

RESOLUTION NO. 2025-6

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

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF
THE URBAN RENEWAL AGENCY OF THE CITY OF
POCATELLO, IDAHO, ALSO KNOWN AS THE POCATELLO
DEVELOPMENT AUTHORITY, RECOMMENDING AND
ADOPTING THE URBAN RENEWAL PLAN FOR THE
SOUTH 5TH AVENUE URBAN RENEWAL PROJECT, WHICH
PLAN INCLUDES REVENUE ALLOCATION FINANCING
PROVISIONS SUBJECT TO CERTAIN CONDITIONS;
AUTHORIZING AND DIRECTING THE CHAIR, VICE-
CHAIR, OR ADMINISTRATOR AND THE SECRETARY OF
THE AGENCY TO MAKE CERTAIN TECHNICAL CHANGES;
AUTHORIZING AND DIRECTING THE CHAIR, VICE-CHAIR
AND ADMINISTRATOR TO TAKE APPROPRIATE ACTION;
PROVIDING FOR THIS RESOLUTION TO BE EFFECTIVE
UPON ITS PASSAGE AND APPROVAL; AND PROVIDING
AN EFFECTIVE DATE.

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

WHEREAS, the City Council (the “City Council”) of the city of Pocatello (the “City”) found that deteriorating areas exist in the City, therefore, for the purposes of the Law, created an urban renewal agency pursuant to the Law, authorizing the Agency to transact business and exercise the powers granted by the Law and the Act upon making the findings of necessity required for creating the Agency;

WHEREAS, the Mayor has duly appointed the Board of Commissioners of the Agency, which appointment was confirmed by the City Council;

WHEREAS, the City Council, on June 22, 2006, after notice duly published, conducted a public hearing on the Naval Ordnance Plant Urban Renewal Plan (the “Naval Ordnance Plant Plan”);

WHEREAS, following said public hearing the City Council adopted its Ordinance No. 2797 on June 22, 2006, approving the Naval Ordnance Plant Plan, making certain findings, and establishing the Naval Ordnance Plant revenue allocation area (the “Naval Ordnance Plant Project Area”);

WHEREAS, the City Council, on April 19, 2007, after notice duly published, conducted a public hearing on the North Portneuf Urban Renewal Plan (the “North Portneuf Plan”);

WHEREAS, following said public hearing, the City Council adopted its Ordinance No. 2814 on April 19, 2007, approving the North Portneuf Plan, making certain findings, and establishing the North Portneuf revenue allocation area (the “North Portneuf Project Area”);

WHEREAS, the City Council, on November 4, 2010, after notice duly published conducted a public hearing on the Pocatello Regional Airport Urban Renewal Area Plan (the “Pocatello Regional Airport Plan”);

WHEREAS, following said public hearing, the City Council adopted its Ordinance No. 2889 on November 4, 2010, approving the Pocatello Regional Airport Plan, making certain findings, and establishing the Pocatello Regional Airport revenue allocation area (the “Pocatello Regional Airport Project Area”);

WHEREAS, the City Council, on May 2, 2019, after notice duly published conducted a public hearing on the Urban Renewal Plan for the Northgate Urban Renewal Project (the “Northgate Plan”);

WHEREAS, following said public hearing, the City Council adopted its Ordinance No. 3026 on May 2, 2019, approving the Northgate Plan, making certain findings, and establishing the Northgate revenue allocation area (the “Northgate Project Area”);

WHEREAS, the above referenced existing urban renewal plans are collectively referred to as the “Existing Urban Renewal Plans” and their respective existing revenue allocation project areas are collectively referred to as the “Existing Project Areas;”

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

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

WHEREAS, based on inquiries and information presented, the City and Agency commenced certain discussions concerning examination of an area, a portion of which is located within the City, and a portion of which is located within the City’s area of operation within unincorporated Bannock County, that it may may be deteriorating or deteriorated and should be examined as to whether such an area is eligible for an urban renewal project;

