

CITY OF KIMBERLY

PLANNING & ZONING COMMISSION
MEETING AGENDA

SEPTEMBER 3, 2013
6:00PM

Planning & Zoning Commission meetings are televised, videotaped and/or recorded

Location: 242 Highway 30, Kimberly, Idaho 83341

CALL TO ORDER

WELCOME – PLEASE TURN OFF CELL PHONES – THANK YOU.

ROLL CALL OF COMMISSION MEMBERS

1. APPROVE -

- a. Minutes from August 6, 2013 Commission Meeting.

2. PUBLIC HEARINGS –

- a. Public Hearing and Consideration of an ordinance for a City of Kimberly initiated text amendment to Kimberly City Code Chapter 17.04 District Regulations, add sub-sections 17.04.060 D. Color Pallet Requirements and 17.04.080 D. Color Pallet Requirements. Both sub-sections would state 1. Each building with its trim, and features, shall be earth-tone colors consistent with the earth-tone color pallet in this regulation. The color pallet is proposed to be added at Chapter 17.07 Supplementary Regulations: Section 17.07.120 Color Pallet as part of this text amendment. The public hearing was continued from the August 6, 2013 Commission meeting.
- b. Applicant TKO Homes, 585 Washington St. N. Twin Falls, Idaho, requests that the 45' long frontage on E. Taylor Street not be required to install new curbs, gutter and/or sidewalk due to the location and character of the development, at the time of construction of a home at the address and lot noted above.
- c. Continue the Public Hearing and Consideration of an ordinance for a City of Kimberly initiated text amendment to Kimberly City Code, the amendment to add under Chapter 17.17 Administration and Enforcement: Section 17:17.060 Procedures for Noticing Planning and Zoning Actions to the October 1, 2013 Commission Meeting. The new section provides that applicants of planning and zoning actions provide required time-sensitive notice of such hearings/actions. The section provides that the city planning staff provide either an electronic or a single hard copy of the official notices to be sent or posted to the applicant and provide notice to the official city newspaper, along with notice to political subdivisions (public agencies) providing services within the planning jurisdiction of appropriate planning applications. The public hearing was continued from the August 6, 2013 Commission meeting.

5. UNFINISHED / OLD BUSINESS -

- a. None

6. OCTOBER MEETING: –

a. October 1, 2013

7. ADJOURNMENT

Questions concerning items appearing on this Agenda or requests for accommodation of special needs to participate in the meeting should be addressed to the Office of the City Clerk, 242 Highway 30, Kimberly, Idaho 83341 or call 208-423-4151.

Ted Wasko	Leland Belin	Perry Dangerfield	Candy Weth	VACANT	Cindy Schmidt	Dan Shewmaker
		<i>Co-Chair</i>	<i>Chairperson</i>		<i>Area of Impact</i>	<i>Area of Impact</i>

Posted Aug. 3, 2013

KIMBERLY PLANNING AND ZONING

AUGUST 6, 2013

Call to Order:

The meeting was called to order at 6:00pm.

Roll Call of Commission Members:

Members present were Candy Weth, Ted Wasko, Leland Belin and Perry Dangerfield. Impact area representatives Cindy Schmidt and Dan Shewmaker were also present.

1. Approve:

The minutes of the May 2013 and June 2013 meetings were approved as presented.

2. Public Hearings:

a. Consideration of an ordinance for a City of Kimberly initiated text amendment to Kimberly City Code, Title 1.12 Official Newspaper: Section 1.12.010, to amend the official newspaper for the city to be the "Times News."

The meeting was open to the public. There was no public comment so the Commission discussed the need to have an official newspaper for the publication of Public Notices since the previous official newspaper was no longer in business.

Action:

Ted Wasko moved that the Commission amend the Kimberly City Code to have the "Times News" be the official publication for the City. Cindy Schmidt seconded the motion. It was carried unanimously.

b. Public Hearing and Consideration of an ordinance for the City of Kimberly initiated text amendment to Kimberly City Code, to add under Chapter 17.12 Subdivision Provisions, new Section 17.12.060: Lot Line Adjustments, to replace current 17.12.060 Water Regulations. New Section 17.12.060 would establish procedure for lot line adjustments, in an effort to establish a user-friendly and uniform criteria. Any lot line adjustment would be required to meet the lot line adjustment definition which is proposed to be added to Chapter 17.02 Definitions, Section 17.02.010: Terms Defined.

The meeting was open to the public. There was no public comment so the Commission discussed the need for this change to City Code. The proposed ordinance was shown to surveyors and architects and compared to other city ordinances dealing with the same issue. The South Central District Health Department was also involved to make sure that any changes in lot lines would not adversely impact well and septic systems. The ordinance would follow Standard Uniform approval process. The Commission felt this was a good procedure for the City.

