Call to Order

Public Comment for items not on the agenda

Consent Agenda

CA 1 Adoption of Findings of Fact, Conclusions of Law and Decision of a Preliminary Plat Application by Michael Kraynick, represented by Alpine Enterprises, where Lot 1A, Block 60, Townsite (318 Spruce St) is subdivided into two (2) lots, Lot 1AA, comprising of 11,964 square feet, and Lot 1AAA, comprising of 8,010 square feet. This project is located within the Limited Residential (LR 1) and Townsite Overlay (TO) Zoning Districts. ACTION ITEM.

CA 2 Adoption of Findings of Fact, Conclusions of Law and Decision of a Design Review Application by Lido Equity Group Idaho North, LLC, represented by Michael McHugh of Pivot North Design, for twelve (12) apartment buildings ranging in two to three stories in height for a total of 104 residential units on approximately 4.27 acres. The proposed project consists of twelve (12), 475 square feet micro one-bedroom units, forty (40), 680 square feet one-bedroom units, thirty-five (35), 850 square feet two-bedroom units, thirteen (13), 1,110 square feet three-bedroom units, and four (4), 1,504 square feet four-bedroom units. This project is known as Lido Apartment Homes. The proposed project is located at Lots 1-14, Block 85, Parcel EE, Woodside Subdivision #24 and Lot 1, Block 67, Woodside Subdivision #18 (940 Winterhaven Drive) within the Limited Business (LB) Zoning District. This project will be heard concurrently with a Planned Unit Development Application. ACTION ITEM.

CA 3 Adoption of Findings of Fact, Conclusions of Law and Decision of a Design Review Application by Erin and Thomas Howland for a detached 420 square foot Accessory Dwelling Unit located above the existing detached garage. This project is located at Lots 13-16, Block 61, Townsite (302 E Myrtle Street) with in the Limited Residential 1 (LR 1) and Townsite Overlay (TO) Zoning Districts. ACTION ITEM.

CA 4 Adoption of Findings of Fact, Conclusions of Law and Decision a City-Initiated Text Amendment to the Hailey Municipal Code, Title 15, to add a new chapter, Chapter 15.20: Green Building Standards, and within that chapter to add a new section, Section 15.20.010 entitled Electric Vehicle Requirements, mandating electric vehicle ready service panels or subpanels within all new construction, including both residential and commercial. ACTION ITEM.

CA 5 Adoption of Meeting Minutes dated May 17, 2021. ACTION ITEM.

CA 6 Adoption of Meeting Minutes dated June 21, 2021. ACTION ITEM.
Adoption of Meeting Minutes dated July 19, 2021. **ACTION ITEM.**

Adoption of Meeting Minutes dated November 1, 2021. **ACTION ITEM.**

Adoption of Meeting Minutes dated January 3, 2022. **ACTION ITEM.**

**Public Hearing**

**PH 1** Consideration of a Design Review Preapplication by Kazuko-San ID, LLC, for construction of three (3) multifamily buildings, which includes 22 one-bedroom units ranging in size from 540-702 square feet, and six (6) two-bedroom units, ranging in size from 872-873 square feet, to be located at Sublot 4B, Block 1, North Hailey Plaza, within the Business (B) and Downtown Residential Overlay (DRO) Zoning Districts. This project is to be known as Saddle Lofts. **ACTION ITEM.**

**PH 2** Consideration of a Text Amendment submitted by Ian and Sarah Sundby 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, to allow for a maximum lot coverage of forty percent (40%) where at least seventy-five percent (75%) of required parking spaces are enclosed within a structure for lots smaller than 4,500 square feet in size, and located within the General Residential (GR), Limited Residential (LR-1) and Limited Residential (LR-2) Zoning Districts. For those lots that are 4,500 square feet or larger and located within the GR of LR-1 Zoning Districts, maximum lot coverage will remain as noted therein. **ACTION ITEM.**

**PH 3** Consideration of a City-Initiated Text Amendment to the Hailey Municipal Code, Title 15: Buildings and Construction, Chapter 15.20: Green Building Standards, to add a new section, Section 15.20.012, entitled Solar Requirements, mandating new residential developments to install solar wiring for solar electricity generation and consumption capabilities. **ACTION ITEM.**

**PH 4** Consideration of a City-initiated Text Amendment to the Hailey Municipal Code, Title 16: Subdivision Regulations, Chapter 16.05: Improvements Required, Section 16.05.060: Utilities, to amend this standard to encourage electric utilities and make natural gas optional. **ACTION ITEM.**

**PH 5** Consideration of a City-Initiated Text Amendment to the Hailey Municipal Code, Title 17: Zoning Regulations, Chapter 17.06: Design Review, Section 17.06.080: Design Standards, applicable to (A) Nonresidential, Mixed Family, Or Mixed-Use Building, to modernize the requirements for energy conservation in accordance with developments in energy saving technology, and to add a new standard regarding progress towards the City’s clean energy goals. **ACTION ITEM.**

**New Business**

**NB 1** Election of Chair and Vice Chair. **ACTION ITEM**

**Staff Reports and Discussion**

**SR 1** Discussion of current building activity, upcoming projects, and zoning code changes.

**SR 2** Discussion of the next Planning and Zoning meeting: **February 7, 2022.**

*Text Amendment PUD Density Bonus / DR: Pioneer Storage Phase 3 / DR: Spruce St Apts*
Return to Agenda
FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION

On January 3, 2022, the Hailey Planning and Zoning Commissioner considered and approved the Preliminary Plat Application by Michael Kraynick, represented by Alpine Enterprises, where Lot 1A, Block 60, Hailey Townsite (318 E. Spruce Street), is subdivided into two (2) lots, Lot 1AA, comprising of 11,964 square feet, and Lot 1AAA, comprising of 8,010 square feet. This project is located within the Limited Residential (LR-1) and Townsite Overlay (TO) Zoning Districts.

FINDINGS OF FACT

Notice: Notice for the public hearing was published in the Idaho Mountain Express on December 15, 2021, and mailed to adjoining property owners on December 14, 2021.

Background and Application: Consideration of a Preliminary Plat Application by Michael Kraynick, represented by Alpine Enterprises, wherein Lot 1A, Block 60, Hailey Townsite (318 E. Spruce Street), is subdivided into two (2) lots, Lot 1AA, comprising of 11,964 square feet, and Lot 1AAA, comprising of 8,010 square feet. The proposed parcels gain access off of the existing alley, Fourth Avenue, and Spruce Street (proposed Lot 1AA). All lots have frontage on a public street, and is located within the Limited Residential (LR-1) and Townsite Overlay (TO) Zoning Districts.

Procedural History: The Application was submitted on November 2, 2021 and certified complete on November 10, 2021. A public hearing was held on December 6, 2021, in the Council Chambers of Hailey City Hall, and virtually via GoTo Meeting.

<table>
<thead>
<tr>
<th>Standards of Evaluation for a Subdivision</th>
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<td>Compliant</td>
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<td>Yes</td>
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The Applicant inquired about the utilization of a meter vault on an existing parcel across the street, and whether it could be used for proposed Lot 1AAA. Further discussions with the Public Works Department will take place prior to recordation of Final Plat to determine the feasibility of the Applicant’s inquiry. These recommendations above have been made Conditions of Approval.

**Building: No comments**

**Streets: The Streets Department recommends that the following be resolved and/or completed prior to final design:**
- Sidewalks are required or a payment in-lieu shall be made, as outlined in the Hailey Municipal Code. Said payment shall be made for the property frontages of proposed Lot 1AA (Fourth Avenue and Spruce Street) and Lot 1AAA (Fourth Avenue) prior to recordation of Final Plat.
- The Applicant shall delineate all snow storage areas onsite for Lot 1AA and Lot 1AAA prior to submittal for Final Plat.
- Access to proposed Lot 1AAA shall be achieved from the existing alley only and not Fourth Avenue.
- The Applicant/Owner shall address all drainage issues upon development of proposed Lot 1AAA.

The Commission discussed the required sidewalk in-lieu payment, as the Applicant believes these in-lieu fees were paid. City Staff is unable to find whether the Applicant paid these fees; however, will continue to research this. The recommendations above have been made Conditions of Approval and at this time, sidewalks are required or a payment in-lieu shall be made, as outlined in the Hailey Municipal Code. Said payment shall be made for the property frontages of proposed Lot 1AA (Fourth Avenue and Spruce Street) and Lot 1AAA (Fourth Avenue), unless a previous record of payment has been found. These in-lieu fees shall be paid prior to recordation of Final Plat.

**City Arborist: No comments**

**16.04.010 Development Standards**

<table>
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<tr>
<th>Compliant</th>
<th>City Standards</th>
<th>Staff Comments</th>
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**16.04.020 Streets:**

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<th>Compliant</th>
<th>Standards and Staff Comments</th>
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<tr>
<td>☒</td>
<td>16.04.020 Streets shall be provided in all subdivisions where necessary to provide access and shall meet all standards below.</td>
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<tr>
<td>☒</td>
<td>A. Development Standards: All streets in the subdivision must be platted and developed with a width, alignment, and improvements such that the street is adequate to safely accommodate existing and anticipated vehicular and pedestrian traffic and meets City standards. Streets shall be aligned in such a manner as to provide through, safe and efficient access from and to adjacent developments and properties and shall provide for the integration of the proposed streets with the existing pattern.</td>
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</table>

The project connects to existing streets (Spruce Street and Fourth Avenue). These streets are public streets and are 100-feet in width. These streets are
adequate to safely accommodate existing and anticipated vehicular/pedestrian traffic. For further comments or concerns noted by the Streets Division, please refer to Section 17.06.050: Streets.

The Commission found that this standard has been met.

☐ ☐ ☒

B. Cul-De-Sacs; Dead-End Streets: Cul-de-sacs or dead-end streets shall be allowed only if connectivity is not possible due to surrounding topography or existing platted development. Where allowed, such cul-de-sacs or dead-end streets shall comply with all regulations set forth in the IFC and other applicable codes and ordinances. Street rights-of-way extended into un-platted areas shall not be considered dead end streets.

Staff Comments N/A, as no cul-de-sac or dead-end street is proposed. The Commission found that this standard has been met.

☒ ☐ ☐

C. Access: More than one access may be required based on the potential for impairment of a single access by vehicle congestion, terrain, climatic conditions or other factors that could limit access.

Staff Comments Access to the parcels can be achieved from Spruce Street (proposed Lot 1AA), Fourth Avenue and the existing alley. The Commission found that this standard has been met.

☒ ☐ ☐

D. Design: Streets shall be laid out so as to intersect as nearly as possible at right angles and no street shall intersect any other street at less than eighty (80) degrees. Where possible, four-way intersections shall be used. A recommended distance of 500 feet, with a maximum of 750 feet, measured from the center line, shall separate any intersection. Alternatively, traffic calming measures including but not limited to speed humps, speed tables, raised intersections, traffic circles or roundabouts, meanderings, chicanes, chokers, and/or neck-downs shall be a part of the street design. Alternate traffic calming measures may be approved with a recommendation by the City Engineer. Three-way intersections shall only be permitted where most appropriate or where no other configuration is possible. A minimum distance of 150 feet, measured from the center line, shall separate any 2 three-way intersections.

Staff Comments All public streets are existing and appear to intersect at 90-degree angles. No three or four-way intersections are proposed at this time. The Commission found that this standard has been met.

☒ ☐ ☐

E. Centerlines: Street centerlines which deflect more than five (5) degrees shall be connected by a curve. The radius of the curve for the center line shall not be more than 500 feet for an arterial street, 166 feet for a collector street and 89 feet for a residential street. Alternatively, traffic calming measures including but not limited to speed humps, speed tables, raised intersections, traffic circles or roundabouts, meanderings, chicanes, chokers, and/or neck-downs shall be a part of the street design. Alternate traffic calming measures may be approved with a recommendation by the City Engineer.

Staff Comments All streets within the subdivision are existing and are public streets. The Commission found that this standard has been met.

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F. Width: Street width is to be measured from property line to property line. The minimum street width, unless specifically approved otherwise by the Council, shall be as specified in City Standards for the type of street.

Staff Comments The existing public streets (Spruce Street and Fourth Avenue) meet the minimum City Standards of 60’ in width, which is consistent with Title 18 of the Hailey Municipal Code. The Commission found that this standard has been met.

☒ ☐ ☐

G. Roadways: Roadway, for the purpose of this section, shall be defined as the area of asphalt from curb face to curb face or edge to edge. Roadway includes areas for
<table>
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<th>Staff Comments</th>
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| H. Road Grades: Road Grades shall be at least two percent (2%) and shall not generally exceed six percent (6%). Grade may exceed 6%, where necessary, by 1% (total 7%) for no more than 300 feet or 2% (total 8%) for no more than 150 feet. No excess grade shall be located within 200 feet of any other excess grade nor there any horizontal deflection in the roadway greater than 30 degrees within 300 feet of where the excess grade decreases to a 2% slope. | The Commission found that this standard has been met.  
| I. Runoff: The developer shall provide storm sewers and/or drainage areas of adequate size and number to contain any runoff within the streets in the subdivision in conformance with the applicable Federal, State and local regulations. The developer shall provide copies of state permits for shallow injection wells (drywells). Drainage plans shall be reviewed by City Staff and shall meet the approval of the City Engineer. Developer shall provide a copy of EPA’s “NPDES General Permit for Storm water Discharge from Construction Activity” for all construction activity affecting more than one acre. | N/A, as the streets are existing. The Commission found that this standard has been met.  
| J. Signage: The developer shall provide and install all street and traffic control signs in accordance with City Standards. | N/A, as all street and traffic control signs are existing, and are compliant with City Standards. The Commission found that this standard has been met.  
| K. Dedication; Names: All streets and alleys within any subdivision shall be dedicated for public use, except as provided herein. New street names (public and private) shall not be the same or similar to any other street names used in Blaine County. | The streets are existing and all have names. The Commission found that this standard has been met.  
| L. Private Streets: |  
| L. 1. Private streets may be allowed (a) to serve a maximum of five (5) residential dwelling units, (b) within Planned Unit Developments, or (c) within commercial developments in the Business, Limited Business, Neighborhood Business, Light Industrial, Technological Industry, and Service Commercial Industrial districts. Private streets are allowed at the sole discretion of the Council, except that no Arterial or Major Street, or Collector or Secondary Street may be private. Private streets shall have a minimum total width of 36 feet, shall be constructed to all other applicable City Standards including paving, and shall be maintained by an owner’s association. | N/A, as no private streets are proposed. The Commission found that this standard has been met.  
| L. 2. Private streets, wherever possible, shall provide interconnection with other public streets and private streets. | N/A, as no private streets are proposed. The Commission found that this standard has been met.  
| L. 3. The area designated for private streets shall be platted as a separate parcel according to subsection 16.04.060C below. The plat shall clearly indicate that the parcel is unbuildable except for public vehicular and public pedestrian access and ingress/egress, utilities or as otherwise specified on the plat. | N/A, as no private street are proposed. The Commission found that this standard has been met. |
L. 4. Private street names shall not end with the word “Road”, “Boulevard”, “Avenue”, “Drive” or “Street”. Private streets serving five (5) or fewer dwelling units shall not be named.

| Staff Comments | N/A, as no private street are proposed. The Commission found that this standard has been met. |

L. 5. Private streets shall have adequate and unencumbered 10-foot-wide snow storage easements on both sides of the street, or an accessible dedicated snow storage easement representing not less than twenty-five percent (25%) of the improved area of the private street. Private street snow storage easements shall not be combined with, or encumber, required on-site snow storage areas.

| Staff Comments | N/A, as no private streets are proposed. The Commission found that this standard has been met. |

L. 6. Subdivisions with private streets shall provide two (2) additional parking spaces per dwelling unit for guest and/or overflow parking. These spaces may be located (a) within the residential lot (e.g., between the garage and the roadway), (b) as parallel spaces within the street parcel or easement adjacent to the travel lanes, (c) in a designated guest parking area, or (d) as a combination thereof. Guest/overflow parking spaces are in addition to the minimum number of parking spaces required pursuant to chapter 17.09 of this code. The dimension of guest/overflow parking spaces shall be no less than ten feet by twenty feet (10’x20’) if angle parking, or ten feet by twenty-four feet (10’x24’) if parallel. Guest overflow parking spaces shall be improved with asphalt, gravel, pavers, grass block, or another all-weather dustless surface. No part of any required guest/overflow parking spaces shall be utilized for snow storage.

| Staff Comments | N/A, as no private streets are proposed. The Commission found that this standard has been met. |

M. Driveways:

M. 1. Driveways may provide access to not more than two (2) residential dwelling units. Where a parcel to be subdivided will have one lot fronting on a street, not more than one additional single-family lot accessed by a driveway may be created in the rear of the parcel. In such a subdivision, where feasible (e.g., no driveway already exists), both lots shall share access via a single driveway. Driveways shall not be named.

| Staff Comments | At this time, no driveways are shown on the plat. That said, there is an existing residence located on proposed Lot 1AA. Access is off of the alley. Due to the topography of proposed Lot 1AAA, vehicular access shall be off of the existing alley only. Pedestrian access may be achieved via the existing alley or by Fourth Avenue. This has been made a Condition of Approval. The Commission found that this standard has been met. |

M. 2. Driveways shall be constructed with an all-weather surface and shall have the following minimum roadway widths:

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<tr>
<td>a) Accessing one residential unit: twelve feet (12')</td>
<td>b) Accessing two residential units: sixteen feet (16')</td>
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</table>

No portion of the required fire lane width of any driveway may be utilized for parking, above ground utility structures, dumpsters or other service areas, snow storage or any other obstructions.

| Staff Comments | At this time, no driveways are shown on the plat. That said, there is an existing residence located on proposed Lot 1AA. Access is off of the alley. Due to the topography of proposed Lot 1AAA, vehicular access shall be off of the existing alley only. Pedestrian access may be achieved via the existing alley or by Fourth Avenue. This has been made a Condition of Approval. |
Additionally, no driveway materials are proposed at this time, but shall conform to this standard. Lastly, no portion of the driveways are proposed to be utilized for parking, above-ground utility structures, dumpsters, snow storage and other obstructions.

*The Commission found that this standard has been met.*

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<th>M. 3.</th>
<th>Driveways longer than 150 feet must have a turnaround area approved by the Fire Department. Fire lane signage must be provided as approved by the Fire Department.</th>
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<td>Staff Comments: N/A. The Commission found that this standard has been met.</td>
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<th>M. 4.</th>
<th>Driveways accessing more than one residential dwelling unit shall be maintained by an owner’s association, or in accordance with a plat note.</th>
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<td>Staff Comments: This is preferred by the city; however, more details are needed with regard to driveways. Details and compliance of City Standards will be reviewed during the development of construction drawings. Please refer to Section 16.04.020(M) for further details.</td>
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<th>M. 5.</th>
<th>The area designated for a driveway serving more than one dwelling unit shall be platted as a separate unbuildable parcel, or as a dedicated driveway easement. Easements and parcels shall clearly indicate the beneficiary of the easement or parcel and that the property is unbuildable except for ingress/egress, utilities or as otherwise specified on the plat. A building envelope may be required in order to provide for adequate building setback.</th>
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<td>☒</td>
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<td>Staff Comments: Please refer to Section 16.04.020(M) for further details. The Commission found that this standard has been met.</td>
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<tr>
<th></th>
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<th>M. 6.</th>
<th>No driveway shall interfere with maintenance of existing infrastructure and shall be located to have the least adverse impact on residential dwelling units, existing or to be constructed, on the lot the easement encumbers and on adjacent lots.</th>
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<tr>
<td>☐</td>
<td>☒</td>
<td>☐</td>
<td>Staff Comments: Driveways will not impact existing infrastructure and should be compatible with existing and planned residential units; however, further details are needed with regard to driveways. Please refer to Section 16.04.020(M) for further details.</td>
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<tr>
<th></th>
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<th>N.</th>
<th>Parking Access Lane: A parking access lane shall not be considered a street but shall comply with all regulations set forth in the IFC and other applicable codes and ordinances.</th>
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<td>Staff Comments: N/A. The Commission found that this standard has been met.</td>
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<th>O.</th>
<th>Fire Lanes: Required fire lanes, whether in private streets, driveways or parking access lanes, shall comply with all regulations set forth in the IFC and other applicable codes and ordinances.</th>
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<td>☐</td>
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<td>Staff Comments: N/A. The Commission found that this standard has been met.</td>
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**16.04.030: Sidewalks and Drainage Improvements**

<table>
<thead>
<tr>
<th>Compliant</th>
<th>Standards and Staff Comments</th>
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<tbody>
<tr>
<td>City Code</td>
<td>City Standards and Staff Comments</td>
</tr>
<tr>
<td>☒</td>
<td>A.</td>
</tr>
</tbody>
</table>
No sidewalks exist in the area and no sidewalks are planned or proposed; however, a sidewalk in-lieu fee is recommended for both the property frontage off of Fourth Avenue and Spruce Street (Lot 1AA), and Fourth Avenue (Lot 1AAA).

