

BOARD OF BINGHAM COUNTY COMMISSIONERS

REASON & DECISION

In regards to: The Planning & Zoning Commission's recommendation to approve the request for zoning amendment from "R/A" Residential/Agriculture to "A" Agriculture" for two (2) parcels identified as RP0253500 and RP0253603. The parcels are located at 264 S. 625 W., Blackfoot, ID (Township 3 South, Range 34 East, Section 13) and feature the Applicant's residence and the farmed ground, totaling approximately 32.81 assessed acres of land.

The Board of County Commissioners granted a Zoning Amendment Application and adopted the action with an ordinance recorded on December 29, 2020, as Ordinance No. 2020-09. The recording of the Ordinance occurred prior to the appeal period lapsing. An Appeal was received, and from the Appeal, on November 13, 2024, Bingham County Planning & Development Services received an email from the Applicants withdrawing their Zoning Amendment Application. It is appropriate to rescind Ordinance No. 2020-09 and reverse the zoning of the Applicant's parcels to Agriculture following the requirements of Bingham County Code Title 10 Chapter 15 Amendments.

Property Owners: Donald and Lorette Anderson

Board of County Commissioners Public Hearing Date: December 3, 2025

Prior to the Public Hearing, the Board of County Commissioners, reviewed the Application and materials submitted by the Applicant, Donald & Loretta Anderson, along with the Staff Report and all supplemental maps, notices and other materials.

As to procedural items, the Board of County Commissioners finds the following:

1. Requested Action: The Public Hearing was held pursuant to Bingham County Code Section 10-3-6(A)(11) where the Board held a Public Hearing, using the same notice and hearing procedures as the Commission, on the Application for an Amendment to the Zoning Designation.
2. 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 3, 2025 (CC-3 Government Agency Notice)
 - b. Published in the Idaho State Journal and Post Register on November 5, 2025 (CC-2- Affidavit of Publication)
 - c. Sent to property owners within 300' of this property on November 3, 2025. (CC-4 Property Owners Mailing List and Notice)
 - d. Site was posted on November 17, 2025 (CC-5 Notice of Posting Affidavit)

There was no testimony received prior to the Boards Public Hearing.

After presentation of the Staff Report by Tiffany Olsen, Planning & Development Director, and confirmation that there were no additional questions for county staff, Chairman Manwaring opened the Public Hearing for testimony.

There was no testimony in favor, neutral, nor in opposition.

REASON

Public testimony was closed and the Board moved into discussion and deliberation which was held and the Board found the following:

1. The request is to rescind Bingham County Ordinance No. 2020-09 and reverse the Zoning District designation of Parcels RP0253500 & RP0253603 from "R/A": Residential/Agriculture to "A" Agriculture on approx. 32.81 acres is appropriate as the Applicants have withdrawn their request to amend the zoning of the parcels; and
2. The authority for this action is found in Idaho Code §67-6511(2)(b), which requires the Application to follow the same notice and hearing procedures for an ordinance; and
3. That request is in accordance with the Comprehensive Plan and aligns with the Comprehensive Plan; and
4. The Application met the notice requirements of Idaho Code Title 67, Chapter 65, and Bingham County Code Section 10-3-6; and

Chairman Manwaring stated that he was a Commissioner when the original Application was heard and it has been a long process but the Applicants would like to change the zoning designation back to Agriculture. Therefore, he has no issue with the proposal.

Commissioner Jackson stated that he had no issues with the proposal to change back to Agriculture, especially to protect the decreasing supply of ag lands. Therefore, he would be in favor.

Commissioner Jensen stated that in review of the Staff Report and testimony provided at the Planning & Zoning Commission Public Hearing, he is in favor of the proposal.

Chairman Manwaring reiterated that when the original Application was heard he was not in favor due to the fact that the subject property was not contiguous to any other Residential/Agriculture and any connection to city services.

There was no further discussion and Chairman Manwaring entertained a motion.

DECISION

Decision: Commissioner Jackson moved to rescind Ordinance No. 2020-09 and reverse the Zoning District designation of Parcels RP0253500 & RP0253603 from "R/A" Residential/Agriculture to "A" Agriculture on approx. 32.81 acres of land, located at 264 S. 625 W., Blackfoot, Idaho, as requested by Donald and Lorette Anderson. Commissioner Jensen seconded. All 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 17 day of December, 2025.

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


Whitney Manwaring, Chairman


Eric Jackson, Commissioner


Drew Jensen, Commissioner

CERTIFICATE OF SERVICE

I certify that on the 17 day of December 2025, I served a true and correct copy of the Reason & Decision for the request for Zoning Amendment from "R/A" Residential/Agriculture to "A" Agriculture, submitted by Donald and Lorette Anderson, upon the following person(s) in the manner(s) indicated:

- ☒ Mail
- ☐ Email:
- ☐ Hand Delivered
- ☐ Designated Courthouse Box

Donald and Lorette Anderson
264 S. 625 W.
Blackfoot, Idaho 83221

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

Tiffany Olsen
Planning & Development Director



Lindsey Gluch, Commission Clerk