

MEETING MINUTES
HAILEY PLANNING & ZONING COMMISSION
Monday, March 13, 2017
Hailey City Hall
5:30 p.m.

Call to Order

[5:26:03 PM](#) Chair Fugate called the meeting to order.

Public Comment for items not on the agenda

Consent Agenda

CA 1 Adoption of the Meeting Minutes of March 7, 2017

[5:26:53 PM](#) Horowitz noted a correction, requested by Lili Simpson, to the Meeting Minutes of March 7, 2017. Jeff Engelhardt also amended the minutes to include his comments of the importance of having an arterial route from the town center to Quigley Canyon.

[5:27:50 PM](#) **Richard Pogue motioned to approve the March 7, 2017 Meeting Minutes. Jeff Engelhardt seconded and all were in favor.**

Public Hearings

PH 1 *Consideration of a Design Review Application by Patrick Lindahl, represented by Chip Maguire of M.O.D.E, LLC, for a new 1,112 square foot garage and 895 square foot residential unit, to be located at 302 South 4th Avenue (Lots 13, 14 & N. 10' of 15, Block 105, Hailey Townsite), in the Limited Residential 1 (LR-1) and Townsite Overlay (TO) Zoning Districts.*

[5:28:33 PM](#) Chip Maguire presented the project, noting setbacks, parking and exterior specifications. Maguire noted that the current proposal is to build on the rear of the lot, which would accommodate for a future residence at the front of the lot. Maguire also noted exterior colors and explained elevations.

[5:32:25 PM](#) Chair Fugate inquired about a resolution regarding the sidewalks. Horowitz explained that she hasn't heard back from Public Works regarding whether or not the Applicant would be required to put a sidewalk in on 4th and Walnut or to have Applicant pay in lieu. Patrick Lindahl would like to see the proposed fee estimate regarding the sidewalk. Lindahl would also prefer to see lot remain as is, as he has no need for the sidewalk. Horowitz noted that the fee is based on current contractor's cost estimate and that the Applicant would be responsible for obtaining estimate and provided it to the City. Lindahl doesn't believe fee is fair unless levied against neighbors as well.

[5:35:20 PM](#) Horowitz noted that three Evergreen trees exist and will remain on lot. Horowitz also informed the Commission of an existing fence, which will remain on lot as well.

[5:35:53 PM](#) Scanlon questioned the sidewalk requirement of the City and whether or not the Applicant would pay a fee for the width of lot. Horowitz noted that the City requires that the sidewalk, curb and gutter be installed by Applicant/Contractor or a sidewalk in-lieu fee payment be made to the City. Horowitz noted that no exemption exists for single family residences in Old Town Hailey.

[5:37:38 PM](#) Engelhardt likes the project and has no concerns moving forward.

[5:38:06 PM](#) Chair Fugate opened the item for public hearing.

[5:38:15 PM](#) Peter Lobb likes the project. Lobb expressed his concerns with the sidewalk issue and doesn't agree with the City requirement. Lobb would like to see in-lieu fee become less expensive, where more people would be willing to pay the in-lieu fee and more monies could be allocated to fixing existing sidewalks throughout Hailey.

[5:39:44 PM](#) Tony Evans inquired about the Text Amendment to follow (sidewalk in-lieu payment) and whether or not it pertains to project specifically. Horowitz confirmed that Text Amendment does not pertain to this project specifically.

[5:41:06 PM](#) Chair Fugate closed the item for public hearing. Chair Fugate questioned the options and formula for in-lieu fees. Horowitz referenced the code, noting that either the sidewalk gets constructed or an in-lieu fee of 110% is paid prior to issuance of a Certificate of Occupancy. This will be the discretion of the Public Works Director.

[5:42:52 PM](#) Scanlon reiterated that it is currently required by the City. That said, Scanlon questioned the purpose of a sidewalk that leads and goes to nowhere. Chair Fugate agreed; however, both agreed that this issue is a legal issue that would be better addressed by the City Attorney and Public Works Director.

