

AGENDA
HAILEY PLANNING & ZONING COMMISSION
Tuesday, October 11, 2016
Hailey City Hall
5:30 p.m.

Call to Order

Public Comment for items not on the agenda

Consent Agenda

[CA 1](#) Motion to approve minutes of September 26, 2016

[CA 2](#) Adoption of Findings of Fact for a Design Review Application by Terence and Kim Hayes for a new 2,400 square foot Detached Accessory Building, which consists of a 1,200 square foot garage, a 900 square foot Accessory Dwelling Unit and 300 square feet of storage to an existing residence, located at 313 South Second Avenue (Lots 5-9, Block 22, Hailey Townsite) in the General Residential (GR) and Townsite Overlay (TO) Zoning Districts.

[CA 3](#) Adoption of Findings of Fact 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.

New Business and Public Hearings

[NB 1](#) Consideration of a rezone request 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.

[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.

[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 circumstance which may be appropriate

Old Business

Commission Reports and Discussion

Staff Reports and Discussion

SR 1 Discussion of current building activity, upcoming projects, and zoning code changes.

For further information regarding this agenda, or for special accommodations to participate in the public meeting, please contact planning@haileycityhall.org or (208) 788-9815.

(no documents)

▪ **Design Review Exemption:** A request for exemption was submitted by the Roman Catholic Diocese of Boise/St. Charles Church, located on Lots: 3-10, Block 21, Hailey Townsite (204 South 2nd Avenue) for approval of a new steel guardrail, a 12' x 12' iron grate over the drywell, as well as a new concrete porch, ramp and sidewalk. This parcel is located within the Transitional (TN) and Townsite Overlay (TO) Zoning Districts. The Chair and Administrator, having been presented with all information and testimony in favor and in opposition to the proposal, hereby determine that the project is minor, will not conflict with the design review standards, will not adversely impact adjacent properties, and is not an addition of floor area equal to or greater than 50% of the original structure.

▪ **Design Review Exemption:** A request for exemption was submitted by the Community Baptist Church, located on Lots: 13-16, Block 26, Hailey Townsite (315 First Avenue South) for approval of a new deck and concrete ramp. This parcel is located within the Transitional (TN) and Townsite Overlay (TO) Zoning Districts. The Chair and Administrator, having been presented with all information and testimony in favor and in opposition to the proposal, hereby determine that the project is minor, will not conflict with the design review standards, will not adversely impact adjacent properties, and is not an addition of floor area equal to or greater than 50% of the original structure.

▪ **Design Review Exemption:** A request for exemption was submitted by Josh and Danae Commons, located on Lot 11A, Block 3, Hailey Townsite (305 West Croy) for approval of a 377 square foot bedroom addition, which will be located at the rear and side of the existing residence. This parcel is located within the General Residential (GR) and Townsite Overlay (TO) Zoning Districts. The parcel is divided, wherein less than half of the parcel is located within the Townsite Overlay (TO) Zoning District. The remaining portion of the parcel, and where the proposed bedroom addition and deck will be located, is located within the General Residential (GR) Zoning District. The Chair and Administrator, having been presented with all information and testimony in favor and in opposition to the proposal, hereby determine that the project is minor, will not conflict with the design review standards, will not adversely impact adjacent properties, and the proposed addition floor is not located within the Townsite Overlay (TO) Zoning District, no is the proposed floor area equal to or greater than 50% of the original structure.

SR 2 Discussion of the next Planning and Zoning meeting: Monday, October 24, 2016.
(no documents)

Adjourn

**MINUTES OF THE MEETING OF THE
HAILEY PLANNING & ZONING COMMISSION
Monday, September 26, 2016
Hailey City Hall
5:30 p.m.**

Present: Owen Scanlon, Jeff Engelhardt, Dan Smith, Richard Pogue, Janet Fugate

Staff: Lisa Horowitz, Robyn Davis, Heather Dawson, Ned Williamson

Call to Order

[5:28:20 PM](#) Chair Fugate called the meeting to order.

Public Comment

No public comments

Consent Agenda

[CA 1](#) Motion to approve minutes of September 12, 2016

[CA 2](#) Motion to FF for Terence and Kim Hayes

[CA 3](#) Motion to approve a Request for Reconsideration for Wise Guy

[5:29:20 PM](#) **Richard Pogue motioned to approve the September 12, 2016 Meeting Minutes. Dan Smith seconded and all were in favor.**

New Business and Public Hearings

[NB 1](#) *Consideration of a Design Review Application submitted by Terence and Kim Hayes for a new 2,400 square foot Detached Accessory Building, which consists of a 1,200 square foot garage, a 900 square foot Accessory Dwelling Unit and 300 square feet of storage for an existing residence, located at 313 South Second Avenue (Lots 5-7, Block 22, Hailey Townsite) in the General Residential (GR) and Townsite Overlay (TO) Zoning Districts.*

[5:29:31 PM](#) Lisa Horowitz presented the application for Design Review and noted that a Record of Survey was completed to show where property boundaries are located. Horowitz also noted that the proposed addition be located on three of the five lots owned. Two lots would stay vacant and the other three would house the new addition, as well as the existing residence. The Hayes' are in the process of applying for a Lot Line Adjustment, which is required.

[5:30:40 PM](#) Horowitz noted that the garage would be accessed from the alley. Horowitz also noted that with the existing residence, a total of five parking places would be available. Horowitz stated that the Accessory Dwelling Unit would total 900 square feet, which is the maximum, and the owner's are proposing an owner's attic storage that would have no access from the unit. This space would be accessed by a pull-down staircase located in the proposed garage. Horowitz also stated that the staircase was not calculated in the total square footage of the Accessory Dwelling Unit.

[5:31:55 PM](#) Horowitz stated that a balcony is proposed; however, it overhangs in to the required side yard setback in excess of three feet (3'). The Applicant is aware that this will need to be altered to comply with the ordinance.

[5:33:10 PM](#) Owen Scanlon inquired about lighting plan and the location of the exterior lights. Kim Hayes informed the Commission that they are proposing a total of five lights on the new garage and Accessory Dwelling Unit. Lights would be located on either end of the garage doors (two lights in total), one at the entry door, one by the deck, and one by the other entry door in to the garage. Horowitz noted that the site plan could be modified to indicate lighting requirement. Horowitz also noted that one light, on the proposed residence, would need to be altered to comply with the City's dark sky ordinance

[5:35:52 PM](#) Chair Fugate inquired about location of snow storage. Horowitz noted that snow storage would remain on lots 5-7, and the site plan would be revised to show this.

[5:37:14 PM](#) Jeff Engelhardt inquired about the deck conforming to the required setbacks. The Applicant informed the Commission that they would accommodate and shorten deck by three feet to comply.

[5:39:13 PM](#) Chair Fugate opened the item for public hearing. Geoffrey Moore read Article 68.3 Permits: No permit shall be issued by an Administrative Office or Inspector of the City for construction of any building project or any other improvement requiring a permit before the requirements specified in this article are met or approval is granted. Moore questioned continuation of project. Moore also referenced Article 4.3.6E: Accessory Dwelling Units shall have a minimum gross floor area of 300 square feet and a maximum floor area of 900 square feet. Moore read the definition of gross floor area: "... the gross floor area within the surrounding exterior walls of a building or portion thereof, including all floor levels, exclusive of outdoor courts, attics or garages, or other enclosed automobile areas.." and noted that the Accessory Dwelling Unit cannot exceed 900 square feet regardless of what they label the room. Moore noted that per definition and City Ordinance, the Applicant would need to remove 300 square feet from the proposed unit.

[5:44:00 PM](#) Chair Fugate closed the item for public hearing. Horowitz explained that a building permit was inadvertently issued and a stop work order was put in place immediately, and informed the Applicant that Design Review required. Horowitz also noted that the City agreed to allow the Applicant to complete the foundation, with the understanding that the Applicant would be proceeding at own risk prior to a Design Review hearing.

[5:47:36 PM](#) Chair Fugate inquired about the original plans and whether or not they have been adjusted to comply with City Ordinance. Horowitz noted that the Applicant has adjusted their drawings based on Design Review requirements and to comply with City Ordinances.

[5:48:13 PM](#) Owen Scanlon referenced the definition of gross floor area and suggested that if the Applicant keep the floor, ceiling and walls unfinished, the space could be labeled as an attic, which is exempt, per the definition of gross floor area. Scanlon noted that a mistake was made and that he would like to work with Applicant to help make process more palatable and conforming.

[5:49:46 PM](#) Jeff Engelhardt noted that a review or a revision of maximum square footage amounts for Accessory Dwelling should be considered. Dan Smith suggested a 300 square foot patio in lieu of a storage space or bedroom.

[5:52:33 PM](#) Richard Pogue agreed with Scanlon and believes the space should be treated as an attic, which should be left unfinished, unheated and un-conditioned.

[5:53:01 PM](#) Geoff Moore requested that the Commission read and interpret the ordinance of the City of Hailey; not design Applicant's home. Moore also noted his concerns about the precedent that would be set if no action was taken to comply with City ordinances.

[5:56:18 PM](#) Ned Williamson suggested that use be set as a condition (as an attic) and be framed to comply with ordinance, as well as meet gross floor minimum and maximum requirements. Chair Fugate agreed.

[6:01:03 PM](#) Kim Hayes informed the Commission of their intentions to complete the project by the book, with plans to accommodate the requests of Staff and Commissioners.

[6:02:57 PM](#) Chair Fugate mentioned that she would like to see the following items noted or made as conditions of approval: unfinished attic, LLA, snow storage calculations, construction layout, balcony/deck, and lighting.

[6:03:58 PM](#) Owen Scanlon motioned to approve a Design Review Application by Terence and Kim Hayes for a new 2,400 square foot Detached Accessory Building, which consists of a 1,200 square foot garage, a 900 square foot Accessory Dwelling Unit and 300 square feet attic, located at 313 South Second Avenue (Lots 5-7, Block 22, Hailey Townsite) in the General Residential (GR) and Townsite Overlay (TO) Zoning Districts, finding that the project does not jeopardize the health, safety or 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 Standards, provided conditions (a) through (m) are met. Richard Pogue seconded and all were in favor.

[NB 2](#) *Consideration for Request for Reconsideration, pursuant to Hailey Municipal Code 17.03.050(D) by Wise Guy Pizza, of a decision of the Hailey Planning and Zoning Commission regarding a condition of approval to retain a City street tree located at 411 Main Street (s. ½ of Lot 3, Lots 4-5, Block 56, Hailey Townsite).*

[6:08:33 PM](#) Horowitz presented the Memorandum from Ned Williamson, City Attorney and noted that per Idaho Statute, a Request for Reconsideration is required prior to an appeal. Horowitz noted that new information came from the Applicant, which was voted on and approved at the last Planning and Zoning Meeting on September 12, 2016.

[6:09:11 PM](#) Horowitz included both the site plan that was approved during Design Review, as well as a revised site plan for the building permit. Horowitz noted that the trees shown on the site plan during Design Review appeared to be in and under the canopy, and it was clarified that a strip of City land, approximately 4' in width, was intervening. The revised site plan shows that the tree, in relation to the front door, is slightly off center. A survey was completed and the City street tree in this plan is more accurate and aligned with the proposed building's front door.

[6:10:42 PM](#) Lee Ritzau noted that the drawings were crafted to illustrate issues with City street tree and requested reconsideration of the removal of said tree. Ritzau also noted that opinions were provided from the general contractor and a certified arborist explaining the possible mortality of the City street tree, if denied removal.

[6:13:30 PM](#) In reviewing the information that was submitted, City staff member Stephanie Cook noted that the tree is in good health and should be preserved. Cook suggested proper root and canopy pruning techniques, as well as minimal use of large construction equipment surrounding the tree, to continue to preserve the tree.

[6:17:12 PM](#) Chair Fugate noted her concerns with the Applicant's argument and doesn't agree with removing a healthy tree because the construction process would kill the tree, and/or damage or hinder its growth.

[6:18:08 PM](#) Lee Ritzau noted that transporting the tree doesn't seem like a practical solution and removal of, and replacement of the tree is more logical. Ritzau also noted that the Applicant would pay the City for removal of said tree, as well as plant a new tree elsewhere, per City's choice.

[6:21:14 PM](#) Chair Fugate questioned the removal of a healthy, valuable tree due to construction of a building. Dan Smith agreed. Owen Scanlon noted that the City Ordinances encourages eyes on Main Street, and believes that the code allows the Applicant to replace the tree. Dan Smith believes City is in favor of maintaining an urban forest, which is part of the character of Hailey and the tree should remain.

[6:24:20 PM](#) Ritzau noted that removal or replacement is an option per City Code, and the Applicant would be willing to work with Commissioners and Staff to replace the trees or reimburse the City monetarily for said tree. Dan Smith inquired about the replacement trees and type of trees that the street tree would be replaced with. Ritzau suggested replacing the City street tree with a more columnar style of tree: Swedish Aspens.

