

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

CONDITIONAL USE PERMIT – DAVID C. DEMAIN

MEETING DATE: FEBRUARY 18, 2026

FILE #: CUP-26-1
LOCATION: RPR4227024616 and is currently addressed as 11267 S. Moose Hollow Road, Lava Hot Springs, ID 83246

APPLICANT/OWNER:

David C. Demain
11267 S. Moose Hollow Road
Lava Hot Springs, ID 83246

REQUEST & BACKGROUND: David Demain petitions for a conditional use permit for a dumpster rental service on approximately 5.00 acres.

FINDINGS:

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

SITE CHARACTERISTICS AND ZONING:

ZONING: Recreational

PROPERTY SIZE: ~ 5.00 acres

VIEWS: The property is visible from Moose Hollow Road and Victory View Road

EXISTING STRUCTURES: Residential dwelling and accessory structure

REQUIRED FINDINGS FOR CONDITIONAL USE PERMIT, §530:

- A. The proposed use **would not** adversely affect surrounding properties to a materially greater extent than would a permitted use in the district.
Compared to other permitted uses in the Recreation district, such as public service facilities, golf course, etc. are all permitted uses in this zone.

B. The proposed use **would not** cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use.

The applicant stated there will be 2 trucks, 5 dumpsters, and it will equate to approximately an additional half trip per day.

C. The proposed use **would not** damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity.

As stated by the applicant there will be no full or dirty dumpsters on site. They will be clean and empty.

D. The proposed use **would** be consistent with the goals and policies of the Comprehensive Plan of the county.

It's encouraging Goal 3.2 A strong and diverse economy, and Strategy 3.2.3 which states support the development of economic incentives for business expansion and growth.

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 stated the trucks will be stored indoor and staging areas will not be visible from adjacent property based on conditions.

(If adding approval conditions) with the following conditions of approval,

1. The applicant shall comply with all applicable federal, state, and local regulations, including Bannock County Code, Idaho Department of Environmental Quality (IDEQ) requirements, and health and safety standards.
2. The applicant shall implement measures to control dust, odors, and litter. All waste shall be secured during transport to prevent spillage.
3. Any storage or staging areas visible from adjacent properties shall be screened with fencing, landscaping or other approved visual buffers.
4. The applicant shall not accept or transport hazardous waste unless properly licensed and approved by IDEQ.
5. All collected waste shall be disposed of at the Bannock County Landfill.
6. All service vehicles shall be maintained in safe, operable condition.
7. The operation shall not create a nuisance related to noise, odor, traffic, or visual impacts.
8. Waste collection, dumpster delivery, and pickup activities shall be limited to the hours of **8:00 a.m. to 7:00 p.m.**, Monday through Friday.
9. Empty and full dumpsters shall be stored only in designated areas as shown on the site plan. Dumpsters shall not be stored in public rights-of-way without proper authorization.
10. No signage.
11. Clean dumpsters off site.

ORDER: CONCLUSION AND DECISION

The Planning and Development Council, pursuant to the aforementioned, finds that the request by David C. Demain, for a Conditional Use Permit for a dumpster rental service on his property shall be **approved**.

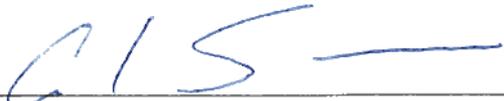
Motion by Krystal Madsen, seconded by Molly Dimick to adopt the foregoing Findings and Order.

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 18th day of February, 2026.



 Signed by (Vice Chair)

ACKNOWLEDGEMENT CERTIFICATE

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

On this 18th day of February, in the year of 2026, before me Marjorie Williams, a notary public, personally appeared Chad Selleneit as 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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 Notary Public
 My Commission Expires on 5/31 2031