

## AGENDA ITEM SUMMARY

DATE: 06/17/2013      DEPT.: Administration      DEPT. HEAD SIGNATURE: Heather Dawson

### SUBJECT:

Appointment to Development Impact Fee Advisory Commission to replace Taylor Walker

– Nomination of Craig Johnson

**AUTHORITY:**   ☐ ID Code 67-8205    ☐ IAR \_\_\_\_\_    ☐ City Ordinance/Code HMC 15.16  
(IF APPLICABLE)

### BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:

Applicable statutes, both state and municipal, provide for five appointments to a city's Development Impact Fee Advisory Commission, two of whom should be from the development community. Hailey's current committee consists of:

George Kirk  
Rick Davis

Stephanie Marvel  
Geoffrey Moore

Taylor Walker resigned by virtue of having  
moved out of the area last year.

Mayor Haemmerle plans to nominate Craig Johnson for the Development Impact Fee Advisory Commission. Johnson runs an active construction company from a downtown Hailey office building which he himself constructed. He resides in old Hailey in a remodeled home built under sustainability principles, again by himself. His history with Hailey is longstanding with both large and small projects, including the annexation of Broadford Estates, a small, quality subdivision just south of Della View, in 1990.

Mayor Haemmerle will ask for the city council's support of this nomination. The annual DIF Advisory Committee meeting is scheduled for Thursday, June 20, 2013 at 5:30 p.m. at Hailey City Hall.

### FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS:

DIF Advisory Committee reviews the capital improvement plan and capital budget proposed for FY 2014.

### ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS: (IF APPLICABLE)

____ City Attorney	____ Clerk / Finance Director	____ Engineer	____ Building
____ Library	____ Planning	____ Fire Dept.	____
____ Safety Committee	____ P & Z Commission	____ Police	____
____ Streets	____ Public Works, Parks	____ Mayor	____

### RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:

Mayor Haemmerle will ask for the city council's support of this nomination. Council should move to approve or deny.

### ACTION OF THE CITY COUNCIL:

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

### FOLLOW-UP:

\*Ord./Res./Agmt./Order Originals:      \*Additional/Exceptional Originals to: \_\_\_\_\_



## AGENDA ITEM SUMMARY

DATE: 6-17-2013

DEPARTMENT: CDD

DEPT. HEAD SIGNATURE: MA

**SUBJECT:** Conduct public hearing and consider amending the zoning ordinance to include the District Use Matrix and eliminate sections of the zoning code that are replaced by the Matrix.

**AUTHORITY:** ☐ ID Code 39-4116 ☐ IAR \_\_\_\_\_ ☐ City Ordinance/Code Zoning Ordinance No. 532 (IFAPPLICABLE)

### **BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:**

#### **Amendment Summary**

##### **Proposal**

Amend the Hailey Zoning Ordinance No. 532 by deleting the following sections and replacing them with a District Use Matrix: §§4.1.2, 4.1.3, 4.1.4, 4.1.5, 4.2.2, 4.2.3, 4.2.4, 4.2.5, 4.3.2, 4.3.3, 4.3.4, 4.3.5, 4.4.2, 4.4.3, 4.4.4, 4.4.5, 4.5.2, 4.5.3, 4.5.4, 4.5.5, 4.6.2, 4.6.3, 4.6.4, 4.6.5, 4.7.2, 4.7.3, 4.7.4, 4.7.5, 4.8.2, 4.8.3, 4.8.4, 4.8.5, 4.9.2, 4.9.3, 4.9.4, 4.9.5, 4.11.2, 4.11.3, 4.11.4, 4.12.2.1, 4.12.2.2, 4.12.2.3, 4.12.2.4, 4.12.3.1, 4.12.3.2, 4.12.3.3, 4.12.3.4. All zoning requirements from the preceding sections will be consolidated into the District Use Matrix, which will be Section 5A of the Zoning Ordinance. The proposed amendment's objective is to make the Zoning Ordinance easier to understand and interpret.

##### **Background**

Matrices are common tools used by jurisdictions for consolidating district use information and regulations into one concise, easy-to-read, format that saves space and is easily amended. The District Use Matrix consolidates all use regulations from the Zoning Ordinance with some minor changes due to inconsistencies and errors. In some cases, uses were combined or eliminated where redundant. The intent of the District Use Matrix was to keep intact the Zoning Ordinance exactly as is currently adopted while still correcting for some inconsistencies. NOTE: The use, "Residential Care Facility" has been added and is not listed in our current zoning ordinance.

### **FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS:**

None

### **ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS: (IFAPPLICABLE)**

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

### **RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:**

Hold public hearing and if the Council approves the amendment, proceed with the first reading of Ordinance No. \_\_\_\_\_.

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**ACTION OF THE CITY COUNCIL:**

Date : \_\_\_\_\_

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

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**FOLLOW-UP:**

\*Ord./Res./Agrmt./Order Originals: Record \*Additional/Exceptional Originals to:

Copies (all info.): \_\_\_\_\_

Copies (AIS only)

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

## STAFF REPORT

**TO:** Mayor Haemmerle and the Hailey City Council

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

**RE:** Zoning Ordinance Amendment –City of Hailey initiated text amendment to the Hailey Zoning Ordinance No. 532 by deleting the following sections and replacing them with a District Use Matrix: §§4.1.2, 4.1.3, 4.1.4, 4.1.5, 4.2.2, 4.2.3, 4.2.4, 4.2.5, 4.3.2, 4.3.3, 4.3.4, 4.3.5, 4.4.2, 4.4.3, 4.4.4, 4.4.5, 4.5.2, 4.5.3, 4.5.4, 4.5.5, 4.6.2, 4.6.3, 4.6.4, 4.6.5, 4.7.2, 4.7.3, 4.7.4, 4.7.5, 4.8.2, 4.8.3, 4.8.4, 4.8.5, 4.9.2, 4.9.3, 4.9.4, 4.9.5, 4.11.2, 4.11.3, 4.11.4, 4.12.2.1, 4.12.2.2, 4.12.2.3, 4.12.2.4, 4.12.3.1, 4.12.3.2, 4.12.3.3, 4.12.3.4. All zoning requirements from the preceding sections will be consolidated into the District Use Matrix. The proposed amendment's objective is to make the Zoning Ordinance easier to understand and interpret.

**HEARING:** June 10, 2013

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### Notice

Notice for the public hearing before the Planning and Zoning Commission was published in the Idaho Mountain Express on April 3, 2013 and mailed to public agencies and area media on April 5, 2013.

Notice for the public hearing before the City Council was published in the Idaho Mountain Express on May 8, 2013 and on May 29, 2013 and mailed to public agencies on May 16, 2013 and on May 22, 2013.

### Proposal

Amend the Hailey Zoning Ordinance No. 532 by deleting the following sections and replacing them with a District Use Matrix: §§4.1.2, 4.1.3, 4.1.4, 4.1.5, 4.2.2, 4.2.3, 4.2.4, 4.2.5, 4.3.2, 4.3.3, 4.3.4, 4.3.5, 4.4.2, 4.4.3, 4.4.4, 4.4.5, 4.5.2, 4.5.3, 4.5.4, 4.5.5, 4.6.2, 4.6.3, 4.6.4, 4.6.5, 4.7.2, 4.7.3, 4.7.4, 4.7.5, 4.8.2, 4.8.3, 4.8.4, 4.8.5, 4.9.2, 4.9.3, 4.9.4, 4.9.5, 4.11.2, 4.11.3, 4.11.4, 4.12.2.1, 4.12.2.2, 4.12.2.3, 4.12.2.4, 4.12.3.1, 4.12.3.2, 4.12.3.3, 4.12.3.4. All zoning requirements from the preceding sections will be consolidated into the District Use Matrix. The proposed amendment's objective is to make the Zoning Ordinance easier to understand and interpret.

### Background

Matrices are common tools used by jurisdictions for consolidating district use information and regulations into one concise, easy-to-read, format that saves space and is easily amended. The current draft of the District Use Matrix consolidates all use regulations from the Zoning Ordinance with some minor changes due to inconsistencies and errors. In some cases, uses were combined or eliminated where redundant. The intent of the District Use Matrix was to keep intact the Zoning Ordinance exactly as is currently adopted while still correcting for some inconsistencies. NOTE: The use, "Residential Care Facility" has been added and is not listed in

our current zoning ordinance.

### **Procedural History**

The text amendment was considered by the Planning and Zoning Commission on April 22, 2013. At the that meeting, the Planning and Zoning Commission unanimously recommended approval and adoption of the amendment.

### **Department Comments**

The District Use Matrix is an excellent tool for staff and the public in efficiently and precisely determining the uses that a zone allows. It can be more easily distributed and easily understood while still retaining the same regulatory scope.

### **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 City Council should consider how the proposed amendments relates to the various goals of the Comprehensive Plan (listed below for reference). Section 5, Land Use, Population, and Growth Management, has been addressed as being most applicable to this application as seen below. According to Section 5.8.1 of the Comprehensive Plan, this amendment is in accordance with the Plan.

*Goal 5.8.1: To develop clear land use and development procedures that protect the public welfare for all development.*

*1. Policy: Amend Hailey City ordinances as necessary to ensure general consistency between those documents and the Land Use Map.*

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;**

Not applicable

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

Not applicable

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

The proposed amendment will make the Zoning Ordinance more accessible, easier to understand, and a better tool for staff with working with the public.

**Summary**

The Planning and Zoning Commission recommends approval and adoption of this amendment, citing the following reasons:

1. The amendment is in accordance with the Comprehensive Plan
2. 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
3. The proposed uses are compatible with the surrounding area
4. That the proposed amendment will promote the public health, safety and general welfare.

### Motion Language

#### Approval:

##### Council

Motion to approve the proposed amendments to City of Hailey initiated text amendment to the Hailey Zoning Ordinance No. 532 by deleting the sections listed here and replacing them with a District Use Matrix: §§4.1.2, 4.1.3, 4.1.4, 4.1.5, 4.2.2, 4.2.3, 4.2.4, 4.2.5, 4.3.2, 4.3.3, 4.3.4, 4.3.5, 4.4.2, 4.4.3, 4.4.4, 4.4.5, 4.5.2, 4.5.3, 4.5.4, 4.5.5, 4.6.2, 4.6.3, 4.6.4, 4.6.5, 4.7.2, 4.7.3, 4.7.4, 4.7.5, 4.8.2, 4.8.3, 4.8.4, 4.8.5, 4.9.2, 4.9.3, 4.9.4, 4.9.5, 4.11.2, 4.11.3, 4.11.4, 4.12.2.1, 4.12.2.2, 4.12.2.3, 4.12.2.4, 4.12.3.1, 4.12.3.2, 4.12.3.3, 4.12.3.4 finding that the amendments are in accordance with the Comprehensive Plan, that essential public facilities and services are available to support the full range of proposed uses without creating excessive additional requirements at public cost for the public facilities and services, that the proposed uses are compatible with the surrounding area, and that the proposed amendment will promote the public health, safety and general welfare and adopt Ordinance \_\_\_\_\_ and authorize the mayor to conduct the first reading by title only.

#### Denial:

##### P&Z

Motion to recommend the deny proposed amendments to City of Hailey initiated text amendment to the Hailey Zoning Ordinance No. 532 by deleting the sections listed here and replacing them with a District Use Matrix: §§4.1.2, 4.1.3, 4.1.4, 4.1.5, 4.2.2, 4.2.3, 4.2.4, 4.2.5, 4.3.2, 4.3.3, 4.3.4, 4.3.5, 4.4.2, 4.4.3, 4.4.4, 4.4.5, 4.5.2, 4.5.3, 4.5.4, 4.5.5, 4.6.2, 4.6.3, 4.6.4, 4.6.5, 4.7.2, 4.7.3, 4.7.4, 4.7.5, 4.8.2, 4.8.3, 4.8.4, 4.8.5, 4.9.2, 4.9.3, 4.9.4, 4.9.5, 4.11.2, 4.11.3, 4.11.4, 4.12.2.1, 4.12.2.2, 4.12.2.3, 4.12.2.4, 4.12.3.1, 4.12.3.2, 4.12.3.3, 4.12.3.4 finding that \_\_\_\_\_ [the Council should cite which standards are not met and provided the reason why each identified standard is not met].

##### Council

Motion to deny proposed amendments to City of Hailey initiated text amendment to the Hailey Zoning Ordinance No. 532 by deleting the sections listed here and replacing them with a District Use Matrix: §§4.1.2, 4.1.3, 4.1.4, 4.1.5, 4.2.2, 4.2.3, 4.2.4, 4.2.5, 4.3.2, 4.3.3, 4.3.4, 4.3.5, 4.4.2, 4.4.3, 4.4.4, 4.4.5, 4.5.2, 4.5.3, 4.5.4, 4.5.5, 4.6.2, 4.6.3, 4.6.4, 4.6.5, 4.7.2, 4.7.3, 4.7.4, 4.7.5, 4.8.2, 4.8.3, 4.8.4, 4.8.5, 4.9.2, 4.9.3, 4.9.4, 4.9.5, 4.11.2, 4.11.3, 4.11.4, 4.12.2.1, 4.12.2.2, 4.12.2.3, 4.12.2.4, 4.12.3.1, 4.12.3.2, 4.12.3.3, 4.12.3.4 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 proposed amendments to City of Hailey initiated text amendment to the Hailey Zoning Ordinance No. 532 by deleting the sections listed here and replacing them with a District Use Matrix: §§4.1.2, 4.1.3, 4.1.4, 4.1.5, 4.2.2, 4.2.3, 4.2.4, 4.2.5, 4.3.2, 4.3.3, 4.3.4, 4.3.5, 4.4.2, 4.4.3, 4.4.4, 4.4.5, 4.5.2, 4.5.3, 4.5.4, 4.5.5, 4.6.2, 4.6.3, 4.6.4, 4.6.5, 4.7.2, 4.7.3, 4.7.4, 4.7.5, 4.8.2, 4.8.3, 4.8.4, 4.8.5, 4.9.2, 4.9.3, 4.9.4, 4.9.5, 4.11.2, 4.11.3, 4.11.4, 4.12.2.1, 4.12.2.2, 4.12.2.3, 4.12.2.4, 4.12.3.1, 4.12.3.2, 4.12.3.3, 4.12.3.4 to \_\_\_\_\_ [the Council should specify a date].