[6:29:40 PM](#) Jeff Engelhardt doesn't believe the tree should remain, as this business is investing in the City of Hailey and believes Commissioners and Staff should work with Applicant to meet their requests.

[6:31:02 PM](#) Jay Cone noted the extensiveness of trimming and pruning that would happen if the tree remained. Cone also clarified that the property line is at the edge of the marquee and the sign overhangs into City property. Horowitz noted that the City would need to grant permission to have the sign overhang City property.

[6:33:48 PM](#) Cone referenced the Design Review site plan and noted that the pavers will be surrounding the tree, which would not be a patio but an extension to entry. Ned Williamson noted the approved plan did not include pavers in the City right of way around the trees. Cone reiterated the Design Review language in that the business's main façade should be presented on Main Street and access shall be from Main Street. Cone noted that given the Design Review requirements, the tree could be removed. Cone believes pruning of the tree would be severe and reiterated that the language of the code allows the Applicant to remove or replace the tree, which he believes to be a reasonable request to promote said business within the City of Hailey.

[6:40:48 PM](#) Derek Ruhter noted that the root pruning of street tree would be severe and regardless of how well it's done, still have a tree with a diminished root system. Derek Ruhter also noted that removing part of a root ball would create a potential hazard, which could create issues in the future.

[6:46:45 PM](#) Chair Fugate opened the item for public hearing. Tony Evans commented on the tree and the design and believes there is a sign getting in the way of a tree. Evans believes that the business should alter the design of their marquee to accommodate the tree.

[6:49:18 PM](#) Chair Fugate closed item for public hearing. Chair Fugate noted her concerns regarding removal of the street tree. Chair Fugate also noted that this business selected the property and then proceeded to design their business. Chair Fugate believes the design should've been more thought out to accommodate the tree. Dan Smith agreed.

[6:52:10 PM](#) Jeff Engelhardt doesn't believe this business should be held up because of a tree. Richard Pogue noted that in the interest of the business, he would also remove the tree. Pogue noted that it

would likely require substantial pruning and recommended that the Commission allow the tree to be removed and replaced by another tree at the City's discretion. Scanlon agreed.

[6:58:32 PM](#) Chair Fugate inquired about the replacement of the tree and whether or not the City would be reimbursed monetarily or by the business planting another tree.

[6:58:55 PM](#) Heather Dawson noted that the feel and the quality of the block are of more importance than the cost of the tree. Dawson noted that removal of the tree could diminish the feel of the block; however, Dawson also noted that two columnar style trees would make a beautiful frame for the area/business.

[7:01:16 PM](#) Chair Fugate suggested discussing the specifics and sending matter to Tree Committee for the final decision. Dan Smith believes removal of this tree sets a precedent for future businesses. Engelhardt believes a healthy tree is being traded for a healthy business.

[7:03:46 PM](#) Ned Williamson recommended discussing the options available and having a clear understanding (from both sides) what will happen if tree is removed (i.e., will the Applicant replace it with another tree and if so, what size and where?, etc).

[7:04:45 PM](#) Horowitz suggested the option of sending the request over to the Tree Committee for final recommendation. Chair Fugate noted her concerns with removal of the City street tree and the precedent the Commission is setting.

[7:06:34 PM](#) Ned Williamson suggested that if a decision is made to remove the street tree, language would be written out in the Findings of Fact stating this as a very unique circumstance. Dan Smith noted that he does not want the business to change hands to be an excuse to eliminate more City property. Smith would like to maintain the downtown business core, including maintenance and care of the City street trees. Jeff Engelhardt believed new development should not be held hostage because of a tree.

[7:07:53 PM](#) Richard Pogue questioned what the Applicant would do if the removal of the City street tree was approved. Lee Ritzau noted that the Applicant provided a range of \$2,630 to \$3,970 and the City could decide where it should fall: average of the two or the higher end of the range is acceptable. Chair Fugate suggested connecting with the Tree Committee regarding a Master Plan of location and type of trees. Pogue agreed with recommendation.

[7:09:53 PM](#) Lisa Horowitz suggested a modification to condition (g), which could state: All City street trees shall be retained with the exception of the middle tree near the front entrance. Decision as to whether replacement trees on site or in another City location with regards to this tree shall be made by the Hailey Tree Committee, or payment in lieu.

[7:10:55 PM](#) **Jeff Engelhardt motioned to modify condition (g) from the Planning and Zoning Findings of Fact, Conclusions of Law and Decision dated August 1, 2016 regarding City street trees located at 411 Main Street (S. ½ of Lot 3, Lots 4-5, Block 56, Hailey Townsite). Richard Pogue seconded the motion. Owen Scanlon, Jeff Engelhardt and Richard Pogue voted in favor; Dan Smith and Chair Fugate voted nay.**

Old Business

Commission Reports and Discussion

[7:12:56 PM](#) Lisa Horowitz informed the Commissioners that two meetings would be held in October: Tuesday, October 11, 2016 and Monday, October 24, 2016.

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

7:13:51 PM Jeff Engelhardt motioned to adjourn. Dan Smith seconded and all were in favor.

Return to Agenda

FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION

On June 22, 2016, the Hailey Planning and Zoning Commission considered a Design Review application by Terence and Kim Hayes for a new 2,400 square foot Detached Accessory Building, which consists of a 1,200 square foot garage, a 900 square foot Accessory Dwelling Unit and 300 square feet of storage for the primary residence, located at 313 South Second Avenue (Lots 5-9, Block 22, Hailey Townsite) in the General Residential (GR) and Townsite Overlay (TO) Zoning Districts.

Notice

Notice for the public hearing was published in the Idaho Mountain Express on September 9, 2016 and mailed to property owners within 300 feet on September 12, 2016.

Application

The applicant is proposing to construct a new 2,400 square foot Detached Accessory Building, which consists of a 1,200 square foot garage, a 900 square foot Accessory Dwelling Unit and 230 square feet of storage for the primary residence and 70 square feet of circulation. The applicant has completed a Record of Survey showing the property corners for all five lots owned by the applicants. They wish to make this application for three (3) of the five lots, Lots 5,6 and 7, which equal 9,000 square feet, leaving two lots equaling 6,000 square feet for a future residential unit. Lots 5, 6 and 7, if combined, are of sufficient size to contain a primary residence and accessory dwelling unit. Lots 8 and 9, if combined, are of sufficient size to contain a primary residence, but no accessory dwelling unit. Lot area, coverage and setback calculations in this staff report are all calculated on a combined Lots 5, 6 and 7. The applicant would need to apply and receive approval for a Lot Line Amendment in order to retain Lots 8 and 9 for a future single family house. The lot lines under any existing and/or approved buildings would also need to be removed prior to issuance of certificates of occupancy.

The first floor of the proposed accessory structure contains a 3-car garage. The second floor contains a 900-square foot accessory dwelling unit, a 230-square foot storage area for the primary residence and 70 square feet of circulation. This storage area is accessed from a pull-down stairwell in the garage. It is not accessed from the second floor.

The site contains an 851 square foot existing residence, with a 280 square foot attached shed that is not on a foundation, for a total of 1,131 square feet. A 128 square foot shed (also not on a foundation) is proposed to be removed.

Procedural History

The application was submitted on September 7, 2016 and certified complete on September 13, 2016. A public hearing before the Planning and Zoning Commission for approval or denial of the project was held on September 26, 2016 in the Hailey City Council Chambers.

General Requirements for all Design Review Applications				
Compliant			Standards and Staff Comments	
Yes	No	N/A	City Code	City Standards and Staff Comments
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.050	Complete Application
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Department Comments	Engineering:
				Life/Safety:
				Water and Sewer:
				Building:
				Streets:
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.08A Signs	17.08A Signs: The applicant is hereby advised that a sign permit is required for any signage exceeding four square feet in sign area. Approval of signage areas or signage plan in Design Review does not constitute approval of a sign permit.
			Staff Comments	No signs are proposed.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.09.040 On-site Parking Req.	See Section 17.09.040 for applicable code.
			Staff Comments	<p>Parking required: Per 17.09.040.01, Residential, 1 parking space for the Accessory Dwelling Unit, and two spaces for the single family dwelling are required, for a total of three (3) spaces.</p> <p>The applicant has shown five (5) spaces that meet dimensional requirements: three inside the proposed garage, on two exterior spaces one on either side of the garage. (All of this parking is shown on Lots 5,6 and 7). All parking is proposed to access off of the existing alley. There is some parking in the street right of way on Second Street in front of the existing residence.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.08C.040 Outdoor Lighting Standards	<p>17.08C.040 General Standards</p> <p>a. All exterior lighting shall be designed, located and lamped in order to prevent:</p> <ol style="list-style-type: none"> 1. Overlighting; 2. Energy waste; 3. Glare; 4. Light Trespass; 5. Skyglow. <p>b. All non-essential exterior commercial and residential lighting is encouraged to be turned off after business hours and/or when not in use. Lights should be on a timer. Security lighting should be sensor activated.</p> <p>c. Idaho Power shall not install any luminaires after the effective date hereof that lights the public right of way without first receiving approval for any such application by the lighting administrator.</p> <p>d. All exterior lighting shall be full cutoff luminaires with the light source downcast and fully shielded, unless exceptions are specified in subsection</p>

				17.08C.040.02, Type of Luminaires, of this Chapter.
			Staff Comments	<i>The applicant is proposing to add exterior lights; cut sheets handed out at the meeting. The applicant described the five (5) proposed locations for the lights. These will be added to the site plans. One existing fixture on the existing residence needs to be brought into compliance with the Dark Sky Ordinance.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Bulk Requirements	(Insert sections from applicable zoning district)
			Staff Comments	<p>Zoning District: General Residential in the Townsite Overlay. Townsite Overlay bulk requirements apply.</p> <ul style="list-style-type: none"> - Max Height: 30'. <i>Proposed building 27'-1-3/4" to the peak of the roof</i> - Front Setbacks: TO: 12' from the street. <ul style="list-style-type: none"> o <i>Front setback for the existing residence is 19.6' along Second</i> o <i>Front Setback for the proposed garage/ADU: greater than 50'</i> - Setback from property lines abutting other private property <ul style="list-style-type: none"> o Base Side Setback: 15% of lot width, no less than 6' and 10' is the maximum required <ul style="list-style-type: none"> ▪ <i>Required setback is 10' if calculated on the lot width of Lots 5, 6 and 7: 75' lot width. The Code stipulates that Lots 67' wide or more are required a 10' setback, unless Section 4.13.6.d.4.b indicates a greater setback</i> ▪ <i>Existing Home is set back 22' on the north side and 14' on the south side (14' from Lots 8 and 9)</i> ▪ <i>Proposed Garage/ADU is set back 11'-6" on the north side and 22' on the south side (14' from Lots 8 and 9)</i> ▪ o Setback based on height of structure <ul style="list-style-type: none"> ▪ 4.13.6.d.4.b: <ul style="list-style-type: none"> • Any wall, as measured from the highest point including any gable or peak in a direct vertical line to record grade, shall have a setback of one (1) foot for every two and a half (2.5) feet of wall height (see Diagram 1 and Table 2), but not less than the base setback noted in subsection (a) above, regardless of underlying zoning. ▪ <i>Highest vertical wall height, measured from record grade, facing adjacent property (north side): 27'-1-3/4"</i> ▪ Required Setback: 27'-1-3/4 / 2.5' = 11'-2" required setback. <i>(11'-6" proposed) See notes elsewhere in this report regarding the second floor deck, which can only extend into the required side yard a maximum of 3'.</i> - Maximum Lot coverage: 30% in GR for a two-story dwelling with a garage <ul style="list-style-type: none"> o <i>Lot is 9,000 square feet, therefore 2,997 sf is allowed for lot coverage</i> <i>Existing residence: 1,131 square feet</i> <i>Proposed Garage/ADU: 1,200 square feet</i> <i>Total: 2,331</i> <i>Proposed lot coverage is 2,331, or 25.9% of total lot coverage</i> <p style="text-align: center;">Accessory Dwelling Unit maximum Size of 900 square feet.</p> <p><i>The applicant is proposing an ADU of 900 square feet, and a storage space of 230 square feet, and circulation. The applicant described the pull-down access to the finished space. The Commission considered the Zoning Code definition of "Gross Floor Area" and determined that the storage space must be redesigned as attic space in order to comply with the Code.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.070(A)1 Required Street	dewalks and drainage improvements are required in all zoning districts, except as otherwise provided herein. The requirement for sidewalk and drainage improvements may be waived for any remodel or addition to single-family dwelling and duplex

