

**AGENDA ITEM SUMMARY**

**DATE:** 9-15-2014 **DEPARTMENT:** Community Development **DEPT HEAD:** MA

**SUBJECT:** Discussion and public hearing on the Town Hall Meeting held on September 9, 2014.

**AUTHORITY:**  \_\_\_\_\_  IAR \_\_\_\_\_  City Ordinance/Code (IF APPLICABLE)

**BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:**

On September 9, 2014, Mayor Haemmerle and the City Council held a Town Hall Meeting to seek community input on a list of draft recommendations for the City of Bellevue to consider when evaluating the annexation request from the Eccles family to annex 227 acres along Highway 75 into Bellevue. The meeting was very interactive with anonymous voting for all recommendations and other subjects throughout the meeting. There were more than 60 people present at the Town Hall Meeting with 63 individuals using the polling devices. Hailey residents comprised 40% (24), Bellevue residents comprised 41.7% (25), and Unincorporated Blaine County residents comprised 13.3% (8), with all other participants from Ketchum/Sun Valley and outside Blaine County. Without exception, all recommendations were approved by anonymous majority vote from this group of citizens.

The following recommendations were presented with the approval ratings for each indicated:

1. Slow down, and require a detailed development plan **(89% approval)**
2. Form an ad hoc committee **(87% approval)**
3. Stay consistent with Bellevue ACI **(66% approval)**
4. Adopt policies that improve Bellevue's Downtown core **(87% approval)**
5. Protect Current Retail Establishments **(87% approval)**
6. Increase Light Industrial and Manufacturing Zoning **(72% approval)**
7. Protect the Hillsides from Development **(91% approval)**
8. Expand Recreation Opportunities **(82% approval)**
9. Protect and Improve Existing Recreation Opportunities **(81% approval)**
10. Maintain a "Visual Corridor" between the Cities **(88% approval)**
11. Ensure Development will comply with all FAA Regulations **(77% approval)**
12. Dedicate park/open space between the Cities **(85% approval)**

At the conclusions of the meeting, two additional recommendations were suggested:

1. Ensure the annexation complies with all other concurrent planning efforts such as with Blaine County's Comp Plan, USFS strategic planning, etc.
2. Address wildlife migration conflicts in the corridor and engage Fish and Game regarding any potential considerations.

The full polling results and slides have been included in the Council's packet for discussion. At this time, Staff recommends the Council seek public comment and determine the next step for sending these recommendations to the City of Bellevue.

**FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS:** Caselle # \_\_\_\_\_

Budget Line Item Comm. Dev. Dept. and Bldg division\_ YTD Line Item Balance \$ \_\_\_\_\_

Estimated Hours Spent to Date: \_\_\_\_\_ Estimated Completion Date: \_\_\_\_\_

Staff Contact: Micah Austin, Comm. Dev. Dir. Phone # 208-488-9815 ext 13

Comments: Depending on building activity, staff projects that the overall budget outcome will be in accordance with our current budget projections.

**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 checked="" type="checkbox"/> Planning | <input type="checkbox"/> Treasurer          |
| <input checked="" 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:**

Discuss the Town Hall Meeting of September-9, 2014, conduct public hearing, and direct Staff on next steps regarding this issue.

**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

\*Additional/Exceptional Originals to: \_\_\_\_\_

Copies (all info.):

Copies (AIS only)

Instrument # \_\_\_\_\_





**Town Hall Meeting**

*Bellevue Annexation of 227 Acres  
between Hailey and Bellevue*

*September 9, 2014*



227 Acres proposed for annexation




**Agenda**

- I. Introduction
  1. Welcome from Mayor Haemmerle
  2. Summary of Draft Recommendations
  3. Community Polling Questions
- II. Proposed Annexation Development Plan
- III. Recommendations to City of Bellevue
  1. Explanation of recommendations
- IV. Public Comment
- V. Wrap up, adjourn



**Summary of Suggested Recommendations**

1. Slow down, and require a detailed development plan
2. Form an *ad hoc* committee
3. Stay consistent with Bellevue ACI
4. Adopt policies that improve Bellevue's Downtown core
5. Protect Current Retail Establishments
6. Increase Light Industrial and Manufacturing Zoning
7. Protect the Hillsides from Development
8. Expand Recreation Opportunities
9. Protect and Improve Existing Recreation Opportunities
10. Maintain a "Visual Corridor" between the Cities
11. Ensure Development will comply with all FAA Regulations
12. Dedicate park/open space between the Cities

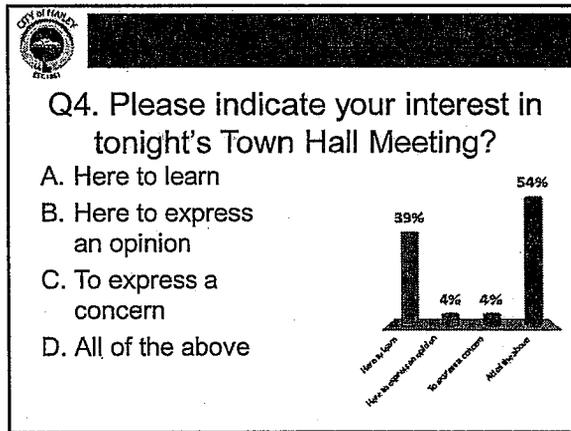
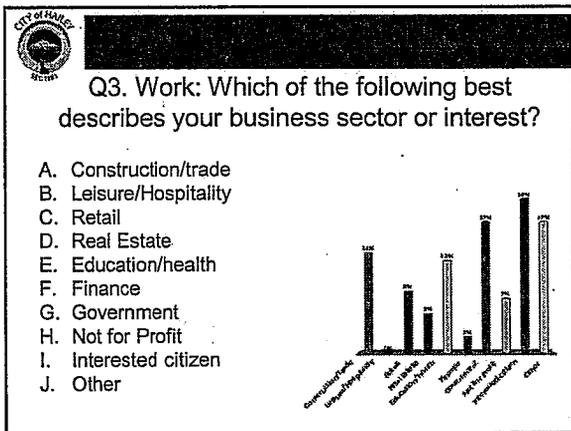
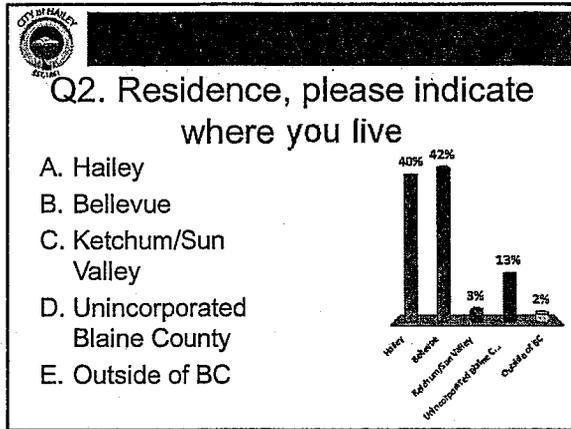
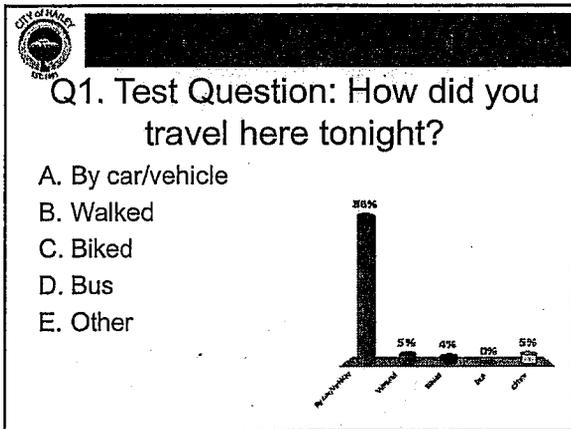


**Demographics and  
Community Polling**



**Advice for Polling**

- Please wait for the question to be explained before responding.
- Answer multiple response question in order of priority.
- "Our Community" refers to the whole of the Wood River Valley/Blaine Co.
- Individual answers will remain confidential.
- Please return all clickers at the end of the session.



**CITY OF HAILEY**

**PROPOSED ANNEXATION DEVELOPMENT PLAN**

**CITY OF HAILEY**

**History of Eccles Property Annexation Proposals**

- 1998- Spencer Eccles submitted an application to annex 152 acres east of Hwy 75 (7-15-1998)
- *Ad hoc* committee formed comprised of representatives from Hailey, Bellevue, and other entities
- 2000- Eccles revised application to request 696 acres for annexation (6-6-2000)
- 2001- Eccles withdraws application prior to Council decision.
- 2014- Eccles requests annexation of 227 acres into City of Bellevue

**Recent History of Eccles Annexation Request**

- June 30, 2014: City of Hailey respectfully requested involvement in a letter sent to Mayor Koch
- July 8, 2014: Bellevue denies Hailey's request, citing Idaho Code
- July 28, 2014: Bellevue PZ Commission recommend approval of annexation
- September 9, 2014: Hailey holds Town Hall meeting to seek input from the Community on a list of recommendations to Bellevue.

**Bellevue Adopts Area of City Impact Ordinance**

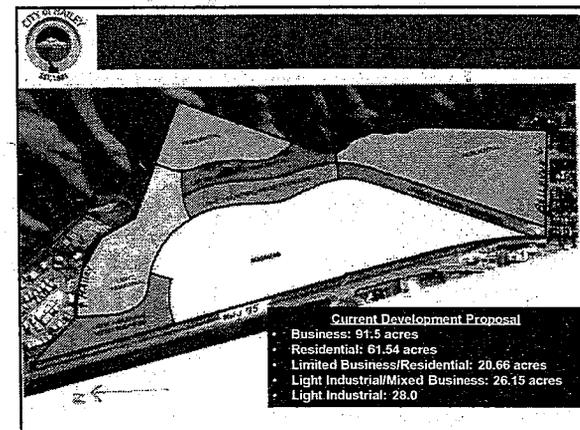
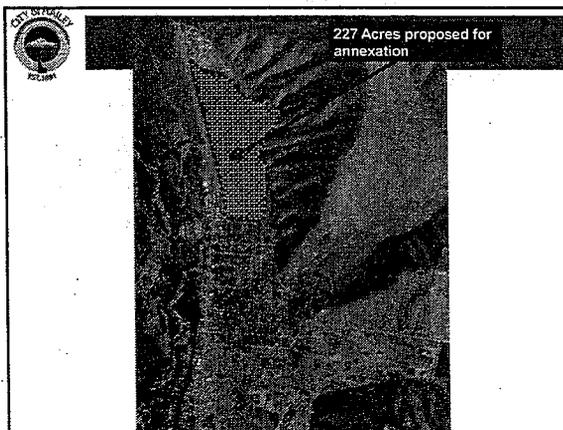
- October 2008: Bellevue adopts Ordinance No. 2008-14 which identifies the community's policy for future annexations
- Eccles property is located within the ACI-North area
- Purposes of ACI-North identified:
  - Consider scenic, open spaces, and agriculture
  - Maintain visual distinction between Hailey
  - Enhancement of Wood River Trail

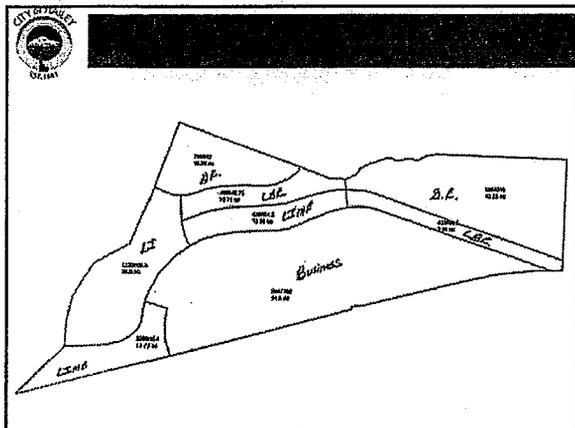
**Comprehensive Plan References: Bellevue**

- Bellevue's Comp Plan:
  - "One of the greatest assets to the City is the beautiful visual corridor heading north towards Hailey. The lands are agricultural, and the citizens of Bellevue would like to preserve this visual corridor, as it not only gives Bellevue its own distinction from its neighbor to the north, but gives the sense of what is left of the wide open spaces." (Ch 6, pg 21)
  - "Continue working with the County and the City of Hailey to ensure that the land between Hailey and the City of Bellevue is developed in a responsible manner, so that a visual corridor remains." (Ch 6, pg 21)
  - "Use the Area of City Impact agreement with the County to maintain a clear separation between the City of Bellevue, and our neighbor to the north, the City of Hailey." (Ch 13, pg 39)

