

# Chapter 15

## D - DOWNTOWN SUBDISTRICTS (DB, DV, DH)/ZONES

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### **10-15-1: DESCRIPTION AND PURPOSE**

**10-15-1.A: Description:** The Downtown (D) district areas are intended to provide a location where mixing of office, specialty retail, residential, park area, arts and entertainment, dining, tourism, and specialty educational uses may exist and interreact within a campus like and historical setting. This area incorporates the original, core commercial area of the downtown and those areas linked to the same that are functionally a part of the traditional downtown. Preservation of various existing uses is expected.

The Downtown district is composed of three (3) subdistricts (zones) identified as the Downtown Business (DB), the Downtown Village (DV), and the Downtown Historic (DH) zones.

**10-15-1.B: Purpose:** The purpose of the downtown subdistricts is to promote economic development and investment, revitalize and enhance the appearance of buildings and public spaces, and, to improve the overall "livability" of the area as it develops and matures. Correspondingly, the standards in this chapter are established to affect Nampa's commercial center and in so doing, create an environment for work, living and play that has prominence and a feeling of prestige.

### **10-15-2: PERMITTED BUILDINGS AND USES**

Permitted buildings and uses in the DB, DV and DH subdistricts shall be as set forth in § 10-3-2, "Schedule Of District/Zone Land Use Controls," of this title, subject to the general provisions and exceptions set forth in this and other chapters of this title.

### **10-15-3: BUILDINGS AND USES PERMITTED CONDITIONALLY**

The Planning and Zoning Commission may grant a conditional use permit for any of the conditional uses listed for the DB, DV or DH zones as set forth in § 10-3-2, "Schedule Of District/Zone Land Use Controls" of this title, in accordance with the procedures set forth in chapter 25 of this title.

#### **10-15-4: APPLICABILITY**

Design review by Committee or staff in the DB and DV districts, and design review by Committee or staff and the Arts and Historic Preservation Commission in the DH district, shall apply when the following occurs:

**10-15-4.A:** New commercial buildings proposed for construction.

**10-15-4.B:** New multiple family (3+ units) residential buildings proposed for construction.

**10-15-4.C:** Expansion over twenty-five (25%) of the area of an existing, non-single family building's footprint.

**10-15-4.D:** Repaint or exterior materials alterations or remodels of a building when such will affect more than fifty percent (50%) of any exposed façade's area that fronts a public right of way.

#### **10-15-5: DB DOWNTOWN BUSINESS SUBDISTRICT**

**10-15-5.A: Purpose and Intent:** The DB subdistrict is intended to provide an area that invites professional service businesses, government offices, arts and cultural facilities, educational institutes, ancillary retail services and some residential units combined with other uses into its confines. Its main features therefore will be a campus character, large professional offices, greenbelt, pathways, a campus setting, water features, parklike landscaping, ground floor retail services and offices, aboveground residential and a preclusion of strip commercial development.

**10-15-5.B: Building and Site Design Regulations:** The façades and site development of a new, or "expanded" (as defined by § 10-1-6 of this title) business building or complex shall be reviewed and regulated by the following sections:

##### **10-15-5.B.1: Façades:**

**10-15-5.B.1.a:** Architectural treatments shall be consistent on all public street façades of each individual project or development;

**10-15-5.B.1.b:** A minimum of thirty three percent (33%) of the ground floor of each primary wall façade shall be in glazing;

**10-15-5.B.1.c:** Buildings shall include changes in relief such as cornices, bases, fenestration, fluted masonry, for at least forty percent (40%) of the exterior wall area on the primary façade;

**10-15-5.B.1.d:** Building frontages greater than one hundred feet (100') in length shall have offsets, jogs or have other distinctive changes in the building façade;

**10-15-5.B.1.e:** Public entrances shall be easily identified and made distinct from the remainder of the building, either through architectural form or use of color, material, and texture of the façade.

**10-15-5.B.2: Exterior Finish Materials:** Exterior finish materials shall be nonreflective and shall include at least three (3) colors, textures and/or materials.

**10-15-5.B.2.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.

**10-15-5.B.2.b:** Colors shall be natural earth tones or subtle colors that complement earth tones.

Note that standards listed in subsection B.1 of this section and this subsection B.2 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 intend to expand the footprint or change any façade of the existing building by twenty-five (25%).

**10-15-5.B.3: 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:

**10-15-5.B.3.a: Roof Mounted Mechanical Equipment:** 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 equipment 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.

**10-15-5.B.3.b: Ground Mounted 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 a combination of evergreen and deciduous bushes and trees, with a minimum of five feet (5') depth continuous around utility. These shall be irrigated and have landscaping fabric and ground cover, or, to be contained within an enclosure consistent with the architectural aesthetics and characteristics of the main building.

**10-15-5.B.4: 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 opposite to any arterial or collector street and any residential use/zone unless some form of screening such as a wall, landscape berm or other barrier is used to separate the two.

Overhead doors designed to create in-door/out-door spaces are allowed with approval by the Design Review Committee to ensure compliance with the design intent of this code section.

