Mayor Kling called the meeting to order at 6:05 p.m.

Clerk made note that Councilmembers Rodriguez, Hogaboam, Levi, Haverfield, Skaug were present. Councilmember Bruner was absent.

❖ (1) Consent Agenda (Action Items) ❖

MOVED by Haverfield and SECONDED by Rodriguez to approve the Consent Agenda as presented; Regular Council Minutes of February 4, 2019; Special Council Minutes of February 12, 2019; Special Council Comprehensive Plan Minutes of January 24, 2019; Bicycle and Pedestrian Advisory Committee Minutes of January 10, 2019; Board of Appraisers Minutes; Airport Commission Minutes; Planning & Zoning Commission Minutes of January 23, 2019; Library Commission Minutes; Nampa Senior Center Boards of January 14, 2019; bills paid; The City Council dispenses with the three (3) reading rule of Idaho Code § 50-902 for all ordinances; final and preliminary plat approvals: 1) Final Plat Approval for Carriage Hill West Subdivision No. 1, east of Midway Rd between W Iowa Ave and Lake Lowell Ave, within an RS-7 zoning district. (A portion of the NW ¼ of Section 31 T3N R2W BM – 30 Single Family Residential lots on 13.06 acres, or 2.3 lots/gross acre) for Engineering Solutions, LLP, representing Toll Southwest LLC; 2) Final Plat Approval for Pheasant Meadows Subdivision No. 2 at 77 S Happy Valley Rd, within an RS-7 zoning district. (53 single family lots on 15.36 acres for 3.46 lots per gross acre – a portion of Tracts 9, 10, 13 and 14 and Vacated Rights-Of-Way of Nampa Orchard Tract Co Subdivision as filed in Book 2 of Plats at Page 48, records of Canyon County, Idaho located in the NE ¼ of Section 25 T3N R2W BM), for Matt Schultz representing Second Chance Equity Partners, LLC; Authorize Public Hearings: 1) Annexation and Zoning to RS-6 (Single Family Residential – 6,000 sq. ft) for 92.72 acres and to BC (Community Business) for 2.44 acres to accommodate Summit Ridge Subdivision at the SW corner of W Greenhurst Rd and S Midland Blvd (A 95.16 acre parcel of land situated in Government Lots 1 and 2 in the NE 1/4 of Section 5 T2N R2W BM – 1 Commercial Lot and 245 Single Family Residential Detached lots on 95.16 acres, or 2.57 dwelling units/gross acre) for M3 Companies, Mark Tate; 2) Zoning Map Amendment from BC (Community Business) to HC (Healthcare) for property located at 9870 W St Luke’s Dr, 9850 W St Luke’s Dr, 9860 W St Luke’s Dr, 0 Cherry Lane and 1 Ten Lane (five parcels totaling 33.08 acres located in a portion of the NW ¼ of Section 9 T3N R2W BM) for The Land Group representing St Luke’s Regional Medical Center Ltd; 3) Annexation and Zoning to HC (Healthcare) for property located at 0 Cherry Lane and 0 Ten Lane (two parcels totaling 21.511 acres located in a portion of the NW ¼ of Section 9 T3N R2W BM), for the Land Group, representing St Luke’s Regional Medical Center Ltd.; 4) Annexation and Zoning to RS-7 (Single Family Residential – 7,000 sq. ft) at 0 Northside Blvd, to accommodate Kinghorn Place Subdivision on the south side of Spruce St, west of Northside Blvd (a portion of the SE ¼ of Section 33 T4N R2W BM – 221 Single Family Residential Detached lots on 63.50 acres, or 3.48 dwelling units/gross acre) for Trilogy Idaho – Corey Barton; Authorize to Proceed with Bidding Process: 1) None; Authorization for execution of Contracts and Agreements: 1) Authorize Mayor to sign payment request form from Community Leasing Partner from the Equipment Acquisition Fund held under said Escrow Agreement, to the persons, firms or corporation designated below as payee: Rosenbauer. In the amount of $205,934.00; 2) Authorize Mayor to allow finance to reimburse the Major Acquisitions Account under the Joint Powers Agreement
with the Nampa Fire Protection District in the amount of $150,000.00, out of the Fire Departments
Leased Budget Account – 5382 – for the cities portion of the down payment for the lease of two
Rosenbauer fire engines; Monthly Cash Report: 1) January 2019; Resolutions: 1) None; License
for 2019: 1) Beer, wine and Liquor renewals – The Steel Horse Saloon, 102 11th Avenue North,
on-premise beer, wine and liquor; Idaho Pizza Company, 16151 Idaho Center Boulevard, on-
premise beer, and wine; Idaho Pizza Company, 104 West Iowa Avenue, on-premise beer and
wine; Gem Stop #10, 323 Caldwell Boulevard, off-premise beer and wine; Gem Stop #32, 111
South Midland Boulevard, off-premise beer and wine; Gem Stop #15, 1604 Second Street South,
off-premise beer and wine; Gem Stop #11, 4624 East Amity Avenue, off-premise beer and wine;
Gem Stop #20, 1520 South Middleton, off-premise beer and wine; Gem Stop #8, 1400 Franklin
Boulevard, off-premise beer and wine; Buffalo Wild Wings, 2101 North Cassia Street Suite 2111,
on-premise beer, wine and liquor; Miscellaneous Items: 1) None. Mayor Kling asked for a roll
call vote with all Councilmembers present voting YES. Mayor Kling declared the
MOTION CARRIED

✧ (2) Proclamation ✧
Item #2-1 - None

✧ Mayor Kling asked if there was any Nampa Residents wishing to speak on any item that
was on the agenda (5 persons limit): ✧
  • None

✧ Mayor Kling asked if there was any Nampa Residents wishing to speak on any item that
was not on the agenda (5 persons limit): ✧
  • Kenton Lee, 13317 Peaceful Way, talked about the language of the 10 panhandling signs
that were placed around the city. Why is there 10 no panhandling signs when it is not
illegal to panhandle?

✧ Mayor Kling’s and Council Comments ✧
  • We are going through a strategic planning process; the City Council has had two workshops
and we are in the process of a comprehensive plan update. We have gone through the
process of reviewing our current vision and mission statement(s). We have been talking
about core values and our focus areas as a city. Those will be incorporated into our
comprehensive master plan.

✧ Agency/External Communications ✧
  • Valley Regional Transit – Rhonda Jalbert and Brian Parker
Ridership Performance Report

In a reversal of downward ridership trends, average weekday boarding’s on both intercounty and local services increased 5.3% in 2018 over 2017 (see the chart below).

<table>
<thead>
<tr>
<th>Year</th>
<th>Intercounty Avg. Weekday Boardings</th>
<th>Local Avg. Weekday Boardings</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017</td>
<td>327</td>
<td>202</td>
</tr>
<tr>
<td>2018</td>
<td>344</td>
<td>212</td>
</tr>
<tr>
<td>% Change</td>
<td>5.3%</td>
<td>5.3%</td>
</tr>
</tbody>
</table>

January Service Change

Valley Regional Transit has been working with the public and stakeholders to improve public transportation in Ada and Canyon County. The changes began on January 28th and were designed to maximize the effectiveness of existing resources and connect more people to more places more often. The current system changes and benefits for Canyon County include;

- Improved on-time performance and connections on Intercounty and Canyon County services
  - Revise the 40 Nampa Express to serve downtown and BSU in a one-way loop rather than the two-way hook
  - Revise the 42 Happy Day Transit Center to Towne Square Mall to better serve the growing areas of Nampa such as the Treasure Valley Market Place and St. Luke’s Nampa, Birch Lane (Plexus Corporation, Birches at Brandt’s Landing, The Greens and Courtyards at Ridgecrest, and Kensington apartments), Franklin Rd (Lactalis American Group) and new connections in Meridian such as the growing Ten Mile Crossing, Wahooz and Roaring Springs.
  - Consolidate Route 41 with Route 42 to provide consistent service between Nampa, Meridian and Boise.
- Service reductions to address budget shortfall in Canyon County.
  - Reduce low performing service on 51 East Nampa service to be peak only
- Initial results show improvements in route 40 on-time performance, but we are still working to improve trip times that work best for as many users as possible.
- On time performance on timepoints in Nampa is up 4%, to 52.9% since the service change. On time performance at the popular CWI Main Campus and CWI Park & Ride stops are up 10.9% and 30.9%, respectively. We are continuing to monitor and make improvements to schedules.
Other Enhancements

VRT has been working on several other projects to improve productivity, efficiency and transparency:

- Automatic Passenger Counters (APC) – VRT has issued a request for proposal for APCs to be installed throughout the entire system. APCs will provide stop level ridership data that can be used to better inform routing decisions, inform stakeholders and jurisdictions about transit use in their community and better inform capital investments in passenger infrastructure. VRT anticipates completing the APC installation in 2019.

- Mobile Ticketing – VRT is in the process of procuring mobile ticketing capabilities. Currently all passengers must buy transit tickets either with cash on the bus, at select retail outlets or at VRT main offices in Meridian, or with credit cards at Happy Day Transit Center, or Main Street Station. Mobile ticketing will allow transit riders to purchase a ticket using their smart phone, making it significantly easier to get access to valid fare media. Mobile ticketing should also speed up transit services by not requiring passengers to pay for their bus ticket when boarding – a process that sometimes slows down operations. All the other methods of payment will still be accepted, Mobile ticketing will simply expand the options available to riders.

- Potential service expansion in Meridian – VRT is working with the City of Meridian to explore options to expand transit service in their community. Several of the concepts could connect to services in Northeast Nampa. If coordinated and supported by Nampa, additional services would expand the number of employment centers accessible to Nampa residents, potentially including such locations as Ten Mile Crossing, Downtown Meridian, Blue Cross of Idaho, Scentsy, The Village, and the old HP campus.
Fare Simplification and Pass Programs – This project is reviewing barriers to utilizing service, provide more options to customers, increase average fare, and provide a simpler fare system.

Local Allocations – This project is reviewing the local allocations to all VRT stakeholders. This project will ensure that jurisdictions are allocated the proper cost for the service and capital assets that serve their area.

Performance Measures – VRT has been working towards providing key performance metrics on a quarterly and annual basis. The annual performance metrics will provide a more in-depth look at high and low performing service for information and use for future planning.

In the near future, VRT will be proposing service changes for FY20 to the Nampa staff.

Staff Recommendation/Request:
Information Item: VRT staff requests input from the Mayor, City Council Members and City staff on service and community needs.

Implication (policy and/or financial):
Based upon the information provided and the identified community needs from the Mayor, City Council Members and City Staff, VRT staff will propose a FY20 budget that will meet the needs of your community.

