

AGENDA
HAILEY PLANNING & ZONING COMMISSION
Monday, February 24, 2014
Hailey City Hall
5:30 p.m.

Call to Order

Public Comment for items not on the agenda

Consent Agenda

CA 1 Motion to approve minutes of February 10, 2014 regular meeting

New Business and Public Hearings

NB 1 Public Workshop

Consideration of a City of Hailey initiated text amendment to the Hailey Zoning Ordinance No. 532 by amending Section 5.4 by changing Schools from Permitted uses to Conditional Uses in General Residential (GR), Business (B), and Limited Business (LB) districts and add Schools as Conditional Uses in SCI-O and SCI-I. The amendment also proposes changes to Section 9.4 to amend parking requirements for Institutional Uses and Section 11 to require siting and evaluation standards for consideration of a School as part of a Conditional Use Permit.

Old Business

Commission Reports and Discussion

Staff Reports and Discussion

SR 1 Discussion of current building activity and upcoming projects

SR 2 Discussion of the next Planning and Zoning meeting: Monday, March 10, 2014
(no documents)

Adjourn

For further information regarding this agenda, or for special accommodations to participate in the public meeting, please contact planning@haileycityhall.org or (208) 788-9815.

**MINUTES OF THE
HAILEY PLANNING & ZONING COMMISSION
Monday, February 10, 2014
Hailey City Hall
5:30 p.m.**

Present: Jay Cone, Owen Scanlon, Regina Korby
Staff: Micah Austin, Kristine Hilt, Ned Williamson
Absent: Janet Fugate

Call to Order

5:31:34 PM Chair Cone called the meeting to order.

Public Comment for items not on the agenda

5:32:09 PM None.

Consent Agenda

CA 1 ~~Motion to approve minutes of January 13, 2014 regular meeting~~

CA 2 ~~Motion to approve Findings of Fact and Conclusions of Law for a Design Review application submitted by Syringa Mountain School, represented by Greg Bloomfield and Graham Whipple, for the construction of a school providing education for grades K-8 located at Tax Lot 6902 FR SWSE & NWNE TL 6902, Section 9 & 16, 2N 18E.~~

5:32:33 PM Owen Scanlon moved to approve the consent agenda. Regina Korby seconded and the motion passed unanimously.

New Business and Public Hearings

NB 1 ~~Public Hearing and Consideration of a City of Hailey initiated text amendment to the Hailey Zoning Ordinance No. 532 by amending Section 5.4 by changing Schools from Permitted uses to Conditional Uses in General Residential (GR), Business (B), and Limited Business (LB) districts and add Schools as Conditional Uses in SCIO and SCII. The amendment also proposes changes to Section 9.4 to amend parking requirements for Institutional Uses and Section 11 to require siting and evaluation standards for consideration of a School as part of a Conditional Use Permit.~~

5:33:31 PM Chair Cone briefed the audience on public meeting etiquette. Micah Austin introduced the staff report to the Commissioners and included details about how the amendment was initiated. Micah Austin briefed the Commissioners on the necessary details, requirements, and obstacles that were necessary to address based on concerns from the previous Planning & Zoning meeting that took place on January 13, 2014. The Staff Report included details about the specific ordinance changes including acreage, parking, site planning, pedestrian safety, traffic study, water needs, landscaping, and zoning requirements. **5:46:59 PM** Micah Austin addressed specific questions he had received prior to the meeting about the new requirements for schools in the City of Hailey. Micah Austin added information about the purpose, timeline, and process of adopting the amendment. Micah Austin addressed questions about FEMA, school re-models, farm animals, and fencing. **5:51:47 PM** Ned Williamson, City Attorney, addressed public concerns about proper noticing, CUP requirements and standards, development agreements, engineered bicycle/pedestrian plans and specific ordinance language. **5:58:04 PM** Micah Austin and Ned Williamson discussed details about requirements proposed in the ordinance amendment. **5:58:31 PM** Chair Cone inquired about adding additional conditions if necessary. Ned Williamson informed the Commission about the CUP process. Discussion continued to include specifics about the "hearing examiner" and future needs of that role in the conditional use permitting process along with details about proposed parking amendments and