### **10-15-5.C: Lighting Standards:**

**10-15-5.C.1: Buildings:** All exterior structure lighting shall be consistent with the intent of the district and shall be shielded, screened, and/or shuttered with ninety degree (90°) cutoff luminaires 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. Lights shall not be mounted any higher than twenty-five feet (25') from ground level. Furthermore:

**10-15-5.C.1.a:** The height of a freestanding light fixture (e.g., in a parking lot area) shall not exceed twenty-five feet (25') or the height of the principal permitted structure, whichever is less. Parking area lights shall use ninety-degree (90°) cutoff luminaires ("downlighting"). Building mounted lights shall not be higher than twenty-five feet (25') from ground level;

**10-15-5.C.1.b:** Streetlights installed by the city of Nampa, the Nampa Highway District or the Idaho Division of Transportation shall be exempt from these standards;

**10-15-5.C.1.c:** Electrical feeds to outdoor light fixtures shall be placed underground, not overhead;

**10-15-5.C.1.d:** All lights on site shall be consistent in style, design, height, size and color;

**10-15-5.C.1.e:** Lighting to highlight or illuminate architecture and signs shall be attractive without significant spillage of light upward or downward;

**10-15-5.C.1.f:** Pedestrian circulation routes shall be illuminated;

**10-15-5.C.1.g:** Floodlights shall not be allowed therein;

**10-15-5.C.1.h:** Metal halide bulbs shall not be used;

**10-15-5.C.1.i:** 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.

**10-15-5.D: Setbacks:** Setback areas (i.e., required yard areas) shall be landscaped in accordance with chapter 33 of this title. Setbacks for the DB zone are as follows:

**10-15-5.D.1:** Front yard setback for any structure shall be twenty feet (20') from any public right of way whether local or arterial/collector street;

**10-15-5.D.2:** Street side setback for any structure shall be ten feet (10') from any public right of way, whether local or arterial/collector street;

**10-15-5.D.3:** Side and rear yard setbacks for any structure or parking area shall be zero feet (0');

**10-15-5.E: Building Orientation:**

**10-15-5.E.1:** Buildings shall be oriented with primary consideration being given to the visual impact from the perspective of the driver or pedestrian on 2nd and 3rd Streets. The view from these avenues and/or any other primary arterial should be dominated by a green front yard and the view of the primary or front building facade. External views of large expanses of parking lots are strongly discouraged.

**10-15-5.E.2:** Buildings shall be oriented to face the most primary, adjacent road to the property upon which they are proposed to be constructed.

**10-15-5.E.3:** Loading docks shall not face the front of the property. Also, when possible, loading docks shall not face the front of any adjacent principal building.

**10-15-5.F: Building Height:** No maximum height is specified.

**10-15-5.G: Screening:** Mechanical units or maintenance related equipment and trash receptacles shall be screened with durable materials as found on the related building's façade.

**10-15-5.H: Fencing:** Any proposed fencing material shall be reviewed and approved by the Design Review Committee. Chain link is prohibited.

**10-15-5.I: Trash Receptacles:** Trash receptacles shall be located in service areas at side or rear yards and not visible from streets abutting a property. Receptacles shall be screened as noted in subsection G of this section.

**10-15-5.J: Outdoor Storage:** Outdoor (i.e., noncompletely, structurally enclosed) storage in the DB zone is not allowed.

**10-15-5.K: Signage:** Sign allowances for the DB zone shall be the same as listed in chapter 23 of this title for the neighborhood business (BN) district, except as follows:

**10-15-5.K.1:** Only signs for building/business identification, public safety, and wayfinding shall be permitted;

**10-15-5.K.2:** Signs that are wholly or in part electronic message center displays shall be allowed;

**10-15-5.K.3:** Signs that contain exposed neon lighting or neon lighting as a primary lighting source (i.e., as "backlighting") shall be allowed;

**10-15-5.K.4:** Freestanding signs shall be allowed in accordance with § 10-23-20, table 10-23-20.C of this title;

**10-15-5.K.5:** The color and materials used for the signs shall complement the materials, color, and texture of the building.

**10-15-5.L: Landscaping:** The following landscape standards (in addition to those listed in chapters 22 and 33 of this title) shall apply to new construction or expanded construction (as defined by § 10-1-6 of this title) within the DB zone:

**10-15-5.L.1: Location(s) and Quantity of Landscaping Required:**

**10-15-5.L.1.a: General Location Requirement:** Landscaping (including plazas and fountains as noted hereafter) shall be emplaced on a site wherever a structure, pedestrian pathway or parking lot is not located;

**10-15-5.L.1.b: Arrangement:** Landscaping shall be designed by a licensed landscape architect and shall serve to highlight buildings' entrances and pedestrian plazas without encroaching into public right of way so as to impede pedestrian and vehicular views or intrude into required vision triangles;

**10-15-5.L.1.c: Around Building Exteriors:** Shrubs and flowerbeds shall be required around any new building's exterior. They are also required in the front yard of the development to enhance the appearance of a building when viewed from a right of way that abuts the development site;

**10-15-5.L.1.d: Screening:** Needled evergreens may be used to help screen mechanical equipment and service areas;

**10-15-5.L.1.e: Growth Coverage:** Plants used in landscaping around a building or on a development site shall be selected to complement the scale of the development area and any building(s) thereon.

**10-15-5.L.2: Landscaping Component Requirements:**

**10-15-5.L.2.a:** The requirements and standards listed in chapter 33 of this title shall be utilized for landscape strips that are required along arterial and collector streets;

**10-15-5.L.2.b:** Trees selected for landscape areas shall be selected from the most current version of the Treasure Valley Tree Selection Guide. All trees specified to be located in the tree wells shall be approved by the City Forester.

**10-15-5.L.2.c:** In all landscaped areas, sixty percent (60%) of all trees specified shall be deciduous. A minimum of twenty percent (20%) of all deciduous trees shall be flowering. Deciduous trees shall be a minimum of 1.5 inches in caliper at the time of planting.

**10-15-5.L.2.d:** Any evergreens used shall be at least six feet (6') tall at time of planting.

**10-15-5.L.2.e:** Landscaping shall be designed so that fifty percent (50%) coverage of the site occurs after the first year and ninety percent (90%) coverage occurs after five (5) years.

**10-15-5.L.3: Landscape Plazas and Fountains:** Landscape plazas shall be required on each new development site and shall comply with the following regulations:

**10-15-5.L.3.a:** One hundred (100) square feet of pedestrian plaza area shall be provided for every one thousand (1,000) square feet of new building footprint area proposed to be constructed on a development site;

**10-15-5.L.3.b:** Either some form of public art, or one or more park benches, or one or more fountains, or one or more flower gardens shall be included in or touching any landscape plaza.

