

RESOLUTION #2004-21

A RESOLUTION ADOPTING GENERAL CONDITIONS FOR ALL CONDITIONAL USE PERMITS AS APPROVED BY THE BOISE COUNTY PLANNING AND ZONING COMMISSION

WHEREAS, Boise County's Zoning and Development Ordinance addresses the requirements and procedures regarding application and issuance of a Conditional Use Permit within Boise County,

WHEREAS, it has been determined that there are general conditions that should be addressed regarding the majority of Conditional Use Permits that are approved, and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Boise County that each Conditional Use Permit approved by the Boise County Planning and Zoning Commission shall include the following conditions with their approval:

1. The property must be in/brought into compliance with all applicable Idaho State Statutes and Boise County Ordinances prior to commencement of approved conditional use activity. All permits must be secured prior to commencement of work subject to permit approval.
2. Applicant must provide proof of property ownership or valid leasehold from the property owner.
3. Property taxes must be current.
4. Applicant must provide proof of legal access and proof of the authority to alter/improve the access to accommodate fire and ambulance services must be provided prior to commencement of work.
5. Fire Department vehicular access shall meet the standards as set forth in the Boise County Road Standard Ordinance.
6. The Applicant will provide necessary information to Central District Health in order to obtain their comment. Further, Applicant will comply with any required conditions imposed by Central District Health Department.
7. Where applicable the Applicant shall identify the days and hours of operation of CUP activity.
8. Building construction shall meet the requirements of the Idaho Building Code Act, Idaho Code Title 39, Chapter 41.

Res 2004-21 General Conditions CUP.doc

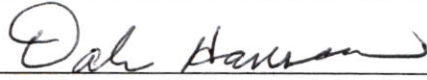


8. Building construction shall meet the requirements of the Idaho Building Code Act, Idaho Code Title 39, Chapter 41.
9. Applicant shall prepare and present to the county its emergency services (specifically, but not limited to, fire and ambulance services) action plan.
10. The conditional use shall be valid for a period not to exceed twenty four (24) months from the date of approval by the Boise County Planning and Zoning Commission. Within this period, the holder of the permit must:
 - A. Commence the use permitted by the permits in accordance with the conditions of approval.
 - B. Other requirements
11. Prior to the expiration of the conditional use permit, the Planning and Zoning Director may, upon written request by the holder, grant a one-year time extension. A maximum of three (3) extensions may be granted. Denial of an extension is appeal able to the Board of Boise County Commissioners.
12. Prior to granting a request for extension, the P&Z Department shall review the Conditional Use to determine Applicant's compliance with these Conditions of Approval. If, after investigation by the P&Z Department, it is determined that the Applicant is non-compliant, a review before the Boise County Planning and Zoning Commission shall be scheduled for public hearing and with public notice. The hearing shall be for the purpose of modifying, amending or revoking approval of Applicant's Conditional Use Permit.
13. CUP approval does not include approval of any signage (other than as provided in Condition #7). A separate Sign Permit will be required from the Boise County P&Z Department prior to installation of sign(s).
14. The Applicant shall comply with any and all applicable requirements of the U.S. Army Corps of Engineers.
15. No change in the terms and conditions of this approval shall be valid unless in writing and signed by the applicant or his authorized representative, and an authorized representative of Boise County. The burden shall be upon the applicant to obtain the written confirmation of any change and not upon Boise County.
16. Any change by the applicant in the planned use of the property which is the subject of this application, shall require the applicant to comply with all rules, regulations, ordinances, plans, or other regulatory and legal restrictions in force at the time the applicant or its successors in interest advises the County of its intent to change the planned use of the property described herein unless a variance in said requirements or other legal relief is granted pursuant to the law in effect at the time the change in use is sought.

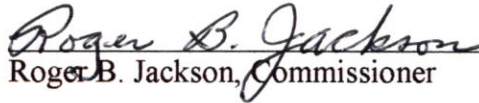
17. Notwithstanding building permit or specifically stated time-frames, all development authorized by this conditional use approval must be completed within 5 years (60 months) from the date of the Board's approval, unless extension is denied, in which case development must be completed within the time granted by the initial approval or most recent extension.
18. Failure to abide by any condition of this Conditional Use Permit shall be grounds for revocation by the Boise County Planning and Zoning Commission.

APPROVED and ADOPTED this 28th day of September 2004.

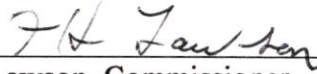
BOISE COUNTY BOARD OF COMMISSIONERS



Dale Hanson, Chairman of the Board

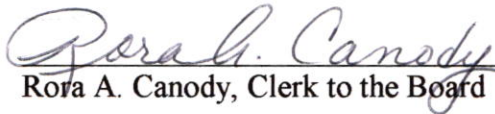


Roger B. Jackson, Commissioner



Fred H. Lawson, Commissioner

Attest:



Rora A. Canody, Clerk to the Board