Boise County Planning and Zoning Department

413 Main Street, PO Box 1300
Idaho City, Idaho 83631
Phone: 208-392-2293
www.boisecounty.us

MASTER PUBLIC HEARING APPLICATION

TYPE OF APPLICATION: (PLEASE CHECK ALL THAT APPLY.)

- ☐ APPEAL
- ☐ COMPREHENSIVE PLAN TEXT AMENDMENT
- ☐ COMPREHENSIVE PLAN MAP AMENDMENT
- ☐ ROAD NAME CHANGE
- ☐ DEVELOPMENT AGREEMENT
- ☐ PLANNED UNIT DEVELOPMENT
- ☐ PLANNED COMMUNITY
- ☒ CONDITIONAL USE PERMIT
- ☐ SUBDIVISION, PRELIMINARY
- ☐ SUBDIVISION, FINAL
- ☐ SUBDIVISION, VACATION
- ☐ SUBDIVISION, AMENDED PLAT
- ☐ VARIANCE
- ☐ OTHER_____

HEARING BEFORE: ☐ BOARD OF COUNTY COMMISSIONERS ☐ P&Z COMMISSION

PROJECT NAME:_____

SITE INFORMATION:

(This information can be found on the Assessor's property information assessment sheet.)

Quarter: _____ Section: _____ Township:_____ Range: _____ Total Acres:_____

Subdivision Name (if applicable): _____ Lot: _____ Block: _____

Site Address: _____ City:_____

Tax Parcel Number(s):_____ Current Land Use:_____

PROPERTY OWNER:

Name:_____

Address:_____

City: _____ State: _____ Zip: _____

Telephone: _____ Fax: _____

Email: _____

I consent to this application, I certify this information is correct, and allow Planning and Zoning staff to enter the property for related site inspections. I agree to indemnify, defend and hold harmless Boise County and its employees from any claim or liability resulting from any dispute as to the statements contained in this application or as to the ownership of the property, which is the subject of this application.

_____

Signature: All Owner(s) of Record Date

APPLICANT:

Name:_____

Address:_____

City: _____State:_____ Zip: _____

Telephone: _____Fax:_____

Email:_____

I consent to this application, I certify this information is correct, and allow Planning and Zoning staff to enter the property for related site inspections. I agree to indemnify, defend and hold harmless Boise County and its employees from any claim or liability resulting from any dispute as to the statements contained in this application or as to the ownership of the property, which is the subject of this application.

_____

Signature: Applicant Date

NOTE: THIS APPLICATION MUST BE SUBMITTED WITH THE APPROPRIATE APPLICATION FORM

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AFFIDAVIT OF LEGAL INTEREST and Letter of Authorization

_____, "Owner" whose address is _____

_____City_____State_____Zip_____

As owner of property more specifically described as:

_____

_____

HEREBY AUTHORIZES _____as Agent to represent and act for the Owner in making application for and receiving and accepting on Owners behalf, any permits or other action by the Boise County Board of Commissioners, Boise County Planning and Zoning Commission, Boise County Planning and Zoning Staff, and or other Boise County Departments relating to the modification, development, planning, platting, re-platting, improvements, use or occupancy of land in Boise County, Idaho. Owner agrees that; Owner is or shall be deemed conclusively to be fully aware of and to have authorized and/or made any and all representations or promises contained in said application of any Owner information in support thereof, and shall be deemed to be aware of and to have authorized any subsequent revisions, corrections or modifications to such materials. Owner acknowledges and agrees that; Owner shall be bound and shall abide by the written terms or conditions of issuance of any such named representative, whether actually delivered to Owner or not. Owner agrees that no modification, development, platted or re-platting, improvement, occupancy, or use of any structure or land involved in the application shall take place until approved by the appropriate official of Boise County, Idaho, in accordance with applicable codes and regulations.

Owner agrees to pay any fines and be liable for any other penalties arising out of failure to comply with the terms of any permit or arising out of any violation of applicable laws, codes, or regulations applicable to the action sought to be permitted by the application authorized herein.

Under penalty of perjury, the undersigned swears that the foregoing is true and , if signing on the behalf of a corporation, partnership, limited liability company or other entity, the undersigned swears that this authorization is given with the appropriate approval of such entity, if required.

OWNER:

_____	_____	_____
(Signature of Owner)	(Print Name)	(Title)
_____	_____	_____
(Signature of Owner)	(Print Name)	(Title)
_____	_____	_____
(Signature of Owner)	(Print Name)	(Title)
_____	_____	
(Secretary or Corporate Owner)	(Print Name)	

NOTARY STATE OF IDAHO) ss
COUNTY OF _____) (seal)

SUBSCRIBED and sworn to before me by _____
on this _____ day of _____, 20__.