**10-15-5.L.4: Stormwater Retention:** Stormwater retention areas may be used to absorb on site stormwater in accordance with City stormwater regulations.

**10-15-5.M: Parking:** Site development and uses shall conform to parking provisions set forth in § 10-1-15, Figure 1; Chapters 1 and 22 of this title; and ANSI accessibility codes. In addition to said standards, the following additional requirements shall apply to new (not expanded) development:

**10-15-5.M.1: Additional Parking Lot Standards:**

**10-15-5.M.1.a:** Parking lots should be located to the side or rear of the primary or front building facade with the number of spaces in the front yard being minimized. Where geographic conflicts with this intent occur, landscaping should be used to buffer the visual impact of the parking area;

**10-15-5.M.1.b:** A maximum of ten percent (10%) of parking spaces required shall be allowed in front of the building, maximum eighty percent (80%) to the side of the building and minimum twenty percent (20%) to the rear of the building;

**10-15-5.M.1.c:** Large expanses of parking are highly discouraged and should instead be designed as smaller modules, separated by vegetation;

**10-15-5.M.1.d:** No single parking lot shall contain over seventy (70) parking spaces without at least a ten foot (10') wide vegetated break separating the parking area into two (2) lots being emplaced;

**10-15-5.M.1.e:** Newly constructed parking lots with thirty (30) or more parking spaces therein shall have perimeter vegetation designed to screen the lot from the view from adjacent streets and buildings.

**10-15-5.M.1.f:** Parking areas abutting a residential use shall be screened from view by a six (6) foot high solid, sight obscuring fence, except where a vision triangle requires a three (3) foot high solid, sight obscuring fence.

**10-15-5.N: Pedestrian Pathways:** Pedestrian paths throughout the DB zone 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. Approval of the plan shall be made the responsibility of the City zoning office commercial plans examiner(s).

**10-15-5.N.1:** All on site circulation systems shall incorporate a streetscape which includes sidewalks, pedestrian scale light standards and street trees visible from public right of way;

**10-15-5.N.2:** A required pedestrian pathway shall make provision for connection to the pedestrian plaza area required on the same development site.

**10-15-5.O: Access:** All lots/parcels developed/"built out," or proposed to be developed/"built out," with structures thereon shall have, or be demonstrated to have, legal access to a public street, before the City may issue or approve construction of any structures on that lot/parcel (as iterated in the definition of "property" in § 10-1-2, "Definitions," and subsection 10-1-7.B.1 of this title). Lots/parcels developed in this zone do not have to have direct lot/parcel frontage on a public street however, only legal access to the same.

## **10-15-6: DV DOWNTOWN VILLAGE SUBDISTRICT**

**10-15-6.A: Purpose and Intent:** The DV subdistrict is intended to serve as a transitional district between the downtown business (DB) and the downtown historic (DH) districts. It is intended to provide a mixed-use area of retail, office and multi-family residential services, with a presence of motels and food service establishments, and entertainment within its confines and preserve a variety of existing uses.

However, since this is a transitional zone, site design and development will necessarily be reviewed in the context of development in either the business or the historic district, whichever is closer. Those developments bordering the historic district should be compatible with the early and mid-twentieth century architectural style of the adjoining district and conversely developments bordering the civic campus should be compatible with the parklike corporate development of that district.

**10-15-6.B: Building and Site Design Regulations:** The façades and site development of a new or "expanded" (as defined by § 10-1-6 of this title) business building or complex shall be reviewed and regulated by the following standards:

**10-15-6.B.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 the 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.



**10-15-6.B.2: Building Exteriors:** Facades shall be reviewed for the inclusion of architectural characteristics which shall be compatible with the adjoining district and shall be consistent on each building face that is exposed to view from the public right of way and/or adjacent to residential use or zone.

**10-15-6.B.2.a:** Buildings shall include changes in relief such as cornices, bases, fenestration, fluted masonry, for at least forty percent (40%) of the primary façade wall area;

**10-15-6.B.2.b:** Building frontages greater than one hundred feet (100') in length shall have offsets, jogs or have other distinctive changes in the building façade;

**10-15-6.B.2.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 façade.

**10-15-6.B.3: Exterior Finish Materials:** Exterior finish materials shall be nonreflective and shall include at least three (3) colors, textures and/or materials.

**10-15-6.B.3.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.

**10-15-6.B.3.b:** 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 subsection B2 of this section and this subsection B3 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%).

**10-15-6.B.4: 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:

**10-15-6.B.4.a: Roof Mounted Mechanical Equipment:** 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 equipment 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;

**10-15-6.B.4.b: Ground Mounted 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 a combination of evergreen and deciduous bushes and trees, with a minimum of five foot (5') depth continuous around utility, these shall be irrigated and have landscaping fabric and ground cover, or, to be contained within an enclosure consistent with the architectural aesthetics and characteristics of the main building.

**10-15-6.B.5: 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 opposite to any residential use/zone unless some form of screening such as a wall, landscape berm or other barrier is used to separate the two.

Overhead doors designed to create in-door/out-door spaces are allowed with approval by the Design Review Committee to ensure compliance with the design intent of this code.

