CITY OF
Caldwell, Idaho

Planning & Zoning

HEARING REVIEW APPLICATION

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 _____

STAFF USE ONLY:

File number(s): OA-20-03

Project name: Ch. 10 updates staff level design review

Date filed: _____ Date complete: _____

Related files: _____

Subject Property Information

Address: _____ Parcel Number(s): _____

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

Prior Use of the Property: _____

Proposed Use of the Property: _____

Applicant Information:

Applicant Name: City of Caldwell P&Z Phone: 2084553021

Address: 621 Cleveland Blvd City: Caldwell State: Id Zip: 83607

Email: jmapp@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: Jerome Mapp

Applicant Signature: _____ Date: 7/13/20

CITY OF
Caldwell, Idaho

Planning & Zoning

ORDINANCE AMENDMENT

Project Name: City of Caldwell P&Z	File #: OA-20-03
Applicant/Agent:	

Applicant (√)	**Please provide the following REQUIRED documentation:**	Staff (√)
	Completed and signed Hearing Review Application	
	Narrative fully describing the request, including the following: ➢ Specific item/code section requested to be changed ➢ Reasons for the amendment/code change ➢ Any other pertinent information to the request	
	All of the above items shall be submitted in 8 ½ x 11 paper format AND in electronic format (preferably PDF or Word) on either a jump drive or CD. Please be aware the jump drive or CD will become part of the file and will not be returned	
	Fee	

STAFF USE ONLY:

Date Application Received: 7/13/20

Received by: LC

Proposed Hearing Date: PZ

Hearing Body: 8/11/20

BILL NO. ____

ORDINANCE NO. _____

AN ORDINANCE ENACTED BY THE CALDWELL CITY COUNCIL AMENDING CHAPTER 10, ARTICLE 12, SECTION 10-12-08 OF THE CALDWELL CITY CODE, PROVIDING FOR STAFF LEVEL DESIGN REVIEW FOR CERTAIN DESIGN ELEMENTS; 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:

Section 1. That Chapter 10, Article 12, Section 10-12-08 of the Caldwell City Code is hereby amended as follows:

10-12-08: DESIGN REVIEW APPLICATION PROCESS:

(1) Purpose: The purpose in administration of the design application process is:
   A. To ensure that new applications in the City Center Zoning District are consistent with the goals and policies of the comprehensive plan; and
   B. To allow for processes that are expedient and effective and; and
   C. To allow for processes consistent with the magnitude of change in development and level of sensitivity to adjoining structures and natural features~~.~~; and
   D. To ensure that the proposed development will not have a negative impact to the design and intent of development within the City Center Zoning District.

(2) Applicability:

Staff Level Design Review

A.1. All applications within the City Center Zoning District, including those within the Indian Creek Corridor, may receive Planning Director (or designated staff) level design review based upon approved development guidelines for certain design elements. Staff level design review may be considered for the following design elements, as long as they meet the intent of, and are compatible with, the design review guidelines and handbook. Alternatively, the Planning Director, in his or her discretion, may require that the following design elements be approved by the Commission.

- Building Materials, Colors, Wall Opening and Projecting Elements
- Building Facades
  - Exterior Renovations - Minor building elements
  - Store Front Design
- General Design Elements
  - Pedestrian Amenities, such as, trash cans, bike racks, and others
  - Awnings/Canopy
  - Windows, Trim and Materials

- Lighting elements
- Murals
- Signs

A.2. Commission Level Design Review

All applications within the Ceity Ceenter Zzoning Ddistrict, including those within the Indian Creek Ceorridor, shall be reviewed for compliance with the standards as set forth in this article by the ~~Caldwell~~ Ddesign Rreview Ceommission. Requested modifications ~~variances~~, deviations, or exceptions to the standards as set forth in this article shall be included in any application for consideration by the ~~Caldwell~~ Ddesign Rreview Ceommission.

B. All special use permit applications within the ~~entire~~ Ceity Ceenter Zzoning Ddistrict ~~to include those within the Indian Creek corridor, along with the applicable building layout and design standards,~~ shall be reviewed by the Planning and Zoning Commission through the public hearing process as set forth in section 10-03-04 of this chapter.