Highlights
January 2019
- Implement FY19 service changes – Completed
February, 2019,
- Update Nampa City Council
March 2019
- VRT draft Revenues and Expenses identified
August 2019
- VRT Board of Directors – Approve the FY2020 Budget for VRT services
September 2019
- VRT Board of Directors – Approve Service Changes
Winter 2019/2020
- Implement FY20 Service Changes

Mayor and Councilmembers asked questions.
Regular Council
February 19, 2019

❖ (3) Staff Communications ❖

Item #3-1. –Deputy Public Works Director, Nate Runyan, Deputy Public Works Director, Jeff Barnes, City Engineer, Daniel Badger, Staff Engineer III, Clemente Salinas, presented the staff report updates to the council on current projects as follows:

Street Division - Snow Removal Update – Street Division crews began winter maintenance activities on Friday, February 8, continuing through Sunday, February 10, by applying brine and salt. The following highlights labor hours and material expenditures:

<table>
<thead>
<tr>
<th>Task and/or Material</th>
<th>Hours</th>
<th>Gallons</th>
<th>Yards</th>
</tr>
</thead>
<tbody>
<tr>
<td>Overtime</td>
<td>257.75</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Regular Hours</td>
<td>279.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Water Issues</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Hours</td>
<td>536.75</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Brine</td>
<td></td>
<td>49,331</td>
<td></td>
</tr>
<tr>
<td>Sand</td>
<td></td>
<td></td>
<td>548</td>
</tr>
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</table>

FISCAL YEAR 2019 TOTALS

Snow/Water Event No. 7

<table>
<thead>
<tr>
<th>Task and/or Material</th>
<th>Hours</th>
<th>Gallons</th>
<th>Yards</th>
</tr>
</thead>
<tbody>
<tr>
<td>Overtime</td>
<td>197.75</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Regular Hours</td>
<td>0.00</td>
<td></td>
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</tr>
<tr>
<td>Water Issues</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Hours</td>
<td></td>
<td>14,830</td>
<td></td>
</tr>
<tr>
<td>Brine</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sand</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Salt</td>
<td></td>
<td>237</td>
<td></td>
</tr>
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Snow/Water Event No. 6

<table>
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<th>Task and/or Material</th>
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<th>Gallons</th>
<th>Yards</th>
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</thead>
<tbody>
<tr>
<td>Overtime</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Regular Hours</td>
<td>80.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Water Issues</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Hours</td>
<td></td>
<td>9,150</td>
<td></td>
</tr>
<tr>
<td>Brine</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sand</td>
<td></td>
<td></td>
<td>80</td>
</tr>
<tr>
<td>Salt</td>
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</tbody>
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Report for February 8-10, 2019

Report for January 16, 2019
### Snow/Water Event No. 5
**Report for January 13, 2019**

<table>
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<th>Gallons</th>
<th>Yards</th>
</tr>
</thead>
<tbody>
<tr>
<td>Overtime</td>
<td>0.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Regular Hours</td>
<td>80.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Water Issues</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total Hours</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Brine</td>
<td></td>
<td>6,320</td>
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</tr>
<tr>
<td>Sand</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Salt</td>
<td></td>
<td>68</td>
<td></td>
</tr>
</tbody>
</table>

### Snow/Water Event No. 4
**Report for January 7, 2019**

<table>
<thead>
<tr>
<th>Task and/or Material</th>
<th>Hours</th>
<th>Gallons</th>
<th>Yards</th>
</tr>
</thead>
<tbody>
<tr>
<td>Overtime</td>
<td>0.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Regular Hours</td>
<td>20.00</td>
<td></td>
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</tr>
<tr>
<td>Water Issues</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total Hours</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Brine</td>
<td></td>
<td>1,860</td>
<td></td>
</tr>
<tr>
<td>Sand</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Salt</td>
<td></td>
<td>20</td>
<td></td>
</tr>
</tbody>
</table>

### Snow/Water Event No. 3
**Report for December 26-27, 2018**

<table>
<thead>
<tr>
<th>Task and/or Material</th>
<th>Hours</th>
<th>Gallons</th>
<th>Yards</th>
</tr>
</thead>
<tbody>
<tr>
<td>Overtime</td>
<td>0.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Regular Hours</td>
<td>90.00</td>
<td></td>
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</tr>
<tr>
<td>Water Issues</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total Hours</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Brine</td>
<td></td>
<td>5,880</td>
<td></td>
</tr>
<tr>
<td>Sand</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Salt</td>
<td></td>
<td>117</td>
<td></td>
</tr>
</tbody>
</table>

### Snow/Water Event No. 2
**Report for December 10, 2018**

<table>
<thead>
<tr>
<th>Task and/or Material</th>
<th>Hours</th>
<th>Gallons</th>
<th>Yards</th>
</tr>
</thead>
<tbody>
<tr>
<td>Overtime</td>
<td>1.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Regular Hours</td>
<td>9.00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Water Issues</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total Hours</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mag Chloride</td>
<td></td>
<td>5,600</td>
<td></td>
</tr>
<tr>
<td>Sand</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Salt</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
At approximately 11:30 p.m., on Friday, February 8, a Street Division crew member operating the large brine truck was stopped northbound at a stop sign at Holly and Colorado. The brine truck was struck from behind in a hit-and-run. The employee notified Nampa Police Department (NPD) dispatch and collected parts and pieces from both the brine truck and the hit-and-run-vehicle. NPD located the vehicle and the driver who was arrested for driving under the influence. Thankfully the employee suffered no major injuries with exception to being stiff and sore and an employee accident report was completed and turned into Human Resources. The brine truck sustained significant damage and was out of commission for approximately 48 hours. However, thanks to the City’s dedicated Fleet Services crew, repairs were made in-house and the brine truck is back in operation.

**Federal Emergency Management Agency Floodplain Evaluation Study Update** - Engineering Division staff have begun working on the City’s Federal Emergency Management Agency (FEMA) floodplain evaluation study with city consultant, West Consultants, Inc. (West). The following highlights activities to date:

- In December, 2018, a kickoff meeting was held with Dan Eggers and Henry Hu from West. Citizens Ron Harriman and Larry Olmsted were also in attendance.
- During the meeting the City and West identified likely areas of the existing flood study that can be evaluated for change, including revisions to the drainage basins and hydrology.
- Staff provided West with information from the Nampa Wastewater Treatment Plant on historical flows that were not available or used in the previous study.
- In addition, staff is meeting with the local flood irrigation districts in March, 2019, to discuss additional options for flood control at the New York Canal and Indian Creek diversion.

Timeline going forward:

- Final report for the current scope from West Consulting, Inc., to be finalized this summer.
- Revised modeling, not in current scope, will be requested in fiscal year 2020 budget.
- Submit revised map to FEMA in fiscal year 2020 or 2021.
Wastewater Program Update - Progress continues with several tasks for the Nampa Wastewater Program. City staff is providing a regular update to City Council on these activities.

Phase I Upgrades Construction Update

On September 8, 2015, City Council requested the Wastewater Program Management Team (WPMT) to provide bimonthly reports on Phase I Upgrades construction progress. Phase I Upgrades were designed to meet the wastewater National Pollutant Discharge Elimination System (NPDES) permit interim phosphorus limits that go into effect May 1, 2020.

The $38 million Phase I Upgrades Projects are more than 85% complete. Project Group A-Liquid Streams Upgrades started in June, 2015, and completed in the summer of 2018. Project Group B-Solids Handling Upgrades started in June, 2017, and is scheduled for completion in the spring of 2019. The final project, Project Group C-Primary Digester No. 4, started in October, 2018, and is scheduled for completion in the fall of 2019.

Project Group B – Solid Handling Upgrades Status

Since issuance of Notice to Proceed there has been considerable progress on Project Group B:
- Notice to Proceed issued June 19, 2017
- The Contract Time Completed is currently at 84%
- The Contract Work Completed is currently at 88%

Key activities and milestones achieved since the update to City Council on January 7, 2019, include:
- Continued work on the ferric chloride system
- Continuation of electrical work in the polymer room, including pulling wire and terminating wires
- Commenced startup of the thickening system with vendor equipment testing and systems testing. The startup activities will continue through the duration of the project
- Completed factory testing for Centrifuges #1 and #2. The first centrifuge was delivered to the Nampa Wastewater Treatment Plant (WWTP) on February 5, 2019
- Submitted 545 technical submittals since the beginning of project. Staff and the WPMT strive to respond to submittals as quickly as possible. Average response time is currently 16 days
- In the near future, based on the current project schedule, the following are the major work items expected to be completed:
  - Continuation of electrical and instrumentation work on the blower building,
Commissioning and testing of several construction components, including plant drain lift station, polymer and thickening systems, and dewatering system is slated for February through April, 2019,

• Punch list completion and walk-through with the City is scheduled for April or May, 2019.

The following photos show the progression of Project Group B:
Project Group C – Primary Digester No. 4 Status
Since issuance of Notice to Proceed there has been considerable progress on Project Group C:
- Notice to Proceed issued October 15, 2018, for administrative activities. Construction Notice to Proceed issued November 12, 2018,
- The Contract Time Completed is currently at 26%
- The Contract Work Completed is currently at 25%

Key activities and milestones achieved since the update to City Council on January 7, 2019, include:
- Continuation of contractor submittal process for construction work
- Completion of mass excavation at the location of the new Primary Digester No.4
- Completion of the subgrade preparation for the foundation at the site
- Placement of the slab for Primary Digester No. 4. The slab was completed through a series of four concrete pours
- Submitted 61 technical submittals since the beginning of Project. Staff and the WPMT strive to respond to submittals as quickly as possible. Average response time is currently 12 days
Based on the current project schedule, in the near future the following are the major work items expected to be completed:

- Placement of walls for the new digester is currently slated for February, 2019
- Fabrication of the steel floating cover for Digester No. 4

The following photos show the progression of Project Group C:

![Figure 1 – Primary Digester No. 4 Foundation Concrete Pour](image1)

![Figure 2 – Primary Digester No. 4 Foundation Concrete Pour](image2)
Nampa WWTP Phase I Upgrades: Financial Report

The following table shows current financials for Phase I Upgrades:

<table>
<thead>
<tr>
<th>Contract</th>
<th>Original Budget</th>
<th>Current Budget</th>
<th>Change Order Rate</th>
<th>Spent</th>
<th>Percent Spent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Group A – Ewing</td>
<td>$12,494,000</td>
<td>$14,071,194</td>
<td>11.2%</td>
<td>$14,071,194</td>
<td>100%</td>
</tr>
<tr>
<td>Project Group A Contingency</td>
<td>$1,500,000</td>
<td>-$77,194</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Project Group A Total</td>
<td>$13,994,000</td>
<td>$13,994,000</td>
<td></td>
<td>$14,071,194</td>
<td>101%</td>
</tr>
<tr>
<td>Project Group B - JC</td>
<td>$11,255,000</td>
<td>$11,636,989</td>
<td>3.3%</td>
<td>$10,233,987</td>
<td>88%</td>
</tr>
<tr>
<td>Project Group B Contingency</td>
<td>$500,000</td>
<td>$118,011</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Project Group B Total</td>
<td>$11,755,000</td>
<td>$11,755,000</td>
<td></td>
<td>$10,233,987</td>
<td>87%</td>
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<tr>
<td>Project Group C – Ewing</td>
<td>$3,311,094</td>
<td>$3,311,094</td>
<td>0.0%</td>
<td>$832,529</td>
<td>25%</td>
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<td>Project Group C Total</td>
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<td>$832,539</td>
<td>24%</td>
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<tr>
<td><strong>Phase I Upgrades Total</strong></td>
<td><strong>$29,210,094</strong></td>
<td><strong>$29,210,094</strong></td>
<td><strong>7.2%</strong></td>
<td><strong>$25,137,710</strong></td>
<td><strong>86%</strong></td>
</tr>
</tbody>
</table>

*Overall project authorization was not exceeded. Savings in other contracts resulted in finishing under the original project budget of $18.3M.*

Other Financial Updates:
- Project Group B will have an unused contingency of $125,000 resulting from decisions by City staff, the Contractor, and the WPMT. The contract values shown in the table above still include this contingency as the cost savings will be captured early in 2019.

Phase II/III Preliminary Design

City staff is providing a regular status update of the Nampa Wastewater Program Phase II and Phase III Upgrades Preliminary Design as requested by City Council. *Project Activities Update*

The Phase II and Phase III Upgrades Preliminary Design project began in July, 2018. Key activities and milestones achieved project kickoff include:
- Development of the Basis of Design Report which establishes project direction and serves as the basis for future design efforts. The technical team has evaluated both liquid stream and solid stream processes including design objectives and criteria, liquid stream process selection, solid stream process selection, solids mass balance, and hydraulic profile.
- Development business case evaluations for select liquids and solids stream unit processes to identify recommended technologies and processes for preliminary design. The decisions on these items are noted in the decision log below.
Development of recommended project packaging and delivery approach. This included an analysis of potential project delivery models, including traditional design-bid-build, construction manager/general contractor (CM/GC), progressive design-build, and fixed-price design-build. Several project packaging alternatives were also reviewed as part of this exercise. The final recommendations from this analysis will be presented at a future City Council meeting.

