Planning and Zoning Commission
Hearing Date: February 19, 2026
Canyon County Development Services Department

PLANNING DIVISION STAFF REPORT

CASE NUMBER:	**OR2025-0017 & CR2025-0007**
APPLICANT:	**The Architects Office, PLLC**
PROPERTY OWNER:	**Ken & Sandy Hooker**
APPLICATION:	**Comprehensive Plan Map Amendment (OR2025-0017) and Conditional Rezone (CR2025-0007)**
LOCATION:	**22664 & 22669 Calla Lily Lane, Middleton R23913 (1.02 acres), R23913012 (0.83 acres) and R23913012A (1.17 acres)**
PLANNER:	**Dan Lister, Planning Supervisor**
STAFF RECOMMENDATION:	**Approval**

REQUEST:
The applicant, The Architects Office PLLC, representing owners Ken and Sandy Hooker, is requesting:

1) 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; and
2) CR2025-0007: A conditional rezone of Parcels R23913, R23913012, and R23913012A from a "R-2" (Medium Density Residential) zone to a "C-1" (Neighborhood Commercial) zone, subject to a development agreement for a special events facility and accessory commercial uses.

The applicant requests approval of the subject permits to establish a special events business on the subject parcels. The use includes a new event center building, new landscaped areas, an on-site office, and a newly renovated barn. The existing farmhouse will be repurposed into a beauty salon, and an existing dwelling will be converted into a caretaker residence. To ensure the use minimizes impacts to the area, the following conditions are proposed as part of the development agreement:

1. 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.
2. The maximum number of guests on the property shall be limited to 200.
3. All new development shall comply with the current building codes and zoning ordinance guidelines.
4. No events shall be permitted before 8 am or after 10 pm.

*See **Exhibit A** for more details.*

PARCEL INFORMATION REPORT: *See **Exhibit B.1** for information*

APPLICABLE CODE:
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 §09-09-17 (Area of City Impact Agreement).

BACKGROUND:
In 2008, the properties, approximately 3 acres, were zoned "R-2" (RZ2008-4, **Exhibit B.3**). The parcels were created by an administrative land division in 2018 (AD2018-0060, **Exhibit B.4**). The division included a private road for Calla Lilly Lane and a road user's maintenance agreement.

Per County Assessor's records, Parcel R23913012A (1.17 acres) has a barn built circa 1950. Parcel R23913012 (1.02 acres) has a dwelling built circa 1933 with outbuildings built in the 1950s. Parcel R23913 (0.83 acres) has two dwellings, built circa 1933 and 1919, and a barn and outbuilding built between the 1940s and 1960s.

In 2024 and 2025, a code violation was opened (CDEF2024-0126 & CDEF2025-0289) for establishing a special events facility without rezoning and for unpermitted structures. Special event facilities are not allowed in the "R-2" Zone (CCCO 07-10-27). The violations have been abated, and violations closed.

HEARING CRITERIA:

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 A.2**). • The 2030 Canyon County Comprehensive Plan designates properties along SH-44 as "commercial" (**Exhibit 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 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 B.2e & B.2k**). o *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) ▪ 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).* o *"The residential designation is for residential development. Residential development should promote compatibility with the existing agricultural activity."* (Page 25, 2030 Comp. Plan)		

	• The Traffic Analysis Zone (TAZ) forecasts population, household, and job growth in the area (**Exhibit 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." Policy No. 2: "Supportive, suitable sites for economic growth and expansion compatible with the surrounding area."* ▪ Land Use Policy and Goals: *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."*
Criteria Met? **Yes**	**B**	**When considering the surrounding land uses, is the proposed land use more appropriate than the current comprehensive plan designation?**
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 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 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 Canton County Comprehensive Plan (**Exhibit B.2e**). o 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 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 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 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 B.2e & 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? **Yes**	**C**	**Is the proposed comprehensive plan amendment compatible with surrounding land uses?**
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 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 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 Canton County Comprehensive Plan (**Exhibit B.2e**). • 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 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 C**).	
Criteria Met? **Yes**	**D**	**Do development trends in the general area indicate that the current designation and circumstances have changed since the comprehensive plan was adopted?**
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 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 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 Canton County Comprehensive Plan (**Exhibit B.2e**). • The Traffic Analysis Zone (TAZ) forecasts population, household, and job growth in the area (**Exhibit 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? **Yes**	**E**	**Will the proposed comprehensive plan amendment impact public services and facilities? What measures will be implemented to mitigate impacts?**
Analysis	The proposed comprehensive plan amendment is not anticipated to 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 (**Exhibit D**). *See Table 2, Criteria 5-8 for supporting evidence.*

Table 2. 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 A.2**). • The 2030 Canyon County Comprehensive Plan designates properties along SH-44 as "commercial" (**Exhibit 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 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 B.2e & B.2k**). o *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) ▪ 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).* o *"The residential designation is for residential development. Residential development should promote compatibility with the existing agricultural activity."* (Page 25, 2030 Comp. Plan) • The Traffic Analysis Zone (TAZ) forecasts population, household, and job growth in the area (**Exhibit 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." Policy No. 2: "Supportive, suitable sites for economic growth and expansion compatible with the surrounding area."* ▪ Land Use Policy and Goals: *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."*	
Criteria Met? **Yes**	**2**	**When considering the surrounding land uses, is the proposed conditional rezone more appropriate than the current zoning designation?**
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 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 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 Canton County Comprehensive Plan (**Exhibit B.2e**). o 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 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 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 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 B.2e & 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? **Yes**	**3**	**Is the proposed conditional rezone compatible with surrounding land uses?**

Analysis	The proposed conditional rezone to "C-1" is/ is compatible with surrounding land uses. Pursuant to Canyon County Code of Ordinances §07-02-03, *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.* • The 2030 Canyon County Comprehensive Plan designates properties along SH-44 as "commercial" (**Exhibit 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 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 B.2e & 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 Canton County Comprehensive Plan (**Exhibit B.2e**). • 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 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 C**).	
Criteria Met? **Yes**	**4**	**Will the proposed conditional rezone negatively affect the character of the area? What measures will be implemented to mitigate impacts?**
Analysis	The proposed conditional rezone, as conditioned, 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 B.2c & 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 B.2k**). • To reduce impacts, the applicant proposes the following conditions: o 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 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 B.5**). o 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 A.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 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 A.2, A.3 & A.8**). • City of Middleton CCCO 8-1-5.A.1: *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.* o 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 (**Exhibit 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 D.3**). • Property owners within 1,000 feet of the subject parcels were notified on January 20, 2026. At the time of completing this report, no public comments were received. • *See recommended conditions on Page 11 of this report.*
Criteria Met? **Yes**	**5** **Will adequate facilities and services, including sewer, water, drainage, irrigation, and utilities, be provided to accommodate the proposed conditional rezone?**
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 A.2 & 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). *See **Exhibits D.5 & D.7**.* **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 A.2**). SWDH finds that the use will likely require a public drinking system that must be approved by the DEQ (**Exhibits D.5 & 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 A.4**). The parcel is flat, with no slopes so drainage can be easily managed on-site (**Exhibit 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 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 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 A.2**).	
Criteria Met? **Yes**	**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?**
Analysis	The proposed conditional rezone may require public street improvements to provide adequate access to and from the subject property to minimize undue interference with existing and/or future traffic patterns created by the proposed development. The access and traffic improvements will be determined by ITD and HD4 prior to the commencement of use. The properties have legal access via a private road, Calla Lily Lane, located within a 30' access easement that connects to SH-44 (**Exhibit B.4**). The three houses on the properties create 25.56 average daily trips per CCCO §07-10-03(4). The applicant states the request may increase traffic primarily on weekends. A typical wedding might draw 50-200 guests, translating to 25-100 vehicle trips per event. The applicant finds the request presents minimal strain to SH-44 as it's a major arterial handling 10,000-15,000 vehicles daily in some segments (**Exhibit A.2**). Approximately 112 parking spaces are proposed (**Exhibits A.3 & A.4**). 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 (**Exhibit A.8**). 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 access from SH-44 was approved by the Idaho Transportation Department (permit #3-18-520). The Idaho Transportation Department (ITD) will require an access permit for commercial use. The permit may require other improvements based on review of the use and ITD standards (**Exhibit D.4**).	

	Highway District #4 (HD4) finds that the request will generate 120 vehicles per event (**Exhibit D.1**). Assuming one event every other week: 120 vehicles per event x 26 events per year equates to 3,120 vehicles per year (8.5 vehicles per day) or 0.85 vehicles per hour (assuming a 10-hour access time per day). HD4 will collect impact fees based on this assumed trip generation.	
Criteria Met? **Yes**	**7**	**Does legal access to the subject property for the conditional rezone exist, or will it exist at the time of development?**
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 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 D.1**). ITD will require an access permit for commercial use (**Exhibit D.4**).	
Criteria Met? **Yes**	**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?**
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 A.2 & 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 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 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 3. 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 B.2d**). The City of Middleton was notified of the request on September 22, 2025, and January 20, 2026. No comment was received.	

NOTIFICATION AND COMMENTS:

Notice of the public hearing was provided as per CCCO §07-05-01. Agencies and the City of Middleton were notified on January 20, 2026. Property owners within 1,000 feet of the subject property boundaries were notified on January 20, 2026. Full political notice was completed on January 20, 2026. A newspaper notice was published on January 20, 2026. The subject property was posted with a notice on January 20, 2026.

Pursuant to CCCO §01-17-07B - Materials Deadline, the submission of late documents or other materials does not allow all parties time to address the materials or allow sufficient time for public review. After the materials deadline, any input may be verbally provided at the public hearing to become part of the record.

AGENCY COMMENTS

All agency comments received by the aforementioned materials deadline are located in **Exhibit D**.

PUBLIC COMMENTS

No public comments received.

RECOMMENDATION AND DECISION OPTIONS:

In consideration of the application and supporting materials, staff concludes that the proposed comprehensive plan amendment and conditional rezone are compliant with Canyon County Ordinance §07-06-03& §07-06-07. A full analysis is detailed within the staff report.

Should the Commission wish to approve the subject application, staff recommends the following conditions be attached:

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 D.1)
   b. Middleton Fire District (Exhibit D.2)

c. Idaho Transportation Department (Exhibit D.4)
d. Southwest District Health (Exhibit D.5)
e. Idaho Power (Exhibit D.6)
f. Idaho Dept. of Environmental Quality (Exhibit 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 A.2, A.3, and 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.
      i. Prior to the commencement of use, signage shall be installed ensure egress from the facility onto SH-44 is a right turn only.
   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."

<u>DECISION OPTIONS – OR2025-0017</u>

- **Approval of the Application**: "I move to approve OR2025-0017, Hooker, finding the application **does** meet the criteria for approval under Article 07-06-03 of Canyon County Zoning Ordinance, **with the conditions listed in the staff report, finding that**: [*Cite reasons for approval & insert any additional conditions of approval*].
- **Denial of the Application**: "I move to deny OR2025-0017, Hooker, finding the application **does not** meet the criteria for approval under Article 07-06-03 of Canyon County Zoning Ordinance, **finding that** [*cite findings for denial based on the express standards outlined in the criteria & the actions, if any, the applicant could take to obtain approval (ref.ID.67-6519(5)*].
- **Table the Application:** "I move to continue OR2025-0017, Hooker to a [*date certain or uncertain*]

<u>DECISION OPTIONS – CR2025-0007</u>

- **Approval of the Application**: "I move to approve CR2025-0007, Hooker, finding the application **does** meet the criteria for approval under Article 07-06-07 of Canyon County Zoning Ordinance,

with the conditions listed in the staff report, finding that: [*Cite reasons for approval & insert any additional conditions of approval*].

- **Denial of the Application**: "I move to deny CR2025-0007, Hooker, finding the application **does not** meet the criteria for approval under Article 07-06-07 of Canyon County Zoning Ordinance, **finding that** [*cite findings for denial based on the express standards outlined in the criteria & the actions, if any, the applicant could take to obtain approval (ref.ID.67-6519(5)*].
- **Table the Application:** "I move to continue CR2025-0007, Hooker to a [*date certain or uncertain*]

EXHIBITS:

A. Application Packet & Supporting Materials

1. Master Application
2. Letter of Intent
   a. OR2025-0017
   b. CR2025-0007
3. Site Plan
4. Land Use Worksheet
5. Neighborhood Meeting
6. Agency Acknowledgment
7. Deeds
8. Traffic, Noise, and Alcohol Plans
9. Event Center Presentation

B. Supplemental Documents

1. Parcel Information Report
2. Cases Maps/Reports
   a. Aerial
   b. Vicinity
   c. Future Land Use
   d. Future Land Use – Middleton
   e. Zoning
   f. Cases
   g. Subdivisions
   h. Nitrate Priority/Wells
   i. Contours
   j. Soils
   k. Lot Classification
   l. TAZ
3. RZ2008-4
4. AD2018-0060
5. CCCO §07-10-27 – Land Use Matrix

C. Google Earth Photos, August 2025

D. Agency Comments Received by February 9, 2026

1. Highway District #4, letter dated October 10, 2025
2. Middleton Fire District, email dated November 13, 2025
3. Canyon County Historic Preservation Commission, letter dated November 26, 2026
4. Idaho Transportation Department, letter dated November 25, 2026
5. Southwest District Health, submitted via email dated September 22, 2025
6. Idaho Power, email dated January 21, 2026
7. Idaho Dept. of Environmental Quality, letter dated January 26, 2026

EXHIBIT A

Application Packet & Supporting Materials

Planning & Zoning Commission

Case# OR2025-0017 & CR2025-0007

Hearing date: February 19, 2026

See Zone Ammendment

Exhibit A.1

COMPREHENSIVE PLAN AMENDMENT
PUBLIC HEARING - MASTER APPLICATION

PROPERTY OWNER	OWNER NAME: Ken & Sandy Hooker	
	MAILING ADDRESS: 16008 SW Dash Pt. Rd, #304, Federal Way WA 98023	
	PHONE: [redacted]	EMAIL: [redacted]

I consent to this application and allow DSD staff / Commissioners to enter the property for site inspections. If the owner(s) is a business entity, please include business documents, including those that indicate the person(s) who are eligible to sign.

Signature: Ken Hooker *Date:* 5/14/25

APPLICANT: IF DIFFERING FROM THE PROPERTY OWNER	APPLICANT NAME: David Ruby, AIA	
	COMPANY NAME: The Architects Office, PLLC	
	MAILING ADDRESS: 499 Main Street, Boise, Idaho 83702	
	PHONE: 208-412-9955	EMAIL: david@taoidaho.com

SITE INFO	STREET ADDRESS: 8550 ID-44, Middleton, Idaho 83644	
	PARCEL NUMBER: r23913, r23913012, r23913012a	
	PARCEL SIZE: 1.02 acres, 0.83 acres, 1.17 acres (3.02 acres (total)	
	CURRENT COMPREHENSIVE PLAN DESIGNATION: Residential	
	REQUESTED COMPREHENSIVE PLAN DESIGNATION: Commercial	
	FLOOD ZONE (YES/NO) No.	ZONING DISTRICT: C-1 (Neighborhood Commercial)

Check the applicable application type:

- [x] Comprehensive Plan **Map** Amendment (change the future land use designation)
- [ ] Comprehensive Plan **Text** Amendment (propose a new Comp Plan Policy or Amendment)

FOR DSD STAFF COMPLETION ONLY:

CASE NUMBER	OR2025-0017	DATE RECEIVED:	6/16/2025
RECEIVED BY:	Arbay M	APPLICATION FEE: $3,850	CK MO CC CASH

CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT
111 North 11th Avenue, #310, Caldwell, ID 83605
zoninginfo@canyoncounty.id.gov - Phone: 208-454-7458
Revised 3/21/23

ZONING AMENDMENT
PUBLIC HEARING - MASTER APPLICATION

PROPERTY OWNER	OWNER NAME: Ken & Sandy Hooker	
	MAILING ADDRESS: 16008 SW Dash Pt. Rd, #304, Federal Way WA 98003	
	PHONE: [redacted]	EMAIL: [redacted]

I consent to this application and allow DSD staff / Commissioners to enter the property for site inspections. If the owner(s) is a business entity, please include business documents, including those that indicate the person(s) who are eligible to sign.

Signature: Ken Hooker *Date:* 5/14/25

APPLICANT: IF DIFFERING FROM THE PROPERTY OWNER	APPLICANT NAME: David Ruby, AIA	
	COMPANY NAME: The Architects Office, PLLC	
	MAILING ADDRESS: 499 Main Street, Boise, Idaho 83702	
	PHONE: 208-412-9955	EMAIL: david@taoidaho.com

SITE INFO	STREET ADDRESS: 22669 Calla Lily Ln, Middleton, Idaho 83644	
	PARCEL NUMBER: r23913, r23913012, r23913012a	
	PARCEL SIZE: 1.02 acres, 0.83 acres, 1.17 acres (3.02 acres (total)	
	CHECK THE APPLICABLE APPLICATION TYPE:	
	☐ REZONE	☒ CONDITIONAL REZONE WITH DEVELOPMENT AGREEMENT
	CURRENT ZONING: R-2 (Rural Residential)	PROPOSED ZONING: C-1
	FLOOD ZONE (YES/NO) No.	ZONING DISTRICT: Neighborhood Commercial

FOR DSD STAFF COMPLETION ONLY:

CASE NUMBER	CR2025-0007	DATE RECEIVED:	June 16, 2025
RECEIVED BY:	Arbay M	APPLICATION FEE: $1,900	CK MO CC CASH

CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT
111 North 11th Avenue, #310, Caldwell, ID 83605
zoninginfo@canyoncounty.id.gov - Phone: 208-454-7458
Revised 3/21/23

Exhibit A.1

PHEES PUBY JOSEPH PUTMAN
ARCHITECTS

499 Main Street
Boise, ID 83702
(208) 343-2931
www.taoidaho.com

Date: June 6, 2025

To: Canyon County Development Services
Planning & Zoning Department
111 N 11th Ave.
Caldwell, ID 83605

Project: Calla Event Center **Job No.** 25-605

Subject: Letter of intent, Comprehensive Plan Amendment **From:** David Ruby, AIA

Dear Staff,

The following is a Letter of Intent to accompany our Comp Plan Amendment application. Our goal is to change the designation of our three parcels from Residential to Commercial for use as a special event center (including weddings).

General compatibility with the Comprehensive Plan (CCZO Section 07-06-03(1)A):

The Canyon County 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. The Commercial land use designation is a better fit for the location and the Infrastructure. Other than a few select properties immediately adjacent to these parcels, all the land along highway 44 in this area is already designated for Commercial uses in the Comprehensive Plan 2030.

This request is more appropriate than the current designation (CCZO Section 07-06-03(1)B):

This land's highway frontage screams commercial potential—putting homes here would underuse the location and infrastructure, while an event venue makes the most of what's already in place. Staying with the residential designation would not be beneficial to maintaining the character of the County, as future residential development would surely mean the loss of the historic farmhouse, shop and barn.

Compatibility with surrounding land uses (CCZO Section 7-06-03(1)C):

Nearly all of the land bordering the highway has already been designated for commercial uses. These types of uses take better advantage of the existing infrastructure, and act as a buffer for the rural residential areas located behind them, enhancing both areas.

Development trends in the area that promote the requested amendment (CCZO Section 7-06-03(1)D):

A single commercial venue maintains open space and a semi-rural feel better than a subdivision, aligning with the plan's aim to protect Canyon County's character. The Comprehensive Plan wants growth that makes sense—this use fits Highway 44's role as a corridor and adds value without paving over the county's rural charm like more homes might.

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Potential impacts to public services and facilities (CCZO Section 7-06-03(1)E):

1. Transportation and Road Infrastructure

- Impact: Moderate increase in traffic, primarily on weekends or event days. A typical wedding might draw 50-200 guests, translating to 25-100 vehicle trips per event, concentrated at departure times. State Highway 44, as a major arterial (handling 10,000-15,000 vehicles daily in some segments), can absorb this without major strain.

- Public Services Affected: Idaho Transportation Department (ITD) for highway access permits; Canyon County Road & Bridge for any local road tie-ins.

Net Effect: Minimal strain on Highway 44 itself.

2. Public Safety (Police, Fire, EMS)

- Impact:
    - Police: Low to moderate demand. Previous events on the site have not generated additional demand on services.
    - Fire: Low risk as the venue does not include kitchens prone to fire hazards.
    - EMS: Minor increase in calls possible (e.g., medical emergencies at events).
- Public Services Affected: Canyon County Sheriff's Office, local fire districts, and EMS providers.
- Mitigation: Hire private security for events, install fire suppression (sprinklers), and ensure clear emergency access per county codes.

Net Effect: Slight uptick in demand, manageable with planning and private support; no major burden unless events scale up significantly.

3. Water and Sewer Systems

- Impact:
    - Water: Moderate demand for potable water (restrooms, catering) and possibly irrigation (landscaping). A 150-guest event might use 1,500-3,000 gallons per day (assuming 10-20 gallons per person), far exceeding a single home's use but not overwhelming if tied to a municipal system or well.

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- Sewer: Septic systems will be upgraded due to frequent use and larger crowds (e.g., 200+ guests regularly).

- Public Services Affected: Water and Sewer systems are private, and will be upgraded.

Net Effect: Manageable with investment in on-site systems; minimal impact on public utilities.

4. Solid Waste Management

- Impact: Increased waste from events—food scraps, decorations, packaging—perhaps 2-5 cubic yards per event (vs. 0.5-1 for a household). Rural areas rely on private haulers like Republic Services, not county-run systems.

- Public Services Affected: None directly; private waste contracts handle it.

Net Effect: Negligible impact on public services; fully privatized burden.

5. Schools and Social Services

- Impact: None direct. Unlike residential development, a wedding venue doesn't add permanent residents or school-age children, avoiding pressure on Canyon County's school districts (e.g., Vallivue or Middleton), which are already managing growth.

- Public Services Affected: N/A.

- Considerations: Indirectly, revenue from the venue could bolster county funds for schools.

Net Effect: Zero impact; a key advantage over residential use.

6. Parks, Recreation, and Community Facilities

- Impact: No direct strain on public parks or facilities, as the venue provides its own event space. It might even reduce demand on public venues (e.g., county fairgrounds) by offering a private alternative.

- Public Services Affected: None significantly.

- Considerations: Could compete with existing event spaces, though demand for wedding venues likely exceeds supply in the area.

Net Effect: Neutral to slightly positive; no added burden.

7. Environmental and Health Services

- Impact:

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- Noise/light pollution could affect nearby residents, requiring Southwest District Health or county oversight if complaints arise.
- Minor risk of runoff (e.g., parking areas) impacting local waterways, monitored by Idaho DEQ.

- Public Services Affected: Health district for noise/permits; DEQ for environmental compliance.
- Considerations: Unmitigated noise (e.g., music past 10 PM) or lighting could trigger enforcement actions.
- Mitigation: Use sound barriers (trees, walls), limit hours, and pave parking to control runoff.

Net Effect: Low impact with proper design; regulatory oversight manageable.

Overall Assessment

- Compared to Residential: A wedding venue has a lighter footprint on public services than a residential designation. Homes add daily traffic, school kids, and utility demands, while a venue's impacts are intermittent and concentrated. For example, 10 homes might generate 80-100 daily trips and 500+ gallons of water use daily, versus a venue's weekend-only spikes.
- Net Burden: Low to moderate, mostly borne by private investment (e.g., septic, security) rather than public funds. Highway 44's capacity and the venue's self-contained nature minimize strain.
- Positive Offset: Increased tax revenue and economic activity could indirectly support public services, unlike residential use, which often costs more to service than it generates in taxes.

<u>Potential impacts to groundwater (source, quantity, and quality) (Idaho Code Section 67-6537(4)):</u>

Per Idaho Code 67-6537(4), a commercial designation won't hurt the groundwater. It taps the same aquifer as residential uses would, uses less water overall with the right limits, and—with a solid septic system and runoff controls—keeps quality as good or better than a residential setup. It's a smarter fit for Highway 44 without stressing the water resources

1. Source of Groundwater

- Potential Impact:
  - A wedding venue's water needs (e.g., potable water for restrooms, catering, and irrigation for landscaping) would likely rely on the same groundwater source as a residential use—most likely the Eastern Snake Plain Aquifer or local alluvial aquifers along Highway 44. The shift from residential to commercial use doesn't inherently alter the source itself.

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- However, if the venue requires a new well or increased withdrawal compared to a few homes, it could shift demand patterns. Residential use typically involves steady, low-volume withdrawals, while a venue might have sporadic but higher peak demands (e.g., 1,500-3,000 gallons per event day for 150 guests).

Net Effect: Minimal change to the groundwater source, assuming withdrawals stay within permitted limits. The source itself (e.g., aquifer) remains unchanged, but usage intensity could shift.

2. Quantity of Groundwater

- Potential Impact:
  - Residential Baseline: A single home uses about 200-500 gallons daily (depending on household size and irrigation), while 5-10 homes on the site might use 1,000-5,000 gallons daily. This is a consistent draw.
  - Wedding Venue: A venue hosting 150 guests might use 1,500-3,000 gallons per event (10-20 gallons per person, per industry estimates), but only on event days (e.g., 1-2 times weekly). Annual usage could be lower than a residential subdivision, depending on event frequency.
  - Net Change: The venue might use less total water annually than multiple homes, but peak demands could strain local supply if the aquifer's recharge rate is low or if other users (e.g., farms) already stress it.
- Considerations:
  - Canyon County's groundwater levels have faced declines in some areas due to agricultural pumping, though Highway 44's specific conditions vary (e.g., shallower aquifers near rivers like the Boise).
  - Overuse without recharge could lower the water table, though a venue's intermittent use is less likely to do this than constant residential or irrigation demands.

Net Effect: Likely neutral or slightly reduced impact on quantity compared to residential, provided usage is managed. Peak demands need monitoring to avoid temporary overdraw.

3. Quality of Groundwater

- Definition: This refers to the chemical, biological, and physical condition of groundwater and whether the proposed use introduces contaminants or degrades its usability.
  - Comparison: The venue's risks are more concentrated than residential but manageable with design. Residential use might spread lower-level contamination over time, while a venue's impact is event-driven and potentially more acute if unmitigated.
- Considerations:

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- Idaho's Groundwater Quality Plan (via DEQ) prioritizes protecting high-quality groundwater. Nitrate is a widespread concern in Canyon County (e.g., from agriculture), and additional loading from a venue could exacerbate this if near vulnerable aquifers. This site is not located in a nitrate sensitive zone.

- Mitigation:
  - Install a quality septic system designed for peak loads, with regular maintenance.
  - Pave parking areas with permeable materials (gravel) to reduce runoff, and use native, low-water plants to minimize pesticide/fertilizer use.
  - Enforce strict waste management (e.g., bins, hauler contracts).

Net Effect: Potentially higher short-term risk to quality than residential if unmanaged, but with proper systems, the impact could be comparable or lower due to less constant use.

Legal Context (Idaho Code § 67-6537(4))

- The statute mandates consideration of these factors to ensure land use changes don't harm groundwater, a critical resource in Idaho (95% of drinking water comes from groundwater). An event venue neither degrades or improves groundwater conditions relative to the residential designation.
- Source: No significant shift—same aquifer, just different withdrawal patterns.

Thank you for your consideration, and please feel free to call with any questions or concerns, 639-6406.

Sincerely,

David Ruby, AIA
The Architects Office, PLLC

RHEES RUBY JOSEPH PUTNAM
ARCHITECTS

499 Main Street
Boise, ID 83702
(208) 343-2931
www.taoidaho.com

Date: June 6, 2025

To: Canyon County Development Services
Planning & Zoning Department
111 N 11th Ave.
Caldwell, ID 83605

Project: Calla Event Center **Job No.** 25-605

Subject: Conditional Rezone Application **From:** David Ruby, AIA

Dear Staff,

The following is a Letter of Intent to accompany our Conditional Zoning Amendment application. We desire to change the zoning of these three parcels from R-1 (Single-Family Residential) to C-1 (Neighborhood Commercial).

Description of proposed use:

The purpose of the C-1 Zone is to provide for local commercial service needs and to restrict incompatible uses. We are proposing a mixture of compatible uses on the property. A special event business will be the primary use for the property, including a new event center building, new enhanced landscape areas, an onsite office, and a newly renovated barn. In addition, the historic farmhouse will be repurposed as a beauty salon, and the west residence will be a caretaker residence.

The property's location along highway 44 makes it ideally suited for a special event venue due to its accessibility and visibility. The location is also ideally suited for business services such as a professional office or a beauty salon use for the same reasons. Highways naturally facilitate higher traffic volumes and provide easy access for guests traveling from nearby areas, which is a practical advantage for a business like a hair salon that relies on easy access for visitors. Rezoning to neighborhood commercial would allow the property to serve a broader community need by offering a unique event space, which is in short supply in the area, especially for rural or scenic venues that capitalize on Canyon County's natural beauty. A wedding venue's intermittent use (e.g., weekends or evenings) aligns with C-1's intent for low-impact commercial activity, unlike heavier uses in General Commercial (C-2) zones. The mixture of proposed uses would provide maximum benefit for local residents by having added services available nearby and during work hours, while the event business would be seasonal and less intensive than many other allowed commercial uses.

Economically, the change could stimulate local growth. A wedding venue would create jobs—such as event staff, catering, and maintenance positions—and draw business to nearby vendors, florists, photographers, and lodging providers, boosting the local economy. This aligns with Canyon County's Development Services mission to balance economic interests with community and environmental considerations. Unlike heavy commercial uses, a wedding venue would

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generate limited daily disruption, preserving the area's rural character while still providing a productive use for the land.

The rezoning also makes sense given the property's context. Residential zoning along a highway may already be less practical due to noise and traffic, reducing its appeal for housing. A neighborhood commercial designation, which allows for small-scale businesses like shops or event spaces, fits the site's conditions better and could serve as a transitional buffer between residential areas and the highway's activity. Wedding venues typically operate seasonally or on weekends, minimizing ongoing impacts like noise or congestion compared to other commercial uses.

Finally, the change could enhance community identity. Canyon County values its rural lifestyle and heritage, and a tasteful wedding venue could showcase that charm, attracting visitors who appreciate the area's landscapes and history. With proper planning and conditions like noise limits or event caps, the venue could integrate harmoniously, meeting both business and resident needs.

Description of the existing use:

The existing use was as an event center, though the use was not approved properly. The approved use is currently residential. There are two existing farm houses on the property, and two large barns.

Expected impacts and traffic of future development:

Moderate increase in traffic, primarily on weekends or event days. A typical wedding might draw 50-200 guests, translating to 25-100 vehicle trips per event, concentrated at departure times. State Highway 44, as a major arterial (handling 10,000-15,000 vehicles daily in some segments), can absorb this without major strain.

Explanation of how the rezone is consistent with the Comp Plan and specific zoning criteria:

Nearly all of the land bordering the highway has already been designated for commercial uses, which benefit from the high visibility and ease of access. These types of uses take better advantage of the existing infrastructure, and act as a buffer for the rural residential areas located behind them, enhancing both areas. As the highway traffic increases, the residential uses along the highway become less and less attractive. The commercial uses would align better with the comprehensive plans goals for economic development along this corridor.

This land's highway frontage screams commercial potential—putting homes here would underuse the location and infrastructure, while an event venue makes the most of what's already in place. Staying with the residential designation would not be beneficial to maintaining the character of the County, as future residential development would surely mean the loss of the historic farmhouse, shop and barn.

Describe the concept plan:

ARCHITECTS
FREES
RUSY
JOSEPH
PUTMAN

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From the highway, the property will maintain the charm that it has had for the past hundred years. There will be a single point of access off of Highway 44, onto Calla Lily Lane. There will be a meandering gravel drive that gently winds toward the northwest corner of the site, and is bordered by landscaping. Parking for the venue is located to the west of the existing Hay Barn, and on the norther portion of the site, behind the new venue building. The parking area will be gravel instead of pavement, as a way to hold on to the rural charm of the Canyon County area.

The new venue building will be constructed east of the Hay Barn, with a plaza between. The space between the buildings will be landscaped and utilized as a transition space for before events and during transitions. The Hay Barn will be used as a smaller event space, but primarily for temporary transitions between a ceremony and a reception for example.

The Milk Barn will be renovated to contain the management office, seasonal storage for the site, and changing rooms for the bride and groom. The building itself will serve as a backdrop for the outdoor area.

The Hay Barn, new venue, and the renovated Milk Barn, will surround a landscaped outdoor area. This area will be heavily landscaped with plantings and a water feature. The surrounding buildings will create a unique outdoor environment that will feel like entering a timeless haven, where the weathered wood and rusted metal of historic barns and farm outbuildings whisper stories of a bygone era deeply rooted in the farming heritage of the area. The air carries a faint scent of aged timber, hay, and blooming wildflowers, mingling with the earthy freshness of the surrounding fields.

