



BINGHAM COUNTY PLANNING & ZONING COMMISSION

REGULAR MEETING AGENDA AND NOTICE

**Bingham County Courthouse, Courtroom 1
501 N. Maple Street, Blackfoot, ID 83221**

**WEDNESDAY, DECEMBER 11, 2024 AT 6:00 P.M. AND
CONTINUING ON THURSDAY, DECEMBER 12, 2024 AT 6:00 P.M.
IF NOT CONCLUDED PRIOR TO**

The purpose of this Agenda is to assist the Planning and Zoning Commission and interested citizens in the conduct of this Public Hearing. The Agenda is subject to change up to 48 hours before the meeting begins or by vote during the meeting. For more information on the Applications subject to this meeting, you may reference Bingham County Planning and Development Service's webpage at www.binghamid.gov/planning-zoning-commission

WRITTEN TESTIMONY: Per Bingham County Code Section 10-3-6(A)(8), all written testimony and exhibits must be submitted to the Planning and Development Services Department to be included in the official record. Any written testimony greater than two (2) pages is required to be submitted no less than eight (8) calendar days before this Public Hearing or it will not be accepted.

ORAL TESTIMONY: Any citizen who wishes to address the Planning and Zoning Commission on a Public Hearing agenda item must first complete an Oath of Affirmation which will be given to the Chairman of the Commission at the time testimony is offered. In order to keep a clear audio recording of this Public Hearing, when testifying, a person must come to the podium and state his/her name and address for the record; there will be a five (5) minute time limitation for testimony by citizens. Testimony should not be repetitious of other testimony already given, should not be personally malicious, and should be directed specifically to whether the application meets or does not meet the regulations of Bingham County Code or Idaho Code. Comments and/or questions will not be accepted from the audience. Booing, cheering, or other inappropriate gestures will not be tolerated. To review Meeting Procedures for Public Hearings, you may reference the above-mentioned webpage.

RECESS: The Planning and Zoning Commission may call a recess, as deemed necessary, to allow Planning and Zoning Commission members and participants a brief rest period.

ADA COMPLIANCE: In accordance with the American with Disabilities Act/504 Compliance, individuals who need accessible communications or other accommodation in order to participate are invited to make their needs known to the Bingham County Clerk, 3 to 5 days in advance, at (208) 785-7040.

A. DISCLOSURE OF CONFLICTS OF INTEREST, EX-PARTE COMMUNICATIONS, AND/OR SITE VISITS. Disclose any communication, including who was present and the

basic substance of the conversation. Disclose if a site visit was made, the location of the site visit, and what was seen.

