

## STAFF REPORT

**TO:** Hailey City Council

**FROM:** Beth Robrahn, Director

**RE:** Subdivision Ordinance and Municipal Code – Development Standards

**HEARING:** February 14, 2011

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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 January 26, 2011. In addition, a display ad ran in three consecutive issues of the Idaho Mountain Express; January 26, February 2 and February 9, 2011

### Proposal

The purpose of the amendments includes several aspects:

- establish procedures, authority and a public process related to street improvements
- implement components of Hailey Transportation Master Plan (TMP) involving pedestrian and bicycle infrastructure improvements
- update construction standards for streets, water and wastewater infrastructure
- bring the Hailey Municipal Code into compliance with Idaho Code §67-6518 related to development standards.

Three separate ordinances are proposed to accomplish the above; amendments to Section 1, Definitions and Section 5, Improvements Required of the Subdivision Ordinance and Title 18, a new Title of the Municipal Code. Title 18 contains several sections including Street Design, Street and Drainage Construction, and Water and Sewer Line Construction. Chapters of Title 18 are:

- 18.04 Procedures
- 18.06 Street Standards
- 18.08 Street and Drainage Construction
- 18.10 Water and Sewer Line Construction
- 18.12 Excavation and Backfill
- 18.14 Standard Drawings

In brief:

- Chapter 18.04 sets out the applicability, criteria for exemptions, the authority of the administrator, amendment of the title (to comply with IC §67-6518), submittal requirements and review procedure (copied from the existing Standard Specifications document).
- Section 18.04.016.B.c provides for the ability of the Administrator to approve minor changes without the Commission or Council's approval but with documentation of the change.
- Chapter 18.06 are the updated Street Standards
- Chapters 18.08, 18.10 and 18.12 are copied from the Standard Specifications document and numbered according to the Municipal Code format.
- Chapter 18.14 includes the standard drawings.

### **Procedural History**

The impetus for the proposed amendments to street design include:

- Ongoing community concern over safety
  - Safe Streets for kids, pedestrians and bicyclists a priority stated by Hailey citizens in Neighborhood Workshops and Citizen Surveys
- Inconsistency
  - e.g. Second Ave & Elementary School
  - need to have process and standards
- Implement Transportation Master Plan recommendations
- Other encouragement
  - feedback on Bicycle Friendly Community Silver Level designation from League of American Bicyclists

Summer 2008	Citizen Advisory Committee was formed to advise staff on key considerations
Nov 2008	1st draft titled “Hailey Pedestrian and Bicycle Infrastructure Improvement Plan”
Dec 2008	2nd draft titled “Complete Streets Improvement Plan and Standards”
Jan 09 - Aug 09	Four more drafts
May 2010	The “plan” component separated from the standards to be consistent with Comp Plan update process.

Initially a Complete Streets Plan was drafted and was intended to establish the policy framework for an update to the street standards. It was later determined, with Council input, that the Transportation Master Plan and Comprehensive Plan already established the policy framework and an additional policy was not necessary (despite recommendations from the League of American Bicyclists that a Complete Streets policy be adopted).

The street standards update evolved to include an update of all of the City infrastructure construction standards (street, water and sewer) because those standards are currently addressed together in the Municipal code and more specifically in the “City Standard Specifications” adopted by reference in Title 15 and the Subdivision Code. An update to all of the development related standards in a combined Title was pursued for ease of reference as well as to ensure more consistent conformance generally and with IC §67-6518.

The Planning and Zoning Commission held five public hearings; September 7, September 20, October 4, November 1 and November 15. The minutes related to this topic for each public hearing are attached.

### **Department Comments**

The City Engineer, Street Department and Fire Department have been involved in the drafting and review of the proposed amendments.

### **Detailed Summary**

This summary focuses on the Street Design portion of the standards and is intended to highlight some key sections of Title 18.

### ***Brief Overview***

The city currently has standards for street design and construction, which the adopted Transportation Master Plan suggested were in need of updating with consideration of design practices that better address pedestrian and bicycle safety. The intent is, over time (decades most likely) with the implementation of the new procedures, process and standards, the city will have a safe, convenient and connected network of streets and sidewalks for all transportation modes.

