Minutes of the Planning and Zoning Commission  
February 16, 2017  
The Planning and Zoning Commission of the City of Sun Valley, Blaine County, State of Idaho, met in regular session in the Council Chambers of Sun Valley City Hall on February 16, 2017 at 9:00 AM

1. **Call to Order**

Present: Chairman Ken Herich, Vice Chairman Jake Provonsha, Commissioner John O’Connor, Commissioner Sherri Newland, and Commissioner Bill Boeger.

Absent: None.

2. **Public Comment**

None

3. **Consent Agenda**


**MOTION**

Commissioner O’Connor moved to approve minutes from the Planning & Zoning Commission Meeting of January 19, 2017, seconded by Vice Chairman Provonsha. A roll call vote was taken. The Motion carried unanimously.

4. **New Business**

a) **Design Review (DR) 2016-58: Application for the proposed construction of a new 6,479 sq ft single-family residence with associated site improvements in the Rural Estate and Ranch (RA) Zoning District. Applicant: The Jarvis Group Architects for Bruce Qvale. Location: 212 Sun Peak Drive; White Clouds Corrected Subdivision Lot 19A.**

Newland and O’Connor disclosed that they each individually drove by the site. Both Commissioners noted that the site visit will not prejudice their decision.

Janet Jarvis, the architect representing Bruce Qvale, presented the project drawings to the Commission. Herich had questions regarding the proposed lighting and also the 30’ height requirement dictated by the Fire Department, to which Ms. Jarvis responded. O’Connor asked about the heating system as well as the utility room to which Jarvis explained that the single-family residence will include radiant heating and forced air for air conditioning. Jarvis then showed the material specification for the rock they intend to use for the driveway. Rob King, landscape architect, described the proposed grading plan and the driveway access and provided an overview of the landscape plan. Provonsha requested that more information be provided regarding the siting of the proposed landscape boulders. Newland asked about the slope analysis for the site. King responded that the disturbance is limited to areas with a slope of less than a 25% grade.

Herich opened public hearing at 9:44 AM. Hearing no comment, he closed the public hearing at 9:44 AM.

Newland asked Hill a question regarding a reference to the hillside development regulations to which
Hill responded. Herich went on to explain the intent of the hillside ordinance when it was initially drafted.

**MOTION**

John O’Connor moved to recommend that the P&Z Commission approve Design Review (DR) 2016-58. Provonsha added that the project be conditioned upon further description of the retaining walls. It was noted that planting and wall notes shall be updated to further describe the intent of the natural look, planted rock, and retaining walls, per the photographs presented and the installation described. There was another request that Condition of Approval #7 be revised to correctly reference “Sun Peak Drive” and not “Juniper Road.” The motion was seconded by Commissioner Boeger. A roll call vote was taken. The motion passed unanimously.

b) **Design Review (DR) 2016-60: Application for the proposed construction of a new 3,184 sq ft single-family residence with associated site improvements in the Rural Estate and Ranch (RA) Zoning District. Applicant: Jolyon H. Sawrey for Greg Sanders & Mary Chadez. Location: 324 Juniper Road; Twin Creeks II Subdivision Lot 131A.**

Jolyon Sawrey, architect representing the applicant, presented the project drawings to the Commission. He described at length the project’s use of retaining walls as well as the roof, drainage system, landscaping and lighting. He explained that the project will incorporate two different types of pavers, which were not included in the material specifications for the project but will be submitted to the Community Development Department.

Herich opened the public hearing at 10:39 AM. Hearing no comment, he closed the public hearing at 10:39 AM.

**MOTION**

Commissioner Boeger moved to approve Design Review (DR) 2016-60, subject to 3 conditions, including: clarification of recommended LED lighting; clarification on paver material, and color; and approved driveway material as presented by the applicant or asphalt if the applicant so chooses. The motion was seconded by Vice Chairman Provonsha. A roll call vote was taken. The motion passed unanimously.

5. **Continued Business**

   None.

6. **Discussion Items**

Hill discussed upcoming projects, which included the Sun Valley Inn, etc. Next dates for P&Z are March 9 and 23.
7. **Adjourn**

**MOTION**

Vice Chairman Provonsha moved to adjourn, seconded by Commissioner O'Connor. A roll call vote was taken. The motion passed unanimously.

Meeting adjourned at 10:55 AM.

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Ken Herich, Chairman

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Nancy Flannigan, City Clerk
Minutes of the Planning and Zoning Commission
May 11, 2017

The Planning and Zoning Commission of the City of Sun Valley, Blaine County, State of Idaho, met in regular session in the Council Chambers of Sun Valley City Hall on May 11, 2017 at 09:00 AM

1. Call to Order

Vice Chairman Sherri Newland called the meeting to order at 9:00 AM.

Present: Commissioner John O’Connor, Vice Chairman Sherri Newland and Commissioner Jake Provonsha and Chairman Ken Herich (who arrived at 9:05 AM)

Absent: None

2. Public Comment

None.

3. Consent Agenda

None.

4. New Business


Community Director Hill spoke about the text amendment and the processes to follow as it’s a legislative request. It was precipitated by an applicant that has a project in the Elkhorn Springs area. We don’t have a project to review as this is just laying the groundwork for the future. The first text amendment is to add a definition of Event Center. Provansha asked about whether there would be any onsite management to which Hill responded that there wouldn’t be an onsite manager but we’d still have their contact information and they would still have to adhere to the nuisance laws.

The applicant, George Kirk, then spoke about the project. He’s been attempting to market the restaurant and the general store for a few years. As it stands now, it’s too large. What they propose is for smaller, more intimate gatherings -- it could provide a space where groups could come in

Herich opened the public hearing at 9:32 AM. Hearing no comment, he closed the public hearing at 9:32 AM.

MOTION

Commissioner O’Connor moved to recommend approval to the City Council of the event center Draft Text Amendment: Adding a Definition of “Event Center” to 9-1C-1 [Definitions] of the Sun Valley Municipal Code; Adding “Event Center” to the List of Allowed Uses in 9-2B-2, seconded by Vice Chairman Provonsha. All in favor. The motion carried unanimously.

4. b) Draft Text Amendment: Adding Definitions of “Dormitory” and “Dormitory Unit” to 9-1C-1 [Definitions] of the Sun Valley Municipal Code; Adding “Dormitory” to the List of Allowed Uses in Section 9-2B-2; Assigning Dimensional Standards to “Dormitory” in 9-2B-3; Adding Required Off-
Street Parking for “Dormitory” in Section 9-3E-4. Applicant Michael Bulls on behalf of the Sun Valley Company.

Hill explained that while we have existing dormitory uses in the City, there is no definition anywhere of a dormitory or how many parking spaces one has to provide. Hill went on to explain the amount of dormitory rooms the applicant is proposing and that it comes to about 75 units per acre. Hill suggested a few changes to what the applicant proposed.

Michael Bulls, from Ruscitto Latham Blanton, spoke on behalf of the applicant. He had a few comments. When they started the process of defining what a dormitory would be, their intention was to leave the definitions very broad. They would like it to be diverse as the needs change seasonally. Because of the inherently dense nature of a dormitory, he questions whether the density per acre is appropriate for that use.

Hill offered a few different types of approaches such as doing away with the dormitory definition and to drive it with parking. Bulls mentioned that it makes a lot of sense to them to do away with the dormitory definition.

Herich opened the public hearing at 10:17 AM. Seeing none, he closed the public hearing at 10:17 AM.

