



# CITY OF EAGLE

660 E. Civic Lane, Eagle, ID 83616

Phone #: (208) 939-0227

## REZONE APPLICATION

FILE NO.:	_____	FEE:	_____
CROSS REF. FILES:	_____		

APPLICANT: \_\_\_\_\_ PHONE: \_\_\_\_\_  
 Owner     Purchaser

APPLICANT ADDRESS: \_\_\_\_\_  
\_\_\_\_\_

APPLICANT EMAIL: \_\_\_\_\_

OWNER: \_\_\_\_\_ PHONE: \_\_\_\_\_

OWNER ADDRESS: \_\_\_\_\_  
\_\_\_\_\_

OWNER EMAIL: \_\_\_\_\_

REPRESENTED BY: \_\_\_\_\_ PHONE: \_\_\_\_\_  
(If different from above)

REPRESENTATIVE ADDRESS: \_\_\_\_\_  
\_\_\_\_\_

REPRESENTATIVE EMAIL: \_\_\_\_\_

DISTANCE FROM MAJOR CROSS STREET: \_\_\_\_\_

PARCEL NO.: \_\_\_\_\_  
(APPLICANT TO VERIFY WITH ADA COUNTY ASSESSOR'S OFFICE)

ADDRESS OF SITE: \_\_\_\_\_

Please complete chart:

	COMP PLAN DESIGNATION	ZONING DESIGNATION	LAND USE
Existing			
Proposed			
North of site			
South of site			
East of site			
West of site			

DESIGN REVIEW OVERLAY DISTRICT: DDA  TDA  CEDA  DSDA  No Overlay

TOTAL ACREAGE OF SITE: \_\_\_\_\_

EXISTING SITE CHARACTERISTICS: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**SPECIAL ON-SITE FEATURES** (Yes or No - If yes, explain):

- Areas of Critical Environmental Concern - \_\_\_\_\_
- Evidence of Erosion - \_\_\_\_\_
- Fish Habitat - \_\_\_\_\_
- Floodplain - \_\_\_\_\_
- Mature Trees - \_\_\_\_\_
- Riparian Vegetation - \_\_\_\_\_
- Steep Slopes - \_\_\_\_\_
- Stream/Creek - \_\_\_\_\_
- Unique Animal Life - \_\_\_\_\_
- Unique Plant Life - \_\_\_\_\_
- Unstable Soils - \_\_\_\_\_
- Wildlife Habitat - \_\_\_\_\_

# Application Submittal Requirements

Applicant  
Use

Staff  
Use

1.  Date of pre-application meeting: \_\_\_\_\_ **Note:** Pre-applications are valid for a period of three (3) months. A submittal meeting is required prior to the cut-off date and receipt of this application. (Application timelines are available in the Planning and Zoning Department or on-line at [cityofeagle.org](http://cityofeagle.org)).
2.  A complete Rezone Application form (it is the applicant's responsibility to use a current application).
3.  Verification of a neighborhood meeting being held prior to the submittal of this application. The verification shall include the time, date, and location of the meeting, a copy of the letter mailed by the applicant, a copy of the mailing list, and a sign-up sheet from the meeting.   
**Refer to Eagle City Code Section 8-7-8(B)(1) found on application page 4 for noticing requirements and neighborhood meeting requirements.**
4.  Names and addresses of all adjoining property all property owners and purchasers of record owning property located within the respective radius of the exterior boundary of the application property as set forth in table D-1 below. The addresses shall be submitted to the City on **two (2)** sets of address labels, and a map showing the addresses in relation to the land being considered shall be submitted.

**Table D-1 – Eagle City Code Section 8-7-8(D)**

Application properties zoned:	The notice distance shall be:
RR and RUT	1,500-feet
A and A-R	1,500-feet
R-E	1,000-feet
R-1	800-feet
All other zones	500-feet

5.  Legal description of the property.
6.  Copy of Deed.
7.  If the signator on this application is not the owner of the property, an **original** notarized statement (affidavit of legal interest) from the owner stating the applicant is authorized to submit this application is required.
8.  Three (3) 24" x 36" site plans (**folded**).
9.  Fourteen (14) 11" x 17" reductions of the site plan (**folded**).
10.  One (1) 8½" x 11" reduction of the site plan.
11.  One (1) 8 ½" x 11" vicinity map.
12.  One (1) 8 ½" x 11" colored aerial photo depicting proposed site and surrounding area within five-hundred feet (500').
13.  A written statement addressing each issue below in the order outlined "A" through "E": 
  - A. Justification for the rezone;
  - B. Justification of a development agreement (if applicable);
  - C. How does the proposed rezone relate to the Comprehensive Plan?;
  - D. What is the availability and adequacy of public facilities (ie: sewer, water, fire, streets) needed to serve any and all uses allowed on this property under the proposed zone?;
  - E. How is the proposed zone change compatible with the surrounding area?
14.  Payment of application fees.   
**Please call (208) 939-0227 prior to submittal meeting to determine application fee calculations.**
15.  Application submittal meeting date and time: \_\_\_\_\_.   
**Submittal meetings are required for all application submittals; meetings must be scheduled a minimum of two (2) business days in advance of the requested meeting date, and are subject to availability on the requested date. Please call (208) 939-0227 to schedule a submittal meeting.**