The Commission discussed the required sidewalk in-lieu payment, as the Applicant believes these in-lieu fees were paid. City Staff is unable to find whether the Applicant paid these fees; however, will continue to research this. The recommendations above have been made Conditions of Approval and at this time, sidewalks are required or a payment in-lieu shall be made, as outlined in the Hailey Municipal Code. Said payment shall be made for the property frontages of proposed Lot 1AA (Fourth Avenue and Spruce Street) and Lot 1AAA (Fourth Avenue), unless a previous record of payment has been found. These in-lieu fees shall be paid prior to recordation of Final Plat.

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<tr>
<th>B.</th>
<th>The length of sidewalks and drainage improvements constructed shall be equal to the length of the subject property line(s) adjacent to any public street or private street.</th>
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<tbody>
<tr>
<td>Staff Comments</td>
<td>The in-lieu fees will be calculated according to this standard. Please refer to Section 16.04.030(A) for further details. The Commission found that this standard has been met.</td>
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<th>C.</th>
<th>New sidewalks shall be planned to provide pedestrian connections to any existing and future sidewalks adjacent to the site.</th>
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<tr>
<td>Staff Comments</td>
<td>Please refer to Section 16.04.030(A) for further details. The Commission found that this standard has been met.</td>
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<th>D.</th>
<th>Sites located adjacent to a public street or private street that are not currently through streets, regardless whether the street may provide a connection to future streets, shall provide sidewalks to facilitate future pedestrian connections.</th>
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</thead>
<tbody>
<tr>
<td>Staff Comments</td>
<td>N/A. Please refer to Section 16.04.030(A) for further details and/or comments noted by City Staff. The Commission found that this standard has been met.</td>
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<th>E.</th>
<th>The requirement for sidewalk and drainage improvements are not required for any lot line adjustment.</th>
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<tbody>
<tr>
<td>Staff Comments</td>
<td>N/A. The Commission found that this standard has been met.</td>
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### 16.04.040: Alleys and Easements

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<tr>
<th>Compliant</th>
<th>Standards and Staff Comments</th>
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<tbody>
<tr>
<td>Yes</td>
<td>Alleys:</td>
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<tr>
<td>☒</td>
<td>A. 1. Alleys shall be provided in all Business District and Limited Business District developments where feasible.</td>
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<tr>
<td>Staff Comments</td>
<td>The alley is existing. The Commission found that this standard has been met.</td>
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<tr>
<td>☒</td>
<td>A. 2. The minimum width of an alley shall be twenty-six (26') feet.</td>
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<tr>
<td>Staff Comments</td>
<td>The alley is existing and complies with the minimum alley width of 26-feet wide. The Commission found that this standard has been met.</td>
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<td>☒</td>
<td>A. 3. All alleys shall be dedicated to the public or provide for public access.</td>
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<tr>
<td>Staff Comments</td>
<td>The alley is existing and has been dedicated to the public for public access. The Commission found that this standard has been met.</td>
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<td>A. 4. All infrastructures to be installed underground shall, where possible, be installed in the alleys platted.</td>
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</table>
The alley is existing and all infrastructures related to proposed Lot 1AAA shall be installed underground, and within the platted alley where possible. The Commission found that this standard has been met.

Alleys in commercial areas shall be improved with drainage as appropriate and which the design meets the approval of the City Engineer. The Developer shall provide storm sewers and/or drainage areas of adequate size and number to contain any runoff within the streets in the subdivision upon the property in conformance with the latest applicable Federal, State, and local regulations. The developer shall provide copies of state permits for shallow injection wells (drywells). Drainage plans shall be reviewed by City Staff and shall meet the approval of the City Engineer.

N/A, as the alley is existing; however, this is not a commercial area. That said, upon development of proposed Lot 1AAA, the Applicant/Owner shall address all drainage issues. This has been made a Condition of Approval. The Commission found that this standard has been met.

Dead-end alleys shall not be allowed.

Where alleys are not provided, easements of not less than ten (10) feet in width may be required on each side of all rear and/or side lot lines (total width = 20 feet) where necessary for wires, conduits, storm or sanitary sewers, gas and water lines. Easements of greater width may be required along lines, across lots, or along boundaries, where necessary for surface drainage or for the extension of utilities.

Easements. Easements, defined as the use of land not having all the rights of ownership and limited to the purposes designated on the plat, shall be placed on the plat as appropriate. Plats shall show the entity to which the easement has been granted. Easements shall be provided for the following purposes:

To provide access through or to any property for the purpose of providing utilities, emergency services, public access, private access, recreation, deliveries or such other purpose. Any subdivision that borders on the Big Wood River shall dedicate a 20-foot-wide fisherman’s access easement, measured from the Mean High-Water Mark, which shall provide for non-motorized public access. Additionally, in appropriate areas, an easement providing non-motorized public access through the subdivision to the river shall be required as a sportsman’s access.

The proposed subdivision does not border the Big Wood River, and no additional easements have been identified at this time. The Commission found that this standard has been met.

To provide protection from or buffering for any natural resource, riparian area, hazardous area, or other limitation or amenity on, under, or over the land. Any subdivision that borders on the Big Wood River shall dedicate a one hundred (100) foot wide riparian setback easement, measured from the Mean High-Water Mark, upon which no permanent structure shall be built, in order to protect the natural vegetation and wildlife along the river bank and to protect structures from damage or loss due to river bank erosion. A twenty-five (25) foot wide riparian setback easement shall be dedicated adjacent to tributaries of the Big Wood River. Removal and maintenance of live or dead vegetation within the riparian setback easement is controlled by the applicable bulk requirement of the Flood Hazard Overlay District. The riparian setback easement shall be fenced off during any construction on the property.
Staff Comments: N/A, as no natural resource, riparian area, hazardous area or other limitation requires an easement for the proposed subdivision. The Commission found that this standard has been met.

**B. 3.** To provide for the storage of snow, drainage areas or the conduct of irrigation waters. Snow storage areas shall be not less than twenty-five percent (25%) of parking, sidewalk and other circulation areas. No dimension of any snow storage area may be less than 10 feet. All snow storage areas shall be accessible and shall not be located over any above ground utilities, such as transformers.

Staff Comments: Snow storage areas have not been delineated on the site plan. It appears there is adequate storage onsite for snow; however, the Applicant shall note all snow storage areas on the plan prior to submittal of Final Plat. This has been made a Condition of Approval.

The Commission found that this standard has been met.

### 16.04.050: Blocks

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<th>Standards and Staff Comments</th>
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### 16.04.060: Lots

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</table>
| ☐ | ☒ | ☑ | | Staff Comments: Double frontage lots shall be prohibited except where unusual topography, a more integrated street plan, or other conditions make it undesirable to meet this requirement. Double frontage lots are those created by either public or private streets, but not by driveways or alleys. Subdivisions providing a platted parcel of 25 feet or more between any street right-of-way and any single row of lots shall not
be considered to have platted double frontage lots. The 25-foot-wide parcel provided must be landscaped to provide a buffer between the street and the lot(s).

Staff Comments  
N/A, as no double frontage lots exist or will be created as part of the proposed subdivision. The Commission found that this standard has been met.

C. No unbuildable lots shall be platted. Platted areas that are not buildable shall be noted as such and designated as “parcels” on the plat. Green Space shall be clearly designated as such on the plat.

Staff Comments  
N/A, as no unbuildable lots are proposed. The Commission found that this standard has been met.

D. A single flag lot may be permitted at the sole discretion of the Hearing Examiner or Commission and Council, in which the “flagpole” projection is serving as a driveway as provided herein, providing connection to and frontage on a public or a private street. Once established, a flag lot may not be further subdivided, but a lot line adjustment of a flag lot is not considered a further subdivision. The “flagpole” portion of the lot shall be included in lot area but shall not be considered in determining minimum lot width. The “flagpole” shall be of adequate width to accommodate a driveway as required by this ordinance, fire and other applicable codes. Flag lots within the Townsite Overlay District are not allowed, except where parcels do not have street access, such as parcels adjacent to the ITD right-of-way.

Staff Comments  
N/A, as no flag lot is proposed at this time. The Commission found that this standard has been met.

E. All lots shall have frontage on a public or private street. No frontage width shall be less than the required width of a driveway as provided under Section 16.04.020 of this Ordinance. Townhouse Sub-Lots are excluded from this requirement; provided, however, that Townhouse Developments shall have frontage on a street.

Staff Comments  
Proposed Lots 1AA and 1AAA have frontage on a public street (Spruce Street or Fourth Avenue). Proposed Lot 1AA has frontage on Spruce Street and Fourth Avenue. Lot 1AAA has frontage off of Fourth Avenue. Additionally, it appears that no frontage width will be less than the required driveway width, as noted herein. The Commission found that this standard has been met.

F. In the Townsite Overlay District, original Townsite lots shall be subdivided such that the new platted lots are oriented the same as the original lots, i.e., lots shall be subdivided in such a way as to maintain frontage on both the street and alley. Exceptions may be made for corner properties with historic structures.

Staff Comments  
The proposed subdivision retains the original orientation of original lots. The existing lots lines of Lot 1A run east to west. The proposal retains the east-west orientation for proposed Lots 1AA and 1AAA. The Commission found that this standard has been met.

### 16.04.070: Orderly Development

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<tr>
<th>Compliant</th>
<th>Standards and Staff Comments</th>
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<tr>
<td>Yes</td>
<td>Phasing Required: Development of subdivisions shall be phased to avoid the extension of City services, roads and utilities through undeveloped land.</td>
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<tr>
<td>Staff Comments</td>
<td>N/A, as no Phasing Plan is proposed at this time. The Commission found that this standard has been met.</td>
</tr>
<tr>
<td>Yes</td>
<td>Agreement: Developers requesting phased subdivisions shall enter into a phasing agreement with the City. Any phasing agreement shall be approved and executed by the Council and the Developer on or before the preliminary plat approval by the Council.</td>
</tr>
</tbody>
</table>
C. Mitigation of Negative Effects: No subdivision shall be approved which affects the ability of political subdivisions of the state, including school districts, to deliver services without compromising quality of service delivery to current residents or imposing substantial additional public costs upon current residents, unless the Developer provides for the mitigation of the effects of subdivision. Such mitigation may include, but is not limited to the following:

- a) Provision of on-site or off-site street or intersection improvements.
- b) Provision of other off-site improvements.
- c) Dedications and/or public improvements on property frontages.
- d) Dedication or provision of parks or green space.
- e) Provision of public service facilities.
- f) Construction of flood control canals or devices.
- g) Provisions for ongoing maintenance.

The Commission found that this standard has been met.

<table>
<thead>
<tr>
<th>Staff Comments</th>
<th>N/A, as no Phasing Plan is proposed at this time. The Commission found that this standard has been met.</th>
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</table>

D. When the developer of contiguous parcels proposes to subdivide any portion of the contiguous parcels, an area development plan shall be submitted and approved. The Commission and Council shall evaluate the following basic site criteria and make appropriate findings of fact:

1. Streets, whether public or private, shall provide an interconnected system and shall be adequate to accommodate anticipated vehicular and pedestrian traffic.
2. Non-vehicular circulation routes shall provide safe pedestrian and bicycle ways and provide an interconnected system to streets, parks and green space, public lands, or other destinations.
3. Water main lines and sewer main lines shall be designed in the most effective layout feasible.
4. Other utilities including power, telephone, cable, and gas shall be designed in the most effective layout feasible.
5. Park land shall be most appropriately located on the Contiguous Parcels.
6. Grading and drainage shall be appropriate to the Contiguous Parcels.
7. Development shall avoid easements and hazardous or sensitive natural resource areas.

The commission and council may require that any or all contiguous parcels be included in the subdivision.

<table>
<thead>
<tr>
<th>Staff Comments</th>
<th>Proposed Lot 1AA and Lot 1AAA are owned by the Applicant and are shown on the Preliminary Plat. The Applicant has no future intention to subdivide the parcels at this time. The Commission found that this standard has been met.</th>
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<th>Compliant</th>
<th>Standards and Staff Comments</th>
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<td>Yes</td>
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</table>
16.04.080: The City of Hailey shall not approve any residential subdivision application that includes any type of perimeter wall or gate that restricts access to the subdivision. This regulation does not prohibit fences on or around individual lots. The City shall also not allow any perimeter landscape berm more than 3’ higher than the previously existing (original) grade.

Staff Comments: No perimeter gates or walls are proposed; however, several landscaping retaining walls exist onsite. The retaining walls are existing landscape features and they do not restrict access to the parcels.

A fence exists in the public right-of-way along Fourth Avenue and Spruce Street. This fence is within the public right-of-way and an Encroachment Permit shall be applied for and approved permitting said fencing within the public right-of-way. This has been made a Condition of Approval.

The Commission found that this standard has been met.

16.04.090: Cuts, Fills, Grading and Drainage

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<th>Compliant</th>
<th>Standards and Staff Comments</th>
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<tr>
<td>Staff Comments</td>
<td>The proposed subdivision aligns with the traditional grid pattern of Old Hailey. Mature landscaping is existing and varied topography exists onsite. One (1) foot and five (5) contours have been shown on the plat to illustrate the existing topography. At the southeast corner of Proposed Lot 1AAA, the topography steepens to the south. Existing concrete stairs ascend to the neighboring property to the south. Upon development of the parcel, special attention will need to be given to the mature landscaping and natural topography. Grading and drainage shall be the responsibility of the Developer/Owner and will be evaluated by City Staff upon development of the parcel.</td>
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| | | | | Additionally, City Staff feels that by reducing the amount of turf on any new lot or subdivision, we can better reduce unnecessary water consumption and usage. We’ve implemented these and/or similar standards, as noted below, in other subdivisions across Hailey (Sunbeam Subdivision, Colorado Gulch Preserve Subdivision, and Winterhaven Estates Subdivision) to reduce water consumption and usage. A such, the following shall be added as a plat note and applicable to both Lot 1AA (for redevelopment) and Lot 1AAA (for development):

“| The following turf landscape restrictions shall apply for the redevelopment of Lot 1AA and development of Lot 1AAA:

i. For proposed Lot 1AA, a maximum of forty percent (40%) of the total land area may be turf.

ii. For proposed Lot 1AAA, a maximum of thirty-five percent (35%) of the total land area may be turf up to a maximum of 3,500 square feet. |
iii. Promotes a low water use landscape through the use of drought tolerant plants either from an approved list or as recommended by a landscape design professional.

iv. Each residential irrigation system shall be at a 70% distribution uniformity for turf areas and/or utilize EPA water sensor controllers and heads or equivalent”.

This has been made a Condition of Approval. The Commission found that this standard has been met.

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<tr>
<td>A. 1.</td>
<td>A preliminary soil report prepared by a qualified engineer may be required by the Hearing Examiner or Commission and/or Council as part of the preliminary plat application.</td>
<td>Staff Comments</td>
<td>At this time, the City Engineer has not required that a Soils Report be prepared and/or submitted. The Commission found that this standard has been met.</td>
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| ☒ | ☐ | ☐ | ☐ |
| A. 2. | A preliminary grading plan prepared by a civil engineer may be required by the Hearing Examiner or Commission and/or the Council as part of the preliminary plat application, to contain the following information: | Staff Comments | Grading has been developed for proposed Lot 1AA and the surrounding area. Preliminary grading, drainage, and street and utility improvements will need to be reviewed for proposed Lot 1AAA upon development of the parcel. This will be reviewed at final design and/or Building Permit submittal. The Commission found that this standard has been met. |

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<tr>
<td>B. 1.</td>
<td>Grading shall be designed to blend with natural land forms and to minimize the necessity of padding or terracing of building sites, excavation for foundations, and minimize the necessity of cuts and fills for streets and driveways.</td>
<td>Staff Comments</td>
<td>The grading has been developed for the existing streets within the subdivision. Grading for dwelling units shall meet this standard. The Commission found that this standard has been met.</td>
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| ☒ | ☐ | ☐ | ☐ |
| B. 2. | Areas within a subdivision which are not well suited for development because of existing soil conditions, steepness of slope, geology or hydrology shall be allocated for Green Space for the benefit of future property owners within the subdivision. | Staff Comments | Mature landscaping is existing and varied topography exists onsite. One (1) foot and five (5) contours have been shown on the plat to illustrate the existing topography. At the southeast corner of Proposed Lot 1AAA, the topography steepens to the south. Existing concrete stairs ascend to the neighboring property to the south. Upon development of the parcel, special attention will need to be given to the mature landscaping and natural topography. Grading and drainage shall be the responsibility of the Developer/Owner and will be evaluated by City Staff upon development of the parcel. |
Additionally, City Staff feels that by reducing the amount of turf on any new lot or subdivision, we can better reduce unnecessary water consumption and usage. We’ve implemented these and/or similar standards, as noted below, in other subdivisions across Hailey (Sunbeam Subdivision, Colorado Gulch Preserve Subdivision, and Winterhaven Estates Subdivision) to reduce water consumption and usage. A such, the following shall be added as a plat note and applicable to both Lot 1AA (for redevelopment) and Lot 1AAA (for development):

“The following turf landscape restrictions shall apply for the redevelopment of Lot 1AA and development of Lot 1AAA:

v. For proposed Lot 1AA, a maximum of forty percent (40%) of the total land area may be turf.

vi. For proposed Lot 1AAA, a maximum of thirty-five percent (35%) of the total land area may be turf up to a maximum of 3,500 square feet.

vii. Promotes a low water use landscape through the use of drought tolerant plants either from an approved list or as recommended by a landscape design professional.

viii. Each residential irrigation system shall be at a 70% distribution uniformity for turf areas and/or utilize EPA water sensor controllers and heads or equivalent”.

