

**CITY OF MERIDIAN ORDINANCE NO. 21-1958**

**BY THE CITY COUNCIL:**

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

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MERIDIAN, IDAHO, APPROVING THE URBAN RENEWAL PLAN FOR THE LINDER 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; PROVIDING FOR WAIVER OF THE READING RULES; 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 City Council, after notice duly published, conducted a public hearing on the (Option A) Urban Renewal Plan for the Northern Gateway District Urban Renewal Project (the “Northern Gateway District Plan”);

**WHEREAS**, following said public hearing, the City Council adopted its Ordinance No. 21-1954 on December 7, 2021, approving the Northern Gateway District Plan, making certain findings, and establishing the Northern Gateway District revenue allocation area, which included a portion of the parcels deannexed pursuant to the Second Amendment to the Downtown District Plan (the “Northern Gateway District Project Area”);

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

**WHEREAS**, following said public hearing, the City Council adopted its Ordinance No. 21-1956 on December 7, 2021, approving the First Amendment to the Union District Plan, making certain findings, and annexing 1.461 acres into the existing Union District revenue allocation area, which included a portion of the parcels deannexed pursuant to the Second Amendment to the Downtown District Plan (the “First Amendment to the Union District Project Area”);

**WHEREAS**, the Existing Downtown District Plan, the Ten Mile Plan, the Union District Plan, as amended by the First Amendment to the Union District Plan, and the Northern Gateway 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**, pursuant to Idaho Code Section 50-2008, an urban renewal project may not be planned or initiated unless the local governing body has, by resolution, determined such area to be a



deteriorated area or deteriorating area, or combination thereof, and designated such area as appropriate for an urban renewal project;

**WHEREAS**, an urban renewal plan shall (a) conform to the general plan for the municipality as a whole, except as provided in Section 50-2008(g), Idaho Code; and (b) shall be sufficiently complete to indicate such land acquisition, demolition and removal of structures, redevelopment, improvements, and rehabilitation as may be proposed to be carried out in the urban renewal area, zoning and planning changes, if any, land uses, maximum densities, building requirements, and any method or methods of financing such plan, which methods may include revenue allocation financing provisions;

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

**WHEREAS**, based on inquiries and information presented by certain public entities, certain interested parties and property owners, the City and MDC commenced certain discussions concerning examination of an area, a portion of which was located within the City, and a portion of which was located within the City’s area of operation within unincorporated Ada County, 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 approximately 195 acres in size, including rights-of-way, and referred to as the Linder District Study Area (“Study Area”). The Study Area is generally bounded by Ten Mile Road on the west, Interstate 84 on the north, Overland Road on the south, and what would be an unimproved section of Linder Road on the east. Additionally, the Study Area includes three (3) parcels located west of Linder Road and north of I-84. All properties are included within the boundaries of the Ten Mile Interchange Specific Area Plan;

**WHEREAS**, MDC obtained an eligibility report entitled Linder 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. age or obsolescence;
- b. the predominance of defective or inadequate street layout; and
- c. faulty lot layout in relation to size, adequacy, accessibility, or usefulness; obsolete platting;

**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**, to the extent the Study Area is considered “predominantly” open, 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 May 26, 2021, adopted Resolution No. 21-024, 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 MDC Board also authorized the transmittal of the Report to the Ada County Board of County Commissioners for purposes of obtaining a resolution determining such areas outside the boundaries of the incorporated City and within unincorporated Ada County to be deteriorated and/or deteriorating and finding the need for an urban renewal project for the proposed Study Area;

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

**WHEREAS**, the Study Area includes parcels subject to such consent;

**WHEREAS**, Idaho Code Section 50-2018(18) provides that an urban renewal agency cannot exercise jurisdiction over any area outside the city limits without the approval of the other city or county declaring the need for an urban renewal plan for the proposed area;

**WHEREAS**, a portion of the Study Area included certain real property located outside the City limits, but with the City’s area of operation within unincorporated Ada County;

**WHEREAS**, MDC submitted true and correct copies of MDC Resolution No. 21-024 and the Report to the Ada County Board of County Commissioners, and the Commissioners were asked to adopt a resolution finding the need for an urban renewal project for the proposed Study Area;

**WHEREAS**, on June 14, 2021, representatives of the City and MDC presented the Report to the Ada County Commissioners requesting the Commissioners to consider adopting the findings concerning the Study Area;

**WHEREAS**, the Commissioners did not take action at that time, and the City and MDC were directed to obtain the agricultural operation consents from the property owners located within unincorporated Ada County, which consents for agricultural operations were obtained from the property owners south of Interstate 84;

**WHEREAS**, following transmittal to the Ada County Board of County Commissioners, and based on ongoing discussions, it appeared the proposed project area would be smaller than the Study Area. Specifically, the parcels located north of Interstate 84 and west of Linder Road were included within the Study Area boundary; however, those parcels would not be included in any proposed urban renewal plan or project area boundary;

**WHEREAS**, additional information was transmitted to the Ada County Board of County Commissioners' staff as requested;

**WHEREAS**, the Ada County Board of County Commissioners adopted MDC's findings concerning the proposed Study Area by adopting Resolution No. 2676 on September 30, 2021, and further limited the unincorporated Ada County parcels to be included in any proposed Linder District project area to those certain parcels south of Interstate 84;

**WHEREAS**, the City Council on October 5, 2021, adopted Resolution No. 21-2289, and 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, that the Ada County Board of County Commissioners directed the parcels north of Interstate 84 and west of Linder Road should not be included in any proposed Linder District revenue allocation area, and directed MDC to commence preparation of an urban renewal plan for the area designated;

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

**WHEREAS**, the City, MDC and its consultants embarked on the planning of an urban renewal project referred to as the Urban Renewal Plan for the Linder District Urban Renewal Project (the "Linder District Plan") to develop and/or redevelop a portion of the City, as well as an area within unincorporated Ada County adjacent and contiguous to the City, that is intended to be annexed into the City prior to development, pursuant to the Law and the Act, as amended;

**WHEREAS**, the Linder District Plan proposes to create an urban renewal and revenue allocation area commonly known as the Linder District Project Area , which area is shown on the "Boundary Map of Linder District Urban Renewal Project Area and Revenue Allocation Area" and

described in the “Legal Description of Linder District Urban Renewal Project Area and Revenue Allocation Area,” which are attached to the Linder District Plan as Attachments 1 and 2 respectively;

**WHEREAS**, the area included in the Linder District Project Area is smaller than the area assessed in the Report;

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

**WHEREAS**, the Linder 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 Linder District Project Area at several meetings during 2021;

**WHEREAS**, the MDC Board considered all comment and information submitted to the Agency during several earlier Board meetings throughout 2021, in addition to the establishment of the Linder overpass task force and City staff’s efforts to meet with property owners, taxing districts, and other stakeholders, in order to promote input into the Linder District Plan;

**WHEREAS**, on October 27, 2021, the MDC Board passed Resolution No. 21-053 proposing and recommending the approval of the Linder District Plan;

**WHEREAS**, the Agency submitted the Linder 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 Linder 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 November 4, 2021, the Meridian Planning and Zoning Commission considered the Linder District Plan and found by P & Z Resolution No 21-07 that the Linder 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 Linder District Plan was caused to be published by the Meridian City Clerk in the *Idaho Press* on November 12 and 26, 2021, a copy of said notice is attached hereto as Exhibit 2;

**WHEREAS**, as of November 12, 2021, the Linder 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**, that an administration of a revenue allocation financing provision extending beyond the municipal boundary of the City has been negotiated with the Ada County Board of County Commissioners, specifically the Intergovernmental Agreement for Roles and

Responsibilities Under Idaho Code Section 50-2906(3)(b) (“Agreement”) and that the Agreement has been formalized by a transfer of power ordinance adopted by the Ada County board of County Commissioners. A copy of the transfer of power ordinance, Ada County Ordinance No. 932, is attached hereto as Exhibit 5;

WHEREAS, the City Council has approved or will approve the Intergovernmental Agreement for Roles and Responsibilities Under Idaho Code Section 50-3906(3)(b) with Ada County by adopting Resolution No. 932. A copy of City Council Resolution No. 21-2299 is attached hereto as Exhibit 6.

**WHEREAS**, the City Council during its regular meeting of December 14, 2021, held such public hearing on the Linder District Plan as noticed;

**WHEREAS**, as required by Idaho Code sections 50-2905 and 50-2906, the Linder 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 December 14, 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 Linder 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 Linder 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 Linder District Plan and to adopt, as part of the Linder District Plan, revenue allocation financing provisions that will help finance urban renewal projects to be completed in accordance with the Linder 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 Linder 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 Linder 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 Linder 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 Linder District Project Area;

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

**WHEREAS**, the Agency obtained written consent concerning certain property owners within the Linder District Project Area, which may have been deemed an agricultural operation, as stated above. A true and correct copy of the agricultural operation consents are included as Attachment 6 to the Linder District Plan;

**WHEREAS**, the base assessment roll of the Linder 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 Linder District Plan;

**WHEREAS**, the City Council at its regular meeting held on December 14, 2021, considered the Linder 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 Linder District Project Area as defined in the Linder 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 Linder 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 Linder District Plan conforms to the City of Meridian Comprehensive Plan as a whole.
- (e) The Linder 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 commercial and industrial components of the Plan and the need for public improvements to support the goals of the mixed employment area as set forth in the Ten Mile Specific Area Plan), 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 Linder District Plan.
- (f) The Linder 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 Linder District Plan provides a feasible method for relocation obligations of any displaced families residing within the Linder District Project Area.
- (h) The collective base assessment rolls for the revenue allocation areas under the Existing Project Areas and the Linder District Project Area, do not exceed ten percent (10%) of the assessed values of all the taxable property in the City.
- (i) The Linder District Plan includes the requirements set forth in Idaho Code § 50-2905 with specificity.
- (j) The Linder 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 include agricultural operations for which the Agency has received written consent, or which have not been used for agricultural purposes for three (3) consecutive years.
- (l) The portion of the Linder 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 Linder 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 Linder District Project Area has a substantial portion of open land, that the Agency may acquire any open land within the Linder District Project Area, and that the Linder District Project Area is planned to be redeveloped in a manner that may primarily include nonresidential uses, with some opportunity for limited residential uses. Provided, however, the City Council finds that for the portions of the Linder 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 Linder 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 Linder 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 Linder 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 December 14, 2021, hearing and incorporate changes or modifications, if any.

**SECTION 5:** As required by Idaho Code §§ 50-2906(3)(b) and 50-2907(2), and as further defined above, the Ada County Board of County Commissioners and the City have entered into, or will enter into an Agreement on administration of a revenue allocation financing provision extending beyond the municipal boundary of the City and Agreement has been formalized by a transfer of power ordinance adopted by the Ada County Board of Commissioners in Ada County Ordinance No. 932 (attached hereto as Exhibit 5), and by City Council Resolution No. 21-2299 (attached hereto as Exhibit 6).

**SECTION 6:** The boundaries of the Linder 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 7:** The City Council declares that nothing within the Linder 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 8:** No direct or collateral action challenging the Linder 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 9:** 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, Western Ada Recreation District, Pest Extermination District, and Meridian Fire District and the State Tax Commission a copy of this Ordinance, a copy of the legal description of the boundaries of

the Revenue Allocation Area, and a map indicating the boundaries of the Linder District Project Area.

**SECTION 10:** The City Council hereby finds and declares that the Revenue Allocation Area as defined in the Linder District Plan, the equalized assessed valuation of which the City Council hereby determines is in and is part of the Linder District Plan is likely to increase as a result of the initiation and completion of urban renewal projects pursuant to the Linder District Plan.

**SECTION 11:** 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 Linder District Plan, the City Council recognizes that it has no power to control the powers or operations of the Agency.

**SECTION 12:** 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 13:** 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 14:** 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 15:** The Summary of this Ordinance, a copy of which is attached hereto as Exhibit 4, is hereby approved.

**SECTION 16:** All ordinances, resolutions, orders, or parts thereof in conflict herewith are hereby repealed, rescinded, and annulled.

**SECTION 17:** Savings Clause. This Ordinance does not affect an action or proceeding commenced or right accrued before this Ordinance takes effect.

**SECTION 18:** That pursuant to the affirmative vote of one-half (1/2) plus one (1) of the Members of the full Council, the rule requiring two (2) separate readings by title and one (1) reading in full be, and the same is hereby, dispensed with, and accordingly, this Ordinance shall be in full force and effect upon its passage, approval and publication.

PASSED by the City Council of the City of 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 E. 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 Urban Renewal Plan for the Linder 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 URBAN RENEWAL  
PLAN FOR THE LINDER 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 Urban Renewal Plan for the Linder District Urban Renewal Project (the "Linder District Plan") to the City; and

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

WHEREAS, on November 4, 2021, the City Planning and Zoning Commission met to consider whether the Linder 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 Linder District Plan in view of the Comprehensive Plan; and

WHEREAS, the City Planning and Zoning Commission has determined that the Linder 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:


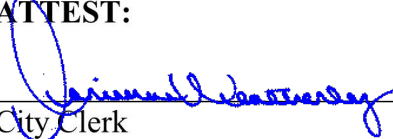
Section 1. That the Linder District Plan, submitted by MDC and referred to this Commission by the Mayor and City Council for review, is in all respects in conformity with the City's Comprehensive Plan.

Section 2. That Exhibit A, the memorandum from Brian McClure, Comprehensive Associate Planner dated October 26, 2021, outlining the analysis supporting the determination that the Linder 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 Linder 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 4th day of November 2021.

<p><b>APPROVED:</b></p>  <hr/> <p>Chair, Planning and Zoning Commission By <b>Rhonda McCarvel</b></p>	<p><b>ATTEST:</b></p>  <hr/> <p>City Clerk By Adrienne Weatherly, Deputy Clerk</p>
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Mayor Robert E. Simison

**City Council Members:**

Treg Bernt  
Joe Borton  
Luke Cavener

Brad Hoaglund  
Jessica Perreault  
Liz Strader

October 26, 2021

**MEMORANDUM**

**TO:** Mayor Robert Simison  
Meridian City Council  
Meridian Planning & Zoning Commission

**CC:** David Miles, Chief of Staff  
Cameron Arial, Community Development Director  
Victoria Cleary, Economic Development Administrator  
Caleb Hood, Planning Division Manager

**FROM:** Brian McClure, Comprehensive Associate Planner

**RE:** Urban Renewal Plan for the Linder District Urban Renewal Project

---

This memo is intended to provide Comprehensive Plan related analysis for the proposed Urban Renewal Plan for the Linder District Urban Renewal Project (Linder District). The Linder District operates within the framework provided by State statute related to general Urban Renewal, and is intended to spur private investment and development enabling further implementation of the City's adopted Comprehensive Plan and Ten Mile Interchange Specific Area Plan (Ten Mile SAP).

The implementation strategies and goals of the Linder District, which are well defined, describe projects and activities aimed 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 and employment opportunities in the Project Area, while recognizing the importance of high design as set forth in the Ten Mile SAP." The three primary projects described include: support developing the Linder Overpass Project; support developing the Local Road Project; and support developing the Sewer Main Project. The Linder District also includes several other activities, some of which include: support developing other infrastructure, such as stormwater; supporting

public-private-partnerships; site demolition and cleanup including addressing environmental quality; and other financial assistance for business.

**All of the described projects are intended to directly implement the Ten Mile SAP. None of the other listed activities are inconsistent with the Comprehensive Plan**, and all of them may help to achieve the desired vision with future activities and development within the district boundaries.

## Recommendation

Based on the outlined activities in the Linder District, Staff believes establishing an Urban Renewal District Plan in this area of town may be an effective tool in implementing the City of Meridian Comprehensive Plan and Ten Mile Interchange SAP. **Accordingly, Staff recommends that the Commission move to approve the associated Resolution identifying the proposed Linder District as conforming to the City of Meridian’s Comprehensive Plan.**

## General Comprehensive Plan Analysis

While the Linder District is limited in scope outside of the three projects, the following text describes general applicable policies that should be considered with future activities and development of the urban renewal district area. This analysis is in consideration of future needs, concerns, and activities, and how the Linder District may fit within this context, but not of the proposed plan itself. Application of the City’s Comprehensive Plan (Comp Plan) to the proposed district area (see Attachment A) is very relevant. Most every major theme (chapter) in the Comp Plan ranging from economic development and land use to transportation contain policies that are directly applicable. Additionally, the Comp Plan adopts other documents by reference, for inclusion in consideration of land use decisions and to direct staff activities.

The future land use designations, policies, and Ten Mile SAP adopted by reference in the Comprehensive Plan, should be considered with all future Urban Renewal Agency, City of Meridian, and private development activity whenever applicable. The following analysis describes the associated text, policies, and referenced plans.

*Note: The Ten Mile SAP has its own future land use designations; see the General Ten Mile Interchange Analysis section for those descriptions.*

## Plan Text

### *General Compliance:*

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With the Linder District entirely integrated within the existing boundaries of a specific area plan, expectations are clearly described. Aside from being listed as adopted by reference in the beginning of the Comprehensive Plan, the primary text referencing the Ten Mile SAP is in the Evolving section (Chapter 3). This section of text states,

*The City developed a specific plan for approximately 2,800 acres bordered (roughly) by Linder Road to the east; McDermott Road to the west; the Union Pacific Railroad line to the north and ½ mile south of Overland Road on the south. The specific area plan is an*



*addendum to this Comprehensive Plan and places an emphasis on a mix of uses, both residential and commercial; new employment areas; higher density residential; a planned collector road network and design guidelines.*

The Linder District indicates a strong correlation to the Ten Mile SAP in the Introduction section, and which states,

*In this case, pursuant to the Ten Mile SAP, and the City's Future Land Use Map, development within the Project Area will be focused on a diverse employment center, including office, research facilities and light industrial opportunities, which can include start-ups to regional/national enterprises. A portion of the Project Area contemplates mixed-use commercial, which focuses on increased commercial and employment, and some residential uses. All intended development scenarios will focus on transportation connectivity for all types of users (vehicle traffic, pedestrian and bicycle uses), as well as ensuring open space amenities, such as pathways, plazas, and other urban amenities that will fit into the overall area designs and support a strong employment base.*

## Plan Policies

The following text relates to the policies found throughout the major themes in the Comprehensive Plan (Chapters 2 through 6). Additional context for these policies can be found in the Related Policies section (see Attachment B), which includes parent Goals and Objectives, for the referenced policies. The first number of a policy ID references the Chapter.

- 2.06.02B, Pursue public-private partnerships and economic development grants that bring additional job opportunities to the community.

*The Linder District will provide an additional funding mechanism which may be used in public-private partnerships, and for the specific purpose of furthering the Ten Mile SAP vision. Not just development that increases the tax levy, but local jobs paying family-wages that further the local economy long-after entitlements are gained and a new building is constructed.*

- 2.09.03B, Promote Ten Mile, Downtown, and The Village as centers of activity and growth.

*The Linder District seeks to encourage development of the Ten Mile area by addressing infrastructure deficiencies in support of employment opportunities needed for the local and citywide job base.*

- 3.03.03G, Require urban infrastructure be provided for all new developments, including curb and gutter, sidewalks, water and sewer utilities.

*The City has land use authority over the project area and urban infrastructure will be required with all redevelopment. Further, the Linder District calls out specific implementation projects to support new development with local and regional improvements that are needed to support community benefit. An overpass will enhance life-safety through improved emergency response efficiencies, and greatly improve stakeholder access to*

*services and jobs. Local roadway and utility infrastructure improvements will increase opportunities for new jobs and services.*

- 4.05.01E, Assess environmental impact of potential new development, infill, and redevelopment.

*The Linder District includes addressing environmental quality and remediation as participating activities. Outside of floodplain impacts however, which do not exist in the project area, the City does not have much in the way of requirements towards this end.*

- 6.01.02D, Consider needed sidewalk, pathway, landscaping, and lighting improvements with all land use decisions.

*The City has land use authority over the project area and redevelopment will be required to provide infrastructure. The Linder District specifically references all of these elements as projects for implementation.*

## Referenced Plans

The following plans are adopted by reference in the City of Meridian Comprehensive Plan, and are relevant material to the proposed Gateway Plan.

- Ten Mile Interchange Specific Area Plan

*This was the City's first and only specific area plan. Where Destination Downtown and other subarea plans have stayed within the realm of vision, or worked exclusively within the realm of existing land uses and other citywide standards, the Ten Mile SAP addresses local context both through land use and transportation. The plan has a number of vision and goal statements, but what perhaps describes the reason for the plan, is its statement on The Use of a Limited Resource. This states,*

*...the Ten Mile Interchange Area has a number of unique and highly desirable attributes that make the land in the area a key resource for the City of Meridian's future. **Meridian has one area left within its Area of Impact with the access and visibility this area offers. The area is a key to Meridian's long term prosperity.** Meridian is the next community in the Treasure Valley to run out of land for future development. Hemmed in by Boise and Garden City to the east and northeast, Eagle to the north, Nampa to the west, and Kuna to the south, Meridian has a limited land base with which to secure its future.*

*Another guiding element of the Ten Mile SAP, the mission, provides the following context,*

*In the Ten Mile Interchange Area, the mission is to create a place that will add to the long-term economic stability of the City of Meridian, not just respond to immediate market forces and trends. To achieve the economic development vision for Meridian as a place that is "Built for Business and Designed for Living," the Ten Mile Interchange Specific Area Plan promotes a complete and integrated mix of uses that will create a place where people can live, work and raise a family.*

*The Ten Mile SAP represents the integration of transportation and land use through a framework defined by location. Freeway visibility creates new opportunities for long-term economic resiliency through a diversity of employment opportunities, and that is purposefully*

*considerate of jobs-housing, accessibility, and the intentional buildout of commensurate land uses.*

- **Ada County Highway District Master Street Map**

*The ACHD Master Street Map (MSM) is a key element of implementing the Ten Mile SAP. This MSM is part of a broader Transportation and Land Use Integration Plan, and which succinctly summarizes a core tenant of the Ten Mile SAP. Jobs and housing balance, mix, transition, and access are critical in preserving quality of life and ensuring opportunities for economic development. The wrong use or the right use in the wrong location could undermine this effort. The MSM has been updated to include all arterial and collector roadways shown in the Ten Mile SAP, including references and support for identified cross-section and intersection treatments.*

All of these plans are available on the City's Comprehensive Plan website at:  
<https://meridiancity.org/planning/compplan/resources>.

## General Ten Mile Interchange SAP Analysis

### Future Land Use

#### *Mixed Employment, which states:*

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*The purpose of the Mixed Employment areas is to encourage a diversity of compatible land uses that may include a mixture of office, research and specialized employment areas, light industrial including manufacturing and assembly, and other miscellaneous uses. These areas generally do not include retail and consumer service uses serving the wider community. However, a small amount of retail and service establishments, primarily serving employees and users of the Mixed Employment areas or nearby industrial areas, are allowed. Such retail would be the exception and not the rule.*

*Mixed Employment areas should provide a variety of flexible sites for small, local or start-up businesses, as well as sites for large national or regional enterprises. Mixed Employment areas should be designed to encourage multimodal travel and convenient circulation to supporting uses located within the area. This would include multiple access points to help disperse traffic, and a complete system of streets, sidewalks and pedestrian and bicycle paths*



to provide circulation within the area and connections to the surrounding roadway, pedestrian and trail systems.

Mixed Employment areas should be designed as lower density suburban-style developments. Design and development standards are recommended that would help to make developments more attractive, engaging and accessible places.

While there are no fixed limits on size of establishment or development intensity in Mixed Employment areas, it is anticipated that buildings will range in height from 1-4 stories, have total floor areas of 10,000-1,000,000 square feet, and that FAR will exceed .75.

#### **Land Use Types in Mixed Employment Areas**

- Corporate and business offices
- Research facilities and laboratories
- Light Industrial uses including manufacturing and assembly
- Occasional, complementary uses which focus on serving area employees and users, such as business services, child care, and convenience retail

The bulk of the future land use designation for the Linder District is Mixed Employment. This is a hybrid designation intended primarily to support the local job base. The designation usually functions as a transitional land use nearer to residential, and separating other more intense employment areas that are incompatible with local residential uses. The local roadway network is essential in distributing traffic away from arterial roadways.

In the context of the Linder District, uses should seek to maximize freeway visibility by realizing increased FAR and higher job to acre ratios. The purpose is in providing for employment opportunities near to significant residential developments, and to limit trip generation and distance. The employment focus is on the creation of goods and ideas, and those jobs that pay a higher wage to more people.

#### **Mixed Use Commercial, which states:**

---

*The purpose of the Mixed Use Commercial designation is to encourage the development of a mixture of office, retail, recreational, employment, and other miscellaneous uses, with supporting multifamily or single family attached residential uses. While the focus of these areas is on commercial and employment uses, the horizontal and vertical integration of residential uses is essential to securing entitlements. As with all mixed use areas, this designation requires developments to integrate the three major use categories—residential, commercial, and employment. In Mixed Use Commercial areas three or more significant uses also tend to be larger scale projects. This designation is intended to provide flexibility and encourage developers to build innovative projects.*

*Traditional neighborhood design concepts with a strong pedestrian-oriented focus are essential. The goal in these areas is to achieve a FAR of 1.00- 1.25 or more. Development within these areas exhibit quality building and site design and an attractive pedestrian environment with a strong street character. The mix of residential uses may be achieved vertically within buildings; however, some horizontal mixes may be allowed. Where existing parcel sizes are small, development plans should be prepared in collaboration with the adjacent property owners in order to establish an integrated mixed use project across*

*several parcels. This land use designation calls for an overall target density of 8-12 dwelling units per acre, with higher densities allowed on individual projects. No more than 30 percent of the ground level development within the Mixed Use Commercial designation should be used for residences.*

There is very little mixed use commercial within the project area. Most of this designation within the Ten Mile SAP falls to the south, or north across I-84 and Ten Mile Road. As stated, the focus of Mixed Use Commercial is commercial and employment uses, but some supporting residential is allowed. The previously entitled land (application H-2021-0014) within the Linder District, on the north-west corner of Linder and Overland, includes an employment area with supporting commercial uses. This project incorporates a north-south public street connection across Overland at Spanish Sun Way, and then heading west which will eventually connect into Tasa Drive.

### Transportation

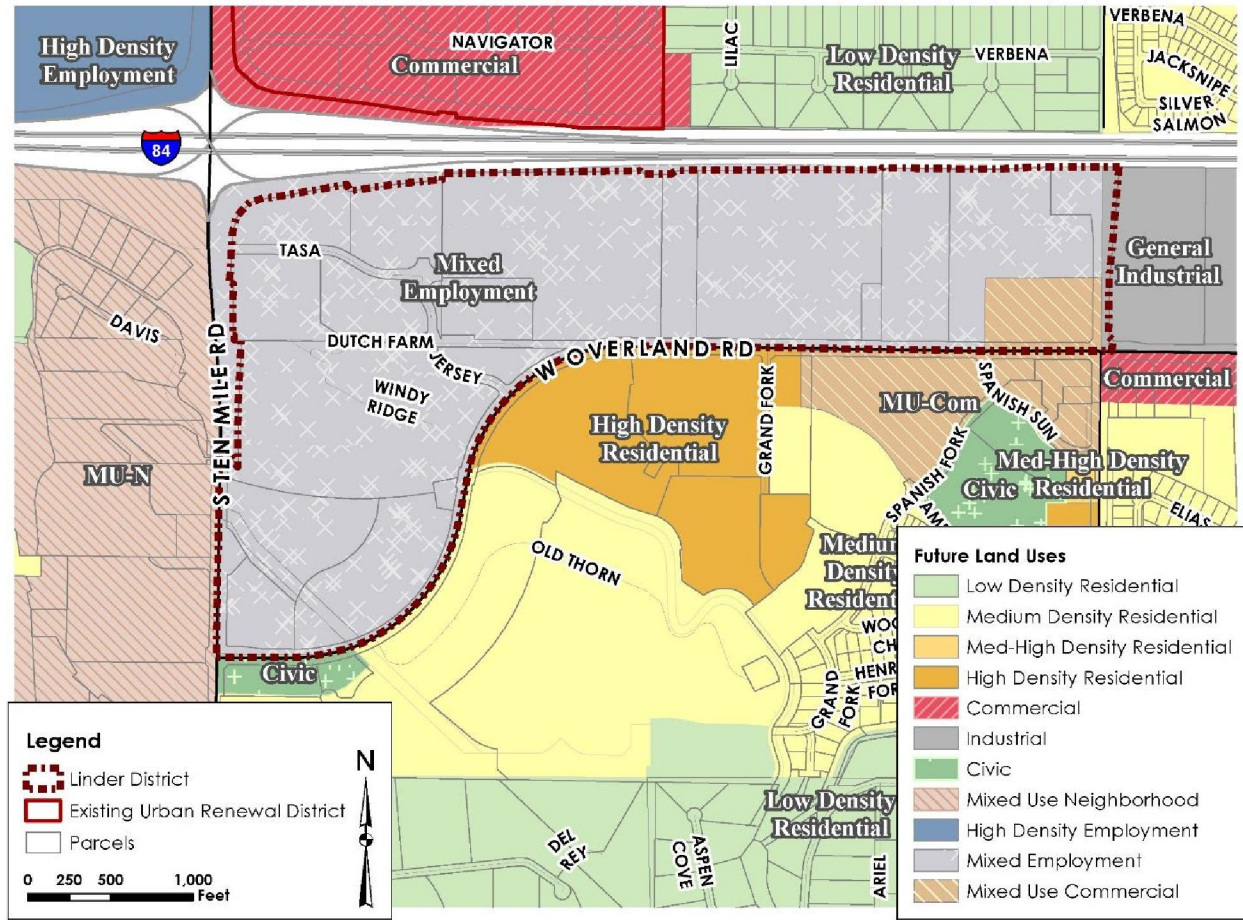
The transportation element of the Ten Mile SAP is essential. The interconnectivity and balance of residential and employment uses is critical to the proposed street network presented. Within the Linder District, Tasa Drive is expected to be connected on the west near the roundabout at Jersey Way, and east towards a planned northward extension of Spanish Sun Way (see Attachment C). This will limit impacts to Overland Road, by providing safe and consistent access to future development in the area. The exact alignment of this road may vary, but the beginning and ending points have already been set. The Linder District identifies this local roadway as a project that tax increment financing could support.

Complete streets are also important to the Ten Mile SAP, with sidewalk, bike lanes (or equivalent), refuge medians, and other landscape and street furnishings being required.

### Building Form and Character

The Ten Mile SAP identifies what is the equivalent of a blend between traditional zoning and form based code, as the basis for development and building development. The City's Architectural Standards Manual is the presiding document for design review, but entitlements should consider and set the stage for future design review activities within development agreements. Consideration for floor area ratio (FAR), building form, and described design principles such as "Base, Body, and Top" should not be forgotten.

# Attachment A: Linder District (Urban Renewal District)



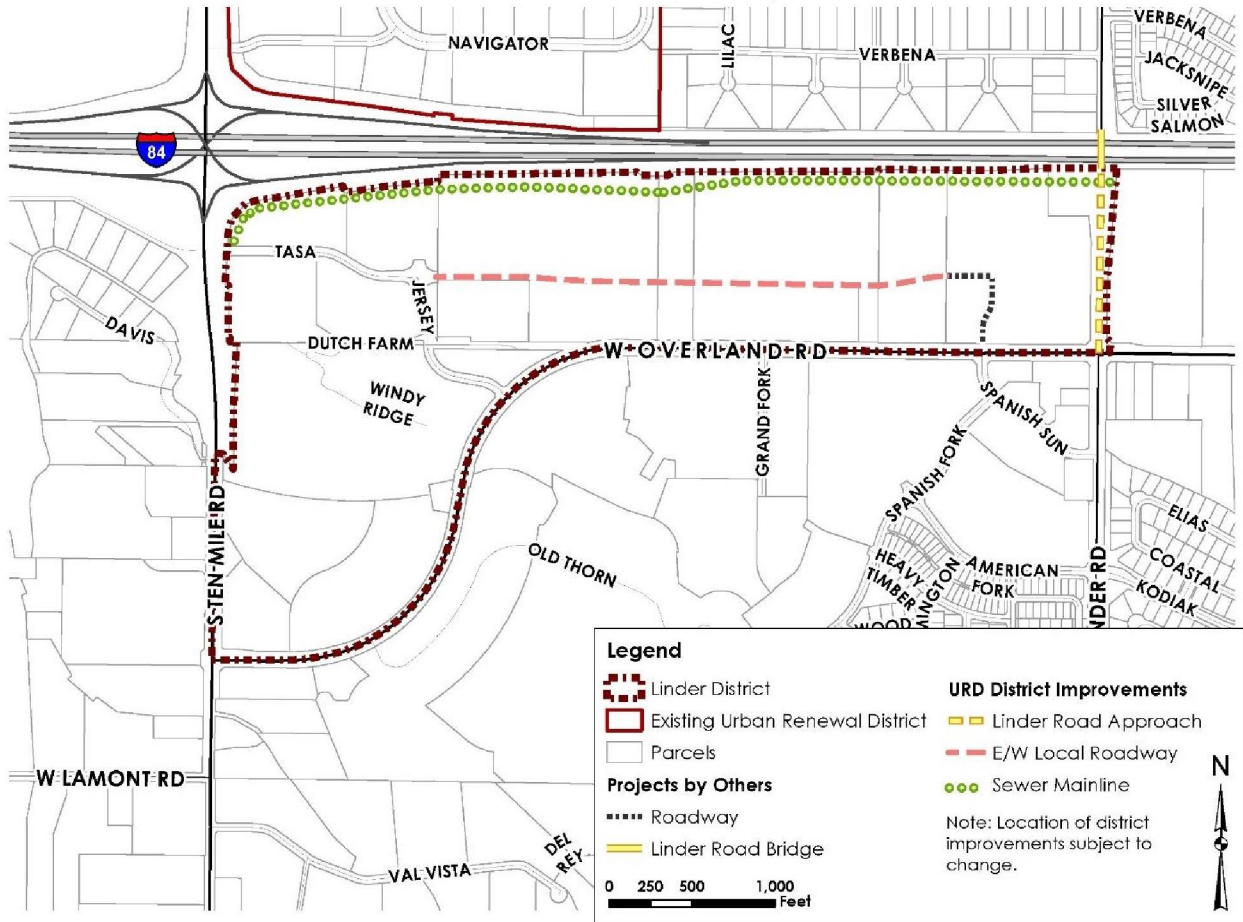


## Attachment B: Related Policies

The policies below are from the City of Meridian Comprehensive Plan. For policy type: G = Goal; O = Objective, and A = Action. Goals and Objectives are shown with referenced actions for additional context, along with a referenced section.

ID	Policy Type	Policy	Section
<b>2.06.00</b>	<b>G</b>	<b>Enhance Meridian's economic vitality and position in the local and regional economy.</b>	<b>Economic Excellence</b>
2.06.02	O	Support economic opportunities for a community with diverse income levels.	Economic Excellence
2.06.02B	A	Pursue public-private partnerships and economic development grants that bring additional job opportunities to the community.	Economic Excellence
<b>2.09.00</b>	<b>G</b>	<b>Create positive, vibrant, and accessible commercial activity centers within the community.</b>	<b>Economic Excellence</b>
2.09.03	O	<i>Cultivate unique and diverse destination-type activities within Meridian's centers.</i>	<i>Economic Excellence</i>
2.09.03B	A	<i>Promote Ten Mile, Downtown, and The Village as centers of activity and growth.</i>	<i>Economic Excellence</i>
3.03.00	G	<i>Direct and prioritize development in strategic areas and in accordance with corridor and special area plans.</i>	<i>Growth and Population</i>
3.03.01	O	<i>Plan for an appropriate land use mix, recreational and civic facilities, and phased service extension within specific area plans and urban renewal districts.</i>	<i>Growth and Population</i>
3.03.03G	A	<i>Require urban infrastructure be provided for all new developments, including curb and gutter, sidewalks, water and sewer utilities.</i>	<i>Growth and Population</i>
<b>4.05.00</b>	<b>G</b>	<b>Preserve, protect, enhance, and wisely use natural resources.</b>	<b>Stewardship</b>
4.05.01	O	Protect and enhance existing waterways, groundwater, wetlands, wildlife habitat, air, soils, and other natural resources.	Stewardship
4.05.01E	A	<i>Assess environmental impact of potential new development, infill, and redevelopment.</i>	<i>Stewardship</i>
<b>6.01.00</b>	<b>G</b>	<b>Facilitate the efficient movement of people and products to and from the City.</b>	<b>Transportation and Streets</b>
6.01.02	O	Enhance existing transportation systems.	Transportation and Streets
6.01.02D	A	<i>Consider needed sidewalk, pathway, landscaping, and lighting improvements with all land use decisions.</i>	<i>Transportation and Streets</i>

# Attachment C: Urban Renewal District Projects





**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 LINDER DISTRICT URBAN RENEWAL PROJECT OF THE URBAN RENEWAL AGENCY OF MERIDIAN, IDAHO, ALSO KNOWN AS MERIDIAN DEVELOPMENT CORPORATION

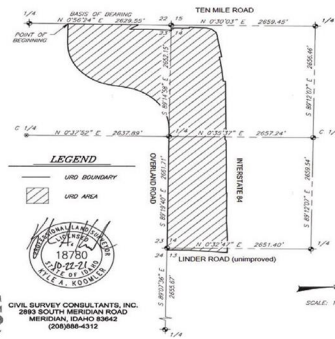
NOTICE IS HEREBY GIVEN that on Tuesday, December 14, 2021, at 6:00 p.m. in City Council Chambers, Meridian City Hall, 33 E. Broadway Avenue, Meridian, Idaho, 83642, and/or in virtual meeting as may be noticed on the City's website (www.meridianidaho.org), the City Council of the City of Meridian, Idaho ("City") will hold, during its regular meeting, a public hearing to consider for adoption the proposed Urban Renewal Plan for the Linder District Urban Renewal Project (the "Plan"), of the Urban Renewal Agency of Meridian, Idaho, also known as Meridian Development Corporation ("Agency").

- The general scope and objectives of the Plan are:
a. The engineering, design, installation, construction, and/or reconstruction of the southern approach to the Linder Overpass bridge, including related streetscapes, which for purposes of this Plan, the term streetscapes include sidewalks, lighting, landscaping, benches, signage, wayfinding, bike racks, public art, and similar amenities between the curb and right-of-way line, and pedestrian facilities, curb and gutter, intersection improvements, and traffic control measures;
b. The engineering, design, installation, construction, and/or reconstruction of the Local Road Project, including related streetscapes (defined above) and pedestrian facilities, curb and gutter, intersection improvements, and traffic control measures;
c. The engineering, design, installation, construction, and/or reconstruction of the Sewer Main Project, including but not limited to lift station and/or other such improvements related to the Sewer Main Project;
d. 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 related to the Projects;
e. The provision for participation by property owners and developers within the Project Area to achieve the objectives of this Plan and the Ten Mile Specific Area Plan (SAP);
f. The acquisition of real property for public right-of-way improvements and underground utilities to encourage development opportunities consistent with the Ten Mile SAP;
g. The demolition or removal of certain buildings and/or improvements for public rights-of-way and streetscapes (as defined above) improvements, pedestrian facilities, utility undergrounding extension and upgrades to encourage and enhance transportation and mobility options, decrease underutilized parcels, to eliminate unhealthful, unsanitary, or unsafe conditions, eliminate obsolete or other uses detrimental to the public welfare or otherwise to remove or to prevent the spread of deteriorating or deteriorated conditions;
h. The development or redevelopment of land by private enterprise or public agencies for uses in accordance with this Plan and the Ten Mile SAP;
i. The provision of financial and other assistance to encourage and attract business enterprise including but not limited to start-ups and microbusinesses, mid-sized companies and large-scale corporations and industries;
j. The provision of financial and other assistance to encourage greater residential and/or employment density as contemplated by the Ten Mile SAP;
k. In collaboration with property owners and other stakeholders, working with the City to amend zoning regulations (if necessary) and establish standards and guidelines for the design of the Mixed Employment and Mixed-Use Commercial uses as contemplated in the Ten Mile SAP as needed to support implementation of this Plan;
l. 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 as contemplated by the Ten Mile SAP, achieving high standards of development, and leveraging such development to achieve public objectives and efficient use of scarce resources;
m. To the extent allowed by law, lend or invest federal funds to facilitate development and/or redevelopment;
n. 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;
o. Other related improvements to those set forth above as further set forth in Attachment 5 of the Plan (the Economic Feasibility Study).

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, or as may be applicable, zoning for Ada County and the Ada County Comprehensive Plan. 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 188 acres, inclusive of rights-of-way, and is generally bounded by Ten Mile Road on the west, Interstate 84 on the north, Overland Road on the south and what would be an unimproved section of Linder Road on the east 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 SW 1/4 OF SECTION 13, AND IN THE S 1/2 OF SECTION 14, AND IN THE NW 1/4 OF SECTION 23, ALL IN TOWNSHIP 3 NORTH, RANGE 1 WEST, BOISE MERIDIAN, ADA COUNTY, IDAHO



The urban renewal project area and revenue allocation area include certain property outside the corporate city limits of the City. Ada County has adopted a resolution declaring the need for an urban renewal project for the Linder District Project Area. The City is in the process of negotiating and will enter into a separate intergovernmental agreement with Ada County concerning administration of the revenue allocation financing provision extending beyond the municipal boundary of the City and concerning implementation of the Plan for those properties outside the city limits of the City and within the boundaries of unincorporated Ada County as may be required by Idaho Code Section 50-2906(3)(b). The agreement with Ada County will be or has been formalized by a transfer of power ordinance adopted by Ada County.

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/LinderURD. 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 (December 14, 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://meridianidaho.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@meridianidaho.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: November 5, 2021.
Chris Johnson, City Clerk

### **Exhibit 3**

Urban Renewal Plan for the Linder District Urban Renewal Project

**URBAN RENEWAL PLAN FOR THE  
LINDER DISTRICT URBAN RENEWAL PROJECT**

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

**CITY OF MERIDIAN, IDAHO**

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

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

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

## TABLE OF CONTENTS

		Page
100	INTRODUCTION .....	1
101	General Procedures of the Agency .....	5
102	Procedures Necessary to Meet State and Local Requirements: Conformance with Idaho Code Sections 50-2008 and 50-2906 .....	5
103	History and Current Conditions of the Area .....	7
104	Purpose of Activities .....	8
105	Open Land Criteria .....	10
200	DESCRIPTION OF PROJECT AREA .....	11
300	PROPOSED REDEVELOPMENT ACTIONS .....	11
301	General .....	11
302	Urban Renewal Plan Objectives .....	13
303	Participation Opportunities and Agreement .....	14
	303.1 Participation Agreements .....	14
304	Cooperation with Public Bodies .....	16
305	Property Acquisition .....	17
	305.1 Real Property .....	17
	305.2 Personal Property .....	19
306	Property Management .....	19
307	Relocation of Persons (Including Individuals and Families), Business Concerns, and Others Displaced by the Project .....	19
308	Demolition, Clearance and Site Preparation .....	20
309	Property Disposition and Development .....	20
	309.1 Disposition by the Agency .....	20
	309.2 Disposition and Development Agreements .....	21
	309.3 Development by the Agency .....	22
310	Development Plans .....	23
311	Participation with Others .....	23
312	Conforming Owners .....	24
400	USES PERMITTED IN THE PROJECT AREA .....	24
401	Designated Land Uses .....	24
402	[Reserved] .....	24
403	Public Rights-of-Way .....	24
404	Interim Uses .....	25
405	Development in the Project Area Subject to the Plan .....	25
406	Construction Shall Comply with Applicable Federal, State, and Local Laws and Ordinances and Agency Development Standards .....	25
407	[Reserved] .....	26
408	Nonconforming Uses .....	26
409	Design Guidelines for Development under a Disposition and Development Agreement or Owner Participation Agreement .....	26
500	METHODS OF FINANCING THE PROJECT .....	27

501	General Description of the Proposed Financing Method.....	27
<b>502</b>	<b>Revenue Allocation Financing Provisions</b> .....	<b>28</b>
502.1	Economic Feasibility Study .....	29
502.2	Assumptions and Conditions/Economic Feasibility Statement .....	29
502.3	Ten Percent Limitation .....	31
502.4	Financial Limitation.....	31
502.5	[Reserved].....	33
502.6	Participation with Local Improvement Districts and/or Business Improvement Districts .....	33
502.7	Issuance of Debt and Debt Limitation .....	34
502.8	Impact on Other Taxing Districts and Levy Rate .....	34
503	Phasing and Other Fund Sources .....	37
504	Lease Revenue and Bonds .....	37
505	Membership Dues and Support of Community Economic Development .....	38
600	ACTIONS BY THE CITY AND OTHER PUBLIC ENTITIES.....	38
601	Maintenance of Public Improvements .....	39
700	ENFORCEMENT .....	40
800	DURATION OF THIS PLAN, TERMINATION, AND ASSET REVIEW .....	40
900	PROCEDURE FOR AMENDMENT OR MODIFICATION .....	41
1000	SEVERABILITY .....	42
1100	ANNUAL REPORT AND OTHER REPORTING REQUIREMENTS .....	42
1200	APPENDICES, ATTACHMENTS, EXHIBITS, TABLES .....	42

## **Attachments**

- Attachment 1      Boundary Map of Linder District Urban Renewal Project Area and Revenue Allocation Area
- Attachment 2      Legal Description of Linder 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
- Attachment 6      Agricultural Operation Consents
- Attachment 7      Ada County Board of County Commissioners Resolution No. 2676 (eligibility)
- Attachment 8      Ada County Board of County Commissioners Ordinance No. 932 (Intergovernmental Agreement and Transfer of Powers Ordinance)
- Attachment 9      City Council Resolution No. 21-2299 (Intergovernmental Agreement)



## 100 INTRODUCTION

This is the Urban Renewal Plan (the “Plan”) for the Linder District Urban Renewal Project (the “Project”) in the City of Meridian (the “City”), county of Ada, state of Idaho. Attachments 1 through 9 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 Linder 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”), 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 Project Area includes parcels within the City limits, as well as parcels outside of the City limits and within unincorporated Ada County. Pursuant to Idaho Code Sections 50-2018(18) and 50-2906(1), the Ada County Board of County Commissioners has deemed the Project Area eligible for an urban renewal project (Attachment 7). Further, for purposes of implementing this Plan, the Ada County Board of County Commissioners entered into an intergovernmental agreement and adopted a transfer of powers ordinance (Attachment 8). The City and County intend for the Project Area to be fully annexed into the City prior to or simultaneous with development of the Project Area.

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.<sup>1</sup> This Plan also conforms to and supports the design and planning goals set forth in the Ten Mile Interchange Specific Area Plan: A Strategy to Enhance Meridian’s Prosperity, adopted June 2007 (the “Ten Mile SAP”), which is a vision plan for the long-term future of the development of the area in and around the Ten Mile Interchange, which seeks to become a mixed-use employment and commercial center. As one of the last open land areas to support the development goals of the City, particular attention will be paid to proposed developments within the Project Area to confirm such projects are meeting the City’s overall goals set forth in the Ten Mile SAP.

**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**

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<sup>1</sup> As the Project Area will ultimately be annexed into the City prior to development, the City’s Comprehensive Plan will guide development as addressed in the intergovernmental agreement between the City and the County.

**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. In this case, pursuant to the Ten Mile SAP, and the City’s Future Land Use Map, development within the Project Area will be focused on a diverse employment center, including office, research facilities and light industrial opportunities, which can include start-ups to regional/national enterprises. A portion of the Project Area contemplates mixed-use commercial, which focuses on increased commercial and employment, and some residential uses. All intended development scenarios will focus on transportation connectivity for all types of users (vehicle traffic, pedestrian and bicycle uses), as well as ensuring open space amenities, such as pathways, plazas, and other urban amenities that will fit into the overall area designs and support a strong employment base.

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

- a. To support the planning, design, and construction of a new Linder overpass site, focusing on the funding participation with the Ada County Highway District and others on the southern approach to the overpass bridge;
- b. The installation and construction of a new local roadway to provide additional east-west connectivity north of Overland Road, which would minimize impacts to Overland Road between S. Linder Road and S. Ten Mile Road, and related intersection improvements, including the installation of traffic control measures,



including traffic signals; installation of curbs, gutters and streetscapes, which for purposes of this Plan, the term “streetscapes” includes sidewalks, lighting, landscaping, benches, bike racks, wayfinding, public art and similar amenities between the curb and right of way line; and installation of storm drainage facilities;

- c. The installation and construction of a new sewer main extension proposed to be located south of and parallel to Interstate 84, which is necessary to serve more than sixty (60%) percent of the Project Area. Installation of this public infrastructure would allow the Project Area to develop consistent with the Ten Mile SAP and the Future Land Use Map;
- d. 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 to incent new mixed-use employment and commercial centers as identified in the Ten Mile SAP and the Future Land Use Map;
- e. The strengthening of the economic base of the Project Area and the community by the installation of needed public improvements to stimulate new private development providing for economic growth through diverse, resilient, regionally supportive, enhanced employment opportunities;
- f. The provision of adequate land for open space, plazas, and pedestrian rights-of-way, to promote the goals set forth in the Ten Mile SAP;
- g. 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 achieving high standards of development, and leveraging such development to achieve public objectives as set forth in the Ten Mile SAP and efficient use of scarce resources;
- h. 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;
- i. The acquisition of real property as may be necessary consistent with the Law and Act to support right-of-way and utility improvements, particularly, the southern approach to the proposed Linder overpass bridge; and
- j. The funding of necessary public infrastructure to accommodate both public and private development.

## **101 General Procedures of the Agency**

The Agency is a public body, corporate and politic, as defined and described under the Law and the Act. Under the Law, the Agency is governed by the Idaho open meeting law; the Public Records Act; the Ethics in Government Act of 2015, Chapters 1, 2 and 4 of Title 74, Idaho Code; reporting requirements pursuant to Idaho Code §§ 67-450B, 67-1076, 50-2903A and 50-2913; and the competitive bidding requirements under Chapter 28, Title 67, Idaho Code, as well as other procurement or other public improvement delivery methods. The Agency is also governed by its bylaws as authorized by the Law and adopted by the Agency.

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

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

## **102 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 Study Area included parcels located within the City limits as well as outside the boundaries of the City and within unincorporated Ada County. The Linder Urban Renewal District (Proposed) Eligibility Report, dated May 2021 (the “Report”), was submitted to the Agency. The Agency accepted the Report by Agency Resolution No. 21-024 on May 26, 2021, and thereafter submitted the Report to the Ada County Board of County Commissioners and the City Council for their consideration.

As properties within the Study Area included parcels that were within the City limits as well as outside the boundaries of the City and within unincorporated Ada County, and in accordance with Idaho Code § 50-2018(18), the Ada County Board of County Commissioners considered adoption of a resolution finding the Study Area to be a deteriorated area and/or deteriorating area and finding a need for the urban renewal plan. On June 14, 2021, representatives of the City and the Agency presented the Report to the Ada County Board of County Commissioners. The Commissioners did not take action at that time, and the Agency was directed to obtain the agricultural operation consents from the property owners located within unincorporated Ada County prior to the Commissioners considering the adoption of a resolution.

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.

Following transmittal of the Report to the Ada County Board of County Commissioners and the presentation of the Report, and based on ongoing discussions, it was determined the proposed Project Area would be smaller than the Study Area. Specifically, the parcels located north of Interstate 84 and west of Linder Road included within the Study Area boundary would not ultimately be included in any proposed urban renewal plan or project area boundary.

The necessary agricultural operation consents (attached hereto as Attachment 6), together with additional information concerning any proposed future project area boundary adjustments, was transmitted to the Ada County Board of County Commissioners to support consideration of the necessary resolution pursuant to Idaho Code § 50-2018(18). The Ada County Board of County Commissioners adopted the Agency's findings concerning the proposed Study Area by adopting Resolution No. 2676 on September 30, 2021. A copy of Resolution No. 2676 is attached hereto as Attachment 7.

Thereafter, 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. 21-2289 on October 5, 2021. With the adoption of Resolution No. 21-2289, the City Council declared the Study Area described in the Report to be a deteriorated area and/or a deteriorating area as defined by Chapters 20 and 29, Title 50, Idaho Code, as amended, that such area is appropriate for an urban renewal project, that the Ada County Board of County Commissioners directed the parcels north of Interstate 84 and west of Linder Road should not be included in any proposed Linder District project area, and directed the Agency to commence preparation of an urban renewal plan.

In addition to the discussions occurring at several Ada County Board of County Commissioners, Ada County Highway District, City Council and Agency Board meetings in 2021, and the establishment of the Linder overpass task force, City staff met with property owners, taxing districts and other stakeholders regularly in an effort to provide an opportunity for all to weigh in on the scope of the Plan and Project Area.

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. 21-053, on October 27, 2021, and submitted the Plan to the Board of County Commissioners and the City Council with its recommendation for adoption.

In accordance with the Law, this Plan was submitted to the Planning and Zoning Commission of the City.<sup>2</sup> After consideration of the Plan, the Commission reported to the City Council that this Plan is in conformity with the City's Comprehensive Plan.

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<sup>2</sup> It is anticipated the parcels currently located within the boundaries of unincorporated Ada County will be annexed into the City prior to development occurring on those parcels.

In accordance with the Law and the Act, the City Council and Ada County Board of County Commissioners entered into an intergovernmental agreement concerning the administration and implementation of the Plan and the Ada County Board of County Commissioners adopted a transfer of powers ordinance on December 7, 2021, by Ordinance No. 932 (Attachment 8).

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 December 14, 2021, by Ordinance No. 21-1958.

### **103 History and Current Conditions of the Area**

This Project Area includes an estimated 171 acres (including right-of-way), and is an area generally bounded by Ten Mile Road on the west, Interstate 84 on the north, Overland Road on the south and what would be an unimproved section of Linder Road on the east. The Project Area includes parcels within the City limits, as well as parcels outside the City limits, within unincorporated Ada County. The Project Area is, or will be upon annexation into the City be, zoned for primarily commercial, industrial, and residential uses. The Project Area is fully within the boundaries of the Ten Mile SAP.

The Project Area represents an area of transition from historical agricultural uses to a proposed mix of residential, commercial, and industrial uses. The Ten Mile SAP refers to the current Future Land Use Map to support the desired development goals to support Mixed Employment and Mixed-Use Commercial Uses. A significant impediment to development is the extent of infrastructure necessary to develop the Project Area. The Report cites a number of deteriorating conditions existing within the Project Area, including age or obsolescence; predominance of defective or inadequate street layout; and faulty lot layout in relation to size, adequacy, accessibility, or usefulness/obsolete platting. Current infrastructure within the Project Area is not of a nature to support the high-density mixed-uses identified in the Ten Mile SAP. As a result, development potential within the Project Area is currently restricted. The impact of the lack of necessary capital facilities on growth in this area is evidenced by the significant growth occurring north of the Ten Mile Interchange, which has not yet been able to spur development south of Interstate 84. The majority of the Project Area lacks an internal street network to serve interior development creating connectivity issues. Further, existing parcel sizes appropriate for historic agricultural uses are not properly configured for the development patterns envisioned in the Ten Mile SAP. Extension of a sewer main is necessary in order to develop 60% of the Project Area consistent with uses contemplated in the Ten Mile SAP. In order to implement a broader transportation plan for the Project Area, an east-west local road is necessary to relieve some of the traffic burden from Overland Road in this area. Finally, for long-range planning in this area and to relieve congestion at the Ten Mile Interchange, a Linder Overpass is critical from a land use and transportation planning perspective. At this time, the Project Area lacks the public infrastructure necessary to properly serve economic development as contemplated by the City's Comprehensive Plan and the Ten Mile SAP.



The Plan is limited in scope and proposes three (3) public infrastructure improvements within the Project Area to encourage development in this area to support Mixed Employment and Mixed-Use Commercial Uses: 1) to participate in the funding of a portion of the Linder Overpass, in partnership with the City, the Ada County Highway District and the Idaho Transportation Department, which participation would be limited to the southern approach to the overpass bridge and related real property acquisition (the “Linder Overpass Project”). The Linder Overpass Project is a priority; 2) the installation of a new sewer main extension south of and parallel to Interstate 84, and related real property acquisition (the “Sewer Main Project”); and 3) the design and construction of an east-west local road (including streetscape improvements and any traffic control measures) to aid in the overall transportation plan for the Project Area and related real property acquisition (the “Local Road Project”). These projects will aid in removing the development impediments in this Project Area and will create additional opportunities to work with private property owners and developers to develop this area in a way that is supportive of the goals set forth in the Ten Mile SAP, including any related design and/or zoning overlays for this Project Area.

A significant portion of the Project Area is underdeveloped and/or vacant and is not being used to its highest and best use due to the deteriorating conditions present within the Project Area. As noted above, these conditions have arrested or impaired growth in the Project Area.

The preparation and approval of an urban renewal plan, including a revenue allocation financing provision, gives the City additional resources to solve the public infrastructure, transportation/connectivity, 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 these needed public improvements and facilities. Finally, a significant goal of the new developments within the Project Area is to support growth in employment opportunities, from start-ups to regional/national enterprises and planned designs that support the land use and transportation planning goals set forth in the Ten Mile SAP. This includes office and commercial spaces, which may be mixed with research and light industrial uses. A portion of the Project Area also contemplates mixed residential, employment and commercial uses, with a design supportive of increased pedestrian activity.

It is unlikely individual developers will take on the prohibitive costs of constructing the necessary infrastructure in the Project Area without the ability of revenue allocation funds to help offset at least some of these costs. But for urban renewal and revenue allocation financing, the proposed public improvements to support development of the Project Area into a thriving mixed-use commercial, industrial and employment center 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 presents a realistic siting of improvements recognizing it is difficult to project with any certainty where the improvements will be sited until any future projects submit plans to the City for design review and permitting.

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

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

The activities listed in Attachment 5 are prioritized by way of importance to the Agency by the amounts funded, and by year of funding, with earlier years reflecting the more important activities, achievement of higher objectives, long term goals, and commitments. Successful completion of the Linder Overpass Project is the first priority; however, it is recognized the Sewer Main Project and/or the Local Road Project timing will depend on how development occurs within the Project Area. It is possible the Sewer Main Project and/or the Local Road Project could occur prior to the Linder Overpass Project. As required by the Law and Act, the



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

The Study (Attachment 5) has described a list of prioritized public improvements and other related activities with an estimated cost in 2021 dollars of approximately \$7,000,000. 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 \$11,314,976 in revenue allocation proceeds. The Agency reserves the discretion and flexibility to use revenue allocation proceeds in excess of the amounts predicted in the event higher increases in assessed values occur during the term of the Plan for the improvements and activities identified. Additionally, the Agency reserves the discretion and flexibility to use other sources of funds unrelated to revenue allocation to assist in the funding of the improvements and activities identified.

## **105 Open Land Criteria**

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

Open land areas qualify for Agency acquisition and development for primarily nonresidential uses if acquisition is necessary and appropriate to facilitate the proper growth and development of the community in accordance with sound planning standards and local community objectives if any of the deteriorating area conditions set forth in Idaho Code §§ 50-2018(8), (9) and 50-2903(8) apply. But such areas also qualify if any of the issues listed only in Idaho Code § 50-2008(d)(4)(2) apply. The age or obsolescence of existing uses, a predominance of defective or inadequate street layout and faulty lot layout in relation to size, adequacy, accessibility or usefulness/obsolete platting, 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, but is anticipated to be related to the Linder Overpass Project, the Sewer Main Project, and the Local Road Project. 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 Linder 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 Linder 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 and employment opportunities in the Project Area, while recognizing the importance of high design as set forth in the Ten Mile SAP. Implementation of the strategy includes, but is not limited to the following actions:

- a. The engineering, design, installation, construction, and/or reconstruction of the southern approach to the Linder Overpass bridge, including related streetscapes, which for purposes of this Plan, the term streetscapes include sidewalks, lighting, landscaping, benches, signage, wayfinding, bike racks, public art, and similar amenities between the curb and right-of-way line, and pedestrian facilities, curb and gutter, intersection improvements, and traffic control measures;
- b. The engineering, design, installation, construction, and/or reconstruction of the Local Road Project, including related streetscapes (defined above) and pedestrian facilities, curb and gutter, intersection improvements, and traffic control measures;
- c. The engineering, design, installation, construction, and/or reconstruction of the Sewer Main Project, including but not limited to lift station and/or other such improvements related to the Sewer Main Project;



- d. 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 related to the Projects;
- e. The provision for participation by property owners and developers within the Project Area to achieve the objectives of this Plan and the Ten Mile SAP;
- f. The acquisition of real property for public right-of-way improvements and underground utilities to encourage development opportunities consistent with the Ten Mile SAP;
- g. The demolition or removal of certain buildings and/or improvements for public rights-of-way and streetscape (as defined above) improvements, pedestrian facilities, utility undergrounding extension and upgrades to encourage and enhance transportation and mobility options, decrease underutilized parcels, to eliminate unhealthful, unsanitary, or unsafe conditions, eliminate obsolete or other uses detrimental to the public welfare or otherwise to remove or to prevent the spread of deteriorating or deteriorated conditions;
- h. The development or redevelopment of land by private enterprise or public agencies for uses in accordance with this Plan and the Ten Mile SAP;
- i. The provision of financial and other assistance to encourage and attract business enterprise including but not limited to start-ups and microbusinesses, mid-sized companies and large-scale corporations and industries;
- j. The provision of financial and other assistance to encourage greater residential and/or employment density as contemplated by the Ten Mile SAP;
- k. In collaboration with property owners and other stakeholders, working with the City to amend zoning regulations (if necessary) and establish standards and guidelines for the design of the Mixed Employment and Mixed-Use Commercial uses as contemplated in the Ten Mile SAP as needed to support implementation of this Plan;
- l. 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 as contemplated by the Ten Mile SAP, achieving high standards of development, and leveraging such development to achieve public objectives and efficient use of scarce resources;
- m. To the extent allowed by law, lend or invest federal funds to facilitate development and/or redevelopment;

- n. 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;
- o. 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: age or obsolescence; the predominance of defective or inadequate street layout; faulty lot layout in relation to size, adequacy, accessibility, or usefulness; obsolete platting; and inadequate utility infrastructure needed for larger residential, commercial and industrial developments. The Plan for the Project Area is a proposal to work in partnership with public and private entities to improve, develop, and grow the economy within the Project Area by the implementation of a strategy and program set forth in Section 301 and in Attachment 5.

