

CITY OF HAUSER
APPLICATION FOR CLASS II PERMIT/SUBDIVISION / VARIANCE
/ APPEAL/ AMENDMENT

 APPLICANT CONTACT PHONE NUMBER E-MAIL ADDRESS

 ADDRESS CITY STATE ZIP

 PROPERTY OWNER PHONE NUMBER E-MAIL

 ADDRESS CITY STATE ZIP

 PARCEL NUMBER ACREAGE SEC TWN RNGE

 ADDRESS OF SITE ZONING COMP PLAN

REQUEST: _____

AGENCY REVIEW LETTERS REQUIRED BY CITY

- | | |
|---|--|
| <input type="checkbox"/> FIRE DISTRICT | <input type="checkbox"/> WATER ASSOCIATION |
| <input type="checkbox"/> HIGHWAY DISTRICT | <input type="checkbox"/> SCHOOL DISTRICT |
| <input type="checkbox"/> ITD | <input type="checkbox"/> SEWER IF ANY |
| <input type="checkbox"/> PANHANDLE HEALTH DISTRICT | <input type="checkbox"/> NOXIOUS WEEDS |
| <input type="checkbox"/> DEQ | <input type="checkbox"/> UTILITY COMPANIES |
| <input type="checkbox"/> IDWR (DEPT OF WATER RESOURCES) | <input type="checkbox"/> ARMY CORPS |
| <input type="checkbox"/> OTHER _____ | |

OTHER ATTACHMENTS REQUIRED

- | | |
|--|--|
| <input type="checkbox"/> SITE PLAN | <input type="checkbox"/> NOTARIZED AUTHORIZATION |
| <input type="checkbox"/> PROJECT NARRATIVE | <input type="checkbox"/> CONTOURS IF REQUESTED |
| <input type="checkbox"/> VICINITY MAP | <input type="checkbox"/> GEOTECHNICAL IF REQUESTED |
| <input type="checkbox"/> 6 PHOTOGRAPHS OF THE SITE | <input type="checkbox"/> OTHER _____ |

SITE PLAN: Draw to scale and include a north arrow, property lines, the size and location of all structures, roads, driveways, lakes, streams, easements, rights of way, wells, sewage systems, slopes, rock outcrops and stormwater systems. Show distances between features, particularly structures and property lines.

PROJECT NARRATIVE: Thoroughly describe the existing situation/operation and what is being proposed. Explain why you believe the request should be approved, how the proposal meets the applicable Hauser Municipal Code regulations , the Hauser Comprehensive Plan and Idaho Code, why it will be in the public interest and how it will not adversely affect the public. If the application is for a variance, state the reason you need a variance, the location and the amount of variance requested and explain the characteristics of the site that are causing a hardship, and show how the variance requested is the minimum that will make possible the reasonable use of the land or the structure.

FAILURE TO PROVIDE A COMPLETE APPLICATION, SITE PLAN AND NARRATIVE MAY RESULT IN DENIAL OF YOUR REQUEST.

PROPERTY OWNERS OR AUTHORIZED SIGNATURE

NAME _____ DATE _____

NAME _____ DATE _____

FEE\$ _____ DATE RECEIVED _____

IF REPRESENTING THE PROPERTY OWNER, PLEASE PROVIDE A NOTARIZED STATEMENT OF AUTHORIZATION FROM THE PROPERTY OWNER.