_____ _____
Notary Public Date
My Commission expires on: _____

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CONDITIONAL USE PERMIT APPLICATION

CUP # _____

The Planning and Zoning staff is available to discuss this application and answer questions. Upon receipt of the required materials the Planning & Zoning Administrator will stamp the application received and review the application for completeness. Once the application is deemed complete a public hearing will be scheduled with the Boise County Commissioners. It is recommended that the Applicant review the Unified Land Use Ordinance #2016-01 (ULO) and Boise County Comprehensive Plan prior to submittal. This Ordinance along with application materials are located on the County website at www.boisecounty.us. The Planning and Zoning Department **DOES NOT** accept faxed applications or signatures.

See ULO #2016-01, Chapter 4, Section 4.3 CONDITIONAL USES: Every use that requires a Conditions Use Permit (CUP) shall be subject to review and appraisal by the Commission to determine whether or not the use would cause any damage, hazard, nuisance or other detriment to persons, property, or natural resources. It is the responsibility of the applicant to present plans to implement a conditional use in a way which will avoid or limit the harm to existing or contemplated use of nearby lands or place additional demands on public services.

When an application has been submitted, it will be reviewed in order to determine compliance with application requirements. A hearing date will be scheduled only after an application has been accepted as complete or if applicant requests the hearing in writing.

SECTION I: PERSONAL AND PROPERTY RELATED DATA

Owner: _____

Email: _____

Phone: ( ) _____ Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Applicant (if different): _____

Email: _____

Phone: ( ) _____ Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Engineering Firm: _____

Contact Person: _____ Phone:( ) _____

Address: _____ Email: _____

Surveyor: _____ Phone: ( ) _____

Location and size:
Property Address:_____

Parcel Number:_____Section:_____Township:____Range:_____

Total Acreage:_____

Proposed Land Use: _____

Proposed Name: _____

Assessor Exemptions (i.e. agriculture, timber, etc.): No: _____ Yes: _____
list:_____

Is property currently mortgaged? Y/N (if yes, Certificate of Acceptance of Mortgagee is required on survey)

I consent to this application, I certify this information is correct and I authorize the Boise County Planning & Zoning Department staff and its designated inspection agent to enter the property for any site inspection or compliance purposes as long as this application and a conditional use permit are in effect. I agree to indemnify, defend and hold harmless Boise County and its employees from any claim or liability resulting from any dispute as to the statements contained in this application or as to the ownership of the property, which is the subject of this application.

- Signature: All Owner(s) of Record _____
- Signature: All Owner(s) of Record _____
  Date: _____

I consent to this application, I certify this information is correct and I authorize the Boise County Planning & Zoning Department staff and its designated inspection agent to enter the property for any site inspection or compliance purposes as long as this application and a conditional use permit are in effect. I agree to indemnify, defend and hold harmless Boise County and its employees from any claim or liability resulting from any dispute as to the statements contained in this application or as to the ownership of the property, which is the subject of this application.

- Applicant Signature: _____
  Date: _____

I, the undersigned, am the owner of the referenced property and do hereby give my permission to _____ to be my agent and represent me in the matters of this application. I consent to this application, I certify this information is correct and I authorize the Boise County Planning & Zoning Department staff and its designated inspection agent to enter the property for any site inspection or compliance purposes as long as this application and a conditional use permit are in effect. I agree to indemnify, defend and hold harmless Boise County and its employees from any claim or liability resulting from any dispute as to the statements contained in this application or as to the ownership of the property, which is the subject of this application.

