



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

In the matter of the application of:

Hooker – CR2025-0007

The Canyon County Board of County Commissioners considers the following:

A conditional rezone of Parcels R23913, R23913012, and R23913012A from a “R-2” (Medium Density Residential) zone to a “CR-C-1” (Conditional Rezone - Neighborhood Commercial) zone, subject to a development agreement for a special events facility and accessory commercial uses. The subject properties are located at 22664, 22670, and 22669 Calla Lily Lane, Middleton, also referenced as a portion of the NW¼ of Section 10, T4N, R2W, BM, Canyon County, Idaho.

Summary of the Record

1. The record is comprised of the following:
 - A. The record includes all testimony, the staff report, exhibits, and documents in Case File CR2025-0007.
 1. An application was submitted on June 16, 2025.
 2. Notice of the public hearing was provided as per CCCO §07-05-01. Agencies and the City of Middleton were notified on April 22, 2026. Property owners within 1,000 feet of the subject property boundaries were notified on April 22, 2026. Full political notice was completed on January 20, 2026. A newspaper notice was published on April 27, 2026. The subject property was posted with a notice on April 27, 2026.
 3. All exhibits can be found in the case staff report dated May 27, 2026.

Applicable Law

1. The following laws and ordinances apply to this decision: Canyon County Code of Ordinances (CCCO) §01-17 (Land Use/Land Division Hearing Procedures), CCCO §07-05 (Notice, Hearing and Appeal Procedures), CCCO §07-06-01 (Initiation of Proceedings), CCCO §07-06-07 (Conditional Rezones), CCCO §07-10-27 (Land Use Regulations (Matrix)), Idaho Code §67-6511 (Zoning Map Amendments and Procedures), CCCO §09-17 (Area of City Impact Agreement), and §67-6519 (Application Granting Process).
 - a. The presiding party may establish conditions, stipulations, restrictions, or limitations which restrict and limit the use of the rezoned property to less than the full use allowed under the requested zone, and which impose specific property improvement and maintenance requirements upon the requested land use. Such conditions, stipulations, restrictions, or limitations may be imposed to promote the public health, safety, and welfare, or to reduce any potential damage, hazard, nuisance, or other detriment to persons or property in the vicinity to make the land use more compatible with neighboring land uses. *See CCCO §07-06-07(1).*
 - b. All conditional rezones for land use shall commence within two (2) years of the approval of the board. If the conditional rezone has not commenced within the stated time requirement, the application for a conditional rezone shall lapse and become void. *See CCCO §07-05-01*
2. The Board has the authority to exercise powers granted to it by the Idaho Local Land Use and Planning Act (“LLUPA”) and can establish its own ordinances regarding land use, including subdivision permits. *See I.C. §67-6504, §67-6509(b).*
3. The Board can sustain, modify, or reject the Commission’s recommendations. *See I.C. §67-6509(b).*
4. The burden of persuasion is upon the applicant to prove that all criteria are satisfied. CCCO §07-05-03.

5. Idaho Code §67-6535(2) requires the following: The approval or denial of any application required or authorized pursuant to this chapter shall be in writing and accompanied by a reasoned statement that explains the criteria and standards considered relevant, states the relevant contested facts relied upon, and explains the rationale for the decision based on the applicable provisions of the comprehensive plan, relevant ordinance and statutory provisions, pertinent constitutional principles and factual information contained in the record. The County's hearing procedures adopted per Idaho Code §67-6534, require that final decisions be in the form of written findings, conclusions, and orders. CCCO 07-05-03(1)(I).