This has been made a Condition of Approval. The Commission found that this standard has been met.

| ☒ | ☐ | ☐ | ☐ | B. 3. | Where existing soils and vegetation are disrupted by subdivision development, provision shall be made by the Developer for Revegetation of disturbed areas with perennial vegetation sufficient to stabilize the soil upon completion of the construction, including temporary irrigation for a sufficient period to establish perennial vegetation. Until such time as the vegetation has been installed and established, the Developer shall maintain and protect all disturbed surfaces from erosion. |
| ☐ | ☐ | ☒ | ☐ | Staff Comments | Proposed Lot 1AA has been developed. Proposed Lot 1AAA may need to be revegetated given the natural topography of the lot. That said, City Staff will reevaluate this if and when development occurs. The Commission found that this standard has been met. |
| ☐ | ☒ | ☐ | ☐ | B. 4. | Where cuts, fills or other excavation are necessary, the following development standards shall apply:

a) Fill areas for structures or roads shall be prepared by removing all organic material detrimental to proper compaction for soil stability.

b) Fill for structures or roads shall be compacted to at least 95 percent of maximum density as determined by American Association State Highway Transportation Officials (AASHTO) and American Society of Testing & Materials (ASTM).

c) Cut slopes shall be no steeper than two horizontals to one vertical. Subsurface drainage shall be provided as necessary for stability.

d) Fill slopes shall be no steeper than three horizontals to one vertical. Neither cut nor fill slopes shall be located on natural slopes of three to one or steeper, or where fill slope toes out within twelve (12) feet horizontally of the top of existing or planned cut slope.

e) Tops and toes of cut and fill slopes shall be set back from structures and property lines as necessary to accommodate drainage features and drainage structures.
**Grading and drainage**

Grading and drainage review shall take place during development or redevelopment of the parcels. That said, no cuts, fills or other excavation are proposed at this time. The Commission found that this standard has been met.

**B. 5.**

The developer shall provide storm sewers and/or drainage areas of adequate size and number to contain the runoff upon the property in conformance with the applicable Federal, State and local regulations. The developer shall provide copies of state permits for shallow injection wells (drywells). Drainage plans shall be reviewed by planning staff and shall meet the approval of the City engineer. Developer shall provide a copy of EPA’s “NPDES General Permit for Storm-water Discharge from Construction Activity” for all construction activity affecting more than one acre.

**Staff Comments**

N/A. The Commission found that this standard has been met.

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## 16.04.100: Overlay Districts

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<th>Standards and Staff Comments</th>
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<tr>
<td>Yes</td>
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<tr>
<td>Flood Hazard Overlay District:</td>
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<tr>
<td>A.</td>
<td>Subdivisions or portions of subdivision located within the Flood Hazard Overlay District shall comply with all provisions of Section 4.10 of the Zoning Ordinance.</td>
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<tr>
<td>A. 1.</td>
<td>Subdivisions located partially in the Flood Hazard Overlay District shall have designated building envelopes outside the Flood Hazard Overlay District to the extent possible.</td>
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<td>A. 2.</td>
<td>Any platted lots adjacent to the Big Wood River or its tributaries shall have designated building envelopes.</td>
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<td>A. 3.</td>
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<td>B.</td>
<td>Hillside Overlay District:</td>
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<td>B. 1.</td>
<td>Subdivisions or portions of subdivisions located within the Hillside Overlay District shall comply with all provisions of Section 17.04N, of the Hailey Municipal Code.</td>
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<tr>
<td>B. 2.</td>
<td>Subdivisions located partially in the Hillside Overlay District shall have designated building envelopes outside the Hillside Overlay District.</td>
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<tr>
<td>B. 3.</td>
<td>All approved subdivisions shall contain a condition that a Site Alteration Permit is required before any development occurs.</td>
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## 16.04.110: Parks, Pathways and Other Green Spaces

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<td>Yes</td>
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<td>Parks and Pathways: Unless otherwise provided, every subdivision shall set aside a Park and/or Pathway(s) in accordance with standards set forth herein.</td>
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<tr>
<td>A. 1.</td>
<td>Parks:</td>
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|   |   | ☒ | A. 1. a. | The developer of any subdivision, or any part thereof, consisting of three (3) or more residential lots, including residential townhouse sub-lots and residential condominium units, without regard to the number of phases within the subdivision, shall set aside or acquire land area within, adjacent to or in the general vicinity of the subdivision for Parks. Parks shall be developed within the City of Hailey and set aside in accordance with the following formula:

\[
P = x \times 0.0277
\]

“P” is the Parks contribution in acres

“x” is the number of single-family lots, residential townhouse sub-lots or residential condominium units contained within the plat. Where multi-family lots are being platted with no fixed number of units, “x” is maximum number of residential lots, sub-lots, and units possible within the subdivision based on current zoning regulations.

**Staff Comments**
N/A, as the subdivision proposed is for two (2) lots. The Commission found that this standard has been met.

|   |   | ☐ | ☒ | A.1.b | In the event the subdivision is located in the Business (B), Limited Business (LB), Neighborhood Business (NB), or Transitional (TN) zoning districts, the area required for a park shall be reduced by 75%, but in no event shall the area required for a park/Cultural Space exceed 17.5% of the area of the lot(s) being developed.

**Staff Comments**
N/A, as the proposed subdivision is located in the Limited Residential (LR-1) and Townsite Overlay (TO) Zoning Districts. The Commission found that this standard has been met.

| ☒ |   |   | A. 2. | Pathways: The developer of any subdivision, or any part thereof, shall provide pathways for all trails and paths identified in the master plan that are located on the property to be subdivided or on City property adjacent to the property to be subdivided, and sidewalks required by this ordinance.

**Staff Comments**
No sidewalks exist in the area and no sidewalks are planned or proposed; however, a sidewalk in-lieu fee is recommended for both the property frontage off of Fourth Avenue and Spruce Street (Lot 1AA), and Fourth Avenue (Lot 1AAA). This has been made a Condition of Approval. Please refer to Section 16.04.030 for further details.

*The Commission found that this standard has been met.*

|   |   | ☐ | ☐ | B. | Multiple Ownership: Where a parcel of land is owned or otherwise controlled, in any manner, directly or indirectly:

a) By the same individual(s) or entity(ies), including but not limited to corporation(s), partnership(s), limited liability company(ies) or trust(s), or

b) By different individuals or entities, including but not limited to corporations, partnerships, limited liability companies or trusts where a) such individual(s) or entity(ies) have a controlling ownership or contractual right with the other individual(s) or entity(ies), or b) the same individual(s) or entity(ies) act in any manner as an employee, owner, partner, agent, stockholder, director, member, officer or trustee of the entity(ies),

c) Multiple subdivisions of the parcel that cumulatively result in three (3) or more residential lots, townhouse sub-lots or condominium units, are subject to the provisions of this ordinance, and shall provide the required improvements subject to the required standards at or before the platting or development of the lots, sub-lots or units.

d) Parks and Lands Board: The parks and lands board shall review and make a recommendation to the hearing examiner or commission and council
C. Parks and Lands Board: The parks and lands board shall review and make a recommendation to the hearing examiner or commission and council regarding each application subject to the provisions of Section 4.10 of this ordinance. Such recommendation will be based on compliance with the master plan and provisions of this ordinance.

**Staff Comments**

| ☐ | ☐ | ☒ | N/A. The Commission found that this standard has been met. |

D. Minimum Requirements:

C. Private Green Space: Use and maintenance of any privately-owned green space shall be controlled by recorded covenants or restrictions which run with the land in favor of the future owners of the property within the tract and which cannot be modified without the consent of the council.

**Staff Comments**

| ☐ | ☐ | ☒ | N/A. The Commission found that this standard has been met. |

D. 1. Neighborhood Park: A neighborhood park shall include finished grading and ground cover, large grassy areas, trees and shrubs, sheltered picnic table(s), trash container(s), dog station(s), bike racks, park bench(es), parking as required by ordinance, and two or more of the following: play structure, restrooms, an athletic field, trails, hard surface multiple use court (tennis or basketball courts), or gardens that demonstrate conservation principles. Neighborhood Parks shall provide an average of 15 trees per acre, of which at least 15% shall be of 4" caliper or greater. A maximum of 20% of any single tree species may be used. Landscaping and irrigation shall integrate water conservation. A neighborhood park shall be deeded to the City upon completion, unless otherwise agreed upon by the developer and City.

**Staff Comments**

| ☐ | ☐ | ☒ | N/A. The Commission found that this standard has been met. |

D. 2. Mini Park: A mini park shall include finished grading and ground cover, trees and shrubs, picnic table(s), trash container(s), dog station(s), bike racks and park bench(es). All mini parks shall provide an average of 15 trees per acre, of which at least 15% shall be of 4" caliper or greater. A maximum of 20% of any single tree species may be used. Landscaping and irrigation shall integrate water conservation.

**Staff Comments**

| ☐ | ☐ | ☒ | N/A. The Commission found that this standard has been met. |

D. 3. Park/Cultural Space: A park/cultural space shall include benches, planters, trees, public art, water features and other elements that would create a gathering place. Connective elements, such as parkways or enhanced sidewalks may also qualify where such elements connect two or more parks or park/cultural spaces.

**Staff Comments**

| ☐ | ☐ | ☒ | N/A. The Commission found that this standard has been met. |

D. 4. Pathway: Pathways shall have a minimum twenty-foot (20’) right-of-way width and shall be paved or improved as recommended by the Parks and Lands Board. Construction of Pathways shall be undertaken at the same time as other public improvements are installed within the development, unless the Council otherwise allows when deemed beneficial for the project. The Developer shall be entitled to receive a Park dedication credit only if the Developer completes and constructs a Pathway identified in the Master Plan or completes and constructs a Pathway not identified in the Master Plan where the Pathway connects to existing or proposed trails identified in the Master Plan. The city may permit easements to be granted by Developers for Pathways identified in the Master Plan, thereby allowing the...
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<tr>
<th>E. Specific Park Standards: All Parks shall meet the following criteria for development, location and size (unless unusual conditions exist that prohibit meeting one or more of the criteria):</th>
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<tr>
<td>E. 1. Shall meet the minimum applicable requirements required by Subsection D of this section.</td>
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<td>Staff Comments</td>
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<tr>
<td>E. 2. Shall provide safe and convenient access, including ADA standards.</td>
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<td>Staff Comments</td>
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<tr>
<td>E. 3. Shall not be gated so as to restrict access and shall not be configured in such a manner that will create a perception of intruding on private space. If a Park is privately owned and maintained, the use of the park shall not be exclusive to the homeowners, residents or employees of the development.</td>
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<td>Staff Comments</td>
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<tr>
<td>E. 4. Shall be configured in size, shape, topography and improvements to be functional for the intended users. To be eligible for Park dedication, the land must, at a minimum, be located on slopes less than 25 degrees, and outside of drain ways, floodways and wetland areas. Mini Parks shall not be occupied by non-recreational buildings and shall be available for the use of all the residents or employees of the proposed subdivision.</td>
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<tr>
<td>Staff Comments</td>
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<tr>
<td>E. 5. Shall not create undue negative impact on adjacent properties and shall be buffered from conflicting land uses.</td>
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<td>Staff Comments</td>
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<tr>
<td>E. 6. Shall require low maintenance or provide for maintenance or maintenance endowment.</td>
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<td>Staff Comments</td>
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<td>F. Specific Pathway Standards: All Pathways shall meet the following criteria for development, location and size (unless unusual conditions exist that prohibit meeting one or more of the criteria):</td>
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<tr>
<td>F. 1. Shall meet the minimum applicable requirements required by Subsection D of this section.</td>
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<td>Staff Comments</td>
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<td>F. 2. Shall be connected in a useful manner to other Parks, Pathways, Green Space and recreation and community assets.</td>
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<td>Staff Comments</td>
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<td>G. Specific Green Space Standards: If green space is required or offered as part of a subdivision, townhouse or condominium development, all green space shall meet the following criteria for development, location and size (unless unusual conditions exist that prohibit meeting one or more of the criteria):</td>
</tr>
<tr>
<td>G. 1. Shall meet the minimum applicable requirements required by subsection D of this section.</td>
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<td>Staff Comments</td>
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**16.05: Improvements Required:**

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<th>Standards and Staff Comments</th>
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design and effectiveness and will promote the public health, safety and general welfare.

**Staff Comments**
The Applicant intends to construct all necessary infrastructure, if the project is approved. The Commission found that this standard has been met.

| ☒ | ☐ | ☐ | A. | Plans Filed, maintained: Six (6) copies of all improvement plans shall be filed with the City Engineer and made available to each department head. Upon final approval two (2) sets of revised plans shall be returned to the Developer at the pre-construction conference with the City Engineer’s written approval thereon. One set of final plans shall be on-site at all times for inspection purposes and to note all field changes upon.

**Staff Comments**
The Commission found that this standard will be met.

| ☒ | ☐ | ☐ | B. | Preconstruction Meeting: Prior to the start of any construction, it shall be required that a pre-construction meeting be conducted with the Developer or his authorized representative/engineer, the contractor, the City Engineer and appropriate City departments. An approved set of plans shall be provided to the Developer and contractor at or shortly after this meeting.

**Staff Comments**
The Commission found that this standard will be met.

| ☒ | ☐ | ☐ | C. | Term of Guarantee of Improvements: The developer shall guarantee all improvements pursuant to this Section for no less than one year from the date of approval of all improvements as complete and satisfactory by the City engineer, except those parks shall be guaranteed and maintained by the developer for a period of two years.

**Staff Comments**
The Commission found that this standard will be met.

**16.05.020: Streets, Sidewalks, Lighting, Landscaping**

| ☒ | ☐ | ☐ | 16.05.020 | Streets, Sidewalks, Lighting, Landscaping: The developer shall construct all streets, alleys, curb and gutter, lighting, sidewalks, street trees and landscaping, and irrigation systems to meet City Standards, the requirements of this ordinance, the approval of the Council, and to the finished grades which have been officially approved by the City engineer as shown upon approved plans and profiles. The developer shall pave all streets and alleys with an asphalt plant-mix and shall chip-seal streets and alleys within one year of construction.

**Staff Comments**
All public infrastructure shall meet City specifications. No additional street lights are needed or proposed at this time. The Commission found that this standard has been met.

| ☒ | ☐ | ☐ | A. | Street Cuts: Street cuts made for the installation of services under any existing improved public street shall be repaired in a manner which shall satisfy the Street Superintendent, shall have been approved by the Hailey City Engineer or his authorized representative, and shall meet City Standards. Repair may include patching, skim coats of asphalt or, if the total area of asphalt removed exceeds 25% of the street area, the complete removal and replacement of all paving adjacent to the development. Street cut repairs shall also be guaranteed for no less than one year. (Ord. 1191, 2015)

**Staff Comments**
Any and all proposed street cuts shall be per this standard and shall be approved by the Streets Division prior to construction.

All infrastructure will require detailed final construction drawings, to be submitted to the city and approved by the city prior to construction. All construction must conform to City of Hailey Standard Drawings, Specifications and Procedures. This has been made a Condition of Approval.

**The Commission found that this standard has been met.**
### 16.05.030: Sewer Connections

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**B. Signage:** Street name signs and traffic control signs shall be erected by the Developer in accordance with City Standard, and the street name signs and traffic control signs shall thereafter be maintained by the City.

**Staff Comments**

> Street names and signage are existing and meet this standard. The Commission found that this standard has been met.

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**C. Streetlights:** Street lights in the Recreational Green Belt, Limited Residential, General Residential, and Transitional zoning districts are not required improvements. Where proposed, street lighting in all zoning districts shall meet all requirements of Chapter VIIIB of the Hailey Zoning Ordinance.

**Staff Comments**

> N/A, as no street lights are shown and/or proposed. The Commission found that this standard has been met.

### 16.05.040: Water Connections

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**A. Requirements:** The developer shall construct a municipal potable water connection, water meter and water meter vault in accordance with City Standards or other equipment as may be approved by the City engineer, for each and every developable lot within the development. The developer shall provide water mains and services of adequate size and configuration in accordance with City Standards, and all federal, state, and local regulations. Such water connection shall provide all necessary appurtenances for fire protection, including fire hydrants, which shall be located in accordance with the IFC and under the approval of the Hailey Fire Chief. All water plans shall be submitted to the City engineer for review and approval. At the City Engineer’s discretion, plans may be required to be submitted to the Idaho Department of Environmental Quality (DEQ) for review and comments.

**Staff Comments**

> Water services are shown from each sublot connecting into the water main. Connection details to the existing water system shall be approved by the Wastewater Division prior to construction. All infrastructure will require detailed final construction drawings, to be submitted to the city and approved by the city prior to construction. All construction must conform to City of Hailey Standard Drawings, Specifications and Procedures.

> Other recommendations and/or comments made by the Wastewater Division include:

> - A new sewer service shall be installed at the mainline to service proposed Lot 1AAA.

> The items above have been made Conditions of Approval. The Commission found that this standard has been met.
Other recommendations and/or comments made by the Water Division include:

- A water service and water meter vault shall be installed to service proposed Lot 1AAA.

The Commission discussed the recommendations above and reiterated that all infrastructure will need to be in place prior to recordation of Final Plat. The Applicant inquired about the utilization of a meter vault on an existing parcel across the street, and whether it could be used for proposed Lot 1AAA. Further discussions with the Public Works Department will take place prior to recordation of Final Plat to determine the feasibility of the Applicant’s inquiry. These recommendations above have been made Conditions of Approval.

| ☒ ☐ ☐ | B. | Townsite Overlay: Within the Townsite Overlay District, where water main lines within the alley are less than six (6) feet deep, the developer shall install insulating material (blue board insulation or similar material) for each and every individual water service line and main line between and including the subject property and the nearest public street, as recommended by the City Engineer. |
| ☐ ☐ ☒ | Staff Comments | The Commission found that this standard will be met. |

16.05.050: Drainage

| ☐ ☐ ☒ | 16.05.050 | Drainage: The developer shall provide drainage areas of adequate size and number to meet the approval of the street superintendent and the City engineer or his authorized representative. (Ord. 1191, 2015) |
| ☐ ☒ ☐ | Staff Comments | No drainage improvements are required at this time. Drainage will be further reviewed upon the development or redevelopment of each lot. The Commission found that this standard has been met. |

16.05.060: Utilities

| ☒ ☐ ☐ | 16.05.060 | Utilities: The developer shall construct each and every individual service connection and all necessary trunk lines, and/or conduits for those improvements, for natural gas, electricity, telephone, and cable television to the property line before placing base gravel for the street or alley. |
| ☒ ☐ ☐ | Staff Comments | Utilities will be constructed and installed underground. Additional utility company comment and engineering details will be required at final design. The Commission found that this standard has been met. |

16.05.070: Parks, Green Space

| ☐ ☐ ☒ | 16.05.070 | Parks, Green Space: The developer shall improve all parks and green space areas as presented to and approved by the hearing examiner or commission and council. |
| ☐ ☐ ☒ | Staff Comments | Please refer to Section 16.04.110 for further detail. The Commission found that this standard has been met. |

16.05.080: Installation to Specifications; Inspections

| ☒ ☐ ☐ | 16.05.080 | Installation to Specifications; Inspections: All improvements are to be installed under the specifications and inspection of the city engineer or his authorized representative. The minimum construction requirements shall meet City Standards or the Department of Environmental Quality (DEQ) standards, whichever is the more stringent. |
| ☒ ☐ ☐ | Staff Comments | An inspection schedule will be established for any/all components at final design. All infrastructure must meet City of Hailey specifications and will be further evaluated in greater detail at final design. The inspection process of
the proposed public improvements shall include materials testing to ensure the compliance with the Hailey Municipal Code.

The city will need to select an inspector, to be paid for by the Applicant, for all water, sewer, and roadway infrastructure during construction. The Commission found that this standard has been met.