Conducted five (5) meetings with the Design Review Committee (DRC). The presentations at these meetings have covered a wide range of topics including baseline assumption, basis of design decisions, and project delivery approaches. The DRC provided key input to inform the technical team’s design process.

Based on the current project schedule, the following are the major work items expected to be completed soon:

- Submission of the draft Basis of Design Report for City review. The submission of this report is expected by the end of the month.
- Beginning preliminary design activities for Project Group D (Primary Digester No. 5 and Flare Relocation) and Project Group E (Laboratory and Administration Building).

**Schedule Decision Log Status**

The following table shows the decision status for the decisions associated with the Basis of Design phase of the project:

<table>
<thead>
<tr>
<th>Decision</th>
<th>Status</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Liquid Product Quality Design Criteria</td>
<td>Pending</td>
<td>Decision will be informed by Recycled Water Permit.</td>
</tr>
<tr>
<td>Secondary Treatment Technology</td>
<td>Decision Made</td>
<td></td>
</tr>
<tr>
<td>Primary Clarification Design Approach</td>
<td>Pending</td>
<td></td>
</tr>
<tr>
<td>Tertiary Treatment Technology</td>
<td>Pending</td>
<td>Technology has been selected pending more information from Recycled Water Permit.</td>
</tr>
<tr>
<td>Blower Building Design Approach</td>
<td>Decision Made</td>
<td></td>
</tr>
<tr>
<td>Headworks Screening Requirements</td>
<td>Decision Made</td>
<td></td>
</tr>
<tr>
<td>Disinfection Technology</td>
<td>Decision Made</td>
<td>Will be presented to DRC at February meeting.</td>
</tr>
<tr>
<td>Headwork Design Approach</td>
<td>Pending</td>
<td></td>
</tr>
<tr>
<td>Side stream Treatment Technology</td>
<td>Pending</td>
<td>DRC recommended pilot testing candidate technologies.</td>
</tr>
</tbody>
</table>
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<table>
<thead>
<tr>
<th>Decision</th>
<th>Status</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hydraulic Profile</td>
<td>Pending</td>
<td></td>
</tr>
<tr>
<td><strong>Solid Stream Decisions</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Solid Product Quality Design Criteria</td>
<td>Decision Made</td>
<td></td>
</tr>
<tr>
<td>Dewatering Design Approach</td>
<td>Decision Made</td>
<td></td>
</tr>
<tr>
<td>WAS Thickening Design Approach</td>
<td>Decision Made</td>
<td></td>
</tr>
<tr>
<td>Solids Mass Balance</td>
<td>Pending</td>
<td>Pending finalization of tertiary treatment technology.</td>
</tr>
<tr>
<td>Primary Sludge Thickening Technology</td>
<td>Decision Made</td>
<td>Will be presented to DRC at February meeting.</td>
</tr>
<tr>
<td>Digestion Design Approach</td>
<td>Decision Made</td>
<td></td>
</tr>
<tr>
<td>Digested Sludge Storage Tank Size</td>
<td>Pending</td>
<td></td>
</tr>
<tr>
<td>Digester Heating Design Approach</td>
<td>Decision Made</td>
<td></td>
</tr>
<tr>
<td>Digester Control Building Design Approach</td>
<td>Decision Made</td>
<td></td>
</tr>
<tr>
<td><strong>Other Decisions</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chemical System Design Approach</td>
<td>On Hold</td>
<td>Decision will be further evaluated in preliminary design.</td>
</tr>
<tr>
<td>Project Packages</td>
<td>Decision Made</td>
<td>Decision to be further validated with City Council and IDEQ.</td>
</tr>
<tr>
<td>Project Delivery Approach</td>
<td>Decision Made</td>
<td>Decision to be further validated with City Council and IDEQ.</td>
</tr>
</tbody>
</table>

*Recycled Water Permit*

City staff and the WPMT continue to refine the Recycled Water permit. Much of this application has been updated based on the December 2018 meeting. The WPMT is refining the groundwater analysis portion of the application. The revised application will be reviewed with City staff on February 14, 2019. It is expected that the final application will be presentation to City Council for submission to the Idaho Department of Environmental Quality in early March.

*Public Involvement Planning for Fiscal Year 2019 City Construction Projects* - Engineering Division is currently overseeing the planning, design and construction management of 22 major capital infrastructure projects valued at over $19 million.

In addition, Engineering staff will assist various Public Works Department divisions and City departments manage approximately 61 smaller operational projects.

Fiscal year, 2019, will be a very busy construction season (see Exhibit A). To deliver excellent customer service during construction, staff will continue to use the following public involvement strategies:
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- **City Wide Mailer:** A trifold mailer will be distributed identifying significant construction projects scheduled for calendar year 2019 (see Exhibit B).
- **City Projects Email, Phone Number and Website:** Residents can direct project questions or concerns to the City’s email address of projects@cityofnampa.us, or project phone number of 208-465-2221. Project information can also be located on the City’s website at www.cityofnampa.us/projects.
- **Website:** The City website will continue to utilize a GIS Story Map feature where project information can be easily selected from the citywide map.
- **Social Media:** Project updates will be broadcast using the City’s social media network including Facebook and Nextdoor.
- **Press Releases:** On-going communication with the media providing project updates and general notifications

**On-site Project Management:** City staff and consultants will be available to address specific citizen concerns.

Clemente Salinas, P.E., Assistant City Engineer, will present the attached Fiscal FY2019 Projects Report on the day of this staff report (see Exhibit C).

**Engineering Division Fiscal Year 2019 Project Delivery Dashboard Report** - Daniel Badger, P.E., City Engineer, will present the attached FY2019 Project Delivery Dashboard on the day of this staff report (see Exhibit D).

💡 (6) New Business 💡

**Item #6-1.** - Mayor Kling presented the request to authorize the Mayor to sign a letter supporting the school districts position on legislation.

Paula Keller explained that there are many opportunities for the City and School District to cross over and have the ability to influence each other. She shared with Mayor Kling about potential current legislation that you might only think impacts education, but we actually think that it has an indirect ability to impact the relationship between the school district and the state.

**Public School funding formula – the weather distribution factor.**

The Genesis: Governor Otter’s K-12 Task Force recommended moving to an enrollment-based funding formula. A joint interim committee was convened with members of the House and Senate Education Committee. Included in the outcomes for this committee were directives to create an enrollment-based formula that would include weights to address the needs of "special populations" of students. The committee has worked for three years to establish the current model and in November introduced the working model for stakeholders to review.
Current Key Components of the Model:

1. Enrollment based -76% of the formula is distributed based on enrollment not on attendance
2. Additional student-based weights
   i. Special Education students (5.6% of the formula)
   ii. Limited English students (.6%)
   iii. Students of poverty (3.4%)
   iv. Gifted and Talented students (.2%)
   v. K-3 students (2%)
   vi. 9-12 students to offset higher expenses in providing advanced classes and electives (2.4%)
3. District characteristics weights
   i. Small district - focused on small rural schools who have challenges in recruiting, retaining teachers and often have unpredictable grade level enrollments. Districts can qualify for elementary enrollment or secondary enrollment (4.6%)
   ii. Remote Schools - for districts who incur additional costs because of the geography of their district and location of their schools (.4%)
   iii. Large District Adjustment (.3%)
   iv. District Wealth Adjustment (3.9%)

District Wealth Adjustment:

The calculation of the District Wealth Adjustment takes the overall market value of a district and divides by the total enrollment of the district to come up with a wealth per student value. These numbers are averaged across the state and if a district's wealth per student value is less than the state average, they receive a Wealth Adjustment. It is an all or nothing calculation - if you are below, you receive money; if you are above the state average, you receive nothing.

Currently Nampa School District and Vallivue School District benefit from this indicator. Nampa "earns" $5.6 million and Vallivue earns $3.6 million.

So, what is the concern?

As our market value grows, these monies decline and at the point that our wealth per student exceeds the state average, those monies are gone. Therefore, as Nampa continues to prosper economically, the school districts within their boundaries may not benefit from the wealth adjustment. Nampa with flat enrollment will see this average increase quickly as the Nampa economy and property values increase. This puts the district and the city at competing positions.

In addition, the district has concerns that this indicator does not really meet the charge given by the K-12 Task Force or the charge to the interim committee - this is not an indicator related to a
special student population. We would advocate for the 4% of the funding formula currently allocated to the wealth adjustment to be reallocated to support special student populations (students of poverty and English Language learners).

In reviewing the original task of the interim committee described in House Concurrent Resolution #49, we support the focus on enrollment and special student populations. The wealth adjustment factor fails to meet either of these areas of focus.

In the newest version of the spreadsheet, 2018 property values are used to determine a wealth per student value. In the current rendition of the spreadsheet, Nampa School District actually benefits from this indicator with a distribution of over $5.6 million.

However, in general, this indicator punishes areas that are impacted by a growing economy. The Nampa School District has seen an increase in property value of over 13% in each of the last two years. We are concerned that this growth will lead to an eventual but sure funding cliff for the district.

For example, NSD could qualify for this in year one (unlikely) and then lose almost $5 million dollars the next year.

Our partnership with the district is important and we do not want to find ourselves with competing interests related to a growing economy. In addition, we have concerns that if the district does lose as much as $5 million dollars in one year's time, the district would need to seek support from the local community through various additional supplemental levies. The city and the district would prefer to avoid additional burdens on our tax payers.

We are very grateful for this opportunity to share all these thoughts with you. This is a significant piece of work that lays the foundation for Idaho's Public-School Funding Formula. However, we very strongly believe that we need a little more time to carefully examine the impact of this and also measure it against the intended, hopeful desires of the visionary individuals who started us down this path.

Mayor and Councilmembers asked questions and made comments.

MOVED by Skaug and SECONDED by Hogaboam to authorize the Mayor to sign a letter supporting the school districts position on legislation striking the word visionary (on behalf of Mayor and Council was mentioned). The Mayor asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the

MOTION CARRIED
Item #6-2. – The following Resolution was presented:

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NAMPA, A MUNICIPAL CORPORATION OF IDAHO, AUTHORIZING THE DISPOSITION OF CERTAIN CITY PROPERTY. (Fire Department 1999 Fire Truck) (Marsing Rural Fire District)

MOVED by Haverfield and SECONDED by Rodriguez to pass the resolution as presented. Mayor Kling asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the resolution passed, numbered it 13-2019 and directed the clerk to record it as required.

MOTION CARRIED

Jim Bower Chair for the commissions Marsing Rural Fire District said that the fire district covers 95 square miles and is strictly volunteer and we have about 3,000 residents in that area. It is in both Owyhee and Canyon Counties.

Item #6-3. – The following Resolution was presented:

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NAMPA, A MUNICIPAL CORPORATION OF IDAHO, AUTHORIZING THE DISPOSITION OF CERTAIN CITY PROPERTY. (Fire Department 1996 Fire Truck) (Council Fire Department)

MOVED by Hogaboam and SECONDED by Rodriguez to pass the resolution as presented. Mayor Kling asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the resolution passed, numbered it 14-2019 and directed the clerk to record it as required.

MOTION CARRIED

Shawn Stanford, Council Volunteer Fire Chief said he was here on behalf of the commission and the Fire Department to thank Mayor and Councilmembers for the contribution our department. The truck will server our community much more efficiently.

