

AGENDA ITEM SUMMARY

DATE: 10-6-2014 **DEPARTMENT:** Community Development **DEPT HEAD:** MA

SUBJECT: Adoption of Ordinance 1163, a 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
 City Council: October 6, 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)

<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"/>	_____
<input type="checkbox"/>	Engineer	<input type="checkbox"/>	Public Works, Parks	<input type="checkbox"/>	_____
<input type="checkbox"/>	Fire Dept.	<input type="checkbox"/>	P & Z Commission	<input type="checkbox"/>	_____

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. If no concerns, adopt Ordinance 1162 1163

ADMINISTRATIVE COMMENTS/APPROVAL:

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

ACTION OF THE CITY COUNCIL:

Date 10/6 - Council approved & Mayor conducted 19
City Clerk reading by title only of ord. no. 1163.

FOLLOW-UP:

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

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

Kathy Grotto

841 Sunrise Dr.
Hailey, ID 83333

Phone: 208-720-0447

E-mail: kgrotto22.@gmail.com

RECEIVED
SEP 22 2014

BY: _____

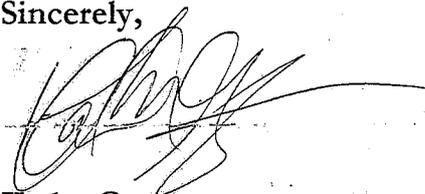
September 18, 2014

Dear Hailey Mayor and City Council,

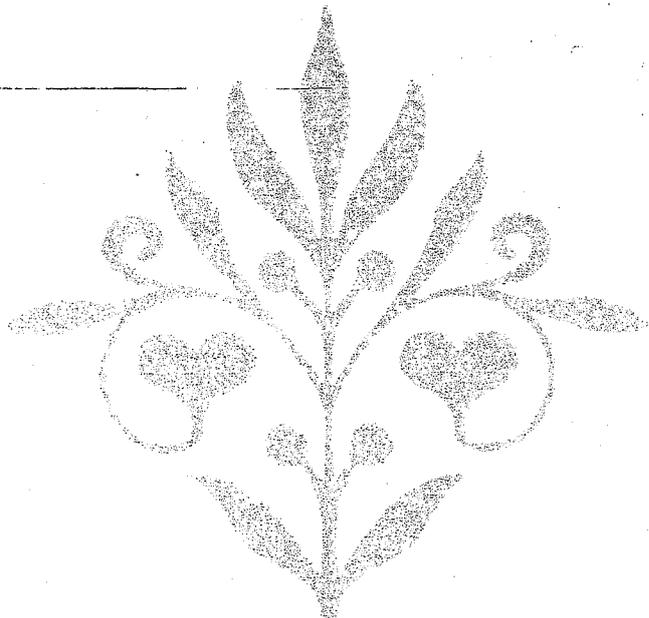
I have been meaning to write you since August when this photograph and article (copy enclosed) were published in the Express. When I saw the photo, I thought how nice this sign looks and how much better it represents the character of our small town than would an Electronic Message Display sign.

Thanks for voting "No" to allowing EMD's, and for having a "Grand Vision" for Hailey that includes a Main Street free of Blue Lakes Boulevard visual clutter!

