

URBAN RENEWAL PLAN
RIVER STREET-MYRTLE STREET
URBAN RENEWAL PROJECT
URBAN RENEWAL AGENCY OF BOISE CITY
BOISE, IDAHO

Ordinance No. 5596
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ATTACHMENTS

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Attachment 2	Project Area-Revenue Allocation Area Boundary Map
Attachment 3	Private Properties Which May Be Acquired by Agency
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APPENDIX

Document 1	River Street-Myrtle Street Urban Design Plan, dated September --, 1994. December 6, 1994.
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**URBAN RENEWAL PLAN
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Section 100 Introduction

This is the Urban Renewal Plan (the "Plan") for the River Street-Myrtle Street Urban Renewal Project (the "Project") in the City of Boise, (the "City"), County of Ada, State of Idaho, and consists of the Text, the Description of the Project Area and Revenue Allocation Area Boundaries (Attachment 1), the Project Area-Revenue Allocation Area Boundary Map (Attachment 2), the Private Properties which may be Acquired by Agency (Attachment 3), the Map Depicting Expected Land Uses and Current Zoning Within Revenue Allocation Area and Project Area (Attachment 4), the Introduction to Attachment 5, the Statement of Proposed Public Improvements, Costs, Revenues, Tax Impacts, and Financing Methods (Attachment 5), Net Value of Private Development in Boise Revenue Allocation Area (Attachment 5A), Annual Tax Revenue Allocations (Attachment 5B), Impact of Revenue Allocation Financing on Ada County Property Taxing Entities.

The term "Project" is used herein to describe the overall activities defined in this Plan. 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 the Urban Renewal Agency of Boise City (the "Agency"), reviewed and recommended by the Agency, pursuant to the State of Idaho Urban Renewal Law, Chapter 20, Title 50, Idaho Code (the "Law"), the Local Economic Development Act, Chapter 29, Title 50, Idaho Code (the "Act"), the Idaho Constitution, and all applicable local laws and ordinances.

The proposed redevelopment of the Project Area as described in this Plan conforms to a policy plan for the Boise Metropolitan Plan of Boise City (hereinafter the Metro Plan), adopted by the City Council on October 16, 1978 (Ordinance No. 4298), as amended and as specifically amended by the Downtown Boise Plan adopted May 25, 1993, pursuant to Ordinance No. 5464, which Downtown Boise Plan includes the Downtown Implementation Program.

The Appendix contains several planning documents which generally describe the overall Project and identify certain specific public and private capital improvement projects. Because of the changing nature of the Project, these documents, by necessity, must be dynamic and flexible. The Agency anticipates that these documents will be modified as circumstances warrant. Any modification, however, shall not be deemed as an amendment of this Plan. No modification will be deemed effective if it is in conflict with this Plan. The

planning documents are purposely flexible and do not constitute specific portions of the Plan. Provided, however, prior to the adoption of any proposed modification to the planning documents, the Agency shall notify the City and publish a public notice of such proposed modification at least thirty (30) days prior to the consideration of such proposed modification, thus providing the City and any other interested person or entity an opportunity to comment on said proposed modification. The Agency Board shall consider any such comments and determine whether to adopt the modification. The planning documents apply to redevelopment activity within the Project Area as described herein. In the event of any conflict between this Plan and the appended documents, the provisions of this Plan shall control.

The planning documents are identified as follows:

Document 1

The River Street-Myrtle Street Urban Design Plan dated September 30, 1994, as adopted by the Agency pursuant to Resolution No. 677 dated October 27, 1994.

Document 2

Utility Plan (Reserved).

Document 3

Capital Improvement Plan (Reserved).

Document 4

Relocation Plan (Reserved).

As Documents 2, 3, and 4 are prepared and developed, those documents will be separately considered and approved by the Agency.

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 law. 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 particular projects or redevelopment projects by private entities described herein are not intended to be an exclusive or exhaustive list of potential redevelopment activity. Allowed projects are those activities which comply with the Law and the Act and meet the overall objectives of this Plan.

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

The elimination of environmental deficiencies in the Project Area, including, among others, obsolete and aged building types, substandard streets or rights-of-way, inadequate and deteriorated public facilities and improvements.

The assembly of land into parcels suitable for efficient, integrated development with improved urban development standards, including setbacks, parking, pedestrian, and vehicular circulation in the Project Area.

The potential use of the City's geothermal resource.

Funding of arts programs.

The replanning, redesign, and development of undeveloped areas which are stagnant or improperly utilized.

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.

The provision of adequate land for parks and open spaces, pedestrian walkways, and parking facilities.

Improvements to the streets, rights-of-way, and other public infrastructure.

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.

The opportunity of providing affordable housing within the Project Area.

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 Urban Renewal Area is located.

Section 101 Provisions Necessary to Meet State and Local Requirements

Section 101.01 Conformance With State of Idaho Urban Renewal Law of 1965, as Amended

- a. 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 Boise City Council. The River Street Area was certified by the Council by Resolution on October 12, 1993, Resolution No. 12475. The Front Street-Myrtle Street Area was certified by the council by resolution on April 26, 1994, Resolution No. 12737.
- b. In accordance with the Idaho Urban Renewal Law of 1965 this Plan was submitted to the Planning Commission of the City of Boise. 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 Boise.
- c. Pursuant to the Idaho Urban Renewal Law of 1965, 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 Dec. 6, 1994, by Ordinance No. 5596.

Section 102 History of the River Street Area

In April 1972 the City Council approved an urban renewal plan for the River Street Neighborhood Development Program that included an area bounded by Capitol Boulevard, Boise River, Americana, and the Union Pacific railroad property/Broad Street. This plan was never implemented and was shelved in 1973 by the Agency and the City due to lack of federal funding. A development guide for the area was prepared in 1973 and partially implemented when Community Development Block Grant funds were used for Eighth Street streetscape, the Pioneer Walkway, the greenbelt, the pedestrian bridge to Ann Morrison Park, and site acquisition for the Pioneer Square Apartments at 12th and Grand.

The existence of the River Street Urban Renewal Plan indicates strong interest by earlier city leaders to upgrade and improve this area. Renewal of the River Street area remains unfinished business for the City of Boise and the Agency.

The Project Area also lies within a downtown improvement area designated by the City Council pursuant to Resolution No. 7995 adopted on July 16, 1984. The City Council

found the Downtown Improvement Area as a deteriorated area by virtue of a number of blighting influences, including a substantial number of deteriorating buildings. A copy of the Resolution No. 7995 is attached hereto as Exhibit A and incorporated herein by reference.

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. During the planning process, the Agency determined that slightly different boundaries than originally determined by City Council Resolution Nos. 12475 and 12737 were justified. The Agency has received a report dated September 19, 1994, from Harlan W. Mann, consultant concerning findings of deteriorated or deteriorating conditions within the additional area.

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 undertaking some or all of the following actions:

- a. The acquisition of certain real property;
- b. The demolition or removal of certain buildings and improvements;
- c. Participation by persons or entities engaged in business or holding interests in property within the Project Area, through remaining in or reentering the Project Area;
- d. The management of any property acquired by and under the ownership and control of the Agency;
- e. The provision for relocation assistance to displaced Project occupants, as required by law;
- f. The installation, construction, or reconstruction of streets, utilities, parking facilities, recreation and park amenities, and other public improvements and the operation and management of such facilities in conformance with the Law and Act.
- g. The disposition of property for uses in accordance with the Law and this Plan and the commitment by those who conveyed such property to redevelop the property in accordance with the Law and this Plan;

- h. The redevelopment of land by private enterprise or public agencies for uses in accordance with this Plan;
- i. The assembly of adequate sites for the development and construction of residential and commercial facilities;
- j. To the extent allowed by law, the lending or investing of federal funds to facilitate redevelopment; and
- k. The construction of foundations, platforms, and other like structural forms necessary for the provision or utilization of air rights and sites for buildings to be used for residential, commercial, 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.

Section 302 Urban Renewal Plan Objectives

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

The Project Area consists of approximately 242 acres adjacent to the Boise Central Business District. The area has a history of a slow-growing tax base primarily attributed to: inadequate street and parking improvements; inadequately located drainage facilities; poorly maintained properties; inadequate pedestrian and open areas; undeveloped properties; inconsistent and diverse property ownership; and other deteriorating factors.

This environment contrasts sharply with the growing economic and cultural strength of Boise City and the Ada County region for which the Boise Central Business District serves as the commercial and cultural center.

Hence, the Urban Renewal Plan for the Project Area is a proposal for public improvements, to provide an improved environment for new retail, residential, and commercial developments, to eliminate unsafe conditions, to assist potential owners and developers to assemble appropriate development sites where necessary through acquisition, demolition and disposition activities, and to otherwise prevent the extension of blight and deterioration and reverse the deteriorating action of the area.

The streets to be vacated or relocated will create buildable areas for residential, retail, commercial, office, or public use. Any such vacations or relocations must be requested from the Ada County Highway District or other agency having jurisdiction over the particular public right-of-way.

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 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.

All existing alleys within the Project Area may be vacated to permit development as well as encourage variety and flexibility of design within the periphery blocks.

A further objective of the Urban Renewal Plan is to provide for the acquisition and clearance used for other public facilities. Off-street parking and loading facilities will be developed to serve the new commercial complex within the Project Area. Land use in the Project Area will be modified to the extent that buildings currently vacant and land now devoted to scattered surface parking will be converted to residential, commercial, public and private parking, and public/semi-public uses.

In coordination with the State Historical Society and the Boise City Historical Preservation Commission, consideration will be given to the preservation of structures of historic and architectural value within, or the moving of said structures outside, the Project Area boundaries.

The provisions of this Plan are applicable to all public and private property in the Project Area. The provisions of the River Street-Myrtle Street Urban Design Plan shall be interpreted and applied as objectives and goals, recognizing the need for flexibility in interpretation and implementation, while at the same time not in any way abdicating the rights and privileges of the property owners which are vested in the present and future zoning classifications of the properties. All development under an owner participation agreement shall conform to those standards specified in Section 405.02 of this Plan.

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

Section 303 Participation Opportunities and Agreement

Section 303.01 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 and the Agency determines such

participation is in the best interests of the Agency and the public. 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, including the River Street-Myrtle Street Urban Design Plan. The owner participation agreement may require as a condition of financial participation by the Agency a commitment by the property owner to meet the greater objectives of the land use elements identified in the Downtown Plan, applicable zoning ordinance, and the River Street-Myrtle Street Urban Design 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 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 Boise, including any mandated federal authority.
- 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 Boise.
- f. Any renovation of a historic structure may seek any applicable and appropriate waiver of the City Building Code.

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.

In the event a participant under a participation agreement fails or refuses to rehabilitate, develop, use, and maintain its real property pursuant to this Plan and a participation agreement, the real property or any interest therein may be acquired by the

Agency in accordance with Section 307 of this Plan and sold or leased for rehabilitation or development in accordance with this Plan.

Section 303.02 Zoning Incentive Impact Fees and Waivers

Pursuant to the City's zoning ordinance and downtown plan, certain zoning incentive, density waivers, and waivers of parking requirements may be available to those developers who develop properties in such a manner that those incentives and waivers are available. For example, including a residential housing component within a commercial/office development would entitle such developer to relaxation to the density requirements.

For any development covered by an owner participation agreement or disposition and development agreement, the Agency shall have the authority, but not the obligation, to cooperate with the developer to apply for the waiver or reduction of any impact fee assessed by any other governmental entity. The Agency shall also have the authority, but not the obligation, to consider the payment of all or part of such impact fees from revenue allocation proceeds to the extent allowed by law.

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 provisions and controls contained in this Plan to ensure that present uses and any future development by public bodies will conform to the requirements of this Plan; provided, however, ACHD has exclusive jurisdiction over Ada County Highway District streets. The Agency is authorized to financially (and otherwise) assist any public entity in the cost of public land, buildings, facilities, structures, or other improvements within the Project Area.

The Agency specifically intends to cooperate to the extent allowable by law with the City of Boise and Ada County for the acquisition of property and the construction of public improvements and public buildings.

In the event the Agency is participating in the public development by way of financial incentive or otherwise, the public body shall enter into a participation agreement with the Agency and then shall be bound by the River Street-Myrtle Street Urban Design Plan and other land use elements and shall conform to those standards specified in Section 405.02 of this Plan.

The Agency, by law, is not authorized to acquire real property owned by public bodies without the consent of such public bodies. The Agency, however, will seek the cooperation of all public bodies which own or intend to acquire property in the Project Area. Any public body which owns or leases property in the Project Area will be afforded all the privileges of an owner participant if such public body is willing to enter into a participation agreement with the Agency. All plans for development of property in the Project Area by a public body shall comply with the provisions of this Plan.

Section 305 Property Acquisition

Section 305.01 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 as otherwise allowed by law. The acquisition shall be by any means authorized by law (including, but not limited to, the Idaho Urban Renewal Law, the Local Economic Development Law, and the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970). 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 but not required by this Plan to acquire the properties identified in Attachment 3 hereto.

Except as specifically exempted herein, the Agency may acquire, but is not required to acquire, any real property located in the Project Area by any means authorized by law.

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.

The Agency shall not acquire real property to be retained by an owner pursuant to a participation agreement if the owner fully performed under the agreement. The Agency is authorized to acquire structures without acquiring the land upon which those structures are located. The Agency is authorized to acquire either the entire fee or any other interest in real property less than a fee.

The Agency shall not acquire real property on which an existing building is to be continued on its present site and in its present form and use without the consent of the owner unless: (a) such building requires structural alteration, improvement, modernization, or rehabilitation; (b) the site or lot on which the building is situated requires modification in size, shape, or use; or (c) it is necessary to impose upon such property any of the controls,

limitations, restrictions, and requirements of this Plan and the owner fails or refuses to execute a participation agreement in accordance with the provisions of this Plan.

The Agency is authorized, but not required however, to acquire public property transferred to private ownership before redevelopment of the Project Area is completed, unless the Agency and the private owner enter into a participation agreement and the owner completes his responsibilities under the participation agreement.

The purpose of this section is to allow the Agency to use its eminent domain authority to acquire properties necessary for the construction of public improvements or for site assembly to aid in the redevelopment of the development site. The Agency intends to only acquire those sites which are either undeveloped, underdeveloped, or properties which are deteriorated or deteriorating. Such property may not be subject to acquisition if the property owner or the property owner's assign enters into an owner participation agreement with the Agency for the redevelopment of the site.

Under the provisions of the Act, the urban renewal plan "shall be sufficiently complete to indicate such land acquisition, demolition and removal of structures, redevelopment, improvements, and rehabilitation as may be proposed to be carried out in the urban renewal area." Section 50-2018(1).