[5:44:25 PM](#) Pogue likes the project; however, also noted that there is an issue with sidewalks within the City. Pogue thinks that until connection units are established, a sidewalk in-lieu payment or construction of a sidewalk should take place at that time. Chair Fugate agreed.

[5:45:27 PM](#) Horowitz noted that sidewalk in-lieu fees are being collected and used for repairing existing sidewalks within the City.

[5:46:21 PM](#) Chair Fugate inquired about deferring condition to the Public Works Director at this time. Engelhardt questioned the need. Scanlon suggested making it a condition of approval.

[5:47:06 PM](#) Scanlon motioned to approve the Design Review Application by Patrick Lindahl, represented by Chip Maguire of M.O.D.E, LLC, for a new 1,112 square foot garage and 895 square foot residential unit, to be located at 302 South 4th Avenue (Lots 13, 14 & N. 10' of 15, Block 105, Hailey Townsite), in the Limited Residential 1 (LR-1) 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 (i) are met; condition (i) meaning that the Public Works Director and the City of Hailey will determine the applicability of the sidewalk in-lieu fees. Horowitz informed the Commission that a condition was already established for the sidewalk in-lieu payment; therefore, the conditions should read (a) through (h). Scanlon amended to conditions to read, provided (a) through (i) are met. Pogue seconded and all were in favor.

[PH 2](#) *Continuation of an Annexation Application from Colorado Gulch Preserve, LLC, to annex Lot 1A, Block 1, Stevens Family Ranch, LLC (North of 81 Broadford Road, Section 15 & 16, T.2N., R. 18E., B.M., Blaine County, Idaho), comprising a total of 24.46 acres, into Hailey City Limits for the purpose of expanding residential zoning within the City of Hailey. Proposed zoning of the property is Limited Residential (LR-2).*

[5:49:18 PM](#) Horowitz presented background information and noted that the discussion will focus on water, wastewater issues and the Parks and Lands Board Recommendation.

[5:50:30 PM](#) Samantha Stahlnecker, Benchmark Engineering, presented the proposed development/connections of two water systems. Stahlnecker noted that the primary focus for tonight's meeting would be regarding the capacity of the existing system. Stahlnecker noted that the City's water system is composed of several different wells. Stahlnecker noted that the capacity of the system needs to include a buffer in case one of the resources fails. Stahlnecker presented information on the Firm Capacity, which would eliminate the largest producing well to determine the capacity of the current system. Currently, this is 7.3 billion gallons per day.

[5:52:46 PM](#) Stahlnecker noted that the proposed development is suggesting a usage of 30 gallons per day, with a seasonal peak usage of 75,000 gallons per day. Stahlnecker mentioned the submission of a Water Rights Summary from Applicant that discusses water rights on the existing parcel (approximately 24 acres of land). Staff and Stahlnecker recommend that the proposed development connect to City Water for domestic use. Discussion ensued.

[5:56:43 PM](#) Pogue questioned whether or not water rights were in perpetuity. Horowitz confirmed that water rights are owned.

[5:56:43 PM](#) Stahlnecker went on to present the other components of the discussion. Stahlnecker noted that three components were looked during analysis: 1) the treatment plant and its capacity, 2) river side lift station and main, and 3) Airport West Lift Station. Stahlnecker noted that the City of Hailey is functioning near limit.

[6:00:30 PM](#) Horowitz explained proposal in another way and noted that if a City were to make a strict interpretation of Firm Capacity, it would be similar to having a brand new car sit in the driveway, while you drove to work every day in another car, having the brand new car available just in case your day-to-day car broke down. Horowitz summarized that Firm Capacity is having complete redundancy in case the original fails. Discussion ensued.

[6:05:43 PM](#) Scanlon questioned the confidence of the capacity to accommodate for the Colorado Gulch Annexation plus the remainder infill within the City of Hailey. Stahlnecker noted that this is correct; however, discussed the difficulty in analyzing scenario, as development is not similar across Hailey (i.e., breweries, single family housing, business, etc.).