The Commission deliberated about what the language should be for the dormitory definition and how to come up with the density definition. After a lengthy discussion, it was decided that the dormitory definition would be “any structure, under joint occupation and single management, with associated sleeping quarters, restrooms, cooking facilities, and other common areas that are provided for persons who are affiliated with a company and who reside in said structure on a seasonal or temporary basis.”

**MOTION**
Commissioner Boeger moved to recommend to Council changes to Title 9, as amended by discussion with the Commission, seconded by O’Connor. All in favor. The motion carried unanimously.

6. **Discussion Items**
None.

7. **Adjourn**
Motion to adjourn by Commissioner O’Connor, seconded by Commissioner Boeger. All in favor. Adjourned at 10:48 AM.

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Ken Herich, Chairman

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Nancy Flannigan, City Clerk
Minutes of the Planning and Zoning Commission
May 25, 2017

The Planning and Zoning Commission of the City of Sun Valley, Blaine County, State of Idaho, met in regular session in the Council Chambers of Sun Valley City Hall on May 25, 2017 at 09:00 AM

1. **Call to Order**
Chairman Ken Herich called the meeting to order at 9:05 AM.

Present: Chairman Ken Herich, Commissioner Jake Provonsha, Commissioner John O’Connor and Vice Chairman Sherri Newland

Absent: Commissioner Bill Boeger

2. **Public Comment**
None.

3. **Consent Agenda**
N/A

4. **New Business**
   a) **Discussion and possible action on revisions to the City’s Exterior Lighting Regulations (SVMC §9-3B) to meet the International Dark Sky Association’s Dark Sky Community designation requirements. Proposed amendments to include establishment of maximum color temperature and provisions to reduce over-lighting**

Associate Planner Rivin discussed Ordinance 511, which updates exterior lighting regulations to reflect best practices. The City is seeking an International Dark Sky Community designation. She went on to discuss the proposed revisions and gave the reasoning behind why they took out some of the changes.

After a lengthy discussion that included existing allowable lumens and proposed changes to the Ordinance, the suggestion was made to get a lighting engineer’s opinion before they recommend to City Council.

Herich opened the public hearing at 11:32 AM. Hearing no comment, he closed the public hearing at 9:32 AM.

The commission decided to continue this discussion to a date certain of June 22.

**MOTION**
Commissioner O’Connor moved to continue this agenda item to a date certain of June 22, 2017, seconded by Vice Chairman Provonsha. All in favor. The motion carried unanimously.

5. **Continued Business None.**
None.

6. **Discussion Items None.**
Hill mentioned that this is his last P&Z meeting as he is moving to Washington. He went on to thank the Commission and the Commission expressed their thanks and well wishes.
7. **Adjourn**

**MOTION**

Commissioner O’Connor moved to adjourn, seconded by Vice Chairman Provonsha. All in favor. The motion carried unanimously.

Meeting adjourned at 11:43 AM.

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Ken Herich, Chairman

______________________________________________
Nancy Flannigan, City Clerk
Minutes of the Planning and Zoning Commission
July 27, 2017
The Planning and Zoning Commission of the City of Sun Valley, Blaine County, State of Idaho, met in regular session in the Council Chambers of Sun Valley City Hall on July 27, 2017 at 09:00 AM

1. **Call to Order**
Chairman Ken Herich called the meeting to order at 9:05 AM.

Present: Chairman Ken Herich, Commissioner Provonsha, Commissioner John O’Connor, Vice Chairman Sherri Newland and Commissioner Bill Boeger

Absent: None

2. **Public Comment**
None.

3. **Consent Agenda**
   a) [Draft Minutes from the Planning & Zoning Commission Meeting of December 8, 2016.](#)
   b) [Draft Minutes from the Planning & Zoning Commission Meeting of March 9, 2017.](#)
   c) [Draft Minutes from the Planning & Zoning Commission Meeting of March 23, 2017.](#)

The Commission made a few comments regarding the minutes and discussed the format for future sets of minutes.

**MOTION**
Commissioner O’Connor moved to approve all three sets of minutes, seconded by Commissioner Provonsha. All in favor. The motion carried unanimously.

4. **New Business**
   a) [Design Review (DR) 2017-141: Application for the proposed construction of a new 7,531 sq. ft. single-family residence with associated site improvements in the Rural Estate and Ranch (RA) Zoning District. Applicant: Ruscitto/Latham/Blanton Architectura P.A. on behalf of Brian & Victoria Miller. Location: 205 Sun Peak Drive; White Clouds Corrected PUD AM Lot 21B Blk 2.](#)

   Buffalo Rixon, architect with Ruscitto/Latham/Blanton Architectura, presented the application. He explained that the proposed residence would be 8,658 sf in total and went on to explain the site and other elements of the application, including the allowable building footprint, slope analysis, color scheme, etc. Kurt Eggers with Eggers & Associates then spoke regarding the grading plan and the drainage plan. Rixon spoke regarding the construction start, which is anticipated to start this fall. Newland mentioned that they should be cognizant of the muddy season. O’Connor asked about air conditioning and heat to which Rixon mentioned that they will have a forced air system and fireplaces. Provonsha asked about the windows facing south and whether there will be tinting to which
Buffalo mentioned they will have shades.

Herich opened the public hearing at 9:44 AM. Hearing no comment, he closed the public hearing at 9:44 AM.

Rivin mentioned that in the draft findings you'll find a finding regarding the opaqueness of the lighting, fire department conditions, etc. and that staff recommends approval. Boeger mentioned snow storage to which Rixon mentioned that they can re-designate the snow storage when they apply for a building permit.

**MOTION**

Commissioner O’Connor moved to approve Design Review (DR) 2017-141: Application for the proposed construction of a new 7,531 sq. ft. single-family residence with associated site improvements in the Rural Estate and Ranch (RA) Zoning District, adding conditions that the re-designation of the snow storage be satisfactory to the Community Development Department as Condition No. 9. Provonsha finds the lighting problematic and will therefore cast a “no” vote. The motion was seconded by Vice Chairman Newland. All in favor. The motion carried.

**AYES:** Chairman Ken Herich, Vice Chairman Sherri Newland, and Commissioner John O’Connor.

**NAYES:** Commissioner Jake Provonsha.

The Commission took a break at 10:02 AM and reconvened at 10:10 AM.

b) **Design Review (DR) 2017-142: Application for the proposed construction of a new 5,497 sq. ft. single-family residence with associated site improvements in the Single-Family Residential (RS-1) Zoning District. Applicant: Ruscitto/Latham/Blanton Architectura P.A. on behalf of Michael & Sharon Aresco. Location: 104 Baldy View Lane; Back of Dollar Subdivision Lot 3.**

Rivin noted that the Community Development Department received comment from an adjacent property owner that is concerned about the view. Buffalo Rixon, Ruscitto/Latham/Blanton Architectura, discussed the application and went over a few of the perimeters. Chase Goulley with Ben Young Landscape Architects then presented the landscaping plans. He showed the survey of the lot and mentioned that they pushed the house back a little and then discussed the planting plan, etc. Rixon then went over the floor plans and the construction management plan. He mentioned that the avalanche study is not yet complete but will be done prior to the building permit to which Herich mentioned that will need the avalanche study to make a decision.

Herich asked about the lighting to which Rixon responded. Commissioner Provonsha is concerned about the lighting to which Herich mentioned that it’s in compliance with our code.

Herich opened the public hearing 10:46 AM. Hearing no comment, he closed the public hearing at 10:46 AM.

