

AGENDA ITEM SUMMARY

DATE: 02/06/2012 **DEPARTMENT:** Admin/Legislative **DEPT. HEAD SIGNATURE:** _____

SUBJECT:

Airport Discussion - Role of FMAA Board Member
Review of Hailey's Guiding Principles for Airport Master Plan
Review of agenda items for February FMAA Meeting

AUTHORITY: ID Code _____ IAR _____ City Ordinance/Code _____
(IF APPLICABLE)

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:

Mayor Haemmerle and the Hailey City Council will discuss matters related to Friedman Memorial Airport, including adoption of policy items discussed during the January 30, 2012 City Council Meeting.

GUIDING PRINCIPLES

1. The City of Hailey ("City") believes that an airport with commercial service is important to the Wood River Valley.
2. The City remains committed to the 1994 Master Plan in the long term, which calls for relocation of the Friedman Memorial Airport away from cities in Blaine County.
3. The City knows that relocation of the airport may be a very long term process; however, in the meantime, to keep the relocation process moving, the City will request the Friedman Memorial Airport Authority ("FMAA") and the Federal Aviation Administration ("FAA") to resume the alternate locations study and to restart the Environmental Impact Statement ("EIS") process.
4. The City knows that the Friedman Memorial Airport may serve as the airport for the Wood River Valley for a period of term while airport relocation is pursued.
5. The City will support the FMAA and FAA in developing a site plan for the Friedman Memorial Airport that addresses reliability issues. Until the site plan is developed and can be considered by the Mayor and City Council, the City supports the status quo with the Friedman Memorial Airport.
6. In reviewing reliability issues, the City will balance any increased reliability against the potential for increased impacts to our citizens and the costs associated with improvements for increased reliability.
7. Hailey supports the Friedman Memorial Airport; however, that support cannot continue if airport operations, in anyway, decreases the health, safety or quality of life for Hailey citizens. Safety and quality of life should never be compromised in favor of any other guiding principle.
8. The joint governing authorities should develop concrete steps for a dual path approach: short term safety and reliability improvements and long term relocation.

In addition, further discussion will be held leading to definition of the role of Hailey's representative FMAA Board Members.

At the time of packet production, the FMAA agenda and packet for their next meeting was not posted on the FMAA website. Once posted, staff will provide relevant documents to staff.

FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS: Caselle # _____

Budget Line Item # _____ YTD Line Item Balance \$ _____

Estimated Hours Spent to Date: _____ Estimated Completion Date: _____

Staff Contact: _____ Phone # _____

Comments: _____

ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS: (IF APPLICABLE)

- | | | |
|---|-------------------------------------|-----------------------------------|
| <input type="checkbox"/> City Administrator | <input type="checkbox"/> Engineer | <input type="checkbox"/> Library |
| <input type="checkbox"/> City Attorney | <input type="checkbox"/> Fire Dept. | <input type="checkbox"/> Mayor |
| <input type="checkbox"/> City Clerk | | <input type="checkbox"/> Planning |
| <input type="checkbox"/> Building | | <input type="checkbox"/> Police |

Public Works, Parks
 P & Z Commission

Benefits Committee
 Streets
 Treasurer

RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:

Refine and/or finalize the Policy Statements relative to the airport relocation and board members roles.
Discuss issues related to items described in Subject (above).

ACTION OF THE CITY COUNCIL:

Date _____

City Clerk _____

FOLLOW-UP:

*Ord./Res./Agrmt./Order Originals: Record
Copies (all info.):
Instrument # _____

*Additional/Exceptional Originals to: _____
Copies (AIS only)

AGENDA ITEM SUMMARY

DATE: 2/6/12 DEPARTMENT: PW - Street DEPT. HEAD SIGNATURE: 

SUBJECT: Woodside Boulevard Project – Authorization for city staff to enter into contract negotiations with Construction Engineering & Inspection (CE&I) Firm.

AUTHORITY: ID Code _____ IAR _____ City Ordinance/Code _____
(IF APPLICABLE)

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:

The City of Hailey both advertised and distributed letters requesting qualified engineering firms to submit their qualifications for providing CE&I services for the Woodside Boulevard Project. Five firms submitted their qualifications on January 26 and three members of city staff have independently reviewed these submittals. All firms who submitted would be qualified to perform these services.

City staff review ranked Civil Science from Twin Falls as the preferred firm to begin negotiations with and this selection was discussed with Mayor Haemmerle. A spreadsheet with the rankings is included. The next step is to begin negotiations with Civil Science with the goal of having a final contract for City Council approval at the February 27, 2012 meeting. At that time we will also have the results of the construction bids for the project.

FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS: Caselle # _____
Budget Line Item # _____ YTD Line Item Balance \$ _____
Estimated Hours Spent to Date: _____ Estimated Completion Date: _____
Staff Contact: _____ Phone # _____
Comments: _____

ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS: (IF APPLICABLE)

- | | | |
|---|--|---|
| <input type="checkbox"/> City Administrator | <input type="checkbox"/> Library | <input type="checkbox"/> Benefits Committee |
| <input type="checkbox"/> City Attorney | <input type="checkbox"/> Mayor | <input type="checkbox"/> Streets |
| <input type="checkbox"/> City Clerk | <input type="checkbox"/> Planning | <input type="checkbox"/> Treasurer |
| <input type="checkbox"/> Building | <input type="checkbox"/> Police | _____ |
| <input type="checkbox"/> Engineer | <input type="checkbox"/> Public Works, Parks | _____ |
| <input type="checkbox"/> Fire Dept. | <input type="checkbox"/> P & Z Commission | _____ |

RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:

Motion to authorize city staff to begin negotiations with Civil Science for a contract to provide CE&I services for the Woodside Boulevard Project.