WHEREAS, in October 2023, the Agency authorized SB Friedman Development Advisors, LLC (SBF) to commence a preliminary eligibility study on several geographic areas within the City and extending to the City’s area of City impact within unincorporated Bannock County. SBF presented its preliminary eligibility findings on each geographic area to the Agency

Board of Commissioners (the “Board”) on April 17, 2024. At its meeting on June 12, 2024, the Board directed SBF to proceed with study and planning efforts related to the South 5th Corridor and preparation of an eligibility report of an area approximately 2,292 acres in size (including public rights-of-way). The area is roughly bounded by the Union Pacific Railroad to the south and west, Barton Road to the north, and the foothills of the Pocatello Range of mountains to the east, and is commonly referred to as the South 5th Corridor Area (the “Study Area”). The Study area is bisected by both Interstate 15 and South 5th Avenue;

WHEREAS, the Agency obtained the South 5th Urban Renewal Area Eligibility Report, dated June 11, 2025 (the “Report”), which examined the Study Area, which area also included real property located within unincorporated Bannock County, for the purpose of determining whether such area was a deteriorating area and/or a deteriorated area, or a combination of both a deteriorating area and a deteriorated area, as those terms are defined by Idaho Code Sections 50-2018(8), (9) and 50-2903(8);

WHEREAS, pursuant to Idaho Code Sections 50-2018(8), (9) and 50-2903(8), which define the qualifying conditions of a deteriorating area and deteriorated area, several of the conditions necessary to be present in such an area are found in the Study Area, including:

- a. predominance of defective or inadequate street layout;
- b. faulty lot layout in relation to size, adequacy, accessibility or usefulness; obsolete platting;
- c. diversity of ownership; and
- d. unsuitable topography;

WHEREAS, the Study Area includes open space/open land;

WHEREAS, under the Act, a deteriorated area includes any area which is predominantly open and which, because of obsolete platting, diversity of ownership, deterioration of structures or improvements, or otherwise, results in economic underdevelopment of the area or substantially impairs or arrests the sound growth of a municipality. See Idaho Code § 50-2903(8)(c);

WHEREAS, Idaho Code §§ 50-2018(8), (9), 50-2903(8) and 50-2008(d) list additional conditions applicable to open land areas, including open land areas to be acquired by the Agency, which are the same or similar to the conditions set forth in the definitions of “deteriorating area” and “deteriorating area;”

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

WHEREAS, the effects of the listed conditions cited in the Report result in economic underdevelopment of the area, substantially impairs or arrests the sound growth of a municipality, constitutes an economic or social liability, and is a menace to the public health, safety, morals or welfare in its present condition or use;

WHEREAS, the Agency Board, on June 18, 2025, adopted Resolution No. 2025-3, accepting the Report and authorized the Chair, Vice-Chair, or Administrator of the Agency to transmit the Report to the City Council requesting its consideration for designation of an urban renewal area and requesting the City Council to direct Agency to prepare an urban renewal plan for the Study Area, which plan may include a revenue allocation provision as allowed by the Act;

WHEREAS, the Agency also authorized the transmittal of the Report to the Bannock County Board of County Commissioners for purposes of obtaining a resolution determining such areas outside the City limits and within unincorporated Bannock County to be deteriorated and/or deteriorating and appropriate for an urban renewal project;

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

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

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

WHEREAS, a portion of the Study Area includes certain real property located outside the City limits, but within the City's area of operation and within unincorporated Bannock County;

WHEREAS, the Agency submitted true and correct copies of Agency Resolution No. 2025-3 and the Report to the Bannock County Board of County Commissioners and the Commissioners were asked to adopt a resolution finding the need for an urban renewal project for the proposed Study Area;

WHEREAS, on June 24, 2025, representatives of the City and the Agency presented the Report and the proposed approval timeline to the Bannock County Board of County Commissioners requesting the Commissioners to consider adopting the findings concerning the proposed Study Area;

