CHAPTER ONE
PROPERTY RIGHTS

A land use regulation or action must not be unduly restrictive as to cause a “taking” of any landowner’s property without just compensation. The Fifth Amendment to the United States Constitution states “nor shall private property be taken for public use without just compensation”. In the land-use control context, the argument is that if the land-use ordinance, regulation or decision deprives the owner of economically viable use of the property, then the property has for all practical purposes been taken by “inverse condemnation”.

Federal Standards

Whether or not a land-use decision amounts to a taking prohibited by the Fifth Amendment to the United States Constitution, has been a difficult task for the courts, including the U.S. Supreme Court, to resolve. Determining when a government action amounts to a taking, requiring either compensation or invalidation of the action for violation of due process, is not a simple task. The U.S. Supreme Court itself has candidly admitted that it has never been able to develop a “set formula” to determine when “justice and fairness” require that economic injuries caused by a public action be compensated by the government. (Penn Central Transportation Co. vs. New York City, 436 U. S. 104 124 [1978]). Instead, the high court has observed that “whether a particular restriction will be rendered invalid by the government’s failure to pay for any losses proximately caused by it depends largely upon the particular circumstances [in that] case (id. at 488)”. The question of whether a regulation has gone too far and a taking has occurred has been an ad hoc, factual inquiry (id.).

State Requirements

In 1994, the Idaho State Legislature amended Section 67-6508 of the Idaho Code to include “an analysis of provisions which may be necessary to insure that land-use policies, restrictions, conditions and fees do not violate private property rights, adversely impact values, or create unnecessary technical limitations on the use of property ...” [67-6508 (a)]. Although a Comprehensive Plan that contains such language does not provide an absolute defense to a taking claim, some courts give weight to Comprehensive Plans that address “taking” issues. They are impressed by a planning process that strives to balance land-use opportunities throughout a given community.
Office of the Attorney General Checklist

In an effort to provide guidance with regards to “takeings,” the Office of the Attorney General of the State of Idaho has prepared the following checklist in reviewing the potential impact of regulatory or administrative actions upon specific property.

1. **Does the regulation or action result in a permanent/temporary physical occupation of private property?**

Regulation or action resulting in a permanent or temporary physical occupation of all or a portion of private property will generally constitute a “taking”. For example, a regulation that required landlords to allow the installation of cable television boxes in their apartments was found to constitute a “taking” (see Loretto v. Teleprompter Manhattan CATV Corp., 458 U.S. [1982]).

2. **Does the regulation or action require a property owner to dedicate a portion of property or to grant an easement?**

Carefully review all regulations requiring the dedication of property or the granting of an easement. The dedication of property must be reasonably and specifically designed to prevent or compensate for adverse impacts of the proposed development. Likewise, the magnitude of the burden placed on the proposed development should be reasonably related to the adverse impacts created by the development. The court will also consider whether the action in question substantially advances a legitimate state interest. For example, the United State Supreme Court determined in Nollan v. California Coastal Commission 483 U.S. 825 (1987) that compelling an owner of waterfront property to grant a public easement across his property that does not substantially advance the public’s interest in beach access constitutes a “taking.” Likewise, the United States Supreme Court held that compelling a property owner to leave a public green way, as opposed to a private one, did not substantially advance protection of a floodplain and was a “taking”. (Dolan v. City Tigard, 114 U.S. 2309 [June 24, 1994]).

3. **Does the regulation deprive the owner of all economically viable uses of the property?**

If regulations prohibit all economically viable or beneficial uses of the land, it will likely constitute a “taking”. In this section, the agency can avoid liability for just compensation only if it can demonstrate that the proposed uses are prohibited by the laws of nuisances or other pre-
existing limitation on the use of the property. (See Lucus v. South Carolina Coastal Council, 112 S. Ct. 2886 [1992]).

It is important to analyze the regulation's impact on the property as a whole, and not just the impact on a portion of the property. It is also important to assess whether any profitable use of the remaining property is available. (See Florida Rock Industries, Inc. v United States, 18 F. 3d 1560 [Fed. Cir. 1994]). The remaining use does not necessarily have to be a planned or prior use, or the highest and best use of the property. One factor in this assessment is the degree to which the regulatory action interferes with a property owner's reasonable investment-backed expectations.

Carefully review regulations requiring that all of the particular parcel of land be left substantially in its natural state. A prohibition of all economically viable uses of the property is vulnerable to a takings challenge. In some situations, however, there may be pre-existing limitations on the use of property that could insulate the government from a takings liability.

4. **Does the regulation have a significant impact on the landowner's economic interest?**

Carefully review regulations that have a significant impact on the owner's economic interest. Courts will often compare the value of property before and after the impact of challenged regulations. Although a reduction in property value alone may not be a "taking," a severe reduction in property value often indicates a reduction or elimination of reasonably profitable uses. Another economic factor courts will consider is the degree to which the challenged regulation impacts any development rights of the owner. These economic factors are normally applied to the property as a whole.

5. **Does the regulation deny a fundamental attribute of ownership?**

Regulations that deny the landowner a fundamental attribute of ownership - including the right to possess, exclude others and dispose of all or a portion of the property - are potential takings.

The United States Supreme Court recently held that requiring a public easement for recreation purposes where the harm to be prevented was to flood plain was a "taking." In finding this to be a "taking," the Court stated:

"The city never demonstrated why a public greenway, as opposed to a private one, was required in the interest of flood control. The difference to the petitioner, of course, is the loss of ability to exclude others. This right to exclude others is "one of the most essential sticks in the bundle of rights that is commonly characterized as property."

Page 3
Dolan v. City of Tigard, 114 U.S. 2309 (June 24, 1994). The United States Supreme Court has also held that barring in inheritance (an essential attribute of ownership) of certain interest in land held by individual members of an Indian tribe constituted a “taking.” (See Hodel v. Irving, 481 U.S. 704 [1987])

6. Does the regulation serve the same purpose that would be served by directly prohibiting the use or action; and does the condition imposed substantially advance the purpose?

Regulations may go too far and may result in a takings claim where it does not substantially advance a legitimate governmental purpose. (Nollan v. California Coastal Commission, 107 S CT. 3141 [1987]; Dolan v. City of Tigard, 114 U.S. 2309 [June 24, 1994]). In Nollan, the United States Supreme Court held that it was an unconstitutional “taking” to condition the issuance of a permit to landowners on the grant of an easement to the public to use their beach. The Court found that since there was no indication that the Nollan’s house plans interfered in any way with the public’s ability to walk up and down the beach, there was no “nexus” between any public interest that might be harmed by the construction of the house and the condition of the permit. Taking this connection, the required easement was just as unconstitutional as it would be if imposed outside the permit context. Likewise, regulatory actions that closely resemble, or have effects of a physical invasion or occupation of property, are more likely to be found to be takings. The greater the deprivation of use, the greater the likelihood that a “taking” will be found.

**GOAL:** Preserve and protect private property rights as required per the provision of Idaho Code 67-6508A

**OBJECTIVE:** Ensure that all land use regulations and review procedures pertain to the protection of public health, safety and welfare and do not constitute a violation of due process of law.

**POLICIES:**
1. Conduct a periodic review of all applicable land use regulations or ordinances.
2. Ensure that all review of development and/or land use proposals are in accordance with the Attorney General’s checklist.
CHAPTER TWO
POPULATION AND GROWTH

The planning process for the City of Notus should promote policies to compliment the desirable features of the community. A stable population, with a slow growth factor, would be the ideal characteristic that the community most desires. A managed growth pattern would help to ensure the consistency of educational opportunities, the quality of sport and recreation opportunities, and the continuation of the essential City services such as water, sewer, ambulance, police and fire protection.

The normal factors that effect populations are births, deaths, and migration. Migration is defined as a movement into or out of a community. Large changes in population over a short time span (up to five years) can and will create problems. This is why the land use plan should provide for the possibility of greater changes or fluctuations than would normally be expected. This could increase or decrease the population base of the community. In 1970, the population of Notus was 304 people, over the next twenty years the population increased to 380.

