

## STAFF REPORT

**TO:** Hailey Planning and Zoning Commission

**FROM:** Beth Robrahn, Administrator

**RE:** City Initiated Zoning Ordinance Amendment – Article 2, Definitions, Article 6A Design Review and Section 8.2, Signs

**HEARING:** December 5, 2011

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### Note

Headings and standards are in bold and 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 November 2, 2011. The public hearing was continued on November 21 to December 5, 2011.

### Proposal

The proposed amendments to Article 2, Definitions, Article 6A Design Review and Section 8.2, Signs would clarify language adopted previously by Ordinances 1056 (signs, 2010) and 1062 (design review, 2010) and address miscellaneous definitions that are generally in need of clarification. Three draft ordinances are attached.

### Procedural History

On November 21 the Commission discussed changes to the amendments related to the definition of Height of Building and standards that apply to the Transitional zoning district. The commission requested the lowest point of finished floor be clarified with the work exposed. For the Commission's reference is the City of Ketchum's definition of height of building that uses similar parameters to express the definition. The Ketchum definition is more complex than perhaps necessary for Hailey.

**HEIGHT OF BUILDING:** The greatest vertical distance measured at any point from the roof to natural, existing, or finished grade, whichever is lowest. The maximum vertical distance from the lowest exposed finished floor to the highest point of the roof (regardless of vertical alignment) shall be no more than five feet (5') greater than the maximum height permitted in the zoning district (see illustration B on file in the office of the city clerk). No facade shall be greater than the maximum height permitted in the zoning district. (See definition of "facade" in this section and illustration B on file in the office of the city clerk). Facades which step up or down hillsides shall be set back from the lower facade a minimum of fifty percent (50%) of the height of the lower facade; except, that roof overhangs may extend up to three feet (3') into this area (see illustration B on file in the office of the city clerk). This building height provision shall apply to parapets, boston roofs and any other portion of a building roof, but shall not apply to flagpoles, lightning rods, weather vanes, antennas or chimneys.

In the draft ordinance amending 6A, reference to the TN district was deleted from Section 3 - 6A.7(A)(2) related to wider sidewalk widths and from Section 4 – 6A.8(A)(1)(g)(ii) related to

parking areas on the side of buildings. Reference to TN was kept in Section 6 and reference to non-residential buildings in the TN was not added to Section 7. It was determined Section 8 deleting 6A.9(III)(C)(10) is still appropriate because the standards that would apply to non-residential buildings in the TN are adequately covered by 6A.8 and 6A.9.

### **Standards of Evaluation**

**14.6 When evaluating any proposed amendment under this Article, the Hearing Examiner or 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 amendments relate to the various goals of the Comprehensive Plan (listed below for reference). The following goals have been identified as being the most applicable to these amendments:

**3.2 Protect the residential character of the original Townsite.**

**11.1 Establish a built environment that maintains a human scale, retains interest, aesthetics, encourages various levels of interaction among all members of the community, and enhances the character of different neighborhoods.**

The amendments to Article 6A Design Review are an effort to clarify standards in keeping with goals 3.2 and 11.1

**12.1 Evaluate whether proposed regulatory or administrative actions may result in an unconstitutional taking of private property.**

There is no indication the amendments will result in an unconstitutional taking of private property.

All of the amendments are intended to clarify the language of the standards to facilitate consistent interpretation and implementation of standards.

**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;**

There is no anticipated additional cost or compromise to public facilities and services.

**c. The proposed uses are compatible with the surrounding area; and**  
The proposed amendments would not affect uses specifically. All of the amendments are intended to clarify the language of the standards to facilitate consistent interpretation and implementation of standards.

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

It is not anticipated that the proposed amendment will affect the public health, safety and general welfare. All of the amendments are intended to clarify the language of the standards to facilitate consistent interpretation and implementation of standards.

