

**CITY OF MERIDIAN ORDINANCE NO. 21-1955**

**BY THE CITY COUNCIL:**

**BERNT, BORTON, CAVENER,  
HOAGLUN PERREAULT, STRADER**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MERIDIAN, IDAHO, APPROVING THE (OPTION B) URBAN RENEWAL PLAN FOR THE NORTHERN GATEWAY DISTRICT 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; APPROVING THE SUMMARY OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Meridian City Council and Mayor of Meridian respectively on or about July 24, 2001, adopted and approved a resolution creating the Urban Renewal Agency of Meridian, Idaho, also known as the Meridian Development Corporation (“MDC” or 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**, on October 8, 2002, the City Council (the “City Council”) of the City of Meridian, Idaho (the “City”), after notice duly published conducted a public hearing on the Meridian Revitalization Plan Urban Renewal Project, which is also referred to as the Downtown District (the “Downtown District Plan”);

**WHEREAS**, following said public hearing, the City Council on December 3, 2002, adopted Ordinance No. 02-987 approving the Downtown District Plan, making certain findings and establishing the Downtown District revenue allocation area (the “Downtown District Project Area”);

**WHEREAS**, the City Council, after notice duly published, conducted a public hearing on the Urban Renewal Plan for the Ten Mile Road -An Urban Renewal Project (the “Ten Mile Plan”). The public hearing was continued to June 21, 2016, for further testimony;

**WHEREAS**, following said public hearings, the City Council adopted its Ordinance No. 16-1695 on June 21, 2016, approving the Ten Mile Plan, making certain findings and establishing the Ten Mile revenue allocation area (the “Ten Mile Project Area”);

**WHEREAS**, the City Council, after notice duly published, conducted a public hearing on the First Amendment to the Meridian Revitalization Plan Urban Renewal Project (the “First Amendment to the Downtown District Plan”);

**WHEREAS**, following said public hearing, the City Council adopted its Ordinance No. 20-1881 on June 9, 2020, approving the First Amendment to the Downtown District Plan deannexing certain parcels from the Downtown District Project Area and making certain findings;

**WHEREAS**, the City Council, after notice duly published, conducted a public hearing on the Urban Renewal Plan for the Union District Urban Renewal Project (the “Union District Plan”);

**WHEREAS**, following said public hearing, the City Council adopted its Ordinance No. 20-1882 on June 9, 2020, approving the Union District Plan, making certain findings, and establishing the Union District revenue allocation area, which included the parcels deannexed pursuant to the First Amendment to the Downtown District Plan (the “Union District Project Area”);

**WHEREAS**, the City Council, after notice duly published, conducted a public hearing on the Second Amendment to the Meridian Revitalization Plan Urban Renewal Project (the “Second Amendment to the Downtown District Plan”);

**WHEREAS**, following said public hearing, the City Council adopted its Ordinance No. 21-1933 on July 13, 2021, approving the Second Amendment to the Downtown District Plan deannexing certain parcels from the Downtown District Project Area and making certain findings (collectively, the Downtown District Plan, and amendments thereto, are referred to as the “Existing Downtown District Plan,” and the Downtown District Project Area, and amendments thereto, are referred to as the “Existing Downtown District Project Area”);

**WHEREAS**, the Existing Downtown District Plan, the Ten Mile Plan, and the Union District Plan are collectively referred to as the “Existing Urban Renewal Plans” and their respective revenue allocation project areas are collectively referred to as the “Existing Project Areas;”

**WHEREAS**, there is an additional urban renewal plan and an urban renewal plan amendment and their respective revenue allocation project areas that may or will be considered by the City Council prior to December 31, 2021, specifically, the First Amendment to the Urban Renewal Plan for the Union District Urban Renewal Project and the Urban Renewal Plan for the Linder District Urban Renewal Project, collectively referred to as the “Proposed Urban Renewal Plans” and their respective revenue allocation project areas are collectively referred to as the “Proposed Project Areas;”

**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 § 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;

**WHEREAS**, based on inquiries and information presented by certain public entities, certain interested parties and property owners, MDC commenced certain discussions concerning examination of an area, most of which was located within the City, and a portion of which was located within the City's area of impact within unincorporated Ada County and subject to a pending voluntary annexation into 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 2021, MDC authorized Kushlan | Associates to commence an eligibility study and preparation of an eligibility report for an area 126.226 acres in size, approximately 77 acres of which was deannexed from the boundaries of the Downtown District Project Area. The area is generally located in the central part of the City, northeast of the City's downtown core, and east of Meridian Road and south of Fairview Avenue extending to Pine Avenue between NE 2nd Street and E. 3rd Street, and which area also included a commercial area east of Meridian Road fronting Fairview Avenue on the north and a 17.64-acre parcel located on the northwest corner of Meridian Road and Cherry Lane. The eligibility study area is commonly referred to as the Northern Gateway District Study Area (the "Study Area");

**WHEREAS**, MDC obtained an eligibility report entitled Northern Gateway Urban Renewal District (Proposed) Eligibility Report, dated May 2021 (the "Report"), which examined the Study Area, which area also included real property located within unincorporated Ada County 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 Study Area, i.e.,

- a. the presence of a substantial number of deteriorated or deteriorating structures; and deterioration of site;
- b. age or obsolescence;
- c. the predominance of defective or inadequate street layout;
- d. faulty lot layout in relation to size, adequacy, accessibility, or usefulness; obsolete platting;
- e. insanitary or unsafe conditions; and
- f. diversity of ownership;

**WHEREAS**, the Study Area contains 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 MDC, which are the same or similar to the conditions set forth in the definitions of “deteriorating area” and “deteriorated area;”

**WHEREAS**, the Study Area is not “predominantly” open; however, 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 MDC Board, on June 9, 2021, adopted Resolution No. 21-026, accepting the Report and authorized the Chair, Vice-Chair, or Administrator of MDC 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 MDC to prepare an urban renewal plan for the Study Area, which plan may include a revenue allocation provision as allowed by the Act;

**WHEREAS**, the City Council on July 6, 2021, adopted Resolution No. 21-2273, declared the 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 Study Area is appropriate for an urban renewal project, and directed MDC to commence preparation of an urban renewal plan for the area designated;

**WHEREAS**, the portion of the Study Area lying outside the City limits and within unincorporated Ada County was a 17.64-acre parcel located on the northwest corner of Meridian Road and Cherry Lane, and commonly referred to as 104 W. Cherry Lane, Meridian, Idaho, which parcel is owned by Kobe LLC and commonly referred to as the McFadden Property (the “McFadden Property”). At the time the City Council directed MDC to prepare an urban renewal plan for the Study Area, the McFadden Property was pending a voluntary annexation into the City;

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

**WHEREAS**, MDC and its consultants have under the planning process during 2021 for the area previously designated as eligible for urban renewal planning;

**WHEREAS**, MDC has embarked on an urban renewal project referred to as the (Option B) Urban Renewal Plan for the Northern Gateway District Urban Renewal Project (the “Northern Gateway District Plan”), as set forth in Exhibit 3 attached hereto, and the corresponding urban renewal/revenue allocation area referred to as the Northern Gateway District Project Area (“Northern Gateway District Project Area” or “Revenue Allocation Area”), to redevelop a portion of the City, pursuant to the Law and the Act, as amended;

**WHEREAS**, the Northern Gateway District proposes to create an urban renewal area commonly known as the Northern Gateway District Project Area, which area is shown on the “Boundary Map of Northern Gateway District Urban Renewal Project Area and Revenue Allocation Area” and described in the “Legal Description of Northern Gateway District Urban Renewal Project Area and Revenue Allocation Area,” which are attached to the Northern Gateway District Plan as Attachments 1 and 2 respectively;

**WHEREAS**, the Northern Gateway District Project Area is smaller than the Study Area as the McFadden Property, which was recently annexed into the City effective October 31, 2021, is not included within the boundaries of the Northern Gateway District Project Area;

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

**WHEREAS**, the Northern Gateway District Plan contains revenue allocation financing provisions as allowed by the Act;

**WHEREAS**, MDC and the City Council reviewed and considered the proposed public improvements within the Northern Gateway District Project Area during a joint meeting on August 24, 2021;

**WHEREAS**, the Agency Board considered all comment and information submitted to the Agency during several earlier Board meetings throughout 2021, and the Board meeting held on September 22, 2021;

**WHEREAS**, on September 22, 2021, the Agency Board passed Resolution No. 21-037 proposing and recommending the approval of the Northern Gateway District Plan;

**WHEREAS**, the Agency submitted the Northern Gateway District Plan to the Mayor and City Council;

**WHEREAS**, the Mayor and City Clerk have taken the necessary action in good faith to process the Northern Gateway District 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 October 7, 2021, the Meridian Planning and Zoning Commission considered the Northern Gateway District Plan and found by P & Z Resolution No 21-02 that the Northern Gateway District Plan is in all respects in conformity with the City of Meridian 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 Northern Gateway District Plan was caused to be published by the Meridian City Clerk in the *Idaho Press* on October 15 and November 2, 2021, a copy of said notice is attached hereto as Exhibit 2;

**WHEREAS**, as of October 15, 2021, the Northern Gateway District 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 23, 2021, held such public hearing on the Northern Gateway District Plan as noticed;

**WHEREAS**, as required by Idaho Code sections 50-2905 and 50-2906, the Northern Gateway District 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 23, 2021, the regular meeting of the City Council, at least thirty (30) days but no more than sixty (60) days prior to the date set forth 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 Northern Gateway District 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 Northern Gateway District 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 Northern Gateway District Plan and to adopt, as part of the Northern Gateway District Plan, revenue allocation financing provisions that will help finance urban renewal projects to be completed in accordance with the Northern Gateway District Plan, in order to: encourage private development in the urban renewal area; prevent and arrest decay of the City due to the inability of existing financing methods to provide needed public improvements; encourage taxing districts to cooperate in the allocation of future tax revenues arising in the Northern Gateway District Project Area in order to facilitate the long-term growth of their common tax base; encourage private investment within the City; and 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 Northern Gateway District Plan is likely to increase, and continue to increase, as a result of initiation and continuation of urban renewal projects in accordance with the Northern Gateway District 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, the Ada County Highway District (“ACHD”) is granted certain authority and jurisdiction over public rights of way within the Northern Gateway District Project Area;

**WHEREAS**, ACHD also has the opportunity to provide comments on the proposed Northern Gateway District Plan;

**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 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 Northern Gateway District Project Area does not include an parcels subject to such consent;

**WHEREAS**, the base assessment roll of the Northern Gateway District Project Area, together with the base assessment roll values of the Existing Project Areas, 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 Northern Gateway District Plan;

**WHEREAS**, the City Council at its regular meeting held on November 23, 2021, considered the Northern Gateway District Plan as proposed and made certain comprehensive findings.

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

**SECTION 1:** It is hereby found and determined that:

- (a) The Northern Gateway District Project Area as defined in the Northern Gateway District 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 Northern Gateway District 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 Northern Gateway District Plan conforms to the City of Meridian Comprehensive Plan as a whole.
- (e) The Northern Gateway District Plan gives due consideration to the provision of adequate park and recreation areas and facilities that may be desirable for neighborhood improvement (recognizing the mixed-use components of the Plan and the need for overall public improvements), 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 Northern Gateway District Plan.
- (f) The Northern Gateway District 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 Northern Gateway District Plan provides a feasible method for relocation obligations of any displaced families residing within the Northern Gateway District Project Area.



- (h) The collective base assessment rolls for the revenue allocation areas under the Existing Project Areas, the Proposed Project Areas and the Northern Gateway District Project Area, do not exceed ten percent (10%) of the assessed values of all the taxable property in the City.
- (i) The Plan includes the requirements set forth in Idaho Code § 50-2905 with specificity.
- (j) The Northern Gateway District 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 not include any agricultural operations for which the Agency is required to obtain written consent.
- (l) The portion of the Northern Gateway District 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.
- (m) The portion of the Northern Gateway District Project Area which is identified for residential uses is necessary and appropriate as there is a shortage of housing of sound standards and design which is decent, safe and sanitary in the City; that the need for housing 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 City.

**SECTION 2:** The City Council finds that the Northern Gateway District Project Area contains areas which may be considered open land areas, that the Agency may acquire any open land within the Northern Gateway District Project Area, and that the Northern Gateway District Project Area is planned to be redeveloped in a manner that will include both residential and nonresidential uses. Provided, however, the City Council finds that for the portions of the Northern Gateway District 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 one of the Northern Gateway District Plan objectives to increase the residential opportunity does meet the sound needs of the City and will provide housing opportunities in an area that does not now contain such opportunities, and the

portion of the Northern Gateway District Project Area which is identified for nonresidential uses are 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 Northern Gateway District 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 23, 2021, hearing and incorporate changes or modifications, if any.

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

**SECTION 6:** The City Council declares that nothing within the Northern Gateway District 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 Northern Gateway District 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 Northern Gateway District 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 Meridian, Ada County Highway District, West Ada School District, Ada County Ambulance/EMS, Meridian Cemetery Maintenance District, College of Western Idaho, Meridian Free Library District, Mosquito Abatement District, the Western Ada Recreation 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 Northern Gateway District Project Area.

**SECTION 9:** The City Council hereby finds and declares that the Revenue Allocation Area as defined in the Northern Gateway District Plan, the equalized assessed valuation of which the City Council hereby determines is in and is part of the Northern Gateway District Plan is likely to increase as a result of the initiation and completion of urban renewal projects pursuant to the Northern Gateway District 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 Northern Gateway District 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, 2021, 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.

PASSED by the City Council of the City of Meridian, Idaho, this \_\_\_\_ day of December 2021.

APPROVED by the Mayor of the City of Meridian, Idaho, this \_\_\_\_ day of December 2021.

**APPROVED:**

**ATTEST:**

\_\_\_\_\_  
Robert Simison, Mayor

\_\_\_\_\_  
Chris Johnson, City Clerk

**Exhibit 1**

A Resolution of the Planning and Zoning Commission for the City of Meridian, Idaho, Validating Conformity of the (Option B) Urban Renewal Plan for Northern Gateway District Urban Renewal Project with the City of Meridian's Comprehensive Plan

**CITY OF MERIDIAN**

**BY THE PLANNING AND  
ZONING COMMISSION**

**A RESOLUTION OF THE PLANNING AND ZONING COMMISSION FOR THE CITY OF MERIDIAN, IDAHO, VALIDATING CONFORMITY OF THE (OPTION B) URBAN RENEWAL PLAN FOR THE NORTHERN GATEWAY DISTRICT URBAN RENEWAL PROJECT WITH THE CITY OF MERIDIAN'S COMPREHENSIVE PLAN**

WHEREAS, the Urban Renewal Agency of the City of Meridian (the "City"), Idaho, also known as Meridian Development Corporation (hereinafter "MDC"), the duly constituted and authorized urban renewal agency of the City, has submitted the proposed (Option B) Urban Renewal Plan for the Northern Gateway District Urban Renewal Project (the "Northern Gateway District Plan") to the City; and

WHEREAS, the Mayor and Meridian City Council referred the Northern Gateway District Plan to the City Planning and Zoning Commission for review and recommendations concerning the conformity of said Northern Gateway District Plan with the City's Comprehensive Plan, as amended (the "Comprehensive Plan"); and

WHEREAS, on October 7, 2021, the City Planning and Zoning Commission met to consider whether the Northern Gateway District Plan conforms with the Comprehensive Plan as required by Idaho Code § 50-2008(b); and

WHEREAS, the City Planning and Zoning Commission has reviewed said Northern Gateway District Plan in view of the Comprehensive Plan; and

WHEREAS, the City Planning and Zoning Commission has determined that the Northern Gateway District Plan is in all respects in conformity with the Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION FOR THE CITY OF MERIDIAN, IDAHO:


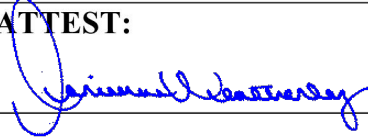
Section 1. That the Northern Gateway District Plan, submitted by MDC and referred to this Commission by the Mayor and City Council for review, is in all respects in conformity with the City's Comprehensive Plan.

Section 2. That Exhibit A, the memorandum from Brian McClure, Comprehensive Associate Planner dated September 30, 2021, outlining the analysis supporting the determination that the Northern Gateway District Plan is in conformity with the City's Comprehensive Plan, is hereby adopted and incorporated as part of this Resolution.

Section 3. That the City Clerk is hereby authorized and directed to provide the Mayor and Meridian City Council with a signed copy of this Resolution relating to said Northern Gateway District Plan.

Section 4. That this Resolution shall be in full force and effect immediately upon its adoption and approval.

**ADOPTED** by the Planning and Zoning Commission of the City of Meridian, Idaho, this 7th day of October 2021.

<b>APPROVED:</b>  _____ Chair, Planning and Zoning Commission By Andrew Seal Vice Chairperson	<b>ATTEST:</b>  _____ City Clerk Chris Johnson 10-07-2021 By Adrienne Weatherly, Deputy City Clerk
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**Exhibit 2**

Notice Published in the *Idaho Press*

**LEGAL NOTICE**

**NOTICE OF REGULAR MEETING AND PUBLIC HEARING BY THE CITY COUNCIL OF THE CITY OF MERIDIAN, IDAHO TO CONSIDER THE URBAN RENEWAL PLAN FOR THE NORTHERN GATEWAY DISTRICT URBAN RENEWAL PROJECT (OPTION B) OF THE URBAN RENEWAL AGENCY OF MERIDIAN, IDAHO, ALSO KNOWN AS MERIDIAN DEVELOPMENT CORPORATION**

NOTICE IS HEREBY GIVEN that on **Tuesday, November 23, 2021, at 6:00 p.m.** in City Council Chambers, Meridian City Hall, 33 E. Broadway Avenue, Meridian, Idaho, 83642, and/or in virtual meeting as may be noticed on the City's website ([www.meridiancity.org](http://www.meridiancity.org)), the City Council of the City of Meridian, Idaho ("City") will hold, during its regular meeting, a public hearing to consider for adoption the proposed Urban Renewal Plan for the Northern Gateway District Urban Renewal Project (Option B) (the "Plan"), of the Urban Renewal Agency of Meridian, Idaho, also known as Meridian Development Corporation ("Agency"). The urban renewal and revenue allocation area boundary is coterminous and is hereinafter described. The Plan proposes that the Agency undertake urban renewal projects, including identifying public facilities for funding, pursuant to the Idaho Urban Renewal Law of 1965, chapter 20, title 50, Idaho Code, as amended. The Plan being considered for adoption contains a revenue allocation financing provision pursuant to the Local Economic Development Act, chapter 29, title 50, Idaho Code, as amended, that will cause property taxes resulting from any increase in equalized assessed valuation in excess of the equalized assessed valuation as shown on the base assessment roll as of January 1, 2021, to be allocated to the Agency for urban renewal purposes. The Agency has adopted and recommended approval of the Plan. The City Council will be considering the second reading of an ordinance to adopt the Plan at the meeting scheduled for November 23, 2021, at 6:00 p.m. An additional reading will follow consistent with the City's ordinance approval process.