requirements. [6:02:30 PM](#) Owen Scanlon inquired about the current zoning requirements for the City of Hailey. Micah Austin clarified. [6:03:25 PM](#) Chair Cone opened the meeting for public comment. Susan McBryant briefed the Commissioners on possible reasons schools were not currently permitted in certain zones. Susan then commented on noticing requirements, open space, hours of operation, special requirements, and closed by adding that she was in favor of the overall addition of schools to the community. [6:13:00 PM](#) Rick Spaulding, China Gardens, commented on his relief of the previous denial of the Design Review application submitted by the Syringa Mountain School on January 13, 2014. He added his concerns about the proposed ordinance and included that he felt that the proposed ordinance was inadequate. Michael Donovan, Chairman of the Land Committee for the Syringa Mountain School, commented that he agreed with the need for an ordinance amendment for schools. He added that the school had recently signed a lease and would be moving forward with applying for a permit to open a school at an undisclosed location in Hailey. Michael Donovan closed by adding a suggestion about working through the details of the ordinance amendment with the Commissioners. [6:21:40 PM](#) Mary Gervaise, acting Director of Syringa Mountain School, asked the Commissioners to consider the future of education while amending the ordinance. She added concerns about parking requirements and suggested an improvement for the wording of the amendment. Nancy Linscott, Sage School employee, commented on her concern of the proposed parking and landscaping requirements. She added details how school and event parking needs were met with public transportation and alternative surrounding parking areas and venues. [6:33:35 PM](#) Julia Dupois, China Gardens, commented on her concern about the notification process of the ordinance amendment, parking, and buffer zones. Julia closed by insisting adequate parking and buffer zones for future schools. Christine Schnebly, Hailey, commented on her concern about schools near collector streets, schools within floodplains, and needs for specifics about hours of operation for all schools. Judy Harrison, Hailey, commented on her concerns and suggestions about proper noticing, floodplain involvement, traffic study, hours of operation, and development agreements. Pam Gammon, Hailey, commented that she supported the ordinance amendment yet had concerns about the noticing procedure, collector street requirements, and acreage requirements. Bobbi Filbert, Bellevue, commented that she disagreed with specific fencing and parking requirements adding that the City of Hailey encourages public transportation and should ease up on the requirements for parking spaces at a school. Chip Maguire, Hailey, added his concerns and suggestions and included details about collector streets and landscaping. John Gaeddert, Corporation for Land Planning & Engineering, commented that the City of Hailey should reassess requirements for parking spaces depending on assembly areas and events adding that the City of Hailey was very responsive in the past and that he had faith things could be worked out again in the future. Mike Chatterton, Hailey, commented that his concerns included parking requirements. Nancy Linscott, Sage School, added that the proposed parking requirements were not in conformance with the City of Hailey Comp plan. [6:54:48 PM](#) Micah Austin commented on concerns that the public voiced including shared parking plans, collector streets, noticing procedures, and fencing requirements. [6:57:56 PM](#) **Chair Cone called a recess.**

[7:01:37 PM](#) **Chair Cone called the meeting back to order.** Owen Scanlon commented on the requirements of parking including the need for addressing parking spaces based on assembly space and square footage, distance to a collector street, landscaping and safety, hours of operation and safety issues, and noticing neighbors. Ned Williamson added information about the Idaho Statute that addressed noticing requirements and how the Commission could determine further needs for notice prior to a meeting. Chair Cone inquired about a process to solve many of the concerns about proper noticing. Discussion continued to include high impact applications, timeline of the proposed amendment, and infrastructure improvement requirements. Chair Cone commented that the Syringa School application started the discussion of the ordinance amendment, however, it was not being singled out with the proposed ordinance amendments. Discussion continued to include needs to clarify the parking requirement amendment language, noticing opportunities, and the ultimate goal of the ordinance amendment which is to encourage applicants to submit complete, thorough, and well designed plans. [7:22:09 PM](#) Chair Cone asked staff for feedback about possible amendments, additions, and alterations to the ordinance. Ned Williamson added the need to improve definitions, parking plan, and fencing. Discussion between staff and the Commissioners continued

about changes to the proposed ordinance amendments and modifications to the current applications and the required submittals for each. [7:31:39 PM](#) Discussion continued to include parking lots, assembly requirements, and need for a possible workshop to address all concerns. Owen Scanlon added that he felt a workshop needed to be organized. Staff and the Commissioners discussed workshop logistics. [7:41:01 PM](#) **Owen Scanlon moved to continue the discussion to February 24th to the next Planning & Zoning Commission meeting at 5:30 p.m. Regina Korby seconded and the motion carried unanimously.**