ADMINISTRATIVE COMMENTS/APPROVAL:

City Administrator _____ Dept. Head Attend Meeting (circle one) Yes No

ACTION OF THE CITY COUNCIL:

Date _____

City Clerk _____

FOLLOW-UP:

*Ord./Res./Agrmt./Order Originals: Record
Copies (all info.): _____
Instrument # _____

*Additional/Exceptional Originals to: _____
Copies (AIS only)

Reviewer	Civil Science	HDR	JUB	Forsgren	T-O
Tracy	72	49	46	53	47
Tom	73.5	62.5	69	60.5	62.5
Heather	71	62	53	45	47
Total	216.5	173.5	168	158.5	156.5

AGENDA ITEM SUMMARY

DATE: February 6, 2012 **DEPARTMENT:** Community Development **DEPT HEAD** BL

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

AUTHORITY: ID Code _____ IAR _____ City Ordinance/Code _____
(IF APPLICABLE)

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:

See staff report attached

FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS: Caselle # _____
Budget Line Item # _____ YTD Line Item Balance \$ _____
Estimated Hours Spent to Date: _____ Estimated Completion Date: _____
Staff Contact: _____ Phone # _____
Comments:

ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS: (IF APPLICABLE)

- | | | |
|---|--|---|
| <input type="checkbox"/> City Administrator | <input type="checkbox"/> Library | <input type="checkbox"/> Benefits Committee |
| <input checked="" type="checkbox"/> City Attorney | <input type="checkbox"/> Mayor | <input type="checkbox"/> Streets |
| <input type="checkbox"/> City Clerk | <input type="checkbox"/> Planning | <input type="checkbox"/> Treasurer |
| <input type="checkbox"/> Building | <input type="checkbox"/> Police | _____ |
| <input type="checkbox"/> Engineer | <input type="checkbox"/> Public Works, Parks | _____ |
| <input type="checkbox"/> Fire Dept. | <input checked="" type="checkbox"/> P & Z Commission | _____ |

RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:

Conduct public hearing; motion options are on last page of staff report.

ADMINISTRATIVE COMMENTS/APPROVAL:

City Administrator _____ Dept. Head Attend Meeting (circle one) Yes No

ACTION OF THE CITY COUNCIL:

Date _____

City Clerk _____

FOLLOW-UP:

*Ord./Res./Agrmt./Order Originals: Record
Copies (all info.): _____
Instrument # _____

*Additional/Exceptional Originals to: _____
Copies (AIS only)

STAFF REPORT

TO: Hailey City Council
FROM: Beth Robrahn, P&Z Administrator (Community Development Director)
RE: City Initiated Zoning Ordinance Amendment – Article 2, Definitions, Article 6A Design Review and Section 8.2, Signs
HEARING: February 6, 2012

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 January 18 2012:

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 and December 5, 2011 the Commission held public hearings and discussed 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 word “exposed”. An example of another local jurisdiction definition of building height was used as a cross reference and effort was made to keep the City of Hailey’s definition as simple as possible. After review by the City Attorney it is recommended that “exposed finished floor” be changed to “finished grade”. The intent is that a site is not excavated below record grade resulting in the wall taller than the maximum building height measured from record grade. Therefore, adding “finished grade” should eliminate this potential and close the loop hole.

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 Council 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 Council is required to hold a public hearing and determine whether the proposed amendments are in accordance with the applicable standards of evaluation. If the proposed change is approved, the Council is required to pass an ordinance making said amendment part of Hailey Zoning Ordinance #532. The draft ordinance is attached.

Motion Language

Approval:

Motion to 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 and adopt Ordinance ____ and authorize the mayor to conduct the first reading by title only.

Denial:

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

Table:

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

HAILEY ORDINANCE NO. ____

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, AMENDING HAILEY'S ZONING ORDINANCE, ORDINANCE NO. 532, BY AMENDING SECTION 6A.1, TO CLARIFY APPLICABILITY; AMENDING SECTION 6A.4 TO CLARIFY THAT ADMINISTRATIVE DECISIONS UNDER SECTION 6A.2 DO NOT REQUIRE A PUBLIC HEARING; AMENDING SECTION 6A.5 TO SPECIFY PLAN SIZE; AMENDING SECTION 6A.7 TO CLARIFY WHEN PEDESTRIAN AMENITIES ARE REQUIRED; AMENDING SECTIONS 6A.8(A) AND 6A.8(B) TO CLARIFY BUILDING AND PARKING AREA LOCATION AND BUFFERING; AMENDING SECTION 6A.9 TO CLARIFY APPLICABILITY OF TOWN SITE GUIDELINES; DELETING SECTION 6A.9(III)(C)(10); RENUMBERING SECTION 6A.9(III)(C)(11) AS SECTION 6A.9(III)(C)(10); PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE UPON PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

WHEREAS, the Hailey City Council adopted Ordinance 1062, which reorganized the design review standards and after a year of working with the new standards clarification is necessary to avoid unintended consequences;

