

RESOLUTION NO. 2025-5

BY THE BOARD OF COMMISSIONERS OF THE URBAN RENEWAL AGENCY OF GARDEN CITY, IDAHO:

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE URBAN RENEWAL AGENCY OF GARDEN CITY, IDAHO, RECOMMENDING AND ADOPTING THE URBAN RENEWAL PLAN FOR THE SOUTH OF CHINDEN URBAN RENEWAL PROJECT, WHICH PLAN INCLUDES REVENUE ALLOCATION FINANCING PROVISIONS SUBJECT TO CERTAIN CONDITIONS; AUTHORIZING AND DIRECTING THE CHAIR, VICE-CHAIR OR ADMINISTRATOR AND THE SECRETARY OF THE AGENCY TO MAKE CERTAIN TECHNICAL CHANGES; AUTHORIZING AND DIRECTING THE CHAIR, VICE-CHAIR OR ADMINISTRATOR TO TAKE APPROPRIATE ACTION; PROVIDING FOR THIS RESOLUTION TO BE EFFECTIVE UPON ITS PASSAGE AND APPROVAL; AND PROVIDING AN EFFECTIVE DATE.

THIS RESOLUTION, made on the date hereinafter set forth by the Urban Renewal Agency of Garden City, Idaho, also known as the Garden City Urban Renewal Agency, 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 Garden City, Idaho, hereinafter referred to as the "Agency."

WHEREAS, the City Council (the "City Council") of the City of Garden City, Idaho (the "City"), after notice duly published, conducted a public hearing on the River Front East Urban Renewal Project Urban Renewal Plan (hereinafter the "River Front East Plan");

WHEREAS, the City Council adopted its Ordinance No. 954-12 on October 22, 2012, approving the River Front East Plan, making certain findings, and establishing the River Front East Plan revenue allocation area (the "River Front East Project Area");

WHEREAS, the above referenced existing urban renewal plan is referred to as the "Existing Urban Renewal Plan" and its respective revenue allocation project area is referred to as the "Existing Project Area;"

WHEREAS, pursuant to Idaho Code § 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 § 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, it became 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 Winter 2024, the Agency authorized Kushlan | Associates to commence an eligibility study and preparation of an eligibility report of an area approximately 238.61 acres in size. The area is generally located primarily in the south and central part of the city and consists of parcels adjacent or near two major arterials, Glenwood Street and Chinden Boulevard. Glenwood Street serves as State Highway 44 and Chinden Boulevard serves as US Highway 20-26, both under the jurisdiction of the Idaho Transportation Department (ITD) (the "Study Area");

WHEREAS, the Agency obtained the Glenwood/Chinden Urban Renewal District and Revenue Allocation Area Eligibility Report, dated April 2025 (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, pursuant to Idaho Code Sections 50-2018(8), (9) and 50-2903(8), which define the qualifying conditions of a deteriorating area and deteriorated area, many of the conditions necessary to be present in such an area are found in the Study Area, including:

- a. the presence of a substantial number of deteriorated or deteriorating structures; deterioration of site;
- b. age or obsolescence;
- c. predominance of defective or inadequate street layout;
- d. outmoded street patterns;
- e. need for correlation of area with other areas of a municipality by streets and modern traffic requirements;
- f. faulty lot layout in relation to size, adequacy, accessibility or usefulness/obsolete platting;
- g. unsuitable topography or faulty lot layouts;
- h. insanitary or unsafe conditions;
- i. diversity of ownership;
- j. substantially impairs or arrests the sound growth of a municipality; and
- k. results in economic underdevelopment of the area.

