

Hooker

OR2025-0017/CR2025-0007

APPLICANT: DAVID RUBY, THE ARCHITECTS OFFICE, PLLC

OWNER: KEN & SANDY HOOKER





REQUEST

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

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

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.



BACKGROUND

2008: The properties, approximately 3 acres, were zoned “R-2” (RZ2008-4, **Exhibit 3.B.3**).

2018: The parcels were created by an administrative land division in 2018 (AD2018-0060, **Exhibit 3.B.4**). The division included a private road for Calla Lilly Lane and a road user’s maintenance agreement.



P&Z COMMISSION RECOMMENDATION

The Planning and Zoning Commission heard the case at a duly noticed public hearing held on February 19, 2026. After considering the staff report packet with exhibits (**Exhibit 3**) and public testimony, the Planning and Zoning Commission recommended denial of OR2025-0017 & CR2025-0007 due to existing traffic impacts on SH-44 and the lack of adequate information and mitigation measures to address site/project-related traffic generation (**Exhibits 1 & 2**).



EVALUATION CRITERIA - OR2025-0017

CCCO Section 07-06-03:

- A. Is the requested type of growth generally in conformance with the comprehensive plan?
- B. When considering the surrounding land uses, is the proposed land use more appropriate than the current comprehensive plan designation?
- C. Is the proposed comprehensive plan amendment compatible with surrounding land uses?
- D. Do development trends in the general area indicate that the current designation and circumstances have changed since the comprehensive plan was adopted?
- E. **Will the proposed comprehensive plan amendment impact public services and facilities? What measures will be implemented to mitigate impacts?**



EVALUATION CRITERIA – CR2025-0007

CCCO Section 07-06-07(6)A:

1. Is the proposed conditional rezone generally consistent with the comprehensive plan?
2. When considering the surrounding land uses, is the proposed conditional rezone more appropriate than the current zoning designation?
3. Is the proposed conditional rezone compatible with surrounding land uses?
4. Will the proposed conditional rezone negatively affect the character of the area? What measures will be implemented to mitigate impacts?
5. Will adequate facilities and services including sewer, water, drainage, irrigation and utilities be provided to accommodate proposed conditional rezone?
6. **Does the proposed conditional rezone require public street improvements in order 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?**
7. Does legal access to the subject property for the conditional rezone exist, or will it exist at the time of development?
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?

