

October 15, 2025 - 1:33 p.m. to 3:22 p.m.

Commissioners Minutes

**PUBLIC HEARING TO CONSIDER AREA OF IMPACT ORDINANCES - CITY OF CALDWELL, CASE NO. OR2025-0006**

Commissioners Leslie Van Beek, Brad Holton and Zach Brooks

Deputy P.A. Zach Wesley

DSD Director Jay Gibbons

DSD Planning Supervisor Dan Lister

Principal Planner Michelle Barron

Associate Planner Arbay Mberwa

Associate Planner Amber Lewter

Director of Constituent Services Aaron Williams

Robin Collins and Hallie Hart with the City of Caldwell

Rob Graham

Bobbi Bicandi

George Crookham

Keri Smith

Jeremy Fuchs

Larry Stevenson

Clay Erskine

Deputy Clerk Jenen Ross\_\_\_\_\_

PUBLIC HEARING TO CONSIDER AREA OF IMPACT ORDINANCES - CITY OF CALDWELL, CASE NO. OR2025-0006

The Board met today at 1:33 p.m. for a public hearing to consider the area of impact ordinance for the City of Caldwell, Case no. OR2025-0006. Present were: Commissioners Leslie Van Beek, Brad Holton and Zach Brooks, Deputy P.A. Zach Wesley, DSD Director Jay Gibbons, DSD Planning Supervisor Dan Lister, Principal Planner Michelle Barron, Associate Planner Arbay Mberwa, Associate Planner Amber Lewter, Director of Constituent Services Aaron Williams, Robin Collins and Hallie Hart with the City of Caldwell, Rob Graham, Bobbi Bicandi, George Crookham, Keri Smith, Jeremy Fuchs, Larry Stevenson, Clay Erskine, other interested citizens, and Deputy Clerk Jenen Ross.

Ms. Mberwa gave the staff report which referenced state statute 67-6526 regarding area of impact for cities within the county was updated during the 2024 Idaho State Legislative session.

Each city was directed to work with the county jurisdiction to either establish, confirm or modify the current area of impact based on five criteria that were put in place with the updated state statute. Canyon County has worked with each city to bring forward, at a public hearing, the evidence to support their requested area of impact. The deadline for compliance with updated Idaho Code 67-6526 is December 31, 2025. The County Commissioners shall make the final decision for the area of impact boundaries within their county. The areas of impact shall be planned for growth and development and should not be used to stop growth and development that conforms with applicable plans and ordinances. Areas of impact should be based on the ability and likelihood of a city or cities to annex lands within the area of impact in the near future. The county and cities shall review the area of impact boundaries at least every five years. The full Idaho State statute 67-6526 can be found in exhibit B1 of the staff report. The City of Caldwell is requesting the BOCC approve the current impact area as seen in exhibit A2. There

are 5 criteria that must be met by the city requesting to confirm, expand, or reduce the size of the area of impact and evidence in support must be provided.

The five criteria were reviewed as follows:

1. ***Anticipated commercial and residential growth:*** In the past 5 years Caldwell has annexed approximately 1550 acres (exhibit A3). According to COMPASS, the AOI is projected to have future neighborhoods and activity centers annexed throughout the city.
2. ***Geographic factor:*** Caldwell has considered geographic factors, hard and soft infrastructure, and more when determining the impact boundary.
3. ***Transportation infrastructure and systems, including connectivity:*** Currently there are four projects being worked on by ITD including improvements to I-84 and Hwy 20/26; I-84 between Centennial Way and Franklin Rd; construction on Hwy 55 between Farmway and Middleton Rd.; and preliminary design for widening between Middleton Rd. and Star Rd. The city is also working on connectivity for pedestrians and bicyclists by creating dedicated pathways, underpasses and installing sidewalks as a condition of approval on newer projects.
4. ***Areas where municipal or public sewer and water are expected to be provided within five (5) years:*** Water and sewer services currently exist north to Hwy 44 and Lincoln Rd, east to Midland Blvd, south to Lone Star Rd. and west to Farmway Rd. Water and Sewer are anticipated to be extended as far north as Mink Rd., west to Wagner Rd, and east to Knott Ln. (exhibits A5.4 and A5.3). A large sewer lift station is in design to serve properties east of Middleton's AOI on Lincoln Rd.; southern area utilities will need to be extended as development occurs. Municipal Services agreements are in place for

properties in the AOI, under county jurisdiction, that may be serviced by city services, therefore the city has the ability to service areas in the proposed AOI (exhibit A5.5).

