

RIVERVIEW URBAN RENEWAL AREA IMPROVEMENT PLAN

A Blackfoot Revenue Allocation Financing District

An Urban Renewal Plan

BLACKFOOT URBAN RENEWAL AGENCY

Proposed Plan

March 2005

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ACKNOWLEDEMENTS

Blackfoot Urban Renewal Agency
City Officials

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I. INTRODUCTION

The Blackfoot Urban Renewal Agency (BURA) was created by the City of Blackfoot on September 15, 1992, and was granted authority by said City to undertake urban renewal projects which may be facilitated through the use of tax increment financing. The BURA helps to ensure that appropriate development takes place in areas of greatest need within the City of Blackfoot.

Planning is essential to create an environment conducive to economic growth and development which encourages business to succeed in the City of Blackfoot as well as ensure the safety and convenience of its residents. This Riverview Urban Renewal Plan, when implemented, will create an atmosphere that will entice businesses to locate in Blackfoot.

This Plan provides BURA with powers, duties, and obligations to implement the program formulated in this Plan for the redevelopment, rehabilitation, and revitalization of the area within the boundaries of the project area. The Plan also identifies specific projects and describes the process and related costs for improving the area under the Plan.

A. Background

The Blackfoot Urban Renewal Agency (BURA), in the meeting of March 1, 2005 made the following recommendation (SEE ATTACHMENT 1):

The BURA recommended the creation of a Revenue Allocation District in the area along the Snake River and just south and east of the I-15/Arco interchange. This action necessitates the creation of an improvement plan. The recommendation of the BURA, as outlined, is consistent with the goals of the City of Blackfoot and is allowed by the State of Idaho Urban Renewal Law (Chapter 20, Title 50, Idaho Code). Accordingly, this Riverview Urban Redevelopment Area Improvement Plan provides direction for the use of revenue allocation financing to accomplish the following:

1. To eliminate deteriorated or deteriorating conditions that are causing economic under-development in the designated area, substantially impairing growth of the City of Blackfoot.
2. To encourage both private and public development in the Urban Renewal Area in order to diversify and improve the local economy.
3. To foster cooperation among taxing districts in the Blackfoot community regarding the use of funds.
4. To accomplish plan goals in accordance with all appropriate federal, state, and local laws.

B. Purpose of the Plan

The purpose of this plan is to create a framework from which to implement development/redevelopment projects by the BURA to obtain the following goals:

1. To strengthen the tax base of the various taxing districts in the Urban Renewal Area by engaging in development of underutilized areas;
2. To encourage partnering with the private sector to stimulate new commercial expansion, employment, and economic growth in the City of Blackfoot and surrounding communities by the development of a technology park.
3. To target area in need of public infrastructure improvements including but not limited to streets and roadways, utility lines, and public right of ways.
4. To establish and implement performance criteria to ensure high quality design and construction standards as well as other elements that will provide unity and integrity to the development projects.
5. The elimination of environmental deficiencies in the Project Area, including, among others, inappropriate land uses, unsanitary and unsafe conditions, and deteriorated and inadequate site improvements.
6. To effectively use the powers granted to the BURA in the pursuit of these development activities. Such powers include:
 - a. purchasing, holding, improving, transferring, or disposing of any property for economic development purposes in carrying out urban renewal projects;
 - b. making and executing contracts and other instruments;
 - c. disseminating slum clearance and urban renewal information;
 - d. repairing and installing street, roads, public utilities or other facilities;
 - e. entering buildings or property to make inspections, surveys, appraisals, soundings or test borings.
 - f. acquiring by purchase, lease, option, gift, grant, bequest, devise, eminent domain or otherwise, any real property or personal property for its administrative purposes;

- g. holding, improving, renovating, rehabilitating, clearing or preparing for redevelopment any such property or buildings;
- h. mortgaging, pledging, hypothecating or otherwise encumbering or disposing of any real property;
- i. insuring or providing for the insurance of any real or personal property or operations of the municipality;
- j. demolishing and removing structures on property;
- k. investing urban renewal funds;
- l. borrowing money and applying for and accepting advances, loans, grants, contributions, and any other form of financial assistance;
- m. creating modifying and executing plans which may include programs of voluntary compulsory repair and rehabilitation of buildings and improvements;
- n. conducting appraisals, title searches, surveys, studies, and other plans and work necessary to prepare for the undertaking of urban renewal projects;
- o. developing, testing, and reporting methods and techniques, and carrying out demonstration for the prevention and elimination of slums and urban blight;
- p. developing new or improved means of providing housing;
- q. accepting and utilizing grants of funds from the federal government;
- r. assisting in the relocation of persons displaced from an urban renewal area;
- s. exercising all or any part or combination of powers herein granted.

By adopting this Plan, it is the intention of the Blackfoot Urban Renewal Agency, to improve the designated Riverview Urban Renewal Area and enhance the economic viability of the area to facilitate proper growth and development of the City of Blackfoot in accordance with sound planning standards and community objectives. The Agency will not participate in any private redevelopment activity which will result in displacement of families unless a method exists for the relocation of displaced families into decent, safe, and sanitary dwelling accommodations within their means and without undue hardship to such families. The Agency will acquire property only on a

willing buyer willing seller basis and will not acquire any property by Eminent Domain.

II. RIVERVIEW URBAN RENEWAL AREA DESCRIPTION AND DETERIORATED OR DETERIORATING CONDITIONS ANALYSIS

The Urban Renewal Area boundary and Revenue Allocation District are identified with the same boundaries. The area is legally described in Attachment 2. State Urban Renewal Law and the Local Economic Development Act identify a number of conditions that qualify an area for urban renewal status. The following is an analysis and reasoning for the proposed Riverview areas to be included as part of an Urban Renewal Area.

Idaho Code 50-2002 outlines a finding and declaration of necessity which states that areas that impose onerous municipal burdens which decrease the tax base, and reduce tax revenues, substantially impairs or arrests the sound growth of municipalities and among other things aggravates traffic problems in an area will qualify to be Urban Renewal Area. Additional, in Idaho Code 50-2903 areas in which there is a predominance of building or improvements...which by reason of dilapidation, deterioration, age or obsolescence...contributes to the economic underdevelopment of an area qualify for assistance.

The Riverview area includes a number of properties that have been underdeveloped for many years. Redevelopment of this area is important to the City of Blackfoot because of its proximity to the freeway and rail transportation as well as other scattered commercial properties. Development of the Riverview Urban Renewal Area would benefit the City's Comprehensive Plan by concentrating planned commercial development in an area appropriately prepared for a technology park that will allow the City to quickly respond to changing business needs. The Riverview Area includes some parcels of properties that have been underdeveloped for several years. The Riverview Area includes a 25 acre tract of land previously used for agriculture exploit that has been available for commercial development for many years without success because of several issues that impede commercial development in accordance with the City's Comprehensive Plan including:

- utility services for water, sewer and transportation are inadequate for a more intense commercial use in the area
- property is surrounded by a varied use mix including industrial, warehousing, commercial and less optimal residential sites.
- traffic access and safety issues for road systems to support large scale commercial operations

- Unless a planned commercial development park is built, redevelopment will be slow or, as in the past, non-existent
- Rail/branch-line desertion
- Necessary new and/or upgraded roads to support large-scale commercial operations

Added together, the potential costs associated with developing the site may be more than the market value of the property itself. Therefore, there is considerable challenge to the private development of this area without assistance. Without addressing all of the existing conditions, the feasibility of creating development in this area in the near future will likely be minimal. Additionally, the range of issues and the costs associated with this development contributes to the ongoing underutilization of this area and prompts the need to establish the Riverview Urban Renewal Area.

