

AGENDA
HAILEY PLANNING & ZONING COMMISSION
Monday, August 17, 2020
Virtual Meeting
5:30 p.m.

From your computer, tablet or smartphone: <https://www.gotomeet.me/CityofHaileyPZ>

Via One-touch dial in by phone: [tel:+15713173122,,506287589#](tel:+15713173122,506287589)

Dial in by phone: United States: +1 (571) 317-3122 Access Code: 506-287-589

Call to Order

Public Comment for items not on the agenda

Consent Agenda

- CA 1** Adoption of Findings of Fact, Conclusions of Law and Decision of an Application submitted by Hailey Investors, LLC, for a third variance from the riparian setback and building site area regulations of the Flood Hazard Overlay District, Section 17.04J. The original variance was granted on August 20, 2004 and approved for a ten (10) year extension on June 7, 2010. The original variance was granted for the purpose of constructing a residence encroaching approximately thirty-three (33) feet into the one hundred (100) foot riparian setback. The current request is for an encroachment of about twenty-six (26) feet. The property is located on Lot 1, Block 8, Della View Subdivision (921 War Eagle Dr). **ACTION ITEM.**
- CA 2** Adoption of Findings of Fact, Conclusions of Law and Decision of a Conditional Use Permit Application submitted by The Sage School, represented by Chip Maguire of M.O.D.E, LLC, for the addition of a 1,440 square foot modular classroom, to be located on Lot 2, Block 4, Airport West Subdivision #2 (1451 Aviation Drive), within the SCI – Industrial (SCI-I) Zoning District. The Commission approved two (2) modular buildings, of the same size, shape, color and use, in May 2013. Due to the Coronavirus pandemic, the purpose of a third modular building onsite is to allow for additional classroom space, which ensures students and teachers meet the social distancing requirements outlined by Governor Little. **ACTION ITEM.**
- CA 3** Adoption of Findings of Fact, Conclusions of Law and Decision of a Hillside Site Alteration Permit Application by Brush and Amber Carpenter, represented by Chip Maguire of M.O.D.E., LLC, for the addition of an outdoor patio space and four (4) foot high retaining wall to a single-family residence. This project would encroach a depth of approximately six (6) feet into the Hillside Overlay Boundary, and is to be located on Lot 8, Block 8, Old Cutters Subdivision (1121 East Myrtle Street). **ACTION ITEM.**
- CA 4** Adoption of Findings of Fact, Conclusions of Law and Decision of a modification to existing Wireless Permit for AT&T Mobility Corporation for the removal of three (3) antennas, one (1) GSM Omni antenna, and three (3) remote radio heads and associated cabling. Three (3) newer technology antennas and three (3) newer technology remote radio heads will be added to the site. No increase in height of tower is proposed. The equipment is located at Pine Street Station Condominiums (400 South Main Street), within the Business (B) and Townsite Overlay (TO) Zoning Districts. **ACTION ITEM.**

CA 5 Adoption of March 30, 2020 Meeting Minutes. **ACTION ITEM.**

Public Hearing

PH 1 Consideration of a Design Review Application by Leonard McIntosh and Edward Aub-Trustee for a twelve (12) unit residential project, two stories in height, to be known as River Street Apartments. The proposed project will be located at 410 North River Street(Lots 14-17, Block 56, Hailey Townsite), within the Business (B),Townsite Overlay (TO) Zoning Districts and the Downtown Residential Overlay (DRO) and Small Residential Overlay (SRO); however, the Applicant has chosen to meet the DRO Standards, as outlined in the Hailey Municipal Code. The proposal also includes: twelve (12) parking spaces, four (4) four-bedroom ADA accessible units, four (4) two-bedroom ADA accessible units and four (4) four-bedroom units. **ACTION ITEM.**

PH 2 Consideration of a Preliminary Plat Application submitted by Jesse German and Taryn Haag, represented by Galena Engineering, where Lot 38, Little Indio Subdivision (415 W Bullion) is subdivided into two lots, Lot 1, 12,704 square feet and Lot 2, 11,335 square feet, within General Residential (GR) and FP Overlay Zoning Districts, the Preliminary Plat of Little Indio south Subdivision. **ACTION ITEM.**

Staff Reports and Discussion

SR 1 Discussion of current building activity, upcoming projects, and zoning code changes.

SR 2 Discussion of the next Planning and Zoning meeting: **September 8, 2020**

- FHDP for Short Plat: Little Indio Subdivision (German/Haag)
- USFS Warehouse Building
- Conditional Use Permit: Dan Smith?

Return to Agenda

FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION

On August 3, 2020, the Hailey Planning and Zoning Commission considered an Application submitted by Hailey Investors, LLC, for a variance from the riparian setback and building site area regulations of the Flood Hazard Overlay District, Section 17.04J. for an encroachment of approximately twenty-six (26) feet. The property is located on Lot 1, Block 8, Della View Subdivision (921 War Eagle Drive).

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.

Notice: Notice for the public hearing was published in the Idaho Mountain Express on July 15, 2020, and the notice was mailed to property owners within 300 feet on July 15, 2020.

Application and Background: Richard and Diane Nelson have submitted a request for a variance from the riparian setback and building site area regulations of the Flood Hazard Overlay District, as set forth in Hailey Municipal code Sections 17.04.J Flood Hazard Overlay District, 17.05 District Use Matrix and Section 17.12 Variances.

This will be the fourth time a variance has been applied for on this lot. The Applicant is requesting an additional ten (10) year variance.

The variance history for the subject property is as follows:

- A variance was originally granted to the previous property owner, Richard Morgan, on August 20, 2004, for the purpose of constructing a residence approximately thirty-three (33) feet into the 100 foot riparian setback resulting in a setback of sixty-seven (67) feet from the mean high water mark to the most westerly corner of the building site.
- A three (3) year extension was approved on June 4, 2007, and the Findings of Fact were signed on June 18, 2007.
- A ten (10) year extension was approved on May 17, 2010, and the Findings of Fact were signed on June 8, 2010.
- On about June 9, 2020, the applicant submitted a variance request for an additional ten (10) year variance from the riparian setback and building site area regulations. The City attorney has advised staff that, rather than extend the variance, as done previously, staff should process a new variance request.

Hailey Municipal Code, Section 17.05.040, District Use Matrix, Bulk Requirements, Note 4 states:

“Where the application of the one hundred foot (100’) riparian setback and other applicable setbacks will result in a building site of one thousand (1000) square feet or less, the riparian setback may be reduced to such an extent that the building site is one thousand (1000) square feet; provided however, the riparian setback shall not be less than fifty feet (50’).”

As part of the current variance application, the lot has been resurveyed by Benchmark Associates. (See attached Exhibit Map, Della View Subdivision, Block 8, Lot 1.) The new survey confirms that the floodway and mean high water mark have both moved to the west since the previous variance requests. This results in the same request for a twenty-five hundred (2,500) square foot building envelope at the front of the lot requiring a variance for only a triangular area of about four hundred and forty (440) square feet in size within the one hundred (100) foot riparian setback. This is substantially less than the thirteen hundred and ninety-three (1,393) square feet granted by previous variances. The closest point of the setback variance request is about seventy-five (75) feet from the mean high-water mark and is well outside of the fifty (50) foot minimum.

The property is located almost wholly within the Blue Avalanche Zone, as determined by Alpine Enterprises, Inc. The Hailey Municipal Code does not contain specific avalanche provisions, but the adopted International Residential Code, Section R301.1.3 states that, “When a building of otherwise conventional construction contains structural elements exceeding the limits of Section R301 or otherwise not conforming to this code, these elements shall be designed in accordance with accepted engineering practice.” As such, staff recommends the following condition of approval:

- The building permit application for any structure within the Blue Avalanche Zone shall include structural design, engineered and stamped by a State of Idaho licensed structural engineer, to support and resist all avalanche loads present at the building site.

The 2017 flooding severely affected this and other properties in the vicinity. Significant and fast moving flood waters, about two (2) feet deep, were observed in, on and around this property, and the adjacent homes on the west side of War Eagle Drive, and other houses in the area (totaling about forty (40)) could not be occupied for over thirty (30) days due to flood waters. Houses were without power and heat. The City closed streets in the Della View neighborhood, including War Eagle Drive. The course of the river has changed in recent years, exacerbated by the 2017 flood. The record high of seven point ninety-three (7.93) feet was set on May 30, 1983, and the second-highest crest on record was seven point ninety-two (7.92) feet on May 21, 2006. On May 8, 2017, the river crested at seven point eighty-two (7.82) feet. Since the 2017 flood, flood stage has been reduced from six (6) feet to five (5) feet due to increased bedload in the river bottom. It is clear that the Big Wood River is a dynamic system in constant flux and that conditions on the ground, including flood depth, flood velocity, channel location and mean high water location, may change over relatively short time frames.

Any structure built on this property will be subject to these flood risks. In response, staff recommends the following condition of approval:

- The building permit application for any structure on the subject property shall include structural design, engineered and stamped by a State of Idaho licensed structural engineer, to support and resist all 1% annual chance flood loads present at the site.

Procedural History: The Variance Application was submitted on June 9, 2020, and certified complete on July 17, 2020. A public hearing before the Planning and Zoning Commission for approval or denial of the project was held on August 3, 2020 in the Hailey City Council Chambers.

Standards of Evaluation: Idaho law and Hailey’s Zoning Ordinance allow an area or dimensional variance provided certain criteria are met. Under Idaho law, “[a] variance shall not be considered a right or special privilege, but may be granted to an applicant only upon a showing of undue hardship because of characteristics of the site and that the variance is not in conflict with the public interest.”

17.12.010: General Provisions				
Yes	No	N/A	City Code	City Standards and <i>Commission Findings</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.12.010.A Authority	The Commission or Hearing Examiner may authorize in specific cases a variance from the terms of this Ordinance as will not be contrary to the public interest, where, owing to unique physical and topographical conditions such as steepness of slope or other conditions applying to a lot or building, the strict application of the zoning regulations will deprive the property of privileges enjoyed by other properties in the vicinity and under the same zoning classification. A variance is a modification of the requirements of the Ordinance as to lot size, lot coverage, width, depth, front, side, and rear yard setbacks, parking spaces, height of buildings, or other ordinance provisions affecting the size or shape of a structure or the placement of the structure upon lots, or the size of lots.
			Staff Comments	The “unique physical and topographical condition” in this instance is the location of the river and mean high water mark within the lot. The original variance was granted because the Commission found that “the strict application of the zoning regulations will deprive the property of privileges enjoyed by other properties in the vicinity and under the same zoning classification.” This conclusion is supported by the applicant’s Neighborhood Analysis, Exhibit 3, and the chart in criteria 17.12.040.D below.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.12.010.B Permitted, Nonconforming Uses Not Considered	Permitted or nonconforming use of neighboring lands, structures or buildings in other districts shall not be considered grounds for issuance of a variance.
			Staff Comments	The property is located in the Limited Residential District with Flood Hazard Overlay. The applicant’s Neighborhood Analysis did not consider uses or buildings in other districts, and it only considered properties in the immediate vicinity of the subject property. However, it is staff’s opinion that the homes on the east side of War Eagle Drive cannot be directly compared with those on the west side, as they are not subject to the same riparian setback requirements. Comparison with only the three (3) homes on the same side of War Eagle Drive does not change the conclusion of item A above.

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.12.010.C Issuance Not Precedent	The issuance of a variance shall not be considered a precedent for the issuance of other variances.
			Staff Comments	This application is a new variance request and does not rely on the precedent of previous variances.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.12.010.D Convenience, Right or Privilege not Consideration	Variances shall not be granted on the grounds of convenience and shall not be considered a right or special privilege.
			Staff Comments	This section of the Ordinance suggests that the Commission should carefully consider the actual standards of evaluation for each variance request contained in this document.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.12.010.E Transferability	A variance is not transferable from one parcel of land to another.
			Staff Comments	No variance transfer to another parcel is requested.
17.12.040 CRITERIA FOR REVIEW				
<p>The commission or hearing examiner shall review the application for variance from this title and shall approve, conditionally approve or deny the variance application. A variance shall not be considered a right or special privilege, but may be granted to an applicant only upon a showing of undue hardship because of characteristics of the site and that the variance is not in conflict with the public interest. Before any variance can be granted, the commission or hearing examiner must make all of the following findings:</p>				
Yes	No	N/A	City Code	City Standards and <i>Commission Findings</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.12.040.A	The variance, when granted, will not conflict with, or cause or allow any situation which is in conflict with, any existing federal, state or local law, or which may result in injury to the public.
			Staff Comments	The property lies wholly within the regulatory year floodplain. Under FEMA regulations and the Hailey Municipal Code, construction is permitted within the floodplain but not within the floodway. The proposed building envelope is not in the floodway. The Hailey Municipal Code requires a Flood Hazard Development Permit prior to commencement of any development within the floodplain. Blaine County’s GIS maps show National Wetlands Inventory wetlands on the property outside of the proposed building envelope, so under Section 404(e) of the Clean Water Act, a Nationwide Permit may be required from the United States Army Corps of Engineers (USACE) prior to any development affecting wetlands. No other permitting by public agencies is

				<p>required. This standard may be met with the following conditions:</p> <ul style="list-style-type: none"> Any future development on the property shall be required to meet the requirements of Hailey Municipal Code, Section 17.04J Flood Hazard Overlay District, including, but not limited to, permitting, anchoring and engineering requirements; and If wetlands are present at the development site on the lot, prior to submitting for a Flood Hazard Development Permit, the applicant shall obtain a Nationwide Permit from the USACE. 								
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.12.040.B	The variance, when granted, will not effect a change in zoning.								
			Staff Comments	Granting a variance will not effect a zoning change.								
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.12.040.C	The variance, when granted, will not cause damage or significant negative impact to the property of others.								
			Staff Comments	<p>Through the City’s Flood Hazard Development Permit process, a permit for development of any kind within the floodplain cannot be granted unless it is shown that no flood waters would be diverted so that they would damage other properties. Given the know 2017 flooding history of swift flowing, approximately two (2) feet deep floodwaters at the property, the following condition of approval applies:</p> <ul style="list-style-type: none"> The structural design for any future structure to be built on the subject property shall allow floodwaters as witnessed in the 2017 flooding to flow under the building, using a pier foundation system or similar solution, and the structural elements shall be designed to resist the forces of the 1% annual chance flood. 								
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.12.040.D	Without the variance, the property owner shall suffer undue hardship and will be substantially deprived, by ordinance, of the privileges legally enjoyed by property owners of property within the vicinity of the subject property.								
			Staff Comments	<p>The applicant has submitted a Neighborhood Analysis, Exhibit 3, documenting the existing area containing building improvements on neighboring properties. Staff feels that only the properties on the west side of War Eagle Drive are valid comparisons, as only they are similarly subject to the one hundred (100) foot riparian setback. The table below compares the current variance request with the existing situation on those neighboring properties:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 25%;">Address</th> <th style="width: 25%;">Total Ground Level</th> <th style="width: 25%;">Area of Rectangle</th> <th style="width: 25%;">% of Rectangle</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	Address	Total Ground Level	Area of Rectangle	% of Rectangle				
Address	Total Ground Level	Area of Rectangle	% of Rectangle									

					Development (TGLD)	Containing TGLD	Containing TGLD within the 100' Riparian Setback
				921 War Eagle Drive (subject property)	2,500 sf maximum	2,500 sf (request)	18%
				1011 War Eagle Drive	3,477 sf	4,560 sf	100%
				1021 War Eagle Drive	2,307 sf	3,621 sf	100%
				1031 War Eagle Drive	2,522 sf	3,200 sf	100%
				<p>The applicant's variance request clearly does not exceed the privileges legally enjoyed by the property owners subject to the same zoning restrictions within the immediate vicinity of the subject property.</p>			

17.04.J: Flood Hazard Overlay District Provisions

In passing upon variances, the authorizing body shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this article, and:

Yes	No	N/A	City Code	City Standards and <i>Commission Findings</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.04J050.E3.a	The danger that materials may be swept onto other lands to the injury of others;
			Staff Comments	<p>The entirety of the subject property is located in the floodplain, and most of it is within the one hundred (100) foot riparian setback. During the 2017 flooding, the entire property was under about two (2) feet of fast-moving water. Without a variance, the property could be developed with a residence with a footprint of approximately twenty-five hundred (2,500) square feet, but the building envelope would have an irregular shape. The current variance application requests a twenty-five hundred (2,500) square foot rectangular building envelope, about four hundred and forty (440) square feet of which is within the one hundred (100) foot riparian setback. This standard may be met with the following conditions:</p> <ul style="list-style-type: none"> The applicant shall be permitted to encroach into the riparian setback only to the extent specifically allowed by this variance as depicted on the Exhibit Map, Benchmark Associates, dated May 28, 2020.

				<ul style="list-style-type: none"> • All provisions set forth in the Hailey Municipal Code with respect to the riparian setback shall apply to all areas within the one hundred (100) foot riparian setback on the applicants' property, except those explicitly exempted by this variance. • All decks, patios, overhangs, non-native landscape features, all improvements and architectural features, and all construction staging and disturbance area, shall be contained within the building envelope of twenty-five hundred (2,500) square feet, outside the one hundred (100) foot riparian setback as identified in the application and/or only as allowed by the Hailey Municipal Code. • Any future development on the property shall be required to meet the requirements of Hailey Municipal Code, Section 17.04J Flood Hazard Overlay District, including, but not limited to, permitting, anchoring and engineering requirements; and • The building permit application for any structure within the Blue Avalanche Zone shall include structural design, engineered and stamped by a State of Idaho licensed structural engineer, to support and resist all avalanche loads present at the building site.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.04J050.E3.b	The danger to life and property due to flooding or erosion damage;
			Staff Comments	The risks of development on this property are real and considerable, as exhibited by the conditions of the 2017 and 2018 flooding. The riparian setback's purpose is to allow native riparian vegetation to establish and perform the functions of bank stabilization, flood mitigation and provision of wildlife habitat. While the current code specifically allows development outside of the one hundred (100) foot riparian setback, intrusion of development into that setback increases flood risk and opportunity for erosion at the subject property and for the surrounding area. The applicant's variance request for four hundred forty (440) square feet of riparian encroachment is reasonable, given the conditions at comparable sites in the immediate vicinity.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.04J050.E3.c	The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
			Staff Comments	The risks of development on this property are real and considerable, as exhibited by the conditions of the 2017 and 2018 flooding. The riparian setback's purpose is to allow native riparian vegetation to establish and perform the functions of

				<p>bank stabilization, flood mitigation and provision of wildlife habitat. While the current code specifically allows development outside of the one hundred (100) foot riparian setback, granting additional buildable area has the effect of putting additional potential development at risk of flood damage. This standard may be met with the following conditions:</p> <ul style="list-style-type: none"> Any future development on the property shall be required to meet the requirements of Hailey Municipal Code, Section 17.04J Flood Hazard Overlay District, including, but not limited to, permitting, anchoring and engineering requirements; and The building permit application for any structure on the subject property shall include structural design, engineered and stamped by a State of Idaho licensed structural engineer, to support and resist all 1% annual chance flood loads present at the site.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.04J050.E3.d	<p>The importance of the services provided by the proposed facility to the community;</p>
			Staff Comments	<p>Construction of an additional good-sized single-family residence would have limited importance to the community, whereas additional undeveloped area along the river would have the potential for minor beneficial impact in its floodplain capacity performance. However, the Comprehensive Plan does support a variety of housing and infill development as proposed by this project.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.04J050.E3.e	<p>The necessity to the facility of a waterfront location as defined under section 17.04J.020, "Definitions", of this article as a functionally dependent facility, where applicable;</p>
			Staff Comments	<p>A single family residence is not a functionally dependent facility, but this variance request is for minimal relief at the portion of the property furthest from the waterway.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.04J050.E3.f	<p>The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;</p>
			Staff Comments	<p>There is no area on the subject property that is not subject to flooding and/or erosion damage. This standard may be met with the following condition:</p> <ul style="list-style-type: none"> Any future development on the property shall be required to meet the requirements of Hailey Municipal Code, Section 17.04J Flood Hazard Overlay District, including, but not

				limited to, permitting, anchoring and engineering requirements.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.04J050.E3.g	The compatibility of the proposed use with existing and anticipated development;
			Staff Comments	A single-family home within a 2,500 sf building envelope would be compatible with existing homes in the neighborhood to the east, across War Eagle Drive, and to the south. See the Neighborhood Analysis table in criteria 17.12.040.D above.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.04J050.E3.h	The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
			Staff Comments	<p>The proposed single-family use is compatible with the comprehensive plan and, if built to the requirements of the Hailey Municipal Code, Section 17.04J, it would be in compliance with the City’s floodplain management program. Comprehensive plan analysis is as follows:</p> <p>Goal 1.1 Preserve, protect and restore natural resources including waterways, floodplains, wetlands, soil, community forest, native vegetation, green space and wildlife habitat and migration corridors for the benefit of the City and its residents.</p> <p>The riparian setback, as defined in 17.04.J.020 of the Hailey Zoning Ordinance states: “Riparian Setback. The distance measured at right angles from the mean high water mark of a waterway, between the mean high water mark and an imaginary line parallel to the mean high water mark, defining an area between such lines within which no building or other applicable structure may be placed, and whereby any existing vegetation shall remain undisturbed.”</p> <p>The purpose of the riparian setback is to allow the areas adjacent to the river to perform their natural floodplain functions of bank stabilization, soil saturation, floodwater storage and fish and wildlife habitat.</p> <p>The current variance request asks to be allowed to develop about four hundred forty (440) square feet in the riparian setback, so that the applicant can develop in a similar manner to the three (3) comparable neighboring properties. Granting this request would preserve the riparian setback on the property, except at the southeast edge of the setback.</p>

			<p>Goal 2.1 Reduce the potential threat to loss of life, limb or property and minimize public expenditures due to natural and man-made hazards.</p> <p>Preservation of the full one hundred (100) foot riparian setback would allow the areas adjacent to the river to perform their natural floodplain functions of bank stabilization, soil saturation, floodwater storage and fish and wildlife habitat. Granting this request would preserve the riparian setback on the property, except at the southeast edge of the setback.</p> <p>Goal 3.1 Assure the protection and preservation of Special Sites, Areas and Features to maintain a strong community identity for future generations.</p> <p>Preservation of the full one hundred (100) foot riparian setback would allow the areas adjacent to the river to perform their natural floodplain functions of bank stabilization, soil saturation, floodwater storage and fish and wildlife habitat. Granting this request would preserve the riparian setback on the property, except at the southeast edge of the setback.</p> <p>Goal 5.1 Retain a compact City comprised a central downtown with surrounding diverse neighborhoods, areas and characteristics as depicted in the Land Use Map.</p> <p>The subject lot is an existing infill parcel within the city limits. Development of the lot would contribute to one of the city's existing surrounding diverse neighborhoods.</p> <p>Goal 5.4 Protect open space within and surrounding Hailey, including visible ridgelines, undeveloped hillsides and agricultural areas which help define the unique character of Hailey.</p> <p>Preservation of the full one hundred (100) foot riparian setback would allow the areas adjacent to the river to perform their natural floodplain functions of bank stabilization, soil saturation, floodwater storage and fish and wildlife habitat. Granting this request would preserve the riparian setback on the property, except at the southeast edge of the setback.</p> <p>Goal 5.6 Manage and accommodate population growth by infill development and, when appropriate, minimal expansion by annexation and/or density increases.</p> <p>The subject lot is an existing infill parcel within the city limits.</p>
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				<p>Goal 8.1 Encourage development that provides opportunities for home ownership and rental homes for individuals and families of all socio-economic levels.</p> <p>Development of the subject lot would provide another piece of housing stock for the city.</p> <p>Goal 12.1 Evaluate whether proposed regulatory or administrative actions may result in an unconstitutional taking of private property.</p> <p>The applicant has submitted a Neighborhood Analysis, Exhibit 3, showing the footprints of development for neighboring homes in the immediate vicinity. The applicant’s request of about four hundred forty (440) square feet of riparian setback would allow a twenty-five hundred (2,500) square foot building envelope, similar to, but less than, the neighboring properties. The code prohibits any development in the remaining portion of the riparian setback.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.04J050.E3.i	<p>The safety of access to the property in times of flood for ordinary and emergency vehicles;</p> <p>Staff Comments The area surrounding the property was inundated with about two (2) feet of swift flowing floodwaters during the 2017 flooding. It was not accessible to any type of vehicle. However, the subject property is a legally platted lot with buildable area at the east end of the lot. The variance request does not materially affect the safety of access to the property in times of flood.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.04J050.E3.j	<p>The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and</p> <p>Staff Comments The 2017 flood event should serve as an example of the type of conditions to be expected at the site in the case of heavy spring run-off. This standard may be met with the following condition:</p> <ul style="list-style-type: none"> • The structural design for any future structure to be built on the subject property shall allow floodwaters as witnessed in the 2017 flooding to flow under the building, using a pier foundation system or similar solution, and the structural elements shall be designed to resist the hydraulic forces of the 1% annual chance flood.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.04J050.E3.k	<p>The costs of providing governmental services during and after flood conditions including maintenance and repair of public</p>

				utilities and facilities such as sewer, gas, electrical and water systems, and streets and bridges.
			Staff Comments	The 2017 flood event was costly to the City in terms of actions taken during the actual flood and in repairs in the immediate vicinity of the subject property following the flooding. Additional development in the area will increase the City’s liability in future flooding events. However, the subject property is a legally platted lot with buildable area at the east end of the lot. The variance request does not materially affect the costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, and streets and bridges.

17.12.050: ACTION:

Uses Not Permissible: Under no circumstances shall the commission or hearing examiner grant a variance to allow a use not permissible under the terms of this title in the district involved, or any use expressly or by implication prohibited by the terms of this title.

Decision: The commission or hearing examiner shall make a decision to approve, conditionally approve or disapprove the application within fifteen (15) days after conclusion of the public hearing and issue its decision, together with the reasons therefor. The commission or hearing examiner shall review the application, all supporting documents and plans, and recommendations of city staff in making their decision. (Ord. 1191, 2015)

CONCLUSIONS OF LAW

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

1. Adequate notice, pursuant to Title 17, Section 17.12.030: Public Hearing, was given.
2. The project is in general conformance with the Hailey Comprehensive Plan.
3. The project does not jeopardize the health, safety or welfare of the public.
4. Upon compliance with the conditions set forth, the project conforms to the applicable standards of Chapter 17.12: Variances, and other Sections of the Hailey Municipal Code and city Standards.

DECISION

An Application submitted by Hailey Investors, LLC, for a variance from the riparian setback and building site area regulations of the Flood Hazard Overlay District, Section 17.04J. for an encroachment of approximately twenty-six (26) feet. The property is located on Lot 1, Block 8, Della View Subdivision (921 War Eagle Dr) is hereby approved, 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 Hailey Municipal Code, provided conditions (a) through (j) are met:

- a. The applicant shall be permitted to encroach into the riparian setback only to the extent specifically allowed by this variance as depicted on the Exhibit Map, Benchmark Associates, dated May 28, 2020;
- b. All provisions set forth in the Hailey Municipal Code with respect to the riparian setback shall apply to all areas within the one hundred (100) foot riparian setback on the applicants' property, except those explicitly exempted by this variance;
- c. All decks, patios, overhangs, non-native landscape features, all improvements and architectural features, and all construction staging and disturbance area, shall be contained within the building envelope of twenty-five hundred (2,500) square feet, outside the one hundred (100) foot riparian setback as identified in the application and/or only as allowed by the Hailey Municipal Code;
- d. Any future development on the property shall be required to meet the requirements of Hailey Municipal Code, Section 17.04J Flood Hazard Overlay District, including, but not limited to, permitting, anchoring and engineering requirements;
- e. The building permit application for any structure on the subject property shall include structural design, engineered and stamped by a State of Idaho licensed structural engineer, to support and resist all 1% annual chance flood loads present at the site;
- f. The structural design for any future structure to be built on the subject property shall allow floodwaters as witnessed in the 2017 flooding to flow under the building, using a pier foundation system or similar solution, and the structural elements shall be designed to resist the hydraulic forces of the 1% annual chance flood;
- g. If wetlands are present at the development site on the lot, prior to submitting for a Flood Hazard Development Permit, the applicant shall obtain a Nationwide Permit from the USACE;
- h. This variance shall be valid for a ten (10) year time period. A review via consent agenda shall be conducted after five (5) years. If physical conditions on the ground have changed, the Commission may require a full review.
- i. A building permit shall be submitted within ten (10) years from the date of the adoption of this Decision. If a Building Permit is not submitted within ten (10) years from the date of this Decision the variance shall be null and void; and
- j. The building permit application for any structure within the Blue Avalanche Zone shall include structural design, engineered and stamped by a State of Idaho licensed structural engineer, to support and resist all avalanche loads present at the building site.

Signed this _____ day of _____, 2020.

Janet Fugate, Chair of the Hailey Planning and Zoning Commission

Attest:

Jessica Parker, Community Development Assistant

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FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION

On August 3, 2020, the Planning and Zoning Commission considered a Conditional Use Permit Application submitted by the Sage School, represented by Chip Maguire of M.O.D.E, LLC, for the addition of a temporary 1,440 square foot modular classroom, to be located on Lot 2, Block 4, Airport West Subdivision #2 (1451 Aviation Drive), within the SCI – Industrial (SCI-I) Zoning District.

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.

Notice: Notice for the public hearing was published in the Idaho Mountain Express on July 22, 2020, and mailed to adjoining property owners on July 15, 2020. The notice was posted to the property on July 24, 2020.

Application: The Applicant proposed the addition of a temporary 1,440 square foot modular classroom, to be located at 1451 Aviation Drive (Lot 2, Block 4, Airport West Subdivision #2) within the SCI – Industrial (SCI-I) Zoning District. Two (2) modular classrooms exist onsite and were approved by the Commission in May 2013. The proposed modular classroom will match the existing buildings in color, shape, size and use. Due to the Coronavirus pandemic, the purpose of a third modular classroom onsite is to allow for additional classroom space, which would ensure students and teachers meet the social distancing requirements outlined by Governor Little in March 2020 and local regulations.

Unlike the existing modular buildings, the proposed building is temporary in nature. The Hailey Municipal Code requires that all temporary structures receive approval via a Conditional Use Permit. Temporary structures which have an approved Conditional Use Permit may operate seasonally for multiple years provided the size and location of the structure conforms with the Conditional Use Permit or conditions thereof.

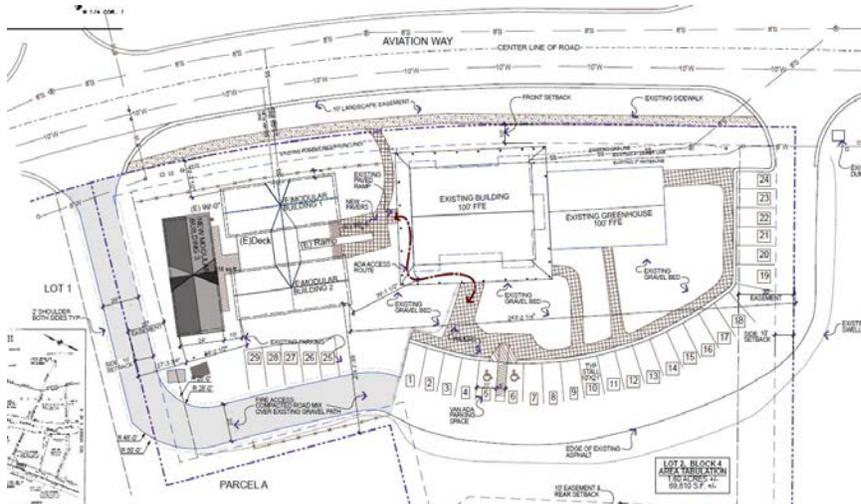
Furthermore, the Sage School is not expanding in student enrollment nor employees, traffic will not increase to/from the property and the surrounding properties will not be impacted by the 1,440 square foot addition.

Procedural History: The Conditional Use Permit Application was submitted on July 2, 2020, and certified complete on July 7, 2020. A public hearing before the Planning and Zoning Commission for approval or denial of the project was held on August 3, 2020 in the Hailey City Council Chambers.

General Requirements for all Conditional Use Permits				
Compliant			Standards and Commission Findings	
Yes	No	N/A	City Code	City Standards and <i>Commission Findings</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.11.020	Complete Application: 17.11.020 The application shall include at least the following information: a. Name, address, and phone number of the applicant.

