

Meeting Minutes
Hailey Planning and Zoning Commission
Monday, December 2, 2024
5:30 p.m.

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Present

Commission: Dan Smith, Janet Fugate, Owen Scanlon, Sage Sauerbrey, Jordan Fitzgerald

Staff: Robyn Davis, Ashley Dyer, Jessie Parker, Emily Rodrigue, Christian Ervin

5:31:06 PM Call to Order

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

5:31:49 PM Consent Agenda - ACTION ITEM

- **CA 1** Motion to approve the meeting minutes dated October 21, 2024. **ACTION ITEM**
- **CA 2** Motion to approve the meeting minutes dated November 13, 2024. **ACTION ITEM**
- **CA 3** Motion to approve Findings of Fact, Conclusions of Law, and Decision of a Preliminary Plat Application by Lido Equities Group – Idaho, LLC, for a plat modification to Copper Ranch 5. This plat modification would vacate the previously platted land intended for Building 17, as well as amend/relocate snow storage locations elsewhere onsite. **ACTION ITEM**

5:32:53 PM Sauerbrey motion to approve CA 2. Fitzgerald seconded. Fugate abstained. All in Favor.

5:32:28 PM Scanlon motion to approve CA 1 and CA 3. Fitzgerald seconded. Smith and Sauerbrey abstained. All in Favor.

Public Hearing(s) - ACTION ITEM

- [5:33:13 PM PH 1](#) Consideration of a City-Initiated Text Amendment amending Hailey's Municipal Code, Title 17: Zoning Regulations, Chapter 17.02: Definitions, to modify, refine, remove, and/or add various definitions to the title.

[5:33:26 PM](#) Dyer introduced proposed amendments to definitions in Title 17.

[5:35:16 PM](#) Chair Fugate expressed confusion on definition of Apartment. Chair Fugate suggested wording "regardless of unit type".

[5:36:13 PM](#) Fitzgerald asked if apartment could be a dwelling within a residential dwelling or if it would be an adu. Staff and commission discussed how an apartment is part of one or more residential buildings. Chair Fugate reiterated using wording "regardless of unit type", noting how Sauerbrey stated all ADUs are apartments but not all apartments are ADUs. Fitzgerald would prefer to remove portion that states an apartment can be inside a house. Commission discussed how would remove language from definition but not eliminating ADU option.

[5:44:34 PM](#) Davis read revised definition allowed.

[5:45:33 PM](#) Fitzgerald brought up building footprint. Sauerbrey prefers second suggestion. All commissioners agreed. Commission discussed differences between suggestions one and two.

[5:48:46 PM](#) Chair Fugate opened public comment to include Tom Holland in discussion.

[5:49:00 PM](#) Thomas Holland, explained his understanding is that cantilevered sections have not been counted as part of the lot coverage.

[5:50:08 PM](#) Sauerbrey explained reasoning for amendment. Chair Fugate asked Holland his suggestion on how he thinks it could be resolved.

[5:50:45 PM](#) Scanlon added that when he did a certain project bay windows were not included. Commission continued to discuss, agreeing to add floor area to definition. Sauerbrey noted how bay windows in his mind are excluded as it does not extend from floor to ceiling. Commission moved back to discuss suggestion two of proposed definitions. All agreed with suggestion two as is for amended definition.

[5:57:12 PM](#) Sauerbrey suggested changes to enclosed. Commission continued to discuss proposed definition of enclosed. All in agreement to include four walls, and amend second sentence to includes but not limited to retractable dividers, garage doors or other physical barriers. Commission continued to discuss potential issue of if enclosed deck on three sides or breeze ways. Commission all agreed with definition as proposed with addition of "but not limited too".

[6:06:31 PM](#) Commission moved to unenclosed. All agreed to remove "full height".

[6:08:15 PM](#) Sauerbrey and Chair Fugate discussed if AMI should say medium of gross income. Commission discussed options and all agreed on aggregate medium of combined gross income of all persons living in the dwelling unit.

[6:10:27 PM](#) Smith suggested saying divided by area of the lot on which the building is situated for Floor area Ratio. Fitzgerald suggested adding a definition of gross floor area and net floor area.

[6:11:23 PM](#) Chair Fugate told Holland to raise his hand if has comments.

[6:11:38 PM](#) Davis confirmed will add gross and net floor area and that will amend floor area ratio.

[6:13:36 PM](#) Commission discussed whether to include siding or outer edge of building in perimeter definition.

[6:14:28 PM](#) Holland noted that if do that; penalize anyone who runs exterior insulation. Commission continued to discuss where to begin measurement for gross floor area – stud, exterior face of structure, etc. Commission agreed to stay outer most finished surface of the building for building perimeter and that it would be a different definition then perimeter, suggesting calling it building perimeter. Sauerbrey expressed concern of discouraging exterior insulation. Commission and staff continued to discuss. Commissioners final decision is that building perimeter will be measured from exterior face of foundation or stud, whichever is larger.