The Agency has identified several parcels for acquisition for the construction of public improvements. Those parcels are contained within Attachments 3 and 5. The Agency also intends to acquire property for the purpose of developing public parking structures. At the present time, the Agency cannot specifically identify which parcels may be necessary for acquisition for the parking structures or for site assembly for private redevelopment. The Agency reserves the right to propose amendments to this Plan to identify such properties, if necessary, and reserves the right to determine which properties, if any, should be acquired.

Section 305.02 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. Persons leasing property held for redevelopment (i.e., those tenants who commence tenancy after acquisition by the Agency) shall not be eligible for relocation benefits. 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 Idaho Urban Renewal Law regarding relocation.

The Agency reserves the right to extend benefits for relocation to those not otherwise entitled to relocation benefits as a matter of state law under the Act or the Law. The Agency may determine to use as a reference the relocation benefits and guidelines promulgated by the federal government, the state government, or local government, including the State Department of Transportation and the Ada County Highway District. The intent of this section is to allow the Agency sufficient flexibility to award relocation benefits on some rational basis, or by payment of some lump sum per case basis. For example Attachment 5 identifies relocation benefits of a maximum of \$10,000 per relocation case. The Agency may also consider the analysis of replacement value for the compensation awarded to either owner occupants or businesses displaced by the Agency to achieve the objectives of this Plan. The Agency may adopt relocation guidelines which would define the extent of relocation assistance in non-federally-assisted projects and which relocation assistance to the greatest extent feasible would be uniform.

For displacement of families, the Agency shall comply with, at a minimum, the standards set forth in the Law.

Section 308 Demolition, Clearance, and Building Site Preparation

Section 308.01 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 308.02 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, parking facilities, drainage facilities, and other public improvements necessary to carry out this Plan.

The Agency is authorized (but not required) to construct foundation, platforms, and other structural forms necessary for the provision or utilization of air rights sites for buildings to be used for residential, commercial, private, public, and other uses provided in this Plan.

Section 309 Property Disposition and Development

Section 309.01 Real Property Disposition and Development

Section 309.01(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.

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 public bodies acquiring property through the Agency shall enter into a disposition and development agreement with the Agency.

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 309.01(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 Ada 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, 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 Agency shall 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 provisions of this Plan and to submit a Redevelopment Schedule satisfactory to the Agency, as further defined in Section 405 of this Plan. Schedule revisions will be made only at the option of the Agency.

As required by law or as determined in the Agency's discretion to be in the best interest of the Agency and the public, the following requirements and obligations may be included in the agreement.

It may be included that the Developers, their successors, and assigns agree:

- (1) That a plan and time schedule for the proposed development shall be submitted to the 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 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 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.

- (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 and for design review purposes.
- (6) That 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.
- (7) That rehabilitation of any existing structure must assure that the structure is safe and sound in all physical respects and be refurbished and altered to bring the property to an upgraded marketable condition which will continue throughout an estimated useful life for a minimum of twenty (20) years.
- (8) All such buildings or portions of the buildings which are to remain within the Project Area shall be reconstructed in conformity with all applicable federal, state, and local codes and ordinances.

All disposition and development documents shall also be governed by the provisions of Section 405.02 of this Plan.

Section 309.01(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 for itself or for any public body or entity, which buildings, facilities, structures, or other improvements are or would be of benefit to the Project Area. Specifically, the Agency may pay for, install, or construct the buildings, facilities, structures, and other improvements identified in the Appendix attached hereto and incorporated herein by reference and may acquire or pay for the land required therefor.

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 Sections 50-2007, 50-2018(j), and 50-2903(8), (11), and (12) 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 facilities, including, but not limited to, the following: (1) utilities; (2) parks, plazas, and pedestrian paths; (3) parking facilities; (4) landscaped areas; (5) street improvements (with prior consent of the Ada County Highway District); (6) sanitary sewers; (7) flood control facilities and storm drains; (8) water mains; (9) courthouse facility or civic center; and (10) police and fire 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.

Section 309.01(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 design review.

All development plans (whether public or private) prepared pursuant to a disposition and development agreement or owner participation agreement shall be submitted to the Agency for approval and design review. All development under a disposition and development agreement or owner participation agreement must also conform to those standards specified in Section 405.02 of this Plan.

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. 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 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 Urban Renewal 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.

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, for any other activity necessary or appropriate to carry out an economic development project.

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

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 Local Economic Development Act and Section 504 to this Plan or out of any other available funds.

Section 313 Conforming Owners

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

Section 314 Arts Funding

The Agency may dedicate an amount equivalent to one percent (1.0%) of the original estimated amount of public improvement/facility construction costs to be constructed or purchased by the Agency for arts projects: placement and maintenance of public art, integration of art with project design, and provision for performing arts.

Art projects shall be selected and provided by the Agency, separately from any construction costs of developers. The Agency Board of Directors shall make selections of the works of art with the advice and assistance of the Boise City Arts Commission and approval of the Boise City Council. Selected art projects may be an integral part of the public improvement/facility, attached to the structure, detached within or outside of the structure, or exhibited in other areas of the Project open to the general public. The Agency may establish an endowment fund for performing arts to be expended by the Agency with the advice and assistance of the Boise City Arts Commission.

Whenever possible, Agency arts funding will be used to leverage additional contributions from developers, other private sources, and public or quasipublic entities.

Section 315 Geothermal Resources

The Agency shall include in any owner participation agreement or disposition and development agreement entered into under the provisions of this Plan the following text for consideration and use of the City's geothermal resource:

The Developer/Owner Participant shall investigate the feasibility of using the City's geothermal resource for heating the development. The Developer/Owner Participant shall contact and discuss the use of this resource with the City Public Works Department. In the event the Developer/Owner Participant determines not to avail itself of this resource, which determination shall be in the Developer/Owner Participant's sole discretion, the Developer/Owner Participant shall provide the Agency with documentation explaining the reason for not using this resource and evidence of contact with the City Public Works Department.

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 402.01 Land Use Classifications

The land use classifications for the Project Area are as shown and depicted in Attachment 4 and include general commercial (C-2), service commercial (C-3), residential-office (R-O), and central business (C-5), all as more specifically defined in chapter 4, title 11, Boise City Code. The Agency also recognizes those land uses permitted by conditional uses under each zoning classification, subject to the conditions imposed by the City of Boise pursuant to the conditional use process.

Section 403 Other Land Uses

Section 403.01 Public Rights-of-Way

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 accordance with any applicable policies and standards of the City of Boise or Ada County Highway District 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 design standards of the City, Ada County Highway Department, or Idaho Department of Transportation as may be applicable.

Section 403.02 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 restrictions as may be necessary to protect the development and use of the Project Area.

Section 403.03 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 Boise City Code and must have a specific expiration date.

Section 403.04 Nonconforming Uses

The Agency may permit an existing use to remain in an existing building and site usage in good condition, which use does not conform to the provisions of this Plan, provided that such use is generally compatible with existing and proposed developments and uses in the Project Area. The owner of such a property must be willing to enter into a participation agreement and agree to the imposition of such reasonable restrictions as may be necessary to protect the development and use of the Project Area.

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

All nonconforming uses shall also comply with the Boise City Code.

Section 404 General Controls and Limitations

All real property in the Project Area is 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 except as provided in Section 405.

Section 404.01 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 404.02 Rehabilitation and Retention of Properties

Any existing structure or land 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 404.03 Limitation on Type, Size, Height of Building

Except as set forth in other sections of this Plan, including Section 405 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 404.04 Open Spaces, Landscaping, Light, Air and Privacy

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

Section 404.05 Signs

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

Section 404.06 Utilities

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

Section 404.07 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 404.08 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.

Section 404.09 Subdivision of Parcels

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

Section 404.10 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 or the Comprehensive 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 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.

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, recognizing the economics of a shared parking regimen and the parking objectives set forth in the River Street-Myrtle Street Urban Design Plan.

Section 405 Design for Development

Section 405.01 Design Guidelines for Development

No new improvement shall be constructed, and no existing improvements shall be substantially modified, altered, repaired, or rehabilitated except in accordance with this Plan; provided, however, the Ada County Highway District shall not be subject to the jurisdiction of the Agency for modifications of public rights-of-way. The provisions of this Plan and the River Street-Myrtle Street Urban Design Plan design guidelines are applicable to all public and private property in the Project Area recognizing the need for flexibility in interpretation and implementation of the Plan and the Urban Design Plan design guidelines and the ability

of the Agency to grant variations to the Plan and the Urban Design Plan as allowed by Section 404.10 of this Plan.

The land use elements of the Urban Design Plan are encouraged but not specifically required for development within the Project Area unless an owner participation agreement or disposition and development agreement is entered into between the property owner or developer and the Agency.

All development under this section shall also comply with all applicable City zoning and building ordinances.

**Section 405.02 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 of the Urban Design Plan 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 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.

Section 405.03 City Design Review Committee

By submitting this Plan and attachments for approval by the City Council, the Agency requests the City formally adopt the River Street-Myrtle Street Urban Design Plan as additional design review guidelines for the Project Area. The Agency also requests the City formally appoint and delegate the Agency Board as the Design Review Committee for design review applications within the Project Area.

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, public parking revenue, revenue allocation funds as allowed by the Act, 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 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.

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.

Section 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, 1994. 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[11]) of one or more urban renewal projects.

Upon enactment of an ordinance by the governing body of the City of Boise, 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, 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 may also appropriate funds consisting 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 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.

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

Section 505 Rebate of Revenue Allocation Funds

In any year during which the Agency receives revenue allocation proceeds, the Agency, as allowed by law, is authorized (but not required) to return or rebate to the other taxing entities identified in Attachment 5 of this Plan any revenue allocation funds previously pledged or committed for the purposes identified in the Plan. Under the Act, the Agency must first apply all such revenues for the payment of the projected costs of the urban renewal project identified and repayment of principal and interest on any moneys borrowed, indebtedness incurred, or bonds issued by the Agency and maintain any required reserve for payments of such obligation or indebtedness. Only to the extent revenues of the Agency exceed these obligations shall the Agency consider any rebate or return of revenue allocation funds to the other taxing entities. The Agency shall rebate such funds in a manner that corresponds to each taxing entity's relative share of the revenue allocation proceeds or on the basis of extraordinary service requirements generated by the Project. All other taxing entities shall first receive any such rebate before such rebate shall be disbursed to the City.

Attachment 5 describes the Agency's financing plan for the Project. The Project will be financed, in part, through tax increment financing, using revenue allocation funds as allowed by the Act. The Agency anticipates that on an annual basis, tax increment, and other funds may be sufficient to satisfy the obligations incurred by the Agency, even though the entire amount of revenue allocation funds must be pledged for the term of any bonds or other debts incurred by the Agency. Therefore, on an annual basis, the Agency will consider the rebate of funds, which funds, may not be revenue allocation funds, but other funds available to the Agency (e.g., net parking revenues).

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. Provision for administrative enforcement of this Plan by the City after development. The City and the Agency may develop and provide for enforcement of a program for continued maintenance by owners of all real property, both public and private, within the Project Area throughout the duration of this Plan.

- d. Preservation of historical sites.
- e. 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.
- f. Institutional and completion of proceedings necessary for the consideration of a local improvement district or business improvement district under Chapters 17 and 26, Title 50, Idaho Code, if requested.
- g. The undertaking and completing of any other proceedings necessary to carry out the Project.
- h. Administration of Community Development Block Grant and other state and federal grant funds that may be made available for the Project.
- i. Appropriate agreements with the Agency for administration, supporting services, funding sources, and the like.
- j. 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, if the City deems such waiver necessary.
- k. The waiver of any impact fee assessed by the City, if the City deems such waiver necessary.

The foregoing actions which may 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 for thirty (30) years from the date of adoption of this Plan by the City Council through December 31, 2024, which date shall be deemed the termination date of the Plan.

Section 900 Procedure for Amendment

The Urban Renewal Plan may be further modified at any time by the Agency and in compliance with the Law and the Act. Where the proposed modification will substantially change the Plan, the modifications must be approved by the City Council in the same manner as the original Plan. Substantial changes for 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. Any amendment or modification shall be subject to such rights at law or equity any individual or entity who has entered into a disposition or development agreement or owner participation agreement with the Agency or its successor or successors in interest may be entitled to assert.

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 Performance Review

Under the Idaho Urban Renewal 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. In addition to this report, the Agency shall file with the City on a biannual basis an official summary adopted by the Agency Board describing in detail the Agency's performance during the preceding two-year period. Such report shall include a narrative of the Agency's progress in achieving the goals and objectives of the Plan, the use of revenue allocation proceeds, the private development which has been leveraged by such use, and the status of any bond financing. The biannual report shall be filed with the City along with the annual report required under the law.

12/20/94

RECEIVED

BY THE COUNCIL:

JUL 18 1984

RESOLUTION NO. 7995
COLES, MCADAMS, SELANDER,
TATE, TRAIL AND TWILEGAR

Boise City
Community Development
A RESOLUTION DESIGNATING A CERTAIN DESCRIBED AREA OF BOISE CITY
AS A DOWNTOWN IMPROVEMENT AREA; AND PROVIDING
AN EFFECTIVE DATE.

WHEREAS, on September 19, 1983 the Council and Mayor of
Boise City respectively adopted and approved Ordinance No. 4746
creating the Department of Community Planning and Development and
authorizing it to prepare and formulate programs in compliance
with Public Law 93-303 to include activities designed to
eliminate or prevent slums, blight, and deterioration together
with the estimated costs and general location of such activities;
and

WHEREAS, it is desirable and in the interest of public
health, safety and welfare of the residents of Boise City to
implement such programs, funded through Public Law 93-383, within
a designated area located in the City of Boise, County of Ada,
State of Idaho;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL
OF THE CITY OF BOISE CITY, IDAHO:

Section 1. That the hereinafter described area existing
in Boise City is deteriorated by virtue of the following
blighting influences:

Resolution Downtown Improvement Area

Page 2

a. deteriorated, and hazardous conditions in the public right-of-way including, but not limited to street paving, curbs, gutters, sidewalks, and sidewalk furniture;

b. deteriorated, undersized, or obsolete public utility and service infrastructure including, but not limited to, sanitary sewer, storm sewer, domestic water, geothermal space heating, electrical power, and natural gas;

c. a substantial number of deteriorating buildings; and

d. vacant, undeveloped or underdeveloped property.