III. PROJECT PLAN

The project list outlined in this plan may be funded (all or in part), by BURA and with City Council approval from tax increment funds. The project will be funded from the proceeds of bonds issued by the BURA, with a maturity no longer than twenty (20) years from the date of their issuance and repaid only from a pledge of tax increment funds as they become available. No other un-appropriated funds of the BURA or the City of Blackfoot will be utilized for the project. A description of the project with estimated costs is as follows:

Table 1 - Project Description	Cost
Site Preparation Work and Infrastructure Improvements	\$1,112,000
Concrete Work	\$ 493,000
Committed Land Acquisition	\$ 100,000
Future Development Costs	\$1,364,277
Cost of Financing	\$ 681,833
Costs of Bond Issuance	\$ 20,250
Underwriter's Discount	\$ 24,000
TOTAL PROJECT COST	\$3,795,360

A. Project Description

1. **Site Preparation Work** – Includes demolition and clearing, water, sewer, storm sewer, gas, utilities lines and access, curbs, gutters, sidewalks, and lighting.
2. **Concrete Pad** – Footings and pads available to prospective companies.

3. **Committed Land Acquisition** – Repayment to Bingham County at \$20,000 per acre.
4. **Future Development Costs** – Amount of projected revenues available for future development.
5. **Costs of Financing** – Costs of \$1,200,000 bond financing until the year 2025 at an average coupon price of \$4.4521%.
6. **Financing Instruments** – BURA will finance the proposed project with revenue allocation bonds issued on or about December 31, 2005 for the term not to exceed the duration of the Plan.
7. **Costs of Bond Issuance** – Includes costs of Bond Counsel, Trustee and Paying Agent and other miscellaneous costs associated with the bond.
8. **Underwriter's Discount** – Calculated at 2% of the Bond Principal.

Table 2 outlines how the projected revenue for the proposed revenue allocation district compares to the total project costs.

Table 2 – Projected Revenue per Taxing District		
DESCRIPTION	AMOUNT	TOTAL
REVENUES		\$3,795,360
Revenue Allocation Proceeds	\$2,965,237	
CDB Grant Proceeds	\$ 500,000	
Debt Service Reserve Proceeds	\$ 180,123	
City of Blackfoot	\$ 150,000	
EXPENSES		\$3,795,360
Site work and Infrastructure Improvements	\$1,112,000	
Concrete Work	\$ 493,000	
Committed Land Acquisition	\$ 100,000	
Future Development Costs	\$1,364,277	
Cost of Financing	\$ 681,833	
Costs of Bond Issuance	\$ 20,250	
Underwriter's Discount	\$ 24,000	
Ending District Balance (Reserve)		\$ 102,928

IV. ECONOMIC FEASIBILITY STUDY

The following tables provide a breakdown of base-assessed valuation for the proposed revenue allocation district for the Riverview Urban Renewal Area. An

analysis of the tax levy rates applied in calculating tax collection for taxing entities and the Riverview Revenue Allocation District is described below and the 2005 tax levies obtained from the Bingham County Clerk's Office for each of the five taxing jurisdictions are as follows:

<u>Taxing Jurisdictions</u>	<u>Tax Levy</u>
City of Blackfoot	0.011401
Bingham County	0.005312
School District 55	0.007062
Library District	0.000604
Blackfoot/Snake River Fire District	0.000923
Total	0.025302

Table 3 shows the amount of expected revenue that the taxing jurisdictions will be allocated based upon the base year value of the revenue allocation district for the Riverview Urban Renewal Plan.

Table 3 – Anticipated Revenue per Taxing District			
Taxing Entity	Levy Rate	Riverview Area Valuation (Base)	Base Year Revenue
City of Blackfoot	.011401	\$ 202,970	\$ 2,314
Bingham County	.005312	\$ 202,970	\$ 1,078
School District 55	.007062	\$ 202,970	\$ 1,433
Library District	.000604	\$ 202,970	\$ 126
Blkft/Snk Fire District	.000923	\$ 202,970	\$ 187
Total	.025302	\$ 202,970	\$ 5,138

Table 4 outlines the net increase potential obtained from the estimated post construction value on the property after 1, 2, 4, 6, and 11 year periods.

Table 4 - Value of Taxable Property in Revenue Allocation Area			
Year	Base Value	Estimated Post construction Value	Net Increase in Value
Year 1	\$ 202,970	\$ 500,000	\$ 297,030
Year 2	\$ 202,970	\$ 5,500,000	\$ 5,297,030
Year 4	\$ 202,970	\$ 6,100,000	\$ 5,897,030
Year 6	\$ 202,970	\$ 7,100,000	\$ 6,897,030
Year 11	\$ 202,970	\$ 8,000,000	\$ 7,797,030

Table 4(a) provides information pertaining to the fiscal impact of the revenue allocation area on each of the taxing districts before and after the bonds are repaid and/ or the termination of the Urban Renewal Plan. The numbers are calculated based on the current levy rates listed above and the estimated increased potential tax value projected from construction projects in Table 4.

Table 4(a) Fiscal Impact on Taxing Districts							
	Expected Tax Value	City	County	School District	Library	Fire	Total
2006	\$ 500,000	\$ 5,700	\$ 2,656	\$ 1,531	\$ 302	\$ 462	\$ 10,651
2007	\$5,500,000	\$ 62,705	\$ 29,216	\$ 16,841	\$ 3,322	\$ 5,077	\$ 117,161
2008	\$5,500,000	\$ 62,705	\$ 29,216	\$ 16,841	\$ 3,322	\$ 5,077	\$ 117,161
2009	\$6,100,000	\$ 69,547	\$ 32,403	\$ 18,678	\$ 3,684	\$ 5,630	\$ 129,942
2010	\$6,100,000	\$ 69,547	\$ 32,403	\$ 18,678	\$ 3,684	\$ 5,630	\$ 129,942
2011	\$7,100,000	\$ 80,948	\$ 37,715	\$ 21,740	\$ 4,288	\$ 6,553	\$ 151,244
2012	\$7,100,000	\$ 80,948	\$ 37,715	\$ 21,740	\$ 4,288	\$ 6,553	\$ 151,244
2013	\$7,100,000	\$ 80,948	\$ 37,715	\$ 21,740	\$ 4,288	\$ 6,553	\$ 151,244
2014	\$7,100,000	\$ 80,948	\$ 37,715	\$ 21,740	\$ 4,288	\$ 6,553	\$ 151,244
2015	\$7,100,000	\$ 80,948	\$ 37,715	\$ 21,740	\$ 4,288	\$ 6,553	\$ 151,244
2016	\$8,000,000	\$ 91,208	\$ 42,496	\$ 24,496	\$ 4,832	\$ 7,384	\$ 170,416
2017	\$8,000,000	\$ 91,208	\$ 42,496	\$ 24,496	\$ 4,832	\$ 7,384	\$ 170,416
2018	\$8,000,000	\$ 91,208	\$ 42,496	\$ 24,496	\$ 4,832	\$ 7,384	\$ 170,416
2019	\$8,000,000	\$ 91,208	\$ 42,496	\$ 24,496	\$ 4,832	\$ 7,384	\$ 170,416
2020	\$8,000,000	\$ 91,208	\$ 42,496	\$ 24,496	\$ 4,832	\$ 7,384	\$ 170,416
2021	\$8,000,000	\$ 91,208	\$ 42,496	\$ 24,496	\$ 4,832	\$ 7,384	\$ 170,416
2022	\$8,000,000	\$ 91,208	\$ 42,496	\$ 24,496	\$ 4,832	\$ 7,384	\$ 170,416
2023	\$8,000,000	\$ 91,208	\$ 42,496	\$ 24,496	\$ 4,832	\$ 7,384	\$ 170,416
2024	\$8,000,000	\$ 91,208	\$ 42,496	\$ 24,496	\$ 4,832	\$ 7,384	\$ 170,416
2025	\$8,000,000	\$ 91,208	\$ 42,496	\$ 24,496	\$ 4,832	\$ 7,384	\$ 170,416
		\$1,587,024	\$739,429	\$426,229	\$84,074	\$128,481	\$2,965,237