Action:

Cindy Schmidt moved that the Commission establish a procedure for changing lot lines for the City of Kimberly by accepting the proposed change to Kimberly City Code 17.12. The motion was seconded by Perry Dangerfield. It was carried unanimously.

c. Public Hearing and Consideration of a ordinance for a City of Kimberly initiated text amendment to Kimberly City Code, the amendment to add under Chapter 17.17 Administration and Enforcement: Section 17.17.060 Procedures for Noticing Planning and Zoning Actions. The new section provides that applicants of planning and zoning actions provide the required time-sensitive notice of such hearings/actions. The section provides that the city planning staff provide either and electronic or a single hard copy of the official notice to be sent or posted to the applicant and provide notice to the official city newspaper, along with notice to political subdivisions (public agencies) providing services within the planning jurisdiction of appropriate applications.

The meeting was open to the public. There was no public comment so the Commission discussed the proposed amendment. It was concluded that the amendment needed further scrutiny and should be streamlined so that applicants will have a better understanding of the requirements for posting actions on the location of the action and the notification in the official newspaper.

Action:

Ted Wasko moved that the Commission table this amendment. It was seconded by Leland Belin. The motion was carried unanimously.

d. Public Hearing and Consideration of an ordinance for a City of Kimberly initiated text amendment to Kimberly City Code Chapter 17.04 District Regulations, add sub-sections 17.04.060 D. Color Pallet REquirements and 17.04.080 D. Color Pallet Requirements. Both sub-sections would state 1. Each building with its trim, and features, shall be earth-tone colors consistent with the earth-tone color pallet in this regulation. The color pallet is proposed to be added at Chapter 17.07 Supplementary Regulations: Section 17.07.120 Color Pallet as part of this text amendment.

The meeting was open to the public. With no public comment the Commission discussed the proposed amendment. Most of the Commission members were not in favor of demanding by ordinance the requirement for businesses to paint their buildings colors dictated by the City. It was discussed that the language of the amendment be changed to "strongly suggest" that a certain color scheme be followed or that a board review any color options that business would like to use.

Action:

After much discussion Ted Wasko moved that the proposed amendment be tabled until next meeting. The motion was seconded by Cindy Schmidt. It was carried unanimously.

4. Unfinished/Old Business:

No old business before the Commission.

5. New Business:

No new business before the Commission.

Adjournment:

The meeting was adjourned at 7:00pm.

Respectfully submitted,

Perry C. Dangerfield,

STAFF REPORT

TO: Kimberly Planning and Zoning Commission

FROM: Bart Bingham, Community Development Director

RE: Kimberly City Code, Development Regulations Text Amendment- The City of Kimberly initiated text amendment to add under Chapter 17.04 District Regulations, Sections 17.04.060 D Color Palette Requirements and 17.04.80 D Color Palette Requirements. Both Sub-sections would state 1. Each building with its trim and features shall be consistent with the earth tone color palette requirements and earth tone palette in section 17.07.120.

HEARING: September 3, 2013

Proposal

The amendment is to Kimberly City Code, Development Regulations, to add under Chapter 17.04 District Regulations, Sections 17.04.060 D Color Palette Requirements and 17.04.080 D Color Palette Requirements. Both sub-sections would state 1. Each building shall be earth tone colors consistent with the earth tone color palette requirements and color palette in section 17.07.120.

Background

Last year, Operation Facelift used a color palette with the motto: “New Look, New Attitude, New Business,” in as many as ten cities across the Magic Valley for repainting businesses the “new” colors found on the palette. Larry Hall, City Administrator, played a significant role in the facelift painting effort. He believes buildings painted certain colors, in a uniform manner, can be beneficial for enhancing a community’s business possibilities and in assisting it be more business attractive. Staff has researched and found many cities use color palette systems to assist the cities in enhancing their attractiveness, and also creating a sense of place.

Department Comments

The Color Palette colors do not show up on the ordinance color palette very well after being reproduced for the ordinance. The colors the proposed color palette includes, however, are complementary to each other and provide excellent accents for the others. The earth tone colors could help to provide an attractive and enticing boulevard look along each side of the main thoroughfares into Kimberly. Staff has looked at several other cities (including some in WA, FL, and CO) which utilize color palettes to create a system where certain parts or larger portions of cities are painted using a color scheme and method. In addition, staff researched several cities and used approval processes from a handful of them as examples to draft the processes so Painting Applications would be no fee and staff approval work time would be minimal. In addition, applicants under the system would not required to submit excessive application material.

