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.

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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 assess 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 issue 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.

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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.

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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 into 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 an 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 Chair Fugate questioned the current minimum and maximum ADU size relative to lot size.

8:02:39 PM Chair Fugate questioned the current minimum and maximum ADU size relative to lot size. 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 Cresser believes parking will become an issue. Cresser 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.

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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.