[6:08:04 PM](#) Pogue questioned whether or not plan took into account the impact that Quigley and other areas may have on City systems. Horowitz agreed that it does. Pogue questioned when the City would reach capacity at treatment plant. Stahlnecker noted that some could argue that it is time to start making improvements at 65%, while others could argue that improvements need to be made 85% firm capacity.

[6:10:09 PM](#) Horowitz presented information from the Parks and Lands Board meeting, noting that the Parks and Lands Board are in support of the area that is planned for dedication as Parks space. Parks and Lands Board also included three conditions that should be added: 1) clear that open space is accessible to the public at all times, 2) easement increased to 20 feet instead of 15 feet, and 3) would like property to be signed at various points as determined during the process. Parks and Lands Board also acknowledged that parking would need to be thought through, taking in to consideration where people might be accessing river, parks and other open spaces. Board felt it to be premature to develop parking at this point, would like to study it as a whole.

[6:14:35 PM](#) Patti Lousen summarized discussion with the Parks and Lands Board, reiterating conditions developed. Lousen noted that space would be maintained as passive open space and noted that native plants would be restored and/or preserved. Lousen and WRLT have been working collaboratively with Applicant and City of Hailey to provide easy access to public. This access includes building a bridge to cross the river, as well as constructing a single trail access for residents of subdivision to reach preserve. Lousen would also like to develop language that states no trees and shrubs to be removed; would like to maintain natural, native buffer from residential area to preserve. Discussion ensued.

[6:20:47 PM](#) Lousen informed Commissioners of goals in restoring native plants and natural habitat. Lousen discussed options for gaining temporary water rights for several years to restore and preserve the open space area.

[6:23:18 PM](#) Chair Fugate questioned the maintenance of vegetation and trees and who would address dead trees and other aspects of landscaping. Lousen noted that it would need to be a conversation between the Applicant and the WRLT.

[6:24:05 PM](#) Scanlon questioned the Park space on the map provided. Lousen noted that parcel would be designated as a passive park or open space; no picnic tables or trails would be located on/to parcel. Discussion ensued.

[6:28:19 PM](#) Brian Yeager noted the Applicant and WRLT share common vision and similar goals for project. Yeager believes the operational component of park is consistent with WRLT goals, and believes project is an exciting opportunity for residents of Hailey.

[6:31:36 PM](#) Chair Fugate inquired about the connection from the road to public access easement and maintenance of. Yeager noted that no specific actions are planned; however, the Applicant Team will work closely with the WRLT to determine what would be most appropriate.

[6:32:33 PM](#) Scanlon questioned the water supply for surface irrigation. Yeager noted that water would come from ditch along the bench, which comes from the Big Wood River. Yeager noted that there are owned water rights. Water Rights would get turned off near or around the month of August every year. Yeager noted that it would be problematic to irrigate exclusively from source. Engelhardt questioned the possibility of watering individual lots (with water right) up until water rights are turned off, then switch over. Yeager noted one

constraint to that: the pressurized irrigation system (if it were to come from a surface water right) cannot make physical plumbing connection to the potable water supply, as there is potential for cross contamination. Yeager noted that two irrigations systems are required. Engelhardt questioned whether or not water right would be lost if not used. Yeager noted that a portion of the water right would be applied to portion of property; however, remained of water right could be lost.

[6:36:40 PM](#) Chair Fugate inquired about the impacts of installing what the Applicant is proposing. Stahlnecker noted that if system was installed as proposed by the Applicant, the impact on the City system would be about 1%. Stahlnecker noted that the difference between water firm capacity and wastewater firm capacity is vast, in that 50% of wastewater firm capacity at the total capacity, and for water, the total capacity for water 9.79 million gallons per day. City is currently operating at 7 million gallons per day, which is why this alternative has been recommended. Horowitz noted that this is calculated by taking largest system and assume that it is nonoperational. Discussion ensued.

[6:41:15 PM](#) Engelhardt questioned what would happen if two components if one component when down for repair and the other was over 50% capacity. Yeager noted that operations have to be more careful and planned appropriately, as there is the potential for issues.

