proposed district must meet at least one of the nine conditions listed. The industrial property shown in **Figure 3** is one of a substantial number of deteriorating structures within the study area that qualifies for eligibility Criteria 1, *presence of a substantial number of deteriorated or deteriorating structures*.

Figure 3 – Present Conditions





The nine (9) eligibility criteria include:

1. The presence of a substantial number of deteriorated or deteriorating structures.

Deteriorated or deteriorating structures are those that are so run down that they would qualify to be demolished, allowing the land to be repurposed for other uses. Newer structures and those that have been substantially rehabilitated within the last five to ten years are not considered deteriorating. This criterion was evaluated in January 2021 by completing a windshield survey, an informal survey comprised of driving around the community, recording observations of the Study Area and noting the absence or presence of the following conditions:

- Broken or missing brick
- Chimney damage
- Fascia damage
- Holes in siding
- Damaged or missing shingles
- Cracked or damaged windows

While most of the area is open space and agricultural property, there were a couple deteriorating structures present within the Study Area. A total of 15 parcels were included in the windshield survey. Of those, five structures were present within the Study Area and two structures showed some sign of deterioration, meeting at least one or more deterioration factors. Based on field evidence, deteriorating structures are found to be meaningfully present, and reasonably distributed, throughout the Study Area. Two deteriorated structures were identified in the area, as shown on **Figure 4. This criterion is met.**

2. Predominance of defective or inadequate street layout.

This criteria involves the overall condition of the existing street layout, the appropriateness of the layout, and overall connectivity of streets within the Study Area. The proposed district includes Kuna Mora Road, a major truck route from I-84 into the City of Kuna. The Union Pacific Railroad also bisects the southern border of the proposed district. North-south vehicle access through the Study Area is strictly limited to Cole Road.

The Study Area is not currently suitable for bicycle and pedestrian activity as most of the area lacks sidewalk or paved roadway shoulders entirely. Sparse sidewalk exists in front of the CS Beef Packing Plant. Additionally, some large lots (5 acres and greater) remain along this corridor and so internal or secondary street systems do not exist. The current street network is inadequate to support future contemplated development. See **Figure 5** where inadequate street infrastructure is depicted with purple lines. **This criterion is met.**

3. Faulty lot layout in relation to size, adequacy, accessibility, or usefulness; obsolete platting.

Faulty lot layout was analyzed by determining areas with approximately 80 acres or 3,484,800 square feet as the threshold for large lots and blocks. This threshold



was established based on 2,000-foot x 1,400-foot blocks. Oversized lots and blocks are located throughout the Study Area. These large lots and blocks also present issues with accessibility for varying development and usefulness. Converting an existing larger lot to smaller commercial/industrial lots would require the development of additional street infrastructure to accommodate site circulation. While there is a wide range of lot sizes within the Study Area, the median lot size within the Study Area is 40 acres. The large lots are displayed in **Figure 6. This criterion is met.**

4. Insanitary or unsafe conditions.

Typical insanitary conditions include excessive amounts of junk, trash, and weeds in violation of the City's Health and Safety code. Unsafe conditions are those where crime is an issue and/or where people generally feel unsafe due to lack of illumination, sidewalks, activity, etc. Most of these conditions are found along larger open space lots and/or vacant buildings. Additionally, water systems improvements will need to be expanded to provide adequate fire protection to support development of the uses set forth in the Comprehensive Plan. **This criterion is met.**

5. Deterioration of site or other improvements.

Site improvements include illumination, pavement, sidewalks, parking, fencing, or landscaping. Much of the existing street infrastructure within the Study Area is considered deteriorating as signs of rutting and cracking are exhibited along the roadways, except in limited areas where new development has just been completed. Many of the older developed properties have deteriorating site improvements such as fragmented and/or decaying fencing.

Most deteriorating site improvements are located within the existing right-of-way with a lack of illumination, storm drainage systems, curbs, gutters. Sidewalks are lacking on most streets within the Study Area, other than on the east side of Cole Road in front of the CS Beef Packing Plant, where the frontage of the business contains sidewalk. As a whole, sidewalk connectivity throughout the Study Area was lacking as identified on **Figure 7. This criterion is met.**

6. Diversity of ownership.

As the Study Area consists primarily of large, oversized lots with few individual owners, there is limited diversity of ownership throughout the area. **This criterion is not met.**

7. Tax and special assessment delinquency exceeding the fair value of the land.

There are currently no reliable resources to review these conditions. These conditions are unknown.



8. Defective and unusual conditions of title.

There are currently no reliable resources to review these conditions. These conditions are unknown.

9. The existence of conditions which endanger life or property by fire and other causes.

Flood hazards and inadequate fire protection facilities to accommodate development are contributing factors of this criteria. While flooding is not a concern in the Study Area, there is a concern regarding availability of infrastructure to provide adequate fire protection. The parcels located in the Study Area are comprised of large lots and blocks with limited water mains and hydrants. Additional water mains and fire hydrants would be necessary to serve new development. The lack of adequate infrastructure within the Study Area significantly inhibits the development envisioned by the City's Comprehensive Plan. **This criterion is met.**

Summary

The Study Area meets the criteria for declaring the area deteriorating based on deteriorated structures, deterioration of the site, defective street layout, faulty lot layout, unsafe conditions, and inadequate fire facilities.