Chairman Herich mentioned that in the past we put language in the plans that mentions that the owner assumes the risk of being in an avalanche zone. Rivin will look into it. Rixon went on to mention that
there is an avalanche study for the whole subdivision, but they want to do a site-specific avalanche study. The following Conditions were added: Condition No. 5, this approval is contingent upon the findings in the avalanche study that the proposed residence does not channel avalanche debris onto the neighboring properties and that the proposed design meets all of the study requirements. The final avalanche report shall be recorded against the property; Condition No. 6, a notarized avalanche risk acknowledgement document signed by the owners shall be recorded against the property; and Condition No. 7, the applicant may work with the neighbor to the north to reduce or modify the number of trees in the northeast corner of the lot.

MOTION
Vice Chairman Newland moved to approve Design Review (DR) 2017-142: Application for the proposed construction of a new 5,497 sq. ft. single-family residence with associated site improvements, pursuant to the findings of fact and above-mentioned Conditions, seconded by Commissioner O’Connor. All in favor. The motion carried unanimously.


Rivin provided a memo regarding a revised set of plans that the Community Development Department received yesterday which updated the site plan showing the 25% slope or greater area in relation to the proposed structure. Pete Anderson with Anderson Architecture presented the application. They are proposing to tuck the house into the hill as much as possible and went on to discuss the steep nature of the lot. He then discussed their proposed construction plans and their plan to minimize the disturbance behind the house. Kristin Anderson with Anderson Architecture also discussed the plans, specifically the area that is in the less than 25% slope.

Chase Gouley with Ben Young Landscape Architecture discussed the landscaping plans and the slopes. Commissioner Boeger asked about snow removal to which they suggested having a condition that the home owner has a snow removal service, or they can store the snow in the right-of-way. Discussion ensued about the hillside ordinance and what the intent of that ordinance was. Herich then discussed variances and went over the hillside development code in greater detail. The decision was made for a continuance of the application approval to a date non-certain.

MOTION
Chairman Herich moved to continue to a date non-certain, seconded by Commissioner Provonsha. All in favor. The motion carried unanimously.

5. Continued Business
None.
6. Adjourn

MOTION
Commissioner O'Connor moved to adjourn, seconded by Commissioner Boeger. All in favor. The motion carried unanimously.

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Ken Herich, Chairman

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Nancy Flannigan, City Clerk
Minutes of the Planning and Zoning Commission  
September 14, 2017

The Planning and Zoning Commission of the City of Sun Valley, Blaine County, State of Idaho, met in regular session in the Council Chambers of Sun Valley City Hall on September 14, 2017 at 09:00 AM

1. **Call to Order**
Chairman Ken Herich called the meeting to order at 9:02 AM.

Present: Chairman Ken Herich, Vice Chairman Sherri Newland, Commissioner Jake Provonsha, Commissioner Bill Boeger and Commissioner John O’Connor.

Absent: None.

2. **Public Comment**
None.

3. **Consent Agenda**
N/A

4. **New Business**
   a) **Design Review (DR) 2017-193: Application for proposed upgrades to Mountain Rides bus stops throughout the City of Sun Valley including new signage, benches, and solar, motion-activated lighting. Applicant: Jason Miller, Executive Director of Mountain Rides.**

   Associate Planner Rivin introduced the applicant, Executive Director of Mountain Rides, Jason Miller, who spoke about the project in detail. He mentioned that they are working on a capital improvement project for their bus stop network throughout the cities they operate in. He went on to discuss comments they’ve received from riders which include that bus stops are not well marked and not very visible, etc. They hope to get approximately 20 stops in the City of Sun Valley updated before the snow falls. The scope of the project is posts, signage, informational signage and solar lighting – that’s the primary upgrade you’ll see throughout the City. They would like to eventually work on benches as well but that will take a bit longer. All of the details are in the Design Review application.

   Provonsha asked if there will be new bus stop locations added to which Miller responded that they are only improving the locations that they currently have. Provonsha then asked if there will be any new shelters built to which Miller mentioned that that is part of our long-term plan. O’Connor asked how many shelters we have in Sun Valley to which Miller mentioned we have about nine. O’Connor went on to comment that he doesn’t want more poles in Sun Valley than we already have and believes that while the high pole might identify where the bus is stopping, he doesn’t believe there’s a problem in Sun Valley where people pick up. He went on to say that before we put up 21 poles with lights on them, he would like to see an example at one of the busiest stops to see what it would look like. He’s against 21 more poles with information on them. Miller mentioned that there are 12 stops that are their priority, plus 4 that are affixed to shelters. He’s happy to have a discussion on Morning Star and Twin Creeks, though they would still like to improve those eventually.

   The proposed lighting was then discussed. Miller showed a sample of the proposed lighting fixture. Herich mentioned that he would have to reject the light because of the color temperature to which Miller mentioned that the light comes without the cover and he is going to the City of Ketchum to get the temperature measured.
He then went over the 3 styles he was proposing. O’Connor asked if the sign has to be that large to which Miller mentioned that most of their current signs are 12” x 18”.

Miller asked if they could get an approval for posts in the locations he mentioned, without lighting, which would be helpful for a project staging stand point. He is asking for 12, plus the 4 that would get affixed to shelters. Commissioner Newland asked about the logo and the durability of the signs to which Miller said they are using a well-known sign maker in Twin Falls and he is comfortable with what they recommended.

Herich opened that public hearing at 9:45 AM. Hearing no comment, he closed the public hearing at 9:45 AM.

Herich likes the idea of standardizing and advertising the locations. He thinks the signs are attractive, but he is not ready to approve the lighting. Commissioner Provonsha is in favor of approving this application without approving the light fixtures. Newland is in agreement with Provonsha. O’Connor agrees with the others except he does not agree to the poles; he wants to take a look first.

Herich went on to recommend adding Special Conditions of Approval to include: “No. 3, no new lighting or sign poles may be installed at existing bus shelters”; and “No. 4, lighting as submitted is not approved and lighting fixture specifications must be submitted to the Community Development Department to be reviewed by the P&Z Commission.” It was also recommended to amend Special Conditions of Approval No. 2, to now read: “the conceptual design of the bench is approved, however the locations have not been submitted at this time. When the applicant decides upon the desired location, the applicant must submit a surveyed site plan indicating the location as well as specifications regarding the foundation of the proposed benches prior to installation to the satisfaction of the Community Development Department and the Streets Department.”

MOTION
Commissioner Provonsha moved to approve Design Review (DR) 2017-193 as modified here today, seconded by Vice Chairman Newland. All in favor. The motion carried unanimously. Commissioner Boeger was absent for this vote.

5. Postponed Items
a) POSTPONED until September 28th, 2017 Planning & Zoning Commission Meeting: Design Review (DR) 2017-166: Application for the proposed construction of two new dormitory buildings with associated site utilities, parking, and common areas in the Commercial Center (CC) Zoning District. The proposed floor areas of the two dormitories are 45,972 sq. ft. and 29,808 sq. ft. Applicant: Michael Bulls, AIA, Ruscitto/Latham/Blanton Architectura for Sun Valley Company. Location: Portion of Sun Valley Golf Course/Hillsides Gas Stations/Horse Center Sec 7 T4N R18E (adjacent to Horsemen’s Center).

Rivin mentioned that the reason this item has to go back to the P&Z Commission is because of substantive changes recently submitted. Herich recommended we invite the City Attorney to attend this meeting.