Section 2. That the hereinafter described is hereby designated a Downtown Improvement Area:

Beginning at the intersection of the easterly right-of-way line of North Fifth Street and the northerly right-of-way line of West Jefferson Street; thence westerly along the northerly right-of-way line of West Jefferson Street 1,140 feet more or less to the easterly right-of-way line of North Eighth Street; thence northerly along the easterly right-of-way line of North Eighth Street 340 feet more or less to the northerly right-of-way line of West State Street; thence westerly along the northerly right-of-way line of West State Street 3,500 feet more or less to the westerly right-of-way line of North Seventeenth Street; thence southerly along the westerly right-of-way line of North Seventeenth Street and South Seventeenth Street 1,880 feet more or less to the westerly right-of-way line of West Grove Street; thence southerly along the westerly right-of-way line of West Grove Street 175 feet more or less to the northerly right-of-way line of South Seventeenth Street; thence westerly along the northerly right-of-way line of South Seventeenth Street 370 feet more or less to the Southerly right-of-way line of West Front Street; thence easterly along the southerly right-of-way line of West Front Street 370 feet more or less to the northerly right-of-way line of Americana

Boulevard; thence westerly along the northerly right-of-way line of Americana Boulevard 2,060 feet more or less to the North high water line of the Boise River; thence easterly along the meandering North high water line of the Boise River 4,465 feet more or less to the easterly right-of-way line of Capitol Boulevard; thence northerly along the easterly right-of-way line of Capitol Boulevard 920 feet more or less to the southerly right-of-way line of Fulton Street; thence easterly along the southerly right-of-way line of Fulton Street and the northerly property line of Julia Davis Park 930 feet more or less to the easterly right-of-way line of South Fifth Street; thence northerly along the easterly right-of-way of South Fifth Street and North Fifth Street 2,895 feet more or less to the northerly right-of-way line of West Jefferson Street said point being the real point of beginning.

PASSED by the Council of the City of Boise City, Idaho,
this 16th day of July, 1984.

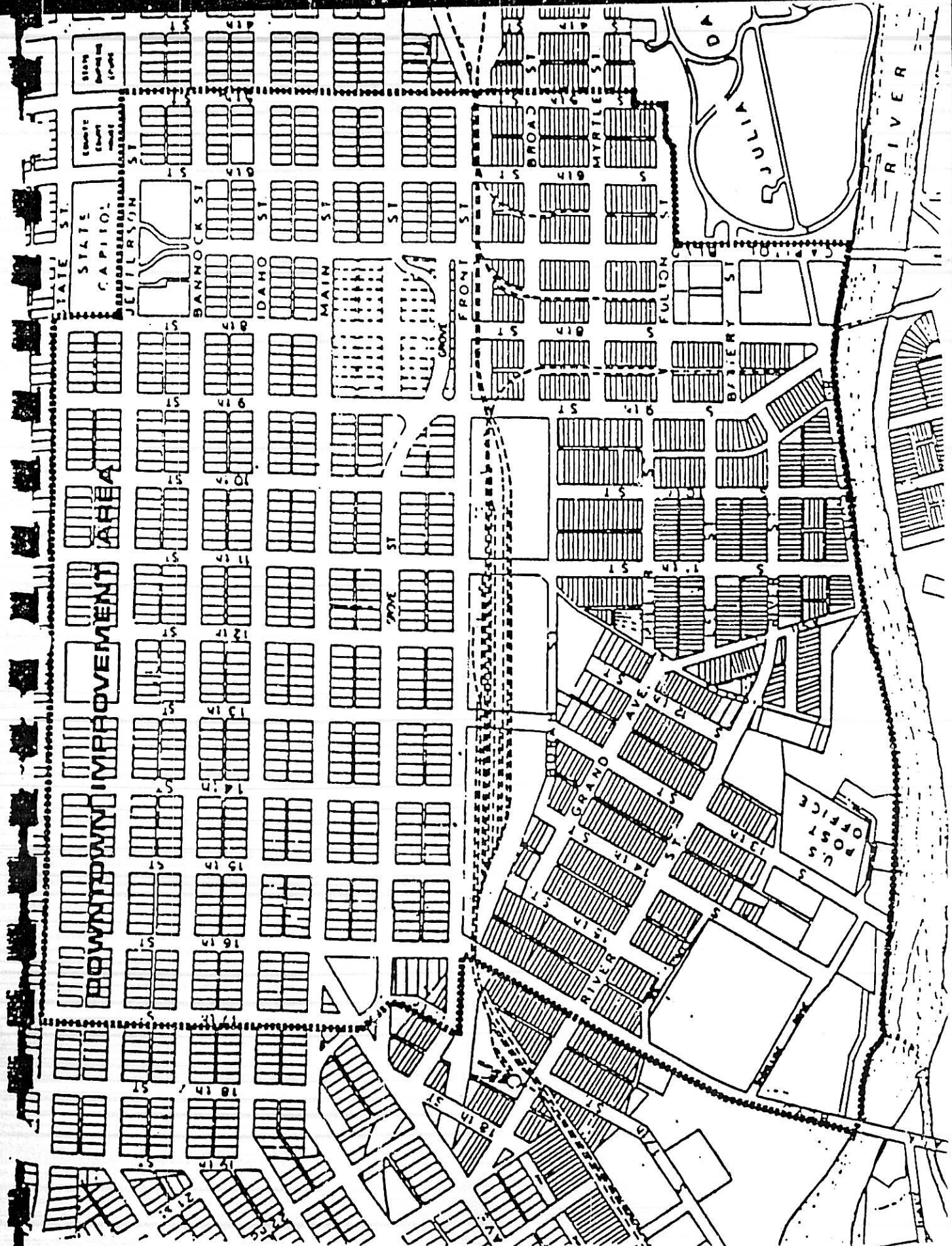
APPROVED by the Mayor of the City of Boise City, Idaho,
this 17th DAY OF July, 1984.

APPROVED;

Richard L. Eardley
Mayor

ATTEST;

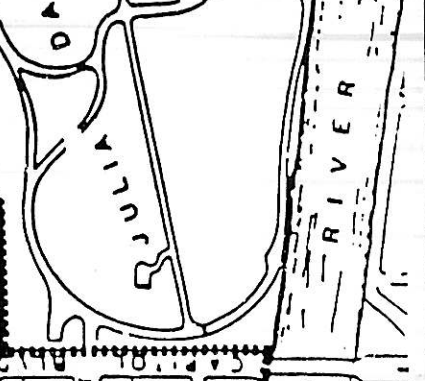
Annette P. Barney
City Clerk



STATE ST
JEFFERSON ST
STATE CAPITOL
STATE COURT HOUSE

BROWNSVILLE IMPROVEMENT AREA

STATE ST
JEFFERSON ST
BANROCK ST
IDAHO ST
MAIN ST
FRONT ST
BROAD ST
MYRTLE ST
FULTON ST
BREWERY ST
GRAND AVE
RIVER ST
13TH ST
14TH ST
15TH ST
16TH ST
17TH ST
18TH ST
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48TH ST
49TH ST
50TH ST



U.S. POST OFFICE

ATTACHMENT 1

RIVER STREET - MYRTLE STREET
LEGAL DESCRIPTION OF URBAN RENEWAL PROJECT AREA AND
REVENUE ALLOCATION AREA
BOISE, IDAHO

An area consisting of approximately 242 acres enclosed within the following boundaries:

A portion of the Boise City Original Townsite, the southeast one-quarter of Section 4, the southwest one-quarter of Section 3, the northeast one-quarter of Section 9 and Section 10, Township 3 North, Range 2 East, Boise Meridian, Ada County, Idaho, being more particularly described as follows:

BEGINNING at the intersection of the southwesterly right-of-way line of Myrtle Street and the west right-of-way line of Broadway Avenue;

Thence northerly, along said west right-of-way line of Broadway Avenue, to the northeasterly corner of that parcel of land described in Instrument No. 9059212;

Thence northwesterly, along the northeasterly line of said parcel of land, 797.6 feet more or less, to the southeasterly corner of the Idaho Power Company parcel;

Thence northeasterly and northwesterly, along the southeasterly and northeasterly line of said parcel of land, to the southeasterly line of South 3rd Street;

Thence northwesterly to the southeasterly corner of Block 31 of said Boise City Original Townsite;

Thence northwesterly, along the northeasterly line of Grove Street, to the southwesterly corner of Block 32 of said Boise City Original Townsite;

Thence northeasterly, along the southeasterly line of South 5th Street, 130' to the southeasterly extension of the centerline of the alley of Block 6 of said Boise Original Townsite;

Thence northwesterly, along said alley centerline, to the northwesterly line of South 6th Street;

Thence southwesterly, along said northwesterly line, to the northeasterly line of Grove Street;

Thence northwesterly, along said northeasterly line, to the southeasterly line of North Capitol Boulevard;

Thence southwesterly, along said southeasterly line, to the southwesterly corner of Lot 12 of Block 12 of the Davis Addition to Boise City;

Thence northwesterly, along the southwesterly side of Lots 1 and 12 of Block 7 and the southwesterly side of Lot 1 and 12 of Block 1 of said Davis Addition and the extension thereof, to the northwesterly line of South 9th Street;

Thence northeasterly along said northwesterly line, to the northeasterly line of Front Street to a point on the southeast corner of Block 20, Boise City Original Townsite;

Thence northwesterly, along said northeasterly line, to the northwesterly line of South 10th Street;

Thence northeasterly, along said northwesterly line, to the northeasterly line of Grove Street;

Thence northwesterly, along said northeasterly line, to the northwesterly line of South 16th Street;

Thence southwesterly, along said northwesterly line of South 16th Street and the extension thereof, to the northeasterly extension of the northwesterly line of Americana Boulevard;

Thence southwesterly, along said northwesterly line of Americana Boulevard and said extension, to the northwesterly extension of the southwesterly line of River Street;

Thence southeasterly, along said southwesterly line of River Street and the extension thereof, to the northwesterly line of South 14th Street;

Thence southwesterly, along said northwesterly line, to the northwesterly of the southwesterly line of that parcel of land described in Instrument No. 8949797;

Thence southeasterly, along said northwesterly extension and said southwesterly line, to the southwesterly corner of said parcel of land;

Thence northeasterly to the southerly corner of the Peckstein Addition to Boise City;

Thence northeasterly, southeasterly and northeasterly, along the southeasterly, southwesterly, and southeasterly lines of said Peckstein Addition, to the southerly corner of Lot 24 of Block 3 of the Riverside Addition to Boise City;

Thence southeasterly, to the westerly corner of Lot 1 of said Block 3 of said Riverside Addition;

Thence northeasterly, along the northwesterly line of Lots 1-6 of said Block 3, to the northerly corner of said Lot 6 of Block 3 of the Riverside Addition;

Thence southeasterly, along the northeasterly line of said Lot 6 and the extension thereof, to the southeast line of South 13th Street;

Thence southwesterly, along said southeast line, to the westerly corner of that parcel of land described in Instrument No 8860814;

Thence southeasterly, along the southwest line of said parcel of land, to the westerly corner of Lot 5 of the Kohny Tract;

Thence southeasterly, along the southwest line of said Kohny Tract, to the northeasterly extension of the northwest line of Lot 4 of Forest River No. 2;

Thence southwesterly, to the northerly corner of said Lot 4;

Thence southeasterly and southwesterly, along the northeast and southeast lines of said Lot 4, to the southerly corner of said Lot 4;

Thence southeasterly, southwesterly and southeasterly, along the southwesterly lines of said Forest River No. 2, to the westerly corner of Lot 8 of Forest River No. 3;

Thence northeasterly, southeasterly, northeasterly and northwesterly, to the northwesterly line of said Forest River No. 3;

Thence northeasterly and southeasterly, along the northwesterly and northeasterly lines of said Forest River No. 3, to the westerly line of South 9th Street;

Thence southerly, along said westerly line, to the northeasterly line of the Boise River;

Thence southeasterly, along said northeasterly line, to the southeasterly line of south 8th Street;

Thence northeasterly, along said southeasterly line, to the southwesterly line of Battery Street;

Thence southeasterly, along said southwesterly line and the extension thereof, to the southeast line of South Capitol Boulevard;

Thence northeasterly along said southeasterly line, to the southwesterly line of Fulton Street;

Thence southeasterly, along said southwesterly line, to the southeasterly line of South 5th Street;

Thence northeasterly, along said southeasterly line, to the southwesterly line of that parcel of land described in Instrument No 8855098;

Thence southeasterly, along said southwesterly line, to the southerly corner of said parcel of land;

Thence northeasterly, along the southeasterly line of said parcel of land, to the westerly corner of that parcel of land described in Instrument No. 9006162;

Thence southeasterly, along the southwesterly line of said parcel, to the westerly corner of that parcel of land described in Instruments No. 8845056 & 8915641;

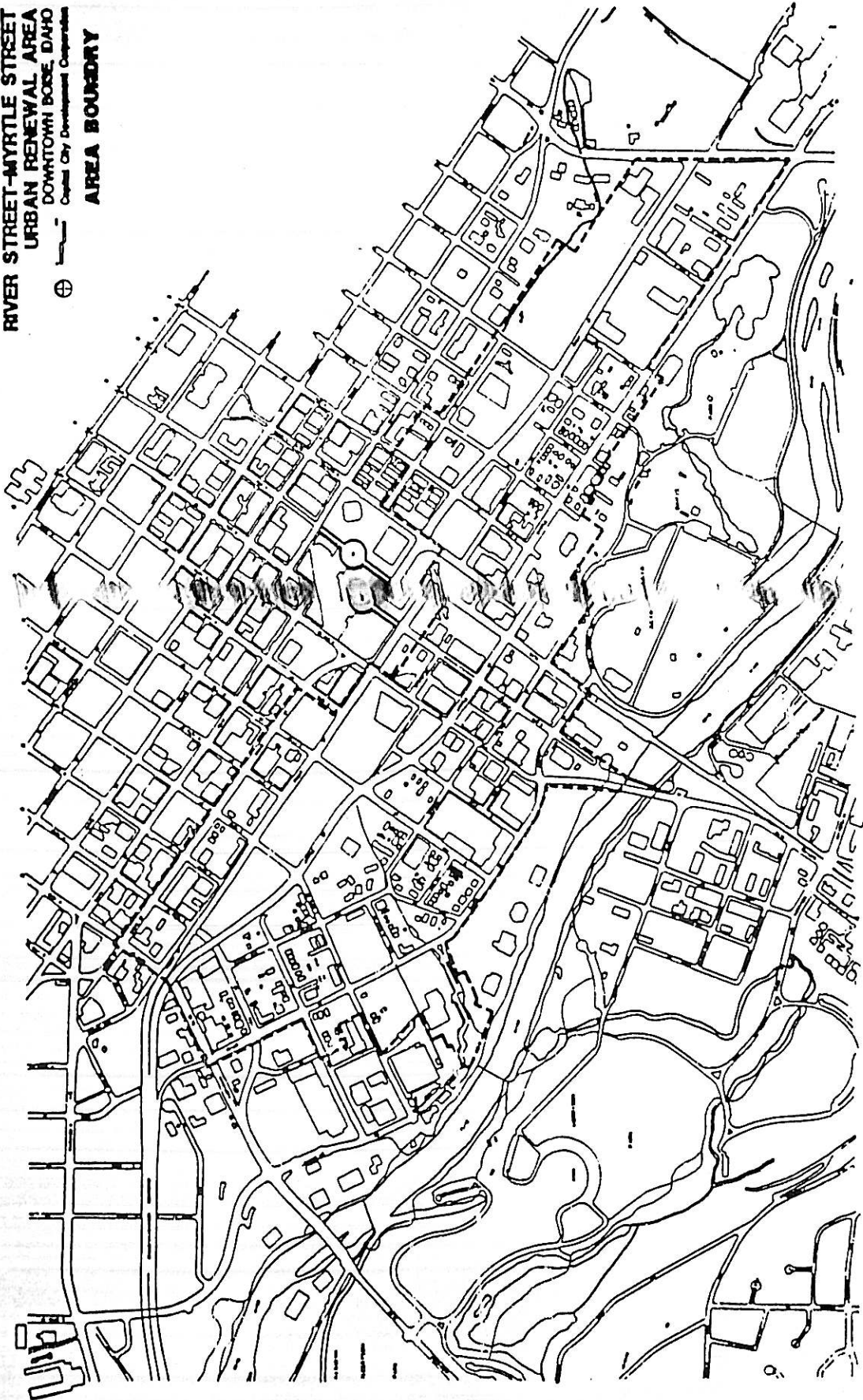
Thence southeasterly and northeasterly, along the southwesterly and southeasterly lines of said parcel of land, to the southwesterly line of the Central Subdivision;

Thence southeasterly and northeasterly along the southwesterly and southeasterly lines of said Central Subdivision, to the southwesterly line of Myrtle Street;

Thence southeasterly, along said southwesterly line, to the POINT OF BEGINNING.