WHEREAS, the Study Area may include open space/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 §§ 50-2018(8), (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, which are the same or similar to the conditions set forth in the definitions of “deteriorating area” and “deteriorating area;”

WHEREAS, the Report addresses the 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, 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, 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 does not include parcels subject to such consent;

WHEREAS, the Agency, on April 14, 2025, adopted Resolution No. 2025-2 accepting the Report and authorizing the Chair of the Agency to transmit the Report to the City Council requesting its consideration for designation of an urban renewal area and requesting the City Council to direct the Agency to prepare an urban renewal plan for the 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 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 the City's area of operation and within unincorporated Ada County;

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 area to be deteriorated and/or deteriorating and appropriate for an urban renewal project;

WHEREAS, the Agency submitted Agency Resolution No. 2025-2 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 May 20, 2025, representatives of the City and the Agency presented the Report and the proposed approval timeline to the Ada County Commissioners requesting the Commissioners to consider adopting the findings concerning the proposed Study Area;

WHEREAS, on May 20, 2025, the Ada County Board of County Commissioners, pursuant to Resolution No. 3094, found the Study Area to be in need of an urban renewal project area;

WHEREAS, the City Council on June 9, 2025, adopted Resolution No. 1207-25, 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 and directed the Agency to commence preparation of an urban renewal plan for the area designated;

WHEREAS, in September 2025, it was determined the planning would proceed without the parcels within unincorporated Ada County

WHEREAS, the Agency has embarked on an urban renewal project referred to as the Urban Renewal Plan for the South of Chinden Urban Renewal Project, formerly known as the Urban Renewal Plan for the Glenwood/Chinden Urban Renewal Project (the “South of Chinden Plan”) to develop and/or redevelop a portion of the City pursuant to the Law and the Act, as amended;

WHEREAS, pursuant to the Law and Act, the South of Chinden Plan proposes to create an urban renewal and revenue allocation area commonly known as the South of Chinden Project Area, which area is shown on the “Boundary Map of Urban Renewal Project Area and Revenue Allocation Area” and described in the “Legal Description of Urban Renewal Project Area and Revenue Allocation Area,” which are or will be attached to the South of Chinden Plan as Attachments 1 and 2 respectively. The boundaries of the South of Chinden Project Area are smaller than the Study Area;

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

WHEREAS, the Agency and its consultants have prepared the proposed South of Chinden Plan for the area within the City previously designated as eligible for urban renewal planning;

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

WHEREAS, the South of Chinden Plan contains revenue allocation financing provisions as allowed by the Act;

WHEREAS, in order to implement the provisions of the Law and the Act, the Agency shall prepare and adopt the South of Chinden Plan and submit the South of Chinden Plan and recommendation for approval thereof to the City;

WHEREAS, the Agency Board at several Agency Board meetings in 2025 undertook a preliminary review and considered the proposed public improvements and projects within the South of Chinden Plan and Project Area;

WHEREAS, as required by the Law and the Act, the Agency reviewed the project information within the South of Chinden Plan concerning the use of revenue allocation funds and considered the South of Chinden Plan at its meeting on September 29, 2025;

WHEREAS, the South of Chinden Plan will be tendered to the Planning and Zoning Commission and to the City Council for their consideration and review as required by the Law and the Act;

WHEREAS, under the Act, the South of Chinden Plan shall include with specificity the following: (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 in the revenue allocation area; and (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 Idaho Code § 50-2903(20); and (8) a description of the disposition or retention of any assets of the agency upon the termination date;

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

WHEREAS, the Agency Board finds that the equalized assessed valuation of the taxable property in the revenue allocation area described in Attachments 1 and 2 of the South of Chinden Plan is likely to increase as a result of initiation of urban renewal projects in accordance with the South of Chinden 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 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;

WHEREAS, the projected base assessment roll of the South of Chinden Project Area together with the base assessment roll values of the Existing Project Area do not exceed ten percent (10%) of the current assessed values of all the taxable property in the City;

WHEREAS, Agency staff and consultants recommend the Agency Board accept the South of Chinden Plan and forward it to the City Council;

WHEREAS, the Agency Board finds it in the best interests of the Agency and the public to formally adopt the South of Chinden Plan, as set forth in **Exhibit 1** attached hereto, and to forward it to the Mayor and City Council, and recommend its adoption, subject to certain conditions.

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

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

Section 2. It is hereby found and determined that the South of Chinden Project Area as defined in the South of Chinden Plan is a deteriorated area, a deteriorating area, or a combination thereof, as defined in the Law and the Act and qualifies as an eligible urban renewal area under the Law.

