

**CITY OF MERIDIAN PLANNING DEPARTMENT
STANDARD OPERATING POLICY
REVIEW OF HEARING LEVEL APPLICATIONS**

DEFINITION: The majority of hearing level applications are land use and zoning requests that affect specific properties and are generally known as Quasi-Judicial applications. These applications are primarily comprised of requests for: annexation, rezone, preliminary and final plat and conditional use permit. There are specific hearing level applications that are known as legislative actions that generally have citywide implications. Applications requiring legislative action are Comprehensive Plan text and Future Land Use Map amendments and UDC text amendments. In some instances a Future Land Use Map amendment may be property specific. The composite list of hearing level applications is below.

HEARING LEVEL APPLICATIONS
Annexation and Zoning
Conditional Use Permit
Development Agreement Modification
Preliminary Plat
Final Plat
Combined Preliminary and Final Plat
Short Plat
Vacation (right-of-way and easements)
Variance
Comprehensive Plan Map and/or Text Amendment
Rezone
UDC Text Amendment
Planned Unit Development
Time Extension (City Council)
City Council Review (appeal)
Final Plat Modification

AUTHORITY &

RESPONSIBILITY: Most hearing level applications are first heard by the Planning and Zoning Commission to make a recommendation to the City Council. The exception is Conditional Use Permits, where the Commission is the decision-making body. Some applications are solely reviewed by City Council at a public hearing; such applications include variances, short plats, right of way and easement vacations, time extensions and

Council reviews (appeals). Final plats and final plat modifications are considered by the Council in public meetings.

REQUIRED

INFORMATION: All application submittals for hearing level approval shall be composed on forms provided by the Planning Department and must be completed in full and submitted with an accompanying checklist and fees. The application forms and checklist may be downloaded from the Planning Department website at www.meridiancity.org.

APPLICATION

PROCESSING: The following steps are required for processing hearing level applications:

1. For permits that require a public hearing, applicant submits a pre-application (pre-app.) meeting request form to the Planning Department Assistant City Planner.
 - a. The pre-app request is assigned to a Planner & a meeting date and time is scheduled with the applicant. At the pre-app meeting, staff and applicant discuss application process, applicable UDC development standards; potential obstacles; compliance with the comprehensive plan, etc. **Pre-app meetings are valid for four (4) months.**
2. For permits that require a public hearing, applicant is required to hold a neighborhood meeting with neighbors and property owners located within 300' of the property boundary. The Planning Department Administrative Assistant can provide the list of property owners. Notice of the meeting must be provided at least five (5) days prior to the meeting. The meeting shall be held not more than three (3) months or less than five (5) days prior to submittal of an application.
3. Applicant submits development application to Planning Department Assistant City Planner.
4. Assistant City Planner ensures the following:
 - a. Applicant is submitting the correct application and fee(s). Ensure that all applicable areas of the application are complete, using the appropriate checklist as a guide.
 - b. Application is signed by owner or authorized agent.
 - c. Application contains the required number of plans.
 - d. There are no outstanding enforcement issues on the property that would prevent the City from taking in and processing the application.
5. After an application is accepted, the application is given to the Deputy Director or his or her designee who then logs the project in the data base and assigns it to an Associate City Planner.
6. Associate City Planner enters the applicable application information into the database.
7. Associate City Planner reviews the application for completeness and conformance with the UDC. If revisions or additional information is needed, the Associate City Planner contacts the Applicant.

8. Once all information is provided and plans are deemed complete, the Applicant provides additional full size copies of the site plan and full size copies of the landscape plan (as identified on the appropriate checklist) to be transmitted to the City Clerk with the application.
9. Associate City Planner assigns project a meeting date and composes a brief project description.
10. For permits that require a public hearing, Administrative Assistant prepares 300' radius list and transmits application to the City Clerk's office.
11. City Clerk transmits application to other agencies and/or departments. For permits that require a public hearing, Clerk mails out public hearing notices to neighbors within 300' of property boundary, and publishes public hearing notices in the local newspaper.
12. Associate City Planner attends comments meeting for permits that require a public hearing 3 weeks before hearing to present project to other city departments and agencies, discuss any issues with proposal and obtain any comments and conditions that need to be included in the staff's report.
13. Associate City Planner begins to prepare staff report. Staff report will include draft conditions for approval, a recommendation for denial, or a request for continuance.
14. For permits that require a public hearing, Applicant posts the site with a public hearing notice sign a minimum of 10 days prior to the hearing. Affidavit of Posting & pictures of the posting need to be provided to the City a minimum of 7 days prior to the hearing. (*Posting is not required for UDC text amendment, Comprehensive Plan text amendment, vacation, Comprehensive Plan map amendment initiated by the City, and/or short plat applications.*)
15. Associate City Planner finalizes staff report and transmits a copy to City Clerk, applicant and interested parties by the Friday before the scheduled hearing.
16. Public hearing is held by the Planning and Zoning Commission (if applicable). Commission makes a recommendation to City Council (if application requires Council action) or renders a decision.
17. If the Commission approves a Conditional Use Permit, Associate City Planner prepares Findings of Fact, Conclusions of Law, and Decision & Order; the Commission then adopts such findings at their next public meeting. If the Commission denies the application, then the City Attorney prepares the findings which are likewise scheduled for adoption at next Commission meeting. Findings are initially placed on the consent agenda, although they may be moved to the regular agenda for discussion through standard parliamentary procedures.
18. For applications that require Council action only, or Council action after the Commission recommendation, the applicant re-posts the site with a public hearing notice sign a minimum of 10 days prior to the Council hearing if a public hearing is required. Applicant submits an Affidavit of Posting & pictures of the posting to the City a minimum of 7 days prior to the hearing if applicable.
19. Associate City Planner prepares a formal written recommendation from the Commission to the City Council and transmits to the City Clerk and the applicant by the Thursday before the scheduled Council meeting.
20. Hearing is held by City Council who makes a final decision.

21. Associate City Planner prepares written Findings of Fact, Conclusions of Law, and Decision & Order if approved; City Attorney prepares findings if denied.
22. Findings are generally scheduled for two weeks from the original hearing (or as close as possible given meeting and workshop schedules). Findings are initially placed on the consent agenda, although they may be moved to the regular agenda for discussion through standard parliamentary procedures.
23. For rezones and annexations where a Development Agreement (DA) is required, the applicant contacts the City Attorney to receive a draft Development Agreement. City Attorney may look to Associate City Planner to provide language and/or guidance regarding specific provisions of the DA. Applicant signs the DA and returns to City Attorney. City Attorney prepares an Ordinance.
24. City Attorney works with City Clerk to place the DA and Ordinance on the next available City Council agenda. The DA is initially placed on the consent agenda, although it may be moved to the regular agenda for discussion through standard parliamentary procedures. The Ordinance is placed on the regular agenda at the same meeting. The Ordinance is then recorded and published in the newspaper by the City Clerk.

REVIEW OF DECISION: Parties aggrieved by the final action on a Conditional Use Permit may request City Council review of the decision by filing a written request within fifteen (15) days of the date the written decision was issued. (UDC11-5A-6).

Pursuant to Idaho Code § 67-6535, because this letter represents a final decision on a site-specific land use request, aggrieved parties have the right to request a regulatory takings analysis under Idaho Code § 67-8003."