AGENDA ITEM SUMMARY

DATE: August 24, 2009 DEPARTMENT: Planning

SUBJECT: Second Reading Ordinance 1031

DEPT. HEAD SIGNATURE: 

AUTHORITY: □ ID Code □ IAR □ City Ordinance/Code (IFAPPLICABLE)

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:

On August 10, 2009 the Council held a public hearing and first reading of the amendment to Section 4.13.8, Lot Line Vacations, to better make the connection to Section 13.6, Expansion of Nonconforming Buildings and to clarify when a lot line vacation is required.

FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS: Casele #

Budget Line Item # ___________ YTD Line Item Balance $ ___________ 
Estimated Hours Spent to Date: ____________________________ Estimated Completion Date: ____________________________
Staff Contact: ____________________________ Phone #: ____________________________
Comments: __________________________________________________________

ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS: (IFAPPLICABLE)

□ City Administrator □ Library □ Safety Committee
□ City Attorney □ Mayor □ Streets
□ City Clerk □ Planning □ Treasurer
□ Building □ Police □
□ Engineer □ Public Works, Parks □
□ Fire Dept. □ P & Z Commission □

RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:

Conduct the second reading of Ordinance 1031

ADMINISTRATIVE COMMENTS/APPROVAL:

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

ACTION OF THE CITY COUNCIL:
Date 8/24 - conducted 2nd Reading

City Clerk ______________________

FOLLOW-UP:
*Ord./Res./Agmt./Order Originals: Record
Copies (all info.):
Instrument # ______________________

*Additional/Exceptional Originals to: ______________________
Copies (AIS only) ______________________
HAILEY ORDINANCE NO 1031

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, AMENDING HAILEY’S ZONING ORDINANCE, ORDINANCE NO. 532, BY AMENDING SECTION 4.13.8, TO CLARIFY WHEN LOT LINE VACATIONS ARE REQUIRED; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE UPON PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

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

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

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

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

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

Section 1. Section 4.13.8. Lot Line Vacations, of the Hailey Zoning Ordinance No. 532, is hereby amended by the deletion of the stricken language and the addition of the underlined language as follows:

If a parcel in single ownership consists of two (2) or more Original Townsite lots, or a combination of lot(s) and portions of lot(s), the each internal Original Townsite lot line(s) underneath or located within a required setback of proposed and existing buildings shall be vacated prior to the issuance of a Building Permit certificate of occupancy if either of the following criteria applies: -for any new building1) a proposed new building or addition increases the degree of nonconformity or creates a new nonconformity with regard to setbacks, measured from the nearest adjacent Original Townsite lot line, not from the parcel boundary of multiple Original Townsite lots held in single ownership or 2) lot lines, which a building is not currently built on, are located underneath a proposed new building or addition.
Section 3. 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 4. All City of Hailey ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

Section 5. This ordinance shall be in full force and effect from and after the required three (3) readings, approval, and publication according to law.

PASSED AND ADOPTED BY THE HAILEY CITY COUNCIL AND APPROVED BY THE MAYOR THIS ___ DAY OF ________, 2009.

Attest:

Richard L. Davis, Mayor, City of Hailey

Mary Cone, City Clerk

Ordinance 1031 - Zoning Code, Article 4.13, Townsite Overlay Amendment
Page 2 of 2
AGENDA ITEM SUMMARY

DATE: August 24, 2009  DEPARTMENT: Planning  DEPT. HEAD SIGNATURE: 

SUBJECT: Second Reading Ordinance 1032

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

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:

On August 10, 2009 the Council held a public hearing and first reading of the amendment to the Planning and Zoning fee schedule.

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

ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS: (IF APPLICABLE)

☐ City Administrator ☐ Library ☐ Safety Committee
☐ City Attorney ☐ Mayor ☐ Streets
☐ City Clerk ☐ Planning ☐ Treasurer
☐ Building ☐ Police ☐
☐ Engineer ☐ Public Works, Parks ☐
☐ Fire Dept. ☐ P & Z Commission ☐

RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:

Conduct the second reading of Ordinance 1032

ADMINISTRATIVE COMMENTS/APPROVAL:

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

ACTION OF THE CITY COUNCIL:

Date 8/24 - Conducted 2nd Reading

City Clerk

FOLLOW-UP:

*Ord./Res./Agmt./Order Originals: Record  *Additional/Exceptional Originals to:
Copies (all info.):  Copies (AIS only)
Instrument #
CITY OF HAILEY ORDINANCE NO. 1032

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, ESTABLISHING A REVISED FEE SCHEDULE THAT ADDS NEW FEES FOR APPLICATIONS FOR DESIGN REVIEW OF PROJECTS WITH NO SUBSTANTIAL IMPACT, MODIFICATIONS TO PROJECTS WHICH HAVE RECEIVED DESIGN REVIEW APPROVAL, AND RECOMMENDATIONS FOR DESIGN REVIEW EXEMPTION; THAT REVISES THE FEE FOR DUPLEXES IN THE TOWNSITE OVERLAY DISTRICT AND ACCESSORY STRUCTURES; THAT ELIMINATES THE SEPARATE FEE FOR REZONES WITH DEVELOPMENT AGREEMENTS, AND CONSOLIDATES THE TEXT AMENDMENT FEES; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE UPON PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