WHEREAS, the Hailey City Council has found that the following amendment to the Hailey Zoning Ordinance will generally conform to the Hailey Comprehensive Plan;

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

WHEREAS, the proposed uses are compatible with the surrounding area; and

WHEREAS, the amendment will be in accordance with the safety and 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 6A.1, Applicability, of the Hailey Zoning Ordinance No. 532, is hereby amended by the deletion of the stricken language and the addition of the underlined language as follows:

A. No person shall build, develop, or substantially remodel or alter the exterior of the following Buildings without receiving design review approval pursuant to this Article:

1. A building for a non-residential Primary or Conditional ~~Use~~ within any zoning district.
2. A building for a Public or Semi-Public Use within any zoning district.
3. A Multi-Family Dwelling of three or more units within any zoning district.
4. A Single Family Dwelling, Duplex or Accessory Structure within the Townsite Overlay (TO) District.
5. A Historic Structure.

B. Exemptions.

1. Murals and public art
2. Applications for non-emergency temporary structures are not subject to Design Review, but are subject to the Conditional Use Permit process as set forth in Article XI of the Zoning Ordinance.
3. Projects which qualify under Section 6A.2(A)(3) of this Article.

Section 2. Section 6A.4, Design Review Process, of the Hailey Zoning Ordinance No. 532, is hereby amended by the deletion of the stricken language and the addition of the underlined language as follows:

A. A pre-application conference with the Planning Staff is recommended. At this meeting, the Planning Staff will familiarize the potential applicant with the review process that will apply to the project and with related City regulations and review criteria that may affect the project. The applicant shall bring site-specific information including conceptual drawings in order to familiarize the Planning Staff with the specifics of the proposal.

B. Detailed design drawings shall be submitted for final planning review. Construction plans or working drawings are not required prior to review. At this stage the applicant must provide architectural drawings showing building materials, details of all exterior features, and other information as set forth in Section 6A.6 of this Ordinance. A minimum scale 1/8" ~~to 1/4"~~ is recommended for the architectural plans.

C City department heads review all projects ensuring conformance with the underlying zone requirements, City Standards and Design Review Guidelines.

D. Except as otherwise provided herein, applications for design review require a public hearing. Public notice must be provided in a publication of general circulation a minimum of 15 days prior to the public hearing, and for all owners of property within 300 feet, in those cases where a hearing before the Commission is to be held. When notice is required to two hundred (200) or more property owners or purchasers of record, alternate forms of notice may be provided in lieu of mailed notice. Sufficient notice shall be deemed to have been provided if the City provides notice through a display advertisement at least four (4) inches by two (2) columns in size in the official newspaper of the City at least fifteen (15) days prior to the hearing date, in addition to site posting on all external boundaries of the site.

1. Applications determined to meet one of the criteria in 6A.2 do not require a public hearing. Notice to property owners within 300 feet of the subject property is required for applications that are determined to have no significant impact; such notice shall inform adjacent property owners comment on the application may be given during a period of ten (10) days beginning the date the notice is post marked.

E. ~~The project is reviewed by the reviewing body as set forth in Section 6A.3 above.~~ The reviewing body will approve, deny or conditionally approve the applicant's request based on criteria outlined in Section 6A.6 of this Article.

F. In order for a building permit to be issued after final Design Review approval, final construction drawings must be reviewed and approved by the Building Department. Application for a building permit must occur within one year of Design Review approval, or as otherwise provided by agreement authorized by law. The expiration date may be extended once, for an additional six (6) months, upon written request. Such request must be received prior to the expiration date. In the event any Design Review approval is for community housing units, an extension period of up to eighteen

(18) months may be granted. The Commission shall review and approve or deny the request for extension.

Section 3. Section 6A.5, Application, of the Hailey Zoning Ordinance No. 532, is hereby amended by the deletion of the stricken language and the addition of the underlined language as follows:

A. An application for design review approval shall follow the procedures and be subject to the requirements established by Article 3, Section 3.8 of the Zoning Ordinance, and shall be made by at least one (1) holder of any interest in the real property for which the design review approval is proposed.

B. The following information is required with an application for Design Review:

1. The Design Review application form including project name and location, and applicant and representative names and contact information.

2. One (1) full-size 24" x 36" set of prints plans and survey and ~~six (6)~~ one (1) sets of 11" x 17" set copies ~~(two if heard by the Hearing Examiner)~~ showing at a minimum the following:

a. Vicinity map, to scale, showing the project location in relationship to neighboring buildings and the surrounding area. Note: a vicinity map must show location of adjacent buildings and structures.

b. Drainage plan (grading, catch basins, piping, and dry-wells).

c. Utilities plan (location and size of water and sewer mains and services, gas, electric, TV and phone).

d. Site plan, to scale, showing proposed parking (including parking stall dimensions), loading, general circulation, and snow storage. List square footage of subject property including lot dimensions.

e. Landscape plan (existing landscaping on the site shown as retained, relocated or removed; proposed landscaping including species type, size and quantity).

f. Floor plan. List gross square footage for each floor. List occupancy classification and type of construction.

g. Detailed elevations of all sides of the proposed building and other exterior elements (colors, materials).

h. Exterior Lighting plan, pursuant to Article VIII B, of the Zoning Ordinance (location, height, type, and lumen output; spec sheets for fixtures; illuminance levels/photometrics for area lighting).

i. Sign plan (location, dimensions and lighting).