### **10-15-6.C: Lighting Standards:**

**10-15-6.C.1: Buildings:** All exterior structure lighting shall be consistent with the intent of the district and shall be shielded, screened, and/or shuttered with ninety degree (90°) cutoff luminaires 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. Lights shall not be mounted any higher than twenty-five feet (25') from ground level. Furthermore:

**10-15-6.C.1.a:** The height of a freestanding light fixture (e.g., in a parking lot area) shall not exceed twenty-five feet (25') or the height of the principal permitted structure, whichever is less. Parking area lights shall use ninety-degree (90°) cutoff luminaires ("downlighting"). Building mounted lights shall not be higher than twenty-five feet (25') from ground level;

**10-15-6.C.1.b:** Streetlights installed by the city of Nampa, the Nampa Highway District or the Idaho Division of Transportation shall be exempt from these standards;

**10-15-6.C.1.c:** Electrical feeds to outdoor light fixtures shall be placed underground, not overhead;

**10-15-6.C.1.d:** All lights on site shall be consistent in style, design, height, size and color;

**10-15-6.C.1.e:** Pedestrian circulation routes shall be illuminated;

**10-15-6.C.1.f:** Floodlights shall not be allowed;

**10-15-6.C.1.g:** Metal halide bulbs shall not be used;

**10-15-6.C.1.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.

**10-15-6.D: Setbacks:** Setback areas (i.e., required yard areas) shall be landscaped in accordance with chapter 33 of this title. Setbacks for the DV zone are as follows:

**10-15-6.D.1:** Front yard setback for any structure shall be twenty feet (20') from any public right of way whether local or arterial/collector street;

**10-15-6.D.2:** Street side setback for any structure or parking area shall be zero feet (0');

**10-15-6.D.3:** Side and rear yard setbacks for any structure shall be zero feet (0');

**10-15-6.E: Building Orientation:**

**10-15-6.E.1:** Buildings shall be oriented with primary consideration being given to the visual impact from the perspective of the driver or pedestrian on 2nd and 3rd Streets. The view from these avenues and/or any other primary arterial should be dominated by the view of the primary or front building facade. External views of large expanses of parking lots are strongly discouraged;

**10-15-6.E.2:** Buildings shall be oriented to face the most primary, adjacent road to the property upon which they are proposed to be constructed;

**10-15-6.E.3:** Loading docks shall not face the front of the property. Also, when possible, loading docks shall not face the front of any adjacent principal building.

**10-15-6.F: Building Height:** There shall be no maximum height restriction.

**10-15-6.G: Screening:** Mechanical units or maintenance related equipment and trash receptacles shall be screened with durable materials as found on the related building's façade.

**10-15-6.H: Fencing:** Any proposed fencing shall be reviewed and approved by the Design Review Committee. Chain Link is prohibited.

**10-15-6.I: Trash Receptacles:** Trash receptacles shall be located in service areas at side or rear yards and not visible from streets abutting a property. Receptacles shall be screened as noted in subsection G of this section.

**10-15-6.J: Outdoor Storage:** Outdoor storage in the DV zone is not allowed.

**10-15-6.K: Signage:** Sign allowances for the downtown village subdistrict shall be the same as listed in chapter 23 of this title for the neighborhood business (BN) district except as follows:

**10-15-6.K.1:** Only signs for building/business identification, public safety, and wayfinding shall be permitted;

**10-15-6.K.2:** Signs that are wholly or in part electronic message center displays shall be allowed;

**10-15-6.K.3:** Signs that contain exposed neon lighting or neon lighting as a primary lighting source (i.e., as "backlighting") shall be allowed;

**10-15-6.K.4:** Freestanding signs shall be allowed in accordance with § 10-23-20, table 10-23-20.C of this title;

**10-15-6.K.5:** The color and materials used for the signs shall feature materials, color, and texture of the building for which they advertise.

**10-15-6.L: Landscaping:** The following landscape standards (in addition to those listed in chapters 22 and 33 of this title) shall apply to new construction or expanded construction (as defined by § 10-1-6 of this title) within the DV zone:

**10-15-6.L.1: Location(s) and Quantity of Landscaping Required:**

**10-15-6.L.1.a: General Location Requirement:** Landscaping shall be emplaced on a site wherever a structure, pedestrian pathway or parking lot is not located;

**10-15-6.L.1.b: Arrangement:** Landscaping shall be arranged in a natural pattern designed by a landscape architect and shall serve to highlight buildings' entrances and pedestrian plazas without encroaching into public right of way so as to impede pedestrian and vehicular views or intrude into required vision triangles;

**10-15-6.L.1.c: Around Building Exteriors:** Shrubs and flowerbeds shall be required around any new building's exterior. They are also required in the front yard of the development to enhance the appearance of a building when viewed from a right of way that abuts the development site;

**10-15-6.L.1.d: Screening:** Needled evergreens may be used to help screen mechanical equipment and service areas;

**10-15-6.L.1.e: Growth Coverage:** Plants used in landscaping around a building or on a development site shall be selected to complement the scale of the development area and any building(s) thereon.

**10-15-6.L.2: Landscaping Component Requirements:**

**10-15-6.L.2.a:** Composition of added plants selected (aside from what is required by chapter 33 of this title for a landscape strip along an arterial or collector street) shall be comprised of at least eighty percent (80%) deciduous trees, fifty percent (50%) of which shall be flowering trees;

**10-15-6.L.2.b:** Landscaping shall be designed so that fifty percent (50%) coverage of the site occurs after the first year and ninety percent (90%) coverage occurs after five (5) years.

**10-15-6.L.2.c:** Trees selected for landscape areas shall be selected from the most current version of the Treasure Valley Tree Selection Guide. All trees specified to be located in tree wells shall be approved by the City Forester.

**10-15-6.L.3: Stormwater Retention:** Stormwater retention areas may be used to absorb on site stormwater in accordance with City stormwater regulations.