				<p>b. Proof of interest in the subject property by the applicant, such as a deed, contract of sale, option to purchase, or lease agreement.</p> <p>c. Legal description of the subject property, including street address.</p> <p>d. Description of existing use.</p> <p>e. Zoning district of subject property.</p> <p>f. Description of proposed conditional use.</p> <p>g. A plan of the proposed site for the conditional use showing the location of all buildings, parking and loading areas, traffic access and traffic circulation, open spaces, easements, existing and proposed grade, energy efficiency considerations, landscaping, exterior lighting plan as required by Article VIII B of this Ordinance, refuse and service areas, utilities, signs, property lines, north arrow, and rendering of building exteriors, where applicable.</p> <p>h. A narrative statement evaluating the effects on adjoining property, the effect of such elements as noise, glare, odor, fumes, and vibration on adjoining property.</p> <p>i. A narrative statement identifying surrounding land uses and discussing the general compatibility of the proposed use with adjacent and other properties in the district.</p> <p>j. A narrative discussion of the relationship of the proposed use to the Comprehensive Plan.</p> <p>k. A list of the names and addresses of all property owners and residents within three hundred (300) feet of the external boundaries of the land being considered.</p> <p>l. Any other information as requested by the Administrator to determine if the proposed conditional use meets the intent and requirements of this Article.</p> <p>m. A fee established in a separate ordinance approved by the Council.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Department Comments	<p>Engineering: <i>No comments</i></p> <hr/> <p>Life/Safety: <i>No comments</i></p> <hr/> <p>Water and Sewer: <i>The Public Works Department recommends that the following be addressed prior to issuance of a Building Permit:</i></p> <ul style="list-style-type: none"> • <i>The water connection for the third modular building shall be made from the existing main line to the north and behind the sidewalk rather than tapping the main line in Aviation Drive. This connection shall be inspected prior to burial.</i> • <i>The sewer connection for the third modular building shall be made from the existing main line to the northwest property line rather than cutting across Aviation Drive. This connection shall be inspected prior to burial.</i> <p><i>These have been made a Conditions of Approval.</i></p> <hr/> <p>Building: <i>No comments</i></p> <hr/> <p>Streets: <i>No comments</i></p> <hr/> <p>Parks: <i>No comments</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.08A Signs	<p>17.08A Signs: <i>The applicant is hereby advised that a sign permit is required for any signage exceeding four square feet in sign area. Approval of signage areas or signage plan in Design Review does not constitute approval of a sign permit.</i></p>

			<i>Staff Comments</i>	<i>Signage exists and was approved in 2013 and 2016 via a Sign Permit Application. No other signage is shown on the drawings; however, if additional signage is needed, another Sign Permit Application shall be submitted, reviewed and approved prior to the installation of any additional signage. All signage shall conform to City Standards.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.08C.040 Outdoor Lighting Standards	<p>17.08C.040 General Standards</p> <ul style="list-style-type: none"> e. All exterior lighting shall be designed, located and lamped in order to prevent: <ul style="list-style-type: none"> a. Overlighting; b. Energy waste; c. Glare; d. Light Trespass; e. Skyglow. f. All non-essential exterior commercial and residential lighting is encouraged to be turned off after business hours and/or when not in use. Lights on a timer are encouraged. Sensor activated lights are encouraged to replace existing lighting that is desired for security purposes. g. Idaho Power shall not install any luminaires after the effective date hereof that lights the public right of way without first receiving approval for any such application by the lighting administrator. h. All exterior lighting shall be full cutoff luminaires with the light source downcast and fully shielded, unless exceptions are specified in subsection 17.08C.040.02, Type of Luminaires, of this Chapter.
			<i>Staff Comments</i>	<p><i>The Applicant will install Dark Sky compliant fixtures, downcast and low wattage fixtures (see image below). These fixtures will match those fixtures on the two existing modular buildings.</i></p> <div style="text-align: center;">  </div> <p><i>The Commission found that this standard has been met.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.09.040 On-site Parking Req.	See Section 17.09.040 for applicable code.
			<i>Staff Comments</i>	<i>The Hailey Municipal Code requires the following parking spaces for high schools: one (1) improved onsite space for every four (4) students and one (1) improved onsite space for each teacher and employee, or one (1) improved or unimproved onsite or offsite space for every eight (8) seats of the largest assembly area on the school site. If no assembly areas are proposed, the</i>

			<p><i>required minimum number of onsite improved parking spaces shall be one (1) space for every teacher and employee, and five (5) improved or unimproved onsite or offsite spaces per 1,000 square feet of gross area.</i></p> <p><i>The site plan shows a total of 29 parking spaces, each space is located onsite, off of Aviation Drive and behind the existing buildings. No assembly areas are proposed or existing; therefore, one (1) space shall be provided for every four (4) students and one (1) space for each teacher and employee:</i></p> <ul style="list-style-type: none"> - <i>Students: 25 or 25/4 = 6.25 spaces</i> - <i>Teachers/Employees: 13 or 13 spaces</i> - <i>Total parking spaces required: 20 spaces</i> <p><i>The Commission found that all parking requirements have been met.</i></p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>17.09.020.08(B)</p> <p>B. Where alleys exist, access to on-site parking for any non-residential use or for any multifamily dwelling of three or more units shall be from the alley. Parking areas adjacent to alleys may be designed to allow a vehicle to back from the parking area into the alley.</p> <p><i>Staff Comments</i> N/A, as the site is not serviced by an alley and the parking configuration is existing. Twenty-nine parking spaces can be found onsite, located to the west of the existing modular buildings, to the west of the primary building, as well as to the south of the existing greenhouse.</p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>17.09.020.08(C)</p> <p>C. If the site is not serviced by an alley, access shall be from a single approach to the street to confine vehicular/pedestrian conflict to limited locations, allow more buffering of the parking area and preserve the street frontage for pedestrian traffic.</p> <p><i>Staff Comments</i> N/A, as this site is not serviced by an alley and vehicular approaches are existing.</p> <p><i>Vehicular approaches to the site are on either side (north and south) of The Sage School and are accessed from Aviation Drive. These approaches are existing and do not interfere with traffic in the surrounding area (see image below for details).</i></p>  <p>The diagram is a detailed site plan for 'LOT 2, BLOCK 4, AIRPORT WEST SUBDIVISION #2'. It shows 'AVIATION WAY' at the top with a 'CENTER LINE OF ROAD' and 'FRONT SETBACK'. The site contains several buildings: 'EXISTING BUILDING 102 PFE', 'EXISTING GREENHOUSE 100 PFE', and 'MODULAR BUILDING 1'. There are 29 numbered parking spaces (1-29) distributed around the buildings. 'EXISTING GRAVEL BAYS' are also indicated. The plan shows 'NEW ACCESS' from 'AVIATION DRIVE' on both the north and south sides of the site. Other features include 'LANDSCAPE BASEMENT', 'EXISTING SIDEWALK', and 'EXISTING DRIVE'. A 'PARCELA' boundary is shown on the left. A north arrow is present in the top left corner.</p>

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.09.020.08(D)	D. Access for on-site parking areas or loading spaces shall be located in such a way that any vehicle entering or leaving such area shall be clearly visible by a pedestrian or motorist approaching the access or driveway from a public or private street.
			<i>Staff Comments</i>	<i>Onsite parking locations are existing and are located behind the proposed modular building and existing buildings. The parking areas are clearly visible to pedestrian and vehicular traffic coming from Aviation Drive. The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.09.020.08(E)	E. Access for subdivisions shall be provided in accordance with standards set forth in Section 4 of the Subdivision Ordinance.
			<i>Staff Comments</i>	<i>N/A</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.09.020.08(F)	F. Parking areas containing no more than two (2) parking spaces in any zoning district or parking areas within the LR, GR, TN, TI and LI Districts may be designed to allow a vehicle to back from the parking area into the public right-of-way.
			<i>Staff Comments</i>	<i>N/A</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.09.020.08(G)	G. Parking areas for residential uses only may be designed to allow required parking spaces for one vehicle to deny access to another vehicle, thus “stacking” the parking area. For non-residential uses, stacked parking may be allowed only for additional spaces that may be provided in excess of the required number of parking spaces.
			<i>Staff Comments</i>	<i>N/A</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Chapter 17.05: Bulk Requirements	SCI-I District: <ul style="list-style-type: none"> - Maximum Building Height: 35 feet - Minimum Setbacks: <ul style="list-style-type: none"> o Front Setback: 10 feet o Side and Rear Yard Setback: 10 feet - Maximum Lot Coverage: 70%
			<i>Staff Comments</i>	<i>The Applicant is proposing the following:</i> <ul style="list-style-type: none"> - <i>Building Height: 16'-4 ¼"</i> - <i>Setbacks:</i> <ul style="list-style-type: none"> o <i>Front yard: 19'-7 ½"</i> o <i>Side yard (south): 243'-2 ¼"</i> o <i>Side yard (north): 60'-7 ¾"</i> o <i>Rear: 68'-7 ½"</i> - <i>Lot Coverage: 16%</i> <i>The Commission found that all building height, setback and lot coverage requirements have been met.</i>
Chapter 17.11 Criteria for Review of Conditional Use Permits				
Compliant			Standards and Commission Findings	
Yes	No	N/A	City Code	City Standards and <i>Commission Findings</i>

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.11.010	Compliance with the Comprehensive Plan 17.11.010: Purpose. The City of Hailey recognizes that certain uses possess unique and special characteristics with respect to their location, design, size, method of operation, circulation, and public facilities. In order to protect the public welfare and promote conformance with the Comprehensive Plan, conditional use permits are required for such uses upon review by the Commission.
			<i>Staff Comments</i>	<p><i>The Comprehensive Plan calls for sustainable communities by offering equal opportunity, social harmony, and mutual respect for a diverse population. This application epitomizes this sentiment and further complies with the following goals and objectives of the Hailey Comprehensive Plan:</i></p> <p>Goal 7.2: Demographics, Cultural Vitality, Social Diversity and Well-Being: <i>Encourage projects and programs that seek to provide opportunities for cultural, cross-cultural and education enrichment.</i></p> <ul style="list-style-type: none"> <i>The Sage School values and encourages varied human interactions, characteristics, ideas and world-views, which benefit and challenge the community of people they teach. The Sage School also respects social well-being, the rights, diversity, values and opinions of others. The addition of a third modular building will foster a positive, inclusive environment, where students and teachers can actively engage in their education while feeling safe. Safety and education are top priorities for the Sage School. By adding a third modular building onsite, students, teachers and staff can continue to grow, learn, and explore in a safe, COVID-free environment.</i> <p><i>The Commission found that this standard has been met.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.11.040.01(a)	17.11.040.01 The Commission or Hearing Examiner shall review the particular facts and circumstances of each proposed conditional use in terms of the following standards and, if approved, shall find adequate evidence showing that such use at the proposed location: a. Will, in fact, constitute a conditional use as established for the zoning district involved; and
			<i>Staff Comments</i>	<p><i>Per Section 17.05.040 of the Hailey Municipal Code, Temporary Structures require a Conditional Use Permit in the SCI-Industrial (SCI-I) Zoning District.</i></p> <p><i>The Applicant is requesting approval for the addition of a 1,440 square foot modular building at 1451 Aviation Drive. The Applicant plans to remove the building by the Summer 2021, no later than Summer 2022.</i></p> <p><i>The Commission discussed the temporary use of the building and whether the Applicant plans to remove the building by Summer 2021 or Summer 2022, or if the building will remain onsite until development takes place in Quigley Farm Subdivision. The Applicant noted that the building will be placed on the site to ensure the safety of students, staff and teachers during the Coronavirus pandemic. The Applicant has plans to relocate the building to Quigley Farm Subdivision when the Sage School moves forward with development.</i></p>

				<i>The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.11.040.01(b)	b. Will be designed, constructed, operated, and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area;
			<i>Staff Comments</i>	<p><i>The property to the north of the subject parcel is currently Pioneer Storage Facility, which provides additional storage units for valley residents. A vacant parcel is located to the south and Aviation Drive separates the Sage School from St. Luke’s Medical Center to the east. To the west, Broadford Road separates the Sage School from another vacant parcel, which is zoned residential.</i></p> <p><i>Other surrounding uses include: the Friedman Memorial Airport, Blaine County Sheriff’s Department, Ferguson Plumbing and across Broadford Road, a residential neighborhood.</i></p> <p><i>Hailey is comprised of a variety of uses and, per the Comprehensive Plan, thrives on diversity.</i></p> <p><i>The proposed modular building will match that of the two (2) existing modular buildings, is clean and compact, and further supports the diverse uses within surrounding area. The Commission found that this standard has been met.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.11.040.01(c)	c. Will not be hazardous or disturbing to existing or future neighboring uses;
			<i>Staff Comments</i>	<p><i>The addition of the third modular building does not appear to be hazardous or disturbing to the neighboring uses and/or future uses. The proposed building is compact and will match the existing buildings onsite. The building has been craftily incorporated into the site -- the building will sit behind an existing fence and will be screened from view of Aviation Drive. A wooden deck and ramp feature will be added to the entrance of the new building, which will connect to the existing deck and paver walkways of the other modular buildings. Stairs off of each side of the building and woodchip pathways will also be added to the building.</i></p> <p><i>The proposed building is temporary, as the Applicant plans to relocate the building by the Summer 2021, no later than Summer 2022. The Sage School plans to relocate its operation to Quigley Farm Subdivision at that time.</i></p> <p><i>The Commission discussed the temporary use of the building and whether the Applicant plans to remove the building by Summer 2021 or Summer 2022, or if the building will remain onsite until development takes place in Quigley Farm Subdivision. The Applicant noted that the building will be placed on the site to ensure the safety of students, staff and teachers during the Coronavirus pandemic. The Applicant has plans to relocate the building to Quigley Farm Subdivision when the Sage School moves forward with development.</i></p> <p><i>The Commission found that this standard has been met.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.11.040.01(d)	d. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, and drainage structure. Agencies

				responsible for the establishment of the proposed use shall be able to provide adequately any such service; and
			<i>Staff Comments</i>	<i>The site can be accessed by two (2) existing approaches off of Aviation Drive. This site is not serviced by an alley and can be served adequately by essential public facilities and services. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.11.040.01(e)	e. Will not create excessive additional requirements at public cost for public facilities and services; and
			<i>Staff Comments</i>	<i>At this time, no additional cost will be incurred from any public agencies for the construction, function and operation of the proposed facility. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.11.040.01(f)	f. Will not involve uses, activities, processes, materials, equipment, or conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, dust, odors, vibration, water or air pollution, or safety hazards; and
			<i>Staff Comments</i>	<i>The addition of the third modular building does not appear to involve uses, activities and/or processes that impact the general welfare to Hailey residents, nor are hazardous or disturbing to the neighboring uses. No excessive production of traffic will occur, as student, teacher and employee enrollment are not expected to increase.</i> <i>Additionally, no smoke, fumes, glare, dust, odors, vibration, water or air pollution, or safety hazards are expected with the existing use. The Commission found that this standard has been met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.11.040.01(g)	g. Will have vehicular approaches to the property which shall be designed so as not to create an interference with traffic on surrounding public thoroughfares;
			<i>Staff Comments</i>	<i>Vehicular approaches to the site are on either side (north and south) of The Sage School and are accessed from Aviation Drive. These approaches are existing and do not interfere with traffic in the surrounding area (see image below for details).</i>

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		3. The remodel of an existing school which substantially increases the intensity of an existing school (e.g., conversion of a middle school into a high school which increases parking requirements and which may affect traffic); or
			<i>Staff Comments</i>	<i>N/A, as the addition will not substantially increase the intensity of the existing school. No conversions are proposed at this time.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		4. The remodel of an existing school which increases the "net area" of a school by ten percent (10%). For the purpose of this section, "net area" shall mean the area consistently used by students, teachers and employees for instruction, such as classrooms and assembly areas, but does not include hallways, storage areas, employee break areas, restrooms and machinery rooms.
			<i>Staff Comments</i>	<i>N/A</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.11.040.03 (B)	B. Criteria for Review: The commission shall review the particular facts and circumstances based on the standards set forth below for the entire school. Before any approval of a conditional use permit, the commission shall find adequate evidence showing that such use at the proposed location:
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		1. Will comply with the standards for any conditional use found in section 17.11.040.01 of this chapter.
			<i>Staff Comments</i>	<i>Please refer to Section 17.11.010.01 as noted herein.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		2. Will be located on or within four hundred feet (400') of an existing collector street, as designated by section 18.06.010 of this Code. The four hundred-foot (400') requirement shall be measured along the path of an existing street.
			<i>Staff Comments</i>	<i>The existing buildings that make up the Sage School are located within 400' of an existing collector street (Aviation Drive). The proposed modular also meets this standard and is located within 60' of Aviation Drive. The Commission found that this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		3. Will have sidewalks, bike and vehicle facilities necessary to accommodate vehicular, pedestrian and bicycle traffic on site and between the nearest collector street and the school site.
			<i>Staff Comments</i>	<i>N/A, as sidewalks, bike and vehicular facilities are existing onsite. Pedestrian and bicycle traffic can safely circulate the site, as well as access Aviation Drive (the nearest collector street) safely and easily from the school.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		4. Will comply with the parking requirements in chapter 17.09 of this title, unless the applicant can provide and guarantee alternative parking arrangements, such as shared parking or bussing of staff and parents.
			<i>Staff Comments</i>	<i>Please refer to Section 17.09.040 as noted herein.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		5. Will comply with the outdoor lighting requirements in chapter 17.08, article C of this title.

			<i>Staff Comments</i>	<i>Please refer to Section 17.08C.040 as noted herein.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		6. Will construct fencing around all play areas at elementary schools adjacent to private or public streets in accordance with section 17.08A.010 of this title.
			<i>Staff Comments</i>	<i>N/A, as the Sage School is not an elementary school. That said, some fencing exists onsite. A fence exists to the east of the modular building that runs parallel to Aviation Drive and another to the west of the access lane, running parallel to the west property line.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		7. Will comply with the following site design standards: a. Landscaping shall be restricted to trees with canopies higher than ten feet (10') and bushes less than three feet (3') high to deter hiding. b. A minimum of thirty-five feet (35') of space on real property owned or leased by the school shall be provided around buildings in which trees and bushes shall be separated (i.e., not clumped) and maintained and in which no buildings will be constructed. c. Sidewalks, bike and vehicle improvements shall meet the applicable standards in title 18 of this Code. (Ord. 1191, 2015)
			<i>Staff Comments</i>	<i>N/A, as the landscaping, sidewalks, and bike and vehicle improvements are existing and/or have been completed.</i> <i>Landscaping includes an existing Aspen grove, seven (7) coniferous trees located along the west property line, and a shrub/perennial garden along the property frontage. All existing landscaping will remain, shall be undisturbed and if needed, shall be protected throughout the installation of third modular building.</i> <i>Sidewalks, bike and vehicle improvements previously completed include: sidewalks along Aviation Drive, pathways from Aviation Drive to the school site, and interior pathways to access all buildings on the site.</i> <i>The Applicant is proposing to add a wooden deck and ramp feature to the entrance of the new building, which will connect to the existing deck and paver walkways of the other modular buildings. Stairs off of each side of the building and woodchip pathways will also be added to the building to further increase pedestrian circulation.</i>

17.11.060 Conditions.

The Commission or Hearing Examiner may impose any conditions which it deems necessary to secure the purpose of City regulations and give effect to the Comprehensive Plan. Conditions which may be attached include, but are not limited to those which will:

- 17.11.060(A) Require conformity to approved plans and specifications.**
- 17.11.060(B) Require or restrict open spaces, buffer strips, walls, fences, signs, concealing hedges, landscaping and lighting.**
- 17.11.060(C) Restrict volume of traffic generated, require off-street parking, and restrict vehicular movements within the site and points of vehicular ingress and egress or other conditions related to traffic.**

- 17.11.060(D) Require performance characteristics related to the emission of noise, vibration and other potentially dangerous or objectionable elements.**
- 17.11.060(E) Limit time of day for the conduct of specified activities.**
- 17.11.060(F) Require guarantees such as performance bonds or other security for compliance with the terms of the approval.**
- 17.11.060(G) Require dedications and public improvements on property frontages.**
- 17.11.060(H) Require irrigation ditches, laterals, and canals to be covered or fenced.**
- 17.11.060(I) Minimize adverse impact on other development.**
- 17.11.060(J) Control the sequence, timing and duration of development.**
- 17.11.060(K) Assure that development is maintained properly.**
- 17.11.060(L) Designate the exact location and nature of development.**
- 17.11.060(M) Require the provision for on-site or off-site public services.**
- 17.11.060(N) Require more restrictive standards than those generally found in this Ordinance.**
- 17.11.060(O) Mitigate foreseeable social, economic, fiscal and environmental effects.**
- 17.11.060(P) Set a limit on the duration of the permit when deemed necessary.**
- 17.11.060(Q) Allow for subsequent periodic review.**

Summary: Section 17.11.010 of the Hailey Zoning Ordinance states that “the City of Hailey recognizes that certain uses possess unique and special characteristics with respect to their location, design, size, method of operation, circulation, and public facilities. In order to protect the public welfare and promote conformance with the Comprehensive Plan, conditional use permits are required for such uses upon review by the Commission.”

Conditional Use Permits are subject to review and revocation pursuant to Section 17.11.090 of the Hailey Municipal Code. This statement will be included in the Findings of Fact, Conclusions of Law, and Decision for any Conditional Use Permit approved by the Commission.

By ordinance, the Commission is required to decide to approve, conditionally approve, or deny the application within forty-five (45) days after conclusion of the public hearing and issue its decision together with the reasons therefore. The Commission is required to review the application, all supporting documents and plans, and Section 17.11 of the Zoning Ordinance, in making their decision.

The Commission should make Findings of Fact related to the criteria of Section 17.11, (a) through (h).

CONCLUSIONS OF LAW

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

- 1) Adequate notice, pursuant to Title 17, Section 17.06.040(D), was given.
- 2) The project is in general conformance with the Hailey Comprehensive Plan.
- 3) The project does not jeopardize the health, safety, or welfare of the public.
- 4) Upon compliance with the conditions set forth, the project conforms to the applicable standards of, Chapter 17.11, Conditional Use, and other Chapters of the Zoning Ordinance and City Standards.

DECISION

The Conditional Use Permit Application submitted by the Sage School, represented by Chip Maguire of M.O.D.E, LLC, for the addition of a temporary 1,440 square foot modular classroom, located on Lot 2, Block 4, Airport West Subdivision #2 (1451 Aviation Drive), within the SCI – Industrial (SCI-I) Zoning District, was approved by the Planning and Zoning Commission on August 3, 2020, finding that each of the criteria for review pursuant to sections (a) through (h) cited in the Zoning Ordinance, Title 17.11.060, does not jeopardize the health, safety or welfare of the public and complies with the Comprehensive Plan, and is subject to conditions (a) through (f), noted below:

- a) All Fire Department and Building Department requirements shall be met in regard to all maintenance, administrative, and other functions of this facility.
- b) All new exterior lighting shall comply with the Outdoor Lighting requirements according to 17.08C.
- c) The water connection for the third modular building shall connect to the existing main line to the north and behind the sidewalk, not across Aviation Drive. This connection shall be inspected prior to burial.
- d) The sewer connection for the third modular building shall be made from the existing main line to the northwest property line, not across Aviation Drive. This connection shall be inspected prior to burial.
- e) Construction staging and storage shall not be in the City Right-of-Way. All construction impacts shall occur within the property boundary.
- f) A Building Permit and all associated permits (electrical, plumbing, encroachment) shall be acquired prior to placement and/or construction of the modular building.

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 _____, 2020.

Janet Fugate, Planning & Zoning Commission Chair

Attest:

Jessie Parker, Community Development Assistant

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FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION

On August 3, 2020, the Hailey Planning and Zoning Commission considered a Hillside Site Alteration Permit Application by Brush and Amber Carpenter, represented by Chip Maguire of M.O.D.E. LLC, for a paver patio and four foot (4') high retaining wall extending 5'6" beyond the building envelope into the hillside overlay, located at Lot 8, Block 8, Old Cutter's Subdivision.

FINDINGS OF FACT

Notice:

Notice for the August 3, 2020, public hearing was published in the Idaho Mountain Express on July 15, 2020 and mailed to property owners within 300 feet on July 15, 2020.

Application:

The Applicant is proposing a four-foot (4') landscape retaining wall extending 5'6" beyond the building envelope into the hillside overlay along the northeast side of the property to extend an outdoor patio area.

Procedure:

The Hillside Site Alteration Permit Application was submitted on July 2, 2020 and certified complete on July 7, 2020. A public hearing before the Planning and Zoning Commission for approval or denial of the project was held on August 3, 2020, in the Hailey City Council Chambers and remotely via GoToMeeting.

General Requirements of the Hillside Overlay District				
Compliant			Standards and Staff Comments	
Yes	No	N/A	City Code	City Standards and <i>Staff Comments</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.04N.050	Complete Application
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Department Comments	Engineering: <i>No comments</i> Life/Safety: <i>No comments</i> Water and Sewer: <i>It appears that one of the proposed dry wells is on top of sewer service. The dry wells are not to be connected to any sewer service</i> Building: <i>No comments</i> Streets: <i>No comments</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.04N.070.01 General	A. Siting New Buildings: The siting of new buildings or structures shall demonstrate through visual simulation graphics or other graphic means that the building or structure does not skyline from any public street or improved public trail.
			<i>Staff Comments</i>	<i>No buildings are proposed within the proposed hillside alteration area. The applicant is seeking to extend a back patio and retaining wall into the hillside. The proposed patio and retaining will be blocked from the street by the residence. The Commission found this standard to be met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		B. Neutral Colors: Buildings shall be designed with neutral colors or with colors naturally found in the surrounding hillsides.
			<i>Staff Comments</i>	<i>N/A, as no buildings are proposed at this time.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		C. Recreation Uses, Amenities: All recreation uses and amenities shall be appropriate to the terrain, with minimal visual impact.
			<i>Staff Comments</i>	<i>N/A, no recreation uses are proposed at this time.</i>

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		D. Wildlife Impact: All development shall minimize impact on wildlife migration corridors and wintering grounds. (Ord. 1191, 2015)
			<i>Staff Comments</i>	<i>The proposed development extends 5'6" into the hillside overlay area and will be a total of 14'7" from an existing residence. Staff does not feel that this poses an impact to wildlife migration or wintering grounds. The Commission found this standard to be met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.04N.070.02 Grading	A. Unstabilized Cut Slopes: Unstabilized cut slopes shall be designed and constructed according to the recommendations of a qualified engineer, unless a structural alternative such as a retaining wall or other measure acceptable to the city is provided.
			<i>Staff Comments</i>	<i>Plans submitted for building permit application include structural calculations for a retaining wall outside of the Hillside Overlay. Should this hillside alteration proposal be approved, the applicant will submit updated drawings and calculations for the relocated retaining walls. This has been added as a condition of approval.</i> <i>Planning Staff has also requested that the Applicant calculate the total area of disturbance, which will be brought to the hearing on August 3, 2020. This area shall not exceed 320 sq. ft. and has been made a Condition of Approval.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		B. Retaining Walls: Retaining walls may be preferred as a means to break up long, uninterrupted cuts. These retaining walls should be interspersed with other cut slopes if possible, to break up the length. Retaining walls should be no higher than four feet (4') or terraced with a three foot (3') horizontal separation of walls. They should be constructed of materials that are utilized elsewhere on the site, or of natural or decorative materials. Landscaping should be provided within or in front of extensive retaining walls.
			<i>Staff Comments</i>	<i>The proposed retaining walls are designed to be four feet (4') in height and will be constructed of finished poured concrete in natural concrete grey. The wall will face the residence patio and will mostly be shielded from the street by the residence. Staff does not see the retaining wall as "extensive," and the Commission concurred.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		C. Cuts and Fills: Cuts and fills shall be shaped, rounded, minimized and nonuniform to simulate natural existing contours.
			<i>Staff Comments</i>	<i>N/A - No cuts and fills are proposed as a part of this request. The only cut into the hillside will be that which is supported by the proposed retaining wall.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		D. Grading: No grading shall be allowed for purposes other than for the preparation of the ground for structures and for access.
			<i>Staff Comments</i>	<i>Planning Staff has requested that the Applicant calculate the total area of disturbance, which will be brought to the hearing on August 3, 2020. This area shall not exceed 320 sq. ft. and has been made a Condition of Approval.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		E. Thirty Percent Slopes: All slopes greater than thirty percent (30%) shall remain undisturbed, unless otherwise required by the wildland/urban interface code. If evidence acceptable to the city is provided showing that the strict enforcement of this provision would prohibit access to the lot or that placement of utilities would be impossible, then the applicant may apply for a waiver to this provision. Waivers shall only be considered in situations where strict application of the requirements of this section will deny to the developer the reasonable and beneficial use of the property in question, and not in situations where the developer establishes only that exceptions will allow a more financially feasible project.
			<i>Staff Comments</i>	<i>Submitted plans show an existing grade of approximately 10.9%. The Commission found this standard to be met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		F. Building Code Compliance: All retaining walls and grading shall comply with the most currently adopted edition of the international building code. (Ord. 1191,

				2015)
			<i>Staff Comments</i>	<i>The proposed project shall meet this requirement.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.04N.070.03 Storm Drainage	A. Runoff Discharge: Provisions for runoff discharge shall be designed to safely retain stormwater or adequately carry and discharge accumulated runoff into drainage channels, storm sewers or natural watercourses so it does not cause damage or flooding to neighboring properties. The design standard shall be the 25-year, one-hour rainfall event defined as one inch (1") per hour.
			<i>Staff Comments</i>	<i>A drainage plan is included in the provided plans. Drainage will be directed southeast along the proposed retaining wall to a 24" dry well on the property. The Commission found this standard to be met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		B. Drainage Improvements: The Commission may require the Applicant to design and construct drywells or other drainage improvements to control and reduce runoff from the site. The design for these facilities, including the soil percolation rate for all dry well locations, shall be submitted for approval as part of the storm drainage plan. (Ord. 1191, 2015)
			<i>Staff Comments</i>	<i>Two 24" dry wells are proposed to manage runoff on site. Dry well design and soil percolation rate are required for any proposed dry wells. Additionally, one of the proposed dry wells appears to be over sewer service. Dry wells are not to be connected to any sewer service.</i> <i>A condition of approval requiring additional information and confirming no connection to sewer service has been included. With this condition, the Commission found this standard to be met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.04N.070.04 Erosion Control	A. Stabilization Methods: All areas on the property graded for development, disturbed by construction or altered in any other way which may increase soil loss due to water and wind erosion shall be stabilized by one or more of the following methods: <ol style="list-style-type: none"> 1. Revegetated with native drought tolerant plant materials, including, but not limited to, flowering plants, low shrubs or native grasses growing in the immediate vicinity; or 2. Stabilized with flexible, biodegradable materials or synthetic soils erosion matting in conjunction with native grasses. Where native grasses are used for erosion control, written specifications shall be submitted to the city indicating the grass mix, preparation of seed bed, method of application and maintenance schedule.
			<i>Staff Comments</i>	<i>The proposed graded area will consist of a paver patio bordered by a concrete retaining wall. Any area disturbed in construction of the retaining wall shall be replanted with native drought tolerant materials. This has been added as a condition of approval. With this condition, the Commission found this standard to be met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		B. Maintenance: Where vegetation is proposed as an erosion control method for disturbed or graded land, the new vegetation shall be adequately maintained to prevent erosion. (Ord. 1191, 2015)
			<i>Staff Comments</i>	<i>This requirement shall be met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.04N.070.05 Public Streets, Private Streets, Driveways and Utilities	Public streets, private streets, driveways and utilities shall meet the definitions and design standards of the Hailey subdivision ordinance. A. Natural Contours: Public and private streets, driveways and utilities shall run with the existing natural contours to the maximum extent possible.

			<i>Staff Comments</i>	<i>N/A, as no public streets, private streets, driveways or utilities are proposed at this time.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		B. Cut, Fill Areas: Cut and/or fill areas for public and private streets and driveways shall not exceed five feet (5') above or below record grade.
			<i>Staff Comments</i>	<i>N/A, as no public streets, private streets, driveways or utilities are proposed at this time.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		C. Grades: Grades for public and private streets and driveways shall be constructed in accordance with the Hailey Subdivision Ordinance. Exceptions and additional standards for driveways are noted below: <ol style="list-style-type: none"> 1. The Commission may approve additional grade up to a maximum slope acceptable to the fire chief, if the commission finds that the proposed grade results in a driveway that better meets the intent and purpose of this HO district; 2. If the driveway is greater than one hundred fifty feet (150') in length, there shall be an approved turnout that meets fire department turnaround criteria and standards; The minimum turning radius for any private driveway shall be in conformance with the standards of the wildland/urban interface code. (Ord. 1191, 2015
			<i>Staff Comments</i>	<i>N/A, as no public streets, private streets, driveways or utilities are proposed at this time.</i>

17.04N.90 Conditions.

