AGENDA OF THE
HAILEY CITY COUNCIL MEETING
Monday March 06, 2017 - Hailey City Hall Meeting Room

5:30 p.m. CALL TO ORDER - Open Session for Public Concerns

CONSENT AGENDA:
CA 058 Motion to approve amend Resolution 2017-018 to correct the date for the Ordinance No. 1212 adoption .......................... 1
CA 059 Motion to approve Resolution 2017-019, authorizing fees to be charged to public and private parties who rent Hailey Police Facility for emergency service training and Hailey-based events sponsored by the Chamber of Commerce. .................................................................................................................. 6
CA 060 Motion to approve minutes of February 27, 2017 and to suspend reading of them .......................................................... 10
CA 061 Motion to approve claims for expenses incurred during the month of February, 2017, and claims for expenses due by contract in March, 2017 .................................................................................................................. 22

MAYOR'S REMARKS:
MR 000

PROCLAMATIONS & PRESENTATIONS:

APPOINTMENTS & AWARDS
AA 062 Recognition of Hailey Public Works employees for snow removal efforts (no documents)
AA 063 Recognition of exiting Library Board of Trustees Member Ron Hayes (no documents)

PUBLIC HEARING:
PH 064 Introduction to Ordinance No.____ amending Municipal Code, Title 12, Parks and Pathways, to prohibit certain activities at Jimmy’s Garden and the Skate Park .................................................................................................................. 32
PH 065 Continuation of an application within the Hailey Area of City Impact for Planned Unit Development (PUD) and Subdivision Preliminary Plat, the Quigley Farm PUD. This is an application to Blaine County by Quigley Farm & Conservation Community, LLC for a 51-unit mixed use project. The City of Hailey is not the decision-maker, and will provide comments to the County on this application (Continued from 2/6/17 meeting) Staff will recommend that this hearing be continued to April 3, 2017 (no documents)
PH 066 Consideration of a Zone Change Application by Dirt Simple, LLC, for an amendment to the City of Hailey Zoning District Map. Proposed changes would rezone 404 and 410 Bluebird Court, (Lots 1 and 2, Block 1, Blue Bird Subdivision) from Limited Residential 1 (LR-1) to General Residential (GR) (Continued from 2/27/17 meeting) ................................................................................................................................................................. 43

PH 067 Consideration of a Text Amendment Application by Economical Housing Solutions, LLC, to Title 17, Section 17.04G.050, Bulk Requirements, to Title 17, Section 17.05.040 District Use Matrix, Multi-Family Residential Density, and to Title 17, Section 17.09.040 On Site Parking Space Requirements. Proposed changes would create a housing district titled, Small Residential Overlay District, and would allow for a greater number of residential units in the Business Zone District, while retaining current bulk requirements and providing required parking (Continued from 2/27/17 meeting) ........................................................................................................................................................................ 61

PH 068 Consideration of Ordinance No. 1212, amending the term of the 1% LOT for air service for an additional five (5) year term, beginning January 1, 2019 (Continued from 2/27/17 meeting) election called for May 16, 2017 ......... 81

PH 069 Discussion of March 7, 2017 Friedman Memorial Airport Authority Meeting agenda and airport matters (no docs)

NEW BUSINESS:
NB 070 Consideration of proposed Ordinance prohibiting Yew plants within the City of Hailey ......................................................... 85
NB 071 Consideration of amendment to the Ehrenberg annexation agreement ................................................................. 89

OLD BUSINESS:

STAFF REPORTS: Staff Reports Council Reports Mayor’s Reports
SR 072 Community Housing Tools memo from Planning and Zoning Commission ................................................................. 110
SR 073 Draft Agendas for March Planning & Zoning Commission Meetings .......................................................................................... 134
EXECUTIVE SESSION: Pending & Imminently Likely Litigation (IC 74-206(1)(f))

Matters & Motions from Executive Session or Workshop
   Next Ordinance Number - 1213   Next Resolution Number- 2017-020
AGENDA ITEM SUMMARY

DATE: 3/6/2017  DEPARTMENT: Legal  DEPT. HEAD SIGNATURE: ________

SUBJECT:
Resolution No. 2017-018 (1% Air Service LOT Election)

AUTHORITY: □ ID Code ________ □ IAR ________ □ City Ordinance/Code ________
(IFAPPLICABLE)

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:

At the February 27, 2017 Council meeting, Hailey adopted Resolution No. 2017-018 which called for a special election on May 16, 2017. At the last meeting, we also anticipated adopting Ordinance No. 1212 (which is the ordinance the citizens will be asked to approve in the special election). During the meeting, I discovered that a page of the ordinance was missing. Therefore, we continued the hearing on the adoption of Ordinance No. 1212 to March 6, 2017. But then we discovered that Resolution No. 2017-018 stated that Ordinance No. 1212 was adopted on February 27, 2017. Therefore, I am asking the Council to amend Resolution No. 2017-018 to correct the date. I am suggesting that we simply remove the date of adoption of Ordinance No. 1212 from the resolution.

Ned

FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS: Caselle #
Budget Line Item # ____________________________ YTD Line Item Balance $ _______
Estimated Hours Spent to Date: ____________________________ Estimated Completion Date: ____________________________
Staff Contact: ______________________________________ Phone # ____________________________
Comments: __________________________________________

ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS: (IFAPPLICABLE)

City Attorney ________ Clerk / Finance Director ________ Engineer ________ Building ________
Library ________ Planning ________ Fire Dept. ________
Safety Committee ________ P & Z Commission ________ Police ________
Streets ________ Public Works, Parks ________ Mayor ________

RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:

Make a motion to amend Resolution No. 2017-018 to show that Ordinance No. 1212 is adopted on March 6, 2017.

FOLLOW-UP REMARKS:
RESOLUTION NO. 2017-018

A RESOLUTION OF THE CITY OF HAILEY, IDAHO, CALLING A SPECIAL ELECTION ON TUESDAY, MAY 23, 2017, FOR THE PURPOSE OF CONDUCTING A SPECIAL ELECTION TO SUBMIT THE QUESTION WHETHER AN ADDITIONAL ONE PERCENT NONPROPERTY TAX ON THE RENTAL USE OR TEMPORARY OCCUPANCY OF A ROOM OR LIVING UNIT IN A HOTEL OR MOTEL AND FOR THE RENTAL USE OF A RENTAL VEHICLE FOR THE PURPOSE OF MAINTAINING AND INCREASING COMMERCIAL AIR SERVICE TO FRIEDMAN MEMORIAL AIRPORT AND PROMOTING MARKETING SHOULD BE EXTENDED FOR FIVE YEAR BEGINNING JANUARY 1, 2019

WHEREAS, pursuant to Idaho Code § 50-1044, a majority of the electors in a municipality which qualifies as a resort city may vote on a question to approve or modify a local option nonproperty tax;

WHEREAS, the voters in Hailey have previously adopted a local option nonproperty tax pursuant to Idaho Code § 50-1044, including additional one percent nonproperty tax on the rental use or temporary occupancy of a room or living unit in a hotel or motel and for the rental use of a rental vehicle for the purposes of maintaining and increasing commercial air service to Friedman Memorial Airport and of promoting marketing; and

WHEREAS, the Mayor and City Council of the City of Hailey have determined it advisable to conduct a special election to request the voters in Hailey to extend an additional one percent nonproperty tax on the rental use or temporary occupancy of a room or living unit in a hotel or motel and for the rental use of a rental vehicle for the purposes of maintaining and increasing commercial air service to Friedman Memorial Airport and of promoting marketing for an additional five (5) years beginning on the effective date of January 1, 2019.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HAILEY, IDAHO:

Section 1. That a special election be held, and the same is hereby called to be held in the City of Hailey on Tuesday, May 16, 2017, for the purpose of submitting to the qualified electors of the City of Hailey the question set out in the form of the ballot appearing in Section 4 hereof.

Section 2. That the election will be conducted by the County Clerk of Blaine County, Idaho (the "County Clerk") pursuant to Idaho Code § 34-1401.

Section 3. That the Notice of Special Election will be in substantially the following form, and the City will provide the form thereof to the County Clerk and cause the County Clerk to publish the same as required by Idaho Code § 34-1406:
NOTICE OF SPECIAL ELECTION
CITY OF HAILEY
BLAINE COUNTY, IDAHO

PUBLIC NOTICE IS HEREBY GIVEN according to law and requisite action by the City Clerk of the City of Hailey, Blaine County, Idaho, that a special election will be held on Tuesday, May 16, 2017, in the City of Hailey for the purpose of submitting the following question to the qualified electors of said City for vote at precinct polling sites open 8:00 a.m. to 8:00 p.m.:

Shall the Hailey City Council of the City of Hailey, Blaine County, Idaho, be authorized and empowered to extend an additional one percent nonproperty tax on the rental use or temporary occupancy of a room or living unit in a hotel or motel and for the rental use of a rental vehicle for the purposes of maintaining and increasing commercial air service to Friedman Memorial Airport and of promoting marketing for an additional five (5) years beginning on the effective date of January 1, 2019?

The election will be conducted by the County Clerk of Blaine County, Idaho, pursuant to Idaho Code § 34-1401.

[End of form Notice of Election]

Section 4. That the official ballot will be in substantially the following form and the City will convey such form to the County Clerk for publication in compliance with and pursuant to Idaho Code § 34-1406:

SPECIAL NON PROPERTY TAX ELECTION

CITY OF HAILEY
STATE OF IDAHO

May 16, 2017

QUESTION: Shall the City of Hailey, Idaho adopt Hailey Ordinance No. 1212, to provide for the imposition and collection of, for a period of five (5) years from its effective date of January 1, 2019, certain local-option nonproperty taxes, as follows:

(A) Additional one percent (1%) tax on the total amount charged for rental use or temporary occupancy of a room or living unit in a hotel or motel.

(B) Additional one percent (1%) tax on the total amount charged for rental use of a rental vehicle.

The purposes for which the revenues derived from the one percent (1%) of each of said taxes shall be used, pursuant to a joint powers agreement, are as follows:
a) maintaining and increasing commercial air service to Friedman Memorial Airport through the use of Minimum Revenue Guarantees or other inducements to providers;

b) promoting and marketing the existing service and any future service to increase passengers;

c) for all ancillary costs which are associated with the ongoing effort to maintain and increase commercial air service, including reasonable program management costs and busing due to flight diversion(s); and

d) direct costs to collect and enforce the tax, including administrative and legal fees.

IN FAVOR       

AGAINST       

all as provided in Hailey Ordinance No. 1212 adopted by the Hailey City Council?

[End of Official Ballot]

Section 5. That the County Commissioners of Blaine County will act as the canvassing board pursuant to Idaho Code §§ 34-1410 and 50-412, and will certify the results to the City for acceptance by the Hailey City Council and the results entered in the minutes of the Hailey City Council minutes.

Section 6. That if at the election a simple majority of the qualified registered electors of the City authorize such extension of the local-option nonproperty tax, Hailey Ordinance No. 1212 shall become effective on January 1, 2019, after voter approval, passage by the City Council and Mayor, and publication according to law.

PASSED BY THE CITY COUNCIL and SIGNED BY THE MAYOR AND THE CITY CLERK this ___ day of March, 2017.

_________________________
Fritz X. Haemmerle
Mayor

ATTEST:

_________________________
Mary Cone, City Clerk
Return to Agenda
AGENDA ITEM SUMMARY

DATE: 03/06/2017  DEPARTMENT: Admin/Police  DEPT. HEAD SIGNATURE: HD

SUBJECT:

Resolution 2017-019 authorizing fees to be charged to public and private parties who rent Hailey Police Facility for emergency service training and Hailey-based events sponsored by the Chamber of Commerce.

AUTHORITY: □ ID Code __________ □ IAR __________ □ City Ordinance/Code __________

(IFAPPLICABLE)

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:

Hailey Police Department wishes to make the gymnasium space within their facility available for public use. Costs will be incurred by such activity, for reserving the facility, monitoring the event, and cleaning the facility. The attached fee schedule is presented for adoption to cover HPD's costs.

FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS:

Budget Line Item #: __________________________ YTD Line Item Balance $ __________

Estimated Hours Spent to Date: __________________________ Estimated Completion Date: __________________________

Staff Contact: __________________________ Phone #: __________________________

Comments: __________________________

ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS: (IFAPPLICABLE)

___ City Attorney  ___ Finance  ___ Licensing  ___ Administrator
___ Library  ___ Community Development  ___ P&Z Commission  ___ Building
___ Police  ___ Fire Department  ___ Engineer  ___ W/WW
___ Streets  ___ Parks  ___ Public Works  ___ Mayor

RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:

Motion to approve Resolution 2017-019, authorizing fees to be charged to public and private parties who rent Hailey Police Facility for emergency service training and Hailey-based events sponsored by the Chamber of Commerce.

ACTION OF THE CITY COUNCIL:

Date __________________________

City Clerk __________________________

FOLLOW-UP:

*Ord./Res./Agrmt./Order Originals: Record Copies (all info.): __________________________

Instrument # __________________________

*Additional/Exceptional Originals to: __________________________

Copies (AIS only) __________________________

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RESOLUTION NO. 2017-019

A RESOLUTION OF THE HAILEY CITY COUNCIL ESTABLISHING FEES WHICH SHALL BE ASSESSED FOR THE RESERVATION AND RENTAL OF HAILEY POLICE DEPARTMENT FACILITY TO QUALIFIED USERS

WHEREAS, the City of Hailey wishes to rent space within its facilities, including the Hailey Police Facility, for training purposes of government and emergency service organizations; and

WHEREAS, the gymnasium space of the Hailey Police Facility has been historically an event venue for certain long-standing events which are supported by the City of Hailey through its local option tax contribution to the Chamber; and

WHEREAS, the City of Hailey wishes to continue to allow the Hailey community use of the gymnasium space for limited, long-standing Hailey events; and

WHEREAS, the Hailey Police Department will incur costs for preparing, staffing, and cleaning the facility before, during and after its use; and

WHEREAS, it is within the proprietary authority of the City of Hailey to collect revenue to offset such costs.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hailey, Idaho that the following use provisions and fees shall be adopted:

1. The facility may be reserved and rented for the following uses:
   a. government and emergency service trainings, exercises, drills, briefings, and meetings;
   b. Hailey events of broad community interest which are supported by the Chamber through Hailey local option tax funds;

2. A reservation fee shall be charged for each day the Facility is reserved. The number of days a reservation fee is charged shall include set-up and tear-down days.

3. Except as otherwise provide herein, reservation fees shall be charged as follows:
<table>
<thead>
<tr>
<th>Rental Options</th>
<th>One-Time Fees</th>
<th>Standard Daily Rates</th>
<th>Non-Profit Fees/ Daily Rates</th>
<th>Governmental Emergency Organization Daily Rates</th>
<th>Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Police Facility Event Application</td>
<td>100.00</td>
<td></td>
<td>50.00</td>
<td>25.00</td>
<td></td>
</tr>
<tr>
<td>Security and Cleaning Deposit</td>
<td>500.00</td>
<td></td>
<td>250.00</td>
<td>150.00</td>
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</tr>
<tr>
<td>Standard Daily Fee (Weekdays 8am-5pm)</td>
<td></td>
<td>200.00</td>
<td>100.00</td>
<td>75.00</td>
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<tr>
<td>Standard Half-Day Fee (Weekdays * 4 hrs max)</td>
<td>150.00</td>
<td></td>
<td>75.00</td>
<td>50.00</td>
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<tr>
<td>Kitchen and/or Concessions</td>
<td>75.00</td>
<td></td>
<td>50.00</td>
<td>25.00</td>
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<tr>
<td>Local Option Tax Permit</td>
<td>N/C</td>
<td></td>
<td>N/C</td>
<td></td>
<td></td>
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<tr>
<td>Amplified Sound Permit</td>
<td>N/C</td>
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<td>N/C</td>
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<tr>
<td>Evening/Weekend per hour Officer Fee (before 8:00 a.m. or after 5:00 p.m. Monday thru Friday and/or any Saturday, Sunday or Holiday hours.) # of Officers</td>
<td></td>
<td></td>
<td>45.00</td>
<td>45.00</td>
<td>45.00</td>
</tr>
<tr>
<td>Large Assembly per hour Officer Fee (for any assembly designated by Police Chief as sufficient size or impact that officer(s) need to be assigned) # of Officers</td>
<td></td>
<td></td>
<td>45.00/officer</td>
<td>45.00/officer</td>
<td>45.00/officer</td>
</tr>
<tr>
<td>6% Sales Tax All daily facility rental fees are subject to 6% Idaho State Sales Tax</td>
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<td></td>
<td></td>
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<td></td>
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<tr>
<td>TOTAL DUE</td>
<td></td>
<td></td>
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<tr>
<td>No alcohol beverages are allowed in the facility.</td>
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</tr>
</tbody>
</table>

Passed by the City Council and approved by the Mayor this 6th day of March, 2017, effective upon the date approved.

Fritz X. Haemmerle, Mayor City of Hailey

ATTEST:

Mary Cone, City Clerk
Return to Agenda
AGENDA ITEM SUMMARY

DATE: 03/6/17 DEPARTMENT: Clerk's Office DEPT. HEAD SIGNATURE M. Cone

SUBJECT

Approval of Minutes from the meeting of the Hailey City Council on February 27, 2017 and to suspend reading of them.

____________________________________________________________________________________

AUTHORITY: □ ID Code 74-205 □ IAR ___________ □ City Ordinance/Code _______

  Idaho Code requires that a governing body shall provide for the taking of written minutes at all of its meetings, and that all minutes shall be available to the public within a reasonable period of time after the meeting. Minutes should be approved by the council at the next regular meeting and kept by the clerk in a book of minutes, signed by the clerk.

____________________________________________________________________________________

BACKGROUND:

Draft minutes prepared.

____________________________________________________________________________________

FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS:

Budget Line Item # ___________ YTD Line Item Balance $ ___________

____________________________________________________________________________________

ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS:

□ City Attorney □ City Clerk □ Engineer □ Mayor

□ P & Z Commission □ Parks & Lands Board □ Public Works □ Other

____________________________________________________________________________________

RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:

Motion to approve the minutes as presented, and to suspend the reading of them, or remove from consent agenda to make changes and then approve as amended.

____________________________________________________________________________________

FOLLOW UP NOTES:

____________________________________________________________________________________
MINUTES OF THE MEETING OF THE
HAILEY CITY COUNCIL
HELD FEBRUARY 27, 2017
IN THE HAILEY TOWN CENTER MEETING ROOM

The Meeting of the Hailey City Council was called to order at 5:35 P.M. by Mayor Fritz Haemmerle. Present were Council members Colleen Teevin, Don Keim, and Martha Burke. Staff present included City Attorney Ned Williamson, City Administrator Heather Dawson, and City Clerk Mary Cone.

Pat Cooley not present tonight.

5:35:26 PM Call to order by Mayor Haemmerle

Open Session for Public Comments:

5:35:47 PM Ben Schepps Hailey resident speaks to council asks them to be a welcoming city. Hailey should demonstrate leadership.

CONSENT AGENDA:

CA 034 Motion to ratify Library STEM grant application submitted February 7, 2017.................................................................
CA 035 Motion to approve Resolution 2017-015, to appoint Katherine Wutz to Hailey Public Library Board of Trustees to complete the term of Ron Hayes, which expires September 2019.................................................................
CA 036 Motion to approve Resolution 2017-016, authorizing the Mayor to sign an agreement that allows the city to participate in a mutual aid program between utilities in Idaho...........................................................................................................
CA 037 Motion to approve Resolution 2017-017 authorizing the Correction of Conservation Agreement with WRLT - Colorado Gulch ........................................................................................................
CA 038 Motion to approve letter of intent to temporarily store snow at 911 North River Street and authorize the Public Works Director to sign .................................................................
CA 039 Motion to approve and authorize the Mayor to sign Annual Employer Certification Regarding HRA Integration with a Qualified Group Health Plan ........................................................................................................
CA 040 Motion to approve minutes of February 6, 2017 and to suspend reading of them ........................................................................................................
CA 041 Motion to ratify claims for expenses due in January 2017 ........................................................................................................
CA 042 Motion to ratify claims for expenses due in February 2017 ........................................................................................................
CA 043 Motion to approve claims for expenses due by contract in March, 2017........................................................................................................
CA 044 Motion to approve Treasurer’s Reports for January, 2017........................................................................................................

5:37:00 PM Burke moved to approve all consent agenda items, Keirn seconds, motion passed motion passed unanimously.

APPOINTMENTS AND AWARDS:

AA Introduction of Katherine Wutz to council newest member of Hailey Public Library Board of Trustees

5:37:37 PM LeAnn Gelskey introduces new Library Board member, Kate Wutz.

