



CITY OF TWIN FALLS
Planning & Zoning Department
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November 27, 2023

Issue: Zoning Code Determination – Chobani Injection Well
Owner: Agro-Farma Idaho, Inc (aka Chobani)
Property Location: 3405 Kimberly Road
Current Zoning District: M2 Heavy Industrial (City Code 10-4-10)

Summary: This letter is an Administrative Determination on the proposed new land use of an "Injection Well" on the Chobani Property. The information on the proposed land use of an "Injection Well" was provided to the Zoning Administrator through discussions with Nathan Erickson (City of Twin Falls Environmental Manager) and Troy Vitek (City Engineer).

The Injection Well system as described to the Zoning Administrator is as follows.

1. Water is delivered to Chobani by the City of Twin Falls.
2. Water from the Chobani Plant, which would normally be delivered to the City of Twin Falls Sewer Main line and eventually to the City of Twin Falls Sewer treatment plant on the Snake River, is then diverted to an Injection Well which is located on-site and operated by Chobani.
3. A subsequent on-site well and facility (pumps, pipes, etc) is then used to draw water from the aquifer.
4. The water would then be delivered to the Chobani Plant for use in the Manufacturing Process.

Based on the information currently available. The following Zoning Administrative Determination is made. **The proposed Chobani Injection Well System is a Prohibited Land Use within the M2 Zoning District** for the following reasons.

- City Code 10-4-10 lists the allowed land uses for the M2 Zoning District. "Injection Well System" is not enumerated under either Permitted or Special Uses. Therefore, per City Code 10-4-10.2-(C) the land use is prohibited.
- Further, based on the information available at the time of this determination, the land use as described herein, is not found to be "similar enough to a use listed ... that distinction between them is of little consequence".

City Code 10-3-3: Conformance with Zoning Districts

10-3-3: CONFORMANCE WITH ZONING DISTRICTS:

(A) Any land located within a zoning district designated on the "official zoning map" shall only be used or occupied and any building, structure or improvement thereon shall only be used, occupied, placed, replaced, erected, re-erected, constructed, reconstructed, altered, extended, enlarged, modified, removed or moved as this title permits for the zoning district in which the same is located.

City Code 10-4-10.2: M2 Heavy Manufacturing: Use Regulations

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(C) Prohibited Uses: Uses not specified above are prohibited unless administrative determination in accordance with subsection 10-17-1(F) of this title is made that the use is similar enough to a use listed above that distinction between them is of little consequence.

This administrative determination has been provided based on the information currently available. An amendment to this Administrative Determination could be made based on additional information provided.

Respectfully,

A handwritten signature in cursive script, appearing to read "Jonathan Spendlove".

Jonathan Spendlove
Planning and Zoning Director
City of Twin Falls