[6:43:06 PM](#) Scanlon questioned the cost to the homeowner to irrigate out of metered water from the City as compared to water from the river. Yeager noted that he doesn't have numbers for this; however, he could imagine the monthly fee being greater than infrastructure costs. Horowitz added that if the homeowner were to just utilize the water from the river and take the risk that it might get turned off midsummer, this option would be cheaper.

[6:45:18 PM](#) Chair Fugate opened the item for public hearing. Peter Lobb believes the attendance of the Wood River Land Trust is irrelevant to annexation. Lobb believes the development matters in regards to water and wastewater. Lobb noted the uncertainty with development and how it would impact our infrastructure. Engineering is vague and Lobb recommended that a Comprehensive Study be conducted to address water and wastewater impacts.

[6:49:44 PM](#) Jill Bryson noted her concerns with parking and would like to see parking addressed if development gets approved.

[6:51:54 PM](#) Williams Miles noted his confusion regarding a pressurized wastewater main on Broadford Road.

[6:53:33 PM](#) Tom Bergin noted that the County Commissioners are working on comments regarding the Application. Parking was an issued that came up in the preliminary conversations. Bergin would like to see parking and timing of annexation correlate. Bergin also questioned what happened to the water right that was once on the property owned by the Wood River Land Trust.

[6:56:15 PM](#) William Miles noted that during a previous application, the City Engineer was not in favor of more lift stations. Miles quested the benefit of engineering function now.

[6:56:55 PM](#) Chair Fugate closed the item for public hearing.

[6:57:05 PM](#) Yeager responded to questions asked during public comment. Yeager provided reasons as to why the WRLT was present (participating in development along river) at public meeting. From a wastewater standpoint, Yeager also noted that in looking at the City of Hailey on Google Earth, the total development represents 50% of the operational capacity of our wastewater treatment. Yeager noted that based on that information, unless we plan on doubling what is shown on Google Earth, the City of Hailey has not yet exceeded capacity. Yeager concluded with responses to questions concerning parking, city wells, and lift stations.

[7:06:53 PM](#) Additionally, Horowitz suggested that the Commissioners make decisions or suggestions on parking. Horowitz noted that all streets would be open to public parking to access easement. Lastly, Horowitz noted that the proposed development in Hidden Meadows has already been accounted for with regard to wastewater treatment and capacity.

[7:09:18 PM](#) Scanlon believes it is appropriate to address parking; however, he would like to see the Traffic Study first. Pogue and Engelhardt agreed. Scanlon questioned whether or not it would be cheaper to lay several hundred feet of gravity line that it would be to put in a lift station. Yeager noted that a gravity system is preferred, would be cheaper and would be more superior to a lift station.

[7:11:15 PM](#) Chair Fugate temporarily adjourned meeting for a five minute break.

[7:19:34 PM](#) Chair Fugate called the meeting back to order. Chair Fugate noted that moving forward, City Staff will include items on the agenda that will be discussed during the meeting. Horowitz agreed and noted that the P & Z Packet is available online every Thursday before the public meeting.

[7:21:38 PM](#) Chair Fugate summarized the remaining issues to be addressed: 1) Parks and Lands Board recommendations (widening of access area, signage to be determined regarding trails, and property be dedicated in perpetuity for listed purposes).

[7:22:55 PM](#) Engelhardt liked the plan; however, believed parking would need to be addressed. Engelhardt also liked the idea of having parcels connect along the river. Chair Fugate agreed and noted that trail delineation is important and would need to be maintained (with clear signage) to prevent public from tracking out proposed area.

[7:25:52 PM](#) Chair Fugate summarized the Wastewater discussion, noting that the City of Hailey and the Applicant are in agreement that there is less than a half a percent increase in demand. Stahlnecker clarified that it is 2.3% of the potential new collections that the treatment has capacity for. Overall, the system would be less than half a percent. Engelhardt is satisfied.