<table>
<thead>
<tr>
<th>TABLE 1: Population History</th>
</tr>
</thead>
<tbody>
<tr>
<td>------</td>
</tr>
<tr>
<td>Notus</td>
</tr>
<tr>
<td>Canyon County</td>
</tr>
<tr>
<td>State of Idaho</td>
</tr>
</tbody>
</table>

Source: Idaho Department of Labor and Commerce; U. S. Census Bureau, 2000
*Idaho Department of Labor and Commerce estimate

<table>
<thead>
<tr>
<th>TABLE 2: Percentage of Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>1970-80</td>
</tr>
<tr>
<td>----------</td>
</tr>
<tr>
<td>Notus</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>----------------</td>
</tr>
<tr>
<td><strong>Canyon County</strong></td>
</tr>
<tr>
<td><strong>State of Idaho</strong></td>
</tr>
</tbody>
</table>

Source: Idaho Department of Labor and Commerce; U.S. Census Bureau, 2000
TABLE 3: Migration Percentage

<table>
<thead>
<tr>
<th></th>
<th>1970-80</th>
<th>1980-90</th>
<th>1990-00</th>
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</thead>
<tbody>
<tr>
<td>Notus</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
</tr>
<tr>
<td>Canyon County</td>
<td>23.3</td>
<td>-2.2</td>
<td>42.0</td>
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<tr>
<td>State of Idaho</td>
<td>18.1</td>
<td>-4.4</td>
<td>19.0</td>
</tr>
</tbody>
</table>

Source: Idaho Department of Labor and Commerce; U. S. Census Bureau, 2000

TABLE 4: Population Projections

<table>
<thead>
<tr>
<th></th>
<th>1990</th>
<th>2000</th>
<th>2010</th>
<th>2020</th>
</tr>
</thead>
<tbody>
<tr>
<td>Notus</td>
<td>380</td>
<td>458</td>
<td>948</td>
<td>1043*</td>
</tr>
<tr>
<td>Canyon County</td>
<td>90,076</td>
<td>131,441</td>
<td>151,122**</td>
<td>173,790****</td>
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<tr>
<td>State of Idaho</td>
<td>1,006,734</td>
<td>1,293,953</td>
<td>1,358,651***</td>
<td>1,494,516***</td>
</tr>
</tbody>
</table>

* Increase of 10% per decade
** Increase of 15% per decade
*** Increase of 5% per decade
**** Community Planning Association of Southwest Idaho (COMPASS) forecasts population for Canyon County in 2020 as 192,738

Source: Idaho Department of Labor and Commerce; U. S. Census Bureau, 2000

TABLE 5: Households and Household Size: 2000

<table>
<thead>
<tr>
<th></th>
<th>Households</th>
<th>Persons/Household</th>
</tr>
</thead>
<tbody>
<tr>
<td>Notus</td>
<td>147</td>
<td>3.12</td>
</tr>
<tr>
<td>Canyon County</td>
<td>n/a</td>
<td>2.85</td>
</tr>
<tr>
<td>State of Idaho</td>
<td>n/a</td>
<td>2.69</td>
</tr>
</tbody>
</table>

Source: Idaho Department of Labor and Commerce; U. S. Census Bureau, 2000
TABLE 6: Population by Age Groups

<table>
<thead>
<tr>
<th>Age</th>
<th>Notus</th>
<th>%</th>
<th>Canyon County</th>
<th>%</th>
<th>State of Idaho</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Under 5</td>
<td>34</td>
<td>7.4</td>
<td>11,986</td>
<td>9.1</td>
<td>97,643</td>
<td>7.5</td>
</tr>
<tr>
<td>6-9</td>
<td>39</td>
<td>8.5</td>
<td>11,570</td>
<td>8.8</td>
<td>100,756</td>
<td>7.8</td>
</tr>
<tr>
<td>10-14</td>
<td>44</td>
<td>9.6</td>
<td>10,676</td>
<td>8.1</td>
<td>104,608</td>
<td>8.1</td>
</tr>
<tr>
<td>15-19</td>
<td>48</td>
<td>10.5</td>
<td>10,590</td>
<td>8.1</td>
<td>110,858</td>
<td>8.6</td>
</tr>
<tr>
<td>20-24</td>
<td>23</td>
<td>5.0</td>
<td>9,927</td>
<td>7.6</td>
<td>73,954</td>
<td>7.3</td>
</tr>
<tr>
<td>25-34</td>
<td>65</td>
<td>14.2</td>
<td>19,035</td>
<td>14.5</td>
<td>169,433</td>
<td>13.1</td>
</tr>
<tr>
<td>35-44</td>
<td>62</td>
<td>13.5</td>
<td>18,141</td>
<td>13.8</td>
<td>192,968</td>
<td>14.9</td>
</tr>
<tr>
<td>45-54</td>
<td>51</td>
<td>11.1</td>
<td>15,175</td>
<td>11.5</td>
<td>170,248</td>
<td>13.2</td>
</tr>
<tr>
<td>55-59</td>
<td>19</td>
<td>4.1</td>
<td>5,590</td>
<td>4.3</td>
<td>60,024</td>
<td>4.6</td>
</tr>
<tr>
<td>60-64</td>
<td>22</td>
<td>4.8</td>
<td>4,290</td>
<td>3.3</td>
<td>47,505</td>
<td>3.7</td>
</tr>
<tr>
<td>65-74</td>
<td>35</td>
<td>7.6</td>
<td>7,170</td>
<td>5.5</td>
<td>75,970</td>
<td>5.9</td>
</tr>
<tr>
<td>75-84</td>
<td>10</td>
<td>2.2</td>
<td>5,346</td>
<td>4.1</td>
<td>51,289</td>
<td>4.0</td>
</tr>
<tr>
<td>85 and over</td>
<td>6</td>
<td>1.3</td>
<td>1,945</td>
<td>1.5</td>
<td>18,057</td>
<td>1.4</td>
</tr>
<tr>
<td>TOTAL</td>
<td>438</td>
<td>100%</td>
<td>131,441</td>
<td>100%</td>
<td>1,293,953</td>
<td>100%</td>
</tr>
</tbody>
</table>

Source: Idaho Department of Labor and Commerce; U. S. Census Bureau, 2000

TABLE 7: Demographic Component Changes

<table>
<thead>
<tr>
<th></th>
<th>Median Age</th>
<th>% Under 18</th>
<th>% 18-64</th>
<th>% 65 and Over</th>
</tr>
</thead>
<tbody>
<tr>
<td>Notus</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>30.39</td>
<td>36.0</td>
<td>52.8</td>
<td>11.2</td>
<td></td>
</tr>
<tr>
<td>Canyon County</td>
<td>30.5</td>
<td>30.9</td>
<td>58.0</td>
<td>11.1</td>
</tr>
<tr>
<td>State of Idaho</td>
<td>33.2</td>
<td>28.5</td>
<td>60.2</td>
<td>11.3</td>
</tr>
</tbody>
</table>

Source: Idaho Department of Labor and Commerce; U. S. Census Bureau, 2000

TABLE 8: Minority Status

<table>
<thead>
<tr>
<th></th>
<th>Notus</th>
<th>%</th>
<th>Canyon County</th>
<th>%</th>
</tr>
</thead>
</table>

Page 8
<table>
<thead>
<tr>
<th>Race Category</th>
<th>Total</th>
<th>97.6</th>
<th>127,995</th>
<th>97.4</th>
</tr>
</thead>
<tbody>
<tr>
<td>One Race</td>
<td>447</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>White</td>
<td>398</td>
<td>86.9</td>
<td>109,225</td>
<td>93.1</td>
</tr>
<tr>
<td>Black or African American</td>
<td>0</td>
<td>0</td>
<td>421</td>
<td>0.3</td>
</tr>
<tr>
<td>Asian</td>
<td>3</td>
<td>0.7</td>
<td>1,056</td>
<td>0.8</td>
</tr>
<tr>
<td>Asian Indian</td>
<td>0</td>
<td>0</td>
<td>103</td>
<td>0.1</td>
</tr>
<tr>
<td>Chinese</td>
<td>0</td>
<td>0</td>
<td>175</td>
<td>0.1</td>
</tr>
<tr>
<td>Filipino</td>
<td>1</td>
<td>0.2</td>
<td>157</td>
<td>0.1</td>
</tr>
<tr>
<td>Japanese</td>
<td>2</td>
<td>0.4</td>
<td>326</td>
<td>0.2</td>
</tr>
<tr>
<td>Korean</td>
<td>0</td>
<td>0</td>
<td>74</td>
<td>0.1</td>
</tr>
<tr>
<td>Vietnamese</td>
<td>0</td>
<td>0</td>
<td>104</td>
<td>0.1</td>
</tr>
<tr>
<td>Other Asian (1)</td>
<td>0</td>
<td>0</td>
<td>117</td>
<td>0.1</td>
</tr>
<tr>
<td>Native Hawaiian or Other Pacific Islander</td>
<td>0</td>
<td>0</td>
<td>176</td>
<td>0.1</td>
</tr>
<tr>
<td>Native Hawaiian</td>
<td>0</td>
<td>0</td>
<td>39</td>
<td>0</td>
</tr>
<tr>
<td>Guamanian or Chamorro</td>
<td>0</td>
<td>0</td>
<td>17</td>
<td>0</td>
</tr>
<tr>
<td>Samoan</td>
<td>0</td>
<td>0</td>
<td>16</td>
<td>0</td>
</tr>
<tr>
<td>Other Pacific Islander (2)</td>
<td>0</td>
<td>0</td>
<td>107</td>
<td>0.1</td>
</tr>
<tr>
<td>Am. Indian/Alaskan Native</td>
<td>6</td>
<td>1.3</td>
<td>1,120</td>
<td>0.9</td>
</tr>
<tr>
<td>Some Other Race</td>
<td>40</td>
<td>8.7</td>
<td>15,997</td>
<td>12.2</td>
</tr>
<tr>
<td>Two or More Races</td>
<td>11</td>
<td>2.4</td>
<td>3,448</td>
<td>2.8</td>
</tr>
</tbody>
</table>

