

AGENDA
HAILEY PLANNING & ZONING COMMISSION
Monday, December 9, 2013
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 November 12, 2013 regular meeting

CA 2 Motion to approve Findings of Fact and Conclusions of Law for a Preliminary Plat of the River Street Station Condominiums, thereby creating five (5) condominiums within an existing building, the River Street Station, located at Lot 1A, Block 66, Hailey Townsite Business Zoning District (B). Proposed name of the condominium subdivision is River Street Station Condominiums, comprising five units: Unit A, Unit B, Unit C, Unit D, and Unit E.

New Business and Public Hearings

Old Business

Commission Reports and Discussion

Staff Reports and Discussion

SR 1 Discussion of current building activity and upcoming projects

SR 2 Discussion of the next Planning and Zoning meeting: Monday, January 13, 2013
(no documents)

Adjourn

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.

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

Present: Regina Korby, Jay Cone, Owen Scanlon

Staff: Micah Austin, Kristine Hilt

Absent: Geoffrey Moore, Janet Fugate

Call to Order

5:30:56 PM Jay Cone called the meeting to order.

Public Comment for items not on the agenda

None

Consent Agenda

~~CA 1— Motion to approve minutes of October 15, 2013 regular meeting~~

5:31:10 PM Owen Scanlon moved to approve the minutes, Regina Korby seconded and the motion passed.

New Business and Public Hearings

~~NB 1— Public Hearing and consideration of an application for Preliminary Plat of the River Street Station Condominiums, thereby creating five (5) condominiums within an existing building, the River Street Station, located at Lot 1A, Block 66, Hailey Townsite Business Zoning District (B). Proposed name of the condominium subdivision is River Street Station Condominiums, comprising five units: Unit A, Unit B, Unit C, Unit D, and Unit E. In addition to the Preliminary Plat application, public comment is invited for any public infrastructure improvements constructed in connection to this project, pursuant to Title 18 of the Hailey Municipal Code.~~

5:31:47 PM Jay Cone recused himself due to preliminary work on this specific project. Micah Austin summarized the River Street Station Condominium short plat application and notified the Commissioners that the project will have one more hearing with the City Council. Micah Austin then went on to summarize the noticing process, the application materials and the property location and desired development plans. Micah Austin noted that per City Engineer, Tom Hellen, a sidewalk repair may or may not be required and had not been determined at this time. Micah Austin summarized his staff report by noting that the application was for commercial purposes not residential purposes. Micah read public comments received in regards to parking concerns from adjacent property owners. 5:42:00 PM Owen Scanlon inquired about the intent of the application for parking purposes. Micah Austin clarified that the intent was commercial. Brian Yeagar with Galena Engineering commented that the sidewalk repair would be addressed at the Council level. Andy Andrews, Hailey, commented that the residential approach had considered but the lack of parking stalled plans to move forward with that particular approach. Owen Scanlon inquired if any

previous complaints of parking had been received. Andy Andrews notified the Commission that he had not received parking complaints. [5:46:39 PM](#) Brian Yeager notified the Commission that he had hoped to get relief from repairing the sidewalks based on the applicant's initial requirements to meet Design Review guidelines for infrastructure improvements. Andy Andrews went on to summarize the damage incurred on the sidewalks due to forces out of his control including snow removal. [5:51:17 PM](#) Owen Scanlon inquired about the photographs presented by the applicant of the sidewalks surrounding the property. Discussion went on to include snow removal, dry wells, water retention, and drainage on the premises. [5:55:33 PM](#) Regina Korby inquired about the applicant's desire with the individual condominiums upon completion. Andy Andrews answered that eventually he would like to sell them individually. [5:56:51 PM](#) Owen Scanlon called for public comment. None was given. [5:57:03 PM](#) Micah Austin added that the Urban Renewal District would eventually reconstruct the area's sidewalks and streets based on the budget and revenues. [5:58:55 PM](#) **Regina Korby motioned to approve the application for a Preliminary Plat of the River Street Station Condominiums located at Lot 1A, Block 66, Hailey Townsite Business Zoning District (B). Proposed name of the condominium subdivision is River Street Station Condominiums, comprising of units A-E. Owen Scanlon seconded and the motion passed.**

Old Business

Commission Reports and Discussion

Staff Reports and Discussion

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

[6:02:26 PM](#) Kristine Hilt briefed the Commissioners on new building activity and upcoming projects.