HAILEY CITY COUNCIL MINUTES
February 27, 2017

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PUBLIC HEARINGS:

Mayor Haemmerle is moving agenda item PH 046 up and PH 045 mobility design down one place

PH 046 Consideration for the following: an Amendment to the Hailey Comprehensive Plan Land Use Map by the City of Hailey to change the designation for Lot 14, Block 46, Woodside Subdivision #11, from “Other Public Green Space” to “Traditional Residential” and consideration of a Zone Change Application by City of Hailey for an amendment to the City of Hailey Zoning District Map. Proposed changes would rezone the Lot 14, Block 46 Woodside Subdivision #11, from Recreational Green Belt (RGB) to General Residential (GR)

5:38:35 PM Williamson summarizes this item. Williamson explains that the site plan map change and rezone. One item did not make it in the packet. Williamson suggests to continue this item.

5:40:27 PM Mayor Haemmerle asks for public comments.

No public comments tonight.

5:41:03 PM Motion to continue this item to March 27 by Burke, seconded by Keirn, motion passed unanimously.

PH 045 Mobility Design hearing for East Croy Street and 2nd Ave Pathways for People projects (continued from Feb. 6, 2017 Public Hearing)

5:41:44 PM Mayor Haemmerle introduced this item. It was continued from Feb 6th meeting.

5:42:04 PM Miller explains what has been done to date and schedule. In May voters passed the levy, projects were prioritized, December council chose to prioritize Croy St., then went into preliminary design for 2nd Street and Croy Street. First formal public hearing was held in February 6, 2017. We are looking at 4-6 weeks, mid-April for bids and contract approval.

5:44:46 PM Don Kostelec speaks to council. Kostelec is with Alta Planning and Design, he presents the changes since the last meeting. Kostelec gives some history of separated bike lanes. Crash reduction of 74% where on-street parking was present. Croy Street overall design from Main to 2nd is then shown by Kostelec. 5:51:48 PM From 2nd to Wood River Trail, is then discussed. What has changed is how to reduce the overall footprint, 10 ft width and 11 foot travel lane a reduction in total of about 4 feet. 5:53:24 PM Kostelec then discusses flex posts, better in places like Florida and no snow.

5:54:43 PM Mayor Hammerle asks a question about replacing these flex posts. Kostelec replies.

5:57:48 PM Kostelec shows different buffers including advisory dashed lanes. Suggested solution on 2nd Ave. Kostelec then shows stop sign proposed spots.

HAILEY CITY COUNCIL MINUTES
February 27, 2017
6:03:05 PM Miller mentions we’ve received some public comments not in packet.

6:03:20 PM Jim Laski, represents Taylor Walker, he feels the public is not being listened to in this process. The new plan which moves the path a bit further from his clients house seems more dangerous, and runs counter to traffic flow, and does not resolve intersection challenges. It makes sense to have one bike lane up to 2nd, but not east of there. 6:08:30 PM Laski feels this design needs more work.

6:09:22 PM Haemmerle asks Laski what he wants. Laski confirms 2 paths from bike path to 2nd and then one path after 2nd.

6:10:51 PM Burke wonders how 2 paths are safer. Laski responds.

6:13:32 PM Scott Corkery 2nd and Silver has been following this project. He feels the 2nd Ave. design is perfect.

6:14:35 PM Tony Parkhill lives at 3rd and Croy, we are in a smaller town setting than some of the pictures shown. He feels this bi-directional path will cause accidents. His driveway will be intersected by this path. The flex posts will be expensive to maintain, he believes.

6:18:48 PM Jeff Bacon Hailey resident, disagrees with Laski. We should rely on the people who do this professionally.

6:19:40 PM Jason Miller with Mountain Rides, agrees with Bacon. Miller discusses the Elm St. bike path, this connection has driven more usage numbers among the most vulnerable users – children than Woodside Blvd has seen with its bike path. The bike paths are working well and safely.

6:21:18 PM Patrick Buchanan Hailey resident would like to see data on distracted drivers and distracted pedestrians. Across from Shorty’s concerned about parallel parking versus angled parking for 4 months a year. What about going back to angled design?

6:24:00 PM Kaz Thea feels we need a protected pathway. What is the best barrier that is easy to maintain for the city? Thea wants to feel the entire town connected.

6:27:13 PM Jonna Matteson is in support of the design on 2nd Ave.

6:28:05 PM John Blackman concerned with stopping the path at Myrtle. Haemmerle comments.

6:29:22 PM Mariel Miller announces the public comments received – 1st from Jennifer Helms, has concerns with 2nd ave traffic and would like to see more stop signs. Ron Taylor is in favor of Croy street, possible solutions, and one-way street. Molly Page generally in favor of 2nd ave. requests change to sidewalk configuration. Ken Lagergren comments regarding the 2nd Street design and has some suggestions 6:30:55 PM on how to address his drainage concerns.


HAILEY CITY COUNCIL MINUTES
February 27, 2017

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6:33:14 PM Haemmerle an avid cyclist responds to Burke’s question also. Croy street traffic will continue to increase. 2nd Ave concept will not work on Croy in his opinion.

6:34:32 PM Burke has lived in her house for 45 years. Burke would like to see a solution without the flex posts. Burke would like to see a path on one side of the street with bi-direction on the one path.

6:37:55 PM Teevin asks a question to Don Kostelec. He responds.

6:41:43 PM Haemmerle recalls Beth Robrahan’s complete streets solutions with bike paths on both sides of the streets, and 10 foot wide paths. Haemmerle does not think the flex posts would look good with these historic homes.

6:43:38 PM Mariel Miller suggests that we can find other options. Kostelec comments also.

6:45:16 PM Haemmerle lives on 4th Ave., people walk in the middle of the street.

6:46:32 PM Keirn agrees with Mayor Haemmerle’s points.

Mayor Haemmerle asks a question of Don Kostelec. 6:47:14 PM

6:48:59 PM Teevin asks a question, should we look at a different street? Haemmerle responds.

6:50:11 PM Lisa Horowitz feels there could be different vertical elements that would work and keeping historical feel of street.

Reopen public comment.

6:50:58 PM Jamie Trevino what about rumble strip on the road?

Chase Goulay Hailey resident 6:51:27 PM asks how important is the section from 2nd to Main?

6:53:21 PM Chip Maguire Hailey resident comments on Elm Street path mentioned by Jason Miller tonight - it has a 6 foot buffer which seems to work fine.

6:56:07 PM Keirn likes the rumble strip idea mentioned earlier. Keirn likes 2 paths on side of street, but not sure if this would work.

6:56:53 PM Teevin wants to listen to the professional.

6:57:36 PM Haemmerle’s preference is one path but wants it to fit aesthetically.

6:58:32 PM Kaz Thea comments again, what about planters instead of the flex posts?

HAILEY CITY COUNCIL MINUTES
February 27, 2017

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7:00:06 PM Steve Mills with Webb landscaping comments, he feels there are ways to make the strip look nice.

7:00:36 PM Scott Corkery, he and his kids use elm street path, easy to use.

7:01:32 PM Jim Laski likes the idea of using 2nd Street.

7:02:04 PM Chip Maguire comments that we don’t have sidewalks where we need them.

7:02:37 PM Jim Kuen comments, get kids away from the cars have them go down the sidewalks so there is a clear separation from vehicles.

7:04:52 PM Miller asks for clarification. Haemmerle replies.

Continue item to March 27th.

7:06:50 PM Keirn moves to continue to March 27th, seconded by Burke, motion passed unanimously.

PH 047 Consideration of a Text Amendment Application by Economical Housing Solutions, LLC, to Title 17, Section 17.04G.050, Bulk Requirements, to Title 17, Section 17.05.040 District Use Matrix, Multi-Family Residential Density, and to Title 17, Section 17.09.040 On Site Parking Space Requirements. Proposed changes would create a housing district titled, Small Residential Overlay District, and would allow for a greater number of residential units in the Business Zone District, while retaining current bulk requirements and providing required parking.

7:08:27 PM Mayor Haemmerle opens this item and asks who will be presenting tonight.

7:09:02 PM Jim Laski representing applicant Economic Housing Solutions, clarifies, we are asking for an overlay district for housing, there is no project yet. Laski reads quotes from Bob Crosby realtor and a St. Luke’s Wood River nurse, and Kate Weihe Executive Director of Higher Ground, all agree housing is difficult to come by in the valley. Laski explains the benefits of affordable housing. Laski then references the Hailey 1997 and 2010 Comprehensive Plans describing the need for affordable housing. Laski asks council to amend the ordinance to allow for micro apartments, allowing single individuals to have their own space. Laski reviews several changes including more compact spaces than the ordinance allows. 7:21:07 PM Laski shows a site plan of potential 23 unit building, if 2 buildings a total of 54 parking spaces? Laski then discusses the Conditional Use Process, and how the client would regulate adherence to the terms. The Planning and Zoning Commission discussed this project over 3 meetings.

7:25:00 PM Lisa Horowitz, held 4 different public hearings with Planning and Zoning Commission. Horowitz explains the explosion around the country with micro houses. Strong management plan was important to the Planning and Zoning Commissioners.

7:27:11 PM Don Keirn suggests to wait until all council is present to make a decision.

HAILEY CITY COUNCIL MINUTES
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7:27:32 PM Haemmerle comments generally on the project. No limit on number of units on the 1st floor. However, parking designates the number of units, as well as landscaping, setbacks, a lot of aspects to this idea.

Public comments:

7:29:34 PM Steve Linden on Angela Drive sent in public comments. No limit on maximum units per acre, is concerned with this statement.

7:30:49 PM Bob Crosby, with Sun Valley Board of Realtors, would like to review any data with council, the reason for his comments is that we need more housing in the valley.

7:32:11 PM Gwen Carol Holmes (with school district) is in favor of this project,. In the last 2 years, new hires have been outside of county and then they leave in about a year.

7:33:13 PM Scott Corkery with Power Engineers, seems that their Boise office is taking all the young talent from Hailey. This housing is what the valley needs.

7:34:21 PM Michael Herrera lives near River Street, comments to council. Herrera understands the comments tonight. Lots of people in a small space will introduce problems. No one wants this in their back yard. This will attract transients.

7:36:22 PM Peter Lobb comments, has concerns with the parking spaces. Lobb feels that professionals won’t want to live in this small of a space. This will be living for North valley employees. Lobb feels underground parking is a necessity. We should not change our rules for developers. 7:39:07 PM Haemmerle asks a question. Lobb responds.

7:39:55 PM Ben Schepps, former Hailey Planning and Zoning Commissioner, reads a letter to council regarding the zoning ordinance. The more changes to a project, it means that the project is in direct conflict with the zoning ordinance. Haemmerle asks a question.

7:41:46 PM Jeff Englehardt Hailey resident and Planning and Zoning Commissioner explains what this zoning would do for the valley. Without private development, we won’t get enough housing for people. Haemmerle asks a question. Laski comments.

7:45:08 PM Jen Lavigne is in favor of these apartments, but is concerned with not limiting the number of living units. Haemmerle explains.

7:47:12 PM Steve Linden comments again, in the text amendment, communal area is described, he has a problem with communal area.

7:48:19 PM Kaz Thea is in favor of more housing opportunities in our valley, but would caution to make it a livable space, it needs to be reasonable. Haemmerle asks a question. Thea thinks 500 square feet is reasonable.
7:50:44 PM Naomi Spence comments that the best apartment she ever had was in Portland and was 300 sq ft.

7:51:28 PM Helen stone comments, problem with the density and parking, this is unrealistic.

7:52:07 PM Patrick Buchanan echoes diversification of housing, what happens to the ADU's currently being considered. Does this create a better control for our community?

7:53:29 PM Steve Mills, type of people might be negative, there is a tremendous shortage of housing. People sometimes stay in tents, trailers and rooms before they can find housing or sell housing in another state. This is an opportunity to find temporary housing for new talent.

7:55:56 PM Gwen Carol Holmes, school district, we are projecting our values on the young generation, this is the trend and what they are looking for.

7:56:40 PM Ben Varner lives near River Street, 20-22 homeowners in his area are professionals, there is not a bad housing problem. Varner is opposed to this overlay district. There is only one exposed fire hydrant in the 4 block area on River Street. The side streets are dangerous in this area. Cracks in asphalt, infrastructure problems that may not be addressed but made worse by denser development. There is limited business area in Hailey, we could be losing businesses and an opportunity to grow businesses if we allow for denser housing.

7:59:42 PM Michael David Ketchum resident applauds the Planning and Zoning Commission for considering a change. All you need to do is look in the paper to know that housing is a problem in our valley. We have a majority of people spending 50% on their housing costs. If we have lower cost housing people will have more money to spend in the community. This is in line with the comp plan.

8:02:31 PM Sandy Kelly resident lives near River Street comments. Kelly is in favor of apartments with a 600 sq ft minimum. Kelly is opposed to this proposed zoning on River Street. We need transitions and we need window shopping on River Street.

8:04:34 PM Jim Kuen comments that Hailey should not provide housing for the valley. He is not sure this is right for River Street. 500 – 600 sq feet is a better size.

8:08:14 PM Jim Laski for applicant wants to address Steve Linden’s comments. Laski explained that parking requirements will drive the number of units but other factors including setbacks limit ability to build units. The idea is to allow the developer flexibility to find the desirable size that the market dictates. It is typical that people who live in a small unit may not have multiple cars. Laski has reviewed the Hailey Comprehensive Plan and this is in full support of it. 8:10:55 PM Haemmerle asks about the communal space in the text amendment. Laski responds.

8:12:21 PM Jim Warjone with Economic Housing Solutions explains the communal area. It is meant for a group gathering place.

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8:14:40 PM Don Keim has a question about limiting the people to 1 per unit. Warjone responds how this will be enforced through the lease.

8:16:19 PM Laski clarified, they have never intended to allow parking in the alleys.

8:16:36 PM Burke asks about snow removal. Warjone explained that the snow would be removed from property. Burke asks if businesses can lease units for their employees. Laski replied yes.

8:18:52 PM **Motion to continue item to March 6, 2017, seconded by Keim, motion passed unanimously.**

Break called by Mayor Haemmerle.

8:24:06 PM Mayor Haemmerle reconvened meeting

**PH 048 Discussion of Staff Memorandum regarding key elements of Quigley development and whether to consider a city initiated annexation**

8:24:30 PM Williamson covered this item and the request from council from the last meeting. In the packet tonight are some components for you to better assess this idea. Williamson suggests that staff begin meetings with Quigley developer, hear what the Planning and Zoning Commission recommends on the zoning on this property as they meet next Tuesday March 7th. Williamson suggests also that we take public comments tonight.

No public comments:

8:27:33 PM Mayor Haemmerle gives an overview and feels that having Williamson discuss this with the developer is a good next step.

8:29:32 PM Burke comments about the hybrid effluent system.

8:31:03 PM Burke would like staff to continue to discuss this item with developer and come back with information on April 3, 2017.

8:33:02 PM **Burke moves to approve to this item to April 3rd, seconded by Teevin, motion passed unanimously.**

**PH 049 Consideration of Resolution No. 018 calling for a May 16, 2017 special election to consider extending the 1% LOT for air service for an additional five years and consideration of Ordinance No. 1212, amending the term of the 1% LOT for air service for an additional five (5) year term, beginning January 1, 2019**

8:35:09 PM Williamson corrected the resolution 2017-018 which calls an election on May 16th (not May 23rd) and serves as the notice of the special election. The mistake on page 330, May 16th is the election date not may 23rd. the only difference to note, is on page 329, extends the
term for another 5 years. This ordinance can be passed now but the reading would need to coincide with the election, or wait until later.

Public comments.

8:38:19 PM Carol Waller speaks on behalf of Jacob Greenberg, wants to express his support for this item.

8:38:52 PM Patrick Buchanan supports this election.

8:39:44 PM Michael David Ketchum resident important that Hailey put this on the ballot on the same time as other cities.

8:40:47 PM Williamson clarifies his previous suggestion. The ordinance was not complete in the packet, he suggests that we bring the Ordinance back in the next meeting.

8:41:50 PM Burke moves to approve Resolution 2017-018 calling a special election for 1% LOT for air and authorize the Mayor to sign, seconded by Keirn, motion passed unanimously.

PH 050 Consideration of a Zone Change Application by Dirt Simple, LLC, for an amendment to the City of Hailey Zoning District Map. Proposed changes would rezone 404 and 410 Bluebird Court, (Lots 1 and 2, Block 1, Blue Bird Subdivision) from Limited Residential 1 (LR-1) to General Residential (GR). TO BE CONTINUED ON THE RECORD UNTIL MARCH 6, 2017

8:43:11 PM Mayor introduces this item and asks for a continuation to March 6th.

8:43:32 PM Keirn moves to continue this item to March 6, 2017, Burke seconds, motion passed unanimously.

NEW BUSINESS:

NB 052 Consideration of a letter to Galena Ground Water District regarding the districts role in providing legal representation to its members

8:44:21 PM Williamson proposed letter asking for Mayor and council to sign this letter. Haemmerle explains the reason for this letter. 8:45:21 PM Williamson explained the reason for this letter.

NB 051 Status update on City’s water rights

8:46:22 PM Mayor Haemmerle suggested that there is no need to discuss this item tonight.

OLD BUSINESS:

HAILEY CITY COUNCIL MINUTES
February 27, 2017

--19--
3rd reading of Ordinance No. 1211 an amendment to the City of Hailey Zoning District Map of a Zone and amendment to the City of Hailey District Use Matrix by Silver Creek Property Holdings, LLC, represented by Errin Bliss of Bliss Architecture. Proposed map change would rezone the Friedman Park Subdivision, Lot 11A, Block 2 from Limited Business (LB) to Light Industrial (LI), thereby allowing an auto dealership and auto repair/service shop to conduct business. Proposed District Use Matrix change would permit “auto dealership” in the Light Industrial (LI) Zone District as a Permitted Use.

8:46:44 PM Burke moves to approve 3rd reading of Ordinance No. 1211, authorize the Mayor to sign, motion passed unanimously.

8:47:56 PM Mayor Haemmerle conducts the 3rd reading of Ordinance No. 1211 by title only.

STAFF REPORTS:

None.

EXECUTIVE SESSION: Real Property Acquisition (IC 74-206(1)(c)), Pending & Imminently Likely Litigation (IC 74-206(1)(f)), and/or Personnel (IC 74-206(1)(a/b))

8:49:01 PM Burke moves to go into Executive Session to discuss Pending & Imminently Likely Litigation (IC 74-206(1)(f)), Keirn seconds, motion passed with roll call vote. Teevin, yes. Keirn, yes. Burke, yes.

8:56:27 PM Mayor and council returned from Executive Session.

NEW BUSINESS:

Consideration of pay request # 18 for CNI for the biosolids project in the amount of $203,340.37

8:57:01 PM Motion to approve pay request of $203,340.37 minus hold back of $135,151.90 by Burke, seconded by Keirn, motion passed unanimously.

8:57:24 PM Keirn moves to adjourn meeting, Burke seconds, motion passed unanimously.
Return to Agenda
AGENDA ITEM SUMMARY

DATE 3/06/2017  DEPARTMENT:  Finance & Records   DEPT. HEAD SIGNATURE: MHC

SUBJECT

Council Approval of Claims costs incurred during the month of February 2017 that are set to be paid by contract for March 2017.

________________________________________________________________________

AUTHORITY:  □ ID Code 50-1017  □ IAR __________  □ City Ordinance/Code ______

________________________________________________________________________

BACKGROUND:

Claims are processed for approval three times per month under the following procedure:

1. Invoices received, approved and coded to budget by Department Head.
2. Invoice entry into data base by finance department.
4. Following council approval, mayor and clerk sign checks and check register report.
5. Signed check register report is entered into Minutes book.

________________________________________________________________________

FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS:
Budget Line Item # _______________  YTD Line Item Balance $ _______________

Payments are for expenses incurred during the previous month, per an accrual accounting system.

________________________________________________________________________

ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS:

____  City Attorney    ____  Clerk / Finance Director    ____  Engineer  ____  Mayor
____  P & Z Commission  ____  Parks & Lands Board  ____  Public Works  ____ Other

________________________________________________________________________

RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:

Review report's, ask questions about expenses and procedures, approve claims for payment.

