

STAFF REPORT

TO: Hailey Planning and Zoning Commission

FROM: Mariel Platt, Planner

RE: Zoning Ordinance Amendment – Article 2, Definitions; Article 4.2, Limited Residential; Article 4.3, General Residential; Article, 4.4, Neighborhood Business; Article 4.5, Limited Business; Article 4.6, Transitional; Article 4.7, Business; Article 4.8, Light Industrial; Article 4.9, Technological Industry; Article 4.11, Airport District; & Article 4.12, Service Commercial Industrial.

HEARING: February 17, 2009

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 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 2.2, 4.2, 4.3, 4.4, 4.5, 4.6, 4.7, 4.8, 4.9, 4.11, and 4.12 of the Zoning Ordinance proposed by the City.

These amendments would allow for roof-mounted solar as an accessory use in all zoning districts, excluding Recreational Green Belt District; urban agriculture as a permitted use in all zoning districts that allow for residential uses; small roof-top wind energy systems and freestanding solar panels as a conditional use in all zoning districts, excluding Recreational Green Belt District; and accessory dwelling units in the Limited Residential District.

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.

The Planning Department has received numerous phone calls in the last year from residents who would like to house chickens on their property. Our ordinance currently does not allow for this. Urban agriculture, such as chickens, reduces the vehicle miles traveled associated with food production and delivery - the average item of food in the U.S. travels 1,400 miles to the dinner

table, this in turn reduces green house gas emissions. It promotes health by allowing individuals the choice to ensure their own foods are safe and high quality, it increases food security and potentially reduces individual food costs.

The City's Ordinance lacks language to address Solar Panels and Small Wind Energy Systems. It is important to provide standards for these in scenarios where a greater impact could occur and to provide language in the ordinance that allows for panels by-right, in instances where little impact is expected to occur. Solar Panels and Small Wind Energy Systems promote development of local, clean, renewable energy source that produces no emissions, requires no mining, damming, combustion, or waste. They also help cut energy costs and increase energy independence. The proposed amendment addressing solar panels, would address the U.S. solar energy trend –the number of homes and businesses that have solar panels has increased by 40% each year since 2005.

Accessory dwelling units (ADU) have numerous benefits to the owner of the unit, as well as to the community at large. ADUs provide an increase in affordable housing, provide a financial benefit to the property owners by providing supplemental income, promote more efficient land use development and infill versus building out and contributing to sprawl, increase the housing diversity, and help reduce vehicle miles traveled.

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:

5.4 Land Use – Land Use Districts

5. Policy: Promote land use policies that protect and enhance new existing neighborhoods in residential zoning districts. Encourage a diversity and mix of residential housing throughout the city in order to create a fully integrated community.

Implementation:

g. Consider allowing accessory dwelling units throughout the limited residential district as a means of promoting a mix of housing options.

8.1 Housing – Community and Neighborhood Character

Implementation:

b. Allow and encourage, where appropriate, accessory dwelling units in all areas.

Implementation:

f. Allow for more variable use of properties by residences, such as accessory dwelling units and appropriate home occupations.

5.6 Land Use – Efficient Use of Resources

Implementation:

a. Concentrate housing densities within the existing community in order that they may be provided with the most efficient and economical services and commercial

necessities

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.*

Environment Section - Greenhouse Gas Emissions

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 - Energy Conservation and Renewable Energy

1. Policy: Implement policies and programs that enhance opportunities for individuals, businesses and public organizations to limit the use of non-renewable energy resources by conserving energy and converting to renewable resources.

Implementation:

- a. Support private decisions to use renewable energy, publicly develop local renewable energy resources where economical and preserve future options for renewable energy so that they may be developed when they become cost effective.*
- b. Improve building codes and regulations to ensure energy and resource efficiency in new construction, remodels and renovation projects. If possible, determine minimum insulation and fenestration requirements for both residential and commercial projects.*

Implementation:

- b. Promote density, location and mix of land uses that decrease the length of required daily trips and encourage the consolidation or related trips.*
- 3. Policy: Prioritize energy conservation. Support and reward environmentally acceptable, sustainable energy sources, especially renewable resources such as solar, wind, hydroelectric, geothermal, biomass, cogeneration and district heating and cooling.*

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 accessory uses are compatible with the surrounding area and that the compatibility of the conditional uses would be determined on a case by case basis.

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

The proposed amendment will provide increased sustainability.

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 2.2, 4.2, 4.3, 4.4, 4.5, 4.6, 4.7, 4.8, 4.9, 4.11, & 4.12, 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.