

**Meeting Minutes**  
**Hailey Planning and Zoning Commission**  
**Monday, June 3, 2024**  
**5:30 p.m.**

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**Present**

**Commission:** Janet Fugate, Owen Scanlon, Sage Sauerbrey

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

**Absent:** Dan Smith, Jordan Fitzgerald, Ashley Dyer

**5:30:11 PM Call to Order**

- [5:30:23 PM](#) Public Comment for items not on the Agenda.

**5:31:06 PM Consent Agenda**

- [CA 1](#) Motion to approve Meeting Minutes dated May 20, 2024. **ACTION ITEM**
- [CA 2](#) Motion to approve the Findings of Fact, Conclusions of Law, and Decision of a Design Review Application by Holly McCloud for the construction of a new 2,389 square foot single family residence to be located at 216 S. 4<sup>th</sup> Avenue (Lots 19 & 20, Block 104, Hailey Townsite) within the General Residential (GR) and Townsite Overlay (TO) Zoning Districts. **ACTION ITEM**
- [CA 3](#) Motion to approve the Findings of Fact, Conclusions of Law, and Decision of a Stream Alteration Application, submitted by the Wood River Land Trust and the City of Hailey, for Heagle Park Floodplain Restoration, adjacent to Heagle Park and located at 1151 War Eagle Dr (Della View Sub TI 4057a & TI 4057b Park & Sewer Sites Easement W/ Idaho Power Co), within the Flood Hazard (FH) Overlay. **ACTION ITEM**

- [CA 4](#) Motion to approve the Findings of Fact, Conclusions of Law, and Decision of a Design Review Application submitted by Idaho Lumber & Ace Hardware, represented by Mark Gasenica, for the construction of a new 3,090 square foot addition, to be located at 921 Airport Way (Lot 7, Block 1, Friedman Park), within the Light Industrial (LI) Zoning District. **ACTION ITEM**
- [CA 5](#) Motion to approve a Design Review Extension Request for River Lane, LLC, which extends the Design Review approval for the development project at 403 North River Street (River Lane) to December 5, 2024. **ACTION ITEM**

[5:31:13 PM](#) Scanlon noted in on CA 2, spelling type on architect last name.

[5:31:58 PM](#) Fugate asked about CA 5. Davis explained the extension request.

[5:32:18 PM](#) Sauerbrey motioned to approve CA 1-CA 5. Scanlon seconded. All in Favor.

### **Public Hearing**

- [5:32:37 PM PH 1](#) Continuation of a Design Review Application by Eric Cueva, represented by Matt Youdall of Youdall Architecture, for the construction of an 877 square foot detached garage addition, which includes a new 579 square foot Accessory Dwelling Unit located above the addition. This project also consists of the future construction of an office/commercial prefabricated metal building to support the owner's roofing business. This project is located at 504 S. Main Street (Lots S20' of 12 All of 13 & 14, Block 9, Hailey Townsite) within the Business (B), Downtown Residential Overlay (DRO) and Townsite Overlay (TO) Zoning Districts. **ACTION ITEM**

[5:33:14 PM](#) Rodrigue summarized previous hearing discussion from May 6<sup>th</sup>. Rodrigue confirmed applicant has provided items requested from last meeting including revised site plan, materials, grading for ramp. Rodrigue turned the floor to applicant.

[5:34:56 PM](#) Matt Youdall, explained that ADU is an accessory to the commercial building which has been relocated eliminating the road cut. Youdall summarized the floor plan, business proposed will just be administrative that the materials will be stored at a different location in Bellevue. Youdall summarized changes to architecture – guardrail modified and added bellyband. Youdall noted brought grade up to retaining wall. Youdall described the commercial building and materials proposed. Youdall stated the proposed fence will be a picket fence. Youdall noted the site plan in packet is not the most recent, that have added couple landscape drywells to catch drainage in driveway.

[5:38:47 PM](#) Scanlon asked where drywells are located. Youdall referenced revised site plan dated 5/29/24. Scanlon asked what the cross slope of the three parking spaces was. Youdall estimates a 2 ft grade change, which feels minor but can work with grade to make more level.

[5:39:52 PM](#) Sauerbrey asked if looked into specific language regarding ADU being a nonconforming use. Davis explained how any addition to a single-family use based off how lot lines are would be nonconforming. Simms noted Commissioner Fitzgerald was not able to attend but submitted a letter. Sauerbrey asked staff to work completed on this site required a building permit. Davis stated has not toured inside of the building so does not know the status. Youdall noted that all work done was

cosmetic. Davis confirmed a building permit was not required for the planters. Youdall stated the intended use- front will be the office for administrative and in back will have samples. Youdall sees this more as a retail setup. Sauerbrey asked if the show room will be open to the public. Youdall confirmed. Youdall stated the day-to-day aspect of his business will be carried out from a separate facility in Bellevue.

