URBAN RENEWAL PLAN
McCULLUM ADDITION AND ADJACENT AREAS
URBAN RENEWAL PROJECT
BUHL URBAN RENEWAL AGENCY
CITY OF BUHL, IDAHO

Ordinance No. _______
Adopted _________ __, __
Effective _________ __, __, Publication
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EXECUTIVE SUMMARY OF THE
McCOLLUM ADDITION AND ADJACENT AREAS
URBAN RENEWAL PLAN

INTRODUCTION

The McCollum Addition and Adjacent Areas Urban Renewal Plan ("the Plan") is a legal
document providing the Buhl Urban Renewal Agency with the powers, duties, and obligations to
implement a program of redevelopment and revitalization within the Project Area as identified
on the map as depicted on Attachment 2 to the Plan.

The Project Area qualifies as a deteriorating area under the Urban Renewal Law as
identified by City Council Resolution No. 250 passed on September 11, 2000. A copy of that
resolution is included as Attachment 7. On October 30, 2000, the City Council adopted
Resolution No. 252 slightly revising the eligible area for consideration of an urban renewal plan.
Unsafe conditions exist because of lack of adequate right-of-way from Craven Avenue and Clear
Creek west. Private redevelopment has been limited because of the lot layouts, ownership
patterns, deteriorated buildings, and deteriorating and inadequate water, sewer, and street
improvements. The Plan provides for the elimination of those conditions through a cooperative
effort among the Agency, the City, existing home owners, and private developers.

PLAN ACTIVITIES AND PRIVATE DEVELOPMENT

The program outlined in the Plan emphasizes the installation of needed public
improvements, including widening and improvement of Craven Avenue and Robertson Street;
adding curbs, gutters, and sidewalks; extension of Clear Creek west to Milner Street from the
other streets; development of possible new streets like Katherine to serve smaller, more efficient
development parcels; replacing deteriorated and inadequate water and sewer lines; and other
utility work to encourage private development. As of September 2000 a new restaurant has been
completed and another commercial development is underway on sites within the Project Area.
A new apartment complex should be underway by the end of 2000, and other residential
developments, including a senior housing complex and a single-family subdivision, are planned
on adjacent sites.

FINANCING

Agency financing of the activities referenced above will come from a combination of
annual revenue allocation funds, bond proceeds, and other sources. Debt service for any Agency
borrowing will be paid by annual revenue allocations generated by the planned and projected new
development.

Increases in assessed valuation of real and personal property in the Project Area that
occur after January 1, 2000, the date of the base assessment roll, will generate revenue for the
Agency to pay its project costs. Those project costs include the Agency’s planning costs,
appraisals, legal fees, administration, financing public improvements, and contingencies. The
total assessed valuation of real and personal property on the 2000 base assessment roll (net of the
homeowner’s exemption, if any) for the Project Area, estimated to be $________________, is still
available for use by the other taxing districts. The Plan authorizes the Agency to obtain various
funding sources, including state grants, federal grants, developer loans, and/or other funding
mechanisms to be repaid by revenue allocation proceeds. When the Agency project activities are
completed and any bonds and loans are repaid, the increases in assessed value of real and
personal property in the area become available for use by the other taxing entities.

It is anticipated that revenue allocation proceeds will be needed for a period between
fifteen (15) to twenty (20) years or such longer period through the term of the Plan as required to
pay project costs.

DEVELOPMENT AGREEMENTS, DESIGN CONSIDERATIONS, DURATION OF THE
PLAN

The Plan provides for agreements with developers either through an owner participation
agreement or disposition and development agreement. Under such agreements, the developer
will be contractually committed to its scope of development in exchange for the Agency’s
assistance with site and other costs. Under such agreements, the developer will be required to
commit to a specific schedule of performance. Any new development or renovation of existing
structures will be required to continue through an estimated useful life of at least twenty (20)
years. The duration of the Plan is established as twenty-four (24) years from the adoption of the
McCullum Addition and Adjacent Areas Urban Renewal Plan, i.e., December 31, 2024. Design
considerations and land use enforcement shall be governed by the City of Buhl zoning and
building codes unless the Agency formally adopts other design standards.
SECTION 100   INTRODUCTION

This is the Urban Renewal Plan (the “Plan”) for the McCollum Addition and Adjacent Areas Project (the “Project”) in the City of Buhl (the “City”), County of Twin Falls, State of Idaho, and consists of the text contained herein and the following attachments:

Description of the Project Area and Revenue Allocation Area Boundaries (Attachment 1);

Project Area-Revenue Allocation Area Boundary Map (Attachment 2);

Private Properties Which May Be Acquired by Agency (Attachment 3);

Map Depicting Expected Land Uses and Current Zoning Within Revenue Allocation Area and Project Area (Attachment 4);

Introduction to Attachment 5;

Statement of Proposed Public Improvements, Costs, Revenues, Tax Impacts, Financing Methods, and Implementation Plan (Attachment 5);

Net Value of Private Development in Buhl Revenue Allocation Area (Attachment 5A);

Annual Tax Revenue Allocations (Attachment 5B); and

Estimated Annual Revenues and Costs (Attachment 5C).

The term “Project” is used herein to describe the overall activities defined in this Plan and conforms with the statutory definition of “urban renewal project.” Reference is specifically made to Idaho Code Section 50-2018(j) 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 term “Project” is not meant to refer to a specific activity or development scheme.
This Plan was prepared by consultants and staff of the Buhl Urban Renewal Agency (the "Agency"), reviewed and recommended by the Agency Board of Commissioners, pursuant to the State of Idaho Urban Renewal Law, chapter 20, title 50, Idaho Code (the "Law"); the Local Economic Development Act, chapter 20, title 50, Idaho Code (the "Act"); and all applicable local laws and ordinances.

The proposed redevelopment of the Project Area as described in this Plan conforms to the Comprehensive Plan of the City of Buhl.

This Plan provides the Agency with powers, duties, and obligations to implement and further the program generally formulated in this Plan for the redevelopment, rehabilitation, and revitalization of the area within the boundaries of the Project (the "Project Area"). The Agency retains all powers allowed by the Law and Act. Because of the long-term nature of this Plan and the need to retain in the Agency flexibility to respond to market and economic conditions, property owner and developer interests, and opportunities from time to time presented for redevelopment, this Plan does not present a precise plan or establish specific projects for the redevelopment, rehabilitation, and revitalization of any area within the Project Area, nor does this Plan present specific proposals in an attempt to solve or alleviate the concerns and problems of the community relating to the Project Area. Instead, this Plan presents a process and a basic framework within which specific plans will be presented, specific projects will be established, and specific solutions will be proposed, and by which tools are provided to the Agency to fashion, develop, and proceed with such specific plans, projects, and solutions.

The purposes of the Law and Act that will be attained through and the major goals of this Plan are:

(a) the elimination of environmental deficiencies in the Project Area, including, among others, obsolete and aged building types, and inadequate public improvements and facilities;

(b) the assembly of land into parcels suitable for modern, integrated development with improved setback, parking, pedestrian, and vehicular circulation in the Project Area;

(c) the replanning, redesign, and development of undeveloped and underdeveloped areas which are stagnant or improperly utilized;

(d) the strengthening of the economic base of the Project Area and the community by the installation of needed public improvements and facilities to stimulate new commercial expansion, employment, and economic growth;
(e) 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; and

(f) the strengthening of the tax base by encouraging private development, thus increasing the assessed valuation of properties within the Revenue Allocation Area and the Project Area as a whole, and benefitting the various taxing districts in which the Project Area is located.

SECTION 101 GENERAL PROCEDURES OF THE AGENCY

The Agency is a public body, corporate and politic, as defined and described under the Law and the Act. The Agency is also governed by its bylaws as authorized by the Law and adopted by the Agency. As a public body, the Agency is governed by all of the statutory provisions of the Idaho Code applicable to public entities, including, but not limited to, the Idaho Open Meeting Law. In addition, under Idaho Code, the Agency is required to conduct financial audit or review of its financial statements pursuant to Idaho Code Section 67-450B.

Generally, 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. Whenever in this Plan it is stated that the Agency may modify, change, or adopt certain policy statements or contents of this Plan not requiring a formal amendment to the Plan as required by the Law or the Act, it shall be deemed to mean a consideration by the Board of such policy or procedure, duly noticed upon the Agency meeting agenda and considered by the Agency at an open public meeting and adopted by a majority of the members present, constituting a quorum, unless any provision herein provides otherwise.

SECTION 102 PROVISIONS NECESSARY TO MEET STATE AND LOCAL REQUIREMENTS

SECTION 102.1 CONFORMANCE WITH STATE OF IDAHO URBAN RENEWAL LAW OF 1965, AS AMENDED

The laws of the State of Idaho allow for an Urban Renewal Plan to be submitted by any interested person or entity in an area certified as an Urban Renewal Area by the Buhl City Council. The original McCollum Addition and Adjacent Areas was certified by the Buhl City Council by Resolution 250 on September 11, 2000. The eligible area was modified by the inclusion of an additional area through the adoption of Resolution No. 252 on October 30, 2000.

In accordance with the Idaho Urban Renewal Law of 1965 this Plan was submitted to the Planning and Zoning Commission of the City of Buhl. After consideration of the Plan, the
Commission filed its recommendation with the City Council stating that this Plan is in conformity with the Comprehensive Plan of the City of Buhl.

SECTION 200 DESCRIPTION OF PROJECT AREA

The boundaries of the Project Area and of the Revenue Allocation Area are described in Attachment 1, which is attached hereto and incorporated herein by reference, and are shown on the Project Area and Revenue Allocation Area Boundary Map, attached hereto as Attachment 2 and incorporated herein by reference.

SECTION 300 PROPOSED REDEVELOPMENT ACTIONS

SECTION 301 GENERAL

The Agency proposes to eliminate and prevent the spread of blight and deterioration in the Project Area by:

(a) the provision for participation by property owners within the Project Area;

(b) the installation, construction, or reconstruction of streets, utilities (including improvements to the water and sewer systems), and other public improvements, facilities, and the operation and management of such facilities in conformance with the Law and Act;

(c) the assembly of adequate sites for the development and construction of commercial, light manufacturing, or residential facilities;

(d) the acquisition of certain real property (if needed) for redevelopment and right-of-way purposes;

(e) the demolition or removal of certain buildings and improvements;

(f) the management of any property acquired by and under the ownership and control of the Agency;

(g) the provision for relocation assistance to displaced Project occupants, as required by law;

(h) the disposition of property for uses in accordance with this Plan;

(i) the redevelopment of land by private enterprise or public agencies for uses in accordance with this Plan; and
(j) to the extent allowed by law, the lending or investing of federal funds to facilitate
redevelopment.

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.

SECTION 302 URBAN RENEWAL PLAN OBJECTIVES

Urban renewal action is necessary in the Project Area to combat problems of physical
blight and economic underdevelopment.

The Project Area consists of a largely residential area between Burley Avenue and Craven
Avenue from Milner Street to Fair Road, a commercial area on Burley Avenue east of Fair Road,
and a planned residential area south of the commercial area. The area has a history of a slow-
growing tax base primarily attributed to inadequate and deteriorating public improvements and
facilities, poorly maintained properties, undeveloped and underdeveloped properties, diverse
property ownership, and other deteriorating factors.

Hence, the Urban Renewal Plan for the Project Area is a proposal for public
improvements and facilities to: provide an improved environment for new commercial and
residential developments; eliminate unsafe conditions; assist potential owner participation and
other developers to create appropriate development sites through parcelization of existing larger
parcels and, where necessary, through acquisition, demolition, and disposition activities; and
otherwise prevent the extension of blight and deterioration and reverse the deteriorating action of
the area.