FINDINGS OF FACT, CONCLUSIONS OF LAW AND RECOMMENDATION

On September 3, 2013, the Kimberly Planning and Zoning Commission considered the application by the City to add under Chapter 17.04 District Regulations, Sections 17.04.060 D Color Palette Requirements and 17.04.080 D Color Palette Requirements. Both Sub-sections would state 1. Each building shall be earth tone colors consistent with the earth tone color palette requirements and color palette in section 17.07.120. The Commission, having been presented with all the information and testimony in favor and in opposition to the proposal, hereby makes the following Findings of Fact, Conclusions of Law and Recommendation.

FINDINGS OF FACT

Applicant: The City of Kimberly

Application Request: The amendment is to Kimberly City Code, Development Regulations, to add under Chapter 17.04 District Regulations, Sections 17.04.060 D Color Palette Requirements and 17.04.080 D Color Palette Requirements. Both Sub-sections would state 1. Each building shall be earth tone colors consistent with the earth tone color palette requirements and color palette in section 17.07.120.

Procedural History

The Commission considered the Color Palette amendment at the August 6, 2013 Commission meeting and continued consideration on it until September 3, 2013. The Commission gave instruction to staff to either establish a system for board approval or to “strongly encourage owners of buildings within the Commercial Business and Commercial Gateway Zoning Districts to comply.

Notice

Notice for the public hearing was published in the Times News on July 23, 2013 and mailed to public agencies and area media on July 23, 2013

Standards of Evaluation

Note: Staff analysis is in lighter type,

When evaluating any proposed amendment, the Commission and Council shall make findings of fact on the following criteria:

a. The proposed amendment is in accordance with the Comprehensive Plan; The Commission should consider how the proposed amendment relates to the various goals of the Comprehensive Plan. The Comprehensive Plan shows N. Main Street (Hwy 30) and Kimberly Rd. as the Commercial Gateway and Commercial Business designated areas for the city for the long-term future. Kimberly has an opportunity to enhance an already attractive situation along these corridors. The objective of attracting and creating business would be furthered by adopting the proposed color palette for these areas.

b. Essential public facilities and services are available to support the full range of

proposed uses without creating excessive additional requirements at public cost for the public facilities and services;

Not applicable

c. The proposed uses are compatible with the surrounding area; and

Not applicable

d. The proposed amendment will promote the public health, safety and general welfare.

The proposed amendment will promote the public health, safety and general welfare by providing attractive economic development opportunities, which easily can multiply into multiple sustainable economic engines for the city of Kimberly and the region.

Summary

The Commission is required to hold a public hearing and determine whether the proposed amendment is in accordance with the applicable standards of evaluation and make a recommendation to the Council that the proposed amendment be granted or denied, or that a modified amendment be granted.

RECOMMENDATION

Based upon the above Findings of Fact, the Commission makes the following Recommendation:

1. Adequate notice, pursuant to Idaho Code, was given for the public hearing.
2. Upon compliance with the conditions noted above, the application substantially meets the standards of the Kimberly Development Code.
3. The application with the ordinance amendment is to Kimberly City Code, Development Regulations, to add under Chapter 17.04 District Regulations, Sections 17.04.060 D Color Palette Requirements and 17.04.080 D Color Palette Requirements. Both Sub-sections would state 1. Each building shall be earth tone colors consistent with the earth tone color palette requirements and color palette in section 17.07.120., is found to be in conformance with the comprehensive plan and is recommended for (circle one) approval/denial to the City Council.

Signed this _____ day of _____, 2013.

Candy Weth, Commission Chair, City of Kimberly

Attest:

Bart Bingham, Community Development Director, City of Kimberly

Motion Language

Approval:

P&Z

Motion to recommend the City Council approve the proposed amendments to Kimberly City Code, Development Regulations, adding under Chapter 17.04 District Regulations, Sections 17.04.060 D Color Palette Requirements and 17.04.80 D Color Palette Requirements. Both Sub-sections would state 1. Each building shall be earth tone colors consistent with the earth tone color palette in section 17.07.120. This approval is also for the color palette requirements and color palette to be included at Chapter 17.07 Supplementary Regulations Section 17.07.120 Color Palette, finding that the amendments are in accordance with the Comprehensive Plan, and that the proposed amendment will promote the public health, safety and general welfare.

Denial:

P&Z

Motion to recommend the City Council deny proposed amendments to Kimberly City Code, Development Regulations, adding under Chapter 17.04 District Regulations, Sections 17.04.060 D Color Palette Requirements and 17.04.80 D Color Palette Requirements. Both sub-sections would state 1. Each building shall be earth tone colors consistent with the earth tone color palette requirements and color palette in section 17.07.120. The Color Palette itself would have be included at Chapter 17.07 Supplementary Regulations Section 17.07.120 Color Palette , finding that _____ [the Commission should cite which standards are not met and provided the reason why each identified standard is not met].