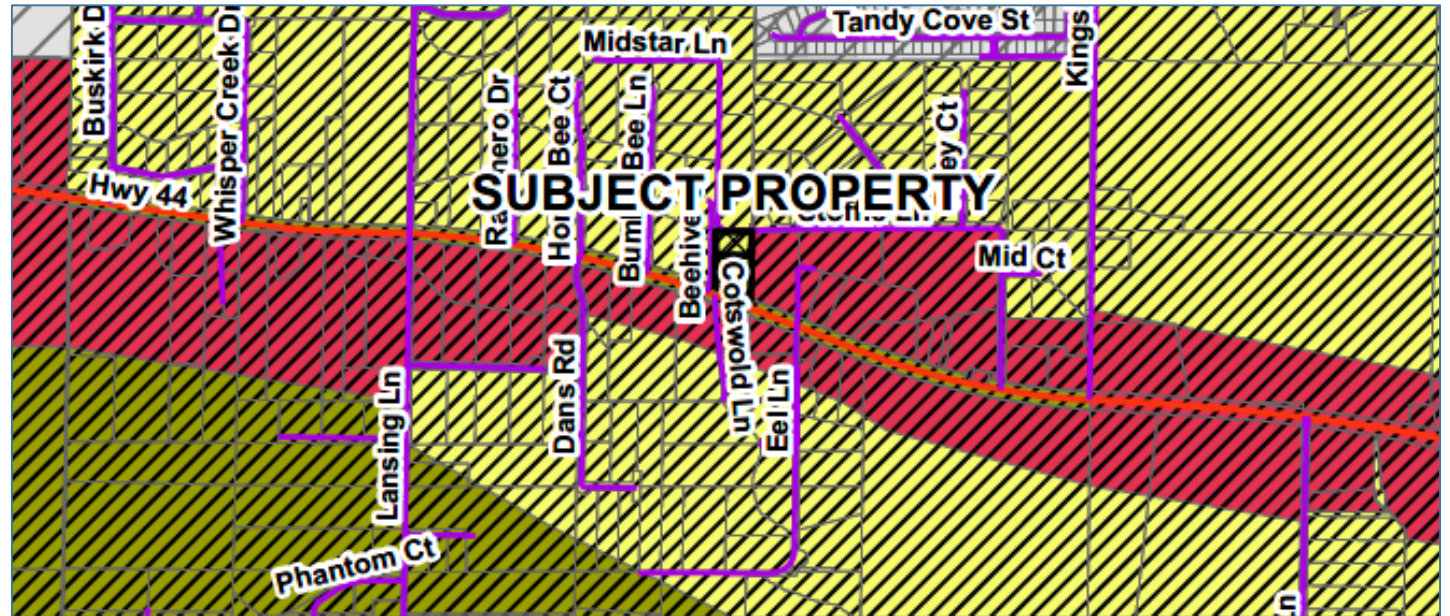


Comp. Plan Compatibility

The 2030 Canyon County Comprehensive Plan designates properties along SH-44 as “commercial” (Exhibit 3.B.2c).

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)

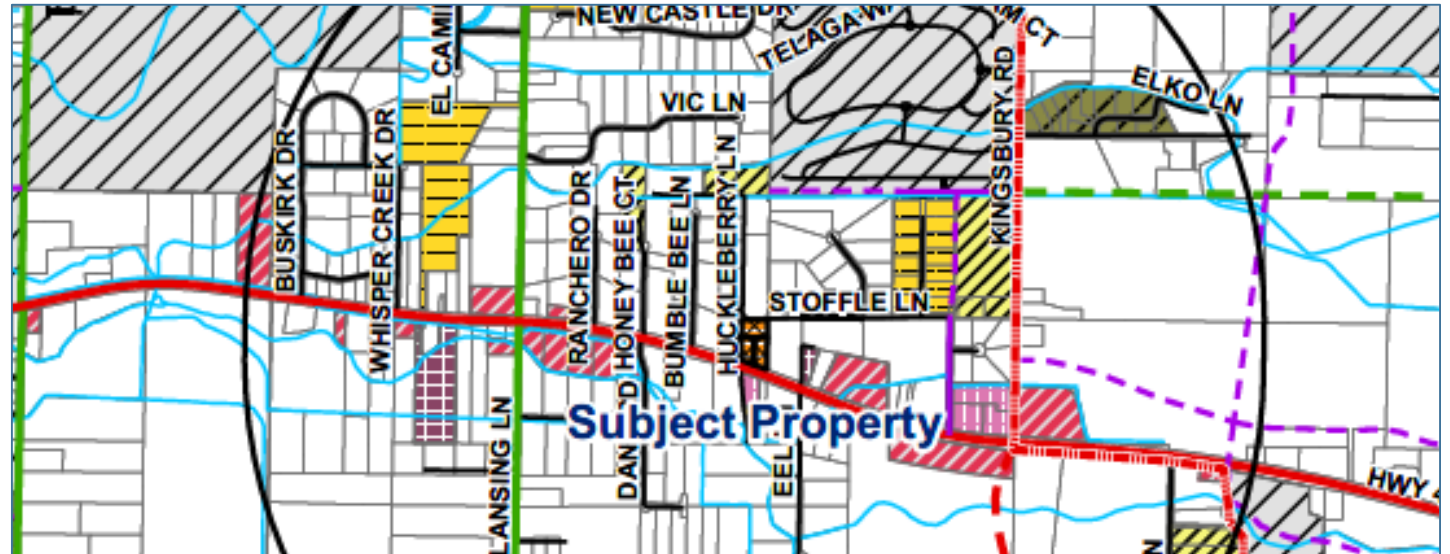
The future “C-1” zone provides small-scale amenities where public sewer and water services are unavailable. This district is not intended for types of uses that attract large traffic volumes (Page 27, 2030 Comp. Plan).