The barns, with their peeling paint and sturdy, hand-hewn columns and beams, stand as proud sentinels, framing the space with a sense of enduring strength and rustic elegance. It's a place that feels both intimate and expansive—peaceful yet alive with the subtle sounds of chirping birds, distant livestock, and the occasional creak of an old barn door. This courtyard invites you to pause, breathe deeply, and savor a connection to the land and its history, wrapped in a warm, nostalgic embrace.

Proposed conditions of approval:

1. 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.
    b. Church.
    c. Personal Service Shops.
    d. Offices.
    e. Special Events Facility.
2. The maximum number of guests on property shall be limited to 200.

ARCHITECTS
PHEES RUBY JOSEPH PUTNAM

499 Main Street
Boise, ID 83702
(208) 343-2931
www.taoidaho.com

3. All new development shall comply with the current building codes and zoning ordinance guidelines.

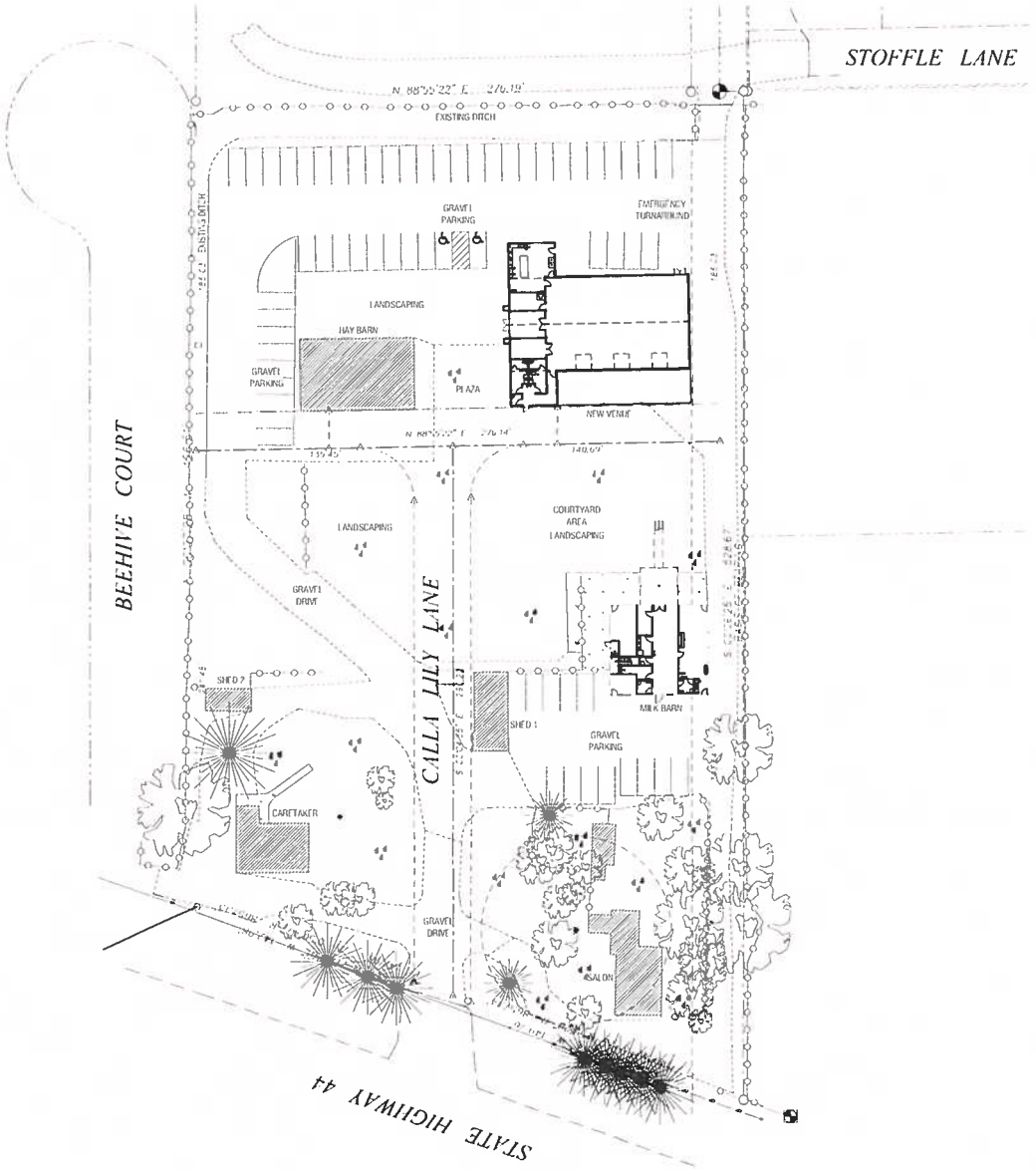
4. No events shall be permitted before 8am or after 10pm.

Thank you for your consideration, and please feel free to call with any questions or concerns, 639-6406.

Sincerely,

David Ruby, AIA
The Architects Office, PLLC

Exhibit A.3



1 CONCEPT PLAN

PROJECT SUMMARY

CURRENT ZONING: R-2
PROPOSED ZONING: C-2 (SERVICE COMMERCIAL)
AREA: 3.02 ACRES (131,551 SF)
PARCEL NO.: R23913, R23913012, R239130128
USES: EVENT CENTER (CHURCH), CARETAKER RESIDENCE, PERSONAL SERVICE: ALLOWED IN C-2 ZONE.

SETBACKS:
FRONT YARD SETBACK: ..... 20 FT
SIDE YARD SETBACK: ..... 5 FT
REAR YARD SETBACK: ..... 20 FT

BUILDING HEIGHT: 50 FT. MAX. ALLOWED (40 FT. PROPOSED)

PARKING:
TOTAL SPACES PROPOSED: 61
ACCESSIBLE: 2

TJA ARCHITECTS

PROJECT

CALLA LILY SPECIAL EVENT CENTER

HIGHWAY 44

MIDDLETON, ID

Exhibit A.3

SEAL

DATE
JUNE 10, 2025

JOB NO.
25-601 SD1.0

DRAWN BY
DAVID RUBY, AIA

REVISIONS

SHEET

A1.0

SITE PLAN

LAND USE WORKSHEET

PLEASE CHECK ALL THAT APPLY TO YOUR REQUEST:

GENERAL INFORMATION

1. **DOMESTIC WATER:** ☐ Individual Domestic Well ☒ Centralized Public Water System ☐ City

☐ N/A – Explain why this is not applicable: _____

☐ How many Individual Domestic Wells are proposed? _____

2. **SEWER (Wastewater)** ☒ Individual Septic ☐ Centralized Sewer system

☐ N/A – Explain why this is not applicable: _____

3. **IRRIGATION WATER PROVIDED VIA:**

☐ Surface ☒ Irrigation Well ☐ None

4. **IF IRRIGATED, PROPOSED IRRIGATION:**

☒ Pressurized ☐ Gravity

5. **ACCESS:**

☒ Frontage ☐ Easement Easement width 30 feet Inst. # 2018-033115

6. **INTERNAL ROADS:**

☐ Public ☒ Private Road User's Maintenance Agreement Inst # 2018-033115

7. **FENCING** ☒ Fencing will be provided (Please show location on site plan)

Type: Wood posts with wire mesh (Existing) Height: +/- 5 feet

8. **STORMWATER:** ☒ Retained on site ☐ Swales ☐ Ponds ☐ Borrow Ditches

☐ Other: _____

9. **SOURCES OF SURFACE WATER ON OR NEARBY PROPERTY:** (i.e. creeks, ditches, canals, lake)

Supply ditch on the west property line, and a drainage ditch on the north property line.

RESIDENTIAL USES

1. NUMBER OF LOTS REQUESTED:

☐ Residential _____ ☒ Commercial 3 Existing ☐ Industrial _____

☐ Common _____ ☐ Non-Buildable _____

2. FIRE SUPPRESSION:

☒ Water supply source: Well and water storage tank with fire pump

3. INCLUDED IN YOUR PROPOSED PLAN?

☐ Sidewalks ☐ Curbs ☐ Gutters ☐ Street Lights ☒ None

NON-RESIDENTIAL USES

1. SPECIFIC USE: Event Center, Business office, Beauty Salon

2. DAYS AND HOURS OF OPERATION:

☒	Monday	8am	to	10pm
☒	Tuesday	8am	to	10pm
☒	Wednesday	8am	to	10pm
☒	Thursday	8am	to	10pm
☒	Friday	8am	to	10pm
☒	Saturday	8am	to	10pm
☒	Sunday	8am	to	10pm

3. WILL YOU HAVE EMPLOYEES? ☒ Yes If so, how many? One ☐ No

4. WILL YOU HAVE A SIGN? ☒ Yes ☐ No ☐ Lighted ☐ Non-Lighted

Height: 3 ft Width: 5 ft. Height above ground: 2 ft

What type of sign: _____ Wall x Freestanding _____ Other

5. PARKING AND LOADING:

How many parking spaces? 112

Is there is a loading or unloading area? No, not a formal loading dock.

ANIMAL CARE-RELATED USES n/a

1. MAXIMUM NUMBER OF ANIMALS: _____

2. HOW WILL ANIMALS BE HOUSED AT THE LOCATION?

☐ Building ☐ Kennel ☐ Individual Housing ☐ Other _____

3. HOW DO YOU PROPOSE TO MITIGATE NOISE?

☐ Building ☐ Enclosure ☐ Barrier/Berm ☐ Bark Collars

4. ANIMAL WASTE DISPOSAL

☐ Individual Domestic Septic System ☐ Animal Waste Only Septic System

☐ Other: _____

NEIGHBORHOOD MEETING SIGN-UP

CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT
111 North 11th Avenue, #310, Caldwell, ID 83605
zoninginfo@canyoncounty.id.gov Phone: 208-454-7458 Fax: 208-454-6633

NEIGHBORHOOD MEETING SIGN UP SHEET

CANYON COUNTY ZONING ORDINANCE §07-01-15

Applicants shall conduct a neighborhood meeting for any proposed comprehensive plan amendment, zoning map amendment (rezone), subdivision, variance, conditional use, zoning ordinance map amendment, or other requests requiring a public hearing.

SITE INFORMATION

Site Address: 22669 Calla Lily Ln	Parcel Number: r23913, r23913012, r23913012a	
City: Middleton	State: Idaho	ZIP Code: 83644
Notices Mailed Date: TBD	Number of Acres: 3.02	Current Zoning: r-2
Description of the Request: Rezone land from r-2 to C-1 for use as an event center		

APPLICANT / REPRESENTATIVE INFORMATION

Contact Name: David Ruby, AIA		
Company Name: The Architects Office, PLLC		
Current address: 499 Main Street		
City: Boise	State: Idaho	ZIP Code: 83702
Phone: 208-639-6406	Cell: 208-412-9955	Fax: none
Email: david@taoidaho.com		

MEETING INFORMATION

DATE OF MEETING: 4/24/25	MEETING LOCATION: 22669 Calla Lily Ln
MEETING START TIME: 3:30pm	MEETING END TIME: 4:30pm

ATTENDEES:

NAME (PLEASE PRINT)	SIGNATURE:	ADDRESS:
1. Kim Tabarini	Kimberly C Tabarini	9837 W Patmore Ct Star, ID
2. Carlos Tabarini		9837 W Patmore Ct Star, ID
3. Ramee Herrera	Ramee Herrera	8419 hwy 44 Middleton
4. VIVIAN ANDERSON	Vivian Anderson	22611 E&L LN, MIDDLETON
5.		
6.		
7.		
8.		
9.		

Revised 6/9/22

10.
11.

12.
13.
14.
15.
16.
17.
18.
19.
20.

NEIGHBORHOOD MEETING CERTIFICATION:

I certify that a neighborhood meeting was conducted at the time and location noted on this form and in accordance with Canyon County Zoning Ordinance § 07-01-15.

APPLICANT/REPRESENTATIVE (Please print):

David Ruby, AIA

APPLICANT/REPRESENTATIVE (Signature): _____

DATE: 5 / 5 / 25

AGENCY ACKNOWLEDGMENT

Date: 6-6-25

Applicant: David Ruby, AIA

Parcel Number: r23913, r23913012, r23913012a

Site Address: 8550 ID-44, Middleton, Idaho 83644

SIGNATURES DO NOT INDICATE APPROVAL OR COMPLETION OF OFFICIAL REVIEW.

The purpose of this form is to facilitate communication between applicants and agencies so that relevant requirements, application processes, and other feedback can be provided to applicants early in the planning process. Record of communication with an agency regarding the project can be submitted instead of a signature. After the application is submitted, impacted agencies will be sent a hearing notification by DSD staff and will have the opportunity to submit comments.

Southwest District Health:

☑ Applicant submitted/met for informal review.

Date: 04/25/2025 Signed: Anthony Lee

Authorized Southwest District Health Representative

(This signature does not guarantee project or permit approval)

Fire District: District: Star Fire Protection District

☒ Applicant submitted/met for informal review.

Date: 06/02/2025 Signed:

Authorized Fire District Representative

(This signature does not guarantee project or permit approval)

Highway District: District: Highway District #4

☒ Applicant submitted/met for official review.

Date: 4/16/25 Signed:

Authorized Highway District Representative

Irrigation District: District: Middleton Irrigation Assoc.

☐ Applicant submitted/met for informal review.

Date: 4/23/2025 Signed: Christina Stokes

Authorized Irrigation Representative

(This signature does not guarantee project or permit approval)

Area of City Impact City: Middleton

☑ Applicant submitted/met for informal review.

Date: 4/15/25 Signed: Roberta Stewart

Authorized AOCI Representative

(This signature does not guarantee project or permit approval)

DISCLAIMER: THIS ACKNOWLEDGMENT IS ONLY VALID SIX MONTHS FROM THE DATE ISSUED

SEE ZONING AMENDMENT FORM FOR BOTH

AGENCY ACKNOWLEDGMENT

Date: 6-6-25

Applicant: David Ruby, AIA

Parcel Number: r23913, r23913012, r23913012a

Site Address: 8550 ID-44, Middleton, Idaho 83644

SIGNATURES DO NOT INDICATE APPROVAL OR COMPLETION OF OFFICIAL REVIEW.

The purpose of this form is to facilitate communication between applicants and agencies so that relevant requirements, application processes, and other feedback can be provided to applicants early in the planning process. Record of communication with an agency regarding the project can be submitted instead of a signature. After the application is submitted, impacted agencies will be sent a hearing notification by DSD staff and will have the opportunity to submit comments.

Southwest District Health:

☐ Applicant submitted/met for informal review.

Date: _____ Signed: _____

Authorized Southwest District Health Representative
(This signature does not guarantee project or permit approval)

Fire District: District: _____

☐ Applicant submitted/met for informal review.

Date: _____ Signed: _____

Authorized Fire District Representative
(This signature does not guarantee project or permit approval)

Highway District: District: ITD

☑ Applicant submitted/met for informal review.

Date: _____ Signed: Niki Benyakhlef Digitally signed by Niki Benyakhlef Date: 2025.04.21 10:45:12 -06'00'

Authorized Highway District Representative
(This signature does not guarantee project or permit approval)

Irrigation District: District: _____

☐ Applicant submitted/met for informal review.

Date: _____ Signed: _____

Authorized Irrigation Representative
(This signature does not guarantee project or permit approval)

Area of City Impact City: _____

☐ Applicant submitted/met for informal review.

Date: _____ Signed: _____

Authorized AOCI Representative
(This signature does not guarantee project or permit approval)

DISCLAIMER: THIS ACKNOWLEDGMENT IS ONLY VALID SIX MONTHS FROM THE DATE ISSUED

Exhibit A.6

ELECTRONICALLY RECORDED
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THE ORIGINAL DOCUMENT

TitleOne
a title & escrow co

Order Number: 24528548

2024-038299
RECORDED
11/25/2024 09:10 AM
RICK HOGABOAM
CANYON COUNTY RECORDER
Pgs=3 JWINSLOW $15.00
TYPE: DEED
TITLEONE BOISE
ELECTRONICALLY RECORDED

Warranty Deed

For value received,

David Merrell, a married man, as his sole and separate property

the grantor, does hereby grant, bargain, sell, and convey unto

Kenneth Hooker and Sandra Hooker, husband and wife

whose current address is 1600B SW Dash Point Rd. Ste 309 Federal Way, WA 98003

the grantee, the following described premises, in Canyon County, Idaho, to wit:

See Exhibit A, attached hereto and incorporated herein.

To have and to hold the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Remainder of page intentionally left blank.

ELECTRONICALLY RECORDED
STAMPED FIRST PAGE NOW
INCORPORATED AS PART OF
THE ORIGINAL DOCUMENT.

TitleOne
a title & escrow co.

Order Number: 24528548

Warranty Deed

For value received,

David Merrell, a married man, as his sole and separate property

the grantor, does hereby grant, bargain, sell, and convey unto

Kenneth Hooker and Sandra Hooker, husband and wife

whose current address is 1600B SW Dash Point Rd. Ste 309 Federal Way, WA 98003

the grantee, the following described premises, in Canyon County, Idaho, to wit:

See Exhibit A, attached hereto and incorporated herein.

To have and to hold the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Remainder of page intentionally left blank.

Dated: November 19, 2024

David Merrell

Kelly Ann Merrell, spouse of the grantor

State of AZ County of Navajo, ss.

On this 21st day of November in the year of 2024, before me, the undersigned, a Notary Public in and for said State, personally appeared David Merrell and Kelly Ann Merrell, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

Notary Public
Residing In: AZ
My Commission Expires: 2/9/2025
(seal)

TAMARA L MCCRAY
Notary Public - Arizona
Navajo County
Commission # 594903
My Comm. Expires Feb 9, 2025

EXHIBIT A
LEGAL DESCRIPTION OF THE PREMISES

Parcel A

This parcel is a portion of Tract 37 of Lemp Park Urban Tracts as shown in Book 4 of Plats at Page 33 in the Office of the Recorder of Canyon County, Idaho, lying in the SE ¼ NW ¼ of Section 10 in Township 4 North, Range 2 West of the Boise Meridian, Canyon County, Idaho and is more particularly described as follows:

BEGINNING at the Northeast corner of said SE ¼ NW ¼ (CN1/16 Corner, Section 10), a found 5/8 inch diameter rebar;

thence South 00°06'24" East along the East boundary of SE ¼ NW ¼ a distance of185.03 feet to a ½ x 24 inch rebar set with a plastic cap stamped P.L.S. 15352;

thence South 88°55'22" West parallel with the North boundary of the SE ¼ NW ¼ , a distance of 276.14 feet to a point on the West boundary of Tract 37, a ½ x 24 inch rebar set with a plastic cap stamped P.L.S. 15352;

thence North 00°07'23" West along said West boundary a distance of 185.03 feet to a point on the North boundary of the SE ¼ NW ¼, a found 5/8 inch diameter rebar;

thence North 88°55'22" East along said North boundary a distance of 276.19 feet to the POINT OF BEGINNING.

Parcel A1

TOGETHER WITH AND SUBJECT TO an Ingress/Egress and Utility Easement described as follows:

This Easement lies in a portion of Lot 37 of LEMP PARK URBAN TRACTS as shown in Book 4 of Plats at Page 33 in the Office of the Recorder for Canyon County, Idaho, lying in the SE ¼ NW ¼ of Section 10 in Township 4 North, Range 2 West of the Boise Meridian, Canyon County, Idaho and is more particularly described as follows:

COMMENCING at the Northeast corner of said SE ¼ NW ¼, (CN1/16 Corner, Section 10), a found 5/8 inch diameter rebar, thence
South 00°06'24" East along the East boundary of the SE ¼ NW ¼ a distance of 185.03 feet to a ½ x 24 inch rebar set with a plastic cap stamped P.L.S. 15352; thence
South 88°55'22" West, parallel with the North boundary of the SE ¼ NW ¼, a distance of 85.70 feet to THE TRUE POINT OF BEGINNING; thence
South 88°55'22" West, a distance of 17.48 feet; thence
Southwesterly 43.50 feet along the arc of a curve to the left, having a radius of 28.00 feet a central angle of 89°00'17", and long chord which bears South 44°25'14" West a distance of 39.25 feet; thence
South 00°04'55" East a distance of 266.40 feet to a point on the Northerly right of way of State Highway 44; thence
Northwesterly 31.80 feet along the arc of a curve to the left having a radius of 8654.33 feet, a central angle of 00°12'38", and a long chord which bears North 70°42'43" West a distance of 31.80 feet; thence
North 00°04'55" West a distance of 254.36 feet; thence
Northwesterly 44.47 feet along the arc of a curve to the left, having a radius of 28.00 feet a central angle of 90°59'43", and long chord which bears North 45°34'46" West a distance of 39.94 feet; thence
South 88°55'22" West a distance of 16.51 feet; thence
North 00°04'55" West a distance of 20.00 feet; thence
North 88°55'22" East a distance of 120.00 feet; thence
South 00°04'55" East a distance of 20.00 feet to the TRUE POINT OF BEGINNING.

ELECTRONICALLY RECORDED
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INCORPORATED AS PART OF
THE ORIGINAL DOCUMENT

2024-038284
RECORDED
11/25/2024 08:23 AM
RICK HOGABOAM
CANYON COUNTY RECORDER
Pgs=3 MBROWN $15.00
TYPE: DEED
TITLEONE BOISE
ELECTRONICALLY RECORDED

TitleOne
a title & escrow co.

Order Number: 24528543

Warranty Deed

For value received,

Yvette Merrell, Orson A. Merrell, wife and husband ,as joint tenants with rights of survivorship

the grantor, does hereby grant, bargain, sell, and convey unto

Kenneth Hooker and Sandra Hooker, husband and wife

whose current address is 1600B SW Dash Rd Ste 309 Federal Way, WA 98023

the grantee, the following described premises, in Canyon County, Idaho, to wit:

See Exhibit A, attached hereto and incorporated herein.

To have and to hold the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Remainder of page intentionally left blank.

Exhibit A.7

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THE ORIGINAL DOCUMENT.

TitleOne
a title & escrow co.

Order Number: 24528543

Warranty Deed

For value received,

Yvette Merrell, Orson A. Merrell, wife and husband ,as joint tenants with rights of survivorship

the grantor, does hereby grant, bargain, sell, and convey unto

Kenneth Hooker and Sandra Hooker, husband and wife

whose current address is 1600B SW Dash Rd Ste 309 Federal Way, WA 98023

the grantee, the following described premises, in Canyon County, Idaho, to wit:

See Exhibit A, attached hereto and incorporated herein.

To have and to hold the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Remainder of page intentionally left blank.

Dated: November 19, 2024

Yvette Merrell

Orson A. Merrell

State of Idaho, County of Ada, ss.

On this 22nd day of November in the year of 2024, before me, the undersigned, a Notary Public in and for said State, personally appeared Yvette Merrell and Orson A. Merrell, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

Miranda Weeks

Notary Public
Residing In: Caldwell, ID
My Commission Expires: 6/28/27
(seal)

MIRANDA WEEKS
COMMISSION #20213089
NOTARY PUBLIC
STATE OF IDAHO

EXHIBIT A
LEGAL DESCRIPTION OF THE PREMISES

Parcel B:

This parcel is a portion of Lot 37 of Lemp Park Urban Tracts as shown in Book 4 of Plats at Page(s) 33 in the office of the recorder for Canyon County, Idaho, lying in the SE 1/4 NW 1/4 of Section 10 in Township 4 North, Range 2 West of the Boise Meridian, Canyon County, Idaho and is more particularly described as follows:

COMMENCING at the Northeast corner of said SE 1/4 NW 1/4, (CN1/16 corner, Section 10), a found 5/8 inch diameter rebar; thence
South 00°06'24" East along the East boundary of the SE 1/4 NW 1/4 a distance of 185.03 feet to the TRUE POINT OF BEGINNING, a 1/2 X 24 inch rebar set with a plastic cap stamped P.L.S. 15352; thence continuing
South 00°06'24" East along said East boundary a distance of 343.64 feet to a point on the Northerly right of way of State Highway 44, a found 1/2 inch diameter rebar; thence along said right of way, Northwesterly a distance of 149.77 feet along the arc of a curve to the left having a radius of 8654.33 feet, a central angle of 00°59'30" and a long chord which bears North 70°10'51" West a distance of 149.77 feet to a 1/2 X 24 inch rebar set with a plastic cap stamped P.L.S. 15352; thence
North 00°04'55" West a distance of 290.22 feet to a 1/2 X 24 inch rebar set with a plastic cap stamped P.L.S. 15352; thence
North 88°55'22" East, parallel with the North boundary of the SE 1/4 NW 1/4, a distance of 140.69 feet to the TRUE POINT OF BEGINNING.

Parcel B1:

TOGETHER WITH AND SUBJECT TO an Ingress/Egress and Utility Easement described as follows:

This easement lies in a portion of Lot 37 of Lemp Park Tracts as shown in Book 4 of Plats at Page(s) 33 in the office of the recorder for Canyon County, Idaho, lying in the SE 1/4 NW 1/4 of Section 10 in Township 4 North, Range 2 West of the Boise Meridian, Canyon County, Idaho and is more particularly described as follows:

COMMENCING at the Northeast corner of said SE 1/4 NW 1/4, (CN1/16 corner, Section 10), a found 5/8 inch diameter rebar; thence
South 00°06'24" East along the East boundary of the SE 1/4 NW 1/4 a distance of 185.03 feet to a 1/2 X 24 inch rebar set with a plastic cap stamped P.L.S. 15352; thence
South 88°55'22" West, parallel with the North boundary of the SE 1/4 NW 1/4, a distance of 85.70 feet to the TRUE POINT OF BEGINNING; thence
South 88°55'22" West, a distance of 17.48 feet; thence
Southwesterly 43.50 feet along the arc of a curve to the left, having a radius of 28.00 feet a central angle of 89°00'17", and long chord which bears South 44°25'14" West a distance of 39.25 feet; thence
South 00°04'55" East a distance of 266.40 feet to a point on the Northerly right of way of State Highway 44; thence
Northwesterly 31.80 feet along the arc of a curve to the left having a radius of 8654.33 feet, a central angle of 00°12'38", and along chord which bears North 70°42'43" West a distance of 31.80 feet; thence
North 00°04'55" West a distance of 254.36 feet; thence
Northwesterly 44.47 feet along the arc of a curve to the left, having a radius of 28.00 feet a central angle of 90°59'43", and long chord which bears North 45°34'46" West a distance of 39.94 feet; thence
South 88°55'22" West a distance of 16.51 feet; thence
North 00°04'55" West a distance of 20.00 feet; thence
North 88°55'22" East a distance of 120.00 feet; thence
South 00°04'55" East a distance of 20.00 feet to the TRUE POINT OF BEGINNING.

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INCORPORATED AS PART OF
THE ORIGINAL DOCUMENT

TitleOne
a title & escrow co.

Order Number: 24525752

2024-038285
RECORDED
11/25/2024 08:29 AM
RICK HOGABOAM
CANYON COUNTY RECORDER
Pgs=4 JWINSLOW $15.00
TYPE: DEED
TITLEONE BOISE
ELECTRONICALLY RECORDED

Warranty Deed

For value received,

Justin Merrell and Kendra Merrell, husband and wife, as joint tenants with rights of survivorship

the grantor, does hereby grant, bargain, sell, and convey unto

Kenneth Hooker and Sandra Hooker, husband and wife

whose current address is 1600B SW Dash Point Rd Ste 309 Federal Way, WA 98023

the grantee, the following described premises, in Canyon County, Idaho, to wit:

See Exhibit A, attached hereto and incorporated herein.

To have and to hold the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Remainder of page intentionally left blank.

Exhibit A.7

ELECTRONICALLY RECORDED
STAMPED FIRST PAGE NOW
INCORPORATED AS PART OF
THE ORIGINAL DOCUMENT.

TitleOne
a title & escrow co.

Order Number: 24525752

Warranty Deed

For value received,

Justin Merrell and Kendra Merrell, husband and wife, as joint tenants with rights of survivorship

the grantor, does hereby grant, bargain, sell, and convey unto

Kenneth Hooker and Sandra Hooker, husband and wife

whose current address is 1600B SW Dash Point Rd Ste 309 Federal Way, WA 98023

the grantee, the following described premises, in Canyon County, Idaho, to wit:

See Exhibit A, attached hereto and incorporated herein.

To have and to hold the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

Remainder of page intentionally left blank.

Dated: November 19, 2024

Justin Merrell

Kendra Merrell

State of Idaho, County of Ada, ss.

On this 21 day of November in the year of 2024, before me, the undersigned, a Notary Public in and for said State, personally appeared Justin Merrell and Kendra Merrell, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

Notary Public
Residing In:
My Commission Expires:
(seal)

Residing: Boise, ID
Expiration: 11/15/2025

TYLER THOMAS
COMMISSION #62620
NOTARY PUBLIC
STATE OF IDAHO

EXHIBIT A
LEGAL DESCRIPTION OF THE PREMISES

Parcel C:

This parcel is a portion of Lot 37 of Lemp Park Urban Tracts as shown in Book 4 of Plats at Page(s) 33 in the office of the recorder for Canyon County, Idaho, lying in the SE 1/4 NW 1/4 of Section 10 in Township 4 North, Range 2 West of the Boise Meridian, Canyon County, Idaho and is more particularly described as follows:

COMMENCING at the Northeast corner of said SE 1/4 NW 1/4, (CN 1/16 corner, Section 10), a found 5/8 inch diameter rebar; thence
South 00°06'24" East along the East boundary of the SE 1/4 NW 1/4 a distance of 185.03 feet to a 1/2 X 24 inch rebar set with a plastic cap stamped P.L.S. 15352; thence
South 88°55'22" West, parallel with the North boundary of the SE 1/4 NW 1/4, a distance of 140.69 feet to the TRUE POINT OF BEGINNING; thence
South 00°04'55" East a distance of 290.22 feet to a point on the Northerly right of way of State Highway 44, a 1/2 X 24 inch rebar set with a plastic cap stamped P.L.S. 15352; thence
Along said right of way, Northwesterly a distance of 142.99 feet along the arc of a curve to the left having a radius of 8654.33 feet, a central angle of 00°56'48" and a long chord which bears North 71°09'01" West a distance of 142.98 feet to a point on the West boundary of Tract 37, a found 1/2 inch diameter rebar; thence
North 00°07'23" West along said West boundary a distance of 241.48 feet to a 1/2 X 24 inch rebar set with a plastic cap stamped P.L.S. 15352; thence
North 88°55'22" East, parallel with the North boundary of the SE 1/4 NW 1/4, a distance of 135.44 feet to the TRUE POINT OF BEGINNING.

Parcel C1:

TOGETHER WITH AND SUBJECT TO an ingress/egress and utility easement described as follows:

This easement lies in a portion of Lot 37 of Lemp Park Urban Tracts as shown in Book 4 of Plats at Page(s) 33 in the office of the recorder for Canyon County, Idaho, lying in the SE 1/4 NW 1/4 of Section 10 in Township 4 North, Range 2 West of the Boise Meridian, Canyon County, Idaho and is more particularly described as follows:

COMMENCING at the Northeast corner of said SE 1/4 NW 1/4, (CN 1/16 corner, Section 10), a found 5/8 inch diameter rebar; thence
South 00°06'24" East along the East boundary of the SE 1/4 NW 1/4 a distance of 185.03 feet to a 1/2 X 24 inch rebar set with a plastic cap stamped P.L.S. 15352; thence
South 88°55'22" West, parallel with the North boundary of the SE 1/4 NW 1/4, a distance of 85.70 feet to the TRUE POINT OF BEGINNING; thence
South 88°55'22" West, a distance of 17.48 feet; thence
Southwesterly 43.50 feet along the arc of a curve to the left, having a radius of 28.00 feet a central angle of 89°00'17", and long chord which bears South 44°25'14" West a distance of 39.25 feet; thence
South 00°04'55" East a distance of 266.40 feet to a point on the Northerly right of way of State Highway 44; thence
Northwesterly 31.80 feet along the arc of a curve to the left having a radius of 8654.33 feet, a central angle of 00°12'38", and a long chord which bears North 70°42'43" West a distance of 31.80 feet; thence
North 00°04'55" West a distance of 254.36 feet; thence
Northwesterly 44.47 feet along the arc of a curve to the left, having a radius of 28.00 feet a central angle of 90°59'43", and long chord which bears North 45°34'46" West a distance of 39.94 feet; thence
South 88°55'22" West a distance of 16.51 feet; thence
North 00°04'55" West a distance of 20.00 feet; thence

North 88°55'22" East a distance of 120.00 feet; thence
South 00°04'55" East a distance of 20.00 feet to the TRUE POINT OF BEGINNING.

Exhibit A.7

February 3, 2026

Canyon County Development Services Department
Planning and Zoning Commission
Canyon County, Idaho

Re: Event Venue Operations - Traffic, Noise, and Alcohol Management

To whom it may concern:

Thank you for the opportunity to address your concerns regarding our event venue operations. We are committed to being responsible members of the community and appreciate the chance to outline our comprehensive mitigation measures for traffic, noise, and alcohol management.