### 16.05.090: Completion; Inspections; Acceptance

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<th>A.</th>
<th>Installation of all infrastructure improvements must be completed by the developer and inspected and accepted by the city prior to signature of the plat by City representatives, or according to a phasing agreement. A post-construction conference shall be requested by the developer and/or contractor and conducted with the developer and/or contractor, the City engineer, and appropriate City departments to determine a punch list of items for final acceptance.</th>
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<td>Staff Comments: The Commission found that this standard will be met.</td>
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<th>B.</th>
<th>The developer may, in lieu of actual construction, provide to the city security pursuant to Section 3.3.7, for all infrastructure improvements to be completed by developer after the final plat has been signed by City representatives. (Ord. 1191, 2015)</th>
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<td>Staff Comments: N/A, as completion of all major infrastructure by the Developer is preferred over bonding. The Commission found that this standard has been met.</td>
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### 16.05.100: As Built Plans and Specifications

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<th>As Built Plans and Specifications: Prior to the acceptance by the City of any improvements installed by the developer, three (3) sets of “as-built plans and specifications” certified by the developer’s engineer shall be filed with the City engineer. (Ord. 1191, 2015)</th>
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<td>Staff Comments: As built drawings will be required. The Commission found that this standard will be met.</td>
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**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 the Hailey Municipal Code and City Standards.

**DECISION**

The Preliminary Plat Application by Michael Kraynick, represented by Alpine Enterprises, where Lot 1A, Block 60, Hailey Townsite (318 E. Spruce Street), is subdivided into two (2) lots, Lot 1AA, comprising of 11,964 square feet, and Lot 1AAA, comprising of 8,010 square feet, as approved, finding that the project does not jeopardize the health, safety or welfare of the public and the project conforms to the applicable specifications outlined in Chapter 17.11, applicable requirements of the Hailey Municipal Code, Title 18, and City Standards, provided conditions (1) through (11) are met.
General Conditions:

1) All Fire Department and Building Department requirements shall be met and shall meet City Standards where required.
2) Issuance of permits for the construction of buildings within the proposed subdivision shall be subject to Section 16.02.080 of the Hailey Municipal Code.
3) All improvements and other requirements shall be completed and accepted, or surety provided pursuant to Subsections 16.03.030(I) and 16.05.090(B) of the Hailey Municipal Code, prior to recordation of the Final Plat.
4) The Final Plat must be submitted within one (1) calendar year from the date of approval of the Preliminary Plat.
5) Any Subdivision Inspection Fees due shall be paid prior to recordation of Final Plat.
6) Any Application Development Fees shall be paid prior to recordation Final Plat.
7) If any development, construction or renovations to the existing garage/shop on proposed Lot 1AA are made, the existing garage/shop shall be relocated within the property boundary and removed from the existing alley. Additionally, an Encroachment Permit to allow for the existing garage/shop to remain shall be applied for by the Applicant prior to recordation of Final Plat.
8) An Encroachment Permit to allow for the existing fence and landscaping to remain within the public right-of-way shall be applied for by the Applicant prior to recordation of Final Plat.

Streets and Right-of-Ways:

9) All City infrastructure requirements shall be met as outlined in Title 16, Chapter 16.05 of the Hailey Municipal Code. Detailed plans for all infrastructure to be installed or improved at or adjacent to the site shall be submitted for City of Hailey approval, and shall meet City Standards where required. Infrastructure to be completed at the Applicant’s sole expense include, but will not be limited to:
   i. Sidewalks are required or a payment in-lieu shall be made, as outlined in the Hailey Municipal Code. Said payment shall be made for the property frontages of proposed Lot 1AA (Fourth Avenue and Spruce Street) and Lot 1AAA (Fourth Avenue), unless a previous record of payment has been found. In-lieu fees shall be paid prior to recordation of Final Plat.
   ii. The Applicant shall delineate all snow storage areas onsite for proposed Lot 1AA and Lot 1AAA prior to submittal for Final Plat.
   iii. Vehicular access to proposed Lot 1AAA shall be achieved from the existing alley only and not Fourth Avenue.
   iv. The Applicant/Owner shall address all grading and drainage issues upon development of proposed Lot 1AAA.

Water and Wastewater:

10) All City infrastructure requirements shall be met as outlined in Title 16, Chapter 16.05 of the Hailey Municipal Code. Detailed plans for all infrastructure to be installed or improved at or adjacent to the site shall be submitted for City of Hailey approval, and shall meet City Standards where required. Infrastructure to be completed at the Applicant’s sole expense include, but will not be limited to:
   i. A new water service and meter vault shall be installed to service proposed Lot 1AAA.
   ii. A new sewer service shall be installed at the mainline to service proposed Lot 1AAA.
Other:

11) The following shall be added as a plat note and applicable to both Lot 1AA and Lot 1AAA:

“The following turf landscape restrictions shall apply if redevelopment were to occur on proposed Lot 1AA and if development occurs on proposed Lot 1AAA:

i. For proposed Lot 1AA, a maximum of forty percent (40%) of the total land area may be turf.

ii. For proposed Lot 1AAA, a maximum of thirty-five percent (35%) of the total land area may be turf up to a maximum of 3,500 square feet.

iii. Promotes a low water use landscape through the use of drought tolerant plants either from an approved list or as recommended by a landscape design professional.

iv. Each residential irrigation system shall be at a 70% distribution uniformity for turf areas and/or utilize EPA water sensor controllers and heads or equivalent“.

Signed this _____ day of ______________, 2022.

__________________________
Janet Fugate, Planning & Zoning Commission Chair

Attest:

_______________________________
Jessie Parker, Community Development Assistant
Return to Agenda
FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION

On January 3, 2022, the Hailey Planning and Zoning Commission considered and approved a Design Review Application by Lido Equity Group Idaho North, LLC, represented by Michael McHugh of Pivot North Design, for twelve (12) apartment buildings ranging in two – three stories in height for a total of 104 residential units on approximately 4.27 acres. The proposed project consists of twelve (12), 475 square feet micro one-bedroom units, forty (40), 680 square feet one-bedroom units, thirty-five (35), 850 square feet two-bedroom units, thirteen (13), 1,110 square feet three-bedroom units, and four (4), 1,504 square feet four-bedroom units, for a total of 104 residential units.

The proposed project is located at Lots 1-14, Block 85, Parcel EE, Woodside Subdivision #24 and Lot 1, Block 67, Woodside Subdivision #18 (940 Winterhaven Drive) within the Limited Business (LB) Zoning District, and is known as Lido Apartment Homes.

FINDINGS OF FACT

Notice: Notice for the public hearing was published in the Idaho Mountain Express on December 15, 2021 and mailed to property owners within 300 feet on December 14, 2021. This item was continued on the record at the December 6, 2021 public hearing. No additional notices were sent or publications made.

Background and Project Overview: On October 4, 2021, the Commission reviewed the Applicant’s Preapplication Design Review proposal to construct eighty (80) residential units at 940 Winterhaven Drive (Lots 1-14, Block 85, Parcel EE, Woodside Subdivision #24 and Lot 1, Block 67, Woodside Subdivision #18). The Commission discussed the project and suggested the Applicant consider more articulation to the buildings, additional color to each building, and the construction of a park similar to that of Sunbeam Subdivision, all of which have been discussed herein. Staff also noted that proposed density could change, as internal discussions with regard to deed-restricted housing were still underway.

On December 6, 2021, the Commission reviewed the Applicant’s Design Review proposal to construct 104 residential units at 940 Winterhaven Drive (Lots 1-14, Block 85, Parcel EE, Woodside Subdivision #24 and Lot 1, Block 67, Woodside Subdivision #18). The Commission discussed the previous suggestions noted at the October 4, 2021 public hearing and found:

- **Consider more articulation to the buildings.** The Applicant has modified the exterior materials and colors slightly to provide additional depth to each building. An additional ground floor unit, with covered patio, was also added, which creates additional depth and articulation at ground level. Providing three (3), three-story buildings also elevate interest within the development.

- **Consider adding additional color to each building.** The Applicant is proposing to include several primary colors to create contrast and interest between buildings. The design also incorporates several accent colors to further create interest at the ground plane where unit entries are proposed.

- **Consider developing the proposed open space similar to Sunbeam Subdivision.** The Applicant has provided a covered outdoor lounge, green spaces, a play area with natural play structures (similar to that of the Sunbeam Subdivision), fire pits and natural stone seat walls, and stone patios to create gathering places for the residents of Lido Apartment Homes. Please refer to the Landscape Plan, Sheets L100 and L150 for further details.
The Commission neither approved nor denied the project, but continued the item to January 3, 2022, and suggested that the Applicant consider adding the following:

- **Provide sample of shingles and reconsider roof pitches, if possible, and if it does not detract from the overall design.** Roof pitches will remain as originally proposed. The Applicant illustrated a roof pitch utilizing both 3:12 and 6:12 roof pitches; however, felt the variation negatively impacted the overall building design (see Sheet A04 and image below for further details).

- **Consider the addition of storage areas.** Gear storage has been added within each unit. The Applicant further described how the individual units were reconfigured to reclaim any wasted space, and utilize such space for storage. Sizes and shapes of the storage areas vary, but on average, the storage areas are approximately two-and-one-half feet (2.5’) by three feet (3’) in size, or seven-and-one-half (7.5) square feet in size (see Sheet A02 and image below for further details. Gear storage areas are in pink).
- **Show where downspouts, gutters and roof venting will be.** Downspouts, gutters and eave vents with ridge, or end gable vents have been shown on the drawing set (see Sheet A05 for further details).

- **Increase plant sizes along perimeter path and throughout site.** Shrubs and grasses are preferred to be five (5) gallons or larger. Reduce lawn areas, consider artificial turf. **Increase plant screening where headlights may shine into adjacent properties.** With the exception of two (2) grass/shrub species (Blue Fescue and Hidcote Blue Lavender), the Applicant has increased plant sizes to be at or larger than five (5) gallons in size. The Applicant has also added additional plant screening where headlights may shine into adjacent properties. These areas include areas that abut the neighboring development, Copper Ranch.

Though no artificial turf is proposed, the Applicant has added sod turf near and around the pavilion. The Applicant’s intent is to keep the landscape more natural with a drought tolerant, no-mow grass for most of the development. Details of this can be found on Sheet L100.

- **Relocate the three-story building near Copper Ranch to have frontage off of Woodside Boulevard.** The Applicant has relocated the three-story building near Copper Ranch to have frontage off of Woodside Boulevard. In its place, a two-story building has been positioned and will comprise of eight (8) units rather than 12 units, as originally proposed. These units face the proposed courtyard/open space and access can be achieved from the parking area.

- **Add intermittent fencing to address headlight glare.** The Applicant is proposing to add three-to-four foot high and eight-foot-long slated fence sections, which will be incorporated at the property edge (end of drive and adjacent to play ground areas) to further address headlight glare (see page A01 for further details).

**Project Proposal:** The Applicant Team is proposing the construction of twelve (12) apartment buildings ranging in two-to-three stories in height, and proposing a total of 104 residential units on approximately 4.27 acres. This consists of twelve (12) buildings, between eight (8) to twelve (12) units per building:

- **Buildings labeled A:** Buildings labeled A are comprised of eight (8) units. Two (2) buildings onsite have been labeled as Building A. The Applicant is proposing a total of 16 units for those Buildings labeled A.

- **Buildings labeled B:** Buildings labeled B are comprised of eight (8) units each. Five (5) buildings onsite have been labeled as Building B. The Applicant is proposing a total of 40 units for those Buildings labeled B.

- **Buildings labeled C:** Buildings labeled C are comprised of six (6) units each. Two (2) buildings onsite have been labeled as Building C. The Applicant is proposing a total of 12 units for those Buildings labeled C.

- **Buildings labeled D:** Buildings labeled D are comprised of twelve (12) units each. Three (3) buildings onsite have been labeled as Building D. The Applicant is proposing a total of 36 units for those Buildings labeled D.

Pursuant Chapter 17.10.040: Developer Benefits, of the Hailey Municipal Code, this section allows for the request of modifications for waivers of zoning and subdivision requirements. The following items are
modifications and/or waivers requested as part of this application (which have also been more thoroughly addressed in the accompanied PUD Staff Report):

1. Waiver to the maximum density permitted in the zone district to include a density bonus of nineteen (19) additional residential units of which twelve (12) units would be rent-restricted units at 100% of Area Median Income ("AMI"). The rent-restricted units will include a mix of 1, 2 and 3-bedroom units.

2. Waiver to the maximum building height permitted in the zone district of thirty-five (35) feet to a maximum building height of thirty-eight (38) feet.

The PUD and associated waivers noted above were recommended for approval at the December 6, 2021 Planning and Zoning Commission. The Applicant Team, after redesigning the sewer system as requested by the city, is requesting to modify waiver #2 as follows:

2. Waiver to the maximum building height permitted in the zone district from thirty-five (35) feet to a maximum building height of forty (40) feet.

1. The Applicant is requesting the increase to forty (40) feet to allow for the redesign of the sewer system, as requested by the City. The proposed sewer system will connect via Copper Ranch Lane instead of Woodside Boulevard and Winterhaven Drive. To provide adequate cover over the sewer mainline, the finish road grade was raised. No changes to the building height from the finish floor elevations are proposed.

The modified waiver will be discussed by the Hailey City Council on January 24, 2022. The height maximum has been changed throughout the report to reflect a maximum building height of 40’ instead of 38’, as proposed at the December 6, 2021 public hearing. These modifications will not take effect until the Planned Unit Development is approved by the Hailey City Council. A Condition of Approval has been established reflecting this modification and Design Review approval is contingent upon Council approval of the associated PUD.

Procedural History: The Application was submitted on November 9, 2021 and certified complete on November 12, 2021. A public hearing before the Planning and Zoning Commission for review of the project was held on October 4, 2021. No decision was made. A public hearing before the Planning and Zoning Commission for approval or denial of the project was held on December 6, 2021, and continued to January 3, 2022. The public hearing on January 3, 2022 was held in the Hailey City Council Chambers and virtually via GoTo Meeting.

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### Life/Safety:
The Fire Chief recommends that the following be added or resolved prior to final design:

- Due to the parking access lane having fire hydrants on them, and the overall height of the proposed buildings, the parking access lane shall be increased to 26-feet in width.

- Pursuant Section 15.12.030.D104.3, two (2) access roads are required and shall be arranged so that a point on each access lane is a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the building to be served, measured in a straight line between accesses. As is, the parking access lane does not comply with this standard and the Fire Chief recommends an additional through-connection via Copper Ranch Lane. The existing Copper Ranch Lane is a fire access lane and a through-connection is desired.

- The proposed buildings shall have a fire sprinkler system installed, pursuant Section 15.12.030.H 903.2.8.

These recommendations above were made Conditions of Approval at the December 6, 2021 public hearing; however, the Applicant Team has increased the parking access lane to 26’ in width, and a through-connection via Copper Ranch Lane has been made. These Conditions of Approval have been removed and are shown in strikethrough below for reference. The Commission found that this standard has been met.

### Streets, Water & Wastewater:
All infrastructure will require detailed final construction drawings to be submitted to the city and approved by the city prior to construction. All construction must conform to City of Hailey standard drawings, specifications and procedures.

The Water Division recommends that the following be added or resolved prior to final design:

- Add a main line valve to the ninety-degree angle next to catch basin #2. This will assist the city with locates and unexpected line breaks.

The Wastewater Division recommends that the following be added or resolved prior to final design:

- Sewer services shall be located at the front and center of each lot, not to the sides of each building. The mainlines will need to be extended to accommodate for this. **All sewer services have been relocated at the front and center of each lot, and not to the sides of each building. The mainlines have been extended to accommodate for this.**

- It is preferred to have sewer connections via Winterhaven Drive, not Woodside Boulevard, if possible. **The PUD and associated waivers were discussed and recommended for approval at the December 6, 2021 Planning and Zoning Commission. The Applicant Team, after redesigning the sewer system as requested by the city, is requesting to modify waiver #2 as follows:**
  - **Waiver to the maximum building height permitted in the zone district from thirty-five (35) feet to a maximum building height of forty (40) feet.**
    - The Applicant is requesting the increase to forty (40) feet to allow for the redesign of the sewer system, as requested by the City. The proposed sewer system will connect via Copper Ranch Lane instead of Woodside Boulevard and Winterhaven Drive. **To provide**
adequate cover over the sewer mainline, the finish road grade was raised. No changes to the building height from the finish floor elevations are proposed. The modified waiver will be discussed by the Hailey City Council on January 10, 2022. The height maximum has been changed throughout the report to reflect a maximum building height of 40’ instead of 38’. These modifications will not take effect until the Planned Unit Development is approved by the Hailey City Council. A Condition of Approval has been established reflecting this modification and Design Review approval is contingent upon Council approval of the associated PUD.

The recommendations above were made Conditions of Approval at the December 6, 2021 public hearing; however, the Applicant Team has resolved the items above, and the Conditions of Approval have been removed. The removal of these Conditions is shown in strikethrough below for reference. The Commission found that this standard has been met.

<table>
<thead>
<tr>
<th>Building: No comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>City Arborist: The City Arborist questioned whether trees were proposed to be planted in the public right-of-way along the northeast corner of the site. The Applicant doesn’t believe trees are within the public right-of-way; however, may be planted within a snow removal easement. The Applicant will verify with a certified engineer and make alterations where needed. The City Arborist noted the proposed pear trees will produce fruit. The City Arborist has no preference as to whether the trees be replaced or retained; however, if the pear trees are located within the public right-of-way, the City Arborist would prefer that either a) the trees be replaced with an ornamental, flowering, fruitless tree or b) the Applicant maintain the public right-of-way alongside Woodside Boulevard. The Applicant has chosen to select a new tree species that is ornamental in nature and is non-fruit bearing. This has been made a Condition of Approval and the Commission found that this standard has been met.</td>
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<tr>
<td>☒ ☐ ☐</td>
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<tr>
<td>Staff Comments</td>
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<tr>
<td>☒ ☐ ☐</td>
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<tr>
<td>Staff Comments</td>
</tr>
</tbody>
</table>
The Applicant is proposing a total of 104 residential units. 75 of the units are less than 1,000 square feet; therefore, 75 additional parking spaces are required. Seventeen (17) units are proposed to be greater than 1,000 square feet, requiring 1.5 spaces per unit for a total of 26 parking spaces. The total number of required parking spaces is 101 onsite parking spaces. The site plan shows a total of 121 parking spaces (115 standard spaces and six (6) accessible spaces). The proposal contains 20 parking spaces in excess of City requirements.

The Commission found that the parking requirements for the proposed project have been met.

| 17.09.040.06: Excess of Permitted Parking | A. Approval Required: No use shall provide on-site parking for more than two hundred percent (200%) of the number of spaces required by this chapter unless permitted by specific action of the commission. Applications for parking in excess of that normally permitted will be heard by the commission as part of other applications, or, where no other application is pertinent, under the notice and hearing procedures set forth for design review. |
| N/A, as the parking proposed is not in excess of 200% of the number of spaces required by the Hailey Municipal Code. The Commission found that this standard has been met. |

| 17.08C.040 Outdoor Lighting Standards | 17.08C.040 General Standards |
| All exterior lighting shall be designed, located and lamped in order to prevent: |
| 1. Overlighting; |
| 2. Energy waste; |
| 3. Glare; |
| 4. Light Trespass; |
| 5. Skyglow. |
| All non-essential exterior commercial and residential lighting is encouraged to be turned off after business hours and/or when not in use. Lights on a timer are encouraged. Sensor activated lights are encouraged to replace existing lighting that is desired for security purposes. |
| Canopy lights, such as service station lighting shall be fully recessed or fully shielded so as to ensure that no light source is visible from or causes glare on public rights of way or adjacent properties. |
| Area lights. All area lights are encouraged to be eighty-five (85) degree full cut-off type luminaires. |
| Idaho Power shall not install any luminaires after the effective date of this Article that lights the public right of way without first receiving approval for any such application by the Lighting Administrator. |
| The Applicant will install Dark Sky compliant, downcast and low wattage fixtures. Fixture details have been provided (see image below for exterior building lights and path lights). |
The Applicant intends to provide site pole lights throughout the parking area (see image below for further details). To ensure the parking lot lighting does not exceed an overall average illumination of one and five-tenths (1.5) foot-candles, the Applicant shall provide Photometric Distributions of the parking area. This has been made a Condition of Approval and the Commission found that this standard has been met.
• **Proposed Building Heights:** 40’. Under the PUD at the December 6, 2021 public hearing, the Applicant Team requested a waiver to the maximum building height from 35’ to a maximum building height of 38’; however, the Applicant Team is now requesting a waiver to the maximum building height from 35’ to 40’. The Applicant is requesting the increase to forty (40) feet to allow for the redesign of the sewer system, as requested by the City. The proposed sewer system will connect via Copper Ranch Lane instead of Woodside Boulevard and Winterhaven Drive. To provide adequate cover over the sewer mainline, the finish road grade was raised. No changes to the building height from the finish floor elevations are proposed. The modified waiver will be discussed by the Hailey City Council on January 24, 2022. The height maximum has been changed throughout the report to reflect a maximum building height of 40’ instead of 38’. These modifications will not take effect until the Planned Unit Development is approved by the Hailey City Council. A Condition of Approval has been established reflecting this modification and Design Review approval is contingent upon Council approval of the associated PUD.