ATTACHMENT 2

RIVER STREET-MYRTLE STREET
URBAN RENEWAL AREA
DOWNTOWN BOISE, IDAHO
Capital City Development Corporation
AREA BOUNDARY



ATTACHMENT 3

PROPERTIES TO BE ACQUIRED

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, particularly with respect to Item 4.

1. Pioneer Walkway Realignment - Property adjacent to the existing Pioneer Walkway (beginning at the Boise River and running northeasterly to the corner of 11th and Myrtle Streets); property surrounding the intersection of Grand, Miller and Ash Streets; and property adjacent to Ash Street for a possible realignment of Ash Street.
2. Pioneer Walkway Extension - Property to provide the connection from the intersection of 11th and Myrtle Streets to 8th Street.
3. Julia Davis Park Expansion - Property between the existing Julia Davis Park boundary and Myrtle Street east of 5th Street.
4. Other Street or Visual Access Connections--In Cooperation With Ada County Highway District -
 - A. Extension of Avenue B north from Myrtle Street to the north boundary of the Plan area.
 - B. Extension of Avenue A north from Front Street to north boundary of the Plan area.
 - C. Extension of 1st Street from Myrtle to south boundary of the Idaho Power Co. substation.
 - D. Extension of 2nd Street from Front Street north to south boundary of Idaho Power Co. substation.
 - E. Extension of 4th Street from Broad Street north to Grove Street.
 - F. Extension of Broad Street from 2nd Street east toward Broadway Avenue.
 - G. Extension of 10th Street from Myrtle Street north to Front Street.
 - H. Extension of 12th Street from Myrtle Street north to Front Street.
5. Demonstration Projects - Property needed to provide adequately sized sites for high priority projects such as housing, public buildings, soup kitchen relocation (the exact location of which has not been determined).
6. Parking Garage Site - This plan anticipates four major parking facilities: three along the Broadway-Chinden Connector, with two located west of Capitol Boulevard in the CBD Expansion Area and one located east of Capitol Boulevard near the proposed new county courthouse facility and Old Boise. The location of the fourth facility is undetermined at this point.

ATTACHMENT 4

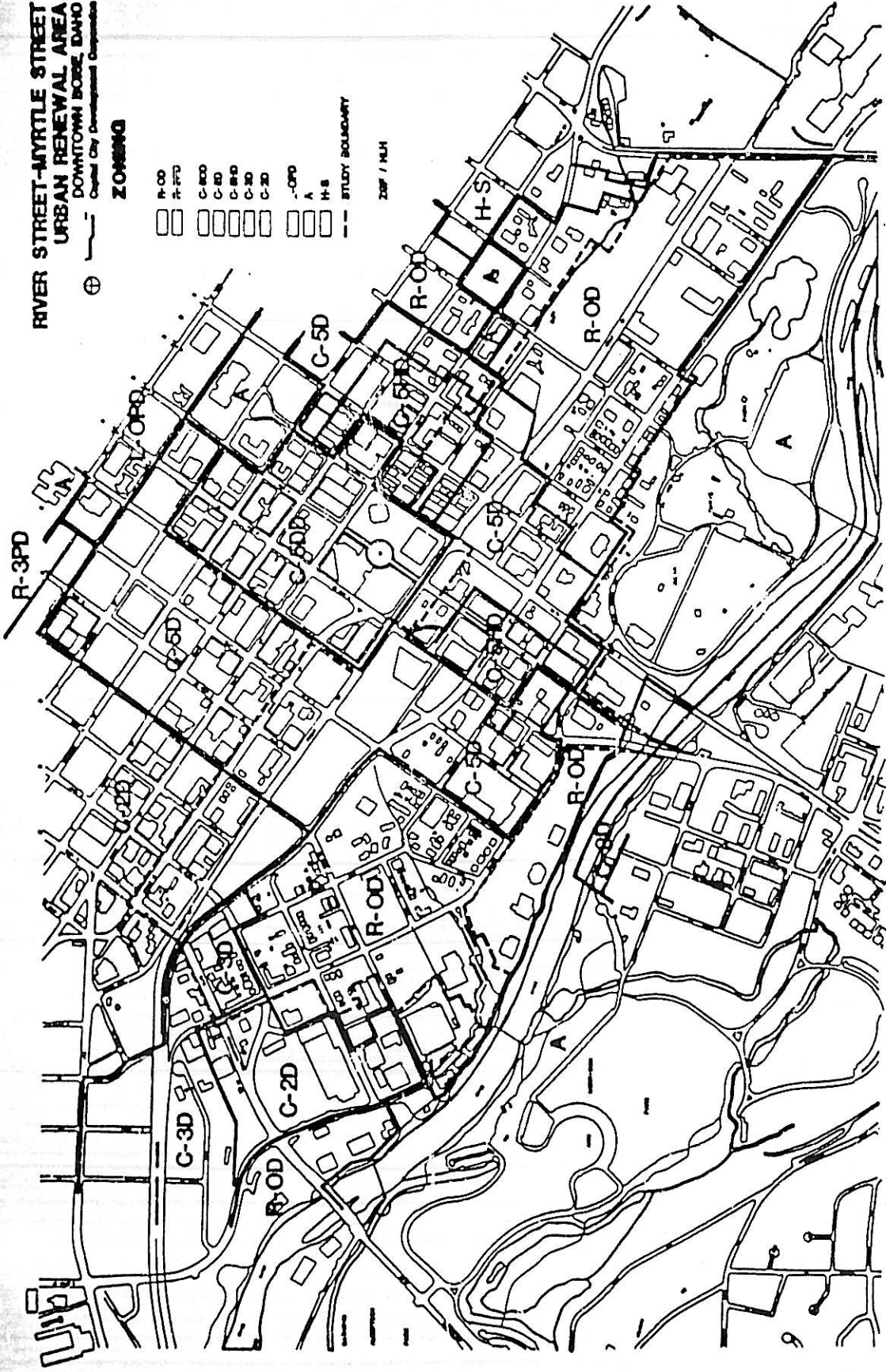
**RIVER STREET-MYRTLE STREET
URBAN RENEWAL AREA
DOWNTOWN BOKE DAHO**
Capital City Development Corporation

ZONING

- R-OD
- R-3PD
- C-2D
- C-3D
- C-4D
- C-5D
- C-OD
- A
- HS

--- STUDY BOUNDARY

250' / 1/4" = 1"



INTRODUCTION TO ATTACHMENT 5

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. This Plan proposes certain public improvements, including utility improvements, streetscapes, off-street structured parking facilities, street improvements, property acquisition, and relocation costs, which will facilitate development in the Revenue Allocation Area.

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, impact fees, parking revenues, and federal grants are shown. This attachment identifies the kind, number, and location of all proposed public works or improvements, a detailed list of estimated project costs, and 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 and note issues. The bond term 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 timing 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 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 No. 5A, Net Value of Private Development, lists actual and estimated increases in tax assessments resulting from new development and reappraisals in the Revenue Allocation Area in 1994. The figure represents the net value of the proposed development, while the 1995 figure and beyond is an estimate of additional development.

Attachment No. 5B, Annual Tax Revenue Allocations, illustrates how the projects' new development would generate net revenue to the Agency.

Attachment No. 5C, Impact of Revenue Allocation Financing on Ada County Property Taxing Entities, 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 No. 5A and 5B, which show how the revenue estimates were generated.

Under the Local Economic Development Act, the base assessed valuation for all revenue allocation areas cannot exceed ten percent (10%) of the assessed valuation for the entire city. The base assessment roll for the Revenue Allocation Area under this Plan is \$60,252,642; the total assessed value for the City is \$5,169,025,000.

The application of revenue to area-wide improvements over an extensive term is not a precise exercise. A number of assumptions and allowances have been made in the preparation of quantities and costs and the exact location and timing of the improvements.

Assumptions

1. Unit costs have been determined based upon current construction prices and applied to area-wide quantities. An escalation allowance of three percent (3%) per year was assumed over the term of Plan implementation. Where specific information is unknown or unavailable, costs and quantities have been assumed. Notes have been included to identify the source and verification for each cost.
2. Assumptions have also been made concerning the availability of public resources specifically grants and revenue allocation revenues. Incremental tax revenue will depend upon the scope and timing of private development, while grant revenue availability is even more difficult to predict. Periodic adjustments will have to be made during Plan implementation to allow for these variables. Once again, source notes have been included.
3. Streetscape projects are assumed to be a shared cost between the developer/owner participant and the Agency. The several design prototypes, intended to create the pedestrian environment envisioned in the River Street-Myrtle Street Urban Design Plan, exceed the required standards in both quality and cost of the Ada County Highway District (ACHD). The cost sharing formula attempts to limit public participation to those costs attributed to improvements generally above the ACHD standard prototype.
4. In order to ensure that the housing component of the Plan are is fully realized, and acknowledging that housing as a land use type will be a difficult objective to achieve given land costs and the physical deterioration in the area, the Plan assumes that some level of financial incentive will be necessary in the early years of implementation. For this purpose, \$4,200 has been assigned as a public incentive per housing unit. This amount has been calculated based upon a proforma developed from a housing project prototype and distributed in the form of

development fees and/or developer streetscape costs. It is further assumed that this incentive will be necessary during the initial years of Plan implementation and specific application will be negotiated on a project by project basis subject to an appraisal and owner participation agreement or disposition and development agreement.

5. The Plan further assumes construction of parking structures as Revenue Allocation revenue streams allow. Developers will be required to make capital contribution for the creation of these structures based upon the cost of creating an improved, off-street surface space, or \$2,500. The total amount of the developer's capital contribution was limited to 60% of the total number of structured parking spaces, although the actual number of spaces will be negotiated on a project by project basis.

The remainder of this Attachment includes a narrative description of various funding sources that may be used to implement the Plan; a chart of the anticipated improvement projects by component cost, funding source, and year of implementation; charts projecting tax increment generation and the impact on other taxing districts; and finally, an economic proforma over 20 years of program implementation.

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 flows 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 is 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 (LID) - 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 an 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.

Business Improvement Districts (BID) - BIDs are created under the same format as LIDs. In addition to capital improvements, BIDs can fund business promotion activities on a cash basis through assessment to district members.

Historic Tax Credits - Investment tax credits of up to twenty percent (20%) of qualifying development costs may be taken by private developers in the renovation of historic properties. Application must be made to the United States National Park Service which determines compliance with the United States Secretary of the Interior Standards for Rehabilitation.

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 40% of the project costs. Private businesses use the program as a means of reducing interest rates and limiting equity participation for land, building costs, equipment, and lease-hold 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.

Certificate of Participation - COPs have emerged as a means of financing public facilities and buildings without the issuance of debt. A third party constructs the project and leases it to the public entity. The lease is considered an annual operating cost as opposed to debt service, thereby avoiding debt issuing limits and requirements.

HOME Program - These funds can be used to develop various types of housing programs; rehabilitation, new construction, rent subsidy, and special housing needs programs. Recent appropriations for Boise City have been from \$350,000 to \$400,000 annually (1994).

Housing Rehabilitation - The City also administers a revolving Housing Rehabilitation fund that generates approximately \$600,000 per year for program activities (1994). Applicants must meet income qualification criteria as owner-occupants, while rental unit eligibility is based upon a rent ceiling.

Community Reinvestment - Local lenders are making funds available at below market interest rates in order to meet their Community Reinvestment Act obligations. Boise City is currently working in partnership with West One Bank to develop affordable housing.

Community Development Block Grant (CDBG) - As of 1994, the City receives an annual entitlement of approximately \$900,000 of CDBG funds administered through the U.S. Department of Housing and Urban Development. In addition to meeting one of three primary objectives (removal of slums and blight, assistance to low and moderate income residents, and meeting an urgent need), CDBG use is constrained to a list of eligible activities. Although some social programming is allowed, CDBG is essentially intended as a "bricks and mortar" funding source. The City currently applies the grant in roughly equal portions to capital improvements, housing, and social programs.

Surface Transportation Program - Authorized under the Intermodal Surface Transportation Efficiency Act of 1991, this funding source could provide several million dollars for Ada County. Eligible projects are intended to enhance air quality and ease traffic congestion, e.g. transit, ridesharing, traffic operations, and pathway development.

Grove Street Garage Net Revenue - The Agency has currently pledged revenue allocation funds and net parking revenue to debt service for its Series 1990 Bonds and other bonds authorized under the Amended and Restated Urban Renewal Plan, September 1, 1987, as further Amended and Restated, December 1994. After debt service and an annual payment to the Parking System's Repair and Replacement Fund, the Agency is required to rebate any remaining net parking revenue to Boise City not to exceed the annual net revenue receipts from the Grove Street Parking Garage. The revenue is available for any lawful purpose of Agency or the City. Rebate amounts have ranged from \$140,000 to \$193,000.