Traffic Management

We have implemented several measures to minimize traffic impact on the surrounding area:

On our 3-acre property, we will enforce a strict 5 mph speed limit for all vehicles. This reduced speed will prevent dust from being kicked up, maintaining air quality and visibility for both our patrons and neighbors. Clear signage will be posted throughout the property, and this policy will be communicated to all event attendees in advance.

To further reduce traffic congestion and improve flow, we will actively encourage all patrons to make right-hand turns only when entering and exiting the property. This routing strategy will minimize disruption to existing traffic patterns and reduce the likelihood of conflicts at nearby intersections.

Additionally, we will schedule our events to avoid peak traffic times, ensuring that large gatherings do not coincide with morning or evening commute hours. This thoughtful scheduling will help maintain normal traffic flow in the area during the busiest times of day.

Noise Mitigation

We recognize that noise management is essential to maintaining good relationships with our neighbors. Our comprehensive noise mitigation plan includes:

We are investing significantly in landscaping designed specifically to redirect and absorb sound. As part of this effort, we are constructing a 30-yard earthen berm that will serve as a natural sound barrier, substantially reducing noise transmission to neighboring properties.

We are fully committed to complying with all city noise ordinances. All outdoor activities and amplified sound will cease at the city-mandated curfew time. Our staff will be trained to monitor noise levels throughout events and take immediate corrective action if needed.

The combination of physical sound barriers, strategic landscaping, and strict adherence to noise regulations will ensure that our operations remain compatible with the residential character of the surrounding area.

Alcohol Service and Compliance

Regarding alcohol service at our venue, we want to assure you that we will maintain the highest standards of legal compliance and responsible service. We will strictly adhere to all applicable state and local laws governing the sale, service, and consumption of alcoholic beverages.

This includes obtaining all necessary permits and licenses, ensuring that all staff involved in alcohol service are properly trained and certified, verifying the age of all guests, and maintaining appropriate insurance coverage. We view compliance not as a minimum requirement but as a fundamental responsibility to our community.

Conclusion

We are dedicated to operating an event venue that enhances our community while respecting the quality of life of our neighbors. The measures outlined above demonstrate our commitment to responsible operation and good citizenship.

We welcome any questions or requests for additional information and look forward to working cooperatively with the County to address any remaining concerns.

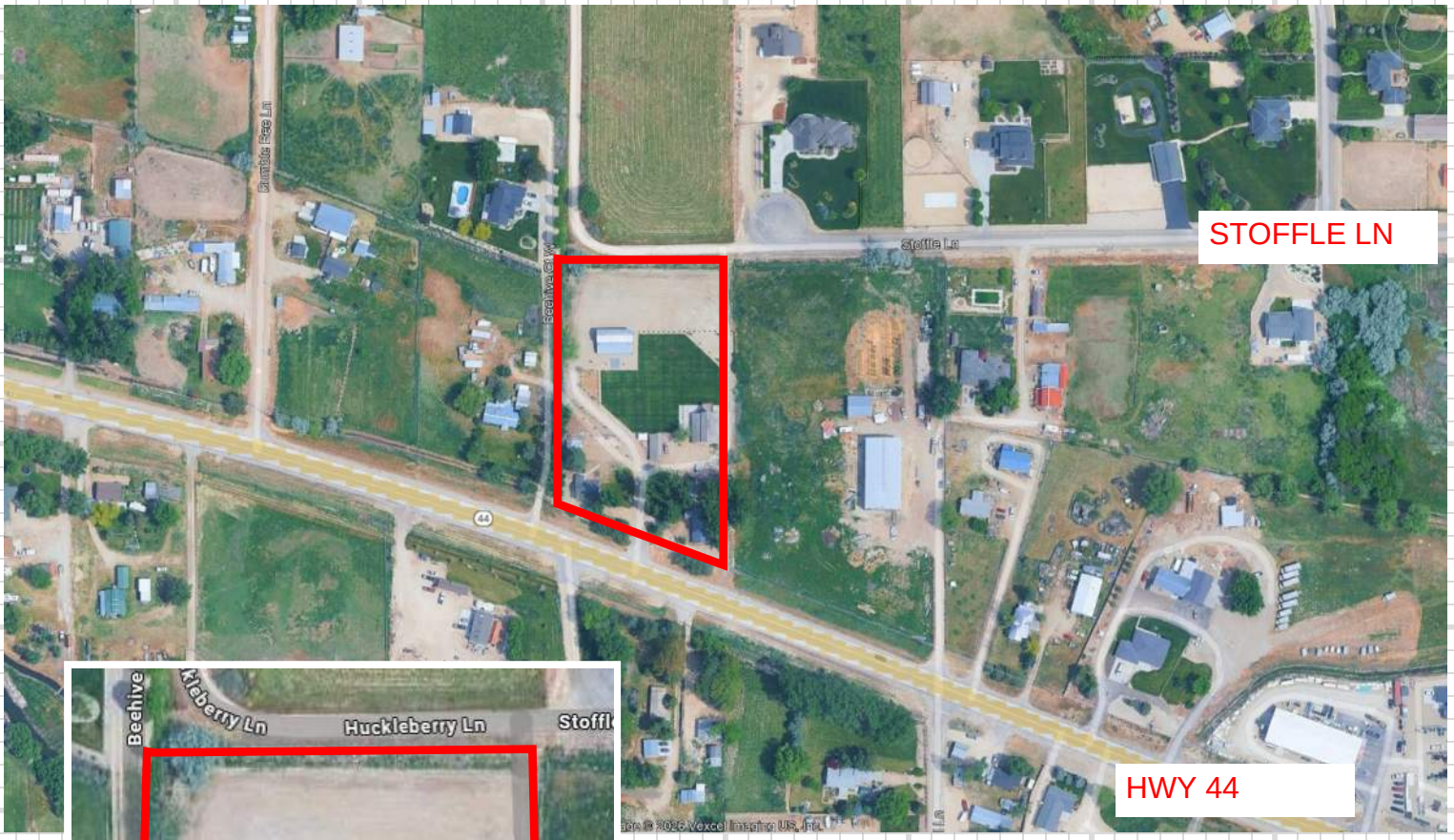
Sincerely,

Ken and Sandy Hooker, Owners
The Property, LLC

RHEES RUBY JOSEPH PUTMAN
THE ARCHITECTS OFFICE PLLC
P. 208.343.2931 499 W. Main Street, Boise, Idaho 83702 www.taoidaho.com

Project Number:
Project Name: The Property
Date:
Sheet Number: /

Aerial View



RHEES
RUBY
JOSEPH
PUTMAN

THE ARCHITECTS OFFICE PLLC

P. 208.343.2931 499 W. Main Street, Boise, Idaho 83702 www.taoidaho.com

Project Number:_____

Project Name:_____

Date:_____

Sheet Number:_____/_____

Concept Plan

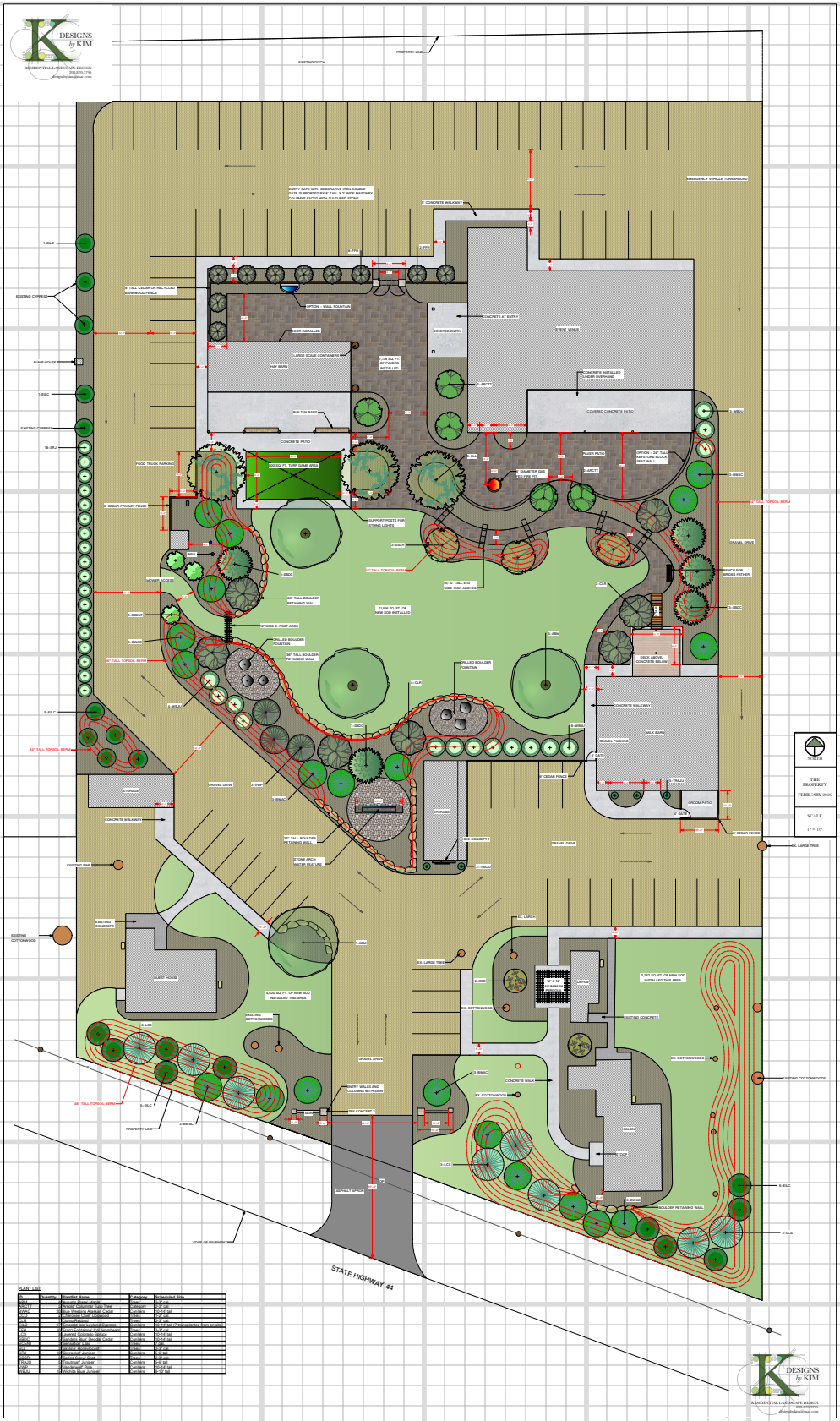
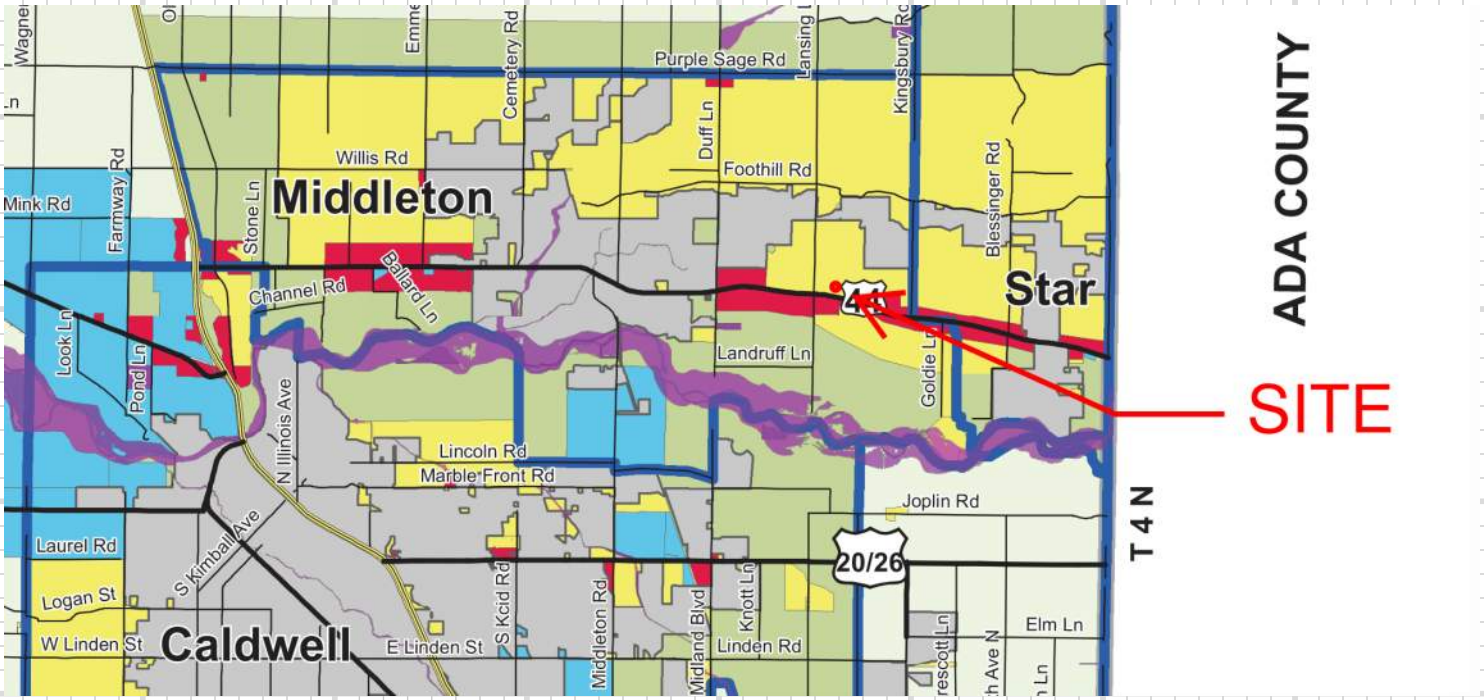


Exhibit A.9

RHEES RUBY JOSEPH PUTMAN
THE ARCHITECTS OFFICE PLLC
P. 208.343.2931 499 W. Main Street, Boise, Idaho 83702 www.taoidaho.com

Project Number:_____
Project Name:_____
Date:_____
Sheet Number:_____/_____

Comprehensive Plan



Legend

- COMMERCIAL
- INDUSTRIAL
- RESIDENTIAL
- MIXED USE
- CONSERVATION/ OPEN SPACE
- RURAL RESIDENTIAL
- AGRICULTURE
- LANDFILL
- CURRENT IMPACT AREAS
- WATER FEATURES
- CITY LIMITS
- STATE/US HWY
- INTERSTATE

Exhibit A.9

RHEES RUBY JOSEPH PUTMAN
THE ARCHITECTS OFFICE PLLC
P. 208.343.2931 499 W. Main Street, Boise, Idaho 83702 www.taoidaho.com

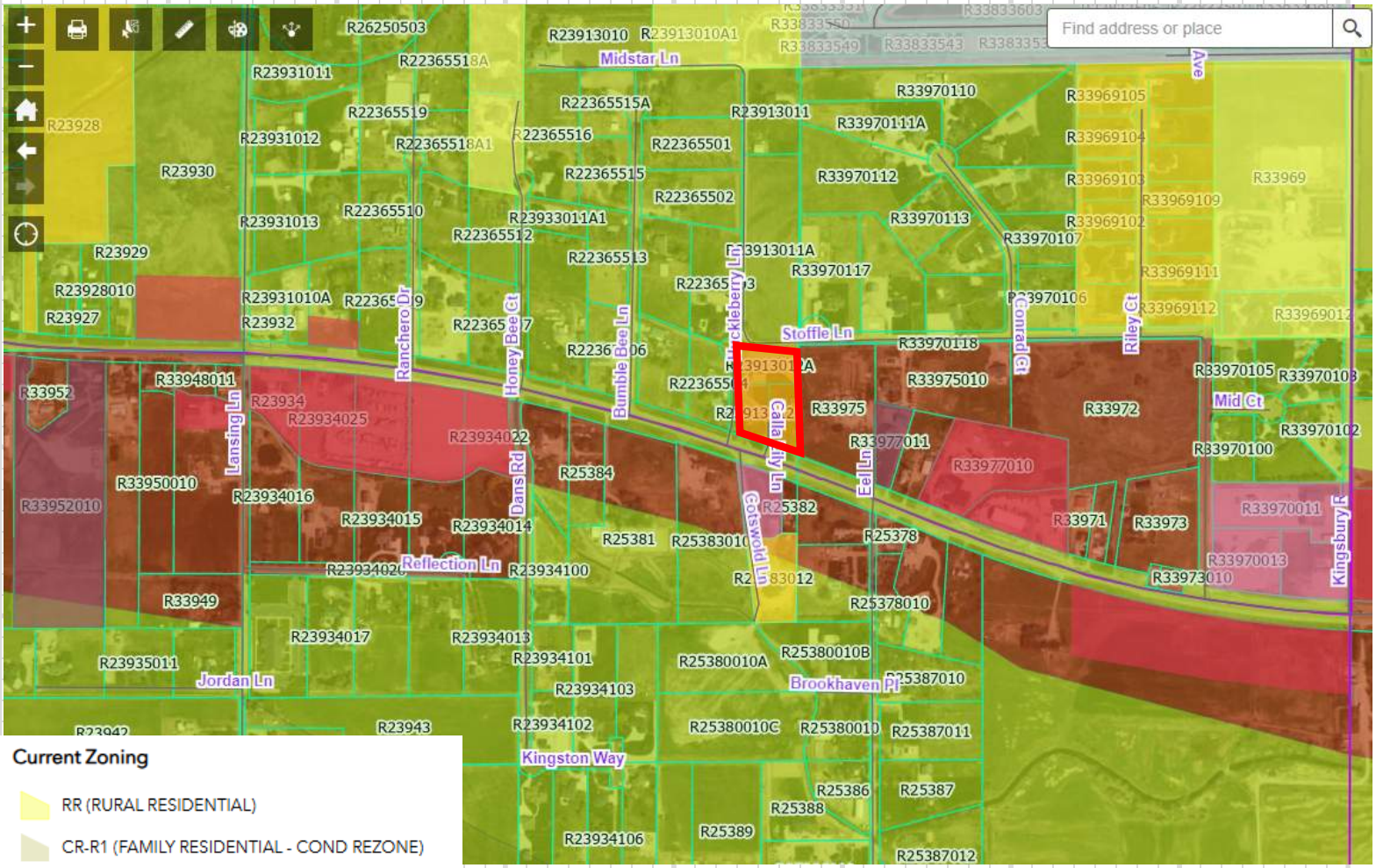
Project Number:_____

Project Name:_____

Date:_____

Sheet Number:_____/_____

Zoning Map



Current Zoning

- RR (RURAL RESIDENTIAL)
- CR-R1 (FAMILY RESIDENTIAL - COND REZONE)
- CR-RR (RURAL RESIDENTIAL - COND REZONE)
- R1 (SINGLE FAMILY RESIDENTIAL)
- R2 (MEDIUM DENSITY RESIDENTIAL)
- C1 (NEIGHBORHOOD COMMERCIAL)
- CR-C1 (NEIGHBORHOOD COMMERCIAL - COND REZONE)
- C2 (SERVICE COMMERCIAL)
- CR-C2 (SERVICE COMMERCIAL - COND REZONE)
- M1 (LIGHT INDUSTRIAL)
- CR-M1 (LIGHT INDUSTRIAL - COND REZONE)
- M2 (HEAVY INDUSTRIAL)
- C (COMMERCIAL - 1965 ZONING ORD.)

AGRICULTURAL

Exhibit A.9

THE ARCHITECTS OFFICE PLLC
RHEES RUBY JOSEPH PUTMAN
P. 208.343.2931 499 W. Main Street, Boise, Idaho 83702 www.taoidaho.com

Project Number:_____
Project Name:_____
Date:_____
Sheet Number:_____/_____

Enlarged Zoning Map

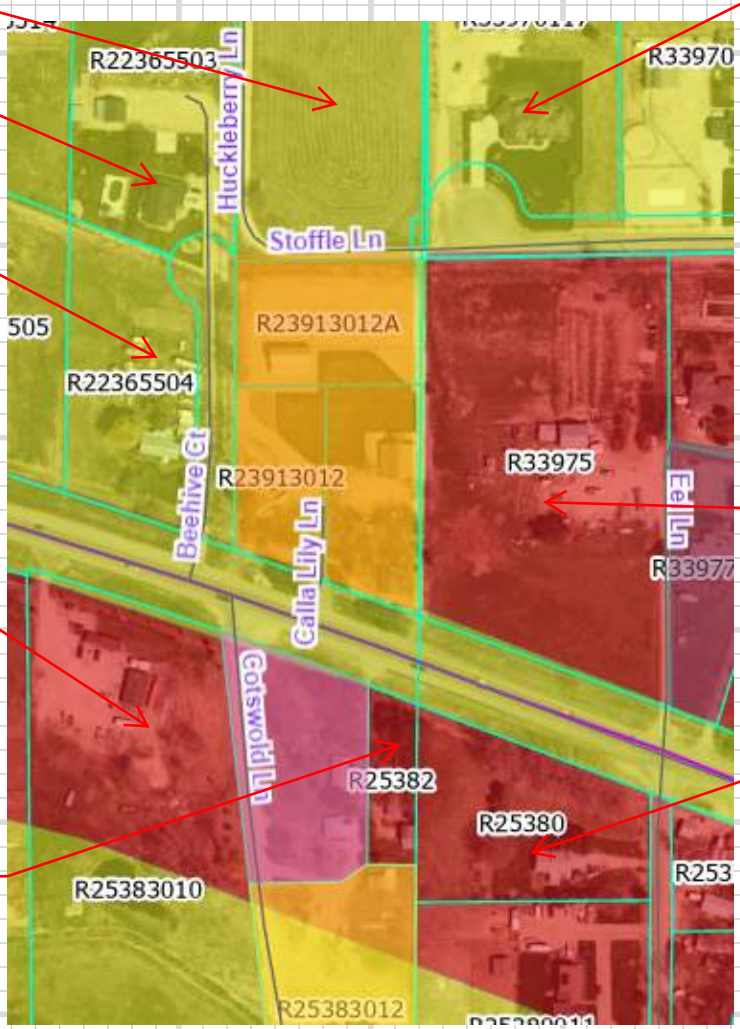


Exhibit A.9

RHEES
RUBY
JOSEPH
PUTMAN
THE ARCHITECTS OFFICE PLLC

Project Number:_____

Project Name:_____

Date:_____

Sheet Number:_____/_____

P. 208.343.2931 499 W. Main Street, Boise, Idaho 83702 www.taoidaho.com

Site Plan overlay on Aerial Photo



Exhibit A.9

DESIGNS
by KIM
RESIDENTIAL LANDSCAPE DESIGN
208-870-3795
designsbykim@mac.com

PROPERTY LINE

EXISTING DITCH

EMERGENCY VEHICLE TURNAROUND

ENTRY GATE WITH DECORATIVE IRON DOUBLE GATE SUPPORTED BY 8' TALL X 3' WIDE MASONRY COLUMNS FACED WITH CULTURED STONE

5' CONCRETE WALKWAY

1–EILC

8–FFH

2–FFH

8' TALL CEDAR OR RECYCLED BARNWOOD FENCE

EXISTING CYPRESS

OPTION – WALL FOUNTAIN

CONCRETE AT ENTRY

COVERED ENTRY

EVENT VENUE

DOOR INSTALLED

PUMP HOUSE

LARGE SCALE CONTAINERS

HAY BARN

7,178 SQ. FT. OF PAVERS INSTALLED

CONCRETE INSTALLED UNDER OVERHANG

3–ARCTT

1–EILC

BUILT IN BARS

COVERED CONCRETE PATIO

3–WBJU

EXISTING CYPRESS

CONCRETE PATIO

18–SRJ

FOOD TRUCK PARKING

800 SQ. FT. TURF GAME AREA

3–SLL

PAVER PATIO

OPTION – 24" TALL KEYSTONE BLOCK SEAT WALL

6' DIAMETER GAS FED FIRE PIT

2–ARCTT

3–BWAC

8' CEDAR PRIVACY FENCE

24" TALL TOPSOIL BERM

SUPPORT POSTS FOR STRING LIGHTS

GRAVEL DRIVE

3–SSCR

WELL

18" TALL TOPSOIL BERM

BENCH FOR BRIDES FATHER

1–SBDC

MOWER ACCESS

(5) 10' TALL x 10' WIDE IRON ARCHES

3–CLR

36" TALL BOULDER RETAINING WALL

11,516 SQ. FT. OF NEW SOD INSTALLED

STAIR

3–SBDC

3–SCENT

12' WIDE 2–POST ARCH

3–ABM

5–BWAC

DRILLED BOULDER FOUNTAIN

DECK ABOVE, CONCRETE BELOW

36" TALL TOPSOIL BERM

36" TALL BOULDER RETAINING WALL

DRILLED BOULDER FOUNTAIN

4–CLR

4–WBJU

CONCRETE WALKWAY

5–EILC

1–SBDC

8–WBJU

MILK BARN

GRAVEL PARKING

24" TALL TOPSOIL BERM

4' GATE

6' CEDAR FENCE

3–TRAJU

GRAVEL DRIVE

3–VWP

STORAGE

3–BWAC

GROOM PATIO

4' GATE

CONCRETE WALKWAY

STORAGE

6' CEDAR FENCE

NORTH

THE PROPERTY

FEBRUARY 2026

SCALE

1" = 10'

Exhibit A.9

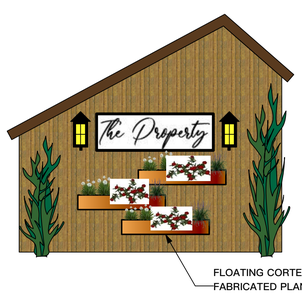
5-EILC
24" TALL TOPSOIL BERM
30'-0"
1-SBDC
8-WBJU
MILK BARN
GRAVEL PARKING
4' GATE
6' CEDAR FENCE
3-TRAJU
5'-0"
10'-0"
5'-0"
GROOM PATIO
12'-0"
4' GATE
16'-0"
6' CEDAR FENCE
STORAGE
GRAVEL DRIVE
3-VWP
3-BWAC
5'-0"
20'-0"
STORAGE
CONCRETE WALKWAY
36" TALL BOULDER RETAINING WALL
SEE CONCEPT 1
GRAVEL DRIVE
EX. LARGE TREE
EXISTING PINE
STONE ARCH WATER FEATURE
2-TRAJU
EXISTING CONCRETE
EXISTING COTTONWOOD
5'-0"
1-ABM
EX. LARCH
EX. LARGE TREE
GUEST HOUSE
2-CCD
12' X 12' ALUMINUM PERGOLA
OFFICE
11,262 SQ. FT. OF NEW SOD INSTALLED THIS AREA
4,520 SQ. FT. OF NEW SOD INSTALLED THIS AREA
EX. COTTONWOOD
EXISTING CONCRETE
EXISTING COTTONWOODS
3-LCS
5'-0"
GRAVEL DRIVE
EX. COTTONWOODS
OP
3-BWAC
CONCRETE WALK
ENTRY WALLS AND COLUMNS WITH SIGN
EX. COTTONWOOD
EXISTING COTTONWOODS
48" TALL TOPSOIL BERM
5-EILC
SIGN
SEE CONCEPT 2
2'-0"
3'-0"
38'-0"
10'-0"
15'-0"
SALON
STOOP
3-LCS
OP
60'-0"
ASPHALT APRON
5-EILC
6'-0"
3-BWAC
BOULDER RETAINING WALL
PROPERTY LINE
3-BWAC
2-LCS
EDGE OF PAVEMENT
OP
STATE HIGHWAY 44

PLANT LIST

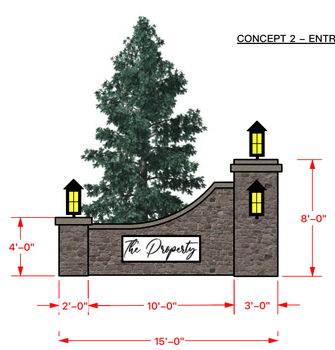
ID	Quantity	Plantlist Name	Category	Scheduled Size
ABM	4	'Autumn Blaze' Maple	Trees	2-3" cal.
ARCTT	5	'Arnold' Columnar Tulip Tree	Category	2-3" cal.
BWAC	20	Blue Weeping Alaskan Cedar	Conifers	10-14' tall
CCD	2	'Cherokee Chief' Dogwood	Trees	1-2" cal.
CLR	7	Clump Redbud	Trees	2-3" cal.
EILC	17	'Emerald Isle' Leyland Cypress	Conifers	10-14' tall (7 transplanted from on site)
FFH	10	'Franz Fontainne' Col. Hornbeam	Trees	2-3" cal.
LCS	8	Layered Colorado Spruce	Conifers	10-14' tall
SBDC	5	'Sanders Blue' Deodar Cedar	Conifers	10-14' tall
SCENT	3	'Sensation' Lilac	Trees	7 gal.
SLL	3	'Skyline' Honeylocust	Trees	2-3" cal.
SRJ	18	'Skyrocket' Juniper	Conifers	5-6' tall
SSCR	3	'Spring Snow' Crab	Trees	2-3" cal.
TRAJU	5	'Trautman' Juniper	Conifers	5-6' tall
VWP	3	'Vanderwolf' Pine	Conifers	10-14' tall
WBJU	15	'Wichita Blue' Juniper	Conifers	8-10' tall

DESIGNS by KIM
RESIDENTIAL LANDSCAPE DESIGN
208-870-3795
designsbykim@mac.com

CONCEPT 1 – SOUTH SIDE OF STORAGE BUILDING



CONCEPT 2 – ENTRY SIGN AND MONUMENTS





NORTH

THE PROPERTY

FEBRUARY 2026

SCALE

1" = 10'

Exhibit A.9

EXHIBIT B

Supplemental Documents

Planning & Zoning Commission

Case# OR2025-0017 & CR2025-0007

Hearing date: February 19, 2026

CANYON COUNTY DEVELOPMENT SERVICES MAKES NO WARRANTY WITH RESPECT TO THE ACCURACY, COMPLETENESS, OR USEFULNESS OF THIS PARCEL INFORMATION TOOL.

R23913 PARCEL INFORMATION REPORT

2/10/2026 10:02:14 AM

PARCEL NUMBER:	R23913
OWNER NAME:	TREASURE VALLEY INVESTMENTS 5 LLC
CO-OWNER:	
MAILING ADDRESS:	1600B SW DASH POINT RD STE 309 FEDERAL WAY W[illegible]
SITE ADDRESS:	22664 CALLA LILY LN
TAX CODE:	1090000
TWP:	4N **RNG:** 2W **SEC:** 10 **QUARTER:** NW
ACRES:	1.02
HOME OWNERS EXEMPTION:	No
AG-EXEMPT:	No
DRAIN DISTRICT:	DD2
ZONING DESCRIPTION:	AG / R2 / AGRICULTURE / MEDIUM DENSITY RESIDENTIAL
HIGHWAY DISTRICT:	HIGHWAY DISTRICT #4
FIRE DISTRICT:	STAR FIRE
SCHOOL DISTRICT:	MIDDLETON SCHOOL DIST #134
IMPACT AREA:	Middleton
FUTURE LAND USE 2011-2022 :	RES
FLU Overlay Zone Desc 2030:	
FLU RR Zone Desc 2030:	
FUTURE LAND USE 2030:	RESIDENTIAL
IRRIGATION DISTRICT:	MIDDLETON IRRIGATION ASSN INC / MIDDLETON MILL DITCH CO
FEMA FLOOD ZONE:	X **FLOODWAY:** NOT In FLOODWAY **FIRM PANEL:** 16027C0254G
WETLAND:	NOT In WETLAND
NITRATE PRIORITY:	NO Nitrate Prio
FUNCTIONAL Classification:	PRINCIPAL ARTERIAL
INSTRUMENT NO. :	2025005394
SCENIC BYWAY:	NOT In Scenic Byway
LEGAL DESCRIPTION:	10-4N-2W NW LEMP PARK URBAN TRS TX 19325 IN LT 37
PLATTED SUBDIVISION:	LEMP PARK URBAN TRS
SMALL CITY ZONING:	
SMALL CITY ZONING TYPE:	

DISCLAIMER:

1. FEMA FLOOD ZONE REFERS TO THE DESIGNATED FEMA FLOOD AREAS. POSSIBLY ONE (1) OF SEVERAL ZONES - SEE FIRM PANEL NUMBER.
2. THIS FORM DOES NOT CALCULATE DATA FOR PARCELS INSIDE CITY LIMITS SO WATCH YOURSELVES.
3. WETLANDS CLASSIFICATION WILL POPULATE IF "ANY" PORTION OF SAID PARCEL CONTAINS A DELINEATED WETLAND.
4. COLLECTORS AND ARTERIALS ARE BASED ON THE SHERRIFS CENTERLINE WITH AN ADDITIONAL 100 FOOT BUFFER.