The Commission or Hearing Examiner may impose any conditions which it deems necessary to secure the purpose of City regulations and give effect to the Comprehensive Plan. Conditions which may be attached include, but are not limited to those which will:

- A. Preserve the environmental, recreational and aesthetic values and other benefits of hillsides, integral to the character of the city;
- B. Maintain slope and soil stability;
- C. Prevent cuts and fills, including those for access roads and driveways, that exacerbate the natural hazards, such as erosion and landslide, associated with developing on hillsides;
- D. Encourage grading that follows natural contours, and encourage native landscaping;
- E. Require that any grading performed adhere to best practices for engineering and soil conservation to avoid erosion and landslides and to have as minimal effect on the environment as possible;
- F. Require maintenance for three (3) years, and financial security in an amount required by the commission, of graded areas where vegetation is proposed as erosion control to ensure that such revegetation conforms to the approved erosion control plan;
- G. Direct development of buildings and other structures to appropriate areas of lowest elevation on hillside properties where such areas are part of the parcel or lot under consideration;
- H. Ensure safe and reasonable access to and from the properties, including access by emergency services;
- I. Require conformance with approved plans;
- J. Require guarantees such as performance bonds as to compliance with the terms of the

approval;

- K. **Control the sequence, timing and nature of development; and**
- L. **Require that all development shall conform to any approved grading plan, storm drainage plan and erosion control plan. (Ord. 1191, 2015).**

CONCLUSIONS OF LAW

The Commission approved the Hillside Site Alteration Permit Application submitted by Brush and Amber Carpenter on August 3, 2020.

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

1. Adequate notice, pursuant to Title 17, Section 17.06.040(D), was given.
2. The project is in general conformance with the Hailey Comprehensive Plan.
3. The project does not jeopardize the health, safety, or welfare of the public.
4. Upon compliance with the conditions set forth, the project conforms to the applicable standards of Chapter 17.06, Design Review, other Chapters of the Zoning Ordinance and City Standards.

DECISION

The Hillside Site Alteration Permit Application by Brush and Amber Carpenter, represented by Chip Maguire of M.O.D.E. LLC, for approval of a paver patio and four foot (4') high retaining wall extending 5'6" beyond the building envelope into the hillside overlay, located at Lot 8, Block 8, Old Cutter's Subdivision, 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 Hailey Municipal Code Section 17.06, Design Review, additional applicable requirements of Title 17, Title 18, and City Standards, provided conditions (a) through (c) are met:

- a. Any areas outside of the proposed paver patio and concrete retaining wall that are disturbed in construction of the proposed retaining wall shall be replanted with native drought tolerant vegetation and adequately maintained by the property owner.
- b. Updated drawings and engineered calculations for the retaining wall in the proposed location shall be submitted to the City prior to building permit approval.
- c. Dry well design and soil percolation rates will be required for the proposed 24" dry wells and no dry well is to be connected to sewer service.

The Hillside Site Alteration Permit Application by Brush and Amber Carpenter

Signed this ____ day of _____, 2020.

Janet Fugate, Planning & Zoning Commission Chair

Attest:

Jessica Parker, Community Development Assistant

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FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION

On April 8, 2013 the Hailey Planning and Zoning Commission considered an Application submitted by Powder River Development Services (PRDS) with co-applicant AT&T- New Cingular Wireless PCS, LLC (AT&T), for a Wireless Permit to replace an existing Wireless Permit previously obtained by Edge Wireless, LLC, and AT&T Mobility Corporation. AT&T Mobility Corporation has submitted a request to modify the existing Wireless Permit to include the removal of three (3) antennas, one (1) GSM Omni antenna, and three (3) remote radio heads and associated cabling. Three (3) newer technology antennas and three (3) newer technology remote radio heads will be added to the site. No increase in height of tower is proposed. The equipment is located at Pine Street Station Condominiums (400 South Main Street), within the Business (B) and Townsite Overlay (TO) Zoning Districts.

FINDINGS OF FACT

Notice: Notice regarding the modification was mailed to property owners within 300 feet on July 28, 2020. Pursuant Section 17.08B.060.04: Review and Public Hearing, of the Hailey Municipal Code, where a Conditional Use Permit is not required, the planning administrator shall mail notice of the application to property owners within 300 feet and shall request written comment from such owners.

Application: AT&T Mobility Corporation submitted an application for a Wireless Permit, for modification to an existing rooftop wireless telecommunications network, located and operated at the Pine Street Station Condominiums, at 400 South Main Street in Hailey. The Applicant is proposing the following modifications to be permitted as part of the Wireless Permit Application: removal of three (3) antennas, one (1) GSM Omni antenna, and three (3) remote radio heads and associated cabling. Three (3) newer technology antennas and three (3) newer technology remote radio heads will be added to the site.

To ensure the proposed modifications are compliant with Title 17.08: Supplementary Regulations, Article B: Wireless Facilities, Planning Staff reached out to Commissioner Stone, a certified electrical engineer, requesting a preliminary review of the application and supporting documents provided by AT&T Mobility Corporation.

Commissioner Stone noted that the proposed modifications "...will get the station close to 4G LTE capabilities, but will not allow for any 5G production".

Additionally, Planning Staff requested a professional peer review of the application by Chuck Robertson, a certified Radio Frequency Engineer. Mr. Robertson concurred with Commissioner Stone, noting that that the proposed modifications would not allow for any 5G production and the radio frequency exposure inside the building appears to be safe and poses no concerns. Mr. Robertson's analysis of AT&T's Application and supporting documents will be brought to the hearing on August 17, 2020.

Permit Granting Authority: Pursuant Section 17.08B.060.01 of the Hailey Municipal Code,

- A. Wireless Permit: The Hailey Planning Administrator shall be the granting authority for wireless permits not requiring a conditional use permit, subject to final approval or denial by the Planning and Zoning Commission on its Consent Agenda. Such approval or denial shall specify the ordinance and standards used in evaluating the application; the reasons for the approval or denial; and the actions, if any, that the Applicant could take to obtain a permit.

An Applicant who is denied or aggrieved by a decision may appeal such decision as set forth in Section [17.08B.150.01](#) of this article. The Planning Administrator may attach reasonable conditions to the approval of an application, including, but not limited to, those that will minimize adverse impact on adjacent properties or public ways, and/or assure the PWSF or WCF is constructed and/or maintained in accordance with this article and this title.

This project does not require a Conditional Use Permit; therefore, in accordance with Section 17.08B.060.01 of the Hailey Municipal Code, the Planning Administrator has submitted these Findings of Fact, Conclusions of Law and Decision for the Planning and Zoning Commission to review on the Consent Agenda of August 17, 2020.

Procedural History: The Application was submitted on February 25, 2020 and certified complete on March 11, 2020. A review of the Findings of Fact, Conclusions of Law and Decision made by the Planning Administrator will be held on August 17, 2020, in the Hailey City Council Chambers.

General Requirements for Wireless Facilities				
Compliant			Standards and Staff Comments	
Yes	No	N/A	City Code	City Standards and <i>Staff Comments</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.06.050	Complete Application
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.08B.030:	17.08B.030: Applicability
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.08B.030.01	<p>17.08B.030.01 Permits Required: It shall be unlawful to commence construction or placement of any PWSF or WCF without having first obtained a valid written wireless permit pursuant to this article, and as set forth in section 17.08B.040 of this article, a conditional use permit pursuant to chapter 17.11 of this title.</p> <p>A. Building Permit: It shall be unlawful to commence construction on any new PWSF or WCF, or to modify, alter or add on to an existing PWSF or WCF, without having first obtained a valid written building permit as required under the international building code as adopted by Hailey ordinance.</p>
			<i>Staff Comments</i>	<i>The Applicant has submitted a Building Permit for the proposed modifications; however, has not been reviewed for completeness and/or approved at this time. This has been listed as Condition of Approval and further notes that the application and all documentation shall be approved prior to installation of any new equipment associated with this project.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<p>B. Conditional Use Permit: Any conditional use permit issued for a PWSF or WCF shall subscribe to procedures set forth in this article and in chapter 17.11 of this title.</p> <p>1) Where nonconflicting differences between this article and chapter 17.11 of this title exist, this article shall be additive to and supportive of chapter 17.11 of this title.</p> <p>2) Where this article and chapter 17.11 of this title contain conflicting provisions, the more restrictive requirements shall apply. (Ord. 1191. 2015)</p>
			<i>Staff Comments</i>	<i>A Conditional Use Permit is not required. Wireless Facilities mounted to a building are accessory uses in the Business (B) Zone District.</i>

				<p>Furthermore, pursuant Section 17.08B.060.01 of the Hailey Municipal Code,</p> <p>A. <i>Wireless Permit: The Hailey Planning Administrator shall be the granting authority for wireless permits not requiring a conditional use permit, subject to final approval or denial by the Planning and Zoning Commission on its Consent Agenda. Such approval or denial shall specify the ordinance and standards used in evaluating the application; the reasons for the approval or denial; and the actions, if any, that the Applicant could take to obtain a permit. An Applicant who is denied or aggrieved by a decision may appeal such decision as set forth in Section 17.08B.150.01 of this article. The Planning Administrator may attach reasonable conditions to the approval of an application, including, but not limited to, those that will minimize adverse impact on adjacent properties or public ways, and/or assure the PWSF or WCF is constructed and/or maintained in accordance with this article and this title.</i></p> <p><i>This project does not require a Conditional Use Permit; therefore, in accordance with Section 17.08B.060.01 of the Hailey Municipal Code, the Planning Administrator has submitted these Findings of Fact, Conclusions of Law and Decision for the Planning and Zoning Commission to review on the Consent Agenda of August 17, 2020.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.08B.030.02	<p>17.08B.030.02: Preexisting Personal Wireless Service Facilities or Wireless Communications Facilities:</p> <p>A. Prior Issued Permits: A PWSF or WCF for which a permit has been issued prior to the effective date hereof shall be deemed a permitted use, subject to the conditions of that permit.</p> <p>B. Compliance for Unpermitted: All unpermitted PWSFs or WCFs shall be brought into compliance with this article. Unpermitted PWSFs or WCFs will be subject to abatement.</p> <p>C. Separate Permits: Where any unpermitted PWSF or WCF to be attached to a mount approved for another use or PWSF or WCF, the unpermitted PWSF or WCF must apply for a separate permit, even when: 1) sharing a legal mount; 2) already in operation; and/or 3) duly licensed by the federal communications commission. The issuance of permit renewals or other new permits for such facilities shall be in accordance with the provisions of this article.</p> <p>D. Damaged, Destroyed Facilities: Damaged or destroyed facilities may be rebuilt and all such facilities may be replaced by facilities of the same height at the same location; provided, that lattice towers are encouraged to be changed to mounts of lower visual impact.</p> <p>E. New Approvals With Preexisting: Any carrier with at least one preexisting PWSF or WCF in the city of Hailey that is out of compliance with the city of Hailey building and zoning requirements, prior to the adoption of this article, shall not be eligible for any new approvals of PWSFs or WCFs by the city until each preexisting PWSF or WCF owned by that carrier is brought into compliance with this article. (Ord. 1191, 2015)</p>
			<i>Staff Comments</i>	<p><i>The existing wireless facility was installed prior to the adoption of Section 17.08B: Wireless Facilities. The proposed modifications are to an existing and previously</i></p>

				<i>permitted facility. The Hailey Municipal Code requires that the existing facility and the proposed modifications be reviewed and/or brought into compliance, if non-compliant, with a new Wireless Permit Application. The Applicant has submitted a new Wireless Permit Application for the proposed modifications.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.08B.030.03	<p>17.08B.030.03: Unpermitted Facilities, Mounts or Equipment Ineligible for Collocation:</p> <p>A. No issuance of any permit under this article shall occur for a request to collocate, attach or share an existing PWSF or WCF site, mount or facility, when such existing site, mount or facility is found to have one or more PWSFs or WCFs without permits and/or any structure, mount or facility is found to lack one or more building or any other permits required by the city, or is otherwise in violation of city ordinance or state or federal law.</p> <p>B. Any application by a wireless carrier or other entity shall not be accepted by the city of Hailey if that wireless carrier has a preexisting PWSF or WCF on, or the other entity owns or leases, a mount, rooftop or tower, on which there is any unpermitted PWSF or WCF until that PWSF or WCF is brought into compliance with this article. (Ord. 1191, 2015)</p>
			<i>Staff Comments</i>	<p><i>The existing Wireless Facility and proposed modifications are permissible, so long as the modifications comply with FCC regulations and standards noted herein.</i></p> <p><i>To ensure the proposed modifications are compliant with Title 17.08: Supplementary Regulations, Article B: Wireless Facilities, Planning Staff reached out to Commissioner Stone, a certified electrical engineer, requesting a preliminary review of the application and supporting documents provided by AT&T Mobility Corporation.</i></p> <p><i>Commissioner Stone noted that the proposed modifications "...will get the station close to 4G LTE capabilities, but will not allow for any 5G production".</i></p> <p><i>Additionally, Planning Staff requested a professional peer review of the application by Chuck Robertson, a certified Radio Frequency Engineer. Mr. Robertson concurred with Commissioner Stone, noting that that the proposed modifications would not allow for any 5G production and the radio frequency exposure inside the building appears to be safe and poses no concerns. Mr. Robertson's analysis of AT&T's Application and supporting documents will be brought to the hearing on August 17, 2020.</i></p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.08B.030.04	<p>17.08B.030.04: Exempt Communication Facilities:</p> <p>A. The requirements imposed by this article shall not apply to antennas designed to receive video programming signals from direct broadcast satellite (DBS) services, multichannel multipoint distribution providers (MMDS), or television broadcast stations (TVBS); provided, that all of the following conditions are met:</p> <ol style="list-style-type: none"> 1) The antenna measures thirty-nine inches (39") (1m) in diameter or less in diameter 2) A dish that measures greater than thirty-nine inches (39") (1m) in diameter that is complete enclosed 3) The antenna is attached to a freestanding tower measuring less than twelve feet (12') in height

				<p>B. The requirements of this article shall not apply to amateur radio facilities owned and operated by a federally licensed amateur radio operator or used exclusively as noncommercial, receive only antennas. However, such facilities may not collocate a PWSF or WCF unless a wireless permit is obtained under this article. (Ord. 1191, 2015)</p>
			<i>Staff Comments</i>	<i>N/A, as the existing facility and proposed modifications do not meet the specifications of an exempt communication facility.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.08B.030.05	17.08B.030.05: Relationship to Other Ordinances: This article shall supersede any conflicting requirements contained in this title regarding the siting and permitting of PWSFs or WCFs, except as otherwise specifically provided for in this article. (Ord. 1191, 2015)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.08B.030.06	17.08B.030.06: Jurisdiction: This article shall apply only in the incorporated area of the city of Hailey and where adopted pursuant to the Hailey/Blaine County area of city impact ordinance. (Ord. 1191, 2015)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.08B.030.07	<p>17.08B.030.07: Zoning District Regulations, General Prohibitions and Restrictions:</p> <p>A. Applicability: The placement, use or modification of any wireless communication facility at any location within the city of Hailey is subject to the provisions of this article.</p> <p>B. LB, B, LI, TI, SCI, A Districts: In the limited business district, business district, light industrial district, technological industry district, service commercial industrial district, and airport district:</p> <ol style="list-style-type: none"> 1) PWSFs and WCFs attached to street poles shall be a permitted use in the aforementioned zoning districts upon issuance of a wireless permit in accordance with the provisions of this article 2) All other PWSFs or WCFs, excluding freestanding towers, shall be permitted as an accessory use in the aforementioned zoning districts of Hailey upon issuance of a wireless permit in accordance with provisions of this article 3) Freestanding towers and monopoles, excluding lattice towers, shall be a conditional use within these zoning districts of Hailey upon issuance of a wireless permit and a conditional use permit in accordance with this article and chapter 17.11 of this title
			<i>Staff Comments</i>	<i>The existing Wireless Facility is attached to the roof of Pine Street Station Condominiums, located at 400 South Main Street. The proposed modifications will also be attached to the roof and/or existing facility of the same building.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<p>C. RGB, LR, GR, TN Districts: In the recreational green belt district, limited residential district, general residential district, and transitional district:</p> <ol style="list-style-type: none"> 1) PWSFs or WCFs shall be permitted only as a conditional use in the aforementioned zoning districts of Hailey upon issuance of both a wireless permit in accordance with this article and conditional use permit in accordance with chapter 17.11 of this title 2) Freestanding towers and monopoles shall be prohibited in these zoning districts of Hailey.
			<i>Staff Comments</i>	<i>N/A, as the project is located within the Business (B) Zone District.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<p>D. Prohibitions: The following are prohibited within the City:</p> <ol style="list-style-type: none"> 1) Lattice towers larger than two feet by two feet (2' x 2')

				2) WCFs and PWSFs that interfere with City and public safety communication systems and/or area television or radio broadcast
			<i>Staff Comments</i>	<i>N/A, as no lattice towers are proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		E. Restrictions: In all zoning districts within Hailey, no guywire or other support wires shall be used in connection with antenna, antenna array or its support structure, except when used to anchor the antenna, antenna array or support structure to an existing building to which such antenna, antenna array or support structure is attached. (Ord. 1191, 2015)
			<i>Staff Comments</i>	<i>N/A, as no guywire or other support wires are proposed at this time.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.08B.050	17.08B.050: Location and Facility Type Standards and Priorities
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.08.050.01	17.08B.050.01: Location Selection Criteria:
			<i>Staff Comments</i>	<i>Please refer to Section 17.08B.060.02 for further information.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		B. Siting Criteria: Applications shall be considered based on preferred siting criteria as set forth below in order of priority: <ol style="list-style-type: none"> 1. City owned property due to the city’s ability to control and monitor ordinance compliance; 2. Public safety communication center; 3. Collocation on existing buildings, structures and towers in the zoning districts set forth in subsection 17.08B.040B of this article. In presenting another site, the applicant shall have the burden of proving that there are no such feasible existing structures upon which to locate; 4. Street poles; 5. Existing buildings and structures, excluding freestanding towers and monopoles, located on residentially zoned land, as set forth in subsection 17.08B.040C of this article; 6. In areas where the existing topography, vegetation, buildings and other structures provide the greatest amount of screening; 7. Other locations consistent with the provisions of this title; 8. Location of PWSFs or WCFs within floodplain areas, wetlands, hillside areas above twenty five percent (25%) slope, avalanche prone areas, areas where the FAA requires lighting on the facility, and areas for which the FCC requires an environmental assessment under the national environmental policy act (NEPA) are to be avoided. (Ord. 1191, 2015)

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.08B.050.02	<p>17.08B.050.02: Collocation Requirement: Collocation is considered to be the least intrusive and visually unobtrusive installation method because the equipment is attached to an existing structure. No new tower shall be permitted unless the applicant demonstrates a good faith effort to collocate on an existing facility, including good faith efforts to negotiate lease rights, and there is no reasonable alternative location, site or design. The applicant shall submit clear and convincing evidence that:</p> <ul style="list-style-type: none"> A. No suitable existing towers or structures are located within the city or immediate geographic area; B. Existing towers or structures are not sufficiently designed to meet the applicant's master development plan; C. Existing towers or structures do not have sufficient structural strength to support the applicant's proposed antenna and related equipment; D. The applicant's proposed antenna would cause electromagnetic interference with the antenna on the existing towers or structures, or the antenna on the existing towers or structures would cause interference with the applicant's proposed antenna; E. The fees, costs or contractual provisions required by the owner of the proposed collocation site in order to share an existing tower or structure or to adapt an existing tower or structure for share are prohibitive; F. Costs exceeding new tower development and construction are presumed (rebuttably) to be prohibitive; G. No other reasonable alternative exists to the applicant's proposed PWSF or WCF; H. In the case of public safety communication equipment, existing towers or structures do not satisfy requirements for public safety communication accreditation. <p>In addition, no new tower shall be permitted unless the applicant provides a written statement to the city that the applicant shall make a good faith effort to allow other wireless carriers to collocate antennas on the proposed tower where technically and economically feasible. This provision shall not apply to lattice towers. (Ord. 1191, 2015)</p>
			<i>Staff Comments</i>	<i>The Applicant has submitted a new Wireless Permit Application for the proposed modifications to the existing facility. The existing facility does not have an existing or proposed freestanding tower; therefore, collocation requirements are not applicable.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.08B.060	17.08B.060: Application and Hearing Procedures
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.08B.060.01	<p>17.08B.060.01: Permit Granting Authority:</p> <ul style="list-style-type: none"> A. A. Wireless Permit: The Hailey planning administrator shall be the granting authority for wireless permits not requiring a conditional use permit, subject to final approval or denial by the planning and zoning commission on its consent agenda. Such approval or denial shall specify the ordinance and standards used in evaluating the application; the reasons for the approval or denial; and the actions, if any, that the applicant could take to obtain a permit. An applicant who is denied or aggrieved by a decision may appeal such decision as set forth in section 17.08B.150.01 of this article. The planning administrator may attach reasonable conditions to the approval of an application, including, but

				not limited to, those that will minimize adverse impact on adjacent properties or public ways, and/or assure the PWSF or WCF is constructed and/or maintained in accordance with this article and this title.
			<i>Staff Comments</i>	<i>This project does not require a Conditional Use Permit; therefore, in accordance with Section 17.08B.060.01 of the Hailey Municipal Code, the Planning Administrator has submitted these Findings of Fact, Conclusions of Law and Decision for the Planning and Zoning Commission to review on the Consent Agenda of August 17, 2020.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		B. Master Development Plans: The planning administrator shall also have the authority to approve or deny all PWSF or WCF master development plans.
			<i>Staff Comments</i>	<i>Please refer to Section 17.08B.060.02 for further information.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		C. Conditional Use Permits: The Commission shall have the authority to approve or deny all conditional use permit applications for PWSFs or WCFs, which shall be jointly processed with wireless permit applications in accordance with the procedures for conditional use permits set forth in chapter 17.11 of this title.
			<i>Staff Comments</i>	<i>N/A, as a Conditional Use Permit is not required. Wireless Facilities mounted to a building are accessory uses in the Business (B) Zone District.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		D. Encroachment Permit: Prior to issuance of any wireless permit for a facility to be located on a street pole, or otherwise within the public right of way, an encroachment permit or right of way use agreement must be obtained by the applicant for the PWSF or WCF from the city and/or, where applicable, the Idaho transportation department (ITD). Any PWSF or WCF to be otherwise located on city owned property shall also enter into a lease agreement with the city subject to authorization by the city council. (Ord. 1191, 2015)
			<i>Staff Comments</i>	<i>N/A, as the Wireless Facility is existing and is not located on a street pole or within the public right-of-way.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.08B.060.02	17.08B.060.02: Master Development Plan: <ul style="list-style-type: none"> A. Required: An applicant for a wireless permit must obtain approval of a master development plan by the Hailey planning administrator and pursuant to this article prior to or concurrently with the processing of any wireless permit application. A master development plan shall be submitted by each company seeking placement of a PWSF or WCF within the city. B. Waiver: The planning administrator may waive the processing of a master development plan if the applicant demonstrates by clear and convincing evidence that a network of PWSFs or WCFs will not be required of the owner/operator of the proposed PWSF or WCF. C. Expected Network Illustrated: The master development plan shall illustrate a carrier's expected network of PWSFs or WCFs within and adjacent to the city. It shall forecast five (5) years in advance the approximate locations of future facilities and the areas of service, but is not required to detail the specific siting or type of facility (e.g., pole, roof, building attached). Future amendments to each company's master development plan shall be submitted and reviewed by the planning administrator prior to approval of additional PWSF or WCF facility locations.

				<p>D. Placement Without Plan: If a PWSF or WCF is placed without a master development plan, the applicant shall file for and receive approval of a plan prior to the filing of an application for another PWSF or WCF. (Ord. 1191, 2015)</p>
			<i>Staff Comments</i>	<p><i>The Applicant is seeking to continue utilizing an existing Wireless Facility and at this time, has no plans for constructing an new facilities within the City of Hailey. Based on this information, the Master Development Plan was administratively waived. Staff concurs with the previous waiver and does not see a need for a Master Development Plan at this time.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.08B.060.05:	<p>17.08B.060.05: Permit Form, Annual Report and Renewal:</p> <p>A. Issuance of Permit: Upon approval, the city shall issue the applicant a wireless permit in written form stating the exact PWSF or WCF approved and the conditions, if any, of said permit.</p> <p>B. Annual Report: As a condition of each wireless permit, the applicant shall file with the city on each anniversary date of the issuance of the permit an annual report containing the following information:</p> <ol style="list-style-type: none"> 1. Name of permittee, landowner; 2. Any collocation added to the site or removed from the site within the preceding year; 3. Any modifications to the site in the preceding year, including change of ownership; 4. Updated list of hazardous substances as set forth in subsection 17.08B.060.03C15d of this article, together with a plan of the site showing the exact location of each such substance and means of access in case of an emergency; 5. Date of the last physical inspection of the site by the permittee and any carrier on the site; 6. The name and telephone number of contact person in case of emergency at the site and for any required maintenance of the site. 7. Annual renewal fee as set by city ordinance. <p>C. Renewal; Failure To File: The permit shall be automatically renewed annually upon the filing of an annual report and renewal fee as set by city ordinance. Failure to file an annual report shall result in the expiration of the wireless permit. Expiration occurs one year after the due date of the annual report. A new application, together with all applicable fees, shall be required to reinstate the permit.</p> <p>D. Conditional Use Permit: Where an application is also required as set forth in this article, the city shall issue the applicant a conditional use permit in written form stating the exact PWSF or WCF and the conditions of said permit. Such permit shall be subject to the terms and conditions set forth in chapter 17.11 of this title, as well as any supplementary conditions set forth in this article. (Ord. 1191, 2015)</p>
			<i>Staff Comments</i>	<p><i>Issuing these Findings of Fact, Conclusions of Law and Decision shall satisfy the requirements of the standards noted above.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.08B.070.01	<p>17.08B.070.01: Applicability: The standards identified in the sections below shall apply to all wireless permits and all PWSFs or WCFs constructed or located in the city, unless otherwise herein specified. Such standards shall also be considered in the issuance of a conditional use permit pursuant to this article</p>

				<p>and chapter 17.11 of this title. The Applicant for a wireless permit has the burden of demonstrating compliance with these standards.</p>
			<i>Staff Comments</i>	<p><i>A Conditional Use Permit is not required. Wireless Facilities mounted to a building are accessory uses in the Business (B) Zone District.</i></p> <p><i>Furthermore, pursuant Section 17.08B.060.01 of the Hailey Municipal Code,</i></p> <p><i>A. Wireless Permit: The Hailey Planning Administrator shall be the granting authority for wireless permits not requiring a conditional use permit, subject to final approval or denial by the Planning and Zoning Commission on its Consent Agenda. Such approval or denial shall specify the ordinance and standards used in evaluating the application; the reasons for the approval or denial; and the actions, if any, that the Applicant could take to obtain a permit. An Applicant who is denied or aggrieved by a decision may appeal such decision as set forth in Section 17.08B.150.01 of this article. The Planning Administrator may attach reasonable conditions to the approval of an application, including, but not limited to, those that will minimize adverse impact on adjacent properties or public ways, and/or assure the PWSF or WCF is constructed and/or maintained in accordance with this article and this title.</i></p> <p><i>This project does not require a Conditional Use Permit; therefore, in accordance with Section 17.08B.060.01 of the Hailey Municipal Code, the Planning Administrator has submitted these Findings of Fact, Conclusions of Law and Decision for the Planning and Zoning Commission to review on the Consent Agenda of August 17, 2020.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.08B.070.02	<p>17.08B.040.02: Height: PWSFs or WCFs shall not exceed forty feet (40') AGL or the maximum permissible height of the zoning district where it is sited, whichever is lower, with the exception of facade and roof attached PWSFs or WCFs or public safety communication equipment as described below:</p> <p>A. Roof attached PWSFs or WCFs shall not exceed five feet (5') above the highest portion of the roof membrane, or continuous parapet wall. The antenna and support system for whip antennas shall not exceed ten feet (10') above the highest portion of that roof, including parapet walls.</p>
			<i>Staff Comments</i>	<p><i>This standard is met. The proposed antennas do not exceed ten (10) feet in height form the roof surface.</i></p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<p>B. Facade attached PWSFs or WCFs shall not exceed five feet (5') above the facade to which it is attached.</p>
			<i>Staff Comments</i>	<p><i>N/A, as the existing facility and proposed modifications are roof-mounted and do not attach to the façade of the building.</i></p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<p>C. If the height of the building is in excess of the maximum height allowed within the zone and was legally established, then the combined height of the building and antenna shall not exceed the maximum height allowed by such approval, unless determined to be suitably camouflaged.</p>
			<i>Staff Comments</i>	<p><i>The height of the building is 38'. The exception for roof-attached PWSF's allows for PWSF height to be above the maximum permissible height of the Business (B) Zone District.</i></p>

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		D. Street pole attached PWSFs or WCFs may only extend six feet (6') above the existing street pole. A maximum extension of ten feet (10') from the top of the street pole, may be permitted pursuant to standards provided in section 17.08B.070.09 of this article, if a utility disturbance can be clearly demonstrated.
			<i>Staff Comments</i>	<i>N/A, as the Wireless Facility is not attached to a street pole.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		E. Public safety communication equipment located on the same property as a public safety communication center, the height of the support structure may be allowed a maximum of seventy-five feet (75') AGL. (Ord. 1191, 2015)
			<i>Staff Comments</i>	<i>N/A</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.08B.070.03	17.08B.070.03: Setbacks: All PWSFs or WCFs, except those mounted-on street poles, shall comply with the building setback provisions of the zoning district in which the PWSF or WCF is located or the requirements of this section, whichever is greater. At a minimum, the following setbacks shall be observed: A. Street Pole Attached: No setback when constructed within the public right of way and under the provisions of section 17.08B.070.09 of this article;
			<i>Staff Comments</i>	<i>N/A</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		A. Facade Attached: The maximum projection shall be eighteen inches (18"). The location of a PWSF or WCF on the wall of a legal nonconforming structure is permitted. However, the PWSF or WCF shall not be located on an exterior wall in a manner that will increase the degree of nonconformity. Additional standards for antennas attached to the facade of structures are listed in section 17.08B.070.09 of this article
			<i>Staff Comments</i>	<i>N/A</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		B. Roof Attached: PWSFs or WCFs shall be set back from the edge of the building a distance equal to the height of the antenna and support system as measured from the roof membrane
			<i>Staff Comments</i>	<i>It appears this standard has been met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		C. Freestanding Tower: Setbacks shall be measured from the base of the tower to the property line of the parcel on which it is located. Towers shall be set back from all property lines one hundred percent (100%) of the height of the tower as measured from the base of the tower to the highest point of the tower, including antennas
			<i>Staff Comments</i>	<i>N/A</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		D. Underground Vaults or Aboveground Structures: Underground vaults or aboveground structures shall comply with all setback and other requirements of the underlying zoning district in which the real property is located
			<i>Staff Comments</i>	<i>N/A</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		E. Equipment Enclosures: No freestanding PWSFs or WCFs or equipment enclosures shall be located between the face of a structure and a public street, bikeway, park or residential development, except for approved facade attached PWSFs or WCFs located on existing or new permitted structures in accordance with this article. (Ord. 1191, 2015)
			<i>Staff Comments</i>	<i>N/A</i>

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.08B.070.04	17.08B.070.04: Design Standards: The following design criteria shall be met by each application for wireless permit approval:
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<p>A. Architectural Compatibility:</p> <p>1) All facilities shall be designed to minimize the visual impact to the greatest extent feasible, considering technological requirements, by means of placement, screening and camouflage to be compatible with existing architectural elements and building materials and other site characteristics. The applicant shall use the smallest and least visible antennas possible, as well as the smallest possible equipment enclosure.</p>
			<i>Staff Comments</i>	<i>The new antennas will be visible from the alley and rear parking area of Pine Street Station. The antennas will not be visible from Highway 75. Ideally, Planning Staff would like to see the new antennas located closer to the center of the roof, to minimize the visual impact altogether. That said, this Wireless Facility is existing and relocating it may be infeasible.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<p>2) Equipment enclosures of PWSFs or WCFs shall be placed in underground vaults or within buildings where possible. All other equipment enclosures shall be designed consistent with the requirements of this article. The equipment enclosure shall be constructed so as to minimize its visual impact. Landscape planting shall be installed and maintained to completely obscure the visibility of the equipment enclosure from the developed street and adjacent properties. Sight distance clearance shall be maintained for the equipment enclosure and associated landscape pursuant to the requirements of this article and other applicable ordinances and standards of the city. Any aboveground equipment enclosure greater than ninety (90) cubic feet in size shall be subject to design review pursuant to chapter 17.06 of this title.</p>
				<i>All equipment enclosures are located and stored within the building.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<p>B. Landscaping or Screening Standards:</p> <p>1) Support structures and equipment enclosures shall be installed so as to maintain and blend with existing landscaping on site, including trees, foliage and shrubs, whether or not utilized for screening</p>
			<i>Staff Comments</i>	<i>N/A, as no landscaping exists and/or is proposed. The Wireless Facility is a rooftop facility located at Pine Street Station Condominiums. The support structures are compact in size and all equipment enclosures are located and stored within the building.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<p>2) Additional landscaping and screening shall be installed to visually screen the aboveground equipment enclosures. Landscaping and screening shall consist of a combination of trees, foliage and shrubs of dense spacing in one of the following designs:</p> <p style="margin-left: 40px;">a) A screening wall or fence and a five foot (5') wide landscape planter located in front of the wall or fence</p> <p style="margin-left: 40px;">b) A ten-foot (10') wide landscape planter</p>