The general scope and objectives of the Plan are:

- a. The engineering, design, installation, construction, and/or reconstruction of streets and streetscapes, including but not limited to improvements and upgrades to portions of Northeast 2nd Street, Northeast 2 1/2 Street, Northeast 3rd Street, Carlton Avenue, Washington Avenue, Main Street, Northeast 4th Street, Badley Avenue, Gruber Avenue, State Avenue, Pine Avenue, and Fairview Avenue frontage and related pedestrian facilities; curb and gutter, intersection and rail crossing improvements, and traffic signals;
- b. 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;
- c. The provision for participation by property owners and developers within the Project Area to achieve the objectives of this Plan;
- d. The engineering, design, installation, construction and/or reconstruction of sidewalks and related pedestrian facilities, curb and gutter and streetscapes, including but not limited to improvements to portions of Northeast 2nd Street, Northeast 2 1/2 Street, Northeast 3rd Street, Carlton Avenue, Washington Avenue, Main Street, Northeast 4th Street, Badley Avenue, Gruber Avenue, State Avenue, Pine Avenue and Fairview Avenue frontage;
- e. The engineering, design, installation, construction, and/or reconstruction of utilities 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, lift station, and improvements, and upgrades to power, gas, fiber optics, communications, and other such facilities;
- 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 piping of laterals; addition of fiber optic lines or other communication systems; public parking facilities, and other public improvements, including but not limited to fire protection systems, floodway and flood zone mitigation, and other public improvements that may be deemed appropriate by the Board;
- g. The engineering, design, installation, and/or construction of a public parking structure or structures and/or public surface parking lots and related public improvements;
- h. The acquisition of real property for public right-of-way and streetscape improvements, utility undergrounding, extension, upgrades, public parks and trails, pedestrian facilities, pathways and trails, recreational access points and to encourage and enhance housing affordability and housing diversity, enhance transit options and connectivity, decrease underutilized parcels, create development opportunities consistent with the Plan, including but not limited to future disposition to qualified developers for qualified developments;
- i. The disposition of real property through a competitive process in accordance with this Plan, Idaho law, including Idaho Code Section 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 and streetscape improvements, pedestrian facilities, utility undergrounding extension and upgrades, public facilities, and to encourage and enhance housing affordability and housing diversity, enhance mobility options and connectivity, decrease underutilized parcels and surface parking lots, 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 construction and financial support of infrastructure necessary for the provision of improved transit and alternative transportation;
- n. The engineering, design, installation, construction, and/or reconstruction of below ground infrastructure to support the construction of certain municipal buildings pursuant to Idaho Code Section 50-2905A;
- o. 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;

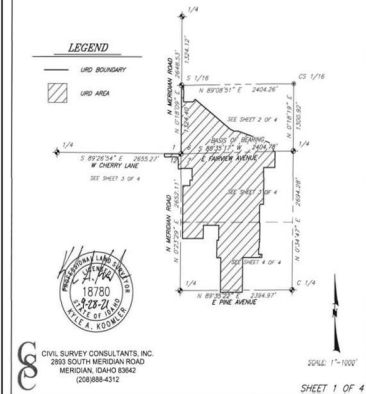
- p. The provision of financial and other assistance to encourage greater density and a diverse mix of rental rates and housing options;
- q. The rehabilitation of structures and improvements by present owners, their successors, and the Agency;
- r. The preparation and assembly of adequate sites for the development and construction of facilities for mixed-use residential (including affordable and/or workforce housing when and if determined to be a public benefit), commercial, office, retail areas, medical facilities, and educational facilities;
- s. The environmental assessment and remediation of brown-field sites, or sites where environmental conditions detrimental to redevelopment exist;
- t. In collaboration with property owners and other stakeholders, working with the City to amend zoning regulations (if necessary) and standards and guidelines for the design of streetscape, plazas multi-use pathways, parks, and open space and other like public spaces applicable to the Project Area as needed to support implementation of this Plan;
- u. 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;
- v. To the extent allowed by law, lend or invest federal funds to facilitate development and/or redevelopment;
- w. 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;
- x. Agency and/or owner-developer construction, participation in the construction and/or management of public parking facilities and/or surface lots that support a desired level and form of development to enhance the vitality of the Project Area;
- y. Other related improvements to those set forth above as further set forth in Attachment 5.

Any such land uses as described in the Plan will be in conformance with zoning for the City and the City's Comprehensive Plan, as amended. Land made available will be developed by private enterprises or public agencies as authorized by law. The Plan identifies various public and private improvements which may be made within the Project Area.

The Urban Renewal Project Area and Revenue Allocation Area herein referred to is described as follows:

An area consisting of approximately 106 acres, inclusive of rights-of-way, and is generally east of Meridian Road and south of Fairview Avenue. A portion of the Project Area fronts the north side of Fairview Avenue east of Meridian Road, and as more particularly described in the Plan and depicted in the Map below:

SKETCH TO ACCOMPANY URBAN RENEWAL DISTRICT DESCRIPTION FOR MERIDIAN DEVELOPMENT CORPORATION LOCATED IN THE NE 1/4 OF THE NE 1/4 OF SECTION 12, TOWNSHIP 3 NORTH, RANGE 1 WEST, ALSO BEING IN THE S 1/2 OF THE SW 1/4 OF SECTION 6, AND IN THE NW 1/4 OF SECTION 7, AND IN THE N 1/2 OF THE SW 1/4 OF SECTION 7, TOWNSHIP 3 NORTH, RANGE 1 EAST, BOISE MERIDIAN, ADA COUNTY, IDAHO



Copies of the proposed Plan are on file for public inspection and copying at the office of the City Clerk, Meridian City Hall, 33 E. Broadway Avenue, Meridian, Idaho 83642, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, exclusive of holidays. Costs for copying are outlined in Idaho Code Section 74-102. The proposed Plan can also be accessed online at <https://bit.ly/NorthernGatewayB>. For additional assistance in obtaining a copy of the Plan in the event of business office interruptions, contact the office of the City Clerk at 208-888-4433.

At the hearing date, time, and place noted above (November 23, 2021, at 6:00 p.m.), all persons interested in the above matters may appear and be heard. Because social distancing orders may be in effect at the time of the hearing, written testimony is encouraged. Written testimony must be submitted at least five working days prior to the hearing. Oral testimony may be limited to three minutes per person. Information on assessing the meeting remotely will be posted on the published agendas, no later than 48 hours prior to the meeting at <https://meridiancity.org/agendas>. Additional information regarding providing testimony in compliance with any social distancing orders in effect may be obtained by calling 208-888-4433 or by email at [cityclerk@meridiancity.org](mailto:cityclerk@meridiancity.org).

Meridian City Hall is accessible to persons with disabilities. All information presented in the hearing shall also be available upon advance request in a form usable by persons with hearing or visual impairments. Individuals with other disabilities may receive assistance by contacting the City twenty-four (24) hours prior to the hearing.

DATED: October 8, 2021.  
Chris Johnson, City Clerk  
October 15, 2021, November 2, 2021 164784



**Exhibit 3**

(Option B) Urban Renewal Plan for the Northern Gateway District Urban Renewal Project

(Option B)

**URBAN RENEWAL PLAN FOR THE  
NORTHERN GATEWAY DISTRICT URBAN RENEWAL PROJECT**

**MERIDIAN URBAN RENEWAL AGENCY  
(also known as Meridian Development Corporation)**

**CITY OF MERIDIAN, IDAHO**

**Ordinance No. \_\_\_\_\_**

**Adopted \_\_\_\_\_**

**Effective \_\_\_\_\_**

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## **Attachments**

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| Attachment 1 | Boundary Map of Northern Gateway District Urban Renewal Project Area and Revenue Allocation Area      |
| Attachment 2 | Legal Description of Northern Gateway District 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                            |
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## 100 INTRODUCTION

This is the Urban Renewal Plan (the “Plan”) for the Northern Gateway District Urban Renewal Project (the “Project”) in the city of Meridian (the “City”), county of Ada, state of Idaho. Attachments 1 through 5 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 Sections 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 Northern Gateway District 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 Meridian Urban Renewal Agency, also known as Meridian Development Corporation (the “Agency” or “MDC”), 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 Section 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; 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.

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 Meridian Comprehensive Plan (the “Comprehensive Plan”), adopted by the Meridian City Council (the “City Council”) on December 17, 2019, by Resolution No. 19-2179. The Agency intends to rely heavily on any applicable City zoning and design standards. This Plan also conforms to the goals set forth in Destination: Downtown, which is a vision plan for the long-term future of the downtown area of the City, which seeks to establish downtown as a premier destination and home to local business.

**This Plan is subject to the Plan modification limitations and reporting requirements set forth in Idaho Code Section 50-2903A. Subject to limited exceptions as set forth in Idaho Code Section 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 Section 50-2903A.**

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

Agency expenditures are prioritized each fiscal year during the required annual budgeting process.

Allowed projects are those activities which comply with the Law and the Act and meet the overall objectives of this Plan. The public-private relationship is crucial in the successful development and redevelopment of the Project Area. Typically, the public will fund enhanced public improvements like utilities, streets, and sidewalks which, in turn, create an attractive setting for adjacent private investment for a mix of uses including residential (including but not limited to increased density, and mixed income projects such as affordable and/or workforce housing), light industrial, commercial facilities, including office and retail, recreational, or other community facilities.

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

- a. The installation and construction of public improvements, including new local, collector and arterial streets; improvements to existing roadways and intersections, including the installation of traffic signals; installation of curbs, gutters and streetscapes, which for purposes of this Plan, the term “streetscapes” includes sidewalks, lighting, landscaping, benches, bike racks, public art, signage, way-finding, and similar amenities between the curb and right-of-way line, and other public improvements; installation and/or improvements to fiber optic facilities; improvements to public utilities including water and sewer improvements, and fire protection systems; removal, burying, or relocation of overhead utilities; extension of electrical distribution lines and transformers; improvement of irrigation and drainage ditches and laterals; installation and construction of pathways; and improvement of storm drainage facilities;
- b. The planning, design, construction and reconstruction of local roads and pathways to support access management, connectivity, and pedestrian mobility;
- c. The replanning, redesign, and development of undeveloped or underdeveloped areas which are stagnant or improperly utilized because of limited traffic access, underserved utilities, and other site conditions;
- d. The strengthening of the economic base of the Project Area and the community by the installation of needed public improvements to stimulate new private development providing greater housing density and diversity of housing stock, increased employment opportunities and economic growth;
- e. The provision of adequate land for open space, street rights-of-way and pedestrian rights-of-way, including pathways along East Fairview Avenue, future 3<sup>rd</sup> Street, and Washington Avenue;
- f. The reconstruction and improvement of street corridors to allow traffic flows to move through the Project Area, along with the accompanying utility connections;



- g. The provision of public service utilities, which are necessary to the development of the Project Area, such as water system improvements, sewer system improvements, and improvements to the 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. The Agency is also governed by its bylaws as authorized by the Law and adopted by the Agency. Under the Law, the Agency is governed by the Idaho open meeting law; the Public Records Act; the Ethics in Government Act of 2015, Chapters 1, 2 and 4 of Title 74, Idaho Code; reporting requirements pursuant to Idaho Code Sections 67-450B, 67-1076<sup>1</sup>, 50-2903A and 50-2913; and the competitive bidding requirements under Chapter 28, Title 67, Idaho Code, as well as other procurement or other public improvement delivery methods.

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

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

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<sup>1</sup> Pursuant to House Bill 73, passed during the 2021 Legislative Session, significantly effective as of January 1, 2021, with the remaining sections in full force and effect on and after January 1, 2022, Idaho Code Section 67-450E is superseded by Idaho Code Section 67-1076.

**102 Procedures 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 Northern Gateway Urban Renewal District (Proposed) Eligibility Report (the “Report”) was submitted to the Agency. The Agency accepted the Report by Agency Resolution No. 21-026 on June 9, 2021, and thereafter submitted the Report to the City Council for its consideration<sup>2</sup>.

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. 21-2273 on July 6, 2021. With the adoption of Resolution No. 21-2273, the City Council declared the Study Area described in the Report to be a deteriorated area and/or a deteriorating area as defined by the Law and Act, and further directed the Agency to commence preparation of an urban renewal plan.

The Project Area is smaller than the Study Area as an underdeveloped seventeen (17) acre parcel<sup>3</sup> located in the northwest corner of the Study Area and generally bounded by Meridian Road on the east and Cherry Lane on the south was not timely annexed into the City prior to City Council consideration of this 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. 21-037, on September 22, 2021, 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 *Idaho Press*, a newspaper having general circulation in the City. The City Council adopted this Plan on \_\_\_\_\_, \_\_\_\_\_, by Ordinance No. \_\_\_\_\_.

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<sup>2</sup> Following adoption of Agency Resolution No. 21-026, technical minor edits were made to the Report.

<sup>3</sup> This parcel had been used as an “agricultural operation” requiring property owner consent to be included in the Project Area. In accordance with the Law and Act, the necessary consent was obtained from the parcel owner; however, the parcel was located in unincorporated Ada County. As the parcel was not timely annexed into the City, it could not be included within the Project Area unless Ada County 1) entered into an agreement with the City on administration of a revenue allocation provision extending beyond the municipal boundary of the City, and 2) adopted a transfer of powers ordinance. *See*, 50-2018(18) and 50-2906.

## 103 History and Current Conditions of the Area

As more specifically described in the Report, this Project Area is generally located in central Meridian, northeast of the City's downtown core. The Project Area contains approximately 108 acres, inclusive of rights-of-way, and is generally east of Meridian Road and south of Fairview Avenue. A portion of the Project Area fronts the north side of Fairview Avenue east of Meridian Road.

The Project Area includes mixed zoning for primarily commercial and residential uses. Current uses may not be wholly consistent with zoning and/or the City's vision set forth in the Comprehensive Plan and/or Destination: Downtown, wherein the vision for this area contemplates four (4) main goals promoting livability, mobility, prosperity, and sustainability. The use of the urban renewal tool to support these goals is critical to the success of the vision. Current conditions reflect aged residences converted to commercial uses over time with approximately nineteen (19) vacant parcels. More than half of the Project Area is devoted to commercial uses and/or vacant parcels zoned for commercial use, with residential uses being the next most significant land use category. In its totality the Project Area is reflective of the shifting urban geography of the City. The Report cites a number of deteriorating conditions existing within the Project Area, including a substantial number of deteriorating or deteriorated structures, deterioration of site, age or obsolescence, the 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 diversity of ownership. Together with deteriorating infrastructure, diversity of ownership represents a significant impediment to development: approximately 88 parcel acres in the Project Area are owned by approximately one hundred and forty-nine (149) entities, which can create issues with necessary property assemblage to support economic development and/or housing opportunities. The foregoing conditions have arrested or impaired growth in the Project Area.

The Plan proposes installation and improvements to rights-of-way (arterials, collectors, and local roads), pathways, sidewalks, curbs, gutters, and other streetscape improvements; transit infrastructure; public parking facilities; public infrastructure, including improvements to sewer and water infrastructure, power and fiber installation and/or upgrades; property acquisition to support economic development and housing opportunities and other publicly owned assets throughout the Project Area, as more specifically set forth in Attachment 5, creating the opportunity to revitalize the Project Area and to support transportation infrastructure, as well as mixed-use residential and commercial development consistent with the City's Comprehensive Plan and Destination: Downtown. Other identified improvements include façade improvements; historic lighting; wayfinding/signage; installation and/or improvements to public plazas, parks, and open space; environmental remediation; and related planning studies to best implement the proposed public infrastructure improvements.

The approximately nineteen (19) vacant parcels are underdeveloped and are not being used to their highest and best use. A goal of this Plan is to support development opportunities of this site that will ultimately contribute significantly to the tax base.

The preparation and approval of an urban renewal plan, including a revenue allocation financing provision, gives the City additional resources to solve the transit, public infrastructure, and development impediment issues in this area. Revenue allocation financing should help to improve the situation. In effect, property taxes generated by new developments within the Project Area may be used by the Agency to finance a variety of needed public improvements and facilities. Finally, some of the new developments may also generate new jobs in the community that would, in turn, benefit area residents long-term. Additionally, the proposed infrastructure improvements could support a variety of housing opportunities with diverse rental and income ranges, which supports and adds to the fabric of the Project Area.

It is unlikely individual developers or public partners will take on the prohibitive costs of constructing the necessary infrastructure in the Project Area without the ability of revenue allocation to help offset at least some of these costs. But for urban renewal and revenue allocation financing, the proposed public improvements to support revitalization of 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. 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. Re-prioritize the Projects described in this Plan and the Plan Attachments.
- c. Retain flexibility in funding the various activities in order to best meet the Plan and the needs of the Project Area.
- d. Retain flexibility in determining whether to use the Agency's funds or funds generated by other sources.
- e. Alter the location of proposed improvements set forth in Attachment 5 to support development when it occurs. The information included in Attachment 5 describes a realistic development scenario recognizing it is difficult to project with any certainty where the improvements will be sited until any future projects submit plans to the City for design review and permitting.

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

The Agency also reserves the right to establish, by way of policy, its funding percentage or participation, which would apply to all developers and owners and may prioritize certain projects or types of projects.

Throughout this Plan, there are references to Agency activities, Agency funding, and the acquisition, 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 not prioritized but are anticipated to be completed as determined by available funds. 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 public improvements and other related activities with an estimated cost in 2021 dollars of approximately \$24,775,000. 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 \$25,924,600. The Agency reserves the discretion and flexibility to use revenue allocation proceeds in excess of the amounts predicted in the event higher increases in assessed values occur during the term of the Plan for the improvements and activities identified. Additionally, the Agency reserves the discretion and flexibility to use other sources of funds unrelated to revenue allocation to assist in the funding of the improvements and activities identified.

## **105 Open Land Criteria**

This Plan contemplates Agency acquisition of property within the Project Area, in part, to support economic development/demonstration projects and housing. The Project Area is not predominantly open, and it does not include any agricultural zoning districts; however, the Project Area includes parcels that are vacant that could meet the undefined “open land” requiring the area meet the conditions set forth in Idaho Code Section 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 Sections 50-2018(8), (9) and 50-2903(8). The issues listed only in Idaho Code Section 50-2008(d)(4)(2) (the open land section) include economic disuse, unsuitable topography, and “the need for the correlation of the area with other areas of a

municipality by streets and modern traffic requirements, or any combination of such factors or other conditions which retard development of the area.”

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

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 Sections 50-2018(8), (9) and 50-2903(8) apply. But such areas also qualify if any of the issues listed only in Idaho Code Section 50-2008(d)(4)(2) apply. The substantial number of deteriorating structures, a 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, 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 Report, which was prepared by Kushlan | Associates.