SECTION 303 PARTICIPATION OPPORTUNITIES AND AGREEMENT

SECTION 303.1 PARTICIPATION AGREEMENTS

The Agency shall enter into an owner participation agreement with any existing or future
owner of property, in the event the property owner seeks and/or receives assistance from the
Agency in the redevelopment of the property. In that event, the Agency may allow for an
existing or future owner of property to remove his property and/or structure from future Agency
acquisition subject to entering into an owner participation agreement.

Each structure and building in the Project Area to be rehabilitated or new projects to be
constructed as a condition of the owner participation agreement between the Agency and the
owner pursuant to this Plan will be considered to be satisfactorily rehabilitated and constructed,
and the Agency will so certify, if the rehabilitated or new structure meets the following
standards:
(a) Executed owner participation agreements meet the conditions described below.

(b) Any such property within the Project Area shall be required to conform to all applicable provisions, requirements, and regulations of this Plan. Upon completion of any rehabilitation or new development, 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 which will continue throughout an estimated useful life for a minimum of twenty (20) years.

(c) All such buildings or portions of buildings which are to remain within the Project Area shall be rehabilitated in conformity with all applicable codes and ordinances of the City of Buhl.

(d) Any new construction shall also conform to all applicable provisions, requirements, and regulations of this Plan.

(e) Any new construction shall also conform to all applicable codes and ordinances of the City of Buhl.

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

In the event a participant fails or refuses to rehabilitate, develop, use, and maintain its real property pursuant to this Plan and a participation agreement, the real property or any interest therein may be acquired by the Agency in accordance with Section 307 of this Plan and sold or leased for rehabilitation or development in accordance with this Plan.

SECTION 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 may impose on all public bodies the planning and design controls contained in this Plan to insure that present uses and any future development by public bodies will conform to the requirements of this Plan. The Agency is authorized to financially (and otherwise) assist any public entity in the cost of public land, buildings, facilities, structures, or other improvements within the Project Area.
The Agency specifically intends to cooperate to the extent allowable by law with the City of Buhl and the Idaho Department of Transportation for the construction and reconstruction of public improvements and facilities.

SECTION 305        PROPERTY ACQUISITION

SECTION 305.1        REAL PROPERTY

Only as specifically authorized herein, the Agency may acquire, but is not required to acquire, real property located in the Project Area where it is determined that the property is needed for construction of public improvements and facilities 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, the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, and any other applicable statute or regulation). 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.

The Agency is authorized by this Plan to acquire the properties identified in Attachment 3 hereto. Otherwise, Agency acquisition of any other real property shall be accomplished only following a formal amendment to this Plan that will include an exhibit identifying the property to be acquired.

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

SECTION 305.2        PERSONAL PROPERTY

Generally, personal property shall not be acquired. However, where necessary in the execution of this Plan and where allowed by law, the Agency is authorized to acquire personal property in the Project Area by any lawful means, including eminent domain.

SECTION 306        PROPERTY MANAGEMENT

During such time such property, if any, in the Project Area is owned by the Agency, such property shall be under the management and control of the Agency. Such property may be rented or leased by the Agency pending its disposition for redevelopment, and such rental or lease shall be pursuant to such policies as the Agency may adopt.
SECTION 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 may also undertake relocation activities for those not entitled to benefit under federal law as the Agency may deem appropriate for which funds are available. In the event the Agency’s activities directly result in the displacement of families within the area, the Agency shall relocate such displaced families into decent, safe, and sanitary dwelling accommodations without undue hardship to such families. For any other activity, the Agency will comply with the provisions of the Law or any other applicable statute regarding relocation.

SECTION 308  DEMOLITION, CLEARANCE, AND BUILDING SITE PREPARATION

SECTION 308.1  DEMOLITION AND CLEARANCE

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.

SECTION 308.2  PREPARATION OF BUILDING SITES

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. In connection therewith, the Agency may cause, provide for, or undertake the installation or construction of streets, utilities, parks, pedestrian walkways, traffic signals, drainage facilities, and other public improvements necessary to carry out this Plan.

SECTION 309  PROPERTY DISPOSITION AND DEVELOPMENT

SECTION 309.1  REAL PROPERTY DISPOSITION AND DEVELOPMENT

SECTION 309.1(A)  GENERAL

For the purposes of this Plan, the Agency is authorized to sell, lease, exchange, subdivide, transfer, assign, pledge, encumber by mortgage or deed of trust, or otherwise dispose of any interest in real property under the reuse provisions set forth in Idaho Code Section 50-2011 and as otherwise allowed by law. To the extent permitted by law, the Agency is authorized to dispose of real property by negotiated lease, sale, or transfer without public bidding.
All purchasers or lessees of property acquired from the Agency shall be obligated to use the property for the purposes designated in this Plan, to begin and complete development of the property within a period of time which the Agency fixes as reasonable, and to comply with other conditions which the Agency deems necessary to carry out the purposes of this Plan.

**SECTION 309.4(B) DISPOSITION AND DEVELOPMENT DOCUMENTS**

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

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

Leases, 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 Twin Falls County.

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, handicap, national origin, or ancestry in the sale, lease, sublease, transfer, use, occupancy, tenure, or enjoyment of property in the Project Area. All property sold, leased, conveyed, or subject to a participation agreement shall be expressly subject by appropriate documents to the restriction that all deeds, leases, or contracts for the sale, lease, sublease, or other transfer of land in the Project Area shall contain such nondiscrimination and nonsegregation clauses as required by law. The Developers (including owner/participants) will be required by the contractual agreement to observe the Land Use and Building Requirements provision of this Plan and to submit a Redevelopment Schedule satisfactory to the Agency. Schedule revisions will be made only at the option of the Buhl Urban Renewal Agency.

In addition, the following requirements and obligations shall be included in the agreement:

The developers and their successors and assigns agree:
(a) A plan and time schedule for the proposed development shall be submitted to the Agency.

(b) The purchase or lease of the land, subterranean rights, and/or air rights is for the purpose of redevelopment and not for speculation.

(c) The building of improvements will be commenced and completed as jointly scheduled and determined by the Agency and the developer(s).

(d) There will be no discrimination against any person or group of persons because of handicap, age, race, sex, creed, color, national origin or ancestry in the sale, lease, sublease, transfer, use, occupancy, tenure, or enjoyment of the premises or any improvements erected or to be erected thereon or therein conveyed, nor will the developer himself or any person claiming under or through him establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use, or occupancy of tenants, lessees, sublessees, or vendees in the premises or any improvements therein conveyed. The above provision will be perpetual and will be appended to the land disposed of within the Urban Renewal Project Area by the Agency.

(e) The site and construction plans will be submitted to the Agency for review as to conformity with the provisions and purposes of this Urban Renewal Plan.

(f) At the discretion of the Agency a bond or other surety will be provided acceptable to the Agency to ensure performance under the contract of the sale.

(g) 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.

(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 of Buhl.

(i) All new construction shall have a minimum estimated life of no less than twenty (20) years.
(j) All disposition and development documents and owner participation agreements shall be governed by the provisions of Section 405.2 of this Plan.

SECTION 309.1(C) DEVELOPMENT BY THE AGENCY

To the extent now or hereafter permitted by law, the Agency is authorized to pay for, develop, or construct any publicly-owned building, facility, structure, or other improvement within the Project Area or outside the Project Area for improvements or facilities that are needed to support new development in the Project Area, for itself or for any public body or entity.

The Agency may also prepare properties for development by renovation or other means as allowed by law. The Agency may also as allowed by law assist in the development of private projects.

In addition to the public improvements authorized under Idaho Code Section 50-2007, the Agency is authorized to install and construct, or to cause to be installed and constructed, within the Project Area or outside the Project Area for improvements or facilities that are needed to support new development in the Project Area, for itself or for any public body or entity, public improvements and public facilities, including, but not limited to, the following: (1) utilities; (2) pedestrian paths; (3) traffic signals; (4) landscaped areas; (5) street improvements; (6) sanitary sewers; (7) irrigation systems, flood control facilities and storm drains; (8) water mains, pumps, and reservoirs; and (9) parks and recreation facilities.

Any public facility ultimately owned by the Agency shall be operated and managed in such a manner to preserve the public purpose nature of the facility. Any lease agreement with a private entity or management contract agreement shall include all necessary provisions sufficient to protect the public interest and public purpose.

The Agency may enter into contracts, leases, and agreements with the City, or other public body or private entity, pursuant to this section, and the obligation of the Agency under such contract, lease, or agreement shall constitute an indebtedness of the Agency as described in Idaho Code Section 50-2909 which may be made payable out of the taxes levied in the Project Area and allocated to the Agency under subdivision (2)(b) of Section 50-2908 of the Act and Section 504 to this Plan or out of any other available funds.

SECTION 309.1(D) DEVELOPMENT PLANS

All development plans, whether public or private, prepared pursuant to disposition and development or owner participation agreements shall be submitted to the Agency for approval and architectural review through the City Building Department. All development in the Project Area must conform to those standards specified in Section 404, infra.
SECTION 310 PERSONAL PROPERTY DISPOSITION

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

SECTION 311 REHABILITATION AND CONSERVATION

The Agency is authorized to rehabilitate, renovate, and conserve or to cause to be rehabilitated, renovated, and conserved any building or structure in the Project Area owned by the Agency for preparation of redevelopment and disposition. The Agency is also authorized and directed to advise, encourage, and assist in the rehabilitation and conservation of property in the Project Area not owned by the Agency.

As necessary in carrying out this Plan, the Agency is authorized to move or to cause to be moved any substandard structure or building or any structure or building which can be rehabilitated to a location within or outside the Project Area.

SECTION 312 PARTICIPATION WITH PRIVATE OR PUBLIC DEVELOPMENT

Under the Idaho Urban Renewal 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 and other applicable federal programs.

Under those regulations the Agency may participate with the private sector in the development and financing of those private projects which 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 of support, or any other activity necessary or appropriate to carry out an economic development project.

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

The Agency may enter into contracts, leases, and agreements with the City or other public body or private entity pursuant to this section, and the obligation of the Agency under such contract, lease, or agreement shall constitute an indebtedness of the Agency as described in Idaho Code Section 50-2909 which may be made payable out of the taxes levied in the Project Area.
and allocated to the Agency under subdivision (2)(b) of Section 50-2908 of the Act and Section 504 of this Plan or out of any other available funds.

SECTION 400 USES PERMITTED IN THE PROJECT AREA

SECTION 401 REDEVELOPMENT PLAN MAP AND DEVELOPMENT STRATEGY

The Description of the Project Area and Revenue Allocation Area Boundary and Project Area-Revenue Allocation Area Boundary Map, attached hereto as Attachments 1 and 2 and incorporated by reference, describe the location of the Project Area boundaries. The proposed land uses to be permitted in the Project Area for all land, public and private, are depicted in Attachment 4.

SECTION 402 DESIGNATED LAND USES

SECTION 402.1 COMMERCIAL USES

The areas designated in Attachment 4 for commercial uses shall be for commercial uses as set forth and described in the Buhl City Zoning Ordinance.

SECTION 402.2 RESIDENTIAL USES

The areas designated in Attachment 4 for residential uses shall be for the residential uses as set forth and described in the Buhl City Zoning Ordinance.

SECTION 403 OTHER LAND USES

SECTION 403.1 PUBLIC RIGHTS-OF-WAY

The major public streets within the Project Area include Burley Avenue, Craven Avenue, Milner Street, Robertson Street, and Fair Road.

Additional public streets, alleys, and easements may be created in the Project Area as needed for proper development. Existing streets, alleys, and easements may be abandoned, closed, expanded or modified as necessary for proper development of the Project in conjunction with any applicable policies and standards of the City regarding changes to dedicated rights-of-way.