CANYON COUNTY ASSUMES NO LIABILITY FOR DIRECT, INDIRECT, SPECIAL, OR CONSEQUENTIAL DAMAGES RESULTING FROM THE USE OR MISUSE OF THIS PARCEL INFORMATION TOOL OR ANY OF THE INFORMATION CONTAINED HEREIN.

CANYON COUNTY DEVELOPMENT SERVICES MAKES NO WARRANTY WITH RESPECT TO THE ACCURACY, COMPLETENESS, OR USEFULNESS OF THIS PARCEL INFORMATION TOOL.

R23913012 PARCEL INFORMATION REPORT

2/10/2026 10:02:36 AM

PARCEL NUMBER:	R23913012
OWNER NAME:	TREASURE VALLEY INVESTMENTS 5 LLC
CO-OWNER:	
MAILING ADDRESS:	1600B SW DASH POINT RD STE 309 FEDERAL WAY W[illegible]
SITE ADDRESS:	22669 CALLA LILY LN
TAX CODE:	1090000
TWP:	4N **RNG:** 2W **SEC:** 10 **QUARTER:** NW
ACRES:	0.83
HOME OWNERS EXEMPTION:	No
AG-EXEMPT:	No
DRAIN DISTRICT:	DD2
ZONING DESCRIPTION:	R2 / MEDIUM DENSITY RESIDENTIAL
HIGHWAY DISTRICT:	HIGHWAY DISTRICT #4
FIRE DISTRICT:	STAR FIRE
SCHOOL DISTRICT:	MIDDLETON SCHOOL DIST #134
IMPACT AREA:	Middleton
FUTURE LAND USE 2011-2022 :	RES
FLU Overlay Zone Desc 2030:	
FLU RR Zone Desc 2030:	
FUTURE LAND USE 2030:	RESIDENTIAL
IRRIGATION DISTRICT:	MIDDLETON IRRIGATION ASSN INC / MIDDLETON MILL DITCH CO
FEMA FLOOD ZONE:	X **FLOODWAY:** NOT In FLOODWAY **FIRM PANEL:** 16027C0254G
WETLAND:	NOT In WETLAND
NITRATE PRIORITY:	NO Nitrate Prio
FUNCTIONAL Classification:	PRINCIPAL ARTERIAL
INSTRUMENT NO. :	2025005393
SCENIC BYWAY:	NOT In Scenic Byway
LEGAL DESCRIPTION:	10-4N-2W NW LEMP PARK URBAN TRS TX 19326 IN LT 37
PLATTED SUBDIVISION:	LEMP PARK URBAN TRS
SMALL CITY ZONING:	
SMALL CITY ZONING TYPE:	

DISCLAIMER:

1. FEMA FLOOD ZONE REFERS TO THE DESIGNATED FEMA FLOOD AREAS. POSSIBLY ONE (1) OF SEVERAL ZONES - SEE FIRM PANEL NUMBER.
2. THIS FORM DOES NOT CALCULATE DATA FOR PARCELS INSIDE CITY LIMITS SO WATCH YOURSELVES.
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Exhibit B.1

CANYON COUNTY DEVELOPMENT SERVICES MAKES NO WARRANTY WITH RESPECT TO THE ACCURACY, COMPLETENESS, OR USEFULNESS OF THIS PARCEL INFORMATION TOOL.

R23913012A PARCEL INFORMATION REPORT

2/10/2026 10:02:56 AM

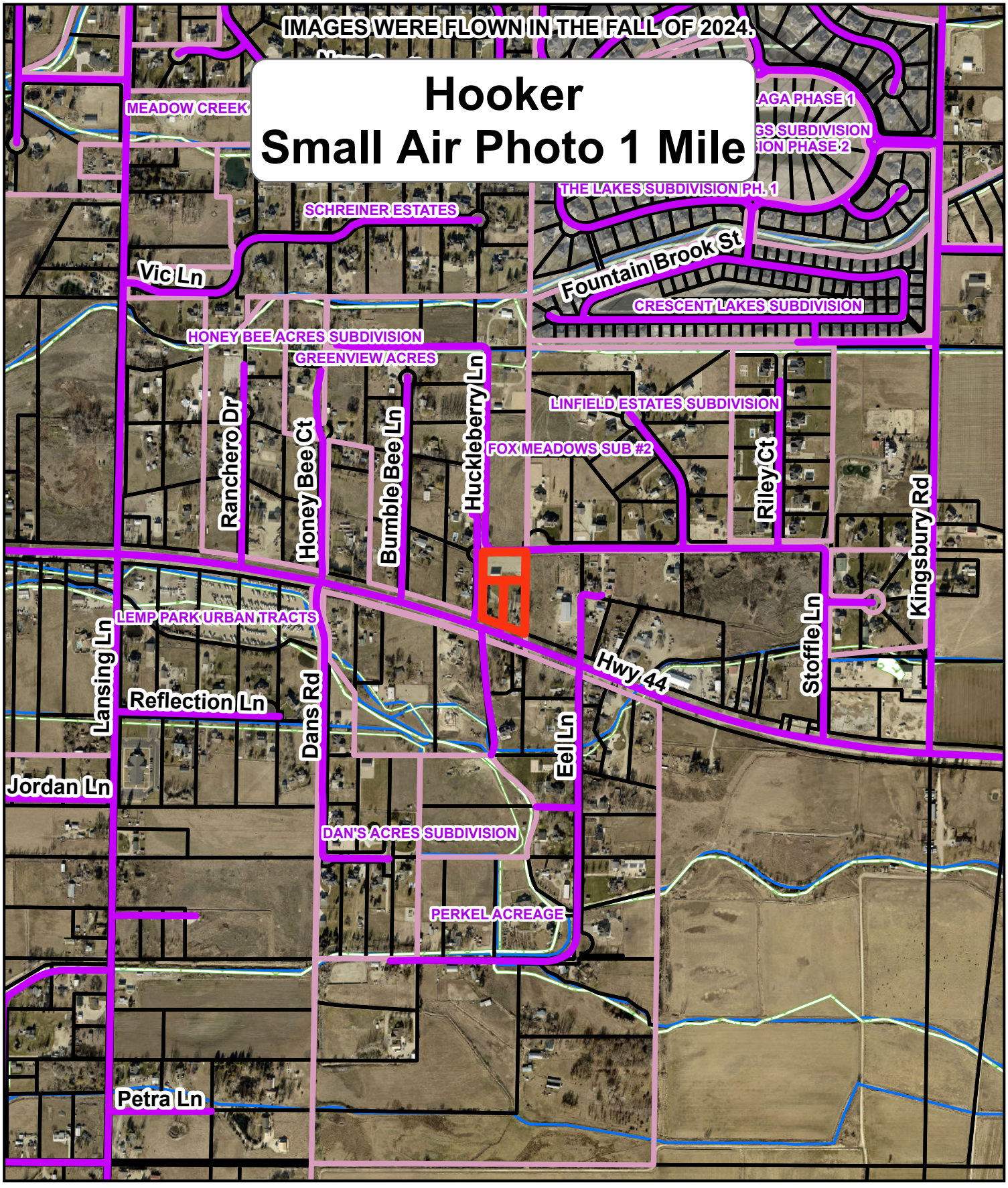
PARCEL NUMBER:	R23913012A
OWNER NAME:	HOOKER KENNETH
CO-OWNER:	HOOKER SANDRA
MAILING ADDRESS:	1600B SW DASH POINT RD 309 FEDERAL WAY WA 98[illegible]
SITE ADDRESS:	0 CALLA LILY LN
TAX CODE:	1090000
TWP:	4N **RNG:** 2W **SEC:** 10 **QUARTER:** NW
ACRES:	1.17
HOME OWNERS EXEMPTION:	No
AG-EXEMPT:	No
DRAIN DISTRICT:	DD2
ZONING DESCRIPTION:	R2 / MEDIUM DENSITY RESIDENTIAL
HIGHWAY DISTRICT:	HIGHWAY DISTRICT #4
FIRE DISTRICT:	STAR FIRE
SCHOOL DISTRICT:	MIDDLETON SCHOOL DIST #134
IMPACT AREA:	Middleton
FUTURE LAND USE 2011-2022 :	RES
FLU Overlay Zone Desc 2030:	
FLU RR Zone Desc 2030:	
FUTURE LAND USE 2030:	RESIDENTIAL
IRRIGATION DISTRICT:	MIDDLETON IRRIGATION ASSN INC / MIDDLETON MILL DITCH CO
FEMA FLOOD ZONE:	X **FLOODWAY:** NOT In FLOODWAY **FIRM PANEL:** 16027C0254G
WETLAND:	NOT In WETLAND
NITRATE PRIORITY:	NO Nitrate Prio
FUNCTIONAL Classification:	NOT In COLLECTOR
INSTRUMENT NO. :	2024038299
SCENIC BYWAY:	NOT In Scenic Byway
LEGAL DESCRIPTION:	10-4N-2W NW LEMP PARK URBAN TRS TX 19327 IN LT 37
PLATTED SUBDIVISION:	LEMP PARK URBAN TRS
SMALL CITY ZONING:	
SMALL CITY ZONING TYPE:	

DISCLAIMER:

1. FEMA FLOOD ZONE REFERS TO THE DESIGNATED FEMA FLOOD AREAS. POSSIBLY ONE (1) OF SEVERAL ZONES - SEE FIRM PANEL NUMBER.
2. THIS FORM DOES NOT CALCULATE DATA FOR PARCELS INSIDE CITY LIMITS SO WATCH YOURSELVES.
3. WETLANDS CLASSIFICATION WILL POPULATE IF "ANY" PORTION OF SAID PARCEL CONTAINS A DELINEATED WETLAND.
4. COLLECTORS AND ARTERIALS ARE BASED ON THE SHERRIFS CENTERLINE WITH AN ADDITIONAL 100 FOOT BUFFER.

CANYON COUNTY ASSUMES NO LIABILITY FOR DIRECT, INDIRECT, SPECIAL, OR CONSEQUENTIAL DAMAGES RESULTING FROM THE USE OR MISUSE OF THIS PARCEL INFORMATION TOOL OR ANY OF THE INFORMATION CONTAINED HEREIN.

Exhibit B.1

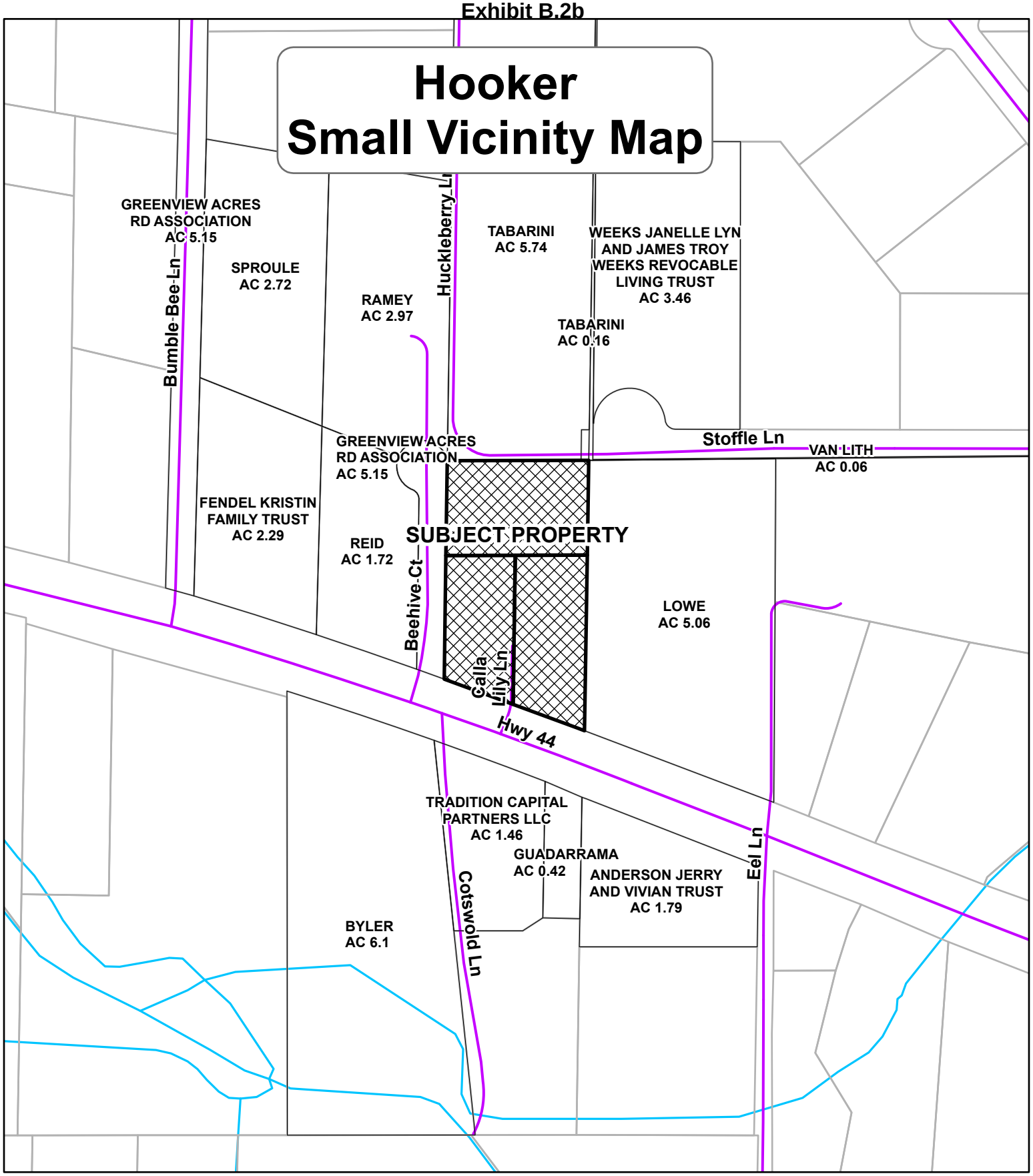


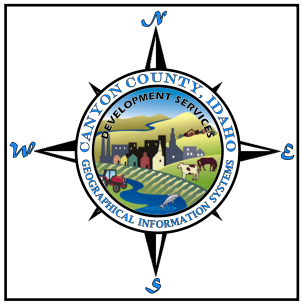
City_Limits
Wetlands

0 0.25 0.5 Miles

Exhibit B.2b

Hooker
Small Vicinity Map





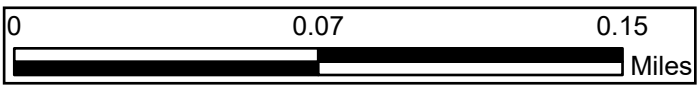


Exhibit B.2b

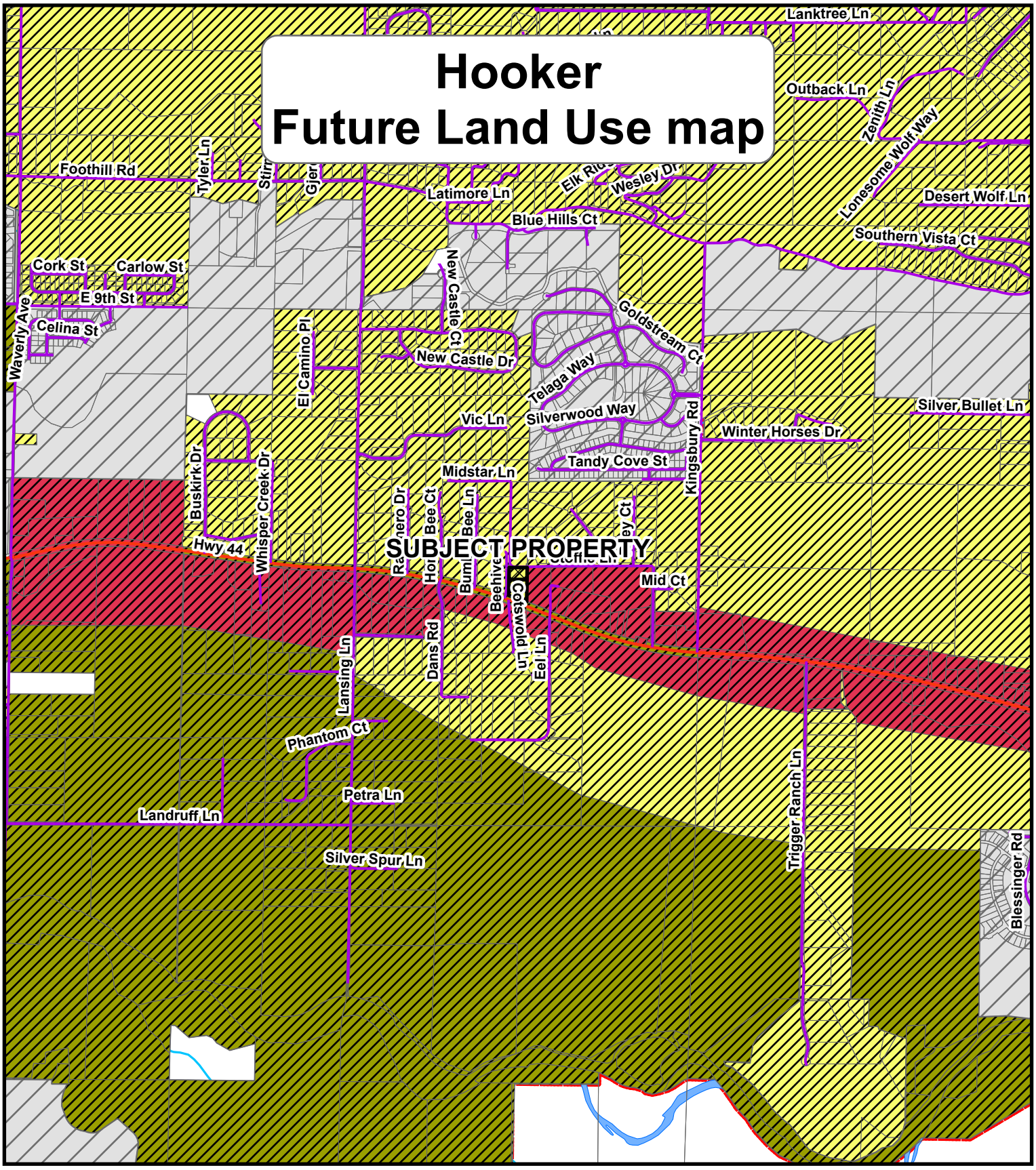

Hooker
Future Land Use map
Lanktree Ln
Outback Ln
Zenith Ln
Lonesome Wolf Way
Desert Wolf Ln
Southern Vista Ct
Foothill Rd
Tyler Ln
Latimore Ln
Wesley Dr
Blue Hills Ct
Cork St
Carlow St
E 9th St
Celina St
Waverly Ave
New Castle Ct
New Castle Dr
El Camino Pl
Goldstream Ct
Telaga Way
Silverwood Way
Vic Ln
Silver Bullet Ln
Winter Horses Dr
Kingsbury Rd
Tandy Cove St
Midstar Ln
Buskirk Dr
Whisper Creek Dr
Hwy 44
Ranchero Dr
Hot Bee Ct
Bee Ln
Bumble Bee Ln
Beehive Ct
Cotswold Ln
Eel Ln
SUBJECT PROPERTY
Mid Ct
Dans Rd
Lansing Ln
Phantom Ct
Petra Ln
Landruff Ln
Silver Spur Ln
Trigger Ranch Ln
Blessinger Rd
Future Land Use 2030
COMMERCIAL
INDUSTRIAL
RESIDENTIAL
RURAL RESIDENTIAL
0
0.5
1
Miles

Exhibit B.2d

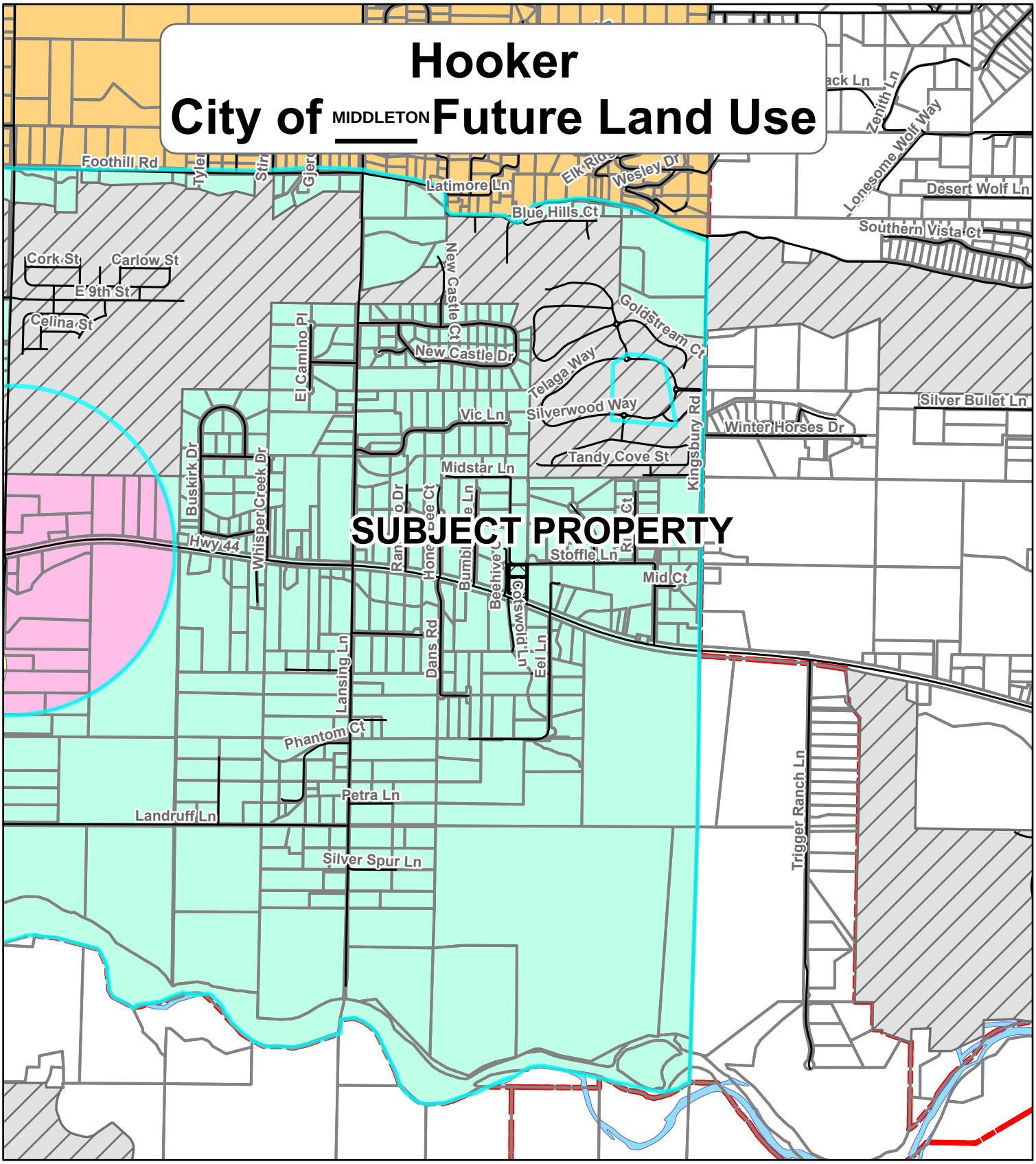


Exhibit B.2d

Exhibit B.2e

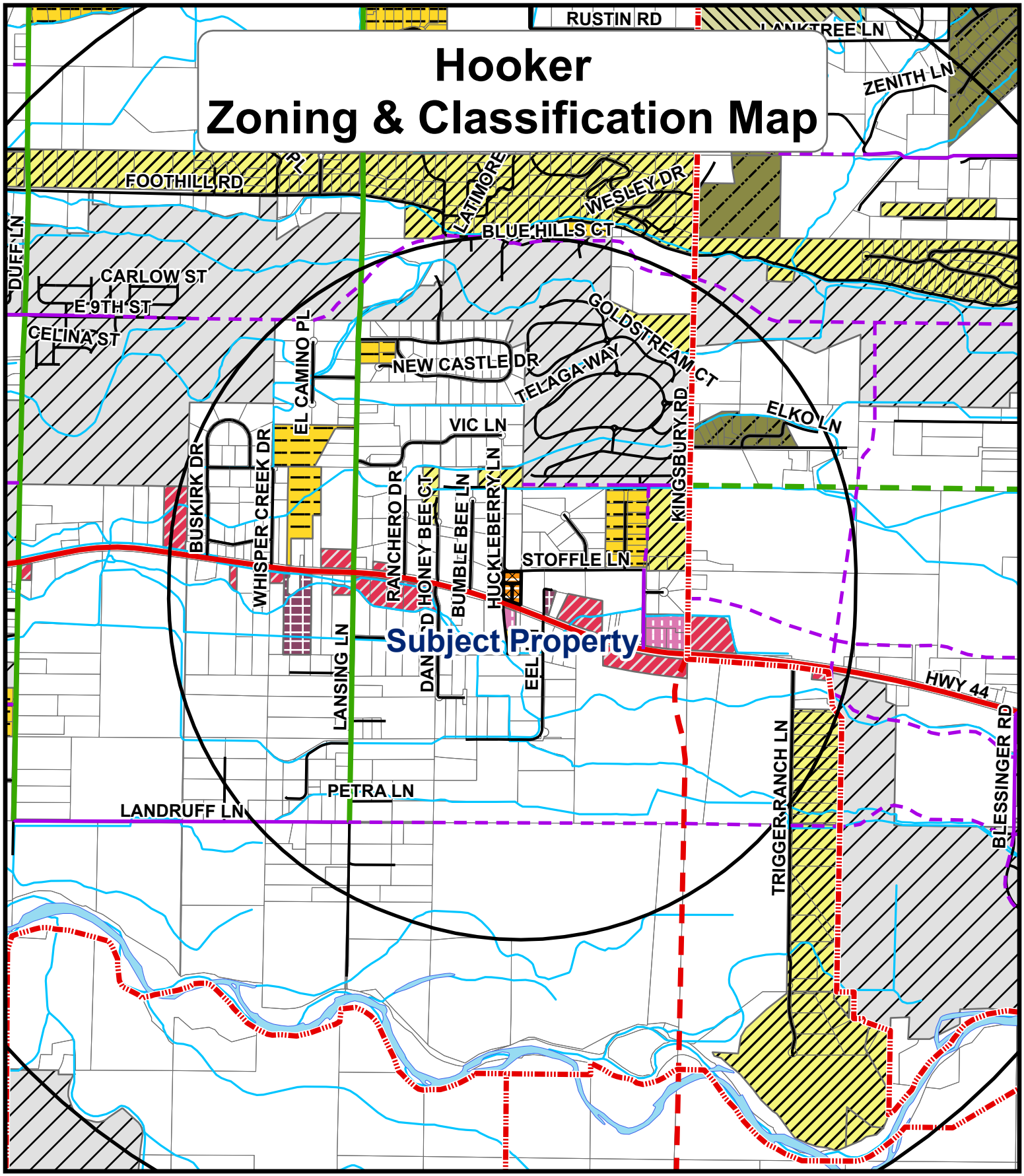


Exhibit B.2e

Exhibit B.2f

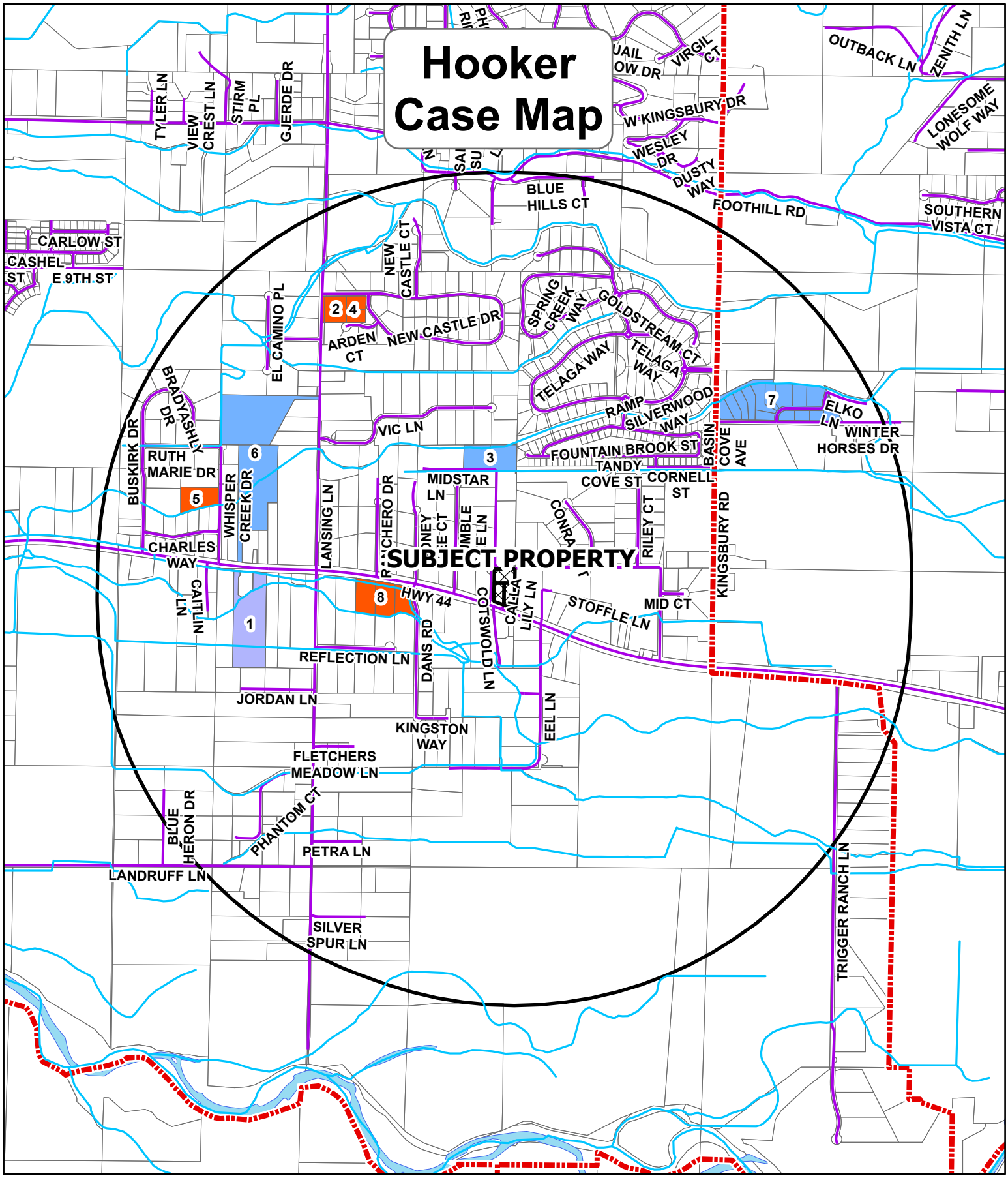


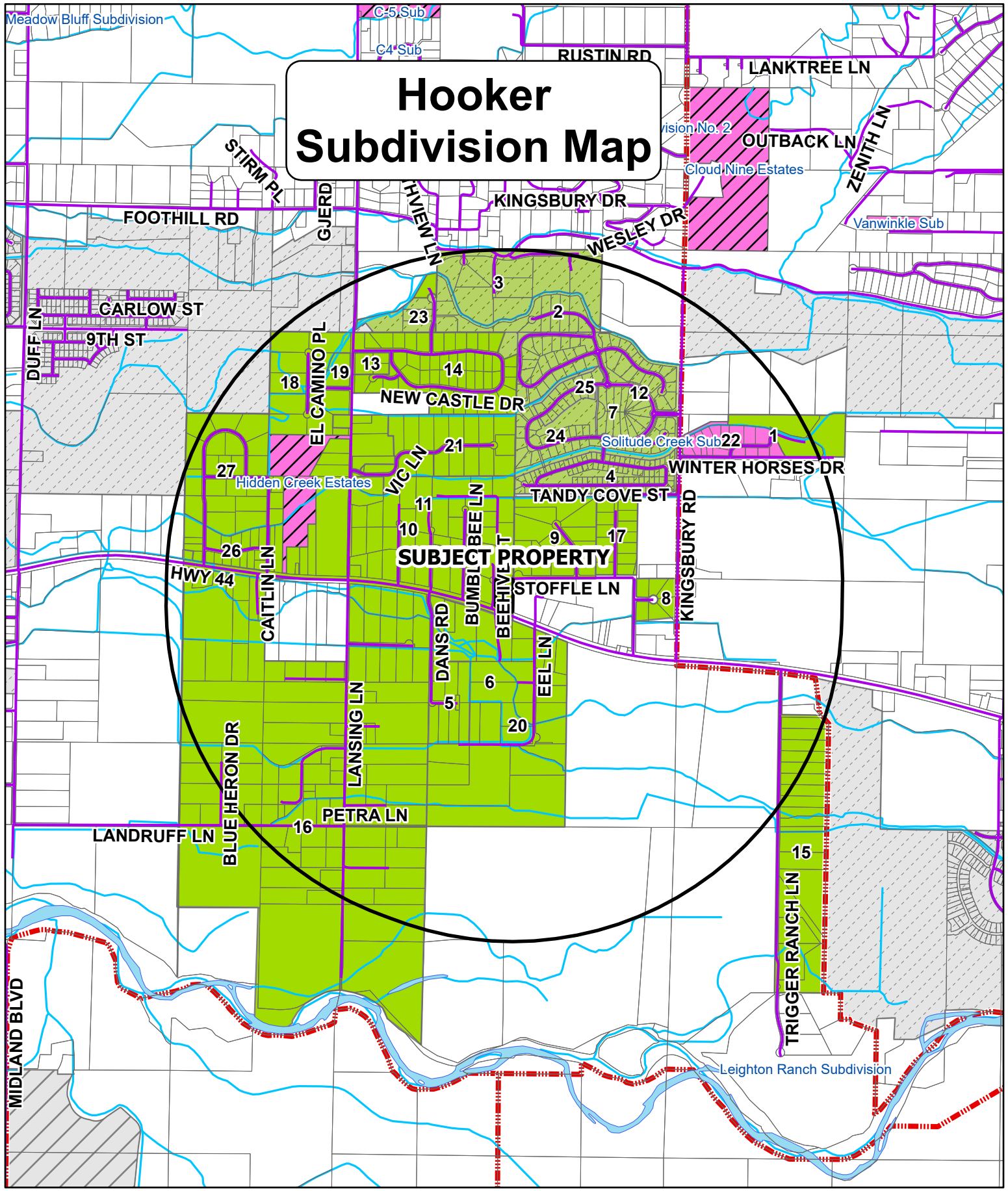
Exhibit B.2f

CASE SUMMARY

ID	CASENUM	REQUEST	CASENAME	FINALDECIS
1	RZ2021-0061	AG to CR-C2	AG Development LLC	APPROVED
2	RZ2020-0014	Rezone AG to R1	Biggins	APPROVED
3	RZ2020-0016	Rezone AG to RR	Jensen	APPROVED
4	SD2021-0046	Short Plat 3 Res Lots - Lansing Lane Sub	Lansing Lane Sub	APPROVED
5	CU2022-0039	Small Animal Facility	May Calins Slaughter	APPROVED
6	RZ2020-0027	Rezone AG to R1	Schatzel	APPROVED
7	SD2020-0016	Preliminary Plat	Solitude Creek Sub	Approved
8	CU2022-0028	Expand RV Storage	Wyatt Legacy LLC	APPROVED

