

**MINUTES OF THE MEETING OF THE  
HAILEY PLANNING AND ZONING COMMISSION  
Tuesday, October 11, 2016  
Hailey City Hall  
5:30 p.m.**

**Present:** Dan Smith, Owen Scanlon, Richard Pogue, Jeff Engelhardt, Janet Fugate  
**Staff:** Lisa Horowitz, Robyn Davis

***Call to Order***

[5:27:18 PM](#) Chair Fugate called the meeting to order.

***Public Comment***

No public comments

***Consent Agenda***

CA 1 Motion to approve meeting minutes of September 26, 2016

CA 2 Motion to approve FF for Terence and Kim Hayes

CA 3 Motion to approve FF regarding a Reconsideration, pursuant to Section 17.03.050.D of the Hailey Zoning Code, of a decision of the Hailey Planning and Zoning Commission regarding a condition of approval to retain a City street tree located at 411 N. Main Street (S. ½ of Lot 3, and Lots 4 & 5, Block 56) in the Business (B) and Townsite Overlay (TO) Zoning Districts.

[5:28:29 PM](#) Owen Scanlon motioned to approve the September 26, 2016 Meeting Minutes and Consent Agenda items. Richard Pogue seconded and all were in favor.

***New Business and Public Hearings***

[NB 1](#) *Consideration of a rezone requires in the Area of City Impact. This is an application to Blaine County by Tom Richmond to rezone the 2.07 acre lot at 11809 SH 75 (directly south of Arrow R Storage and accessed via Arrow Road) from Low Density Residential District (R-1) to Light Industrial District (LI). The property is located within Section 4 & 5, T2N, R18E, BM, Blaine County. The City of Hailey is not a decision-making body and shall only make recommendations to Blaine County. The Hailey Planning and Zoning Commission will review the project, and make recommendations to the Hailey City Council.*

[5:29:34 PM](#) Brian Yeager, Galena Engineering, summarized the project and noted that the application is exclusively a rezone application. Yeager informed the Commissioners that the primary purpose for the request of a rezone is to be able create additional mini-storage on the lot. Due to high demand and approaching capacity, additional storage space is needed. Yeager noted that the mini-storage will be a duplicate of the existing facility, with a few minor differences overall, which may include covered outdoor parking.

[5:32:18 PM](#) Yeager also noted that a mistake was made in the Staff Report: The non-conforming house within the highway setback is proposed to remain (not to be removed as noted in the Staff Report). Yeager also noted that the landscaping, vegetation and driveway access would remain the same. The proposed building would access exclusively off of Arrow Road. Yeager also noted that the existing water and sewer system would be updated and/or reconfigured to accommodate new building.

[5:33:52 PM](#) Yeager also noted that the conditions listed in the Staff Report are agreed upon between staff and the applicant, with the exception of limiting the building height to 30'. Yeager noted that the building height allowance per County regulations is 40 feet. Yeager requested an allowance of at least 35 feet to retain the option of eventually having a three-story building.

[5:41:13 PM](#) Lisa Horowitz noted that the error in the Staff Report has been corrected. Horowitz also noted that if Tom Richmond decided to become part of the City, small units or other affordable housing options could be a possibility in the area, as the City's requirements are different from the County's regarding easements. Yeager also noted that the Permitted Uses, which are currently zoned Light Industrial (LI) would become Conditional Uses, except for the uses that were already eliminated.

[5:44:17 PM](#) Dan Smith questioned future plans and if residential development would be a possibility. Per Richmond, two Northridge residential lots currently exist; however, it hasn't been decided upon on what will happen with them.

[5:45:41 PM](#) Chair Fugate opened the item for public hearing. Blas Espinoza noted that he doesn't like the idea of the area becoming commercial property and would prefer to see it be zoned as residential. Espinoza lives in the area along with several other people.

[5:47:30 PM](#) Chair Fugate closed the item for public hearing. Jeff Engelhardt noted that due to the proximity to the highway, mini-storage is a good use for the area.