FIGURE 4 - DETERIORATING CONDITIONS

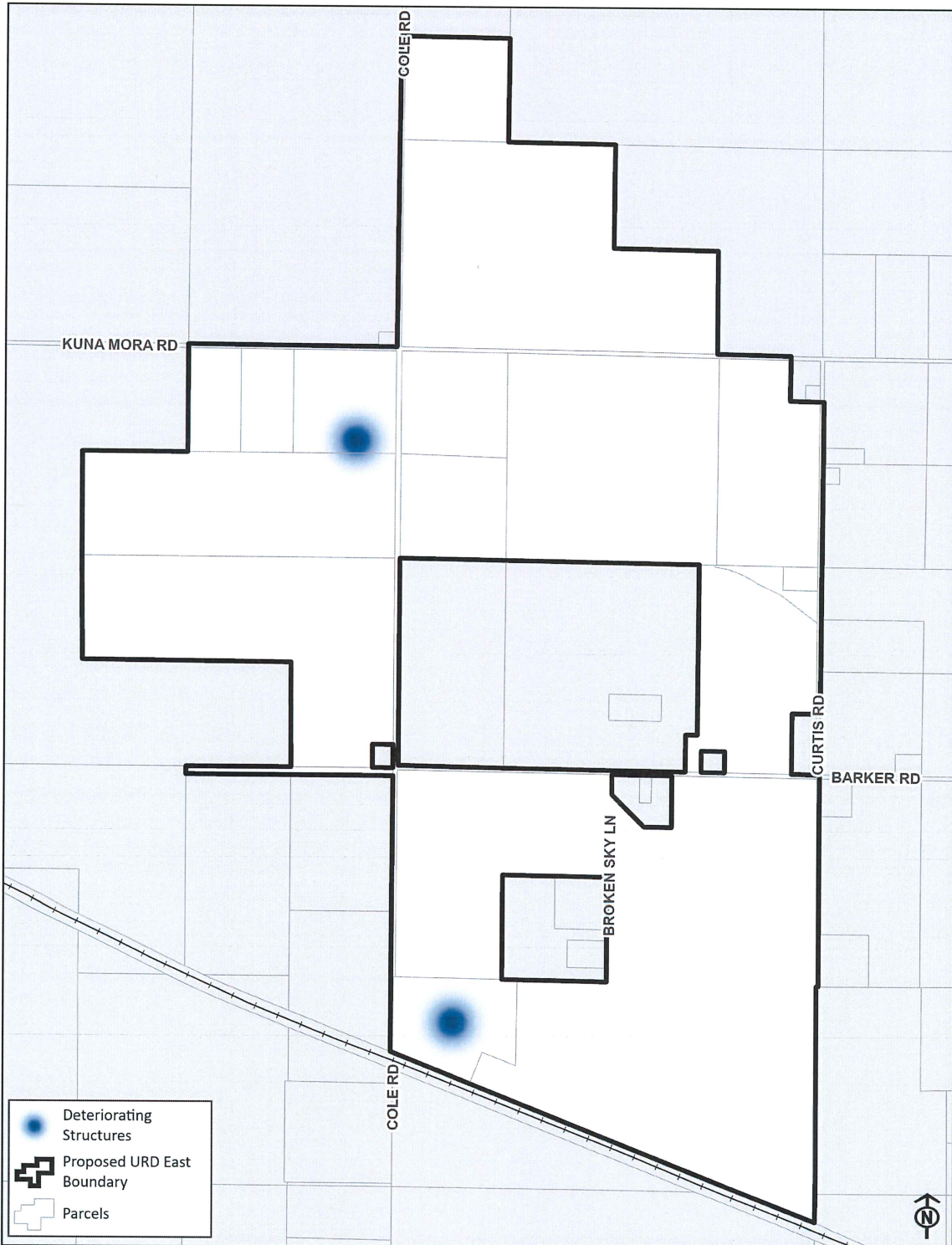




FIGURE 5 – INSUFFICIENT INFRASTRUCTURE

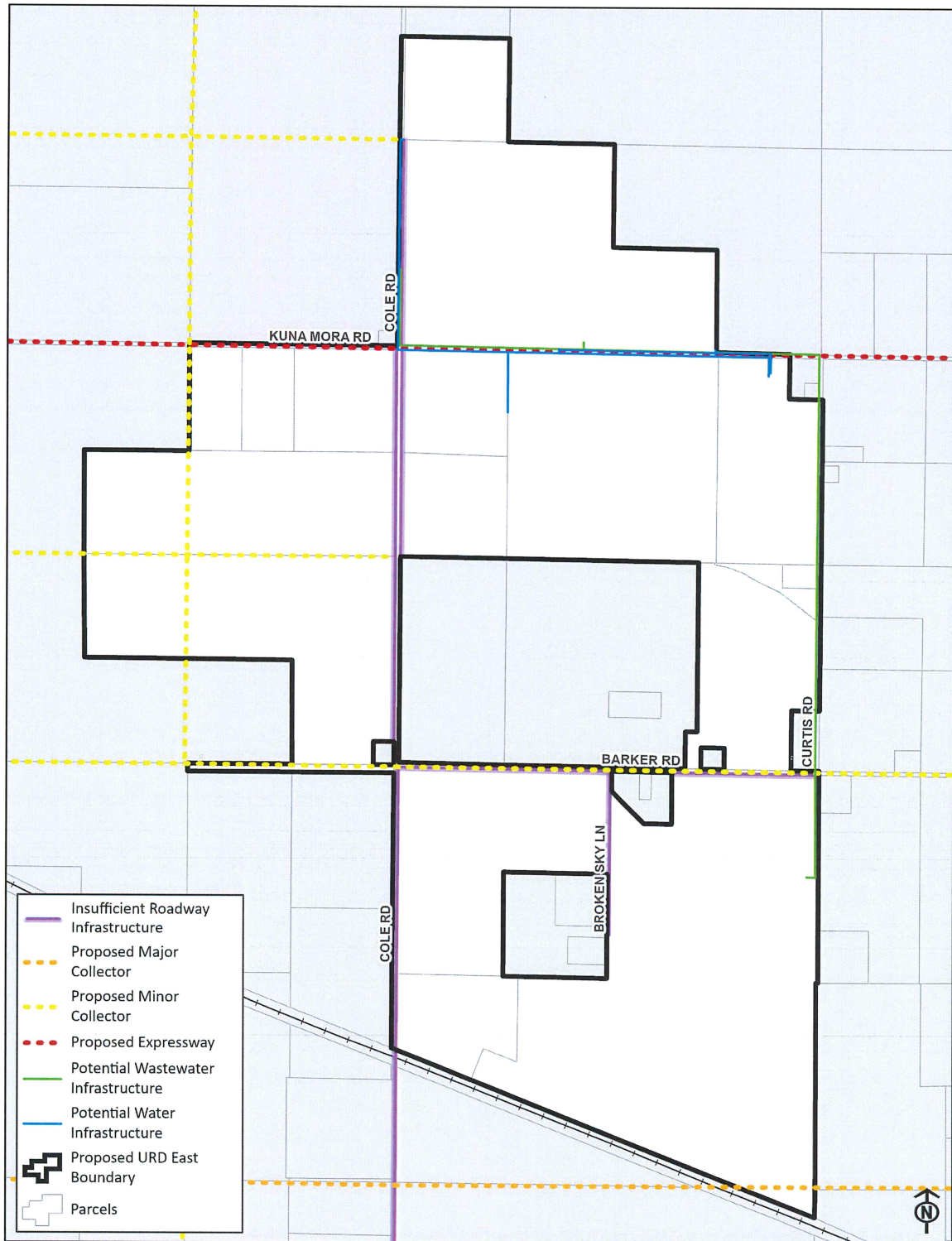




FIGURE 6 - LOT SIZE

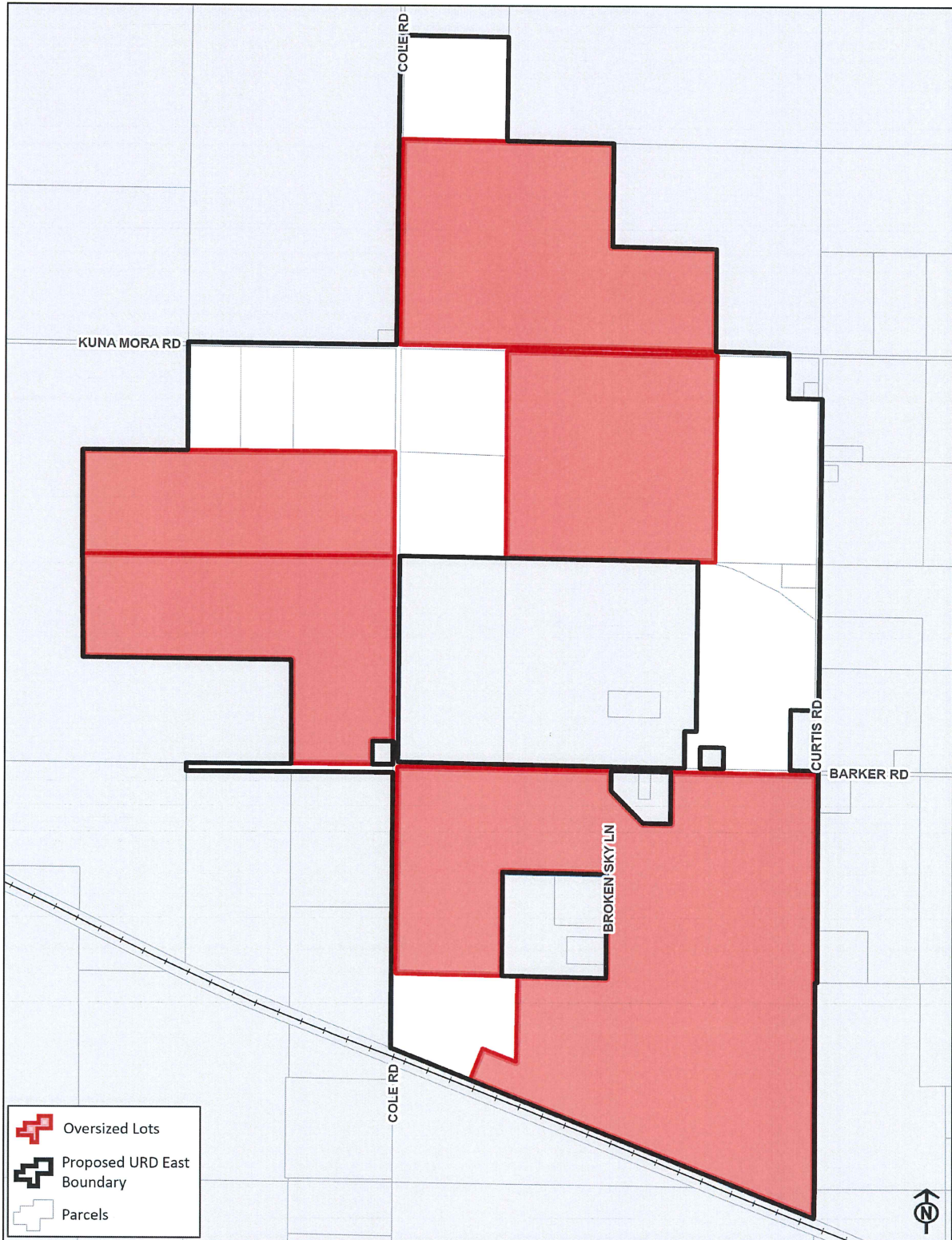
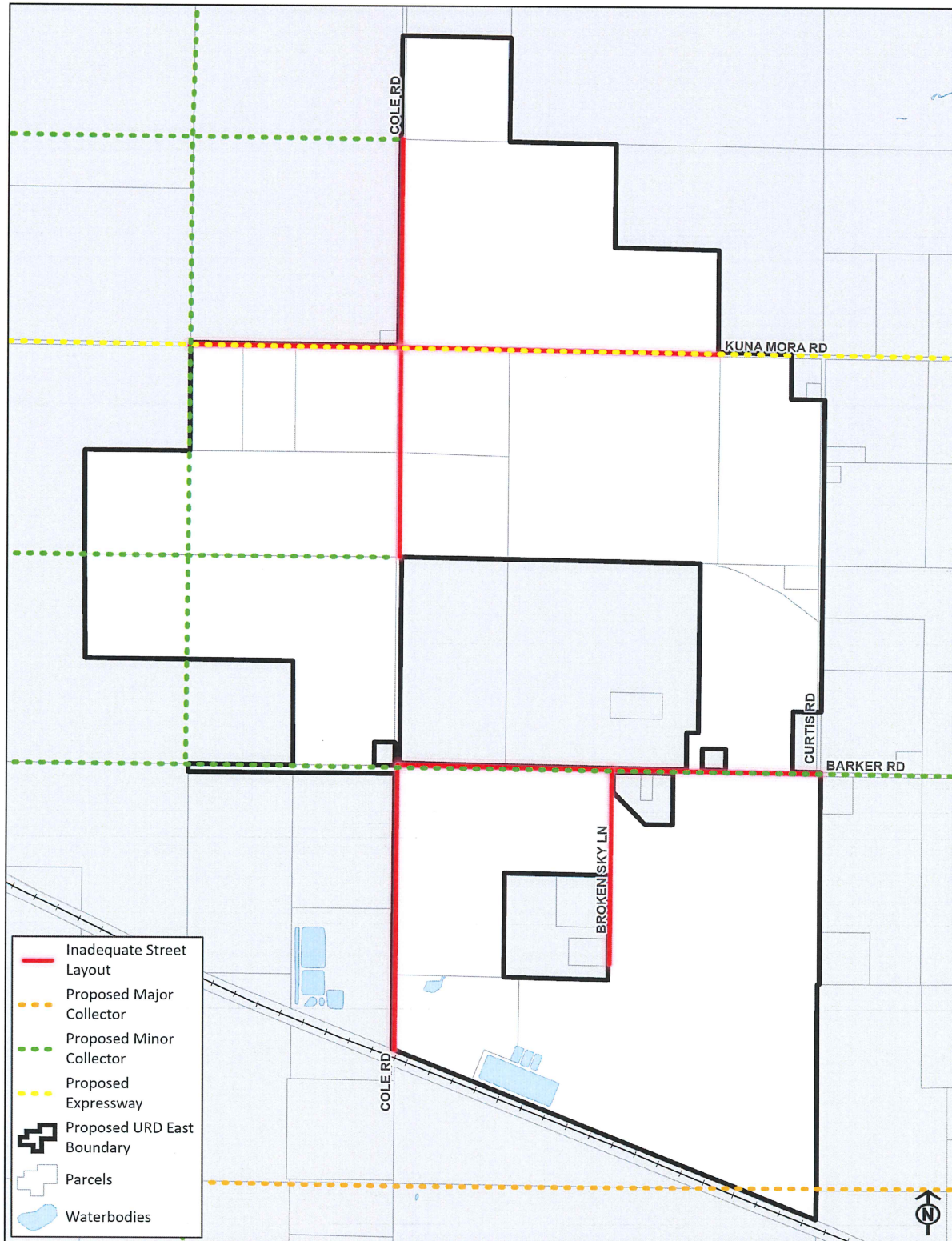




FIGURE 7 – INADEQUATE STREET LAYOUT





Open Land Requirements for Urban Renewal Districts

The eligibility of areas which are predominantly open land, i.e., used for agriculture or forestry, are governed by Idaho Code Section 50-2903(8)(c). This statute addresses the factors for finding agricultural or open lands deteriorated:

“Any area which is predominantly open and which because of obsolete platting, diversity of ownership, deterioration of structures or improvements, or otherwise, results in economic underdevelopment of the area or substantially impairs or arrests the sound growth of a municipality. The provisions of section 50-2008(d), Idaho Code shall apply to open areas.”