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 Northern Gateway District 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 Northern Gateway District 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 transit options, 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 streets and streetscapes, including but not limited to improvements and upgrades to portions of Northeast 2<sup>nd</sup> Street, Northeast 2 ½ Street, Northeast 3<sup>rd</sup> Street, Carlton Avenue, Washington Avenue, Main Street, Northeast 4<sup>th</sup> Street, Badley Avenue, Gruber Avenue, State Avenue, Pine Avenue, and Fairview Avenue frontage and related pedestrian facilities, curb and gutter, intersection and rail crossing improvements, and traffic signals;
- b. 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;
- c. The provision for participation by property owners and developers within the Project Area to achieve the objectives of this Plan;
- d. The engineering, design, installation, construction and/or reconstruction of sidewalks and related pedestrian facilities, curb and gutter and streetscapes, including but not limited to improvements to portions of Northeast 2<sup>nd</sup> Street, Northeast 2 ½ Street, Northeast 3<sup>rd</sup> Street, Carlton Avenue, Washington Avenue, Main Street, Northeast 4<sup>th</sup> Street, Badley Avenue, Gruber Avenue, State Avenue, Pine Avenue and Fairview Avenue frontage;
- e. The engineering, design, installation, construction, and/or reconstruction of utilities 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, lift station, and improvements, and upgrades to power, gas, fiber optics, communications, and other such facilities;
- 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 piping of laterals; addition of fiber optic lines or other communication systems; public parking facilities, and other public improvements, including but not limited to fire protection systems, floodway and flood zone mitigation; and other public improvements that may be deemed appropriate by the Board;

- g. The engineering, design, installation, and/or construction of a public parking structure or structures and/or public surface parking lots and related public improvements;
- h. The acquisition of real property for public right-of-way and streetscape improvements, utility undergrounding, extension, upgrades, public parks and trails, pedestrian facilities, pathways and trails, recreational access points and to encourage and enhance housing affordability and housing diversity, enhance transit options and connectivity, decrease underutilized parcels, create development opportunities consistent with the Plan, including but not limited to future disposition to qualified developers for qualified developments;
- i. The disposition of real property through a competitive process in accordance with this Plan, Idaho law, including Idaho Code Section 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 and streetscape improvements, pedestrian facilities, utility undergrounding extension and upgrades, public facilities, and to encourage and enhance housing affordability and housing diversity, enhance mobility options and connectivity, decrease underutilized parcels and surface parking lots, 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 construction and financial support of infrastructure necessary for the provision of improved transit and alternative transportation;
- n. The engineering, design, installation, construction, and/or reconstruction of below ground infrastructure to support the construction of certain municipal buildings pursuant to Idaho Code Section 50-2905A;
- o. 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;
- p. The provision of financial and other assistance to encourage greater density and a diverse mix of rental rates and housing options;



- q. The rehabilitation of structures and improvements by present owners, their successors, and the Agency;
- r. The preparation and assembly of adequate sites for the development and construction of facilities for mixed-use residential (including affordable and/or workforce housing when and if determined to be a public benefit), commercial, office, retail areas, medical facilities, and educational facilities;
- s. The environmental assessment and remediation of brownfield sites, or sites where environmental conditions detrimental to redevelopment exist;
- t. In collaboration with property owners and other stakeholders, working with the City to amend zoning regulations (if necessary) and standards and guidelines for the design of streetscape, plazas multi-use pathways, parks, and open space and other like public spaces applicable to the Project Area as needed to support implementation of this Plan;
- u. 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;
- v. To the extent allowed by law, lend or invest federal funds to facilitate development and/or redevelopment;
- w. 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;
- x. Agency and/or owner-developer construction, participation in the construction and/or management of public parking facilities and/or surface lots that support a desired level and form of development to enhance the vitality of the Project Area;
- y. 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: a substantial number of deteriorating or deteriorated structures, widespread deterioration of site, underdeveloped properties; inadequate connectivity; lack of multi-use paths; the predominance of defective or inadequate street layout, faulty lot layout, insanitary and unsafe conditions, and diversity of ownership. 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. Develop new mixed-use residential, retail, office and commercial areas including opportunities for community, cultural, educational, medical, and recreational facilities, as well as encourage economic development opportunities.
- c. Secure and improve certain public open space in critical areas.
- d. Initiate projects designed to increase affordable and workforce housing options and increased transportation and connectivity options.

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

Land use in the Project Area will 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 mixed-use, retail residential (including affordable and/or workforce housing) and commercial areas, cultural centers, food halls, transit oriented development, educational facilities, other public facilities and improvements, including but not limited to streets, streetscapes, water and sewer improvements, environmental and floodplain remediations/site preparation, public parking, community facilities, façade improvements, parks, plazas and pedestrian/bike pathways. 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.

### **303 Participation Opportunities and Agreements**

#### **303.1 Participation Agreements**

The Agency may enter into various development participation agreements with any existing or future owner of property in the Project Area, in the event the property owner seeks and/or receives assistance from the Agency in the development and/or redevelopment of the property. The terms "owner participation agreement," "participation agreement," or "development agreement" are 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 the 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 the applicable provisions of this Plan, local codes and ordinances and the Idaho Code. Additional conditions described below:

- Any such property within the Project Area shall be required to conform to 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, Destination: Downtown 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.

- 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.
- Any new construction shall also conform to all applicable provisions, requirements, and regulations of this Plan, as well as 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, 2041. The Agency shall retain its discretion to negotiate an earlier date to accomplish all obligations under the owner participation agreement.**

In all owner 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 an owner 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 an owner participation agreement fails or refuses to rehabilitate, develop, use, and maintain its real property pursuant to this Plan and an owner 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 the Ada County Highway District (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 those improvements set forth in Section 301 and in Attachment 5. The Agency shall also cooperate with the City and the Ada County Highway District (or the Idaho Transportation Department) on various relocation, screening, or undergrounding projects and the providing of fiber optic capability. To the extent any public

entity, including the City and/or the Ada County Highway District, 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 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. Acquisition of property may be for the assembly of properties for redevelopment to achieve Plan goals including public benefits such as affordable and/or workforce housing. 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.

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

The Agency is authorized by this Plan to acquire the properties 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.

The Agency is authorized by this Plan and Idaho Code Sections 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 identified in Section 301 of the Plan and/or Attachment 5 hereto. Further, the Agency intends to acquire real property to facilitate commercial and/or economic development projects and/or high-density residential development by assembling and disposing of developable parcels. The Agency's property acquisition will result in remediating deteriorating conditions in the Project Area by facilitating the development of mixed-use, residential (including affordable and/or workforce housing), commercial and retail areas. 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<sup>4</sup>, 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 Section 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, as well as to pursue disposition to third parties pursuant to a competitive process as set forth in Section 309. The Agency reserves the right to determine which properties, if any, should be acquired.

### **305.2 Personal Property**

Generally, personal property shall not be acquired. However, where necessary in the execution of this Plan, the Agency is authorized to acquire personal property in the Project Area by any lawful means, including eminent domain as limited by Idaho Code Section 7-701A for the purpose of developing the public improvements described in Section 305.1.

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<sup>4</sup> House Bill 1044, adopted by the Idaho Legislature during the 2021 Legislative Session, limited the Agency's ability to exercise eminent domain.

### **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.

### **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 of families, 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 and 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 and/or environmental remediation. 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 Section 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.

Air rights and subterranean rights may be disposed of for any permitted use within the Project Area boundaries.

### **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 the Agency deems 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.
- 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 410 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, 2041. 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 Sections 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 this Plan, 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, the Ada County Highway District 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 Section 50-2909 which may be made payable out of the taxes levied in the Project Area and allocated to the Agency under Idaho Code Section 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 disposition and development agreements or participation agreements 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 410. Additionally, development must be consistent with all City ordinances.

### **311 Personal Property Disposition**

For purposes of this Plan, the Agency is authorized to lease, sell, exchange, transfer, assign, pledge, encumber, or otherwise dispose of personal property which is acquired by the Agency.

### **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 including the creation or redevelopment of affordable and/or workforce housing or transit improvements.

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, ACHD, 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 Section 50-2909 which may be made payable out of the taxes levied in the Project Area and allocated to the Agency under Idaho Code Section 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 an owner 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 and Cultural Funding**

The Agency may dedicate resources for the construction or purchase of facilities for the placement and maintenance of public art and arts projects may be selected and provided by the Agency, separately from any construction costs of developers. Though not required, the Agency

Board generally makes selections of the works of art with assistance from the City and the Meridian Arts Commission and may include review and approval of the City Council.

When 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 and within the Meridian zoning ordinance and requirements, including the future land use map and zoning classifications, as may be amended. For the most part, the Project Area includes a mix of uses including mixed-use residential (mixed density and income), commercial, retail and office development, as well as public open spaces, and public structured parking and/or surface lots. Such improvements are consistent with the current zoning designations. 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 set forth on Attachments 1. Any new roadways, including new collectors and/or local roads 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 described in this Plan and 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 Ada County Highway District 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 existing interior or exterior street layout shall be in accordance with the objectives of this Plan and the standards of the City, the Ada County Highway District, or the Idaho Department of Transportation as may be

applicable; 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 pedestrian and vehicular access (including cars, trucks, bicycles, etc.), 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 Other Public, Semi-Public, Institutional, and Nonprofit Uses**

The Agency is also authorized to permit the maintenance, establishment, or enlargement of public, semi-public, institutional, or nonprofit uses, including park and recreational facilities; educational, fraternal, and employee facilities; philanthropic and charitable institutions; utilities; governmental facilities; railroad rights-of-way and equipment; and facilities of other similar associations or organizations. All such uses shall, to the extent possible, conform to the provisions of this Plan applicable to the uses in the specific area involved. The Agency may impose such other reasonable requirements and/or restrictions as may be necessary to protect the development and use of the Project Area.

#### **405 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.

#### **406 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 participation agreement, is made subject to the controls and requirements of this Plan. No such real property shall be developed, redeveloped, rehabilitated,

or otherwise changed after the date of the adoption of this Plan, except in conformance with the provisions of this Plan.

**407 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 Meridian 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 participation agreement.

**408 Minor Variations**

Under exceptional circumstances, the Agency is authorized to allow a variation from the limits, restrictions, and controls established by this Plan. In order to allow such variation, the Agency must determine that:

- a. The application of certain provisions of this Plan would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of this Plan;
- b. There are exceptional circumstances or conditions applicable to the property or to the intended development of the property which do not apply generally to other properties having the same standards, restrictions, and controls;
- c. Allowing a variation will not be materially detrimental to the public welfare or injurious to property or improvements in the area; and
- d. Allowing a variation will not be contrary to the objectives of this Plan.

No variation shall be granted which changes a basic land use or which permits other than a minor departure from the provisions of this Plan. In allowing any such variation, the Agency shall impose such conditions as are necessary to protect the public peace, health, safety, or welfare and to assure compliance with the purposes of the Plan. Any variation allowed by the Agency hereunder shall not supersede any other approval required under City codes and ordinances and shall not be considered a modification to the Plan.

#### **409 Nonconforming Uses**

This Section applies to property owners seeking assistance from the Agency regarding their property. 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 a participation agreement and agree to the imposition of such reasonable restrictions as may be necessary to protect the development and use within 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.

#### **410 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), the state of Idaho, the 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, 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, 2021. 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 advance-funded by developers or property owners, borrowed, indebtedness incurred, or notes or bonds issued by the Agency to finance or to refinance the Project Costs (as defined in Idaho Code Section 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 Section 50-2908. The Agency shall use such funds solely in accordance with Idaho Code Section 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 Section 50-2905 is included in this Plan and in Attachment 5 to this Plan. This statement 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 to effectuate the general objectives of the Plan in order to account for revenue inconsistencies, market adjustments, future priorities, developers/owners seeking Agency assistance pursuant to an owner participation agreement, 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 developers for the cost of eligible public improvements.

Revenues will continue to be allocated to the Agency until termination of the revenue allocation area as set forth in Section 800. Attachment 5 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 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 for the cost of eligible public improvements pursuant to an owner participation agreement.

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 Kushlan | Associates. 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 bonded 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 proposed development take place as projected, the project indebtedness could be extinguished earlier, dependent upon the bond sale documents or 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 this Plan and in Attachment 5, which will facilitate mixed-use commercial, residential, office and retail development in the Revenue Allocation Area.

The assumptions set forth in the Study are based upon the best information available to the Agency and its consultants through public sources or discussions with property owners, developers, 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 list of public improvements, or activities within Attachment 5 are prioritized by way of feasibility based on estimated revenues to be received, amounts funded, and by year of 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. Further, 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. 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, office, retail, and residential improvements.

The types of new construction expected in the Project Area are mixed-use residential (including affordable and workforce housing), commercial, office and retail projects, and related public improvements, including streetscapes, installation and/or improvements to public open spaces and plazas. The Project Area has potential for a significant increase in mixed-use, high-density residential, commercial, office and retail growth due to the location of the Project Area. However, without a method to construct the identified public improvements such as main water and sewer lines, street infrastructure, and pedestrian amenities, development is unlikely to occur in much of the Project Area.

It is understood that application of certain exemptions, including the homeowner's exemption and Idaho Code Section 63-602K, which provides for personal property tax

exemption to businesses may have the effect of reducing the increment value, which in turn reduces revenue.

### 502.3 Ten Percent Limitation

Under the Act, the base assessed valuation for all revenue allocation areas cannot exceed gross/net ten percent (10%) of the current assessed taxable value for the entire City. According to the Ada County Assessor, the assessed taxable value for the City as of January 1, 202,<sup>5</sup> less homeowners' exemptions, is \$10,375,837,804. Therefore, the 10% limit is \$1,037,583,780.

The adjusted base assessed value of each of the existing revenue allocation areas as of January 1, 2020, is as follows:

Downtown District <sup>6</sup>	\$146,334,050
Ten Mile District	\$39,539,125
Union District	\$2,144,360
Proposed Northern Gateway District	\$68,805,474
Proposed Linder District <sup>7</sup>	\$11,978,500
Proposed Union District Addition	\$3,414,100

The adjusted base values for the combined existing and proposed revenue allocation areas and the estimated base value for the proposed Project Area, less homeowners' exemptions, is \$272,215,609, which is less than 10% of the City's 2020 taxable value.

### 502.4 Financial Limitation

The Study identifies a number of 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, by contract, or by other federal regulations. If revenue allocation funds are unavailable, then the Agency will need to use a different funding source for that improvement.

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

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<sup>5</sup> Due to the timing of the assessment process and creation of this Plan, the 2020 certified values have been used to establish compliance with the 10% limitation. Using the 2020 values, the total adjusted base value of the existing and proposed revenue allocation areas combined with the value of this Project Area are less than 2.62% of the total taxable value of the City. Even assuming an increase in values for 2021, the combined adjusted base values of the revenue allocation areas would not exceed 10% of the current assessed taxable value for the entire City.

<sup>6</sup> Less area deannexed by the First Amendment to the Meridian Revitalization Plan Urban Renewal Project, and the Second Amendment to the Meridian Revitalization Plan Urban Renewal Project.

<sup>7</sup> May not be established until calendar year 2022.

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 may be utilized including annual revenue allocations, developer contributions, city contributions, interfund loan, federal funding, grants, property disposition and other financing sources as permitted by law. 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.<sup>8</sup> Based on these funding sources, the conclusion is that the Project is feasible.

The Agency reserves the discretion and flexibility to use revenue allocation proceeds in excess of the amounts projected in the Study for the purpose of funding the additional identified projects and improvements. The projections in the Study are based on reasonable assumptions and existing market conditions. However, should the Project Area result in greater than anticipated revenues, the Agency specifically reserves the ability to fund the additional activities and projects identified in this Plan. Further, the Agency reserves the discretion and flexibility to use other sources of funds unrelated to revenue allocation to assist in the funding of the improvements and activities identified, including but not limited to disposition and development agreements and owner participation agreements. The Agency may also re-prioritize projects pursuant to market conditions, project timing, funding availability, and other considerations 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 Section 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 the terms of any reimbursement with the developer and/or the public entities. This Plan does not financially bind or obligate the Agency, City or 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. The City has not committed to fund any public infrastructure improvements within the Project Area. Such decisions concerning capital improvement projects and/or other expenditures are made by the City annually pursuant to its budget and appropriations process. 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

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<sup>8</sup> See Idaho Code § 50-2905.

siting of the proposed public infrastructure and other improvement projects in the Project Area are generally described 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 Code, 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 revenues identified in the debt resolution or 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 Section 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<sup>9</sup>. 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 Section 63-802. Therefore, the impact of revenue allocation on the taxing entities is more of a product of the imposition of Idaho Code Section 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 will receive fewer funds from revenue allocation.

In addition, without the Revenue Allocation Area and its ability to pay for public improvements and public facilities, fewer substantial improvements within the Revenue Allocation Area would be expected during the term of the Plan; hence, there would be lower increases in assessed valuation to be used by the other taxing entities. The Study's analysis is premised upon the fact the proposed development would not occur but for the ability to use revenue allocation funds to fund certain significant public infrastructure improvements.

One result of new construction occurring outside the revenue allocation area (*see* 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<sup>10</sup>. From and after December 31, 2006, Idaho Code Section 63-301A prohibits taxing entities from including, as part of the new construction

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<sup>9</sup> House Bill 389 passed during the 2021 Legislative Session, effective in significant part as of January 1, 2021, further limits a taxing entity's ability to increase the property tax portion of its budget. The Study has considered the impact of House Bill 389 on the Project's overall feasibility.

<sup>10</sup> 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.



roll, the increased value related to new construction within a revenue allocation area until the revenue allocation authority is terminated. Any new construction within the Project Area is not available for inclusion by the taxing entities to increase their budgets. Upon termination of this Plan and Project Area or deannexation of area, the taxing entities will be able to include a percentage<sup>11</sup> of the accumulated new construction roll value in setting the following year’s budget and revenue pursuant to Idaho Code Sections 63-802 and 63-301A.

As the 2021 certified levy rates are not determined until late September or October 2021, the 2020 certified levy rates have been used in the Study for purposes of the analysis.<sup>12</sup> Those taxing districts and their 2020 certified levy rates are as follows:<sup>13</sup>

<u>Taxing Districts:</u>	<u>Levy Rates:</u>
The City of Meridian	.002230856
The West Ada School District (School District No. 2)	.000014472
Ada County	.002149935
Emergency Medical District/Ada County Ambulance	.000118422
Mosquito Abatement District	.000021106
The Ada County Highway District	.000701539
Meridian Library District	.000430489
Meridian Cemetery District	.000048343
Western Ada Recreation District	.000037736
College of Western Idaho	.000124266
<b>TOTAL<sup>14</sup></b>	<b>.005877164</b>

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<sup>15</sup>. 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.

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

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<sup>11</sup> Pursuant to House Bill 389, 80% of the total eligible increment value is added to the new construction roll.

<sup>12</sup> Due to the timing of the taxing districts’ budget and levy setting process, certification of the 2021 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 2020 levy rates are used. Use of the 2020 levy rates provides a more accurate base than estimating the 2021 levy rates.

<sup>13</sup> It is unclear how the personal property tax exemption set forth in Idaho Code Section 63-602KK, and as amended by House Bill 389, effective January 1, 2022, may impact the levy rate.

<sup>14</sup> Net of voter approved bonds and levies.

<sup>15</sup> 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.