Table:

Motion to table the proposed amendments to City of Hailey initiated text amendment to the Hailey Zoning Ordinance No. 532 by deleting the sections listed here and replacing them with a District Use Matrix: §§4.1.2, 4.1.3, 4.1.4, 4.1.5, 4.2.2, 4.2.3, 4.2.4, 4.2.5, 4.3.2, 4.3.3, 4.3.4, 4.3.5, 4.4.2, 4.4.3, 4.4.4, 4.4.5, 4.5.2, 4.5.3, 4.5.4, 4.5.5, 4.6.2, 4.6.3, 4.6.4, 4.6.5, 4.7.2, 4.7.3, 4.7.4, 4.7.5, 4.8.2, 4.8.3, 4.8.4, 4.8.5, 4.9.2, 4.9.3, 4.9.4, 4.9.5, 4.11.2, 4.11.3, 4.11.4, 4.12.2.1, 4.12.2.2, 4.12.2.3, 4.12.2.4, 4.12.3.1, 4.12.3.2, 4.12.3.3, 4.12.3.4 to a later date: \_\_\_\_\_.

HAILEY ORDINANCE NO. \_\_\_\_

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, AMENDING HAILEY'S ZONING ORDINANCE, ORDINANCE NO. 532, BY AMENDING ARTICLE IV AND SECTIONS 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, 4.7, 4.8, 4.9, 4.11 AND 4.12 TO REPLACE PERMITTED, CONDITIONAL AND ACCESSORY USES AND BULK REQUIREMENTS OF ZONING DISTRICTS WITH A DISTRICT USE MATRIX, AS ESTABLISHED IN AN NEW SECTION 5.4; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, to promote certainty and clarity, the Mayor and the City Council of the City of Hailey desire amend the Hailey Zoning Ordinance to create a district use matrix for the zoning districts within the City of Hailey;

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.

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

**Section 1.** Article IV and Section 4.1 of Hailey Zoning Ordinance No. 532, is hereby amended by the addition of the underlined language and deletion of the stricken language, as follows:

**ARTICLE IV  
ESTABLISHMENT, AND PURPOSES OF AND USES WITHIN ZONING DISTRICTS**

The following zoning districts and uses within each zoning district are hereby established:

**4.1 RECREATIONAL GREEN BELT DISTRICT (RGB)**

**4.1.1 Purpose.**

The purpose of the Recreational Green Belt District shall be to provide areas for public recreation and/or to create and preserve open and/or green space areas for aesthetic and public use. All uses within the RGB District shall be compatible with the protection of natural and scenic resources for the benefit of present and future generations.

**4.1.2 Permitted Uses.**

Permitted uses for the RGB District are described in the District Use Matrix (Section 5.4). ~~limited~~

to the following:

- ~~a. Parks, including structures and/or buildings integral to the parks.~~
- ~~b. Non-motorized, recreational pathways.~~
- ~~c. Public golf courses~~

#### 4.1.3 Conditional Uses.

Conditional uses for the RGB District are described in the District Use Matrix (Section 5.4).  
~~limited to the following:~~

- ~~a. PWSF's or WCF's, attached to street poles or mounted on existing buildings or structures, upon the issuance of a Wireless Permit in accordance with the provisions of Article VIII A of this Ordinance. (Freestanding and lattice towers are prohibited.)~~
- ~~b. Municipal Uses limited to water storage and well facilities.~~
- ~~c. Temporary Structures~~
- ~~d. Public recreational or cultural uses.~~
- ~~e. Structures and/or buildings integral to a golf course such as club houses, maintenance buildings, and rest rooms.~~
- ~~f. Employee housing for golf courses or recreational facilities.~~
- ~~g. Storage buildings with a gross floor area of greater than 120 square feet.~~

#### 4.1.4 Accessory Uses.

Accessory uses for the RGB District are described in the District Use Matrix (Section 5.4).  
~~are limited to the following:~~

- ~~a. Storage buildings with a gross floor area of 120 square feet or less, subject to Design Review by the Hearing Examiner.~~

#### 4.1.5 Bulk Requirements. The bulk requirements for the RGB District are described in the District Use Matrix (Section 5.4). For other supplementary location and bulk regulations, see Article VII.

- ~~a. Minimum Lot Size None.~~
- ~~b. Minimum Lot Width None.~~
- ~~c. Maximum Building Height thirty (35) feet.~~
- ~~d. Minimum Front Yard Setback twenty five (20) feet.~~
- ~~e. Minimum Side and Rear Yard Setback ten (10) feet.~~

**Section 2.** Section 4.2 of Hailey Zoning Ordinance No. 532 is hereby amended by the addition of the underlined language and deletion of the stricken language, as follows:

#### 4.2 LIMITED RESIDENTIAL DISTRICT (LR)

Within the LR zoning district, there are two subdistricts, LR-1 and LR-2 subdistricts. The following provisions are identical for both LR-1 and LR-2, except the minimum lot size. See subsection 4.2.5(a).

- 4.2.1 Purpose. The purpose of the LR District is to provide areas for stable, low-density, single-family residential development and a limited number of other uses compatible with a residential

neighborhood.

4.2.2 Permitted Uses. Permitted uses for the LR District are described in the District Use Matrix (Section 5.4), limited to the following:

- a. ~~Parks.~~
- b. ~~Single Family Dwellings.~~
- c. ~~Churches.~~
- d. ~~Home Occupations.~~
- e. ~~Day Care Homes.~~
- f. ~~Manufactured Homes.~~
- g. ~~Urban Agriculture~~

4.2.3 Conditional Uses. Conditional uses for the LR District are described in the District Use Matrix (Section 5.4), limited to the following:

- a. ~~Public Service, Public Use and Public Utility Facilities.~~
- b. ~~Day Care Facilities.~~
- c. ~~PWSF's or WCF's, attached to street poles or mounted on existing buildings or structures, upon the issuance of a Wireless Permit in accordance with the provisions of Article VIII of this Ordinance. (Freestanding and lattice towers are prohibited.)~~
- d. ~~Above ground flammable and combustible liquid tanks utilized by a public use.~~
- e. ~~Temporary Structures.~~
- f. ~~Horses. A maximum of two (2) horses per acre on lots of one (1) acre minimum size.~~
- g. ~~Freestanding Solar Panels, subject to the maximum building height for the applicable district.~~

4.2.4 Accessory Uses. Accessory uses for the LR District are described in the District Use Matrix (Section 5.4), limited to the following:

- ~~a. Greenhouse/private.~~
- ~~b. Garages.~~
- ~~c. Storage buildings.~~
- ~~d. Swimming pools.~~
- ~~e. Roof mounted Solar Panels, subject to the maximum building height for the applicable district.~~

4.2.5 Bulk Requirements. The bulk requirements for the LR District are described in the District Use Matrix (Section 5.4). For other supplementary location and bulk regulations, see Article VII.

- a. ~~Minimum Lot Size. LR1 eight thousand (8,000) square feet.~~  
~~LR2 twelve thousand (12,000) square feet.~~
- b. ~~Minimum Lot Width seventy five (75) feet.~~
- c. ~~Maximum Building Height thirty (30) feet.~~
- d. ~~Minimum Front Yard Setback twenty five (25) feet.~~
- e. ~~Minimum Side and Rear Yard Setback the setback from the adjacent property line shall be one (1) foot for every two (2) feet of building height for all portions of the building exceeding 20 feet in height, provided, however, no side or rear yard setback shall be less than ten (10) feet.~~
- f. ~~Riparian Setback. Unless otherwise provided for herein, all permanent buildings and structures shall have a one hundred foot (100') wide Riparian Setback from the mean high water mark of the Big Wood River. Removal of live vegetation or excavation within the Riparian Setback is prohibited, except for any tree that has been recommended for removal by a certified arborist, in writing, because the tree has been found to potentially~~

The diagram shows a house with a central gabled section and two side wings. The gabled section has two windows. The house is positioned on a horizontal ground line. To the left, a dashed line from the 'Winter Sun' (a sun icon) casts a shadow of the house to the left, with a dimension of 10' indicated. To the right, a dashed line from the 'Summer Sun' (a sun icon) casts a shadow of the house to the right, with a dimension of 17.5' indicated. A vertical dimension of 35' is shown on the right side of the house, indicating the height of the gabled section. The house is labeled 'A' at the bottom right.

### 4.3 GENERAL RESIDENTIAL DISTRICT (GR)

4.3.2 Permitted Uses. Permitted uses for the GR District are described in the District Use Matrix (Section 5.4). ~~limited to the following:~~

- 4

- ~~h. Day Care Facilities.~~
  - ~~i. Manufactured Homes.~~
  - ~~j. Urban Agriculture~~
- 4.3.3 Conditional Uses. Conditional uses for the GR District are described in the District Use Matrix (Section 5.4).~~limited to the following:~~
- ~~a. Bed and Breakfast Inns.~~
  - ~~b. Boarding and Rooming Houses.~~
  - ~~c. Day Care Centers provided no more than eighteen (18) children will be cared for at any one time.~~
  - ~~d. Public Service, Public Use and Public Utility Facilities.~~
  - ~~e. Semi Public Uses.~~
  - ~~f. PWSF's or WCF's,, attached to street poles or mounted on existing buildings or structures, upon the issuance of a Wireless Permit in accordance with the provisions of Article VIII.A of this Ordinance. (Freestanding and lattice towers are prohibited.)~~
  - ~~g. Above ground flammable and combustible liquid tanks utilized by a public use.~~
  - ~~h. Temporary Structures.~~
  - ~~i. Horses. A maximum of two (2) horses per acre on lots of one (1) acre minimum size.~~
  - ~~j. Freestanding Solar Panels, subject to the maximum building height for the applicable district.~~
- 4.3.4 Accessory Uses. Accessory uses for the GR District are described in the District Use Matrix (Section 5.4).~~limited to the following:~~
- ~~a. Greenhouse/private.~~
  - ~~b. Garages.~~
  - ~~c. Storage buildings.~~
  - ~~d. Swimming pools.~~
  - ~~e. One Accessory Dwelling Unit on lots of 7,000 square feet or larger, accessory to a single family dwelling unit or to a non-residential Principal Building. Primary vehicular access to any accessory dwelling unit shall be from a City street or alley. All Accessory Dwelling Units shall have adequate water and sewer services installed to meet City Standards.~~
  - ~~f. Roof mounted Solar Panels, subject to the maximum building height for the applicable district.~~
- 4.3.5 Bulk Requirements. The bulk requirements for the GR District are described in the District Use Matrix (Section 5.4). For other supplementary location and bulk regulations, see Article VII.
- ~~a. Minimum Lot size six thousand (6,000) square feet except as follows:~~
    - ~~1. Townhouse sub-lots shall have an aggregate density of no more than ten lots per acre.~~
  - ~~b. Maximum Multi-Family Residential Density One (1) dwelling unit for each one-tenth (1/10) of an acre.~~
  - ~~c. Minimum Lot Width fifty (50) feet except as follows:~~
    - ~~1. Townhouse sub-lots shall conform to the standards established in the IPC.~~
  - ~~d. Maximum Building Height thirty five (35) feet.~~
  - ~~e. Minimum Front Yard Setback twenty (20) feet.~~
  - ~~f. Minimum Side and Rear Yard Setback ten (10) feet except as follows:~~
    - ~~1. Townhouse Units shall be allowed zero setbacks from the lot lines created by a Townhouse Sub Lot; and~~
    - ~~2. The separation of the buildings containing Townhouse Units in a Townhouse~~



Development parcel shall be not less than six (6) feet as measured between any wall or any projection of a building, including but not limited to eaves, cornices, canopies or other similar roof overhang features, pergolas, chimney chases, bay windows, decks, steps, wainscot, and utility meters; or the minimum distance required by the IBC and IFC, whichever is greater.

~~g.~~ a. Detached Accessory Dwelling Units shall have a minimum gross floor area of 300 square feet and a maximum gross floor area of 950 square feet.

~~h.~~ Total lot coverage of all buildings on any property which includes an accessory detached dwelling unit shall not exceed 40%.

~~i.~~ Riparian Setback. Unless otherwise provided for herein, all permanent buildings and structures shall have a one hundred foot (100') wide Riparian Setback from the Mean High Water Mark of the Big Wood River. Removal of live vegetation or excavation within the Riparian Setback is prohibited, except for any tree that has been recommended for removal by a certified arborist, in writing, because the tree has been found to potentially endanger the resident(s) of the property on which it is located or any member of the public, or has become hazardous to any street, alley or other public right of way or public utility, or because the removal of a tree would substantially improve the health of other trees on the property. Pruning of trees and planting of riparian trees, shrubs and ground cover within the Riparian Setback are allowed, provided however, that all plantings conform to the criteria for evaluation in Section 4.10.7.2(k) of this Ordinance. Where the application of the one hundred foot (100') Riparian Setback and other applicable setbacks will result in a building site of one thousand (1000) square feet or less, the Riparian Setback may be reduced to such an extent that the building site is one thousand (1000) square feet; provided however, the Riparian Setback shall not be less than fifty feet (50').

**Section 4.** Section 4.4 of Hailey Zoning Ordinance No. 532 is hereby amended by the addition of the underlined language and deletion of the stricken language, as follows:

#### 4.4 NEIGHBORHOOD BUSINESS DISTRICT (NB)

4.4.1 Purpose. The purpose of the NB District is to provide areas for neighborhood service centers, increase convenience to neighborhood residents and promote other forms of multi-modal transportation and circulation. The uses in the NB district shall be limited commercial uses that will be clearly subordinate to, and support the residential nature of the area.

