



# MINUTES OF THE BOARD OF BANNOCK COUNTY COMMISSIONERS

## Meeting Details

Date of Meeting:	Tuesday, April 2, 2024
Commissioners present:	Ernie Moser, Jeff Hough, and John Crowder
Clerk of the Board:	Jason C. Dixon
Absent Board Members:	
Staff present:	Deputy Clerk Nancy Allen, Comptroller Kristi Klauser, Chief of Staff Braeden Clayson, and Attorney Brian Trammell

## Agenda Details

AGENDA	
1	Board of County Commissioners Regular Business Meeting (action items) <b>BOARD OF COMMISSIONERS</b> MEETING CALL TO ORDER, AGENDA CHANGES & AGENDA APPROVAL (action item)
2	<ul style="list-style-type: none"> <li>Indigent Business may require an Executive Session pursuant to Idaho Code §74-206(1)(d) to consider records exempt from public disclosure (action item)- No business</li> </ul>
3	<ul style="list-style-type: none"> <li>Kristi Klauser, Comptroller, seeking signature on Tyler Amendment (action item)</li> </ul>
4	<ul style="list-style-type: none"> <li>Shanda Crystal, Chief Procurement Officer, requesting to discuss a contract negotiation for Architectural Services for 1-Year with potential Executive Session with potential action following adjournment of Executive Session (requested 10 minutes) (action item)</li> </ul>
5	<ul style="list-style-type: none"> <li>Ratify signature on Notice of intent NOT to renew agreement with Azteca Systems, LLC – Cityworks (action item)</li> </ul>
6	<b>RESOLUTIONS AND ORDINANCES (action items):</b> Resolution No. 2024-23 Approving March 2024 Salaries Resolution No. 2024-24 Approving Tax Cancellation Requests Resolution No. 2024-25 Approving March 2024 Alcohol Licenses County Ordinance 2024-02 Amendment No. 67 to Zoning Ordinance No. 1998-1
7	<b>LETTERS AND NOTICES (action items):</b> Public Hearing Notice – Transfer of Development Rights
8	<b>SIGNATURE ONLY (action items):</b> Tax Cancellation Request Dustbusters bid
9	<b>CONSENT AGENDA (action items):</b> <ul style="list-style-type: none"> <li>Manual Checks</li> <li>Alcohol Licenses and Catering Permits</li> <li>Certificate of Residency Approval</li> <li>Salary Rate Approval Forms/Notice of Separation with Potential Executive Session under Idaho Code §74-206(1)(a)&amp;(b) regarding personnel with potential action following adjournment of Executive Session</li> <li>Technology Forms</li> <li>Minutes: Approval of Meeting Minutes from March 21, 2024 and Certification of Said Minutes</li> </ul>

## Meeting Notes

- 1 10:00 AM Moser called the meeting to order and noted a late start.
- 2 No indigent business.
- 3 10:00 AM Klauser reviewed an amendment for the Tyler contract. There are three modules not being used and removing them creates a savings of \$16,000. Hough moved to approve the amendment. The motion passed.
- 4 10:12 AM Facilities Director Dan Kendall and Planning Director Hal Jensen also appeared. Crystal requested to enter into executive session for a contract negotiation for an architect for the next year. 10:13 AM Hough moved to enter into executive session under Idaho Code §74-206(1)(f) for contract negotiations. The motion passed by roll call vote.  
10:24 AM Hough moved to exit the executive session. The motion passed. Crystal will have a contract prepared and bring back.
- 5 10:01 AM Moser reviewed Road and Bridge pulled out from Cityworks creating a savings of \$30,000. The document had to be signed and needs ratified. Hough moved to ratify signature for non-renewal of the Azteca Systems – Cityworks contract. The motion passed.
- 6 10:01 AM Moser reviewed the resolutions. Hough moved to approve Resolution Numbers 2024-23, 24, and 25. The motion passed.  
  
