



# Planning & Zoning Department

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*Nampa, Idaho... Today's Vision is Tomorrow's Reality*

## Memorandum/Staff Report – Public Hearing #6

**To:** Nampa Planning and Zoning Commission  
**From:** Robert Hobbs/Norman Holm  
**Date:** December 21, 2018 (revised January 15, 2019)  
**Re:** Proposed edits to Title X Design Review code sections in chapters 4, 9, 15, 16, & new Chapter 34

The attached code amendment set was reviewed by the City's Building and Site Design Committee on the 10<sup>th</sup> of December 2018. The Committee strongly recommended that the amendments be passed as formatted and worded per the attached language (which has been updated by incorporating a few minor edits that the Committee desired). They were hopeful that the amendments would not be altered nor left to languish after their favorable vote unless in re-formatting something was missed. As always with the amendments, language with strike-throughs is, obviously, intended for deletion; that which is underlined is new wording intended for insertion, and, that which is left without those marks is to be kept as is.

The effects of the design review code modifications are principled to accomplish two things. Re-positioning of the design review standards into one easy to retrieve and read location [new chapter 34], and, the alignment of those standards with current, common architectural themes.

The City's current design review regulations written over a decade ago pre-suppose an inclination to cause new or expanded structures in certain commercial areas to follow a very traditional architectural theme. Given the quantity of today's popular post-modern architecture, we realized a couple years ago we needed to adjust our design review standards – partly because it has placed time and time again the BSDS Committee in the position of having to decide whether to issue design exception approvals to/for applicants and their projects. While they have been able to be fairly consistent in their approach, they would prefer to have code language that places them in a more comfortable quasi-judicial posture.

The changes perhaps of most import [at least to Staff and the Committee] are those enconced in Section 10-34-11 (code amendments pg. 28) which appertain to the percentage of buildings' facades that are required to have built-in architectural treatments built into the same. The typical percentage for our commercial areas was 40%, but all around the building – each wall façade. The architectural treatments were by name limited to a select few (corbelling, bases, fenestration, and cornices) applications. The new language recognizes other "treatments" – including a group of elements (e.g., pilasters, awning faces, accent walls, etc.) as sanctioned by the Committee in past years of reviewing applications. Though the percentage of required treatment inclusion has risen for many projects from 40% to 50% of any façade, instead of all walls being required to meet the 40% standard it is recommended that building walls facing streets have 50% and the rest 30%. The number of required colors/materials is also proposed to be dropped from three to two (as some buildings are uniform in appearance [e.g., the Arts Charter School in the Broadmore Golf Course area]).

Finally, the triggers that affect when design review is called for have been kept as they were plus improvements to the application, appeals and permit longevity language have also been built into the amendments. Chapter 15 (Downtown (DB, DV, DH) Building and Site Design Regulations were left as is (although it should be later revised to edit design standards and to imbed the form-based code draft currently under construction).

## 10-4-10: DESIGN STANDARDS:

Design review is required in certain instances for projects developed in the GB Zones; See Chapter 34 of this Ordinance (i.e., N.C.C. § 10-34)...

A. Building And Site Design Regulations Standards: Buildings or facade improvement projects in the GB-zones and subject per subsection 10-4-11A of this chapter to building and site design review shall be reviewed and regulated by the following standards:

1. Structure Placement: The "buildable" portions of properties shall accommodate a nonstrip development design. A designer shall make every effort to design a project which uses the least number of vehicular access points, includes landscaping, pedestrian benefits, and minimizes any negative impact on adjoining properties. Detached sidewalks are strongly encouraged. Existing and adjacent pedestrian and vehicular traffic circulation shall be an integral part of any design. (Ord. 4070, 10-7-2013)

2. Building Orientation:

- a. In GB1 and GB2 districts, buildings shall be oriented with primary consideration being given to the visual impact from the perspective of the driver or pedestrian. The view from these rights of way should be dominated by the view of the primary or front building facade. Views of large expanses of parking lots are strongly discouraged. In the GBE district, buildings shall be oriented with consideration given to both the visual impact of the facade facing the primary adjacent roadway as well as the facade facing the Ford Idaho Center.
- b. The front of buildings shall be oriented to face the most primary, adjacent road to the property upon which they are proposed to be constructed. In the GBE district the front of buildings shall be oriented to face either the most primary, adjacent road or the Ford Idaho Center. (Ord. 4281, 9-19-2016)
- c. Loading docks shall not face the front of the property. Also, loading docks shall not face the front of any adjacent principal building when possible.

3. Building Exteriors: Facades shall be reviewed for the inclusion of architectural characteristics which shall be consistent on each building face that is exposed to view from the public right of way, pedestrian areas including parking areas, and/or adjacent to residential use or zone.

- a. Buildings shall include facade changes such as cornices, bases, fenestration, corbelled masonry, for at least forty percent (40%) of the exterior wall area.
- b. Building frontages greater than one hundred feet (100') in length shall have offsets, jogs, changes in roof height, or have other distinctive changes in the building facade.

- e. ~~Public entrances shall be easily identified and distinct from the remainder of the building, either through architectural form or use of color, material, and texture of the facade. (Ord. 4070, 10-7-2013)~~
- d. ~~Primary facades shall contain a minimum of twenty five percent (25%) glazing. In the GBE district if the primary facade faces the Ford Idaho Center twenty five percent (25%) glazing shall also be required for the facade facing Idaho Center Boulevard. (Ord. 4281, 9-19-2016)~~
4. ~~Exterior Finish Materials: Exterior finish materials shall be nonreflective and shall include at least three (3) colors, textures and/or materials.~~
- a. ~~External building materials shall be comprised of either masonry (e.g., brick, stone, concrete with paint or texture coat finish, concrete masonry units, etc.) or exterior stucco products with allowances for accents utilizing alternative materials. Use of alternate materials other than as accents may be submitted for approval on a case by case basis. Glazing and areas of pitched roof (3/12 pitch or steeper) may also be considered as a solution to this requirement.~~
- b. ~~Repainting of facades of existing structures shall be submitted for review and approval of color choice(s) by the city of Nampa's design standards staff by submitting a colored elevation and paint choices.~~
- e. ~~Black and/or bright colors are discouraged and are allowed to only cover twenty five percent (25%) of the overall wall square footage.~~

~~Note that standards listed in subsections A2 and A3 of this section only apply to newly proposed buildings or those undergoing expansion. Preexisting buildings on site shall not be obliged to be refaced in accordance with these requirements unless they themselves are to be expanded by more than twenty five percent (25%).~~

5. ~~Mechanical Units: Mechanical equipment and utilities shall be placed and installed in such a way as to have minimal impact on adjoining properties, and shall be screened from public view with either proper landscaping or by being contained within an enclosure consistent with the architectural aesthetics and characteristics of the main building. Furthermore:~~
- a. ~~Roof Mounted: Mechanical vents protruding through the roof and similar features shall be painted so as to match the color of the roof. Exposed metal flashing or trim shall be anodized or painted to blend with the exterior colors of the building. Roof mounted mechanical units shall be screened from public view from any street abutting the property by a screen wall enclosure consistent in appearance with the architectural treatment of the main building.~~
- b. ~~Ground Mechanical Equipment And Utilities: Ground mounted equipment and utilities shall be placed and installed in such a way to have the least impact on adjoining properties, and shall be screened from public view with either landscaping or a screen wall. Landscaping shall include a combination of evergreen and deciduous bushes and trees, with a minimum of five foot (5') depth continuous around utility. This five foot (5') landscaping buffer shall contain plantings, irrigation, landscaping fabric and ground cover. Mechanical units may be contained within a~~

