

**MINUTES OF THE SPECIAL MEETING
OF THE HAILEY PLANNING AND ZONING COMMISSION
HELD MONDAY, JULY 31, 2006
IN THE UPSTAIRS MEETING ROOM WITHIN HAILEY CITY HALL**

The special meeting of the Hailey Planning and Zoning Commission was called to order at 6:30 p.m. by Commission Chair Kristin Anderson. Commissioners Trent Jones, Elizabeth Zellers and Stefanie Marvel were present. Commissioner Nancy Linscott was excused. Staff present included Planning Director Kathy Grotto, City Planner Diane Shay, consultants Lisa Horowitz and Heather Madden, and Transcribing Secretary Caitlin Lonning.

PUBLIC HEARINGS

PROPOSED TEXT AMENDMENT TO ARTICLE 6A, DESIGN REVIEW, OF HAILEY ZONING ORDINANCE NO. 532.

The amendments would add Design Review Guidelines for all new residential development and certain additions in the Townsite Overlay District. The proposed amendments are the result of two previous public workshops on these topics.

Grotto advised that notice of the public hearing had been published in the Wood River Journal, mailed to public agencies and area media on July 12, 2006, and included in post cards that were mailed to property owners within the residential districts within the Townsite on June 6, 2006.

Horowitz presented a staff report detailing the process of creating the proposed Hailey Townsite Design Review Guidelines. She explained that residents of Hailey had been asked to send in photographs of buildings that they felt either did or did not fit with the character of the Townsite. Horowitz stated that these pictures and accompanying public comment demonstrated that people were concerned with the issues of sidewalks and alleys, snow storage, recessed garages, building scale, trees, historical structures, space between adjacent neighbors, site platting, and solar access. She stated that these were the general topics discussed at two public workshops at which citizens rated the importance of these topics and discussed how they wanted design to be handled. She presented these findings, as well as samples of the photographs submitted and sample written comments from the citizens present at the workshops. She stated that the discussions that took place at these workshops, as well as research into the historical site planning of the Townsite, culminated in the drafted Design Review Guidelines.

Horowitz went on to describe the way the Design Review Guidelines document was organized. She stated that the Hearing Examiner would use the document when reviewing proposed single family residences, accessory dwelling units, accessory structures, and duplexes. She pointed out that an appeals process is already in place for individuals who may wish to challenge the ruling of the Hearing Examiner. Horowitz advised that guidelines within the document were in bold typeface, and that those guidelines using the word "shall" are mandatory, while those that contain the word "should" are discretionary.

Bulleted information below bolded guidelines is explanatory text. She stated that the document is intended to be largely educational to assist individuals in the process of designing new buildings that fit with the character of the Townsite. Horowitz proceeded to summarize the guidelines in the drafted document.

Jones asked Horowitz to explain the meaning of the word “neighborhood” as it appeared in the document. He wondered if designers were expected to conform to standards of the buildings on their particular street, or in the broader Townsite.

Horowitz stated that designers should look first at the houses and streetscape in the immediate area of their proposed construction, and then the Townsite at large.

Zellers suggested that the guideline under Section 8: **“In general, a site should be carefully planned to incorporate existing mature trees on private property into the final design plan”** use the word “shall” rather than “should.”

Marvel agreed with Zellers. She further suggested the inclusion in the document of an appeals process for building designers. She expressed concern with the first explanatory bullet under the first guideline in Section 1 (**“The pattern created by the Old Hailey town grid should be respected in all site planning decisions.”**), which states that “Removing lot lines to create large lots is generally discouraged, as it would create building envelopes that are out of scale with Old Hailey.” Marvel stated her opinion that varying house and lot sizes are part of the charm of Old Hailey. She also wondered if there was a way to prevent individuals from purchasing multiple lots, building large houses on part of the property, and then selling off the undeveloped portion of their property, making their house too large for the remaining property. She expressed concern with over regulating ornamentation and rooflines, which could create identical houses. She stated her feeling that the guideline in Section 3e, **“Primary wall planes shall be parallel to the front lot line,”** is too rigid, adding her opinion that parallel wall planes are insignificant if the structure as a whole is aesthetically pleasing.

