

HAILEY ARTS & HISTORIC PRESERVATION COMMISSION

REGULAR MEETING

March 11, 2025, at 3:30 PM

To be held at Hailey City Hall and virtually via GoTo Meeting

3:30 PM Hailey City Hall

Please join my meeting from your computer, tablet, or smartphone.

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Call to Order

1. New Business

- Review of a City-Initiated Text Amendment to amend the Hailey Municipal Code, Title 17: Zoning Regulations, Chapter 17.04: Establishment, Purposes and Uses within Zoning Districts, Section 17.04M.060: Townsite Overlay Bulk Requirements, by adding paragraph "J", items J.1., J.2., J.3, and J.4.; which establishes provisions and/or flexibility of maximum building height, maximum lot coverage, and the consideration of other exceptions to the bulk requirements for all development projects preserving a historic commercial or residential structure.
- Discussion on project priorities for FY2025

2. Old Business, In-Progress & Status Reports

- Adoption of the Meeting Minutes from January 14, 2025 -- **Action Item**

3. Next Meeting Agenda + Topics (Tuesday, April 8, 2025)



STAFF REPORT
Hailey Planning and Zoning Commission
Regular Meeting of March 17, 2025

To: Hailey Planning and Zoning Commission
From: Emily Rodrigue, Community Development City Planner/Resilience Planner
Robyn Davis, Community Development Director

Overview: Consideration of a City-Initiated Text Amendment to amend the Hailey Municipal Code, Title 17: Zoning Regulations, Chapter 17.04: Establishment, Purposes and Uses within Zoning Districts, Section 17.04M.060: Townsite Overlay Bulk Requirements, by adding paragraph “J”, items J.1., J.2., J.3, and J.4.; which establishes provisions and/or flexibility of maximum building height, maximum lot coverage, and the consideration of other exceptions to the bulk requirements for all development projects preserving a historic commercial or residential structure.

Hearing: March 17, 2025

Applicant: City Staff
Location: Townsite Overlay Zoning District

Notice: Notice for the public hearing was published in the Idaho Mountain Express as a Display Ad on January 30, 2025 and mailed to public agencies on January 30, 2025.

Background: In December 2024, City Staff received a Design Review Application for a residential addition to a historic home in the Townsite Overlay (TO) District, built in 1942. The Applicant and their architectural representative made good-faith efforts to preserve the entirety of the existing residence, avoiding any unnecessary building material removal or augmentation (structural or exterior). They followed Code-specific guidelines for TO designs, stepping the addition back from the primary street frontage and matching form and material type with both the existing residence and surrounding neighborhood. Through this Applicant’s design, the addition would provide much-needed living and sleeping area expansion for their growing family, all occurring on a traditionally-sized Hailey Townsite lot of approximately fifty feet (50’) wide by one hundred and twenty feet (120’) long.

These narrow lots and the cottage-style homes and buildings upon them are some of the last standing monuments to Hailey’s humble beginnings as a City and as a community. Platted lots from the original Hailey Townsite host modest structures built with local materials. Many buildings were placed very close – and sometimes unknowingly, on top of – property lines, and it is not uncommon to see buildings on adjoining properties within a few yards of one another. These details may present themselves today as troublesome for placing fence lines, managing snow from roofs, or performing tree care. However, taken in the context of the era in which these narrow lots were platted and the buildings raised, we can see a time in Hailey’s history of close-knit neighborhoods made up of working families and individuals, unshy to their neighbors and creatively building the town they were proud to call home. Through the Townsite Overlay Design Review process at the City of Hailey, we continue to witness this type of community development today.

The Applicant's design was ultimately found to fall short of the lot coverage maximum bulk requirement for their Limited Residential (LR-1)/TO-zoned property, based on discrepancies in interpretation of the building footprint and lot coverage. Outside of the TO District, LR-1 lots carry a 40% lot coverage maximum. Within the TO District, however, LR-1, General Residential (GR), and Limited Business (LB)-zoned properties may have a much lower lot coverage maximum – up to 15% of reduced allowable lot coverage, depending on the structure type and presence of a garage. The Applicant exceeded the stated lot coverage maximum for their property/structure type by 2.67% (30% maximum, 32.67% proposed). If not located within the TO District, the Applicant would have had the opportunity to build up to 40% lot coverage, although their proposed design would have still remained far below the lot coverage maximum. All other bulk requirements were proposed to be met.

