



BINGHAM COUNTY PLANNING & ZONING COMMISSION MEETING AGENDA

(amended 6/30/2025)

**Bingham County Courthouse
501 N. Maple Street, Blackfoot, ID 83221**

**WEDNESDAY, JULY 9, 2025, AT 6:00 P.M. AND
COMMENCING AGAIN ON THURSDAY, JULY 10, 2025, AT 6:00 P.M.
IF NOT CONCLUDED PRIOR TO**

The purpose of this Agenda is to assist the Planning and Zoning Commission and interested citizens in the conduct of this Public Hearing. The Agenda is subject to change up to 48 hours before the meeting begins or by vote during the meeting. For more information on the Applications subject to this meeting, you may contact Bingham County Planning and Development [Services](#) at (208) 782-3177.

WRITTEN TESTIMONY: Per Bingham County Code Section 10-3-6(A)(8), all written testimony and exhibits must be submitted to the Planning and Development Services Department to be included in the official record. Any written testimony greater than two (2) pages is required to be submitted no less than eight (8) calendar days before this Public Hearing or it will not be accepted.

ORAL TESTIMONY: Any citizen who wishes to address the Planning and Zoning Commission on a Public Hearing agenda item must first complete an Oath of Affirmation which will be given to the Chairman of the Commission at the time testimony is offered. In order to keep a clear audio recording of this Public Hearing, when testifying, a person must come to the podium and state his/her name and address for the record; there will be a five (5) minute time limitation for testimony by citizens. Testimony should not be repetitious of other testimony already given, should not be personally malicious, and should be directed specifically to whether the application meets or does not meet the regulations of Bingham County Code or Idaho Code. Comments and/or questions will not be accepted from the audience. Booing, cheering, or other inappropriate gestures will not be tolerated. To review Meeting Procedures for Public Hearings, you may reference the above-mentioned webpage.

RECESS: The Planning and Zoning Commission may call a recess, as deemed necessary, to allow Planning and Zoning Commission members and participants a brief rest period.

ADA COMPLIANCE: In accordance with the American with Disabilities Act/504 Compliance, individuals who need accessible communications or other accommodation in order to participate are invited to make their needs known to the Bingham County Clerk, 3 to 5 days in advance, at (208) 785-7040.

A. DISCLOSURE OF CONFLICTS OF INTEREST, EX-PARTE COMMUNICATIONS, AND/OR SITE VISITS. Disclose any communication, including who was present and the basic substance of the conversation. Disclose if a site visit was made, the location of the site visit, and what was seen.

B. PUBLIC HEARING ITEMS:

- 1. VARIANCE TO THE SETBACK REQUIREMENT FROM A COUNTY ROAD RIGHT-OF-WAY TO A STRUCTURE (ACTION ITEM: DECISION)** Property owner, Reed Searle, requests a variance of approx. 49-feet to the required 150-foot setback from a Bingham County road Right-of-Way identified as E 850 N on the northern parcel boundary to two (2) existing potato cellar storage structures located on his property. Pursuant to Bingham County Code Section 10-6-3(A) *Setback From Road Right-Of-Way or Front Property Line*, potato storage buildings with a loading and unloading entrance facing onto a road Right-of-Way shall maintain a one hundred fifty-foot (150') setback. The structures are set back approx. 101 feet from the county road. If granted, the variance would allow for the efficient loading and unloading from both sides of the building with a door added on the north side. Pursuant to Bingham County Code Section 10-10-5 *Variances*, the Applicant must show an undue hardship because of characteristics of the site and that the variance is not in conflict with the public interest. Approx. Location: 1.15 miles Northwest of 1426 N 475 E, Shelley, ID. Parcel No. RP0372702, T1N, R36E, Sec. 22, consisting of approx. 5.00 assessed acres.
- 2. 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 (ACTION ITEM: RECOMMENDATION)** Property Owners and Applicants, Daren and Terri Ferrell, request 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, in accordance with Bingham County Code Title 10 Chapter 15 *Amendments*. The purpose of the Amendments is for future residential development. Location: 30 N 950 W, Blackfoot, ID. Parcel No. RP0211713, T2S, R34E, Sec. 33, consisting of approx. 4.46 acres.
- 3. ZONING DISTRICT AMENDMENT FROM RESIDENTIAL/AGRICULTURE TO AGRICULTURE (ACTION ITEM: RECOMMENDATION)** Property Owners, Donald and Lorette Anderson, were granted a Zoning Amendment from Agriculture “A” to Residential/Agriculture “R/A” in 2020. County Ordinance No. 2020-09, modifying the zoning district designation, was mistakenly recorded on December 29, 2020, before exhausting the statutory appeal period of 14 days from the date of the Board of County Commissioners' Decision. During this timeframe, an Appeal was filed. Since hearing the Appeal the Applicants have withdrawn their Application, which necessitates rescinding Ordinance No. 2020-09 and returning the subject parcels Zoning District designation to Agriculture with the recording of a new Ordinance. Approx. Location: 264 S 625 W, Blackfoot, ID. Parcel Nos. RP0253500 & RP0253603, T3S R34E, Sec. 13, consisting of approx. 32.81 assessed acres.
- 4. CONDITIONAL USE PERMIT FOR AN EXPANSION OF AN EXISTING CONFINED ANIMAL FEEDING OPERATION (ACTION ITEM: DECISION)** Property Owners and Applicants, Pingree I Trust and Pingree II Trust, request a Conditional Use Permit to expand a Confined Animal Feeding Operation (CAFO) at approx. 282 S 1500 W Pingree, ID, on approx. 160 assessed acres of land, zoned Agriculture. Prior property owners, Jake & Cassidy Howe, received a Conditional Use Permit with conditions on July 9, 2018 for up to 4,500 cow/calf pairs, operating as Diamond Springs Feedlot. Current