**Comprehensive Plan References: Hailey**

- Hailey's Comp Plan:
  - The Community has a desire to "maintain open space between Hailey and the City of Bellevue." (Ch. 5, pg 19)
  - "The community and city decision makers have expressed the desire to maintain open space between the City of Hailey and the City of Bellevue." (Ch. 5, pg 26)
  - "Protect open space within and surrounding Hailey, including visible ridgelines, undeveloped hillsides and agricultural areas which help define the unique character of Hailey" (Ch. 5, pg 30)





**Q5. How important is it for Hailey to provide comment on this annexation?**

A. Extremely Important  
 B. Very important  
 C. Not very important  
 D. Not important at all

Response	Percentage
Extremely Important	67%
Very important	18%
Not very important	10%
Not important at all	5%

**Q6. In favor or against the annexation as proposed?**

A. Yes  
 B. No  
 C. Undecided

Response	Percentage
Yes	21%
No	66%
Undecided	14%

**HAILEY'S DRAFT RECOMMENDATIONS**

**1. Slow down, and require a detailed development plan**

- A thorough cost/benefit analysis cannot be completed without a comprehensive development plan submitted in advance to the City of Bellevue. Bellevue City Staff has indicated that the development will have no impact on city services. This is contrary to traditional annexation studies that show varying impacts from all annexation, depending on size

**Current Development Proposal**

- Business: 91.5 acres
- Residential: 61.54 acres
- Limited Business/Residential: 20.66 acres
- Light Industrial/Mixed Business: 26.15 acres
- Light Industrial: 28.0

**CITY OF HAILEY**

**Q7. Should Bellevue require a more detailed development plan?**

A. Strongly agree  
 B. Agree  
 C. Disagree  
 D. Strongly disagree

Response	Percentage
Strongly agree	79%
Agree	10%
Disagree	9%
Strongly disagree	2%

**CITY OF HAILEY**

**2. Form an *ad hoc* committee**

- Form an ad hoc committee composed of representatives from Bellevue, Hailey, Blaine County, FMAA, residents, businesses, and other interested stakeholders.
  - Purpose: This could have a large impact on the Valley and should be thoughtfully considered before a decision is made. A committee can address many of the concerns.

**CITY OF HAILEY**

**Q8. Is forming an *ad hoc* committee useful?**

A. Strongly agree  
 B. Agree  
 C. Disagree  
 D. Strongly disagree

Response	Percentage
Strongly agree	66%
Agree	21%
Disagree	7%
Strongly disagree	5%

**CITY OF HAILEY**

**3. Stay consistent with Bellevue ACI**

- The annexation, if approved, should not extend any further north than the current Bellevue ACI ordinance as identified by Exhibit A of Ordinance 2008-14.

**CITY OF HAILEY**

**EXHIBIT A**

Approximate boundary of the Bellevue ACI North

Bellevue ACI

**CITY OF HAILEY**

**Q9. Should any annexation stay within the adopted ACI?**

A. Strongly agree  
 B. Agree  
 C. Disagree  
 D. Strongly disagree

Response	Percentage
Strongly agree	44%
Agree	22%
Disagree	20%
Strongly disagree	13%

**4. Adopt policies that improve Bellevue's Downtown core**

- Restrict business zoning to light industrial, manufacturing, etc. and limit large retail with a maximum square footage requirement. Consider the Bellevue Comprehensive Plan and any negative impacts to the Downtown when addressing zoning requirements for retail establishments.

**Q10. Should Bellevue consider protecting its downtown?**

A. Strongly agree  
B. Agree  
C. Disagree  
D. Strongly Disagree

Response	Percentage
Strongly agree	74%
Agree	13%
Disagree	7%
Strongly Disagree	6%

**5. Protect Retail Establishments**

- Consider impacts of Large Format Retail establishments (Big Box) on current retail (e.g. Sun Valley Garden Center, Atkinsons).

**Impacts of Big Box Retail**

Land use studies have shown that Large Format Retail establishments ("Big Box" stores) have had the following detrimental effects on local economies\*:

- Within 15 months of opening, all existing retail stores that directly compete with the Big Box will be negatively impacted or closed
- Big Box stores lower overall employment rates county-wide
- County-wide decrease in average wages and benefits

\* Source: various local: Spokane County, Central Valley School, Economic Development Quarterly, etc. For complete list, contact: Mitch Austin.

**64% vacancy in Bellevue's downtown**

- Currently, 2 out of every 3 storefronts or business lots in Bellevue are empty
- Increasing the area allowed for business zoning may increase vacancies in Bellevue and Hailey's downtowns

**Q11. Should the City of Bellevue consider the impacts on local businesses throughout the County?**

A. Strongly agree  
B. Agree  
C. Disagree  
D. Strongly disagree

Response	Percentage
Strongly agree	71%
Agree	16%
Disagree	13%
Strongly Disagree	0%

**CITY OF HAVERTY**

11a. If a large format retailer (Big Box) is planned, should their identity be disclosed?

A. Strongly agree  
B. Agree  
C. Disagree  
D. Strongly disagree

Response	Percentage
Strongly Agree	61%
Agree	23%
Disagree	9%
Strongly Disagree	7%

**CITY OF HAVERTY**

11b. If a large format retailer (Big Box) is not planned, should the development still include a 91.5 acre business zone?

A. Strongly agree  
B. Agree  
C. Disagree  
D. Strongly disagree

Response	Percentage
Strongly Agree	11%
Agree	7%
Disagree	25%
Strongly Disagree	57%

**CITY OF HAVERTY**

11c. How would a "Big Box" store in the WRV impact established business and downtowns?

A. There would be significant positive benefits  
B. There would be some positive benefits  
C. There would be no impact  
D. There would some negative impacts  
E. There would be significant negative impacts

Response	Percentage
There would be significant positive benefits	5%
There would be some positive benefits	14%
There would be no impact	2%
There would some negative impacts	16%
There would be significant negative impacts	63%

**CITY OF HAVERTY**

### 6. Increase Light Industrial and Manufacturing Zoning

- Increase the currently proposed acreage for Light Manufacturing and Industrial.
- Better complies with FMAA recommendations.
- Adds more employment to economy without impacting downtown cores

**CITY OF HAVERTY**

### Bellevue's Residential Market is Strong

- BCHA consistently shows Bellevue vacancies rates much lower than all other cities in WRV
- Local real estate professionals confirm that Bellevue vacancies are lowest in the Valley

**CITY OF HAVERTY**

Q12. Should Bellevue increase the zoning for light industrial and manufacturing?

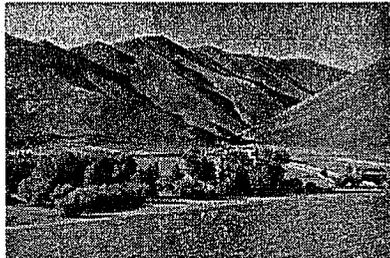
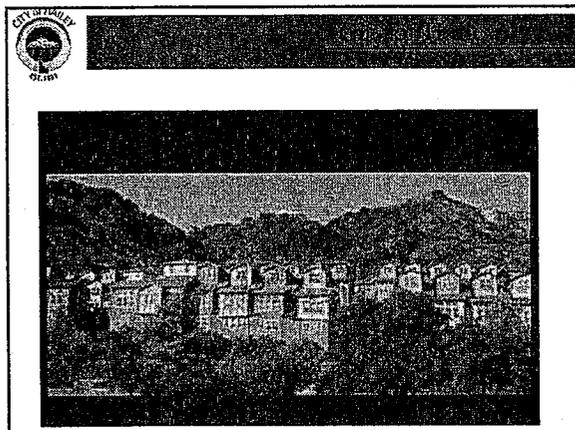
A. Strongly agree  
B. Agree  
C. Disagree  
D. Strongly disagree

Response	Percentage
Strongly Agree	29%
Agree	45%
Disagree	14%
Strongly Disagree	12%

**7. Protect the Hillsides from Development**

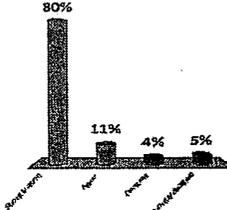
- Bellevue should prohibit all development above 15% slope, which would address all hillside issues.

**This**

**Q13. Should Bellevue protect the hillsides from development?**

A. Strongly agree  
 B. Agree  
 C. Disagree  
 D. Strongly disagree

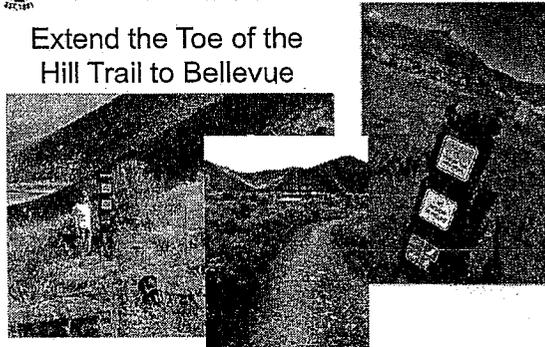


Response	Percentage
Strongly agree	80%
Agree	11%
Disagree	4%
Strongly disagree	5%

**8. Expand Recreation Opportunities**

- Require an easement for expanding the Toe of the Hill Trail from Hailey to Bellevue and require the developer to complete the trail with amenities prior to development

**Extend the Toe of the Hill Trail to Bellevue**



**CITY OF HAVERTY**

**Q14. Should the Toe of the Hill Trail be extended?**

A. Strongly agree  
 B. Agree  
 C. Disagree  
 D. Strongly disagree

Response	Percentage
Strongly agree	63%
Agree	20%
Disagree	7%
Strongly disagree	9%

**CITY OF HAVERTY**

**9. Protect and Improve Existing Recreation Opportunities**

- Create no new road cuts onto the Wood River Trail and improve all existing road cuts onto the bike path for safety and mobility concerns.
- Work closely with BCRD on any other improvements necessary.

**CITY OF HAVERTY**

**Q15. How important is maintaining safety of the bike path users?**

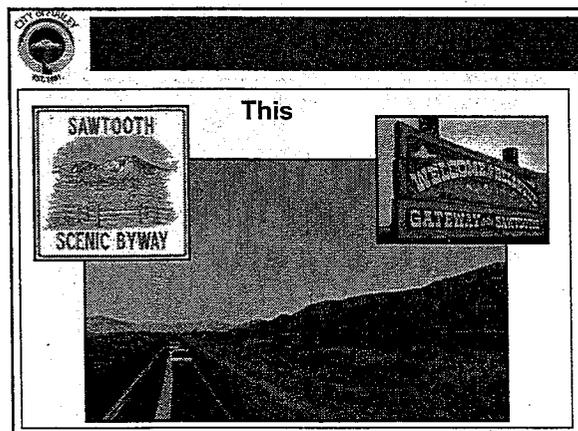
A. Extremely important  
 B. Important  
 C. Not important  
 D. Extremely unimportant

Response	Percentage
Extremely important	49%
Important	33%
Not important	13%
Extremely unimportant	5%

**CITY OF HAVERTY**

**10. Maintain a "Visual Corridor" between the cities.**

- Require a landscape, screening, and buffer setback for all developments. This landscape buffer and setback should be required to comply with the policy direction in Bellevue's Comprehensive Plan for maintaining an open corridor between the cities.



**CITY OF HAILEY**

**Q16. How important is maintaining open spaces and a visual corridor between Bellevue and Hailey?**

A. Extremely important  
 B. Important  
 C. Not important  
 D. Extremely unimportant

Response	Percentage
Extremely important	75%
Important	13%
Not important	9%
Extremely unimportant	4%

**CITY OF HAILEY**

**11. Ensure Development will comply with all FAA Regulations**

- Require all development within the flight path to fully comply with FAA regulations.
- Work closely with the FMAA on developing a list of development criteria.