________________________________________________________________________

FOLLOW UP NOTES:

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**Total 612 INGRAM BOOK COMPANY:**

263.94  263.94

**5013 INSITE TOWERS LLC**

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695.55  695.55

**229 INTEGRATED TECHNOLOGIES**

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301.80  301.80

**384 INTERMOUNTAIN GAS COMPANY**

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**Total 384 INTERMOUNTAIN GAS COMPANY:**

3,068.67  
3,068.67

| 330 JANE’S ARTIFACTS |
|---------------------|-----------------------------|
| 032833 1            | adding machine for M. Cone - replace broken one | Invoice | 02/16/2017 | 03/09/2017 | 35.23 | 35.23 | 100-15-41215 | 317 |
| 032833 2            | adding machine for M. Cone - replace broken one | Invoice | 02/16/2017 | 03/09/2017 | 35.23 | 35.23 | 200-15-41215 | 317 |
| 032833 3            | adding machine for M. Cone - replace broken one | Invoice | 02/16/2017 | 03/09/2017 | 35.23 | 35.23 | 210-15-41215 | 317 |
| 032850 1            | library program supplies     | Invoice | 02/16/2017 | 03/09/2017 | 22.94 | 22.94 | 100-46-41326 | 317 |
| 032729 1            | Mahl Stick - for inspections | Invoice | 02/24/2017 | 03/09/2017 | 12.99 | 12.99 | 100-56-41215 | 317 |

**Total 330 JANE’S ARTIFACTS:**

141.62  
141.62

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**Total 1728 KUBWATER RESOURCES:**

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3,064.43

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**Total 386 L.L. GREENS**

538.05  
538.05

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473.20

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280.00

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| C63041 | 1            | MISC SHOP SUPPLIES WW            | Invoice | 02/03/2017   | 03/06/2017 | 587.10          | 587.10             | 210-70-41421  | 317       |           |

Total 2367 MSC INDUSTRIAL SUPPLY CO.:

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| 883709 | 1            | MISC AUTO PARTS WWTP           | Invoice | 02/10/2017   | 03/06/2017 | 58.70           | 58.70             | 210-70-41415  | 317       |           |
| 885524 | 1            | PARTS WWTP                      | Invoice | 02/28/2017   | 03/06/2017 | 51.88           | 51.88             | 210-70-41415  | 317       |           |

Total 251 NAPA AUTO PARTS:

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| 60716- | 1            | ICE/SNOW MELT                  | Invoice | 02/17/2017   | 03/06/2017 | 359.60          | 359.60             | 210-70-41419  | 317       |           |
| 60804- | 1            | case of paper for city hall    | Invoice | 02/15/2017   | 03/06/2017 | 15.67           | 15.67             | 100-15-41215  | 317       |           |
| 60804- | 2            | case of paper for city hall    | Invoice | 02/15/2017   | 03/06/2017 | 15.67           | 15.67             | 200-15-41215  | 317       |           |
| 60804- | 3            | case of paper for city hall    | Invoice | 02/15/2017   | 03/06/2017 | 15.67           | 15.67             | 210-15-41215  | 317       |           |

Total 283 OFFICE VALUE:

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| 748 PARKER, ROGER | | | | | | | | |
| 2/28/17 | 1 | MEALS - TRAINING IRWA R. Parker | Invoice | 02/28/2017   | 03/06/2017 | 83.50           | 83.50             | 210-70-41724  | 317       |           |

Total 748 PARKER, ROGER:

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### Unpaid Invoice Report - MARY'S APPROVAL

**Posting period: 03/17**

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Return to Agenda
AGENDA ITEM SUMMARY

DATE: 03/06/17 DEPARTMENT: Public Works DEPT. HEAD SIGNATURE: MM/SC

SUBJECT: Ordinance Amendment No.____ amending Chapter 12.12, Parks and Public Pathways, to further promote the health, safety and welfare of all users at city parks and facilities.

AUTHORITY: □ ID Code □ IAR □ City Ordinance/Code
(IFAPPLICABLE)

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:
The signs posting the rules at Jimmy’s park and the Skatepark do not accurately reflect the ordinance. City staff has reviewed chapter 12.12, Parks and Public Pathways, making the appropriate updates to the ordinance, given the needs of each park. Signs to reflect these changes will be posted at both Jimmy’s park and the skatepark upon approval of these ordinance updates (draft of signs are attached).

After reviewing, City staff has made the following updates to Chapter 12.12:
- 12.12.010
  - Correct the spelling of “skate”
- 12.12.060
  - Remove the use of the skatepark at one’s own risk (this is listed in 12.12.080 D)
  - Prohibit food and drinks on concrete surface
  - Prohibits glass containers
  - Prohibits animals
  - Requires amenities to be used as intended
  - Prohibits alcohol and tobacco
- 12.12.070
  - Remove the section: Permitted and Prohibited Uses of City Parks and Public Pathways
  - Add the Use of Jimmy’s Garden to prohibit bicycles, BMX bikes and motor vehicles, to use amenities as they are intended, prohibit glass containers and not allowing animals at the park
  - Prohibits alcohol and tobacco

The following changes were only made to reflect the added section (Use of Jimmy’s Garden):
- 12.12.080
  - Removes the Section: Penalty
  - Adds the Section: Permitted and Prohibited Uses of City Parks and Public Pathways, including using a City park or facility at one’s own risk.
- 12.12.090
  - Removes the Section: Exhibit A
  - Adds the Section: Penalty
- 12.12.100
  - Adds the Section: Exhibit A

FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS:

ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS: (IFAPPLICABLE)

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RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:
Make a motion to approve Ordinance No.____ amending Chapter 12.12.

ACTION OF THE CITY COUNCIL:
Date ____________________
FOLLOW-UP:
*Ord./Res./Agrmt./Order Originals: Record  *Additional/Exceptional Originals to: __________________
HAILEY ORDINANCE NO. ______

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, BY AMENDING SECTION 12.12.010 OF THE HAILEY MUNICIPAL CODE TO CORRECT THE SPELLING OF SKATE; AMENDING SECTION 12.12.060 OF THE HAILEY MUNICIPAL CODE TO REMOVE THE USE OF THE SKATEPARK AT ONE'S OWN RISK AND ADD LANGUAGE TO PROHIBIT FOOD AND DRINK ON CONCRETE SURFACES, PROHIBIT GLASS CONTAINERS, PROHIBIT ANIMALS, PROHIBIT ALCOHOL AND TOBACCO, AND REQUIRE THE AMENITIES TO BE USED AS INTENDED; AMENDING SECTION 12.12.070 OF THE HAILEY MUNICIPAL CODE TO REMOVE PERMITTED AND PROHIBITED USES OF CITY PARKS AND PUBLIC PATHWAYS AND ADD USE OF JIMMY’S GARDEN TO PROHIBIT BICYCLES, BMX BIKES OR MOTORIZED VEHICLES, USE AMENITIES AS INTENDED, PROHIBIT GLASS CONTAINERS, PROHIBIT ALCOHOL AND TOBACCO, AND PROHIBIT ANIMALS; AMENDING SECTION 12.12.080 OF THE HAILEY MUNICIPAL CODE TO REMOVE PENALTY AND ADD PERMITTED AND PROHIBITED USES OF CITY PARKS AND PUBLIC PATHWAYS; AMENDING SECTION 12.12.090 OF THE HAILEY MUNICIPAL CODE TO REMOVE EXHIBIT A AND ADD PENALTY; ADDING SECTION 12.12.100 TO ADD EXHIBIT A; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE UPON PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

WHEREAS, the Mayor and the City Council of the City of Hailey have adopted Chapter 12.12 of the Hailey Municipal Code to regulate the use of City Parks and Trails; and

WHEREAS, the Mayor and the City Council of the City of Hailey desire to promote the health, safety and welfare of all users at city parks and facilities.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HAILEY, IDAHO, AS FOLLOWS:

Section 1. Section 12.12.010 of the Hailey Municipal Code is hereby amended by the deletion of the stricken language and the addition of the underlined language, as follows:

State-Skate Park Facility: That city park located adjacent to the intersection of Airport Way and Highway 75, Hailey, Idaho, and used for skateboarding, rollerskating and in-line skating.

Section 2. Section 12.12.060 of the Hailey Municipal Code is hereby amended by the deletion of the stricken language and the addition of the underlined language, as follows:

12.12.060: Use of Skatepark Facility:

A. Use of the skatepark facility is for use by persons using skateboards, in-line skates, scooters and roller skates only. All other uses are prohibited. Bicycles, BMX bicycles and similar bicycles are expressly prohibited from using the skatepark facility.

B. All persons using the skatepark facility shall do so at their own risk.

B. Food and drinks are prohibited on concrete surfaces.

C. Glass containers are prohibited.

-1-

-34--
D. Animals are prohibited.

E. The use of amenities other than the intended use is prohibited.

F. Smoking, chewing or ingestion of a Tobacco Product or an Electronic Cigarette by any person, regardless of age, and the consumption or possession of any Liquor, Beer or Wine by any person, regardless of age, is prohibited.

Section 3. Section 12.12.070 of the Hailey Municipal Code is hereby amended by the deletion of the stricken language and the addition of the underlined language, as follows:

12.12.070: Permitted and Prohibited Uses of City Parks and Public Pathways:

A. Except as otherwise provided, city parks and trails shall only be used by pedestrians, equestrians, bicycle riders, cross country skiers and snowshoers, and for all other nonmotorized recreational uses. Licensed motorized vehicles are permitted on designated roadways and parking areas within city-parks.

B. Except as otherwise provided, motorized vehicles, including, without limitation, automobiles, motorcycles, trail bikes, mopeds, motorized bicycles and motorized scooters, shall not be permitted on city parks and trails. Motorized vehicles are permitted for construction of improvements or maintenance of the city-parks and trails.

C. Smoking, chewing or ingestion of a Tobacco Product or an Electronic Cigarette by any person, regardless of age, and the consumption or possession of any Liquor, Beer or Wine by any person, regardless of age, at the Skate Park Facility or Jimmy’s Garden is prohibited. Possession of a Tobacco Product or an Electronic Cigarette by a minor and the consumption or possession of any Liquor, Beer or Wine by a minor at a City Park is prohibited.

12.12.070: Use of Jimmy’s Garden

A. The use of bicycles, BMX bicycles or motorized vehicles are prohibited.

B. The use of amenities other than the intended use is prohibited.

C. Glass containers are prohibited.

D. Animals are prohibited.

E. Smoking, chewing or ingestion of a Tobacco Product or an Electronic Cigarette by any person, regardless of age, and the consumption or possession of any Liquor, Beer or Wine by any person, regardless of age, is prohibited.

Section 4. Section 12.12.080 of the Hailey Municipal Code is amended by the deletion of the stricken language and the addition of the underlined language, as follows:

12.12.080: Penalty
Except for a violation of subsection 12.12.070C of this chapter by a minor, any person who violates any provision of this chapter shall be guilty of a misdemeanor and shall, upon conviction, be fined not more than three hundred dollars ($300.00) or imprisoned in the county jail for a period of not more than thirty (30) days, or by both such fine and imprisonment. Any minor who violated the provisions of subsection 12.12.070C of this chapter shall be guilty of an infraction punishable by a fine of seventeen dollars fifty-cents ($17.50). Ord. 1182, 2015; Ord. 1030 § 1, 2009)


A. Except as otherwise provided, City Parks and Trails shall only be used by pedestrians, equestrians, bicycle riders, cross-country skiers and snowshoers, and for all other non-motorized recreational uses. Licensed motorized vehicles are permitted on designated roadways and parking areas within City Parks.

B. Except as otherwise provided, motorized vehicles, including without limitation, automobiles, motorcycles, trail bikes, mopeds, motorized bicycles and motorized scooters, shall not be permitted on City Parks and Trails. Motorized vehicles are permitted for construction of improvements or maintenance of the City Parks and Trails.

C. Possession of a Tobacco Product or an Electronic Cigarette by a minor and the consumption or possession of any Liquor, Beer or Wine by a minor at a City Park is prohibited.

D. All persons using a City park or facility shall do so at their own risk.

Section 5. Section 12.12.090 of the Hailey Municipal Code is amended by the deletion of the stricken language and the addition of the underlined language, as follows:

12.12.090: Exhibit A:
12.12.090: Penalty

Except for a violation of subsection 12.12.070C of this chapter by a minor, any person who violates any provision of this chapter shall be guilty of a misdemeanor and shall, upon conviction, be fined not more than three hundred dollars ($300.00) or imprisoned in the county jail for a period of not more than thirty (30) days, or by both such fine and imprisonment. Any minor who violated the provisions of subsection 12.12.070C of this chapter shall be guilty of an infraction punishable by a fine of seventeen dollars fifty cents ($17.50). Ord. 1182, 2015; Ord. 1030 § 1, 2009

Section 6. Section 12.12.100 of the Hailey Municipal Code is amended by the addition of the underlined language, as follows:

12.12.100: Exhibit A:
Section 7. Severability Clause. If any section, paragraph, sentence or provision hereof or the application thereof to any particular circumstances shall ever be held invalid or unenforceable, such holding shall not affect the remainder hereof, which shall continue in full force and effect and applicable to all circumstances to which it may validly apply.

Section 8. Repealer Clause. All Ordinances or Resolutions or parts thereof in conflict herewith are hereby repealed and rescinded.

Section 9. Effective Date. This Ordinance shall be in full force and effect after its passage, approval and publication according to law.

Attest:

Fritz X. Haemmerle, Mayor

Mary Cone, City Clerk

Publish: Idaho Mountain Express March 15th, 2017
JIMMY’S GARDEN PARK RULES

1. NO BICYCLES, BMX BIKE OR MOTORIZED BIKE OR VEHICLES OF ANY KIND
2. NO ANIMALS ALLOWED
3. NO ALCOHOL, TOBACCO PRODUCTS, E-CIGARETTES OR DRUGS
4. NO LOUD MUSIC
5. NO LITTERING
6. NO GLASS CONTAINERS
7. USE AMENITIES AS THEY ARE INTENDED TO BE USED

PLEASE BE RESPECTFUL OF OTHERS IN THE PARK.
JIMMY’S GARDEN IS NOT SUPERVISED. USE AT YOUR OWN RISK.

VIOLATION OF THESE RULES MAY RESULT IN CRIMINAL CHARGES AND/OR LOSS OF PARK PRIVILEGES.
UNDER IDAHO LAW, JIMMY’S GARDEN PARK AND THE CITY OF HAILEY ASSUME NO RESPONSIBILITY AND DO NOT INCUR ANY LIABILITY FOR ANY PERSONAL INJURY, LOSS OR DAMAGE RESULTING FROM THE USE OF JIMMY’S GARDEN PARK.
SKATEPARK RULES

1. SKATEBOARDS, IN-LINE SKATES, SOOTERS, ROLLERSKATES ONLY
   a. SKATEBOARDS PERMITTED FROM DAWM UNTIL DUSK
   b. SCOOTERS ALLOWED FROM DAWN UNTIL 7PM ONLY IN DESIGNATED AREAS.
      SCOOTERS PROHIBITED PAST 7PM.
2. NO BICYCLES, BMX BIKES OR SIMILAR BIKES OF ANY KIND
3. NO ANIMALS ALLOWED
4. NO ALCOHOL, TOBACCO PRODUCTS, E-CIGARETTES OR DRUGS
5. NO LOUD MUSIC
6. NO LITTERING
7. NO GLASS CONTAINERS
8. NO FOOD OR DRINKS ON CONCRETE SURFACES
9. USE AMENITIES AS THEY ARE INTENDED TO BE USED

PLEASE BE RESPECTFUL OF OTHERS IN THE PARK.
THE SKATEPARK IS NOT SUPERVISED, USE AT YOUR OWN RISK.
VIOLATION OF THESE RULES MAY RESULT IN CRIMINAL CHARGES AND/OR LOSS OF PARK PRIVILEGES.
UNDER IDAHO LAW, THE SKATEPARK AND THE CITY OF HAILLEY ASSUME NO RESPONSIBILITY AND DO NOT INCUR ANY LIABILITY FOR
ANY PERSONAL INJURY, LOSS OR DAMAGE RESULTING FROM THE USE OF THE SKATEPARK.
Return to Agenda
AGENDA ITEM SUMMARY

DATE: 2/27/17 DEPARTMENT: Community Development DEPT. HEAD SIGNATURE: LH

SUBJECT:
Public hearing on recommendations from the Planning and Zoning Commission regarding applications by Dirt Simple, LLC for the following:

Amendment to Zoning District Map by changing the zoning for 404 and 410 Bluebird Court, (Lots 1 and 2, Block 1, Blue Bird Subdivision) from Limited Residential 1 (LR-1) to General Residential (GR)

AUTHORITY: ☐ ID Code ____________ ☐ IAR ____________ ☐ City Ordinance/Code 5.20
(IFAPPLICABLE)

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:

Analysis is found in the attached staff report.

FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS:
Caselle #
Budget Line Item #__________ YTD Line Item Balance $__________
Estimated Hours Spent to Date: Estimated Completion Date:
Staff Contact: Lisa Horowitz Phone # 788-9815 #13

ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS: (IFAPPLICABLE)

City Attorney City Administrator Engineer Building
Library planning Fire Dept.
Safety Committee P & Z Commission Police
Streets Public Works, Parks Mayor

RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:
Conduct a public hearing, and if satisfactory, make a motion to approve Ordinance ___, to conduct a first reading and read by title only.

ADMINISTRATIVE COMMENTS/APPROVAL:
City Administrator Dept. Head Attend Meeting (circle one) Yes No

ACTION OF THE CITY COUNCIL:
Date
City Clerk

FOLLOW-UP:
*Ord./Res./Agmt./Order Originals: *Additional/Exceptional Originals to: ____________
Copies (all info.): Copies
Instrument # ____________
STAFF REPORT

TO: Hailey City Council

FROM: Lisa Horowitz, Community Development Director

RE: Amendment to Zoning District Map – change from Limited Residential 1 (LR-1) to General Residential (GR)

HEARING: March 6, 2017

Applicant: Dirt Simple, LLC

Request: Amendment to Zoning District Map by changing 404 and 410 Bluebird Court, (Lots 1 and 2, Block 1, Blue Bird Subdivision) from Limited Residential 1 (LR-1) to General Residential (GR)

Location: 404 and 410 Bluebird Court, (Lots 1 and 2, Block 1, Bluebird Subdivision)

Current Zoning: Limited Residential 1 (LR-1)

Proposed Zoning: General Residential (GR)

Note: Staff analysis is in lighter type.

Notice

Notice for the public hearing was published in the Idaho Mountain Express on 11/18/16 and mailed to property owners within 300 feet on 11/18/16, as well as to Public Agencies on 11/18/16. Notice was posted on external boundaries of the property on 12/05/16. This project was continued on the record from February 27, 2017 to March 7, 2017.

Application

The City is in receipt of an application for two lots in the Bluebird Subdivision Lots 1 and 2, of Block 1. The Bluebird Subdivision is a 5-lot subdivision, created in 2005. It is served by a private road accessed from Northstar Drive. Because the subdivision was developed with a private road, no more than five (5) lots can be created, regardless of zoning, unless the road is upgraded to meet city standards, particularly for width. The two lots proposed for rezone are .18 acres/8,050 square feet (Lot 1) and .2 acres/8,603 square feet (Lot 2).

The Planning and Zoning Commission recommended approval of this application at their December 12, 2016 meeting. Findings of Fact regarding that recommendation are attached to this report.
Analysis and Discussion

The Comprehensive Plan shows this property as “Traditional Residential”. This designation is used in the Comprehensive Plan for a variety of residentially zoned areas, including GR, LR-1 and LR-2 zoned areas.

The requested zone designation is consistent with adjacent residential GR zoning to the south. The property is on the dividing line between two zone districts, with properties to the south primarily zoned GR, and the Northstar Meadows Subdivision to the north zoned LR-1.

The zone district line in this part of Hailey follows a straight line, and does not follow developed lots, streets or alleys, which are more typical divisional boundaries. It is not known why this pattern was not remedied as part of the platting of Northstar Meadows.

Purposes of GR Zone District:

The purpose of the GR District is to provide areas for a variety of residential uses, and a limited number of other uses compatible with this type of residential development. The intent is to preserve the favorable amenities associated with a residential neighborhood.

Purposes of LR Zone Districts:

Within the LR Zoning District, there are two sub-districts, LR-1 and LR-2 Sub-districts. The provisions are identical for both LR-1 and LR-2, except the minimum lot size. The purpose of the LR District is to provide areas for stable, low-density, single-family residential development and a limited number of other uses compatible with a residential neighborhood.

1. Bulk Requirements:

The building height and setback requirements for the LR-1 and GR Zone Districts are similar but not identical.

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<th>Zone District</th>
<th>Minimum Lot Size</th>
<th>Lot Height</th>
<th>Lot Width</th>
<th>Lot Coverage</th>
<th>Setbacks</th>
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<td>LR-1</td>
<td>8,000</td>
<td>30’</td>
<td>75’</td>
<td>No maximum</td>
<td>Front: 25’; all others- 10’</td>
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<tr>
<td>GR</td>
<td>6,000</td>
<td>35’</td>
<td>50’</td>
<td>40%</td>
<td>Front: 20’; all others- 10’</td>
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Density:

The GR Zone District allows for residential uses up to 10 units per acre. The LR-1 Zone District does not allow for multifamily residential uses. However, since the Bluebird Subdivision includes five (5) lots on a private road, no additional lots could be created unless the private road is brought up to public road
standards (minimum right of way width of 60’). (Section 16.04.020.L of the Subdivision Code). Under the current street configuration, no additional lots could be created under either zone designation.

The adjacent Northstar Meadows was developed at a density of 10 units per acre, plus an additional two (2) units per acre, granted through the PUD process.

