

MEETING MINUTES
HAILEY PLANNING & ZONING COMMISSION
Monday, January 29, 2018
Hailey City Hall
5:30 p.m.

Call to Order

[5:29:28 PM](#) Chair Fugate called the meeting to order.

Public Comment for items not on the agenda

[5:29:53 PM](#) No public comment for items is not on the agenda

Consent Agenda

CA 1 Adoption of the Findings of Fact, Conclusions of Law and Decision for a Design Review Application by Julie and Brian Carney for a garage and accessory dwelling unit to be on a 9,000 square foot lot located at 313 E Myrtle Street (Lots 10, 11 and 12, Block 72, Hailey Townsite) in the Limited Residential and Townsite Overlay Zone Districts. The project consists of a 576 square foot garage, and a 619 square foot accessory dwelling unit.

CA 2 Adoption of the Findings of Fact, Conclusions of Law and Decision for a request by PANC Investments, LLC to resubdivide Lot 18, Block 7, Old Cutters Subdivision (611 San Badger Lane) into two sublots, to be called the San Badger Townhomes.

CA 3 Adoption of the Findings of Fact, Conclusions of Law and Decision for a request for a zone change by Bill Gooding on behalf of the owners of the Hailey Business Park South Condominiums, Units 1-15 located at 1120 Broadford Road. The request is to change the zoning from Technological Industry (TI) to SCI- Sales and Offices (SCI-SO). The stated purpose of the rezone is to allow workers to live in their units.

[5:30:11 PM](#) Engelhardt noted that the address in CA 1 is incorrect. Horowitz noted that item will be amended before finalizing. Engelhardt motioned to approve the Consent Agenda items with the amendment of CA 1 noted. Scanlon seconded and all were in favor.

Public Hearings

PH 1 *Consideration of a request by the City of Hailey for a Conditional Use Permit for a Public Use for seasonal snow storage to be located at Sweetwater PUD Subdivision Block 2 in the LB - Limited Business Zone District.*

[5:31:17 PM](#) Public Hearing item was withdrawn. No discussion was held.

PH 2 *Consideration of a remand from the Hailey City Council of a City-initiated Text Amendment to Title 17, Section 17.02, Definitions, to clarify and amend the definition of: Dwelling Unit. The amendment would include changes to the minimum gross floor area in that every dwelling unit shall have not less than two hundred (200) square feet of gross floor area, instead of one hundred twenty (120) square feet of gross floor area, and to reconsider changes that ensure that the primary residential unit on a lot shall not be smaller than any accessory unit.*

[5:31:55 PM](#) Horowitz briefly provided background on item. Horowitz noted that when the City Council considered the Small Residential Overlay District, the definition dwelling unit size caught their attention. City Council felt that 120 square feet for a dwelling unit was too small and remanded that the Planning and Zoning Commissioners reconsider the definition, and thoroughly discuss Accessory Dwelling Units being subordinate to

the primary residence. Chris Simms reiterated that the City Council does not want to see the smaller residence become a primary residence and the larger residence be the Accessory Dwelling Unit. Discussion ensued.

[5:37:07 PM](#) Chair Fugate opened the item for public comment. Peter Lobb questioned whether or not PH 2 is about subordinate structures or setting the maximum square footage per unit. Horowitz confirmed that PH 2 is about both. Horowitz also noted that in the new overlay zone, a minimum size of 300 square feet is recommended.

[5:38:31 PM](#) Chair Fugate closed the item for public comment. Scanlon questioned whether or not Commission and Staff have created a conflict in the code that will need to be addressed later. Scanlon noted that the code currently allows an Accessory Dwelling Unit to be at 900 square feet, whereas a residence could be 300 square feet. Horowitz noted that design guidelines regarding accessory structures will direct Staff and Commission to look at size and other factors, which will mitigate conflicts in the future. Horowitz also noted that nothing in the code will change regarding primary residences. Horowitz also reiterated that the smaller residence must be subordinate to the primary or larger residence. Discussion ensued.