Section 3. That the Agency specifically adopts the South of Chinden Plan along with any changes discussed at the September 29, 2025, Agency Board meeting, including but not limited to technical edits to the South of Chinden Plan, finalization of the Attachments to the South of Chinden Plan, including but not limited to the boundary map, legal description, and land use and zoning maps, confirmation of taxing district levy rates, confirmation of the affected taxing districts, updated list of projects, estimated location or siting of improvements, and any modifications to the economic feasibility study prepared by Agency consultant Kushlan | Associates.

Section 4. That the Agency recommends that the South of Chinden Plan, a copy of which is attached hereto as **Exhibit 1**, and incorporated herein by reference, be adopted by the City Council, including those sections, modifications, text, and/or insertion or replacement of Attachments to the South of Chinden Plan as discussed at the September 29, 2025, Agency Board meeting.

Section 5. That the Agency Administrator, if not attached at the time of the Agency Board's consideration, then prior to consideration of the South of Chinden Plan by the City Council, will include final Attachments to the South of Chinden Plan, including but not limited to the boundary map, the legal description, the maps depicting the zoning and future land uses of the South of Chinden Project Area, the economic feasibility study, and any referenced resolutions and ordinances.

Section 6. That this Resolution constitutes the necessary action of the Agency under the Act, Idaho Code § 50-2905, recommending approval by the City Council and that the South of Chinden Plan includes with specificity the following: (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 in the revenue allocation area; and (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 Idaho Code § 50-2903(20); and (8) a description of the disposition or retention of any assets of the agency upon the termination date.

Section 7. It is hereby found and determined that:

- (a) The South of Chinden Plan gives due consideration to the provision of adequate park and recreation areas and facilities that may be desirable for neighborhood improvement (recognizing the mixed-use, commercial and

light industrial components of the South of Chinden Plan and the need for public improvements), and shows consideration for the health, safety, and welfare of any residents or businesses in the general vicinity of the urban renewal area covered by the South of Chinden Plan.

- (b) The South of Chinden Plan affords maximum opportunity consistent with the sound needs of the City as a whole for the rehabilitation, development, and redevelopment of the South of Chinden Project Area by private enterprises.
- (c) To the extent necessary, the South of Chinden Plan provides a feasible method for relocation of any displaced families residing within the South of Chinden Project Area.
- (d) The South of Chinden Project Area contains “open land” areas and that the Agency may acquire any open land, that the South of Chinden Project Area is planned to be developed and/or redeveloped in a manner that may include both residential and non-residential uses and that the “open land” criteria set forth in the Law and Act have been met.
- (e) The portion of the South of Chinden Project Area which may be identified for non-residential uses, the City Council may find 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.
- (f) The portion of the South of Chinden Project Area which is identified for residential uses is necessary and appropriate as the City Council may find 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 of residential uses is an integral part of and essential to the program of the City.
- (g) The projected base assessment roll of the South of Chinden Project Area, together with the base assessment roll value of the Existing Project Area do not exceed ten percent (10%) of the current assessed values of all the taxable property in the City.
- (h) The South of Chinden Plan includes a revenue allocation provision and the Agency has determined that the equalized assessed valuation of the

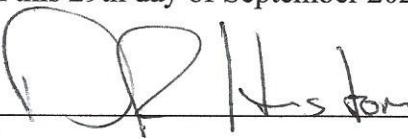
revenue allocation area will likely increase as the result of the initiation of an urban renewal project.

Section 8. That this Resolution constitutes the necessary action of the Agency under the Law, Section 50-2008, Idaho Code, and the Act.

Section 9. The Chair, Vice-Chair, or Administrator and the Secretary of the Agency are hereby authorized and directed to take all steps necessary and convenient to submit the proposed South of Chinden Plan for approval by the City Council, including but not limited to the preparation of the notice of public hearing on adoption of the revenue allocation financing provisions by the City and submittal of the South of Chinden Plan to the various taxing entities as required by Idaho Code § 50-2906.

Section 10. 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 Garden City, Idaho, on September 29, 2025. Signed by the Chair of the Board of Commissioners and attested by the Secretary to the Board of Commissioners on this 29th day of September 2025.



Chair

ATTEST:

By Janet Peterson
Secretary

Exhibit 1

Urban Renewal Plan for the South of Chinden Urban Renewal Project

4907-8002-3658, v. 2