Jones expressed concern with the language in the document that encourages the linking of new buildings with those existing in its neighborhood. He stated that some existing buildings are not aesthetically pleasing, and that mimicking the design of these buildings would create more unattractive construction, rather than beautiful ones.

Anderson agreed with Jones, suggesting that the language should be modified so that new buildings be required to respect the character of their neighborhoods, at the same time giving designers the potential to improve the character of neighborhoods that may not currently be aesthetically pleasing.

Anderson suggested that more historical information regarding the Townsite be added to the document. She further suggested that the document be clarified to state that new construction, whether traditional or modern in design, must above all respect the scale of the Townsite and the immediate neighborhood in particular. She seconded Marvel’s concern regarding the Section 1 bullet that discourages the removal of lot lines. She suggested that

the Section 3a guideline **“The use of traditional forms and traditional elements in new ways is encouraged. Compatibility with established neighborhoods will be addressed in the design process,”** specify whether “the design process” referred to the Design Review process or the process of the individual designer. In the first bullet below this guideline, she suggested that “New buildings should be respectful of the past, but are encouraged to offer new interpretations of old styles,” should be changed to read “New buildings should be respectful of the past, but may offer new interpretations of old styles.” She further suggested that the second bullet below this guideline be reworded to lessen the emphasis on recreating traditional styles. She expressed concern with the Section 3c guideline that states: **“Building forms that are not typically found in Old Hailey should generally be located in areas that are less visible from the street.”** She stated her opinion that nontraditionally designed houses could fit with the character of Old Hailey if they were in the proper scale and designed with consideration for the surrounding area. She suggested that the maximum roof pitch should be listed as 12:12, rather than 9:12, that a phrase about rhythm and proportion be added to the regulation on windows, and that the important issue of pull-in parking on the public right-of-way be further discussed and resolved.

Marvel pointed out the difficulty of regulating housing design due to the subjectivity of architectural aesthetics, stating that the Design Review Guidelines, however carefully worded, would not be the final solution for building design in Hailey.

Anderson acknowledged Marvel’s point, but stated her opinion that the Guidelines will open up a dialogue that will force designers to consider their proposed buildings in the context of the character of Old Hailey.

Anderson opened the public hearing.

Rob Lonning, 415 S. 2nd Ave., thanked Horowitz for her work on the document, stating that he felt it was a good reflection of citizen input. He further stated that the Design Review Guidelines will help address some of the goals of the Historical Preservation Commission. He addressed Marvel’s point that varied house and lot sizes contribute to the charm of Old Hailey, stating that a large house in a neighborhood of small houses will dominate the small houses and disrupt the streetscape. He pointed out that there are neighborhoods in the Townsite where larger homes exist already, adding that new homes must be scaled with respect to the surrounding, pre-existing construction.

Geoffrey Moore, 406 S. 1st Ave., expressed concern with the sections of the document emphasizing the utilization of alleys, stating that the city does not plow most alleys in the Townsite and does not allow citizens to plow the alleys, making them inaccessible during the winter.

Larry Butler, 319 S. 3rd Ave. and 403 Silver St., stated his support of the utilization of alleys for parking, adding his concern over who would maintain the alleys. He further stated his desire for an appeals process for the Design Review process. He also noted his opinion that the regulations regarding ornamentation be changed from mandatory to discretionary due to the subjective nature of ornamentation.

Nancy Linscott, 318 E. Spruce St., encouraged the use of the word “shall” only in guidelines that concerned personal safety such as those dealing with parking and snow storage. She stated her belief that matters of design are too subjective to regulate, and what might be an architectural blemish to some is aesthetically pleasing to others.

Peter Lobb, 403 E. Carbonate St., stated his belief that there should be a 10 ft. minimum distance between houses in GR and LR areas rather than the current 6 ft. and that lot size should be further examined. Regarding the Design Review Guidelines, Lobb expressed his belief that the use of “shall” in the guidelines was important for enforcement issues, pointing out that designers might ignore discretionary matters.

Karen Horvath, 431 Northstar Dr., asked how the matter of inner lot lines will be handled in cases such as the one suggested earlier by Marvel, in which a house built to conform to bulk requirements on multiple lots would no longer conform should the owner sell off the undeveloped lots.

