

**BOARD OF BINGHAM COUNTY COMMISSIONERS
REASON & DECISION**

In regards to: The Planning & Zoning Commission's recommendation to approve 1) the Zoning District Amendment from "A" Agriculture to "R/A" Residential/Agriculture for approx. 45.29 acres of land located north of 1429 N 800 E, Shelley, Idaho and south of Copper Meadows Subdivision and 3) Copper Meadows II Subdivision, a 112-Lot residential subdivision (with 5 non-buildable lots for open space), in a four (4) phase development, with an average lot size of 0.283 acres, in accordance with Bingham County Code, Title 10, Chapter 14 Subdivision Regulations.

Parcel Location: North of 1429 N 800 E, Shelley, Idaho 83274

Property Owners/Applicants: Rockwell Homes, Inc

Board of County Commissioners Public Hearing Date: December 17, 2025

Chairman Manwaring recused himself due to Neil Humphreys, Representative for Rockwell Homes, Inc, being his nephew.

Decision: Chairman Manwaring moved to appoint Commissioner Jackson as Acting Chairman. Commissioner Jensen seconded. All voted in favor. The motion carried.

Prior to the Public Hearing, the Board of County Commissioners reviewed the application and materials submitted by the Applicant, Rockwell Homes, Inc, along with the Staff Report and all supplemental maps, notices and other materials.

As to procedural items, the Board finds the following:

1. In accordance with Bingham County Code 10-3-6, Notice of the Boards Public Hearing was provided as follows:
 - a. Sent to Government Agencies on November 19, 2025 (CC-3 List of Government Agencies and Notice)
 - b. Published in the Idaho State Journal and Post Register on November 19, 2025 (CC-2: Affidavit of Publication)
 - c. Sent to property owners within 300' of this property on November 19, 2025. (CC-4 & Property Owners Mailing List and Notice)
 - d. Site was posted on November 17, 2025 (CC-5 Affidavit of Posting) and photographs of the site were taken on August 22, 2025 and September 18, 2025.
2. The Planning & Development Department received additional testimony prior to the Board's Public Hearing, which included:

(CC-6) Jeffrey and Deanne Coletti, of 847 E. 1425 N, Shelley, Idaho, submitted testimony in opposition, citing concerns with property values, impact on public utilities, and the loss of life they enjoy in their neighborhood.

(CC-7) The City of Shelley submitted testimony in a neutral position, advising that the property subject to the Zoning Amendment and Subdivision is being proposed to be annexed into the

city limits with a Public Hearing set for December 17, 2025, before the Planning & Zoning Commission and on December 30, 2025, before the City Council.

After presentation of the Staff Report and confirmation that there were no additional questions for county staff, the Public Hearing was opened and testimony was presented at the Public Hearing, which was as follows:

(CC-8) Nate Clark, Rockwell Homes, Inc, Applicant, stated the subject property is a good piece of property for single family home dwellings to sell at an affordable price as there is a huge demand in the area. Mr. Clark stated that one adjustment that was made over the last several weeks is that the City of Shelley is pursuing a citywide booster pump to increase pressure for the entire city and therefore, they will no longer be doing a personal booster pump for the development. Mr. Clark stated the citywide booster pump is to be constructed and in the works by Fall of 2026.

Commissioner Jackson asked Mr. Clark if the City of Shelley is requesting assistance from Rockwell Homes, Inc., for cost, wherein Mr. Clark stated that was correct and that the city is requesting assistance from Rockwell Homes, Inc., and there will be a request for assistance from any future developments via connection within a specific geographical area will have a connection fee, along with each individual meter bill of the homeowner in the geographical area, there will be an additional fee per month to assist in covering cost. Mr. Clark stated that the City of Shelley received funding to pay for the booster pump and a 1% loan over approximately 20-30 years to pay that back.

Commissioner Jensen asked Mr. Clark if the piping size is accurate enough due to the pumping station being so far away, that there will have enough pressure to get water to the end of the line. Mr. Clark stated yes and that with the geographical area of the city, all lines are sized correctly but there will need to be pressure reducing valves in some areas as the pressure will be too high.

Commissioner Jackson opened the Public Hearing for testimony in favor, neutral nor in opposition, to which there was none and the Public Hearing was closed.