[5:45:14 PM](#) Scanlon appreciates that fixing up the house and improve the property, but still has issue with fact admin building came late that it seems really a design review for ADU and garage. Scanlon explained that if going to use the commercial building as the crux for the design review would like to see more development. Scanlon summarized his experience in visiting a few re-roof companies. Scanlon did not see any other prefab buildings on Main St. Scanlon stated he is having an issue with how this has come together. Scanlon asked if considered turning the main house into a duplex so it can be permitted. Scanlon stated has issue with that this is going to be an industrial retail in the business district which is not allowed.

[5:48:15 PM](#) Chair Fugate thanked applicant for their response from their last meeting. Chair Fugate was not aware considering a prefab building at last hearing. Chair Fugate expressed concern of show room being used more for storage than show room. Chair Fugate expressed concern of not having design and floor plans for the building. Chair Fugate explained how do not know enough about commercial building to approve accessory use of ADU building. Youdall appreciates commission concern, pointing out that the building is very small and does not think most people would notice. Youdall explained the building is very simple, but not able to address all comments as it is not within his scope. Youdall noted the building is only 13 ft tall.

[5:51:58 PM](#) Scanlon asked how far the building is from the property line and if had the fire marshal look at it. Youdall stated they have not yet.

[5:52:27 PM](#) Sauerbrey complimented design of ADU. Sauerbrey expressed concern of prefab building argument for ADU being able to be met. Sauerbrey expressed building design. Sauerbrey asked the distance between the building and sidewalk. Youdall stated it is 5 ft and will be screened by a fence. Sauerbrey discourages fences along Main St. Sauerbrey believes this structure needs to have more design put into to comply with municipal code. Sauerbrey referenced applicable codes for design. Sauerbrey stated wished had avenue where code approve as ADU but does not make sense to approve as presented. Youdall noted the roofing material provided will be similar to material proposed for this building. Youdall explained owners desire to create a mix use building, that he is an established business owner in this community but due to financial constraints was not able to proceed with the mixed-use building. Sauerbrey understands but does not know if have enough information for the commercial building.

[5:58:31 PM](#) Chair Fugate agrees, does need more information on the commercial building. Chair Fugate summarized Fitzgerald's notes – not complete without a floor plan. Youdall believes the plan provided counts as a floor plan. [5:59:53 PM](#) Scanlon agrees plans provided not sufficient.

[6:00:19 PM](#) Chair Fugate continued with Fitzgerald notes, noting proposed commercial building does not seem to fit within old Hailey. Scanlon suggested Youdall take comments made on ADU and apply to this building. Youdall understands, but explained if goes with a stick-built structure going to increase the cost.

[6:01:44 PM](#) Davis confirmed retail use proposed is permitted. Staff also questions floor plan and that it would be nice to see more design. Davis stated Wiseguys is also a prefab building, summarizing steps they took to enhance the building so that cannot tell it is a prefab building. Davis explained codes does not prevent prefab or modular homes but have design criteria that are applicable. Davis noted signage and lighting can go a long way to enhance the visual appeal. Davis noted some notes mentioned by Fitzgerald do not apply due to code revisions.

[6:05:23 PM](#) Chair Fugate does not think can put the building through design review as is. Youdall confirmed this building is not within his scope but can provide design suggestions. Chair Fugate summarized believes people are comfortable with design of garage and ADU but that need to see more of the other building before can approve the whole application. Youdall suggested maybe it would be possible to add board and batt and overhangs. Chair Fugate confirmed there are possible options but that would need to see it.

[6:07:18 PM](#) Chair Fugate opened public comment.

[6:08:03 PM](#) Chair Fugate closed public comment.

[6:08:12 PM](#) Scanlon appreciates Youdall helping his client, hopes that have given him some guidance that helps so that they can return with a building that complies with code requirements.

[6:09:15 PM](#) Sauerbrey summarized his previous comments, restating would like the city review code. Sauerbrey thinks some added design elements, to make the building more visually appealing. Sauerbrey believes this route should follow design criteria. Scanlon noted will need ensure building complies with ADA requirements.

[6:12:36 PM](#) Chair Fugate would like to see this go through for his client and is hoping that will be able to pass concerns along to whoever's scope the building is within. Chair Fugate agrees cannot proceed with the way building has been presented. Chair Fugate summarized that not able to move forward without further adjustment to the prefab buildings. Youdall asked if could move forward in a more administrative review, that he believes application complies with code.

[6:14:24 PM](#) Simms interjected summarizing that he heard from commission that they found the building does not comply. Simms stated he heard that the commission offered option to continue or deny the project. Davis added can also table and renote for a future meeting.