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

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

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

- a. Initiate simultaneous projects designed to revitalize the Project Area. From street and utility improvements to significant new public or private development, the

Agency plays a key role in creating the necessary momentum to get and keep things going.

- b. Support development opportunities consistent with the Ten Mile SAP, and to encourage development projects that support the goals of developing vibrant Mixed Employment and Mixed-Use Commercial areas consistent with the plan set forth in the Ten Mile SAP.
- c. Support development that includes public open space amenities.
- d. Initiate projects designed to increase mixed density employment opportunities, mixed income and mixed density residential projects, commercial projects, and to encourage transportation planning to support connectivity and efficient circulation of all transportation means.

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

Land use in the Project Area may be modified to the extent that underutilized, underdeveloped, deteriorated, deteriorating and vacant land and land now devoted to uses inconsistent with the future land uses of the area will be converted to commercial, industrial, and employment uses consistent with the Ten Mile SAP. In implementing the activities described in this Plan, the Agency shall give due consideration to the provision of adequate open space, park and recreational areas and facilities that may be desirable for neighborhood improvement, with special consideration for the health, safety, and welfare of residents in the general vicinity of the Project Area covered by the Plan, recognizing, however, the primary purpose of this Plan and Project Area is to support new private development providing for economic growth through diverse, resilient, regionally supportive, enhanced employment opportunities and to establish a thriving commercial and industrial area.

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

#### **303.1 Participation Agreements**

The Agency shall enter into various development participation agreements with any existing or future owner of property in the Project Area, in the event the property owner seeks and/or receives assistance from the Agency in the development and/or redevelopment of the property. The term "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 this Plan in order to implement the infrastructure improvements set forth in this Plan.

Each structure and building in the Project Area to be rehabilitated or to be constructed as a condition of the owner participation agreement between the Agency and the owner pursuant to this Plan will be considered to be satisfactorily rehabilitated and constructed pursuant to the requirements of the Law and Act, and the Agency will so certify, if the rehabilitated or new structure meets the standards set forth in an executed owner participation agreement and complies with the applicable provisions of this Plan, local codes and ordinances and the Idaho Code. Additional conditions described below:

- a. 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, the Ten Mile SAP, and applicable zoning ordinances and other requirements deemed appropriate and necessary by the Agency. Upon completion of any rehabilitation each structure must be safe and sound in all physical respects and be refurbished and altered to bring the property to an upgraded marketable condition that will continue throughout an estimated useful life for a minimum of twenty (20) years.
- b. Any owner shall give due consideration to the provision of adequate open space and pathways.
- c. All such buildings or portions of buildings which are to remain within the Project Area shall be rehabilitated or constructed in conformity with all applicable codes and ordinances of the City.
- d. Any new construction shall also conform to all applicable provisions, requirements, and regulations of this Plan, as well as to all applicable codes and ordinances of the City.

**All owner participation agreements will address development timing, justification and eligibility of project costs, and achievement of the objectives of the Plan. The Agency shall retain its discretion in the funding level of its participation. Obligations under owner participation agreements shall terminate no later than the termination date of this Plan, December 31, 2041. The Agency shall retain its discretion to negotiate an earlier date to accomplish all obligations under any owner participation agreement.**

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

agreement with the Agency, the provisions of this Plan are applicable to all public and private property in the Project Area.

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

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

- a. Encouraging property owners to revitalize and/or remediate deteriorated areas or deteriorating areas of their parcels to accelerate development in the Project Area consistent with the Ten Mile SAP.
- 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 and the Ten Mile SAP to the extent possible and to encourage an orderly transition from nonconforming to conforming uses through the term of the Plan.
- e. Provide for advance funding by the developer/owner participant of those certain public improvements related to or needed for the private development and related to the construction of certain public improvements. In that event, the Agency will agree as set out in the participation agreement to reimburse a portion of, or all of, the costs of public improvements identified in the participation agreement from the revenue allocation generated by the private development.

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

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



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

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

The Agency intends to cooperate to the extent allowable with the City and 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 following adoption of this Plan, the Agency may reimburse those entities for those expenses. The Agency also intends to cooperate and seek available assistance from state, federal and other sources for economic development.

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

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

## **305 Property Acquisition**

### **305.1 Real Property**

Only as specifically authorized herein, the Agency may acquire, through the voluntary measures described below, but is not required to acquire, any real property located in the Project Area where it is determined that the property is needed for construction of public improvements,



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

The Agency intends to acquire any real property through voluntary or consensual gift, devise, exchange, or purchase. Such acquisition of property may be for the development of the public improvements identified in this Plan. Such properties may include properties owned by private parties or public entities. This Plan anticipates the Agency's use of its resources for property acquisition.

In the event the Agency identifies certain property which should be acquired to develop certain public improvements intended to be constructed under the provisions of this Plan, the Agency shall coordinate such property acquisition with any other public entity (e.g., without limitation, the City, the state of Idaho, or any of its authorized agencies), including the assistance of the Agency of funds to acquire said property either through a voluntary acquisition or the public entity's invoking of its eminent domain authority as limited by Idaho Code Section 7-701A.

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

The Agency is authorized by this Plan and Idaho Code §§ 50-2010 and 50-2018(12) to acquire the properties identified in Attachment 3 hereto for the purposes set forth in this Plan. The Agency has identified its intent to acquire and/or participate in the development of certain public improvements, including, but not limited to those identified in Section 301 of the Plan, Attachment 5, and the Linder Overpass Project, the Sewer Main Project, and the Local Road Project. The Agency's property acquisition will result in remediating deteriorating conditions in the Project Area by facilitating the development of mixed-use, residential, commercial, industrial and employment centers. The public improvements are intended to be dedicated to the City, the Ada County Highway District 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>3</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 § 50-2018(12). The Agency has generally described those properties by use as set out in Attachment 3 for acquisition for the construction of public improvements. The Agency may also acquire property for the purpose of developing streetscape and public utilities. The Agency reserves the right to determine which properties, if any, should be acquired.

### **305.2 Personal Property**

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

### **306 Property Management**

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

### **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

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<sup>3</sup> House Bill 1044, adopted by the Idaho Legislature during the 2021 Legislative Session, limited the Agency’s ability to exercise eminent domain.



which relocation assistance to the greatest extent feasible would be uniform. The Agency shall also coordinate with the various local, state, or federal agencies concerning relocation assistance as may be warranted.

In the event the Agency's activities result in displacement, the Agency shall comply with, at a minimum, the standards set forth in the Law. The Agency shall also comply with all applicable state laws concerning relocation benefits 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, pedestrian walkways, parking facilities, drainage facilities, and other public improvements necessary to carry out this Plan.

### **309 Property Disposition and Development**

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

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

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

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 and to support the planning, design and transportation goals set forth in the Ten Mile SAP.

- e. All new construction shall have a minimum estimated life of no less than twenty (20) years.
- f. That rehabilitation of any existing structure must assure that the structure is safe and sound in all physical respects and be refurbished and altered to bring the property to an upgraded marketable condition which will continue throughout an estimated useful life for a minimum of twenty (20) years.
- g. That the Agency receives adequate assurance acceptable to the Agency to ensure performance under the contract for sale.
- h. All such buildings or portions of the buildings which are to remain within the Project Area shall be reconstructed in conformity with all applicable codes and ordinances of the City.
- i. All disposition and development documents shall be governed by the provisions of Section 409 of this Plan.
- j. All other requirements and obligations as may be set forth in any participation policy established and/or amended by the Agency.

**The Agency also reserves the right to determine the extent of its participation based upon the achievements of the objectives of this Plan. Obligations under any disposition and development agreement and deed covenants, except for covenants which run with the land beyond the termination date of this Plan, shall terminate no later than December 31, 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 §§ 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 § 50-2909 which may be made payable out of the taxes levied in the Project Area and allocated to the Agency under Idaho Code § 50-2908(2)(b) and Section 500 of this Plan or out of any other available funds.

### **310 Development Plans**

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

### **311 Participation with Others**

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

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

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

As allowed by law, the Agency may also use funds from any other sources or participate with the private or public sector with regard to any programs administered by the Idaho Department of Commerce, or other State or federal agencies, for any purpose set forth under the Law or Act.

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

### **312 Conforming Owners**

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

## **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, the Ten Mile SAP, and within the City 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, commercial, industrial and employment areas. 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 Attachment 1. Any new roadways, including the Linder Overpass Project and the Local Road Project to be engineered, designed, installed, and constructed in the Project Area, will be constructed in conjunction with any applicable policies and design standards of the City or Ada County Highway District (and State and Federal standards, as the case may be) regarding dedicated rights-of-way. Additional public streets, alleys, and easements may be created in the Project Area as needed for proper development, and other potential roadways generally shown in Attachment 5.

Additional improvements to existing streets, alleys and easements may be created, improved, or extended in the Project Area as needed for development. Existing dirt roadways, streets, easements, and irrigation or drainage laterals or ditches may be abandoned, closed, or modified as necessary for proper development of the Project Area, in accordance with any applicable policies and standards of the Idaho Transportation Department, the City or 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 interior or exterior street layout shall be in accordance with the objectives of this Plan and the design standards of the City, Ada County Highway District, or the Idaho Department of Transportation as may be

applicable; and shall be effectuated in the manner prescribed by State and local law; and shall be guided by the following criteria:

- a. A balancing of the needs of proposed and potential new developments for adequate 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, together with the design, planning and transportation goals set forth in the Ten Mile SAP;
- b. The requirements imposed by such factors as topography, traffic safety, and aesthetics; and
- c. The potential need to serve not only the Project Area and new or existing developments, but to also serve areas outside the Project Area by providing convenient and efficient vehicular access and movement.

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

#### **404 Interim Uses**

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

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

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

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

All construction in the Project Area shall comply with all applicable state laws, the 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 owner participation agreement.

**407 [Reserved]**

**408 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 an owner participation agreement and agree to the imposition of such reasonable restrictions as may be necessary to protect the development and use of the Project Area.

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

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

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

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

In the case of property which is the subject of a disposition and development agreement or owner participation agreement with the Agency, no new improvement shall be constructed, and no existing improvement shall be substantially modified, altered, repaired, or rehabilitated, except in accordance with this Plan. Under a disposition and development agreement or owner participation agreement, the design guidelines and land use elements of the Plan shall be achieved to the greatest extent feasible, though the Agency retains the authority to grant minor

variations under this Plan and subject to a negotiated agreement between the Agency and the developer or property owner.

Under those agreements, the architectural, landscape, and site plans shall be submitted to the Agency and approved in writing by the Agency. In such agreements, the Agency may impose additional design controls. One of the objectives of this Plan is to create an attractive pedestrian environment in the Project Area. Therefore, such plans shall give consideration to good design and amenities to enhance the aesthetic quality of the Project Area. The Agency shall find that any approved plans do comply with this Plan. The Agency reserves the right to impose such design standards on an ad hoc basis through the approval process of the disposition and development agreement or owner participation agreement. Any change to such approved design must be consented to by the Agency and such consent may be conditioned upon reduction of Agency's financial participation towards the Project.

In the event the Agency adopts design standards or controls, those provisions will thereafter apply to each site or portion thereof in the Project Area. These additional design standards or controls will be implemented through the provisions of any disposition and development agreement or owner participation agreement. These controls are in addition to any standards and provisions of any applicable City building or zoning ordinances; provided, however, each and every development shall comply with all applicable City zoning and building ordinances.

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

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

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

The Agency is also authorized to obtain advances, lines of credit, borrow funds, and create indebtedness in carrying out this Plan. The Agency may also consider an inter-fund transfer from other urban renewal project areas. The principal and interest on such advances, funds, and indebtedness may be paid from any funds available to the Agency. The City, as it is able, may also supply additional assistance through City loans and grants for various public improvements and facilities. The City or any other public agency, as properly budgeted, 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 § 50-2903(14)) of one or more urban renewal projects.

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

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

A statement listing proposed public improvements and facilities, a schedule of improvements, the location of proposed public infrastructure improvements, an economic feasibility study, estimated project costs, fiscal impact upon other taxing districts, and methods of financing project costs required by Idaho Code § 50-2905 is included in this Plan and in Attachment 5 to this Plan. This 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 objections 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 any owner/developer or public entity for the cost of eligible public improvements pursuant to a participation agreement.

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

The Agency is authorized to make such pledges as to specific advances, loans, and indebtedness as appropriate in carrying out the Project. The Agency reserves the right to either pay for Project Costs from available revenue (pay-as-you-go basis) or borrow funds by incurring debt through notes or other obligations.

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

### **502.1 Economic Feasibility Study**

Attachment 5 constitutes the Economic Feasibility Study (the "Study"), prepared by 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 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 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 Attachment 5, which will facilitate mixed-use commercial, residential, industrial developments and employment opportunities in the Revenue Allocation Area as more fully guided by the design, planning and transportation goals set forth in the Ten Mile SAP.

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, overlapping taxing districts, 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, and residential improvements.

The types of new construction expected in the Project Area are mixed-use residential (mixed income and mixed density); industrial; and commercial. The Project Area has potential for a significant increase in residential, commercial, and industrial growth due to the location of the Project Area, and in realization of the goals set forth in the Ten Mile SAP. However, without a method to construct the identified public improvements: the Linder Overpass Project, the

Sewer Main Project and the Local Road Project 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 § 63-602K, which provides for personal property tax exemption to businesses may have the effect of reducing the increment value, which in turn reduces revenue.

### **502.3 Ten Percent Limitation**

Under the Act, the base assessed valuation for all revenue allocation areas cannot exceed gross/net ten percent (10%) of the current assessed taxable value for the entire City. According to the Ada County Assessor, the assessed taxable value for the City as of January 1, 2020,<sup>4</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>5</sup>	\$146,334,050
Ten Mile District	\$39,539,125
Union District	\$2,144,360
Proposed Northern Gateway District	\$68,832,974
Proposed Linder District	\$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 \$272,243,109, which is less than 10% of the City's 2020 taxable value.

### **502.4 Financial Limitation**

The Study identifies several capital improvement projects. Use of any particular funding source for any particular purpose is not assured or identified. Use of the funding source shall be conditioned on any limitations set forth in the Law, the Act, 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

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<sup>4</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>5</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.



increases and new development value. Increases have been assumed based upon the projected value of new development as that development occurs along with possible land reassessment based on a construction start.

The Study, with the various estimates and projections, constitutes an economic feasibility study. Costs and revenues are analyzed, and the analysis shows the need for public capital funds during the project. Multiple financing sources including annual revenue allocations, developer contributions, city, or other public entity 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>6</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 owner participation agreements and disposition and development agreements. The Agency may also re-prioritize projects pursuant to market conditions, project timing, funding availability, etc., as more specifically detailed in the annual budget.

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

Attachment 5 lists those public improvements the Agency intends to construct or fund through the term of the Plan. The costs of improvements are estimates only as it is impossible to know with any certainty what the costs of improvements will be in future years. There is general recognition that construction costs fluctuate and are impacted by future unknowns, such as, the cost of materials and laborers. Final costs will be determined by way of construction contract public bidding or by an agreement between the developer/owner and/or public entity 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 and Ada County Highway District have not committed to fund any public infrastructure

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<sup>6</sup> See Idaho Code § 50-2905.

improvements within the Project Area. Such decisions concerning capital improvement projects and/or other expenditures are made by the City (or the Ada County Highway District) annually pursuant to this budget and appropriates 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 siting of the proposed public infrastructure and other improvement projects in the Project Area are generally shown in Attachment 5 recognizing that the specific location of the projects will depend on the type and timing of development. The change in the location of the improvements shown in Attachment 5 does not constitute a modification to the Plan.

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

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

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

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

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

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



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

Any debt incurred by the Agency as allowed by the Law and Act shall be secured by revenue 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 § 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>7</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 § 63-802. Therefore, the impact of revenue allocation on the taxing entities is more of a product of the imposition of Idaho Code § 63-802, than the effect of urban renewal.

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

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<sup>7</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.

One result of new construction occurring outside the revenue allocation area (Idaho Code §§ 63-802 and 63-301A) is the likely reduction of the levy rate as assessed values increase for property within each taxing entity’s jurisdiction.<sup>8</sup> From and after December 31, 2006, Idaho Code § 63-301A prohibits taxing entities from including, as part of the new construction roll, the increased value related to new construction within a revenue allocation area until the revenue allocation authority is terminated. Any new construction within the Project Area is not available for inclusion by the taxing entities to increase their budgets. Upon termination of this Plan or Project Area or deannexation of area, the taxing entities will be able to include a percentage<sup>9</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 will not be determined until October/early November 2021, the 2020 certified levy rates have been used in the Study for purposes of the analysis.<sup>10</sup> For Tax Year 2020, those taxing districts and rates for the parcels located within the City are as follows:<sup>11</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>12</sup></b>	<b>.005877164</b>

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<sup>8</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.

<sup>9</sup> Pursuant to House Bill 389, 80% of the total eligible increment value is added to the new construction roll.

<sup>10</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>11</sup> It is unclear how the personal property tax exemption set forth in Idaho Code § 63-602KK may impact the levy rate.

<sup>12</sup> Net of voter approved bonds and levies.



For Tax Year 2020,<sup>13</sup> those taxing districts and rates for the parcels located within the unincorporated County are as follows:<sup>14</sup>

<u>Taxing Districts:</u>	<u>Levy Rates:</u>
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
Pest Extermination	.000098171
Meridian Fire	.001017848
 <b>TOTAL<sup>15</sup></b>	 0.004762327

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. 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 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. It is anticipated the parcels currently located outside the City limits and within unincorporated Ada County will be

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<sup>13</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>14</sup> It is unclear how the personal property tax exemption set forth in Idaho Code § 63-602KK may impact the levy rate.

<sup>15</sup> Net of voter approved bonds and levies.



annexed into the City. As a result, the levy rate applied to parcels within the City has been used to estimate revenue generation over the life of the Project Area. Second, the levy rate is estimated to be 10% lower than the combined 2020 certified levy rates for the City 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. If the overall levy rate is less than projected, or if expected development fails to occur as estimated, the Agency shall receive fewer funds from revenue allocation.

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

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

The Agency anticipates funding only a portion of the entire cost of the public improvements shown on Attachment 5. Other sources of funds shall include City, other public entity partners, and owner/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 and Bonds**

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

These financing models typically are for a longer period of time than the 20-year period set forth in the Act. However, these financing models do not involve revenue allocation funds,

but rather funds from the end users which provide a funding source for the Agency to continue to own and operate the facility beyond the term of the Plan as allowed by Idaho Code § 50-2905(8) as those resources involve funds not related to revenue allocation funds.

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

The Act is premised upon economic development being a valid public purpose. To the extent allowed by the Law and the Act, the Agency reserves the authority to use revenue allocation funds to contract with non-profit and charitable organizations established for the purpose of supporting economic development and job creation. Additionally, the Agency reserves the authority to expend revenue allocation funds to join, participate and support non-profit organizations established to support Agency best practices and administration. The 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 in support of the design, planning and transportation goals set forth in the Ten Mile SAP, 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, or other public entities, 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. Institution and completion of proceedings necessary for the establishment of a local improvement district under Chapter 17, Title 50, Idaho Code, or a business improvement district.
- h. The undertaking and completing of any other proceedings necessary to carry out the Project.
- i. Administration of Community Development Block Grant funds that may be made available for this Project.
- j. Appropriate agreements with the Agency for administration, supporting services, funding sources, and the like.
- k. Joint funding of certain public improvements, including but not limited to those identified in this Plan and Attachment 5 to the Plan.
- l. Use of public entity labor, services, and materials for construction of the public improvements listed in this Plan.
- m. Assist with coordinating and implementing the public improvements in the Project Area identified in the Study.

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

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

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

The Agency has not identified any commitment or obligation for long-term maintenance of the public improvements identified. The Agency will need to address this issue with the appropriate entity, public or private, who has benefited from or is involved in the ongoing preservation of the public improvement. The Agency expects to dedicate public improvements to the City or the Ada County Highway District, as the case may be.



## **700 ENFORCEMENT**

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

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

Except for the nondiscrimination and nonsegregation provisions which shall run in perpetuity, the provisions of this Plan shall be effective, and the provisions of other documents formulated pursuant to this Plan, shall be effective for twenty (20) years from the effective date of the Plan subject to extensions set forth in Idaho Code § 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 § 50-2905(7). The Agency may use proceeds in 2042 to complete the projects set forth herein. As stated in the Plan, any owner participation agreement or disposition and development agreement obligations will cease as of December 31, 2041.

Idaho Code § 50-2903(5) provides the Agency shall adopt a resolution of intent to terminate the revenue allocation area by September 1. In order to provide sufficient notice of termination to the affected taxing districts to allow them to benefit from the increased budget capacity, the Agency will use its best efforts to provide notice of its intent to terminate this Plan and its revenue allocation authority by May 1, 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 § 50-2908 shall thereupon cease; any moneys in such fund or funds in excess of the amount necessary to pay such principal and interest shall be distributed to the affected taxing districts in which the Revenue Allocation Area is located in the same manner and proportion as the most recent distribution to the affected taxing districts of the taxes on the taxable property located within the Revenue Allocation Area; and the powers granted to the urban renewal agency under Idaho Code § 50-2909 shall thereupon terminate.
- b. In determining the termination date, the Plan shall recognize that the Agency shall receive allocation of revenues in the calendar year following the last year of the revenue allocation provision described in the Plan.



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

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

As allowed by Idaho Code § 50-2905(8), the Agency may retain assets or revenues generated from such assets as long as the Agency shall have resources other than revenue allocation funds to operate and manage such assets. Similarly, facilities which provide a lease income stream to the Agency for full retirement of the facility debt will allow the Agency to meet debt services obligations and provide for the continued operation and management of the facility. For those assets which do not provide such resources or revenues, the Agency will likely convey such assets to the City or the Ada County Highway District, depending on the nature of the asset.

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

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

## **1000 SEVERABILITY**

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

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

Under the Law, the Agency is required to file with the City, on or before March 31 of each year, a report of the Agency's activities for the preceding calendar year, which report shall include 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 § 67-1076, Idaho Code § 50-2913, the tax commission plan repository, and Idaho Code § 50-2903A, the tax commission's plan modification annual attestation. Failure to report the information requested under any of these statutes results in significant penalties, including loss of increment revenue, and the imposition of other compliance measures by the Ada County Board of County Commissioners.

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

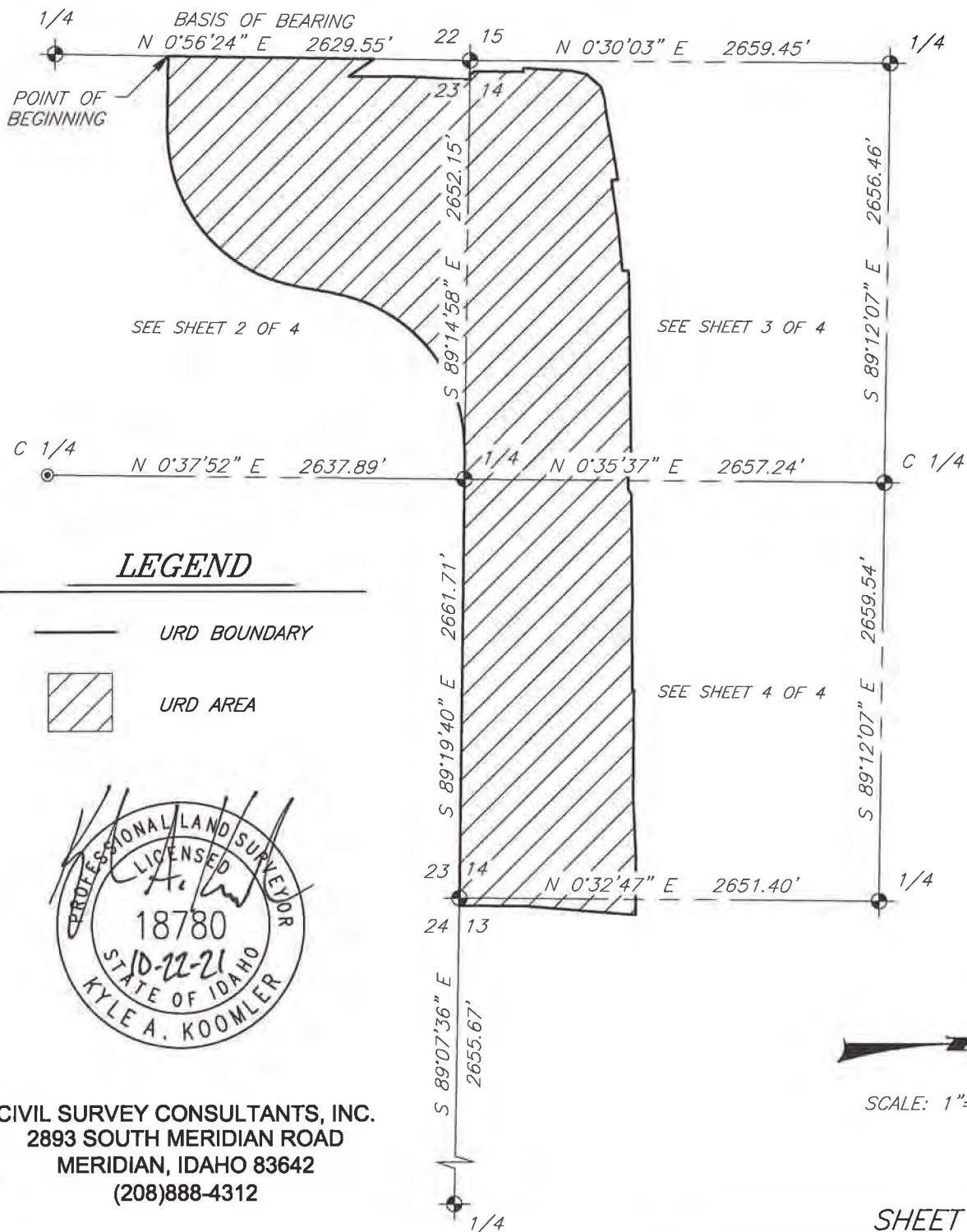
All attachments and tables referenced in this Plan are attached and incorporated herein by their reference. All other documents referenced in this Plan but not attached are incorporated by their reference as if set forth fully.

Attachment 1

Boundary Map of Linder District Urban Renewal Project Area and Revenue Allocation Area

# EXHIBIT B

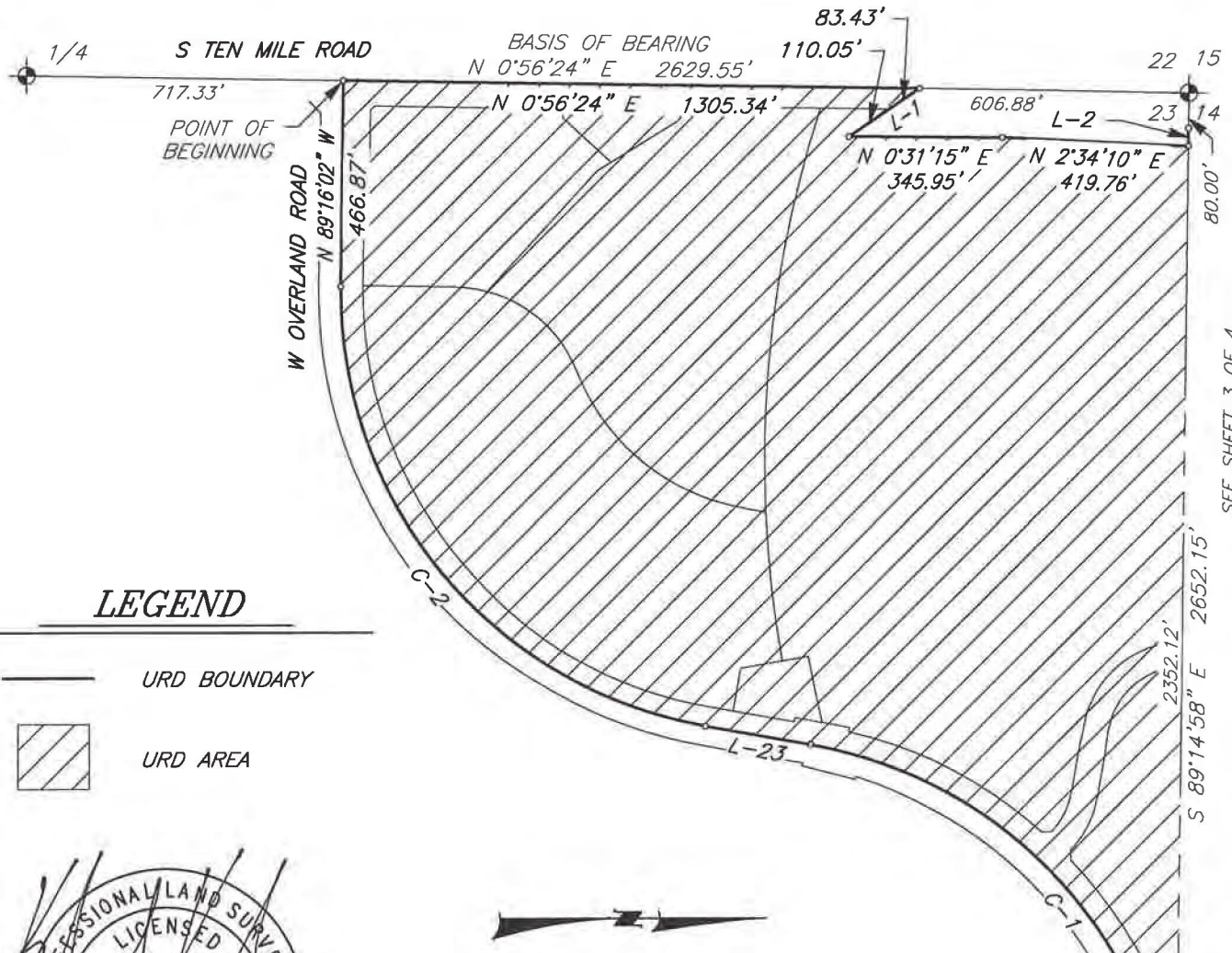
SKETCH TO ACCOMPANY URBAN RENEWAL DISTRICT DESCRIPTION FOR MERIDIAN DEVELOPMENT CORPORATION LOCATED IN THE SW 1/4 OF SECTION 13, AND IN THE S 1/2 OF SECTION 14, AND IN THE NW 1/4 OF SECTION 23, ALL IN TOWNSHIP 3 NORTH, RANGE 1 WEST, BOISE MERIDIAN, ADA COUNTY, IDAHO





# EXHIBIT B

SKETCH TO ACCOMPANY URBAN RENEWAL DISTRICT DESCRIPTION FOR MERIDIAN DEVELOPMENT CORPORATION LOCATED IN THE SW 1/4 OF SECTION 13, AND IN THE S 1/2 OF SECTION 14, AND IN THE NW 1/4 OF SECTION 23, ALL IN TOWNSHIP 3 NORTH, RANGE 1 WEST, BOISE MERIDIAN, ADA COUNTY, IDAHO



SEE SHEET 3 OF 4

## LEGEND

- URD BOUNDARY
- URD AREA

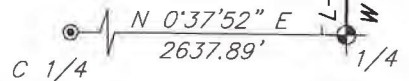


SCALE: 1"=400'

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

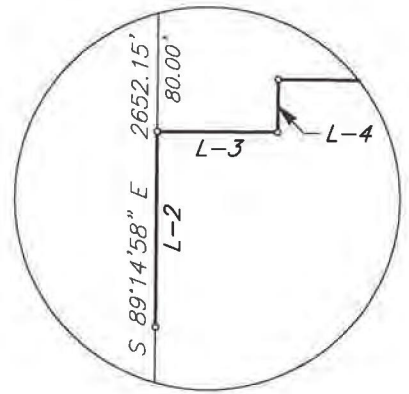
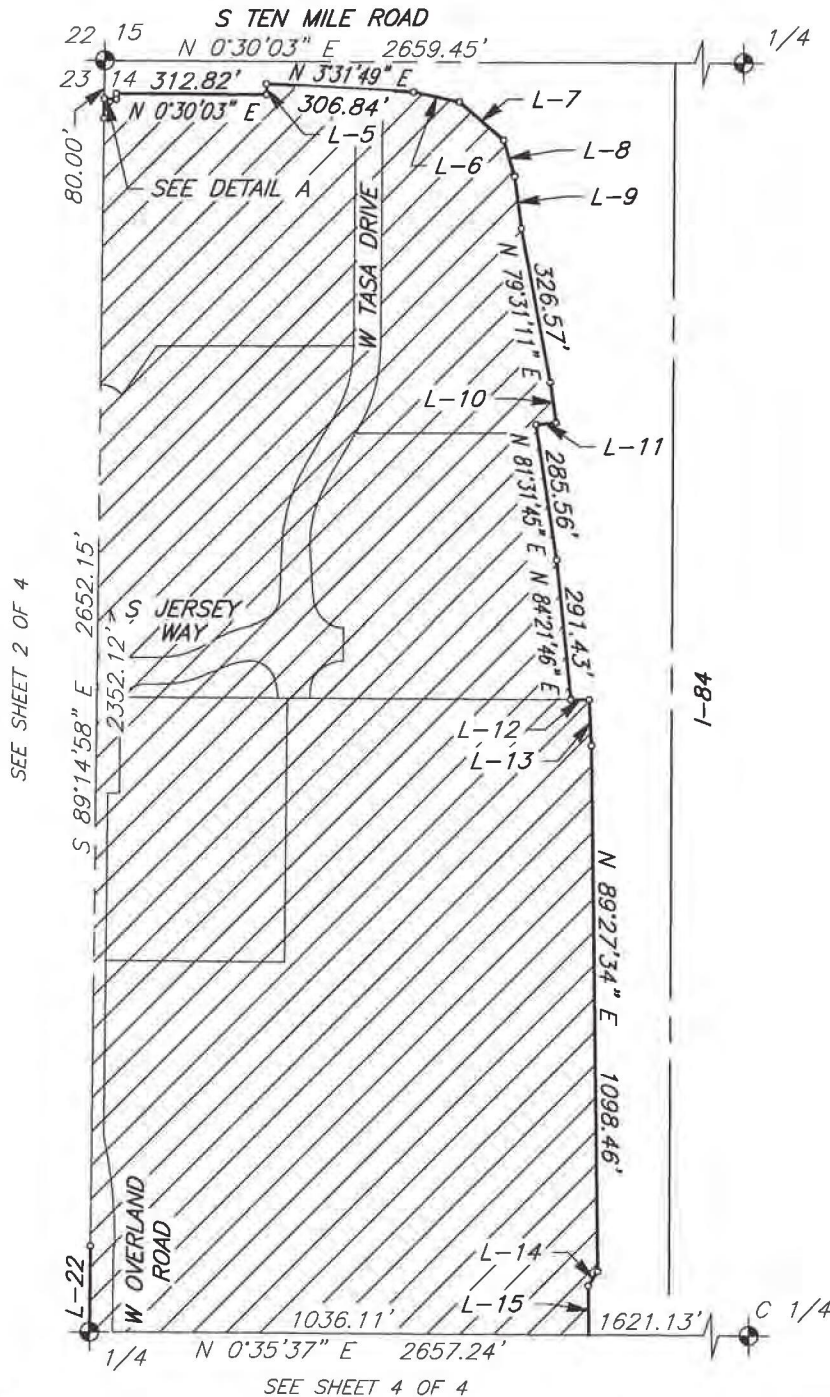
LINE DATA		
LINE	BEARING	DISTANCE
L-1	S 34°10'57" E	193.48'
L-2	N 89°14'58" W	40.72'
L-22	N 89°14'58" W	179.31'
L-23	S 10°08'16" W	241.51'

CURVE DATA						
CURVE	DELTA	RADIUS	ARC	TANGENT	CHORD	CHORD BRNG.
C-1	80°36'46"	1000.00	1406.96	848.25	1293.75	S 50°26'39" W
C-2	80°35'42"	1000.00	1406.65	847.99	1293.51	S 50°26'07" W



# EXHIBIT B

SKETCH TO ACCOMPANY URBAN RENEWAL DISTRICT DESCRIPTION FOR MERIDIAN DEVELOPMENT CORPORATION LOCATED IN THE SW 1/4 OF SECTION 13, AND IN THE S 1/2 OF SECTION 14, AND IN THE NW 1/4 OF SECTION 23, ALL IN TOWNSHIP 3 NORTH, RANGE 1 WEST, BOISE MERIDIAN, ADA COUNTY, IDAHO



DETAIL A  
NOT TO SCALE



## LEGEND

- URD BOUNDARY
- URD AREA

LINE DATA		
LINE	BEARING	DISTANCE
L-2	N 89°14'58" W	40.72'
L-3	N 0°30'03" E	25.00'
L-4	N 89°14'58" W	10.99'
L-5	N 89°29'57" W	22.30'
L-6	N 12°12'51" E	97.93'
L-7	N 41°11'00" E	121.02'
L-8	N 73°28'13" E	79.08'
L-9	N 82°32'26" E	110.11'
L-10	N 81°59'42" E	85.13'
L-11	S 4°51'25" E	41.68'
L-12	N 0°32'50" E	38.29'
L-13	N 87°22'04" E	95.86'
L-14	S 56°41'50" E	36.06'
L-15	N 89°36'46" E	160.00'
L-22	N 89°14'58" W	179.31'

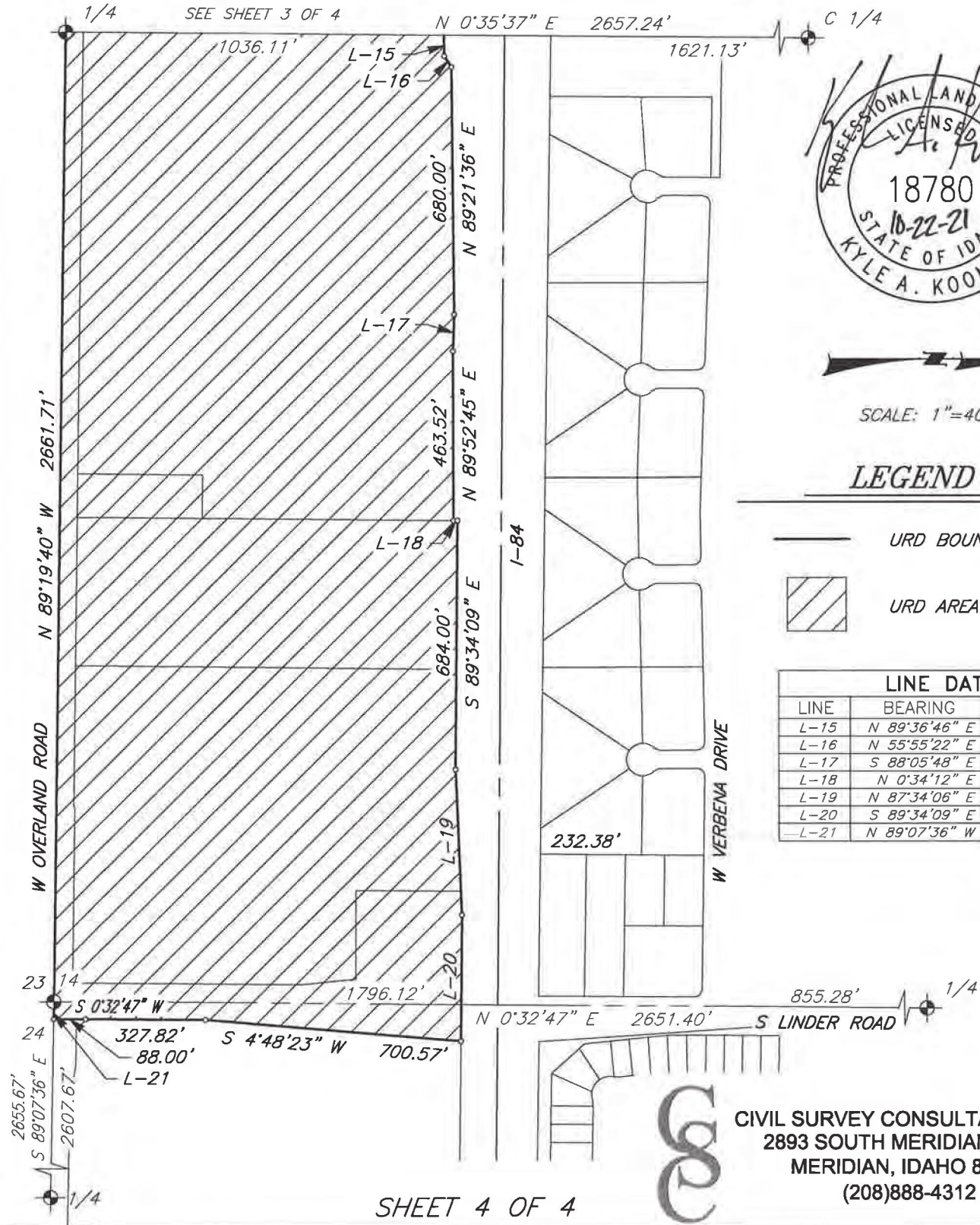
**CIVIL SURVEY CONSULTANTS, INC.**  
 2893 SOUTH MERIDIAN ROAD  
 MERIDIAN, IDAHO 83642  
 (208)888-4312

SCALE: 1"=400'



# EXHIBIT B

SKETCH TO ACCOMPANY URBAN RENEWAL DISTRICT DESCRIPTION FOR MERIDIAN DEVELOPMENT CORPORATION LOCATED IN THE SW 1/4 OF SECTION 13, AND IN THE S 1/2 OF SECTION 14, AND IN THE NW 1/4 OF SECTION 23, ALL IN TOWNSHIP 3 NORTH, RANGE 1 WEST, BOISE MERIDIAN, ADA COUNTY, IDAHO



SCALE: 1"=400'

## LEGEND

- URD BOUNDARY
- URD AREA

LINE DATA		
LINE	BEARING	DISTANCE
L-15	N 89°36'46" E	160.00'
L-16	N 55°55'22" E	36.06'
L-17	S 88°05'48" E	100.08'
L-18	N 0°34'12" E	10.81'
L-19	N 87°34'06" E	400.50'
L-20	S 89°34'09" E	346.49'
L-21	N 89°07'36" W	48.00'

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



Attachment 2

Legal Description of Linder District Urban Renewal Project Area and Revenue Allocation Area

**EXHIBIT A**

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

A description for Urban Renewal District purposes located in the SW 1/4 of Section 13, and in the S 1/2 of Section 14, and in the NW 1/4 of Section 23, all in Township 3 North, Range 1 West, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at an aluminum cap monument marking the southwesterly corner of said NW 1/4 of Section 23, from which an aluminum cap marking the northwesterly corner of said Section 23 bears N 0°56'24" E a distance of 2629.55 feet;

Thence N 0°56'24" E along the westerly boundary of said NW 1/4 of Section 23 a distance of 717.33 feet to the POINT OF BEGINNING;

Thence continuing N 0°56'24" E a distance of 1305.34 feet to a point;

Thence leaving said westerly boundary S 34°10'57" E a distance of 83.43 feet to a point on the westerly boundary of *PARCEL 8* as described in Warranty Deed Inst. No. 110000589;

Thence along the westerly boundary of said *PARCEL 8* the following described courses:

Thence continuing S 34°10'57" E a distance of 110.05 feet to a point;

Thence N 0°31'15" E a distance of 345.95 feet to a point;

Thence N 2°34'10" E a distance of 419.76 feet to a point marking the northwesterly corner of said *PARCEL 8*, said point being on the southerly boundary of said S 1/2 of Section 14;

Thence leaving said westerly boundary N 89°14'58" W along said southerly boundary a distance of 40.72 feet to a point on the easterly right-of-way of S. Ten Mile Road;

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

Thence N 0°30'03" E a distance of 25.00 feet to a point;

Thence N 89°14'58" W a distance of 10.99 feet to a point;

Thence N 0°30'03" E a distance of 312.82 feet to a point;

Thence N 89°29'57" W a distance of 22.30 feet to a point;

Thence N 3°31'49" E a distance of 306.84 feet to a point;

Thence N 12°12'51" E a distance of 97.93 feet to a point;

Thence N 41°11'00" E a distance of 121.02 feet to a point on the southerly right-of-way of Interstate I-84;

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

Thence N 73°28'13" E a distance of 79.08 feet to a point;

Thence N 82°32'26" E a distance of 110.11 feet to a point;

Thence N 79°31'11" E a distance of 326.57 feet to a point;

Thence N 81°59'42" E a distance of 85.13 feet to a point;

Thence S 4°51'25" E a distance of 41.68 feet to a point;

Thence N 81°31'45" E a distance of 285.56 feet to a point;

Thence N 84°21'46" E a distance of 291.43 feet to a point on the easterly boundary of the SW 1/4 of the SW 1/4 of said Section 14;

Thence N 0°32'50" E along said easterly boundary a distance of 38.29 feet to a point;

Thence leaving said easterly boundary N 87°22'04" E a distance of 95.86 feet to a point;

Thence N 89°27'34" E a distance of 1098.46 feet to a point;

Thence S 56°41'50" E a distance of 36.06 feet to a point;

Thence N 89°36'46" E a distance of 160.00 feet to a point;

Thence N 55°55'22" E a distance of 36.06 feet to a point;

Thence N 89°21'36" E a distance of 680.00 feet to a point;

Thence S 88°05'48" E a distance of 100.08 feet to a point;

Thence N 89°52'45" E a distance of 463.52 feet to a point on the easterly boundary of the SW 1/4 of the SE 1/4 of said Section 14;



Thence N 0°34'12" E along said easterly boundary a distance of 10.81 feet to a point;

Thence leaving said easterly boundary S 89°34'09" E a distance of 684.00 feet to a point;

Thence N 87°34'06" E a distance of 400.50 feet to a point;

Thence S 89°34'09" E a distance of 346.49 feet to a point marking northwesterly corner of *PARCEL A* as shown on Record of Survey No. 8165, Inst. No. 107167073;

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

Thence S 4°48'23" W a distance of 700.57 feet to a point;

Thence S 0°32'47" W a distance of 327.82 feet to a point;

Thence leaving said westerly boundary and continuing S 0°32'47" W on an extension of said westerly boundary a distance of 88.00 feet to a point on the southerly boundary of said SW 1/4 of Section 13;

Thence leaving said extended boundary N 89°07'36" W along said southerly boundary a distance of 48.00 feet to the southeasterly corner of said Section 14;

Thence N 89°19'40" W along the southerly boundary of said S 1/2 of Section 14 a distance of 2661.71 feet to the southeasterly corner of the SW 1/4 of said Section 14;

Thence N 89°14'58" W along the southerly boundary of said SW 1/4 of said Section 14 a distance of 179.31 feet to a point marking the intersection of said southerly boundary and the centerline of W. Overland Road;

Thence leaving said southerly boundary and along said centerline the following described courses:

Thence a distance of 1406.96 feet along the arc of a 1000.00 foot radius curve left, said curve having a central angle of 80°36'46" and a long chord bearing S 50°26'39" W a distance of 1293.75 feet to a point;

Thence S 10°08'16" W a distance of 241.51 feet to a point;

Thence a distance of 1406.65 feet along the arc of a 1000.00 foot radius curve right, said curve having a central angle of 80°35'42" and a long chord bearing S 50°26'07" W a distance of 1293.51 feet to a point;

Thence N 89°16'02" W a distance of 466.87 feet to the POINT OF BEGINNING.

This parcel contains approximately 188.6 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  
October 22, 2021



## Attachment 3

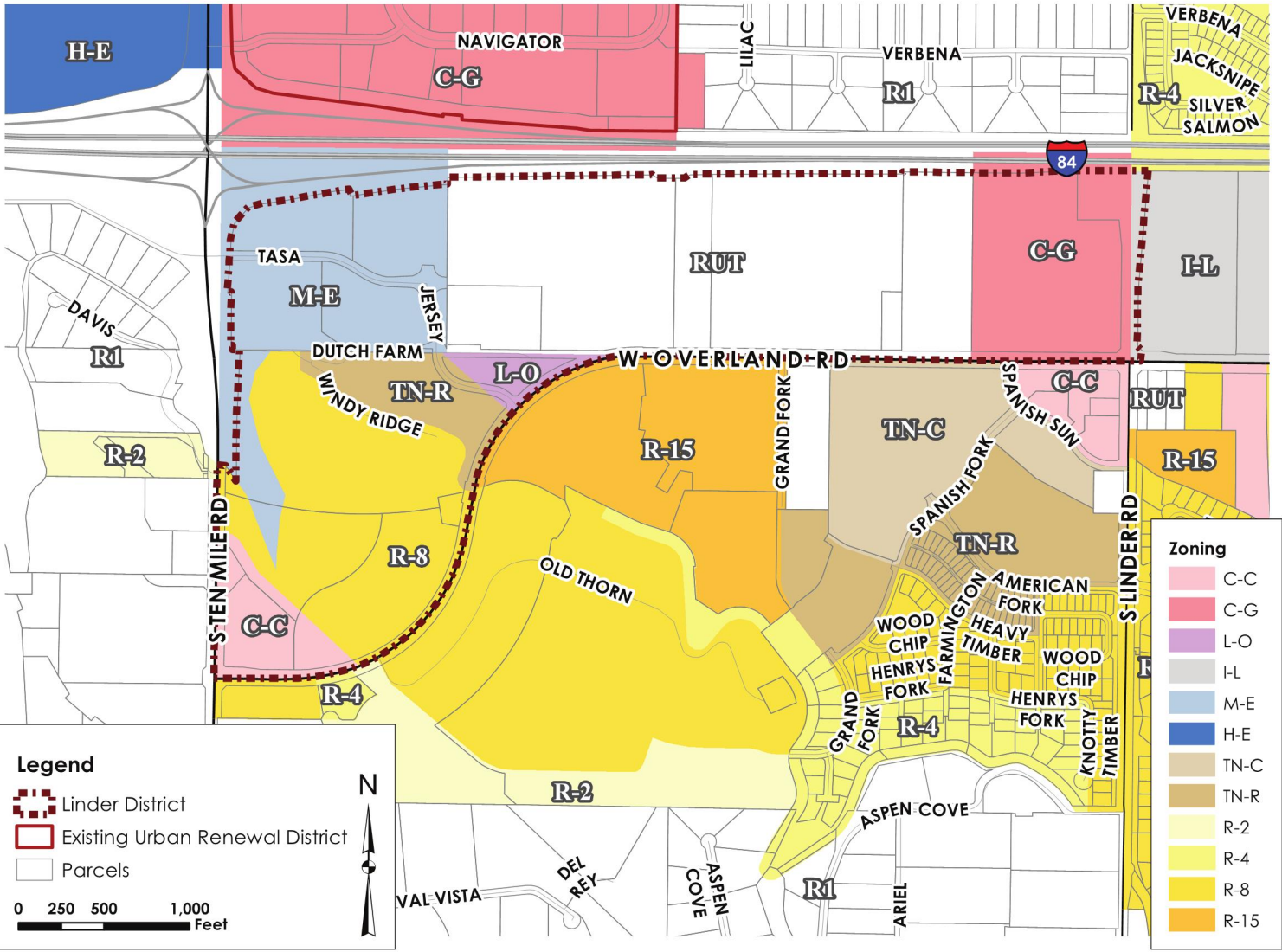
### Private Properties Which May Be Acquired by the Agency

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 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, 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), including the Linder Overpass Project, the Sewer Main Project, and the Local Road Project.
4. Other parcels may be acquired for the purpose of facilitating catalyst or demonstration projects, constructing public parking, constructing new streets or pathways, enhancing public spaces, or to implement other elements of the urban renewal plan strategy and/or any master plan for the Project Area.



Attachment 4

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



H-E

NAVIGATOR

C-G

LILAC

VERBENA

R1

VERBENA  
JACKSNIFE  
R-4 SILVER  
SALMON



TASA

M-E

RUT

C-G

I-L

DAVIS

R1

DUTCH FARM

JERSEY

W. OVERLAND RD

WINDY RIDGE

TN-R

L-O

R-15

TN-C

C-C

RUT

R-2

STEN-MILE RD

R-8

OLD THORN

GRAND FORK

SPANISH SUN

R-15

C-C

R-4

SPANISH FORK

TN-R

S LINDER RD

WOOD CHIP

AMERICAN FORK

HEAVY TIMBER

WOOD CHIP

HENRYS FORK

FARMINGTON

HENRYS FORK

GRAND FORK

R-4

KNOTTY TIMBER

ASPEN COVE

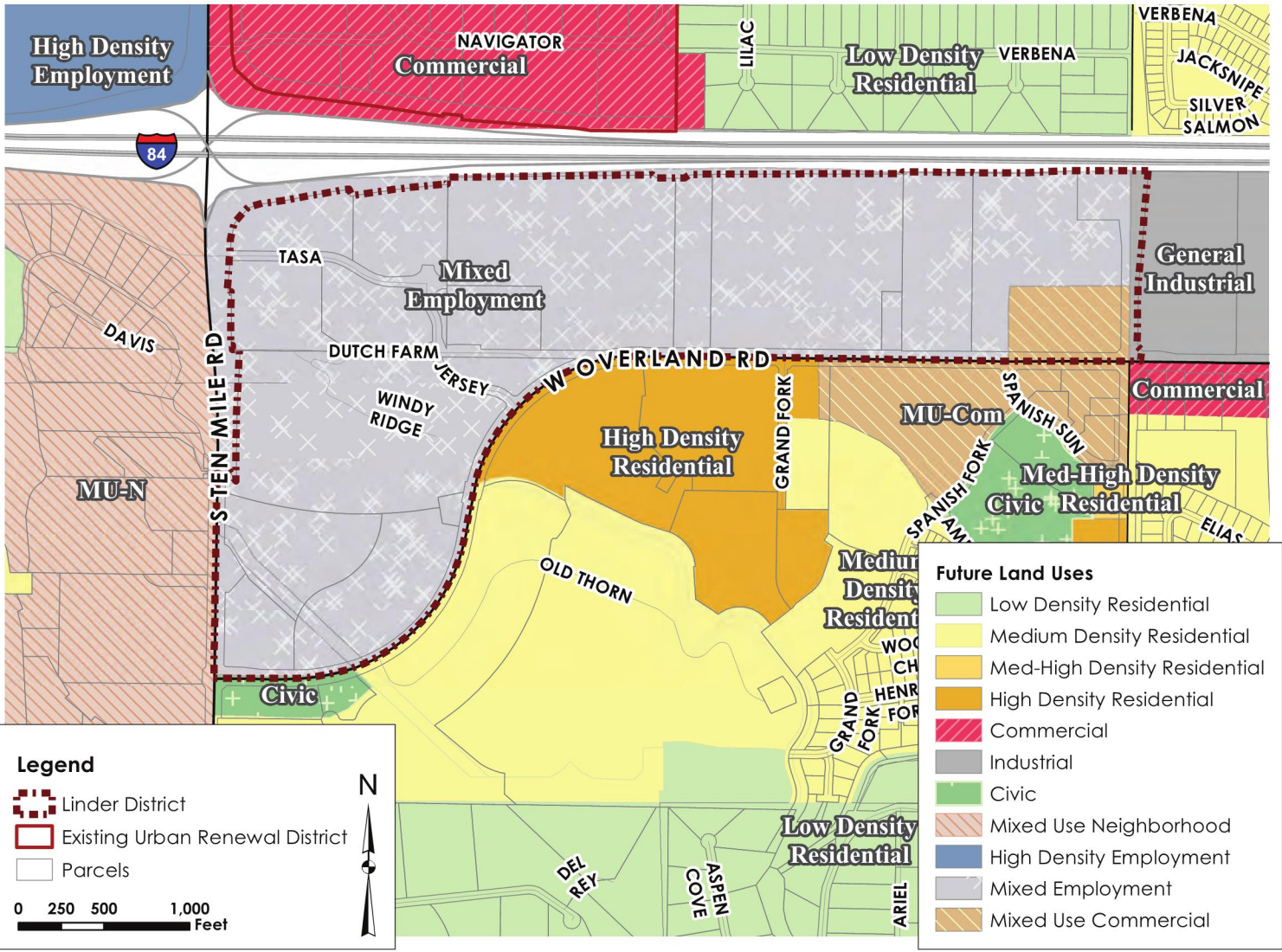
DEL REY

ASPEN COVE




ARIEL

VAL-VISTA





**Legend**

-  Linder District
  -  Existing Urban Renewal District
  -  Parcels
- 0 250 500 1,000 Feet



**Future Land Uses**

-  Low Density Residential
-  Medium Density Residential
-  Med-High Density Residential
-  High Density Residential
-  Commercial
-  Industrial
-  Civic
-  Mixed Use Neighborhood
-  High Density Employment
-  Mixed Employment
-  Mixed Use Commercial



Attachment 5

Economic Feasibility Study

## ATTACHMENT 5.1

### Public Improvements within the Revenue Allocation Area

This Attachment includes a projected list of proposed public works or improvements within the Linder 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 partial participation in the development of the Linder Road Overpass, which may include property acquisition costs.

The Linder 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, The Ten Mile Interchange Specific Area 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 and by the Ada County Highway District (ACHD) for the Linder Road overpass.

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

#### Linder District Improvement List

Linder Overpass Project- Southern Approach (including real property acquisition)	\$1,500,000
Sewer Main Project (including real property acquisition)	\$3,500,000
Local Road Project – East-West Connection Between S. Linder Road and S. Ten Mile Road (including real property acquisition)	\$2,000,000
Grand Total	\$7,000,000

The projects and estimated costs have been derived from the City of Meridian, the Meridian Development Corporation (MDC) and the Ada County Highway District, 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 \$11,314,976<sup>1</sup> in tax increment revenue between 2022 and 2041<sup>2</sup> in addition to the initial \$50,000 loan from MDC to activate the program.

The total from both sources is estimated to be \$11,364,976. There are presently \$7,000,000 of project costs identified in the Linder District Improvement List. It is generally understood that the Sewer Main and Local Roadway Projects will be funded through an 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. Funding for the Agency's anticipated participation in the Linder Overpass Project is through funding a reserve account over twelve (12) years. Funding for the Linder Overpass Project could be advanced by ACHD and the Idaho Transportation Department, which eligible costs for the southern approach would be reimbursed to ACHD through a reimbursement agreement, or other similar agreement.

Administrative costs over the 20-year life of the district are estimated at \$975,000 or approximately 8.6% of total estimated revenue. The initial inter-district loan to support startup costs is assumed to be repaid at 5% simple interest for a total obligation of \$52,500.

The total estimated expenditures equal \$9,577,500, leaving a \$1,787,476 positive program balance of at the end of the 20-year term. See attached cash flow analysis for detailed estimates.

The Urban Renewal Plan for the Linder District Urban Renewal Project (the "Plan") provides for the Plan and Project Area to extend through its maximum term of 20 years. The substantial fund balance at the end of the 20-year term may allow for early termination of the District if projects are realized as projected and costs do not substantially exceed forecasted estimates.

### 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.

---

<sup>1</sup> The difference in the revenue model is due to rounding.

<sup>2</sup> As the Idaho property tax system provides for taxes being paid in arrears, revenue allocation funds 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 and/or a public entity 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 MDC's present knowledge and expectations supported by detailed information from property owners, City and MDC staff, and the Ada County Highway District based in part upon current construction projects in the broader community.

## Map of Proposed Linder Road District



## Summary of Projects

Based on the Linder District Improvement List set forth above, the estimated total costs for the public improvements are \$7,000,000. Financing costs through an OPA bring the total Project costs to \$9,577,500

### Cost of Operations and Improvements by Year (2021-2041)

Year	Secure Funding (TIF & MDC Loan)	Potential Funding	District Operating Expenses	Overpass Reserve Contribution	Infrastructure & Loan Debt Service	Total Project Liabilities
2021	\$50,000	\$0	\$0	\$0	\$0	\$0
2022	\$9,743	\$0	\$25,000	\$0	\$0	\$25,000
2023	\$82,313	\$0	\$50,000	\$0	\$25,000	\$75,000
2024	\$99,932	\$0	\$50,000	\$25,000	\$25,000	\$100,000
2025	\$118,885	\$0	\$50,000	\$25,000	\$42,500	\$117,500
2026	\$139,277	\$0	\$50,000	\$50,000	\$40,000	\$140,000
2027	\$269,959	\$0	\$50,000	\$50,000	\$165,000	\$265,000
2028	\$289,081	\$0	\$50,000	\$100,000	\$140,000	\$290,000
2029	\$309,070	\$0	\$50,000	\$100,000	\$150,000	\$300,000
2030	\$447,964	\$0	\$50,000	\$150,000	\$250,000	\$450,000
2031	\$475,703	\$0	\$50,000	\$175,000	\$250,000	\$475,000
2032	\$504,727	\$0	\$50,000	\$200,000	\$250,000	\$500,000
2033	\$653,094	\$0	\$50,000	\$200,000	\$400,000	\$650,000
2034	\$690,769	\$0	\$50,000	\$200,000	\$450,000	\$700,000

2035	\$730,211	\$0	\$50,000	\$225,000	\$460,000	\$735,000
2036	\$889,505	\$0	\$50,000	\$0	\$840,000	\$890,000
2037	\$938,638	\$0	\$50,000	\$0	\$890,000	\$940,000
2038	\$990,098	\$0	\$50,000	\$0	\$940,000	\$990,000
2039	\$1,161,995	\$0	\$50,000	\$0	\$1,100,000	\$1,150,000
2040	\$1,224,346	\$0	\$50,000	\$0	\$685,000	\$735,000
2041	\$1,289,669	\$0	\$50,000	\$0	\$0	\$50,000
2042	\$0	\$0	0	\$0	\$0	\$0
<b>Total</b>	<b>\$11,364,976</b>	<b>\$0</b>	<b>\$975,000</b>	<b>\$1,500,000</b>	<b>\$7,102,500</b>	<b>\$9,577,500</b>

Note: This analysis anticipates a positive fund balance of \$1,787,476 the end of the project.