			Improvements Required projects within the Townsite Overlay district; sidewalk and drainage improvements shall be required for new principal building. <i>The proposed building is an accessory structure, not a principal building; sidewalks are not required at this time.</i>
			Staff Comments
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.070(B) Required Water System Improvements In the Townsite Overlay District, any proposal for new construction or addition of a garage accessing from the alley, where water main lines within the alley are less than six (6) feet deep, the developer shall install insulating material (blue board insulation or similar material) for each and every individual water service line and main line between and including the subject property and the nearest public street, as recommended by the City Engineer.
			Staff Comments <i>The applicant has been advised that all water lines must be buried more than six feet deep. This will be made a condition of approval.</i>

Design Review Guidelines for Residential Buildings in the Townsite Overlay District (TO).				
Compliant			Standards and Staff Comments	
Yes	No	N/A	City Code	City Standards and Staff Comments
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.090(C)1	<p>1) Site Planning</p> <p>Guideline: The pattern created by the Old Hailey town grid should be respected in all site planning decisions.</p> <p><i>Staff Comments</i> The lot preserves the Old Hailey Townsite lot configuration. The building is proposed to be square to the property lines, and located off of the alley.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<p>Guideline: Site planning for new development and redevelopment shall address the following:</p> <ul style="list-style-type: none"> • scale and massing of new buildings consistent with the surrounding neighborhood; • building orientation that respects the established grid pattern of Old Hailey; • clearly visible front entrances; • use of alleys as the preferred access for secondary uses and automobile access; • adequate storage for recreational vehicles; • yards and open spaces; • solar access on the site and on adjacent properties where feasible, and where such decisions do not conflict with other Design Guidelines; • snow storage appropriate for the property; • underground utilities for new dwelling units. <p><i>Staff Comments</i></p> <ul style="list-style-type: none"> ○ The proposed site plan and development is consistent with the required site planning guidelines. ○ The garage is a 3-car garage. 3-car garages have been previously approved in this neighborhood through the design review process ○ Solar access has been respected for the adjacent property ○ There is a visible entrance for the ADU ○ Excess parking has been provided above the required parking, which could allow for recreational vehicle storage ○ All utilities will be located underground as shown on the site plan. ○ All utilities for both the primary dwelling and ADU are accessed from the alley. ○ Adequate snow storage exists
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<p>Guideline: The use of energy-conserving designs that are compatible with the character of Old Hailey are encouraged. The visual impacts of passive and active solar designs should be balanced with other visual concerns outlined in these Design Guidelines.</p> <p><i>Staff Comments</i></p> <ul style="list-style-type: none"> ○ Windows are triple paned ○ Energy conserving appliances are proposed
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.090(C)2	<p>2. Bulk Requirements (Mass and Scale, Height, Setbacks)</p> <p>Guideline: The perceived mass of larger buildings shall be diminished by the design.</p> <p><i>Staff Comments</i></p> <ul style="list-style-type: none"> ○ The proposed structure is respectful of the scale for the neighborhood, and will be consistent in size and mass of other garage/ADU's approved in the Townsite Overlay. Building mass is located off the alley and to the rear of the property, diminishing the mass visible from the street. ○ Design effort was made to lower the mass by roof forms, balcony and window design.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.090(C)3	<p>3. Architectural Character</p>

			17.06.090(C)3a	a. General
				Guideline: New buildings should be respectful of the past, but may offer new interpretations of old styles, such that they are seen as reflecting the era in which they are built.
			Staff Comments	<i>Architectural style is a two-story simple structure with themes currently found in Old Hailey. Material use of painted wood shingle siding, wood-clad window, soffit detailing and a shingle roof is consistent with historical homes</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.090(C)3b	b. Building Orientation
				Guideline: The front entry of the primary structure shall be clearly identified such that it is visible and inviting from the street.
			Staff Comments	<i>The front entry of the existing primary structure is visible from Second Street. No changes are proposed to the primary structure.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		Guideline: Buildings shall be oriented to respect the existing grid pattern. Aligning the front wall plane to the street is generally the preferred building orientation.
			Staff Comments	<i>Both the existing Dwelling and proposed garage/ADU are aligned on the lot with respect the grid pattern, which is consistent with Old Hailey.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.090(C)3c	c. Building Form
				Guideline: The use of building forms traditionally found in Old Hailey is encouraged. Forms that help to reduce the perceived scale of buildings shall be incorporated into the design.
			Staff Comments	<i>A simple 5-12 roof is proposed. The pitched roof form is typical of the neighborhood.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.090(C)3d	d. Roof Form
				Guideline: Roof forms shall define the entry to the building, breaking up the perceived mass of larger buildings, and to diminish garages where applicable.
			Staff Comments	<i>The simple roof form is pitched on the ends. The garage doors face the alley.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.090(C)3d	Guideline: Roof pitch and style shall be designed to meet snow storage needs for the site.
				<ul style="list-style-type: none"> • Roof pitch materials and style shall retain snow on the roof, or allow snow to shed safely onto the property, and away from pedestrian travel areas. • Designs should avoid locating drip lines over key pedestrian routes. • Where setbacks are less than ten feet, special attention shall be given to the roof form to ensure that snow does not shed onto adjacent properties.
			Staff Comments	<ul style="list-style-type: none"> • Roof materials: black asphalt shingle, with clips designed to retain the snow. • Roof Pitch is 5:12 • All drip lines are away from pedestrian areas • All snow will be retained on the roof or shed onto the property. No snow will shed onto the adjoining property or the City rights of way.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.090(C)3d	Guideline: The use of roof forms, roof pitch, ridge length and roof materials that are similar to those traditionally found in the neighborhood are encouraged.
			Staff Comments	<p><i>The following forms are currently found in the neighborhood:</i></p> <ul style="list-style-type: none"> ○ Metal and shingle roofs of various pitches ○ gable end roofs ○ Shed dormers ○ Variety of roof pitches <p><i>The application is consistent with the neighborhood in regards to roof forms and materials</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.090(C)3d	Guideline: The roof pitch of a new building should be compatible with those found traditionally in the surrounding neighborhood.
			Staff Comments	<i>Roof pitch of 5:12 is common in the neighborhood</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.090(C)3e	e. Wall Planes
				Guideline: Primary wall planes should be parallel to the front lot line.

Findings of Fact
 Hayes Accessory Structure (Garage and Accessory Dwelling Unit) Design Review
 Hailey Townsite, Lots 5,6 and 7 of Block 22 (313 South Second Street)
 Hailey Planning Zoning Commission – September 26, 2016
 Design Review – Page 7 of 12

			Staff Comments	<i>Wall plans are parallel to lot lines</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.090(C)3e	Guideline: Wall planes shall be proportional to the site, and shall respect the scale of the surrounding neighborhood.
			Staff Comments	<i>The wall plans are proportional to other projects approved in the vicinity. The primary house faces the street.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.090(C)3e	Guideline: The use of pop-outs to break up longer wall planes is encouraged.
			Staff Comments	<i>A deck pops out on the north elevation. This deck needs to be modified to conform to required setbacks. This has been made a condition of approval. The longest elevation faces the alley; and is 40' in width</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.090(C)3f	f. Windows
				Guideline: Windows facing streets are encouraged to be of a traditional size, scale and proportion.
			Staff Comments	<i>Proposed windows are of various proportions, and do not face any street. The Commission considered the window(s) in the attic space, and determined that they could remain.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.090(C)3f	Guideline: Windows on side lot lines adjacent to other buildings should be carefully planned to respect the privacy of neighbors.
			Staff Comments	<i>The windows on the north are on the second floor. The lot to the north is currently vacant. The lot to the south is owned by the applicant, and is also currently vacant. Three second-floor windows are shown on the south façade.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.090(C)3g	g. Decks and Balconies
				Guideline: Decks and balconies shall be in scale with the building and the neighborhood.
			Staff Comments	<i>One deck/balcony, 5' by 12', is proposed on the north side of the garage/ADU, on the second floor. The deck needs to be modified to conform to the side yard setback, as noted in the Conditions of Approval.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.090(C)3g	Guideline: Decks and balconies should be designed with the privacy of neighbors in mind when possible.
			Staff Comments	<i>The adjacent lot is currently vacant. The balcony is permitted to extend into the required side yard by 3'. Therefore, it can be 9'-2" from the north property boundary. A condition of approval has been added stipulating that the balcony must be modified to not extend more than 3' into the required side yard.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.090(C)3h	h. Building Materials and Finishes
				Guideline: Materials and colors shall be selected to avoid the look of large, flat walls. The use of texture and detailing to reduce the perceived scale of large walls is encouraged.
			Staff Comments	<i>Windows, roof and siding materials are natural in appearance, diminishing wall size. Colors include black garage doors; black wood trim, black asphalt roof and gray painted wood shingles for the main body of the building, color HC-170. A material and color sample was brought to the meeting.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.090(C)3h	Guideline: Large wall planes shall incorporate more than one material or color to break up the mass of the wall plane.
			Staff Comments	<i>Windows and trim colors are used to break up wall planes. Two colors are proposed.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.090(C)3i	i. Ornamentation and Architectural Detailing
				Guideline: Architectural detailing shall be incorporated into the front wall plane of buildings.
			Staff Comments	<i>Roof pitch, windows, colors and materials add architectural detail. The proposed building faces the alley, but will be visible from Walnut at this time, since the adjacent lot is vacant. Note that the vacant lot (to the north) is zoned Transitional.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.090(C)3i	Guideline: The use of porches, windows, stoops, shutters, trim detailing and other ornamentation that is reminiscent of the historic nature of Old Hailey is encouraged.
			Staff Comments	<i>Trim detailing is used. The building faces an alley; no porch is planned.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.090(C)3i	Guideline: Architectural details and ornamentation on buildings should be compatible

				with the scale and pattern of the neighborhood.
				<i>See above notes</i>
			Staff Comments	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.090(C)4	4. Circulation and Parking
				Guideline: Safety for pedestrians shall be given high priority in site planning, particularly with respect to parking, vehicular circulation and snow storage issues.
			Staff Comments	<i>The new garage is accessed off of the alley.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.090(C)4	Guideline: The visual impacts of on-site parking visible from the street shall be minimized.
			Staff Comments	<i>Parking is proposed within the garage, and on either side of the proposed building. The location of parking is minimized from the street. Several parking stalls in the City right-of-way serve the existing house on Second Street.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.090(C)4	Guideline: As a general rule, garages and parking should be accessed from the alley side of the property and not the street side.
			Staff Comments	<i>This standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.090(C)4	Guideline: Detached garages accessed from alleys are strongly encouraged.
			Staff Comments	<i>This standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.06.090(C)4	Guideline: When garages must be planned on the street side, garage doors shall be set back and remain subordinate to the front wall plane.
			Staff Comments	<i>N/A</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.06.090(C)4	Guideline: When garages and/or parking must be planned on the street side, parking areas are preferred to be one car in width. When curb cuts must be planned, they should be shared or minimized.
			Staff Comments	<i>N/A</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.090(C)4	Guideline: Off-street parking space for recreational vehicles should be developed as part of the overall site planning.
			Staff Comments	<i>Parking provided is in excess of the minimum requirements. One of the exterior parking spaces could be used for RV storage.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.090(C)5	5. Alleys
				Guideline: Alleys shall be retained in site planning. Lot lines generally shall not be modified in ways that eliminate alley access to properties.
			Staff Comments	<i>The alley is retained, and lot lines follow the traditional platting pattern.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.090(C)5	Guideline: Alleys are the preferred location for utilities, vehicular access to garages, storage areas (including recreational vehicles) and accessory buildings. Design and placement of accessory buildings that access off of alleys is encouraged.
			Staff Comments	<i>All utilities are planned from the alley.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.090(C)5	Guideline: Generally, the driving surface of alleys within Limited Residential and General Residential may remain a dust-free gravel surface, but should be paved within Business, Limited Business, and Transitional. The remainder of the City alley should be managed for noxious weed control, particularly after construction activity.
			Staff Comments	<i>Dust-free surfaces are planned. The subject property is zoned GR.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.090(C)5	Guideline: Landscaping and other design elements adjacent to alleys should be kept simple, and respect the functional nature of the area and the pedestrian activity that occurs.
			Staff Comments	<i>The landscaping is existing.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.090(C)6	6. Accessory Structures

