

Appendix A

Summary of Proposed Title 12 Updates:

12-216: EVALUATION OF AMENDMENT PROPOSALS:

Proposed modification to the evaluation criteria of amendment applications, modifying the comprehensive plan review be align with Idaho Code 67-6511.

12-222 APPLICATION, CONTENTS:

Proposed removal of variance language from the conditional use permit application contents.

12-223: CONDITIONAL USE PERMITS, STANDARDS FOR REVIEW OF APPLICATIONS, PROCEDURES

Proposed modification to the evaluation criteria of conditional use permit applications, modifying the comprehensive plan review be align with Idaho Code 67-6512.

12-233: APPLICATION, CONTENTS:

Modification to establish a complete variance application content criteria rather than using the conditional use permit application criteria. The proposal removes the requirement the variance application to provide a review and analysis of the comprehensive plan.

Below are the proposed amendments to each specific section and the description of the changes. The language in red and underlined is recommended as additions to the existing code. Those words in ~~red and strike through~~ would be deleted from the ordinance.

12-216: EVALUATION OF AMENDMENT PROPOSALS:

Staff and the Governing Bodies shall review the particular facts and circumstances of each proposal submitted and shall determine whether there is adequate evidence that the proposal is not in conflict with the policies in accordance with the general and specific objectives of the comprehensive plan, as found in the adopted Implantation Component. For zone change proposals, the request shall be evaluated against chapter 12 subchapter 3.2 or as hereafter amended.

12-222: APPLICATION, CONTENTS:

An application for a conditional use permit must be submitted to the Planning Department. At a minimum, the application shall contain the following information:

- G. Description of proposed conditional use ~~or nature of variance~~ requested.

12-223: CONDITIONAL USE PERMITS, STANDARDS FOR REVIEW OF APPLICATIONS, PROCEDURES:

The Zoning Commission or Hearing Examiner, except as otherwise provided in this title, is charged with conducting at least one public hearing on the conditional use permit application, at which time interested persons shall have an opportunity to be heard. The Zoning Commission or Hearing Examiner shall review the particular facts and circumstances of each proposal submitted. To grant a conditional use permit, the Zoning Commission or Hearing Examiner must find ~~there is adequate evidence showing~~ that the proposal is not in conflict with the policies in accordance with the general and specific objectives of the comprehensive plan, as found in the adopted Implantation Component, and this title, and that the proposed use will neither create a hazard nor be dangerous to persons on or adjacent to the property.

12-233: APPLICATION, CONTENTS:

~~The contents of a variance application shall be the same as for a conditional use permit, but shall also address the standards of section 12-234 of this subchapter. See section 12-222 of this chapter.~~

An application for a variance must be submitted to the Planning Department. At a minimum, the application shall contain the following information:

- A. Name, address and phone number of applicant.
- B. Authorized signature of at least one owner of the property for which the conditional use permit is proposed.

- C. Legal description of property.
- D. Applicant's interest in title.
- E. Description of existing use.
- F. Description of proposed variance requested.
- G. A narrative statement that addresses the standards of section 12-234 of this subchapter.
- H. A site plan showing all property lines; existing and proposed structures; and the property size in acres.
- I. Other information that the Planning Director or Governing Body requires to determine if the proposed variance meets the intent and requirements of this title, which may include site specific details or potential impacts of the proposed variance.

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