



CITY OF FILER
300 MAIN STREET
P.O. BOX 140
FILER, ID 83328

PHONE: 208-326-5000
FAX: 208-326-5002

SPECIAL USE PERMIT APPLICATION

Date: ___/___/___

Name: _____ Phone No.: _____

Mailing Address: _____

Zoning District (Please mark appropriate box):

A – Agricultural R-A – Residential Ag R-1 – Residential C-1 – Commercial M-1 - Industrial

Legal Description: (attach copy if necessary) _____

Description of existing use: _____

Description of proposed special use: _____

Submittals Required:

- ❖ A plan of the proposed site for the special use showing the location of all buildings, parking and loading areas, traffic access and traffic circulation, open spaces, landscaping, refuse and service areas, utilities, signs, yards and such other information as may be requested by the Commission.
- ❖ A narrative statement evaluating the effects on adjoining property; the effect of such elements as noise, glare, odor, fumes and vibration on adjoining property, and the general compatibility with adjacent and other properties in the district; and the relationship of the proposed use to a comprehensive plan.
- ❖ A list of names and addresses of all property owners and residents within three hundred feet (300') of the subject property.
- ❖ \$125.00 Fee – payable by check made to City of Filer or Cash.
- ❖ Applicant will be billed for mailing fees and newspaper hearing notification. Cost is to be determined.



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RECEIVED BY: _____ DATE: _____
FEE PAID: _____ CHECK#: _____ CASH: _____

NOTICE: A HEARING DATE SHALL NOT BE ASSIGNED UNTIL THIS APPLICATION HAS BEEN APPROVED AS TO FORM. THE APPLICATION MUST BE APPROVED AS TO FORM AT LEAST TWENTY-FIVE (25) DAYS PRIOR TO THE INTENDED HEARING DATE.

SPECIAL USE: 9-9-4

Standards Applicable to Special Uses: The governing board shall review the particular facts and circumstances of each proposed special use in terms of the following standards and shall find adequate evidence showing that such use at the proposed location: (Ord. 509, 3-7-2000)

- A. Will, in fact, constitute a special use as established by zoning requirements for the zone involved.
- B. Will be harmonious with and in accordance with the general objectives or with any specific objective of a comprehensive plan and/or zoning regulations.
- C. Will be designed, constructed, operated and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.
- D. Will not be hazardous or disturbing to existing or future neighboring uses.
- E. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer and schools; or that the persons responsible for the establishment of the proposed use shall be able to provide adequately any such services.
- F. Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.
- G. Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any person, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.
- H. Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares.
- I. Will not result in the destruction, loss or damage of a natural, scenic or historic feature of major importance. (1994 Code)

9-9-5

Restrictions on Granting Special Use: In granting any special use, the governing board may prescribe appropriate conditions, bonds and safeguards in conformity with this title. Violations of such



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conditions, bonds or safeguards, when made a part of the terms under which the special use is granted, shall be deemed a violation of this title. (Ord. 509, 3-7-2000)

9-9-6

Public Hearing on Special Use: Upon receipt of the application for a special use, the governing board shall hold a public hearing, publish notice in the newspaper and give written notice to the applicant and all persons owning property within three hundred feet (300') of the subject property. (Ord. 509, 3-7-2000)

9-9-7

Action by Governing Board on Special Use:

A. Within thirty (30) days after the public hearing, the governing board shall either approve, conditionally approve or disapprove the application as presented. If the application is approved or approved with modifications, the governing board shall direct the city to issue a special use permit listing the specific conditions specified by the governing board for approval. (Ord. 509, 3-7-2000)

B. Upon granting of a special use permit, conditions may be attached to a special use permit including, but not limited to, those:

1. Minimizing adverse impact on other developments.
2. Controlling the sequence and timing of development.
3. Controlling the duration of development.
4. Assuring that development is maintained properly.
5. Designating the exact location and nature of development.
6. Requiring the provision for on-site or off-site public facilities or services.
7. Requiring more restrictive standards than those generally required in this title. (1994 Code)