Excess Parking Revenue - Once the Grove Street Parking Garage rebate has been calculated, as described above, any remaining excess Parking System revenue may be applied to any other lawful purpose of the Agency.

Developer Contributions - Office developers within the 1987 Redevelopment Area are required to pay a one-time contribution for the capital expense of creating the Downtown Public Parking System. The contribution is calculated by multiplying the required number of spaces for an office project (1½ spaces per 1,000 square feet of net leasable floor space) by the construction cost of one parking garage stall. Developers have the option of paying up front, or deferring payment for several years with a carrying fee. The revenue can be applied to any legal purpose of the Agency.

Ground Lease Revenue - In recent years, redevelopment agencies have made increasing use of long-term ground leases as a means of conveying property for development purposes. Although specifics vary, the agency will typically maintain the fee ownership of the ground and enter into a ground lease of 40-plus years. The lease amount usually includes a base rate with percentage increases subject to performance. This concept allows the public to be an investor in the project and actually accrue some up-side return to apply toward future redevelopment activity. At present, the Agency has entered into four long-term ground leases. Annual return is modest as of 1994 and the performance nature of the leases makes future predictions difficult.

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.

**ATTACHMENT 5
STATEMENT OF PROPOSED PUBLIC IMPROVEMENTS, COSTS, REVENUES,
TAX IMPACTS AND FINANCING METHODS (AND) IMPLEMENTATION PLAN**

PROJECT	LINEAL FEET	\$/LF	TOTAL	PUBLIC COST	FUNDING SOURCE	PLAN YEAR
C. STREETSCAPES (CONTINUED)						
2. Special Urban Parkway/Capitol Boulevard Lane 381	1,600 LF	\$543	\$868,800	\$434,400	TIF DEV CONT DEV ADV	
◆ Capitol Boulevard - from the Boise River to Front Street						
3. Urban Street/Princial Arterial Lane 391	4,610 LF	\$417	\$1,922,370	\$961,185	TIF DEV CONT DEV ADV	
◆ Front Street - from 18th Street to Capitol Boulevard	2,400		\$1,000,000			
◆ Myrtle Street - from 8th Street to Capitol Boulevard	N/A ¹					
◆ 16th Street - from Grove Street to Front Street	235		\$110,505			
◆ 15th Street - from Grove Street to River Street	1,060		\$450,360			
◆ American Boulevard - from Front Street to River Street	600		\$250,200			
◆ 9th Street - from Front Street to Broad Street	265		\$110,505			
4. Urban Street/Minor Arterial Lane 401	1,700 LF	\$491	\$834,700	\$417,350	TIF DEV CONT DEV ADV	
◆ 5th, 6th Streets - from Main Street to Myrtle Street						
5. Urban Street/Collector Lane 411	2,665 LF	\$407	\$1,043,955	\$521,978	TIF DEV CONT DEV ADV	
◆ 13th, 11th Streets - from Grove Street to Myrtle Street	1,170		\$476,190			
◆ 14th, 12th, 10th Streets - from Grove Street to Front Street	795		\$323,565			
◆ Battery Street - from 9th Street to Capitol Boulevard	600		\$244,200			
6. Urban Street/Local Street Lane 421²	5,265 LF	\$487	\$2,564,055	\$1,282,028	TIF DEV CONT DEV ADV	
◆ Grove Street - from 16th Street to 9th Street and from Capitol Boulevard to 3rd Street	3,000		\$1,461,000			
◆ Broad Street - from 9th Street to 8th Street and from Capitol Boulevard to 5th Street	900		\$438,300			
◆ Fulton Street - from 9th Street to Capitol Boulevard	600		\$292,200			
◆ 8th Street - from Front Street to the Boise River	N/A ¹					
◆ 10th Street - from River Street to Myrtle Street	765		\$372,555			

¹ Estimated based on existing conditions.
² Estimated based on existing conditions.

**ATTACHMENT 6
STATEMENT OF PROPOSED PUBLIC IMPROVEMENTS, COSTS, REVENUES,
TAX IMPACTS AND FINANCING METHODS (AND) IMPLEMENTATION PLAN**

PROJECT	PROJECT COST	PUBLIC COST	FUNDING SOURCE	PLAN YEAR
C. STREETS CAPES (CONTINUED)				
Z. Neighborhood Street/Collector Lane 431				
◆ Shoreline Drive - from Americana Boulevard to 13th Street	Linear/FL(UL) 4,775.11	\$393	Total \$1,876,575	
◆ River Street - from Americana Boulevard to 9th Street	N/A ¹			
◆ 13th Street - from mid-block between Shoreline Drive and River Street to Myrtle Street	2,680		\$1,053,290	TIF DEV CONT DEV ADV
◆ 11th Street - from River Street to Myrtle Street	1,160		\$455,880	
	935		\$367,455	
Re-Alignment of Street/Local Street/Lane 441				
◆ 14th Street - from Myrtle Street to mid-block between Shoreline Drive and River Street	6,795.11	\$393	\$2,670,435	TIF DEV CONT DEV ADV
◆ 12th Street - from Grand Avenue to River Street	880		\$345,840	
◆ Lee Street - from 11th Street to realigned Ash Street and from 9th Street to 10th Street	430		\$168,990	
◆ Grand Avenue - from 15th Street to 12th Street	670		\$263,310	
◆ Miller Street - from 9th Street to mid-block between 11th Street to 12th Street	900		\$353,700	
◆ Broad Street - from 5th Street to 2nd Street	950		\$373,350	
◆ 4th Street - from Front Street to Myrtle Street	900		\$353,700	
◆ 3rd Street - from Myrtle Street to Grove Street	400		\$157,200	
◆ 2nd Street - from Myrtle Street to Front Street	835		\$328,155	
◆ Avenue A - from Myrtle Street to Front Street	405		\$159,165	
	425		\$167,025	
Bb. Neighborhood Street/Local Street/Lane 441 - Total New Street				
◆ Miller Street - from 12th Street to mid-block between 12th Street and 11th Street	1,640 s/f	\$703	\$1,152,920	TIF DEV CONT DEV ADV
◆ Ash Street - realigned from Lee Street to River Street	220		\$154,660	
◆ Broad Street - from 2nd Street to 200 feet east of Avenue B	320		\$224,960	
	1,100		\$773,300	

**ATTACHMENT 5
STATEMENT OF PROPOSED PUBLIC IMPROVEMENTS, COSTS, REVENUES,
TAX IMPACTS AND FINANCING METHODS (AND) IMPLEMENTATION PLAN**

PROJECT	PROJECT COST	PUBLIC COST	FUNDING SOURCE	PLAN YEAR
C. STREETSCAPES (CONTINUED)?				
9. Unclassified Circulation and Visual Access Corridor (page 45)				
◆ Corridor aligned with 12th Street - from Front Street to Myrtle Street	Linear (L.U.) 3,551 ft \$522	Total \$1,855,710	TIF DEV CONT DEV ADV	
◆ Corridor aligned with 10th Street - from Front Street to Myrtle Street	300	\$156,600		
◆ A mid-block Corridor between River Street and Shoreline Drive - from 12th Street to 14th Street	465	\$242,730		
◆ Corridors aligned with 2nd Street and Avenue A - From Front Street to the Idaho Power Substation	N/A?			
◆ Corridor aligned with Avenue B - from Front Street to Myrtle Street	480	\$250,560		
◆ Corridor parallel with Front Street and connecting the Idaho Power Substation - from 2nd Street to Avenue A	430	\$224,460		
◆ Corridor aligned with 1st Street - from Myrtle Street to the Idaho Power Substation	830	\$433,260		
◆ Corridor aligned with 4th Street - from Front Street to Grove Street	650	\$339,300		
	400	\$208,800		
D. UTILITIES				
Undergrounding of distribution lines currently on the south side of Myrtle Street to the north side.		\$3,000,000/block = \$1,200,000	TIF UC	
E. AFFORDABLE HOUSING				
Payment of impact fees and permits	Total Units 240	\$4,000	Total \$960,000	TIF CDBG 30 units per year for 8 years

**ATTACHMENT 6
STATEMENT OF PROPOSED PUBLIC IMPROVEMENTS, COSTS, REVENUES,
TAX IMPACTS AND FINANCING METHODS (AND) IMPLEMENTATION PLAN**

PROJECT

E. PROPERTY ACQUISITION

Property acquisition would be limited to property right-of-ways and easements needed to complete the projects listed above, with possible acquisition of a limited number fee simple, to complete sites needed for housing and demonstration projects. The CCDC does not anticipate the need to acquire any substantial amount of property at this time, but reserves the right to do so, and has estimated costs pertinent for such acquisitions.

- ◆ Pioneer Walkway - from Bolas River to Myrtle Street/13th Street
- ◆ Julia Davis Park Expansion
- ◆ Other street or visual access connections
- ◆ Demonstration projects
- ◆ Parking Garage Sites

G. RELOCATION COSTS

PROJECT COST	Square Ft. (S.F.)	\$/S.F. AVG	Total	PUBLIC COST	FUNDING SOURCE	PLAN YEAR
	Est. # of Relocations	\$/S.F.	Total			
	25	\$10,000	\$250,000	\$250,000	TIF COBG DEV ADV	
	92,000	\$ 9.00	\$ 828,000	\$ 828,000	TIF DEV ADV DEV CONT STP-E	
	56,000	\$11.00	\$ 616,000	\$ 616,000		
	48,000	\$ 8.00	\$ 384,000	\$ 384,000		
	20,000	\$ 6.00	\$ 120,000	\$ 120,000		
	45,750	\$ 7.00	\$ 320,250	\$ 320,250		
	180,000	\$ 7.00	\$1,260,000	\$1,260,000		
			\$3,528,250	\$3,528,250		

SUBTOTAL (BEFORE ADMINISTRATIVE COSTS)

H. ADMINISTRATIVE COSTS

TOTAL

\$251,000/year X 15 years

\$31,964,367

\$3,774,195

\$35,738,562

TIF
COBG
DEV ADV

ATTACHMENT 6
STATEMENT OF PROPOSED PUBLIC IMPROVEMENTS, COSTS, REVENUES,
TAX IMPACTS AND FINANCING METHODS (AND) IMPLEMENTATION PLAN

NOTES

- 1 The exact timing of these projects will be driven by private development on adjacent parcels. The dates shown in the plan year column are estimated.
- 2 Segments of streets that are shown in the Urban Design Plan Appendix ~~outside~~ of the proposed urban renewal boundaries are ~~not~~ counted in the above totals.
- 3 Includes streets outside of the proposed urban renewal boundaries or streets that are already improved.

FUNDING SOURCE LEGEND

- | | | |
|--|---|-----------------------------|
| BAN Bond Anticipation Note | DEV CONT Developer Contribution | TAN Tax Anticipation Note |
| COBG Community Development Block Grant | IAP FEES Impact fees | TIF Tax increment financing |
| DEV ADV Developer Advances | PARK REV Parking Revenue | UC Utilities cost sharing |
| | STP-E Surface Transportation Program Enhancement Fund | |

ATTACHMENT 5A

COUNTY OF ADA
OFFICE OF THE ASSESSOR

W. H. "BILL" SCHROEDER
ASSESSOR
(208) 364-2400

ADMINISTRATION BUILDING
650 MAIN
BOISE, ID 83702

October 18, 1994

Ms. Clark
Planning Coordinator
Boise City Development Corporation
Office 987
Boise, ID 83701-0987

Myrtle Street-Myrtle Street Urban Renewal Area
Base Value


In response to your letter of October 18, 1994, and subsequent telephone
conversations, we have calculated the base value for the proposed
Myrtle Street-Myrtle Street Urban Renewal/Revenue Allocation Area to
be the following:

Real Property Value	\$53,809,548
Personal Property	<u>6,443,094</u>
TOTAL BASE VALUE	<u>\$60,252,642</u>

In addition, we would like to confirm the following base value
for the current Boise Central District Revenue Allocation Area:

Real Property Value	\$22,338,300
Personal Property	<u>9,230,235</u>
TOTAL BASE VALUE	<u>\$31,568,535</u>

The 1994 assessed valuation of personal and real property
within the Boise City limits is \$5,169,025,000.


W. H. Schroeder,
Assessor

RECEIVED NOV 01 1994

ESTIMATED ANNUAL REVENUE ALLOCATION, ECONOMIC PROFORMA, AND SCHOOL CREDIT CALCULATION

Source of Funds	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	
BE OBTAINED BALANCE																						
BONDERS OF FUNDS																						
Revenue Allocation	144,000	270,000	443,000	600,700	1,070,114	1,370,247	1,604,604	1,804,470	2,114,044	2,430,402	2,797,870	3,214,770	3,694,832	4,250,433	4,894,820	5,627,000	6,454,000	7,380,000	8,410,000	9,550,000	10,800,000	
Less: Amount from Parking Operations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Other (Riverside City and COBOL)	144,000	270,000	443,000	600,700	1,070,114	1,370,247	1,604,604	1,804,470	2,114,044	2,430,402	2,797,870	3,214,770	3,694,832	4,250,433	4,894,820	5,627,000	6,454,000	7,380,000	8,410,000	9,550,000		
Other Revenue	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Bond Proceeds Available for Construction	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Total Payment of Bonds (Capital)	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Less: Funds Available	270,000	3,370,000	4,970,000	6,600,000	8,370,211	10,200,000	12,170,000	14,280,000	16,540,000	18,950,000	21,510,000	24,220,000	27,080,000	30,090,000	33,250,000	36,570,000	40,050,000	43,690,000	47,500,000	51,480,000		
USERS OF FUNDS																						
Pay and Open Space Withdrawals	0	140,246	420,000	323,473	0	160,000	0	160,000	0	100,000	0	160,000	0	100,000	0	160,000	0	100,000	0	160,000		
Of Which: Withdrawal Paying	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
Utilities	0	300,000	0	418,000	0	540,700	0	640,700	0	800,000	0	970,000	0	1,170,000	0	1,400,000	0	1,670,000	0	2,000,000		
Property Acquisition	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
Acquisition Costs	0	144,000	310,000	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
Development Incentives	0	200,000	70,000	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
Administration & Professional Costs	0	0	10,000	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
Debt Service Payments	0	4,000	0	7,818	0	10,000	0	10,000	0	10,000	0	10,000	0	10,000	0	10,000	0	10,000	0	10,000		
Total Users of Funds	0	270,000	430,000	331,473	0	160,000	0	160,000	0	100,000	0	160,000	0	100,000	0	160,000	0	100,000	0	160,000		
NET FUND PRODUCE																						
	270,000	3,370,000	4,970,000	6,600,000	8,370,211	10,200,000	12,170,000	14,280,000	16,540,000	18,950,000	21,510,000	24,220,000	27,080,000	30,090,000	33,250,000	36,570,000	40,050,000	43,690,000	47,500,000	51,480,000		

