



SPECIAL USE PERMIT APPLICATION

STAFF USE ONLY

Date Submitted: _____ Received by: _____ Fee paid: _____ Project # _____

REQUIRED SUBMITTALS

* *Public hearing required with the Planning Commission*

Application Fee: \$ 1,800.00

Publication Fee: \$ 300.00

Mailing Fee (x1): \$ 1.00 per address + \$ 28.00

(The City's standard mailing list has 28 addresses per public hearing)

A COMPLETE APPLICATION is required at time of application submittal, as determined and accepted by the Planning Department.

- ☐ **Completed application form**
- ☐ **Application, Publication, and Mailing Fees**
- ☐ **Title Report(s) by an Idaho licensed Title Company:** Title report(s) with correct ownership easements, and encumbrances prepared by a title insurance company. The report(s) shall be a full Title Report and include the Listing Packet.
- ☐ **Mailing labels provided by an Idaho licensed Title Company:** Owner's list and three (3) sets of mailing labels with the owner's addresses prepared by a title company, using the last known name/address from the latest tax roll of the County records. This shall include the following:
 1. *All property owners within 300ft of the external boundaries. * **Non-owners list no longer required****
 2. *All property owners within the subject property boundaries. (Including the applicant's property)*
 3. *A copy of the tax map showing the 300ft mailing boundary around the subject property.*
- ☐ **A written narrative:** Including a description of the request, how the request conforms to the Comprehensive Plan, how the design and planning of the site is compatible with the location, setting, and existing uses on adjacent properties. Explain how the location, design, and size of the proposal will be adequately served by existing streets, public facilities and services.
- ☐ **A legal description:** in MS Word compatible format, together with a meets and bounds map stamped by a licensed Surveyor.
- ☐ **A plan set map:** A digital site plan with floor plans, and/or building elevations as deemed necessary to demonstrate the characteristics of the proposed use. All plans must be accurately drawn to an acceptable scale and complete with dimensions that show lot size, setbacks, required off-street parking, any landscaping that may be proposed to ensure the compatibility with the abutting properties, and surrounding neighborhood.
- ☐ **Submittal documents:** Applications will not be accepted unless all application items on the form are submitted both with original documents and an electronic copy.

DEADLINE FOR SUBMITTALS

The Planning Commission meets on the second Tuesday of each month. The completed form and other documents must be submitted to the Planning Department not later than the first working day of the month that precedes the next Planning Commission meeting at which this item may be heard.

PUBLIC HEARING NOTICE SIGN TO BE POSTED ON SUBJECT PROPERTY

The applicant is required to post a public hearing notice, provided by the Planning Department, on the property at a location specified by the Planning Department. This posting must be done one (1) week prior to the date of the Planning Commission meeting at which this item will be heard. An affidavit testifying where and when the notice was posted, by whom, and a picture of the notice posted on the property is also required and must be returned to the Planning Department.

APPLICATION INFORMATION

PROPERTY OWNER:		
MAILING ADDRESS:		
CITY:	STATE:	ZIP:
PHONE:	EMAIL:	
APPLICANT OR CONSULTANT:		PROF. ROLE:
MAILING ADDRESS:		
CITY:	STATE:	ZIP:
PHONE:	EMAIL:	

FILING CAPACITY

- ☐ Recorded property owner as to of _____
- ☐ Purchasing (under contract) as of _____
- ☐ The Lessee/Renter as of _____
- ☐ Authorized agent of any of the foregoing, duly authorized in writing. *(Written authorization must be attached)*

SITE INFORMATION:

ADDRESS OF THE PROPERTY OR GENERAL LOCATION:
GROSS AREA/ACRES):
EXISTING CITY ZONING (CHECK ALL THAT APPLY): R-1 ☐ R-3 ☐ R-5 ☐ R-8 ☐ R-12 ☐ R-17 ☐ MH-8 ☐ NC ☐ C-17 ☐ C-17L ☐ CC ☐ DC ☐ LM ☐ M ☐ NW ☐
CURRENT LAND USE:
DESCRIPTION OF PROJECT/REASON FOR REQUEST:

CERTIFICATION OF APPLICANT:

I, _____, being duly sworn, attests that he/she is the applicant of this
(Insert name of applicant)

request and knows the contents thereof to be true to his/her knowledge.

Signed: _____
(applicant)

Notary to complete this section for applicant:

Subscribed and sworn to me before this _____ day of _____, 20____.

Notary Public for Idaho Residing at: _____

My commission expires: _____

Signed: _____
(notary)

CERTIFICATION OF PROPERTY OWNER(S) OF RECORD:

I have read and consent to the filing of this application as the owner of record of the area being considered in this application.

Name: _____ Telephone No.: _____

Address: _____

Signed by Owner: _____

Notary to complete this section for all owners of record:

Subscribed and sworn to me before this _____ day of _____, 20____.

Notary Public for Idaho Residing at: _____

My commission expires: _____

Signed: _____
(notary)

For multiple applicants or owners of record, please submit multiple copies of this page.