NB 2 ~~Consideration of a Conditional Use Permit request from Chateau Discount Outlet, represented by Ken Sangha, for operating a Wholesale Distributor on Friedman Park Subdivision, Lot 11A, Block 2 (otherwise known as 960 South Main Street) which is located in the Limited Business (LB) Zone.~~

[7:43:35 PM](#) Ken Sangha introduced his application to the Commissioners. Micah Austin introduced the staff report to the Commissioners adding that he did not have any concerns. Micah Austin added that the Fire and Water Departments had concerns about the change of use, property lines, leaks, and sprinkler systems. Micah Austin went on to summarize the Staff Report for the Commissioners and addressed fulfilled parking requirements, economic development, traffic, signs, lighting plan and landscaping. Chair Cone inquired about the role of the Commissioners in regards to the conditional use permit application. Discussion continued to include clarification of the proposed business, its products, and the location. The Commissioners and staff continued to discuss the opportunity of the location, the business, and the future of both. [8:03:00 PM](#) The applicant inquired about the change of occupancy and the requirements of each. Chair Cone notified the applicant of the design review process that would be necessary with approval of the Commission and details of requirements followed. [8:12:17 PM](#) **Regina Korby motioned to approve conditional use permit application for Chateau Discount Outlet, represented by Ken Sangha, for the operation of a Wholesale Distributor located at 960 S. Main Street (Lot 11A, Block 2, Friedman Park Subdivision) and finding that the application meets each of the criteria for review (a) through (h) cited in Zoning Ordinance Article 11.4, Section 11.4.1, that the conditional use permit complies with the Comprehensive Plan, and that the conditional use permit is subject to condition a thru b noted above with the following conditions, all Fire Department and building requirements be met as well as landscaping be added to the property as a buffer. Owen Scanlon seconded and the motion passed unanimously.**

Old Business

Commission Reports and Discussion

Staff Reports and Discussion

SR 1 ~~Discussion of current building activity and upcoming projects~~

[8:20:23 PM](#) Micah Austin briefed the Commissioners on upcoming projects and building activity. He added information about Hailey Ice including their proposed plans and site modifications. Commissioners continued to discuss the upcoming Design Review Application for Hailey Ice and the concerns of parking requirements.

SR 2 ~~Discussion of the next Planning and Zoning meeting: Monday, March 10, 2014~~
(no documents)

[8:37:39 PM](#) Chair Cone confirmed the upcoming school CUP workshop to be held on February 24th, 2014 at 5:30 p.m.

Adjourn

[8:39:47 PM](#) **Owen Scanlon moved to adjourn. Regina Korby seconded and the motion carried unanimously.**

STAFF REPORT

TO: Hailey Planning and Zoning Commission

FROM: Micah Austin, Community Development Director

RE: Zoning Ordinance Amendment – Consideration of a City of Hailey initiated text amendment to the Hailey Zoning Ordinance No. 532 by amending Section 5.4 by changing Schools from Permitted uses to Conditional Uses in General Residential (GR), Business (B), and Limited Business (LB) districts and add Schools as Conditional Uses in SCI-O and SCI-I. The amendment also proposes changes to Section 9.4 to amend parking requirements for Institutional Uses and Section 11 to require siting and evaluation standards for consideration of a School as part of a Conditional Use Permit.

HEARING: Planning and Zoning: February 10, 2014
Planning and Zoning Workshop: February 24, 2014

Notice

Notice for the public hearing on February 10 before the Planning and Zoning Commission was published in the Idaho Mountain Express on January 19 and January 21 and mailed to public agencies and area media on January 14, 2014. Notice for the public hearing on February 24 was published in the Idaho Mountain Express on February 19, 2014.