~~screen wall enclosure consistent in its construction with the architectural aesthetics and characteristics of the main building.~~

- ~~6. Overhead Doors: Where possible, overhead doors for service and/or repair activities and/or loading/unloading activities shall be located at the side of a building which lies away from any residential use/zone unless some form of screening such as landscaping, a wall, landscape berm or other barrier is used to separate the two.~~

~~B. Lighting Standards:~~

- ~~1. Buildings: All exterior structure lighting shall be shielded, screened, and/or shuttered with ninety degree (90°) cutoff luminaries and shall be otherwise directed so as to prevent illumination of adjoining properties, particularly when located adjoining or across the street from residentially used or zoned properties. Furthermore:~~
- ~~a. The height of a freestanding light fixture (e.g., in a parking lot area) shall not exceed twenty five feet (25'). Parking area lights shall use ninety degree (90°) cutoff luminaries ("downlighting"). Building mounted lights shall not be higher than twenty five feet (25') from ground level.~~
- ~~b. Streetlights installed by the city of Nampa, the Nampa highway district or the Idaho division of transportation shall be exempt from these standards.~~
- ~~c. Electrical feeds to outdoor light fixtures shall be placed underground not overhead.~~
- ~~d. All lights on site, or in a complex or subdivision, shall be consistent in style, design, height, size and color.~~
- ~~e. Lighting to highlight or illuminate architecture and signs shall be attractive without significant spillage of light upward or downward.~~
- ~~f. Pedestrian circulation routes shall be illuminated.~~
- ~~g. Floodlights shall not be allowed.~~
- ~~h. The planning director or his/her designee may approve an alternative lighting scheme when the overall design, as proposed by the applicant, meets or exceeds the intent and requirements of this section and is not perceived to be detrimental to public health, safety or welfare.~~

~~C. Fencing/Screening: Fencing of anything other than mechanical or maintenance related equipment or stored inventory or trash receptacles is prohibited. Trash receptacles shall be screened with durable materials as found on the related building's facade.~~

~~D. Trash Receptacles: Trash receptacles shall be located in service areas at side or rear yards and not visible from streets abutting a property. Trash receptacles shall be screened as noted in subsection C of this section.~~

~~E. Pedestrian Pathways: Pedestrian paths shall be established to enhance a site's character and connections. Developments of one acre or more shall provide a pedestrian and bicycle circulation plan for the site.~~

- ~~1. All on-site circulation systems shall incorporate a streetscape which includes sidewalks, pedestrian scale light standards and street trees.~~
- ~~2. Pedestrian amenities shall include: detached sidewalks; connectivity of buildings and parking areas to public spaces and rights of way; the inclusion of public spaces for projects over twenty five thousand (25,000) square feet in gross floor space is required. These spaces are calculated at a formula of ten (10) square feet of public space per ten thousand (10,000) square feet of gross floor space. These public spaces must include landscaping, seating, and connectivity to pedestrian routing. (Ord. 4070, 10-7-2013)~~

#### **10-4-11: APPLICATION PROCEDURES:**

~~A. Applicability: Any development, within the GB zones, of the following types, shall be subject to design review:~~

- ~~1. New commercial buildings proposed for construction.~~
- ~~2. New multiple family (3+ units) residential buildings proposed for construction.~~
- ~~3. Expansions over twenty five percent (25%) of the area of an existing, nonsingle family building.~~
- ~~4. Repaint or exterior materials alteration of a building when such will affect more than fifty percent (50%) of any facade's area thereof that fronts a public right of way.~~

~~B. Application For Design Review: Every person required to submit a building to design review, including an addition or alteration of a building, shall submit an application to the planning and zoning director for evaluation prior to submitting an application for a building permit.~~

~~C. Application Review For Type Of Review: Upon receipt of an application for design review, the director, or his designee, shall examine the application and determine whether the application shall be reviewed administratively at staff level, or whether the application shall be referred to the design committee for review.~~

~~D. Design Committee Review: The following applications shall be assigned to the design committee for review:~~

- ~~1. Multi-family residential containing four (4) or more dwelling units or exceeding two (2) stories;~~
- ~~2. New construction, modifications or additions to an existing building exceeding five thousand (5,000) square feet; and~~

3. Other applications assigned to the design committee by the director. (Ord. 4070, 10-7-2013)

~~E. Administrative Review Assignment: All design review type applications not designated for assignment to the design committee shall be submitted for an administrative review by staff, unless the director, or his designee, determines the application must be submitted to the design committee.~~

~~F. Administrative Review Procedures: Upon receipt of an application for administrative design review, the director shall assign the application to a staff member, or members, for review. The review of the application, and the decision by staff shall be completed within thirty (30) days from the date of application. Staff shall be empowered to interpret design standards and to make exceptions to design standards provided any such exceptions do not: 1) allow variance to other, nondesign standards based zoning code regulations, and, 2) that any such exception(s) still maintain overall project compliance with the design objectives and goals of the city and its policies/guidelines. The administrative decision shall be in writing and shall set forth any design elements of the building which do not comply with design criteria. (Ord. 4159, 1-20-2015)~~

~~G. Scheduling Design Committee Review: Upon receipt of an application for design committee review, or upon the determination of the director, or his designee, that an application should be referred directly to the design committee, the director shall schedule the application to be considered at the next design committee meeting following the cutoff date prior to which the application was submitted. The director may extend the review time for applications that are unusually large or complicated.~~

~~H. Building And Site Design Standards Submittal Requirements: The following information must be submitted for decision on aesthetic standards review prior to submitting an application for a building permit:~~

~~1. A detailed letter of explanation which describes the aesthetic solutions for the project and the corresponding design elements, including a statement of the scope of work of the project, and information about the structures, the building uses, and site work.~~

~~2. A detailed site and landscape plan drawn to scale. The site plan must include the following:~~

~~a. North arrow, scale of drawing, property lines.~~

~~b. Existing and proposed structures, site amenities, and signage location.~~

~~c. Adjoining streets, alleys and private drives.~~

~~d. Parking layouts, including dimensioned spaces, drives, circulation patterns, and pedestrian connectivity and walkway.~~

~~e. Existing and proposed utility service locations, locations and widths of rights of way, easements, canals, ditches, etc.~~

- ~~f. Locations and sizes of any loading areas, docks, and ramps.~~
- ~~g. Trash storage areas and exterior mechanical equipment with proposed screening methods detailed.~~
- ~~h. Concept for exterior lighting including pedestrian, vehicle, security and decorative solutions.~~
- ~~i. Type and location of all plant materials and other ground covers, including existing plantings.~~
- ~~j. Method of irrigation.~~
- ~~k. Details on special features such as berming or retaining walls, etc.~~

~~3. A complete set of floor plans and building elevations drawn to scale, including a colored rendering. Colored photos may be submitted for colored elevation drawings when an existing structure is to undergo minor exterior alterations or the photo depicts the design, colors, and materials of the new building. All proposed building materials must be defined; examples shall also be presented. The method of screening and treatment of mechanical equipment both roof mounted and at grade shall be presented.~~

~~I. Staff Report: At least one week prior to the review before the design committee, staff shall prepare and submit a staff report to the design committee and the applicant. The staff report shall summarize the application and set forth which elements of the building meet design criteria, and which elements do not.~~