				Guideline: Accessory buildings shall appear subordinate to the main building on the property in terms of size, location and function.
			<i>Staff Comments</i>	<i>While the accessory structure has a larger footprint than the main building, it appears subordinate due to its location to the rear, and off the alley. Similar sized accessory structures have been approved in the neighborhood. This location is preferred for a garage.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.090(C)6	Guideline: In general, accessory structures shall be located to the rear of the lot and off of the alley unless found to be impractical.
			<i>Staff Comments</i>	<i>The accessory structure has been located to the rear and off the alley.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.090(C)7	7. Snow Storage
				Guideline: All projects shall be required to provide 25% snow storage on the site.
			<i>Staff Comments</i>	<i>The parking areas are calculated as 1,168 square feet of parking area, requiring 292.12 square feet of snow storage. A snow storage area, which appears to be in excess of the required amount should be indicated on the plans. Additional areas on Lots 5, 6 and 7 exist for snow storage.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.090(C)7	Guideline: A snow storage plan shall be developed for every project showing: <ul style="list-style-type: none"> • Where snow is stored, key pedestrian routes and clear vision triangles. • Consideration given to the impacts on adjacent properties when planning snow storage areas.
			<i>Staff Comments</i>	<i>Snow storage is all on lots 5-7.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.090(C)8	8. Existing Mature Trees and Landscaping
				Guideline: Existing mature trees shall be shown on the site plan, with notations regarding retention, removal or relocation. Unless shown to be infeasible, a site shall be carefully planned to incorporate existing mature trees on private property into the final design plan.
			<i>Staff Comments</i>	<i>Two existing spruce and an existing plum are shown to be retained.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.090(C)8	Guideline: Attention shall be given to other significant landscape features which may be present on the site. Mature shrubs, flower beds and other significant landscape features shall be shown on the site plan and be incorporated into the site plan where feasible.
			<i>Staff Comments</i>	<i>A variety of smaller shrubs exists on the property, and will be retained.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.06.090(C)8	Guideline: Noxious weeds shall be controlled according to State Law.
			<i>Staff Comments</i>	<i>Noxious weeds are not present on the site.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.090(C)9	9. Fences and Walls
				Guideline: Fences and walls that abut public streets and sidewalks should be designed to include fence types that provide some transparency, lower heights and clearly marked gates.
			<i>Staff Comments</i>	<i>A fence exists on the front and sides of the lot, and on portions of the front yard to the north. Any additional fencing would require a fence permit.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.06.090(C)9	Guideline: Retaining walls shall be in scale to the streetscape.
			<i>Staff Comments</i>	<i>No retaining walls are proposed. A small retaining wall exists in the City right of way on Second Street to accommodate the grade change between the on-street parking and the site. No changes are proposed in this area.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.06.090(C)10	10. Historic Structures
				General Guidelines: Any alteration to the exterior of a Historic Structure requiring design review approval shall meet the following guidelines: <ul style="list-style-type: none"> • The alteration should be congruous with the historical, architectural, archeological, educational or cultural aspects of other Historic Structures within the Townsite Overlay District, especially those originally constructed in the same Period of Significance. • The alteration shall be contributing to the Townsite Overlay District. Adaptive re-

				use of Historic Structures is supported while maintaining the architectural integrity of the original structure.
			<i>Staff Comments</i>	<i>No alterations to historic structures are proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.06.090(C)10	<p>Specific Guidelines. Any alteration to the exterior of a Historic Structure requiring design review approval shall meet the following specific guidelines:</p> <ul style="list-style-type: none"> • The design features of repairs and remodels including the general streetscape, materials, windows, doors, porches, and roofs shall not diminish the integrity of the original structure. • New additions should be designed to be recognizable as a product of their own Period of Significance with the following guidelines related to the historical nature of the original structure: <ul style="list-style-type: none"> ~ The addition should not destroy or obscure important architectural features of the original building and/or the primary façade; ~ Exterior materials that are compatible with the original building materials should be selected; ~ The size and scale of the addition should be compatible with the original building, with the addition appearing subordinate to the primary building; ~ The visual impact of the addition should be minimized from the street; ~ The mass and scale of the rooftop on the addition should appear subordinate to the rooftop on the original building, and should avoid breaking the roof line of the original building; ~ The roof form and slope of the roof on the addition should be in character with the original building; ~ The relationship of wall planes to the street and to interior lots should be preserved with new additions.
			<i>Staff Comments</i>	N/A

17.06.060 Criteria.

- A. The Commission or Hearing Examiner shall determine the following before approval is given:**
1. The project does not jeopardize the health, safety or welfare of the public.
 2. The project conforms to the applicable specifications outlined in the Design Review Guidelines, as set forth herein, applicable requirements of the Zoning Title, and City Standards.
- B. Conditions. The Commission or Hearing Examiner may impose any condition deemed necessary. The Commission or Hearing Examiner may also condition approval of a project with subsequent review and/or approval by the Administrator or Planning Staff. Conditions which may be attached include, but are not limited to those which will:**
1. Ensure compliance with applicable standards and guidelines.
 2. Require conformity to approved plans and specifications.
 3. Require security for compliance with the terms of the approval.
 4. Minimize adverse impact on other development.
 5. Control the sequence, timing and duration of development.
 6. Assure that development and landscaping are maintained properly.
 7. Require more restrictive standards than those generally found in the Zoning Title.

- C. Security. The applicant may, in lieu of actual construction of any required or approved improvement, provide to the City such security as may be acceptable to the City, in a form and in an amount equal to the cost of the engineering or design, materials and installation of the improvements not previously installed by the applicant, plus fifty percent (50%), which security shall fully secure and guarantee completion of the required improvements within a period of one (1) year from the date the security is provided.**
- 1. If any extension of the one year period is granted by the City, each additional year, or portion of each additional year, shall require an additional twenty percent (20%) to be added to the amount of the original security initially provided.**
 - 2. In the event the improvements are not completely installed within one (1) year, or upon the expiration of any approved extension, the City may, but is not obligated, to apply the security to the completion of the improvements and complete construction of the improvements.**

CONCLUSIONS OF LAW

Based upon the above Findings of Fact, the Commission makes the following Conclusions of Law:

1. Adequate notice, pursuant to Title 17, Section 17.06.040(D), was given.
2. The project is in general conformance with the Hailey Comprehensive Plan.
3. The project does not jeopardize the health, safety, or welfare of the public.
4. Upon compliance with the conditions set forth, the project conforms to the applicable standards of Article 6A, Design Review, other Articles of the Zoning Ordinance and City Standards.

DECISION

The Design Review application submitted by Design Review application submitted by Terence and Kim Hayes for a new 2,400 square foot Detached Accessory Building, which includes a 900 square foot Accessory Dwelling Unit, located at 313 South Second Avenue (Lots 5-9, Block 22, Hailey Townsite) in the General Residential (GR) and Townsite Overlay (TO) Zoning Districts, finding that the project does not jeopardize the health, safety or welfare of the public and the project conforms to the applicable specifications outlined in the Design Review Guidelines, applicable requirements of the Zoning Title, and City Standards, provided conditions (a) through (m) are met.

- a) All applicable Fire Department and Building Department requirements shall be met.

- b) Any change in use or occupancy type from that approved at time of issuance of Building Permit may require additional improvements and/or approvals. Additional parking may also be required upon subsequent change in use, in conformance with Hailey's Zoning Title at the time of the new use.
- c) All City infrastructure requirements shall be met. Detailed plans for all infrastructure to be installed or improved at or adjacent to the site shall be submitted for Department Head approval and shall meet City Standards where required. Infrastructure to be completed at the applicant's sole expense include, but will not be limited to, the following requirements and improvements:
- d) The project shall be constructed in accordance with the application or as modified by these Findings of Fact, Conclusions of Law and Decision.
- e) All new and existing exterior lighting shall comply with the Outdoor Lighting requirements according to 17.08C.
- f) This approval is contingent on a lot line amendment application and approval. The application shall be submitted and approved vacating lot lines under all buildings prior to the issuance of any certificates of occupancy. No nonconforming setbacks shall be created as a result of the lot line amendment process.
- g) The deck on the north side shall be modified such that it extends into the required side yard no more than three (3) feet.
- h) The Accessory Dwelling Unit shall not exceed 900 square feet.
- i) Except as otherwise provided, all the required improvements shall be constructed and completed, or sufficient security provided as approved by the City Attorney, before a Certificate of Occupancy can be issued.
- j) This Design Review approval is for the date the Findings of Fact are signed. The Planning & Zoning Administrator has the authority to approve minor modifications to this project prior to, and for the duration of a valid Building Permit.
- k) All utilities will be located underground, consistent with 17.06.080(A)3h.
- l) Snow storage and construction staging shall be shown on the plans.
- m) The storage area on the second floor shall be finished only as attic space.

Signed this ____ day of _____, 2016.

Janet Fugate, Chair

Attest:

Robyn Davis, Community Development Assistant

Return to Agenda

FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION

On June 22, 2016, the Hailey Planning and Zoning Commission considered a Design Review application Wise Guy Pizza Pie, represented by Lee Ritzau. The applicant filed a Request for reconsideration on September 6, 2016 regarding Condition of Approval #g:

g. All City street trees shall be retained.

Notice

Notice for the public hearing was published in the Idaho Mountain Express on September 9, 2106.

General Requirements for all Design Review Applications				
Compliant			Standards and Staff Comments	
Yes	No	N/A	City Code	City Standards and Staff Comments
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.050	Complete Application
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Department Comments	<p>Engineering: See comments under landscape section regarding existing irrigation and City street trees. Drawings should clarify that drainage on the north side of the property will remain on-site.</p> <p>The city Engineer confirmed via email to staff prior to the adoption of findings of fact that the front property line is approximately 4'-6" back from the sidewalk, and that all of the trees in the area adjacent to the sidewalk are City Trees.</p> <p>Life/Safety: No comments</p> <p>Water and Sewer: The project will comply with all City water and sewer standards. Two water meter vaults exist for this property: applicant will either need to use both of them (i.e. one for in the building and the other for irrigation) or abandon one of them at the water main.</p> <p>Building: No comments</p> <p>Streets: No comments</p>
				Tree Committee: No new Recommendations; Public Works staff present and testified that the tree was in healthy condition and steps that could be taken to best protect the tree during construction.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.070(A)1	<p>Sidewalks and drainage improvements are required in all zoning districts, except as otherwise provided herein.</p> <p>Sidewalks and street trees are existing. No changes are recommended to the existing sidewalk on Main Street.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Street Improvements Required	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Staff Comments	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.070(B)	<p>In the Townsite Overlay District, any proposal for new construction or addition of a garage accessing from the alley, where water main lines within the alley are less than six (6) feet deep, the developer shall install insulating material (blue board insulation or similar material) for each and every individual water service line and main line between and including the subject property and the nearest public street, as recommended by the City</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Required	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Water System Improvements	

				Engineer.
			Staff Comments	<i>This will be made a condition of approval.</i>

Design Review Requirements for Non-Residential, Multifamily, and/or Mixed Use Buildings within the City of Hailey

1. Site Planning: 17.06.080(A)1, items (a) thru (n)

Compliant			Standards and Staff Comments	
Yes	No	N/A	City Code	City Standards and Staff Comments
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(A)1a	<p>a. The location, orientation and surface of buildings shall maximize, to the greatest extent possible sun exposure in exterior spaces to create spaces around buildings that are usable by the residents and allow for safe access to buildings</p> <p><i>Staff Comments</i> <i>The proposed building follows the grid pattern in downtown Hailey. Outdoor seating is planned on the south side, and a porch on the west side will allow afternoon sun.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(A)1b	<p>b. All existing plant material shall be inventoried and delineated, to scale, and noted whether it is to be preserved, relocated or removed. Removal of trees larger than 6 inch caliper proposed to be removed require an arborist review. Any tree destroyed or mortally injured after previously being identified to be preserved, or removed without authorization, shall be replaced with a species of tree found in the Tree Guide and shall be a minimum of 4 inch caliper.</p> <p><i>Staff Comments</i> <i>The site contains a variety of landscaping, shown on Sheet A-101. Five deciduous trees are proposed to be removed. One of these is a mature City Street tree. The Hailey Tree Committee members have commented, and recommend that this tree be retained, as it is in good health, is one of the nicer street trees on Main Street, and that this linden tree is part of a formal street tree design that places trees at regular intervals up and down the block, that this street tree pattern is in front of many buildings on this block, that the trees on main street create a pleasant Main Street environment, that it would set a bad precedent o allow this tree to be removed, and that it will be an asset over time for adjacent properties. Street Department staff has noted that irrigation located under the sidewalk associated with this tree could undermine the sidewalk if removed. Comments from Tree Committee members are attached to this report. The Commission confirmed that the City street trees shall remain, and that this item will be made a Condition of Design Review approval as noted in the Findings of Fact. The applicant is requesting reconsideration of this condition.</i></p> <p><i>The applicant submitted a report form an arborist describing the tree condition, and the Commission heard testimony from the arborist, attorney and architect.</i></p> <p><i>The Commission heard testimony from Public Works staff regarding the health of the tree, and ways that it could be protected during construction.</i></p> <p><i>Various pros and cons as to the merits of different goals of the Business Zone District were</i></p>