Fire Chief Phil Roberts said that it is important to protect our professional firefighters, but it is important to protect our volunteer firefighters as well. It is important that we “pay if forward” and take care of those who take care of others that are a little bit distant.

❖ (8) Public Hearings ❖

Item #8-1. - Mayor Kling opened a public hearing for variance to Nampa Zoning Ordinance Sign Code Section 10-23-20 (B) allowing a maximum outdoor advertising sign height of 25 ft and a maximum display area of 200 sq. ft in a BC (Community Business) zoning district. The applicants are requesting a sign height of 50 ft and a display area of 291 sq. ft, to be located at 0 N Merchant Way (Canyon County Parcel R2258910300), a .593-acre parcel located on the west side
of N Merchant Way, south of Karcher Bypass and N Midland Blvd, and east of I-84. The applicants state the property faces the freeway but is substantially below the grade of the adjacent property owned by IDOT, for David Kimmel of Yesco Signs.

David Kimmel, Yesco Signs, 416 East 41st, Boise presented the request.

Senior Planner Doug Critchfield presented the following staff report explaining that the request is for a variance to the Nampa City Code to the maximum allowed free-standing sign height and size [(twenty-five feet \{25’\} high) and (200 sq. ft.) respectively per N.C.C. § 10-23-20.B] in the BC (Community Business) Zone in order to allow a fifty-foot (50’) high and 291 sq. ft. advertising sign. The applicant states that the subject property faces the freeway but is substantially below grade of the adjacent property owned by the Idaho Department of Transportation.

**Property/Location:** A certain property addressed as 0 N Merchant Way comprising County Assessor identified parcel: R2258910300, a .593-acre parcel located on the west side of N Merchant Way, south of Karcher Bypass and N Midland Blvd, and east of I-84 – hereinafter the “Property” (see attached Vicinity Map)…

**Applicable Regulations**

10-24-1: [VARIASANCE] PURPOSE:

The council is empowered to grant variances in order to prevent or to lessen practical development difficulties, unique site circumstances and unnecessary physical, geographical hardships inconsistent with the objectives of zoning as would result from a literal interpretation and enforcement of certain of the bulk or quantifiable regulations prescribed by this title.

A variance shall not be considered a right or special privilege but may be granted to an applicant only upon a showing of undue hardship because of: a) special characteristics applicable to the site which deprive it of privileges commonly enjoyed by other properties in the same zone or vicinity, and b) the variance is not in conflict with the public interest. Hardships must result from special site characteristics relating to the size, shape or dimensions of a site or the location of existing structures thereon, from geographic, topographic or other physical conditions, or from population densities, street locations or traffic conditions or other unique circumstances.

Variances are not intended to allow something that others do not have a permitted right to do. The purpose of a variance is to provide fair treatment and to see that individuals are not penalized because of site characteristics beyond their control. (Ord. 2140; and. Ord. 2978)

10-24-2: ACTIONS:
A. Granting Of Variance Permit: The council may grant a variance permit with respect to requirements for fences and walls, site, area, width, frontage, depth, coverage, front yard, rear yard, side yards, outdoor living area, height of structures, distances between structures or landscaped areas as the variance was applied for or in modified form if, on the basis of application, investigation and evidence submitted, the council concludes the following:

1. Literal interpretation and enforcement of the regulation would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of the zoning ordinance.

2. There are extraordinary site characteristics applicable to the property involved or to the intended use of the property which do not apply generally to other properties classified in the same zoning district.

3. Literal interpretation and enforcement of the regulation would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same zoning district.

4. The granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zoning district.

5. The granting of the variance will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

Staff Findings and Discussion

I. Variance Introduction:

Variances are traditionally offered zoning tools used as remedies to seek jurisdictional waivers or reductions of quantifiable, measurable development code requirements (e.g., setbacks, property dimensions, height standards, minimum or maximum quantities or sizes, etc.) with which compliance in a given situation could not be attained due to site constraints (such as unusual topography) inherent to a property, rather than being the result of an applicant’s own action(s)/development desires. Normally, economic considerations or “self-imposed hardships” or predicaments are not qualifying grounds to support a Variance application or its approval. As noted in the planning text The Practice of Local Government Planning (ICMA, 1988, 2nd ed.),

“Many requests for variances are for minor bulk variances in existing neighborhoods: for example, expansions of patios or carports one or two feet into designated side-yard setbacks. On such matters the zoning board becomes a sort of neighborhood arbitration board, dealing with physical hardships. Although these hardships are rarely great, this should be weighed against the extent of the public
sector’s stake in the somewhat arbitrary determination that a 10-foot-side yard is superior to a 9-foot one."

In Nampa, in order to justify a Variance Permit request, an applicant is tasked with arguing successfully to the City’s Council that there is some aspect of the Property that physically, topographically or based on code requirements puts them at a disadvantage in trying to accomplish what they wish in comparison to like properties, especially in the surrounding area.

If the Council believes that there is no real topographical hardship associated with a Variance application (e.g., a river, a highway or a mountain in the way, etc.), then left to the applicant is the opportunity to argue that there is a “unique site circumstance” sufficient to justify their request. In times past, Variance Permits have been issued on a case by case basis where a unique situation could be determined to exist that pertained to a Variance application. Thus, historical matters, errors by the City or County, demonstrated lack of knowledge concerning a code by an applicant or their contractor, common sense “solutioning”, development precedent and a variety of other mitigating factors have been evaluated in conjunction with these kinds of applications for relief from quantifiable, measurable standards adopted as law via Nampa’s zoning ordinance.

Council is at liberty to approve or deny a Variance. Their vote should not necessarily be construed as setting precedent – for nothing binds them to vote the same way twice other than their own perceptions and those of others that they may be concerned with. Still, consistency is a desirable goal when dealing with case by case Variance requests. As a Variance decision is a “quasi-judicial” matter, any vote to approve or deny should be accompanied by a reasoned statement listing the rationale for the decision made.

II. This Application:

As Variance Permits have been used to provide opportunity for an applicant to seek relief from a dimensional or quantifiable standard, this request was received to ask the Council to consider approving for an increase in the allowable free-standing sign height and size in order to authorize emplacement of a new free-standing [monument style] sign fifty-feet (50’) tall with a 291 sq. ft. advertising sign on the Property.

As this is a Variance request, it is the obligation of the Applicant to present such facts and persuasive arguments as to convince the Council that there exists some form of hardship or other unique site circumstance to justify issuance of the requested permit. The review criteria the Council is to use in assessing the application are those in bold font listed at the beginning of this report under the heading of “Applicable Regulations”, “Actions” 1-5. Those criteria serve as the “Conclusions of Law” to be associated with this matter.
III. General, Possible Findings:

1. The Property (legal description within City case file VAR-00063-2019) made the subject of this Variance request is located within the incorporated limits of the City of Nampa; and,

2. The Applicant has a controlling interest in the Property and is authorized to represent the same or allow another party to represent the same in this matter; and,

3. As authorized and mandated according to Idaho statute, the City has adopted a comprehensive zoning ordinance that applies to all properties within the City’s incorporated limits, and (by limited form and fashion) to areas within its negotiated Impact Area; and,

4. The City’s zoning ordinance requires that free-standing advertising signs erected in the BC (Business Community) Zone be no taller than twenty-five feet (25’) with a maximum display area of 200 square feet [previously the allowed height limit was forty-feet (40’) with a maximum display area of 672 square feet years ago]; and,

5. The City’s zoning ordinance requires that free-standing advertising signs erected in the BC (Business Community) Zone have a maximum display area of 200 square feet in size; and

6. The Applicant has submitted a Variance Permit to the City of Nampa in order to be allowed to have a free-standing sign taller than twenty-five feet with a display area of more than 200 square feet in size on the Property. The Variance Application was accompanied by a requisite fee, and the City has received the application and deemed it complete and suitable for processing; and,

7. The Variance Application is being processed in conjunction with procedures compliant with the Local Land Use Planning Act, and Nampa Zoning Ordinance standards appertaining to such an application type; and,

8. Variances, as a rule, are not to be issued simply for economic reasons or convenience; they “shall not be considered a right or special privilege, but may be granted to an applicant only upon a showing of undue hardship because of: a) special characteristics applicable to the site which deprive it of privileges commonly enjoyed by other properties in the same zone or vicinity”; and,

9. A limited statement has been provided that attempts to explain and justify the Variance request as some type of topographical or other physical site hardship or “unique site circumstance” [or situation] that restricts emplacement of the sign; and,
10. Adjacent property owners have not provided comment regarding the application; and,

11. The City’s Building Department has indicated that they will require plans, structural calculations and permits for the sign in the event the Variance Application is approved; and,

12. The Pioneer Irrigation District has indicated that they have no concerns with the size of the sign, but would like to verify the exact location of the sign as they have PID facilities within the vicinity of the Project; and,

13. The City’s Engineering Division has indicated that they do not oppose the granting of this variance request; and,

14. The Idaho Transportation Department has provided comments regarding the application and requirements in the event it is approved; and,

15. No direct physical impact on the general public by this request is foreseen by virtue of this request were it to be approved; and,

16. Attached to this report is all of the information Staff had by the time this report was ready to go to print (12 noon, February 13, 2019) …

IV. Analysis/Opinion:
In Nampa, as pertaining to land use Variance Permit requests, a burden rests upon an applicant to argue persuasively to the City’s Council that one or more conditions related to the property they represent interfere(s) with the applicant’s use of their land in manner and form commensurate with that enjoyed, most particularly, by their neighbors or other properties in a similar situation and zoning district as that applicant’s land. Each land use [or related] Variance Application is reviewed on a case by case basis and the merits of the matter are weighed in the public venue. Public testimony has been received and the opinions of City departments or outside agencies submitted to the Council for their consideration.

With respect to the matter made the subject of this report, Applicant, per their narrative, argues for their Variance request essentially as follows:

A) That the Applicant owns the Property; and,

B) That the Applicant desires to receive permission to install a fifty-foot (50’) tall free-standing, monument-style, sign with a 291 sq. ft. display area facing I-84; and,
C) There are other signs in the area that have received a variance for a taller and larger sign to provide greater visibility; and,

D) That the subject property is approximately twenty-feet (20’’) below grade of the adjacent property owned by IDOT, which would keep the sign from being visible from an appropriate distance; and

E) Literal interpretation and enforcement of the height regulation would deprive this property owner from constructing a sign with similar visibility privileges enjoyed by other property owners within this zoning district.

In the absence of further written arguments or information iterated by the Applicant, Staff observes as follows:

A) That Staff has not received expressions of opposition to the Variance request from City Departments/Divisions, outside agencies, or the public – except concern has been expressed by Pioneer Irrigation District that the exact location of the sign needs to be verified; and,

B) That Variances are most commonly associated with topographical or other unique site circumstances related to a property vs. being issued for convenience or economic gain/savings; and,

C) That, in the majority, signs in other properties throughout the City have routinely complied with the zoning code’s dimensional controls except, perhaps, in limited instances (especially along the I-84 corridor) sanctioned by receipt of a Variance Permit; and,

Given the lack of opposition to the Variance proposal under consideration, and the 20’ variation in elevation between the IDOT and applicant’s property, installation of a twenty-five foot (25’’) conforming sign would not provide the visibility required. Staff believes some justification exists to consider approving the Variance application.