The Study Area is predominantly open land as there are 1,488 acres of open space present within the Study Area. Approximately 96% of the property within the Study Area is open land because the Study Area is comprised of 1,528 total acres. As shown on **Figure 9, Agricultural Lands Map**, the Study Area does contain open land and farmed agricultural lands; therefore, owner consent forms pursuant to Idaho Code Section 50-2018(9) and 50-2903(8)(f) will be necessary for any properties to be included in the Urban Renewal District that have either been used for agricultural purposes or stored livestock within the last three years. Many of the eligibility criteria set forth in Idaho Code Section 50-2903(8)(c) for predominantly open land areas mirror or are the same as those criteria set forth in Idaho Code Sections 50-2018(9) and 50-2903(8)(b). “Diversity of ownership” is the same, while “obsolete platting” appears to be equivalent to “faulty lot layout in relation to size, adequacy, accessibility, or usefulness.” “Deterioration of structures or improvements” is the same or similar to “a substantial number of deteriorated or deteriorating structures” and “deterioration of site or other improvements.” There is also an additional qualification that the provisions of Idaho Code Section 50-2008(d) shall apply to open areas. Idaho Code Section 50-2008(d)(4) primarily addresses the urban renewal plan approval process and sets forth certain conditions and findings for agency acquisition of open land. In sum, there is one set of findings if the area of open land is to be acquired and developed for residential uses and a separate set of findings if the land is to be acquired and developed for nonresidential uses.

The conclusion of this discussion concerning open land areas is that an area qualifies if any of the eligibility conditions set forth in Idaho Code Sections 50-2018(9) and 50-2903(8)(b) apply. Alternatively, the area under consideration qualifies if any of the conditions listed only in Idaho Code Section 50-2008(d)(4)(2) apply. The parcel size, the lack of water and sewer facilities; a nonexistent access and internal street system; an inadequate storm drain system; and lack of fire protection, are all conditions which delay development of the Study Area.

Based on the above analysis, obsolete platting/faulty lot layout and economic underdevelopment are conditions found in the Study Area, and therefore, the open land condition is satisfied. The open lands contain obsolete platting which have resulted in economic underdevelopment of the area due to the high cost of installing public infrastructure for large parcels to foster development opportunities consistent with the



Kuna Comprehensive Plan. Furthermore, the large parcel size is conducive primarily to industrial/large commercial development causing the required public infrastructure improvements to be more costly, creating a significant impediment to development.