Exhibit B.2f

Exhibit B.2g



SUBDIVISIONS

Plat Type,Plat Status

- Preliminary,Approved
- Preliminary,Pending
- MOBILE HOME PARKS

0 0.5 1 Miles

Exhibit B.2g

SUBDIVISION & LOT REPORT

NUMBER OF SUBS	ACRES IN SUB	NUMBER OF LOTS	AVERAGE LOT SIZE
27	1866.38	717	2.60

NUMBER OF SUBS IN PLATTING	ACRES IN SUB	NUMBER OF LOTS	AVERAGE LOT SIZE
2	42.92	32	1.34

NUMBER OF LOTS NOTIFIED	AVERAGE	MEDIAN	MINIMUM	MAXIMUM
51	4.79	2.29	0.06	110.24

NUMBER OF MOBILE HOME PARKS	ACRES IN MHP	NUMBER OF SITES	AVG HOMES PER ACRE	MAXIMUM
0				

PLATTED SUBDIVISIONS

SUBDIVISION NAME	Label	LOCATION	ACRES	NO. OF LOTS	AVERAGE LOT SIZE	CITY OF...	Year
BLUE HERON SUB	1	4N2W02	36.99	5	7.40	COUNTY (Canyon)	2002
BLUE MEADOWS SUBDIVISION NO. 1	2	4N2W03	25.81	18	1.43	MIDDLETON	2020
BLUE MEADOWS SUBDIVISION NO. 2	3	4N2W03	54.38	12	4.53	MIDDLETON	2022
CRESCENT LAKES SUBDIVISION	4	4N2W03	32.15	107	0.30	MIDDLETON	2021
DAN'S ACRES SUBDIVISION	5	4N2W10	23.51	10	2.35	COUNTY (Canyon)	2005
EEL LANE ESTATES - VACATED with Inst. # 2012013741	6	4N2W10	10.15	5	2.03	COUNTY (Canyon)	2008
FOUNTAIN SPRINGS SUBDIVISION	7	4N2W03	14.80	17	0.87	MIDDLETON	2023
FOX MEADOWS SUB	8	4N2W10	8.70	6	1.45	COUNTY (Canyon)	2004
FOX MEADOWS SUB #2	9	4N2W10	39.68	13	3.05	COUNTY (Canyon)	2004
GREENVIEW ACRES	10	4N2W10	61.59	20	3.08	COUNTY (Canyon)	1988
HONEY BEE ACRES SUBDIVISION	11	4N2W10	5.25	2	2.63	COUNTY (Canyon)	2018
LAKES AT TELAGA PHASE 1	12	4N2W03	66.06	149	0.44	0	2006
LANSING LANE SUBDIVISION	13	4N2W03	4.73	3	1.58	COUNTY (Canyon)	2022
LANSING MEADOWS SUB	14	4N2W03	65.02	50	1.30	COUNTY (Canyon)	2002
LEIGHTON LAKE ESTATES SUBDIVISION	15	4N2W11&14	82.09	20	4.10	COUNTY (Canyon)	2020
LEMP PARK URBAN TRACTS	16	4N2W09	916.60	85	10.78	COUNTY (Canyon)	1913
LINFIELD ESTATES SUBDIVISION	17	4N2W10	18.92	13	1.46	COUNTY (Canyon)	2020
MEADOW CREEK SUB	18	4N2W04	43.93	9	4.88	COUNTY (Canyon)	2000
PARKERS ADDITION SUB	19	4N2W04	4.83	2	2.41	COUNTY (Canyon)	2005
PERKEL ACREAGE	20	4N2W10	147.76	39	3.79	COUNTY (Canyon)	1911
SCHREINER ESTATES	21	4N2W03	49.40	20	2.47	COUNTY (Canyon)	1998
SOLITUDE CREEK SUBDIVSION	22	4N2W02	16.55	15	1.10	COUNTY (Canyon)	2025
SQUIRES SUB	23	4N2W03	13.02	6	2.17	0	2003
THE LAKES SUBDIVISION PH. 1	24	4N2W03	40.46	36	1.12	MIDDLETON	2015
THE LAKES SUBDIVISION PHASE 2	25	4N2W03	9.78	16	0.61	MIDDLETON	2017
WHISPER CREEK AMEND	26	4N2W09	18.47	19	0.97	COUNTY (Canyon)	1994
WHISPER CREEK ESTATES PH 2 AND 3	27	4N2W04	55.74	20	2.79	COUNTY (Canyon)	1995

SUBDIVISIONS IN PLATTING

SUBDIVISION NAME	ACRES	NO. OF LOTS	AVERAGE LOT SIZE
Solitude Creek Sub	16.54	15	1.10
Hidden Creek Estates	26.38	17	1.55

MOBILE HOME & RV PARKS

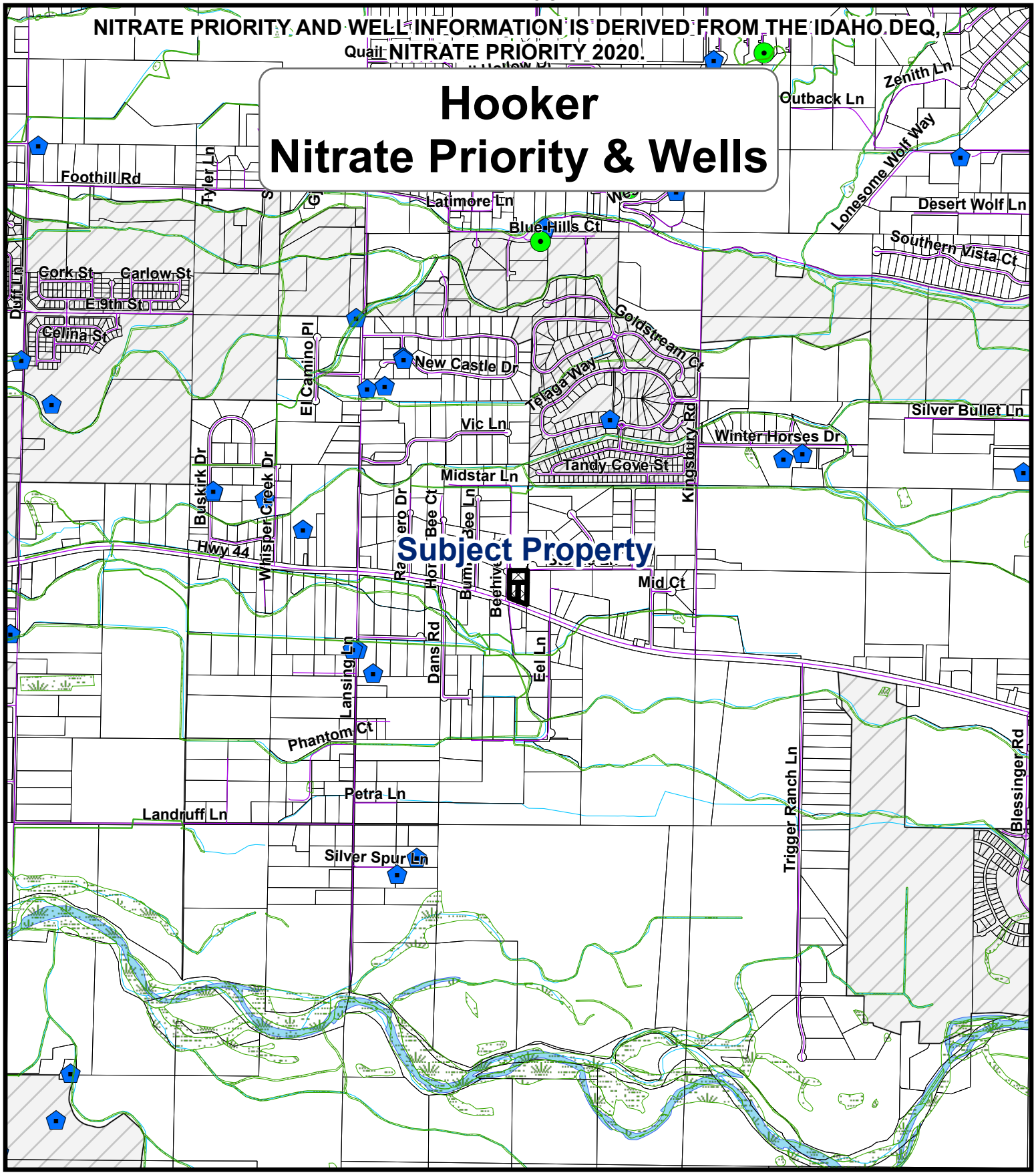
SUBDIVISION NAME	SITE ADDRESS	ACRES	NO. OF SPACES	UNITS PER ACRE	CITY OF...

Exhibit B.2g

Exhibit B.2h

NITRATE PRIORITY AND WELL INFORMATION IS DERIVED FROM THE IDAHO DEQ, Quail NITRATE PRIORITY 2020.

Hooker
Nitrate Priority & Wells



GEO-THERMAL LOCATIONS

WETLANDS

NITRATE_PRIORITY

DEQ WELLS
N03_MGL

0.005 - 2.00

2.000001 - 5.00

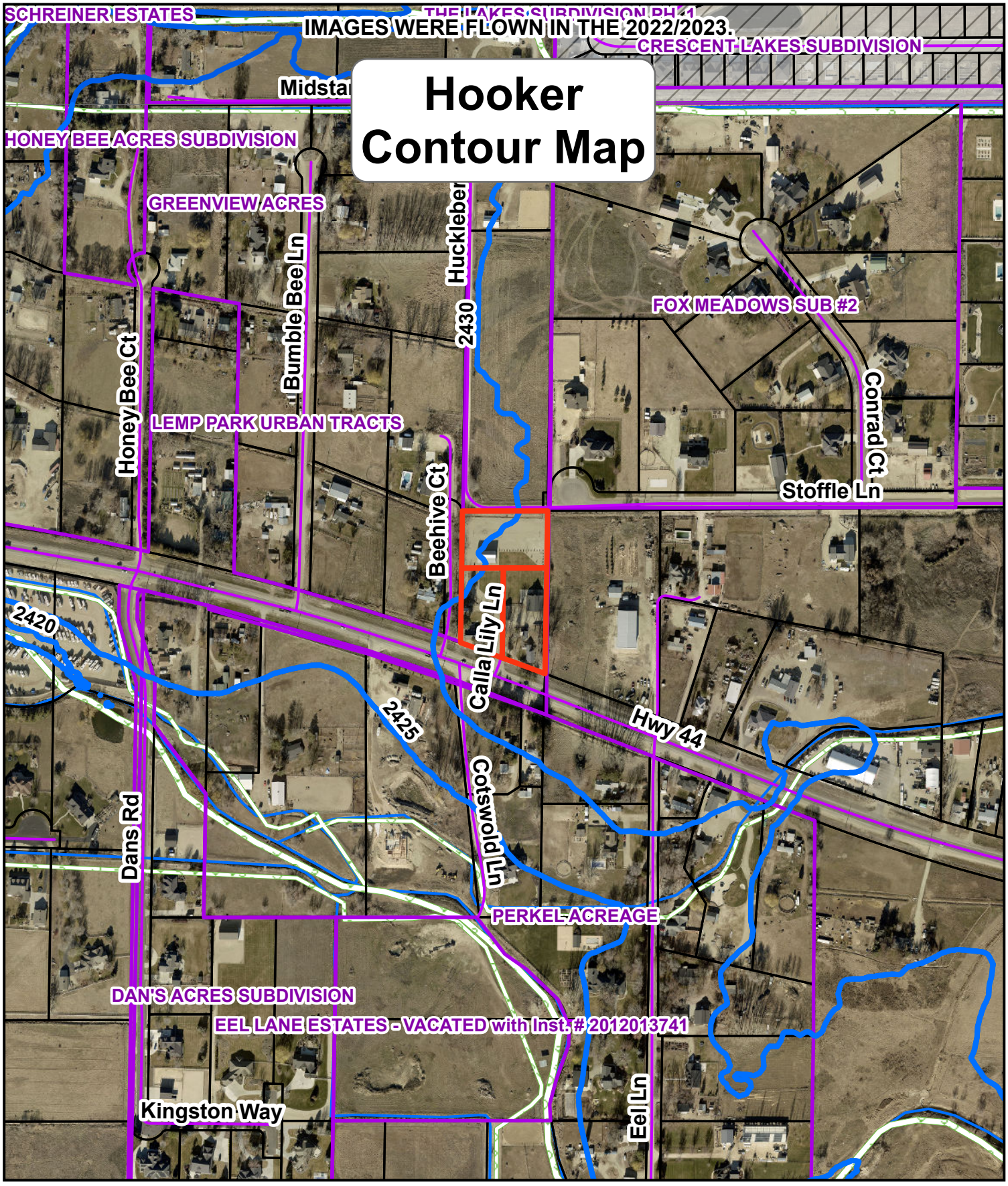
5.0000001 - 10.00

10.000001 - 49.80

0 0.5 1 Miles

Exhibit B.2h

Exhibit B.2i



Legend

- SUBJECT_PROPERTY
- TaxParcels
- SectionContours
- Wetlands

0 200 400 600 Feet

Exhibit B.2i

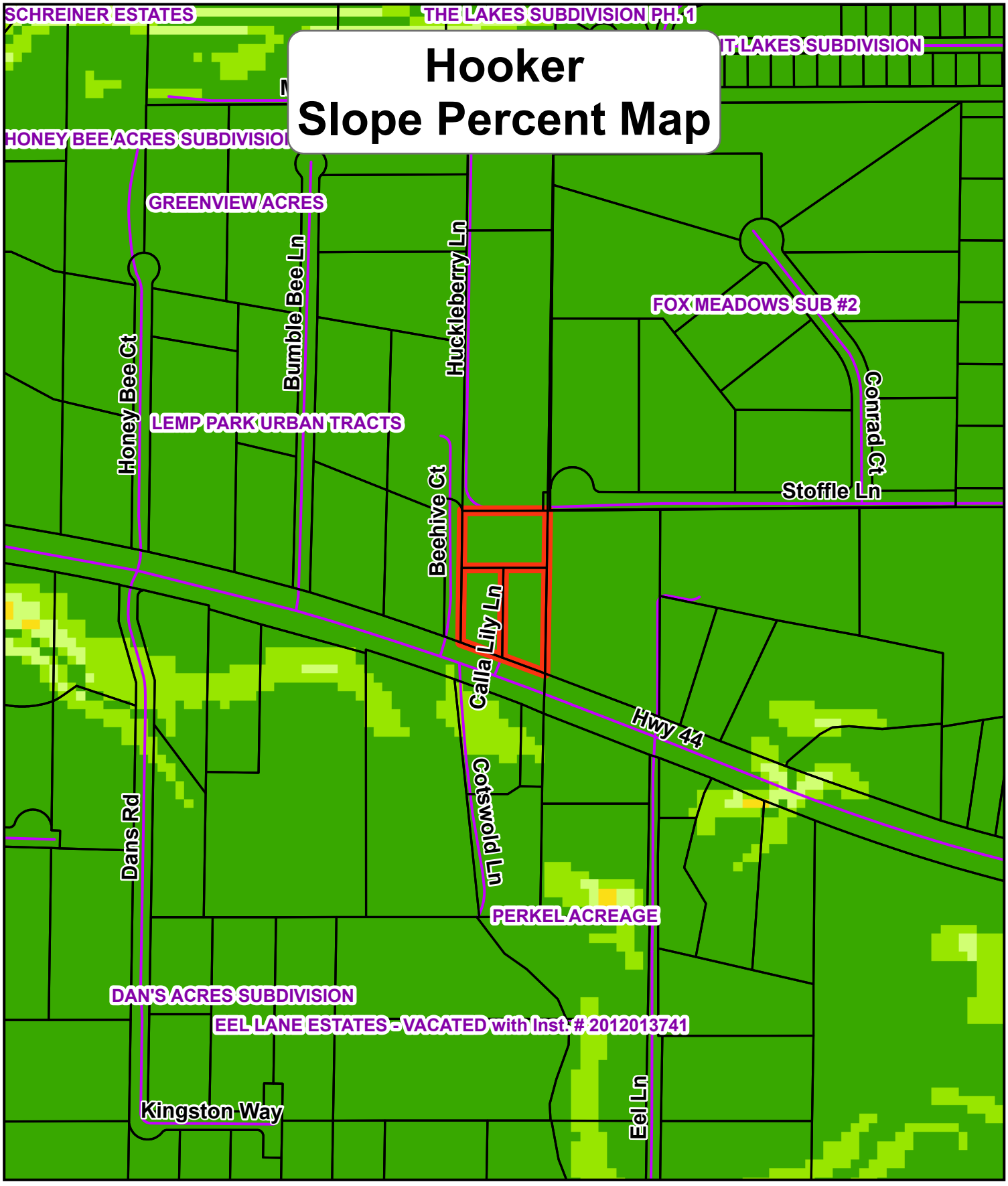

SCHREINER ESTATES
THE LAKES SUBDIVISION PH. 1
IT LAKES SUBDIVISION
Hooker
Slope Percent Map
HONEY BEE ACRES SUBDIVISIOI
GREENVIEW ACRES
Bumble Bee Ln
Huckleberry Ln
FOX MEADOWS SUB #2
Honey Bee Ct
Conrad Ct
LEMP PARK URBAN TRACTS
Beehive Ct
Stoffle Ln
Calla Lily Ln
Hwy 44
Cotswold Ln
Dans Rd
PERKEL ACREAGE
DAN'S ACRES SUBDIVISION
EEL LANE ESTATES - VACATED with Inst. # 2012013741
Kingston Way
Eel Ln
Slope Percent
0.001 - 3
3.001 - 6
6.001 - 9
9.001 - 12
12.001 - 14.999
15 - 202.718
0
200
400
600
Feet

Exhibit B.2i

Exhibit B.2j

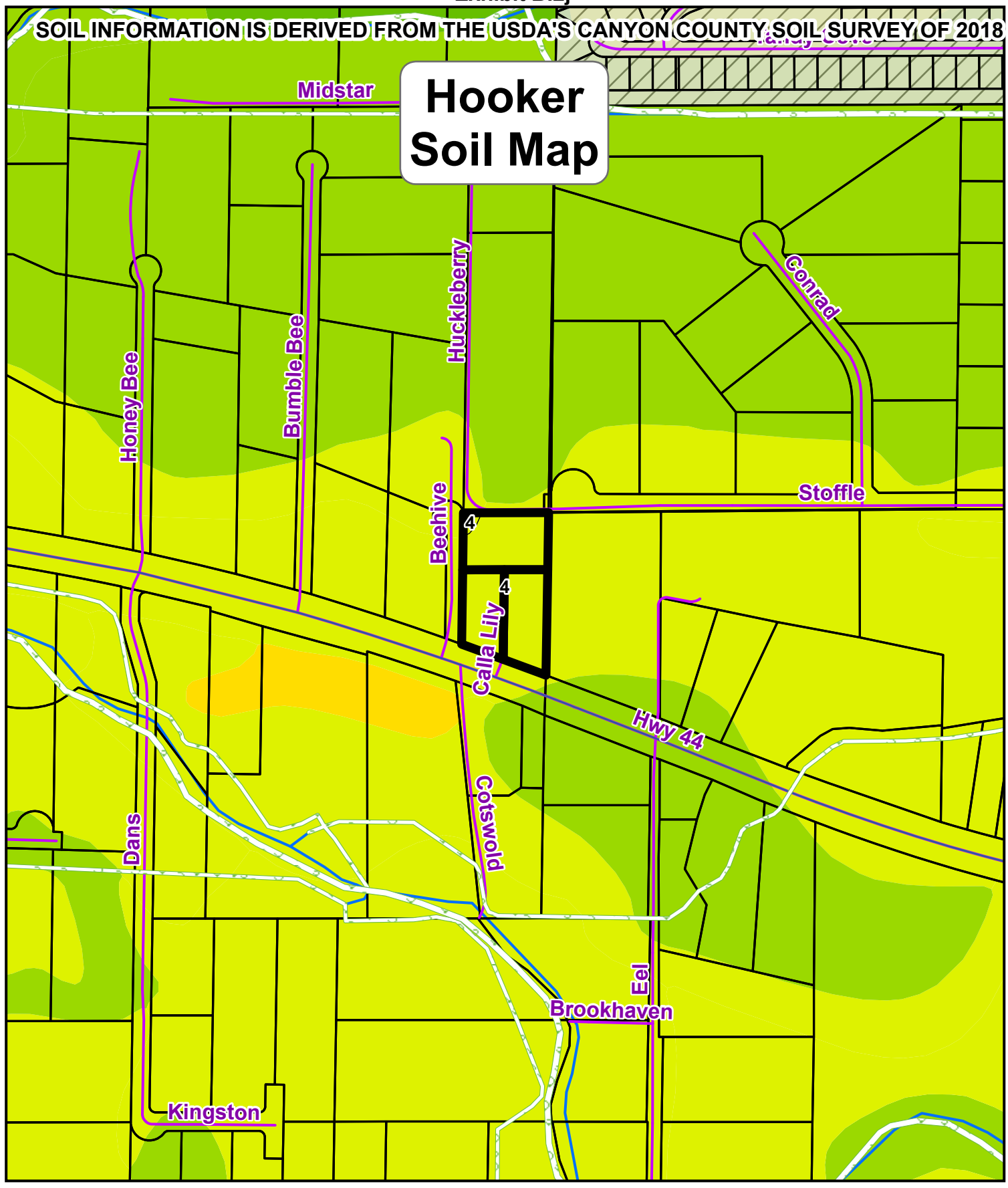


Exhibit B.2j

SOIL REPORT

SOIL CAPABILITY CLASS	SOIL CAPABILITY	SQUARE FOOTAGE	ACREAGE	PERCENTAGE
4	MODERATELY SUITED SOIL	128502.55	2.95	97.75%
4	MODERATELY SUITED SOIL	2953.36	0.07	2.25%
		131455.90	3.02	100%

FARMLAND REPORT

SOIL NAME	FARMLAND TYPE	SQUARE FOOTAGE	ACREAGE	PERCENTAGE
MtA	Prime farmland if irrigated and drained	128502.55	2.95	97.75%
MvA	Prime farmland if irrigated and drained	2953.36	0.07	2.25%
		131455.90	3.02	100%

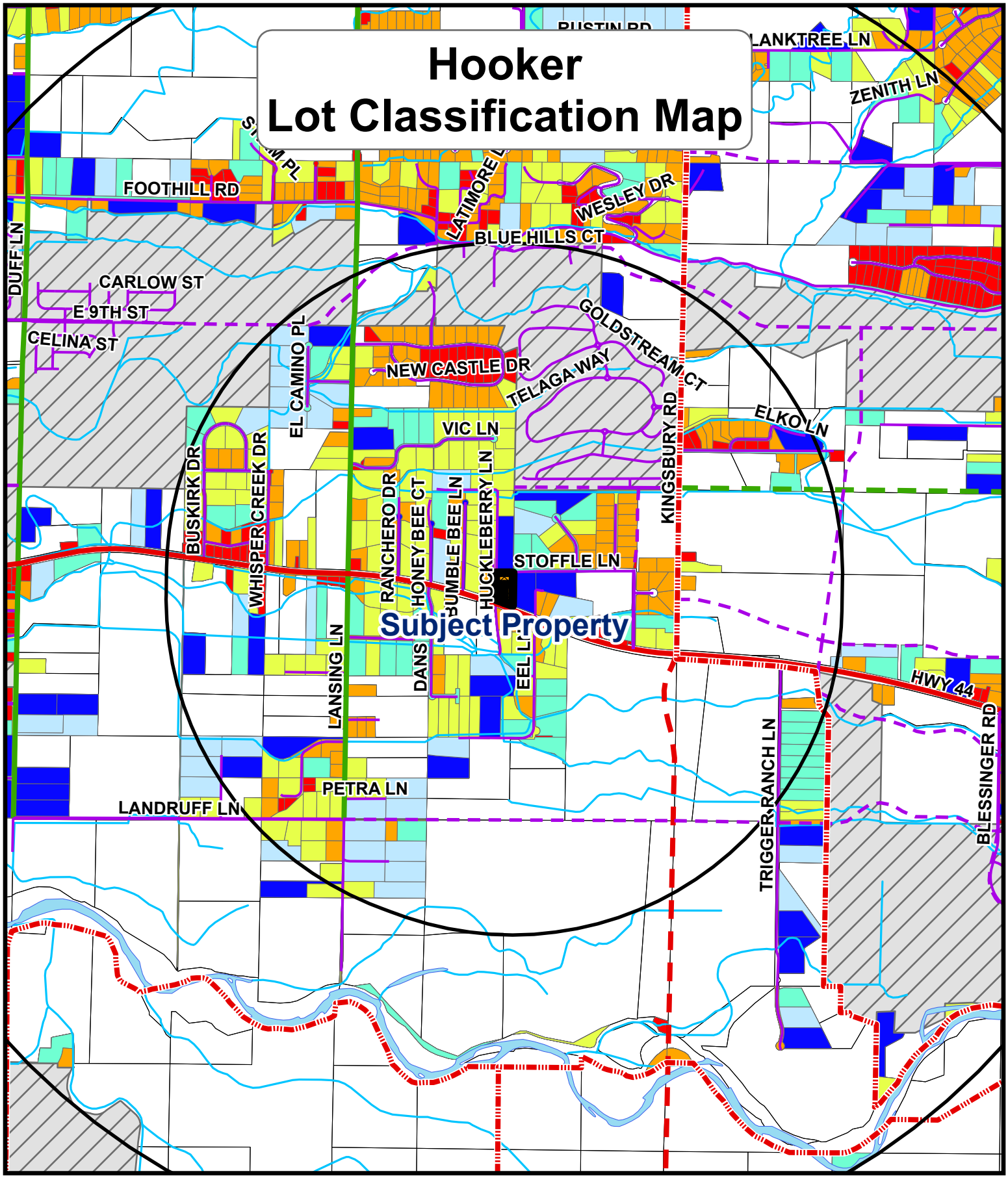
SOIL INFORMATION IS DERIVED FROM THE USDA's CANYON COUNTY SOIL SURVEY OF 2018

Exhibit B.2j

GRADE	SOILTYPE
1	BEST SUITED SOIL
2	BEST SUITED SOIL
3	MODERATELY SUITED SOIL
4	MODERATELY SUITED SOIL
5	LEAST SUITED SOIL
6	LEAST SUITED SOIL
7	LEAST SUITED SOIL
8	LEAST SUITED SOIL
9	LEAST SUITED SOIL

Exhibit B.2k

Hooker
Lot Classification Map



Lot Size

- 0.0 - 1.0
- 1.1 - 2.0
- 2.1 - 3.0
- 3.1 - 4.0
- 4.1 - 5.0
- 5.1 - 6.0

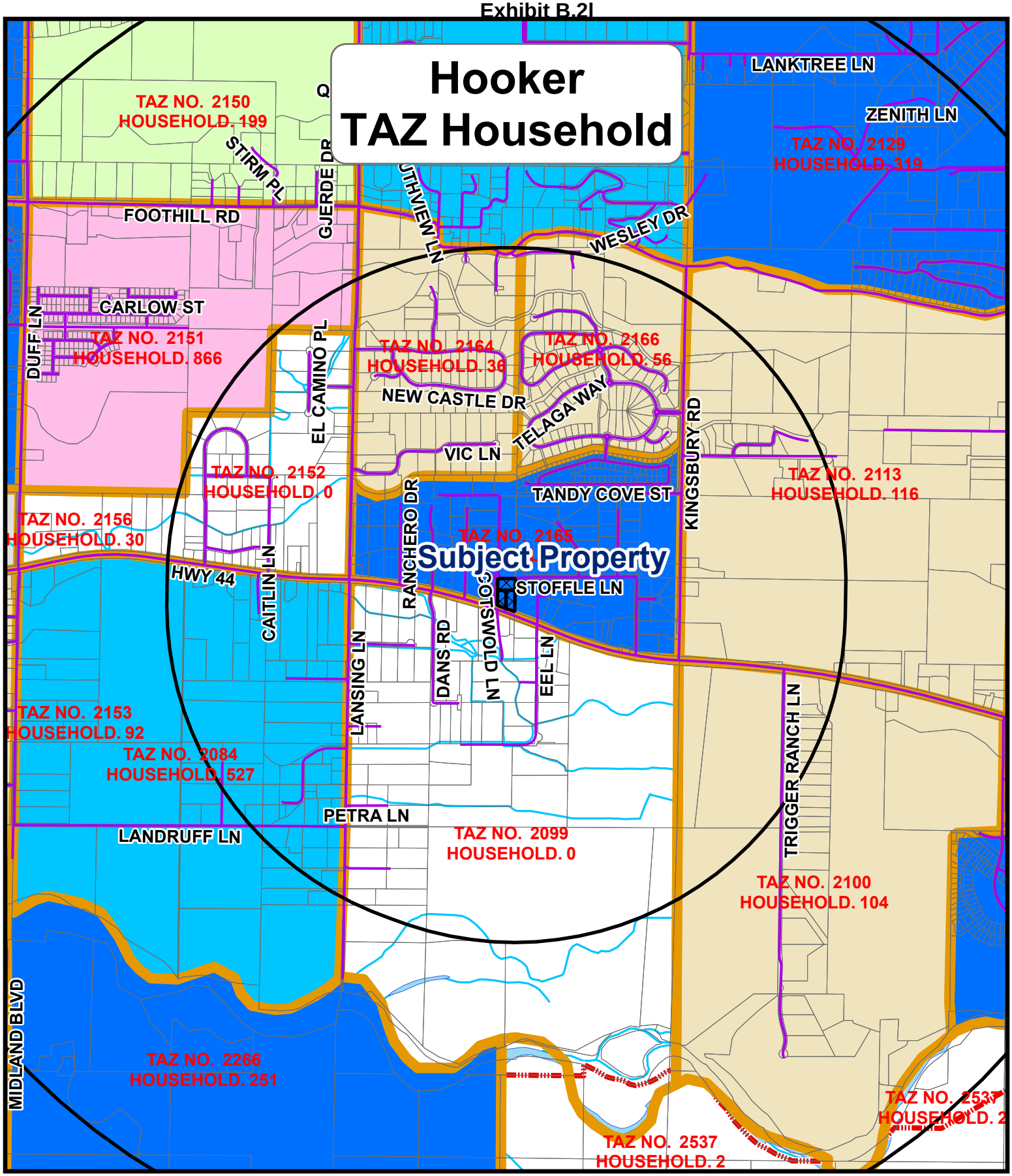
- INTERSTATE
- OTHER FREEWAY/ EXPRESSWAY
- PROPOSED OTHER FREEWAY/ EXPRESSWAY
- PRINCIPAL ARTERIAL
- PROPOSED PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- PROPOSED MINOR ARTERIAL
- COLLECTOR
- PROPOSED COLLECTOR