Contrary arguments might suggest that the sign could be reduced in size to a maximum of 200 square feet in order to comply with the current zoning code; however, since other signs in the area that exceed the maximum height and size along the I-84 corridor have been approved through the variance process, granting a variance would not be inconsistent with prior approvals, or provide special privileges and economic advantages.
Recommended Condition(s) of Approval

Should the Council vote to approve the Variance Application request, then Staff recommends that they/you consider imposing the following Condition(s) of Approval against the same:

Generally:
1. Applicant(s) shall comply with all applicable requirements [including obtaining a Sign Permit] and any requisite sub-permits as may be imposed by City agencies appropriately involved in the review of this request (e.g., Nampa Fire [inspection], Building, Planning and Zoning and Engineering Departments, etc.) as the Variance(s) [Permit] approval(s) do/does not, and shall not, have the effect of abrogating requirements from those agencies or City divisions/departments…

Councilmembers asked questions

No one appeared in favor of or in opposition to the request.

MOVED by Hogoboam and SECONDED by Rodriguez to close the public hearing. Mayor Kling asked all in favor say aye with all Councilmembers present voting AYE. Mayor Kling declared the

MOTION CARRIED

MOVED by Skaug and SECONDED by Hogoboam to variance to Nampa Zoning Ordinance Sign Code Section 10-23-20 (B) allowing a maximum outdoor advertising sign height of 25 ft and a maximum display area of 200 sq. ft in a BC (Business Community) zoning district. The applicants are requesting a sign height of 50 ft and a display area of 291 sq. ft, to be located at 0 N Merchant Way (Canyon County Parcel R2258910300), a .593-acre parcel located on the west side of N Merchant Way, south of Karcher Bypass and N Midland Blvd, and east of I-84. The applicants state the property faces the freeway but is substantially below the grade of the adjacent property owned by IDOT, for David Kimmel of Yesco Signs with staff conditions and no flashy signs and to meet ITD standards. The Mayor asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the

MOTION CARRIED

Item #8-2. - Mayor Kling opened a public hearing for vacation of 10 ft of the Right-Of-Way on the east side of S Garland St running north 198.4 ft from the E Hawaii Ave property line of 1310 S Garland St; and vacation of 10 ft of Right-Of-Way on the north side of E Hawaii Ave for 142.2 ft from the existing right-of-way on the east side of S Garland St, for property located within an RD zoning district. The applicants are requesting the Vacation of Right-Of-Way in order to reduce the encroachment into the Right-Of-way of the existing house and carport at 1324 S Garland St, for Ken Franklin, representing Shervik Family Trust.
Ken Franklin, 10767 West Mossywood Drive, Boise presented the request.

Councilmembers asked questions.

Doug Critchfield presented the following staff report explaining that the request is for a vacation for a Ten ft. (10’) of the Right-of-Way on the east side of South Garland Street running north 198.4 ft. from the East Hawaii Avenue property line of 1310 South Garland St; and Ten ft. (10’) of the Right-of-Way on the north side of East Hawaii Ave for 142.2 ft from the existing right of way on the east side of S Garland St; in the NE ¼ of Section 34, T3N, R2W, within an/the RD (Two-Family Residential) Zone in the Kurtz Addition, in Nampa (see attached Vicinity Map), in order to reduce the encroachment into the Right-Of-Way of the existing house and carport at 1324 S Garland St…

**Applicable Regulations**

Respecting right-of-way vacation requests, our code states that,

C. Vacations: Vacation approval shall be required in order to either erase some or all of an easement or right of way. Vacation approval shall be required in order to move the location of all or part of an already platted and recorded right of way or easement. Processing of vacation requests for easements and/or rights of way shall be executed in accordance with provisions of Idaho state code. Right of way vacations shall be done by ordinance of the city council and approved first by the same during a public hearing. Alternatively, a replat of a subdivision may also serve to vacate easements and/or rights of way when filed, approved by the city, and then recorded. (Ord. 4070, 10-7-2013)

**General Information/Narrated Findings**

No set criteria govern the appropriateness of a right-of-way vacation request; the decision being left to the discretionary judgment of the authority (in this case the City of Nampa) hearing the request. A need to protect or serve a public or other vital or prevailing interest (e.g., land access) may serve as rationale to reject a vacation proposal.

Opposition to the endeavor of the Applicant has not been raised by neighbors, City departments or outside agencies (see attached correspondence). Staff has no concerns about this request. We note the comments and requirements of City Engineering and other agencies/departments respecting this request (copies of correspondence items are hereafter attached).
Recommended Condition(s) of Approval

Should the City Council vote to vacate the land(s) associated with this application as described in certain documents and by exhibit(s) hereafter attached and made a part of this record, then Staff recommends that the Council condition their approval to vacate on Applicant/application compliance with the following Conditions of Approval:

1. That the Applicant dedicate right-of-way on Hawaii Ave. adjacent to 816/818 & 826/824 of Thirty Feet (30’) on the north side of the center line of E Hawaii Ave. extending west for 202.7 feet from the east property line of 826/824 E Hawaii Ave; and,

2. That the Applicant enter into and Encroachment Agreement with the City of Nampa to address the encroachment into the public right-of-way of the existing residence’s carport at 1324 so. Garland St.; and,

3. That the applicant complies with all City department/division or outside agency requirements pertinent to this matter.

No one appeared in favor of or in opposition to the request.

MOVED by Haverfield and SECONDED by Skaug to close the public hearing. Mayor Kling asked all in favor say aye with all Councilmembers present voting AYE. Mayor Kling declared the

MOTION CARRIED

MOVED by Haverfield and SECONDED by Levi to approve the vacation of 10 ft. of the Right-Of-Way on the east side of S Garland St. running north 198.4 ft. from the E Hawaii Ave property line of 1310 S Garland St; and vacation of 10 ft. of Right-Of-Way on the north side of E Hawaii Ave for 142.2 ft. from the existing right-of-way on the east side of S Garland St, for property located within an RD zoning district. The applicants are requesting the Vacation of Right-Of-Way in order to reduce the encroachment into the Right-Of-way of the existing house and carport at 1324 S Garland St, for Ken Franklin, representing Shervik Family Trust with the recommendations by staff and authorizing the City Attorney to draw the appropriate Ordinance. The Mayor asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the

MOTION CARRIED

Item #8-3. - Mayor Kling opened a public hearing for annexation and zoning to IH (Heavy Industrial) at 0 Cherry Lane (Parcel R30839011A0) for construction of a Warehousing facility (Tax 03066 – 24.39 acre portion of the south half of the SE ¼ of Section 4 T3N R2W BM), for Richard Evans.
Richard Evans, 9560 West Pebble Brook Lane presented the request.

Mayor and Councilmembers asked questions.

Planning and Zoning Director Norm Holm presented the following staff report explaining that the request is for annexation and zoning to IH (Heavy Industrial) at 0 Chery Lane for Warehouses for Richard Evans representing Russell Hunemiller.

**General Information**

**Planning and Zoning Commission Recommendation:** Approval subject to recommended conditions. **Zoning & Planning History:** The property has been used for agricultural purposes in the past. **Status of Applicant:** Representative of Owner/Developer. **Annexation Location:** Tax 03066 - 24.39-acre portion of the South Half of the SE 1/4 of Section 4, T3N, R2W, BM on the north side of Cherry Lane just west of Northside Blvd. **Total Size:** Approximately 24.39 acres. **Existing Zoning:** Count AG (Agricultural) and M1 (Light Industrial). **Proposed Zoning:** IH (Heavy Industrial). **Comprehensive Plan Designation:** Heavy Industrial. **Applicable Regulations:** In order for a property to be annexed it must be contiguous with the city limits or be enclaved by other properties so annexed. This property adjoins existing city limits on the south adjacent Cherry Lane, and on the west across the Railroad right-of-way. **Existing Uses:** Agricultural crop land. **Applicant Reason for Annexation and Zoning:** For future warehouse space.

**Special Information**

**Public Utilities:** 12” water mainline in Cherry Lane to the south; 18” sewer mainline in Northside Blvd. to the east; No irrigation mainlines available in the area. **Public Services:** Police and fire already service city incorporated areas surrounding the location. **Physical Site Characteristics:** Existing agricultural crop land planned for future heavy industrial use. **Transportation:** Access to the property is from Cherry Lane.

**Correspondence:** No written correspondence has been received from any area property owners, residents or business owners regarding opposition to or support for the requested annexation and zoning to Heavy Industrial for warehouse purposes.

**Staff Findings and Discussion**

From a land use standpoint, the location is shown on the comprehensive plan “future land use map” as being compatible with the zoning that has been requested. If the City Council accepts the Planning & Zoning Commission recommendation and approves the annexation and zoning the following findings are suggested:
The requested annexation area adjoins existing city limits on the south adjacent Cherry Lane, and on the west across the railroad right-of-way.

2) The area can reasonably be assumed to be available for the orderly development of the city with the city limits having grown into the area and the adjacent lands to the west and southeast having been annexed, zoned, and/or developed for industrial purposes.

3) The proposed zoning conforms with the city’s comprehensive plan future land use map for Heavy Industrial land use and is reasonably compatible with existing and proposed industrial land uses in the area.

4) The applicant desires annexation and zoning to facilitate future development for warehousing space.

**Recommended Conditions of Approval**

If the City Council votes to accept the Planning & Zoning Commission recommendation and approves the annexation and zoning staff recommends the following conditions of approval:

**Residential Compatibility:**
1) Posting and control of the private access road to Northside Blvd. for emergency use only, while maintaining easement access for adjacent residential users.
2) Installation of sound deadening fencing along the easterly property boundary adjacent the neighboring residential properties.

**General:**
1) Per City Policy. At time of development or redevelopment, full frontage improvements, and utility extensions, to and through the site will be required.
2) Abandonment of any existing septic system will be accomplished under the guidelines established by Southwest District Health Department.

**Right-of-Way**
1) Right-of-way dedication - Required
   a) Cherry Lane - Functional Classification is an arterial. Fifty-feet (50’) for half of a future one-hundred-foot (100’) right-of-way.
   b) Northside Boulevard – Functional Classification is an arterial. Annexation will only be required to the prescriptive right-of-way of Northside Boulevard.

Economic Development Director, Beth Ineck, presented a staff report explaining that this is the North Nampa Industrial area that it included in the Nampa Development Corporations plan for infrastructure and development; it is just north of Amalgamated Sugar, which is certainly an industrial area for us. Light Industrial vs. Heavy Industrial – light industrial and heavy industrial both allow for manufacturing, assembling or packaging of products that were previously made, so you might bring something in on the railroad. You can also manufacture food processing within
both and then there is general manufacturing allowed in both of them. Where you start to see differences between the heavy and the light industrial is in things like chemical processing or more hazardous types of facilities is allowed more in the heavy industrial vs. the light industrial.

We would support the annexation and zoning of the property for industrial purposes either at the heavy or the light industrial it does fit within the overall plans for that area.
Those appearing with questions were: John Chapman, 17706 Northside Boulevard.

Those appearing in opposition to the request were: Allison Garrison, 9090 Cherry Lane.

Those appearing in favor of the request were: Kevin Tetz, 17233 Northside Boulevard.

The applicant presented a rebuttal and answered questions.

Daniel Badger answered questions from Mayor and Council.

Norm Holm answered questions form Mayor and Council.

Mayor and Councilmembers asked questions and made comments.

**MOVED** by Skaug and **SECONDED** by Hogaboam to close the **public hearing**. Mayor Kling asked all in favor say aye with all Councilmembers present voting **AYE**. Mayor Kling declared the

**MOTION CARRIED**

City Attorney, Mark Hilty, answered questions from council on if they change the zoning to IL from IH would it need to go back to planning and zoning.
Regular Council
February 19, 2019

MOVED by Haverfield and SECONDED by Hogaboam to approve the annexation and zoning to IH (Heavy Industrial) at 0 Cherry Lane (Parcel R30839011A0) for construction of a Warehousing facility (Tax 03066 – 24.39-acre portion of the south half of the SE ¼ of Section 4 T3N R2W BM), for Richard Evans as presented with the recommended conditions of approval with modifications - first item would be under Residential Compatibility the sound deadening fence would be 6 foot and solid add an item 3 to include that all lighting is shrouded to amber to eliminate any bleed over to the properties to the east or west the next item would be under General full frontage improvements and utility extensions that would not have to include sewer.