**Race Alone or in Combination with One or More Races:**

<table>
<thead>
<tr>
<th>Race Category</th>
<th>Total</th>
<th>97.6</th>
<th>127,995</th>
<th>97.4</th>
</tr>
</thead>
<tbody>
<tr>
<td>White</td>
<td>408</td>
<td>89.1</td>
<td>112,384</td>
<td>85.5</td>
</tr>
<tr>
<td>Black or African American</td>
<td>0</td>
<td>0</td>
<td>698</td>
<td>0.5</td>
</tr>
<tr>
<td>Am. Indian / Alaskan Native</td>
<td>10</td>
<td>2.2</td>
<td>2,216</td>
<td>1.7</td>
</tr>
<tr>
<td>Asian</td>
<td>8</td>
<td>1.7</td>
<td>1,705</td>
<td>1.3</td>
</tr>
<tr>
<td>Native Hawaiian or Other Pacific Islander</td>
<td>2</td>
<td>0.4</td>
<td>875</td>
<td>0.3</td>
</tr>
<tr>
<td>Some Other Race</td>
<td>42</td>
<td>9.2</td>
<td>17,712</td>
<td>13.5</td>
</tr>
<tr>
<td>Hispanic/Latino Total</td>
<td>458</td>
<td>100.0</td>
<td>131,441</td>
<td>100.0</td>
</tr>
<tr>
<td>Hispanic/Latino (of any race)</td>
<td>101</td>
<td>22.1</td>
<td>24,455</td>
<td>18.6</td>
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<tr>
<td>Mexican</td>
<td>90</td>
<td>19.7</td>
<td>19,558</td>
<td>14.9</td>
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<tr>
<td>Puerto Rican</td>
<td>0</td>
<td>0</td>
<td>168</td>
<td>0.1</td>
</tr>
<tr>
<td>Race</td>
<td>0</td>
<td>0</td>
<td>32</td>
<td>0</td>
</tr>
<tr>
<td>-------------------------------</td>
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<td>----</td>
<td>----</td>
</tr>
<tr>
<td>Cuban</td>
<td>0</td>
<td>0</td>
<td>32</td>
<td>0</td>
</tr>
<tr>
<td>Other Hispanic/Latino</td>
<td>11</td>
<td>2.4</td>
<td>4,677</td>
<td>3.6</td>
</tr>
<tr>
<td>Not Hispanic or Latino</td>
<td>357</td>
<td>77.9</td>
<td>105,966</td>
<td>81.4</td>
</tr>
<tr>
<td>White Alone</td>
<td>344</td>
<td>75.1</td>
<td>102,428</td>
<td>77.9</td>
</tr>
</tbody>
</table>

1. Other Asian alone, or two or more Asian categories
2. Other Pacific Islander alone, or two or more Native Hawaiian and Other Pacific Islander categories.
3. In combination with one or more of the other races listed. The six numbers may add to more than the total population and its percentages may add to more than 100 percent, because individuals may report more than one race.

n/a: Not available
Source: Idaho Department of Labor and Commerce; U. S. Census Bureau, 2000

**GOALS:** Achieve and maintain growth, which enhances character of the area, while providing and improving amenities and services.

**OBJECTIVES:**

1. Coordinate with Canyon County regarding planning for Area of City Impact addressing regional growth supported by the Notus Comprehensive Plan.

2. Utilize improved and unrealized land within city limits in order to curtail urban sprawl and protect existing agriculture lands from unnecessary encroachment.

**POLICIES:**

Population forecast from the U.S Census, Idaho Department of Labor and Commerce and Idaho Power Company will be used to guide the development of population estimates.
CHAPTER THREE
LAND USE

The purpose of land use planning is to reduce conflicts, reduce cost of services, and have control of development in and around city limits. Managing growth and channeling it into orderly community development is the key element of land use planning. Unplanned growth results in undesirable land use patterns. This element of the plan deals with current land uses and the projected patterns for future land use. These future changes are concerns of area residents as physical changes begin to change the land use patterns of the city. Land use is an integral part of every element in a comprehensive plan. Effective planning is essential for numerous reasons:

* designates areas suited for specific types of business or industry;
* allows for large areas or special site considerations;
* provides for the efficient movement of goods and people through various land uses (e.g., employees to work, resources to industry, children to school)

A well integrated and coordinated mixture of residential, commercial and other types of land use creates a more dynamic and compact community. The goal of the Comprehensive Plan is to assist in the arrangement of existing and future land uses in order to make them harmonious with each other. The analysis of existing land use is an important process in developing a basis for the Comprehensive Plan.
CURRENT LAND USE PATTERNS

Land uses in Notus include residential, commercial, agricultural, and governmental. Land is primarily owned by private individuals. These land uses make a major impact to the development of the city in the following ways:

AGRICULTURE:

The lands surrounding the city limits of Notus continue to be farmed with such crops as corn, onions, potatoes, beets and various grains and seed products. There is one local grain broker based in the city limits, Evans Feed, Grain and Seed and Boise River Pack, an onion packing business. In addition, Chaney Transportation, a cattle broker, has a feedlot within the impact area. Other similar businesses are located in Parma (7 miles to the West), Caldwell (5 miles to the Southeast) as well as in other neighboring communities. It is very important to note that these businesses have access to both the Union Pacific Railroad and U.S. 20/26.

RESIDENTIAL:

Residential development within the city has grown at a relatively slow pace in the past two decades with a total of twenty-nine (29) units. But as growth continues in the Treasure Valley, Notus will see new development. According to the U.S. Census Bureau in 2000, there were one hundred and forty-seven (147) occupied housing units in Notus. One hundred and fourteen (114) residential units are owner occupied and thirty-three (33) are renter occupied. The majority of the housing stock in Notus, approximately one hundred and sixteen (116) units, was built between 1939 and 1980.

In 1999, 62 lots were platted and approved with plans for another 92 lots in the future. This total of 154 lots will be more lots developed in the city than during any other period since the city’s incorporation. When these lots are platted and construction is completed, the current population of 506 residents may increase by 434 residents for a total of 940 residents.

COMMERCIAL:

Commercial properties are located on small parcels within the city limits, but the majority of commercial land uses are along U.S. Highway 20/26. The City of Notus is approximately seven (7) miles from Parma, (1,804 pop) and five (5) miles from Caldwell (31,041pop). Currently, Notus residents travel to Parma and Caldwell for their shopping and services needs or they may choose to obtain services and shop in Nampa and Boise.
Existing office and commercial space is in disrepair. Based upon the current conditions of these structures, is unlikely that remodeling would be feasible. The other option would be to construct new office and retail space. Owners of existing commercial property will need to make a major investment to bring existing structures up to code. Potential businesses may wish to construct on vacant lands or raze existing structures.

In the past, community leaders often thought the way to compete with malls and other big box developments was to create a physical “theme” that would make a downtown “unique”. The City of Notus is unique in its own way. Targeted planning efforts for the downtown area provide an opportunity to identify specific needs and develop clear alternatives for the physical and economic enhancement of the core area. A master plan will be established for the development of a downtown, commercial core.

INDUSTRIAL:

There are no industrial uses located in Notus except those related to the agricultural community.

HIGH TECHNICAL:

The City of Notus is approximately 30 miles from Boise. With the influx of High Technical development in the Treasure Valley, it would seem that Notus would be prime for High-Tech spin-off development. High-Tech spin off development is usually a clean development and would be a boon for employment opportunities in Notus. The orderly development of land uses from agricultural, residential, commercial to high-tech would maintain a stable and diverse economy for the City of Notus. As the Treasure Valley and surrounding urban areas become more dense, congested and polluted with a higher crime rate, people will seek a slower, simpler life style. With inexpensive land, lower taxes, and an easy commute through the Treasure Valley, Notus will grow.

AREA OF CITY IMPACT

Pursuant to Idaho Code Section 67-6526, Area of City Impact - Negotiation Procedures: a separate ordinance providing for application of plans and ordinances of the area of city impact shall be adopted. Subject to the provisions of Section 50-222, Idaho Code, an Area of City Impact must be established before a city may annex adjacent territory. In defining an Area of City Impact, the following factors should be considered:
(1) Trade Areas;
(2) Geographic factors;
(3) Areas that can reasonably be expected to be annexed to the city in the future.