**10-15-6.M: Parking:** Site development and uses shall conform to parking provisions set forth in 10-1-15, figure 1; chapters 1 and 22 of this title; and ANSI accessibility codes. In addition to said standards, the following additional requirements shall apply to new (not expanded) development:

**10-15-6-M.1: Additional Parking Lot Standards:**

**10-15-6-M.1.a:** Parking lots should be located to the side or rear of the primary or front building façade. Where geographic conflicts with this intent occur, landscaping should be used to buffer the visual impact of the parking area;

**10-15-6-M.1.b:** A maximum of ten percent (10%) of parking spaces required shall be allowed in front of the building, maximum eighty percent (80%) to the side of the building and minimum twenty percent (20%) to the rear of the building;

**10-15-6-M.1.c:** Large expanses of parking are highly discouraged and should instead be designed as smaller modules, separated by vegetation;

**10-15-6-M.1.d:** No single parking lot shall contain over seventy (70) parking spaces without at least a ten foot (10') wide vegetated break separating the parking area into two (2) lots being emplaced;

**10-15-6-M.1.e:** Newly constructed parking lots with thirty (30) or more parking spaces therein shall have perimeter vegetation designed to screen the lot from the view from adjacent streets and buildings.

**10-15-6-M.1.f:** Parking areas abutting a residential use shall be screened from view by a six (6) foot high solid, sight obscuring fence, except where a vision triangle requires a three (3) foot high solid, sight obscuring fence.

**10-15-6.N: Pedestrian Pathways:** Pedestrian paths throughout the DV zone 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. Approval of the plan shall be made the responsibility of the City Zoning office commercial plans examiner(s).

**10-15-6.N.1:** All on site circulation systems shall incorporate a streetscape which includes sidewalks, pedestrian scale light standards and street trees.

**10-15-6.O: Access:** All lots/parcels developed/"built out," or proposed to be developed/"built out," with structures thereon shall have, or be demonstrated to have, legal access to a public street, before the City may issue or approve construction of any structures on that lot/parcel (as iterated in the definition of "property" in § 10-1-2, "Definitions," and subsection 10-1-7.B.1 of this title). Lots/parcels developed in this zone do not have to have direct lot/parcel frontage on a public street however, only legal access to the same.

## **10-15-7: DH DOWNTOWN HISTORIC SUBDISTRICT**

**10-15-7.A: Purpose and Intent:** The DH subdistrict corresponds to the historic city center of Nampa. It is the purpose and intent of these zoning provisions:

**10-15-7.A.1:** To preserve and enhance the historical character and social, economic and cultural functions of the City center. Through historic preservation, these provisions are intended to promote economic and business development, by allowing for ground floor retail, upper floor office, residential and mixed uses;

**10-15-7.A.2:** To preserve what Nampa already has: a "main street" historic district with diverse individual buildings that collectively create an organized, coordinated and ageless rhythm of buildings;

**10-15-7.A.3:** To provide opportunities for a variety of uses including continuing education, public spaces for arts and cultural activities, specialty retail, family oriented entertainment, and food/beverage services;

**10-15-7.A.4:** To encourage higher density housing development;

**10-15-7.A.5:** To promote the identity of the DH subdistrict with improved gateways, internal circulation, buffered surface parking, and City sponsored "way finding" signage;

**10-15-7.A.6:** To enhance the pedestrian environment through the implementation of planned streetscape improvements;

**10-15-7.A.7:** To preserve the continuity of the "main street" historic area which has a diversity of architectural styles from the early twentieth century;

**10-15-7.A.8:** To set a high priority on the enhancement of building façades;

**10-15-7.A.9:** To ensure that new construction and rehabilitation of existing structures are sensitive to the historic architectural styles;

**10-15-7.A.10:** To preserve various existing structures of significance.

**10-15-7.B: Applicability:**

**10-15-7.B.1:** The provisions of this section shall apply to all forms of building and site improvements within the DH subdistrict including building expansion, facade improvements, new construction, rehabilitation, remodel, exterior site improvements, and signs. The specific provisions that apply to the various categories of development activities are as follows:

<b>Type Of Project</b>	<b>Applicable Code Sections</b>
Expansion over 25 percent of a building's total square footage	10-1-6 and 10-15-7
Exterior site improvements	10-1-6, 10-1-15 Figure 1, 10-15-7, and 10-22
Facade improvements; includes painting or repainting	10-15-7
New construction	10-1-6 and 10-15-7

Rehabilitation	10-1-6 and 10-15-7
Remodel	10-1-6 and 10-15-7
Signs	10-15-7 and 10-23

**10-15-7.B.2:** The provisions of this subsection shall not apply to preexisting buildings that are expanded less than twenty-five percent (25%) of total square footage unless a change of occupancy is determined as defined in § 10-1-6 of this title.

**10-15-7.C: Dimensional Standards:**

**10-15-7.C.1: Structure Height:**

**10-15-7.C.1.a:** The maximum building height shall be determined by compliance with the building and design standards set forth in this subsection.

**10-15-7.C.1.b:** Buildings that are adjacent to existing one- or two-story buildings shall be stepped back a minimum of ten feet (10') above fifty-four (54') feet in height at the street (street wall).

**10-15-7.C.1.c:** Outbuildings and landscape structures shall not exceed fifteen feet (15') in height.

**10-15-7.C.2: Setbacks:**

**10-15-7.C.2.a:** Primary building elevations, building sides, street sides or rears shall maintain a zero foot (0') setback from property lines at the ground level, except for alcoves, storefront entryways, and front patio seating/dining space.

**10-15-7.C.2.b:** Rear building elevations may have a zero (0') foot setback or greater to accommodate off-street parking. No more than fifty percent (50%) of a lot may be used for off-street surface parking.

**10-15-7.C.2.c:** Building sides and street sides not including primary building elevation setbacks may increase to ten (10') feet for buildings constructed for residential use, subject to compliance with the adopted International Building Code.

**10-15-7.C.2.d:** Primary building façades adjacent to street frontage may have up to a ten (10') foot setback to accommodate outdoor dining developed in conformance with the city of Nampa outdoor design guidelines.

**10-15-7.C.2.e:** Surface parking lots must contain streetscape landscaping and internal planter interrupts as defined in subsection H of this section and chapter 22 of this title. Parking structures must meet building requirements as defined in this section.