The GR Zone District allows for Accessory Dwelling Units (ADU). Currently, ADU’s are not permitted in the LR Zone District, with the exception of the Townsite Overlay.

Existing Land Uses

The site proposed for rezone is vacant. The lots surrounding the Northstar Meadows Subdivision (to the north) are built with single family houses. The land to the north and east is vacant.

17.14.060 Criteria for Review

When evaluating any proposed amendment under this Article, the Council shall make findings of fact on the following criteria:

A.1 The proposed amendment is in accordance with the Comprehensive Plan;

The Comprehensive Plan Land Use Map reflects suitable projected land uses for the City. It considers existing conditions, trends, and desirable future situations, the objective being a balanced mix of land uses for the community. The Map establishes a basis and direction for the expansion and/or location of business, residential, industrial, institutional and green space areas within and adjacent to the City. The Land Use Map depicts the area proposed for rezone as “Traditional Residential”. This land use category encompasses several zone districts (GR, LR and LR-1).

A.2 Essential public facilities and services are available to support the full range of proposed uses without creating excessive additional requirements at public cost for the public facilities and services;

Public facilities and services are available and are sufficient to support the full range of uses permitted by the zone district under consideration for the current number of lots in the Bluebird Subdivision (5). Increasing the number of lots would require the existing private road to be converted to a public street, and brought up to public street standards (60-foot right of way width). The existing two lots are of sufficient size to accommodate a primary residence and an Accessory Dwelling Unit. Essential public facilities are not available to serve higher densities due to the substandard nature of the private road, which would be considered substandard for any units over five (not including accessory units). It is not clear to staff if there is sufficient land area to meet public road standards. In other words, it seems highly unlikely that this plat could be reconfigured for greater density.
A.3 The proposed uses are compatible with the surrounding area; and

The subject property is on the edge, between two residential zone districts. Existing lot sizes in Northstar Meadows Subdivision range from 8,500 to 11,000 square feet. Lots to the south in the Bluebird Subdivision range from 8,500 to 10,000 square feet. Two, slightly larger, undeveloped lots exist to the east. Both of these easterly lots are connected to Silver Street, which goes through to this neighborhood, except as a pedestrian/non-motorized connection.

The GR Zone District allows for 35' tall structures. The LR District limits height to 30'. The Commission recommends limiting the height on the requested rezone lots to 30' be more compatible with the neighborhood to the north.

A.4 The proposed amendment will promote the public health, safety and general welfare.

The zone change would allow for Accessory Dwelling Units. Multifamily units are not feasible due to the current private road width. This road would need to be brought up to public road standards if more than five (5) units were contemplated.

Some of the Conditional Uses permitted in the GR Zone District may not be able to be served by the existing access and road network. This includes Day Care Centers, Boarding and Rooming houses and Bed and Breakfast Inn. The Commission placed additional conditions on their recommendation to address this issue.

Action

The Commission is required by the Hailey Zoning Code to make a recommendation to the Hailey City Council based on compliance with the Comprehensive Plan and the following criteria:

14.4.2 Recommendation.

a. Following the hearing, if the Commission or Hearing Examiner makes a substantial change from what was presented at the hearing, the Commission or Hearing Examiner may either conduct a further hearing after providing notice of its recommendation, or make its recommendations to the Council, provided the notice of the Commission's or Hearing Examiner's recommendation shall be included in the notice of the hearing to be conducted by the Council.

b. The Commission or Hearing Examiner shall recommend, with reasons therefore, to the Council that the proposed amendment be granted or denied, or that a modified amendment is granted.

c. If the proposal initiated by an applicant is not in accordance with the Comprehensive Plan, the Commission or Hearing Examiner shall notify the applicant of this finding and inform the applicant that the applicant must apply for an amendment
to the Comprehensive Plan before the Zoning Ordinance or Zoning Map can be amended.

The Commission recommended approval of this request at their December 12, 2016 meeting, subject to the following Conditions of Approval:

1) All uses shall be limited to those permitted in LR-1 Zone District, with the exception of Accessory Dwelling Units as a Conditional Use,
2) All required parking shall be on private property,
3) Accessory Dwelling Units shall be subject to Design Review,
4) The height limit on all structures shall be limited to thirty (30') feet.

Staff recommends that either a Development Agreement be prepared, or that the Bluebird Subdivision be modified to include the above 4 conditions as plat notes.
HAILEY ORDINANCE NO. ______

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, AMENDING TITLE 17 OF THE HAILEY MUNICIPAL CODE, BY AMENDING SECTION 17.05.010, OFFICIAL ZONING MAP; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE UPON PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

WHEREAS, Dirt Simple, LLC owns Lots 1 and 2, Block 1, Bluebird Subdivision, hereinafter “the property”, and;

WHEREAS, Dirt Simple has applied to rezone the property from Limited Residential-1 (LR-1) to General Residential (GR) for the purposes of developing accessory dwelling units; and

WHEREAS, the Hailey Planning and Zoning Commission has conducted two public hearings on the requested zone change for property and has voted to recommend approval of an amendment to the Hailey Zoning Map as documented in the January 10, 2017 Findings of Fact, Conclusions of Law and Decision as sown on Exhibit A, attached; and

WHEREAS, the Hailey Planning and Zoning Commission has recommended four conditions for this rezone, which are:

1) All uses shall be limited to those permitted in LR-1 Zone District, with the exception of Accessory Dwelling Units as a Conditional Use,
2) All required parking shall be on private property,
3) Accessory Dwelling Units shall be subject to Design Review,
4) The height limit on all structures shall be limited to thirty (30’) feet.

WHEREAS, essential public facilities and services are available to the uses, including residential and accessory uses in the General Residential (GR) zoning district without excessive public cost;

WHEREAS, the proposed uses in the GR zoning district are compatible with the surrounding area; and

WHEREAS, the Zoning map amendment set forth in this ordinance will promote the public health, safety and general welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HAILEY, IDAHO, AS FOLLOWS:

Section 1. Section 17.05.010 of the Hailey Municipal Code is hereby amended by the adoption of Attachment A, changing the zoning on the Official Zoning Map for Lots 1 and 2, Block 1, Bluebird Subdivision from Limited Residential-1 (LR-1) to General Residential (GR).

Section 2. Severability Clause. Should any section or provision of this Ordinance be declared by the
courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

Section 3. Repealer Clause. All City of Hailey ordinances or parts thereof, which are in conflict herewith, are hereby repealed.

Section 4. Effective Date. This ordinance shall be in full force and effect from and after the required three (3) readings, approval, and publication according to law.

PASSED AND ADOPTED BY THE HAILEY CITY COUNCIL AND APPROVED BY THE MAYOR THIS ___ DAY OF _______________, 2017.

Fritz X. Haemmerle, Mayor, City of Hailey

Attest:

Mary Cone, City Clerk
Exhibit A: Amending Lots 1 and 2, Bluebird Subdivision, from LR-1 to GR
BLUEBIRD
A SUBDIVISION WITHIN SEC 9, T3N, R18E, B.M.
CITY OF HAILEY, BLAINE COUNTY, IDAHO

OWNER'S CERTIFICATE
KNOW ALL MEN BY THESE PRESENTS that SIFT SIMPLE LLC, an Idaho Limited Liability Company, does hereby certify that it is the owner of a certain parcel of land described as follows:

Within Section 9, Township 3 North, Range 18 East, Blaine County, Idaho, more particularly described as follows:

Commencing at the Northeast Corner of said Section 9, Thomas SUPERFUND, 282.04 feet to the north quarter corner of said Section 9 in Township 3 North, Range 18 East, Blaine County, Idaho; thence north 89 degrees 45 minutes 00 seconds 82.04 feet to the west line of said Section 9; thence west 180.00 feet to the south line of said Section 9; thence south 89 degrees 45 minutes 00 seconds 180.00 feet to the west line of said Section 9; thence west 182.04 feet to the Northeasterly corner of said Section 9; thence north 89 degrees 45 minutes 00 seconds 282.04 feet to the place of beginning

The above described property is served by the Hailey Water & Sewer District.

IN WITNESS WHEREOF, I have hereunto set my hand.

[Signature]

Erich Johnson
SIFT SIMPLE LLC
Signed this 2nd day of February, 2009.

ACKNOWLEDGEMENT
STATE OF IDAHO
CITY OF BLAINE

On this 2nd day of FEBRUARY, 2009 before me, the undersigned, a Notary Public for Idaho, personally appeared Erich Johnson, having me to be an Owner for SIFT SIMPLE LLC and acknowledged to me that he and SIFT SIMPLE LLC executed the foregoing instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this day and year in this certificate that above written.

[Signature]
My commission expires: 10/06/2007

COUNTY RECORDER'S CERTIFICATE
The foregoing plat was recorded in the office of the Blaine County Recorder (apply stamp below)

INSTRUMENT # 332660
RECORDED 2/13/2009
RECORDED IN ROY AL (B.M.)

SURVEYOR'S CERTIFICATE
I, Gordon E. Williams, a duly registered Professional Land Surveyor in the State of Idaho, do hereby certify that this is a true and accurate map of the land described in the Owner's Certificate, surveyed under my direct supervision and that this plat is in accord with the laws of Idaho State relating to plots and surveys.

COUNTY SURVEYOR'S APPROVAL
This to be certify that J. Jim W. Raper, County Surveyor for Blaine County, Idaho, have checked the foregoing plat and determined that the same are true with the laws of the State of Idaho.

By: J. Jim W. Raper
Date: 2/24/09

CITY ENGINEER'S APPROVAL
The foregoing plat was approved and accepted by the City Engineer for Hailey, Idaho.

By: [Signature]
Date: 2/24/09

HAILEY CITY COUNCIL'S APPROVAL
The foregoingplat was approved and accepted by the Hailey City Council.

By: [Signature]
Date: 2/24/09

HAILEY PLANNING & ZONING COMMISSION'S APPROVAL
The foregoing plat was approved and accepted by the Hailey Planning & Zoning Commission.

By: [Signature]
Date: 2/24/09

BLAINE COUNTY TREASURER'S CERTIFICATE
The foregoing plat was approved and accepted by the Blaine County Treasurer, Blaine County, Idaho.

By: [Signature]
Date: 2/24/09

BLUEBIRD
SEC 9, T3N, R18E, B.M.
HAILEY, BLAINE COUNTY, IDAHO
A SUBDIVISION PLAT

PREPARED BY: GORDON E. WILLIAMS, P.L.C.
PREPARED ON: 2/13/2009
RECORD: 2009-01-03
RECORD: 2009-01-03
FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION

On December 12, 2016, the Hailey Planning and Zoning Commission considered an Amendment to the Zoning District Map, by changing 404 and 410 Bluebird Court, (Lots 1 and 2, Block 1, Bluebird Subdivision) from Limited Residential 1 (LR-1) to General Residential (GR).

Notice

Notice for the public hearing was published in the Idaho Mountain Express on 11/18/16 and mailed to property owners within 300 feet on 11/18/16, as well as to Public Agencies on 11/18/16. Notice was posted on external boundaries of the property on 12/05/16.

Application

The City is in receipt of an application for two lots in the Bluebird Subdivision Lots 1 and 2, of Block 1. The Bluebird Subdivision is a 5-lot subdivision, created in 2005. It is served by a private road accessed from Northstar Drive. Because the subdivision was developed with a private road, no more than five (5) lots can be created, regardless of zoning, unless the road is upgraded to meet city standards, particularly for width. The two lots proposed for rezone are .18 acres/8,050 square feet (Lot 1) and .2 acres/8,603 square feet (Lot 2).

Analysis and Discussion

The Comprehensive Plan shows this property as “Traditional Residential”. This designation is used in the Comprehensive Plan for a variety of residentially zoned areas, including GR, LR-1 and LR-2 zoned areas.

The requested zone designation is consistent with adjacent residential GR zoning to the south. The property is on the dividing line between two zone districts, with properties to the south primarily zoned GR, and the Northstar Meadows Subdivision to the north zoned LR-1.

The zone district line in this part of Hailey follows a straight line, and does not follow developed lots, streets or alleys, which are more typical divisional boundaries. It is not known why this pattern was not remedied as part of the platting of Northstar Meadows.

Purposes of GR Zone District:

The purpose of the GR District is to provide areas for a variety of residential uses, and a limited number of other uses compatible with this type of residential development. The intent is to preserve the favorable amenities associated with a residential neighborhood.

Purposes of LR Zone Districts:

Within the LR Zoning District, there are two sub-districts, LR-1 and LR-2 Sub-districts. The provisions are identical for both LR-1 and LR-2, except the minimum lot size. The purpose of the LR District is to provide
areas for stable, low-density, single-family residential development and a limited number of other uses compatible with a residential neighborhood.

1. **Bulk Requirements:**

The building height and setback requirements for the LR-1 and GR Zone Districts are similar but not identical.

<table>
<thead>
<tr>
<th>Zone District</th>
<th>Minimum Lot Size</th>
<th>Lot Height</th>
<th>Lot Width</th>
<th>Lot Coverage</th>
<th>Setbacks</th>
</tr>
</thead>
<tbody>
<tr>
<td>LR-1</td>
<td>8,000</td>
<td>30’</td>
<td>75’</td>
<td>No maximum</td>
<td>Front: 25’; all others-10’</td>
</tr>
<tr>
<td>GR</td>
<td>6,000</td>
<td>35’</td>
<td>50’</td>
<td>40%</td>
<td>Front: 20’; all others-10’</td>
</tr>
</tbody>
</table>

**Density:**

The GR Zone District allows for residential uses up to 10 units per acre. The LR-1 Zone District does not allow for multifamily residential uses. However, since the Bluebird Subdivision includes five (5) lots on a private road, no additional lots could be created unless the private road is brought up to public road standards (minimum right of way width of 60’). (Section 16.04.020.L of the Subdivision Code). Under the current street configuration, no additional lots could be created under either zone designation.

The adjacent Northstar Meadows was developed at a density of 10 units per acre, plus an additional two (2) units per acre, granted through the PUD process.

The GR Zone District allows for Accessory Dwelling Units (ADU). Currently, ADU’s are not permitted in the LR Zone District, with the exception of the Townsite Overlay.

**Existing Land Uses**

The site proposed for rezone is vacant. The lots surrounding the Northstar Meadows Subdivision (to the north) are built with single family houses. The land to the north and east is vacant.

**17.14.060 Criteria for Review**

When evaluating any proposed amendment under this Article, the Council shall make findings of fact on the following criteria:

A.1 **The proposed amendment is in accordance with the Comprehensive Plan;**

The Comprehensive Plan Land Use Map reflects suitable projected land uses for the City. It considers existing conditions, trends, and desirable future situations, the objective being a balanced mix of land uses for the community. The Map establishes a basis and direction for the
expansion and/or location of business, residential, industrial, institutional and green space areas within and adjacent to the City. The Land Use Map depicts the area proposed for rezone as “Traditional Residential”. This land use category encompasses several zone districts (GR, LR and LR-1).

A.2 Essential public facilities and services are available to support the full range of proposed uses without creating excessive additional requirements at public cost for the public facilities and services;

Public facilities and services are available and are sufficient to support the full range of uses permitted by the zone district under consideration for the current number of lots in the Bluebird Subdivision (5). Increasing the number of lots would require the existing private road to be converted to a public street, and brought up to public street standards (60-foot right of way width). The existing two lots are of sufficient size to accommodate a primary residence and an Accessory Dwelling Unit. Essential public facilities are not available to serve higher densities due to the substandard nature of the private road, which would be considered substandard for any units over five (not including accessory units). It is not clear to staff if there is sufficient land area to meet public road standards. In other words, it seems highly unlikely that this plat could be reconfigured for greater density.

A.3 The proposed uses are compatible with the surrounding area; and

The subject property is on the edge, between two residential zone districts. Existing lot sizes in Northstar Meadows Subdivision range from 8,500 to 11,000 square feet. Lots to the south in the Bluebird Subdivision range from 8,500 to 10,000 square feet. Two, slightly larger, undeveloped lots exist to the east. Both of these easterly lots are connected to Silver Street, which goes through to this neighborhood, except as a pedestrian/non-motorized connection.

The GR Zone District allows for 35’ tall structures. The LR District limits height to 30’. The Commission could consider limiting the height on the requested rezone lots to be more compatible with the neighborhood to the north.

A.4 The proposed amendment will promote the public health, safety and general welfare.

The zone change would allow for Accessory Dwelling Units. Multifamily units are not feasible due to the current private road width. This road would need to be brought up to public road standards if more than five (5) units were contemplated.

Some of the Conditional Uses permitted in the GR Zone District may not be able to be served by the existing access and road network. This includes Day Care Centers, Boarding and rooming houses and Bed and Breakfast Inn. The Commission placed additional conditions on their recommendation to address this issue.
The Commission discussed public access through the property and across adjacent properties, and concluded that this application did not permit conditioning of adjacent properties that are not part of the application.

**Action**

The Commission is required by the Hailey Zoning Code to make a recommendation to the Hailey City Council based on compliance with the Comprehensive Plan and the following criteria:

14.4.2 **Recommendation.**

a. Following the hearing, if the Commission or Hearing Examiner makes a substantial change from what was presented at the hearing, the Commission or Hearing Examiner may either conduct a further hearing after providing notice of its recommendation, or make its recommendations to the Council, provided the notice of the Commission’s or Hearing Examiner’s recommendation shall be included in the notice of the hearing to be conducted by the Council.

b. The Commission or Hearing Examiner shall recommend, with reasons therefore, to the Council that the proposed amendment be granted or denied, or that a modified amendment is granted.

c. If the proposal initiated by an applicant is not in accordance with the Comprehensive Plan, the Commission or Hearing Examiner shall notify the applicant of this finding and inform the applicant that the applicant must apply for an amendment to the Comprehensive Plan before the Zoning Ordinance or Zoning Map can be amended.

If the proposed change is recommended for approval, the City Council will consider the zone change at a public hearing set for a future date.

**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 Article 6A, Design Review, other Articles of the Zoning Ordinance and City Standards.
DECISION

The Application for an Amendment to the Zoning District Map, submitted by Dirt Simple, LLC, proposed to change 404 and 410 Bluebird Court, (Lots 1 and 2, Block 1, Bluebird Subdivision) from Limited Residential 1 (LR-1) to General Residential (GR). Approval was hereby recommended to the Hailey City Council, finding that the amendments are in accordance with the Comprehensive Plan, that essential public facilities and services are available to support the full range of proposed uses without creating excessive additional requirements at public cost for the public facilities and services, that the proposed uses are compatible with the surrounding area, and that the proposed amendment will promote the public health, safety and general welfare, subject to the following conditions:

1) All uses shall be limited to those permitted in LR-1 Zone District, with the exception of Accessory Dwelling Units as a Conditional Use,
2) All required parking shall be on private property,
3) Accessory Dwelling Units shall be subject to Design Review,
4) The height limit on all structures shall be limited to thirty (30’) feet.

Signed this 10th day of January, 2017.

[Signature]
Janet Fugate, Chair

Attest:

[Signature]
Robyn Davis, Community Development Assistant
Return to Agenda
AGENDA ITEM SUMMARY

DATE: 3/06/17  DEPARTMENT: Community Development  DEPT. HEAD SIGNATURE: LH

SUBJECT: Continuation of a public hearing on recommendations from the Planning and Zoning Commission regarding applications by Economical Housing Solutions, LLC for the following:

Consideration of a Text Amendment Application by Economical Housing Solutions, LLC, to Title 17, Section 17.04G.050, Bulk Requirements, to Title 17, Section 17.05.040 District Use Matrix, Multi-Family Residential Density, and to Title 17, Section 17.09.040 On Site Parking Space Requirements. Proposed changes would create a housing district titled, Small Residential Overlay District, and would allow for a greater number of residential units in the Business Zone District, while retaining current bulk requirements and providing required parking. The Planning and Zoning Commission has recommended approval of this action, subject to conditions.

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AUTHORITY: □ ID Code __________ □ IAR __________ □ City Ordinance/Code 5.20
(IFAPPLICABLE)

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BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:

Analysis is found in the attached Findings of Fact regarding the January 23, 2017 recommendation from the Planning and Zoning Commission. Attachments for this agenda item include:

1. Draft Hailey Ordinance___, Small Residential Overlay District
3. Photos of sample Small Residential Units submitted by the applicant
4. Public Comment received since the February 27, 2017 City Council meeting

The following questions were raised by the public and/or the Council at the February 27, 2017 meeting:

1. Why this location?

The Planning and Zoning Commission carefully studies the Comprehensive Plan Land Use Map, and concluded that the areas shown for “High Density Residential” on that map were areas appropriate for this type of Overlay District.