5. ***Other public service district boundaries:*** Caldwell Fire District, Canyon County Sheriff's Office, Canyon County Paramedics and EMS, and school districts within Caldwell's Area of Impact were notified of the request, but no comments have been received. It is not anticipated that any of the agencies will be negatively impacted by the proposed AOI boundary. Hwy District No. 4 was also notified and provided comment stating that the roads are in good condition to accommodate the growth.

According to staff's analysis, the AOI does not exceed 2 miles from the city limits as seen in exhibit B6.6. There is one lot that is divided by the proposed impact area and staff is recommending the city expand the area of impact to encompass the divided parcel. There are two parcels located in the city limits outside the AOI, and staff is recommending the city expand the proposed AOI to encompass those parcels. The proposed impact area does not cross county boundary lines and shares boundaries with Nampa and Middleton's proposed impact areas but does not overlap. Notification was completed as required and the agency and public comments can be found in exhibits C and D of the staff report. Staff is recommending approval of the proposed area of impact and that all parcels located within Caldwell's city limits be included in the impact area.

A PowerPoint presentation was given by Ms. Collins with the City of Caldwell.

- History
  - The original Area of Impact was established through the joint exercise of power March 3, 1977.
  - Appealed and replaced when Canyon County adopted Chapter 9 to the ordinances on June 14, 2000.
  - There have been 2 amendments; one in 2005 and one in 2016. Since 2016, no further expansions have been proposed.
- Request
  - Not proposing any expansion to the Area of Impact.
  - Requesting confirmation of current impact area based on requirements of Idaho Code 67-6526.
  - *Note: The City of Caldwell staff has begun conversations with the agricultural community on a proposal to reduce the city's impact area boundary on the west side for the preservation of agricultural operations. Caldwell will continue with these discussions, and such modification proposals will be taken to city council for*

*consideration; if approved they will then be brought back to the Board of Commissioners for consideration.*

Ms. Collins stated that in reconfirming the existing AOI, the city analyzed all the criteria within Idaho Code and took into consideration geographic factors, transportation infrastructure and systems, areas where municipal or public sewer and water currently exist and are expected to be provided within 5 years, anticipated commercial and residential growth, location of the impact area boundary in relation to city limits, made sure that the impact boundary does not exceed the areas that are very likely to be annexed in the city within the next 5 years, that the city's impact area does not overlap with other areas of impact and that it does not divide county parcels. Staff also ensured that all impact areas were being planned for in all masterplans.

The city analyzed the location of the impact area boundary from city limits, the map shows the city limits shaded in grey, the impact area boundary in red, a one-mile radius from city limits in green, and a two-mile radius buffer from city limits in blue. Most of the impact area boundary is less than or at one-mile from city limits with a few pieces just beyond the one-mile buffer as shown within the black dotted lines; therefore, the impact area boundaries are compliant with the two-mile statutory requirements.

As they've looked at where commercial and residential growth is anticipated they first looked at the history of growth and where that has occurred; they then broke it into separate maps for the presentation. In a review of owner-initiated annexations over the past 5 years, in referencing their PowerPoint presentation, the annexations are shown in green, and the city limits are shown in grey. The city has annexed over 1,555 acres within the past 5 years with 500 acres just being in the past couple of years.

In regard to development, the map within their presentation depicts active land use entitlements and building permits that have been issued. The green shows subdivision development, the purple land use approval or building permits that did not require land use approval or that did not plat. In the northwest section no. 1, Caldwell has approximately 20+ approved projects entitlements, there are approximately 300+ acres in area 1 whereby property owners and companies are actively negotiating with the economic development team to annex and develop non-residential projects over the next 2-4 years. In section 2, Caldwell has approximately 18+ approve projects and entitlements, many developers have already purchased large chunks of land in area east of Middleton to Madison and are actively working with city departments and have invested money on due diligence and design work. In section 3, Caldwell has 42+ approved projects and entitlements and staff is currently working with

property owners and developers on land use requirements of the construction of projects that are proposed in the proximity to Ustick, Farmway, Hwy 55, and south of Orchard. In section 4, Caldwell has 16+ approved projects and entitlements and that area is mostly encompassed by city limits.

Areas 2, 3, and 4 have the most pockets of enclaved land although county subdivisions exist throughout the impact area as a whole. One county preliminary plat exists in area 2 and one preliminary plat in area 3. Many of the older subdivisions are starting to experience ageing infrastructure resulting in some parcels requesting annexation into the city in order to receive water and sewer services leaving original county parcels partially in the city and partially in the county.