The Applicant could have also approached the Planning and Zoning Commission with a proposal to demolish all existing structures on their property and construct a new residence altogether. While each bulk requirement may have been precisely met through this approach, it would have resulted in a loss of significant historical character within the TO District. Ever-rising costs of construction and the loss of historic architectural design features and institutional knowledge render the replication of the historic structure as exceptionally difficult, if not impossible. This outcome contradicts the stated purpose of the Townsite Overlay District.

The stated purpose of the Townsite Overlay District, per Hailey Municipal Code, is as follows:

“17.04M.010: PURPOSE:

The purpose of the townsite overlay district is to promote the health, safety and welfare of current and future residents of the city of Hailey; to modify the bulk requirements of certain zoning districts in order to better respond to the unique conditions and circumstances of the original Hailey townsite; to encourage infill while retaining neighborhood character; to increase the compatibility and lessen the degree of nonconformity of existing structures; 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. (Ord. 1191, 2015)”.

As is the case when creating any new district and/or zoning requirement, certain tradeoffs are considered in the context of fulfilling the new district and/or requirement's intended purpose. Additionally, some tradeoffs, environmental factors, and unintended consequences may not present distinguishable impacts until the Code change has had sufficient opportunity to be applied and function in real-time. In the period since the Townsite Overlay District was established and adopted into Code (2002), Staff have been able to study its impact and assess the effectiveness and relevance of its parameters and stated purpose. With the help of oversight and guidance from City Staff and the Commission, the City continues to see development that complements Hailey's historical past - be it through building size, vernacular, or orientation - as well as through building type, with traditional single-family homes on small lots. Staff have also seen the repurposing of materials from existing structures (historic or otherwise) to new structures and/or additions on the same site. Residents and/or business owners that own property in the TO have a general understanding that the District represents Hailey's original townsite, and that the preservation of buildings, architectural character, and neighborhood “feel” of the original townsite era are important to maintain. There are several present-day examples from the TO district where, whether or not a historic structure was retained, the new building or portion thereof, tries to carry the same historic theme.

In the year 2025, Hailey is faced with a multi-faceted collection of changes and demands. Our resident population continues to gradually increase, the conversion of long-term rentals into short-term accommodations is rising with few regulatory tools available to local municipalities, and the cost of building new homes has risen to over \$400/sq ft in Hailey (for reference, cost was \$120/sq ft in 2015). Simultaneously, the Hailey community has also expressed a fervent desire to retain local character and a “small town-feel”, as demonstrated through extensive community engagement in 2024 (Hailey Comprehensive Plan Update, 2024).

Each of these factors place certain pressures on our community’s ecosystem – natural, cultural, constructed, and otherwise. The intent of the proposed Text Amendment is to respond to the full scope of these factors, finding a mutually beneficial solution for promoting infill and housing diversity, responding to the economic pressures faced by many Hailey residents as they contemplate construction within the TO District (new or remodeled), and stewarding a collective desire to maintain Hailey’s unique character and sense of place.

The proposed Text Amendment would only apply to those properties within the Townsite Overlay District, which also contain historic commercial and/or residential structures. For the purposes of this Text Amendment, a structure is deemed “historic” if it was built at least fifty (50) years ago. As stated in the draft Ordinance language, historic outbuildings and/or accessory structures do not apply to the proposed Text Amendment. Based on Staff research of peer-community’s historic preservation guidelines, guidance from the Department of the Interior and the National Register of Historic Places, and communication with representatives from the Idaho State Historical Preservation Office (SHPO) and local architects, a fifty (50) year “rule of thumb” exists across the field of historic preservation. The 50-year timeline represents a guideline, generally stating that any structure 50 years of age or older may be designated as historic. However, most historic preservation guidelines and/or protocols reference flexibility in this 50-year minimum, noting that specific factors – unique to each neighborhood, community, or jurisdictional scale in question – may support the historic designation of a property that is less than 50 years old.