2. Parking- not enough

The current Hailey Zoning Code requires one parking space for residential units fewer than 1,000 square feet:

17.09.040.01: RESIDENTIAL: ☐ ☐

| Accessory dwelling units and all dwellings less than 1,000 square feet | Minimum of 1 space per unit. |
|-----------------------------------------------------------------------------------------------------------------------------|
| Multiple-family dwellings and dwelling units with a mixed use building                                                        | Minimum of 1.5 spaces per unit. |
| Single-family dwellings                                                                                                         | 2 spaces per dwelling minimum, 6 spaces per dwelling maximum. |
Parking spaces within any garage, carport or similar structure shall be credited at 1 space per 9 feet of floor width and 18 feet of floor length. The city will allow the use of 100 foot wide rights of way within the Hailey original townsite for licensed passenger vehicle parking for single-family dwellings. Parking for accessory dwelling units must be provided on site.

This Overlay District would not change the minimum parking requirements. It would allow for compact parking, and provide for guest parking to be constructed in adjacent rights of way.

3. Parking- don’t use alley

The alleys are not proposed to be used for parking, other than to access parking areas, which is encouraged in the City’s Design Review Standards.

4. Management

The Commission has recommended that on-site management be required through the Conditional Use Permit process.

5. Size of units and amenities

Many opinions exist as to whether a minimum unit size is needed. Staff has asked the applicant to bring visual examples of units fewer than 300 square feet (attached to this report). A clarification that each unit must have its own kitchen and bathroom facilities should be added to the Overlay District.

6. Communal Areas and Storage

Communal areas were added by the Commission as additional amenities for smaller units. These communal areas are not meant to replace kitchen requirements for each unit, or to imply “congregate care” facilities. On-site laundry areas, useable entry foyers and outdoor patio space are amenities that could be added to the communal spaces. Storage for bikes, kayaks, etc. has been raised as an issue, and could be added as a minimum standard.

7. Definition

A definition of “small-residential Unit” may help to distinguish these units from “Congregate Care”, “Assisted Living” and “Dormitories”. A definition such as shown here may help to clarify this issue:

*Small-residential unit: A one or more room, self-contained living space designed to accommodate a sitting space, bathroom and kitchenette.*

8. Impact of a possible development on neighborhoods

Impacts could be considered in terms of vehicular impacts (parking and cars in and out), building bulk/mass, and people/activity in and out.

In reviewing the proposed typical building size presented by the applicant, the typical buildings are small in mass than other multifamily buildings in Hailey.

<table>
<thead>
<tr>
<th>Project</th>
<th>Footprint</th>
<th>Total Square Footage</th>
<th># of Off-Street Parking Spaces</th>
<th># Of Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>River Street Apartments</td>
<td>12,388 sq. ft. (3 stories)</td>
<td>35,338 sq. ft.</td>
<td>26 Spaces</td>
<td>24 Units</td>
</tr>
<tr>
<td>Summit Apartments</td>
<td>Approx. 7,250 sq. ft. (1 story)</td>
<td>17,332 sq. ft.</td>
<td>Approx. 22 Spaces</td>
<td>20 Units</td>
</tr>
<tr>
<td>Valley View Apartments</td>
<td>Approx. 2,100 to 3,864 sq. ft. (2 stories)</td>
<td>23,870 sq. ft.</td>
<td>Approx. 87 Spaces</td>
<td>52 Units</td>
</tr>
<tr>
<td>Proposed SRO Building</td>
<td>3,520 sq. ft. (3 stories)</td>
<td>10,560 (approx.)</td>
<td>Approx. 23 spaces on site; 15 guest spaces in street</td>
<td>23 units</td>
</tr>
</tbody>
</table>

9. Perimeter Screening

The Zoning Code requires: *"No part of any parking area for more than ten (10) vehicles shall be closer than twenty feet (20') to any lot occupied by a dwelling unit, school, hospital or other institution for human care and shall be separated from that adjoining lot by an acceptably designed screen as defined above."* The applicant is requesting fencing instead of landscaping in these instances. The Commission found this to be adequate noting that in many cases, fencing may provide a better visual screen than landscaping, and that a landscape buffer may consist of an acceptably designed wall or fence incorporating drought tolerant plantings.

10. Lack of Fire Hydrants in the vicinity

The Hailey Fire Chief has provided a map of the fire hydrants in the vicinity.

---

FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS:

<table>
<thead>
<tr>
<th>Caselle #</th>
<th>YTD Line Item Balance $</th>
</tr>
</thead>
<tbody>
<tr>
<td>Budget Line Item #</td>
<td>Estimated Hours Spent to Date:</td>
</tr>
<tr>
<td>Staff Contact: Lisa Horowitz</td>
<td>Estimated Completion Date:</td>
</tr>
<tr>
<td>Phone # 788-9815 #13</td>
<td></td>
</tr>
</tbody>
</table>

ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS: (IF APPLICABLE)

<table>
<thead>
<tr>
<th>City Attorney</th>
<th>City Administrator</th>
<th>Engineer</th>
<th>Building</th>
</tr>
</thead>
<tbody>
<tr>
<td>Library</td>
<td>___ planning</td>
<td>Fire Dept.</td>
<td>___</td>
</tr>
<tr>
<td>Safety Committee</td>
<td>___ P &amp; Z Commission</td>
<td>Police</td>
<td>___</td>
</tr>
<tr>
<td>Streets</td>
<td>___ Public Works, Parks</td>
<td>Mayor</td>
<td>___</td>
</tr>
</tbody>
</table>

RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:

Conduct a public hearing, and if satisfactory, make a motion to approve Ordinance ___, to conduct a first reading and read by title only.

ADMINISTRATIVE COMMENTS/APPROVAL:

| City Administrator | Dept. Head Attend Meeting (circle one) Yes | No |

ACTION OF THE CITY COUNCIL:

| Date | City Clerk |

FOLLOW-UP:

| *Ord./Res./Agmt./Order Originals: *Additional/Exceptional Originals to: |
| Copies (all info.): | Copies |

---
HAILEY ORDINANCE NO._____

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, AMENDING TITLE 17 OF THE HAILEY MUNICIPAL CODE, BY ADDING A NEW ARTICLE P IN CHAPTER 17.04, PROVIDING FOR PURPOSES, ESTABLISHMENT OF A SMALL RESIDENTIAL OVERLAY DISTRICT (SRO), GENERAL APPLICATION, BULK REQUIREMENTS, DENSITY, PARKING SPACE REQUIREMENTS AND COMMUNAL SPACE REQUIREMENTS, AMENDING SECTION 17.02.020 TO ADD THE DEFINITION OF COMMUNAL AREA; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE UPON PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

WHEREAS, the City of Hailey is in receipt of an application by Economical Housing Solutions to amend Title 17, to create a new overlay district,

WHEREAS, the Hailey Planning and Zoning Commission has conducted three public hearings on the request by Economical Housing Solutions (December 12, 2016, January 9, 2017 and January 23, 2017) and have documented their recommendation to the City Council regarding the adoption of a new Overlay District titled the Small Residential Overlay (SRO) District in the January 23, 2017 Findings of Fact, Conclusions of Law and Decision;

WHEREAS, the Commission recommends that the proposed SRO District will encourage development of higher density housing to meet the needs of the community as contemplated in the 2010 Hailey Comprehensive Plan;

WHEREAS, the Hailey Comprehensive Plan states that, high density residential infill is encouraged in the area along Main Street and River Street between Downtown and the north and south ends of Main Street;

WHEREAS, the Commission recommends that the SRO District will encourage infill while retaining neighborhood character;

WHEREAS, essential public facilities and services are available to the uses, including residential uses as contemplated in the SRO District without excessive public cost;

WHEREAS, the proposed uses in the SRO are compatible with the surrounding area; and

WHEREAS, the Zoning text set forth in this ordinance will promote the public health, safety and general welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HAILEY, IDAHO, AS FOLLOWS:

Section 1. Title 17 of the Hailey Municipal Code is hereby amended by the addition of a new Article P in Chapter 17.04P, as follows:
ARTICLE P. SMALL RESIDENTIAL OVERLAY DISTRICT (SRO)

17.04P.010: PURPOSE:

The purpose of the Small Residential Overlay District is to promote the health, safety and welfare of current and future residents of the City of Hailey; to modify the density, bulk and parking requirements of certain areas of the Business Zoning District (B) in order to encourage the development of higher density residential housing to help meet the housing needs of the community; to encourage infill while retaining neighborhood character; to create sufficient flexibility to allow for desirable development; to conserve building resources; and to enhance neighborhoods with increased pedestrian orientation, all in accordance with the city of Hailey comprehensive plan, for the desirable future development of the City of Hailey.

17.04P.020: ESTABLISHMENT OF SMALL RESIDENTIAL OVERLAY DISTRICT:

The Small Residential Overlay District is hereby established for all properties lying within the boundaries shown on the map attached to the ordinance codified herein, incorporated by reference herein. The overlay district applies to these properties regardless of zoning district designation. Utilization of the relaxed bulk, density and parking provisions allowed in this overlay district is expressly contingent upon obtaining a conditional use permit pursuant to Chapter 17.11 of the Hailey Municipal Code.

17.04P.030: GENERAL APPLICATION:

The Small Residential Overlay District shall be an overlay district and set forth bulk, density and parking requirements for buildings and structures located within the Small Residential Overlay District which are developed as Multi-Family or Mixed Use with all residential dwelling units being one thousand (1,000) square feet or smaller and with a conditional use permit. Where the regulations specified in this article differ from corresponding regulations specified for the underlying zoning district, the requirements of this Article shall apply and control.

17.04P.040: BULK REQUIREMENTS (For other supplementary location and bulk regulations, see Chapter 17.07 of this Title):

Residential Percentage: There shall be no maximum Residential Percentage on the ground level.

17.04P.050: MULTI-FAMILY AND MIXED USE DENSITY:

Maximum Residential Units per Acre: There shall be no limit on the maximum number of residential dwelling units per acre.

17.04P.060: PARKING SPACE REQUIREMENTS:

On-Site Parking Space Requirements for Multiple Family Dwellings and Dwelling Units within a Mixed Use Building:

a) A minimum of 1 space per residential dwelling unit, where up to thirty percent (30%) of required on-site parking spaces may be provided as compact parking spaces. Compact spaces must be signed as such.

-2-

--65--
b) At least 1 guest parking space for every 6 Dwelling Units. Unimproved city rights of way adjacent to the site that are improved as part of the project shall count towards the guest parking requirement.

Screening and Landscaping:
(a) a landscape buffer may consist of an acceptably designed wall or fence incorporating drought tolerant plantings; and
(b) minimum distance setbacks shall not apply.

On-Site Parking Dimension: Where all parking spaces on one side of an aisle are compact spaces and the parking angle is 90 degrees, the minimum aisle width may be 22 feet.

17.04P.070: COMMUNAL SPACE REQUIREMENTS:

Indoor Communal Area for all units fewer than 300 square feet in size shall be provided. Size of the communal area to be determined through the conditional use permit process.

Section 2. Section 17.02 of the Hailey Municipal Code is hereby amended to add the following definition in alphabetical order:

Communal Area: The term communal area includes common kitchens, lounges, recreation rooms, dining rooms, living rooms, foyers and lobbies that are accessible to all residents of the building, with sufficient accommodations for socializing and meeting. Not included in communal area are hallways and corridors, supply, janitorial or laundry areas, operations and maintenance areas, staff areas and offices and required bicycle parking areas or tenant storage areas.

Section 3. Severability Clause. Should any section or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

Section 4. Repealer Clause. All City of Hailey ordinances or parts thereof, which are in conflict herewith, are hereby repealed.

Section 5. Effective Date. This ordinance shall be in full force and effect from and after the required three (3) readings, approval, and publication according to law.

PASSED AND ADOPTED BY THE HAILEY CITY COUNCIL AND APPROVED BY THE MAYOR THIS ___ DAY OF ________________, 2017.

Fritz X. Haemmerle, Mayor, City of Hailey

Attest:

Mary Cone, City Clerk
NOTE
Base map is current City of Hailey
Zoning Map dated 10/24/2014.

PROPOSED SMALL RESIDENTIAL OVERLAY DISTRICT
WITHIN CITY OF HAILEY, BLAINE COUNTY, IDAHO
PREPARED FOR ECONOMICAL HOUSING SOLUTIONS, LLC

LEGEND
- Zoned w/Development Agreement
- Residential Green (AG) (350)
- Limited Residential (LRU/14,000 sq. ft.)
- Limited Residential (LRL/14,000 sq. ft.)
- General Residential (GR)
- Limited Business (LB)
- Commercial (C)
- Light Industrial (LI)
- Service Industry (SI)
- Manufacturing Industry (MI)
- Commercial Core Ovelay District Boundary
- Mixed Use Overlay District Boundary
- Corridor Core Overlay District Boundary
- Proposed Small Residential Overlay District

Scale: 1:2,000

Galena Engineering Inc.
Civil Engineers & Land Surveyors
227 Elkhorn Drive, Hailey, ID 83333
ph: 208-678-9616 fax: 208-678-0919
email: galenaengineeringinc.com

Prepared by

APPROVED BY

SHEET 1 OF 1
FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION

On January 23, 2017, the Hailey Planning and Zoning Commission considered Amendment to the Zoning District Map, by creating a new Overlay District, the Small Residential Overlay District.

Summary and Notice

This amendment is related to small-unit apartment projects in Hailey, referred to in other communities as “micro-apartments”. This text proposal is designed to allow for a greater number of residential units in the Business Zone District, while retaining current bulk requirements and providing required parking. This housing would not be considered “affordable housing” as the term is used in Blaine County: the text change does not require that the units be rent-restricted or deed-restricted.

A public hearing on this project was conducted on December 12, 2016. At this time, the Commission requested:

- The applicant prepared an Overlay District Map instead of focusing on 100’ right of way
- The Overlay should not allow for micro-apartments on Main Street
- Parking/vehicular access should be thought-through at the design stage
- A conceptual site plan should be submitted

A second public hearing was conducted on January 9, 2017. The Commission discussed the various modifications proposed by the applicant, and continued the agenda item to consider:

- The need for guest parking requirements (if any)
- Whether the use should be Conditional in the Overlay Zone
- Whether a mix of unit types should be required

In recommending this text change, strong consideration was given to the area of Hailey Comprehensive Plan Land Use Map labeled, “High Density Residential Corridor”. This area is shown in orange on the Comprehensive Plan Land Use Map, and is primarily on Main and River Streets in downtown Hailey. This map was used as the basis for the Overlay District area shown in Attachment 2.

The Comprehensive Plan identifies the importance of downtown, and calls for mixed use development:

“Promoting mixed use in Downtown ensures a diversified, sustainable economic condition. Mixed-use buildings lining Downtown Main Street allow for commercial activity on the ground floor with residences or offices above. This type of planning helps maintain the neighborhood scale. These types of buildings also ensure round the clock activity and eyes on the street for added safety.”

The Land Use Section describes High Density Residential as follows:

High Density Residential—high density residential infill is encouraged in the area along Main Street and River Street between Downtown and the north and south ends of Main Street.

The Commission recommendations include:
1) Purposes Section

2) Requiring a Conditional Use Permit for projects seeking approval under the guidelines of the Overlay District.

3) Parking section, which:
   a. Requires one guest parking space for every eight (8) units, which may be in the right of way if the right of way area was previously unimproved; the Commission clarified this language and has recommended one guest parking space for every six (6) units.
   b. Allows for parking drive aisles to be reduced to 22' if one side of the drive aisle is entirely compact and at 90 degrees to the aisle.

4) Requiring minimum ceiling heights. This has been recommended by the Commission.

5) Requiring on-site management. This has been recommended by the Commission.

6) Careful review of the quality of construction during Design Review. This has not been incorporated into the draft; the Commission found that this item can be addressed during the design review process.

7) Requiring a mix of unit types. As noted in the email from the applicant included in the record, the applicant hopes to create the majority, possibly 100%, of the units under 300 square feet in size. The Commission found that the requirement for a mix of units sizes could be analyzed and addressed during the Conditional Use Permit process.

8) Requirements for communal area (indoor). This has been recommended by the Commission for all units under 300 square feet as noted in the attached SRO District recommendation.

9) Requiring a maximum number of units per building. This was not recommended by the Commission. In reviewing the proposed typical building size shown in the two attachments, the typical buildings are small in mass than other multifamily buildings recently built in Hailey. For example, the River Street Apartment building has dimensional requirements of 163' long by 76' deep (24 units). The proposed micro-apartment building has dimensions of 88' long by 40' deep (23 units).

1) Purposes Section

The Purposes Section as proposed outlines goals of the overlay related to housing, infill development and the goals of the Comprehensive Plan. The Commission recommends that the Section be titled, “Small Residential Overlay District”.

2) Applicability Section, which refers to the Overlay District Map

The Commission recommends an Overlay District Map, which focuses the proposal along River Street. The applicant has not included the central area of River and Bullion, based on their interpretation of the Comprehensive Plan Land Use Map. The Commission found that the central area should not be included.
3) Bulk Requirement Section, which permits 100% of the ground floor to be residential within the District

This change would allow for ground floor uses to be 100% residential in cases where the residential units are under 1,000 square feet. The Commission found that current limitation on the ground floor residential appears to be a barrier for redevelopment in today’s economy. No mixed use projects have been proposed in the B Zone since 2006. Allowing for ground floor residential uses is highly appropriate on River Street. With the recommended overlay proposal, the issues raised of the appropriateness of ground floor residential on Main Street are addressed, as Main Street has been removed from the Overlay District. The recommended text change to only allow for residential in the case of units under 1,000 square feet would help avoid the issue of ground floor large unit-penthouses that may not be occupied full time.

4) Multi-Family and Mixed Use density section which removes the maximum density requirement;

The text change allows for projects that comply with requirements to be guided by parking requirements, bulk regulations and, ultimately, the design review process. Section 5.7.1.d of the Hailey Comprehensive Plan specifically calls for such a concept: densities greater than 20 units per acre.

It is not clear where the 20 units per acre concept in the Zoning Code originated, and many cities have different maximum densities. The Commission found that, in reality, parking requirements drive building design to a great degree.

5) Parking:
   A) Provides for one parking space per unit, and one guest space for every 8 units. Guest parking spaces may be created in the adjacent right of way when said right of way is currently unimproved, and is improved as a result of the project.
   B) Allows for 30% of the required parking to be compact;
   C) Provides for screening of parking to be substitute for a fence instead of landscaping;
   D) Allows for parking drive aisles to be reduced if one side of the drive aisle is entirely compact

The Commission found that, generally speaking, an issue with increased density is parking. The text change would result in one parking space per unit as required (Section 9.4.1.b of the Hailey Zoning code). The Commission finds this would to be adequate for small units. The applicant has included in the record the proposed text changes underway at the City of Ketchum regarding parking. As shown in the Attachment, Ketchum’s standards would allow for no parking requirement (zero) for units under 750 square feet.

The Commission recommendation is for one guest space for every 6 units, and that guest parking spaces may be created in the adjacent right of way. A requirement for guest parking based on the number of units is a common way to address intermittent overflow parking issues. The
Commission found that routine parking issues can be managed through the management plan required in the Overlay District. The current Hailey Zoning Code contains similar provisions regarding use of the right of way for required parking for Nonresidential Uses:

17.09.020.03: PARKING CREDIT: ☑️ ☑️

Nonresidential uses within the business, limited business districts and transitional districts may improve city right of way and may be credited with the parking spaces created by that improvement.

The Commission recommendation provides for this credit for projects within the Small Residential Overlay District only when the right of way is currently unimproved, and is improved as a result of the project.

The Code currently allows for up to 25% of required parking to be compact spaces (8 by 16), up to a maximum of five spaces (A standard space is 9 by 18). The applicant is requesting that 30% of the spaces for 100% residential projects where all the units are 1,000 square feet or smaller may be compact. The Commission discussed the typical site plan to better understand the possible layout of compact parking at the January 9th meeting. In the example, the compact spaces are all interior to the parking lot, and do not impact alleys, streets or adjacent properties. The Commission found that compact parking as outlined in the attached SRO Overlay District is adequate to meet this standard.

The Commission found that aisle widths of 22’ when adjacent to an entire row of compact stalls configured at a 90-degree angle is appropriate as outlined in the recommended Overlay District.

Regarding (B) above, the Zoning Code requires: “No part of any parking area for more than ten (10) vehicles shall be closer than twenty feet (20’) to any lot occupied by a dwelling unit, school, hospital or other institution for human care and shall be separated from that adjoining lot by an acceptably designed screen as defined above.” The applicant is requesting fencing instead of landscaping in these instances. The Commission found this to be adequate noting that in many cases, fencing may provide a better visual screen than landscaping, and that a landscape buffer may consist of an acceptably designed wall or fence incorporating drought tolerant plantings.

Standards of Evaluation
Note: Staff analysis is in lighter type, italicized words are words or phrases added by staff for clarification purposes.