If the new construction meets or exceeds projections and after the bonds are repaid and/or the Plan terminated, each of the taxing districts will begin receiving annually the additional revenues projected for year 2025 in Table 4(a) above.

Table 5 provides an analysis of the estimated revenue to the BURA from new construction value within the Riverview Revenue Allocation District. Levy rates based on current rate determinations are applied and the net revenue to be collected and distributed to the BURA is figured after subtracting the school credit 0.004 percent as fixed by Idaho Statute, Section 33-1002(7)(a) allocated to School District #55.

Table 5 – Estimated Revenue					
Year ending	TIF Tax Value	Total Levy Rate	Gross Tax Revenue	School Levy per ID Code	Net Revenue to BURA
2006	\$ 500,000	.025302	\$ 12,651	\$ 2,000	\$ 10,651
2007	\$ 5,500,000	.025302	\$ 139,161	\$ 22,000	\$ 117,161
2008	\$ 5,500,000	.025302	\$ 139,161	\$ 22,000	\$ 117,161
2009	\$ 6,100,000	.025302	\$ 154,342	\$ 24,400	\$ 129,942
2010	\$ 6,100,000	.025302	\$ 154,342	\$ 24,400	\$ 129,942
2011	\$ 7,100,000	.025302	\$ 179,644	\$ 28,400	\$ 151,244
2012	\$ 7,100,000	.025302	\$ 179,644	\$ 28,400	\$ 151,244
2013	\$ 7,100,000	.025302	\$ 179,644	\$ 28,400	\$ 151,244
2014	\$ 7,100,000	.025302	\$ 179,644	\$ 28,400	\$ 151,244
2015	\$ 7,100,000	.025302	\$ 179,644	\$ 28,400	\$ 151,244
2016	\$ 8,000,000	.025302	\$ 202,416	\$ 32,000	\$ 170,416
2017	\$ 8,000,000	.025302	\$ 202,416	\$ 32,000	\$ 170,416
2018	\$ 8,000,000	.025302	\$ 202,416	\$ 32,000	\$ 170,416
2019	\$ 8,000,000	.025302	\$ 202,416	\$ 32,000	\$ 170,416
2020	\$ 8,000,000	.025302	\$ 202,416	\$ 32,000	\$ 170,416
2021	\$ 8,000,000	.025302	\$ 202,416	\$ 32,000	\$ 170,416
2022	\$ 8,000,000	.025302	\$ 202,416	\$ 32,000	\$ 170,416
2023	\$ 8,000,000	.025302	\$ 202,416	\$ 32,000	\$ 170,416
2024	\$ 8,000,000	.025302	\$ 202,416	\$ 32,000	\$ 170,416
2025	\$ 8,000,000	.025302	\$ 202,416	\$ 32,000	\$ 170,416
Total					\$2,965,237

The total revenue amount that is projected to be received by the BURA over the next 20 years is estimated to be approximately \$2,965,237. This amount will be used to finance the improvement projects within the Riverview Urban Renewal Area through the issuance of revenue allocation bonds for the term not to exceed the duration of the Plan.

V. CONFORMANCE WITH STATE LAW

Redevelopment activities for the Riverview Urban Renewal Area are governed by two applicable sections of Idaho Code: the Idaho Urban Renewal Law (Chapter 20, Title 50, Idaho Code) and the Idaho Local Economic Development Act (Chapter 29, Title 50, Idaho Code).

The Idaho Legislature passed the Urban Renewal Law in 1965. Under this law, a Mayor and Council can declare areas as deteriorating, and declare that the rehabilitation, conservation, and redevelopment of such areas is in the interest of the public's health, safety, morals or welfare (Idaho Code 50-2008). The Urban Renewal Law also states that an area of a city that "Constitutes an economic and social liability imposing onerous municipal burdens which decrease the tax base and reduce tax

revenues, substantially impairs or arrests the sound growth of municipalities, retards the provision of housing accommodations, aggravates traffic problems and substantially impairs or arrests the elimination of traffic hazards and the improvement of traffic facilities..." may be designated an urban renewal area.

The Idaho Legislature passed the Local Economic Development Act in 1988. This act states: "An authorized municipality is hereby authorized and empowered to adopt, at any time, a revenue allocation financing provision, as described in this chapter, as part of an urban renewal plan...A revenue allocation financing provision may be adopted wither at the time of the original adoption of an urban renewal plan or the creation by ordinance of a competitively disadvantaged border community area, or thereafter, as a modification of an urban renewal plan or the ordinance creating the competitively disadvantaged border community area." (Idaho Code 50-2904)

In addition to this, Idaho Code 50-2906 states: "The local governing body of an authorized municipality must enact an ordinance in accordance with Chapter 9, Title 50, Idaho Code, and Section 50-2008, Idaho Code. To modify an existing urban renewal plan, to add or change a revenue allocation, an authorized municipality must enact an ordinance...and conduct a public hearing." (Idaho Code 50-2906) This part of the Idaho Code specifically implies that a local municipality must enact an ordinance before redevelopment can take place.

Pursuant to these laws, the Riverview Urban Renewal Plan proposed within this document follows the guidelines prescribed within Idaho Code for the development of Urban Renewal Areas and Revenue Allocation Districts and having published due notice thereof, a public hearing was held on this Plan on November 22, 2005. Notice of the hearing was duly published in the Morning News and the City Council adopted this Plan on November 22, 2005 by Ordinance No. _____ (ATTACHMENT 3)

VI. PLAN DURATION AND TERMINATION PROCEDURES

When the principal of and interest on such monies, indebtedness, bonds, and obligations have been paid in full, or when deposits in the special fund or funds are sufficient to pay such principal, interest and other obligations as they come due and to fund reserves, if any, the allocation of revenues under the act (50-2908), shall cease and any monies in such funds or funds in excess of the amount necessary to pay such principal, interest and obligations and any other assets accumulated by the Agency pursuant to this plan shall be distributed to the affected taxing districts in which the revenue is allocated in the same manner and proportion as the most recent distribution to the affected taxing districts of the taxes on taxable property located within the revenue allocation area and the powers granted to the urban renewal agency under the act shall terminate. The plan shall be in effect and enforceable for a period of time necessary to finance all designated improvements and all debt obligations the BURA may incur in connection with such improvements. The termination date for this plan will end on December 31, 2026 and may be amended as allowed by law.