[7:27:46 PM](#) Chair Fugate summarized the Water discussion. Horowitz suggested having the Public Works Director either write a memo regarding matter or visit with Planning and Zoning to shed more light on matter. Chair Fugate agreed. Discussion ensued.

[7:34:00 PM](#) Pogue noted his concerns with taking the water rights and giving to them to the City, as the City doesn't have the capacity to understand the water rights they already have. Chair Fugate agreed. Pogue also noted that he would like to find the right person that would utilize the water rights for the greatest good. Pogue doesn't believe we can ask families to invest in new single family homes in area and not landscape their area or have faith that the landscaping they do have will last through the summer. Chair Fugate agreed and noted that she would like to see the water rights utilized to capacity, providing full benefit to proposed development.

[7:36:24 PM](#) Horowitz suggested a next hearing date of either April 24, 2017 or May 1, 2017. Scanlon would like to proceed sooner than later. Chair Fugate agreed; however, noted that she would be absent on April 24, 2017.

[7:46:18 PM](#) Scanlon motioned to continue the Annexation Application from Colorado Gulch Preserve, LLC, to annex Lot 1A, Block 1, Stevens Family Ranch, LLC (North of 81 Broadford Road, Section 15 & 16, T.2N., R. 18E., B.M., Blaine County, Idaho), comprising a total of 24.46 acres, into Hailey City Limits for the purpose of expanding residential zoning within the City of Hailey. Proposed zoning of the property is Limited Residential (LR-2), to Monday, April 24, 2017. Pogue seconded and all were in favor.

[PH 3](#) *Continuation of a Subdivision Preliminary Plat proposal for Colorado Gulch Preserve Subdivision, to be located at Lot 1A, Block 1, Stevens Family Ranch, LLC (North of 81 Broadford Road, Section 15 & 16, T.2N., R. 18E., B.M., Blaine County, Idaho), comprising 24.46 acres. The project includes 36 lots, ranging in size from 0.28 to 0.78 acres. Several open space parcels are also shown on the plat.*

[7:47:06 PM](#) Scanlon motioned to continue the Subdivision Preliminary Plat proposal for Colorado Gulch Preserve Subdivision, to be located at Lot 1A, Block 1, Stevens Family Ranch, LLC (North of 81 Broadford Road, Section 15 & 16, T.2N., R. 18E., B.M., Blaine County, Idaho), comprising 24.46 acres. The project includes 36 lots, ranging in size from 0.28 to 0.78 acres. Several open space parcels are also shown on the plat, to Monday, April 24, 2017. Pogue seconded and all were in favor.

[PH 4](#) *Continuation of a City-initiated Text Amendment to Title 17, Section 17.05, District Use Matrix, to consider additional Zone Districts for Accessory Dwelling Units, to establish criteria for Accessory Dwelling Units in other Zone Districts, and to Title 17, Section 17.02.020 Definitions, Gross Floor Area.*

[7:48:53 PM](#) Horowitz summarized notes and from the last meeting and noted four bullet points previously discussed regarding Accessory Dwelling Units:

1. Supplementary and Location in Bulk: Horowitz suggested adding Accessory Uses to this title, as information on Accessory Uses and Dwelling Units is written throughout code and difficult to locate.

Horowitz went on to read the definitions regarding Accessory Structures and Accessory Dwelling Units. Horowitz discussed Attached versus Detached Accessory Dwelling Units and maximum gross floor area of Accessory Dwelling Units.

2. Parking: Horowitz noted that parking would be located in such a manner as to not shine headlights in to bedrooms and fencing/landscape screening to be provided.
 - a. Horowitz presented minimum and maximum parking areas, unenclosed and enclosed for the lot. Chair Fugate would like to clarify that in the code that the maximum number of parking spaces is for entire lot, not specific to the Accessory Structure or Dwelling Unit.
 - b. Unenclosed and Enclosed Parking
3. Owner Occupied: Horowitz discussed option with City Attorney. City Attorney does not think it is illegal to enforce; however, believes it would be cumbersome and a challenge for the City of Hailey to enforce or regulate.