Sincerely,



Kathy Grotto



Sports B2
Classifieds B6

GREGORY FOLEY: 726-8060

WOOD RIVER

Journal

39
TH

1974 2013

IDAHO MOUNTAIN EXPRESS
August 20, 2014
Section

B

HAILEY'S GRAND VISION NEARS COMPLETION

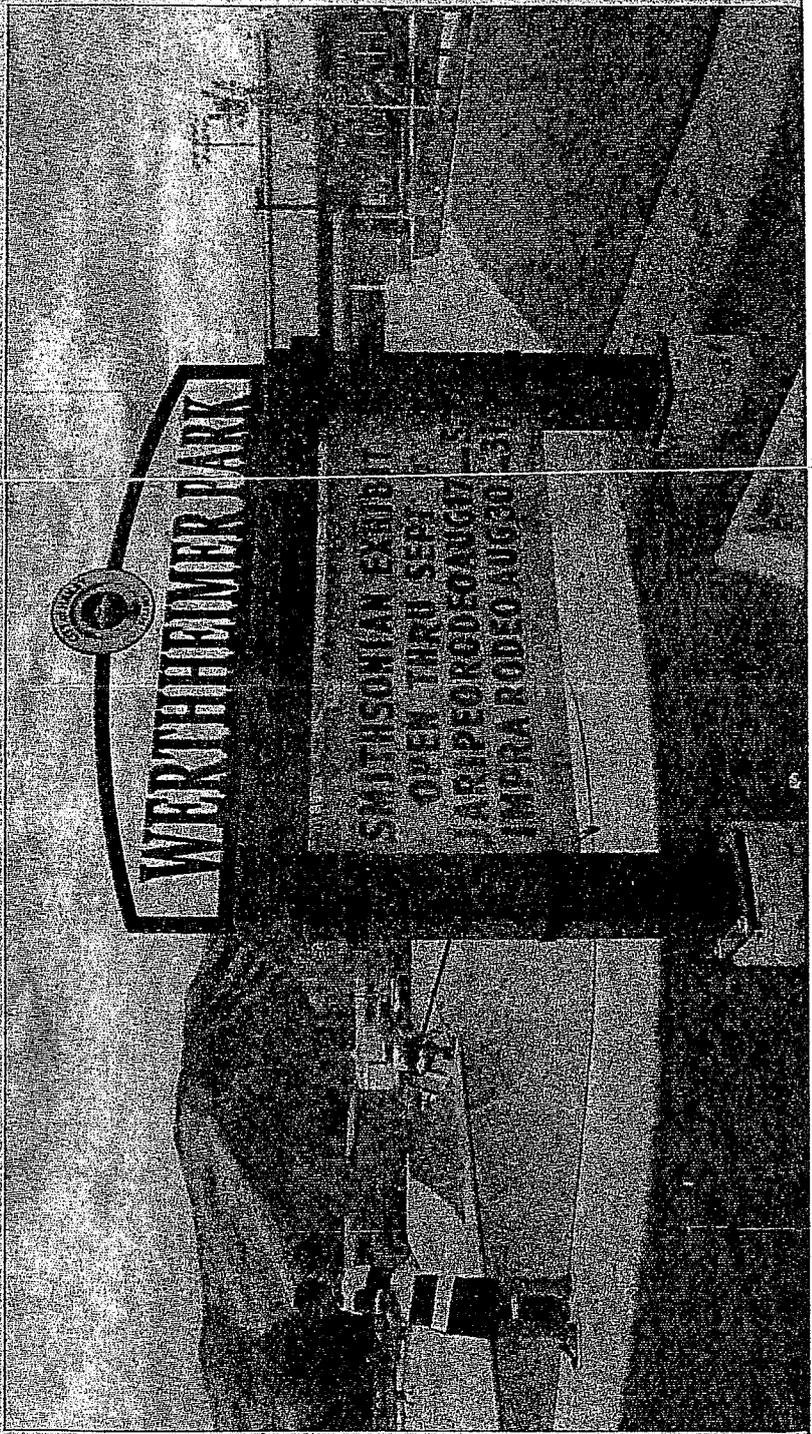
Wertheimer Park Multiplies diversity and public support

By TONY EVANS
Express Staff Writer

The southern entrance to Hailey welcomes visitors to a diverse and dynamic city, active in sports and in touch with its history.

After many years of transformation, Hailey's Wertheimer Park is coming into its own as a recreation and entertainment destination. By next year, a multi-purpose arena, visitor center and ice hockey and skating venue will be added to the site, alongside the existing purpose arena, visitor center and glass skatepark.

Members working with the Parks and Recreation Board in 2008 moving slips of paper around and wondering where the vision would fit," said Mayor Fritz Nerle. "It is a vision that is now com-



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
City Council: October 6, 2014

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

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.