				<p>c) Any combination of existing vegetation, topography, decorative walls/fences or other features instead of landscaping, if they achieve the same degree of screening as the required landscaping described above.</p>
				<i>N/A, as all equipment enclosures are located within the building.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<p>3) No PWSF or WCF shall be at a height greater than ten feet (10') above the average height of the existing, mature trees located on site.</p>
			<i>Staff Comments</i>	<i>N/A, as no mature landscaping exists onsite.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<p>4) Where mature trees or landscaping does not exist, the appropriateness of siting support structures and equipment enclosures shall be determined by considering the context of the surrounding topography, buildings or other vertical structures.</p>
			<i>Staff Comments</i>	<i>No mature landscaping exists. That said, due to the height of the building and antennas, the visibility of the antennas will be limited to site distances farther from the building. Other vertical structures on the building's roof include a satellite dish and HVAC units.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<p>5) Upon completion, the permittee(s) of the facility shall be jointly and severally responsible for the continued maintenance and replacement of all required landscaping and screening materials.</p>
			<i>Staff Comments</i>	<i>N/A, as no mature landscaping exists onsite.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<p>C. Color and Materials Standards: 1) PWSFs or WCFs located on buildings, walls or roofs, or structures, shall be painted or constructed of materials to match the color of the structure directly behind them to reduce the visibility of the PWSF or WCF</p>
			<i>Staff Comments</i>	<i>It has been made a Condition of Approval that the existing and proposed equipment be painted a non-reflective grey color.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<p>2) To the extent any PWSFs or WCFs extend above the height of the vegetation immediately surrounding it, they shall be painted in a nonreflective light gray, light blue or other hue, which blends with the skyline and horizon.</p>
			<i>Staff Comments</i>	<i>There is no vegetation immediately surrounding the rooftop of Pine Street Station Condominiums. It has been made a Condition of Approval that the existing and proposed equipment be painted a non-reflective grey color.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<p>D. Facility Lighting and Signage Standards: 1) Facility lighting shall be designed so as to meet but not exceed minimum requirements for security, safety and/or FAA regulations. Lighting of antennas or support structures shall be prohibited unless required by the FAA and no other alternatives are available. In all instances, the lighting shall be designed so as to avoid glare and minimize illumination on adjacent properties. No strobe or flashing lights shall be permitted unless no other lighting can meet FAA regulations and the applicant provides written confirmation from the FAA that the specific WCF under review cannot meet its</p>

				regulations by the use of any other alternative other than such lighting. Lighting shall also comply with any applicable city lighting standards.
			<i>Staff Comments</i>	<i>The FAA does not require notification of construction and/or modifications to wireless facilities for antennas less than 20 feet in height; therefore, no lighting is necessary at this time. It has been made a Condition of Approval that lighting any part of the Wireless Facility shall be prohibited.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		2) Signs shall be limited to those needed to identify the telephone number(s) to contact in an emergency, public safety warnings, certifications or other required seals. These signs shall also comply with the requirements of the city's sign regulations.
			<i>Staff Comments</i>	<i>N/A, as no signs are proposed and/or required at this time.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		3) All facility lighting shall comply with the standards as set forth in article C of this chapter. (Ord. 1191, 2015)
			<i>Staff Comments</i>	<i>No lighting is necessary at this time. It has been made a Condition of Approval that lighting any part of the Wireless Facility shall be prohibited.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.08B.070.05	17.08B.070.05: Parking Standards: A. Automated: If the freestanding PWSF or WCF is fully automated, one off street parking space shall be provided for maintenance workers.
			<i>Staff Comments</i>	<i>The wireless facility is fully automated and one (1) off-street parking space is required, and has been provided, for maintenance workers.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		B. Nonautomated: Nonautomated PWSFs or WCFs shall provide documentation regarding the provision of adequate off-street parking. Parking will be sufficient to accommodate the maximum number of employees at any one time. (Ord. 1191, 2015)
			<i>Staff Comments</i>	<i>N/A</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.08B.070.06	17.08B.070.06: Access Standards: In addition to ingress and egress requirements of the international building code and the international fire code, access to and from PWSFs or WCFs, and equipment shall be regulated as follows: A. Interference: No PWSF or WCF or equipment shall be located in a required parking, maneuvering or vehicle/pedestrian circulation area such that it interferes with, or in any way impairs, the intent or functionality of the original design.
			<i>Staff Comments</i>	<i>This standard has been met. The Wireless Facility and all associated equipment are located on the roof of Pine Street Station Condominiums.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		B. Public, Emergency Access: The PWSF or WCF shall be secured from access by the general public, but access for emergency services must be ensured. Access roads shall comply with fire department and other city standards for emergency vehicular access. (Ord. 1191, 2015)
			<i>Staff Comments</i>	<i>This standard has been met. The Wireless Facility and all associated equipment are located on the roof of Pine Street Station Condominiums. Emergency Services do have access to the rooftop area; however, this general public does not.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.08B.070.07	17.08B.070.07: Scenic Landscapes and Vistas Standards: A. Open Areas: Freestanding PWSFs or WCFs shall not be located within open areas that are visible from public roads, recreational areas or residential development. As specified in subsection 17.08B.070.04A1 of this article, PWSFs or WCFs shall be installed to blend with existing landscaping and structures.

			<i>Staff Comments</i>	<i>N/A, as the Wireless Facility is not located within open areas visibly from public roads, recreational areas, or residential development. It is a roof-mounted facility.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		B. Scenic Areas: Any PWSF or WCF that is located within three hundred feet (300') of a scenic vista, scenic landscape or scenic road as designated by the city, in addition to height regulations specified in section 17.08B.070.02 of this article, shall not exceed the height of vegetation at the proposed location. If the facility is located further than three hundred feet (300') from the scenic vista, scenic landscape or scenic road, section 17.08B.070.02 of this article shall apply exclusively. (Ord. 1191, 2015)
			<i>Staff Comments</i>	<i>N/A, as the roof-mounted equipment is not located within 300 feet of a scenic vista, landscape, or scenic road.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.08B.070.08	17.08B.070.08: Environmental Standards: A. Floodways, Wetlands: PWSFs or WCFs shall not be located in floodways and wetlands. PWSFs or WCFs shall also be avoided whenever possible in floodplains and disturbance to floodplain areas shall be minimized.
			<i>Staff Comments</i>	<i>N/A, as the facility it not located within the floodplain or wetlands.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		B. Riparian Areas: PWSFs or WCFs shall not be located in riparian setbacks along watercourses.
			<i>Staff Comments</i>	<i>N/A, as the facility is not located in any riparian setbacks.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		C. Avalanche Areas: PWSFs or WCFs shall avoid locating in avalanche prone areas, as determined by site specific studies on a case by case basis as part of the PWSF or WCF approval process. Evidence shall be submitted to demonstrate that no location outside an avalanche prone area can accommodate the applicant's proposed antenna as specified in the collocation requirement of section 17.08B.050.02 of this article. PWSFs or WCFs located within avalanche prone areas shall provide proof of FCC acceptance of the proposed location.
			<i>Staff Comments</i>	<i>N/A, as the facility is not located in avalanche prone areas.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		D. Hazardous Waste: No hazardous waste shall be discharged on the site of any PWSF or WCF. If any hazardous materials are to be used on site, there shall be provisions for full containment of such materials. An enclosed containment area shall be provided with a sealed floor, designed to contain at least one hundred ten percent (110%) of the volume of the hazardous materials stored or used on site.
			<i>Staff Comments</i>	<i>Hazardous waste shall not be discharged, stored, or used onsite. This has been made a Condition of Approval.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		E. Stormwater Runoff: Stormwater runoff shall be contained on site.
			<i>Staff Comments</i>	<i>N/A</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		F. Placement in Floodplain: PWSFs or WCFs locating within the floodplain shall comply with the additional placement standards set forth in the Hailey floodplain ordinance and provide written proof of FCC acceptance of the proposed location.
			<i>Staff Comments</i>	<i>N/A, as this facility is not located within the floodplain.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		G. Aboveground Noise: Aboveground equipment for PWSFs or WCFs, exclusive of roof and facade attached PWSFs or WCFs, shall not generate noise in excess of fifty (50) decibels at the property line.
			<i>Staff Comments</i>	<i>N/A, as the Wireless Facility is roof mounted.</i>

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		H. Noise from Attached Equipment: Roof or facade attached equipment for PWSFs or WCFs shall not generate noise in excess of fifty (50) decibels at ground level at the base of the structure closest to the antenna.
			<i>Staff Comments</i>	<i>This standard shall be met and has been made a Condition of Approval.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		I. Measurement of Noise: The noise standards of this article require measurements by a qualified acoustical engineer. (Ord. 1191, 2015)
			<i>Staff Comments</i>	<i>Upon the installation of new antennas, it has been made a Condition of Approval that a qualified acoustical engineer submits a statement showing that the requirement above is met.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	17.08B.070.09	17.08B.070.09: Street Pole and Façade Attached Standards: Street pole and facade attached PWSFs or WCFs shall meet the following conditions and criteria, in addition to the other standards identified in this section: A. Façade Attached PWSFs Or WCFs: Equipment enclosures shall be located within the structure in which the WCF is placed or located underground if site conditions permit. Otherwise, equipment enclosures shall comply with the design standards listed in section 17.08B.070.04 of this article.
			<i>Staff Comments</i>	<i>N/A, as the Wireless Facility is roof mounted.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		B. Street Pole Attached PWSFs Or WCFs: Only one PWSF or WCF shall be permitted on any one street pole. Surface area of an antenna shall not exceed four (4) square feet. The antenna shall be either fully concealed within the street pole or camouflaged to appear to be an integrated part of the street pole. An antenna not flush mounted on the side of the street pole shall be centered on the top of the street pole to which it is attached; horizontal projection shall not exceed twelve inches (12") beyond the outer diameter of the pole, and camouflaged or disguised.
			<i>Staff Comments</i>	<i>N/A, as the Wireless Facility is roof mounted.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		C. Utility Separation: In the event that a utility located upon the street pole requires vertical separation between its utility facilities and the antenna so attached, the antenna may be raised by a support system to accommodate the separation requirement to an elevation not exceeding an additional ten feet (10') or the required separation, whichever is less. Any such support shall not be greater in diameter than the existing street pole and shall be designed to blend into the colors and textures of the existing street pole.
			<i>Staff Comments</i>	<i>N/A, as the Wireless Facility is roof mounted.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		D. Pole Replacement: Existing street poles may be replaced with a new street pole of the same height, dimensions and appearance as the existing street pole. An antenna located upon the new street pole shall meet the standards for attaching an antenna to an existing street pole, as set forth above.
			<i>Staff Comments</i>	<i>N/A, as the Wireless Facility is roof mounted.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		E. Horizontal Separation: For PWSFs or WCFs located within developed streets, there shall be a minimum horizontal separation of three hundred feet (300') between the PWSFs or WCFs of a single licensed carrier and a minimum horizontal separation of one hundred feet (100') between the PWSFs or WCFs of any other licensed carrier.

			<i>Staff Comments</i>	<i>N/A, as the Wireless Facility is roof mounted.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		F. Permits: An encroachment permit or right of way permit shall be obtained from the city, or where applicable, ITD, by the applicant, after staff review of the wireless permit application and prior to its issuance.
			<i>Staff Comments</i>	<i>N/A, as the Wireless Facility is roof mounted.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		G. Relocation of Utilities: In the event the utilities located on a street pole are relocated underground, the PWSF or WCF shall be relocated to another location pursuant to the requirements of this article. (Ord. 1191, 2015)
			<i>Staff Comments</i>	<i>N/A, as the Wireless Facility is roof mounted.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.08B.070.10	17.08B.070.10: Review of Alternatives: In reviewing the alternatives submitted with regard to an application under subsection 17.08B.060.03C of this article, the city shall compare the PWSF or WCF proposed in the application with the alternatives submitted. Comparisons shall be made between: a) the location selection criteria set forth in section 17.08B.050.01 of this article; b) the collocation requirement set forth in section 17.08B.050.02 of this article; and c) the standards and criteria set forth in section 17.08B.070 of this article, in order to determine which best meets those standards, criteria and priorities and which is the least intrusive on the values set forth in the intent and purpose set forth in this article. (Ord. 1191, 2015)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.08B.080	17.08B.080: Safety Requirements: A. Federal Requirements: All PWSFs or WCFs shall meet or exceed current standards and regulations of the FAA, the FCC and any other agency of the federal government with the authority to regulate towers and antennas. If such standards and regulations are changed, the owners of the PWSFs or WCFs governed by this article shall bring such PWSFs or WCFs into compliance with the revised standards and regulations. Failure to bring PWSFs or WCFs into compliance with such revised standards and regulations shall constitute grounds for revocation of the wireless permit and removal of the PWSF or WCF at the owner's expense.
			<i>Staff Comments</i>	<i>The project does not require FAA approval. The Applicant has submitted a Radio Frequency Compliance Report, dated March 3, 2020. This report, conducted by Safe Site, LLC, and independent Radio Frequency regulatory and engineering consulting firm, determined that AT&T Mobility, LLC, is compliant with the FCC rules and regulations. This report is on file and available for review in the Community Development Department.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		B. Antenna Support Structure Safety: The applicant shall demonstrate that the proposed antenna and support structure are safe and the surrounding areas shall not be negatively affected by support structure failure, falling ice or other debris or interference. All support structures shall be fitted with anticlimbing devices, as approved by the manufacturers. (Ord. 1191, 2015)
			<i>Staff Comments</i>	<i>The safety and durability of the proposed modifications will be evaluated by the Building Department during the building plan review process. Due to roof access limitation and the proposed height of the antennas, it is not necessary to fit the structures with anticlimbing devices.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.08B.090	17.08B.090: Maintenance Requirements: A. Each permittee shall maintain its PWSF or WCF in a good and safe condition, preserving the original appearance and concealment,

				disguise or screening elements incorporated into the design at the time of approval and in a manner, which complies with all applicable federal, state and local requirements. Such maintenance shall include, but not be limited to, such items as painting, repair of equipment and maintenance of landscaping. If the permittee fails to maintain the facility, the city may undertake the maintenance at the expense of the permittee or terminate the permit, at its sole option.
			<i>Staff Comments</i>	<i>It has been made a Condition of Approval that the facility be maintained in accordance with the Maintenance Requirements noted herein.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		B. To ensure the structural integrity of towers, the owner of a tower shall ensure that it is maintained in compliance with standards contained in applicable city building codes and the applicable standards for towers that are published by the EIA, as amended from time to time. If, upon inspection, the city concludes that the tower fails to comply with such codes or standards and constitutes a danger to person or property, then upon notice being provided to the owner of the tower, the owner shall have thirty (30) days to bring such tower into compliance with such standards. Failure to bring such tower into compliance within said thirty (30) days constitutes grounds for revocation of the wireless permit and removal of the PWSF or WCF at the owner's expense. (Ord. 1191, 2015)
			<i>Staff Comments</i>	<i>The Applicant is hereby notified of this standard.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.08B.100	17.08B.100: Modification of PWSFs or WCFs: A. New Permit: Any proposed change or addition to any PWSF or WCF shall require the issuance of a new wireless permit, pursuant to the requirements of this article. This provision shall not apply to routine maintenance of a PWSF or WCF, to the replacement of any portion of the PWSF or WCF with identical equipment, or to a change in ownership.
			<i>Staff Comments</i>	<i>The Wireless Permit Application, submitted February 26, 2020, satisfies this requirement.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		B. Facility Upgrade: At the time of modification or upgrade of facilities, existing equipment shall be replaced with equipment of equal or greater technical capacity and reduced in size so as to reduce visual impact.
			<i>Staff Comments</i>	<i>This standard will be met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		C. Existing Uses: Any PWSF or WCF lawfully existing on the effective date hereof shall be allowed to continue operation as it presently exists, subject to section 17.08B.030.02 of this article. Routine maintenance and repair shall be permitted. However, any construction involving the replacement of support structure apparatus, antennas or any exterior alteration of the PWSF or WCF, or any component thereof, shall comply with all the requirements of this article. Emergency service PWSFs or WCFs may obtain a waiver from the commission in order to preserve the public health and safety. In order to receive a waiver, the commission must determine that the modifications cannot comply with this article without an extreme burden to the citizens of Hailey. The waiver shall be noticed by the commission under the public hearing notice requirements identified in subsection 17.08B.060.04D of this article. (Ord. 1191, 2015)

			<i>Staff Comments</i>	<i>The proposed modifications require a new Wireless Permit Application and Building Permit Application, which is satisfied by the present application and permit process.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	17.08B.110	17.08B.110: Abandonment or Discontinuation of Use: A. Commencement Time Limit; Extensions: Construction or activation of a PWSF or WCF shall commence within ninety (90) days of approval of the wireless permit or the permit shall be null and void ab initio. Due to weather conditions or other extenuating circumstances beyond the control of the applicant, an additional ninety (90) day extension may be granted by the approving body as accepted by said approval body. Requests and approvals of extensions shall be made in writing and prior to the expiration of the time period sought to be extended.
			<i>Staff Comments</i>	<i>The Applicant is hereby notified of this standard.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		B. Notification: At such time that a licensed carrier plans to abandon or discontinue operation of a PWSF or WCF, such carrier shall notify the city by certified U.S. mail of the proposed date of abandonment or discontinuation of operations. Such notice shall be given no less than thirty (30) days prior to abandonment or discontinuation of operations. In the event that a licensed carrier fails to give such notice, the PWSF or WCF shall be considered abandoned upon such discontinuation of operations.
			<i>Staff Comments</i>	<i>The Applicant is hereby notified of this standard.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		C. Physical Removal: Upon abandonment or discontinuation of use, the carrier shall physically remove the PWSF or WCF within ninety (90) days from the date of abandonment or discontinuation of use. "Physically remove" shall include, but not be limited to: <ol style="list-style-type: none"> 1) Removal of antennas, support structures, equipment enclosures and security barriers from the subject property 2) Proper disposal of the waste materials from the site in accordance with local and state solid waste disposal regulations 3) Restoring the location of the PWSF or WCF to its natural condition, except that any landscaping and grading shall remain in the after condition. Minor modification for integration with other landscaping or site design will be permitted and approved by staff.
			<i>Staff Comments</i>	<i>The Applicant is hereby notified of this standard.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		D. Failure to Remove: If a carrier fails to remove a PWSF or WCF in accordance with this section, the city may cause the facility to be removed and the owner of the land where the facility is located shall pay all expenses of removal.
			<i>Staff Comments</i>	<i>The Applicant is hereby notified of this standard.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		E. Multiple Providers: In the event that more than one provider is using the PWSF or WCF, the PWSF or WCF shall not be considered abandoned until all such users cease using the structure as provided in this article. (Ord. 1191, 2015)
			<i>Staff Comments</i>	<i>The Applicant is hereby notified of this standard.</i>

17.06.060 Criteria.

- A. The Commission or Hearing Examiner shall determine the following before approval is given:**
- 1. The project does not jeopardize the health, safety or welfare of the public.**
 - 2. The project conforms to the applicable specifications outlined in the Design Review Guidelines, as set forth herein, applicable requirements of the Zoning Title, and City Standards.**
- B. Conditions. The Commission or Hearing Examiner may impose any condition deemed necessary. The Commission or Hearing Examiner may also condition approval of a project with subsequent review and/or approval by the Administrator or Planning Staff. Conditions which may be attached include, but are not limited to those which will:**
- 1. Ensure compliance with applicable standards and guidelines.**
 - 2. Require conformity to approved plans and specifications.**
 - 3. Require security for compliance with the terms of the approval.**
 - 4. Minimize adverse impact on other development.**
 - 5. Control the sequence, timing and duration of development.**
 - 6. Assure that development and landscaping are maintained properly.**
 - 7. Require more restrictive standards than those generally found in the Zoning Title.**
- C. Security. The applicant may, in lieu of actual construction of any required or approved improvement, provide to the City such security as may be acceptable to the City, in a form and in an amount equal to the cost of the engineering or design, materials and installation of the improvements not previously installed by the applicant, plus fifty percent (50%), which security shall fully secure and guarantee completion of the required improvements within a period of one (1) year from the date the security is provided.**
- 1. If any extension of the one-year period is granted by the City, each additional year, or portion of each additional year, shall require an additional twenty percent (20%) to be added to the amount of the original security initially provided.**
 - 2. In the event the improvements are not completely installed within one (1) year, or upon the expiration of any approved extension, the City may, but is not obligated, to apply the security to the completion of the improvements and complete construction of the improvements.**

CONCLUSIONS OF LAW & DECISION

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

- 1. Adequate notice, pursuant to Title 17, Section 17.06.040(D), was given.**
- 2. The project is in general conformance with the Hailey Comprehensive Plan.**
- 3. The project does not jeopardize the health, safety, or welfare of the public.**
- 4. Upon compliance with the conditions set forth, the project conforms to the applicable standards outlined in the Hailey Municipal Code.**

5. That the Planning and Zoning Administrator has the authority to approve minor modifications to this project prior to, and for the duration of a valid Building Permit.
6. That the project shall receive Wireless Permit approval, subject to the following Conditions:
 - a. All necessary permits (Building Permit, Wireless Permit, etc.) shall be obtained prior to the installation of any new equipment associated with this project.
 - b. The project shall meet all applicable Fire and Building Department requirements.
 - c. All existing and proposed equipment shall be painted a non-reflective grey color.
 - d. Lighting any part of the wireless facility shall be prohibited.
 - e. The existing and proposed portions of the facility shall not generate noise in excess of fifty (50) dBA at ground level at the base of the structure closest to the antenna. Verification that noise does not exceed this standard shall be submitted by a qualified acoustical engineer.
 - f. The existing facility and proposed modifications shall meet or exceed the current standards and regulations of the FCC and any other agency of the federal government with the authority to regulate antennas. A copy of the approved Radio Station Authorization Application from the FCC shall be filed with the City prior to issuance of a Building Permit.
 - g. Antennas shall not exceed ten (10) feet in height from the roof surface.
 - h. The facility and all applicable structures shall be maintained in accordance with Section 17.08B.090: Maintenance Requirements, of the Hailey Municipal Code.

Signed this ____ day of _____, 2020.

Janet Fugate, Planning & Zoning Commission Chair

Attest:

Jessie Parker, Community Development Assistant

Return to Agenda

Meeting Minutes
HAILEY PLANNING & ZONING COMMISSION
Monday, March 30, 2020
Virtual Meeting
5:30 p.m.

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Present

Commission: Janet Fugate, Richard Pogue, Dan Smith, Owen Scanlon,

Staff: Chris Simms, Lisa Horowitz, Jessica Parker,

5:31:45 PM Chair Fugate called to order.

Public Comment for items not on the agenda. No Comment.

Consent Agenda

CA 1 Adoption of the Meeting Minutes of March 16, 2020. **ACTION ITEM**

5:33:45 PM Scanlon motioned to approve CA 1. Pogue seconded. All in Favor.

Public Hearing

PH 1 **5:35:08 PM** Consideration of a Preliminary Plat Subdivision Application (Phase I) by Sweetwater Communities, LLC, represented by Matt Watson, located at Block 2, Sweetwater P.U.D. Subdivision, where Phase I of Block 2 is subdivided into 14 sublots consisting of seven (7) live-work units, one (1), ten-unit condominium and two (2), three-plex townhomes for a total of 23 residential units. This project is located on the corner of Shenandoah Drive and Countryside Boulevard within the Limited Business (LB) Zoning District. **ACTION ITEM**

[5:35:43 PM](#) Horowitz turned the floor over to the applicant to present. Kameron Spencer introduced project, Block 2, Phase 1 asking for approval for the final plat of this phase. Spencer used the plat map as reference to describe the location and layout of the proposed plat. Spencer explained location and style of buildings to be built on this phase. Spencer confirmed in compliance with the design review previous approved and discussed some minor changes on the far west and east side of the live work buildings. Spencer discussed the improvements to be made along Countryside and that parking will not be allowed on Countryside until 9:00 am. Spencer confirmed first phase is 23 units and each building will be labeled. [5:42:39 PM](#) Horowitz confirmed many of the items mentioned by Spencer were required during the Design Review Approval and staff does not have any unusual request. [5:43:41 PM](#) Scanlon – no questions. Stone asked staff for clarification of what they are evaluating. Horowitz confirmed design review was completed but now reviewing the subdivision phase. Chair Fugate added there are development agreements that are applicable. [5:45:14 PM](#) Simms explained the legal process is so that the real property can be titled and sold. [5:45:42 PM](#) Smith – no questions. [5:46:05 PM](#) Pogue- no questions. [5:46:21 PM](#) Chair Fugate in agreement with Smith and Pogue’s comments regarding additions to far east and west sides of the live work units.

[5:46:37 PM](#) Chair Fugate opened public comment.

[5:47:42 PM](#) Chair Fugate closed public comment.

Chair Fugate brought back to commission to deliberate. No Comments from Staff. [5:48:01 PM](#) Scanlon asked Spencer if submitted drawings to staff for the revised drawings. Spencer explained the drawings are in process and offered to email them. Spencer summarized adding windows on east and west side on all floors and awnings in the front. Spencer explained each window will have trim. Spencer stated they should have those official drawings soon. Scanlon complimented applicant, does not see any reason why the project should not move forward. [5:51:11 PM](#) Stone complimented applicant, he is good. [5:51:35 PM](#) Smith agreed with what was said about the applicant, thinks this will be a nice addition to the city. [5:52:07 PM](#) Pogue agrees with previous comments and looks forward to seeing it move forward. [5:52:26 PM](#) Chair Fugate agrees with everyone’s comments.

[5:52:52 PM](#) Scanlon motioned to approve Phase I of the Preliminary Plat Application by Kilgore Properties, LLC, represented by Matt Watson, to be located at Block 2, Sweetwater P.U.D. Subdivision (vacant lot along Shenandoah Drive), finding that the application meets all City Standards, and that Conditions (a) through (j) are met. Stone seconded. All in Favor.

Spencer complimented staff on efforts taken to keep everyone informed during the current situation.

Chair Fugate confirmed will read PH 2 and PH 3 in tandem.

PH 2 [5:55:26 PM](#) Consideration of a Planned Unit Development (PUD) Application by ARCH Community Housing Trust on behalf of Blaine County, represented by Mark Sanders, The Architects Office, for a PUD to construct two multi-family housing buildings, one Senior Community Housing Building, and one Family Community Housing Building. Each building will contain 30 units for a total of 60 units. The majority of the units will be rent-restricted. The project includes parking, outdoor gathering space, and a play area. 0.27 acres is proposed to be dedicated to Hailey for a partial road connecting to a future road along the southern property boundary of Wertheimer Park Block 1 Lot 1. The applicant is requesting a waiver the Business Zone Maximum Multi-Family Units per Acre. Per Chapter 17.05 of the City of Hailey Code, the maximum multi-family residential density (units per acre) is 20. The development is requesting 25.5 units per acre under Chapter 17.10.040.01B. **ACTION ITEM**

PH 3 [5:56:42 PM](#) Consideration of a Design Review Application by ARCH Community Housing Trust on behalf of Blaine County, represented by Mark Sanders of The Architects Office, for a three-story, 35,822 square foot Senior Apartment Building and a three-story, 36,633 square foot Family Apartment Building. The Senior Apartment Building will consist of thirty (30) apartment units and the Family Apartment Building will consist of thirty (30) apartment units, for a total of sixty (60) apartment units. This project will be located at 706 South Main Street (Lot 3A, Block 1, Wertheimer Park) within the Business (B) and Townsite Overlay (TO) Zoning Districts. **ACTION ITEM**

[5:57:30 PM](#) Horowitz explained public comment, tree committee and arborist report are all available on the website. Horowitz turned floor over to applicant. [5:58:24 PM](#) Michelle Griffith noted PUD standards – housing requirement and dedication of partial street. Griffith introduced her applicant team. Griffith discussed access point in rear of lot, removal of fence along Main Street, Mountain Rides bus stop, and the curve of the building. [6:02:21 PM](#) Griffith explained addition of 3rd color added to the building and changed roof line on both buildings. Griffith discussed the landscape plan proposed, and results from arborist report. [6:08:59 PM](#) Griffith asked if anyone has question. [6:09:18 PM](#) Scanlon asked Griffith to further discuss trees 1, 2, and 3. Griffith confirmed not removing those trees. Griffith explained only trees to be removed are 43, 45, 46 and 41. Griffith confirmed will keep tree 31. Scanlon suggested she provide another option for energy conservation, believes only has the two of the three required. Scanlon asked if the handrails could be opaque or correlated metal. [6:12:47 PM](#) Stone asked about waiver regarding density, that not 100% low income. Stone asked about relocation of AC units from top of the roofs. [6:14:06 PM](#) Smith still has concern of safety uses regarding people crossing Main Street, thinks should at least of pedestrian crossing signs. Smith noted that still not prepared to give up on the trees, that if adjust parking could retain some more of those trees. Smith requested confirmation of snow clips, and such that those are included in the design. Smith asked about RV Parking restriction. [6:19:07 PM](#) Pogue thinks the pedestrian activated light at Maple Street crossing Main Street is needed and

hope that could find a way to preserve the trees to be removed. Chair Fugate has no additional questions, thinks something should be included to allow for recycle. [6:21:09 PM](#) Griffith stated will have Mark address issue of snow clip, ac units, and energy efficiency and depth rails. Griffith stated could address concern on depth rails via house rules. Griffith confirmed would be happy to incorporate recycling in some way. Griffith explained standards have to meet for parking with standards, and why does not want to remove parking or encourage utility trailers. [6:23:50 PM](#) Griffith confirmed can work with the City for any pedestrian crossing signs. Griffith confirmed detail of trash enclosure can be forwarded. Griffith turned floor to Mark Sanders and Sam Stahlnecker. Mark Sanders discussed the trash enclosure and confirmed could add more insulation on senior side of the building to address energy efficiency. Sanders stated ac units will still be on the roof. Sanders confirmed with Griffith regarding depth rails. Chair Fugate asked Sanders to address the tree situation. Griffith stated she is not aware of any way to move the buildings to save the trees and losing parking would negatively impact this project. Griffith confirmed 91% of the units are low income, and that they are exceeding the requirements for a PUD by 6 times. [6:30:34 PM](#) Stahlnecker explained requirements of PUD housing, confirming this project does exceed that. Stahlnecker discussed options for pedestrian crossing – signs and pedestrian activated crossing. No comments from Horowitz.

[6:32:08 PM](#) Chair Fugate opened public comment.

[6:32:20 PM](#) Seth Gates, sympathetic to lack of affordable housing in the valley but wants to express his disappointment in lack of consideration to trees on this project.

[6:33:40 PM](#) Walt Denekas, echo's last speaker though disagrees about lack of consideration. He believes a great effort has been taken to save the trees and the project.

[6:35:03 PM](#) Kate Van Hess, explained wrote letter into staff and it was received today. Van Hess referenced her letter to better understand her opinion and that there is a better way of placing these buildings for the points she brought up. Van Hess believes there is a better way to save those trees and that Linda Ries and Carl Hjelm both find these trees really valuable.

Chair Fugate asked if Linda Ries was present and if so would like to hear from her. No response.

[6:42:13 PM](#) Linda Ries, explained she was out of town during meeting for this project. One of the concerns for the committee was that when look at the plans really hard to tell exactly where the trees are in relation to the building footprint. Ries would like to see an effort made to save trees 43 and 44, explaining how could do a clean cut of the root and still save it. Ries understands it is late, the committee already submitted the recommendation.

Horowitz confirmed Ries is speaking as public not on behalf of the Hailey Tree Committee. Chair Fugate asked if the arborist report differed from the tree committee memo. Horowitz confirmed do have an arborist report and can bring up to review. [6:46:20 PM](#) Chair Fugate turned floor over to the Griffith to respond to the public comment. Griffith thanked the public, explained has been working on this project for two years. Griffith explained difference when working with a normal development vs. with low income housing, summarizing that have to reverse engineer the process. Griffith discussed the signage and pedestrian activated signals confirming can find a way to incorporate those. Griffith stated will have Sanders review again to see if building by 5ft if could save trees but not making promises. Denekas suggested Griffith reach out to URA.