C. Applications for new construction, additions or exterior alterations for any property within a designated local historic district contained within the Ceity Ceenter Zzoning Ddistrict shall be reviewed for compliance with the standards as set forth in this article by the historic preservation commission. (Ord. 2911, 9-4-2012)

D. Legal nonconforming single-family dwellings in the Ceity Ceenter Zzoning Ddistrict 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 Ceity Ceenter Zzoning Ddistrict is required to have a pre-application (roundtable) meeting with city staff prior to filing an application.

(4) Application Process:

A. project requiring special use permit approval shall follow the application process outlined in section 10-03-04 of this chapter.
B. Applications for a building permit in the Ceity Ceenter Zzoning Ddistrict shall be obtained from and submitted to the Bbuilding Ddepartment for processing and subsequent review.
C. Applications for new construction, additions or exterior alterations for any property within a designated local historic district contained within the Ceity Ceenter ~~zone~~ Zoning District shall require a certificate of appropriateness from the Hhistoric Ppreservation Commission, City Center Zoning District commission prior to commencement of any construction and prior to application for any other permits.
   1.If a certificate of appropriateness is obtained from the Hhistoric Ppreservation Ceommission, then the appropriate building permit applications shall be obtained from the building official.
D. All applications shall be accompanied by a fee in an amount established by city council resolution.

E. All applications shall be accompanied by the appropriate fee and a sample of roofing materials, siding materials, all exterior colors to be used on ~~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~~ 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~~ 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:

1. Notice To Be Published: At least fifteen (15) calendar days prior to the hearing, notice of the time and place, and a summary of the proposal shall be published in the official newspaper or paper of general circulation within the jurisdiction.
2. Posting Of Notice: Notice shall be posted on the premises not less than seven (7) calendar days prior to the hearing.
3. Notice To Be Mailed: At least fifteen (15) calendar days prior to the hearing, notice shall be mailed to property owners or purchasers of record within three hundred feet (300') of the external boundaries of the land being considered.
   (A) Any property owner entitled to specific notice pursuant to the provisions of this subsection shall have a right to participate in public hearings.
   (B) When notice is required to two hundred (200) or more property owners or purchasers of record, sufficient notice shall be deemed to have been provided if the city provides notice through a display advertisement at least four inches (4") by two (2) columns in size in the official newspaper of the city at least fifteen (15) calendar days prior to the hearing date, in addition to site posting on all external boundaries of the site.
4. Conduct Of Hearing: The public hearing shall be conducted by the ~~historic preservation commission or design review commission~~ 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.
   (A) The written order of decision shall reference the review criteria used in the review of the application and which provided the basis for the decision. The ~~historic preservation commission or design review commission~~ Historic Preservation Commission or Design Review Commission shall have the ability to condition applications to comply with any specified standards in this chapter.
5. Appeals: The applicant or any aggrieved person with interest in real property within a three hundred foot (300') radius of the exterior boundaries of the subject property may appeal the decision of the decision making body to the council by completing and submitting an appeal application and or conditions to the city clerk, along with the appropriate fee, within fifteen (15) days of the date of the written decision from the decision making body.
6. Decisions: The decision making body shall provide a written decision with reference to the review criteria used in review of the development design application and the basis for

the decision. The decision making body shall have the ability to condition development design proposals to comply with specified criteria in this chapter. Within one year of the date of signature of the order of decision showing approval, a building permit application shall be submitted for the approved project. If the building permit application is not submitted within the required time frame, the order of decision shall become null and void. One, and only one, administrative extension may be granted by the P~~p~~lanning and Z~~z~~oning D~~d~~irector, allowing an additional twelve (12) months to submit the building permit application.

Section 2. This ordinance shall be in full force and effect from and after its passage, approval, and publication, according to law.

Section 3. 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.

Section 4. All ordinances, resolutions, orders and parts thereof in conflict herewith are repealed.

PASSED BY THE COUNCIL OF THE CITY OF CALDWELL, IDAHO, this ____ day of _____, 2020.

APPROVED BY THE MAYOR OF THE CITY OF CALDWELL, IDAHO, this ____ day of _____, 2020.

ATTEST:

_____ _____

Mayor Garret Nancolas City Clerk (or Deputy)