4.4.2 Permitted Uses. Permitted uses for the NB District are described in the District Use Matrix (Section 5.4), ~~limited to the following:~~

- ~~a. Dwelling Units within Mixed Use Buildings.~~
- ~~b. Day Care Businesses.~~
- ~~c. Personal Service establishments.~~
- ~~d. Home Occupations.~~

4.4.3 Conditional Uses. Conditional uses for the NB District are described in the District Use Matrix (Section 5.4), ~~limited to the following:~~

- ~~a. Mercantile (wholesale and retail).~~
- ~~b. Churches.~~
- ~~c. Professional Offices, excluding veterinarians.~~
- ~~d. Semi Public uses.~~

- e. ~~Restaurants which may or may not include the sale of alcoholic beverages.~~
- f. ~~Catering Services.~~
- g. ~~Laundromats and dry cleaners.~~
- h. ~~Temporary Structures~~
- i. ~~PWSFs or WCF's, attached to street poles or mounted on existing buildings or structures, upon the issuance of a Wireless Permit in accordance with the provisions of Article VIII of this Ordinance. (Freestanding and lattice towers are prohibited.)~~
- j. ~~Freestanding Solar Panels, subject to the maximum building height for the applicable district.~~

4.4.4 Accessory Uses. Accessory uses for the NB District are described in the District Use Matrix (Section 5.4).

- a. ~~Garages and Storage buildings.~~
- b. ~~One Accessory Dwelling Unit on lots of 7,000 square feet or larger, accessory to a non-residential Principal Building.~~
- c. ~~Roof mounted Solar Panels, subject to the maximum building height for the applicable district.~~

4.4.5 Bulk Requirements. The bulk requirements for the NB District are described in the District Use Matrix (Section 5.4). For other supplementary location and bulk regulations, see Article VII.

- a. ~~Minimum Lot size six thousand (6,000) square feet except as follows:~~
  - 1. ~~Townhouse sub-lots shall have an aggregate density of no more than fifteen lots per acre. (Fifteen lots per acre.)~~
- b. ~~Mixed Use Residential Density One (1) dwelling unit for each one fifteenth (1/15) of an acre. (Fifteen units per acre.)~~
- c. ~~Minimum Lot Width fifty (50) feet except as follows:~~
  - 1. ~~Townhouse sub-lots shall conform to the standards established in the IFC.~~
- d. ~~Maximum Building Height thirty (30) feet.~~
- e. ~~Minimum Front Yard Setback ten (10) feet.~~
- f. ~~Minimum Side and Rear Yard Setback ten (10) feet except as follows:~~
  - 1. ~~Townhouse Units shall be allowed zero setbacks from the lot lines created by a Townhouse Sub-Lot; and~~
  - 3. ~~The separation of the buildings containing Townhouse Units in a Townhouse Development parcel shall be not less than six (6) feet as measured between any wall or any projection of a building, including but not limited to eaves, cornices, canopies or other similar roof overhang features, pergolas, chimney chases, bay windows, decks, steps, wainscot, and utility meters; or the minimum distance required by the IBC and IFC, whichever is greater.~~
- g. a. No parking shall be allowed in any setback adjacent to a public street.
- h. b. The NB District shall not be applied to any property larger than 3 acres in size.
- i. c. The NB District shall not be applied to any property within 3,000 feet of the Central Business District.

**Section 5.** Section 4.5 of Hailey Zoning Ordinance No. 532 is hereby amended by the addition of the underlined language and deletion of the stricken language, as follows:

4.5 LIMITED BUSINESS DISTRICT (LB)

- 4.5.1 Purpose. The purpose of the LB District is to provide areas for a wide range of residential uses, restricted business uses, and medical facilities. The LB District is intended to allow for

commercial uses that would not detract from the established downtown retail businesses, hence general retail is not allowed.

4.5.2 Permitted Uses. Permitted uses in the LB District are described in the District Use Matrix (Section 5.4), limited to the following:

- a. ~~Single Family Dwelling.~~
- b. ~~Multiple Family Dwellings.~~
- c. ~~Dwelling Units within Mixed Use Buildings.~~
- d. ~~Home Occupations.~~
- e. ~~Lodging Establishments.~~
- f. ~~Professional Offices, excluding veterinarians.~~
- g. ~~Churches.~~
- h. ~~Schools and other educational services.~~
- i. ~~Health care and social assistance.~~
- j. ~~Real estate and property management companies.~~
- k. ~~Catering Services.~~
- l. ~~Arts, entertainment and recreation uses (indoor and outdoor).~~
- m. ~~Personal Services where retail sales are clearly incidental to the principal use and no outside storage yard or facility is required.~~
- n. ~~All Day Care Businesses.~~
- o. ~~Manufactured Homes.~~
- p. ~~Semi Public Uses.~~
- q. ~~PWSF's or WCF's, attached to street poles, upon the issuance of a Wireless Permit in accordance with the provisions of Article VIIIA of this Ordinance.~~
- r. ~~Government offices and public administration, except correctional institutions.~~
- s. ~~Parks.~~
- t. ~~Urban Agriculture~~

4.5.3 Conditional Uses. Conditional uses in the LB District are described in the District Use Matrix (Section 5.4), limited to the following:

- a. ~~Gasoline Stations and Automotive Repair and Maintenance.~~
- b. ~~Restaurants.~~
- c. ~~Wholesale distributors or Wholesale distributors with incidental and subordinate retail sales.~~
- d. ~~Convenience Stores.~~
- e. ~~Public Service, Public Use and Public Utility Facilities.~~
- f. ~~Medical and personal care stores.~~
- g. ~~Finance and insurance firms.~~
- h. ~~Construction contractors' offices with no exterior storage.~~
- i. ~~PWSF's and WCF's, mounted on any proposed freestanding tower, upon the issuance of a Wireless Permit in accordance with the provisions of Article VIIIA of this Ordinance. (Lattice towers are prohibited.)~~
- j. ~~Above ground flammable liquid tanks utilized by a public use.~~
- k. ~~Temporary Structures.~~
- l. ~~Freestanding Solar Panels, subject to the maximum building height for the applicable district.~~

4.5.4 Accessory Uses. Accessory uses in the LB District are described in the District Use Matrix (Section 5.4), limited to the following:

- ~~a. Greenhouses/private.~~
- ~~b. Garages.~~
- ~~c. Storage buildings.~~
- ~~d. One Accessory Dwelling Unit on lots of 7,000 square feet or larger, accessory to a single family dwelling unit or to a non-residential Principal Building. Primary vehicular access to any accessory dwelling unit shall be from a City street or alley. All Accessory Dwelling Units shall have adequate water and sewer services installed to meet City Standards.~~
- ~~e. All PWSF's or WCF's, mounted on existing buildings or structures, upon the issuance of a Wireless Permit in accordance with the provisions of Article VIIIA of this Ordinance.~~
- ~~f. Above-ground combustible liquid tanks.~~
- ~~g. Roof mounted Solar Panels, subject to the maximum building height for the applicable district.~~

4.5.5 Bulk Requirements. The bulk requirements for the LB District are described in the District Use Matrix (Section 5.4). For other supplementary location and bulk regulations, see Article VII.

- ~~a. Minimum Lot size six thousand (6,000) square feet except as follows:~~
  - ~~1. Townhouse sub lots shall have an aggregate density of no more than twenty (20) lots per acre.~~
- ~~b. Maximum Multi family and Mixed Use Residential Density One (1) dwelling unit for each one twentieth (1/20) of an acre.~~
- ~~c. Minimum Lot Width fifty (50) feet except as follows:~~
  - ~~1. Townhouse sub lots shall conform to the standards established in the IFC.~~
- ~~d. Maximum Building Height thirty five (35) feet.~~
- ~~e. Minimum Front Yard Setback twenty (20) feet.~~
- ~~f. Minimum Side and Rear Yard Setback ten (10) feet except as follows:~~
  - ~~1. Townhouse Units shall be allowed zero setbacks from the lot lines created by a Townhouse Sub Lot; and~~
  - ~~2. The separation of the buildings containing Townhouse Units in a Townhouse Development parcel shall be not less than six (6) feet as measured between any wall or any projection of a building, including but not limited to eaves, cornices, canopies or other similar roof overhang features, pergolas, chimney chases, bay windows, decks, steps, wainscot, and utility meters; or the minimum distance required by the IBC and IFC, whichever is greater.~~
- ~~g. Maximum Floor Area Buildings or structures containing an Individual Retail/Wholesale Trade or a Grouped Retail/Wholesale Trade shall be limited to an aggregate gross floor area of 36,000 square feet.~~

4.5.6 Additional Regulations.

- a. Project features that may have a negative impact upon adjacent property shall be buffered from adjacent property by a solid fence or landscape screening.

**Section 6.** Section 4.6 of Hailey Zoning Ordinance No. 532 is hereby amended by the addition of the underlined language and deletion of the stricken language, as follows:

4.6 TRANSITIONAL DISTRICT (TN)

- 4.6.1 Purpose. The purpose of the TN District is to provide a buffer zone between residential and business areas within the Townsite Overlay District. The zone provides for restricted business activities within residential areas which are directly adjacent to or across a street

or alley from established business zones. Uses shall be limited to those that generate relatively little traffic. The residential character of the area shall be maintained by preserving the existing buildings and requiring new building designs in keeping with the residential nature of the area, and requiring adequate on-site parking. The term "Transitional" does not imply that the properties within the district will be transitioning from residential to business zoning.

4.6.2 Permitted Uses. Permitted uses for the TN District are described in the District Use Matrix (Section 5.4). ~~limited to the following:~~

- ~~a. Single Family Dwellings.~~
- ~~b. Mixed Use Buildings.~~
- ~~c. Home Occupations.~~
- ~~d. Professional Offices.~~
- ~~e. Day Care Homes.~~
- ~~f. Day Care Facilities.~~
- ~~g. Manufactured Homes.~~
- ~~h. Churches.~~
- ~~i. Parks.~~
- ~~j. Urban Agriculture.~~

4.6.3 Conditional Uses. Conditional uses in the TN District are described in the District Use Matrix (Section 5.4). ~~limited to the following:~~

- ~~a. Multi Family Dwellings.~~
- ~~b. Non-profit recreation center.~~
- ~~c. Bed and Breakfast Inn.~~
- ~~d. Day Care Centers.~~
- ~~e. Personal Services.~~
- ~~f. Public Service, Public Use and Public Utility Facilities.~~
- ~~g. Semi Public Uses.~~
- ~~h. PWSF's or WCF's, attached to street poles and mounted on existing buildings or structures, upon the issuance of a Wireless Permit in accordance with the provisions of Article VIII.A of this Ordinance. (Freestanding towers are prohibited.)~~
- ~~i. Above ground flammable and combustible liquid tanks utilized by a public use.~~
- ~~j. Temporary Structures.~~
- ~~k. Freestanding Solar Panels, subject to the maximum building height for the applicable district.~~

4.6.4 Accessory uses. Accessory uses in the TN District are described in the District Use Matrix (Section 5.4). ~~limited to the following:~~

- ~~a. Greenhouse/private.~~
- ~~b. Storage buildings.~~
- ~~c. One Dwelling Unit on lots of 7,000 square feet or larger, accessory to a Single Family Dwelling Unit or to a non-residential Principal Building. Primary vehicular access to any Accessory Dwelling Unit shall be from a City street or alley. All Dwelling Units shall have adequate water and sewer services installed.~~

to meet City Standards.

- d. ~~Roof mounted Solar Panels, subject to the maximum building height for the applicable district.~~

4.6.5 Bulk Requirements. The bulk requirements for the RGB District are described in the District Use Matrix (Section 5.4). For other supplementary location and bulk regulations, see Article VII.

- a. ~~Minimum Lot size six thousand (6,000) square feet except as follows:~~
  - 1. ~~Townhouse sub lots shall have an aggregate density of no more than ten lots per acre.~~
- b. ~~Maximum Multi Family and Mixed Use Residential Density One (1) Dwelling Unit for each one tenth (1/10) of an acre.~~
- c. ~~Minimum Lot Width fifty (50) feet except as follows:~~
  - 1. ~~Townhouse sub lots shall conform to the standards established in the IFC.~~
- d. ~~Maximum Building Height thirty five (35) feet.~~
- e. ~~Minimum Front Yard Setback twenty (20) feet.~~
- f. ~~Minimum Side and Rear Yard Setback ten (10) feet except as follows:~~
  - 1. ~~Townhouse Units shall be allowed zero setbacks from the lot lines created by a Townhouse Sub Lot; and~~
  - 2. ~~The separation of the buildings containing Townhouse Units in a Townhouse Development parcel shall be not less than six (6) feet as measured between any wall or any projection of a building, including but not limited to eaves, cornices, canopies or other similar roof overhang features, pergolas, chimney chases, bay windows, decks, steps, wainscot, and utility meters; or the minimum distance required by the IBC and IFC, whichever is greater.~~
- g. ~~Maximum lot coverage 30% except as follows: 40% lot coverage shall be allowed where at least 75% of required parking spaces are enclosed within a structure.~~

**Section 7.** Section 4.7 of Hailey Zoning Ordinance No. 532 is hereby amended by the addition of the underlined language and deletion of the stricken language, as follows:

#### 4.7 BUSINESS DISTRICT (B)

4.7.1 Purpose. The purpose of the B District is to provide areas for general business and commercial activities and a limited number of residential uses.

4.7.2 Permitted Uses. Permitted uses for the B District are described in the District Use Matrix (Section 5.4), limited to the following:

- a. ~~Multi Family Dwellings, subject to Section 4.7.5.g of this Ordinance.~~
- b. ~~Dwelling Units within Mixed Use Buildings, subject to Section 4.7.5.g of this Ordinance.~~
- c. ~~All Day Care Businesses.~~
- d. ~~Schools and other educational services.~~
- e. ~~Lodging Establishments.~~
- f. ~~Professional Offices, excluding veterinarians.~~
- g. ~~Real estate and property management companies.~~

- ~~h. Personal Services.~~
- ~~i. Restaurants, catering services and bars.~~
- ~~j. Mercantile (wholesale and retail).~~
- ~~k. Arts, entertainment and recreation uses, except outdoor arenas and amusement parks.~~
- ~~l. Gasoline Stations.~~
- ~~m. Home Occupations.~~
- ~~n. Finance and insurance firms.~~
- ~~o. Semi Public Uses.~~
- ~~p. PWSF's or WCF's, attached to street poles, upon the issuance of a Wireless Permit in accordance with the provisions of Article VIII A of this Ordinance.~~
- ~~q. Broadcasting firms, media offices, and related uses.~~
- ~~r. Laundromats and dry cleaners.~~
- ~~s. Government offices and public administration, except correctional institutions.~~
- ~~t. Administrative and support services.~~
- ~~u. Health care and social assistance offices.~~
- ~~v. Parks.~~

4.7.3 Conditional Uses. Conditional uses for the B District are described in the District Use Matrix (Section 5.4). ~~limited to the following:~~

- ~~a. Public Service, Public Use and Public Utility Facilities.~~
- ~~b. Parking lots and parking garages not associated with a permitted use.~~
- ~~c. Auto dealerships.~~
- ~~d. Automotive Repair and Maintenance.~~
- ~~e. Hybrid Production Facilities.~~
- ~~f. Outpatient Animal Services.~~
- ~~g. Churches.~~
- ~~h. PWSF's and WCF's, mounted on any proposed freestanding tower upon the issuance of a Wireless Permit in accordance with the provisions of Article VIII A of this Ordinance. (Lattice towers are prohibited.)~~
- ~~i. Above ground flammable liquid tanks utilized by a public use.~~
- ~~j. Temporary Structures.~~
- ~~k. Roof mounted and Freestanding Small Scale Wind Energy Systems (WES).~~
- ~~l. Freestanding Solar Panels, subject to the maximum building height for the applicable district.~~

4.7.4 Accessory Uses. Accessory uses in the B District are described in the District Use Matrix (Section 5.4).

- ~~a. Storage buildings.~~
- ~~b. Garages.~~
- ~~c. All PWSF's or WCF's, mounted on existing buildings or structures, upon the issuance of a Wireless Permit in accordance with the provisions of Article VIII A of this Ordinance.~~
- ~~d. Above ground combustible liquid tanks.~~
- ~~e. One Accessory Dwelling Unit on lots of 7,000 square feet or larger, accessory to a non-residential Principal Building.~~
- ~~f. Roof-mounted Solar Panels, subject to the maximum building height for the applicable district.~~

4.7.5 Bulk Requirements. The bulk requirements for the RGB District are described in the District Use Matrix (Section 5.4). For other supplementary location and bulk regulations, see Article VII.