~~J. Conduct Of Review: The chair of the design committee shall ask staff to summarize the application and staff's findings. After the presentation by staff, the chair shall ask the applicant to represent the application, respond to the staff report, and answer questions from the design committee. Following the review the design committee shall deliberate the application. Before or during the course of deliberation, the design committee may ask the applicant to address specific issues, including the applicant's response to any design issues raised by the design committee. At the conclusion of its deliberations, the design committee shall render its decision. The committee shall be empowered to interpret design standards and to make exceptions to standards provided such exceptions do not allow variance to other, non design standards based zoning code regulations, and, that the exception(s) still maintain overall project compliance with the design objectives and goals of the city and its policies/guidelines. (Ord. 4070, 10-7-2013)~~

#### **10-4-12: APPEALS:**

~~Any administrative decision by staff may be appealed to the design committee by filing a written notice of appeal with the director within fifteen (15) days after staff decision. All appeals of administrative decisions shall be treated the same as an original submission to the design committee and shall follow all design committee procedures.~~

~~Any design committee decision may be appealed to the planning and zoning commission by filing a written notice of appeal with the director within fifteen (15) days after the decision by the~~

design committee. Within fifteen (15) days after an appeal is received, the director shall fix a date for the public hearing of the appeal before the commission and notify the appealing party and the applicant with no further notice required. The following are grounds for an appeal:

- A. Inconsistency with the purpose and objectives of this chapter;
- B. Unreasonable economic hardship;
- C. Undue interference with the design integrity of the proposal;
- D. Discriminatory prevention of allowed land use;
- E. Consideration by the design review committee of improper motive or irrelevant information such as the race, ethnic origin, incomes, or other attributes of the proposed occupants or owners;
- F. Prohibition or unwarranted restriction of building type, material, or method. (Ord. 3758, 12-17-2007)

## **10-9-10: DESIGN STANDARDS:**

Design review is required in certain instances for projects developed in the HC Zone; See Chapter 34 of this Ordinance (i.e., N.C.C. § 10-34)...

New, remodeled, expanded or repurposed principal buildings in the HC Zone shall be subject to and regulated by certain building and site design standards as hereafter stated.

### **A. Building Facade Standards:**

1. Structure Placement: The "buildable" portions of properties shall accommodate a nonstrip development design. A designer shall make every effort to design a project which uses the least number of vehicular access points, includes landscaping, pedestrian benefits, and minimizes any negative impact on adjoining properties. Detached sidewalks are strongly encouraged. Existing and adjacent pedestrian and vehicular traffic circulation shall be an integral part of any design.
2. Building Orientation:
  - a. Buildings shall be oriented with primary consideration being given to the visual impact from the perspective of the driver or pedestrian. The view from these rights-of-way should be dominated by the view of the primary or front building facade. Views of large expanses of parking lots are strongly discouraged.
  - b. The front of buildings shall be oriented to face the most primary, adjacent road to the property upon which they are proposed to be constructed.

- c. Loading docks shall not face the front of the property. Also, loading docks shall not face the front of any adjacent principal building where possible.
3. Building Exteriors: Facades shall be reviewed for the inclusion of architectural characteristics which shall be consistent on each building face that is exposed to view from the public right-of-way, pedestrian areas including parking areas, and/or adjacent to residential use or zone.
- a. Buildings shall include facade changes such as cornices, bases, fenestration, corbelled masonry, for at least forty percent (40%) of the exterior wall area.
- b. Building frontages greater than one hundred feet (100') in length shall have offsets, jogs, changes in roof height, or have other distinctive changes in the building facade.
- c. Public entrances shall be easily identified and distinct from the remainder of the building, either through architectural form or use of color, material, and texture of the facade.
- d. Primary facades shall contain a minimum of twenty five percent (25%) glazing.
4. Exterior Finish Materials: Exterior finish materials shall be nonreflective and shall include at least three (3) colors, textures and/or materials.
- a. External building materials shall be comprised of either masonry (e.g., brick, stone, concrete with paint or texture coat finish, concrete masonry units, etc.) or exterior stucco products with allowances for accents utilizing alternative materials. Use of alternate materials other than as accents may be submitted for approval on a case by case basis. Glazing and areas of pitched roof (3/12 pitch or steeper) may also be considered as a solution to this requirement.
- b. Repainting of facades of existing structures shall be submitted for review and approval of color choice(s) by the city of Nampa's design standards staff by submitting a colored elevation and paint choices.
- c. Black and/or bright colors are discouraged and are allowed to only cover twenty five percent (25%) of the overall wall square footage.

(Note that standards listed in subsections A2, A3 and A4 of this section only apply to newly proposed buildings or those undergoing expansion. Preexisting buildings on site shall not be obliged to be refaced in accordance with these requirements unless they themselves are to be expanded by more than 25 percent.)

5. Mechanical Units: Mechanical equipment and utilities shall be placed and installed in such a way as to have minimal impact on adjoining properties, and shall be screened from public view with either proper landscaping or by being contained within an enclosure consistent with the architectural aesthetics and characteristics of the main building. Furthermore:
- a. Roof Mounted: Mechanical vents protruding through the roof and similar features shall be painted so as to match the color of the roof. Exposed metal flashing or trim shall be anodized or painted to blend with the exterior colors of the building. Roof mounted mechanical units shall be screened from public view from any street abutting the property by a screen wall enclosure consistent in appearance with the architectural treatment of the main building.

b. ~~Ground Mechanical Equipment And Utilities:~~ Ground mounted equipment and utilities shall be placed and installed in such a way to have the least impact on adjoining properties, and shall be screened from public view with either landscaping or a screen wall. Landscaping shall include a combination of evergreen and deciduous bushes and trees, with a minimum of five foot (5') depth continuous around utility. This five foot (5') landscaping buffer shall contain plantings, irrigation, landscaping fabric and ground cover. Mechanical units may be contained within a screen wall enclosure consistent in its construction with the architectural aesthetics and characteristics of the main building.

6. ~~Overhead Doors:~~ Where possible, overhead doors for service and/or repair activities and/or loading/unloading activities shall be located at the side of a building which lies away from any residential use/zone unless some form of screening such as landscaping, a wall, landscape berm or other barrier is used to separate the two.

#### B. ~~Lighting Standards:~~

1. ~~Buildings:~~ All exterior structure lighting shall be shielded, screened, and/or shuttered with ninety degree (90°) cutoff luminaries and shall be otherwise directed so as to prevent illumination of adjoining properties, particularly when located adjoining or across the street from residentially used or zoned properties. Furthermore:

a. The height of a freestanding light fixture (e.g., in a parking lot area) shall not exceed twenty five feet (25'). Parking area lights shall use ninety degree (90°) cutoff luminaries ("downlighting"). Building mounted lights shall not be higher than twenty five feet (25') from ground level.

b. ~~Streetlights installed by the city of Nampa, the Nampa highway district or the Idaho division of transportation shall be exempt from these standards.~~

c. ~~Electrical feeds to outdoor light fixtures shall be placed underground not overhead.~~

d. ~~All lights on site, or in a complex or subdivision, shall be consistent in style, design, height, size and color.~~

e. ~~Lighting to highlight or illuminate architecture and signs shall be attractive without significant spillage of light upward or downward.~~

f. ~~Pedestrian circulation routes shall be illuminated.~~

g. ~~Floodlights shall not be allowed.~~

h. ~~The planning director or his/her designee may approve an alternative lighting scheme when the overall design, as proposed by the applicant, meets or exceeds the intent and requirements of this section and is not perceived to be detrimental to public health, safety or welfare.~~

C. ~~Trash Receptacles:~~ Trash receptacles shall be located in service areas at side or rear yards and not visible from streets abutting a property. Trash receptacles shall be screened as noted in section 10-9-9 of this chapter.