VII. AMENDMENT PROCEDURES

The plan may be amended by the BURA after all notice and public hearing requirements as set forth in Section 50-2008 (e) of the Idaho Urban Renewal Law and Idaho Code Section 50-2906 of the Local Economic Development Act have been met, and upon formal approval by the Blackfoot City Council.

VIII. SEVERABILITY

If any part of the plan is declared contrary to Idaho Code, and any provision or application of such provision to any person or circumstance is declared invalid for any reason, such declaration shall not affect the validity of any remaining provisions for the Plan.

IX. CONCLUSION

The Riverview Urban Renewal Plan is designed to improve deteriorating conditions that are causing economic under development of the area and substantially impairing the sound and continued growth of the City of Blackfoot. The plans call for extensive improvements to land, building, and infrastructure.

Implementation of the plan will provide the infrastructure and environment necessary to foster sound growth of the municipality and, increase the tax base and tax revenues, encourage economic stability of the community, increase job creation, and improve the overall health, safety, and welfare of the residents and businesses in this area.

The Blackfoot Urban Renewal Agency recommends that the City approve and cooperate in carrying out the purposes of this Plan.

URBAN RENEWAL PLAN
FOR THE
DOWNTOWN PROJECT
BLACKFOOT URBAN RENEWAL AGENCY

I. (ss 100) INTRODUCTION

This is the Urban Renewal Plan (the "Plan") for the Downtown Project (the "Project") in the City of Blackfoot (the "City"), County of Bingham, State of Idaho, and consists of: the Description of the Project Area and Revenue Allocation Area Boundaries (Attachment No. 1); The Project Area, Revenue Allocation Area, and Land Use Map (Attachment No. 2); The Description of Properties Proposed for Acquisition (Attachment No. 3) the Acquisition Map (Attachment No. 4); and the statement of proposed Public Improvements, Costs, and Financing Methods and Economic Feasibility Study (Attachment No. 5) and Attachment Nos. 6 through 9, as listed on page iv hereto.

This Plan was prepared by the Blackfoot Urban Renewal Agency (the "Agency") pursuant to the State of Idaho's Idaho Urban Renewal Law (Chapter 20, Title 50, Idaho Code), the local Economic Development Act (Chapter 29, Title 50, Idaho Code), the Idaho Constitution, and all applicable local laws and ordinances.

The proposed redevelopment of the in this Plan conforms to the Blackfoot Comprehensive Plan, adopted by the City Council in November 1989.

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"). 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 purpose of the Urban Renewal Law will be attained through and the major goals of this Plan are:

1. The elimination of environmental deficiencies in the Project Area, including, among others, inappropriate land uses, insanitary and unsafe conditions, and deteriorated and inadequate site improvements and public improvements, including certain streets, intersections, roadways, and lack of traffic signals.
2. The assembly of land into parcels suitable for modern, integrated development with improved pedestrian and vehicular circulation in the Project Area.
3. The replanning, redesign, and development of undeveloped areas which are improperly utilized.
4. The strengthening of the economic base of the Project Area and the community by the installation of needed site improvements to stimulate new commercial expansion, employment, and economic growth.
5. The provision of adequate land for street rights-of-way.
6. 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.
7. 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 benefiting the various taxing districts in which the Urban Renewal Area is located.
8. The providing of opportunities for participation by owners and tenants in the revitalization of their properties.

A. [ss 101] Provisions Necessary to Meet State and Local Recuirements

1. [ss 102] Conformance with State of Idaho Urban Renewal Law of 1965 as Amended

- a. The laws of the State of Idaho require that an Urban Renewal Plan be prepared by the Blackfoot Urban Renewal Agency for an area certified as an Urban Renewal Area by the Blackfoot City Council.

The Downtown Area was certified by the City Council by Resolution on November 6, 1997.

b. In accordance with the Idaho Urban Renewal Law of 1965, this Plan was submitted to the Planning Commission of the City of Blackfoot. After consideration of the Plan, the Commission filed a resolution with the City Council stating that this Plan is in conformity with the Comprehensive Plan, City of Blackfoot.

c. Pursuant to the Idaho Urban Renewal Law of 1965, as amended, and the local Economic Development Act, the City Council having published due notice thereof, a public hearing was held on this Plan. Notice of the hearing was duly published in a newspaper having general circulation. The City Council adopted this Plan on December 16, 1997, by Ordinance No. _____.

II. [ss 200] DESCRIPTION OF PROJECT AREA

The boundaries of the Project Area and the Revenue Allocation Area are described in the "Description of the Project Area and Revenue Allocation Area Boundaries." attached hereto as Attachment No. 1 and incorporated herein by reference, and are shown on the "Project Area and Land Use Map," attached hereto as Attachment No. 2 and incorporated herein by reference.

III. [ss 300] PROPOSED REDEVELOPMENT ACTIONS

A. [ss 301] General

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

1. The acquisition of certain real property;
2. The demolition or removal of certain buildings and improvements ;
3. The provision for participation by property owners and tenants within the Project Area;
4. The management of any property acquired by and under the ownership and control of the Agency;
5. The provision for relocation assistance to displaced Project occupants, as required by law;

6. The installation, construction, or reconstruction of streets, traffic signals, utilities, parking facilities, and other public improvements, including, but not limited to, bike/pedestrian paths;
7. The disposition of property for uses in accordance with this Plan;
8. The redevelopment of land by private enterprise or public agencies for uses in accordance with this Plan;
9. The rehabilitation of structures and improvements by present owners, their successors, and the Agency ;
10. The assembly of adequate sites for the development and construction of commercial facilities;
11. To the extent allowed by law, lend or invest federal funds to facilitate redevelopment; and
12. The construction of foundations, platforms, and other like structural forms necessary for the provision or utilization of air rights, sites for buildings to be used for residential, commercial, industrial, and other uses contemplated by the Plan, and to provide utilities to the development site.

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.

B. [ss 302] Urban Renewal Plan Objectives

Urban Renewal action is necessary in the Project Area to combat problems of physical blight and traffic safety.

The Project Area consists of 44 blocks of the commercial district, in the center of the City. The area is characterized by older development and a slow-growing tax base, inadequate street, curb and gutter, sidewalk and lighting; inadequate intersection; poorly maintained properties; inadequate pedestrian and bike path areas; inappropriate parcelization of land; undeveloped properties; and other deteriorating conditions.

Hence, the Urban Renewal Plan for the Project Area is a proposal for major street and sidewalk improvements, rehabilitation of deteriorating properties, intersection improvements, and pedestrian/bike path improvements to provide an improved environment for new and rehabilitated commercial facilities, eliminate unsafe conditions, and to otherwise prevent the extension of blight and deterioration in the area.