[6:50:11 PM](#) Chair Fugate closed public comment.

[6:50:21 PM](#) Horowitz stated if the applicant could commit to the pedestrian signal light would be a big commitment, she is trying to determine the approximate cost from Brian Yeager. Griffith believes they are approximately \$30,000.00. Horowitz discussed location of where comments were regarding moving building to save certain trees. [6:52:01 PM](#) Griffith does not believe there is a flexibility in parking, but will ask. Horowitz noted wide drive aisle that could be narrowed to save space. [6:52:57 PM](#) Chair Fugate explained would like to hear any comments not related to the trees will come back to the trees later. [6:53:26 PM](#) Scanlon offered to send an example of metal used on building in town to staff to forward to applicant. [6:54:06 PM](#) Stone expressed concern for trees and that recycling in project this large is important and would want that as a condition of approval. Stone said what makes sense for the City and applicant to make the Maple St. and Main Street corner safe, this is a concern for him. [6:56:17 PM](#) Smith stated as said before, safety concern of crossing the street needs to be addressed. [6:57:31 PM](#) Pogue agrees need to solve safety issue and not sure understood comment about the ac units being screened. [6:58:12 PM](#) Smith asked Sanders about location of trash and recycle containers. Sanders confirmed trash enclosure and containers are style would have at home. Sanders addressed mechanical question that would match the building. [6:59:37 PM](#) Chair Fugate stated it seems to her cross-walk concern needs to be addressed. Griffith clarified when state signal, not talking about traffic light. Horowitz confirmed she knows what Griffith means. Horowitz stated will get the estimated cost of those styles of lights.

[7:01:28 PM](#) Chair Fugate called 5 min break.

[7:05:42 PM](#) Chair Fugate called meeting back to order.

[7:06:02 PM](#) Chair Fugate asked Horowitz her input on possibility of having something in place for crosswalk. Horowitz stated Kelly Schwarz is looking up estimated cost, suggesting conditions of applicant shall install cross walk in conjunction with URA and City of Hailey. Smith added the biggest issue is the cars coming around the corner, if a couple of flashing

signs like near City Hall could be helpful. [7:07:45 PM](#) Horowitz's verbiage of condition she read gives enough leeway if not able to proceed with pedestrian activated signal for cross walk. Stone suggested include in streets evaluate to determine if safe. All in agreement with new condition. Stahlnecker explained that a warrant is required for pedestrian crossing and will need to review to determine if it is justified and warranted here. Horowitz proposed new wording of new condition 6 on PUD- If so, approved by ITD, the applicant in conjunction with URA and City shall install pedestrian activated at Main and Maple with signage the corners with streets approval. All in agreement with revised new condition. [7:17:20 PM](#) Chair Fugate confirmed screening on roof addressed confirmed all comfortable with the depth rail options provided.

[7:18:28 PM](#) Chair Fugate moved to trees. Scanlon asked if anyone knows how far the building would need to be moved to save the 4 trees. [7:19:27 PM](#) Griffith suggested add condition that ask their architecture team to move the buildings without negatively impacting the parking or trees on the other end, they make every attempt possible to save the trees. [7:21:26 PM](#) Smith suggested modification to 26 ft drive aisle or that would rather see the trees than the planters. Scanlon thinks planters are nice to separate the building. Scanlon thinks there is enough distance to do what needs. Horowitz confirmed fire department does not require that wide of a drive. Applicant, staff and commission discussed drive way aisle. Horowitz suggested continuing to meeting from week from now. Smith provided example of how he previously was able to minimize soil disturbance to save a tree on a past project he did. [7:26:14 PM](#) Chair Fugate confirmed still some questions regarding the trees, suggested continuing on record to have time to review further and discuss with fire department. Horowitz will have some better answers regarding the crosswalk. Horowitz asked if continue on record, if could meet at 5:00 pm to hear this project. All in agreement.

[7:31:57 PM](#) Scanlon motioned to continue the Public Hearing 1 and 2 to April 6, 2020 at 5:00 PM. Pogue seconded. All in Favor.

Staff Reports and Discussion

- SR 1** Discussion of current building activity, upcoming projects, and zoning code changes.
- Community Development End of Year PowerPoint Presentation by Lisa
- SR 2** Discussion of the next Planning and Zoning meeting: April 6, 2020
- DR: Tanner Investments, Block 86 Woodside
 - DR: Lena Cottages
 - PP: Lena Cottages
 - DIF Advisory
 - PP Quigley Homes

[7:34:57 PM](#) Scanlon motioned to adjourn. Smith seconded. All in Favor.

Return to Agenda



STAFF REPORT
Hailey Planning and Zoning Commission
Regular Meeting of August 17, 2020

To: Planning and Zoning Commission

From: Robyn Davis, Community Development City Planner

Proposal: Consideration of a Design Review Application by Leonard McIntosh and Edward Aub-Trustee for a twelve (12) unit residential project, two stories in height, to be known as River Street Apartments. The proposed project will be located at 410 North River Street (Lots 14-17, Block 56, Hailey Townsite), within the Business (B) and Townsite Overlay (TO) Zoning Districts, and the Downtown Residential Overlay (DRO) and Small Residential Overlay (SRO).

Hearing: August 17, 2020

Applicant: Leonard McIntosh and Edward Ayub – Trustee

Location: 410 North River Street (Lots 14-17, Block 56, Hailey Townsite)

Zoning: Business (B), Townsite Overlay (TO), Downtown Residential Overlay (DRO) and Small Residential Overlay (SRO)

Notice: Notice for the public hearing was published in the Idaho Mountain Express on July 29, 2020 and mailed to property owners on July 27, 2020.

Project Overview: Consideration of a Design Review Application by Leonard McIntosh and Edward Aub-Trustee for a twelve (12) unit residential project, two stories in height, to be known as River Street Apartments. The proposed project will be located at 410 North River Street (Lots 14-17, Block 56, Hailey Townsite), within the Business (B) and Townsite Overlay (TO) Zoning Districts, and the Downtown Residential Overlay (DRO) and Small Residential Overlay (SRO). The Applicant has chosen to meet the DRO Standards, as outlined in the Hailey Municipal Code. The proposal also includes: twelve (12) parking spaces, four (4), four-bedroom accessible units, four (4), two-bedroom accessible units and four (4), four-bedroom units. The project is also proposing approximately 1,470 square feet of common useable open space.

The Applicant has submitted a Site Plan, Floor Plans and Renderings, as required by the Pre-Application Design Review submittal requirements. Additionally, the Applicant has submitted a preliminary Landscape Plan and Civil Survey of the parcel.

Chapter 17.06: Design Review. Section 17.06.050: Application:

C. Design Review Pre-Application:

- 1. Required: An application for PreApplication Design Review shall follow the procedures and be subject to the requirements established by section [17.03.070](#) of this title, and shall be made by at least one holder of any interest in the real property for which the PreApplication Design Review is proposed.**
- 2. Information Required: The following information is required with an Application for PreApplication Design Review:**
 - a. The Design Review Application form, including project name and location, and Applicant and representative names and contact information.**
 - b. One (1) eleven inch by seventeen inch (11" x 17") and one electronic copy showing at a minimum the following:**
 - i. Vicinity map, to scale, showing the project location in relationship to neighboring buildings and the surrounding area. Note: A vicinity map must show location of adjacent buildings and structures.**
 - ii. Site plan, to scale, showing proposed parking, loading and general circulation.**
 - iii. One color rendering of at least one side of the proposed building(s).**
 - iv. General location of public utilities (survey not required). (Ord. 1226, 2017; Ord. 1191, 2015)**

The Applicant is proposing the following exterior materials:

- Cement Board Siding (HardiePanel) in Monterey Taupe
- Metal awnings, stairs and frames with a powder coated finish in Dark Bronze
- Exterior Doors will be painted Peppercorn by Sherwin Williams
- Pella Vinyl Low-Emissivity Window Frames will be White
- Wood screens will be stained a Dark Walnut
- Asphalt Shingles will be Charcoal

The proposed Site Plan shows a building with twelve (12) onsite parking spaces, of which, two (2) spaces are accessible spaces and three (3) spaces are compact spaces. All onsite parking is proposed to be covered.

The dwellings have been designed by indieDwell, a company striving to “transform the status quo by creating a socially conscious business model that enhances the well-being of humanity...”. indieDwell’s mission is to repurpose shipping containers into compact dwellings, creating a small footprint, sustainable and energy efficient homes, which help to solve current housing issues. The proposed project will include four (4), four-bedroom accessible units, four (4), two-bedroom accessible units and four (4), four-bedroom units are proposed. The project is also proposing approximately 1,470 square feet of common useable open space.

A preliminary Landscape Plan has been provided, which includes various drought-tolerant trees, shrubs, ground covers and grasses, listed below, and inert materials, such as cobble mulch, concrete walkways, bench seating, picnic tables and boulders.

- Armstrong Maple
- Greenspire Linden
- Sunburst Honey locust

- Quercus Fastgata
- Moonglow Juniper
- Swedish Aspen
- Northwind Maple.

The Site Plan also incorporates public right-of-way improvements, which count toward the required guest parking spaces outlined in the Downtown Residential Overlay standards.

Items for Discussion:

1. **Building Design:** The Commission may wish to discuss the overall building design, which contains a long wall along River Street. Undulation is created by the utilization of balconies and breezeways. The buildings see shed roofs to provide further interest.
2. **Water, Sewer and Fire:** This is a Pre-Application Design Review. Final drawings that show connection details will be required for Design Review (scheduled for September 21, 2020).
3. **Streets/Right-of-Ways:** Planning Staff suggests that the Applicant provide irrigation to all landscaping, including street trees. Electrical shall also be installed (for street tree lights and any street lights) during construction. Any additional comments from the Public Works Department will be made during the Design Review hearing.
4. **Materials and Colors:** While materials and colors are preliminary, the Commission should discuss the proposed materials and colors.
5. **Landscaping and Street Trees:** Drought tolerant trees and grasses are proposed. The City Arborist recommends that the following be considered:
 - a. Incorporate additional onsite plantings to create a more robust landscape plan
 - b. Utilize an alternative street tree species, as the Greenspire Lindens are smaller in nature and have smaller canopies, which do not provide sufficient shade to the site
 - c. Remove the proposed Swedish Aspens from the City Right-of-Way
 - d. Increase the planter bed size of the Northwind Maples. Though smaller in nature, these trees can grow to be 15' tall, which would be too large a tree for the proposed planter space.

The Hailey Tree Committee will review the proposed street tree locations, species and sizes at the next available hearing, scheduled for August 13, 2020. Their comments and/or suggestions will be brought to the Planning and Zoning Hearing on August 17, 2020.

The Applicant is proposing to plant three (3) street trees, Tilia Cordata (Greenspire Liden) of three-inch (3") caliper, along River Street and the property frontage. The street trees will be surrounded by 24" Silva Cells 2X, will contain bubbler irrigation, as well as an electrical waterproof Junction Box, as outlined by Title 18: Mobility Design, Chapter 18.14: Standard Drawings, Section 18.14.014F: Tree Well Detail. Planning Staff also suggests that the River Street Typical Section be utilized.

That said, the Commission may wish to discuss the preliminary Landscape Plan and offer suggestions regarding planting type, size and location.

- 6. Mountain Rides Bus Transit Stop:** Mountain Rides Transportation Authority (MRTA) believes this location is an ideal location for a bus transit stop. Preferably, MRTA would like to incorporate 60' of red curb somewhere along the property frontage and one (1) square foot of sidewalk set aside for standard MRTA signage. No shelters are being proposed and/or needed in this location at this time.

That said, MRTA understands the need for parking within the area and though a transit stop is preferred, MRTA can go without. Planning Staff agrees with MRTA; however, the Commission may wish to discuss the need for a transit stop in this location.



RIVER STREET APARTMENTS

A Multi-Family Infill Development

Block 56 Lots 14-17 Hailey, Idaho 83333



199 N. Capitol Blvd. #602
Boise, Idaho 83702
Phone 208.409.9050
Fax 208.336.0371
Email bfolwell@gmail.com

www.byronfolwell.com

DESIGN
REVIEW



PRELIMINARY
NOT FOR
CONSTRUCTION
PURPOSES

Site Planning for:
**RIVER STREET
APARTMENTS**

N. River Street
Hailey, Idaho 83333

PROJECT TEAM

ARCHITECT:
BYRON W. FOLWELL, ARCHITECT LLC.
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email: bfolwell@gmail.com
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DEVELOPER:
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email: capflec2040@gmail.com
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TEL: 208.720.2487

PREFAB UNIT:
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Contact: Erin Sorenson, Plan Designer
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CIVIL ENGINEERING:
GALENA ENGINEERING
Contact: Sam Stahlwecker, P.E.
email: sam@galena-engineering.com
317 N. RIVER STREET
HAILEY, IDAHO 83333
TEL: 208.788.1705

LANDSCAPE ARCHITECTURE:
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email: sjobard@scs.net
PO BOX 887
SUN VALLEY, IDAHO 83353
TEL: 208.720.0649

PERMIT INFORMATION

SHEET TITLE	COVER SHEET
SCALE	AS NOTED
PROJECT #	BWF2007
DATE	7/5/2020
FILE NAME	BWF2007000
REVISIONS	

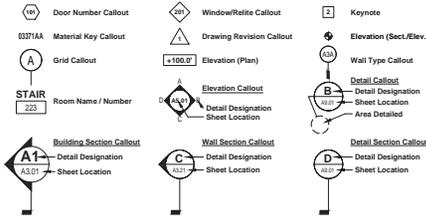
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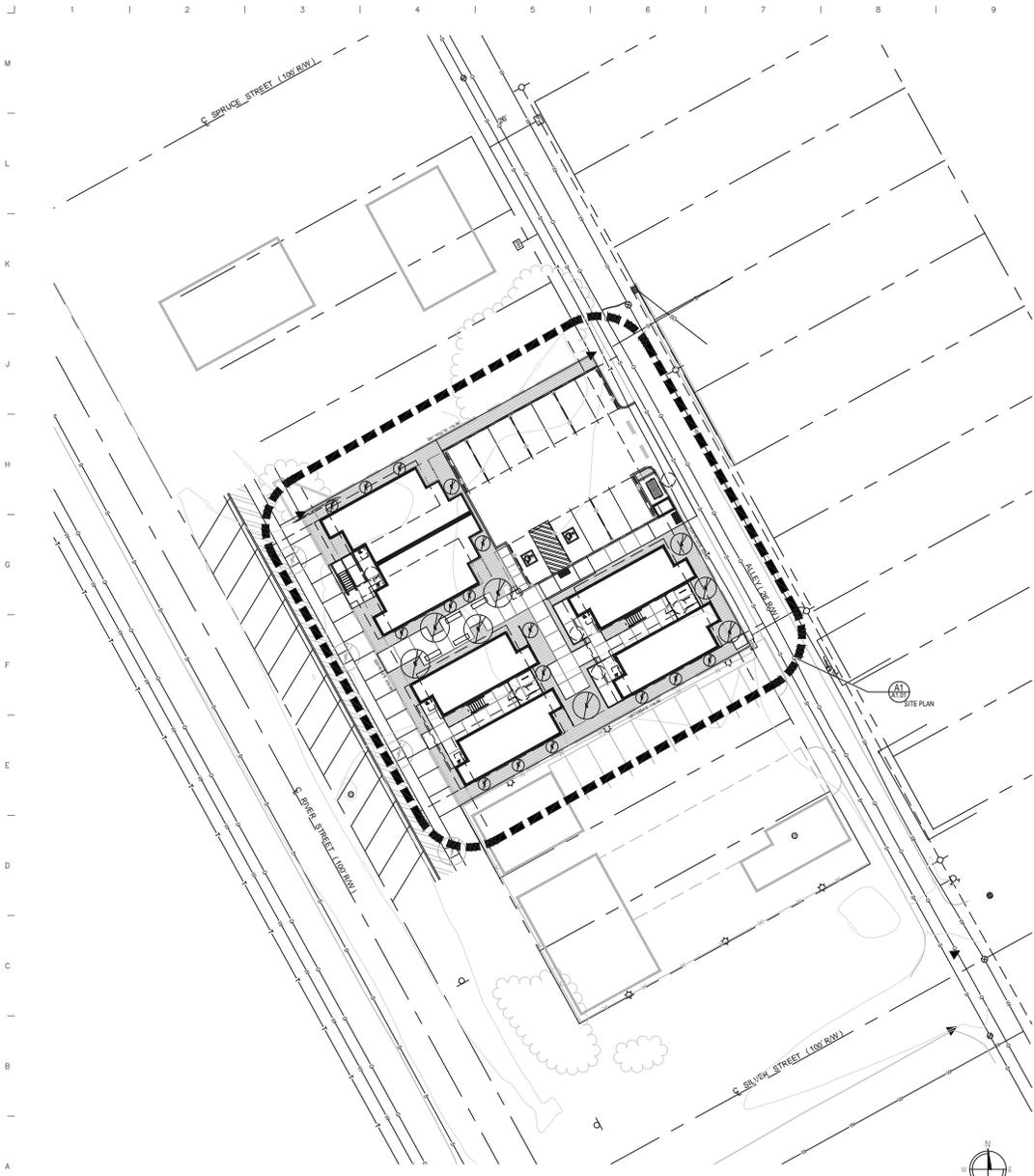
VICINITY MAP

NOT TO SCALE.



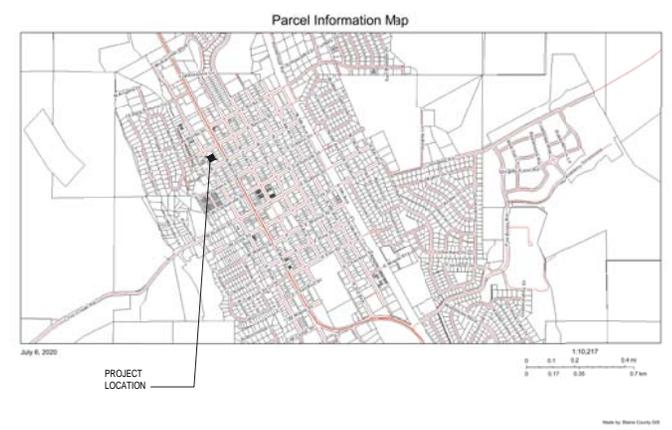
KEY TO SYMBOLS





A1 OVERALL SITE PLAN
SCALE: 1" = 20'-0"

VICINITY MAP



EXISTING SITE PHOTO



PLAN REVIEW



**BYRON W FOLWELL
ARCHITECT**
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DESIGN
REVIEW



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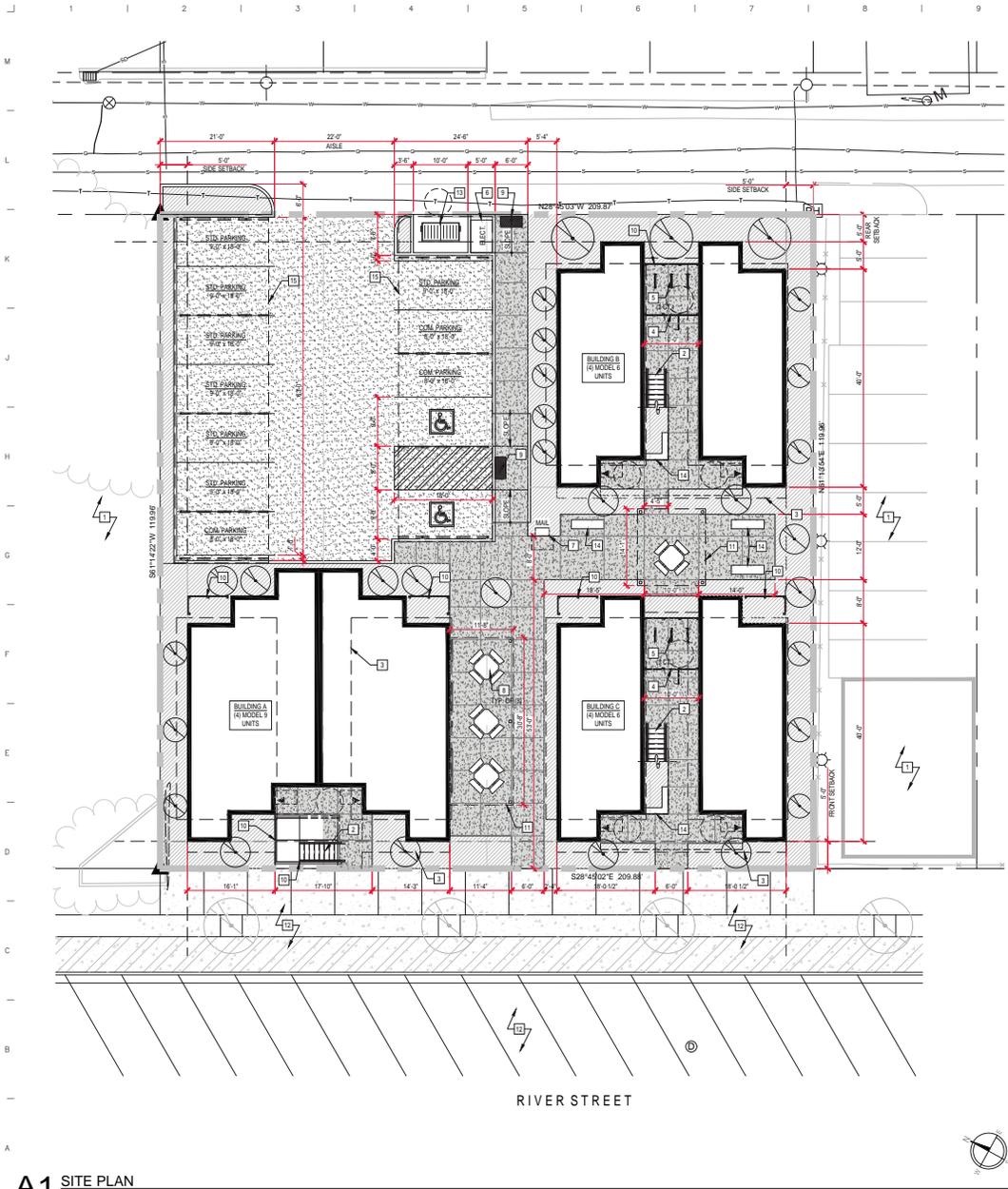
Site Planning for:
**RIVER STREET
APARTMENTS**

N. River Street
Hailey, Idaho 83333

SHEET TITLE	OVERALL SITE PLAN
SCALE	AS NOTED
PROJECT #	BWF2007
DATE	7/5/2020
FILE NAME	BWF2007100
REVISIONS	

A1.00

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A1 SITE PLAN
SCALE: 1" = 10'-0"

SITE ANALYSIS

LEGAL ADDRESS:	410 N RIVER STREET HALEY, ID 83333
SITE DESCRIPTION:	BLOCK 56, LOTS 14-17
DISTRICTS:	SMALL RESIDENTIAL OVERLAY DISTRICT
TOTAL SITE AREA:	14,368 SQ. FT. = .33 ACRES
BUILDING AREA:	
BUILDING FOOTPRINT:	4,546 SQ. FT.
LANDSCAPE AREA:	3,130 SQ. FT.
CONCRETE PAVED AREA:	2,392 SQ. FT.
ASPHALT AREA:	3,728 SQ. FT.
OPEN SPACE:	1,470 SQ. FT.
BUILDING AREA % OF SITE:	32%
LANDSCAPE AREA % OF SITE:	21%
PAVED AREA % OF SITE:	47%
OPEN SPACE:	10%

PARKING ANALYSIS

PARKING REQUIRED (HALEY CITY CODE / SRD DISTRICT REQUIREMENTS):

DWELLING UNITS	12	1 PER UNIT = 12 SPACES (UP TO 25% COMPACT)
PARKING REQUIRED - GUEST SPACES REQUIRED	1 PER UNIT = 12 SPACES (UP TO 25% COMPACT)	1 PER 6 DWELLINGS REQUIRED

ACCESSIBLE PARKING REQUIRED (2009 IBC - SECTION 11, TABLE 1106.1):

TOTAL PARKING STALLS REQUIRED	= 12 STALLS
TOTAL VAN ACCESSIBLE STALLS REQUIRED	= 1 STALL
TOTAL ACCESSIBLE STALLS REQUIRED	= 1 STALL

PARKING PROVIDED:

STANDARD	= 7 SPACES
ACCESSIBLE	= 1 SPACE
VAN ACCESSIBLE	= 1 SPACE
COMPACT	= 3 SPACES

GUEST SPACES OFF-SITE (R RIVER STREET) = 2 SPACES

TOTAL PARKING STALLS = 12 STALLS

BUILDING ANALYSIS

BUILDING A		
TOTAL AREA:	3,840 SQ. FT.	
FIRST FLOOR:	1,920 SQ. FT.	
SECOND FLOOR:	1,920 SQ. FT.	
UNIT SIZE:	960 SQ. FT.	
UNIT BEDROOMS:	4	
UNIT BATHROOMS:	2	
ADA ACCESSIBLE UNITS:	2 - FIRST FLOOR	
BUILDING B		
TOTAL AREA:	2,560 SQ. FT.	
FIRST FLOOR:	1,280 SQ. FT.	
SECOND FLOOR:	1,280 SQ. FT.	
UNIT SIZE:	640 SQ. FT.	
UNIT BEDROOMS:	2	
UNIT BATHROOMS:	2	
ADA ACCESSIBLE UNITS:	2 - FIRST FLOOR	
BUILDING C		
TOTAL AREA:	2,560 SQ. FT.	
FIRST FLOOR:	1,280 SQ. FT.	
SECOND FLOOR:	1,280 SQ. FT.	
UNIT SIZE:	640 SQ. FT.	
UNIT BEDROOMS:	2	
UNIT BATHROOMS:	2	
ADA ACCESSIBLE UNITS:	2 - FIRST FLOOR	

REFERENCE NOTES

- EXISTING ADJACENT PROPERTY.
- EXTERIOR METAL STAIR & RAILING.
- DASHED LINE INDICATES LINE OF OVERHEAD METAL WIRING.
- LOCKABLE SECURITY FENCE & GATE W/ EMERGENCY EGRESS PANIC HARDWARE.
- (2) SPACE METAL BIKE RACK HOOP.
- NEW ELECTRICAL TRANSFORMER LOCATION.
- (12) UNIT LOCKABLE EXTERIOR GROUP MAILBOX W/ PARCEL BOX.
- 4 x 4 PIONC TABLE W/ SURFACE MOUNT HARDWARE.
- VISION IMPAIRED TRUNCATED DOMES MAT.
- 6" TALL WOOD SCREEN, FRAME, & POSTS TO MATCH BUILDING SCREENS. RE: ELEVATIONS.
- COVERED PIONC TABLE AREA W/ WOOD SLATTED SHADE ROOF.
- PLANNED PUBLIC WAY DEVELOPMENT (SIDEWALKS, BIKE LANE, LANDSCAPING & PARKING).
- 3-YD. DUMPSTER & ENCLOSURE W/ ACCESSIBLE OPENING AT ALLEY SIDE.
- BENCH SEATING. RE: LANDSCAPE PLAN.
- DASHED LINE INDICATED COVERED PARKING ROOF OVERHEAD.

GENERAL NOTES

- VERIFY LOCATION OF ALL EXISTING ABOVE-GROUND AND UNDERGROUND UTILITIES PRIOR TO START OF WORK.
 - VERIFY ALL EXISTING SLOPES AND DRAINAGE DIVALES PRIOR TO START OF WORK.
 - SLOPE CONCRETE SLABS TO DRAINS WHERE OCCURS, MAX. SLOPE 1/4" PER FOOT.
 - REFER TO DEMOLITION PLANS FOR ITEMS TO BE REMOVED.
- E. DATUM ELEVATION AT GRADE: 5331.0' ± 100.0'. FOR REFERENCE ONLY.

SITE PLAN LEGEND

- PROPERTY LINE.
- LINE OF SETBACK PER INTERNATIONAL BUILDING CODE.
- NEW TREES. RE: LANDSCAPE DRAWINGS FOR TREES & OTHER LANDSCAPING INFORMATION.
- NEW 3" ASPHALT PAVING W/ 4" COMPACT FILL BELOW.
- LANDSCAPING AREA W/ TREE, SHRUB, GROUNDCOVER & FLOWERING VARIETIES. DRIP IRRIGATION SYSTEM THROUGHOUT THIS AREA. RE: LANDSCAPE DRAWINGS.
- CONCRETE SLAB IN PUBLIC WAY CONSTRUCTED TO LOCAL REQUIREMENTS.
- NEW 4" CONCRETE SLAB W/ 3" COMPACT FILL BELOW. 12" RADIUS EDGE W/ LIGHT BROOM FINISH, TOOLED AND SAW-CUT JOINTS PER PLAN.