D. ~~Pedestrian Pathways:~~ Pedestrian paths shall be established to enhance a site's character and connections. Developments of one acre or more shall provide a pedestrian and bicycle circulation plan for the site.

1. All on site circulation systems shall incorporate a streetscape which includes sidewalks, pedestrian scale light standards and street trees.
2. Pedestrian amenities shall include: detached sidewalks; connectivity of buildings and parking areas to public spaces and rights of way; the inclusion of public spaces for projects over twenty five thousand (25,000) square feet in gross floor space is required. These spaces are calculated at a formula of ten (10) square feet of public space per ten thousand (10,000) square feet of gross floor space. These public spaces must include landscaping, seating, and connectivity to pedestrian routing. (Ord. 4203, 10-19-2015)

### **10-9-11: DESIGN REVIEW APPLICATION PROCEDURES:**

A. Applicability: Any development, within the HC zone, of the following types, shall be subject to design review as follows:

1. Any new principal building proposed for construction; or
2. Any physical expansion of an existing building by more than twenty five percent (25%) of the gross square footage floor area of that building; or
3. Remodel, repaint or exterior materials alteration of an existing building when such will affect more than fifty percent (50%) of any of that building's wall facades.

B. Application For Design Review: Every person or party required to apply for design review approval for a project as iterated above shall submit an application to the planning and zoning director for evaluation prior to submitting an application for a building permit to the city.

C. Application Review For Type Of Review: Upon receipt of an application for design review, the director, or his/her designee, shall examine the application and determine whether the application shall be reviewed administratively (at staff level), or whether the application shall be referred to the building and site design committee review.

D. Building And Site Design Committee Review: The following design review applications shall be assigned to the building and site design committee for review:

1. New construction, modifications or additions to an existing building exceeding five thousand (5,000) square feet; or
2. Other applications assigned to the building and site design committee by the director.

E. Committee Review Procedures:

1. Upon receipt of an application for building and site design committee review of a project, or upon the determination by the director, or his/her designee, that an application should be referred directly to the design committee, said application shall be advanced to the committee for consideration at their next regularly scheduled meeting following the application submittal deadline/cutoff date prior to which the application was submitted. (The director may extend the review time for applications that are unusually large or complicated.)

~~2. The committee shall convene a public meeting to review the application, receive testimony and exhibits related to the same and shall render a decision to approve, approve with conditions, or deny an application.~~

~~3. The committee decision shall be in writing and shall set forth any design elements of the building which do not comply with design criteria or conditions of approval established to bring the project into conformance with city design review standards.~~

~~F. Administrative Review: Applications for design review not reviewed by the building and site design committee shall be reviewed administratively by staff.~~

~~G. Administrative Review Procedures:~~

~~1. Upon receipt of an application for administrative design review, the director shall assign the application to a staff member, or members, for review; and~~

~~2. The review of the application, and the decision by staff shall be completed within thirty (30) days from the date of application submittal.~~

~~3. Staff shall be empowered to interpret design standards and to make exceptions to design standards provided any such exceptions do not: a) allow variance to other, nondesign standards based zoning code regulations, and b) that any such exception(s) still maintain overall project compliance with the design objectives and goals of the city and its policies/guidelines.~~

~~4. The administrative decision shall be set forth in writing and shall set forth any design elements of the building which do not comply with design criteria or conditions of approval established to bring the project into conformance with city design review standards.~~

~~H. Building And Site Design Standards Application Submittal Requirements: The building and site design standards application submittal requirements shall be in accordance with the application form requirements as provided by the city's planning and zoning department.~~

~~I. Staff Report: At least one week prior to the review before the building and site design committee, staff shall prepare and submit a staff report to the committee. The report shall summarize the application and set forth which elements or aspects of a building under review comply with, or do not conform to city adopted design criteria together with any suggested conditions of approval adopted to cause design plans to be revised in order to (better) comply with city design standards and policies.~~

~~J. Conduct Of Review: The conduct of review shall be in accordance with the meeting/hearing procedures outlined in subsection 10-2-8C of this title. (Ord. 4203, 10-19-2015)~~

## **10-9-12: APPEALS:**

A. Rationale: The following are grounds for an appeal:

~~1. Inconsistency with the purpose and objectives of this chapter; and/or~~

~~2. Unreasonable economic hardship; and/or~~

3. ~~Undue interference with the design integrity of the proposal; and/or~~
4. ~~Discriminatory prevention of allowed land use; and/or~~
5. ~~Consideration by the design review committee of improper motive or irrelevant information such as the race, ethnic origin, incomes, or other attributes of the proposed occupants or owners; and/or~~
6. ~~Prohibition or unwarranted restriction of building type, material, or method.~~

**B. Appeal Remedies And Procedures:**

1. ~~Any design review based administrative decision made by staff on an application for design review may be appealed to the building and site design committee by filing a written notice of appeal with the director within fifteen (15) days after the staff decision. All appeals of administrative decisions shall be treated the same as an original submission to the committee. Within fifteen (15) days after an appeal is received, the director shall set a date for the public hearing of the appeal before the building and site design committee and notify the appellant of said hearing with no further notice required. The director shall transmit notice and copies of the requested amendment(s) to the committee and other agencies or parties as deemed appropriate. At least fifteen (15) calendar days prior to the hearing, notice of the time and place of the hearing to be discussed shall be published one time in the official newspaper of the city. The appeal hearing shall be conducted in accordance with public meeting/hearing procedures outlined in subsection 10-2-8C of this title.~~
2. ~~Any design review based decision made by the building and site design committee on an application for design review may be appealed to the planning and zoning commission by filing a written notice of appeal with the director within fifteen (15) days after the committee's decision. All appeals of committee decisions shall be treated the same as an original submission to the commission. Within fifteen (15) days after an appeal is received, the director shall set a date for the public hearing of the appeal before the planning and zoning commission and notify the appellant of said hearing with no further notice required. The director shall transmit notice and copies of the requested amendment(s) to the committee and other agencies or parties as deemed appropriate. At least fifteen (15) calendar days prior to the hearing, notice of the time and place of the hearing to be discussed shall be published one time in the official newspaper of the city. The appeal hearing shall be conducted in accordance with public meeting/hearing procedures outlined in subsection 10-2-8C of this title.~~
3. ~~Any design review based decision made by the planning and zoning commission on an application for design review may be appealed to the city council by filing a written notice of appeal with the director within fifteen (15) days after the commission's decision. All appeals of commission decisions shall be treated the same as an original submission to the council. Within fifteen (15) days after an appeal is received, the director shall set a date for the public hearing of the appeal before the city council and notify the appellant of said hearing with no further notice required. The director shall transmit notice and copies of the requested amendment(s) to the committee and other agencies or parties as deemed appropriate. At least fifteen (15) calendar days prior to the hearing, notice of the time and place of the hearing to be discussed shall be published one time in the official newspaper of the city. The appeal hearing shall be conducted in accordance with public meeting/hearing procedures outlined in subsection 10-2-8C of this title. (Ord. 4203, 10-19-2015)~~

...

## 10-16-11: DESIGN STANDARDS:

Design review is required in certain instances for projects developed in the BC Zone; See Chapter 34 of this Ordinance (i.e., N.C.C. § 10-34)...