- **Required Setbacks:**
  - Front Yard (Winterhaven Drive): 20’
  - Side Yard (Woodside Boulevard): 10’; however, for normal corner lots, the side yard setback shall be not less than two-thirds (2/3) the front yard setback. This side yard setback is required to be at least 13.32’ from the property line.
  - Side Yard (east): 10’
  - Rear Yard (south): 10’

- **Proposed Setbacks:**
  - Front Yard (Winterhaven Drive): 20’-8”
  - Side Yard (Woodside Boulevard): 14’-2”
  - Side Yard (east): 10’-7”
  - Rear Yard (south): 14’-3”

The Commission found that the proposed setbacks comply with the setback requirements of the Limited Business (LB) Zoning District, as well as Side Yard Setbacks of Normal Corner Lots Pursuant Section 17.07.010.F.

The original Development Agreement dated June 11, 2007, notes a maximum building height of 35’. Under the revised PUD Application, the Applicant is requesting an increase to the maximum permitted building height from 35’ to a maximum building height of 40’. The design as reviewed during the Preapplication Design Review included two-story buildings only. The LB Zone District allows for three-story buildings. Lido Apartment Homes is requesting a
maximum building height allowance of 40’, to allow for three-story buildings with pitched roofs. Of the twelve buildings proposed, three (3) of the buildings would be increased to three stories in height. These three (3) buildings contain a total of 36 residential units. These buildings are located centrally onsite, and the increased height would not affect sunlight and air on adjacent properties. One (1) of the three-story buildings was located close to the shared property line of Lido Apartment Homes and Copper Ranch; however, the Applicant has rearranged the three-story building closest to the shared property line, positioning the building along Woodside Boulevard. The Commission agreed that this position better protects and will not impede sunlight and air near adjacent parcels.

Maximum lot coverage permitted in the Limited Business (LB) Zoning District is 40%. Under the current proposal of 104 residential units, the proposed lot coverage is approximately 22%.

The PUD Staff Report, recommended for approval by the Commission at the December 6, 2021 public hearing, provides an analysis of additional units requested and associated benefits with deed-restricted units.

The Commission found that this standard has been met.

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<tr>
<th>☒</th>
<th>☐</th>
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<th>17.06.070(A)1 Street Improvements Required</th>
<th>Sidewalks and drainage improvements are required in all zoning districts, except as otherwise provided herein.</th>
</tr>
</thead>
</table>
| ☒ | ☐ | ☐ | Staff Comments | A new 5’-wide sidewalk is shown along the perimeter of the proposed project. This perimeter sidewalk will connect to the existing sidewalk along Woodside Boulevard. The Applicant intends to install a 5’- wide sidewalk along the property frontage of Winterhaven Drive. This sidewalk will also connect to the existing sidewalk along Woodside Boulevard.

The perimeter sidewalk will connect to interior sidewalks. At the December 6, 2021 public hearing, the Commission recommended that the pathway along the southern property line and within Parcel U remain as proposed, and that additional landscape screening/fencing be added to mitigate light trespass from vehicular traffic. These elements have been added, as shown on Sheet L100.

The Public Works Department recommends that the pathway within Parcel U be an asphalt path to match the existing asphalt path on the east side of the project, across Winterhaven Drive. This was made a Condition of Approval in the PUD Staff Report. The PUD Application will be heard by Council on January 24, 2022.

Additionally, interior sidewalks connect the parking area to each building entrance, as well as the parking areas to open spaces, gathering spaces, natural play areas, and outdoor lounge. The proposed sidewalks provide safe access and sufficient circulation around and through the site; however, it is also preferred that the proposed sidewalk along the shared property line of Lido Apartment Homes and Copper Ranch connect to the existing sidewalks within the Copper Ranch Development. This has been made a Condition of Approval and the Commission found that this standard has been met...

| ☐ | ☐ | ☒ | 17.06.070(B) Required Water | In the Townsite Overlay District, any proposal for new construction or addition of a garage accessing from the alley, where water main lines within the alley are less than six... |
### Design Review Requirements for Non-Residential, Multifamily, and/or Mixed-Use Buildings within the City of Hailey

1. **Site Planning: 17.06.080(A)1, items (a) thru (n)**

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<tr>
<th>Compliant</th>
<th>Yes</th>
<th>No</th>
<th>N/A</th>
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<tbody>
<tr>
<td>17.06.080(A)1a</td>
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<tr>
<td><strong>City Code</strong></td>
<td>17.06.080(A)1a</td>
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<tr>
<td><strong>Standards and Staff Comments</strong></td>
<td>a. The location, orientation and surface of buildings shall maximize, to the greatest extent possible sun exposure in exterior spaces to create spaces around buildings that are usable by the residents and allow for safe access to buildings</td>
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<td><strong>Staff Comments</strong></td>
<td>The proposed angle of the buildings relative to true north creates morning and late afternoon sun exposure in many of the outdoor courtyards and open spaces. These spaces are useable by the residents and facilitate safe access to/from the buildings. The Commission found that this standard has been met.</td>
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<tr>
<td>17.06.080(A)1b</td>
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<tr>
<td><strong>City Code</strong></td>
<td>17.06.080(A)1b</td>
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<tr>
<td><strong>Standards and Staff Comments</strong></td>
<td>b. All existing plant material shall be inventoried and delineated, to scale, and noted whether it is to be preserved, relocated or removed. Removal of trees larger than 6-inch caliper proposed to be removed require an arborist review. Any tree destroyed or mortally injured after previously being identified to be preserved, or removed without authorization, shall be replaced with a species of tree found in the Tree Guide and shall be a minimum of 4-inch caliper.</td>
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<td><strong>Staff Comments</strong></td>
<td>N/A, as no plant material exists onsite. The Commission found that this standard has been met.</td>
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<tr>
<td>17.06.080(A)1c</td>
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<td>☐</td>
<td>☐</td>
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<tr>
<td><strong>City Code</strong></td>
<td>17.06.080(A)1c</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Standards and Staff Comments</strong></td>
<td>c. Site circulation shall be designed so pedestrians have safe access to and through the site and to building.</td>
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<tr>
<td><strong>Staff Comments</strong></td>
<td>Site circulation has been designed to keep vehicular access and parking to the parking access lane, and public streets. A new 5’-wide sidewalk is shown along the perimeter of the proposed project. This perimeter sidewalk will connect to the existing sidewalk along Woodside Boulevard. The Applicant intends to install a 5’-wide sidewalk along the property frontage of Winterhaven Drive. This sidewalk will also connect to the existing sidewalk along Woodside Boulevard. The perimeter sidewalk will connect to interior sidewalks. These interior sidewalks connect the parking area to each building entrance, as well as the parking areas to open spaces, gathering spaces, natural play areas, and outdoor lounge. The proposed sidewalks provide safe access and sufficient circulation around and through the site; however, it is also preferred that the proposed sidewalk along the shared property line of Lido Apartment Homes and Copper Ranch connect, or span across the property line, and connect to the existing sidewalks within the Copper Ranch Development. This has been made a Condition of Approval.</td>
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</table>
Discussions of the pathway along the shared property line of Lido Apartment Homes and Copper Ranch were described in the PUD Staff Report, which the Commission recommended for approval by the Hailey City Council on December 6, 2021.

The Commission found that this standard has been met.

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<tr>
<th>Code</th>
<th>Description</th>
<th>Staff Comments</th>
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<tr>
<td>☒ 17.06.080(A)1d</td>
<td>d. Building services including loading areas, trash storage/pickup areas and utility boxes shall be located at the rear of a building; the side of the building adjacent to an internal lot line may be considered as an alternate location. These areas shall be designed in a manner to minimize conflict among uses and shall not interfere with other uses, such as snow storage. These areas shall be screened with landscaping, enclosures, fencing or by the principal building.</td>
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<td>Two (2) trash receptacle areas are proposed within trash enclosures throughout the project. These enclosures will include recycling and will not interfere with snow storage and will complement the aesthetic of the overall development. A letter from Clear Creek Disposal shall be provided commenting on the accessibility of the proposed trash enclosures. This has been made a Condition of Approval and the Commission found that this standard has been met.</td>
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<tr>
<td>☐ 17.06.080(A)1e</td>
<td>e. Where alleys exist, or are planned, they shall be utilized for building services.</td>
<td>N/A, as no alleys exist and/or are proposed. That said, the parking access lane will be utilized for building services. The Commission found that this standard has been met.</td>
</tr>
<tr>
<td>☐ 17.06.080(A)1f</td>
<td>f. Vending machines located on the exterior of a building shall not be visible from any street.</td>
<td>N/A. The Commission found that this standard has been met.</td>
</tr>
<tr>
<td>☒ 17.06.080(A)1g</td>
<td>g. On-site parking areas shall be located at the rear of the building and screened from the street. Parking and access shall not be obstructed by snow accumulation. (NOTE: If project is located in Airport West Subdivision, certain standards may apply that are not listed here. See code for details.)&lt;br&gt;i. Parking areas located within the SCI zoning district may be located at the side or rear of the building. &lt;br&gt;ii. Parking areas may be considered at the side of buildings within the B, LB, TI and LI zoning districts provided a useable prominent entrance is located on the front of the building and the parking area is buffered from the sidewalk adjacent to the street.</td>
<td>Onsite parking areas are located off of the parking access lane. Access to these areas can be achieved from Winterhaven Drive and connect to Copper Ranch Lane, as noted under comments from the Fire Chief. Most of the parking is screened from the street, buffered by buildings, landscaping and/or sidewalks. The Commission found the additional screening in the form of a low fence or landscaping to be appropriate where parking areas dead-end into the adjacent Copper Ranch Development. The Commission found that this standard has been met.</td>
</tr>
<tr>
<td>☒ 17.06.080(A)1h</td>
<td>h. Access to on-site parking shall be from the alley or, if the site is not serviced by an alley, from a single approach to the street to confine vehicular/pedestrian conflict to limited locations, allow more buffering of the parking area and preserve the street frontage for pedestrian traffic.</td>
<td>The site is serviced by parking access lane and one public street, Winterhaven Drive. Onsite parking can be accessed from the parking access lane. Primary</td>
</tr>
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</table>
pedestrian access can be achieved from Woodside Boulevard and Winterhaven Drive.

The Fire Chief recommended that the Applicant provide an additional through-connection via Copper Ranch Lane, as the parking access lane does not comply with IFC and Hailey Municipal Code:

Pursuant Section 15.12.030. D104.3, two (2) access roads are required and shall be arranged so that a point on each access lane is a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the building to be served, measured in a straight line between accesses.

This through-connection via Copper Ranch Lane has been made and is shown on Sheet C1.0. The Commission found that this standard has been met.

| ☒ ☐ ☐ | 17.06.080(A)1i | i. Snow storage areas shall be provided on-site where practical and sited in a manner that is accessible to all types of snow removal vehicles of a size that can accommodate moderate areas of snow. |
| ☑ ☐ ☐ | 17.06.080(A)1j | j. Snow storage areas shall not be less than 25% of the improved parking and vehicle and pedestrian circulation areas. |
| ☐ ☐ ☐ | 17.06.080(A)1k | k. A designated snow storage area shall not have any dimension less than 10 feet. |
| ☐ ☐ ☐ | 17.06.080(A)1l | l. Hauling of snow from downtown areas is permissible where other options are not practical. |
| ☑ ☐ ☐ | 17.06.080(A)1m | m. Snow storage areas shall not impede parking spaces, vehicular and pedestrian circulation or line of sight, loading areas, trash storage/pickup areas, service areas or utilities. |
| ☑ ☐ ☐ | 17.06.080(A)1n | n. Snow storage areas shall be landscaped with vegetation that is salt-tolerant and resilient to heavy snow. |

2. Building Design: 17.06.080(A)2, items (a) thru (m)
Yes  | No  | N/A  | City Code | City Standards and Staff Comments
--- | --- | --- | --- | ---
☒  | ☐  | ☐  | 17.06.080(A)2a | a. The proportion, size, shape and rooflines of new buildings shall be compatible with surrounding buildings.

**Staff Comments**

The proposal is for multifamily buildings. These buildings are of relative scale to the surrounding Copper Ranch Development; however, the project proposal includes buildings three-stories in height. The Copper Ranch Development contains buildings that are two-stories in height only. Of the twelve (12) buildings proposed, the tallest buildings have been positioned centrally on the site, and the increased height would not affect sunlight and air on adjacent properties. The building designs further incorporate varied roof pitches and forms between buildings to further create interest.

At the Preapplication Design Review hearing on October 4, 2021, the Commission suggested that the Applicant Team consider additional articulation to the buildings to help reduce the large wall planes and mass of the buildings. The Applicant has modified the exterior materials and colors slightly to provide additional depth to each building. An additional ground floor unit, with covered patio, was also added, which creates additional depth and articulation at ground level. Providing three, three-story buildings also elevate interest within the development (see images below and attached drawings for further details).
17.06.080(A)2b  b. Standardized corporate building designs are prohibited.

**Staff Comments**
N/A, as the project is not a corporate design. The Commission found that this standard has been met.

17.06.080(A)2c  c. At ground level, building design shall emphasize human scale, be pedestrian oriented and encourage human activity and interaction.

**Staff Comments**
The utilization of lighting, canopies, patios and siding texture and color help break up the mass of the buildings, as well as encourage human interaction and activity. The Commission found that this standard has been met.

17.06.080(A)2d  d. The front façade of buildings shall face the street and may include design features such as windows, pedestrian entrances, building off-sets, projections, architectural detailing, courtyards and change in materials or similar features to create human scale and break up large building surfaces and volumes.

**Staff Comments**
The front façade of each unit either faces Woodside Boulevard or a courtyard/open space. Lighting, canopies, patios and siding texture and color, and a variety of windows emphasize human scale and break up the large building surfaces. The scale and design components complement the surrounding area nicely. The Commission found that this standard has been met.
<table>
<thead>
<tr>
<th>Standard Clause</th>
<th>Text</th>
<th>Staff Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>17.06.080(A)2e</td>
<td>e. Any addition onto or renovation of an existing building shall be designed to create a cohesive whole.</td>
<td>No plans for future additions or renovations are planned. The Commission found that this standard has been met.</td>
</tr>
<tr>
<td>17.06.080(A)2f</td>
<td>f. All exterior walls of a building shall incorporate the use of varying materials, textures and colors.</td>
<td>A variety of materials will be used on the exterior of the buildings and will complement that of the surrounding area. The design of the buildings utilizes three (3) cladding materials, as well as large windows for natural light. The buildings will see a stucco cladding system, fiber cement lap siding, plywood panel cladding and soffit, and corten panel cladding. Various colors are proposed. Please see images below for further details. The Commission found that this standard has been met.</td>
</tr>
<tr>
<td>17.06.080(A)2g</td>
<td>g. Exterior buildings colors and materials shall be integrated appropriately into the architecture of the building and be harmonious within the project and with surrounding buildings.</td>
<td>The buildings are proposed to include several primary colors to create contrast and interest between buildings. The design also incorporates several accent colors to further create interest at the ground plane where unit entries are proposed. All proposed colors and materials are broken on various elements to minimize mass and create a cohesive whole. The Commission discussed the proposed exterior colors and suggested that the Applicant Team consider utilizing lighter hues on the exterior of the three-story buildings. The Commission found that this standard has been met.</td>
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</table>
### 17.06.080(A)2h

<table>
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<tr>
<th>h. Flat-roofed buildings over two stories in height shall incorporate roof elements such as parapets, upper decks, balconies or other design elements.</th>
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</thead>
<tbody>
<tr>
<td><strong>Staff Comments</strong></td>
</tr>
<tr>
<td>N/A, as no flat-roofed buildings are proposed. The Commission found that this standard has been met.</td>
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</table>

### 17.06.080(A)2i

<table>
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<tr>
<th>i. All buildings shall minimize energy consumption by utilizing alternative energy sources and/or passive solar techniques. At least three (3) of the following techniques, or an approved alternative, shall be used to improve energy cost savings and provide a more comfortable and healthy living space:</th>
</tr>
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<tbody>
<tr>
<td>i) Solar Orientation. If there is a longer wall plane, it shall be placed on an east-west axis. A building's wall plane shall be oriented within 30 degrees of true south.</td>
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<tr>
<td>ii) South facing windows with eave coverage. At least 40% of the building's total glazing surface shall be oriented to the south, with roof overhang or awning coverage at the south.</td>
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<td>iii) Double glazed windows.</td>
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<td>iv) Windows with Low Emissivity glazing.</td>
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<td>v) Earth berming against exterior walls</td>
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<tr>
<td>vi) Alternative energy. Solar energy for electricity or water heating, wind energy or another approved alternative shall be installed on-site.</td>
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<tr>
<td>vii) Exterior light shelves. All windows on the southernmost facing side of the building shall have external light shelves installed.</td>
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<td><strong>Staff Comments</strong></td>
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<tr>
<td>The Applicant has stated that they plan to minimize energy consumption by incorporating/utilizing the following:</td>
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<tr>
<td>- Double Glazed Windows</td>
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<td>- Low Emissivity Glazing</td>
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<td>- LED lighting will be utilized throughout the project</td>
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<tr>
<td>Additionally, the Applicant plans to incorporate additional energy conserving and carbon offset methods into the overall site plan and/or building design:</td>
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<tr>
<td>- Approximately 10-15 Electric Vehicle Charging Stations onsite</td>
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<tr>
<td>- Wiring for rooftop solar energy</td>
</tr>
<tr>
<td>- The buildings will utilize 100% clean electricity. Gas will not be installed or utilized</td>
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<tr>
<td>- Stucco cladding to provide a continuous three-inch (3”) insulation across all buildings</td>
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<tr>
<td>- Drought tolerant and low-water use landscaping is proposed</td>
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<tr>
<td>- Energy efficient appliances will be utilized within each unit</td>
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<td>The Commission found that this standard has been met.</td>
</tr>
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</table>

### 17.06.080(A)2j

<table>
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<tr>
<th>j. Gabled coverings, appropriate roof pitch, or snow clips and/or gutters and downspouts shall be provided over all walkways and entries to prevent snow from falling directly onto adjacent sidewalks.</th>
</tr>
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<tbody>
<tr>
<td><strong>Staff Comments</strong></td>
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<tr>
<td>Snow clips are proposed over all entries and pedestrian walkways. Downspouts and gutters will also be utilized. The Commission found that this standard has been met.</td>
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### 17.06.080(A)2k

<table>
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<tr>
<th>k. Downspouts and drains shall be located within landscape areas or other appropriate locations where freezing will not create pedestrian hazards.</th>
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<tbody>
<tr>
<td><strong>Staff Comments</strong></td>
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<tr>
<td>Downspouts and drains will be located within landscaped areas and shall not create any pedestrian hazards. The Commission found that this standard has been met.</td>
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</tbody>
</table>
17.06.080(A)2l. Vehicle canopies associated with gas stations, convenience stores or drive-through facilities shall have a minimum roof pitch of 3/12 and be consistent with the colors, material and architectural design used on the principal building(s).