Exhibit B.2k

0 0.25 0.5 Miles

Exhibit B.2l

Hooker
TAZ Household

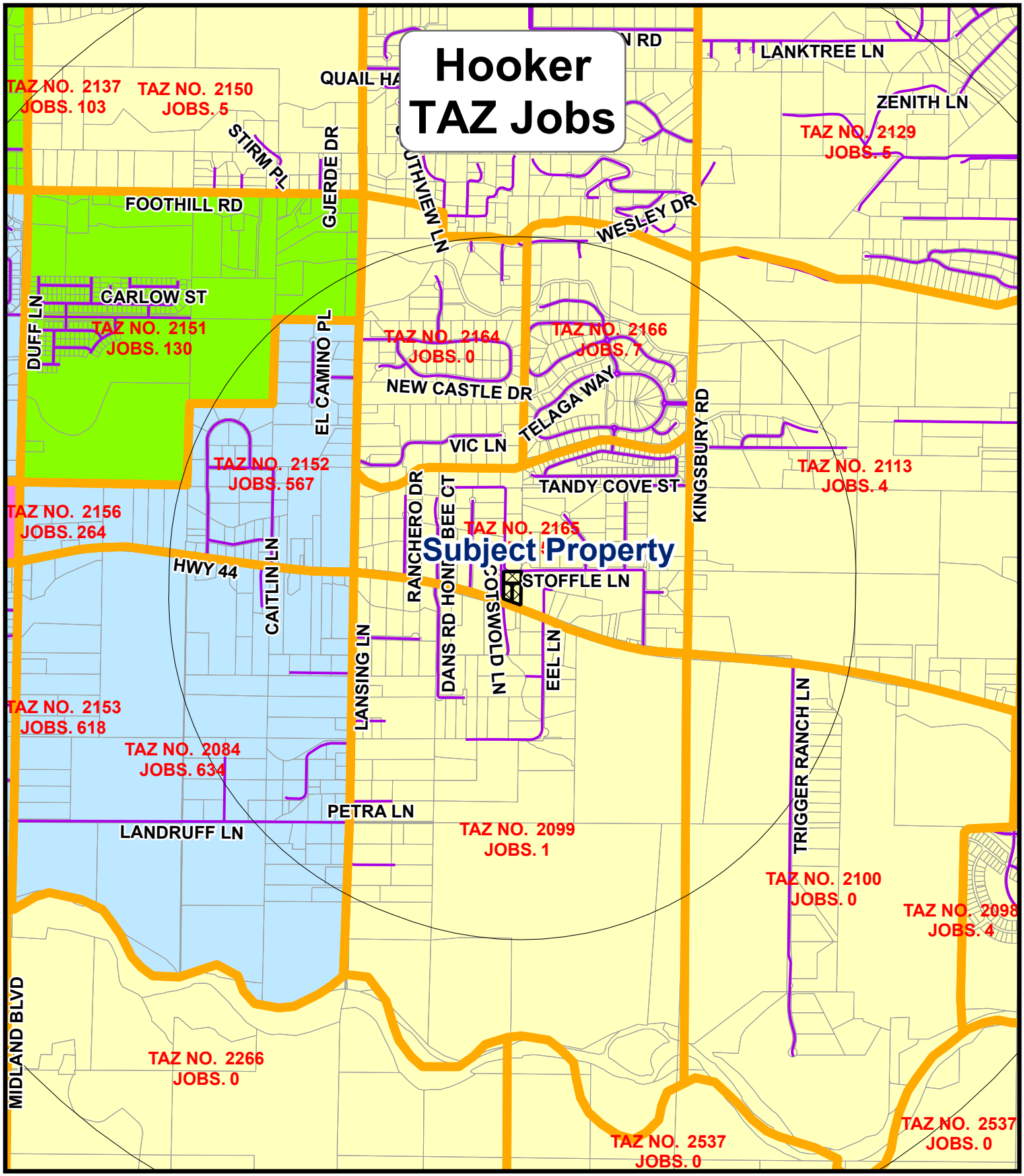


House Hold 2025-2050

-4 - 50	251 - 500
51 - 150	501 - 750
151 - 250	751 - 1263

Exhibit B.2l

0 0.5 1 Miles


Hooker
TAZ Jobs
TAZ NO. 2137
JOBS. 103
TAZ NO. 2150
JOBS. 5
QUAIL HA
N RD
LANKTREE LN
ZENITH LN
TAZ NO. 2129
JOBS. 5
STIRM PL
GJERDE DR
FOOTHILL RD
WESLEY DR
CARLOW ST
DUFF LN
TAZ NO. 2151
JOBS. 130
EL CAMINO PL
TAZ NO. 2164
JOBS. 0
TAZ NO. 2166
JOBS. 7
NEW CASTLE DR
TELAGA WAY
KINGSBURY RD
VIC LN
TAZ NO. 2152
JOBS. 567
TAZ NO. 2113
JOBS. 4
TANDY COVE ST
TAZ NO. 2156
JOBS. 264
RANCHERO DR
BEE CT
TAZ NO. 2165
Subject Property
HWY 44
CAITLIN LN
STOFFLE LN
DANS RD HONEY
COTSWOLD LN
EEL LN
LANSING LN
TAZ NO. 2153
JOBS. 618
TAZ NO. 2084
JOBS. 634
PETRA LN
LANDRUFF LN
TAZ NO. 2099
JOBS. 1
TRIGGER RANCH LN
TAZ NO. 2100
JOBS. 0
TAZ NO. 2098
JOBS. 4
MIDLAND BLVD
TAZ NO. 2266
JOBS. 0
TAZ NO. 2537
JOBS. 0
TAZ NO. 2537
JOBS. 0
Jobs 2025-2050
-1
0 - 100
101 - 250
251 - 500
501 - 1000
1001 - 2148
Exhibit B.2
0
0.5
1
Miles

BEFORE THE BOARD OF COUNTY COMMISSIONERS

IN THE MATTER OF AN APPEAL BY:	CASE NO. RZ2008-4
Brian & Deanne Burford	**FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER**
A request by Brian & Deanne Burford for a rezone of approximately three acres from an "A" (Agricultural) Zone to a "R-2" (Combined Medium-Density Residential) Zone.	
The Canyon County Planning and Zoning Commission recommended approval of this request to the Board of Commissioners.	

A hearing was scheduled before the Board of County Commissioners (hereinafter "Board") on October 14, 2008, for the purpose of considering Brian and Deanne Burford's (hereinafter "Applicants") request for a rezone of approximately 3 acres from an "A" (Agricultural) zone to a "R-2" (Combined Medium-Density Residential) zone. The Canyon County Planning and Zoning Commission (hereinafter "Commission") recommended approval of the application.

The following persons were in attendance at the hearing: Canyon County Commissioners David J. Ferdinand II, Matt Beebe and Steven J. Rule; Deputy Clerk Monica Reeves; Jarom Wagoner, Canyon County Development Services Department (hereinafter "DSD"); and Deputy Prosecuting Attorney Carlton R. Ericson. Applicant Deanne Burford appeared at the hearing and

gave testimony in support of the application. No other individuals were present at the hearing or signed up in support or opposition to the application.

SUMMARY OF THE RECORD

The record in this appeal is comprised of:

1. County Exhibit Nos. 1-5.

PROCEDURAL ITEMS

1. A public hearing on the Applicant's initial request for a rezone was held before the Commission which recommended approval of the application.
2. On August 21, 2008, the Commission issued Findings of Facts, Conclusions of Law and Decision recommending approval of the application.
3. Following the recommended approval of the Commission, the matter was set for hearing before the Board.
4. On or about September 19, 2008, persons owning property within ¼ mile of the site and selected agencies were notified of the Board's hearing by mail. On or about October 3, 2008, a hearing notice was posted on the site. On or about September 24-25, 2008, legal notice of the Board's hearing was published in the Idaho-Press Tribune.

PROCEDURAL ITEMS

1. **Jarom Wagoner**, DSD, testified at the hearing before the Board. Such verbal testimony and/or the written Canyon County Department of Development Services STAFF REPORT, dated July 17, 2008 reflects that:

a. The subject property is located on the northeast corner of the intersection of Highway 44 and Beehive Court, Middleton, Idaho, in a portion of the NW ¼ of Section 10, T4N, R2W, BM.

b. Applicants propose to rezone approximately 3 acres from an "A" (Agricultural) zone to a "R-2" (Combined Medium-Density Residential) zone.

c. The subject property is located within Middleton's Area of City Impact.

d. The subject property is located approximately 1 mile east of Middleton's city limits.

e. The subject property is located in the Urban Growth Area.

f. There are 3 existing residential structures and several outbuildings located on the subject property.

g. The existing vegetation on the subject property is grass, pasture and dirt.

h. The property is irrigated by sprinkler irrigation, with the slope and/or drainage flowing relatively flat.

i. The primary road frontage to the subject property is Highway 44 and there are no obstructed ingress or egress views. There are 2 existing accesses onto Highway 44.

j. The subject property consists of 100% Class III moderately-suited soils and is 100% prime farm land if irrigated and drained.

k. The property not located within a nitrate priority area.

l. The surrounding property within ¼ mile of the subject property in all directions is residential in an "A" (Agricultural) zone.

m. There is 1 gravel pit and no dairies within 1 mile of the subject property. There is 1 feedlot within 2 miles of the subject property.

n. Approximately 37 of the 75 parcels, or 49% of the parcels, within ¼ mile of the subject property have existing residences. The average lot size of such parcels is 3.07 acres, with a range of 0.78 to 9.29 acres, and a median of 2.61 acres.

o. There are 15 platted subdivisions within 1 mile of the subject property for a total of 403 lots, with an average lot size of 3.08 acres. There are 4 subdivisions in the platting stages within 1 mile of the subject property, consisting of 74 total lots and an average lot size of 1.71 acres.

p. Staff recommends approval of the application.

q. This rezone will allow the subject property to be split with a .5 acre minimum lot size.

r. The "R-2" zone allows for 2 residences per parcel and a split of the subject property will bring the parcel into compliance with the zone regulations.

Testimony in Support of Application

1. **Applicant Deanne Burford** spoke in favor of the application and testified, in summary, that:

a. Applicants are seeking a rezone to "R-2" so they can split the lot and bring it into compliance with the zoning ordinance. Two of the existing residences will be on 1 lot and the third will be on the second lot.

b. One of the residences is rented out as a pre-school and is not a day care center.

Neutral Testimony

1. There were no witnesses who signed up or spoke as a neutral witness at the hearing.

Testimony in Opposition to the Application

1. There were no witnesses who signed up or spoke in opposition to the application.

Rebuttal Testimony in Support of the Application

1. There was no rebuttal testimony.

BOARD ACTION

Upon the conclusion of public testimony, after deliberating on the evidence presented, the **Board** voted to affirm the Commission's decision and to approve Applicant's request for a rezone of approximately 3 acres from an "A" (Agricultural) zone to an "R-2" (Combined Medium-Density Residential) zone. On November 19, 2008, the **Board** will adopt Findings of Fact and Conclusions of Law and Order and an ordinance.

ISSUES OF APPLICABLE LAW

1. Whether the proposed zoning amendment is harmonious and in accordance with the Canyon County 2010 Comprehensive Plan.

2. Whether the proposed use will be injurious to other property in the immediate vicinity and whether the proposed use will negatively change the essential character of the area.

3. Whether adequate sewer, water and drainage facilities and utility systems will be provided to accommodate said use.

4. Whether legal access to the subject property for the development exists or will exist.

5. Whether there will be undue interference with existing or future traffic patterns.

6. Whether essential services will be provided to accommodate said use such as, but not limited to, school facilities, police and fire protection, emergency medical services, and whether or not services will be negatively impacted by such use or will require additional public funding in order to meet the needs created by the requested use.

7. Whether Applicants have met the burden of persuasion that the application should be approved.

FINDINGS OF FACT

If any of these Findings of Fact are deemed to be Conclusions of Law, they are incorporated into the Conclusions of Law section accordingly.

1. The **Board** finds the testimony of the witnesses to be credible and ascribes all appropriate weight to such testimony.

2. The **Board** finds the exhibits presented by the Canyon County Development Services Department to be credible and ascribes all appropriate weight to such.

3. The proposed zoning amendment is permitted pursuant to, and is in accordance with, the Canyon County Zoning Ordinances.

4. The **Board** finds that the statement of the nature of the request is to rezone approximately 3 acres from an "A" (Agricultural) zone to a "R-2" (Combined Medium-Density Residential) zone.

5. The **Board** finds that the subject property is located on the northeast corner of the intersection of Highway 44 and Beehive Court, Middleton, Idaho in a portion of the NW ¼ of Section 10, T4N, R2W, BM.

6. The **Board** finds that the subject property is located within Middleton's Area of City Impact and is located approximately 1 mile east of Middleton's City Limits.

7. The **Board** finds that the subject property is located within the Urban Growth Area.

8. The **Board** finds that there 3 residential homes and several outbuildings on the subject property and that the existing vegetation on the subject property is grass, pasture and dirt.

9. The **Board** finds that the subject property is irrigated by sprinkler irrigation, with the slope and/or drainage relatively flat.

10. The **Board** finds that the primary road frontage to the subject property is Highway 44 and there are no obstructed ingress or egress views. There are 2 existing accesses onto Highway 44.

11. The **Board** finds that the subject property consists of 100% Class III moderately-suited soils and is 100% prime farm land if irrigated and drained. The property is not located within a nitrate priority area.

12. The **Board** finds that the surrounding property within ¼ mile of the subject property in all directions is residential in an "A" (Agricultural) zone.

13. The **Board** finds that there is 1 gravel pit and no dairies within 1 mile of the subject property. There is 1 feedlot within 2 miles of the subject property.

14. The **Board** finds that approximately 37 of the 75 parcels, or 49% of the parcels, within ¼ mile of the subject property have existing residences. The average lot size of such parcels is 3.07 acres, with a range of 0.78 to 9.29 acres, and a median of 2.61 acres.

15. The **Board** finds that there are 15 platted subdivisions within 1 mile of the subject property for a total of 403 lots, with an average lot size of 3.08 acres. There are 4 subdivisions in the platting stages within 1 mile of the subject property. Such subdivisions consist of 74 total lots with an average lot size of 1.71 acres.

16. The **Board** finds that adequate sewer, water and drainage facilities, and utility systems will be provided to accommodate said use.

17. The **Board** finds that legal access to the subject property for the development exists.

18. The **Board** finds that there will not be undue interference with existing or future traffic patterns.

19. The **Board** finds that essential services will be provided to accommodate said use such as, but not limited to, school facilities, police and fire protection, emergency medical services, and services will not be negatively impacted by such use and will not require additional public funding in order to meet the needs created by the requested use.

20. The **Board** finds that the proposed use will not be injurious to other property in the immediate vicinity and/or will not change the essential character of the area.

21. The **Board** finds that the proposed use is consistent with the pertinent factors for consideration under the Canyon County 2010 Comprehensive Plan. The subject property is located within the Middleton's Area of City Impact and is in the Urban Growth Area. In addition, Middleton has expressed its approval of the application.

22. The **Board** finds that Applicants have met the burden of persuasion and the application should therefore be approved.

23. The **Board** finds that the decision of the Commission recommending approval of the application should be upheld and that the application should be approved rezoning the subject property from an "A" (Agricultural) zone to an "R-2" (Combined Medium Density Residential) zone.

CONCLUSIONS OF LAW

If any of these Conclusions of Law are deemed to be Findings of Fact, they are incorporated into the Findings of Fact section.

1. The **Board** concludes that the proposed zoning amendment is permitted pursuant to the Canyon County Zoning Ordinances.

2. The **Board** concludes that a statement of the nature of the request is for a rezone of approximately 3 acres from an "A" (Agricultural) zone to a "R-2" (Combined Medium-Density Residential) zone.

3. The **Board** concludes that the proposed zoning amendment is consistent with the Canyon County 2010 Comprehensive Plan.

4. The **Board** concludes that the proposed zoning amendment will not be injurious to other property in the immediate vicinity and will not negatively change the essential character of the area.

5. The **Board** concludes that adequate sewer, water and drainage facilities, and utility systems will be provided to accommodate said use.

6. The **Board** concludes that there will not be undue interference with existing or future traffic patterns.

7. The **Board** concludes that legal access to the subject property exists.

8. The **Board** concludes that essential services will be provided to accommodate said use such as, but not limited to, school facilities, police and fire protection, emergency medical services, and services will not be negatively impacted by such use or require additional public funding in order to meet the needs created by the requested use.

9. The **Board** concludes that Applicants have met the burden of persuasion that the proposed zoning amendment should be approved.

10. The **Board** concludes that the Commission's recommendation to approve the application should be upheld and that Applicants' request for a rezone of approximately 3 acres from an "A" (Agricultural) zone to a "R-2" (Combine Medium-Density Residential) zone should be granted.

ORDER

Based upon the Findings of Fact and Conclusions of Law, reviewed above, the Board hereby **affirms** the recommendation of the Canyon County Planning and Zoning Commission and hereby **APPROVES** Applicants' request for a rezone of approximately 3 acres from an "A" (Agricultural) zone to a "R-2" (Combined Medium-Desity Residential)

IT IS SO ORDERED this 19 day of November, 2008.

BOARD OF COUNTY COMMISSIONERS
CANYON COUNTY, IDAHO

Commissioner David J. Ferdinand, II, Chairman

Commissioner Matt Beebe

Commissioner Steven J. Rule

ATTEST: William H. Hurst, CLERK

By: Deputy

APPLICANT'S RIGHT TO REQUEST A REGULATORY TAKING ANALYSIS

According to Idaho Code § 67-6535 (c), the Applicant/Landowner has a right to request from the Canyon County Board of Commissioners a regulatory taking analysis pursuant to Idaho Code § 67-8003. The written request of the Applicant/Landowner for a regulatory taking analysis shall be filed with the Clerk of the Board of County Commissioners not more than twenty-eight (28) days after the date of this decision. Upon the timely written request of the Applicant/Landowner for a regulatory taking analysis, Canyon County shall prepare a written taking analysis concerning this case and shall provide to the Applicant/Landowner a regulatory taking analysis no longer than forty-two (42) days after the date of filing of the Applicant/Landowner's request for regulatory taking analysis. Pursuant to Idaho Code § 67-8003(4), the twenty-eight (28) day time limitation described below in the "NOTICE OF APPELLATE PROCEDURE", shall be temporarily suspended during the preparation of the regulatory takings analysis. For more information, please consult an attorney.

NOTICE OF APPELLATE PROCEDURE

An affected person aggrieved by this decision may within twenty-eight (28) days after the date of this decision, seek judicial review under the procedures provided by Chapter 52, Title 67, Idaho Code.

Director Decision
Administrative Land Division: AD2018-0060
Canyon County Code of Ordinances 16-001

2018-035932
RECORDED
08/14/2018 09:00 AM
00386893201800359320080084
CHRIS YAMAMOTO
CANYON COUNTY RECORDER
Pgs=8 PBRIDGES $31.00
MISC
DEANNE BURFORD

Case Number: AD2018-0060
Parcel # (s): R23913
Property Owner/Applicant(s): Brian & Deanne Burford

Request: Brian and Deanne Burford have an administrative land division of parcel R23913. The applicants are also requesting a reduction of an ingress/egress easement from 60' to 30'.

Findings (Administrative Land Division): Staff finds the proposed division is compliant with Canyon County Code 07-18. The subject parcel is currently zoned Medium Density Residential (R-2). Pursuant to CCZO 07-18-01, an administrative land division of an original parcel in the R-2 zone is allowed to be divided into no more than four (4) residential parcels.

The parcels created from this land division meet lot size requirements in section 07-10-21 for the R-2 Residential Zone with a minimum average lot size of 0.5 acres. Parcels created from this division will have access to a private road, Calla Lily Lane with recorded road user's maintenance agreement (Inst#2018-033115). The approach onto Hwy 44 was permitted by the Idaho Transpiration Department under permit #3-18-520.

This application is to divide parcel R23913, which consist of a 3 acre original parcel, into a total of 3 residential parcels as follows and as indicated on ROS2018-032713:	
Parcel A:	1.173 acres more or less (Residential parcel, building permit available)
Parcel B:	1.023 acres more or less (Residential parcel, building permit available)
Parcel C:	.825 acres more or less (Residential Parcel, building permit available)

Findings (Easement Reduction): Staff finds the proposed easement reductions from 60' to 30' will provide adequate access to the parcels indicated on ROS2018-032713. Approval of this request will not cause injury, damage or a safety hazard. Any obstruction/ temporary structures must be removed from the subject easement prior to the certificates of occupancy for parcels that utilize the subject easement.

Decision: The application to complete an Administrative Division and easement reduction is **APPROVED**. The development shall comply with all applicable federal, state, and county laws, ordinances, rules and regulations that pertain to the property.

This decision is based on the ROS2018-032713 and parcel descriptions dated July 16, 2018. Idaho Right to Farm Act (Idaho Code § 22-4503) applies to this land use decision.

Patricia A Nilsson
Director

August 13, 2018
Date

State of Idaho)
SS
County of Canyon County)

JANET LA MONT NOTARY PUBLIC STATE OF IDAHO

On this 13 day of August, in the year of 2018, before me Janet LaMont, a notary public, personally appeared Patricia Nilsson, personally known to me to be the person(s) whose name(s) is (are) subscribed to the within instrument, and acknowledged to me that he (she)(they) executed the same.

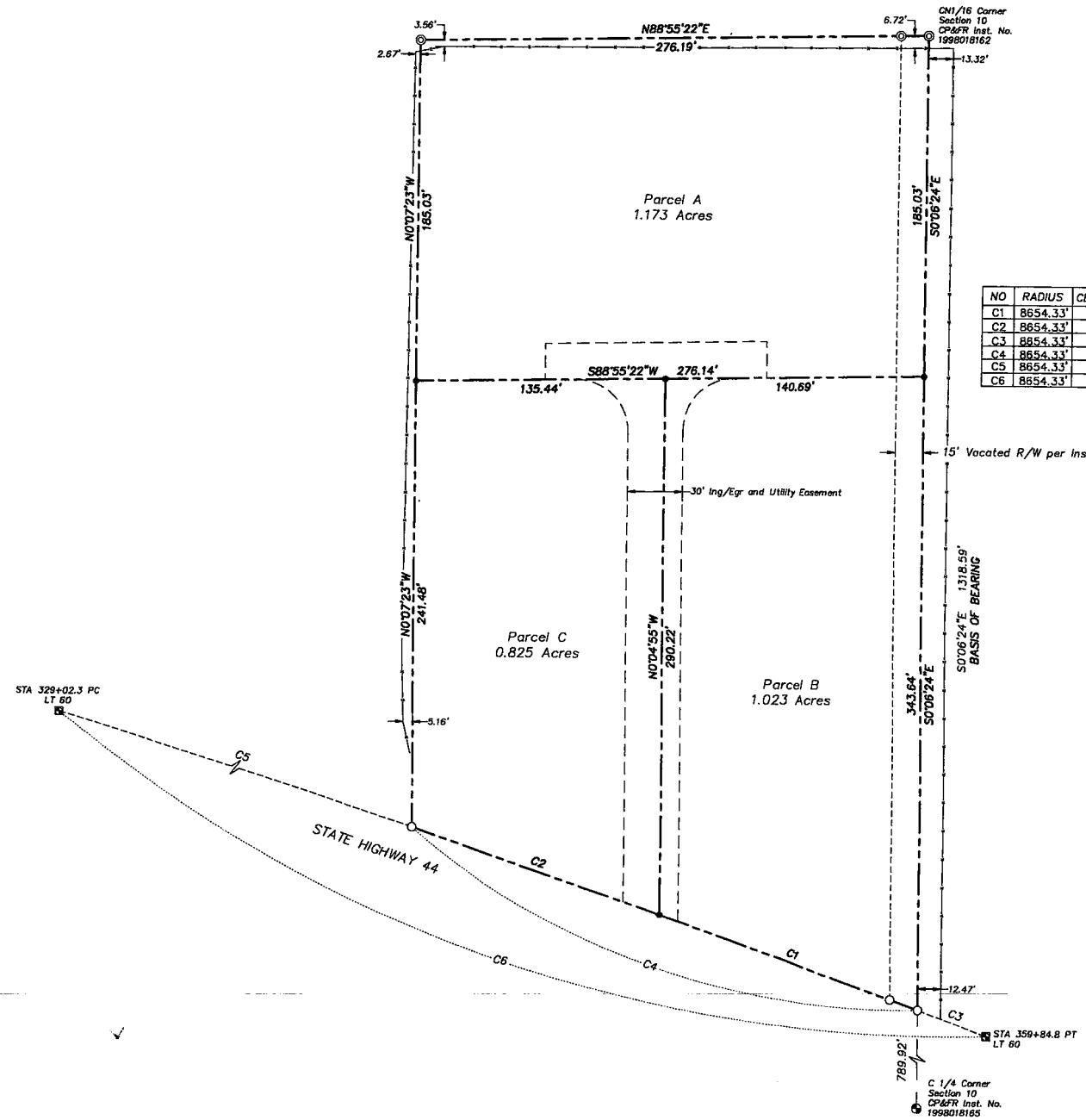
Notary: Janet LaMont
My Commission Expires: 5-29-2021

RECORD OF SURVEY

A PORTION OF TRACT 37 OF LEMP PARK URBAN TRACTS,
LYING IN THE SE 1/4 NW 1/4 OF SECTION 10,
TOWNSHIP 4 NORTH, RANGE 2 WEST, BOISE MERIDIAN,
CANYON COUNTY, IDAHO

2018-032713
RECORDED
07/26/2018 01:03 PM

CHRIS YAMAMOTO
CANYON COUNTY RECORDER
Pgs=1 EHOWELL $5.00
SURVEY
SKINNER LAND SURVEY



CURVE TABLE

NO	RADIUS	CENTRAL ANGLE	LENGTH	CHD BEARING	CHORD
C1	8654.33'	0°59'30"	149.77'	N70°10'51"W	149.77'
C2	8654.33'	0°56'48"	142.99'	N71°09'01"W	142.98'
C3	8654.33'	0°15'44"	39.60'	N69°33'17"W	39.60'
C4	8654.33'	1°56'17"	292.75'	N70°39'15"W	292.74'
C5	8654.33'	18°21'19"	2772.48'	N80°48'04"W	2760.64'
C6	8654.33'	20°33'20"	3104.84'	S79°42'03"E	3088.22'

N

0' 40' 80'

Scale: 1" = 40'

LEGEND

- BRASS CAP MONUMENT – FOUND
- RIGHT OF WAY BRASS CAP – FOUND
- 5/8" REBAR – FOUND
- 1/2" REBAR – FOUND
- 1/2" x 24" REBAR – SET
- PROPERTY BOUNDARY LINE
- SECTION/ALIQUOT PART LINE
- EASEMENT LINE

Reference Surveys:
Lemp Park Urban Tracts
Book 4, Page 33
Greenview Acres
Book 18, Page 50
Inst. No. 1999005957
Inst. No. 988175
Inst. No. 2009063727

Reference Deeds:
Inst. No. 2018014550
Inst. No. 2006056914

CERTIFICATION

I, Thomas J. Wellard, do hereby certify that I am a Professional Land Surveyor, licensed by the State of Idaho, and that this map has been prepared from an actual survey made on the ground under my direct supervision, that this map is an accurate representation of said survey, and that it is in conformity with the Corner Perpetuation Act, Idaho Code 55-1601 through 55-1612.

PROFESSIONAL LAND SURVEYOR
15352
STATE OF IDAHO
THOMAS J. WELLARD

INDEX No. 424-10-4-2-0-00-00

SURVEY FOR:
DEANNE BURFORD

Drawn By: SLW
Date: July 12, 2018
Surveyed By: TJW
Job No. MY0818

Skinner Land Survey
Precision Land Surveyors, P.C.
21851 Upper Pleasant Ridge Rd.
Caldwell, Idaho 83607
(208)-454-0933
WWW.SKINNERLANDSURVEY.COM

Exhibit B.4

APPROVAL FOR PRIVATE ROAD NAME

CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT

111 North 11th Avenue, #140, Caldwell, ID 83605
www.canyonco.org/dsd.aspx Phone: 208-454-7458 Fax: 208-454-6633

Addressing Ordinance § 06-05-13(11): Changing an existing street or private road name requires a public hearing by the Board and an affirmative action by the Board before any name change shall take effect. All property owners having frontage on the affected street or private road shall be notified by mail of the public hearing at least thirty (30) days before the hearing.

Applicants(s): Brain & Keann Burford Date: 8/1/2017

12667 HWY 44 Middleton, ID 83644

Current Street Address City/State Zip

Location of Private Road: Beehive Ct. & HWY 44

Two Nearest Cross Streets of Property Site Address

YOUR APPLICATION FOR A PRIVATE ROAD NAME HAS BEEN APPROVED FOR THE NAME:

Calla Lily Lane

The following addresses will be changed accordingly as a result of the new Private Road Name:

Old Address:	New Address:
8550 HWY 44 (R23913)	22669 Calla Lily Lane (R23913)
8522 HWY 44 (R23913)	22670 Calla Lily Lane (R23913)
8520 HWY 44 (R23913)	22664 Calla Lily Lane (R23913)

Road name approved by: Antonio Alvarado Date: 8/1/2018

The Applicant is responsible for the purchasing of a private road sign that meets highway district specifications, and installed according to highway district requirements.

Upon verification of the sign installation, this approval will be final, at which time County records will be updated to reflect the new name and if applicable, new addresses. This information will then be provided to emergency service agencies, the post office and various utility companies. **Failure to provide said verification may result in delays in obtaining building permits and/or required inspections.**

Sign Installation verification approved by: _____ Date: _____

Staff Signature

Exhibit B.4

2018-033115
RECORDED
07/27/2018 04:17 PM
00383651201800331150100109
CHRIS YAMAMOTO
CANYON COUNTY RECORDER
Pgs=10 PBRIDGES $37.00
AGR
DEANNE BURFORD

ROAD MAINTENANCE AGREEMENT

FOR

CALLA LILY LANE IN CANYON COUNTY, IDAHO

THE PARTIES hereto are the record owners (and successors) of a right of way ("right of way" herein) and include the following:

Brian K. and Deanne M. Burford, husband and wife whose current address is **TBD, Parcel A, Hwy 44, Middleton, ID and**

Brian K. and Deanne M. Burford, husband and wife whose current address is **8520 Hwy 44, Parcel B, Middleton, ID** and,

Brian K. and Deanne M. Burford, husband and wife whose current address is **8550 Hwy 44, Parcel C,** Middleton, ID and,

AGREEMENT: The parties hereby enter into this road maintenance agreement ("this agreement" herein) and hereby mutually agree as follows:

1. DEFINITIONS and INTERPRETATIONS: In addition to the terms elsewhere defined in this agreement, the terms following shall have the meanings following:
   - "party and "parties" refer to one or all, of the parties to this agreement.
   - "recorded owner" refers to a person or legal entity who is the owner, successor, or the grantee of real property appurtenant to the road way.
   - "person" and "persons" mean each natural person, partnership, corporation, trust, estate, governmental unit, and every other legal entity known to or recognized by law and includes, but is not limited to, every kind of partnership, corporation, limited liability company, trust, estate and governmental unit.
   - "third party" and "third parties" mean each person who is not a party to this contract.
   - "successor" and "successors" mean and include a party's heirs, devisees, executors, administrators, personal representatives, assignees and transferees who or which become the legal or equitable owner of any part of the appurtenant premises by a voluntary transfer or an involuntary transfer or by legal process or by operation of law.
   - "permittee" and permittees" mean every person using the right of way with the express or implied permission of a party and includes but is not limited to a party's employees, agents, contractors, tenants, licensees, business invitees, social invitees, guests and family members.

2. RIGHT OF WAY DESCRIBED: The parties hereby own a right of way for the use of the parties and each parties' successors located on the real property known as CALLA LILY LANE situated in Middleton, Canyon County, Idaho and described as follows:

This easement lies in a portion of Tract 37 of Lemp Park Urban Tracts as shown in Book 4 of Plats at Page 33 in the Office of the Recorder for Canyon County, Idaho, lying in the SE ¼ NW ¼ of Section 10 in

UNOFFICIAL COPY

Township 4 North, Range 2 West of the Boise Meridian, Canyon County, Idaho and is more particularly described as follows in

- **EXHIBIT A – EASEMENT** Ingress/Egress and Utility Easement

3. PURPOSES: The right of way is for operating a road, inspecting, repairing, maintaining and reconstructing.

4. DURATION: Each party and their successor shall have and hold the right of way for the purposes herein provided forever.