## ATTACHMENT 5.2

### Economic Feasibility Study

The Plan, as currently envisioned, is economically feasible because the proposed development is sufficient to fully cover the anticipated cost of 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 Linder District, \$11,314,976 of Tax Increment Revenue will be generated using the development scenarios proposed by the City and MDC, in consultation with property owners within the Linder District, as well as information from ACHD. The Economic Feasibility Study assumes a minimum of 10% annual revenue allocation area proceeds, or TIF revenue, in the amount of \$25,000 in year 2022, and thereafter at \$50,000/year, will be used for administration of the Linder District, supplemented by inter-district loan proceeds in the early years of the term. That amount of District Operating Expenses is capped at \$50,000 per year, for a total of \$975,000 for administration costs over the 20-year lifespan of the District.

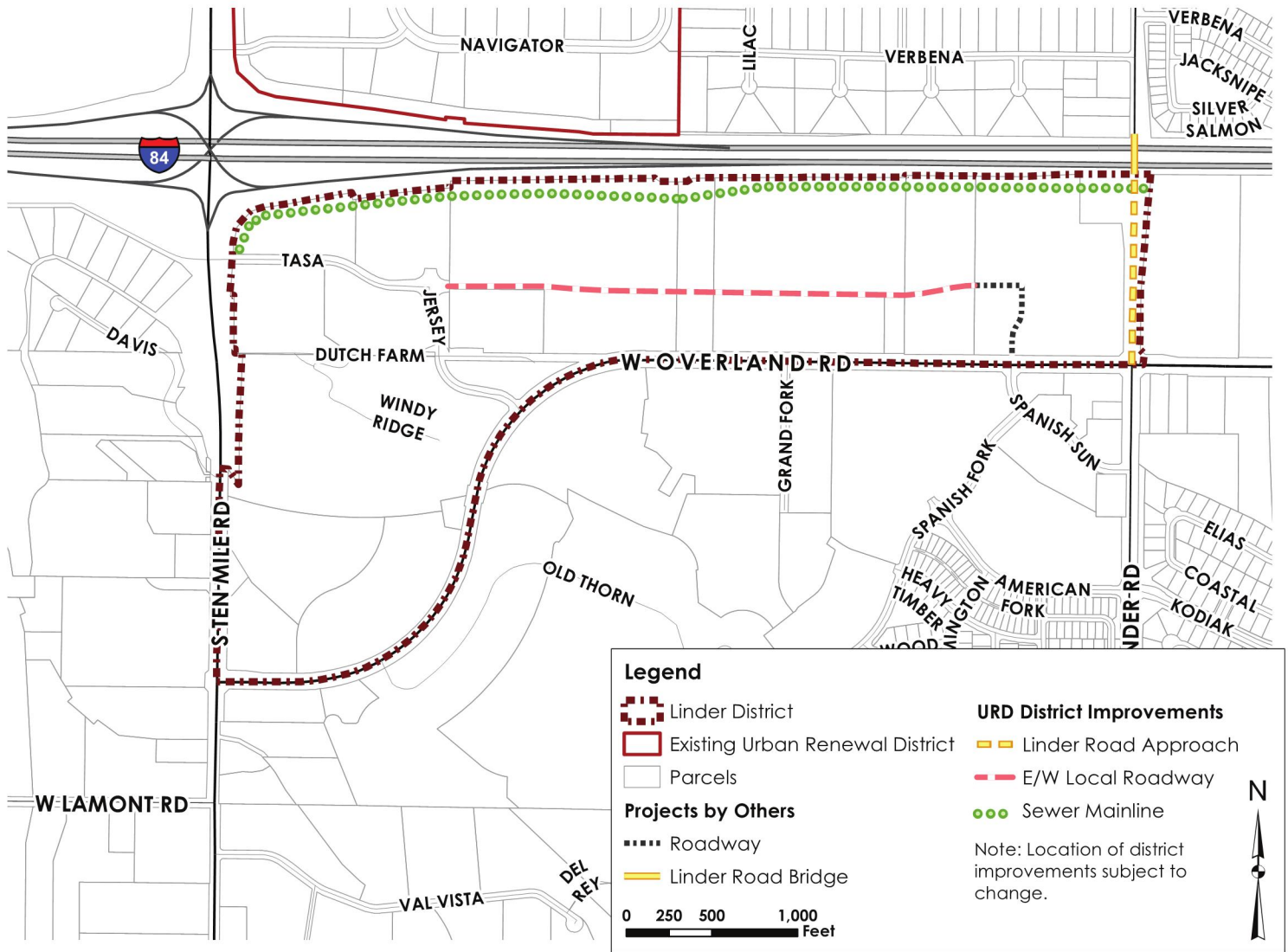
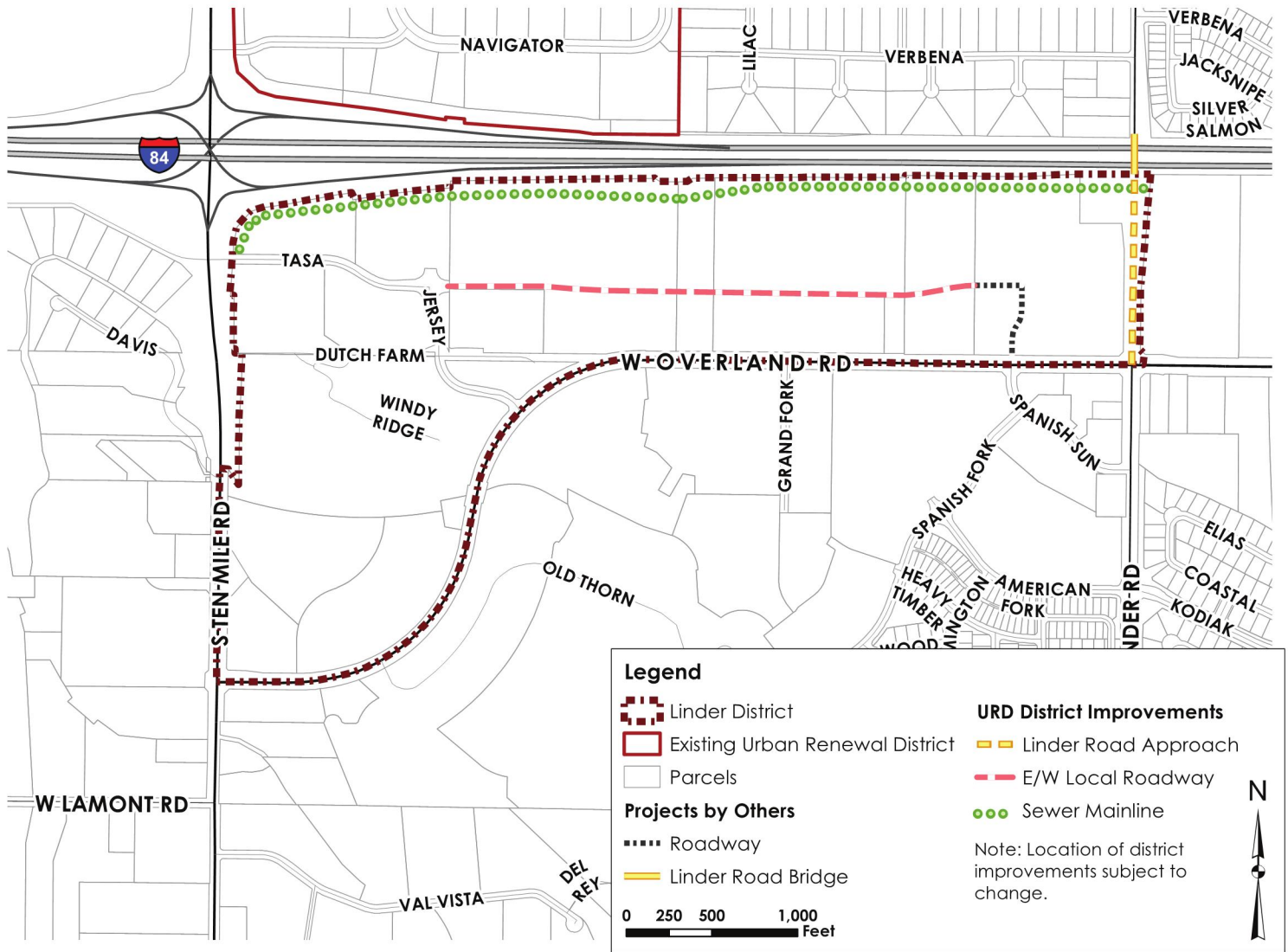
The attached spreadsheets entitled “Linder District TIF Projections” and “Linder District Cash Flow Analysis” gives a more detailed outlook on the revenues and expenses of the development scenario.

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

- The land currently located within unincorporated Ada County will be annexed into the City prior to development occurring.

- 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 Capital Cost of Improvements over the life of the project: \$7,000,000 (City and consultants' estimates, including ACHD estimates related to the southern approach to the Linder District Overpass)
- Interest costs to support the anticipated Owner Participation Agreements related to the Sewer Main and Local Roadway Projects
- \$1,500,000 reserve to fund the southern approach to the Linder Overpass Project
- 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.





Linder District TIF Projections												
Year	In-City Land Value (+8% for 5 yrs then 4%)	Initial Improvement Value (+ 10% for 5 yrs then 5%)	Total Assessed Value w/o ag values	Annual New Const. Value	Cumulative Construction Value inflated at 5%	Homeowners' Exemption	Taxable Value	Increment Value (I - Base)	Levy Rate (10%)	Tax Increment Yield	Admin Cost Support (10%) of TIF *	Funding for Capital Projects / Debt Service
2021	\$ 25,383,880	\$ 971,700	\$ 26,355,580	\$ -	\$ -	\$ -	\$ 26,355,580	\$ -	0.0053			
2022	\$ 27,414,590	\$ 1,068,870	\$ 28,483,460	\$ -	\$ -	\$ -	\$ 28,483,460	\$ 1,651,380	0.0053	\$ 9,743	\$ 974	\$ 8,769
2023	\$ 29,607,758	\$ 1,175,757	\$ 30,783,515	\$ 10,000,000	\$ 10,000,000	\$ -	\$ 40,783,515	\$ 13,951,435	0.0053	\$ 82,313	\$ 8,231	\$ 74,082
2024	\$ 31,976,378	\$ 1,293,333	\$ 33,269,711	\$ -	\$ 10,500,000	\$ -	\$ 43,769,711	\$ 16,937,631	0.0053	\$ 99,932	\$ 9,993	\$ 89,939
2025	\$ 34,534,489	\$ 1,422,666	\$ 35,957,154	\$ -	\$ 11,025,000	\$ -	\$ 46,982,154	\$ 20,150,074	0.0053	\$ 118,885	\$ 11,889	\$ 106,997
2026	\$ 37,297,248	\$ 1,564,933	\$ 38,862,180	\$ -	\$ 11,576,250	\$ -	\$ 50,438,430	\$ 23,606,350	0.0053	\$ 139,277	\$ 13,928	\$ 125,350
2027	\$ 38,789,137	\$ 1,643,179	\$ 40,432,317	\$ 20,000,000	\$ 32,155,063	\$ -	\$ 72,587,379	\$ 45,755,299	0.0053	\$ 269,956	\$ 26,996	\$ 242,961
2028	\$ 40,340,703	\$ 1,725,338	\$ 42,066,041	\$ -	\$ 33,762,816	\$ -	\$ 75,828,857	\$ 48,996,777	0.0053	\$ 289,081	\$ 28,908	\$ 260,173
2029	\$ 41,954,331	\$ 1,811,605	\$ 43,765,936	\$ -	\$ 35,450,956	\$ -	\$ 79,216,893	\$ 52,384,813	0.0053	\$ 309,070	\$ 30,907	\$ 278,163
2030	\$ 43,632,504	\$ 1,902,185	\$ 45,534,690	\$ 20,000,000	\$ 57,223,504	\$ -	\$ 102,758,194	\$ 75,926,114	0.0053	\$ 447,964	\$ 44,796	\$ 403,168
2031	\$ 45,377,805	\$ 1,997,295	\$ 47,375,099	\$ -	\$ 60,084,679	\$ -	\$ 107,459,779	\$ 80,627,699	0.0053	\$ 475,703	\$ 47,570	\$ 428,133
2032	\$ 47,192,917	\$ 2,097,159	\$ 49,290,076	\$ -	\$ 63,088,913	\$ -	\$ 112,378,989	\$ 85,546,909	0.0053	\$ 504,727	\$ 50,000	\$ 454,727
2033	\$ 49,080,633	\$ 2,202,017	\$ 51,282,651	\$ 20,000,000	\$ 86,243,359	\$ -	\$ 137,526,010	\$ 110,693,930	0.0053	\$ 653,094	\$ 50,000	\$ 603,094
2034	\$ 51,043,859	\$ 2,312,118	\$ 53,355,977	\$ -	\$ 90,555,527	\$ -	\$ 143,911,504	\$ 117,079,424	0.0053	\$ 690,769	\$ 50,000	\$ 640,769
2035	\$ 53,085,613	\$ 2,427,724	\$ 55,513,337	\$ -	\$ 95,083,303	\$ -	\$ 150,596,640	\$ 123,764,560	0.0053	\$ 730,211	\$ 50,000	\$ 680,211
2036	\$ 55,209,038	\$ 2,549,110	\$ 57,758,148	\$ 20,000,000	\$ 119,837,469	\$ -	\$ 177,595,616	\$ 150,763,536	0.0053	\$ 889,505	\$ 50,000	\$ 839,505
2037	\$ 57,417,399	\$ 2,676,566	\$ 60,093,965	\$ -	\$ 125,829,342	\$ -	\$ 185,923,307	\$ 159,091,227	0.0053	\$ 938,638	\$ 50,000	\$ 888,638
2038	\$ 59,714,095	\$ 2,810,394	\$ 62,524,489	\$ -	\$ 132,120,809	\$ -	\$ 194,645,298	\$ 167,813,218	0.0053	\$ 990,098	\$ 50,000	\$ 940,098
2039	\$ 62,102,659	\$ 2,950,914	\$ 65,053,573	\$ 20,000,000	\$ 158,726,850	\$ -	\$ 223,780,422	\$ 196,948,342	0.0053	\$ 1,161,995	\$ 50,000	\$ 1,111,995
2040	\$ 64,586,765	\$ 3,098,459	\$ 67,685,225	\$ -	\$ 166,663,192	\$ -	\$ 234,348,417	\$ 207,516,337	0.0053	\$ 1,224,346	\$ 50,000	\$ 1,174,346
2041	\$ 67,170,236	\$ 3,253,382	\$ 70,423,618	\$ -	\$ 174,996,352	\$ -	\$ 245,419,970	\$ 218,587,890	0.0053	\$ 1,289,669	\$ 50,000	\$ 1,239,669
				\$ 110,000,000						\$ 11,314,978	\$ 724,193	\$ 10,590,786

**Assumptions:**

**Land Values inflate at 8% per year for 5 years then at 4% for remainder of the term**

**Improvement Values inflate at 10% per year for 5 years then 5% for remainder of the term**

**Property tax income available in year following Certificate of Occupancy**

**Tax rate reduced by 10% then held constant**

**Administrative costs capped at \$50,000 per year**

**\* 10% of TIF Yield dedicated to Administrative expenses, supplemented by inter-district loan in early years of term**

## Linder District Cash Flow Analysis

	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031
<b>Beginning Balance</b>	\$ -	\$ 50,000	\$ 34,743	\$ 42,056	\$ 41,988	\$ 43,373	\$ 42,650	\$ 47,606	\$ 46,687	\$ 55,757	\$ 53,721
<b>Source of Funds</b>											
<b>Total Revenue Allocation</b>	\$ -	\$ 9,743	\$ 82,313	\$ 99,932	\$ 118,885	\$ 139,277	\$ 269,956	\$ 289,081	\$ 309,070	\$ 447,964	\$ 475,703
<b>MDC Inter-District Loan *</b>	\$ 50,000		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Total Funds Available</b>	\$ 50,000	\$ 59,743	\$ 117,056	\$ 141,988	\$ 160,873	\$ 182,650	\$ 312,606	\$ 336,687	\$ 355,757	\$ 503,721	\$ 529,424
<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>	\$ -	\$ -	\$ 25,000	\$ 25,000	\$ 2,500	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Reserve for Linder Overpass</b>				\$ 25,000	\$ 25,000	\$ 50,000	\$ 50,000	\$ 100,000	\$ 100,000	\$ 150,000	\$ 175,000
<b>OPA Debt Service on \$5,500,000</b>		\$ -	\$ -	\$ -	\$ 40,000	\$ 40,000	\$ 165,000	\$ 140,000	\$ 150,000	\$ 250,000	\$ 250,000
<b>Total Use of Funds</b>	\$ -	\$ 25,000	\$ 75,000	\$ 100,000	\$ 117,500	\$ 140,000	\$ 265,000	\$ 290,000	\$ 300,000	\$ 450,000	\$ 475,000
<b>Ending Balance</b>	\$ 50,000	\$ 34,743	\$ 42,056	\$ 41,988	\$ 43,373	\$ 42,650	\$ 47,606	\$ 46,687	\$ 55,757	\$ 53,721	\$ 54,424
	<b>2032</b>	<b>2033</b>	<b>2034</b>	<b>2035</b>	<b>2036</b>	<b>2037</b>	<b>2038</b>	<b>2039</b>	<b>2040</b>	<b>2041</b>	<b>Total</b>
<b>Beginning Balance</b>	\$ 54,424	\$ 59,151	\$ 62,245	\$ 53,014	\$ 48,225	\$ 47,730	\$ 46,368	\$ 46,466	\$ 58,461	\$ 547,807	
<b>Source of Funds</b>											
<b>Total Revenue Allocation</b>	\$ 504,727	\$ 653,094	\$ 690,769	\$ 730,211	\$ 889,505	\$ 938,638	\$ 990,098	\$ 1,161,995	\$ 1,224,346	\$ 1,289,669	\$ 11,314,976
<b>MDC Inter-District Loan</b>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 50,000
<b>Total Funds Available</b>	\$ 559,151	\$ 712,245	\$ 753,014	\$ 783,225	\$ 937,730	\$ 986,368	\$ 1,036,466	\$ 1,208,461	\$ 1,282,807	\$ 1,837,476	\$ 11,364,976
<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>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 52,500
<b>Reserve for Linder Overpass</b>	\$ 200,000	\$ 200,000	\$ 200,000	\$ 225,000							\$ 1,500,000
<b>OPA Principal</b>	\$ 250,000	\$ 400,000	\$ 450,000	\$ 460,000	\$ 840,000	\$ 890,000	\$ 940,000	\$ 1,100,000	\$ 685,000	\$ -	\$ 7,050,000
<b>Total Use of Funds</b>	\$ 500,000	\$ 650,000	\$ 700,000	\$ 735,000	\$ 890,000	\$ 940,000	\$ 990,000	\$ 1,150,000	\$ 735,000	\$ 50,000	\$ 9,577,500
<b>Ending Balance</b>	\$ 59,151	\$ 62,245	\$ 53,014	\$ 48,225	\$ 47,730	\$ 46,368	\$ 46,466	\$ 58,461	\$ 547,807	\$ 1,787,476	



## Linder District Cash Flow Analysis

<b><u>Assumptions</u></b>	
	Initial District Start-up costs supported by MDC Inter-district Loan of \$50,000 to be repaid at 5% Simple Interest
	District operating Expenses, capped at \$50,000, Yr.
	Land Values will increase at an average of 8% annually for 5 years then at 4% over the remaining life of the District
	Improvement Values will increase at a rate of 10% for 5 years then at 5% over the remaining life of the District
	\$1,500,000 reserve for Linder Overpass Contribution accrued over 12 years
	Debt Service for \$5,500,000 infrastructure investment reimbursed through an Owner Participation Agreement (OPA) over 16 years
	\$1,787,476 Fund Balance at end of term - possible accelerated OPA Reimbursement or early District termination

Attachment 6

Agricultural Operation Consents

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

## AGRICULTURAL OPERATION CONSENT FORM

COMES NOW David E. Blewett, Manager of Kendall Development Group LLC, an Oregon limited liability company, as Manager of Idaho Auto Mall LLC, an Oregon limited liability company ("Owner"), owns that certain property generally described as Parcel Identification Number S1214449107 the real property records of Ada County, Idaho, and more particularly described on Exhibit A attached hereto and incorporated herein by reference (the "Property"), and hereby certifies:

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

(2) that the undersigned has reviewed the materials provided in Exhibit B, and has had an opportunity to review the urban renewal eligibility report, dated April 2021, entitled Ten Mile – Linder Urban Renewal District Eligibility Report, prepared by Kushlan | Associates and as attached hereto as Exhibit C.

Further, David E. Blewett, Manager of Kendall Development Group LLC, as Manager of Idaho Auto Mall LLC, hereby provides his consent and approval that the subject Property may be included within a proposed urban renewal area and may be deemed appropriate for inclusion within an urban renewal project area as defined by the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code, as amended, and the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended, as the property possesses certain characteristics of eligibility.

DATED this 27<sup>th</sup> day of August, 2021.

IDAHO AUTO MALL LLC

By: Kendall Development Group LLC  
Its: Manager

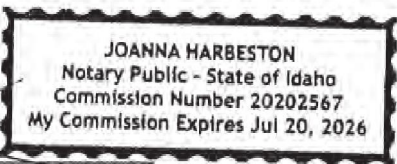


Name: David E. Blewett  
Title: Manager

STATE OF IDAHO        )  
                                  ) ss  
COUNTY OF ADA        )

On this 27<sup>TH</sup> day of August, 2021, before me, a notary public, personally appeared David E. Blewett, known to me or proved on the basis of satisfactory evidence to be the person(s) whose name is subscribed to this document, and acknowledged he executed the same as Manager of Kendall Development Group LLC, the Manager of Idaho Auto Mall LLC.

Witness my hand and official seal.



NOTARY PUBLIC in and for said County and State



EXHIBIT A

**PARCEL NUMBER:** S1214449107

**ADDRESS:** 1690 W. Overland Rd

EXHIBIT A  
**LEGAL DESCRIPTION**

Legal Description  
**Kendall – Overland and Linder Property**

A parcel being a portion of the SE ¼ of the SE ¼ of Section 14, Township 3 North, Range 1 West, Boise Meridian, Ada County, Idaho, and more particularly described as follows:

Commencing at a Brass Cap monument marking the southeast corner of said Section 14, from which an Aluminum Cap monument marking the southwest corner of the SE ¼ of said Section 14 bears N 89°19'41" W a distance of 2661.68 feet;

Thence along the southerly boundary of said SE ¼ of the SE ¼ N 89°19'41" W a distance of 76.61 feet to a point;

Thence leaving said southerly boundary N 0°40'19" E a distance of 51.00 feet to a 5/8 inch diameter rebar on the northerly right-of-way of W. Overland Road as shown in Warranty Deed Instrument No. 106137107, records of Ada County, Idaho, and the **POINT OF BEGINNING**;

Thence along said northerly right-of-way N 89°19'41" W along a line being parallel to and 51.00 feet northerly of the southerly boundary of said SE ¼ of the SE ¼ a distance of 458.45 feet to a 5/8 inch diameter rebar;

Thence continuing along said right-of-way S 0°40'19" W a distance of 3.00 feet to a 5/8 inch diameter rebar on the northerly right-of-way of W. Overland Road as shown in Warranty Deed Instrument No. 110022694, records of Ada County, Idaho;

Thence along said northerly right-of-way N 89°19'41" W along a line being parallel to and 48.00 feet northerly of the southerly boundary of said SE ¼ of the SE ¼ a distance of 388.83 feet to a 5/8 inch diameter rebar;

Thence leaving said northerly right-of-way N 0°40'19" E a distance of 1041.05 feet to a ½ inch diameter rebar on the southerly right-of-way of Interstate 84 as shown in Deed Instrument Nos. 570841 and 663257, records of Ada County, Idaho;

Thence along said southerly right-of-way S 89°36'31" E a distance of 275.30 feet to a Brass Cap monument;

Thence continuing along said southerly right-of-way N 87°30'50" E a distance of 335.13 feet to a point on the westerly boundary of that parcel as described on Page 2 of 3 of Exhibit A of Warranty Deed Instrument Nos. 106056918 and 106070020, records of Ada County, Idaho;

Thence along said westerly boundary S 0°32'59" W a distance of 286.05 feet to a ½ inch rebar;

Thence S 89°57'34" E a distance of 243.86 feet to an Aluminum Cap monument on the westerly right-of-way of S. Linder Road as shown on Page 1 of 3 of Exhibit A of said Warranty Deed Instrument Nos. 106056918 and 106070020;

Thence along said westerly right-of-way S 5°44'46" E a distance of 152.76 feet to a ½ inch diameter rebar marking an angle point in said westerly right-of-way as shown in said Warranty Deed Instrument No. 106137107;

Thence continuing along said westerly right-of-way S 0°32'59" W along a line being parallel to and 51.00 feet westerly of the easterly boundary of said SE ¼ of the SE ¼ a distance of 598.69 feet to a 5/8 inch diameter rebar;

Thence continuing along said right-of-way S 47°20'54" W a distance of 34.98 feet to the **POINT OF BEGINNING.**

This parcel contains 19.26 acres and is subject to any easements existing or in use.

Clinton W. Hansen, PLS  
Land Solutions, PC  
September 3, 2019





**AGRICULTURAL OPERATION CONSENT FORM**

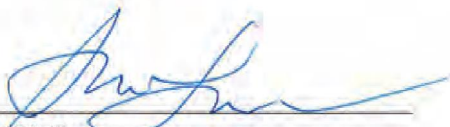
COMES NOW Soo W. Lee, an Individual, and states that Individual, owns that certain property generally described as Parcel Identification Number S1214346705 in the real property records of Ada County, Idaho, and more particularly described on Exhibit A attached hereto and incorporated herein by reference (the "Property"), and hereby certifies:

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

(2) that the undersigned has reviewed the materials provided in Exhibit B, and has had an opportunity to review the urban renewal eligibility report, dated April 2021, entitled Ten Mile – Linder Urban Renewal District Eligibility Report, prepared by Kushlan | Associates and as attached hereto as Exhibit C.

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

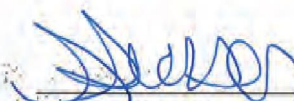
DATED this 10 day of August, 2021.

  
\_\_\_\_\_  
Soo W. Lee  
An Individual

STATE OF IDAHO            )  
  ) ss:  
County of Ada             )

On this 10th day of August 2021, before me, a Notary Public for the state of Idaho, personally appeared Soo W. Lee, known or identified to me to be the person who executed this instrument.



  
\_\_\_\_\_  
Notary Public  
My Commission Expires on 10/22/24

**EXHIBIT A**

**PARCEL NUMBER**

S1214346705

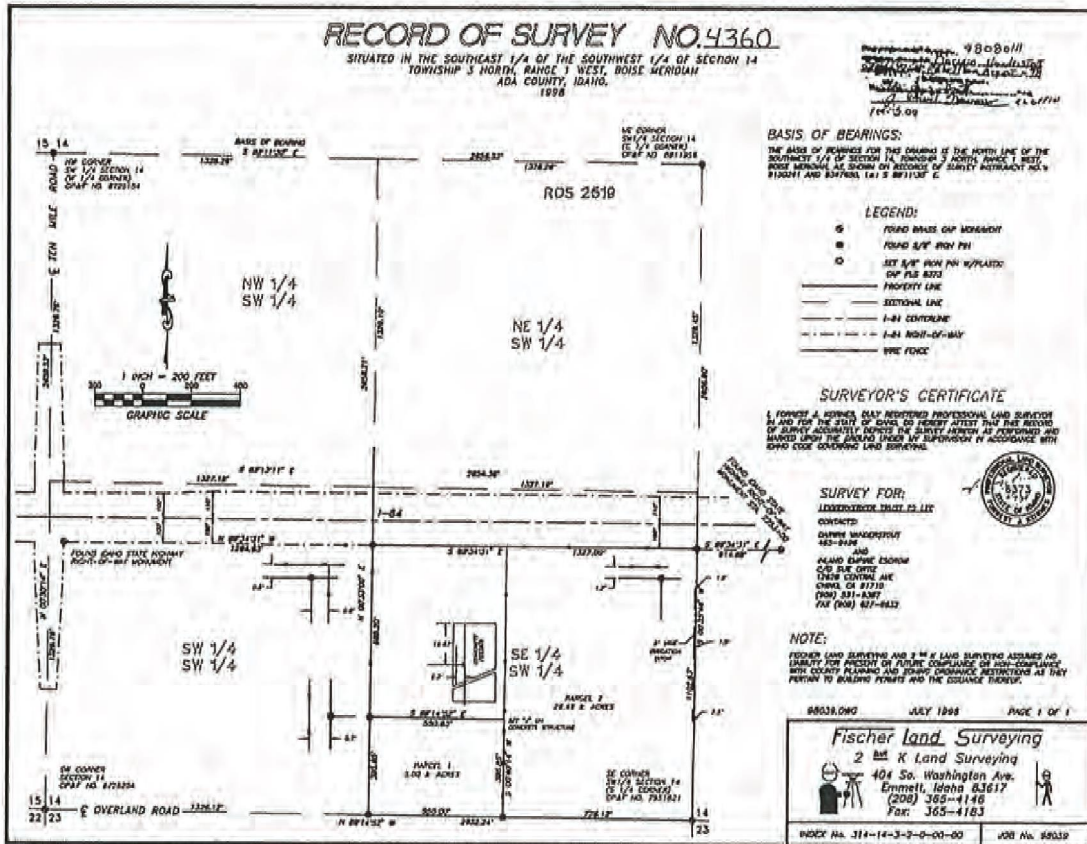
**ADDRESS**

West Overland Road, Meridian, Idaho

**DESCRIPTION**

PAR #6705 N'LY & E'LY POR  
SE4SW4 S OF INTERSTATE  
SEC 14 3N 1W  
PARCEL 2 R/S 4360 EXC R/W  
#346072-B

**SURVEY RECORD**





## AGRICULTURAL OPERATION CONSENT FORM

COMES NOW Michael S. Adler, President of Adler Industrial, LLC, and states that Adler Industrial, LLC serves as Manager for Adler AB Owner I, LLC, a Delaware Limited Liability Company, which owns that certain property generally described as Parcel Identification Number S1214438600 in the real property records of Ada County, Idaho, and more particularly described on Exhibit A attached hereto and incorporated herein by reference (the "Property"), and hereby certifies:

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

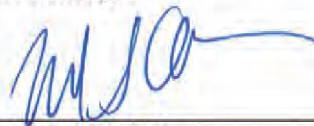
(2) that the undersigned has reviewed the materials provided in Exhibit B, and has had an opportunity to review the urban renewal eligibility report, dated May 2021, entitled Ten Mile – Linder Urban Renewal District Eligibility Report, prepared by Kushlan | Associates and as attached hereto as Exhibit C.

Further, Michael S. Adler, President of Adler Industrial, LLC, Manager for Adler AB Owner I, LLC hereby provides consent and approval that the subject Property may be included within a proposed urban renewal area and may be deemed appropriate for inclusion within an urban renewal project area as defined by the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code, as amended, and the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended, as the property possesses certain characteristics of eligibility.

DATED this 20<sup>th</sup> day of August, 2021.

Adler AB Owner I, LLC  
A Delaware Limited Liability Company

By: Adler Industrial, LLC  
Its: Manager



---

Michael S. Adler  
President

STATE OF IDAHO            )  
  ) ss:  
County of Ada                )

This record was acknowledged before me on August 20, 2021 (date) by Michael S. Adler (Signer), known or identified to me to be the President of Adler Industrial, LLC (Constituent Entity), the Manager of Adler AB Owner I, LLC (Maker), who subscribed said Maker Entity's name to the foregoing instrument, and acknowledged to me that he executed the within instrument on behalf of said Constituent Entity, and that such Constituent Entity executed the same in the name of said Maker Entity.

(stamp)



Martha Parker  
Notary Public  
My Commission Expires on 04/08/2027



**EXHIBIT A**

**PARCEL NUMBER**

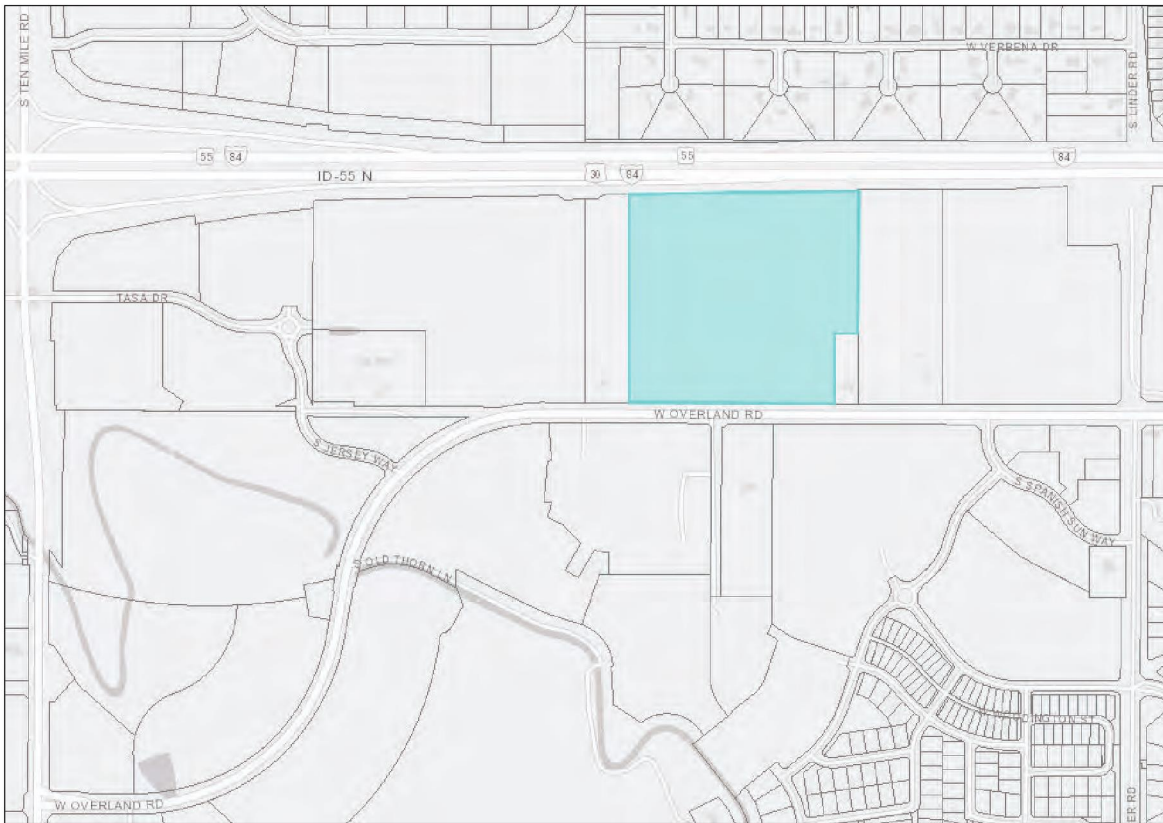
S1214438600

**ADDRESS**

2090 West Overland Road, Meridian, Idaho

**DESCRIPTION**

PAR #8600 OF SW4SE4  
SEC 14 3N 1W  
#438423-B



## AGRICULTURAL OPERATION CONSENT FORM

COMES NOW Michael S. Adler, President of Adler Industrial, LLC, and states that Adler Industrial, LLC serves as Manager for Adler AB Owner I, LLC, a Delaware Limited Liability Company, which owns that certain property generally described as Parcel Identification Number S1214438420 in the real property records of Ada County, Idaho, and more particularly described on Exhibit A attached hereto and incorporated herein by reference (the "Property"), and hereby certifies:

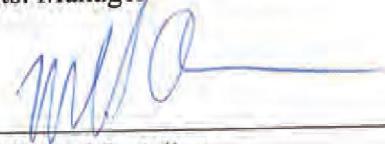
- (1) that the Property has been used, within the last three (3) years, as an agricultural operation; and
- (2) that the undersigned has reviewed the materials provided in Exhibit B, and has had an opportunity to review the urban renewal eligibility report, dated May 2021, entitled Ten Mile – Linder Urban Renewal District Eligibility Report, prepared by Kushlan | Associates and as attached hereto as Exhibit C.

Further, Michael S. Adler, President of Adler Industrial, LLC, Manager for Adler AB Owner I, LLC hereby provides consent and approval that the subject Property may be included within a proposed urban renewal area and may be deemed appropriate for inclusion within an urban renewal project area as defined by the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code, as amended, and the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended, as the property possesses certain characteristics of eligibility.

DATED this 23 day of August, 2021.

Adler AB Owner I, LLC  
A Delaware Limited Liability Company

By: Adler Industrial, LLC  
Its: Manager

  
\_\_\_\_\_  
Michael S. Adler  
President

## CALIFORNIA ALL PURPOSE ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

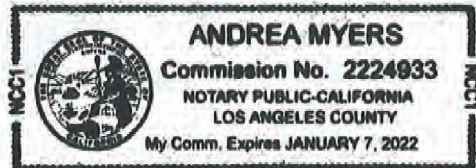
State of California  
County of Los Angeles)

On August 23, 2021 before me, Andrea Myers, Notary Public  
(insert name and title of the officer)

personally appeared Michael S. Adler, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature

Andrea Myers

(Seal)



**EXHIBIT A**

**PARCEL NUMBER**

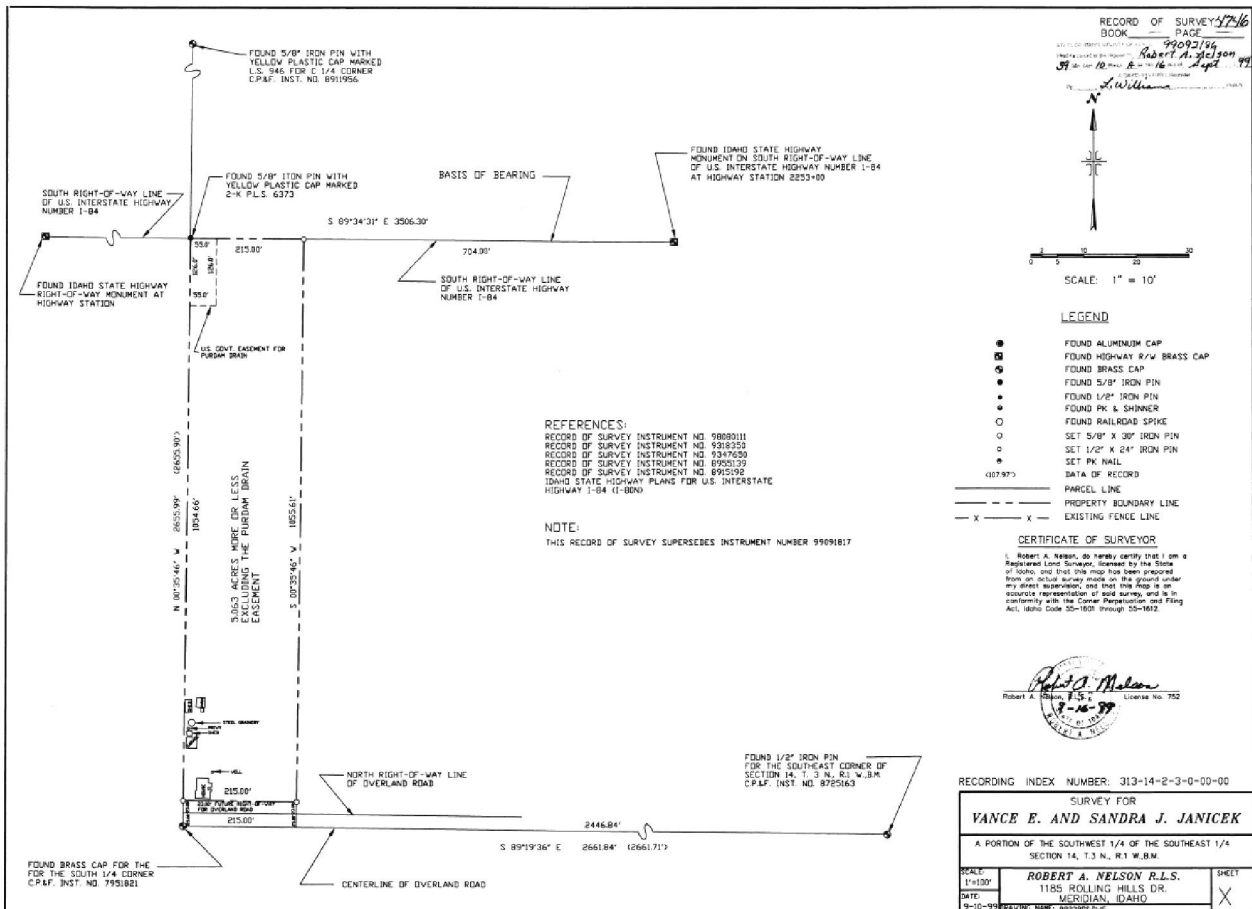
S1214438420

**ADDRESS**

2390 West Overland Road, Meridian, Idaho

**DESCRIPTION**

PAR #4200 @ W SIDE SW4SE4  
SEC 14 3N 1W  
R/S 4746  
#8416-B





**AGRICULTURAL OPERATION CONSENT FORM**

COMES NOW Paul R. Blomberg, Trustee of the Paul R. Blomberg Revocable Trust 9-3-2002 and states that the Paul R. Blomberg Revocable Trust 9-3-2003 owns that certain property generally described as Parcel Identification Number S1214449021 in the real property records of Ada County, Idaho, and more particularly described on Exhibit A attached hereto and incorporated herein by reference (the "Property"), and hereby certifies:

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

(2) that the undersigned has reviewed the materials provided in Exhibit B, and has had an opportunity to review the urban renewal eligibility report, dated May 2021, entitled Ten Mile – Linder Urban Renewal District Eligibility Report, prepared by Kushlan | Associates and as attached hereto as Exhibit C.

Further, Paul R. Blomberg, Trustee of the Paul R. Blomberg Revocable Trust 9-3-2002, hereby provides consent and approval that the subject Property may be included within a proposed urban renewal area and may be deemed appropriate for inclusion within an urban renewal project area as defined by the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code, as amended, and the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended, as the property possesses certain characteristics of eligibility.

DATED this 23 day of August, 2021.

Paul R. Blomberg  
Paul R. Blomberg  
Trustee

STATE OF IDAHO            )  
  ) ss:  
County of Ada                )

On this 23<sup>rd</sup> day of August 2021, before me, a Notary Public for the state of Idaho, personally appeared Paul R. Blomberg, known or identified to me to be the Manager of the Paul R. Blomberg Revocable Trust 9-3-2002, who executed this instrument in his capacity as Trustee.



Joshua Iverson  
Notary Public  
My Commission Expires on 10/22/24

**EXHIBIT A**

**PARCEL NUMBER**

S1214449021

**ADDRESS**

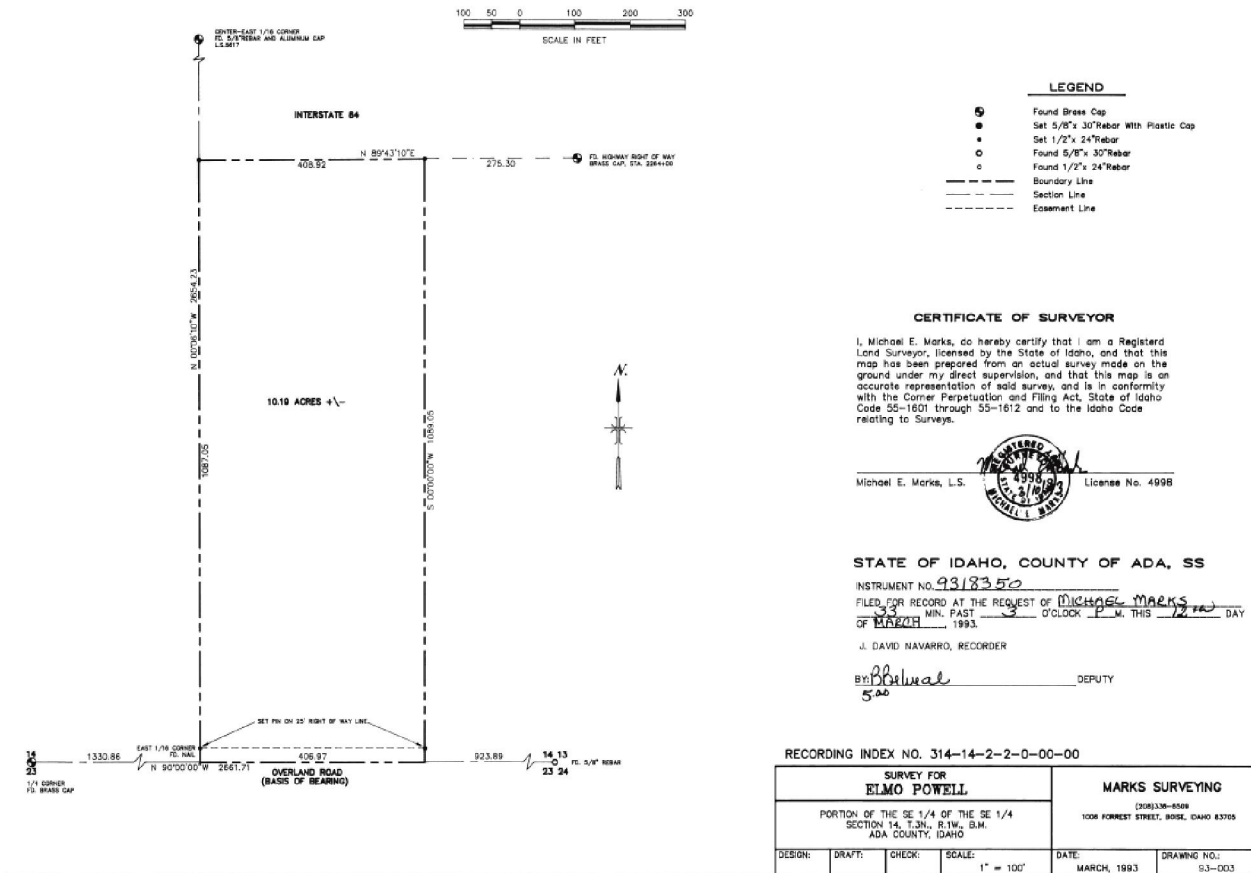
1940 West Overland Road, Meridian, Idaho

**DESCRIPTION**

PAR #9021 OF SE4SE4  
SEC 14 3N 1W  
R/S 2412 EXC R/W  
#449020-B

**SURVEY RECORD**

RECORD OF SURVEY NO. 2412





**AGRICULTURAL OPERATION CONSENT FORM**


COMES NOW Jon Brennan, Manager of 5B1031 LLC, an Idaho Limited Liability Company, and states that 5B1031 LLC owns that certain property generally described as Parcel Identification Number S1214346905 in the real property records of Ada County, Idaho, and more particularly described on Exhibit A attached hereto and incorporated herein by reference (the "Property"), and hereby certifies:

(1) that the Property has NOT been used, within the last three (3) years, as an agricultural operation; and

(2) that the undersigned has reviewed the materials provided in Exhibit B, and has had an opportunity to review the urban renewal eligibility report, dated May 2021, entitled Ten Mile – Linder Urban Renewal District Eligibility Report, prepared by Kushlan | Associates and as attached hereto as Exhibit C.

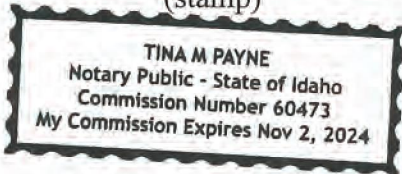
Further, Jon Brennan, Manager of 5B1031 LLC, hereby provides consent and approval that the subject Property may be included within a proposed urban renewal area and may be deemed appropriate for inclusion within an urban renewal project area as defined by the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code, as amended, and the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended, as the property possesses certain characteristics of eligibility.


DATED this 20th day of August, 2021

  
\_\_\_\_\_  
Jon Brennan  
Manager

STATE OF IDAHO            )  
  ) ss:  
County of ~~Ada~~ Elmore    )

This record was acknowledged before me on August 20, 2021 (date) by Jon Brennan on behalf of 5B1031 LLC in his capacity as its Manager.

(stamp)  


  
\_\_\_\_\_  
Notary Public  
My Commission Expires on 11-02-2021

**EXHIBIT A**

**PARCEL NUMBER**

S1214346905

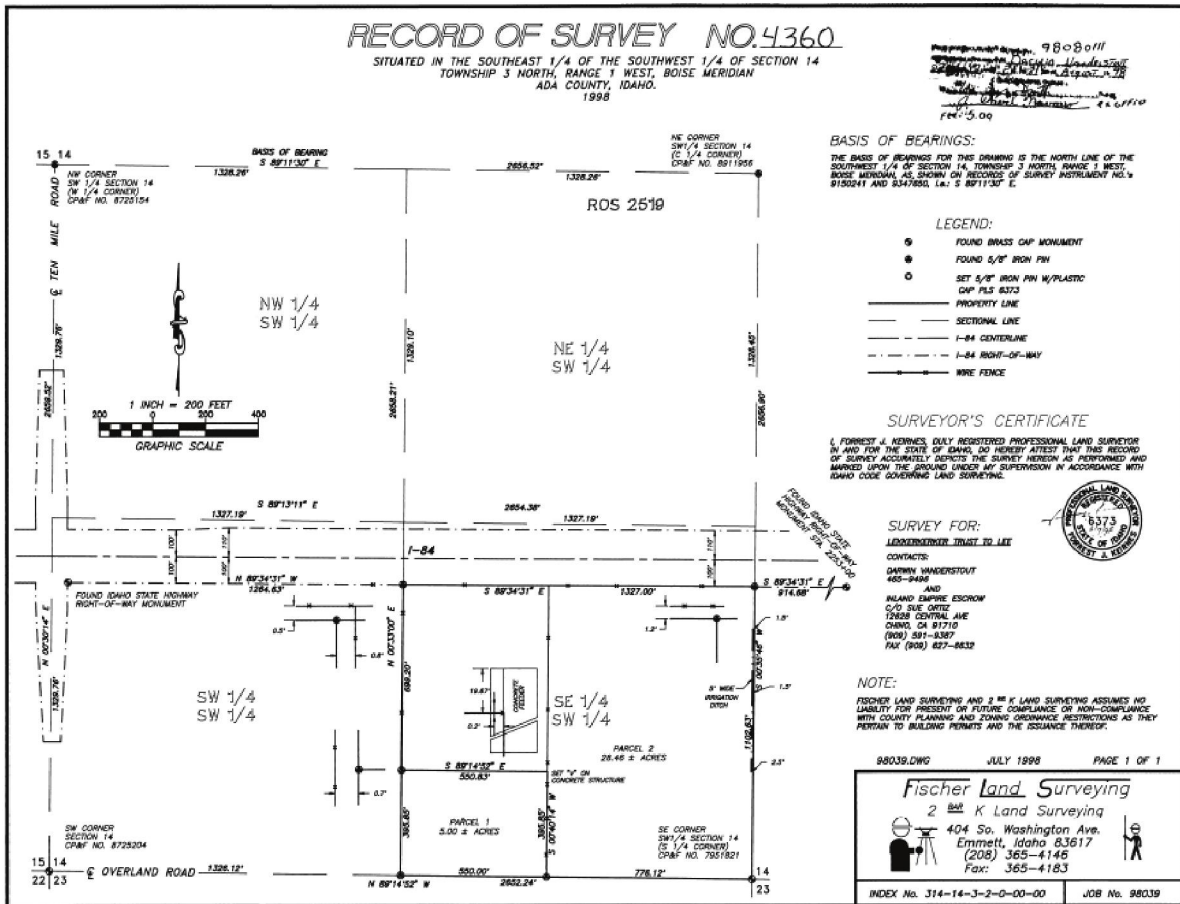
**ADDRESS**

2960 West Dutch Farm Road, Meridian, Idaho

**DESCRIPTION**

PAR #6905 @ SW COR SE4SW4  
SEC 14 3N 1W  
PARCEL 1 R/S 4360 EXC R/W  
#346610-B

**SURVEY RECORD**





## **EXHIBIT B**

### **EXCERPTS OF STATUTES**

#### **IDAHO CODE §§ 50-2018(8) AND (9)**

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

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

## IDAHO CODE § 50-2008

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

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

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

(d) Following such hearing, the local governing body may approve an urban renewal project and the plan therefor if it finds that (1) a feasible method exists for the location of families who will be displaced from the urban renewal area in decent, safe and sanitary dwelling accommodations within their means and without undue hardship to such families; (2) the urban renewal plan conforms to the general plan of the municipality as a whole; (3) the urban renewal plan gives due consideration to the provision of adequate park and recreational areas and facilities that may be desirable for neighborhood improvement, with special consideration for the health, safety and welfare of children residing in the general vicinity of the site covered by the plan; and (4) the urban renewal plan will afford maximum opportunity, consistent with the sound needs of the municipality as a whole, for the rehabilitation or redevelopment of the urban renewal area by private enterprise: Provided, that if the urban renewal area consists of an area of open land to be acquired by the urban renewal agency, such area shall not be so acquired unless (1) if it is to be developed for residential uses, the local governing body shall determine that a shortage of housing of sound standards and design which is decent, safe and sanitary exists in the municipality; that the need for housing accommodations has been or will be increased as

a result of the clearance of slums in other areas; that the conditions of blight in the area and the shortage of decent, safe and sanitary housing cause or contribute to an increase in and spread of disease and crime and constitute a menace to the public health, safety, morals, or welfare; and that the acquisition of the area for residential uses is an integral part of and essential to the program of the municipality, or (2) if it is to be developed for nonresidential uses, the local governing body shall determine that such nonresidential uses are necessary and appropriate to facilitate the proper growth and development of the community in accordance with sound planning standards and local community objectives, which acquisition may require the exercise of governmental action, as provided in this act, because of defective or unusual conditions of title, diversity of ownership, tax delinquency, improper subdivisions, outmoded street patterns, deterioration of site, economic disuse, unsuitable topography or faulty lot layouts, the need for the correlation of the area with other areas of a municipality by streets and modern traffic requirements, or any combination of such factors or other conditions which retard development of the area.

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

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

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

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



## IDAHO CODE §50-2903(8)

(8) "Deteriorated area" means:

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

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

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

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

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

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



EXHIBIT C



Linder  
Urban Renewal District  
(Proposed)

Eligibility Report

Prepared for

The City of Meridian  
and  
The Meridian Development Corporation  
May 2021



Kushlan | Associates  
Boise, Idaho

**Introduction:** Kushlan | Associates was retained by the Urban Renewal Agency of the City of Meridian, Idaho, also known as the Meridian Development Corporation (the “MDC”) and the City of Meridian (the “City”) to assist in their consideration of establishing a new urban renewal district<sup>1</sup> in the City of Meridian, Idaho, and its area of operation.

Elected Officials serving the City of Meridian are:

Mayor:	Robert Simison
Council President:	Treg Bernt
Council Vice President:	Brad Hoaglun
Council Members:	Joe Borton
	Luke Cavener
	Liz Strader
	Jessica Perreault

City Staff

Community Development Director:	Cameron Arial
---------------------------------	---------------

Idaho Code § 50-2006 states: “URBAN RENEWAL AGENCY. (a) There is hereby created in each municipality an independent public body corporate and politic to be known as the "urban renewal agency" that was created by resolution as provided in section 50-2005, Idaho Code, before July 1, 2011, for the municipality...” to carry out the powers enumerated in the statutes. The Meridian City Council adopted Resolution 01-397 on July 24, 2001 bringing forth those powers within the City of Meridian.

The Mayor, with the confirmation of the City Council, has appointed nine members to the MDC Board of Commissioners (the “MDC Board”). The MDC Board currently oversees the implementation of three urban renewal districts. Two are focused on the revitalization of downtown Meridian. The first, the Meridian Revitalization Plan Urban Renewal Project (the “Downtown District”) was established by the City Council’s adoption of Ordinance No. 02-987 on December 3, 2002. The second district, the Urban Renewal Plan for the Union District Urban Renewal Project (the “Union District”) was established with the adoption of Ordinance No. 20-1882 on June 9, 2020. Both the Downtown District and the Union District are focused on redevelopment activities in and around the City’s downtown core. The third district, the Urban Renewal Plan for the Ten Mile Road- A Urban Renewal Project (the “Ten Mile District”) was established by Ordinance No. 16-1695 adopted on June 21, 2016, and is focused on economic development outside of the City’s core to support implementation of the Ten Mile Interchange Specific Area Plan.

The current membership of the Commission is as follows:

Chair:	David Winder
Vice Chairman	Nathan Mueller
Secretary/ Treasurer	Steve Vlassek
Commissioners	Dan Basalone
	Rob McCarvel
	Treg Bernt
	Tammy deWeerd
	Diane Bevan
	Kit Fitzgerald

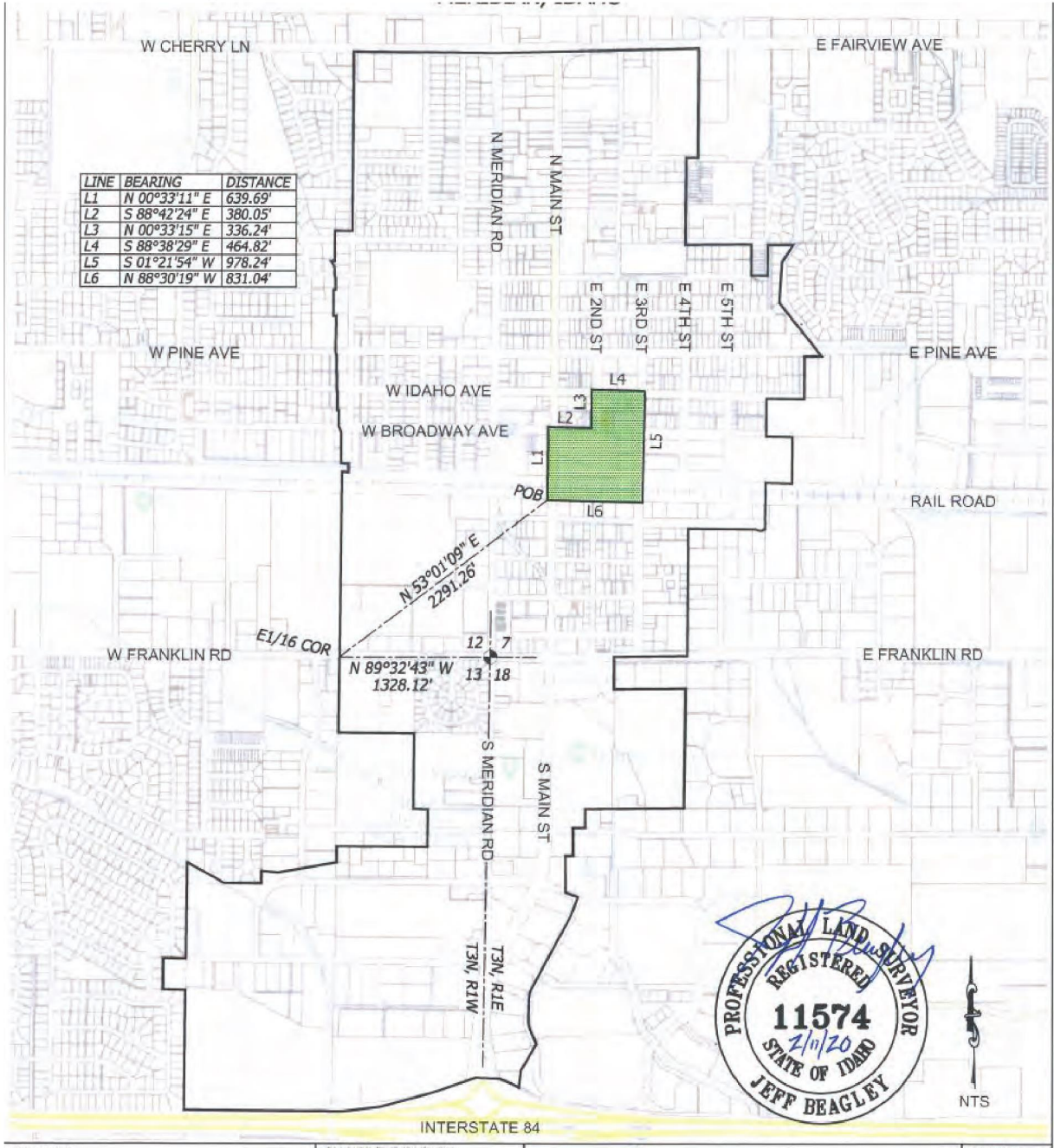
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<sup>1</sup> Throughout this Study, urban renewal/revenue allocation area will be referred to as an “urban renewal district.”