Applications seeking bulk requirement flexibility for historic structures within the TO District are proposed to be reviewed by the Hailey Planning and Zoning Administrator and the Planning and Zoning Commission on a case-by-case basis. Operating as such, Staff wish to limit additional case-by-case considerations for the historic designation of properties in it of themselves (those less than 50 years old), although other guidance from SHPO or the National Register of Historic Places may provide for this type of subjective review. Staff would like to provide our community with the opportunity to apply the proposed Text Amendment, followed by deliberate review of its uptake and impact on respective neighborhoods and the TO District as a whole. Further refinement of the proposed Text Amendment may be pursued in the future as well.

As of February, 2025, the following parcel counts contain residential and/or commercial structures built in or before 1975, which may qualify them for application of the proposed Text Amendment:

(next page)

If adopted, the underlined text below would be added within Title 17: Zoning Regulations, Chapter 17.04: Establishment, Purposes and Uses within Zoning Districts, Section 17.04M.060: Townsite Overlay Bulk Requirements:

Section 17.04M.060: Bulk Requirements:

17.04M.060.J.: Preservation of Historic Structures:

1. Bulk Requirement Flexibility

The City aims to promote the historic, architectural, archaeological and cultural heritage, features and qualities of Hailey through the identification, evaluation, designation, and protection of historic structures. Where historic commercial and residential structures are preserved, flexibility in the bulk requirements of the Townsite Overlay (TO) Zoning District may be approved by the Administrator and/or the Planning and Zoning Commission on a case-by-case basis, as follows:

- A. Maximum Building Height: When any building permit application includes the retention of a historic commercial or residential structure, the maximum building height shall be subject to the maximum building height allowed by the underlying zoning designation of the parcel(s).
- B. Maximum Lot Coverage: When any building permit application includes the retention and preservation of a historic residential structure, the maximum lot coverage may be forty percent (40%), regardless of the number of stories above grade or the existence of a garage. Where a historic residential or commercial structure is retained and preserved and located within a zoning district that allows for lot coverage greater than forty percent (40%), the underlying zoning district and/or zoning overlay shall govern.

2. Specific Standards

I. Purpose

The Hailey historic preservation and bulk requirement flexibility standards provide the required design elements for the granting of bulk requirement flexibility that may accompany the preservation of a historic residential or commercial building. Bulk requirement flexibility shall only be granted to qualifying residential or commercial structures in the Townsite Overlay Zoning District.

In general, the City of Hailey considers structures that are fifty (50) years old or older to be considered "historic". There is both inherent and instrumental value in the preservation of historic buildings in Hailey. However, all applications seeking to apply bulk requirement flexibility shall be reviewed on a case-by-case basis. Additionally, there may be instances where a structure is not at least fifty (50) years old, yet said structure possesses unique, significant, and/or context-specific value to the overall historic culture of Hailey

The specific standards contained herein ensure that all bulk requirement flexibility projects – which are reviewed on a case-by-case basis by the Planning and Zoning Commission – retain a shared set of characteristics that uphold the integrity of Hailey's historic building stock.

In order for bulk requirement flexibility to be granted, each of the following standards must be met:

- a. The residential or commercial building is approximately fifty (50) years old or older. Qualifying structures that are less than fifty (50) years old must demonstrate an exceptional response to each of the standards listed herein.
- b. Any addition to a qualifying historic structure shall not obscure, shield, or otherwise prohibit

- viewership of the primary frontage of the existing historic structure, as seen from public street. Additions are strongly preferred at the rear of the existing historic structure. If site conditions and/or project circumstances do not allow for rear location, and the primary frontage of the existing historic structure will be obscured, the addition shall match or complement the existing historic structure with each of the following: material type, material arrangement, material color, fenestration scale and design, roof material, and roofline shape.
- c. If a project seeks to apply flexibility in maximum building height, the addition shall only be permitted behind the front wall plane, so as not to obscure viewership of existing historic structure from the primary street frontage.
 - d. Material types for new additions shall be limited to either the matching material type of the existing historic structure, or material types that are natural, rustic, and/or reflective of the period in which the existing historic structure was built. This may include wood (painted or natural stain), corrugated metal, stone, and brick.
 - e. Any Applicant seeking to apply bulk requirement flexibility, in exchange for the preservation of a historic structure, shall provide a written narrative statement with their Application, to be retained in the City of Hailey Public Record. Such a narrative statement shall include:
 - i. Date of original construction of all historic structures proposed for retention.
 - ii. Date and type of any renovations for all historic structures proposed for retention, to include building square footage expansions, additions of windows and/or doors, and any other construction that substantially altered the character and scope of the structure in question. Re-roof renovations are exempt.
 - iii. Statement and timeline of preserved historic structure uses (residence, office, small business, etc.), from earliest known and leading to the present.
 - iv. Identification and description of at least two (2) distinct architectural and/or design elements from the existing historical structure that will be matched, expanded upon, and/or reflected in the proposed addition. Description should include specific element names and a brief explanation of how each element is reflective of a specific historical period (i.e. mid-century modern, post World War II, settlement/territorial, etc.)