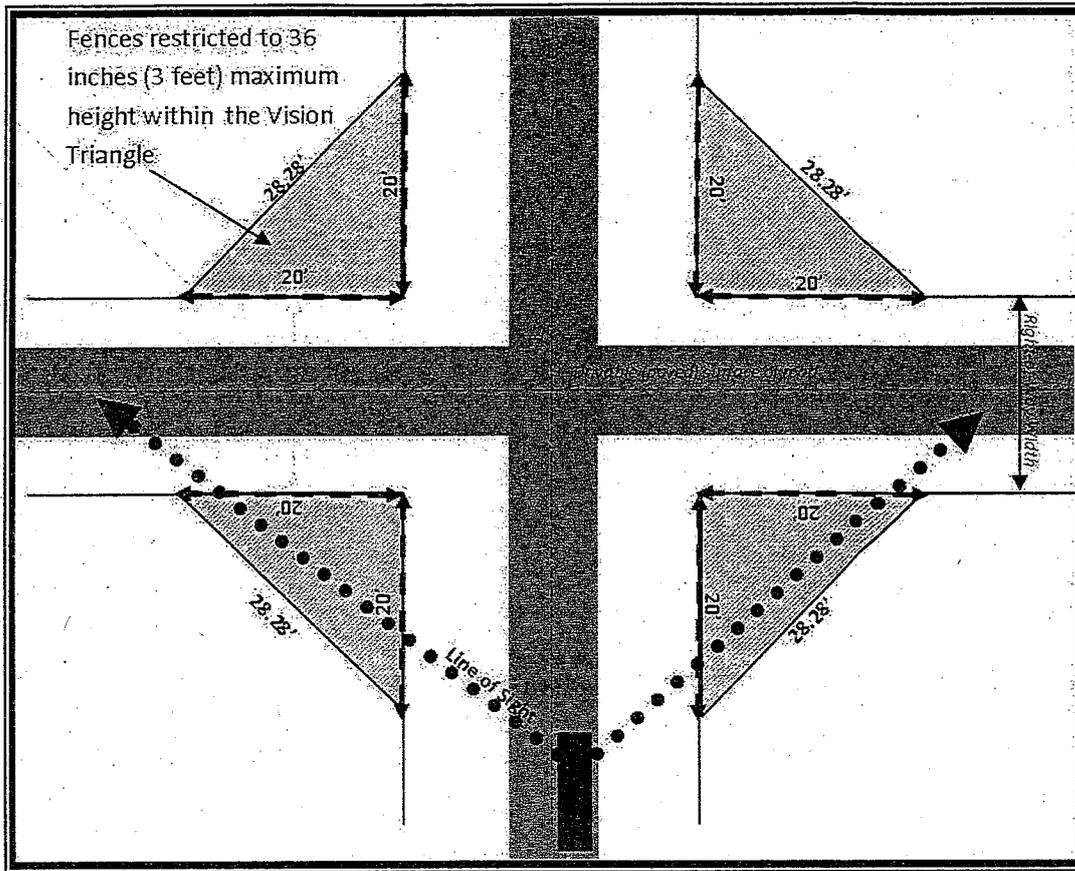
Department Comments

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:

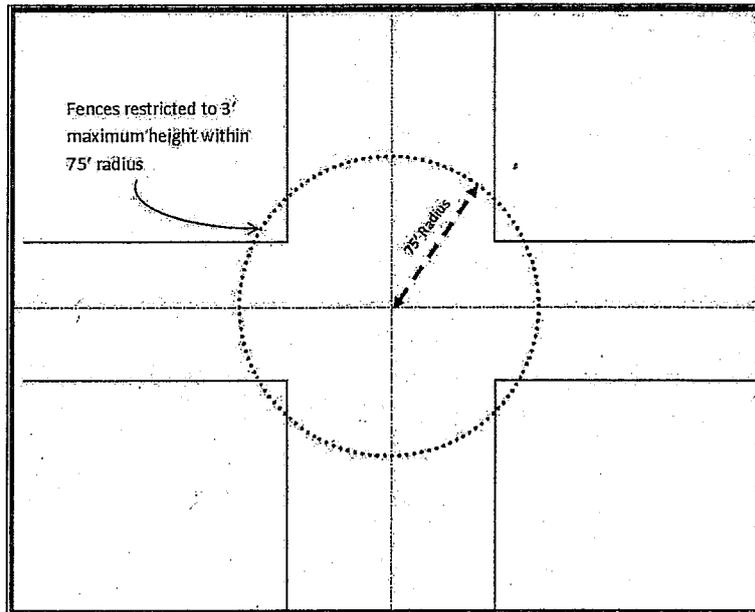


In addition to the siting standards for fences within intersections, the amendment also clarifies that a Fence Permit is not required for maintaining a fence. The proposed language reads, “Fence Permits are not required for maintenance and repairs to existing fences that do not change the location, height, 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:

