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Bannock County, Pocatello, Idaho
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BANNOCK COUNTY PLANNING & DEVELOPMENT COUNCIL
FINDINGS AND ORDER

CONDITIONAL USE PERMIT – RICHARD S. JESSOP, JR.
MEETING DATE: APRIL 16, 2025

FILE #: CUP-25-4
LOCATION: RPR4431003601, 1405 E. Richards Road, Downey, ID 83234

APPLICANT:
Richard S. Jessop, Jr.
1405 E. Richards Road
Downey, ID 83234

OWNER:
Richard S. Jessop, Jr.
1405 E. Richards Road
Downey, ID 83234

REQUEST & BACKGROUND Richard S. Jessop, Jr., petitions for a conditional use permit to construct a rock and sand mining operation. The facility proposes hours of operation from 8 a.m. to 6 p.m., Monday through Saturday. The facility proposes 4 employees, as well as the use of heavy equipment in conjunction with the mining operation to include screening and crushing. 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
PROPERTY SIZE: ~ 40 acres
VIEWS: The property is visible from E. Richards Road
EXISTING STRUCTURES: Single-family residence and outbuildings

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.
<u>Permitted uses in the district include outdoor for-pay uses, agricultural support, kennels, public service facilities, and home occupations. This proposed use would affect the area to a materially greater extent because a gravel pit would increase noise, dust and safety in the area to a far greater extent than the permitted uses listed. It was demonstrated by video and testimony that there would be an increase of noise, dust and safety concerns.</u>

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.
There would be a significant increase in traffic with a cited 40 round trips per day, as shown on the application. According to the Road and Bridge Director, this use could double the amount of traffic in the area.

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.
This proposed use would affect the area to a materially greater extent because a gravel pit would increase noise, dust and safety in the area. This was demonstrated by video and testimony submitted by the public.

D. The proposed use **would not** be consistent with the goals and policies of the Comprehensive Plan of the county.
Policy 1.5.2 Ensure land use actions, decisions and regulations align with the County's responsibility to protect public health, safety, and welfare. This proposed use would not be in conformance with this policy due to the increase in dust, traffic, noise, and safety in the area.

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.
The applicant will need to obtain proper permits from the county to be compatible with building height, bulk, scale, setbacks, open spaces, and landscaping.

ORDER: CONCLUSION AND DECISION

The Planning and Development Council, pursuant to the aforementioned, finds that the request by Richard Jessop, Jr., for a Conditional Use Permit to construct a rock and sand mining operation shall be **denied.**

Motion by Molly Dimick, seconded by Krystal Madsen to adopt the foregoing Findings and Order.

ROLL CALL:

Councilperson Dimick	Voted **Yes**
Councilperson Madsen	Voted **Yes**
Councilperson Selleneit	Voted **Recused**
Councilperson Ulrich	Voted **Yes**
Councilperson Ward	Voted **Yes**

Motion carried by a 4 to 0 vote.

Dated this 16th day of April, 2025.

Signed by (Chairperson) (Vice Chair)

ACKNOWLEDGEMENT CERTIFICATE

State of Idaho)
S.S.
County of Bannock)

On this 16th day of April, in the year of 2025, before me Tristan Bourquin, a notary public, personally appeared Stewart Ward as chair/vice-chair on behalf of the Bannock County Planning and Development Council, personally known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that they executed the same.

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TRISTAN BOURQUIN
NOTARY PUBLIC - STATE OF IDAHO
COMMISSION NUMBER 20190025
MY COMMISSION EXPIRES 4-23-2025

Notary Public
My Commission Expires on 4/23 2025