

Type of Review Requested (check all that apply)

- Annexation
- Appeal/Amendment
- Comprehensive Plan Map Change
- De-Annexation
- Ordinance Amendment
- Rezone
- Special Use Permit
- Subdivision- Preliminary Plat
- Subdivision- Final Plat
- Subdivision- Short Plat
- Time Extension
- Variance
- Other _____

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FEB 01 2017

STAFF USE ONLY:

File number(s): OA-17-03

Project name: Ordinance amendment to Chapters 2 + 10

Date filed: 2/1/2017 Date complete: _____

Related files: _____

Subject Property Information

Address: 621 Cleveland Blvd. Parcel Number(s): _____

Subdivision: _____ Block: _____ Lot: _____ Acreage: _____ Zoning: _____

Prior Use of the Property: _____

Proposed Use of the Property: _____

Applicant Information:

Applicant Name: Brian Billingley Phone: _____

Address: 621 Cleveland Blvd. City: Caldwell State: Id Zip: 83605

Email: bbillingley@cityofcaldwell.org Cell: _____

Owner Name: _____ Phone: _____

Address: _____ City: _____ State: _____ Zip: _____

Email: _____ Cell: _____

Agent Name: (e.g., architect, engineer, developer, representative) _____

Address: _____ City: _____ State: _____ Zip: _____

Email: _____ Cell: _____

Authorization

Print applicant name: Brian Billingley

Applicant Signature: _____ Date: _____

APPLICATION FOR ORDINANCE AMENDMENT
City of Caldwell Planning and Zoning Department
621 E. Cleveland Blvd., Caldwell, ID 83605
Phone: (208) 455-3021

OA-1703

APPLICANT: City of Caldwell PHONE: 455-4666

ADDRESS, CITY, STATE, ZIP: P.O. Box 1179, Caldwell, ID 83606

* APPLICANT EMAIL: Bbillingsley@cityofcaldwell.org
(* Requested so we may email the applicant our Staff Report)

ATTACHMENT:

Copy of the proposed ordinance amendment

I understand this application will not be considered complete (nor will a hearing date be scheduled) until all required information has been submitted and verified for due process consideration. All the information, statements, attachments, and exhibits transmitted with this application are true to the best of my knowledge.

SIGNATURE B. Billingsley DATE 2-1-17

FOR OFFICE USE ONLY

FEES: \$ 0 Date Received: _____ Received by: _____ Verification of Completeness By: _____ Date: _____

A1

BILL NO. 2
ORDINANCE NO. 3082

AN ORDINANCE ENACTED BY THE CALDWELL CITY COUNCIL CREATING CHAPTER 2, ARTICLE 37 ENTITLED “DESIGN REVIEW COMMISSION” AND AMENDING CHAPTER 10, ARTICLE 12, SECTION; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; AND REPEALING ALL ORDINANCES, RESOLUTIONS, ORDERS, AND PARTS THEREOF IN CONFLICT HEREWITH.

BE IT ORDAINED by the Mayor and Council of the City of Caldwell, County of Canyon, State of Idaho, following duly noticed hearings before the Planning & Zoning Commission, on April 11, 2017, and the City Council, on April 17, 2017:

Section 1. That Chapter 2, Article 37, of the Caldwell City Code, shall be adopted as follows:

02-37-01: COMMISSION CREATED:

- (1) There shall be a design review committee for the city, which shall be known and designated as the “Design Review Commission” (DRC).

02-37-02: APPOINTMENT; TERM:

- (1) The DRC shall consist of at least three (3) and no more than seven (7) commissioners, all of whom shall be appointed by the mayor with the consent of the city council. Not more than two (2) of the commissioners to be appointed by the mayor may be nonresidents of the city. An appointed member of the committee must have resided in the city for at least one year prior to the appointment and must remain a resident of the city during service on the committee. When a vacancy occurs for any reason other than an expired term a new commissioner shall be appointed to complete the remainder of that term. Commissioners shall be composed of citizens at large having background and interest in community design such as architects, planners, engineers, builders, developers, historians, businesspersons, and property owners. Commissioners shall be appointed to two (2) and three (3) year terms that are equally staggered. Subsequent terms shall be three (3) years in length for all Commissioners.