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 concerning the levy rate. The levy rate is estimated to be 10% lower than the combined 2020 certified levy rate to adjust for the impact of House Bill 389, as well as considering the rapidly increasing property values. The levy rate is anticipated to remain level for the life of the Project Area. As the actual impact of the property value fluctuations on the levy rate is unknown, the Study has assumed a combined conservative levy rate of .0053. Land values are estimated to inflate at 8%/year for five (5) years and then inflate at a rate of 4%/year for the remaining duration of the Project Area. Improvement values are estimated to inflate at a rate of 10%/year for five (5) years, and thereafter are estimated to inflate at a rate of 5%/year for the duration of the Project Area. Estimated new development is anticipated to be fully on the tax rolls in years 2025, 2027, 2028, 2029, 2030, 2032, 2033 and 2035. It is further estimated the properties in the district will generate \$500,000 in taxable value annually. If the overall levy rate is less than projected, or if expected development fails to occur as estimated, the Agency shall receive fewer funds from revenue allocation.

Pursuant to Idaho Code Section 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.

### **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, 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. 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, Parking Revenue, and Bonds**

Under the Law (*see* 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 Section 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 District Operating Expenses identified in 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 development and/or redevelopment of the Project Area to be commenced and carried to completion without unnecessary delays.
- g. The undertaking and completing of any other proceedings necessary to carry out the Project.
- h. Administration of Community Development Block Grant funds that may be made available for this Project.
- i. Appropriate agreements with the Agency for administration, supporting services, funding sources, and the like.
- j. Joint funding of certain public improvements, including but not limited to those identified in this Plan and Attachment 5 to the Plan.
- k. Use of public entity labor, services, and materials for construction of the public improvements listed in this Plan.
- l. 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.**

In addition to the above, other public entities 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.

#### **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.

#### **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 extensions set forth in Idaho Code Section 50-2904. The revenue allocation authority will expire on December 31, 2041, except for any revenue allocation proceeds received in calendar year 2042, as contemplated by Idaho Code Section 50-2905(7). The Agency may use proceeds in 2042 to complete the projects set forth herein. As stated in the Plan, any disposition and development agreement or owner participation agreement obligations will cease as of December 31, 2041.

Idaho Code Section 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, 2042, or if the Agency determines an earlier terminate date, then by May 1 of the early termination year:

- a. When the Revenue Allocation Area plan budget estimates that all financial obligations have been provided for, the principal of and interest on such moneys, indebtedness, and bonds have been paid in full or when deposits in the special fund or funds created under this chapter are sufficient to pay such principal and interest as they come due, and to fund reserves, if any, or any other obligations of the Agency funded through revenue allocation proceeds shall be satisfied and the Agency has determined no additional project costs need be funded through revenue allocation financing, the allocation of revenues under Idaho Code Section 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 Section 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 Section 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 Section 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 Section 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 Section 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, 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 should not be modified pursuant to the provisions set forth in Idaho Code Section 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 Section 50-2903A subject to certain limited exceptions contained therein. 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 Section 50-2903A(1)(a)(i).

## **1000 SEVERABILITY**

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

## **1100 ANNUAL REPORT AND OTHER REPORTING REQUIREMENTS**

Under the Law, the Agency is required to file with the City, on or before March 31 of each year, a report of the Agency's activities for the preceding calendar year, which report shall include the financial data and audit reports required under sections 67-1075 and 67-1076, Idaho Code. 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 Section 67-1076<sup>16</sup>, the tax commission plan repository, *see* Idaho Code § 50-2913, and the tax commission's plan modification annual attestation, *see* Idaho Code § 50-2903A. 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.

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<sup>16</sup> House Bill 73, passed during the 2021 Legislative Session, significantly effective as of January 1, 2021, with the remaining sections in full force and effect on and after January 1, 2022, establishes a uniform accounting system for local governmental entities, including urban renewal agencies, which is to be administered by the State Controller. Going forward, Idaho Code Section 67-450E is superseded by Idaho Code Section 67-1076.

Attachment 1



Boundary Map of Northern Gateway District Urban Renewal Project Area and Revenue Allocation Area

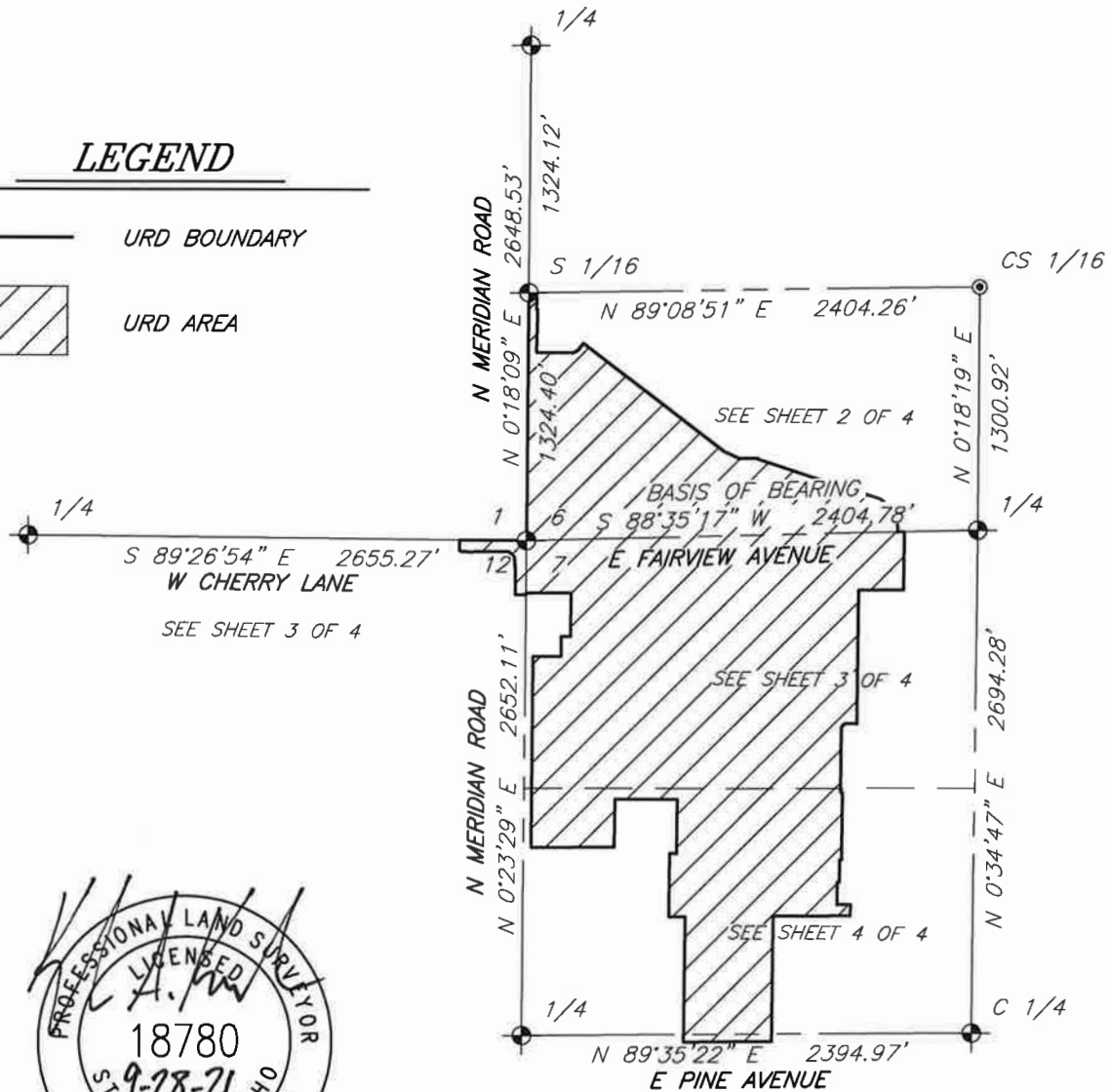


# EXHIBIT B

SKETCH TO ACCOMPANY URBAN RENEWAL DISTRICT DESCRIPTION FOR MERIDIAN DEVELOPMENT CORPORATION LOCATED IN THE NE 1/4 OF THE NE 1/4 OF SECTION 12, TOWNSHIP 3 NORTH, RANGE 1 WEST, ALSO BEING IN THE S 1/2 OF THE SW 1/4 OF SECTION 6, AND IN THE NW 1/4 OF SECTION 7, AND IN THE N 1/2 OF THE SW 1/4 OF SECTION 7, TOWNSHIP 3 NORTH, RANGE 1 EAST, BOISE MERIDIAN, ADA COUNTY, IDAHO

## LEGEND

-  URD BOUNDARY
-  URD AREA

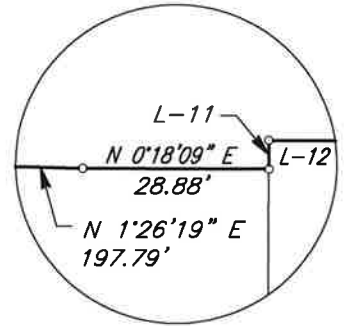
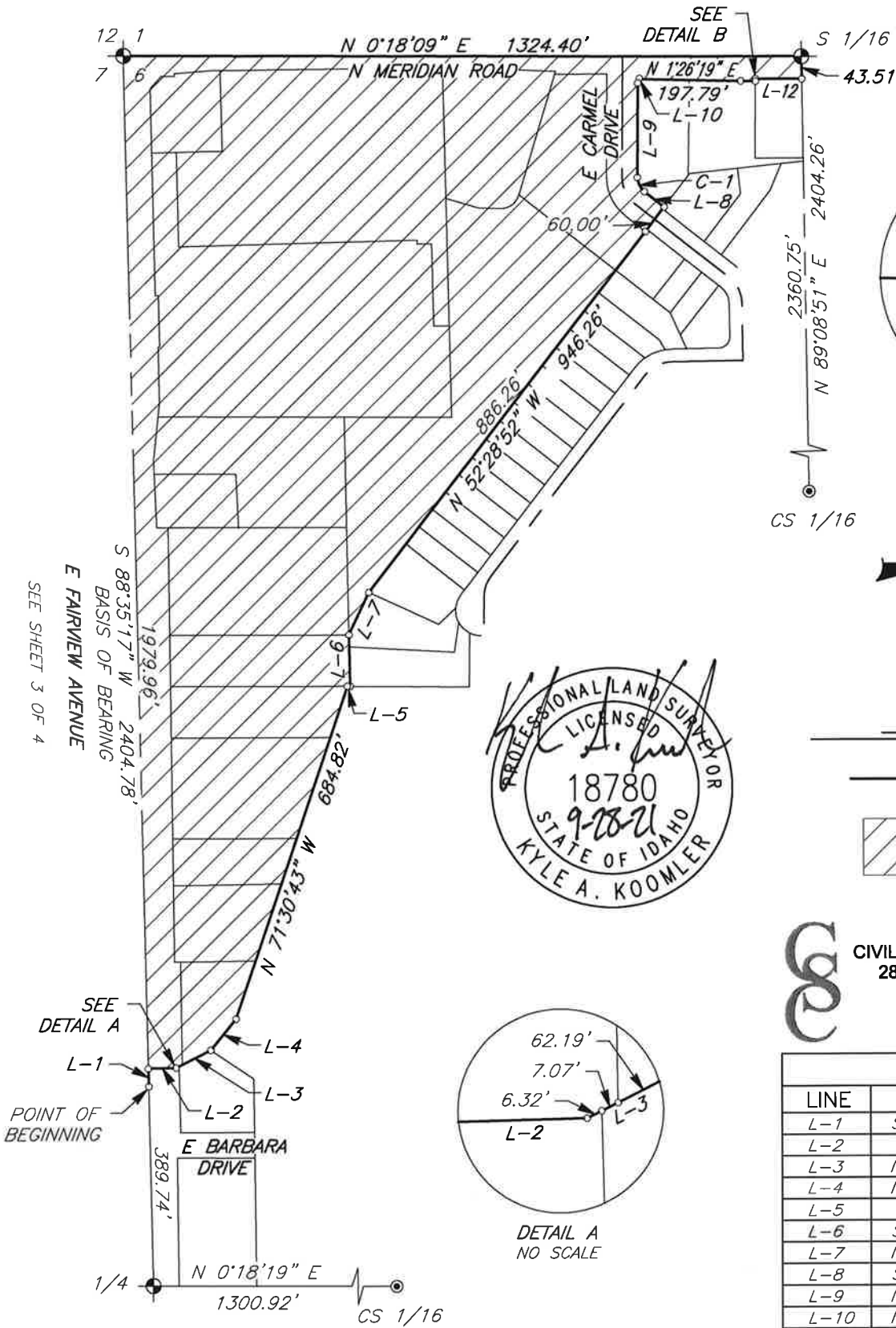


CIVIL SURVEY CONSULTANTS, INC.  
2893 SOUTH MERIDIAN ROAD  
MERIDIAN, IDAHO 83642  
(208)888-4312



SCALE: 1"=1000'

# EXHIBIT B (CONTINUED)



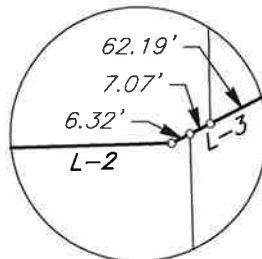
DETAIL B  
NO SCALE



SCALE: 1"=300'

## LEGEND

- URD BOUNDARY
- URD AREA



DETAIL A  
NO SCALE



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## LINE DATA

LINE	BEARING	DISTANCE
L-1	S 88°35'17" W	35.08'
L-2	N 1°24'43" W	54.39'
L-3	N 27°07'54" W	75.58'
L-4	N 51°10'43" W	78.50'
L-5	N 0°29'39" E	5.24'
L-6	S 88°51'10" W	100.83'
L-7	N 64°55'11" W	91.10'
L-8	S 38°12'39" W	48.77'
L-9	N 89°42'29" W	183.94'
L-10	N 65°44'09" W	8.70'
L-11	N 89°37'07" W	4.50'
L-12	N 0°18'09" E	90.62'

## CURVE DATA

CURVE	DELTA	RADIUS	ARC	TANGENT	CHORD	CHORD BRNG.
C-1	52°04'52"	35.00	31.81	17.10	30.73	S 64°15'05" W

# EXHIBIT B (CONTINUED)



SCALE: 1"=300'

## LEGEND

— URD BOUNDARY



URD AREA



SEE SHEET 4 OF 4

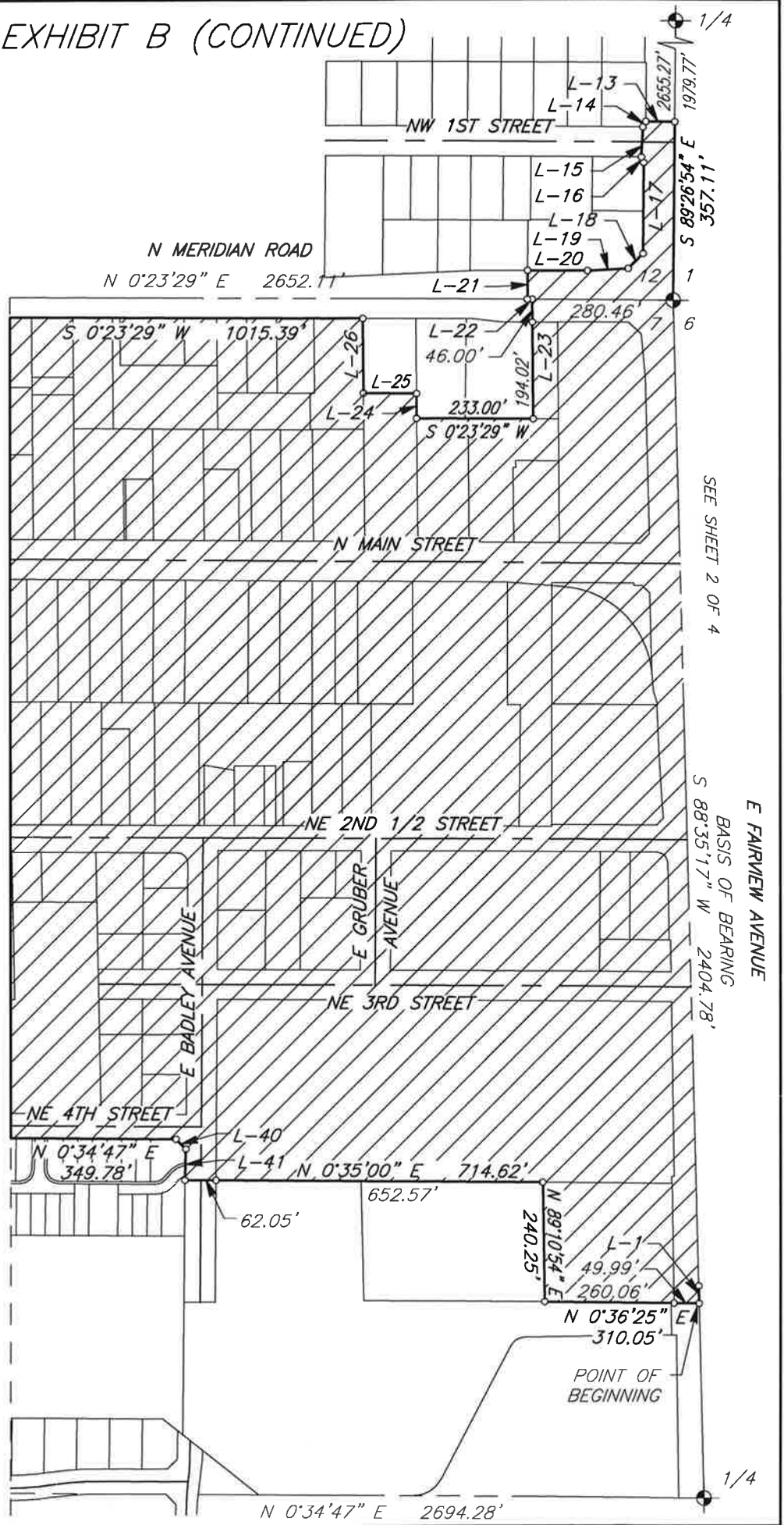
### LINE DATA

LINE	BEARING	DISTANCE
L-13	S 0°33'06" W	57.00'
L-14	S 62°43'15" E	12.62'
L-15	S 86°48'50" E	60.07'
L-16	N 66°24'13" E	12.07'
L-17	S 89°26'54" E	182.01'
L-18	S 45°34'48" E	41.81'
L-19	S 3°25'19" E	81.40'
L-20	S 0°23'29" W	119.26'
L-21	S 89°36'31" E	57.50'
L-22	N 0°23'29" E	9.32'
L-23	N 89°36'58" E	240.02'
L-24	S 89°36'58" W	50.01'
L-25	S 0°23'29" W	106.39'
L-26	S 89°36'05" W	150.01'
L-40	N 45°34'47" E	27.80'
L-41	S 88°23'46" E	62.38'



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SHEET 3 OF 4



SEE SHEET 2 OF 4

S 88°35'17" W 2404.78'