WHEREAS, on June 24, 2025, the Bannock County Board of County Commissioners, pursuant to Resolution No. 2025-45 found the Study Area to be in need of an urban renewal project area;

WHEREAS, the City Council on July 17, 2025, adopted Resolution No. 2025-25, and declared the Study Area described in the Report to be a deteriorated area or a deteriorating area, or a combination thereof, as defined by Chapters 20 and 29 of Title 50, Idaho Code, as amended, that such Study Area is appropriate for an urban renewal project and directed the Agency to commence preparation of an urban renewal plan for the area designated;

WHEREAS, the Agency has embarked on an urban renewal project referred to as the
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Urban Renewal Plan for the South 5th Avenue Urban Renewal Project (the “South 5th Plan”) to develop and/or redevelop a portion of the City and an area within unincorporated Bannock County adjacent and contiguous to the City, that is intended to be annexed into the City prior to development, pursuant to the Law and the Act, as amended;

WHEREAS, the South 5th Plan proposes to create an urban renewal and revenue allocation area commonly known as the South 5th Project Area, which area is shown on the “Boundary Map of Urban Renewal Project Area and Revenue Allocation Area” and described in the “Legal Description of Urban Renewal Project Area and Revenue Allocation Area,” which are attached to the South 5th Plan as Attachments 1 and 2 respectively;

WHEREAS, the area included in the South 5th Project Area is smaller than the area assessed in the Report as not all owners of agricultural operations elected to consent to be included within the South 5th Project Area;

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

WHEREAS, the Agency and its consultants have prepared the proposed South 5th Plan for most of the area previously designated as eligible for urban renewal planning;

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

WHEREAS, the South 5th Plan contains revenue allocation financing provisions as allowed by the Act;

WHEREAS, in order to implement the provisions of the Law and the Act, the Agency shall prepare and adopt the South 5th Plan and submit the South 5th Plan and recommendation for approval thereof to the City;

WHEREAS, as required by the Law and the Act, the Agency has reviewed the project information within the South 5th Plan concerning the use of revenue allocation funds and approved such information at several Agency Board meetings in 2025, and considered the South 5th Plan at its meeting on September 17, 2025;

WHEREAS, the South 5th Plan will be tendered to the Planning and Zoning Commission and to the City Council for their consideration and review as required by the Law and the Act;

WHEREAS, under the Act, the South 5th Plan shall include with specificity the following: (1) a statement describing the total assessed valuation of the base assessment roll of the revenue allocation area and the total assessed valuation of all taxable property within the municipality; (2) a statement listing the kind, number, and location of all proposed public works or improvements within the revenue allocation area; (3) an economic feasibility study; (4) a detailed list of estimated project costs; (5) a fiscal impact statement showing the impact of the revenue allocation area, both until and after the bonds are repaid, upon all taxing districts levying taxes upon property in the revenue allocation area; and (6) a description of the methods of

financing all estimated project costs and the time when related costs or monetary obligations are to be incurred; (7) a termination date for the plan and the revenue allocation area as provided for in Idaho Code § 50-2903(20); and (8) a description of the disposition or retention of any assets of the agency upon the termination date;

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

WHEREAS, the Agency Board finds that the equalized assessed valuation of the taxable property in the revenue allocation area described in Attachments 1 and 2 of the South 5th Plan is likely to increase as a result of initiation of urban renewal projects in accordance with the South 5th Plan;

WHEREAS, under the Law and Act, any such plan should provide for (1) a feasible method for the location of families who will be displaced from the urban renewal area in decent, safe and sanitary dwelling accommodations within their means and without undue hardship to such families; (2) the urban renewal plan should conform to the general plan of the municipality as a whole; (3) the urban renewal plan should give due consideration to the provision of adequate park and recreational areas and facilities that may be desirable for neighborhood improvement, with special consideration for the health, safety and welfare of the children residing in the general vicinity of the site covered by the plan; and (4) the urban renewal plan should afford maximum opportunity, consistent with the sound needs of the municipality as a whole, for the rehabilitation or redevelopment of the urban renewal area by private enterprise;