Staff:  
 Urban Renewal Administrator:  
 Legal Counsel:

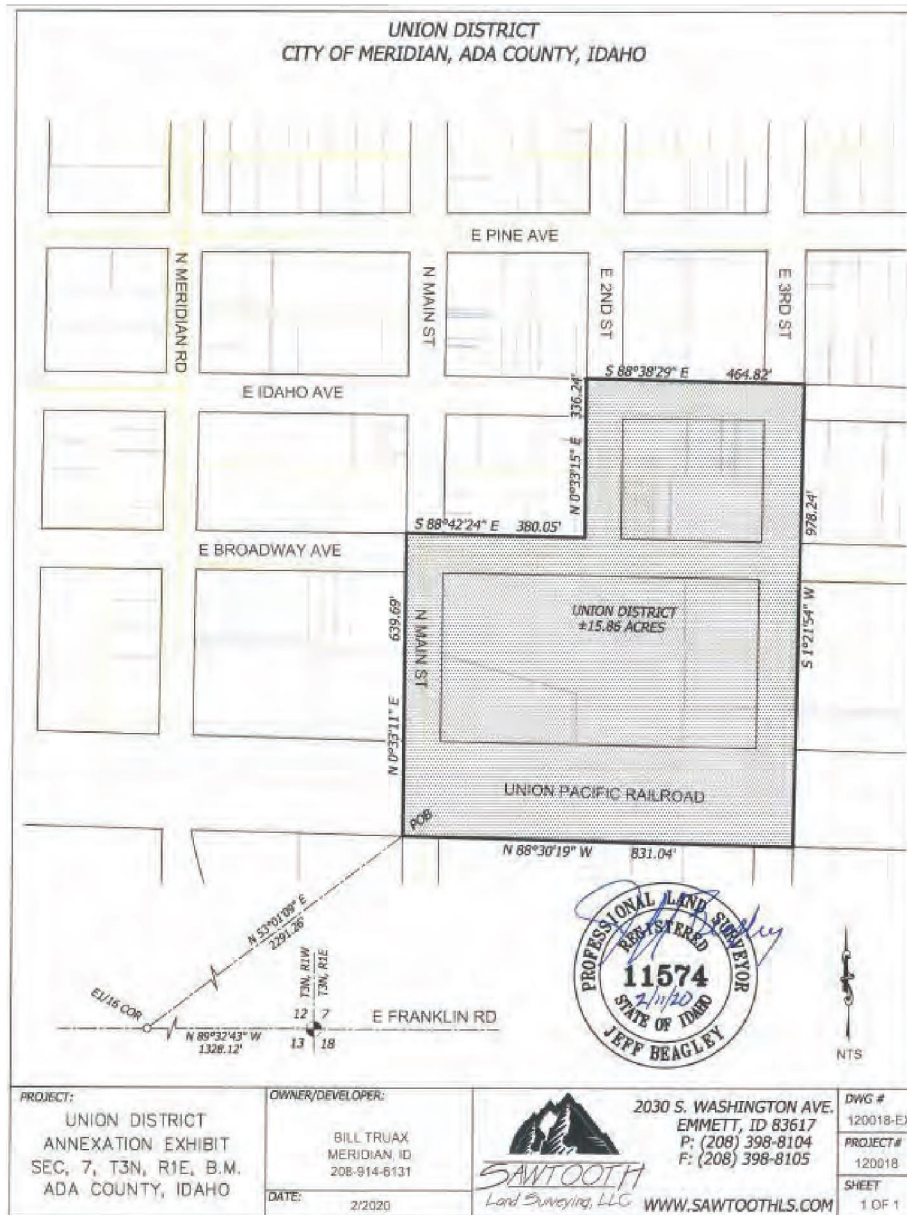
Ashley Squyres  
 Todd Lakey

**Map of the Downtown District (excluding shaded area)**

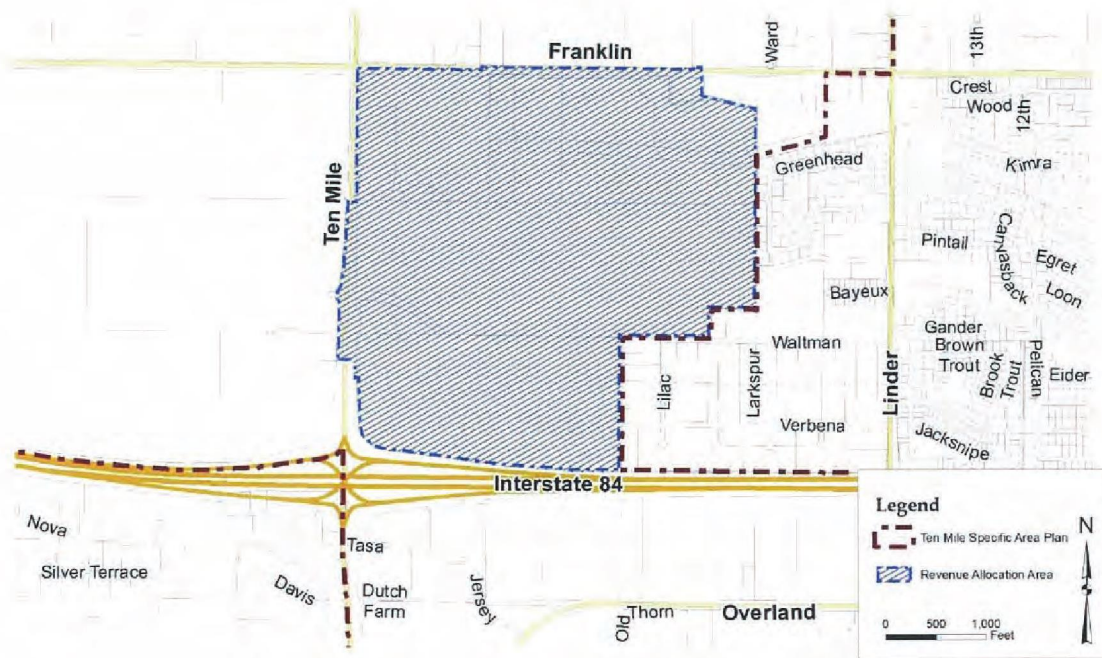




# Map of Union District



## Map of Ten Mile Road District



## Background:

While Native Americans inhabited the area for centuries, the development of the community of Meridian, as we know it today, evolved through the late nineteenth century. European settlement started in the 1880s and was originally located on a farm owned by the Onweiler family. A school was opened in 1885. The U.S. Postal Service established a mail drop along the Oregon Short Line Railroad and the site was named Hunter after its superintendent. Community activity grew around this mail stop focused on the railroad. In 1893 an Odd Fellows lodge was organized and called itself Meridian, acknowledging that it was located on the Boise Meridian the primary North-South survey benchmark for Idaho. That name grew in primary use as the name of the settlement and the Village of Meridian was incorporated in 1903 with a population of approximately 200.

The economy had traditionally been focused on the support of the surrounding agricultural activities. A major creamery was established in the community in 1897 to support the nearby dairies. Fruit orchards were located throughout the area.

Meridian was a significant stop on the Interurban electric railway from 1908 to 1928. This service provided convenient access for passengers and freight in both easterly and westerly directions.

Throughout most of the 20<sup>th</sup> century, Meridian remained a relatively quiet community focused on its agricultural roots. US Census Bureau data, reflects a 1910 population of 619 people growing to 2,616 by 1970. However, starting in 1970 the pace of growth in Southwest Idaho quickened and Meridian's growth initially reflected, and then exceeded



the regional rates by significant margins. Over the past twenty-five years the rate of growth has been startling by any reasonable standard. The following table reflects that population growth over the city’s history.

1903 (Incorporation Estimate)	200
1910	619
1920	1,013
1930	1,004
1940	1,465
1950	1,500
1960	2,100
1970	2,600
1980	6,658
1990	9,596
2000	34,919
2010	75,092
2020	114,200
2021 (Estimate)	129,555

When income statistics are compared to statewide numbers, the population of Meridian compares favorably with the rest of Idaho in these categories. The median household income in Meridian is \$71,389, approximately 28% above the statewide figure of \$55,785. Per capita money income for the Meridian population is \$33,328 as compared to the statewide number of \$27,970. The percentage of the Meridian population below poverty level is 8.6% as compared to the statewide number of 11.2%.

**Investment Capacity:** Cities across the nation actively participate in the economic vitality of their communities through investment in infrastructure. Water and sewer facilities as well as transportation, communication, electrical distribution and other systems are all integral elements of an economically viable community. Idaho cities have a significant challenge in responding to these demands along with the on-going need to reinvest in their general physical plant to ensure it does not deteriorate to the point of system failure. They face stringent statutory and constitutional limitations on revenue generation and debt as well as near total dependence upon state legislative action to provide funding options. These strictures severely constrain capital investment strategies.

The tools made available to cities in Title 50, Chapters 20 and 29, the Urban Renewal Law and the Local Economic Development Act are some of the few that are available to assist communities in their efforts to support economic vitality. New sources of State support are unlikely to become available in the foreseeable future, thus the City of Meridian’s interest in exploring the potential for establishing their fourth urban renewal district is an appropriate public policy consideration.

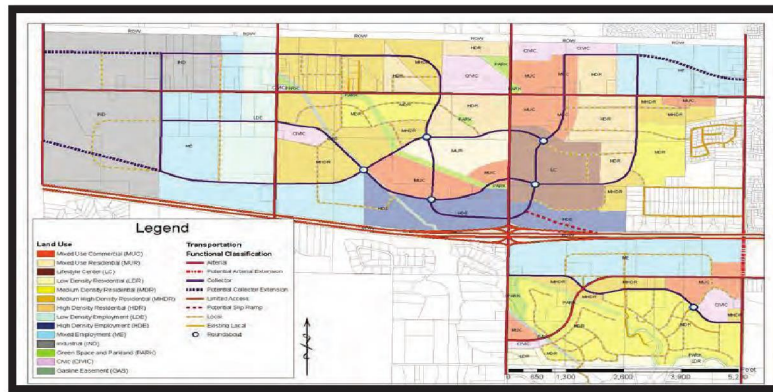
The City of Meridian initially established its Urban Renewal Agency in 2001. As noted above, the Downtown District’s exclusive focus, limited by the boundaries of the district, is on the traditional downtown area of Meridian. The Ten Mile District was created in 2016 and was designed to support the implementation of the Ten Mile Interchange Specific Area Plan. A third urban renewal district was created in 2020 from an area de-



annexed from the original Downtown District to support a significant mixed use-project. The Linder Road urban renewal district is being considered in further support of the implementation of Ten Mile Interchange Specific Area Plan.

## **Ten Mile Interchange Specific Area Plan**

The Idaho Transportation Department initiated planning for the development of a new interchange with Interstate 84 at Ten Mile Road in the 1990s. Construction of the interchange was completed in 2012. In support of the State’s investment and in anticipation of the resultant development pressure from the opening of the new interchange on the area immediately west of the Meridian City limits, the City initiated a broad-based planning effort for the general area. The Plan that was produced was the Ten Mile Interchange Specific Area Plan and was adopted by the City Council on June 19, 2007. The Plan remains in effect and is intended to guide development decisions within the study area. A map of the Ten Mile Interchange Specific Area Plan is provided below:



As indicated in the Plan map, substantial public infrastructure is called for in implementing the development pattern envisioned. Development opportunities considered for the area covered by the Plan were insufficient in scale to support the required public facility investment. This imbalance had thwarted the orderly implementation of the planning undertaken by the City and the property owners. This lack of progress stimulated the interest in exercising the powers granted under State Law in the establishment of the Ten Mile District in 2016. A similar situation exists in that portion of the Specific Plan area located south of I-84, generating the desire on the part of City officials in considering a new urban renewal district to stimulate the envisioned development activity similar to the successful response north of the freeway

## **Steps in Consideration of an Urban Renewal District:**

The first step in consideration of establishing an urban renewal district in Idaho is to define a potential area for analysis as to whether conditions exist within it to qualify for redevelopment activities under the statute. We have called this the “Study Area.”

The next step in the process is to review the conditions within the Study Area to determine whether the area is eligible for creating a district. The State Law governing urban renewal

sets out the following criteria, at least one of which must be found, for an area to be considered eligible for urban renewal activities:

1. The Presence of a Substantial Number of Deteriorated or Deteriorating Structures and Deterioration of Site or Other Improvements [50-2018(9) and 50-2903(8)(b); 50-2903(8)(c)]
2. Age or Obsolescence [50-2018(8) and 50-2903(8)(a)]
3. Predominance of Defective or Inadequate Street Layout [50-2018(9) and 50-2903(8)(b)]
4. Faulty Lot Layout in Relation to Size, Adequacy, Accessibility, or Usefulness; Obsolete Platting [50-2018(9) and 50-2903(8)(b); 50-2903(8)(c)]
5. Insanitary or Unsafe Conditions [50-2018(9) and 50-2903(8)(b)]
6. Diversity of Ownership [50-2018(9) and 50-2903(8)(b); 50-2903(8)(c)]
7. Tax or Special Assessment Delinquency [50-2018(9) and 50-2903(8)(b)]
8. Defective or Unusual Conditions of Title [50-2018(9) and 50-2903(8)(b)]
9. Results in Economic Underdevelopment of the Area [50-2903(8)(b); 50-2903(8)(c)]
10. Substantially Impairs or Arrests the Sound Growth of a Municipality [50-2018(9) and 50-2903(8)(b); 50-2903(8)(c)]

If the Eligibility Report finds that one or more of the conditions noted above exists within the Study Area, then the Agency may accept the findings and forward the Eligibility Report to the City Council for their consideration. If the City Council concurs with the determination of the Agency, they may direct that an Urban Renewal Plan be developed for the area that addresses the issues raised in the Eligibility Report.

The Agency then acts to prepare the Urban Renewal Plan for the new District establishing a Revenue Allocation Area to fund improvements called for in the Plan. Once the Plan for the District and Revenue Allocation Area are completed, the Agency Board forwards it to the City Council for their consideration.

The City Council must refer the Urban Renewal Plan to the Planning and Zoning Commission to determine whether the Plan, as presented, is consistent with the City's Comprehensive Plan and make a corresponding finding. At the same time, other taxing entities levying property taxes within the boundaries of the proposed Urban Renewal District are provided a thirty-day opportunity to comment on the Plan to the City Council. While the taxing entities are invited to comment on the Plan, their concurrence is not required for the City Council to proceed with formal consideration.

Based on legislative changes to Idaho Code § 50-2908(2)(a), effective July 1, 2020, the Ada County Highway District (ACHD) is allocated all of the taxes levied by ACHD within



a revenue allocation area first formed or expanded to include property on or after July 1, 2020 (including taxes levied on the base and increment values), which would apply to this proposed district, if formed. However, ACHD and MDC may enter into an agreement for a different allocation, which agreement shall be submitted to the State Tax Commission and to the Ada County Clerk by ACHD as soon as practicable after the parties have entered in the agreement and by no later than September 1 of the year in which the agreement takes effect. In the case of the Linder Study Area, the affected taxing districts for those properties located within the city limits of Meridian are:

- The City of Meridian
- The West Ada School District (School District No. 2)
- Ada County
- Emergency Medical District/Ada County Ambulance
- Mosquito Abatement District
- The Ada County Highway District
- Meridian Library District
- Meridian Cemetery District
- Western Ada Recreation District
- College of Western Idaho

For those properties located in unincorporated Ada County, the affected taxing districts are:

- The West Ada School District (Joint School District No. 2)
- Ada County
- Emergency Medical District/Ada County Ambulance
- Mosquito Abatement District
- The Ada County Highway District
- Meridian Library District
- Meridian Cemetery District
- Western Ada Recreation District
- College of Western Idaho
- Meridian Fire District
- Pest Extermination District

Once the Planning and Zoning Commission makes their finding of conformity and the thirty-day comment period has passed, the City Council is permitted to hold a public hearing and formally consider the adoption of the Plan creating the new Urban Renewal District and Revenue Allocation Area.

The City Council must also find that the taxable value of the district to be created plus the Base Assessed Value of any existing Urban Renewal / Revenue Allocation Area does not exceed the statutory maximum of 10% of the citywide assessed valuation.

If the City Council, in their discretion chooses to proceed, they will officially adopt the Urban Renewal Plan and Revenue Allocation Area and provide official notification of that action to the affected taxing districts, County Assessor and Idaho State Tax Commission.

The Agency then proceeds to implement the Plan.



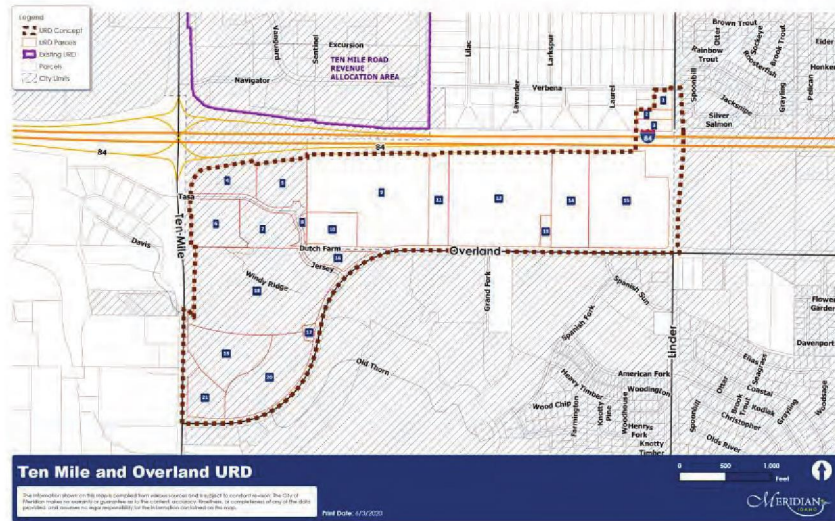
## Description of the Linder Study Area:

The Study Area subject to the current review is generally located on the east side of Ten Mile Road, primarily south of the Interstate 84 right-of-way, north of Overland Road and west of what would be an unimproved section of Linder Road. All properties included are within the boundaries of the Ten Mile Interchange Specific Area Plan. The Study Area consists of twenty (20) tax parcels ranging in size from 0.34 acres to 28.67 acres. The eastern portion of the Study Area north and south of I-84 lies outside the corporate limits of the City of Meridian, within unincorporated Ada County, but within the City's Area of City Impact. Unless the unincorporated parcels are annexed into the City prior to the creation of the urban renewal district, an intergovernmental agreement between the City and Ada County will be required to allow the creation of the District to proceed to include area outside the City.

The size and value information presented in Table 1 was derived from the Ada County Assessor's on-line parcel information system. The current taxable value of the portion of the Study Area located in unincorporated Ada County, represents exceptionally low assessed values as compared to the more developed area in the westerly portion of the Study Area located within the corporate limits of the City of Meridian. Land values in the more developed, commercially zoned areas range from \$4.00 to \$6.00 per square foot. The agricultural lands reflect a current assessed value of \$.02 per square foot consistent with assessed values assigned to agricultural properties north of I-84.

## Linder Urban Renewal District Study Area

Potential Future URD: Overland – Ten Mile to Linder



**Table 1**

Parcel #	Ownership	Acreage	Land Value	Improvement Value	2020 Taxable Value
S1223233820	Cabra Creek LLC	4.07	\$708,600	\$0	\$708,600
S1223223255	Cabra Creek LLC	9.05	\$737,400	\$0	\$737,400
S1223233670	Cabra Creek LLC	11.28	\$918,800	\$0	\$918,800
S1223223010	Cabra Creel LLC	28.67	\$1,773,500	\$0	\$1,773,500
S1223212620	Cabra Creek LLC	2.69	\$241,800	\$0	\$241,800
S1214336375	Cabra Creek LLC	6.56	\$1,143,400	\$0	\$1,143,400
S1214336415	Cabra Creek LLC	5.88	\$1,025,200	\$0	\$1,025,200
S1214336100	Cabra Creek LLC	4.9	\$1,280,900	\$0	\$1,280,900
S1214336350	Cabra Creek LLC	6.13	\$1,601,600	\$0	\$160,1600
S1214336450	Cabra Creek LLC	0.34	\$59,900	\$0	\$59,900
S1214346705	Lee, Soo	26.22	\$18,100	\$0	\$18,100
S1214346905	5b1031 LLC	4.78	\$296,100	\$0	\$296,100
S1214346905	Adler, AB LLC	4.96	\$4,200	\$333,600	\$337,800
S1214438600	Adler, AB LLC	25.27	\$25,500	\$0	\$25,500
S1214438705	Michael Seabolt	0.93	\$175,100	\$146,100	\$321,200
S1214449021	P. Bloomberg Tr.	9.74	\$8,900	4265,000	\$273,900
S1214449107	Idaho Auto Mall	19.33	\$17,500	\$227,000	\$244,500
R7192800710	Hk&M LLC	1.12	\$163,000	\$149,500	\$312,500
R7192800700	Bird, Michael	0.96	\$155,700	\$154,300	\$210,000 *
R7192800676	Towns, Larry	0.96	\$175,100	\$172,700	\$247,800*
<b>Total Linder Study Area</b>		<b>173.84</b>	<b>\$10,530,300</b>	<b>\$1,448,200</b>	<b>\$11,978,500</b>

- Note: These acreages are exclusive of adjacent public rights-of-way for Ten Mile Road, West Overland Road, Linder Road, South Jersey Way, West Dutch Farm Road, and Tasa Road that should be included in the ultimate boundaries of any district established. Publicly owned properties are assigned no value in Idaho assessments, so including them makes no difference to the value calculation but will slightly increase the ultimate acreage.
- Parcels designated by an \* are owner-occupied residential properties and thus the taxable value is reduced by \$100,000<sup>2</sup> in each base reflecting the Homeowner Property Tax Exemption. There are two such properties located north of I-84.

### **Description of the Linder Study Area:**

As noted in the table above, the Linder Study Area consists of twenty (20) tax parcels. Nearly eighty (80) acres are under a single ownership located at the westerly end of the Study Area. This area, representing approximately 45.8% of the acreage in the Study Area, is currently zoned for Medium Density Residential and Commercial uses. Full urban services are in place to support development consistent with the City’s plan for the area.

<sup>2</sup> Based on the adoption of H389, the Homeowner Property Tax Exemption will increase to a maximum of \$125,000. This is anticipated to further reduce the base. As the 2021 tax assessments are not yet available, the 2020 data has been used. The 10% analysis will ultimately be revisited in any further urban renewal plan.



While some transportation and site infrastructure is in place at the western end of the Study Area, water and sewer service is not yet available to serve these parcels.

The balance of the Study Area located south of I-84 is undeveloped. The largest parcel located in the easterly portion of the Study Area is 26.22 acres. A similarly sized parcel (25.27) is located nearby. These two parcels remain primarily in agricultural use. The undeveloped portion of the Study Area consists of approximately 91 acres and is located in unincorporated Ada County. These parcels carry an Ada County zoning designation of Rural Urban Transition (RUT) recognizing potential for changing into more active urban uses similar to adjacent properties. Additionally, these parcels are included in the Ten Mile Interchange Specific Area Plan which has been adopted by the City as an element of their Comprehensive Plan. The undeveloped portion of the Study Area consists of seven (7) parcels ranging in size from 0.93 acres up to the larger parcels noted above. The easterly portion of the Study Area also contains four (4) parcels on which single-family residences are located. One residence was constructed in 1913 with the others built in the last 30 years. None of the residences reflect a Homeowner Property Tax exemption suggesting that they are not owner-occupied and do not reflect uses consistent with City planning documents. A derelict section of West Overland Road remains on the property even though a new high-capacity section has replaced it. The old section had served an historic farm located on the site, but all buildings associated with that use have been razed. It has been renamed West Dutch Farm Road and provides legal access to the adjacent parcel but is not improved to current urban standards. An unimproved right-of-way for Linder Road is located on the east edge of the Study Area and is currently used by the adjacent business for the storage of recreational vehicle inventory. That right-of way should be included within the ultimate boundaries of any district created as a result of this review. The recently constructed improvement to West Overland Road abuts the southerly edge of the Study Area. Other than this street, no public infrastructure is in place to support development of the majority (53.4%) of the Study Area.

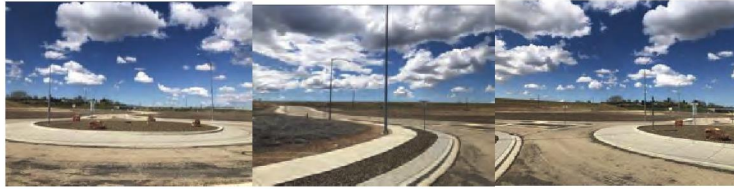
The Ridenbaugh canal bifurcates the extreme southwesterly portion of the Study Area from the balance of the included parcels. The canal extends across the site in an east-west direction at the top of a bench separating the upland portion from the majority of the Study Area.

The land within the Study Area, south of I-84 is owned by seven (7) different entities. The western 80 acres are owned by a single entity, Cabra Creek LLC. Six (6) entities own the remaining parcels with just two owners controlling 62% of the 91 acres in the easterly portion of the Study Area.

Three parcels are located along Linder Road north of I-84. All three of these are residential properties on large lots in unincorporated Ada County with Ada County R-1 zoning. Each property has an existing residential structure, two built in the early twentieth century, but updated in recent years, and one constructed in 1978. The uses currently in place on these parcels is not anticipated to change under the Ten Mile Interchange Specific Area Plan.



*Images reflecting conditions in the westerly portion of the Study Area*



*Images reflecting conditions in the easterly portion of the Study Area*



## **Analysis of the Study Area:**

A review of the Study Area reflects a pattern of delayed investment or an area in transition. This is particularly notable given the area's proximity to substantial public investment in the Ten Mile interchange and street improvements to both Ten Mile Road and West Overland Road. The majority of the parcels do not have City utilities and no individual owner or developer has been willing to assume the significant cost to extend those services.

The Ten Mile Interchange Specific Area Plan provides a clearly articulated vision for a high-density mixed-use development pattern in this area that would capitalize on the access and utility investments already made by public entities. To date, however, while some planning has been done consistent with the Plan, and limited transportation and site infrastructure has been installed in the west portion of the Study Area, little progress has been made to implement the vision. The Plan calls for substantial investment in public infrastructure throughout the entire Study Area but the market to date has proven incapable of supporting that level of capital cost. It appears as though meaningful progress may depend upon some level of public intervention to support the desired private investment in the balance of the Planning Area to bring the Plan to reality.

For the convenience of the reader, the statutory criteria are reiterated, at least one of which must be found to qualify an area for urban renewal activities. Those conditions are:

1. The Presence of a Substantial Number of Deteriorated or Deteriorating Structures and Deterioration of Site or Other Improvements [50-2018(9) and 50-2903(8)(b); 50-2903(8)(c)]
2. Age or Obsolescence [50-2018(8) and 50-2903(8)(a)]
3. Predominance of Defective or Inadequate Street Layout [50-2018(9) and 50-2903(8)(b)]

4. Faulty Lot Layout in Relation to Size, Adequacy, Accessibility, or Usefulness; Obsolete Platting [50-2018(9) and 50-2903(8)(b); 50-2903(8)(c)]
5. Insanitary or Unsafe Conditions [50-2018(9) and 50-2903(8)(b)]
6. Diversity of Ownership [50-2018(9) and 50-2903(8)(b); 50-2903(8)(c)]
7. Tax or Special Assessment Delinquency [50-2018(9) and 50-2903(8)(b)]
8. Defective or Unusual Conditions of Title [50-2018(9) and 50-2903(8)(b)]
9. Results in Economic Underdevelopment of the Area [50-2903(8)(b); 50-2903(8)(c)]
10. Substantially Impairs or Arrests the Sound Growth of a Municipality [50-2018(9) and 50-2903(8)(b); 50-2903(8)(c)]

**Analysis: Linder Study Area**

*Criterion #1: The Presence of a Substantial Number of Deteriorated or Deteriorating Structures; and Deterioration of Site:* The historic farmstead previously located in the Study Area has been removed. Of the four remaining structures located south of I-84, one is over one hundred years old but the other three are relatively modern residences constructed in the last 30 years. Two of the structures located north of I-84 were constructed approximately 100 years ago and have been updated within the recent past. The other residence north of I-84 was constructed in 1978 and appears serviceable for its current and intended use. Since the majority of the structures previously located on the properties have been removed, there is no “substantial number of deteriorated or deteriorating structures” remaining within the Study Area. Therefore, criterion #1 is not met.

*Criterion #2: Age or Obsolescence:* Again, as noted above, the structures that remain south of I-84, were built to serve the historic agricultural use. While the remaining structures are not old, they are not of a nature to support the high-density mixed-use envisioned in the Plan. Therefore, the remaining structures located south of I-84 are obsolete in this context and as such, criterion #2 is met.

*Criterion #3: Predominance of Defective or Inadequate Street Layout:* As noted above, it is recommended to include the Ten Mile Road and West Overland Road rights-of-way within the boundaries of the proposed district. As such, the improvements made to these facilities in recent years appear adequate to serve the anticipated development. However, there are no streets in place to serve the internal development of the relatively large parcels in the eastern portion of the Study Area which represents a majority of the land under consideration. Linder Road between West Overland Road and I-84 is unimproved and not accessible to the travelling public. Implementation of the Specific Area Plan requires circulation throughout the planning area and since no streets currently exist to serve the anticipated interior development to the east, criterion #3 is met.

*Criterion #4: Faulty Lot Layout in Relation to Size, Adequacy, Accessibility or Usefulness; Obsolete Platting:* The parcels in the Study Area are of a size and



configuration appropriate for the historic agricultural use for which they have been deployed for several decades. However, as the City and region have developed around these properties, the large lots in the easterly portion of the Study Area are not properly configured to accommodate the development pattern envisioned in the Specific Area Plan. A more fine-grained and high-density development pattern is represented in the adopted Plan. Therefore criterion #4 is met.

*Criterion #5: Insanitary or Unsafe Conditions:* Again, given the current agricultural use and general lack of development “insanitary and unsafe conditions” are not present. Therefore, criterion #5 is not met.

*Criterion #6: Diversity of Ownership:* The ownership of the 173.84 acres in the Study Area is in the hands of ten (10) entities. The westerly 80 acres (45.8% of the entire area) is under a single ownership. The easterly portion (94 acres) is held by eight (8) entities, however 61% of that area is held by two entities. Thus, the vast majority of the Study Area is controlled by only three entities. Therefore criterion #6 is not met.

*Criterion #7: Tax or Special Assessment Delinquency:* According to Ada County Assessor records, no delinquencies exist. Therefore, criterion #7 is not met.

*Criterion #8: Defective or unusual condition of title:* No defective or unusual conditions of title are reflected in Ada County records. Therefore, criterion #8 is not met.

*Criterion #9: Results in Economic Underdevelopment of the Area:* While the Ten Mile Interchange and the Ten Mile Road and West Overland Road improvements provide good access to the area for the broader regional community, the internal circulation system is non-existent in the majority of the Study Area at this point in time. Additionally, enhanced north-south access across I-84 will better connect the planned activities within the Study Area with the rest of Meridian. The Specific Area Plan calls-out specific locations for access points into the Study Area so as to coordinate access into adjacent properties and thus allowing future signalization enhancing traffic safety in the area. While curb returns have been installed at specific locations, no means of providing streets connecting to these access points is currently in place so criterion #9 is met.

*Criterion #10: Substantially Impairs or Arrests the Sound Growth of a Municipality:* The State of Idaho, the City of Meridian and the Ada County Highway District have made substantial investment in the transportation and utility facilities serving this and the surrounding areas. The City of Meridian has expressed its vision for this area in the creation and adoption of the Ten Mile Interchange Specific Area Plan, but without the capacity to provide full public infrastructure, the Study Area will remain an under-utilized area in the midst of the fastest growing area in the State of Idaho. Criterion #10 is met.

**Findings: Linder Study Area:** Conditions exist within the Study Area to allow the Board of Commissioners of the Meridian Development Corporation and the Meridian City Council to determine that the area is eligible for urban renewal activities as prescribed in State Law.



**Summary of Findings**

	<b>Criteria</b>	<b>Met</b>	<b>Not Met</b>
1	The Presence of a Substantial Number of Deteriorated or Deteriorating Structures; and Deterioration of Site		X
2	Age or Obsolescence	X	
3	Predominance of Defective or Inadequate Street Layout	X	
4	Faulty Lot Layout in Relation to Size, Adequacy, Accessibility or Usefulness; Obsolete Platting	X	
5	Insanitary or Unsafe Conditions		X
6	Diversity of Ownership		X
7	Tax or Special Assessment Delinquency		X
8	Defective or unusual condition of title		X
9	Results in Economic Underdevelopment of the Area	X	
10	Substantially Impairs or Arrests the Sound Growth of a Municipality	X	

**Analysis: Open Land Conditions:** In addition to the eligibility conditions identified above, the geographic area under review is also required to satisfy the “open land” conditions. Idaho Code Section 50-2903(8)(c) states: “[a]ny area which is predominately open and which because of obsolete platting, diversity of ownership, deterioration of structures or improvements, or otherwise, results in economic underdevelopment of the area or substantially impairs or arrests the sound growth of a municipality. The provisions of section 50-2008(d), Idaho Code, shall apply to open areas.”

The eligibility criteria set forth in Idaho Code Section 50-2903(8)(c) for predominantly open land areas mirror or are the same as those criteria set forth in Idaho Code Sections 50-2018(9) and 50-2903(8)(b). “Diversity of ownership” is the same, while “obsolete platting” appears to be equivalent to “faulty lot layout in relation to size, adequacy, accessibility, or usefulness.” “Deterioration of structures or improvements” is the same or similar to “a substantial number of deteriorated or deteriorating structures” and “deterioration of site or other improvements.” There is also an additional qualification that the provisions of Idaho Code Section 50-2008(d) shall apply to open areas.

Idaho Code Section 50-2008 primarily addresses the urban renewal plan approval process and Idaho Code Section 50-2008(d)(4) sets forth certain conditions and findings for agency acquisition of open land as follows:

the urban renewal plan will afford maximum opportunity, consistent with the sound needs of the municipality as a whole, for the rehabilitation or redevelopment of the urban renewal area by private enterprise: Provided, that if the urban renewal area consists of an area of open land to be acquired by the urban renewal agency, such area shall not be so acquired unless (1) if it is to be developed for residential uses, the local governing body shall

determine that a shortage of housing of sound standards and design which is decent, safe and sanitary exists in the municipality; that the need for housing accommodations has been or will be increased as a result of the clearance of slums in other areas; that the conditions of blight in the area and the shortage of decent, safe and sanitary housing cause or contribute to an increase in and spread of disease and crime and constitute a menace to the public health, safety, morals, or welfare; and that the acquisition of the area for residential uses is an integral part of and essential to the program of the municipality, or (2) if it is to be developed for nonresidential uses, the local governing body shall determine that such nonresidential uses are necessary and appropriate to facilitate the proper growth and development of the community in accordance with sound planning standards and local community objectives, which acquisition may require the exercise of governmental action, as provided in this act, because of defective or unusual conditions of title, diversity of ownership, tax delinquency, improper subdivisions, outmoded street patterns, deterioration of site, economic disuse, unsuitable topography or faulty lot layouts, the need for the correlation of the area with other areas of a municipality by streets and modern traffic requirements, or any combination of such factors or other conditions which retard development of the area.

In sum, there is one set of findings if the area of open land is to be acquired and developed for residential uses and a separate set of findings if the land is to be acquired and developed for nonresidential uses.

Basically, open land areas may be acquired by an urban renewal agency and developed for nonresidential uses if such acquisition is necessary to solve various problems, associated with the land or the infrastructure, that have delayed the area's development. These problems include defective or usual conditions of title, diversity of ownership, tax delinquency, improper subdivisions, outmoded street patterns, deterioration of site, and faulty lot layout. All of the stated conditions are included in one form or another in the definition of a deteriorated area and/or a deteriorating area set forth in Idaho Code Sections 50-2903(8)(b) and 50-2018(9). The conditions listed only in 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."

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

Based on the above analysis, to the extent the Study Area is "predominantly open land," which is not a defined term, obsolete platting/faulty lot layout and economic underdevelopment are conditions found in the Study Area, and therefore, the open land condition is satisfied.



## **Other Relevant Issues:**

### **Agricultural Landowners Concurrence:**

The statutory provisions concerning the creation of an urban renewal district prohibit inclusion of any land used for an agricultural operation without the express written consent of the property owner. An agricultural operation is broadly defined in Idaho Code § 22-4502(2) and means “an activity or condition that occurs in connection with the production of agricultural products for food, fiber, fuel and other lawful uses...” One method of determining whether there exists an agricultural operation on a parcel is the presence of an agricultural property tax exemption<sup>3</sup>. As of the date of this Eligibility Study, several parcels, particularly located in the eastern portion of the Study Area, maintain assessed values consistent with other agricultural lands and appear, from a visual inspection, to be active agricultural operations. As a result, property owner consent is required prior to final consideration of the proposed district’s creation.

## **CONCLUSION:**

Based upon the data and the conditions that exist within the Study Area as noted above, the Meridian Development Corporation Board and Meridian City Council may determine that the Linder Study Area is eligible for the establishment of an urban renewal district.

**10% Analysis:** In addition to the findings reported above, verification that the assessed value of the proposed Study Area is within the statutory limits is needed. State Law limits the percentage of values on the combined base assessment rolls that can be included in urban renewal / revenue allocation districts to 10% of the current assessed valuation of all taxable property within the City. According to Ada County Assessor records, the most recent total certified value for the City of Meridian is \$13,230,528,301 (does not include operating property). This number does not reflect exemptions. Therefore taking a more conservative approach, the net taxable value for this calculation is used. That number is \$10,375,837,804. As shown in the analysis in Table 1 the current taxable value of the entire Study Area is estimated to be \$11,978,500. This value then must be added to the Base Assessed Values of the Downtown District, the Ten Mile District and the Union District to test for the 10% limitation. The analysis for these purposes is presented in Table 2, below. The combined base assessment roll values are well below the statutory limit.

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<sup>3</sup> With House Bill 560 (2020) effective July 1, 2020, eliminating the property tax exemption for agricultural land and replacing it with a method to value agricultural land, going forward the method to determine the existence of an agricultural operation will change.



**Table 2**

<b>Statutory 10% Limitation Analysis</b>		
Area	Taxable Value	Percentage
Total City	\$10,375,837,804	100%
Downtown URD Base Value	\$146,334,050	1.41%
Ten Mile URD	\$ 39,539,125	0.38%
Union URD	\$2,144,360	0.02%
Proposed Linder URD	\$11,978,500	0.12%
<b>Total UR Base Assessed Value Percentage</b>	<b>\$199,996,035</b>	<b>1.93%</b>

The effect of creating this district on the capacity of the City and MDC to consider future districts should they choose to do so is also explored. The table below shows there is capacity to consider additional districts.

**Table 3**

<b>Remaining Urban Renewal Capacity</b>		
• Maximum 10% Limitation	\$1,323,052,830	10%
• Downtown URD	\$146,334,779	1.41%
• Ten Mile URD	\$ 39,539,125	0.38%
• Union URD	\$2,144,360	0.02%
• Proposed Linder URD	\$11,996,035	0.12%
<b>Available AV within limitation</b>	<b>\$1,124,027,095</b>	<b>8.07%</b>

Attachment 7

Ada County Board of County Commissioners Resolution No. 2676 (eligibility)

**RESOLUTION NO. 2676**

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ADA COUNTY, IDAHO, ADOPTING THE FINDINGS OF THE URBAN RENEWAL AGENCY OF THE CITY OF MERIDIAN, IDAHO, A/K/A THE MERIDIAN DEVELOPMENT CORPORATION, ADOPTED BY RESOLUTION NO. 21-024 ON MAY 26, 2021; ACCEPTING THAT CERTAIN REPORT, PREPARED FOR THE MERIDIAN DEVELOPMENT CORPORATION ON THE ELIGIBILITY FOR CERTAIN PROPERTY REFERRED TO AS THE LINDER DISTRICT AREA AS AN URBAN RENEWAL AREA AND REVENUE ALLOCATION AREA AND JUSTIFICATION FOR DESIGNATING THE AREA AS APPROPRIATE FOR AN URBAN RENEWAL PROJECT SUBJECT TO CERTAIN CONDITIONS; FINDING A PORTION OF THE LINDER DISTRICT AREA INCLUDES CERTAIN PROPERTIES WITHIN THE UNINCORPORATED AREA OF ADA COUNTY; FINDING AND DECLARING THE NEED FOR AN URBAN RENEWAL PROJECT FOR THE LINDER DISTRICT AREA; APPROVING CREATION OF AN URBAN RENEWAL PROJECT INCLUDING CERTAIN PARCELS, BUT NOT ALL, FOR THAT PORTION OF THE LINDER DISTRICT AREA LYING OUTSIDE OF THE CORPORATE BOUNDARIES OF THE CITY OF MERIDIAN AND WITHIN THE UNINCORPORATED AREA OF ADA COUNTY; FINDING THAT THE JURISDICTIONAL BOUNDARIES OF THE CITY OF MERIDIAN AND ADA COUNTY REMAIN THE SAME; AND PROVIDING AN EFFECTIVE DATE.

At a meeting of the Board of Ada County Commissioners, State of Idaho, on the 30th day of September, 2021, the following Resolution was adopted, to-wit:

WHEREAS, the Urban Renewal Agency of the City of Meridian, Idaho, also known as the Meridian Development Corporation, an independent public body corporate and politic, authorized under the authority of 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"), is a duly created and functioning urban renewal agency for Meridian, Idaho, hereinafter referred to as the "Agency;"

WHEREAS, the City Council of the City of Meridian (the "City Council") and Mayor of the City of Meridian (the "City"), on or about July 24, 2001, adopted and approved Resolution No. 01-367, establishing the Agency pursuant to the Law, authorizing the Agency to transact business and exercise the powers granted by the Law and the Act, upon making the findings of necessity required for creating the Agency;

WHEREAS, there are several existing urban renewal project areas in the City;

WHEREAS, based on inquiries and information presented, the City commenced certain discussions concerning examination of an additional area, including parcels within the City, as well as parcels located within unincorporated Ada County as appropriate for an urban renewal project, primarily to support the goals set forth in the Ten Mile Interchange Specific Area Plan and to further the objectives of supporting the proposed Linder overpass;



WHEREAS, in 2021, the City authorized Kushlan | Associates to commence an eligibility study and preparation of an eligibility report for an area including properties and roadway generally referred to as the Linder District Study Area, which is an area generally bounded by Ten Mile Road on the west, Interstate 84 on the north, Overland Road on the south and what would be an unimproved section of Linder Road on the east, together with several parcels located north of Interstate 84 and west of Linder Road (the "Study Area"), which legal description of the proposed Study Area is attached hereto as **Exhibit A**;

WHEREAS, the Agency obtained the Linder Urban Renewal District (Proposed) Eligibility Report, dated May 2021 (the "Report"), a copy of which is attached hereto as **Exhibit B**, which examined the Study Area, which area also included real property located within unincorporated Ada County and within the City's Area of City Impact for the purpose of determining whether such area was a deteriorating area and/or a deteriorated area as 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 list the definition of deteriorating area and deteriorated area, many of the conditions necessary to be present in such areas are found in the Study Area, specifically, age or obsolescence; the predominance of defective or inadequate street layout; faulty lot layout in relation to size, adequacy, accessibility, or usefulness; obsolete platting; conditions which result in economic underdevelopment of the area and which substantially impair or arrest the sound growth of the municipality;

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 additional conditions applicable to open land areas, including open land areas to be acquired by the Agency;

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

WHEREAS, under the Law and Act, specifically 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 Report setting forth the Study Area boundary includes parcels subject to such consent;

WHEREAS, Idaho Code Section 50-2018(18) provides that an urban renewal agency cannot exercise jurisdiction over any area outside the city limits without the approval by resolution of the governing body of the other city or county declaring the need for an urban renewal project for the proposed area;

WHEREAS, a portion of the Study Area includes certain real property located in unincorporated Ada County;

WHEREAS, the Agency accepted the Report by way of Resolution No. 21-024 at the May 26, 2021 meeting of the Agency Board, a copy of which Resolution (without exhibits) is attached hereto as **Exhibit C**;

WHEREAS, the Agency authorized transmittal of the Report to the Ada County Board of County Commissioners for purposes of obtaining a resolution determining such area to be deteriorated and/or deteriorating and finding the need for an urban renewal project for the proposed Study Area;

WHEREAS, following transmittal, and based on ongoing discussions, it appears the proposed project area will be smaller than the Study Area set forth in Exhibit A. Specifically, the parcels located north of Interstate 84 and west of Linder Road are included within the Study Area boundary; however, those parcels will not be included in the proposed urban renewal plan or project area boundary. A copy of the proposed project area map noting those eligible parcels that are not intended to be included in any future project area is attached hereto as **Exhibit D**;

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, 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, the proposed Study Area has no impact on the jurisdictional boundaries of Ada County;

WHEREAS, on June 14, 2021, representatives of the City and the Agency presented the Report to the Ada County Commissioners requesting the Commissioners to consider adopting the findings concerning the proposed Linder District Area;

WHEREAS, the Commissioners did not take action at that time, and the Agency was directed to obtain the agricultural operation consents from the property owners located within unincorporated Ada County, which consents for agricultural operations have been obtained from the property owners south of Interstate 84, which consents are attached hereto as **Exhibit E** (without Exhibits B and C). The parcels north of Interstate 84 will not be included within the boundaries of any future project area;



WHEREAS, on September \_\_, 2021, representatives of the City and the Agency presented the Report to the Ada County Commissioners requesting the Commissioners to consider adopting the findings concerning the proposed Linder District Area and limiting the unincorporated County parcels to be included in the proposed Linder District project area.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ADA COUNTY, IDAHO, AS FOLLOWS:**

Section 1. That the above statements are true and correct.

Section 2. That the findings of the Agency made on May 26, 2021, in Resolution No. 21-024 are hereby adopted by the Board of Ada County Commissioners.

Section 3. That there is a need for an urban renewal plan for the Linder District Area; however, the Commissioners specifically limit the unincorporated County parcels to be included in any proposed Linder District project area to those certain parcels south of Interstate 84 as more specifically shown in **Exhibit D**.

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

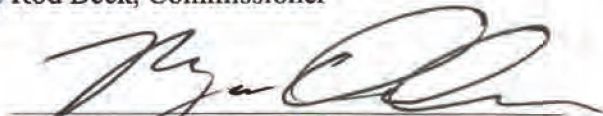
**APPROVED AND ADOPTED** this 30th day of September, 2021.

**Board of Ada County Commissioners**

By:

  
Rod Beck, Commissioner

By:

  
Ryan Davidson, Commissioner

By:

  
Kendra Kenyon, Commissioner

ATTEST:

  
Phil McGrane, Ada County Clerk

by Katie Reed, Assistant Deputy Clerk

RESOLUTION NO. 2676



**Exhibit A**

Legal description of the Proposed Urban Renewal District Boundaries  
(4 pages attached)

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

A description for Urban Renewal District purposes located in the SW 1/4 of Section 13, and in the S 1/2 of Section 14, and in the NW 1/4 of Section 23, all in Township 3 North, Range 1 West, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at an aluminum cap monument marking the southwesterly corner of said NW 1/4 of Section 23, from which an aluminum cap marking the northwesterly corner of said Section 23 bears N 0°56'24" E a distance of 2629.55 feet;

Thence N 0°56'24" E along the westerly boundary of said NW 1/4 of Section 23 a distance of 717.33 feet to the POINT OF BEGINNING;

Thence continuing N 0°56'24" E a distance of 1305.34 feet to a point;

Thence leaving said westerly boundary S 34°10'57" E a distance of 83.43 feet to a point on the westerly boundary of *PARCEL 8* as described in Warranty Deed Inst. No. 110000589;

Thence along the westerly boundary of said *PARCEL 8* the following described courses:

Thence continuing S 34°10'57" E a distance of 110.05 feet to a point;

Thence N 0°31'15" E a distance of 345.95 feet to a point;

Thence N 2°34'10" E a distance of 419.76 feet to a point marking the northwesterly corner of said *PARCEL 8*, said point being on the southerly boundary of said S 1/2 of Section 14;

Thence leaving said westerly boundary N 89°14'58" W along said southerly boundary a distance of 40.72 feet to a point on the easterly right-of-way of S. Ten Mile Road;

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

Thence N 0°30'03" E a distance of 25.00 feet to a point;

Thence N 89°14'58" W a distance of 10.99 feet to a point;

Thence N 0°30'03" E a distance of 312.82 feet to a point;

Thence N 89°29'57" W a distance of 22.30 feet to a point;

Thence N 3°31'49" E a distance of 306.84 feet to a point;

Thence N 12°12'51" E a distance of 97.93 feet to a point;

Thence N 41°11'00" E a distance of 121.02 feet to a point on the southerly right-of-way of Interstate I-84;

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

Thence N 73°28'13" E a distance of 79.08 feet to a point;

Thence N 82°32'26" E a distance of 110.11 feet to a point;

Thence N 79°31'11" E a distance of 326.57 feet to a point;

Thence N 81°59'42" E a distance of 85.13 feet to a point;

Thence S 4°51'25" E a distance of 41.68 feet to a point;

Thence N 81°31'45" E a distance of 285.56 feet to a point;

Thence N 84°21'46" E a distance of 291.43 feet to a point on the easterly boundary of the SW 1/4 of the SW 1/4 of said Section 14;

Thence N 0°32'50" E along said easterly boundary a distance of 38.29 feet to a point;

Thence leaving said easterly boundary N 87°22'04" E a distance of 95.86 feet to a point;

Thence N 89°27'34" E a distance of 1098.46 feet to a point;

Thence S 56°41'50" E a distance of 36.06 feet to a point;

Thence N 89°36'46" E a distance of 160.00 feet to a point;

Thence N 55°55'22" E a distance of 36.06 feet to a point;

Thence N 89°21'36" E a distance of 680.00 feet to a point;

Thence S 88°05'48" E a distance of 100.08 feet to a point;

Thence N 89°52'45" E a distance of 463.52 feet to a point on the easterly boundary of the SW 1/4 of the SE 1/4 of said Section 14;



Thence N 0°34'12" E along said easterly boundary a distance of 10.81 feet to a point;

Thence leaving said easterly boundary S 89°34'09" E a distance of 684.00 feet to a point;

Thence N 87°34'06" E a distance of 231.72 feet to a point on an extension of the westerly boundary of Lots 23 and 24 of Block 4 of *PRIMROSE SUBDIVISION* as found in Book 25 of plats at Page 1576 in the office of the Recorder, Ada County, Idaho;

Thence leaving said southerly right-of-way N 0°32'47" E along said extended boundary a distance of 221.77 feet to a point marking the southwesterly corner of said Lot 24;

Thence continuing N 0°32'47" E along the westerly boundaries of said Lots 23 and 24 a distance of 232.38 feet to a point marking the northwesterly corner of said Lot 23;

Thence S 89°12'43" E along the northerly boundary of said Lot 23 a distance of 195.00 feet to a point marking the southwesterly corner of the E 1/2 of Lots 21 and 22 of Block 4 of said *PRIMROSE SUBDIVISION*;

Thence leaving said northerly boundary N 0°32'47" E along the westerly boundary of said E 1/2 a distance of 214.00 feet to a point marking the northwesterly corner of said E 1/2;

Thence continuing N 0°32'47" E on an extension of the westerly boundary of said E 1/2 a distance of 25.00 feet to a point on the centerline of W. Verbena Drive;

Thence S 89°12'43" E along said centerline a distance of 220.00 feet to a point of intersection of said centerline and the easterly boundary of said S 1/2 of Section 14;

Thence continuing S 89°12'43" E on an extension of said centerline a distance of 65.49 feet to a point on the westerly boundary of Lot 1 of Block 4 of *MARLIN SUBDIVISION NO. 1* as found in Book 85 of plats at Page 9500 in said office of the Recorder;

Thence leaving said extended centerline S 3°40'04" E along said westerly boundary a distance of 469.64 feet to a point marking the southwesterly corner of said Lot 1;

Thence leaving said Lot 1 boundary S 0°32'08" W a distance of 213.29 feet to a point marking the northwesterly corner of *PARCEL A* as shown on Record of Survey No. 8165, Inst. No. 107167073;

Thence along the westerly boundary of said *PARCEL A* the following described courses:

Thence S 4°48'23" W a distance of 700.57 feet to a point;

Thence S 0°32'47" W a distance of 327.82 feet to a point;

Thence leaving said westerly boundary and continuing S 0°32'47" W on an extension of said westerly boundary a distance of 88.00 feet to a point on the southerly boundary of said SW 1/4 of Section 13;

Thence leaving said extended boundary N 89°07'36" W along said southerly boundary a distance of 48.00 feet to the southeasterly corner of said Section 14;

Thence N 89°19'40" W along the southerly boundary of said S 1/2 of Section 14 a distance of 2661.71 feet to the southeasterly corner of the SW 1/4 of said Section 14;

Thence N 89°14'58" W along the southerly boundary of said SW 1/4 of said Section 14 a distance of 179.31 feet to a point marking the intersection of said southerly boundary and the centerline of W. Overland Road;

Thence leaving said southerly boundary and along said centerline the following described courses:

Thence a distance of 1406.96 feet along the arc of a 1000.00 foot radius curve left, said curve having a central angle of 80°36'46" and a long chord bearing S 50°26'39" W a distance of 1293.75 feet to a point;

Thence S 10°08'16" W a distance of 241.51 feet to a point;

Thence a distance of 1406.65 feet along the arc of a 1000.00 foot radius curve right, said curve having a central angle of 80°35'42" and a long chord bearing S 50°26'07" W a distance of 1293.51 feet to a point;

Thence N 89°16'02" W a distance of 466.87 feet to the POINT OF BEGINNING.

This parcel contains approximately 195.4 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  
April 27, 2021



**Exhibit B**

The Linder Urban Renewal District (Proposed) Eligibility Report, dated May 2021  
(19 pages attached)





Linder  
Urban Renewal District  
(Proposed)

Eligibility Report

Prepared for

The City of Meridian  
and  
The Meridian Development Corporation  
May 2021



Kushlan | Associates  
Boise, Idaho

**Introduction:** Kushlan | Associates was retained by the Urban Renewal Agency of the City of Meridian, Idaho, also known as the Meridian Development Corporation (the “MDC”) and the City of Meridian (the “City”) to assist in their consideration of establishing a new urban renewal district<sup>1</sup> in the City of Meridian, Idaho, and its area of operation.

Elected Officials serving the City of Meridian are:

Mayor:	Robert Simison
Council President:	Treg Bernt
Council Vice President:	Brad Hoaglund
Council Members:	Joe Borton
	Luke Cavener
	Liz Strader
	Jessica Perreault

City Staff

Community Development Director:	Cameron Arial
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Idaho Code § 50-2006 states: “URBAN RENEWAL AGENCY. (a) There is hereby created in each municipality an independent public body corporate and politic to be known as the “urban renewal agency” that was created by resolution as provided in section 50-2005, Idaho Code, before July 1, 2011, for the municipality...” to carry out the powers enumerated in the statutes. The Meridian City Council adopted Resolution 01-397 on July 24, 2001 bringing forth those powers within the City of Meridian.

The Mayor, with the confirmation of the City Council, has appointed nine members to the MDC Board of Commissioners (the “MDC Board”). The MDC Board currently oversees the implementation of three urban renewal districts. Two are focused on the revitalization of downtown Meridian. The first, the Meridian Revitalization Plan Urban Renewal Project (the “Downtown District”) was established by the City Council’s adoption of Ordinance No. 02-987 on December 3, 2002. The second district, the Urban Renewal Plan for the Union District Urban Renewal Project (the “Union District”) was established with the adoption of Ordinance No. 20-1882 on June 9, 2020. Both the Downtown District and the Union District are focused on redevelopment activities in and around the City’s downtown core. The third district, the Urban Renewal Plan for the Ten Mile Road- A Urban Renewal Project (the “Ten Mile District”) was established by Ordinance No. 16-1695 adopted on June 21, 2016, and is focused on economic development outside of the City’s core to support implementation of the Ten Mile Interchange Specific Area Plan.

The current membership of the Commission is as follows:

Chair:	David Winder
Vice Chairman	Nathan Mueller
Secretary/ Treasurer	Steve Vlassek
Commissioners	Dan Basalone
	Rob McCarvel
	Treg Bernt
	Tammy deWeerd
	Diane Bevan
	Kit Fitzgerald

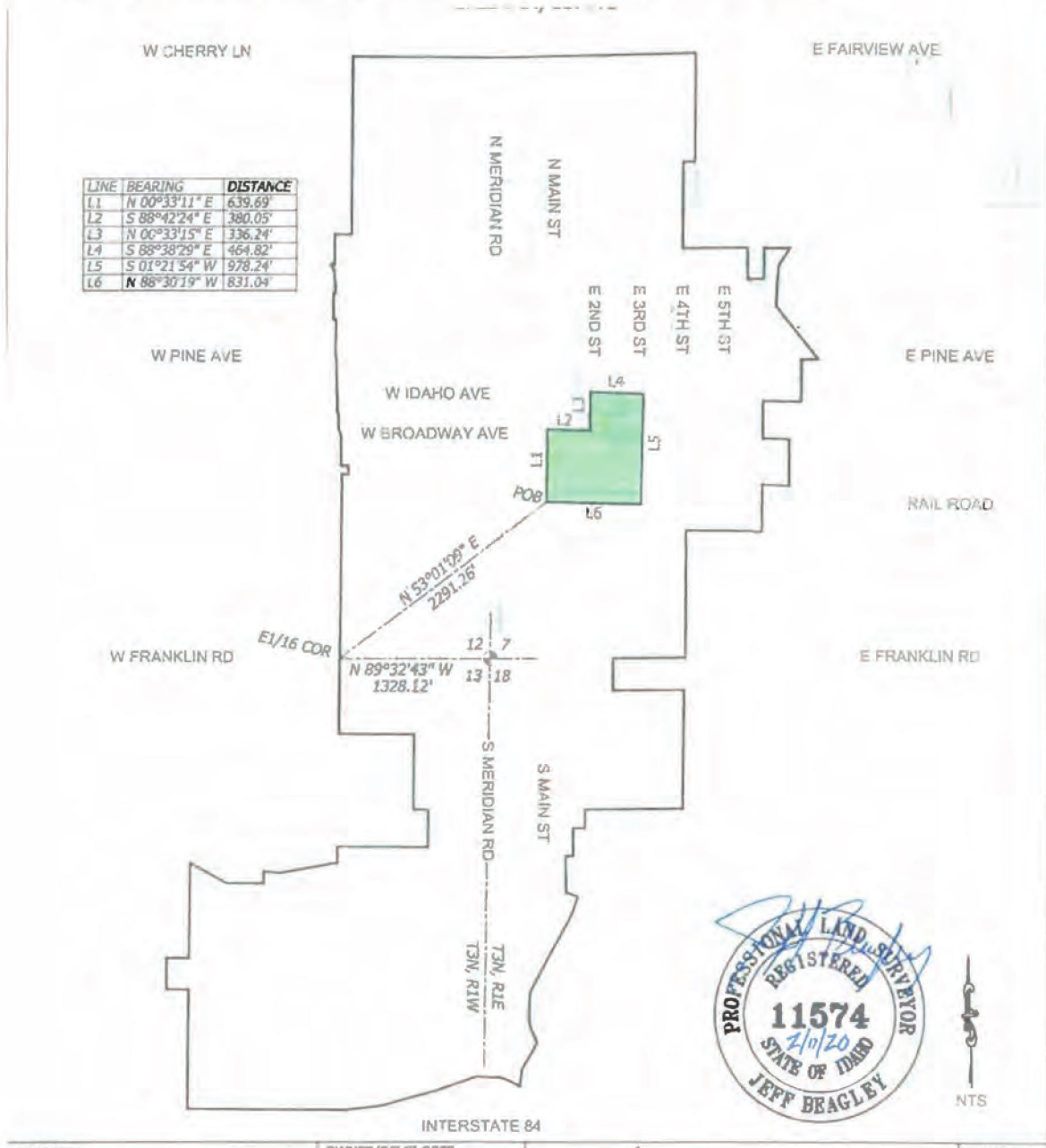
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<sup>1</sup> Throughout this Study, urban renewal/revenue allocation area will be referred to as an “urban renewal district.”

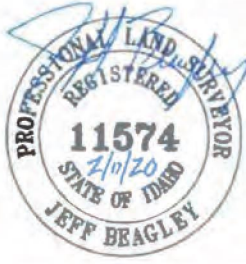
Staff:  
 Urban Renewal Administrator:  
 Legal Counsel:

Ashley Squyres  
 Todd Lakey

**Map of the Downtown District (excluding shaded area)**



LINE	BEARING	DISTANCE
L1	N 00°33'11\" E	639.69'
L2	S 88°42'24\" E	380.05'
L3	N 00°33'15\" E	336.24'
L4	S 88°38'29\" E	464.82'
L5	S 01°21'54\" W	978.24'
L6	N 88°30'19\" W	831.04'



NTS

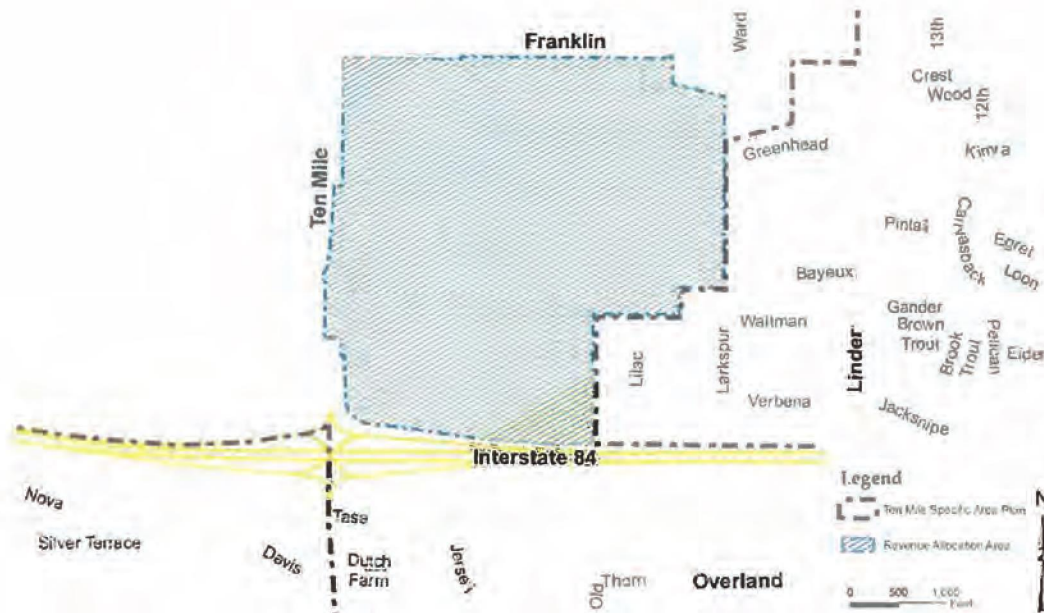


# Map of Union District



<p>PROJECT: UNION DISTRICT ANNEXATION EXHIBIT SEC. 7, T3N, R1E, B.M. ADA COUNTY, IDAHO</p>	<p>OWNER/DEVELOPER: BILL TRUAX MERIDIAN ID 208 914-8131</p> <p>DATE: 2/2020</p>	<p>2030 S. WASHINGTON AVE. EMMETT, ID 83617 P: (208) 398-8104 F: (208) 398-8105</p> <p><b>SAWTOOTH</b> Land Services LLC WWW.SAWTOOTHLS.COM</p>	<p>DWG # 120018-E-X PROJECT # 120018 SHEET 1 OF 1</p>
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## Map of Ten Mile Road District



## Background:

While Native Americans inhabited the area for centuries, the development of the community of Meridian, as we know it today, evolved through the late nineteenth century. European settlement started in the 1880s and was originally located on a farm owned by the Onweiler family. A school was opened in 1885. The U.S. Postal Service established a mail drop along the Oregon Short Line Railroad and the site was named Hunter after its superintendent. Community activity grew around this mail stop focused on the railroad. In 1893 an Odd Fellows lodge was organized and called itself Meridian, acknowledging that it was located on the Boise Meridian the primary North-South survey benchmark for Idaho. That name grew in primary use as the name of the settlement and the Village of Meridian was incorporated in 1903 with a population of approximately 200.