[5:48:30 PM](#) Richard Pogue inquired about the County's regulations for building height and questioned whether or not the applicant would still be able to become part of the City, if applicant is permitted to build higher than the City's maximum building height. Horowitz noted that if the applicant ever came in to the City, they would be classified as a legal, non-conforming use. Pogue has no issues with the project at this time.

[5:49:08 PM](#) Dan Smith believes that a building height of 35 feet with a setback requirement would be a good idea. Horowitz noted that the default setbacks are 20 feet. Yeager noted that all setbacks would be met once building was designed.

[5:54:31 PM](#) Owen Scanlon believes the project is a good use for property and agreed with a 35 foot building height.

[5:55:23 PM](#) Mike Baledge noted that per City Code, if a building is over 30 feet, a fire/sprinkler system and exterior balcony would need to be put in place. Baledge also noted that the County has similar provisions and if ever annexed in to the City, the build would likely conform to City Standards as well.

[5:56:43 PM](#) Chair Fugate is in agreement with approving a 35 foot building height, as well as the proposed development agreement.

[5:59:10 PM](#) Owen Scanlon motioned to recommend to the City Council the following suggestions regarding an application by Tom Richmond to Blaine County to rezone property at 11809 State Highway 75 from Low Density Residential District (R-1) to Light Industrial District (LI) in the Hailey Area of City Impact.

- Limit access only to Arrow Way, with no access permitted from West Meadow Drive.
- Limit uses to the following and make these uses Conditional only, incorporated into a Development Agreement Rezone:

***9-15-2: PERMITTED USES:***

***Permitted uses for this district are limited to the following:***

***A. ~~Assembly, light manufacturing, processing, packaging, treatment and fabrication of goods and merchandise, including laboratories and research offices, bottling and distribution plants, light repair facilities and storage distribution warehouses.~~***

***B. Wholesaling only if the items are manufactured on site and are not for sale as retail merchandise to the general public.***

- C. Contractor's storage yard.*
- D. Machine shops, printing services.*
- E. Use of land for agricultural purposes.*
- F. Commercial nurseries.*
- G. ~~Animal hospitals and kennels.~~*

**9-15-3: ACCESSORY USES:**

*The accessory uses for this district include, but are not limited to, the following:*

- A. A dwelling of an owner, operator or caretaker of a principal permitted use when located on the same premises.*
- B. Temporary buildings necessary for construction work on premises, such buildings to be removed upon completion or abandonment of construction work.*

**9-15-4: CONDITIONAL USES:**

*Conditional uses for this district are limited to the following:*

- A. ~~Bulk storage of flammable liquids or gases, subject to the approval of the fire chief of the rural fire district having jurisdiction.~~*
- B. Office buildings.*
- C. ~~Solid waste incineration.~~*
- D. Light industrial uses with commercial outlets, but which remain primarily light industrial rather than commercial.*
- E. Truck terminal.*
- F. ~~Food or animal processing plants creating off site impacts, including the processing, packaging, storage and distribution of agricultural or dairy products.~~*
- G. Public utility and service installations, including repair and storage facilities.*
- H. Self-storage facilities.*
- I. Wireless communication facilities (see section [9-3-16](#) of this title).*
- J. ~~Storage, mixing, blending and sales of fertilizers.~~*

- Limit building height to 35' in order to be compatible with adjacent residential neighborhood.
- Suggest that the County conduct design review on future buildings to ensure compatibility with adjacent residential uses and/or use the Conditional Use Permit process to review design and scale compatibility
- Allow the applicant to retain the existing small home

Richard Pogue seconded and all were in favor.

**[NB 2](#)** *Consideration of a City-initiated Text Amendment to Title 17, Section 17.05, District Use Matrix, to clarify: Dance, Martial Arts and Fitness Facilities, Health and Fitness Facility, Performing Art Center, Studio, Artist, Recreation Facility, Commercial Indoor Recreation Facility, and Commercial Outdoor Facility.*

[6:00:47 PM](#) Lisa Horowitz reintroduced the project and requested comments from the Commissioners. Dan Smith noted that the he believes the Performance Arts Center in the Transitional Zone should be a

Conditional Use, as uses in this zone shall generate limited traffic and keep with the residential nature of the area. Chair Fugate agreed.

