

STAFF REPORT

TO: Hailey Planning and Zoning Commission
FROM: Beth Robrahn, Planning Director *BR*
RE: Zoning Ordinance Amendment – Section 3.8.5
HEARING: October 20, 2008

Staff analysis is in lighter type

Notice

Notice for the public hearing was published in the Wood River Journal and mailed to public agencies and area media on October 1, 2008.

Proposal

Attached are amendments to Section 3.8.5 of the Zoning Ordinance proposed by the City. These amendments would add projects providing community housing, projects eligible for Energy Star or LEED certification to the applications eligible for fast track status.

Procedural History

There has been discussion within the City of providing incentives for both green building practices and community housing. “Fast tracking” is one incentive commonly used to expedite the application and permit approval process and reduce costs associated with the application.

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:
 - 5.8 Due Process and Public Input**
Goal: To develop clear land use and development procedures that protect the public welfare for all development.
 - 3. Policy: Develop and maintain land use regulatory procedures that are efficient, consistent and predictable, but that provide flexibility to deal with unique situations.**
- 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;**

The proposed amendment is not expected to create excessive additional requirements at public cost for public facilities and services.

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

The proposed amendment would not affect uses.

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

The proposed amendment will provide an incentive for projects providing community housing or projects eligible for Energy Star or LEED certification

Summary

The Commission shall recommend, with reasons therefore, to the Council that the proposed amendment be granted or denied, or that a modified amendment be granted.

Motion Language

Motion to recommend the City Council approve the proposed amendments to the Hailey Zoning Ordinance Section 3.8.5, 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.

HAILEY ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, AMENDING HAILEY'S ZONING ORDINANCE, ORDINANCE NO. 532, BY AMENDING SECTION 3.8.5 TO ADD PROJECTS PROVIDING COMMUNITY HOUSING, PROJECTS ELIGIBLE FOR ENERGY STAR OR LEED CERTIFICATION TO THE APPLICATIONS ELIGIBLE FOR FAST TRACK STATUS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR THE EFFECTIVE DATE.

WHEREAS, the proposed amendments are generally in accordance with the Comprehensive Plan;

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

WHEREAS, the proposed amendments will be in accordance with the 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 3.8.5, of the Zoning Ordinance No. 532, is hereby amended by the deletion of the stricken language and the addition of the underlined language as follows:

3.8.5 Fast Track

Applications for projects providing Community Housing Unit(s), projects eligible to be certified as an ENERGY STAR project, projects eligible to be certified according to the Leadership in Energy and Environmental Design (LEED) Green Building Rating System or projects within the Central Business District may be eligible for Fast Track status and scheduled for the earliest reasonable meeting of the appropriate reviewing body, regardless of its submission relative to other applications (except for public school facilities). In no case shall an application for which legal notice has been published be rescheduled to allow for priority scheduling of another application subject to the Fast Track process.

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 _____, 2008.

Rick Davis, Mayor, City of Hailey

Attest:

Mary Cone, City Clerk