~~SR 2—Discussion of the next Planning and Zoning meeting: Monday, December 9, 2013
(no documents)~~

Adjourn

[6:02:32 PM](#) Owen Scanlon moved to adjourn and Regina Korby seconded and the motion passed.

FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION

On December 9, 2013 the Hailey Planning & Zoning Commission considered an application for Preliminary Plat, submitted by River Street Station LLC, represented by Brian Yeager of Galena Engineering, for approval of a condominium subdivision within an existing building locate at Lot 1A, Block 66, Hailey Townsite and to be called River Street Station Condominiums, thereby creating Unit A, Unit B, Unit C, Unit D, and Unit E. The Commission, having been presented with all information and testimony in favor and in opposition to the proposal, hereby makes the following Findings of Fact, Conclusions of Law and Decision.

FINDINGS OF FACT

HEARING: November 12, 2013

Applicant: River Street Station, LLC, represented by Kimberlee Johnson of Galena Engineering

Project: River Street Station Condominiums

Request: Preliminary Plat approval with recommendation to the City Council

Location: Lot 1A, Block 66, Hailey Townsite

Zoning: Business District (B)

Notice

Notice for the public hearing was published in the Idaho Mountain Express on October 23, 2013; the notice was mailed to public agencies and to property owners within 300 feet on October 24, 2013. The site was posted on October 24, 2013.

Application

River Street Station, LLC, represented by Brian Yeager of Galena Engineering, has submitted an application for Preliminary Plat approval for a condominium plat/subdivision of an existing building located on Lot 1A, Block 66, Hailey Townsite. The property is currently zoning Business and is within the Townsite Overlay. The existing building, River Street Station, is situated on a parcel comprising 7,172 square feet (.16 acres). The applicant proposes divide the building up into five units: Unit A, Unit B, Unit C, Unit D, and Unit E. The total land area of the subdivision is 7,172 square feet or .16 acres.

Department Comments

Life/safety issues: The current preliminary plat reflects all changes and revisions recommended and requested by the City Engineer.

Water and Sewer issues: The current preliminary plat reflects all changes and revisions recommended and requested by Tom Hellen, the City Engineer and Public Works Director.

Engineering issues: The current preliminary plat reflects all changes and revisions recommended and requested by Tom Hellen, the City Engineer and Public Works Director.

Standards of Evaluation

Northridge X Subdivision Standards of Evaluation

SECTION 4 - DEVELOPMENT STANDARDS

4.0 General Standards.

The configuration and development of proposed subdivisions shall be subject to and meet the provisions and standards found in this Ordinance, the Zoning Ordinance and any other applicable Ordinance or policy of the City of Hailey, and shall be in accordance with general provisions of the Comprehensive Plan.

4.1 Streets.

Streets shall be provided in all subdivisions where necessary to provide access and shall meet all standards below.

- *Streets are existing and are provided.*

4.1.1 All streets in the subdivision must be platted and developed with a width, alignment, and improvements such that the street is adequate to safely accommodate existing and anticipated vehicular and pedestrian traffic and meets City standards. Streets shall be aligned in such a manner as to provide through, safe and efficient access from and to adjacent developments and properties and shall provide for the integration of the proposed streets with the existing pattern.

- *The existing streets meet this standard.*

4.1.2 Cul-de-sacs or dead end streets shall be allowed only if connectivity is not possible due to surrounding topography or existing platted development. Where allowed, such cul-de-sacs or dead end streets shall comply with all regulations set forth in the IFC and other applicable codes and ordinances. Street rights-of-way extended into un-platted areas shall not be considered dead end streets.

More than one access may be required based on the potential for impairment of a single access by vehicle congestion, terrain, climatic conditions or other factors that could limit access.

- *No cul-de-sac or dead end streets are proposed. Access to this subdivision complies with the conditions above.*

4.1.3 Streets shall be laid out so as to intersect as nearly as possible at right angles and no street shall intersect any other street at less than eighty (80) degrees. Where possible, four way intersections shall be used. A recommended distance of 500 feet, with a maximum of 750 feet, measured from the center line, shall separate any intersection. Alternatively, traffic calming measures including but not limited to speed humps, speed tables, raised intersections, traffic circles or roundabouts, meanderings, chicanes, chokers, and/or neckdowns shall be a part of the street design. Alternate traffic calming measures may be approved with a recommendation by the City Engineer. Three way intersections shall only be permitted where most appropriate or where no other configuration is possible. A minimum distance of 150 feet, measured from the center line, shall separate any two three-way intersections.