The City of Notus shall have an agreement in place with Canyon County for land use decisions in pre-defined impact areas surrounding the city. The boundaries of the area of city impact are contingent upon negotiations with Canyon County. Consensus should be reached by both parties, in a timely fashion, on all matters regarding the public good.

Some development opportunities are listed below:

1. Grocery Store
2. Pharmacy
3. Bank/Savings and Loan/Credit Union
4. Motel
5. Dry Cleaners
6. Bowling Alley
7. Arcade
8. Auto Repair/Service Station*
9. Bar/Lounge*
10. Beauty Shop/Barber Shop
11. Drive-Up Restaurant
12. Medical Clinic
13. Post Office*
14. Convenience Store*
15. Laundromat
16. Hardware Store*
17. Lumber Yard*
18. Business Offices (realtor, attorney, engineer, accountant, insurance agent, etc.)
19. Video Store
20. Craft/Gift Shop
21. Car Wash
22. Excavation Company*
23. Irrigation District Offices*
Existing businesses in Notus.

The development of vacant property should include a “mixed-use” development. Using new urbanism guidelines, there should be a mix of commercial, office, retail and residential. A combination of offices with residential on the second floor would provide a balance of uses. It is not anticipated there will be any detached housing units. Retail space should be available within the development. The Notus Comprehensive Plan and related ordinances are working documents used by city leaders to shape the future of Notus. The City of Notus has three basic options:

1. Provide services for residents to shop in Notus;
2. Provide rental office space;
3. Provide a service not found in the surrounding community.

**GOALS:** Land use decisions for agriculture, residential, commercial, industrial, high-tech and public will be based upon the Comprehensive Plan and zoning and subdivision ordinances.

**OBJECTIVES:**

1. Encourage the preservation of prime agricultural land.
2. Work with property owners to rehabilitation of the central business district.
3. Provide for planned and orderly development of land within Notus and its impact area.
4. Encourage the development of additional commercial land uses, including but not limited to, a mixed use of residential, offices and retail.
5. Land uses should have minimal adverse effects on the physical and social environment.
6. Review the development and location of residential and commercial expansion in appropriate area.
7. Review community needs, when marketing for new commercial development in Notus.
8. Develop an industrial park that enhances the agricultural crops in the area.
9. Continue the update development regulatory guidelines and ordinances.

POLICIES:

1. Encourage public participation in the planning process

2. Encourage orderly and logical development of land which is adequate for expansion of residential, commercial, agricultural, and recreational uses necessary to maintain a stable and diverse economy.

3. Develop buffer areas between commercial and residential zones to reduce noise, lights and traffic caused by commercial activity.

4. Encourage mixed-use development including housing, office and commercial development to capture traffic trips.

5. Encourage the location of clean, light industrial uses in the city.

6. Develop a partnership with local property owners and the city to revitalize the downtown and secure funding.

7. Prepare for orderly, logical development of subdivisions.

8. Continue to update the zoning ordinance and subdivision ordinance in order to be in conformance with the adopted Comprehensive Plan and establish appropriate development standards.

9. Renegotiate area of city impact agreement with Canyon County and coordinate planning and development within Notus and its Area of City Impact.
CHAPTER FOUR
TRANSPORTATION

The transportation element considers all modes of transportation, including but not limited to, automobile, truck, bus, rail, bicycle and pedestrian.

U.S.20/26, a major arterial and gateway, bisects the southern portion of the city. Adjacent land to the south of U.S. 20-26 is owned by Union Pacific Railroad. This rail is a primary east/west route for rail transport. Notus Road, a major north/south collector, extends south of U.S.20/26 approximately three miles to Highway 19 and north to the Notus Schools on Purple Sage Road. This collector is a narrow road with 100 feet of right-of-way. Conway Road defines the eastern boundary of Notus and Iverson Road is to the west of the city limits. First and Third streets provides additional north/south routes through the city.

A roadway inventory and pavement management program should be advanced by the city that will assist in prioritizing projects and assist in developing a complete maintenance program. A transportation plan identifies projects and provides recommendations for future improvements, which will improve transportation within the city. As the city grows, it will be important to develop and adopt standards for future road improvements. The classifications of streets and roads in Notus are:

Arterial Streets

Arterials streets serve through-traffic between important centers of activity in a metropolitan area, such as U.S.20/26, Conway, Iverson and Purple Sage Roads.

Collector Streets

Collector streets serve to gather and funnel traffic from local streets to arterial streets. They include medium traffic volume streets which collect traffic from local roadways and distribute traffic to other arterials. Generally, they can accommodate two lanes of traffic and parking is discouraged. They may serve as boundaries for neighborhoods as well as buffers between incompatible land uses because of their 60-foot rights-of-way. The collector streets identified in Notus are 1st Str., 3rd Str. and Notus Road.
Local Streets

Local streets serve residential developments and provide local access. They provide direct access to adjacent residential areas and provide local traffic movement. The roadways are generally two lanes with parking and a right-of-way width of about 56 feet and a paved width of 37 feet. Through traffic is discouraged. The local streets identified in Notus are 1st Str. South, 2nd Str., Fargo Ave, Hailey Ave., Gary Ave., Idaho Ave., Jasper Ave. and Kreammwood Drive.

The City of Notus has access control and responsibility of street maintenance and improvements of the street system. Notus Highway District assist the paving the streets of Notus. The Federal Highway Administration (FHWA) classifies roadways as: interstate, arterials, collectors, and local streets. Function determines the difference in the road classifications. Ninety percent of the traffic in the city of Notus is carried on the interstates and arterial and collector streets.

Idaho Transportation Department

The Idaho Transportation Department has jurisdiction of U.S. 20/26 (Elgin Street). ITD has standards regarding spacing for urban intersections (660 feet) and for urban approaches (150 feet). For rural, the intersection spacing the standard is 0.25 mile and approach spacing is 500 feet. When the city considers development along U.S. 20/26 (Elgin Street) any new approaches

Railroad

Union Pacific Railroad has a rail line along U.S.20/26. It provides access for the agricultural land uses in the area. It is hoped that this rail could be used access for light rail in the future.

Bus

Plans are underway to provide future public transportation through ValleyRide, the Regional Transportation Authority. The city of Notus has no interstate bus transportation services.

Sidewalks

Expanding and the maintenance of sidewalk is important to the community in order to encourage pedestrian as well as bicycle movement. A five foot sidewalk along Notus Road from U.S.20/26 to Purple Sage and the expansion of a eight (8) foot sidewalk along U.S.20/26 in the downtown
core is needed.

**Transportation Movement**

Cars, trucks, buses, pedestrians and bicyclists all use the roads. With an increase in population, traffic congestion is often the result. One solution to the congestion is to either expand existing roads or to build new roads. Another solution is to decrease use of roads by encouraging alternative routes and modes of travel. It is often difficult to construct new roads or widen existing roads within the city limits. Many of the current rights-of-way do not allow for expansion of many of the existing roads. The timing, location and expansion of the transportation system are important factors affecting urban development. A major concern of the community regarding the transportation system is the need to maintain and improve the livability of the residential areas in the face of new population and transportation requirements. Increases in population and related commercial and industrial expansion bring about demands for better transportation planning and implementation. Improvements required for the transportation network places a heavy burden on the county highway district’s budget as they attempt to meet these demands.

**Utilities**

A community’s transportation system is part of the framework within which its economy functions. A comprehensive plan that addresses economic development may need to include an effort to ensure access via highways, rail lines, and air. Transportation interacts with other public facilities and services. All potentially affected service providers, including school districts and utility companies, should be involved in planning the transportation component of the comprehensive plan. Transportation concerns within the comprehensive plan also influence utility providers. Utility lines often run beneath or along streets and highways, linking their maintenance and improvements with the transportation system. Most Idaho cities, counties, and highway districts have a working relationship with the local power, telephone, and cable television providers which run utility lines in public right-of-ways.

**Transportation Impacts**

The improvement or construction of transportation routes and facilities can impact the environment. Information gathered for the natural resources, hazardous areas, and special areas components of the plan assess how planned transportation improvements will affect productive crop and forest lands; streams and lakes; floodplains, steep slopes, and other naturally hazardous areas; or historic and other special sites. The natural resource component of the comprehensive
plan is also the place to address one of the fundamental needs of any jurisdiction which maintains trails, streets, highways, or runways: maintaining adequate sources of aggregate. The need for coordination in transportation planning will ensure that safe, efficient transportation system is available to individual communities. Discussions among agencies will also help ensure that the components of the plan - transportation, land use, public facilities, utilities and others - effectively support one another.