**Staff Comments**

N/A. The Commission found that this standard has been met.

17.06.080(A)2m. A master plan for signage is required to ensure the design and location of signs is compatible with the building design and compliance with Section 17.08A.020 of this title.

**Staff Comments**

A Monument Sign is proposed at the corner of Woodside Boulevard and Winterhaven Drive. Prior to installation, the Applicant shall submit a Sign Permit Application for review and approval by Staff. This has been made a Condition of Approval and the Commission found that this standard has been met.

### 3. Accessory Structures, Fences and Equipment/Utilities: 17.06.080(A)3, items (a) thru (i)

<table>
<thead>
<tr>
<th>Compliant</th>
<th>Standards and Staff Comments</th>
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<tbody>
<tr>
<td>Yes</td>
<td>No</td>
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</table>
### Staff Comments

Heating and/or cooling units will be located inside each unit. A small exterior unit may be installed at the exterior of each building to condition the common areas/entries/halls/staircases. If these units are ground-mounted, they shall be screened from the surrounding properties and streets by use of a wall, fence or landscaping.

Three (3) power boxes/transformers are proposed. These boxes shall be screened from view by the use of a wall, fence or landscaping, and shall not interfere with pedestrian areas. This has been made a Condition of Approval and the Commission found that this standard has been met.

<table>
<thead>
<tr>
<th>Staff Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>- 17.06.080(A)3h</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>- 17.06.080(A)3i</td>
</tr>
<tr>
<td></td>
</tr>
</tbody>
</table>

### 4. Landscaping: 17.06.080(A)4, items (a) thru (n)

<table>
<thead>
<tr>
<th>Compliant</th>
<th>Standards and Staff Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>17.06.080(A)4a</td>
</tr>
<tr>
<td></td>
<td>Staff Comments</td>
</tr>
<tr>
<td>Yes</td>
<td>17.06.080(A)4b</td>
</tr>
<tr>
<td></td>
<td>Staff Comments</td>
</tr>
<tr>
<td>Yes</td>
<td>17.06.080(A)4c</td>
</tr>
<tr>
<td></td>
<td>Staff Comments</td>
</tr>
<tr>
<td>Yes</td>
<td>17.06.080(A)4d</td>
</tr>
<tr>
<td></td>
<td>Staff Comments</td>
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</tbody>
</table>
- 38 Oregon Green Austrian Pines at 6’ to 7’ in height
- 16 Prairie Gold Quaking Aspens at 25 gallons each
- 16 Mountain Frost Pears at 2” caliper
- 7 Burr Oaks at 2” caliper
- 24 Redmond American Lindens at 2” caliper

Shrubs include:
- 40 Feather Reed Grasses at 5 gallons each
- 30 Blue Fescue at 2 gallons each
- 74 Blue Rug Junipers at 5 gallons each
- 9 Medora Junipers at 10 gallons each
- 7 Hidcote Blue Lavender at 2 gallons each
- 105 Karley Rose Fountain Grasses at 5 gallons each
- 44 Mops Mugo Pines at 5 gallons each
- 11 Flowering Almonds at 5 gallons each
- 48 Alpine Currants at 5 gallons each
- 24 Woods’ Rose at 5 gallons each
- 88 Sensation Rose Sage at 5 gallons each
- 73 The Blues Little Bluestem at 5 gallons each
For the overall project, the Applicant is proposing a total of 141 trees. 62 of the trees proposed will grow in height between 6’ and 8’, and/or are 25 gallons in size. The remaining 79 trees are proposed to be of two-inch (2”) caliper. The Commission suggested that the total number of trees (141) be included within the calculations as noted in this standard. The Commission felt larger trees would be a benefit to the surrounding area, community of people living in Lido Apartment Homes, and community at large.

Per Section 17.06.080(4)d, all newly landscaped areas having more than ten (10) trees, a minimum of ten percent (10%) of the trees shall be at least four-inch (4”) caliper, twenty percent (20%) of the trees shall be at least three-inch (3”) caliper, and twenty percent (20%) of the trees shall be at least two and one-half inch (2 ½”) caliper.

Based on the standard above, the Applicant shall increase at least 14 trees, to a four-inch (4”) caliper, 28 trees to a three-inch (3”) caliper, and 14 trees to a two and one-half inch (2 ½”) caliper. This has been made a Condition of Approval.

Additionally, a maximum of 20% of any single tree species may be used in any landscape plan only. This has also been made a Condition of Approval.

Lastly, the Commission found the proposed park area/play structures similar to that of the Sunbeam Subdivision a valuable amenity for the project. The Applicant has provided a covered outdoor lounge, green spaces, a play area with natural play structures (similar to that of the Sunbeam Subdivision), fire pits and natural stone seat walls, and stone patios to create gathering places for the residents of Lido Apartment Homes. Please refer to the Landscape Plan, Sheets L100 and L150 for further details.

<table>
<thead>
<tr>
<th>Section</th>
<th>Standard</th>
<th>Staff Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>17.06.080(A)4e</td>
<td>e. Seasonal plantings in planter boxes, pots, and/or hanging baskets shall be provided to add color and interest to the outside of buildings in the LI and SCI-I zoning districts.</td>
<td>N/A, as the proposed project is located within the Limited Business (LB) Zone District. The Commission found that this standard has been met.</td>
</tr>
<tr>
<td>17.06.080(A)4f</td>
<td>f. Plantings for pedestrian areas within the B, LB, TN and SCI-O zoning districts shall be designed with attention to the details of color, texture and form. A variety of trees, shrubs, perennials, ground covers and seasonal plantings, with different shapes and distinctive foliage, bark and flowers shall be used in beds, planter boxes, pots, and/or hanging baskets.</td>
<td>Proposed landscaping is varied, as shown in the Landscape Plans provided. Please refer to Section 17.06.080(A)1b for further details. The Commission found that this standard has been met.</td>
</tr>
<tr>
<td>17.06.080(A)4g</td>
<td>g. Storm water runoff should be retained on the site wherever possible and used to irrigate plant materials.</td>
<td>A Drainage Plan has been submitted and storm water will be retained onsite. Runoff is within the landscaped/parking areas and is directed to drywells, as noted on the Drainage Plan. The Commission found that this standard has been met.</td>
</tr>
<tr>
<td>17.06.080(A)4h</td>
<td>h. A plan for maintenance of the landscaping areas is required to ensure that the project appears in a well-maintained condition (i.e., all weeds and trash removed, dead plant materials removed and replaced).</td>
<td></td>
</tr>
</tbody>
</table>
A plan for maintenance of landscaping has not been provided. The HOA will be responsible for maintaining plant material in a healthy condition, and a Maintenance Plan for landscaping shall be submitted. This has been made a Condition of Approval and the Commission found that this standard has been met.

<table>
<thead>
<tr>
<th>Staff Comments</th>
<th>17.06.080(A)4i</th>
<th>i. Retaining walls shall be designed to minimize their impact on the site and the appearance of the site.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>17.06.080(A)4j</td>
<td>j. Retaining walls shall be constructed of materials that are utilized elsewhere on the site, or of natural or decorative materials.</td>
</tr>
<tr>
<td></td>
<td>17.06.080(A)4k</td>
<td>k. Retaining walls, where visible to the public and/or to residents or employees of the project, shall be no higher than four feet or terraced with a three-foot horizontal separation of walls.</td>
</tr>
<tr>
<td></td>
<td>17.06.080(A)4l</td>
<td>l. Landscaping should be provided within or in front of extensive retaining walls.</td>
</tr>
<tr>
<td></td>
<td>17.06.080(A)4m</td>
<td>m. Retaining walls over 24” high may require railings or planting buffers for safety.</td>
</tr>
<tr>
<td></td>
<td>17.06.080(A)4n</td>
<td>n. Low retaining walls may be used for seating if capped with a surface of at least 12 to 16 inches wide.</td>
</tr>
</tbody>
</table>

Additional Design Review Requirements for Multifamily within the City of Hailey

1. Site Planning: 17.06.080(D)1, items (a) thru (c)

<table>
<thead>
<tr>
<th>Compliant</th>
<th>Standards and Staff Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>City Code</td>
</tr>
<tr>
<td></td>
<td>17.06.080(D)1a</td>
</tr>
<tr>
<td></td>
<td>a. The location of the buildings shall respond to the specific site conditions, such as topography, street corners, open space and existing and planned adjacent uses.</td>
</tr>
<tr>
<td></td>
<td>Staff Comments</td>
</tr>
<tr>
<td></td>
<td>The proposed buildings have been configured on the site to best provide open areas for interaction and pedestrian circulation. Four (4) of the twelve (12) buildings have been oriented toward Woodside Boulevard to best interface with the existing sidewalk and pedestrian circulation of the public street. The remaining buildings have been oriented toward open spaces and/or courtyards. These frontages have been designed with human interaction in mind. Natural connection points to the Copper Ranch Development are also proposed.</td>
</tr>
<tr>
<td></td>
<td>The Applicant Team has been mindful of the existing residents within the area and within the Copper Ranch Development. Buildings three-stories in height have</td>
</tr>
</tbody>
</table>
been strategically placed centrally on the parcel to preserve views, and light and air of the surrounding neighborhoods. The Commission feels the new location of the three-story building along Woodside Boulevard, instead of adjacent the Copper Ranch Development to the south, better protects and will not impede sunlight and air near adjacent parcels. Open spaces, landscaping and natural play structures have been positioned along most of the shared property line to create a natural buffer between the two developments. The Commission found that this standard has been met.

<table>
<thead>
<tr>
<th>☒</th>
<th>☐</th>
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<th>17.06.080(D)1b</th>
<th>b. Site plans shall include a convenient, attractive and interconnected pedestrian system of sidewalks and shared pathways to reinforce pedestrian circulation within a site.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff Comments</td>
<td>The site plan includes attractive and interconnected pedestrian sidewalks and pathways that reinforce pedestrian circulation within the site. Site circulation has been designed to keep vehicular access and parking to the parking access lane, and public streets. A new 5'-wide sidewalk is shown along the perimeter of the proposed project. This perimeter sidewalk will connect to the existing sidewalk along Woodside Boulevard. The Applicant intends to install a 5'-wide sidewalk along the property frontage of Winterhaven Drive. This sidewalk will also connect to the existing sidewalk along Woodside Boulevard. The perimeter sidewalk will connect to interior sidewalks. These interior sidewalks connect the parking area to each building entrance, as well as the parking areas to open spaces, gathering spaces, natural play areas, and outdoor lounge. The proposed sidewalks provide safe access and sufficient circulation around and through the site; however, it is also preferred that the proposed sidewalk along the shared property line of Lido Apartment Homes and Copper Ranch connect, or span across the property line, and connect to the existing sidewalks within the Copper Ranch Development. This has been made a Condition of Approval and the Commission found that this standard has been met.</td>
<td></td>
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<tr>
<td>☒</td>
<td>☐</td>
<td>☐</td>
<td>17.06.080(D)1c</td>
<td>c. Buildings shall be organized to maximize efficient pedestrian circulation and create gathering places.</td>
</tr>
<tr>
<td>Staff Comments</td>
<td>Buildings have been organized to maximize efficient site circulation. Site circulation has been designed to keep vehicular access and parking to the parking access lane and any public streets. A 5'-wide sidewalk is shown along the perimeter or the project, where pedestrian traffic can safely navigate the site, visit neighbors and utilize development amenities. Sidewalks are also shown to access each unit, and other project amenities. The Commission found that this standard has been met.</td>
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</tr>
</tbody>
</table>

2. Building Design: 17.06.080(D)2, items (a) thru (b)

<table>
<thead>
<tr>
<th>Compliant</th>
<th>Standards and Staff Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>☒</td>
<td>☐</td>
</tr>
<tr>
<td>Staff Comments</td>
<td>Please refer to Section 17.06.080(A), items (a) thru (m) for further details. The Commission found that this standard has been met.</td>
</tr>
</tbody>
</table>
17.06.060 Criteria.

A. The Commission or Hearing Examiner shall determine the following before approval is given:
   1. The project does not jeopardize the health, safety or welfare of the public.
   2. The project conforms to the applicable specifications outlined in the Design Review Guidelines, as set forth herein, applicable requirements of the Zoning Title, and City Standards.

B. Conditions. The Commission or Hearing Examiner may impose any condition deemed necessary. The Commission or Hearing Examiner may also condition approval of a project with subsequent review and/or approval by the Administrator or Planning Staff. Conditions which may be attached include, but are not limited to those which will:
   1. Ensure compliance with applicable standards and guidelines.
   2. Require conformity to approved plans and specifications.
   3. Require security for compliance with the terms of the approval.
   4. Minimize adverse impact on other development.
   5. Control the sequence, timing and duration of development.
   6. Assure that development and landscaping are maintained properly.
   7. Require more restrictive standards than those generally found in the Zoning Title.

C. Security. The applicant may, in lieu of actual construction of any required or approved improvement, provide to the City such security as may be acceptable to the City, in a form and in an amount equal to the cost of the engineering or design, materials and installation of the improvements not previously installed by the applicant, plus fifty percent (50%), which security shall fully secure and guarantee completion of the required improvements within a period of one (1) year from the date the security is provided.
   1. If any extension of the one-year period is granted by the City, each additional year, or portion of each additional year, shall require an additional twenty percent (20%) to be added to the amount of the original security initially provided.
   2. In the event the improvements are not completely installed within one (1) year, or upon the expiration of any approved extension, the City may, but is not obligated, to apply the security to the completion of the improvements and complete construction of the improvements.

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 Chapter 17.06, Design Review, other Chapters of the Hailey Municipal Code and City Standards.

**DECISION**

The Design Review Application by Lido Equity Group Idaho North, LLC, represented by Michael McHugh of Pivot North Design, for twelve (12) apartment buildings ranging in two – three stories in height for a total of 104 residential units on approximately 4.27 acres. The proposed project consists of twelve (12), 475 square feet micro one-bedroom units, forty (40), 680 square feet one-bedroom units, thirty-five (35), 850 square feet two-bedroom units, thirteen (13), 1,110 square feet three-bedroom units, and four (4), 1,504 square feet four-bedroom units, for a total of 104 residential units, has been approved, finding that the project does not jeopardize the health, safety or welfare of the public and the project conforms to the applicable specifications outlined in Hailey Municipal Code Section 17.06, Design Review, additional applicable requirements of Title 17, Title 18, and City Standards, provided conditions (a) through (x) are met:

a) All conditions of the Planned Unit Development approval shall be met.
b) All applicable Fire Department and Building Department requirements shall be met.
c) Any change in use or occupancy type from that approved at time of issuance of Building Permit may require additional improvements and/or approvals. Additional parking may also be required upon subsequent change in use, in conformance with Hailey’s Municipal Code at the time of the new use.
d) All City infrastructure requirements shall be met. Detailed plans for all infrastructure to be installed or improved at or adjacent to the site shall be submitted for Department Head approval and shall meet City Standards where required. Infrastructure to be completed at the Applicant’s sole expense include, but will not be limited to, the following requirements and improvements:
   i. The proposed buildings shall have a fire sprinkler system installed, pursuant Section 15.12.030.H 903.2.8.
   ii. A main line valve shall be added to the ninety-degree angle next to catch basin #2.
e) A five-foot (5’) sidewalk shall be added along the entire project frontage of Winterhaven Drive, as shown on the plans.
f) The proposed walkway along the shared property line of Lido Apartment Homes and Copper Ranch shall connect to the existing sidewalks within the Copper Ranch Development.
g) The parking access lane shall be maintained by the HOA.
h) Construction parking shall be on private property and not within the City Right-of-Way nor the edge of the road.
i) All sidewalks located on private property, interior and perimeter, shall be maintained year-round by the HOA.
k) Ground and roof-mounted equipment shall be shown on the building permit plans and are subject to Staff review and approval. Equipment shall be screened from view and shall not interfere with any walkways or sidewalks.

l) All new and existing exterior lighting shall comply with the Outdoor Lighting Ordinance.

m) The Applicant shall provide a Photometric Plan that illustrates the parking area lighting does not exceed an overall average illumination of one and five-tenths (1.5) foot-candles.

n) Except as otherwise provided, all the required improvements shall be constructed and completed, or sufficient security provided as approved by the City Attorney, before a Certificate of Occupancy can be issued.

o) This Design Review approval is for the date the Findings of Fact are signed. The Planning & Zoning Administrator has the authority to approve minor modifications to this project prior to and for the duration of a valid Building Permit.

p) The Design Review approval shall be valid for eighteen (18) months. This extension shall be effective from the day of approval.

q) Prior to installation, the Applicant shall submit a Sign Permit Application for review and approval of the proposed Monument Sign.

r) A letter from Clear Creek shall be provided commenting on the accessibility of the proposed trash enclosures.

s) The Applicant shall increase the tree sizes onsite according to Section 17.06.080.A.4d.

t) The maximum of 20% of any single tree species may be used in any landscape plan only.

u) The Applicant shall replace the pear trees along Woodside Boulevard with an ornamental, flowering, fruitless tree.

v) The Applicant shall submit a Maintenance Plan for landscaping prior to issuance of a Building Permit.

w) The Design Review Application approval is subject to Planned Unit Development approval by the Hailey City Council, or shall be modified accordingly based on that approval.

x) Tow-behind vehicles (campers, trailers, recreational vehicles) associated with this project are not permitted to park within the public right-of-way on Winterhaven Drive.

Signed this _____ day of ________________, 2022.

____________________________
Janet Fugate, Planning & Zoning Commission Chair

Attest:

_______________________________
Jessie Parker, Community Development Assistant
Return to Agenda
FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION

On January 3, 2022, the Hailey Planning and Zoning Commission considered and approved a Design Review Application by Erin and Thomas Howland for a renovation of an existing 420 square foot attic into an Accessory Dwelling Unit (ADU) located above an 860 square foot garage. This project is located at Lots 13, 14, 15, 16; Block 61, Townsite (302 E Myrtle Street) within the Limited Residential (LR-1) and Townsite Overlay (TO) Zoning Districts.

FINDINGS OF FACT

Notice: Notice for the public hearing was published in the Idaho Mountain Express on December 15th, 2021 and mailed to property owners within 300 feet on December 14th, 2021

Application: The Applicant proposed to renovate a 420 square foot attic into an Accessory Dwelling Unit (ADU) located above an existing 860 square foot garage. The ADU incorporates a compact floor plan, which includes one bedroom, a bathroom, kitchen, living room, and storage space. The ADU is detached and subordinate to the primary dwelling.

Current access for the existing residence is located off N 3rd Avenue via driveway to garage.

Procedural History: The Design Review Application was submitted on November 22, 2021 and certified complete on November 24, 2021. A public hearing before the Planning and Zoning Commission for approval or denial of the project was held on January 3, 2022 in the Hailey City Council Chambers and virtually via GoTo Meeting.