10:04 AM Moser reviewed Ordinance 2024-02 resulting from the public hearing last week. Hough requested to amendment 10, a sunset clause of one year. Spoke with legal and not material change and give opportunity to visit during course of year for a date to shoot for. Trammell reviewed clean, putting sunset date. Crowder does not feel necessary and it is a material change. Was not discussed in public hearing. Concerns to pick one amendment to sunset.  
10:09 AM Hal Jensen appeared. The ordinance edits have been worked on for six months. Jensen finishing comp plan which drives the ordinance rewrite. If potential to lose all of it, other edits are critical, but still gives opportunity to look at changes. Hough moved to approve the ordinance presented. The motion passed.
- 7 10:03 AM Hough moved to approve the publication of a public hearing notice for a transfer of development rights application. The motion passed.
- 8 10:03 AM Crystal shared the Dustbuster contract is a piggyback off of Power County Highway District. Hough moved to approve the tax cancellation request and authorize signature on the Dustbuster bid. The motion passed.
- 9 10:04 AM The consent agenda included a salary form, certificates of residency, and minutes. Hough moved to approve the consent agenda. The motion passed.

## Action Item Summary

ACTION/DIRECTION	ASSIGNED TO
Approved Tyler contract amendment.	Auditing
Approved entry/exit executive session – contract negotiations.	Clerk
Approved ratification of signature for non-renewal of Cityworks contract.	Staff
Approved Resolution Numbers 2024-23 Approving March 2024 Salaries; 2024-24 Approving Tax Cancellation Requests; 2024-25 Approving March 2024 Alcohol Licenses; and Ordinance 2024-02 Amendment No. 67 to Zoning Ordinance No. 1998-1.	Staff

Approved publication of public hearing notice for transfer of development rights.	Clerk
Approved tax cancellation request.	Assessor/Treasurer/Resolution
Approved Dustbuster bid.	Procurement
Approved consent agenda.	Clerk/Auditing

In the Matter of APPROVING )  
MARCH 2024 SALARIES )

R.S. No. 2024-23  
April 2, 2024

**RESOLUTION**

WHEREAS, salary approval forms, for the month of March 2024, have been submitted for approval by the Board of County Commissioners;

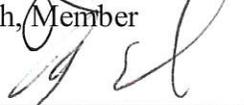
NOW, THEREFORE, BE IT RESOLVED that the following salaries are approved by the Board:

<b>Date Approved</b>	<b>Name – Reason for Change Department – Position</b>	<b>Salary &amp; Effective Date</b>
03/05/2024	Tabitha Thomas – Replacing Bryia Skinner Juvenile Probation – Youth Development Coordinator	\$19.11/hr 03/04/2024
03/05/2024	Dylan Barsalou – Temp Event Center/Wellness Complex – Temp Facilities Assistant	\$16.70/hr 03/11/2024
03/05/2024	Otto Hoxit – Temp Event Center/Wellness Complex – Temp Facilities Assistant	\$16.70/hr 03/11/2024
03/05/2024	Russ Mowrey – Temp Event Center/Wellness Complex – Temp Facilities Assistant	\$16.70/hr 03/11/2024
03/12/2024	Greg Huerta – Temp Elections – Temp Admin Specialist Elections Technician	\$14.84/hr 04/08/2024
03/12/2024	Callie Darrington – Replacing Ella Anderson Clerk of the District Court – Sr. Admin Assistant – Courts	\$16.70/hr 03/25/2024
03/12/2024	Danielle Huerta – Temp Elections – Temp Admin Specialist Elections Technician	\$14.84/hr 04/08/2024
03/12/2024	Nancy Muhlestein – Temp Elections – Temp Admin Specialist Elections Technician	\$14.46/hr 04/19/2024
03/12/2024	Mali Hall – Temp Elections – Temp Admin Specialist Elections Technician	\$14.46/hr 04/01/2024
03/19/2024	Dana Evans – Replacing Brandon McElhinney Mosquito Department – Mosquito Abatement Supervisor	\$21.88/hr 04/01/2024
03/19/2024	Parker Blad – Replacing Ashley Ford Building and Grounds – Maintenance Technician	\$17.87/hr 04/01/2024
03/28/2024	Joe Rasmussen – Temp Event Center/Wellness Complex – Temp Facilities Assistant	\$16.70/hr 04/08/2024
03/28/2024	Maxwell Bray – Temp Event Center/Wellness Complex – Temp Facilities Assistant	\$16.70/hr 04/08/2024
03/28/2024	Nick McCurry – Temp Event Center/Wellness Complex – Temp Facilities Assistant	\$16.70/hr 04/08/2024
03/28/2024	David Stanislawski – Replacing Chase Hocking Event Center/Wellness Complex – Asst Parks Coordinator	\$19.11/hr 04/08/2024
03/28/2024	Aimee Holder – Replacing Celina Hold Jail – Deputy Detention Division	\$21.88/hr 04/01/2024