Parking

One parking space per 250 square feet of net floor area for business offices and medical or dental offices is required. One parking space per 200 square feet of net floor area for retail stores, banks or shops is required. One parking space for each 600 square feet of net floor area for retail sales establishments handling only durable goods or bulky merchandise is required and two parking spaces are required for residential development.

GOALS:

Provide and encourage a safe, convenient, aesthetic and economical transportation system that encompasses pedestrians, bicycles, automobiles, trains, buses and trucks for the safe, efficient movement of people, goods and services.

OBJECTIVES:

1. Provide ease of access in and throughout all portions of the city.

2. Promote various modes of alternative transportation, which will reduce air pollution, noise and fuel consumption.

3. Reduce transportation impacts on the environment.

4. Work with area utilities companies to coordinate utility instillation and road improvements.

5. Require developers to provide sufficient space for off-street parking of both commercial
and private vehicles.

6. Encourage the repair and/or install sidewalk throughout the city.

7. Pedestrians (sidewalks) and bicycles (lanes) should be accommodated with special facilities separate from automobiles.

8. Develop sidewalks and open space along Notus Rd. from U.S. 20/26 to Purple Sage.

POLICIES:

1. All new streets and roads and those which are reconstructed should be designed and built in accordance with adopted standards. The costs of new streets and roads should be required to be borne by developers.

2. Develop a sidewalk program.

3. Develop a street circulation master plan
   a. Prepare and maintain an operations maintenance program;
   b. Upgrade and pave local streets
   c. Expand local street widths as necessary

4. Work with the Idaho Department of Transportation regarding a redesign U.S.20/26 by reduce curb cuts and widen the U.S.20/26 within the Downtown.

5. Extend Fargo Street east to Conway Road.

6. Develop crosswalks on Purple Sage and Notus Roads as a school crossing.

7. Support ValleyRide for the development of a public transportation in Notus.
   a. Encourage carpooling;
   b. Develop a park and ride lot and
   c. Support a commuter rail service from Boise to Nampa-Caldwell.
8. Request and utilize funding assistance as provide by the Idaho Department of Transportation (ITD) and the Local Highway Technical Assistance Council (LTEC)
CHAPTER FIVE

COMMUNITY DESIGN

Community design relates the community’s visual appearance and physical relationship to the natural environment within the City and its Area of Impact. Community design also plays a significant role when addressing quality-of-life issues. It must take into consideration the preservation of its long time residents and the need for appeal to draw new residents.

There are two distinct perspectives to the character of community design. First, community design deals with the visual qualities of the city as a whole as well as its relationship to the surrounding countryside. Height of structures, type of exterior materials, greenbelts, open space, pathways, location of sidewalks and control of noxious weeds are some issues considered visual qualities.

Secondly, community design deals with the development patterns of specific areas such as business districts, industrial areas, residential neighborhoods as well as areas for future development. Protecting gateways into the city, landscaping, building set-backs, street lighting and beautification, traffic flow, sign standards, parking lots are some issues considered design features. It is important to provide a “meeting place” within a community. A meeting place is identified as a point of focus and can be fountains, clock towers, sculptures, gazebos or flags.

Both concepts of community design interrelate and are key components of the Comprehensive Plan.

The type, intensity and arrangement of buildings reflect the social and cultural values of its citizens, the state of its technological development and its economic base. The objective in designing communities in rural areas is to establish residential neighborhoods adjacent to main service centers providing easy access to goods and services. Neighborhoods should be encouraged to develop in a manner that expresses concern and appreciation for the aesthetic quality of the physical environment, attempting to retain its unique characteristics.
GOALS:
Ensure through community design a rich variety of unique and identifiable structures and land uses which express the City’s functions, history, technology, culture and natural setting and which are not disruptive to its inhabitants or adjacent land uses.

OBJECTIVES:
1. Encourage development in a manner that expresses concern and appreciation for the aesthetic quality of the physical environment while retaining its characteristics.

2. Encourage development that will not negatively impact neighboring properties.

3. Enhance and increase landscaping.

4. Discourage clutter along public rights-of-way such as large signs and buildings in a state of disrepair.

5. Use naturally occurring landscape to create an aesthetically pleasing community which will protect the natural beauty and small town character of the City.

6. Create visual and functional links between city parks and open space.

7. Stress maintenance of public and private properties to enhance the attractiveness and characteristics of the community.

8. Screen and fence all salvage and junk yards.

9. Develop a sign standard to assure attractive commercial areas.

10. Develop a lighting program for safe traffic flows.
11. Develop a visual “gateway” into the City to improve City identity.

12. Encourage the creation and enhancement of landscaping throughout City.

13. Establish design review to promote quality development.

14. Develop a meeting place.

POLICIES:

1. Establish development guidelines to help maintain the rural identity of Notus as well as promote the beautification of older neighborhoods.

2. Encourage restrictive guidelines for development in natural resource areas.

3. Adopt design standards for architectural, landscaping signage and other visual impacts of development projects.

4. Preserve historical areas.

5. New residential, commercial and industrial development shall be required to meet minimum design standards as specified in city ordinances.

6. Buffer and transition zones shall be developed between conflicting land uses.

7. Establish a landscaping ordinance and program

8. Establish a tree planting program, preserving existing trees where practicable, and become a Tree USA City.

9. Establish sidewalks or walkways with curb and gutter.

11. Encourage open space in residential development.
CHAPTER SIX
CULTURAL AND HISTORICAL SITES
(SPECIAL AREAS AND SITES)

"Special Areas and Sites" are defined as places of
historical, archaeological, architectural, ecological, or
scenic significance. Special areas or sites within the
Impact Area should be analyzed according to their defined
function. Development of special areas or sites should
take place in a manner that reflects harmony with the
natural environment and qualities that make them unique.

Several sites have been identified in the Notus community
and its Impact Area which have cultural and historical significance. These are identified as
follows:

1. Oregon Trail
2. Boise River

GOALS:
Maintain and improve the historical aspect of Notus through its’ sites. Preserve,
maintain and enhance the quality of local cultural and historic resources through
conservation and efficient management.

OBJECTIVES:

1. Conduct a reconnaissance survey and determine the location of historic structures and
   places.
2. Establish a historic museum in Notus.
3. Identify structures that should be on the National Register of Historic Places.

POLICIES:
1. Preserve written and oral history of Notus, including pictures.

2. Develop policies for the preservation of historical sites and structures.

3. Develop an inventory of historic, architectural, archeological, scenic and ecological sites.

4. Develop a marker program to identify locations of historic sites and events.

5. Seek funding to identify and develop a Notus Historical Sites Master Plan.
CHAPTER SEVEN

ECONOMIC DEVELOPMENT

The purpose of this element is to inventory and assess the economic base of the City of Notus and surrounding community. This is done with respect to basic labor force statistics, industry and job types, local employers, income data and general strengths and weaknesses. By understanding the characteristics of the local economy, we can plan accordingly and take advantage of potential opportunities. In the absence of this understanding and planning, we can inadvertently create an imbalance between the needs of a growing population and the need for a diverse and growing economy.

Notus has a varied retail base. Within the City is a lumber yard, tractor sales, repair and rental, a convenience store/gas station, and varied small businesses. The agricultural community consists of family and corporate farms, livestock operations, dairies, tree and sod farms, honey production, green houses and fresh packers. Crops include corn, onions, beans, potatoes, beets as well as various grain and seed products. The University of Idaho Research Station is located in the neighboring city of Parma. Notus is served by commercial truck lines as well as national delivery services such as U.S. Postal Service, United Parcel, Federal Express and postal Express.

Labor Statistics:

Data from the 2000 census shows 191 residents were employed and six (6) residents were unemployed. One hundred eighty-five commuted to work. Out of that number, twenty-five commuted to management, professional and related occupations and forty-two commuted to sales and office occupations. No residents work from the home. With current technology, it is possible some residents would choose to open businesses in Notus or work out of the home. Currently, no office or retail space is available in Notus.

Income:

The median family income for Notus in 2000 was $43,750 with fifty-four (54) individuals
at or below poverty level (13.3%).
LOCAL EMPLOYERS

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<td>2.</td>
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<td>4.</td>
<td>Bryant’s Repair</td>
<td>1971</td>
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<td>5.</td>
<td>Notus School District</td>
<td>1924</td>
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<td>6.</td>
<td>Cheney Transportation</td>
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<td>7.</td>
<td>Evans Grain</td>
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<td>8.</td>
<td>Goodson’s Food Mart</td>
<td>1996</td>
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<td>9.</td>
<td>Hardcastle Excavation</td>
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<td>11.</td>
<td>Jerry’s Repair Service</td>
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</tr>
<tr>
<td>12.</td>
<td>Caribou Lounge</td>
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<td>14.</td>
<td>City of Notus</td>
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</tr>
<tr>
<td>15.</td>
<td>D&amp;GTurf Farm &amp; Nursery</td>
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GOALS:

1. **Protect current economic base.**
2. Encourage economic development that supports the agricultural community and maximizes opportunities for purchasing local goods and services.
3. **Encourage commercial and industrial employment opportunities.**
4. Create an environment conducive to business retention and expansion.