A. ~~Building And Site Design Regulations Standards: Buildings or facade improvement projects in the BC zone and subject per subsection 10-16-12A of this chapter to building and site design review shall be reviewed and regulated by the following standards:~~

- ~~1. Structure Placement: The "buildable" portions of properties shall accommodate a nonstrip development design. A designer shall make every effort to design a project which uses the least number of vehicular access points, includes landscaping, pedestrian benefits, and minimizes any negative impact on adjoining properties. Detached sidewalks are strongly encouraged. Existing and adjacent pedestrian and vehicular traffic circulation shall be an integral part of any design.~~
- ~~2. Building Orientation:~~
  - ~~a. Buildings shall be oriented with primary consideration being given to the visual impact from the perspective of the driver or pedestrian. The view from these rights of way should be dominated by the view of the primary or front building facade. Views of large expanses of parking lots are strongly discouraged.~~
  - ~~b. The front of buildings shall be oriented to face the most primary, adjacent road to the property upon which they are proposed to be constructed.~~
  - ~~c. Loading docks shall not face the front of the property. Also, loading docks shall not face the front of any adjacent principal building when possible.~~
- ~~3. Building Exteriors: Facades shall be reviewed for the inclusion of architectural characteristics which shall be consistent on each building face that is exposed to view from the public right of way, pedestrian areas including parking areas, and/or adjacent to residential use or zone.~~
  - ~~a. Buildings shall include facade changes such as cornices, bases, fenestration, corbelled masonry, for at least forty percent (40%) of the exterior wall area.~~
  - ~~b. Building frontages greater than one hundred feet (100') in length shall have offsets, jogs, changes in roof height, or have other distinctive changes in the building facade.~~
  - ~~c. Public entrances shall be easily identified and distinct from the remainder of the building, either through architectural form or use of color, material, and texture of the facade.~~
  - ~~d. Primary facades shall contain a minimum of twenty five percent (25%) glazing.~~
- ~~4. Exterior Finish Materials: Exterior finish materials shall be nonreflective and shall include at least three (3) colors, textures and/or materials.~~
  - ~~a. External building materials shall be comprised of either masonry (e.g., brick, stone, concrete with paint or texture coat finish, concrete masonry units, etc.) or exterior stucco products with allowances for accents utilizing alternative materials. Use of alternate materials other than as accents may be~~

~~submitted for approval on a case by case basis. Glazing and areas of pitched roof (3/12 pitch or steeper) may also be considered as a solution to this requirement.~~

- ~~b. Repainting of facades of existing structures shall be submitted for review and approval of color choice(s) by the city of Nampa's design standards staff by submitting a colored elevation and paint choices.~~
- ~~c. Black and/or bright colors are discouraged and are allowed to only cover twenty five percent (25%) of the overall wall square footage.~~

~~Note that standards listed in subsections A2 and A3 of this section only apply to newly proposed buildings or those undergoing expansion. Preexisting buildings on site shall not be obliged to be refaced in accordance with these requirements unless they themselves are to be expanded by more than twenty five percent (25%).~~

- ~~5. Mechanical Units: Mechanical equipment and utilities shall be placed and installed in such a way as to have minimal impact on adjoining properties, and shall be screened from public view with either proper landscaping or by being contained within an enclosure consistent with the architectural aesthetics and characteristics of the main building. Furthermore:~~
  - ~~a. Roof Mounted: Mechanical vents protruding through the roof and similar features shall be painted so as to match the color of the roof. Exposed metal flashing or trim shall be anodized or painted to blend with the exterior colors of the building. Roof mounted mechanical units shall be screened from public view from any street abutting the property by a screen wall enclosure consistent in appearance with the architectural treatment of the main building.~~
  - ~~b. Ground Mechanical Equipment And Utilities: Ground mounted equipment and utilities shall be placed and installed in such a way to have the least impact on adjoining properties, and shall be screened from public view with either landscaping or a screen wall. Landscaping shall include a combination of evergreen and deciduous bushes and trees, with a minimum of five foot (5') depth continuous around utility. This five foot (5') landscaping buffer shall contain plantings, irrigation, landscaping fabric and ground cover. Mechanical units may be contained within a screen wall enclosure consistent in its construction with the architectural aesthetics and characteristics of the main building.~~
- ~~6. Overhead Doors: Where possible, overhead doors for service and/or repair activities and/or loading/unloading activities shall be located at the side of a building which lies away from any residential use/zone unless some form of screening such as landscaping, a wall, landscape berm or other barrier is used to separate the two.~~

#### ~~B. Lighting Standards:~~

- ~~1. Buildings: All exterior structure lighting shall be shielded, screened, and/or shuttered with ninety degree (90°) cutoff luminaries and shall be otherwise directed so as to prevent illumination of adjoining properties, particularly when located adjoining or across the street from residentially used or zoned properties. Furthermore:~~
  - ~~a. The height of a freestanding light fixture (e.g., in a parking lot area) shall not exceed twenty five feet (25'). Parking area lights shall use ninety degree (90°) cutoff luminaries ("downlighting"). Building mounted lights shall not be higher than twenty five feet (25') from ground level.~~

- ~~b. Streetlights installed by the city of Nampa, the Nampa highway district or the Idaho division of transportation shall be exempt from these standards.~~
  - ~~c. Electrical feeds to outdoor light fixtures shall be placed underground not overhead.~~
  - ~~d. All lights on site, or in a complex or subdivision, shall be consistent in style, design, height, size and color.~~
  - ~~e. Lighting to highlight or illuminate architecture and signs shall be attractive without significant spillage of light upward or downward.~~
  - ~~f. Pedestrian circulation routes shall be illuminated.~~
  - ~~g. Floodlights shall not be allowed.~~
  - ~~h. The planning director or his/her designee, may approve an alternative lighting scheme when the overall design, as proposed by the applicant, meets or exceeds the intent and requirements of this section and is not perceived to be detrimental to public health, safety or welfare.~~
- ~~C. Fencing/Screening: Fencing of anything other than mechanical or maintenance related equipment or stored inventory or trash receptacles is prohibited. Trash receptacles shall be screened with durable materials as found on the related building's facade.~~
- ~~D. Trash Receptacles: Trash receptacles shall be located in service areas at side or rear yards and not visible from streets abutting a property. Trash receptacles shall be screened as noted in subsection C of this section.~~
- ~~E. Pedestrian Pathways: Pedestrian paths shall be established to enhance a site's character and connections. Developments of one acre or more shall provide a pedestrian and bicycle circulation plan for the site.~~
- ~~1. All on site circulation systems shall incorporate a streetscape which includes sidewalks, pedestrian scale light standards and street trees.~~
  - ~~2. Pedestrian amenities shall include: detached sidewalks; connectivity of buildings and parking areas to public spaces and rights of way; the inclusion of public spaces for projects over twenty five thousand (25,000) square feet in gross floor space is required. These spaces are calculated at a formula of ten (10) square feet of public space per ten thousand (10,000) square feet of gross floor space. These public spaces must include landscaping, seating, and connectivity to pedestrian routing. (Ord. 4070, 10-7-2013)~~

### **10-16-12: APPLICATION PROCEDURES:**

- ~~A. Applicability: Any development within the BC zone, of the following types, shall be subject to design review:~~
- ~~1. New commercial buildings proposed for construction.~~
  - ~~2. Expansions over twenty five percent (25%) of the area of an existing, nonsingle-family building.~~

3. ~~Repaint or exterior materials alteration of a building when such will affect more than fifty percent (50%) of any facade's area thereof that fronts a public right of way.~~

~~B. Application And Fee(s) For Design Review: Every person required to submit a building to design review, including an addition or alteration of a building, shall submit an application to the planning and zoning director for evaluation prior to submitting an application for a building permit. Applications shall be accompanied by a nonrefundable filing fee in an amount established by resolution of the city council.~~