[5:41:58 PM](#) Pogue questioned who regulates owners from renting the larger dwelling or both buildings. Horowitz noted that there currently isn't anything in the code that states the larger unit could not be rented out or rent both buildings out; however, no one unit can be sold.

[5:44:54 PM](#) **Scanlon moved to recommend for approval Ordinance No. _____, to City Council, amended Title 17, Section 17.02, Definition, definition of "Dwelling Unit", and read by title only. Engelhardt seconded and all were in favor.**

PH 3 *Consideration of a City-initiated Text Amendment to Title 17, Section 17.05.040 District Use Matrix, to create a new Overlay Zone, "Mid-Residential Overlay Zone District". This District will be a new Chapter 17.04R, which includes General Application, Bulk Requirements, Density and Parking Space Requirements.*

[5:46:37 PM](#) Horowitz provided background information and refreshed the Commissioners on higher density housing within the City. Horowitz introduced two tools 1) create overlay district to cover multiple districts, or 2) change rules under each underlying zone. Horowitz suggested that the Commission discuss the pros and cons of each approach.

Pros of Overlay District:

- Easy to identify on a map
- Regulations are found all in one place in code

Cons of Overlay District:

- Explain and be really clear how Overlay District relates to other Overlay Districts

Pros of changing rules under each zone:

- Embedded in body of code

Cons of changing rules under each zone:

- Changing numerous underlying zone districts

Horowitz reiterated that tool was designed for larger units, not tiny units. Discussion ensued.

[5:52:28 PM](#) Engelhardt inquired about the method of evaluation, as he has property within the overlay zone. Horowitz noted that at this time, Engelhardt does not need to recuse himself from discussion, as no vote will occur this evening. Simms agreed. Simms asked that Engelhardt disclose property addresses for the record. Engelhardt owns property at 720 South River, 401 South Main and 17 E Chestnut.

[5:55:29 PM](#) Horowitz went on to explain the parking requirements for the new overlay district. Horowitz noted that parking would be considered more so by design than by density per acre. Chair Fugate questioned the ruling of the overlay district. Scanlon also questioned which overlay district would be utilized in places where two overlay districts exists. Horowitz suggested that the Commissioners and Staff clarify one or the other, but not both. Chair Fugate agreed. Simms also agreed.

[5:58:35 PM](#) Pogue wanted to make sure the Small Residential Overlay (SRO) is clearly defined and which three blocks it comprises of. Scanlon agreed. Horowitz noted that it is outlined on the zoning map and is clearly defined in code. Scanlon and Engelhardt agreed that the Overlay District is the best option.

[5:59:29 PM](#) Chair Fugate opened the item for public comment. Peter Lobb is good with augmenting the code to reflect the entire overlay district; however, believes people need to be aware of and noticed of changes. Lobb also believes that if we increase density, there will be more traffic and people within the City. Lobb believes by bringing more people in and increasing the density, he believes we are exploiting people and doesn't agree with increasing density within City.

[6:04:38 PM](#) David Patrie, Sun Valley Economic Development, noted the critical need for housing up and down the valley. Patrie referenced the unemployment statistics attributable to lack of housing. Discussion ensued.

[6:06:37 PM](#) Jay Cone agreed with Scanlon in that the overlay district is the best approach. Cone believes that to do a blanket General Residential (GR) would be problematic. Cone noted that if the Overlay approach is chosen, individual text amendment items will need to be cleaned up (i.e., parking, bulk requirements and in the Townsite Overlay).

[6:08:20 PM](#) Chair Fugate closed the item for public comment. Chair Fugate questioned whether or not a consensus exists. Scanlon, Engelhardt and Pogue agreed that the Overlay District is the best approach.