Continuation:

Motion to continue the public hearing upon the proposed amendment to Kimberly City Code, Development Regulations, to add under Chapter 17.04 District Regulations, Sections 17.04.060 D Color Palette Requirements and 17.04.80 D Color Palette Requirements. Both sub-sections would state 1. Each building with its trim and features shall be consistent with the earth tone color palette requirements and color palette in section 17.07.120. The Color Palette itself would be displayed at Chapter 17.07 Supplementary Regulations Section 17.07.120 Color Palette, to _____ [the Commission should specify a date].

Table:

Motion to table the proposed amendment to Kimberly City Code, Development Regulations, which would add under Chapter 17.04 District Regulations, Sections 17.04.060 D Color Palette Requirements and 17.04.80 D Color Palette Requirements. Both Sub-sections would state 1. Each building shall be earth tone colors consistent with the earth tone color palette requirements and color palette in section 17.07.120, to a later date: _____.

KIMBERLY ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF KIMBERLY, IDAHO, AMENDING KIMBERLY'S CITY CODE, BY ADDING UNDER CHAPTER 17.04 DISTRICT REGULATIONS, SECTIONS 17.04.060 D COLOR PALETTE REQUIREMENTS and 17.04.080 D COLOR PALETTE REQUIREMENTS. BOTH SUB-SECTIONS WOULD STATE 1. EACH BUILDING WITH ITS TRIM, AND FEATURES SHALL BE EARTH TONE COLORS CONSISTENT WITH THE EARTH-TONE COLOR PALETTE REQUIREMENTS AND COLOR PALETTE IN SECTION 17.07.120. THE COLOR PALETTE ITSELF WILL BE DISPLAYED AT CHAPTER 17.07 SUPPLEMENTARY REGULATIONS: SECTION 17.07.120 COLOR PALETTE

THIS ORDINANCE PROVIDES FOR A SEVERABILITY CLAUSE AND A REPEALER CLAUSE; AND FOR THE EFFECTIVE DATE OF THIS ORDINANCE AND FOR AMENDMENT OF CHAPTER 17: ZONING REGULATIONS UPON ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

WHEREAS, the Kimberly City Council has found that the following amendments to the Kimberly City Zoning Regulations generally conform to the Kimberly Comprehensive Plan;

WHEREAS, the proposed amendments are in accordance with the safety and welfare of the general public facilities and services; and

WHEREAS the amendments are compatible with the surrounding area.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY KIMBERLY, IDAHO, AS FOLLOWS:

Ordinance amendments are shown below in bold text, language deleted is delineated by a single-line strikethrough, and regular text is neither amended nor deleted, but is shown to provide context and placing of the amendments in the ordinance.

17.04.060 D & 17:04.80 D COLOR PALETTE REQUIREMENTS

- A. Color Palette Requirement: Each building including its outside trim, siding, stucco, accents, and non-masonry features shall be earth tone colors consistent with the color palette and color palette requirements found in Section 17.07.120.**

17.07.120 COLOR PALETTE

- A. Color Palette Requirement: Each building in the Commercial Business (CB) and Commercial Gateway (CG) Zoning Districts, including each building's exterior**



trim, siding, stucco, accents, and non-masonry features shall be earth tone colors consistent with the color palette and color palette requirements of this section:

a. **Additional Color Palette Requirements:**

- i. **A no-fee Painting Permit application** shall be filled out and be submitted by the property owner/applicant to the Community Development Department, and such permit shall be approved by the Community Development Director or designee prior to the painting of any applicable building within the city or within its area of impact. A building permit for painting is not required.
- ii. **Number of Colors:** In painting an applicable building, at least two and up to three (3) of the approved palette colors shall be utilized.
- iii. **Minor shading variations** to the color palette shall be approved by the Community Development Director or designee and may be substituted as color palette colors. These substitutions shall be identified and shown on the Color Palette Variation Form which shall be submitted to and be approved by the Community Development Director or designee prior to variation paint application.
- iv. **Equivalent colors matching those named and numbered on the color palette may be utilized**
- v. **Masonry building materials** (defined as brick, stone and/or block) used or installed upon exteriors of applicable buildings in the city or within its area of impact, shall be limited in color to their natural, unpainted color.
- vi. **Allowable time for compliance:** Existing buildings which do not comply with the color palette requirements shall have three (3) years from the date of passage of the color palette requirements to come into compliance with them. Future buildings shall comply with the color palette requirements during initial construction in order to receive certificate of occupancy upon completion of the building.
- vii. **Appeal of Color Pallet Determinations:** A decision regarding colors of the color palette may be appealed to Planning and Zoning Commission, which may either uphold, overturn, or remand the decision back to the Community Development Director or designee to make a final determination. The Commission's determination is the final determination.
- viii. **Enforcement:** Upon completion of painting of a building to comply with color palette requirements, the owner/applicant must notify the Community Development Department of such completion by filling out the Color Palette Compliance Letter and attaching pictures of the completed painted building, and either mailing, faxing, or emailing the letter and photos to the Community Development Director or designee so completion can be certified.