FIGURE 8 – ZONING MAP

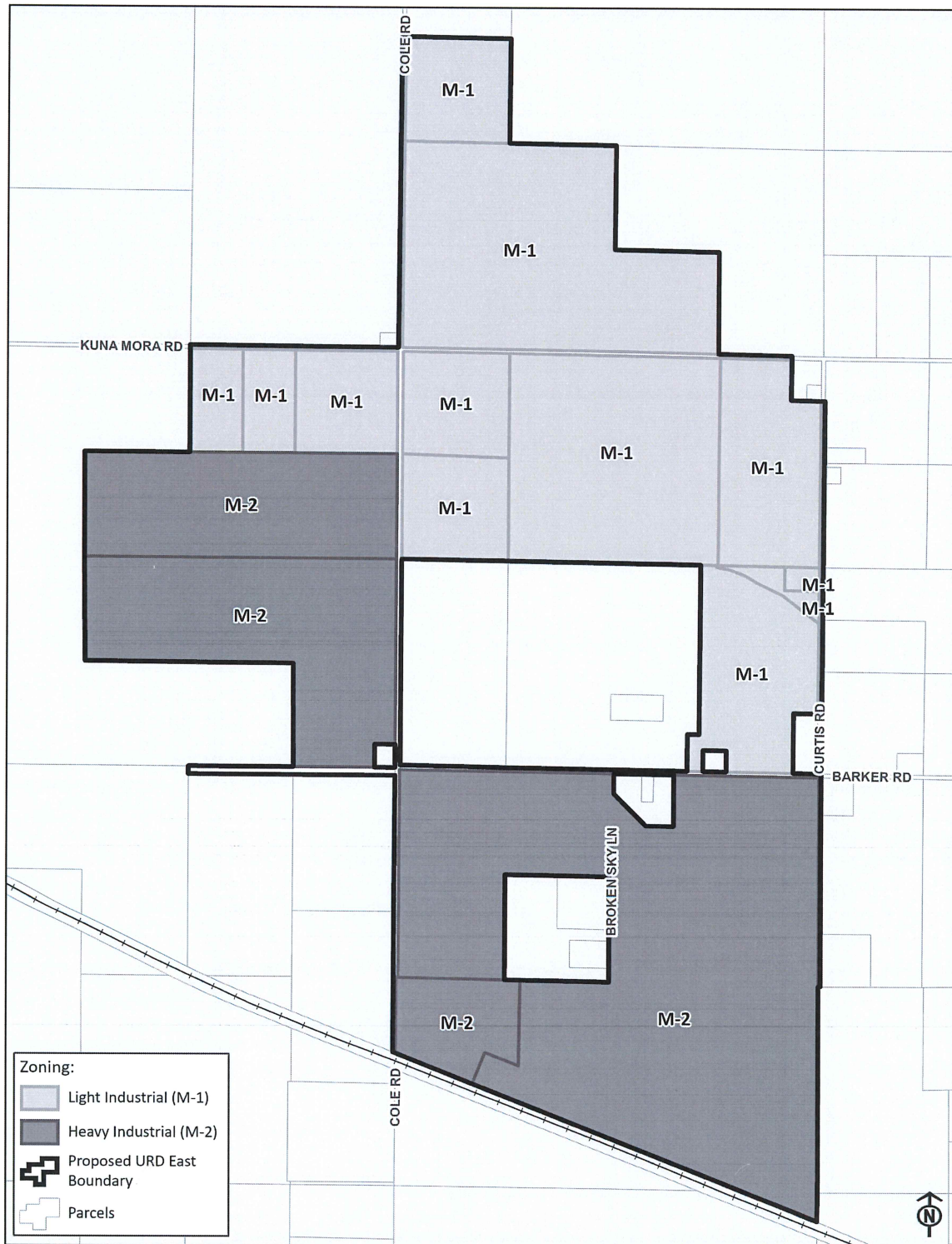
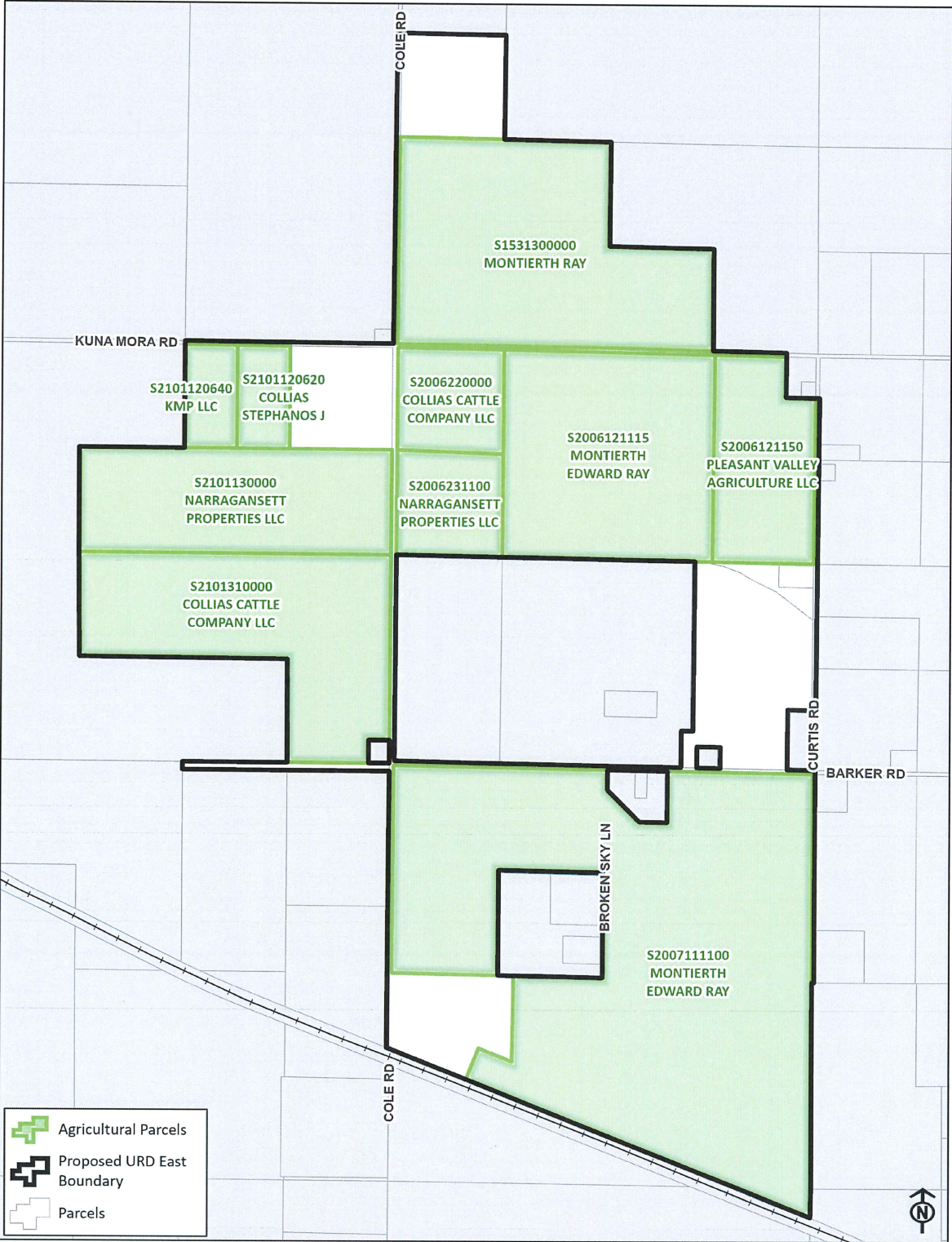




FIGURE 9 – AGRICULTURAL LANDS





Ten Percent Limitation on Assessed Valuation within the Revenue Allocation Area (RAA)

Under Idaho Code Section 50-2903(15), the base assessment roll is not to exceed, at any time ten percent of the current assessed valuation of all taxable property within the municipality.

“Revenue allocation area” means that portion of an urban renewal area where the equalized assessed valuation (as shown by the taxable property assessment rolls) of which the local governing body has determined, on and as a part of the urban renewal plan, is likely to increase as a result of the initiation of an urban renewal project ... The base assessment roll or rolls of revenue allocation area or areas shall not exceed at any time ten percent (10%) of the current assessed valuation of all taxable property within the municipality.