**CITY OF HAILEY**

**Q17. How important are flight safety considerations?**

A. Extremely important  
 B. Important  
 C. Not important  
 D. Extremely unimportant

Response	Percentage
Extremely important	52%
Important	24%
Not important	17%
Extremely unimportant	7%

**CITY OF HAILEY**

**12. Dedicate open space (park space) between the Cities**

- Develop a large "unity park" between Hailey and Bellevue that could be used by all residents and businesses of the Wood River Valley. The park should be developed by the developer as a condition of annexation and development of the subdivision.

**CITY OF HAILEY**

**Q18. Do you think dedication of open space is important?**

A. Extremely important  
 B. Important  
 C. Not important  
 D. Extremely unimportant

Response	Percentage
Extremely important	64%
Important	22%
Not important	9%
Extremely unimportant	5%

**CITY OF HAILEY**

**Q19. In general, how do you feel about this list of recommendations?**

A. Support all recommendations  
 B. Support majority of recommendations  
 C. Support a few  
 D. Support none.

Response	Percentage
Support all recommendations	46%
Support majority of recommendations	37%
Support a few	11%
Support none	6%

**CITY OF WAILEA**  
2013

**Q20. Please rank order the top three recommendations that you could support?**

- A. Slow down
- B. Ad hoc Committee
- C. Stay consistent with Bellevue ACI
- D. Adopt policies that improve Bellevue's Downtown core
- E. Protect current Retail establishments
- F. Increase Light Industrial and Manufacturing Zoning
- G. Protect Hillside
- H. Expand Toe of the Hill
- I. Protect Bike Path
- J. Maintain "visual corridor" and dedicate open space

Recommendation	Rank (by votes)
D. Adopt policies that improve Bellevue's Downtown core	1
C. Stay consistent with Bellevue ACI	2
A. Slow down	3
F. Increase Light Industrial and Manufacturing Zoning	4
E. Protect current Retail establishments	5
H. Expand Toe of the Hill	6
I. Protect Bike Path	7
J. Maintain "visual corridor" and dedicate open space	8
G. Protect Hillside	9
B. Ad hoc Committee	10

**CITY OF WAILEA**  
2013

**Q22. If a "Big Box" were to come to WRV, which three (3) would be most acceptable?**

- A. Target
- B. Walmart
- C. Fred Meyer
- D. Kmart
- E. Shopko
- F. Home Depot
- G. Lowes
- H. Other

Retailer	Rank (by votes)
A. Target	1
B. Walmart	2
C. Fred Meyer	3
D. Kmart	4
E. Shopko	5
F. Home Depot	6
G. Lowes	7
H. Other	8

**CITY OF WAILEA**  
2013

**Q23. Which of the following three (3) land uses are most lacking in the WRV?**

- A. Agriculture
- B. Light Industry and Manufacturing
- C. Retail Trade
- D. Wholesale Trade
- E. Distribution and Warehousing
- F. Professional services
- G. Educational Services, including Higher Education
- H. Health Care and Social Assistance
- I. Arts, Entertainment and Recreation
- J. Accommodation and Food Services

Land Use	Rank (by votes)
A. Agriculture	1
B. Light Industry and Manufacturing	2
C. Retail Trade	3
D. Wholesale Trade	4
E. Distribution and Warehousing	5
F. Professional services	6
G. Educational Services, including Higher Education	7
H. Health Care and Social Assistance	8
I. Arts, Entertainment and Recreation	9
J. Accommodation and Food Services	10

**CITY OF WAILEA**  
2013

**Q21. Last Question: Was tonight's meeting helpful for you?**

- A. Yes
- B. No

Response	Percentage
A. Yes	95%
B. No	5%

**CITY OF WAILEA**  
2013

**PUBLIC COMMENTS AND FEEDBACK**

**CITY OF WAILEA**  
2013

**Thank you!**

Session Name: THM polling 9-9-2014 8-10 PM (1)

Date Created: 9/9/2014 6:38:52 PM

Active Participants: 63 of 63

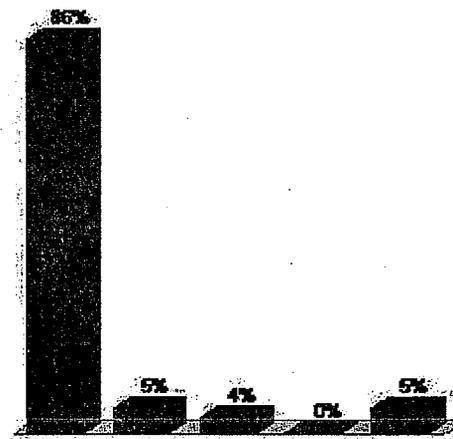
Average Score: 0.00%

Questions: 23

## Results by Question

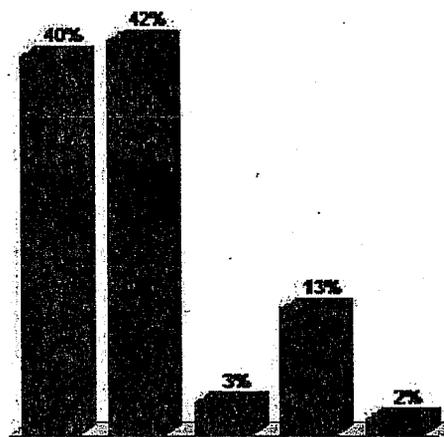
### 1. Q1. Test Question: How did you travel here tonight? (Multiple Choice)

Responses	
	Percent
By car/vehicle	85.96%
Walked	5.26%
Biked	3.51%
Bus	0%
Other	5.26%
<b>Totals</b>	<b>100%</b>



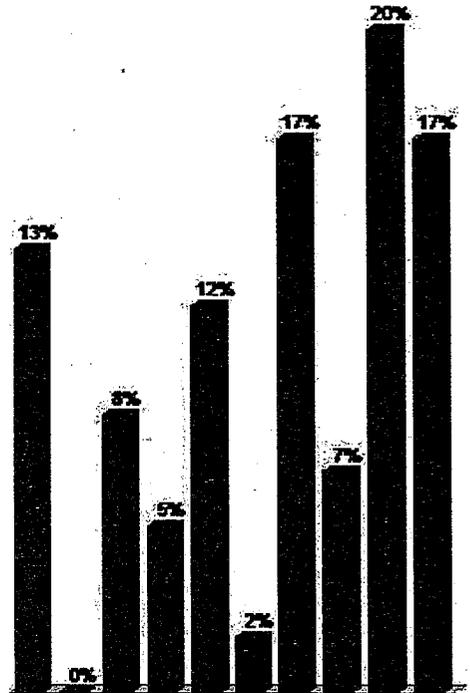
### 2. Q2. Residence, please indicate where you live (Demographic Assignment)

Responses	
	Percent
Hailey	40%
Bellevue	41.67%
Ketchum/Sun Valley	3.33%
Unincorporated Blaine County	13.33%
Outside of BC	1.67%
<b>Totals</b>	<b>100%</b>



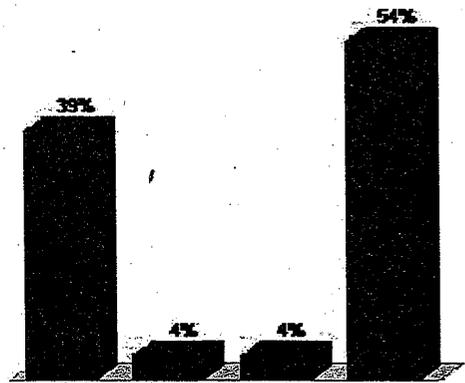
**3. Q3. Work: Which of the following best describes your business sector or interest? (Demographic Assignment)**

Responses	
Percent	Count
Construction/trade	13.33% 8
Leisure/Hospitality	0% 0
Retail	8.33% 5
Real Estate	5% 3
Education/health	11.67% 7
Finance	1.67% 1
Government	16.67% 10
Not for Profit	6.67% 4
Interested citizen	20% 12
Other	16.67% 10
<b>Totals</b>	<b>100% 60</b>



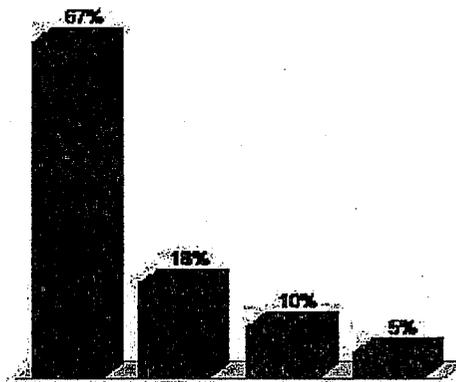
**4. Q4. Please indicate your interest in tonight's Town Hall Meeting? (Demographic Assignment)**

Responses	
Percent	Count
Here to learn	39.29% 22
Here to express an opinion	3.57% 2
To express a concern	3.57% 2
All of the above	53.57% 30
<b>Totals</b>	<b>100% 56</b>



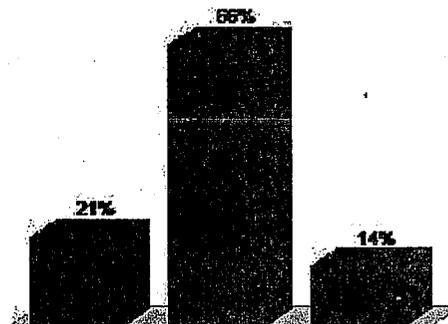
5. Q5. How important is it for Hailey to provide comment on this annexation? (Multiple Choice)

Responses	
Percent	Count
Extremely Important	66.67% 40
Very important	18.33% 11
Not very important	10% 6
Not important at all	5% 3
<b>Totals</b>	<b>100% 60</b>



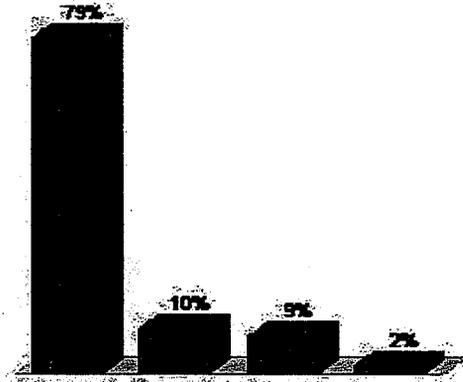
6. Q6. In favor or against the annexation as proposed? (Demographic Assignment)

Responses	
Percent	Count
Yes	20.69% 12
No	65.52% 38
Undecided	13.79% 8
<b>Totals</b>	<b>100% 58</b>



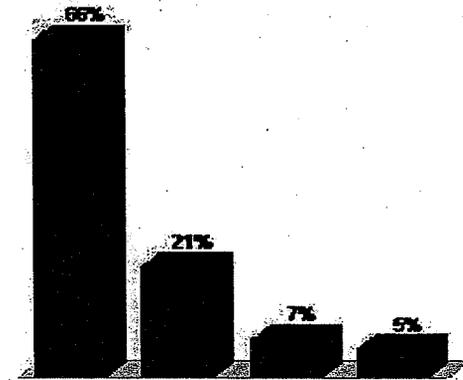
7. Q7. Should Bellevue require a more detailed development plan? (Multiple Choice)

Responses		
	Percent	Count
Strongly agree	79.31%	46
Agree	10.34%	6
Disagree	8.62%	5
Strongly disagree	1.72%	1
<b>Totals</b>	<b>100%</b>	<b>58</b>



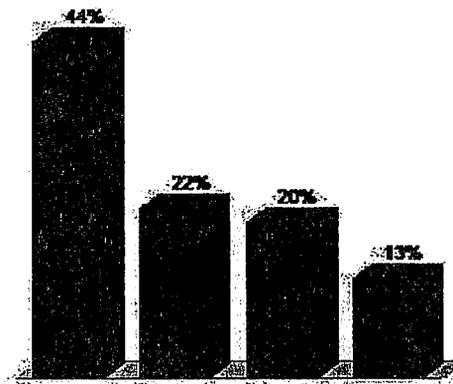
8. Q8. Is forming an ad hoc committee useful? (Multiple Choice)

Responses		
	Percent	Count
Strongly agree	66.07%	37
Agree	21.43%	12
Disagree	7.14%	4
Strongly disagree	5.36%	3
<b>Totals</b>	<b>100%</b>	<b>56</b>



