

## STAFF REPORT

**TO:** Hailey Planning and Zoning Commission  
**FROM:** Mariel Platt, Planner  
**RE:** Zoning Ordinance Amendment – Article 6A, Design Review  
**HEARING:** February 17, 2009

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**Note:** 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 December 31, 2008. On January 20, 2009, the ordinance amendment was continued on the record to the February 2, 2009 meeting date. On February 2, 2009, it was continued on the record again to the February 17, 2009 meeting date.

### **Proposal**

Attached are amendments to Sections 6A.7.2.1.(B)(4), 6A.7.2.2.(B)(4), 6A.7.2.3.(B)(4), 6A.7.2.4.III.(C)(1), 6A.7.2.1.(C)(2), 6A.7.2.2.(C)(3), 6A.7.2.3.(C)(3), 6A.7.2.4.III.(C)(10), 6A.7.2.1.(D)(1), 6A.7.2.2.(D)(1), 6A.7.2.3.(D)(1), & 6A.7.2.4.III.(C)(10) of the Zoning Ordinance proposed by the City.

These amendments would prohibit non-residential and multi-family design review applications from using non-drought tolerant and non-native plants in their landscaping, it would reduce the restrictions on roof-top screening requirement for small rooftop wind energy systems, and it would increase energy efficiency in buildings through design and technologies.

### **Procedural History**

The impetus for these amendments is to promote sustainability in our Zoning Ordinance. Sustainability integrates economic, social and environmental spheres, the thought being that decisions must not be detrimental to any one sphere or your actions will not be sustainable. A common definition of sustainability is to meet the needs of the present without compromising the ability of future generations to meet their own needs. Many cities across the globe are realizing the impacts, either positive or negative, that planning and zoning can have on sustainability. These proposed amendments are an attempt to use Hailey's Zoning Ordinance as a tool to increasing the sustainability within the City of Hailey and beyond.

Studies have shown that the valley is facing a water shortage. Using water intensive plantings creates additional demand on scarce water resources. By limiting these types of plantings to single family residential landscaping only, we will curtail our future water consumption and demand.

Small wind energy systems, when appropriately located through the conditional use process, can improve energy independence, reduce the demand on non-renewable energy sources, and

provide a financial benefit to the owner of such systems. It has been shown in numerous case studies that the viability of wind energy systems relies upon whether a system's placement allows for non-obstructed wind access. In order to obtain this there must be no screens or blockages between the wind and the system.

Incorporating energy efficient building designs and technologies will reduce the cost of operation, by reduced energy use, and will have less of a negative impact on the natural environment for the life of the building. When incorporated into the site design and building design, these benefits can be achieved at little to no additional cost. In two separate studies conducted by Bonneville Power Administration and the City of San Jose, California, the solar orientation of a building alone, was shown to decrease the cost of heating and cooling by 10-40%. In addition to economic and environmental benefits, simple design techniques, such as day lighting, provide greater occupancy comfort, allowing for more access to natural light, with little to no additional cost. These are just a few of the options that could be employed to ensure that new structures, which will most likely be around for decades, will reduce their environmental impacts and energy costs.

### **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:

*5.6 Land Use – Efficient Use of Resources*

*Goal: To emphasize efficient use of resources, including all infrastructure, and the land itself.*

*Implementation:*

- c. Consider landscaping requirements that would conserve water used for irrigation, such as a use of drought –tolerant and native plantings.*

*4. Policy: Encourage energy efficient design in the use of land through sound land use planning policies.*

*Implementation:*

- a. New development should maximize solar exposure and protect solar access for existing residential developments.*

*1.6 Natural Resources – Alternative Energy and Resource Conservation*

*Goal: Promote the use of alternative renewable energy sources as well as the conservation of natural resources.*

*1. Policy: Protect, enhance, and develop alternative energy sources.*

*Implementation:*

- a. Promote the study and use of all types of renewable resources as alternatives to traditional energy sources.*

*2. Policy: Promote design feature that conserve energy and natural resources.*

*Implementation:*

- a. *Consider possible incentives for site design and/or design features in buildings that result in energy and resource conservation.*

3. *Policy: Promote water conservation.*

*Implementation:*

- c. *Promote water efficient landscaping, such as drought tolerant or native plantings.*

8.1 *Housing – Community and Neighborhood Character*

*Implementation:*

- d. *Ordinances and codes should encourage the use of energy conservation techniques and alternative energy sources in new residential construction and in rehabilitation of older homes.*

*Environment Section - Greenhouse Gas Emissions (adopted in 2007, but not published)*

*Goal: Strive to meet or exceed the Kyoto Protocol target of reducing greenhouse gas emissions seven percent below 1990 levels.*

*Implementation:*

- a. *Identify and implement cost-effective actions that will reduce the community's contribution to total global greenhouse gas emissions.*
- b. *Integrate land use, building code, transportation and energy policies to support this goal.*

*Environment Section - Water Conservation (adopted in 2007, but not published)*

*Goal: Continue implementing a water conservation program to minimize water waste and reduce water use during peak demand periods.*

*1. Policy: Promote the conservation of water resources through water quality protection, public education and monitoring policies that promote appropriate water usage.*

*Implementation:*

- a. *Support zoning and subdivision ordinance standards that require low-water use landscaping that is compatible with native vegetation in the Wood River Valley for all residential and commercial development.*

**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 would create additional requirements at public cost.

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

It is anticipated that the proposed amendments are compatible with the surrounding area.

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

All of these proposed amendments increase our sustainability as a community; they provide financial, environmental, and healthful benefits. The proposed amendments will help conserve water and decrease irrigation costs, decrease energy costs and the carbon footprint for the life of all new buildings, allow for viable wind energy systems, which will decrease our carbon

footprint and potentially save on energy costs.

### **Summary**

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

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 Sections 6A.7.2.1.(B)(4), 6A.7.2.2.(B)(4), 6A.7.2.3.(B)(4), 6A.7.2.4.III.(C)(1), 6A.7.2.1.(C)(2), 6A.7.2.2.(C)(3), 6A.7.2.3.(C)(3), 6A.7.2.4.III.(C)(10), 6A.7.2.1.(D)(1), 6A.7.2.2.(D)(1), 6A.7.2.3.(D)(1), & 6A.7.2.4.III.(C)(10). 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.