

BINGHAM COUNTY PLANNING & ZONING COMMISSION
REASON AND DECISION

APPLICATION OF: Zoning Amendment from A” Agriculture to “C2” Heavy Commercial

PROPERTY OWNERS: Shelley Firth Fire District

Requested Action: Property Owner Shelley Firth Fire District requested to amend the zoning of approx. 15.91 acres located at approx. 694 N Highway 91, Firth ID, west of the intersection of 700 N and Highway 91, zoned “A” Agriculture to “C2” Heavy Commercial in accordance with Bingham County Code Title 10 Chapter 15 *Amendments*. The Bingham County Comprehensive Plan Map has the parcel designated as Multi-Use; this Map Area supports the desired Zoning Amendment to the “C2” Heavy Commercial Zoning District.

The purpose of the Zoning Amendment is to utilize the property for construction of a new Fire Station with E.M.S. services on approximately 5.00 of the 15.91 acres with the remainder of the parcel’s land use to be determined by the Fire District at a later date for potential commercial resale purposes. Emergency service buildings for ambulance and fire are defined as a *Public Service Facility*; this land use is allowed in a Heavy Commercial “C2” zoning district according to Bingham County Code Section 10-5-3 *Land Use Chart* and requires compliance with the Specific Use Performance Standards of Bingham County Code Section 10-7-25 *Public Utility, Major; and Public Infrastructure*.

Property Location: 694 N Highway 91, Firth ID, west of the intersection of 700 N and Hwy 91. Parcel No. RP0402701, T1S, R36E, Sec 36, total of approx. 15.91 acres.

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

Public Hearing Date: February 12, 2025

I. NOTICE OF PUBLIC HEARING

In compliance with applicable sections of Idaho Code Title 67 Chapter 65 and Bingham County Code Section 10-3-6, Notice of the Public Hearing was provided as follows:

1. Notice was provided by postmarked U.S. Mail or by email to Government Agencies as denoted on Exhibit S-13 and to property owners within 300 feet of the proposed parcels subject to the Application as shown on Exhibit S-14 on January 16, 2025.
2. Notice was also published in the Idaho State Journal and Post Register newspapers on January 16, 2025 (Exhibit S-12).
3. Notice was posted on-site in two (2) locations, one along 700 North Highline Road and the other adjacent to Highway 91 (Exhibit S-10) and photographs of the project site (Exhibit S-11) were taken on January 24, 2025.

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 provided testimony in a neutral position stating no comments or concerns with the Application.
 - (T-2) Bingham County Public Works provided testimony in a neutral position stating an approach permit off of 700 N Highline has been obtained and any approach from Highway 91 will require a permit through the Idaho Department of Transportation.
2. At the Public Hearing, the Staff Report was presented by Addie Jo Jackman, Assistant Director/Lead Planner.
3. Testimony was received from (T-3) Applicant's Representative Kenneth Johnson, 1128 E 1100 N, Shelley, ID, who testified he is one of three Fire Commissioners with the Firth Shelley Fire District. Mr. Johnson provided a summary of the last three (3) years of the District's review of locations for a new Fire Station, working with the insurance company, and acquiring a Federal Grant. Mr. Johnson testified that an emergency facility at the proposed location would generate minimal traffic in and out of the station as they experience very little call volume and that this location allows them to exit onto the Highway and not onto City roads near schools or businesses.
4. With no questions for Mr. Johnson, the Chairman called for testimony from the public. Testimony in support of the Application was received from:

(T-4) Scott Chappell, 96 N 100 W, Blackfoot, ID, testified he likes fire protection. He referred to a home that recently burned in the County and expressed that having more emergency response in the area would be a benefit.

5. Testimony in a neutral position nor in a position of opposition of the Application was received and thereafter Chairman Aullman closed the Public Hearing.

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 purpose of the Zoning Amendment is to utilize the property for construction of a new Fire Station with E.M.S. services on approximately 5.00 of the 15.91 acres, with the remainder of the parcel's land use to be determined by the Fire District at a later date for potential commercial resale purposes. The operation of a Public Service Facility is an allowed land use in a "C2" Heavy Commercial Zoning District and is subject to the Specific Use Performance Standards of Bingham County Code Section 10-7-25; and
3. the purpose of the "C2" Heavy Commercial Zoning District is to provide for the development of businesses and service establishments which are incompatible with community shopping areas pursuant to Bingham County Code Section 10-4-2(F). The Commission found the Application and subject parcel met this purpose as the parcel is relatively larger in size at approx. 15.91 acres, has easy access to the highway with two (2) approach locations extending from 700 N Highline Road and Highway 91, and can be adequately served by utilities in the area; and
4. the parcel has a Comprehensive Plan Map area designation of Multi-Use, which does not change the underlying zoning of the given area but rather allows for any type of zoning in the area that may be in conflict with existing uses, albeit, with restrictions. The Commission found the location is appropriate for a zoning amendment to the Heavy Commercial Zone and did not express any concerns with existing land uses, the need for buffers, or any conditions; and
5. the Application met the notice requirements of Idaho Code Title 67, Chapter 65 and Bingham County Code Section 10-3-6.

IV. DECISION

Based on the record, Commissioner Bingham moved to recommend approval of the Zoning Amendment of the approx. 15.91-acre parcel from "A" Agriculture to "C2" Heavy Commercial, located on the corner of 700 N and Hwy 91, Firth, Idaho as proposed by the Shelley Firth Fire District.

Commissioner Jewett seconded the motion. Commissioners Bingham, Jewett, Butler, Johns and Winder voted in favor. The motion passed.



William Aullman, Chairman
Bingham County Planning and Zoning Commission



Date