CITY OF HAUSER
FEE SCHEDULE
Effective: April 11th, 2012
www.cityofhauser.org

TYPE		FEES		TYPE		FEES	
Description	Amount	Description	Amount	Description	Amount	Description	Amount
Copies plus cost of labor	.15 each – \$22/hr	Comprehensive Plan Book	\$15.00				
Title 8 Development Code	\$20.00	Municipal Code Book	\$45.00				
Hard Copies of Maps 8 ½ x 11	\$2.00	CD Copies of Maps	\$10.00				
Tape Reproduction plus labor cost	\$10.00 each	Public Notice	Actual Cost				
Certified Mailings	Actual Cost	First Class Mailing	\$.60 each				
Business License	\$50.00	Liquor License	\$200.00				
Event Permit Fee	\$200.00	Beer and Wine License (On Premise)	\$70.00				
Temporary Hardship Permit	\$100.00	Beer (Off Premise)	\$17.50				
Administrative Exception	\$250.00	Class 1 Stream/Lake Modification	\$100.00				
Class I Permit Application	\$200.00	Home Occupation	\$100.00				
Admin Setback Exception	\$100.00	Certificate of Conformity	\$100.00				
Site Inspection	\$100.00	Survey Review	Actual Cost				
Professional Engineering Review Including Code Enforcement Review and Interpretation	Actual Cost	Professional Legal Review including Code Enforcement Review and Interpretation	Actual Cost				
Professional Code Administration Review/Research or Interpretation Including Code Enforcement	Actual Cost Hr Rate \$35.00	Appeal of Administrative Interpretation to PC	\$500.00				
★ Class II Permit Application	\$750.00	Annexation Application	\$1000.00				
Prelim Subdivision up to 4 lots	\$800.00	Zone Change	\$1500.00				
Prelim Subdivision 5 and over lots	\$1000.00 plus 50.00 a lot	Building Permit Plan Review and Applications	1997 UBC Table 1A				
Final Subdivision up to 4 lots	\$400.00	Development Agreements first review, subsequent ½ of initial fee	\$1000.00				
Final Subdivision 5 and over lots	\$500.00 plus 50.00 a lot	Appeal of Decision/PC	\$500.00				
Plat Amendment	\$500.00	Comp Plan Amendment	\$1500.00				
Condition Modification	\$500.00	Time Extension	\$350.00				
Hearing Reschedule	\$200.00	Code Text Amendment	\$2000.00				
Sign Permit	\$150.00	Sign Permit Temporary	\$35.00				
Dog License Spayed/Neutered	\$5.00 Annual Fee	Dog License Fee Un-spayed/Un-Neutered	\$15.00 Annual Fee				
Animal Impoundment	Actual Cost	Parking Other	\$15.00				
Parking in Alley/Front of Driveway	\$15.00	Parking in Loading Zone	\$15.00				
Parking in Disabled Zone	\$100.00	Parking by Fire Hydrant	\$15.00				
Parking Opposing Traffic	\$15.00	Parking Lot Use Regulations	\$25.00				
Parking on Roadway/Right of Way	\$25.00	Parking in No Parking Zone	\$15.00				

CHAPTER III - ADMINISTRATIVE PROCEDURES

A. What This Chapter Does. This chapter requires a permit for all land development and building activity in the city and the surrounding area of city impact and establishes the procedures necessary for the administration of this ordinance.

Division 1 - Permits Required

B. Permit Required. A permit shall be required for any division of land; any clearing, grading, construction, reconstruction, development, or re-development; and any change in land use, except as specifically exempted by III.C., D., and E.

1. A Class I permit shall be required for: a. any lot split or land division not exempted by III.D.; b. the construction of a single family dwelling; c. the establishment of a home occupation; d. the construction or installation of any accessory building or fence not exempted by III.E.; e. any minor change of use in an existing commercial or industrial site or building; f. any other development activity that is not exempted by III.C., D., or E., but does not require a Class II permit, and g. any clearing, grading, or excavation in preparation for any of the activities listed in a. through f. of this sub-paragraph. The Class I permit procedure is found at III.I.

2. A Class I permit shall also be required for certain activities that would otherwise be exempted by III.E., but are located within a lakeshore or stream corridor established by this ordinance. See III.E.6. and 7.

3. A Class II permit shall be required for: a. any division of land not exempted by III.D.; b. any modification of a stream or lakeshore corridor established by this ordinance, except those limited modifications that are exempt, or for which a Class I permit is acceptable (see III.B.2.), including any clearing, grading, or excavation, and shoreline or channel stabilization; c. the construction of any high density residential development, including attached dwellings and manufactured home parks; d. the construction or establishment of any commercial or industrial development, including any major change in use in an existing commercial or industrial site or structure, and e. any clearing, grading, or excavation in preparation for any of the activities listed in a. through e. of this sub-paragraph. The Class II permit procedure is found at III.J.

