



**BINGHAM COUNTY PLANNING & ZONING COMMISSION  
REGULAR MEETING AGENDA AND NOTICE**

**Bingham County Courthouse, Courtroom 1  
501 N. Maple Street, Blackfoot, ID 83221**

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**WEDNESDAY, MAY 12, 2021 AT 7:00 P.M.**

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**Due to COVID-19 and CDC best practices for social distancing, all Planning & Zoning Commission Meetings will occur via web-conference and telephone with limited in-person attendance as strict social distancing is in place. The meetings will be available to the public electronically or by phone. Attending via Zoom or phone is highly recommended and requested. MASKS/FACE COVERINGS ARE RECOMMENDED.**

General Information on joining a Zoom meeting can be found at <https://support.zoom.us/hc/en-us/articles/201362193-Joining-a-Meeting>. All persons interested or who are affected are invited to attend said hearing via web-conference (no webcam is necessary to participate) by phone at 1(253) 215-8782, Meeting ID: 833 0097 2014876 4203 0733, Passcode: 94395249 or online at <https://us02web.zoom.us/j/83300972014?pwd=T0hXZUZsYXRWWmZmcEUvTzBRSXRwZz09>

**CALL PUBLIC HEARING TO ORDER (CHAIRMAN), DISCLOSURE OF CONFLICT OF INTEREST- EX-PARTE COMMUNICATION AND SITE VISIT:** Disclose who was talked to, the basic substance of the conversation and if it had any influence. Disclose if a site visit was made, location(s) of the visit and what was seen.

**A. PUBLIC HEARINGS:**

**1. TRINA STAPLES: CONDITIONAL USE PERMIT (COMMERCIAL GREENHOUSE) (ACTION ITEM: DECISION)**

A proposal from Trina Staples for a commercial greenhouse located at approx. 789 E 1600 N in Shelley. The parcel is zoned "A" Agriculture and is approx. 0.62 acres of land. The proposed parcel is currently used as a tree nursery. The Applicant is requesting the commercial greenhouse to sell plants and flowers to landscapers; under Bingham County Code Section 10-5-3 "Land Use Chart" a public greenhouse is conditionally permitted in an "A" Agricultural Zoning District. **Approx. Location: 789 E 1600 N, Shelley, ID. Parcel No. RP0452200, Township 1 North, Range 37 East, Section 17 consisting of approx. 0.62 acres**

**2. THOMPSON LAND, LLLP/CEDAR CREEK WIND, LLC: CONDITIONAL USE PERMIT (BATCH PLANT) (ACTION ITEM: DECISION)**

A proposal from Cedar Creek Wind, LLC (Representative) for a portable "wet mix" concrete batch plant on one, or a combination, of five parcels ranging in size from approx. 0.99 acres to approx. .76 acres owned by Thompson Land, LLLP, zoned "NR" Natural Resources, previously used for growing alfalfa and grazing. The Applicants narrative states that the portable batch plant would be set up to meet construction needs associated with the Cedar Creek Wind Project phases which were approved through previous Conditional Use Permits. The batch plant would be temporary in nature and used only during the project construction period for which it is required. Bingham County Code Section 10-5-3 "Land Use Chart" a batch plant is conditionally permitted in an "NA" Natural Agricultural Zoning District.

**Approx. Location: the East end of 900 N Sand Creek Rd. in Firth, RP0555908, RP0555903, RP0555905, RP0556200, RP0525200, Township 1 South, Range 37 & 38 East, Sections 18, 19, & 24 ranging in size from approx. 0.99 acres to 76 acres**

**3. KALEB PHELPS: CONDITIONAL USE PERMIT (DIVISION RIGHT TRANSFER) (ACTION ITEM: DECISION)**

A proposal from Kaleb Phelps for a Conditional Use Permit to transfer 1 division right from the remnant of an original parcel he owns identified as RP0475818 “River Parcel” to the remnant of an original parcel he owns identified as RP0472204. The division right being transferred was previously transferred by Conditional Use Permit on January 13, 2021 to the “River Parcel”; the intent in transferring the division right a second time is for future residential parcel development on parcel no. RP0472204. **Approx. Location: Northwest of the City of Shelley, between 1400 North Country Club Road, 750 East Hanson Lane, and the Snake River. Sending Parcel RP0475818, Receiving Parcel RP0472204.**

**4. AREA OF CITY IMPACT AGREEMENT BETWEEN BINGHAM COUNTY AND THE CITY OF BLACKFOOT (ACTION ITEM: RECOMMENDATION)**

Area of City Impact Agreements are required by Idaho Code Section 67-6526 between the governing bodies of Cities and Counties as the parties to the Agreement. The current Area of City Impact Agreement was adopted by County Ordinance No. 2002-08 on September 30, 2002. The proposed Agreement has been prepared by County and City Staff and will be presented to the Planning & Zoning Commission for the Commissions consideration which includes receiving written and oral public input and testimony, Commission discussion, and Commission deliberation on how to proceed with the proposed Agreement. A summary of the proposal includes, but is not limited to, language defining development; establishing development coordination meetings with City and County Staff; implementation of a transition area by requiring city infrastructure and connections for new construction within 500 feet of the City of Blackfoot City limits; criteria for non-contiguous development greater than 500 feet from City of Blackfoot City Limits; and criteria for new construction of high density. The boundaries of the Area of City Impact will be unchanged from the 2002 Agreement.

**B. ADMINISTRATIVE ITEMS:**

- 1. CONSENT ITEMS (ACTION ITEM: DECISION):** Ratify the 4/14/2021 Planning and Zoning Commission Meeting Minutes and Reasoning and Decisions; and
- 2. COMMISSION/STAFF ITEMS (discussion only):**

**C. ADJOURN.**