The street standards are applied when there is funding available for projects to be constructed<sup>1</sup>. The adopted street design standards also apply as a result of city zoning or subdivision requirements. When a property owner constructs a new commercial building in the city or new residence in the townsite area the zoning and subdivisions standards require sidewalk improvements. The zoning and subdivision standards are in separate titles of the municipal code than the proposed Title 18, titled "Development and Infrastructure".

### ***Purpose***

The purpose of Title 18 is stated as the following (18.04.010)

- A. Provide a uniform set of standards and procedures for Public Infrastructure Projects.
- B. Update Hailey street design standards to adequately address multi-modal needs, enabling safe access for all users; pedestrians, bicyclists, motorists and transit vehicles and passengers.
- C. Establish a process for project design to accomplish the following:
  1. Provide flexibility and accountability,
  2. Balance the safety and convenience of all users of the transportation system in the design, operation, and maintenance of all new and retrofit street infrastructure improvement projects so that pedestrians, cyclists, transit vehicles and passengers, motor vehicle drivers,
  3. Consider whether people of all ages and abilities are able to travel safely and comfortably within the right-of-way of public and private streets, and
  4. Understand how design variations may affect the safety and convenience of certain user groups.

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<sup>1</sup> Currently the only funding the city has for street improvements is for Woodside Blvd and a public process is underway to understand neighborhood needs and concerns to develop a design. The outcome of the Woodside Blvd design process will help inform the standards and procedures addressed in Title 18.

***Applicability.***

Section 18.04.012 states “Any construction of Public Infrastructure Projects within the jurisdiction of the City of Hailey, required by either Subdivision or Zoning standards or initiated by the City of Hailey, shall be in accordance with these Procedures, Standard Specifications, Standard Drawings...”

***Flexibility***

The street design standards are intended to reflect what would be the optimal design for safety. However, having flexibility in design is important. Section 18.04.014 establishes criteria for exemptions and include, “extraordinary conditions exist, including but not limited to; topography, limited right-of-way, geography, mature healthy trees or existing physical conditions” and “the context and function of the street and the surrounding neighborhood warrants flexibility in design”.

***Accountability***

Section 18.04.016 establishes how the standards and procedures are administered, by whom and what authority the administrator has in making decisions.

***Public Involvement Process***

Section 18.06.010.A. establishes a detailed public notice and involvement process. This is a new element of street projects that is modeled after the public notice process followed for approval of new buildings (design review) and subdivisions. This process is important to ensure flexibility in design of specific projects and accountability of the city.

***Criteria to Determine Funding Priority***

Section 18.06.010.B. establishes criteria to determine what projects are funded by the city (or constructed from funds that result from private development through Subdivision or Zoning code requirements). The following criteria is suggested:

1. Located within ¼ or ½ mile of a school
2. Provides continuous connection
3. Hazardous condition, extent of need of repair
4. Designated Bicycle and Pedestrian Corridors
5. Designated Collectors
6. Provides Neighborhood interconnection
7. Located within ¼ or ½ mile of Downtown or neighborhood services
8. Located within Downtown

***Street Classifications***

Section 18.06.012 establishes street designations such as arterial, collector, bicycle corridors and truck routes.

***Street Design Standards***

Section 18.06.014 outlines six street sections:

1. Business/Collector 100 foot right-of-way
2. Business/Collector 60 foot right-of-way
3. Business/Local 60 foot right-of-way
4. Residential/Collector 80 or 100 foot right-of-way
5. Residential/Collector 60 foot right-of-way
6. Residential/Local 100 or 60 foot right-of-way

The sections incorporate terms that are described in section 18.06.022.B (sidewalk corridor, frontage zone, pedestrian zone, buffer zone and curb zone).

The widths for the different sections of the right-of-way (sidewalk corridor, bicycle facility, buffer, travel lane, etc) are a starting point for discussion.

The beginning of section 18.06.014 states the following to emphasize flexibility within a basic framework of criteria to help make the best decision for a given street and neighborhood:

A. Street Design shall be appropriate to the context and function of the street and the surrounding neighborhood, and shall recognize that balancing user needs and flexible design may be achieved in different ways depending on the area in which the street is located and its classification.