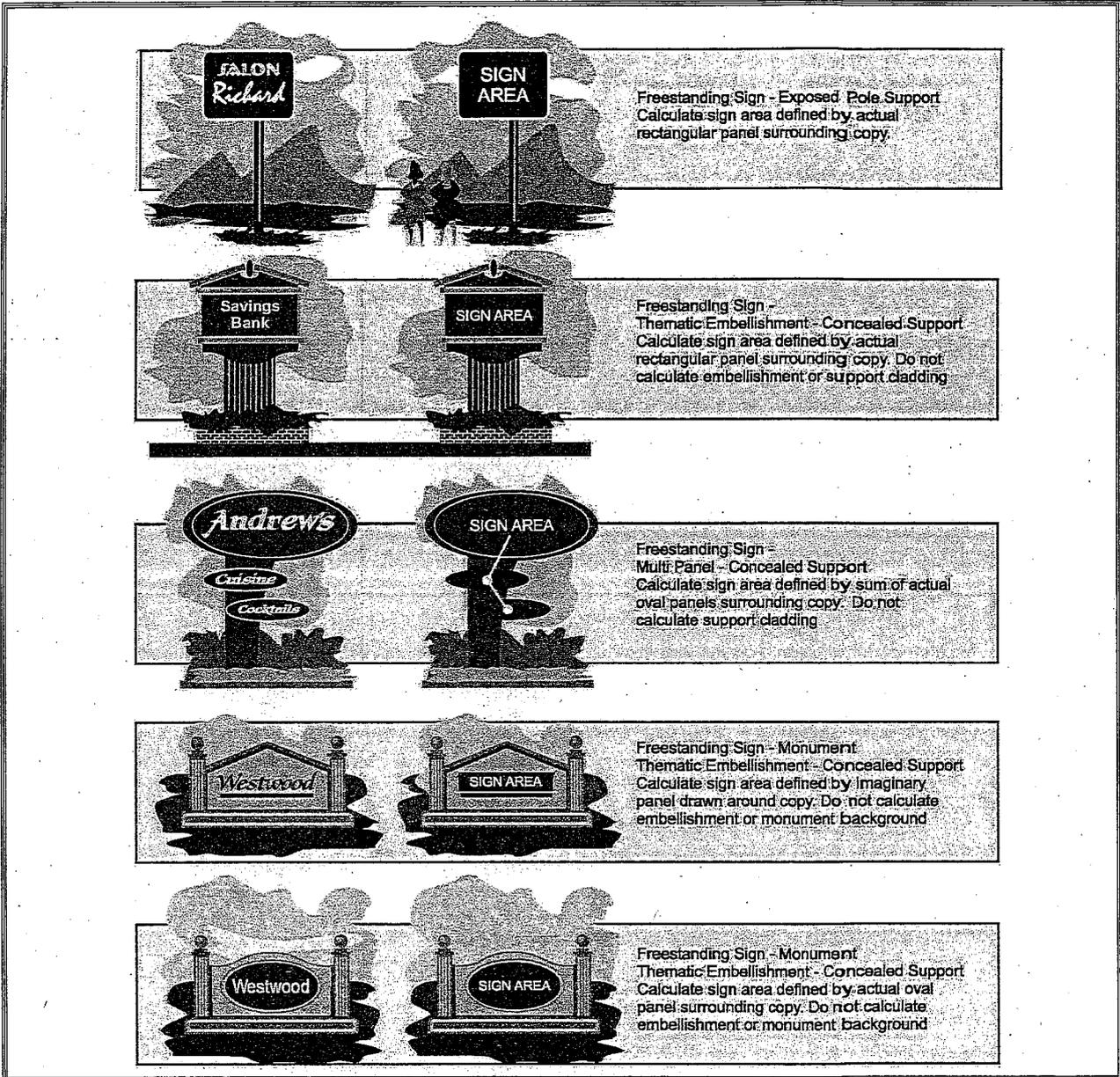


Option 2: Exempt Private Streets

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
------------------------------	------------------