MOVED by Haverfield and SECONDED by Hogaboam to amend the previous motion to change the zoning to IL (Light Industrial) and approve the annexation and zoning at 0 Cherry Lane (Parcel R30839011A0) for construction of a Warehousing facility (Tax 03066 – 24.39-acre portion of the south half of the SE ¼ of Section 4 T3N R2W BM), for Richard Evans with the recommended conditions of approval with modifications - first item would be under Residential Compatibility; the sound deadening fence would be 6 foot and solid; add an item 3 to include that all lighting is shrouded to amber to eliminate any bleed over to the properties to the east or west the next item would be under General full frontage improvements and utility extensions that would not have to include sewer and authorize the City Attorney to draw the appropriate ordinance. The Mayor asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the

MOTION CARRIED

Item #8-4. - Mayor Kling opened a public hearing for amendment of chapters and sections of Title 10, Planning and Zoning. The proposed Code Amendments are intended to reposition City Design Review Standards in one location and align them with current, common architectural themes (ZTA-00008-2019): Amendment of Section 10-4-10; Amendment of Section 10-9-10; Amendment of Section 10-16-11; Establishment of a new Chapter 34 – Design Review.

Norm Holm presented the following staff report explaining that the request is for amendments to Title X Design Review Code Sections in Chapters 4, 9, 16, and new Chapter 34 as recommended by the Building and Site Design Standards Committee and the Nampa Planning and Zoning Commission for the purpose to re-position the design review standards into one easy to use location (new chapter 34) and to align the standards with current, common architectural themes.

General Information

Planning and Zoning Commission Recommendation: Approval. Correspondence: No opposing correspondence has been received from any interested parties regarding the proposed amendments. Applicable Regulations: Section 10-2-3 D Conclusions of Law Pertinent to Proposed Zoning Ordinance Text Amendments: Before the commission recommends a text (content) amendment to the zoning ordinance, and, before the City Council approves any proposed
zoning code amendment(s), the Commission and the City Council must individually find and conclude: 1. That the proposed amendment(s) is, are or would be reasonably necessary, in the interest of the public, and in harmony with the goals and/or policies of the adopted comprehensive plan.

**Staff Recommended Findings**

The following findings are recommended by staff:

1) Section 10-2-3 D. of Nampa City Code provides the standards for amending the City’s zoning ordinance.
2) The proposed Design Review Ordinance Amendments are appropriate because they are “reasonably necessary, in the interest of the public, and in harmony with the goals and/or policies of the adopted comprehensive plan.” Nampa City Code § 10-2-3-D.
3) The proposed Design Review Ordinance Amendments are in harmony with the City’s comprehensive plan—Nampa 2035.
4) The proposed Design Review Ordinance Amendments would also help achieve Nampa 2035 Comprehensive Plan’s Community Design Goal 1: Improve the physical appearance and image of the City of Nampa with Design Review Objectives 1 thru 8 and each of their associated Strategies.

**Staff Narrative**

The attached code amendments were reviewed by the City’s Building and Site Design Committee on December 10, 2018. The Committee 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). The Committee requested that the amendments not be altered nor left to languish after their favorable vote unless in reformatting something was missed. The amendments, language with strike-throughs is intended for deletion; underlining is new wording intended for insertion, and, that which is left is to be kept as is.

The design review code modifications are to accomplish two things: 1) Repositioning the design review standards into one easy to use location (new chapter 34) and, 2) Aligning the standards with current, common architectural themes.

The City’s current design review regulations were originally adopted over 10 years ago requiring new or expanded structures in certain commercial areas to follow a traditional architectural theme. Given the quantity of today’s popular post-modern architecture, a need was realized a couple years ago to adjust the design review standards – partly because it has placed the BSDS Committee in the position of having to decide whether to issue design exceptions to applicants and their projects. While they have been able to be consistent in their approach, they would prefer code language that places them in a more comfortable quasi-judicial posture.
The most important changes are located in Section 10-34-11 (code amendments section Page 25) which relate to the percentage of buildings’ facades that are required to have built-in architectural treatments. The typical percentage for our commercial areas was 40%, but all around the building – each wall façade. The architectural treatments were 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 previously sanctioned by the Committee. Though the percentage of the required treatment 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. At the present time Chapter 15 for the Downtown Business, Downtown Village, and Downtown Historic Districts was left as is (although it should be later revised to edit design standards and to imbed the form-based code draft currently under review and construction).

Proposed Design Review Code Amendments

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.

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. (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.

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)

10-4-11: 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.

e. 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 bermsing 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.
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, nondon design 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.
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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
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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.
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.

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:

The term “design review” [aka “building and site design review”], when used in a zoning context, connotates a process whereby one or more structures proposed for construction have their architectural styling pre-judged by an authority. In Nampa case, a set of design standards govern styling 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 foregoing 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 terminology.

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
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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/abut 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 “facade 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 facade. 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.

Councilmembers asked questions and made comments.

No one appeared in favor of or in opposition to the request.
REGULAR COUNCIL
FEBRUARY 19, 2019

MOVED by Skaug and SECONDED by Haverfield to close the public hearing. Mayor Kling asked all in favor say aye with all Councilmembers present voting AYE. Mayor Kling declared the

MOTION CARRIED

MOVED by Haverfield and SECONDED by Levi to amendment of chapters and sections of Title 10, Planning and Zoning. The proposed Code Amendments are intended to reposition City Design Review Standards in one location and align them with current, common architectural themes (ZTA-00008-2019): Amendment of Section 10-4-10; Amendment of Section 10-9-10; Amendment of Section 10-16-11; Establishment of a new Chapter 34 – Design Review and authorize the City Attorney to draw the appropriate ordinance. The Mayor asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the

MOTION CARRIED

◊ (6) New Business ◊

Item #6-6. - Mayor Kling presented the request for approval for the Nampa Family Justice Center to apply for a grant for improving Criminal Justice responses to Domestic Violence, Dating Violence, Sexual Assault and Stalking Grant Program.

Family Justice Center Director Creselda De le Cruz presented a staff report explaining that the Grant: OVW Improving Criminal Justice Responses to Domestic Violence, Dating Violence, Sexual Assault and Stalking Grant Program. Amount: $500,000.00. Application Due Date: 2/26/19.

Project Summary: The Nampa Family Justice Center has received funding from this grant in the past. We will be applying for funds to provide legal services for protection orders, service coordination and advocacy for victims, training for law enforcement, and to continue the implementation of a high-risk team.

MOVED by Haverfield and SECONDED by Rodriguez to authorize the Family Justice Center to apply for the grant for improving Criminal Justice responses to Domestic Violence, Dating Violence, Sexual Assault and Stalking Grant Program. The Mayor asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the

MOTION CARRIED

Item #6-7. - Mayor Kling presented the request to approve the Nampa Family Justice Center to apply for Idaho Council on Domestic Violence and Victim Assistance.
Creselda De le Cruz presented a staff report explaining that the Grant: Idaho Council on Domestic Violence and Victim Assistance. **Amount:** $200,000.00. **Application Due Date:** March 15, 2019.

**Project Summary:** The Nampa Family Justice Center applies for funding through the ICDV every year. We will be applying for grant funds to pay for case management, emergency housing, crisis counseling, group therapy, and court advocacy.

The Nampa Family Justice Center will be responsible for executing and managing both projects and fulfilling all aspects of the grant contract including administrative, programmatic, and financial components while adhering to all governing authorities that legally bind the City of Nampa.

MOVED by Haverfield and SECONDED by Rodriguez to authorize the Family Justice Center to apply for the grant for Idaho Council on Domestic Violence and Victim Assistance. The Mayor asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the

**MOTION CARRIED**

**Item #6-12.** - Mayor Kling presented the request to authorize the Mayor to sign Memorandum of Understanding for project Bronco traffic management with PDC Nevada LLC.

Daniel Badger presented a staff report explaining that the PDC Nevada LLC has proposed construction of an approximately 991,000 square foot fulfillment center at the southwest corner of the intersection of Franklin Road and Star/Robinson Road.

PDC has completed a Traffic Impact Study (TIS) per the City’s requirements which identified the expected impacts to the surrounding transportation system.

Engineering has reviewed and approved the TIS and coordinated with adjacent jurisdictions regarding the impacts to roadways and intersections within their jurisdiction.

Engineering and PDC have negotiated a Memorandum of Understanding (MOU) (Exhibit A) to identify what transportation related construction will be completed by the project and what payment in-lieu of construction will be made to mitigate the projects impacts on the transportation system.

The attached map (Exhibit B) shows the intersections that will be constructed and those that will have payment in-lieu of construction.
The payment in-lieu of construction dollars are anticipated to be distributed to the Nampa Highway District, Ada County Highway District, and the Idaho Transportation Department to help mitigate impacts within their jurisdictions, agreements between the City and those agencies at a future date.

The MOU also details the timing of issuance of building permits and construction, and payment in-lieu of construction for the transportation impacts.

Engineering, Economic Development, and Legal have reviewed the agreement and recommend approval.

Councilmembers asked questions.

MOVED by Rodriguez and SECONDED by Haverfield to authorize the Mayor to sign the Memorandum of Understanding with PDC Nevada LLC. The Mayor asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the MOTION CARRIED

Item #6-10. - Mayor Kling presented the request to authorize the Mayor and Public Works Director to sign Task Order for Scope of Work with Stantec for Nampa Wastewater Treatment Plant Phase II Upgrades Project Group D-Primary Digester No. 5 and Flare Relocation air quality permitting in the amount of $33,200.00 T&M NTE (reviewed and approved by legal).

Nate Runyan presented a staff report explaining that in November, 2017, the City selected Stantec to perform professional services for the Wastewater Treatment Plant (WWTP) Phase I Upgrades-New Anaerobic Digester for Primary Digester No. 2 structural retrofits and the final design of Primary Digester No. 4.

In February, 2018, the 2018 WWTP Facility Plan was completed, identifying the need for a fifth primary anaerobic digester in Phase II of the WWTP upgrades.

To identify a preferred investment strategy for the WWTP primary digesters, a Business Case Evaluation (BCE) was performed for Primary Digester No. 2 retrofits and construction of Primary Digester No. 5

The BCE identified construction of Primary Digester No. 5 in Fiscal Year 2020 as the preferred alternative based on capital cost and net present value:
Staff recommends Stantec perform professional services for Project Group D-Primary Digester No. 5 and Flare Relocation given their specific expertise, knowledge, and performance on the WWTP Primary Digester No. 4. These services would be delivered under the proposed scope of work:

- Air Permitting Services
- Design and Bidding Services
- Construction Services

Staff has negotiated a scope and fee with Stantec for air quality permitting services for Project Group D (see Exhibit A). The primary elements are as follows:

- Update Nampa’s WWTP emissions
- Prepare model protocol and perform modeling
- Prepare permit for construction modification application and submit to the Idaho Department of Environmental Quality (IDEQ)
- Support the City in the IDEQ permit approval process

The Wastewater Division Fiscal Year 2019 budget for Project Group D is $500,000.

City staff and Stantec have agreed upon a scope and fee in the amount of $33,200.00 T&M NTE (time and material not to exceed).