PERMIT INFORMATION

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DESIGN REVIEW

PRELIMINARY
NOT FOR CONSTRUCTION PURPOSES

Site Planning for:
RIVER STREET APARTMENTS

N. River Street
Hailey, Idaho 83333

SHEET TITLE	SITE PLAN
SCALE	AS NOTED
PROJECT #	BWF2007
DATE	8/5/2020
FILE NAME	BWF2007101
REVISIONS	

A1.01

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DESIGN AND REVIEW
FOUR TEN RIVER PROJECT
 BLOCK 56, LOTS 14, 15, 16, 17
 CITY OF HAILEY, IDAHO

STEVEN JOB
 landscape architecture • planning and graphics
 box 857 • sun valley, idaho 83353 • 208.720.0649
 landarch@cox.net



DRAWN S.E.J.
 DATE AUG 4, 2020

L-1

SITE TREES

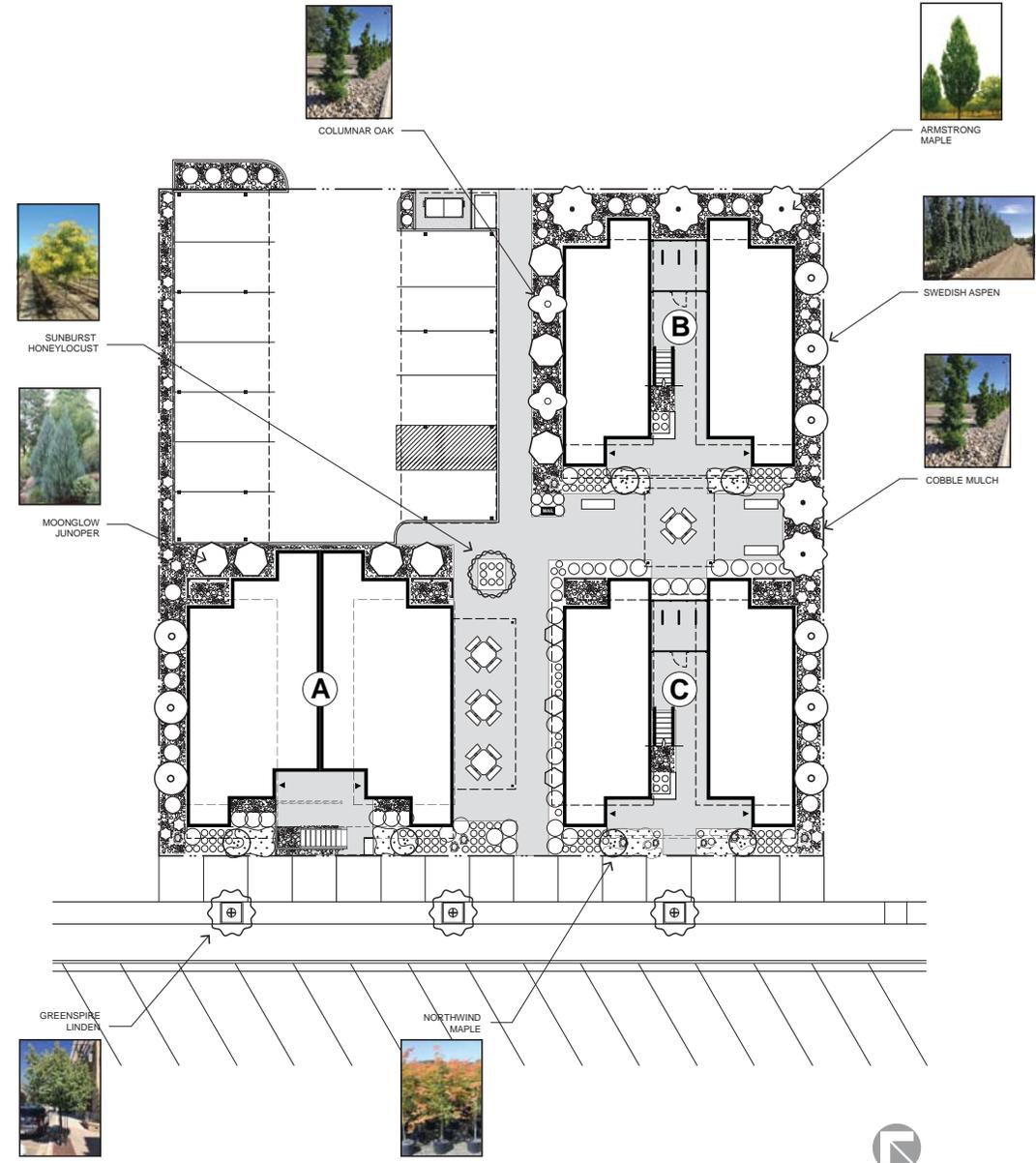
- Armstrong Maple
2" cal. BB 14-16'
- Greenspire Linden
3" cal. BB 12'
- Sunburst Honeylocust
2" cal. BB 12'
- Quercus fastgata
columnar 20" BB 10'
- 'Moonglow' Juniper
30" BB 6'-7'
- Swedish Aspen
2" cal. 14-16'
- 'Northwind' Maple
15 gal 5'-6'

SITE SHRUBS / GROUND COVERS

- Deciduous Shrubs 3'-5'
5 gallon variety 50% Drought Tolerant
- Perennial Plants
1 gallon Drought Tolerant
- Perennial Grass
2 gallon Drought Tolerant
- Perennial Ground Cover
4" cups Drought Tolerant

INERT MATERIALS

- Rock Cobble Mulch
Washed 3'-5" River Cobble
- Concrete
Scored Concrete Walkways
- Bench Seating
- Picnic Table
- Landscape Boulder



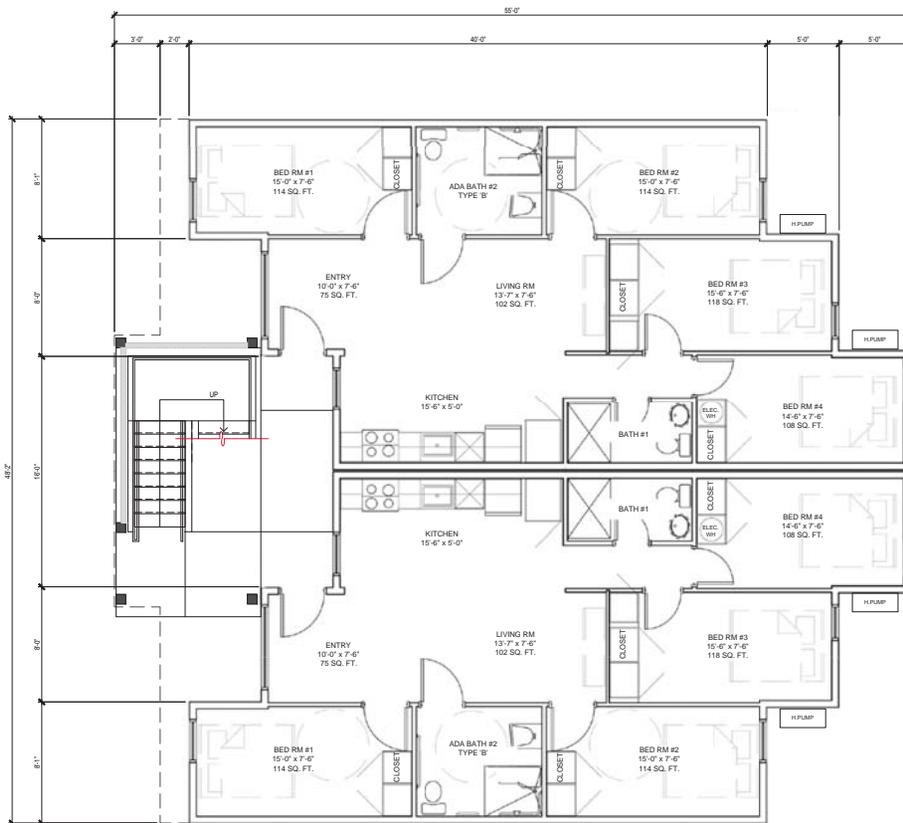
PRELIMINARY
LANDSCAPE PLAN
FOUR TEN RIVER

SCALE 1" = 10'-0"



1 2 3 4 5 6 7 8 9 10 11 12 13 14 15

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UNIT INFORMATION

BUILDING A	
TOTAL AREA	3,840 SQFT.
FIRST FLOOR	1,920 SQFT.
SECOND FLOOR	1,920 SQFT.
UNIT SIZE	960 SQFT.
UNIT BEDROOMS	4
UNIT BATHROOMS	2
ADA ACCESSIBLE UNITS:	2- FIRST FLOOR

MODULAR HOUSING UNITS BY:



PERMIT INFORMATION



BYRON FOLLMER ARCHITECT
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Boise, Idaho 83702
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Fax 208.336.0371
Email bfoellmer@gmail.com

www.byronfoellmer.com

DESIGN
REVIEW



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NOT FOR
CONSTRUCTION
PURPOSES

Site Planning for:
**RIVER STREET
APARTMENTS**

N. River Street
Hailey, Idaho 83333

SHEET TITLE	BLDG. A 1st FLOOR PLAN
SCALE	AS NOTED
PROJECT #	BWF2007
DATE	7/5/2020
FILE NAME	BWF2007201
REVISIONS	

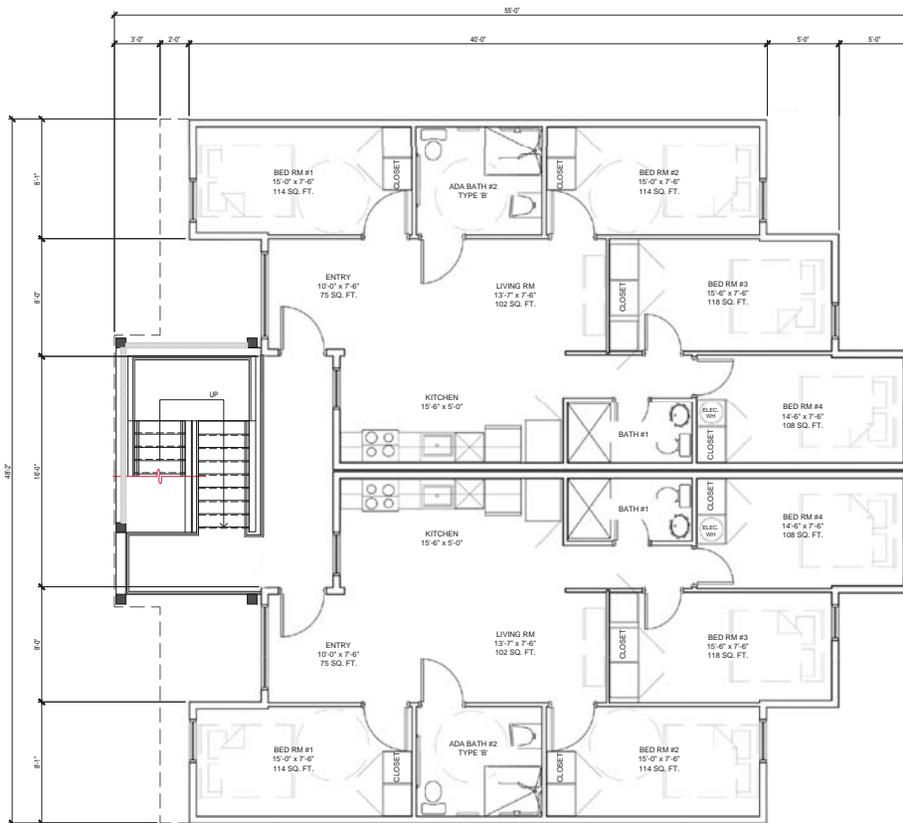
A2.01

A1 FIRST FLOOR PLAN - BUILDING A
SCALE: 1/4" = 1'-0"



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UNIT INFORMATION

BUILDING A	
TOTAL AREA	3,840 SQ. FT.
FIRST FLOOR	1,800 SQ. FT.
SECOND FLOOR	1,800 SQ. FT.
UNIT SIZE	960 SQ. FT.
UNIT BEDROOMS	4
UNIT BATHROOMS	2
ADA ACCESSIBLE UNITS:	2- FIRST FLOOR

MODULAR HOUSING UNITS BY:



PERMIT INFORMATION



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PURPOSES

Site Planning for:
**RIVER STREET
APARTMENTS**

N. River Street
Hailey, Idaho 83333

SHEET TITLE	BLDG. A 2nd FLOOR PLAN
SCALE	AS NOTED
PROJECT #	BWF2007
DATE	7/5/2020
FILE NAME	BWF2007202
REVISIONS	

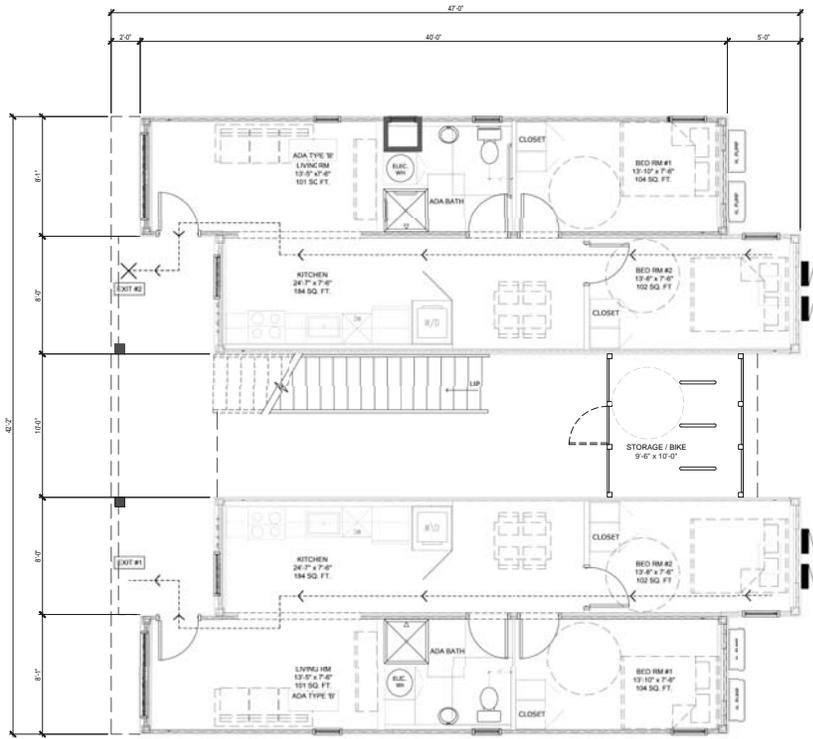
A2.02

A1 SECOND FLOOR PLAN - BUILDING A
SCALE: 1/4" = 1'-0"



1 2 3 4 5 6 7 8 9 10 11 12 13 14 15

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UNIT INFORMATION

BUILDING B & C	
TOTAL AREA	2,560 SQFT.
FIRST FLOOR	1,280 SQFT.
SECOND FLOOR	1,280 SQFT.
UNIT SIZE	640 SQFT.
UNIT BEDROOMS	2
UNIT BATHROOMS	2
ADA ACCESSIBLE UNITS:	2 - FIRST FLOOR (BUILDING B & C)

MODULAR HOUSING UNITS BY:



PERMIT INFORMATION

A1 FIRST FLOOR PLAN - BUILDINGS B & C
SCALE: 1/4" = 1'-0"



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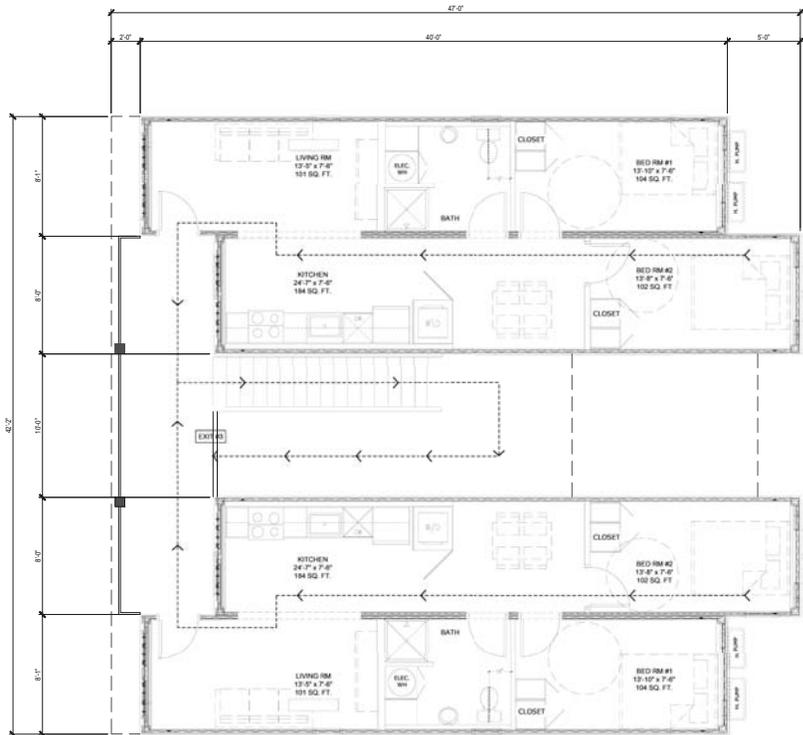
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PURPOSES

Site Planning for:
**RIVER STREET
APARTMENTS**

N. River Street
Hailey, Idaho 83333

SHEET TITLE	BLDG. B&C 1st FLOOR PLAN
SCALE	AS NOTED
PROJECT #	BWF2007
DATE	7/5/2020
FILE NAME	BWF2007203
REVISIONS	

A2.03



UNIT INFORMATION

BUILDING B & C	
TOTAL AREA	2,560 SQFT.
FIRST FLOOR	1,280 SQFT.
SECOND FLOOR	1,280 SQFT.
UNIT SIZE	640 SQFT.
UNIT BEDROOMS	2
UNIT BATHROOMS	2
ADA ACCESSIBLE UNITS:	2 - FIRST FLOOR (BUILDING B & C)

MODULAR HOUSING UNITS BY:



PERMIT INFORMATION



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DESIGN REVIEW



PRELIMINARY
 NOT FOR CONSTRUCTION PURPOSES

Site Planning for:
RIVER STREET APARTMENTS

N. River Street
 Hailey, Idaho 83333

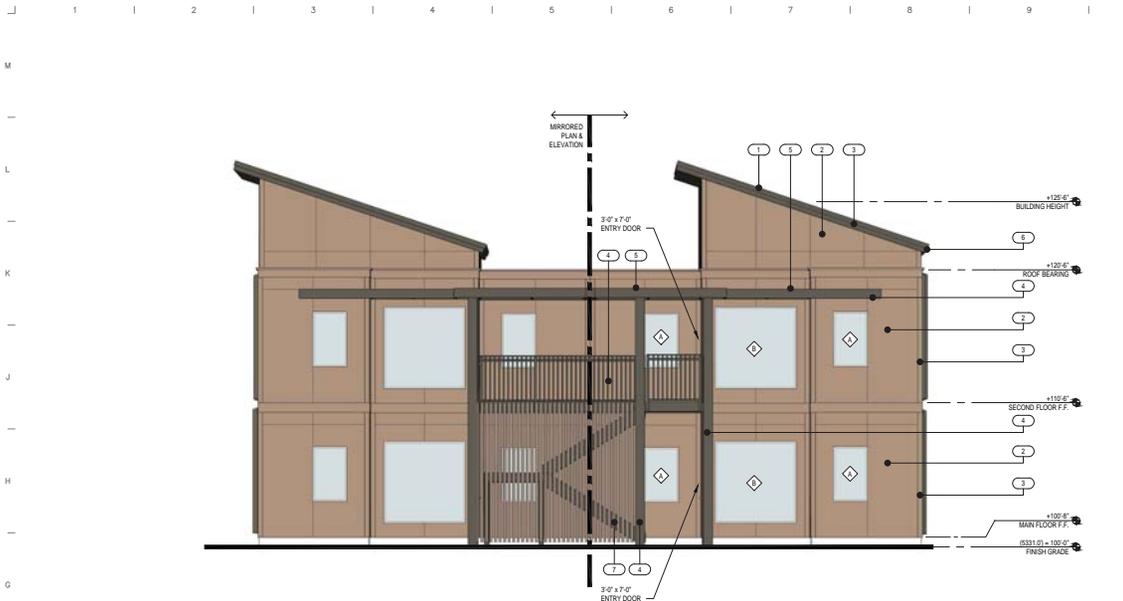
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SCALE	AS NOTED
PROJECT #	BWF2007
DATE	7/5/2020
FILE NAME	BWF2007204
REVISIONS	

A2.04

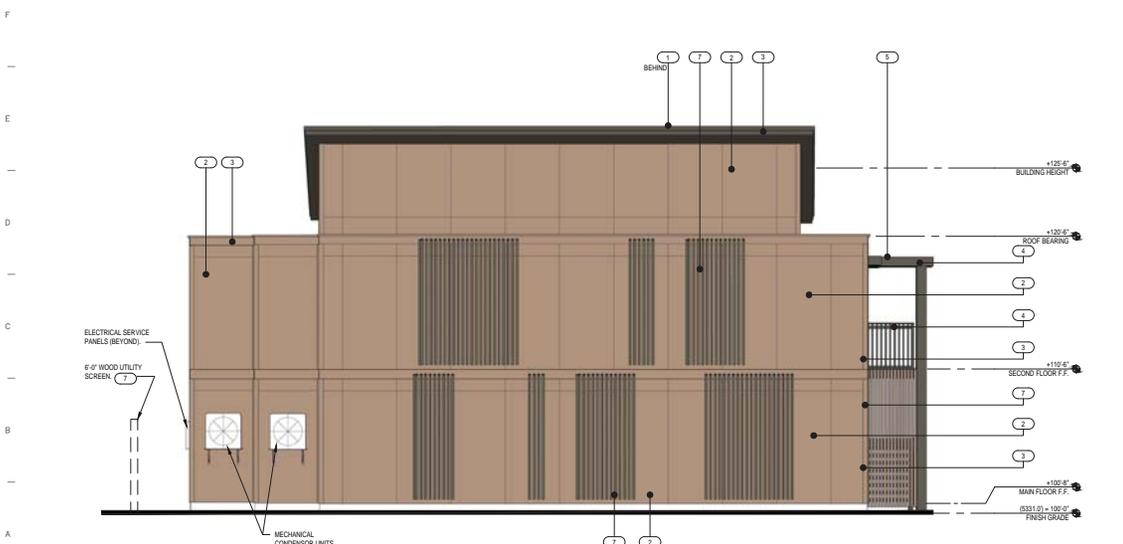
A1 SECOND FLOOR PLAN - BUILDINGS B & C
 SCALE: 1" = 10'-0"



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G1 BUILDING A - FRONT ELEVATION
SCALE: N.T.S.



A1 BUILDING A - SIDE ELEVATION
SCALE: N.T.S.

EXTERIOR SCHEDULE

SYMB.	NAME	DESCRIPTION	COLOR / FINISH	NOTES
(1)	ASPHALT ROOFING SYSTEM	CERTANTIFIED 'XT 30' R' SERIES, 3 TAB IMPACT RESISTANT SHINGLES, UNDERLAYMENT PER MFR. STD.	COLOR, TBD, FACTORY FINISH	1,2
(2)	PANEL SIDING	JAMES HARDIE 'SMOOTH PANEL' CEMENT PANEL SIDING SYSTEM	SMOOTH FINISH, FACTORY FINISH (A)	3
(3)	STANDING, RUNNING, OPENING BOARD TRIM	JAMES HARDIE SMOOTH CEMENT BOARD TRIM	SMOOTH FINISH, FACTORY FINISH (C)	
(4)	METAL STRUCTURAL FUSING	STEEL TUBE, WIDE-FLANGE, CHANNEL, AND ANGLE STRUCTURAL MEMBERS	DARK BRONZE, POWDER COATING (D)	
(5)	METAL DECK ROOFING	1-1/2" STEEL B DECKING PANELS	WHITE, POWDER COATING (E)	
(6)	METAL GUTTER & DOWNSPOUTS	EXTRUDED, PRE-FINISHED METAL GUTTER AND DOWNSPOUT SYSTEM	DARK BRONZE, FACTORY FINISH (D)	
(7)	WOOD SCREENS	NO. 2 OR BETTER REDWOOD LAMBER, SURFACE PLANED TO USE.	PENETRATING SEMI-TRANSPARENT STAIN & SEALANT (E)	

ELEVATION NOTES

1. PROVIDE MFR. STANDARD WARRANTY.
2. PROVIDE ICE & WATER SHIELD THROUGHOUT ALL LEAVE AREAS, TYP. PER MFR. REQUIREMENTS.
3. EXTRUDED ALUMINUM REGLETS AT ALL PANEL-TO-PANEL JOINTS, TYP.

FINISH SPECIFICATIONS

- EXTERIOR PAINT**
- (A) CEMENT PANEL SIDING & TRIM
JAMES HARDIE PRE-FINISHED PRIMER AND COATING SYSTEM.
COLOR: MONTEREY TAUPE
 - (B) METAL STRUCTURAL FRAMES & DAILINGS
EXTERIOR PREMIUM-GRADE POLYESTER POWDER COATING ENAMEL.
COLOR: DARK BRONZE
 - (C) PREFINISHED METAL ITEMS
EXTERIOR PREMIUM-GRADE FACTORY FINISH.
COLOR: DARK BRONZE
 - (D) METAL DECK ROOFING
EXTERIOR PREMIUM-GRADE POLYESTER POWDER COATING ENAMEL.
COLOR: WHITE
 - (E) WOOD SCREENS
EXTERIOR PREMIUM-GRADE SEMI-TRANSPARENT STAIN.
COLOR: TO BE SELECTED BY ARCHITECT FROM MFR. FULL RANGE OF STANDARD COLORS.

WINDOW TYPES

ALL WINDOWS ARE PELLA VINYL WINDOWS, WHITE, W/ STD. HARDWARE + LOW-E GLAZING

- ◊ WINDOW TYPE 'A'
2'-6"(W) X 4'-0"(H)
CASEMENT EGRESS
- ◊ WINDOW TYPE 'B'
5'-0"(W) X 5'-0"(H)
FIXED
- ◊ WINDOW TYPE 'C'
2'-0"(W) X 5'-0"(H)
CASEMENT

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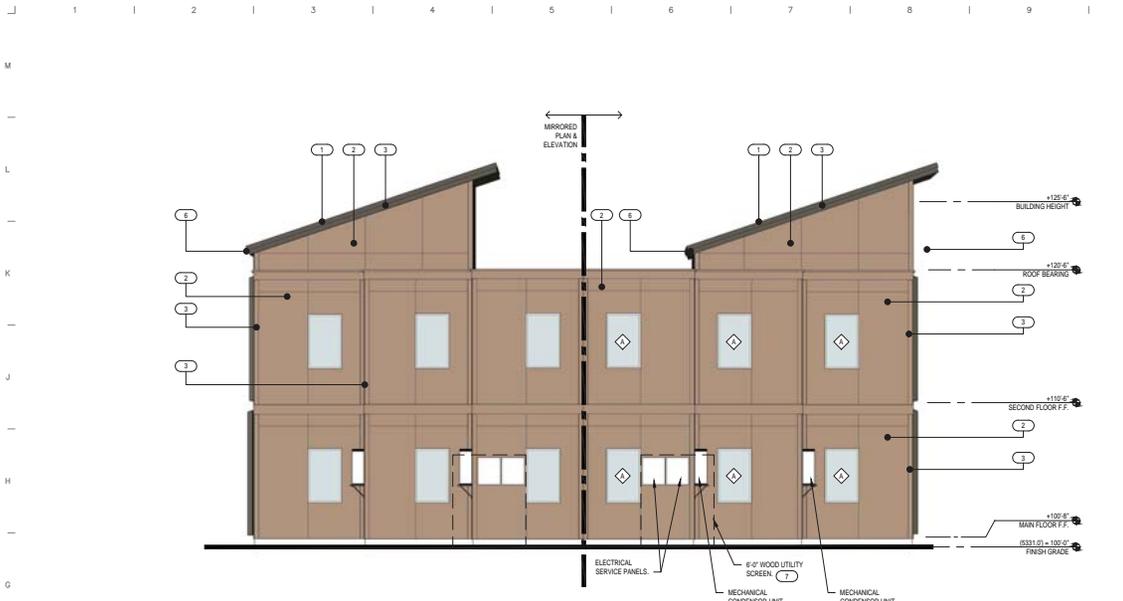
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PURPOSES

Site Planning for:
**RIVER STREET
APARTMENTS**

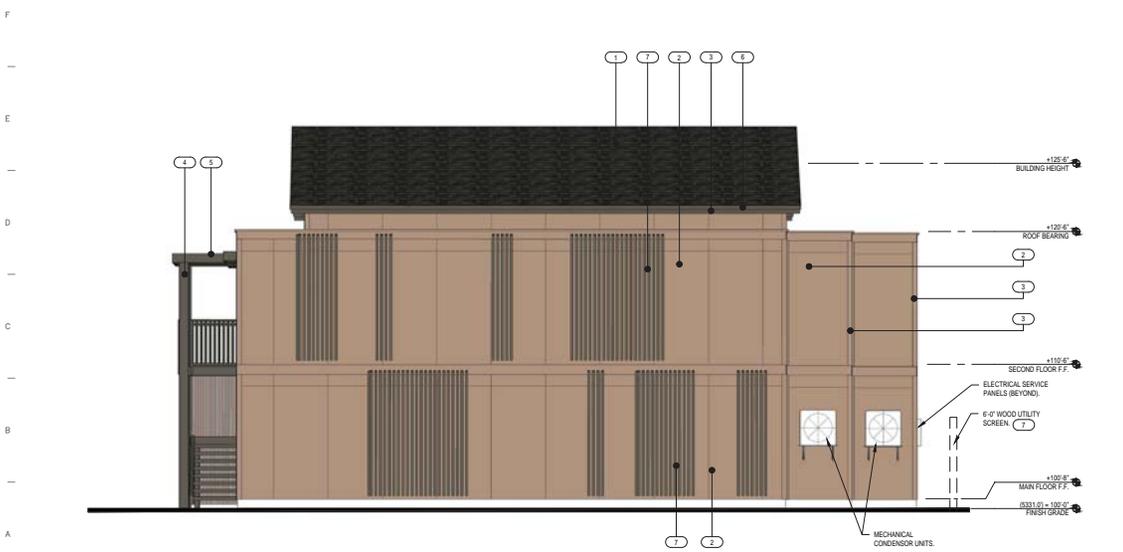
N. River Street
Hailey, Idaho 83333

SHEET TITLE	ELEVATIONS BUILDING A
SCALE	AS NOTED
PROJECT #	BWF2007
DATE	7/5/2020
FILE NAME	BWF2007301
REVISIONS	

A3.01



G1 BUILDING A - REAR ELEVATION
SCALE: N.T.S.



A1 BUILDING A - SIDE ELEVATION
SCALE: N.T.S.

EXTERIOR SCHEDULE

SYMB.	NAME	DESCRIPTION	COLOR / FINISH	NOTES
(1)	ASPHALT ROOFING SYSTEM	CERTANTIFIED 1/2" 30" R" SERIES, 3 TAB IMPACT RESISTANT SHINGLES, UNDERLAYMENT PER MFR. STD.	COLOR, T80, FACTORY FINISH	1,2
(2)	PANEL SIDING	JAMES HARDIE "SMOOTH PANEL" CEMENT PANEL SIDING SYSTEM	SMOOTH FINISH, FACTORY FINISH (A)	3
(3)	STANDING, RUNNING, OPENING BOARD TRIM	JAMES HARDIE SMOOTH CEMENT BOARD TRIM	SMOOTH FINISH, FACTORY FINISH (C)	
(4)	METAL STRUCTURAL FRAME	STEEL TUBE, WIDE-FLANGE, CHANNEL, AND ANGLE STRUCTURAL MEMBERS	DARK BRONZE, POWDER COATING (D)	
(5)	METAL DECK ROOFING	1-1/2" STEEL B DECKING PANELS	WHITE, POWDER COATING (E)	
(6)	METAL GUTTER & DOWNSPOUTS	EXTRUDED, PRE-FINISHED METAL GUTTER AND DOWNSPOUT SYSTEM	DARK BRONZE, FACTORY FINISH (C)	
(7)	WOOD SCREENS	NO. 2 OR BETTER REDWOOD LUMBER, SURFACE PLANED TO USE.	PENETRATING SEMI-TRANSPARENT STAIN & SEALANT (E)	

ELEVATION NOTES

1. PROVIDE MFR. STANDARD WARRANTY.
2. PROVIDE ICE & WATER SHIELD THROUGHOUT ALL LEAVE AREAS, TYP. PER MFR. REQUIREMENTS.
3. EXTRUDED ALUMINUM REGLETS AT ALL PANEL-TO-PANEL JOINTS, TYP.

FINISH SPECIFICATIONS

EXTERIOR PAINT

- (A) CEMENT PANEL SIDING & TRIM
JAMES HARDIE PRE-FINISHED PRIMER AND COATING SYSTEM.
COLOR: MONTEREY TAUPE
- (B) METAL STRUCTURAL FRAMES & DAILINGS
EXTERIOR PREMIUM-GRADE POLYESTER POWDER COATING ENAMEL.
COLOR: DARK BRONZE
- (C) PRE-FINISHED METAL ITEMS
EXTERIOR PREMIUM-GRADE FACTORY FINISH.
COLOR: DARK BRONZE
- (D) METAL DECK ROOFING
EXTERIOR PREMIUM-GRADE POLYESTER POWDER COATING ENAMEL.
COLOR: WHITE
- (E) WOOD SCREENS
EXTERIOR PREMIUM-GRADE SEMI-TRANSPARENT STAIN.
COLOR: TO BE SELECTED BY ARCHITECT FROM MFR. FULL RANGE OF STANDARD COLORS.

WINDOW TYPES

ALL WINDOWS ARE PELLA VINYL WINDOWS, WHITE, W/ STD. HARDWARE + LOW-E GLAZING

- ◊ WINDOW TYPE 'A'
2'-6"(W) X 4'-0"(H)
CASEMENT EGRESS
- ◊ WINDOW TYPE 'B'
5'-0"(W) X 5'-0"(H)
FIXED
- ◊ WINDOW TYPE 'C'
2'-0"(W) X 5'-0"(H)
CASEMENT

PERMIT INFORMATION



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REVIEW

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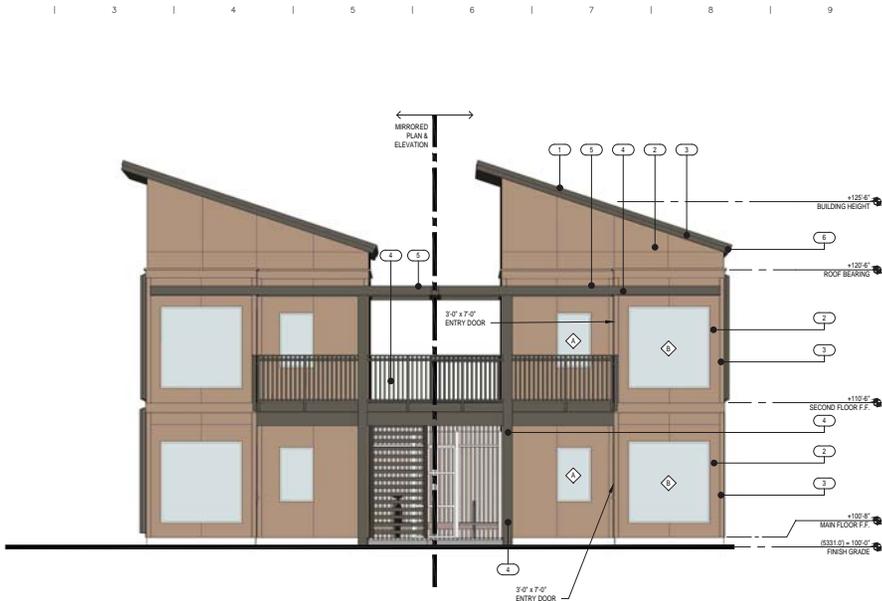
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NOT FOR
CONSTRUCTION
PURPOSES

Site Planning for:
**RIVER STREET
APARTMENTS**

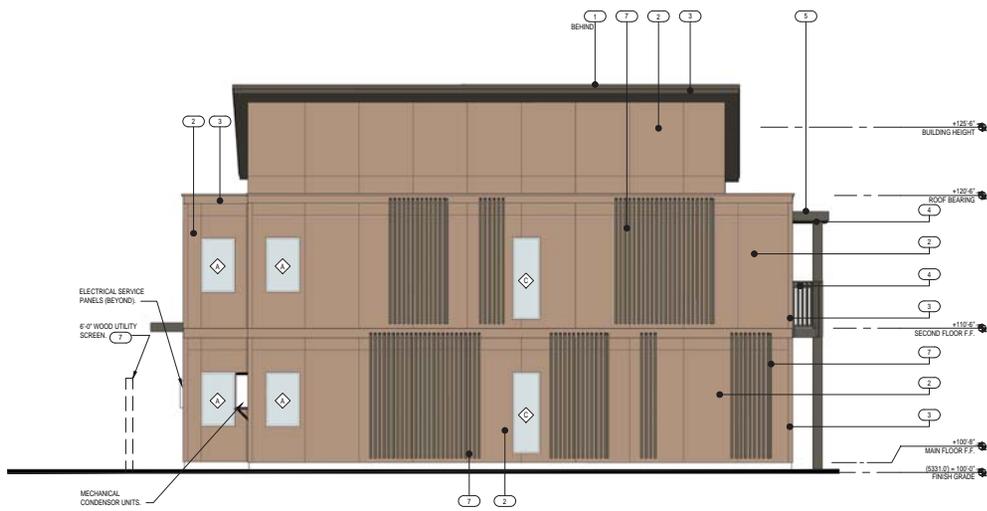
N. River Street
Hailey, Idaho 83333

SHEET TITLE	ELEVATIONS BUILDING A
SCALE	AS NOTED
PROJECT #	BWF2007
DATE	7/5/2020
FILE NAME	BWF2007302
REVISIONS	

A3.02



G1 BUILDINGS B & C - FRONT ELEVATION
SCALE: N.T.S.