BOARD OF BANNOCK COUNTY COMMISSIONERS

  
\_\_\_\_\_  
Ernie Moser, Chairman

  
\_\_\_\_\_  
Jeff Hough, Member

  
\_\_\_\_\_  
John Crowder, Member

ATTEST:   
\_\_\_\_\_  
Jason C. Dixon, Clerk

RESOLUTION

WHEREAS, requests for cancellation of taxes were considered on March 26, 2024; and

WHEREAS, these cancellation requests have been reviewed pursuant to Idaho Code §§63-711, 63-1302, 63-1303 and 63-1304;

NOW, THEREFORE, BE IT RESOLVED that the County Tax Collector, Jennifer Clark, is hereby authorized and directed to cancel the following on the tax rolls as listed by year:

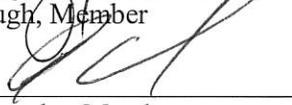
- (1) At the request of Assessor Anita Hymas, in a letter dated March 26, 2024, for cancellation of **market value** for the **2023** tax year.

PARCEL NO.	OWNER	EXPLANATION	VALUE TO BE CANCELLED
RPR4013049517	Smith, Vawn D	BTA decision	\$17,986.00
RPRPCS2002900	Higgins, Kent A	Allowed HOEX; HB389	\$125,000.00
RPRPPSQ000402	RCG Pocatello VII, LLC	BTA decision	\$1,345,274.00
RPRPPSQ000501	RCG Pocatello VII, LLC	BTA decision	\$2,817,135.00
RPRPPSQ000602	RCG Pocatello VII, LLC	BTA decision	\$16,695.00

BOARD OF BANNOCK COUNTY COMMISSIONERS

  
Ernie Moser, Chair

  
Jeff Hough, Member

  
John Crowder, Member

ATTEST:   
Jason C. Dixon, Clerk

In the Matter of APPROVING )  
MARCH 2024 ALCOHOL LICENSES )

R.S. No. 2024-25  
April 2, 2024

**RESOLUTION**

WHEREAS, in the month of March 2024, the following have applied for the following licenses and have been issued permits by the District Health Department and do not have any disqualifications;

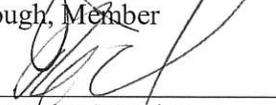
NOW, THEREFORE, BE IT RESOLVED that the following applications for licenses/permits be approved.

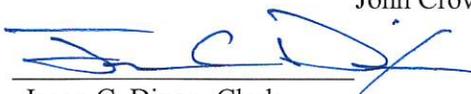
DATE APPROVED	LIC #	TOTAL	OWNER/APPLICANT	DBA/Event
03/05/2024	ABW2024-001	\$20.00	Kenneth Wilson	Shire of Stonegate

BOARD OF BANNOCK COUNTY COMMISSIONERS

  
Ernie Moser, Chairman

  
Jeff Hough, Member

  
John Crowder, Member

ATTEST:   
Jason C. Dixon, Clerk



## COUNTY ORDINANCE 2024-02

### Bannock County, Idaho

#### Amendment No. 67 to Zoning Ordinance No. 1998-1

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 1998-1 – Amending sections: 200 Definitions; 316 Table of Building Bulk and Placement Standards; 327 Table of Building Bulk and Placement Standards; 337 Table of Building Bulk and Placement Standards; 347 Table of Building Bulk and Placement Standards; 357 Table of Building Bulk and Placement Standards; 367 Table of Building Bulk and Placement Standards; 376 Table of Building Bulk and Placement Standards; 386 Table of Building Bulk and Placement Standards; 395 Use Regulations Summary; and 451 Wind Turbines; and adding sections: 402 Agricultural Building Exemptions; 403 Farm Labor Dwellings; and 452 Personal Solar Energy Power Facilities.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BANNOCK COUNTY, IDAHO, THAT THE FOLLOWING AMENDMENTS BE MADE TO ORDINANCE NO. 1998-1:

### SECTION 1: AMENDMENTS

#### AMENDMENT NO. 1:

Section 200: Definitions - Add the following definitions:

**AGRICULTURAL BUILDING:** A structure designed and constructed to house farm implements, hay, grain, poultry, livestock or other horticultural products. This structure shall not be a place of human habitation or a place of employment where agricultural products are processed, treated, or packaged, nor shall it be a place used by the public.