E FAIRVIEW AVENUE

1/4

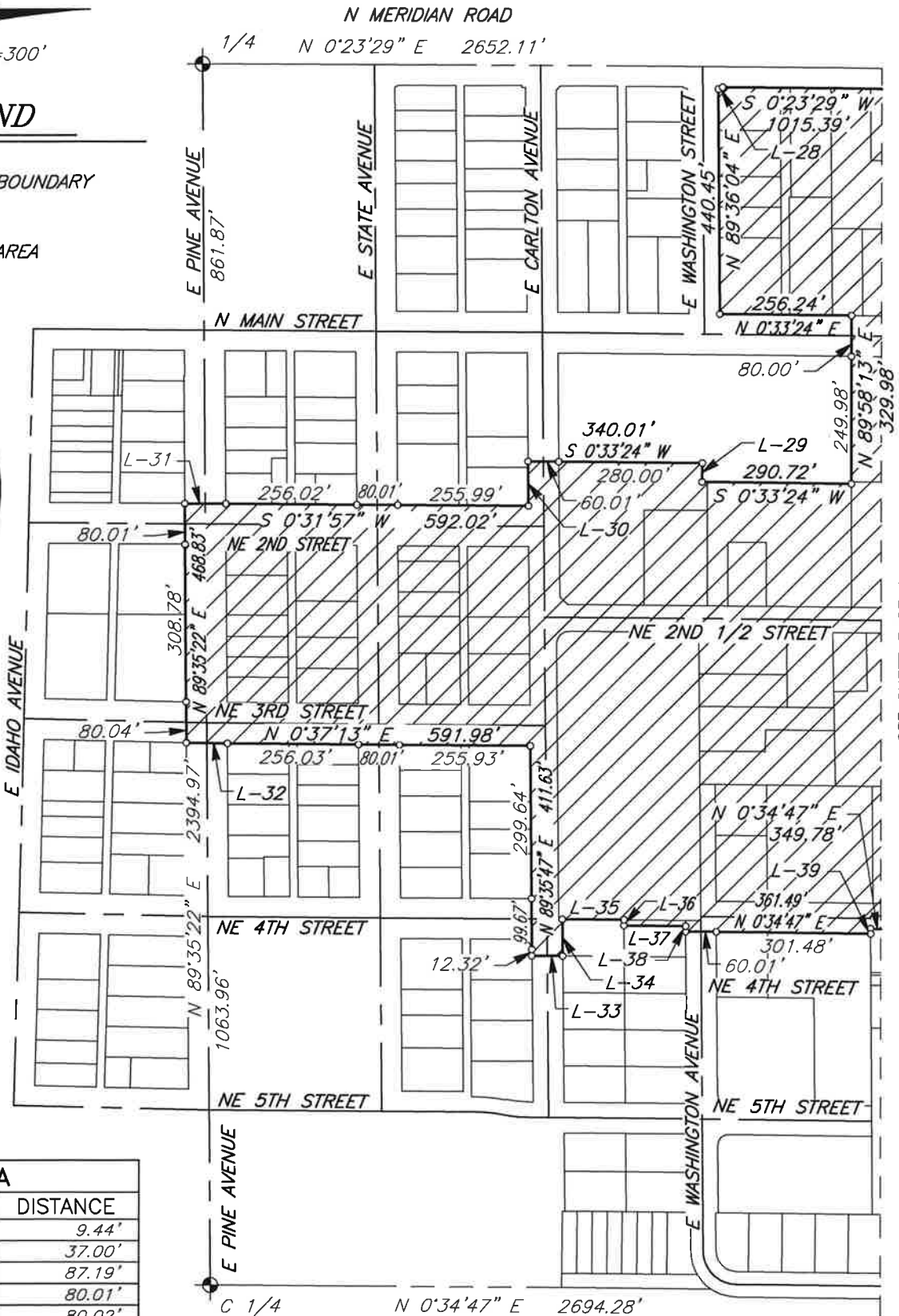
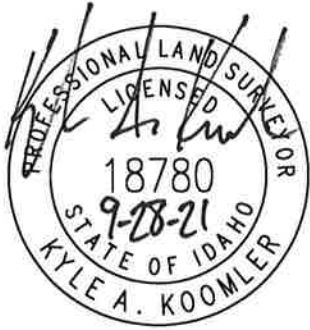
# EXHIBIT B (CONTINUED)



SCALE: 1"=300'

## LEGEND

-  URD BOUNDARY
-  URD AREA



SEE SHEET 3 OF 4

LINE DATA		
LINE	BEARING	DISTANCE
L-28	S 23°44'59" E	9.44'
L-29	N 89°26'36" W	37.00'
L-30	N 89°35'47" E	87.19'
L-31	S 0°32'08" W	80.01'
L-32	N 0°58'55" E	80.02'
L-33	N 0°34'47" E	60.01'
L-34	S 89°35'47" W	71.98'
L-35	N 0°35'03" E	120.38'
L-36	N 89°35'47" E	11.00'
L-37	N 0°35'00" E	120.38'
L-38	N 89°35'47" E	10.60'
L-39	S 89°36'17" W	10.00'



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Attachment 2

Legal Description of Northern Gateway District Urban Renewal Project Area and Revenue  
Allocation Area

**EXHIBIT A**  
**URBAN RENEWAL DISTRICT BOUNDARY DESCRIPTION**  
**FOR**  
**MERIDIAN DEVELOPMENT CORPORATION**

**NORTHERN GATEWAY (Option B)**

A description for Urban Renewal District purposes located in the NE 1/4 of the NE 1/4 of Section 12, Township 3 North, Range 1 West, also being in the S 1/2 of the SW 1/4 of Section 6, and in the NW 1/4 of Section 7, and in the N 1/2 of the SW 1/4 of Section 7, Township 3 North, Range 1 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at a brass cap monument marking the southeasterly corner of said S 1/2 of the SW 1/4 of Section 6, from which a brass cap monument marking the southwesterly corner of said Section 6 bears S 88°35'17" W a distance of 2404.78 feet;

Thence S 88°35'17" W along the southerly boundary of said Section 6 a distance of 389.74 feet to the POINT OF BEGINNING;

Thence continuing S 88°35'17" W a distance of 35.08 feet to a point;

Thence leaving said southerly boundary N 1°24'43" W a distance of 54.39 feet to a point marking the southwesterly corner of that *PARCEL* as shown on Record of Survey No. 2969, Instrument No. 94082169, found in the office of the Recorder, Ada County, Idaho;

Thence N 27°07'54" W along the southwesterly boundary of said *PARCEL* a distance of 75.58 feet to a point marking the westerly corner of said *PARCEL*, said point being the southerly corner of *PARCEL A* as described in Warranty Deed Instrument No. 96048180 as found in said office of the Recorder;

Thence leaving said southwesterly boundary of said *PARCEL* and along the southwesterly boundary of said *PARCEL A* the following described courses:

Thence N 51°10'43" W a distance of 78.50 feet to a point;

Thence N 71°30'43" W a distance of 684.82 feet to a point;

Thence N 0°29'39" E a distance of 5.24 feet to a point marking the southeasterly corner of *LA PLAYA MANOR ESTATES SUBDIVISION* as found in Book 70 of plats at Pages 7187 – 7188 in said office of the Recorder;

Thence leaving said southwesterly boundary of said *PARCEL A* and along the southwesterly boundary of said *LA PLAYA MANOR ESTATES SUBDIVISION* the following described courses:

Thence S 88°51'10" W a distance of 100.83 feet to a point;

Thence N 64°55'11" W a distance of 91.10 feet to a point;

Thence N 52°28'52" W a distance of 886.26 feet to a point on the southerly right-of-way of E Carmel Drive;

Thence continuing N 52°28'52" W a distance of 60.00 feet to a point on the northerly right-of-way of E Carmel Drive;

Thence leaving said southwesterly boundary of *LA PLAYA MANOR ESTATES SUBDIVISION* and along said northerly right-of-way the following described courses:

Thence S 38°12'39" W a distance of 48.77 feet to a point;

Thence a distance of 31.81 feet along the arc of a 35.00 foot radius curve right, said curve having a central angle of 52°04'52" and a long chord bearing S 64°15'05" W a distance of 30.73 feet to a point;

Thence N 89°42'29" W a distance of 183.94 feet to a point;

Thence N 65°44'09" W a distance of 8.70 feet to a point on the easterly right-of-way of N Meridian Road;

Thence leaving said northerly right-of-way and along said easterly right-of-way the following described courses:

Thence N 1°26'19" E a distance of 197.79 feet to a point;

Thence N 0°18'09" E a distance of 28.88 feet to a point;

Thence N 89°37'07" W a distance of 4.50 feet to a point;

Thence N 0°18'09" E a distance of 90.62 feet to a point on the northerly boundary of said S 1/2 of the SW 1/4 of Section 6;

Thence leaving said easterly right-of-way S 89°08'51" W along said northerly boundary a distance of 43.51 feet to a point marking the northwesterly corner of said S 1/2 of the SW 1/4 of Section 6;

Thence S 0°18'09" W along the westerly boundary of said S 1/2 of the SW 1/4 a distance of 1324.40 feet to a point marking the southwest corner of said S 1/2 of the SW 1/4, said point being the northeasterly corner of said Section 12;

Thence N 89°26'54" W along the northerly boundary of said Section 12 a distance of 357.11 feet to a point;

Thence leaving said northerly boundary S 0°33'06" W a distance of 57.00 feet to a point on the southerly right-of-way of W Cherry Lane;

Thence along said southerly right-of-way the following described courses:

Thence S 62°43'15" E a distance of 12.62 feet to a point on the westerly right-of-way of NW 2nd Street;

Thence leaving said westerly right-of-way S 86°48'50" E a distance of 60.07 feet to a point on the easterly right-of-way of NW 2nd Street;

Thence leaving said easterly right-of-way N 66°24'13" E a distance of 12.07 feet to a point;

Thence S 89°26'54" E a distance of 182.01 feet to a point;

Thence S 45°34'48" E a distance of 41.81 feet to a point on the westerly right-of-way of N Meridian Road;

Thence leaving said southerly right-of-way and along said westerly right-of-way the following described courses:

Thence S 3°25'19" E a distance of 81.40 feet to a point;

Thence S 0°23'29" W a distance of 119.26 feet to a point;

Thence leaving said westerly right-of-way S 89°36'31" E a distance of 57.50 feet to a point on the westerly boundary of said NW 1/4 of Section 7;



Thence N 0°23'29" E along said westerly boundary a distance of 9.32 feet to a point on the extension of the northerly boundary of *PARCEL A* as shown on Record of Survey No. 10448, Instrument No. 2016-028560, found in said office of the Recorder;

Thence N 89°36'58" E along said extension a distance of 46.00 feet to a point marking the northwesterly corner of said *PARCEL A*;

Thence continuing N 89°36'58" E along the northerly boundary of said *PARCEL A* a distance of 194.02 feet to a point marking the northeasterly corner of said *PARCEL A*;

Thence S 0°23'29" W along the easterly boundaries of said *PARCEL A* and of *PARCEL B* of said Record of Survey No. 10448 a distance of 233.00 feet to a point marking the southeasterly corner of said *PARCEL B*;

Thence S 89°36'58" W along the southerly boundary of said *PARCEL B* a distance of 50.01 feet to a point;

Thence leaving said southerly boundary S 0°23'29" W a distance of 106.39 feet to a point;

Thence S 89°36'05" W a distance of 150.01 feet to a point on the easterly right-of-way of N Meridian Road;

Thence along said right-of-way the following described courses:

Thence S 0°23'29" W a distance of 1015.39 feet to a point;

Thence S 23°44'59" E a distance of 9.44 feet to a point on the northerly right-of-way of E Washington Street;

Thence leaving said easterly right-of-way N 89°36'04" E along said northerly right-of-way a distance of 440.45 feet to a point on the westerly right-of-way of N Main Street;

Thence leaving said northerly right-of-way N 0°33'24" E along said westerly right-of-way a distance of 256.24 feet to a point on the extension of the northerly boundary of that *PARCEL* as shown on Record of Survey No. 1171, Instrument No. 8761859, found in said office of the Recorder;

Thence leaving said westerly right-of-way N 89°58'13" E along said extension a distance of 80.00 feet to a point marking the northwesterly corner of said *PARCEL*;

Thence continuing N 89°58'13" E along the northerly boundary of said *PARCEL* a distance of 249.98 feet to a point marking the northeasterly corner of said *PARCEL*, said point being the northwesterly corner of *SCHOOL PLAZA SUBDIVISION NO. 1* as found in Book 64 of plats at Pages 6501 – 6502 in said office of the Recorder;

Thence along the easterly boundary of said *PARCEL* and the westerly boundary of said *SCHOOL PLAZA SUBDIVISION NO. 1* the following described courses:

Thence S 0°33'24" W a distance of 290.72 feet to a point;

Thence N 89°26'36" W a distance of 37.00 feet to a point;

Thence S 0°33'24" W a distance of 280.00 feet to a point marking the southeasterly corner of said *PARCEL* and marking the southwest corner of said *SCHOOL PLAZA SUBDIVISION NO. 1*;

Thence leaving said boundaries and continuing S 0°33'24" W along an extension of said boundaries a distance of 60.01 feet to a point on the northerly boundary of Block 5 of *F A NOURSES SECOND ADDITION* as found in Book 2 of plats at Page 64 in said office of the Recorder;

Thence leaving said extension N 89°35'47" E along said northerly boundary a distance of 87.19 feet to a point marking the northeasterly corner of said Block 5;

Thence S 0°31'57" W along the easterly boundary of said Block 5 a distance of 255.99 feet to a point marking the southeasterly corner of said Block 5;

Thence continuing S 0°31'57" W a distance of 80.01 feet to a point marking the northeasterly corner of Block 2 of said *F A NOURSES SECOND ADDITION*;

Thence continuing S 0°31'57" W along the easterly boundary of said Block 2 a distance of 256.02 feet to a point marking the southeasterly corner of said Block 2;

Thence S 0°32'08" W a distance of 80.01 feet to a point on the southerly right-of-way of E Pine Avenue as shown on Record of Survey No. 11653, Instrument No. 2018-119154, found in said office of the Recorder;

Thence along said southerly right-of-way the following described courses:

Thence N 89°35'22" E a distance of 80.01 feet to a point marking the northwesterly corner of that right-of-way vacated to adjoining owners, as described in Instrument No. 98218, of Block 7 of the amended plat of the *TOWNSITE OF MERIDIAN* as found in Book 1 of plats at Page 30 in said office of the Recorder;

Thence continuing N 89°35'22" E a distance of 308.78 feet to a point marking the northeasterly corner of said vacated right-of-way of Block 1 of the amended plat of *ROWAN ADDITION* as found in Book 2 of plats at Page 52 in said office of the Recorder;

Thence continuing N 89°35'22" E a distance of 80.04 feet to a point marking the northwesterly corner of said vacated right-of-way of Block 6 of said amended plat of *ROWAN ADDITION*;

Thence leaving said southerly right-of-way N 0°58'55" E a distance of 80.02 feet to a point marking the southwesterly corner of Block 3 of *COTTAGE HOME ADDITION* as found in Book 1 of plats at Page 42 in said office of the Recorder;

Thence N 0°37'13" E along the westerly boundary of said Block 3 a distance of 256.03 feet to a point marking the northwesterly corner of said Block 3;

Thence continuing N 0°37'13" E a distance of 80.01 feet to a point marking the southwesterly corner of Block 6 of said *COTTAGE HOME ADDITION*;

Thence continuing N 0°37'13" E along the westerly boundary of said Block 6 a distance of 255.93 feet to a point marking the northwesterly corner of said Block 6;

Thence N 89°35'47" E along the northerly boundary of said Block 6 a distance of 299.64 feet to a point marking the northeasterly corner of said Block 6;

Thence continuing N 89°35'47" E a distance of 99.67 feet to a point the northwesterly corner of Lot 1 of Block 1 of *EASTSIDE PARK SUBDIVISION* as found in Book 20 of plats at Pages 1312 – 1313 in said office of the Recorder;

Thence continuing N 89°35'47" E along the northerly boundary of said Lot 1 a distance of 12.32 feet to a point on an extension of the easterly boundary of Lot 1 of Block 3 of said *EASTSIDE PARK SUBDIVISION*;

Thence leaving said northerly boundary N 0°34'47" E a distance of 60.01 feet to the southeasterly corner of said Lot 1 of Block 3;

Thence S 89°35'47" W along the southerly boundary of said Lot 1 a distance of 71.98 feet to the southwesterly corner of said Lot 1;

Thence N 0°35'03" E along the westerly boundary of said Lot 1 a distance of 120.38 feet to the northwesterly corner of said Lot 1;

Thence N 89°35'47" E along the northerly boundary of said Lot 1 a distance of 11.00 feet to a point;

Thence leaving said northerly boundary N 0°35'00" E a distance of 120.38 feet to a point on the northerly boundary of said Block 3;

Thence N 89°35'47" E along said northerly boundary a distance of 10.60 feet to a point on the extension of the easterly right-of-way of NE 4th Street;

Thence leaving said northerly boundary N 0°34'47" E along said extension a distance of 60.01 feet to a point on said easterly right-of- way;

Thence continuing N 0°34'47" E along said easterly right-of-way a distance of 301.48 feet to a point on the southerly boundary of *FORTY THREE NORTH SUBDIVISION* as found in Book 116 of plats at Pages 17417 – 17419 in said office of the Recorder;

Thence S 89°36'17" W along said southerly boundary a distance of 10.00 feet to a point marking the southwesterly corner of said *FORTY THREE NORTH SUBDIVISION*;

Thence along the westerly boundary of said *FORTY THREE NORTH SUBDIVISION* the following described courses:

Thence N 0°34'47" E a distance of 349.78 feet to a point;

Thence N 45°34'47" E a distance of 27.80 feet to a point marking the northwesterly corner of said *FORTY THREE NORTH SUBDIVISION*;

Thence leaving said westerly boundary S 88°23'46" E along the northerly boundary of said *FORTY THREE NORTH SUBDIVISION* a distance of 62.38 feet to a point on the extension of the easterly boundary of that *PARCEL* as shown on Record of Survey No. 10184, Instrument No. 2015-067809, found in said office of the Recorder;

Thence N 0°35'00" E along said extension a distance of 62.05 feet to a point marking the southeasterly corner of said *PARCEL*;

Thence continuing N 0°35'00" E along the easterly boundary of said *PARCEL* a distance of 652.57 feet to a point marking the southwesterly corner of that *PARCEL* as shown on Record of Survey No. 2532, Instrument No. 9353397, found in said office of the Recorder;

Thence leaving said easterly boundary N 89°10'54" E along the southerly boundary of said *PARCEL* as shown on Record of Survey No. 2532 a distance of 240.25 feet to a point marking the southeasterly corner of said *PARCEL* as shown on Record of Survey No. 2532;

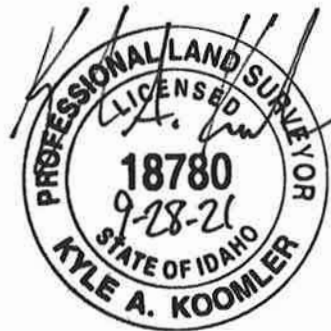
Thence N 0°36'25" E along the easterly boundary of said *PARCEL* as shown on Record of Survey No. 2532 a distance of 260.06 feet to a point on the southerly right-of-way of E Fairview Avenue;

Thence leaving said easterly boundary and continuing N 0°36'25" E along and extension of said easterly boundary a distance of 49.99 feet to the POINT OF BEGINNING.

This parcel contains approximately 105.802 acres.

NOTE: This description was prepared using record information including Record of Surveys, Subdivision Plats and Deeds acquired from the Ada County Recorder's office. No field survey has been performed.