- Owner Signature: _____
  Date: _____

SECTION II: REQUIRED ITEMS

1. Latest recorded Deed to the Property
2. Application completed & signed; including Affidavit of Legal Interest and Letter of Authorization, if applicable.
3. Application fee paid in full in accordance with current fee schedule
4. Number of copies of the completed application as determined by the P&Z Administrator necessary to assure the fullest presentation of the facts for evaluation of the request.
5. Number of copies of all plans drawn to scale, as determined by the P&Z Administrator.
6. Narrative explaining the following:
   - Location is compatible to others uses in the general neighborhood.
   - Use will not place undue burden on existing public services and facilities in the vicinity (see Impact Report in item 7).
   - Site is large enough to accommodate the proposed use and other features of the Unified Land Use Ordinance.
   - Summaries:
     - How the proposed use complies with the Unified Land Use Ordinance.
     - How the proposed use complies with the goals and objectives of the Boise County Comprehensive Plan.
7. Impact Reports must address potential impacts and how these will be minimized for the following:
   - Any environment, economy and social impacts.
   - Impact to adjoining property including noise, glare, odor, fumes, vibration, etc.
   - Impact to natural resources (wildlife, wildlife habitat, soil, water, etc.)
   - Impact to law enforcement, fire departments, emergency medical services or other public service providers.
   - Impact to school.
8. Plans:
   - A detailed project description disclosing the purpose, strategy, and time frame of construction. Include a phasing plan if appropriate.
   - A plot plan, drawn to scale, showing the boundaries, dimensions, area of lot, existing and proposed utilities, streets, easements, parking, setbacks, current buildings and proposed buildings.
   - A landscape plan, drawn to scale, showing elements such as trees, shrubs, ground covers, and vines. Include a plant list indicating the size, quantity, location and name (both botanical and common) of all plant material to be used.
   - A site grading plan clearly showing existing site topography and detailing the best management practices for surface water management, siltation, sedimentation, and blowing of dirt and debris caused by grading, excavation, open cuts, side slopes, and other site preparation and development.
   - A lighting plan.
   - An irrigation plan, if applicable.
   - A noxious weed control plan.

SECTION III: APPLICATION INFORMATION

PROPERTY DESCRIPTION (either lot, block & subdivision name or attach a recorded deed with a metes and bounds description.)_____

TAX PARCEL NUMBER _____

Quarter _____ Section _____ Township _____ Range _____

1. PROPOSED USE: Residential □ Civic or Community □ Commercial □ Industrial □

2. SIZE OF PROPERTY _____ Acres □ or Square Feet □

3. EXISTING LAND USES AND STRUCTURES ON THE PROPERTY ARE AS FOLLOWS:

   _____

   _____

   _____

4. ARE THERE ANY KNOWN HAZARDS ON OR NEAR THE PROPERTY (such as canals, hazardous material spills, soil or water contamination)? If so, describe and give location: _____

   _____

5. ADJACENT PROPERTIES HAVE THE FOLLOWING BUILDING TYPES AND/OR USES:

   North _____ East _____
   South _____ West _____

6. MAXIMUM PROPOSED STRUCTURE HEIGHT: _____

7. NON-RESIDENTIAL STRUCTURES OR ADDITIONS (If applicable):

   Number of **Proposed** Structures: _____ Number of **Existing** Structures: _____

Proposed Gross Square Feet	Existing Gross Square Feet
1st Floor _____	1st Floor _____
2nd Floor _____	2nd Floor _____
Total _____	Total _____

8a. TYPE OF RESIDENTIAL USE (If applicable):
Single family residence□ Mobile home for single family residence□ Multiple residences on one parcel□

8b. SQUARE FOOTAGE OF PROPOSED RESIDENTIAL STRUCTURES (If applicable): _____

SQUARE FOOTAGE OF EXISTING RESIDENTIAL STRUCTURES: _____

8c. DENSITY OF DWELLING UNITS PER ACRE: _____

9. PROPOSED SITE PLAN:

   Percentage of site devoted to building coverage: _____
   Percentage of site devoted to landscaping: _____
   Percentage of site devoted to roads or driveways: _____
   Percentage of site devoted to other uses: _____
   Describe other uses: _____

   Total: 100%

10. PARKING (If applicable):

a. Handicapped spaces proposed: _____
b. Parking spaces proposed: _____
c. Are you proposing off-site parking:
Yes: _____No: _____

Office Use Only	
Handicapped spaces required:	_____
Parking spaces required:	_____
Total:	_____

11. SETBACKS:

	BUILDING	**Office Use Only**	PARKING	**Office Use Only**
	Proposed	Required	Proposed	Required
Front	_____	_____	_____	_____
Rear	_____	_____	_____	_____
Side	_____	_____	_____	_____
Street Side	_____	_____	_____	_____

12a. NUMBER OF EXISTING ROADS: _____ Width: _____ Private or Public? _____
Existing road surface(s) type: _____

12b. NUMBER OF PROPOSED ROADS: _____ Proposed Width: _____
Will the proposed roads be publicly or privately maintained? _____
Proposed road construction: Gravel □ Paved □

13a. EXISTING UTILITIES ON THE PROPERTY ARE AS FOLLOWS:
_____
_____

13b. PROPOSED UTILITIES: _____
Proposed utility easement width: _____ Location: _____