The streets to be improved and added, to be vacated, or relocated, will create additional access area for retail, commercial, office, or public use.

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

Less than fee acquisition may be utilized by the Blackfoot Urban Renewal Agency when and if necessary to promote redevelopment in accordance with the objectives of the Plan.

Temporary project improvements shall be provided to facilitate adequate vehicular and pedestrian circulation.

C. [ss 303] Participation Opportunities and Agreement

1. [ss 304] Participation Agreements

The Agency may 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 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 agreement to meet conditions described below.
- b. Any such property within the Project shall be required to conform to all applicable provisions, requirements, and regulations of this Plan. Upon completion of any rehabilitation each structure must be safe and sound in all physical respects and be refurbished and altered to bring the property to an upgraded marketable condition which will continue throughout an estimated useful life for a minimum of ten (10) 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 Blackfoot or County of Bingham, as the case may be.
- 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 Blackfoot or County of Bingham, as the case may be.

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.

D. [ss 305] 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 will seek the cooperation of all public bodies which own or intend to acquire property in the Project Area. All plans for development of property in the Project Area by a public body shall be subject to Agency approval.

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 of the Project Area.

The Agency specifically intends to cooperate to the extent allowable with the City of Blackfoot for the construction of improvements throughout Downtown Blackfoot. The Agency and City may jointly consider a Local Improvement District for additional improvements to acquire right-of-way for such projects as they deem necessary.

The Agency and City may also enter into agreements providing for the financing of the public improvements to be constructed within the Project Area.

E. [ss 306] Property Acquisition

1. [ss 307] 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 public rights-of-way, including, but not limited to, improving Pacific Street and its intersections within the Project Area by any means authorized by law, including, but not limited to, the Idaho Urban Renewal Law and the local Economic Development Law. The Agency is authorized to acquire either the entire fee or any other interest in real property less than a fee. Property that the Agency may acquire for public improvements and facilities is identified in Attachment Nos. 3 and 4.

Agency acquisition of any real property to assist any developer or owner participant attempting to assemble land for development within the Project Area, or to respond to an owner of property within the Project Area who wishes to convey title of such property to the Agency by any legal means, including by gift, shall be accomplished only following a formal amendment to this plan that will include a map exhibit identifying the property to be acquired, except that disposition of property acquired for right-of-way purposes not needed for use by the Agency may be disposed of for private redevelopment without any further necessary authority or plan amendment.

The Agency may acquire, but is not required to acquire, by gift, devise, exchange, purchase, eminent domain, or any other lawful method. If said Agency needs to acquire property by any of the means listed above, the Plan will be amended to reflect said acquisition.

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.

2. [ss 308] Personal Property

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

F. [ss 309] Property Management

During such time as 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.

G. [ss 310] 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 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. The Agency will not participate in any private redevelopment activity which will result in displacement of families unless a method exists for the relocation of displaced families into decent, safe, and sanitary dwelling accommodations within their means and without undue hardship to such families.

H. [ss 311] Demolition, Clearance, and Building and Site Preparation

1. [ss312] 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.

2. [ss 313] 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, traffic signalization utilities, parks, playgrounds, parking facilities, and other public improvements necessary to carry out this Plan. The Agency is also authorized [but not required] to construct foundations, platforms, and other structural forms necessary for the provision or utilization of air rights sites for buildings to be used for industrial, commercial, private, public, and other uses provided in this Plan. Prior consent of the City Council is required for the Agency to develop sites for commercial or industrial use by providing streets, sidewalks, utilities, or other improvements which an owner or operator of the site would otherwise be obliged to provide.

I. [ss 314] Property Disposition and Development

1. [ss 315] Real Property Disposition and Development

a. [ss 316] 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. To the extent permitted by law, the Agency is authorized to dispose of real property by negotiated lease, sale, or transfer without public bidding.

Property containing buildings or structures rehabilitated by the Agency shall be offered for resale within one (1) year after completion of rehabilitation or an annual report shall be published by the Agency in a newspaper of general circulation published in the community listing any rehabilitated property held by the Agency in excess of such three (3) year period, stating the reasons such property remains unsold and indicating plans for its disposition.

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

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.

b. [ss 317] 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 Bingham 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, 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 land and/or air rights and subterranean rights acquired by the Blackfoot Urban Renewal Agency will be disposed of subject to an agreement between the Agency and the Developers. 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 Blackfoot Urban Renewal Agency.

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

That the Developers, their successors, and assigns agree:

- (1) That a plan and time schedule for the proposed development shall be submitted to the Blackfoot Urban Renewal Agency.
- (2) That the purchase or lease of the land and/or subterranean rights and/or air rights is for the purpose of redevelopment and not for speculation.
- (3) That the building of improvements will be commenced and completed as jointly scheduled and determined by the Blackfoot Urban Renewal Agency and the Developer[s].
- (4) That there will be no discrimination against any person or group of persons because of 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, 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 erected, or to be erected thereon, therein conveyed. The above provision will be perpetual and will be appended to the land disposed of within the Downtown Urban Renewal Project Area by the Blackfoot Urban Renewal Agency.
- (5) That 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.
- (6) That a bond or other surety will be provided acceptable to the Agency to ensure performance under the contract of the sale.

- (7) That consideration will be given to businesses the Project Area for lease or purchase of appropriate facilities.
- (8) That rehabilitation of any existing structure must assure that the structure is safe and sound in all physical respects and be refurbished and altered to bring the property to an upgraded marketable condition which will continue throughout an estimated useful life for a minimum of ten (10) years.

All such buildings or portions of buildings which are to remain within the Project Area shall be reconstructed in conformity with all applicable codes and ordinances of the City of Blackfoot.

c. [ss 318] 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 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 for itself or for any public body or entity, public improvements and public utilities, including, but not limited to, the following: (1) street and highway intersections and bridges; (2) parks, plazas, and pedestrian/bike paths; (3) playgrounds; (4) parking facilities; (5) landscaped areas; (6) street improvements; (7) storm drain improvements; (8) water and sewer system improvements; and (9) traffic signalization.

The Agency may enter into contracts, leases, and agreements with the City or other public body or entity pursuant of this Section 318, 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 Local Economic Development Act and Section 504 of this Plan or out of any other available funds.

d. [ss 319] 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. All development in the Project Area must conform to those standards specified in Section 420, infra.

2. [ss 320]

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.

J. [ss 321] 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. The Agency is also authorized to acquire, restore, rehabilitate, move, and conserve buildings of historic or architectural significance.

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

K. [ss 322] Participation With Private 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 Urban Renewal law if allowable under federal laws or regulations.

IV. [ss 400] USES PERMITTED IN THE PROJECT AREA

A. [ss 401] Redevelopment Plan Map and Development Strategy

The Description of the Project Area and Revenue Allocation Area Boundaries and Project Area and Land Use Map, attached hereto as Attachments Nos. 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 for all land - public and private - are described in Attachment No. 2.

B. [ss 402] Designated Land Uses

1. [ss 403] Commercial Law

The areas shown in the Land Use Map for commercial uses shall be used for the commercial and service uses set forth and described in the City Zoning Ordinance referred to as the Community Commercial or Service Commercial District.