Proposal

The proposed text amendment makes changes to Section 5.4 by changing Schools from Permitted uses to Conditional Uses in General Residential (GR), Business (B), and Limited Business (LB) districts and add Schools as Conditional Uses in SCI-O and SCI-I. The amendment also proposes changes to Section 9.4 to amend parking requirements for Institutional Uses and Section 11 to require siting and evaluation standards for consideration of a School as part of a Conditional Use Permit.

Background

Schools are currently Permitted Uses within Business (B), General Residential (GR), and Limited Business (LB) zones. As a Permitted Use, only Design Review would apply to a new school within these zones. A recent application for a new school within the China Gardens Subdivision raised many questions as to whether Schools should be required to follow a Conditional Use Permit process to ensure that a proposed school does not incur any undue hardships or impacts to the existing neighborhood, public services, or cause any foreseeable and avoidable impacts. At the direction of the Mayor and City Council, staff has prepared the proposed ordinance with input from all existing and proposed schools within Hailey City Limits. Blaine County School District, Sage School, and the proposed Syringa Mountain School have all had the opportunity to comment on the amendment as well as the public. Comments have been received from all schools and from members of the public. In addition, comments were received from the public during the Public Hearing on this amendment on February 10, 2014. The current proposed ordinance reflects these comments, as applicable, and represents staff's recommendation to the Hailey Planning and Zoning Commission.

Procedural History

The text amendment was considered by the Planning and Zoning Commission on February 10, 2014, at which time the public commented on the ordinance during a public hearing. Following this public hearing, staff was directed to make changes to the draft based on the public comments and schedule a workshop meeting for February 24 when the Commission would have an open discussion on the amendments with the public. The workshop is scheduled for February 24, 2014 at 5:30 pm.

Department Comments

In drafting the proposed ordinance, staff did extensive research on best practices in siting and approving schools within the State of Idaho and in other parts of the nation. When doing this research, it was discovered that planning practices for schools were far from standard and varied from one end of the regulatory spectrum to the other. In some instances, staff found that cities had few or no standards for citing schools apart from the standard criteria for evaluating any Conditional Use Permit, regardless of proposed. In other instances, the standards required for schools were highly restrictive and did not particularly seem appropriate or applicable for our community. The proposed ordinance represents staff's attempt to address all major concerns that were brought up at the recent application for a new school while incorporating the best practices that are applicable to our community.

The changes proposed address parking, site planning, traffic and pedestrian safety, and other concerns that were previously difficult to address for any new school with our current ordinance. For example, the proposed ordinance requires an on-site parking requirement when no assembly areas are called out. This particular amendment proposed addressing this issue with the following language, "If no assembly areas are proposed, the required minimum number of on-site parking spaces shall be one (1) space for every teacher and employee, or five (5) spaces per 1,000 square feet of Gross Area, whichever is greater." The intent of this requirement is not to create large asphalt parking lots of impermeable surfaces, but represents a maximum requirement if a school does not fit the criteria of the previous on-site parking requirements.

Another proposed requirement is provide a traffic study that would be prepared by a licensed engineer. According to the ordinance, "The traffic study shall include but is not limited to 1) a description of the source of vehicle trips (*e.g.*, students, teachers, deliveries, etc.), 2) an estimate of average daily trips including trips during peak hours, 3) an estimate of increased waiting times at key intersections on projected routes of travel to and from the School, 4) a description of average drop-off and pick-up times per student, 5) a description of designated area for drop-off and pick-up of students, along with a projected average time for drop-off and pick-up, 6) a description of proposed traffic calming measures and 7) a description of proposed traffic reduction measures." The objective for the traffic study is to fully inform the public, the City of Hailey officials, the Planning and Zoning Commission, and the applicants of the traffic impacts to the neighborhood and address any safety concerns. It is anticipated that this information will be critical in determining whether the selected site is appropriate for locating a school and, with all other information provided by the applicant, will be used by the Commission in making their

decision.

Other proposed standards address landscape safety, public infrastructure demand, public infrastructure planning, and significant consideration for public safety and welfare. It is important to note that the objective for this amendment is not to frustrate the planning efforts for any school or to discourage new schools within Hailey, but rather to ensure that all schools are sited and planned so as to fully maximize their effectiveness and benefit to the community while minimizing or eliminating any undue burden the schools may cause to the community.