3. Plans and drawings for all buildings, except Single Family Dwellings and Accessory Structures, shall be prepared and stamped by an Idaho licensed architect.

4. A materials and colors sample board. Each sample should be approximately 12"x12" in size.

5. One (1) colored rendering of at least one side of the proposed building.

6. Staging and contractor parking plan. Statement of where staging will occur, and parking plan for contractors. If any staging or parking shall occur off-site, a staging/parking plan must be submitted including materials storage, excavation (backfill) stockpile areas, job trailers, blue rooms, dumpsters, contractor parking, etc.

7. A list of the names and addresses of all property owners and residents within three hundred (300) feet of the exterior boundaries of the subject property, in a format acceptable to the City.

8. Other information as required by the Administrator, Hearing Examiner or the Commission.

9. Payment of applicable fees.

Section 4. Section 6A.7, Improvements Required, of the Hailey Zoning Ordinance No. 532, is hereby amended by the deletion of the stricken language and the addition of the underlined language as follows:

A. Streets.

1. Sidewalks and drainage improvements are required in all zoning districts, except as otherwise provided herein.

a. The requirement for Sidewalk and drainage improvements may be waived if the proposed project construction is less than five hundred (500) square feet.

b. The requirement for Sidewalk and drainage improvements may be waived for any remodel or addition to Single Family Dwelling and Duplex projects within the Townsite Overlay District; Sidewalk and drainage improvements shall be required for new Principle Building in the Townsite Overlay District.

c. The City may approve and accept voluntary cash contributions in-lieu of the above described improvements, which contributions must be segregated by the City and not used for any purpose other than the provision of these improvements. The contribution amount shall be 110% of the estimated costs of concrete sidewalk and drainage improvements provided by a qualified contractor, plus associated engineering costs, as approved by the City Engineer. Any approved in-lieu contribution shall be paid before the City issues a certificate of occupancy.

2. Sidewalk and drainage improvements shall be located and constructed according to applicable City Standards, except as otherwise provided herein.

a. In the B and LB zoning districts the following are required

i) A minimum sidewalk width of 10 feet

ii) Street trees with tree grates or a landscape buffer between the sidewalk and curb determined to be adequate.

iii) Amenities, such as seating areas, art and/or bike racks

b. The Developer or City may propose alternatives to either the standard Sidewalk location or configuration required.

i). The Council, Commission or Hearing Examiner shall ensure that the alternative configuration or location shall not reduce the level of service or convenience to either residents of the development or the public at large.

ii). If an alternative location is approved, the cost of construction of the required square footage of sidewalk and lineal feet of drainage improvements and the associated engineering costs, as approved by the City Engineer, shall be paid by the applicant to the City before the City issues a certificate of occupancy, unless otherwise allowed for in an agreement between the City and applicant. The City shall ensure construction of sidewalk and drainage improvements occurs within two years of the date the funds are received from the applicant.

3. The length of Sidewalk and drainage improvements constructed shall be equal to the length of the subject property line(s) adjacent to any Public Street or Private Street.

34. New Sidewalks shall be planned to provide pedestrian connections to any existing or future sidewalks adjacent to the site. In addition, sidewalks shall be constructed to provide safe pedestrian access to and around a building.

45. Sites located adjacent to Public Streets or Private Streets that are not currently thru-streets, regardless of whether the street may provide a vehicular connection to future streets, shall provide sidewalks to facilitate future pedestrian connections.

~~5. The Developer or City may propose alternatives to either the standard Sidewalk location or configuration required.~~

~~a. The Hearing Examiner or Commission and Council shall ensure that the alternative configuration or location shall not reduce the level of service or convenience to either residents of the development or the public at large.~~

~~b. If an alternative location is approved, the cost of construction of the required square footage of sidewalk and lineal feet of drainage improvements shall be paid by the applicant to the City. The City shall ensure construction of sidewalk and drainage improvements occurs within two years of the date the Design Review findings of fact, conclusions of law and decision is signed.~~

~~6. The City may approve and accept voluntary cash contributions in lieu of the above described improvements, which contributions must be segregated by the City and not used for any purpose other than the provision of these improvements. The contribution amount shall be 110% of the estimated costs of concrete sidewalk and drainage improvements provided by a qualified contractor, plus associated engineering costs, as approved by the City Engineer. Any approved in-lieu contribution shall be paid before the City issues a certificate of occupancy. In-lieu contributions for sidewalks shall not be accepted in B, LB, TI and SCI districts.~~

B. Water Line Improvements.

1. In the Townsite Overlay District, any proposal for new construction or addition of a garage accessing from the alley, where water main lines within the alley are less than six (6) feet deep, the developer shall install insulating material (blue board insulation or similar material) for each and every individual water service line and main line between and including the subject property and the nearest public street, as recommended by the City Engineer.

Section 5. Section 6A.8(A)(1), Design Standards, Non-Residential, Multifamily or Mixed Use Buildings, Site Planning, of the Hailey Zoning Ordinance No. 532, is hereby amended by the deletion of the stricken language and the addition of the underlined language as follows:

A. Non-Residential, Multifamily or Mixed Use Building. The following design standards apply to any non-residential, multifamily or mixed use building located within the City of Hailey.