WHEREAS, if the urban renewal area consists of an area of open land to be acquired by the urban renewal agency, such area shall not be so acquired unless (1) if it is to be developed for residential uses, the local governing body shall determine that a shortage of housing of sound standards and design which is decent, safe and sanitary exists in the municipality; that the need for housing accommodations has been or will be increased as a result of the clearance of slums in other areas; that the conditions of blight in the area and the shortage of decent, safe and sanitary housing cause or contribute to an increase in and spread of disease and crime and constitute a menace to the public health, safety, morals, or welfare; and that the acquisition of the area for residential uses is an integral part of and essential to the program of the municipality, or (2) if it is to be developed for nonresidential uses, the local governing body shall determine that such nonresidential uses are necessary and appropriate to facilitate the proper growth and development of the community in accordance with sound planning standards and local community objectives, which acquisition may require the exercise of governmental action, as provided in this act, because of defective or unusual conditions of title, diversity of ownership, tax delinquency, improper subdivisions, outmoded street patterns, deterioration of site, economic disuse, unsuitable topography or faulty lot layouts, the need for the correlation of the area with

other areas of a municipality by streets and modern traffic requirements, or any combination of such factors or other conditions which retard development of the area;

WHEREAS, the projected base assessment roll of the South 5th Project Area together with the combined base assessment roll values of the Existing Project Areas do not exceed ten percent (10%) of the current assessed values of all the taxable property in the City;

WHEREAS, Agency staff and consultants recommend the Agency Board accept the South 5th Plan and forward it to the City Council;

WHEREAS, the Agency Board finds it in the best interests of the Agency and the public to formally adopt the South 5th Plan, as set forth in **Exhibit 1** attached hereto, and to forward it to the Mayor and City Council, and recommend its adoption, subject to certain conditions.

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

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

Section 2. It is hereby found and determined that the South 5th Project Area as defined in the South 5th Plan is a deteriorated area, a deteriorating area, or a combination thereof, as defined in the Law and the Act and qualifies as an eligible urban renewal area under the Law.

Section 3. That the Agency specifically adopts the South 5th Plan along with any changes discussed at the September 17, 2025, Agency Board meeting, including but not limited to technical edits to the South 5th Plan, finalization of the Attachments to the South 5th Plan, including but not limited to the boundary map, legal description, land use and zoning maps and the executed agricultural operation consents, confirmation of taxing district levy rates, confirmation of the affected taxing districts, updated list of projects, estimated location or siting of improvements, updated map or legal description, and any modifications to the economic feasibility study prepared by Agency consultant SBF.

Section 4. That the Agency recommends that the South 5th Plan, a copy of which is attached hereto as **Exhibit 1**, and incorporated herein by reference, be adopted by the City Council, including those sections, modifications, text, and/or replacement of Attachments as discussed at the September 17, 2025, Agency Board meeting.

Section 5. That the required agricultural operation consents have been obtained and attached as Attachment 6 to the South 5th Plan.

Section 6. That the City and Bannock County shall enter into an Intergovernmental Agreement addressing any properties outside the City limits and within unincorporated Bannock County as required by the Act.

Section 7. That the Agency Administrator, if not attached at the time of the Agency Board's consideration, prior to consideration of the South 5th Plan by the City Council will

include final Attachments to the Plan, including but not limited to the boundary map and legal description and the map depicting expected land use and current zoning map of the Project Area.