The 2021 City of Kuna taxable value is \$2,307,788,607¹ while the taxable value of the Study Area is \$1,662,900, which equates to approximately 0.070% of the current valuation of all taxable property within the City. The valuation includes homeowners’ exemptions and exemptions for agricultural properties as shown in **Figure 9**. The properties included in the Study Area also include operating property. The value of properties within the Study Area that are currently claiming an agricultural exemption is \$936,900. The change in the ten percent valuation would be minor if and when the agricultural exemptions rolled off. The Kuna West Urban Renewal District was adopted in November 2020 and equates for approximately 8.18% of the current assessed valuation of all taxable property within the City. The combined valuation for both the Kuna West Urban Renewal District and the proposed Kuna East District accounts for 8.25%. While property values are expected to increase in 2022, they are not expected to increase to an extent that it will exceed the 10% limitation.

Appropriateness of the Area for an Urban Renewal Project

The present conditions in the Study Area have resulted in the economic underdevelopment of the area or has substantially impaired or arrested the sound growth of the municipality and constituted an economic or social liability and is a menace to the public health, safety, morals or welfare in its present condition and use because of the deteriorating structures/ deterioration of site, inadequate street layout, obsolete platting/faulty lot layout, unsafe conditions and the existence of conditions which endanger life or property due to inadequate fire facilities. This report provides evidence that the Study Area is a deteriorating area

¹ Taxable values were collected from the Ada County Assessor’s office on November 4, 2021.



because of the presence of various conditions related to lot size, lack of public infrastructure, hazards, and public safety. New development will be discouraged from occurring until new supporting infrastructure is planned or installed as there is currently a lack of public infrastructure in place surrounding open space and other developable areas.

The second part of the City Council's determination is the policy decision of whether or not the area is appropriate for an Urban Renewal District. Preparation and approval of an Urban Renewal Plan for the Kuna East District would give the City additional resources to solve the public infrastructure problems in the Study Area and to encourage new development. Increased property taxes generated by new developments within the area could be used to finance a variety of needed public improvements. Furthermore, with formation of an Urban Renewal District, opportunities for meaningful public/private partnerships will be enhanced. Successful joint projects should stimulate other new private development. Finally, some of the new commercial/industrial developments may also generate new jobs in the community that would, in turn, benefit City residents.

Conclusion

As indicated in the **Present Conditions in the Study Area** section, the area meets the eligibility criteria for an urban renewal district. **Table 1 – Eligibility Criteria Findings** summarizes characteristics found in the Study Area. The City of Kuna has experienced several waves of accelerated growth and public infrastructure has struggled to keep up.

While the Study Area includes predominantly agricultural lands and "open areas" as defined by Idaho Code, further evaluation of the Study Area could include outreach to affected property owners and appropriate documentation of their consent for their property to be included in the District. The 2021 taxable value of the Study Area, combined with the base value of the existing Kuna West District, does not exceed ten percent of the current assessed valuation of all taxable property within the municipality; therefore, the Study Area is eligible for an Urban Renewal District.



Table 1 – Eligibility Criteria Findings

Condition No.	Idaho Code Section	Eligibility Criteria	Characteristics Supporting Finding	Criteria Met
1	50-2008(d) 50-2018(9) 50-2903(8)(b), (c)	Substantial number of deteriorating or deteriorated structures	Older deteriorating structures displayed within the District	Yes
2	50-2018(9) 50-2903(8)(b)	Defective street layout or inadequate street layout	No curbs, pedestrian facilities, or illumination. Lack of street and bicycle/pedestrian connectivity	Yes
3	50-2018(9) 50-2903(8)(b) 50-2903(8)(c)	Faulty lot layout or obsolete platting	A majority of the lots and blocks exceed 75,000 square foot in size	Yes
4	50-2018(9) 50-2903(8)(b)	Insanitary or unsafe conditions	Lack of illumination, sidewalks and activity	Yes
5	50-2008(d) 50-2018(9) 50-2903(8)(b), (c)	Deterioration of site	Inadequate street infrastructure, lack of illumination, storm drainage systems, sidewalks, curbs, gutters, and designated street parking	Yes
6	50-2008(d) 50-2018(9) 50-2903(8)(b), (c)	Diversity of ownership	There is not a diversity of ownership in the Study Area	No
7	50-2008(d) 50-2018(9) 50-2903(8)(b)	Tax Delinquency	These conditions are unknown	No
8	50-2008(d) 50-2903(8)(b)	Defective and unusual conditions of title	These conditions are unknown	No
9	50-2018(9) 50-2903(8)(a), (b)	Endanger life or property	Lack of water facilities for increased fire flow needs to accommodate development;	Yes
	50-2903(15)	10% Limit	The taxable value of the Study Area combined with the base value of the existing Kuna West District is below the 10% limit	Yes