- ~~a. Minimum Lot size None, except as follows:~~

- ~~1. Townhouse sub lots shall have an aggregate density of no more than twenty (20) sub lots per acre~~
- ~~b. Maximum Multi Family and Mixed Use Residential Density One (1) dwelling unit for each one twentieth (1/20) of an acre.~~
- ~~c. Minimum Lot Width none except as follows:~~
  - ~~1. Townhouse sub lots shall conform to the standards established in the IFC.~~
- ~~d. Maximum Building Height thirty five (35) feet, except where otherwise provided.~~
- ~~e. Minimum Front Side and Rear Yard Setback none, except as follows:~~
  - ~~1. Townhouse Units shall be allowed zero setbacks from the lot lines created by a Townhouse Sub Lot; and~~
  - ~~2. The separation of the buildings containing Townhouse Units in a Townhouse Development parcel shall be not less than six (6) feet as measured between any wall or any projection of a building, including but not limited to eaves, cornices, canopies or other similar roof overhang features, pergolas, chimney chases, bay windows, decks, steps, wainscot, and utility meters; or the minimum distance required by the International Building Code and International Fire Code, whichever is greater.~~
- ~~f. Maximum Floor Area:~~
  - ~~1. Buildings or structures containing an Individual Retail/Wholesale Trade shall be limited to an aggregate gross floor area of 36,000 square feet.~~
  - ~~2. Buildings or structures containing a Grouped Retail/Wholesale Trade shall be limited to an aggregate gross floor area of 50,000 square feet.~~
- ~~g. a. Maximum Residential Percentage on Ground Level: 50% of Gross Floor Area.~~

**Section 8.** Section 4.8 of Hailey Zoning Ordinance No. 532 is hereby amended by the addition of the underlined language and deletion of the stricken language, as follows:

#### 4.8 LIGHT INDUSTRIAL DISTRICT (LI)

4.8.1 Purpose. The purpose of the LI District is to provide areas for light industrial operations and limited related (or associated) retail sales. Limited related retail sales is defined as restricted to retail sales clearly associated with and secondary to the permitted use and of the type not normally located in downtown business districts (e.g., the retail sale of auto parts by an auto dealership). The area is characterized by industrial and service type traffic usage and patterns, and light manufacturing or construction related services. The intent is to group these uses that demand similar circulation patterns, and service requirements together and provide regulations to preserve the integrity of the industrial uses while insuring the health, welfare and safety of the community.

4.8.2 Permitted Uses. Permitted uses for the LI District are described in the District Use Matrix (Section 5.4).~~limited to the following:-~~

- ~~a. Car rental companies.~~
- ~~b. Automotive Repair and Maintenance.~~
- ~~c. Motor vehicle and parts dealers.~~
- ~~d. Construction contractors.~~
- ~~e. Catering Services.~~
- ~~f. Construction and building material sales (except hardware stores).~~
- ~~g. Floor covering stores.~~
- ~~h. Industrial laundry/dry cleaning service and distribution establishments.~~
- ~~i. Landscape design, installation and maintenance firms.~~



- j. ~~Light Manufacturing.~~
- k. ~~Nurseries, greenhouse and floriculture production and sales.~~
- l. ~~Photographic processing laboratories.~~
- m. ~~Printing and publishing establishments.~~
- n. ~~Processing and sales of firewood.~~
- o. ~~Public Service, Public Use and Public Utility Facilities.~~
- p. ~~Recording studios (audio or video) and broadcasting studios.~~
- q. ~~Truck transportation, bus, taxi and limousine services, and couriers.~~
- r. ~~Research and development.~~
- s. ~~Sales, rental, and servicing of trailers, mobile homes, farm implements and heavy equipment.~~
- t. ~~Gasoline Stations.~~
- u. ~~Warehouse and storage facilities.~~
- v. ~~Wholesale trade.~~
- w. ~~PWSF's or WCF's, attached to street poles, upon the issuance of a Wireless Permit in accordance with the provisions of Article VIIIA of this Ordinance.~~
- x. ~~Parks.~~

4.8.3 Conditional Uses. Conditional uses for the LI District are described in the District Use Matrix (Section 5.4) limited to the following:

- a. ~~Veterinary clinics and animal hospitals.~~
- b. ~~Indoor recreational facilities primarily for instruction.~~
- c. ~~PWSF's and WCF's, mounted on any proposed freestanding tower, upon the issuance of a Wireless Permit in accordance with the provisions of Article VIIIA of this Ordinance. (Lattice towers are prohibited.)~~
- d. ~~Temporary Structures.~~
- e. ~~Roof mounted and Freestanding Small Scale Wind Energy Systems (WES).~~
- f. ~~Freestanding Solar Panels, subject to the maximum building height for the applicable district.~~

4.8.4 Accessory Uses. Accessory uses in the LI District are described in the District Use Matrix (Section 5.4) limited to the following:

- a. ~~Storage buildings.~~
- b. ~~All PWSF's or WCF's, mounted on existing buildings or structures, upon the issuance of a Wireless Permit in accordance with the provisions of Article VIIIA of this Ordinance.~~
- c. ~~Above Ground Combustible Liquid Tanks.~~
- d. ~~Above Ground Flammable Liquid Tanks.~~
- e. ~~Offices.~~
- f. ~~Shipping containers utilized for storage. These containers must be shielded from view by fencing or landscaping, and shall require a building permit.~~
- g. ~~Roof mounted Solar Panels, subject to the maximum building height for the applicable district.~~

4.8.5 Bulk Requirements. The bulk requirements for the LI District are described in the District Use Matrix (Section 5.4). For other supplementary location and bulk regulations, see Article VII.

- a. ~~Minimum Lot Size six thousand (6,000) square feet.~~
- b. ~~Minimum Lot Width sixty (60) feet.~~
- c. ~~Maximum Lot Coverage not more than seventy five percent (75%) of the lot shall be covered by buildings.~~
- d. ~~Maximum height of buildings or structures thirty five (35) feet.~~

- ~~e. Minimum Front Yard Setback – ten (10) feet.~~
- ~~f. Minimum Side and Rear Yard Setback – ten (10) feet except where the subject property is located adjacent to the following districts; RGB, GR, LR, or TN in which case the side and rear yard setback shall be twenty five (25) feet.~~
- ~~g. Maximum Floor Area – Buildings or structures containing an Individual Retail/Wholesale Trade or a Grouped Retail/Wholesale Trade shall be limited to an aggregate gross floor area of 25,000 square feet.~~

#### 4.8.6 Additional Regulations.

- a. No land or building in the LI District shall be used or occupied in any manner creating dangerous, injurious, noxious, or any other objectionable conditions which could adversely affect the surrounding areas or adjoining premises. Appropriate measures shall be taken to reduce dangerous and objectionable conditions to acceptable limits as established by the following requirements:
  - 1. Fire Hazards - Any activity involving the use or storage of flammable or explosive materials shall be protected by adequate fire fighting and fire prevention equipment and by such safety devices as are normally used in the handling of any such material. Such hazards shall be kept removed from adjacent activities to a distance which is compatible with the potential danger involved as specified in the IFC.
  - 2. Radioactivity or Electrical Disturbances - No activity shall emit harmful radioactivity or electrical disturbances.
  - 3. Noise - Objectionable noise as determined by the Commission which is due to volume or frequency, shall be muffled or otherwise controlled. Air raid sirens and related apparatus used solely for public purposes are exempt from this requirement.
  - 4. Vibration - Vibration which can be detected without instruments on any adjoining lot or property shall be prohibited.
  - 5. Air and Water Pollution - Air and water pollution shall be subject to the requirements and regulations established by the State of Idaho.
  - 6. Glare - No direct or reflected glare shall be permitted which is visible from any property outside the LI District or from any street.
  - 7. Erosion - No erosion by man, wind, or water shall be permitted which will carry objectionable substances onto neighboring properties.
- b. All materials, with the exception of trees and plant materials stored on the premises, and all machinery and vehicles other than those for sale or display, or parked temporarily shall be stored within a building or within a wall or fence not less than five (5) nor more than six (6) feet in height. Subject to approval of the Administrator earth berms and landscaping with sufficient height and density may be substituted for a wall or fence.
- c. Landscaping shall be provided and maintained on all lots.
- d. Landscape screening shall be provided and maintained in the required yards adjacent to the RGB, GR, LR, and TN zoning districts to protect these areas from undue intrusion of noise, light, odors and other influences. Such landscaping shall, at a minimum, consist of:
  - 1. A hedge, berm, solid wall or solid fence not less than five (5) nor more than six (6) feet in height; and
  - 2. One (1) row of evergreen trees placed no further apart than twenty (20) feet; and,
  - 3. Lawn, low growing evergreen shrub, evergreen or ground cover on the balance of the yard.

**Section 9.** Section 4.9 of Hailey Zoning Ordinance No. 532 is hereby amended by the addition of the underlined language and deletion of the stricken language, as follows:

4.9 TECHNOLOGICAL INDUSTRY DISTRICT (TI)

4.9.1 Purpose. The purpose of the TI District is to provide a permanent, year round employment base including research and development, technological industries, uses related to the building, maintenance, and construction professions, and limited light industry.

4.9.2 Permitted Uses. Permitted uses in the TI District are described in the District Use Matrix (Section 5.4).~~limited to the following:~~

- a. ~~Investigation and Security Services.~~
- b. ~~Services to buildings (janitorial/maintenance) and property management companies.~~
- c. ~~Cable television firms.~~
- d. ~~Catering services without on-site food sales.~~
- e. ~~Colleges, vocational/technical, trade schools.~~
- f. ~~Professional offices.~~
- g. ~~Light Manufacturing.~~
- h. ~~Construction trade contractors' offices with no exterior storage.~~
- i. ~~Photo processing labs.~~
- j. ~~Printing and publishing firms.~~
- k. ~~Public service, public use, and public utility facilities.~~
- l. ~~Radio, television, recording studios and stations.~~
- m. ~~Research and development facilities.~~
- n. ~~Wholesale distributors.~~
- o. ~~PWSF's or WCF's attached to street poles upon issuance of a Wireless Permit in accordance with the provisions of Section VIIIA of this Ordinance.~~
- p. ~~Pet grooming and products, clearly incidental to pet grooming.~~

4.9.3 Conditional Uses. Conditional uses of the TI District are described in the District Use Matrix (Section 5.4).~~limited to the following:~~

- a. ~~PWSF's and WCF's, mounted on any proposed freestanding tower, upon the issuance of a Wireless Permit in accordance with the provisions of Article VIIIA of this Ordinance. (Lattice towers are prohibited.)~~
- b. ~~Above ground flammable liquid tanks utilized by a public use.~~
- c. ~~Temporary Structures.~~
- d. ~~Physical fitness facilities.~~
- e. ~~Freestanding Solar Panels, subject to the maximum building height for the applicable district.~~

4.9.4 Accessory Uses. Accessory uses in the TI District are described in the District Use Matrix (Section 5.4).~~limited to the following:~~

- a. ~~Storage buildings.~~
- b. ~~All PWSF's or WCF's mounted on existing buildings or structures upon the issuance of a Wireless Permit in accordance with the provisions of Article VIIIA of this Ordinance.~~
- c. ~~Roof mounted Solar Panels, subject to the maximum building height for the applicable district.~~

4.9.5 Bulk Requirements. The bulk requirements for the TI District are described in the District Use Matrix (Section 5.4). For other supplementary location and bulk regulations, see Article VII.

- ~~a. Minimum Area of a TI District two (2) acres.~~
- ~~b. Maximum Lot Coverage not more than seventy five percent (75%) of the lot shall be covered by buildings.~~
- ~~c. Maximum height of buildings or structures thirty five (35) feet.~~
- ~~d. Minimum Front Yard Setback twenty (20) feet.~~
- ~~e. Minimum Side and Rear Yard Setback ten (10) feet, except where the subject property is located adjacent to the following district; RGB, LR, GR, or TN in which case the side and rear yard setback shall be twenty five (25) feet.~~
- ~~f. Maximum Floor Area Buildings or structures containing an Individual Retail/Wholesale Trade or a Grouped Retail/Wholesale Trade shall be limited to an aggregate gross floor area of 25,000 square feet.~~

4.9.6 Additional Regulations.

- a. All uses in the TI District shall conform to the Comprehensive Plan and shall be reviewed for conditions that may be hazardous, including but not limited to traffic hazards, parking overflow, noise, cinders, dust, fumes, odors, smoke, vapor, vibration, glare or industrial waste. Any conditions that could adversely affect the surrounding areas are subject to review upon application for Design Review. The Commission may require mitigation including, but not limited to, enclosure within a structure, landscape buffering, or alternate method of operation.
  - 1. Fire Hazards - Any activity involving the use or storage of flammable or explosive materials shall be protected by adequate fire fighting and fire prevention equipment and by such safety devices as are normally used in the handling of any such material. Such hazards shall be kept removed from adjacent activities to a distance that is compatible with the potential danger involved and as specified in the International Fire Code.
  - 2. Air and Water Pollution - All uses shall be subject to the requirements and regulations established by the Federal, State and local regulations. All users shall be connected to the City of Hailey water and sewer systems and comply with the requirements for using the system.
- b. All materials, with the exception of trees and plant materials stored on the premises, and all machinery and vehicles other than those for sale or parked temporarily shall be stored within a building or within a wall or fence not less than five (5) nor more than six (6) feet in height. Earth berms and landscaping with sufficient height and density may be substituted for a wall or fence.
- c. Landscaping shall be provided and maintained in all required yards.
- d. Landscape screening shall be provided and maintained in the required yards adjacent to the RGB, GR, LR, and TN zoning districts to protect these areas from undue intrusion of noise, light, odors, and other influences. Such landscaping shall, at a minimum, consist of:
  - 1. A hedge, berm, solid wall, or solid fence not less than five (5) nor more than six (6) feet in height along any side or rear yards.
  - 2. One (1) row of evergreen trees or a mixture of each placed no further apart than fifteen (15) feet.
  - 3. Lawn, low growing evergreen shrub, evergreen or ground cover on the balance of the required landscaped yards.