**NEIGHBORHOOD MEETING REQUIREMENTS  
EAGLE CITY CODE SECTION 8-7-8(B)**

B. Neighborhood Meetings: Applicants shall conduct a neighborhood meeting for comprehensive plan amendments, variances, conditional uses, Zoning Ordinance map amendments, and subdivisions. A neighborhood meeting shall not be required for City initiated applications. (Ord. 809, 4-9-2019)

1. Meeting Requirements:

- a. It shall be the sole duty of the applicant to provide mailed written notice, in a form deemed appropriate by the zoning administrator, to all property owners or purchasers of record owning property within the respective radius of the exterior boundary of the application property as set forth in Table B-1 below. Notice by mail shall also be provided to homeowners' associations that are contiguous to the exterior boundary of the application property. Mailed notice to neighborhood associations and any additional area that may be impacted by the proposed change shall be provided as determined by the zoning administrator. The neighborhood meeting written notice shall be provided by mail a minimum of fifteen (15) calendar days prior to the scheduled neighborhood meeting. For application properties which are 500-acres in size or larger, notice of the neighborhood meeting shall be provided to all property owners within the entire city limits.

Table B-1

<u>Application properties zoned:</u>	<u>The notice distance shall be:</u>
RR and RUT	1,500-feet
A and A-R	1,500-feet
R-E	1,000-feet
R-1	800-feet
All other zones	500-feet

(Ord. 820, 1-9-2020)

- b. The purpose of the neighborhood meeting is for the applicant to provide project information to the property owners or purchasers of record mentioned in subsection B1a of this section.
  - (1) Meetings shall be on a Saturday between ten o'clock (10:00) A.M. and seven o'clock (7:00) P.M., or on a weekday between six o'clock (6:00) P.M. and eight o'clock (8:00) P.M. The meeting shall not be on a holiday, a holiday weekend or the day before or after a holiday or holiday weekend.
  - (2) The meeting shall be held either on the application property, at the nearest public meeting place, or at an office space with suitable meeting facilities if such facilities are within the city of Eagle area of impact boundary.
- c. The neighborhood meeting shall be conducted prior to the submittal of the application.
- d. Application materials shall include a written verification of the neighborhood meeting and a dated copy of notice provided to affected property owners. (Ord. 699, 5-28-2013)

**POSTING REQUIREMENTS OF THE CITY OF EAGLE  
EAGLE CITY CODE SECTION 8-7-8(E)**

Posted Notice: Except as noted within this subsection, any time notice is required under subsection D of this section, the land being considered shall be posted not less than ten (10) days prior to the planning and zoning commission hearing and again not less than ten (10) days prior to the city council hearing. For comprehensive plan land use map amendments and/or zoning ordinance map amendments consisting of changes to more than ten (10) parcels of land posted notice shall not be required unless all parcels under request for amendment are contiguous and if the parcels abut a public right of way. In such cases a minimum of one four foot by eight foot (4' x 8') plywood sign shall be placed adjacent to the right of way. Otherwise, three (3) notices in the official newspaper or paper of general circulation, with the third notice appearing a minimum of ten (10) days prior to the public hearing, shall be published. The notice shall include a six inch by six inch (6" x 6") minimum size graphic representation showing the proposed comprehensive plan land use map or Zoning Ordinance map amendments. Except as noted herein, posting of the property must be in substantial compliance with the following requirements: (Ord. 503, 1-11-2005)

1. Signage Requirements:

- a. The sign(s) shall consist of 4' x 4' plywood or other hard surface mounted on two (2) 4" x 4" posts in such a manner that it is perpendicular to the roadway along which the sign is posted and the bottom of the sign is at least three-feet (3') above the ground.
- b. Centered at the top of the 4' x 4' sign board(s) in six-inch letters shall be the words "Public Notice". In addition, each sign will inform the public of the name of the applicant, and if applicable, the proposed development, the date, time, place, and nature of the public hearing and a summary of the proposal to be considered. Each sign shall be painted white and the letters shall be painted black and shall appear on both sides. An example of this sign is set forth in the following illustration.