147.14.060 Criteria for Review. When evaluating any proposed amendment under this Article, the Commission and Council shall make findings of fact on the following criteria:

A.1. The proposed amendment is in accordance with the Comprehensive Plan;

5.6 Manage and accommodate population growth by infill development
and, when appropriate, minimal expansion by annexation and/or density increases.

5.7 Encourage development at the densities allowed in the Zoning code.

7.2 Encourage projects and programs that seek to provide opportunities for cultural, cross-cultural and educational enrichment.

8.1 Encourage development that provides opportunities for home ownership and rental homes for individuals and families of all socioeconomic levels.

A.2. Essential public facilities and services are available to support the full range of proposed uses without creating excessive additional requirements at public cost for the public facilities and services;

Buildings built under this text change could conceivably be urban buildings, requiring full fire sprinkler suppression, elevators and other code requirements.

A.3. The proposed uses are compatible with the surrounding area; and
The proposed text changes would follow the same bulk requirements within the Business Zone district. The Commission found that the site plans submitted shows primarily parking on the alley side, which could be next to residential areas, and that this same result could occur now if a commercial building is proposed.

A.4. The proposed amendment will promote the public health, safety and general welfare.
The Commission found that there is a strong basis in the Hailey Comprehensive Plan for this type of amendment. The Commission recommends that projects be considered as a Conditional Use to allow for full evaluation of health safety and welfare issues.

Action
The Commission is required by the Hailey Zoning Code to make a recommendation to the Hailey City Council based on compliance with the Comprehensive Plan.

CONCLUSIONS OF LAW AND DECISION

Based upon the above Findings of Fact, the Commission, on a unanimous vote, concludes that adequate notice, pursuant to Title 17, Section 17.06.040(D), was given, and is proper, and makes the following recommendations:

1) The Application for an Amendment to the Hailey Zoning Code with the addition of Article P, Small Residential Overlay District is hereby approved by the Commission. Such approval is recommended to the Hailey City Council, finding that the amendments are in accordance with the Comprehensive Plan, that essential public facilities and services are available to support the full range of proposed uses without creating excessive additional requirements at public cost for the public facilities and services, that the proposed uses are compatible with the surrounding area, and that the proposed amendment will
promote the public health, safety and general welfare, as outlined in the Attached SRO District Recommendations.

2) The Application for an Amendment to the Hailey Zoning Map to create a Small Residential Overlay District is hereby approved by the Commission. Such approval is recommended to the Hailey City Council, finding that the amendments are in accordance with the Comprehensive Plan, that essential public facilities and services are available to support the full range of proposed uses without creating excessive additional requirements at public cost for the public facilities and services, that the proposed uses are compatible with the surrounding area, and that the proposed amendment will promote the public health, safety and general welfare, as shown on the attached SRO District Map.

Signed this 13th day of February, 2017.

Janet Fugate, Chair

Attest:

Robyn Davis, Community Development Assistant
SMALL RESIDENTIAL OVERLAY (SRO) DISTRICT

ARTICLE P. HIGH DENSITY RESIDENTIAL OVERLAY DISTRICT (HDRO)

17.04P.010: PURPOSE:

The purpose of the Small Residential Overlay District is to promote the health, safety and welfare of current and future residents of the City of Hailey; to modify the density, bulk and parking requirements of certain areas of the B Zoning District in order to encourage the development of higher density residential housing to help meet the housing needs of the community; to encourage infill while retaining neighborhood character; to create sufficient flexibility to allow for desirable development; to conserve building resources; and to enhance neighborhoods with increased pedestrian orientation, all in accordance with the city of Hailey comprehensive plan, for the desirable future development of the City of Hailey.

17.04P.020: ESTABLISHMENT OF SMALL RESIDENTIAL OVERLAY DISTRICT:

The Small Residential Overlay District is hereby established for all properties lying within the boundaries shown on the map attached to the ordinance codified herein, incorporated by reference herein. The overlay district applies to these properties regardless of zoning district designation. Utilization of the relaxed bulk, density and parking provisions allowed in this overlay district is expressly contingent upon obtaining a Conditional Use Permit pursuant to Article 11 of this Chapter.

17.04P.030: GENERAL APPLICATION:

The Small Residential Overlay District shall be an overlay district and set forth bulk, density and parking requirements for buildings and structures located within the Small Residential Overlay District which are developed as Multi-Family or Mixed Use with all residential dwelling units being one thousand (1,000) square feet or smaller and with a Conditional Use Permit. Where the regulations specified in this article differ from corresponding regulations specified for the underlying zoning district, the requirements of this Article shall apply and control.

17.04P.040: BULK REQUIREMENTS (For other supplementary location and bulk regulations, see Chapter 17.07 of this Title):

Residential Percentage: There shall be no maximum Residential Percentage on the ground level.

17.04P.050: MULTI-FAMILY AND MIXED USE DENSITY:

Maximum Residential Units per Acre: There shall be no limit on the maximum number of residential dwelling units per acre.

17.04P.060: PARKING SPACE REQUIREMENTS:

PZ RECOMMENDED
SMALL RESIDENTIAL OVERLAY DISTRICT
1-23-17
PAGE-1
On-Site Parking Space Requirements for Multiple Family Dwellings and Dwelling Units within a Mixed Use Building:

a) A minimum of 1 space per residential dwelling unit, where up to thirty percent (30%) of required on-site parking spaces may be provided as compact parking spaces. Compact spaces must be signed as such.

b) At least 1 guest parking space for every 6 Dwelling Units. Unimproved city rights of way adjacent to the site that are improved as part of the project shall count towards the guest parking requirement.

Screening and Landscaping:

(a) a landscape buffer may consist of an acceptably designed wall or fence incorporating drought tolerant plantings; and

(b) minimum distance setbacks shall not apply.

On-Site Parking Dimension: Where all parking spaces on one side of an aisle are compact spaces and the parking angle is 90 degrees, the minimum aisle width may be 22 feet.

17.04P.070: COMMUNAL SPACE REQUIREMENTS:

Indoor communal area for all units fewer than 300 square feet in size shall be provided. Size of the communal area to be determined through the conditional use permit process.

17.02.010, Definitions:

Communal Area: The term communal area includes common kitchens, lounges, recreation rooms, dining rooms, living rooms, foyers and lobbies that are accessible to all residents of the building, with sufficient accommodations for socializing and meeting. Not included in communal area are hallways and corridors, supply, janitorial or laundry areas, operations and maintenance areas, staff areas and offices and required bicycle parking areas or tenant storage areas.
Lisa Horowitz

From: Steve Mills <millsbarn@cox.net>
Sent: Thursday, March 02, 2017 8:16 AM
To: Lisa Horowitz
Cc: 'Harry Griffith'; 'Doug Brown'
Subject: Micro Apartments Input
Attachments: What is micro housing.docx

Lisa,
At the council meeting the other night there was quite a few misconceptions and/or questions as to what mini apartments were. Fritz was asking people do you like apartments and if so what size. You probably have a lot of info on this already; however, I found some informative websites and just wanted to share with you if they might be of help. Thanks for all your work towards finding solutions for our current and future housing needs.

Steve Mills
SVED

https://www.forbes.com/sites/marcellefischler/2013/03/17/8-amazingly-tiny-micro-apartments/#5e7bba0a32a2


http://cubixapartments.com/features/

---78--
What is micro-housing?

Micro-housing is the umbrella term for a housing option that is smaller than average. These homes are the modern-day equivalents of rooming houses, boarding houses, dormitories, and single-room occupancy (SRO) hotels, and they come in two main flavors:

- **Congregate housing** is like a dormitory. The rooms are “sleeping rooms,” rather than complete dwelling units, and renters enjoy private bathrooms and kitchenettes in their units, along with shared kitchens and other common amenities for the whole building. A typical project looks like an apartment building—Yobi Apartments, near Seattle University, is one example. “Apodments,” the brand that started the micro-housing revolution in Seattle in 2009, are functionally the same thing as congregate housing, though technically they are classified as boarding houses. The size of the sleeping rooms in congregate micro-housing is typically in the range of 140 to 200 square feet.

- **A Small Efficiency Dwelling Unit (SEDU)** is a slightly undersized conventional studio apartment. It has a complete kitchen and bathroom and closet space. By code, SEDUs must have at least 220 square feet of total floor space, as compared to 300 square feet for the smallest typical conventional studio apartments.

All types of micro-housing unlock more affordable and small but independent homes for people who wants them. They are one more option to serve the broad spectrum of housing needs.
Return to Agenda
AGENDA ITEM SUMMARY

DATE: 03/06/2017    DEPARTMENT: Admin/Legislative    DEPT. HEAD SIGNATURE: ____HD____

SUBJECT:
Local Option Tax for Air. With Ordinance 1212

AUTHORITY: □ ID Code    □ IAR    □ City Ordinance/Code
(IF APPLICABLE)

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:

At the February 27, 2017 City Council meeting, Resolution 2017-018 was adopted, which calls a May 16, 2017 election, with the notice of election and ballot language that asks voters to extend the LOT for another five years, with a new 5-year term beginning on January 1, 2019.

The attached Ordinance 1212 is what voters will be voting for or against. Council should adopt this ordinance, and read the first reading. The third and final reading should not be read until after the election, as voters also need to adopt the ordinance before it can be published.

FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS:

Budget Line Item # ___________________________    YTD Line Item Balance $ ___________________________
Estimated Hours Spent to Date: ___________________________    Estimated Completion Date: ___________________________
Staff Contact: ___________________________    Phone #: ___________________________
Comments: The City of Hailey collects the cost of administrating the tax before forwarding the funds of approximately $85,000 per year to the Air Service Board for distribution to Fly Sun Valley and the SV Marketing Alliance.

ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS: (IF APPLICABLE)

---
City Attorney    Finance    Licensing    Administrator
Library    Community Development    P&Z Commission    Building
Police    Fire Department    Engineer    WWW
Streets    Parks    Public Works    Mayor
---

RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:

Motion to approve (amend) (deny) Ordinance No. 1212, which if adopted by voters would amend the term of the 1% LOT for air service for an additional five (5) years, beginning January 1, 2019, and to read the first reading of the ordinance by title only.

ACTION OF THE CITY COUNCIL:

Date ___________________________

City Clerk ___________________________

FOLLOW-UP:

*Ord./Res./Agrmt./Order Originals: Record Copies (all info.): Instrument # ___________________________
*Additional/Exceptional Originals to: ___________________________
Copies (AIS only)
HAILEY ORDINANCE NO. 1212

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, AMENDING SECTION 5.32.040 OF THE HAILEY MUNICIPAL CODE TO EXTEND THE ADDITIONAL ONE PERCENT (1%) TAX ON RENTAL VEHICLES AND HOTEL-MOTEL OCCUPANCY FOR FIVE (5) YEARS BEGINNING JANUARY 1, 2019; AMENDING SUBSECTION 5.32.050(B) OF THE HAILEY MUNICIPAL CODE TO SPECIFY THE ORDINANCE AUTHORIZING THE ADDITIONAL ONE PERCENT (1%) TAX ON RENTAL VEHICLES AND HOTEL-MOTEL OCCUPANCY; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Hailey is authorized to collect local-option nonproperty taxes pursuant to Idaho Code § 50-1044 and Chapter 5.32 of the Hailey Municipal Code;

WHEREAS, on November 5, 2013, the voters of the City of Hailey approved of the adoption of Hailey Ordinance No. 1133 with an affirmative vote by 66.1% of the voters, and the Hailey City Council amended Hailey Municipal Code Sections 5.32.030, 5.32.040 and 5.32.050;

WHEREAS, the voter approved and adopted Hailey Municipal Code Section 5.32.040 established the term of the increased local-option nonproperty tax for a period of five (5) years for the purpose of promoting commercial air service into the Friedman Memorial Airport. That five (5) year period began on January 1, 2014 and will end December 31, 2018; and

WHEREAS, the City of Hailey has determined it in the best interest of the public to amend Hailey Municipal Code Sections 5.32.040 and 5.32.050 to extend the term of the increased local option non-property tax for another five (5) years beyond that approved through Ordinance No. 1133 and Hailey Municipal Code Section 5.32.040, provided the voters approve of the extension of the local-option nonproperty tax for another five (5) years.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF HAILEY, IDAHO:

Section 1. Section 5.32.040 of the Hailey Municipal Code is amended by the deletion of the stricken language and by the addition of the underlined language, as follows:

5.32.040 Duration of Taxes. Except as otherwise provided herein, the nonproperty taxes authorized and collected under this chapter are hereby imposed for a duration of twenty (20) years from the effective date hereof. The one percent (1%) local-option tax increase authorized by ordinance 1133 Hailey Ordinance No. 1212 for the nonproperty taxes collected for Rental Vehicle and Hotel-Motel Occupancy Taxes is hereby imposed for a duration of five (5) years after January 1, 2013 January 1, 2019.
Section 2. Subsection 5.32.050(B) of the Hailey Municipal Code is amended by the deletion of the stricken language and by the addition of the underlined language, as follows:

B. The nonproperty tax revenue derived from and collected under this chapter for the one percent (1%) increase for the non-property taxes collected for Rental Vehicle and Hotel-Motel Occupancy Taxes authorized by ordinance 1133 Hailey Ordinance No. 1212 shall be used for the following purposes:

(A) maintaining and increasing commercial air service to Friedman Memorial Airport through the use of Minimum Revenue Guarantees or other inducements to providers;

(B) promoting and marketing the existing service and any future service to increase passengers;

(C) for all ancillary costs which are associated with the ongoing effort to maintain and increase commercial air service, including reasonable program management costs and busing due to flight diversion(s); and

(D) direct costs to collect and enforce the tax, including administrative and legal fees.

Section 3. If any section, paragraph, sentence or provision hereof or the application thereof to any particular circumstances shall ever be held invalid or unenforceable, such holding shall not affect the remainder hereof, which shall continue in full force and effect and applicable to all circumstances to which it may validly apply.

Section 4. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 5. This Ordinance shall be in full force and effect on January 1, 2019, after voter approval, passage by the City Council and Mayor, and publication according to law.

ADOPTED BY THE HAILEY CITY COUNCIL AND APPROVED BY THE MAYOR

this ________ day of March, 2017.

Fritz X. Haemmerle, Mayor
City of Hailey

ATTEST:

Mary Cone, Hailey City Clerk

Publish: Idaho Mountain Express
Return to Agenda
AGENDA ITEM SUMMARY

DATE: 3/6/2017  DEPARTMENT: Legal  DEPT. HEAD SIGNATURE: ________________

SUBJECT:
Yew plant ordinance

AUTHORITY: □ ID Code __________  □ IAR __________  □ City Ordinance/Code ________
(IFAPPLICABLE)

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:

I have been asked to draft an ordinance prohibiting Yew plants within the City of Hailey. There have been several reported deaths of wildlife who have eaten Yew plants over the last two years. Yew plants are very toxic and consumption by wildlife will cause death of the animals. Blaine County adopted an ordinance classifying Yew plants as noxious weeds, which would allow the county to regulate Yew plants. Initially, I inquired whether the county believed it had sole jurisdiction to regulate Yew plants within the unincorporated areas of Blaine County or within all of Blaine County. The county believes that it cannot regulate Yew plants in the incorporated cities. I concur. Therefore, I believe Hailey will need to adopt an ordinance regulating Yew plants. Hailey can regulate Yew plants in several ways. We could specifically list the possession and planting of Yew plants as a nuisance. If we adopt this approach, the procedures for abating a nuisance would apply. I elected not to suggest this approach because the nuisance chapter requires notice to the property owner before the City would take action to abate a nuisance. Instead, I am recommending an ordinance that regulates the planting, possession and sale of Yew plants. If you agree with this approach, then I would suggest discussing whether you want to make a violation of this ordinance a misdemeanor or an infraction. The attached ordinance makes a violation a misdemeanor. I would also think we ought to consult with the landscaping companies in Hailey to get their input on any proposed ordinance.

Ned

FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS: Caselle #
Budget Line Item #: __________  YTD Line Item Balance $ __________
Estimated Hours Spent to Date: __________  Estimated Completion Date: __________
Staff Contact: __________  Phone #: __________
Comments: __________

ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS: (IFAPPLICABLE)

_____ City Attorney  _____ Clerk / Finance Director  _____ Engineer  _____ Building
_____ Library  _____ Planning  _____ Fire Dept.  _____
_____ Safety Committee  _____ P & Z Commission  _____ Police  _____
_____ Streets  _____ Public Works, Parks  _____ Mayor  _____

RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:

Discuss the attached ordinance and provide direction on the proposed draft. If the Council wishes to proceed with an ordinance (with or without revisions), direct staff to place a proposed ordinance on an upcoming agenda as a public hearing.

FOLLOW-UP REMARKS:
HAILEY ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, ADDING A NEW CHAPTER 8.08 OF THE HAILEY MUNICIPAL CODE, PROHIBITING THE PLANTING, POSSESSION AND SALE OF YEW PLANTS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE UPON PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW.

WHEREAS, Yew plants are highly toxic to animals who consume the Yew plants;

WHEREAS, wildlife have eaten Yew plants during the last two winter seasons within the City of Hailey and in the unincorporated areas in Blaine County which has caused the death of the wildlife; and

WHEREAS, in order to promote the health, safety and welfare of the general public, the Mayor and the City Council of the City of Hailey desire to add a new Chapter 8.08 of the Hailey Municipal Code to regulate the planting, possession and sale of Yew plants.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HAILEY, IDAHO, AS FOLLOWS:

Section 1. A new Chapter 8.08 is hereby added to the Hailey Municipal Code, as follows:

CHAPTER 8.08

YEW PLANTS

Sections:

8.08.010 Purpose
8.08.020 Definitions
8.08.030 Prohibited Conduct
8.08.040 Violations-Penalty

8.08.010 Purpose. Yew plants are highly toxic plants and have caused the death of wildlife in the City of Hailey and in the unincorporated areas of Blaine County. To prevent the death of wildlife and to promote the health, safety and general welfare of the citizens of Hailey, the City of Hailey believes it is necessary to regulate the planting, possession and sale of Yew plants.

8.08.020 Definitions. For purposes of this Chapter 12.12, the following capitalized words and phrases shall apply as defined herein:

"Landowner" shall mean the person(s) or entity(ies) who hold legal title to real property located within the city limits of Hailey, Idaho, unless another person(s) or entity(ies) has the exclusive right of possession of the real property, or the person(s) or entity(ies) with
an interest in real property located within the city limits of Hailey, Idaho, such that the person(s) or entity(ies) have the right to exclude others from possession of the real property.

“Yew Plants” shall mean the Chinese Yew plant (*Taxus chinensis*), European or English Yew plant (*Taxus baccata*) and Japanese Yew plant (*Taxus cuspidate*) and any hybrid thereof.

8.08.030 Prohibited Conduct. It is unlawful for any person, firm, corporation, partnership or association to sell, plant or possess a Yew Plant. For the purposes of this section, a person or an entity who “possesses” a Yew Plant shall be a Landowner.

8.08.040 Violations–Penalty. Any person or entity who violates any provision of this Chapter shall be guilty of a misdemeanor and shall, upon conviction, be fined not more than three hundred dollars or imprisoned in the county jail for a period of not more than thirty days, or by both such fine and imprisonment.

Section 2. If any section, paragraph, sentence or provision hereof or the application thereof to any particular circumstances shall ever be held invalid or unenforceable, such holding shall not affect the remainder hereof, which shall continue in full force and effect and applicable to all circumstances to which it may validly apply.

Section 3. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 4. This Ordinance shall be in full force and effect from and after its passage, approval, and publication according to law.

**PASSED AND ADOPTED BY THE HAILEY CITY COUNCIL AND APPROVED BY THE MAYOR THIS ___ DAY OF ____________, 2017.**

Fritz X. Haemmerle, Mayor, City of Hailey

Attest:

Mary Cone, City Clerk
Return to Agenda
AGENDA ITEM SUMMARY

DATE: 1/9/2017  DEPARTMENT: Legal  DEPT. HEAD SIGNATURE:______________

SUBJECT:
Amendment to Annexation Agreement (Ehrenberg Subdivision)

AUTHORITY: ☐ ID Code _______  ☐ IAR _______  ☐ City Ordinance/Code _______

(IF APPLICABLE)

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:
See attached letter and attachments described in the letter.

FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS: Caselle #
Budget Line Item #______________  YTD Line Item Balance $________
Estimated Hours Spent to Date:______________  Estimated Completion Date:______________
Staff Contact:______________  Phone #:______________
Comments:______________

ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS: (IF APPLICABLE)

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RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:
Discuss the proposed Amendment to Annexation Agreement (Ehrenberg Subdivision) and provide instructions to the city attorney.

FOLLOW-UP REMARKS:

2/6 - Item not discussed in meeting
3/6 - Considered in this meeting
February 1, 2017

Hailey Mayor Fritz Haemmerle
Hailey City Council Members
115 S. Main Street, Ste. H
Hailey, Idaho 83333
Hand Delivered

Re: Ehrenberg Annexation Agreement Amendment

Dear Mayor and Council Members:

I am forwarding to you the following documents:

a) Letter from Erin Clark dated December 20, 2016;
b) Proposed Amendment to Annexation Agreement (Ehrenberg Subdivision); and
c) Original Annexation Agreement (Ehrenberg Subdivision) recorded as Instrument No. 546900.