MOVED by Haverfield and SECONDED by Skaug to authorize the Mayor and Public Works Director to sign Task Order for Scope of Work with Stantec for Nampa Wastewater Treatment Plant Phase II Upgrades Project Group D-Primary Digester No. 5 and Flare Relocation air quality permitting in the amount of $33,200.00 T&M NTE. The Mayor asked for a roll call vote with Councilmembers Hogaboam, Levi, Skaug, Haverfield voting YES. Councilmember Rodriguez NO. Councilmember Bruner was ABSENT. The Mayor declared the MOTION CARRIED

Item #6-14. - Mayor Kling presented the request to authorize the Mayor to sign the Non-Development Agreement (Exhibit B) between the City and Toll Southwest, LLC. (reviewed and approved by legal)

Daniel Badger presented a staff report explaining that the developer of Canyon Creek Subdivision # 2 has requested a non-development Agreement for a portion of the subdivision.
The non-development agreement allows the final plat to be recorded when only a specific portion of the phase has been completed. The remaining portions of the phase have the following restrictions placed on them:
  o No lot sales may occur
  o No building permits may be accepted

The agreement is recorded against the affected lots in order to provide notice to any potential buyers.

The attached Exhibit A shows in blue the portions of phase 2 which will be encumbered by the non-development agreement.

The developer is making this request due to timing of asphalt and construction of the required secondary access.

The Engineering Division has reviewed the request and recommend approval of the request.

Councilmembers asked questions.

MOVED by Skaug and SECONDED by Haverfield to authorize the Mayor to sign the non-development agreement between the City and Toll Southwest, LLC as presented. The Mayor asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the MOTION CARRIED

Item #6-13. - Mayor Kling presented the request to authorize the Mayor to sign encroachment agreement with David and Osa Shervik Family Trust at 1324 S Garland Street.

Daniel Badger presented a staff report explaining that the Engineering Division received a request for an encroachment agreement for an existing home and garage building located in the right of way at 1324 S. Garland Street.

The garage and house were built around 1960 based on the records of Canyon County.

The current property owner is preparing to sell the property and would like to address the encroachment at this time.

In addition to requesting the encroachment the owner has:
  o Requested a vacation of a portion of the right of way for Hawaii and Garland.
  o Dedicated 30-feet of right of way for Hawaii on the east end of their property.
Engineering has reviewed the requested encroachment agreement and recommends approval.

MOVED by Skaug and SECONDED by Haverfield to authorize the Mayor to sign the encroachment agreement with David and Osa Shervik Family Trust at 1324 south Garland Street. The Mayor asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the

MOTION CARRIED

Item #6-4 - Mayor Kling presented the request to authorize the Mayor to sign the Fire District Contract Service Agreement for 2018-2019.

Deputy Chief Richard Davies presented a staff report explaining that on February 11, 2019, the Board of Commissioners of the Nampa Fire Protection District, pursuant to Section 6.2 of the above referenced Agreement, gives notice that the Fire District Budget Factor for consideration in the preparation of the 2019-2020 Contract Service Year Fee is 16.51%.

<table>
<thead>
<tr>
<th>FY 2020 Fire District Budget Factor Calculations</th>
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<tbody>
<tr>
<td>City</td>
</tr>
<tr>
<td>Assessed Valuation</td>
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<tr>
<td>Population</td>
</tr>
<tr>
<td>3 Year Call Volume</td>
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</tbody>
</table>

| Budget Factor | 16.51% |

<table>
<thead>
<tr>
<th>Call Volume</th>
<th>City</th>
<th>Fire District</th>
<th>Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td>2016 calls</td>
<td>8,531</td>
<td>1,101</td>
<td>9,632</td>
</tr>
<tr>
<td>2017 calls</td>
<td>8,676</td>
<td>1,197</td>
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<td>2018 calls</td>
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<td>1,116</td>
<td>9,119</td>
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<tr>
<td>Total</td>
<td>25,210</td>
<td>3,414</td>
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</table>
The population estimates for the City of Nampa and Fire Districts 1, 2, and 3 as of December 31, 2018.
The methodology to produce these estimates was based on updated 2010 census data for the city and the districts. April, 2010 census counts were used as the base in the City and Districts 1, 2, and 3.

Residential building permit activity in the City of Nampa and in that portion of the county containing the three fire districts was used to update the April counts to the December estimates. The number of residential permits in an area was factored by completion, occupancy, and persons per household rates to determine the population change occurring since last year. That population change was added to last year's base population to produce a recent estimate. Adjustments were made for annexations when appropriate. The 2010 original population used in this estimating procedure also was adjusted to allow for a higher housing occupancy rate for the city and each of the districts.

MOVED by Hogaboam and SECONDED by Rodriguez to authorize the Mayor to sign the Fire District Contract Service Agreement for 2018-2019. The Mayor asked for a roll call vote with all Councilmembers present voting YES. The Mayor declared the MOTION CARRIED

Item #6-5. - Mayor Kling presented the request for reappointment of Dave Clausen to the Nampa Golf Commission.

MOVED by Hogaboam and SECONDED by Rodriguez to approve the reappointment of Dave Clausen to the Nampa Golf Commission. The Mayor asked all in favor say aye with all Councilmembers present voting AYE. The Mayor declared the MOTION CARRIED

Item #6-8. - Mayor Kling presented the request to discussion and direction to staff for downtown parking management.

Economic Development Director, Beth Ineck, presented a staff report explaining that the Economic and Community Development actively manage the public parking in downtown Nampa
in conjunction with the Code Compliance Division. Over the last ten years we have managed
downtown parking with the focus of customer service to the business community.

The goals of parking management are:

- Responsive to the needs of the business community
- Prioritize customer parking needs
- Balance employee/owner parking
- Provide for turnover of customer parking that allows for easy access to downtown
  businesses for short-term customers
- Provide access to long-term parking for employees and longer visits of customers
- Balance operation expenditure vs. revenue to City

Our current parking management consist of predominately 2 hour on-street parking monitoring:
Monday – Friday, 8:00-5:00. There is the ability for patrons to move their vehicle one space over
to reset the time. Leased parking is available in city-owned parking lots for $15.00 per month and
the NDC owned parking garage provides an opportunity for longer term parking.

During the stakeholder focus groups meeting regarding downtown there were several comments
about parking. Stakeholders stated that 2 hours is not long enough for customers to visit multiple
businesses and perhaps enjoy a meal. There was a request by the downtown business owners to
reexamine how parking is managed.

On December 13, staff held a meeting where all downtown businesses were invited to review the
current policies and provide feedback for potential changes. The presentation given is included as
an attachment in this staff report. At the end of the meeting participants were given maps of the
downtown and asked to document their proposed changes. We received approximately 8
alternative concepts. Those were synthesized, and options presented back to the BID Board
meeting in January. At that time one alternative was identified as the preferred option. Following
the BID approval, a survey was established and distributed out to the downtown email distribution
list made up of downtown business owners and stakeholders.

Currently the city owned parking lots are leased out by stall. Each lease has a dedicated parking
stall that can be used by more than one person particularly beneficial to companies that have part-
time employees that share a parking spot. One option to meet the growing demand for leased
parking is to transition this method to a parking pass that allows individuals to park anywhere in a
particular lot, creating a license to hunt not a guaranteed spot. This is the most common parking management method for leased parking across the country allowing operators to oversell a lot and maximize utilization. In this instance a lease pass would be charged for each vehicle not each spot. Approximately 63% of survey responders prefer a lease pass not specific to a stall verses 36% that want to stay with a designated stall.

The second question provided two options for management of on-street parking. The first option was to maintain the current system or transition to zone parking, allowing for 2-hour in the core area of the historic district and then 4-hour in the periphery area. This question had a similar split in responses with 66% requesting to transition to the zone time restrictions.
Map of the zone concept:
In addition, the survey provided an opportunity for written comments. There was no consistency within the written comments:

- **Strict parking enforcement discourages people from shopping/eating/maximizing their time and opportunity to spend money downtown**
  - Respondents who left comments agree that a two-hour limit is not enough time to have a meeting/eat/get services and casual shopping

- **Business Owners and Employees utilizing on-street parking**
  - 25% of survey participants said that they/their employees used on-street parking
  - No consensus on this topic – comments range from “business owners should be allowed to privately lease the spaces in front of their buildings” to “Street parking should be customer only with strict penalties for any owner/employee caught parking in on-street spaces”

- **1-hour free garage parking and 2-hour on-street parking limit seems inconsistent for encouraging long-term parkers to use the garage**

- **City-owned lot and garage leases need to be affordable and easy to use for the business owners**
  - More information in the public about monthly lease availability and prices
  - Online Payment portal for paying leases

- **Privately-owned lots could be managed in a way that is income generating and customer-friendly**
  - Most respondents understand that the City was limited in what they could do because these lots are privately-owned but expressed frustration about unfriendly policies causing many negative customer experiences.

The City must also balance community needs with the fiscal impact of any changes. The Parking division currently operates from revenue of leased parking, parking tickets and general fund dollars. The 2019 budget is dependent upon $15,000 in revenue from parking tickets. The parking enforcement officer has provided a breakdown of parking tickets issued for over-time limits and where those tickets are issued. Approximately 40% of the tickets are issued in the area identified to transition to 4-hour parking. It is estimated that if the City moves forward with a new on-street parking system the revenue from parking tickets will likely decrease by 50% or more as greater options are available for individuals to have longer term parking. It is also estimated that more employees will likely park in the 4-hour zones and potentially decrease the leased parking revenue. If these changes are implemented, I would anticipate a total **decrease in revenue by $10,000 for Fiscal Year 2020.**

Councilmembers asked questions and made comments.

Direct staff to bring an ordinance forward with the presented information other than have the Longbranch change to a lot in which leases hunt for parking.
Regular Council  
February 19, 2019

**Item #6-9.** - Mayor Kling presented the request to authorize the **Mayor** to sign letter of support for the Infrastructure for Rebuilding America (INFRA) grant application to widen I-84 between the Karcher Road Interchange in the City of Nampa and Franklin Road Interchange in the City of Caldwell, and Motion to commit a $500,000 City match to support the 2019 INFRA application, in partnership with ITD and COMPASS.

Jeff Barnes presented a staff report explaining that the Community Planning Association of Southwest Idaho (COMPASS) and Idaho Transportation Department (ITD) are applying for a Fiscal Year 2019 Infrastructure for Rebuilding America (INFRA) grant.

Last year, ITD and COMPASS received $90.2 million INFRA dollars to widen I-84 between the Franklin Road Interchange and Karcher Road Interchange in Nampa. This was the largest grant ever awarded to ITD.

This year’s 2019 application proposes to widen I-84 between the Karcher Road Interchange in Nampa and Franklin Road Interchange in the City of Caldwell. The project has an estimated cost of $140 million, of which $48.3 million is being requested through the federal INFRA grant funding.

2019 INFRA grant dollars would not only help improve I-84 in Nampa and Caldwell, but also free up critical state transportation dollars to be used for other projects - potentially benefiting the City of Nampa.

Staff recommends supporting the INFRA grant application by authorizing $500,000 toward project match. Funding is proposed through Street Division’s fiscal year 2020 fund balance.

A letter of support from Mayor Kling (see Exhibit A) has been drafted to accompany the City’s $500,000 commitment.

Public Works staff recommends moving forward with the letter of support and funding said dollars.

Councilmembers asked questions.