~~C. Application Review For Type Of Review: Upon receipt of an application for design review, the director, or his designee, shall examine the application and determine whether the application shall be reviewed administratively at staff level, or whether the application shall be referred to the design committee for review.~~

~~D. Design Committee Review: The following applications shall be assigned to the design committee for review:~~

- ~~1. New construction, modifications or additions to an existing building exceeding five thousand (5,000) square feet; and~~
- ~~2. Other applications assigned to the design committee by the director. (Ord. 4070, 10-7-2013)~~

~~E. Administrative Review Assignment: All design review type applications not designated for assignment to the design committee shall be submitted for an administrative review by staff, unless the director, or his designee, determines the application must be submitted to the design committee.~~

~~F. Administrative Review Procedures: Upon receipt of an application for administrative design review, the director shall assign the application to a staff member, or members, for review. The review of the application, and the decision by staff shall be completed within thirty (30) days from the date of application. Staff shall be empowered to interpret design standards and to make exceptions to design standards provided any such exceptions do not: 1) allow variance to other, nondesign standards based zoning code regulations, and, 2) that any such exception(s) still maintain overall project compliance with the design objectives and goals of the city and its policies/guidelines. The administrative decision shall be in writing and shall set forth any design elements of the building which do not comply with design criteria. (Ord. 4159, 1-20-2015)~~

~~G. Scheduling Design Committee Review: Upon receipt of an application for design committee review, or upon the determination of the director, or his designee, that an application should be referred directly to the design committee, the director shall schedule the application to be considered at the next design committee meeting following the cutoff date prior to which the application was submitted. The director may extend the review time for applications that are unusually large or complicated.~~

~~H. Building And Site Design Standards Submittal Requirements: The following information must be submitted for decision on aesthetic standards review prior to submitting an application for a building permit:~~

- ~~1. A detailed letter of explanation which describes the aesthetic solutions for the project and the corresponding design elements, including a statement of the scope of work of the project, and information about the structures, the building uses, and site work.~~

2. A detailed site and landscape plan drawn to scale. The site plan must include the following:

- a. North arrow, scale of drawing, property lines.
- b. Existing and proposed structures, site amenities, and signage location.
- c. Adjoining streets, alleys and private drives.
- d. Parking layouts, including dimensioned spaces, drives, circulation patterns, and pedestrian connectivity and walkway.
- e. Existing and proposed utility service locations, locations and widths of rights-of way, easements, canals, ditches, etc.
- f. Locations and sizes of any loading areas, docks, and ramps.
- g. Trash storage areas and exterior mechanical equipment with proposed screening methods detailed.
- h. Concept for exterior lighting including pedestrian, vehicle, security and decorative solutions.
- i. Type and location of all plant materials and other ground covers, including existing plantings.
- j. Method of irrigation.
- k. Details on special features such as berming or retaining walls, etc.

3. A complete set of floor plans showing public entrances and building elevations drawn to scale, including a colored rendering. Colored photos may be submitted for colored elevation drawings when an existing structure is to undergo minor exterior alterations or the photo depicts the design, colors, and materials of the new building. All proposed building materials must be defined; examples may also be presented. The method of screening and treatment of mechanical equipment, both roof mounted and at grade shall be presented.

I. Staff Report: At least one week prior to the review before the design committee, staff shall prepare and submit a staff report to the design committee and the applicant. The staff report shall summarize the application and set forth which elements of the building meet design criteria, and which elements do not.

J. Conduct Of Review: The chair of the design committee shall ask staff to summarize the application and staff's findings. After the presentation by staff, the chair shall ask the applicant to present the application, respond to the staff report, and answer questions from the design committee. Following the review the design committee shall deliberate the application. Before or during the course of deliberation, the design committee may ask the applicant to address specific issues, including the applicant's response to any design issues raised by the design committee. At the conclusion of its deliberations, the design committee shall render its decision. The committee shall be empowered to interpret design standards and to make exceptions to standards provided such exceptions do not allow variance to other, nondesign standards based zoning code regulations and that the exception(s) still maintain overall project compliance with the design objectives and goals of the city and its policies/guidelines. (Ord. 4070, 10-7-2013)

**10-16-13: APPEALS:**

Any administrative decision by staff may be appealed to the design committee by filing a written notice of appeal with the director within fifteen (15) days after staff decision. All appeals of administrative decisions shall be treated the same as an original submission to the design committee and shall follow all design committee procedures.

Any design committee decision may be appealed to the planning and zoning commission by filing a written notice of appeal with the director within fifteen (15) days after the decision by the design committee. Within fifteen (15) days after an appeal is received, the director shall fix a date for the public hearing of the appeal before the commission and notify the appealing party and the applicant with no further notice required. The following are grounds for an appeal:

- A. Inconsistency with the purpose and objectives of this chapter;
- B. Unreasonable economic hardship;
- C. Undue interference with the design integrity of the proposal;
- D. Discriminatory prevention of allowed land use;
- E. Consideration by the design review committee of improper motive or irrelevant information such as the race, ethnic origin, incomes, or other attributes of the proposed occupants or owners;
- F. Prohibition or unwarranted restriction of building type, material, or method. (Ord. 4070, 10-7-2013)

## Chapter 34 DESIGN REVIEW

### 10-34-1: DESCRIPTION AND PURPOSE:

### 10-34-2: APPROVAL REQUIRED

### 10-34-3: APPLICABILITY

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### 10-34-5: INCLUSIVE APPROVAL

### 10-34-6: COMMITTEE REVIEW PROCEDURE(S)

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### 10-34-10: PERMITS' DURATION

### 10-34-11: DESIGN STANDARDS/REQUIREMENTS

### 10-34-1: DESIGN REVIEW DESCRIPTION AND PURPOSE:

The term “design review” [aka “building and site design review”], when used in a zoning context, connotes a process whereby one or more structures proposed for construction have their architectural styling pre-judged by an authority. A set of design standards govern styling and, in Nampa’s case, are set forth hereafter. Design review also helps ensure conservation and enhancement of any recognized special design and/or scenic aesthetics of a site or area within which a build project is proposed. Both City Staff and a design review committee [termed, alternatively, as the “Design Review Committee”, “Building and Site Design Committee”, or simply, the “Committee” hereinafter] are empowered to review and approve design review applications as set forth in this chapter.

### 10-34-2: APPROVAL REQUIRED:

All qualifying project types shall require design review approval by, and through, the City of Nampa – either by administrative approval of City designated Staff or by the Building Site Design Committee, case dependent. Applications for design review validation must be approved before the City will issue a building permit for a/the project that requires design review.

### 10-34-3: APPLICABILITY:

A. In Nampa, design review does, and shall, appertain to the city’s HC, GB 1 and GB 2 Zones, the BN and BC Zones, and, the DB, DV and DH Zones.

B. The following project types in any of the zones noted in Section 10-34-2(A) above are, and shall be, be subject to design review:

1. New commercial structures proposed for construction; and/or,

2. New multiple-family (3+ units) residential buildings proposed for construction; and/or,
3. Expansions over twenty five percent (25%) of the square footage area of an existing, non-single-family building [note design review standards in such instances are, and shall be, only made applicable to the area of new construction/expansion; and/or,
4. The repainting of, and/or, exterior materials alteration to, a building when such will affect more than fifty percent (50%) of that building's façade(s) that front(s) a public right of way...

Any of the fore-going project types shall be considered, identified as, and constitute, hereinafter "qualifying project types".