5. COMMON USE: The parties shall have joint use of the right of way and each party shall use the right of way so as not to unreasonably interfere with the use of the right of way by any other party. The parties have the right to transfer all or a portion of their premises to which this right of way is appurtenant.

6. MAINTENANCE, ETC: The parties shall maintain the right of way in a good and serviceable condition as a lightly graveled single lane road. The cost of reconstructing, repairing and maintaining the road way on the right of way shall be equally divided and paid by the parties who at the time thereof have the right to use the right of way. Routine maintenance means any work on the road way which does not exceed the sum of $1,000.00. For routine maintenance, a simple majority vote shall be necessary to bind all parties to pay their share of such cost. For work on the road way which exceeds $1,000.00, a two-thirds majority vote shall be necessary to bind all parties to pay their share of such cost. Each record owner shall have one (1) vote and shall signify their vote by signing their consent.

7. SNOW REMOVAL: The cost of snow removal on the road way shall be equally divided and paid by the parties who at the time thereof require such service.

8. DAMAGE: The parties shall not commit or permit damage to the road way, except for damage occasioned by reasonable wear and tear and the elements. A party shall repair and pay for any damage to the road way caused by the negligence of the party or parties' representative or permittees.

9. APPURTENANT: This right of way is appurtenant to and shall never be severed from the real property ("appurtenant premises" herein) situated in Middleton, Canyon County, Idaho and described as follows:

   a. **Brian K. and Deanne M. Burford**, husband and wife own:
      i. Real property **(Parcel A) whose current address is TBD Hwy 44, Middleton, ID** and described in Exhibits B and E which is attached hereto and by this reference incorporated herein and made a part hereof.
   b. **Brian K. and Deanne M. Burford**, husband and wife own:

i. Real property **(Parcel B) whose current address is 8520 Hwy 44, Middleton, ID** and described in Exhibits C and E which is attached hereto and by this reference incorporated herein and made a part hereof.

c. **Brian K. and Deanne M. Burford**, husband and wife own:

i. Real property **(Parcel C) whose current address is 8550 Hwy 44, Middleton, ID** and described in Exhibits D and E which is attached hereto and by this reference incorporated herein and made a part hereof.

10. MUTUAL INDEMNITY: Each party ("indemnitor" herein) hereby indemnifies and agrees to hold and save each other party ("indemnitee" herein) absolutely harmless from and against any and all claims, loses and damages which the indemnitee incurs or sustains by reason of or in consequence of anything done or failed to be done by the indemnitor or the indemnitor's permittees relating to the right of way and/or the road on the right of way.

11. COMMENCEMENT OF A PARTY"S RIGHT TO USE THE RIGHT OF WAY AND LIABILITIES: When a person becomes the legal or equitable owner of any part of the appurtenant premises, then that person becomes a party to this agreement and acquires a right and title and interest in and the right to use the right of way under this agreement and without further informal or formal agreements thereby assumes and agrees to perform all of the provisions of this agreement to be performed by party including all of the liabilities provided in this agreement from and after such person becomes a party but such person does not assume and shall have no liability for any defaults in performance which occurred or accrued before such person became a party. If one party owns the legal title to and another party owns the equitable title to the same portion of the appurtenant premises, then both parties shall continue as a party until one party ceases to be either a legal owner and an equitable owner of all of such portion of the appurtenant premises.

12. TERMINATION OF A PARTY'S RIGHT TO USE THE RIGHT OF WAY AND LIABILITIES: When a party ceases to own both the legal and the equitable title to all of the appurtenant premises, then that party's right and title and interest in and right to use the right of way under this agreement shall immediately and without notice terminate and all of that party's further liability under this agreement shall immediately terminate except as to any liability which arose or which accrued before such termination.

13. DEFAULT – FAILURE TO PERFORM THIS AGREEMENT – ETC.: If a party fails to perform any provision of this agreement to be performed by such party ("delinquent party" herein) at the time and in the manner provided in this agreement, the other party ("party giving notice" herein) shall before pursuing any remedy provided in this agreement or provided by law serve a written notice of default on the delinquent party specifying each such failure to perform. If the delinquent party fails to correct each such failure to perform specified in such notice of default within (30) days after service of such notice of default ("grace period" herein), the delinquent party shall be in default under this agreement and the party giving notice may immediately and without further notice enforce this agreement as to each failure to perform specified in the notice of default which the delinquent party has failed to correct by any remedy provided by

law. This provision does not prohibit any party or parties from making emergency repairs to the road on the right of way to keep such road open and safe for traveling thereon.

14. EACH NOTICE SHALL BE SERVED BY DELIVERY OR BY MAIL: Each notice (the term "notice" means each notice, communication, and document) required or permitted by this contract to be served by one party on another party shall not be effective for any purpose unless such notice is in writing and is served either by delivery or by mail. Service by delivery shall be made by delivering such notice personally to the party to be served and shall be complete when such notice is delivered. Service by mail shall be made by mailing such notice by US certified or registered mail, return receipt requested, with postage prepaid thereon to the party to be served at the party's last known address and shall be complete on the third business day after the day such notice is mailed.

15. ENFORCEMENT EXPENSE OF THE PARTIES: The party who is not the prevailing party in any legal proceedings relating to a default in the performance of the provisions of this agreement shall pay to the party who is a prevailing party in such legal proceedings all reasonable attorney's fees incurred in all trial and appellate courts by such prevailing party in addition to all costs allowed by law.

16. COVENANT RUNNING WITH THE LAND – BINDING EFFECT: Each and all of the provisions of this agreement are intended to be and shall be construed to be covenants running with the land and binding on the principals and on the parties which include the successors of the principals.

17. BINDING EFFECT: The agreements herein apply to and bind the successors or each party.

DATED: 7/27/18

Brian K Burford

Deanne M Burford

STATE OF IDAHO, County of ~~Canyon~~ Ada ss

On this date, before me, the undersigned notary public for such state, personally appeared

Brian K Burford & Deanne M Burford, husband wife,

Known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

WITNESS my hand and seal on July 27, 2018

Notary Public.

My Commission Expires: 11/6/2023

JOE TUFTS
Notary Public
State of Idaho

EXHIBIT A - EASEMENT

Skinner
Land Survey
Precision Land Surveyors, P.C.
21851 Upper Pleasant Ridge Rd.
Caldwell, Idaho 83607
(208)454 0933
WWW.SKINNERLANDSURVEY.COM
surveys@skinnerlandsurvey.com

Thomas J. Wellard, PLS
Rodney Clark, PE

PROFESSIONAL LAND SURVEYOR LICENSED 15352 7/16/18 STATE OF IDAHO THOMAS J. WELLARD

July 16, 2018

Legal Description for
Deanne Burford
Job No. MY0818

Ingress/Egress and Utility Easement

This easement lies in a portion of Tract 37 of Lemp Park Urban Tracts as shown in Book 4 of Plats at Page 33 in the Office of the Recorder for Canyon County, Idaho, lying in the SE ¼ NW ¼ of Section 10 in Township 4 North, Range 2 West of the Boise Meridian, Canyon County, Idaho and is more particularly described as follows:

COMMENCING at the Northeast corner of said SE ¼ NW ¼, (CN1/16 Corner, Section 10), a found 5/8 inch diameter rebar;

thence South 00° 06' 24" East along the East boundary of the SE ¼ NW ¼ a distance of 185.03 feet to a ½ x 24 inch rebar set with a plastic cap stamped P.L.S. 15352;

thence South 88° 55' 22" West, parallel with the North boundary of the SE ¼ NW ¼, a distance of 85.70 feet to the **TRUE POINT OF BEGINNING:**

thence South 88° 55' 22" West a distance of 17.48 feet;

thence Southwesterly 43.50 feet along the arc of a curve to the left, having a radius of 28.00 feet a central angle of 89° 00' 17", and long chord which bears South 44° 25' 14" West a distance of 39.25 feet;

thence South 00° 04' 55" East a distance of 266.40 feet to a point on the Northerly right of way of State Highway 44;

thence Northwesterly 31.80 feet along the arc of a curve to the left having a radius of 8654.33 feet, a central angle of 00° 12' 38", and a long chord which bears North 70° 47' 43" West a distance of 31.80 feet;

thence North 00° 04' 55" West a distance of 254.36 feet;

thence Northwesterly 44.47 feet along the arc of a curve to the left, having a radius of 28.00 feet a central angle of 90° 59' 43", and long chord which bears North 45° 34' 46" West a distance of 39.94 feet;

thence South 88° 55' 22" West a distance of 16.51 feet;

thence North 00° 04' 55" West a distance of 20.00 feet;

thence North 88° 55' 22" East a distance of 120.00 feet;

thence South 00° 04' 55" East a distance of 20.00 feet to the **TRUE POINT OF BEGINNING**, and being subject to any and all easements and rights-of-way of record or implied.

EXHIBIT B – PARCEL A: TBD HWY 44, MIDDLETON, ID

Skinner
Land Survey
Precision Land Surveyors, P.C.
21851 Upper Pleasant Ridge Rd.
Caldwell, Idaho 83607
(208)454-0933
WWW.SKINNERLANDSURVEY.COM
survey@skinnerlandsurvey.com

Thomas J. Welliard, PLS
Rodney Clark, PE

July 16, 2018

Legal Description for
Deanne Burford
Job No. MY0818

Parcel A

This parcel is a portion of Tract 37 of Lemp Park Urban Tracts as shown in Book 4 of Plats at Page 33 in the Office of the Recorder for Canyon County, Idaho, lying in the SE ¼ NW ¼ of Section 10 in Township 4 North, Range 2 West of the Boise Meridian, Canyon County, Idaho and is more particularly described as follows:

BEGINNING at the Northeast corner of said SE ¼ NW ¼, (CN1/16 Corner, Section 10), a found 5/8 inch diameter rebar;

thence South 00° 06' 24" East along the East boundary of the SE ¼ NW ¼ a distance of 185.03 feet to a ½ x 24 inch rebar set with a plastic cap stamped P.L.S. 15352;

thence South 88° 55' 22" West, parallel with the North boundary of the SE ¼ NW ¼, a distance of 276.14 feet to a point on the West boundary of Tract 37, a ½ x 24 inch rebar set with a plastic cap stamped P.L.S. 15352;

thence North 00° 07' 23" West along said West boundary a distance of 185.03 feet to a point on the North boundary of the SE ¼ NW ¼, a found 5/8 inch diameter rebar;

thence North 88° 55' 22" East along said North boundary a distance of 276.19 feet to the **POINT OF BEGINNING**, said parcel being 1.173 acres, more or less, and being subject to any and all easements and rights-of-way of record or implied.

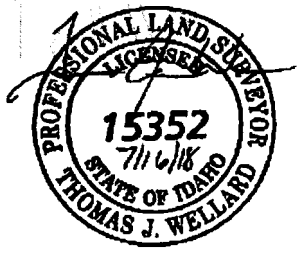


EXHIBIT C – PARCEL B: 8520 HWY 44, MIDDLETON, ID

Skinner
Land Survey
Precision Land Surveyors, P.C.
21851 Upper Pleasant Ridge Rd.
Caldwell, Idaho 83607
(208)454-0933
WWW.SKINNERLANDSURVEY.COM
surveys@skinnerlandsurvey.com

Thomas J. Wellard, PLS
Rodney Clark, PE

July 16, 2018

Legal Description for
Deanne Burford
Job No. MY0818

Parcel B

This parcel is a portion of Tract 37 of Lemp Park Urban Tracts as shown in Book 4 of Plats at Page 33 in the Office of the Recorder for Canyon County, Idaho, lying in the SE ¼ NW ¼ of Section 10 in Township 4 North, Range 2 West of the Boise Meridian, Canyon County, Idaho and is more particularly described as follows:

COMMENCING at the Northeast corner of said SE ¼ NW ¼, (CN1/16 Corner, Section 10), a found 5/8 inch diameter rebar;

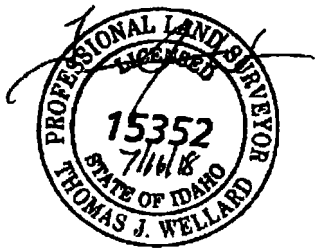
thence South 00° 06' 24" East along the East boundary of the SE ¼ NW ¼ a distance of 185.03 feet to the **TRUE POINT OF BEGINNING**, a ½ x 24 inch rebar set with a plastic cap stamped P.L.S. 15352;

thence continuing South 00° 06' 24" East along said East boundary a distance of 343.64 feet to a point on the Northerly right of way of State Highway 44, a found ½ inch diameter rebar;

thence along said right of way, Northwesterly a distance of 149.77 feet along the arc of a curve to the left having a radius of 8654.33 feet, a central angle of 00° 59' 30" and a long chord which bears North 70° 10' 51" West a distance of 149.77 feet to a ½ x 24 inch rebar set with a plastic cap stamped P.L.S. 15352;

thence North 00° 04' 55" West a distance of 290.22 feet to a ½ x 24 inch rebar set with a plastic cap stamped P.L.S. 15352;

thence North 88° 55' 22" East, parallel with the North boundary of the SE ¼ NW ¼, a distance of 140.69 feet to the **TRUE POINT OF BEGINNING**, said parcel being 1.023 acres, more or less, and being subject to any and all easements and rights-of-way of record or implied.



UNOFFICIAL COPY

EXHIBIT D – PARCEL C: 8550 HWY 44, MIDDLETON, ID

Skinner
Land Survey
Precision Land Surveyors, P.C.
21851 Upper Pleasant Ridge Rd.
Caldwell, Idaho 83607
(208)454-0933
WWW.SKINNERLANDSURVEY.COM
surveys@skinnerlandsurvey.com

Thomas J. Wellard, PLS
Rodney Clark, PE

July 16. 2018

Legal Description for
Deanne Burford
Job No. MY0818

Parcel C

This parcel is a portion of Tract 37 of Lemp Park Urban Tracts as shown in Book 4 of Plats at Page 33 in the Office of the Recorder for Canyon County, Idaho, lying in the SE ¼ NW ¼ of Section 10 in Township 4 North, Range 2 West of the Boise Meridian, Canyon County, Idaho and is more particularly described as follows:

COMMENCING at the Northeast corner of said SE ¼ NW ¼, (CN1/16 Corner, Section 10), a found 5/8 inch diameter rebar;

thence South 00° 06' 24" East along the East boundary of the SE ¼ NW ¼ a distance of 185.03 feet to a ½ x 24 inch rebar set with a plastic cap stamped P.L.S. 15352;

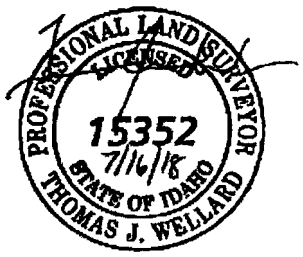
thence South 88° 55' 22" West, parallel with the North boundary of the SE ¼ NW ¼, a distance of 140.69 feet to the **TRUE POINT OF BEGINNING**;

thence South 00° 04' 55" East a distance of 290.22 feet to a point on the Northerly right of way of State Highway 44, a ½ x 24 inch rebar set with a plastic cap stamped P.L.S. 15352;

thence along said right of way, Northwesterly a distance of 142.99 feet along the arc of a curve to the left having a radius of 8654.33 feet, a central angle of 00° 56' 48" and a long chord which bears North 71° 09' 01" West a distance of 142.98 feet to a point on the West boundary of Tract 37, a found ½ inch diameter rebar;

thence North 00° 07' 23" West along said West boundary a distance of 241.48 feet to a ½ x 24 inch rebar set with a plastic cap stamped P.L.S. 15352;

thence North 88° 55' 22" East, parallel with the North boundary of the SE ¼ NW ¼, a distance of 135.44 feet to the **TRUE POINT OF BEGINNING**, said parcel being 0.825 acres, more or less, and being subject to any and all easements and rights-of-way of record or implied.



UNOFFICIAL COPY

EXHIBIT E

RECORD OF SURVEY

A PORTION OF TRACT 37 OF LEMP PARK URBAN TRACTS,
LYING IN THE SE 1/4 NW 1/4 OF SECTION 10,
TOWNSHIP 4 NORTH, RANGE 2 WEST, BOISE MERIDIAN,
CANYON COUNTY, IDAHO

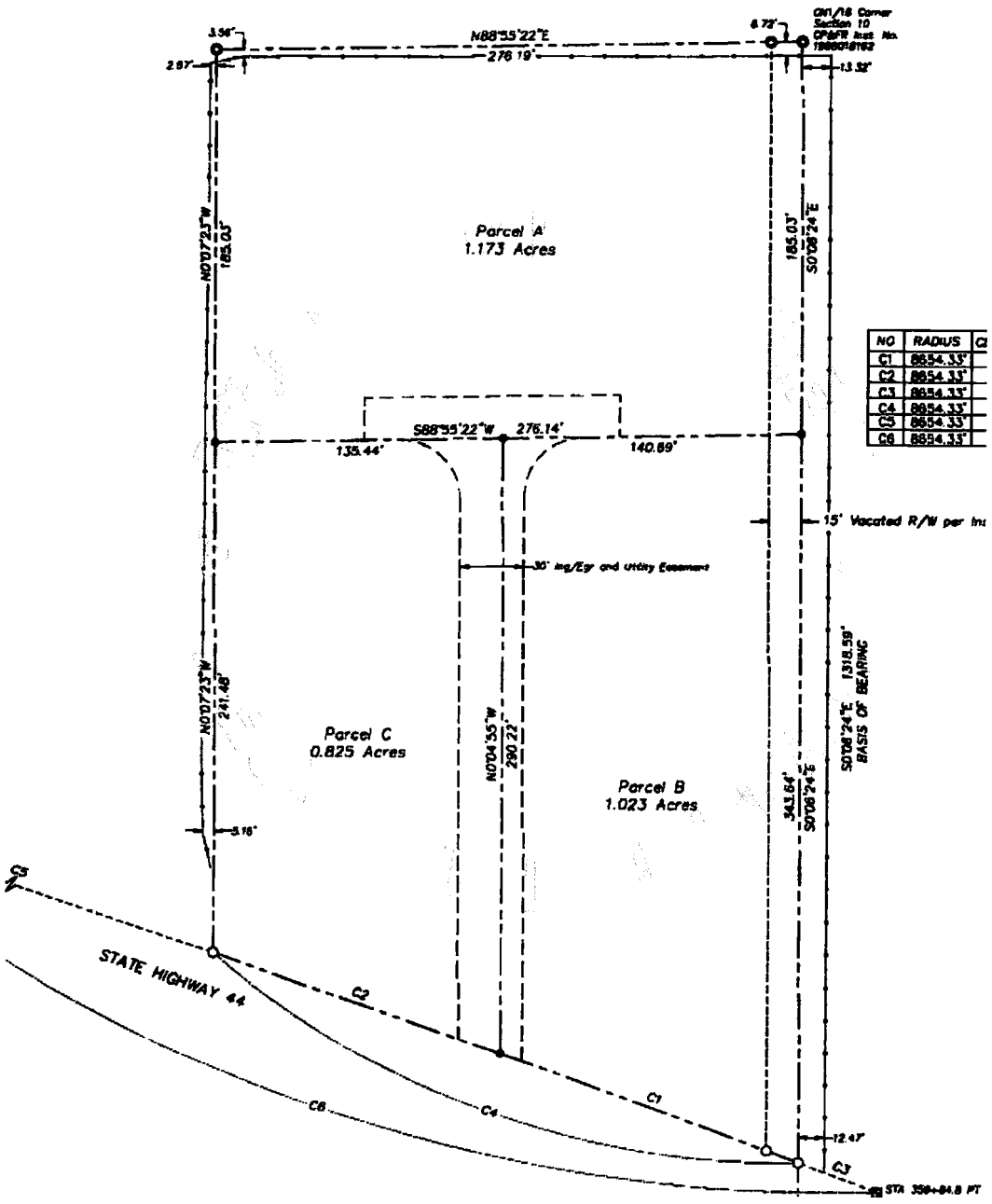


Exhibit B.4

07-10-27: LAND USE REGULATIONS (MATRIX):
This section lists uses within each land use zone: allowed uses (A), permitted uses through a conditional use permit (C), Director administrative decision (D), not applicable because covered by different use/section (n/a), or prohibited (-).

ZONING AND LAND USE MATRIX

Zoning Classification	A	R-R	R-1	R-2	C-1	C-2	M-1	M-2	MU-A
Zoning Classification	A	R-R	R-1	R-2	C-1	C-2	M-1	M-2	MU-A
Accessory uses and/or structures to a permitted use	D	D	D	D	D	D	D	D	D
Accessory uses and/or structures to allowed use	A	A	A	A	A	A	A	A	A
Agricultural research facility	A	-	-	-	-	-	A	A	A
Agriculturally related activities	A	C	-	-	-	-	-	-	-
Agriculture, except those animal uses with more restrictive provisions within this article and all other uses specifically listed in other zones[1]	A	A	A	A	-	-	A	A	A
Airpark	C	C	-	-	-	-	C	C	-
Airport	C	-	-	-	-	-	C	-	-
Airstrip excepting intermittent use	C	C	-	-	-	-	-	-	-
Amusement park, theme park or commercial racetrack	C	-	-	-	-	C	-	-	C
Animal cremation service	C	-	-	-	-	-	A	A	-
Animal facility (large): bird farm, calf raising operation, dairy, feedlot, and swine farm[1]	C	-	-	-	-	-	C	C	-
Animal facility (small) on 5 acres or more[1]	A	A	C	-	-	-	A	A	A
Animal facility (small) on less than 5 acres	C	C	C	-	-	-	A	A	A
Animal hospital	C	C	-	-	A	A	A	A	A
Animals are allowed as long as it is not an animal facility or CAFO[1]	A	A	A	A	A	A	A	-	A
Arena (commercial)	C	C	-	-	C	A	A	-	A
Assisted care facility	D	D	D	D	A	A	-	-	A
Auction establishment	C	-	-	-	-	C	A	A	C
Batch plants	C	-	-	-	-	-	A	A	-
Bed and breakfast (with employees)	D	D	D	D	-	-	-	-	-
Bed and breakfast (without employees)	A	A	A	A	-	-	-	-	-
Bulk storage as an accessory use of any flammable liquid above or below ground	-	-	-	-	-	-	A	A	-

Bulk storage for wholesale distribution of any flammable liquid above or below ground	-	-	-	-	-	-	C	A	-
CAFO	C	-	-	-	-	-	C	C	-
Caretaker residence	C	-	-	-	A	A	A	A	A
Cemetery	C	C	-	-	-	-	-	-	-
Church	C	C	C	C	A	A	A	-	-
Clinics or hospitals	-	-	-	-	A	A	-	-	A
Commercial and private off street parking facilities for vehicles	-	-	-	-	-	A	A	A	A
Contractor shop	C	-	-	-	C	A	A	A	A
Daycare facilities:									
Family daycare home (1 - 6 children)	A	A	A	A	A	A	-	-	A
Group daycare facility (7 - 12 children)	D	D	D	D	A	A	-	-	A
Daycare center (13+ children)	-	-	-	-	A	A	-	-	A
Drive-in theater	C	-	-	-	-	-	-	-	-
Equipment rentals (outdoor)[2]	-	-	-	-	A	A	A	A	A
Ethanol plant	C	-	-	-	-	-	C	A	-
Farm implement sales or service, farm supply sales	C	-	-	-	A	A	A	A	A
Fertilizer processing facility	C	-	-	-	-	-	A	A	-
Firewood sales	D	C	-	-	D	A	A	A	-
Fireworks sales	-	-	-	-	A	A	A	A	A
Food processing facility	C	-	-	-	-	-	A	A	-
Golf course	C	A	-	-	-	-	-	-	-
Group home	C	C	C	C	C	C	-	-	C
Home business	D	D	D	D	-	-	-	-	-
Home occupations	A	A	A	A	-	-	-	-	-
Impound yard[2]	-	-	-	-	-	-	A	A	-
Indoor recreation	-	-	-	-	A	A	A	-	A
Junkyards and vehicle wrecking yards[2]	-	-	-	-	-	-	-	A	-
Kennel	C	C	C	C	C	C	A	A	C
Landscape business	A	-	-	-	A	A	A	-	C
Light manufacturing, assembly, testing and/or packaging facilities	-	-	-	-	-	-	A	A	A
Lumberyard	-	-	-	-	-	A	A	A	-
Manufacturing, assembling, fabricating, processing, packing, repairing, or storage uses	-	-	-	-	-	-	A	A	A
Manufacturing or processing of hazardous chemicals or gases	-	-	-	-	-	-	-	C	-
Mineral extraction (long term)	C	-	-	-	-	-	A	A	-

Exhibit B.5

Mineral extraction (short term)[3]	D	D	D	D	-	-	A	A	D
Ministorage and/or RV storage facility	-	-	-	-	C	A	A	A	C
Mobile or manufactured home sales	-	-	-	-	-	C	A	A	C
Mortuaries, cremation, and funeral home	-	-	-	-	A	A	A	-	A
Multi-family dwellings limited to not more than 8 units per lot	-	-	-	C	-	-	-	-	A
Multi-family dwellings limited to not more than 4 units per lot	-	-	-	A	-	-	-	-	-
Museum	C	-	-	-	A	A	A	-	A
Nursery	A	A	-	-	A	A	A	A	A
Nursery (retail/wholesale)	C	C	-	-	A	A	A	A	A
Outdoor sales or displays (accessory to allowed use)	A	-	-	-	A	A	A	A	A
PUDs	-	C	C	C	C	C	C	C	C
Private roads and driveways serving 2 properties	D	D	D	D	D	D	D	D	D
Private tower with antenna	A	A	D	D	A	A	A	A	A
Public service agency telecommunication facilities 75 feet or greater	D	D	D	D	D	D	D	D	D
Public uses and quasi-public uses	C	C	C	C	A	A	A	A	A
Quasi-public uses (temporary)	D	D	D	D	-	-	-	-	-
Radio, television and broadcasting stations	-	-	-	-	A	A	A	A	A
Recreational vehicle (RV) park	C	-	-	-	C	A	-	-	C
Refinery	-	-	-	-	-	-	-	A	-
Rehabilitation of manufactured/mobile homes[2]	-	-	-	-	-	-	A	A	-
Rendering plant	-	-	-	-	-	-	C	A	-
Retail stores, personal service shops, banks, offices, hotels, motels, microbrewery, and restaurants	-	-	-	-	A	A	A	-	A
Sale (commercial) of hay, grain, seed and related supplies	C	-	-	-	-	A	A	A	A
Sale of heavy building materials and machinery	-	-	-	-	-	A	A	A	A
Sale of salvage goods[2]	-	-	-	-	-	-	A	A	-
Sanitary landfill	C	-	-	-	-	-	-	-	-
School (public or private)	C	C	C	C	A	A	A	A	A
School (vocational or trade)	C	-	-	-	-	A	A	A	A
Seasonal activities	A	A	-	-	A	A	-	-	A
Secondary residence	A	A	A	C	-	-	-	-	-
Shooting range (indoor)	C	-	-	-	-	A	A	A	A

Exhibit B.5

Shooting range (outdoor)	C	-	-	-	-	-	-	-	-
Similar uses to a conditional use	C	C	C	C	C	C	C	C	C
Similar uses to allowed use	A	A	A	A	A	A	A	A	A
Single-family dwelling, 1 per lot or parcel unless otherwise provided in this chapter	A	A	A	-	-	-	-	-	-
Single-family dwellings, but not more than 2 such dwellings per lot or parcel unless otherwise provided for in this chapter	-	-	-	A	-	-	-	-	-
Slaughterhouse	C	-	-	-	-	-	C	A	-
Small wind energy systems	D	D	D	D	D	D	D	D	D
Special events facility	C	-	-	-	A	A	-	-	A
Staging area	C	-	-	-	A	A	A	A	A
Tannery	-	-	-	-	-	-	-	A	-
Taverns, lounges, or wine bars	-	-	-	-	C	C	C	-	C
Telecommunication facility	C	C	C	C	C	C	A	A	C
Temporary uses	D	D	D	D	-	-	-	-	-
Theater	-	-	-	-	C	A	A	-	A
Transit or trucking terminal and/or service facility	-	-	-	-	-	C	A	A	C
Utility distribution system	A	A	A	A	A	A	A	A	A
Utility facility	D	D	D	D	A	A	A	A	A
Vehicle fueling station with convenience store	-	-	-	-	C	A	A	A	C
Vehicle sales lot	-	-	-	-	-	A	A	-	A
Vehicle service facility	-	-	-	-	C	A	A	A	A
Warehousing, wholesaling and distribution facilities	-	-	-	-	-	C	A	A	C
Water infiltration	C	-	-	-	-	-	C	C	-
Wind farm	C	-	-	-	-	-	C	C	-
Winery, distillery, brewery	D	-	-	-	-	-	A	A	C
Yard/garage sales (associated with any residential uses)	A	A	A	A	-	-	-	-	-
Zoo	C	-	-	-	-	-	C	-	-

Notes:

1. See confined animal feeding operation (CAFO), chapter 8 of this Code.
2. With a sight obscuring fence (see section 07-02-03: of this chapter).
3. In accordance with subsection 07-14-17(6) of this chapter.