Section 8. That this Resolution constitutes the necessary action of the Agency under the Act, Idaho Code § 50-2905, recommending approval by the City Council and that the South 5th Plan includes with specificity the following: (1) a statement describing the total assessed valuation of the base assessment roll of the revenue allocation area and the total assessed valuation of all taxable property within the municipality; (2) a statement listing the kind, number, and location of all proposed public works or improvements within the revenue allocation area; (3) an economic feasibility study; (4) a detailed list of estimated project costs; (5) a fiscal impact statement showing the impact of the revenue allocation area, both until and after the bonds are repaid, upon all taxing districts levying taxes upon property in the revenue allocation area; and (6) a description of the methods of financing all estimated project costs and the time when related costs or monetary obligations are to be incurred; (7) a termination date for the plan and the revenue allocation area as provided for in Idaho Code § 50-2903(20); and (8) a description of the disposition or retention of any assets of the agency upon the termination date.

Section 9. It is hereby found and determined that:

- (a) The South 5th Plan gives due consideration to the provision of adequate park and recreation areas and facilities that may be desirable for neighborhood improvement (recognizing the mixed-use, commercial and light industrial components of the South 5th Plan and the need for public improvements), and shows consideration for the health, safety, and welfare of any residents or businesses in the general vicinity of the urban renewal area covered by the South 5th Plan.
- (b) The South 5th Plan affords maximum opportunity consistent with the sound needs of the City as a whole for the rehabilitation, development, and redevelopment of the South 5th Project Area by private enterprises.
- (c) To the extent necessary, the South 5th Plan provides a feasible method for relocation of any displaced families residing within the South 5th Project Area.
- (d) The South 5th Project Area contains “open land” areas, or areas of agricultural operation, that the Agency may acquire any open land, that the South 5th Project Area is planned to be developed and/or redeveloped in a manner that may include both residential and non-residential uses and that the “open land” criteria set forth in the Law and Act have been met.
- (e) The portion of the South 5th Project Area which may be identified for non-residential uses, the City Council may find is necessary and appropriate to facilitate the proper growth and development standards in accordance with the objectives of the Comprehensive Plan to overcome economic disuse, the need for improved traffic patterns and the need for the correlation of this area with other areas of the City.

- (f) The portion of the South 5th Project Area which is identified for residential uses is necessary and appropriate as the City Council may find there is a shortage of housing of sound standards and design which is decent, safe and sanitary in the City; that the need for housing accommodations has been or will be increased as a result of the clearance of slums in other areas; that the conditions of blight in the area and the shortage of decent, safe and sanitary housing cause or contribute to an increase in and spread of disease and crime and constitute a menace to the public health, safety, morals, or welfare; and that the acquisition of the area of residential uses is an integral part of and essential to the program of the City.
- (g) The projected base assessment roll of the South 5th Project Area, together with the combined base assessment roll values of the Existing Project Areas do not exceed ten percent (10%) of the current assessed values of all the taxable property in the City.
- (h) The South 5th Plan includes a revenue allocation provision and the Agency has determined that the equalized assessed valuation of the revenue allocation area will likely increase as the result of the initiation of an urban renewal project.

Section 10. That this Resolution constitutes the necessary action of the Agency under the Law, Section 50-2008, Idaho Code, and the Act.

Section 11. The Chair, Vice-Chair, or Administrator, and the Secretary of the Agency are hereby authorized and directed to take all steps necessary and convenient to submit the proposed South 5th Plan for approval by the City Council, including but not limited to the preparation of the notice of public hearing on adoption of the revenue allocation financing provisions by the City and submittal of the South 5th Plan to the various taxing entities as required by Idaho Code § 50-2906.

Section 12. That this Resolution shall be in full force and effect immediately upon its adoption and approval.

PASSED AND ADOPTED by the Urban Renewal Agency of the City of Pocatello, Idaho, on September 17, 2025. Signed by the Chair of the Board of Commissioners and attested by the Secretary to the Board of Commissioners on this 17th day of September 2025.



Scott Turner, Chair Pro Tem

ATTEST:

By 

Aceline McCulla, Secretary

Exhibit 1

Urban Renewal Plan for the South 5th Avenue Urban Renewal Project

4920-1479-5112, v. 1