

RESOLUTION NO. 2021-09
Adopting Findings re: Parcels Outside the City Limits of Post Falls
to be Included in the Pleasant View Urban Renewal District

WHEREAS, the Post Falls Urban Renewal Agency (PFURA), an independent public body corporate and politic, authorized under the authority of the Idaho Urban Renewal Law of 1965, Title 50, Chapter 20, Idaho Code, as amended (hereinafter the "Law") and the Local Economic Development Act, Title 50, Chapter 29, Idaho Code, as amended (hereinafter the "Act"), is a duly created and functioning urban renewal agency for the City of Post Falls, Idaho, hereinafter referred to as the "Agency" and the "City" respectively.

WHEREAS, the Agency is a duly created and appointed urban renewal agency under the laws of the State of Idaho with the authority to recommend the expansion of a deteriorated or deteriorating area found to exist by the City Council of the City of Post Falls;

WHEREAS, there are several existing urban renewal project areas in the City of Post Falls;

WHEREAS, it became apparent to the City that additional property within and adjacent to Post Falls may be deteriorating or deteriorated and should be examined as to whether such an area is eligible for urban renewal planning purposes;

WHEREAS, the City and Agency commenced certain discussions concerning examination of the new area as appropriate for an urban renewal project (the "Pleasant View Urban Renewal District" or "Pleasant View URD");

WHEREAS, the Post Falls City Council did on October 6, 2020, by Resolution 2020-16, find that deterioration existed in a described area in west Post Falls along the Pleasant View Road Corridor, and did declare the area to be deteriorated and/or deteriorating, and a competitively disadvantaged border community area. A copy of the Resolution (without exhibits) is attached hereto as **Exhibit A**; and

WHEREAS, the Post Falls City Council based the adoption of Resolution 2020-16 on an eligibility report issued by the Hudson Company on September 21, 2020, a copy of which is attached hereto as **Exhibit B**; and

WHEREAS, under the Idaho Urban Renewal Law, Subsection 50-2018(9), Idaho Code, the definition of a deteriorating area shall not apply to any agricultural operation as defined in Subsection 22-4502(1), 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 owners of parcels within the area depicted in **Exhibit C** that meet the definition of an agricultural operation have given written consent to the inclusion of those parcels within the areas declared to be deteriorated or deteriorating so as to allow them to be annexed into the Pleasant View URD; and

WHEREAS, Subsection 50-2018(18), Idaho Code, states 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 Pleasant View URD includes certain parcels currently located within the unincorporated area of Kootenai County which are in the process of annexation into the City of Post Falls or are expected to seek annexation into the City of Post Falls in the near future;

WHEREAS, pursuant to Section 50-2008, Idaho Code, 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, Section 50-2904, Idaho Code 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, on December 8, 2020, representatives of the Agency and the City of Post Falls presented this proposal to the Kootenai County Board of Commissioners, and requested that the Board consider adopting the City's findings contained in Resolution 2020-16 with respect to those parcels in the proposed Pleasant View URD that are currently located in the unincorporated area of Kootenai County; and

WHEREAS, the proposed Pleasant View URD would have no impact on jurisdictional boundaries of Kootenai County;

NOW THEREFORE, BE IT HEREBY RESOLVED by the Board of County Commissioners of Kootenai County, Idaho, as follows:

- Section 1. That the above statements are true and correct.
- Section 2. That there is a need for an urban renewal plan for the Pleasant View URD.
- Section 3. That the findings of the City in Resolution No. 2020-16, are hereby adopted by the Kootenai County Board of Commissioners with respect to those parcels depicted in **Exhibit C** hereto which are currently located in the unincorporated area of Kootenai County.
- Section 4. That this Resolution shall be in full force and effect immediately upon its adoption and approval.

Upon a motion to adopt the text of the foregoing Resolution made by Commissioner Duncan and seconded by Commissioner Brooks, the following vote was recorded:

Commissioner Brooks: Aye
Commissioner Duncan: Aye
Chairman Fillios: Aye

Upon said roll call, the text of the foregoing was duly enacted as a Resolution of the Board of Commissioners of Kootenai County, Idaho, on the 19th day of December, 2021.

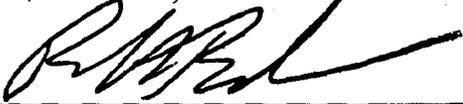
**KOOTENAI COUNTY
BOARD OF COMMISSIONERS**



Chris Fillios, Chairman



Leslie Duncan, Commissioner



Bill Brooks, Commissioner

ATTEST

JIM BRANNON, CLERK
AND
RECORDER

By: 

Deputy Clerk

C: City of Post Falls, Post Falls Urban Renewal Agency, Resolution File