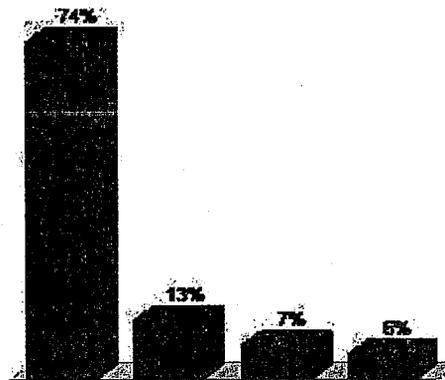
9. Q9. Should any annexation stay within the adopted ACI? (Multiple Choice)

Responses		
	Percent	Count
Strongly agree	44.44%	24
Agree	22.22%	12
Disagree	20.37%	11
Strongly disagree	12.96%	7
<b>Totals</b>	<b>100%</b>	<b>54</b>



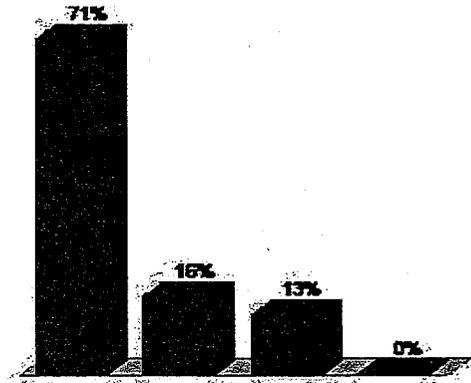
10. Q10. Should Bellevue consider protecting its downtown? (Multiple Choice)

Responses		
	Percent	Count
Strongly agree	74.07%	40
Agree	12.96%	7
Disagree	7.41%	4
Strongly Disagree	5.56%	3
<b>Totals</b>	<b>100%</b>	<b>54</b>



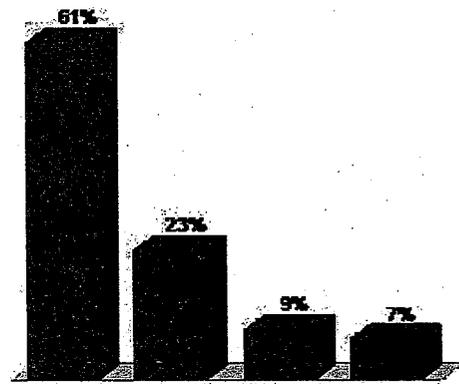
**11. Q11. Should the City of Bellevue consider the impacts on local businesses throughout the County? (Multiple Choice)**

Responses	
Percent	Count
Strongly agree	70.91% 39
Agree	16.36% 9
Disagree	12.73% 7
Strongly disagree	0% 0
<b>Totals</b>	<b>100% 55</b>



**12. 11a. If a large format retailer (Big Box) is planned, should their identity be disclosed? (Multiple Choice)**

Responses	
Percent	Count
Strongly agree	60.71% 34
Agree	23.21% 13
Disagree	8.93% 5
Strongly disagree	7.14% 4
<b>Totals</b>	<b>100% 56</b>



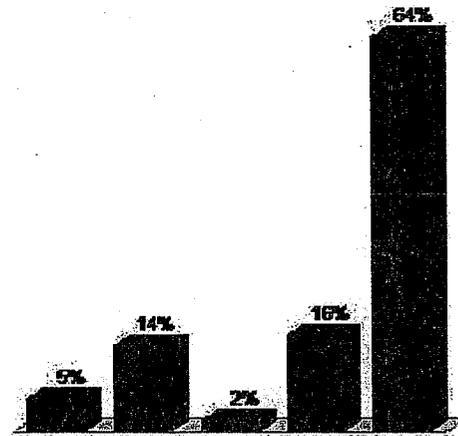
13. 11b. If a large format retailer (Big Box) is not planned, should the development still include a 91.5 acre business zone? (Multiple Choice)

Responses	
	Count
Strongly agree	6
Agree	4
Disagree	14
Strongly disagree	32
<b>Totals</b>	<b>56</b>



14. 11c. How would a "Big Box" store in the WRV impact established business and downtowns? (Multiple Choice)

Responses	
	Count
There would be significant positive benefits	3
There would be some positive benefits	8
There would be no impact	1
There would some negative impacts	9
There would be significant negative impacts	37
<b>Totals</b>	<b>58</b>



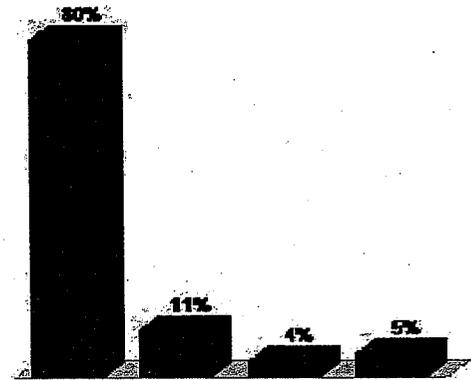
15. Q12. Should Bellevue increase the zoning for light industrial and manufacturing? (Multiple Choice)

Responses	
Percent	Count
Strongly agree	28.57% 14
Agree	44.9% 22
Disagree	14.29% 7
Strongly disagree	12.24% 6
Totals	100% 49



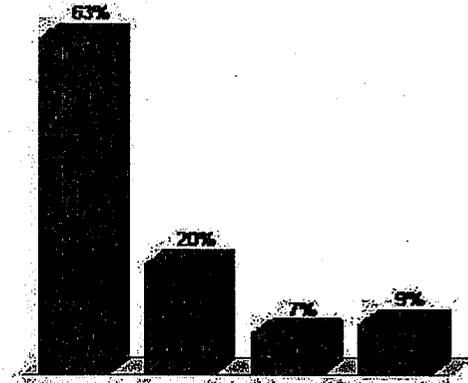
16. Q13. Should Bellevue protect the hillsides from development? (Multiple Choice)

Responses	
Percent	Count
Strongly agree	80% 44
Agree	10.91% 6
Disagree	3.64% 2
Strongly disagree	5.45% 3
Totals	100% 55



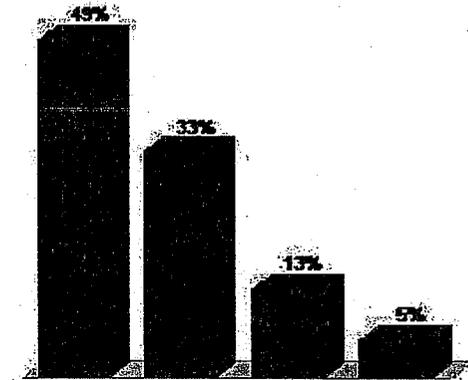
17. Q14. Should the Toe of the Hill Trail be extended? (Multiple Choice)

Responses		
	Percent	Count
Strongly agree	62.96%	24
Agree	20.37%	11
Disagree	7.41%	4
Strongly disagree	9.26%	5
<b>Totals</b>	<b>100%</b>	<b>38</b>



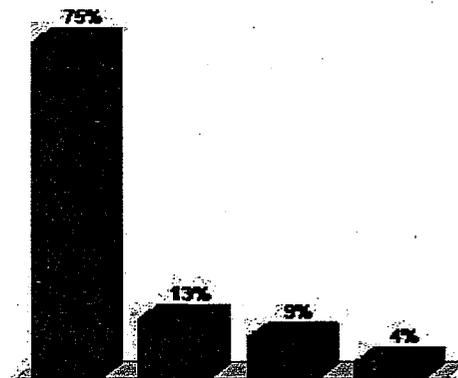
18. Q15. How important is maintaining safety of the bike path users? (Multiple Choice)

Responses		
	Percent	Count
Extremely important	49.09%	27
Important	32.73%	18
Not important	12.73%	7
Extremely unimportant	5.45%	3
<b>Totals</b>	<b>100%</b>	<b>55</b>



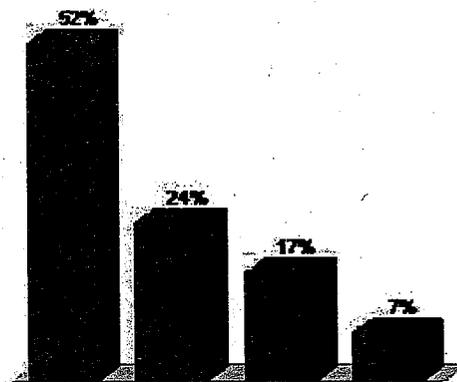
19. Q16. How important is maintaining open spaces and a visual corridor between Bellevue and Hailey?  
(Multiple Choice)

Responses	
Percent	Count
Extremely important	74.55% 41
Important	12.73% 7
Not important	9.09% 5
Extremely unimportant	3.64% 2
<b>Totals</b>	<b>100% 55</b>



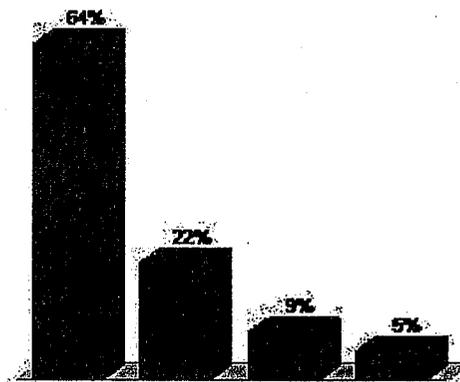
20. Q17. How important are flight safety considerations? (Multiple Choice)

Responses	
Percent	Count
Extremely important	51.85% 28
Important	24.07% 13
Not important	16.67% 9
Extremely unimportant	7.41% 4
<b>Totals</b>	<b>100% 54</b>



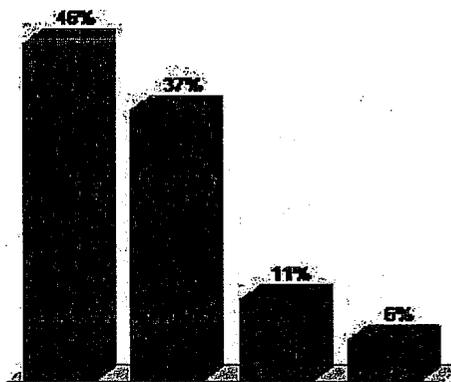
21. Q18. Do you think dedication of open space is important? (Multiple Choice)

Responses		
	Percent	Count
Extremely important	63.64%	35
Important	21.82%	12
Not important	9.09%	5
Extremely unimportant	5.45%	3
<b>Totals</b>	<b>100%</b>	<b>55</b>



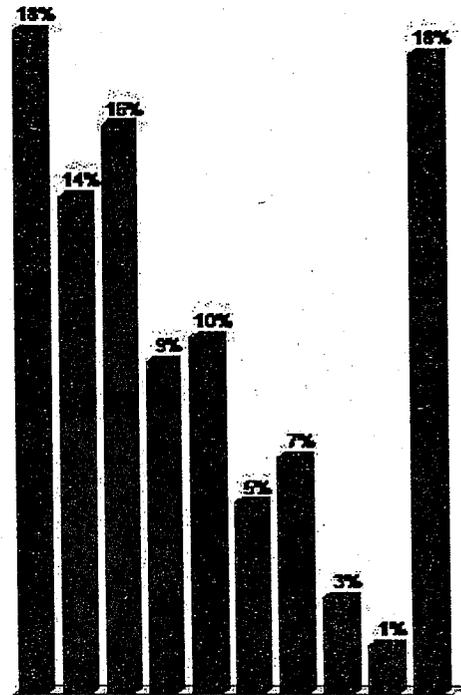
22. Q19. In general, how do you feel about this list of recommendations? (Multiple Choice)

Responses		
	Percent	Count
Support all recommendations	46.3%	25
Support majority of recommendations	37.04%	20
Support a few	11.11%	6
Support none.	5.56%	3
<b>Totals</b>	<b>100%</b>	<b>54</b>



23. Q20. Please rank order the top three recommendations that you could support? (Multiple Choice - Multiple Response)

Responses		
	Percent	Count
Slow down	18.3%	28
Ad hoc Committee	13.73%	21
Stay consistent with Bellevue ACI	15.69%	24
Adopt policies that improve Bellevue's Downtown core	9.15%	14
Protect current Retail establishments	9.8%	15
Increase Light Industrial and Manufacturing Zoning	5.23%	8
Protect Hillside	6.54%	10
Expand Toe of the Hill	2.61%	4
Protect Bike Path	1.31%	2
Maintain "visual corridor" and dedicate open space	17.65%	27
<b>Totals</b>	<b>100%</b>	<b>153</b>





**AGENDA ITEM SUMMARY**

**DATE:** 9-15-2014      **DEPARTMENT:** Community Development      **DEPT HEAD:** MA

**SUBJECT:** City of Hailey initiated text amendment to Ordinance 532, the Zoning Ordinance, by amending section 8.1.1 and 8.1.2 to clarify the General Provisions and Specific Standards for regulating fences, by amending 8.2.2 to revise the definition of Animated Sign and add a definition for Electronic Message Display, by amending 8.2.6 to prohibit Electronic Message Display Signs, by amending 8.2.7 to revise Design Guidelines and Standards for all signs, and by amending 8.2.8 with the addition of a Sign Matrix.