**Section 10.** Section 4.11 of Hailey Zoning Ordinance No. 532 is hereby amended by the addition

of the underlined language and deletion of the stricken language, as follows:

4.11 AIRPORT DISTRICT (A)

4.11.1 Purpose. The Airport District is intended to provide an area that would allow regularly scheduled commercial passenger aircraft services to be used by the general public. The Airport District is also intended to allow other general aviation services for private aircraft and private aircraft charter only in conjunction with regularly scheduled commercial passenger aircraft services.

4.11.2 Permitted Uses. All permitted uses for the Airport District are subject to FAA regulations and approval by the Airport Commission or other administrative body and are described in the District Use Matrix (Section 5.4.) ~~limited to the following:~~

- a. ~~Airport~~
- b. ~~Flight schools, provided regularly scheduled commercial passenger aircraft services are operated at the Airport.~~
- c. ~~Helicopter areas, provided regularly scheduled commercial passenger aircraft services are operated at the Airport.~~
- d. ~~PWSF's or WCF's, attached to street poles, upon the issuance of a Wireless Permit in accordance with the provisions of Article VIII A of this Ordinance.~~
- e. ~~Automobile rental companies~~
- f. ~~Restaurants within terminal~~
- g. ~~Gift shops within terminal~~

4.11.3 Conditional Uses. Conditional Uses for the A District are described in the District Use Matrix (Section 5.4.) ~~limited to the following:~~

- a. ~~Temporary Structures~~
- b. ~~Hotels~~
- c. ~~Business parks~~
- d. ~~PWSFs and WCFs, mounted on any proposed freestanding tower, upon the issuance of a Wireless Permit in accordance with the provisions of Article VIII A of this Ordinance. (Lattice towers are prohibited.)~~
- e. ~~Roof mounted and Freestanding Small Scale Wind Energy Systems (WES).~~
- f. ~~Freestanding Solar Panels, subject to the maximum building height for the applicable district.~~

4.11.4 Accessory Uses. Accessory Uses for the A District are described in the District Use Matrix (Section 5.4.) ~~limited to the following:~~

- a. ~~Automobile parking areas~~
- b. ~~Storage buildings~~
- c. ~~Control tower~~
- d. ~~Fire protection and emergency preparedness areas~~
- e. ~~Lighting and aircraft approach aids.~~
- f. ~~Above Ground Combustible Liquid Tanks.~~
- g. ~~Above Ground Flammable Liquid Tanks.~~
- h. ~~All PWSFs or WCFs, mounted on existing buildings or structures, upon the issuance of a Wireless Permit in accordance with the provisions of Article VIII A of this Ordinance.~~
- i. ~~Roof mounted Solar Panels, subject to the maximum building height for the applicable district.~~

4.11.5 ~~Bulk Requirements~~Regulations. The bulk requirements for the TI District are described in the District Use Matrix (Section 5.4.) ~~Subject to FAA regulations and 14 CFR, Chapter 1,~~

**Section 11.** Section 4.12 of Hailey Zoning Ordinance No. 532 is hereby amended by the addition of the underlined language and deletion of the stricken language, as follows:

4.12 SERVICE COMMERCIAL INDUSTRIAL DISTRICT (SCI)

4.12.1 Purpose. The purpose of the SCI District is to provide an area for master planned business park developments that do not conflict with, and do support, the Central Business District. The SCI District is further divided into two sub-districts to provide and allow for flexibility within the master planned business park, to group compatible uses, and to better respond to the surroundings of the planned business park. The SCI District is intended to be a category of land use for large parcels and may not be appropriate for smaller parcels.

4.12.1.1 District Wide Regulations.

- a. All uses in the SCI District shall conform to the Comprehensive Plan and shall be reviewed for conditions that may be hazardous, including but not limited to traffic hazards, parking overflow, noise, cinders, dust, fumes, odors, smoke, vapor, vibration, glare or industrial waste. Any conditions that could adversely affect the surrounding areas are subject to review upon application for Design Review. The Commission may require mitigation including, but not limited to, enclosure within a structure, landscape buffering, or alternate method of operation.
  1. Fire Hazards - Any activity involving the use or storage of flammable or explosive materials shall be protected by adequate fire fighting and fire prevention equipment and by such safety devices as are normally used in the handling of any such material. Such hazards shall be kept removed from adjacent activities to a distance that is compatible with the potential danger involved and as specified in the IFC.
  2. Air and Water Pollution - All uses shall be subject to the requirements and regulations established by the Federal, State and local regulations.
- b. Landscape screening and buffering shall be provided and maintained by the owner in all required front yards and adjacent to all collector and/or arterial roads.
- c. Landscape screening and buffering shall be provided and maintained in the required yards adjacent to the RGB, GR, LR, LB, and TN zoning districts, and adjacent to any residential district, to protect these areas from undue intrusion of noise, light, odors and other influences.
- d. All development shall be subject to Design Review pursuant to Article VIA of this Ordinance.
- e. No loading door or dock which faces a Collector Street, as defined by the Subdivision Ordinance, shall be placed within 30 feet of the right-of-way for that Collector Street.
- f. The SCI District shall not be applied to any property smaller than five (5) acres, and is generally not appropriate for any parcel smaller than ten (10) acres. No sub-district shall be less than one (1) acre in size.

4.12.1.2 Sub-District Designation. All applications for a Zoning Ordinance Map Amendment, pursuant to Article XIV of this Ordinance, requesting SCI zoning shall identify the sub-district designation within the application.

4.12.2 Sales and Office Sub-District (SCI - SO). The purpose of the Sales and Office Sub-district is to allow for a master planned office, technology and service park and associated sales and support uses, as well as a location for the sales and service of large or bulky retail goods, or goods associated directly with the building trades. The sub-district is created to provide a location for those uses that might otherwise be appropriate in, but, by their nature, may be inappropriate for the Central Business District. The nature of those businesses which are appropriate for this sub-district are those that require a substantial number of service vehicles, have a substantial portion of the building area dedicated to storage or processing, or consist of uses or scale of operation that are better accommodated outside the Central Business District. This Ordinance assumes that the following list of uses is not exhaustive and that other like uses may be permitted upon administrative review pursuant to Section 1.5.2 of this Ordinance, as amended.

4.12.2.1 Permitted uses in the SCI - SO sub-district are described in the District Use Matrix (Section 5.4) limited to the following:

- a. ~~Investigation and Security Services.~~
- b. ~~Retail trade limited to the following: floor covering and window treatment, household appliances, woodstoves/fireplaces, spa/hot tub, building material and garden equipment and supplies (excluding hardware stores), farm and equestrian, and non-store retail (mail-order and vending machines).~~
- e. ~~Services to buildings (janitorial/maintenance) and property management companies.~~
- d. ~~Commercial brewery, bakery, or food catering where no retail sales are conducted.~~
- e. ~~Colleges, vocational and technical trade schools.~~
- f. ~~Hybrid Production Facilities.~~
- g. ~~Computer software development, manufacture and service firms.~~
- h. ~~Construction equipment rental, storage, sales and service.~~
- i. ~~Printing and publishing firms.~~
- j. ~~Guides and outfitters with no more than 20% of the floor area dedicated to retail sales.~~
- k. ~~Construction trade contractors, excluding excavation and landscaping companies.~~
- l. ~~Interior decorating and design that have no more than 20% of the gross floor area dedicated to on-site retail sales.~~
- m. ~~Dwelling Units within Mixed Use Buildings.~~
- n. ~~Radio and television recording studios and stations.~~
- o. ~~Research and development facilities.~~
- p. ~~Professional and general offices.~~
- q. ~~Wholesale trade.~~
- r. ~~PWSF's or WCF's, attached to street poles, upon the issuance of a Wireless Permit in accordance with the provisions of Article VIII A of this Ordinance.~~
- s. ~~Parks.~~
- t. ~~Artist studios, which have no associated gallery.~~
- u. ~~Photography studios and photo processing.~~

4.12.2.2 Conditionally Permitted uses for the SCI - SO sub-district are described in the District Use Matrix (Section 5.4); include the following:

- a. ~~Dance and martial art studios, fitness facilities.~~
- b. ~~Day care businesses.~~
- c. ~~Hotels or motels with or without attached restaurants.~~
- d. ~~Laundromat, dry cleaning and laundry.~~
- e. ~~Pet grooming, training and veterinarians, with no outdoor kenneling~~
- f. ~~Public service facilities, public utility facilities and public uses.~~
- g. ~~Restaurants. Drive through service windows are not allowed.~~
- h. ~~Restaurants attached to or adjacent to hotels or motels. Drive through service windows are not permitted.~~
- i. ~~PWSF's and WCF's, mounted on any proposed freestanding tower, upon the issuance of a Wireless Permit in accordance with the provisions of Article VIIIA of this Ordinance. (Lattice towers are prohibited.)~~
- j. ~~Temporary Structures.~~
- k. ~~Roof mounted and Freestanding Small Scale Wind Energy Systems (WES).~~
- l. ~~Freestanding Solar Panels, subject to the maximum building height for the applicable district.~~

4.12.2.3 Accessory Uses within the SCI - SO sub-district are described in the District Use Matrix (Section 5.4); limited to the following:

- a. ~~One accessory dwelling unit, accessory to a non-residential Principal Building.~~
- b. ~~Storage buildings.~~
- c. ~~All PWSF's or WCF's, mounted on existing buildings or structures, upon the issuance of a Wireless Permit in accordance with the provisions of Article VIIIA of this Ordinance.~~
- d. ~~Sales incidental to a non-retail Principal Use.~~
- e. ~~Offices accessory to a non-office Principal Use.~~
- f. ~~Roof mounted Solar Panels, subject to the maximum building height for the applicable district.~~

4.12.2.4 Bulk Requirements within the ~~SCI SO~~ sub-district. The bulk requirements for the SCI-SO Sub-District are described in the District Use Matrix (Section 5.4). For other supplementary location and bulk regulations, see Article VII.

- a. ~~Minimum Lot Size 10,890 square feet.~~
- b. ~~Maximum Building Height thirty five (35) feet.~~
- c. ~~Minimum Front Yard Setback ten (10) feet.~~
- d. ~~Minimum Side and Rear Yard Setback ten (10) feet.~~
- e. ~~Maximum Floor Area Buildings or structures containing an Individual Retail/Wholesale Trade or a Grouped Retail/Wholesale Trade shall be limited to an aggregate gross floor area of 25,000 square feet.~~
- f. a. No parking shall be placed within the setback areas.
- g. b. Parking and Circulation Coverage - Developed property within the SCI-SO sub-district shall have no more than 40% of its gross area dedicated to parking and/or vehicular transportation. The parking area shall generally be located at the rear of the property and not adjacent to any right-of-way.
- h. ~~Maximum Lot Coverage Not more than seventy percent (70%) of the lot shall be covered by buildings.~~
- i. ~~Maximum Multi Family and Mixed Use Residential Density One (1) Dwelling Unit for each one twentieth (1/20) of an acre.~~ j. ~~Exterior storage and display shall not encumber more than 10% of the property.~~



- ~~k. c.~~ All materials, with the exception of trees and plant materials stored on the premises shall be stored within a building or within a wall or screening fence not less than four (4) feet nor greater than six (6) feet in height.

4.12.3 Industrial Sub-District (SCI - I). The purpose of the Industrial sub-district of the SCI District is to provide a location for the production, sales and storage of bulky goods and associated wholesale and retail sales, offices and parking. The sub-district is also to provide a location for light manufacturing and other light industrial types of uses. The intent of the district is to provide a location for those uses that dedicate a substantial portion of their area (more than 50%) to exterior storage and/or staging areas, and relatively little area to interior showrooms, offices, or retail space. The District is intended to include those uses that, by reason of their impact or perceived impact on neighboring uses, are not appropriate in the Central Business District. This Ordinance assumes that the following list of uses is not exhaustive and that other like uses may be permitted upon administrative review pursuant to Section 1.5.2 of this Ordinance, as amended.