As explained in Erin’s letter, her client, Thomas Ehrenberg, wishes to amend the Annexation Agreement by 1) reducing the annexation fees from $68,167 to $6,659, and 2) deleting the requirement to construct sidewalk improvements that are not adjacent to his property. The applicant has requested a reduction in annexation fees based on the new TischlerBise study. If the Council agrees to reduce the annexation fee, I would recommend that we retain the second and third sentences of ¶ 4(c) of the original Annexation Agreement.

It is my understanding that Mr. Ehrenberg believes that the agreement to construct the portion of a sidewalk not adjacent to his property is a fee, that any fee must be directly connected to the actual costs caused by the annexation and that the cost to construct the sidewalk would be characterized as an illegal tax.

I would like to go into executive session under Idaho Code § 74-206(1)(f) to discuss the legal ramifications of and legal options for a controversy which is likely to be litigated. If you have any questions, please contact me. Thank you.
Sincerely,

\[\text{Signature}\]

Ned C. Williamson

NCW/jrs

cc: Erin Clark (w/o encl.)
    Lisa Horowitz (w/ encl.)
    Heather Dawson (w/ encl.)
December 20, 2016

VIA U.S. MAIL and E-MAIL

Mr. Ned Williamson
Law Offices of Ned Williamson
115 S. 2nd Avenue
Hailey, Idaho 83333

Re: Ehrenberg Annexation Agreement (Instrument No. 546900)

Dear Ned:

Pursuant to our earlier telephone conversation regarding the Ehrenberg Annexation Agreement, I am attaching a draft amendment for the City’s consideration. The changes contained in the draft amendment are (1) the removal of the requirement that Mr. Ehrenberg improve portions of the Bullion right-of-way that are not adjacent to his property; and (2) a reduction in the annexation fees to reflect the amount set forth in the annexation fee schedule recently adopted by the City.

Please let me know if there is anything the City needs from my client with regard to the proposed amendment.

Sincerely,

LAWSON LASKI CLARK & POGUE, PLLC

Erin F. Clark

cc: client
RECITALS

A. The City and Ehrenberg entered into that certain Annexation Agreement for the Ehrenberg Subdivision (the “Original Agreement”) dated February 26, 2007 and recorded April 20, 2007 as Instrument No. 546900, records of Blaine County, Idaho.

B. The Original Agreement provides that Ehrenberg is required to pay annexation fees in the of $68,167, which sum is required to be paid in installments upon the sale or conveyance of title to any of the three lots described in the proposed subdivision. This annexation fee amount was based on an Annexation Fee report created by Management Partners, Inc. on November 20, 2005.

C. After the Original Agreement was executed, the United States District Court upheld the Bankruptcy Court’s opinion in In Re Old Cutters, Inc., 488 B.R. 130 (the “Cutters Decision”), which held that a city does not have the power to negotiate an annexation fee that exceeds the actual costs the city might incur as a direct result of its annexation. The District Court also upheld the Bankruptcy Court’s finding that the statute of limitations does not prevent a party from contesting the legality of annexation requirements that a city was not empowered to require of an annexation applicant.

D. After the Cutters Decision was issued, the City engaged TischlerBise to perform an annexation fee study (the “Tischler Study”) that is intended to be consistent with the legislative intent of equitably allocating the costs of public services in the management of development on the urban fringe. The annexation fee schedule proposed by the Tischler Study was adopted by the City on October 3, 2016. According to the fee schedule adopted by the City, the total annexation fees for the Ehrenberg Subdivision would be $6,659.
E. As a result of the Cutters Decision and the City's new fee schedule, the Parties desire to amend the Original Agreement such that it contains annexation conditions that the City is empowered to require of Ehrenberg.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants, promises, agreements, terms and conditions set forth herein, the parties covenant and agree as follows:

1. The Recitals set forth above are an integral part of this Amendment and are fully incorporated herein by this reference.

2. Paragraph 3.g of the Agreement shall be deleted in its entirety and replaced with the following:

   g. On or before the recordation of a final plat of the Subdivision, Ehrenberg shall, at his expense, construct sidewalk improvements adjacent to the Property in accordance with City standards.

3. Paragraph 4 shall be deleted in its entirety and replaced with the following:

4. ANNEXATION FEES. In consideration for the City providing essential governmental and utility services to the Property and to mitigate the impact on the City of annexation of the Property, Ehrenberg shall pay to the City a general annexation fee in the sum of Six Thousand Six Hundred Fifty-Nine Dollars ($6,659) (the “Annexation Fee”).

   a. The entire amount of the Annexation Fee shall be due within one hundred twenty (120) days of the execution of this Amendment.

   b. The obligation to pay the Annexation Fee shall create a lien on the Property, which shall be released upon payment by Ehrenberg.

   c. The Parties acknowledge and agree that the annexation fees described in this Paragraph 4 are fair and equitable and required by the City to equitably allocate the costs of providing city services to the Property.

5. Each of the persons executing this Amendment represents and warrants that he or she has the lawful authority and authorization to execute this Amendment, as well as all deeds, easements, liens and other documents required hereunder, for and on behalf of the entity executing this Amendment.

6. All other terms and conditions of the Agreement shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the Parties have executed this Amendment the day and year written herein.
DATED this ___ day of ____________ 2017.

CITY OF HAILEY

By: ________________
     ________, Council President

ATTEST:

____________________
Mary Cone, Hailey City Clerk

THOMAS A. EHRENBERG

____________________

STATE OF IDAHO  )
     ) ss.
County of Blaine   )

On this ___ day of __________, 2017, before me the undersigned Notary Public in and for said State, personally appeared ________________, known or identified to me to be the Council President of Hailey and the person whose name is subscribed to the within instrument, and acknowledges that s/he executed the same on behalf of the city of Hailey.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

____________________
Notary Public for Idaho
Residing at ____________________________
My commission expires ____________________
ANNEXATION AGREEMENT
EHRENBERG SUBDIVISION

THIS ANNEXATION AGREEMENT ("Agreement") is dated this 26th day of February, 2007, by and between the CITY OF HAILEY, IDAHO, a municipal corporation (the "City") and THOMAS A. EHRENBERG, a married man dealing with his sole and separate property ("Ehrenberg", and together with the City, the "Parties").

RECITALS

A. The City is a municipal corporation possessing all powers granted to municipalities under the applicable provisions of the Idaho Code, including the power to annex property contiguous to its boundaries, the power to zone and enforce zoning within the boundaries of the property so annexed, and the power to contract.

B. Ehrenberg owns approximately one (1) acre of property in Blaine County, Idaho, contiguous to the boundaries of the City, the legal description of which is set forth in Exhibit "A" attached hereto (the "Property"). EHRENBERG has filed an application to annex the Property into the City pursuant to the provisions of the City’s Annexation Procedures Ordinance No. 889.

C. Concurrent with the execution of this Agreement, the City has adopted Ordinance No. 981 (the "Annexation Ordinance") to annex the Property into the City and to classify and zone the Property.

D. Ehrenberg intends to submit an application for approval of a subdivision of the Property pursuant to the City’s Subdivision Ordinance No. 821 following adoption and publication of the Annexation Ordinance.

E. The Parties agree the Property shall be developed in accordance with the terms and conditions of this Agreement and any additional conditions and requirements imposed by the Hailey Planning and Zoning Commission and Hailey City Council during the approval of the subdivision of the Property.

F. Ehrenberg intends to develop the Property generally as shown on the map attached hereto as Exhibit "B."

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants, promises, agreements, terms and conditions set forth herein, the Parties covenant and agree as follows:

1. INCORPORATION OF RECITALS. The Recitals set forth above are an integral part of this Agreement and are fully incorporated herein by this reference.
2. **ZONING.** Upon annexation, the Property shall be classified and zoned as General Residential (GR) Zoning District and Flood Hazard (FH) Overly Zoning District and in accordance with the Annexation Ordinance. The Parties acknowledge that no zoning of the Property can exist solely by virtue of this Agreement.

3. **DEVELOPMENT OF PROPERTY.** The Property shall generally be developed as shown on the map attached hereto as Exhibit "B" and in accordance with the conditions and requirements of the Hailey Subdivision and Zoning Ordinances. The following shall be included in any approved subdivision of the Property (the "Subdivision").

   a. Ehrenberg has executed a Quitclaim Deed granting to the City any and all interest in the real property directly north of the Property known as Bullion Street, a copy which is attached hereto as Exhibit "C" and the Quitclaim Deed shall be recorded at the time of the execution and recordation of this Agreement.

   b. The Property may be subdivided into three (3) lots, with a total of five (5) dwelling units. In the event a subsequent resubdivision of one or more of the three lots is requested or a building permit is requested resulting in more than five (5) dwelling units on the Property, the applicant shall be required to pay further annexation fees for the additional lots or dwelling units in an amount deemed appropriate by the City in its sole and absolute discretion, before a subsequent resubdivision is granted or an additional building permit is issued.

   c. The driveways proposed within the Subdivision shall be constructed to City standards, owned and maintained by the Ehrenberg and shall be platted with appropriate utility easements. Ehrenberg shall, at his expense, maintain the snow storage areas not located on land dedicated to the City, the driveways, drainage and the parking areas, all of which are generally depicted on Exhibit "B" in a neat, attractive and safe manner. The parties acknowledge that a homeowner's association may be created that could assume this obligation.

   d. A final plat of the Subdivision shall depict the one hundred foot (100') riparian setback from the Big Wood River, as shown on Exhibit "B." The final plat of the Subdivision shall contain a note that within the one hundred foot (100') setback there shall be no manipulation of any natural plant materials, living or dead, except for the removal of hazards and there shall be no storage of any kind, parking or placement of any permanent, semi-permanent or non-permanent structures.

   e. A final plat of the Subdivision shall contain building envelopes providing for a ten foot (10') setback from the one hundred foot (100') riparian setback from the Big Wood River, as shown on Exhibit "B." The final plat of the Subdivision shall contain a note that no structure or storage shall be permitted within the ten foot (10') setback.

   f. A final plat of the Subdivision shall include a plat note providing that Parcel A
is unbuildable, as depicted on Exhibit “B.”

g. On or before the recordation of a final plat of the Subdivision, Ehrenberg shall, at his expense, construct sidewalk improvements to City standards within the Bullion Street right-of-way for a distance of not less than two hundred forty feet (240’) and sidewalk improvements to City standards adjacent to the Property.

4. ANNEXATION FEES. In consideration for the City providing essential governmental and utility services to the Property and to mitigate the impact on the City of annexation and development of the Property, Ehrenberg shall pay to the City a general annexation fee in the sum of Sixty Eight Thousand One Hundred Sixty Seven Dollars ($68,167), subject to adjustment as provided below, in three installments as follows:

a. The sum of Twenty Two Thousand Seven Hundred Twenty Two and 33/100 Dollars ($22,722.33) plus the adjustment described in paragraph 4(b), below, shall be due upon the sale or conveyance of title to any of the three lots described in the proposed subdivision, or any part thereof.

b. The annexation fee installments to be paid pursuant to paragraph 4(a), above, shall be subject to adjustment prior to the due date of each such installment payment (the “Adjustment Dates”) on the basis of the change in the Consumer Price Index for All Cities published by the United States Department of Labor (the “Index”) which is published for the month the Annexation Ordinance is effective (the “Beginning Index”). If the Index published nearest the Adjustment Date (the “Adjustment Index”) has changed from the Beginning Index, the annexation fee installment payment then due shall be determined by multiplying the installment amount listed above by a fraction, the numerator of which is the Adjustment Index and the denominator of which is the Beginning Index.

c. The obligation to pay the installments of annexation fees shall create a lien on the lots which shall be released in accordance with Paragraph 16 of this Agreement. The Parties acknowledge and agree that the annexation fees described in this Paragraph 4 are fair and equitable and that the annexation fees have been agreed upon as consideration for the City providing essential governmental and utility services to the Property and to mitigate the impact on the City of annexation and development of the Property. Ehrenberg agrees for himself and his successors, heirs and assigns, that Ehrenberg or any of his successors, heirs or assigns, shall not be entitled to any credit for any obligation for an impact or capital facilities fee, hookup fee, building permit fee, development impact fee created in accordance with Idaho Code §§67-8201 et seq., as amended, or similar fee associated with the development of the Property, by virtue of the payment of annexation fees described in this Paragraph 4.

5. TREES. The existing trees depicted on Exhibit “B” shall be preserved to the greatest extent possible, but in the event the trees must be removed, the trees shall be relocated in good health and/or replaced with riparian trees, with no net loss of trees on the Property. The trees

ANNEXATION AGREEMENT/3
shall be maintained in a healthy condition.

6. ENVIRONMENTAL COMPLIANCE. Ehrenberg shall comply with the following recommendations of Environmental Assessment and Compliance Services:

   a. Prior to demolition of buildings on the Property, an asbestos and lead inspection shall be conducted. All identified hazardous debris shall be removed in compliance with applicable federal, state and local laws and regulations. All potentially hazardous materials such as petroleum, cleaning/maintenance products and fluorescent light ballasts shall first be removed from any demolished building.

   b. If during demolition of buildings on the Property, any strange odors, staining or other evidence of hazardous material or petroleum release is identified, sampling shall be conducted. If transite (asbestos containing) piping is discovered on the property (most likely near the north end of the Property), removal of the piping shall cease until the asbestos content is verified and removed in accordance with applicable federal, state and local laws and regulations.

   c. The concrete manhole structure at the southwest end of the Property shall be properly closed to prevent potential future contamination and potential physical dangers, in accordance with applicable regulation of the Idaho Department of Water Resources.

7. EFFECTIVE UPON ANNEXATION. This Agreement shall become effective only upon, and subject to, the Council’s enactment of an Ordinance annexing the Property.

8. POLICE POWERS. Except as otherwise expressly provided herein, nothing contained herein is intended to limit the police powers of the City or its discretion in review of subsequent applications regarding development of the Property. This Agreement shall not be construed to modify or waive any law, ordinance, rule, or regulation not expressly provided for herein, including, without limitation, applicable building codes, fire codes, Hailey’s Zoning Ordinance and Hailey’s Subdivision Ordinance for the Property.

9. AMENDMENT. This Agreement may be revised, amended, or canceled in whole or in part, only by means of a written instrument executed by both parties hereto and as evidenced by amended plats and development plans.

10. REMEDIES. In the event the Property is not developed in accordance with this Agreement, or if Ehrenberg or its successors and assigns, if any, materially breaches, defaults or fails to perform any material obligation under this Agreement and does not cure such breach, default or failure within thirty (30) days after written notice from City of the breach, default or failure, or in the case of a breach which is incapable of being cured within a thirty (30) day time period, Ehrenberg fails within thirty (30) days after written notice from City to commence to cure the same and thereafter to prosecute the cure of such breach with due diligence and continuity, a) the City has the right to de-annex the Property, and/or b) the proposed subdivision application may be denied.

ANNEXATION AGREEMENT/4
Subject to the conditions set forth herein, Ehrenberg hereby grants to the City its irrevocable consent to the de-annexation of the Property. In the event of a breach of this Agreement, in addition to all other remedies of law or in equity, this Agreement shall be enforceable by specific performance by either party hereto. All remedies shall be cumulative.

11. ATTORNEY’S FEES. If a suit, action, or other proceeding arising out of or related to this Agreement is instituted by any party to this Agreement, the prevailing party shall be entitled to recover its reasonable attorney fees, expert witness fees, and costs (i) incurred in any settlement negotiations, (ii) incurred in preparing for, prosecuting or defending any suit, action, or other proceeding, and (iii) incurred in preparing for, prosecuting or defending any appeal of any suit, action, or other proceeding. For the purpose of this section, “attorney fees” shall mean and include (i) attorney fees and (ii) paralegal fees. This section shall survive and remain enforceable notwithstanding any rescission of this Agreement or a determination by a court of competent jurisdiction that all or any portion of the remainder of this Agreement is void, illegal, or against public policy.

12. NOTICES. All notices and communications under this Agreement shall be in writing and shall be (i) delivered in person or (ii) mailed, postage prepaid, either by registered or certified mail, return receipt requested, or by overnight express carrier, addressed in each case to the party’s address set forth in the introductory paragraph of this Agreement, or (iii) sent by facsimile with the original to follow by mail in the manner described above. It is provided, however, that any party may change its respective address for purposes of receipt of any such communication by giving ten (10) days prior written notice of such change to the other party hereto in the manner provided above. All notices sent pursuant to the terms of this paragraph shall be deemed received (i) if sent by overnight, express carrier, on the next business day immediately following the day sent, (ii) if sent by registered or certified mail, on the third business day following the day sent or (iii) if sent by facsimile on the date so sent.

13. RELIANCE BY PARTIES. This Agreement is intended by Ehrenberg to be considered by the City as part of Ehrenberg’s request for annexation of the Property and application for subsequent subdivision approval, and is contingent upon annexation. Ehrenberg acknowledges and intends the City to consider and rely upon this Agreement in its review and consideration of the annexation request and subsequent subdivision application.

14. RELATIONSHIP OF PARTIES. It is understood that the contractual relationship between the City and Ehrenberg is such that neither party is the agent, partner, or joint venturer of the other party.

15. SUCCESSORS AND ASSIGNS; COVENANT RUNNING WITH LAND. This Agreement shall inure to the benefit of the City and Ehrenberg and their respective heirs, successors and assigns. This Agreement, including all covenants, terms, and conditions set forth herein, shall be and is hereby declared a covenant running with the land with regard to the Property or any portion thereof, and is binding on both parties to this Agreement as well as their respective heirs, successors.
and assigns.

16. RECORDATION AND RELEASE. This Agreement shall be recorded with the Blaine County Recorder. Where the conditions of the payment of the annexation fees described in Paragraph 4 of this Agreement have been fully performed to the City's satisfaction, the City shall execute and deliver from time to time upon request partial releases in the form attached hereto as Exhibit "D" to release the lien of this Agreement from portions of the Property being conveyed to third party purchasers. With each request for a partial release for a payment under paragraph 4 of this Agreement, Ehrenberg shall furnish the City with a list of the lots sold, and if requested by the City, copies of recorded deeds showing the lots conveyed and dates of conveyances of the lots. The cost of recording each partial release shall be paid by Ehrenberg.

17. NO WAIVER. In the event that the City or Ehrenberg, or its successors and assigns, do not strictly comply with any of the obligations and duties set forth herein, thereby causing a default under this Agreement, any forbearance of any kind that may be granted or allowed by Ehrenberg, the City, or their successors and assigns, to the other party under this Agreement shall not in any manner be deemed or construed as waiving or surrendering any of the conditions or covenants of this Agreement with regard to any subsequent default or breach.

18. PARTIAL INVALIDITY. In the event that any provision of this Agreement is deemed to be invalid by reason of the operation of any law, or by reason of the interpretation placed thereon by any court or other governmental body, this Agreement shall be construed as not containing such provision and the invalidity of such provision shall not affect the validity of any other provision hereof, and any and all other provisions hereof which otherwise are lawful and valid shall remain in full force and effect.

19. ENTIRE AGREEMENT. This Agreement sets forth the entire understanding of the parties hereto, and shall not be changed or terminated orally. Any other agreements between the parties, express or implied, are hereby cancelled and of no further force nor effect. It is understood and agreed by the parties hereto that there are no verbal or written promises, agreements, stipulations or other representations of any kind or character, express or implied, other than as set forth in writing in this Agreement.

20. EXHIBITS. All exhibits referred to herein are incorporated in this Agreement by reference, whether or not actually attached.

21. AUTHORITY. Each of the persons executing this Agreement represents and warrants that he has the lawful authority and authorization to execute this Agreement, as well as all deeds, easements, liens and other documents required hereunder, for and on behalf of the entity executing this Agreement.

22. NO THIRD PARTY RIGHTS. This Agreement shall be for the sole benefit of the Parties and/or their successors and assigns, and no covenants or agreements herein shall be for the
benefit of or create any rights in favor of any third parties.

23. **GOVERNING LAW.** The validity, meaning and effect of this Agreement shall be determined in accordance with the laws of the State of Idaho applicable to agreements made and performed in that state.

24. **TIME OF ESSENCE.** Time is of the Essence in this Agreement.

25. **NECESSARY ACTS.** Each party agrees to perform any further acts and execute any documents that may be reasonably necessary to effect the purpose of this Agreement.

26. **CAPTIONS TO PARAGRAPHS.** The captions to the paragraphs of this Agreement are for convenience only and shall not be deemed to enlarge, diminish, explain or in any manner affect the meaning of such paragraphs.