Grotto advised that it is illegal to sub-divide lots in such a way that non-conforming lots would be created. She further stated that there is a loophole in this regulation whereby a property owner could conceivably sell off some of their lots without subdividing, adding that this situation is relatively unlikely.

Grotto advised that the process for hearing appeals following Design Review by the Hearing Examiner is already set up in Section 3.5 of the Zoning Ordinance.

Addressing concerns regarding the plowing of alleys, Grotto stated that many alleys are privately plowed, and that citizens are allowed to plow their alleys if they so choose. She added that new construction is required to have adequately insulated water lines, and that the city may eventually be undertaking the project of insulating shallow water lines, as well. She added that the issue of plowing the alleys is under the jurisdiction of the City Council.

There being no further comment, Anderson closed the public hearing and the Commission entered into deliberation.

Horowitz suggested the addition of an explanation of the hearing appeals process to the beginning of the Guidelines document. Grotto agreed that this change would be beneficial to the document.

Horowitz suggested the removal of the word “traditional” from Section A. 2 of the Design Guidelines to read: “Maintain the scale of buildings as seen from Hailey streets.” The Commission agreed.

After discussion, the Commission decided to remove the first bullet point from the guideline in Section 1 (“**The pattern created by the Old Hailey town grid should be respected in all site planning decisions**”), which read “Removing lot lines to create large lots is generally discouraged, as it would create building envelopes that are out of scale with Old

Hailey.” They also decided to add language expressing the value of open space in Old Hailey.

Horowitz suggested the addition of language to the document’s “Guiding Principles” section that would clarify the meaning of “neighborhood” as used in the Guidelines and express the Commission’s intention that designers consider both the block of their prospective building, as well as the larger Townsite area, and then choose which facets of these existing designs they wish to incorporate into their building.

The following changes (in italics) were made to the following guideline in Section 1:

Site planning for new development and redevelopment shall address the following:

- **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 of 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 *construction dwelling units*.**

After discussion, the guideline from Section 3a, reading “**The use of traditional forms and traditional elements in new ways is encouraged. Compatibility with established neighborhoods will be addressed in the design process**” was changed to read: “**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.**” The second bullet under this guideline was changed from reading “Designers are encouraged to draw on the past,” to reading “Designers may draw on the past.”

After discussion, the third sentence in the guideline in Section 3c, which read “**Building forms that are not typically found in Old Hailey should generally be located in areas that are less visible from the street,**” was eliminated, and replaced with the sentence “**Less traditional forms should take great care to respond to the scale and character of the neighborhood.**” The final explanatory bullet under that guideline, which read “Non-traditional building forms are most appropriate to the rear of the lot, behind the primary structure, or in other areas less visible from public streets. This variety is also more appropriate on larger lots with more room to accommodate varied design styles,” was also eliminated.

After discussion of Section 3d, regarding roof form, the Commission determined to specify that the pitch of gabled roofs are traditionally 8:12 to 12:12, and that the maximum ridge length is traditionally 40-50 ft.

The Commission discussed, but did not determine, whether to eliminate the first explanatory bullet under the first guideline in Section 3d (“**Roof forms shall define the entry to the building, breaking up the perceived mass of larger buildings, and to diminish garages where applicable.**”), which reads “Entries should be emphasized by the choice of roof form.” The final explanatory bullet under this guideline was changed for clarification reasons to read “Variations in eave lines such as a jog *in eave and ridge line* may be helpful in breaking up building mass” (changes in italics), and the Commission determined that an illustration to further clarify this point should be added.

After discussion, it was determined that Horowitz and Grotto would rephrase the second guideline in Section 3d (“**Roof pitch and style shall be designed to meet snow storage needs for the site**”) to include some of its explanatory text in the guideline. It was also determined that the final explanatory bullet, “Snow clips and/or cold roof are methods of retaining snow on a roof,” would be eliminated, with language regarding snow retention added to the guideline.