2. [ss 404] Industrial Uses

The areas shown in the Land Use Map for industrial uses shall be used for the light industrial uses set forth and described in the City Zoning Ordinance referred to as the Light Industrial District.

C. [ss 405] Other Land Uses

1. [ss 406] Public Rights-of-Way

The major public streets within the Project Area are Bridge, Judicial, Pacific, Ash, Sexton, Main, Broadway, Oak, Spruce, Pine and Birch Streets.

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, or modified as necessary for proper development of the Project, in conjunction with any applicable policies and standards of the City of Blackfoot 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 and the City's design standards; shall be effectuated in 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, transit facilities, vehicular parking, and delivery loading docks with the similar needs of any existing developments permitted to remain. Such balancing shall take into consideration the rights of existing owners and tenants and any participation agreements executed pursuant to ss 304 of this Plan;
- b. The requirements imposed by such factors as topography, traffic safety, and aesthetics; and
- c. The potential need to serve not only the Project Area and new or existing developments, but to also serve areas outside the Project by providing convenient and efficient vehicular access and movement.

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

2. [ss 407]

Other Public, Semi-Public, Institutional,
and Nonprofit Uses

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

3. [ss 408]

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 Blackfoot City Code.

D. [ss 409]

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.

1. [ss 410]

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.

2. [ss 411]

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.

3. [ss 412] Limitation on Type, Size, and Height of Buildings

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.

4. [ss 413] Open Spaces, Landscaping, Light, Air, and Privacy

The approximate amount of open space to be provided in the Project Area is the total of all areas which will be in the public rights-of-way, the public ground, the space around buildings, and all other outdoor areas not permitted to be covered by buildings. Landscaping shall be developed in the Project Area to ensure optimum use of living plant material.

Sufficient space shall be maintained between buildings in all areas to provide adequate light, air, and privacy.

5. [ss 414] Signs

All signs shall conform to City sign ordinances as they now exist or are hereafter amended. Design of all proposed new signs shall be submitted to the Agency and/or City prior to installation for review and approval pursuant to the procedures of this Plan.

6. [ss 415] Utilities

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

7. [ss 416] 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.

8. [ss 417] Nondiscrimination and Nonsegregation

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

9. [ss 418] Subdivision of Parcels

Any parcel in the Project Area shall be subdivided only in compliance with the City subdivision ordinances.

10. [ss 419] 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. In permitting any such variation, the Agency shall impose such conditions as are necessary to protect the public peace, health, safety, or welfare and to assure compliance with the purposes of this Plan. Any variation permitted by the Agency hereunder shall not supersede any other approval required under City codes and ordinances.

E. [ss 420] Design for Development

Within the limits, restrictions, and controls established in this Plan, 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 Blackfoot zoning ordinance regarding heights, setbacks, and other like standards.

In the case of property which is the subject of a disposition and development or 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, open space, 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.

F. [ss 421] 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.

G. [ss 422] 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.

H. [ss 423] Developer Contribution for Street Improvements

All developers of property within the Project Area shall also contribute that amount typically required by the City for curb, gutter, and sidewalk improvements, and the cost of those improvements shall be paid to the Agency or the developer shall construct said improvements at its own expense in compliance with all applicable City standards.

V. [ss 500] METHODS OF FINANCING THE PROJECT

A. [ss 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 grants, 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 other 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.

B. [ss 502] Revenue Bond Funds

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 are liable personally on the bonds by reason of their issuance.

C. [ss 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.

D. [ss 504] Revenue Allocation Financing Provisions

The Agency hereby adopts revenue allocation financing provisions as authorized by Chapter 29, Title 50, Idaho Code (the "Act"), effective retroactively to January 1, 1997. These revenue allocation provisions shall apply to all taxing districts in which is located the Revenue Allocation Area described on Attachment No. 1 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 as costs 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(1) of one or more urban renewal projects.

Upon enactment of an ordinance by the governing body of the City of Blackfoot, Idaho, 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, as defined in Idaho Code section 50-2903, 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 No. 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 deems such modification necessary or convenient to general objects of the Plan.

The Agency has 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 entity in order to immediately commence construction of certain of the public improvements. Revenues will continue to be allocated to the Agency until the the Agency effectuate the improvements identified in Attachment No. 5 are completely constructed or until any obligation to the City or other public entity or private entity are fulfilled. Attachment No. 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.

VI. [ss 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 public utilities within or affecting the Project Area.
- B. Amendment to the Comprehensive Plan and 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. The City and the Agency shall 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. Preservation of historical sites.

- F. Performance of the above actions and of all other functions and services relating to public peace, health, safety, and physical development normally rendered in accordance with a schedule which will permit the redevelopment of the Project Area to be commenced and carried to completion without unnecessary delays.
- G. Institution and completion of proceedings necessary the establishment of a local improvement district and/or business improvement district under Chapters 17 and 26, 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 funds that may be made available for this Project.
- J. Appropriate City-Agency agreements for administration, supporting services, funding sources, and loans, grants, or other financing of the public improvements.

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

VII. [ss 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.

VIII. [ss 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 may be made effective for fifteen (15) years from the date of adoption of this Plan by the City Council.

IX. [ss 900] PROCEDURE FOR AMENDMENT

This Plan may be amended by means of the procedure established in Section 50-2008(e) of

the Idaho Urban Renewal Law and Idaho Code Section 50-2906 of the Local Economic Development Act.