1. Site Planning

a. The location, orientation and surface of buildings shall maximize, to the greatest extent possible sun exposure in exterior spaces to create spaces around buildings that are usable by the occupants residents and allow for safe access to buildings.

b. All existing plant material shall be inventoried and delineated, to scale, and noted whether it is to be preserved, relocated or removed. Removal of trees larger than 6 inch caliper proposed to be removed require an arborist review. Any tree destroyed or mortally injured after previously being identified to be preserved, or removed without authorization, shall be replaced with a species of tree found in the Tree Guide and shall be a minimum of 4 inch caliper.

- c. Site circulation shall be designed so pedestrians have safe access to and through the site and to building.
- d. Building services including loading areas, trash storage/pickup areas and utility boxes shall be located at the rear of a building; the side of the building adjacent to an internal lot line may be considered as an alternate location. These areas shall be designed in a manner to minimize conflict among uses and shall not interfere with other uses, such as snow storage. These areas shall be screened with landscaping, enclosures, fencing or by the principal building.
- e. Where alleys exist, or are planned, they shall be utilized for building services.
- f. Vending machines located on the exterior of a building shall not be visible from any street.
- g. Except as otherwise provided herein, On-site parking areas shall be located at the rear of the building and screened-buffered from the sidewalk adjacent to the street. Parking and access shall not be obstructed by snow accumulation.
 - i) Parking areas located within the SCI zoning district may be located at the side or rear of the building.
 - ii) Parking areas may be considered at the side of buildings within the B, LB, TI and LI zoning districts provided a useable prominent entrance is located on the front of the building and the parking area is buffered from the sidewalk adjacent to the street.
- h. Access to on-site parking shall be from the alley or, if the site is not serviced by an alley, from a single approach to the street to confine vehicular/pedestrian conflict to limited locations, allow more buffering of the parking area and preserve the street frontage for pedestrian traffic.
- i. Snow storage areas shall be provided on-site where practical and sited in a manner that is accessible to all types of snow removal vehicles of a size that can accommodate moderate areas of snow.
- j. Snow storage areas shall not be less than 25% of the improved parking and vehicle and pedestrian circulation areas.
- k. A designated snow storage area shall not have any dimension less than 10 feet.
- l. Hauling of snow from downtown areas is permissible where other options are not practical.
- m. Snow storage areas shall not impede parking spaces, vehicular and pedestrian circulation or line of sight, loading areas, trash storage/pickup areas, service areas or utilities.
- n. Snow storage areas shall be landscaped with vegetation that is salt-tolerant and resilient to heavy snow.

Section 6. Section 6A.8(A)(3), Design Standards, Non-Residential, Multifamily or Mixed Use Buildings, Accessory Structures, Fences and Equipment/Utilities, of the Hailey Zoning Ordinance No. 532, is hereby amended by the deletion of the stricken language and the addition of the underlined language as follows:

3. Accessory Structures, Fences and Equipment/Utilities

- a. Accessory structures shall be designed to be compatible with the principal building(s).
- b. Except as otherwise provided herein, A-accessory structures shall be located at the rear of the property.
 - i) Accessory structures may be considered in a location other than the rear on sites determined to have characteristics that prevent location at the rear of the site.
- c. Walls and fences shall be constructed of materials compatible with other materials used on the site.
- d. Walls and fencing shall not dominate the buildings or the landscape. Planting should be integrated with fencing in order to soften the visual impact.
- e. Except as otherwise provided herein, A-all roof projections including, roof-mounted mechanical equipment, such as heating and air conditioning units, ~~but excluding solar panels and Wind Energy Systems that have received a Conditional Use Permit~~, shall be shielded and screened from view from the ground level of on-site parking areas, adjacent public streets and adjacent properties. Wind Energy Systems that have received a Conditional Use Permit and solar panels are exempt from this requirement.
- f. The hardware associated with alternative energy sources shall be incorporated into the building's design and not detract from the building and its surroundings.
- g. All ground-mounted mechanical equipment, including heating and air conditioning units, and trash receptacle areas shall be adequately screened from surrounding properties and streets by the use of a wall, fence, or landscaping, or shall be enclosed within a building.
- h. All service lines into the subject property shall be installed underground.
- i. Additional appurtenances shall not be located on existing utility poles.

Section 7. Section 6A.8(B), Design Standards, Non-Residential, Multifamily or Mixed Use Buildings, Accessory Structures, Fences and Equipment/Utilities, of the Hailey Zoning Ordinance No. 532, is hereby amended by the deletion of the stricken language and the addition of the underlined language as follows:

B. Non-Residential and Mixed Use Buildings Located within B, LB, or TN. In addition to the standards applicable to any non-residential, multifamily or mixed use building located within the City of Hailey described in Section 6A.8.A, the following design standards also apply to any non-residential and Mixed Use Buildings located within the B, or LB,~~or TN~~ zoning districts.

1. Site Planning

- a. The site shall support pedestrian circulation and provide pedestrian amenities. Sidewalks shall be provided along building fronts.
- b. Wider sidewalks are encouraged to provide additional amenities such as seating areas and bicycle racks.