b. **Color Palette**





17.07.120 A. b. COLOR PALETTE

SW 6028 Cultured Pearl	SW 6035 Gauzy White	SW 6063 Nice White	SW 6070 Heron Plume
SW 6029 White Truffle	SW 6036 Angora	SW 6064 Reticence	SW 6071 Popular Gray
SW 6030 Artistic Taupe	SW 6037 Temperate Taupe	SW 6065 Bona Fide Beige	SW 6072 Versatile Gray
SW 6031 Glamour	SW 6038 Truly Taupe	SW 6066 Sand Trap	SW 6073 Perfect Greige
SW 6032 Dutch Cocoa	SW 6039 Poised Taupe	SW 6067 Mocha	SW 6074 Spalding Gray
SW 6033 Bateau Brown	SW 6040 Less Brown	SW 6068 Brevity Brown	SW 6075 Garret Gray
SW 6034 Arresting Auburn	SW 6041 Otter	SW 6069 French Roast	SW 6076 Turkish Coffee

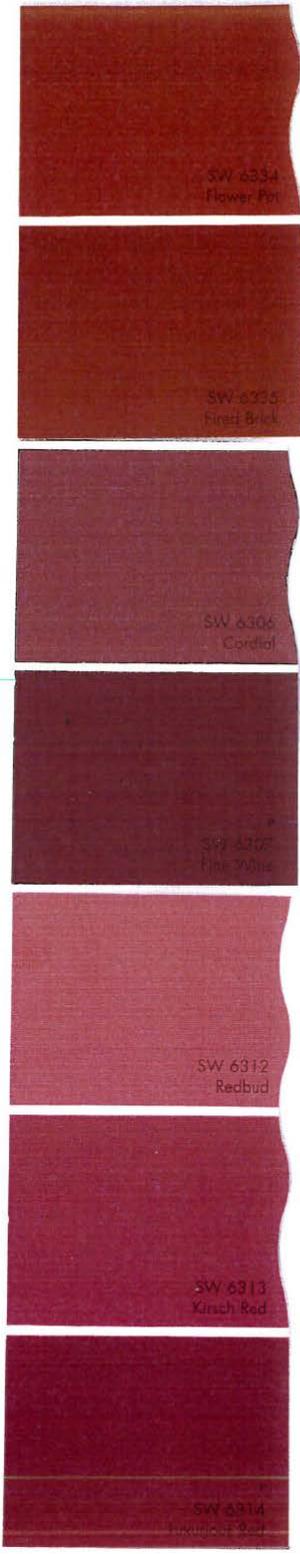


SW 6077 Everyday White	SW 6084 Modest White	SW 6091 Reliable White	SW 6098 Pacer White
SW 6078 Realist Beige	SW 6085 Simplify Beige	SW 6092 Lightweight Beige	SW 6099 Sand Dollar
SW 6079 Diverse Beige	SW 6086 Sand Dune	SW 6093 Familiar Beige	SW 6100 Practical Beige
SW 6080 Utterly Beige	SW 6087 Trusty Tan	SW 6094 Sensational Sand	SW 6101 Sands of Time
SW 6081 Down Home	SW 6088 Nuthatch	SW 6095 Toasty	SW 6102 Portabella
SW 6082 Cobble Brown	SW 6089 Grounded	SW 6096 Jule Brown	SW 6103 Tea Chest
SW 6083 Sable	SW 6090 Java	SW 6097 Sturdy Brown	SW 6104 Kaffee



SW 6105 Divine White	SW 6112 Biscuit	SW 6119 Antique White	SW 6126 Navajo White
SW 6106 Kilim Beige	SW 6113 Interactive Cream	SW 6120 Believable Buff	SW 6127 Ivoire
SW 6107 Nomadic Desert	SW 6114 Bagel	SW 6121 Whole Wheat	SW 6128 Blonde
SW 6108 Latie	SW 6115 Totally Tan	SW 6122 Camelback	SW 6129 Restrained Gold
SW 6109 Hopsack	SW 6116 Totami Tan	SW 6123 Baguette	SW 6130 Mannered Gold
SW 6110 Steady Brown	SW 6117 Smokey Topaz	SW 6124 Cardboard	SW 6131 Chamois
SW 6111 Coconut Husk	SW 6118 Leather Bound	SW 6125 Craft Paper	SW 6132 Relic Bronze





NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY KIMBERLY, IDAHO, AS FOLLOWS:

SECTION 1. The above described and shown text amendments are the subject of text amendments to the Kimberly City Code.