[7:57:07 PM](#) Chair Fugate inquired about the minimum requirement, as well as the maximum requirement. Chair Fugate wanted to clarify that restriction would be on unenclosed vehicles where and Accessory Dwelling Unit is located on site. Horowitz agreed that restriction would regulate unenclosed vehicles where an ADU exists on lot.

[7:58:10 PM](#) Scanlon questioned whether or not Commissioners wanted to discuss decreasing the lot size to allow ADUs on lots smaller than 7,000 square feet. Horowitz noted that reducing the lot size by 10% would allow 20 lots, out of 648 lots, to build an Accessory Dwelling Unit in Townsite Overlay.

[7:59:39 PM](#) Scanlon also questioned whether or not Commissioners could require those smaller lots to apply for a conditional, to regulate parking and other matters more appropriately. Chair Fugate believed that parking and meeting the required setbacks on smaller lots would be the limiting factors in allowing ADUs on smaller lots. Horowitz suggested that it may be best to leave ordinance as is, rather than create a small category of conditional uses. Scanlon agreed and noted his comfortability with current ordinance. Pogue agreed.

[8:02:06 PM](#) Pogue also noted his comfortability leaving ordinance as is and accounting for 10%. Engelhardt agreed.

[8:02:39 PM](#) Chair Fugate questioned the current minimum and maximum ADU size relative to lot size.

[8:03:18 PM](#) Pogue would like to see maximum and minimum of Accessory Dwelling Unit remain the same regardless of lot size. Commissioners all agreed.

[8:04:09 PM](#) Chair Fugate believes it to be reasonable to allow two unenclosed vehicles per lot size between 6,000 and 7,000 square feet, and four unenclosed parking spaces for lot sizes greater than 7,000 square feet. Engelhardt agreed to allow four unenclosed parking spaces on the lot, regardless of lot size. Pogue would like to see only three unenclosed parking spaces regardless of lot size. Horowitz questioned the enforcement process of parking requirements. Chair Fugate is not sure how enforcement would look; however, believes parking needs to be regulated to some extent. Engelhardt would like to see a higher number of unenclosed parking spaces allowed for lots permitted to construct ADUs. Scanlon suggested leaving parking as is for now. Pogue agreed.

[8:15:40 PM](#) Chair Fugate opened the item for public comment. Mimi Huck questioned whether or not ordinance has passed for lots 7,000 square feet and under. Horowitz noted that ordinance regarding matter has not passed. Huck also noted that Old Town Hailey is turning into a rental area.

[8:17:03 PM](#) Peter Lobb is not in favor of the ordinance, as it would create more traffic and more parking problems. Lobb questioned whether or not the City of Hailey wants that. Lobb also noted that he has never seen any enforcement to parking within the City of Hailey. Lobb also questioned where the residents are that are in favor of proposal, and why they don't attend public hearing meetings.

[8:20:42 PM](#) Steve Crosser believes parking will become an issue. Crosser also believes a 7,000 square foot lot is too small for an ADU, and Commissioners should not allow ADUs on smaller lots of 7,000 square feet.

[8:24:13 PM](#) Larry Huck believes allowing ADUs on smaller lots would disrupt the charm and integrity of Old Town Hailey. Huck also believes the charm of Old Town Hailey would be lost due to parking issues and more traffic. Huck noted that he is not in favor of the proposal.

[8:26:52 PM](#) Helen Stone also noted that she is not in favor of the proposal and would like to see the construction of ADUs happen elsewhere, like Old Cutters.

[8:27:39 PM](#) Tom Bergin also agreed that a 7,000 square foot lot is small for an ADU. Bergin doesn't believe decreasing the lot size to allow ADUs is appropriate. Bergin also believes the notice sent was problematic and should have been more specific, listing zones where ADUs are being proposed. Bergin doesn't believe there is valid justification as to why ordinance is being considered and addressed. Bergin believes Commissioners should be spending their time on other things.