4.12.3.1 Permitted uses within the SCI - I sub-district are described in the District Use Matrix (Section 5.4). ~~shall be limited to the following:~~

- ~~a. Artist's studios that have no associated gallery.~~
- ~~b. Motor vehicles and parts dealers, service, rental and leasing.~~
- ~~c. Automotive Repair and Maintenance.~~
- ~~d. Automobile towing.~~
- ~~e. Truck transportation, bus, taxi and limousine services.~~
- ~~f. Services to buildings (janitorial/maintenance) and property management companies.~~
- ~~g. Commercial brewery, bakery, or food catering where no retail sales are conducted.~~
- ~~h. Construction trade contractors, including excavation companies.~~
- ~~i. Construction equipment and materials rental, storage, sales and service, excluding hardware stores.~~
- ~~j. Fabrication and repair of building materials and components, including log homes.~~
- ~~k. Farm supply and equestrian tack and feed stores.~~
- ~~l. Fencing supplies and installation.~~
- ~~m. Firewood production and storage.~~
- ~~n. Industrial dry cleaning and laundry.~~
- ~~o. Landscape design and installation firms, and landscape nurseries.~~
- ~~p. Light Manufacturing.~~
- ~~q. Parcel delivery and shipping services.~~
- ~~r. Parking facilities and structures.~~
- ~~s. Veterinarians, pet grooming, training.~~
- ~~t. Printing and publishing firms.~~
- ~~u. Sign studios and manufacturers.~~
- ~~v. Snow removal contractors.~~
- ~~w. Warehouse and storage facilities, including self storage facilities and exterior storage facilities.~~
- ~~x. Wholesale trade.~~
- ~~y. PWSF's or WCF's, attached to street poles, upon the issuance of a Wireless Permit in accordance with the provisions of Article VIII A of this Ordinance.~~
- ~~z. Parks.~~

4.12.3.2 Conditionally Permitted uses for the **SCI - I** sub-district are described in the District Use Matrix (Section 5.4), include the following:

- a. ~~Convenience stores, in conjunction with Gasoline Stations that have no more than 1800 square feet of gross floor area. Drive-through service windows are not allowed.~~
- b. ~~Gasoline Stations, including card lock stations.~~
- c. ~~Public utility facilities, public service facilities and public uses.~~
- d. ~~Restaurants. Drive-through service windows are not allowed.~~
- e. ~~PWSF's and WCF's, mounted on any proposed freestanding tower, upon the issuance of a Wireless Permit in accordance with the provisions of Article VIII A of this Ordinance. (Lattice towers are prohibited)~~
- f. ~~Temporary Structures.~~
- g. ~~Roof mounted and Freestanding Small Scale Wind Energy Systems (WES).~~
- h. ~~Freestanding Solar Panels, subject to the maximum building height for the applicable district.~~

4.12.3.3 Accessory Uses within the **SCI-I** sub-district are described in the District Use Matrix (Section 5.4), limited to the following:

- a. ~~All PWSF's or WCF's, mounted on existing buildings or structures, upon the issuance of a Wireless Permit in accordance with the provisions of Article VIII A of this Ordinance.~~
- b. a. Shipping containers utilized for storage. These containers must be shielded from view by fencing or landscaping, and shall require a building permit.
- c. ~~Storage buildings.~~
- d. b. Sales incidental to non-retail Principal Use.
- e. c. Offices accessory to a non-office Principal Use.
- f. ~~Roof mounted Solar Panels, subject to the maximum building height for the applicable district.~~
- g. d. Accessory Dwelling Units (ADU), provided the following criteria are met:
  - i. There shall not be more than one ADU per unit within a Principal Building.
  - ii. ADU entrances shall connect to sidewalks and/or designated pedestrian circulation areas that lead to and from the primary sidewalk system and away from work zone alleys.
  - iii. Each ADU shall have designated ground floor storage space for the occupant's use. The storage shall be secure, covered and screened.
  - iv. An ADU shall be occupied by an owner or employee of a business which occupies the Principal Building.
  - v. An ADU shall not be sold as a condominium or a separate legal parcel from the Principal Building.

4.12.3.4 Bulk Requirements within the **SCI-I** sub-district. The bulk requirements for the SCI-I Sub-District are described in the District Use Matrix (Section 5.4). For other supplementary location and bulk regulations, see Article VII.

- a. ~~Minimum Lot Size: 10,890 square feet~~
- b. ~~Maximum Building Height: thirty five (35) feet.~~
- c. ~~Maximum Floor Area: Buildings or structures containing an Individual Retail/Wholesale Trade or a Grouped Retail/Wholesale Trade shall be limited to an aggregate gross floor area of 25,000 square feet.~~
- d. ~~Minimum Front Yard Setback: ten (10) feet.~~
- e. ~~Minimum Side and Rear Yard Setback: ten (10) feet.~~

- f. a. No parking shall be placed within the setback areas.
- ~~g. Maximum Lot Coverage Not more than seventy percent (70%) of the lot shall be covered by buildings.~~
- h. b. All materials, with the exception of trees and plant materials stored on the premises shall be stored within a building or within a wall or screening fence not less than four (4) feet nor greater than eight (8) feet in height.

**Section 12.** Article V of Hailey Zoning Ordinance No. 532 is hereby amended by the addition of a new Section 5.4, as follows:

5.4 **District Use Matrix.** The permitted, conditional and accessory uses, and the bulk requirements for the zoning districts established in Sections 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, 4.7, 4.8, 4.9, 4.11 and 4.12 are designated in the District Use Matrix set forth herein. A "P" indicates that a use is permitted in the respective zoning district. Permitted uses must conform to the applicable requirements of the Land Use Ordinance. A "C" indicates that a use is allowed as a conditional use in the respective zoning district. Conditional uses are subject to review and approval under the provisions of Article XI. An "A" indicates an accessory use is allowed. An accessory use shall not commence and no accessory structure shall be constructed without a primary use first being lawfully established on the subject site. An "N" indicates that a use is not allowed in the respective zoning district, except where State or Federal law otherwise preempts local land use regulation.

Category	Description (Excerpt)	Districts & Corridors												
		RGB	LR-1	LR-2	GR	NB	LB	TN	B	LI	TI	A	SCI-SO	SCI-I
RESIDENTIAL														
Residential	Single Family Dwellings	N	P	P	P	N	P	P	N	N	N	N	N	N
	Manufactured Home	N	P	P	P	N	P	P	N	N	N	N	N	N
	Multi-Family Dwellings	N	N	N	P	N	P	C	P	N	N	N	N	N
	Dwelling Units Within Mixed Use Buildings	N	N	N	N	P	P	N	P	N	N	N	P	P
PUBLIC OR SEMI/PUBLIC														
Public or Semi-Public	Churches	N	P	P	P	C	P	P	C	N	N	N	N	N
	Colleges, vocational and technical trade schools.	N	N	N	N	N	N	N	P	N	P	N	P	N
	Government offices and public administration, except correctional institutions.	N	N	N	N	N	P	N	P	N	N	N	N	N
	Health care and social assistance.	N	N	N	N	N	P	N	P	N	N	N	N	N
	Municipal Uses limited to water storage and well facilities	C	N	N	N	N	N	N	N	N	N	N	N	N
	Non-motorized recreational pathways	P	P	P	P	P	P	P	P	P	P	P	P	P
	Non-profit recreation center	N	N	N	N	N	N	C	N	N	N	N	N	N
	Parks	P	P	P	P	P	P	P	P	P	P	P	P	P
	Public recreational or cultural areas	C	N	N	N	N	N	N	N	N	N	N	N	N

Category	Description (Excerpt)	Districts & Corridors												
		RGB	LR-1	LR-2	GR	NB	LB	TN	B	LI	TI	A	SCI-SO	SCI-1
	Public Service, Public Use and Public Utility Facilities.	N	C	C	C	N	C	C	C	P	P	N	C	C
	Semi-Public Uses.	N	N	N	C	C	P	C	P	N	N	N	N	N
	Schools and other educational services.	N	N	N	P	N	P	N	P	N	N	N	N	N
TELECOMMUNICATION														
	PWSF's and WCF's, mounted on any proposed freestanding tower, upon the issuance of Wireless Permit in accordance with the provision of Article VIIIA of this Ordinance. (Lattice towers are prohibited.)	N	N	N	N	N	C	N	C	C	C	C	C	C
	PWSF's or WCF's, attached to street poles or mounted on existing buildings or structures, upon the issuance of a Wireless Permit in accordance with the provisions of Article VIIIA of this Ordinance. (Freestanding and lattice towers are prohibited.)	C	C	C	C	C	P	C	P	P	P	P, A	P, A	P, A
COMMERCIAL														
Commercial	Administrative and support services.	N	N	N	N	N	N	N	P	N	N	N	N	N
	Airport	N	N	N	N	N	N	N	N	N	N	P	N	N
	Artist studios, which have no associated gallery.	N	N	N	N	N	N	N	N	N	N	N	P	P
	Arts, entertainment and recreation uses (indoor and outdoor).	N	N	N	N	N	P	N	P	N	N	N	N	N
	Arts, entertainment and recreation uses, except outdoor arenas and amusement parks.	N	N	N	N	N	N	N	P	N	N	N	N	N
	Auto dealerships.	N	N	N	N	N	N	N	C	N	N	N	N	N
	Automobile rental companies	N	N	N	N	N	N	N	N	N	N	P	N	N
	Automobile towing.	N	N	N	N	N	N	N	N	N	N	N	N	P
	Automotive Repair and Maintenance.	N	N	N	N	N	N	N	C	P	N	N	N	P
	Bed and Breakfast Inn.	N	N	N	C	N	P	C	P	N	N	N	N	N
	Boarding and Rooming Houses.	N	N	N	C	N	P	N	P	N	N	N	N	N
	Broadcasting firms, media offices, and related uses.	N	N	N	N	N	N	N	P	N	N	N	N	N
	Business parks	N	N	N	N	N	N	N	N	N	N	C	N	N
	Cable television firms.	N	N	N	N	N	N	N	N	N	P	N	N	N

Category	Description (Excerpt)	Districts & Corridors												SCI- SO	SCI- I
		RGB	LR- 1	LR- 2	GR	NB	LB	TN	B	LI	TI	A			
	Car rental companies.	N	N	N	N	N	N	N	N	P	N	N	N	N	
	Catering Services.	N	N	N	N	C	P	N	P	P	P	N	N	N	
	Commercial brewery, bakery, or food catering where no retail sales are conducted.	N	N	N	N	N	N	N	N	N	N	N	P	P	
	Computer software development, manufacture and service firms.	N	N	N	N	N	N	N	N	N	N	N	P	N	
	Construction and building material sales (except hardware stores).	N	N	N	N	N	N	N	N	P	N	N	N	N	
	Construction contractors.	N	N	N	N	N	N	N	N	P	N	N	N	N	
	Construction equipment and materials rental, storage, sales and service, excluding hardware stores.	N	N	N	N	N	N	N	N	N	N	N	N	P	
	Construction equipment rental, storage, sales and service.	N	N	N	N	N	N	N	N	N	N	N	P	N	
	Construction trade contractors' offices with no exterior storage.	N	N	N	N	N	C	N	N	N	P	N	P	P	
	Construction trade contractors, excluding excavation and landscaping companies.	N	N	N	N	N	N	N	N	N	N	N	P	P	
	Construction trade contractors, including excavation companies.	N	N	N	N	N	N	N	N	N	N	N	N	P	
	Control Tower (Air Traffic)	N	N	N	N	N	N	N	N	N	N	P	N	N	
	Convenience stores, in conjunction with Gasoline Stations that have no more than 1800 square feet of gross floor area. Drive-through service windows are not allowed.	N	N	N	N	N	N	N	N	N	N	N	N	C	
	Convenience Stores.	N	N	N	N	N	C	N	N	N	N	N	N	N	N
	Dance and martial art studios, fitness facilities.	N	N	N	N	N	N	N	N	N	N	N	N	C	N
	Day Care Centers provided no more than eighteen (18) children will be cared for at any one time.	N	N	N	C	P	P	C	P	N	N	N	N	C	N
	Day Care Centers (13+ children).	N	N	N	C	P	P	C	P	N	N	N	N	C	N
	Day Care Facilities (up to 12 children)	N	C	C	P	P	P	P	P	N	N	N	N	C	N
	Day Care Homes (6 or less children)	N	P	P	P	P	P	P	P	N	N	N	N	C	N
	Employee housing for golf courses or recreational facilities	C	N	N	N	N	N	N	N	N	N	N	N	N	N
	Fabrication and repair of building materials and components, including log homes.	N	N	N	N	N	N	N	N	N	N	N	N	N	P
	Farm supply and equestrian tack and feed stores.	N	N	N	N	N	N	N	N	N	N	N	N	N	P
	Fencing supplies and installation.	N	N	N	N	N	N	N	N	N	N	N	N	N	P
	Finance and insurance firms.	N	N	N	N	N	C	N	P	N	N	N	N	N	N
	Firewood production and storage.	N	N	N	N	N	N	N	N	N	N	N	N	N	P

Category	Description (Excerpt)	Districts & Corridors											A	SCI- SO	SCI- I
		RGB	LR- 1	LR- 2	GR	NB	LB	TN	B	LI	TI				
	Flight schools, provided regularly scheduled commercial passenger aircraft services are operated at the Airport.	N	N	N	N	N	N	N	N	N	N	P	N	N	
	Floor covering stores.	N	N	N	N	N	N	N	N	P	N	N	N	N	
	Gasoline Stations and Automotive Repair and Maintenance.	N	N	N	N	N	C	N	N	N	N	N	N	C	
	Gasoline Stations, including card-lock stations.	N	N	N	N	N	N	N	N	N	N	N	N	C	
	Gasoline Stations.	N	N	N	N	N	N	N	P	P	N	N	N	N	
	Gift shops within terminal	N	N	N	N	N	N	N	N	N	N	P	N	N	
	Golf course, public	P	N	N	N	N	N	N	N	N	N	N	N	N	
	Guides and outfitters with no more than 20% of the floor area dedicated to retail sales.	N	N	N	N	N	N	N	N	N	N	N	P	N	
	Helicopter areas, provided regularly scheduled commercial passenger aircraft services are operated at the Airport.	N	N	N	N	N	N	N	N	N	N	P	N	N	
	Home Occupations.	N	P	P	P	P	P	P	P	N	N	N	N	N	
	Hotels or motels with or without attached restaurants.	N	N	N	N	N	P	N	P	N	N	C	C	N	
	Hybrid Production Facilities.	N	N	N	N	N	N	N	C	N	N	N	P	N	
	Indoor recreational facilities primarily for instruction.	N	N	N	N	N	N	N	N	P	N	N	N	N	
	Industrial laundry/dry cleaning service and distribution establishments.	N	N	N	N	N	N	N	N	P	N	N	N	P	
	Interior decorating and design that have no more than 20% of the gross floor area dedicated to on-site retail sales.	N	N	N	N	N	N	N	N	N	N	N	P	N	
	Investigation and Security Services.	N	N	N	N	N	N	N	N	N	P	N	P	N	
	Landscape design and installation firms, and landscape nurseries.	N	N	N	N	N	N	N	N	P	N	N	N	P	
	Landscape design, installation and maintenance firms.	N	N	N	N	N	N	N	N	P	N	N	N	N	
	Laundromat, dry cleaning, and laundry.	N	N	N	N	C	N	N	P	N	N	N	C	P	
	Light Manufacturing.	N	N	N	N	N	N	N	N	P	P	N	N	P	
	Medical and personal care stores.	N	N	N	N	N	C	N	N	N	N	N	N	N	
	Mercantile (wholesale and retail).	N	N	N	N	C	N	N	P	N	N	N	N	N	
	Mixed Use Buildings.	N	N	N	N	N	N	P	N	N	N	N	N	N	
	Motor vehicles and parts dealers, service, rental and leasing.	N	N	N	N	N	N	N	N	P	N	N	N	P	
	Nurseries, greenhouse and floriculture production and sales.	N	N	N	N	N	N	N	N	P	N	N	N	N	
	Outpatient Animal Services.	N	N	N	N	N	N	N	C	N	N	N	N	N	
	Parcel delivery and shipping services.	N	N	N	N	N	N	N		N	N	N	N	P	