**AUTHORITY:**  \_\_\_\_\_       IAR \_\_\_\_\_       City Ordinance/Code (IF APPLICABLE)

**BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:**

**Proposal**

The proposed amendment to Article 8 of the Zoning Ordinance would revise sections of code regulating both fences and signs within the City of Hailey. Section 8.1 would be amended to clarify the general provisions and standards for siting fences and regulating the location and maintenance of fences. The amendments to Section 8.2 would add a definition of Electronic Message Display and would also prohibit Electronic Message Displays. In addition, the Design Guidelines and Standards in 8.2 would be revised to clarify standards, correct errors in the text, and by adding a Sign Matrix to assist in correctly siting signs within zoning districts.

**Background**

In late 2012, the City of Hailey began a community discussion of whether Electronic Message Displays were appropriate for the community and proposed a text amendment to allow the signs. The Planning and Zoning Commission voted unanimously to recommend denial of the ordinance on two occasions and the City Council voted once on the proposal which was denied by the City Council. During the that process, staff did extensive research into sign ordinances all over the state and country as the related to Hailey's sign ordinance. As a result, errors were discovered in Hailey sign ordinance as well as inconsistencies in sign standards, area calculation standards, and other areas of sign regulations. As a result of the negative vote from the City Council on Electronic Message Displays, staff was directed to draft an ordinance strictly prohibiting EMDs in the City of Hailey. The proposed ordinance fulfills this directive as well as amends sections of Article 8 that were determined to be inconsistent or unclear.

**Procedural History**

The text amendment was considered by the Hailey Planning and Zoning Commission on June 9, 2014 during a regularly scheduled and noticed public hearing. After the public hearing, the Commission chose to table a decision on the text amendment the next regularly scheduled meeting. On July 7, 2014, the Commission held a public hearing on this text amendment and voted to continue the hearing on the record. On August 11, 2014, the Planning and Zoning Commission discussed this amendment one more time and finalized their recommendation to the City Council by a unanimous vote to recommend approval of the amendment to the City Council.

**HEARING:**      Planning and Zoning: June 9, 2014  
                    Planning and Zoning: July 7, 2014  
                    Planning and Zoning: August 11, 2014  
                    City Council: September 15, 2014

**FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS:** Caselle # \_\_\_\_\_  
Budget Line Item Comm. Dev. Dept. and Bldg division\_ YTD Line Item Balance \$ \_\_\_\_\_  
Estimated Hours Spent to Date: \_\_\_\_\_ Estimated Completion Date: \_\_\_\_\_  
Staff Contact: Micah Austin, Comm. Dev. Dir.      Phone # 208-488-9815 ext 13  
Comments:

**ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS:** (IF APPLICABLE)  
 City Administrator       City Attorney       City Clerk



Building  
 Engineer  
 Fire Dept.

Library  
 Mayor  
 Planning  
 Police  
 Public Works, Parks  
 P & Z Commission

Benefits Committee  
 Streets  
 Treasurer  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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**RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:**

Discussed the proposed amendments to the Chapter 8 of the Zoning Ordinance and conduct a public hearing on the amendments.

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**ADMINISTRATIVE COMMENTS/APPROVAL:**

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

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**ACTION OF THE CITY COUNCIL:**

Date \_\_\_\_\_  
City Clerk \_\_\_\_\_

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**FOLLOW-UP:**

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

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



## STAFF REPORT

**TO:** Hailey Mayor and City Council

**FROM:** Micah Austin, Community Development Director

**RE:** City of Hailey initiated text amendment to Ordinance 532, the Zoning Ordinance, by amending section 8.1.1 and 8.1.2 to clarify the General Provisions and Specific Standards for regulating fences, by amending 8.2.2 to revise the definition of Animated Sign and add a definition for Electronic Message Display, by amending 8.2.6 to prohibit Electronic Message Display Signs, by amending 8.2.7 to revise Design Guidelines and Standards for all signs, and by amending 8.2.8 with the addition of a Sign Matrix.

**HEARING:** Planning and Zoning: June 9, 2014  
Planning and Zoning: July 7, 2014  
Planning and Zoning: August 11, 2014  
City Council: September 15, 2014

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### Notice

Planning and Zoning:

- Notice for the public hearing before the Planning and Zoning Commission on June 9, 2014 was published in the Idaho Mountain Express on May 21, 2014 and mailed to public agencies and area media on May 21, 2014.

City Council

- Notice for the public hearing before the Hailey City Council on September 15, 2014 was published in the Idaho Mountain Express on August 6, 2014 and mailed to public agencies and area media on August 6, 2014.

### Proposal

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discovered in Hailey sign ordinance as well as inconsistencies in sign standards; area calculation standards, and other areas of sign regulations. As a result of the negative vote from the City Council on Electronic Message Displays, staff was directed to draft an ordinance strictly prohibiting EMDs in the City of Hailey. The proposed ordinance fulfills this directive as well as amends sections of Article 8 that were determined to be inconsistent or unclear.

#### **Procedural History**

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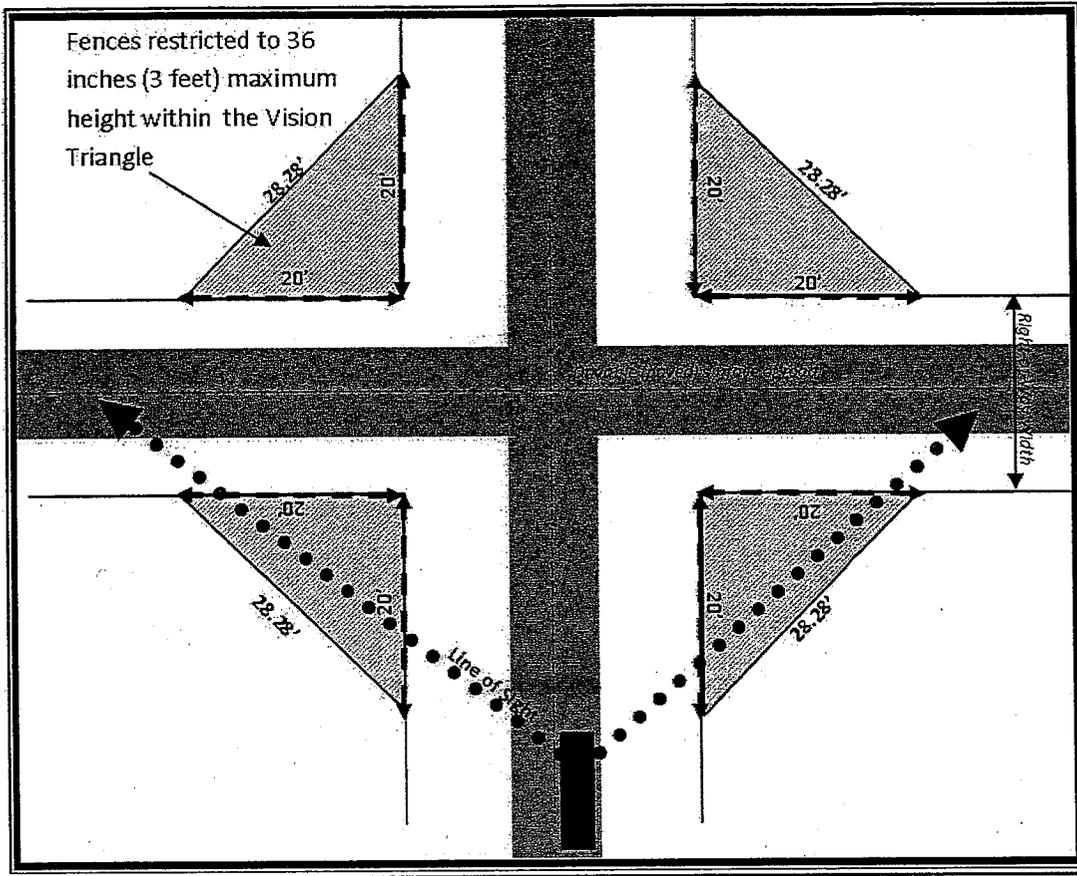
#### **Department Comments**

The proposed ordinance addresses both fences and signs. The following is a summary of those amendments and implications, or options for amendments, to each section.

#### **Fences**

##### **Vision Triangle: 20' from ROW**

Several options for the fence ordinance revisions were considered by the Planning and Zoning Commission with the Vision Triangle option as their final recommendation to the City Council. Staff proposes a restriction on fence heights within a Vision Triangle which would be determined by measuring 20' from the intersection, as measured along the property line. This is slightly more complicated than other options; however the following illustration is an attempt to simplify the proposed restriction and would be an easy tool for all fence permit applicants:

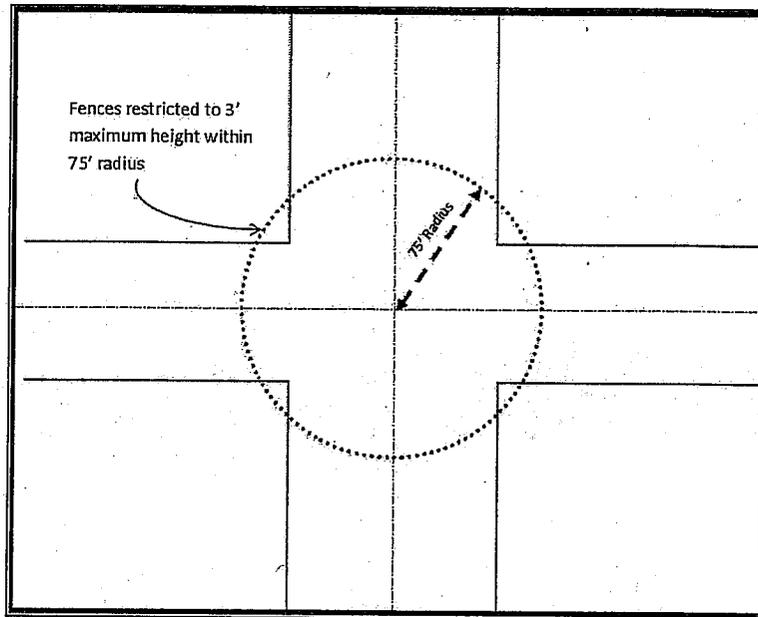


In addition to the siting standards for fences within intersections, the amendment also clarifies that a Fence Permit is not required for maintaining a fence. The proposed language reads, “Fence Permits are not required for maintenance and repairs to existing fences that do not change the location, height, material, or structure of the fence.” This has been a staff policy to not require fences for this type of maintenance, however staff has received several questions from the public over the last two years and clarifying this in the ordinance may assist in resolving these concerns.

