

AGENDA
HAILEY PLANNING & ZONING COMMISSION
Monday, August 12, 2013
Hailey City Hall
5:30 p.m.

Present: Janet Fugate, Jay Cone, Owen Scanlon, Geoffrey Moore

Absent: Regina Korby

Staff: Kristine Hilt, Micah Austin

Call to Order

[5:29:58 PM](#) Chair Moore called meeting to order

Public Comment for items not on the agenda

[5:30:31 PM](#) None

Consent Agenda

~~CA 1 Motion to approve minutes of July 22, 2013 regular meeting~~

~~CA 2 Motion to approve Findings of Fact and Conclusions of Law for a Design Review application by Charles Maguire for the construction of a new single family residence located at Hailey Townsite, Blk 47, Lot 11A (201 3rd Avenue North), within the General Residential (GR) and Townsite Overlay (TO) Zoning Districts. In addition to the Design Review application, public comment is invited for any public infrastructure improvements constructed in connection to this project, pursuant to Title 18 of the Hailey Municipal Code.~~
[5:30:53 PM](#) Owen Scanlon moved to approve the Consent Agenda. Jay Cone seconded and the motion passed unanimously.

New Business

~~NB 2 Public Hearing and consideration of a City of Hailey initiated text amendment, amending Hailey's Zoning Ordinance, Ordinance No. 532, by amending Section 3.6 to require reconsideration for alleged failure to identify compliance or noncompliance with express approval standards or explain compliance or noncompliance with decision criteria, as required by the recent amendments to Idaho Code §67-6522.~~

[5:32:03 PM](#) Micah Austin summarized the ordinance change for the commission members and included a summary of the current process of approval. Jay Cone inquired about further detail on the amendment. Geoffrey Moore then asked for clarification on the approval process proposed. Owen Scanlon also inquired about the timeline for reconsideration on behalf of the applicant. Janet Fugate asked Micah Austin about the paperwork process and the new process based on the proposed amendment. Micah Austin clarified the process and timeline for the commissioners. The commissioners then discussed the language of the ordinance, failure to identify compliances, and enforcing guidelines. [5:37:24 PM](#) Jay Cone inquired about a hearing examiner being mentioned in the new language. Micah Austin added that mentioning a hearing examiner was still appropriate. Discussion continued of the reconsideration, City Council involvement, guidelines, and timeline process for the appeal. [5:42:28 PM](#) Discussion went on to include previous examples of noncompliance, applicants, and proper notification of the appeal. [5:44:18 PM](#) Tony Evans, Idaho Mountain Express, inquired about the new amendment and attempted to recapture the main ideas of the new language. Micah Austin clarified the new Idaho State language that would be adopted and referred to a driving example for the change. Discussion continued with Tony Evans about the specific causes of the change and purpose of the change. Peter Lobb, 4th & Carbonate, added that the decisions the Commission made moving forward, both approvals and denials, will need to be more specific. He also added that he felt the adoption would be a

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positive thing. [5:49:41 PM](#) Jay Cone and Micah Austin continued to discuss the benefits of guidelines versus standards. Janet Fugate added that the guidelines had previously been a great tool to use while enforcing the standards. [5:52:31 PM](#) Tony Evans added that there are several text amendments currently necessary to make the City of Hailey's guidelines clearer and more easily identifiable and enforceable. [5:54:18 PM](#) Micah Austin confirmed Tony Evans' suggestion and the two agreed to meet the next day, August 13, 2013. The Commission continued to discuss examples. [5:56:48 PM](#) Micah Austin read from the proposed amendment to clarify the language.

[5:58:03 PM](#) Jay Cone motioned to recommend the City Council approve the proposal to amend Hailey's Zoning Ordinance, Ordinance No. 532, by amending Section 3.6 to require reconsideration for alleged failure to identify compliance or noncompliance with express approval standards or explain compliance or noncompliance with decision criteria, as required by the recent amendments to Idaho Code §67-6535. 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. Janet Fugate seconded and the motion passed unanimously.

~~NB 2 Public Hearing and consideration of a City of Hailey initiated text amendment, amending Hailey's Subdivision Ordinance, Ordinance No. 821, by amending section 2.6 to require reconsideration for alleged failure to identify compliance or noncompliance with express approval standards or explain compliance or noncompliance with decision criteria, as required by the recent amendments to Idaho Code §67-6522.~~

[5:59:18 PM](#) Micah Austin summarized the amendment and the need to amend both amendments. Micah Austin also noted that the ordinances were stand alone ordinances and therefore needed to be amended separately. [6:00:40 PM](#) Chair Moore called for public comment. None was given.

[6:00:52 PM](#) Janet Fugate motioned to recommend the City Council approve the proposal to amend Hailey's Zoning Ordinance, Ordinance No. 532, by amending Section 2.6 to require reconsideration for alleged failure to identify compliance or noncompliance with express approval standards or explain compliance or noncompliance with decision criteria, as required by the recent amendments to Idaho Code §67-6535. 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. Jay Cone seconded and the motion passed unanimously.

Old Business

Commission Reports and Discussion

Staff Reports and Discussion

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

~~SR 2 Discussion of the next Planning and Zoning meeting: Monday, September 9, 2013~~

[6:02:55 PM](#) Micah Austin notified the Commissioners that the Urban Renewal Agency plan will be on the next agenda. He went on to summarize the process for the approval of the Urban Renewal Agency Plan. Micah Austin notified the commissioners that a town hall meeting will take place the next night, August 13th, 2013. He went on to summarize the purpose of the town hall meeting. [6:05:36 PM](#) Micah Austin then

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summarized a recent meeting with the Ketchum, Idaho planners about the City of Hailey's Urban Agriculture Ordinance.

Adjourn

6:07:13 PM Jay Cone motioned to adjourn. Janet Fugate seconded and the motion passed unanimously.