



BOARD OF COUNTY COMMISSIONERS
FINDINGS OF FACT, CONCLUSION OF LAW AND ORDER

In the matter of the application of:

City of City of Notus
Area of Impact Boundary
OR2025-0012

Record and Procedural History

- A. City of Notus submitted a boundary confirmation request and supporting documents and maps on August 15, 2025. Marked as Exhibit A2 and A3 to the staff report.
- B. Notice of the public hearing provided to City of Notus on August 21, 2025. Newspaper notice published on August 27, 2025 and September 30, 2025, in the Idaho Press. Notices to property owners where the City of Notus proposed boundary change mailed on August 22, 2025.
- C. The staff report, exhibits, and public comments dated October 15, 2025 and including Exhibits A through D in the record.
- D. A public hearing was held before the Board of County Commissioners on October 30, 2025. Testimony was offered at the public hearing from City of Notus officials and members of the public.
- E. On October 30, 2025, the Board moved to adopt the boundary map labeled as Exhibit A3 in the staff report and to amend Chapter 9, Article 13, Areas of City Impact, Notus, of the Canyon County Code of Ordinance to adopt the map into the County ordinances.
- F. Final Boundary map attached hereto as Attachment A: "Notus Area of Impact Boundary Map" dated August 15, 2025.

Area of Impact Hearing Criteria

The City of Notus requested that the Board of Canyon County Commissioners adopt a modified area of impact boundary, which was a reduction from Notus's previous area of impact boundary. The request, OR2025-0012, was presented at a public hearing before the Canyon County Board of County Commissioners on October 30, 2025. Having considered the evidence presented in the public hearing including the staff report, City of Notus submitted materials, written public comments described in the Record and Procedural History and the testimony offered at the public hearings, the Board finds as follows:

Areas of Impact Criteria

HEARING CRITERIA (Idaho Code §67-6526(3) - Modification or confirmation of area of impact boundaries: Any modifications to or confirmation of an area of impact boundary must be adopted by an ordinance approved by the board of county commissioners of the applicable county, following the notice and hearing procedures provided in section 67-6509, Idaho Code, and in accordance with the requirements for defining an area of impact as set forth in subsection (4) of this section.

Provisions applicable to areas of impact (Idaho Code §67-6526(4))	
(a) In defining an initial area of impact or in modifying or confirming an existing area of impact, the criteria set forth in this subsection shall be considered:	
67-6526(4)(a)(i)	Anticipated commercial and residential growth.
Conclusion:	The Commissioners find the reduction of the Area of Impact as depicted in Map #2 (Staff Report Exhibit A3) meets this criterion with the modest expansion around existing city limits.
Findings:	(1) The City of Notus has experienced modest population growth in the past, staying below COMPASS estimates. Recently, due to a 169-unit subdivision being approved, the city has added 67% more housing and about 490 residents to be built in phases over 5 – 7 years. (Staff Report Exhibit A5)
	(2) The City expects Commercial expansion to be slower as the current population cannot fully support retail. The City is drafting a Commercial Development Strategic Plan. (Staff Report Exhibit A5)
	(3) The City has some Commercial and Industrial zoning that runs along the Highway 20/26 corridor. There is a rail spur that runs along that same route, lending itself to Commercial and Industrial growth. (Staff Report Exhibit B2.2)
	(4) The City's Planner is in discussion for two potential projects with developers. One is on a 12-acre commercial site and another is on land along Highway 20/26. (Staff Report Exhibit A5)
67-6526(4)(a)(ii)	Geographic factors.
Conclusion:	The Commissioners find there are no geographic factors that would prohibit the growth that is proposed in the Area of Impact update.
Findings:	(1) Notus lies on flat agricultural plains bordered by the Boise River to the South, crossed by the Union Pacific Railroad and U.S. Highway 20/26. Floodplain exist near the Boise River, but surrounding land is developable. (Staff Report Exhibit A5)
	(2) According to the USDA's Canyon County Soil Survey of 2018, the soils in the proposed area of impact have primarily class 3 soils (Moderately-Suited) and 80 % lands of statewide importance if irrigated and reclaimed excess salts and sodium with the remainder prime farm land if irrigated. (Staff Report Exhibit B2.5).
67-6526(4)(a)(iii)	Transportation infrastructure and systems, including connectivity.
Conclusion:	The Commissioners find that the infrastructure that is in place with Highway 20/26 and the Union Pacific Railroad as well as the city's plans to use acquired grant money to make improvements to their streets support the Area of Impact.
Findings:	(1) Notus has two critical transportation corridors: Highway 20/26 (Elgin Ave.) and the Union Pacific Railroad. Highway 20/26 connects to the city to Interstate 84 on the east and U.S. Highway 95 to the west, both within 5-6 miles. Notus Road is within 5 miles of State Highway 19. (Staff Report Exhibit A5)
	(2) Notus states the local roads are in fair to good condition with ROW widths of 50-80 feet. New subdivisions may require upgraded collectors and traffic planning. The city is working on a Transportation Plan for 2026. (Exhibit A5, page 17)

