

**BINGHAM COUNTY PLANNING & ZONING COMMISSION
REASON AND DECISION**

APPLICATION OF: Zoning Amendment from “M2” Heavy Manufacturing to “A” Agriculture

PROPERTY OWNERS: Joshua & Lori Blau

Requested Action: Property Owners and Applicants Joshua and Lori Blau requested to amend the zoning from “M2” Heavy Manufacturing to “A” Agriculture on a parcel consisting of approximately 5.00 acres located at an unassigned address of 2034 W Taber Road, Blackfoot, Idaho in accordance with Bingham County Code Title 10 Chapter 15 *Amendments*. The Bingham County Comprehensive Plan Map has this parcel designated as Agriculture which is in conformance with the Zoning Amendment Application.

Property Location: 1-mile Northwest of the intersection of Taber Road and 2000 W Section Road with an approx. unassigned address of 2034 W Taber Road, Blackfoot. Parcel No. RP0074900, T1S, R32E, Sec 15, approx. 4.37 acres

Applicable Regulations: Bingham County Comprehensive Plan, Dated November 20, 2018
Bingham County Zoning Ordinance 2012-08, as amended

Public Hearing Date: March 19, 2025

I. NOTICE OF PUBLIC HEARING

In compliance with Idaho Code Title 67 Chapter 65 and Bingham County Code Section 10-3-6:

1. Notice was provided by postmarked U.S. Mail or by email to Government Agencies as denoted on Exhibit S-9 and to property owners within 300 feet of the proposed parcels subject to the Application as shown on Exhibit S-10 on February 20, 2025. *Staff Comment: Notice to the Watson Canal was returned undeliverable on February 27, 2025, and was resent to an updated address on February 28, 2025. Additionally, notice to the Bureau of Reclamation was returned undeliverable on March 4, 2025, and resent to an updated address on March 5, 2025.*
2. Notice was also published in the Idaho State Journal and Post Register newspapers on February 22, 2025 (Exhibit S-8).



3. Notice was posted on-site (Exhibit S-6) and photographs of the project site were taken on February 21, 2025 (Exhibit S-7).

II. PUBLIC HEARING RECORD AND INFORMATION

1. The following was reviewed by the Commission:
 - a. Application and materials provided by the Applicant; and
 - b. Staff Report with exhibits; and
 - c. Testimony received prior to the Public Hearing included:
 - (T-1) Bingham County Surveyor submitted testimony in a neutral position stating the parcel is approx. 4.38 acres, not 5.00 acres. The discrepancy is due to the current warranty deed excepting out the railroad and that the Assessor's maps are being updated to reflect such change in acreage.

2. At the Public Hearing, the Staff Report was presented by Tiffany Olsen, Planning & Development Director. Commissioner Jolley asked if it was known to the County why the parcel or the parcels in this area were originally zoned "M2" Heavy Manufacturing. Director Olsen testified she was unaware of the reason and was unable to locate any previous zoning amendment decisions or information.

Commissioner Jolley then asked if there was a reason the Application was for an amendment to the "A" Agriculture Zoning District and not "R/A" Residential/Agriculture. Director Olsen responded that the Zoning District designation predominantly in the area is Agriculture and that the Comprehensive Plan Map Area designation is Agriculture which supports the Agriculture Zoning District.

Chairman Aullman asked if there was a problem with the parcel being just under 5 acres in size. Director Olsen explained that originally the County had the parcel identified as 5.00 acres and noted the Surveyor's correction was identified after the Application was received and noticed for Public Hearing. She added the parcel has been determined to be an Original Parcel and has the option to be further divided if the property owners choose to do so.

Commissioner Carroll asked if there were any manufacturing uses occurring on the parcels now to which Director Olsen confirmed there was not. She explained that a number of parcels in the area are zoned Light Manufacturing and there is no manufacturing being conducted on those parcels. From being on the site, numerous large irrigated parcels with center pivots were observed.

3. With no further questions from the Commission, testimony was presented by (T-4) the Applicant Lori Blau, 937 N 900 E, Shelley, ID. Mrs. Blau testified that she and her husband own the property. Mrs. Blau spoke to Chairman Aullman's question about the current zoning and stated that she heard around 1980 that several parcels in the area were owned

by a company that intended to develop them for a manufacturing land use and requested a zoning amendment.

Mrs. Blau testified that the property is bare ground with a partial border fence. Mrs. Blau stated that everything that they want to accomplish on the property is allowed in an Agriculture zone. Mrs. Blau further explained they want to create a hobby farm, a home, and a chicken coop.

4. With no further questions for Mrs. Blau, the Chairman called for testimony from the public. No testimony in support, neutral, or in opposition to the Application was received. Chairman Aullman then closed the Public Hearing.
5. During the Commissioner's discussion and deliberation Commissioner Adams testified he believed the Application was straightforward and agreed it was odd for this area to be zoned Heavy Manufacturing to which the Commissioners agreed.

III. REASON

The Planning and Zoning Commission found:

1. the Application met the requirements in Bingham County Code Section 10-15-3 as the Application was submitted by the property owners and included all required contents of a complete Application; and
2. the request is to modify the zoning of a parcel from "M1" Light Manufacturing to "A" Agriculture. The Commission reviewed the purpose of the "A" Agriculture Zone in accordance with Bingham County Code Section 10-4-2(B) and found it is to preserve and protect the decreasing supply of agricultural land. This zone also is established to control the infiltration of urban development into agricultural areas which will adversely affect agricultural operations; and
3. by allowing the Zoning Amendment, it will allow productive agricultural areas to be protected as the Applicant testified she and her husband are planning to build a residence, have a hobby farm on the property, and preserve the parcel for their enjoyment; and
4. the subject parcel met this standard as the bulk of the land surrounding the parcel is irrigated farm ground and protects agricultural land uses from unreasonable adverse impacts; and
5. is in conformance with the Bingham County Comprehensive Plan Map Area designation of Agriculture which supports the Agriculture Zoning District.
6. the Application met the notice requirements of Idaho Code Title 67, Chapter 65 and Bingham County Code Section 10-3-6.

III. DECISION

Based on the record, Commissioner Bingham moved to approve the Zoning Amendment from Heavy Manufacturing to Agriculture on approx. 4.37 acres of land, located approx. 1-mile Northwest of the intersection of Taber Road and 2000 W Section Road, Blackfoot, Idaho as proposed by Joshua and Lori Blau.

Commissioner Adams seconded the motion. Commissioners Bingham, Adams, Carroll, Johns, Jolley, Jewett, Watson, and Winder voted in favor and the motion passed.



William Aullman, Chairman
Bingham County Planning and Zoning Commission



Date