A map was provided in the presentation which indicates high growth major transportation corridors based on data from development patterns, transportation masterplans and companies the city has spoken with.

In reviewing geographic factors boundary areas, one of the biggest factors was the boundary of the city's urban renewal allocation area which is a critical economic development driver. Hwy 44 serves as a critical transportation and freight corridor to the city's urban renewal area. Roads such as Wagner and Farmway serve as regional and local connectors, and the Boise River serves as a critical factor in dividing the impact area boundary between Caldwell and Middleton. Additionally, they looked at the location of existing municipal services agreements. Some of the major geographic factors they looked at were the location of the Middleton and Nampa impact area boundaries. They also looked at the Boise River, which provides a natural boundary between Caldwell and Middleton's impact areas and serves as a vital water source, recreational feature and pedestrian connection for the Caldwell and the region. They also looked at major transportation corridors such as Middleton, Madison, Ustick, Hwy 20/26, and the location of municipal services agreements.

Lake Lowell provide a natural geographic boundary to the south with urban development to the north and Nampa's impact area boundary to the east. The west boundary of Wagner and Farmway were utilized to ensure the full encumbrance of the urban renewal district and existing city limits. Wagner and Farmway serve as a major north/south transportation corridor connecting to the east/west arterials and connectors and the west boundary takes into consideration the ability to provide services and municipal services agreements.

The location of the upper embankment drain and the stone lateral serve as the primary natural boundary between Nampa and Caldwell's impact areas between Ustick and Karcher with variation within the alignment to capture areas that are currently annexed into the city limits. The boundary between Homedale and Linden takes into consideration the nature geography and the location of the Caldwell Airport and airport protection zone which extends east to the boundary line at Midland. They looked at factors such as major transportation corridors, existing city limits, and the location of municipal public services agreements.

The City of Caldwell had planned for utilities and transportation as far as Chicken Dinner Rd as this aligned with the boundary of the previous comprehensive plan, however, this year the city updated the comprehensive plan and decreased the planning boundary by over 5000 acres pulling the planning boundary from Chicken Dinner Rd. back to Wagner which now aligns with the area of impact boundary of Wagner north of Ustick. The comprehensive plan provides a one-mile buffer on the north, south, and west that serves as a transition between city and county on the west and north. A transitional buffer between the city and the Boise River to the north and a buffer between the south area around the lake.

When considering transportation infrastructure and systems, including connectivity, they looked at current and future ITD projects along I-84, Hwy 20/26, and Hwy 55. Reviewed all of the city's masterplans to ensure they are planning for the entire area of impact area. They looked at the city's capital improvement plans and looked at all the development entitlements and the infrastructure that have been required as a basis of their approvals along with utility extensions and pathway requirements.

Caldwell has water that extends north to Hwy 44, west to Farmway, South to Lone Star Rd., and east to Midland Blvd. Water will be extended to Madison as part of the next phase of the ITD Hwy 20/26 project which is slated to begin in the summer of 2025. On the west side water will be expanded west past Farmway, just shy of Wagner Rd as part of active development entitlements. The water masterplan exceeds the AOI.

The city has sewer exiting north to Hwy 44, west to Farmway, south to Orchard Ave, and east to Midland Blvd. Sewer will be extended to Midland as part of the ITD Hwy 20/26 project slated to begin in summer of 2025. Developers will continue the sewer trunk line south per the sewer masterplan as part of their development. These developers are actively coordinating with the city to extend this line to service the area south of Hwy 20/26. The city is near the completion of design to further extend sewer along Lincoln Rd to service the area east of Middleton. On the west side, sewer will be expanded west past Farmway and just shy of Wagner Road as part

of the active development entitlements. The city has planned for sewer above and beyond the AOI.

Utilities are expected to be provided over the next five years north to Mink Rd. , west to Wagner Rd., east to Madison and utilities are already provided to the south boundary.

As part of the city's 5-year capital improvement plan they will install 8 new wells, a sewer lift station at Lincoln to serve everything east of Middleton to Madison, 10 new intersection roundabouts, 3 new all-way or two-way controlled intersections, 3 new traffic signals along Cleveland, widen Ustick from 2 lanes to 5 lanes from Montana to Midland and 2 lanes to 3 lanes from Midland past Madison, and construct turn lanes along 10<sup>th</sup> Ave between Blaine and Ustick.