ADA COUNTY TAXING ENTITIES
 IMPACT OF REVENUE ALLOCATION FORMULA
 CURRENT DISTRIBUTION PERCENTAGES
 AS OF SEPTEMBER 30, 1993

YEAR	PROJECT REVENUE	ADA COUNTY	EMS COUNTY	ACHD COUNTY	BOISE SCHOOL	BOISE CITY
	100.00%	17.83%	0.47%	6.76%	44.78%	30.16%
1995	148,692	26,512	699	10,052	66,584	44,845
1996	228,089	40,668	1,072	15,419	102,138	68,792
1997	453,063	80,781	2,129	30,627	202,882	136,644
1998	800,789	142,781	3,764	54,133	358,593	241,518
1999	1,079,174	192,417	5,072	72,952	483,254	325,479
2000	1,239,387	220,983	5,825	83,783	554,998	373,799
2001	1,684,655	296,808	7,824	112,531	745,432	502,060
2002	1,834,625	327,114	8,623	124,021	821,545	553,323
2003	2,216,594	395,219	10,418	149,842	992,591	668,525
2004	2,539,462	452,786	11,935	171,668	1,137,171	765,902
2005	2,797,870	498,860	13,150	189,136	1,252,886	843,838
2006	3,210,770	573,650	15,119	217,454	1,440,470	970,178
2007	3,595,582	636,372	16,854	242,709	1,605,780	1,081,517
2008	4,010,582	718,512	18,789	268,155	1,777,624	1,129,905
2009	4,283,433	763,736	20,132	289,560	1,918,121	1,291,663
2010	4,686,826	835,661	22,028	316,829	2,098,761	1,413,547
2011	4,686,826	835,661	22,028	316,829	2,098,761	1,413,547
2012	4,957,686	883,955	23,301	335,140	2,220,052	1,495,238
2013	5,398,485	962,550	25,373	364,938	2,417,441	1,628,183
2014	5,685,840	1,013,785	26,723	384,363	2,546,119	1,714,849
	55,250,566	9,851,176	259,678	3,734,938	24,741,204	16,663,571

NOTE: Tax rate used to determine project revenue is reduced by .004 school district allowance

CITY OF BOISE

SUMMARY OF ORDINANCE NO. 5596

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BOISE CITY, IDAHO, APPROVING THE RIVER STREET-MYRTLE STREET URBAN RENEWAL PLAN WHICH PLAN INCLUDES REVENUE ALLOCATION FINANCING PROVISIONS; AUTHORIZING THE CITY CLERK TO TRANSMIT A COPY OF THIS ORDINANCE AND OTHER REQUIRED INFORMATION TO COUNTY AND STATE OFFICIALS; APPROVING THE SUMMARY OF THE ORDINANCE; PROVIDING FOR A WAIVER OF THE READING RULES; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF BOISE:

SECTION 1: It is hereby found and determined that:

(a) Project Area as defined in the River Street-Myrtle Street Urban Renewal Plan (as amended by the Agency to include an area beyond the area first declared by the City Council), is a deteriorated or deteriorating area as defined in the Law and the Act and qualifies as an eligible urban renewal area under the Law and Act.

(b) The rehabilitation, conservation, and redevelopment of the urban renewal area pursuant to the River Street-Myrtle Street Urban Renewal Plan is necessary in the interests of the public health, safety and welfare of the residents of the City of Boise.

(c) There continues to be a need for the Agency to function in the City of Boise.

(d) The River Street-Myrtle Street Urban Renewal Plan conforms to the Metro Plan of the City of Boise.

(e) The River Street-Myrtle Street Urban Renewal 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 River Street-Myrtle Street Urban Renewal Plan, the need for public improvement, and the existence of Julia Davis Park), 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 River Street-Myrtle Street Urban Renewal Plan.

(f) The River Street-Myrtle Street Urban Renewal Plan affords maximum opportunity consistent with the sound needs of the City as a whole for the rehabilitation and redevelopment of the urban renewal area by private enterprises.

(g) The River Street-Myrtle Street Urban Renewal Plan provides a feasible method for relocation of any displaced families residing within the urban renewal area.

SECTION 2: The Project Area and Revenue Allocation Area do not consist of predominately open land, the Agency does not intend to acquire any open land on any widespread basis, and the Project Area is planned to be redeveloped in a manner that will include both residential and non-residential uses. The City Council does find 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.

SECTION 3: 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 Metro Plan to overcome economic disuse, the need for improved traffic patterns and the need for the correlation of this area with other areas of the city.

SECTION 4: The River Street-Myrtle Street Urban Renewal Plan is approved.

SECTION 5: The River Street-Myrtle Street Urban Renewal Plan is not intended or shall usurp jurisdiction of the Ada County Highway District.

SECTION 6: No direct or collateral action attacking the Plan shall be brought prior to the effective date of the Ordinance, or after the elapse of thirty (30) days from and after the effective date of the Ordinance adopting the Plan.

SECTION 7: The City Clerk is authorized and directed to transmit to the County Auditor and Tax Assessor of Ada County and to the appropriate officials of the Boise School District, Ada County, Ada County Highway District, Ada County FMS, and City, and to the State Tax Commission, a copy of this ordinance, a copy of the legal description of the boundaries of the revenue allocation area and a map or plat indicating the boundaries of the revenue allocation area.

SECTION 8: The equalized assessed valuation of the revenue allocation area as defined in the River Street-Myrtle Street Urban Renewal Plan has increased since 1987 and is likely to increase as a result of the initiation and completion of the urban renewal projects pursuant to the River Street-Myrtle Street Urban Renewal Plan.

SECTION 9: Any City council members who are members of the Agency's Board of Commissioners are not acting in any exofficio capacity, but rather as private citizens and City Council recognizes that it has no power to control the powers or operations of the Agency.

SECTION 10: So long as any Agency bonds are outstanding, the City Council shall not exercise its power under Idaho Code Section 50-2006 to designate itself as the Agency Board.

SECTION 11: That pursuant to the affirmative vote of one-half (1/2) plus one (1) of the Members of the full Council, the rule requiring two (2) separate readings by title and one (1) reading in full be, and the same hereby is, dispensed with, and accordingly, this Ordinance shall be in full force and effect immediately upon its passage, approval and publication, and shall be retroactive to January 1, 1994, to the extent permitted by the Act regarding the base assessment roll.

SECTION 12: Severability.

SECTION 13: Approval of Summary.

PASSED by the City Council of Boise on the 6th day of December, 1994.

APPROVED by the Mayor on the 6th day of December, 1994.

EXHIBITS TO THE ORDINANCE

EXHIBIT 1: A Consultant's Report concerning the eligibility of an additional area for urban renewal activities.

EXHIBIT 2: Resolution of the Boise Planning and Zoning Commission dated November 7, 1994, finding the River Street-Myrtle Street Urban Renewal Plan to be in conformance with the Comprehensive Plan.

EXHIBIT 3: General Proof of Publication of the Notice providing notice of the public hearing of the Plan before the City Council.

EXHIBIT 4: Change packet of revisions to the River Street-Myrtle Street Urban Renewal Plan since consideration by the Agency Board.

EXHIBIT 5: The River Street-Myrtle Street Urban Renewal Plan.

Summary of the Plan:

The Plan was prepared by the Boise Urban Renewal Agency ("Agency") pursuant to the State of Idaho Urban Renewal Law, the local Economic Development Act, the Idaho Constitution and all applicable laws and ordinances and approved by the Agency. The Plan provides for the Boise, Idaho Agency to undertake urban renewal projects pursuant to the Idaho Urban Renewal Law of 1965 as amended. The Plan contains a revenue allocation financing provision pursuant to the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, that will cause property taxes resulted from any increases in equalized assessed valuation in excess of the equalized assessed valuation as shown on the original base assessment roll as of January 1, 1994, to be allocated to the Agency for the urban renewal purposes.

The general scope and objectives of the Plan are:

1. The elimination of environmental deficiencies in the Project Area, including, among others, obsolete and aged building types, and inadequate public facilities.
2. The assembly of land into parcels suitable for modern, integrated development with improved setback, parking, pedestrian and vehicular circulation in the Project Area.
3. The replanning, redesign, and development of underdeveloped areas which are stagnant or 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 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.
6. 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.

Any such land uses as described in the River Street-Myrtle Street Urban Renewal Plan will be in conformance with the Metro Plan, City of Boise. Land made available will be developed by private enterprises or public agencies as authorized by law. The River Street-Myrtle Street Urban Renewal Plan identifies various public and private improvements which may be made within the Urban Renewal Area.

The Project Area herein referred to is located as follows:

RIVER STREET - MYRTLE STREET
LEGAL DESCRIPTION OF URBAN RENEWAL PROJECT AREA AND
REVENUE ALLOCATION AREA
BOISE, IDAHO

An area consisting of approximately 242 acres enclosed within the following boundaries:

A portion of the Boise City Original Townsite, the southeast one-quarter of Section 4, the southwest one-quarter of Section 3, the northeast one-quarter of Section 9 and Section 10, Township 3 North, Range 2 East, Boise Meridian, Ada County, Idaho, being more particularly described as follows:

BEGINNING at the intersection of the southwesterly right-of-way line of Myrtle Street and the west right-of-way line of Broadway Avenue;

Thence northerly, along said west right-of-way line of Broadway Avenue, to the northeasterly corner of that parcel of land described in Instrument No. 9059212;

Thence northwesterly, along the northeasterly line of said parcel of land, 797.6 feet more or less, to the southeasterly corner of the Idaho Power Company parcel;

Thence northeasterly and northwesterly, along the southeasterly and northeasterly line of said parcel of land, to the southeasterly line of South 3rd Street;

Thence northwesterly to the southeasterly corner of Block 31 of said Boise City Original Townsite;

Thence northwesterly, along the northeasterly line of Grove Street, to the southwesterly corner of Block 32 of said Boise City Original Townsite;

Thence northeasterly, along the southeasterly line of South 5th Street, 130' to the southeasterly extension of the centerline of the alley of Block 6 of said Boise Original Townsite;

Thence northwesterly, along said alley centerline, to the northwesterly line of South 6th Street;

Thence southwesterly, along said northwesterly line, to the northeasterly line of Grove Street;

Thence northwesterly, along said northeasterly line, to the southeasterly line of North Capitol Boulevard;

Thence southwesterly, along said southeasterly line, to the southwesterly corner of Lot 12 of Block 12 of the Davis Addition to Boise City;

Thence northwesterly, along the southwesterly side of Lots 1 and 12 of Block 7 and the southwesterly side of Lot 1 and 12 of Block 1 of said Davis Addition and the extension thereof, to the northwesterly line of South 9th Street;

Thence northeasterly along said northwesterly line, to the northeasterly line of Front Street to a point on the southeast corner of Block 20, Boise City Original Townsite;

Thence northwesterly, along said northeasterly line, to the northwesterly line of South 10th Street;

Thence northeasterly, along said northwesterly line, to the northeasterly line of Grove Street;

Thence northwesterly, along said northeasterly line, to the northwesterly line of South 16th Street;

Thence southwesterly, along said northwesterly line of South 16th Street and the extension thereof, to the northeasterly extension of the northwesterly line of Americana Boulevard;

Thence southwesterly, along said northwesterly line of Americana Boulevard and said extension, to the northwesterly extension of the southwesterly line of River Street;

Thence southeasterly, along said southwesterly line of River Street and the extension thereof, to the northwesterly line of South 14th Street;

Thence southwesterly, along said northwesterly line, to the northwesterly of the southwesterly line of that parcel of land described in Instrument No. 8949797;

Thence southeasterly, along said northwesterly extension and said southwesterly line, to the southwesterly corner of said parcel of land;

Thence northeasterly to the southerly corner of the Peckstein Addition to Boise City;

Thence northeasterly, southeasterly and northeasterly, along the southeasterly, southwesterly, and southeasterly lines of said Peckstein Addition, to the southerly corner of Lot 24 of Block 3 of the Riverside Addition to Boise City;

Thence southeasterly, to the westerly corner of Lot 1 of said Block 3 of said Riverside Addition;

Thence northeasterly, along the northwesterly line of Lots 1-6 of said Block 3, to the northerly corner of said Lot 6 of Block 3 of the Riverside Addition;

Thence southeasterly, along the northeasterly line of said Lot 6 and the extension thereof, to the southeast line of South 13th Street;

Thence southwesterly, along said southeast line, to the westerly corner of that parcel of land described in Instrument No 8860814;

Thence southeasterly, along the southwest line of said parcel of land, to the westerly corner of Lot 5 of the Kohny Tract;

Thence southeasterly, along the southwest line of said Kohny Tract, to the northeasterly extension of the northwest line of Lot 4 of Forest River No. 2;

Thence southwesterly; to the northerly corner of said Lot 4;

Thence southeasterly and southwesterly, along the northeast and southeast lines of said Lot 4, to the southerly corner of said Lot 4;

Thence southeasterly, southwesterly and southeasterly, along the southwesterly lines of said Forest River No. 2, to the westerly corner of Lot 8 of Forest River No. 3;

Thence northeasterly, southeasterly, northeasterly and northwesterly, to the northwesterly line of said Forest River No. 3;

Thence northeasterly and southeasterly, along the northwesterly and northeasterly lines of said Forest River No. 3, to the westerly line of South 9th Street;

Thence southerly, along said westerly line, to the northeasterly line of the Boise River;

Thence southeasterly, along said northeasterly line, to the southeasterly line of south 8th Street;

Thence northeasterly, along said southeasterly line, to the southwesterly line of Battery Street;

Thence southeasterly, along said southwesterly line and the extension thereof, to the southeast line of South Capitol Boulevard;

Thence northeasterly along said southeasterly line, to the southwesterly line of Fulton Street;

Thence southeasterly, along said southwesterly line, to the southeasterly line of South 5th Street;

Thence northeasterly, along said southeasterly line, to the southwesterly line of that parcel of land described in Instrument No 8855098;

Thence southeasterly, along said southwesterly line, to the southerly corner of said parcel of land;

Thence northeasterly, along the southeasterly line of said parcel of land, to the westerly corner of that parcel of land described in Instrument No. 9006162;

Thence southeasterly, along the southwesterly line of said parcel, to the westerly corner of that parcel of land described in Instruments No 8845056 & 8915641;

Thence southeasterly and northeasterly, along the southwesterly and southeasterly lines of said parcel of land, to the southwesterly line of the Central Subdivision;

Thence southeasterly and northeasterly along the southwesterly and southeasterly lines of said Central Subdivision, to the southwesterly line of Myrtle Street;

Thence southeasterly, along said southwesterly line, to the POINT OF BEGINNING.