Size = 6 inches-----	<b>PUBLIC HEARING NOTICE</b>
Size = 2 inches-----	Eagle Planning and Zoning Commission
Size = 1.5 inches-----	THE CITY OF EAGLE will hold a public hearing on May 9, 2002, at 6:30 PM at the Eagle City Hall.
Size = 1.5 inches-----	PURPOSE: Annexation and Zoning- You-Name-It Subdivision- Zoning R-4, Subdivision Preliminary Plat, 7.66 acres, 29 lots, single family dwelling, 1 lot open space/drainage w/ landscaped entryway.
Size = 1.5 inches-----	LOCATION: SW corner of Second St. and State St.
Size = 1.5 inches-----	APPLICATION BY: Average citizen, USA, Inc.

- c. In lieu of the above conditions, for conditional use permit applications made pursuant to Eagle City Code Section 8-3-2(E) (Mobile Home - temporary living quarters) of this Title only, the sign shall consist of one (1) 11" x 17" sign on paper or other material and lettering sufficient to inform the public of the name of the applicant, and, if applicable, the proposed development, the date, time, place, and nature of the public hearing and a summary of the proposal to be considered.
- 2. The sign(s) shall be posted on the land being considered along each roadway that is adjacent to it. The signs shall be located on the property outside of the public right-of-way, if they can be so located and remain clearly visible from the roadway; otherwise, the consent of the owner of the right-of-way must be obtained and the sign(s) located therein. Except as noted herein, if the land being considered consists of more than one parcel of record, a sign must be located upon each parcel. The Zoning Administrator, upon finding that adequate notice will be provided, may not require all signs to comply with the size requirements of Subsection 1 above. In the event that the land being considered includes properties with 500-foot or more of road frontage, a sign shall be placed on each end of the property roadway frontage. If this property includes a corner lot, three signs shall be posted, one on the corner and one on each end of the property roadway frontages.
  - 3. The applicant shall submit a certification to the City Clerk no later than seven (7) days prior to the hearing as to what, where, and when sign(s) were posted. Unless the certification is received by such date, the hearing will be canceled.
  - 4. No later than three (3) days after the noticed hearing and any continuation thereof, sign(s) must be removed. A penalty of \$25.00 per day shall be imposed against each applicant for late removal of the signs. (Ord. 312A, 2-10-1998)

NOTE:

IF THE CITY COUNCIL OR THE ZONING ADMINISTRATOR DETERMINE THAT ADDITIONAL AND/OR REVISED INFORMATION IS NEEDED, AND /OR IF OTHER UNFORSEEN CIRCUMSTANCES ARISE, ANY DATES OUTLINED FOR PROCESSING MAY BE RESCHEDULED BY THE CITY.

APPLICANT/REPRESENTATIVE MUST ATTEND THE CITY COUNCIL MEETING.

Eagle City Code Section 1-7-4 (A) states, "Fee Schedule Established: The city clerk or their designee, at the time of the filing of a land use application, petition, or receipt of an area of impact referral, shall collect the fee and/or deposit established by resolution of the city council together with a deposit for any direct costs incurred by the city to review such requests by architects, engineers, attorneys, or other professionals necessary to enable the city to process said application, petition, or referral in an informed manner." Direct costs, as underlined in 1-7-4 (A) above, shall be required to be paid by the applicant in a time frame to be determined by the City Policy for Collection and Enforcement of Deposits and Fees for Land Use Action as approved and adopted by the Eagle City Council.

**NOTE: The processing of an application shall be delayed or stopped if deposit balances and direct costs are not reimbursed as required in accordance with the adopted policy.**

**The City does not guarantee acquisition of public services provided by any agency. The developer, property owner and/or applicant of this Rezone application does hereby release and indemnify and hold harmless the City of Eagle from any and all claims, cost, damages, etc., from any individual or organization regarding the acquisition of services which are not affiliated with the City, including but not limited to, central water service, sanitary sewer service, access to public roads and fire protection. "Regulatory Taking Notice: Applicant has the right, pursuant to section 67-8003, Idaho Code, to request a regulatory taking analysis."**

Signature of Applicant/Representative \_\_\_\_\_ Date \_\_\_\_\_

Printed name of Applicant/Representative \_\_\_\_\_ Date \_\_\_\_\_

Signature of receipt by City staff \_\_\_\_\_ Date \_\_\_\_\_