[8:29:43 PM](#) Horowitz questioned whether or not Tom Bergin would be opposed to permitting ADUs in other zoning districts. Bergin noted that what currently applies in one zone should also apply to other zones. Bergin noted that it specifically applies to Old Town Hailey, as no C. C. & R.'s exist.

[8:30:43 PM](#) Chair Fugate clarified that ADUs are currently permitted in Old Hailey, Old Cutters and other General Residential areas. Horowitz suggested that either the Commissioners decide on the matter, clarify the notice and have on more hearing or leave item as is.

[8:34:04 PM](#) Engelhardt would like to move on item. Engelhardt noted that there is a lack of housing in valley, which he believes has been motivation for discussion of Accessory Dwelling Units and more. Engelhardt agreed to limited parking to four, not more than five spaces. Engelhardt also agreed to a maximum gross floor area of 900', as well as allowing ADUs in other zones throughout City of Hailey. Chair Fugate questioned whether or not Engelhardt is still in favor of owner occupied residences. Engelhardt decided not to proceed with issue.

[8:36:39 PM](#) Scanlon doesn't believe there is anything to add or remove from the existing ordinance. Scanlon would like to leave ordinance as is; however, allow ADUs to be constructed in other zoning districts. Pogue agreed and added that the conversation began because of the need for affordable housing in the valley. That said, Pogue would like to wait on allowing ADUs in other zones until a water study has been completed (next year).

[8:38:50 PM](#) Chair Fugate agreed and if the decision is to move forward, would like to add restrictions to parking.

[8:40:26 PM](#) Scanlon suggested leaving ordinance as is and revisiting topic at a later date. Chair Fugate agreed. Horowitz informed Commission that no motion or action would be needed or taken at this time.

PH 5 *Consideration of a City-initiated Text Amendment to Title 17, Section 17.06.070.A.c, to modify regulations regarding in lieu cash contributions.*

[8:42:42 PM](#) Horowitz explained the City-initiated Text Amendment and noted instances in the last few years where Applicants and Public Works have agreed that paying in-lieu fees were most appropriate; however, in doing so, the Applicants feel they are being penalized for doing so (by paying an extra %10). Horowitz presented that the in-lieu fee remain an option; however, Applicant would not be responsible for paying an extra 10%. Chair Fugate and Commissioners agreed and would like to notice text amendment for future meeting.

[8:44:55 PM](#) Chair Fugate opened the item for public hearing. Peter Lobb noted that originally, the fee was at 120%. Lobb doesn't believe fee will accomplish anything and is in agreement with removing it.

[8:46:04 PM](#) Chair Fugate closed the item for public hearing.

[8:46:20 PM](#) Scanlon motioned to direct staff to notice the City-initiated Text Amendment to Title 17, Section 17.06.070.A.c, to modify regulations regarding in lieu cash contributions. Pogue seconded and all were in favor.

PH 6 *Consideration of a City-initiated Text Amendment to Title 17, Section 17.06, Design Review, to create a Pre-Application Design Review process.*

[8:46:36 PM](#) Horowitz provided background information on matter and noted that no process exists currently within City of Hailey. Horowitz noted that it could be helpful in assisting Applicants with larger projects without spending more money to go back through Design Review. Horowitz also noted that a fee would be associated with the Pre-Application Design Review process. Chair Fugate and the Commissioners agreed that it would streamline the application process and all were in favor of moving forward with a public hearing.

8:51:40 PM Scanlon motioned to direct staff to notice the City-initiated Text Amendment to Title 17, Section 17.06, Design Review, to create a Pre-Application Design Review process. Engelhardt seconded and all were in favor.

New Business

Old Business

Commission Reports and Discussion

Staff Reports and Discussion

SR 1 Discussion of current building activity, upcoming projects, and zoning code changes.
(no documents)

SR 2 Discussion of the next Planning and Zoning meeting: **Tuesday, March 28, 2017**
(no documents)

Adjourn

8:55:09 PM Scanlon motioned to adjourn. Pogue seconded and all were in favor.