Surroundings/Compatibility

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 3.B.2e**).

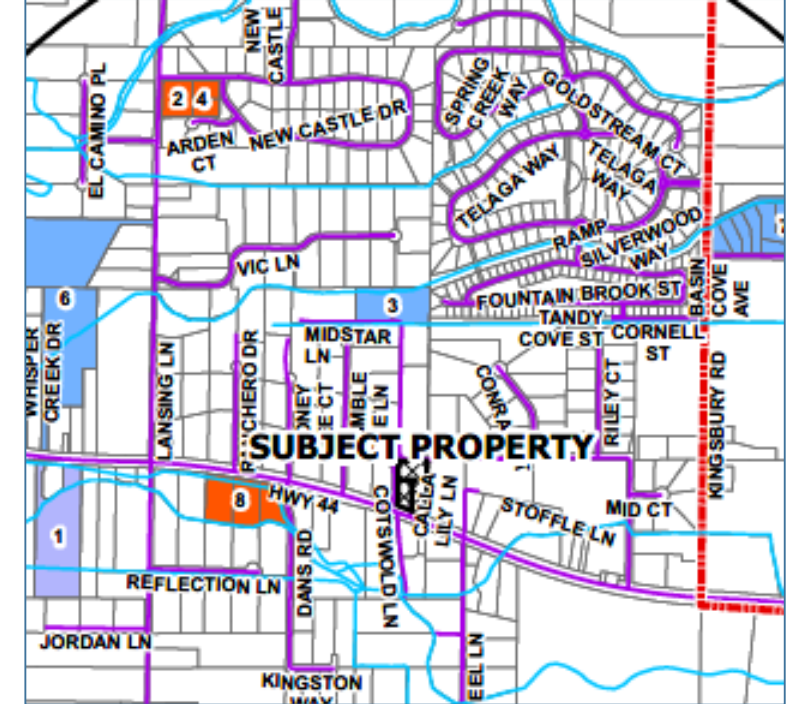
Most of the C-1 zones along SH-44 were adopted in 2011 as part of a blanket rezoning to jump-start the commercial corridor (RZ2011-10).



Surroundings/Compatibility

Between 2022 and 2023, two commercial-related decisions were made within a one-mile radius supporting an RV storage facility expansion and a mini-storage facility (**Exhibit 3.B.2f**).

The following businesses were found along SH-44 near the subject properties: Star Fire Protection District Station #2, Mid-Star Firearms, Tom Thumb Barber Shop, Susy Q's Yard Art, Roots Storage, Roots Rock and Bark, Silver Wings Rentals, Peaknetics, Star Gravel Pit, and Gatherings Antique Store (**Exhibit 3.C**).