City staff did analyze and consider all other public agency service district boundaries.

In response to a question from Commissioner Van Beek it was stated that the city has been working with the ag community, especially the area north of Ustick, to bring the boundary back as far as they can but still be able to encompass the URA district area. They are not looking to reduce any of the farmland acreage in the URA at this time.

Ms. Hart said that in regard to the Farmway corridor, they have been working closely with the highway district and have a masterplan to improve the corridor as a whole. Typically, they look 5 years to the future when considering these improvements; currently they are starting a roundabout project at Farmway and Ustick. The highway district is taking the lead but they city is partnered and working closely with them. A roundabout is anticipated for the Farmway corridor.

In regard to a question from Commissioner Van Beek regarding the land at Hwy 20/26 and Midland, Ms. Hart explained that most of the area has been purchased by developers. The city has been coordinating with several groups on how to provide water and sewer to the area. The area will be part of ITD's project as they expand Hwy 20/26 from Middleton to Star. In conjunction, developers will also be extending the water and sewer mainlines to service their projects.

Major intersections along Hwy 20/26 will be signalized intersections. Specifically, the Midland intersection – that will be completed in conjunction with developers and ITD. Development in

this area has been restricted until some kind of signal can be installed. As development continues to progress the city will work with ITD restricting access on the large, principal and minor arterials to ensure safety to the public. Unless it is one of the major crossroads with Hwy 20/26, most accesses are going to start being restricted to right in, right out to help provide additional safety to the public.

The Lincoln lift station is in design with anticipated completion this fiscal year and building to begin next fiscal year. After that, the right of way access process will be started. They are currently looking at deviation in their masterplan to allow development to move forward prior to the construction of the lift station.

A discussion has not yet been had with the City of Middleton in regard to which city will be servicing the sportsman's access area.

Ms. Collins responded to Commissioner Brooks's question about parcels that have been split by the AOI boundary line stating that they do understand the statute that no parcels are to be split. They will adjust their map accordingly and get it back to the county as soon as possible.

Rob Graham read a statement into the record citing several state statutes. He expressed concerns regarding the doubling of the city's footprint. He feels that without growth assumptions the Board doesn't have the ability to evaluate the adequacy of sewer, water, transportation, or emergency services within 5 years. He would like to see in-fill within the city limits.

Bobbi Bicandi farms and ranches about 1900 acres within Canyon County. She concurs regarding the consumption of productive farm ground for development. She spoke about the difficulties they face in moving around farming equipment and farming operations due to the schools on Lincoln and Marble Front. She would like to see in-fill in the current area of impact.

In response to a question from Commissioner Van Beek, Mr. Wesley spoke about the logistics for moving forward with the Area of Impact requests.

George Crookham spoke on behalf of Growing Together. He mostly agrees with the intent of the legislation but don't necessarily agree with the timeline. The suggestion from Growing Together is not to add any new areas at this time, and he would not be opposed to some areas being removed. He feels the cities would have the opportunity to come back at a later time

after there has been time to evaluate the costs of the areas of impact. Growing Together would like to see the cities focus their attention on in-fill.

Keri Smith also represents Growing Together and have submitted a map of areas they were hoping to have excluded from the impact area; they were not opposing the Caldwell Urban Renewal Area. She spoke about Chapter 9, which pertains to all of the impact areas, and her understanding is that it is the Board's intent to repeal those, but she wants it noted that those are in place, adopted and reference certain maps. Chapter 9 is not referenced in any staff reports, which mean it won't be referenced in any of the findings unless specifically included and she thinks the Board should consider that. The staff report references ordinance criteria but there is no ordinance criteria to be considered, it's all statute criteria. The largest area of concern is the staff analysis of the code, the analysis in the staff report does not consider the areas that are likely to be annexed within the next 5 years, there is no evidence. The findings don't address whether the cities provided information regarding that specific comment. Staff focused on the 2-mile radius but looking at the statute, the first sentence is standalone and clearly states the focus should be on areas very likely to be annexed within 5 years. She encouraged each city and the Board to consider whether evidence was provided.