A1 BUILDINGS B & C - SIDE ELEVATION
SCALE: N.T.S.

EXTERIOR SCHEDULE

SYMB.	NAME	DESCRIPTION	COLOR / FINISH	NOTES
(1)	ASPHALT ROOFING SYSTEM	CERTANTIFIED 1/2 IN. R/R SERIES, 3 TAB IMPACT-RESISTANT SHINGLES, UNDERLAYMENT PER MFR. STD.	COLOR, TBD, FACTORY FINISH	1,2
(2)	PANEL SIDING	JAMES HARDIE SMOOTH PANEL, CEMENT PANEL SIDING SYSTEM	SMOOTH FINISH, FACTORY FINISH	3
(3)	STANDING, RUNNING, OPENING BOARD TRIM	JAMES HARDIE SMOOTH CEMENT BOARD TRIM	SMOOTH FINISH, FACTORY FINISH	
(4)	METAL STRUCTURAL FRAME	STEEL TUBE, WIDE-FLANGE, CHANNEL, AND ANGLE STRUCTURAL MEMBERS	DARK BRONZE, POWDER COATING	
(5)	METAL DECK ROOFING	1-1/2\"/>		

ELEVATION NOTES

1. PROVIDE MFR. STANDARD WARRANTY.
2. PROVIDE ICE & WATER SHIELD THROUGHOUT ALL LEAVE AREAS, TYP. PER MFR. REQUIREMENTS.
3. EXTRUDED ALUMINUM REGLETS AT ALL PANEL-TO-PANEL JOINTS, TYP.

FINISH SPECIFICATIONS

- EXTERIOR PAINT**
- (A) CEMENT PANEL SIDING & TRIM
JAMES HARDIE PRE-FINISHED PRIMER AND COATING SYSTEM.
COLOR: MONTEREY TAUPE
 - (B) METAL STRUCTURAL FRAMES & DAILINGS
EXTERIOR PREMIUM-GRADE POLYESTER POWDER COATING ENAMEL.
COLOR: DARK BRONZE
 - (C) PRE-FINISHED METAL ITEMS
EXTERIOR PREMIUM-GRADE FACTORY FINISH.
COLOR: DARK BRONZE
 - (D) METAL DECK ROOFING
EXTERIOR PREMIUM-GRADE POLYESTER POWDER COATING ENAMEL.
COLOR: WHITE
 - (E) WOOD SCREENS
EXTERIOR PREMIUM-GRADE SEMI-TRANSPARENT STAIN.
COLOR: TO BE SELECTED BY ARCHITECT FROM MFR. FULL RANGE OF STANDARD COLORS.

WINDOW TYPES

ALL WINDOWS ARE PELLA VINYL WINDOWS, WHITE, W/ STD. HARDWARE + LOW-E GLAZING

- ◊ WINDOW TYPE 'A'
2'-6\"/>

PERMIT INFORMATION



BYRON FOLLEWELL ARCHITECT
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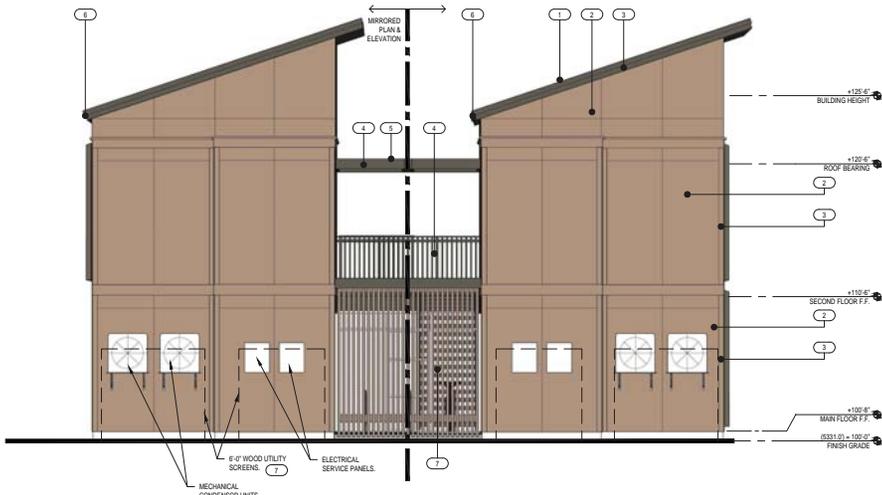
Site Planning for:
RIVER STREET APARTMENTS

N. River Street
Hailey, Idaho 83333

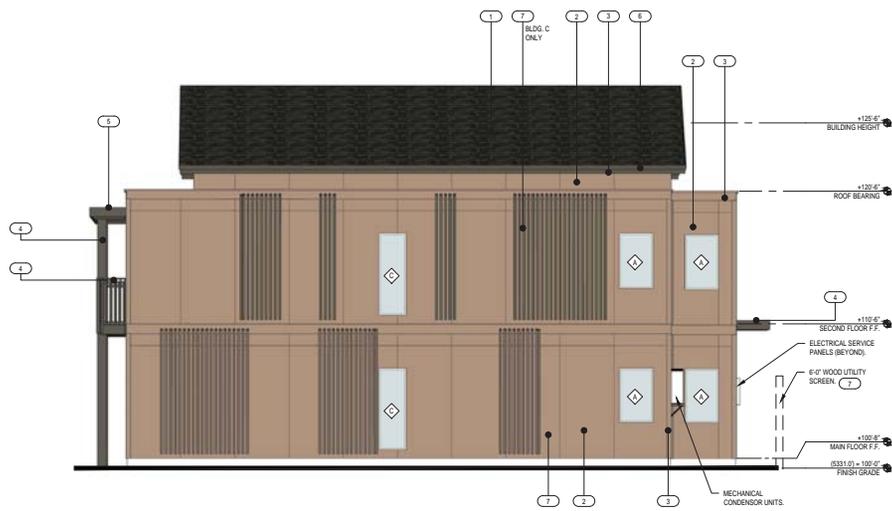
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SCALE	AS NOTED
PROJECT #	BWF2007
DATE	7/5/2020
FILE NAME	BWF2007303
REVISIONS	

A3.03

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G1 BUILDINGS B & C - REAR ELEVATION
SCALE: N.T.S.



A1 BUILDINGS B & C - SIDE ELEVATION
SCALE: N.T.S.

EXTERIOR SCHEDULE

SYMB.	NAME	DESCRIPTION	COLOR / FINISH	NOTES
(1)	ASPHALT ROOFING SYSTEM	CERTANTIFIED 1/2" OR 3/8" SERIES, 3 TAB IMPACT-RESISTANT SHINGLES, UNDERLAYMENT PER MFR. STD.	COLOR, TBD, FACTORY FINISH	1,2
(2)	PANEL SIDING	JAMES HARDIE "SMOOTH PANEL" CEMENT PANEL SIDING SYSTEM	SMOOTH FINISH, FACTORY FINISH (A)	3
(3)	STANDING, RUNNING, OPENING BOARD TRIM	JAMES HARDIE SMOOTH CEMENT BOARD TRIM	SMOOTH FINISH, FACTORY FINISH (C)	
(4)	METAL STRUCTURAL FRAME	STEEL TUBE, WIDE-FLANGE, CHANNEL, AND ANGLE STRUCTURAL MEMBERS	DARK BRONZE, POWDER COATING (D)	
(5)	METAL DECK ROOFING	1-1/2" STEEL DECKING PANELS	WHITE, POWDER COATING (E)	
(6)	METAL GUTTER & DOWNSPOUTS	EXTRUDED, PRE-FINISHED METAL GUTTER AND DOWNSPOUT SYSTEM	DARK BRONZE, FACTORY FINISH (D)	
(7)	WOOD SCREENS	NO. 2 OR BETTER REDWOOD LUMBER, SURFACE PLANED TO USE.	PENETRATING SEMI-TRANSPARENT STAIN & SEALANT (E)	

ELEVATION NOTES

1. PROVIDE MFR. STANDARD WARRANTY.
2. PROVIDE ICE & WATER SHIELD THROUGHOUT ALL LEAVE AREAS, TYP. PER MFR. REQUIREMENTS.
3. EXTRUDED ALUMINUM REGLETS AT ALL PANEL-TO-PANEL Joints, TYP.

FINISH SPECIFICATIONS

- EXTERIOR PAINT**
- (A) CEMENT PANEL SIDING & TRIM
JAMES HARDIE PRE-FINISHED PRIMER AND COATING SYSTEM.
COLOR: MONTEREY TAUPE
 - (B) METAL STRUCTURAL FRAMES & DAILINGS
EXTERIOR PREMIUM-GRADE POLYESTER POWDER COATING ENAMEL.
COLOR: DARK BRONZE
 - (C) PRE-FINISHED METAL TRIMS
EXTERIOR PREMIUM-GRADE FACTORY FINISH.
COLOR: DARK BRONZE
 - (D) METAL DECK ROOFING
EXTERIOR PREMIUM-GRADE POLYESTER POWDER COATING ENAMEL.
COLOR: WHITE
 - (E) WOOD SCREENS
EXTERIOR PREMIUM-GRADE SEMI-TRANSPARENT STAIN.
COLOR: TO BE SELECTED BY ARCHITECT FROM MFR., FULL RANGE OF STANDARD COLORS.

WINDOW TYPES

- ALL WINDOWS ARE PELLA VINYL WINDOWS, WHITE, W/ STD. HARDWARE + LOW-E GLAZING
- ◆ WINDOW TYPE 'A'
2'-6"(W) X 4'-0"(H)
CASHEM EGRESS
 - ◆ WINDOW TYPE 'B'
8'-0"(W) X 5'-0"(H)
FOLD
 - ◆ WINDOW TYPE 'C'
2'-0"(W) X 5'-0"(H)
CASHEM

PERMIT INFORMATION



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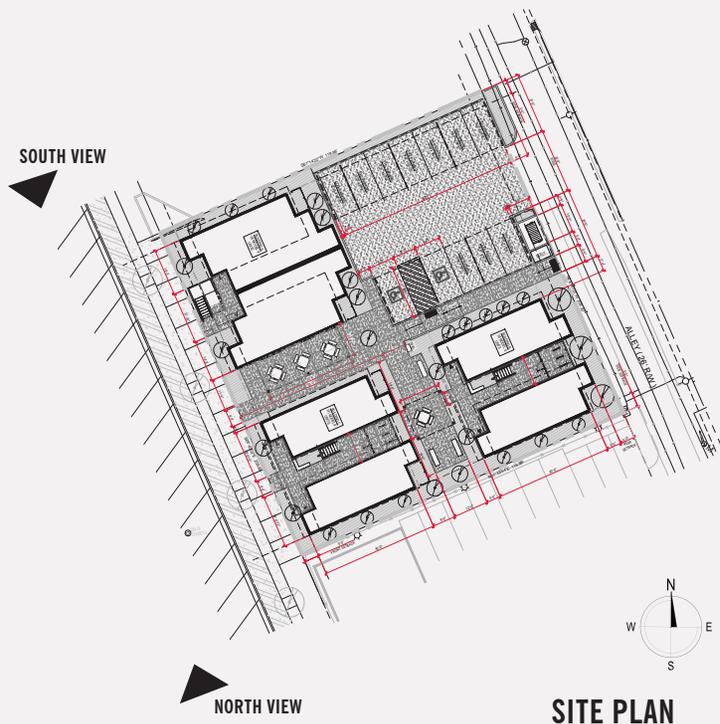
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PURPOSES

Site Planning for:
**RIVER STREET
APARTMENTS**

N. River Street
Hailey, Idaho 83333

SHEET TITLE	ELEVATIONS BUILDINGS B&C
SCALE	AS NOTED
PROJECT #	BWF2007
DATE	7/5/2020
FILE NAME	BWF2007304
REVISIONS	

A3.04



SITE PLAN
 410 RIVER STREET APARTMENTS
 8.9.2020





RIVER STREET ELEVATION

DEVELOPMENT VIEWS
410 RIVER STREET APARTMENTS
8.9.2020





VIEW LOOKING NORTH

DEVELOPMENT VIEWS
410 RIVER STREET APARTMENTS
8.9.2020





VIEW LOOKING SOUTH

DEVELOPMENT VIEWS
410 RIVER STREET APARTMENTS
8.9.2020





VIEW FROM RIVER STREET

DEVELOPMENT VIEWS
410 RIVER STREET APARTMENTS
8.9.2020





VIEW OF BREEZEWAYS

DEVELOPMENT VIEWS
410 RIVER STREET APARTMENTS
8.9.2020





VIEW OF OPEN SPACE

DEVELOPMENT VIEWS
410 RIVER STREET APARTMENTS
8.9.2020





VIEW OF OPEN SPACE

DEVELOPMENT VIEWS
410 RIVER STREET APARTMENTS
8.9.2020



ARCHITECTURE & INTERIORS



410 RIVER STREET APARTMENTS



CEMENT BOARD SIDING
James Hardie 'HardiPanel' siding
Smooth finish
"Monterey Taupe" color



METAL AWNINGS, STAIRS, FRAMES
Mild steel shapes
Powder coated exterior finish
"Dark Bronze" color



DOORS
Sherwin Williams paint
Semi-gloss finish
"Peppercorn" color



WINDOW FRAMES
Pella Vinyl Low-E Window Frames
Factory finish
Standard White color



WOOD SCREENS
Ceder, No. 2 or better
Planed finish, semi-transparent stain
"Dark Walnut" color



ASPHALT SHINGLES
30-year, impact resistant
Factory finish, architectural
"Charcoal" color



Byron W. Folwell, Architect LLC
199 N. Capitol Blvd. Suite 602 Boise, Idaho 83706
208.409.9050 bfolwell@gmail.com

Return to Agenda

STAFF REPORT

TO: Hailey Planning & Zoning Commission
FROM: Lisa Horowitz, Community Development Director
RE: Preliminary Plat- Little Indio South
HEARING: August 17, 2020

Applicant: Jesse German and Taryn Haag
Project: Little Indio South Preliminary Short Plat
Request: Preliminary Short Plat
Location: Lot 38, Little Indio Subdivision
Property Address: 415 W Bullion
Size: 24,038 sq. ft.
Zoning: General Residential (GR) and Townsite Overlay (TO)

Background: The applicant is proposing to develop an existing 24,038 square foot lot into two (2) lots. The current lot fronts Bullion Street. Two existing older dwellings are located on the property and will remain in the subdivision. The existing cabin on Lot 1 is nonconforming. Various outbuildings adjacent to the new property line will need to be relocated.

Little Indio is a complicated area served by a variety of substandard streets. Lots are oddly shaped and many properties are not served by municipal water and sewer service. This project proposes access from a private driveway, adjacent to the “platted” Little Indio private street. In reality, the drivable surface for Little Indio Private Street is partially located on the new private driveway. To rebuild the Little Indio Private Street in its proper location would require significant effort: relocation of power poles and power lines, as well as fences.

Technically, this proposed subdivision conforms to code with regards to access and should not be burdened by the inaccurate location of Little Indio Private Street. From a practical standpoint, all the neighbors will need to work together (as they have been) to provide for access, snow plowing, etc.

Procedural History: The Application was certified complete on July 22, 2020. A public hearing before the Planning and Zoning Commission for approval or denial of the project will be held on August 17, 2020, in the Hailey City Council Chambers.

Notice: Notice for the public hearing was published in the Idaho Mountain Express on July 29, 2020 and mailed to property owners within 300 feet on July 27, 2020.

Standards of Evaluation for a Subdivision					
Compliant			Standards and Staff Comments		
Yes	No	N/A	City Code	City Standards and <i>Staff Comments</i>	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.010 Development Standards	Applicability: The configuration and development of proposed subdivisions shall be subject to and meet the provisions and standards found in this Title, the Zoning Title and any other applicable Ordinance or policy of the City of Hailey and shall be in accordance with general provisions of the Comprehensive Plan.	
			<i>Staff Comments</i>	The two-lot subdivision generally meets city standards.	
Standards of Evaluation for a Subdivision					
Compliant			Standards and Staff Comments		
Yes	No	N/A	City Code	City Standards and <i>Staff Comments</i>	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.020	Streets: Streets shall be provided in all subdivisions where necessary to provide access and shall meet all standards below.	
			<i>Staff Comments</i>	No comments from streets. The rear lot is accessed via a shared public access and utility easement across the front lot.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A.	Development Standards: 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.	
			<i>Staff Comments</i>	Alignment appears safe for existing and anticipated vehicular traffic. Adjacent to the street is a substandard private street, Little Indio Lane. This street is not impacted by the proposed two-lot subdivision.	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	B.	Cul-De-Sacs; Dead-End Streets: 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.	
			<i>Staff Comments</i>	N/A-no streets are proposed.	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	C.	Access: 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.	
			<i>Staff Comments</i>	N/A	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	D.	Design: 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 neck-downs 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 2 three-way intersections.
			<i>Staff Comments</i>	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.	Centerlines: Street centerlines 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 neck-downs shall be a part of the street design. Alternate traffic calming measures may be approved with a recommendation by the City Engineer.
			<i>Staff Comments</i>	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	F.	Width: 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.
			<i>Staff Comments</i>	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	G.	Roadways: 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.
			<i>Staff Comments</i>	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	H.	Road Grades: 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.
			<i>Staff Comments</i>	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	I.	Runoff: 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 Storm Water Discharge from Construction Activity" for all construction activity affecting more than one acre.
			<i>Staff Comments</i>	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	J.	Signage: The developer shall provide and install all street and traffic control signs in accordance with City Standards.
			<i>Staff Comments</i>	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	K.	Dedication; Names: 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.
			<i>Staff Comments</i>	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	L.	Private Streets:
			<i>Staff</i>	N/A

			<i>Comments</i>	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	L. 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.
			<i>Staff Comments</i>	<i>No private streets are proposed.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	L. 2.	Private streets, wherever possible, shall provide interconnection with other public streets and private streets.
			<i>Staff Comments</i>	<i>N/A</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	L. 3.	The area designated for private streets shall be platted as a separate parcel according to subsection 16.04.060C 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.
			<i>Staff Comments</i>	<i>N/A</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	L. 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.
			<i>Staff Comments</i>	<i>N/A</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	L. 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 percent (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.
			<i>Staff Comments</i>	<i>N/A</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	L. 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 chapter 17.09 of this code. The dimension of guest/overflow parking spaces shall be no less than ten feet by twenty feet (10'x20') if angle parking, or ten feet by twenty-four feet (10'x24') 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.
			<i>Staff Comments</i>	<i>N/A</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	M.	Driveways:
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	M. 1.	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.
			<i>Staff Comments</i>	<i>A driveway (shared access and utility easement) is proposed to access the single rear lot. Both lots are accessed via a single shared driveway.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	M. 2.	Driveways shall be constructed with an all-weather surface and shall have the following

				<p>minimum roadway widths:</p> <p>a. Accessing one residential unit: twelve feet (12')</p> <p>b. Accessing two residential units: sixteen feet (16')</p> <p>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.</p>
			<i>Staff Comments</i>	<i>The proposed access and utility easement containing the driveway is 18' in width. All-weather surface is suggested as a Condition of Approval.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	M. 3.	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.
			<i>Staff Comments</i>	<i>N/A, as the driveway is less than 150 feet in length.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	M. 4.	Driveways accessing more than one residential dwelling unit shall be maintained by an owner's association, or in accordance with a plat note.
			<i>Staff Comments</i>	<i>N/A</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	M. 5.	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.
			<i>Staff Comments</i>	<i>The easement is a dedicated access easement. The beneficiary is Lot 1, which appears clear on the plat. A note should be added stating that the easement is unbuildable.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	M. 6.	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.
			<i>Staff Comments</i>	<i>The driveway does not appear to have any impact on existing infrastructure or residential dwelling units.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	N.	Parking Access Lane: 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.
			<i>Staff Comments</i>	<i>N/A</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	O.	Fire Lanes: 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.
			<i>Staff Comments</i>	<i>N/A</i>
16.04.060: Sidewalks and Drainage Improvements				
Compliant			Standards and Staff Comments	
Yes	No	N/A	City Code	City Standards and Staff Comments
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A.	Sidewalks and drainage improvements are required in all zoning districts and shall be located and constructed according to applicable city standards, except as otherwise provided herein.
			<i>Staff Comments</i>	<i>A sidewalk in lieu fee is recommended by Public Works.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	B.	The length of sidewalks and drainage improvements constructed shall be equal to the length of the subject property line(s) adjacent to any public street or private street.
			<i>Staff Comments</i>	<i>The fee will be calculated according to this standard.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	C.	New sidewalks shall be planned to provide pedestrian connections to any existing and

				future sidewalks adjacent to the site.
			<i>Staff Comments</i>	<i>Sidewalks are planned from River Street to Hop Porter Park as part of the River Street grant. However, the intervening area is not programmed for sidewalks at this time.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	D.	Sites located adjacent to a public street or private street that are not currently through streets, regardless whether the street may provide a connection to future streets, shall provide sidewalks to facilitate future pedestrian connections.
			<i>Staff Comments</i>	<i>A sidewalk in lieu fee is recommended by Public Works.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.	The requirement for sidewalk and drainage improvements are not required for any lot line adjustment.
			<i>Staff Comments</i>	<i>N/A</i>
16.04.040: Alleys and Easements				
Compliant			Standards and Staff Comments	
Yes	No	N/A	City Code	City Standards and Staff Comments
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	A.	Alleys:
			<i>Staff Comments</i>	<i>N/A</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	A. 1.	Alleys shall be provided in all Business District and Limited Business District developments where feasible.
			<i>Staff Comments</i>	<i>N/A</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	A. 2.	The minimum width of an alley shall be twenty-six (26') feet.
			<i>Staff Comments</i>	<i>N/A</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	A. 3.	All alleys shall be dedicated to the public or provide for public access.
			<i>Staff Comments</i>	<i>N/A</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A. 4.	All infrastructures to be installed underground shall, where possible, be installed in the alleys platted.
			<i>Staff Comments</i>	<i>Proposed utilities and water and sewer mains identified on submitted plans are underground.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	A. 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.
			<i>Staff Comments</i>	<i>N/A</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	A. 6.	Dead-end alleys shall not be allowed.
			<i>Staff Comments</i>	<i>N/A</i>
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	A. 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.

			<i>Staff Comments</i>	<i>A partial street as shown is adequate for infrastructure location.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	B.	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:
			<i>Staff Comments</i>	<i>No additional easements have been identified at this time.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	B. 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.
			<i>Staff Comments</i>	<i>N/A, as the subject property does not border Big Wood River.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	B. 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.
			<i>Staff Comments</i>	<i>N/A, as the subject property does not border Big Wood River.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	B. 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.
			<i>Staff Comments</i>	<i>Snow storage calculations were met as part of the Design Review approval.</i>
16.04.050: Blocks				
Compliant			Standards and Staff Comments	
Yes	No	N/A	City Code	City Standards and <i>Staff Comments</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.050	Blocks: 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.
			<i>Staff Comments</i>	<i>The proposed subdivision meets this standard.</i>
16.04.060: Lots				
Compliant			Standards and Staff Comments	
Yes	No	N/A	City Code	City Standards and <i>Staff Comments</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.04.060	Lots: 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

				<p>single-family residential lots larger than one-half (1/2) acre (21,780 square feet). In the event a single-family residential lot greater than one-half (1/2) acre is platted, irrigation shall be restricted to not more than one-half (1/2) acre, pursuant to Idaho Code §42-111, and such restriction shall be included as a plat note. District regulations are found in the Zoning Chapter.</p> <p><i>Staff Comments</i> This standard has been met. The proposed lots meet the minimum lot size of 6,000 square feet:</p> <ul style="list-style-type: none"> • Lot 1: 12,704 square feet • Lot 2: 11,335 square feet
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A.	<p>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 re-subdivision and provide for future streets where necessary to serve potential lots, unless the plat restricts further subdivision.</p> <p><i>Staff Comments</i> Due to the existing nonconforming building(s) on Lot 1 and the inability to meet the minimum lot sizes of the zoning district, if further subdivided, it is unlikely the parcels will be further subdivided.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	B.	<p>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).</p> <p><i>Staff Comments</i> The existing lot, Lot 38, is a double frontage lot (frontage off Bullion Street and Little Indio Lane). This will not change with the creation of proposed Lot 2.</p> <p>Little Indio Lane is a private street and its width varies. Per a recent site visit, it was noted that Little Indio Lane runs along the western portion of proposed Lot 1 and Lot 2, or within the proposed Public Access and Utility Easement. Due to vegetation and an existing power pole/line, access to the platted Little Indio Lane cannot be completed without significant reconstruction. Due to this, Planning Staff feels a landscape buffer between the street and the proposed lots is unnecessary.</p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	C.	<p>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.</p> <p><i>Staff Comments</i> N/A, as no unbuildable lots are proposed.</p>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	D.	<p>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.</p> <p><i>Staff Comments</i> N/A, as no flag lots are proposed.</p>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	E.	<p>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 subsection 16.04.020M2 of this Chapter and section D of this Chapter. Townhouse Sub-Lots are excluded from this</p>

				requirement; provided, however, that Townhouse Developments shall have frontage on a street.
			<i>Staff Comments</i>	<i>Proposed Lot 1 and Lot 2 have frontage on either a public or private street. Lot 1 has frontage on Little Indio Lane and Lot 2 has frontage on either Little Indio Lane or Bullion Street. Currently, Lot 2 is addressed off Bullion Street. A shared driveway exists from Little Indio Lane.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	F.	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.
			<i>Staff Comments</i>	<i>N/A, as the site does not abut an alley.</i>
16.04.070: Orderly Development				
Compliant			Standards and Staff Comments	
Yes	No	N/A	City Code	City Standards and Staff Comments
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	A.	Phasing Required: Development of subdivisions shall be phased to avoid the extension of City services, roads and utilities through undeveloped land.
			<i>Staff Comments</i>	<i>N/A</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	B.	Agreement: 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.
			<i>Staff Comments</i>	<i>N/A</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	C.	Mitigation of Negative Effects: 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: <ol style="list-style-type: none"> 1. Provision of on-site or off-site street or intersection improvements. 2. Provision of other off-site improvements. 3. Dedications and/or public improvements on property frontages. 4. Dedication or provision of parks or green space. 5. Provision of public service facilities. 6. Construction of flood control canals or devices. 7. Provisions for ongoing maintenance.
			<i>Staff Comments</i>	<i>N/A</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	D.	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: <ol style="list-style-type: none"> 1. Streets, whether public or private, shall provide an interconnected system and shall be adequate to accommodate anticipated vehicular and pedestrian traffic. 2. 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. 3. Water main lines and sewer main lines shall be designed in the most effective layout feasible. 4. Other utilities including power, telephone, cable, and gas shall be designed in the most effective layout feasible.

				<p>5. Park land shall be most appropriately located on the Contiguous Parcels.</p> <p>6. Grading and drainage shall be appropriate to the Contiguous Parcels.</p> <p>7. Development shall avoid easements and hazardous or sensitive natural resource areas.</p> <p>The commission and council may require that any or all contiguous parcels be included in the subdivision.</p>
			<i>Staff Comments</i>	<i>The proposed Lot 1 and Lot 2 are owned by the Applicant and are shown on the Preliminary Plat. It would be possible to divide proposed Lot 1 one more time if the existing house were removed. Planning Staff has added a Condition of Approval addressing that possibility with regards to respecting the platting pattern of Hailey's original townsite.</i>
16.04.080: Perimeter Walls, Gates and Berms				
Compliant			Standards and Staff Comments	
Yes	No	N/A	City Code	City Standards and Staff Comments
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.04.080	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.
			<i>Staff Comments</i>	<i>N/A, as no perimeter gate or wall is proposed.</i>
16.04.090: Cuts, Fills, Grading and Drainage				
Compliant			Standards and Staff Comments	
Yes	No	N/A	City Code	City Standards and Staff Comments
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	A.	Plans Required: 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.
			<i>Staff Comments</i>	<i>N/A, as grading has been developed for proposed Lot 1 and Lot 2.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	A. 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.
			<i>Staff Comments</i>	<i>N/A</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	A. 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: <ol style="list-style-type: none"> 1. Proposed contours at a maximum of two (2) foot contour intervals; 2. Cut and fill banks in pad elevations; 3. Drainage patterns; 4. Areas where trees and/or natural vegetation will be preserved; 5. Location of all street and utility improvements including driveways to building envelopes; and 6. Any other information which may reasonably be required by the Administrator, Hearing Examiner, Commission and/or Council.
			<i>Staff Comments</i>	<i>N/A, as grading has been developed for proposed Lot 1 and Lot 2.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	B.	Design Standards: The proposed subdivision shall conform to the following design standards:
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	B. 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.