[6:25:20 PM](#) Fitzgerald went to commission definition, noted typo with extra common before and.

[6:26:13 PM](#) Fitzgerald asked if density is always per acre. Staff confirmed. Fitzgerald asked about irrigation for drought tolerant, noting definition is fine as how it is. Chair Fugate noted extra common behind season.

[6:28:02 PM](#) Chair Fugate suggested adding running water or operational sink vs. just sink. Commission all agreed to add functional sink, refrigerator and cooking facilities. Scanlon suggested removing “built in”. Commission discussed whether to remove built in or not, agreed to leave.

[6:30:56 PM](#) Fitzgerald expressed confusion on Live/Work definition, noting IBC requirements for live/work such as work space required on main floor. Commission and staff agreed to amend definition to utilize IBC definition and keep last sentence of proposed definition. Fitzgerald suggested including needs to be owner or employee of the business occupied. Staff confirmed can add as well.

[6:34:35 PM](#) Fitzgerald moved on to lot coverage – asking if decks and driveways should be included. All agreed would not include unless enclosed. Davis explained driveways and such are included in hardscape.

[6:35:52 PM](#) Fitzgerald asked the difference between lot coverage and building footprint. Chair Fugate explained the difference.

[6:36:36 PM](#) Chair Fugate suggested adding administrative before affairs in office definition. Commission all agreed.

[6:38:10 PM](#) Fitzgerald moved to outdoor storage, suggested removing word safekeeping and replacing with storage. Commission agreed and also suggested removing word street.

[6:39:09 PM](#) Chair Fugate suggested area not located on any public or private street for parking, onsite definition. Fitzgerald confirmed parking onsite would apply to single family home and asked about long term parking of extra vehicles, rvs, boats etc. Chair Fugate suggested removing transient. Commission and staff discussed parking requirements for rvs, boats, etc. Commission continued to discuss options for refining definition of parking, onsite. Commission all agreed to add “private operational vehicles” in place of private passenger vehicles and to separate out into two sentences for last portion.

[6:47:36 PM](#) Fitzgerald moved to parking area. Davis confirmed does not include public street.

[6:48:08 PM](#) Chair Fugate confirmed adding building perimeter. Davis confirmed.

[6:48:23 PM](#) Fitzgerald asked why calling street parking practice. Staff confirmed will change to area for parking a vehicle.

[6:49:13 PM](#) Chair Fugate asked if need to include definition of subordinate. All agreed no.

[6:49:33 PM](#) Fitzgerald noted start parking structure as a sentence. Davis confirmed can start definitions with an A.

[6:50:04 PM](#) Fitzgerald moved to swimming pool, asked if popup pool could be within the setbacks. Davis confirmed it could because it would be temporary. Fitzgerald asked why setbacks are only applicable to structures that require a building permit. Davis explained pop up swimming pools are not required to have building permits. Davis asked if the goal is to have swimming pools comply with underlying zoning setbacks. Fitzgerald stated with underlying zoning setbacks. Commission continued to discuss setback requirements for pools and whether should define hot tub separately. Commission agreed to include within swimming pool definition to permanent or year round swimming pools shall comply with underlying zoning setbacks.

[7:01:07 PM](#) Chair Fugate went back to unenclosed definition, all agreed to remove open ...

[7:01:49 PM](#) Fitzgerald moved to warehouse, what the difference is between warehouse and storage; that thinks need to be clear two different things. Chair Fugate asked if word distribution includes retail. Davis confirmed it does not include retail. Davis referenced storage structure definition. Fitzgerald suggested that it must be for distribution, to distinguish from storage facilities.

[7:04:43 PM](#) Ervin noted there are clear definitions within IBC and IFC for warehouse and storage facilities.

[7:05:59 PM](#) Davis confirmed will compare definitions with IBC and IFC.

[7:06:50 PM](#) Chair Fugate asked if commissioners had further comments at this time. None at this time.

[7:07:01 PM](#) Chair Fugate opened public comment. No comment. Chair Fugate closed public comment.

Commission and staff agreed to table and staff will renote project for a future meeting.

Chair Fugate noted typo on section 4, diverse and section 7.1 should also say something about projects that strive to elevate them, help raise them. Davis confirmed can amend.

Staff Reports and Discussion

- **SR 1** Discussion: Upcoming Projects, Code Changes, Next Planning and Zoning Meeting:
 - **Monday, December 16, 2024:**
 - DR Sweetwater (Tanner)
 - DR PreApp & CUP:1551 Aviation

Davis confirmed may have another workshop prior to meeting with Council on latest updates for Comp Plan that staff will reach out the commission.

Davis summarized upcoming projects for December 16th.

[7:15:42 PM](#) **Smith motioned to adjourn. Scanlon seconded. All in Favor.**