



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

In the matter of the application of:
Hooker – OR2025-0017

The Canyon County Board of County Commissioners considers the following:

A comprehensive plan map amendment of Parcels R23913, R23913012, and R23913012A, approximately 3.02 acres, from a “residential” designation to a “commercial” designation. 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 OR2025-0017.
 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 §07-06-03 (Comprehensive Plan Amendment Criteria), CCCO §07-10-27 (Land Use Regulations (Matrix)), Idaho Code §67-6509 (Recommendation and Adoption, Amendment and Repeal of the Plan), and CCCO §09-09-1712 (Area of City Impact Agreement).
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. No plan shall be effective unless adopted by resolution by the governing board. A resolution enacting or amending a plan or part of a plan may be adopted, amended, or repealed by definitive reference to the specific plan document. A copy of the adopted or amended plan shall accompany each adopting resolution and shall be kept on file with the city clerk or county clerk. *See* I.C. §67-6509(c).

The application, OR2025-0017, 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. Comprehensive Plan Map Amendment

HEARING CRITERIA – CCCO §07-06-03(1): The commission shall review the particular facts and circumstances of each proposed comprehensive plan amendment and make a recommendation regarding the same to the board. The commission and the board shall determine whether the proposed amendment meets the requirements of the local land use planning act, Idaho Code title 67, chapter 65, and is consistent with the comprehensive plan's purposes, goals, and policies:		
County Ordinance and Review		
Criteria Met?	Code Section	Criteria
Yes	A	Is the requested type of growth generally in conformance with the comprehensive plan?
Analysis		The requested type of growth is generally in conformance with the 2030 Comprehensive Plan. - 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: 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. 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: 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.” - Economic Development Goal and Policy: Goal No. 1: “Promote a healthy and sustainable regional economy by retaining, expanding, and recruiting businesses to favorable locations.”

	<i>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?	B	When considering the surrounding land uses, is the proposed land use more appropriate than the current comprehensive plan designation?
Yes		
Analysis		In consideration of the surrounding land uses, the proposed comprehensive plan amendment to a "commercial" designation is more appropriate than the current comprehensive plan designation of "residential". - 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 3.B.2g).
Criteria Met?	C	Is the proposed comprehensive plan amendment compatible with surrounding land uses?
Yes		
Analysis		The proposed comprehensive plan amendment to a "commercial" designation is compatible with surrounding land uses. 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). • 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?	D	Do development trends in the general area indicate that the current designation and circumstances have changed since the comprehensive plan was adopted?
Yes		
Analysis	Development trends in the general area indicate that the current designation and circumstances have changed since the comprehensive plan was adopted. • 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). • 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.	
Criteria Met?	E	Will the proposed comprehensive plan amendment impact public services and facilities? What measures will be implemented to mitigate impacts?
Yes		
Analysis	The Board of County Commissioners finds that the request will not impact public services and facilities. • Comments received from affected agencies did not oppose the request and provided standards and conditions that can be addressed at the time of rezone or at the time of development to mitigate any impacts or to ensure future uses meet local, state, and federal requirements (Exhibits 3.D and 4. a – 4.d). <i>See Table 2, Criteria 5-8 for supporting evidence.</i> • 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. 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.	

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, January 20, 2026, and April 22, 2026. No comment was received.	

Order

Based upon the Findings of Fact, Conclusions of Law and Order contained herein, the Board of County Commissioners **approves** Case #OR2025-0017, a comprehensive plan map amendment of Parcels R23913, R23913012, and R23913012A, approximately 3.02 acres, from a "residential" designation to a "commercial" designation.

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


 Commissioner Leslie Van Beek

 Commissioner Brad Holton
Unavailable for signature
 Commissioner Zach Brooks

Attest: Jess Urresti, Clerk

By: J Ross
 Deputy

Yes	No	Did Not Vote
☒	☐	☐
☒	☐	☐
☐	☐	☐

Date: 06.11.26