	RGB	LR	GR	NB	LB	TN	B	LI	TI	A	SCISO	SCSI
Awning and Marquee	N	N	N	P	P	P	P	P	P	P	P	P
Changeable Copy	N	N	N	P	P	P	P	P	P	P	P	P
Electronic Message Display	N	N	N	N	N	N	N	N	N	N	N	N
Externally Lit Sign	N	N	N	P	P	P	P	P	P	P	P	P
Freestanding	P	P	P	P	P	P	P	P	P	P	P	P
Internally Lit and Neon Signs	N	N	N	N	N	N	P	P	P	P	P	P
Portable	N	P	P	P	P	P	P	P	P	P	P	P
Projecting	N	N	N	P	P	P	P	P	P	P	P	P
Temporary Signs	N	N	N	N	P	P	P	P	P	P	P	P
Wall Signs	P	N	P	P	P	P	P	P	P	P	P	P
Window Signs	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. 1163

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 prohibit 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.

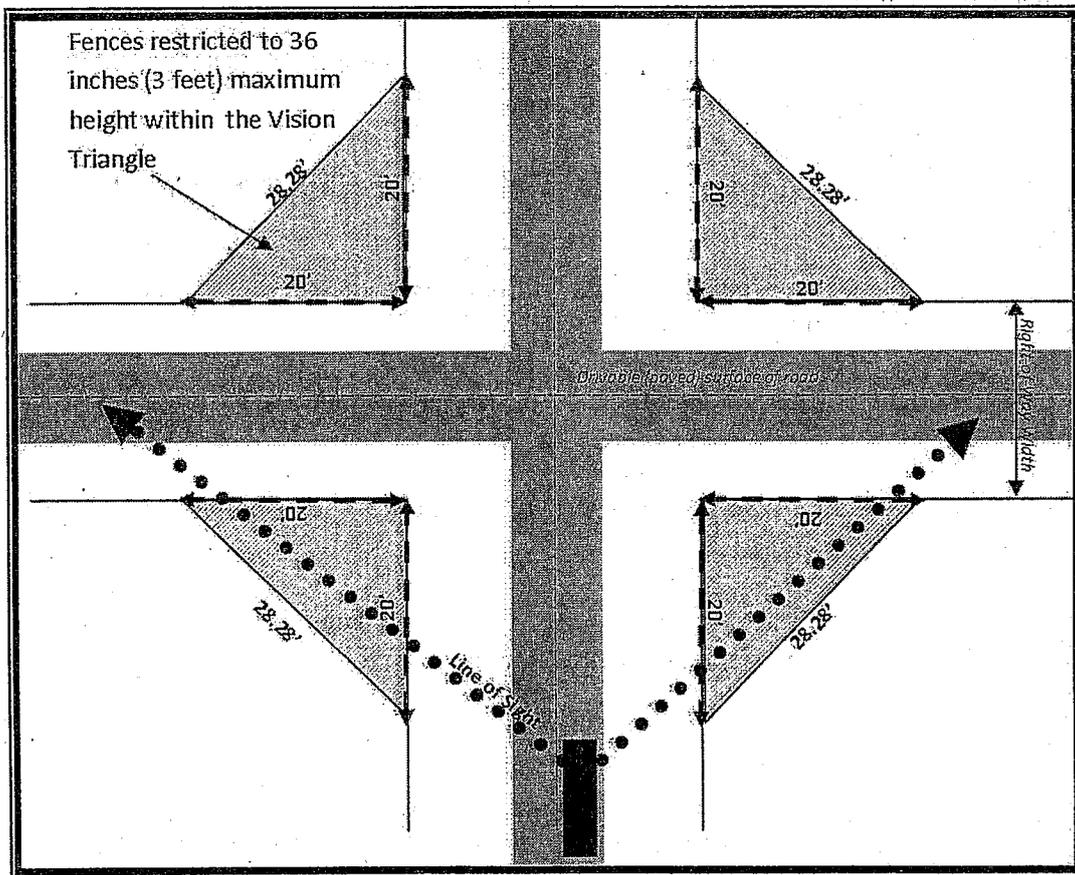
8.1.1 General Provisions. The following requirements shall apply in all districts:

