

# City of Potlatch, Idaho

## Conditional Use Permit Information and Application Packet

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### Do I Need A Conditional Use Permit?

#### Look Up Your Proposed Use on the Land Use Tables (Table 2A).

Find your proposed use on the attached Land Use Tables. Once you locate your proposed use, then look for the designation under the zone (AF, R-1, etc.) in which you would like to implement your project. If you need help with this step, then please contact the City Administrator. Depending on the designation, here's what you do:

- 'P' means that your use is allowed, and YOU MAY PROCEED WITHOUT A CONDITIONAL USE PERMIT.
- A blank space means that THE USE IS NOT ALLOWED.
- 'C' means that YOU NEED TO APPLY FOR A CONDITIONAL USE PERMIT
- If your proposed use is not listed in Table 2A, then please ask the City Administrator that your request be put before the Planning and Zoning Commission for review.

### What Do I Need To Do To Get My Conditional Use Permit?

#### Read About Conditional Uses and Administrative Procedures.

Please read Chapter 3 of the Potlatch Zoning Ordinance, describing Conditional Use Permits. Then read Chapter 10 of the Potlatch Zoning Ordinance, describing application and appeal procedures. Both Chapters are attached to this application packet.

#### Schedule a Pre-Application Conference.

While this step is not required, we do encourage you to consult with the City Administrator to be sure you are using the proper forms and procedures during the application process.

#### Fill Out and Submit the Attached Application.

Fill out the attached application and submit it to the City Administrator, along with the appropriate fees. Be sure to include all the items listed on the last page of this packet, as incomplete application packets may be delayed in processing.

# What Happens Next?

## Public Hearing Date Scheduled

A date will be chosen for a public hearing. The time frame can be anywhere from 3 to 5 weeks after submittal of application material and fee. A public notice will be posted at the post office and published in the newspaper. Residents within 300 feet of the proposed project will be informed by way of a more thorough notice prepared by you, the applicant, and mailed by the city (there will be separate charge for these mailings). The applicant is also responsible for procuring the names and addresses of these landowners and providing this list to the city clerk. The Planning and Zoning Commission will also familiarize themselves with the proposed project during this time.

## Public Hearing

Public hearings will be held in the city council chambers unless a larger audience is expected whereby an alternate location will be chosen. The purpose of the hearing is to allow you, the applicant, an opportunity to inform the community of your proposed project. It is also an opportunity for citizens of Potlatch both for and against the proposed project to express their views. The procedure for the public hearing is as follows:

1. Presentation by a member of the P&Z commission.
2. Open Public Hearing
  - a. Statement of applicant
  - b. Statements of other persons in favor
  - c. Statements by those opposed
  - d. Applicant's rebuttal
3. Close Public Hearing

A chairman will run the hearing. Time limits may be prescribed at the beginning of the hearing to allow for equal representation and for expediting the process. Each person will be allowed to speak without being interrupted or cross-examined. Written statements over one page in length will be accepted for the record but will not be read at the public hearing.

## Decisions

A decision will likely be given soon after the close of the public hearing, perhaps the same evening, but the commission may take up to 120 days to deliberate on particularly complicated cases. The commission's responsibility is to weigh all views and consider the evidence provided to them in making a decision. All approved CUP's have a list of conditions that must be met. This is an agreement between the applicant and the city and is subject to periodic inspections to verify conformity. If the CUP is denied there is the option of appeal. If the CUP is approved, any opponent who testified during the public hearing may also file an appeal.

## Appeal Process

Appeals must be submitted not later than 10 days after a decision has been granted by the P&Z Commission. Appeals must be submitted in writing and state clearly why the appeal is being made. The city administrator can help in guiding anyone wanting to prepare an appeal. After the appeal is received the city council will set a date for a hearing.



## Criteria and Considerations

(Please type or print clearly; if necessary use additional pages)

### Criteria and Considerations

In order for the Planning and Zoning Commission to issue a Conditional Use Permit, the Commission must make findings of compliance with the following relevant criteria and considerations. Please indicate, in the space provided below (and/or on additional pages), all necessary information to satisfy the request of each criteria.

#### Definition of Conditional Use Request:

The proposed activity described in the brief proposal on page one is considered a conditional use in the \_\_\_\_\_ Zone (i.e. R-1, R-2, C-1, etc.) as listed under the \_\_\_\_\_ Land Use (i.e. agricultural, residential, etc.) in Table 2-A titled Zoning Districts and Land Uses found in the Potlatch Zoning Ordinance. Include specific activity as well: \_\_\_\_\_ (i.e. tree farm, group care home, bakery, etc.)

#### Impact on Schools:

Please state the number of potential students added to the school district: \_\_\_\_\_

**Criteria #1:** Please describe how the conditional use in its proposed location will be harmonious with the area in which it is proposed to be located.

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**Criteria #2:** Please describe why the proposed conditional use will not measurably and/or substantially reduce the value or marketability of adjacent or nearby properties.

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**Criteria #3:** Please describe how the proposed conditional use will not substantially increase traffic, vibration, noise, fumes, glare, or odor on or to adjacent or nearby properties.

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**Criteria #4:** The proposed conditional use will not substantially reduce or impair the full enjoyment of adjacent or nearby properties for uses or purposes to which the same are presently put.