The application, CR2025-0007, was presented at a public hearing before the Canyon County Board of County Commissioners on May 27, 2026. Having considered all the written and documentary evidence, the record, the staff report, oral testimony, and other evidence provided, including the conditions of approval and project plans, the Board of County Commissioners decides as follows:

Table 1. Conditional Rezone

Standards of Evaluation – CCCO §07-06-07(6)A: The presiding party shall review the particular facts and circumstances of the proposed conditional rezone. The presiding party shall apply the following standards when evaluating the proposed conditional rezone:		
County Ordinance and Review		
Criteria Met?	Code Section	Criteria
Yes	1	Is the proposed conditional rezone generally consistent with the comprehensive plan?
Analysis		The proposed conditional rezone change is generally consistent with the Comprehensive Plan because of its location near other commercial designations and zones. - Based on the proximity of existing commercial designations, zones, and uses, the applicant finds the commercial land use designation to better fit the location and existing infrastructure. "The 2030 Comprehensive Plan encourages development along transportation corridors like Highway 44 to manage growth efficiently. Commercial use here supports this goal more directly than residential, which might push sprawl inward rather than leveraging the highway's edge" (Exhibit 3.A.2). - The 2030 Canyon County Comprehensive Plan designates properties along SH-44 as "commercial" (Exhibit 3.B.2c). Although the parcels abut SH-44, the parcels are designated as "residential" due to the properties containing three dwellings and being zoned "R-2" since 2008 (RZ2008-4, Exhibit 3.B.3). There are no other R-2 zones in the area. The zone appears to be inconsistent with the other residential lots and zones in the area. The surrounding residential uses are either zoned "R-R" (Rural Residential, two-acre lot sizes) or "R-1" (Single Family Residential, one-acre lot sizes) or "A" (Agricultural) and were divided either via a conditional use permit and platting or rezone and platting (Exhibits 3.B.2e & 3.B.2k). <i>The commercial designation is intended to encourage commercial uses which can provide goods and services to businesses, travelers, and residents of the County. (Page 25, 2023 Comp. Plan)</i> - The future "C-1" zone provides small-scale amenities where public sewer and water services are unavailable. This district is not intended for types of uses that attract large traffic volumes (Page 27, 2030 Comp. Plan). <i>"The residential designation is for residential development. Residential development should promote compatibility with the existing agricultural activity." (Page 25, 2030 Comp. Plan)</i> - The Traffic Analysis Zone (TAZ) forecasts population, household, and job growth in the area (Exhibit 3.B.2l). The TAZ is used by the state and/or local transportation officials and COMPASS for tabulating traffic-related data for future plans, needs, and improvements of the community. - The request aligns with the following goals and policies: - Property Rights Policies and Goals: <i>Goal No. 1: "Protect the integrity of individual property rights while safeguarding public health, safety, and welfare." Policy No. 1: "No person shall be deprived of private property without due process of law." Policy No. 3: "Ordinances and land-use decisions should avoid imposing unnecessary conditions or procedures in development approvals." Goal No.</i>