The economy had traditionally been focused on the support of the surrounding agricultural activities. A major creamery was established in the community in 1897 to support the nearby dairies. Fruit orchards were located throughout the area.

Meridian was a significant stop on the Interurban electric railway from 1908 to 1928. This service provided convenient access for passengers and freight in both easterly and westerly directions.

Throughout most of the 20<sup>th</sup> century, Meridian remained a relatively quiet community focused on its agricultural roots. US Census Bureau data, reflects a 1910 population of 619 people growing to 2,616 by 1970. However, starting in 1970 the pace of growth in Southwest Idaho quickened and Meridian's growth initially reflected, and then exceeded



the regional rates by significant margins. Over the past twenty-five years the rate of growth has been startling by any reasonable standard. The following table reflects that population growth over the city's history.

1903 (Incorporation Estimate)	200
1910	619
1920	1,013
1930	1,004
1940	1,465
1950	1,500
1960	2,100
1970	2,600
1980	6,658
1990	9,596
2000	34,919
2010	75,092
2020	114,200
2021 (Estimate)	129,555

When income statistics are compared to statewide numbers, the population of Meridian compares favorably with the rest of Idaho in these categories. The median household income in Meridian is \$71,389, approximately 28% above the statewide figure of \$55,785. Per capita money income for the Meridian population is \$33,328 as compared to the statewide number of \$27,970. The percentage of the Meridian population below poverty level is 8.6% as compared to the statewide number of 11.2%.

**Investment Capacity:** Cities across the nation actively participate in the economic vitality of their communities through investment in infrastructure. Water and sewer facilities as well as transportation, communication, electrical distribution and other systems are all integral elements of an economically viable community. Idaho cities have a significant challenge in responding to these demands along with the on-going need to reinvest in their general physical plant to ensure it does not deteriorate to the point of system failure. They face stringent statutory and constitutional limitations on revenue generation and debt as well as near total dependence upon state legislative action to provide funding options. These strictures severely constrain capital investment strategies.

The tools made available to cities in Title 50, Chapters 20 and 29, the Urban Renewal Law and the Local Economic Development Act are some of the few that are available to assist communities in their efforts to support economic vitality. New sources of State support are unlikely to become available in the foreseeable future, thus the City of Meridian's interest in exploring the potential for establishing their fourth urban renewal district is an appropriate public policy consideration.

The City of Meridian initially established its Urban Renewal Agency in 2001. As noted above, the Downtown District's exclusive focus, limited by the boundaries of the district, is on the traditional downtown area of Meridian. The Ten Mile District was created in 2016 and was designed to support the implementation of the Ten Mile Interchange Specific Area Plan. A third urban renewal district was created in 2020 from an area de-



annexed from the original Downtown District to support a significant mixed use-project. The Linder Road urban renewal district is being considered in further support of the implementation of Ten Mile Interchange Specific Area Plan.

## **Ten Mile Interchange Specific Area Plan**

The Idaho Transportation Department initiated planning for the development of a new interchange with Interstate 84 at Ten Mile Road in the 1990s. Construction of the interchange was completed in 2012. In support of the State's investment and in anticipation of the resultant development pressure from the opening of the new interchange on the area immediately west of the Meridian City limits, the City initiated a broad-based planning effort for the general area. The Plan that was produced was the Ten Mile Interchange Specific Area Plan and was adopted by the City Council on June 19, 2007. The Plan remains in effect and is intended to guide development decisions within the study area. A map of the Ten Mile Interchange Specific Area Plan is provided below:



As indicated in the Plan map, substantial public infrastructure is called for in implementing the development pattern envisioned. Development opportunities considered for the area covered by the Plan were insufficient in scale to support the required public facility investment. This imbalance had thwarted the orderly implementation of the planning undertaken by the City and the property owners. This lack of progress stimulated the interest in exercising the powers granted under State Law in the establishment of the Ten Mile District in 2016. A similar situation exists in that portion of the Specific Plan area located south of I-84, generating the desire on the part of City officials in considering a new urban renewal district to stimulate the envisioned development activity similar to the successful response north of the freeway

### **Steps in Consideration of an Urban Renewal District:**

The first step in consideration of establishing an urban renewal district in Idaho is to define a potential area for analysis as to whether conditions exist within it to qualify for redevelopment activities under the statute. We have called this the "Study Area."

The next step in the process is to review the conditions within the Study Area to determine whether the area is eligible for creating a district. The State Law governing urban renewal



sets out the following criteria, at least one of which must be found, for an area to be considered eligible for urban renewal activities:

1. The Presence of a Substantial Number of Deteriorated or Deteriorating Structures and Deterioration of Site or Other Improvements [50-2018(9) and 50-2903(8)(b); 50-2903(8)(c)]
2. Age or Obsolescence [50-2018(8) and 50-2903(8)(a)]
3. Predominance of Defective or Inadequate Street Layout [50-2018(9) and 50-2903(8)(b)]
4. Faulty Lot Layout in Relation to Size, Adequacy, Accessibility, or Usefulness; Obsolete Platting [50-2018(9) and 50-2903(8)(b); 50-2903(8)(c)]
5. Insanitary or Unsafe Conditions [50-2018(9) and 50-2903(8)(b)]
6. Diversity of Ownership [50-2018(9) and 50-2903(8)(b); 50-2903(8)(c)]
7. Tax or Special Assessment Delinquency [50-2018(9) and 50-2903(8)(b)]
8. Defective or Unusual Conditions of Title [50-2018(9) and 50-2903(8)(b)]
9. Results in Economic Underdevelopment of the Area [50-2903(8)(b); 50-2903(8)(c)]
10. Substantially Impairs or Arrests the Sound Growth of a Municipality [50-2018(9) and 50-2903(8)(b); 50-2903(8)(c)]

If the Eligibility Report finds that one or more of the conditions noted above exists within the Study Area, then the Agency may accept the findings and forward the Eligibility Report to the City Council for their consideration. If the City Council concurs with the determination of the Agency, they may direct that an Urban Renewal Plan be developed for the area that addresses the issues raised in the Eligibility Report.

The Agency then acts to prepare the Urban Renewal Plan for the new District establishing a Revenue Allocation Area to fund improvements called for in the Plan. Once the Plan for the District and Revenue Allocation Area are completed, the Agency Board forwards it to the City Council for their consideration.

The City Council must refer the Urban Renewal Plan to the Planning and Zoning Commission to determine whether the Plan, as presented, is consistent with the City's Comprehensive Plan and make a corresponding finding. At the same time, other taxing entities levying property taxes within the boundaries of the proposed Urban Renewal District are provided a thirty-day opportunity to comment on the Plan to the City Council. While the taxing entities are invited to comment on the Plan, their concurrence is not required for the City Council to proceed with formal consideration.

Based on legislative changes to Idaho Code § 50-2908(2)(a), effective July 1, 2020, the Ada County Highway District (ACHD) is allocated all of the taxes levied by ACHD within

a revenue allocation area first formed or expanded to include property on or after July 1, 2020 (including taxes levied on the base and increment values), which would apply to this proposed district, if formed. However, ACHD and MDC may enter into an agreement for a different allocation, which agreement shall be submitted to the State Tax Commission and to the Ada County Clerk by ACHD as soon as practicable after the parties have entered in the agreement and by no later than September 1 of the year in which the agreement takes effect. In the case of the Linder Study Area, the affected taxing districts for those properties located within the city limits of Meridian are:

- The City of Meridian
- The West Ada School District (School District No. 2)
- Ada County
- Emergency Medical District/Ada County Ambulance
- Mosquito Abatement District
- The Ada County Highway District
- Meridian Library District
- Meridian Cemetery District
- Western Ada Recreation District
- College of Western Idaho

For those properties located in unincorporated Ada County, the affected taxing districts are:

- The West Ada School District (Joint School District No. 2)
- Ada County
- Emergency Medical District/Ada County Ambulance
- Mosquito Abatement District
- The Ada County Highway District
- Meridian Library District
- Meridian Cemetery District
- Western Ada Recreation District
- College of Western Idaho
- Meridian Fire District
- Pest Extermination District

Once the Planning and Zoning Commission makes their finding of conformity and the thirty-day comment period has passed, the City Council is permitted to hold a public hearing and formally consider the adoption of the Plan creating the new Urban Renewal District and Revenue Allocation Area.

The City Council must also find that the taxable value of the district to be created plus the Base Assessed Value of any existing Urban Renewal / Revenue Allocation Area does not exceed the statutory maximum of 10% of the citywide assessed valuation.

If the City Council, in their discretion chooses to proceed, they will officially adopt the Urban Renewal Plan and Revenue Allocation Area and provide official notification of that action to the affected taxing districts, County Assessor and Idaho State Tax Commission.

The Agency then proceeds to implement the Plan.



## Description of the Linder Study Area:

The Study Area subject to the current review is generally located on the east side of Ten Mile Road, primarily south of the Interstate 84 right-of-way, north of Overland Road and west of what would be an unimproved section of Linder Road. All properties included are within the boundaries of the Ten Mile Interchange Specific Area Plan. The Study Area consists of twenty (20) tax parcels ranging in size from 0.34 acres to 28.67 acres. The eastern portion of the Study Area north and south of I-84 lies outside the corporate limits of the City of Meridian, within unincorporated Ada County, but within the City's Area of City Impact. Unless the unincorporated parcels are annexed into the City prior to the creation of the urban renewal district, an intergovernmental agreement between the City and Ada County will be required to allow the creation of the District to proceed to include area outside the City.

The size and value information presented in Table 1 was derived from the Ada County Assessor's on-line parcel information system. The current taxable value of the portion of the Study Area located in unincorporated Ada County, represents exceptionally low assessed values as compared to the more developed area in the westerly portion of the Study Area located within the corporate limits of the City of Meridian. Land values in the more developed, commercially zoned areas range from \$4.00 to \$6.00 per square foot. The agricultural lands reflect a current assessed value of \$.02 per square foot consistent with assessed values assigned to agricultural properties north of I-84.

## Linder Urban Renewal District Study Area

Potential Future URD: Overland – Ten Mile to Linder





**Table 1**

Parcel #	Ownership	Acreage	Land Value	Improvement Value	2020 Taxable Value
S1223233820	Cabra Creek LLC	4.07	\$708,600	\$0	\$708,600
S1223223255	Cabra Creek LLC	9.05	\$737,400	\$0	\$737,400
S1223233670	Cabra Creek LLC	11.28	\$918,800	\$0	\$918,800
S1223223010	Cabra Creel LLC	28.67	\$1,773,500	\$0	\$1,773,500
S1223212620	Cabra Creek LLC	2.69	\$241,800	\$0	\$241,800
S1214336375	Cabra Creek LLC	6.56	\$1,143,400	\$0	\$1,143,400
S1214336415	Cabra Creek LLC	5.88	\$1,025,200	\$0	\$1,025,200
S1214336100	Cabra Creek LLC	4.9	\$1,280,900	\$0	\$1,280,900
S1214336350	Cabra Creek LLC	6.13	\$1,601,600	\$0	\$160,1600
S1214336450	Cabra Creek LLC	0.34	\$59,900	\$0	\$59,900
S1214346705	Lee, Soo	26.22	\$18,100	\$0	\$18,100
S1214346905	5b1031 LLC	4.78	\$296,100	\$0	\$296,100
S1214346905	Adler, AB LLC	4.96	\$4,200	\$333,600	\$337,800
S121438600	Adler, AB LLC	25.27	\$25,500	\$0	\$25,500
S1214438705	Michael Seabolt	0.93	\$175,100	\$146,100	\$321,200
S1214449021	P. Bloomberg Tr.	9.74	\$8,900	\$265,000	\$273,900
S1214449107	Idaho Auto Mall	19.33	\$17,500	\$227,000	\$244,500
R7192800710	Hk&M LLC	1.12	\$163,000	\$149,500	\$312,500
R7192800700	Bird, Michael	0.96	\$155,700	\$154,300	\$210,000 *
R7192800676	Towns, Larry	0.96	\$175,100	\$172,700	\$247,800*
<b>Total Linder Study Area</b>		<b>173.84</b>	<b>\$10,530,300</b>	<b>\$1,448,200</b>	<b>\$11,978,500</b>

- Note: These acreages are exclusive of adjacent public rights-of-way for Ten Mile Road, West Overland Road, Linder Road, South Jersey Way, West Dutch Farm Road, and Tasa Road that should be included in the ultimate boundaries of any district established. Publicly owned properties are assigned no value in Idaho assessments, so including them makes no difference to the value calculation but will slightly increase the ultimate acreage.
- Parcels designated by an \* are owner-occupied residential properties and thus the taxable value is reduced by \$100,000<sup>2</sup> in each base reflecting the Homeowner Property Tax Exemption. There are two such properties located north of I-84.

### **Description of the Linder Study Area:**

As noted in the table above, the Linder Study Area consists of twenty (20) tax parcels. Nearly eighty (80) acres are under a single ownership located at the westerly end of the Study Area. This area, representing approximately 45.8% of the acreage in the Study Area, is currently zoned for Medium Density Residential and Commercial uses. Full urban services are in place to support development consistent with the City's plan for the area.

<sup>2</sup> Based on the adoption of H389, the Homeowner Property Tax Exemption will increase to a maximum of \$125,000. This is anticipated to further reduce the base. As the 2021 tax assessments are not yet available, the 2020 data has been used. The 10% analysis will ultimately be revisited in any further urban renewal plan.



While some transportation and site infrastructure is in place at the western end of the Study Area, water and sewer service is not yet available to serve these parcels.

The balance of the Study Area located south of I-84 is undeveloped. The largest parcel located in the easterly portion of the Study Area is 26.22 acres. A similarly sized parcel (25.27) is located nearby. These two parcels remain primarily in agricultural use. The undeveloped portion of the Study Area consists of approximately 91 acres and is located in unincorporated Ada County. These parcels carry an Ada County zoning designation of Rural Urban Transition (RUT) recognizing potential for changing into more active urban uses similar to adjacent properties. Additionally, these parcels are included in the Ten Mile Interchange Specific Area Plan which has been adopted by the City as an element of their Comprehensive Plan. The undeveloped portion of the Study Area consists of seven (7) parcels ranging in size from 0.93 acres up to the larger parcels noted above. The easterly portion of the Study Area also contains four (4) parcels on which single-family residences are located. One residence was constructed in 1913 with the others built in the last 30 years. None of the residences reflect a Homeowner Property Tax exemption suggesting that they are not owner-occupied and do not reflect uses consistent with City planning documents. A derelict section of West Overland Road remains on the property even though a new high-capacity section has replaced it. The old section had served an historic farm located on the site, but all buildings associated with that use have been razed. It has been renamed West Dutch Farm Road and provides legal access to the adjacent parcel but is not improved to current urban standards. An unimproved right-of-way for Linder Road is located on the east edge of the Study Area and is currently used by the adjacent business for the storage of recreational vehicle inventory. That right-of-way should be included within the ultimate boundaries of any district created as a result of this review. The recently constructed improvement to West Overland Road abuts the southerly edge of the Study Area. Other than this street, no public infrastructure is in place to support development of the majority (53.4%) of the Study Area.

The Ridenbaugh canal bifurcates the extreme southwesterly portion of the Study Area from the balance of the included parcels. The canal extends across the site in an east-west direction at the top of a bench separating the upland portion from the majority of the Study Area.

The land within the Study Area, south of I-84 is owned by seven (7) different entities. The western 80 acres are owned by a single entity, Cabra Creek LLC. Six (6) entities own the remaining parcels with just two owners controlling 62% of the 91 acres in the easterly portion of the Study Area.

Three parcels are located along Linder Road north of I-84. All three of these are residential properties on large lots in unincorporated Ada County with Ada County R-1 zoning. Each property has an existing residential structure, two built in the early twentieth century, but updated in recent years, and one constructed in 1978. The uses currently in place on these parcels is not anticipated to change under the Ten Mile Interchange Specific Area Plan.



*Images reflecting conditions in the westerly portion of the Study Area*



*Images reflecting conditions in the easterly portion of the Study Area*



## **Analysis of the Study Area:**

A review of the Study Area reflects a pattern of delayed investment or an area in transition. This is particularly notable given the area's proximity to substantial public investment in the Ten Mile interchange and street improvements to both Ten Mile Road and West Overland Road. The majority of the parcels do not have City utilities and no individual owner or developer has been willing to assume the significant cost to extend those services.

The Ten Mile Interchange Specific Area Plan provides a clearly articulated vision for a high-density mixed-use development pattern in this area that would capitalize on the access and utility investments already made by public entities. To date, however, while some planning has been done consistent with the Plan, and limited transportation and site infrastructure has been installed in the west portion of the Study Area, little progress has been made to implement the vision. The Plan calls for substantial investment in public infrastructure throughout the entire Study Area but the market to date has proven incapable of supporting that level of capital cost. It appears as though meaningful progress may depend upon some level of public intervention to support the desired private investment in the balance of the Planning Area to bring the Plan to reality.

For the convenience of the reader, the statutory criteria are reiterated, at least one of which must be found to qualify an area for urban renewal activities. Those conditions are:

1. The Presence of a Substantial Number of Deteriorated or Deteriorating Structures and Deterioration of Site or Other Improvements [50-2018(9) and 50-2903(8)(b); 50-2903(8)(c)]
2. Age or Obsolescence [50-2018(8) and 50-2903(8)(a)]
3. Predominance of Defective or Inadequate Street Layout [50-2018(9) and 50-2903(8)(b)]



4. Faulty Lot Layout in Relation to Size, Adequacy, Accessibility, or Usefulness; Obsolete Platting [50-2018(9) and 50-2903(8)(b); 50-2903(8)(c)]
5. Insanitary or Unsafe Conditions [50-2018(9) and 50-2903(8)(b)]
6. Diversity of Ownership [50-2018(9) and 50-2903(8)(b); 50-2903(8)(c)]
7. Tax or Special Assessment Delinquency [50-2018(9) and 50-2903(8)(b)]
8. Defective or Unusual Conditions of Title [50-2018(9) and 50-2903(8)(b)]
9. Results in Economic Underdevelopment of the Area [50-2903(8)(b); 50-2903(8)(c)]
10. Substantially Impairs or Arrests the Sound Growth of a Municipality [50-2018(9) and 50-2903(8)(b); 50-2903(8)(c)]

**Analysis: Linder Study Area**

*Criterion #1: The Presence of a Substantial Number of Deteriorated or Deteriorating Structures; and Deterioration of Site:* The historic farmstead previously located in the Study Area has been removed. Of the four remaining structures located south of I-84, one is over one hundred years old but the other three are relatively modern residences constructed in the last 30 years. Two of the structures located north of I-84 were constructed approximately 100 years ago and have been updated within the recent past. The other residence north of I-84 was constructed in 1978 and appears serviceable for its current and intended use. Since the majority of the structures previously located on the properties have been removed, there is no “substantial number of deteriorated or deteriorating structures” remaining within the Study Area. Therefore, criterion #1 is not met.

*Criterion #2: Age or Obsolescence:* Again, as noted above, the structures that remain south of I-84, were built to serve the historic agricultural use. While the remaining structures are not old, they are not of a nature to support the high-density mixed-use envisioned in the Plan. Therefore, the remaining structures located south of I-84 are obsolete in this context and as such, criterion #2 is met.

*Criterion #3: Predominance of Defective or Inadequate Street Layout:* As noted above, it is recommended to include the Ten Mile Road and West Overland Road rights-of-way within the boundaries of the proposed district. As such, the improvements made to these facilities in recent years appear adequate to serve the anticipated development. However, there are no streets in place to serve the internal development of the relatively large parcels in the eastern portion of the Study Area which represents a majority of the land under consideration. Linder Road between West Overland Road and I-84 is unimproved and not accessible to the travelling public. Implementation of the Specific Area Plan requires circulation throughout the planning area and since no streets currently exist to serve the anticipated interior development to the east, criterion #3 is met.

*Criterion #4: Faulty Lot Layout in Relation to Size, Adequacy, Accessibility or Usefulness; Obsolete Platting:* The parcels in the Study Area are of a size and



configuration appropriate for the historic agricultural use for which they have been deployed for several decades. However, as the City and region have developed around these properties, the large lots in the easterly portion of the Study Area are not properly configured to accommodate the development pattern envisioned in the Specific Area Plan. A more fine-grained and high-density development pattern is represented in the adopted Plan. Therefore criterion #4 is met.

*Criterion #5: Insanitary or Unsafe Conditions:* Again, given the current agricultural use and general lack of development “insanitary and unsafe conditions” are not present. Therefore, criterion #5 is not met.

*Criterion #6: Diversity of Ownership:* The ownership of the 173.84 acres in the Study Area is in the hands of ten (10) entities. The westerly 80 acres (45.8% of the entire area) is under a single ownership. The easterly portion (94 acres) is held by eight (8) entities, however 61% of that area is held by two entities. Thus, the vast majority of the Study Area is controlled by only three entities. Therefore criterion #6 is not met.

*Criterion #7: Tax or Special Assessment Delinquency:* According to Ada County Assessor records, no delinquencies exist. Therefore, criterion #7 is not met.

*Criterion #8: Defective or unusual condition of title:* No defective or unusual conditions of title are reflected in Ada County records. Therefore, criterion #8 is not met.

*Criterion #9: Results in Economic Underdevelopment of the Area:* While the Ten Mile Interchange and the Ten Mile Road and West Overland Road improvements provide good access to the area for the broader regional community, the internal circulation system is non-existent in the majority of the Study Area at this point in time. Additionally, enhanced north-south access across I-84 will better connect the planned activities within the Study Area with the rest of Meridian. The Specific Area Plan calls-out specific locations for access points into the Study Area so as to coordinate access into adjacent properties and thus allowing future signalization enhancing traffic safety in the area. While curb returns have been installed at specific locations, no means of providing streets connecting to these access points is currently in place so criterion #9 is met.

*Criterion #10: Substantially Impairs or Arrests the Sound Growth of a Municipality:* The State of Idaho, the City of Meridian and the Ada County Highway District have made substantial investment in the transportation and utility facilities serving this and the surrounding areas. The City of Meridian has expressed its vision for this area in the creation and adoption of the Ten Mile Interchange Specific Area Plan, but without the capacity to provide full public infrastructure, the Study Area will remain an under-utilized area in the midst of the fastest growing area in the State of Idaho. Criterion #10 is met.

**Findings: Linder Study Area:** Conditions exist within the Study Area to allow the Board of Commissioners of the Meridian Development Corporation and the Meridian City Council to determine that the area is eligible for urban renewal activities as prescribed in State Law.



**Summary of Findings**

	<b>Criteria</b>	<b>Met</b>	<b>Not Met</b>
1	The Presence of a Substantial Number of Deteriorated or Deteriorating Structures; and Deterioration of Site		X
2	Age or Obsolescence	X	
3	Predominance of Defective or Inadequate Street Layout	X	
4	Faulty Lot Layout in Relation to Size, Adequacy, Accessibility or Usefulness; Obsolete Platting	X	
5	Insanitary or Unsafe Conditions		X
6	Diversity of Ownership		X
7	Tax or Special Assessment Delinquency		X
8	Defective or unusual condition of title		X
9	Results in Economic Underdevelopment of the Area	X	
10	Substantially Impairs or Arrests the Sound Growth of a Municipality	X	

**Analysis: Open Land Conditions:** In addition to the eligibility conditions identified above, the geographic area under review is also required to satisfy the “open land” conditions. Idaho Code Section 50-2903(8)(c) states: “[a]ny area which is predominately open and which because of obsolete platting, diversity of ownership, deterioration of structures or improvements, or otherwise, results in economic underdevelopment of the area or substantially impairs or arrests the sound growth of a municipality. The provisions of section 50-2008(d), Idaho Code, shall apply to open areas.”

The eligibility criteria set forth in Idaho Code Section 50-2903(8)(c) for predominantly open land areas mirror or are the same as those criteria set forth in Idaho Code Sections 50-2018(9) and 50-2903(8)(b). “Diversity of ownership” is the same, while “obsolete platting” appears to be equivalent to “faulty lot layout in relation to size, adequacy, accessibility, or usefulness.” “Deterioration of structures or improvements” is the same or similar to “a substantial number of deteriorated or deteriorating structures” and “deterioration of site or other improvements.” There is also an additional qualification that the provisions of Idaho Code Section 50-2008(d) shall apply to open areas.

Idaho Code Section 50-2008 primarily addresses the urban renewal plan approval process and Idaho Code Section 50-2008(d)(4) sets forth certain conditions and findings for agency acquisition of open land as follows:

the urban renewal plan will afford maximum opportunity, consistent with the sound needs of the municipality as a whole, for the rehabilitation or redevelopment of the urban renewal area by private enterprise: Provided, that if the urban renewal area consists of an area of open land to be acquired by the urban renewal agency, such area shall not be so acquired unless (1) if it is to be developed for residential uses, the local governing body shall



determine that a shortage of housing of sound standards and design which is decent, safe and sanitary exists in the municipality; that the need for housing accommodations has been or will be increased as a result of the clearance of slums in other areas; that the conditions of blight in the area and the shortage of decent, safe and sanitary housing cause or contribute to an increase in and spread of disease and crime and constitute a menace to the public health, safety, morals, or welfare; and that the acquisition of the area for residential uses is an integral part of and essential to the program of the municipality, or (2) if it is to be developed for nonresidential uses, the local governing body shall determine that such nonresidential uses are necessary and appropriate to facilitate the proper growth and development of the community in accordance with sound planning standards and local community objectives, which acquisition may require the exercise of governmental action, as provided in this act, because of defective or unusual conditions of title, diversity of ownership, tax delinquency, improper subdivisions, outmoded street patterns, deterioration of site, economic disuse, unsuitable topography or faulty lot layouts, the need for the correlation of the area with other areas of a municipality by streets and modern traffic requirements, or any combination of such factors or other conditions which retard development of the area.

In sum, there is one set of findings if the area of open land is to be acquired and developed for residential uses and a separate set of findings if the land is to be acquired and developed for nonresidential uses.

Basically, open land areas may be acquired by an urban renewal agency and developed for nonresidential uses if such acquisition is necessary to solve various problems, associated with the land or the infrastructure, that have delayed the area's development. These problems include defective or usual conditions of title, diversity of ownership, tax delinquency, improper subdivisions, outmoded street patterns, deterioration of site, and faulty lot layout. All of the stated conditions are included in one form or another in the definition of a deteriorated area and/or a deteriorating area set forth in Idaho Code Sections 50-2903(8)(b) and 50-2018(9). The conditions listed only in 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."

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

Based on the above analysis, to the extent the Study Area is "predominantly open land," which is not a defined term, obsolete platting/faulty lot layout and economic underdevelopment are conditions found in the Study Area, and therefore, the open land condition is satisfied.

## **Other Relevant Issues:**

### **Agricultural Landowners Concurrence:**

The statutory provisions concerning the creation of an urban renewal district prohibit inclusion of any land used for an agricultural operation without the express written consent of the property owner. An agricultural operation is broadly defined in Idaho Code § 22-4502(2) and means “an activity or condition that occurs in connection with the production of agricultural products for food, fiber, fuel and other lawful uses...” One method of determining whether there exists an agricultural operation on a parcel is the presence of an agricultural property tax exemption<sup>3</sup>. As of the date of this Eligibility Study, several parcels, particularly located in the eastern portion of the Study Area, maintain assessed values consistent with other agricultural lands and appear, from a visual inspection, to be active agricultural operations. As a result, property owner consent is required prior to final consideration of the proposed district’s creation.

## **CONCLUSION:**

Based upon the data and the conditions that exist within the Study Area as noted above, the Meridian Development Corporation Board and Meridian City Council may determine that the Linder Study Area is eligible for the establishment of an urban renewal district.

**10% Analysis:** In addition to the findings reported above, verification that the assessed value of the proposed Study Area is within the statutory limits is needed. State Law limits the percentage of values on the combined base assessment rolls that can be included in urban renewal / revenue allocation districts to 10% of the current assessed valuation of all taxable property within the City. According to Ada County Assessor records, the most recent total certified value for the City of Meridian is \$13,230,528,301 (does not include operating property). This number does not reflect exemptions. Therefore taking a more conservative approach, the net taxable value for this calculation is used. That number is \$10,375,837,804. As shown in the analysis in Table 1 the current taxable value of the entire Study Area is estimated to be \$11,978,500. This value then must be added to the Base Assessed Values of the Downtown District, the Ten Mile District and the Union District to test for the 10% limitation. The analysis for these purposes is presented in Table 2, below. The combined base assessment roll values are well below the statutory limit.

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<sup>3</sup> With House Bill 560 (2020) effective July 1, 2020, eliminating the property tax exemption for agricultural land and replacing it with a method to value agricultural land, going forward the method to determine the existence of an agricultural operation will change.



**Table 2**

<b>Statutory 10% Limitation Analysis</b>		
<b>Area</b>	<b>Taxable Value</b>	<b>Percentage</b>
Total City	\$10,375,837,804	100%
Downtown URD Base Value	\$146,334,050	1.41%
Ten Mile URD	\$ 39,539,125	0.38%
Union URD	\$2,144,360	0.02%
Proposed Linder URD	\$11,978,500	0.12%
<b>Total UR Base Assessed Value Percentage</b>	<b>\$199,996,035</b>	<b>1.93%</b>

The effect of creating this district on the capacity of the City and MDC to consider future districts should they choose to do so is also explored. The table below shows there is capacity to consider additional districts.

**Table 3**

<b>Remaining Urban Renewal Capacity</b>		
• Maximum 10% Limitation	\$1,323,052,830	10%
• Downtown URD	\$146,334,779	1.41%
• Ten Mile URD	\$ 39,539,125	0.38%
• Union URD	\$2,144,360	0.02%
• Proposed Linder URD	\$11,996,035	0.12%
<b>Available AV within limitation</b>	<b>\$1,124,027,095</b>	<b>8.07%</b>

**Exhibit C**

The Urban Renewal Agency of the City of Meridian, Idaho, also known as the Meridian Development Corporation, Resolution No. 21-024, dated May 26, 2021, Accepting the The Linder Urban Renewal District Eligibility Report, dated May 2021  
(5 pages attached)

**MERIDIAN DEVELOPMENT CORPORATION**  
**THE URBAN RENEWAL AGENCY OF THE CITY OF MERIDIAN**

**RESOLUTION NO. 21-024**

BY THE BOARD OF COMMISSIONERS OF THE URBAN RENEWAL AGENCY  
OF MERIDIAN, IDAHO, A/K/A THE MERIDIAN DEVELOPMENT CORPORATION:

A RESOLUTION OF THE BOARD OF COMMISSIONERS  
OF THE URBAN RENEWAL AGENCY OF MERIDIAN,  
IDAHO, ALSO KNOWN AS THE MERIDIAN  
DEVELOPMENT CORPORATION, ACCEPTING THAT  
CERTAIN REPORT ON ELIGIBILITY FOR CERTAIN  
PROPERTY REFERRED TO AS THE LINDER DISTRICT  
AREA AS AN URBAN RENEWAL AREA AND REVENUE  
ALLOCATION AREA AND JUSTIFICATION FOR  
DESIGNATING THE AREA AS APPROPRIATE FOR AN  
URBAN RENEWAL PROJECT; AUTHORIZING AND  
DIRECTING THE CHAIR, VICE-CHAIR OR  
ADMINISTRATOR TO TRANSMIT THE REPORT AND  
THIS RESOLUTION TO THE ADA COUNTY BOARD OF  
COUNTY COMMISSIONERS AND THE CITY COUNCIL OF  
THE CITY OF MERIDIAN REQUESTING THEIR  
CONSIDERATION FOR DESIGNATION OF AN URBAN  
RENEWAL AREA AND SEEKING FURTHER DIRECTION  
FROM THE COMMISSION AND COUNCIL; AND  
PROVIDING AN EFFECTIVE DATE.

THIS RESOLUTION, made on the date hereinafter set forth by the Urban Renewal Agency of Meridian, Idaho, also known as the Meridian Development Corporation, an independent public body, corporate and politic, authorized under the authority of the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code, as amended (the "Law") and the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended (the "Act"), a duly created and functioning urban renewal agency for Meridian, Idaho, hereinafter referred to as the "MDC";

WHEREAS, on July 24, 2001, the City Council (the "City Council") of the City of Meridian, Idaho (the "City"), adopted Resolution No. 01-367 establishing MDC pursuant to the Law;

WHEREAS, on October 8, 2002, the City Council, 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 adopted its Ordinance No. 02-987 on December 3, 2002, 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 Ten Mile Road Urban Renewal Plan (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 ("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 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 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 (the "Union District Project Area");

WHEREAS, the Existing Downtown District Plan, the Ten Mile Plan, and the Union District Plan and their project areas are collectively referred to as the "Existing Project Areas;"

WHEREAS, it has become apparent that additional property, a portion of which is located within the City, and a portion of which is located within the City's area of operation within unincorporated Ada County, 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, Kushlan | Associates commenced an eligibility study and preparation of an eligibility report for an area including properties and roadway, referred to as the Linder District Study Area, which is an area bounded by Ten Mile Road on the

west, Interstate 84 on the north, Overland Road on the south and what would be an unimproved section of Linder Road on the east (the "Study Area");

WHEREAS, MDC has obtained the Linder Urban Renewal District (Proposed) Eligibility Report, dated May 2021 (the "Report"), a copy of which is attached hereto as **Exhibit A**, 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 and/or a deteriorated area as 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 lists the definition of deteriorating area and deteriorated area, many of the conditions necessary to be present in such an area are found in the Study Area;

WHEREAS, the effects of the listed conditions cited in the Report result in economic underdevelopment of the areas, 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 Report includes a preliminary analysis concluding the base assessment roll value for the Study Area along with the base assessment rolls for the Existing Project Areas do not exceed 10% of the current assessed valuation of all taxable property within the City;

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 additional conditions applicable to open land areas, including open land areas to be acquired by MDC;

WHEREAS, the Report addresses the necessary findings concerning the eligibility of open land within the Study Area as defined in Idaho Code Sections 50-2018(9), 50-2903(8)(c), and 50-2008(d);

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 Study Area includes parcels subject to such consent. While the



necessary consents have not been obtained, any and all consents shall be obtained prior to City Council consideration of any urban renewal plan;

WHEREAS, Idaho Code Section 50-2018(18) provides that an urban renewal agency cannot exercise jurisdiction over any area outside the city limits without the approval of the other city or county declaring the need for an urban renewal plan for the proposed area;

WHEREAS, a portion of the Study Area includes certain real property located within unincorporated Ada County;

WHEREAS, the Ada County Board of County Commissioners will be asked to adopt a resolution finding the need for an urban renewal project for the proposed Study Area;

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

WHEREAS, 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, the MDC Board finds it in the best public interest to accept the Report.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE BOARD OF COMMISSIONERS OF THE URBAN RENEWAL AGENCY OF MERIDIAN, IDAHO, AS FOLLOWS:

Section 1 That the above statements are true and correct.

Section 2. That the MDC Board acknowledges acceptance and receipt of the Report.

Section 3. That there are one or more areas within the City and within unincorporated Ada County that are a deteriorating area or a deteriorated area as defined by Idaho Code Sections 50-2018(8), (9) and 50-2903(8), and as more fully set forth in the Report, attached hereto as **Exhibit A**.

Section 4. That one such area is an area approximately 174 acres (excluding rights-of-way) in size and is more commonly referred to as the Linder District Study Area, and as more fully described in the Report.



Section 5. That the rehabilitation, conservation, and redevelopment, or a combination thereof, of such area is necessary in the interest of the public health, safety, and welfare of the residents of the City.

Section 6. That the Chair or Vice-Chair of the MDC Board of Commissioners, or the Administrator, are hereby authorized to transmit the Report to the City Council requesting that the City Council:

a. Determine whether the Study Area identified in the Report qualifies as an urban renewal project and there is justification for designating the area, as appropriate, for an urban renewal project; provided, however, MDC requests the City Council not take such action until the Ada County Board of County Commissioners has adopted a resolution declaring the need for an urban renewal project for the Study Area;

b. If such designation is made, whether MDC should proceed with the preparation of an urban renewal plan for the area, which plan may include a revenue allocation provision as allowed by law;

c. Coordinate with MDC to obtain the required agricultural operation consents from the property owners.

Section 7. That the Chairman of the MDC Board or Administrator is hereby authorized to transmit the Report to Ada County Board of County Commissioners for its consideration pursuant to Idaho Code Section 50-2018(18).

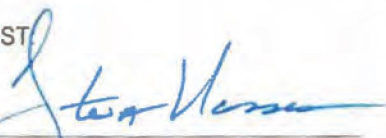
Section 8. That this Resolution shall be in full force and effect immediately upon its adoption and approval.

PASSED AND ADOPTED by the Urban Renewal Agency of the City of Meridian, Idaho, also known as the Meridian Development Corporation, on May 26, 2021. Signed by the Chair of the Board of Commissioners and attested by the Secretary to the Board of Commissioners, on May 26, 2021.

APPROVED:

By   
Chair of the Board






ATTEST

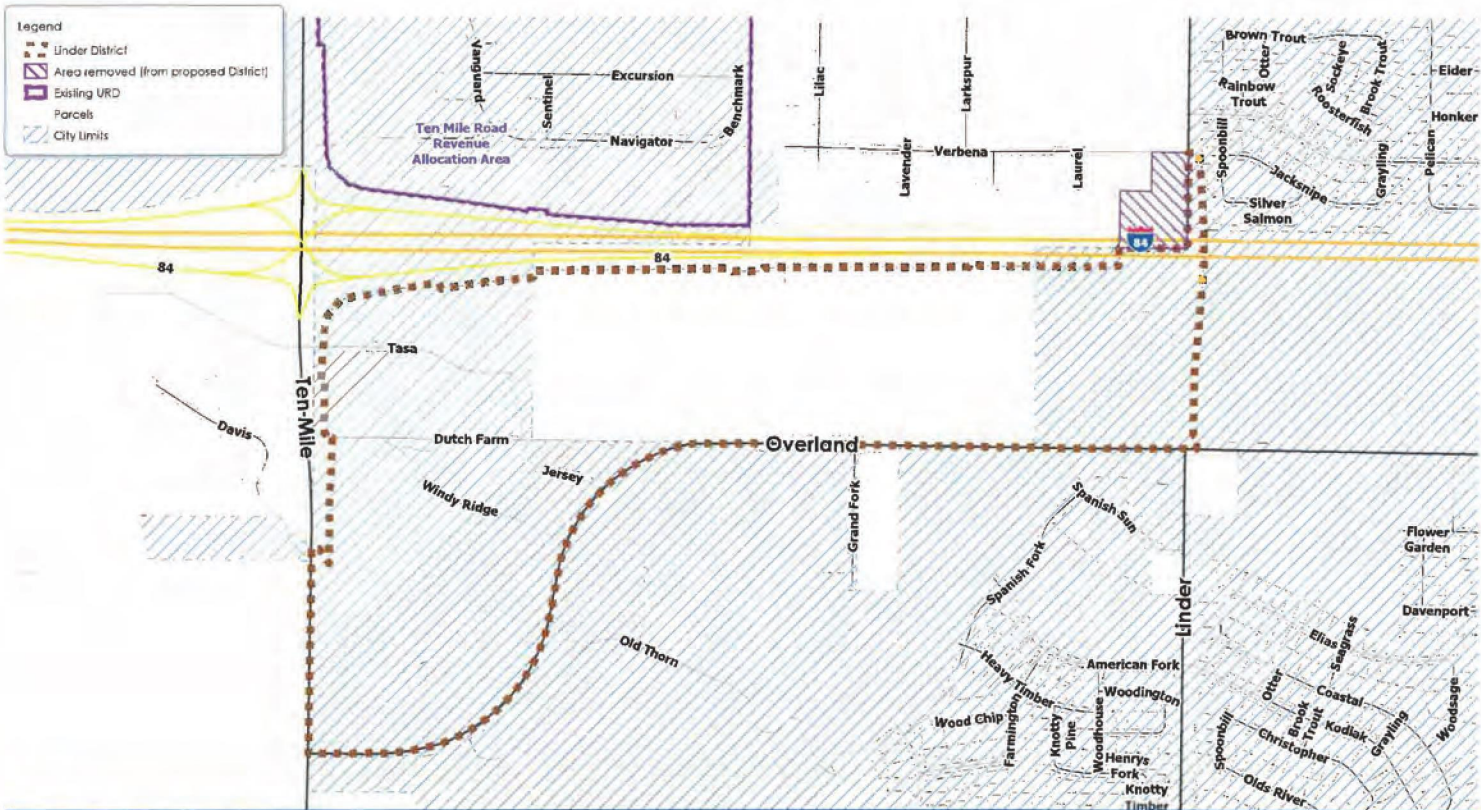
By   
Secretary

**Exhibit D**

Map Showing Eligible Parcels that Will Not Be Included Within the Boundaries of any Future  
Urban Renewal Project Area  
(1 page attached)

**Legend**

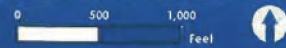
-  Linder District
-  Area removed (from proposed District)
-  Existing URD
-  Parcels
-  City Limits



## Linder District

The information shown on this map is compiled from various sources and is subject to constant revision. The City of Meridian makes no warranty or guarantee as to the content, accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map.

Print Date: 8/20/2021





**Exhibit E**

Consent forms  
(12 pages attached)

**AGRICULTURAL OPERATION CONSENT FORM**


COMES NOW Soo W. Lee, an Individual, and states that Individual, owns that certain property generally described as Parcel Identification Number S1214346705 in the real property records of Ada County, Idaho, and more particularly described on Exhibit A attached hereto and incorporated herein by reference (the "Property"), and hereby certifies:

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

(2) that the undersigned has reviewed the materials provided in Exhibit B, and has had an opportunity to review the urban renewal eligibility report, dated April 2021, entitled Ten Mile – Linder Urban Renewal District Eligibility Report, prepared by Kushlan | Associates and as attached hereto as Exhibit C.

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

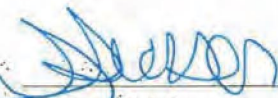
DATED this 10 day of August, 2021.

  
\_\_\_\_\_  
Soo W. Lee  
An Individual

STATE OF IDAHO            )  
  ) ss:  
County of Ada                )

On this 10th day of August 2021, before me, a Notary Public for the state of Idaho, personally appeared Soo W. Lee, known or identified to me to be the person who executed this instrument.



  
\_\_\_\_\_  
Notary Public  
My Commission Expires on 10/22/24

**EXHIBIT A**

**PARCEL NUMBER**

S1214346705

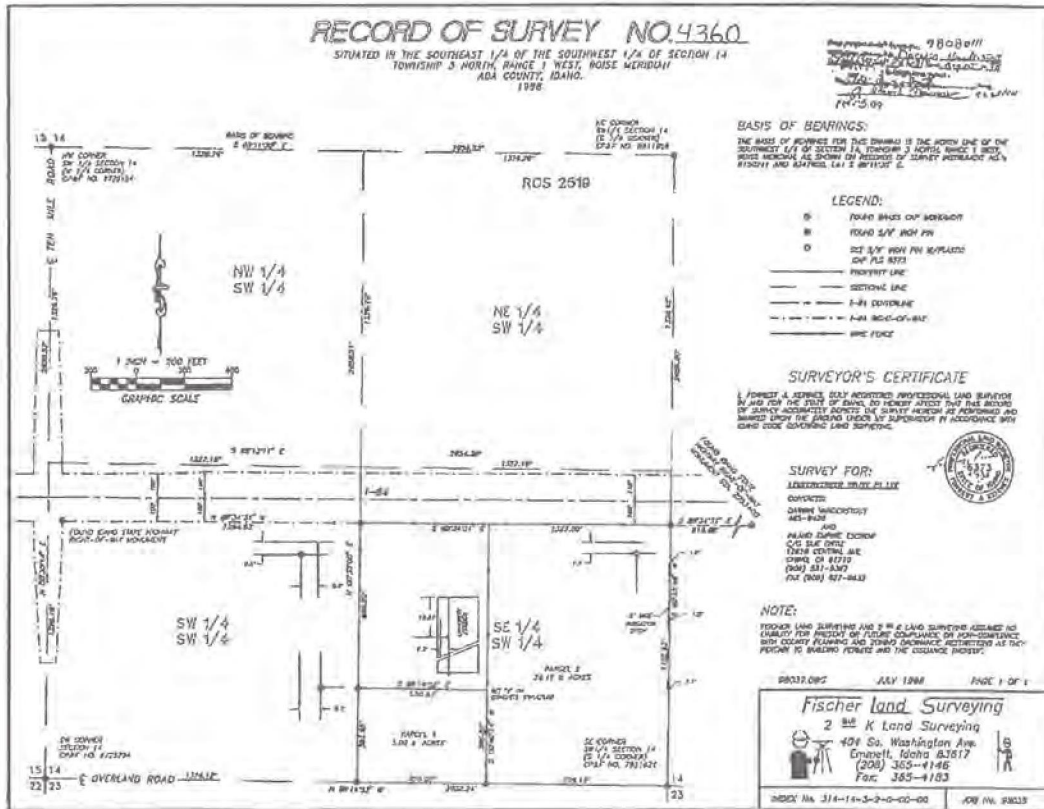
**ADDRESS**

West Overland Road, Meridian, Idaho

**DESCRIPTION**

PAR #6705 N'LY & E'LY POR  
SE4SW4 S OF INTERSTATE  
SEC 14 3N 1W  
PARCEL 2 R/S 4360 EXC R/W  
#346072-B

**SURVEY RECORD**





## AGRICULTURAL OPERATION CONSENT FORM

COMES NOW Michael S. Adler, President of Adler Industrial, LLC, and states that Adler Industrial, LLC serves as Manager for Adler AB Owner I, LLC, a Delaware Limited Liability Company, which owns that certain property generally described as Parcel Identification Number S1214438600 in the real property records of Ada County, Idaho, and more particularly described on Exhibit A attached hereto and incorporated herein by reference (the "Property"), and hereby certifies:

- (1) that the Property has been used, within the last three (3) years, as an agricultural operation; and
- (2) that the undersigned has reviewed the materials provided in Exhibit B, and has had an opportunity to review the urban renewal eligibility report, dated May 2021, entitled Ten Mile – Linder Urban Renewal District Eligibility Report, prepared by Kushlan | Associates and as attached hereto as Exhibit C.

Further, Michael S. Adler, President of Adler Industrial, LLC, Manager for Adler AB Owner I, LLC hereby provides consent and approval that the subject Property may be included within a proposed urban renewal area and may be deemed appropriate for inclusion within an urban renewal project area as defined by the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code, as amended, and the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended, as the property possesses certain characteristics of eligibility.

DATED this 20<sup>th</sup> day of August, 2021.

Adler AB Owner I, LLC  
A Delaware Limited Liability Company

By: Adler Industrial, LLC  
Its: Manager



---

Michael S. Adler  
President

STATE OF IDAHO            )  
  ) ss:  
County of Ada                )

This record was acknowledged before me on August 20, 2021 (date) by Michael S. Adler (Signer), known or identified to me to be the President of Adler Industrial, LLC (Constituent Entity), the Manager of Adler AB Owner I, LLC (Maker), who subscribed said Maker Entity's name to the foregoing instrument, and acknowledged to me that he executed the within instrument on behalf of said Constituent Entity, and that such Constituent Entity executed the same in the name of said Maker Entity.

(stamp)



A handwritten signature in blue ink, appearing to read "Martha Parker", written over a horizontal line.

Notary Public

My Commission Expires on 04/08/2027

**EXHIBIT A**

**PARCEL NUMBER**

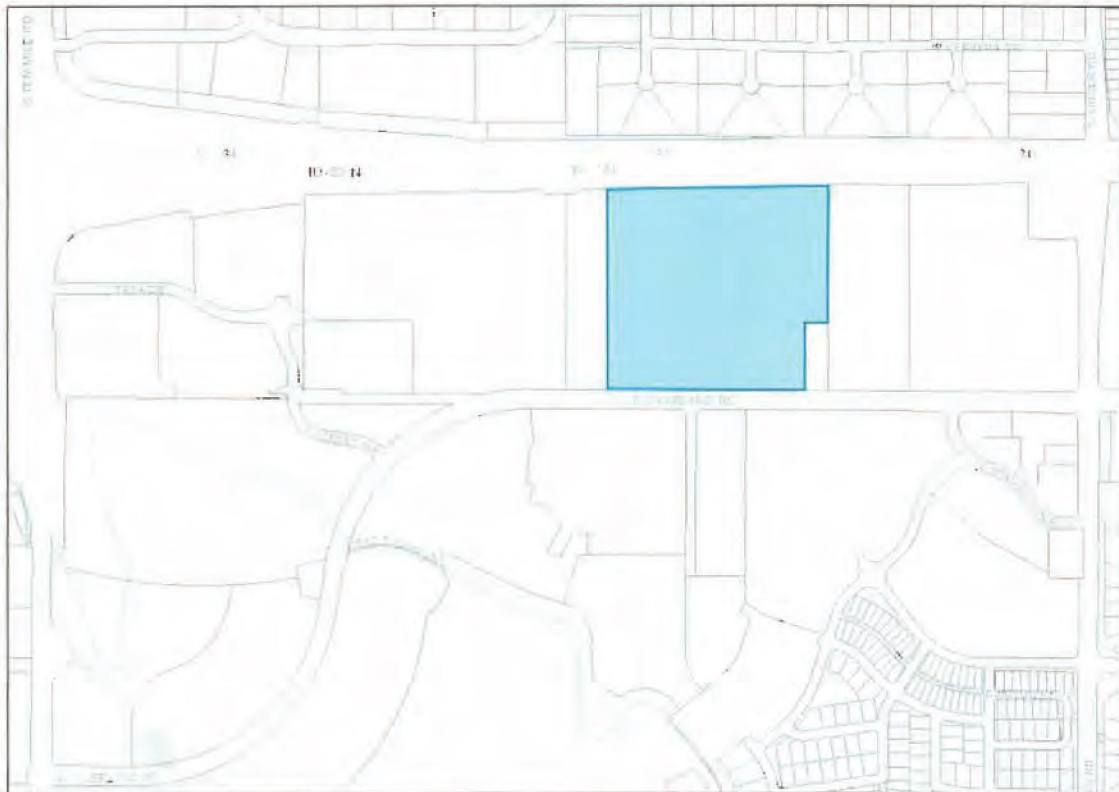
S1214438600

**ADDRESS**

2090 West Overland Road, Meridian, Idaho

**DESCRIPTION**

PAR #8600 OF SW4SE4  
SEC 14 3N 1W  
#438423-B





## AGRICULTURAL OPERATION CONSENT FORM

COMES NOW Michael S. Adler, President of Adler Industrial, LLC, and states that Adler Industrial, LLC serves as Manager for Adler AB Owner I, LLC, a Delaware Limited Liability Company, which owns that certain property generally described as Parcel Identification Number S1214438420 in the real property records of Ada County, Idaho, and more particularly described on Exhibit A attached hereto and incorporated herein by reference (the "Property"), and hereby certifies:

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


(2) that the undersigned has reviewed the materials provided in Exhibit B, and has had an opportunity to review the urban renewal eligibility report, dated May 2021, entitled Ten Mile – Linder Urban Renewal District Eligibility Report, prepared by Kushlan | Associates and as attached hereto as Exhibit C.

Further, Michael S. Adler, President of Adler Industrial, LLC, Manager for Adler AB Owner I, LLC hereby provides consent and approval that the subject Property may be included within a proposed urban renewal area and may be deemed appropriate for inclusion within an urban renewal project area as defined by the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code, as amended, and the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended, as the property possesses certain characteristics of eligibility.

DATED this 23 day of August, 2021.

Adler AB Owner I, LLC  
A Delaware Limited Liability Company

By: Adler Industrial, LLC  
Its: Manager

  
\_\_\_\_\_  
Michael S. Adler  
President

## CALIFORNIA ALL PURPOSE ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California  
County of Los Angeles)

On August 23, 2021 before me, Andrea Myers, Notary Public  
(insert name and title of the officer)

personally appeared Michael S. Adler, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Andrea Myers (Seal)

**EXHIBIT A**

**PARCEL NUMBER**

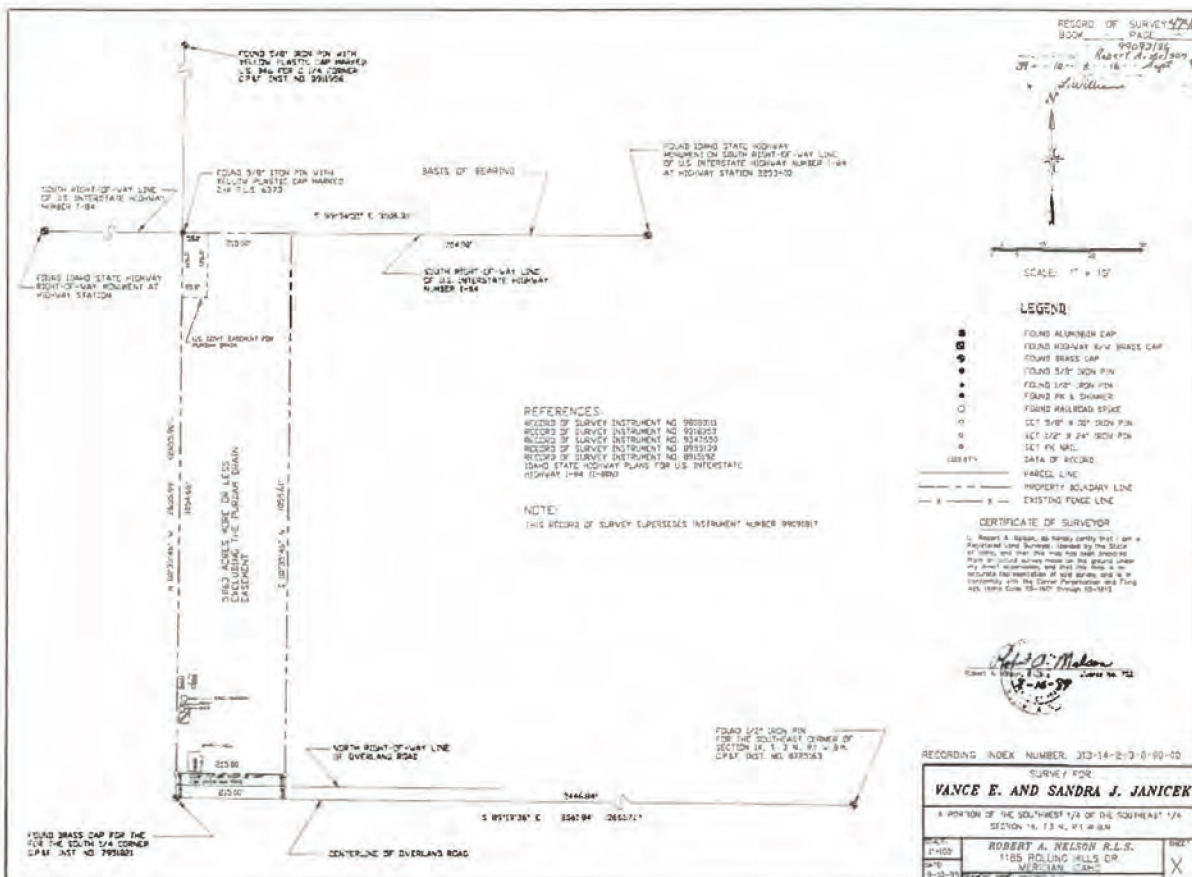
S1214438420

**ADDRESS**

2390 West Overland Road, Meridian, Idaho

**DESCRIPTION**

PAR #4200 @ W SIDE SW4SE4  
 SEC 14 3N 1W  
 R/S 4746  
 #8416-B





**AGRICULTURAL OPERATION CONSENT FORM**

COMES NOW Paul R. Blomberg, Trustee of the Paul R. Blomberg Revocable Trust 9-3-2002 and states that the Paul R. Blomberg Revocable Trust 9-3-2003 owns that certain property generally described as Parcel Identification Number S1214449021 in the real property records of Ada County, Idaho, and more particularly described on Exhibit A attached hereto and incorporated herein by reference (the "Property"), and hereby certifies:

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

(2) that the undersigned has reviewed the materials provided in Exhibit B, and has had an opportunity to review the urban renewal eligibility report, dated May 2021, entitled Ten Mile – Linder Urban Renewal District Eligibility Report, prepared by Kushlan | Associates and as attached hereto as Exhibit C.

Further, Paul R. Blomberg, Trustee of the Paul R. Blomberg Revocable Trust 9-3-2002, hereby provides consent and approval that the subject Property may be included within a proposed urban renewal area and may be deemed appropriate for inclusion within an urban renewal project area as defined by the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code, as amended, and the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended, as the property possesses certain characteristics of eligibility.

DATED this 23 day of August, 2021.

Paul R Blomberg  
Paul R. Blomberg  
Trustee

STATE OF IDAHO            )  
  ) ss:  
County of Ada                )

On this 23<sup>rd</sup> day of August 2021, before me, a Notary Public for the state of Idaho, personally appeared Paul R. Blomberg, known or identified to me to be the Manager of the Paul R. Blomberg Revocable Trust 9-3-2002, who executed this instrument in his capacity as Trustee.



Joshua Iverson  
Notary Public  
My Commission Expires on 10/22/24

**EXHIBIT A**

**PARCEL NUMBER**

S1214449021

**ADDRESS**

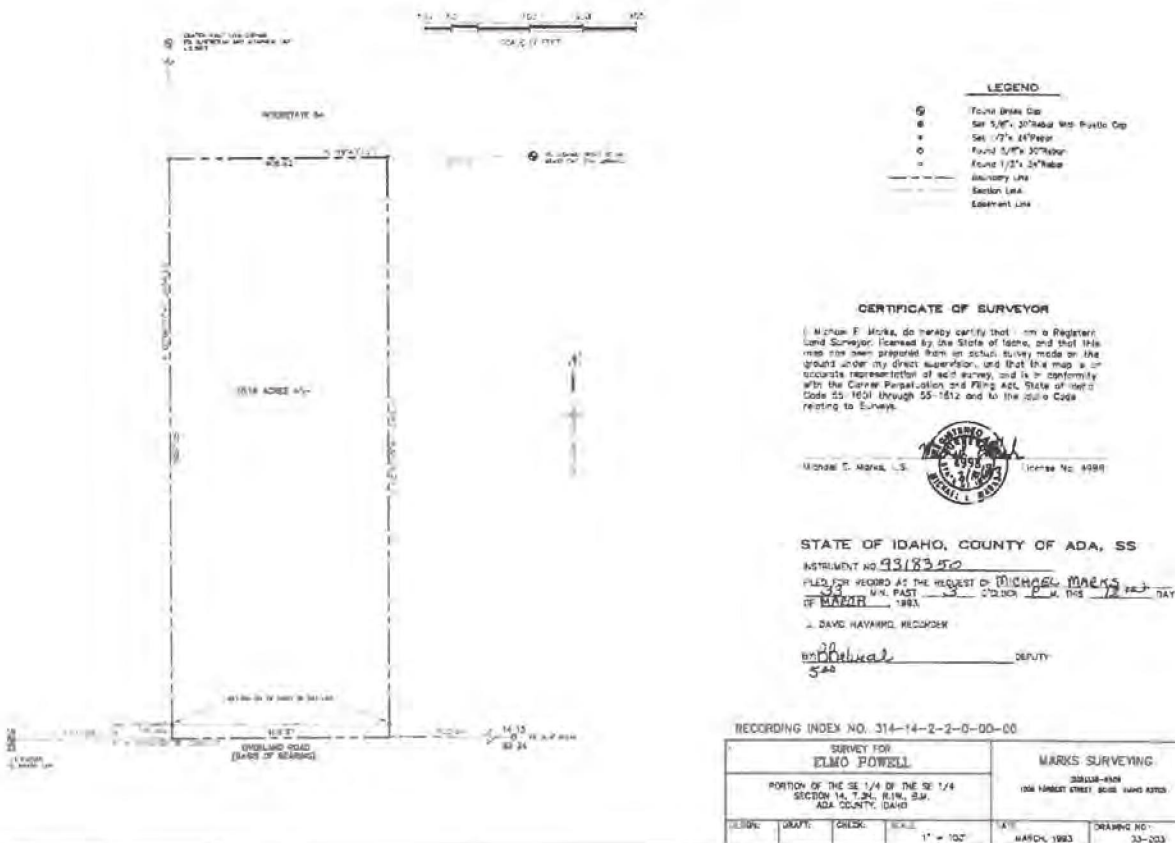
1940 West Overland Road, Meridian, Idaho

**DESCRIPTION**

PAR #9021 OF SE4SE4  
SEC 14 3N 1W  
R/S 2412 EXC R/W  
#449020-B

**SURVEY RECORD**

RECORD OF SURVEY NO. 2412






**AGRICULTURAL OPERATION CONSENT FORM**

COMES NOW Jon Brennan, Manager of 5B1031 LLC, an Idaho Limited Liability Company, and states that 5B1031 LLC owns that certain property generally described as Parcel Identification Number S1214346905 in the real property records of Ada County, Idaho, and more particularly described on Exhibit A attached hereto and incorporated herein by reference (the "Property"), and hereby certifies:

- (1) that the Property has NOT been used, within the last three (3) years, as an agricultural operation; and
- (2) that the undersigned has reviewed the materials provided in Exhibit B, and has had an opportunity to review the urban renewal eligibility report, dated May 2021, entitled Ten Mile – Linder Urban Renewal District Eligibility Report, prepared by Kushlan | Associates and as attached hereto as Exhibit C.