[6:16:15 PM](#) Davis stated next available date would be July 15<sup>th</sup> and would need documents from applicant by June 28<sup>th</sup>.

[6:17:03 PM](#) **Scanlon motion to continue the public hearing to July 15, 2024. Sauerbrey seconded. All in Favor.**

- [6:17:36 PM PH 2](#) Discussion of various topics related to creative housing initiatives within Hailey's Light Industrial, TI, SCI-I, and SCI-SO Zoning Districts, and the potential development of Tiny Homes on Wheels communities. Additional details around and further implementation strategies that support creative water conversation measures citywide will also be discussed. **ACTION ITEM**

[6:18:04 PM](#) Davis summarized bringing forward potential future text amendments by the city. Davis stated the first item is the housing and opportunity for housing in the industry districts. Davis stated currently allow ADU in only one of these districts. Davis explained staff goal would be to maintain the primary use but would like to compliment those zones with housing as an accessory use. Davis provided suggestions on how to achieve this, referring to provided staff report. Davis asked commission for their general thoughts.

[6:21:35 PM](#) Scanlon noted one issue he has seen with his clients, is limit of only one housing unit per use. Scanlon believes parameters are appropriate but feels limiting housing units is exclusionary. Scanlon stated recreational and parking is always a consideration.

[6:23:30 PM](#) Chair Fugate stated safety is the number one concern and that if there is housing there must be some sort of connectivity/ access to area other than industrial. Chair Fugate agrees with uses where its owner or employee occupied only. Davis explained with the exception of south woodside believes industrial districts are set up with sidewalks.

[6:25:54 PM](#) Sauerbrey stated thinks staff nailed it but agrees should consider more mix used assuming uses safe and meets codes. Sauerbrey suggested possible density bonuses.

[6:26:55 PM](#) chair Fugate stated if it is owner or employee occupied, determining what type of housing would be applicable for the business and would need to consider how that would work if the use changes. Sauerbrey would like to require employee housing, think it needs to be established. Staff confirmed will look into to see if can require. Sauerbrey agrees with open space requirement.

[6:29:37 PM](#) Simms noted fire safety concerns after certain heights. Scanlon suggested staff come up with a formula that a ground unit cannot exceed a determined percentage of the structure.

[6:31:28 PM](#) Chair Fugate added that it could be possible that if not room onsite, that perhaps there is an area that could be set aside for the district for outdoor space. Davis does think that incorporating that in future developed in annexations.

[6:33:28 PM](#) Davis moved on to discuss THOW communities. Davis summarized what have found during research of THOW Communities. Davis asked commissioners what their thoughts are on these communities. Davis noted that THOW communities would go through Design Review process, that it would be separate from the administrative reviews. Davis noted all bulk requirements would need to be met, that staff suggested primary residential zoning districts where these could be allowed. Davis summarized staff suggestions from the staff report provided.

[6:36:59 PM](#) Scanlon asked if the structures would be permanent once have a community. Davis stated codes classify them as temporary structures, that one could be moved, and another brought in.

[6:38:00 PM](#) Sauerbrey disclosed that he is a builder in the THOW industry, that he builds tiny homes. Sauerbrey stated it is his understanding that this does not preclude him from participating in discussion and has no vested interest. Sauerbrey confirmed skirting is required per code and confirmed insulation is installed. Sauerbrey noted he also recommends installation of heat tape and with the addition of that as far as he knows no issues in unit occupied full time.

[6:40:04 PM](#) Scanlon asked if these communities look like trailer parks. Sauerbrey thinks intentionality is something to look really closely at. Sauerbrey believes most builders put a lot time in design to avoid them looking like trailers or manufactured homes. Chair Fugate added if had criteria could resolve concern.

[6:42:39 PM](#) Chair Fugate also referenced set up but fire station up north. Chair Fugate sees these as more of a community and less like a trailer park. Sauerbrey summarized his research that it is similar to our cottage development and co-living codes. Sauerbrey noted clustered parking and open space is a huge aspect. Chair Fugate agrees parking not right next to it. Sauerbrey and Chair Fugate agrees with long term if able, both expressed concern on short term lease. Simms stated will need to look at it closely, but that thinks can find a way to achieve their goal.

[6:47:30 PM](#) Sauerbrey thinks should look at whether or not want to isolate on wheels or allow THOWs on a foundation. Sauerbrey stated will also need to consider what the process would be like if one moves out and another moves in. Davis suggested administratively. Scanlon asked if THOW has a permanent foundation if moved in or built on. Sauerbrey stated it could be either. Scanlon asked if THOW communities have storage units associated with them. All agreed should look into that. Davis confirmed can provide more clarity around accessory structures. Sauerbrey suggested while drafting this, should look at options for homeless shelter that a form of THOW have been utilized to create high density homeless shelters. Scanlon referenced one done in Salt Lake City.