SECTION 2. Should any section or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 3. All City of Kimberly ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 4. This ordinance shall be in full force and effect from and after the approval, and publication according to law.

PASSED AND ADOPTED BY THE KIMBERLY CITY COUNCIL AND APPROVED BY THE MAYOR THIS ____ DAY OF _____, 2013.

TRACY ARMSTRONG, MAYOR, CITY OF KIMBERLY

Attest:

SHOSHONIE HEITMANN, CITY CLERK

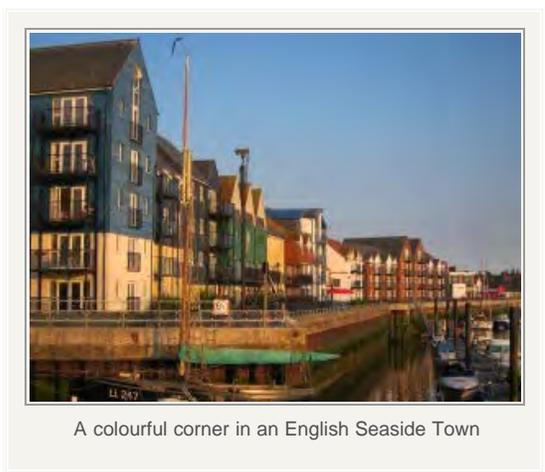
Publish: Times News _____, 2013





Cities have a colour palette

Posted by [Ximena](#) on 5/18/11 • Categorized as [Places + Design](#)



A colourful corner in an English Seaside Town

Many years ago, a friend asked me to talk about the city we were in at the time. My answers were quite vague. I didn't know what to say! The only thing I remember saying was that I really liked the colours of the city. That was a very colourful city.

Just the other day, I came across [these videos](#) by the Geography Collective, for their *Urban Earth Project*. They were produced in various cities around the world by walking from one end of the city to the other (along a carefully planned route), taking a photograph every 8 steps. When put together they represent a journey that shows the city in a very 'honest' way. Daniel Raven-Ellison, who created the project, sought to 'expose what our cities really look like away from the bias and

spin of commercial agendas'.

I found this a very interesting piece of work. I thought the method allowed for very different cities to be compared at many levels, as it allows for finding differences and similarities – surely a lot can be learned from the project – not least the principle behind the method. But something that struck me was the different colour palettes for the different cities. Whilst it is something that appears rather obvious if we consider the use of local materials and traditional taste in architecture and landscape design, it's amazing how much colour alone does to the character of a place. This came through strikingly partly because of the speed at which the images on the Geography Collective videos change, without allowing you to focus on the details.

Something makes people in some places choose a variety bright colours for their buildings, whilst in some other places colours are much more consistent throughout and tend to be more sober. While in some cases colour clearly relates to practical matters such as the white limestone buildings of the Mediterranean, where it contributes to not absorbing heat; in other cases (most notably in colourful places) it seems to be done purely on aesthetic uses: somehow it has become part of the identity of the place.

As designers we perhaps should be thinking about colour not only at the scale of architecture but at the urban scale too. Often there is a preference to use materials similar to those in the immediate or wider urban context, but the focus is on the materials rather than on the colours. Colours affect people's mood and can really change the feel of a place, and I don't think most designers (and I include myself) really make the most of it.

I leave you with a [collection](#) of colourful images from around the world that I really enjoyed. Apart from being a pleasure to look at, it also shows care. It makes me think these communities really have a sense of ownership and pride about their neighbourhoods, built over time, closely related to the people that inhabit them.

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Tagged as: [cities](#), [learning](#), [technology](#), [virtual world](#)

5 Comments

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CITY OF MIAMI SPRINGS
BUILDING AND CODE COMPLIANCE DEPARTMENT



Example of
Variation Application

Color Palette Variation Application

Date _____

I, _____ property owner of the Commercial Property located at:

do hereby apply for approval of a color on my building which is a variation of one of the shades on the approved Color Palette. Attached is a sample of the color I wish to use. It is a variation of color Number _____ on the Color Palette.