X. [ss 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.

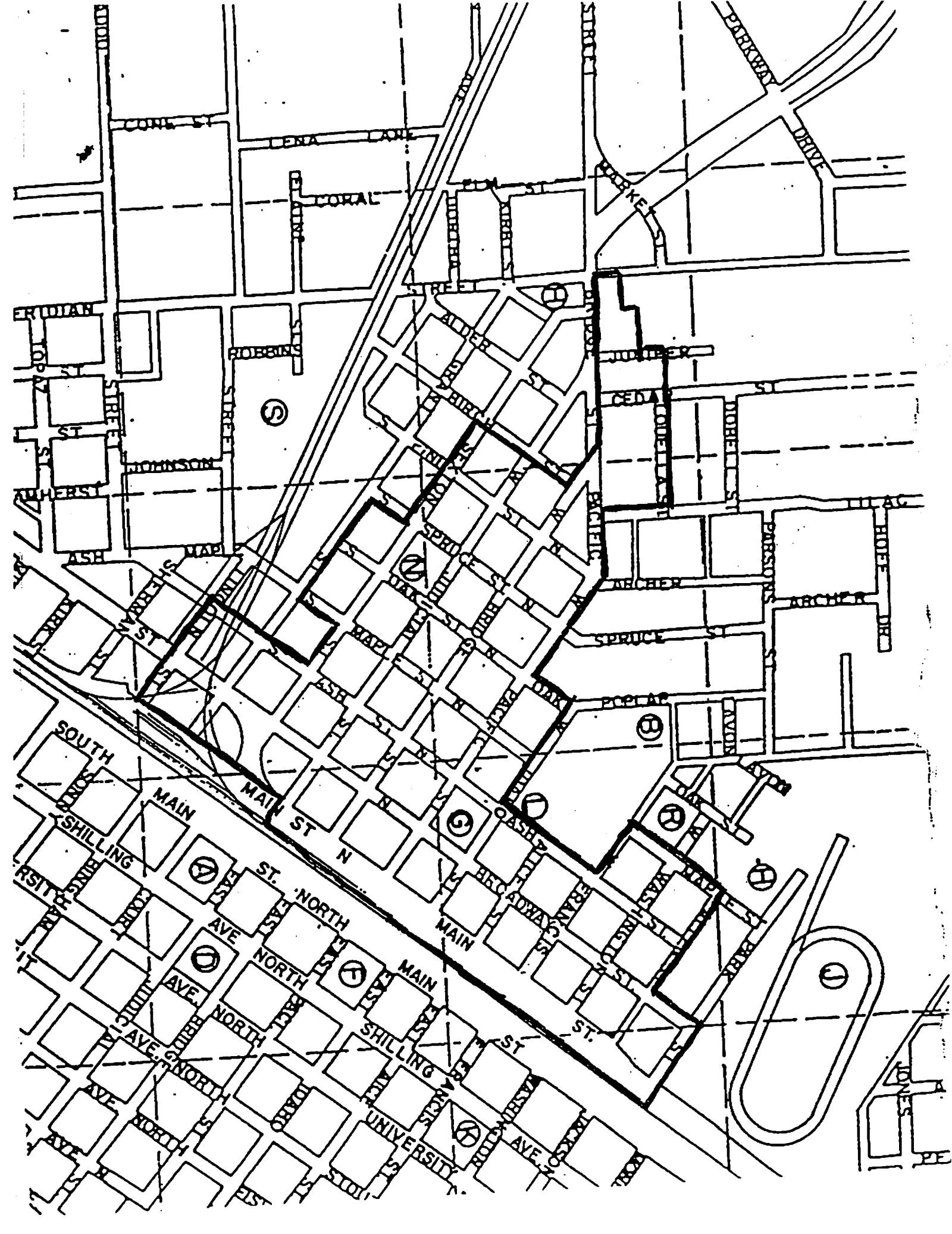
ATTACHMENT NO. 1
DESCRIPTION OF THE PROJECT AREA AND REVENUE ALLOCATION AREA
BOUNDARIES

The Revenue Allocation Area is an area consisting of approximately 50 blocks enclosed within the following boundaries:

Legal Description Downtown
Urban Renewal Plan Area

Beginning at a point 225 feet north of the Southwest corner of Lot 4, Section 3, Township 3 South, Range 35 East, thence South 88 degrees, 58', 34" East 132 feet, thence North 32 feet, thence East 332 feet, thence North 14 feet, thence East 175.6 feet to the West line of Cedar Street. Thence on said extended line across Cedar St. to the Southwest corner of Lot 12, Block 4, Dipple Addition, thence following the North line of Louella Street 570 feet to the west line of Lilac Street, thence South along said West line of Lilac 320 feet to the North line of Pacific Street. Thence East across Lilac to the Southwest Corner of Lot 3, Block 2, Dipple Addition, thence East along the North line of West Pacific 312 feet to the west line of Archer Street, thence South 51 degrees, 42' East along the North Line of West Pacific Street to the North line of Oak Street, thence Northeast to the Southeast corner of Lot 1, Block 2, Felstead Subdivision, thence South 51 degrees, 42' East along the South side of West Idaho to the Northeast corner of Block 100, Danielson's Addition, thence Northeast, along the West line of Ash, to the South line of West Francis Street, thence Northwest along said South line of West Francis to an extended West line of Maple Street, thence North along said line of Maple Street to the extended North line of Allen Street, thence Southeast along said North line of Allen Street to the Southeast corner of Block 2, Tanner Addition, thence Northeast along the North line of Broadway along an extended line to the North side of Park Street, thence Southeast along said North line of Park Street to the railroad right-of-way, thence Southwest along said right-of-way to the extended South line of Judicial Street, thence Northwest to the Northeast corner of Block 42 1/2 of Danielson's Addition, thence Southwest at right angles to the South line of Lincoln Street, thence Northwest along said South line of Lincoln Street to the extended West line of Ash Street, thence Northeast along said line of Ash Street to the South line of Sexton Street, thence Northwest one block to the East line of North Maple Street, thence Southwest one block to the North line of Grant Street, thence Northwest along said North line of Grant two blocks to the East line of Spruce Street, thence Northeast along the South line of North Spruce Street to the North line of Sexton Street, thence Northwest to the East line of Birch Street, thence Northeast along the East line of Birch to the South line of West Bridge Street, thence at right angles Northwest to the North line of West Bridge Street, thence West along said North line of West Bridge Street to the point of beginning.

ATTACHMENT 2
REVENUE ALLOCATION AREA MAP



ATTACHMENT NO. 3

PUBLIC IMPROVEMENTS COSTS AND FINANCING METHODS AND ECONOMIC FEASIBILITY STUDY

PUBLIC IMPROVEMENTS, COSTS, AND FINANCING METHODS

This presentation incorporates estimates and projections based on the Agency's present knowledge and expectations. The Agency may modify the presently anticipated project if the Board of Directors deems such modifications necessary to effectuate the Plan.

This Plan proposes certain public improvements, particularly the work to respond to the increased demand for these improvements resulting from the First American Title project and other new developments and to provide a proper environment for additional new development to be served by these improvements.

The focus of the presentation is how to finance the proposed improvements of Pacific Street, sidewalk, and other street/utility improvements for the Downtown Revenue Allocation Area. The timing of these improvements will depend upon the availability of these funds.

An alternative to bond financing is presented as Attachment No. 3D. Rather than selling a bond issue to finance all of the improvements, this alternative calls for the work to be done after an estimated \$130,000 of revenue allocation funds will have been received. Current construction cost estimates were increased by an estimated inflation factor of four percent (4%) per year. No attempt was made to estimate interest earnings on the revenue allocation fund balance during the time period that revenues would be accumulating.

The Agency may also undertake financing through the receipt funds from the City which will be reimbursed at an agreed upon term and interest rate, or through Community Development Block Grant Funds applied for through the Idaho Department of Commerce.

Attachment 3A, Time and Net Value of Private Development in the Downtown Revenue Allocation (\$000,000), lists estimated increases in tax assessments from the base year of 1997 for the Downtown Revenue Allocation Area. These increases are a result of new development and other reasons. The initial \$1.5 million figure for 1997 includes the First American Title Project and other developments, while the figures from 1998 on are projections of anticipated development in response to the project and the proposed improvements.

Attachment 3B, Annual Revenue Allocations, illustrates how the Project's projected new developments will generate net revenue to the Agency.

ATTACHMENT NO. 3

ECONOMIC FEASIBILITY STUDY

This attachment with its various estimates and projections comprises such a study. Costs and revenues are analyzed, and the analysis shows the need for approximately \$2,200,000 in public improvements during the life of the project. Multiple financing sources are shown. Since estimated project revenues are sufficient to cover actual and projected costs, the conclusion is that the project is feasible.

Under the pay-as-you-go alternative discussed above, the work would be done over twenty (20) years. If other funding can be obtained, including an agreement with the City or a Community Development Block Grant from the Idaho Department of Commerce, the work could be done sooner. Under this alternative the entire Project could be completed within twenty years; hence, the conclusion is that the Project is feasible.