Owners/Applicants, operating as Diamond Peak Feedlot, purchased the land in 2022 and wish to expand cattle operations up to 11,000 Animal Units (AU's) to align with an approved Nutrient Management Plan from the State of Idaho Department of Agriculture. In accordance with Bingham County Code Section 10-5-3 *Land Use Chart*, this use is allowed on lands zoned Agriculture with an approved Conditional Use Permit and requires compliance with Bingham County Code Section 10-7-10 *Specific Use Performance Standards*. Approx. Location: 282 S 1500 W Pingree, ID. Parcel Nos. RP0138000, T3S, R33E, Sec. 16, consisting of approx. 160 assessed acres.

5. **RESCHEDULED FOR THE PLANNING & ZONING COMMISSION PUBLIC HEARING TO BE HELD ON AUGUST 13, 2025 AT 6:00 P.M. CONDITIONAL USE PERMIT FOR AN EXPANSION OF AN EXISTING CONFINED ANIMAL FEEDING OPERATION (ACTION ITEM: DECISION)** ~~Property Owner and Applicant, Cedar Arch Dairies LLC, requests a Conditional Use Permit to expand an existing Confined Animal Feeding Operation (CAFO) in two separate locations known as the “Home Dairy” which began operation in 1959 and the “North Dairy” which began operation in 1990. Bingham County enacted an Ordinance on September 28, 2005 (specifically Title 8 Chapter 5) that grandfathered all existing CAFO’s in operation before that date in “as is” condition. Based on Section 8.5.4(g) *General Requirements*, “A Special Use Permit is required for all new CAFOs or the expansion of an existing CAFO that constitutes a Material Change” the Applicant is required to apply for a Conditional Use Permit because of an increase in animal units (“AU”) and increase of its Animal Waste Management System capacity. The Applicant’s Nutrient Management Plans (approved by the State of Idaho Department of Agriculture) show an increase in AU’s from 2017 to 2024 by up to 2,280 AU’s for a current operation of up to 4,280 AUs. CAFO’s are allowed in an Agriculture “A” Zoning District with an approved Conditional Use Permit in accordance with Bingham County Code Section 10-5-3 *Land Use Chart*, and requires compliance with Bingham County Code Section 10-7-10 *Specific Use Performance Standards*. The “North Dairy” is located (approx.) East of 732 N 700 E, Firth, ID, Parcel Nos. RP0532304, RP0532305, RP0532303 & RP0531803, T1S, R37E, Sec 29, consisting of approx. 121.51 assessed acres. The “Home Dairy” is located at 710 E 600 N, Firth, ID, Parcel Nos. RP0538006, RP0537403, RP0537502, RP0537404, RP0537504, RP0537503 & RP0538007, T1S, R37E, Sec 32, consisting of approx. 106.44 assessed acres. Total assessed acreage is approx. 227.95 acres.~~

C. ADMINISTRATIVE ITEMS:

1. **REVIEW AND APPROVE (ACTION ITEM: DECISION)** Review and approve the Planning and Zoning Commission Meeting Minutes and Decisions from Public Hearing Applications presented on 05/14/2025 and 06/11/2025.
2. **ITEMS OF INTEREST (ACTION ITEM: DISCUSSION)**
 - a. Review upcoming Public Hearing items
 - b. Questions/items from Commission Members
 - c. Planning and Development Services Update

D. MEETING ADJOURNMENT (ACTION ITEM: DECISION)