OBJECTIVES
1. Encourage the development of an active economic base by actively promoting economic growth on a selective basis.

2. Encourage commerce and industry that have minimal environmental impact and will create additional employment opportunities.

POLICIES:

1. Use the Notus Gem Team for outreach and assistance.

2. Develop a Master Plan for expansion of infrastructure and provide for its implementation.

3. Continue to support Caldwell Economic Development, or any other appropriate agency, in its efforts to market the City of Notus and facilitate new business.

4. Encourage property owners to invest in the appearance of their buildings.

5. Encourage the development of a Business District and/or Chamber of Commerce.

6. Develop and implement a Downtown Revitalization Plan.

7. Review zoning classifications of specific areas in order to provide additional land for commercial development.
CHAPTER EIGHT
HAZARDOUS AREAS

The Hazardous Areas element is concerned with identifying and inventorying particular areas within the City’s jurisdiction which are known to be or could potentially be hazardous. This is done to enable the best decisions possible with respect to the City’s future growth and development. Examples include erosion or landslides, flooding, fires, earthquakes, avalanches or any other natural hazard. Man made hazards may include underground fuel storage tanks, storage of grains or other agricultural products, hazardous materials transported by rail or truck through the community, rail road crossings, chemical storage and use in commercial or industrial operations.

Land Characteristics

The City of Notus sits on an upland plain which is bisected by the Boise River. The Boise River floodplain can reach two miles wide in some places. The area has an arid to semi-arid climate with elevation ranging from 2,200 to 2,700 feet. Soils are generally deep and well drained.

Flood Hazards

Of the identified natural hazards, flooding is most likely. Flood hazard areas border the Boise River and Conway Drain. The City of Notus participates in the National Flood Insurance Program. A Flood Insurance Study was completed in September 1979 which addressed floods caused by overflow of both the Boise River and Conway Drain. The latest Flood Insurance Rate
Map for the City of Notus is dated December 3, 1993.

**Snow Loads**

Due to the minimal amount of snow accumulation in Notus, snow loads are of minor concern.

**Air Quality**

The United States EPA (Environmental Protection Agency) has developed air quality standards to help measure air quality. Any area that does not exceed the federal air quality standards is considered an “attainment area” for a particular component or total air quality.

The Idaho DEQ (Department of Environmental Quality) is responsible for monitoring air quality within the state. Notus is listed by the DEQ as an attainment area for the basic components of measurable air quality for total suspended particulate. There are four non-attainment areas in Idaho with the closest being the Boise Standard Metropolitan Statistical Area. This area is approximately 34.5 miles southeast of Notus.

Due to a lack of resources, the DEQ does not have an air quality monitoring station in Notus. The focus has been placed on the areas where complaints have been filed, requesting air quality monitoring.

**Noise**

The U.S. Department of Housing and Urban Development (HUD) has developed criteria for noise levels and their degree of undesirability. The three components of noise are frequency, intensity and duration. For analysis purposes, HUD uses the day-night average sound level system which is denoted as LDN. The LDN is an average noise level of a 24 hour period and weighing it by the addition of ten decibels for noises occurring between 10:00 p.m. and 7:00 a.m. Any areas with noise levels below 65 LDN are considered acceptable.

Within Notus, there are two areas that could be subject to such an assessment: Highway 20-26 and the railroad. Neither of these are considered to have LDN levels above 65.
**GOALS:**
Preserve the environment for future generations by ensuring the highest level of safety and security for city residents by means of thorough and accurate identification and elimination of potential hazards.

**OBJECTIVES:**

1. Ensure the floodplain standards maximize property protection and minimize financial loss in the event of flooding.

2. Ensure that development sites and new structures are designed to minimize the likelihood of damage resulting from geologic and seismic hazards.

3. Educate city officials and citizens as to the various man-made hazards associated with certain types of businesses and encourage the alleviation of such hazards.

**POLICIES:**

1. Join with county and state disaster services to develop and maintain an adequate emergency plan.

2. Enhance emergency preparedness through public education, training and drills. Develop a contingency plan.

3. Review and update the flood insurance study as well as floodplain standards.

4. Educate citizens regarding environmental hazards and/or problems.

5. Develop standards to maintain healthy water and air quality.
CHAPTER NINE
PUBLIC SERVICES AND UTILITIES

Based on growth projections, it is evident that public services in Notus must be expanded to meet the community’s vision. New residents will request services whether it is a Library, police and fire protection, emergency medical services (EMS), recreational facilities or recycling programs. The City of Notus has the potential to provide adequate services to meet future demands. While transportation and utility infrastructures have potential deficiencies, they can be expanded if capital improvement programs are in place and adequately funded. An important connection exists between the quality of public services and the local economy. If the City and other service providers do not maintain high quality and dependable services, economic growth will be limited. Because the population of Notus is growing each year, each service provider must prepare to meet the increased service demands.

It is estimated that the City’s population could double by 2010. All land use and planning decisions should evaluate the effects of new development on the delivery of public services. Policies concerning the manner in which public utilities and services are expanded plays in important role in the location and intensity of future housing as well as commercial and industrial development. To the extent reasonably possible, new growth should pay for the extension of public services, facilities and utilities. Their contribution will help achieve the greatest benefit and economy for everyone that uses these vital services.

Administration

Mayor: Chief Administrator with assistance from city staff.
Council: Council consists of four individuals.
City Clerk/Treasurer: Appointed position whose duties include maintain records of city, accounting and utility accounts.
Legal: Contracted position.
Engineering: Contracted position.
Planner: Contracted position. Reviews issues regulated under the zoning, subdivision and related planning ordinances of the City.
Building Official: Contracted position.

City Hall
The Notus City Hall is presently housed in a converted mobile home located on Notus Road. The
facility is old and inadequate. Very preliminary discussions have been held with Bureau of Land Management (BLM) to acquire the Black Canyon Irrigation site and building as a future location for City Hall.

**Library**
The Notus Public Library was established in 1960. The Library provides services and materials to all ages. Books, audio tapes, movies, computers and internet service is provided.

**Community Center**
The Notus Community Center was completed and opened in February 2005. This facility will provide a place for meetings as well as private and community functions. The daily operations are overseen by a committee of five individuals appointed by the Mayor and approved by the City Council.

**Museum**
Plans are under way to establish a small museum preserving and displaying the history of the Notus community. It will be housed in the same building as the Library and Community Center.

**Parks and Recreation**
Currently, the City of Notus has no neighborhood park. A small pocket park with a wide variety of plant specimens has been constructed under the water tower at the corner of 3rd and Jasper.

**Fire Protection**
Notus has a volunteer fire department funded by the City. Operating funds are supplemented through fund raisers and grants. Coverage area is within city limits only. Department is part of an area Mutual Aid Agreement to assist other departments outside of the City of Notus when needed.

**Police Protection**
City code enforcement is provided through an agreement with City of Parma Police Department. All other issues are handled through Canyon County Sheriff.

**Emergency Medical Services**
The City of Notus currently funds no EMS service. EMS services are provided by Canyon County or Caldwell Rural Fire District.
Public Works

Public Works is responsible for all aspects of water, wastewater, streets and rights-of-way, storm drainage. Currently, one full time employee works in these areas.

Water: The City of Notus owns and operates the water system. The water supply and distribution system was upgraded in 1999. At that time, an additional well was drilled and a 300,000 gallon storage reservoir constructed.

Wastewater: The City of Notus owns and operates the wastewater system. Current system is inadequate for additional growth. Plans are underway for a system study to prepare for expansion.

Solid Waste: This service is billed by the City of Notus to all residential customers. Residents may choose from two providers. All businesses are required to make their own arrangements with a service provider to meet their specific needs.

Other Services and Utilities

Electricity: Electrical service is provided by Idaho Power. Idaho Power is subject to regulation of the Idaho Public Utilities Commission (IPC). Electric facilities cannot be utilized to separate urban growth areas from rural areas.

Natural Gas: The City of Notus is not serviced by a natural gas provider.

Telephone: Telephone service is provided by QWest. Users may choose their own long distance provider.

Irrigation: Irrigation water is provided by Black Canyon Irrigation District or Farmers’ Cooperative Ditch Co. The City is not involved in the billing or collection of irrigation assessments. The movement of water through the City is overseen by the public works employee.

Fiber Optics: Level III communications and MCI both have fiber optics on the north side of the Union Pacific Railroad (UPRR) tracks, running parallel with U.S. Highway 20-26. Currently, this
service is not available for Notus.