Prepared by: Kyle A. Koomler, PLS  
Civil Survey Consultants, Incorporated  
September 28, 2021



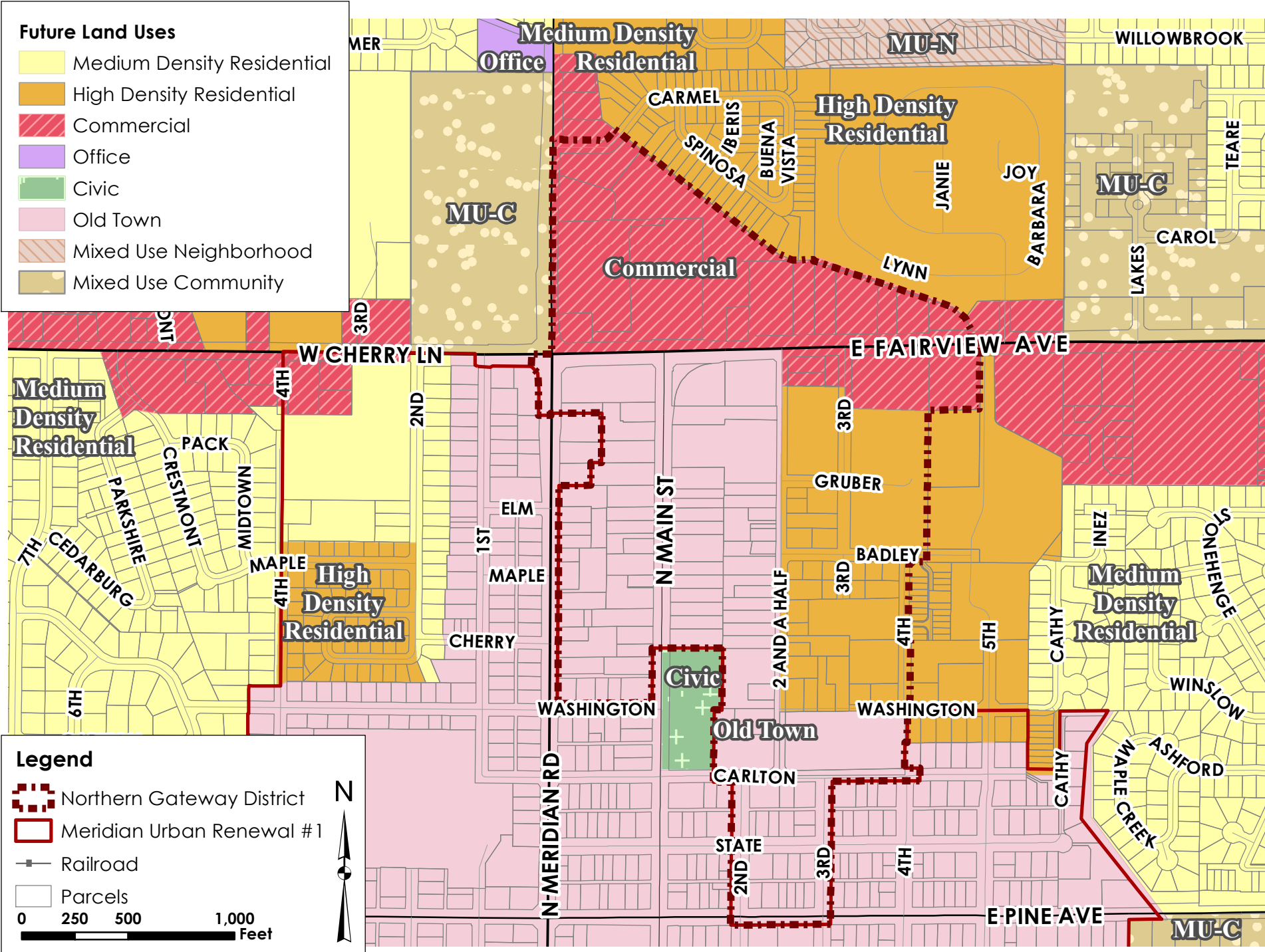
## Attachment 3

### 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 development and/or redevelopment;
  - b) assemble with adjacent rights-of-way to improve configuration and enlarge parcels for development and/or redevelopment;
  - c) reconfigure sites for development and possible extension of streets or pathways;
  - d) assemble for future transfer to qualified developers to facilitate the development of mixed-use, residential (including affordable and/or workforce housing), commercial, office and retail areas; or
  - e) assemble for the construction of certain public improvements, including but not limited to streets, streetscapes, water and sewer improvements, environmental and floodplain remediation/site preparation, public parking, community facilities, parks, pedestrian/bike paths and trails, recreation access points, 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, including support for affordable and/or workforce housing projects.

Attachment 4

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





**Zoning**

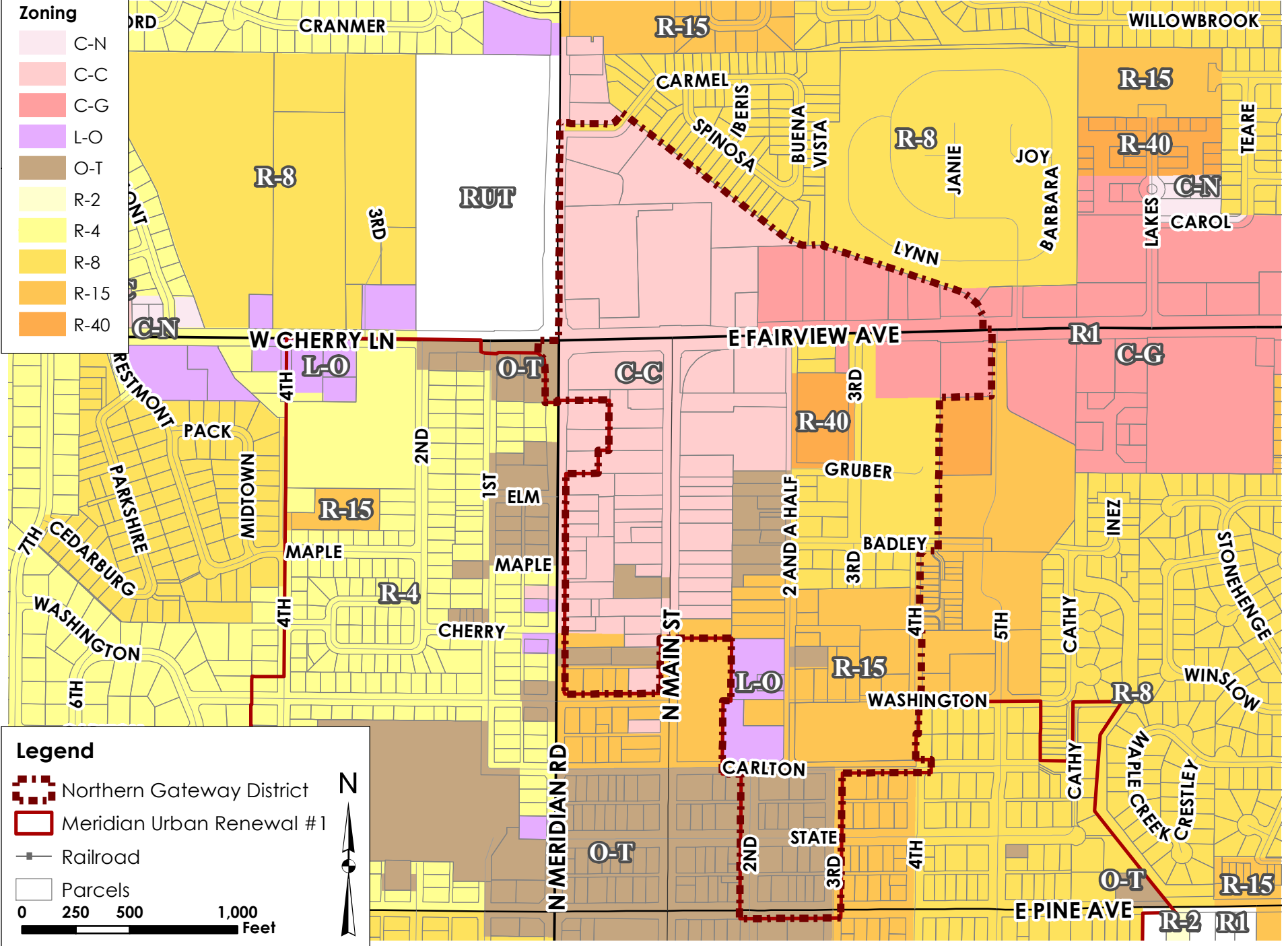
- C-N
- C-C
- C-G
- L-O
- O-T
- R-2
- R-4
- R-8
- R-15
- R-40

**Legend**

- Northern Gateway District
- Meridian Urban Renewal #1
- Railroad
- Parcels

N

0 250 500 1,000  
Feet



Attachment 5  
Economic Feasibility Study

4846-7444-2234, v. 2

**ATTACHMENT 5.1  
(Option B)**

**Public Improvements within the Revenue Allocation Area**

This attachment includes a projected list of proposed public works or improvements within the Northern Gateway District Project Area (the “Project Area”). The proposed improvements within the Project Area include improvements to streets, utilities, and other public rights-of-way amenities as well as improvements to parks and open space, transit improvements, façade improvements, historic lighting, wayfinding, environmental remediation, planning studies and public parking. Property acquisition to support development goals is also contemplated.

The Northern Gateway District Improvement List set forth below identifies needed investments to support private investment in capital facilities. Capital facilities generally have long useful lives and significant costs. The overall project and the infrastructure to support it are all consistent with the vision articulated in the City of Meridian Comprehensive Plan, Destination: Downtown Plan, the future land use map and as required in City development regulations. The cost estimates provided by the City are based upon prices for similar construction in the area.

Estimated costs expected to be incurred in implementing the urban renewal plan are as follows:

**Northern Gateway District Improvement List**

Redevelopment Project Area Costs	
Street Improvements	\$9,500,000
Other Streetscapes	\$750,000
Utilities	\$5,200,000
Transit improvements	\$1,400,000
Façade Improvements	\$750,000
Historic Lighting	\$500,000
Property Acquisition	\$2,500,000
Wayfinding / Signage	\$150,000
Public Parking	\$1,250,000
Public Plazas, Parks & Open Space	\$1,500,000
Environmental Remediation	\$1,100,000
Planning Studies	\$175,000
Total Redevelopment Area Costs	\$24,775,000

The projects and estimated costs have been derived from the City of Meridian, the Meridian Development Corporation (MDC) and Vitruvian Planning, the transportation consultant, in part based upon similar works being carried out in the broader community. The costs are estimated in 2021 dollars and are not inflated. Costs will likely vary from the costs detailed here, as they will be subject to inflation and further project refinement and timing. The cost estimates used in this analysis are considered estimates for the purpose of financial planning.

The Project Area is estimated to generate \$25,924,600 in tax increment revenue between 2022 and 2041 in addition to the initial \$75,000 loan from MDC to activate the program.<sup>1</sup>

The total from both sources is estimated to be \$25,999,600. There are presently \$24,775,000 of project costs identified in the Northern Gateway District Improvement List. It is generally understood that projects will occur on a pay-as-you-go basis recognizing there may be an opportunity for owner/developer advanced funding of projects, which eligible costs would then be reimbursed through an Owner Participation Agreement (OPA), or other similar agreement, from resources derived from the Project Area.

Administrative costs over the 20-year life of the district are estimated at \$975,000 or approximately 3.8% of total estimated revenue. The initial inter-district loan to support startup costs is assumed to be repaid at 5% interest for a total obligation of \$112,500.

The total estimated expenditures equal \$25,862,500, leaving a \$137,099 positive program balance at the end of the 20-year term. See attached cash flow analyses for detailed estimates.

The Urban Renewal Plan for the Northern Gateway District Project (the “Plan”) provides for the Plan and Project Area to extend through its maximum term of 20 years.

### Project Funding

Secure funding includes revenue allocation funds and is money MDC is highly likely to receive. The funds may not be in MDC’s possession at the beginning of the Plan period, but it is virtually certain that MDC will receive the funds. MDC may need to take specific actions to generate the funding, but those actions are within its powers. Despite the high probability of secure funding, no project can proceed until a specific, enforceable funding plan is in place.

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<sup>1</sup> As the Idaho property tax system provides for taxes being paid in arrears, revenue allocation proceeds will be received in FY 2042. However, the final year of income has not been considered in determining the economic feasibility of the District.

Potential funding is money that might be received by MDC. In every case MDC is eligible for the funding, and the source of funding exists under current law. However, each potential funding source requires one or more additional steps or decisions before MDC can obtain the resources, and the ultimate decision is outside of MDC's independent control. The City's capital contributions or Community Development Block Grant funding are examples of potential funding. Thus, potential funding is not assumed in determining financial feasibility.

Unfunded projects, or portions of projects lack secure or potential funding. At this time, all projects are anticipated to be funded.

The amount of tax increment contributed to the project may vary depending upon the actual cost of infrastructure.

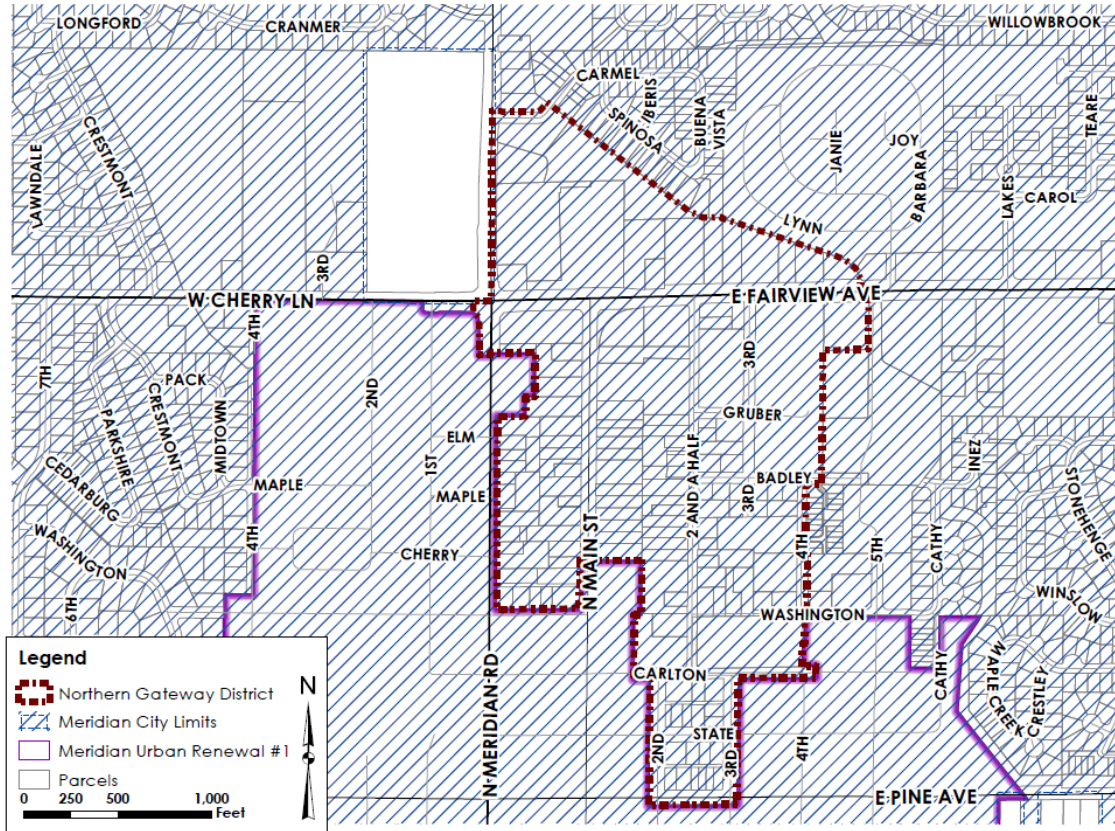
The Plan proposes certain public improvements that will facilitate development in the Project Area. The overall investment package will be funded from a variety of financing methods and sources. The primary method of financing MDC's obligation will be through the use of tax increment revenue (i.e., incremental property taxes from the revenue allocation area). This Plan anticipates that at least a portion of the tax increment revenue will be used to reimburse an owner/developer through a negotiated agreement for some or all of the eligible improvement costs. The issuance of bonds is not anticipated in this analysis of financial feasibility.

Other sources of funding for project may include, but are not limited to:

- Local Improvement District (LID)
- Business Improvement District (BID)
- Development Impact Fees
- Franchise Fees
- Grants from federal, state, local, regional agencies and/or private entities
- Other bonds, notes and/or loans
- Improvements and/or payments by developers

The total project costs and the amount of tax increment are estimates. The estimated project costs and revenues are based on the MDC's present knowledge and expectations supported by detailed information from the property owners, City and MDC staff and MDC's consultants based in part upon current construction projects in the broader community.

## Map of Proposed Meridian Northern Gateway Urban Renewal District



### Summary of Projects

Based on the Northern Gateway District Improvement List set forth above, the estimated total costs for the public improvements are \$24,775,000.

#### Cost of Operations and Improvements by Year (2021-2042)

Year	Secure Funding (TIF & MDC Loan)	Potential Funding	District Operating Expenses	Capital and Program Expenses And Repay Inter-district Loan	Total Project Liabilities
2021	\$75,000	\$0	\$0	\$0	\$0
2022	\$38,014	\$0	\$25,000	\$0	\$25,000
2023	\$79,660	\$0	\$50,000	\$0	\$100,000
2024	\$125,118	\$0	\$50,000	\$75,000	\$175,000
2025	\$174,742	\$0	\$50,000	\$100,000	\$162,500
2026	\$308,424	\$0	\$50,000	\$250,000	\$300,000
2027	\$343,202	\$0	\$50,000	\$275,000	\$325,000
2028	\$644,634	\$0	\$50,000	\$600,000	\$650,000
2029	\$934,548	\$0	\$50,000	\$800,000	\$850,000
2030	\$1,053,365	\$0	\$50,000	\$975,000	\$1,025,000

2031	\$1,284,025	\$0	\$50,000	\$1,300,000	\$1,350,000
2032	\$1,367,118	\$0	\$50,000	\$1,300,000	\$1,350,000
2033	\$1,533,761	\$0	\$50,000	\$1,500,000	\$1,550,000
2034	\$1,735,128	\$0	\$50,000	\$1,650,000	\$1,700,000
2035	\$1,840,449	\$0	\$50,000	\$1,800,000	\$1,850,000
2036	\$2,083,419	\$0	\$50,000	\$2,050,000	\$2,100,000
2037	\$2,205,915	\$0	\$50,000	\$2,100,000	\$2,150,000
2038	\$2,334,408	\$0	\$50,000	\$2,300,000	\$2,350,000
2039	\$2,469,194	\$0	\$50,000	\$2,400,000	\$2,450,000
2040	\$2,610,581	\$0	\$50,000	\$2,600,000	\$2,650,000
2041	\$2,758,894	\$0	\$50,000	\$2,700,000	\$2,750,000
2042	\$0	\$0	0		\$0
<b>Total</b>	<b>\$25,999,599</b>	<b>\$0</b>	<b>\$975,000</b>	<b>\$24,775,000</b>	<b>\$25,862,500</b>

Note: This analysis anticipates a positive fund balance of \$137,099 the end of the project.

