

City of McCall

216 East Park Street
McCall, Idaho 83638
P: (208) 634-7142
F: (208) 634-3038

CONDITIONAL USE PERMIT INFORMATION



APPLICATION REQUIREMENTS

Submit six (6) hard copies not greater than 11" by 17" in size and a digital copy (PDF) of the following:

- \$600 Fee; Checks Payable to the City of McCall
- Application Form with Neighborhood Meeting date and location in the description
- Proof of Ownership and Owner Authorization
- Project Description (see CUP Information document)
- Criteria of Approval Responses (see CUP Information document)
- Stormwater Application/Plan (contact City Engineer for details)
- Exterior Lighting Plan (existing *and* proposed)
- Landscaping Plan (existing *and* proposed)
- Photos
- Plot Plan, with
 - Structures
 - Snow Storage
 - Adjacent Streets
 - Land Uses
 - Open Space
 - Setbacks – Existing and Proposed
 - Lot Coverage Calculations
 - Driveways
 - Parking Area

Incomplete applications cannot be accepted by the City. Unless otherwise exempted by the Administrator, all Application Requirements must be provided at the time of submission.

PROCESS

Preliminary Development Plan Review

Prior to the submission of a CUP application, an applicant shall appear before the Planning and Zoning Commission at a regularly scheduled meeting to present preliminary plans. Submission of a [Pre-application Meeting Form](#) is necessary to be scheduled for the Commission's agenda.

Neighborhood Meeting

Prior to the submission of any Conditional Use Permit application, it is required that the applicant hold a neighborhood meeting for adjacent property owners. All property owners within 300 ft. of the property shall be notified of the nature of the project as well as the time and location of the meeting. The meeting shall be reasonably accessible in regards to time and location. Notice to adjacent property owners shall be provided an ample time in advance of the meeting.

Application

Once Preliminary Development Plan Review and Neighborhood meetings have been held the applicant can submit an application. A separate document details what must be contained in a [CUP application](#). Applications are reviewed by the Planning and Zoning Commission and the McCall City Council (if within the City Limits) or the Valley County Commission (if within the McCall Impact Area) for final approval. Applications must be submitted approximately six weeks in advance of the Commission meeting. McCall Area Planning and Zoning Commission meeting dates and application deadlines are listed on the City of McCall web site.

Public Hearing

All CUP applications are required to be public hearings before the McCall Area Planning and Zoning Commission. Notice of the public hearing must be provided in three ways: 1. A notice must be mailed to adjacent property owners within 300 ft; 2. A notice must be posted in a highly-visible location on the subject property; and 3. A notice must be published in the official local newspaper (Star News). The applicant is responsible for all of these notifications, but the City typically sends the notification to the local newspaper (the fee for this publication is covered in the application fee). The details of the posting and mailing requirements are further explained in a separate [public notice document](#). The deadlines for public notification are provided of the City of McCall web site. Depending on the result of the public hearing before the Commission a second public hearing before the City Council (if within the City Limits) or before the Valley County Board of Commissioners (if within the McCall Impact Area) may or may not be necessary.

Planning & Zoning Commission

CUP applications are reviewed by the McCall Area Planning and Zoning Commission. The Commission typically meets on the first Tuesday of each month unless there is a conflict with a holiday. The Commission reviews CUP applications against the criteria of approval in the McCall City Code for Conditional Use Permits ([MCC 3.13.03.B](#)). After their review, and testimony during the public hearing, the Commission makes a recommendation to the City Council or Valley County Board of Commissioners for either approval or denial; the Commission may also continue the application to allow for further consideration of the project.

City Council or Valley County Board of Commissioners

The final action for CUP applications is taken by the McCall City Council (if within the City Limits) or the Valley County Board of Commissioners (if within the Impact Area). As with the Commission, these bodies base their action upon the criteria of approval for a Conditional Use Permit in the McCall City Code ([MCC 3.13.03.B](#)). The City Council meets on the second and fourth Thursday of each month and the Valley County Commission meets most Mondays. The Council or County Board of Commissioners may either approve or deny an application, or continue it to a later meeting for additional consideration. Scheduling for a Council or County Board of Commissioners meeting depends on whether a public hearing is required.