02-37-03: ORGANIZATION:

- (1) The Commission shall elect its own Chair and Vice-Chair. Election of officers shall take place annually during the first meeting of the calendar year. During the absence of the Chair, the Vice-Chair shall assume the duties of the Chair. The Planning & Zoning Director, or a designated representative, shall serve as Secretary and shall store recordings and produce accurate minutes of all Commission meetings.

02-37-04: MEETINGS:

- (1) The Commission shall hold meetings on an as-needed basis. The Commission shall decide on the date and time of the meeting. Regular meetings shall be held in the Community Room of the Caldwell Police Station and shall at all times be open to the public.

02-37-05: POWERS, DUTIES, AND RESPONSIBILITIES:

- (1) The commission shall review projects requested by the applicant for compliance with design review standards within Chapter 10, Article 5, "City Center Design Requirements" and Chapter 10, Article 6, "City Center Indian Creek Corridor Design Requirements".
- (2) The Commission's jurisdiction is limited to new construction, building additions, or exterior renovations on properties in the City Center Zoning District as determined on the Official Zoning Map for the City of Caldwell.
- (3) The DRC shall review projects and either approve, approve with conditions, or deny such application. The Planning & Zoning Director, or a designated representative, shall then notify the applicant in writing of the decision.
- (4) Staff decisions may be appealed to the DRC, and conversely DRC decisions may be appealed to the Caldwell City Council for review and decision. Appeals shall be filed in accordance will all Caldwell City ordinances.
- (5) The powers, duties and responsibilities of the DRC shall comply with the State of Idaho Local Land Use Planning Act of 1975.

Section 2. That Chapter 10, Article 12, of the Caldwell City Code, shall be amended as follows:

10-12-08: DESIGN APPLICATION PROCESS:

- (2) Applicability:

A. All applications within the city center zoning district, including those within the Indian Creek corridor, shall be reviewed for compliance with the standards as set forth in this article by the ~~planning and zoning director~~ Caldwell Design Review Commission. Requested variances, deviations, or exceptions to the standards as set forth in this article shall be included in any application for consideration by the ~~planning and zoning director~~ Caldwell Design Review Commission.

D. Legal-nonconforming single-family dwellings in the City Center District are exempt from design review standards.

(3) Pre-application: Any developer, business owner, or property owner seeking to construct or renovate a building in the City Center District is required to have a Pre-application (roundtable) meeting with city staff prior to filing an application.

(4) Application Process:

E. All applications shall be accompanied by the appropriate fee and a sample of roofing materials, siding materials, all exterior colors to be used in the building and any other material to be used on the exterior of the building. All said samples shall be approved by the planning and zoning director, design review commission, historic preservation commission or the planning and zoning commission, whichever is applicable.

(5) Hearing Process:

A. Applications for review by the historic preservation commission or design review commission as set forth under subsection (2) of this section shall be subject to a public hearing as follows: (Ord. 2928, 6-3-2013)

4. Conduct Of Hearing: The public hearing shall be conducted by the historic preservation commission or design review commission with the city's adopted rules of procedures which provide for a record of the proceedings, testimony by the applicant and the public, and a written order of decision.

Section 3. All ordinances, resolutions, orders or parts thereof in conflict herewith are hereby repealed, rescinded and annulled.

Section 4. This ordinance shall be in full force and in effect from and after its passage, approval and publication, according to law.

Section 5. This ordinance is hereby declared to be severable. If any portion of this ordinance is declared invalid by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect and shall be read to carry out the purposes of the ordinance before the declaration of partial invalidity.

PASSED BY THE COUNCIL OF THE CITY OF CALDWELL, IDAHO, this 17th day of April, 2017.

APPROVED BY THE MAYOR OF THE CITY OF CALDWELL, IDAHO, this 17th day of April, 2017.

ATTEST:

Garret Nancolas, Mayor

Debbie Geyer, City Clerk