14a. SEWAGE WASTE DISPOSAL METHOD: Septic □ Central Sewage Treatment Facility □

14b. POTABLE WATER SOURCE: Public □ Water Association □ Individual □
If individual, has a test well been drilled? _____ Depth _____ Flow _____ Purity Verified? _____
Nearest adjacent well _____ Depth _____ Flow _____

15. REFUSE and TRASH DISPOSAL METHOD: _____
_____

16. ARE THERE ANY EXISTING IRRIGATION SYSTEMS? _____
Are you proposing any alterations, improvements, extensions or new construction? _____
If yes, Explain: _____
_____
_____

17. PROPOSED DAYS AND HOURS OF OPERATION (if applicable): _____

18. PROPOSED NUMBER OF EMPLOYEES (if applicable): _____

19. DRAINAGE (Proposed method of on-site retention): _____
Any special drains? _____ (Please attach map)

20. IS ANY PORTION OF THE PROPERTY LOCATED IN A FLOODWAY OR 100-YR FLOODPLAIN?
(Information can be obtained from the Planning and Zoning Office) _____

21. DOES ANY PORTION OF THIS PARCEL HAVE SLOPES IN EXCESS OF 10%? _____

22. ARE THERE ANY WETLANDS LOCATED ON ANY PORTION OF THE PROPERTY? _____

23. IS THERE ANY SITE GRADING OR PREPARATION PROPOSED? _____ If yes, Explain:

_____

_____

_____

SECTION IV: CRITERIA FOR RECOMMENDATIONS AND DECISIONS

1. ULO Section 4.3.C Conditions of Permit: In approving any conditional use permit the Commission may prescribe appropriate conditions, bonds, and safeguards in conformity with this Ordinance or the Comprehensive Plan. Conditions may include, but not limited to, specific requirements that:
   a. Assure that development is maintained properly.
   b. Control the sequence and timing of development.
   c. Control the duration of development.
   d. Designate the exact location and nature of development.
   e. Minimize adverse impacts on other development.
   f. Require the provisions for on-site or off-site public facilities or services.
   g. Require more restrictive standards than those generally required in this Ordinance.
   h. Require mitigation of effects of the proposed development upon service delivery by any political subdivision; including school districts providing services within the planning jurisdiction.
   i. Require surety agreements.

2. ULO Section 4.3.C.2: A conditional use permit shall also be subject to the terms and conditions by which it is approved, including, but not limited to,
   a. Bulk and Placement Standards. (See ULO: Table 4.1.D.8)
   b. Fencing
   c. Floodplains, fire hazards, etc.
   d. Grading
   e. Hours of operation
   f. Landscaping
   g. Natural resources impact mitigation including wildlife habitats, historic sites, shorelines
   h. Parking
   i. Road volumes, traffic control, road maintenance
   j. Screening
   k. Sight obstruction mitigation
   l. Visibility from roads.

SECTION V: SPECIFIC REQUIREMENTS FOR PUBLIC HEARING AND NOTICE

1. Public Hearing Notice shall follow the ULO, Section 2.5, to agencies and surrounding property owners; as well as legal publication.

2. Per ULO, Section 2.4.D.2: Notice shall also be posted on the premises not less than ten (10) days prior to the hearing **by the applicant**. The applicant shall provide "Proof of Posting" to the Planning and Zoning Department **no later than** seven (7) days prior to the public hearing. Failure to provide the Proof of Posing will cause the hearing to be continued to a later date.

SECTION VI: STAFF SUMMARY ANALYSIS, REASONING AND FACT FINDING

SECTION VII: PLANNING AND ZONING COMMISSION ACTION

THIS BOX TO BE COMPLETED BY THE PLANNING AND ZONING DEPARTMENT

FILE # _____ FEE $ _____
ACCEPTED BY: _____ DEPOSIT $: _____
CROSS REFERENCE FILE(S) _____ DATE: _____
PROPOSED USE OF PROPERTY: _____

_____

_____

Boise County Planning & Zoning
P.O. Box 1300
Idaho City, Idaho 83631
Phone (208) 392-2293
Fax (208) 392-2259

Conducting a Neighborhood/Community Meeting

You are about to apply for a land use permit from Boise County that requires a Public Hearing either with the Planning and Zoning Commission or the Board of County Commissioners. Although not required by ordinance, it is highly recommended that prior to your application with the County; you conduct a neighborhood meeting with your neighbors. This meeting gives you the opportunity to fully explain your proposal with your neighbors, many of whom will take the time to testify, either for or against, at your Public Hearing. Talking with your neighbors now, gives you the chance to discuss in greater detail what your request is all about and allows you to fully understand the concerns of adjacent property owners. Experience has shown that often times you can mitigate many issues that, if left unaddressed, waste time at the hearing or could cause confusion with decision makers leading to a denial of your land use application. Your voluntary participation, and at your expense, in a community meeting, does not guarantee an approval from the P&Z or Board, but it will result in a more informed decision.

