

**BANNOCK COUNTY PLANNING & DEVELOPMENT COUNCIL
FINDINGS AND ORDER**

CONDITIONAL USE PERMIT – JOHN WILKES

MEETING DATE: January 16, 2025

FILE #: CUP-24-2
LOCATION: RPR3803048300, currently unaddressed

APPLICANT:

John Wilkes
10200 North Batiste Road
Pocatello, ID 83202

OWNER:

Russell O. Johnson
P.O. Box 2051
Pocatello, ID 83206

REQUEST & BACKGROUND: John Wilkes petitions for a conditional use permit to construct a new commercial sand and gravel mining operation. The facility proposes hours of operation from 7 a.m. to 7 p.m., Monday through Saturday, with possible DOT variation. The facility proposes fifteen employees, as well as the use of heavy equipment in conjunction with the mining operation. The affected property is known as parcel RPR3803048300 and is currently unaddressed. At the hearing, the Council shall evaluate the proposed use against criteria established in §530 of the Zoning Ordinance. Type of action: Decision.

FINDINGS:

JUSTIFICATION FOR THE DECISION/CRITERIA, STANDARDS AND FACTS RELIED UPON

SITE CHARACTERISTICS AND ZONING:

ZONING: Agricultural / Residential Suburban

PROPERTY SIZE: ~ 158.46 acres

VIEWS: The property is visible from West Siphon Road and N. Laughran Road

EXISTING STRUCTURES: None

REQUIRED FINDINGS FOR CONDITIONAL USE PERMIT, §530:

- A. The proposed use **would** adversely affect surrounding properties to a materially greater extent than would a permitted use in the district.
Permitted uses in the agricultural zone include home businesses, outdoor for pay recreation, home day cares up to six children, agricultural support, commercial stables, and kennels. Gravel trucks driving by the neighborhood would adversely affect surrounding properties to a materially greater extent than these permitted uses. There will be an increase in traffic in the adjacent area and will disrupt travel with school buses and other daily traffic. This will change the amount of dust in the area, whether mitigation measures are in place or not. Noise and dirt and gravel track out will also increase as part of the proposed use.
- B. The proposed use **would** cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.
150-200 additional trucks per day with one trip, which would calculate to 300-400 daily trips, as stated by the applicant, would cause an undue disruption of travel in the vicinity and an extraordinary increase in volume. This could be up to 100% increase in volume of traffic.
- C. The proposed use **would** damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity.
The proposed use would damage the public health safety, or general welfare based on the increase of traffic and the current uses of Siphon and Philbin Roads for bus stops, daily commuters, bikers, joggers, runners, and walkers. This is based on the applicant's cited number of truck traffic increase.
- D. The proposed use **would not** be consistent with the goals and policies of the Comprehensive Plan of the county.
In table 1.2 of the Comprehensive Plan, it states to protect and enhance resident's quality of life. The residents in and around this property have a specific quality of life in the vicinity of the proposed use. The use of the gravel pit would not enhance the neighbor's quality of life. The Future Land Use Map has designated this area as Residential Suburban. In order to adhere to Policy 1.5.2, which states: Ensure land use actions, decisions and regulations align with the County's responsibility to protect public health, safety and welfare, this parcel would maintain an agriculture or residential suburban use.
- E. The proposed use **would** be designed to be as compatible in terms of building height, bulk, scale, setbacks, open spaces, and landscaping with adjacent uses as is practical.
With the maintenance of berms, setbacks, and other items outlined in the proposal, this application would be compatible with setbacks, open spaces, and landscaping.

ORDER: CONCLUSION AND DECISION

The Planning and Development Council, pursuant to the aforementioned, finds that the request by John Wilkes for a Conditional Use Permit to construct a new commercial sand and gravel mining operation shall be **denied**.

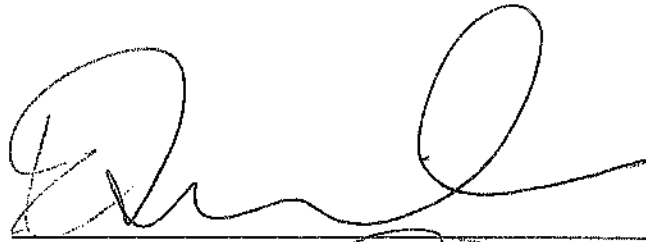
Motion by Krystal Madsen, seconded by Chad Selleneit to adopt the foregoing Findings and Order.

ROLL CALL:

Councilperson Dimick	Voted Yes
Councilperson Madsen	Voted Yes
Councilperson Selleneit	Voted Yes
Councilperson Ulrich	Voted Yes
Councilperson Ward	Voted Absent

Motion carried by a 4 to 0 vote.

Dated this 16th day of January, 2025.


Signed by (Chairperson) (Vice Chair)

ACKNOWLEDGEMENT CERTIFICATE

State of Idaho)

S.S.

County of Bannock)

On this 16th day of January, in the year of 2025, before me Marjorie Williams ^(the) a notary public, personally appeared Edward Ulrich, personally known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that (she) (he) executed the same.

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Marjorie Williams
Notary Public
My Commission Expires on 5/31 20 25