6. Continued Business
None.
7. **Adjourn**

**MOTION**

Commissioner O’Connor moved to adjourn at 10:25 AM, seconded by Vice Chairman Sherri Newland. All in favor. The motion carried unanimously. *Commissioner Boeger was absent for this vote.*

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_________________________________________
Ken Herich, Chairman

_________________________________________
Nancy Flannigan, City Clerk
# City of Sun Valley 2018 Planning and Zoning Meeting Schedule

<table>
<thead>
<tr>
<th>Date</th>
<th>Thursday of Month</th>
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<tbody>
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<td>January 18</td>
<td>3rd</td>
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<td>February 15</td>
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<td>March 08</td>
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<td>March 22</td>
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<td>November 08</td>
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<td>December 06</td>
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CITY OF SUN VALLEY  
PLANNING & ZONING COMMISSION  
STAFF REPORT  

Project Name: Skyline Parcel Zone Map Amendment (ZMA 2017-012)  
Applicant: Benchmark Associates for Sun Valley Elkhorn Association  
Location: Skyline Parcel (RPSVE000000330), Skyline Drive/Skyline Spur  
Owner: Sun Valley Elkhorn Association  
Zoning District: Open Recreation (OR-1)  
Application: Rezone Portion of Parcel from Open Recreation (OR-1) to Recreation (REC)  

Introduction: The submitted application is to rezone an approximately 2-acre portion of parcel RPSVE000000330 from Open Recreation (OR-1) Zoning District to Recreation (REC) Zoning District. No change of use is proposed in the rezoning action.  

Background: The area of the proposed rezoning was identified in the City of Sun Valley (the City) 2015 Comprehensive Plan Update Future Land Use Map as Recreational. Numerous areas of the City have been rezoned since adoption of the 2015 Comprehensive Plan Update in an attempt to have City zoning districts accurately reflect Future Land Use Map land use designations.  

Project Description: The subject area, referred to as the Skyline Parcel, is proposed for rezoning by the Sun Valley Elkhorn Association (SVEA) with a goal of preserving future recreational development use. Additionally, the rezoning of the portion of the parcel would be compliant with the City’s comprehensive land use plan’s designation. The area proposed for rezoning is approximately 2 acres of an existing approximate 172-acre parcel.  

The OR-1 designation is a placeholder zone with no regulations regarding allowed uses or dimensional standards. Sun Valley Municipal Code §9-5B-9B requires that lands designated as OR-1 must receive an official zoning map amendment consistent with the land use designation shown on the Future Land Use Map of the Comprehensive Plan prior to, or in conjunction with, the processing of any development applications for improvements on the respective OR-1 zoned parcel.  

The REC Recreation District was established as the principal district in which large scale outdoor and certain indoor recreation occurs. It is the intent of the district to promote the purposes of the comprehensive plan related to the preservation and enhancement of the recreational quality and character of the community. The REC zoning district is consistent with the recreational land use designation identified in the comprehensive plan and consists of areas appropriate for recreational purposes, generally those lands that are open in nature where development may be limited. The REC district includes areas for ski areas, golf courses, riding stables, developed campgrounds, developed picnic sites, recreational day lodges, and other similar recreational uses.
Permitted and conditional uses in the REC Zoning District are displayed in the table below (SVMC § 9-2C-1).

<table>
<thead>
<tr>
<th>Permitted Uses</th>
<th>Conditional Uses</th>
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<tbody>
<tr>
<td>Accessory maintenance uses for recreation uses</td>
<td>Accessory uses for recreation uses, other than maintenance related</td>
</tr>
<tr>
<td>Cultivation and harvesting of crops</td>
<td>Art, education, and entertainment uses</td>
</tr>
<tr>
<td>Equestrian uses, outdoors</td>
<td>Church</td>
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<tr>
<td>Land and stream rehabilitation</td>
<td>Equestrian uses, indoors</td>
</tr>
<tr>
<td>Recreation uses, outdoor: except skeet, trap, pistol and rifle ranges</td>
<td>Helispot, helistop for public purpose</td>
</tr>
<tr>
<td>Trails, trailheads, paths (nonmotorized)</td>
<td>Recreation uses, indoor</td>
</tr>
<tr>
<td></td>
<td>Recreation uses; skeet, trap, pistol and rifle ranges</td>
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<td></td>
<td>Schools</td>
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<td></td>
<td>Temporary, special events</td>
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<td></td>
<td>Transit structures and uses, including gondola</td>
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<td>Utilities, above grade</td>
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<tr>
<td></td>
<td>Utilities, below grade</td>
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<td></td>
<td>Wireless communication facilities</td>
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</tbody>
</table>

Dimensional standards in the REC Zoning District are displayed in the table below (SVMC §9-2C-2).

<table>
<thead>
<tr>
<th>Dimensional Standard</th>
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<tbody>
<tr>
<td>Minimum lot size</td>
<td>20,000 square feet</td>
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<tr>
<td>Minimum average lot dimensions</td>
<td>100 feet</td>
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<tr>
<td>Minimum street frontage for flat lot</td>
<td>40 feet</td>
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<tr>
<td>Setbacks from all property lines</td>
<td>35 feet</td>
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<tr>
<td>Building height</td>
<td>44 feet</td>
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</tbody>
</table>

**Noticing:** The Planning & Zoning Commission public hearing regarding the subject approval was duly noticed in accordance with Idaho State Statute 67-6507 and with Sun Valley City Code Title 9, Chapter 5 by: 1) publishing in the Idaho Mountain Express on January 3rd, 10th, and 17th, 2018; 2) mailing of notice to all property owners within a 300-foot radius of the subject areas; 3) posting of the notice on the property and in five prominent public locations in the City; 4) mailing and emailing notice to applicable agencies and neighboring jurisdictions; 5) posting of the public hearing materials at City Hall and on the City website.
Analysis:

Comprehensive Plan Consistency: The proposed zoning map amendment would be consistent with the comprehensive plan and future land use map and reasonably implements the applicable provisions of the comprehensive plan. The proposed zone map amendment would be consistent with the future land use map in the City’s comprehensive plan. The rezone would serve to implement the recreational goals of the comprehensive plan by aligning the zoning of the location with the future land use designation and allowing recreational activities on the parcel.

Zoning Consistency: The proposed zoning map amendment would comply with the regulations in effect for the proposed zoning district, including the purpose statement, and is suitable for the proposed permitted uses. The proposed rezone would subject the parcel to regulations of the City’s Recreation (REC) Zoning District. The current use and state of the parcel complies with the current regulations of the REC Zoning District and are compatible with the stated purpose of this district. Approval of the rezone would align the zoning with the future land use map designation of the City’s comprehensive plan.

Environmental Impact: The proposed zoning map amendment would have minimal or no adverse impacts on the natural environment, including, but not limited to, water quality, air quality, noise, vegetation, riparian corridors, hillsides and other natural features. The rezone would not increase density in the subject area and any development impacts may be mitigated through the Design Review or Conditional Use Permit processes. The proposed amendment allows for the continuation of long-standing uses on the property as a passive recreation area.

Public Health & Safety Impact: The proposed zoning map amendment would not be materially detrimental to the public health, safety, and welfare, or any significant impacts can be mitigated satisfactorily as determined by the Planning and Zoning Commission or City Council. The proposed zoning action would not detrimentally impact the health, safety, or welfare of the community as the change in zoning district would not change existing or projected use of the subject area. The rezone would not alter access or pose additional need for services by fire, police, water, or other agencies.

Public Services Impact: Essential public facilities and services, including, but not limited to, emergency services, transit, work force housing and schools, are available to support the proposed uses and density or intensity without creating additional requirements at public cost for such public facilities and services. No additional public services or facilities are necessary to support this zone map amendment.

