



**BINGHAM COUNTY ORDINANCE 2024-03**

**TITLE 10, ZONING REGULATIONS  
CHAPTER 5, USE ZONE REGULATIONS  
SECTION 3, LAND USE CHART**

AN ORDINANCE OF BINGHAM COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF IDAHO, AMENDING THE TABLE OF LISTED USES CONTAINED WITHIN THE LAND USE CHART AND AMENDING LISTED USE ZONING REGULATIONS BY MODIFYING THE LISTED USE AS ALLOWED, ALLOWED WITH AN APPROVED CONDITIONAL USE PERMIT, OR NOT ALLOWED, IN THE OFFICIAL ZONING DISTRICT DESIGNATIONS INCLUDED WITHIN THE LAND USE CHART, PROVIDING THAT THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT AS OF ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

WHEREAS, the Bingham County Planning and Zoning Commission (“Commission”) held a Public Hearing on February 14, 2024 to consider amendments to the Bingham County Land Use Chart (Section 10-5-3) and to receive public testimony on the proposed modifications; and

WHEREAS, the Commission heard from Planning and Development Staff as well as two (2) County residents who testified at the Public Hearing; and

WHEREAS, the Commission provided a recommendation to the Bingham County Board of County Commissioners (“Board”) wherein the Commission found the proposed modifications correct vague or duplicative land uses; added land uses that were not previously listed; amended land uses that were allowed in a zoning district but would be better regulated with an approved Conditional Use Permit; amended land uses that were not allowed in a zoning district but could be considered with a Conditional Use Permit Application; and an amendment to allow towers in all zoning districts with an approved Conditional Use Permit; and

WHEREAS, the Board held a Public Hearing on March 12, 2024 to receive the Commission’s recommendation and to receive public testimony on the proposed modifications; and

WHEREAS, after Staff’s presentation of the record and with no testimony presented at the Public Hearing, the Board made amendments to the Commission’s recommendation; and

WHEREAS, the Board found the amendments to the Land Use Chart are reasonably necessary, in the interest of the public, and in harmony with the objectives and purposes of the Zoning Ordinance.

NOW THEREFORE, BE IT ORDAINED BY THE BINGHAM COUNTY, BOARD OF COUNTY COMMISSIONERS, AS FOLLOWS:

Section 1: That the following sections of Title 10, Chapter 5, Section 3, be amended as follows:

Listed Use	A/NR	A	R/A	R	C1	C2	M1	M2
Agriculture and agriculturally-related activities, including <del>agricultural research facilities</del> , roadside stands, sod, and U-pick farms	A	A	A	A	A	A	A	A
Agriculture - grain elevator, bins and storage buildings/cellars (farmer/ non-commercial)	A	A	C	N/A	A	A	A	A
Agriculture related processing or <u>research facility</u>	C	C	N/A	N/A	C	A	A	A
Amusement facility, theme park, ballpark, horse arena or racetrack <u>concert/festival production</u>	C	C	C	N/A	C	C	C	N/A
Arena/Stable, indoor/outdoor – personal	A	A	A	N/A	A	A	A	N/A
<u>Arena/Stable, indoor/outdoor – public/commercial</u>	<u>A</u>	<u>A</u>	<u>C</u>	<u>N/A</u>	<u>C</u>	<u>A</u>	<u>A</u>	<u>C</u>
<u>Asphalt Batch Plant (asphalt/hot mix, concrete and/or clay product manufacturing/storage)</u>	C	C	N/A	N/A	<u>N/A</u> <u>C</u>	<u>N/A</u> <u>C</u>	C	A
Bank/savings and loan Financial Institution	N/A	N/A	<u>N/A</u> <u>C</u>	<u>N/A</u> <u>C</u>	A	A	C	N/A
Batch plant	C	C	N/A	N/A	N/A	N/A	C	A
Brewery/Distillery/Winery	<u>N/A</u> <u>C</u>	<u>N/A</u> <u>C</u>	<u>N/A</u> <u>C</u>	N/A	<u>N/A</u> <u>C</u>	C	A	A
Building supply outlet	N/A	N/A	N/A	N/A	C	A	A	<u>N/A</u> <u>A</u>
Cabinet shop, commercial	<u>N/A</u> <u>C</u>	<u>N/A</u> <u>C</u>	<u>N/A</u> <u>C</u>	N/A	C	A	A	A