[6:04:14 PM](#) Chair Fugate questioned the Commercial Indoor Recreation Facility. Horowitz noted that the largest impact would be meeting the parking requirements. Horowitz gave an example of the indoor bowling alley proposed at Blaine Manor, which is zoned Business. Horowitz noted that a substantial amount of parking would be available, as well as outdoor recreation (i.e., sand volleyball, bocce court, etc.). Chair Fugate questioned whether or not this type of use could be decided upon in Design Review. Horowitz agreed and noted that a project of this scope is a good use for the Business District.

[6:13:12 PM](#) Chair Fugate opened the item for public hearing. No comments were made. Chair Fugate closed the item for public hearing.

[6:14:20 PM](#) **Dan Smith motioned to approve a Consideration of a City-initiated Text Amendment to Title 17, Section 17.05, District Use Matrix, to clarify: Dance, Martial Arts and Fitness Facilities, Health and Fitness Facility, Performing Art Center, Studio, Artist, Recreation Facility, Commercial Indoor Recreation Facility, and Commercial Outdoor Recreation Facility, finding that the project does not jeopardize the health, safety and welfare of the public and the project conforms to the applicable specifications outlined in the Design Review Guidelines, applicable requirements of the Zoning Ordinance, Title 18, and City Standard, provided the four standards of evaluation are met, and recommend passage of said changes to the Hailey City Council. Owen Scanlon seconded and all were in favor.**

**[NB 3](#)** *Consideration of a City-initiated Text Amendment to Title 17, Section 17.05, District Use Matrix, to consider "rounding" of lot sizes in circumstances which may be appropriate.*

[6:16:13 PM](#) Lisa Horowitz summarized the amendment and suggested that Rounding be listed under the District Use Matrix. Horowitz also noted that the bulk requirements, which include density and setbacks, are listed in the Matrix. Horowitz informed the Commissioners that the Rounding Provision listed in the 1980's code was listed in General Residential, Limited Business and Business. Horowitz also noted that in Business, density was one unit per 20 acre and the rounding provision 1/20<sup>th</sup> of an acre. In the zones where it was one unit per 10 acre, rounding was to the nearest 1/10<sup>th</sup> of an acre.

[6:21:02 PM](#) Richard Pogue questioned whether or not most of the Rounding was completed in old City lots in Old Hailey or Townsite Overlay (TO). Horowitz agreed and noted the General Residential (GR) Zone applies in other areas, which could have occurred in neighborhoods on east side of Main Street as well.

[6:21:40 PM](#) Chair Fugate noted that she would like to hear from Brian Yeager regarding matter.

[6:24:41 PM](#) Horowitz presented two options available: 1) Lisa Horowitz and Brian Yeager could collaborate over the next two weeks to best determine the narrowest remedy that would accomplish the engineering rounding or 2) Consider allowing additional infill. Dan Smith believes it should be noticed as a separate public hearing, as it is a much broader decision to be making and thinking about at this time. Chair Fugate agreed and noted that she would also like to see more information regarding the subject. Owen Scanlon and Richard Pogue agreed. Jeff Engelhardt also agreed and noted that he would also like to see more specific information on subject.

[6:32:40 PM](#) **Dan Smith motioned to continue a Consideration of a City-initiated Text Amendment to Title 17, Section 17.05, District Use Matrix, to consider "rounding" of lot sizes in circumstances which may be appropriate, to October 24, 2016. Richard Pogue seconded and all were in favor.**

## **Old Business**

### **Commission Reports and Discussion**

[6:33:10 PM](#) Lisa Horowitz asked the Commissioners if they would like to have one large meeting in November or if they would prefer two. Commissioners agreed to two smaller meetings in November.

**Staff Reports and Discussion**

SR 1 Discuss of current building activity and upcoming projects  
*(no documents)*

SR 2 Discuss of the next Planning and Zoning meeting: Tuesday, October 11, 2016  
*(no documents)*

***Adjourn***

[6:42:29 PM](#) Dan Smith motioned to adjourn. Jeff Engelhardt seconded and all were in favor.