- *Street configuration meets the conditions stated and both intersections to the east and west are four way intersections.*

- 4.1.4 Street center lines which deflect more than five (5) degrees shall be connected by a curve. The radius of the curve for the center line shall not be more than 500 feet for an arterial street, 166 feet for a collector street and 89 feet for a residential street. Alternatively, traffic calming measures including but not limited to speed humps, speed tables, raised intersections, traffic circles or roundabouts, meanderings, chicanes, chokers, and/or neckdowns shall be a part of the street design. Alternate traffic calming measures may be approved with a recommendation by the City Engineer.**

The existing horizontal layout complies with the above standard.

- 4.1.5 Street width is to be measured from property line to property line. The minimum street width, unless specifically approved otherwise by the Council, shall be as specified in City Standards for the type of street.**

(Ord. 1002, §2, 03/26/2008)

- *Streets right of ways meet the requirements.*

- 4.1.6 Roadway, for the purpose of this section, shall be defined as the area of asphalt from curb face to curb face or edge to edge. Roadway includes areas for vehicle travel and may include parallel or angle in parking areas. The width of roadways shall be in accordance with the adopted City Standards for road construction.**

- *The current streets, River Street and Myrtle Street, meet this standard.*

- 4.1.7 Road Grades shall be at least two percent (2%) and shall not generally exceed six percent (6%). Grade may exceed 6%, where necessary, by 1% (total 7%) for no more than 300 feet or 2% (total 8%) for no more than 150 feet. No excess grade shall be located within 200 feet of any other excess grade nor there any horizontal deflection in the roadway greater than 30 degrees within 300 feet of where the excess grade decreases to a 2% slope.**

- *Roadway grades are in compliance with the standards.*

- 4.1.8 The Developer shall provide storm sewers and/or drainage areas of adequate size and number to contain any runoff within the streets in the subdivision in conformance with the applicable Federal, State and local regulations. The developer shall provide copies of state permits for shallow injection wells (drywells). Drainage plans shall be reviewed by City Staff and shall meet the approval of the City Engineer. Developer shall provide a copy of EPA's "NPDES General Permit for Stormwater Discharge from Construction Activity" for all construction activity affecting more than one acre.**

- *Drainage areas are in place and in compliance.*

4.1.9 The Developer shall provide and install all street and traffic control signs in accordance with City Standards.

- *Street signs are existing and provided per the standards.*

4.1.10 All streets and alleys within any subdivision shall be dedicated for public use, except as provided herein. New street names (public and private) shall not be the same or similar to any other street names used in Blaine County.

- *Not applicable. No new streets are proposed.*

4.1.10.1 Private streets may be allowed (a) to serve a maximum of five (5) residential dwelling units, (b) within Planned Unit Developments, or (c) within commercial developments in the Business, Limited Business, Neighborhood Business, Light Industrial, Technological Industry, and Service Commercial Industrial districts. Private streets are allowed at the sole discretion of the Council, except that no Arterial or Major Street, or Collector or Secondary Street may be private. Private streets shall have a minimum total width of 36 feet, shall be constructed to all other applicable City Standards including paving, and shall be maintained by an owner's association.

- *Not applicable. No new streets are proposed*

4.1.10.2 Private streets, wherever possible, shall provide interconnection with other public streets and private streets.

(Ord. 1002, §3, 03/26/2008)

- *Not applicable.*

4.1.10.3 The area designated for private streets shall be platted as a separate parcel according to subsection 4.5.3 below. The plat shall clearly indicate that the parcel is unbuildable except for public vehicular and public pedestrian access and ingress/egress, utilities or as otherwise specified on the plat.

(Ord. 1002, §4, 03/26/2008)

- *Not applicable.*

4.1.10.4 Private street names shall not end with the word "Road", "Boulevard", "Avenue", "Drive" or "Street". Private streets serving five (5) or fewer dwelling units shall not be named.

- *Not applicable.*

4.1.10.5 Private streets shall have adequate and unencumbered 10-foot wide snow storage easements on both sides of the street, or an accessible dedicated snow storage easement representing not less than twenty-five (25%) of the improved area of the private street. Private street snow storage easements shall not be combined with, or encumber, required on-site snow storage areas.

