



PLANNING OR ZONING COMMISSION
FINDINGS OF FACT, CONCLUSION OF LAW AND ORDER

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

The Canyon County Planning and Zoning Commission considers the following:

A comprehensive plan map amendment of Parcels R23913, R23913012, and R23913012A, approximately 3.02 acres, from a “residential” designation to a “commercial” designation. The subject properties are located at 22664, 22670, and 22669 Calla Lily Lane, Middleton, also referenced as a portion of the NW¼ of Section 10, T4N, R2W, BM, Canyon County, Idaho.

Summary of the Record

1. The record is comprised of the following:
 - A. The record includes all testimony, the staff report, exhibits, and documents in Case File OR2025-0017.
 1. All exhibits can be found in the case staff report dated February 19, 2026.

Applicable Law

1. The following laws and ordinances apply to this decision: Canyon County Code of Ordinances (CCCO) §01-17 (Land Use/Land Division Hearing Procedures), CCCO §07-05 (Notice, Hearing and Appeal Procedures), CCCO §07-06-01 (Initiation of Proceedings), CCCO §07-06-03 (Comprehensive Plan Amendment Criteria), CCCO §07-10-27 (Land Use Regulations (Matrix)), Idaho Code §67-6509 (Recommendation and Adoption, Amendment and Repeal of the Plan), and CCCO §09-09-1712 (Area of City Impact Agreement).
 - a. Notice of the public hearing was provided in accordance with CCCO §07-05-01 and Idaho Code §67-6509.
2. The commission has the authority to exercise powers granted to it by the Idaho Local Land Use and Planning Act (“LLUPA”), and can establish its own ordinances regarding land use, including subdivision permits. *See* I.C. §67-6504, §67-6509.
3. The commission shall have those powers and perform those duties assigned by the board that are provided for in the local land use planning act, Idaho Code, title 67, chapter 65, and county ordinances. CCCO §07-03-01, 07-06-05.
4. The burden of persuasion is upon the applicant to prove that all criteria are satisfied. CCCO §07-05-03.
5. No plan shall be effective unless adopted by resolution by the governing board. A resolution enacting or amending a plan or part of a plan may be adopted, amended, or repealed by definitive reference to the specific plan document. A copy of the adopted or amended plan shall accompany each adopting resolution and shall be kept on file with the city clerk or county clerk. *See* I.C. §67-6509(c).

The application, OR2025-0017, was presented at a public hearing before the Canyon County Planning and Zoning Commission on February 19, 2026. Having considered all the written and documentary evidence, the record, the staff report, oral testimony, and other evidence provided, including the conditions of approval and project plans, the Planning and Zoning Commission decides as follows:

Table 1. Comprehensive Plan Map Amendment

HEARING CRITERIA – CCCO §07-06-03(1): The commission shall review the particular facts and circumstances of each proposed comprehensive plan amendment and make a recommendation regarding the same to the board. The commission and the board shall determine whether the proposed amendment meets the requirements of the local land use planning act, Idaho Code title 67, chapter 65, and is consistent with the comprehensive plan's purposes, goals, and policies:		
County Ordinance and Review		
Criteria Met?	Code Section	Criteria
Yes	A	Is the requested type of growth generally in conformance with the comprehensive plan?
Analysis		The requested type of growth is generally in conformance with the 2030 Comprehensive Plan. - Based on the proximity of existing commercial designations, zones, and uses, the applicant finds the commercial land use designation to better fit the location and existing infrastructure. “The 2030 Comprehensive Plan encourages development along transportation corridors like Highway 44 to manage growth efficiently. Commercial use here supports this goal more directly than residential, which might push sprawl inward rather than leveraging the highway’s edge” (Exhibit A.2). - The 2030 Canyon County Comprehensive Plan designates properties along SH-44 as “commercial” (Exhibit B.2c). Although the parcels about 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). <i>The commercial designation is intended to encourage commercial uses which can provide goods and services to businesses, travelers, and residents of the County. (Page 25, 2023 Comp. Plan)</i> - The future “C-1” zone provides small-scale amenities where public sewer and water services are unavailable. This district is not intended for types of uses that attract large traffic volumes (Page 27, 2030 Comp. Plan). <i>“The residential designation is for residential development. Residential development should promote compatibility with the existing agricultural activity.” (Page 25, 2030 Comp. Plan)</i> <i>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.</i> - The request aligns with the following goals and policies: - Property Rights Policies and Goals: <i>Goal No. 1: “Protect the integrity of individual property rights while safeguarding public health, safety, and welfare.” Policy No. 1: “No person shall be deprived of private property without due process of law.” Policy No. 3: “Ordinances and land-use decisions should avoid imposing unnecessary conditions or procedures in development approvals.” Goal No. 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.”</i> - Population Component Policy and Goal: <i>Policy No. 1: “Plan for anticipated population and households that the community can support with adequate services and amenities.” Goal No. 2: “Promote housing, business, and service types needed to meet the demand of the future and existing population.”</i> - Economic Development Goal and Policy: <i>Goal No. 1: “Promote a healthy and sustainable regional economy by retaining, expanding, and recruiting businesses to favorable locations.”</i>