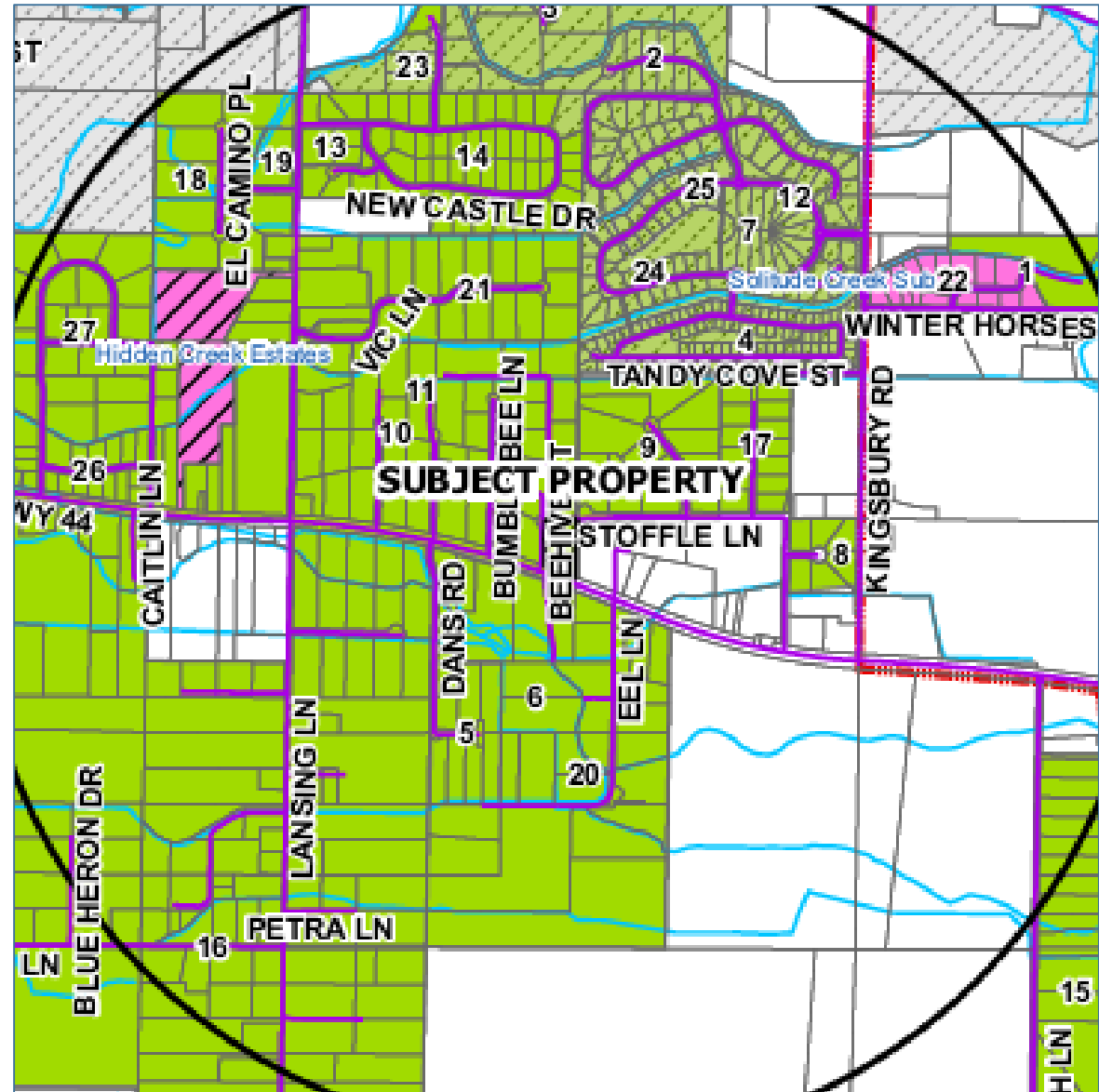


Surroundings/Compatibility

The “R-2” (Medium Density Residential, 0.5-acre lot sizes) zone appears to be inconsistent with the other residential lots and zones in the area.

The surrounding residential uses are either zoned “R-R” (Rural Residential, two-acre lot sizes) or “R-1” (Single Family Residential, one-acre lot sizes) or “A” (Agricultural) and were divided either via a conditional use permit and platting or rezone and platting (Exhibits 3.B.2e & 3.B.2k).

Within a one-mile radius, there are 27 subdivisions with a 2.6-acre average lot size. The average lot size within a 600-foot radius is 4.79 acres with a median lot size of 2.29 acres (Exhibit 3.B.2g).