(Ord. 1002, §5, 03/26/2008)

- *Snow storage as required is provided.*

4.1.10.6 Subdivisions with private streets shall provide two (2) additional parking spaces per dwelling unit for guest and/or overflow parking. These spaces may be located (a) within the residential lot (e.g., between the garage and the roadway), (b) as parallel spaces within the street parcel or easement adjacent to the travel lanes, (c) in a designated guest parking area, or (d) as a combination thereof. Guest/overflow parking spaces are in addition to the minimum number of parking spaces required pursuant to Article IX of the Hailey Zoning Ordinance. The dimension of guest/overflow parking spaces shall be no less than 10' by 20' if angle parking, or 10' by 24' if parallel. Guest overflow parking spaces shall be improved with asphalt, gravel, pavers, grass block, or other all-weather dustless surface. No part of any required guest/overflow parking spaces shall be utilized for snow storage.

- *Not applicable. No new streets are proposed*

4.1.11 Driveways may provide access to not more than two (2) residential dwelling units. Where a parcel to be subdivided will have one lot fronting on a street, not more than one additional single family lot accessed by a driveway may be created in the rear of the parcel. In such a subdivision, where feasible (e.g., no driveway already exists), both lots shall share access via a single driveway. Driveways shall not be named.

- *Not applicable. No new driveways are proposed*

4.1.11.1 Driveways shall be constructed with an all-weather surface and shall have the following minimum roadway widths:

Accessing one residential unit:	12 feet
Accessing two residential units:	16 feet

No portion of the required fire lane width of any driveway may be utilized for parking, above ground utility structures, dumpsters or other service areas, snow storage or any other obstructions.

- *Not applicable. No new driveways are proposed.*

4.1.11.2 Driveways longer than 150 feet must have a turnaround area approved by the Fire Department. Fire lane signage must be provided as approved by the Fire Department.

- *Not applicable. No new driveways are proposed*

4.1.11.3 Driveways accessing more than one residential dwelling unit shall be maintained by an owner's association, or in accordance with a plat note.

- *Not applicable. No new driveways are proposed*

4.1.11.4 The area designated for a driveway serving more than one dwelling unit shall be platted as a separate unbuildable parcel, or as a dedicated driveway easement. Easements and parcels shall clearly indicate the beneficiary of the easement or parcel and that the property is

unbuildable except for ingress/egress, utilities or as otherwise specified on the plat. A building envelope may be required in order to provide for adequate building setback.

- *Not applicable. No new driveways are proposed*

4.1.11.5 No driveway shall interfere with maintenance of existing infrastructure and shall be located to have the least adverse impact on residential dwelling units, existing or to be constructed, on the lot the easement encumbers and on adjacent lots.

- *Not applicable. No new driveways are proposed*

4.1.12 A parking access lane shall not be considered a street, but shall comply with all regulations set forth in the IFC and other applicable codes and ordinances. Development of lots will be in compliance.

- *Not applicable. No new parking access lanes are proposed*

4.1.13 Required fire lanes, whether in private streets, driveways or parking access lanes, shall comply with all regulations set forth in the IFC and other applicable codes and ordinances.

- Development of lots will be in compliance.

4.2 Sidewalks and Pathways.

4.2.1 Sidewalks, curb and gutter shall be required improvements for projects requiring Subdivision approval in the B, LB, TI, A and SCI zoning districts. At a minimum, sidewalks and curb and gutter, where required, shall comply with the City Standards. Sidewalks shall be at least six feet (6') wide or as wide as adjacent sidewalks on the same block, whichever is greater. Sidewalks shall be constructed along the entire length of a property adjacent to any public or private street in all zones, as well as in locations that provide safe pedestrian access to and around a commercial or mixed-use building. New sidewalks shall be planned to provide pedestrian connections to any existing sidewalks adjacent to the site. Sites located adjacent to public or private streets that are not currently thru-streets, regardless whether the street may provide a connection to future streets, shall provide sidewalks to facilitate future pedestrian connections. Sidewalks and drainage improvements shall also be required in other districts, except as otherwise provided herein. The requirement for sidewalk may be waived if the cost of the proposed project construction is less than twenty thousand dollars (\$20,000). For subdivisions in the Townsite Overlay District, the requirement for sidewalk may be waived for any lot line adjustment associated with a residential remodel or addition; sidewalks shall be required for new primary dwellings.