**Cable Television:** Local cable service is provided by Cable One.

**High Speed Internet:** High speed internet is provided by Cable One. Wireless internet service is provided by Safelink. Currently, DSL service is not available.

<table>
<thead>
<tr>
<th>GOALS:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Plan and develop a timely, orderly and efficient arrangement of public facilities and services to provide a framework for future development.</td>
</tr>
<tr>
<td>2. To the extent reasonably possible, require new growth to pay for the extension of public services, facilities and utilities.</td>
</tr>
<tr>
<td>3. Provide effective overall management of the City of Notus through proper financial planning and budgeting.</td>
</tr>
</tbody>
</table>

**OBJECTIVES:**

1. Improve and upgrade utilities and services.

2. Pursue a high standard of fire, police and EMS services.

3. Encourage the reduction of overlapping service areas and/or illogical service boundaries. Strive for continued cooperation between service and utility providers.

4. Upgrade City Hall facilities.

**POLICIES:**

1. Fund a Capital Improvements Program for utility services, street infrastructure and emergency services.
2. Annually review development and permit fees as well as utility rates.

3. Develop a Master Plan for the improvement of city utilities, services and infrastructure.

4. Encourage regulations and activities to promote the protection of groundwater and surface water.
CHAPTER TEN
PARKS AND RECREATION

The City of Notus currently has one open area located along U.S. 20-26 on Union Pacific Railroad property leased to the City. Most residents use the open space and recreation facilities (swings, basketball hoops and gymnasium) at the Notus School facilities. A small pocket park has been developed under the water tower at 3rd and Jasper Avenue. The City is actively seeking additional open space.

An appealing, livable community requires more than an orderly pattern of development. In addition, the community should be attractive so people enjoy and have pride in their surroundings. A balanced, healthy environment requires parks, open spaces and ample opportunities for both indoor and outdoor leisure activities. An important aspect of appearance is the way in which natural growth and landscaping provide a framework for man-made improvements. In many instances, recreational facilities located within the City also serve residents in the surrounding area. Likewise, recreation areas outside the city serve more than just those living outside the city. Cities commonly provide facilities such as community parks, ball fields, swimming pools and golf courses. The area outside the cities provides recreation such as hiking, camping, fishing and boating. Residents consider parks and recreation facilities to be significant factors contributing to their overall quality of life. Growth in and around Notus during the last decade has placed additional demands on the City for new recreation facilities and projections anticipate continued growth. Providing park and recreation facilities requires not only maintenance of the current facilities, but the acquisition and development of new facilities.

The City of Notus is aware of the need for open and recreational space. As a small city, we recognize partnerships with the Notus School District and others are very important to acquire and develop open space. According to national guidelines, it is recommended cities and counties offer both active and passive recreation. Guidelines are outlined as follows:

**Active Recreation:**

a. Neighborhood Parks: 2.0 acres per 1,000
b. Community Parks: 3.5 acres per 1,000
c. Regional Parks: 15 acres per 1,000
d. Linear Parks (greenbelts): 1.3 acres per 1,000
e. Court Sports (tennis, basketball, etc.): 1.0 acre per 1,000

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Swimming: 1 pool per 25,000
Golf: 1-18 hole course per 50,000
Indoor Recreational Facility: 1 acre per 10,000
Hiking, Camping, Horseback Riding, Nature Study: 10 acres per 1,000

Passive Recreation:

a. Water Sports (fishing, rowing, canoeing): 1 lake or lagoon per 25,000
b. Picnicking: 4 acres per 1,000

The City of Notus has none of the above listed opportunities. Court sports are available at the Notus School site. Picnic area is available on the south side of Highway 20-26 but is not preferred due to the high traffic volume.

It is desirable to incorporate required open space into parks and playgrounds. Careful planning of open space enhances public health, safety and welfare.

GOALS:
Plan and encourage the development of parks, open space, trails, and recreational facilities for Notus residents that meet needs and desires while enhancing the appearance and environment through landscaping, trees and open space.

OBJECTIVES:

1. Provide a varied offering of park types, open space and public recreational opportunities with varied indoor and outdoor recreational opportunities.

2. Create and maintain visual and functional links between parks and open space.

POLICIES:

1. Develop a Master Plan for parks and open spaces.
2. Develop a greenbelt and nature trail along the Boise River that will connect Notus and Caldwell.

3. Promote canoe or float trips along the Boise River.

4. Develop various outdoor facilities such as playgrounds, baseball and soccer fields and horseshoe pits.

5. Develop a recreational vehicle park.

6. Encourage working relationships with other entities for development of parks and recreational opportunities around the community.

7. Consider developing a Parks and Recreational District.

8. Develop bicycle paths and pedestrian walkways to connect neighborhoods with commercial districts.

9. Encourage public involvement in the development of parks and open spaces.

10. Encourage the preservation of open spaces and natural features.
CHAPTER ELEVEN
SCHOOL FACILITIES & PUBLIC TRANSPORTATION

The City of Notus is served by Notus School District #135. The mission of the Notus School District is to: "Empower each member of the Notus School Community with the skills and training to successfully compete in an increasingly technological world. Each person will be endowed with a love of learning and the ability to become competent life-long learners."

All buildings of the School District are located north of the city limits on a twenty-five (25) acre campus of which six (6) acres are undeveloped. The district consists of an elementary building, a detached music building, a Jr./Sr. High building, two gymnasiums and a Business Technical/Vo-Ag building. The elementary building was built in two stages, 1926 and 1941. The high school was built in 1976 with the Jr. High addition built in 1995. Room for additional students exists in both the elementary and Jr./Sr. High.

Enrollment breakdown for the district is as follows:

- Elementary: K-6 176 students
- Jr. High: 7-8 45 students
- Sr. High: 9-12 95 students

Teacher/Pupil ratio for the elementary grades in 1:17 and Jr./Sr. High 1:20. Most recent enrollment data showed 26.77% of district students live within the Notus city limits. Current facilities are capable of serving approximately 450 students from K-12. Projections for enrollment are for doubling of current numbers in five (5) years.

Notus School District #135 is part of the COSSA (Canyon-Owyhee School Services Area), a cooperative effort of five (5) small school districts in southwest Idaho who pool and coordinate efforts in vocational training to broaden the scope of courses offered. Current offerings are in Health Occupations, auto and Diesel Mechanics, Welding and Building trades.
PUBLIC TRANSPORTATION

The district has its own transportation system. Approximately 258 students utilize bus transportation to and from school.
GOAL:
Each student will have a learning environment that is safe, functional and optimizes or enhances academic, social, emotional and physical development.

OBJECTIVES:

1. Protect the integrity of school so that educational functions are not disrupted by incompatible land uses.

2. Encourage community support of school activities.

3. Continue a working partnership in utilizing public facilities.

4. Extend sidewalks on Notus Road to the school.

5. Provide Notus School District the opportunity to participate in planning processes.
CHAPTER TWELVE
NATURAL RESOURCES

The purpose of this element is to establish a balance between development and the conservation of our natural resources. Land in and around the Notus community should be used for the purpose for which is best suited according to natural characteristics, location and goals of the city. An important challenge is to adequately conserve and balance the natural resources of the Notus area with the population growth and protect the lifestyle that makes the city an attractive place to live.

A significant natural resource for Notus is the Boise River and adjoining flood plain area. Development on lands adjacent to the Boise River includes gravel extraction, agriculture and the outfall for the municipal sewer. The Boise River is also a native habitat for deer, fox, ducks, geese, wild turkey and other wildlife. Urban development is, for the most part, absent in the flood plain having much of the natural character unaffected. It is important to consider the impact new development might have on the habitat.

The city is bordered by private agricultural ground with soils depths from twenty to four feet with class I and II ratings. These ratings come from the soil survey of Canyon County. The potential growth, not only in agriculture, but also in related industries, is of great importance to the local economy. Although agriculture is very important to the local economy, further expansion of the agriculture sector may be limited by availability of land.

Summary:
It remains the responsibility of the Notus community to protect its natural resources. Orderly and
planned development will contain growth within manageable boundaries and greatly assist in protecting resources. Recognition of natural resources is important and will ensure that future development is harmonious with its natural environment.

Climate, Precipitation and Temperature:
The City of Notus is located approximately 2,200 feet above sea level and enjoys a mild climate. During the months of January through March, the city receives fog in the early mornings.

Precipitation
Notus has an annual average precipitation of 16.5 inches. Most of the precipitation occurs during the non-growing season of May to September. The annual snowfall is 15 inch, with killing frosts as early as November and late as March. There are approximately 212 frost-free days in Notus from March to October. This allows for a relatively long growing season.

