

## STAFF REPORT

**TO:** Hailey Planning and Zoning Commission  
**FROM:** Beth Robrahn, Planning Director *BR*  
**RE:** Zoning Ordinance Amendment – Section 9.4.2  
**HEARING:** January 4, 2009

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**Note:** Staff analysis is in lighter type

### Notice

Notice for the public hearing was published in the Idaho Mountain Express and mailed to public agencies and area media on December 16, 2009.

### Proposal

Attached are amendments to Section 9.4.2 of the Zoning Code proposed by the City. These amendments would change the on-site parking requirement for Fitness centers, health clubs, exercise/aerobics studios from 1 space for every 250 square feet of usable studio space, plus 1 space per racquetball/squash/handball court to 1 space for every 500 square feet of gross building area.

### Procedural History

The impetus for the amendments was recent inquiries by a business that wanted to open a fitness studio in Hailey. The business looked at two spaces in downtown (one was within an older building on Main Street and one within a newly constructed building) and two spaces in Airport West. In all cases the 1 space per 250 square feet was unusually prohibitive.

The number of vehicle trips generated by an athletic use does not seem to be more than a typical office or restaurant use, therefore it may be reasonable to change the athletic facility parking requirement to be consistent with the requirement for office and restaurant uses.

### Standards of Evaluation

**14.6 Criteria for Review. When evaluating any proposed amendment under this Article, the Hearing Examiner or Commission and Council shall make findings of fact on the following criteria:**

**1. The proposed amendment is in accordance with the Comprehensive Plan;**  
The Commission should consider how the proposed amendments relate to the various policies and implementation items of the Comprehensive Plan, particularly the following:

#### *Section 5 - Land Use*

##### *5.4 Land Use Districts*

*Goal: To provide for a balanced mix of land uses suitably related to each other and their natural setting. Include sufficient space in all types of districts to accommodate future growth. Direct density of development towards the community core, with increasing green space and generally decreasing density toward the edges of the community and within the Area of City Impact.*

2. Policy: *Enhance the Central Business District as defined in this plan, maintaining it as Hailey’s primary retail center. Consider ordinance amendments that will support a dynamic and vital downtown core. Expand the Business and like districts in accordance with the established Land Use Map.*

f. *Study current parking requirements to determine whether the number of parking spaces required for various uses is appropriate and/or adequate. Studies and future requirements should incorporate and support regional transportation planning.*

*Section 10 - Transportation*

*10.3 Enforcement*

*Goal: Ensure that future growth does not place undue demands on our current quality of life, transportation infrastructure, rural character, or environmental quality, including clean air.*

1. Policy: *Standards for development should encourage multi-modal transportation.*

b. *Review the parking ordinance to establish appropriate minimum and maximum numbers of parking spaces for development. Encourage creative alternatives to larger parking lots, such as shared parking, public transit, special event shuttles, etc. Explore other means to balance parking needs, such as parking meters.*

**2. 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;**

It is not anticipated that the proposed amendments will create additional requirements at public cost.

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

It is not anticipated that changing the on-site parking requirement for athletic facility uses to 1 space per 500 square feet will jeopardize the compatibility with surrounding uses.

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

The Commission should determine if reducing the on-site parking requirement for athletic facilities will promote or hinder the public health, safety and general welfare.

**Summary**

The Commission is required to hold a public hearing and determine whether the proposed amendments are in accordance with the applicable standards of evaluation.

The Commission is then required to recommend to the Council that the proposed amendment be granted or denied, or that a modified amendment be granted. The Commission’s recommendation should include the reasons for the recommendation.

**Motion Language**

**Approval:**

Motion to recommend the City Council approve the proposed amendments to Section 9.4.2, finding that the amendments are in accordance with the Comprehensive Plan, 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; the proposed uses are compatible with the surrounding area; and the proposed amendment will promote the public health, safety and general welfare.

**Denial:**

Motion to deny the proposed amendments to Section 9.4.2, 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 Section 9.4.2 to \_\_\_\_\_  
[the Commission should specify a date].

HAILEY ORDINANCE NO. \_\_\_\_

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, AMENDING HAILEY'S ZONING ORDINANCE, ORDINANCE NO. 532, BY AMENDING ARTICLE 9, PARKING AND LOADING SPACES, SECTION 9.4.2., COMMERCIAL, PROFESSIONAL, SERVICE, RECREATION AND ENTERTAINMENT, TO CHANGE THE PARKING REQUIREMENT FOR FITNESS CENTERS, HEALTH CLUBS, EXERCISE/AEROBICS STUDIOS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE UPON PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

WHEREAS, the Hailey City Council has found that the following amendment to the Hailey Zoning Ordinance will generally conform to the Hailey Comprehensive Plan;

WHEREAS, the amendments will not create excessive additional requirements at public cost for public facilities and services; and

WHEREAS, the amendment will be in accordance with the safety and welfare of the general public.

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

Section 1. Section 9.4.2, Commercial, Professional, Service, Recreation and Entertainment, of the Hailey Zoning Ordinance No. 532, is hereby amended by the deletion of the stricken language and the addition of the underlined language as follows:

- n. Fitness centers, health clubs, exercise/aerobics studios: 1 space for every ~~250~~ 500 square feet of ~~usable studio space, plus 1 space per racquetball/squash/handball court~~ gross building area.

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 Hailey 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 required three (3) readings, approval, and publication according to law.

PASSED AND ADOPTED BY THE HAILEY CITY COUNCIL AND APPROVED BY THE MAYOR THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2010.

\_\_\_\_\_  
Richard L. Davis, Mayor, City of Hailey

Attest:

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Mary Cone, City Clerk

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