2. Building Design

- a. The main facade shall be oriented to the street. The main entrance(s) to the building shall be located on the street side of the building. If the building is located on a corner, entrances shall be provided on both street frontages. If the design includes a courtyard, the main entrance may be located through the courtyard. Buildings with more than one retail space on the ground floor are encouraged to have separate entrances for each unit.

b. Multi-unit structures shall emphasize the individuality of units or provide visual interest by variations in roof lines or walls or other human scale elements. Breaking the facades and roofs of buildings softens the institutional image which may often accompany large buildings.

~~e. Buildings located within the Business District shall be located directly at the back of the sidewalk. In other zoning districts buildings may be separated from the sidewalk by landscaping or plazas with benches, bicycle racks, trash containers, and other pedestrian amenities.~~

~~d.c.~~ Building designs shall maximize the human scale of buildings and enhance the small town “sense of place”. This can be achieved by utilizing voids and masses, as well as details, textures, and colors on building facades. Human scale can also be achieved by incorporating structural elements such as colonnades and covered walkways, overhangs, canopies, entries, and landscaping. Particular attention should be paid to creating interest at the street level.

~~e.d.~~ Buildings that exceed 30 feet in height, the entire roof surface shall not project to the highest point of the roof. The Commission shall review building height relative to the other dimensions of width and depth combined with detailing of parapets, cornices, roof, and other architectural elements.

~~f.e.~~ Livable outdoor spaces in multi-story buildings that create pleasing elements and reduce the mass of taller buildings are encouraged.

~~g.f.~~ Fire department staging areas shall be incorporated into the design elements of the building.

~~h.g.~~ New buildings adjacent to residential areas shall be designed to ensure that building massing and scale provide a transition to adjoining residential neighborhoods. Possible mitigation techniques include, but are not limited to the following:

i) Locating open space and preserving existing vegetation on the edge of the site to further separate the building from less intensive uses;

ii) Stepping down the massing of the building along the site's edge;
and

iii) Limiting the length of or articulating building facades to reflect adjacent residential patterns

3. Landscaping

~~i.a.~~ When abutting the LR, GR or TN zoning districts, a landscape buffer between the project and the residential property shall be provided. The buffer shall be at least eight foot wide to create a year-round visual screen of at least 6 feet in height. The buffer shall be designed to avoid the appearance of a straight line or wall of uniform plant material and shall be wide enough to accommodate the planted species when mature.

Section 8. Section 6A.9, Design Review Guidelines for Residential and Non-Residential Buildings in the Townsite Overlay District (TO), of the Hailey Zoning Ordinance No. 532, is hereby amended by the deletion of the stricken language and the addition of the underlined language as follows:

6A.9 Design Review Guidelines for Residential ~~and Non-Residential~~ Buildings in the Townsite Overlay District (TO).

I. Purpose~~Introduction: What is this document?~~

The Hailey Townsite Design Review Guidelines have been developed to provide standards for development in Old Hailey. The term “Old Hailey” means all land within the Townsite Overlay District. The attached map (see Appendix A) shows the area where these Design Guidelines apply. These Design Guidelines address the basic elements of design related to building location, orientation, function and scale, as well as how the building and improvements relate to the neighborhood. Section III.A of this document outlines the Guiding Principles that provide a framework for the detailed guidelines. These Design Guidelines allow for a wide variety of building styles, while ensuring that each new building respects the neighborhood character of Old Hailey. The Design Guidelines contain some flexibility to allow for individual solutions to site specific issues.

II. Applicability: ~~How to use this document.~~

~~Proposals for new Single Family Dwellings, Accessory Dwelling Units, Accessory Structures and Duplexes and additions thereto that add floor area equal to or greater than 50% of the original structure will be reviewed for compliance with these Design Guidelines by an Architectural Hearing Examiner, a Hearing Examiner contracted by the City with specific expertise in site design and architectural issues. Also subject to review are additions that add floor area equal to or greater than 50% of the original structure. A remodel or alteration of the exterior of a Historic Structure that does not add floor area is subject only to 6A.9(III)(C)(10).~~

~~Decisions of the Hearing Examiner may be appealed by affected parties. Appeals will be heard by the Planning and Zoning Commission. The process for Hearing Examiners and for appeals is outlined in Article III of the Hailey Zoning Ordinance. Nonresidential uses and residential uses of three (3) units or greater will be reviewed by the Hailey Planning and Zoning Commission. The Commission will use the applicable Design Guidelines for these projects.~~

~~Guidelines that contain the word “shall” are mandatory. Guidelines that contain the word “should” are discretionary. This document is organized to include Guidelines and explanatory text that illustrates the intent of the Guidelines. Guidelines are in bold type. Some guidelines contain bulleted sections, also in bold type, which are considered part of the Guideline. Explanatory text is not in bold type. This explanatory text and is not meant to specifically regulate development proposals, but to elaborate on the intent of the Guideline. An example of the formatting of this document these guidelines is provided below.~~

This is the Guideline and:

- **Bold bullets are considered part of the Guideline.**
~ **this further indented bullet is considered part of the Guideline also.**

This is the Guideline.

- This is explanatory text.

~~Guidelines that contain the word “shall” are mandatory. Guidelines that contain the word “should” are discretionary.~~

Section 9. Section 6A.9(III)(C)(10), Non-residential and Multi-family Uses, of the Hailey Zoning Ordinance No. 532, is hereby deleted in its entirety.