**Options the PZ Commission Considered:**

**Option 1: 75' Radius**

The proposed ordinance addresses the fence siting requirements when a fence is located within 75' of the centerline of an intersection. While it has always been the City's policy to deny fences within 75' of an intersection, this policy has not always been enforced and the numerous fences throughout the city that are within this radius shows how prevalent these fences have become over the years. While no fences have been knowingly permitted within this radius, Staff questioned the public safety value of this requirement and found that the Idaho Transportation Department standards are to allow fences and other objects within a 75' radius of an intersection, provided they are no taller than 36" from grade. An illustration in the proposed ordinance assists in clarifying this standard:

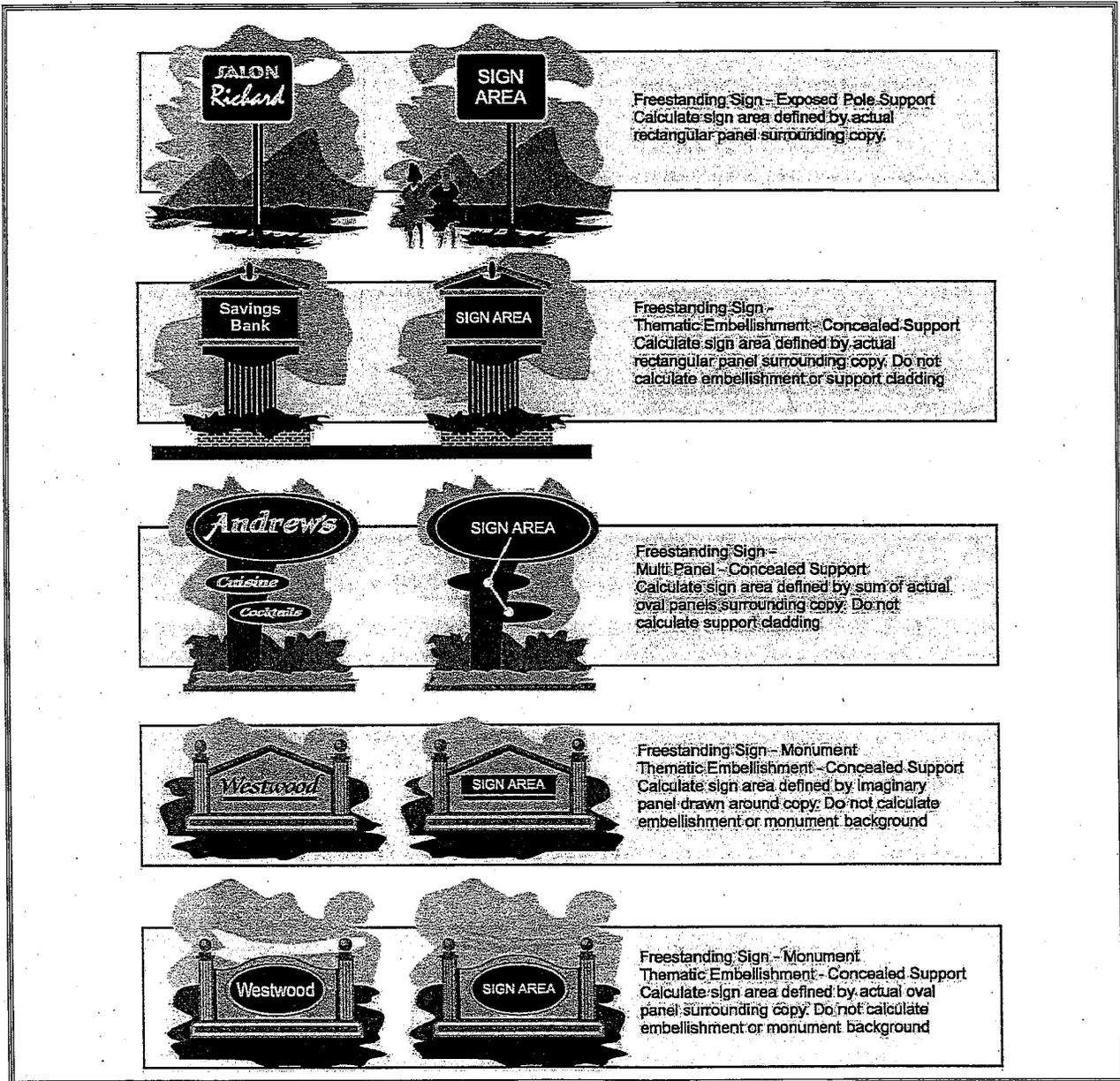


**Option 2: Exempt Private Streets**

The vast majority of public streets in Hailey have a right-of-way width of at least 60' or more. The only streets that are smaller than this are private drives, such as Jack Pine Dr. and Bluebird Ct. Exempting private streets would allow for the 75' radius requirement to stay in place, which works well for all ROW widths of 60' or more. In many cases on private streets, homes and other structures have been built within the 75' radius and are allowed according to setbacks. It seems unusual that a home can be built within this radius but not a fence. This amendment would address this inconsistency as well.

**Signs**

The initial motivation for this amendment was to strictly and clearly prohibit Electronic Message Displays in the City of Hailey. However, during the text amendment process that ultimately resulted in denial of the EMD ordinance, staff found several sections of 8.2 (Signs) that needed clarification or had errors. The proposed ordinance adds and definition for Electronic Message Displays, strictly prohibits them, and addresses the standards for evaluating signs, including how to correctly calculate a sign area. Illustrations have been provided in the proposed ordinance that clarifies sign area calculation standards. The following illustration is taken from the proposed ordinance and gives several examples of how to correctly calculate a sign area. This will be an excellent tool for the public and for staff in evaluation sign permits.



The amendment also addresses some errors that were discovered the currently adopted sign ordinance including a section that prohibits Awning Signs in all business districts. Clearly, this was a mistake and has been addressed in the text amendment. Other revisions include reformatting the sections and subsections to be consistent throughout Section 8.2, removing all references to lit signs, and listing which zones are appropriate for specific signs. All lighting and zoning standards have been moved to the Sign Matrix, which is similar to the District Use Matrix adopted in 2013 for efficiently organizing zone regulations. The Sign Matrix addresses which types of signs are allowed in each zone:

Sign Description or Category	Zoning Districts
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	RGB	LR	GR	NB	LB	TN	B	LI	TI	A	SCI-SO	SCI-I
<b>Awning and Marquee</b>	N	N	N	P	P	P	P	P	P	P	P	P
<b>Changeable Copy</b>	N	N	N	P	P	P	P	P	P	P	P	P
<b>Electronic Message Display</b>	N	N	N	N	N	N	N	N	N	N	N	N
<b>Externally Lit Sign</b>	N	N	N	P	P	P	P	P	P	P	P	P
<b>Freestanding</b>	P	P	P	P	P	P	P	P	P	P	P	P
<b>Internally Lit and Neon Signs</b>	N	N	N	N	N	N	P	P	P	P	P	P
<b>Portable</b>	N	P	P	P	P	P	P	P	P	P	P	P
<b>Projecting</b>	N	N	N	P	P	P	P	P	P	P	P	P
<b>Temporary Signs</b>	N	N	N	N	P	P	P	P	P	P	P	P
<b>Wall Signs</b>	P	N	P	P	P	P	P	P	P	P	P	P
<b>Window Signs</b>	N	N	N	P	P	P	P	P	P	P	P	P

Except for prohibiting Electronic Message Displays, the proposed amendment does not introduce any new regulations but adds language to clarify and streamline the decision-making process for both the public and staff for current regulations.

The proposed amendments are in compliance with the Section 5, Goal 5.1(b), and Section 11, Goal 11.1, of the Comprehensive Plan. The amendments are also in compliance with the current Zoning Ordinance and the Subdivision Ordinance.

**Standards of Evaluation**

**Note:** Staff analysis is in lighter type,  
*Italicized words* are words or phrases added by staff for clarification purposes.

**14.6** When evaluating any proposed amendment under this Article, the 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 relates to the various goals of the Comprehensive Plan (listed below for reference). Section 11, Community Design, has been addressed as being most applicable to this application as seen below.

**Section 11: COMMUNITY DESIGN**

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

*Fences and particularly Signs are often the first impression that a city gives to many visitors, residents, and businesses. Fences should be planned and constructed in a way that is*

*functional but adds aesthetic value to a home and neighborhood. For better or for worse, signs can define the character of a city by enhancing or detracting from the overall aesthetics. The proposed amendment supports the City Council and Planning and Zoning Commission’s clear direction to prohibit EMD signs because they did not feel these signs portrayed the appropriate image for Hailey. Other proposed amendments further clarify the code in a way that will continue to produce appealing signage through the Sign Permit Process. All of these amendments work towards establishing a built environment that is envisioned in the Comprehensive Plan and are compliant with the Comp Plan.*

**Section 5: Land Use, Population and Growth Management**

**Goals 5.1 (b): Downtown, the historic commercial center containing the greatest concentration of commercial, cultural and civic activity.**

*The downtown and historic commercial center has the highest density of signage in the City of Hailey, which demands a carefully thought out Sign Permit process that relies on clear standards and regulations. The proposed amendment clarifies these standards and attempts to keep the built environment of Hailey an aesthetically appealing and inviting place for business, residents, and visitors. The heart of Hailey is the downtown area and without proper and complimentary signage, it risks losing the vibrancy and appeal of a historic and exciting downtown area.*

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.

- 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 are no additional costs or compromise anticipated to public facilities and services.

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

The proposed amendment would have no impact on surrounding a

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

It is not anticipated that the proposed amendment will adversely affect the public health, safety and welfare of citizens.

**Motion Language**

**Approval:**

Motion to approve the proposed amendments to Article 8, Sections 8.1 and 8.2, as Ordinance No. \_\_\_\_\_ 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 deny the proposed amendments to Article 8, Sections 8.1 and 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 Section 8.2 to \_\_\_\_\_ [the Council should specify a date].

**Table:**

Motion to table the proposed amendment to 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 8.1 TO CREATE STANDARDS FOR FENCES AND LANDSCAPING WITHIN A VISION CORRIDOR AT AN INTERSECTION ALONG A PROPERTY LINE; BY AMENDING SUBSECTION 8.2.2 TO AMEND THE DEFINITION OF ANIMATED SIGN, CHANGEABLE COPY SIGN AND WINDOW SIGN AND TO ADD THE DEFINITION OF ELECTRONIC MESSAGE DISPLAY; BY AMENDING SECTION 8.2.5 TO LIST WINDOW SIGNS AS AN EXEMPT SIGN; BY AMENDING SECTION 8.2.6 TO LIST AN ELECTRONIC MESSAGE DISPLAY SIGN AS A PROHIBITED SIGN; BY REPEALING SUBSECTIONS 8.2.7, 8.2.9, 8.2.10 AND 8.2.11 AND ADDING A NEW SUBSECTION 8.2.7 TO ESTABLISH DESIGN GUIDELINES AND STANDARDS; BY REPEALING SUBSECTION 8.2.8 AND REPLACING IT WITH A NEW SUBSECTION 8.2.8 TO ESTABLISH A SIGN MATRIX; BY RESERVING SECTIONS 8.2.9, 8.2.10 AND 8.2.11; BY PROVIDING FOR A SEVERABILITY CLAUSE; BY PROVIDING FOR A REPEALER CLAUSE; AND BY PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE UPON PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

WHEREAS, the City of Hailey wishes to uniformly regulate fences at intersections to promote public safety;

WHEREAS, the City of Hailey wishes to expressly regulate the display of electronic message displays (EMD);

WHEREAS, the City of Hailey wishes to clarify provisions of its sign ordinance and to create a matrix for permitted and non-permitted signs;

WHEREAS, the proposed amendments are generally in accordance with the Comprehensive Plan;

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

WHEREAS, the proposed amendments will be in accordance with the welfare of the general public.

BE IT THEREFORE ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF HAILEY, IDAHO, AS FOLLOWS:

**Section 1.** Section 8.1 of the Hailey Municipal Code is amended by the deletion of the stricken language and addition of the underlined language, as follows:

8.1 Fences.

8.1.1 General Provisions. The following requirements shall apply in all districts:

a. No fence may be located, constructed, or maintained in such a way as to obstruct the view of intersections by motorists and pedestrians.

b. ~~Fences shall not be located within seventy five (75) feet of the centerline intersection of two (2) streets.~~

e. No barbed wire or other sharp pointed metal fence and no electrically charged fence shall be permitted, unless after consideration, the Commission makes a determination that such materials are necessary for security purposes.

~~d.c.~~ A fence permit, issued by the ~~Building Official~~ Community Development Department, shall be required for all new fences in all districts.