	2: “Acknowledge the responsibilities of each property owner as a steward of the land, use their property wisely, maintain it in good condition, and preserve it for future generations without becoming a public nuisance.” - Population Component Policy and Goal: <i>Policy No. 1: “Plan for anticipated population and households that the community can support with adequate services and amenities.” Goal No. 2: “Promote housing, business, and service types needed to meet the demand of the future and existing population.”</i> - Economic Development Goal and Policy: <i>Goal No. 1: “Promote a healthy and sustainable regional economy by retaining, expanding, and recruiting businesses to favorable locations.” Policy No. 2: “Supportive, suitable sites for economic growth and expansion compatible with the surrounding area.”</i> - Land Use Policy and Goals: <i>Policy No. 2: “Consider site capability and characteristics when determining the appropriate locations and intensities of various land uses. Goal No. 3: “Develop land in a well-organized and orderly manner while mitigating or avoiding incompatible uses, protecting public health and safety, and creating a vibrant economy through sustainable land use planning.” Policy No. 4: “Recognize that each land use application is unique and that agricultural and non-agricultural uses may be compatible and co-exist in the same area and in some instances may require conditions of approval to promote compatibility.” Goal No. 6: “Development design should improve the area’s character and be compatible with the community’s visual appearance and the natural environment.”</i>	
Criteria Met?	2	When considering the surrounding land uses, is the proposed conditional rezone more appropriate than the current zoning designation?
Yes		
Analysis	In consideration of the surrounding land uses, the proposed conditional zone change to “C-1” is as or more appropriate than the current zoning designation of “R-2”. - The 2030 Canyon County Comprehensive Plan designates properties along SH-44 as “commercial” (Exhibit 3.B.2c). Although the parcels abut SH-44, the parcels are designated as “residential” due to the properties containing three dwellings and being zoned “R-2” since 2008 (RZ2008-4, Exhibit 3.B.3). - Within a one-mile radius, there are over 20 parcels zoned “C-1” (Neighborhood Commercial) or “C-2” (Service Commercial) consistent with the commercial designation shown in the 2030 Canyon County Comprehensive Plan (Exhibit 3.B.2e). Most of the “C-1” zones were created via a blanket rezone in 2011 to kickstart commercial development along SH-44 (RZ2011-10). - Based on the proximity of existing commercial designations, zones, and uses, the applicant finds the commercial land use designation to better fit the location and existing infrastructure (Exhibit 3.A.2). - Between 2022 and 2023, two commercial-related decisions were made within a one-mile radius supporting an RV storage facility expansion and a mini-storage facility (Exhibit 3.B.2f). - The following businesses were found along SH-44 near the subject properties: Star Fire Protection District Station #2, Mid-Star Firearms, Tom Thumb Barber Shop, Susy Q’s Yard Art, Roots Storage, Roots Rock and Bark, Silver Wings Rentals, Peaknetics, Star Gravel Pit, and Gatherings Antique Store (Exhibit 3.C). - The “R-2” (Medium Density Residential, 0.5-acre lot sizes) zone appears to be inconsistent with the other residential lots and zones in the area. The surrounding residential uses are either zoned “R-R” (Rural Residential, two-acre lot sizes) or “R-1” (Single Family Residential, one-acre lot sizes) or “A” (Agricultural) and were divided either via a conditional use permit and platting or rezone and platting (Exhibits 3.B.2e & 3.B.2k). Within a one-mile radius, there are 27 subdivisions with a 2.6-acre average lot size. The average lot size within a 600-foot radius is 4.79 acres with a median lot size of 2.29 acres (Exhibit B.2g).	

Criteria Met?	3	Is the proposed conditional rezone compatible with surrounding land uses?
Yes		
Analysis		The proposed conditional rezone to “C-1” is compatible with surrounding land uses. Pursuant to Canyon County Code of Ordinances §07-02-03, <i>land uses are compatible if: a) they do not directly or indirectly interfere with or conflict with or negatively impact one another, and b) they do not exclude or diminish one another's use of public and private services. A compatibility determination requires a site-specific analysis of potential interactions between uses and potential impacts of existing and proposed uses on one another. Ensuring compatibility may require mitigation from or conditions upon a proposed use to minimize interference and conflicts with existing uses.</i> • The 2030 Canyon County Comprehensive Plan designates properties along SH-44 as “commercial” (Exhibit 3.B.2c). Although the parcels abut SH-44, the parcels are designated as “residential” due to the properties containing three dwellings and being zoned “R-2” since 2008 (RZ2008-4, Exhibit 3.B.3). There are no other R-2 zones in the area. The zone appears to be inconsistent with the other residential lots and zones in the area. The surrounding residential uses are either zoned “R-R” (Rural Residential, two-acre lot sizes) or “R-1” (Single Family Residential, one-acre lot sizes) or “A” (Agricultural) and were divided either via a conditional use permit and platting or rezone and platting (Exhibits 3.B.2e & 3.B.2k). • Within a one-mile radius, there are over 20 parcels zoned “C-1” (Neighborhood Commercial) or “C-2” (Service Commercial) consistent with the commercial designation shown in the 2030 Canyon County Comprehensive Plan (Exhibit 3.B.2e). Most of the “C-1” zones were created via a blanket rezone in 2011 to kickstart commercial development along SH-44 (RZ2011-10). • Between 2022 and 2023, two commercial-related decisions were made within a one-mile radius supporting an RV storage facility expansion and a mini-storage facility (Exhibit 3.B.2f). • The following businesses were found along SH-44: Star Fire Protection District Station #2, Mid-Star Firearms, Tom Thumb Barber Shop, Susy Q’s Yard Art, Roots Storage, Roots Rock and Bark, Silver Wings Rentals, Peaknetics, Star Gravel Pit, and Gatherings Antique Store (Exhibit 3.C).
Criteria Met?	4	Will the proposed conditional rezone negatively affect the character of the area? What measures will be implemented to mitigate impacts?
Yes		
Analysis		The proposed conditional rezone, as conditioned – See Attachment A, will not negatively affect the character of the area. • The character of the area consists of commercial uses along SH-44 and residential uses adjacent to commercial designations (Exhibits 3.B.2c & 3.B.2e). The average lot size within a 1,000-foot radius is 4.79 acres with a 2.29-acre median, which means residential uses are only acres and the “R-2” parcels are not consistent with the area (Exhibit 3.B.2k). • To reduce impacts, the applicant proposes the following conditions: ○ The development shall limit the commercial uses to low-impact uses which are related to the primary event venue use, such as a caretaker residence, church, personal service shops, offices, and special event facility. ▪ This condition reduces uses in the “C-1” Zone from 49 available uses to 5. (Exhibit 3.B.5). Special event facilities and caretaker residences are allowed in the “A” Zone, subject to a conditional use permit. A church is allowed in the “A”, “R-R”, “R-1”, and “R-2” zones, subject to a conditional use permit. Personal service shops/offices are allowed only in commercial and industrial zones (Exhibit 3.B.5). ○ The maximum number of guests on the property shall be limited to 200. No events shall be permitted before 8 am or after 10 pm. ▪ Approximately 112 parking spaces are proposed (Exhibits 3.A.3 & 3.A.4). To further reduce impact, such as dust, the private road from SH-44 to the parking area is conditioned to be paved

