

Article 13

NOTUS

09-13-01: TITLE:

This Article shall be known as the *NOTUS AREA OF CITY IMPACT (PLANS AND ORDINANCES) ORDINANCE*. (Ord. 94-018, 12-23-94)

09-13-03: SCOPE:

- (1) The Idaho Legislature duly enacted Idaho Code section 67-6526(a) which provides that by separate ordinance the County of Canyon and City of Notus shall provide for application of plans and ordinances for the area of city impact; and
- (2) The City of Notus and the County have adopted a map identifying the City of Notus impact area within the unincorporated area of the County by the adoption of Ordinance No. 94-010 duly passed by Canyon County on December 23, 1994¹; and
- (3) Idaho Code section 67-6526(a) requires that the City of Notus and the County of Canyon provide by ordinance for the application of plans and ordinances for the area of city impact of the City of Notus within the unincorporated area of the County no later than January 1, 1995; and

- (4) The City of Notus and the County shall enter into a joint exercise of power agreement for the impact area of the City of Notus, which agreement shall provide for and facilitate the legal duties of the parties and their responsibilities and authority as required under the Local Planning Act of 1975, and including any duties appertaining to the area of City impact subsequently required by the Idaho Legislature. (Ord. 94-018, 12-23-94)

09-13-05: ANNEXATION LIMITED:

- (1) Lands Within Area Of Impact: Effective January 1, 1995, annexation by the City of Notus shall be limited to lands lying within the area of impact, unless the owner of the land requests the tract of land be annexed by the City, and the land is contiguous to the boundaries of the City of Notus.
- (2) Application Of Provisions Upon Annexation: Upon annexation, the provisions of this Article shall no longer apply to the annexed area. (Ord. 94-018, 12-23-94)

09-13-07: APPLICATION OF COMPREHENSIVE PLAN AND ZONING ORDINANCE:

There is hereby adopted for the purposes of complying with Idaho Code section 67-6526(a) the Ordinance codified in this Article, which provides for the application of the latest edition of the Canyon County Comprehensive Plan as duly enacted and adopted and amended by the County Commissioners, and [Chapter 7](#) of this Code, to the area of impact of the City of Notus within the unincorporated area of the County, until a new comprehensive plan and/or zoning ordinance has been duly adopted in accordance with the provisions of a joint exercise of power agreement

impact area City of Notus/County of Canyon. Until the joint exercise of power agreement is adopted and operational, the County shall direct copies of all applications coming before it, pursuant to the Local Planning Act of 1975 and Chapter 7 of this Code concerning property located in the area of City impact of Notus, for the City of Notus' input on the application and shall give such input due consideration; and after the adoption of the joint exercise of power agreement and the same becomes operational, then the provisions of that agreement shall govern this process. (Ord. 94-018, 12-23-94)

09-13-09: APPLICATION OF NOTUS SUBDIVISION ORDINANCE:

- (1) Adoption Of Subdivision Ordinance: There is hereby adopted for the purposes of complying with Idaho Code section 67-6526(a) the ordinance codified in this article, which provides for, except as provided in subsection (2) of this section, the application of city of Notus' subdivision ordinance, as amended, to the area of impact of the city of Notus within the unincorporated area of the county, until a new subdivision ordinance has been duly adopted in accordance with the provisions of a joint exercise of power agreement impact area city of Notus/county of Canyon.

- (2) Exceptions And Conflict Procedure: In the event a conflict in the application of the provisions of chapter 7 of this code and the provisions of the city of Notus' subdivision ordinance to the area of impact of the city of Notus, the provisions of the city of Notus' subdivision ordinance shall control, but shall not control over the application of section 07-10-29, "F (Flood Hazard Overlay) Zone", and/or chapter 6, article 5, "Addressing", of this code. The city of Notus' subdivision ordinance shall be subject to the applicable Notus highway district's standards and regulations solely enforceable by said highway district. It is further provided that only those portions of the subdivision ordinance adopted which are not repugnant to federal or state law shall be adopted by the county and there shall be no approval and reviewing of protective or restrictive covenants as part of the process described in this article. (Ord. 94-018, 12-23-1994)

09-13-11: IMPACT AREA MAP:

The Notus, Idaho, Canyon County approved impact area map is hereby adopted as the official map identifying the area of city impact within the unincorporated area of the county for the city of Notus. A true and correct copy of said map is affixed as attachment 1 to the ordinance codified herein and is fully incorporated by reference herein. (Ord. 08-008, 4-16-2008)

09-13-13: AVAILABILITY OF ORDINANCES:

True and correct copies of the ordinances herein referred to shall be on file with the clerk of the city of Notus, the clerk of the Canyon County commissioners, the office of planning and zoning department of the city of Notus, and the planning and zoning department of the county and are available for public inspection and reference. (Ord. 94-018, 12-23-1994)