

~~an administrative or design committee review. No application will be approved until the application materials required have been provided and fees have been paid.~~

~~4. The applicant may meet with the design review consultant(s) one or multiple times before an application is ready for a recommendation. 5. Once the application has been formally accepted, the public notice of intent to approve should be sent out ten (10) days prior to the approval date to allow for public input and appeal period.~~

~~5. Appropriate fees for design review consultation shall be established by resolution. 6. Administrative Review: Applications for administrative review will follow the process set forth in section 8-6A-6, "Administrative Process Without Notice", of this chapter.~~

~~7. Design Committee Review: Applications for design committee review will follow the process set forth in section 8-6A-5, "Administrative Process With Notice", of this chapter. Applications for design committee review shall be scheduled for a meeting(s). The committee will meet with the applicant and review the submitted design until such time the committee believes the application complies with the required findings set forth in subsection D of this section. Based on the required findings, the committee shall take one (1) of several actions: (a) approve the application; (b) conditionally approve the application with the requirement that the committee review further design details; or (c) deny the application.~~

D. Required Findings: In order to approve a design review application after a recommendation by the design review consultant(s), and based on design standards adopted by the city the standards set forth in chapter 4, article C of this title, the decision maker shall make a determination on the following findings:

1. The proposed design shall is in conformance with the purpose and provisions of Chapters 1-4 and 6 of this Title, including but not limited to setbacks, design provisions, and overlay district provisions; of the zoning district and all dimensional regulations of that district;

2. The proposed design shall conform with the plans adopted by Garden City by ordinance or resolution; adheres to standards for the protection of health, safety, and general welfare;

3. The proposed design shall provide convenient and functional bicycle and pedestrian access and movement to, from, within, and across the site; creates a sense of place and contributes to the uniqueness of the different districts and neighborhoods within the city;

4. The proposed design shall preserve and enhance the public's use of existing and planned public spaces, including but not limited to the greenbelt and pathways, sidewalks, parks, roadways, open space, public facilities, Boise river and waterways, and canals; improves the accessibility of development to nonmotorized and public modes of transportation;

5. The proposed design shall be consistent with the Garden City Comprehensive plan for the relevant neighborhood in scale, intensity, and character; supports a development pattern in nodes rather than strip commercial along arterial corridors;

6. The proposed design shall be functional, in that the use of the property will not create a detrimental impact on the surrounding neighborhood. Such functionality may include but is not limited to features allowing a reasonable expectation of privacy for the neighborhood, adequate parking or loading, refuse placement and collection location, location of noise amplification devices, etc.; supports a compact development pattern that enables intensification of development and changes over time; and

7. The proposed architecture and site improvements shall have facades, features, and other physical improvements that are consistent with Garden City's comprehensive plan for the neighborhood; design provides outdoor spaces and landscaping compatible with the southwest Idaho climatic conditions and that encourage pedestrian activity.

8. The proposed outdoor common area(s) and landscaping shall improve the quality, value, and extent of the design and function of the site and must be consistent with southwest Idaho climatic conditions; and

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9. The proposed design and use shall preserve natural, scenic, and historic features, including but not limited to wetlands, the Boise River, waterways, historic structures, and archeological sites.

SECTION 21. That portions of Title 8 (“Development Code”), Chapter 6 (“Administration”), Article B (“Specific Provisions”), Section 5 (“Development Code Amendment”), Garden City Code be, and the same is hereby amended, to read as follows:

8-6B-5: **DEVELOPMENT CODE AMENDMENT:**

C. Procedures:

1. Development Code Amendment Initiated By The City: Any member of the council, the design review committee consultant(s), or the commission may propose to amend this title following notice and public hearing procedures set forth in article A, “General Provisions”, of this chapter.

2. Development Code Amendment Not Initiated By The City: The prospective applicant for a development code amendment shall complete a pre-application conference with the planning official. The planning official shall make a recommendation to the commission on the merits of considering the applicant’s request. The commission shall review the request at a public hearing and then determine if an application should be brought forward to amend the development code. Upon approval of the request by the commission, an application, fees, and public notice in accord with article A, “General Provisions”, of this chapter, shall be provided.