(Ord. 19-038, 8-30-2019 ; amd. Ord. 20-012, 5-29-2020)

Exhibit B.5

EXHIBIT C

Google Earth Photos, August 2025

Planning & Zoning Commission

Case# OR2025-0017 & CR2025-0007

Hearing date: February 19, 2026

Exhibit C

OR2025-0017 & CR2025-0007

Google Earth 8/2025



Exhibit C

Exhibit C

Exhibit C


R22365503
22815 Beehive Ct
22710 Stoffle Ln
R23913012A
22777 Beehive Ct
R22365504
22777 Beehive Ct
R23913012
R23913
R33975
22643
22699 Calla Lily Ln
22670 Calla Lily Ln
22654 Calla Lily Ln
R25383010

Exhibit C

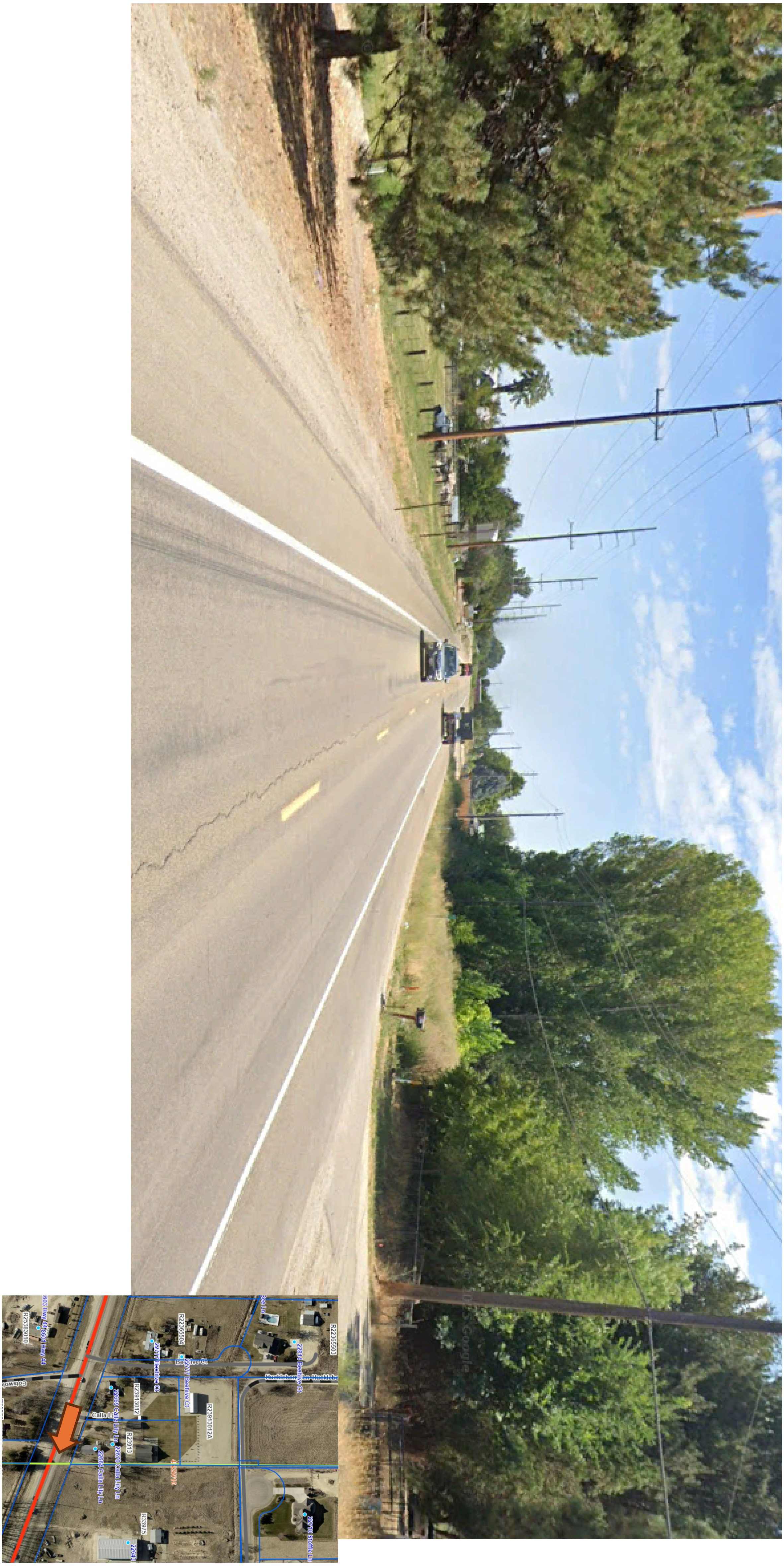

R25383010
8601 Hwy 44
R22365504
22777 Beehive Ct
Beehive Ct
22814 Beehive Ct
R22365503
Huckleberry Ln
R2391301 2
R239130 12A
Calla Ln
22669 Calla Lily Ln
22670 Calla Lily Ln
22664 Calla Lily Ln
R23913
R33975
22643
22710 Stoffle Ln

Exhibit C

Exhibit C

Exhibit C

Exhibit C



Exhibit C

Exhibit C

Exhibit C

Exhibit C

Exhibit C

Republic Storage

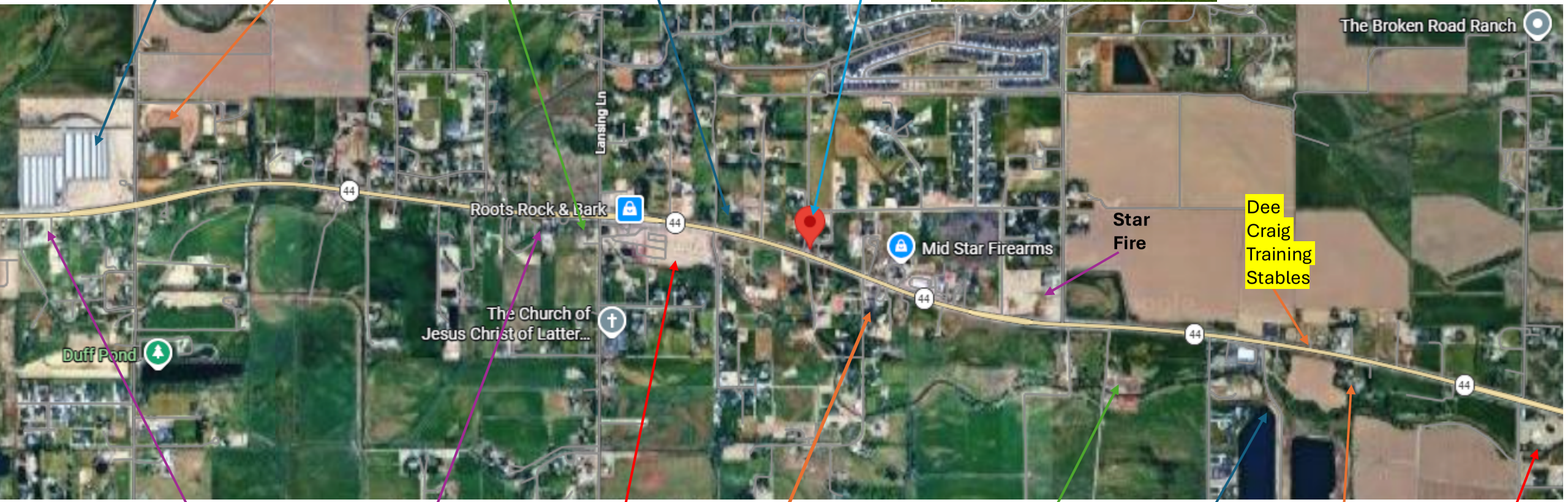
Autum Hills Equestrian Center

Silver Wings Rental

Suzy Q's Yard Art

Butterfly Barn





Star Fire

Dee Craig Training Stables

Saddle Up!

Peaknetics

Root RV Storage

Tom Thumb Barber Shop

Tucker's Timber

Star Gravel Pit

Gatherings

Ninja Kitty Fireworks

Exhibit C

EXHIBIT D

Agency Comments Received by February 9, 2026

Planning & Zoning Commission

Case# OR2025-0017 & CR2025-0007

Hearing date: February 19, 2026

HIGHWAY DISTRICT No.4
15435 HIGHWAY 44
CALDWELL, IDAHO 83607

TELEPHONE 208.454.8135
FAX 208.454.2008

October 10, 2025

Canyon County Commissioners, P&Z Commission, & Development Services
111 N. 11th Ave Suite 140
Caldwell, Idaho 83605
Attention: Dan Lister, Planner

RE: OR2025-0017 & CR2025-0007 Ken & Sandy Hooker Event Center
Canyon County Parcel R23913, R23913012, and R23913012A aka 8550 ID-44, Middleton, ID 83644

Dear Commissioners:

Highway District No. 4 (HD4) has reviewed the application for a rezone of the above described parcel for purposes of establishing a special event center (including weddings). The subject property is located on the north side of Hwy 44 approximately ½ a mile east of Lansing Ln in the NW ¼ Section 10 T4N R2W. HD4 offers the following comments on the proposed use:

General
The subject property consists of three parcels, totaling approximately 3.02 acres. The parcels have approximately 293 feet of frontage on Hwy 44 along the southerly boundary. There is no other public road access available to the subject property. The application materials indicate the applicants are requesting to rezone 100% of the property, or a total of 3.02 acres to C-1 Neighborhood Commercial to support the intended use.

Hwy 44 is a state highway operated and maintained by Idaho Transportation Department. HD4 recommends the County solicit comments directly from ITD regarding access for the proposed use.

Access
The subject property is served by a single driveway approach to Hwy 44, generally centered between the southerly two parcels. Idaho Transportation Department has sole authority over access to Hwy 44. An access permit from HD4 should be required to allow collection of impact fees to mitigate additional traffic from the change in use.

Transportation Impacts
The proposed use as a special event venue will increase traffic demand on the transportation system operated and maintained by ITD, HD4 and the City of Middleton. The ITE Trip Generation Manual does not include a land use category for special event (wedding) venues. The trip generation from the change in land use can be estimated as follows:

300 persons (includes staff) x 0.40 persons per vehicle = approximately 120 vehicles per event

- Assuming one event every other week: 120 veh/event x 26 events/yr = 3,120 veh/yr (8.5 veh/day) or 0.85 veh/hr (assuming a 10 hour access time per day)

Exhibit D.1

Canyon County Ordinance 22-014 (July 21, 2022) established transportation impact fees to fund improvements to the highway system made necessary from new growth and development within the Mid-Star Service Area, which includes the subject property. The adopted impact fee schedule does not have any land use types similar to the applicant's request; therefore the impact fee can be calculated directly from the base impact fee formula:

Cost per Vehicle Mile Traveled	x	Peak Hour Trips	x	New Trip Factor	x	Average Trip Length	x	Network Adjustment Factor	=	Traffic Impact Fee
$2,883	x	0.85	x	1.0	x	11.2	x	0.317	=	**$8,700**

Individual Assessment of Impact Fees: If an applicant feels their development will have a less than typical impact on the roadway network, they may choose to complete an individual assessment for their development. To initiate an Individual Assessment, the applicant may prepare and submit a written request for an Individual Assessment within 30 days of paying an impact fee; within 30 days upon receipt of a final notice of assessment, or after receipt of a preliminary assessment. An Individual Assessment is a traffic study, performed by a traffic engineer at the applicant's expense. See the Individual Assessment Guidelines for details on which traffic generation factors may be considered. (https://www.hwydistrict4.org/download/individual-assessment-guidelines)

This preliminary impact fee assessment is based on the information provided by the applicant regarding the size and intended use of the proposed new development at the time of this report. The final impact fee assessment will be based on the traffic impacts determined to be generated by the proposed development at the time of access permit issuance. The final impact fee may be different from the estimate provided above if the size of the development changes, the type of use changes, or adjustments based on an Individual Assessment are determined to affect the proportionate share of traffic impacts from the development.

Base Impact Fee: **$ 8,700**

Right-of-Way Dedication-
No adjacent CIP Projects
CIP Right-of-Way Credit: $0

System Frontage Improvements Credit
None Required $0

Offsite System Improvements Credit
None Required $0

Total Estimated Impact Fee: $8,700

For comparative purposes, this is equivalent to the impact fee for 173% of a single-family residence. A final determination of the impact fee assessment will be made upon receipt of an access permit application for the change in use.

Exhibit D.1

HD4 does not opposed the requested land use changes, but requests that the Planning & Zoning Commission and Canyon County Commissioners consider these comments, and make any conditional approval of the applicant's request subject to the requirements listed above.

Please feel free to contact me with any questions on this matter.

Respectfully,



Joseph McMullin, P.E.
Assistant Engineer

File: Z:\Engineering\Development\Canyon County P&Z\2025\SH 44- CR2025-007 Hooker Rezone

Exhibit D.1

Dan Lister

From: Victor Islas <vislas@midstarfire.org>
Sent: Thursday, November 13, 2025 3:53 PM
To: Dan Lister
Subject: [External] FD Comments OR2025-0017/CR2025-0007

Star Fire Protection District Office of the Fire Marshal has reviewed the documents for OR2025-0017/CR2025-0007 (22664 and 22669 Calla Lilly Ln., Middleton) our comments are below.

1. Will essential services be provided to accommodate requested use.
    a. This property will be serviced by the Star Fire Protection District
2. Will services be negatively impacted by such use or require additional public funding to meet the needs created by the requested use?
    a. No
3. Are there any conditions or mitigation measures recommended to ensure the use or requested rezone minimizes potential impacts to the surrounding area and nearby city?
    a. Please not that this area does not have an established water supply for firefighter operations as outline in the International Fire Code (IFC).
    b. If approved the owners will have to provide water supply as outlined in IFC.
4. What is the estimated response time to the subject property? Is this response time adequate for life safety concerns?
    a. The property is serviced by the Star Fire Protection District Station 52, located at 22585 Kingsbury Rd., Middleton, ID.
    b. Station 52 is approximately 0.7 miles from the property, with an estimated travel time of 2 minutes under optimal driving conditions.
    c. This project is within the Fire District 5-minute response time service goal area.
5. Additional
    a. The property must maintain proper fire department access as required by the International Fire Code (IFC). This includes ensuring that all access roads, fire lanes, and other necessary access points are compliant with the code to facilitate prompt emergency response.
    b. Any future building remodels or new building construction shall comply with the IFC and IBC.
    c. Construction or modifications of any structures on this site will require Fire District review, permitting and inspection at the discretion of the Fire Marshal.
        i. Permit portal: www.midstarfirepermits.org
    d. Any overlooked hazardous condition and/or violation of the International Building and/or Fire Code does not imply approval of such condition or violation.

Victor Islas
Deputy Chief | **Middleton Rural Fire District & Star Fire Protection District**
P: (208) 286-7772 **M:** (208) 860-1078
E: vislas@midstarfire.org **W:** linktr.ee/dcmidstarfd
A: 11665 W. State St. Suite B, Star, ID 83669

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CANYON COUNTY
PARKS, CULTURAL & NATURAL RESOURCES

1115 Albany St., Caldwell, ID 83605
Lake Lowell Office: 208-454-6884
Celebration Park: 208-455-6022
http://canyoncounty.id.gov/parks
www.facebook.com/canyoncountyparks

November 26, 2025

Re: HPC Comments regarding OR 2025-0017/CR2025-0007,
Comprehensive Plan Amendment and Conditional Rezone

Hello,

The Historic Preservation Commission (HPC) of Canyon County – an advisory board appointed by the Board of County Commissioners – submits the following comments for consideration regarding OR2025-0017/CR2025-0007 submitted by David Ruby for property at 22664 and 22669 Calla Lily Lane, Middleton.

As the project's applicant/architect notes in his letter (dated June 6, 2025), Canyon County's character is defined, in part, by its agricultural history. We agree that the preservation of historic structures – such as the farmhouse, shop, and barn on the property – is incredibly important to connecting the county's past to our present. While surrounding development will continue to alter the County's once-rural nature, we hope the maintenance of this site will inspire new interest and continued pride in Canyon County's history. In addition, historic structures (like those located on this property) have the potential of attracting unique heritage tourism.

The HPC wants to express their appreciation to the owners for wishing to acknowledge and celebrate the historic nature of their structures. We hope that if any future alterations or construction at the property unearths archaeological or historical resources, that the landowners would be interested in working with the HPC to preserve the knowledge that can be gained by such finds. The Historic Preservation Commission is available to assist with known and inadvertent discoveries in a myriad of ways – including securing funding to assist in preservation efforts – to help save history in perpetuity.

Please let us know if you have any questions.

Sincerely,
Members of the Canyon County Historic Preservation Commission
George DeFord, Jr., Dr. Rachel Miller, Bruce Poe, Dr. Justin Vance, and Chelsee Boehm

The Historic Preservation Commission can be contacted via Chelsee Boehm,
Historic Preservation Officer, at 208.299.9107 or chelsee.boehm@canyoncounty.id.gov

Your Safety • Your Mobility
Your Economic Opportunity

IDAHO TRANSPORTATION DEPARTMENT
P.O. Box 8028 • Boise, ID 83707-2028
(208) 334-8300 • itd.idaho.gov

November 25, 2025

Dan Lister
Planner
111 North 11th Ave, Suite 310
Caldwell, ID 83605

VIA EMAIL

Development Application	OR2025-0017
Project Name	Calla Event Center
Project Location	22664 & 22669 Calla Lily Lane
Project Description	Wedding Venue
Applicant	David Ruby; The Architects Office, PLLC

The Idaho Transportation Department (ITD) reviewed the referenced application(s) and has the following comments:

1. The applicant will be required to permit the existing access on SH-44 as commercial use. Additionally, the commercial access may need to be improved to meet current ITD standards, if applicable.
2. ITD reserves the right to make further comments upon review of submitted documents or future commercial applications.

If you have any questions, you may contact me at 208-334-8377.

Sincerely,

Kendra Conder

Kendra Conder
Development Services Coordinator
Kendra.conder@itd.idaho.gov

Dan Lister

From: Anthony Lee <Anthony.Lee@swdh.id.gov>
Sent: Monday, September 22, 2025 3:58 PM
To: Dan Lister
Cc: Mitch Kiester
Subject: [External] RE: Agency Notice OR2025-0017/CR2025-0007 / Hooker
Attachments: Pre.Development.Notes.Signed.04.23.2025.pdf

Hi Dan,

1.) Will a Nutrient Pathogen Study be required? **No, unless total wastewater flows meet or exceed 2500 gallons per day.**
2.) Will adequate sanitary systems be provided to accommodate the use? **A site evaluation and test holes have not been conducted on site and the suitability of a subsurface sewage disposal system cannot be determined at this time.**
3.) Any concerns about the use or request for rezoning? If so, are there any conditions or mitigation measures recommended to ensure the use or requested rezone minimizes potential impacts to the surrounding area and the nearby city? **There are no concerns with the use or request for rezoning if the applicant meets all SWDH requirements.**

Please see the attached pre-development notes.

Let me know if you have any questions.

Thank you,

SOUTHWEST DISTRICT HEALTH

Check out our new online self-service portal here! PORTAL

Anthony Lee, RS/BS | Land Development Senior

o 208.455.5384 | c 208.899.1285 | f 208.455.5300

anthony.lee@swdh.id.gov | SWDH.org

13307 Miami Ln., Caldwell, ID 83607

From: Caitlin Ross <Caitlin.Ross@canyoncounty.id.gov>
Sent: Monday, September 22, 2025 8:36 AM
To: 'lgrooms@msd134.org' <lgrooms@msd134.org>; 'mgee@msd134.org' <mgee@msd134.org>; 'permits@starfirerescue.org' <permits@starfirerescue.org>; 'knute.sandahl@doi.idaho.gov' <knute.sandahl@doi.idaho.gov>; 'chopper@hwydistrict4.org' <chopper@hwydistrict4.org>;

Pre-Development Meeting

Name of Development: Calla Lily Event Center
Applicant: David Ruby
P.E./P.G.:
All others in Attendance:

EHS#035 Date 04/23/2025

Number of Lots or Flow: 3 Parcels Acreage of Proposed Development: 3.02
Location of Development: 22664 Calla Lily Ln
Middleton, ID 83644
R23913012 (0.83 ac), R23913012A (1.17 ac) R23913000 0 (1.02 ac)

Project in Area of Concern: Irrigation drain setback Groundwater/Rock <10' Unknown
Level 1 NP Necessary for N: No

LSAS/CSS Proposed: No
BRO meeting for P or above: No
Proposed Drinking Water: Individual ■, City □, Community □, Public Water Supply ■
BRO meeting for PWS, Com: No

Information Distributed: SER □, NP Guidance □, Non-Domestic WW ap. ■

Additional Comments: The applicant discussed with SWDH the proposal for an event center with a bridle suite (milk barn) and future salon on 3 separate parcels. Subsurface wastewater disposal systems (SSDS) have not been proposed at this time. Potta potties may not be used in place of (SSDS). The parcels are NOT in a designated Nitrate Priority Area and therefore an Nutrient Pathogen Study is not required as long as wastewater flows do not meet or exceed 2500 GPD. The applicant must submit a letter of intended use with specified criteria for each proposal. A site evaluation has not been conducted on site. A non-domestic wastewater application may need to be submitted and approved by the Department of Environmental Quality (DEQ) pending the contents of the letter of intende use. It's very likely this proposal will become a Public Water System and must be approved by DEQ. Anthony Lee

Attach conceptual plan, if provided, or any other correspondence, and create a file for this information. The information will be helpful when responding to the county about permitting requirements and should be maintained with the subdivision file or commercial permit file when completed, for a complete written history of the project and SWDH involvement.

Dan Lister

From: Letson, Leon <LLetson@idahopower.com>
Sent: Wednesday, January 21, 2026 12:10 PM
To: Dan Lister
Subject: Re: [External] ORD2025-0017 & CR2025-0007

Thanks Dan. Here's a resource from our website should they have any questions about constructing near our overhead lines. Due to some of these being transmission lines, the clearance distances could be larger.

Overhead and Underground Power Line Safety - Idaho Power

Leon Letson
FACILITY SITING COORDINATOR
Idaho Power | Economic & Community Development
Office 208-388-5224 | Cell 509-859-3723
idahopower.com

From: Dan Lister <Dan.Lister@canyoncounty.id.gov>
Sent: Wednesday, January 21, 2026 11:09 AM
To: Letson, Leon <LLetson@idahopower.com>
Subject: RE: [External] ORD2025-0017 & CR2025-0007

Leon,

Correct, there are no new structures proposed. The ultimate goal is to allow the owner to host special events with minor commercial uses (professional office and salon) within the existing structures.

Sincerely,

Dan Lister, Planning Supervisor
DSD Office: (208) 454-7458 - Direct Line: (208) 455-5959
Daniel.Lister@canyoncounty.id.gov

Development Services Department (DSD)
Public office hours
Monday, Tuesday, Thursday, and Friday
8 am – 5 pm
Wednesday
1 pm – 5 pm
**We will not be closed during lunch hour **

PUBLIC RECORD NOTICE: All communications transmitted within the Canyon County email system may be a public record and may be subject to disclosure under the Idaho Public Records Act and, as such, may be copied and reproduced by members of the public.

From: Letson, Leon <LLetson@idahopower.com>
Sent: Wednesday, January 21, 2026 9:21 AM

To: Dan Lister <Dan.Lister@canyoncounty.id.gov>
Subject: [External] ORD2025-0017 & CR2025-0007

Hi Dan,

I think we may have discussed this one already, but I wanted to confirm no new structures or changes to the structures closest to our transmission and distribution lines will occur as part of this project. I've provided an aerial of these below.



Thanks,

Leon Letson

Exhibit D.6

FACILITY SITING COORDINATOR
Idaho Power | Economic & Community Development
Office 208-388-5224 | Cell 509-859-3723
idahopower.com

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Overhead and Underground Power Line Safety

Staying clear of high-voltage, overhead power lines and buried underground lines is vital to your safety and the safety of those around you. It's also the law.

Overhead Lines

- Assume all power lines are energized and dangerous — most are.
- Look up! Always examine your surroundings for power lines before doing any outside work, including moving irrigation pipe or ladders and operating a crane or other equipment.
- Pick a safe route to carry a ladder or pipe to your work area, then carry it horizontally — never upright.
- Use spotters when operating lift trucks and power or farm equipment.
- Avoid storing material, such as hay bales, under or near power lines.
- Don't attach signs or equipment to power poles.
- If you notice a tree interfering with power lines, do not trim the tree yourself. Call Idaho Power at 208-388-2323 or 1-800-488-6151 outside the Treasure Valley.
- When planting trees, watch out for overhead lines. Plant the right tree in the right place.
- Never climb on power poles or transmission towers.
- Fly kites and drones only in open areas away from power poles, power lines, substations, and other obstacles.
- If you encounter a downed power line, stay as far away as possible — at least 100 feet. Contact Idaho Power immediately at 208-388-2323 or 1-800-488-6151 outside the Treasure Valley, or call 911.
    - Never move tree limbs or other objects near or touching a downed line.
    - Never touch a downed line or use any object to move a downed power line.

        - If someone touches a downed power line, do not touch or try to rescue them. You risk becoming a victim yourself. Call 911 immediately.
        - Learn what to do if a downed power line falls on your vehicle.
    - Stay the legally required distance back from overhead lines. If you do not know the voltage, contact Idaho Power at 208-388-2323 for assistance.

Minimum Required Distances by Line Voltage

Line Voltage (kV)	Required Distance
<50 kV	10 feet
50 to 200 kV	15 feet
200 to 350 kV	20 feet
350 to 500 kV	25 feet
500 to 750 kV	35 feet
750 to 1,000 kV	45 feet

Underground Lines

If you're planning to dig in your yard or other area that may have buried utility lines (many residential areas do), call 811 at least two days prior to digging. Idaho law says you must call for permission first to ensure your safety and electric service reliability.

After providing information about your digging project, operators will alert the appropriate utilities and send crews to the job site to mark the locations of underground facilities free of charge. Locating these power lines and cables helps prevent personal injury and expensive damage to utility lines.

When you call, be prepared to give the location, scheduled date, type of work, and information about the company or contractor doing the work (if it's not you).

1445 N Orchard St
Boise, ID 83706 • (208) 373-0550

Brad Little, Governor
Jess Byrne, Director

January 26, 2026

Daniel Lister, Assistant Planning Manager
111 North 11th Ave.
Ste. 310
Caldwell, Idaho, 83605
Daniel.Lister@canyoncounty.id.gov

Subject: Legal Notice OR2025-0017 & CR2025-0007 Hooker

Dear Mr. Lister:

Thank you for the opportunity to respond to your request for comment. While DEQ does not review every project on a project-specific basis, we attempt to provide the best review of the information provided. DEQ encourages agencies to review and utilize the Idaho Environmental Guide to assist in addressing project-specific conditions that may apply. This guide can be found at: https://www2.deq.idaho.gov/admin/LEIA/api/document/download/15083.

The following information does not cover every aspect of this project; however, we have the following general comments to use as appropriate:

1. AIR QUALITY

- Please review IDAPA 58.01.01 for all rules on Air Quality, especially those regarding fugitive dust (58.01.01.651), trade waste burning (58.01.01.600-617), and odor control plans (58.01.01.776).

  For questions, contact David Luft, Air Quality Manager, at (208) 373-0550.

- IDAPA 58.01.01.201 requires an owner or operator of a facility to obtain an air quality permit to construct prior to the commencement of construction or modification of any facility that will be a source of air pollution in quantities above established levels. DEQ asks that cities and counties require a proposed facility to contact DEQ for an applicability determination on their proposal to ensure they remain in compliance with the rules.

  For questions, contact the DEQ Air Quality Permitting Hotline at 1-877-573-7648.

2. WASTEWATER AND RECYCLED WATER

- DEQ recommends verifying that there is adequate sewer to serve this project prior to approval. Please contact the sewer provider for a capacity statement, declining balance report, and willingness to serve this project.
- IDAPA 58.01.16 and IDAPA 58.01.17 are the sections of Idaho rules regarding wastewater and recycled water. Please review these rules to determine whether this or future projects will require DEQ approval. IDAPA 58.01.03 is the section of Idaho rules regarding subsurface disposal of wastewater. Please review this rule to determine whether this or future projects will require permitting by the local public health district.
- All projects for construction or modification of wastewater systems require preconstruction approval. Recycled water projects and subsurface disposal projects require separate permits as well.
- DEQ recommends that projects be served by existing approved wastewater collection systems or a centralized community wastewater system whenever possible. Please contact DEQ to discuss potential for development of a community treatment system along with best management practices for communities to protect groundwater.
- DEQ recommends that cities and counties develop and use a comprehensive land use management plan, which includes the impacts of present and future wastewater management in this area. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.

  For questions, contact Valerie Greear, Water Quality Engineering Manager at (208) 373-0550.

3. DRINKING WATER

- DEQ recommends verifying that there is adequate water to serve this project prior to approval. Please contact the water provider for a capacity statement, declining balance report, and willingness to serve this project.
- DEQ recommends verifying if the current and/or proposed drinking water system is a regulated public drinking water system. A drinking water system is a Public Water System (PWS) if it has at least 15 service connections or regularly serves an average of 25 or more people per day for at least 60 days per year (refer to the DEQ website at: https://www.deq.idaho.gov/water-quality/drinking-water/). For non-regulated systems, DEQ recommends annual testing for total coliform bacteria, nitrate, and nitrite.
- IDAPA 58.01.08 is the section of Idaho rules regarding public drinking water systems. Please review these rules to determine whether this or future projects will require DEQ approval.
- All projects for construction or modification of public drinking water systems require preconstruction approval.
- If any private wells will be included in this project, we recommend that they be tested for total coliform bacteria, nitrate, and nitrite prior to use and retested annually thereafter.
- DEQ recommends using an existing drinking water system whenever possible or construction of a new community drinking water system. Please contact DEQ to discuss this project and to explore options to both best serve the future residents of this development and provide for protection of groundwater resources.
- DEQ recommends cities and counties develop and use a comprehensive land use management plan which addresses the present and future needs of this area for adequate, safe, and sustainable drinking water. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.

For questions, contact Valerie Greear, Water Quality Engineering Manager at (208) 373-0550.

4. SURFACE WATER

- Please contact DEQ to determine whether this project will require an Idaho Pollutant Discharge Elimination System (IPDES) Permit. A Multi-Sector General Permit from DEQ may be required for facilities that have an allowable discharge of storm water or authorized non-storm water associated with the primary industrial activity and co-located industrial activity. For questions, contact Emily Montague, IPDES Compliance Supervisor, at (208) 373-0433.

- If this project is near a source of surface water, DEQ requests that projects incorporate construction best management practices (BMPs) to assist in the protection of Idaho's water resources. Additionally, please contact DEQ to identify BMP alternatives and to determine whether this project is in an area with Total Maximum Daily Load stormwater permit conditions.

- The Idaho Stream Channel Protection Act requires a permit for most stream channel alterations. Please contact the Idaho Department of Water Resources (IDWR), Western Regional Office, at 2735 Airport Way, Boise, or call (208) 334-2190 for more information. Information is also available on the IDWR website at: https://idwr.idaho.gov/streams/stream-channel-alteration-permits.html

- The Federal Clean Water Act requires a permit for filling or dredging in waters of the United States. Please contact the US Army Corps of Engineers, Boise Field Office, at 10095 Emerald Street, Boise, or call 208-345-2155 for more information regarding permits.

  For questions, contact Lance Holloway, Surface Water Manager, at (208) 373-0550.

5. SOLID WASTE, HAZARDOUS WASTE AND GROUNDWATER CONTAMINATION

- **Solid Waste.** No trash or other solid waste shall be buried, burned, or otherwise disposed of at the project site. These disposal methods are regulated by various state regulations including Idaho's Solid Waste Management Regulations and Standards (IDAPA 58.01.06), Rules and Regulations for Hazardous Waste (IDAPA 58.01.05), and Rules and Regulations for the Prevention of Air Pollution (IDAPA 58.01.01). Inert and other approved materials are also defined in the Solid Waste Management Regulations and Standards.

- **Hazardous Waste.** The types and number of requirements that must be complied with under the federal Resource Conservations and Recovery Act (RCRA) and the Idaho Rules and Standards for Hazardous Waste (IDAPA 58.01.05) are based on the quantity and type of waste generated. Every business in Idaho is required to track the volume of waste generated, determine whether each type of waste is hazardous, and ensure that all wastes are properly disposed of according to federal, state, and local requirements.

- **Water Quality Standards.** Site activities must comply with the Idaho Water Quality Standards (IDAPA 58.01.02) regarding hazardous and deleterious-materials storage, disposal, or accumulation adjacent to or in the immediate vicinity of state waters (IDAPA 58.01.02.800); and the cleanup and reporting of oil-filled electrical equipment (IDAPA 58.01.02.849); hazardous materials (IDAPA 58.01.02.850); and used-oil and petroleum releases (IDAPA 58.01.24.060 and 58.01.24.061). Petroleum releases must be reported to DEQ in accordance with IDAPA 58.01.24.060.01 and 58.01.24.061.04. Hazardous material releases to state waters, or to land such that there is likelihood that it will enter state waters, must be reported to DEQ in accordance with IDAPA 58.01.02.850.

- **Groundwater Contamination.** DEQ requests that this project comply with Idaho's Ground Water Quality Rules (IDAPA 58.01.11), which states that "No person shall cause or allow the release, spilling, leaking, emission, discharge, escape, leaching, or disposal of a contaminant into the environment in a manner that causes a ground water quality standard to be exceeded, injures a beneficial use of ground water, or is not in accordance with a permit, consent order or applicable best management practice, best available method or best practical method."

  For questions, contact Matthew Pabich, Waste & Remediation Manager, at (208) 373-0550.

6. ADDITIONAL NOTES

- If an underground storage tank (UST) or an aboveground storage tank (AST) is identified at the site, additional regulations may apply. If an UST is present, the site should be evaluated to determine whether the UST is regulated by DEQ. If an AST is identified, EPA may have additional requirements. Both UST and AST sites should be assessed to determine whether there is potential soil and ground water contamination. Please call DEQ at (208) 373-0550, or visit the DEQ website https://www.deq.idaho.gov/waste-management-and-remediation/storage-tanks/leaking-underground-storage-tanks-in-idaho/ for assistance. If applicable to this project, DEQ recommends that BMPs be implemented for any of the following land uses: wash water from cleaning vehicles, fertilizers and pesticides, animal facilities, composted waste, ponds and outdoor gun ranges. Please contact DEQ for more information on any of these conditions.

We look forward to working with you in a proactive manner to address potential environmental impacts that may be within our regulatory authority. If you have any questions, please contact me, or any of our technical staff at (208) 373-0550.

Sincerely,



Troy Smith
Regional Administrator

Should Your Facility be a Regulated Public Water System?



What is a public water system?

If you have your own source(s) of water with at least fifteen (15) connections or that serves an average of twenty-five (25) individuals daily at least sixty (60) days out of the year, you are a regulated public water system. Water use includes, but not limited to, water through sinks, drinking fountains, restroom facilities, post-mix soda dispensers, coffee machines, etc.

Public Drinking Water System types based on population characteristics:

a) **Community water system** -
A public water system which serves at least 15 service connections used by year-round residents or regularly serves at least 25 year-round residents.

b) **Noncommunity water system** -
A public water system that is not a community water system. A noncommunity water system is one of two types:

i) **Nontransient noncommunity water system** - A noncommunity water system that regularly serves at least 25 of the same persons over six (6) months per year.

ii) **Transient noncommunity public water system** - A noncommunity water system which does not regularly serve at least 25 of the same persons over 6 months per year. (Restaurants, public parks, hotels, churches)

So the facility is a public water system. What now?

- **Engineering Review.** Your system will be required to provide drawings of the public water system components, such as the well and distribution piping, to the Department of Environmental Quality (DEQ). DEQ will determine compliance with the current rules and engineering standards of care. You will need to contract with an Idaho licensed professional engineer to prepare and submit the drawings.
- **Initial Monitoring.**
  For initial monitoring your system will be required to collect drinking water samples for a variety of contaminants. Exact sampling requirements will be determined during the engineering review.
- **Routine Monitoring.**
  You will be required to collect routine drinking water samples as determined in the engineering review. At a minimum, all public water system types collect samples to test for total coliform, nitrate, and nitrite.
- **Designated Operator.**
  All community, nontransient noncommunity, and surface water systems must be under the direct supervision of a properly licensed operator. Licensure requirements are dependent on the public water system population served and if your system provides water treatment.

If you believe your facility currently meets the definition or will meet the definition of a public water system, please contact your local Health Department and request to speak with an Environmental Health representative.