## ATTACHMENT 5.2

### Economic Feasibility Study (Option B)

The Plan, as currently envisioned, is economically feasible because the proposed development is sufficient to fully cover the anticipated cost of the redevelopment program.

The economic feasibility of the Plan is based on the following factors:

- The amount of development anticipated in the Project Area
- The timing of the proposed taxable development
- The nature of the proposed development
- The amount of tax revenue to be generated by the proposed development
- The cost of public improvement projects
- If revenue equals or exceeds project costs, the Plan is economically feasible.

The following is a summary of the analysis and estimates of the factors used to determine the economic feasibility of the Plan.

#### **The Economic Feasibility Analysis**

##### **Summary:**

Over the course of the Plan and the Northern Gateway District, \$25,924,600 of Tax Increment Revenue will be generated using the development scenarios proposed by the City and MDC, in consultation with its consultants and property owners within the Northern Gateway District. The Economic Feasibility Study assumes a minimum of 10% of annual revenue allocation area proceeds, or TIF revenue, will be used for administration of the Northern Gateway District with that amount capped at \$50,000 per year, for a total of \$975,000 for administration costs over the 20-year lifespan of the District.

The attached spreadsheets entitled “Northern Gateway District Revenue Model” and “Northern Gateway District Cash Flow Analysis” gives a more detailed outlook on the revenues and expenses of the development scenario.

The following assumptions were made in the formulation of the Financial Feasibility Analysis:

- Land Value Increase @ 8% / Year for 5 years, then 4% / year for the balance of the term.
- Improvement Value Increase @ 10% / Year for 5 years, then 5% / year for the balance of the term.



- Tax Rate is reduced 10% and held constant through the life of the Plan
- Total Cost of Improvements over the life of the project: \$24,775,000 (City and consultants' estimates)
- Tax rate does not include levies excluded pursuant to Idaho Code 50-2908, such as voter approved bonds/levies after 2007, judgment levies or the School District Plant or supplemental levies excluded by law.

The Economic Feasibility Analysis shows that the project will generate adequate funds within the Project Area to fund the necessary capital improvements.

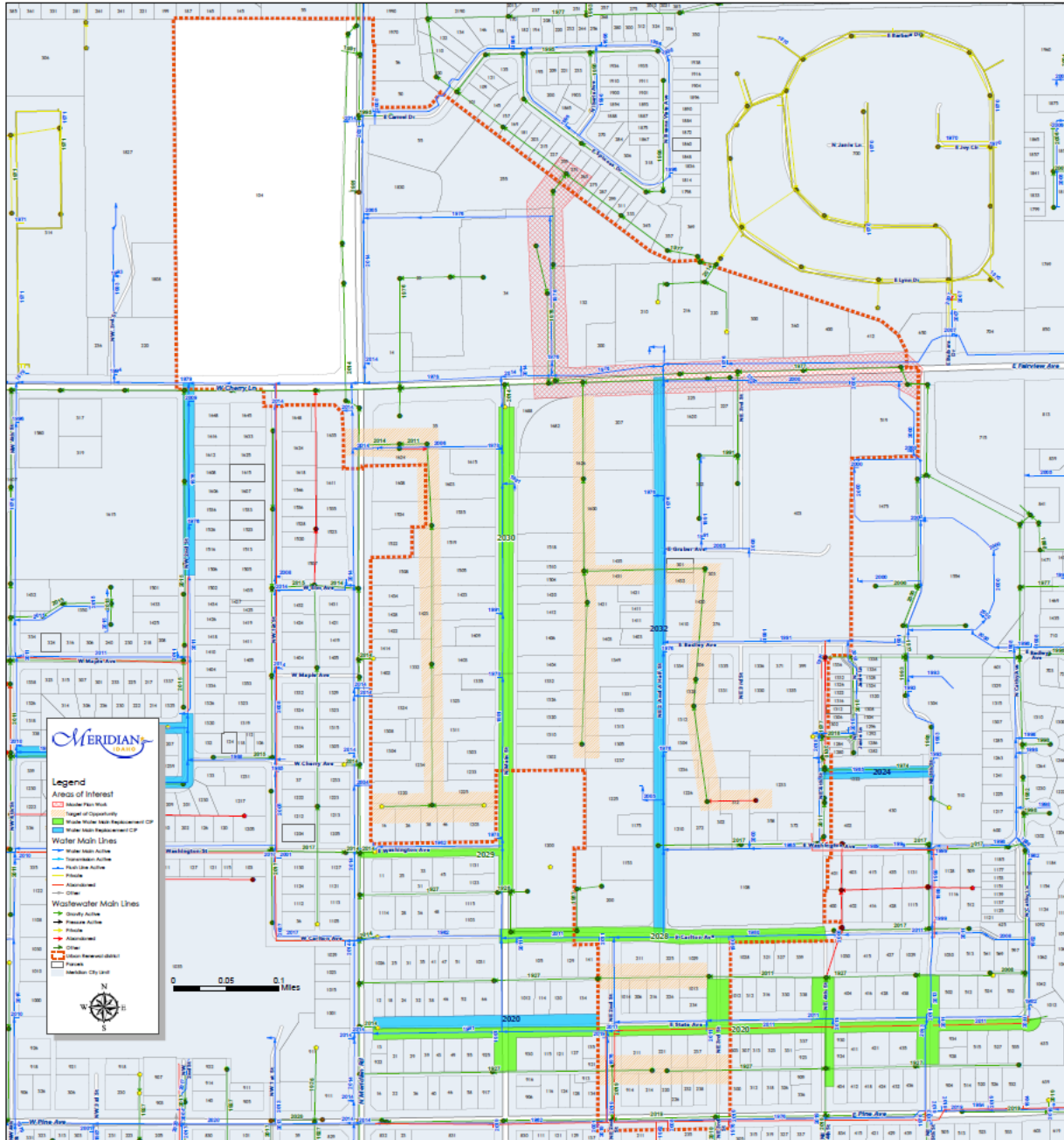
## Street Improvements – More Detailed Description

Street Section	Length (LF)	Construction	Design	Construction Contingency	Total Estimate (Rounded)
2 & 1/2 St, Carlton to Fairview	2,000	\$ 3,050,000	\$ 460,000	\$ 610,000	\$ 4,100,000
3rd Street, Carlton to Pine	700	\$ 475,000	\$ 70,000	\$ 100,000	\$ 600,000
3rd Street, Fairview to Carlton	2,000	\$ 1,770,000	\$ 270,000	\$ 350,000	\$ 2,400,000
Carlton, w/o 2nd to e/o 4th	900	\$ 1,260,500	\$ 190,000	\$ 250,000	\$ 1,700,000
Washington, 2 & 1/2 to 4th	600	\$ 371,000	\$ 60,000	\$ 70,000	\$ 500,000
<del>Meridian Rd frontage, n/o Fairview</del>	<del>1,300</del>	<del>\$ 182,000</del>	<del>\$ 30,000</del>	<del>\$ 40,000</del>	<del>\$ 300,000</del>
Fairview Ave frontage, <del>W 2nd to E 5th</del>	2,700	\$ 1,294,000	\$ -	\$ 260,000	\$ 1,600,000
Main St frontage, Fairview to Washington	1,700	\$ 2,100,000	\$ 320,000	\$ 420,000	\$ 2,800,000
4th, Washington Badley	400	\$ 218,000	\$ 30,000	\$ 40,000	\$ 300,000
Badley, 2 & 1/2 to 4th	600	\$ 371,000	\$ 60,000	\$ 70,000	\$ 500,000
Gruber, 2 & 1/2 to 4th	600	\$ 239,000	\$ 40,000	\$ 50,000	\$ 300,000
State Ave, w/o 2nd to e/o 3rd	400	\$ 134,000	\$ 20,000	\$ 30,000	\$ 200,000
2nd, Pine to Carlton	600	\$ 183,000	\$ 30,000	\$ 40,000	\$ 300,000
Pine frontage, w/o 2nd to e/o 3rd	400	\$ -	\$ -	\$ -	\$ -
<b>Totals</b>	<b>14,900</b>	<b>\$ 11,647,500</b>	<b>\$ 1,750,000</b>	<b>\$ 2,330,000</b>	<b>\$ 15,700,000</b>

Notes:

- Assumes no right of way acquisition
- Design estimated at 15% of construction, rounded
- Contingency of 25% applied to construction costs, rounded
- Water main and Wastewater Main estimates supplied by City of Meridian Public Works
- Local/Collector Street costs adjusted down when major Water/WW Main planned due to road work incorporated into those costs

# Estimated Location of Utility Upgrades



Red – Water and Wastewater Main Lines In Need of Expansion or Replacement  
Blue – Water Main Lines Planned for Replacement  
Green – Wastewater Lines

# Northern Gateway District Revenue Model

Year	Land Value (+8% annually for 5 years then 4%)	Initial Imprv. Value (+ 10% Annually for 5 years then 5%)	Total Assessed Value	Annual New Const. Value on tax roll	Cum. New Const Value + Inflation @ 10% for 5 years then 5%)	Cum total Taxable Value	Cumulative Homeowne rs' Exemption	Taxable Value	Increment Value (H - Base Value)	Levy Rate (-10%) then flat	Tax Increment Yield	Admin Costs (10%)	Funding for Capital Projects / Debt Service
2021	\$ 27,613,600	\$ 46,297,100	\$ 73,910,700	\$ -	\$ -	\$ 73,910,700	\$ 2,775,726	\$ 71,134,974	\$ -	0.0053			
2022	\$ 29,822,688	\$ 50,926,810	\$ 80,749,498	\$ 500,000	\$ 500,000	\$ 81,249,498	\$ 2,914,512	\$ 78,334,986	\$ 7,172,512	0.0053	\$ 38,014	\$ 3,801	\$ 34,213
2023	\$ 32,208,503	\$ 56,019,491	\$ 88,227,994	\$ 500,000	\$ 1,025,000	\$ 89,252,994	\$ 3,060,238	\$ 86,192,756	\$ 15,030,282	0.0053	\$ 79,660	\$ 7,966	\$ 71,694
2024	\$ 34,785,183	\$ 61,621,440	\$ 96,406,623	\$ 500,000	\$ 1,576,250	\$ 97,982,873	\$ 3,213,250	\$ 94,769,624	\$ 23,607,150	0.0053	\$ 125,118	\$ 12,512	\$ 112,606
2025	\$ 37,567,998	\$ 67,783,584	\$ 105,351,582	\$ 500,000	\$ 2,155,063	\$ 107,506,645	\$ 3,373,912	\$ 104,132,732	\$ 32,970,258	0.0053	\$ 174,742	\$ 17,474	\$ 157,268
2026	\$ 40,573,438	\$ 74,561,943	\$ 115,135,380	\$ 15,500,000	\$ 17,762,816	\$ 132,898,196	\$ 3,542,608	\$ 129,355,588	\$ 58,193,114	0.0053	\$ 308,424	\$ 30,842	\$ 277,581
2027	\$ 42,196,375	\$ 78,290,040	\$ 120,486,415	\$ 500,000	\$ 19,150,956	\$ 139,637,371	\$ 3,719,738	\$ 135,917,633	\$ 64,755,159	0.0053	\$ 343,202	\$ 34,320	\$ 308,882
2028	\$ 43,884,230	\$ 82,204,542	\$ 126,088,772	\$ 50,500,000	\$ 70,608,504	\$ 196,697,276	\$ 3,905,725	\$ 192,791,551	\$ 121,629,077	0.0053	\$ 644,634	\$ 50,000	\$ 594,634
2029	\$ 45,639,600	\$ 86,314,769	\$ 131,954,368	\$ 45,500,000	\$ 119,638,929	\$ 251,593,298	\$ 4,101,011	\$ 247,492,286	\$ 176,329,812	0.0053	\$ 934,548	\$ 50,000	\$ 884,548
2030	\$ 47,465,183	\$ 90,630,507	\$ 138,095,691	\$ 10,500,000	\$ 136,120,876	\$ 274,216,567	\$ 4,306,062	\$ 269,910,504	\$ 198,748,030	0.0053	\$ 1,053,365	\$ 50,000	\$ 1,003,365
2031	\$ 49,363,791	\$ 95,162,033	\$ 144,525,823	\$ 30,500,000	\$ 173,426,920	\$ 317,952,743	\$ 4,521,365	\$ 313,431,378	\$ 242,268,904	0.0053	\$ 1,284,025	\$ 50,000	\$ 1,234,025
2032	\$ 51,338,342	\$ 99,920,134	\$ 151,258,477	\$ 500,000	\$ 182,598,266	\$ 333,856,742	\$ 4,747,433	\$ 329,109,309	\$ 257,946,835	0.0053	\$ 1,367,118	\$ 50,000	\$ 1,317,118
2033	\$ 53,391,876	\$ 104,916,141	\$ 158,308,017	\$ 15,500,000	\$ 207,228,179	\$ 365,536,196	\$ 4,984,805	\$ 360,551,391	\$ 289,388,917	0.0053	\$ 1,533,761	\$ 50,000	\$ 1,483,761
2034	\$ 55,527,551	\$ 110,161,948	\$ 165,689,499	\$ 20,500,000	\$ 238,089,588	\$ 403,779,087	\$ 5,234,045	\$ 398,545,042	\$ 327,382,568	0.0053	\$ 1,735,128	\$ 50,000	\$ 1,685,128
2035	\$ 57,748,653	\$ 115,670,045	\$ 173,418,699	\$ 500,000	\$ 250,494,067	\$ 423,912,766	\$ 5,495,748	\$ 418,417,018	\$ 347,254,544	0.0053	\$ 1,840,449	\$ 50,000	\$ 1,790,449
2036	\$ 60,058,599	\$ 121,453,548	\$ 181,512,147	\$ 25,500,000	\$ 288,518,771	\$ 470,030,918	\$ 5,770,535	\$ 464,260,383	\$ 393,097,909	0.0053	\$ 2,083,419	\$ 50,000	\$ 2,033,419
2037	\$ 62,460,943	\$ 127,526,225	\$ 189,987,168	\$ 500,000	\$ 303,444,709	\$ 493,431,878	\$ 6,059,062	\$ 487,372,816	\$ 416,210,342	0.0053	\$ 2,205,915	\$ 50,000	\$ 2,155,915
2038	\$ 64,959,381	\$ 133,902,536	\$ 198,861,917	\$ 500,000	\$ 319,116,945	\$ 517,978,862	\$ 6,362,015	\$ 511,616,847	\$ 440,454,373	0.0053	\$ 2,334,408	\$ 50,000	\$ 2,284,408
2039	\$ 67,557,756	\$ 140,597,663	\$ 208,155,419	\$ 500,000	\$ 335,572,792	\$ 543,728,211	\$ 6,680,116	\$ 537,048,096	\$ 465,885,622	0.0053	\$ 2,469,194	\$ 50,000	\$ 2,419,194
2040	\$ 70,260,067	\$ 147,627,546	\$ 217,887,613	\$ 500,000	\$ 352,851,432	\$ 570,739,044	\$ 7,014,121	\$ 563,724,923	\$ 492,562,449	0.0053	\$ 2,610,581	\$ 50,000	\$ 2,560,581
2041	\$ 73,070,469	\$ 155,008,923	\$ 228,079,393	\$ 500,000	\$ 370,994,003	\$ 599,073,396	\$ 7,364,827	\$ 591,708,568	\$ 520,546,094	0.0053	\$ 2,758,894	\$ 50,000	\$ 2,708,894
				<b>\$ 220,000,000</b>							<b>\$ 25,924,600</b>	<b>\$ 806,916</b>	<b>\$ 25,117,684</b>

# Northern Gateway District Revenue Model

## Assumptions

Land Values inflate at 8% per year for 5 years (*consistent with recent assessed value history*) then at 4% for remainder of the Plan term

Improvement Values inflate at 10% per year for 5 years (*consistent with recent assessed value history*) then at 5% for remainder of the Plan term

Tax rate reduced by 10% from 2020 certified rate then held constant for the remainder of the Plan term

Homeowners' Property Tax Exemption increases at 5% per year

Revenue Allocation proceeds flow to the District in the year after Certificate of Occupancy (C.O.)

Potential Development Projects within District based upon staff discussions with Developers (Total Taxable Investment @ \$210,000,000)

Value estimates based upon 2021 projects in Meridian

Project A- Phase 1: C.O. in 2025 ~ \$15,000,000

Project A - Phase 2: C.O. in 2027 ~ \$30,000,000

Project B: C.O. in 2027 ~ \$20,000,000

Project C - Phase 1: C.O. in 2028 ~ \$15,000,000

Project C - Phase 2: C.O. in 2030 ~ \$30,000,000

Project D - Phase 1: C.O. in 2028 ~ \$30,000,000

Project D - Phase 2: C.O. in 2029 ~ 10,000,000

Project D - Phase 3: C.O. in 2033 ~ \$20,000,000

Project E: C.O. in 2032 ~ \$15,000,000

Project F: C.O. in 2035 ~ 25,000,000

Other properties within District will generate \$500,000 in taxable investment annually (\$220,000,000 total)

Estimated at least 10% of annual revenue allocation yield will be paid to the Meridian Development Corporation for administrative costs, capped at \$50,000

Balance of Revenue Allocation yield will be available for capital investment and program expenses