(Ord. 1017, §1, 11/19/08)

- *The parcel is zoned Business, therefore sidewalks, curb, and gutter are required.*
- *Existing sidewalks, curb, and gutter are provided within the public right-of-way, however the City Engineer recommends repair of the existing sidewalks as condition of approval for this subdivision.*
- *The sidewalk approach at the corner of River Street and Myrtle is dilapidated and does not meet City Standards. This section should be repaired and replaced according to City Standards and subject to an inspection by the City Engineer as a condition of approval.*

4.2.2 Pathways. The Developer shall install all non-vehicular pathways, to City Standards, in all areas within or adjacent to the property to be developed where Pathways are depicted upon the Master Plan.

- *Not applicable. No pathways are proposed*

4.2.3 The Developer may, at Developer's option, propose alternatives to either the standard sidewalk configuration required in Section 4.2.1, or the planned non-vehicular pathway required in Section 4.2.2. The Hearing Examiner or Commission and Council shall ensure that the alternative configuration shall not reduce the level of service or convenience to either residents of the development or the public at large.

- *Alternatives may be considered, such as an in-lieu payment for sidewalk repairs. At this time, the applicant has not proposed any alternatives.*

4.2.4 After receiving a recommendation by the Hearing Examiner or Commission, the Council may in its discretion approve and accept voluntary cash contributions in-lieu of the improvements described in this Section 4.2, which contributions must be segregated by the City and not used for any purpose other than the provision of these improvements. The contribution amount shall be 110% of the estimated costs of concrete sidewalk and drainage improvements provided by a qualified contractor, plus associated engineering costs, as approved by the City Engineer. Any approved in-lieu contribution shall be paid before the City signs the final plat. In-lieu contributions for sidewalks shall not be accepted in Business, Limited Business, Neighborhood Business Technological Industry and Service Commercial Industrial districts.

(Ord. 1002, §6, 03/26/2008)

- *No alternatives are proposed at this time.*

4.3 Alleys and Easements.

4.3.1 Alleys shall be provided in all Business District and Limited Business District developments where feasible.

- *Not applicable.*

4.3.2 The minimum width of an alley shall be 26 feet.

- *Not applicable.*

- 4.3.3 All alleys shall be dedicated to the public or provide for public access.**
- *Not applicable.*
- 4.3.4 All infrastructures to be installed underground shall, where possible, be installed in the alleys platted.**
- *Not applicable.*
- 4.3.5 Alleys in commercial areas shall be improved with drainage as appropriate and which the design meets the approval of the City Engineer. The Developer shall provide storm sewers and/or drainage areas of adequate size and number to contain any runoff within the streets in the subdivision upon the property in conformance with the latest applicable Federal, State and local regulations. The developer shall provide copies of state permits for shallow injection wells (drywells). Drainage plans shall be reviewed by City Staff and shall meet the approval of the City Engineer.**
- *Not applicable.*
- 4.3.6 Dead-end alleys shall not be allowed.**
- *Not applicable.*
- 4.3.7 Where alleys are not provided, easements of not less than ten (10) feet in width may be required on each side of all rear and/or side lot lines (total width = 20 feet) where necessary for wires, conduits, storm or sanitary sewers, gas and water lines. Easements of greater width may be required along lines, across lots, or along boundaries, where necessary for surface drainage or for the extension of utilities.**
- *Easements as depicted will be provided.*
- 4.3.8 Easements. Easements, defined as the use of land not having all the rights of ownership and limited to the purposes designated on the plat, shall be placed on the plat as appropriate. Plats shall show the entity to which the easement has been granted. Easements shall be provided for the following purposes:**
- Easements are shown as required on the plat.
- 4.3.8.1 To provide access through or to any property for the purpose of providing utilities, emergency services, public access, private access, recreation, deliveries or such other purpose. Any subdivision that borders on the Big Wood River shall dedicate a 20-foot wide fisherman's access easement, measured from the Mean High Water Mark, which shall provide for non-motorized public access. Additionally, in appropriate areas, an easement providing non-motorized public access through the subdivision to the river shall be required as a sportsman's access.**
- *Not applicable.*

4.3.8.2 To provide protection from or buffering for any natural resource, riparian area, hazardous area, or other limitation or amenity on, under, or over the land. Any subdivision that borders on the Big Wood River shall dedicate a one hundred (100) foot wide riparian setback easement, measured from the Mean High Water Mark, upon which no permanent structure shall be built, in order to protect the natural vegetation and wildlife along the river bank and to protect structures from damage or loss due to river bank erosion. A twenty-five (25) foot wide riparian setback easement shall be dedicated adjacent to tributaries of the Big Wood River. Removal and maintenance of live or dead vegetation within the riparian setback easement is controlled by the applicable bulk requirement of the Flood Hazard Overlay District. The riparian setback easement shall be fenced off during any construction on the property.