Sections 402 through 404 discuss the type of land uses authorized in the Project Area and list other controls by referencing the applicable City Ordinances.

The River Street-Myrtle Street Urban Renewal Plan also contains a major section on financing. Among other sources, the Plan will utilize revenue allocation financing, authorized by Chapter 20, Title 50, Idaho Code. This statute was approved in 1988 by the Idaho Legislature. Section 504 and Attachment No. 5 discuss revenue allocation financing and show how such financing has worked and would work in the Project Area in the future if certain new private developments occur as estimated.

Increases in assessed valuation of real and personal property in the Project Area that occur after January 1, 1994, will generate revenue for the Agency to pay project costs. Project costs include street improvements, parking facilities and other public improvements costs. The assessed valuation of real and personal property on the base assessment roll is still available for use by the other taxing districts, City of Boise, Ada County, Boise School District, Ada County Highway District, and Ada County EMS to finance their operations. The River Street-Myrtle Street Urban Renewal Plan authorizes the Agency to sell revenue bonds to finance project costs and to use annual revenue allocations to pay the debt service.

The program outlined in the River Street-Myrtle Street Urban Renewal Plan emphasizes the installation of needed public improvements, street improvements, utility work, and other costs to encourage private development.

Attachment No. 5 describes in detail the cost and financing methods for complete repayment for the debt incurred used to finance the Project and to also fund the additional described activities.

No change in the land use designation or the potential uses in the area have been proposed. The River Street-Myrtle Street Urban Renewal Plan follows the underlying zoning classifications of the City of Boise.

ATTACHMENTS

- Attachment No. 1: Description of the Urban Renewal Area and Revenue Allocation Area
- Attachment No. 2: Project Area Boundary Map
- Attachment No. 3: Properties to Be Acquired
- Attachment No. 4: Map Depicting Land Uses Area
- Attachment No. 5: Statement of Proposed Public Improvements, Costs, Revenues Tax Impacts and Financing Methods (and) Implementation Plan;
Estimated Annual Revenue Allocation, Economic Proforma, and School Credit Calculation;
Impact of Revenue Allocation Formula

The full text of Ordinance No. 5596 is available at the offices of the City Clerk located at Boise City Hall, 150 North Capitol Boulevard, Boise, Idaho 83702.

This summary approved by the Boise City Council at its meeting of Dec. 6, 1994.

A. Brent Cobb

Mayor

ATTEST:

By *Annette Mooney*

Annette Mooney, City Clerk

I, *Amanda O'Hara*, City Attorney for the City of Boise, declares that in her capacity as City Attorney of the City of Boise, pursuant to Idaho Code Section 50-901A(3) of the Idaho Code as amended, hereby certifies that she has reviewed a copy of the above cited Summary of Ordinance and has found the same to be true and complete and provides adequate notice to the public of the contents, including the exhibits, of Ordinance No. 5596.

DATED this 6th day of December, 1994.

Amanda O'Hara

AMANDA O'HARA City Attorney
City of Boise

ATTACHMENT 1

RIVER STREET - MYRTLE STREET
LEGAL DESCRIPTION OF URBAN RENEWAL PROJECT AREA AND
REVENUE ALLOCATION AREA
BOISE, IDAHO

An area consisting of approximately 242 acres enclosed within the following boundaries:

A portion of the Boise City Original Townsite, the southeast one-quarter of Section 4, the southwest one-quarter of Section 3, the northeast one-quarter of Section 9 and Section 10, Township 3 North, Range 2 East, Boise Meridian, Ada County, Idaho, being more particularly described as follows:

BEGINNING at the intersection of the southwesterly right-of-way line of Myrtle Street and the west right-of-way line of Broadway Avenue;

Thence northerly, along said west right-of-way line of Broadway Avenue, to the northeasterly corner of that parcel of land described in Instrument No. 9059212;

Thence northwesterly, along the northeasterly line of said parcel of land, 797.6 feet more or less, to the southeasterly corner of the Idaho Power Company parcel;

Thence northeasterly and northwesterly, along the southeasterly and northeasterly line of said parcel of land, to the southeasterly line of South 3rd Street;

Thence northwesterly to the southeasterly corner of Block 31 of said Boise City Original Townsite;

Thence northwesterly, along the northeasterly line of Grove Street, to the southwesterly corner of Block 32 of said Boise City Original Townsite;

Thence northeasterly, along the southeasterly line of South 5th Street, 130' to the southeasterly extension of the centerline of the alley of Block 6 of said Boise Original Townsite;

Thence northwesterly, along said alley centerline, to the northwesterly line of South 6th Street;

Thence southwesterly, along said northwesterly line, to the northeasterly line of Grove Street;

Thence northwesterly, along said northeasterly line, to the southeasterly line of North Capitol Boulevard;

Thence southwesterly, along said southeasterly line, to the southwesterly corner of Lot 12 of Block 12 of the Davis Addition to Boise City;

Thence northwesterly, along the southwesterly side of Lots 1 and 12 of Block 7 and the southwesterly side of Lot 1 and 12 of Block 1 of said Davis Addition and the extension thereof, to the northwesterly line of South 9th Street;

Thence northeasterly along said northwesterly line, to the northeasterly line of Front Street to a point on the southeast corner of Block 20, Boise City Original Townsite;

Thence northwesterly, along said northeasterly line, to the northwesterly line of South 10th Street;

Thence northeasterly, along said northwesterly line, to the northeasterly line of Grove Street;

Thence northwesterly, along said northeasterly line, to the northwesterly line of South 16th Street;

Thence southwesterly, along said northwesterly line of South 16th Street and the extension thereof, to the northeasterly extension of the northwesterly line of Americana Boulevard;

Thence southwesterly, along said northwesterly line of Americana Boulevard and said extension, to the northwesterly extension of the southwesterly line of River Street;

Thence southeasterly, along said southwesterly line of River Street and the extension thereof, to the northwesterly line of South 14th Street;

Thence southwesterly, along said northwesterly line, to the northwesterly of the southwesterly line of that parcel of land described in Instrument No. 8949797;

Thence southeasterly, along said northwesterly extension and said southwesterly line, to the southwesterly corner of said parcel of land;

Thence northeasterly to the southerly corner of the Peckstein Addition to Boise City;

Thence northeasterly, southeasterly and northeasterly, along the southeasterly, southwesterly, and southeasterly lines of said Peckstein Addition, to the southerly corner of Lot 24 of Block 3 of the Riverside Addition to Boise City;

Thence southeasterly, to the westerly corner of Lot 1 of said Block 3 of said Riverside Addition;

Thence northeasterly, along the northwesterly line of Lots 1-6 of said Block 3, to the northerly corner of said Lot 6 of Block 3 of the Riverside Addition;

Thence southeasterly, along the northeasterly line of said Lot 6 and the extension thereof, to the southeast line of South 13th Street;

Thence southwesterly, along said southeast line, to the westerly corner of that parcel of land described in Instrument No 8860814;

Thence southeasterly, along the southwest line of said parcel of land, to the westerly corner of Lot 5 of the Kohny Tract;

Thence southeasterly, along the southwest line of said Kohny Tract, to the northeasterly extension of the northwest line of Lot 4 of Forest River No. 2;

Thence southwesterly, to the northerly corner of said Lot 4;

Thence southeasterly and southwesterly, along the northeast and southeast lines of said Lot 4, to the southerly corner of said Lot 4;

Thence southeasterly, southwesterly and southeasterly, along the southwesterly lines of said Forest River No. 2, to the westerly corner of Lot 8 of Forest River No. 3;

Thence northeasterly, southeasterly, northeasterly and northwesterly, to the northwesterly line of said Forest River No. 3;

Thence northeasterly and southeasterly, along the northwesterly and northeasterly lines of said Forest River No. 3, to the westerly line of South 9th Street;

Thence southerly, along said westerly line, to the northeasterly line of the Boise River;

Thence southeasterly, along said northeasterly line, to the southeasterly line of south 8th Street;

Thence northeasterly, along said southeasterly line, to the southwesterly line of Battery Street;

Thence southeasterly, along said southwesterly line and the extension thereof, to the southeast line of South Capitol Boulevard;

Thence northeasterly along said southeasterly line, to the southwesterly line of Fulton Street;

Thence southeasterly, along said southwesterly line, to the southeasterly line of South 5th Street;

Thence northeasterly, along said southeasterly line, to the southwesterly line of that parcel of land described in Instrument No 8855098;

Thence southeasterly, along said southwesterly line, to the southerly corner of said parcel of land;

Thence northeasterly, along the southeasterly line of said parcel of land, to the westerly corner of that parcel of land described in Instrument No. 9006162;

Thence southeasterly, along the southwesterly line of said parcel, to the westerly corner of that parcel of land described in Instruments No. 8845056 & 8915641;

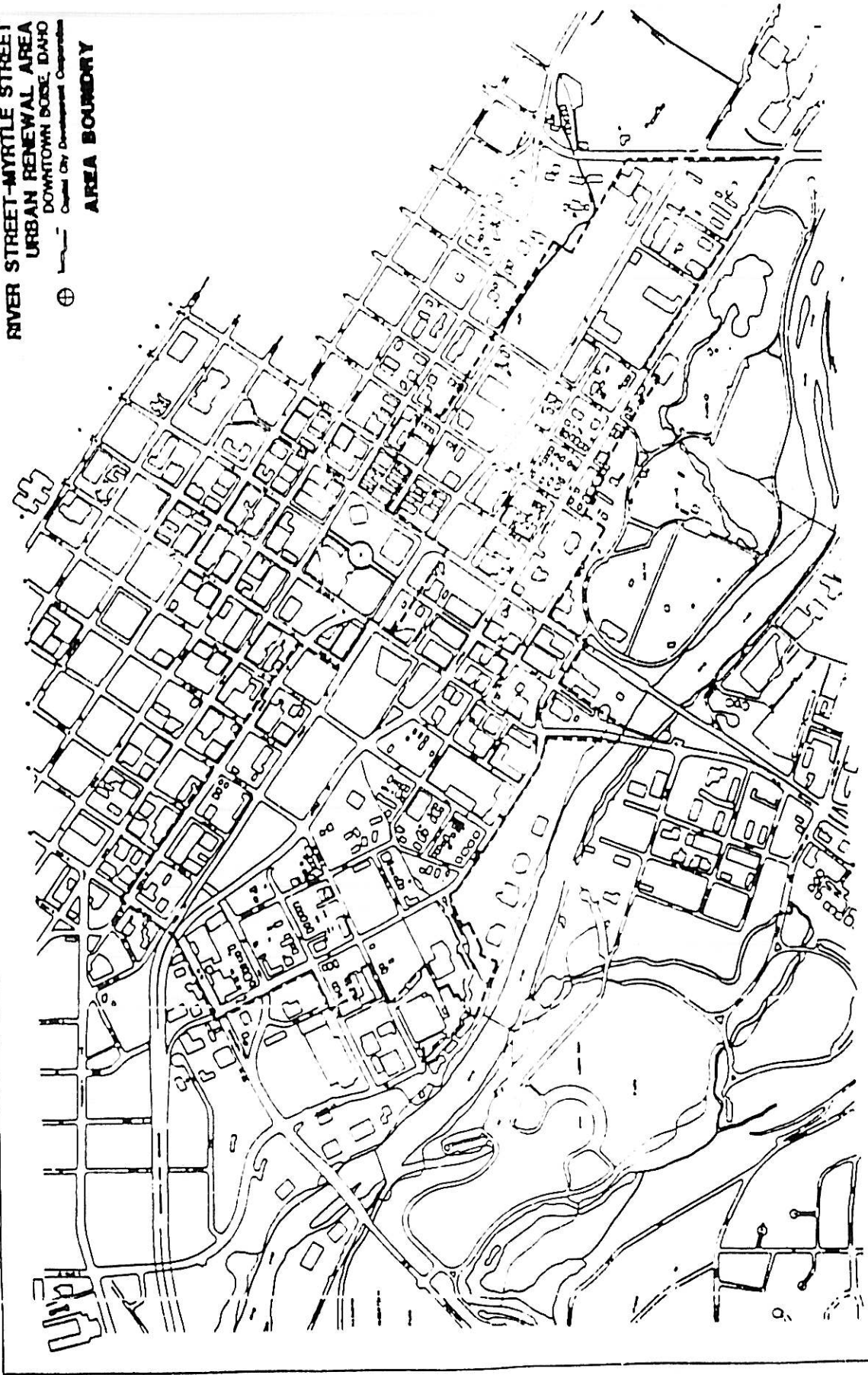
Thence southeasterly and northeasterly, along the southwesterly and southeasterly lines of said parcel of land, to the southwesterly line of the Central Subdivision;

Thence southeasterly and northeasterly along the southwesterly and southeasterly lines of said Central Subdivision, to the southwesterly line of Myrtle Street;

Thence southeasterly, along said southwesterly line, to the POINT OF BEGINNING.

ATTACHMENT 2

RIVER STREET-MYRTLE STREET
URBAN RENEWAL AREA
DOWNTOWN BOISE, IDAHO
Capital City Development Corporation
AREA BOUNDARY



LEGAL NOTICE
CITY OF BOISE
SUMMARY OF ORDINANCE NO. 5596

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BOISE CITY, IDAHO, APPROVING THE RIVER STREET-MYRTLE STREET URBAN RENEWAL PLAN WHICH PLAN INCLUDES REVENUE ALLOCATION FINANCING PROVISIONS; AUTHORIZING THE CITY CLERK TO TRANSMIT A COPY OF THIS ORDINANCE AND OTHER REQUIRED INFORMATION TO COUNTY AND STATE OFFICIALS; APPROVING THE SUMMARY OF THE ORDINANCE; PROVIDING FOR A WAIVER OF THE READING RULES; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF BOISE:

SECTION 1: It is hereby found and determined that:

(a) Project Area as defined in the River Street-Myrtle Street Urban Renewal Plan (as amended by the Agency to include an area beyond the area first declared by the City Council), is a deteriorated or deteriorating area as defined in the Law and the Act and qualifies as an eligible urban renewal area under the Law and Act.