Commissioner Van Beek asked for more clarification on what is not supported in the staff report. Ms. Smith

Ms. Smith said that Caldwell did a good job of showing some areas that have good evidence, that's why in the map they submitted they are not proposing to exclude all the areas. Growing Together has provided evidence of areas that have been included that are not likely to be annexed. Growing Together met with the City of Caldwell and Ms. Smith thinks there are a lot of opportunities to amend those maps but when it went back to staff the collaboration wasn't allowed into the record. Statute mandates that the county and the city planners work together and agree on a map, that should be in the FCOs and it doesn't exist. She believes there were a lot of opportunities to have collaboration, and it doesn't appear to exist. Ms. Smith feels the intent of the legislature was to pull back the area and show the developers real areas of where the cities want to grow and then adopt impact boundaries based off that so that they system is not overwhelmed with houses. To her, developers are being told 'we're open for business' by having a major impact area. At the request of Commissioner Van Beek, Ms. Smith spoke about the rubric used to make her determinations. She said that the purchase of land should not dictate how planning is done, that growth should be determined by what can be handled by the community, it's not just about water, sewer, and transportation – it's also about jail capacity and all the services that are provided.

In response to a question from Commissioner Holton, Ms. Smith said that planning should not be based on who owns land but based on capacity and not impacting the constituents already living in the area. Commissioner Holton said that he sees things much differently and thinks that the thing that the county doesn't want to deal with is that at the point a legacy farmer chooses to sell their ground to a potential future developer at multiple times the price of ag ground it takes that ground toward development sooner or later.

Jeremy Fife spoke about the agricultural economics of the area. He would rather not see the impact area grow but doesn't think it needs to decrease. He feels the best option for Caldwell would be infill.

Larry Stevenson said he doesn't feel the Commissioners can make a reasonable decision because they don't understand everything that is before them. He feels that when the impact areas are increased annexation is being encouraged and developers buying farm ground and not preserving the farmland. His opinion is that the law is being broken and noted that he met with Chris Boyd about George Crookham's letter. He believes the county commissioners are the problem because they are allowing impact areas to grow, annexation to take over, Caldwell city's financial issues because they can't provide the services. The county can't provide safety because the county can't provide a jail. Additionally, he spoke about issues with the roadway infrastructure and how the city doesn't have the funds to complete the work that has been started. He feels growth starts and stops with the commissioners and if this continues the Board/county will put the municipalities in financial stress. Commissioner Brooks noted that the City of Caldwell has not requested an increase to their boundary since 2016 and Commissioner Holton pointed out that the county does not have any oversight over roads. Annexation is also not a Board function, nor does the Board have any say in annexations. Mr. Stevenson argued that the county creates annexation. Commissioner Holton said a city can annex any property whether it's in an area of impact or outside as long as it is contiguous to the city limits.

Clay Erskine, representing the Canyon Soil and Water Conservation District, is encouraged by Caldwell's presentation and thoughtfulness about not expanding too far to the west. He would encourage everyone to remember that it is not just large scale agriculture and houses, urban agriculture is a very viable form of agriculture in small scale. He would like to see the county and cities also take into consideration small scale agriculture.

Ms. Collins said they have heard the concerns with infill and have taken that into consideration. The city is working on an infill development ordinance to try to incentivize infill within the

community. As far as the feasibility study for the URA, she can't speak on that but noted that it has been a little slow going because they did not have water and sewer services to that area. Since Farmway Village has put in some systems in that area there is now some water and sewer availability. Since the annexation of those properties along Hwy 20/26, they have seen significant interest in that urban renewal area and the Economic Development Director is working with several companies in that area. It's about 300 acres being considered in the URA within the next 2-4 years. In regard to Mr. Eskine's testimony, the city agrees there is room for more types of agriculture, and they can be within a city's impact area, there are a lot of opportunities. According to code, the city does not disallow agricultural production or farming in any of the zones.

Ms. Hart addressed comments related to water, sewer and roadways. In regard to roads, the city has developed the Caldwell Area Transportation System (CATS) plan. The plan was created in conjunction with neighboring districts and jurisdictions. From the CATS plan the CIP was created and have instituted impact fees for traffic. All the money received from impact fees from new development goes toward improving roadways. There is a masterplan for water and sewer, and they've evaluated a wide breadth of area because it's important to ensure the infrastructure keeps up, not just for the next 5 years, but well into the future.

Ms. Hart addressed several questions posed by Commissioner Van Beek regarding master plans noting that they are evaluated every 5 years with the latest adoption being in 2024.

Commissioner Brooks motioned to close public testimony. The motion was seconded by Commissioner Van Beek and carried unanimously. Commissioner Holton made a motion to continue the hearing to October 28, 2025, at 3:30 p.m. The motion was seconded by Commissioner Brooks and carried unanimously. The hearing concluded at 3:22 p.m. and an audio recording is on file in the Commissioners' Office.