**AGRICULTURAL BUILDING CERTIFICATION STATEMENT:** A signed and notarized document, provided by Bannock County Planning and Development Staff, which certifies that an agricultural building will be used as stated and conforms to the standards outlined in Section 402.

**FARM LABOR DWELLING:** A residential structure specifically designed to provide housing for agricultural workers or laborers.

**GAIN:** The pursuit of profit or financial benefit through the utilization of land or structures.

**LARGE-SCALE SOLAR POWER FACILITY:** A solar energy array capable of producing and/or storing, as per *nameplate capacity*, 10 megawatts (MW) or more; or solar power facilities that encumber 100 or more acres of land.

**NAMEPLATE CAPACITY:** The maximum energy output that an energy generator can produce without exceeding design thermal limits.

**PERSONAL-USE SOLAR POWER FACILITY:** A solar energy array with a total nameplate capacity of 200 kilowatts or less, associated with single or two-family dwellings, or personal use.

**SMALL-SCALE SOLAR POWER FACILITY:** A solar energy array with a nameplate capacity of 200 kilowatts to ten megawatts that does not otherwise meet the definition of large-scale solar power facilities.

**SOLAR ENERGY ARRAY:** A collection of solar panels that generate electricity.

**SOLAR POWER FACILITY:** A solar energy array, the related facility and equipment, including but not limited to, underground or aboveground electrical transmission or communications lines, electric transformers, battery storage facility, telecommunications equipment, roads, fencing, meteorological towers, agrivoltaics systems, and/or maintenance yards and structures.

**SOLAR, GROUND-MOUNTED:** A solar energy array that is mounted on a rack or pole that rests on or is attached to the ground.

**SOLAR, ROOF-MOUNTED:** A solar energy array that is mounted on a rack fastened to or resting on a structure roof.

**AMENDMENT NO. 2:**

Section 316 Table of Building Bulk and Placement Standards, after text edits, be replaced with the following:

**316 TABLE OF BUILDING BULK AND PLACEMENT STANDARDS:**

The following table sets forth building bulk and placement standards for the Agricultural district:

**AGRICULTURAL DISTRICT**

**MINIMUM SETBACKS (FT)**

	FROM LOCAL ROAD R-O-W	FROM ARTERIAL OR COLLECTOR ROAD R-O-W	REAR YARD	SIDE YARD
<b>PERMITTED USES:</b>				
Single-family Residence	30	50	30	20
Residential Accessory Structures	30	50	15	20
Accessory Structures for Commercial Agriculture	30	50	15	20
Accessory Structures for Commercial Farm Animals	100	100	100	100

Setbacks for all structures shall be 100' from any stream or riparian area.

Minimum lot size is one acre; density is one dwelling per 40 acres. See Section 315 for subdividing in the AG District. Larger lot sizes may be required by the Health Department.

**AMENDMENT NO. 3:**

Section 327 Table of Building Bulk and Placement Standards, after text edits, be replaced with the following:

**327 TABLE OF BUILDING BULK AND PLACEMENT STANDARDS:**

The following table sets forth building bulk and placement standards for the Residential Rural district:

**RESIDENTIAL RURAL DISTRICT**

**MINIMUM SETBACKS (FT)**

	FROM LOCAL ROAD R-O-W	FROM ARTERIAL OR COLLECTOR ROAD R-O-W	REAR YARD	SIDE YARD	MAXIMUM STRUCTURE HT.
<b>PERMITTED USES:</b>					
Single-family Residence	30	50	30	10	35
Two-Family Residence	30	50	30	10	35
Residential Accessory Structures	30	50	20	20	35
Agricultural Structures	30	50	20	20	
Farm Animal Structures	30	50	30	30	15
Commercial Agricultural Accessory Structures for Farm Animals	100	100	100	100	-
Non-Residential Buildings	30	50	20	20	-

Setback for all structures shall be 100' from any stream or riparian area

Minimum Lot Size: Five acres; see Section 326. Larger lot sizes may be required by the Health Department.