Surroundings/Compatibility

To reduce impacts, the applicant proposes the following conditions:

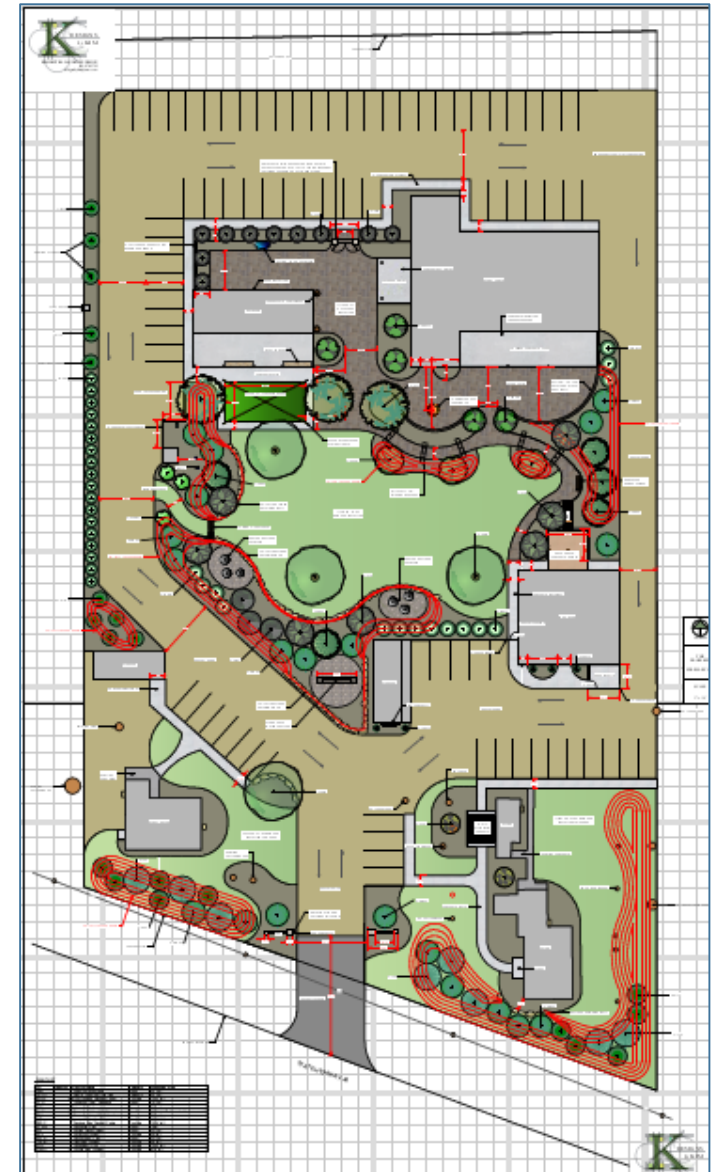
The development shall limit the commercial uses to low-impact uses which are related to the primary event venue use, such as a caretaker residence, church, personal service shops, and offices.

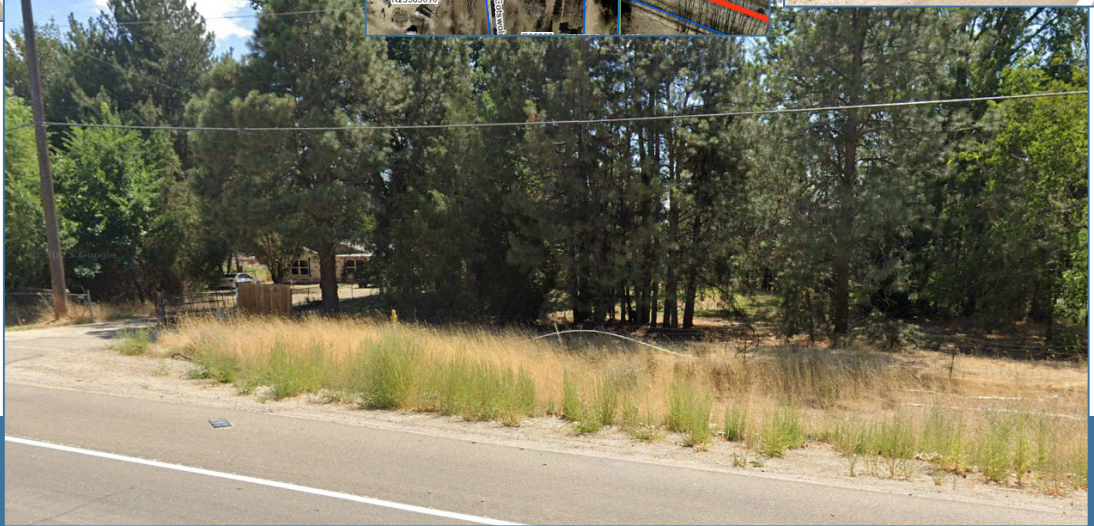
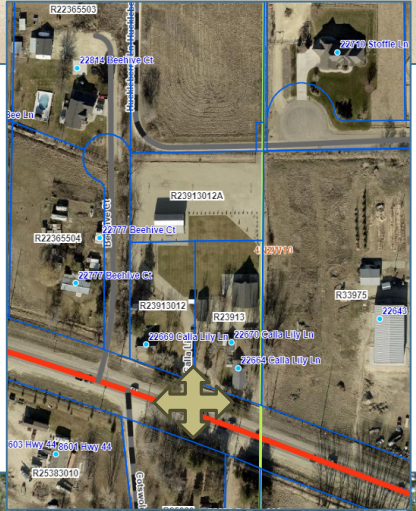
The maximum number of guests on the property shall be limited to 200. No events shall be permitted before 8 am or after 10 pm.