- *Not applicable.*

4.3.8.3 To provide for the storage of snow, drainage areas or the conduct of irrigation waters. Snow storage areas shall be not less than twenty-five percent (25%) of parking, sidewalk and other circulation areas. No dimension of any snow storage area may be less than 10 feet. All snow storage areas shall be accessible and shall not be located over any above ground utilities, such as transformers.

- *Snow storage easements are depicted.*

4.4 Blocks.

4.4.1. The length, width and shape of blocks shall be determined with due regard to adequate building sites suitable to the special needs of the type of use contemplated, the zoning requirements as to lot size and dimensions, the need for convenient access and safe circulation and the limitations and opportunities of topography.

- *Not applicable.*

4.5 Lots.

4.5.1 All lots shown on the subdivision plat must conform to the minimum standards for lots in the District in which the subdivision is planned. The City will generally not approve single-family residential lots larger than one-half acre (21,780 square feet). In the event a single-family residential lot greater than one-half acre is platted, irrigation shall be restricted to not more than one-half acre, pursuant to Idaho Code §42-111, and such restriction shall be included as a plat note. District regulations are found in the Zoning Ordinance.

- *Proposed lots are condominium lots and not limited to a lot size, per IC §§55.1501 et seq.*

4.5.1.1 If lots are more than double the minimum size required for the zoning district, the Developer may be required to arrange lots in anticipation of future resubdivision and provide for future streets where necessary to serve potential lots, unless the plat restricts further subdivision.

- *Not applicable*

4.5.2 Double frontage lots shall be prohibited except where unusual topography, a more integrated street plan, or other conditions make it undesirable to meet this requirement. Double frontage lots are those created by either public or private streets, but not by driveways or alleys. Subdivisions providing a platted parcel of 25 feet or more between any street right-of-way and any single row of lots shall not be considered to have platted double frontage lots. The 25-foot wide parcel provided must be landscaped to provide a buffer between the street and the lot(s).

- *Not applicable*

4.5.3 No unbuildable lots shall be platted. Platted areas that are not buildable shall be noted as such and designated as “parcels” on the plat. Green Space shall be clearly designated as such on the plat.

- *Not applicable.*

4.5.4 A single flag lot may be permitted at the sole discretion of the Hearing Examiner or Commission and Council, in which the “flagpole” projection is serving as a driveway as provided herein, providing connection to and frontage on a public or a private street. Once established, a flag lot may not be further subdivided, but a lot line adjustment of a flag lot is not considered a further subdivision. The “flagpole” portion of the lot shall be included in lot area, but shall not be considered in determining minimum lot width. The “flagpole” shall be of adequate width to accommodate a driveway as required by this ordinance, fire and other applicable codes. Flag lots within the Townsite Overlay District are not allowed, except where parcels do not have street access, such as parcels adjacent to the ITD right-of-way.

- *Not applicable.*

4.5.5 All lots shall have frontage on a public or private street. No frontage width shall be less than the required width of a driveway as provided under Sections 4.1.11.1 and 4.5.4 of this Ordinance. Townhouse Sub-Lots are excluded from this requirement; provided, however, that Townhouse Developments shall have frontage on a street.

- *Appropriate frontage is provided.*

4.5.6 In the Townsite Overlay District, original Townsite lots shall be subdivided such that the new platted lots are oriented the same as the original lots, i.e. lots shall be subdivided in such a way as to maintain frontage on both the street and alley. Exceptions may be made for corner properties with historic structures.

- *Not applicable.*

4.6 Orderly Development.

4.6.1 Development of subdivisions shall be phased to avoid the extension of City services, roads and utilities through undeveloped land.

- *Not applicable.*

4.6.2 Developers requesting phased subdivisions shall enter into a phasing agreement with the City. Any phasing agreement shall be approved and executed by the Council and the Developer on or before the preliminary plat approval by the Council.