<table>
<thead>
<tr>
<th>Compliant</th>
<th>Standards and Staff Comments</th>
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</thead>
<tbody>
<tr>
<td>Yes</td>
<td>17.08D.020</td>
</tr>
<tr>
<td>No</td>
<td>Applicability.</td>
</tr>
<tr>
<td>N/A</td>
<td>A. The standards of this section apply to all Accessory Dwelling Units created after February 10, 2021, whether created by new construction, addition, or conversion of an existing building or area within an existing building.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Compliant</th>
<th>Standards and Staff Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>17.04D.030</td>
</tr>
<tr>
<td>No</td>
<td>General Provisions.</td>
</tr>
<tr>
<td>N/A</td>
<td>A. Accessory Dwelling Units may be located within, or attached to, a principal building or may be located within a detached accessory building. Detached Accessory Dwelling Units may comprise the entirety of the accessory building or may comprise part of the floor area of an accessory building with another permitted accessory use or uses comprising of the remaining floor area.</td>
</tr>
</tbody>
</table>

Staff Comments: The proposed ADU is detached from the primary residence and is approximately 420 square feet in size located above an 860 square foot garage.

The Commission found that this standard has been met.

<table>
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<tr>
<th>Compliant</th>
<th>Standards and Staff Comments</th>
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<tbody>
<tr>
<td>Yes</td>
<td>17.04D.030</td>
</tr>
<tr>
<td>No</td>
<td>B. Only one (1) Accessory Dwelling Unit is permitted on a lot.</td>
</tr>
<tr>
<td>N/A</td>
<td></td>
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</tbody>
</table>

Staff Comments: Only one (1) ADU is proposed onsite.

The Commission found that this standard has been met.
### Findings of Fact – Page 2 of 18

<table>
<thead>
<tr>
<th>C.</th>
<th>Accessory Dwelling Units are only permitted in conjunction with single-family residences in residential zones. In the Townsite Overlay, Transition and SCI zones, Accessory Dwelling Units are permitted in conjunction with commercial buildings. In Business, Limited Business and Neighborhood Business, one or more residential unit(s) are considered.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Staff Comments</strong></td>
<td>The proposed ADU is in conjunction with an existing single-family residence, and both are located within the Limited Residential (LR-1) and Townsite Overlay (TO) Zone Districts.</td>
</tr>
<tr>
<td></td>
<td>The Commission found that this standard has been met.</td>
</tr>
</tbody>
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<tr>
<th>☒ ☑ ☐</th>
<th>D. Accessory Dwelling Units in the Special Flood Hazard Area (SFHA) shall have the top of the lowest floor elevated no lower than the flood protection elevation as defined in Section 17.04J.020, “Definitions”, of the Hailey Municipal Code. For new construction or substantial improvements in the SFHA, all applicable requirements of Article 17.04J. Flood Hazard Overlay District (FH) shall apply.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Staff Comments</strong></td>
<td>N/A, as the proposed ADU is not located within the Special Flood Hazard Area.</td>
</tr>
<tr>
<td></td>
<td>The Commission found that this standard has been met.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>☒ ☑ ☐</th>
<th>17.08D.040: Registration of Accessory Dwelling Units Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>A.</td>
<td>All Accessory Dwelling Units created after February 10, 2021, shall be issued an Accessory Dwelling Unit Compliance Certificate.</td>
</tr>
<tr>
<td><strong>Staff Comments</strong></td>
<td>Upon completion of construction for the proposed ADU, a Compliance Certificate will be issued.</td>
</tr>
<tr>
<td></td>
<td>The Commission found that this standard has been met.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>☒ ☑ ☐</th>
<th>17.08D.050: Occupancy Restrictions - Short Term Occupancy</th>
</tr>
</thead>
<tbody>
<tr>
<td>A.</td>
<td>Where a lot contains both a primary dwelling unit and an Accessory Dwelling Unit, only one dwelling unit shall be utilized for Short-Term Occupancy;</td>
</tr>
<tr>
<td><strong>Staff Comments</strong></td>
<td>The owners intend to utilize the ADU as a long-term rental. The owners will reside in the primary residence. This standard shall be met and has been made a Condition of Approval and the Commission found that this standard has been met.</td>
</tr>
</tbody>
</table>

| ☒ ☔ ☐ | B. | When one dwelling unit is utilized for Short-Term Occupancy, the other unit shall be owner-occupied or utilized as a long-term rental, with long-term occupancy being a period of thirty-one (31) days or more. |
| **Staff Comments** | The owners intend to utilize the ADU as a long-term rental and the owners will reside in the primary residence. This standard shall be met and has been made a Condition of Approval. |
| | The Commission found that this standard has been met. |

<table>
<thead>
<tr>
<th>☒ ☔ ☐</th>
<th>17.08D.060: Subordinate Scale and Size</th>
</tr>
</thead>
<tbody>
<tr>
<td>A.</td>
<td>Scale: The floor area of an Accessory Dwelling Unit (ADU) is limited to no more than 66% of the gross square footage of the principal building, or the maximum floor area permitted for an ADU based on the lot size or zone, whichever is less.</td>
</tr>
<tr>
<td><strong>Staff Comments</strong></td>
<td>The gross floor area of the principal building is 1,284 square feet in size with a detached garage area of 840 square feet. Sixty-six percent (66%) of 1,284 square feet is 847.44 square feet in size, which is within the allowed range for ADUs.</td>
</tr>
<tr>
<td></td>
<td>The Commission found that this standard has been met.</td>
</tr>
</tbody>
</table>
B. Maximum Floor Area:

<table>
<thead>
<tr>
<th>Lot Size (square feet)</th>
<th>Minimum Gross Floor Area (square feet)</th>
<th>Maximum Gross Floor Area (square feet)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Up to 7,000</td>
<td>300</td>
<td>900</td>
</tr>
<tr>
<td>7,001 – 8,000</td>
<td>300</td>
<td>950</td>
</tr>
<tr>
<td>Lots 8,001 and greater</td>
<td>300</td>
<td>1,000</td>
</tr>
</tbody>
</table>

Gross square footage calculations for Accessory Dwelling Units does not include exterior, uncovered staircases. Interior staircases and circulation corridors are included.

Staff Comments
Please refer to Section 17.08D.060A, noted above, for further details. The Commission found that this standard has been met.

C. Number of bedrooms: Accessory Dwelling Units may have a maximum of two (2) bedrooms.

Staff Comments
The proposed ADU has only one (1) bedroom. The Commission found that this standard has been met.

A. Outdoor Access: All Accessory Dwelling Units shall have a designated area to access the outdoors. Examples include a balcony, porch, deck, paver patio, or yard area delineate by fencing, landscaping, or similar treatment so as to provide for private enjoyment of the outdoors. This area shall be no less than 50 square feet in size. The Outdoor Access area shall be approved through the Design Review process.

Staff Comments
The property has existing outdoor space which could be utilized by the tenant(s) of the ADU (see image below for further details). The Commission found that this standard has been met.
### Chapter 17.09: Parking and Loading

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>Staff Comments</th>
<th>Findings</th>
</tr>
</thead>
<tbody>
<tr>
<td>☒ 020.05.B</td>
<td>Parking areas and driveways for single-family, accessory dwelling unit, and duplex residences may be improved with compacted gravel or other dustless material.</td>
<td>The single-family residence has a 50’ x 20’ square foot driveway off N 3rd Avenue to service both the owners and ADU tenant(s). The available parking space on the property exceeds the requirements.</td>
<td>☒</td>
</tr>
</tbody>
</table>
| ☒ 020.05.D | Mitigation for Accessory Dwelling Unit parking spaces: Parking stalls for Accessory Dwelling Units shall be reviewed to assess light trespass into residential indoor living areas on adjacent properties. Mitigation measures may include fencing, landscaping, screening, landscape walls, and similar treatments. | The following mitigation measures were taken into account when planning the location and size of the proposed ADU: Placement of ADU:  
- The proposed ADU will be located above the existing garage  
- The ADU/garage is located behind the single-family residence and to the rear of the parcel  
Landscaping:  
- Landscaping is existing and mitigates light onto neighboring properties | ☒        |
| ☒ 040.01   | Accessory Dwelling Units and all dwelling units less than 1,000 square feet require one (1) parking space per unit. A site developed with both a primary dwelling less than 1,000 square feet in size and an Accessory Dwelling Unit shall provide a minimum of 2 spaces. Parking for Accessory Dwelling Units must be provided on site. Existing parking in excess of the required parking for a single-family unit shall count towards the total required parking. | The existing 50’ x 20’ square foot driveway and three garage spaces is adequate to service both the ADU tenant(s) and the owners. | ☒        |

### General Requirements for all Design Review Applications

<table>
<thead>
<tr>
<th>Compliant</th>
<th>Standards and Staff Comments</th>
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</thead>
<tbody>
<tr>
<td>Yes</td>
<td>City Code 17.06.050 Complete Application</td>
</tr>
<tr>
<td>☒</td>
<td>Department Comments Engineering: A Right-of-Way Encroachment Permit will be needed for any work done in the right-of-way. This has been made a Condition of Approval.</td>
</tr>
</tbody>
</table>
### Life/Safety:
No comments.

### Water and Sewer:
The existing water and sewer utilities will be utilized.

### Building:
No comments.

### Streets:
No comments

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<tr>
<td>17.08A Signs</td>
<td>17.08A Signs: The applicant is hereby advised that a sign permit is required for any signage exceeding four square feet in sign area. Approval of signage areas or signage plan in Design Review does not constitute approval of a sign permit.</td>
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**Staff Comments**
N/A, as signage is prohibited in residential zones.

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<tr>
<td>17.09.040 On-site Parking Req.</td>
<td>See Section 17.09.040 for applicable code. 17.09.040 Single-Family Dwellings: two (2) spaces minimum, six (6) spaces maximum 17.09.040.01 Accessory Dwelling Units: one (1) space per unit</td>
<td></td>
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</table>

**Staff Comments**
The Hailey Municipal Code requires a minimum of two (2) parking spaces for each single-family residential dwelling and one (1) parking space for an Accessory Dwelling Unit that is less than 1,000 square feet in size. The single-family residence has a driveway of 50’ x 20’ square feet (3+ parking spaces) to service both the owners and tenant(s) of the ADU. The ADU will be located above the existing three-car garage. The applicant stated that garage parking will be determined on a case-by-case basis for ADU tenant(s), as the garage doors are not big enough to accommodate larger vehicles. If a garage bay is not available to the tenant of the ADU due to the size of vehicle, a parking space is available onsite and in front of the garage.

The Commission approved of the applicant determining tenant usage of the garage for parking on a case-by-case basis. The Commission found that parking requirements for the proposed ADU have been met.

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</tbody>
</table>
|17.08C.040 Outdoor Lighting Standards |17.08C.040 General Standards  

  a. All exterior lighting shall be designed, located and lamped in order to prevent:  
   1. Overlighting;  
   2. Energy waste;  
   3. Glare;  
   4. Light Trespass;  
   5. Skyglow.  

  b. All non-essential exterior commercial and residential lighting is encouraged to be turned off after business hours and/or when not in use. Lights on a timer are encouraged. Sensor activated lights are encouraged to replace existing lighting that is desired for security purposes.  

  c. Canopy lights, such as service station lighting shall be fully recessed or fully shielded so as to ensure that no light source is visible from or causes glare on public rights of way or adjacent properties.  

  d. Area lights. All area lights are encouraged to be eighty-five (85) degree full cut-off type luminaires.  

  e. Idaho Power shall not install any luminaires after the effective date of this Article that lights the public right of way without first receiving approval for any such application by the Lighting Administrator. |

**Staff Comments**
The Applicant will install Dark Sky compliant fixtures, downcast and low wattage fixtures (see images below). Lighting Details are also attached.
Northside exterior light, one at ADU entrance and one at entrance to garage.

Southside exterior light, located on both sides of sliding door.

Exterior lighting for stairway.

The Commission discussed whether the Northside exterior light fixture was compliant with the Outdoor Lighting Ordinance of the Hailey Municipal Code. This exterior light fixture is compliant with Hailey Municipal Code as it is defined as partially shielded, or the fixture incorporates a translucent barrier, around the lamp that allows for some light to pass through the barrier. Partially shielded
**Design Review: Howland ADU**  
Lots 13, 14, 15, 16; Block 61, Hailey Townsite (302 E Myrtle Street)  
Hailey Planning Zoning Commission – January 18, 2022  
Findings of Fact – Page 7 of 18

**Luminaires** shall also utilize a light equal to one 60-watt light. The applicant will use a 60-watt bulb to remain compliant with code.  
*The Commission found that this standard has been met.*

| ☒ | ☐ | ☐ | **Bulk Requirements** | **Zoning District:** Limited Residential 1 (LR-1) and Townsite Overlay (TO)  
**Maximum Height:** 30’  
**Setbacks:**  
- Street R.O.W. Adjacent: 12’; 20’ to Garage Door  
- Private Property Abutment: 15% of lot width or 10’, whichever is less; 6’ min.  
- 1’ for every 2.5’ of building height  
- Alley: 6’ minimum  
**Lot Coverage:** 40%  
| **Staff Comments** | **Existing Building Height:**  
- **Building Height:** 22’  
**Setbacks For ADU:**  
- **Front Yard (North):** 55’  
- **Side Yard (East):** 75’  
- **Side Yard (West):** 9’  
- **Rear Yard (South):** 10’  
**Lot Coverage:**  
- 1,704 square feet (864 first floor footprint + 840 garage footprint) / 11,985 square foot lot = 14%  

Garage setbacks are existing, and no changes are proposed to the setbacks. The exterior garage stairs current setback is 15’, the applicant intends to relocate the stairs to meet the required 20’ setback. The Commission found that all other setbacks, building height, and lot coverage requirements have been met.  
*The Commission discussed concerns regarding the ADU’s compliance with the International Residential Code requirement of a minimum of 7’-0” ceiling height in over 50% of the floor area for habitable spaces. The applicant explained how 61% of the ADU’s ceiling height is greater than 7’-0” in over 50% of the floor area.*  
*The Commission found that this standard has been met.*

| ☒ | ☐ | ☐ | **17.06.070(A)1 Street Improvements Required** | **Sidewalks and drainage improvements are required in all zoning districts, except as otherwise provided herein.**  
| **Staff Comments** | **Pursuant to Section 17.06.070, the requirement for sidewalk and drainage improvements may be waived if the project is a remodel and/or addition to a single-family residence. The proposed project is a remodel of an existing structure detached from the single-family residence into an ADU; therefore, sidewalk and drainage improvements are not required at this time.**  
*The Commission found that this standard has been met.*

| ☒ | ☐ | ☐ | **17.06.070(B) Required Water System Improvements** | **In the Townsite Overlay District, any proposal for new construction or addition of a garage accessing from the alley, where water main lines within the alley are less than six feet (6’) deep, the developer shall install insulating material (blue board insulation or similar material) for each and every individual water service line and main line between and including the subject property and the nearest public street, as recommended by the city engineer. (Ord. 1191, 2015)**  

### Design Review Guidelines for Residential Buildings in the Townsite Overlay District (TO).

<table>
<thead>
<tr>
<th>Compliant</th>
<th>Standards and Staff Comments</th>
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<tbody>
<tr>
<td><strong>Yes</strong></td>
<td>17.06.090(C)1</td>
</tr>
<tr>
<td></td>
<td><strong>Site Planning</strong></td>
</tr>
<tr>
<td></td>
<td>Guideline: The pattern created by the Old Hailey town grid should be respected in all site planning decisions.</td>
</tr>
<tr>
<td></td>
<td><strong>Staff Comments</strong></td>
</tr>
<tr>
<td></td>
<td>The lot is existing and respects the Old Hailey Townsite grid pattern. The proposed ADU will preserve the grid pattern, keeping visual access to Myrtle Street along with vehicular access via driveway and garage located off N 3rd Avenue.</td>
</tr>
<tr>
<td></td>
<td>The Commission found that this standard has been met.</td>
</tr>
<tr>
<td><strong>Yes</strong></td>
<td>Guideline: Site planning for new development and redevelopment shall address the following:</td>
</tr>
<tr>
<td></td>
<td>• scale and massing of new buildings consistent with the surrounding neighborhood;</td>
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<tr>
<td></td>
<td>• building orientation that respects the established grid pattern of Old Hailey;</td>
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<td></td>
<td>• clearly visible front entrances;</td>
</tr>
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<td>• use of alleys as the preferred access for secondary uses and automobile access;</td>
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<td>• adequate storage for recreational vehicles;</td>
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<td>• yards and open spaces;</td>
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<td>• solar access on the site and on adjacent properties where feasible, and where such decisions do not conflict with other Design Guidelines;</td>
</tr>
<tr>
<td></td>
<td>• snow storage appropriate for the property;</td>
</tr>
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<td></td>
<td>• underground utilities for new dwelling units.</td>
</tr>
<tr>
<td><strong>Staff Comments</strong></td>
<td></td>
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<tr>
<td></td>
<td>• The scale of the proposed addition is consistent with the scale and massing of buildings in the surrounding neighborhood.</td>
</tr>
<tr>
<td></td>
<td>• The single-family residence and detached garage are existing. The ADU orientation complements that of the existing residence. As existing, the front entry of the home faces Myrtle Street and the ADU will be accessible via the driveway and garage’s exterior stairs.</td>
</tr>
<tr>
<td></td>
<td>• The ADU / garage structure is existing and located behind the single-family residence. Sufficient yard and open space exist on all sides of the home.</td>
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<tr>
<td></td>
<td>• The residence and proposed ADU are located to the north of the block; impact of solar access to adjacent homes will be minimal to non-existent.</td>
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<tr>
<td></td>
<td>• Snow storage has been identified on the site plan and appears to be sufficient for the site.</td>
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<td></td>
<td>• The ADU will utilize existing services and electrical lines will be buried underground during renovation.</td>
</tr>
<tr>
<td></td>
<td>The Commission found that this standard has been met.</td>
</tr>
</tbody>
</table>
### Guideline: The use of energy-conserving designs that are compatible with the character of Old Hailey are encouraged. The visual impacts of passive and active solar designs should be balanced with other visual concerns outlined in these Design Guidelines.

**Staff Comments**

The residence is existing, and the design will remain the same.

The size and shape of the proposed windows are also in scale with the building character of Old Hailey. The applicant intends to wire the ADU for solar, with solar panel installation for later date not yet determined.

The Commission found that this standard has been met.