Comp Plan Goals (2010)
1.1 Preserve, protect and restore natural resources including waterways, floodplains, wetlands, soil, community forest, native vegetation, green space and wildlife habitat and migration corridors for the benefit of the City and its residents.
1.2 Efficiently use and conserve resources.
1.3 Promote renewable energy production
1.4 Promote energy conservation
1.5 Promote air quality protection
2.1 Reduce the potential threat to loss of life, limb or property and minimize public expenditures due to natural and man-made hazards.
3.1 Assure the protection and preservation of Special Sites, Areas and Features to maintain a strong community identity for future generations
3.2 Protect the residential character of the original Townsite.
4.1 Create and maintain an interconnected system of parks, recreational facilities, trails, green spaces and natural lands in order to provide diverse recreation opportunities for Hailey residents within ¼ mile to ½ mile of the greatest number of residents.
5.1 Retain a compact City comprised a central downtown with surrounding diverse neighborhoods, areas and characteristics as depicted in the Land Use Map:
a. Main Street Corridor – area of high density commercial, mixed use and residential development.
b. Downtown - the historic commercial center containing the greatest concentration of commercial, cultural and civic activity. Downtown is the priority area for encouraging higher density commercial and mixed use (commercial and residential) development.
c. Community Activity Areas – located at the north and south ends of the Main Street Corridor. High density residential is encouraged. Commercial and mixed use (commercial and residential) development is appropriate, but should be subordinate and secondary to the infill of Downtown.
d. High Density Residential – high density residential infill is encouraged in the area along Main Street and River Street between Downtown and the north and south ends of Main Street.
e. Residential Buffer – medium density residential, providing a buffer between lower density residential neighborhoods to the east and west and the Main Street District.
f. Traditional Residential – Density varies depending on the qualities of different neighborhoods, generally density is higher within a ¼ mile of Downtown, Community Activity Areas or Neighborhood Service Centers and connected by transit service.
g. Neighborhood Service Centers – Small commercial areas serving residents within walking distance (¼ to ½ mile) where commercial use is subordinate to residential uses and to Downtown or Community Activity Areas.
h. Light Industrial – Areas containing uses important to a variety of business sectors that focus on the production of products and services that are less compatible with, and do not compete with, uses in Downtown and the Community Activity Areas.
i. Airport Site Redevelopment – a diversity and integration of uses and community assets that complement and support Downtown and are connected within and to existing neighborhoods.
j. Community Gateways – areas where one has a sense of arrival or sense of being within a part of town distinguished from others providing opportunities for special design considerations.

5.2	Maintain Downtown as the area containing the greatest concentration of commercial, cultural and civic activity and as the priority area for encouraging higher density commercial and mixed use (commercial and residential) development.
5.3	Continue cooperation with the Blaine County and the Friedman Memorial Airport Authority in regional planning efforts to optimally relocate the airport and plan for the long term redevelopment of the site within the city limits to ensure that changes in land use are beneficial to the community of Hailey.
5.4	Protect open space within and surrounding Hailey, including visible ridgelines, undeveloped hillsides and agricultural areas which help define the unique character of Hailey.
5.5	Lessen dependency on the automobile.
5.6	Manage and accommodate population growth by infill development and, when appropriate, minimal expansion by annexation and/or density increases.
5.7	Encourage development at the densities allowed in the Zoning Code.
6.1	Encourage a diversity of economic development opportunities within Hailey
6.2	Encourage abundant, competitive and career-oriented opportunities for young workers.
7.1	Encourage a variety of projects and programs that meet the needs generated by various segments of the population, especially the needs of those who risk suffering effects of discrimination or are socially or economically disadvantaged.
7.2	Encourage projects and programs that seek to provide opportunities for cultural, cross-cultural and educational enrichment.
8.1	Encourage development that provides opportunities for home ownership and rental homes for individuals and families of all socio-economic levels.
9.1	Plan for the long-term utilities, service and facility needs of the City while minimizing impacts to the greatest extent possible.
10.1.	Create and maintain a pedestrian and bicycle-friendly community that provides a safe, convenient and efficient multi-modal transportation system for all Hailey residents.
11.1	Establish a built environment that maintains a human scale, retains interest, aesthetics, encourages various levels of interaction among all members of the community, and enhances the character of different neighborhoods.
12.1	Evaluate whether proposed regulatory or administrative actions may result in an unconstitutional taking of private property.
13.1	Encourage and facilitate the development of school facilities that are planned consistently with the city's other land use policies.
13.2	Ensure the provision of safe, adequate, convenient multi-modal transportation access to all existing and future school sites.

## **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 and make a recommendation to the Council that the proposed amendment be granted or denied, or that a modified amendment be granted.

## **Motion Language**

### **Approval:**

Motion to recommend the City Council approve the proposed amendments to Articles 2, 6A and Section 8.2, finding that the amendments are in accordance with the Comprehensive Plan, that 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, that the proposed uses are compatible with the surrounding area, and that the proposed amendment will promote the public health, safety and general welfare.

### **Denial:**

Motion to recommend the City Council deny the proposed amendments to Articles 2, 6A and Section 8.2, 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 Articles 2, 6A and Section 8.2 to \_\_\_\_\_ [the Commission should specify a date].

### **Table:**

Motion to table the proposed amendment to Articles 2, 6A and Section 8.2.