WHEREAS, the Hailey City Council has adopted Ordinance No. 961 setting forth requirements for Design Review of single family dwellings, accessory structures, and duplexes in the Townsite Overlay District;

WHEREAS, the Hailey City Council has adopted Ordinance No. 1009 setting forth procedures for projects with no substantial impact, modifications to projects that have received design review approval, and recommendation for design review exemption;

WHEREAS, the City Council has determined that it is necessary for the City to set forth a fee charged in connection with the submission and handling these Design Review applications;

WHEREAS, the Hailey Ordinance No. 962 presently establishes fees for various applications;

WHEREAS, the Hailey City Council finds that the fees adopted by this Ordinance are reasonably related to and do not exceed the actual cost of the service provided by the City; and

WHEREAS, new fees or fee increases above 5% have been duly noticed and discussed in a public hearing pursuant to Idaho Code Section 63-1311A.

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

SECTION 1. The Fee Schedule attached hereto as Exhibit “A” and incorporated herein by this reference as though fully set forth is hereby adopted.

SECTION 2. Any and all portions of Hailey Ordinance No. 962 and any other ordinances, or parts thereof, conflicting with the revised Fee Schedule established by this Ordinance are hereby repealed.

SECTION 3. 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 __________, 2009.

ATTEST:

Mary Cone, City Clerk

Richard L Davis, Mayor

Publish: Idaho Mountain Express _________, 2009
<table>
<thead>
<tr>
<th>Service Description</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Annexation</td>
<td>$1250 + $15/developable acre* + additional fees for services rendered (including but not limited to fees for City Attorney, City Engineer, and Staff) to be negotiated before application is certified as complete</td>
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<tr>
<td>Appeal</td>
<td>$255</td>
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<tr>
<td>Child Care Conditional Use</td>
<td>$50</td>
</tr>
<tr>
<td>Comprehensive Plan Amendment</td>
<td>$400</td>
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<tr>
<td>Conditional Use Permit</td>
<td>$400</td>
</tr>
<tr>
<td>Design Review</td>
<td>$450 + $25/1000 gross square feet</td>
</tr>
<tr>
<td>Design Review – Single Family Dwelling or Accessory Structure or Duplex in Townsite Overlay</td>
<td>$250</td>
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<tr>
<td>Design Review – Duplex Accessory Structure-in Townsite Overlay-(not associated with a residential Principle Use)</td>
<td>$300-250</td>
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<tr>
<td>Design Review - Modifications to Projects that have Received Design Review Approval (determined by the Administrator not to be minor)</td>
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<tr>
<td>Design Review - No Substantial Impact</td>
<td>$75</td>
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<td>Design Review - Recommendation for Exemption</td>
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<td>Fence Permit</td>
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<td>Floodplain Development Permit</td>
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<td>Lot Line Shift</td>
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<td>Miscellaneous</td>
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<td>Preapplication Meeting</td>
<td>$50/hour/department head for meetings and/or phone calls exceeding 1 hour</td>
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<tr>
<td>PUD (in addition to other app)</td>
<td>$500 + additional fees for services rendered by City Attorney (development agreement)</td>
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<tr>
<td>Rezone</td>
<td>$400 + additional fees for services rendered by City Attorney associated with a development agreement</td>
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<td>Rezone w/Development Agreement</td>
<td>$500 + additional fees for services rendered by City Attorney (development agreement)</td>
</tr>
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<td>Service Description</td>
<td>Fee</td>
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<td>Sign Permit</td>
<td>$30</td>
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<tr>
<td>Sign: Inspection fee for portable sign in ROW</td>
<td>$50</td>
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<tr>
<td>Sign: Annual application renewal and inspection fee for portable sign in ROW</td>
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<tr>
<td>Short Plat Subdivision</td>
<td>$300/lot, subplot, or unit; not to exceed $1200</td>
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<tr>
<td>Subdivision</td>
<td>$1,250 + $55/lot, subplot, or unit + additional fees for services rendered by City Attorney (development agreement)</td>
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<td>Subdivision Ordinance and Zoning Ordinance Text Amendment</td>
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<tr>
<td>Vacation</td>
<td>$400</td>
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<tr>
<td>Variance</td>
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<td>Wireless Permit</td>
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<td>Wireless Master Development Plan</td>
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<td>Wireless Conditional Use Permit</td>
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<td>Wireless Annual Renewal</td>
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<td>Zoning Code Text Amendment</td>
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<tr>
<td>In Lieu Parking Contribution</td>
<td>$9,975 / space</td>
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</table>

*All Fees: Plus actual cost of noticing (newspaper and/or mail), recording fees, and all other direct costs, not including staff time except where otherwise provided.

**Developable acre: lying below 25% slope line and not within proposed park/green space