Any changes in the existing interior or exterior street layout shall be in accordance with the objectives of this Plan and the City’s design standards, shall be effectuated in the manner prescribed by state and local law, and shall be guided by the following criteria:
(a) a balancing of the needs of proposed and potential new developments for adequate pedestrian and vehicular access, vehicular parking, and delivery loading docks with the similar needs of any existing developments permitted to remain, such balancing taking into consideration the rights of existing owners and tenants under the rules for owner and tenant participation adopted by the Agency for the Project and any participation agreements executed thereunder;

(b) the requirements imposed by such factors as topography, traffic safety, and aesthetics; and

(c) the potential need to serve not only the Project Area and new or existing developments but also to 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 in public rights-of-way.

**SECTION 403.2 OTHER PUBLIC, SEMI-PUBLIC, INSTITUTIONAL, AND NONPROFIT USES**

The Agency is also authorized to permit the maintenance, establishment, or enlargement of public, semi-public, institutional, or nonprofit uses. All such uses shall, to the extent possible, conform to the provisions of this Plan applicable to the uses in the specific area involved. The Agency may impose such other reasonable requirements and/or restrictions as may be necessary to protect the development and use of the Project Area.

**SECTION 403.3 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 Buhl City Code.

**SECTION 404 GENERAL CONTROLS AND LIMITATIONS**

All real property in the Project Area under the provisions of either a disposition and development agreement or owner participation agreement is made subject to the controls and requirements of this Plan. No such real property shall be developed, rehabilitated, or otherwise changed after the date of the adoption of this Plan, except in conformance with the provisions of this Plan.
SECTION 404.1   CONSTRUCTION

All construction in the Project Area shall comply with all applicable state and local laws and codes in effect from time to time. 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.

SECTION 404.2   REHABILITATION AND RETENTION OF PROPERTIES

Any existing structure within the Project Area subject to either a disposition and development agreement or owner participation agreement approved by the Agency for retention and rehabilitation shall be repaired, altered, reconstructed, or rehabilitated in such a manner that it will be safe and sound in all physical respects and be attractive in appearance and not detrimental to the surrounding uses.

SECTION 404.3   LIMITATION ON TYPE, SIZE, AND HEIGHT OF BUILDING

Except as set forth in other sections of this Plan, the type, size, and height of buildings shall be as limited by applicable federal, state, and local statutes, ordinances, and regulations.

SECTION 404.4   OPEN SPACES, LANDSCAPING, LIGHT, AIR, AND PRIVACY

The issues of open space, landscaping, light, air, and privacy shall be governed by applicable federal, state, and local ordinances.

SECTION 404.5   SIGNS

All signs shall conform to City sign ordinances as they now exist or are hereafter amended.

SECTION 404.6   UTILITIES

The Agency shall require that all utilities be placed underground whenever physically and economically feasible.
SECTION 404.7  INCOMPATIBLE USES

No use or structure which by reason of appearance, traffic, smoke, glare, noise, odor, or similar factors which would be incompatible with the surrounding areas or structures shall be permitted in any part of the Project Area.

SECTION 404.8  NONDISCRIMINATION AND NONSEGREGATION

There shall be no discrimination or segregation based upon race, color, creed, religion, sex, marital status, national origin, handicap, or ancestry permitted in the sale, lease, sublease, transfer, use, occupancy, tenure, or enjoyment of property in the Project Area.

SECTION 404.9  SUBDIVISION OF PARCELS

Any parcel in the Project Area shall be subdivided only in compliance with the City Subdivision Ordinance.

SECTION 404.10  MINOR VARIATIONS

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

(a) the application of certain provisions of this Plan would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of this Plan;

(b) there are exceptional circumstances or conditions applicable to the property or to the intended development of the property which do not apply generally to other properties having the same standards, restrictions, and controls;

(c) permitting a variation will not be materially detrimental to the public welfare or injurious to property or improvements in the area; and

(d) permitting a variation will not be contrary to the objectives of this Plan.

No variation shall be granted which changes a basic land use or which permits other than a minor departure from the provisions of this Plan, without amendment of this Plan. In permitting any such variation, the Agency shall impose such conditions as are necessary to protect this public peace, health, safety, or welfare and to assure compliance with the purposes of this Plan. Any variation permitted by the Agency hereunder shall not supersede any other approval required under City codes and ordinances.
SECTION 404.11 OFF-STREET LOADING

Any development and improvements shall provide for off-street loading as required by the City ordinances as they now exist or are hereafter amended.

SECTION 404.12 OFF-STREET PARKING

All new construction in the area shall provide off-street parking as required by the City ordinances as they now exist or are hereafter amended.

SECTION 405 DESIGN FOR DEVELOPMENT

SECTION 405.1 DESIGN GUIDELINES FOR DEVELOPMENT

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

In the case of property which is the subject of a disposition and development 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 those agreements the architectural, landscape, and site plans shall be submitted to the Agency and approved in writing by the Agency. One of the objectives of this Plan is to create an attractive and pleasant environment in the Project Area. Therefore, such plans shall give consideration to good design and other amenities to enhance the aesthetic quality of the Project Area. The Agency shall not approve any plans that do not comply with this Plan.

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. Those controls and standards will be implemented through the provisions of any disposition and development agreement or owner participation agreement or by appropriate covenants appended to the land and instruments of conveyance executed pursuant thereto. 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. Absent the Agency developing and promulgating specific design standards or controls, the Agency shall review all projects by applying and/or deferring to the usual approval process imposed by the City.
SECTION 405.2 DESIGN GUIDELINES FOR DEVELOPMENT UNDER A DISPOSITION AND DEVELOPMENT AGREEMENT OR OWNER PARTICIPATION AGREEMENT

Under an owner participation agreement or a disposition and development agreement, the design guidelines and land use elements as imposed shall be achieved to the greatest extent feasible, though the Agency retains the authority to grant minor variations under Section 404.10 of this Plan and subject to a negotiated agreement between the Agency and the developer or property owner.

Under those agreements, the architectural, landscape, and site plans shall be submitted to the Agency and approved in writing by the Agency. In such agreements, the Agency may impose additional design controls. One of the objectives of this Plan is to create an attractive pedestrian environment in the Project Area. Therefore, such plans shall give consideration to good design and amenities to enhance the aesthetic quality of the Project Area. These additional design standards or controls will be implemented through the provisions of any disposition and development agreement or owner participation agreement or by appropriate covenants appended to the land and instruments of conveyance executed pursuant thereto. These controls are in addition to any standard and provision of any applicable City building or zoning ordinance; provided, however, each and every development shall comply with all applicable City zoning and building ordinances.

SECTION 500 METHODS OF FINANCING THE PROJECT

SECTION 501 GENERAL DESCRIPTION OF THE PROPOSED FINANCING METHOD

The Agency is authorized to finance this Project with financial assistance from the City, State of Idaho, federal government, interest income, Agency bonds, donations, loans from private financial institutions, the lease or sale of Agency-owned property, 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, borrow funds, and create indebtedness in carrying out this Plan. 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 facilities.

The City or any other public agency may expend money to assist the Agency in carrying out this Project.
SECTION 502  REVENUE BOND FUNDS

As allowed by law and subject to such restrictions as are imposed by law, the Agency is authorized to issue 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 shall be liable on the bonds by reason of their issuance.

SECTION 503  OTHER LOANS AND GRANTS

Any other loans, grants, guarantees, or financial assistance from the United States, the State of Idaho, or any other public or private source will be utilized if available. Neither the members of the Agency nor any persons executing such loans or grants shall be liable on the loans or grants by reason of their issuance.

SECTION 504  REVENUE ALLOCATION FINANCING PROVISIONS

The Agency hereby adopts revenue allocation financing provisions as authorized by the Act, chapter 29, title 50, Idaho Code, effective retroactively to January 1, 2000. These revenue allocation provisions shall apply to all taxing districts in which the Revenue Allocation Area is located 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 Urban Renewal Project.

The Agency, acting by one or more resolutions adopted by its board of directors, is hereby authorized to apply all or any portion of the revenues allocated to the Agency pursuant to the Act to pay such costs as are incurred or to pledge all or any portion of such revenues to the repayment of any moneys borrowed, indebtedness incurred, or bonds issued by the Agency to finance or to refinance the project costs (as defined in Idaho Code Section 50-2903(12)) of one or more urban renewal projects.

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

A statement listing proposed public improvements and facilities, an economic feasibility study, estimated project costs, fiscal impact upon other taxing districts, and methods of financing project costs required by Idaho Code Section 50-2905 is included in Attachment 5 to this Plan.
This statement necessarily incorporates estimates and projections based on the Agency’s present knowledge and expectations. The Agency is hereby authorized to modify the presently anticipated urban renewal projects and use of revenue allocation financing of the related project costs if the board of directors of the Agency deems such modification necessary or convenient to effectuate the general objectives of the Plan.

The Agency has also provided for expenditure of revenue allocation proceeds on an annual basis without the issuance of bonds. The Agency has also provided for obtaining advances or loans from the City or private entities in order to immediately commence construction of certain of the public improvements. Revenues will continue to be allocated to the Agency until the improvements identified in Attachment 5 are completely constructed or until any obligation to the City or other public entity or private entity are fulfilled. Attachment 5 incorporates estimates and projections based on the Agency’s present knowledge and expectations concerning the length of time to complete the improvements. 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.

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, as well as payment for costs incurred for activities of the Project.

Under legislation adopted in 2000 by the 55th Idaho Legislature, 2nd Regular Session, effective July 1, 2000, revenue allocation authority is limited to twenty-four (24) years from the date the ordinance was passed by the Buhl City Council. Hence, the duration of the Plan and revenue allocation authority shall extend to December 31, 2024.

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

**SECTION 505 PARTICIPATION WITH LOCAL IMPROVEMENT DISTRICTS**

Under the Idaho Local Improvement District Code, chapter 17, title 50, Idaho Code, the City has the authority to establish local improvement districts for various public facilities, including, but not limited to, streets, curbs, gutters, sidewalks, drains, landscaping, and other like facilities. To the extent allowed by the Law and the Act, the Agency reserves the authority to participate in the funding of local improvement district facilities. This participation may include either direct funding to reduce the overall cost of the local improvement district ("LID") or to participate as an assessed entity to finance the LID project.
SECTION 506  ISSUANCE OF DEBT AND DEBT LIMITATION

Any debt incurred by the Agency as allowed by the Law and Act shall be secured by revenues identified in the debt resolution or revenue allocation funds as allowed by the Act. All such debt shall be repaid within the duration of this Plan. The Agency shall not incur any new long-term debt (as opposed to refunding or refinancing any previously issued bonds) after ten (10) years from the effective date of this Plan, and the term of such debt shall not extend beyond December 31, 2024.

SECTION 507  IMPACT ON OTHER TAXING DISTRICTS

A specific delineation of tax dollars generated by revenue allocation upon each taxing district has not been prepared. The overall impact of the revenue allocation project is shown on Attachment 5B. Since the passage of House Bill 156 in 1995, taxing entities are constrained in establishing levy rates by a function of the amount each budget of each taxing district can increase on an annual basis. The amounts set forth in Attachment 5B in the column “Gross Revenue” would constitute the amounts distributed to the other taxing entities from the Revenue Allocation Area if there were no urban renewal project. Each individual district’s share of that amount would be determined by its particular levy rate as compared to the other districts in any given year. Therefore, the impact of revenue allocation is more of a product of the imposition of House Bill 156. In addition, without the revenue allocation district and its ability to pay for public improvements and public facilities, fewer substantial improvements within the Revenue Allocation Area would be expected in the next five to ten years, hence there would be lower increases in assessed valuation to be used by the other taxing entities.

