
BLAINE COUNTY, ID LAND USE & BUILDING SERVICES

*How Do I Apply For a **Conditional Use** Permit?*

Here's what you need to know...

WHAT IS A CONDITIONAL USE?

The County Zoning Requirements, Title 9, Blaine County Code, establishes permitted, accessory and conditional uses for unincorporated Blaine County. Conditional uses are those uses that possess unique and special characteristics because of their location, design, size, method of operation, circulation, availability of public facilities and services, and their potential effect on surrounding areas. As a result, they warrant an evaluation by a decision making body through the public hearing process. The decision making body may be the Planning and Zoning Commission or Hearing Examiner. If approved, certain conditions of approval may be attached to the permits which are designed to lessen and mitigate the impact of the project on the delivery of public services and the surrounding area.

HERE ARE THE STEPS FOR APPLYING FOR A CONDITIONAL USE PERMIT...

1. Establish that the proposed use is in fact a conditional use for the subject property. The Zoning Administrator would be glad to assist you in making this determination. You can reach her by calling (208) 788-5570. Zoning maps and ordinances are available for review or purchase during regular business hours.
2. Obtain the appropriate conditional use permit application form from the Land Use Office. Complete the application and attach all required additional information.
3. Submit the completed application, application fee and all associated information to the Land Use Office. The Zoning Administrator is available by appointment for a pre-review of the application, or to answer any questions.

WHAT HAPPENS AFTER I SUBMIT MY APPLICATION TO THE PLANNING OFFICE?

First, the Administrator will review the application for completeness and general compliance to the zoning regulations and other applicable ordinances. Depending upon the nature of the application, comment by other governmental agencies may be required. If necessary, the application will be submitted to the County Engineer for a technical review related to floodplain, infrastructure and other issues. The cost of the County Engineer review is at the expense of the applicant, and all outstanding engineer review fees must be paid prior to public hearing.

Next, once the application is certified by the Administrator as generally complete and in compliance with applicable regulations, a date of certification will be affixed to the application. The application will then be scheduled for the next available public hearing before either the Planning and Zoning Commission or Hearing Examiner for which legal notice requirements can be satisfied. At this point, you may be asked to stake or otherwise identify the location and scope of the proposed development, to facilitate a site visit by staff, Commission members or the Hearing Examiner prior to the public hearing.

Then, once a public hearing date has been determined, the Land Use Office will send notice of the proposal to surrounding property owners and other entities as required by the Zoning Regulations and Idaho Code. You will be required to place a “posting notice” as provided by the Land Use Office on your property for at least seven (7) days prior to public hearing. This lets your neighbors and the public know that an application is pending before the County.

Finally, prior to the public hearing, either the Administrator or the Hearing Examiner will prepare a staff or pre-hearing report which outlines 1) the general facts relating to the proposal, 2) the objective standards of evaluation that will be used in the decision-making process, 3) the public notice procedure utilized for the application, and 4) possible conditions of approval that may be attached to the permit, if approved by Commission or Hearing Examiner. You will be provided a copy of this report prior to the public hearing.

THE PUBLIC HEARING PROCESS...

At the public hearing, you will be given an opportunity to make a presentation of the project. The public will have an opportunity to comment on the proposal as well. Generally, the Commission will render a decision after the close of the public comment period. If necessary, the application may be continued to another meeting, to allow the applicant sufficient time to provide additional information as determined necessary by the Commission or Hearing Examiner. If the application is heard by the Hearing Examiner, the application will be taken under advisement at the close of public hearing and a written decision will be rendered within 14 days. If the application is heard by the Commission, the Commission will adopt their written findings of fact and decision at their next regularly scheduled meeting.

THE DECISION...

If the conditional use permit application is approved, you may apply for a building permit once the findings of fact and decision have been adopted by the Commission or the written decision has been entered by the Hearing Examiner, and the conditions of approval attached to the permit have been satisfied. If the application is denied, you may appeal the decision to the Board of County Commissioners pursuant to the requirements of Chapter 32 of the Zoning Regulations and Idaho Code within 20 days of the date of decision. Other parties aggrieved by the decision may appeal an approval or denial, also within 20 days of the written decision.

The Zoning Administrator and Planning Staff are here to answer your questions and provide assistance as necessary. An appointment can be made with the Zoning Administrator for a pre-review of the development proposal. This is a great way to get the project off to a good start!

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