**AMENDMENT NO. 4:**

Section 337 Table of Building Bulk and Placement Standards, after text edits, be replaced with the following:

**337 TABLE OF BUILDING BULK AND PLACEMENT STANDARDS:**

The following table sets forth building bulk and placement standards for the Residential Suburban district:

**RESIDENTIAL SUBURBAN DISTRICT**

**MINIMUM SETBACKS (FT)**

	MINIMUM LOT AREA	FROM LOCAL ROAD R-O-W	FROM ARTERIAL OR COLLECTOR R-O-W	REAR YARD	SIDE YARD	MAXIMUM STRUCTURE HEIGHT
<b>PERMITTED USES</b>						
Single-family Residence	1 acre	30	50	20	10	35
Two-family Residence	¾ / D.U.	30	50	20	10	35
Multi-Family Residence	½ / D.U.	30	50	30	20	35

Residential Accessory Structures	-	30	50	20	10	35
Farm Animal Structure	-	30	50	30	30	15
Non-residential Buildings	-	30	50	20	20	-

Setback for all structures shall be 100' from any stream or riparian area.

Larger lot sizes may be required by the District Health Department.

Minimum Lot Size: Five acres where well and or septic tank/drainfield system is used within a city's area of impact.

**AMENDMENT NO. 5:**

Section 347 Table of Building Bulk and Placement Standards, after text edits, be replaced with the following:

**347 TABLE OF BUILDING BULK AND PLACEMENT STANDARDS:**

The following table sets forth building bulk and placement standards for the Recreation district:

**RECREATION DISTRICT**

**MINIMUM SETBACKS (FT)**

	FROM LOCAL ROAD R-O-W	FROM ARTERIAL/ COLLECTOR R-O-W	REAR YARD	SIDE YARD	MAXIMUM FREE-STANDING SIGN HEIGHT	MINIMUM % LANDSCAPED	MAXIMUM STRUCTURE HEIGHT
<b>PERMITTED USES</b>							
Non-residential Uses	30	50	20	20	20	5 %	35
Accessory Bldg. for Non-res. Uses	30	50	10	20	N/A	--	--
Parking Lots	30	50	0	0	5	5 %	N/A
Residential Uses	30	50	20	10	N/A	--	35
Residential Accessory Structures	30	50	10	10	N/A	--	--
Agricultural Structures	30	50	10	10	N/A	--	15
Farm Animal Structures	30	50	30	30	N/A	--	15

All structures shall be 100' from any stream or riparian area.

One-acre minimum lot area; larger lot sizes may be required by the Health Department.

**AMENDMENT NO. 6:**

Section 357 Table of Building Bulk and Placement Standards, after text edits, be replaced with the following:

**357 TABLE OF BUILDING BULK AND PLACEMENT STANDARDS:**

The following table sets forth building bulk and placement standards for the Multiple Use district:

**MULTIPLE USE DISTRICT**

**MINIMUM SETBACKS (FT)**

	FROM LOCAL ROAD R-O-W	FROM ARTERIAL/ COLLECTOR R-O-W	REAR YARD	SIDE YARD	MAXIMUM STRUCTURE HEIGHT	MINIMUM % LANDSCAPED	MAXIMUM FREE-STANDING SIGN HEIGHT
<b>PERMITTED USES</b>							
Residential Uses	30	50	20	10	35	--	N/A
Accessory Bldg. for Non-res. Uses	30	50	10	10	--	--	N/A
Non-residential Uses	25	50	20	20	35	5 %	20
Parking Lots	25	50	10	10	N/A	5 %	5
Accessory Buildings, Non-residential uses	25	50	10	20	--	--	N/A
Agricultural Structures	30	50	10	10	--	--	N/A
Farm Animal Structures	30	50	30	30	15	--	N/A

All structures shall be 100' from any stream or riparian area.

One-acre minimum lot area; larger lot sizes may be required by the Health Department.