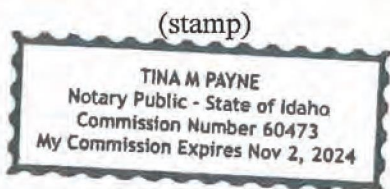
Further, Jon Brennan, Manager of 5B1031 LLC, hereby provides consent and approval that the subject Property may be included within a proposed urban renewal area and may be deemed appropriate for inclusion within an urban renewal project area as defined by the Idaho Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code, as amended, and the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, as amended, as the property possesses certain characteristics of eligibility.


DATED this 20th day of August, 2021

  
 \_\_\_\_\_  
 Jon Brennan  
 Manager

STATE OF IDAHO                    )  
   ) ss:  
 County of ~~Ada~~ Elmore        )

This record was acknowledged before me on August 20, 2021 (date) by Jon Brennan on behalf of 5B1031 LLC in his capacity as its Manager.



  
 \_\_\_\_\_  
 Notary Public  
 My Commission Expires on 11-02-2021



**EXHIBIT A**

**PARCEL NUMBER**

S1214346905

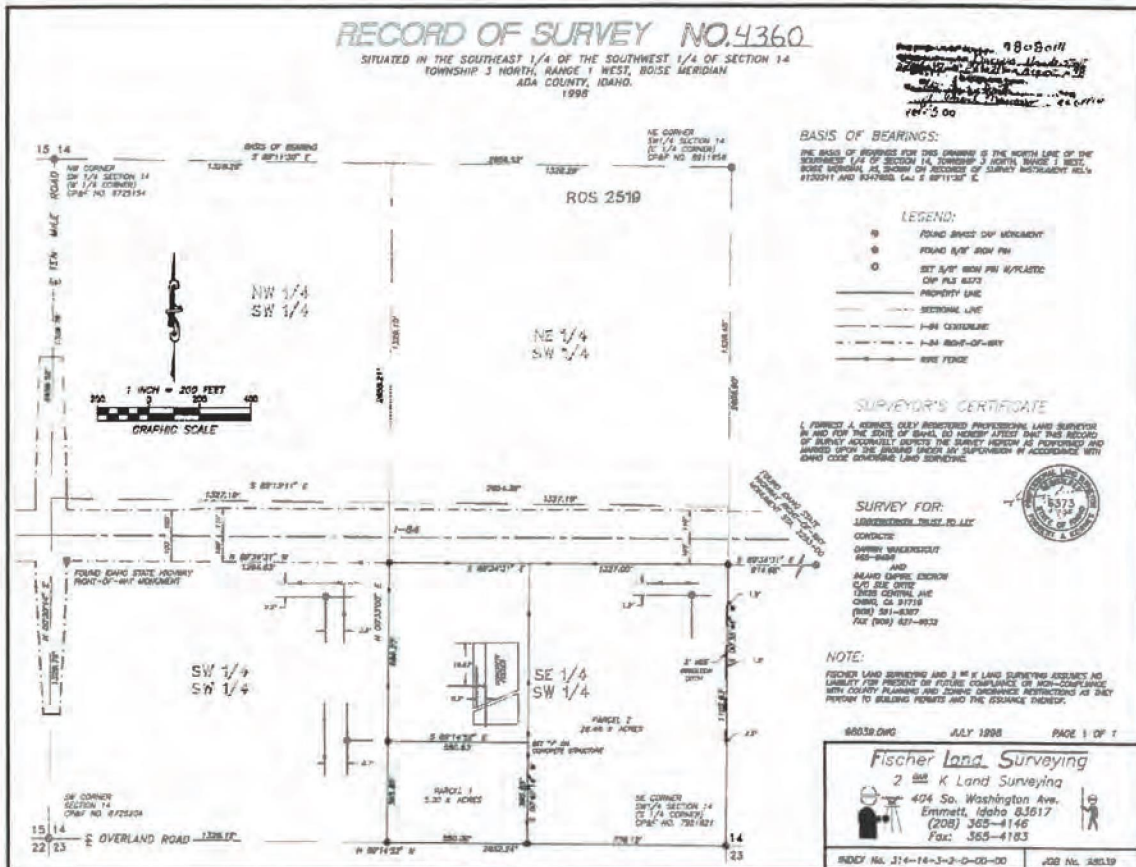
**ADDRESS**

2960 West Dutch Farm Road, Meridian, Idaho

**DESCRIPTION**

PAR #6905 @ SW COR SE4SW4  
SEC 14 3N 1W  
PARCEL 1 R/S 4360 EXC R/W  
#346610-B

**SURVEY RECORD**



Attachment 8

Ada County Board of County Commissioners Ordinance No. 932  
(Intergovernmental Agreement and Transfer of Powers Ordinance)

**[To Be Inserted Upon Adoption]**

TRANSFER OF POWERS ORDINANCE:

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF ADA COUNTY, IDAHO, ADOPTING FINDINGS ON THE NECESSITY OF THE URBAN RENEWAL PLAN FOR THE LINDER DISTRICT URBAN RENEWAL PROJECT; PROVIDING THE CITY OF MERIDIAN WITH THE RIGHT, POWER, AUTHORITY, AND OBLIGATION TO ADMINISTER THE URBAN RENEWAL/REVENUE ALLOCATION AREA PURSUANT TO CHAPTERS 20 AND 29, TITLE 50, IDAHO CODE, AS AMENDED; GRANTING THE REVENUE ALLOCATION PROCEEDS DERIVED FROM THE REVENUE ALLOCATION AREA LYING WITHIN UNINCORPORATED ADA COUNTY TO THE URBAN RENEWAL AGENCY OF MERIDIAN, IDAHO, ALSO KNOWN AS THE MERIDIAN DEVELOPMENT CORPORATION; ADOPTING THE INTERGOVERNMENTAL AGREEMENT IMPLEMENTING THIS ORDINANCE; AND AUTHORIZING THE CHAIR TO SIGN SUCH OTHER AND FURTHER DOCUMENTS AS MAY BE NECESSARY TO CARRY OUT THE INTENT OF THIS ORDINANCE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ADA COUNTY, IDAHO:

Section 1: That the Board of County Commissioners, after reviewing the Linder District Plan delivered to Ada County on November 2, 2021, finds: (a) the Linder District Plan and Project Area is eligible under the statutory criteria and is appropriate for an urban renewal project; (b) the adjusted base assessed values of all existing and proposed revenue allocation areas within the City do not exceed ten percent of the current assessed taxable value of the City; (c) the proposed Linder District Plan and Project Area is financially feasible given the assumptions used in the Linder District Plan; (d) the required consents from the owners of agricultural operation lands within the proposed Project Area have been given; and (e) the City has the authority to proceed with the creation of the Linder District Plan and Project Area after the adoption of this Ordinance by the Board of Ada County Commissioners.

Section 2: That this Ordinance is adopted to approve and confirm the duties, roles, and responsibilities of the City of Meridian, Idaho (the "City"), the Urban Renewal Agency of Meridian, Idaho, also known as the Meridian Development Corporation (the "Agency"), and Ada County, Idaho for that portion of the revenue allocation area, as defined and described in the proposed Urban Renewal Plan for the Linder District Urban Renewal Project (the "Plan") lying outside the corporate boundaries of the City, as illustrated in **Exhibit 1**, and to transfer power as provided in Idaho Code Section 50-2906(3)(b) and to reconfirm the necessary declaration set forth in Idaho Code Section 50-2018(18).

Section 3: The revenue allocation proceeds from areas lying within the boundaries of the Linder District Plan and Project Area shall be devoted to the statutory purposes as described in the Linder District Plan and as authorized by the Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code, as amended, and the Local Economic Development Act, Chapter 29, Title 50, Idaho Code.



Section 4: That the Intergovernmental Agreement for Roles and Responsibilities Under Idaho Code § 50-2906(3)(b) (the “Agreement”) (which also supports the County’s declaration as required by Idaho Code Section 50-2018(18) as also set forth in Resolution No. 2676) is hereby approved and accepted.

Section 5: That the Chair is hereby authorized to execute any further documents necessary to carry out the intent of the Board of Commissioners as expressed in this Ordinance and in the Agreement. A copy of this Ordinance and the Agreement shall be held on file in the office of the County Clerk.

Section 6: Severability. The sections of this Ordinance are severable. The invalidity of a section shall not affect the validity of the remaining sections.

Section 7: Effective Date. This Ordinance shall become effective upon its publication pursuant to Idaho Code Section 31-715.

ADOPTED this 7th day of December, 2021.

**Board of Ada County Commissioners**

By \_\_\_\_\_  
Rod Beck, Chairman

By \_\_\_\_\_  
Ryan Davidson

By \_\_\_\_\_  
Kendra Kenyon





ATTEST:

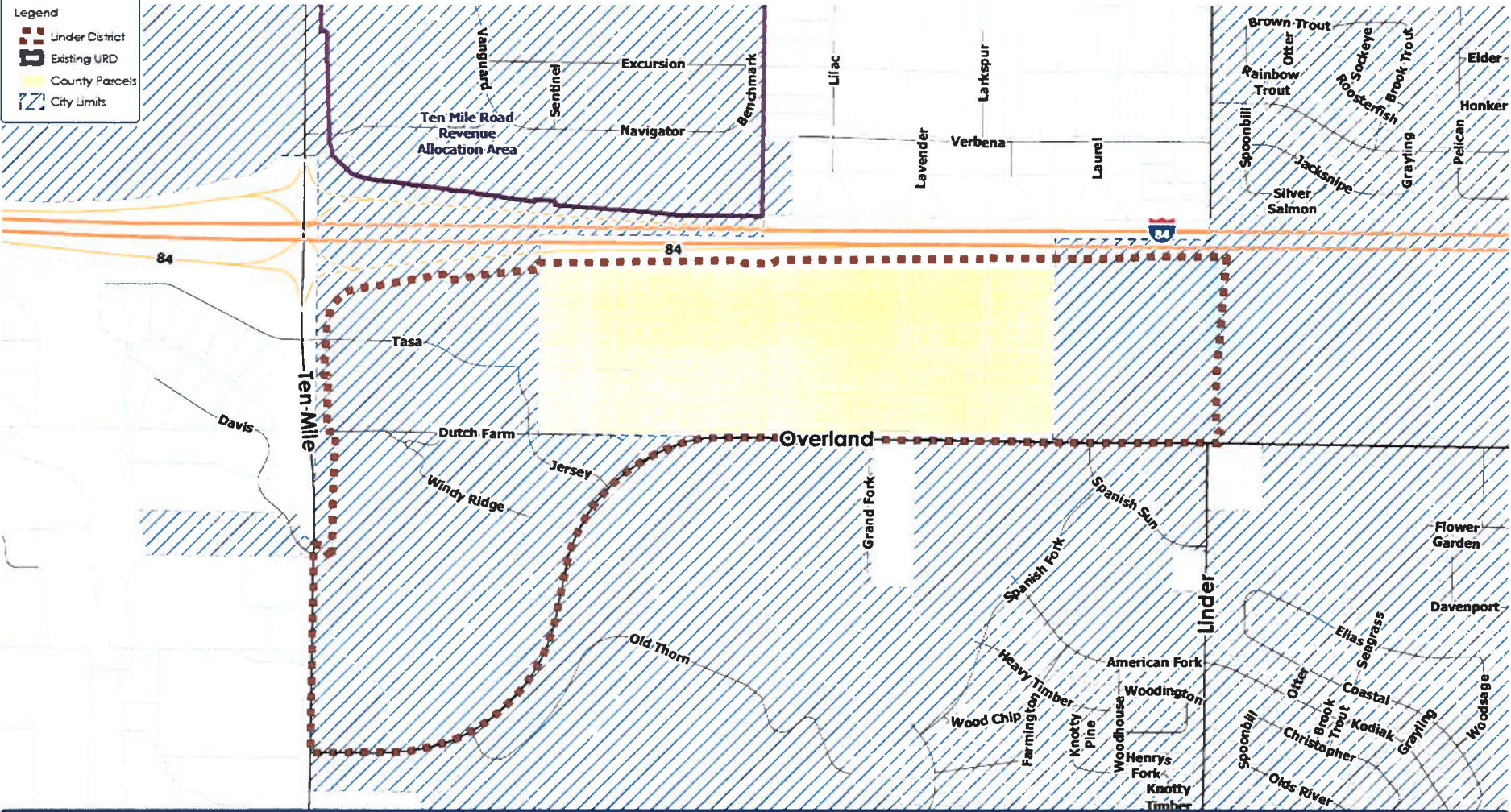
\_\_\_\_\_  
Phil McGrane, Ada County Clerk

**Exhibit 1**

(Properties subject to the Ordinance)

**Legend**

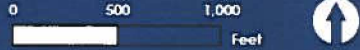
-  Linder District
-  Existing URD
-  County Parcels
-  City Limits



# Linder District

The information shown on this map is compiled from various sources and is subject to constant revision. The City of Meridian makes no warranty or guarantee as to the content, accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map.

Print Date: 9/3/2021





INTERGOVERNMENTAL AGREEMENT FOR ROLES AND  
RESPONSIBILITIES UNDER IDAHO CODE SECTION 50-2906(3)(b)

This Intergovernmental Agreement is entered into this \_\_\_\_ day of \_\_\_\_\_, 2021, by and between Ada County, Idaho (the “County”) and the City of Meridian, Idaho (hereinafter, “Meridian”), and is made for the purpose of complying with Idaho Code Section 50-2906(3)(b).

**RECITALS**

WHEREAS, the County is a duly organized and existing county under the laws and the Constitution of the State of Idaho;

WHEREAS, Meridian is a duly organized existing municipality under the laws and the Constitution of the state of Idaho;

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 (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, there are currently three (3) existing urban renewal and revenue allocation project areas in Meridian, which are commonly referred to as follows: the Downtown District, the Ten Mile District, and the Union District. The Downtown District includes parcels located within unincorporated Ada County, which is governed by the Intergovernmental Agreement for Roles and Responsibilities Under Idaho Code Section 50-2906(3)(b), by and between the County and Meridian, dated March 18, 2003;

WHEREAS, based on inquiries and information presented, certain interested property owners, the County and Meridian commenced certain discussions concerning examination of an additional area within Meridian and within the unincorporated County as eligible for an urban renewal project;

WHEREAS, in 2021, Kushlan | Associates commenced an eligibility study and preparation of an eligibility report for an area approximately 195 acres in size including properties and roadway, referred to as the Linder District Study Area, which is an area generally bounded by Ten Mile Road on the west, Interstate 84 on the north, Overland Road on the south, and what would be an unimproved section of Linder Road on the east. Additionally, the Linder District Study Area included three (3) parcels located west of Linder Road and north of I-84 (the “Study Area”);

WHEREAS, the Agency obtained an eligibility report entitled Linder 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 and/or a deteriorated area as defined by Idaho Code Sections 50-2018(8), (9) and 50-2903(8);

WHEREAS, the Agency, on May 26, 2021, adopted Resolution No. 21-024 accepting the Report and authorizing 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 law;

WHEREAS, the Agency also authorized the transmittal of the Report to the Ada County Board of County Commissioners for purposes of obtaining a resolution determining such areas outside the boundaries of incorporated Meridian and within unincorporated Ada County to be deteriorated and/or deteriorating and finding the need for an urban renewal project for the proposed Study Area;

WHEREAS, Idaho Code Section 50-2018(18) provides that an urban renewal agency cannot exercise jurisdiction over any area outside the city limits and within its area of operation without the approval of the other city or county declaring the need for an urban renewal plan for the proposed area;

WHEREAS, the area considered within the Report included certain properties within unincorporated Ada County;

WHEREAS, the Report was submitted to the Ada County Board of County Commissioners, and the Ada County Board of County Commissioners were asked to adopt a resolution finding the need for an urban renewal project for the proposed Study Area;

WHEREAS, the Ada County Board of County Commissioners adopted the Agency's finding concerning the proposed Study Area by adopting Resolution No. 2676 on September 30, 2021;

WHEREAS, the Meridian City Council, by Resolution No. 21-2289, dated October 5, 2021, 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, Title 50, Idaho Code, as amended, that such Study Area is appropriate for an urban renewal project, that the Ada County Board of County Commissioners directed the parcels north of Interstate 84 and west of Linder Road should not be included in any proposed revenue allocation area, that the Ada County Board of County Commissioners adopted the necessary resolutions and directed the Agency to commence preparation of an urban renewal plan;

WHEREAS, the City and the Agency embarked on the planning of an urban renewal project referred to as the Urban Renewal Plan for the Linder District Urban Renewal Project (the "Linder District Plan") to develop and/or redevelop a portion of Meridian, a portion of which is

within unincorporated Ada County adjacent and contiguous to the City, that is intended to be annexed into the City prior to development, pursuant to the Law and the Act, as amended;

WHEREAS, the Linder District Plan proposed to create an urban renewal and revenue allocation area commonly known as the Linder District project area (the “Linder District Project Area”);

WHEREAS, the Agency and its consultants have undertaken the planning process during 2021;

WHEREAS, the area included in the Linder District Project Area is smaller than the area assessed in the Report, which Linder District Project Area is illustrated in **Exhibit 1**;

WHEREAS, the required property owner consents for any parcels deemed to be an agricultural operation included within the Linder District Project Area have been obtained by the Agency;

WHEREAS, the Linder District Plan contains the provisions of revenue allocation financing as allowed by the Act;

WHEREAS, the Agency Board on October 27, 2021, adopted Resolution No. 21-053 proposing and recommending the Linder District Plan;

WHEREAS, the Agency, by letter of transmittal dated October 28, 2021, submitted the Linder District Plan to the Mayor and Meridian City Clerk;

WHEREAS, the Mayor and City Clerk are taking the necessary action to process the Linder District Plan consistent with the requirements set forth in Idaho Code §§ 50-2906 and 50-2008;

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

WHEREAS, after notice duly published, the Meridian City Council at its regular meeting to be held on December 14, 2021, will hold a public hearing and will consider the Linder District Plan as proposed;

WHEREAS, Idaho Code Section 50-2906(3)(b), requires an agreement between the Meridian City Council and the Ada County Board of County Commissioners, governing administration of a revenue allocation financing provision for any area extending beyond Meridian’s municipal boundary and located within the unincorporated County, and such agreement must be formalized by a transfer of power ordinance adopted by the County;

WHEREAS, there are certain properties within the Linder District Plan and Project Area which extend beyond Meridian’s municipal boundaries and into the County, as illustrated in



**Exhibit 1**, and as more particularly described in **Exhibit 2** attached hereto and incorporated herein by reference;

WHEREAS, the Meridian City Council and the Board of County Commissioners desire to enter into this Agreement to avoid any uncertainty regarding the Meridian City Council's jurisdiction and authority to establish the Linder District Project Area and the Agency's authority to implement the Linder District Plan concerning those properties which are outside Meridian's municipal limits and within the County;

WHEREAS, the Meridian City Council and Board of County Commissioners deem it in their collective best interests to enter into this Agreement covering said properties and assuring compliance with the Act and Law, Idaho Code Sections 50-2906(3)(b) and 50-2018(18) respectively;

NOW, THEREFORE, it is mutually agreed as follows:

## **AGREEMENT**

### 1. PURPOSE OF AGREEMENT

The purpose of this Agreement is to detail the duties, roles, and responsibilities to be provided by the parties with respect to compliance with the Act and Law, Idaho Code Sections 50-2906(3)(b) and 50-2018(18) respectively;

### 2. GENERAL PROVISIONS

The Ada County Board of County Commissioners does hereby agree that the Meridian City Council shall have the right, power, authority, and obligation to administer the Law, Act and particularly the revenue allocation financing provisions of the Linder District Plan for that certain property which is contained within the boundaries of the revenue allocation area as defined in the Act and the Linder District Plan, which property extends beyond Meridian's municipal boundary and into the unincorporated County. The property governed by this Agreement is illustrated in **Exhibit 1** and more particularly described in **Exhibit 2** of this Agreement. The County, by passing Resolution No. 2676, has declared the need for urban renewal activity in the area which extends beyond Meridian's municipal boundaries and into the unincorporated County.

By agreeing to the administration of this property by the Meridian City Council for the limited purposes of implementing the Linder District Plan, the Board of County Commissioners agree all revenue allocation proceeds generated from such property shall be available to the Agency for all purposes authorized under the Act and the Linder District Plan. Following the establishment of the Linder District Project Area, the Agency shall administer the revenue allocation provision affecting this property as allowed under the Act and the Linder District Plan. Additionally, the Board of County Commissioners acknowledges the Linder District Plan will be reviewed by the Meridian Planning & Zoning Commission for the Linder District Plan's conformity with the general plan for the development of Meridian as a whole consistent with and

limited to the requirements of Idaho Code § 50-2008(b). The Board of County Commissioners defers to the Meridian Planning & Zoning Commission's review and recommendations as required by Idaho Code § 50-2008(b) solely with regard to adopting the Linder District Plan. The Meridian City Council expressly acknowledges the parcels located within unincorporated Ada County are subject to and shall be developed in conformity to the 2019 City of Meridian Comprehensive Plan as adopted by Ada County Resolution No. 2620, Ada County Zoning and Development Codes as well as the Linder District Plan, recognizing the intent to seek annexation of the parcels located within the unincorporated County into Meridian prior to development, which development is intended to occur in phases over the life of the Linder District Plan and Project Area. Ada County defers to the Agency to implement and carry out the Linder District Plan.

The Board of County Commissioners shall approve this Agreement by the adoption of a transfer of power ordinance and the Meridian City Council shall approve this Agreement by the adoption of a duly authorized resolution.

Upon approval and adoption of the ordinance and resolution referenced above, the Meridian City Council shall take the necessary steps through the Meridian City Clerk to transmit a copy of the County Transfer of Power Ordinance to the County Auditor, County Assessor, the County Recorder, the other taxing districts of the revenue allocation area, and the Idaho State Tax Commission.

### 3. SPECIAL PROVISIONS

Public Improvements. In consideration of this Agreement, the Board of County Commissioners hereby consents to those certain public improvements identified in the Linder District Plan which may be acquired, constructed or installed on certain rights-of-way not within the Meridian city limits.

### 4. EFFECTIVE TERM

This Agreement shall be deemed effective upon the execution of this Agreement by both the Board of County Commissioners and the Meridian City Council and shall remain in effect for the duration of the Linder District Plan. This Agreement shall be of no further force and effect as it relates to any parcel or parcels as illustrated and described in **Exhibit 1** and **Exhibit 2** upon those properties or portions of those properties then being included within the municipal boundaries of Meridian, currently, or through Meridian's annexation process.

### 5. MODIFICATION

This Agreement may be modified or amended in writing if executed by both the Board of County Commissioners and the Meridian City Council.

6. ENTIRE AGREEMENT

Except as provided otherwise herein, this Agreement and any attachments hereto constitute the entire Agreement between the parties concerning the subject matter hereto.

IN WITNESS WHEREOF, the Board of County Commissioners and the Meridian City Council have executed this Agreement by proper persons thereunto duly authorized as of the date first hereinabove written.

COUNTY: BOARD OF ADA COUNTY  
COMMISSIONERS

By \_\_\_\_\_  
Rod Beck, Chairman

By \_\_\_\_\_  
Ryan Davidson

By \_\_\_\_\_  
Kendra Kenyon

ATTEST:

\_\_\_\_\_  
Phil McGrane, Ada County Clerk

CITY: CITY OF MERIDIAN, IDAHO

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

ATTEST:

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

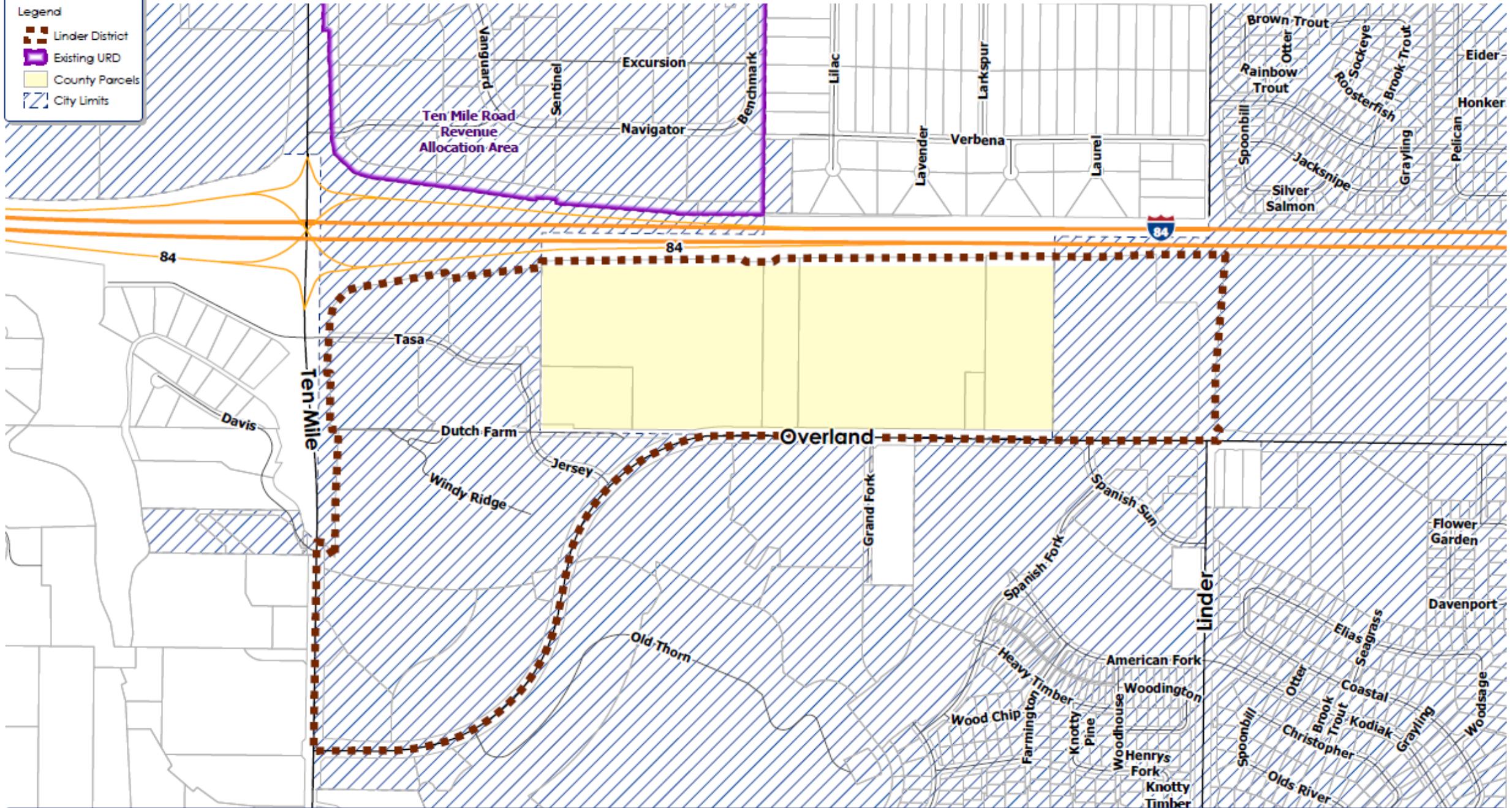


**Exhibit 1**

(Map of Properties Within Unincorporated Ada County)

**Legend**

- Linder District
- Existing URD
- County Parcels
- City Limits



**Linder District**

The information shown on this map is compiled from various sources and is subject to constant revision. The City of Meridian makes no warranty or guarantee as to the content, accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map.

Print Date: 9/3/2021

0 500 1,000 Feet

## **Exhibit 2**

### (Description of Properties Within Unincorporated Ada County)

4848-7171-9628, v. 3



**PARCEL NUMBER**

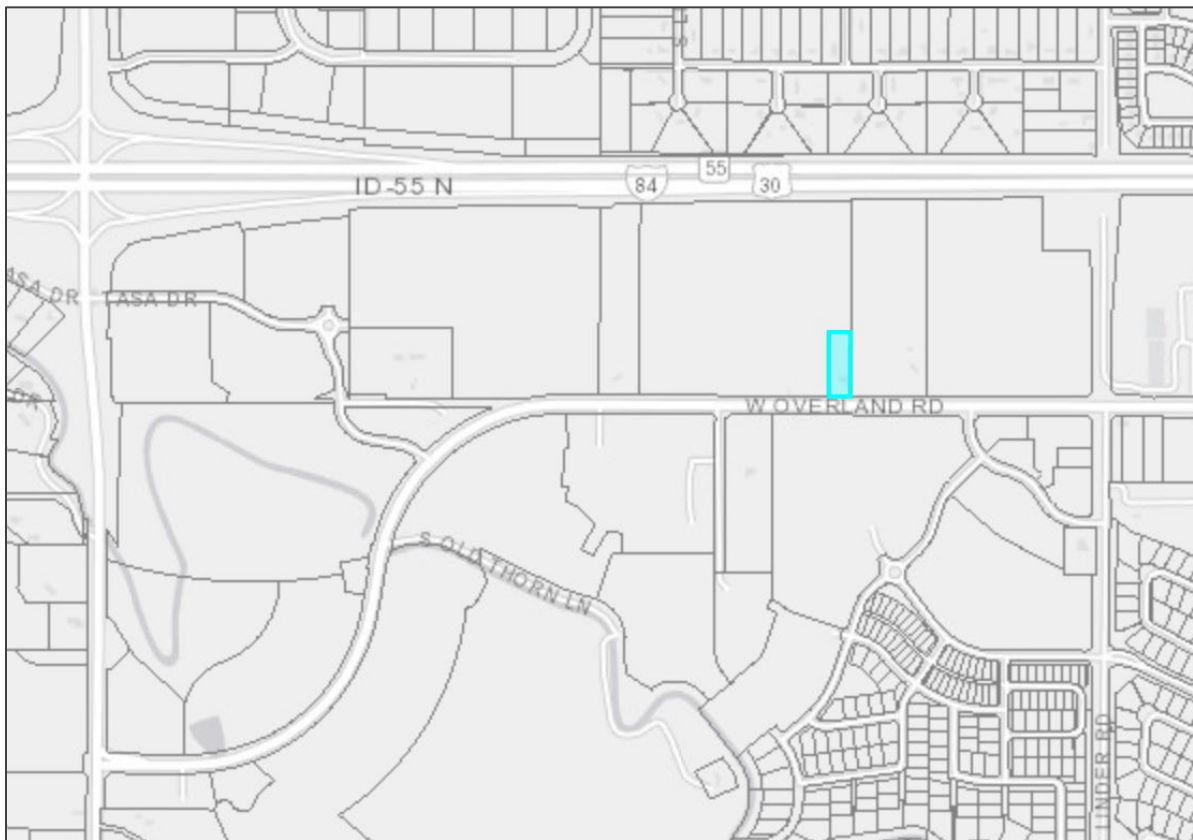
S1214438705

**ADDRESS**

2010 West Overland Road, Meridian, Idaho

**DESCRIPTION**

PAR #8705 @ SE COR SW4SE4  
SEC 14 3N 1W  
#438702



**PARCEL NUMBER**

S1214346705

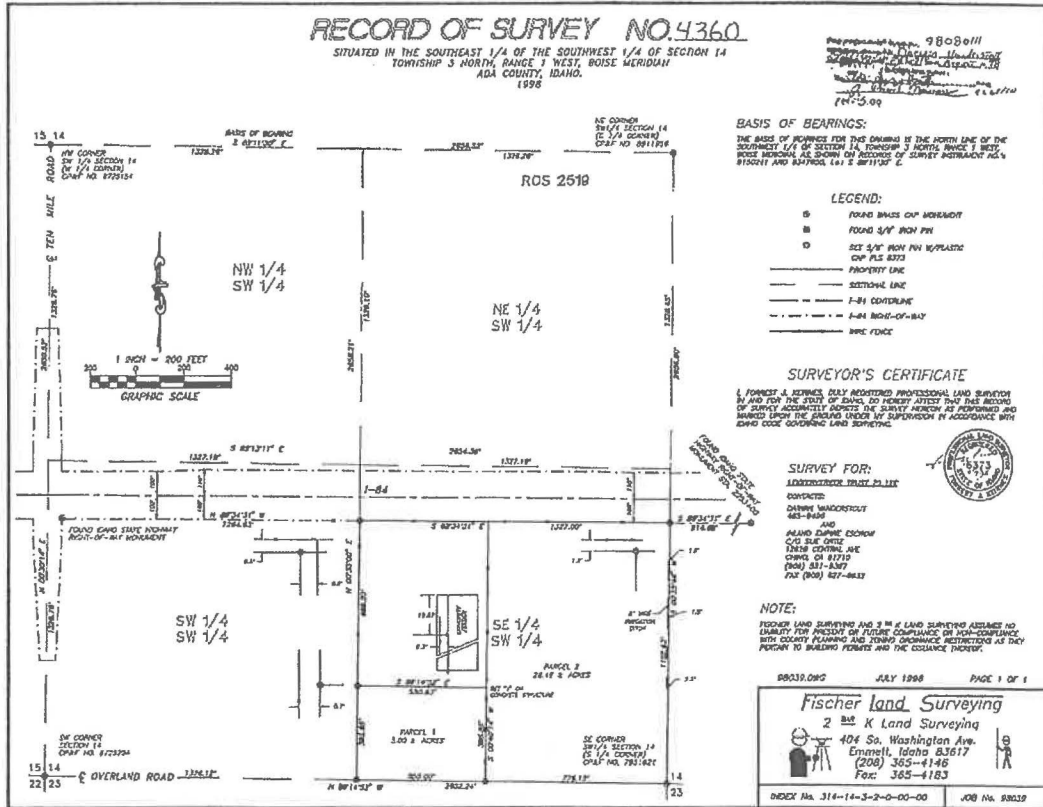
**ADDRESS**

West Overland Road, Meridian, Idaho

**DESCRIPTION**

PAR #6705 N'LY & E'LY POR  
SE4SW4 S OF INTERSTATE  
SEC 14 3N 1W  
PARCEL 2 R/S 4360 EXC R/W  
#346072-B

**SURVEY RECORD**



**PARCEL NUMBER**

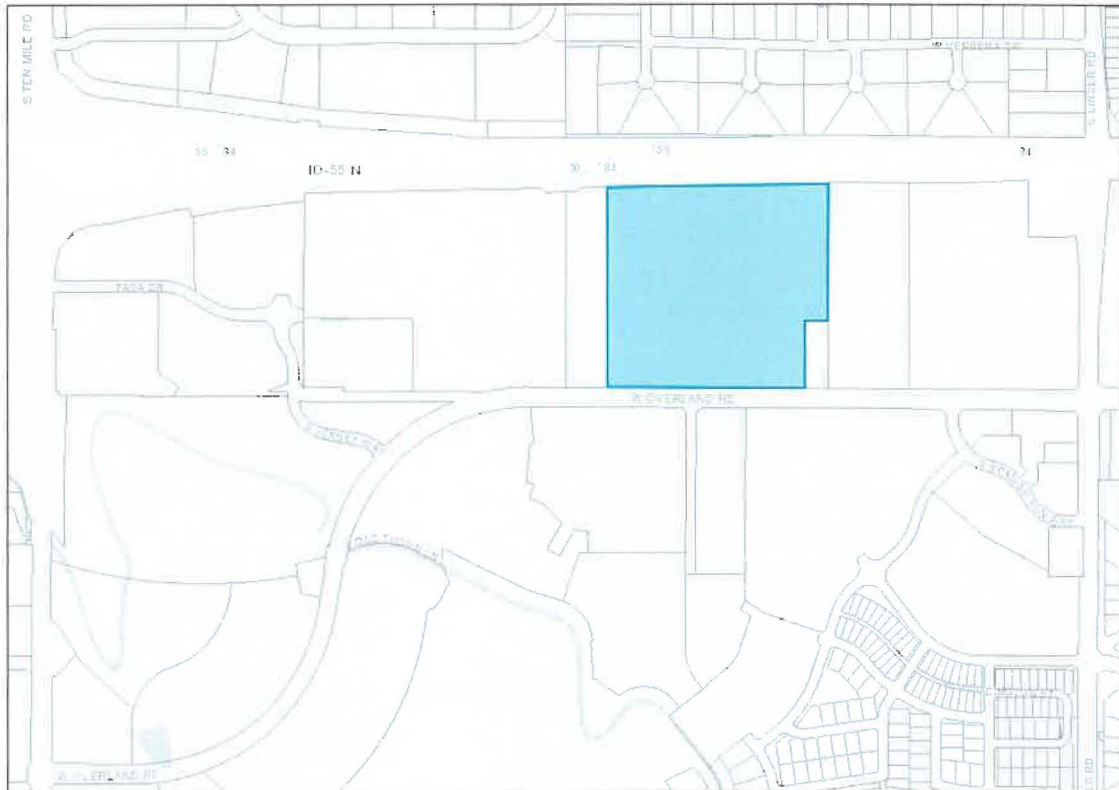
S1214438600

**ADDRESS**

2090 West Overland Road, Meridian, Idaho

**DESCRIPTION**

PAR #8600 OF SW4SE4  
SEC 14 3N 1W  
#438423-B





**PARCEL NUMBER**

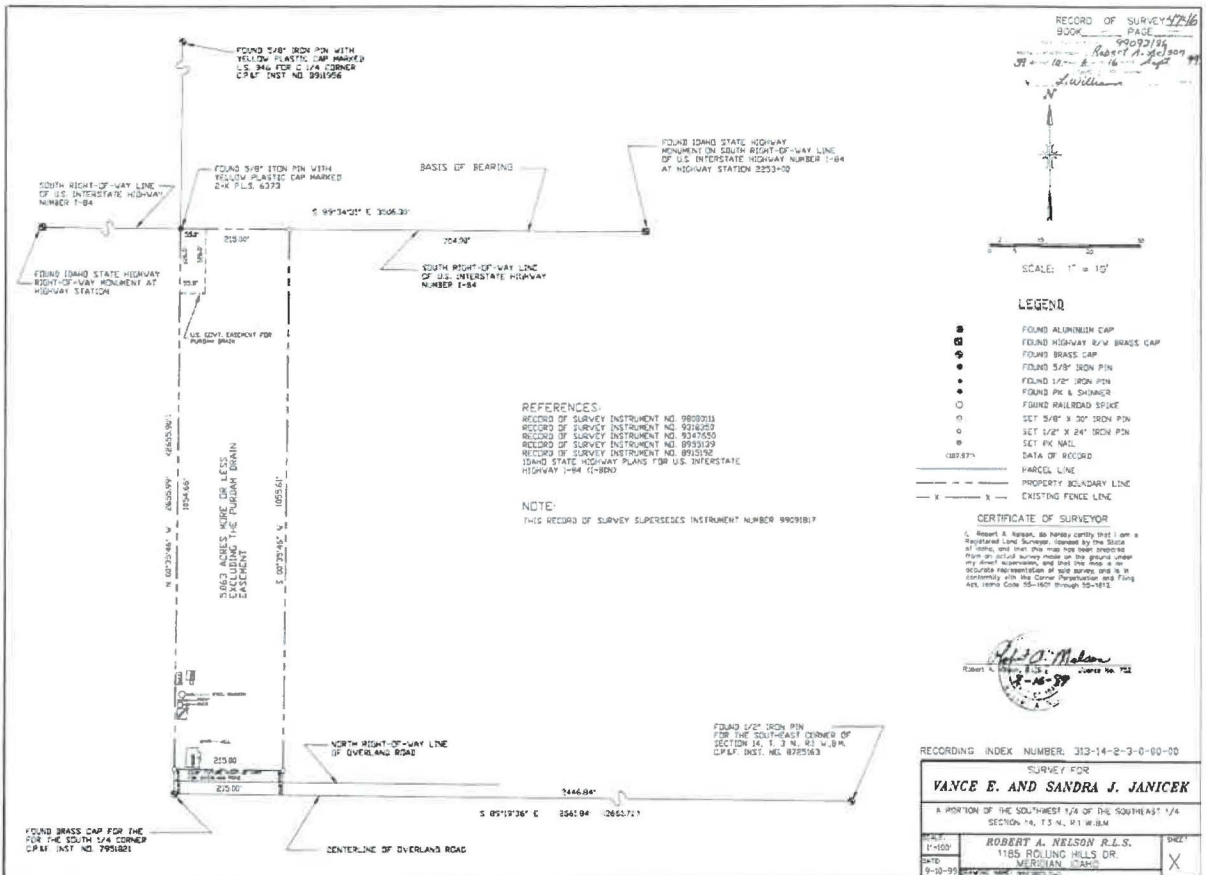
S1214438420

**ADDRESS**

2390 West Overland Road, Meridian, Idaho

**DESCRIPTION**

PAR #4200 @ W SIDE SW4SE4  
SEC 14 3N 1W  
R/S 4746  
#8416-B



**PARCEL NUMBER**

S1214449021

**ADDRESS**

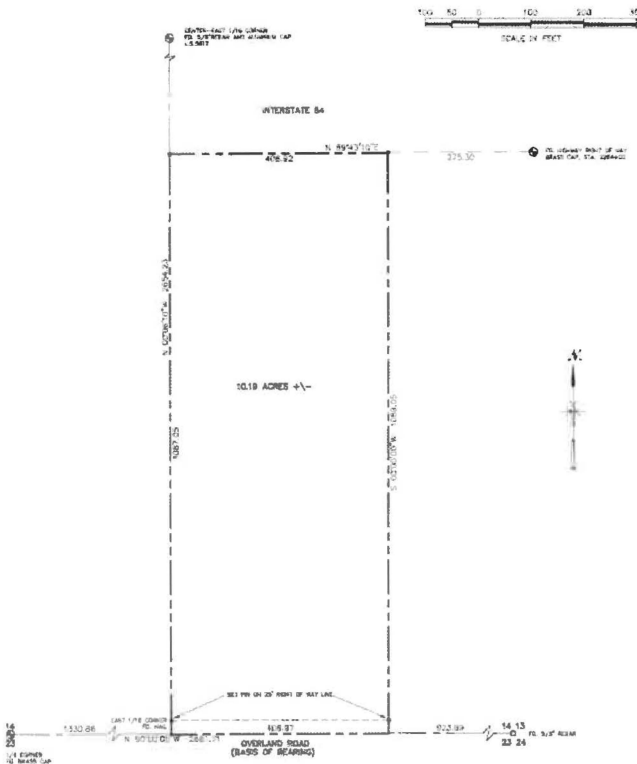
1940 West Overland Road, Meridian, Idaho

**DESCRIPTION**

PAR #9021 OF SE4SE4  
SEC 14 3N 1W  
R/S 2412 EXC R/W  
#449020-B

**SURVEY RECORD**

RECORD OF SURVEY NO. 2412



**LEGEND**

- ⊙ Found Brass Cap
- ⊙ Set 5/8" 30"Rebar With Plastic Cap
- ⊙ Set 1/2" 24"Rebar
- ⊙ Found 3/8" 30"Rebar
- ⊙ Found 1/2" 24"Rebar
- Boundary Line
- Section Line
- Easement Line

**CERTIFICATE OF SURVEYOR**

I, Michael F. Marks, do hereby certify that I am a Registered Land Surveyor, licensed by the State of Idaho, and that this map has been prepared from an actual survey made on the ground under my direct supervision, and that this map is an accurate representation of said survey, and is in conformity with the Corner Perpetuation and Filing Act, State of Idaho Code 55-1601 through 55-1612 and to the Idaho Code relating to Surveys.

Michael F. Marks, L.S. License No. 499R

STATE OF IDAHO, COUNTY OF ADA, SS  
INSTRUMENT NO. 9318350  
FILED FOR RECORD AT THE REQUEST OF MICHAEL MARKS  
OF MAZDA N.M. PAST 3 O'CLOCK P.M. THIS 12 DAY  
OF MARCH, 1983.  
J. DAVID NAVARRO, RECORDER  
By Michael DEPUTY  
5-20

RECORDING INDEX NO. 314-14-2-0-00-00

SURVEY FOR <b>ELMO POWELL</b>		MARKS SURVEYING	
PORTION OF THE SE 1/4 OF THE SE 1/4 SECTION 14, T.26N, R.12W, S.2M, ADA COUNTY, IDAHO		320134-4508 1004 FOREST STREET, BOISE, IDAHO 83705	
DESIGN:	DRAWN:	CHECK:	SCALE:
			1" = 100'
DATE:	MARCH, 1983	DRAWING NO.:	33-003

**PARCEL NUMBER**

S1214346905

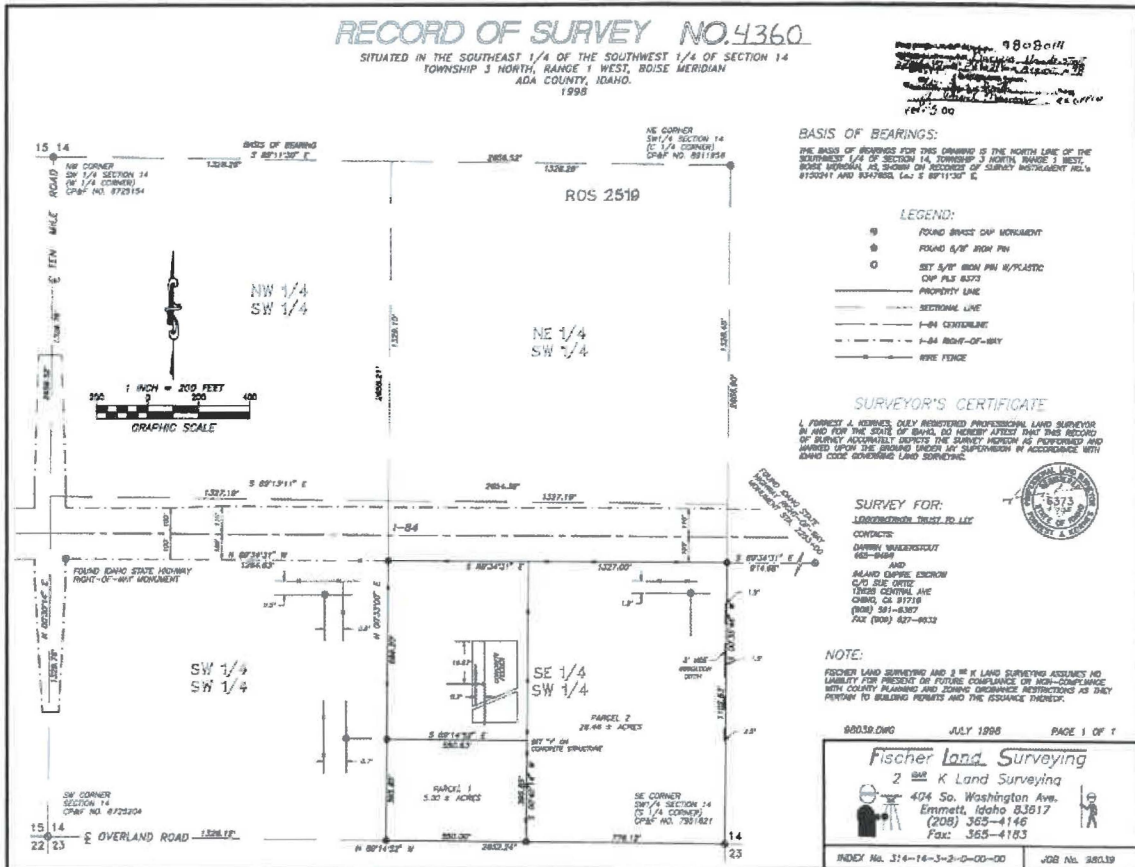
**ADDRESS**

2960 West Dutch Farm Road, Meridian, Idaho

**DESCRIPTION**

PAR #6905 @ SW COR SE4SW4  
SEC 14 3N 1W  
PARCEL 1 R/S 4360 EXC R/W  
#346610-B

**SURVEY RECORD**





Attachment 9

City Council Resolution No. 21-2299  
(Intergovernmental Agreement)

**[To Be Inserted Upon Adoption]**

CITY OF MERIDIAN

RESOLUTION NO. 21-2299

BY THE CITY COUNCIL:

BERNT, BORTON, CAVENER,  
HOAGLUN, PERREAULT, STRADER

A RESOLUTION BY THE MAYOR AND THE COUNCIL OF THE CITY OF MERIDIAN, IDAHO, TO PROVIDE FOR AN INTERGOVERNMENTAL AGREEMENT FOR ROLES AND RESPONSIBILITIES UNDER IDAHO CODE SECTION 50-2906(3)(b) BETWEEN ADA COUNTY, IDAHO AND THE CITY OF MERIDIAN, IDAHO; PROVIDING FOR AREAS OUTSIDE THE CITY LIMITS TO BE INCLUDED WITHIN AN URBAN RENEWAL AREA; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Mayor (the “Mayor”) and City Council (“City Council”) of the city of Meridian, Idaho (the “City”) have the authority (pursuant to Idaho Code §50-302) to establish resolutions not inconsistent with the laws of the State of Idaho as may be expedient, in addition to the special powers therein granted, to maintain the peace, good government and welfare of the corporation and its trade, commerce and industry;

WHEREAS, the City Council on or about July 24, 2001, adopted and approved a resolution creating the Urban Renewal Agency of the City of Meridian, Idaho, also known as the Meridian Development Corporation (“MDC”), authorizing MDC 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 (the “Act”) upon making the findings of necessity required for creating the MDC;

WHEREAS, there are currently three existing urban renewal/revenue allocation areas in the City;

WHEREAS, MDC obtained the Linder Urban Renewal District (Proposed) Eligibility Report, dated May 2021 (the “Eligibility Report”), which examined an area of operation of the City, in an area known as the Linder District 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 or a deteriorated area as defined by Idaho Code Sections 50-2018(8), (9) and 50-2903(8);

WHEREAS, the MDC Board, on May 26, 2021, adopted Resolution No. 21-024 accepting the Eligibility Report and authorizing the MDC Chair, Vice-Chair, or Administrator of MDC to transmit the Eligibility Report to the City Council requesting its consideration for designation of an urban renewal area and requesting the City Council to direct the Agency to prepare an urban renewal plan for the Linder District Study Area, which plan may include a revenue allocation provision as allowed by law;

WHEREAS, Idaho Code Section 50-2018(18) provides that an urban renewal agency

RESOLUTION FOR AN INTERGOVERNMENTAL AGREEMENT FOR ROLES AND  
RESPONSIBILITIES UNDER IDAHO CODE §50-2906(3)(b) - URBAN RENEWAL AREAS  
OUTSIDE CITY LIMITS - 2

cannot exercise jurisdiction over any area outside the city limits and within its area of operation without the approval of the other city or county declaring the need for an urban renewal plan for the proposed area;

WHEREAS, the area considered within the Eligibility Report included certain properties within unincorporated Ada County;

WHEREAS, the MDC Board also authorized the transmittal of the Eligibility Report to the Ada County Board of County Commissioners for purposes of obtaining a resolution accepting the Eligibility Report and determining such area outside the boundaries of the City and within unincorporated Ada County to be a deteriorated area and/or a deteriorating area and finding the need for an urban renewal project for the proposed Linder District Study Area;

WHEREAS, the Eligibility Report was submitted to the Ada County Board of County Commissioners, and the Ada County Board of County Commissioners were asked to adopt a resolution finding the need for an urban renewal project for the proposed Linder District Study Area;

WHEREAS, the Ada County Board of County Commissioners adopted MDC's findings concerning the proposed Linder District Study Area by adopting Resolution No. 2676 on September 30, 2021;

WHEREAS, the City Council, by Resolution No. 21-2289, dated October 5, 2021, declared the Linder District Study Area described in the Eligibility Report to be a deteriorated area or a deteriorating area, or a combination thereof, as defined by Chapters 20 and 29, Title 50, Idaho Code, as amended, that such area is appropriate for an urban renewal project, that the Ada County Board of County Commissioners directed the parcels north of Interstate 84 and west of Linder Road should not be included in any proposed revenue allocation area, that the Ada County Board of County Commissioners adopted the necessary resolutions and directed MDC to commence preparation of an urban renewal plan;

WHEREAS, the City and MDC have undertaken the planning process during 2021;

WHEREAS, MDC prepared the Urban Renewal Plan for the Linder District Urban Renewal Project (the "Linder District Plan"), which Linder District Plan proposed to create an urban renewal and revenue allocation area commonly known as the Linder District project area (the "Project Area" or "Revenue Allocation Area") to develop and/or redevelop a portion of the area designated as eligible for urban renewal planning pursuant to the Law and Act, as amended, located within the City, and a portion of which is within unincorporated Ada County adjacent and contiguous to the City, that is intended to be annexed into the City prior to development;

WHEREAS, the area included in the Project Area is smaller than the area assessed in the Eligibility Report;



WHEREAS, the required property owner consents for any parcels deemed to be an agricultural operation included within the Project Area have been obtained by MDC;

WHEREAS, the Linder District Plan contains the provisions of revenue allocation financing as allowed by the Act;

WHEREAS, the MDC Board on October 27, 2021, adopted Resolution No. 21-053 proposing and recommending the Linder District Plan;

WHEREAS, the Agency, by letter of transmittal dated October 28, 2021, submitted the Linder District Plan to the Mayor and the City Clerk;

WHEREAS, the Mayor and the City Clerk took the necessary action to process the Linder District Plan consistent with the requirements set forth in Idaho Code Section 50-2906 and Idaho Code Section 50-2008;

WHEREAS, appropriate notice of the Linder District Plan and revenue allocation provision contained therein has been given to the affected taxing districts and the public as required by Idaho Code §§ 50-2906 and 40-1415;

WHEREAS, after notice duly published, the City Council at its regular meeting to be held on December 14, 2021, will hold a public hearing and thereafter may consider the Linder District Plan as proposed;

WHEREAS, Idaho Code Section 50-2906(3)(b) contemplates an agreement between the Ada County Board of County Commissioners and the City Council, governing administration of a revenue allocation financing provision for any area extending beyond the City's municipal boundary and located within unincorporated Ada County, and such agreement must be formalized by a transfer of powers ordinance adopted by the Ada County Board of County Commissioners;

WHEREAS, there are certain properties within the Linder District Plan and Project Area which extend beyond the City's municipal boundaries and into unincorporated Ada County;

WHEREAS, the Ada County Board of County Commissioners adopted Ordinance No. 932, the Transfer of Powers Ordinance, on December 7, 2021, which Ordinance authorized the Chair to sign and enter into the Intergovernmental Agreement for Roles and Responsibilities under Idaho Code Section 50-2906(3)(b) between Ada County and the City (the "Agreement");

WHEREAS, the Mayor and City Council deem it expedient and in the best interests of the City to establish and enter into the Agreement, to confirm the consent of Ada County under Idaho Code §50-2018(18), and to assure compliance with the Act and Law.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MERIDIAN, IDAHO, AS FOLLOWS:

RESOLUTION FOR AN INTERGOVERNMENTAL AGREEMENT FOR ROLES AND RESPONSIBILITIES UNDER IDAHO CODE §50-2906(3)(b) - URBAN RENEWAL AREAS OUTSIDE CITY LIMITS - 2

Section 1: That the above statements are true and correct.

Section 2: That the Intergovernmental Agreement for Roles and Responsibilities Under Idaho Code §50-2906(3)(b) (the “Agreement”), attached hereto as **Exhibit A**, is incorporated herein and made a part hereof by reference, and is hereby approved and accepted.

Section 3: That the Mayor is hereby authorized to sign and enter into the Agreement. A copy of this Resolution and the attached Agreement shall be held on file in the office of the City Clerk.

Section 4: This Resolution shall be in full force and effect upon the execution of this Resolution by the Mayor.

PASSED BY THE COUNCIL OF THE CITY OF MERIDIAN, IDAHO, this day of \_\_\_\_\_ 2021.

APPROVED BY THE MAYOR OF THE CITY OF MERIDIAN, IDAHO, this day of \_\_\_\_\_ 2021.

\_\_\_\_\_  
Robert E. Simison, Mayor

ATTEST:

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

**Exhibit A**

**Intergovernmental Agreement for Roles and  
Responsibilities Under Idaho Code Section 50-2906(3)(b)**

4823-0318-4844, v. 1



**INTERGOVERNMENTAL AGREEMENT FOR ROLES AND  
RESPONSIBILITIES UNDER IDAHO CODE SECTION 50-2906(3)(b)**

This Intergovernmental Agreement is entered into this \_\_\_\_ day of \_\_\_\_\_, 2021, by and between Ada County, Idaho (the “County”) and the City of Meridian, Idaho (hereinafter, “Meridian”), and is made for the purpose of complying with Idaho Code Section 50-2906(3)(b).

**RECITALS**

WHEREAS, the County is a duly organized and existing county under the laws and the Constitution of the State of Idaho;

WHEREAS, Meridian is a duly organized existing municipality under the laws and the Constitution of the state of Idaho;

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 (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, there are currently three (3) existing urban renewal and revenue allocation project areas in Meridian, which are commonly referred to as follows: the Downtown District, the Ten Mile District, and the Union District. The Downtown District includes parcels located within unincorporated Ada County, which is governed by the Intergovernmental Agreement for Roles and Responsibilities Under Idaho Code Section 50-2906(3)(b), by and between the County and Meridian, dated March 18, 2003;

WHEREAS, based on inquiries and information presented, certain interested property owners, the County and Meridian commenced certain discussions concerning examination of an additional area within Meridian and within the unincorporated County as eligible for an urban renewal project;

WHEREAS, in 2021, Kushlan | Associates commenced an eligibility study and preparation of an eligibility report for an area approximately 195 acres in size including properties and roadway, referred to as the Linder District Study Area, which is an area generally bounded by Ten Mile Road on the west, Interstate 84 on the north, Overland Road on the south, and what would be an unimproved section of Linder Road on the east. Additionally, the Linder District Study Area included three (3) parcels located west of Linder Road and north of I-84 (the “Study Area”);

WHEREAS, the Agency obtained an eligibility report entitled Linder 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 and/or a deteriorated area as defined by Idaho Code Sections 50-2018(8), (9) and 50-2903(8);

WHEREAS, the Agency, on May 26, 2021, adopted Resolution No. 21-024 accepting the Report and authorizing 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 law;

WHEREAS, the Agency also authorized the transmittal of the Report to the Ada County Board of County Commissioners for purposes of obtaining a resolution determining such areas outside the boundaries of incorporated Meridian and within unincorporated Ada County to be deteriorated and/or deteriorating and finding the need for an urban renewal project for the proposed Study Area;

WHEREAS, Idaho Code Section 50-2018(18) provides that an urban renewal agency cannot exercise jurisdiction over any area outside the city limits and within its area of operation without the approval of the other city or county declaring the need for an urban renewal plan for the proposed area;

WHEREAS, the area considered within the Report included certain properties within unincorporated Ada County;

WHEREAS, the Report was submitted to the Ada County Board of County Commissioners, and the Ada County Board of County Commissioners were asked to adopt a resolution finding the need for an urban renewal project for the proposed Study Area;

WHEREAS, the Ada County Board of County Commissioners adopted the Agency's finding concerning the proposed Study Area by adopting Resolution No. 2676 on September 30, 2021;

WHEREAS, the Meridian City Council, by Resolution No. 21-2289, dated October 5, 2021, 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, Title 50, Idaho Code, as amended, that such Study Area is appropriate for an urban renewal project, that the Ada County Board of County Commissioners directed the parcels north of Interstate 84 and west of Linder Road should not be included in any proposed revenue allocation area, that the Ada County Board of County Commissioners adopted the necessary resolutions and directed the Agency to commence preparation of an urban renewal plan;

WHEREAS, the City and the Agency embarked on the planning of an urban renewal project referred to as the Urban Renewal Plan for the Linder District Urban Renewal Project (the "Linder District Plan") to develop and/or redevelop a portion of Meridian, a portion of which is

within unincorporated Ada County adjacent and contiguous to the City, that is intended to be annexed into the City prior to development, pursuant to the Law and the Act, as amended;

WHEREAS, the Linder District Plan proposed to create an urban renewal and revenue allocation area commonly known as the Linder District project area (the “Linder District Project Area”);

WHEREAS, the Agency and its consultants have undertaken the planning process during 2021;

WHEREAS, the area included in the Linder District Project Area is smaller than the area assessed in the Report, which Linder District Project Area is illustrated in **Exhibit 1**;

WHEREAS, the required property owner consents for any parcels deemed to be an agricultural operation included within the Linder District Project Area have been obtained by the Agency;

WHEREAS, the Linder District Plan contains the provisions of revenue allocation financing as allowed by the Act;

WHEREAS, the Agency Board on October 27, 2021, adopted Resolution No. 21-053 proposing and recommending the Linder District Plan;

WHEREAS, the Agency, by letter of transmittal dated October 28, 2021, submitted the Linder District Plan to the Mayor and Meridian City Clerk;

WHEREAS, the Mayor and City Clerk are taking the necessary action to process the Linder District Plan consistent with the requirements set forth in Idaho Code §§ 50-2906 and 50-2008;

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

WHEREAS, after notice duly published, the Meridian City Council at its regular meeting to be held on December 14, 2021, will hold a public hearing and will consider the Linder District Plan as proposed;

WHEREAS, Idaho Code Section 50-2906(3)(b), requires an agreement between the Meridian City Council and the Ada County Board of County Commissioners, governing administration of a revenue allocation financing provision for any area extending beyond Meridian’s municipal boundary and located within the unincorporated County, and such agreement must be formalized by a transfer of power ordinance adopted by the County;

WHEREAS, there are certain properties within the Linder District Plan and Project Area which extend beyond Meridian’s municipal boundaries and into the County, as illustrated in



**Exhibit 1**, and as more particularly described in **Exhibit 2** attached hereto and incorporated herein by reference;

WHEREAS, the Meridian City Council and the Board of County Commissioners desire to enter into this Agreement to avoid any uncertainty regarding the Meridian City Council's jurisdiction and authority to establish the Linder District Project Area and the Agency's authority to implement the Linder District Plan concerning those properties which are outside Meridian's municipal limits and within the County;

WHEREAS, the Meridian City Council and Board of County Commissioners deem it in their collective best interests to enter into this Agreement covering said properties and assuring compliance with the Act and Law, Idaho Code Sections 50-2906(3)(b) and 50-2018(18) respectively;

NOW, THEREFORE, it is mutually agreed as follows:

## **AGREEMENT**

### 1. PURPOSE OF AGREEMENT

The purpose of this Agreement is to detail the duties, roles, and responsibilities to be provided by the parties with respect to compliance with the Act and Law, Idaho Code Sections 50-2906(3)(b) and 50-2018(18) respectively;

### 2. GENERAL PROVISIONS

The Ada County Board of County Commissioners does hereby agree that the Meridian City Council shall have the right, power, authority, and obligation to administer the Law, Act and particularly the revenue allocation financing provisions of the Linder District Plan for that certain property which is contained within the boundaries of the revenue allocation area as defined in the Act and the Linder District Plan, which property extends beyond Meridian's municipal boundary and into the unincorporated County. The property governed by this Agreement is illustrated in **Exhibit 1** and more particularly described in **Exhibit 2** of this Agreement. The County, by passing Resolution No. 2676, has declared the need for urban renewal activity in the area which extends beyond Meridian's municipal boundaries and into the unincorporated County.