SECTION 600  ACTIONS BY THE CITY

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

(a) institution and completion of proceedings necessary for changes and improvements in private and publicly-owned property, rights-of-way, or 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, by conditional use permits or other means 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, wherein the City and the Agency may develop and provide for enforcement of a program for continued maintenance by owners of all real property, both public and private, within the Project Area throughout the duration of this Plan;

(e) building code enforcement;

(f) performance of the above actions and of all other functions and services relating to public peace, health, safety, and physical development normally rendered in accordance with a schedule which will permit the redevelopment of the Project Area to be commenced and carried to completion without unnecessary delays;

(g) institutional and completion of proceedings necessary for the establishment of a LID under chapter 17, title 50, Idaho Code;

(h) the undertaking and completing of any other proceedings necessary to carry out the Project;

(i) administration of Community development Block Grant and other state and federal grant funds that may be made available for the Project;

(j) appropriate agreements with the Agency for administration, supporting services, funding sources, and the like; and

(k) the waiver of any hookup or installation fee for sewer, water, or other utility services for any facility owned by any public agency, including the Agency.

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

SECTION 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.

The provisions of this Plan or other documents entered into pursuant to this Plan may also be enforced by court litigation instituted by either the Agency or the City. Such remedies may include, but are not limited to, specific performance, damages, reentry, injunctions, or any other remedies appropriate to the purposes of this Plan. In addition, any recorded provisions which are expressly for the benefit of owners of property in the Project Area may be enforced by such owners.
SECTION 800   DURATION OF THIS PLAN

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 from the date of the initial adoption of this Plan by the Buhl City Council through December 31, 2024.

SECTION 900   PROCEDURE FOR AMENDMENT

The Urban Renewal Plan may be further modified at any time by the Agency, provided that, if modified after disposition of real property in the Project Area or after execution of an owner participation agreement, the modifications must be consented to by the developer or developers or their successor or successors of such real property whose interest is substantially affected by the proposed modification. Where the proposed modification will substantially change the Plan, the modifications must be approved by the Buhl City Council in the same manner as the original Plan. Substantial changes for Buhl City Council approval purposes shall be regarded as revisions in project boundaries, land uses permitted, land acquisition, and other changes which will violate the objectives of this Plan.

SECTION 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.

SECTION 1100   ANNUAL REPORT

Under the Law, the Agency is required to file with the City, on or before March 31 of each year, a report of the Agency’s activities for the preceding calendar year, which report shall include a complete financial statement setting forth its assets, liabilities, income, and operating expenses as of the end of such calendar year.

October 30, 2000
Property Description

for

City of Buhl
(Urban Renewal Project)

A tract of land located in the Northwest Quarter of the Northwest Quarter of Section 6, Township 10 South, Range 15 East, and the East Half of Section 1, Township 10 South, Range 14 East, Boise Meridian, Twin Falls County, Idaho, more particularly described as follows:

Beginning at the Northeast corner of said Section 1 also being the Northwest corner of said Section 6;

THENCE North 00° 07' 58" West a distance of 25.00 feet to the northerly boundary of Burley Avenue and the True Point of Beginning;

THENCE South 89° 53' 27" East a distance of 982.82 feet parallel with and 25.00 feet northerly from the northerly boundary of said NW4 NW4 to the northerly projection of the west boundary of Lot 4 of Heritage Heights No. 2 Subdivision;

THENCE South 00° 15' 55" West a distance of 426.00 feet along the westerly boundary of said Lot 4 and its projection to the southwest corner of said Lot 4;

THENCE North 89° 53' 27" West a distance of 381.22 feet along the southerly boundary of said Heritage Heights No. 2 Subdivision to the easterly boundary of the proposed Florence Wilson Addition;

THENCE South 00° 06' 37" East a distance of 682.52 feet along the easterly boundary of said proposed Florence Wilson Addition to the southeast corner thereof;

THENCE North 89° 53' 34" West a distance of 580.28 feet along the southerly boundary of said Florence Wilson Addition to the easterly boundary of Fair Avenue;

THENCE South 00° 13' 56" West a distance of 1717.93 feet along the easterly boundary of said Fair Avenue to the easterly projection of the southerly boundary of Craven Street;

THENCE South 89° 48' 26" West a distance of 1325.86 feet along the southerly boundary of said Craven Street and its projection to the easterly boundary of Milner Avenue;

THENCE South 00° 10' 31" West a distance of 245.01 feet along the easterly boundary of said Milner Avenue to its intersection with the easterly projection of the southerly boundary of Clear Creek Drive;

THENCE South 89° 48' 26" West a distance of 245.08 feet along the southerly boundary of said Clear Creek Drive and its projection to the southerly projection of the easterly boundary of Applewood Drive;

Attachment 1
Page 1 of 2
THENCE North 00° 10' 33" East a distance of 50.01 feet along the southerly projection of the easterly boundary of Applewood Drive to the northerly boundary of said Clear Creek Drive;

THENCE North 89° 48' 26" East a distance of 195.08 feet along the northerly boundary of said Clear Creek Drive to the westerly boundary of said Milner Drive;

THENCE North 00° 10' 31" East a distance of 220.00 feet along the westerly boundary of said Milner Avenue to the southerly boundary of the Northeast Quarter of said Section 1;

THENCE North 00° 10' 31" East a distance of 2797.28 feet along the westerly boundary of said Milner Avenue and its northerly projection to the northerly boundary of said Burley Avenue;

THENCE North 89° 37' 31" East a distance of 1353.54 feet parallel with and 25.00 feet northerly from the northerly boundary of said Section 1 to the True Point of Beginning.

The above-described tract contains 108.23 acres more or less.
Attachment 3

Private Properties Which May be Acquired by Agency

It should be noted that it is anticipated that not all the properties listed below will be acquired. If the goals of the Plan can be achieved by close coordination and design with private development this is preferable. For the most part, the Agency intends to rely upon voluntary negotiation for the acquisition of property needed to achieve the improvements described below. The ability of the Agency to acquire any of these properties will be dependent upon the availability of revenues from the various sources described in Attachment 5.

It should also be noted that it is anticipated that not all properties which may be included within the categories listed will be acquired. The goals of the Plan can be best achieved by close coordination and design with private development of adjacent areas. Acquisition by the Agency will be undertaken only where necessary.

1. Existing Rights-of-Way, Streets and Easements – Additional property for the expansion, enhancement, improvement or construction of streets, sidewalks, curbs, gutters, streetscape, utility lines, irrigation lines, drainage facilities and other similar improvements. The Agency has identified that many of the streets within the Project Area will require improvement in order to provide improved pedestrian use, provide safer pedestrian use, and enhance private development opportunity. Those existing streets and rights-of-way include the following:

   Sprague Avenue, Aiken Avenue, Fair Road South, Robertson Street, Milner Street, Katherine Street, Craven Avenue and Clear Creek.

2. New Rights-of-Way, Streets and Easements – Acquisition of property needed for extension of Katherine Street, connection of Clear Creek west, and Clear Creek east, and additional north/south streets parallel to Milner, Robertson, and Katherine and/or a new east/west connection in conjunction with Katherine Street, along existing lot lines to allow for parcelization and development of properties. Such acquired property will allow for the construction of streets, sidewalks, curbs, gutters, streetscape, utility lines and improvements, irrigation lines and drainage facilities and other similar improvements. These streets and rights-of-way would provide safe pedestrian use and enhance private development opportunity.

The exact location of these properties have not been identified. The Agency does not contemplate as part of this Plan substantial acquisition of real property with its limited funding sources. To the greatest extent feasible, the Agency will coordinate its use of funds with other activities within the area by either other public entities or private property owners/developers. These sites are tentative in nature and do not represent the specific identification of any site by this Plan.
Attachment 5

Statement of Proposed Public Improvements, Costs, Revenue, Tax Impacts, and Financing Methods

Introduction

Expenditure of funds for projects is anticipated through 2017 with the project as a whole continuing in order to meet debt service.

Anticipated costs of the urban renewal project, revenue sources, estimated revenue allocations, and the amount of indebtedness required to complete the project are shown in Attachment 5. Attachment 5 necessarily incorporates estimates and projections based on the Agency's completed activities, present knowledge, and expectations. The Agency may modify the presently anticipated urban renewal projects and use of revenue allocation financing or the related project costs if the Board of Directors of the Agency deems such modification necessary or convenient to effectuate the general objectives of the Plan. Any future modification will affect the estimate.

Attachment 5 also depicts estimated tax assessments through 2015 and anticipated increases in tax assessments through the development process.

Attachment 5 also demonstrates the overall estimated impact of revenue allocation financing on all taxing districts in which the revenue allocation area is located. The impact on individual taxing districts would be determined by those districts' then-current levies and the projected addition of private investment within the Revenue Allocation Area.

The information contained in Attachment 5 assumes certain completed and projected actions. Under the provisions of the Act, the revenue allocation shall continue until the bond debt, or other obligations are satisfied. All debt is projected to be repaid no later than the duration period of the Plan. Second, the total amount of bonded indebtedness (including other obligations), and the amount of revenue generated by revenue allocation is dependent upon the extent and timing of private development. Attachment 5A projects development from 2000 through 2015. Should all of the development take place as projected, bonded indebtedness (including other obligations), 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 bonds may continue for their full term.

Under the Act the base assessed valuation for all revenue allocation areas cannot exceed gross/net ten percent (10%) of the current assessed valuation for the entire City. The base assessment roll, not including utilities and less any homeowner's exemption, for the revenue allocation area under this plan as of January 1, 2000, is $6,742,303. The total assessed value for
the City as of January 1, 2000, (less homeowner's exemption) is $95,111,450. The base assessment roll for the Revenue Allocation Area does not exceed 10 percent of the assessed value for the City of Buhl.

The Urban Renewal Plan and attachments incorporate estimates and projections based on the Agency's present knowledge and expectations. The Agency may modify the project if the Board of Directors deems such modifications necessary to effectuate the Plan. The Plan proposes certain public improvements, including utility improvements, streetscapes, street improvements, property acquisition, and relocation costs, which will facilitate development in the Revenue Allocation Area.

**Economic Feasibility Statement**

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

The information contained in these attachments assumes certain projected actions. First, the Agency has projected several bond terms, note issues and other obligations. The term of those obligations will be finally determined by the marketability of the notes. Under the provisions of the Act, the revenue allocation may continue until the debt is satisfied. Second, the total amount of indebtedness and the amount of revenue generated by revenue allocation is dependent upon the extent and time of private development. Should all of the development take place as projected, indebtedness would be extinguished earlier, dependent upon the bond sale documents and legal obligations therein. 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 bonds and other obligations may continue for their full term.

The proposed timing for the public improvements may very well have to be modified depending upon the availability of some of the funds and the Agency's ability to sell an initial issue of notes or bonds.

Attachment 5B, *Annual Tax Revenue Allocations*, illustrates how the project’s new development would generate net revenue to the Agency through 2017.


**Description of Public Financing Sources**

**Revenue Allocation**—Revenue allocation financing (sometimes referred to as tax increment financing) applies the increase in property taxes within a defined area to public infrastructure improvements. The improvements are designed to enhance the private development potential, thus creating the additional assessed valuation. The process is initiated upon action of a municipality, whereupon the county assessor will establish the assessed valuation within the Revenue Allocation Area for a base year. The incremental revenue may be applied directly as it is received by the authorized redevelopment agency or, more commonly, applied as a long-term revenue stream for the issuance of bonds or other debt obligations. Once the Plan has been fully implemented and/or the bonds or debt obligations have been retired, the incremental revenue reverts back to the appropriate taxing districts in the same proportion as the base revenue. Under the Act, a percentage of the Tax Levy Rate (currently 0.0040) is deducted from the incremental taxes and passed through to the local public school district. Revenue Allocation has been available in Idaho since 1988 and is anticipated to be the major, and thus most essential, component for Plan financing.