**AMENDMENT NO. 7:**

Section 367 Table of Building Bulk and Placement Standards, after text edits, be replaced with the following:

**367 TABLE OF BUILDING BULK AND PLACEMENT STANDARDS:**

The following table sets forth building bulk and placement standards for the Commercial General district:

**COMMERCIAL GENERAL DISTRICT**

**MINIMUM SETBACKS (FT)**

	FROM LOCAL ROAD R-O-W	FROM ARTERIAL OR COLLECTOR R-O-W	REAR YARD	SIDE YARD	MAXIMUM STRUCTURE HEIGHT	MINIMUM % LANDSCAPED	MAXIMUM FREE-STANDING SIGN HEIGHT
<b>PERMITTED USES</b>							
Non-residential uses as listed in CG District	10	50	Bldg. Code	Bldg. Code	--	5 %	25
Parking Lots	10	50	--	--	N/A	5 %	5
Accessory Buildings	10	50	Bldg. Code	Bldg. Code	15	--	N/A
Residential Uses (a)	25	50	20	7	--	--	N/A

All structures shall be 100' from any stream or riparian area.

One-acre minimum lot area; larger sizes may be required by the Health Department.

**AMENDMENT NO. 8:**

Section 376 Table of Building Bulk and Placement Standards, after text edits, be replaced with the following:

**376 TABLE OF BUILDING BULK AND PLACEMENT STANDARDS:**

The following table sets forth the building bulk and placement standards for the Light Industrial Wholesale district.

**LIGHT INDUSTRIAL AND WHOLESALE DISTRICT**

**MINIMUM SETBACKS (FT)**

	FROM LOCAL ROAD R-O-W	FROM ARTERIAL OR COLLECTOR R-O-W	REAR YARD	SIDE YARD	MAXIMUM FREE-STANDING SIGN HEIGHT	MINIMUM % LANDSCAPED
<b>PERMITTED USES</b>						
Uses as listed in LIW District	10	50	Bldg. Code	Bldg. Code	35	5 %*
Parking Lots	10	50	--	--	5	5 %*
Accessory Buildings	10	50	Bldg. Code	Bldg. Code	N/A	--

\* See 375.A

All structures shall be 100' from any stream or riparian area.

**AMENDMENT NO. 9:**

Section 386 Table of Building Bulk and Placement Standards, after text edits, be replaced with the following:

**386 TABLE OF BUILDING BULK AND PLACEMENT STANDARDS:**

The following table sets forth the building bulk and placement standards for the Industrial district.

**INDUSTRIAL DISTRICT**

**MINIMUM SETBACKS (FT)**

	FROM ANY ROAD R-O-W	REAR YARD	SIDE YARD	MAXIMUM FREE-STANDING SIGN HEIGHT	MINIMUM % LANDSCAPED
<b>PERMITTED USES</b>					
Uses as listed in Industrial District	10	Bldg. Code	Bldg. Code	35	5 %*
Parking Lots for permitted uses	10	--	--	5	5 %*
Accessory Buildings	10	Bldg. Code	Bldg. Code	N/A	N/A

Setback from Collector or Arterial road may be greater depending on internal traffic pattern of site. All structures shall be 100' from any stream or riparian area.

One-acre minimum lot area; larger sizes may be required by the Health Department.

\*see Section 375.A.

**AMENDMENT NO. 10:**

Section 395 Use Regulations Summary, after text edits, change the following:

**395 USE REGULATIONS SUMMARY**

*Add to:*

<u>RESIDENTIAL USES:</u>	AG	RR	RS	REC	CG	LIW	I
Farm Labor Dwelling	P	C	N	C	N	N	N
Personal-use Solar Power Facilities	P	P	P	P	P	P	P

*Remove from:*

<u>RESIDENTIAL USES:</u>	AG	RR	RS	REC	CG	LIW	I
<del>Wind Turbine Medium</del>	<del>P</del>	<del>P</del>	<del>C</del>	<del>C</del>	<del>P</del>	<del>P</del>	<del>P</del>
<del>Wind Turbine Commercial</del>	<del>C</del>	<del>N</del>	<del>N</del>	<del>N</del>	<del>C</del>	<del>C</del>	<del>C</del>

*Add to:*

<u>NON-RESIDENTIAL USES:</u>	AG	RR	RS	REC	CG	LIW	I
Small-scale Solar Power Facilities	N	N	N	N	N	N	N
Large-scale Solar Power Facilities	N	N	N	N	N	N	N
Wind Turbine – Medium	N	N	N	N	N	N	N
Wind Turbine – Commercial	N	N	N	N	N	N	N