#### **10-34-4: APPLICATION REFERRAL:**

A. Design Review Process Determination: Upon receipt of an application for design review, the Director, or his designee, shall examine the application and determine whether the application shall be reviewed administratively at Staff level, or whether the application shall be referred to the Design Review (aka "building and site design") Committee for review.

The following applications appertaining to qualifying projects shall be assigned to the design committee for review:

1. That which seeks design review approval for a newly proposed commercial structure intended to exceed five thousand (5,000) square feet in area; and/or,
2. That which seeks design review approval for a multiple-family residential structure (i.e., one containing five (5) or more dwelling units); and/or,
3. Any design review approval applications referred to the committee by the Director or his/her designee.

Exception: For those projects proposed in the Downtown Historic (DH) Zone, review and a recommendation shall first be sought and obtained by an applicant through the City's Arts and Historic Preservation Commission before presenting them for approval to the Building and Site Design Committee.

All [other] design review type applications not designated for assignment to the Design Review Committee shall be submitted for administrative review by City staff.

#### **10-34-5: INCLUSIVE APPROVAL:**

Hereinafter, any approval of a project subject to design review by City Staff or the Design Review Committee, or on appeal by the Planning and Zoning Commission or City Council, shall be deemed to constitute [the] "City['s] approval and may be referred to by that term[inology].

**10-34-6: COMMITTEE REVIEW PROCEDURE(S):**

A. Scheduling Design Committee Review: Upon receipt of an application for design review, or upon the determination of the Director, or his designee, that an application should be referred directly to the Design Review Committee, the Director shall schedule the application to be considered at the next Committee meeting following the cutoff date prior to which the application was submitted. The Director may extend the review time for applications that are unusually large or complicated.

B. Staff Report: At least one week prior to the review before the Committee, Staff shall prepare and submit a Staff report to the Design Review Committee and the applicant. The Staff report shall summarize the application and set forth which elements of the building meet design criteria, and which elements do not.

C. Conduct of Review: The chair of the Committee shall ask Staff to summarize the application and staff's findings. After the presentation by Staff, the chair shall ask the applicant to represent the application, respond to the Staff report, and answer questions from the design committee. Following the presentation and report, the Committee shall deliberate the application. Before or during the course of deliberation, the Committee may ask the applicant to address specific issues, including the applicant's response to any design issues raised by the design committee. At the conclusion of its deliberations, the Committee shall render its decision. The Committee shall be empowered to interpret design standards and to make exceptions to standards provided such exceptions do not allow variance to other, non-design standards-based zoning code regulations, and, that the exception(s) still maintain overall project compliance with the design objectives and goals of the City and its policies/guidelines.

**10-34-7: ADMINISTRATIVE REVIEW PROCEDURES:**

Upon receipt of an application for administrative design review, the Director shall assign the application to a Staff member, or members, for review. The review of the application, and the decision by Staff shall be completed within thirty (30) days from the date of application. Staff shall be empowered to interpret design standards and to make exceptions to design standards provided any such exceptions do not: 1) allow variance to other, non-design standards-based zoning code regulations, and, 2) that any such exception(s) still maintain overall project compliance with the design objectives and goals of the City and its policies/guidelines. The administrative decision shall be in writing and shall set forth any design elements of the building which do not comply with design criteria.

**10-34-8: APPLICATION CONTENT REQUIREMENTS:**

A form prepared by the City's Planning Department for use with design review application submittals shall ask for information regarding a project to include, but not be limited to, at least the following:

1. A detailed letter of explanation which describes the aesthetic solutions for the project and the corresponding design elements, including a statement of the scope of work of the project, and information about the structures, the building uses, and site work; and,

2. A detailed site plan drawn to architectural scale. The site plan must include the following details, features and callouts as relevant:

a. A north arrow, scale of drawing, property line locations; and,

b. Existing and proposed structures, site amenities, and signage location; and,

c. Adjoining streets, alleys and private drives; and,

d. Parking layout depiction -- including spaces, drives, circulation patterns, and pedestrian connectivity and walkway; and,

e. Existing and proposed rights of way, easements, canals, ditches, etc. that will adjoin/about or traverse a property under design review consideration; and,

f. Locations and sizes of any loading areas, docks, and ramps; and,

g. Trash storage areas and exterior mechanical equipment with proposed screening methods detailed; and,

h. Exterior building and property light fixtures; and,

i. Details on special features such as berming or retaining walls, etc.; and,

j. A complete set of floor plans and building elevations drawn to scale, including a colored rendering thereof [note -- colored photos may be substituted to depict(s) the design, colors, and materials of a reface]; and,

k. A listing of all proposed building materials; and,

l. Identification of the method of screening and treatment of mechanical equipment [both roof mounted and “at grade”]; and,

m. A materials sample board where reasonable; and,

n. Depiction of future building and sign locations and free-standing sign materials, placement, and height; and,

3. A set of two-dimensional building elevations of the elevation(s) being reviewed [note: that a three-dimensional perspective drawing may be requested by Staff or the Committee if deemed warranted]...

### **10-34-9: APPEALS OF APPLICATION DECISIONS:**

A. Decisions are Subject to Appeal: Decisions rendered on design review applications by either City Staff or the Building and Site Design Committee may be appealed to the Planning and Zoning Commission within fifteen (15) calendar days of the date of the decision. Design review related decisions issued by the Planning and Zoning Commission on appeal may be appealed to the City Council.

B. Administrative Decision Appeal(s): An appeal of a decision by Staff may be directed to the Design Review Committee for review and action by filing a written notice of appeal with the Director. All appeals of administrative decisions shall be treated the same as an original submission to the design committee and shall follow all Committee procedures in order to be reviewed. The Committee is empowered to approve or deny the appeal – including modifying

any conditions imposed by Staff in the event of an approval.

C. Committee Design Review Decision Appeal(s): An appeal of a Committee decision may be directed to the Planning and Zoning Commission for review and action by filing a written notice of appeal with the Director. All appeals of Committee decisions shall be treated the same as an original submission to the Planning and Zoning Commission and shall follow a specific public hearing notification procedure in order to be reviewed (i.e., within fifteen (15) days after an appeal is received, the Director shall fix a date for the public hearing of the appeal before the Commission and notify the appealing party and the applicant with no further notice required.) The Planning and Zoning Commission is empowered to approve or deny the appeal – including modifying any conditions imposed by Staff in the event of an approval.

D. Planning and Zoning Commission Design Review Decision Appeal(s): An appeal of a Planning and Zoning Commission design review related decision may be directed to the City Council for review and action by filing a written notice of appeal with the Director. All appeals of Commission decisions shall be treated the same as an original submission to the City Council and shall follow a specific public hearing notification procedure in order to be reviewed (i.e., within fifteen (15) days after an appeal is received, the Director shall fix a date for the public hearing of the appeal before the Commission and notify the appealing party and the applicant with no further notice required.) The City Council is empowered to approve or deny the appeal – including modifying any conditions imposed by the Commission in the event of an approval.

E. Design Review Permit’s Approval Appeal Grounds: The following are justifications for the Design Review Committee, the Planning and Zoning Commission or the City Council to approve a design review permit application approval up on/for appeal before them:

1. Inconsistency with the purpose and objectives of this chapter; and/or,
2. Unreasonable economic hardship; and/or,
3. Undue interference with the design integrity of the proposal; and/or,
4. Discriminatory prevention of an allowed land use; and/or,
5. Consideration by the Design Review Committee of improper motive or irrelevant information such as the race, ethnic origin, incomes, or other attributes of the proposed occupants or owners; and/or,
6. Prohibition or unwarranted restriction of building type, material, or method...