REASON

The Board held deliberation and based on the entire record, the Board finds the following:

1. The Application met the requirements in Bingham County Code Section 10-15-3, as the Application was submitted by the Property Owner and included all required contents of a complete Application; and
2. The request to modify the zoning of parcels from “A” Agriculture to “R” Residential for future residential subdivision development; and
3. The purpose of the “R” Residential zone is defined in Bingham County Code Section 10-4-2(D). The Board determined that the request complies with the purpose of this zoning district and will have:
 - a. Close proximity to existing townsites of which are contiguous to another R or R/A Zone;

- b. Lot size compatible with existing lot sizes in the immediate vicinity
 - c. Accessibility of municipal services or the possibility of extension of services in the foreseeable future
 - d. Compatibility with existing uses in the immediate vicinity
 - e. Protection from incompatible uses
 - f. Adequate service by roadways
- 4. The Bingham County Comprehensive Plan Map identifies the subject parcels as Residential/Agriculture which supports the Zoning Amendment request; and
 - 5. The Application met notice requirements of Idaho Code Title 67, Chapter 65, and Bingham County Code Section 10-3-6; and

Commissioner Jackson nor Commissioner Jensen had any concerns in regards to this Application.

DECISION REGARDING ZONING AMENDMENT

Commissioner Jensen moved to approve the Zoning Amendment from “A” Agriculture to “R” Residential on approx. 45.29 assessed acres of land, located north of 1429 N 800 E, Shelley, ID as proposed by Rockwell Homes, Inc., as presented. Commissioner Jackson seconded. Both voted in favor. The motion carried.

Upon approval of the Zoning Amendment from Agriculture to Residential, the Board of County Commissioners heard the request to develop a 112-Lot Residential subdivision to be known as Copper Meadows II Subdivision.

After presentation of the Staff Report and confirmation that there were no questions for county staff, the Applicant provided testimony as follows:

(CC-8) Nate Clark, Rockwell Homes, Inc, stated the proposed subdivision is 112-lots, single family dwellings with 2.8 acres of open space, which is a percentage of the requirement of the county, which is .25 acres per 10 lots. This incorporates the storm pond and walking path as required by the Area of Impact Agreement.

Mr. Clark stated there is a current storm pond, which will be moved, doing the required compaction and building homes on top of that and all storm water will be pulled from Division 1 of Copper Meadows and Division 2 of Copper Meadows will all be going to the large storm pond. Commissioner Jensen asked if the storm pond will be piped, wherein Mr. Clark stated it will all be corrugated piping under the roads.

Mr. Clark stated that Rockwell Homes has hired a Traffic Engineer to conduct the Traffic Impact Study and every concern that has been brought up by the Board will be within that study. If there are concerns, he would encourage that the Engineer that conducted the study provide the Board with a presentation on the information found. Mr. Clark stated that he has been in contact with the state and there were no concerns. The only requirement that the study showed was on Ironwood Street and that there be three lanes wide with turn lanes.

Commissioner Jackson opened the Public Hearing for testimony in favor, neutral nor in opposition, to which there was none and the Public Hearing was closed.

The Board reviewed and found the following:

- 1) The Application met the requirements of Bingham County Code Title 10, Chapter 14, *Subdivision Regulations*; and
- 2) The Application will meet the requirements of Bingham County Code Section 10-4-2(D) which states that the purpose of "R" zone is preserve desirable residential neighborhood characteristics and to prevent overcrowding of the land while encouraging the development of areas which are best suited for residential purposes that have, should the Board of County Commissioners approve the Applicant's requested Zoning Amendment to this district; and
- 3) The Application met the requirements of Bingham County Code Section 10-6-6(B)(3) as the proposed lots meet the ¼-acre minimum allowed for in a Residential Zoning District with connection to the City of Shelley's water system and the Eastern Idaho Regional Sewer District's sewer line; and
- 4) Existing residential subdivision developments are located to the north (Copper Meadows Subdivision) and the east (Hallmark Estates Division 1-4), with several other parcels used for single-family residential purposes not located within a subdivision. Additionally, the Board found that the proposed average lot size of 0.283 is commensurate with the immediate area, as the Copper Meadows Subdivision, platted in 2017, consists of 48 lots of approx. ¼ acre size; and
- 5) Adequate access will be provided from 800 E (New Sweden Road) and four accesses from 1455 N (Redwood Street) according to the Bingham County Public Works Director and a Traffic Impact Study completed by Noesis Engineering Services, PC; and
- 6) Five (5) non-buildable lots are proposed to be designated as open space and consist of a stormwater retention pond and multi-use pathway along New Sweden Road frontage, which meets the acreage requirement of Bingham County Code Section 10-14-4(A)(19); and
- 7) The lots will be served with a new pressurized irrigation system, and the Snake River Valley Irrigation District has approved the preliminary plan for placement of the pump; and
- 8) With the proposed subdivision being located in an Area of Impact, the Application meets the Comprehensive Plan objective of encouraging residential development where public infrastructure, services, and facilities are or will be available; and
- 9) Because the proposed subdivision is located within ¼ mile of the City of Shelley's municipal boundaries, infrastructure development will follow the City of Shelley standards, which consist of wider roads, curb, gutter, sidewalks, stormwater management, lighting, and modified setbacks, as required by the County/City's Area of City Impact Agreement; and