- *Not applicable.*

4.6.3 No subdivision shall be approved which affects the ability of political subdivisions of the state, including school districts, to deliver services without compromising quality of service delivery to current residents or imposing substantial additional public costs upon current residents, unless the Developer provides for the mitigation of the effects of subdivision. Such mitigation may include, but is not limited to the following:

- **Provision of on-site or off-site street or intersection improvements.**
- **Provision of other off-site improvements.**
- **Dedications and/or public improvements on property frontages.**
- **Dedication or provision of parks or green space.**
- **Provision of public service facilities.**
- **Construction of flood control canals or devices.**
- **Provisions for ongoing maintenance.**

- *Not applicable.*

4.6.4 When the Developer of Contiguous Parcels proposes to subdivide any portion of the Contiguous Parcels, an Area Development Plan shall be submitted and approved. The Commission and Council shall evaluate the following basic site criteria and make appropriate findings of fact:

- Streets, whether public or private, shall provide an interconnected system and shall be adequate to accommodate anticipated vehicular and pedestrian traffic.**
 - Non-vehicular circulation routes shall provide safe pedestrian and bicycle ways and provide an interconnected system to streets, parks and green space, public lands, or other destinations.**
 - Water main lines and sewer main lines shall be designed in the most effective layout feasible.**
 - Other utilities including power, telephone, cable, and gas shall be designed in the most effective layout feasible.**
- Park land shall be most appropriately located on the Contiguous Parcels.**
 - Grading and drainage shall be appropriate to the Contiguous Parcels.**
 - Development shall avoid easements and hazardous or sensitive natural resource areas.**

The Commission and Council may require that any or all Contiguous Parcels be included in the subdivision.

- *Not applicable*

4.7 Perimeter Walls, Gates and Berms.

The City of Hailey shall not approve any residential subdivision application that includes any type of perimeter wall or gate that restricts access to the subdivision. This regulation does not prohibit fences on or around individual lots. The City shall also not allow any perimeter landscape berm more than 3' higher than the previously existing (original) grade.

- *Not applicable.*

4.8 Cuts, Fills, Grading and Drainage.

4.8.1 Proposed subdivisions shall be carefully planned to be compatible with natural topography, soil conditions, geology and hydrology of the site, as well as to minimize cuts; fills, alterations of topography, streams, drainage channels; and disruption of soils or vegetation. Fill within the floodplain shall comply with the requirements of the Flood Hazard Overlay District of the Zoning Ordinance.

- *Not applicable.*

4.8.1.1 A preliminary soil report prepared by a qualified engineer may be required by the Hearing Examiner or Commission and/or Council as part of the preliminary plat application.

- *As the application is for condos within an existing building, no soil disturbance is proposed.*

4.8.1.2 A preliminary grading plan prepared by a civil engineer may be required by the Hearing Examiner or Commission and/or the Council as part of the preliminary plat application, to contain the following information:

**Proposed contours at a maximum of two (2) foot contour intervals;
Cut and fill banks in pad elevations;
Drainage patterns;
Areas where trees and/or natural vegetation will be preserved;
Location of all street and utility improvements including driveways to building envelopes; and
Any other information which may reasonably be required by the Administrator, Hearing Examiner, Commission and/or Council.**

- *Not applicable*

4.8.2 The proposed subdivision shall conform to the following design standards:

4.8.2.1 Grading shall be designed to blend with natural land forms and to minimize the necessity of padding or terracing of building sites, excavation for foundations, and minimize the necessity of cuts and fills for streets and driveways.

- *Not applicable*

4.8.2.2 Areas within a subdivision which are not well suited for development because of existing soil conditions, steepness of slope, geology or hydrology shall be allocated for Green Space for the benefit of future property owners within the subdivision.

- *Not applicable.*

4.8.2.3 Where existing soils and vegetation are disrupted by subdivision development, provision shall be made by the Developer for Revegetation of disturbed areas with perennial vegetation sufficient to stabilize the soil upon completion of the construction, including temporary irrigation for a sufficient period to establish perennial vegetation. Until such time as the vegetation has been installed and established, the Developer shall maintain and protect all disturbed surfaces from erosion.

- *Compliance with this requirement will be maintained.*

4.8.2.4 Where cuts, fills or other excavation are necessary, the following development standards shall apply:

4.8.2.4.1 Fill areas for structures or roads shall be prepared by removing all organic material detrimental to proper compaction for soil stability.

- *Not applicable.*

4.8.2.4.2 Fill for structures or roads shall be compacted to at least 95 percent of maximum density as determined by American Association State Highway Transportation Officials (AASHTO) and American Society of Testing & Materials (ASTM).

- *Not applicable.*

4.8.2.4.3 Cut slopes shall be no steeper than two horizontal to one vertical. Subsurface drainage shall be provided as necessary for stability.