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 amendment relates to the various goals of the Comprehensive Plan (listed below for reference). Section 9, Public Services, Facilities, and Utilities, has been addressed as being most applicable to this application as seen below.

Section 9: Public Services, Facilities and Utilities

The following excerpt from Section 9 of the Comprehensive Plan that contains section applicable to this application. Emphasis added.

Public Facilities

The City of Hailey adopted the Capital Improvement Plan as an element of the Comprehensive Plan in 2007 as required by Idaho Code Section 67-8208. The Capital Improvement Plan is overseen by the Public Works Department and updated in the spring of each year as part of the annual budget process. The Capital Improvement Plan projects the costs for street projects, water projects, wastewater projects, sidewalk projects, path and trail projects, park projects, city building projects (city hall, library, police and fire stations, etc) and storm water projects. The City Council prioritizes these projects through the annual budget process.

Consistent with the above section of the Comp Plan, the proposed has requirements for ensuring that all public infrastructure is adequate to accommodate the proposed school.

Emergency Services

In addition to law enforcement, the Hailey Police provide a number of services to the Community, such as bicycle safety, fingerprinting services, vacant home and vacation checks, business checks, theft prevention education, vehicle lockouts, and a traffic school. The Police

Department has its headquarters at City Hall.

The Hailey Fire Department is comprised of 3 divisions; Administration, Prevention and Operations. Currently the department has a single station located at 617 S. Third Street. New stations are planned for the central Woodside area, and the Northridge areas, which would allow the existing aging station to be decommissioned.

Consistent with the above, the proposed amendment contains landscaping and access requirements that have been recommended and approved by both the Police Department and the Fire Department. These standards ensure that the public, students, and emergency personnel are as safe as possible when responding to an emergency at the school.

Goal 9.1: Plan for the long-term utilities, service and facility needs of the City while minimizing impacts to the greatest extent possible.

The proposed amendments comply with this goal. The intent of the amendment is to minimize impacts of schools and to ensure the public health, welfare, and safety are addressed.

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;**

The amendment will ensure that all public facilities are available to accommodate new schools, thereby fulfilling this requirement of the text amendment.

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

The amendment will provide opportunity for the public to comment whether schools are compatible with the surrounding area. In addition, the Planning and Zoning Commission will have the ability to make this determination as part of the CUP process.

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

The proposed amendment is primarily and fundamentally designed to promote the health, safety, and general welfare of the public.

Motion Language

Approval:

Motion to recommend to the City Council the proposed amendments to the Hailey Zoning Ordinance No. 532 by amending Section 5.4, Section 9.4, and Section 11 to require siting and evaluation standards for consideration of a School as part of a Conditional Use Permit.

Denial:

Council

Motion to recommend to the City Council denial of the proposed amendments to the Hailey Zoning Ordinance No. 532 by amending Section 5.4, Section 9.4, and Section 11 to require siting and evaluation standards for consideration of a School as part of a Conditional Use Permit, finding that _____ [the Commission should cite which standards are not met and provided the reason why each identified standard is not met].

Continuation:

Motion to continue the public hearing upon the proposed amendments to _____ [the Commission should specify a date].

Table:

Motion to table the proposed amendments.

HAILEY ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, AMENDING HAILEY’S ZONING ORDINANCE, ORDINANCE NO. 532, BY AMENDING SECTION 2.2 TO REVISE THE DEFINITION OF SCHOOL; AMENDING SECTION 5.4 TO MAKE SCHOOLS A CONDITIONAL USE IN THE GENERAL RESIDENTIAL (GR), LIMITED BUSINESS (LB), BUSINESS (B) AND SERVICE COMMERCIAL INDUSTRIAL (SCI-SO AND SCI-I) ZONING DISTRICTS; AMENDING SECTION 9.4.4 TO CLARIFY PARKING REQUIREMENTS FOR SCHOOLS; AMENDING SECTION 11.2.2 TO REQUIRE A TRAFFIC STUDY, A PEDESTRIAN AND BICYCLE PLAN AND A WATER DEMAND ESTIMATE; ADDING A NEW SUBSECTION 11.4.3 TO ADD STANDARDS FOR A SCHOOL CONDITIONAL USE PERMIT; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE UPON PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