			<i>discussed: protection of the urban tree canopy versus good business visibility on Main Street. The Commission found that allowing this one tree to be removed would not set a precedent, and does not diminish the merits of City street trees overall.</i>
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4. Landscaping: 17.06.080(A)4, items (a) thru (n)

Compliant			Standards and Staff Comments	
Yes	No	N/A	City Code	City Standards and Staff Comments
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	City Code	City Standards and Staff Comments
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(A)4a	Only drought tolerant plant species and/or xeriscape specific plant materials shall be used, as specified by the Hailey Landscaping Manual or an approved alternative.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
			17.06.080(A)4b	All plant species shall be hardy to the Zone 4 environment.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Staff Comments	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.06.080(A)4c	At a minimum, a temporary irrigation system that fully operates for at least two complete growing seasons is required in order to establish drought tolerant plant species and/or xeriscape specific plant materials. Features that minimize water use, such as moisture sensors, are encouraged.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Staff Comments	An automatic drip irrigation system on a timer is planned.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(A)4d	Landscaped areas shall be planned as an integral part of the site with consideration of the urban environment. A combination of trees shrubs, vines, ground covers and ornamental grasses shall be used. New landscaped areas having more than 10 trees, a minimum of 10% of the trees shall be at least 4-inch caliper, 20% shall be at least 3-inch caliper, and 20% shall be at least 2½ inch caliper and a maximum of 20% of any single tree species may be used in any landscape plan (excluding street trees). New planting areas shall be designed to accommodate typical trees at maturity. Buildings within the LI and SCI-I zoning district are excluded from this standard.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Staff Comments	The Commission discussed the value of the tree as recommended by the applicant's arborist representative. The value is noted as a range: \$2,630 to \$3,970. The Commission deferred to the Tree Committee as to whether monetary compensation or a new tree was preferred. The applicant agreed to pay in lieu of so determined by the Tree Commission.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.06.080(A)4e	Seasonal plantings in planter boxes, pots, and/or hanging baskets shall be provided to add color and interest to the outside of buildings in the LI and SCI-I zoning districts.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Staff Comments	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(A)4f	Plantings for pedestrian areas within the B, LB, TN and SCI-O zoning districts shall be designed with attention to the details of color, texture and form. A variety of trees, shrubs, perennials, ground covers and seasonal plantings, with different shapes and distinctive foliage, bark and flowers shall be used in beds, planter boxes, pots, and/or hanging baskets.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Staff Comments	Existing landscaping is varied. The formal City street tree pattern in this area is well established, and creates a canopy of street trees for this block.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.06.080(A)4g	Storm water runoff should be retained on the site wherever possible and used to irrigate plant materials.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Staff Comments	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(A)4h	A plan for maintenance of the landscaping areas is required to ensure that the project

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		appears in a well maintained condition (i.e., all weeds and trash removed, dead plant materials removed and replaced).
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Staff Comments</i>	<i>The applicant will be responsible for maintaining plant material in healthy condition. The City maintains the City street trees, including irrigation, pruning, holiday lighting and any other needs.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(A)4i	Retaining walls shall be designed to minimize their impact on the site and the appearance of the site.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<i>Staff Comments</i>	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.06.080(A)4j	Retaining walls shall be constructed of materials that are utilized elsewhere on the site, or of natural or decorative materials.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<i>Staff Comments</i>	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.080(A)4k	Retaining walls, where visible to the public and/or to residents or employees of the project, shall be no higher than four feet or terraced with a three-foot horizontal separation of walls.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<i>Staff Comments</i>	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.06.080(A)4l	Landscaping should be provided within or in front of extensive retaining walls.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<i>Staff Comments</i>	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.06.080(A)4m	Retaining walls over 24" high may require railings or planting buffers for safety.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<i>Staff Comments</i>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	17.06.080(A)4n	I. Low retaining walls may be used for seating if capped with a surface of at least 12 to 16 inches wide.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>Staff Comments</i>	

6A.6 Criteria.

- A. The Commission or Hearing Examiner shall determine the following before approval is given:**
1. The project does not jeopardize the health, safety or welfare of the public.
 2. The project conforms to the applicable specifications outlined in the Design Review Guidelines, as set forth herein, applicable requirements of the Zoning Ordinance, and City Standards.
- B. Conditions. The Commission or Hearing Examiner may impose any condition deemed necessary. The Commission or Hearing Examiner may also condition approval of a project with subsequent review and/or approval by the Administrator or Planning Staff. Conditions which may be attached include, but are not limited to those which will:**
1. Ensure compliance with applicable standards and guidelines.
 2. Require conformity to approved plans and specifications.
 3. Require security for compliance with the terms of the approval.
 4. Minimize adverse impact on other development.
 5. Control the sequence, timing and duration of development.
 6. Assure that development and landscaping are maintained properly.
 7. Require more restrictive standards than those generally found in the Zoning Ordinance.

- C. Security. The applicant may, in lieu of actual construction of any required or approved improvement, provide to the City such security as may be acceptable to the City, in a form and in an amount equal to the cost of the engineering or design, materials and installation of the improvements not previously installed by the applicant, plus fifty percent (50%), which security shall fully secure and guarantee completion of the required improvements within a period of one (1) year from the date the security is provided.**
- 1. If any extension of the one year period is granted by the City, each additional year, or portion of each additional year, shall require an additional twenty percent (20%) to be added to the amount of the original security initially provided.**
 - 2. In the event the improvements are not completely installed within one (1) year, or upon the expiration of any approved extension, the City may, but is not obligated, to apply the security to the completion of the improvements and complete construction of the improvements.**
 - 3.**

CONCLUSIONS OF LAW

Based upon the above Findings of Fact, the Commission makes the following Conclusions of Law:

1. Adequate notice, pursuant to Title 17, Section 17.06.040(D), was given.
2. The project is in general conformance with the Hailey Comprehensive Plan.
3. The project does not jeopardize the health, safety, or welfare of the public.
4. Upon compliance with the conditions set forth, the project conforms to the applicable standards of Article 6A, Design Review, other Articles of the Zoning Ordinance and City Standards.

DECISION

By a vote of 3-2, the Request for Reconsideration submitted by Wise Guy Pizza Pie, represented by Lee Ritzau, to modify Condition #g of the Findings of Fact, Conclusions of Law and Decision dated August 1, 2016 for the project, Wise Guy Pizza, located at 411 Main Street (S. ½ of Lot 3, Lots, 4, 5, Block 56 Hailey Townsite), is hereby modified finding that the project does not jeopardize the health, safety or 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 Standards, as follows:

- g. All City street trees shall be retained with the exception of the middle street tree closest to the building entrance, which may be replaced or paid in lieu. A recommendation on replacement or payment in lieu for the tree removed shall be made by the Hailey Tree

Commission.

Signed this ____ day of _____, 2016.

Janet Fugate, Chair

Attest:

Robyn Davis, Community Development Assistant

Return to Agenda

October 6, 2016

TO: Planning and Zoning Commission

FM: Lisa Horowitz, Community Development Director

RE: An application by Tom Richmond to Blaine County 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

ATTACHMENT 1: County Staff Report

ATTACHMENT 2: Map of proposed rezone

ATTACHMENT 3: Hailey Comprehensive Plan Land Use Map

Summary

This is a request for a rezone in Hailey Area of City Impact (ACI), just north of Hailey City limits. The Hailey Blaine county Area of City Impact Agreement states that Blaine County is the decision-maker for rezones in the ACI (Hailey Ordinance 649). Therefore, the City is providing comments to Blaine County on this application.

The County staff report attached includes the Standards of Review that the County utilizes for rezone applications.

Blaine County staff is recommending a Development Agreement rezone for this property in order to limit uses that are permitted in the County LI Zone District. (See page 6 of the County staff report). Hailey staff concurs with this recommendation.

This 2.07 acre rezone is adjacent to a 29-acre LI area in the County. Of those 29 acres, Idaho Power owns approximately 10, and the Idaho Transportation Department owns approximately 8.5.

While the City standards of review are not called for in the ACI for a rezone, this staff report is organized around those standards for ease of project review.

Standards of Evaluation

Note: Staff analysis is in italics.

14.6 Criteria for Review. When evaluating any proposed amendment under this Article, the Commission and Council shall make findings of fact on the following criteria:

a. The proposed amendment is in accordance with the Comprehensive Plan;

The Hailey Comprehensive Plan Land Use Map is attached to this report. The map does not specify land uses in this area, but identifies the scenic highway corridor. County staff has indicated that the only uses that are permitted in the 100' scenic highway corridor are utilities and driveways. The 100' scenic highway corridor is identified on the map submitted by the applicant. A nonconforming house within the corridor is proposed to be removed.

b. Essential public facilities and services are available to support the full range of proposed uses without creating excessive additional requirements at public cost for the public facilities and services;

Access is shown from Arrow Road. The property also abuts West Meadow Drive, which is one of the primary access points for Northridge Subdivision. While no access is proposed from this location, it would be inappropriate to allow access from Meadow Drive, and should be addressed in the Development Agreement.

The LI uses are proposed to be served by on-site water community water and wastewater system. Municipal services are within 1,000 feet.

b. The proposed uses are compatible with the surrounding area;

Uses

The following uses are permitted in the County LI Zone District:

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.*

As noted in the County staff report, some of the proposed uses are compatible with the LI uses to the north. A limited set of uses, as suggested by County staff, could be designed to be compatible with the adjacent residential neighborhood to the north, if properly sited. The applicant has submitted the following uses they are willing to exclude for this property:

9-15-2 Permitted Uses

- E. *Use of land for agricultural purposes*
- G. *Animal hospitals and kennels*

9-15-4 Conditional Uses

- A. *Bulk storage of flammable liquids or gases....*
- C. *Solid waste incineration*
- F. *Food or animal processing....*
- J. *Storage, mixing, blending and sales of fertilizers*

Hailey staff concurs with County staff that a development agreement that limits the LI uses to a narrower list is most appropriate. Staff recommends the following:

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.~~

Setbacks

County staff has indicated that the setbacks in the Residential Zone District for a 30 tall building would be 20'. Setbacks for a 40' tall building in LI when that LI zone is adjacent to a residential zone would be 20'. It may be worth discussing if a 30' height limit is more appropriate in this area due to the proximity to residential uses, all of which can be no taller than 30'. (Note that Hailey does not allow 40' tall buildings in any zone district).

Design/Visibility

The new building will be directly adjacent to the Northridge neighborhood within Hailey City limits. The existing mini storage building is quite visible from the road and from the Northridge properties closest to the industrial area. The new building will be even more visible.

The Area of City Impact Agreement states:

5.8 Any business, commercial or industrial development within a commercial or industrial district or zone within the Hailey/Blaine County Area of City Impact shall be required to receive Design Review approval by the City. The County shall be the sole agency responsible for the issuance of building permits for business, commercial and industrial development with the Hailey/Blaine County Area of City Impact. The County herein agrees to enforce Hailey's Design Review decision through the building permit process.

While it is no longer legal for the City to be the decision-maker in the ACI (due to a court case), it may be worthwhile to suggest that the County conduct design review for any future LI buildings, to ensure compatibility with the adjacent residential neighborhood.

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

Access off the Highway separates the LI area from adjacent Hailey residential zones.

The 1,500 square foot house is existing, and is not within the area indicated for a new LI structure. The Commission should consider if it should be allowed to remain. While this small house and detached garage are within the 100' scenic easement, they are screened from Highway 75 by large trees, and are in fact much less visible than the adjacent LI area. The need for small, affordable housing units in the Hailey area is high.

Summary

The Planning and Zoning Commission shall hold a public hearing to take neighbor/community input regarding the rezone request in the Hailey Area of City Impact.

The Planning and Zoning Commission shall make a recommendation to the City Council.

Summary of issues:

- Limit access to Arrow Way, with no access permitted from West Meadow Drive
- Limit uses to the following (Review list), and make these uses Conditional only, incorporated into a Development Agreement Rezone:
- Limit building height to 30' 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

Motion Language

Recommend to Council:

Move 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 30' 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

Continuation:

Motion to continue the public hearing on the application submitted by Tom Richmond to Blaine County 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 to _____ [Commission should specify a date].

BLAINE COUNTY PLANNING & ZONING COMMISSION
September 22, 2016 PUBLIC HEARING

REGARDING:

An application by Tom Richmond to rezone property at 11809 State Highway 75 from Low Density Residential District (R-1) to Light Industrial District (LI).

Staff Report

Date: September 7, 2016

By: Kathy Grotto

REQUESTED ACTION: Public hearing and consideration of an application by Tom Richmond to rezone the 2.07 acre lot at 11809 SH 75 from Low Density Residential District (R-1) to Light Industrial District (LI). The property is located within Sections 4 & 5, T2N, R18E, BM, Blaine County.