**10-15-7.D: Building and Site Design Standards:**

**10-15-7.D.1: Guidelines:** The current secretary of interior's standards and "Guidelines For Rehabilitating Historic Buildings" shall provide the basic direction for review of improvements in this subdistrict.

**10-15-7.D.2: Booklet:** "Design Guidelines Booklet For The Nampa Historic Downtown District," as adopted, shall be a primary source for the interpretation of provisions of this subsection. The booklet provides examples of the manner in which the standards set forth in this subsection may be implemented.

**10-15-7.D.3: Architectural Form:**

**10-15-7.D.3.a: Consistency:** Architectural treatments shall be consistent on all street facing and pedestrian facing facades of the building and all mechanical/utility screening requires similar treatment;

**10-15-7.D.3.b: Horizontal Rhythm:** A clear visual division shall be maintained between a ground level floor and any upper floor;

**10-15-7.D.3.c: Bases:** In order to convey a sense of "strength" and pedestrian interest, buildings shall provide a base, typically from ground to the bottom of the second story lower windowsills, with changes in plane or material;

**10-15-7.D.3.d: Façade:** Façade shapes shall relate to other historic structures in the same area, including facing and adjacent facades.

**10-15-7.D.4: Structure Width:**

**10-15-7.D.4.a:** The width of a building at the ground floor shall extend from side property line to side property line.

**10-15-7.D.4.b:** Any new or expanded building proposed to be eighty feet (80') or greater in width shall divide the facade into subordinate planes that are similar to the traditional width of the buildings in the DH subdistrict.

**10-15-7.D.5: Roof(s):**

**10-15-7.D.5.a:** For building additions, roof pitches shall be the same as the original as built roof.

**10-15-7.D.5.b:** Roof shapes, pitches and materials shall relate to other buildings in the same area, including facing and adjacent façades.

**10-15-7.D.6: Walls:**

**10-15-7.D.6.a:** Façades shall be reviewed for the elimination of blank walls and in relationship to facing and adjacent structures.

**10-15-7.D.6.b:** New, blank walls adjacent to a public sidewalk shall not be allowed.



**10-15-7.D.6.c:** Structures shall contain early twentieth century style architectural characteristics (as listed in the definitions contained within this chapter) on each wall facade that is exposed to public view or directly faces residential use.

**10-15-7.D.7: Projecting Spaces:**

**10-15-7.D.7.a:** Projecting balconies, verandas or other usable space above the ground level on existing and new buildings shall contribute to the design pattern of the building.

**10-15-7.D.7.b:** Such projections shall not intrude into the public right of way without first obtaining an encroachment agreement.

**10-15-7.D.7.c:** Projecting structures shall be constructed to mitigate solid and liquid debris falling below.

**10-15-7.D.7.d:** The Planning and Zoning Director may approve alternative mitigation strategies including the use of awnings.

**10-15-7.D.8: Awnings, Marquees or Similar Pedestrian Shelters:**

**10-15-7.D.8.a:** The dimensions of awnings, marquees or similar pedestrian shelters shall be proportional to the buildings to which they are attached.

**10-15-7.D.8.b:** The location of awnings, marquees or similar pedestrian shelters shall not obscure the building's architectural details.

**10-15-7.D.8.b.1:** Allowances may be considered when awning clearance height requirements mandate the covering of these features.

**10-15-7.D.8.c:** Awnings should be made of fabric, not plastic or metal, while marquees should be made of substantial materials and designed in keeping with the style of the building.

**10-15-7.D.9: Windows and Openings:**

**10-15-7.D.9.a:** Windows and other features of interest to pedestrians shall be provided adjacent to any sidewalk;

**10-15-7.D.9.b:** A consistency in the proportion of the transparency compatible with the pattern found in the historic district shall be maintained;

**10-15-7.D.9.c:** The size and relationship of new windows, doors, entrances, columns shall be visually compatible with the original architectural character of the building and surrounding buildings;

**10-15-7.D.9.d:** Modern window replacements or additions shall depict early twentieth century style windows in appearance where possible and duplicate original windows in a remodel, rehabilitation or expansion project. Window

replacement in buildings constructed between 1945-1970 shall depict mid-century architectural style in accordance with the Nampa Historic Preservation Plan;

**10-15-7.D.9.e:** Except for transom windows and bay windows, windows shall not break the front plane of the building above the first floor headers (from bottom to top);

**10-15-7.D.9.f:** Upper floor window proportion shall be vertical (height greater than width).

**10-15-7.D.10: Building Entrances:**

**10-15-7.D.10.a:** Building entrances shall create a sense of entry and replicate the historical character. Ground level entries of buildings are encouraged to be recessed from the public right of way;

**10-15-7.D.10.b:** The historic pattern of storefront entryways in terms of footprint, doors and window elements shall be respected so as to avoid introducing incompatible patterns that upset the rhythm of openings as established by surrounding structures;

**10-15-7.D.10.c:** Ground level entry doors and adjacent storefront shall be transparent or very lightly tinted;

**10-15-7.D.10.d:** Traditional building design in materials, finish and footprint shall be reflected in the first floor storefront entries.

**10-15-7.D.11: Overhead Doors:** Overhead doors for service, repair and deliveries shall be located facing local streets and alleys and not facing arterial, collector streets or public spaces.

Overhead doors designed to create in-door/out-door spaces are allowed with approval by the Arts and Historic Preservation Commission to ensure compliance with historical integrity and Secretary of Interior standards.

**10-15-7.D.12: Exterior Finish/Materials:**

**10-15-7.D.12.a:** Quality finish materials shall be utilized, including, but not limited to, storefront or curtain wall glazing systems; brick; masonry; stone; integrally tinted, textured masonry block; stucco, or architectural siding (wood, metal or concrete).