### Northern Gateway District Cash Flow Analysis

	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031
<b>Beginning Balance</b>	\$ -	\$ 75,000	\$ 88,014	\$ 67,674	\$ 17,792	\$ 30,034	\$ 38,458	\$ 56,660	\$ 51,294	\$ 135,842	\$ 164,207
<b>Source of Funds</b>											
<b>Total Revenue Allocation</b>	\$ -	\$ 38,014	\$ 79,660	\$ 125,118	\$ 174,742	\$ 308,424	\$ 343,202	\$ 644,634	\$ 934,548	\$ 1,053,365	\$ 1,284,025
<b>MDC Inter-District Loan *</b>	\$ 75,000		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Total Funds Available</b>	\$ 75,000	\$ 113,014	\$ 167,674	\$ 192,792	\$ 192,534	\$ 338,458	\$ 381,660	\$ 701,294	\$ 985,842	\$ 1,189,207	\$ 1,448,232
<b>Use of Funds</b>											
<b>District Operating Expenses</b>	\$ -	\$ 25,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000
<b>Repay Inter-District Loan @ 5%</b>	\$ -	\$ -	\$ 50,000	\$ 50,000	\$ 12,500	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Capital &amp; Program Expenses</b>		\$ -	\$ -	\$ 75,000	\$ 100,000	\$ 250,000	\$ 275,000	\$ 600,000	\$ 800,000	\$ 975,000	\$ 1,300,000
<b>Total Use of Funds</b>	\$ -	\$ 25,000	\$ 100,000	\$ 175,000	\$ 162,500	\$ 300,000	\$ 325,000	\$ 650,000	\$ 850,000	\$ 1,025,000	\$ 1,350,000
<b>Ending Balance</b>	\$ 75,000	\$ 88,014	\$ 67,674	\$ 17,792	\$ 30,034	\$ 38,458	\$ 56,660	\$ 51,294	\$ 135,842	\$ 164,207	\$ 98,232
	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	Total
<b>Beginning Balance</b>	\$ 98,232	\$ 115,350	\$ 99,111	\$ 134,239	\$ 124,688	\$ 108,107	\$ 164,022	\$ 148,430	\$ 167,624	\$ 128,205	
<b>Source of Funds</b>											
<b>Total Revenue Allocation</b>	\$ 1,367,118	\$ 1,533,761	\$ 1,735,128	\$ 1,840,449	\$ 2,083,419	\$ 2,205,915	\$ 2,334,408	\$ 2,469,194	\$ 2,610,581	\$ 2,758,894	\$ 25,924,599
<b>MDC Inter-District Loan</b>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 75,000
<b>Total Funds Available</b>	\$ 1,465,350	\$ 1,649,111	\$ 1,834,239	\$ 1,974,688	\$ 2,208,107	\$ 2,314,022	\$ 2,498,430	\$ 2,617,624	\$ 2,778,205	\$ 2,887,099	\$ 25,999,599
<b>Use of Funds</b>											
<b>District Operating Expenses</b>	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 975,000
<b>Repay Inter-district Loan @ 5%</b>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 112,500
<b>Capital &amp; Program Expenses</b>	\$ 1,300,000	\$ 1,500,000	\$ 1,650,000	\$ 1,800,000	\$ 2,050,000	\$ 2,100,000	\$ 2,300,000	\$ 2,400,000	\$ 2,600,000	\$ 2,700,000	\$ 24,775,000
<b>Total Use of Funds</b>	\$ 1,350,000	\$ 1,550,000	\$ 1,700,000	\$ 1,850,000	\$ 2,100,000	\$ 2,150,000	\$ 2,350,000	\$ 2,450,000	\$ 2,650,000	\$ 2,750,000	\$ 25,862,500
<b>Ending Balance</b>	\$ 115,350	\$ 99,111	\$ 134,239	\$ 124,688	\$ 108,107	\$ 164,022	\$ 148,430	\$ 167,624	\$ 128,205	\$ 137,099	
<b>Assumptions</b>											
<i>Initial District Start-up costs supported by MDC Inter-district Loan of \$75,000 to be repaid at 5% Interest</i>											
<i>10% of annual TIF yield dedicated to Meridian Development Corporation for District operating Expenses, capped at \$50,000, Yr.</i>											
<i>Land Values will increase at an average of 8% annually for 5 years then at 4% over the remaining life of the District</i>											
<i>Improvement Values will increase at a rate of 10% for 5 years then at 5% over the remaining life of the District</i>											

**Exhibit 4**

Summary of Ordinance No. \_\_\_\_\_

4849-8255-7437, v. 1

**NOTICE AND PUBLISHED SUMMARY  
OF ORDINANCE PURSUANT TO I.C. §50-901(A)**

**CITY OF MERIDIAN ORDINANCE NO. 21-\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MERIDIAN, IDAHO, APPROVING THE (OPTION B) URBAN RENEWAL PLAN FOR THE NORTHERN GATEWAY DISTRICT 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; APPROVING THE SUMMARY OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.**

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

**SECTION 1:** It is hereby found and determined that:

- (a) The Northern Gateway District Project Area as defined in the Northern Gateway District 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 Northern Gateway District 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 Northern Gateway District Plan conforms to the City of Meridian Comprehensive Plan as a whole.
- (e) The Northern Gateway District Plan gives due consideration to the provision of adequate park and recreation areas and facilities that may be desirable for neighborhood improvement (recognizing the mixed-use components of the Plan and the need for overall public improvements), 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 Northern Gateway District Plan.
- (f) The Northern Gateway District 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)(1), the Northern Gateway District Plan provides a feasible method for relocation obligations of any displaced families residing within the Northern Gateway District Project Area.

(h) The collective base assessment rolls for the revenue allocation areas under the Existing Project Areas, the Proposed Project Areas and the Northern Gateway District Project Area, do not exceed ten percent (10%) of the assessed values of all the taxable property in the City.

(i) The Plan includes the requirements set forth in Idaho Code § 50-2905 with specificity.

(j) The Northern Gateway District 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 not include any agricultural operations for which the Agency is required to obtain written consent.

(l) The portion of the Northern Gateway District 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.

(m) The portion of the Northern Gateway District Project Area which is identified for residential uses is necessary and appropriate as there is a shortage of housing of sound standards and design which is decent, safe and sanitary in the City; that the need for housing 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 City.

**SECTION 2:** The City Council finds that the Northern Gateway District Project Area contains areas which may be considered open land areas, that the Agency may acquire any open land within the Northern Gateway District Project Area, and that the Northern Gateway District Project Area is planned to be redeveloped in a manner that will include both residential and nonresidential uses. Provided, however, the City Council finds that for the portions of the Northern Gateway District 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 one of the Northern Gateway District Plan objectives to increase the residential opportunity does meet the sound needs of the City and will provide

housing opportunities in an area that does not now contain such opportunities, and the portion of the Northern Gateway District Project Area which is identified for nonresidential uses are 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 Northern Gateway District 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 23, 2021, hearing and incorporate changes or modifications, if any.

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

**SECTION 6:** The City Council declares that nothing within the Northern Gateway District 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 Northern Gateway District 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 Northern Gateway District 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 Meridian, Ada County Highway District, West Ada School District, Ada County Ambulance/EMS, Meridian Cemetery Maintenance District, College of Western Idaho, Meridian Free Library District, Mosquito Abatement District, the Western Ada Recreation 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 Northern Gateway District Project Area.

**SECTION 9:** The City Council hereby finds and declares that the Revenue Allocation Area as defined in the Northern Gateway District Plan, the equalized assessed valuation of which the City Council hereby determines is in and is part of the Northern Gateway District Plan is likely to increase as a result of the initiation and completion of urban renewal projects pursuant to the Northern Gateway District 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 Northern Gateway District 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, 2021, 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.

PASSED by the City Council of the City of Meridian, Idaho, this \_\_\_\_ day of December 2021.

APPROVED by the Mayor of the City of Meridian, Idaho, this \_\_\_\_ day of December 2021.

### **EXHIBITS TO THE ORDINANCE**

Exhibit 1      A Resolution of the Planning and Zoning Commission for the City of Meridian, Idaho, Validating Conformity of the (Option B) Urban Renewal Plan for the Northern Gateway District Urban Renewal Project with the City of Meridian's Comprehensive Plan

Exhibit 2      Notice Published in the *Idaho Press*

Exhibit 3 (Option B) Urban Renewal Plan for the Northern Gateway District Urban Renewal Project

Exhibit 4 Ordinance Summary

### **SUMMARY OF NORTHERN GATEWAY DISTRICT PLAN**

The Urban Renewal Plan for the Northern Gateway District Urban Renewal Project (“Northern Gateway District Plan”) was prepared by the Urban Renewal Agency of the City of Meridian aka the Meridian Development Corporation (“MDC” or 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 laws and ordinances and was approved by the Agency. The Northern Gateway District Plan provides for the Agency to undertake urban renewal projects pursuant to the Law and the Act. The Northern Gateway District Plan contains a revenue allocation financing provision pursuant to the Act that will cause property taxes resulting from any increases in equalized assessed valuation in excess of the equalized assessed valuation as shown on the original base assessment roll as of January 1, 2021, to be allocated to the Agency for the urban renewal purposes. The duration of the Northern Gateway District Plan is for twenty (20) years and includes a termination process for the Northern Gateway District Plan.

The general scope and objectives of the Plan include are:

- a. The engineering, design, installation, construction, and/or reconstruction of streets and streetscapes, including but not limited to improvements and upgrades to portions of Northeast 2<sup>nd</sup> Street, Northeast 2 ½ Street, Northeast 3<sup>rd</sup> Street, Carlton Avenue, Washington Avenue, Main Street, Northeast 4<sup>th</sup> Street, Badley Avenue, Gruber Avenue, State Avenue, Pine Avenue, and Fairview Avenue frontage and related pedestrian facilities, curb and gutter, intersection and rail crossing improvements, and traffic signals;
- b. 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;
- c. The provision for participation by property owners and developers within the Project Area to achieve the objectives of this Plan;
- d. The engineering, design, installation, construction and/or reconstruction of sidewalks and related pedestrian facilities, curb and gutter and streetscapes, including but not limited to improvements to portions of Northeast 2<sup>nd</sup> Street, Northeast 2 ½ Street, Northeast 3<sup>rd</sup> Street, Carlton Avenue, Washington Avenue, Main Street, Northeast 4<sup>th</sup> Street, Badley Avenue, Gruber Avenue, State Avenue, Pine Avenue and Fairview Avenue frontage;
- e. The engineering, design, installation, construction, and/or reconstruction of utilities 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, lift station, and improvements, and upgrades to power, gas, fiber optics, communications, and other such facilities;

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 piping of laterals; addition of fiber optic lines or other communication systems; public parking facilities, and other public improvements, including but not limited to fire protection systems, floodway and flood zone mitigation; and other public improvements that may be deemed appropriate by the Board;

g. The engineering, design, installation, and/or construction of a public parking structure or structures and/or public surface parking lots and related public improvements;

h. The acquisition of real property for public right-of-way and streetscape improvements, utility undergrounding, extension, upgrades, public parks and trails, pedestrian facilities, pathways and trails, recreational access points and to encourage and enhance housing affordability and housing diversity, enhance transit options and connectivity, decrease underutilized parcels, create development opportunities consistent with the Plan, including but not limited to future disposition to qualified developers for qualified developments;

i. The disposition of real property through a competitive process in accordance with this Plan, Idaho law, including Idaho Code Section 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 and streetscape improvements, pedestrian facilities, utility undergrounding extension and upgrades, public facilities, and to encourage and enhance housing affordability and housing diversity, enhance mobility options and connectivity, decrease underutilized parcels and surface parking lots, 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 construction and financial support of infrastructure necessary for the provision of improved transit and alternative transportation;

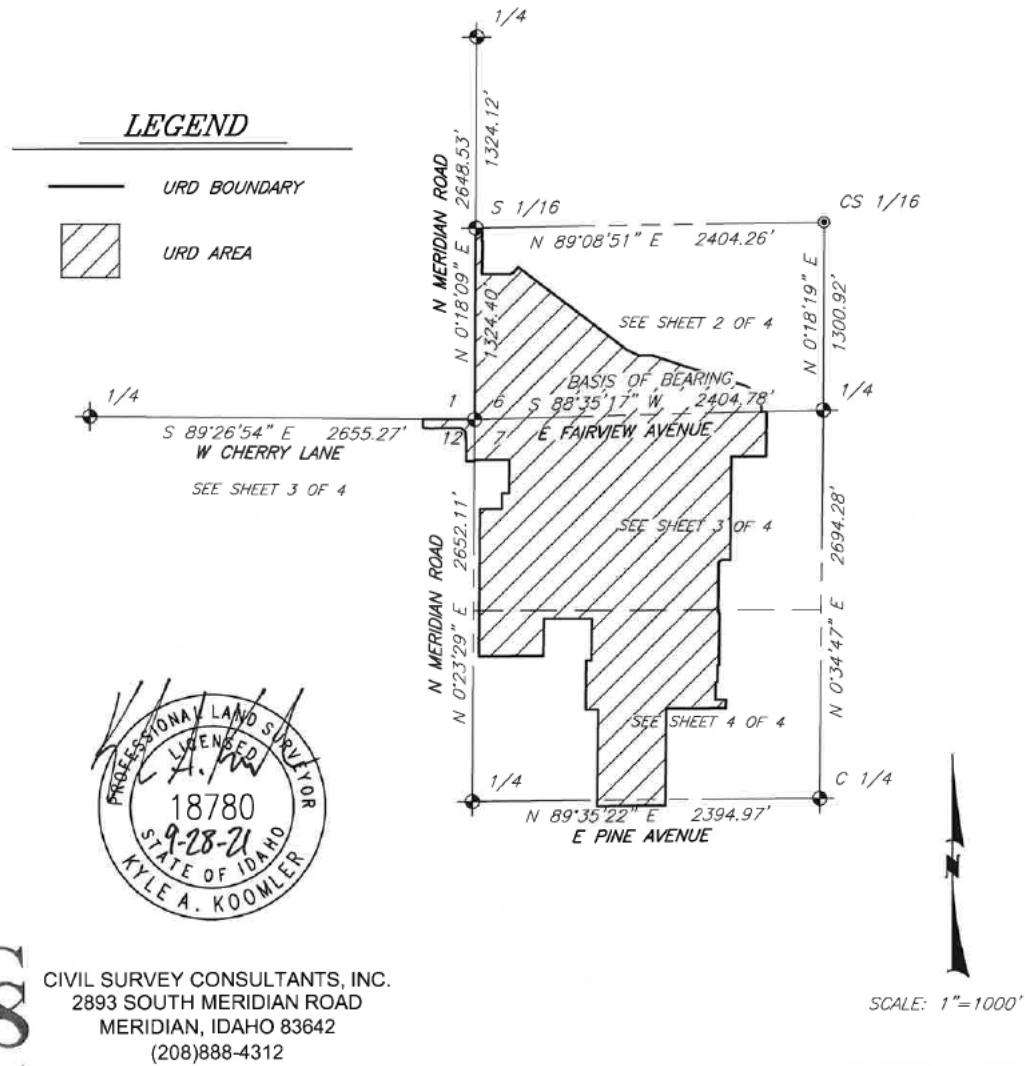
n. The engineering, design, installation, construction, and/or reconstruction of below ground infrastructure to support the construction of certain municipal buildings pursuant to Idaho Code Section 50-2905A;

- o. 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;
- p. The provision of financial and other assistance to encourage greater density and a diverse mix of rental rates and housing options;
- q. The rehabilitation of structures and improvements by present owners, their successors, and the Agency;
- r. The preparation and assembly of adequate sites for the development and construction of facilities for mixed-use residential (including affordable and/or workforce housing when and if determined to be a public benefit), commercial, office, retail areas, medical facilities, and educational facilities;
- s. The environmental assessment and remediation of brownfield sites, or sites where environmental conditions detrimental to redevelopment exist;
- t. In collaboration with property owners and other stakeholders, working with the City to amend zoning regulations (if necessary) and standards and guidelines for the design of streetscape, plazas multi-use pathways, parks, and open space and other like public spaces applicable to the Project Area as needed to support implementation of this Plan;
- u. 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;
- v. To the extent allowed by law, lend or invest federal funds to facilitate development and/or redevelopment;
- w. 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;
- x. Agency and/or owner-developer construction, participation in the construction and/or management of public parking facilities and/or surface lots that support a desired level and form of development to enhance the vitality of the Project Area;
- y. Other related improvements to those set forth above as further set forth in Attachment 5 to the Plan.

The Northern Gateway District Project Area and Revenue Allocation Area herein referred to is described as follows:

An area consisting of approximately 106 acres, inclusive of rights-of-way, and is generally east of Meridian Road and south of Fairview Avenue. A portion of the Project Area fronts the north side of Fairview Avenue east of Meridian Road, and as more particularly described in the Plan and depicted in the Map below:

SKETCH TO ACCOMPANY URBAN RENEWAL DISTRICT DESCRIPTION FOR MERIDIAN DEVELOPMENT CORPORATION LOCATED IN THE NE 1/4 OF THE NE 1/4 OF SECTION 12, TOWNSHIP 3 NORTH, RANGE 1 WEST, ALSO BEING IN THE S 1/2 OF THE SW 1/4 OF SECTION 6, AND IN THE NW 1/4 OF SECTION 7, AND IN THE N 1/2 OF THE SW 1/4 OF SECTION 7, TOWNSHIP 3 NORTH, RANGE 1 EAST, BOISE MERIDIAN, ADA COUNTY, IDAHO



Section 100 includes an introduction, the history and current conditions of the Project Area, as well as the purpose of activities.

Section 200 references the boundaries of the Project Area.

Sections 300 through 315 discuss the proposed redevelopment actions, participation opportunities and agreements, cooperation with public bodies, property acquisition standards and requirements, relocation, demolition, and property disposition.

Section 401 discusses the type of land uses authorized in the Project Area.

Section 410 describes design guidelines for development.

The Northern Gateway District Plan also contains a significant section on financing. Among other sources, the Northern Gateway District Plan will utilize revenue allocation financing, authorized by the Act. This statute was approved in 1988 by the Idaho Legislature. Section 502 and Attachment 5 discuss revenue allocation financing and show how such financing has worked and would work in the Project Area in the future if certain new private developments occur as estimated.

Increases in assessed valuation of real and personal property in the Project Area that occur after January 1, 2021, will generate revenue for the Agency to pay project costs as set forth in the Northern Gateway District Plan. The assessed valuation of real and personal property on the base assessment roll is still available for use by the overlapping taxing districts, the Ada County Board of County Commissioners, City of Meridian, Ada County Highway District, West Ada School District, Ada County Ambulance/EMS, Meridian Cemetery Maintenance District, College of Western Idaho, Meridian Free Library District, Mosquito Abatement District, the Western Ada Recreation District, to finance their operations. The Northern Gateway District Plan authorizes the Agency to sell revenue bonds to finance project costs and to use annual revenue allocations to pay the debt service. Additionally, the Agency is authorized to fund projects on a pay-as-you-go basis, through participation agreements, and others as further set forth in the Northern Gateway District Plan.

The program outlined in the Northern Gateway District Plan emphasizes the installation of needed public improvements, including but not limited to street improvements, utility work, and other costs to encourage private development.

Attachment 5 describes in detail the cost and financing methods for complete repayment of the debt incurred used to finance projects and to also fund the additional described activities.

The Northern Gateway District Plan follows the underlying zoning classifications of the City.

Sections 600 and 700 describe cooperative activities by the Agency with the City.

The duration of the Northern Gateway District Plan is for twenty (20) years. A termination process is described in Section 800 of the Northern Gateway District Plan.



Sections 900-1200 include procedures for amendments, severability, reporting requirements and incorporation of attachments.

**ATTACHMENTS TO THE NORTHERN GATEWAY DISTRICT PLAN**

- Attachment 1            Boundary Map of Northern Gateway District Urban Renewal Project Area and Revenue Allocation Area
- Attachment 2            Legal Description of Northern Gateway District 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

A full text of the Ordinance and the Northern Gateway District Plan are available for inspection at City Hall, City of Meridian, 33 East Broadway Avenue, Meridian, Idaho.

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City of Meridian  
Mayor and City Council  
By: Chris Johnson, City Clerk

First Reading: 11/16/2021; Second Reading and Public Hearing: 11/23/2021; Third Reading: 12/7/2021

**STATEMENT OF MERIDIAN CITY ATTORNEY AS TO ADEQUACY OF SUMMARY  
OF ORDINANCE NO. \_\_\_\_\_**

The undersigned, William L.M. Nary, City Attorney of the City of Meridian, Idaho, hereby certifies that he is the legal advisor of the City and has reviewed a copy of the attached Ordinance No. 21-\_\_\_\_\_ of the City of Meridian, Idaho, and has found the same to be true and complete and provides adequate notice to the public pursuant to Idaho Code § 50-901A (3).

DATED this \_\_\_\_\_ day of December, 2021.

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William. L.M. Nary, City Attorney

4832-0443-4685, v. 1