The Benjamin Moore (or equivalent) number for the color I have chosen is _____

_____ Date: _____

Signed-Property Owner/Legal Representative

SWORN TO AND SUBSCRIBED before me this
_____ day of _____, 20____, _____

Who: ___ is personally known to me OR has produced _____ as
identification and who executed the foregoing instrument freely and voluntarily for the purposes therein
expressed.

NOTARY PUBLIC-Signature Notary-Printed Name
State of Florida At Large

MY COMMISSION EXPIRES: _____

Variation Approved: _____
Signed Title Date

Variation Denied: _____
Signed Title Date

Reason for Denial: _____

COLOR PALETTE COMPLIANCE LETTER

Example of
Compliance Letter

To: The City of Miami Springs Building Department
201 Westward Drive, Miami Springs, FL 33166
Fax: (305) 805-5036

From: _____ (Company Name)

_____ (Address)

This letter is to confirm that as of _____(Date) the Commercially Zoned building located at:
_____(address) in Miami Springs, has been painted to conform to the
City of Miami Springs Color Palette.

Signed

Print Name

This letter may be mailed to the City at the above address or faxed to the Building Department at (305) 805-5036. You may also forward this by e-mail to one of the e-mail addresses below:

ziadiet@miamisprings-fl.gov

taverasl@miamisprings-fl.gov

Ordinance No. 3011

AN ORDINANCE OF THE CITY OF PORT TOWNSEND ADOPTING
A REVISED APPROVED COLOR PALETTE FOR PORT
TOWNSEND'S NATIONAL LANDMARK DISTRICT TO SERVE AS
A GUIDLINE FOR HISTORIC DESIGN REVIEW CONSISTENT
WITH CHAPTER 17.30 OF THE PORT TOWNSEND MUNICIPAL
CODE

Example of a Revised/
Updated Color Palette

WHEREAS, The City has established design review in the National Landmark Historic District to preserve the integrity of the District; and

WHEREAS, the City adopted Ordinance 2871 on November 29, 2004 which contained an Approved Color Palette that established standards to ensure that existing and new construction within the District was painted in a manner that is both historically accurate and mutually compatible; and

WHEREAS; the colors in the adopted Palette were based on paints commercially available at the time of it preparation in the early 1990's; and

WHEREAS, the availability of the paints referenced in the adopted Palette have changed over time with many colors no longer available from the identified manufacturers; and

WHEREAS, the Historic Preservation Committee has developed an amended palette that provides greater detail on applicable colors; and

WHEREAS, the adoption of a amended color palette will allow for greater utility and accuracy during the design review,

NOW, THEREFORE, the City Council of the City of Port Townsend ordains as follows:

SECTION 1. AMENDMENT. Port Townsend's National Landmark Historic District Approved Color Palette referenced in Chapter 17.30.160(A)(4) of the Port Townsend Municipal Code is hereby amended to include the revised palette attached to this ordinance as **Exhibit A**. This palette replaces the existing palette, and the existing palette is repealed.

SECTION 2. SEVERABILITY. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance, or the application of the provision to other persons or circumstances, is not affected.

This ordinance shall take effect and be in force five days after the date of its publication in the manner provided by law.

Adopted by the City Council of the City of Port Townsend, Washington, at a regular meeting thereof, held this twentieth day of April 2009.

Michelle Sandoval, Mayor

Attest:

Approved as to Form:

Pamela Kolacy, MMC
City Clerk

John P. Watts
City Attorney

STAFF REPORT

TO: Kimberly Planning and Zoning Commission

FROM: Bart Bingham, Community Development Director

RE: Applicant TKO Homes, 585 Washington St. N. Twin Falls, Idaho, requests that the 45' long frontage on E. Taylor Street not be required to install new curbs, gutter and/or sidewalk due to the location and character of the development, at the time of construction of a home at the address and lot noted.

HEARING: September 3, 2013

FINDINGS OF FACT, CONCLUSIONS OF LAW AND RECOMMENDATION

On September 3, 2013, the Kimberly Planning and Zoning Commission considered the application by TKO as to whether new curbs, gutters, and a sidewalk are required to be constructed by the applicant at the location noted below. The Commission, having been presented with all the information and testimony in favor and in opposition to the proposal, hereby makes the following Findings of Fact, Conclusions of Law and Recommendation.

FINDINGS OF FACT

Applicant: TKO Homes

Application Request: Applicant TKO Homes, 585 Washington St. N. Twin Falls, Idaho, requests that the 45' long frontage on E. Taylor Street not be required to install new curbs, gutter and/or sidewalk due to the location and character of the development, at the time of construction of a home at the address and lot noted above.