CRITERIA OF APPROVAL RESPONSES

The following questions relate to the criteria of approval for a Conditional Use Permit. The Commission must assess compliance with these criteria to act upon the CUP application. To allow the Commission to understand the proposed use, the applicant shall provide, on a separate sheet, typed responses to the following in their application:

1. Is the use a conditional use in the zone?
2. Explain the relationship of the proposed use to the [Comprehensive Plan](#).
3. Explain how the application meets the general and specific objects of Title 3.
4. How is the proposed use harmonious with the character of the existing neighborhood?
5. How is the proposed use harmonious with the appearance of the existing neighborhood?
6. How will the proposed use NOT be detrimental to the general welfare, health, and safety of the neighborhood?
7. How will the proposed use NOT harm the land or water of the subject property and adjacent properties?
8. What public services and facilities will serve the proposed use? Police? School? Streets? Fire? Water? Sewer? Other?
 - a. Explain how the proposed project will NOT add incremental costs to each of these services or facilities? If additional cost will be incurred, how will that cost be mitigated?
 - b. Explain how the proposed project will be served by the above services and facilities.
9. How will the proposed use NOT cause unreasonable traffic, noise, glare, and other forms of pollution?
10. How will the proposed use NOT adversely affect the pedestrian environment?
11. How will the proposed use NOT be a detriment to traffic on surrounding streets?
12. How will the proposed use NOT affect scenic features?
13. How will the proposed use NOT affect historic features?
14. Explain how the subject property is of sufficient size to accommodate the proposed use in relation to snow storage, open space requirements, parking areas, landscaping, etc.
15. Explain how the proposed use will NOT have a negative economic impact on the surrounding neighborhood or community?

PROJECT DESCRIPTION

In addition to the above responses, the applicant shall provide answers to the following questions in their application.

1. Explain, in detail, the proposed use.
2. What is the relationship of the proposed use to the surrounding properties?
3. How does the proposed landscaping plan comply with the requirements of Title 3?
4. How does the lighting comply with the requirements of Title 3, Chapter 14?

CUP CRITERIA OF APPROVAL

In order to grant a Conditional Use Permit, the Commission and Council *must* make the following findings (from McCall City Code Section 3.13.03.B).

The proposed use:

1. Constitutes a conditional use authorized in the zone involved.
2. Is harmonious with and in accord with the general objectives and with any specific objectives of the comprehensive plan and/or this title.
3. Is designed, constructed, operated and maintained to be harmonious and appropriate in appearance with the existing or likely character of the neighborhood, and that such use will not change the essential character of the surrounding area.
4. Will NOT detrimental to the health, safety and general welfare of persons residing or working in the neighborhood of such proposed use.
5. Will NOT cause any substantially harmful environmental consequences to any land or waters within the planning jurisdiction.
6. Will NOT create excessive additional public cost for public facilities and services, and will not be detrimental to the economic welfare of the community.
7. Will be served adequately by essential public facilities and services including highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools. The applicant may be required, as a condition of approval, to mitigate any deficient public service.
8. Will NOT involve uses, activities, processes, materials, equipment or conditions of operation that will cause unreasonable production of traffic, noise, smoke, fumes, glare, odors or other forms of pollution.
9. Will have vehicular approaches to the property so designed as not to create a detrimental interference with traffic on surrounding public or private thoroughfares, or adversely affect the pedestrian environment.
10. Will NOT result in the destruction, loss or damage of an important natural, scenic or historic feature.
11. Will be on a site of sufficient size to accommodate the proposed use, including the yards, open spaces, snow storage, walls, fences, parking areas, loading zones and design standards applicable.
12. Will have a minimal negative economic impact on the neighborhood or surrounding community.

CONDITIONS OF APPROVAL

The Commission and/or Council has the authority to place any conditions on the proposed use deemed necessary for the project to protect the health, safety, general welfare and environment of the community. Such conditions may include, but are not limited to:

1. Limitations on the hours of operation of the use
2. Limitations on the deadline for expiration of the CUP
3. Additional landscaping and building beautification requirements
4. Additional or reduced off street parking or transportation improvements
5. Execution of a written agreement

In addition to these specific conditions, the Commission and Council may also impose more restrictive standards than are generally required.

The Commission also has the authority to require a professionally prepared environmental assessment where there is a proposed operation, material or activity which constitutes a *potential* threat to public health, safety and welfare, or to the quality of the environment.

EXPIRATION

Conditional Use Permits approved by the City Council or Valley County Board of Commissioners expire within 12 months from the date of approval, unless the applicant has exercised the CUP. This 12 month period may only be extended at the time of approval if it is found that imposing the 12 month time limit is unreasonable.