Approximately 112 parking spaces are proposed (**Exhibits 3.A.3 & 3.A.4**). To further reduce impact, such as dust, the private road from SH-44 to the parking area is conditioned to be paved per CCCO §07-10-03(4). The parking area will need to be hard-surfaced per CCCO §07-13-01(8).

The applicant provided a traffic management plan limiting speed to 5 mph on the properties to reduce impacts to neighbors and patrons. Patrons will be encouraged to make right-hand turns only when exiting the property to reduce the crossing of SH-44. Events will be scheduled to avoid peak traffic times. Regarding alcohol service, operations will strictly adhere to all applicable state and local laws governing the sale, service, and consumption of alcoholic beverages. (**Exhibit 3.A.8**).

Noise will be reduced via landscaping and a 30-yard earthen berm. All amplified sound will cease at city-mandated curfew time (**Exhibits 3.A.2, 3.A.3 & 3.A.8**).







Adequate Services

Sewer: The applicant states that the septic system will need to be improved to accommodate frequent use and large crowds (**Exhibits 3.A.2 & 3.A.4**).

- Southwest District Health (SWDH) finds that a subsurface wastewater disposal system for the proposed use has not been proposed. Porta-potties may not be used in place of a subsurface wastewater disposal system. The parcel is not in a nitrate priority area. Before the commencement of use, the applicant must submit for 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 3.D.5 & 3.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 3.A.2**).

- SWDH finds that the use will likely require a public drinking system that must be approved by the DEQ (**Exhibits 3.D.5 & 3.D.7**).

Drainage: All drainage will be retained on-site (**Exhibit 3.A.4**). The parcel is flat, so drainage can be easily managed on-site (**Exhibit 3.B.2i**).

Irrigation: The properties are irrigated via an irrigation well through a pressurized system. Source of surface water on or nearby is a supply ditch on the west property line and a drainage ditch on the north property line (**Exhibit 3.A.4**).

- No comments were received from Middleton Mill Ditch Irrigation District. Irrigation will need to be provided by the local irrigation district or IDWR. The proposed uses shall not impede, disrupt, or otherwise disturb the existing irrigation structures on and adjacent to the subject property.

Utility: The existing dwellings are served by utilities such as Idaho Power. Idaho Power provided an email regarding future development requiring clearance from transmission/overhead lines. The email does not oppose the request (**Exhibit 3.D.6**). The use will increase waste management, 2-5 cubic yards, due to events (food scraps, packaging, etc.). The applicant proposes private waste contracts to manage waste onsite, such as Republic Services (**Exhibit 3.A.2**).

Access/Traffic

ACCESS:

- The properties have legal access via a private road, Calla Lily Lane, located within a 30' access easement that connects to SH-44 (**Exhibit 3.B.4**).
- The 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)).