**Bond Anticipation Notes**—Problematic with Revenue Allocation financing is the time delay from initiation of Plan implementation and establishment of the base assessment roll. Several years may elapse before the incremental tax revenue stream can adequately demonstrate the strength necessary to issue bonds. Short-term bond anticipation notes issued by local lenders or underwriters are a means of providing the bridge financing necessary to begin development work. Bond proceeds can then be used to “take out” the notes.

**Local Improvement Districts (LIDs)**—This financing mechanism is used to fund capital improvements and distribute the cost among a number of property owners. Cities and highway districts often use LIDs for local street and sewer projects. After sixty percent (60%) of a proposed district’s property owners sign a LID petition, a series of ordinances are adopted to create the district, approve the assessment roll, and issue construction warrants and long-term bonds. The tax-exempt bonds are issued through bid or negotiated sale with revenue collection tied to the property tax system. Bond terms are usually ten years.

**SBA 504 Program**—This program uses the public sale of reduced interest debentures to write-down commercial loans for commercial and limited industrial projects. The debentures are taxable, fixed-rate bonds issued for 10- or 20-year terms representing up to forty percent (40%) of the project costs. Private businesses use the program as a means of reducing interest rates andlimiting equity participation for land, building costs, equipment, and leasehold improvements.
The SBA takes a second position on the financing and requires the creation or retention of one job for each $35,000 of debenture financing.

**Community Reinvestment**—Local lenders are making funds available at below-market interest rates in order to meet their Community Reinvestment Act obligations.

**Community Development Block Grant (CDBG)**—In order to achieve the objectives set forth in this Plan, the City may submit an application from time to time for Community Development Block Grant funding. Such application must meet certain eligibility objectives. The grant is constrained to a specific list of eligible activities. However, Community Development Block Grant funding may be of some assistance in portions of the Agency’s funding objectives.

**Developer Advances**—Given the delayed flow of revenue under tax increment financing, developer advances may be a desirable approach to initiate development projects. The terms of the advance would be negotiable on a project-by-project basis, but possible uses could be master planning, project administrations, necessary legal work, and even preliminary public infrastructure work.

**HOME Program**—These funds can be used to develop various types of housing programs; rehabilitation, new construction, rent subsidy, and special housing needs programs.

**Financing Conclusion**

The Plan has shown that the equalized valuation of the Revenue Allocation Area as defined in the Urban Renewal Plan is likely to increase as a result of the initiation and completion of urban renewal projects pursuant to the Urban Renewal Plan.
Estimated Net Taxable Value\(^1\) of New Private Development in McCollum Addition and Adjacent Areas Urban Renewal Project (10-27-00)

<table>
<thead>
<tr>
<th>Year</th>
<th>Commercial</th>
<th>Residential</th>
<th>Year Total</th>
<th>Cumulative Total</th>
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<td>170,000</td>
<td>495,000</td>
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<td>800,000</td>
<td>2,038,000</td>
<td>2,838,000</td>
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<td>75,000</td>
<td>1,959,000</td>
<td>2,034,000</td>
<td>5,367,000</td>
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<tr>
<td>2003</td>
<td>218,000</td>
<td>218,000</td>
<td>218,000</td>
<td>5,585,000</td>
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<tr>
<td>2004</td>
<td>246,000</td>
<td>246,000</td>
<td>246,000</td>
<td>5,831,000</td>
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<tr>
<td>2005</td>
<td>107,000</td>
<td>246,000</td>
<td>353,000</td>
<td>6,184,000</td>
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<tr>
<td>2006</td>
<td>247,000</td>
<td>247,000</td>
<td>247,000</td>
<td>6,431,000</td>
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<tr>
<td>2007</td>
<td>250,000</td>
<td>250,000</td>
<td>250,000</td>
<td>6,681,000</td>
</tr>
<tr>
<td>2008</td>
<td>250,000</td>
<td>250,000</td>
<td>250,000</td>
<td>6,931,000</td>
</tr>
<tr>
<td>2009</td>
<td>250,000</td>
<td>250,000</td>
<td>250,000</td>
<td>7,181,000</td>
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<tr>
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<td>254,000</td>
<td>364,000</td>
<td>7,545,000</td>
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<td>254,000</td>
<td>254,000</td>
<td>254,000</td>
<td>7,799,000</td>
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<tr>
<td>2012</td>
<td>254,000</td>
<td>254,000</td>
<td>254,000</td>
<td>8,053,000</td>
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<tr>
<td>2013</td>
<td>257,000</td>
<td>257,000</td>
<td>257,000</td>
<td>8,310,000</td>
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<td>257,000</td>
<td>257,000</td>
<td>257,000</td>
<td>8,567,000</td>
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<tr>
<td>2015</td>
<td>113,000</td>
<td>257,000</td>
<td>370,000</td>
<td>8,937,000</td>
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</table>

\(^1\)Estimated increases of assessed value for land, improvements, and personal property above estimated base value of $6,742,303 for 2000. All estimates are expressed in 2000 dollars beginning in the year 2000.
Attachment 5B
Estimated Annual Revenue Allocations
Tax Area Code 02
(10-30-00)

<table>
<thead>
<tr>
<th>Year Assessed</th>
<th>Year Taxes Received</th>
<th>Estimated Valuation¹</th>
<th>Tax Levy Rate²</th>
<th>Gross Revenue³</th>
<th>School Payment⁴</th>
<th>Agency Net Revenue</th>
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<td>2001</td>
<td>2002</td>
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<td>0.0207468</td>
<td>10,270</td>
<td>1,980</td>
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<td>2004</td>
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<tr>
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<td>5,585,000</td>
<td>0.0201307</td>
<td>112,430</td>
<td>22,340</td>
<td>90,090</td>
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<tr>
<td>2005</td>
<td>2006</td>
<td>5,831,000</td>
<td>0.0199294</td>
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<td>23,324</td>
<td>92,884</td>
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<td>2006</td>
<td>2007</td>
<td>6,184,000</td>
<td>0.0197301</td>
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<td>24,736</td>
<td>97,275</td>
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<td>2008</td>
<td>6,431,000</td>
<td>0.0195328</td>
<td>125,615</td>
<td>25,724</td>
<td>99,891</td>
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<tr>
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<td>2009</td>
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<td>0.0193375</td>
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<td>26,724</td>
<td>102,470</td>
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<tr>
<td>2009</td>
<td>2010</td>
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<td>0.0191441</td>
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<td>27,724</td>
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<tr>
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<td>0.0189527</td>
<td>136,099</td>
<td>28,724</td>
<td>107,375</td>
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<tr>
<td>2011</td>
<td>2012</td>
<td>7,545,000</td>
<td>0.0187632</td>
<td>141,568</td>
<td>30,180</td>
<td>111,388</td>
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<td>2012</td>
<td>2013</td>
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<td>0.0185756</td>
<td>144,871</td>
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<td>113,675</td>
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<td>2013</td>
<td>2014</td>
<td>8,053,000</td>
<td>0.0183898</td>
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<td>32,212</td>
<td>115,881</td>
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<td>0.0182059</td>
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<td>118,051</td>
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<td>2016</td>
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<td>0.0180238</td>
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<td>34,268</td>
<td>120,142</td>
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<td>2017</td>
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<td>0.0178436</td>
<td>159,468</td>
<td>35,748</td>
<td>123,720</td>
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<td>166,664</td>
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<td>1,548,887</td>
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</table>

¹Estimated valuation is based on cumulative net values from Attachment 5A.
²Tax levy rate is estimated to decrease 1 percent per year from 2000.
³Gross revenue is estimated valuation times tax levy rate. The amount shown as "Gross Revenue" is the amount that, absent revenue allocation authority, would be distributed to the other taxing entities in proportion to their respective annual levies. The levy amount is determined by compliance with the limitations contained within House Bill 136 adopted by the Idaho Legislature in 1995.
⁴School payment is estimated valuation times 0.0040 as required by statute, revised 1994.
## Estimated Annual Revenues and Costs (Figures Shown in 000)

### Beginning Balance

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</tbody>
</table>

### Sources of Funds:

1. **Revenue Allocation**
   - 8
   - 55
   - 88
   - 90
   - 93
   - 97
   - 100
   - 102
   - 105
   - 107
   - 111
   - 114
   - 116
   - **1,186**

2. **Bank Loan/Bonds**
   - 575

3. **City Adv./Bond Res.**
   - 15
   - 164
   - 200

4. **City**
   - 200

5. **Other Grants**
   - 110
   - 455
   - 303

6. **Total Sources of Funds**
   - 15
   - 274
   - 208
   - 510
   - 863
   - 393
   - 93
   - 97
   - 100
   - 102
   - 105
   - 107
   - 111
   - 114
   - 176
   - **3,268**

### Total Funds Available

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<tr>
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</tr>
</tbody>
</table>

### Uses of Funds:

1. **Public Facilities/Drains**
   - 4
   - 40
   - 150

2. **Streets**
   - 120
   - 50
   - 150
   - 25
   - 205

3. **Street Lights**
   - 30
   - 10
   - 10
   - 15
   - 60
   - 60

4. **Sewer Lines/Facilities**
   - 60
   - 60
   - 65
   - 32

5. **Water Mains/Facilities**
   - 80
   - 46
   - 60
   - 210
   - 91

6. **Admin./Prof. Services**
   - 15
   - 10
   - 10
   - 10
   - 10
   - 10
   - 6
   - 6
   - 6
   - 6
   - 6
   - 6
   - 6
   - 6
   - **127**

7. **Debt Service/Payoff**
   - 261
   - 186
   - 140
   - 81
   - 81
   - 81
   - 81
   - 81
   - 81
   - 81
   - 300

8. **Total Uses of Funds**
   - 15
   - 274
   - 206
   - 465
   - 516
   - 534
   - 165
   - 151
   - 147
   - 87
   - 87
   - 87
   - 87
   - 306
   - **3,214**

### END BALANCE

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<td></td>
</tr>
</tbody>
</table>

1. From Attachment 5B, rounded to the nearest thousand to 2017, projected at level amount thereafter.
2. Assumes a 13-year bond issue at an average interest rate of 6% and net annual debt service of $8,100,000.
4. Community Development Block Grants (CDBG) for economic development.
5. Assumes outstanding bonds would be called.
6. If this figure is achieved, it would be repaid to the taxing entities.
## SOURCES OF FUNDS

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<tr>
<th>Source</th>
<th>2001</th>
<th>2002</th>
<th>2003</th>
<th>2004</th>
<th>2005-2017</th>
<th>Total</th>
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<tbody>
<tr>
<td>Revenue Allocations(^1)</td>
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<td>55</td>
<td>88</td>
<td>1,035</td>
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<td>Bond Proceeds</td>
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<td>City Advance/Bond Reserve</td>
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<td></td>
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<td>439</td>
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<td>City Water Enterprise Fund</td>
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<td></td>
<td>200</td>
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</tr>
<tr>
<td>Developer Contribution</td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Grants</td>
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<td><strong>Totals</strong></td>
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<td>208</td>
<td>510</td>
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## COSTS\(^2\)

### Irrigation/Drainage

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<th>Item</th>
<th>2001</th>
<th>2002</th>
<th>2003</th>
<th>2004</th>
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### Sewer System

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<tr>
<th>Item</th>
<th>2001</th>
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<th>2004</th>
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<th>Total</th>
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<td>Burley Avenue Line Replacement</td>
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<td>Katherine Street Sewer Line</td>
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<td>Aiken Sewer Line Replacement</td>
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### Street Lights

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<th>2005-2017</th>
<th>Total</th>
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<td><strong>Water System</strong></td>
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<td>Milner Water Line</td>
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<td>Clear Creek Road Extension</td>
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<td>(with right-of-way)</td>
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<td>Fair Avenue Widening</td>
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<tr>
<td>Milner Curb/Gutter</td>
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<td>105³</td>
<td>105</td>
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<td>Burley Avenue Curb/Gutter</td>
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<td>Park West of Milner</td>
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¹Total includes revenue for 2004-2017.