- *Not applicable.*

4.8.2.4.4 Fill slopes shall be no steeper than three horizontal to one vertical. Neither cut nor fill slopes shall be located on natural slopes of three to one or steeper, or where fill slope toes out within twelve (12) feet horizontally of the top of existing or planned cut slope.

- *Not applicable.*

4.8.2.4.5 Tops and toes of cut and fill slopes shall be set back from structures and property lines as necessary to accommodate drainage features and drainage structures.

- *Not applicable.*

4.8.2.5 The Developer shall provide storm sewers and/or drainage areas of adequate size and number to contain the runoff upon the property in conformance with the applicable Federal, State and local regulations. The Developer shall provide copies of state permits for shallow injection wells (drywells). Drainage plans shall be reviewed by Planning Staff and shall meet the approval of the City Engineer. Developer shall provide a copy of EPA's "NPDES General Permit for Stormwater Discharge from Construction Activity" for all construction activity affecting more than one acre.

- *All above requirements have been met in previous construction of existing facilities.*

4.10 Parks, Pathways and Other Green Spaces.

4.10.1 Parks and Pathways. Unless otherwise provided, every subdivision shall set aside a Park and/or Pathway(s) in accordance with standards set forth herein.

4.10.1.1 Parks. The Developer of any subdivision, or any part thereof, consisting of three (3) or more residential lots, including residential townhouse sub-lots and residential condominium units, without regard to the number of phases within the subdivision, shall set aside or acquire land area within, adjacent to or in the general vicinity of the subdivision for Parks. Parks shall be developed within the City of Hailey and set aside in accordance with the following formula:

P = x multiplied by .0277

“P” is the Parks contribution in acres

“x” is the number of single family lots, residential townhouse sub-lots or residential condominium units contained within the plat. Where multi-family lots are being platted with no fixed number of units, “x” is maximum number of residential lots, sub-lots, and units possible within the subdivision based on current zoning regulations

In the event the subdivision is located in the Business (B), Limited Business (LB), Neighborhood Business (NB), or Transitional (TN) zoning districts, the area required for a Park shall be reduced by 75%, but in no event shall the area required for a Park/Cultural Space exceed 17.5% of the area of the lot(s) being developed.

- *Not applicable.*

4.10.1.2 Pathways. The Developer of any subdivision, or any part thereof, shall provide Pathways for all trails and paths identified in the Master Plan that are located on the property to be subdivided or on City property adjacent to the property to be subdivided, and sidewalks required by this ordinance.

- *Not applicable.*

CONCLUSIONS OF LAW

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

1. Adequate notice, pursuant to Section 3 of the Hailey Subdivision Ordinance, was given for the public hearing.
2. Upon compliance with the conditions noted below, the application substantially meets the standards of approval set forth in the Hailey Subdivision Ordinance.
3. The application for Preliminary Plat, as presented on the day these findings are signed is approved by the Hailey Planning and Zoning Commission.

DECISION

The application submitted by River Street Station LLC, represented by Brian Yeager of Galena Engineering, for approval of a condominium subdivision within an existing building located on Lot 1A, Block 66, Hailey Townsite to be called River Street Station Condominiums, thereby creating Unit A, Unit B, Unit C, Unit D, and Unit E is hereby approved subject to the following terms and conditions:

- a) All Fire Department and Building Department requirements shall be met. Items to be completed at the applicant's sole expense include, but will not be limited to, the following requirements and improvements:
- b) All City infrastructure requirements shall be met as outlined in Section 5 of the Hailey Subdivision Ordinance. Detailed plans for all infrastructure to be installed or improved at or adjacent to the site shall be submitted for Department 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:
- c) Issuance of permits for the construction of buildings within the proposed subdivision shall be subject to Section 2.9 of the Subdivision Ordinance.
- d) All improvements and other requirements shall be completed and accepted, or surety provided pursuant to Sections 3.3.7 and 5.9.1 of the Subdivision Ordinance, prior to recordation of the final plat.
- e) The final plat must be submitted within one (1) calendar year from the date of approval of the preliminary plat, unless otherwise allowed for within a phasing agreement.

A party aggrieved by a final decision of the Commission may appeal in writing any final decision by filing a Notice of Appeal with the Hailey City Clerk within fifteen (15) days from the date of the decision.

Signed this _____ day of _____, 2013.

Geoffrey Moore, Chair

Attest:

Kristine Hilt, Community Development Coordinator