C. Statutory Exemptions.

1. As provided by I.C. 38-1302(3), forest practices are exempt from the requirements of this ordinance.

2. As provided by I.C. 67-6529, the production of crops and livestock on agricultural lands in the area of city impact is exempt from the requirements of this ordinance. As also provided by I.C. 67-6529, the term "agricultural lands" shall be defined to encompass all lands in the Rathdrum Prairie Zoning District established in IV.B. The comprehensive plan encourages continued agricultural production in that zoning district. Other agricultural lands are defined at Chapter VI, Section N. [Amended by Ordinance No. 107.]

D. Exemptions for Land Divisions. Exemption of a land division does not exempt the development of the parcel created from compliance with this ordinance. No permit shall be required for:

1. land divisions resulting from condemnation proceedings, voluntary sales or gifts of land for a public purpose, or court decrees ordering the creation of a specific parcel;

Division 2 - Permit Procedures


I. Class I Permit Procedure. The Class I permit procedure provides for the prompt review of minor developments, while ensuring that they have no significant adverse impact on environmental quality, neighboring uses, or public facilities and services. The Class I permit procedure shall be as follows.

1. The developer shall file a properly completed permit application form, the required supporting materials, and the required application fee with the administrator.

2. The administrator shall determine whether the proposed development is in compliance with this ordinance. If the proposed development complies, the application for a permit shall be approved. Conditions may be attached to the approval of any permit, as provided in III.K. If the proposed development does not comply, the application for a permit shall be rejected. Where the proposed development is part of a larger development for which a Class II permit was previously approved, the administrator shall also determine whether it is in compliance with the previously approved development plan and all conditions attached to that plan's approval.

3. The administrator shall notify the developer of the decision within 10 days.

4. The administrator's decision may be appealed to the commission using the procedure of III.N. To initiate appeal proceedings, a notice of appeal must be filed with the administrator within 10 days after notice of the decision has been issued. Developers proceed at their risk during the appeal period.

 **J. Class II Permit Procedure.** The purpose of the Class II permit procedure is to assure effective regulation of developments that could have significant impacts on environmental quality, neighboring uses, or public facilities and services. The Class II permit procedure, which incorporates both the special use permit procedures authorized by I.C. 67-6512 and the review of proposed subdivisions authorized by I.C. 67-6513, shall be as follows.

1. The developer shall file a request for sketch plan review with the administrator (see IX.CCC. for the contents of a sketch plan).

a. The administrator shall place the sketch plan on the agenda of the next regular commission meeting at which time will permit its proper review.

b. The commission shall conduct a sketch plan review. A sketch plan review is not a regulatory proceeding, but an opportunity for the commission to be made aware of the impending proposal, and for the developer to be made aware of possible questions and the applicable requirements of this ordinance.

2. The developer shall file a properly completed application form, the required supporting materials, and the required application fee with the administrator.

3. The administrator shall place a hearing on the application on the agenda of the next regular commission meeting for which the notice requirements of III.J.5. can be met, and at which time will permit its proper review.

4. The administrator may contract for professional review of the application, with the cost of that review to be paid by the developer in

addition to the application fee. Such reviews shall be prepared in the form of a written report submitted to the administrator for use at the hearing. The administrator shall, upon its receipt, provide a copy of this report to the developer and place it on file for public review with the other application materials. [Amended by Ordinance No. 107.]

