

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

**APPLICATION OF:** Comprehensive Plan Map Area Amendment from Agricultural to Residential/Agricultural and, if recommended for approval, a Zoning Amendment from Residential/Agriculture and Agriculture to Residential/Agriculture

**PROPERTY OWNERS:** Daren & Terri Ferrell

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**Requested Action:** Property Owners and Applicants, Daren and Terri Ferrell, requested to amend the Comprehensive Plan Map Area designation from Agricultural to Residential/Agricultural and a Zoning Amendment from a combination of “R/A” Residential/Agriculture and “A” Agriculture to all “R/A” Residential/Agriculture on a parcel consisting of approximately 4.46 acres located at 30 N 950 W, Blackfoot, ID, per Bingham County Code Title 10 Chapter 15 Amendments. The purpose of the Amendments is for future residential development following the subdivision process.

**Property Location:** 30 N 950 W, Blackfoot, ID 83221. Parcel No. RP0211713, T2S, R34E, Sec 33, approx. 4.46 acres

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

**Public Hearing Date:** August 13, 2025

**I. PUBLIC HEARING RECORD AND INFORMATION**

1. The following was reviewed by the Commission:
  - a. Application and materials submitted by the Applicant; and
  - b. Staff Report and supplemental maps, notice, and other materials.
2. At the Public Hearing, Assistant Director/Lead Planner Addie Jo Jackman presented the Staff Report for the Application. She reviewed the requested action and acknowledged that before the Public Hearing, the Commissioners were provided the record of written testimony received, which included:

(T-1) Bingham County Surveyor submitted testimony in a neutral position and had no comments or concerns.

(T-2) Bingham County Public Works Submitted testimony in a neutral position and has no objections or concerns. All new approaches must meet Bingham County approach standards.

(T-2A) Bingham County Public Works submitted testimony in a neutral position stating no objections or concerns. All new approaches must meet Bingham County approach standards.

3. At the Public Hearing, the Staff Report, which included the above-mentioned testimony, was presented by Addie Jo Jackman, Planning and Development Assistant Director/Lead Planner. Commissioner Jolley clarified that a portion of the property was already zoned Residential/Agriculture, and the request was to extend that zoning to encompass the entire parcel.
4. With no further questions from the Commission, testimony was presented by (T-3) Applicant, Daren Ferrell, 30 N 950 W, Blackfoot, ID, who testified that the reason the zoning amendment was being requested was for a future residential subdivision to construct a new, larger residence to accommodate their growing family.
5. With no further questions for Mr. Ferrell, the Chairman called for testimony from the public. Testimony was received in a neutral position from (T-4) Tate Hansen, 40 N 950 W, Blackfoot, ID, who expressed concerns regarding the ditch that runs through the middle of Ferrell's property, providing irrigation water to his parcel, which he wanted to confirm would remain and continue to provide irrigation to his property. Additionally, Mr. Hansen stated that constructing a new residence on the property may be challenging due to the location of the ditch.
6. No testimony was received in favor of or in opposition to the Application.
7. Applicant, Daren Ferrell, provided rebuttal testimony stating that they did not have any immediate plans to bury or alter the ditch. They are more than willing to comply with any requirements and always try to be good neighbors. Chairman Adams clarified that if the ditch needed to be relocated, they would ensure that the ditch would still be maintained and provide irrigation to Mr. Hansen's property, which Mr. Ferrell confirmed. Commissioner Bingham asked if Mr. Ferrell was aware of an easement associated with the ditch. Mr. Ferrell stated that he did not believe that there was.

Chairman Adams asked Staff for clarification on the ditch. Assistant Director/Lead Planner, Addie Jo Jackman, explained that irrigation and the method of delivery are typically addressed and considered as part of a Subdivision Application, which would require another Public Hearing following the same notice procedures. She also mentioned

that the applicable irrigation district/provider will be notified of the Applicant's desired method of water delivery and may provide testimony at that point in time.

8. Chairman Adams closed the Public Hearing and commenced Commission discussion. Commissioner Jolley stated that when the Residential/Agriculture zone was established in the area, it appeared that it cut off several portions of properties, but it seemed that the requested amendments would fit the Plan. Additionally, he believed that there was likely a prescriptive easement for the ditch, which would be protected and discussed as part of the Subdivision Public Hearing, to which Chairman Adams agreed.

Commissioner Carter asked if there were any division rights associated with the property. Assistant Director Jackman explained that there were not, which is why a subdivision would be necessary to divide the parcel.

Commissioner Winder asked Staff if the People's Canal and Irrigation Company would receive notice of the Subdivision and be provided the opportunity to submit testimony. Assistant Director Jackman responded that the People's Canal and Irrigation Company would receive notice as a Government Agency for the Subdivision Application. Additionally, that notice had been provided to the People's Canal and Irrigation Company regarding the proposed amendments, but no response was received.

The Commissioners did not express any other concerns with the Application or compatibility with the area.

## II. 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 owner and included all required contents of a complete Application; and
2. the Residential/Agricultural Comprehensive Plan Map Area corresponds with "R" and "R/A" zones in the Zoning Ordinance and is established to direct the orderly and timely conversion of land as the need arises into residential areas that are still rural in character, and the Application met the specific purpose of the Comprehensive Plan; and
3. a portion of the 4.46-acre parcel is already zoned Residential/Agriculture, and is surrounded by similarly sized parcels consisting of residences and agricultural land. The requested amendments would not be harmful to adjacent or neighboring uses, and will not create urban density; and



4. the purpose of the "R/A" Residential/Agriculture zone is to permit the establishment of low-density single-family dwellings with lot sizes sufficient for individual sewer and water facilities and that have lot sizes compatible with existing lot sizes in the immediate area pursuant to Bingham County Code Section 10-4-2(C); and
5. the Application met the Residential/Agriculture zone purpose as parcels exist in the immediate area that are as small as one-acre in size with existing residential uses; and
6. the Application met the notice requirements of Idaho Code Title 67, Chapter 65, and Bingham County Code Section 10-3-6.

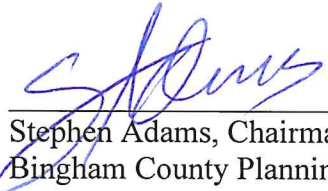
### III. DECISION

Based on the record, Commissioner Jolley moved to recommend approval of the Comprehensive Plan Map Amendment from Agricultural to Residential/Agricultural on approximately 4.46 acres of land, located at approx. 30 N 950 W, Blackfoot, ID 83221, as proposed by Daren and Terri Ferrell.

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

Based on the record, Commissioner Jolley moved to recommend approval of the Zoning Amendment from a combination "A" Agriculture and "R/A" Residential/Agriculture to all "R/A" Residential/Agriculture on approx. 4.46 acres of land, located at approximately 30 N 950 W, Blackfoot, ID 83221, as proposed by Daren and Terri Ferrell.

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

  
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Stephen Adams, Chairman  
Bingham County Planning and Zoning Commission

9-5-25  
Date