**10-15-7.D.12.b:** Metal siding, corrugated metal or fiberglass, aluminum siding, mirror or metalized reflective glass, plywood, chipboard siding, vinyl, cinderblock, plastic tilt-up concrete, concrete block, highly tinted or mirrored glass, and all types of imitation building materials shall not be used as the primary building, fencing or screening material.

**10-15-7.D.12.c:** Materials used only on one face of a structure, which give the impression of "thinness" and artificiality, are prohibited.

**10-15-7.D.12.d:** Piecemeal embellishment and frequent changes in material are prohibited.

**10-15-7.D.12.e:** Remodel, rehabilitation or expansion projects shall match the original superior finishes.

**10-15-7.D.13: Coloring:**

**10-15-7.D.13.a:** Buildings shall be finished in "appropriate historic hues" (as defined in the definitions section of this chapter): subtle, neutral or earth tone color.

**10-15-7.D.13.b:** Finishes that reflect light and glare; or bright, heavily saturated and/or reflective shades of primary colors are not allowed.

**10-15-7.E: Exterior Site Components:**

**10-15-7.E.1: Mechanical Equipment and Utilities:**

**10-15-7.E.1.a: Installation:** Mechanical equipment and utilities shall be placed and installed in such a way as to have minimal visual impact. The visual impact of the equipment shall be minimized by screening from public view with either landscaping or by being contained within an enclosure that is consistent with the architectural aesthetic, materials, and characteristics of the main building.

**10-15-7.E.1.b: Roof Mounted Mechanical Equipment:** 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 equipment shall be screened from public view by a screen wall enclosure consistent in appearance with the architectural treatment of the main building.

**10-15-7.E.2: Lighting:** All exterior lighting shall be consistent with early twentieth century architecture of this DH subdistrict and shall be shielded, screened, and/or shuttered, and/or directed so as to prevent illumination on adjoining properties, particularly when located adjoining or across the street or alley from residentially used or zoned properties.

**10-15-7.E.2.a:** The height of a freestanding light fixture shall not exceed twenty-five feet (25') or the height of the principal permitted structure, whichever is less. The effective zone of light (as documented by a photometric test report) shall not trespass on any abutting residential properties;

**10-15-7.E.2.b:** Streetlights installed by the city of Nampa or the Idaho Division of Transportation shall be exempt from these standards;

**10-15-7.E.2.c:** Floodlights shall not be allowed;

**10-15-7.E.2.d:** Electrical feeds to outdoor light fixtures shall be placed underground, not overhead;

**10-15-7.E.2.e:** The Design Standards Committee, 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;

**10-15-7.E.2.f:** Lighting to highlight or illuminate architecture and signs shall be attractive without significant spillage of light upward or downward;

**10-15-7.E.2.g:** Lighting sources are required to be in a warm white color range between 2000 and 3000 Kelvin; no cool color range lighting is permitted.

**10-15-7.F: Signage:** All uses shall conform to the DH sign provisions of chapter 23 of this title and, in addition, shall comply with the following standards:

**10-15-7.F.1:** All new signs shall be architecturally compatible with the design of any existing building(s) on the same site or newly proposed building(s);

**10-15-7.F.2:** Colors, materials and lighting shall be visually restrained and be a minimal feature in the overall appearance of the building and district;

**10-15-7.F.3:** Wall signs shall fit within the existing features of a building's facade. Such locations would include the lintel band above the transom windows, entryways, display windows or within decorative moldings which create natural frames for signs;

**10-15-7.F.4:** Signs shall be located so as not to conceal or disfigure significant architectural features or details;

**10-15-7.F.5:** Where possible, signs shall align with other signs in the same horizontal plane as signs on adjacent buildings, provided that they do not violate the sign blanketing provisions of § 10-23-6 of this title;

**10-15-7.F.6:** Exposed single tube neon lighting or signage shall be allowed. No other neon lighting shall be allowed;

**10-15-7.F.7:** No internally illuminated projecting cabinet signs are allowed;

**10-15-7.F.8:** One ground (monument) sign per building shall be permitted when the color and materials used for the sign base match the building;

**10-15-7.F.9:** Signs that are wholly or in part electronic message center displays shall not be allowed notwithstanding any other provision of this code that makes allowances for electronic reader board signs;

**10-15-7.F.10:** Manual reader boards are permitted at twenty five percent (25%) of the overall allowed sign area;

**10-15-7.F.11:** Externally illuminated projecting pedestrian signs are encouraged;

**10-15-7.F.12:** Portable pedestrian signs or "sandwich boards" are encouraged with coloring which meets the criteria of the color section within this code (fluorescent, black

or bright colors are not permitted) and has a maximum square footage of nine feet (9') per side, with a thirty six inch (36") maximum height.

**10-15-7.F.12.a:** Each portable pedestrian sign must be removed during non-business hours.

**10-15-7.F.12.b:** Only one portable sign per business is permitted.

**10-15-7.F.12.c:** The portable sign must also be placed within fifty feet (50') of the business for which they are advertising;

**10-15-7.F.13:** Rotating, moving or flashing signs are not permitted;

**10-15-7.F.14:** Temporary signs must meet the temporary sign criteria in chapter 23 of this title;

**10-15-7.F.15:** Flags and/or banners are permitted on private property if placed within a private landscape strip or parking space. Only one banner or flag per forty (40') feet of road frontage of the primary façade is allowed. Flags or banners are not allowed in the public right-of-way or sidewalks and no signage shall be placed in trees wells within the sidewalks. Flags and banners must be well maintained and not exhibit any fading of color, torn or frayed fabric.

Banners shall be allowed as a temporary sign in accordance with § 10-23-19 of this code.

**10-15-7.F.16:** City sponsored "wayfinding" signage that identifies specific businesses or downtown amenities is allowed to be installed by City staff on the streetlight poles.