After discussion, the guideline in Section 3d reading “**The roof pitch of a new building should be similar to those found traditionally in the surrounding neighborhood**” was eliminated and its explanatory text, “Gable roof pitches in the 8:12 to 12:12 range are encouraged,” was added to the Section 3d guideline: “**The use of roof forms, ridge length, and roof materials that are similar to those traditionally found in the neighborhood are encouraged.**” This latter guideline was altered to include “roof pitch” along with “roof forms, ridge length, and roof materials.” The fourth explanatory bullet under this guideline was changed as follows: “Shed roofs, flat roofs and roof pitches under 5:12 *may be appropriate in limited applications, or in areas where the surrounding buildings reflect this roof form as the predominant roof form.*” The caption of a photograph illustrating this guideline was changed to read “A gable roof with small dormers located below the *ridge line*,” rather than “roof line.”

The explanatory paragraph under Section 3e was changed to specify that “The gable *ends* most often ran parallel with the street.” The first guideline in Section 3e was changed from “**Primary wall planes shall be parallel to the front lot line,**” to “**Primary wall planes should be parallel to the front lot line.**” The replacement of the word “parallel” with “aligned” was discussed but not implicated.

After discussion, the Commission determined to remove the fourth and fifth explanatory bullet points under the first guideline in Section 3f (“**Windows facing streets are encouraged to be of a traditional size, scale and proportion**”), which read, “Window trim elements similar to those seen traditionally are encouraged,” and, “Large, unusually shaped windows are generally discouraged,” respectively. The word “traditional” was removed from the guideline’s first explanatory bullet point: “Consider the traditional position, area and arrangement of windows when designing street side facades.”

After discussion, it was decided that the explanatory paragraph under Section 3i, regarding Ornamentation, would be reworked to include and explain the term “architectural detail.” The first guideline in this section, “**Ornamentation elements shall be incorporated into**

the front wall plane of buildings,” will be changed to use the phrase “architectural detail” rather than “ornamentation.”

Anderson registered her concern regarding pull in parking on the public right of way. After some discussion, it was determined that street side parking is out of the Commission’s jurisdiction.

The third guideline in Section 5 was reworded as follows: **“As a general rule Generally, the driving surface of alleys within Limited Residential and General Residential may remain in a dust-free gravel surface, but should be paved within Business, Limited Business, and Transitional. The remainder of the City right of way should be managed for noxious weed control, particularly after construction activity.”**

After discussion, the phrase “‘specimen’ tree’ was removed from Section 8.

After discussion, it was determined that the first guideline in Section 8, **“In general, a site should be carefully planned to incorporate existing mature trees on private property into the final design plans,”** would be reworded to require that design plans incorporate mature pre-existing trees and landscaping and show whether these growths will be retained, relocated, or removed in the building process. The reworded guideline will also require designers to retain existing mature trees and landscaping wherever feasible.

Marvel suggested that the first guideline in Section 9, **“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,”** be changed to “shall,” rather than “should.”

Horowitz advised that this guideline was perhaps too rigid to be mandatory rather than discretionary. After some discussion, the Commission determined to retain the original phrasing.

Anderson questioned the accuracy of two photographs in the document, one on page twenty-seven, which depicts a potentially non-regulation chimney, and one on page twenty-eight, which is a potentially misleading photo of a seven unit multi-family building.

Grotto suggested that the Commission could recommend the Design Review Guidelines, with the discussed changes, to the City Council. Horowitz and Grotto would submit a draft reflecting these changes to the Commission, who would then make any final adjustments before the document is presented to the Council.

Marvel moved to recommend the proposed Design Review Guidelines for the Townsite Overlay to the Council based on compliance with three standards of evaluation, including the relationship of the proposed amendments of the Hailey Comprehensive Plan, the availability of public services to support the full range of proposed uses, and the compatibility of the proposed uses with the surrounding area, including all changes as noted. Zellers seconded and the motion carried unanimously.

FINDINGS OF FACT

Sweetwater PUD- **Jones moved to approve the Findings as written,** Zellers seconded and the motion carried with Anderson abstaining.

Community Campus CUP- **Jones moved to approve the Findings as written,** Zellers seconded and the motion carried unanimously.

MINUTES

July 17, 2006 – **Jones moved to approve as written,** Zellers seconded and the motion carried unanimously.

COMMISSION REPORTS

It was mentioned that the “right-only” signage at Bullion Street from Bullion Square is missing.

Anderson stated she will be absent August 21st. Jones stated that he will most likely also be absent August 21st.

Anderson moved to adjourn, Zellers seconded and the motion carried unanimously. The meeting adjourned at 9:20 p.m.