(b) The rehabilitation, conservation, and redevelopment of the urban renewal area pursuant to the River Street-Myrtle Street Urban Renewal Plan is necessary in the interests of the public health, safety and welfare of the residents of the City of Boise.

(c) There continues to be a need for the Agency to function in the City of Boise.

(d) The River Street-Myrtle Street Urban Renewal Plan conforms to the Metro Plan of the City of Boise.

(e) The River Street-Myrtle Street Urban Renewal 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 River Street-Myrtle Street Urban Renewal Plan, the need for public improvement, and the existence of Julia Davis Park), 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 River Street-Myrtle Street Urban Renewal Plan.

(f) The River Street-Myrtle Street Urban Renewal Plan affords maximum opportunity consistent with the sound needs of the City as a whole for the rehabilitation and redevelopment of the urban renewal area by private enterprises.

(g) The River Street-Myrtle Street Urban Renewal Plan provides a feasible method for relocation of any displaced families residing within the urban renewal area.

SECTION 2: The Project Area and Revenue Allocation Area do not consist of predominantly open land, the Agency does not intend to acquire any open land on any widespread basis, and the Project Area is planned to be redeveloped in a manner that will include both residential and non-residential uses. The City Council does find 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.

SECTION 3: 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 Metro Plan to overcome economic disuse, the need for improved traffic patterns and the need for the correlation of this area with other areas of the city.

SECTION 4: The River Street-Myrtle Street Urban Renewal Plan is approved.

SECTION 5: The River Street-Myrtle Street Urban Renewal Plan is not intended or shall usurp jurisdiction of the Ada County Highway District.

SECTION 6: No direct or collateral action attacking the Plan shall be brought prior to the effective date of the Ordinance, or after the elapse of thirty (30) days from and after the effective date of the Ordinance adopting the Plan.

SECTION 7: The City Clerk is authorized and directed to transmit to the County Auditor and Tax Assessor of Ada County and to the appropriate officials of the Boise School District, Ada County, Ada County Highway District, Ada County EMS, and City, and to the State Tax Commission, a copy of this ordinance, a copy of the legal description of the boundaries of the revenue allocation area and a map or plat indicating the boundaries of the revenue allocation area.

SECTION 8: The equalized assessed valuation of the revenue allocation area as defined in the River Street-Myrtle Street Urban Renewal Plan has increased since 1987 and is likely to increase as a result of the initiation and completion of the urban renewal projects pursuant to the River Street-Myrtle Street Urban Renewal Plan.

SECTION 9: Any City council members who are members of the Agency's Board of Commissioners are not acting in any ex officio capacity, but rather as private citizens and City Council recognizes that it has no power to control the powers or operations of the Agency.

SECTION 10: So long as any Agency bonds are outstanding, the City Council shall not exercise its power under Idaho Code Section 50-2006 to designate itself as the Agency Board.

SECTION 11: That pursuant to the affirmative vote of one-half (1/2) plus one (1) of the Members of the full Council, the rule requiring two (2) separate readings by title and one (1) reading in full be, and the same, hereby is, dispensed with, and accordingly, this Ordinance shall be in full force and effect immediately upon its passage, approval and publication, and shall be retroactive to January 1, 1994, to the extent permitted by the Act regarding the base assessment roll.

SECTION 12: Severability.

SECTION 13: Approval of Summary.

PASSED by the City Council of Boise on the 6th day of December, 1994.
APPROVED by the Mayor on the 6th day of December, 1994.

EXHIBITS TO THE ORDINANCE

EXHIBIT 1: A Consultant's Report concerning the eligibility of an additional area for urban renewal activities.

EXHIBIT 2: Resolution of the Boise Planning and Zoning Commission dated November 7, 1994, finding the River Street-Myrtle Street Urban Renewal Plan to be in conformance with the Comprehensive Plan.

EXHIBIT 3: General Proof of Publication of the Notice providing notice of the public hearing of the Plan before the City Council.

EXHIBIT 4: Change packet of revisions to the River Street-Myrtle Street Urban Renewal Plan since consideration by the Agency Board.

EXHIBIT 5: The River Street-Myrtle Street Urban Renewal Plan.

Summary of the Plan:

The Plan was prepared by the Boise Urban Renewal Agency ("Agency") pursuant to the State of Idaho Urban Renewal Law, the Local Economic Development Act, the Idaho Constitution and all applicable laws and ordinances and approved by the Agency. The Plan provides for the Boise, Idaho Agency to undertake urban renewal projects pursuant to the Idaho Urban Renewal Law of 1965 as amended. The Plan contains a revenue allocation financing provision pursuant to the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, that will cause property taxes resulted from any increases in equalized assessed valuation in excess of the equalized assessed valuation as shown on the original base assessment roll as of January 1, 1994, to be allocated to the Agency for the urban renewal purposes.

The general scope and objectives of the Plan are:

1. The elimination of environmental deficiencies in the Project Area, including, among others, obsolete and aged building types, and inadequate public facilities.

2. The assembly of land into parcels suitable for modern, integrated development with improved setback, parking, pedestrian and vehicular circulation in the Project Area.

3. The replanning, redesign, and development of underdeveloped areas which are stagnant or 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 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.

6. 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.

Any such land uses as described in the River Street-Myrtle Street Urban Renewal Plan will be in conformance with the Metro Plan, City of Boise. Land made available will be developed by private enterprises or public agencies as authorized by law. The River Street-Myrtle Street Urban Renewal Plan identifies various public and private improvements which may be made within the Urban Renewal Area.

The Project Area herein referred to is located as follows:

RIVER STREET - MYRTLE STREET LEGAL DESCRIPTION OF URBAN RENEWAL PROJECT AREA AND REVENUE ALLOCATION AREA BOISE, IDAHO

An area consisting of approximately 242 acres enclosed within the following boundaries:

A portion of the Boise City Original Townsite, the southeast one-quarter of Section 4, the southwest one-quarter of Section 3, the northeast one-quarter of Section 9 and Section 10, Township 3 North, Range 2 East, Boise Meridian, Ada County, Idaho, being more particularly described as follows:

BEGINNING at the intersection of the southwesterly right-of-way line of Myrtle Street and the west right-of-way line of Broadway Avenue;

Thence northerly, along said west right-of-way line of Broadway Avenue, to the northeasterly corner of that parcel of land described in Instrument No. 9059212;

Thence northwesterly, along the northeasterly line of said parcel of land, 797.6 feet more or less, to the southeasterly corner of the Idaho Power Company parcel;

Thence northeasterly and northwesterly, along the southeasterly and northeasterly line of said parcel of land, to the southeasterly line of South 3rd Street;

Thence northwesterly to the southeasterly corner of Block 31 of said Boise City Original Townsite;

Thence northwesterly, along the northeasterly line of Grove Street, to the southwesterly corner of Block 32 of said Boise City Original Townsite;

Thence northeasterly, along the southeasterly line of South 5th Street, 130' to the southeasterly extension of the centerline of the alley of Block 6 of said Boise Original Townsite;

Thence northwesterly, along said alley centerline, to the northwesterly line of South 6th Street;

Thence southwesterly, along said northwesterly line, to the northwesterly line of Grove Street;

Thence northwesterly, along said northeasterly line, to the southeasterly line of North Capitol Boulevard;

Thence southwesterly, along said southeasterly line, to the southwesterly corner of Lot 12 of Block 12 of the Davis Addition to Boise City;

Thence northwesterly, along the southwesterly side of Lots 1 and 12 of Block 7 and the southwesterly side of Lot 1 and 12 of Block 1 of said Davis Addition and the extension thereof, to the northwesterly line of South 9th Street;

Thence northwesterly, along said northwesterly line, to the northwesterly line of Front Street to a point on the southeast corner of Block 20, Boise City Original Townsite;

Thence northwesterly, along said northwesterly line, to the northwesterly line of Front Street to a point on the southeast corner of Block 20, Boise City Original Townsite;

Thence northwesterly, along said northwesterly line, to the northwesterly line of Front Street to a point on the southeast corner of Block 20, Boise City Original Townsite;

Thence northwesterly, along said northeasterly line, to the northwesterly line of South 10th Street;

Thence northeasterly, along said northwesterly line, to the northeasterly line of Grove Street;

Thence northwesterly, along said northeasterly line, to the northwesterly line of South 16th Street;

Thence southwesterly, along said northwesterly line of South 16th Street and the extension thereof, to the northeasterly extension of the northwesterly line of Americana Boulevard;

Thence southwesterly, along said northwesterly line of Americana Boulevard and said extension, to the northwesterly extension of the southwesterly line of River Street;

Thence southeasterly, along said southwesterly line of River Street and the extension thereof, to the northwesterly line of South 14th Street;

Thence southwesterly, along said northwesterly line, to the northwesterly of the southwesterly line of that parcel of land described in Instrument No. 8949797;

Thence southeasterly, along said northwesterly extension and said southwesterly line, to the southwesterly corner of said parcel of land;

Thence northeasterly to the southerly corner of the Peckstein Addition to Boise City;

Thence northeasterly, southeasterly and northeasterly, along the southeasterly, southwesterly, and southeasterly lines of said Peckstein Addition, to the southerly corner of Lot 24 of Block 3 of the Riverside Addition to Boise City;

Thence southeasterly, to the westerly corner of Lot 1 of said Block 3 of said Riverside Addition;

Thence northeasterly, along the northwesterly line of Lots 1-6 of said Block 3, to the northerly corner of said Lot 6 of Block 3 of the Riverside Addition;

Thence southeasterly, along the northeasterly line of said Lot 6 and the extension thereof, to the southeast line of South 13th Street;

Thence southwesterly, along said southeast line, to the westerly corner of that parcel of land described in Instrument No. 8860814;

Thence southeasterly, along the southwest line of said parcel of land, to the westerly corner of Lot 5 of the Kohny Tract;

Thence southeasterly, along the southwest line of said Kohny Tract, to the northeasterly extension of the northwest line of Lot 4 of Forest River No. 2;

Thence southwesterly, to the northerly corner of said Lot 4;

Thence southeasterly and southwesterly, along the northeast and southeast lines of said Lot 4, to the southerly corner of said Lot 4;

Thence southeasterly, southwesterly and southeasterly, along the southwesterly lines of said Forest River No. 2, to the westerly corner of Lot 8 of Forest River No. 3;

Thence northeasterly, southeasterly, northeasterly and northwesterly, to the northwesterly line of said Forest River No. 3;

Thence northeasterly and southeasterly, along the northwesterly and northeasterly lines of said Forest River No. 3, to the westerly line of South 9th Street;

Thence southerly, along said westerly line, to the northeasterly line of the Boise River;

Thence southeasterly, along said northeasterly line, to the southeasterly line of South 8th Street;

Thence northeasterly, along said southeasterly line, to the southwesterly line of Battery Street;

Thence southeasterly, along said southwesterly line and the extension thereof, to the southeast line of South Capitol Boulevard;

Thence, northeasterly along said southeasterly line, to the southwesterly line of Fulton Street;

Thence southeasterly, along said southwesterly line, to the southeasterly line of South 5th Street;

Thence northeasterly, along said southeasterly line, to the southwesterly line of that parcel of land described in Instrument No. 8855098;

Thence southeasterly, along said southwesterly line, to the southerly corner of said parcel of land;

Thence northeasterly, along the southeasterly line of said parcel of land, to the westerly corner of that parcel of land described in Instrument No. 9006162;

Thence southeasterly, along the southwesterly line of said parcel, to the westerly corner of that parcel of land described in Instruments No. 8845056 & 8915641;

Thence southeasterly and northeasterly, along the southwesterly and southeasterly lines of said parcel of land, to the southwesterly line of the Central Subdivision;

Thence southeasterly and northeasterly along the southwesterly and southeasterly lines of said Central Subdivision, to the southwesterly line of Myrtle Street;

Thence southeasterly, along said southwesterly line, to the POINT OF BEGINNING.

Sections 402 through 404 discuss the type of land uses authorized in the Project Area and list other controls by referencing the applicable City Ordinances.

The River Street-Myrtle Street Urban Renewal Plan also contains a major section on financing. Among other sources, the Plan will utilize revenue allocation financing, authorized by Chapter 20, Title 50, Idaho Code. This statute was approved in 1988 by the Idaho Legislature, Section 504 and Attachment No. 5 discuss revenue allocation financing and show how such financing has worked and would work in the Project Area in the future if certain new private developments occur as estimated.

Increases in assessed valuation of real and personal property in the Project Area that occur after January 1, 1994, will generate revenue for the Agency to pay project costs. Project costs include street improvements, parking facilities and other public improvements costs. The assessed valuation of real and personal property on the base assessment roll is still available for use by the other taxing districts, City of Boise, Ada County, Boise School District, Ada County Highway District, and Ada County EMS to finance their operations. The River Street-Myrtle Street Urban Renewal Plan authorizes the Agency to sell revenue bonds to finance project costs and to use annual revenue allocations to pay the debt service.

The program outlined in the River Street-Myrtle Street Urban Renewal Plan emphasizes the installation of needed public improvements, street improvements, utility work, and other costs to encourage private development.

Attachment No. 5 describes in detail the cost and financing methods for complete repayment for the debt incurred used to finance the Project and to also fund the additional described activities.

No change in the land use designation or the potential uses in the area have been proposed. The River Street-Myrtle Street Urban Renewal Plan follows the underlying zoning classifications of the City of Boise.

ATTACHMENTS

- Attachment No. 1: Description of the Urban Renewal Area and Revenue Allocation Area
- Attachment No. 2: Project Area Boundary Map
- Attachment No. 3: Properties to Be Acquired
- Attachment No. 4: Map Depicting Land Uses Area
- Attachment No. 5: Statement of Proposed Public Improvements, Costs, Revenues Tax Impacts and Financing Methods (and) Implementation Plan; Estimated Annual Revenue Allocation, Economic Performance, and School Credit Calculation; Impact of Revenue Allocation Formula

The full text of Ordinance No. 5596 is available at the offices of the City Clerk located at Boise City Hall, 150 North Capitol Boulevard, Boise, Idaho 83702. This summary approved by the Boise City Council at its meeting of Dec. 6, 1994.

H. Brent Coles, Mayor

ATTEST:

By Annette Mooney, City Clerk

I, Amanda C. Horton, City Attorney for the City of Boise, declares that in her capacity as City Attorney of the City of Boise, pursuant to Idaho Code Section 50-901A(3) of the Idaho Code as amended, hereby certifies that she has reviewed a copy of the above cited Summary of Ordinance and has found the same to be true and complete and provides adequate notice to the public of the contents, including the exhibits, of Ordinance No. 5596.

DATED this 16th day of December, 1994.

Amanda C. Horton, City Attorney
City of Boise

Pub. December 25, 1994

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