

Hailey Planning & Zoning Commission
Meeting Minutes
June 7, 2010

- I. Call to order: Commission Chair Owen Scanlon called the meeting to order at 6:29:55 PM
- II. Roll call: **PRESENT:** Commissioner Lloyd, Commissioner Moore and Chair Scanlon.
ABSENT: Commissioner Johnstone and Vice Chair Pogue.
STAFF: Administrative Assistance Mead, Planner Platt and Planning Director Robrahn.
- III. Public comment for items not listed on the agenda. There were no comments.
- IV. Consent Agenda
 - Findings of Fact of Nelson Variance 10 yr. Extension
 - Findings of Fact of Design Review, No Substantial Impact, 12 Bullion St. W.
 - Findings of Fact of Design Review Exemption, Haavik Shed Structure

Commissioner Lloyd moved to approve the Consent Agenda. Commissioner Moore second, and motion passed unanimously.

- V. New business
 - a) 6:31:13 PM **Public hearing upon an application by Amanda Norton for a Conditional Use Permit for indoor recreation, primarily for instruction, located on Lot 1, Block 45, Woodside Subdivision No. 10 (3950 Woodside Blvd), located within the Light Industrial (LI) zoning district.**

Planner Platt said this use is an existing use in a different building located in the same subdivision.

Amanda Norton, applicant said there will be more parking at this location. She said the Fire Marshall said it was under the size limit for the need for fire sprinklers.

Public Hearing Opened
There were no comments.
Public Hearing Closed

Commissioner Moore moved to approve the Conditional Use Permit application for Spirit 'n Motion, located on Lot 1, Block 45, Woodside Subdivision No. 10 (3950 Woodside Blvd), finding that the project is in conformance with the criteria of Section 11.4, (a) through (i) as set forth herein, and all applicable requirements of the Zoning Ordinance and City Standards with conditions (a) through (d). Commissioner Lloyd seconded and motion passed unanimously.

b) 6:35:05 PM Public hearing upon a city initiated text amendment to Article 7 of the Hailey Zoning Ordinance No. 532 to clarify requirements for Detached and Attached Accessory Structures and Chicken Coops.

Director Robrahn said this was to clarify requirements for attached and detached accessory structures and adding the requirement that Chicken Coops they must be detached and separated from the building.

Commissioner Lloyd noted that there is a maximum building height of 12 feet and asked staff if it been discussed to make this lower. Director Robrahn said this has already a requirement in the ordinance and a change has not been discussed.

Commissioner Scanlon referenced page 2 of the draft ordinance, Section 7.1.10 (d), "Chicken Coops shall be detached and separated from the Principle Building or any Accessory Structure by a minimum of (1) inch". Director Robrahn said that is the minimum the Building Code requires without requiring a firewall.

Public Hearing Opened

Tony Evans, Idaho Mountain Express asked how many people will be putting up coops and also asked if there have been any complaints.

Public Hearing Closed

Planner Platt said there is not an application process for chicken coops and said there have been no complaints.

Commissioner Lloyd moved to recommend to the City Council approval of the proposed amendments to Article 7, Supplementary Location and Bulk Requirements of the Hailey Zoning Ordinance as written, finding that the amendments are in accordance with the Comprehensive Plan, 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; the proposed uses are compatible with the surrounding area; and the proposed amendment will promote the public health, safety, and general welfare. Commissioner Moore second and motion passed unanimously.

c) 6:40:11 PM Public hearing upon an application by the City of Hailey for preliminary plat approval of Wertheimer Park Subdivision. The plat would create three (3) lots (Blaine Manor, Rodeo Grounds, and Hailey Elementary) which are within the General Residential (GR) and Limited Business (LB) zoning districts.

Director Robrahn said this amendment will clean up the property lines and create three new lots to reflect the ownership of the three properties. There are several

conditions of approval which are standard conditions. She said there is a condition regarding easements, clarifying who the easements are dedicated to and adding an access easement between Hailey Elementary property and Blaine Manor to connect the Rodeo Ground Park to First Avenue.

Commissioner Moore asked if the easement would go through the playground area. Director Robrahn said it would run along the west property line and there is a fence there now and the easement would be located on the inside of the fence. She said they are establishing the easement so in the future improvements can be made to accommodate that access. There is a master plan for the ball field in process and possibly in that process they could talk about making the easement accessible.

Mike Chatterton, Blaine County School District said people coming to the School District for the last four or five years talking about Nelson Field needing a configuration are starting that process.

Commissioner Moore referenced Section 4.2.3 where it speaks about the sidewalk on Maple; he asked if the development agreement would be for the county, and will they be responsible. Robrahn said the County or whomever develops the property. He asked if the developers are the City of Hailey, the School District and the County. He was concerned if the future developers do not develop it, then there would be no sidewalk. Moore wanted to have a fee agreement put into an escrow account to insure the sidewalk. Robrahn corrected that this would be an agreement between the City and the County.