			<i>Staff Comments</i>	<i>N/A, as grading has been developed for proposed Lot 1 and Lot 2.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	B. 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.
			<i>Staff Comments</i>	<i>N/A, as grading has been developed for proposed Lot 1 and Lot 2.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	B. 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.
			<i>Staff Comments</i>	<i>N/A, as grading has been developed for proposed Lot 1 and Lot 2.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	B. 4.	Where cuts, fills or other excavation are necessary, the following development standards shall apply: <ul style="list-style-type: none"> a. Fill areas for structures or roads shall be prepared by removing all organic material detrimental to proper compaction for soil stability. b. 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). c. Cut slopes shall be no steeper than two horizontals to one vertical. Subsurface drainage shall be provided as necessary for stability. d. Fill slopes shall be no steeper than three horizontals 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. e. 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.
			<i>Staff Comments</i>	<i>N/A, as cuts, fills or other excavation are not proposed at this time.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	B. 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 Storm-water Discharge from Construction Activity” for all construction activity affecting more than one acre.
			<i>Staff Comments</i>	<i>N/A</i>

16.04.100: Overlay Districts

Compliant			Standards and Staff Comments	
Yes	No	N/A	City Code	City Standards and <i>Staff Comments</i>
			A.	Flood Hazard Overlay District:
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A. 1.	Subdivisions or portions of subdivision located within the Flood Hazard Overlay District shall comply with all provisions of Section 4.10 of the Zoning Ordinance.
			<i>Staff Comments</i>	<i>Proposed Lot 1 is located within the Floodplain. A Flood Hazard Development Permit Application has been submitted and will be reviewed at the next available hearing, scheduled for September 8, 2020.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A. 2.	Subdivisions located partially in the Flood Hazard Overlay District shall have designated

				building envelopes outside the Flood Hazard Overlay District to the extent possible.
			<i>Staff Comments</i>	<i>Proposed Lot 1 is located within the Floodplain. A Flood Hazard Development Permit Application has been submitted and will be reviewed at the next available hearing, scheduled for September 8, 2020.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A. 3.	Any platted lots adjacent to the Big Wood River or its tributaries shall have designated building envelopes.
			<i>Staff Comments</i>	<i>A Building Envelope has been identified on the plat for proposed Lot 1. A Flood Hazard Development Permit Application has been submitted and will be reviewed at the next available hearing, scheduled for September 8, 2020.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	B.	Hillside Overlay District:
			<i>Staff Comments</i>	<i>N/A, as the proposed lots are not located within the Hillside Overlay (HO) Zone District.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	B. 1.	Subdivisions or portions of subdivisions located within the Hillside Overlay District shall comply with all provisions of Section 4.14, of the Zoning Ordinance.
			<i>Staff Comments</i>	<i>N/A, as the proposed lots are not located within the Hillside Overlay (HO) Zone District.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	B. 2.	Subdivisions located partially in the Hillside Overlay District shall have designated building envelopes outside the Hillside Overlay District.
			<i>Staff Comments</i>	<i>N/A, as the proposed lots are not located within the Hillside Overlay (HO) Zone District.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	B. 3.	All approved subdivisions shall contain a condition that a Site Alteration Permit is required before any development occurs.
			<i>Staff Comments</i>	<i>This has been made a Condition of Approval.</i>
16.04.110: Parks, Pathways and Other Green Spaces				
Compliant			Standards and Staff Comments	
Yes	No	N/A	City Code	City Standards and Staff Comments
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	A.	Parks and Pathways: Unless otherwise provided, every subdivision shall set aside a Park and/or Pathway(s) in accordance with standards set forth herein.
			A. 1.	Parks:
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	A. 1. a.	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
			<i>Staff Comments</i>	<i>N/A, as the subdivision proposed is for two (2) lots.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	A.1.b	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.
			<i>Staff Comments</i>	<i>N/A, as the subdivision is located within the General Residential (GR) Zone District and the subdivision proposed is for two (2) lots.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A. 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.
			<i>Staff Comments</i>	<i>No sidewalks exist in the area. Sidewalks are planned from River Street to Hop Porter Park as part of the River Street grant. However, the intervening area is not programmed for sidewalks at this time.</i> <i>A sidewalk in lieu fee is recommended by Public Works. This has been made a Condition of Approval.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	B.	Multiple Ownership: Where a parcel of land is owned or otherwise controlled, in any manner, directly or indirectly: <ol style="list-style-type: none"> 1. By the same individual(s) or entity(ies), including but not limited to corporation(s), partnership(s), limited liability company(ies) or trust(s), or 2. By different individuals or entities, including but not limited to corporations, partnerships, limited liability companies or trusts where a) such individual(s) or entity(ies) have a controlling ownership or contractual right with the other individual(s) or entity(ies), or b) the same individual(s) or entity(ies) act in any manner as an employee, owner, partner, agent, stockholder, director, member, officer or trustee of the entity(ies), 3. Multiple subdivisions of the parcel that cumulatively result in three (3) or more residential lots, townhouse sub-lots or condominium units, are subject to the provisions of this ordinance, and shall provide the required improvements subject to the required standards at or before the platting or development of the lots, sub-lots or units. 4. Parks and Lands Board: The parks and lands board shall review and make a recommendation to the hearing examiner or commission and council regarding each application subject to the provisions of Section 4.10 of this ordinance. Such recommendation will be based on compliance with the master plan and provisions of this ordinance.
			<i>Staff Comments</i>	<i>N/A, as all proposed lots are under one ownership (German/Haag) and are included in the proposal.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	C.	Parks and Lands Board: The parks and lands board shall review and make a recommendation to the hearing examiner or commission and council regarding each application subject to the provisions of this section. Such recommendation will be based on compliance with the master plan and provisions of this ordinance.
			<i>Staff Comments</i>	<i>N/A</i>
			D.	Minimum Requirements:
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	D. 1.	Private Green Space: Use and maintenance of any privately owned green space shall be controlled by recorded covenants or restrictions which run with the land in favor of the

				future owners of the property within the tract and which cannot be modified without the consent of the council.
			<i>Staff Comments</i>	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	D. 2.	Neighborhood Park: A neighborhood park shall include finished grading and ground cover, large grassy areas, trees and shrubs, sheltered picnic table(s), trash container(s), dog station(s), bike racks, park bench(es), parking as required by ordinance, and two or more of the following: play structure, restrooms, an athletic field, trails, hard surface multiple use court (tennis or basketball courts), or gardens that demonstrate conservation principles. Neighborhood Parks shall provide an average of 15 trees per acre, of which at least 15% shall be of 4" caliper or greater. A maximum of 20% of any single tree species may be used. Landscaping and irrigation shall integrate water conservation. A neighborhood park shall be deeded to the City upon completion, unless otherwise agreed upon by the developer and City.
			<i>Staff Comments</i>	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	D. 3.	Mini Park: A mini park shall include finished grading and ground cover, trees and shrubs, picnic table(s), trash container(s), dog station(s), bike racks and park bench(es). All mini parks shall provide an average of 15 trees per acre, of which at least 15% shall be of 4" caliper or greater. A maximum of 20% of any single tree species may be used. Landscaping and irrigation shall integrate water conservation.
			<i>Staff Comments</i>	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	D. 4.	Park/Cultural Space: A park/cultural space shall include benches, planters, trees, public art, water features and other elements that would create a gathering place. Connective elements, such as parkways or enhanced sidewalks may also qualify where such elements connect two or more parks or park/cultural spaces.
			<i>Staff Comments</i>	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	D. 5.	Pathway: Pathways shall have a minimum twenty-foot (20') right-of-way width and shall be paved or improved as recommended by the Parks and Lands Board. Construction of Pathways shall be undertaken at the same time as other public improvements are installed within the development, unless the Council otherwise allows when deemed beneficial for the project. The Developer shall be entitled to receive a Park dedication credit only if the Developer completes and constructs a Pathway identified in the Master Plan, or completes and constructs a Pathway not identified in the Master Plan where the Pathway connects to existing or proposed trails identified in the Master Plan. The City may permit easements to be granted by Developers for Pathways identified in the Master Plan, thereby allowing the Developer to include the land area in the determination of setbacks and building density on the site, but in such cases, a Park dedication credit will not be given. A Developer is entitled to receive a credit against any area required for a Park for every square foot of qualified dedicated Pathway right-of-way.
			<i>Staff Comments</i>	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E.	Specific Park Standards: All Parks shall meet the following criteria for development, location and size (unless unusual conditions exist that prohibit meeting one or more of the criteria):
			<i>Staff Comments</i>	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E. 1.	Shall meet the minimum applicable requirements of Subsection D of this section.
			<i>Staff Comments</i>	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E. 2.	Shall provide safe and convenient access, including ADA standards.
			<i>Staff</i>	N/A

			<i>Comments</i>	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E. 3.	Shall not be gated so as to restrict access and shall not be configured in such a manner that will create a perception of intruding on private space. If a Park is privately owned and maintained, the use of the park shall not be exclusive to the homeowners, residents or employees of the development.
			<i>Staff Comments</i>	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E. 4.	Shall be configured in size, shape, topography and improvements to be functional for the intended users. To be eligible for Park dedication, the land must, at a minimum, be located on slopes less than 25 degrees, and outside of drainways, floodways and wetland areas. Mini Parks shall not be occupied by non-recreational buildings and shall be available for the use of all the residents or employees of the proposed subdivision.
			<i>Staff Comments</i>	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E. 5.	Shall not create undue negative impact on adjacent properties and shall be buffered from conflicting land uses.
			<i>Staff Comments</i>	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	E. 6.	Shall require low maintenance, or provide for maintenance or maintenance endowment.
			<i>Staff Comments</i>	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	F.	Specific Pathway Standards: All Pathways shall meet the following criteria for development, location and size (unless unusual conditions exist that prohibit meeting one or more of the criteria):
			<i>Staff Comments</i>	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	F. 1.	Shall meet the minimum applicable requirements required by subsection D of this section.
			<i>Staff Comments</i>	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	F. 2.	Shall be connected in a useful manner to other Parks, Pathways, Green Space and recreation and community assets.
			<i>Staff Comments</i>	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	G.	Specific Green Space Standards: If green space is required or offered as part of a subdivision, townhouse or condominium development, all green space shall meet the following criteria for development, location and size (unless unusual conditions exist that prohibit meeting one or more of the criteria):
			<i>Staff Comments</i>	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	G. 1.	Shall meet the minimum applicable requirements required by subsection D of this section.
			<i>Staff Comments</i>	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	G. 2.	Public and private green spaces on the same property or adjacent properties shall be complementary to one another. Green space within proposed developments shall be designed to be contiguous and interconnecting with any adjacent Green Space (both existing and potential future space).
			<i>Staff Comments</i>	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	G. 3.	The use of the private green space shall be restricted to Parks, Pathways, trails or other recreational purposes, unless otherwise allowed by the City.
			<i>Staff Comments</i>	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	G. 4.	The private ownership and maintenance of green space shall be adequately provided for by written agreement.
			<i>Staff Comments</i>	N/A

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	H.	In-Lieu Contributions:
			<i>Staff Comments</i>	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	H. 1.	After receiving a recommendation by the Parks and Lands Board, the Council may at their discretion approve and accept voluntary cash contributions in lieu of Park land dedication and Park improvements.
			<i>Staff Comments</i>	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	H. 2.	The voluntary cash contributions in lieu of Park land shall be equivalent to the area of land (e.g., square footage) required to be dedicated under this ordinance multiplied by the fair market value of the land (e.g., \$/square foot) in the development at the time of preliminary plat approval by the Council. The City shall identify the location of the property to be appraised, using the standards in subsections E.4 and E.5 of this ordinance. The appraisal shall be submitted by a mutually agreed upon appraiser and paid for by the applicant.
			<i>Staff Comments</i>	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	H. 3.	Except as otherwise provided, the voluntary cash contribution in lieu of Park land shall also include the cost for Park improvements, including all costs of acquisition, construction and all related costs. The cost for such improvements shall be based upon the estimated costs provided by a qualified contractor and/or vendor. In the Business (B), Limited Business (LB), Neighborhood Business (NB) and Transitional (TN) zoning districts, in-lieu contributions will not include the cost for Park improvements.
			<i>Staff Comments</i>	N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	H. 4.	In-lieu contributions must be segregated by the City and not used for any other purpose other than the acquisition of Park land and/or Park improvements, which may include upgrades and replacement of Park improvements. Such funds should be used, whenever feasible or practicable, on improvements within walking distance of the residents of the subdivision.
			<i>Staff Comments</i>	N/A

16.05: Improvements Required:

Compliant			Standards and Staff Comments	
Yes	No	N/A	City Code	City Standards and <i>Staff Comments</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.05.010	Minimum Improvements Required: It shall be a requirement of the Developer to construct the minimum infrastructure improvements set forth herein and any required infrastructure improvements for the subdivision, all to City Standards and procedures, set forth in Title 18 of the Hailey Municipal Code and adopted by ordinance in accordance with the notice and hearing procedures provided in Idaho Code §67-6509. Alternatives to the minimum improvement standards may be recommended for approval by the City Engineer and approved by the City Council at its sole discretion only upon showing that the alternative is clearly superior in design and effectiveness and will promote the public health, safety and general welfare.
			<i>Staff Comments</i>	<i>This standard shall be met.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A.	Plans Filed, maintained: Six (6) copies of all improvement plans shall be filed with the City Engineer and made available to each department head. Upon final approval two (2) sets of revised plans shall be returned to the Developer at the pre-construction conference with the City Engineer's written approval thereon. One set of final plans shall be on-site at all times for inspection purposes and to note all field changes upon.
			<i>Staff Comments</i>	<i>Upon approval, six (6) copies of all plans will be filed with the City Engineer. All other requirements of this section will be enforced by the City Engineer or designee.</i>

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	B.	Preconstruction Meeting: Prior to the start of any construction, it shall be required that a pre-construction meeting be conducted with the Developer or his authorized representative/engineer, the contractor, the City Engineer and appropriate City departments. An approved set of plans shall be provided to the Developer and contractor at or shortly after this meeting.
			Staff Comments	N/A
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	C.	Term of Guarantee of Improvements: The developer shall guarantee all improvements pursuant to this Section for no less than one year from the date of approval of all improvements as complete and satisfactory by the city engineer, except that parks shall be guaranteed and maintained by the developer for a period of two years.
			Staff Comments	The Developer is hereby required to guarantee all improvement pursuant to this Section for no less than one year from the date of approval of all improvements as complete and satisfactory by the City Engineer.
16.05.020: Streets, Sidewalks, Lighting, Landscaping				
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.05.020	Streets, Sidewalks, Lighting, Landscaping: The developer shall construct all streets, alleys, curb and gutter, lighting, sidewalks, street trees and landscaping, and irrigation systems to meet City Standards, the requirements of this ordinance, the approval of the Council, and to the finished grades which have been officially approved by the city engineer as shown upon approved plans and profiles. The developer shall pave all streets and alleys with an asphalt plant-mix, and shall chip-seal streets and alleys within one year of construction.
			Staff Comments	None of these improvements are required.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A.	Street Cuts: Street cuts made for the installation of services under any existing improved public street shall be repaired in a manner which shall satisfy the Street Superintendent, shall have been approved by the Hailey City Engineer or his authorized representative, and shall meet City Standards. Repair may include patching, skim coats of asphalt or, if the total area of asphalt removed exceeds 25% of the street area, the complete removal and replacement of all paving adjacent to the development. Street cut repairs shall also be guaranteed for no less than one year. (Ord. 1191, 2015)
			Staff Comments	Street cuts for the installation of the water and sewer line connections shall be per this standard.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	B.	Signage: Street name signs and traffic control signs shall be erected by the Developer in accordance with City Standard, and the street name signs and traffic control signs shall thereafter be maintained by the City.
			Staff Comments	N/A, as signage is existing and in place.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	C.	Streetlights: Street lights in the Recreational Green Belt, Limited Residential, General Residential, and Transitional zoning districts are not required improvements. Where proposed, street lighting in all zoning districts shall meet all requirements of Chapter VIII B of the Hailey Zoning Ordinance.
			Staff Comments	N/A, as no street lights are proposed and/or needed.
16.05.030: Sewer Connections				
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.05.030	Sewer Connections: The developer shall construct a municipal sanitary sewer connection for each and every developable lot within the development. The developer shall provide sewer mains of adequate size and configuration in accordance with City standards, and all federal, state, and local regulations. Such mains shall provide wastewater flow throughout the development. All sewer plans shall be submitted to the city engineer for review and approval. At the city engineer's discretion, plans may be required to be submitted to the Idaho Department of Environmental Quality (DEQ) for review and comments.
			Staff Comments	Wastewater connections are shown on the plans and are acceptable to the

				Wastewater Division. Much of Little Indio is still not served by municipal services. In the future, a sewer line will be needed through this area to serve Little Indio. Staff does not believe that the sewer line should be the responsibility of this project.
16.05.040: Water Connections				
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A.	Requirements: The developer shall construct a municipal potable water connection, water meter and water meter vault in accordance with City Standards or other equipment as may be approved by the city engineer, for each and every developable lot within the development. The developer shall provide water mains and services of adequate size and configuration in accordance with City Standards, and all federal, state, and local regulations. Such water connection shall provide all necessary appurtenances for fire protection, including fire hydrants, which shall be located in accordance with the IFC and under the approval of the Hailey Fire Chief. All water plans shall be submitted to the city engineer for review and approval. At the City Engineer’s discretion, plans may be required to be submitted to the Idaho Department of Environmental Quality (DEQ) for review and comments.
			Staff Comments	Water connections are shown on the plans and are acceptable to the Water Division. Much of Little Indio is still not served by municipal services. In the future, a sewer line will be needed through this area to serve Little Indio. Staff does not believe that the sewer line should be the responsibility of this project.
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	B.	Townsite Overlay: Within the Townsite Overlay District, where water main lines within the alley are less than six (6) feet deep, the developer shall install insulating material (blue board insulation or similar material) for each and every individual water service line and main line between and including the subject property and the nearest public street, as recommended by the City Engineer.
			Staff Comments	N/A, as the proposed parcels are not located within the Townsite Overlay (TO) Zone District.
16.05.050: Drainage				
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	16.05.050	Drainage: The developer shall provide drainage areas of adequate size and number to meet the approval of the street superintendent and the city engineer or his authorized representative. (Ord. 1191, 2015)
			Staff Comments	No drainage improvements are required at this time. Drainage will be reviewed upon the development or redevelopment of each lot.
16.05.060: Utilities				
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.05.060	Utilities: The developer shall construct each and every individual service connection and all necessary trunk lines, and/or conduits for those improvements, for natural gas, electricity, telephone, and cable television to the property line before placing base gravel for the street or alley.
			Staff Comments	This will be required at the time of construction. Additionally, all utilities shall be installed underground.
16.05.070: Parks, Green Space				
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.05.070	Parks, Green Space: The developer shall improve all parks and green space areas as presented to and approved by the hearing examiner or commission and council.
			Staff Comments	Please refer to Section 16.04.110 noted herein.
16.05.080: Installation to Specifications; Inspections				
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.05.080	Installation to Specifications; Inspections: All improvements are to be installed under the specifications and inspection of the city engineer or his authorized representative. The minimum construction requirements shall meet City Standards or the Department of Environmental Quality (DEQ) standards, whichever is the more stringent.

			<i>Staff Comments</i>	<i>The Developer is hereby advised that all improvements shall be installed according to City Standards and are subject to inspection at any time. If improvements are not satisfactory to the City Engineer or his designee, the Developer will be required to repair or replace them at their own cost.</i>
16.05.090: Completion; Inspections; Acceptance				
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A.	Installation of all infrastructure improvements must be completed by the developer, and inspected and accepted by the City prior to signature of the plat by City representatives, or according to a phasing agreement. A post-construction conference shall be requested by the developer and/or contractor and conducted with the developer and/or contractor, the city engineer, and appropriate City departments to determine a punch list of items for final acceptance.
			<i>Staff Comments</i>	<i>The Developer is hereby advised that all improvements shall be installed according to City Standards and are subject to inspection at any time. If improvements are not satisfactory to the City Engineer or his designee, the Developer will be required to repair or replace them at their own cost.</i> <i>The City will need to select an inspector, to be paid for by the Applicant, for all water, sewer, and roadway infrastructure during construction.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	B.	The developer may, in lieu of actual construction, provide to the City security pursuant to Section 3.3.7, for all infrastructure improvements to be completed by developer after the final plat has been signed by City representatives. (Ord. 1191, 2015)
			<i>Staff Comments</i>	<i>Completion of all major infrastructure by the Developer is preferred over bonding.</i>
16.05.100: As Built Plans and Specifications				
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	16.05.100	As Built Plans and Specifications: Prior to the acceptance by the City of any improvements installed by the developer, three (3) sets of “as-built plans and specifications” certified by the developer’s engineer shall be filed with the city engineer. (Ord. 1191, 2015)
			<i>Staff Comments</i>	<i>The Developer is hereby advised that three (3) sets of “as-built plans and specifications” certified by the Developer’s engineer, shall be filed with the City Engineer prior to acceptance by the City of Hailey.</i>

Summary and Suggested Conditions: The Commission shall review the Subdivision Application and continue the public hearing, approve, conditionally approve, or deny the application. If approved, the Plat Application will be forwarded to the Hailey City Council for review.

The following conditions are suggested to be placed on approval of this Application:

- a) All Fire Department and Building Department requirements shall be met.
- b) All City infrastructure requirements shall be met as outlined in Chapter 16.05 and 16.08 of the Subdivision Title. 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 improvements:
 - i. Final water and sewer design shall be approved by the Public Works Department.
- c) All improvements and other requirements shall be completed and accepted, or surety provided pursuant to subsections 16.03.030(I) and 16.05.090(B) of the Subdivision Title, prior to recordation of the final plat.
- d) Sidewalks are required or a payment in-lieu shall be made, as outlined in the Hailey Municipal

Code. Said payment shall be made prior to recordation of Final Plat.

- e) Issuance of permits for the construction of buildings within the proposed subdivision shall be subject to Title 16, Section 16.02.080 of the Hailey Municipal Code.
- f) Any reconfiguration or further subdivision of Lot 1 shall follow the traditional lot and block platting patterns, with parallel lot lines and access to the street from all lots.
- g) The Public Access and Utility Easement containing the driveway shall be made of an all-weather surface.
- h) A plat note shall be added stating that the shared access easement is unbuildable.
- i) Outbuildings adjacent to the new property line between Lots 1 and 2 shall be relocated to meet setbacks.
- j) The existing nonconforming residence on Lot 2 shall be allowed to remain. Future expansion shall be as per City Code.
- k) Additions to existing buildings on Lots 1 and 2 shall trigger the relocation of power service to an underground service.
- l) 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.
- m) Any subdivision inspection fees due shall be paid prior to recording the final plat.
- n) Any application development impact fees shall be paid prior to recording the final plat.
- o) A Site Alteration Permit shall be submitted and approved prior to development.
- p) The floodplain development permit shall be approved prior to Commission approval of this plat.

Motion Language:

Approval: Motion to approve the Preliminary Plat Application submitted by Jesse German and Taryn Haag, represented by Galena Engineering, where Lot 38, Little Indio Subdivision (415 W Bullion) is subdivided into two lots, Lot 1 and Lot 2, located within General Residential (GR) Zoning District, finding that the Application meets all City Standards, and that Conditions (a) through (p) are met.

Denial: Motion to deny the Preliminary Plat Application submitted by Jesse German and Taryn Haag, represented by Galena Engineering, where Lot 38, Little Indio Subdivision (415 W Bullion) is subdivided into two lots, Lot 1 and Lot 2, located within General Residential (GR) Zoning District, finding that _____ (Commission should cite which standards are not met and provide the reason why each identified standard is not met).

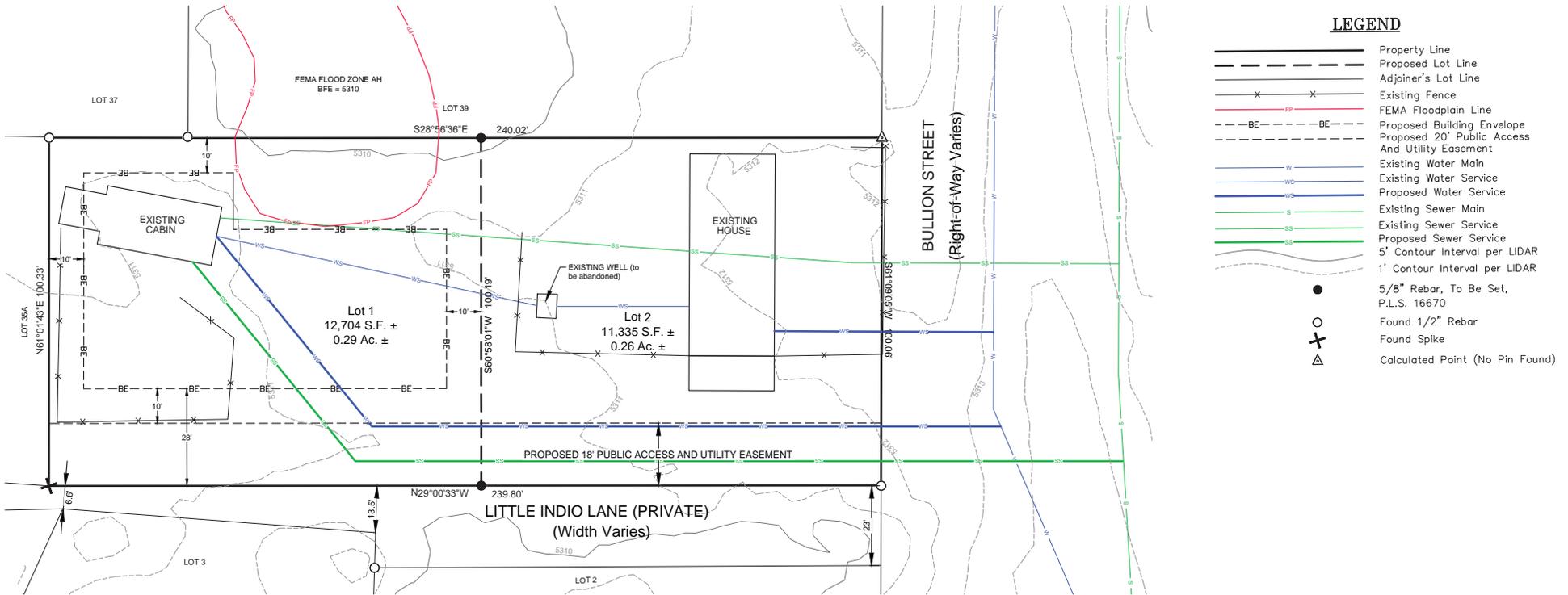
Continuation: Motion to continue the public hearing to _____ [the Commission should specify a date].

A PRELIMINARY PLAT SHOWING LITTLE INDIO SOUTH SUBDIVISION

WHEREIN LOT 38 OF LITTLE INDIO SUBDIVISION IS SUBDIVIDED AS SHOWN HEREON
LOCATED WITHIN THE SW1/4 OF SECTION 9, T.2 N., R.18 E., B.M., CITY OF HAILEY, BLAINE COUNTY, IDAHO

AUGUST 2020

SCALE: 1" = 20'



LEGEND

	Property Line
	Proposed Lot Line
	Adjoiner's Lot Line
	Existing Fence
	FEMA Floodplain Line
	Proposed Building Envelope
	Proposed 20' Public Access And Utility Easement
	Existing Water Main
	Existing Water Service
	Proposed Water Service
	Existing Sewer Main
	Existing Sewer Service
	Proposed Sewer Service
	5' Contour Interval per LIDAR
	1' Contour Interval per LIDAR
	5/8" Rebar, To Be Set, P.L.S. 16670
	Found 1/2" Rebar
	Found Spike
	Calculated Point (No Pin Found)

SURVEY NARRATIVE & NOTES

- The purpose of this survey is to replat Lot 38 of Little Indio Subdivision into Lots 1 and 2 of Little Indio South Subdivision, as shown hereon, and show the monuments found during the boundary retracement of Lot 38. The Boundary shown is based on said found monuments and the recorded plat of Little Indio Subdivision, Instrument Number 336047, Records of Blaine County, Idaho. All found monuments have been accepted.
- This survey does not purport to reflect and of the following which may be applicable to subject real property: natural hazards, encroachments, wetlands, easements, building setbacks, restrictive covenants, subdivision restrictions, zoning or any land-use regulations.
- Galena Engineering Inc. has not received a Title Policy from the client and has not been requested to obtain one. Relevant information that may be contained within a Title Policy may therefore not appear on this map and may affect items shown hereon. It is the responsibility of the client to determine the significance of the Title Policy information and determine whether it should be included. If the client desires this information to be included they must furnish said information to Galena Engineering, Inc. and request it be added to this map.
- The owners/subdividers are Jesse & Taryn German, 120 Little Indio Ln, Hailey, Idaho 83333. The Surveyor/representative is Mark E. Phillips, Galena Engineering, Inc., 317 N. River St., Hailey, ID 83333.

- The current zoning is General Residential (GR). Refer to the City of Hailey Zoning Ordinance for more specific information about this zone and overlay districts.
- The 100-year floodplain area designated on this map is considered reasonable for regulatory purposes. However, Galena Engineering neither represents, guaranties, warrants, nor implies that areas outside of the designated floodplain area are safe and free from floods or flood danger. Flood information is based on the flood insurance study for City of Hailey, Blaine County, Idaho, Community Number 16013C, panel no's 0664E with an effective date of November 26, 2010. Vertical datum is navd88.
Flood zone(s): AH
Base Flood Elevation is 5310.0
Flood zones are subject to change by FEMA & all land within a floodway or floodplain is regulated by the Flood Hazard Overlay District (FH) as defined by Title 17, Chapter 17.04, Article J, Hailey City Code.

HEALTH CERTIFICATE: Sanitary restrictions as required by Idaho Code Title 50, Ch. 13, have been satisfied. Sanitary restrictions may be reimposed in accordance with Idaho Code Title 50, Ch. 13, Sec. 50-1326, by issuance of a Certificate of Disapproval.

Date _____ South Central District Health Dept., EHS



MARK E. PHILLIPS, P.L.S. 16670

LITTLE INDIO SOUTH
SUBDIVISION
GALENA ENGINEERING, INC.
HAILEY, IDAHO
SHEET 1 OF 2
Job No. 4819-02

A LOT LINE SHIFT PLAT SHOWING LOT 35A, LITTLE INDIO FORCED PLAT

WHEREIN LOTS 35, 36, & TAX LOT 7144 ARE COMBINED TO CREATE LOT 35A

LOCATED WITHIN

SW 1/4, SECTION 9, T.2 N., R.18 E., B.M., BLAINE COUNTY, IDAHO

NOVEMBER 1999



SCALE IN FEET

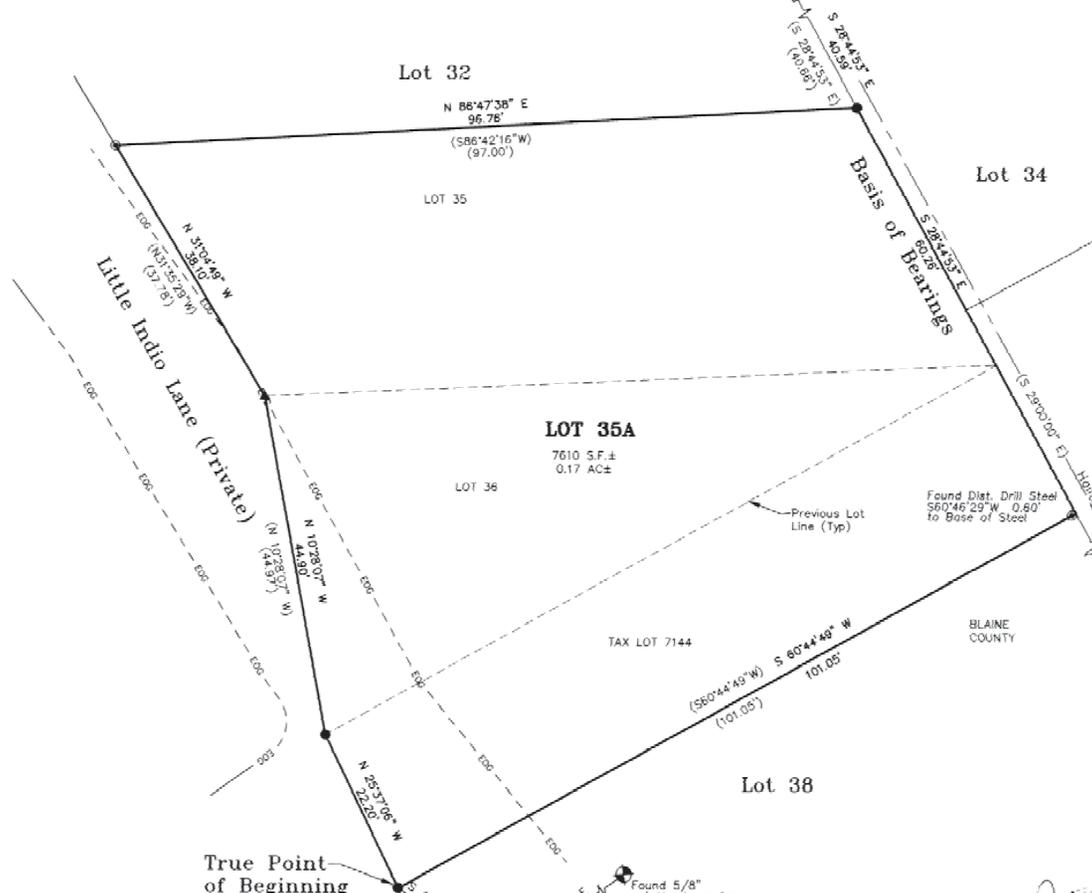


SCALE

1" = 10'

NOTES

1. A 10 foot wide Public Utility Easement is reserved centered along all sides & rear lot lines.
2. All utilities shall be underground.
3. Area between the Approximate Edge of Gravel shown hereon is subject to the possible prescription easement as indicated on the Forced Replat of Little Indio Subdivision.



LEGEND

- = FOUND 1/2" REBAR IN CONCRETE
- = FOUND TRIANGULAR IRON BAR
- = FOUND DRILL STEEL PIPE
- = FOUND 5/8" REBAR LS 792
- = APPROXIMATE EDGE OF GRAVEL
- = MEASURED BEARINGS & DISTANCES

HEALTH CERTIFICATE: Sanitary restrictions as required by Idaho Code Title 50, Ch. 13, have been satisfied. Sanitary restrictions may be reimposed in accordance with Idaho Code Title 50, Ch. 13, Sec. 50-1326, by issuance of a Certificate of disapproval.

11-19-99
Date

Robert W. Enid
South Central District Health Dept., EHS

Found PK Nail
Halley Corporate Limits
Bullion Street

Found 5/8"
w/ Aluminum Cap
& Bullion & River Street

RICHARD D. FOSBURY, L.S. 3621

LOT 35A LITTLE INDIO FORCED PLAT

GALENA ENGINEERING, INC.
KETCHUM, IDAHO

SHEET 1 OF 2

JOB # 3576-01

Return to Agenda