Section 10. Section 6A.9(III)(C)(11), Historic Structures, of the Hailey Zoning Ordinance No. 532, is hereby renumbered 6A.9(III)(C)(10).

Section 11. 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 12. All City of Hailey ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

Section 13. 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 _____, 2012.

Fritz X. Haemmerle, Mayor

Attest:

Mary Cone, City Clerk

Publish: Idaho Mountain Express _____, 2012

HAILEY ORDINANCE NO. ____

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, AMENDING HAILEY’S ZONING ORDINANCE, ORDINANCE NO. 532, BY AMENDING SECTION 8.2.4. TO DELETE THE SIGN COMPUTATION FOR MULTI UNIT BUILDINGS; AMENDING SECTION 8.2.9 TO CLARIFY SIGN AREA ALLOWED; AMENDING SECTION 8.2.10 TO CLARIFY STANDARDS FOR MASTER SIGN PLANS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE UPON PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

WHEREAS, the Hailey City Council has found that the following amendment to the Hailey Zoning Ordinance will generally conform to the Hailey Comprehensive Plan;

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

WHEREAS, the proposed uses are compatible with the surrounding area; and

WHEREAS, the amendment will be in accordance with the safety and 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 8.2.4, Sign Permits, of the Hailey Zoning Ordinance No. 532, is hereby amended by the deletion of the stricken language and the addition of the underlined language as follows:

A. Applications for permits for Signs shall include the following:

1. A site plan which specifies the linear footage of Building Frontage, if applicable, the location of the sign structure, and if the sign is to be mounted on the building, drawings which show the scale of the sign in context with the scale of the building.
2. A colored rendering and scaled drawing including:
 - a. color samples,
 - b. dimensions of all sign faces,
 - c. descriptions of materials to be used,
 - d. manner of construction,
 - e. method of attachment, and
 - f. if a Master Sign Plan is required, the Unit designation of each sign or the maximum square footage available to each Unit.
3. A copy of a State of Idaho Electrical Installation Permit for any internally lighted or Neon Sign.
4. A sign permit application on the form provided by the City.
5. Appropriate fees as established by separate ordinance of the Hailey City Council.
6. Multiple Signs may be permitted on one (1) sign permit application, subject to one (1) sign permit fee, provided the application includes all information relevant to all Signs being

~~permitted-proposed~~ at that time.

7. The tenant(s) or owner(s) of an individual Unit within a multi-unit building with an approved Master Sign Plan, prior to displaying any sign on the exterior of a building, shall submit a sign permit application, which conforms to the Master Sign Plan. If no Master Sign Plan exists, the owner of a multi-unit building shall submit a Master Sign Plan which is subject to one (1) sign permit fee.

8 7. Any sign permit application for a Portable Sign to be placed within the public right-of-way shall include an additional inspection fee as set forth by separate ordinance.

9 8. Sign permits for Portable Signs in the public right-of-way shall also be subject to an annual application renewal and inspection permit, for which a fee shall be charged as set forth by separate ordinance.

B. A complete Master Sign Plan must be submitted at the time of design review application for any a multi-unit or Mixed Use Building.

1. The Master Sign Plan must conform to all applicable sections of 8.2 and is subject to the same application, permitting and fee requirements.

2. For a new Sign, the tenant(s) or owner(s) of an individual Unit, who occupy a space that has an approved Master Sign Plan, must submit a separate sign permit application, which conforms to the Master Sign Plan. If no Master Sign Plan exists, the owner of a multi-unit building shall submit a Master Sign Plan along the separate sign permit application and shall be subject to one (1) sign permit fee.

~~3. The maximum aggregate area of all Signs available to each Unit shall be determined by dividing the total sign area permitted for the building by the number of Units, occupied or unoccupied, unless otherwise proposed in the Master Sign Plan while still complying with the maximum aggregate area of signage available to the building.~~

34. Approval of a Master Sign Plan is required to be in the form of an agreement between the city and the owner of the building specifying that lease agreements will include compliance with the agreed upon sign size and location. In the case of Condominium Units, the condominium declaration shall include provisions to ensure compliance with the master plan.

~~5. Signage for any business within a multi-tenant or mixed-use building shall be limited to the approved Master Sign Plan.~~

C. Complete sign permit applications will be reviewed by the Planning Staff, subject to the approval of the Administrator, and either approved, denied, or returned with requested modifications. Any aggrieved applicant has the right to appeal a decision in accordance with Section 3.6 of the Hailey Zoning Ordinance.

Section 2. Section 8.2.9, Sign Area Standards, of the Hailey Zoning Ordinance No. 532, is hereby amended by the deletion of the stricken language and the addition of the underlined language as follows:

A. Except as otherwise provided herein, the tTotal Sign area permitted for any building shall not exceed a total of two square feet of Sign area per lineal foot of Building Frontage, except in the following cases:

1. A Building with only one Unit that meets or exceeds 75 feet of linear Building

Frontage shall not exceed 150 square feet of total sign area.

2. The total Sign area permitted for a multi-unit building shall be determined by the Master Sign Plan. The size standards in Section 8.2.11, Specific Sign Standards, shall apply and control the total sign area permitted to each Unit or building.

B. Signs on vacant properties are subject to Section 8.2.11.C; and are allowed only one Sign per lot.

C. ~~The maximum total~~ aggregate area of all Signs for any building shall not exceed the total Sign area permitted. All Sign faces displayed that are over four (4) square feet shall be included in determining the ~~maximum total~~ aggregate Sign area for a building.

