



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

In the matter of the application of:

City of Middleton
Area of Impact Boundary
OR2025-0010

Record and Procedural History

- A. City of Middleton submitted a boundary confirmation request and supporting documents and maps on August 15, 2025. Marked as Exhibits A1 and A2 of the staff report.
- B. Notice of the public hearing was provided to the City of Middleton on August 22, 2025. Full political notice of the public hearing for the City of Middleton was sent out on August 20, 2025. Newspaper notice published on August 27, 2025, and September 30, 2025, in the Idaho Press. Notices to property owners where the City of Middleton proposed a boundary change were mailed on August 22, 2025.
- C. The staff report, exhibits, and public comments dated October 16, 2025, and including Exhibits A through E in the record.
- D. A public hearing was held before the Board of County Commissioners on October 16, 2025. Testimony was offered at the public hearing from the City of Middleton officials and members of the public. Public testimony was closed. The hearing was continued to October 29, 2025, to permit the City of Middleton to respond to questions from the Board.
- E. Late Exhibit G1 submitted by the City of Middleton on October 23, 2025, in response to the Board's request for additional information from the City of Middleton.
- F. The continued public hearing was held before the Board on October 29, 2025. Testimony, limited to examination of the additional City of Middleton's submittal, was offered at the public hearing from the City of Middleton officials. The hearing was continued to November 17, 2025, to permit the City of Middleton to respond to questions from the Board.
- G. Late Exhibit E1 submitted by the City of Middleton on November 6, 2025, in response to the Board's request for additional information from the City of Middleton.
- H. The continued public hearing was held before the Board on November 17, 2025. Testimony, limited to examination of the additional City of Middleton's submittal, was offered at the public hearing from the City of Middleton officials. The hearing was continued to November 24, 2025, to permit Canyon County Staff to prepare a new boundary map in response to the request from the Board in Late Exhibit F1.
- I. On November 24, 2025, the Board moved to adopt the boundary map labeled as Late Exhibit H1 and to amend Chapter 9, Article 9, Areas of City Impact, Middleton, of the Canyon County Code of Ordinance to adopt the map into the County ordinances.
- J. Final Boundary map attached hereto as Attachment A: "Middleton Area of Impact Boundary Map" dated November 24, 2025.

Area of Impact Hearing Criteria

The request, OR2025-0010, was presented at public hearings before the Canyon County Board of County Commissioners on October 16, 2025; October 29, 2025; November 17, 2025; and November 24, 2025. Having considered the evidence presented in the public hearings, including the staff report, City of Middleton 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.

- (1) According to the applicant's request, the City of Middleton anticipates residential growth to occur; per COMPASS data, the population of 2,978 in the year 2000 has increased to 13,970 in the year 2025. The average growth in the City of Middleton has been 8.40% for the past three years. If the growth continues at the same rate, the projected growth for the year 2030 will be 19,024 (Staff Report Exhibits A1.1 & B3).
- (2) The City of Middleton has several subdivisions in process within the area of impact, as seen in Late Exhibit E1.

The Board considers the City of Middleton's anticipated residential and commercial growth projections to be viable and a significant consideration for confirmation of portions of Middleton's area of impact boundary.

67-6526(4)(a)(ii) Geographic factors.

- (1) The City of Middleton's initial area of impact has some significant slopes that would impact on the cost and likelihood of the City to providing water and sewer services. (Staff Report Exhibit B2.8 and hearing discussion with City officials)
- (2) The Boise River is another significant geographic factor that serves as a geographic boundary between Middleton and Caldwell.

The Board considered these factors in modifying the initial boundary request.

67-6526(4)(a)(iii) Transportation infrastructure and systems, including connectivity.

- (1) According to the City of Middleton's proposal (Staff Report Exhibit A1.1), the City plays a key role in regional connectivity. For example, the City of Middleton and the area of impact have State Highway 44 serving as the main east-west corridor,

and most of the local roads in and around the City of Middleton go north and south into Highway 44. ITD's current Average Annual Daily Traffic Map supports the City of Middleton's current configuration of roadways for efficient travel.

- (2) The City of Middleton has collaborated with ITD during the past two years on a Planning and Environmental Linkage Study (PEL Study) for improvements to Highway 44 through the City of Middleton and the area of impact. According to the City of Middleton's proposal, they are actively implementing projects, such as the construction of two key traffic signals on Highway 44 at Hartley Lane and Cemetery Road. The City of Middleton is also partnering with HD4 beyond city limits on the roundabout at Lincoln Road and Middleton Road and the new bridge on Duff Lane near 9th Street (Staff Report Exhibit A1.1).
- (3) To support the City's transportation improvements and connectivity, the City of Middleton has impact fees, ITD proportionate share fees, and requires developers to build the roads adjacent to their project to fund the planned roadways (Staff Report Exhibit A1).