By agreeing to the administration of this property by the Meridian City Council for the limited purposes of implementing the Linder District Plan, the Board of County Commissioners agree all revenue allocation proceeds generated from such property shall be available to the Agency for all purposes authorized under the Act and the Linder District Plan. Following the establishment of the Linder District Project Area, the Agency shall administer the revenue allocation provision affecting this property as allowed under the Act and the Linder District Plan. Additionally, the Board of County Commissioners acknowledges the Linder District Plan will be reviewed by the Meridian Planning & Zoning Commission for the Linder District Plan's conformity with the general plan for the development of Meridian as a whole consistent with and

limited to the requirements of Idaho Code § 50-2008(b). The Board of County Commissioners defers to the Meridian Planning & Zoning Commission's review and recommendations as required by Idaho Code § 50-2008(b) solely with regard to adopting the Linder District Plan. The Meridian City Council expressly acknowledges the parcels located within unincorporated Ada County are subject to and shall be developed in conformity to the 2019 City of Meridian Comprehensive Plan as adopted by Ada County Resolution No. 2620, Ada County Zoning and Development Codes as well as the Linder District Plan, recognizing the intent to seek annexation of the parcels located within the unincorporated County into Meridian prior to development, which development is intended to occur in phases over the life of the Linder District Plan and Project Area. Ada County defers to the Agency to implement and carry out the Linder District Plan.

The Board of County Commissioners shall approve this Agreement by the adoption of a transfer of power ordinance and the Meridian City Council shall approve this Agreement by the adoption of a duly authorized resolution.

Upon approval and adoption of the ordinance and resolution referenced above, the Meridian City Council shall take the necessary steps through the Meridian City Clerk to transmit a copy of the County Transfer of Power Ordinance to the County Auditor, County Assessor, the County Recorder, the other taxing districts of the revenue allocation area, and the Idaho State Tax Commission.

### 3. SPECIAL PROVISIONS

Public Improvements. In consideration of this Agreement, the Board of County Commissioners hereby consents to those certain public improvements identified in the Linder District Plan which may be acquired, constructed or installed on certain rights-of-way not within the Meridian city limits.

### 4. EFFECTIVE TERM

This Agreement shall be deemed effective upon the execution of this Agreement by both the Board of County Commissioners and the Meridian City Council and shall remain in effect for the duration of the Linder District Plan. This Agreement shall be of no further force and effect as it relates to any parcel or parcels as illustrated and described in **Exhibit 1** and **Exhibit 2** upon those properties or portions of those properties then being included within the municipal boundaries of Meridian, currently, or through Meridian's annexation process.

### 5. MODIFICATION

This Agreement may be modified or amended in writing if executed by both the Board of County Commissioners and the Meridian City Council.

6. ENTIRE AGREEMENT

Except as provided otherwise herein, this Agreement and any attachments hereto constitute the entire Agreement between the parties concerning the subject matter hereto.

IN WITNESS WHEREOF, the Board of County Commissioners and the Meridian City Council have executed this Agreement by proper persons thereunto duly authorized as of the date first hereinabove written.

COUNTY: BOARD OF ADA COUNTY  
COMMISSIONERS

By \_\_\_\_\_  
Rod Beck, Chairman

By \_\_\_\_\_  
Ryan Davidson

By \_\_\_\_\_  
Kendra Kenyon

ATTEST:

\_\_\_\_\_  
Phil McGrane, Ada County Clerk

CITY: CITY OF MERIDIAN, IDAHO

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

ATTEST:





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

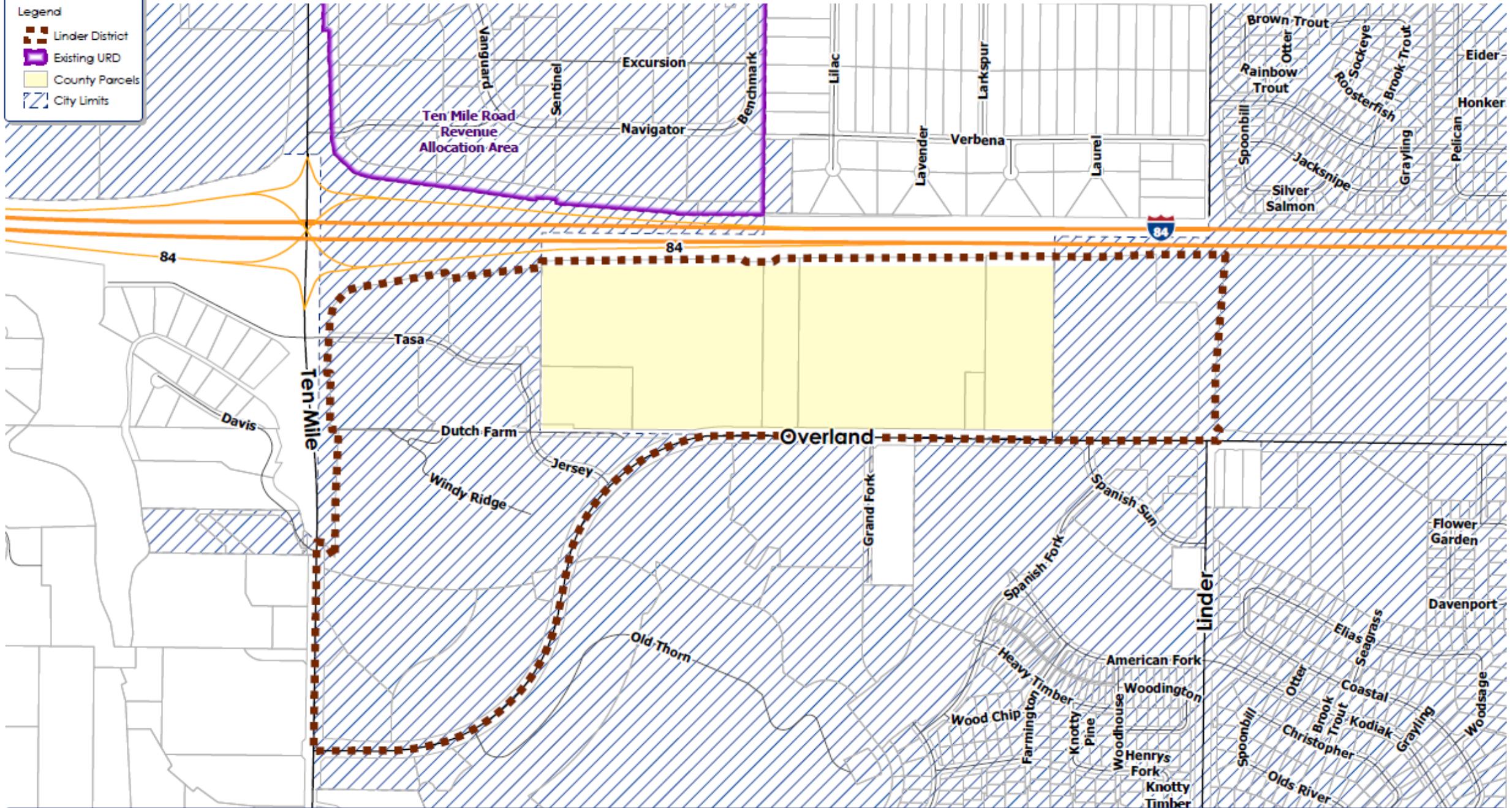


**Exhibit 1**

(Map of Properties Within Unincorporated Ada County)

**Legend**

-  Linder District
-  Existing URD
-  County Parcels
-  City Limits



## **Exhibit 2**

### (Description of Properties Within Unincorporated Ada County)

4848-7171-9628, v. 3



**PARCEL NUMBER**

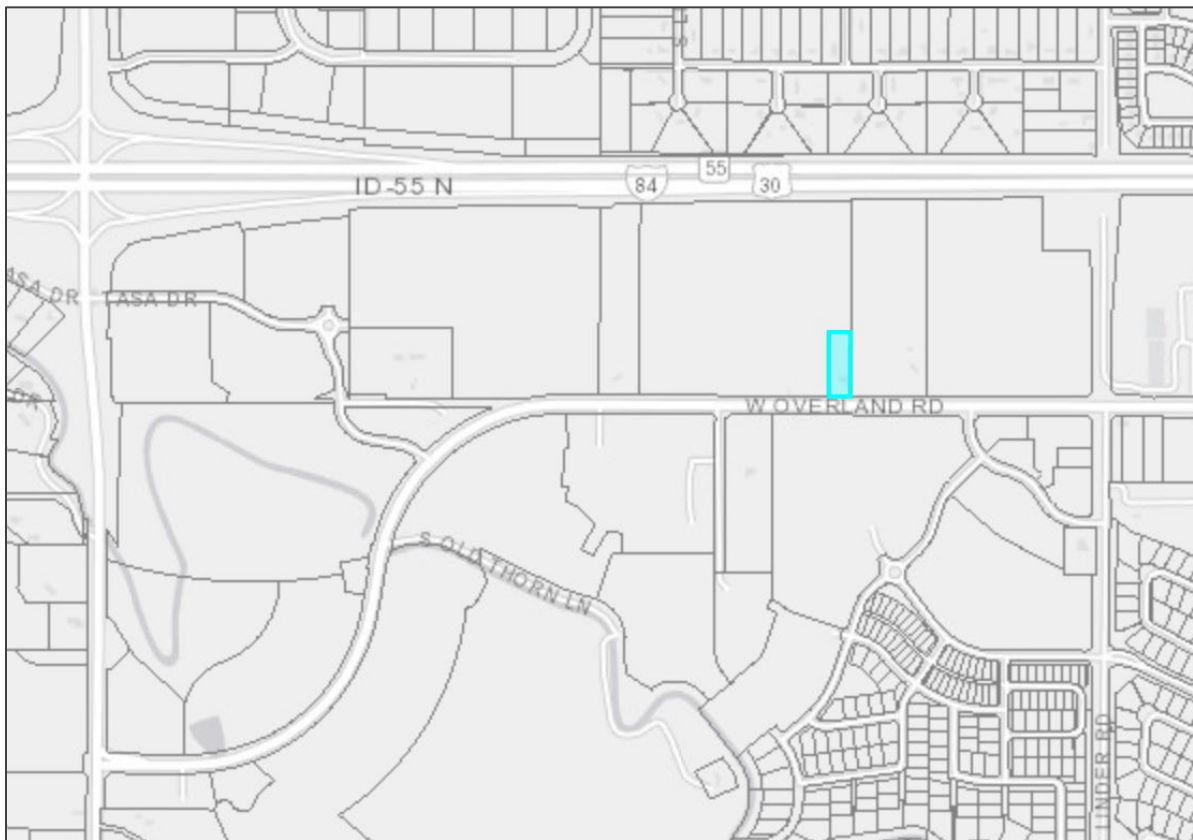
S1214438705

**ADDRESS**

2010 West Overland Road, Meridian, Idaho

**DESCRIPTION**

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SEC 14 3N 1W  
#438702



PARCEL NUMBER

S1214346705

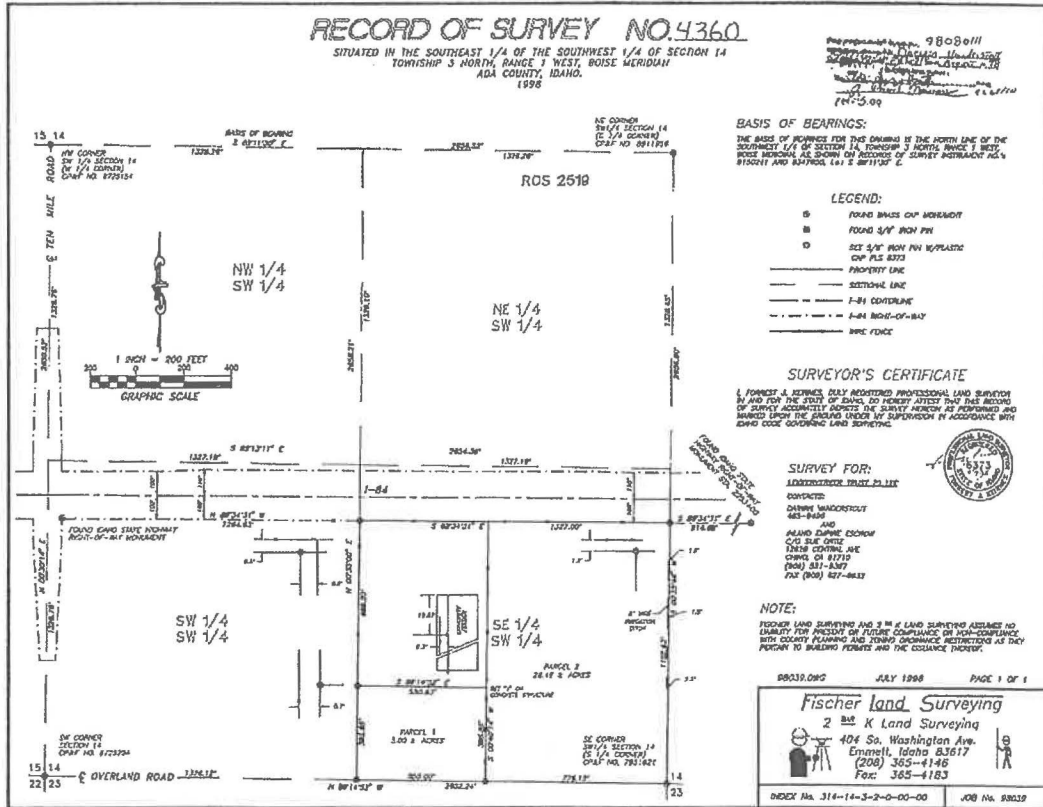
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West Overland Road, Meridian, Idaho

DESCRIPTION

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SE4SW4 S OF INTERSTATE  
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PARCEL 2 R/S 4360 EXC R/W  
#346072-B

SURVEY RECORD



**PARCEL NUMBER**

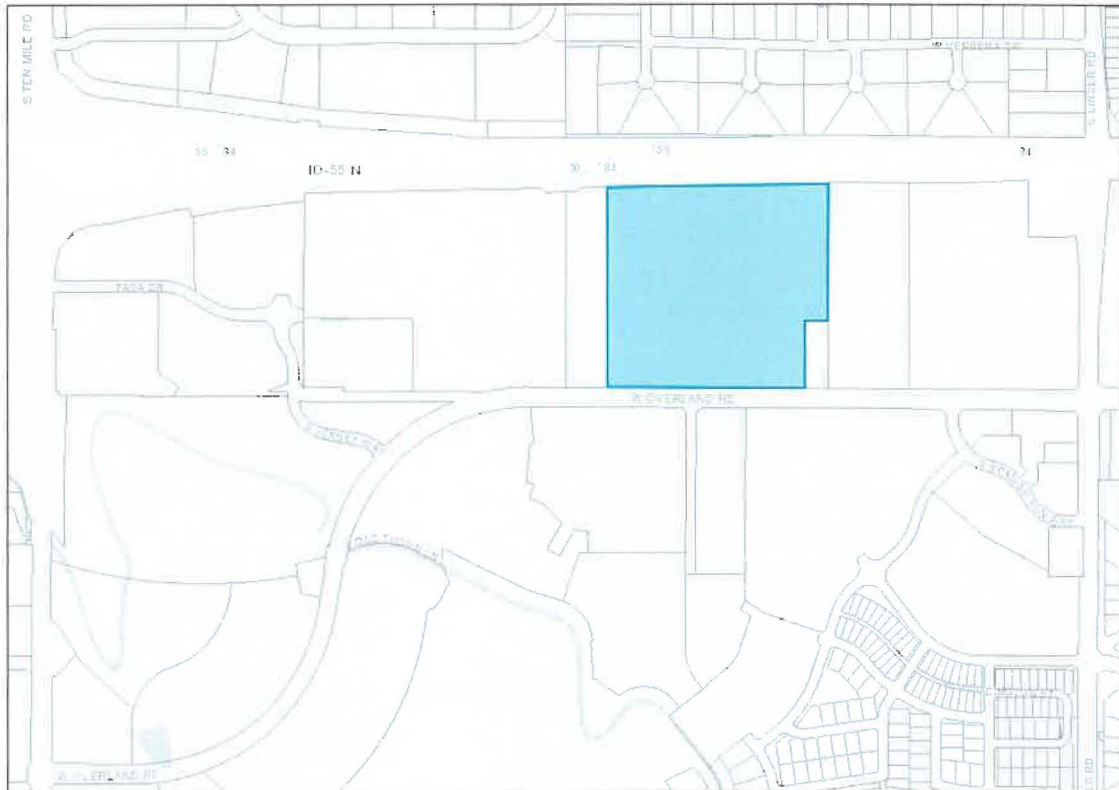
S1214438600

**ADDRESS**

2090 West Overland Road, Meridian, Idaho

**DESCRIPTION**

PAR #8600 OF SW4SE4  
SEC 14 3N 1W  
#438423-B





PARCEL NUMBER

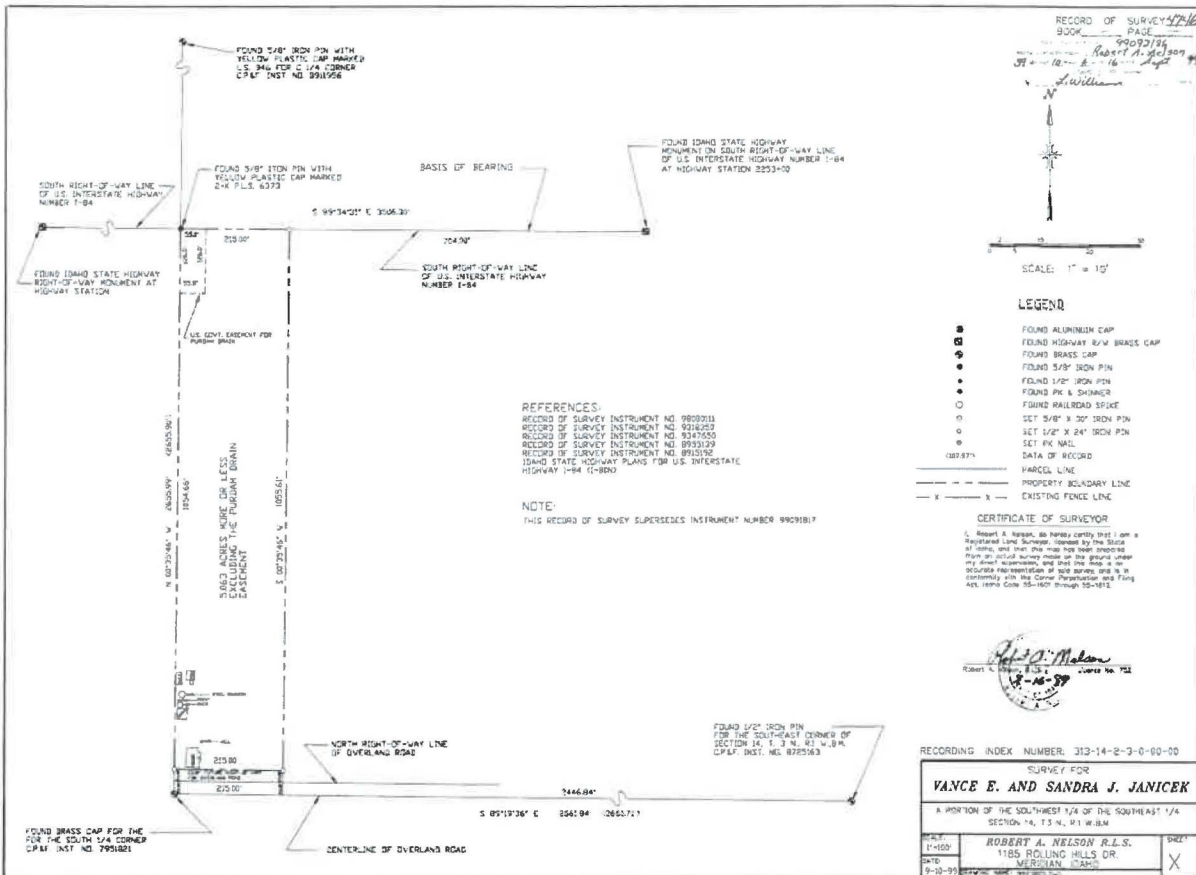
S1214438420

ADDRESS

2390 West Overland Road, Meridian, Idaho

DESCRIPTION

PAR #4200 @ W SIDE SW4SE4  
SEC 14 3N 1W  
R/S 4746  
#8416-B



**PARCEL NUMBER**

S1214449021

**ADDRESS**

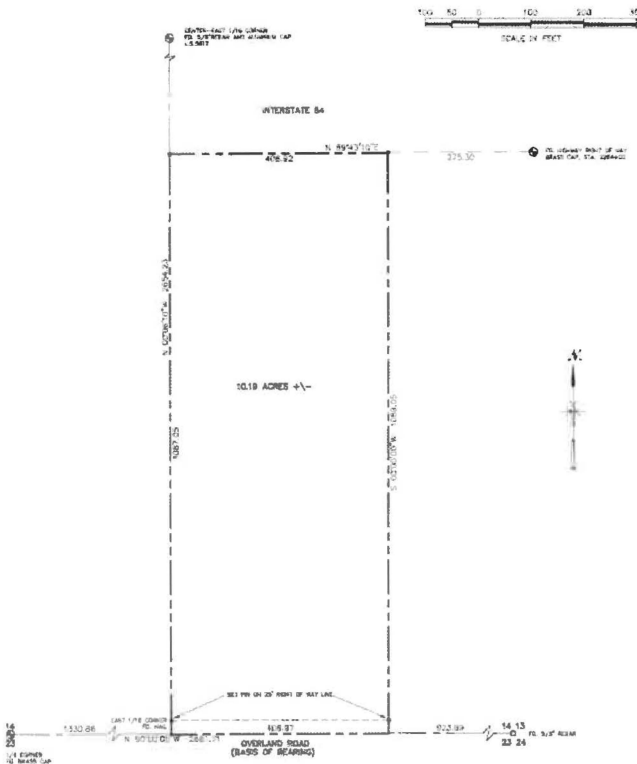
1940 West Overland Road, Meridian, Idaho

**DESCRIPTION**

PAR #9021 OF SE4SE4  
SEC 14 3N 1W  
R/S 2412 EXC R/W  
#449020-B

**SURVEY RECORD**

RECORD OF SURVEY NO. 2412



**LEGEND**

- ⊙ Found Brass Cap
- ⊙ Set 5/8" 30"Rebar With Plastic Cap
- ⊙ Set 1/2" 24"Rebar
- ⊙ Found 3/8" 30"Rebar
- ⊙ Found 1/2" 24"Rebar
- Boundary Line
- Section Line
- Easement Line

**CERTIFICATE OF SURVEYOR**

I, Michael F. Marks, do hereby certify that I am a Registered Land Surveyor, licensed by the State of Idaho, and that this map has been prepared from an actual survey made on the ground under my direct supervision, and that this map is an accurate representation of said survey, and is in conformity with the Corner Perpetuation and Filing Act, State of Idaho Code 55-1601 through 55-1612 and to the Idaho Code relating to Surveys.

Michael F. Marks, L.S. License No. 499R

STATE OF IDAHO, COUNTY OF ADA, SS

INSTRUMENT NO. 9318350  
FILED FOR RECORD AT THE REQUEST OF MICHAEL MARKS  
OF MAZDA N.M. PAST 3 O'CLOCK P.M. THIS 12 DAY  
OF MARCH, 1983.  
J. DAVID NAVARRO, RECORDER  
By Michael DEPUTY  
5-20

RECORDING INDEX NO. 314-14-2-0-00-00

SURVEY FOR <b>ELMO POWELL</b>		MARKS SURVEYING	
PORTION OF THE SE 1/4 OF THE SE 1/4 SECTION 14, T.26N. R.12W. S.24E. ADA COUNTY, IDAHO		320134-4508 1004 FOREST STREET, BOISE, IDAHO 83705	
DESIGN:	DRAWN:	CHECK:	SCALE:
			1" = 100'
DATE:	MARCH, 1983	DRAWING NO.:	33-003

**PARCEL NUMBER**

S1214346905

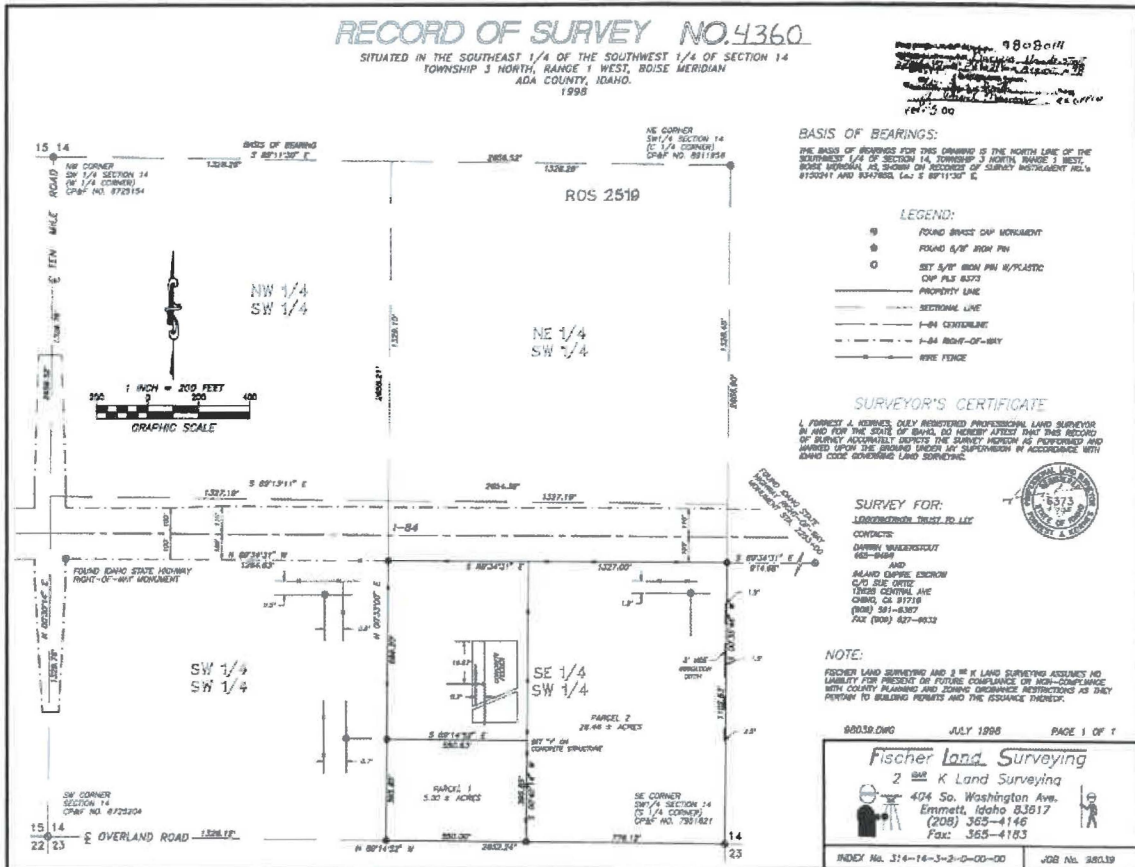
**ADDRESS**

2960 West Dutch Farm Road, Meridian, Idaho

**DESCRIPTION**

PAR #6905 @ SW COR SE4SW4  
SEC 14 3N 1W  
PARCEL 1 R/S 4360 EXC R/W  
#346610-B

**SURVEY RECORD**





**Exhibit 4**

Summary of Ordinance No. 21-1958

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

**CITY OF MERIDIAN ORDINANCE NO. 21-1958**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MERIDIAN, IDAHO, APPROVING THE URBAN RENEWAL PLAN FOR THE LINDER 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; PROVIDING FOR WAIVER OF THE READING RULES; 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 Linder District Project Area as defined in the Linder 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 Linder 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 Linder District Plan conforms to the City of Meridian Comprehensive Plan as a whole.
- (e) The Linder 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 commercial and industrial components of the Plan and the need for public improvements to support the goals of the mixed employment area as set forth in the Ten Mile Specific Area Plan), 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 Linder District Plan.
- (f) The Linder 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 Linder District Plan provides a feasible method for relocation obligations of any displaced families residing within the Linder District Project Area.
- (h) The collective base assessment rolls for the revenue allocation areas under the Existing Project Areas and the Linder District Project Area, do not exceed ten percent (10%) of the assessed values of all the taxable property in the City.
- (i) The Linder District Plan includes the requirements set forth in Idaho Code § 50-2905 with specificity.
- (j) The Linder 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 include agricultural operations for which the Agency has received written consent, or which have not been used for agricultural purposes for three (3) consecutive years.
- (l) The portion of the Linder 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 Linder 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 Linder District Project Area has a substantial portion of open land, that the Agency may acquire any open land within the Linder District Project Area, and that the Linder District Project Area is planned to be redeveloped in a manner that may primarily include nonresidential uses, with some opportunity for limited residential uses. Provided, however, the City Council finds that for the portions of the Linder



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 Linder 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 Linder 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 Linder 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 December 14, 2021, hearing and incorporate changes or modifications, if any.

**SECTION 5:** As required by Idaho Code §§ 50-2906(3)(b) and 50-2907(2), and as further defined above, the Ada County Board of County Commissioners and the City have entered into, or will enter into an Agreement on administration of a revenue allocation financing provision extending beyond the municipal boundary of the City and Agreement has been formalized by a transfer of power ordinance adopted by the Ada County Board of Commissioners in Ada County Ordinance No. 932 (attached hereto as Exhibit 5), and by City Council Resolution No. 21-2299 (attached hereto as Exhibit 6).

**SECTION 6:** The boundaries of the Linder 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 7:** The City Council declares that nothing within the Linder 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 8:** No direct or collateral action challenging the Linder 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 9:** 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, Western Ada Recreation District, Pest Extermination District, and Meridian Fire District and the State Tax Commission a copy of this Ordinance, a copy of the legal description of the boundaries of the Revenue Allocation Area, and a map indicating the boundaries of the Linder District Project Area.

**SECTION 10:** The City Council hereby finds and declares that the Revenue Allocation Area as defined in the Linder District Plan, the equalized assessed valuation of which the City Council hereby determines is in and is part of the Linder District Plan is likely to increase as a result of the initiation and completion of urban renewal projects pursuant to the Linder District Plan.

**SECTION 11:** 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 Linder District Plan, the City Council recognizes that it has no power to control the powers or operations of the Agency.

**SECTION 12:** 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 13:** 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 14:** 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 15:** The Summary of this Ordinance, a copy of which is attached hereto as Exhibit 4, is hereby approved.

**SECTION 16:** All ordinances, resolutions, orders, or parts thereof in conflict herewith are hereby repealed, rescinded, and annulled.

**SECTION 17:** Savings Clause. This Ordinance does not affect an action or proceeding commenced or right accrued before this Ordinance takes effect.

**SECTION 18:** That pursuant to the affirmative vote of one-half (1/2) plus one (1) of the Members of the full Council, the rule requiring two (2) separate readings by title and one (1)

reading in full be, and the same is hereby, dispensed with, and accordingly, this Ordinance shall be in full force and effect upon its passage, approval and publication.

PASSED by the City Council of the City of 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 Urban Renewal Plan for the Linder District Urban Renewal Project with the City of Meridian’s Comprehensive Plan
- Exhibit 2 Notice Published in the *Idaho Press*
- Exhibit 3 Urban Renewal Plan for the Linder District Urban Renewal Project
- Exhibit 4 Ordinance Summary
- Exhibit 5 Ada County Board of County Commissioners Ordinance No. 932 (Intergovernmental Agreement and Transfer of Powers Ordinance)
- Exhibit 6 Meridian City Council Resolution No. 21-2299 (Intergovernmental Agreement – Ada County)

### **SUMMARY OF LINDER DISTRICT PLAN**

The Urban Renewal Plan for the Linder District Urban Renewal Project (“Linder 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 Linder District Plan provides for the Agency to undertake urban renewal projects pursuant to the Law and the Act. The Linder 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 Linder District Plan is for twenty (20) years and includes a termination process for the Linder District Plan.

The general scope and objectives of the Plan include are:



- a. The engineering, design, installation, construction, and/or reconstruction of the southern approach to the Linder Overpass bridge, including related streetscapes, which for purposes of this Plan, the term streetscapes include sidewalks, lighting, landscaping, benches, signage, wayfinding, bike racks, public art, and similar amenities between the curb and right-of-way line, and pedestrian facilities, curb and gutter, intersection improvements, and traffic control measures;
- b. The engineering, design, installation, construction, and/or reconstruction of the Local Road Project, including related streetscapes (defined above) and pedestrian facilities, curb and gutter, intersection improvements, and traffic control measures;
- c. The engineering, design, installation, construction, and/or reconstruction of the Sewer Main Project, including but not limited to lift station and/or other such improvements related to the Sewer Main Project;
- d. 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 related to the Projects;
- e. The provision for participation by property owners and developers within the Project Area to achieve the objectives of this Plan and the Ten Mile SAP;
- f. The acquisition of real property for public right-of-way improvements and underground utilities to encourage development opportunities consistent with the Ten Mile SAP;
- g. The demolition or removal of certain buildings and/or improvements for public rights-of-way and streetscape (as defined above) improvements, pedestrian facilities, utility undergrounding extension and upgrades to encourage and enhance transportation and mobility options, decrease underutilized parcels, to eliminate unhealthful, unsanitary, or unsafe conditions, eliminate obsolete or other uses detrimental to the public welfare or otherwise to remove or to prevent the spread of deteriorating or deteriorated conditions;
- h. The development or redevelopment of land by private enterprise or public agencies for uses in accordance with this Plan and the Ten Mile SAP;
- i. The provision of financial and other assistance to encourage and attract business enterprise including but not limited to start-ups and microbusinesses, mid-sized companies and large-scale corporations and industries;
- j. The provision of financial and other assistance to encourage greater residential and/or employment density as contemplated by the Ten Mile SAP;
- k. In collaboration with property owners and other stakeholders, working with the City to amend zoning regulations (if necessary) and establish standards and guidelines for the design of the Mixed Employment and Mixed-Use Commercial uses as contemplated in the Ten Mile SAP as needed to support implementation of this Plan;

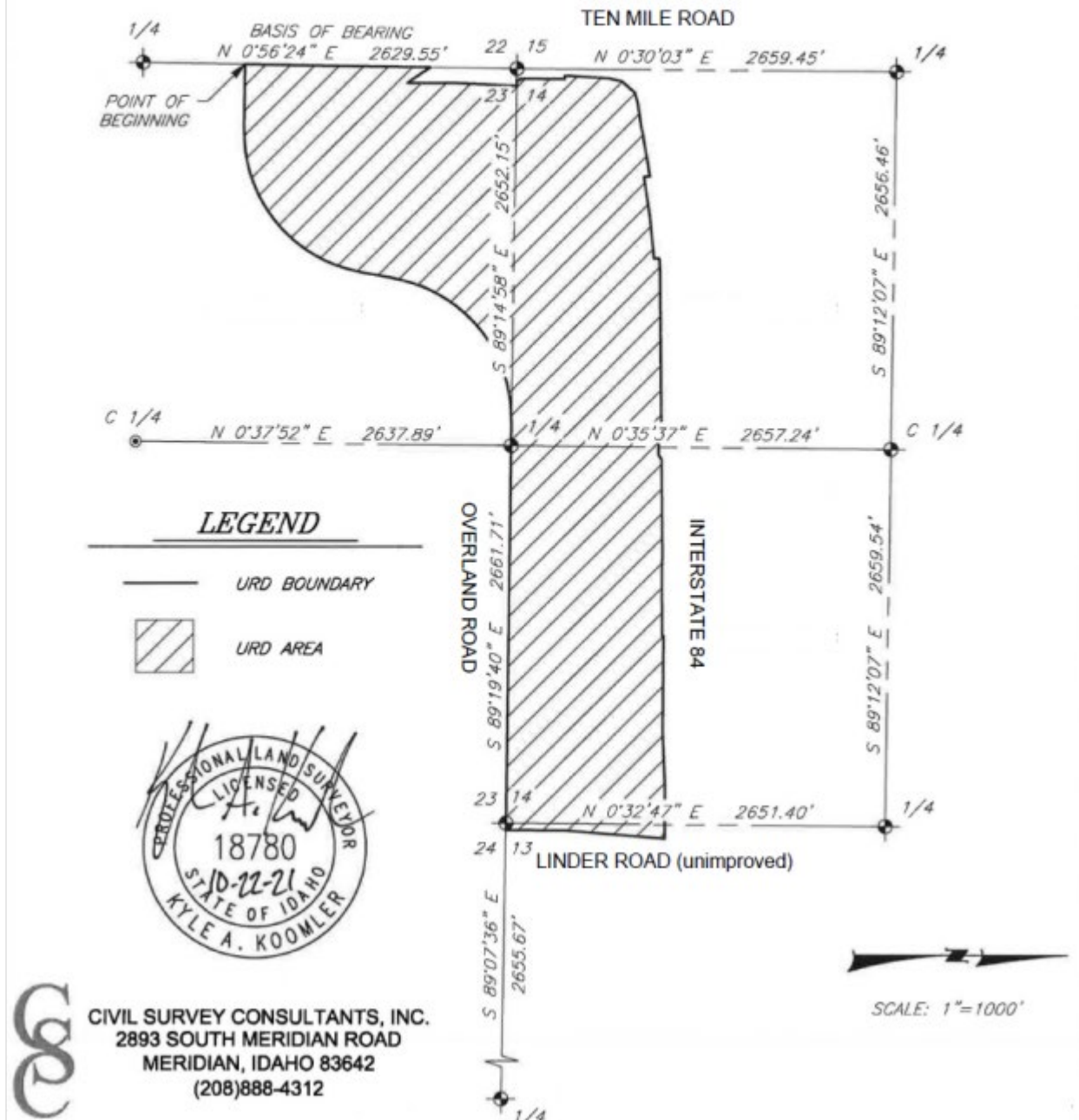
- l. In conjunction with the City, the establishment and implementation of performance criteria to assure high site design standards and environmental quality and other design elements which provide unity and integrity to the entire Project Area as contemplated by the Ten Mile SAP, achieving high standards of development, and leveraging such development to achieve public objectives and efficient use of scarce resources;
- m. To the extent allowed by law, lend or invest federal funds to facilitate development and/or redevelopment;
- n. 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;
- o. Other related improvements to those set forth above as further set forth in Attachment 5.

Any such land uses as described in the Linder District Plan will be in conformance with zoning for the City and the City's Comprehensive Plan as adopted by the City Council, or as may be applicable, zoning for Ada County. Land made available will be developed by private enterprises or public agencies as authorized by law. All properties are included within the boundaries of the Ten Mile Interchange Specific Area Plan. The Linder District Plan identifies various public and private improvements which may be made within the Project Area.

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

An area consisting of approximately 188 acres, inclusive of rights-of-way, a portion of which is located within the City limits and a portion of which is located within unincorporated Ada County, and is generally bounded by Ten Mile Road on the west, Interstate 84 on the north, Overland Road on the south and what would be an unimproved section of Linder Road on the east 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 SW 1/4 OF SECTION 13, AND IN THE S 1/2 OF SECTION 14, AND IN THE NW 1/4 OF SECTION 23, ALL IN TOWNSHIP 3 NORTH, RANGE 1 WEST, BOISE MERIDIAN, ADA COUNTY, IDAHO





Section 100 includes an introduction, general procedures of the Agency, necessary procedures, the history and current conditions of the Project Area, as well as the purpose of activities, and open land criteria.

Section 200 references the boundaries of the Project Area.

Sections 300 through 312 discuss the proposed redevelopment actions, Plan objectives, participation opportunities and agreements, cooperation with public bodies, property acquisition standards and requirements, property management, relocation, demolition, and property disposition, development, and participation with others.

Sections 400 through 409 discusses the type of land uses authorized in the Project Area, public rights-of-way, development in the Project Area, construction requirements, nonconforming uses, and design guidelines.

The Linder District Plan also contains a significant section on financing. Among other sources, the Linder 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 Linder 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, Western Ada Recreation District, Pest Extermination District, and the Meridian Fire District, to finance their operations. The Linder 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 Linder District Plan.

The program outlined in the Linder 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 Linder District Plan follows the underlying zoning classifications of the City.

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

The duration of the Linder District Plan is for twenty (20) years. A termination process is described in Section 800 of the Linder 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 Linder District Urban Renewal Project Area and Revenue Allocation Area
- Attachment 2            Legal Description of Linder 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
- Attachment 6            Agricultural Operation Consents
- Attachment 7            Ada County Board of County Commissioners Resolution No. 2676 (eligibility)
- Attachment 8            Ada County Board of County Commissioners Ordinance No. 932 (Intergovernmental Agreement and Transfer of Powers Ordinance)
- Attachment 9            City Council Resolution No. 21-2299 (Intergovernmental Agreement)

A full text of the Ordinance and the Linder 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

Public Hearing: 12/14/2021; Consolidated Readings 12/14/2021.

**STATEMENT OF MERIDIAN CITY ATTORNEY AS TO ADEQUACY OF SUMMARY  
OF ORDINANCE NO. 21-1958**

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. 21-1958 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

**Exhibit 5**  
Ada County Transfer of Power Ordinance

**To Be Inserted Upon Adoption**



## TRANSFER OF POWERS ORDINANCE:

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF ADA COUNTY, IDAHO, ADOPTING FINDINGS ON THE NECESSITY OF THE URBAN RENEWAL PLAN FOR THE LINDER DISTRICT URBAN RENEWAL PROJECT; PROVIDING THE CITY OF MERIDIAN WITH THE RIGHT, POWER, AUTHORITY, AND OBLIGATION TO ADMINISTER THE URBAN RENEWAL/REVENUE ALLOCATION AREA PURSUANT TO CHAPTERS 20 AND 29, TITLE 50, IDAHO CODE, AS AMENDED; GRANTING THE REVENUE ALLOCATION PROCEEDS DERIVED FROM THE REVENUE ALLOCATION AREA LYING WITHIN UNINCORPORATED ADA COUNTY TO THE URBAN RENEWAL AGENCY OF MERIDIAN, IDAHO, ALSO KNOWN AS THE MERIDIAN DEVELOPMENT CORPORATION; ADOPTING THE INTERGOVERNMENTAL AGREEMENT IMPLEMENTING THIS ORDINANCE; AND AUTHORIZING THE CHAIR TO SIGN SUCH OTHER AND FURTHER DOCUMENTS AS MAY BE NECESSARY TO CARRY OUT THE INTENT OF THIS ORDINANCE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ADA COUNTY, IDAHO:

Section 1: That the Board of County Commissioners, after reviewing the Linder District Plan delivered to Ada County on November 2, 2021, finds: (a) the Linder District Plan and Project Area is eligible under the statutory criteria and is appropriate for an urban renewal project; (b) the adjusted base assessed values of all existing and proposed revenue allocation areas within the City do not exceed ten percent of the current assessed taxable value of the City; (c) the proposed Linder District Plan and Project Area is financially feasible given the assumptions used in the Linder District Plan; (d) the required consents from the owners of agricultural operation lands within the proposed Project Area have been given; and (e) the City has the authority to proceed with the creation of the Linder District Plan and Project Area after the adoption of this Ordinance by the Board of Ada County Commissioners.

Section 2: That this Ordinance is adopted to approve and confirm the duties, roles, and responsibilities of the City of Meridian, Idaho (the "City"), the Urban Renewal Agency of Meridian, Idaho, also known as the Meridian Development Corporation (the "Agency"), and Ada County, Idaho for that portion of the revenue allocation area, as defined and described in the proposed Urban Renewal Plan for the Linder District Urban Renewal Project (the "Plan") lying outside the corporate boundaries of the City, as illustrated in **Exhibit 1**, and to transfer power as provided in Idaho Code Section 50-2906(3)(b) and to reconfirm the necessary declaration set forth in Idaho Code Section 50-2018(18).

Section 3: The revenue allocation proceeds from areas lying within the boundaries of the Linder District Plan and Project Area shall be devoted to the statutory purposes as described in the Linder District Plan and as authorized by the Urban Renewal Law of 1965, Chapter 20, Title 50, Idaho Code, as amended, and the Local Economic Development Act, Chapter 29, Title 50, Idaho Code.

Section 4: That the Intergovernmental Agreement for Roles and Responsibilities Under Idaho Code § 50-2906(3)(b) (the “Agreement”) (which also supports the County’s declaration as required by Idaho Code Section 50-2018(18) as also set forth in Resolution No. 2676) is hereby approved and accepted.

Section 5: That the Chair is hereby authorized to execute any further documents necessary to carry out the intent of the Board of Commissioners as expressed in this Ordinance and in the Agreement. A copy of this Ordinance and the Agreement shall be held on file in the office of the County Clerk.

Section 6: Severability. The sections of this Ordinance are severable. The invalidity of a section shall not affect the validity of the remaining sections.

Section 7: Effective Date. This Ordinance shall become effective upon its publication pursuant to Idaho Code Section 31-715.

ADOPTED this 7th day of December, 2021.

**Board of Ada County Commissioners**

By \_\_\_\_\_  
Rod Beck, Chairman

By \_\_\_\_\_  
Ryan Davidson

By \_\_\_\_\_  
Kendra Kenyon

ATTEST:





\_\_\_\_\_  
Phil McGrane, Ada County Clerk

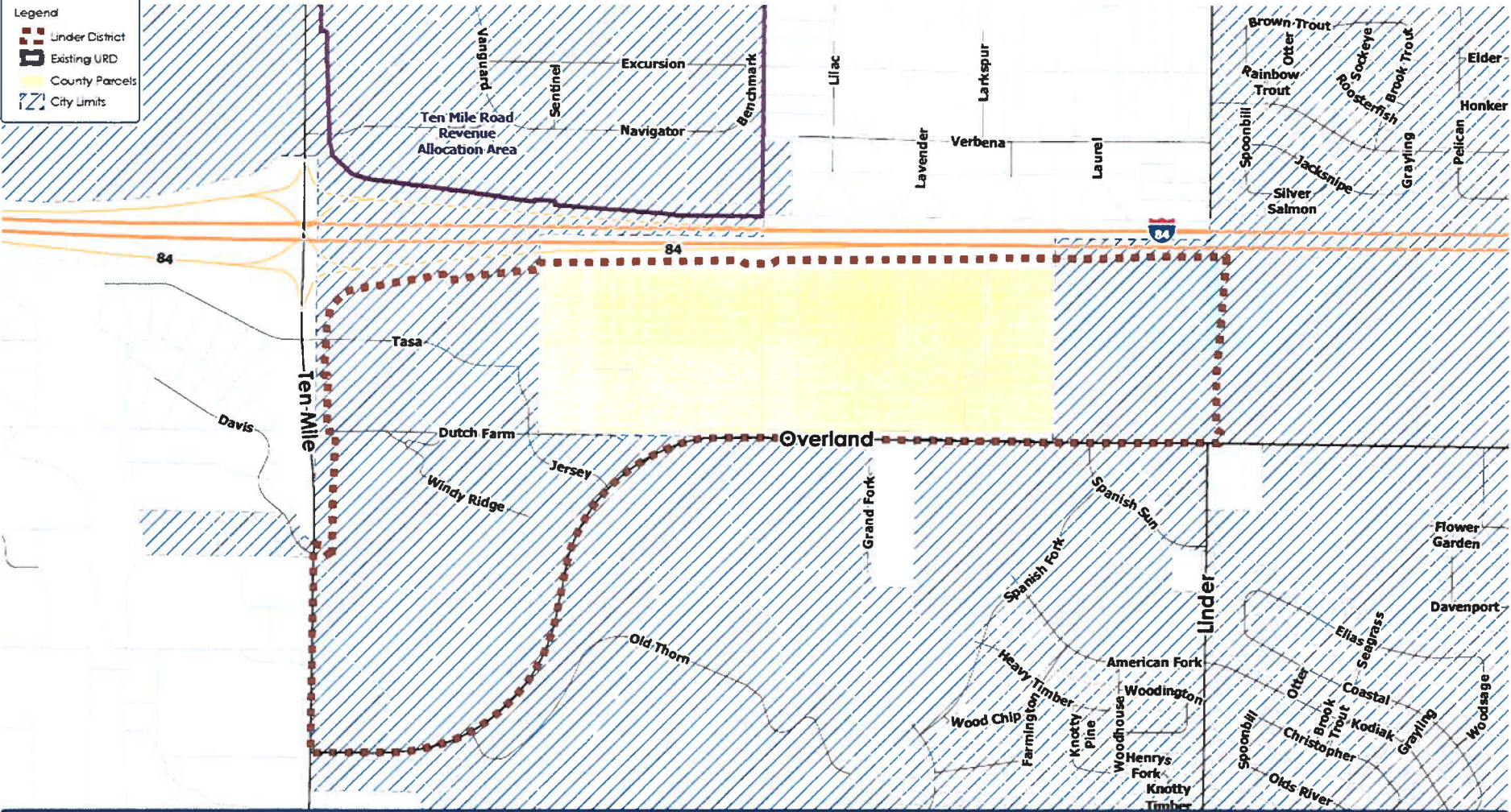
**Exhibit 1**

(Properties subject to the Ordinance)



**Legend**

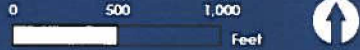
-  Linder District
-  Existing URD
-  County Parcels
-  City Limits



# Linder District

The information shown on this map is compiled from various sources and is subject to constant revision. The City of Meridian makes no warranty or guarantee as to the content, accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map.

Print Date: 9/3/2021





INTERGOVERNMENTAL AGREEMENT FOR ROLES AND  
RESPONSIBILITIES UNDER IDAHO CODE SECTION 50-2906(3)(b)

This Intergovernmental Agreement is entered into this \_\_\_\_ day of \_\_\_\_\_, 2021, by and between Ada County, Idaho (the “County”) and the City of Meridian, Idaho (hereinafter, “Meridian”), and is made for the purpose of complying with Idaho Code Section 50-2906(3)(b).

**RECITALS**

WHEREAS, the County is a duly organized and existing county under the laws and the Constitution of the State of Idaho;

WHEREAS, Meridian is a duly organized existing municipality under the laws and the Constitution of the state of Idaho;

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 (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, there are currently three (3) existing urban renewal and revenue allocation project areas in Meridian, which are commonly referred to as follows: the Downtown District, the Ten Mile District, and the Union District. The Downtown District includes parcels located within unincorporated Ada County, which is governed by the Intergovernmental Agreement for Roles and Responsibilities Under Idaho Code Section 50-2906(3)(b), by and between the County and Meridian, dated March 18, 2003;

WHEREAS, based on inquiries and information presented, certain interested property owners, the County and Meridian commenced certain discussions concerning examination of an additional area within Meridian and within the unincorporated County as eligible for an urban renewal project;

WHEREAS, in 2021, Kushlan | Associates commenced an eligibility study and preparation of an eligibility report for an area approximately 195 acres in size including properties and roadway, referred to as the Linder District Study Area, which is an area generally bounded by Ten Mile Road on the west, Interstate 84 on the north, Overland Road on the south, and what would be an unimproved section of Linder Road on the east. Additionally, the Linder District Study Area included three (3) parcels located west of Linder Road and north of I-84 (the “Study Area”);

WHEREAS, the Agency obtained an eligibility report entitled Linder 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 and/or a deteriorated area as defined by Idaho Code Sections 50-2018(8), (9) and 50-2903(8);

WHEREAS, the Agency, on May 26, 2021, adopted Resolution No. 21-024 accepting the Report and authorizing 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 law;

WHEREAS, the Agency also authorized the transmittal of the Report to the Ada County Board of County Commissioners for purposes of obtaining a resolution determining such areas outside the boundaries of incorporated Meridian and within unincorporated Ada County to be deteriorated and/or deteriorating and finding the need for an urban renewal project for the proposed Study Area;

WHEREAS, Idaho Code Section 50-2018(18) provides that an urban renewal agency cannot exercise jurisdiction over any area outside the city limits and within its area of operation without the approval of the other city or county declaring the need for an urban renewal plan for the proposed area;

WHEREAS, the area considered within the Report included certain properties within unincorporated Ada County;

WHEREAS, the Report was submitted to the Ada County Board of County Commissioners, and the Ada County Board of County Commissioners were asked to adopt a resolution finding the need for an urban renewal project for the proposed Study Area;

WHEREAS, the Ada County Board of County Commissioners adopted the Agency's finding concerning the proposed Study Area by adopting Resolution No. 2676 on September 30, 2021;

WHEREAS, the Meridian City Council, by Resolution No. 21-2289, dated October 5, 2021, 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, Title 50, Idaho Code, as amended, that such Study Area is appropriate for an urban renewal project, that the Ada County Board of County Commissioners directed the parcels north of Interstate 84 and west of Linder Road should not be included in any proposed revenue allocation area, that the Ada County Board of County Commissioners adopted the necessary resolutions and directed the Agency to commence preparation of an urban renewal plan;

WHEREAS, the City and the Agency embarked on the planning of an urban renewal project referred to as the Urban Renewal Plan for the Linder District Urban Renewal Project (the "Linder District Plan") to develop and/or redevelop a portion of Meridian, a portion of which is

within unincorporated Ada County adjacent and contiguous to the City, that is intended to be annexed into the City prior to development, pursuant to the Law and the Act, as amended;

WHEREAS, the Linder District Plan proposed to create an urban renewal and revenue allocation area commonly known as the Linder District project area (the “Linder District Project Area”);

WHEREAS, the Agency and its consultants have undertaken the planning process during 2021;

WHEREAS, the area included in the Linder District Project Area is smaller than the area assessed in the Report, which Linder District Project Area is illustrated in **Exhibit 1**;

WHEREAS, the required property owner consents for any parcels deemed to be an agricultural operation included within the Linder District Project Area have been obtained by the Agency;

WHEREAS, the Linder District Plan contains the provisions of revenue allocation financing as allowed by the Act;

WHEREAS, the Agency Board on October 27, 2021, adopted Resolution No. 21-053 proposing and recommending the Linder District Plan;

WHEREAS, the Agency, by letter of transmittal dated October 28, 2021, submitted the Linder District Plan to the Mayor and Meridian City Clerk;

WHEREAS, the Mayor and City Clerk are taking the necessary action to process the Linder District Plan consistent with the requirements set forth in Idaho Code §§ 50-2906 and 50-2008;

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

WHEREAS, after notice duly published, the Meridian City Council at its regular meeting to be held on December 14, 2021, will hold a public hearing and will consider the Linder District Plan as proposed;

WHEREAS, Idaho Code Section 50-2906(3)(b), requires an agreement between the Meridian City Council and the Ada County Board of County Commissioners, governing administration of a revenue allocation financing provision for any area extending beyond Meridian’s municipal boundary and located within the unincorporated County, and such agreement must be formalized by a transfer of power ordinance adopted by the County;

WHEREAS, there are certain properties within the Linder District Plan and Project Area which extend beyond Meridian’s municipal boundaries and into the County, as illustrated in

**Exhibit 1**, and as more particularly described in **Exhibit 2** attached hereto and incorporated herein by reference;

WHEREAS, the Meridian City Council and the Board of County Commissioners desire to enter into this Agreement to avoid any uncertainty regarding the Meridian City Council's jurisdiction and authority to establish the Linder District Project Area and the Agency's authority to implement the Linder District Plan concerning those properties which are outside Meridian's municipal limits and within the County;

WHEREAS, the Meridian City Council and Board of County Commissioners deem it in their collective best interests to enter into this Agreement covering said properties and assuring compliance with the Act and Law, Idaho Code Sections 50-2906(3)(b) and 50-2018(18) respectively;

NOW, THEREFORE, it is mutually agreed as follows:

## **AGREEMENT**

### 1. PURPOSE OF AGREEMENT

The purpose of this Agreement is to detail the duties, roles, and responsibilities to be provided by the parties with respect to compliance with the Act and Law, Idaho Code Sections 50-2906(3)(b) and 50-2018(18) respectively;

### 2. GENERAL PROVISIONS

The Ada County Board of County Commissioners does hereby agree that the Meridian City Council shall have the right, power, authority, and obligation to administer the Law, Act and particularly the revenue allocation financing provisions of the Linder District Plan for that certain property which is contained within the boundaries of the revenue allocation area as defined in the Act and the Linder District Plan, which property extends beyond Meridian's municipal boundary and into the unincorporated County. The property governed by this Agreement is illustrated in **Exhibit 1** and more particularly described in **Exhibit 2** of this Agreement. The County, by passing Resolution No. 2676, has declared the need for urban renewal activity in the area which extends beyond Meridian's municipal boundaries and into the unincorporated County.

By agreeing to the administration of this property by the Meridian City Council for the limited purposes of implementing the Linder District Plan, the Board of County Commissioners agree all revenue allocation proceeds generated from such property shall be available to the Agency for all purposes authorized under the Act and the Linder District Plan. Following the establishment of the Linder District Project Area, the Agency shall administer the revenue allocation provision affecting this property as allowed under the Act and the Linder District Plan. Additionally, the Board of County Commissioners acknowledges the Linder District Plan will be reviewed by the Meridian Planning & Zoning Commission for the Linder District Plan's conformity with the general plan for the development of Meridian as a whole consistent with and



limited to the requirements of Idaho Code § 50-2008(b). The Board of County Commissioners defers to the Meridian Planning & Zoning Commission's review and recommendations as required by Idaho Code § 50-2008(b) solely with regard to adopting the Linder District Plan. The Meridian City Council expressly acknowledges the parcels located within unincorporated Ada County are subject to and shall be developed in conformity to the 2019 City of Meridian Comprehensive Plan as adopted by Ada County Resolution No. 2620, Ada County Zoning and Development Codes as well as the Linder District Plan, recognizing the intent to seek annexation of the parcels located within the unincorporated County into Meridian prior to development, which development is intended to occur in phases over the life of the Linder District Plan and Project Area. Ada County defers to the Agency to implement and carry out the Linder District Plan.

The Board of County Commissioners shall approve this Agreement by the adoption of a transfer of power ordinance and the Meridian City Council shall approve this Agreement by the adoption of a duly authorized resolution.

Upon approval and adoption of the ordinance and resolution referenced above, the Meridian City Council shall take the necessary steps through the Meridian City Clerk to transmit a copy of the County Transfer of Power Ordinance to the County Auditor, County Assessor, the County Recorder, the other taxing districts of the revenue allocation area, and the Idaho State Tax Commission.

### 3. SPECIAL PROVISIONS

Public Improvements. In consideration of this Agreement, the Board of County Commissioners hereby consents to those certain public improvements identified in the Linder District Plan which may be acquired, constructed or installed on certain rights-of-way not within the Meridian city limits.

### 4. EFFECTIVE TERM

This Agreement shall be deemed effective upon the execution of this Agreement by both the Board of County Commissioners and the Meridian City Council and shall remain in effect for the duration of the Linder District Plan. This Agreement shall be of no further force and effect as it relates to any parcel or parcels as illustrated and described in **Exhibit 1** and **Exhibit 2** upon those properties or portions of those properties then being included within the municipal boundaries of Meridian, currently, or through Meridian's annexation process.

### 5. MODIFICATION

This Agreement may be modified or amended in writing if executed by both the Board of County Commissioners and the Meridian City Council.

6. ENTIRE AGREEMENT

Except as provided otherwise herein, this Agreement and any attachments hereto constitute the entire Agreement between the parties concerning the subject matter hereto.

IN WITNESS WHEREOF, the Board of County Commissioners and the Meridian City Council have executed this Agreement by proper persons thereunto duly authorized as of the date first hereinabove written.