D. The area of a Sign shall be computed using all faces of a Sign within a perimeter which forms the outside shape, excluding any necessary supports upon which the Sign may be placed. Where a Sign consists of more than one face, section, or module, all areas shall be totaled.

E. Internally lighted Signs shall not exceed a total of 75 square feet for any building.

F. The size standards in Section 8.2.11, Specific Sign Standards, shall apply and control the total sign area permitted for each type of sign.

Section 3. Section 8.2.10, Sign Standards for Multi-unit Buildings, of the Hailey Zoning Ordinance No. 532, is hereby amended by the deletion of the stricken language and the addition of the underlined language as follows:

A. All Units with an individual street level entrance are allowed up to two Signs, with no more than one Sign on any one ~~h~~Building ~~f~~Facade.

B. ~~All~~ Each street level interior Units without an individual street level entrance and/or each Units located ~~on a second story or above the ground floor~~ shall be limited to one Sign.

C. The location and placement of which all exterior Signs for all units within a multi-unit Building must shall be determined and shall be consistent with the design, scale and proportion of the Building be approved in a Master Sign Plan for the building and shall be mounted accordingly.

D. The Sign area available for any business within a multi-tenant or Mixed Use Building shall be limited to the amount allocated to the Unit the Business occupies in the approved Master Sign Plan.

E. The Master Sign Plan shall consider the number of units, the Building Façade area and configuration, existing Sign area if applicable and should reasonably provide signage for each Unit.

G. The size standards in Section 8.2.11, Specific Sign Standards, shall apply and control the total Sign area permitted for each type of Sign.

Section 4. 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 5. All City of Hailey ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

Section 6. 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 _____, 2012.

Fritz X. Haemmerle, Mayor

Attest:

Mary Cone, City Clerk

Publish: Idaho Mountain Express _____, 2012

HAILEY ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, AMENDING HAILEY'S ZONING ORDINANCE, ORDINANCE NO. 532, BY AMENDING SECTION 2.2 TO REVISE THE DEFINITIONS OF ADMINISTRATOR, DAY CARE BUSINESS, HEIGHT OF BUILDING AND HOME OCCUPATION; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE UPON PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

WHEREAS, the Hailey City Council has found that the following amendment to the Hailey Zoning Ordinance will generally conform to the Hailey Comprehensive Plan;

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

WHEREAS, the proposed uses are compatible with the surrounding area; and

WHEREAS, the amendment will be in accordance with the safety and 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 2.2, Definitions, of the Hailey Zoning Ordinance No. 532, is hereby amended by the deletion of the stricken language and the addition of the following underlined language and to be inserted in alphabetical order:

Administrator. The person designated by the Mayor or City Administrator to oversee the administration of the City zoning code ~~Hailey Planning and Zoning Administrator~~

Day Care Business. The care and supervision, provided for compensation, during part of a twenty-four hour day, for a child or children, under the age of thirteen (13), not related by blood or marriage to the person or persons providing the care, in a place other than the child's own home. This term includes pre-schools, nursery schools, play schools, kinder-care, child care and any like or similar operation. ~~The following definitions apply to Day Care Businesses:~~

- a. Day Care Center. A ~~dDay eCare operation~~ Business providing care for thirteen or more children.
- b. Day Care Facility. A ~~dDay eCare operation~~ Business providing care for ~~no more than~~ seven to twelve children.
- e. Day Care Home. A ~~dDay eCare operation~~ Business providing care for six or fewer children at any one time, having not more than three employees, and operating between the hours of 7:00 a.m. and 6:00 p.m.
- d. ~~Child.~~ Any person under 12 years of age.

e. Employee. Any person working for compensation in any business day-care operation.

Height of Building. The greatest vertical distance measured from the lowest point of Record Grade or finished grade, whichever is lower, within any portion of the building footprint to the highest point of the roof surface thereof, exclusive of cupolas, chimneys up to ten (10) feet above the highest point of the roof surface, steeples, and spires.

Home Occupation. A business-related activity conducted entirely within a dwelling which is incidental and secondary to the use of a dwelling as a residence and does not negatively impact the surrounding neighborhood. A Day Care Business located within a dwelling is not considered a Home Occupation for the purposes of city business licensing. Home Occupations, where permitted, shall meet the following requirements:

1. The home occupation shall not change the residential character of the dwelling or neighborhood.
2. There shall be no exterior advertising.
3. There shall be no sale or rental of stocks, supplies or products conducted on the premises.
4. There shall be no exterior storage on the premises of material or equipment associated with the home occupation.
5. There shall be no offensive noise, vibration, smoke, dust, odors, heat, or glare noticeable at or beyond the property lines. There shall be no operation of power tools, whether indoors or outdoors.
6. The home occupation shall not create the need for additional parking.
7. The home occupation shall employ no unrelated person who is not a permanent resident of the dwelling.
8. There shall be no significant increase in traffic in the vicinity of the dwelling as a result of the home occupation.
9. Storage of explosive, combustible or hazardous materials shall conform to the regulations and restrictions of the IFC and IBC.

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 _____, 2012.

Fritz X. Haemmerle, Mayor

Attest:

Mary Cone, City Clerk

Publish: Idaho Mountain Express _____, 2012