APPLICABLE REGULATIONS:

- Idaho Code, Title 67, Chapter 65, Local Land Use Planning Act
- Title 8, Chapter 1, Comprehensive Plan & Comprehensive Plan Land Use Map
- Title 9, Zoning Regulations, including Chapter 26, Reclassification of a Zoning District (Rezone), and Chapter 31, Amendments.

SUMMARY:

The applicant notes in various responses to the standards and criteria that the intention of the rezone it to expand the Arrow R Storage self-storage business that is located on the lot immediately to the north of the subject property. This application, however, is simply for a rezone (zoning map amendment) from the current R-1 zoning to LI zoning. Within the LI zoning district, a large number of permitted, accessory, and conditional uses are allowed. See further discussion of these uses, potential impacts, and recommendation for a development agreement in this report.

I. GENERAL BACKGROUND, NOTICE AND EXHIBITS

1. The application was received on August 16, 2016.
2. **NOTICE** of the September 22, 2016, hearing before the Planning & Zoning Commission was provided pursuant to § 9-26-3 and § 9-31-4(D), Blaine County Code, and Idaho Code §67-6509 and § 67-6511, as follows:
 - A. Published in the Idaho Mountain Express on September 7, 2016;
 - B. Sent to all property owners within 300 feet of the external boundaries of the rezone area on September 7, 2016;
 - C. Sent to all Blaine County political subdivisions on September 6, 2016;
 - D. Sent to all public water system entities for the affected wellhead protection area on September 7, 2016;
 - E. Public Service Announcement request sent to area media on September 6, 2016;

- F. Posted on the subject property on or before September 15, 2016, as evidenced by affidavit in file; and
- G. Posted on the Blaine County Website on September 7, 2016.

Pursuant to I.C. 67-6512 and Zoning Ordinance regulations, the Commission shall review the above notice procedure and make a finding regarding adequacy of notice.

► **MOTION AS TO NOTICE:** Upon a motion by _____, a second by _____, and a vote of ___ to ___, the Commission determines notice is in compliance with State and County code.

3. **EXHIBITS** attached to this report include:

A Exhibits — Application Materials

- A-1: Completed application form
- A-2: Responses to criteria and standards
- A-3: Vicinity map/300' adjoiners map
- A-4: Mailing list for 300' adjoiners
- A-5: Aerial photograph of subject property and adjacent properties

B Exhibits – Agency Comment

B-1:

C Exhibits — Additional Information

- C-1: Comprehensive Plan Land Use Map – Hailey area
- C-2: Aerial photographs from 2004 and 2015

D Exhibits — Public Comments

No written public comment received as of the date of this report

II. GENERAL AMENDMENT CRITERIA

Idaho Code §67-6511 and Blaine County Code §9.31.4

A. Idaho Code §67-6511(a) and Blaine County Code §9.31.4 (A):

Commission shall evaluate the facts and circumstances of the proposed to determine:

- *The nature and extent of the amendment;*
- *The reasons therefor;*
- *Whether it is in accordance with the Comprehensive Plan;*
- *The effects on potable water sources; and,*
- *The impacts of the proposal upon the delivery of services by any political subdivision providing services, including school districts, within the County.*

► **Staff comment:**

Extent: The proposal would rezone one lot, 2.07 acres in size, to LI. See Exhibit A-5.

Reasons: The reason stated in the application is that there has been a change in the immediate area, with LI uses expanding. The applicant, owner of Arrow-R Storage, desires to add an additional self-storage building.

Accordance with Comp Plan: The land use map shows the area just north of Hailey city limits as “Industrial.” (Exhibit C-1)

Effects on potable water sources: None foreseen. See also criteria (B)-9 below.

Delivery of services: No negative effects foreseen. All public services are available to this location adjacent to City of Hailey.

B. Idaho Code §67-6511(b) and Blaine County Code §9.31.4 (B):

If the proposal is in conformance with the Plan and it is found that the proposal will not result in demonstrable adverse impacts upon the delivery of services, the Commission may recommend adoption of the amendment.

C. Idaho Code §67-6511(c) and Blaine County Code §9.31.4 (C):

If the proposal is not in conformance with the Plan, or will result in demonstrable adverse impacts upon the delivery of services, the Commission may consider whether it is appropriate to amend the Comprehensive Plan. Notice procedures provided in Idaho Code Section 67-6509 must be adhered to in recommending an amendment to the Comprehensive Plan.

► **Staff comment:** The Commission should make a finding whether the proposal is in conformance with the Comprehensive Plan.

III. REZONE CRITERIA

Zoning Ordinance §9-26-4

(A) *In acting upon an application for a Reclassification or a Reclassification with a Development Agreement, the Commission shall first determine whether the proposal is in accordance with the Comprehensive Plan Text and Map.*

► **Staff comment:** The Comprehensive Plan Land Use Map identifies the area east of SH 75 and just north of Hailey city limits as Industrial – see Exhibit C-1, which shows the relevant portion of the Land Use map.

Following are relevant text portions of the Plan:

SECTION 9: LAND USE

LAND USE COMPONENTS

The Land Use section of the Comprehensive Plan consists of two (2) parts: text and maps...

Maps

The land use maps visually illustrate the land use text and show general land use patterns in Blaine County. The land use boundaries on these maps are only a general guide and in many instances are based simply on public ownership boundaries. More precise boundaries and land uses will be determined when the zoning maps and ordinances are amended in accordance with the various goals and objectives of this comprehensive plan and land use map.

The land use maps, which are set forth in Appendix , show general land classifications as follows: Residential (R), Agricultural (A), Open Space (OS), Recreational (RD), Commercial (C), **Industrial (I)**, and Special Planning Areas. The City Limits (CL) of Bellevue, Sun Valley, Hailey, and Ketchum are also shown.

Text

The text portion of the Comprehensive Plan describes the map designations and provides the rationale for the designated county land use districts.

LAND USE CLASSIFICATIONS

General Industrial Uses

The Land Use Map depicts industrial areas only generally. The "light" or "heavy" nature of any industrial use will be further delineated in the zoning maps in accordance with the policies set out in this section.

In Blaine County "light" industrial uses include contractor's storage yards, light manufacturing facilities, machine shops, and other similar uses. These light industrial uses should:

1. Not emit offensive odor, dust, smoke, glare, gas, toxic materials, light, noise or vibration beyond the site itself.
2. Not require an uncompensated extension of county services.
3. Not create off-site impacts which are incompatible with the basic agricultural, recreational and residential uses of the county.
4. Provide expanded employment opportunities.
5. Not detract from the scenic quality of established scenic travelways in the county.
6. Operate compatibly in close proximity to adjoining commercial or residential purposes.

► **Staff comment:** These factors are discussed in the criteria below.

Because of the above criteria and an historic policy to concentrate light industrial uses within incorporated areas or in the unincorporated towns/communities, only a limited number of light industrial areas currently exist in the unincorporated areas of the county. By geographic area, they are:

1. Lower Wood River Valley:
 - a. Northeast Picabo area.
2. Middle Wood River Valley:
 - a. Southwest Friedman Airport area: (with access from Broadford Road).

b. Northridge area: Hailey substation and Idaho Transportation Department facility.

3. Upper Wood River Valley:

a. Clear Creek area: Clear Creek Industrial Park, including, in part, Wood River Rubbish Company and the Animal Clinic.

Well planned light industrial facilities should be compatible with surrounding land uses. Siting and design standards should also address such factors as buffering, access, related infrastructure, and open space.

► **Staff comment:** Based on the “Industrial” designation of the subject property on the Land Use Map and in the text (the identified “Northridge area” set forth in 2.b. above), it appears that the proposal is in accordance with the Comprehensive Plan.

(B) *If the application is determined to be in accordance with the Comprehensive Plan Text and Map, the Commission shall then consider, at least, the following criteria:*

► **Staff comment:** The criteria below are to be considered if the proposal is determined to be in accordance with the Comp Plan. Not all of these criteria have to be satisfied for the rezone request to be granted. The ordinance says that the Commission shall *consider* them.

1. *Whether there was a mistake in the original zoning.*

► **Staff comment:** No mistake in original zoning is identified.

2. *Whether there has been a change in the surrounding neighborhood since the existing zoning was adopted.*

► **Staff comment:** The applicant states that “LI uses adjacent to property have continued to expand and become more significant.” Storage Plus was constructed in 2000 and Arrow R Storage was constructed in 2005. Other evidence of LI uses in the immediate vicinity can be seen on the aerial photographs from 2004 and 2015 in Exhibit C-2.

3. *Whether this or any adjoining property has been designated a "special planning area" on the Blaine County Zoning Map.*

► **Staff comment:** This property and adjoining property have not been designated as a “special planning area”.

4. *To what extent the public health, safety, or general welfare may be adversely affected by the Reclassification.*

► **Staff comment:** There are several permitted and conditional uses allowable in the LI district – see the list below.

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.

Several of the permitted uses may have noticeable adverse effects on the nearby residents, such as 'contractor's storage yards' and 'distribution warehouses' which may have significant traffic, and 'animal hospitals and kennels' which may have significant noise impacts. Due to concerns regarding adverse impacts of uses that would be permitted outright, staff recommends that any rezone of this property be conditioned on a development agreement that would spell out allowable uses.

5. **Whether present zoning classifications are in conformity with existing uses of adjacent property.**

► **Staff comment:** The present zoning of Low Density Residential (R-1) is conforming and appropriate for adjacent residential uses to the east, south and west. To the north, however, are light industrial uses so the present zoning classification of R-1 is inconsistent with those adjacent uses.

6. Whether central water and sewer services are available.

► **Staff comment:** The applicant notes that an existing community water and sewer system, built to accommodate 20 hookups, is available because only two hookups are being utilized by the self-storage operation.

7. Whether the relevant sections of Chapter 31 regarding a map amendment have been satisfied.

► **Staff comment:** The amendment criteria of Chapter 31 are reviewed above. Other relevant sections of Chapter 31 include the following related to additional notice requirements for rezone (map amendment) applications. (These requirements have been met.)

9-31-4 (D)(2) Additional Notice Requirements For Zoning District Amendments: Where a proposed amendment to this title includes a proposal to rezone property or change a zoning district boundary, the following additional notice of public hearing shall be provided:

- a. Posting Of Notice: A notice sign, as provided by the administrator, shall be posted on the premises not less than one week prior to the hearing. Where possible, the posting location should be on or near the property line closest to a public thoroughfare or, if no such thoroughfare exists, on or near the property line of the nearest adjoining property not owned by the applicant, of which neither the applicant nor the government has a proprietary interest.*
- b. Mailing Of Notice: Notice of the time, date and place of the public hearing and a summary of the proposal shall be provided by mail to all property owners and purchasers of record within the land being considered; within three hundred feet (300') of the external boundaries of the land being considered; and within any additional area including a wellhead protection area that may be impacted by the proposed change as determined by the commission. When the land being considered is located in a wellhead protection area, notice shall be provided to all affected potable water source owners.*

8. Whether a development agreement that includes more strict regulations than those applicable to the proposed zoning district generally should be required as a condition of rezoning the subject parcel. See §9-26-8 for the additional requirements that apply to a Reclassification with a Development Agreement.

► **Staff comment:** A Development Agreement is not proposed. However, due to the proximity of the subject property to residences, the Commission may wish to recommend that a Development Agreement be required, which would limit the allowable uses to those most compatible with adjacent residential uses.

9. ***When the rezone is located within a wellhead protection area, it may only be granted if best management practices will be taken to mitigate the risk of contamination of public water systems and potable water sources.***

► **Staff comment:** The subject property is within the wellhead protection area of a number of City of Hailey wells. Any Conditional Uses would require notice to public water systems and direct review of uses and potential contaminants. However, certain permitted uses may have potential contaminants, with little opportunity to review how those are handled. Examples may be light manufacturing, machine shops, printing services, and commercial nurseries. For this reason also, the Commission may wish to recommend that a Development Agreement be required, which would limit the allowable uses to those least likely to contaminate public water systems and potable water sources.

10. Light Industrial District Rezones: Additional criteria for proposed light industrial rezones, unless satisfactorily addressed by a development agreement, shall include, but are not necessarily limited to, the following:

a. Before approving any rezone application for a light industrial zone, the board shall find that the following required standards are met:

(1) Maintenance of the Highway 75 view corridor by not allowing industrial rezones within one thousand feet (1,000') of the Highway 75 right of way except when they are to be located adjacent and contiguous to an existing light industrial zone in or adjacent to the cities. In situations where the topography indicates that a smaller setback will ensure maintenance of the view corridor, reasonable flexibility may be allowed.

► **Staff comment:** The subject property is adjacent and contiguous to the existing LI zoned land adjacent to the City of Hailey. There is existing landscape buffering along the SH 75 frontage and to the south and east. The conceptual building location meets the 100' scenic highway setback.