	(3) The City has received funds from grants to make improvements to their streets. Grant have assisted with maintenance, repairs and chip sealing. (Exhibit A5, page 17)
67-6526(4)(a)(iv)	Areas where municipal or public sewer and water are expected to be provided within five (5) years.
Conclusion:	The City of Notus has capacity beyond the current 640 residents with recent upgrades to both water and sewer.
Findings:	(1) Notus provides municipal water through a two-well system and sewer service through a 20-acre treatment facility southwest of the city. Both have capacity beyond the current 640 residents. Several upgrades have occurred recently. (Staff Report Exhibit A5)
	(2) There is a 169-unit subdivision planned for the city. The current water capacity is sufficient and the developer is funding a back up well. The developer may also need to assist with sewer expansion for the final phase. (Staff Report Exhibit A5)
	(3) Future utility expansions would be dependent on applications for annexation and would be at the expense of the applicant per Staff Report Exhibit A5.
67-6526(4)(a)(v)	Other public service district boundaries.
Conclusion:	The City of Notus can service the area of impact with other public service districts, such as the school district, the fire district, and police.
Findings:	(1) <u>School Facilities:</u> According to Canyon County's School District Map, Notus School District currently serves the proposed Area of Impact to the North and Vallivue School District serves the proposed Area of Impact in a portion of the South. (Staff Report Exhibit B4.2).
	(2) <u>Police/Fire/Emergency:</u> The City of Notus has police coverage with a combination of contracted services by City of Parma Police and Canyon County Sheriff Department. A newer 24/7 fire department sub-station of Caldwell Rural Fire District serves the area and into the proposed area of impact. Fire emergency response times excellent and back up is provided by Caldwell City Fire through mutual aid agreements. (Staff Report Exhibit A5)
67-6526(4)(b)	In addition to the criteria set forth in paragraph (a) of this subsection, an area of impact shall not exceed the areas that are very likely to be annexed to the city within the next five (5) years. Except as otherwise provided in this paragraph, an area of impact shall not extend more than two (2) miles from existing city limits. An area of impact boundary shall not divide county recognized parcels of land. If only a portion of a recognized parcel falls within the two (2) mile limit, then the boundary may extend beyond two (2) miles on that parcel so that it encompasses the entire parcel. Adjustments to an area of impact may be proposed and considered at any time following the initial establishment of the area of impact.
Conclusion:	The Commissioners find that the proposed area of impact for the City of Notus does not exceed the two (2) mile limit and encompasses full parcels. The city will very likely be able to annex the proposed area of impact into the city within the next five (5) years.

Findings:	(1) The City of Notus proposed Area of Impact does not exceed two miles outside of Notus city limits (Staff Report Exhibit A3). The proposed area of impact encompasses full parcels. If the City of Notus wishes to adjust the area of impact the city shall do so in accordance with Idaho State Law 67-6526 and Canyon County Code of Ordinance.
67-6526(4)(c)	Areas of impact may cross county boundaries only by approval of the governing board of county commissioners after following the procedures and complying with the requirements for modification or confirmation of an area of impact boundary.
Conclusion:	The proposed impact area does not cross county boundary lines.
Findings:	The proposed impact area does not cross county boundary lines according to the 2 mile buffer map. (Staff Report Exhibit B2.8)
67-6526(4)(d)	Areas of impact shall not overlap.
Conclusion:	The City of Notus's proposed area of impact does not overlap with a neighboring city's area of impact.
Findings:	The proposed impact area does not overlap with a neighboring city's area of impact (Staff Report Exhibit A3).

Conclusion

Notus's current area of impact has been in place since 1994. In that time the City has not grown to the degree predicted by the 1994 boundary map. The boundary map presented and discussed with Notus on October 30, 2025, takes into account projections for growth and services that are realistic for the new statutory criteria. Specifically, the limitations that are now imposed due to the "very likely to be annexed into the city within the next five (5) years" requirement.

As discussed above, Notus is planning for commercial or residential growth before 2030. Residential growth is anticipated on parcels in a 169-unit subdivision being approved by the City that will add 67% more housing in phases over the next 5 – 7 years. Commercial and industrial growth is anticipated along the highway corridors. The Board finds that the boundary in Attachment A accounts for this growth. Sewer and water services capacity is another significant factor in the boundary modification. The City has infrastructure to support the annexation of the areas identified in Attachment A in the next five years. Furthermore, these areas are immediately adjacent to the existing City limits or subdivisions with annexation agreements where the City can very likely annex parcels through voluntary annexation. These factors support the adoption of the boundary in Attachment A.

Geographic factors and other district boundaries were considered and evaluated but did not factor heavily into the determination.

The boundary map attached hereto and marked as Attachment A meets the requirements of Idaho Code §67-6526(3). The Board appreciates the City's willingness to reevaluate their request during the hearing process.

Order

Based upon the Findings of Fact, Conclusions of Law contained herein, the Board of County Commissioners approves Case #OR2025-0012, the confirmation of the City of Notus area of impact boundary per Idaho Code 67-6526(3), as described in Attachment A.

The decision includes the following Board actions:

1. Signing of an Ordinance per Idaho Code 67-6526(2)(a) & (3)(a).

DATED this 30th day of December, 2025.

CANYON COUNTY BOARD OF COMMISSIONERS

☒ Motion Carried Unanimously
☐ Motion Carried/Split Vote Below
☐ Motion Defeated/Split Vote Below

	Yes	No	Did Not Vote
 _____ Commissioner Leslie Van Beek	☒	_____	_____
 _____ Commissioner Brad Holton	☒	_____	_____
 _____ Commissioner Zach Brooks	☒	_____	_____

Attest: Rick Hogaboam, Clerk

By: JR088
Deputy

Date: 12-30-25