5. The content of all hearing notices shall comply with the requirements of III.L. Notice for a Class II permit hearing shall be provided as follows:

a. by certified mail, at least 15 days prior to the hearing: to all owners of real property within 300 feet of the site, except as provided in III.J.5.e.;

b. by newspaper publication: one legal notice shall appear in the city's official newspaper at least 15 days prior to the hearing;

c. by first class mail, at least 15 days prior to the hearing: to all potentially affected public agencies, specifically including the potentially affected fire department and school district; and to other interested parties who have requested, in writing, that the administrator provide them with notice of all hearings required by this ordinance (the city may elect to charge a fee for this service); and

d. by posting: a sign shall be placed on the site at least seven days before the hearing. Where the administrator determines that so doing will provide more effective notice, the sign may be placed at a point of access to the site.

e. Where more than 200 certified mail notices would be required, the administrator may limit certified mail notice to the nearest 199 property owners, while providing all other forms of notice required by this ordinance.

6. The commission shall conduct a hearing on the application following the procedure established in III.P. No application shall be reviewed if the developer or a representative is not present.

7. The commission shall determine whether the proposed development is in compliance with the comprehensive plan and this ordinance. If the proposed development complies, the application for a permit shall be approved. Conditions may be attached to the approval of any permit, as provided in III.K. If the proposed development does not comply, the application for a permit shall be rejected. Where the proposed development is part of a larger development for which another Class II permit was previously approved, the commission shall also determine whether it is in compliance with the previously approved development plan and all conditions attached to that plan's approval.

8. The administrator shall notify the developer and interested parties of the commission's decision within 10 days.

9. The commission's decision may be appealed as follows:

a. within the city limits: to the council, using the appeals procedure of III.N., or

b. within the area of city impact or within one mile of the city limits if no area of city impact has been negotiated: to the city council or to the entity or entities designated in a negotiated and duly adopted area of city impact ordinance, using the appeals procedure of III.N. [Amended by Ordinance No. 107.]

c. To initiate appeal proceedings, a notice of a appeal must be filed with the administrator within 10 days after notice of the decision has been issued. Developers proceed at their own risk during the appeal period.

10. The developer of a subdivision may file a final plat with the administrator at any time after the Class II permit is approved. Phased final platting may be permitted by a development agreement: see Chapter VII.

a. The administrator shall place the final plat on the agenda of the next commission meeting.

b. No public notice or hearing is required before approval of a final plat, but no final plat shall be reviewed if the developer or a representative is not present.

c. The commission shall review the final plat and determine whether it is in compliance with the Class II permit, the comprehensive plan, and this ordinance. If it finds that the final plat complies, the commission shall recommend that it be approved by the council. If it finds that the final plat fails to comply, it shall recommend that it not be approved by the council. For subdivisions located within an area of city impact whose boundaries were negotiated with Kootenai County and adopted by ordinance, the recommendations shall be made to the entity or entities designated in the area of city impact ordinance. Conditions may be attached to approval of a final plat, as provided in III.K. [Amended by Ordinance No. 107.]

d. Unless it is withdrawn by the developer, the administrator shall place review of the final plat on the agenda of the next regular council meeting at which time will allow its proper consideration.

e. The council shall take due notice of the commission's recommendation in determining whether the final plat is in compliance with the Class II permit, the comprehensive plan, and this ordinance. If the council finds that the final plat complies, it shall approve that plat. Conditions may be attached to approval of a final plat, as provided in III.K. If the council finds that the final plat fails to comply, it shall reject that plat.

f. The administrator shall notify the developer and interested parties of the council's decision within 10 days.

g. Plats within one mile of the city limits if no area of city impact has been negotiated with Kootenai County, must also be approved by the BOCC. The council and BOCC may choose to conduct joint proceedings on a final plat. For subdivisions located within a area of city impact whose boundaries were negotiated with Kootenai County and adopted by ordinance, approval shall be as designated in the area of city impact ordinance. [Amended by Ordinance No. 107.]

K. Conditions. Conditions may be imposed on the approval of any permit or variance, provided that:

1. those conditions are clearly designed to assure compliance with one or more specific requirements of this ordinance; and

2. a list of the conditions imposed is provided to the developer with notification of the decision. That list shall specifically identify the provision of this ordinance the condition is designed to implement.