TRAFFIC:

- The three houses on the properties create 25.56 average daily trips per CCCO §07-10-03(4).
- The applicant states 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 (**Exhibit 3.A.2**). 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 3.A.8**).
- Highway District #4 (HD4) finds that the request will generate 120 vehicles per event (**Exhibit 3.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.
- ITD finds that a commercial access permit and improvements will need to be obtained prior to commencement of use. Regarding traffic impacts, future signalization is identified at five intersections on SH-44, which will provide better traffic breaks in the future. Due to the special events facility being mostly held at night and on weekends, ITD is not concerned about the use compounding rush hour traffic (**Exhibits 3.D.4, 4.a & 4.d**).

Essential Services

Schools - Middleton School District. No comment received. The request does not increase enrollment at Mill Creek Elementary School, Middleton Middle School, or Middleton High School. The request reduces the existing residential uses from three dwellings to one dwelling for caretaker residence purposes (**Exhibits 3.A.2 & 3.A.3**). The planned operation, a special events facility, is over 3 miles from the nearest school, Mill Creek Elementary. Therefore, the use is not anticipated to disrupt school operations.

Police - Canyon County Sheriff Department. No comment received.

Fire protection & Emergency Medical Services - Middleton Fire District and Canyon County Paramedics. No comments received from Canyon County Paramedics. Middleton Fire District finds the proposal can be adequately served by Station 52, approximately 0.7 miles from the properties; a two-minute response time (**Exhibit 3.D.2**). Prior to the commencement of use, adequate access and water supply for firefighting operations must be established. Any modification or construction of structures must be reviewed by the fire district.

The applicant states that, based on previous events (CDEF2024-0126 & CDEF2025-0289), demand for police, fire, and EMS is low. This request will include hired private security, installation for fire suppression (sprinklers), and ensure clear emergency access (**Exhibit 3.A.2**). To ensure emergency services can adequately ingress and egress the properties, a traffic and circulation plan to be reviewed and approved by the local fire district is required prior to the commencement of use.

COMMENTS

Notice of the public hearing was provided as per CCCO §07-05-01.

AGENCY COMMENTS: All agency comments received by the aforementioned materials deadline are in **Exhibits 3.D. and 4**

PUBLIC COMMENTS: One comment in support was received (**Exhibit 4.f**). The comment finds the request is a vital addition to our community that offers a responsible way to manage growth while preserving our local heritage.



RECOMMENDED CONDITIONS:

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.

1. The development shall comply with all applicable federal, state, and county laws, ordinances, rules, and regulations that pertain to the subject property and the proposed use. Compliance with the following, but not limited to, affected agencies shall be met before the commencement of any use:
 - a. Highway District #4 (Exhibit 3.D.1)
 - b. Middleton Fire District (Exhibit 3.D.2)
 - c. Idaho Transportation Department (Exhibits 4.a & 4.d)
 - d. Southwest District Health (Exhibit 3.D.5)
 - e. Idaho Power (Exhibit 3.D.6)
 - f. Idaho Dept. of Environmental Quality (Exhibit 3.D.7)
 - g. All structures removed, modified, or constructed require building and zoning permit approval.



RECOMMENDED CONDITIONS

2. The subject parcels, R23913, R23913012, and R23913012A, shall be zoned “C-1” (Neighborhood Commercial subject to the following restrictions:
 - a. The development shall limit the commercial uses to low-impact uses which are related to the primary event venue use, such as a caretaker residence, church, personal service shops, offices, and special event facility. Except for a caretaker residence, dwellings are prohibited in the “C-1” zone.
 - b. The uses shall be in substantial compliance with the letter of intent, site plan, and traffic, noise, and alcohol plan (Exhibits 3.A.2, 3.A.3, and 3.A.8)
 - c. The maximum number of guests on the property shall be limited to 200. No events shall be permitted before 8 am or after 10 pm. Noise generation shall uphold City of Middleton noise standards (Middleton Ordinance 8-1-5).
 - d. The existing private road shall be paved in accordance with the 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 encouraging 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.”



Questions?