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 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~~
- e. ~~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 and by the deletion of the stricken 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~~ 8.2.7.3, provided the signs are not prohibited.

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 $\frac{2}{3}$ 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 (EMD) Signs.

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.

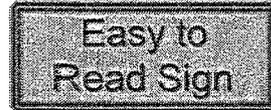
8.2.7.1 General Guidelines. The following are suggested ways to increase the effectiveness of Signs placed within the City.

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.

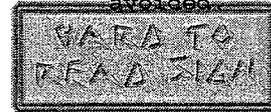
b. Sign materials and colors should compliment the building façade. Basic and simple color applications are encouraged.

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.

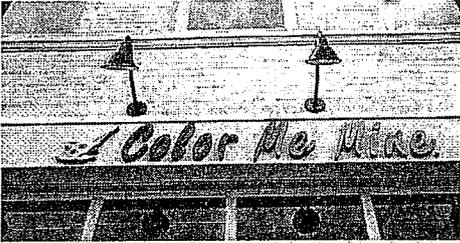
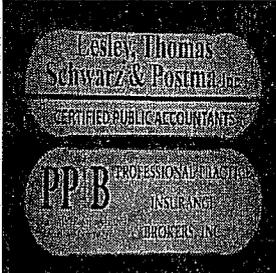
A. All internally and externally lighted Signs shall comply with lighting standards as set forth in Article VIII B of the Hailey Zoning Ordinance.

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 data-bbox="284 340 682 394">Externally illuminated sign (Allowed)</p> 	<p data-bbox="974 319 1299 459">Internally illuminated sign where the background is illuminated (Prohibited)</p> 
<p data-bbox="259 761 722 847">Internal illumination of symbols and letters but not the sign background. (Allowed)</p> 	
<p data-bbox="332 991 625 1067">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.

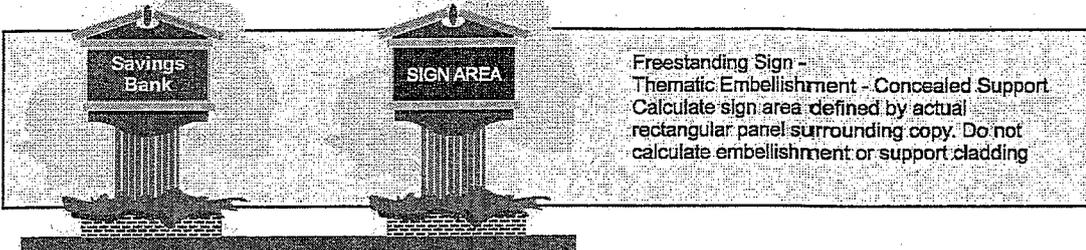
C. The total aggregate area of all Signs for any building shall not exceed the total Sign area permitted. All Sign faces displayed that are over four (4) square feet shall be included in determining the total aggregate Sign area for a building.

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.

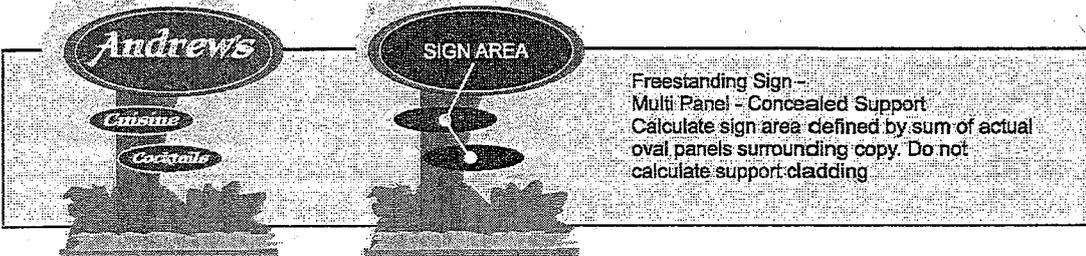
1. Sign Area Computational Methodology examples:



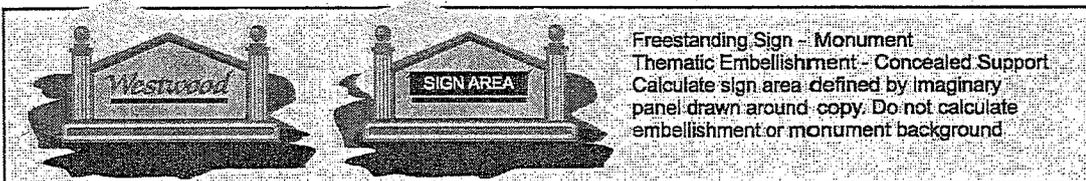
Freestanding Sign - Exposed Pole Support
Calculate sign area defined by actual rectangular panel surrounding copy.



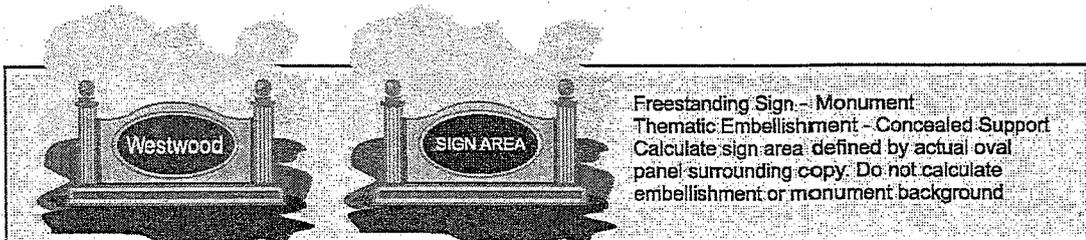
Freestanding Sign - Thematic Embellishment - Concealed Support
Calculate sign area defined by actual rectangular panel surrounding copy. Do not calculate embellishment or support cladding



Freestanding Sign - Multi Panel - Concealed Support
Calculate sign area defined by sum of actual oval panels surrounding copy. Do not calculate support cladding



Freestanding Sign - Monument
Thematic Embellishment - Concealed Support
Calculate sign area defined by imaginary panel drawn around copy. Do not calculate embellishment or monument background



Freestanding Sign - Monument
Thematic Embellishment - Concealed Support
Calculate sign area defined by actual oval panel surrounding copy. Do not calculate embellishment or monument background

- 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.

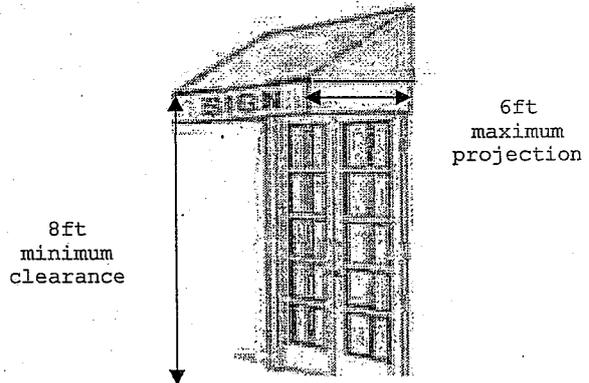
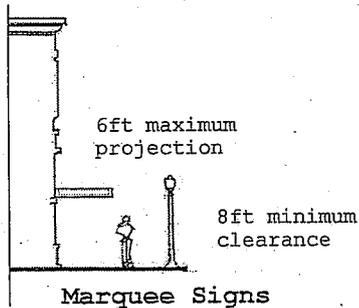
E. The Master Sign Plan shall consider the number of units, the Building Façade area and configuration, existing Sign area if applicable and should reasonably provide signage for each Unit.

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.