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**Criteria #5:** The proposed conditional use will not cause or increase the likelihood of danger or peril from crime, fire, environmental impact, or other hazard to the public health, safety, or welfare; or otherwise significantly impact city workers and other public service providers.

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**Criteria #6:** The proposed conditional use will not cause any other quantifiable or demonstrable impact of a substantial negative magnitude.

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**Criteria #7:** The proposed conditional use meets the overall density, coverage, yard, and/or other applicable regulations of the zone in which it is to be located.

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**Criteria #8:** The structure and/or expansion of the structure must be compatible with the surroundings as to the type of architecture, setting, and landscaping existing thereabout and ordinarily found in the zone where said use is to be located. How will the proposed conditional use affect the following:

Grading	_____
Landscaping	_____
Screening	_____
Natural surroundings	_____
Noise	_____
Setbacks	_____
Lighting	_____
Signage	_____
Traffic	_____
Visibility	_____
Obstructions	_____
Hours of operation	_____
Other considerations	_____
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**Criteria #9:** The proposed use does not permanently and negatively impact surrounding natural resources (wildlife, wildlife habitat, soil, water, etc.), or scenic or historic features.

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**Additional Considerations**

Please list any other considerations you feel the commission should take into account when considering your application:

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## Site Plan Requirements

1. Plans must be a minimum of 8.5 x 11 and created to one of the following scales: 1:20 or 1:50 (to be determined by the city administrator)
2. Plans should be created digitally or if done by hand using black or blue ink. Inaccurate and/or illegible plans will not be accepted.
3. Your site plan must contain the following information:
  - Name of addition or subdivision
  - Complete legal description of considered property and Lot Number(s)
  - Lot(s) dimensions and square footages
  - Location, name, and width of boundary streets, alleys, and easements
  - North point
  - Parking and loading areas, including number of parking spaces, total parking area, and typical stall size including any required handicapped stalls
  - Traffic access and traffic circulation, and if applicable, traffic impact study
  - Natural features and special areas of the site including drainage, rock outcrops, wildlife habitat, etc.
  - Open spaces, landscaping
  - Driveways and curb cuts in detail, including widths and setbacks
  - Locations, dimensions, and square footages of all structures and use on property
  - Building heights
  - Distance of all structures from property lines
  - Location and dimension of signs in relation to all property lines
  - Storm drainage plan, including existing and proposed storm sewers
  - Location of existing and proposed sewer and water lines
  - Location of other utilities (gas, phone, power, etc.)
  - Lighting
  - Dumpster or other trash disposal location
  - Building access
  - Architectural elevation
  - Building code compliance, including required occupancy and/or building permits
  - Minimum lot size per zoning
  - Minimum lot width
  - Front, side, and rear yard setbacks
  - Locations of sidewalks, curbs, and gutters (if deteriorated, repair or replacement may be required)
  - Fire protection

## Compliance Information & List of Required Application Materials

### Compliance Information

1. Conditions of Approval: In granting any Conditional Use Permit, the Planning and Zoning Commission will prescribe appropriate conditions and safeguards that ensure the Conditional Use is consistent with the purposes and intents of the Zoning Ordinance.
2. In the event of failure to comply with the plans approved by the Planning and Zoning Commission, or with any conditions of a Conditional Use Permit approval, the permit shall be immediately revoked and shall automatically become null and void.
3. Where plans are submitted and approved as part of the application for a Conditional Use Permit, modifications of the original plans may be required by the Commission as a condition of approval.
4. Where plans approved by the Planning and Zoning Commission are modified following such approval, such plan modifications must be submitted to and determined by the City Council to be in substantial conformance with the plans approved by the Commission. If plan modifications are not in substantial conformance, the plan modifications must be resubmitted to the Commission for an additional public hearing as an amendment to the Conditional Use Permit application.
5. Revocations: If a building permit or occupancy permit pertaining to the Conditional Use Permit is not obtained for the subject property within one (1) year from the date of the Planning and Zoning's final decision, such Conditional Use Permit shall be immediately revoked and be considered null and void.

### List of Required Application Materials

Application Submittal: This application must be completed and submitted with the items described below to the city administrator at least fifteen (15) days prior to the regularly scheduled Planning and Zoning monthly meeting (1<sup>st</sup> Thursday of each month) for review by the Planning and Zoning Commission. Applicant will be notified by the city administrator as to the time and place of the public hearing pertaining to this application.

The following items must be submitted with this application:  
(make sure all materials are complete, accurate, and legible)

1. Completed and signed application.
2. \$250.00 application fee
3. List of adjoining property owners within 300 ft (including those across streets and alleys), along with their mailing addresses, as provided by the Latah County Assessor's Office.
4. Site Plan
5. Vicinity Map indicating the location of considered property in relation to the surrounding area (360°) at a minimum distance of 300 ft. Map must be to scale (1:50); indicate all properties, streets, and applicable natural features, and must be created digitally or clearly drawn by hand in blue or black ink. Inaccurate and/or illegible maps will not be accepted.
6. Elevation Drawing(s) drawn to scale; if applicable
7. Any additional materials that will aid in the explanation of proposed use and for the process of consideration by the Planning and Zoning Commission.
8. Written permission from the owner for proposed conditional use (if applicant is not the owner).

**Please note that for line items 1 and 4-8 seven (7) copies are required.**