#### **10-15-7.G: Parking:**

**10-15-7.G.1:** Off street parking requirements regulating number of spaces required are not and shall not be applicable to uses in this subdistrict.

**10-15-7.G.2:** Parking areas shall maintain the same setbacks as the primary building; parking constructed in conjunction with a building/use shall be behind the building.

**10-15-7.G.3:** Surface parking lots of more than thirty (30) spaces shall maintain a landscaping buffer at all public street frontages and public spaces. Landscaping shall visually screen parked vehicles, but not completely obstruct views into and out of the parking lot for the purpose of supporting pedestrian safety and security.

#### **10-15-7.H: Landscaping, Street Amenities and Fencing:**

**10-15-7.H.1:** Landscaping and street amenities (refer to definitions within this chapter) shall be required to be installed in accordance with new construction, additions, or remodels as detailed in § 10-1-6 of this title.

**10-15-7.H.2:** Landscaping and street amenities installed in the DH zone shall include bollards, bulb outs, trees, tree grates, planters, street lighting, brick pavers, trash and

recycling containers, bike racks, benches, etc. (refer to definitions within this chapter) in compliance with any adopted streetscape plan for the subdistrict.

**10-15-7.H.3: Fencing:** Fencing is prohibited except under the following conditions:

**10-15-7.H.3.a:** Screening of mechanical or maintenance related equipment or trash receptacles. Materials used for screening shall be durable materials that match the building's façade. Materials shall include, but are not limited to brick, masonry, stone, textured masonry block, stucco, wood or iron. Chain link is prohibited.

**10-15-7.H.3.b:** For existing single-family residential, a three (3') foot solid vision fence or four (4') foot open vision fence is allowed in the front yard. A six (6') foot solid vision fence is allowed in the rear yard.

**10-15-7.H.3.c:** Fencing to accommodate street side dining with food and beverage sales will be allowed to have a maximum height of forty (40") inch clear vision fence. Materials shall be reviewed and approved by the Arts and Historic Preservation Commission.

**10-15-7.I: Access:** All lots/parcels developed/"built out," or proposed to be developed/"built out," with structures thereon shall have, or be demonstrated to have, legal access to a public street, before the City may issue or approve construction of any structures on that lot/parcel (as iterated in the definition of "property" in § 10-1-2, "Definitions," and subsection 10-1-7.B.1 of this title). Lots/parcels developed in this zone do not have to have direct lot/parcel frontage on a public street however, only legal access to the same.

## **10-15-8: DESIGN STANDARDS APPLICATION PROCEDURES**

**10-15-8.A: 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 or in conjunction with an application for a building permit.

**10-15-8.B: 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 design committee for review.

**10-15-8.C: Administrative Review:** All other applications not designated for assignment to the Design Committee shall be submitted for an administrative review by staff, unless the Director, or his/her designee, determines the application must be submitted to the Design Committee.

**10-15-8.D: 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 not later than thirty (30) days after assignment by the Director. The administrative decision shall be in writing and shall set forth any design elements of the building which do not comply with design criteria.

**10-15-8.E: Scheduling Design Committee Review:** Upon receipt of an application for Design Committee review, or upon the determination of the director, or his/her designee, that an application should be referred directly to the Design Committee and/or the Arts and Historic Preservation Committee, the Director/designee shall schedule the application to be considered at the next available 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.

**10-15-8.E.1:** In the DH district, exterior alterations or remodels of any exposed façade area that fronts a public right-of-way will require review by the Arts and Historic Preservation Commission. Any alteration or remodel of a façade that is greater than 50% of the façade wall will require review by both the Arts and Historic Preservation Commission and the Design Review Committee.

**10-15-8.F: 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:

**10-15-8.F.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.

**10-15-8.F.2:** A detailed site and landscape plan drawn to scale. The site plan must include the following:

**10-15-8.F.2.a:** North arrow, scale of drawing, property lines.

**10-15-8.F.2.b:** Existing and proposed structures, site amenities, and signage location.

**10-15-8.F.2.c:** Adjoining streets, alleys and private drives.

**10-15-8.F.2.d:** Parking layouts, including dimensioned spaces, drives, circulation patterns, and pedestrian connectivity and walkway.

**10-15-8.F.2.e:** Existing and proposed utility service locations, locations and widths of rights of way, easements, canals, ditches, etc.

**10-15-8.F.2.f:** Locations and sizes of any loading areas, docks, and ramps.

**10-15-8.F.2.g:** Trash storage areas and exterior mechanical equipment with proposed screening methods detailed.

**10-15-8.F.2.h:** Concept for exterior lighting including pedestrian, vehicle, security and decorative solutions.

**10-15-8.F.2.i:** Type and location of all plant materials and other ground covers, including existing plantings.

**10-15-8.F.2.j:** Method of irrigation.

**10-15-8.F.2.k:** Details on special features such as berming or retaining walls, etc.

**10-15-8.F.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, and a breakdown of square footage and percentage of each material used, shall be submitted with examples. The method of screening and treatment of mechanical equipment, both roof-mounted and at grade shall be presented.

**10-15-8.G: 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.

**10-15-8.H: Conduct of Review:** The chair of the Design Committee shall ask the applicant and staff to summarize the project. After the presentation by the applicant, the chair shall ask staff to present the application and staff report. The applicant may then 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 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.

## **10-15-9: DESIGN STANDARDS 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 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:

**10-15-9.A:** Inconsistency with the purpose and objectives of this chapter;

**10-15-9.B:** Unreasonable economic hardship;



**10-15-9.C:** Undue interference with the design integrity of the proposal;

**10-15-9.D:** Discriminatory prevention of allowed land use;

**10-15-9.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;

**10-15-9.F:** Prohibition or unwarranted restriction of building type, material, or method.