

BINGHAM COUNTY COMMISSIONERS

Whitney Manwaring, Chairman

Eric Jackson

Drew Jensen



Lindsey Gluch, Commission Clerk

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BOARD OF BINGHAM COUNTY COMMISSIONERS REASON & DECISION

In regard to: The Planning & Zoning Commission's recommendation to approve Applicant and Property Owner, MHD Development, LLC's request to amend the zoning of approximately 0.0876 acres of land zoned "A" Agriculture to "C2" Heavy Commercial, located at 704 N. Highway 91, Firth, Idaho, in accordance with Bingham County Code Title 10 Chapter 15 *Amendments*.

Parcel Location: 704 N Highway 91, Firth, Idaho (RP0393602)

Property Owners/Applicants: MHD Development, LLC

Board of County Commissioners Public Hearing Date: August 12, 2026

Prior to the Public Hearing, the Board of County Commissioners reviewed the application and materials submitted by the Applicant, MHD Development LLC., 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 July 16, 2026 (CC-3 List of Government Agencies and Notice)
 - b. Published in the Idaho State Journal and Post Register on July 18, 2026 (CC-2: Affidavit of Publication)
 - c. Sent to property owners within 300' of this property on July 16, 2026. (CC-4 & Property Owners Mailing List and Notice)
 - d. Site was posted on July 22, 2026 (CC-5 Affidavit of Posting) and photographs of the site were taken on May 12, 2026. (Exhibits S-8)
2. The Planning & Development Department and Commission Clerk received no additional testimony prior to the Board's Public Hearing.

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-6) Barry Bame, Krossroads Engineering, 112 South Main St., Suite D, Firth, Idaho, stated that a portion of the property is zoned "A" Agriculture and the request is to rezone to "C2" Heavy Commercial, to align with the remainder of the parcel's zoning designation. Mr. Bame stated that he is currently working to do a lot line adjustment to be able to get the Residential property on its own and the Commercial on its own also.

There were no questions for the Applicants Representative.

Reason & Decision- Zoning Amendment
MHD Development LLC

Chairman Manwaring opened the Public Hearing for testimony in favor, neutral or 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 Application met the purpose of the “C2” Heavy Commercial Zone, which is to provide for the development of businesses and service establishments which are incompatible in community shopping areas. This zone requires relatively large size lots and easy highway access and should be removed from residential areas with:
 - a. Adequate service by major roadways. The Board found that the property has two existing access points from Highway 91 that will remain in place. In addition, one access from 700 N is planned at the time of development, which also provides direct access to the highway. This future access will be subject to an approach permit with potential traffic problems.
 - b. Location that minimizes potential traffic problems. The Board found that the property has convenient and direct access to Highway 91 and did not express concerns with potential traffic problems.
 - c. Compatibility with existing uses. The Board found in the Staff Report that the surrounding area consists of a mix of residential, pasture, and commercial uses. The proposed rezone would be consistent with existing commercial uses already established on portions of this property.
 - d. Protection from encroachment of residential uses. Staff provided information to the Board that commercial use has already been established on the bulk of the property. The nearby homes are located 150 to 250 feet from the proposed rezone area and are currently adjacent to land zoned C2, with two of the homes being located within the C2 Zoning District.
 - e. Accessibility to adequate utilities. The Board found that the property currently has an existing well and septic system, with five (5) water shares from the Blackfoot Irrigation Company
3. The Bingham County Comprehensive Plan Map identifies the subject parcel as Multi-Use, which supports the Zoning Amendment request; and
4. The Application met the notice requirements of Idaho Code Title 67, Chapter 65, and Bingham County Code Section 10-3-6.

Chairman Manwaring had no concerns and stated the request falls in line with the multi-use corridor that was implemented along the main highways throughout the County.

Commissioner Jackson had no concerns.

Commissioner Jensen had no concerns.

DECISION REGARDING ZONING AMENDMENT

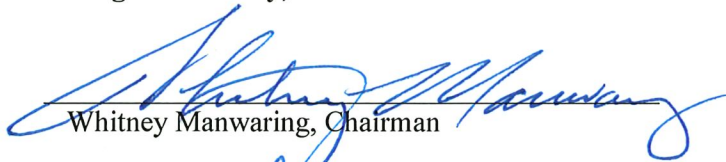
Based on the record, Commissioner Jensen moved to uphold the Planning & Zoning Commission's recommendation to approve the Zoning Amendment of 0.0876 acres of a 2.35- acre parcel located at approx. 704 N. Highway 91, Firth, ID, from Agricultural to Heavy Commercial for future commercial development as proposed by MHD Development, LLC. Commissioner Jackson 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 21 day of August 2026.

**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 21 day of August 2026, I served a true and correct copy of the Reason & Decision for the request for Zoning Amendment submitted by MHD Development, LLC, 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: barryb@krossroadsengineering.com
- ☐ Hand Delivered
- ☐ Designated Courthouse Box

Barry Bame- Designated Agent for Applicant
Krossroads Engineering

- ☐ Mail
- ☒ Email: heathm007@yahoo.com
- ☐ Hand Delivered
- ☐ Designated Courthouse Box

Heath Mitchell- Applicant

- ☐ Mail
- ☒ Email: derrick@ironwoodmillworks.com
- ☐ Hand Delivered
- ☐ Designated Courthouse Box

Derrick Dye



Lindsey Gluch, Commission Clerk