Recommendation: Staff recommends the Planning and Zoning Commission consider recommending approval to the City Council of ZMA 2017-012 rezoning the Skyline Parcel from the from the Open Recreation (OR-1) Zoning District to the Recreation (REC) Zoning District.

Recommended Motion: "I move to recommend approval to the City Council of Zone Map Amendment Application No. 2017-013."

Alternative Actions: Move to denial of the application and draft findings supporting denial. Recommend applicant re-submit application for re-designation of portion of parcel from Comprehensive Plan Future Land Use Map Recreational land use to Open Space, and rezone portion of parcel from Open Recreation (OR-1) Zoning District to Open Space (OS) Zoning District.
Attachments:

1. Findings of Fact
2. Draft Ordinance
FINDINGS OF FACT AND CONCLUSIONS OF LAW
CITY OF SUN VALLEY
ZONE MAP AMENDMENT

Project Name: Skyline Parcel Zone Map Amendment (ZMA 2017-012)
Applicant: Benchmark Associates for Sun Valley Elkhorn Association
Location: Skyline Parcel (RPSVE000000330), Skyline Drive/Skyline Spur
Owner: Sun Valley Elkhorn Association
Zoning District: Open Recreation (OR-1)
Application: Rezone Portion of Parcel from Open Recreation (OR-1) to Recreation (REC)

Project: The submitted application is to rezone an approximately 2-acre portion of parcel RPSVE000000330 from Open Recreation (OR-1) Zoning District to Recreation (REC) Zoning District. No change of use is proposed in the rezoning action.

Required Findings: In order to approve a zone map amendment application and based on the standards set forth in Sun Valley Municipal Code, Title 9, Chapter 5B-9 (Zoning Map Amendment and Annexation), the City Planning and Zoning Commission makes the following findings.

1. The official zoning map amendment is consistent with the comprehensive plan and future land use map and reasonably implements the applicable provisions of the comprehensive plan. The zone map amendment is consistent with the future land use map in the City’s comprehensive plan. The rezone would serve to implement the recreational goals of the comprehensive plan by aligning the zoning of the location with the future land use designation and allowing recreational activities on the parcel.

2. The official zoning map amendment complies with the regulations in effect for the proposed zoning district, including the purpose statement, and is suitable for the proposed permitted uses. The proposed rezone would subject the parcel to regulations of the City’s Recreation (REC) Zoning District. The current use and state of the parcel complies with the current regulations of the REC Zoning District and are compatible with the stated purpose of this district. Approval of the rezone would align the zoning with the future land use map designation of the City’s comprehensive plan.

3. The official zoning map amendment has minimal or no adverse impacts on the natural environment, including, but not limited to, water quality, air quality, noise, vegetation, riparian corridors, hillsides and other natural features. The rezone would not increase density in the subject area and any development impacts may be mitigated through the Design Review or Conditional Use Permit processes. The amendment allows for the continuation of long-standing uses on the property as a passive recreation area.

4. The official zoning map amendment is not materially detrimental to the public health, safety, and welfare, or any significant impacts can be mitigated satisfactorily as determined by the planning and
The proposed zoning action would not detrimentally impact the health, safety, or welfare of the community as the change in zoning district would not change existing or projected use of the parcel. The rezone would not alter access or pose additional need for services by fire, police, water, or other agencies.

5. Essential public facilities and services, including, but not limited to, emergency services, transit, work force housing and schools, are available to support the proposed uses and density or intensity without creating additional requirements at public cost for such public facilities and services. No additional public services or facilities are necessary to support this zone map amendment.

CONCLUSIONS OF LAW

The Sun Valley Planning and Zoning Commission concludes that the zone map amendment (ZMA 2017-012) meets the standards for approval under Title 9, Chapter 5B-9, City of Sun Valley Municipal Code.

DECISION

Therefore, the Sun Valley City Planning and Zoning Commission recommends approval of the subject Zone Map Amendment Application No. ZMA 2017-013, to the City Council.

Dated this 18th day of January, 2018.

___________________________________
Ken Herich, Chairman
City of Sun Valley

___________________________________
Date Findings of Fact signed
ORDINANCE NO. 522
AN ORDINANCE OF THE CITY OF SUN VALLEY, IDAHO, AMENDING THE SUN VALLEY OFFICIAL ZONING MAP BY CHANGING THE ZONING DISTRICT DESIGNATION OF SKYLINE PARCEL FROM THE OPEN RECREATION (OR-1) ZONING DISTRICT TO THE RECREATION (REC) ZONING DISTRICT

WHEREAS, the State of Idaho has empowered the City Council with the ability to zone and rezone property in Idaho Statute 67-6511; and

WHEREAS, the subject property, referred to as the Skyline Parcel, is an approximate two-acre portion of existing parcel RPSVE000000330 located adjacent to Skyline Drive and Skyline Spur within the City of Sun Valley and is currently zoned Open Recreation (OR-1); and

WHEREAS, the zoning boundaries may vary from the City’s adopted 2015 Comprehensive Plan “Low Density Residential” land use designation for the subject properties within approximately 300 feet; and

WHEREAS, the standards of the Recreation (REC) Zone most closely align with the existing dimensions and uses of the subject lots; and

WHEREAS, pursuant to Municipal Code Section 9-5B-9, the applicant initiated a Zoning Map Amendment (No. ZMA 2017-013) to rezone the subject parcel to the Recreation (REC) Zoning District; and

WHEREAS, the Sun Valley Elkhorn Association owns the subject property; and

WHEREAS, the subject zone map amendment is consistent with the Future Land Use Map of the 2015 Comprehensive Plan; and

WHEREAS, the proposed zoning map amendment has minimal or no adverse impacts on the natural environment, including, but not limited to, water quality, air quality, noise, vegetation, riparian corridors, hillsides and other natural features, as this amendment allows for the continuation of long-standing uses on the developed properties; and

ORDINANCE NO. 522 - AN ORDINANCE OF THE CITY OF SUN VALLEY, IDAHO, AMENDING THE SUN VALLEY OFFICIAL ZONING MAP BY CHANGING THE ZONING DISTRICT DESIGNATION OF SKYLINE PARCEL FROM THE OPEN RECREATION (OR-1) ZONING DISTRICT TO THE RECREATION (REC) ZONING DISTRICT
Page 1 of 3
WHEREAS, the proposed amendment to the official zoning map will not detrimentally impact the health, safety, or welfare of the community; and

WHEREAS, rezoning of the parcel does not impose a need for additional essential public facilities and services; and

WHEREAS, the rezone has been considered at a duly-noticed public hearing by the Planning and Zoning Commission on January 18, 2018, and such rezone was unanimously recommended to the Council by the Commission.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Sun Valley, Idaho, as follows:

The Official Zoning Map of the City of Sun Valley shall be amended to reflect changes in zoning designation from the Open Recreation (OR-1) Zone to the Recreation (REC) Zone for the Skyline Parcel, an approximate two-acre portion of existing parcel RPSVE00000330 located adjacent to Skyline Drive and Skyline Spur as shown on Exhibit A, a map attached to this ordinance.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR THIS _____ DAY OF ________________________, 2018.