[6:54:59 PM](#) Davis asked if should take public comment on housing or take it on everything. Chair Fugate stated to do it on everything.

[6:55:31 PM](#) Rodrigue introduced water conservation amendments; summarized steps already being taken by City of Hailey. Rodrigue summarized ideas considered by staff, referring to the staff report provided. Rodrigue discussed idea of using reclaimed water.

[6:58:27 PM](#) Chair Fugate asked how reclaimed water would become implemented. Rodrigue explained potential process of this would take place. Rodrigue clarified how reclaimed water would work, explaining gray water.

[7:01:25 PM](#) Chair Fugate asked where are places that have used reclaimed water and if there have been negative impacts. Scanlon asked if there are any ramifications if grow edible plants. Staff will need to do further research. Sauerbrey asked about some sort of filtration system that would be used. Rodrigue explained how that could vary, that there are a wide range of options. Simms explained his understanding referring to design approved within the Quigley subdivision. Discussion continued on how this would potentially work. Sauerbrey asked about the use of composting toilets being permitted.

[7:09:29 PM](#) Chair Fugate opened public comment.

[7:10:16 PM](#) Kathy Noble, lived in Hailey for 35 years, is a landscape architect, and finds the most egregious water users are the irrigation uses that there is equipment and technology out there that would assist. Has been trying to work with cities and county in developing training that would allow of testing and certifications. Has discussed with CSI, there is one impediment that is that Blaine County is not a member of the counties that support CSI. This is an aspect that needs to be addressed if were to work with CSI. One of the primary problems she has dealt with personally, there is a difference in

Spanish and that instructions are interpreted differently. Communication problem is a big one in this field. Some of the larger landscape companies have sent employees to trainings. Noble suggested trainings and hands on experience. Noble stated there is a big gap of really good information in this area and thinks there is a lot to be gained in terms of water saving. Really encourages the commission to not only support county with CSI and also training programs and that would entertain ideas involved that other cities have come to with their ordinances. Noble referenced Salt Lake City, Denver, Seattle, all of California have had water shortages and thinks this is something need to contemplate and consider for the future. Understand that would need to have training for about two years to really fulfill the efforts.

[7:17:43 PM](#) Cece Osborn, chimed in that land trust is gearing up to revamp the ??? program and that there could be some overlap there and that would be happy to lift up what they come up with.

[7:19:12 PM](#) Chair Fugate closed public comment.

[7:19:32 PM](#) Chair Fugate, noted that it was years after Keefer Park was built that was able to get someone to come in to help get the irrigation back on track. Chair Fugate thinks it is huge for people understand irrigation systems, likes idea of design approval for irrigation systems. Davis agrees, and also agrees with limiting what can be planted and what types of planting should be steered away from.

[7:23:21 PM](#) Sauerbrey asked what kind of outreach is occurring between CSO and companies, and if that is part of his role. Sauerbrey asked if part of his duties or cities to perform outreach to major landscaping companies and architects. Davis stated can certainly have the conversation on who can take it on.

[7:26:56 PM](#) Chair Fugate opened public comment again.

[7:27:05 PM](#) Noble, noted that there are companies growing low water use landscaping. Thinks could be helpful if Hailey established native plant area, establish some sort of demonstration garden think it could be very helpful.

[7:29:49 PM](#) Sauerbrey noted that they are looking at prohibiting planting of high water use plants and asked if want to review limiting turf maximums. Davis confirmed those requirements are embedded in the subdivisions, but moving forward could amend to require this. Staff confirmed the city would be held to same standard. Rodrigue noted these would be good steps to start with, mentioned reclaimed water would be a long-term goal. Sauerbrey asked if have any incentives to encourage homeowners to convert their yards. Rodrigue referenced old incentive, and noted other ideas seen from other jurisdictions. Davis summarized that there are grant programs that public works is looking to explore.

[7:35:12 PM](#) Scanlon stated water senses make sense to him, and that he would encourage those not to become discouraged that would need to keep the education going.

[7:36:59 PM](#) Rodrigue noted this not just Haileys responsibility to resolve, that thinks with everyone stepping up will see the change.

**No Motion.**

### **Staff Reports and Discussion**

- **SR 1** Discussion of building activity, upcoming projects, and zoning code changes.
- **SR 2** Discussion: Next Planning and Zoning Meeting:
  - June 17, 2024:
    - PP (Short Plat): Idaho Conrad, LLC
    - PP: Quigley Block 7
    - PP: Shapi Shay
  - July 1, 2024:
    - PP: Advocates Croy
    - PP: Advocates River
    - CUP: UPS
    - DR: 637 Townhomes

Davis summarized upcoming projects.

[7:38:55 PM](#) Scanlon motion to adjourn. Sauerbrey seconded. All in Favor.