Appendices

Appendix A – Idaho Urban Renewal Statutes

Appendix B – Photo Exhibit



Appendix A

Idaho Urban Renewal Statutes



TITLE 50
MUNICIPAL CORPORATIONS

CHAPTER 20
URBAN RENEWAL LAW
Relevant Sections

50-2008. (d) Following such hearing, the local governing body may approve an urban renewal project and the plan therefor if it finds that (1) a feasible method exists for the location of families who will be displaced from the urban renewal area in decent, safe and sanitary dwelling accommodations within their means and without undue hardship to such families; (2) the urban renewal plan conforms to the general plan of the municipality as a whole; (3) the urban renewal plan gives 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 residing in the general vicinity of the site covered by the plan; and (4) the urban renewal plan will afford maximum opportunity, consistent with the sound needs of the municipality as a whole, for the rehabilitation or redevelopment of the urban renewal area by private enterprise: Provided, that if the urban renewal area consists of an area of open land to be acquired by the urban renewal agency, such area shall not be so acquired unless (1) if it is to be developed for residential uses, the local governing body shall determine that a shortage of housing of sound standards and design which is decent, safe and sanitary exists in the municipality; that the need for housing accommodations has been or will be increased as a result of the clearance of slums in other areas; that the conditions of blight in the area and the shortage of decent, safe and sanitary housing cause or contribute to an increase in and spread of disease and crime and constitute a 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 municipality, or (2) if it is to be developed for nonresidential uses, the local governing body shall determine that such nonresidential uses are necessary and appropriate to facilitate the proper growth and development of the community in accordance with sound planning standards and local community objectives, which acquisition may require the exercise of governmental action, as provided in this act, because of defective or unusual conditions of title, diversity of ownership, tax delinquency, improper subdivisions, outmoded street patterns, deterioration of site, economic disuse, unsuitable topography or faulty lot layouts, 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.



50-2018. DEFINITIONS. The following terms wherever used or referred to in this chapter, shall have the following meanings, unless a different meaning is clearly indicated by the context:

(8) "Deteriorated area" shall mean an area in which there is a predominance of buildings or improvements, whether residential or nonresidential, which by reason of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, or crime, and is detrimental to the public health, safety, morals or welfare. Provided however, this definition shall not apply to any agricultural operation, as defined in section 22-4502(2), Idaho Code, absent the consent of the owner of the agricultural operation or to any forest land as defined in section 63-1701(4), Idaho Code, absent the consent of the forest landowner, as defined in section 63-1701(5), Idaho Code, except for an agricultural operation or forest land that has not been used for three (3) consecutive years.

(9) "Deteriorating area" shall mean an area which by reason of the presence of a substantial number of deteriorated or deteriorating structures, predominance of defective or inadequate street layout, faulty lot layout in relation to size, adequacy, accessibility or usefulness, insanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the fair value of the land, defective or unusual conditions of title, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, substantially impairs or arrests the sound growth of a municipality, retards the provision of housing accommodations or constitutes an economic or social liability and is a menace to the public health, safety, morals or welfare in its present condition and use; provided, that if such deteriorating area consists of open land the conditions contained in the proviso in section 50-2008(d), Idaho Code, shall apply; and provided further, that any disaster area referred to in section 50-2008(g), Idaho Code, shall constitute a deteriorating area. Provided however, this definition shall not apply to any agricultural operation, as defined in section 22-4502(2), Idaho Code, absent the consent of the owner of the agricultural operation or to any forest land as defined in section 63-1701(4), Idaho Code, absent the consent of the forest landowner, as defined in section 63-1701(5), Idaho Code, except for an agricultural operation or forest land that has not been used for three (3) consecutive years.



50-2903. DEFINITIONS. The following terms used in this chapter shall have the following meanings, unless the context otherwise requires:

(8) "Deteriorated area" means:

(a) Any area, including a slum area, in which there is a predominance of buildings or improvements, whether residential or nonresidential, which by reason of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, or crime, and is detrimental to the public health, safety, morals or welfare.

(b) Any area which by reason of the presence of a substantial number of deteriorated or deteriorating structures, predominance of defective or inadequate street layout, faulty lot layout in relation to size, adequacy, accessibility or usefulness, insanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the fair value of the land, defective or unusual conditions of title, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, results in economic underdevelopment of the area, substantially impairs or arrests the sound growth of a municipality, retards the provision of housing accommodations or constitutes an economic or social liability and is a menace to the public health, safety, morals or welfare in its present condition and use.

(c) Any area which is predominately open and which because of obsolete platting, diversity of ownership, deterioration of structures or improvements, or otherwise, results in economic underdevelopment of the area or substantially impairs or arrests the sound growth of a municipality. The provisions of section 50-2008(d), Idaho Code, shall apply to open areas.

(d) Any area which the local governing body certifies is in need of redevelopment or rehabilitation as a result of a flood, storm, earthquake, or other natural disaster or catastrophe respecting which the governor of the state has certified the need for disaster assistance under any federal law.

(e) Any area which by reason of its proximity to the border of an adjacent state is competitively disadvantaged in its ability to attract private investment, business or commercial development which would promote the purposes of this chapter.

(f) "Deteriorated area" does not mean not developed beyond agricultural, or any agricultural operation as defined in section 22-4502(1), Idaho Code, or any forest land as defined in section 63-1701(4), Idaho Code, unless the owner of the agricultural operation or the forest landowner of the forest land gives written consent to be included in the deteriorated area, except for an agricultural operation or forest land that has not been used for three (3) consecutive years.

(15) "Revenue allocation area" means that portion of an urban renewal area or competitively disadvantaged border community area where the equalized assessed valuation (as shown by the taxable property assessment rolls) of which the local governing body has determined, on and as a part of an urban renewal plan, is likely to increase as a result of the initiation of an urban renewal project or competitively disadvantaged border community area. The base assessment roll or rolls

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of revenue allocation area or areas shall not exceed at any time ten percent (10%) of the current assessed valuation of all taxable property within the municipality.



Appendix B

Photo Exhibit

Appendix B – Photo Exhibit
Kuna East Urban Renewal District Eligibility Study



Photo 1. Rutting and cracking along Kuna Mora Road



Photo 2. Lack of infrastructure within an oversized parcel

Appendix B – Photo Exhibit
Kuna East Urban Renewal District Eligibility Study



Photo 3. Deteriorating structure within the Kuna East District



Photo 4. Lack of infrastructure within an oversized parcel