Category	Description (Excerpt)	Districts & Corridors													
		RGB	LR-1	LR-2	GR	NB	LB	TN	B	LI	TI	A	SCI-SO	SCI-I	
	Parking facilities and structures.	N	N	N	N	N	N	N	C	N	N	P	N	P	
	Personal Services where retail sales are clearly incidental to the principal use and no outside storage yard or facility is required.	N	N	N	N	P	P	C	P	N	N	N	N	N	
	Photography studios and photo processing.	N	N	N	N	N	N	N	N	P	P	N	P	N	
	Physical fitness facilities.	N	N	N	N	N	N	N	N	N	C	N	N	N	
	Printing and publishing firms.	N	N	N	N	N	N	N	N	P	P	N	P	P	
	Processing and sales of firewood.	N	N	N	N	N	N	N	N	P	N	N	N	N	
	Professional and general offices.	N	N	N	N	C	P	P	P	P	P	N	P	N	
	Radio and television recording studios and stations.	N	N	N	N	N	N	N	N	N	P	N	P	N	
	Real estate and property management companies.	N	N	N	N	N	P	N	P	N	N	N	N	N	
	Recording studios (audio or video) and broadcasting studios.	N	N	N	N	N	N	N	N	P	N	N	N	N	
	Research and development facilities.	N	N	N	N	N	N	N	N	P	P	N	P	N	
	Residential Care Facility	N	P	P	P	P	P	P	P	P	N	N	N	N	
	Restaurants which may or may not include the sale of alcoholic beverages.	N	N	N	N	C	N	N	N	N	N	N	N	N	
	Restaurants within terminal	N	N	N	N	N	N	N	N	N	N	P	N	N	
	Restaurants and bars.	N	N	N	N	N	C	N	P	N	N	N	N	N	
	Restaurants. Drive-through service windows are not allowed.	N	N	N	N	N	N	N	N	N	N	N	C	C	
	Retail trade limited to the following: floor covering and window treatment, household appliances, woodstoves/fireplaces, spa/hot tub, building material and garden equipment and supplies (excluding hardware stores), farm and equestrian, and non-store retail (mail-order and vending machines).	N	N	N	N	N	N	N	N	N	N	N	P	N	
	Sales, rental, and servicing of trailers, mobile homes, farm implements and heavy equipment.	N	N	N	N	N	N	N	N	N	P	N	N	N	N
	Services to buildings (janitorial/maintenance) and property management companies.	N	N	N	N	N	N	N	N	N	N	P	N	P	P
	Sign studios and manufacturers.	N	N	N	N	N	N	N	N	N	N	N	N	N	P
Snow removal contractors.	N	N	N	N	N	N	N	N	N	N	N	N	N	P	
	Structures and/or buildings integral to a golf course such as club houses, maintenance, buildings, and rest rooms	C	N	N	N	N	N	N	N	N	N	N	N	N	
	Truck transportation, bus, taxi and limousine services, and couriers.	N	N	N	N	N	N	N	N	P	N	N	N	P	

Category	Description (Excerpt)	Districts & Corridors												
		RGB	LR-1	LR-2	GR	NB	LB	TN	B	LI	TI	A	SCI-SO	SCI-I
	Veterinarians, pet grooming, and training with no outdoor kenneling.	N	N	N	N	N	N	N	C	C	P	N	C	P
	Warehouse and storage facilities, including self-storage facilities and exterior storage facilities.	N	N	N	N	N	N	N	N	N	N	N	N	P
	Warehouse and storage facilities.	N	N	N	N	N	N	N	N	P	N	N	N	N
	Wholesale distributors or Wholesale distributors with incidental and subordinate retail sales.	N	N	N	N	N	N	N	N	N	N	N	N	N
	Wholesale distributors.	N	N	N	N	N	C	N	N	N	P	N	N	N
	Wholesale trade.	N	N	N	N	N	N	N	N	P	N	N	P	P
AGRICULTURAL USES														
Agriculture	Horses, a maximum of two (2) horses per acre on lots of one (1) acre minimum size	N	C	C	C	N	N	N	N	N	N	N	N	N
	Urban Agriculture	N	P	P	P	N	P	P	N	N	N	N	N	N
ACCESSORY USES														
Above Ground Fuel Tanks	Above ground flammable and combustible liquid tanks utilized by a public use	N	C	C	C	N	C	C	A	A	C	A	A	A
	Above ground fuel tank for private or commercial use	N	N	N	N	N	P	N	P	P	N	P	P	P
Accessory Dwelling Unit (ADU)	One (1) Accessory Dwelling Unit on lots 7,000 square feet or larger, accessory to a single family dwelling unit or to a non-residential Principal Building. Primary vehicular access to any ADU shall be from a City street or alley. All Accessory Dwelling Units shall have adequate water and sewer services installed to meet City Standards.	N	N	N	A	A	A	A	A	N	N	N	A	A
Alternative Energy Systems	Freestanding Solar Panels, subject to the maximum building height for the applicable district.	N	C	C	C	C	C	C	C	C	C	C	C	C
	Roof Mounted Solar Panels, subject to the maximum building height for the applicable district	N	A	A	A	A	A	A	A	A	A	A	A	A
	Roof Mounted and Freestanding Small Scale Wind Energy System	N	N	N	N	N	N	N	C	C	N	C	C	C
Garages		N	A	A	A	A	A	N	A	N	N	N	N	N
Greenhouse/Private	A greenhouse for private use	N	A	A	A	N	A	A	N	N	N	N	N	N
Storage	Storage Buildings with a gross floor area of greater	C	A	A	A	A	A	A	A	A	A	A	A	A



Category	Description (Excerpt)	Districts & Corridors												
		RGB	LR-1	LR-2	GR	NB	LB	TN	B	LI	TI	A	SCI-SO	SCI-I
	than 120 square feet													
	Storage Buildings with a gross floor area less than 120 square feet	A	A	A	A	A	A	A	A	A	A	A	A	A
	Shipping Containers utilized for storage, must be shielded from view with fencing and/or landscaping and shall require a building permit	N	N	N	N	N	N	N	N	A	N	N	N	C
Swimming Pool		N	A	A	A	N	N	N	N	N	N	N	N	N
Temporary Structures	Temporary Structures for use of no more than 12 months	C	C	C	C	C	C	C	C	C	C	C	C	C

BULK REQUIREMENTS														
Lot Dimensions	Minimum Lot Size (square feet)	None	8000	12000	6000 <sup>5</sup>	6000 <sup>8</sup>	6000 <sup>9</sup>	6000 <sup>5</sup>	0 <sup>9</sup>	6000	--	<sup>12</sup>	10890	10890
	Minimum Lot Width (feet)	None	75	75	50 <sup>6</sup>	50 <sup>6</sup>	50 <sup>6</sup>	50 <sup>6</sup>	0 <sup>6</sup>	60	--	<sup>12</sup>	--	--
Building Height	Maximum Building Height (feet)	35	30	30	35	30	35	35	35	35	35	<sup>12</sup>	35	35
Setbacks	Minimum Front Yard Setback (feet)	20	25	25	20	10	20	20	0 <sup>7</sup>	10	20	<sup>12</sup>	10	10
	Minimum Side Yard Setback (feet)	10	10 <sup>3</sup>	10 <sup>3</sup>	10 <sup>7</sup>	10 <sup>7</sup>	10 <sup>7</sup>	10 <sup>7</sup>	0 <sup>7</sup>	10 <sup>11</sup>	10 <sup>11</sup>	<sup>12</sup>	10	10
	Minimum Rear Yard Setback (feet)	10	10 <sup>3</sup>	10 <sup>3</sup>	10 <sup>7</sup>	10 <sup>7</sup>	10 <sup>7</sup>	10 <sup>7</sup>	0 <sup>7</sup>	10 <sup>11</sup>	10 <sup>11</sup>	<sup>12</sup>	10	10
	Riparian	100 <sup>4</sup>	100 <sup>4</sup>	100 <sup>4</sup>	100 <sup>4</sup>	100 <sup>4</sup>	100 <sup>4</sup>	100 <sup>4</sup>	100 <sup>4</sup>	100 <sup>4</sup>	100 <sup>4</sup>	<sup>12</sup>	100 <sup>4</sup>	100 <sup>4</sup>
Multi-Family and Mixed Use Density	Mixed Use Residential Density: Maximum units per acre	--	--	--	--	15	20	10	20	--	--	<sup>12</sup>	20	--
	Multi-Family Residential Density: Maximum units per acre	--	--	--	10	--	20	10	20	--	--	--	20	--
Total Lot Coverage	Total maximum coverage by all buildings, which includes one accessory dwelling unit (percentage)	--	--	--	40%	--	--	30% <sup>10</sup>	--	75%	75%	<sup>12</sup>	70%	70%
Maximum Floor Area	Aggregate gross floor area for Individual Retail/Wholesale Trade (000's square feet)	--	--	--	--	--	36	--	36	25	25	<sup>12</sup>	25	25
	Aggregate gross floor area for Grouped Retail/Wholesale (000's square feet)	--	--	--	--	--	36	--	50	25	25	<sup>12</sup>	25	25

### Notes to Bulk Requirements:

<sup>1</sup> Must be accessory to the primary use and contained within the walls of the primary structure.

<sup>2</sup> Indicates use may be allowed where State or Federal law preempts local zoning.

<sup>3</sup> The setback from the adjacent property shall be one (1) foot for every two (2) feet of building height for all portions of the building exceeding 20 feet in height, provided, however, no side or rear yard shall be less than ten (10) feet. See the figure located at 4.2.5 for more explanation.

<sup>4</sup> Riparian Setback. Unless otherwise provided for herein, all permanent buildings and structures shall have a one hundred foot (100') wide Riparian Setback from the mean high water mark of the Big Wood River. Removal of live vegetation or excavation within the Riparian Setback is prohibited, except for any tree that has been recommended for removal by a certified arborist, in writing, because the tree has been found to potentially endanger the resident(s) of the property on which it is located or any member of the public, or has become hazardous to any street, alley or other public right-of-way or public utility, or because the removal of a tree would substantially improve the health of other trees on the property. Pruning of trees and planting of riparian trees, shrubs and ground cover within the Riparian Setback are allowed, provided however, that all plantings conform to the criteria for evaluation in Section 4.10.7.2(k) of this Ordinance. Where the application of the one hundred foot (100') Riparian Setback and other applicable setbacks will result in a building site of one thousand (1000) square feet or less, the Riparian Setback may be reduced to such an extent that the building site is one thousand (1000) square feet; provided however, the Riparian Setback shall not be less than fifty feet (50').

<sup>5</sup> In GR, TN zones, townhouse sub-lots shall have an aggregate density of no more than ten (10) lots per acre.

<sup>6</sup> Townhouse sub-lots shall conform to the standards established in the IFC

<sup>7</sup> Town house Unit shall be allowed zero setbacks from the lot lines created by a Townhouse Sub-Lot and the separation of the building containing Townhouse Units in a Townhouse Development parcel shall be not less than six (6) feet as measured between any wall or any projection of a building, including but not limited to eaves, cornices, canopies, or other similar roof overhang features, pergolas, chimney chases, bay windows, decks, steps, wainscot, and utility meters; or the minimum distance required by the IBC and IFC, whichever is greater.

<sup>8</sup> In NB zone, townhouse sub-lots shall have an aggregate density of no more than fifteen (15) lots per acre.

<sup>9</sup> In LB, B zones, townhouse sub-lots shall have an aggregate density of no more than twenty (20) lots per acre.

<sup>10</sup> In TN zone, 40% lot coverage will be allowed where at least 75% of required parking spaces are enclosed within a structure.

<sup>11</sup> In LI and TI zones, the side and rear yard setbacks shall be twenty five (25) feet where the subject property is located adjacent to the following zones: RGB, GR, or TN

<sup>12</sup> Subject to FAA regulations and 14 CFR, Chapter 1, Subchapter E, Part 77, Objects Affecting Navigable Airspace, as amended.

**Section 13.** 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 14.** All Ordinances or parts thereof in conflict herewith are hereby repealed and rescinded.

**Section 15.** 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 \_\_\_\_\_, 2013.**

\_\_\_\_\_  
Fritz X. Haemmerle, Mayor

Attest:

\_\_\_\_\_  
Mary Cone, City Clerk



## AGENDA ITEM SUMMARY

DATE: 6-17-2013

DEPARTMENT: CDD

DEPT. HEAD SIGNATURE: MA

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**SUBJECT:** Conduct public hearing and consider amending Section 8.2 of the Zoning Ordinance, amending the definition of Animated Signs, adding a definition for Electronic Message Display (EMD), and defining standards and regulations for Electronic Message Display and Animated Signs.

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**AUTHORITY:** ☐ ID Code 39-4116 ☐ IAR \_\_\_\_\_ ☐ City Ordinance/Code Zoning Ordinance No. 532  
(IFAPPLICABLE)

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### BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:

#### Summary

The amendment is to Section 8.2 of the Hailey Zoning Ordinance, and proposes amending the definition of Animated Signs, adding a definition for Electronic Message Displays (EMD), and defines the standards for these signs.

#### Background

In late 2012, the Middle School approached the City of Hailey and inquired whether they could install an electronic message display at their location to replace their current sign that uses movable letters that must be changed out manually. According to our current ordinance, EMDs are not allowed within the City of Hailey under §8.2.6(3) of the Zoning Ordinance. As a result of this request, Staff was directed to draft an ordinance that addresses the negative impacts of Electronic Message Displays and to establish a process by which to regulate such signs in a way that will not create aesthetic clutter. In researching this issue, staff has drafted an ordinance that strictly regulates Electronic Message Displays and Animated Signs and invites a public process via Conditional Use Permit for any entity applying for use of these signs.