**AMENDMENT NO. 11:**

Add new sections 402 Agricultural Building Exemptions and 403 Farm Labor Dwellings:

**402 AGRICULTURAL BUILDING EXEMPTIONS:**

Structures or buildings that meet the definition of Agricultural Building will only be required to obtain an agricultural structure permit in lieu of a building permit, as long as they meet the following criteria:

- A. The parcel or tract of land is more than five contiguous acres.
- B. The parcel or tract of land has an agricultural taxation, according to the Bannock County Assessor’s office.
- C. The applicant submits a signed and notarized Agricultural Building Certification Statement. This document will be recorded by staff with the Bannock County Recorder’s office.

A building that qualifies for an agricultural exemption must submit an application for an agricultural structure permit to assure compliance with this Section, but is exempt from a building permit, building code requirements, and associated inspections.

**403 FARM LABOR DWELLINGS:**

- A. All bona fide farm, ranch, or dairy operations may have up to two (2) additional permitted dwelling units on one parcel, for individuals employed in various agriculture-related activities. The following provisions shall apply:
1. The owner of the real property shall be the applicant, unless a letter of authorization to establish an authorized agent has been obtained.
  2. The parcel must be a minimum of 10 acres in size.
  3. The farm labor dwellings should be in close proximity to the operating farm, ranch, or dairy of employment.
  4. The dwelling must meet all setback requirements.
  5. The dwelling must meet all other requirements of this Ordinance, pertaining to residential uses.
  6. The applicant must obtain approval for water and sanitary facilities from the appropriate agencies.
- B. The dwelling cannot be sold as a separate parcel.
- C. The dwelling shall not be used as a rental unit for non-farm labor.

**AMENDMENT NO. 12:**

Section 451 Wind Turbines, after text edits, be replaced with the following:

**451 SMALL WIND TURBINES:**

1. Wind Turbines shall not be installed in any location where its proximity would produce electromagnetic interference with signal transmission or reception of the following:
  - a. existing microwave communications link,
  - b. an existing fixed broadcast antenna used for radio, television, or wireless phone or other personal communication systems.
2. Compliance with current adopted Electric Code: Building permit applications for wind turbines shall be accompanied by a line drawing of the electrical components in sufficient detail to allow for a determination that the manner of installation conforms to the current adopted Electrical Code. This information is frequently supplied by the manufacturer.
3. Utility Notification: No wind turbines shall be installed until evidence has been given that the utility company has been informed of the customer's intent to install an interconnected customer-owned turbine. Off grid systems shall be exempt from this requirement.
4. Wind Turbines shall be located with relation to property lines so that the level of noise produced shall not exceed 45 dba, measured at the boundaries of all adjacent parcels that are owned by non-site owner.

5. Setbacks – Each Wind Turbine shall comply with the following requirements.
  - a. Communication and Electrical Lines: Equal to total height from the nearest above-ground public electric power line or telephone line.
  - b. Property Line: Equal to total height from the nearest property line, unless mitigation has taken place and agreed to by owner/operator and affected property owners involved and recorded in the Bannock County Recorder’s office which describes the benefited and burdened properties and which advises all subsequent owners of the burdened property.
  - c. Public Roads: Equal to total height from the right of way.
  - d. Railroads: Equal to total height from right of way.
6. Minimum ground Clearance: The tip of a blade shall at its lowest point, have a ground clearance of no less than fifteen (15) feet.
7. The wind turbine(s) shall comply with all applicable Federal Aviation Administration (FAA) standards. Towers shall not be artificially lighted, except to the extent required by the FAA or other applicable authority.
8. Wind Turbines shall be a non-reflective, non-obtrusive color.
9. Shall not be used for displaying any advertising.
10. There shall be no more than two (2) wind turbines per lot.

**AMENDMENT NO. 13:**

Add a new section 452 Personal Solar Energy Power Facilities:

**452 PERSONAL SOLAR ENERGY POWER FACILITIES:**

**A. Personal Solar Energy Power Facilities will:**

1. Use materials and colors that blend with the background unless otherwise required by the Federal Aviation Administration.
2. Be placed such that concentrated solar radiation or glare shall not be directed onto nearby properties and/or roadways.