To conduct this meeting, you should provide written notice to all property owners within 600 feet of the subject property and other property owners who may have an interest in your proposal. The Planning and Zoning Office can help you assemble this list. The meeting should not be scheduled on a holiday, a holiday weekend, or the day before or after a holiday or holiday weekend. The meeting should be held on the subject property or at a nearby available public meeting place. Be prepared to show maps, surveys and/or plats, drawings, sketches, and photographs that depict what your application is about. Consider a sign-up sheet for those attending the meeting, start and stop times, and an agenda. Conducting a community meeting with your neighbors is not a guarantee your request will be approved by the County. It should eliminate wasted time at the Public Hearing debating issues that perhaps could have been solved at your meeting; which will lead to a more informed decision.

STATEMENT OF PROOF OF PUBLIC HEARING POSTING

For Application #_____

I, _____, do hereby certify that Notice of Public Hearing was posted in accordance with the Boise County Unified Land Ordinance #2016-01, Section 2.4.D.2 on the _____ day of _____, 20_____, meeting the requirement of at least ten (10) days prior to the public hearing date. A photo of said posting is attached as Exhibit A, per Section 2.4.D.2.f.

Dated: _____

_____ _____

Typed/printed Applicant Name Applicant Signature

STATE OF IDAHO)
) ss.
County of _____)

On this _____ day of _____, 20____, before me, the undersigned, a Notary Public in and for the State, personally appeared _____, known or identified to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that s/he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on the date last above written.

_____

Notary Public for Idaho
Residing at _____
Commission expires_____

2.4.D NOTICE TO PUBLIC:

2.4.D.1 At least fifteen (15) calendar days prior to the public hearing, the Administrator shall publish a notice of the date, time and place and a summary of the application in the official newspaper of the county.

2.4.D.2 Posting on the Site: A public notice shall be posted by the applicant on the premises for which the permit is sought. The notice shall be posted not less than ten (10) calendar days prior to the public hearing.

2.4.D.2.a Notice of Form: The notice shall be in substantial compliance with the following form:

> COUNTY OF BOISE
> PUBLIC HEARING NOTICE
> Boise County Planning and Zoning Commission
> will hold a public hearing on
> [DATE} at 6:30 p.m.
> In [LOCATION provided by P&Z]
> PURPOSE:
>
> PROPERTY LOCATION:
>
> APPLICATION BY:
>
> Contact the BC Planning and Zoning Administrator at (208) 392-2293 with any questions.

2.4.D.2.b Notice Size: The notice(s) shall consist of a four foot by four foot (4' x 4') plywood or other hard surface mounted on two (2) four inch by four inch (4" x 4") posts.

2.4.D.2.c Notice Lettering: Centered at the top of the four foot by four foot (4' x 4') notice(s) in six inch (6") letters shall be the words "Boise County P&Z Public Hearing Notice". The date of the hearing shall be in bold four inch (4") letters. The remainder of the notice shall be in two inch (2") letters. Each notice shall be painted white, and the letters shall be painted black and shall appear on both sides.

2.4.D.2.d Notice Content: Each notice shall inform the public of the nature of the hearing, the date, time and address of the hearing location, a summary of the proposal to be considered, a county P& Z Department contact phone number, the location of the development and the name of the applicant, and if applicable, the proposed development.

2.4.D.2.e Notice Placement: The notices shall be posted on the property being considered along each street that is adjacent to the subject property boundaries. The notice(s) shall be

located on the property, outside of the public right of way. If the notice cannot be placed on the property and still be clearly visible, the notice may be placed within the right of way if the applicant can obtain the consent of the owner of the right of way. The notice shall be posted perpendicular to the street and mounted so that the bottom of the notice is at least three feet (3') above the ground.

2.4.D.2.f Proof Of Posting: The applicant shall submit a notarized statement and a photograph of the posting to the county P&Z Department no later than seven (7) days prior to the public hearing attesting to where and when the notice(s) was posted. Unless the statement is received by such date, the hearing will be continued to a later hearing date.

2.4.D.2.g Notice Removal: The notice(s) shall be removed no later than three (3) days after the public hearing for which the notice(s) had been posted is ended.