Listed Use	A/NR	A	R/A	R	C1	C2	M1	M2
Campground, commercial	C	C	C	N/A	A C	N/A C	N/A	N/A
Cement/clay product manufacturing	N/A	N/A	N/A	N/A	N/A	N/A	E	A
Clinic/doctor office	N/A	N/A	N/A C	N/A C	A	A	A	N/A
Commercial meat packing/processing facility	N/A C	N/A C	N/A	N/A	N/A C	C	A	A
Community sewage disposal plant	C	C	C	E N/A	C	C	C	P C
Concrete/clay product manufacturing, storage, or batch plant	N/A E	N/A E	N/A	N/A	N/A	E	A	A
Contractors office/shop/yard	N/A C	C	C	N/A	C	A	A	A
Convenience store, less than 10,000 aggregate total square feet	N/A	N/A C	N/A C	N/A C	A	A	A	N/A C
Convenience store, more than 10,000 aggregate total square feet	N/A	N/A	N/A	N/A	C	A C	A C	N/A C
Dance hall, liquor	N/A	N/A	N/A	N/A	N/A	A	N/A	N/A
Dance hall, no liquor sales	N/A	N/A	N/A	N/A	E	A	N/A	N/A
Daycare - center (with more than 13 clients)	N/A	C	N/A C	N/A C	A	A	N/A C	N/A C
Daycare - family (with 6 or less clients)	A	A	A	A	A	A	N/A C	N/A C
Distillery	E	E	N/A	N/A	N/A	N/A	A	A
Dwelling – twin/duplex	C	C	A	A	C	C	C	C
Emergency/urgent care center	E N/A	N/A	N/A C	N/A C	A	A	A	A
Equipment Rental	N/A	N/A E	N/A	N/A	E	A	A	A
Feedlots	C	A C	N/A	N/A	N/A	N/A	C	C
Food sales cafe/lunch counter, drive-in, restaurant without liquor sales	N/A	N/A	N/A C	N/A C	A	A	A	C

Listed Use	A/NR	A	R/A	R	C1	C2	M1	M2
Food sales – restaurant with liquor sales	N/A	N/A	N/A	N/A	€	A	A	N/A
Gravel pit/mining – crushing/ excavation of gravel, and hot-mix plant associated batch plant	C	C	N/A	N/A	N/A	N/A	C	A C
Heavy-Equipment sales/service/rental	N/A	C	N/A	N/A	N/A C	A	A	A
Home occupation/business	A	A	A	A	A	A	A	A
Junkyard/Salvage Yard/Parts resale	N/A	N/A	N/A	N/A	N/A C	N/A C	C	A C
Landscaping business with indoor storage of equipment	N/A	N/A C	N/A C	N/A	A	A	A	A
Laundromat or dry cleaners/ laundry or linen supply	N/A	N/A	N/A C	N/A C	C	A	A	A
Laundry/linen supply	N/A	N/A	N/A	N/A	€	A	A	A
Manufactured home/travel trailer park	N/A	N/A	N/A	N/A	N/A	C	A C	A C
Meat packing facility	N/A €	€	N/A	N/A	N/A €	€	A	A
Office/professional buildings	N/A	N/A C	N/A C	N/A C	A	A	A	N/A
Reception center, wedding/event	C	C	C	N/A	A	A	C	N/A
Recreation – indoor (public/commercial)	€	€	€	€	€	A	A	N/A
Recreation – outdoor (public/commercial)	A	A	A C	C	A	A	A	N/A
Recycling	C	C	N/A	N/A	N/A	C	€ A C	A C
Schools/facilities - arts, dancing, dramatics, gymnastics, athletics, indoor recreation, music, business, secretarial work, training/trade, etc. (public/commercial)	N/A C	C	C	C	N/A C	A C	C	N/A C
Schools - public school districts, charter, private, college/university	C	A C	A C	A C	A C	A C	C	N/A C

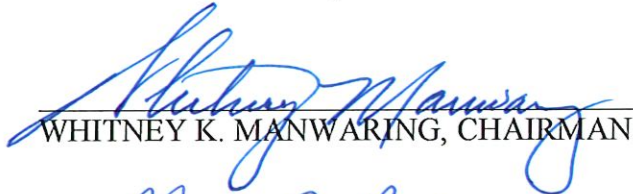
Listed Use	A/NR	A	R/A	R	C1	C2	M1	M2
Seasonal activities; (commercial): corn mazes, live Christmas nativities, haunted houses, holiday celebrations, or revivals (see subsection 10-7-7I of this title)	N/A A	A	N/A A	N/A	A	A	A	C
Stable, boarding	A	A	A	N/A	N/A	N/A	N/A	N/A
Stable, riding	C	C	C	N/A	A	A	N/A	N/A
Tower – antenna, broadcast, cell, telecommunication, internet, fiber, or other wireless/tower structure	C	C	N/A C	N/A C	C	C	C	A C
Wind turbines/MET towers, commercial	C	C	N/A	N/A	N/A	N/A	C	C
Winery	C	C	C	N/A	N/A	N/A	A	A

Section 2: That all other portions of Bingham County Code Section 10-5-3 not herein amended shall remain in full force and effect.

Section 3: This Ordinance shall be in full force and effect from and after its passage, approval, and publication according to law.

PASSED AND APPROVED on this 16<sup>th</sup> day of April, 2024.

BOARD OF COUNTY COMMISSIONERS  
BINGHAM COUNTY, IDAHO

  
WHITNEY K. MANWARING, CHAIRMAN

  
MARK BAIR, COMMISSIONER

  
ERIC JACKSON, COMMISSIONER



BINGHAM COUNTY CLERK

Attest:   
PAMELA W. ECKHARDT