WHEREAS, Idaho Code § 67-6512 authorize the City of Hailey to establish conditional use permits;

WHEREAS, Hailey Zoning Ordinance allows schools as permitted uses in the General Residential (GR), Limited Business (LB) and Business (B) zoning districts, but disallows schools in the Service Commercial Industrial District (SCI-SO and SCI-I) zoning districts;

WHEREAS, the City of Hailey believes it is in the public health, safety and welfare to make schools a conditional use in the General Residential (GR), Limited Business (LB), Business (B) and the Service Commercial Industrial District (SCI-SO and SCI-I) zoning districts;

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

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

WHEREAS, the amendment will be in accordance with the public health, safety and general welfare.

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

Section 1. The definition of “Schools” found in Section 2.2 of the Hailey Zoning Ordinance No. 532, is hereby amended by addition of the underlined language and by deletion of the stricken language, as follows:

Schools. ~~The term schools~~ An institution providing academic instruction and shall include kindergarten, elementary, junior-high, middle and high schools. For the purpose of this

definition, Schools do not include post-secondary schools, such as universities, colleges and vocational or trade schools.

Section 2. Portions of the District Use Matrix found in Section 5.4 of the Hailey Zoning Ordinance No. 532 are hereby amended by addition of the underlined language and by deletion of the stricken language, as follows:

Section 5.4 District Use Matrix

Category	Description (Excerpt)	Districts & Corridors											A	SCI-SO	SCI-I	
		RGB	LR-1	LR-2	GR	NB	LB	TN	B	LI	TI					
PUBLIC OR SEMI/PUBLIC																
	Schools. <u>(Refer to §11.4.3 for specific criteria when reviewing schools)</u>	N	N	N	<u>P</u> <u>C</u>	N	<u>P</u> <u>C</u>	N	<u>P</u> <u>C</u>	N	N	N	N	N <u>C</u>	N	

Section 3. Section 9.4.4 of the Hailey Zoning Ordinance No. 532 is hereby amended by addition of the underlined language and by deletion of the stricken language, as follows:

9.4.4 Schools.

- a. Elementary schools: One (1) space for every teacher ~~or~~and employee, or one (1) space for every two (2) persons rated capacity of all assembly areas, whichever is greater. ~~If no assembly areas are proposed, the required minimum number of on-site parking spaces shall be one (1) space for every teacher and employee, or five (5) spaces per 1,000 square feet of Gross Area, whichever is greater.~~
- b. Middle schools: One (1) space for every teacher ~~or~~and employee, or one (1) space for every two (2) persons rated capacity of all assembly areas, whichever is greater. ~~If no assembly areas are proposed, the required minimum number of on-site parking spaces shall be one (1) space for every teacher and employee, or five (5) spaces per 1,000 square feet of Gross Area, whichever is greater.~~
- c. High schools: One (1) space for every ~~five (5)~~ students and one (1) space for each teacher and ~~or~~ employee, or one (1) space for every two (2) persons rated capacity of all assembly areas, whichever is greater. ~~If no assembly areas are proposed, the required minimum number of on-site parking spaces shall be one (1) space for every teacher and employee, or five (5) spaces per 1,000 square feet of Gross Area, whichever is greater.~~
- d. Colleges, universities, professional or trade schools: 1 space for every 3 students and 1 space for each employee.

Section 4. Section 11.2.2 of the Hailey Zoning Ordinance No. 532 is hereby amended by addition of the underlined language, as follows:

11.2.2 The application shall include at least the following information:

- a. Name, address, and phone number of the applicant.
- b. Proof of interest in the subject property by the applicant, such as a deed, contract of sale, option to purchase, or lease agreement.
- c. Legal description of the subject property, including street address.
- d. Description of existing use.
- e. Zoning district of subject property.
- f. Description of proposed conditional use.
- g. A plan of the proposed site for the conditional use showing the location of all buildings, parking and loading areas, traffic access and traffic circulation, open spaces, easements, existing and proposed grade, energy efficiency considerations, landscaping, exterior lighting plan as required by Article VIII B of this Ordinance, refuse and service areas, utilities, signs, property lines, north arrow, and rendering of building exteriors, where applicable.
- h. A narrative statement evaluating the effects on adjoining property, the effect of such elements as noise, glare, odor, fumes, and vibration on adjoining property.
- i. A narrative statement identifying surrounding land uses and discussing the general compatibility of the proposed use with adjacent and other properties in the district.
- j. A narrative discussion ~~of the relationship of the proposed use to the Comprehensive Plan~~ describing how the application meets each applicable criteria for review.
- k. A list of the names and addresses of all property owners and residents within three hundred (300) feet of the external boundaries of the land being considered.