APPROVED:

________________________
Peter M. Hendricks, Mayor

ATTEST:

________________________
Nancy Flannigan, City Clerk
ORDINANCE NO. 522 - AN ORDINANCE OF THE CITY OF SUN VALLEY, IDAHO, AMENDING THE SUN VALLEY OFFICIAL ZONING MAP BY CHANGING THE ZONING DISTRICT DESIGNATION OF SKYLINE PARCEL FROM THE OPEN RECREATION (OR-1) ZONING DISTRICT TO THE RECREATION (REC) ZONING DISTRICT
Rezone Area
90,505 sq ft
2.07 Acres

Parent Parcel
Elkhorn Property Owners
RESVE000000830
75186877 sq ft
172.6 Acres

Proposed Skyline Rezone
City of Sun Valley GIS
U:\gis\Projects\Planning\OsToRecRezones2018.aprx
CITY OF SUN VALLEY
PLANNING & ZONING COMMISSION
STAFF REPORT

Project Name: Sunrise Park Parcel Comprehensive Plan Amendment and Zone Map Amendment (ZMA 2017-013)

Applicant: Benchmark Associates for Sun Valley Elkhorn Association

Location: Sunrise Park Parcel (RPSVE000000340), Elkhorn Road/Sunrise Drive

Owner: Sun Valley Elkhorn Association

Zoning District: Open Space (OS)

Application: Re-designate Portions of Parcel from Open Space to Recreational & Rezone Portions of Parcel from Open Space (OS) to Recreation (REC)

Introduction: The submitted application is to amend the City of Sun Valley Comprehensive Plan Future Land Use Map to re-designate two areas from Open Space to Recreational land use designations and rezone an approximately 0.5-acre portion and a 0.9-acre portion of parcel RPSVE000000340 from Open Space (OS) Zoning District to Recreation (REC) Zoning District. The two areas are currently used as passive park and trail access areas. No change in use is proposed in the re-designation and rezoning action.

Background: The area of the proposed rezoning was identified in the City of Sun Valley (the City) 2015 Comprehensive Plan Update Future Land Use Map as Open Space, despite a long history of use of the site as a passive park and trail access.

Project Description: Portions of the subject parcel, referred to as the Sunrise Park Parcel, is proposed for re-designation of land use and rezoning by the Sun Valley Elkhorn Association (SVEA) with a goal of preserving future recreational development opportunity for use of these parcels. The areas proposed for re-designation and rezoning are an approximately 0.5-acre portion and a 0.9-acre portion of an existing approximate 142-acre parcel.

Land Use Re-designation: The applicant proposes the re-designation of the parcel areas from Open Space to Recreational land use designations on the Comprehensive Plan Future Land Use Map. The re-designation of land use designation would allow for a proposed rezoning of the two parcels from Open Space to Recreation.

Rezone: The applicant proposes rezoning of the two areas from Open Space to Recreation.

The OS Open Space District designates lands that are environmentally sensitive or are identified by the comprehensive plan as having significant open space value to be preserved and/or used for limited, passive recreational uses. However, the subject parcels have been used as passive parks and trail access since the early 1980s and the use of these areas with maintained lawn areas may be considered a non-conforming use of the OS District.
The REC Recreation District was established as the principal district in which large scale outdoor and certain indoor recreation occurs. It is the intent of the district to promote the purposes of the comprehensive plan related to the preservation and enhancement of the recreational quality and character of the community. The REC zoning district is consistent with the recreational land use designation identified in the comprehensive plan and consists of areas appropriate for recreational purposes, generally those lands that are open in nature where development may be limited. The REC district includes areas for ski areas, golf courses, riding stables, developed campgrounds, developed picnic sites, recreational day lodges, and other similar recreational uses.

Permitted and conditional uses in the REC Zoning District are displayed in the table below (SVMC § 9-2C-1).

<table>
<thead>
<tr>
<th>Permitted Uses</th>
<th>Conditional Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accessory maintenance uses for recreation uses</td>
<td>Accessory uses for recreation uses, other than</td>
</tr>
<tr>
<td></td>
<td>maintenance related</td>
</tr>
<tr>
<td>Cultivation and harvesting of crops</td>
<td>Art, education, and entertainment uses</td>
</tr>
<tr>
<td>Equestrian uses, outdoors</td>
<td>Church</td>
</tr>
<tr>
<td>Land and stream rehabilitation</td>
<td>Equestrian uses, indoors</td>
</tr>
<tr>
<td>Recreation uses, outdoor: except skeet, trap, pistol and rifle ranges</td>
<td>Helipot, helistop for public purpose</td>
</tr>
<tr>
<td>Trails, trailheads, paths (nonmotorized)</td>
<td>Recreation uses, indoor</td>
</tr>
<tr>
<td></td>
<td>Recreation uses; skeet, trap, pistol and rifle ranges</td>
</tr>
<tr>
<td></td>
<td>Schools</td>
</tr>
<tr>
<td></td>
<td>Temporary, special events</td>
</tr>
<tr>
<td></td>
<td>Transit structures and uses, including gondola</td>
</tr>
<tr>
<td></td>
<td>Utilities, above grade</td>
</tr>
<tr>
<td></td>
<td>Utilities, below grade</td>
</tr>
<tr>
<td></td>
<td>Wireless communication facilities</td>
</tr>
</tbody>
</table>

Dimensional standards in the REC Zoning District are displayed in the table below (SVMC §9-2C-2).

<table>
<thead>
<tr>
<th>Dimensional Standard</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum lot size</td>
<td>20,000 square feet</td>
</tr>
<tr>
<td>Minimum average lot dimensions</td>
<td>100 feet</td>
</tr>
<tr>
<td>Minimum street frontage for flat lot</td>
<td>40 feet</td>
</tr>
<tr>
<td>Setbacks from all property lines</td>
<td>35 feet</td>
</tr>
<tr>
<td>Building height</td>
<td>44 feet</td>
</tr>
</tbody>
</table>
Noticing: The Planning & Zoning Commission public hearing regarding the subject approval was duly noticed in accordance with Idaho State Statute 67-6507 and with Sun Valley City Code Title 9, Chapter 5 by: 1) publishing in the Idaho Mountain Express on January 3rd, 10th, and 17th, 2018; 2) mailing of notice to all property owners within a 300-foot radius of the subject areas; 3) posting of the notice on the property and in five prominent public locations in the City; 4) mailing and emailing notice to applicable agencies and neighboring jurisdictions; 5) posting of the public hearing materials at City Hall and on the City website.

Analysis:

Comprehensive Plan Consistency: If the amendment to the comprehensive plan is approved, the proposed rezoning would be consistent with the comprehensive plan. The proposed zoning map amendment would be consistent with the comprehensive plan and future land use map and would reasonably implement the applicable provisions of the comprehensive plan. The zone map amendment would be consistent with the future land use map in the City’s comprehensive plan. The rezone would serve to implement the recreational provides of the comprehensive plan by aligning the zoning of the location with the future land use designation and allowing recreational activities on the parcel.

Zoning Consistency: The proposed zoning map amendment would comply with the regulations in effect for the proposed zoning district, including the purpose statement, and would be suitable for the proposed permitted uses. The proposed rezone would subject the parcel to regulations of the City’s Recreation (REC) Zoning District. The current use and state of the parcel complies with the current regulations of the REC Zoning District and are compatible with the stated purpose of this district. Approval of the rezone would align the zoning with the future land use map designation of the City’s comprehensive plan.

Environmental Impact: The proposed zoning map amendment would have minimal or no adverse impacts on the natural environment, including, but not limited to, water quality, air quality, noise, vegetation, riparian corridors, hillsides and other natural features. The rezone would not increase density in the subject area and any development impacts may be mitigated through the Design Review or Conditional Use Permit processes. The amendment allows for the continuation of long-standing uses on the property as a passive recreation area.