²Includes only public improvements and facilities, and not bond debt service.

³To be funded by future CDBG funds.

⁴Estimated to be funded by CDBG funds, if not, by City Sewer Fund.

⁵Estimated to be funded by CDBG funds, if not, by developer contribution.
RESOLUTION NO. 00-2

BY THE BOARD OF COMMISSIONERS OF THE URBAN RENEWAL AGENCY OF BUHL, IDAHO:

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE URBAN RENEWAL AGENCY OF BUHL, IDAHO, RECOMMENDING ADOPTION OF THE URBAN RENEWAL PLAN FOR THE McCOLLUM ADDITION AND ADJACENT AREAS URBAN RENEWAL PROJECT, WHICH PROJECT INCLUDES REVENUE ALLOCATION FINANCING PROVISIONS; AUTHORIZING THE CHAIRMAN AND SECRETARY TO TAKE APPROPRIATE ACTION AND PROVIDING FOR THE RESOLUTION TO BE EFFECTIVE UPON ITS PASSAGE AND APPROVAL.

THIS RESOLUTION, Made on the date hereinafter set forth by the Urban Renewal Agency of Buhl, Idaho, an independent public body, corporate and politic, authorized under the authority of the Idaho Urban Renewal Law of 1965, as amended, Chapter 20, Title 50, Idaho Code, a duly created and functioning urban renewal agency for Buhl, Idaho, hereinafter referred to as the "Agency."

WHEREAS, on the 11th day of September, 2000, the Council and Mayor of Buhl, Idaho respectively, adopted Resolution No. 250 thereby creating the Buhl Urban Renewal Agency ("Agency"), authorizing it to transact business and exercise the powers granted by the Idaho Urban Renewal Law of 1965, being Idaho Code, Title 50, Chapter 20, as amended (the "Law"), and the Local Economic Development Act, the same being Idaho Code, Title 50, Chapter 29, as amended; (the "Act"), upon making the findings of necessity required for creating said Urban Renewal Agency;

WHEREAS, in September, 2000, the City entered into an agreement with Harlan W. Mann, Real Estate and Community Development Consultant (hereinafter "Consultant") to examine a geographical area within the City of Buhl for the purpose of determining whether such area is a deteriorated or deteriorating area as defined under Idaho Code Sections 50-2018(h) and 50-2903(6)(b);

WHEREAS, the Consultant performed such examination and submitted his report dated September 1, 2000, to the City (hereinafter the "McCollum Addition and Adjacent Areas");

WHEREAS, on September 11, 2000, the Mayor appointed, and the City Council confirmed, the appointment of Commissioners to the Agency Board;

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 of 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, at the City Council meeting of September 11, 2000, the Council considered the issue of declaring the geographic area described within the McCollum Addition and Adjacent Areas Report as deteriorated or deteriorating and directing the Agency to prepare an urban renewal plan for the area;

WHEREAS, the Law provides that the City Council shall adopt a resolution determining such area to be deteriorated or deteriorating or a combination thereof and designate such area as appropriated for an urban renewal project;

WHEREAS, the City Council at its meeting of September 11, 2000, adopted Resolution No. 250 finding the McCollum Addition and Adjacent Areas as a deteriorated or deteriorating area(s), and eligible for urban renewal activities;

WHEREAS, the Mayor and Council have taken the steps set forth by the Act and Law, accepting the McCollum Addition and Adjacent Areas Report finding the area set forth therein to be "deteriorated" or "deteriorating" areas as defined by Idaho Code Sections 50-2018(h), (i) and 50-2903(b) declaring such area as an urban renewal area, making additional findings regarding the characteristics of the area, making the necessary findings as required by Idaho Code Section 50-2008(a) and authorizing the Agency to prepare an urban renewal plan;

WHEREAS, the legislature of the State of Idaho has enacted the Act, authorizing certain urban renewal agencies (including the Agency), to adopt revenue allocation financing provisions as part of their urban renewal plans;

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, during the planning process by the Agency it became clear that the boundaries of the Project Area should be considered for a modest expansion of certain properties along Burley Avenue;

WHEREAS, the Consultant provided a Revised Eligibility Report, dated October 20, 2000, determining some additional area eligible for urban renewal planning purposes and said report was presented to the City Council at the Council’s special meeting of October 30, 2000;

WHEREAS, the City Council, on October 30, 2000, adopted Resolution No. 252, finding the slightly expanded area as appropriate for urban renewal activities and making the requisite findings required by the Law and Act;
WHEREAS, the Agency has prepared the proposed McCollum Addition and Adjacent Areas Urban Renewal Plan (hereinafter the "McCollum Addition Plan"), for the areas previously designated as eligible for urban renewal planning;

WHEREAS, such proposed McCollum Addition Plan also contains provisions of revenue allocation financing as allowed by the Act;

WHEREAS, the Agency sponsored a public work session on Monday, October 30, 2000, and provided notice to residents within the urban renewal area, and also provided notice of the work session through a mailing and an article in the Buhl Herald;

WHEREAS, the Agency has considered the information and discussion presented during the October 30, 2000, work session;

WHEREAS, the Board has considered all comment, testimony, and discussion presented during its open and properly noticed meeting of November 3, 2000;

WHEREAS, in order to implement the provisions of the Act, the Agency shall prepare and adopt a plan for each revenue allocation area and submit the plan and recommendation for approval thereof to the City Council;

WHEREAS, as required by the Act, the Agency has reviewed the information within the McCollum Addition Plan concerning use of revenue allocation funds and approved such information;

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

WHEREAS, under the Act, the McCollum Addition Plan shall include a statement listing: (1) the kind, number and location of all proposed public works or improvements within the revenue allocation area; (2) an economic feasibility study; (3) a detailed list of estimated project costs; (4) 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 (5) a description of the methods of financing all estimated project costs and when related costs or monetary obligations are to be incurred;

WHEREAS, it is necessary, and in the best interest of the citizens of the City of Buhl, Idaho, to recommend approval of the McCollum Addition Plan and to adopt, as part of the McCollum Addition Plan, revenue allocation financing provisions that will help finance urban renewal projects to be completed in accordance with the McCollum Addition Plan (as now or hereafter amended), in order: to encourage private development in the urban renewal area; to prevent and arrest decay of the McCollum Addition area due to the inability of existing financing methods to provide needed public improvements; to encourage taxing districts to cooperate in the allocation of future tax revenues arising in the McCollum Addition Urban Renewal Project Area in order to facilitate the long-term growth of their common tax base; to encourage private
investment within the City of Buhl and to further the public purposes of the Urban Renewal Agency of Buhl;

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

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE URBAN RENEWAL AGENCY OF BUHL, IDAHO:

Section 1. It is hereby found and determined that the project area as defined in the McCollum Addition Plan is a deteriorated or a deteriorating area as defined in the Law and the Act and qualifies as an eligible urban renewal area under the Law and the Act.
Section 2. That the Agency recommends that the McCollum Addition Plan, a copy of which is attached hereto as Exhibit 1 and incorporated herein by reference, be adopted by the Buhl City Council.

Section 3. That this Resolution constitutes the necessary action of the Agency under the Act, Section 50-2905, recommending approval by the City Council and that the McCollum Addition Plan includes a statement listing: (1) the kind, number and location of all proposed public works or improvements within the revenue allocation area; (2) an economic feasibility study; (3) a detailed list of estimated project costs; (4) 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 (5) a description of the methods of financing all estimated project costs and the time when related costs or monetary obligations are to be incurred, that the McCollum Addition Plan includes a revenue allocation provision and that 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 4: It is hereby found and determined that:

(a) The McCollum Addition 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 component of the 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 McCollum Addition Plan.

(b) The McCollum Addition Plan affords maximum opportunity consistent with the sound needs of the City as a whole for the rehabilitation and redevelopment of the Project Area by private enterprises.

(c) The McCollum Addition Plan provides a feasible method for relocation of any displaced families residing within the Project Area.

(d) The Project Area and Revenue Allocation Area contains certain open land, that the Agency does not intend to acquire any open land on any widespread basis, and that the Project Area is planned to be redeveloped in a manner that will include both residential and non-residential uses. Provided, however, that if portions of the Project Area and Revenue Allocation Area are deemed "open land" the criteria set forth in the Law and Act have been met.

(e) One of the Plan objectives to increase the residential opportunity to include affordable housing does meet the sound needs of the City and will provide housing opportunity in an area that does not now contain such opportunity, and that portion of the Project Area which is identified for non-residential uses is necessary and appropriate to facilitate the proper
growth and development standards in accordance with the objectives of the Comprehensive Plan to overcome economic disuse, the need for improved traffic patterns and the need for the correlation of this area with other areas of the City.

Section 5. The Chairman and the Secretary of the Agency are hereby authorized and directed to take all steps necessary and convenient to submit the proposed McCollum Addition Plan for approval by the City of Buhl including but not limited to, the preparation of the notice of public hearing on adoption of the revenue allocation financing provisions by the City Council and submittal of the McCollum Addition Plan to the various taxing entities as required by Idaho Code Section 50-2906.

Section 6. That this Resolution shall be in full force and effect immediately upon its adoption and approval.

PASSED by the Urban Renewal Agency of Buhl, Idaho on November 3, 2000. Signed by the Chairman of the Board of Commissioners on November 3, 2000, and attested by the Secretary to the Board of Commissioners on November 3, 2000.

URBAN RENEWAL AGENCY OF BUHL

Chairman

ATTEST:

Secretary
RESOLUTION NO. 250


WHEREAS, the Legislature of the State of Idaho enacted a law known as the “Idaho Renewal Law of 1965” (Title 50, Chapter 20), and among other things said Act created in each municipality and independent public body, corporate and politic, to be known as the “Urban Renewal Agency”, and said Law provides that such agency shall not transact any business or exercise its powers, and no municipality shall exercise the authority conferred by the Law, until or unless the City Council has adopted a resolution wherein certain findings are made;

WHEREAS, the City of Buhl desires to implement and empower an Urban Renewal Agency as authorized by the Law;

WHEREAS, it is anticipated that the Urban Renewal Agency intends to prepare an Urban Renewal Plan containing a revenue allocation financing provision, pursuant to the Local Economic Development Act, Chapter 20, Title 50, as amended (hereafter the “Act”);

WHEREAS, the City recognizes that there are certain factual prerequisites to the empowerment of the Agency and the ultimate adoption of an Urban Renewal Plan containing revenue allocation financing provisions;
WHEREAS, on July 10, 2000, the City of Buhl has previously entered into an agreement with Harlan W. Mann, Real Estate and Community Development Consultant (hereafter “Consultant”) to examine a geographic area within the City of Buhl for the purpose of determining whether such area is a deteriorated or deteriorating area as defined under Idaho Code Section 50-2018(h) and 50-2003(7)(b);

WHEREAS, the Consultant performed such examination and submitted his report dated September 1, 2000, to the City (hereafter the “McCollum Report”), a copy of which is attached hereto as Exhibit 1 and incorporated by reference;

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, it is desirable and in the best public interest that the Agency prepares an Urban Renewal Plan for the area identified in the Report located in and adjacent to the City of Buhl, State of Idaho;

WHEREAS, it is the desire of the City Council of the City of Buhl, Idaho, to appoint a Board of Commissioners of the Urban Renewal Agency for the municipality and to empower such Agency to transact business and exercise powers granted by the
Law and Act, and it is the desire of the City of Buhl, Idaho, to exercise the authority conferred upon it by the Law and Act;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF BUHL, IDAHO AS FOLLOWS:

Section 1: The Buhl City Council does hereby find that:

(a) There are one or more areas within the City of Buhl, which are deteriorated or deteriorating areas as defined by Idaho Code Section 50-2018(I) and 50-2903(7)(b).