Attachment 3C, Impact of Revenue Allocation Financing on Bingham County Taxing Entities Tax Code Area 1 Distribution Percentages Per 1997 Tax Levy Rates, shows the estimated impact of revenue allocation financing on all taxing districts in which the revenue allocation area is located. This attachment should be read in conjunction with Attachments 3A and 3B, which show how the revenue estimate was generated. In the event other funds, including federal funds, are received, the fiscal impact on the Agency should be reduced. Likewise, if revenue allocation funds are received in a greater amount over a shorter period of time, the Agency will be able to complete the project sooner, repay any of its debt obligations sooner, and thus allow the increase in assessed valuation and tax proceeds to inure to the benefit of the other taxing entities sooner.

The information contained in Attachment 3C assumes actual and projected actions.

Attachment 3D, Statement Listing Proposed Public Improvements, an Economic Feasibility Study, Costs, and Financing Methods describes the proposed public improvements and lists the estimated costs and revenues for the life of the Project.

ATTACHMENT 3A
VALUE OF PROPERTY IN THE REVENUE ALLOCATION AREA

The assessed value of the property in the defined revenue allocation area is \$13,108,205 or 8.09 percent of the City of Blackfoot's Assessed Value of \$160,751,817.

**ATTACHMENT 3B
ANNUAL REVENUE ALLOCATION**

Assessment Year	Tax Year	Estimated Value	Amnt. of change	Tax Levy Rate	Gross Revenue	School Payment	Net Revenue to Agency
			- 0 -	0.0254900	- 0 -	- 0 -	- 0 -
1997	1998	\$13,108,205					
1998	1999	\$ 14,800,900	\$1,692,695	0.0254900	\$43,147	\$ 6,771	\$36,376
1999	2000	\$ 15,191,674	\$2,083,469	0.0257449	\$53,639	\$ 8,334	\$45,305
2000	2001	\$ 15,476,039	\$2,367,834	0.0260023	\$61,569	\$9,741	\$51,828
2001	2002	\$ 15,621,065	\$2,512,860	0.0262623	\$65,994	\$ 10,051	\$55,943
2002	2003	\$ 15,914,017	\$2,805,812	0.0265249	\$74,424	\$ 11,223	\$63,201
2003	2004	\$ 16,063,422	\$2,955,217	0.0267901	\$79,171	\$11,821	\$67,350
2004	2005	\$ 16,365,221	\$3,257,016	0.0270580	\$88,128	\$ 13,028	\$75,100
2005	2006	\$16,519,138	\$3,410,933	0.0273285	\$93,216	\$ 13,644	\$79,572
2006	2007	\$16,674,595	\$3,566,390	0.027601	\$98,436	\$14,266	\$84,170
2007	2008	\$16,988,618	\$3,880,413	0.027877	\$108,174	\$15,522	\$92,652
2008	2009	\$17,688,769	\$4,580,564	0.028156	\$128,970	\$18,322	\$110,644
Totals					\$894,868	\$ 132,723	\$762,145

ATTACHMENT 3C
Impact of Revenue Allocation Financing on Bingham County Taxing
Entities Tax Code Area 1, less area 1-05, Distribution Percentages Per 1997 Tax Levy Rates

Tax Year	Gross Incremental Revenue	(20.00%) Bingham County	(47%) Blackfoot City	(32%) District #55	(1%) Ambulance District	(.001%) Flood District #1	(.02%) Flood District #7
1998	\$43,147	\$8,629	\$18,985	\$13,808	\$516	\$2	\$86
1999	\$53,639	\$10,728	\$23,601	\$17,164	\$644	\$3	\$107
2000	\$61,569	\$12,314	\$29,307	\$19,702	\$763	\$4	\$123
2001	\$65,994	\$13,199	\$31,413	\$21,118	\$792	\$5	\$132
2002	\$74,424	\$14,885	\$35,426	\$23,816	\$893	\$6	\$149
2003	\$79,171	\$15,834	\$37,685	\$25,509	\$950	\$7	\$158
2004	\$88,128	\$17,626	\$41,949	\$28,201	\$1,058	\$8	\$176
2005	\$93,216	\$18,643	\$44,371	\$29,829	\$1,119	\$9	\$186
* 2006	\$95,080	\$19,016	\$45,258	\$30,426	\$1,141	\$10	\$190
2007	\$96,982	\$19,396	\$46,163	\$31,034	\$1,164	\$11	\$194
2008	\$98,921	\$19,785	\$47,086	\$31,655	\$1,187	\$12	\$198
2009	\$100,900	\$20,180	\$48,028	\$32,288	\$1,211	\$13	\$202
2010	\$102,918	\$20,584	\$48,989	\$32,932	\$1,235	\$14	\$206
Total	\$1,054,089	\$210,819	\$498,261	\$337,482	\$12,673	\$104	\$2,107

* Figures from 2006 on are estimated on a two percent growth rate in the allocation area and in property tax increases.

ATTACHMENT 3D

PROJECTS FOR DOWNTOWN ALLOCATION AREA

1. Pacific Street - 2,640 feet of pavement rehabilitation, curb and gutter; 1200 feet of sidewalk; 2,640 feet of water and sewer line; 16 sidewalk lights. Cost: \$376,000
2. Louella Street - 600 feet of pavement rehabilitation, curb, gutter and sidewalk; water and sewer lines. Cost: \$71,000
3. Lincoln Street - 600 feet of pavement rehabilitation, curb, gutter and sidewalk; water and sewer lines. Cost: \$71,000
4. Grant Street - 600 feet of pavement rehabilitation, curb, gutter and sidewalk; water and sewer lines. Cost: \$71,000
5. Broadway Street - 1,500 feet of pavement rehabilitation; water and sewer lines; 16 sidewalk lights. Cost \$224,000
6. Main Street - 30 sidewalk lights Cost \$45,000
7. Ash Street - 2,640 feet of pavement rehabilitation; 20 sidewalk lights; water and sewer lines. Cost: \$352,000
8. Fix water fountain in front of Packham Real Estate Cost: \$20.00
9. Repair and replace roof on World Potato Expo Cost: \$ 45,000
10. Develop and pave railroad parking lots (50' by 250') Cost: \$33,000
11. Birch Street - 1,300 feet of pavement rehabilitation between Sexton and Pacific; water and sewer replacement. Cost: \$95,000
12. Spruce Street - 1,300 feet of pavement rehabilitation between Sexton and Pacific; water and sewer replacement. Cost: \$95,000
13. Downtown Area - Light entire downtown area from Pacific south to Sexton and from Main west to Spruce Street. Cost \$150,000
14. Downtown Area - Provide handicap access curb cuts throughout downtown area (approximately 100 cuts) Cost: \$145,000

15. Downtown Area - Design and implement new streetscaping throughout downtown area.
Cost: \$ TBA

16. Acquire necessary property and construct town square park. Cost: \$ TBA

17. Maple Street - 1,400 feet of pavement rehabilitation, curb, gutter and sidewalk; sewer and water lines.
Cost: \$186,000

18. Oak Street - 1,400 feet of pavement rehabilitation, curb, gutter and sidewalk; sewer and water lines.
Cost: \$186,000

Total Cost of all projects excluding 15 and 16 \$2,137,546