Public Health & Safety Impact: The proposed zoning map amendment would not be materially detrimental to the public health, safety, and welfare, or any significant impacts can be mitigated satisfactorily as determined by the planning and zoning commission or city council. The proposed zoning action would not detrimentally impact the health, safety, or welfare of the community as the change in zoning district would not change existing or projected use of the parcel. The rezone would not alter access or pose additional need for services by fire, police, water, or other agencies.

Public Services Impact: Essential public facilities and services, including, but not limited to, emergency services, transit, work force housing and schools, are available to support the proposed uses and density or intensity without creating additional requirements at public cost for such public facilities and services. No additional public services or facilities would be necessary to support this zone map amendment.

Recommendation: Staff recommends the Planning and Zoning Commission recommend approval of ZMA 2017-013 re-designating two areas of the Sunrise Parcels from Open Space to Recreational land use
designations and rezoning of the areas from Open Space (OS) Zoning District to Recreation (REC) Zoning District.

**Recommended Motion:** "I move to recommend approval to the City Council of Zone Map Amendment Application No. 2017-013."

**Alternative Actions:** Move to denial of the application and draft findings supporting denial.

**Attachments:**
1. Findings of Fact
2. Draft Ordinance
FINDINGS OF FACT AND CONCLUSIONS OF LAW
CITY OF SUN VALLEY
ZONE MAP AMENDMENT

Project Name: Sunrise Park Parcel Comprehensive Plan Amendment and Zone Map Amendment (ZMA 2017-013)

Applicant: Benchmark Associates for Sun Valley Elkhorn Association

Location: Sunrise Park Parcel (RPSVE000000340), Elkhorn Road/Sunrise Drive

Owner: Sun Valley Elkhorn Association

Zoning District: Open Space (OS)

Application: Re-designate Portions of Parcel from Open Space to Recreational & Rezone Portions of Parcel from Open Space (OS) to Recreation (REC)

Project: The submitted application is to amend the City of Sun Valley Comprehensive Plan Future Land Use Map to re-designate two areas from Open Space to Recreational land use designations and rezone an approximately 0.5-acre portion and a 0.9-acre portion of parcel RPSVE000000340 from Open Space (OS) Zoning District to Recreation (REC) Zoning District. The two areas are currently used as passive park and trail access areas. No change in use is proposed in the re-designation and rezoning action.

Required Findings:

Comprehensive Plan: In order to approve a comprehensive plan amendment application, the City Planning and Zoning Commission makes the following findings.

1. The Community Development Department received a request from Benchmark Associates, on behalf of Sun Valley Elkhorn Association to amend the City of Sun Valley 2015 Comprehensive Plan Update by changing the Future Land Use Map land use designations for areas of two parcels on December 12, 2017.

2. The Commission held a duly noticed public hearing on January 18, 2018. The Planning & Zoning Commission public hearing regarding the subject comprehensive plan amendment was duly noticed in accordance with Idaho State Statute 67-6507 and with Sun Valley City Code Title 9, Chapter 5 by: 1) publishing in the Idaho Mountain Express on January 3rd, 10th, and 17th, 2018; 2) mailing of notice to all property owners within a 300-foot radius of the subject areas; 3) posting of the notice on the property and in five prominent public locations in the City; 4) mailing and emailing notice to applicable agencies and neighboring jurisdictions; 5) posting of the public hearing materials at City Hall and on the City website.

3. The proposed amendments to the 2015 Comprehensive Plan Update will not detrimentally impact the health, safety, or welfare of the community as the changes will facilitate the proposed re-zoning of
the subject areas.

Zoning Amendment: In order to approve a zone map amendment application and based on the standards set forth in Sun Valley Municipal Code, Title 9, Chapter 5B-9 (Zoning Map Amendment and Annexation), City Planning and Zoning Commission makes the following findings.

1. The official zoning map amendment is consistent with the comprehensive plan and future land use map and reasonably implements the applicable provisions of the comprehensive plan. The zone map amendment is consistent with the future land use map in the City’s comprehensive plan. The rezone would serve to implement the recreational provides of the comprehensive plan by aligning the zoning of the location with the future land use designation and allowing recreational activities on the parcel.

2. The official zoning map amendment complies with the regulations in effect for the proposed zoning district, including the purpose statement, and is suitable for the proposed permitted uses. The proposed rezone would subject the parcel to regulations of the City’s Recreation (REC) Zoning District. The current use and state of the parcel complies with the current regulations of the REC Zoning District and are compatible with the stated purpose of this district. The parcel is suitable for any permitted uses of the REZ Zoning District. Approval of the rezone would align the zoning with the future land use map designation of the City’s comprehensive plan.

3. The official zoning map amendment has minimal or no adverse impacts on the natural environment, including, but not limited to, water quality, air quality, noise, vegetation, riparian corridors, hillsides and other natural features. The rezone would not increase density in the subject area and any development impacts may be mitigated through the Design Review or Conditional Use Permit processes. The amendment allows for the continuation of long-standing uses on the property as a passive recreation area.

4. The official zoning map amendment is not materially detrimental to the public health, safety, and welfare, or any significant impacts can be mitigated satisfactorily as determined by the planning and zoning commission or city council. The proposed zoning action would not detrimentally impact the health, safety, or welfare of the community as the change in zoning district would not change existing or projected use of the parcel. The rezone would not alter access or pose additional need for services by fire, police, water, or other agencies.

5. Essential public facilities and services, including, but not limited to, emergency services, transit, work force housing and schools, are available to support the proposed uses and density or intensity without creating additional requirements at public cost for such public facilities and services. No additional public services or facilities are necessary to support this zone map amendment.

CONCLUSIONS OF LAW

The Sun Valley Planning and Zoning Commission concludes that the Comprehensive Plan Amendment and Zone Map Amendment (ZMA 2017-013) meet the standards for approval under Title 9, Chapter 5B-9, City of Sun Valley Municipal Code.
Therefore, the Sun Valley City Planning and Zoning Commission recommends approval of the subject Zone Map Amendment Application No. ZMA 2017-013, to the City Council.

Dated this 18th day of January, 2017.

___________________________________
Ken Herich, Chairman
City of Sun Valley

___________________________________
Date Findings of Fact signed
ORDINANCE NO. 523
AN ORDINANCE OF THE CITY OF SUN VALLEY, IDAHO, AMENDING THE CITY OF SUN VALLEY 2015 COMPREHENSIVE PLAN UPDATE FOR LAND USE DESIGNATION OF THE SUNRISE PARK PARCEL FROM OPEN SPACE TO RECREATIONAL AND AMENDING THE SUN VALLEY OFFICIAL ZONING MAP BY CHANGING THE ZONING DISTRICT DESIGNATION OF THE SUNRISE PARCEL PARCELS FROM THE OPEN SPACE (OS) ZONING DISTRICT TO THE RECREATION (REC) ZONING DISTRICT

WHEREAS, the State of Idaho has empowered the City Council with the ability to zone and rezone property in Idaho Statute 67-6511; and

WHEREAS, the subject property, referred to as the Sunrise Park Parcel, is comprised of one portion of approximately 0.5 acres and one portion of approximately 0.9 acres of existing Assessor’s Parcel Number RPSVE000000340 (collectively referred to as the Sunrise Park Parcel) located adjacent to Elkhorn Road and Sunrise Drive, and is currently designated by the Comprehensive Plan Future Land Use Map as Open Space and is zoned Open Space (OS); and

WHEREAS, the zoning boundaries may vary from the City’s adopted 2015 Comprehensive Plan “Low Density Residential” land use designation for the subject properties within approximately 300 feet; and