I (We) the undersigned do hereby make petition for a special use permit of the property described in this petition and do certify that we have provided accurate information as required by this petition form, to the best of my (our) ability.

Be advised that all exhibits presented will need to be identified at the meeting, entered into the record, and retained in the file.

DATED THIS _____ DAY OF _____ 20_____

III. SPECIAL USE PERMIT PROCEDURE

17.09.205: TITLE AND PURPOSE:

The provisions of this article shall be known as the SPECIAL USE PERMIT PROCEDURE. The purpose of these provisions is to prescribe the procedure for the accommodation of uses with special site or design requirements, operating characteristics or potential adverse effects on surroundings, through review and, where necessary, the imposition of special conditions of approval. This procedure shall apply to all proposals for which a special use permit is required by the zoning ordinance. (Ord. 1691 §1(part), 1982)

17.09.210: APPLICATION AND SUBMITTALS:

Application for a special use permit shall be made on a form prescribed by the planning director, and shall be notarized. The application shall be accompanied by information including:

- A. A set of design drawings which shall include a site plan. The planning director or planning commission may require additional submittals such as floor plans and site and/or building elevations as deemed necessary to demonstrate the characteristics of the use being considered;
- B. A narrative depicting the operational characteristics of the use and its impact on the surrounding area, if any;
- C. Other such information as may be required by the planning director; and
- D. The fee referenced in the fee schedule. (Ord. 3127 §19, 2003: Ord. 3025 §18, 2001: Ord. 2314 §5, 1990: Ord. 1691 §1(part), 1982)

17.09.215: PROCEDURE FOR CONSIDERATION:

- A. Public Hearing: A public hearing before the planning commission shall be set for between twenty one (21) and sixty (60) days after formal acceptance, to be held on each application for a special use permit.
- B. Notice: Notice of the hearing shall be as prescribed in subsection 17.09.120B of this chapter. Notices also may be posted within the area of potential influence, if required by the planning director.
- C. Planning Commission Action: The planning commission shall determine whether the proposal conforms to the special use permit criteria and may grant or deny the application for the proposed special use permit or require such changes or impose such reasonable conditions of approval as are in their judgment necessary to ensure conformity of the criteria. They shall make specific written findings to support their decisions. A copy of the planning commission decision shall be mailed to the applicant and property owners who received mailed notice of the public hearing and notice of the decision by the planning commission shall be published in the official newspaper within seven (7) days of the decision. The determination of the planning commission shall be made within forty (40) days after the hearing. It shall become final ten (10) days after the date of written notice of the decision has been published in the official newspaper unless appealed to the city council pursuant to subsection 17.09.125B of this chapter. (Ord. 3127 §20, 2003: Ord. 3121 §5, 2003: Ord. 3025 §19, 2001: Ord. 2901 §4, 1999: Ord. 2886 §4, 1998: Ord. 1844 §6, 1984: Ord. 1691 §1(part), 1982)

17.09.220: SPECIAL USE PERMIT CRITERIA:

A special use permit may be approved only if the proposal conforms to all of the following criteria, to the satisfaction of the commission:

- A. The proposal is in conformance with the comprehensive plan.
- B. The design and planning of the site is compatible with the location, setting and existing uses on adjacent properties.
- C. The location, design, and size of the proposal are such that the development will be adequately served by existing streets, public facilities and services. (Ord. 3059 §5, 2002: Ord. 1691 §1(part), 1982)

17.09.225: APPEALS TO THE CITY COUNCIL:

An appeal by an affected person may be taken to the city council in accordance with subsection 17.09.125B of this chapter. In considering the appeal, the city council shall determine whether the proposed use conforms to the applicable special use permit criteria, and may grant or deny a permit or require such changes in the proposed use or impose such reasonable conditions of approval as are in its judgment necessary to ensure conformity to the criteria. (Ord. 1844 §7, 1984: Ord. 1691 §1(part), 1982)

17.09.230: ADHERENCE TO APPROVED PLANS:

A special use permit shall be subject to the plans and other conditions upon the basis of which it was granted. Unless a different termination date is prescribed, the permit shall terminate one year from the effective date of its granting unless substantial development or actual commencement of authorized activities has occurred, or if there is a cessation of use or occupancy for two (2) years. However, such period of time may be extended by the planning commission for one year, without public notice, upon written request filed at any time before the permit has expired and upon a showing of unusual hardship not caused by the owner or applicant. (Ord. 1691 §1(part), 1982)

17.09.235: REVOCATION:

In the event of a violation of any of the provisions of the zoning ordinance, or in the event of a failure to comply with any prescribed condition of approval, the planning commission may, after notice and hearing, revoke any special use permit. The determination of the planning commission shall become final ten (10) days after the date of written notice of the decision has been published in the official newspaper, unless appealed to the city council pursuant to subsection 17.09.125B of this chapter. (Ord. 1844 §8, 1984: Ord. 1691 §1(part), 1982)