**MOVED** by Haverfield and **SECONDED** by Rodriguez to authorize the **Mayor** to sign letter of support for the Infrastructure for Rebuilding America (INFRA) grant application to widen I-84 between the Karcher Road Interchange in the City of Nampa and Franklin Road Interchange in the City of Caldwell, and Motion to commit a **$500,000** (firm balance) City match to support the 2019 INFRA application, in partnership with ITD and COMPASS. The Mayor asked for a roll call vote with all Councilmembers present voting **YES**. The Mayor declared the

**MOTION CARRIED**
Item #6-11. – The following Resolution was presented:

A RESOLUTION DECLARING THE INTENTION OF THE COUNCIL OF THE CITY OF NAMPA, CANYON COUNTY, IDAHO, TO CREATE LOCAL IMPROVEMENT DISTRICT NO. 167 FOR THE CITY OF NAMPA, CANYON COUNTY, IDAHO, FOR THE PURPOSE OF CONSTRUCTING IMPROVEMENTS TO THE CITY’S SIDEWALKS, PEDESTRIAN RAMPS, DRIVE APPROACHES, CURBS, GUTTERS AND OTHER RELATED STREET IMPROVEMENTS; DESCRIBING THE BOUNDARIES OF, AND THE PROPERTIES TO BE BENEFITED BY, THE PROPOSED DISTRICT; PROVIDING THE TOTAL ESTIMATED COSTS AND EXPENSES OF SAID IMPROVEMENTS TO BE ASSESSED AGAINST THE LANDS BENEFITED BY SAID IMPROVEMENTS; PROVIDING THE METHOD BY WHICH THE COSTS AND EXPENSES OF THE IMPROVEMENTS ASSESSABLE ARE TO BE PAID; FIXING A TIME IN WHICH PROTESTS AGAINST SAID IMPROVEMENTS, OR THE CREATION OF SAID PROPOSED DISTRICT, MAY BE FILED IN THE OFFICE OF THE CITY CLERK; FIXING A TIME WHEN SUCH PROTESTS SHALL BE HEARD AND CONSIDERED BY THE COUNCIL; AND PROVIDING AN EFFECTIVE DATE.

MOVED by Haverfield and SECONDED by Skaug to pass the resolution as presented. Mayor Kling asked for a roll call vote with Councilmembers Hogaboam, Levi, Skaug, Haverfield voting YES. Councilmember Rodriguez voting NO and Councilmember Bruner ABSENT. The Mayor declared the resolution passed, numbered it 15-2019 and directed the clerk to record it as required. MOTION CARRIED

❖ (4) Unfinished Business ❖

Item #4-1. - Mayor Kling presented the request to approve the Summary of Publication for ordinance 4417 for pressure irrigation annexation.

MOVED by Hogaboam and SECONDED by Haverfield to approve the Summary of Publication for ordinance 4417 for pressure irrigation. The Mayor asked all in favor say aye with all Councilmembers present voting AYE. The Mayor declared the MOTION CARRIED

Item #4-2. – The following Ordinance was read by title:

AN ORDINANCE DETERMINING THAT CERTAIN LANDS, GENERALLY DESCRIBED AS LYING EAST OF MIDWAY ROAD, BETWEEN W. IOWA ROAD AND LAKE LOWELL AVENUE, COMPRISING APPROXIMATELY 122.38 ACRES, MORE OR LESS, LAY CONTIGUOUS TO THE CITY LIMITS OF THE CITY OF NAMPA, COUNTY OF CANYON, STATE OF IDAHO, AND THAT SAID LANDS SHOULD BE ANNEXED INTO
THE CITY OF NAMPA, IDAHO, AS PART OF THE RS 7 (SINGLE FAMILY RESIDENTIAL – WITH A “REQUIRED PROPERTY AREA” OF AT LEAST 7,000 SQUARE FEET) ZONE; DECLARING SAID LANDS BY PROPER LEGAL DESCRIPTION AS DESCRIBED BELOW TO BE A PART OF THE CITY OF NAMPA, CANYON COUNTY, IDAHO; DIRECTING THE CITY ENGINEER AND PLANNING AND ZONING DIRECTOR TO ADD SAID PROPERTY TO THE OFFICIAL MAPS OF THE CITY OF NAMPA, IDAHO; REPEALING ALL ORDINANCES, RESOLUTIONS, ORDERS OR PARTS THEREOF IN CONFLICT HEREWITH; PROVIDING AN EFFECTIVE DATE; AND, DIRECTING THE CLERK OF THE CITY OF NAMPA TO FILE A CERTIFIED COPY OF THE ORDINANCE AND MAP OF THE AREA TO BE ANNEXED WITH CANYON COUNTY, STATE OF IDAHO AND THE IDAHO STATE TAX COMMISSION, PURSUANT TO IDAHO CODE, SECTION 63-215. (Applicant Engineering Solutions, LLP representing Toll ID I LLC)

The Mayor declared this the first reading of the Ordinance.

Mayor Kling presented a request to pass the preceding Ordinance under suspension of rules.

MOVED by Haverfield and SECONDED by Rodriguez to pass the preceding Ordinance under suspension of rules. Mayor Kling asked for a roll call vote with Councilmembers Hogaboam, Skaug, Rodriguez, Haverfield voting YES. Councilmember Levi voting NO and Councilmember Bruner was ABSENT. The Mayor declared the ordinance duly passed, numbered it 4418 and directed the Clerk to record it as required.

MOTION CARRIED

Item #4-3. – The following Ordinance was read by title:

Councilmember Haverfield declared that he would be abstaining from voting.

AN ORDINANCE ENACTED BY THE NAMPA CITY COUNCIL, TO MODIFY THE ANNEXATION & ZONING DEVELOPMENT AGREEMENT TO WHICH THOSE CERTAIN PARCEL(S) OF REAL PROPERTY, COMMONLY KNOWN AS THE COVEY RUN SUBDIVISION, LOCATED AT OR NEAR 2305 E. VICTORY ROAD, NAMPA, CANYON COUNTY, IDAHO, COMPRISING APPROXIMATELY 4.588 ACRES, MORE OR LESS, ARE SUBJECT, DESCRIBED IN ORDINANCE NO. 3670 AND RECORDED ON FEBRUARY 22, 2007, AS INSTRUMENT NO. 2007013171, RECORDS OF CANYON COUNTY, IDAHO, SO AS TO INCLUDE AN ADDITIONAL ANNEXED TRIANGULAR SHAPED PARCEL ADJACENT TO AND IMMEDIATELY TO THE EAST OF THE ORIGINAL PARCEL(S) DESCRIBED ABOVE AND TO ENABLE DEVELOPMENT OF ATTACHED DWELLINGS IN A FOUR-PLEX STYLE CONFIGURATION RATHER THAN AS TOWNHOMES; DIRECTING THE CITY PLANNING DIRECTOR TO ALTER THE USE AND AREA MAP ACCORDINGLY; DETERMINING THAT SAID ADJACENT LANDS,
LYING IMMEDIATELY TO THE EAST OF THE PROPERTY REFERENCED ABOVE, COMPRISING AND APPROXIMATELY 1.50 ACRES, MORE OR LESS, LAY CONTIGUOUS TO THE CITY LIMITS OF THE CITY OF NAMPA, COUNTY OF CANYON, STATE OF IDAHO, AND THAT SAID LANDS SHOULD BE ANNEXED INTO THE CITY OF NAMPA, IDAHO, AS PART OF THE RD (TWO-FAMILY (DUPLEX) RESIDENTIAL) ZONE; DECLARING SAID LANDS BY PROPER LEGAL DESCRIPTION AS DESCRIBED BELOW TO BE A PART OF THE CITY OF NAMPA, CANYON COUNTY, IDAHO; DIRECTING THE CITY ENGINEER AND PLANNING AND ZONING DIRECTOR TO ADD SAID PROPERTY TO THE OFFICIAL MAPS OF THE CITY OF NAMPA, IDAHO; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES, RESOLUTIONS, ORDERS OR PARTS THEREOF IN CONFLICT HEREWITH; AND, DIRECTING THE CLERK OF THE CITY OF NAMPA TO FILE A CERTIFIED COPY OF THE ORDINANCE AND MAP OF THE AREA TO BE ANNEXED WITH CANYON COUNTY, STATE OF IDAHO AND THE IDAHO STATE TAX COMMISSION, PURSUANT TO IDAHO CODE, SECTION 63-215. (Applicant Riley Planning Services representing Getty Capital of Idaho)

The Mayor declared this the first reading of the Ordinance.

Mayor Kling presented a request to pass the preceding Ordinance under suspension of rules.

MOVED by Hogaboam and SECONDED by Rodriguez to pass the preceding Ordinance under suspension of rules. Mayor Kling asked for a roll call vote with Councilmembers Levi, Skaug, Rodriguez, Hogaboam voting YES. Councilmember Haverfield ABSTAINED from voting and Councilmember Bruner was ABSENT. The Mayor declared the ordinance duly passed, numbered it 4419 and directed the Clerk to record it as required.

MOTION CARRIED

Item #4-4. – The first reading of the following ordinance was tables until the next regular Council meeting:

Mayor and Councilmembers asked questions and made comments.

City Attorney Mark Hilty gave a brief summary of the ordinance in trying to answer councils’ questions.

AN ORDINANCE ENACTED BY THE NAMPA CITY COUNCIL ADDING TITLE 6, CHAPTER 1, SECTION 6-1-6 TO THE NAMPA CITY CODE, PERTAINING TO THE PROHIBITION OF SMOKING AT LIBRARY SQUARE; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; AND REPEALING ALL ORDINANCES,
RESOLUTIONS, ORDERS AND PARTS THEREOF, IN CONFLICT HEREWITH. (Applicant Council and Mayor)

Item #4-5. - The Summary of Publication for the no smoking for the Library ordinance was postponed due to the ordinance needing to be redrafted.

(5) Pending Ordinances (Postponed Due to Lack of Supporting Documentation)

5-1. 1st reading of ordinance for Annexation and Zoning to Light Industrial at 58 and 0 N. Kings Rd. for construction of Storage Units (A combined 3.87 acre or 168,577 sq. ft. portion of the South Half of the NW ¼ of the SW ¼ of Section 24, T3N, R2W, BM) for Cody Lane-Trek Investment Group (PH was 9-17-2018)

5-2. 1st reading of ordinance for Zoning Map Amendment from RS-6 to BC for the second parcel west of 11460 W Karcher Rd for Jeremiah Jenkins. (PH was 12-17-2018)

5-3. 1st reading of ordinance for Annexation and Zoning to RD (Two-Family Residential) for Mattingly Creek Subdivision at 2008 W. Orchard Ave. (A 3.5-acre portion of the SE ¼ of the SW ¼ of Section 17, T3N, R2W, BM – 11 Two Unit Single Family Residential Attached lots on 3.5 acres for a total of 22 dwelling units on 3.5 acres or 6.29 dwelling units/gross acre) for Pontifex Capital, LLC represented by Bob Taunton, Taunton Group LLC (ANN 105-18) (PH was 1-22-2019)

5-4. 1st reading of ordinance for amendments to Nampa City Code Title 3 Chapter 7: Developmental Impact Fees (PH was 1-22-2019)

5-5. 1st reading of ordinance for modification of an Annexation and Zoning Development Agreement (Ord. 3554 – Instr. # 200629961) between BB One LLC and the City of Nampa by amending Exhibit B - Commitments and Conditions, and introducing an Exhibit C - Preliminary Plat for Laguna Farm Apartments pertaining to Parcel #R3041700000 (1652 Idaho Center Blvd.) a 24.53-acre property in a GB2 (Gateway Business 2) zoning district in Government Lot 1 and the NE ¼ of the NW ¼ of Section 7, T3N, R1W, BM - for Kent Brown representing FIG Laguna Farms LLC (DAMO 027-18) (PH was 2-4-2019)

(7) Executive Session

Item #7-1- None

MOVED by Hogaboam and SECONDED by Rodriguez to adjourn the meeting at 10:12 p.m. The Mayor declared the

MOTION CARRIED

Passed this 4th day of March 2019.

____________________________________
MAYOR

ATTEST: