

**Meeting Minutes**  
**Hailey Planning and Zoning Commission**  
**Monday, June 5, 2023**  
**5:30 p.m.**

Hailey Planning and Zoning Meetings are open to the public, in person, and by electronic means when available. The city strives to make the meeting available virtually but cannot guarantee access due to platform failure, internet interruptions or other potential technological malfunctions. Participants may join our meeting virtually by the following means:

**From your computer, tablet, or smartphone:** <https://meet.goto.com/CityofHaileyPZ>

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**Present**

**Commission:** Janet Fugate, Dan Smith, Owen Scanlon, Sage Sauerbrey, Dustin Stone

**Staff:** Robyn Davis, Cece Osborn, Emily Rodrigue, Jessie Parker, Christian Ervin, Chris Simms

**5:30:15 PM Call to Order**

- Public Comment for items not on the Agenda. No comment.

**5:31:12 PM** Kris Wirth, 521 Aspen Drive, notice and article for this meeting came up on the IME an 1.5 ago. In open transparency asks that meetings being noticed well in advance.

Davis explained noticing of public hearings.

**5:32:41 PM Consent Agenda**

- **CA 1** Adoption of Meeting Minutes dated May 15, 2023. **ACTION ITEM.**
- **CA 2** Adoption of Findings of Fact, Conclusion of Law of a Design Review Application submitted by the City of Hailey for a new 4,820 square feet mixed-use building consisting of two (2), one (1)-bedroom units above office and industrial space for the Hailey Water Division located at 4297 Glenbrook Drive ( Lot 17 and 18, Parcel K, Sewer Plant, Block 42, Woodside Subdivision No. 10) within the Light Industrial (LI) Zoning District. **ACTION ITEM**

Stone abstained.

**5:33:04 PM** Sauerbrey motion to approve CA 1 and CA 2. Scanlon seconded. Stone abstained, remaining in favor.

## **Public Hearing**

- [5:33:28 PM PH 1](#) Consideration of a Design Review Application submitted by the Blaine County School District and ARCH Community Housing for a new, two (2) bedroom single-family residence of 1,195 square feet, , and a one (1) bedroom accessory dwelling unit (ADU) of 573 square feet to be located at 111 East Croy Street (Lots W 45' of 9, and 10-12, Block 34, Hailey Townsite) within the Transitional (T) and Townsite Overlay (TO) Zoning Districts. **ACTION ITEM**

[5:33:55 PM](#) Rodrigue introduced and summarized project. Rodrigue turned floor over to applicant team.

[5:35:25 PM](#) Michelle Griffith, ARCH Community House Trust, introduced her applicant team. Griffith summarized that this is a continuation of their partnership with Blaine County School District. Griffith summarized funds for this project and others with BCSD. Griffith noted that they have had several conversations with adjacent neighbors. Griffith turned floor over to Sam Stahlnecker.

[5:37:36 PM](#) Sam Stahlnecker, Opal Engineering, explained project location. Stahlnecker explained that believes will complement existing neighborhood that will be honoring existing easement, addressed utilities proposed. Stahlnecker noted snow storage area. Stahlnecker confirmed will identify ADU space in building permit submittal. Stahlnecker asked for feedback from the commission.

[5:39:50 PM](#) Scanlon asked about the driveways being nonstandard. Rodrigue explained it was a comment from Streets Departments and does not have further detail. Scanlon asked what the distance is between the back external parking space and the overflow snow storage, if it will be a usable parking space. Stahlnecker stated there are only 3 spaces and that snow may need to be hauled. Scanlon asked about 900 sq ft easement being used for outdoor space for tenants. Stahlnecker explained intent for outdoor space on back of structure that they do not intend on counting on the easement. Scanlon stated that is all his questions and has comments for later on.

[5:42:48 PM](#) Stone asked for clarification on square foot lot coverage of the building. Griffith does not have dimensions for building, but that it sounds like one number is total square footage of the parcel. Smith confirmed good. Stone asked if had resolved concerns with easement. Stahlnecker confirmed working on relocating utilities. Griffith stated unclear if power will be under ground that they will ensure that power is not disrupted to the neighbors but it is unclear as Idaho Power is still designing. Davis confirmed staff would prefer underground.

[5:46:18 PM](#) No questions from Smith.

[5:46:25 PM](#) Sauerbrey asked if the lease terms are the same as the Bullion properties. Griffith confirmed. Sauerbrey asked if money fund raised is for both these projects. Griffith confirmed. Sauerbrey asked if there are additional projects. Griffith noted one additional on Mckercher that is not designed yet.

[5:47:30 PM](#) Chair Fugate asked if trash storage and pick up area has been delineated. Griffith confirmed will be curbside. Chair Fugate asked if they can walk them through the utilities and easements. Stahlnecker noted existing easement on north side of property, and existing utilities including water, sewer, and power. Stahlnecker confirmed trying to work through process that neighboring property utilities go through the easement. Stahlnecker stated working on utilities for proposed building. Fugate asked about parking. Stahlnecker noted proposed parking spaces.

[5:50:50 PM](#) Stone asked where the external recreation area that was discussed. Stahlnecker confirmed will coordinate with Michelle on outdoor space. Stone asked if they have any concern about having it only being rented by BCSD employees. Griffith explained terms are exactly the same as the Bullion property. Griffith summarized terms of agreement with BCSD and ARCH.

[5:53:20 PM](#) Jim Foudy, Super Intendent of BCSD, stated it is rare for employees to leave during the school year and why. Stone asked if have any concern in keeping these units full. Foudy stated no concerns.

[5:54:42 PM](#) Sauerbrey asked if time frame for potential empty space would be June through August. Foudy confirmed. Sauerbrey asked if short term could be reworded for short term employees. Foudy stated if find themselves where looking at empty units can look at all options.

[5:56:05 PM](#) Scanlon asked if it's just for teachers. Foudy confirmed it's for all staff, summarizing process of how tenants are selected.

[5:56:54 PM](#) Chair Fugate asked to see the elevations. Stahlnecker provided elevation plans. Chair Fugate has concerns with design in Townsite Overlay, stating it looks out of place. Griffith explained reasoning for design.

[5:58:56 PM](#) Scanlon appreciates the thought given on design. Scanlon commented on long roof slope over front door – one door gutter is not going to handle all the water, suggesting a gable to divert water to sides. Scanlon thinks there should be a window in the laundry room of the ADU. Scanlon suggested changes to the elevations and he would like to see something done to lower the scale of the building.

[6:01:18 PM](#) Chair Fugate does think it should still look more home like. Scanlon stated use of building materials used in residential building. Scanlon believes more thought could be put in to how the building functions.

[6:02:26 PM](#) Chair Fugate opened public comment.

[6:02:46 PM](#) Robert Lonning, N 3<sup>rd</sup>, just want to make sure and think its in the best interest of the district as well, realize right now cheapest option is gas but when gas is no longer available hoping these structures will at least be prewired for possible electric utilities at some time down the road. .

[6:03:38 PM](#) Matt Douglas, 115 N 2<sup>nd</sup> Ave, concern is he is in middle of the alley way and access where the alley way and sent several photos in for the commission. He commonly find himself

blocked entering/exit his house. His concern would be to ensure these residents have the ability to enter leave their house. He did make a recommendation to post no parking signs for both customers and delivery. Atkinsons has a delivery bay they need to utilize. He commonly finds himself with the inability to get in or out of his house. Which conflicts with snow parking, not allowed to park on 2<sup>nd</sup> Ave during evenings for snow removal. Other concerns have is snow removal and parking for Atkinsons employees, to ensure there is proper snow removal plans for residences and like to ensure these residents don't face complications that he has with accessing and departing their future residence. His wife is a teacher and fully supports it and understands what BCSD is going through does not want them to find them in a place trying to figure out how to get it. These future employees will need to depart and wants to ensure City understands that concern. Scanlon and Douglas discussed his parking issues that he deals with.

[6:08:10 PM](#) Laura Camplin, 123 2<sup>nd</sup> Ave S, currently an affordable option for her 80 yr old mother to live at. Camplin introduced herself and gave brief history of her family and the lot history. Camplin stated requesting a reasonable amount of time for them to sort out utilities and come to an agreement with power water and sewer. Does have concern with way roof is slanted and snow is going to go next to their garage, would like to see adjustment so all the snow does not come towards their garage. Would like to work with ARCH housing to see about removing existing tree on easement. There is other infrastructure on the easement and it's possibly an opportunity for them all to work together to clear it up. With regards to the city and parking, we also encounter with the same issues. People park, blocking their garage, if there were a medical emergency her mom or husband would not be able to get out. So asking that the city install signage. Camplin pointed out areas that people park. Last request, when the curb and gutter was pulled in can no longer park on adjacent lot.

[6:12:37 PM](#) Kris Wirth, 521 Aspen Drive, not familiar with the project but sounds like a fire lane may be appropriate in the alley.

[6:13:17 PM](#) Chair Fugate closed public comment.

[6:13:38 PM](#) Griffith addressed concerns from public comment – parking, snow storage, and invalid uses of alley. Griffith confirmed happy to installs now clips and that will not be doing heat tape. Griffith noted adding gables is the culprit causing snow damage. Griffith asked that they consider the efficiency of this design before start adding gables and changing this roof line.

[6:16:26 PM](#) Chair Fugate asked what the time frame is that they think can clarify the utilities. Griffith believes sewer and water are clear now, and that Idaho power is in the process of working through theirs now. Griffith hopes the commission does not continue this subject to hearing from Idaho Power. Chair Fugate expressed concern of neighbors having enough time. Griffith explained that they have to ensure the neighbors power is not interrupted even though their power line crosses their property. Stahlnecker noted engineering and building permit process is still needed and believes neighbor is asking for time to scope where their utilities are to ensure they are not dug up during construction. Griffith stated hoping to begin excavation this season. Griffith explained it is important to get a building permit in as it's not a quick as like. Stahlnecker believes building permit time is 4-6 weeks.

[6:21:12 PM](#) Neighbor explained needs time to discuss and understand and digest utilities, that dependent on Idaho Power. Neighbor is also concerned about gas line. Neighbor explained unsure of time that they will need as they are dependent on others time lines.

[6:22:50 PM](#) Griffith explained they are responsible for configuration with power and that Idaho Power is in charge of that design. Griffith explained they have to deliver design that Idaho Power comes up.

[6:24:16 PM](#) Chair Fugate asked Griffith if willing to remove existing tree in the easement as requested. Griffith confirmed.

[6:24:47 PM](#) Chair Fugate stated understands Lori's (neighbors) concern and explained that not able to hold this project up for this.

[6:25:20 PM](#) Lori stated all she is asking for is that they understand and come to a mutual agreement with power.

[6:26:03 PM](#) Chair Fugate asked if using gas. Griffith confirmed using gas for heating and stove and that does need electric. Chair Fugate confirmed will locate gas lines. Chair Fugate asked if pre-wiring for solar. Stahlnecker believes Griffith installs conduit. Stahlnecker noted Idaho Power also reaches out to communication companies.

[6:27:26 PM](#) Davis understands the neighbors concern. Davis explained requirements if choose to remove the tree and that if BCSD chooses they can retain the tree. Davis explained easement requirements.

[6:28:36 PM](#) Smith asked if this is an access or utilities easement. Davis confirmed both.

[6:28:54 PM](#) Chair Fugate asked Griffith if she would be willing to discuss with Atkinsons regarding alley use. Griffith confirmed she would be happy to.

[6:29:47 PM](#) Scanlon understands Griffith's concern with amending slope of roof, really encourages them to consider how people are going walk across the icy patch. Scanlon believes addition of windows in laundry room of adu and on garage side. Scanlon asked if wall sconces are dark sky compliant. Griffith confirmed. Davis confirmed and explained that staff looks at the lumen.

[6:32:10 PM](#) Stone feels like need to know more on Streets Departments comments regarding access from alley. Rodrigue confirmed this will be made clear in Findings as person who made comment is unavailable. Stahlnecker confirmed did receive and explained her understanding of the concern. Stahlnecker confirmed will work with staff to address. Stone suggested condition of approval to address this. Stone described existing structures surrounding and how feels need to adjust proposed building to be a better fit. Stone would like to see this built. Stone asked where proposed trees are going to be located. Griffith noted four in front and 2 towards the rear of the property.

[6:38:50 PM](#) Smith understands intent of building and would like to see this building built. Smith referenced sections City Ordinances in Townsite and, Design Review. Smith also noted existing iconic structures near this proposed area. Smith explained why and how he does not find how this proposed design does not fit within this area. Smith explained his concerns of the design and where believes the design lacks. Smith believes there is some tune up that needs to happen, thinks some additions of windows, fenestration, and gabling. Smith stated it would have been nice to have had a color rendition. Smith requested this on the next go. Smith understands neighbors' concerns. Smith suggested making sure neighbor has had time to locate their utilities. Smith supports the idea of housing for the school district, unfortunately given what he read and his personal believe this does not fit with the intent for what is expected for a building in this location.

[6:47:03 PM](#) Sauerbrey agrees with Smiths comments, would love to see this built. Sauerbrey appreciates that the applicants are taking charge in providing housing for employees. Sauerbrey asked if can make pre-wiring for solar a condition. Chair Fugate noted this is the plans. Sauerbrey thanked applicant for spear heading parking issues. Sauerbrey noted design aspect has been covered. Sauerbrey suggested if that go with gable design in front of property, that essentially diverting water to parking stall. Sauerbrey believes there is a way to mitigate this issue.

[6:49:54 PM](#) Chair Fugate stated when first looked at this application, it did not seem compatible and thinks need to see something different with the design that is more compatible with surrounding historic buildings. Chair Fugate understands there are budget constraints, and would like to see this built but does think it needs ot look different.

[6:52:39 PM](#) Commission discussed option of having a additional hearing so concerns can be addressed. Commission and Staff discussed dates to continue, staff recommending July 17<sup>th</sup>.

[6:55:47 PM](#) Chair Fugate confirmed Stahlnecker understood requested items.

[6:56:59 PM](#) Scanlon suggested making even feet and inches and not wasting space.

[6:57:29 PM](#) **Stone motion to continue the public hearing to July 17, 2023. Smith seconded. All in Favor.**

[6:58:00 PM](#) Chair Fugate asked Griffith in had questions on what asking. Griffith confirmed clear.

- [6:58:42 PM PH 2](#) Consideration of a Design Review Application submitted by Lyn Holt for construction of a new 1,344 square foot garage in conjunction with a two (2) bedroom accessory dwelling unit above, to be located at 519 South River Street (Lots S 23' of 9, all of 10, Block 10, 20 ft. adj. vacated Chestnut St., Hailey Townsite) within the General Residential (GR) and Townsite Overlay (TO) Zoning Districts. **Continue on record to June 20, 2023 ACTION ITEM**

[6:58:46 PM](#) **Smith motion to continue to June 20, 2023. Scanlon seconded. All in Favor.**

[6:59:08 PM](#) Chair Fugate called 5-minute break.

[7:07:16 PM](#) Chair Fugate called meeting back to order.

- [7:07:19 PM PH 3](#) Consideration of a City-Initiated Text Amendment to amend the Hailey Municipal Code, Title 17: Zoning Regulations, Chapters 17.05.040 District Use Matrix, as well as Chapter 17.04.010 Articles A, F, and H, to allow for employee housing by way of Accessory Dwelling Units in the Light Industrial (LI), Technological Industry (TI), and Recreational Green Belt (RGB) Zoning Districts. **ACTION ITEM**

[7:07:51 PM](#) Osborn stated staff intends to have this continued and staff is looking for feedback. Osborn explained reasoning bring this amendment to them and introduced proposed amendment. Osborn summarized proposed criteria for the zones. Osborn explained that staff has had City Attorney review the proposed amendment and does not find it violating the Fair Housing Act. Osborn stated in works with discussing with external agencies to determine deed restriction options.

[7:12:45 PM](#) Stone asked if anyone has built in the greenbelt zone. Staff confirmed yes, but nothing residential. Stone stated it makes sense to allow ADUs in industrial areas, but can see only allowing employees potentially becoming a problem. Stone expressed concern of unit being vacant.

[7:15:25 PM](#) Chair Fugate asked what the enforcement would be. Davis noted this allowed in the SCI SO and SCI I districts and in speaking with a property manager it has been difficult to enforce.

[7:16:35 PM](#) Stone asked what if there is a person that owns a piece of land in that district with no building, can this still have an ADU. Davis stated no, only exception would be RGB.

[7:17:54 PM](#) Chair Fugate is concerned about the RGB, feels it would almost have to be a City employee. Osborn confirmed it would be an employee of the agency that owns the RGB. Chair Fugate stated it makes sense in the industrial. Chair Fugate suggested potential option for fine if it is not compliant. Davis summarized staff enforcement options.

[7:20:59 PM](#) Stone asked if really want that restriction, does not think it would be bad if even each building had one.

[7:22:01 PM](#) Sauerbrey believes employers in the valley are desperate for work force and will fill them. Sauerbrey does not believe this will always be the case, and suggested have a stipulation to address when time shift.

[7:23:25 PM](#) Chair Fugate believes all of their concern is when if times shift. Chair Fugate asked for ball park of how many ADUs could be in the industrial district. Staff will get an estimate.

[7:24:32 PM](#) Osborn suggested live work unit, restricting type of unit not occupant. Chair Fugate stated that is how businesses used to work.



[7:25:27 PM](#) Smith expressed safety concern of children living in LI district. Smith stated the idea of employees or people 18 and over in the LI district does not have a problem with that but has concern of families with children in LI district.

[7:27:25 PM](#) Chair Fugate noted park requirement for residential area for safe area for children.

[7:28:04 PM](#) Smith has concerns about opening LI up to families with young children. Smith does not have an idea of how could control or enforce. Smith wants to see housing but has concern of children in that area. Smith stated if could do something about employee only or 18 plus.

[7:29:29 PM](#) Stone does not think a child in no more danger in LI then at location facing Main Street. Stone believes safety concerns are universal and mom and dad need to address no matter where you live. Stone does think pushing people into potential hazardous and no park space zones. Chair Fugate agrees.

[7:32:32 PM](#) Scanlon discussed other residential zone requirements. Scanlon's other question is if works for company and fired does that mean he has to move out of his home. Scanlon thinks to need to consider this.

[7:33:35 PM](#) Smith noted in RGB and LI temporary structures are conditional use, reading code aloud. Osborn noted the code updates.

[7:35:31 PM](#) Commission and staff continued to discuss safety, unintended consequences, outdoor space and potential benefits of the proposed amendment.

[7:47:57 PM](#) Sauerbrey asked how long the SCI zone has allowed live work. Davis estimates 15 years and has not see children playing in those districts when she is down there. Commission continued to discuss safety. Davis summarized commission luke warm on idea in LI.

[7:50:16 PM](#) Davis stated proposing this amendment in TI as well. Commission discussed this area noting closer to residential areas, Skate Park, and church. Davis noted fairly receptive of TI.

[7:53:55 PM](#) Chair Fugate opened public comment.

[7:54:13 PM](#) Kris Wirth, 521 Aspen Drive, finds this conversation very interesting. Feels like they are trying to reinvent wheel of housing and rather than battling square wheels, destroying our parks and creating industrial ghettos maybe consider traditional trailer parks for people that need housing. Stating much more suitable for families then tiny homes on wheels.

[7:55:10 PM](#)

[7:56:02 PM](#) Chair Fugate closed public comment.

[7:56:17 PM](#) Scanlon stated obviously in LI going up is only option, and can run into issues with FAA. Scanlon stated his initial reaction is to leave the open green space as much as they can.



Chair Fugate stated that was her first reaction too. Chair Fugate stated she would talk about it more but it would need to be more specific.

[7:59:26 PM](#) Stone stated it seems a few spaces of this land is exorbitant. Stone asked if goal is for City Employees, could they look at a select space to put employees on? Osborn explained proposed language is per use. Chair Fugate noted the more people more park space is critical. Discussion continued regarding amendment to RGB and potential of using existing structures.

[8:08:16 PM](#) Osborn noted hearing clear feedback on RGB parcels with conditional use permits. Osborn verified direction commission suggesting. Commission stated if using existing building footprint not losing area and under CUP process there would be a review process and allow for public comment.

[8:12:19 PM](#) Commission and staff discussed when to continue or to table the project. All agreed to table and will renotice for a future meeting.

#### **Staff Reports and Discussion**

- [SR 1](#) Discussion of current building activity, upcoming projects, and zoning code changes. *(To be presented as time permits)*
- [SR 2](#) Discussion of the next Planning and Zoning Meeting: **June 20, 2023 starts at 5:30 PM**
  - TA: Cottage Lots
  - DR: Holt Garage/ADU
  - DR: Ivie Garage/ADU

Staff summarized upcoming projects.

[8:15:53 PM](#) **Smith motioned to adjourn. Stone seconded. All in Favor.**