(b) One such area is the McCollum Addition and Adjacent Areas.

(c) The rehabilitation, conservation, redevelopment, or a combination thereof, of such area or areas is necessary in the interest of public health, safety, and welfare of the residents of the City of Buhl, Idaho;

(d) There is a need for an Urban Renewal Agency to function in the City of Buhl, Idaho.

Section 2: Based on the McCollum Report (which Report is hereby accepted and adopted), the City Council makes these additional findings:

(a) The area is determined to be a deteriorating area as defined by Idaho Code Section 50-2018(I), and a deteriorated area as defined by Idaho Code Section 50-2903(7)(b).

(b) The area is determined to be appropriate for an Urban Renewal Project.

Section 3: The Mayor, with the advise and consent of the City Council shall appoint a Board of Commissioners of the Urban Renewal Agency for this
RESOLUTION NO. 252

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF Buhl, Idaho, MAKING CERTAIN FINDINGS OF FACT, DETERMINING THE MCCOLLUM ADDITION AND ADJACENT AREAS AS A DETERIORATED AREA, APPROVING A REVISED ELIGIBILITY REPORT, AUTHORIZING PREPARATION OF AN URBAN RENEWAL PLAN, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Legislature of the State of Idaho enacted a law known as the “Idaho Urban Renewal Law of 1965” (Title 50, Chapter 20), and among other things said Law created in each municipality an independent public body, corporate and politic, to be known as the “Urban Renewal Agency” of each city, and said Law provides that such agency shall not transact any business or exercise its powers, and no municipality shall exercise the authority conferred by the Law, until or unless the City Council has adopted a resolution wherein certain findings are made;

WHEREAS, the City of Buhl has implemented and empowered an Urban Renewal Agency as authorized by the Law;

WHEREAS, pursuant to Resolution No. 250 approved and adopted by the City Council on September 11, 2000, the City did make certain findings concerning the existence of certain deteriorated or deteriorating areas within the City of Buhl, concluded there was a need for an urban renewal agency for the City of Buhl, empowered the establishment of an urban renewal agency for the City of Buhl and authorized the Mayor with the advice and consent of the City Council to appoint a Board of Commissioners for the Urban Renewal Agency.

WHEREAS, it is anticipated that the Urban Renewal Agency intends to prepare an Urban Renewal Plan containing a revenue allocation financing provision, pursuant to the Local
municipality, which such agency shall hereafter be known Urban Renewal Agency of the City of Buhl, Idaho, in the method and manner as provided in said Law.

Section 4: The Agency is hereby authorized to prepare an Urban Renewal Plan identifying and describing an Urban Renewal Project for the McCollum Addition and Adjacent Areas.

Section 5: This resolution shall be in full force and effective immediately upon its adoption and approval.

PASSED BY THE MAYOR AND COUNCIL this 11 day of September 2000.

SIGNED BY THE MAYOR this 11 day of September 2000.

Barbara Gietzen, Mayor

ATTESTED:

Sharon Sheets, City Clerk
McCOLLUM ADDITION AND ADJACENT AREAS
URBAN RENEWAL ELIGIBILITY REPORT

PREPARED FOR THE
BUHL CITY COUNCIL

BY
HARLAN W. MANN
CONSULTANT

September 1, 2000

Revised 10/20/00
Economic Development Act, Chapter 20, Title 50, as amended (hereinafter the "Act");

WHEREAS, the City recognizes that there are certain factual prerequisites to the ultimate adoption of an Urban Renewal Plan containing revenue allocation financing provisions;

WHEREAS, on July 10, 2000, the City had previously entered into an agreement with Harlan W. Mann, Real Estate and Community Development Consultant (hereinafter "Consultant") to examine a geographical area within the City of Buhl for the purpose of determining whether such area is a deteriorated or deteriorating area as defined under Idaho Code Sections 50-2018(h) and 50-2903(7)(b);

WHEREAS, the Consultant performed such examination and submitted his report dated September 1, 2000, to the City, and a revised report dated October 20, 2000, (collectively referred to as the "Revised McCollum Report"), a copy of which is attached hereto as Exhibit 1 and incorporated by reference;

WHEREAS, the Revised McCollum Report identifies a slightly larger geographical area along Burley Avenue which contains several deteriorated or deteriorating conditions and which area would benefit from urban renewal activities;

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;

RESOLUTION - 2
WHEREAS, it is desirable and in the best public interest that the Agency prepares an Urban Renewal Plan for the area identified in the Revised McCollum Report located in and adjacent to the City of Buhl, State of Idaho;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF BUHL, IDAHO, AS FOLLOWS:

Section 1: The Buhl City Council does hereby find that:

a. There are one or more areas within the City of Buhl which are deteriorating or deteriorated areas as defined by Idaho Code Sections 50-2018(i) and 50-2903(7)(b).

b. One such area is the McCollum Addition and Adjacent Areas as described in the Revised McCollum Report.

c. 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 2: Based on the Revised McCollum Report (which Revised McCollum Report is hereby accepted and adopted), the City Council makes these additional findings:

a. The area is determined to be a deteriorating area as defined by Idaho Code Section 50-2018(i), and a deteriorated area as defined by Idaho Code Section 50-2903(7)(b).

b. The area is determined to be appropriate for an urban renewal project.

Section 3: The Agency is hereby authorized to prepare an Urban Renewal Plan identifying and describing an urban renewal project for the McCollum Addition and Adjacent Areas.

RESOLUTION - 3
Section 4: This resolution shall be in full force and effect immediately upon its adoption and approval.

PASSED BY THE MAYOR AND COUNCIL this 20 day of October, 2000.

SIGNED BY THE MAYOR this 30 day of October, 2000.

[Signature]
Barbara Gietzen, Mayor

ATTESTED:

[Signature]
Sharon Sheets, City Clerk

RESOLUTION - 4
BACKGROUND

An agreement of July 12, 2000, with the City of Buhl, Idaho, authorized preparation of the subject report. The report will provide the technical support for the first step in planning an urban renewal project in the McCollum Addition and adjacent areas of Buhl.

Idaho Code Section 50-2008(a) states:

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.

Hence, Step One in planning a renewal project is a resolution by the City Council making certain findings about a specific geographic area in the city. This resolution would also authorize the urban renewal agency to prepare an urban renewal plan for the area. The attached definitions of deteriorating area and urban renewal project are very pertinent to this step and are the focus of this report.

Step Two in the renewal planning process is the urban renewal agency's preparation of an urban renewal plan and recommendation of its approval to the City Council. The City Council initiates Step Three by referring the plan to the Planning and Zoning Commission and setting a public hearing on the plan. Step Three is completed by a Planning and Zoning Commission finding that the urban renewal plan conforms to the City's Comprehensive Plan. Step Four is the third reading and adoption of a City Council ordinance approving the plan, after a public hearing.
DISCUSSION

This report focuses on whether the McCollum Addition and adjacent areas as outlined on the attached map qualify as a deteriorating area pursuant to Idaho Code Section 50-2018(i) and as a deteriorated area pursuant to Section 50-2903(7)(b) under virtually identical definitions. A copy of this joint definition is attached. The first statutory reference is from the basic urban renewal statute, while the second comes from the revenue allocation law.

Because a portion of the area, particularly the northeast corner below Burley Avenue on the east side of Fair Road, is predominately open land, this area must qualify under a specific portion of Idaho Code Section 50-2018(i) and a different statutory provision, Idaho Code Section 50-2903(7)(c), a copy of which is attached. These provisions cross-reference Section 50-2008(d), Idaho Code, a copy of which is also attached.

Finally, the report will discuss whether the area is appropriate for an urban renewal project.

A. Present Conditions

The attached definition of deteriorating and deteriorated area [Idaho Code §§ 50-2018(i) and 50-2903(7)(b)] lists nine different conditions that may be present in such an area, with the tenth being the catch-all "any combination of such factors." The presence of these conditions was documented by several field trips, contacts with various City officials, and assessor file information. Then the area and its public infrastructure were evaluated, and the numbers corresponding to the applicable characteristics were placed at the appropriate locations on the attached map.
B. Deteriorating/Deteriorated Area Characteristics

The following is a listing of conditions found in the area by their corresponding numbers in the definition and a brief explanation of that condition and how it was evaluated and identified:

1. (1) A substantial number of deteriorated or deteriorating structures. Given the age of the structures in the area, most would be evaluated in the deteriorating category. A large majority of these structures are single-family homes. New buildings and those that were substantially rehabilitated within the last five to ten years were not considered deteriorating. Deteriorated buildings would be those that are so run down that they should be demolished, allowing the land to be recycled for other uses. Very few, if any, of the existing buildings would fit this category. No attempt was made to differentiate between deteriorating and deteriorated structures. The number "1" appears on the map in random locations to denote the overall status of buildings in the area.

2. (2) Predominance of defective or inadequate street layout. This area has a standard street and alley layout from Burley south to Aiken. From Aiken south to Craven, the main internal north-south street is Robertson, and there are no east-west streets until Craven. A newer street, Katherine, has been constructed north from Craven about 600 feet between Fair and Robertson. Unfortunately, Katherine dead-ends without a cul-de-sac and extends only about one-third of the distance between Craven and Aiken. Construction of Katherine shows what can be done to improve an inadequate street layout. Additional east-west streets would also help.

Two other street layout problems were identified on Craven and Clear Creek. Both involve rights-of-way. Craven, from Robertson to Fair, has only a 25-foot right-of-way, which
right-of-way, which results in a narrow, unsafe street. Clear Creek does not connect with Milner after it extends eastward from Applewood Drive. Even though Clear Creek shows on City maps connecting to Milner from the west, both the right-of-way and the improved street section are lacking just west of Milner. This situation results in an inadequate street layout and creates an unsafe condition for fire, police, and emergency medical service protection.

3. **(3) Faulty lot layout in relation to size, adequacy, accessibility or usefulness.** This characteristic may be seen in the area south of Aiken to Craven. There are about 25 one-acre lots, 10 two-acre lots, and 13 quarter-acre lots in this area. The rear portion of the large lots that are 300 feet deep tend to be greatly underutilized. Reparcelization into smaller lots and construction of additional streets could provide additional building lots and an opportunity for existing owners to sell some of their underutilized land. The extension of Katherine north of Craven and the subsequent reparation and new home construction between Katherine and Fair is an example of what can be accomplished if parcelization problems can be corrected. Because of this situation, the number “3” appears on the map in four representative locations south of Aiken.

4. **(4) Insanitary or unsafe conditions.** Several conditions exist within the proposed renewal area that are applicable to this characteristic. Typical insanitary conditions include excessive amounts of junk, trash, and weeds in violation of City sanitation codes. Another insanitary condition occurs in areas that lack sanitary sewers or where the sanitary sewer system has an insufficient capacity. Unsafe conditions are found mostly in the street system in the area.