	per CCCO §07-10-03(4). The parking area will need to be hard-surfaced per CCCO §07-13-01(8). ▪ The applicant provided a traffic management plan limiting speed to 5 mph on the properties to reduce impacts to neighbors and patrons. Patrons will be encouraged to make right-hand turns only when exiting the property to reduce the crossing of SH-44. Events will be scheduled to avoid peak traffic times. Regarding alcohol service, operations will strictly adhere to all applicable state and local laws governing the sale, service, and consumption of alcoholic beverages. (Exhibit 3.A.8). ▪ Noise will be reduced via landscaping and a 30-yard earthen berm. All amplified sound will cease at city-mandated curfew time (Exhibits 3.A.2, 3.A.3 & 3.A.8). • City of Middleton CCCO 8-1-5.A.1: <i>It shall be unlawful for any person or business to make or cause loud or offensive noise by means of voice, musical instrument, horn, radio, loudspeaker, automobile, machinery, other sound amplifying equipment, or any other means which disturbs the peace, quiet, and comfort of any reasonable person of normal sensitivity residing in the area. "Loud or offensive noise" is that which is plainly audible within any residence or business other than the source of the sound, or upon a public right of way or road at a distance of one hundred feet (100') or more from the source of such sound. This subsection (A)(1) shall only apply to noise generated by the normal operation of business establishments during the following times: Sunday through Thursday between the hours of ten (10:00) P.M. one day and seven (7:00) A.M. the next day; Friday, Saturday and Federal Holidays between the hours of twelve (12:00) A.M. one day and seven (7:00) A.M. the same day.</i> ○ All new development shall comply with the current building codes and zoning ordinance guidelines. ▪ The use will also meet all affected agency requirements prior to the commencement of use (Exhibits 3.D and 4.a – 4.d). ▪ Canyon County Historic Preservation Commission (HPC) finds the farmhouse, shop, and barn to have historic significance. The letter supports the preservation of historic structures and agricultural history by their continued use and maintenance. HPC is available to help secure funding for preservation efforts (Exhibit 3.D.3). • Property owners within 1,000 feet of the subject parcels were notified on April 22, 2026. At the time of completing this report, one comment letter of support was received finding the request is a vital addition to our community that offers a responsible way to manage growth while preserving our local heritage (Exhibit 4.e). • <i>See development agreement conditions – Attachment A</i>	
Criteria Met?	5	Will adequate facilities and services, including sewer, water, drainage, irrigation, and utilities, be provided to accommodate the proposed conditional rezone?
Yes		
Analysis	The project will have adequate sewer, water, drainage, irrigation, and utilities to accommodate the proposed conditional rezone, as outlined in the analysis contained herein. Sewer: The applicant states that the septic system will need to be improved to accommodate frequent use and large crowds (Exhibits 3.A.2 & 3.A.4). Southwest District Health (SWDH) finds that a subsurface wastewater disposal system for the proposed use has not been proposed. Porta-potties may not be used in place of a subsurface wastewater disposal system. The parcel is not in a nitrate priority area. Prior to the commencement of use, the applicant must submit the intended use, along with specific criteria, and a site evaluation must be conducted. A non-domestic wastewater application may be required and approved by the Idaho Department of Environmental Quality (DEQ). <i>See Exhibits 3.D.5 & 3.D.7.</i> Water: The applicant states that there will be a moderate demand for potable water, including restrooms, catering, and landscaping. A 150-guest event might use 1,500-3,000 gallons, which is not overwhelming	