Commissioner Moore said there is a statement in the staff report that in-lieu contributions have not been proposed and corrected that in-lieu fees are not allowed in that zone. Moore referenced page 13, Section 5.4.1 and asked if the main lines in the alleyway adjacent to Lots 1 & 2 needed to be addressed or did that get taken care of when the old Silver Creek School was remodeled. Robrahn said the City Engineer did not stipulate that anything needed to be done with the water lines. She specifically asked about the lines in the alley and he said there was not any need for insulation.

Public Hearing Opened

Mike Chatterton, BCSD said in the past years they have not been able to come to a decision between the City, the County, and the School District on the property issues and said they never pushed to get a resolution. He encouraged the Commission to proceed with this application.

Public Hearing Closed

Commissioner Lloyd said it looked like this was something that needed to be done.

Commissioner Moore moved to approve the preliminary plat application for Wertheimer Park Subdivision, finding that the configuration and development meets the provisions and standards found in the Subdivision Ordinance, the Zoning Ordinance and any other applicable Ordinance or policy of the City of Hailey, and is in accordance with general provisions of the Comprehensive Plan. Commissioner Lloyd seconded and motion passed unanimously.

(c) 6:56:12 PM Discussion of vapor recovery systems as they pertain to the above ground biodiesel fuel tank at the Blaine County School District Bus Maintenance Facility.

Planner Platt gave an overview of the School Districts memo regarding a Vapor Recovering System. She said it will be up to the Commission whether the information conforms.

Chatterton said item g on the conditions was that they were to put two stages of vapor recovery systems on the fuel tank itself; one stage would be for vapor recovery from the tanker truck and the storage tank. The second stage would be a vapor recovery system from a typical gasoline system would be from the storage tank and the dispensing nozzle. He said they are asking for condition g to allow the School District to install stage one vapor recovery system from the tanker truck to the storage tank itself and not the stage two vapor recovery system from the storage tank to the vehicle tank due to the unavailability of this system for diesel distribution points.

Rex Squires. BCSD said they have researched this and said he has invited Norm Hobson from Dale Service in Boise who deals with building service stations to explain the maintenance issues and answer any questions that they are not able to address.

Norm Hobson, Dale Service, Boise, Idaho said vapor recovery deal with gasoline vapors only. He said there are an example in the memo that he was impressed with, indicating Squires was very thorough. Hobson elaborated on the explanation.

Commissioner Moore asked if this vault could also be used for gasoline. Chatterton said not at this point but it will be used for diesel. He said it could be cleaned out and used for gasoline. Hobson said that tank can be used for any type of motor fuel product.

Planner Platt said as a result of their request, she researched herself and contacted IDEQ and they did specify the vapor recovery systems are only used for gasoline.

Commissioner Lloyd said the point was made that diesel is more of an oily substance; he said you can become nauseous from the oil left on the ground. He asked if there was any kind of cleaning schedules discussed. Platt stated from the

findings that the approval is for biodiesel only and there was nothing noted about any clean-up.

Hobson said he has seen maintenance neglected. He said it is amazing how the dust mixes with this oil which is spilled and it takes an extra effort to clean this up. He said kitty litter will absorb the diesel from the concrete very well. Hobson said there can be port holes ordered to be put on the tank and capped off for further use.

Chatterton said they do not foresee in the future that the School District will never go to using gasoline.

Commissioner Scanlon would like to see a couple extra openings added on the tank for the possibility of future vapor recovery.

Director Robrahn said they could make a motion to eliminate that condition, and make clear that type of vapor recovery system for biodiesel does not exist, noting that one of the reasons is because the impact of diesel vapor is not the same as gasoline vapor. She suggested the School District submit a maintenance plan to avoid the accumulation of diesel fuel on the ground and on the storage tank and vehicles.

Hobson said the American Petroleum Fueling Institute can provide anything you would need, and the material safety data sheets that come with the tank will also provide information.

Commissioner Scanlon made clarification for the amended condition g. Director Robrahn clarified the purpose of the Commission's action is to correct a condition based on available technology.

Commissioner Moore moved to clarify condition g of the Conditional Use Permit for the Bus Maintenance Facility to release Blaine County School District from the requirements for stage one and two of the vapor recovery system for biodiesel fuel, adding that sufficient ports will be installed for future vapor recovery, and the School District will submit to the Planning and Zoning department, documentation stipulating that such technology does not exist nor is it required, and will submit a maintenance plan for fuel clean-up. Commissioner Lloyd seconded and motion passed unanimously.

VI. Commission Reports and Discussion

Commissioner Scanlon reported that he will not be present June 21st.

Commissioner Moore reported that he will not be present July 19th.

VII. Staff Reports and Discussion

Director Robrahn invited the Commission to attend the State of the Downtown at the Liberty Theatre, this Friday at 6 pm.

VIII. Adjournment 7:22:35 PM Commissioner Moore moved to adjourn. Commissioner Lloyd seconded, the motion passed unanimously.