l. For a School conditional use permit application, the following must be completed with submittal of the conditional use permit application:

- 1. A narrative statement stating the projected enrollment, the grades attending the school, the projected hours of operation for normal school days and after school activities, and anticipated special events;
- 2. Description of security measures;
- 3. Evidence of financial ability to construct and maintain a School;
- 4. Pedestrian, bicycle and bussing plan submitted by a qualified person;
- 5. A site plan showing all proposed principal and accessory buildings and structures, including school buildings, administrative buildings and maintenance facilities, and parking areas, vehicle and bus circulation areas, pick-up and drop-off areas, playgrounds and open areas;
- 6. Water demand estimate for all on-site water consumption submitted by a qualified person; and
- 7. Traffic study and projected forecast of traffic certified by a licensed engineer. The traffic study shall include but is not limited to the following:
 - i. Description of the source of vehicle trips (e.g., students, teachers, deliveries, etc.);
 - ii. Estimate of average daily trips including trips during peak hours;
 - iii. Estimate of increased waiting times at keys intersections on projected routes of travel to and from the School;
 - iv. Description of average drop-off and pick-up times per student;
 - v. Description of designated area for drop-off and pick-up of students, along with a projected average time for drop-off and pick-up;

vi. Description of proposed traffic calming measures; and
vii. Description of proposed traffic reduction measures.

- m. Any other information as requested by the Administrator to determine if the proposed conditional use meets the intent and requirements of this Article.
- n.. A fee established in a separate ordinance approved by the Council.

Section 5. Section 11.4 of the Hailey Zoning Ordinance No. 532 is hereby amended by addition of a new subsection 11.4.3, as follows:

11.4.3 Schools. The Commission shall review the particular facts and circumstances of a new School, or an existing School which increases enrollment in any one year by the lesser of 50% or seventy five (75) students, or an existing School which substantially increases the intensity of an existing School (*e.g.*, conversion of a middle school into a high school which increases parking requirements and which may affect traffic) in terms of the following standards, and if approved, shall find adequate evidence showing that such use at the proposed location:

- a. Will comply with the standards for any conditional use found in Section 11.4.1.
- b. Will be located on or within four hundred feet (400') of an existing Collector Street, as designated by §18.06.010 of the Hailey Municipal Code.
- c. Will have sidewalks, bike and vehicle facilities necessary to accommodate vehicular, pedestrian and bicycle traffic on-site and between the nearest Collector Street and the School site.
- d. Will comply with the parking requirements in Article IX of the Hailey Zoning Ordinance, unless the applicant can provide and guarantee alternative parking arrangements such as shared parking or bussing of children, staff and parents.
- e. Will comply with the outdoor lighting requirements in Article VIII B of the Hailey Zoning Ordinance.
- f. Will construct fencing around all play areas at elementary schools adjacent to private or public streets in accordance with Article VIII of the Hailey Zoning Ordinance.
- g. Will comply with the following site design standards:
 - i. Landscaping shall be restricted to trees with canopies higher than ten feet (10') and bushes less than three feet (3') high to deter hiding.
 - ii. A minimum of thirty five feet (35') of space on real property owned or leased by the School shall be provided around buildings in which trees and bushes shall be separated (*i.e.*, not clumped) and maintained and in which no buildings will be constructed.
 - iii. Sidewalks, bike and vehicle improvements shall meet the applicable standards in Title 18 of the Hailey Municipal Code.

Section 6. Should any section or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

Section 7. All Ordinances or parts thereof in conflict herewith are hereby repealed and rescinded.

Section 8. This Ordinance shall be in full force and effect from and 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