	for a Centralized Public Water System (Exhibit 3.A.2). SWDH finds that the use will likely require a public drinking system that must be approved by the DEQ (Exhibits 3.D.5 & 3.D.7). A Centralized Public Water System will be constructed to meet DEQ water quality and quantity standards, which may require the owner to obtain a water right from the Idaho Department of Water Resources (IDWR). The well requires monitoring by DEQ. The applicant finds that the use of the water system to be installed will not impact groundwater Drainage: All drainage will be retained on-site (Exhibit 3.A.4). The parcel is flat, with no slopes so drainage can be easily managed on-site (Exhibit 3.B.2i). Irrigation: The properties are irrigated via an irrigation well through a pressurized system. Source of surface water on or nearby is a supply ditch on the west property line and a drainage ditch on the north property line (Exhibit 3.A.4). No comments were received from Middleton Mill Ditch Irrigation District. Irrigation will need to be provided by the local irrigation district or IDWR. The proposed uses shall not impede, disrupt, or otherwise disturb the existing irrigation structures on and adjacent to the subject property. Utility: The existing dwellings are served by utilities such as Idaho Power. Idaho Power provided an email regarding future development requiring clearance from transmission/overhead lines. The email does not oppose the request (Exhibit 3.D.6). The use will increase waste management, 2-5 cubic yards, due to events (food scraps, packaging, etc.). The applicant proposes private waste contracts to manage waste onsite, such as Republic Services (Exhibit 3.A.2).	
Criteria Met?	6	Does the proposed conditional rezone require public street improvements to provide adequate access to and from the subject property to minimize undue interference with existing or future traffic patterns? What measures have been taken to mitigate traffic impacts?
Yes		
Analysis	The Board of County Commissioners finds that the use on the subject property has adequate access that minimizes undue interference with existing and future traffic patterns. - The properties have legal access via a private road, Calla Lily Lane, located within a 30' access easement that connects to SH-44 (Exhibit 3.B.4). The access from SH-44 was approved by the ITD (permit #3-18-520). The proposed special events facility will utilize the existing access. The access must remain a private road if it serves more than two inhabited structures. Due to the commercial nature, the private road is conditioned to be paved (CCCO §07-10-03(4)). - After considering public testimony at the duly noticed public hearing held on February 19, 2026, the Planning and Zoning Commission found that the applicant and correspondence from the Idaho Transportation Department did not adequately address existing transportation concerns or provide adequate mitigation measures; and therefore, the Planning and Zoning Commission recommended denial of the request (Exhibits 1 & 2). - After considering public testimony at the duly noticed public hearing held on May 27, 2026, the Board of County Commissioners finds that the comments provided by the applicant and Idaho Transportation Department adequately address traffic concerns: <u>Idaho Transportation Department - ITD (Exhibits 4.a & 4.d)</u>: ITD finds that a commercial access permit and improvements will need to be obtained prior to commencement of use (See Attachment A). Regarding traffic impacts, future signalization is identified at five intersections on SH-44, which will provide better traffic breaks in the future. Due to the special events facility being mostly held at night and on weekends (Exhibit 3.A), ITD is not concerned about the use compounding rush hour traffic. <u>Emails from the applicant, including City of Middleton and City of Star (Exhibits 4.b & 4.c)</u>: City of Middleton is working on a traffic signal at SH-44 and Duff Lane. The City of Star is working on an elementary school and subdivision, which will require a traffic signal on Kingsbury. The applicant provided these emails to demonstrate that existing traffic issues are currently being addressed.	