	<i>Policy No. 2: "Supportive, suitable sites for economic growth and expansion compatible with the surrounding area."</i> ▪ Land Use Policy and Goals: <i>Policy No. 2: "Consider site capability and characteristics when determining the appropriate locations and intensities of various land uses. Goal No. 3: "Develop land in a well-organized and orderly manner while mitigating or avoiding incompatible uses, protecting public health and safety, and creating a vibrant economy through sustainable land use planning." Policy No. 4: "Recognize that each land use application is unique and that agricultural and non-agricultural uses may be compatible and co-exist in the same area and in some instances may require conditions of approval to promote compatibility." Goal No. 6: "Development design should improve the area's character and be compatible with the community's visual appearance and the natural environment."</i>	
Criteria Met?	B	When considering the surrounding land uses, is the proposed land use more appropriate than the current comprehensive plan designation?
Yes		
Analysis	In consideration of the surrounding land uses, the proposed comprehensive plan amendment to a "commercial" designation is more appropriate than the current comprehensive plan designation of "residential". • The 2030 Canyon County Comprehensive Plan designates properties along SH-44 as "commercial" (Exhibit 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 Canyon County Comprehensive Plan (Exhibit B.2e). Most of the "C-1" zones were created via a blanket rezone in 2011 to kickstart commercial development along SH-44 (RZ2011-10). ○ Based on the proximity of existing commercial designations, zones, and uses, the applicant finds the commercial land use designation to better fit the location and existing infrastructure (Exhibit 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?	C	Is the proposed comprehensive plan amendment compatible with surrounding land uses?
Yes		
Analysis	The proposed comprehensive plan amendment to a "commercial" designation is compatible with surrounding land uses. • The 2030 Canyon County Comprehensive Plan designates properties along SH-44 as "commercial" (Exhibit 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 Canyon County	

	Comprehensive Plan (Exhibit B.2e). Most of the “C-1” zones were created via a blanket rezone in 2011 to kickstart commercial development along SH-44 (RZ2011-10).	
	- Between 2022 and 2023, two commercial-related decisions were made within a one-mile radius supporting an RV storage facility expansion and a mini-storage facility (Exhibit 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?	D	Do development trends in the general area indicate that the current designation and circumstances have changed since the comprehensive plan was adopted?
Yes		
Analysis	Development trends in the general area indicate that the current designation and circumstances have changed since the comprehensive plan was adopted. - The 2030 Canyon County Comprehensive Plan designates properties along SH-44 as “commercial” (Exhibit 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 Canyon 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?	E	Will the proposed comprehensive plan amendment impact public services and facilities? What measures will be implemented to mitigate impacts?
No		
Analysis	After considering public testimony at the duly noticed public hearing held on February 19, 2026, the Planning and Zoning Commission finds that the applicant and correspondence from the Idaho Transportation Department did not adequately address existing transportation concerns or provide adequate mitigation measures. Therefore, the proposed comprehensive plan amendment has the potential to impact transportation services. - 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. 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) (Exhibit A.8). - The letter from ITD does not assess the mitigation measures proposed by the applicant to determine if they are adequate. Based on public testimony, the applicant’s ability to enforce proposed mitigation measures appears to be speculative. - 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). - The letter from ITD does not address existing traffic issues and potential mitigation measures. The letter defers access and traffic analysis to be completed prior to the commencement of use. Therefore, traffic impacts and mitigation measures are unknown. - 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.	

	○ The applicant proposes more than 26 events per year. Therefore, this trip generation information does not adequately represent trips generated by a special events facility, salon, professional office, or church. ● Public testimony included concerns about existing peak-hour traffic congestion, accidents due to poor level of service, and existing mitigation measures for other properties that do not appear to work. A nearby business was used as an example. The property was described as having curbs to stop ingress and egress at certain locations on the property onto SH-44. Testimony found that the curbs do not mitigate the ingress and egress appropriately. Without more information from ITD, the request does not adequately address existing transportation concerns or provide adequate mitigation measures.
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Table 2. Area of City Impact

County Ordinance and Review		
Criteria Met?	Code Section	Criteria
Yes	09-09-17	(1) Processing Applications: The following procedures shall be adhered to in processing applications within the area of city impact: A. Land Use Applications: All land use applications submitted to the county, including, but not limited to, conditional use permits, variances, and land divisions requiring notification of a public hearing, shall be referred to the city in the same manner as provided for in subsection 09-09-11(3) of this article. ● 09-09-11(3) Plan Amendment Proposals: All proposals for amendments to the county comprehensive plan which may appertain to the Middleton area of city impact, but which do not originate from the city shall be referred to the city at least thirty (30) calendar days prior to any hearing on such matter and a recommendation may be made before or at said public hearing. If a recommendation is received, it shall be given great weight by the county, provided it is factually supported, but such recommendation shall not be binding on the county. If no response is received, the county may proceed without the recommendation of the city. A copy of the final decision issued by the county shall be forwarded to the city. If the city does not agree with the request, because it involves a major change in the county's comprehensive plan, the city may request renegotiation of this article as provided in Idaho Code 67-6526(d). A major change is one that is fundamental to the county's comprehensive plan, as determined by the parties.
Analysis	The request was located in the Middleton Area of City Impact at the time of submittal. If annexed, the city's future land use plan designated the area for residential growth (Exhibit B.2d). The City of Middleton was notified of the request on September 22, 2025, and January 20, 2026. No comment was received.	

Order

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

DATED this 5 day of March, 2026.

**PLANNING AND ZONING COMMISSION
CANYON COUNTY, IDAHO**



Robert Sturgill, Chairman

State of Idaho)

SS

County of Canyon County)

On this 5 day of March, in the year of 2026, before me CAITLIN ROSS, a notary public, personally appeared Robert Sturgill, personally known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he (she) executed the same.



Notary: Caitlin Ross

My Commission Expires: 5/7/2031