B. Factors affecting pedestrian and bicycle safety shall be considered when determining whether a modification to parking configuration or sidewalk width or location is acceptable.

C. The following street designs describe the minimum allocation of space required for each mode to maximize the safety of pedestrians and bicyclists. The parking configuration and landscape width may be varied with consideration of 18.06.014 A and B.

## **Standards of Evaluation**

**Section 13.4.2 of the Subdivision Ordinance sets forth the standard of evaluation after receiving a recommendation by the Commission.**

### **1. Will generally conform to the Comprehensive Plan.**

The Council should consider how the proposed amendments relate to the goals of the Comprehensive Plan (listed below for the Council’s convenience). The following goals have been identified as being the most applicable to this amendment:

#### Primary:

**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.** The Hailey Transportation Master Plan (TMP) was adopted by the City Council in November 2007 (Resolution 2007-18). The Hailey TMP was developed with consideration of all of the 1998 – 2003 Comprehensive Plan goals and policies related to transportation. The focus of the TMP in turn was the safe and efficient movement of people, while minimizing the adverse impacts of all forms of transportation with recognition of the importance of transportation choices, street design, and land use patterns. The adopted TMP includes recommendations on changes to city standards to increase the safety of bicyclists and pedestrians. The proposed standards are intended to implement those recommendations comprehensively with consideration of all of the variables that affect the safety and convenience of different modes while establishing accountability and public involvement.

**5.5 Lessen dependency on the automobile.**

**13.2 Ensure the provision of safe, adequate, convenient multi-modal transportation access to all existing and future school sites.**

#### Related:

**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 street design standards are intended to reflect what would be the optimal design for safety. However, having flexibility in design is important. Section 18.04.014 establishes criteria for exemptions and include, “extraordinary conditions exist, including but not limited to; topography, limited right-of-way, geography, mature healthy trees or existing physical conditions” and “the context and function of the street and the surrounding neighborhood warrants flexibility in design”. In addition Section 18.06.014 emphasizes flexibility within a basic framework of criteria to help make the best decision for a given street and neighborhood (“Street Design shall be appropriate to the context and function of the street and the surrounding neighborhood, and shall recognize that balancing user needs and flexible design may be achieved in different ways depending on the area in which the street is located and its classification.”)

**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.

Comp Plan Goals
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.

**2. Will not create excessive additional requirements at public cost for public facilities and services.**

The street standards are applied when there is funding available for projects to be constructed. The adopted street design standards also apply as a result of city zoning or subdivision requirements. When a property owner constructs a new commercial building in the city or new residence in the townsite area the zoning and subdivisions standards require sidewalk improvements. The zoning and subdivision standards are in separate titles of the municipal code than the proposed Title 18, titled "Development and Infrastructure".

**3. Will be in accordance with the welfare of the general public.**

The city currently has standards for street design and construction, which the adopted Transportation Master Plan suggested were in need of updating with consideration of design practices that better address pedestrian and bicycle safety. The intent is, over time (decades most likely) with the implementation of the new procedures, process and standards, the city will have a safe, convenient and connected network of streets and sidewalks for all transportation modes.

**Summary**

The Council is required to hold a public hearing and determine whether the amendments meet the standards of evaluation.

If the proposed amendment is approved, the Council shall pass an ordinance making the amendment part of Hailey Subdivision Ordinance #821. The draft ordinance is attached.

**Motion Language**

**Approval:**

Motion to approve the proposed amendments to Subdivision Ordinance Sections 1 and 5 and the new Municipal Code Title 18, finding that the amendments will generally conform to the Comprehensive Plan, will not create excessive additional requirements at public cost for public facilities and services and will be in accordance with the welfare of the general public and adopt Ordinance \_\_\_\_ and authorize the mayor to conduct the first reading by title only.

**Denial:**

Motion to deny the proposed amendments Subdivision Ordinance Section 1 and 5 and the new Municipal Code Title 18, finding that \_\_\_\_\_ [the Council 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 amendments Subdivision Ordinance Section 1 and 5 and the new Municipal Code Title 18 to \_\_\_\_\_ [the Council should specify a date].