COUNTY: BOARD OF ADA COUNTY  
COMMISSIONERS

By \_\_\_\_\_  
Rod Beck, Chairman

By \_\_\_\_\_  
Ryan Davidson

By \_\_\_\_\_  
Kendra Kenyon

ATTEST:

\_\_\_\_\_  
Phil McGrane, Ada County Clerk

CITY: CITY OF MERIDIAN, IDAHO

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





ATTEST:

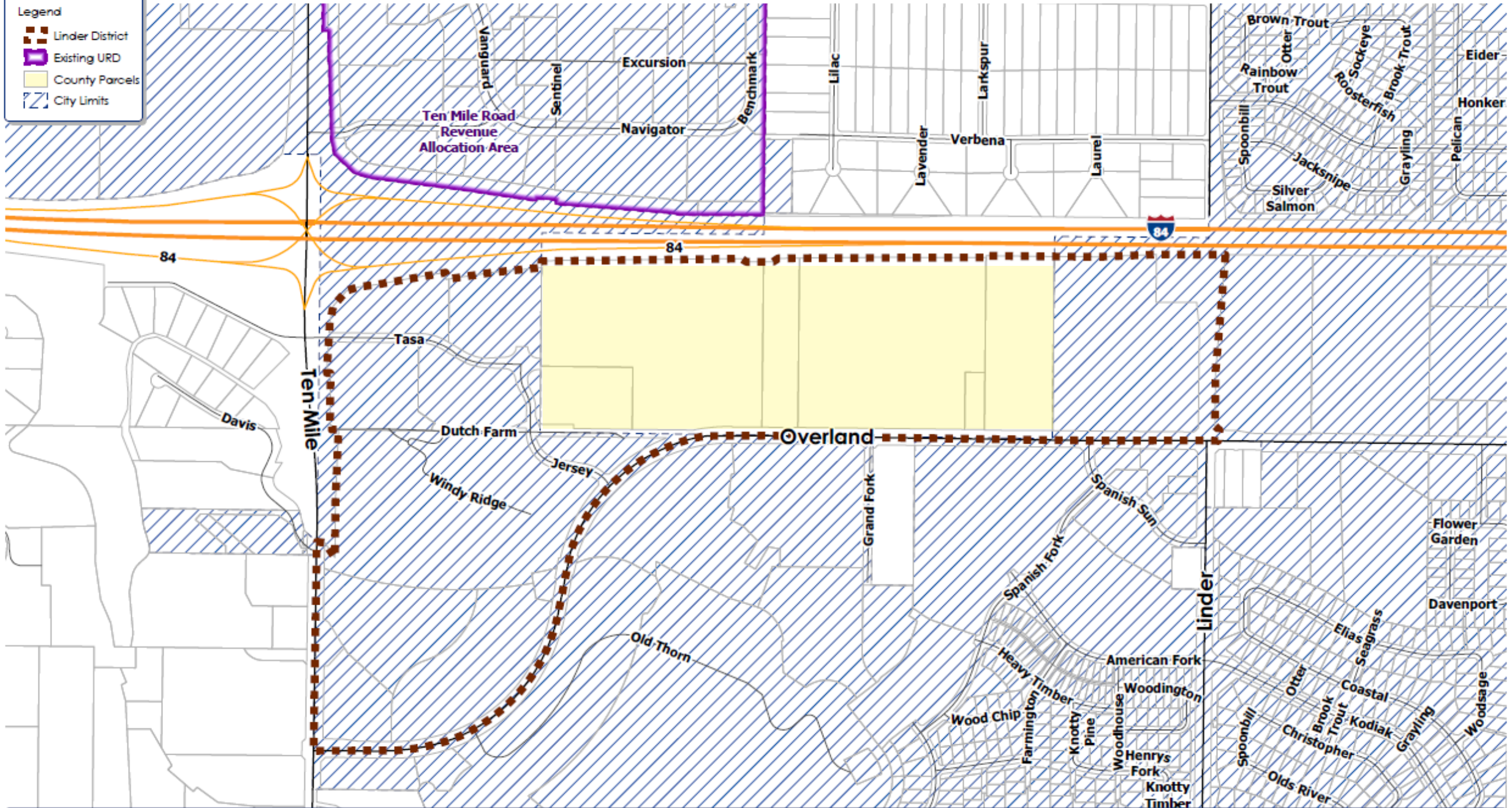
\_\_\_\_\_  
Chris Johnson, Meridian City Clerk

**Exhibit 1**

(Map of Properties Within Unincorporated Ada County)

**Legend**

-  Linder District
-  Existing URD
-  County Parcels
-  City Limits




**Linder District**

The information shown on this map is compiled from various sources and is subject to constant revision. The City of Meridian makes no warranty or guarantee as to the content, accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map.

Print Date: 9/3/2021

0 500 1,000 Feet






## **Exhibit 2**

### (Description of Properties Within Unincorporated Ada County)

4848-7171-9628, v. 3

**PARCEL NUMBER**

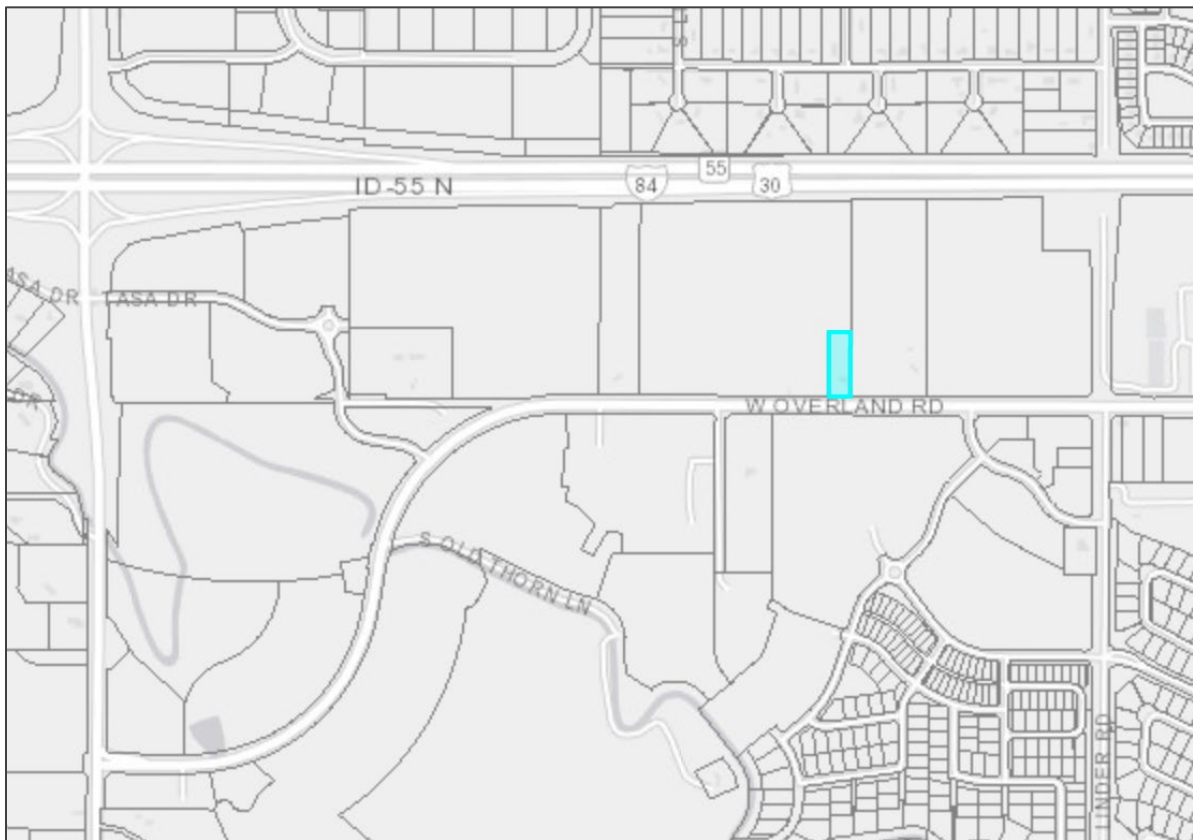
S1214438705

**ADDRESS**

2010 West Overland Road, Meridian, Idaho

**DESCRIPTION**

PAR #8705 @ SE COR SW4SE4  
SEC 14 3N 1W  
#438702



# PARCEL NUMBER

S1214346705

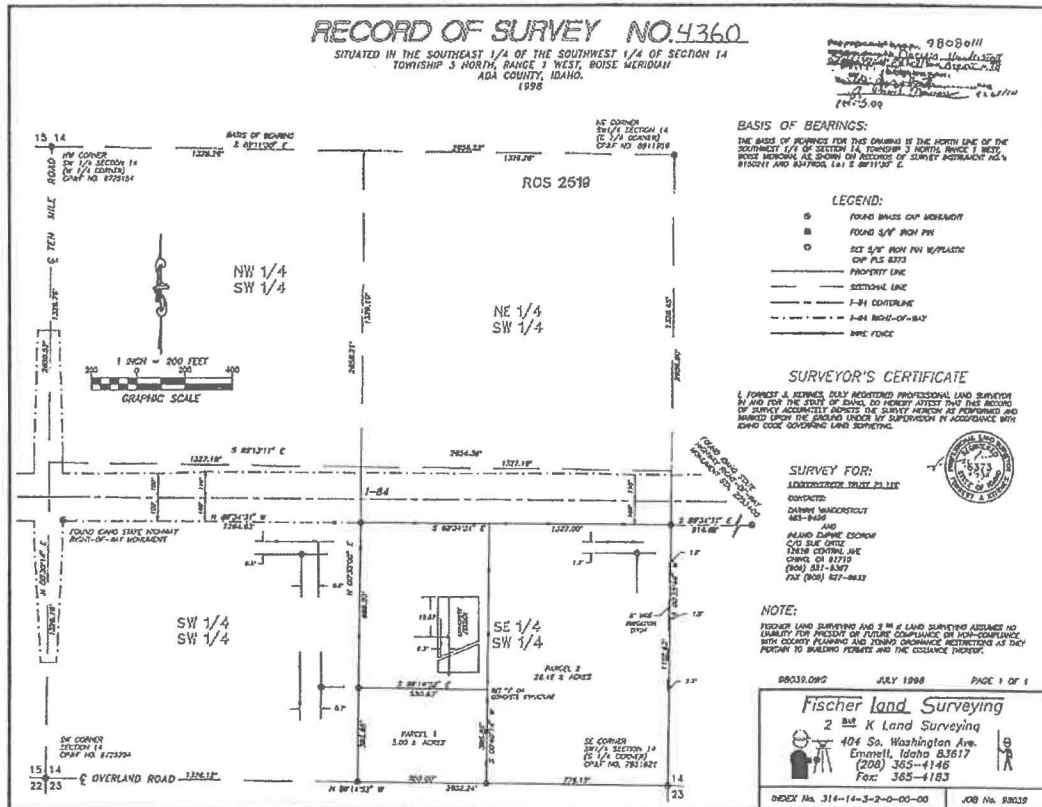
# ADDRESS

West Overland Road, Meridian, Idaho

# DESCRIPTION

PAR #6705 N'LY & E'LY POR  
SE4SW4 S OF INTERSTATE  
SEC 14 3N 1W  
PARCEL 2 R/S 4360 EXC R/W  
#346072-B

# SURVEY RECORD



**PARCEL NUMBER**

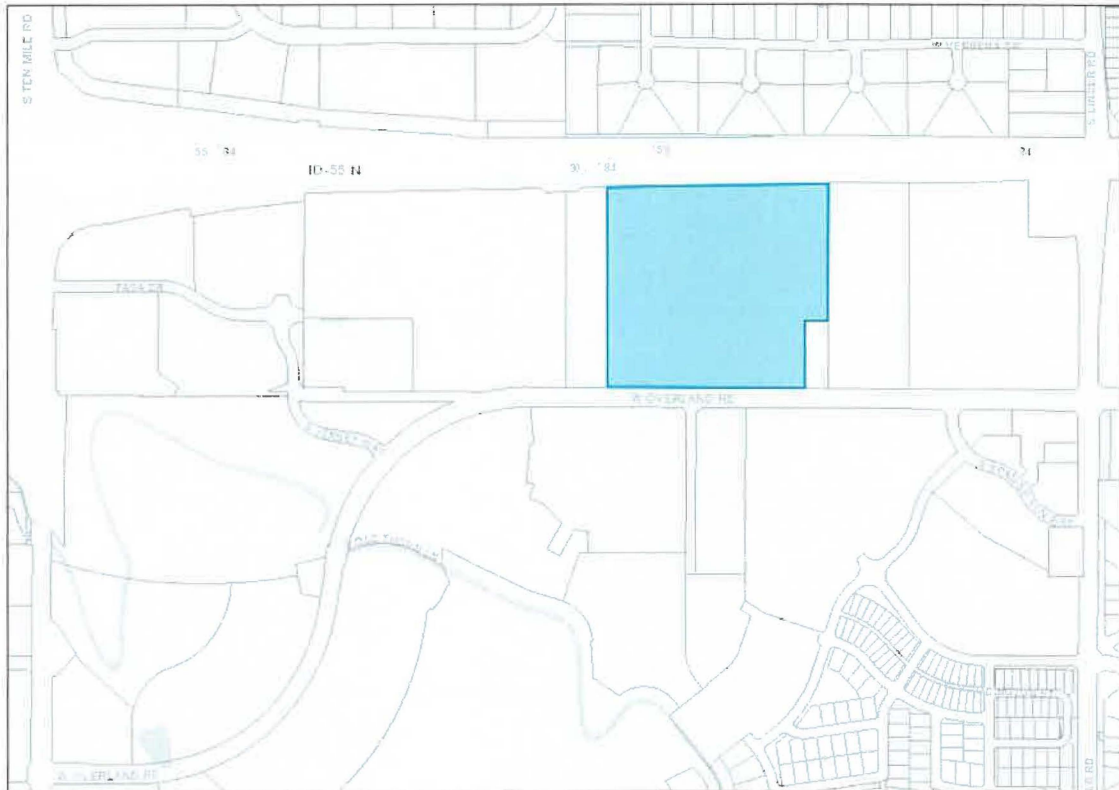
S1214438600

**ADDRESS**

2090 West Overland Road, Meridian, Idaho

**DESCRIPTION**

PAR #8600 OF SW4SE4  
SEC 14 3N 1W  
#438423-B





**PARCEL NUMBER**

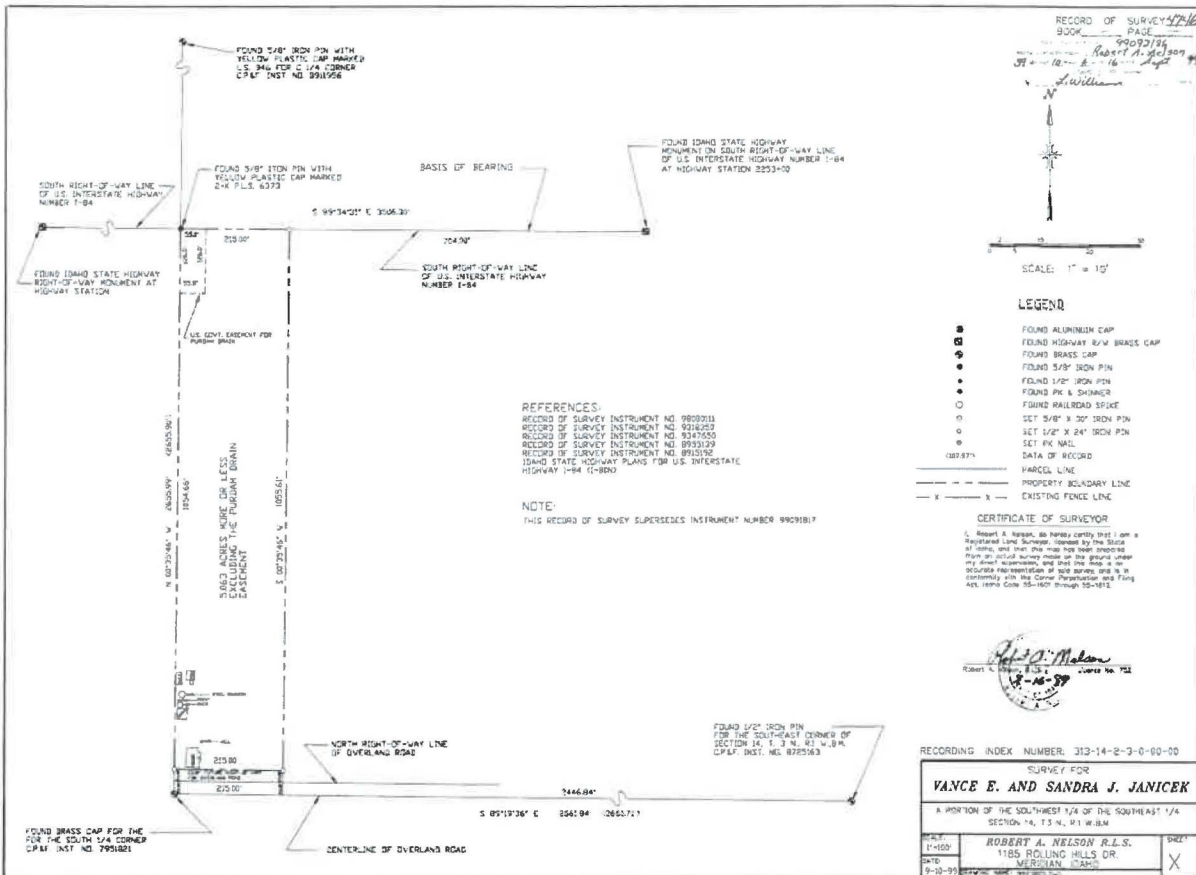
S1214438420

**ADDRESS**

2390 West Overland Road, Meridian, Idaho

**DESCRIPTION**

PAR #4200 @ W SIDE SW4SE4  
SEC 14 3N 1W  
R/S 4746  
#8416-B



**PARCEL NUMBER**

S1214449021

**ADDRESS**

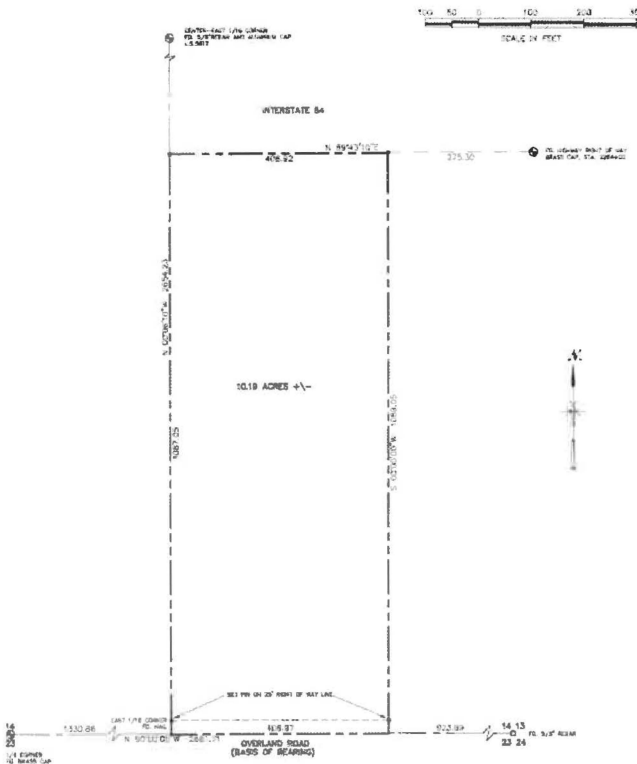
1940 West Overland Road, Meridian, Idaho

**DESCRIPTION**

PAR #9021 OF SE4SE4  
SEC 14 3N 1W  
R/S 2412 EXC R/W  
#449020-B

**SURVEY RECORD**

RECORD OF SURVEY NO. 2412



**CERTIFICATE OF SURVEYOR**

I, Michael F. Marks, do hereby certify that I am a Registered Land Surveyor, licensed by the State of Idaho, and that this map has been prepared from an actual survey made on the ground under my direct supervision, and that this map is an accurate representation of said survey, and is in conformity with the Corner Perpetuation and Filing Act, State of Idaho Code 55-1601 through 55-1612 and to the Idaho Code relating to Surveys.

Michael F. Marks, L.S. License No. 499R

**STATE OF IDAHO, COUNTY OF ADA, SS**

INSTRUMENT NO. 9318350  
FILED FOR RECORD AT THE REQUEST OF MICHAEL MARKS  
OF MAZDA N.M. PAST 3 O'CLOCK P.M. THIS 12 DAY  
OF MARCH, 1983.  
J. DAVID NAVARRO, RECORDER  
By Michael DEPUTY  
5-20

RECORDING INDEX NO. 314-14-2-0-00-00

SURVEY FOR <b>ELMO POWELL</b>				MARKS SURVEYING 320134-4508 1004 FOREST STREET, BOISE, IDAHO 83705	
PORTION OF THE SE 1/4 OF THE SE 1/4 SECTION 14, T.26, R.1W, S.1M, ADA COUNTY, IDAHO					
DESIGN:	DRAWN:	CHECK:	SCALE:	DATE:	DRAWING NO.:
			1" = 100'	MARCH, 1983	33-003

**PARCEL NUMBER**

S1214346905

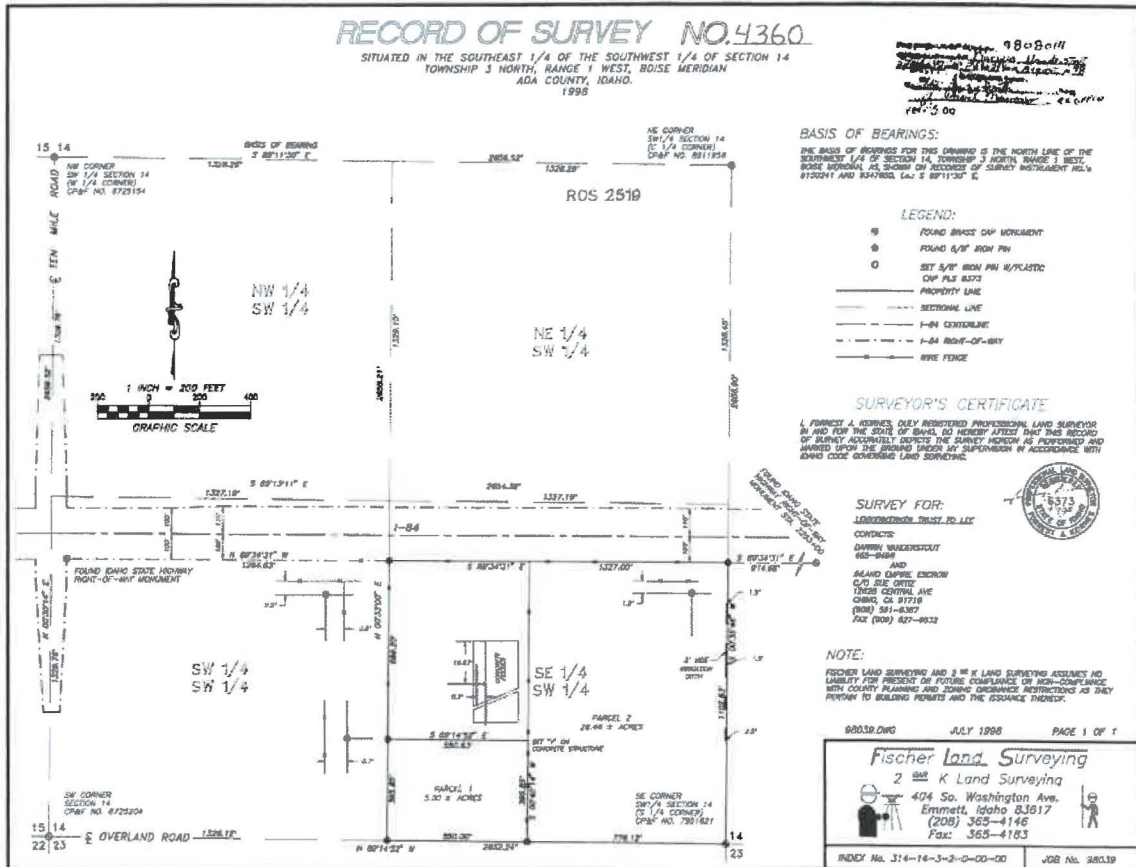
**ADDRESS**

2960 West Dutch Farm Road, Meridian, Idaho

**DESCRIPTION**

PAR #6905 @ SW COR SE4SW4  
SEC 14 3N 1W  
PARCEL 1 R/S 4360 EXC R/W  
#346610-B

**SURVEY RECORD**



**Exhibit 6**  
City Council Resolution Adopting Intergovernmental Agreement

**To Be Inserted Upon Adoption**



CITY OF MERIDIAN

RESOLUTION NO. 21-2299

BY THE CITY COUNCIL:

BERNT, BORTON, CAVENER,  
HOAGLUN, PERREAULT, STRADER

A RESOLUTION BY THE MAYOR AND THE COUNCIL OF THE CITY OF MERIDIAN, IDAHO, TO PROVIDE FOR AN INTERGOVERNMENTAL AGREEMENT FOR ROLES AND RESPONSIBILITIES UNDER IDAHO CODE SECTION 50-2906(3)(b) BETWEEN ADA COUNTY, IDAHO AND THE CITY OF MERIDIAN, IDAHO; PROVIDING FOR AREAS OUTSIDE THE CITY LIMITS TO BE INCLUDED WITHIN AN URBAN RENEWAL AREA; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Mayor (the “Mayor”) and City Council (“City Council”) of the city of Meridian, Idaho (the “City”) have the authority (pursuant to Idaho Code §50-302) to establish resolutions not inconsistent with the laws of the State of Idaho as may be expedient, in addition to the special powers therein granted, to maintain the peace, good government and welfare of the corporation and its trade, commerce and industry;

WHEREAS, the City Council on or about July 24, 2001, adopted and approved a resolution creating the Urban Renewal Agency of the City of Meridian, Idaho, also known as the Meridian Development Corporation (“MDC”), authorizing MDC 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 (the “Act”) upon making the findings of necessity required for creating the MDC;

WHEREAS, there are currently three existing urban renewal/revenue allocation areas in the City;

WHEREAS, MDC obtained the Linder Urban Renewal District (Proposed) Eligibility Report, dated May 2021 (the “Eligibility Report”), which examined an area of operation of the City, in an area known as the Linder District 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 or a deteriorated area as defined by Idaho Code Sections 50-2018(8), (9) and 50-2903(8);

WHEREAS, the MDC Board, on May 26, 2021, adopted Resolution No. 21-024 accepting the Eligibility Report and authorizing the MDC Chair, Vice-Chair, or Administrator of MDC to transmit the Eligibility Report to the City Council requesting its consideration for designation of an urban renewal area and requesting the City Council to direct the Agency to prepare an urban renewal plan for the Linder District Study Area, which plan may include a revenue allocation provision as allowed by law;

WHEREAS, Idaho Code Section 50-2018(18) provides that an urban renewal agency

RESOLUTION FOR AN INTERGOVERNMENTAL AGREEMENT FOR ROLES AND  
RESPONSIBILITIES UNDER IDAHO CODE §50-2906(3)(b) - URBAN RENEWAL AREAS  
OUTSIDE CITY LIMITS - 2

cannot exercise jurisdiction over any area outside the city limits and within its area of operation without the approval of the other city or county declaring the need for an urban renewal plan for the proposed area;

WHEREAS, the area considered within the Eligibility Report included certain properties within unincorporated Ada County;

WHEREAS, the MDC Board also authorized the transmittal of the Eligibility Report to the Ada County Board of County Commissioners for purposes of obtaining a resolution accepting the Eligibility Report and determining such area outside the boundaries of the City and within unincorporated Ada County to be a deteriorated area and/or a deteriorating area and finding the need for an urban renewal project for the proposed Linder District Study Area;

WHEREAS, the Eligibility Report was submitted to the Ada County Board of County Commissioners, and the Ada County Board of County Commissioners were asked to adopt a resolution finding the need for an urban renewal project for the proposed Linder District Study Area;

WHEREAS, the Ada County Board of County Commissioners adopted MDC's findings concerning the proposed Linder District Study Area by adopting Resolution No. 2676 on September 30, 2021;

WHEREAS, the City Council, by Resolution No. 21-2289, dated October 5, 2021, declared the Linder District Study Area described in the Eligibility Report to be a deteriorated area or a deteriorating area, or a combination thereof, as defined by Chapters 20 and 29, Title 50, Idaho Code, as amended, that such area is appropriate for an urban renewal project, that the Ada County Board of County Commissioners directed the parcels north of Interstate 84 and west of Linder Road should not be included in any proposed revenue allocation area, that the Ada County Board of County Commissioners adopted the necessary resolutions and directed MDC to commence preparation of an urban renewal plan;

WHEREAS, the City and MDC have undertaken the planning process during 2021;

WHEREAS, MDC prepared the Urban Renewal Plan for the Linder District Urban Renewal Project (the "Linder District Plan"), which Linder District Plan proposed to create an urban renewal and revenue allocation area commonly known as the Linder District project area (the "Project Area" or "Revenue Allocation Area") to develop and/or redevelop a portion of the area designated as eligible for urban renewal planning pursuant to the Law and Act, as amended, located within the City, and a portion of which is within unincorporated Ada County adjacent and contiguous to the City, that is intended to be annexed into the City prior to development;

WHEREAS, the area included in the Project Area is smaller than the area assessed in the Eligibility Report;

WHEREAS, the required property owner consents for any parcels deemed to be an agricultural operation included within the Project Area have been obtained by MDC;

WHEREAS, the Linder District Plan contains the provisions of revenue allocation financing as allowed by the Act;

WHEREAS, the MDC Board on October 27, 2021, adopted Resolution No. 21-053 proposing and recommending the Linder District Plan;

WHEREAS, the Agency, by letter of transmittal dated October 28, 2021, submitted the Linder District Plan to the Mayor and the City Clerk;

WHEREAS, the Mayor and the City Clerk took the necessary action to process the Linder District Plan consistent with the requirements set forth in Idaho Code Section 50-2906 and Idaho Code Section 50-2008;

WHEREAS, appropriate notice of the Linder District Plan and revenue allocation provision contained therein has been given to the affected taxing districts and the public as required by Idaho Code §§ 50-2906 and 40-1415;

WHEREAS, after notice duly published, the City Council at its regular meeting to be held on December 14, 2021, will hold a public hearing and thereafter may consider the Linder District Plan as proposed;

WHEREAS, Idaho Code Section 50-2906(3)(b) contemplates an agreement between the Ada County Board of County Commissioners and the City Council, governing administration of a revenue allocation financing provision for any area extending beyond the City's municipal boundary and located within unincorporated Ada County, and such agreement must be formalized by a transfer of powers ordinance adopted by the Ada County Board of County Commissioners;

WHEREAS, there are certain properties within the Linder District Plan and Project Area which extend beyond the City's municipal boundaries and into unincorporated Ada County;

WHEREAS, the Ada County Board of County Commissioners adopted Ordinance No. 932, the Transfer of Powers Ordinance, on December 7, 2021, which Ordinance authorized the Chair to sign and enter into the Intergovernmental Agreement for Roles and Responsibilities under Idaho Code Section 50-2906(3)(b) between Ada County and the City (the "Agreement");

WHEREAS, the Mayor and City Council deem it expedient and in the best interests of the City to establish and enter into the Agreement, to confirm the consent of Ada County under Idaho Code §50-2018(18), and to assure compliance with the Act and Law.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MERIDIAN, IDAHO, AS FOLLOWS:

RESOLUTION FOR AN INTERGOVERNMENTAL AGREEMENT FOR ROLES AND RESPONSIBILITIES UNDER IDAHO CODE §50-2906(3)(b) - URBAN RENEWAL AREAS OUTSIDE CITY LIMITS - 2

Section 1: That the above statements are true and correct.

Section 2: That the Intergovernmental Agreement for Roles and Responsibilities Under Idaho Code §50-2906(3)(b) (the “Agreement”), attached hereto as **Exhibit A**, is incorporated herein and made a part hereof by reference, and is hereby approved and accepted.

Section 3: That the Mayor is hereby authorized to sign and enter into the Agreement. A copy of this Resolution and the attached Agreement shall be held on file in the office of the City Clerk.

Section 4: This Resolution shall be in full force and effect upon the execution of this Resolution by the Mayor.

PASSED BY THE COUNCIL OF THE CITY OF MERIDIAN, IDAHO, this day of \_\_\_\_\_ 2021.

APPROVED BY THE MAYOR OF THE CITY OF MERIDIAN, IDAHO, this day of \_\_\_\_\_ 2021.

\_\_\_\_\_  
Robert E. Simison, Mayor

ATTEST:

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



**Exhibit A**

**Intergovernmental Agreement for Roles and  
Responsibilities Under Idaho Code Section 50-2906(3)(b)**

4823-0318-4844, v. 1

INTERGOVERNMENTAL AGREEMENT FOR ROLES AND  
RESPONSIBILITIES UNDER IDAHO CODE SECTION 50-2906(3)(b)

This Intergovernmental Agreement is entered into this \_\_\_\_ day of \_\_\_\_\_, 2021, by and between Ada County, Idaho (the “County”) and the City of Meridian, Idaho (hereinafter, “Meridian”), and is made for the purpose of complying with Idaho Code Section 50-2906(3)(b).

**RECITALS**

WHEREAS, the County is a duly organized and existing county under the laws and the Constitution of the State of Idaho;

WHEREAS, Meridian is a duly organized existing municipality under the laws and the Constitution of the state of Idaho;

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 (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, there are currently three (3) existing urban renewal and revenue allocation project areas in Meridian, which are commonly referred to as follows: the Downtown District, the Ten Mile District, and the Union District. The Downtown District includes parcels located within unincorporated Ada County, which is governed by the Intergovernmental Agreement for Roles and Responsibilities Under Idaho Code Section 50-2906(3)(b), by and between the County and Meridian, dated March 18, 2003;

WHEREAS, based on inquiries and information presented, certain interested property owners, the County and Meridian commenced certain discussions concerning examination of an additional area within Meridian and within the unincorporated County as eligible for an urban renewal project;

WHEREAS, in 2021, Kushlan | Associates commenced an eligibility study and preparation of an eligibility report for an area approximately 195 acres in size including properties and roadway, referred to as the Linder District Study Area, which is an area generally bounded by Ten Mile Road on the west, Interstate 84 on the north, Overland Road on the south, and what would be an unimproved section of Linder Road on the east. Additionally, the Linder District Study Area included three (3) parcels located west of Linder Road and north of I-84 (the “Study Area”);

WHEREAS, the Agency obtained an eligibility report entitled Linder 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 and/or a deteriorated area as defined by Idaho Code Sections 50-2018(8), (9) and 50-2903(8);

WHEREAS, the Agency, on May 26, 2021, adopted Resolution No. 21-024 accepting the Report and authorizing 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 law;

WHEREAS, the Agency also authorized the transmittal of the Report to the Ada County Board of County Commissioners for purposes of obtaining a resolution determining such areas outside the boundaries of incorporated Meridian and within unincorporated Ada County to be deteriorated and/or deteriorating and finding the need for an urban renewal project for the proposed Study Area;

WHEREAS, Idaho Code Section 50-2018(18) provides that an urban renewal agency cannot exercise jurisdiction over any area outside the city limits and within its area of operation without the approval of the other city or county declaring the need for an urban renewal plan for the proposed area;

WHEREAS, the area considered within the Report included certain properties within unincorporated Ada County;

WHEREAS, the Report was submitted to the Ada County Board of County Commissioners, and the Ada County Board of County Commissioners were asked to adopt a resolution finding the need for an urban renewal project for the proposed Study Area;

WHEREAS, the Ada County Board of County Commissioners adopted the Agency's finding concerning the proposed Study Area by adopting Resolution No. 2676 on September 30, 2021;

WHEREAS, the Meridian City Council, by Resolution No. 21-2289, dated October 5, 2021, 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, Title 50, Idaho Code, as amended, that such Study Area is appropriate for an urban renewal project, that the Ada County Board of County Commissioners directed the parcels north of Interstate 84 and west of Linder Road should not be included in any proposed revenue allocation area, that the Ada County Board of County Commissioners adopted the necessary resolutions and directed the Agency to commence preparation of an urban renewal plan;

WHEREAS, the City and the Agency embarked on the planning of an urban renewal project referred to as the Urban Renewal Plan for the Linder District Urban Renewal Project (the "Linder District Plan") to develop and/or redevelop a portion of Meridian, a portion of which is

within unincorporated Ada County adjacent and contiguous to the City, that is intended to be annexed into the City prior to development, pursuant to the Law and the Act, as amended;

WHEREAS, the Linder District Plan proposed to create an urban renewal and revenue allocation area commonly known as the Linder District project area (the “Linder District Project Area”);

WHEREAS, the Agency and its consultants have undertaken the planning process during 2021;

WHEREAS, the area included in the Linder District Project Area is smaller than the area assessed in the Report, which Linder District Project Area is illustrated in **Exhibit 1**;

WHEREAS, the required property owner consents for any parcels deemed to be an agricultural operation included within the Linder District Project Area have been obtained by the Agency;

WHEREAS, the Linder District Plan contains the provisions of revenue allocation financing as allowed by the Act;

WHEREAS, the Agency Board on October 27, 2021, adopted Resolution No. 21-053 proposing and recommending the Linder District Plan;

WHEREAS, the Agency, by letter of transmittal dated October 28, 2021, submitted the Linder District Plan to the Mayor and Meridian City Clerk;

WHEREAS, the Mayor and City Clerk are taking the necessary action to process the Linder District Plan consistent with the requirements set forth in Idaho Code §§ 50-2906 and 50-2008;

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

WHEREAS, after notice duly published, the Meridian City Council at its regular meeting to be held on December 14, 2021, will hold a public hearing and will consider the Linder District Plan as proposed;

WHEREAS, Idaho Code Section 50-2906(3)(b), requires an agreement between the Meridian City Council and the Ada County Board of County Commissioners, governing administration of a revenue allocation financing provision for any area extending beyond Meridian’s municipal boundary and located within the unincorporated County, and such agreement must be formalized by a transfer of power ordinance adopted by the County;

WHEREAS, there are certain properties within the Linder District Plan and Project Area which extend beyond Meridian’s municipal boundaries and into the County, as illustrated in



**Exhibit 1**, and as more particularly described in **Exhibit 2** attached hereto and incorporated herein by reference;

WHEREAS, the Meridian City Council and the Board of County Commissioners desire to enter into this Agreement to avoid any uncertainty regarding the Meridian City Council's jurisdiction and authority to establish the Linder District Project Area and the Agency's authority to implement the Linder District Plan concerning those properties which are outside Meridian's municipal limits and within the County;

WHEREAS, the Meridian City Council and Board of County Commissioners deem it in their collective best interests to enter into this Agreement covering said properties and assuring compliance with the Act and Law, Idaho Code Sections 50-2906(3)(b) and 50-2018(18) respectively;

NOW, THEREFORE, it is mutually agreed as follows:

## **AGREEMENT**

### 1. PURPOSE OF AGREEMENT

The purpose of this Agreement is to detail the duties, roles, and responsibilities to be provided by the parties with respect to compliance with the Act and Law, Idaho Code Sections 50-2906(3)(b) and 50-2018(18) respectively;

### 2. GENERAL PROVISIONS

The Ada County Board of County Commissioners does hereby agree that the Meridian City Council shall have the right, power, authority, and obligation to administer the Law, Act and particularly the revenue allocation financing provisions of the Linder District Plan for that certain property which is contained within the boundaries of the revenue allocation area as defined in the Act and the Linder District Plan, which property extends beyond Meridian's municipal boundary and into the unincorporated County. The property governed by this Agreement is illustrated in **Exhibit 1** and more particularly described in **Exhibit 2** of this Agreement. The County, by passing Resolution No. 2676, has declared the need for urban renewal activity in the area which extends beyond Meridian's municipal boundaries and into the unincorporated County.

By agreeing to the administration of this property by the Meridian City Council for the limited purposes of implementing the Linder District Plan, the Board of County Commissioners agree all revenue allocation proceeds generated from such property shall be available to the Agency for all purposes authorized under the Act and the Linder District Plan. Following the establishment of the Linder District Project Area, the Agency shall administer the revenue allocation provision affecting this property as allowed under the Act and the Linder District Plan. Additionally, the Board of County Commissioners acknowledges the Linder District Plan will be reviewed by the Meridian Planning & Zoning Commission for the Linder District Plan's conformity with the general plan for the development of Meridian as a whole consistent with and

limited to the requirements of Idaho Code § 50-2008(b). The Board of County Commissioners defers to the Meridian Planning & Zoning Commission's review and recommendations as required by Idaho Code § 50-2008(b) solely with regard to adopting the Linder District Plan. The Meridian City Council expressly acknowledges the parcels located within unincorporated Ada County are subject to and shall be developed in conformity to the 2019 City of Meridian Comprehensive Plan as adopted by Ada County Resolution No. 2620, Ada County Zoning and Development Codes as well as the Linder District Plan, recognizing the intent to seek annexation of the parcels located within the unincorporated County into Meridian prior to development, which development is intended to occur in phases over the life of the Linder District Plan and Project Area. Ada County defers to the Agency to implement and carry out the Linder District Plan.

The Board of County Commissioners shall approve this Agreement by the adoption of a transfer of power ordinance and the Meridian City Council shall approve this Agreement by the adoption of a duly authorized resolution.

Upon approval and adoption of the ordinance and resolution referenced above, the Meridian City Council shall take the necessary steps through the Meridian City Clerk to transmit a copy of the County Transfer of Power Ordinance to the County Auditor, County Assessor, the County Recorder, the other taxing districts of the revenue allocation area, and the Idaho State Tax Commission.

### 3. SPECIAL PROVISIONS

Public Improvements. In consideration of this Agreement, the Board of County Commissioners hereby consents to those certain public improvements identified in the Linder District Plan which may be acquired, constructed or installed on certain rights-of-way not within the Meridian city limits.

### 4. EFFECTIVE TERM

This Agreement shall be deemed effective upon the execution of this Agreement by both the Board of County Commissioners and the Meridian City Council and shall remain in effect for the duration of the Linder District Plan. This Agreement shall be of no further force and effect as it relates to any parcel or parcels as illustrated and described in **Exhibit 1** and **Exhibit 2** upon those properties or portions of those properties then being included within the municipal boundaries of Meridian, currently, or through Meridian's annexation process.

### 5. MODIFICATION

This Agreement may be modified or amended in writing if executed by both the Board of County Commissioners and the Meridian City Council.

6. ENTIRE AGREEMENT

Except as provided otherwise herein, this Agreement and any attachments hereto constitute the entire Agreement between the parties concerning the subject matter hereto.

IN WITNESS WHEREOF, the Board of County Commissioners and the Meridian City Council have executed this Agreement by proper persons thereunto duly authorized as of the date first hereinabove written.

COUNTY: BOARD OF ADA COUNTY  
COMMISSIONERS

By \_\_\_\_\_  
Rod Beck, Chairman

By \_\_\_\_\_  
Ryan Davidson

By \_\_\_\_\_  
Kendra Kenyon

ATTEST:

\_\_\_\_\_  
Phil McGrane, Ada County Clerk

CITY: CITY OF MERIDIAN, IDAHO

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

ATTEST:





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

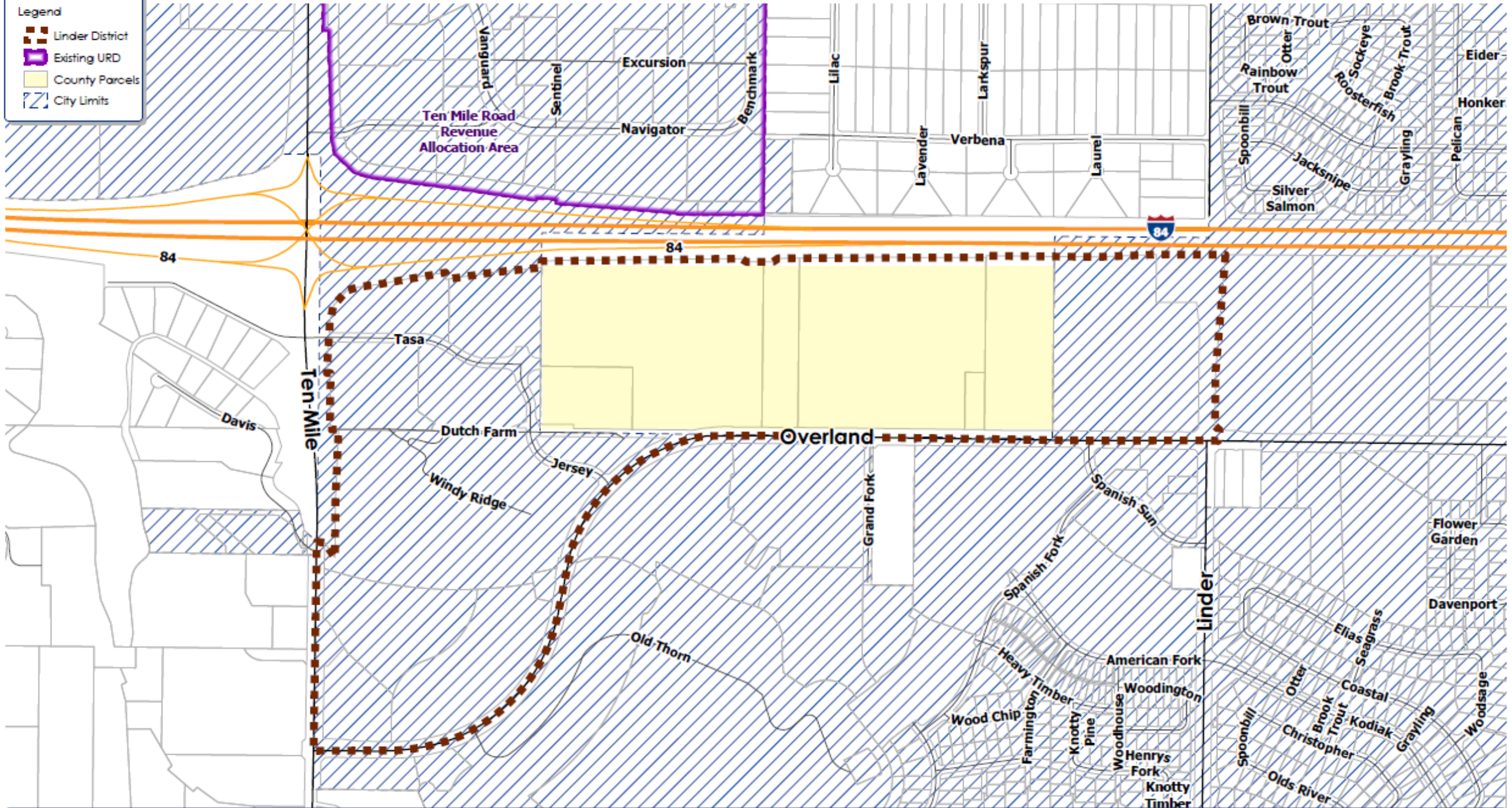
**Exhibit 1**

(Map of Properties Within Unincorporated Ada County)



**Legend**

-  Linder District
-  Existing URD
-  County Parcels
-  City Limits





**Linder District**

The information shown on this map is compiled from various sources and is subject to constant revision. The City of Meridian makes no warranty or guarantee as to the content, accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map.

Print Date: 9/3/2021

0 500 1,000 Feet

## **Exhibit 2**

### (Description of Properties Within Unincorporated Ada County)

4848-7171-9628, v. 3

**PARCEL NUMBER**

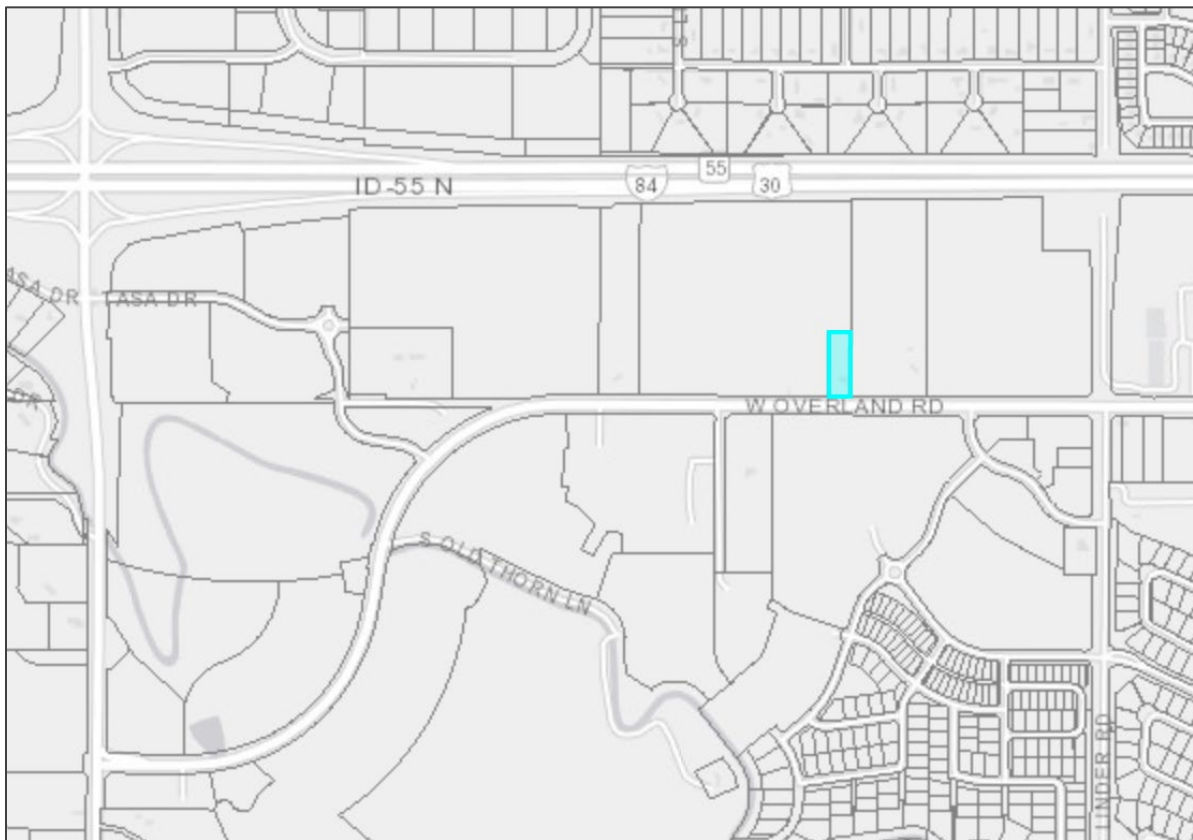
S1214438705

**ADDRESS**

2010 West Overland Road, Meridian, Idaho

**DESCRIPTION**

PAR #8705 @ SE COR SW4SE4  
SEC 14 3N 1W  
#438702



PARCEL NUMBER

S1214346705

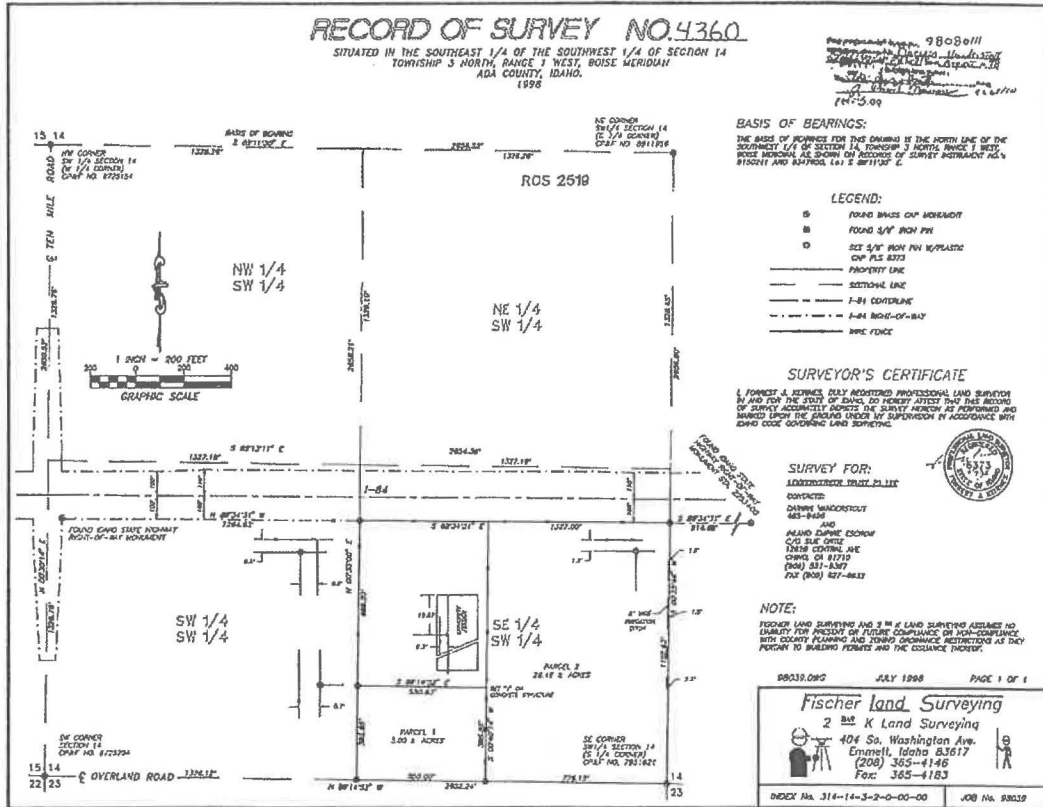
ADDRESS

West Overland Road, Meridian, Idaho

DESCRIPTION

PAR #6705 N'LY & E'LY POR  
SE4SW4 S OF INTERSTATE  
SEC 14 3N 1W  
PARCEL 2 R/S 4360 EXC R/W  
#346072-B

SURVEY RECORD





**PARCEL NUMBER**

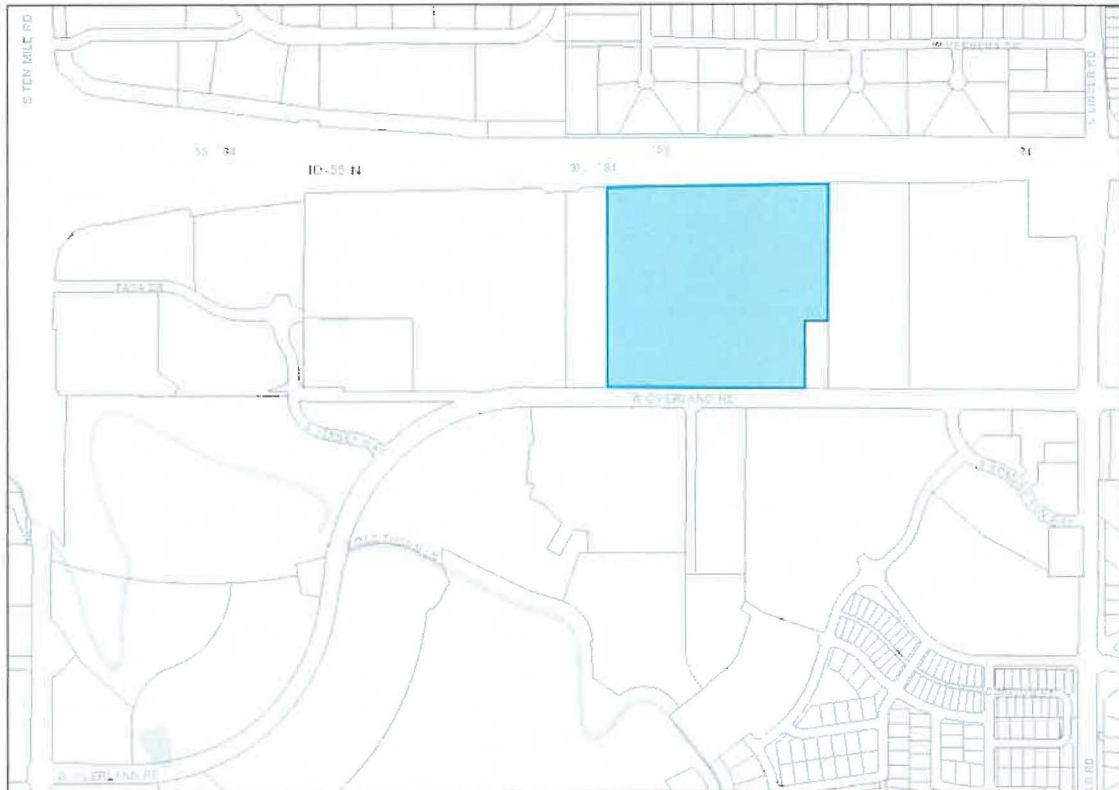
S1214438600

**ADDRESS**

2090 West Overland Road, Meridian, Idaho

**DESCRIPTION**

PAR #8600 OF SW4SE4  
SEC 14 3N 1W  
#438423-B



PARCEL NUMBER

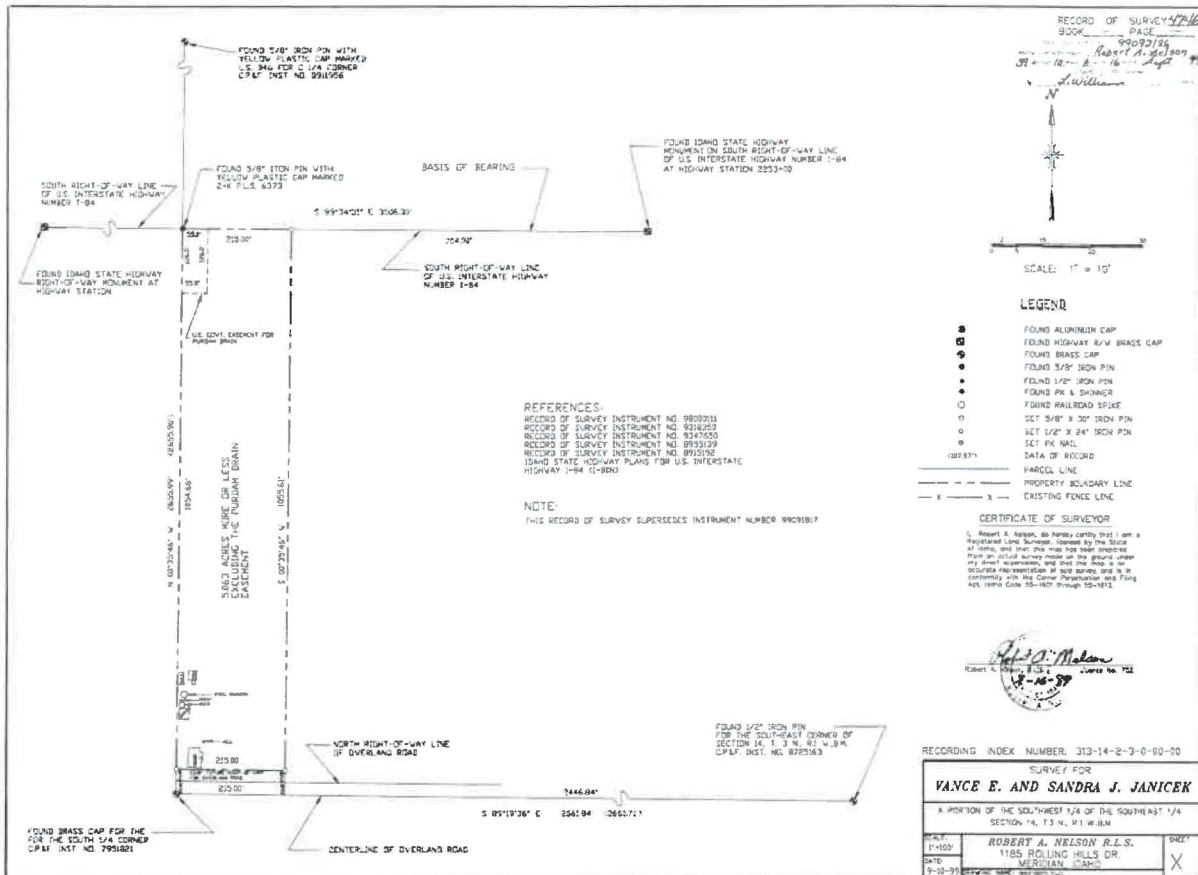
S1214438420

ADDRESS

2390 West Overland Road, Meridian, Idaho

DESCRIPTION

PAR #4200 @ W SIDE SW4SE4  
SEC 14 3N 1W  
R/S 4746  
#8416-B



**PARCEL NUMBER**

S1214449021

**ADDRESS**

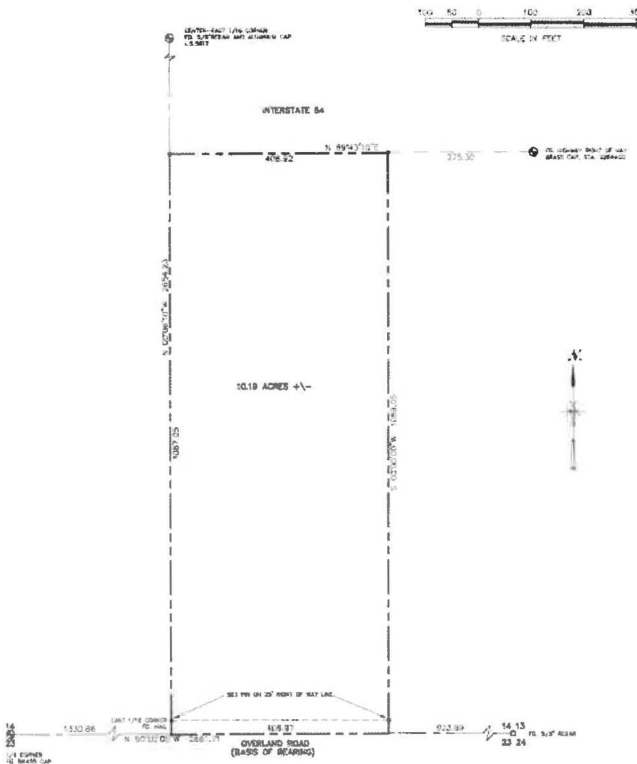
1940 West Overland Road, Meridian, Idaho

**DESCRIPTION**

PAR #9021 OF SE4SE4  
SEC 14 3N 1W  
R/S 2412 EXC R/W  
#449020-B

**SURVEY RECORD**

RECORD OF SURVEY NO. 2412



**CERTIFICATE OF SURVEYOR**

I, Michael F. Marks, do hereby certify that I am a Registered Land Surveyor, licensed by the State of Idaho, and that this map has been prepared from an actual survey made on the ground under my direct supervision, and that this map is an accurate representation of said survey, and is in conformity with the Corner Perpetuation and Filing Act, State of Idaho Code 55-1601 through 55-1612 and to the Idaho Code relating to Surveys.

Michael F. Marks, L.S. License No. 499R

STATE OF IDAHO, COUNTY OF ADA, SS

INSTRUMENT NO. 9318350  
FILED FOR RECORD AT THE REQUEST OF MICHAEL MARKS  
OF MAZDA N.M. PAST 3 O'CLOCK P.M. THIS 12 DAY  
OF MARCH, 1983.

J. DAVID NAVARRO, RECORDER

By Michael DEPUTY  
5-20

RECORDING INDEX NO. 314-14-2-0-00-00

SURVEY FOR <b>ELMO POWELL</b>		MARKS SURVEYING	
PORTION OF THE SE 1/4 OF THE SE 1/4 SECTION 14, T.26, R.1W, S.1M, ADA COUNTY, IDAHO		320134-4508 1004 FOREST STREET, BOISE, IDAHO 83705	
DESIGN:	DRAWN:	CHECK:	SCALE:
			1" = 100'
DATE:	MARCH, 1983	DRAWING NO.:	33-003

**PARCEL NUMBER**

S1214346905

**ADDRESS**

2960 West Dutch Farm Road, Meridian, Idaho

**DESCRIPTION**

PAR #6905 @ SW COR SE4SW4  
SEC 14 3N 1W  
PARCEL 1 R/S 4360 EXC R/W  
#346610-B

**SURVEY RECORD**