**B. Height of the arrays shall adhere to the following:**

1. Roof-mounted solar: System’s total height (including building and panels) shall be no greater than is allowed for the building, according to the setbacks established in the proposed zoning district.
2. Ground-mounted solar: The maximum height of the solar array will be 20 feet, when array is at full tilt.

- C. Roof-mounted solar systems are limited in area based on what the structure will support, as determined by an Idaho Licensed Structural Engineer.
- D. Ground-mounted solar systems will meet the setback requirements for Residential Accessory Structures in the Residential Rural zoning district, regardless of zone.

**SECTION 2: REPEALING CLAUSE**

All other ordinances and parts of ordinances in conflict herewith shall be, and the same hereby repealed, including the Comprehensive Plan.

**SECTION 3: SEVERABILITY:**

If any word, phrase, section, subsection, provision, clause or paragraph of this ordinance shall be adjudged or declared by any court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect the validity of the remaining portions of the Ordinance and it is hereby expressly declared that every other word, phrase, section, subsection, provision, clause or paragraph of the Ordinance enacted, regardless of the enactment or validity of the portion thereof declared to be unconstitutional or invalid, is valid.

**SECTION 4: EFFECTIVE DATE:**

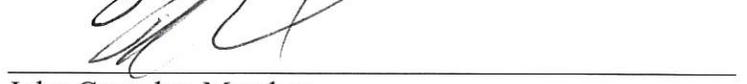
This ordinance shall be in full force and effect upon its passage, approval, and publication.

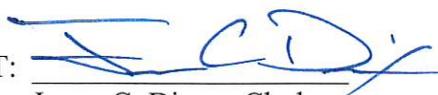
Adopted this 2nd day of April, 2024.

BOARD OF BANNOCK COUNTY COMMISSIONERS

  
Ernie Moser, Chairman

  
Jeff Hough, Member

  
John Crowder, Member

ATTEST:   
Jason C. Dixon, Clerk

NOTICE OF BANNOCK COUNTY ORDINANCE ADOPTION

The Board of Commissioners of Bannock County, Idaho, hereby gives notice of the adoption of Ordinance 2024-02. A summary of the Ordinance includes:

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 1998-1 – Amending sections: 200 Definitions; 316 Table of Building Bulk and Placement Standards; 327 Table of Building Bulk and Placement Standards; 337 Table of Building Bulk and Placement Standards; 347 Table of Building Bulk and Placement Standards; 357 Table of Building Bulk and Placement Standards; 367 Table of Building Bulk and Placement Standards; 376 Table of Building Bulk and Placement Standards; 386 Table of Building Bulk and Placement Standards; 395 Use Regulations Summary; and 451 Wind Turbines; and adding sections: 402 Agricultural Building Exemptions; 403 Farm Labor Dwellings; and 452 Personal Solar Energy Power Facilities.

The full text of this Ordinance is available in the office of the Bannock County Clerk, 624 E. Center Street, Pocatello, Idaho, Mon-Fri from 8 am – 5 pm.

BOARD OF BANNOCK COUNTY COMMISSIONERS

  
Ernie Moser, Chairman

  
Jeff Hough, Member

  
John Crowder, Member

ATTEST:   
Jason C. Dixon, Clerk

This is a true and complete summary of Ordinance 2024-02 and provides adequate notice to the public.

JASON C. DIXON, CLERK  


Publication Date: April 6, 2024

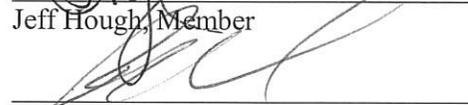
**BOARD OF BANNOCK COUNTY COMMISSIONERS  
MINUTE CERTIFICATION**

We, the Board of Bannock County Commissioners, hereby certify approval of the minutes of the Bannock County Commissioners' meetings inclusive of the date of March 21, 2024, as approved during the meeting of April 2, 2024.

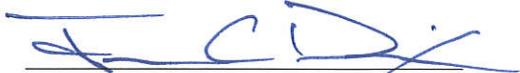
BOARD OF BANNOCK COUNTY COMMISSIONERS

  
Ernie Moser, Chair

  
Jeff Hough, Member

  
John Crowder, Member

ATTEST:

  
Jason C. Dixon, Clerk