27. **COUNTERPARTS.** This Agreement may be executed in several counterparts and all so executed shall constitute one Agreement, binding on all the parties hereto even though all the parties are not signatories to the original or the same counterpart.

IN WITNESS WHEREOF, the Parties have executed this Agreement the day and year written herein.

DATED this 26th day of **February**, 2007.

CITY OF HALEY

ATTEST:

Heather Dawson
Hailey City Clerk

[signature]

Susan McBryant, Mayor

CITY OF EUREKA

EHRENBERG

By: [signature]

Thomas A. Ehrenberg

ANNEXATION AGREEMENT/7
STATE OF IDAHO  
) ss.
County of Blaine  
)

On this 26th day of February, 2007, before me the undersigned Notary Public in and for said State, personally appeared SUSAN McBRYANT, known or identified to me to be the Mayor of Hailey and the person whose name is subscribed to the within instrument, and acknowledged that he executed the same on behalf of the City of Hailey.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year in this certificate first above written.

[Signature]
Christina M. Leos
Notary Public for Idaho
Residing at: Hailey
Comm. Expires: 02/21/2008

STATE OF WASHINGTON  
) ss.
County of Spokane  
)

On this 28th day of January, 2007, before me the undersigned Notary Public in and for said State, personally appeared THOMAS A. EHRENBERG, known or identified to me to be the person who executed the within and foregoing document and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year in this certificate first above written.

[Signature]
Jenny L. Glatz
Notary Public for Washington
Residing at: Spokane
Comm. Expires: 11/21/2010

ANNEXATION AGREEMENT/8
Ehrenberg Legal Description

TOWNSHIP 2 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 9: ALL THAT PORTION OF THE E1/2 SW1/4 MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHERLY BOUNDARY OF BULLION STREET AND CITY OF HAILEY'S WESTERLY BOUNDARY, THE TRUE POINT OF BEGINNING:

THENCE SOUTH 60°50' WEST, 101.60 FEET;
THENCE SOUTH 21°40' WEST, 116.60 FEET;
THENCE SOUTH 34°20' EAST, 152.30 FEET;
THENCE SOUTH 81°30' EAST, 54.50 FEET;
THENCE NORTH 59°34' EAST, 56.50 FEET;
THENCE NORTH 29°10' WEST, 60.00 FEET;
THENCE NORTH 60°50' EAST, 91.70 FEET;
THENCE NORTH 28°05' WEST, 200.00 FEET;
THENCE SOUTH 60°50' WEST, 19.00 FEET TO THE TRUE POINT OF BEGINNING.

EXHIBIT "A"
QUITCLAIM DEED

FOR VALUE RECEIVED, ANTHONY EHRENBERG, does hereby convey, release, remise and forever quitclaim unto CITY OF HALEY, 115 S. Main St., Ste. H, Hailey, Idaho 83333, the following described premises situated in the County of Blaine, State of Idaho, as more particularly described in Exhibit "A" attached hereto, together with its appurtenances.

DATED this 16th day of November, 2006.

[Signature]
Anthony Ehrenberg
THOMAS A. EHRENBERG

STATE OF IDAHO )
ss. )
County of Blaine

On this 16 day of November, 2006, before me, a Notary Public in and for said State, personally appeared Anthony Ehrenberg, known to me to be the person who executed the within and foregoing document and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

[Signature]
Notary Public for Idaho
Residing at: Spokane, WA
My commission expires: 11-10-09

QUITCLAIM DEED/1

EXHIBIT "C"
PARTIAL LIEN RELEASE

The City of Hailey hereby acknowledges that the (first, second or last) installment of fees for annexation, required to be paid under paragraph 4(a) of the Annexation Agreement Ehrenberg Subdivision ("Agreement") dated _______, 2007, recorded as Instrument No. _______, records of the County Recorder, Blaine County, Idaho, has been paid in full. In accordance with the Agreement, the City of Hailey hereby releases any and all liens for annexation fees arising under or by virtue of the Agreement against the following lot:

___________ of the Ehrenberg Subdivision Plat, Hailey, Blaine County, Idaho as shown on the official plat thereof, recorded _______, 2006, as Instrument No. _______, records of the County Recorder, Blaine County, Idaho.

DATED this _____ day of ____________.

CITY OF HAILEY

_________________________, Mayor

ATTEST:

__________________________, City Clerk

EXHIBIT "D"
State of Idaho
} }.
County of Blaine
}

On this ______ day of __________, before me, a Notary Public in and for said State, personally appeared ______________, known or identified to me to be the Mayor of the City of Hailey, who executed the foregoing instrument, and acknowledged to me that s/he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.

______________________________
Notary Public for Idaho
Residing at:____________________
My commission expires:__________

PARTIAL LIEN RELEASE/2
Return to Agenda
AGENDA ITEM SUMMARY

DATE: 3/06/17  DEPARTMENT: Community Development  DEPT. HEAD SIGNATURE: LH

SUBJECT: Community Housing Tools

AUTHORITY: □ ID Code ____________ □ IAR ____________ □ City Ordinance/Code 5.20
(IFAPPLICABLE)

BACKGROUND/SUMMARY OF ALTERNATIVES CONSIDERED:
The Planning and Zoning Commission has been studying a variety of tools to facilitate the development of housing that is affordable to Hailey residents and workers. Some of these tools address “deed restricted” and “rent restricted” housing (often referred to as “community housing”), and some of these tools are designed to create “free market” housing, that is neither deed-restricted nor rent-restricted. The Commission has indicated in recent meetings that multiple tools will be needed if the City is to be successful in expanding housing opportunities, as called for in the Hailey Comprehensive Plan. (Note that the Commission was not in favor of ideas in the attached Power Point that are not currently legal in Idaho.)

The attached Power Point is for informational purposes only.

FISCAL IMPACT / PROJECT FINANCIAL ANALYSIS:
Caselle #
Budget Line Item # ____________  YTD Line Item Balance $ ____________
Estimated Hours Spent to Date: ____________  Estimated Completion Date: ____________
Staff Contact: Lisa Horowitz  Phone # 788-9815 #13

ACKNOWLEDGEMENT BY OTHER AFFECTED CITY DEPARTMENTS: (IFAPPLICABLE)

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<tr>
<th></th>
<th>City Attorney</th>
<th>City Administrator</th>
<th>Engineer</th>
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RECOMMENDATION FROM APPLICABLE DEPARTMENT HEAD:
No action is needed. The attached power point is for informational purposes only.

ADMINISTRATIVE COMMENTS/APPROVAL:
City Administrator ____________ Dept. Head Attend Meeting (circle one) Yes  No

ACTION OF THE CITY COUNCIL:
Date ____________
City Clerk ____________

FOLLOW-UP:
*Ord./Res./Agmt./Order Originals:  *Additional/Exceptional Originals to: ____________
Copies (all info.): Copies
Instrument #: ____________
ESTABLISH "BY-RIGHT DEVELOPMENT"

- Discretionary process of Design Review: adds time & costs
- In many cities, some level of housing goes straight to building permit stage (no Design Review)
- Currently only single family projects outside Townsite Overlay do not go through DR
TAX VACANT LAND OR DONATE IT TO NON-PROFIT DEVELOPERS

- Used in large metropolitan areas
- Reduces Blight
- Pursue Properties in foreclosure
- Allow Non-profits to develop underutilized municipal property
- May not be practical in Idaho
PARTNER WITH HOUSING NONPROFITS TO DEVELOP HOUSING

- Hailey & ARCH partnered on River Street Apartments and in South Woodside
- Ketchum Urban Renewal Agency pursuing partnerships
- Hailey Urban Renewal Agency doesn’t have development of housing in it’s mission
STREAMLINE OR SHORTEN PERMITTING PROCESSES & TIMELINES

- Cut permitting costs and time
REDUCE FEES FOR COMMUNITY HOUSING

- Common in other jurisdictions
- Includes: building permit, design review and/or subdivision fees
- BCHAs suggest providing waivers for development fees if the project serves low-income families
REDUCE OR ELIMINATE OFF-STREET PARKING REQUIREMENTS

- Parking is an expensive project component
- Goal to incentivize housing
ALLOW ACCESSORY DWELLING UNITS

- One of the most common tools
- Allows families to care for aging parents, acquire additional rental income, etc.
ESTABLISH DENSITY BONUSES

- PUD Ordinance provides density bonus and/or other code waivers when 20-30% of units are deed/rent restricted
- Hailey’s PUD tool hasn’t been used in a decade; may not be useful in today’s market
- Other types of density bonuses could be explored
ENACT HIGH-DENSITY & MULTIFAMILY ZONING

- Increase density (in appropriate areas) = Increased housing stock
- Best if used where transit is available
- Increasing building heights is also common
CREATE LIVE-WORK ZONES; ALLOW FOR LIVING IN CERTAIN LI ZONES

- Being examined in many cities in traditional Light Industrial areas
- Must be sure to address public safety issues
- Can result in housing that is more affordable than traditional neighborhoods
ALLOW FOR SMALLER UNITS
OR 'TINY HOUSES'

- Smaller units can mean less building costs
ALLOW FOR SMALLER LOT SIZES

- Reducing minimum lot size is a common tool to lessen the cost of building
EMPLOY INCLUSIONARY ZONING

- Mandate/Encourage developers to include specific % of affordable housing
- Has been struck down in Idaho
- BCHA-tie affordability requirements to increased density
- Relax height & other zoning restrictions to increase housing supply
- Other high cost markets adopted policies to push for development of affordable housing as market of re-zonings
EMPLOY "LINKAGE"

- Requires provision of affordable housing based on generation of jobs in commercial, and potentially residential developments
- Legal in Idaho?
ESTABLISH DEVELOPMENT TAX OR VALUE CAPTURE INCENTIVES/DEVELOP PROPERTY TAX ABATEMENTS

- Provide property owners with tax exemptions on new multifamily buildings if % is set aside as income or rent-restricted housing
- Needs to be allowed at state level - is not currently
CREATE A DEDICATED FUNDING SOURCE FOR THE DEVELOPMENT OF COMMUNITY HOUSING

- Create tax program or other dedicated funding tool
- EX. Certain Colorado cities have ‘Real Estate Transfer Fee’ on real estate transactions (.05%) dedicated to housing
- Legal in Idaho if voluntary fee
- Establish project-by-project basis
BCHA-INCREASE THE REQUIRED PERCENTAGE OF AFFORDABLE HOUSING IN A PROJECT

- For residential PUDs, at least 30% (adjust to a higher %) of dwelling/lots must be affordable to households earning 50% and 120% of the area median income
- Provision that at least 20% (adjust to a higher %) as community housing units affordable to households earning less than 50% of area median income
BCHA-ADOPT AN AFFORDABLE HOUSING OVERLAY ZONE (HOZ)

- See attached document to email for full explanation
- Flexible tool that sits on top of conventional zoning designations (where land isn’t zoned for residential use) but city wants to see affordable housing
BCHA-UNIFIED DEVELOPMENT ORDINANCES (UDO)

- Could tie into provision on slide #5
- Combine traditional zoning & subdivision regulations
- Consolidate design guidelines, sign regulation, & floodplain and storm water management into one document
- Streamlining will remove inconsistencies, eliminate outdated policies
- Simplify understanding of requirements for developers, the public, and public entities
LOCAL HOUSING TRUST FUND

- Public fund to support preservation & production of Community Housing
- Not repository for private donations or viewed as public/private partnership
- Local Ex. City of Sun Valley Workforce Housing Fund, City of Ketchum In-lieu Fund
## Priority

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<th>Priorities</th>
<th>High</th>
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<tr>
<td>&quot;By-Right Development</td>
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<td>Tax Vacant Land or Donate it to Non-Profit Developers</td>
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<td>Partner with Housing Non-Profits to Develop Housing</td>
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<td>Streamline or Shorten Permitting Process &amp; Timelines</td>
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<td>Reduce Fees for Community Housing</td>
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<td>Reduce or Eliminate Off-Street Parking Requirements</td>
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<td>Allow Accessory Dwelling Units</td>
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<td>Establish Density Bonuses</td>
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<td>Enact High-Density &amp; Multifamily Zoning</td>
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<td>Create Live-Work Zones; Allow for Living in certain LI Zones</td>
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<td>Allow for Smaller Units; &quot;Tiny Houses&quot;</td>
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<td>Allow for Smaller Lots</td>
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<td>Employ Inclusionary Zoning</td>
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<td>Employ &quot;Linkage&quot;</td>
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<td>Establish Development Tax or Value Capture Incentives</td>
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<td>Develop Property Tax Abatements</td>
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<td>Create a Dedicated Funding Source for Community Housing</td>
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<td>Increase the Required % of Affordable Housing in a Project</td>
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<td>Adopt an Affordable Housing Overlay Zone (HOZ)</td>
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<td>Unified Development Ordinances (UDO)</td>
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<td>Local Housing Trust Fund</td>
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Return to Agenda
AGENDA
HAILEY PLANNING & ZONING COMMISSION
SPECIAL MEETING
Tuesday, March 7, 2017
Hailey City Hall
5:30 p.m.

Call to Order

Public Comment for items not on the agenda

Consent Agenda

CA 1 Adoption of the Meeting Minutes of February 13, 2017

CA 2 Adoption of the Findings of Fact, Conclusions of Law and Decision of a Design Review Application by Hailey Sheep Sheds, represented by Marc Corney of Red Canoe Architecture, for two new 2,294 square foot single family residences, to be located at 215 North 1st Avenue and 217 North 1st Avenue (Lots 2A and 3A, Block 45, Hailey Townsite), in the General Residential (GR) and Townsite Overlay (TO) Zoning Districts.

Public Hearings

PH 1 Consideration of a City-initiated Annexation, the Quigley Farm PUD by Quigley Farm & Conservation Community, LLC, represented by Hennessy Company and SERA Architects. The proposed annexation area would consist of 175-200 residential units, depending on the final boundaries of the annexation area, to be built over approximately 3 phases. The project would also include a school site, nonprofit office and meeting spaces, mixed uses, agriculturally-related uses, small-scale neighborhood business and lodging associated with nonprofit use, baseball and soccer fields, parking, open space and common area, Nordic area, summer trailhead access, bike/pedestrian pathways and trails.

The proposed project will be located on portions of:

- RPO2N18010333E, which is referenced as T2N R18E Sections 3 & 10 Tax Lot 8368
- RPO2N180022310 (LOT 1 & 2, S1/2NE, W1/2SE & NESW SEC 2 2N 18E)
- RPO2N18011333E (FR S1/2SW SEC 2 FR W1/2NW TL 8369 & NENW, NWSW SEC 11 2N 18E
- RPO2N180107200 (FR NESE SEC 10 TL 8370 2N 18E)

New Business

Old Business

Commission Reports and Discussion

Staff Reports and Discussion

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

For further information regarding this agenda, or for special accommodations to participate in the public meeting, please contact planning@haileycityhall.org or (208) 788-9815.

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

Call to Order

Public Comment for items not on the agenda

Consent Agenda

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

Public Hearings

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

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

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

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

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

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

New Business

Old Business

Commission Reports and Discussion

Staff Reports and Discussion

For further information regarding this agenda, or for special accommodations to participate in the public meeting, please contact planning@haileycityhall.org or (208) 788-9815.
SR 1  Discussion of current building activity, upcoming projects, and zoning code changes.
(no documents)

SR 2  Discussion of the next Planning and Zoning meeting: Monday, April 10, 2017
(no documents)

Adjourn

For further information regarding this agenda, or for special accommodations to participate in the public meeting, please contact planning@haileycityhall.org or (208) 788-9815.

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Return to Agenda
AGENDA OF THE
HAILEY CITY COUNCIL MEETING
Monday March 27, 2016 * Hailey City Hall Meeting Room

5:30 p.m. CALL TO ORDER - Open Session for Public Concerns

CONSENT AGENDA:
CA 000 Grant Applications
CA 000 Grant Agreements
CA 000 Motion to approve and authorize the Mayor's signature on two quitclaim deeds for transfer of ownership of a groundwater right jointly owned by the City of Hailey and Hailey Cemetery and submit and authorize the Mayor to sign a change in ownership form and submit to IDWR.
CA 000 Motion to approve Resolution 2017- ___ authorizing the Mayor to sign an agreement with Bauer to allow the City to pump snow melt water onto private property adjacent to Lions Park.
CA 000 Motion to approve Special Event, Trailing of the Sheep Festive, to be held at Roberta McKercher Park (October 6th and 7th, 2017, from 10:00 a.m. to 4:00 p.m.) and Lion's Park (October 5th through 8th, 2017, from 8:00 a.m. to 4:00 p.m.)
CA 000 Motion to approve the Findings of Fact for a rezone of 404 and 410 Bluebird Court, (Lots 1 and 2, Block 1, Blue Bird Subdivision) from Limited Residential 1 (LR-1) to General Residential (GR).
CA 000 Motion to approve minutes of March 6, 2017 and to suspend reading of them
CA 000 Motion to approve claims for expenses incurred during the month of March, 2017, and claims for expenses due by contract in April, 2017

MAYOR'S REMARKS:
MR 000

PROCLAMATIONS & PRESENTATIONS:
PP 000 Presentation by Hailey Arts and Historical Preservation Commission pertaining to painted crosswalks

APPOINTMENTS & AWARDS
AA 000

PUBLIC HEARING:
PH 000 Consideration for the following: an Amendment to the Hailey Comprehensive Plan Land Use Map by the City of Hailey to change the designation for Lot 14, Block 46, Woodside Subdivision #11, from "Other Public Green Space" to "Traditional Residential" and consideration of a Zone Change Application by City of Hailey for an amendment to the City of Hailey Zoning District Map. Proposed changes would rezone the Lot 14, Block 46 Woodside Subdivision #11, from Recreational Green Belt (RGB) to General Residential (GR) (continued from Feb. 27, 2017)
PH 000 Mobility Design hearing for East Crox Street and 2nd Ave Pathways for People projects (continued from Feb. 27, 2017)
PH 000 Consideration of Ordinance amending Chapter 12.12, Parks and Public Pathways, correcting the parks use rules and conforming those rules to the signage posted at city parks.
PH 000 Consideration of Ordinance prohibiting Yew plants within the City of Hailey

NEW BUSINESS:
NB 000 Discussion on various Public Works ordinance amendments affecting public trees, water service line and fire suppression systems, and pretreatment.
NB 000 Introduction of proposed ordinance to amend Title 5, Business Licenses to create additional rules for temporary merchants and food trucks

OLD BUSINESS:
OB 000 2nd Reading of Ordinance #4, amending the Hailey Zoning District Map to rezone 404 and 410 Bluebird Court, (Lots 1 and 2, Block 1, Blue Bird Subdivision) from Limited Residential 1 (LR-1) to General Residential (GR

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AGENDA OF THE
HAILEY CITY COUNCIL MEETING
Monday APRIL 3, 2017 * Hailey City Hall Meeting Room

5:30 p.m. CALL TO ORDER - Open Session for Public Concerns

CONSENT AGENDA:
CA 000 Grant Applications
CA 000 Grant Agreements
CA 000 Contracts & Bids
CA 000 Special Events
CA 000 Findings of Fact and Ordinance Summaries
CA 000 Motion to approve minutes of December 19, 2012 and to suspend reading of them
CA 000 Motion to approve claims for expenses incurred during the month of December, 2011, and claims for expenses due by contract in January, 2012

MAYOR'S REMARKS:
MR 000

PROCLAMATIONS & PRESENTATIONS:
PP 000 City of Hailey Employee Service Awards:
15 Year Employees - Christina Leos, Raul Ornelas, Mike Parker
25 Year Employees - Terry Turner, Kelly Schwarz

APPOINTMENTS & AWARDS
AA 000

PUBLIC HEARING:
PH 000 Discussion of Staff Memorandum regarding key elements of Quigley development and whether to consider a city initiated annexation (Continued from February 27, 2017)
PH 000 Continuation of an application within the Hailey Area of City Impact for Planned Unit Development (PUD) and Subdivision Preliminary Plat, the Quigley Farm PUD. This is an application to Blaine County by Quigley Farm & Conservation Community, LLC for a 1-2-unit mixed use project. The City of Hailey is not the decision-maker, and will provide comments to the County on this application (Continued from 2/6/2017 and 3/6/2017 meetings).
PH 000 Discussion on various Public Works ordinance amendments affecting public trees, water service line and fire suppression systems, and pretreatment.
PH 000 Introduction of proposed ordinance to amend Title 5, Business Licenses to create additional rules for temporary merchants and food trucks
PH 000 Discussion of Airport Issues

NEW BUSINESS:
NB 000

OLD BUSINESS:
OB 000 2nd Reading of Ordinance # ________, amending Title 12.12 Parks & Public Pathways, governing park rules and signage
OB 000 2nd Reading of Ordinance # ________ adopting County standards for weeds and plants, thereby prohibiting the growing of Japanese Yew within the City of Hailey.

STAFF REPORTS: Staff Reports Council Reports Mayor’s Reports
SR 000
Return to Agenda