The insanitary conditions discussed above are marked at applicable locations on the map. The number “4T” on the map indicates trashy conditions on the property in that block or parcel,
while the number “4S” indicates problems with the sanitary sewer system, including lack of sewer mains or an existing system that is inadequate.

There are many unsafe conditions throughout the area. Most are found with the street systems and include lack of sidewalks, curbs, and gutters; narrow, inadequate streets; and lack of handicapped access. Milner is a good example because it lacks curbs, gutters, and sidewalks on the east side, but Milner has those same improvements on much of the west side. The interior streets (Robertson, Aiken, Sprague, and Katherine) and the exterior streets (Burley, Craven, and Fair) lack curbs, gutters, and sidewalks, except for a couple of short sections on Craven and Fair. Craven, between Fair and about 150 feet past Robertson, is also unsafe because it has only a 25-foot right-of-way, which makes two-way vehicular traffic difficult and dangerous. The number “4ST” on the map at various locations indicates unsafe conditions with the street system. Robertson currently is only a narrow, 24-foot street, and it should be improved to 30 feet. The final unsafe condition with the street system is the lack of a right-of-way and street improvement for Clear Creek between Applewood and Milner. This limits access to the area from Moonglo only and adversely affects fire, police, and emergency medical services.

5. **(5) Deterioration of site and other improvements.** Site improvements include parking lots, fences, and landscaping areas, basically things other than structures that make up a developed property. The term “other improvements” is the place where public improvements such as streets, sidewalks, curbs, gutters, bridges, storm drains, parks, water mains, sanitary sewers, and public facilities such as swimming pools and public buildings are included. When the number “5” appears on the map in a street right-of-way or on a park, that denotes a deteriorated street, bridge, or park. Robertson, Aiken, Fair, and the alleys between Aiken and
Burley were all evaluated as deteriorating. Visual inspections are used to make these
designations. The number “5S” on all the streets except Milner indicates deteriorating sewer
lines, as determined by city inspections. When “5S” appears on real property, that denotes
deteriorated site improvements, usually parking lots for already improved properties. Contacts
with the City staff confirmed the condition of streets, water mains, sanitary and storm sewers,
and street lighting throughout the area.

6. (6) Diversity of ownership. This characteristic applies mostly to commercial
areas where larger development parcels are necessary for viable commercial projects. When
commercial areas are characterized by a proliferation of small parcels under many different
ownerships, new development is often severely limited because of the difficulty in assembling
large enough parcels at a reasonable cost. This characteristic does not apply to a single-family
residential area where this goal would be to improve and upgrade existing housing.

7. (7) Tax of special assessment delinquency exceeding the fair value of the land.
This condition does not exist in the proposed project area.

8. (8) Defective or unusual conditions of title. Such conditions often hinder
development and sometimes require an urban renewal agency to acquire the applicable property
by condemnation to quiet title. This characteristic has not been identified in the proposed project
area.

9. (9) The existence of conditions which endanger life or property by fire and other
causes. The primary focus of this characteristic is inadequate fire protection facilities for existing
and projected new development. Typically, lack of fire hydrants and fire stations are cited for
this characteristic. However, with this proposed project, the water mains serving the hydrants are
undersized and do not provide enough pressure or volume for adequate fire protection. This applies to all the streets in the area except Fair from Aiken to Burley Avenue. In addition, the City needs a storage tank at Well No. 5 near Aiken and Robertson to provide enough pressure and volume. Therefore, the number “9” on the map indicates a lack of adequate fire protection facilities.

10. **Any combination of such factors.** This number is placed on the areas where two or more of the other characteristics are present.

C. **Open Land Area**

The definition of an open land area, Section 50-2903(7)(c), lists several of the same characteristics as the definition of deteriorated and deteriorating areas, Sections 50-2018(i) and 50-2903(7)(b), under the same or similar descriptions. “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 apparently a combination of “a substantial number of deteriorated or deteriorating structures” and “deterioration of site or other improvements.” The final term, “or otherwise,” at least implies that a predominately open area shares some of the same characteristics as the previous definition of deteriorated area, Idaho Code Section 50-2903(7)(b). There is also an additional qualification that, “The provisions of Section 50-2008(d), Idaho Code, shall apply to open areas.”

Section 50-2008(d) lists the findings that the City Council must make in the ordinance approving an urban renewal plan. In addition, this section lists the special findings that the City Council must make “if the urban renewal area consists of an area of open land to be acquired by the urban renewal agency.” There is one set of findings if the area of open land is to be
developed for residential uses and a separate set of findings if the land is to be developed for nonresidential uses.

Basically, such open land areas may be acquired by the Agency and developed for nonresidential uses if such acquisition is needed to solve various problems, associated with the land or the public infrastructure, that have retarded its 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 which are included in one form or another in Section 50-2903(7)(b), the definition of deteriorated area. The problems that are 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 about open land areas is such areas qualify if any of the standard 50-2018(i) and 50-2903(7)(b) characteristics apply. But such areas also qualify if any of the problems listed only in 50-2008(d)(4)(2) apply. Clearly, lack of adequate water and sewer facilities is a condition which retards development of the area.

The report text that preceded this section discusses each of the applicable characteristics of a deteriorated area, as defined by Section 50-2903(7)(b). Several of these characteristics, including diversity of ownership and predominance of defective or inadequate street layout, have exact or approximate counterparts listed under Section 50-2008(d)(4)(2), so their associated numbers, 6 and 2, may be used interchangeably. Other numbers, such as 4 (insanitary or unsafe conditions) and 9 (the existence of conditions which endanger life or property by fire or other

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causes), fit the broader characteristic of “any combination of such factors or other conditions which retard development of the area.” Finally, the lack of adequate water and sewer facilities in the predominately open areas has been a significant factor in retarding development in these areas. Open land areas are designated with the letters “OL.” In addition, lack of adequate water and sewer facilities in open land areas is designated by the letters “L(S)” and “L(W),” depending upon site conditions. The large parcel east of Fair and behind the clinic and market has those designations.

D. Effects of Present Conditions

1. (a) Results in economic underdevelopment of the area. Field review shows several examples of underdeveloped property. Examples include the large parcels in the southern two-thirds of the area below Aiken and the parcel on the east side of Fair between the clinic and Market.

2. (b) Substantially impairs or arrests the sound growth of a municipality. The lack of adequate water facilities severely limits additional new development in this part of the community. Underdevelopment, discussed above, also exists in the area. Such uneven growth adversely affects the sound growth of the City because it distorts the City’s capital improvement programming in attempting to catch up with the unmet infrastructure needs.

3. (c) Retards the provision of housing accommodations or (d) constitutes an economic or social liability. Often older residential areas suffer from an inadequate public infrastructure. Inadequate public infrastructure tends to increase public service costs without much increased generation of property and other taxes. Hence such an area tends to become an economic liability for the City.
And is a menace to the public health, safety, morals, or welfare in its present condition or welfare in its present condition or use. The previous discussion has established that this area has had slower growth and, as a result, has become a modest economic liability. In addition, the unsafe conditions because of narrow street widths, lack of sidewalks, and the inadequate fire protection facilities create safety problems for the residents and businesses. Accordingly, these conditions represent a menace or threat to the public welfare or prosperity and safety of the community.

E. Appropriateness of the Area for an Urban Renewal Project

The second part of the City Council’s determination is the policy decision of whether or not the area is appropriate for an urban renewal project.

Note that part of the definition of an urban renewal project includes, “undertakings and activities of a municipality in an urban renewal area for the elimination of deteriorated and deteriorating areas.” This report has provided evidence that the McCollum Addition and adjacent areas constitute a deteriorating area because of the presence of various conditions, most of which are related to the public infrastructure. The public infrastructure is older and needs to be replaced and/or upgraded. Therefore, existing residential owners are often discouraged from upgrading and expanding, and new development is often slowed or thwarted because of the lack of necessary public infrastructure.

Fortunately the preparation and approval of an urban renewal plan, including a revenue allocation financing provision, gives the City additional resources to solve the public infrastructure and land parcelization problems in this area. Revenue allocation financing should help to improve the situation. In effect, property taxes generated by new developments within
the area may be used by the City's urban renewal agency to finance a wide variety of needed public improvements and facilities. Finally, the new developments would also generate new housing opportunities in the community that would, in turn, benefit area residents.

CONCLUSION

This report concludes that the McCollum Addition and adjacent areas described in this report constitute a deteriorating and deteriorated area and, as such, the area is appropriate for an urban renewal project.

Attachments
DEFINITION OF DETERIORATING AREA, I.C. § 50-2018(1) AND DETERIORATED AREA, I.C. § 50-2903(7)(b)

Any area [which by reason of the presence of (1) a substantial number of deteriorated or deteriorating structures; (2) predominance of defective or inadequate street layout; (3) faulty lot layout in relation to size, adequacy, accessibility or usefulness; (4) insanitary or unsafe conditions; (5) deterioration of site or other improvements; (6) diversity of ownership; (7) tax or special assessment delinquency exceeding the fair value of the land; (8) defective or unusual conditions of title; (9) or the existence of conditions which endanger life or property by fire and other causes; (10) or any combination of such factors], (a) (results in economic underdevelopment of the area)*; (b) substantially impairs or arrests the sound growth of a municipality; (c) retards the provision of housing accommodations; or (d) constitutes an economic or social liability; and (e) is a menace to the public health, safety, morals or welfare in its present condition or use.

*Appears only in the revenue allocation statute.
(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) 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.
Idaho Code § 50-2903(7)(c)

(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.
DEFINITION OF URBAN RENEWAL PROJECT, I.C. § 50-2018(i)

"Urban renewal project" may include undertakings and activities of a municipality in an urban renewal area for the elimination of deteriorated or deteriorating areas and for the prevention of the development or spread of slums and blight, and may involve slum clearance and redevelopment in an urban renewal area, or rehabilitation or conservation in an urban renewal area, or any combination or part thereof in accordance with an urban renewal plan. Such undertakings and activities may include:

(1) acquisition of a deteriorated area or a deteriorating area or portion thereof;

(2) demolition and removal of buildings and improvements;

(3) installation, construction, or reconstruction of streets, utilities, parks, playgrounds, off-street parking facilities, public facilities or buildings and other improvements necessary for carrying out in the urban renewal area the urban renewal objectives of this act in accordance with the urban renewal plan;

(4) disposition of any property acquired in the urban renewal area (including sale, initial leasing or retention by the agency itself) at its fair value for uses in accordance with the urban renewal plan except for disposition of property to another public body;

(5) carrying out plans for a program of voluntary or compulsory repair and rehabilitation of building or other improvements in accordance with the urban renewal plan;

(6) acquisition of real property in the urban renewal area which, under the urban renewal plan, is to be repaired or rehabilitated for dwelling use or related facilities, repair or rehabilitation of the structures for guidance purposes, and resale of the property;

(7) acquisition of any other real property in the urban renewal area where necessary to eliminate unhealthful, insanitary or unsafe conditions, lessen density, eliminate obsolete or other uses detrimental to the public welfare, or otherwise to remove or to prevent the spread of blight or deterioration, or to provide land for needed public facilities;

(8) lending or investing federal funds; and

(9) construction of foundations, platforms and other like structural forms.
Attachment 8

Planning and Zoning Commission Recommendation that the McCollum Addition and Adjacent Areas Renewal Plan Conforms to the Comprehensive Plan for the City of Buhl, Approved ___________ __, ___
Attachment 9

City Council Ordinance No. _____, Bill _____, Approving the McCollum Addition and Adjacent Areas Urban Renewal Plan and Authorizing the City Clerk to Transmit a Copy of the Ordinance and Other Required Information to County and State Officials,

Approved ____________, __________.

Date of Publication, ____________, __________.