3. Other Requirements

The following requirements shall also govern and apply to all Design Review Applications seeking to preserve historic structures and qualify for bulk requirement flexibility:

- A. Existing Nonconforming Buildings: Where an existing building is nonconforming with respect to the bulk requirements of the Townsite Overlay (TO) Zoning District, provisions outlined in Section 17.04M.070: Nonconforming Buildings shall be met.
- B. Flexibility in the bulk requirements apply to historic commercial or residential structures only. Historic outbuildings and/or other accessory structures do not qualify. Historic outbuildings and/or other accessory structures shall meet the bulk requirements of the underlying zoning district and/or zoning overlay, whichever designation controls.
- C. For purposes of this section, historic shall mean any commercial or residential structure built approximately fifty (50) years ago or earlier.
- D. All other bulk requirements not expressly written herein shall be met.
- E. Applicants may only seek consideration of one (1) bulk requirement flexibility per Application, and only one (1) bulk requirement flexibility per Application may be granted. Additional waivers

and/or flexibilities may be addressed through established City processes, including Planned Unit Developments (Section 17.10) and/or Variances (Section 17.12).

The Commission may wish to discuss their recommended degree of flexibility granted through this proposed Text Amendment. This not only includes the proposed lot coverage and building height maximums, but also the ability and/or limitations of Applicants to “stack” multiple flexibilities per lot.

Standards of Review:

Criteria for Review. Section 17.14.060(A) of the Hailey Municipal Code provides “[w]hen evaluating any proposed amendment under this chapter, the hearing examiner or commission and council shall make findings of fact on the following criteria:

- 1. The proposed amendment is in accordance with the comprehensive plan;**
- 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;**
- 3. The proposed uses are compatible with the surrounding area; and**
- 4. The proposed amendment will promote the public health, safety and general welfare.**

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

The currently adopted Comprehensive Plan (2020) articulates the merits of protecting the residential character and scale of the original Townsite, in addition to responding to growth through infill development:

Goal 3.2: “Protect the residential character and scale of the original Townsite”.

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

Staff find that by allowing flexibility for specific bulk requirements within Hailey’s most historic Overlay District (TO District), there will be greater incentive and opportunity for historic residential and commercial buildings to be retained and expanded upon, versus demolished and rebuilt. Expansions through this historic preservation process may result in additional bedrooms, ADUs, and/or office and home occupation spaces, all of which are examples of infill development. This type of development not only deepens neighborhood connections and residents’ access to the core of Hailey, but it also carries secondary benefits of greater community walkability, efficient land use, and less potential impact from development sprawl into wildlife migration zones, intact ecosystems, and the wildland-urban fire interface (“WUI”). Each of these secondary benefits further supports the existing and drafted Comprehensive Plan Update (2024), which offers a more directed focus on sustainability and community resiliency.

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;

The proposed amendment will not create excessive additional requirements at public cost for services. The amendment is intended to support flexibility for specific bulk requirements in a historic district of Hailey, incentivizing the preservation of existing historic structures.

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

The proposed uses impacted by the proposed Text Amendment will not change; rather, the proposed Text Amendment will incentivize the retention of existing uses, architectural forms, and community character. The impacts will be limited specifically to the TO District, the purpose of which is partially stated as “increase the compatibility and less the degree of nonconformity of existing structures”. Any development that seeks to apply the bulk requirement flexibility within the proposed Text Amendment will still need to comply with bulk requirements that are not included in the Text Amendment, which includes, namely, setback requirements. Any development that occurs as a result of this proposed Text Amendment will increase the degree of existing structural conformity overall on site.