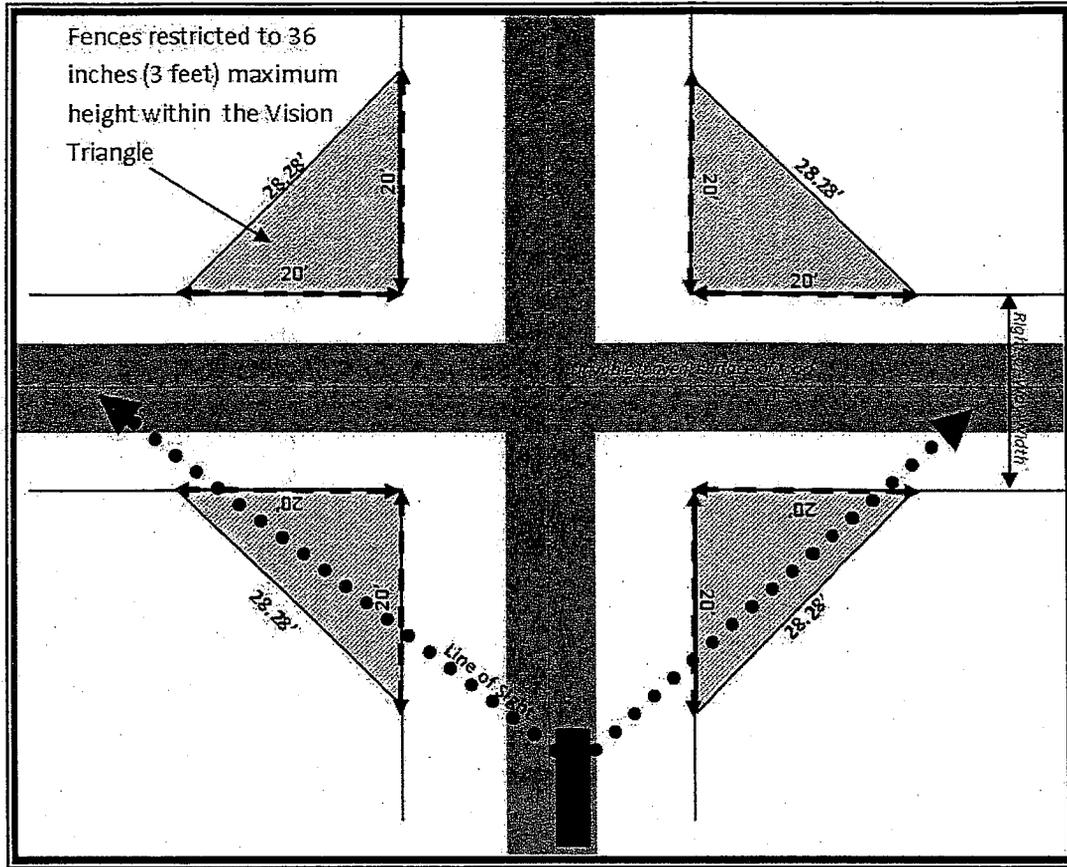
d. Fence Permits are not required for maintenance and repairs to existing fences that do not change the location, height, material, or structure of the fence.

8.1.2 Specific Standards. The following provisions shall apply in addition to those specified in Section 8.1.1.

a. Height. Except as otherwise provided, ~~for all uses fences~~ in the LR, GR, LB and TN districts, ~~fences~~ shall not exceed four (4) feet in height when located within the required front yard setback and six (6) feet when located within the required side and rear yard setbacks, fences in

~~b. For all uses in the LI, TI, SCI-SO and B D districts, fences shall not exceed six (6) feet in height, and fences in~~

~~c. For all uses in the SCI-I D district or for Public Uses or Public Utility Facilities in all zoning districts, fences shall not exceed eight (8) feet in height. Fences located within a vision triangle with two sides each twenty feet (20') in length measured along a property line and an intersection shall not exceed three (3) feet in height. Refer to illustration below:~~



- db. Arbors, trellises, entry arches and similar yard or landscape features may be permitted within a required yard setback provided they are not more than eight (8) feet high, five (5) feet wide and three (3) feet deep.
- ec. Multiple features, excluding landscaping, shall not be placed in a linear fashion for the purpose of creating a fence-like barrier.
- fd. Chain link material is prohibited except for Public Uses or Public Utility Facilities with an approved Conditional Use Permit.
- ge. For the purpose of applying the above height standards, the average height of the fence along any unbroken run may be used, provided the height at any point is not more than 10% greater than the maximum height.

**Section 2.** Subsection 8.2.2 of the Hailey Municipal Code is amended by the deletion of the stricken language and addition of the underlined language and by the insertion of the definitions in alphabetical order, as follows:

**Animated Sign.** Any sign or part of a sign that changes physical position in any way, or that uses movement or change of lighting to depict action or create a special effect or scene or the illusion of movement which gives the visual impression of movement or rotation.

**Changeable Copy Sign.** A sign or portion thereof with characters, letters or illustrations that can be changed or rearranged by manual means without altering the face of the sign.

Electronic Message Display (EMD) Sign. A sign or portion thereof using backlighting or internal lighting capable of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means. An Electronic Message Display Sign may also be known as an Electronic Message Center..

Window Sign – Any sign installed upon or within three feet of a window for the purpose of viewing from outside the premises. This term does not include merchandise displayed. A sign affixed or directly adjacent to the surface of a window with its message intended to be visible to the exterior environment.

**Section 3.** Subsection 8.2.5 of the Hailey Municipal Code is amended by the addition of the underlined language, as follows:

**8.2.5 Exempt Signs.**

A. The following Signs shall not be subject to the permit process as defined by Section 8.2.4 and are not included in the total aggregate sign area as defined in Section 8.2.9.

1. Flags, symbols, or insignias either historic or official of any state or nation, providing the Flag is no larger than sixty square feet and is flown from a pole the top of which is no higher than forty feet (40') from natural grade.
2. Signs posted by a government entity.
3. Two Temporary Signs per building or if a multi-unit building one per Unit.
4. Signs with areas of four square feet or less.
5. Merchandise displayed in windows that does not involve Copy.
6. Pennants and wind socks, which in no way identify or advertise a person, product, service, or business.
7. Any sign inside a building not visible from the exterior of the building.
8. Art located on private property which in no way identify or advertise a person, product, service, or business.
9. Historic Signs designated by the Hailey City Council as having historical significance to the City or replicas of historic Signs as approved by the Hailey Council.
10. Building identification Signs which identify the name of the building only. These Signs are separate from Signs which identify, advertise, or promote any person, entity, product, or service.
11. Signs on licensed and registered vehicles that are used for normal day-to-day operations of a business, regardless of whether the business is located within Hailey.
12. Window Signs.

**Section 4.** Subsection 8.2.6 of the Hailey Municipal Code is amended by the addition of the underlined language, as follows:

**8.2.6 Prohibited Signs.**

A. No person shall erect, maintain, or relocate any of the following Signs within the City:

1. Signs creating traffic hazards. A sign at or near any public street, or at the intersection of any public streets, situated in such a manner as to create a traffic hazard by

obstructing vision. Additionally, any sign at any location which would interfere with, obstruct the view of, or be confused with any authorized traffic sign.

2. Any sign which, due to structural weakness, design defect, or other reason, constitutes a threat to the health, safety, and welfare of any person or property.

3. Any sign which contains an intermittent light source, or which includes the illusion of intermittent or flashing light by means of animation, or an externally mounted intermittent light source.

4. Roof Signs, except mansard roof Signs provided that the highest portion of any sign attached to a mansard roof is no more than 2/3 the height of the mansard roof to which it is attached.

5. Animated Signs.

6. Any Pennant, propeller, or similar device which is designed to display movement under the influence of the wind and which contains a message, announcement, declaration, demonstration, display, illustration, or insignia used for promotion or advertisement of a person, product, service, or business.

7. Any Sign attached to or displayed on outdoor furniture.

8. Any Sign mounted on wheels.

9. Any inflatable object used for promotional or sign purposes, excluding standard size balloons.

10. Signs advertising a business that is located outside of the corporate limits of Hailey.

11. Signs using "day-glo," fluorescent, or brilliant luminescent colored or neon lit backgrounds.

12. Reflective colored material that gives the appearance of changing color.

13. Any Sign covering or obscuring windows, doors, storefronts, building entrances, eaves, cornices, columns, horizontal expression lines, or other architectural elements or details.

14. Electronic Message Display Sign (EMD)

**Section 5.** Subsections 8.2.7, 8.2.9, 8.2.10 and 8.2.11 of the Hailey Municipal Code are repealed and replaced by a new Subsection 8.2.7, as follows:

#### 8.2.7 Design Guidelines and Standards.

8.2.7.1 General Guidelines. The following are suggested ways to increase the effectiveness of Signs placed within the City

a. Projecting Signs are preferred over Portable or sandwich board Signs. Projecting Signs generally are more effective for increasing visibility to both pedestrians and motorist.

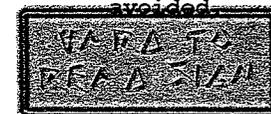
b. Sign materials and colors should compliment the building façade. Basic and simple color applications are encouraged.

c. The color of letters and symbols should contrast with the base or background color of the sign to maximize readability.

d. In multi-unit buildings, a Directory Sign with the names and suite numbers of all Units without individual street level entrances are encouraged to be provided at the shared entrance to those Units.

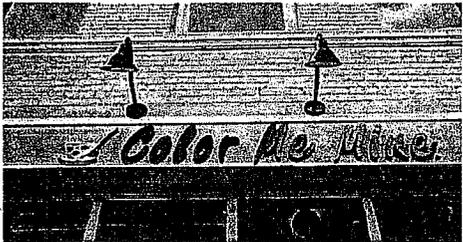
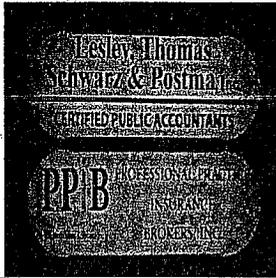


Easy-to-read fonts should be used and hard to read fonts should be avoided.



8.2.7.2 Lighting Standards.

- A. All internally and externally lighted Signs shall comply with lighting standards as set forth in Article VIII B of the Hailey Zoning Ordinance.
- B. A sign lit by an external light source shall specifically illuminate the Sign.
- C. Signs using backlighting or internal lighting shall only illuminate the Copy portion of the Signs. All other areas, including background, shall be constructed, treated and colored in a manner which makes those areas opaque.
- D. A maximum of 2 neon Signs per Unit or building shall be allowed, regardless of whether the sign requires a permit.
- E. Lightings Standards Chart:

Allowed	Prohibited
<p>Externally illuminated sign (Allowed)</p> 	<p>Internally illuminated sign where the background is illuminated (Prohibited)</p> 
<p>Internal illumination of symbols and letters but not the sign background (Allowed)</p> 	
<p>Backlighting behind individually mounted letters (Allowed)</p> 	

8.2.7.3 Area Standards.

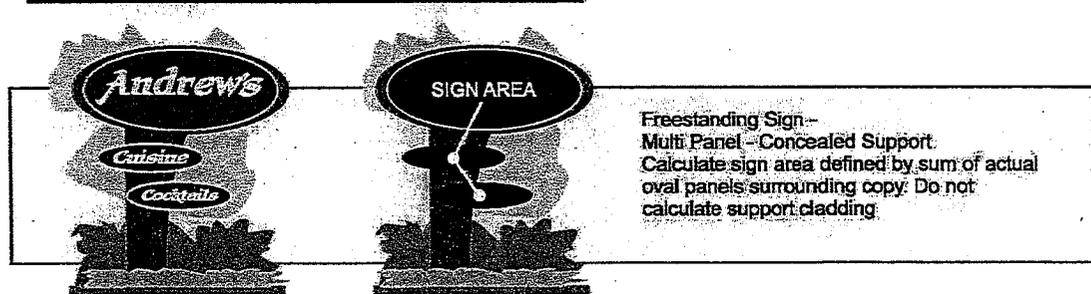
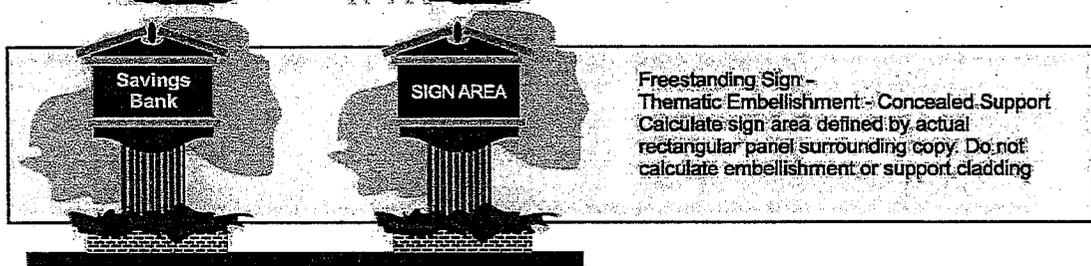
- A. Except as otherwise provided herein, the total Sign area permitted for any building shall not exceed a total of two square feet of Sign area per lineal foot of Building Frontage.
  - 1. A building with only one Unit that meets or exceeds 75 feet of linear Building Frontage shall not exceed 150 square feet of total sign area.
  - 2. The total Sign area permitted for a multi-unit building shall be determined by the Master Sign Plan.