Criteria Met?	7	Does legal access to the subject property for the conditional rezone exist, or will it exist at the time of development?
Yes		
Analysis	The properties have legal access via a private road, Calla Lily Lane, located within a 30’ access easement that connects to SH-44 (Exhibit 3.B.4). The access from SH-44 was approved by the ITD (permit #3-18-520). The proposed special events facility will utilize the existing access. The access must remain a private road if it serves more than two inhabited structures. Due to the commercial nature, the private road is conditioned to be paved (CCCO §07-10-03(4)). The properties do not have access from roads maintained by HD4. However, an access permit will be required to collect impact fees (Exhibit 3.D.1). ITD will require an access permit for commercial use (Exhibit 3.D.4).	
Criteria Met?	8	Will the proposed conditional rezone amendment impact essential public services and facilities, such as schools, police, fire, and emergency medical services? What measures will be implemented to mitigate impacts?
Yes		
Analysis	The proposed use is not anticipated to impact essential public services and facilities, including, but not limited to, schools, police, fire, and emergency medical services. Any necessary measures to mitigate impacts can be addressed prior to the commencement of use Schools - Middleton School District. No comment received. The request is not anticipated to impact the school district. The request does not increase enrollment at Mill Creek Elementary School, Middleton Middle School, or Middleton High School. The request reduces the existing residential uses from three dwellings to one dwelling for caretaker residence purposes (Exhibits 3.A.2 & 3.A.3). The planned operation, a special events facility, is over 3 miles from the nearest school, Mill Creek Elementary. Therefore, the use is not anticipated to disrupt school operations. Police - Canyon County Sheriff Department. No comment received. Fire protection & Emergency Medical Services - Middleton Fire District and Canyon County Paramedics. No comments received from Canyon County Paramedics. Middleton Fire District finds proposal can be adequately served by Station 52, approximately 0.7 miles from the properties; a two-minute response time (Exhibit 3.D.2). Prior to the commencement of use, adequate access and water supply for firefighting operations must be established. Any modification or construction of structures must be reviewed by the fire district. The applicant states that, based on previous events (CDEF2024-0126 & CDEF2025-0289), demand for police, fire, and EMS is low. This request will include hired private security, installation for fire suppression (sprinklers), and ensure clear emergency access (Exhibit 3.A.2). To ensure emergency services can adequately ingress and egress the properties, a traffic and circulation plan to be reviewed and approved by the local fire district is required prior to the commencement of use.	

Table 2. Area of City Impact

County Ordinance and Review		
Criteria Met?	Code Section	Criteria
Yes	09-09-17	(1) Processing Applications: The following procedures shall be adhered to in processing applications within the area of city impact: A. Land Use Applications: All land use applications submitted to the county, including, but not limited to, conditional use permits, variances, and land divisions requiring notification of a public hearing, shall be referred to the city in the same manner as provided for in subsection 09-09-11(3) of this article. 09-09-11(3) Plan Amendment Proposals: All proposals for amendments to the county comprehensive plan which may appertain to the Middleton area of city impact, but which do not originate from the city shall be referred to the city at least thirty (30) calendar days prior to any hearing on such matter and

		a recommendation may be made before or at said public hearing. If a recommendation is received, it shall be given great weight by the county, provided it is factually supported, but such recommendation shall not be binding on the county. If no response is received, the county may proceed without the recommendation of the city. A copy of the final decision issued by the county shall be forwarded to the city. If the city does not agree with the request, because it involves a major change in the county's comprehensive plan, the city may request renegotiation of this article as provided in Idaho Code 67-6526(d). A major change is one that is fundamental to the county's comprehensive plan, as determined by the parties.
Analysis	The request was located in the Middleton Area of City Impact at the time of submittal. If annexed, the city's future land use plan designated the area for residential growth (Exhibit 3.B.2d). The City of Middleton was notified of the request on September 22, 2025, and January 20, 2026. No comment was received.	