#### Planning and Zoning Commission Recommendation

On May 13, 2013, the Planning and Zoning Commission held the third public hearing since March 11 on this proposed amendment to the zoning ordinance. At that meeting, after deliberation, the Commission voted unanimously to recommend denial of this amendment to the City Council. The Commission cited the following reasons for their recommendation against the amendment:

1. The amendment was not compliant with Section 11 of the Comprehensive Plan, which addresses Community Design. In particular, the Commission was concerned that this amendment would negatively alter the residential character of neighborhoods rather than "enhance the character of different neighborhoods," which is a goal 11.1 of the Comprehensive Plan.
2. The amendment was not compliant with the Outdoor Lighting section of the Zoning Ordinance (Article 8B).
3. The Commission was concerned that the ordinance, as written, would be challenged to allow commercial usage of electronic reader boards by entities other than educational and public institutions.
4. At the May 13 meeting, the Commission asked staff to communicate an "emphatic" recommendation of denial of this amendment to the City Council.

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### FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS:

None

**ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS: (IF APPLICABLE)**

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

**RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:**

Hold public hearing and if the Council approves the amendment, proceed with the first reading of Ordinance No. \_\_\_\_\_.

**ACTION OF THE CITY COUNCIL:**

Date : \_\_\_\_\_

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

**FOLLOW-UP:**

\*Ord./Res./Agrmt./Order Originals: Record \*Additional/Exceptional Originals to:

Copies (all info.): \_\_\_\_\_

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

Copies (AIS only)

## STAFF REPORT

**TO:** Hailey City Council

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

**RE:** Zoning Ordinance Amendment – Section 8.2 amending the definition of Animated Signs, adding a definition for Electronic Message Display (EMD), and defining standards and regulations for Electronic Message Display and Animated Signs.

**HEARING:** Planning and Zoning: March 11, 2013; April 8, 2013; April 22, 2013 (tabled to May 13); May 13, 2013

City Council: June 17, 2013

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### **Notice**

Notice for the public hearing before the Planning and Zoning Commission was published in the Idaho Mountain Express on Feb 20, 2013 and mailed to public agencies and area media on February 22, 2013

Notice for the public hearing before the City Council was published in the Idaho Mountain Express on May 29 and mailed to public agencies and area media on May 28.

### **Proposal**

The amendment is to Section 8.2 of the Hailey Zoning Ordinance, and proposes amending the definition of Animated Signs, adding a definition for Electronic Message Displays (EMD), and defines the standards for these signs.

### **Planning and Zoning Commission Recommendation**

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1. The amendment was not compliant with Section 11 of the Comprehensive Plan, which addresses Community Design. In particular, the Commission was concerned that this amendment would negatively alter the residential character of neighborhoods rather than “enhance the character of different neighborhoods,” which is a goal 11.1 of the Comprehensive Plan.
2. The amendment was not compliant with the Outdoor Lighting section of the Zoning Ordinance (Article 8B).
3. The Commission was concerned that the ordinance, as written, would be challenged to allow commercial usage of electronic reader boards by entities other than educational and public institutions.
4. At the May 13 meeting, the Commission asked staff to communicate an “emphatic” recommendation of denial of this amendment to the City Council.

### **Background**

In late 2012, the Middle School approached the City of Hailey and inquired whether they could install an electronic message display at their location to replace their current sign that uses movable letters that must be changed out manually. According to our current ordinance, EMDs are not allowed within the City of Hailey under §8.2.6(3) of the Zoning Ordinance. As a result of this request, Staff was directed to draft an ordinance that addresses the negative impacts of Electronic Message Displays and to establish a process by which to regulate such signs in a way that will not create aesthetic clutter. In researching this issue, staff has drafted an ordinance that strictly regulates Electronic Message Displays and Animated Signs and invites a public process via Conditional Use Permit for any entity applying for use of these signs.

### **Procedural History**

The text amendment was considered by the Planning and Zoning Commission on March 11, 2013. At that meeting, the Commission made minor changes and directed staff to bring an updated copy of the ordinance back to the April 8 meeting. At the April 8 meeting, the Commission fielded questions from the public on this ordinance and directed staff to research these questions. At the April 22 meeting of the Planning and Zoning Commission, the Commission continued the public hearing and consideration for this amendment to the May 13 regular meeting. At the May 13 meeting of the Planning and Zoning Commission, a public hearing was held. Following the public hearing, the Planning and Commission voted unanimously to recommend denial of this zoning ordinance amendment to the City Council.

The City Council held a public hearing on June 10, 2013 to consider the Planning and Zoning Commission's recommendation and the zoning text amendment.

### **Department Comments**

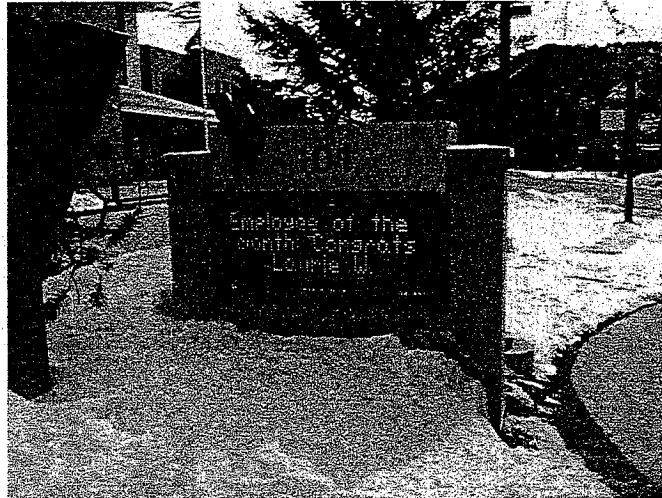
In many jurisdictions across the country and within the State of Idaho, Electronic Message Displays can be the most abused and can be the most aesthetically discouraging signs in any municipality. Bright lights, distracting animation, lack of architectural appeal, and general sign clutter are all byproducts of unregulated Electronic Message Displays. The ordinance under consideration attempts to address all these unappealing consequences of Electronic Message Displays while still allowing creativity for the entity seeking an EMD.

Such regulations in the proposal as a single color, no animation, minimum text size, minimum display size, and zoning restrictions are all intended to guide the production of an EMD to be tasteful, attractive, and informative. In addition, the proposed ordinance only allows use of an EMD or Animated Sign by local governments (City of Hailey, Blaine County) and educational institutions (Blaine County School District) for public information and educational purposes. The ordinance expressly regulates the use of an EMD for commercial purposes, as well as restricts usage of such signs in the Business District. In drafting this ordinance, staff interviewed several other municipalities and jurisdictions to learn from their experiences and draft an ordinance unique to Hailey.

An example of an EMD in Blaine County that is well designed and used is the EMD utilized by



the YMCA in Ketchum. The level of restrictiveness of the proposed ordinance is acceptable to staff. Below is an example of the YMCA reader board in Ketchum:



### **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.

*NOTE: The Planning and Zoning Commission voted to recommend denial based on their determination that the amendment was not consistent with Section 11 of the Comprehensive Plan.*

### **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.

*In researching and drafting this ordinance, staff was guided to the current draft using the above goal from the Comprehensive Plan. For this reason, staff has included certain display regulations that address brightness, illumination, colors, and the content of the messages on the display. The following is a summary of how the ordinance meets this Comp Plan goal:*

- 1. **Human Scale:** EMDs are limited to five feet maximum height to maintain human scale. Monument signs are required.*
- 2. **Retains Interest:** Messages are limited to displaying information of public interest and public benefit and are restricted from any commercial messages.*

3. ***Aesthetics:*** *The electronic or reader board portion of the sign is limited to a maximum of 33% of the total sign area so as to allow for a more aesthetic and architecturally appealing sign that frames a reader board, rather than becoming overwhelmed by one.*
4. ***Encourages Interaction:*** *First, the messages will be of public interest and second, the public is invited to comment on all EMD applications because they would be required to have a CUP for approval.*
5. ***Enhances the Character of Different Neighborhoods:*** *The proposed ordinance does not enhance the character of different neighborhoods and could potentially detract from the character of a neighborhood. Design and a well guided public process will be essential to ensuring this is met.*

*The proposed amendment could impact surrounding residential areas if an EMD were approved for a residential neighborhood without significant thought and planning given to minimizing impacts. As part of the CUP process, impacts from lighting, architectural design, and other features of the sign should be scrutinized to ensure that there are no negative consequences to a neighborhood.*

## **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 proposed ordinance prohibits animated and electronic message display signs in the Business District, which encompasses all of downtown. This restriction was added to preserve the historical and aesthetic qualities of downtown where the primary activity is commercial. According to our proposed ordinance, EMDs shall be used only for non-commercial messages of public interest and not for any commercial purposes. Where our downtown should always maintain a walkable character, signs should be planned for pedestrian accessibility, rather than for vehicles passing nearby. It is staff's opinion that Animated and EMD signs should not be allowed in the downtown area, thereby meeting this goal of the Comprehensive Plan.*

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 could most significantly impact surrounding residential areas if an EMD were approved for a residential neighborhood without significant thought and planning given to minimizing impacts. As part of the CUP process, impact from lighting, architectural design, and other features of the sign should be scrutinized to ensure that there are no negative consequences to a neighborhood.

- 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:

Council

Motion to approve the proposed amendments to Section 8.2 finding that the amendments are in accordance with the Comprehensive Plan; that essential public facilities and services are available to support the full range of proposed uses without creating excessive additional requirements at public cost for the public facilities and services; that the proposed uses are compatible with the surrounding area; and that the proposed amendment will promote the public health, safety and general welfare and adopt Ordinance \_\_\_\_\_ and authorize the mayor to conduct the first reading by title only.

##### Denial:

Council

Motion to deny \_\_\_\_\_ the proposed amendments to Section 8.2 finding that \_\_\_\_\_ [the Council should cite which standards are not met and provided the reason why each identified standard is not met].

##### Continuation:

Motion to continue the public hearing upon the proposed amendment to Section 8.2 to \_\_\_\_\_ [the Commission should specify a date].

##### Table:

Motion to table the proposed amendment to Section 8.2

HAILEY ORDINANCE NO. \_\_\_\_

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, AMENDING SECTION 8.2.2 OF THE HAILEY MUNICIPAL CODE TO AMEND THE DEFINITION OF ANIMATED SIGN AND TO ADD THE DEFINITION OF ELECTRONIC MESSAGE DISPLAY; BY AMENDING SECTION 8.2.6 OF THE HAILEY MUNICIPAL CODE TO DELETE ANIMATED SIGNS AS A PROHIBITED SIGN; BY AMENDING SECTION 8.2.11(I) OF THE HAILEY MUNICIPAL CODE TO PROVIDE FOR STANDARDS FOR ANIMATED SIGNS AND ELECTRONIC MESSAGE DISPLAYS; 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 regulate the display of animated signs and electronic message displays (EMD) for limited use by governmental and educational purposes;

WHEREAS, the current ordinance prohibits all electronic message displays that contain animation or intermittent light sources;

WHEREAS, the public safety and welfare and uniform aesthetic considerations are promoted by providing for regulations as to the use of animated signs and EMD;

WHEREAS, the City of Hailey finds a public benefit in allowing certain governmental and educational institutions the opportunity to implement electronic message displays strictly for public information;

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 8.2.2 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.

Electronic Message Display. A sign or portion thereof capable of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means.

**Section 2.** Section 8.2.6 of the Hailey Municipal Code is amended by the deletion of the stricken language and addition of the underlined language, as follows:

**8.2.6 Prohibited Signs.**

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

1. Signs creating traffic hazards. A sign at or near any public street, or at the intersection of any public streets, situated in such a manner as to create a traffic hazard by obstructing vision. Additionally, any sign at any location which would interfere with, obstruct the view of, or be confused with any authorized traffic sign.
2. Any sign which, due to structural weakness, design defect, or other reason, constitutes a threat to the health, safety, and welfare of any person or property.
3. Any sign which contains an intermittent light source, or which includes the illusion of intermittent or flashing light by means of animation, or an externally mounted intermittent light source.
4. Roof Signs, except mansard roof Signs provided that the highest portion of any sign attached to a mansard roof is no more than 2/3 the height of the mansard roof to which it is attached.
5. ~~Animated Signs~~(reserved).
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.

**Section 3.** Section 8.2.11 of the Hailey Municipal Code is amended by the addition of a new subsection I, as follows:

I. Any animated sign and electronic message displays (EMD) shall conform to the following requirements:

1. Shall only be allowed for the purpose of informing the public with non-commercial messages of public interest and public education. EMD and animated signs are not allowed for commercial use or by any entities other than local governments or public educational institutions.

2. Shall contain static messages only, and shall not have movement, or the appearance or optical illusion of movement of any part of the sign structure, design, or pictorial segment of the sign, including the movement or appearance of movement of any illumination or the flashing/varying of light intensity.

3. No more than one message may be displayed per 24 hour period.

4. Area of EMD or Animated sign shall not occupy more than thirty three (33) percent, or 1/3, of the total sign area. Maximum area for such displays is thirty (30) square feet, which includes front and back sides of the sign.

5. Shall emit a light of constant intensity, not to exceed 5,000 nits on clear days and 500 nits from dusk to dawn. In no event shall such an illuminated sign or device be placed or directed to permit the beams and illumination therefrom to be directed or beamed upon a public thoroughfare, highway, sidewalk or adjacent premises to cause glare or reflection that may constitute a traffic hazard or nuisance. Electronic Message Display portion of the sign shall only operate between 7:00 am and 10:00 pm.

6. Text-only single color message displays with letters no higher than twelve (12) inches.

7. Number: limited to one per location and property.

8. Height: The EMD portion of the sign shall exceed five (5) feet in height from record grade.

9. Such signs, displays, or device may not be installed on a non-conforming sign. A monument sign is required.



10. Allowed by conditional use permit only and in accordance with Section XI of the Zoning Ordinance.

11. Prohibited in the Business Zone (B) and Limited Residential (LR) zone and subdistricts.

**Section 4.** 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 5.** Repealer Clause. All Ordinances or Resolutions or parts thereof in conflict herewith are hereby repealed and rescinded:

**Section 6.** 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 \_\_\_, 2013.**

\_\_\_\_\_  
FRITZ HAEMMERLE, Mayor

ATTEST:

\_\_\_\_\_  
MARY CONE, City Clerk