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

The amendment recommended is consistent with the Hailey Comprehensive Plan, and will encourage infill and preservation of existing historic structures within the City of Hailey.

Motion Language:

Approval: I move to recommend approval to the Hailey City Council an Ordinance amending the Hailey Municipal Code, Title 17: Zoning Regulations, Chapter 17.04: Establishment, Purposes and Uses within Zoning Districts, Section 17.04M.060: Townsite Overlay Bulk Requirements, by adding paragraph “J”, items J.1., J.2., And J.3.; providing for flexibility of maximum building height, maximum lot coverage, and the consideration of other exceptions to the bulk requirements for all development projects preserving a historic commercial or residential structure, finding 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.

Denial: Motion to deny recommendation of the attached revisions to Hailey Municipal Code, Title 17: Zoning Regulations, Chapter 17.04: Establishment, Purposes and Uses within Zoning Districts, Section 17.04M.060: Townsite Overlay Bulk Requirements, by adding paragraph “J”, items J.1., J.2., and J.3, finding that _____ [the Commission should cite which standards are not met and provide the reason why each identified standard is not met].

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

HAILEY ARTS & HISTORIC PRESERVATION COMMISSION MEETING MINUTES

REGULAR MEETING

January 14, 2024, at 3:30 PM

To be held at Hailey City Hall and virtually via GoTo Meeting
3:30 PM Hailey City Hall

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Present: Michele Johnson, Herbert Romero, Joan Davies, Frank Rowland, Kristin Anderson and Carol Waller.

Staff: Robyn Davis, Community Development Director and Ashley Dyer, Community Development City Planner

Call to Order: 3:32pm Waller called the meeting to order.

1. New Business

- Historic Demolition Applications submitted by the Advocates for Survivors of Domestic Violence, represented by Errin Bliss with Bliss Architecture, for 201 and 203 S. River Street. -- **Action Item**
 - Errin Bliss presented the proposed Demolition projects to the Commission, explaining that rehabilitation of the historic structures would not be feasible.
 - The Commission encouraged the Applicant to contact the Building Materials Thrift Store to see if anything is salvageable from the two structures. They also requested a compilation of the history of the structures, as well as an option to move the structure located at 203 S. River Street.
 - The Commission accepted and approved the Applicants proposal to reduce the required 120-day review period to 60 days to meet the applicant's timelines to redevelop the lot. Rowland made a motion to approve the 60-day review period, Romero seconded, and the vote was unanimous.
 - Romero made a motion to approve the demolition located at 201 S. River Street, Rowland seconded, and the vote was unanimous.
 - Johnson made a motion to approve the demolition located at 203 S. River, Rowland seconded, and the vote was unanimous.
- Chair and Vice-Chair nominations:
 - Rowland made a motion to nominate Michelle Johnson to continue as Chair, Waller seconded, all were in favor.
 - Romero made a motion to nominate Kristin Anderson as Vice Chair, Waller seconded, and all were in favor.
- Project priorities for 2025
 - The Commission discussed projects that they have been contemplating or projects that have yet to be completed. The Commission unanimously agreed that the Phone Booth project should be highest priority for 2025. The Commission would like to complete the project and direct their remaining budget to the completion of the phone booth project. They discussed solar options as well as outsourcing the project for completion.

- The commission unanimously decided that the maintenance projects listed were of importance and that they should focus on maintaining the projects that they started such as the plaques, phone booths, relocating sculptures and the handprint project at the Hop Porter Park. Davis suggested that the Commission re-visit the maintenance forms and projects this spring to schedule a date to update the forms for public art projects in the city.

2. Old Business, In-Progress & Status Reports

- Adoption of the Meeting Minutes from November 5, 2024 -- **Action Item**

4:20pm Johnson made a motion to approve the Minutes from November 5, 2024, Romero seconded, and all were in favor.

4:26pm Johnson made a motion to adjourn the meeting, Waller seconded, and all were in favor.

3. Project Priorities for FY 2025:

- Completion of the Phone Booth Project
 - Solar orientation (options), anchoring, electric outsourcing.
- Maintenance forms- Schedule an updated tour of the public art pieces in the Spring to complete/review updated maintenance forms for the projects.

4. Next Meeting Agenda + Topics (Tuesday, February 11, 2025)

Davis will remind the Board about the upcoming meeting.