WHEREAS, the standards of the Recreational comprehensive plan land use designation and Recreation (REC) Zoning District most closely align with the existing dimensions and uses of the subject lots; and

WHEREAS, the applicant initiated a Comprehensive Plan Amendment to re-designate the subject property as Recreational and, pursuant to Municipal Code Section 9-5B-9, the applicant initiated a Zoning Map Amendment (No. ZMA 2017-013) to rezone the subject property to the Recreation (REC) Zoning District; and

WHEREAS, the Sun Valley Elkhorn Association owns the subject property; and

WHEREAS, the subject zone map amendment would be consistent with the Future Land Use Map of the 2015 Comprehensive Plan, as amended; and
WHEREAS, the proposed comprehensive plan amendment and zoning map amendment have minimal or no adverse impacts on the natural environment, including, but not limited to, water quality, air quality, noise, vegetation, riparian corridors, hillsides and other natural features, as this amendment allows for the continuation of long-standing uses on the developed properties; and

WHEREAS, the proposed amendment to the comprehensive plan and official zoning map will not detrimentally impact the health, safety, or welfare of the community; and

WHEREAS, re-designating and rezoning of the subject property does not impose a need for additional essential public facilities and services; and

WHEREAS, the re-designation and rezone has been considered at a duly-noticed public hearing by the Planning & Zoning Commission on January 18, 2018, and such rezone was unanimously recommended to the Council by the Commission;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Sun Valley, Idaho, as follows:

The Comprehensive Plan Future Land Use Map and the Official Zoning Map of the City of Sun Valley shall be amended to reflect changes in comprehensive plan land use designation from Open Space to Recreational and zoning designation from the Open Space (OS) Zoning District to the Recreation (REC) Zoning District, respectively, for the Sunrise Park Parcel, approximately one portion of 0.5 acres and one portion of approximately 0.9 acres of existing Assessor’s Parcel Number RPSVE00000340, located adjacent to Elkhorn Road and Sunrise Drive as shown on Exhibit A, a map attached to this ordinance.
PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR THIS _____ DAY OF ____________________, 2018.

APPROVED:

_________________________

Peter M. Hendricks, Mayor

ATTEST:

_____________________

Nancy Flannigan, City Clerk
EXHIBIT A
Parent Parcel
Elkhorn Property Owners
RPSVE0000000340
6,118,641.8 sq ft
140.4 Acres

Rezone Area
2,1369 sq ft
0.5 Acres

Rezone Area
42,030 sq ft
0.9 Acres

Proposed OS To REC Rezone

City of Sun Valley GIS
CITY OF SUN VALLEY
PLANNING & ZONING COMMISSION
STAFF REPORT

Project Name: Ordinance 521

Applicant: City Initiated

Application: Repeal Ordinance 490

Introduction: Ordinance 521 is proposed to repeal Ordinance 490.

Background: In September 2016, the City of Sun Valley City Council approved Ordinance 490, amending Title 9, Chapter 4, Article A, Section 3 of the Sun Valley Municipal Code requiring the replatting of conveyed properties. The ordinance was proposed in an effort to address the conveyance of common areas within multi-family buildings (condominium/duplex buildings). Specifically, the ordinance amended Title 9, Chapter 4, Section 3 of the Sun Valley Municipal Code by adding clause 9-4A-3.D.

Clause 9-4A-3.D is: “Any conveyance of a portion of subdivided land, whether informal or formal and regardless of financial compensation, to an adjoining property owner for their limited or exclusive use.” The addition of this clause results in a requirement for a property/homeowner to replat their property for any conveyance of common space, indiscriminate of the size of any area to be conveyed, or of circumstances of the conveyance. Since passing of the ordinance, the adopted practice of the City’s Community Development Department has henceforth been to require a replatting of property as a condition of approval prior to the issuance of a Certificate of Occupancy at the finish of activities associated with a City building permit.

In such situations, with applications in the form of development applications (design review) and/or building permits, standard practice has been to require written proof of homeowner association approval of conveyance of common space prior to issuance of any City permits.

Project Description: The proposed Ordinance 521 would repeal Ordinance 490, thereby removing clause 9-4A-3.D. This action would therefore remove a mandatory requirement for property/homeowners in the City to prepare and submit replattings of properties which have been in receivership of conveyed common space areas.

Analysis: Since passing of Ordinance 490, City staff has encountered concern from property/homeowners regarding the implications of the ordinance adding the clause regarding any conveyance of any portion of subdivided land. Additionally, representatives of homeowner’s associations have also expressed concern with the implications of the ordinance. The general concern has been that the requirement of the ordinance is onerous, extraneous, and unsound, resulting in unfair burden on the property/homeowner.

After meetings conducted with concerned property/homeowners, representatives of homeowner’s associations, and the County Assessor’s office, a recommended course of action agreed to by all parties is to repeal Ordinance 490. It has been concluded that the conveyance of common space areas is a topic most suitably addressed by individual homeowner’s associations, rather than by City staff. Therefore, the proposed ordinance is to repeal Ordinance 490.
Noticing: The Planning & Zoning Commission public hearing regarding the subject ordinance was duly noticed in accordance with Idaho State Statute 67-6507 and with Sun Valley City Code Title 9, Chapter 5 by: 1) publishing in the Idaho Mountain Express on January 3rd, 10th, and 17th, 2018; 2) posting of the notice in five prominent public locations in the City; 3) mailing and emailing notice to applicable agencies and neighboring jurisdictions and emailing notice to interested parties; and, 4) posting of the public hearing materials at City Hall and on the City website.

Recommendation: Staff recommends the Planning and Zoning Commission recommend approval to the City Council of Ordinance 521 repealing Ordinance 490.

Recommended Motion: "I move to recommend approval to the City Council of Ordinance 521."

Alternative Actions: Move to denial of the ordinance.

Attachments:
1. Draft Ordinance
ORDINANCE NO. 521
AN ORDINANCE OF THE CITY OF SUN VALLEY, IDAHO, REPEALING TITLE 9, CHAPTER 4, ARTICLE A, SECTION 3, SUBSECTION D OF THE CITY OF SUN VALLEY MUNICIPAL CODE

WHEREAS, the City of Sun Valley is a municipal corporation, duly organized and existing under the laws of the State of Idaho; and

WHEREAS, on September 1st, 2016, Title 9, Chapter 4, Article A, Section 3 of the Sun Valley Municipal Code (SVMC) was amended by Ordinance No. 490 to add the following clause 9-4A-3(D):

“Any conveyance of a portion of subdivided land, whether informal or formal and regardless of financial compensation, to an adjoining property owner for their limited or exclusive use;” and

WHEREAS, the feasibility and applicability of clause 9-4A-3(D) has been challenged by various homeowners in the City of Sun Valley; and

WHEREAS, the City recognizes certain undesirable hardship as a result of clause 9-4A-3(D).

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Sun Valley as follows:

SECTION 1: That SVMC 9-4A-3(D) is repealed in its entirety and shall be deleted from Title 9, Chapter 4, Article A, Section 3 of the Sun Valley Municipal Code.

SECTION 2: REPEALER. All previous ordinances, resolutions, orders, or parts thereof, are in conflict and are hereby repealed.

SECTION 3: SAVINGS AND SEVERABILITY. It is hereby declared to be the legislative intent that the provisions and parts of this ordinance shall be severable. If any paragraph, part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid for any reason by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 4: EFFECTIVE DATE. This ordinance shall be in full force and effect after its passage, approval and publication, according to law.
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