10) The proposed subdivision is considered to be consistent with the Bingham County Comprehensive Plan, as the area is designated as Residential/Agricultural, which supports the Residential Zoning District; and

11) The Public Hearing met the notice requirements of Idaho Code Title 67, Chapter 65, and Bingham County Code Section 10-3-6.

Discussion was held in regards to the speed limit being continuously the same from the jerky plant until the school due to the safety of children that may walk along New Sweden Road, wherein Ms. Olsen stated as speed limit is not particular to the subdivision plat and that this is property that is being developed, she would suggest that the speed limit be a separate conversation with Public Works. Ms. Olsen stated that she was aware of a statement made by Dusty Whited, Bingham County Public Works Director, that he planned to place traffic counters in the subject area but that she was unaware if that had occurred.

Discussion was held in regards there being four entrances onto Redwood and Commissioner Jackson asked Ms. Olsen if that was standard. Ms. Olsen stated two points of access in ingress and egress for 29 lots or more to meet fire code and from a planning perspective having two approaches to serve 112 lots, could create congestion. Ms. Olsen stated these are questions that should be asked to the Public Works Director, who was not in attendance.

A brief discussion was held in regards to the five (5) non-buildable lots within the proposed subdivision, wherein Ms. Olsen explained that code defines a non-buildable lot and that they are dedicated as open space but the county does not have any regulations as to what those open space areas feature.

Commissioner Jensen stated that he had concerns in regards to water pressure but that had been addressed.

DECISION REGARDING COPPER MEADOWS II SUBDIVISION

Commissioner Jensen moved to approve a 112-lot residential subdivision (with 5 non-buildable lots for open space), to be known as Copper Meadows II Subdivision, in a four (4) phase development, on approximately 45.296 acres of land, located north of 1429 N 800 E, Shelley, Idaho and South of Copper Meadows Subdivision as proposed by property owners Rockwell Homes, Inc. Commissioner Jackson seconded. Both voted in favor. The motion carried.

Request for Reconsideration/Judicial Review: Upon denial or approval of a zone change, with adverse conditions, pursuant to Idaho Code Section 67-6535(2)(b), the Applicant or affected person seeking Judicial Review of compliance with the provisions of this section must first seek reconsideration of the final decision within fourteen (14) days. Such written request must identify specific deficiencies in the decision for which reconsideration is sought.

Regulatory Takings: Additionally, the Applicant may request a regulatory takings analysis as per Idaho Code Section 67-8003. An affected person aggrieved by a final decision concerning matters identified in Section 67-6521(1)(a), Idaho Code may within twenty-eight (28) days after all remedies have been exhausted under local ordinance, seek Judicial Review as provided by Chapter 52, Title 67, Idaho Code.

Dated this 2 day of January 2026.

**Board of Bingham County Commissioners
Bingham County, Idaho**

Recused

Whitney Manwaring, Chairman

Eric Jackson

Eric Jackson, Commissioner

Drew Jensen

Drew Jensen, Commissioner

CERTIFICATE OF SERVICE

I certify that on the 2 day of January, 2026, I served a true and correct copy of the Reason & Decision for the request for Zoning Designation and Copper Meadows II Subdivision, upon the following person(s) in the manner(s) indicated:

- ☐ Mail
- ☒ Email: tolsen@binghamid.gov
- ☐ Hand Delivered
- ☐ Designated Courthouse Box

Tiffany Olsen
Planning & Development Director

- ☒ Mail
- ☒ Email: curtis@rockwellhomes.net
- ☐ Hand Delivered
- ☐ Designated Courthouse Box

Rockwell Homes
3539 Briar Creek Ln Ste E
Ammon, ID 83406

Lindsey Gluch

Lindsey Gluch, Commission Clerk