(2) Allowance of only one access off of Highway 75.

► **Staff comment:** The access to the subject property will be from Arrow Road only. There is no direct access to the existing uses on the property from SH 75, nor is any proposed.

(3) Location of the property outside identified hazard areas such as floodplain or avalanche zones with the exception of the airport vicinity overlay district.

► **Staff comment:** No hazard areas exist on the property.

(4) Existence of natural screening or the provision of reasonable alternatives to give separation from existing uses.

► **Staff comment:** Existing vegetation will be retained for screening along the highway and south.

(5) Minimum size of area to be rezoned is ten (10) acres, unless it is to be located adjacent and contiguous to an existing light industrial zone in or adjacent to the cities.

▶ **Staff comment:** The property is adjacent and contiguous to the existing LI zoned land adjacent to the City of Hailey; therefore the 10-acre minimum size is not applicable.

(6) Location of the proposed light industrial area outside of land zoned as A-20 or A-40 (productive agriculture).

▶ **Staff comment:** There is no A-20 or A-40 zoned land in the vicinity.

b. In considering any rezone application for a light industrial zone, the board shall consider the following factors as favoring the application:

(1) Utilization or substitution of an existing access off of Highway 75.

▶ **Staff comment:** The access to the subject property will be from Arrow Road. There is no direct access to the existing uses on the property from SH 75.

(2) Location adjacent to existing industrial uses in the cities.

▶ **Staff comment:** The property is adjacent to LI, not in the city, but adjacent to the City.

(3) Accessibility of proposed area to employee and product transportation lines.

▶ **Staff comment:** The property accesses to State Highway 75 via Arrow Road.

(4) Provision of expanded employment opportunities in the county.

▶ **Staff comment:** The applicant states that additional staff, contractors for construction, and maintenance services will be necessary.

(5) Be economically beneficial to the county when compared to the cost of county services needed.

▶ **Staff comment:** The applicant notes that all services to this lot are already in place; no extension of services is necessary. As such, the applicant believes the “additional taxes and potential employment opportunities will provide economic benefit at minimum cost to the county.”

c. In considering any rezone application for a light industrial zone, the board shall consider the following factors as being unfavorable to the application:

(1) Utilization of residential accesses to serve the industrial area.

(2) Location of the proposed industrial area outside of and not adjacent to any incorporated or unincorporated town sites.

▶ **Staff comment:** Neither of the above criteria is applicable to this proposal.

11. Mountain Overlay District (MOD) Rezones...

► **Staff comment:** N/A. The proposal is not for a MOD rezone. The property is not located in the MOD.

12. If the applicant or landowner with respect to an application for a rezone under this chapter is the state of Idaho, or any agency, board, department, institution, or district thereof. . .

► **Staff comment:** N/A. The landowner is private.

IV. RECOMMENDATION TO THE BOARD OF COUNTY COMMISSIONERS

► **MOTION REGARDING COMPLIANCE WITH COMPREHENSIVE PLAN:** Upon a motion by _____, a second by _____, and a vote of ___ to ___, the Planning and Zoning Commission finds the proposed rezone of the Cold Springs Gulch area is/is not in accordance with the Comprehensive Plan.

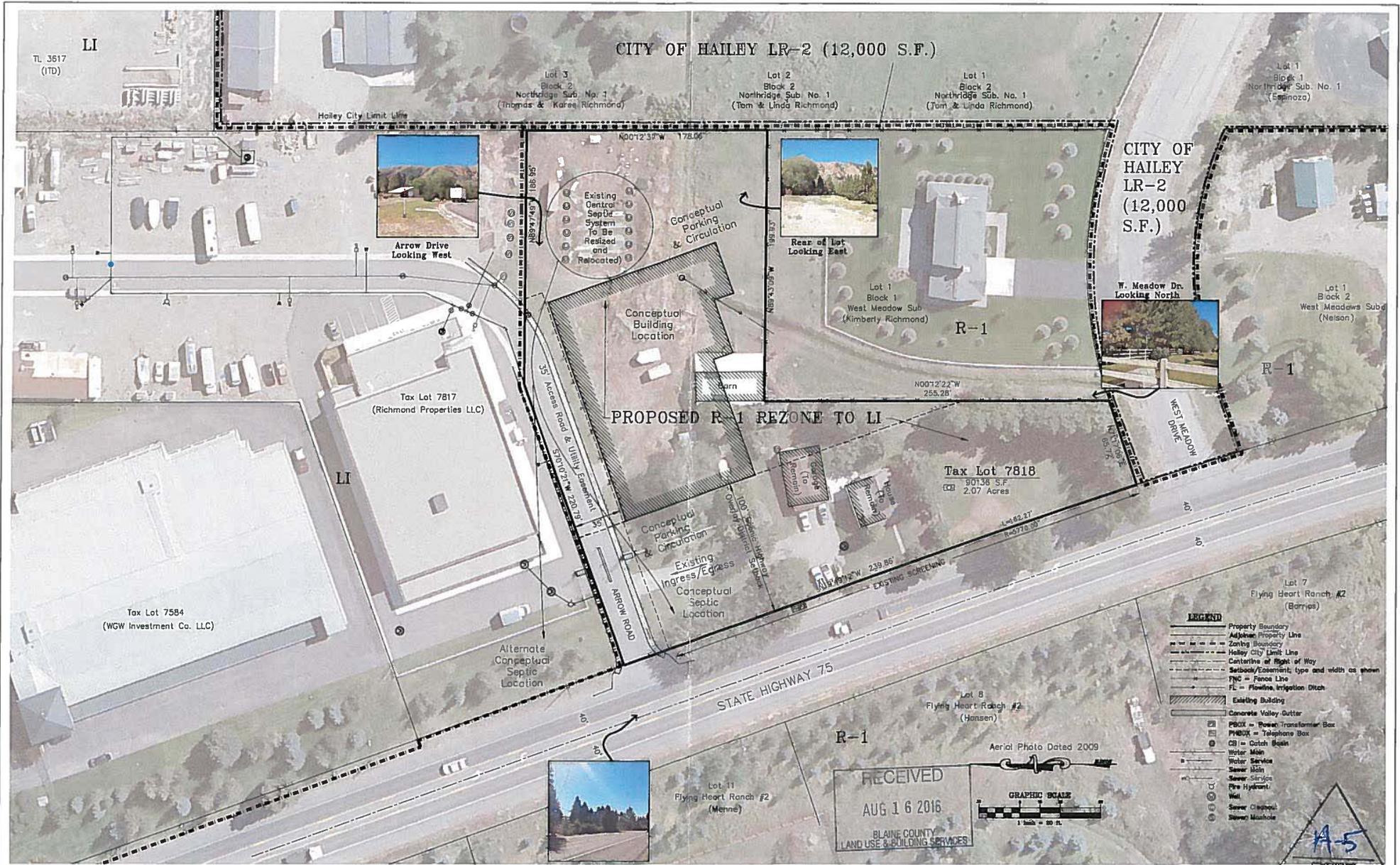
If the proposal is not in conformance with the Plan, the Commission may consider whether it is appropriate to amend the Comprehensive Plan.

If found in accordance with the Plan, the commission may recommend that the amendment be granted as requested, or it may recommend a modification of the amendment requested, or it may recommend that the amendment be denied.

► **MOTION FOR RECOMMENDATION:** Upon a motion by _____, a second by _____, and a vote of ___ to ___, the Planning and Zoning Commission recommends approval as proposed/ approval with modifications/denial of the proposed Rezone of the Cold Springs Gulch area from Recreation Development District to Rural Residential District.

Possible modifications:

A Development Agreement setting forth allowable uses on the property, as discussed, shall be prepared for the Board of County Commissioners.



NO	DATE	BY	REVISIONS

Galena Engineering Inc.
 317 North River Street
 Hailey, Idaho 83333
 (208) 728-1700
 (208) 788-4612 fax
 email galena@galena-engineering.com

Civil Engineers & Land Surveyors
 These drawings or any portion thereof, shall not be used on any Project or applications of this Project except by agreement in writing with Galena Engineering, Inc.

REUSE OF DRAWINGS
 F & 15-6072

PROPOSED R-1 TO LI REZONE MAP FOR
TAX LOT 7818
 LOCATED WITHIN SECTIONS 4 & 5, T.2N., R.18E., B.M., BLAINE COUNTY, IDAHO
 PREPARED FOR TOMMY RICHMOND

PROJECT INFORMATION
 P:\webpage\0991\img\boundary-Pst\0991 Reszone R1-L1.dwg 8/15/2016 3:46:32 PM MDT

SHT 1 OF 1



HAILEY COMPREHENSIVE PLAN LAND USE MAP RESOLUTION 2010-18

LAND USE

- Hailey City Limits
- 1/2 Mile Service Area
- 1/4 Mile Service Area
- PARKS ACTIVITY**
- Community Gateways
- Main Street Corridor
- Downtown
- Community Activity Areas
- High Density Residential
- Residential Buffer
- Traditional Residential
- Light Industrial/Business Park
- Airport Site Redevelopment
- Neighborhood Service Centers

PARKS & GREEN SPACE

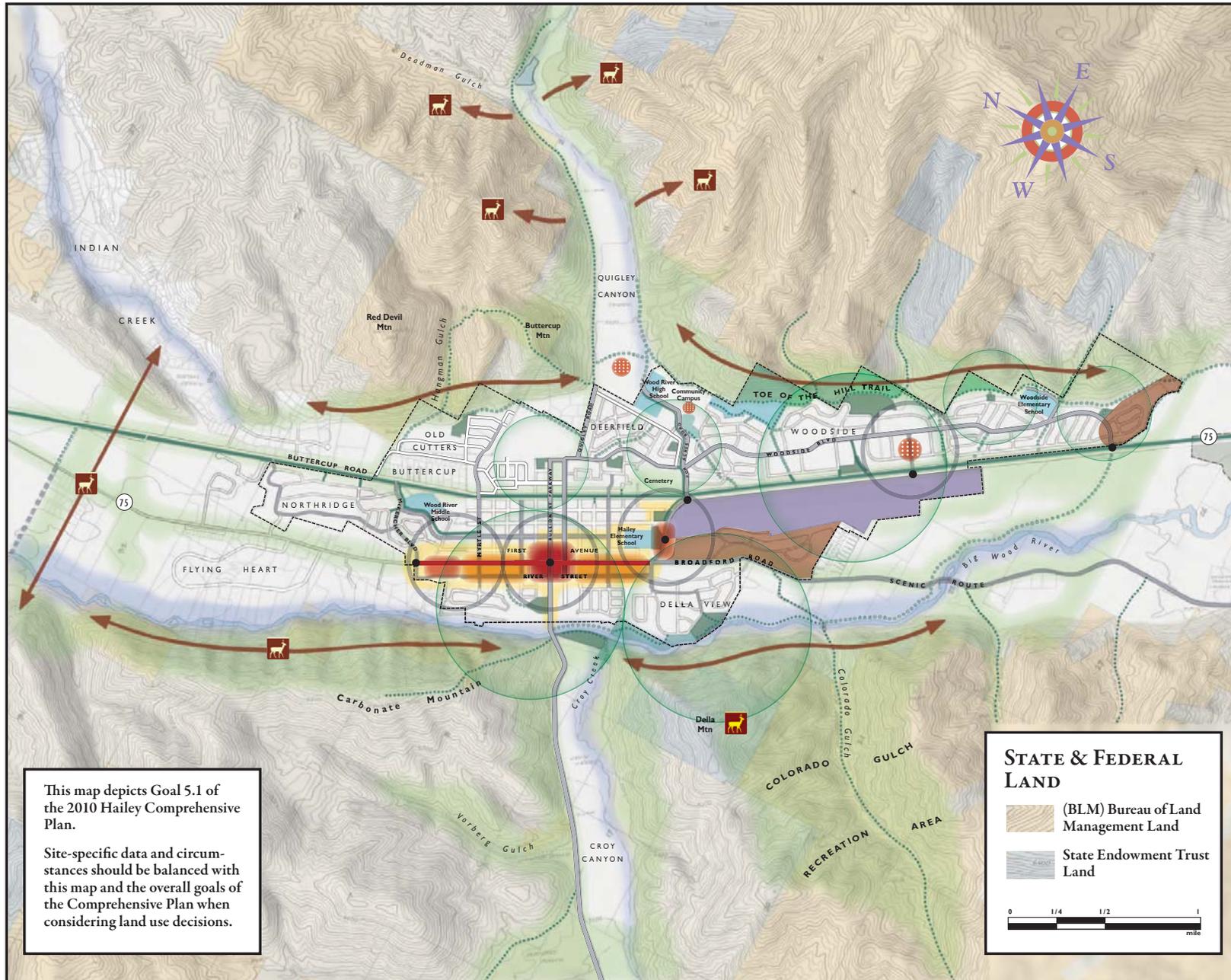
- Existing Parks
- Hillside Green Space
- School Playing Fields
- Other Public Green Space

HAILEY TRAILS

- Paved Separated Pathways
- Pedestrian & Bicycle Routes
- Trails
- Potential or Proposed Trails

NATURAL RESOURCES

- Floodplains, Floodways, Waterways and Wetlands
- Open space, Green Space, Greenways and Scenic Corridors
- Wildlife Corridors/Winter Range Areas



This map depicts Goal 5.1 of the 2010 Hailey Comprehensive Plan.