B. Signs on vacant properties are subject to Section 8.2.7.5(C), and are allowed only one Sign per lot.

C. The 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 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.

1. Sign Area Computational Methodology examples:



- E. Internally lighted Signs shall not exceed a total of 75 square feet for any building.
- F. The size standards in Section 8.2.7.5 shall apply and control the total sign area permitted for each type of sign.

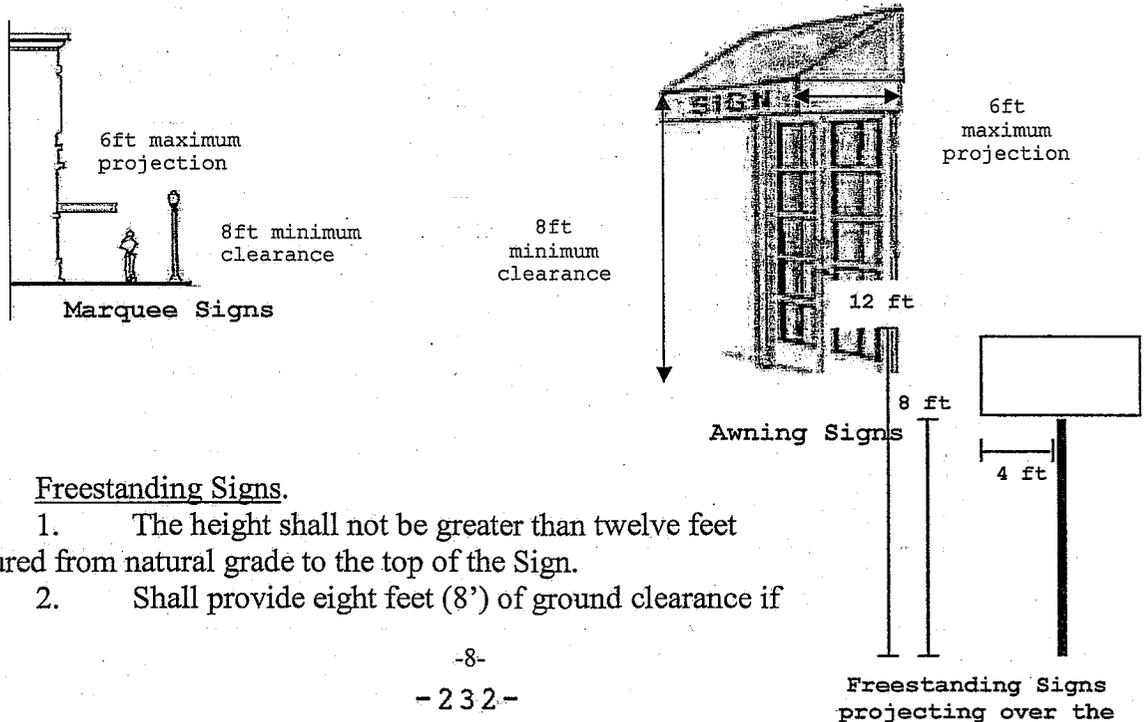
8.2.7.4 Sign Standards for Multi-Unit Buildings.

- A. All Units with an individual street level entrance are allowed up to two Signs, with no more than one Sign on any one building facade.
- B. Each street level interior Units without an individual street level entrance and/or each Units located above the ground floor shall be limited to one Sign.
- C. The location and placement of all exterior Signs for all units within a multi-unit Building shall be determined and shall be consistent with the design, scale and proportion of 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 8.2.7.5 shall apply and control the total Sign area permitted for each type of Sign.

8.2.7.5 Standards for Categories of Signs.

A. Awning and Marquee Signs.

- 1. The Copy area is limited to the valances of the awnings.
- 2. Shall not project more than six feet (6') from the building wall and shall provide at least eight feet (8') of vertical clearance when projecting over a pedestrian access way, measured from the ground to the lowest part of the supports for the Awning or Marquee Sign.



B. Freestanding Signs.

- 1. The height shall not be greater than twelve feet (12'), measured from natural grade to the top of the Sign.
- 2. Shall provide eight feet (8') of ground clearance if

projecting over the public right-of-way.

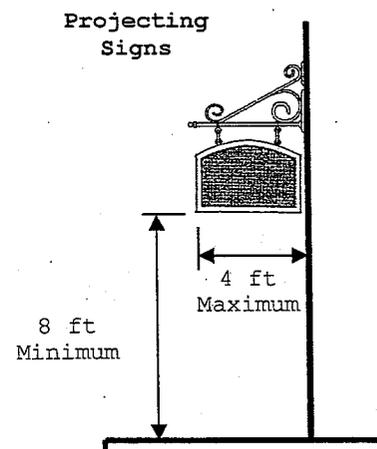
3. There shall be only one Freestanding Sign per Building.
4. Freestanding Signs aligned perpendicular to the adjacent public right-of-way are allowed a maximum sign area of 48 square feet, or 24 square feet per side. Those aligned parallel to the adjacent public right-of-way are allowed a maximum sign area of 24 square feet.
5. Shall not extend, at any point, more than four feet (4') into the public right of way.

C. Portable Signs.

1. Any Portable Sign is limited to two (2) sign faces or two (2) sides per Portable Sign.
2. Maximum area allowed is six (6) square feet per side, and limited to three feet (3') in height. If there are supporting legs on a Portable Sign frame, they may be up to six inches (6") in height.
3. One Portable Sign is permitted per Unit.
4. Portable Signs shall be weighted or anchored in some manner to prevent them from being moved or blown over by the wind.
5. Portable Signs shall not be located so as to obstruct pedestrian or vehicular traffic, or obstruct sight lines at intersections.
6. No more than two (2) Portable Signs placed in the public right-of-way shall be permitted per corner.
7. Portable Signs must be located in a manner that that maintains thirty-six inches (36") of clear width along all public right-of-ways.

D. Projecting Signs.

1. Projecting Signs may be placed on a building or underneath an approved canopy, awning or colonnade, but may not extend, at any point, more than four feet (4') from the surface to which it is attached.
2. Signs must have at least eight feet (8') of vertical clearance when projecting over a pedestrian access way, measured from natural grade to the bottom of the Sign.
3. No part of the Sign may extend higher than the lowest portion of a flat roof, the top of a parapet wall, the vertical portion of a mansard roof, the eave line or fascia of a gable, gambrel, or hipped roof.
4. Any portion of a Projecting Sign shall be located below the bottom of any second floor window of a multi-unit building.

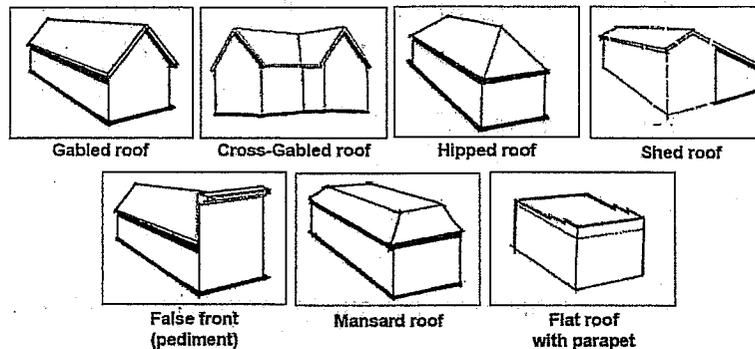


E. Wall Signs.

1. Wall Signs may be placed on a structure provided they do not exceed a total of ten percent (10%) of the facade to which they are attached.
2. No part of the Sign may extend higher than the lowest portion of a flat roof, the top of a parapet wall, the vertical portion of a mansard roof, the eave line or fascia of a

gable, gambrel, or hipped roof.

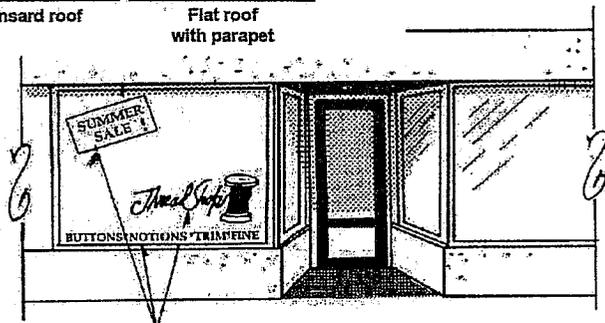
Typical Roof Types



F.

Window Signs.

1. Permanent Window Signs may be placed in or on any window provided that no more than 50% of the total transparent area of the window is obscured.



Window signs are limited to 50% of the window area

G. Changeable Copy Signs.

1. The Copy on any Changeable Copy Sign shall not be changed more than three times per day. Changeable Copy Signs shall be maintained in a legible and serviceable manner.

2.. The size of any Changeable Copy Sign shall be determined by the applicable size standards specified for an Awning and Marquee, Freestanding, Portable, Projecting, Wall, or Window Sign.

H. Temporary Signs.

1. A Temporary Sign shall be displayed for no more than ninety-six (96) hours and for no more than four (4) times per year with a minimum of a five (5) day interval between displays of the Temporary Sign.

2. No more than two (2) Temporary Signs are allowed for any building or for any Unit in a multi-unit building at any given time.

3. The total square footage of one or more Temporary Signs shall not exceed thirty-six feet (36').

4. The square footage of Temporary Signs is exempted from the total allotted sign square footage allowed for any building or for any Unit in a multi-unit building.

5. Temporary Signs shall not exceed the height of the roof lines of adjacent buildings or structures.

6. Temporary Signs shall not extend into a Street or Alley, unless specifically authorized in a sign permit.

**Section 6.** Subsection 8.2.8 of the Hailey Municipal Code is repealed and replaced by a new Subsection 8.2.8, as follows:

8.2.8 Sign Matrix. Signs are permitted or non-permitted in the zoning districts as follows:

Sign Description or Category	Zoning Districts											
	RG B	LR	GR	N B	LB	TN	B	LI	TI	A	SC I- SO	SC I-I
<b>Awning and Marquee</b>	N	N	N	P	P	P	P	P	P	P	P	P
<b>Changeable Copy</b>	N	N	N	P	P	P	P	P	P	P	P	P
<b>Electronic Message Display</b>	N	N	N	N	N	N	N	N	N	N	N	N
<b>Freestanding</b>	P	P	P	P	P	P	P	P	P	P	P	P
<b>Internally Lit and Neon Signs</b>	N	N	N	N	N	N	P	P	P	P	P	P
<b>Externally Lit Sign</b>	N	N	N	P	P	P	P	P	P	P	P	P
<b>Portable</b>	N	P	P	P	P	P	P	P	P	P	P	P
<b>Projecting</b>	N	N	N	P	P	P	P	P	P	P	P	P
<b>Temporary Signs</b>	N	N	N	N	P	P	P	P	P	P	P	P
<b>Wall Signs</b>	P	N	P	P	P	P	P	P	P	P	P	P
<b>Window Signs</b>	N	N	N	P	P	P	P	P	P	P	P	P

A "P" indicates that a sign is permitted in the respective zoning district, provided the sign conforms to the applicable requirements of the Land Use Ordinance. An "N" indicates that a sign is not allowed in the respective zoning district.

**Section 7.** Sections 8.2.9, 8.2.10 and 8.2.11 are hereby reserved.

**Section 8.** Severability Clause. If any section, paragraph, sentence or provision hereof or the application thereof to any particular circumstances shall ever be held invalid or unenforceable, such holding shall not affect the remainder hereof, which shall continue in full force and effect and applicable to all circumstances to which it may validly apply.

**Section 9.** Repealer Clause. All Ordinances or Resolutions or parts thereof in conflict herewith are hereby repealed and rescinded.

**Section 10.** Effective Date. This Ordinance shall be in full force and effect after its passage, approval and publication according to law.

**PASSED AND ADOPTED BY THE HAILEY CITY COUNCIL AND APPROVED BY THE MAYOR THIS \_\_\_ DAY OF \_\_\_\_\_, 2014.**

FRITZ X. HAEMMERLE, Mayor

ATTEST:

MARY CONE, City Clerk