B. PUBLIC HEARING ITEMS:

- 1. ZONING AMENDMENT (ACTION ITEM: RECOMMENDATION)** Property Owners and Applicants, Gregory and Aimee Austin, request to amend the zoning of up to approx. 2.55 acres, located West of 593 W Highway 39, Blackfoot from “R” Residential to “C2” Heavy Commercial. The parcel was used as horse pasture prior to their ownership and is currently vacant bare ground. The purpose for the zoning amendment is to build a 40-foot by 80-foot shop for the operation of an indoor RV rental, repairs, education, and maintenance business with the addition of fencing and trees to minimize views of commercial activity. The desired land use is allowed in a “C2” Heavy Commercial zoning designation pursuant to Bingham County Code Section 10-5-3 *Land Use Chart* and must comply with the Specific Use Performance Standards of Sections 10-7-38 and 10-7-39. The Applicants may construct a residence on the property which will be subject to additional Conditional Use Permit approval if so desired. The parcel has a Comprehensive Plan Map designation of Multi-Use. **Approx. Location: West of 593 W HWY 39, Blackfoot, ID. Parcel No. RP0360202, Township 3 South, Range 35 East, Section 06, consisting of up to approx. 2.55 acres.**
- 2. SECOND PUBLIC HEARING RE: BISHOP ESTATES SUBDIVISION (ACTION ITEM: RECOMMENDATION)** Property Owners, The Ned & Barbara Gneiting Living Trust and Developer, Intermountain Development & Construction, LLC, requested to create a thirty-five (35) lot subdivision, zoned “R/A” Residential/Agriculture, within the City of Blackfoot Area of Impact, with lots ranging in size from 1.0 to 1.9 acres, to be known as the Bishop Estates Subdivision, at the Planning and Zoning Commissions September 11, 2024 Public Hearing. The Commission tabled the Application and requested to receive additional information pertaining to connection feasibility to the Groveland Water and Sewer District (GWSD) for culinary water and sanitary sewer services, GWSD’s sewer capacity, cost of individual culinary wells and private septic systems, potential terms of a Development Agreement with GWSD, and an updated Preliminary Plat as requested by the County’s Surveyor. Based on the information provided by the Applicant, the Developers are still proposing individual culinary wells and private septic systems and have provided an updated Preliminary Plat, depicting a 4-phase development, for the Planning and Zoning Commissions further consideration. **Approx. Location: North and West of 206 N 400 W, Blackfoot, ID. Parcel Nos. RP0308501, RP0308509 & RP0308508, Township 2 South, Range 35 East, Section 20, consisting of up to approx. 45.00 acres.**
- 3. NORTH RIVER ESTATES SUBDIVISION (ACTION ITEM: RECOMMENDATION)** Property Owners and Developers, Rockwell Homes, Inc., request to create the North River Estates Subdivision containing 36 single-family residential lots ranging in size from 1.00 to 1.30 acres and one non-buildable landscaping lot of 0.22 acres, zoned “R/A” Residential/Agriculture, in accordance with Bingham County Code Title 10 Chapter 14 *Subdivision Regulations*. The proposed subdivision will have access to 800 E New Sweden Road from new County roads and a connection to 1560 N Jack Rabbit Drive (an existing County road in the Cedar Estates Division 3 Subdivision adjacent to and east of the proposed development). An existing private access easement extending easterly from 800 E New Sweden Road will remain and continue to provide access to landowners outside of the proposed subdivision boundaries. Residential lots are proposed to have individual culinary

wells and connection to the Eastern Idaho Regional Sewer District (EIRSD) sewer system pending EIRSD approval. Irrigation water will be assessed by the Woodville Canal Company and delivered by a pressurized system utilizing existing infrastructure that supports the adjacent Cedar Estates Subdivision with the addition of an irrigation pump. The Bingham County Comprehensive Plan Map has this parcel designated as Residential/Residential Agriculture. **Approx. Location: North, East and South of 1569 N 800 E, Shelley, ID. Parcel No. RP0449907, Township 1 North, Range 37 East, Section 16, consisting of approx. 43.73 acres.**

4. THIRD PUBLIC HEARING RE: CONDITIONAL USE PERMIT FOR A RECEPTION CENTER/WEDDING VENUE IN AN “A/NR” AGRICULTURE/NATURAL RESOURCE ZONING DISTRICT (ACTION ITEM: DECISION) Property Owner Edward Stolworthy requested a Conditional Use Permit to build an 80’ x 80’ facility to operate as a reception hall and/or meeting hall with a living space within the structure, located on approx. one (1) acre of a 3.40-acre parcel, pursuant to Bingham County Code Section 10-5-3 *Land Use Chart* and the Specific Performance Use Standards of Bingham County Code Section 10-7-27, *Reception Center, Wedding (outside commercial zone)*. The Application was heard by the Planning and Zoning Commission on May 22, 2024 and again on September 11, 2024 where the Commission tabled their decision pending the Applicant’s ability to obtain legal access from the adjacent landowner, the Gerald E. Stolworthy Family Limited Partnership-A, to the specified alternative approach as proposed in the Approach Study conducted by HLE, Inc. The Application is set for a 3rd Public Hearing for further consideration by the Planning and Zoning Commission as the adjacent landowner has provided written denial to use the specified alternative approach for the requested land use. **Approx. Location: 954 E 600 N Wolverine Rd., Firth, ID. Parcel No. RP0542502, Township 2 South, Range 37 East, Section 3, consisting of approx. 3.40 acres.**

C. ADMINISTRATIVE ITEMS:

- 1. CONSENT ITEMS (ACTION ITEM: DECISION)** Ratify the Planning and Zoning Meeting Minutes and Decision from 11/13/2024.
- 2. ITEMS OF INTEREST (ACTION ITEM: DISCUSSION)**
 - a. Review upcoming Public Hearing items
 - b. Questions/items from Commission Members
 - c. Planning and Development Services Update

D. MEETING ADJOURNMENT (ACTION ITEM: DECISION)