Site-specific data and circumstances should be balanced with this map and the overall goals of the Comprehensive Plan when considering land use decisions.

STATE & FEDERAL LAND

- (BLM) Bureau of Land Management Land
- State Endowment Trust Land

0 1/4 1/2 1
mile





Return to Agenda

Non-profit recreation center	N	N	N	N	N	N	C	N	N	N	N	N	N
Arts, entertainment and recreation uses (indoor and outdoor).	N	N	N	N	N	P	N	P	N	N	N	N	N
Arts, entertainment and recreation uses, except outdoor arenas and amusement parks.	N	N	N	N	N	N	N	P	N	N	N	N	N
Indoor recreational facilities primarily for instruction.	N	N	N	N	N	N	N	N	P	N	N	N	N
Health and Fitness Facility	N	N	N	N	N	P	C	P	P	C	N	C	C
Performing Art Center	N	N	N	N	N	P	P	N	P	N	N	N	N
Studio, Artist	N	N	N	N	N	P	N	N	P	N	N	C	C
Recreation Facility, Commercial, Indoor	N	N	N	N	N	P	N	P	N	N	N	N	N
Recreation Facility, Commercial, Outdoor	N	N	N	N	N	C	N	C	N	N	N	N	N
Recreation Facility, Public	P	P	P	P	P	P	P	P	P	P	P	P	P
Dance and martial art studios, fitness facilities.	N	N	N	N	N	N	N	N	N	N	N	C	N
Physical fitness facilities.	N	N	N	N	N	N	N	N	N	C	N	N	N
Non-profit recreation center	N	N	N	N	N	N	C	N	N	N	N	N	N
Arts, entertainment and recreation uses (indoor and outdoor).	N	N	N	N	N	P	N	P	N	N	N	N	N
Arts, entertainment and recreation uses, except outdoor arenas and amusement parks.	N	N	N	N	N	N	N	P	N	N	N	N	N
Indoor recreational facilities primarily for instruction.	N	N	N	N	N	N	N	N	P	N	N	N	N
Health and Fitness Facility	N	N	N	N	N	P	C	P	P	C	N	C	C
Performing Art Center	N	N	N	N	N	P	P	N	P	N	N	N	N
Studio, Artist	N	N	N	N	N	P	N	N	P	N	N	C	C
Recreation Facility, Commercial, Indoor	N	N	N	N	N	P	N	P	N	N	N	N	N
Recreation Facility, Commercial, Outdoor	N	N	N	N	N	C	N	C	N	N	N	N	N
Recreation Facility, Public	P	P	P	P	P	P	P	P	P	P	P	P	P
PUBLIC OR SEMI/PUBLIC													
Churches	N	P	P	P	C	P	P	C	N	N	N	N	N
Colleges, vocational and technical trade schools.	N	N	N	N	N	N	N	P	N	P	N	P	N
Government offices and public administration, except correctional institutions.	N	N	N	N	N	P	N	P	N	N	N	N	N
Health care and social assistance.	N	N	N	N	N	P	N	P	N	N	N	N	N
Municipal Uses limited to water storage and well facilities	C	N	N	N	N	N	N	N	N	N	N	N	N
Non-motorized recreational pathways	P	P	P	P	P	P	P	P	P	P	P	P	P
Non-profit recreation center	N	N	N	N	N	N	C	N	N	N	N	N	N
Parks	P	P	P	P	P	P	P	P	P	P	P	P	P
Public recreational or cultural areas	C	N	N	N	N	N	N	N	N	N	N	N	N
Public Service, Public Use and Public Utility Facilities.	N	C	C	C	N	C	C	C	P	P	N	C	C
Semi-Public Uses.	N	N	N	C	C	P	C	P	N	N	N	N	N
Schools. (Refer to §11.4.3 for specific criteria when reviewing schools)	N	N	N	C	N	C	N	C	N	N	N	C	N

HEALTH AND FITNESS FACILITY: A business or membership organization providing exercise facilities and/or nonmedical personal services to patrons, including, but not limited

to, gymnasiums, private clubs (athletic, health, or recreational), tanning salons, and weight control establishments.

STUDIO, ARTIST: Work space within an enclosed structure for artists and artisans, including individuals practicing one of the fine arts or performing arts, or skilled in an applied art or craft. Also includes recording studios. Incidental retail sales of items produced on the premises is allowed.

PERFORMING ARTS CENTER: A facility housing the elements needed to support a performing arts organization. Such facility may functions associated either with an on site or off site live performance theater, but not including performing arts space within schools.

PUBLIC RECREATIONAL AND CULTURAL AREAS:

RECREATION FACILITY, COMMERCIAL: A recreation facility operated as a business and open to the general public for a fee. Typically uses include, but are not limited to, arcades, sport facilities, swimming pools, laser tag and paintball courses, billiards, skating rinks, driving ranges, miniature golf, water courses and motorized car tracks.

RECREATION FACILITY, PUBLIC: A publicly owned and operated recreation facility.

RECREATION FACILITY, RESIDENTIAL: A recreation facility for use solely by the residents and guests of a particular residential development, planned unit development, or residential neighborhood, including outdoor and indoor facilities. These facilities are usually proposed or planned in association with development and located within or adjacent to such development.

The following businesses fit into these categories:

Recreation, Fitness

Flight LLC Fitness	120 Main Street S	B
Bigwood Fitness	21 East Maple Street	B
Boulder Mtn Crossfit	1012 Business Park Drive	TI
Fitworks Class Studio	1050 Fox Acres Road	GR
Rapid Results Training	101 Bullion St.	B
Spirit n motion Athletic School	3950 Woodside blvd	LI
Pure Body Bliss	91 e. Croy St.	B
Resilient body Pilates	515 N. River St.	B
Sawtooth Martial Arts	613 N River	B
BCRD FitWorks	1050 Fox Acres Road	GR

Performing Arts, Public Recreation

Liberty Theatre	110 N Main Street	B
BCRD Gymnasium	1050 Fox Acres Road	GR
BCRD Swimming Pool	1050 Fox Acres Road	GR
Rodeo Grounds		LB

Standards of Evaluation

Note: Staff analysis is in lighter type, *italicized words* are words or phrases added by

staff for clarification purposes.

14.6 Criteria for Review. When evaluating any proposed amendment under this Article, the Commission and Council shall make findings of fact on the following criteria:

a. The proposed amendment is in accordance with the Comprehensive Plan;

5.6 Manage and accommodate population growth by infill development and, when appropriate, minimal expansion by annexation and/or density increases.

5.7 Encourage development at the densities allowed in the Zoning Code.

b. Essential public facilities and services are available to support the full range of proposed uses without creating excessive additional requirements at public cost for the public facilities and services;

No additional public costs are anticipated from these text changes.

a. The proposed uses are compatible with the surrounding area; and

The proposed text changes address uses already existing in the zone districts under discussion. The text changes are not meant to expand uses in districts, but to clarify and delete redundant or repetitive uses.

b. The proposed amendment will promote the public health, safety and general welfare.

The proposed amendment will make it easier for the public, business community and staff to understand where various uses are permitted.

Summary

The Planning and Zoning Commission shall hold a public hearing and determine whether the proposed amendments are in accordance with the applicable standards of evaluation.

The Planning and Zoning Commission shall make a recommendation to the City Council, with **findings on the four standards of evaluation** noted above. If the proposed changes are approved by the City Council, the Council shall pass an ordinance making said amendment part of Hailey Zoning Code Title 17.

Motion

"I move to approve the changes to Title 17, Chapter 17.05, District Use Matrix as modified herein, and recommend passage of said changes to the Hailey City Council."

Return to Agenda

October 6, 2016

TO: Planning and Zoning Commission

FM: Lisa Horowitz, Community Development Director

RE: Text Amendment to Title 17, Section 17.05, District Use Matrix, Section 17.05, to consider “rounding” of lot sizes in circumstance which may be appropriate

ATTACHMENT: EXCERPT FROM ZONING ORD. 532 REGARDING ROUNDING

Summary

Prior to 2006, the Zoning Code contained a provision for “rounding”. This provision perhaps was created due to the fact that older lots were platted imperfectly and that very small deviations in lot size could make a big difference when considering minimum lot size and other regulations. The rounding was permitted up to .10 per acre when calculating density in the GR Zone District. See attached excerpt from Zoning Ordinance 532. This “rounding” rule was removed in 2006 as part of a series of code changes. The City adopted the District use Matrix would be reasonable place to include the rounding provision.

Alternately, the provision could be included in the Townsite Overlay Section of the Code, and apply only to townsite overlay lots.

Standards of Evaluation

Note: Staff analysis is in lighter type, *Italicized words* are words or phrases added by staff for clarification purposes.

14.6 Criteria for Review. When evaluating any proposed amendment under this Article, the Commission and Council shall make findings of fact on the following criteria:

- a. **The proposed amendment is in accordance with the Comprehensive Plan;**
Insert relevant comp plan sections
- b. **Essential public facilities and services are available to support the full range of proposed uses without creating excessive additional requirements at public cost for the public facilities and services;**

No additional public costs are anticipated from these text changes.

a. The proposed uses are compatible with the surrounding area; and

The proposed text change would address existing lots that may be slightly off in size due to old surveying errors. The Commission should discuss whether this provision should apply to all lots in the City, only to Old Hailey lots, or only to GR lots.

b. The proposed amendment will promote the public health, safety and general welfare.

The proposed amendment will address surveying errors of small amounts.

Summary

The Planning and Zoning Commission shall hold a public hearing and determine whether the proposed amendments are in accordance with the applicable standards of evaluation.

The Planning and Zoning Commission shall make a recommendation to the City Council, with **findings on the four standards of evaluation** noted above. If the proposed changes are approved by the City Council, the Council shall pass an ordinance making said amendment part of Hailey Zoning Code Title 17.

4.3.5 Bulk Requirements.

- a. Minimum Lot size - six thousand (6,000) square feet except as follows:
 1. Townhouse sub-lots shall have an aggregate density of no more than ten lots per acre.
- b. Maximum Multi-family Residential Density - One (1) dwelling unit for each one-tenth (1/10) of an acre. In determining the allowable maximum density, the acreage of the parcel in questions shall be rounded off to the nearest one-tenth (1/10) of an acre. For example, a parcel which is 10.15 acres shall be treated as 10.2 acres, and a parcel which is 10.149 acres shall be treated as a parcel of 10.1 acres.
- c. Minimum Lot Width - fifty (50) feet except as follows:
 1. Townhouse sub-lots shall conform to the standards established in the Uniform Fire Code, as adopted by the City of Hailey.
- d. Maximum Building Height - thirty five (35) feet.
- e. Minimum Front Yard Setback - twenty (20) feet.
- f. Minimum Side and Rear Yard Setback - one (1) foot for every three (3) feet or fraction thereof of building height and no side or rear yard shall be less than then (10) feet except as follows:
 1. The Townhouse sub-lot side yard setback along the common wall boundary line shall be zero feet.
- g. Accessory detached dwelling units shall have a minimum living area of 275 square feet and no building which includes an accessory dwelling unit shall have a footprint larger than 900 square feet.
- h. Total lot coverage of all buildings on any property which includes a accessory detached dwelling unit shall not exceed 40%.
- i. Manufactured home and recreational vehicle parks shall meet the following minimum requirements:
 1. Minimum Park Width - one hundred (100) feet.
 2. Minimum Front Yard Setback - twenty five (25) feet.
 3. Minimum Side and Rear Yard Setbacks - twenty five (25) feet.
 4. Maximum Building Height - thirty (30) feet.
 5. Water and sewer systems.
 6. Twenty (20) foot wide paved and lighted driveways.
 7. Six (6) foot wide paved and lighted walkways.
 8. Usable open space at a minimum of twenty five (25%) percent of the total lot area, excluding paved areas.
 9. Sanitary service building connection to City sewer and water and a method for refuse disposal.
 10. Each manufactured home space shall have a minimum area of one thousand eight hundred (1,800) square feet and a minimum width of thirty (30) feet.
 11. A minimum of ten (10) feet of clear space shall be provided between manufactured homes.
 12. Manufactured homes within approved manufactured home parks are exempt from the bulk, roof pitch, and exterior material standards established in Section 2.2.46 of this Ordinance.

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