Order

Based upon the Findings of Fact, Conclusions of Law and Order contained herein, Board of County Commissioners **approves** Case #OR2025-0017, a conditional rezone of Parcels R23913, R23913012, and R23913012A from a "R-2" (Medium Density Residential) zone to a "CR-C-1" (Conditional Rezone - Neighborhood Commercial) zone.

DATED this 11th day of June, 2026.

CANYON COUNTY BOARD OF COMMISSIONERS

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

Yes	No	Did Not Vote
☒	☐	☐
☒	☐	☐
☐	☐	☐

Commissioner Leslie Van Beek

Commissioner Brad Holton

Commissioner Zach Brooks

Attest: Jess Urresti, Clerk

By: J Ross
Deputy

Date: 06.11.26

ATTACHMENT A

DEVELOPMENT AGREEMENT CONDITIONS

1. The development shall comply with all applicable federal, state, and county laws, ordinances, rules, and regulations that pertain to the subject property and the proposed use. Compliance with the following, but not limited to, affected agencies shall be met before the commencement of any use:
 - a. Highway District #4 (Exhibit 3.D.1)
 - b. Middleton Fire District (Exhibit 3.D.2)
 - c. Idaho Transportation Department (Exhibits 3.D.4, 4.a & 4.d)
 - d. Southwest District Health (Exhibit 3.D.5)
 - e. Idaho Power (Exhibit 3.D.6)
 - f. Idaho Dept. of Environmental Quality (Exhibit 3.D.7)
 - g. All structures removed, modified, or constructed require building and zoning permit approval.
2. The subject parcels, R23913, R23913012, and R23913012A, shall be zoned “C-1” (Neighborhood Commercial subject to the following restrictions:
 - a. The development shall limit the commercial uses to low-impact uses which are related to the primary event venue use, such as a caretaker residence, church, personal service shops, offices, and special event facility. Except for a caretaker residence, dwellings are prohibited in the “C-1” zone.
 - b. The uses shall be in substantial compliance with the letter of intent, site plan, and traffic, noise, and alcohol plan (Exhibits 3.A.2, 3.A.3, and 3.A.8)
 - c. The maximum number of guests on the property shall be limited to 200. No events shall be permitted before 8 am or after 10 pm. Noise generation shall uphold City of Middleton noise standards (Middleton Ordinance 8-1-5).
 - d. The existing private road shall be paved per standards expressed in CCCO 07-10-03(4). Evidence of constriction will be demonstrated through the construction permit process outlined in CCCO 07-10-3(1) prior to the commencement of use.
 - e. All parking spaces shall meet all applicable off-street parking requirements (CCCO §07-13-01 and §07-13-03), and temporary signage shall be provided during all events to assist with traffic flow patterns. Parking on local roads and SH-44 is prohibited. A parking and circulation plan drawn to scale must be submitted to DSD, with review and approval completed by the local fire district and DSD prior to commencement of use.
 - i. Prior to the commencement of use, signage shall be installed to encourage egress to be a right turn from the facility onto SH-44.
 - f. Landscaping and fence shall be maintained in good repair and shall not become a public nuisance.
 - g. All exterior lighting shall be directed away from adjacent residential properties and be contained on the parcel with downward-facing lighting and shielding where necessary.
 - h. The uses shall not impede, disrupt, or otherwise disturb the existing irrigation structures on and adjacent to the subject property.
3. The developer shall comply with CCCO §07-06-07 (4): Time Requirements: “All conditional rezones for a land use shall commence within two (2) years of the approval of the board.”