[6:09:41 PM](#) Simms clarified that Conditional Use Permits are not a good tool for Code Enforcement. Simms offered suggestions of a Development Agreement. Simms noted that utilizing a Development Agreement has its advantages and disadvantages. Simms suggested utilizing tools already in place (Design Review, etc.). Scanlon questioned whether or not Simms is suggesting that the Bulk Requirements change. Horowitz believes the Bulk Requirements do not need to change; issues can be worked through as they come. Discussion ensued.

[6:15:11 PM](#) Horowitz discussed changes to boundaries of overlay district, which now includes Blaine Manor. Horowitz discussed parking requirements, noting that any unit under 1,000 square feet must have one parking stall, and more than six units must have a guest parking stall. Horowitz suggested utilizing same table currently in code. Discussion moved to maximum number of units. Horowitz noted that 50 units was included; however, a smaller number could be picked based on Commissioners preferences. Horowitz suggested offering sketches. Commissioners would like sketches. Jay Cone noted that six-plex on River Street could not be rebuilt due to current zoning regulations (size of lot and density per acre). Discussion ensued.

[6:26:46 PM](#) Chair Fugate opened the item for public comment. Jay Cone discussed parking per unit size. Discussion ensued.

[6:28:57 PM](#) Bob Crosby, Sun Valley Board of Realtors, offered access to data regarding parameters with housing, zoning and more. Crosby is happy to provide information to Commission and City Staff. Crosby noted that there is a drastic need for housing in the valley. Crosby agreed with Commission that the Conditional Use Permit process is not the way to go.

[6:32:48 PM](#) Peter Lobb noted that there are several nonconforming situations, especially in Old Town Hailey. Lobb believes lots could still be built on as single family homes. Lobb believes the Developers are working to make a profit, as well as the real estate community, and not necessarily benefit the community members by providing housing.

[6:34:40 PM](#) Jay Cone agreed with previous comments and also believes there is a need for housing in the valley. Cone believes we need to respond to the need for housing. Cone noted that eventually people will move on to nicer housing, from one district to another. Cone also agreed with Simms on not utilizing the Conditional Use Permit process.

[6:36:36 PM](#) Chair Fugate closed the item for public comment. Scanlon questioned what we would call boundaries. Horowitz noted that we would make them match other zoning boundaries or create another zone. Engelhardt questioned the use of mixed use and infill within the Comprehensive Plan. Horowitz noted that the Comprehensive Plan talks about mixed use; however, Horowitz is not sure all areas colored orange on the zoning map have to mixed use. Engelhardt questioned apartments at the Blaine Manor site. Horowitz mentioned noise from the Airport and proximity to Main Street. Engelhardt believes transportation would be an issue with apartments at Blaine Manor. Discussion ensued. Chair Fugate suggested the option of not including Blaine Manor in Overlay at this time, and reconsidering into the new overlay district at a later time. Simms noted

that this discussion is still early and more process is needed. Engelhardt agreed and is in favor of mixed use in downtown Hailey; however, questions whether or not Commission is ready for a project with 100% housing to come through. Pogue would like to keep Main Street mixed use. Pogue believes that the Blaine Manor location is the entrance to downtown and would like to see remain mixed use. Discussion ensued.

[6:51:53 PM](#) Chair Fugate summarized the discussion and also noted that she is not in favor of lowering the parking requirement. Scanlon agreed.

[6:53:38 PM](#) Pogue motioned to continue the public hearing item to March 5, 2017. Scanlon seconded and all were in favor.

PH 4 Consideration of a City-initiated application to amend Title 16, Section 16.04.020, Streets, to 1) allow private streets to serve more than 5 residential units; and 2) to reduce the amount of guest parking required for private streets. **This item will be heard at a later date.**

Staff Reports and Discussion

SR 1 Discussion of current building activity, upcoming projects, and zoning code changes.
(no documents)

SR 2 Discussion of the next Planning and Zoning meeting: **Monday, February 5, 2018**
(no documents)

Adjourn

[6:54:50 PM](#) Engelhardt motioned to adjourn. Pogue seconded and all were in favor.