Procedural History

On September 3, 2013, the Commission considered the question as to whether new curbs, gutters and/or sidewalks are required to be built/installed by the owner of the property located at 230 E. Taylor Street (Parcel Number K8681001006B) ,legally described as the Albert tract S.463.34' Lot 6, Exc W 120.23' of S 156 Block 1 in City Kimberly, County of Twin Falls, Idaho, at the time of construction of a new residence on the property or whether due to the location or character of the development, new curbs, gutters and/or sidewalks need not be constructed as set out in Kimberly City Code Section 17.11.050.

Standards of Evaluation

Note: Staff analysis is in lighter type,

When evaluating any proposed amendment, the Commission shall make findings of fact on the following criteria:

17.11.050: STREETS: 

B. Curb, Gutter And Sidewalk:

1. New curbs, gutters and sidewalks shall be constructed at the expense of the property owner with, and at the same time as, all new construction or modification of existing buildings in accordance with city standards on all streets, within and adjacent to the development, and in all zoning districts except the agricultural district, for all land uses, except where the commission determines that, due to the location or character of the development, new curbs, gutters and/or sidewalks need not be constructed.

Summary

The Commission is required to determine whether the proposed new curbs, gutters and sidewalk should be required to be constructed or not based on the above standard.

RECOMMENDATION

Based upon the above Findings of Fact, the Commission makes the following Finding:

1. Upon applying the standards of the Kimberly City Code above, the Commission finds new curbs, gutters, and/or sidewalks along the 45' frontage facing E Taylor St are (circle one) required/ not required of the applicant TKO Homes at the time of construction of a house at the above noted address and lot. .

Signed this _____ day of _____, 2013.

Candy Weth, Commission Chair, City of Kimberly

Attest:

Bart Bingham, Community Development Director, City of Kimberly

Motion Language

Require Curb, Gutter and Sidewalks:

Motion that the Commission require new curbs, gutters and sidewalks spanning the distance of 45' fronting E. Taylor Street to be built/installed by the owner of the property located at 230 E. Taylor Street (Parcel Number K8681001006B), legally described as the Albert tract S.463.34' Lot 6, Exc W 120.23' of S 156 Block 1 within the City Kimberly, County of Twin Falls, Idaho, on that property, at the time of construction of a new residence on the property in compliance with the standards of the Kimberly City Code.

Not require Curb, Gutter and Sidewalks:

Motion that due to the location or character of 230 E. Taylor Street (Parcel Number K8681001006B), legally described as the Albert tract S.463.34' Lot 6, Exc W 120.23' of S 156 Block 1 within the City Kimberly, County of Twin Falls, Idaho, the Commission not require the applicant TKO Homes to construct new curbs, gutters and sidewalks spanning the distance of 45' fronting E. Taylor Street and covering the entrance way of the planned future drive entryway to property in compliance with the standards of Kimberly City Code.



To see all the details that are visible on the screen, use the "Print" link next to the map.

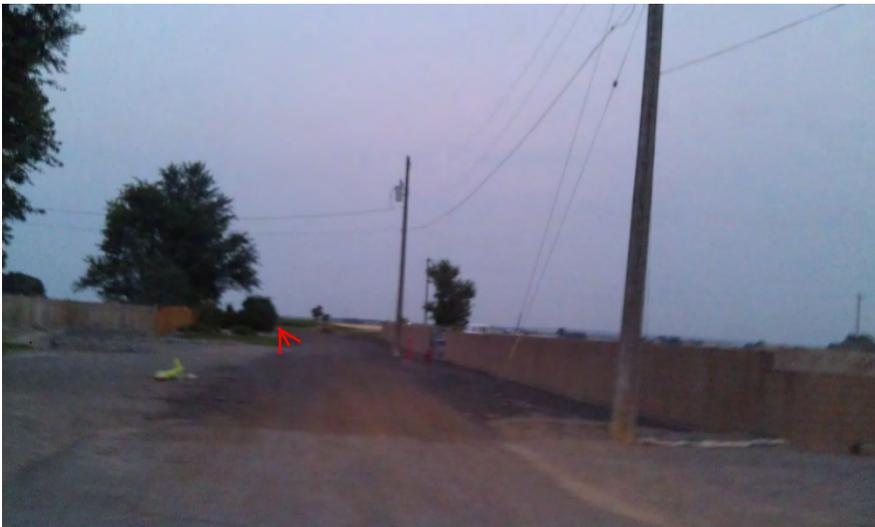


Frontage length, including 15 foot driveway is 45'

Photos of Taylor Street



Eastbound immediately after turning left from Main Street



Eastbound right at city hall property on the left, where the road turns to gravel/dirt