The Board finds that existing transportation infrastructure supports adopting an area of impact boundary for Middleton.

67-6526(4)(a)(iv) Areas where municipal or public sewer and water are expected to be provided within five (5) years.

(1) Water:

The City of Middleton's 2023 Water Facility Plan and Water Rights Master Plan show a system that will support the continued growth within the area of impact (Staff Report Exhibit A8).

According to the letter of intent, the City of Middleton's production water wells consistently yield high volumes that are sufficient to meet long-term needs (Staff Report Exhibit A1).

The City of Middleton has completed multiple projects to prepare for future growth, including the addition of the Falcon Valley Booster Station, construction of Well 10, replacement and upsizing of critical water mains, and rehabilitation of a storage tank (Staff Report Exhibit A1.1).

(2) Sewer:

The City of Middleton will be constructing a new treatment plant as outlined in the approved 2022 Wastewater Facility Plan (Staff Report Exhibits A1.1 and A7). A wastewater plan upgrade is planned for 2026-2028 and will be constructed in phases (Staff Report Exhibit A1.1).

Based upon public testimony, the wastewater plan upgrade is primarily for the current need, with limited EDU availability for growth into the expansion that was originally proposed.

A primary consideration in the Board's decision to reduce Middleton's area of impact boundary is the City's sewer and wastewater infrastructure deficiencies. A considerable amount of hearing time and consternation from the public relates to this issue. The Board heard testimony from City officials and City engineer on the topic which was

resolved with finality had the last hearing where a City official provided concrete data on the matter that did not contradict the City engineer and other public statements made by the City. The fact of the matter is that Middleton has limited sewer and wastewater infrastructure available to support new residential development. A significant portion of Middleton's total sewer and wastewater infrastructure availability is already committed to subdivisions in development. Middleton cannot support sewer and wastewater services for the original proposed area of impact boundary. During the hearing process the Board worked with Middleton to establish what services are already committed and what areas are most likely to be able to receive City services in the next five years. The Board is satisfied that the final adopted boundary reflects the reality of Middleton's current and projected infrastructure.

67-6526(4)(a)(v) Other public service district boundaries.

The record contains analysis on other service district boundaries including the school district and the fire district boundaries. The Board does not find any conflict between these boundaries and Middleton's boundary request that would require alteration of Middleton's proposed boundary except for conflict between Middleton code and its primary school district. The Middleton school district is reportedly over capacity and the City has an ordinance in place that restricts growth where the local schools are over capacity. A comment received on September 26, 2025, states that the Middleton School District supports the City's proposal to Canyon County for modification and confirmation of the area of impact. The District's statement and Middleton's original proposal are at odds with the Middleton code and that consideration would have likely been a significant factor in the Board's review of the boundary request. However, because the dialogue with the City regarding the sewer services resulted in considerable reduction of the boundary the matter is moot.

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.

- (1) The original request by the City of Middleton for the area of impact in Exhibit A2 of the Staff Report did exceed the two-mile distance from the city jurisdiction (Staff Report Exhibit B2.11 and B2.12). Based on the findings herein, the Commissioners modified the proposed area of impact. The approved area of impact in Attachment A does not exceed the two-mile distance.
- (2) The "very likely" be able to annex the established area of impact next five (5) years restriction will be discussed in the Conclusion below.

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.

The area of impact for the City of Middleton does not cross any county boundary lines (Attachment A).

67-6526(4)(d) Areas of impact shall not overlap.

The original request by the City of Middleton for the area of impact in Exhibit A2 of the Staff Report did overlap a parcel between the City of Caldwell and the City of Middleton (Staff Report Exhibit B2.13). Middleton and Caldwell resolved the question amicably. The final adopted area of impact in Attachment A will not overlap with any neighboring city's area of impact.

Conclusion

The boundary map presented and discussed with Middleton on November 24, 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, Middleton is projected to see commercial and residential growth before 2030 according to professional estimates. Sewer and water services capacity is the most significant factor in the boundary modification. The City does not have the infrastructure availability to support the annexation of the areas identified in its original request. Furthermore, much of its service infrastructure is committed to development within City limits or platted subdivisions with annexation agreements with the City. The boundary must also take into account where the terrain would make sewer and water infrastructure development unlikely. These factors support the adoption of the boundary in Attachment A, which substantially reduces the original request.

Transportation 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 #OR2025-0010, the modification of the City of Middleton 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