Temperatures
Maximum temperatures have reached 92.4 degree F. However, the average temperature 92.4 degrees F. during July. Winters minimum temperatures fall 20’s from November to February. The low temperature in January is 20.5 and the high is 36.6.

<table>
<thead>
<tr>
<th>Ave.</th>
<th>Jan</th>
<th>Feb</th>
<th>Mar</th>
<th>Apr</th>
<th>May</th>
<th>Jun</th>
<th>Jul</th>
<th>Aug</th>
<th>Sep</th>
<th>Oct</th>
<th>Nov</th>
<th>Dec</th>
<th>Ann</th>
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<tbody>
<tr>
<td>Max (F)</td>
<td>37.1</td>
<td>45.4</td>
<td>56.3</td>
<td>65.9</td>
<td>74.4</td>
<td>82.6</td>
<td>92.4</td>
<td>90.3</td>
<td>79.7</td>
<td>66.6</td>
<td>50.1</td>
<td>39.2</td>
<td>65.0</td>
</tr>
<tr>
<td>Min (F)</td>
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<td>25.7</td>
<td>30.7</td>
<td>36.6</td>
<td>43.7</td>
<td>50.4</td>
<td>55.9</td>
<td>53.0</td>
<td>44.2</td>
<td>35.7</td>
<td>28.0</td>
<td>22.5</td>
<td>37.2</td>
</tr>
<tr>
<td>Prec(in)</td>
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<td>1.09</td>
<td>0.97</td>
<td>1.00</td>
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<td>0.77</td>
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<td>0</td>
<td>0</td>
<td>1.5</td>
<td>16.5</td>
<td></td>
</tr>
<tr>
<td>Snow fall (in)</td>
<td>6.4</td>
<td>2.2</td>
<td>0.6</td>
<td>0.1</td>
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<td></td>
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<td></td>
<td></td>
<td></td>
<td>1.4</td>
<td>15.0</td>
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<tr>
<td>Ave Snow (in)</td>
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<td>0</td>
<td>0</td>
<td>0</td>
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<td>0</td>
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<td>0</td>
</tr>
</tbody>
</table>

Source: Western Regional Climate Center, Caldwell, Idaho, wrcc@dri.edu
LAND CHARACTERISTICS

GEOLOGY

Based upon the Idaho Geology Society’s Geologic Map of the Boise Valley and Adjoining Area, Western Snake River Plain, Idaho, the city of Notus and Areas of City Impact has the following geology.

a. **ALLUVIUM OF BOISE AND SNAKE RIVER (Qa)** - Sandy cobble gravel upstream grading to sandy pebble gravel downstream. Mostly channel alluvium of the Boise and Snake rivers, Thickness 6-14 meters (20-40 feet). No pedogenic clay.

b. **SANDY SILT OF BONNEVILLE FLOOD SLACK WATER (Qwgs)** - Thin Bedded tan silt, silty sand and fine sand 3-6 meters (10-20 feet) thick. Deposited by Bonneville Flood Slack water that flooded valleys to 747 meters (2,450) elevation (O’Conner, 1990). Buries erosion surface of fine-grained Tertiary sediments.

SOILS and SLOPES

Based upon the United States Department of Agriculture Soil Conversation Service, July 1972, the city of Notus and Areas of City Impact has the following soils and slopes.

a. **BAHEM SILT LOAN, 0 to 1 percent slopes (BaA)** - This soil occurs on medium and high terraces, fans and uplands. In a typical profile the surface layer is light silt loam about 7 inches thick the next layer is about 53 inches thick. In sequence from the top, the upper 27 inches is light-gray silt loam; the next 14 inches is light brownish-gray very fine sandy loam; and the lower 12 inches is light brownish-gray fine gray loam.

b. **OLIAGA LOAM, 0 to 1 percent slopes (OgA)** - This soil is on bottom lands, alluvial fans and low terraces. In a typical profile the surface layer is light brownish-gray loam about 8 inches thick. Below this is mottled, friable, light brownish-gray loam about 22 inches thick; it is slightly calcareous in the upper part and moderately calcareous in the lower part. The next layer is very friable, light-gray sandy loam that extends to a depth of about 35 inches. This is underlain by light-gray sand gravel.

c. **GREENLEAF-OWYHEE SILT LOAMS, 1 to 3 percent slopes (GwB)** - This mapping unit is about 60-80 percent Greenleaf silt loam and about 20-40 percent Owyhee silt loam. Erosion is a slight to moderate hazard. Runoff is slow.

d. **GREENLEAF-OWYHEE SILT LOAMS, 3 to 7 percent slopes, (GwC)** - This mapping unit is about 50 percent Greenleaf silt loam and 50 percent Owyhee silt loam. The Owyhee soil is steeper and occurs at edges of terraces.
e. LANKBUSH SANDY LOAM, 3 to 7 percent slopes (LaC) - This soil alluvial fans and uplands. Runoff is medium and erosion is serve hazard. Included in mapping are a few areas where slopes are 1 to 3 percent and areas of Jenness loam, 3 to 7 percent slopes.

Canyon County (Area of City Impact) has a high concentration of agricultural and range land. As growth continues, agricultural community will be impacted by development.

**GOALS:**
Preserve the environment for future generations by ensuring water air and wildlife are not diminished in quality or quantity by future activity.

**OBJECTIVES:**

1. Protect and/or enhance natural and man-made waterways and preserve natural resources and wildlife habitat.

2. Develop partnerships with private industry that utilizes natural resources and reduces environmental degradation.

**POLICIES:**

1. Develop a checklist that will consider the impact to the natural environment when reviewing development proposals.

2. Identify natural resources and wildlife habitats and develop a program to preserve those areas.
CHAPTER THIRTEEN
HOUSING

The housing component assesses the housing needs of the City. It also defines the goals and policies which will guide the approach to addressing those needs and recommends a set of programs to implement policy.

Housing needs vary by income, age and family size. Other factors, such as distance from employment, access to shopping centers and personal preference, affect the housing market. Residential represents the largest land use in a planning area and will continue to be the dominant land use category. According to the 2000 census, there were 147 occupied housing units in Notus. The majority of those units were owner occupied with 33 units renter occupied. Approximately 114 units were built prior to 1980 with 60% of the homes classed as “older” with an age of up to 75 years.

Manufactured or mobile homes make up 30% of the housing units. Of that number, sixteen are 1-5 years of age with the remainder in poor to good condition. Two are vacant or uninhabitable. Several mobile homes are used as rental units. Newer manufactured homes are placed on permanent foundations on individual lots.

The newest subdivision in the City of Notus is Kremmwood Heights. To date, approximately one-half of the 64 lots are developed. In addition, a 96 lot subdivision is in the planning stages. If both developments are completed, the population of Notus could expand to 940 residents.

Rental units are in demand. The existing rentals are small, in poor condition and few in number. Notus has a serious need for quality rental housing.

The primary employment of this area is agriculture related and the need for affordable housing is great. In planning for future housing needs of the City, quality affordable housing, possibly subsidized single family and rental, should be considered. Senior citizen housing should also be included.

<table>
<thead>
<tr>
<th>TABLE 13: Units in Structure</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Type of Structure</strong></td>
</tr>
<tr>
<td>1 unit detached</td>
</tr>
</tbody>
</table>

Page 53
<table>
<thead>
<tr>
<th>Type</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 unit attached</td>
<td>2</td>
</tr>
<tr>
<td>2 units</td>
<td>0</td>
</tr>
<tr>
<td>3 to 4 units</td>
<td>0</td>
</tr>
<tr>
<td>5 to 9 units</td>
<td>0</td>
</tr>
<tr>
<td>10 to 19 units</td>
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</tr>
<tr>
<td>20 or more units</td>
<td>0</td>
</tr>
<tr>
<td>Mobile/Man.</td>
<td>33</td>
</tr>
<tr>
<td>Boat, RV, Van, etc.</td>
<td>0</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>145</strong></td>
</tr>
</tbody>
</table>


**TABLE 14: Housing Starts**

<table>
<thead>
<tr>
<th>Year Built</th>
<th>City of Notus</th>
<th>Canyon County</th>
</tr>
</thead>
<tbody>
<tr>
<td>1999-March 2000</td>
<td>0</td>
<td>14,828</td>
</tr>
<tr>
<td>1990-1995</td>
<td>19</td>
<td>469</td>
</tr>
</tbody>
</table>

**GOALS:**
Promote the orderly development of affordable housing.

**OBJECTIVES:**

1. Promote the orderly development of housing with a balance of affordable housing suitable for first home ownership, family focused housing and senior housing.

2. Develop partnerships with private industry to develop housing.

**POLICIES:**
1. Develop a checklist that will consider the impact to the natural environment when reviewing development proposals.

2. Identify natural resources and wildlife habitats and develop a program to preserve those areas.