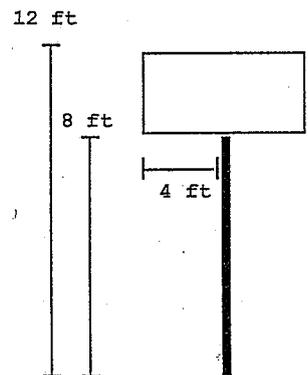
1. The Copy area is limited to the valances of the awnings.
2. Shall not project more than six feet (6') from the building wall and shall provide at least eight feet (8') of vertical clearance when projecting over a pedestrian access way, measured from the ground to the lowest part of the supports for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



Awning Signs

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.



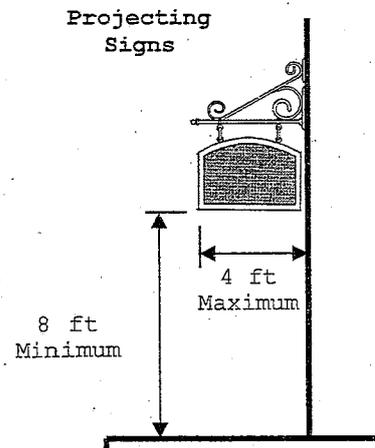
Freestanding Signs projecting over the public right-of-way

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.
8. All portable signs must only describe Hailey businesses or events.

D. Projecting Signs.

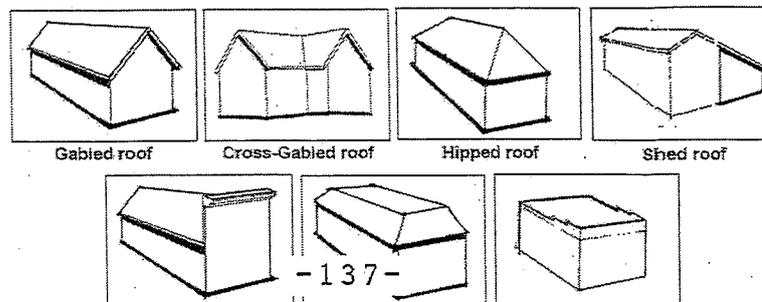
1. Projecting Signs may be placed on a building or underneath an approved canopy, awning or colonnade, but may not extend, at any point, more than four feet (4') from the surface to which it is attached.
2. Signs must have at least eight feet (8') of vertical clearance when projecting over a pedestrian 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.

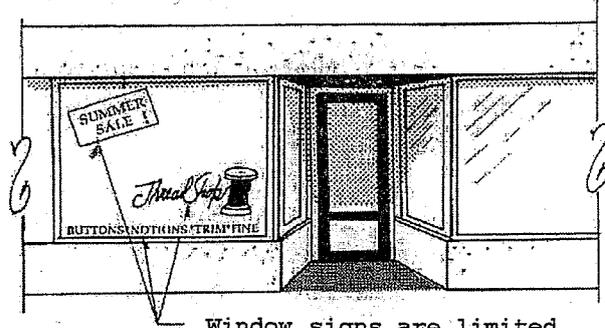
Typical Roof Types



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



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 T- SO	SC I-I
Awning and Marquee	N	N	N	P	P	P	P	P	P	P	P	P
Changeable Copy	N	N	N	P	P	P	P	P	P	P	P	P
Electronic Message Display	N	N	N	N	N	N	N	N	N	N	N	N

Sign Description or Category	Zoning Districts											
	RG B	LR	GR	N B	LB	TN	B	LI	TI	A	SC I- SO	SC I-I
Freestanding	P	P	P	P	P	P	P	P	P	P	P	P
Internally Lit and Neon Signs	N	N	N	N	N	N	P	P	P	P	P	P
Externally Lit Sign	N	N	N	P	P	P	P	P	P	P	P	P
Portable	N	P	P	P	P	P	P	P	P	P	P	P
Projecting	N	N	N	P	P	P	P	P	P	P	P	P
Temporary Signs	N	N	N	N	P	P	P	P	P	P	P	P
Wall Signs	P	N	P	P	P	P	P	P	P	P	P	P
Window Signs	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