#### **10-34-10: PERMITS’ DURATION:**

Design review permits (i.e., approved applications) shall be valid for a period not to exceed two (2) years. Design review permits longevity may be extended by the filing of a request for extension [not to exceed six (6) months at a time] by an authorized representative of/for a project. A fee may be imposed by the City to process extension requests.

Substantial alterations to the approved design associated with a development shall cause a representative of/for the same to re-apply for design review approval from the City unless such was extended as afore-noted.

### **10-34-11: DESIGN STANDARDS/REQUIREMENTS:**

A. Specific vs. Generic Design Review Locational Determiner: The standards listed hereafter shall be made applicable to those properties with qualifying improvements/projects in all design review required zones save the downtown zones (DB, DV & DH). The standards for projects as iterated in chapter 15 of this Title [under each zone] shall govern projects proposed in those zones.

B. Structure Exteriors: Irrespective of any structure's design style or motif (e.g., post-modern, neo-classical, Romanesque, international, gothic, art deco, etc.) wall facades shall be reviewed by the City for the inclusion of architectural characteristics on each building face as specified hereafter:

1. New buildings or new additions subject to design review shall include/incorporate "façade change elements" that, in total, are visible over at least fifty-percent (50%) of the exterior wall area of any primary façade and thirty percent (30%) of any other façade. Such architectural façade change elements may comprise, but not be limited to, one or more of the following treatments (or combination thereof):

a. Cornices, bases, fenestration, corbelled masonry, architectural accent walls, exaggerated parapets, horizontal banding, portico or awning faces, wainscoting, balconies (or simulated balconies), arches, louvers, pilasters, faux glazing, color banding, etc.; and,

2. Exterior Structure Finish Materials:

a. The primary wall materials of new buildings or new additions subject to design review shall incorporate in their design at least two (2) textures and/or materials.

(1) External wall materials shall be comprised of either masonry (e.g., brick, stone, concrete with paint or texture coat finish, concrete masonry units, etc.) or exterior stucco products with allowances for accents utilizing alternative materials (e.g., metal or wood paneling, cementitious fiber board, etc.). Use of alternate products other than the afore-cited materials may be used as accents if approved by the City.

b. The primary wall materials of new buildings or new additions subject to design review shall be non-reflective. However, accent materials may be reflective subject to City approval; and,

c. Structures' primary facades shall contain a minimum of twenty five percent (25%) glazing. In the GBE district if the primary facade faces the Ford Idaho Center twenty five

percent (25%) glazing shall also be required for the facade facing Idaho Center Boulevard.

### 3. Exterior Structure Finish Colors:

- a. Black, fluorescent, and/or high value [i.e., “bright”] colors are, and shall be, allowed to only cover twenty five percent (25%) of any wall unless approved otherwise by the City.
- b. The repainting of facades of existing structures shall be submitted for review and approval of color choice(s) by the city of Nampa's design standards staff by submitting a colored elevation and paint choices.

### 4. Visual Displacement(s):

- a. Structure walls, or portions thereof, that exceed one hundred feet (100') in length/span shall have offsets, jogs, and/or changes in roof height incorporated therein to “break up” the long [flat] wall plane of such walls.
- b. Public entrances shall be easily identified and distinct from the remainder of the building, either through architectural form or use of color, material, and texture of the facade.
- c. Overhead Doors: Where possible, overhead doors for service and/or repair activities and/or loading/unloading activities shall be located at the side of a building which lies away from any residential use/zone unless some form of screening such as landscaping, a wall, landscape berm or other barrier is used to separate the two.
- d. Loading docks shall not face the front of the property. Also, loading docks shall not face the front of any adjacent principal building when possible.

5. Mechanical Units: Mechanical equipment and utilities shall be placed and installed in such a way as to have minimal unsightly visual impact on adjoining properties, and, shall be screened from public view with either proper landscaping or by being contained within an enclosure consistent with the architectural aesthetics and characteristics of the main building. Furthermore:

- a. Roof Mounted: Mechanical vents protruding through the roof and similar features shall be painted so as to match the color of the roof. Exposed metal flashing or trim shall be anodized or painted to blend with the exterior colors of the building. Roof mounted mechanical units shall be screened from public view from any street abutting the property by a screen wall enclosure consistent in appearance with the architectural treatment of the main building.
- b. Ground Mechanical Equipment and Utilities: Ground mounted equipment and utilities shall be placed and installed in such a way to have the least impact on adjoining properties, and, shall be screened from public view with either landscaping or a screen wall. Landscaping shall include a combination of evergreen and deciduous bushes and

trees, with a minimum of five-foot (5') depth continuous around utility. This five-foot (5') landscaping buffer shall contain plantings, irrigation, landscaping fabric and ground cover. Mechanical units may be contained within a screen wall enclosure consistent in its construction with the architectural aesthetics and characteristics of the main building.

#### 6. Building Lighting Standards:

a. On buildings: All exterior structure lighting shall be shielded, screened, and/or shuttered with ninety-degree (90°) cutoff luminaries and shall be otherwise down and/or up “washing” – thus directed so as to prevent direct illumination of adjoining properties, particularly when located adjoining or across the street from residentially used or zoned properties. Building mounted lights shall not be higher than twenty-five feet (25') from ground level.

b. The height of a freestanding light fixture (e.g., in a parking lot area) shall not exceed twenty-five feet (25'). Parking area lights shall use ninety-degree (90°) cutoff luminaries (i.e., "downlighting").

c. Lighting to highlight or illuminate architecture and signs shall be attractive without significant spillage of light upward or downward [note: and in the case of upward light shed, to help preserve a “dark sky”].

d. Pedestrian circulation routes shall be illuminated.

e. Floodlights (save for necessary security) shall not be allowed.

C. Certain Property Improvements: In addition to and superior than any other controls set forth in this ordinance (i.e., Title X in its entirety), the following [additional particular] standards shall apply to projects affected by design review:

1. Fencing/Screening: Fencing of anything other than mechanical or maintenance related equipment or stored inventory or trash receptacles is prohibited. Trash receptacles shall be screened with durable materials as found on the related building's facade.

2. Trash Receptacles: Trash receptacles shall be located in service areas at side or rear yards and not visible from streets abutting a property. Trash receptacles shall be screened. Such screening shall incorporate a certain amount of material and color associated with the main building(s) on the property which is/are made the subject of design review.

3. Pedestrian Pathways: Pedestrian paths shall be established to enhance a site's character and connections. Developments of one acre or more shall provide a pedestrian and bicycle circulation plan for the site.

a. All on-site circulation systems shall incorporate a streetscape which includes sidewalks, pedestrian scale light standards and street trees.

b. Property pedestrian amenities shall be required to include: detached sidewalks that provide connectivity of buildings and parking areas to public spaces and rights-of-way; the inclusion of public space(s) for projects over twenty-five thousand (25,000) square feet in gross floor space is required. The required square footage area of said space(s) is to be calculated at a formula of ten (10) square feet of public space required per ten thousand (10,000) square feet of gross floor space of the building(s) affected by design review. The public spaces must include landscaping, seating, and provide connectivity [either immediate or eventual by linkage(s) as appropriate] to any on-property pedestrian route(s).

D. Sign Placeholding: The locations of future wall and/or free-standing signs shall be identified on site and elevation drawings provided to the City as part of a design review application where reasonable/possible. The materials and colors of any future free-standing sign, where known, shall be shared with the Committee. Just as with trash enclosures, sign superstructures shall have their materials and colors harmonize with the building materials and colors to which they are [to be] associated.