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<tbody>
<tr>
<td>17.06.090(C)2</td>
<td>2. Bulk Requirements (Mass and Scale, Height, Setbacks)</td>
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<tr>
<td>☒</td>
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<tr>
<td>Guidance: The perceived mass of larger buildings shall be diminished by the design.</td>
<td></td>
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<tr>
<td>Staff Comments</td>
<td>The existing roof will remain; however, the addition of new skylights will help reduce the mass of the proposed ADU.</td>
<td></td>
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<tr>
<td>The Commission found that this standard has been met.</td>
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<tr>
<td>17.06.090(C)3</td>
<td>3. Architectural Character</td>
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<tr>
<td>17.06.090(C)3a</td>
<td>a. General</td>
<td></td>
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<tr>
<td>Guidance: New buildings should be respectful of the past, but may offer new interpretations of old styles, such that they are seen as reflecting the era in which they are built.</td>
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<tr>
<td>Staff Comments</td>
<td>The architectural style of the existing structure is consistent with the vernacular style of Old Hailey but is not an exact replica of any particular building.</td>
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<tr>
<td>The Commission found that this standard has been met.</td>
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<tbody>
<tr>
<td>17.06.090(C)3b</td>
<td>b. Building Orientation</td>
<td></td>
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<tr>
<td>Guidance: The front entry of the primary structure shall be clearly identified such that it is visible and inviting from the street.</td>
<td></td>
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<tr>
<td>Staff Comments</td>
<td>The single-family residence is existing and is adorned with an entry gable. The detached ADU will be located above the existing garage and a staircase entry to a glass door, which will highlight the front entry of the proposed ADU.</td>
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<tr>
<td>The Commission found that this standard has been met.</td>
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<tr>
<td>17.06.090(C)3c</td>
<td>c. Building Form</td>
<td></td>
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<tr>
<td>Guidance: The use of building forms traditionally found in Old Hailey is encouraged. Forms that help to reduce the perceived scale of buildings shall be incorporated into the design.</td>
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<tr>
<td>Staff Comments</td>
<td>The proposed ADU sees simple forms. Exterior materials of the proposed ADU are in place and there will be no changes. Windows, skylights, and a sliding door will be added to help reduce the perceived scale of the building.</td>
<td></td>
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<tr>
<td>The Commission found that this standard has been met.</td>
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<tr>
<td>17.06.090(C)3d</td>
<td>d. Roof Form</td>
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<tr>
<td>Guidance: Roof forms shall define the entry to the building, breaking up the perceived mass of larger buildings, and to diminish garages where applicable.</td>
<td></td>
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<tr>
<td>Guideline</td>
<td>Staff Comments</td>
<td></td>
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<td>--------------------</td>
<td>-------------------------------------------------------------------------------</td>
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</tr>
<tr>
<td>17.06.090(C)3d</td>
<td>The proposed ADU is within an existing structure and the addition of skylights will break up the perceived mass of the structure and will also help to diminish the garage.</td>
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<tr>
<td>17.06.090(C)3d</td>
<td>Guideline: Roof pitch and style shall be designed to meet snow storage needs for the site.</td>
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<tr>
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<td>• Roof pitch materials and style shall retain snow on the roof, or allow snow to shed safely onto the property, and away from pedestrian travel areas.</td>
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<td>• Designs should avoid locating drip lines over key pedestrian routes.</td>
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<td>• Where setbacks are less than ten feet, special attention shall be given to the roof form to ensure that snow does not shed onto adjacent properties.</td>
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<tr>
<td>17.06.090(C)3d</td>
<td>Snow retention devices will be added to the roof over the garage doors and entryway stairs.</td>
<td></td>
</tr>
<tr>
<td>17.06.090(C)3d</td>
<td>Guideline: The use of roof forms, roof pitch, ridge length and roof materials that are similar to those traditionally found in the neighborhood are encouraged.</td>
<td></td>
</tr>
<tr>
<td>17.06.090(C)3d</td>
<td>The proposed ADU is an existing structure. The roof forms, ridge lengths and materials are similar to those traditionally found in the neighborhood.</td>
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<tr>
<td>17.06.090(C)3e</td>
<td>Guideline: Primary wall planes should be parallel to the front lot line.</td>
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</tr>
<tr>
<td>17.06.090(C)3e</td>
<td>The west wall of the proposed ADU is parallel to the N 3rd Avenue property line.</td>
<td></td>
</tr>
<tr>
<td>17.06.090(C)3e</td>
<td>Guideline: Wall planes shall be proportional to the site, and shall respect the scale of the surrounding neighborhood.</td>
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<tr>
<td>17.06.090(C)3f</td>
<td>f. Windows</td>
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<tr>
<td>17.06.090(C)3f</td>
<td>Guideline: Windows facing streets are encouraged to be of a traditional size, scale and proportion.</td>
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<tr>
<td>17.06.090(C)3f</td>
<td>The proposed windows are traditional in size, scale, and are appropriate for the neighborhood.</td>
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<tr>
<td>GUIDELINE</td>
<td>STAFF COMMENTS</td>
<td></td>
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</table>
| 17.06.090(C)3f | Windows on side lot lines adjacent to other buildings should be carefully planned to respect the privacy of neighbors.  
Staff Comments: A variety of windows are proposed and framed in a manner that is consistent with the neighborhood and do not impact neighborhood privacy.  
The Commission found that this standard has been met. |
| 17.06.090(C)3g | Decks and balconies shall be in scale with the building and the neighborhood.  
Staff Comments: The proposed Juliet balcony is in scale with the building and neighborhood.  
The Commission found that this standard has been met. |
| 17.06.090(C)3g | Decks and balconies should be designed with the privacy of neighbors in mind when possible.  
Staff Comments: The Juliet balcony is oriental in nature and will not infringe on the privacy of neighbors.  
The Commission found that this standard has been met. |
| 17.06.090(C)3h | Building Materials and Finishes  
Guideline: Materials and colors shall be selected to avoid the look of large, flat walls. The use of texture and detailing to reduce the perceived scale of large walls is encouraged.  
Staff Comments: The proposed ADU structure is existing, and the materials will remain the same. Skylights and plumbing vents will be added to the roof. (See image below for further detail).  
The Commission found that this standard has been met. |
| 17.06.090(C)3h | Large wall planes shall incorporate more than one material or color to break up the mass of the wall plane.  
Staff Comments: The longest wall planes are the east and west elevations. These wall planes are broken up by the addition of skylights. The existing ADU/garage structure is compact and incorporates simple lines and colors, which will help reduce mass of said wall planes.  
The Commission found that this standard has been met. |
<table>
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<tr>
<th>17.06.090(C)3i</th>
<th>i. Ornamentation and Architectural Detailing</th>
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<tbody>
<tr>
<td>Guideline:</td>
<td>Architectural detailing shall be incorporated into the front wall plane of buildings.</td>
</tr>
<tr>
<td>Staff Comments</td>
<td>The detail of the structure is existing and will remain the same.</td>
</tr>
<tr>
<td>Staff Comments</td>
<td>The Commission found that this standard has been met.</td>
</tr>
</tbody>
</table>

| 17.06.090(C)3i | Guideline: The use of porches, windows, stoops, shutters, trim detailing and other ornamentation that is reminiscent of the historic nature of Old Hailey is encouraged. |
| Staff Comments  | The single-family residence has minimal ornamentation. The proposed ADU structure is existing and also has minimal ornamentation, which will remain the same. |
| Staff Comments  | The Commission found that this standard has been met. |

| 17.06.090(C)3i | Guideline: Architectural details and ornamentation on buildings should be compatible with the scale and pattern of the neighborhood. |
| Staff Comments  | Please refer to Section 17.06.090(C)3i for further information. |

<table>
<thead>
<tr>
<th>17.06.090(C)4</th>
<th>4. Circulation and Parking</th>
</tr>
</thead>
<tbody>
<tr>
<td>Guideline:</td>
<td>Safety for pedestrians shall be given high priority in site planning, particularly with respect to parking, vehicular circulation and snow storage issues.</td>
</tr>
<tr>
<td>Staff Comments</td>
<td>Adequate parking has been provided. Pedestrian access is provided through the driveway to the front entry of the residence and through the pedestrian path off the alley. Snow storage areas are located on the south side of the property by the existing garage between the property line and N 3rd Avenue.</td>
</tr>
<tr>
<td>Staff Comments</td>
<td>The Commission found that this standard has been met.</td>
</tr>
</tbody>
</table>

| 17.06.090(C)4 | Guideline: The visual impacts of on-site parking visible from the street shall be minimized. |
| Staff Comments  | Onsite parking will be accessed from the west side of the property off N 3rd Avenue via the driveway and is hidden from the front entrance of the single-family residence on Myrtle Street. |
| Staff Comments  | The Commission found that this standard has been met. |

| 17.06.090(C)4 | Guideline: As a general rule, garages and parking should be accessed from the alley side of the property and not the street side. |
| Staff Comments  | The existing driveway and garage are accessed from the side of the property, off N 3rd Avenue. |
| Staff Comments  | The Commission found that this standard has been met. |

| 17.06.090(C)4 | Guideline: Detached garages accessed from alleys are strongly encouraged. |
| Staff Comments  | The proposed ADU will be a renovation of an attic above an existing garage structure, which does not have vehicular access via the alley. |
| Staff Comments  | The Commission found that this standard has been met. |

| 17.06.090(C)4 | Guideline: When garages must be planned on the street side, garage doors shall be setback and remain subordinate to the front wall plane. |
| Staff Comments  | The existing detached garage is setback, located behind the single-family residence. |
| Staff Comments  | The Commission found that this standard has been met. |
17.06.090(C)4 Guideline: When garages and/or parking must be planned on the street side, parking areas are preferred to be one car in width. When curb cuts must be planned, they should be shared or minimized.

**Staff Comments**

The garage and driveway are existing and will remain unchanged.

The Commission found that this standard has been met.

17.06.090(C)4 Guideline: Off-street parking space for recreational vehicles should be developed as part of the overall site planning.

**Staff Comments**

N/A, no recreational vehicle parking is proposed.

17.06.090(C)5 Guideline: Alleys shall be retained in site planning. Lot lines generally shall not be modified in ways that eliminate alley access to properties.

**Staff Comments**

Alley access will remain the same, as there are no changes to the existing structure. The alley does not connect to the existing property via vehicular access, only through a fence opening for pedestrian access.

The Commission found that this standard has been met.

17.06.090(C)5 Guideline: Alleys are the preferred location for utilities, vehicular access to garages, storage areas (including recreational vehicles) and accessory buildings. Design and placement of accessory buildings that access off of alleys is encouraged.

**Staff Comments**

The existing utilities will be utilized, and the electrical line will be buried underground during renovation. Vehicular access exists through the existing driveway and garage which face the N 3rd Avenue right of way.

The Commission found that this standard has been met.

17.06.090(C)5 Guideline: Generally, the driving surface of alleys within Limited Residential and General Residential may remain a dust-free gravel surface, but should be paved within Business, Limited Business, and Transitional. The remainder of the City alley should be managed for noxious weed control, particularly after construction activity.

**Staff Comments**

The existing alley is gravel and will be managed for noxious weed control in accordance with Idaho State Law.

The Commission found that this standard has been met.

17.06.090(C)5 Guideline: Landscaping and other design elements adjacent to alleys should be kept simple, and respect the functional nature of the area and the pedestrian activity that occurs.

**Staff Comments**

The existing landscaping to be maintained is grass.

The Commission found that this standard has been met.

17.06.090(C)6 Guideline: Accessory buildings shall appear subordinate to the main building on the property in terms of size, location and function.

**Staff Comments**

The ADU is proposed above an existing garage and the structure will remain the same. The building is similar in scale, location, and function to the existing residence. The building will remain in its same location, to the rear of the parcel, which reduces its visibility and mass, adequately supporting this standard.

The Commission found that this standard has been met.

17.06.090(C)6 Guideline: In general, accessory structures shall be located to the rear of the lot and off of the alley unless found to be impractical.

**Staff Comments**

The proposed ADU will be located to the rear of the parcel above the existing garage, with access via the driveway off N 3rd Avenue.
<p>| | | | |</p>
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| ☒ | ☐ | ☐ | 17.06.090(C)7 7. Snow Storage  
Guideline: All projects shall be required to provide 25% snow storage on the site.  
Staff Comments The site plan displays the existing 840 square feet of hardscape (parking, vehicle, and pedestrian areas). 25% of this (120 square feet) is required for snow storage. It appears +120 square feet of snow storage is shown on the design plan.  
The Commission found that this standard has been met. |
| ☒ | ☐ | ☐ | 17.06.090(C)7 7. Snow Storage  
Guideline: A snow storage plan shall be developed for every project showing:  
• Where snow is stored, key pedestrian routes and clear vision triangles.  
• Consideration given to the impacts on adjacent properties when planning snow storage areas.  
Staff Comments Snow storage for the ADU is located on the south side of the driveway. Snow storage areas do not restrict pedestrian access. Pedestrian access is unrestricted and visible from the street.  
The Commission found that this standard has been met. |
| ☒ | ☐ | ☐ | 17.06.090(C)8 8. Existing Mature Trees and Landscaping  
Guideline: Existing mature trees shall be shown on the site plan, with notations regarding retention, removal or relocation. Unless shown to be infeasible, a site shall be carefully planned to incorporate existing mature trees on private property into the final design plan.  
Staff Comments All existing trees on the parcel will remain.  
The Commission found that this standard has been met. |
| ☒ | ☐ | ☐ | 17.06.090(C)8 8. Existing Mature Trees and Landscaping  
Guideline: Attention shall be given to other significant landscape features which may be present on the site. Mature shrubs, flower beds and other significant landscape features shall be shown on the site plan and be incorporated into the site plan where feasible.  
Staff Comments Landscaping will remain the same, no changes will be made.  
The Commission found that this standard has been met. |
| ☒ | ☐ | ☐ | 17.06.090(C)8 8. Existing Mature Trees and Landscaping  
Guideline: Noxious weeds shall be controlled according to State Law.  
Staff Comments If noxious weeds are present on the site, the Applicant shall control in accordance with Idaho State Law.  
The Commission found that this standard has been met. |
| ☒ | ☐ | ☐ | 17.06.090(C)9 9. Fences and Walls  
Guideline: Fences and walls that abut public streets and sidewalks should be designed to include fence types that provide some transparency, lower heights and clearly marked gates.  
Staff Comments The existing fence will remain; however, the applicant will need to apply for an Encroachment Permit for the section of fence and landscaping that exists in the public right of way on N 3rd Avenue prior to issuance of a building permit. This has been made a Condition of Approval.  
The Commission found that this standard has been met. |
| ☐ | ☐ | ☒ | 17.06.090(C)9 9. Fences and Walls  
Guideline: Retaining walls shall be in scale to the streetscape.  
Staff Comments N/A, as none as proposed. |
| ☒ | ☐ | ☐ | 17.06.090(C)10 10. Historic Structures  
General Guidelines: Any alteration to the exterior of a Historic Structure requiring design review approval shall meet the following guidelines:  
• The alteration should be congruous with the historical, architectural, archeological, educational or cultural aspects of other Historic Structures within |
### Staff Comments

The existing residence was built in 1964. The single-family residence will remain onsite, and no alterations are proposed. The existing structure of an 840 square foot garage with a 420 square foot attic space located above is proposed to be renovated into an ADU. Exterior materials, windows, architectural detail, and roof will remain the same.

Said ADU/garage is congruous with the surrounding area, contributing to the overall charm of Old Hailey.

Please refer to Section 17.06.090(c)10 below for further details.

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<tr>
<th>☒</th>
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<th>17.06.090(C)10 Specific Guidelines. Any alteration to the exterior of a Historic Structure requiring design review approval shall meet the following specific guidelines:</th>
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<tr>
<td></td>
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<td>• The design features of repairs and remodels including the general streetscape, materials, windows, doors, porches, and roofs shall not diminish the integrity of the original structure.</td>
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<td>• New additions should be designed to be recognizable as a product of their own Period of Significance with the following guidelines related to the historical nature of the original structure:</td>
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<tr>
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<td>~ The addition should not destroy or obscure important architectural features of the original building and/or the primary façade;</td>
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<td>~ Exterior materials that are compatible with the original building materials should be selected;</td>
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<td>~ The size and scale of the addition should be compatible with the original building, with the addition appearing subordinate to the primary building;</td>
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<td>~ The visual impact of the addition should be minimized from the street;</td>
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<td>~ The mass and scale of the rooftop on the addition should appear subordinate to the rooftop on the original building, and should avoid breaking the roof line of the original building;</td>
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<td>~ The roof form and slope of the roof on the addition should be in character with the original building;</td>
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<td>~ The relationship of wall planes to the street and to interior lots should be preserved with new additions.</td>
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</table>

**Staff Comments**

No alterations to the exterior of the existing single-family residence will be made. The existing attic above the garage will be renovated into an ADU. All materials and features of the structure will remain the same which compliment the single-family residence.

17.06.060 Criteria.

A. The Commission or Hearing Examiner shall determine the following before approval is given:

1. The project does not jeopardize the health, safety or welfare of the public.
2. The project conforms to the applicable specifications outlined in the Design Review Guidelines, as set forth herein, applicable requirements of the Zoning Title, and City Standards.
B. Conditions. The Commission or Hearing Examiner may impose any condition deemed necessary. The Commission or Hearing Examiner may also condition approval of a project with subsequent review and/or approval by the Administrator or Planning Staff. Conditions which may be attached include, but are not limited to those which will:

1. Ensure compliance with applicable standards and guidelines.
2. Require conformity to approved plans and specifications.
3. Require security for compliance with the terms of the approval.
4. Minimize adverse impact on other development.
5. Control the sequence, timing and duration of development.
6. Assure that development and landscaping are maintained properly.
7. Require more restrictive standards than those generally found in the Zoning Title.

C. Security. The applicant may, in lieu of actual construction of any required or approved improvement, provide to the City such security as may be acceptable to the City, in a form and in an amount equal to the cost of the engineering or design, materials and installation of the improvements not previously installed by the applicant, plus fifty percent (50%), which security shall fully secure and guarantee completion of the required improvements within a period of one (1) year from the date the security is provided.

1. If any extension of the one-year period is granted by the City, each additional year, or portion of each additional year, shall require an additional twenty percent (20%) to be added to the amount of the original security initially provided.
2. In the event the improvements are not completely installed within one (1) year, or upon the expiration of any approved extension, the City may, but is not obligated, to apply the security to the completion of the improvements and complete construction of the improvements.

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 Chapter 17.06, Design Review, other Chapters of the Hailey Municipal Code and City Standards.

DECISION

The Design Review Application by Erin and Thomas Howland for a renovation of an existing 420 square foot attic into an Accessory Dwelling Unit (ADU) located above an 860 square foot garage, located at 302 E Myrtle Street (Lots 13, 14, 15, 16; Block 61) within the Limited Residential (LR-1) and Townsite Overlay (TO) Zoning Districts, was approved, finding that the project does not jeopardize the health, safety or welfare of the public and the project conforms to the applicable specifications outlined in Hailey
Municipal Code Section 17.06, Design Review, additional applicable requirements of Title 17, Title 18, and City Standards, provided conditions (a) through (l) are met:

a) All applicable Fire Department and Building Department requirements shall be met.
b) Any change in use or occupancy type from that approved at time of issuance of Building Permit may require additional improvements and/or approvals. Additional parking may also be required upon subsequent change in use, in conformance with Hailey’s Municipal Code at the time of the new use.
c) All City infrastructure requirements shall be met. Detailed plans for all infrastructure to be installed or improved at or adjacent to the site shall be submitted for Department Head approval and shall meet City Standards where required.
d) The Sidewalk In-Lieu Fees are hereby waived, pursuant to Section 17.06.070(B).
e) The project shall be constructed in accordance with the application or as modified by these Findings of Fact, Conclusions of Law and Decision.
f) All new and existing exterior lighting shall comply with the Outdoor Lighting requirements according to 17.08C.
g) Except as otherwise provided, all the required improvements shall be constructed and completed, or sufficient security provided as approved by the City Attorney, before a Certificate of Occupancy can be issued.
h) This Design Review approval is for the date the Findings of Fact are signed. The Planning & Zoning Administrator has the authority to approve minor modifications to this project prior to, and for the duration of a valid Building Permit.
i) An Encroachment Permit shall be applied for and approved for any work completed within the City Right-of-Way. The Encroachment Permit and Building Permit shall be applied for concurrently.
j) Construction staging and storage shall not be within the City Right-of-Way. All construction impacts shall occur within the property boundary.
k) All utilities shall be located underground, consistent with 17.06.080(A)3h.
l) The lot contains a primary dwelling and an Accessory Dwelling Unit. Only one (1) dwelling unit shall be utilized for short-term occupancy. If one (1) dwelling unit is utilized for short-term occupancy, the other unit shall be owner occupied or utilized as a long-term rental (31 days or longer).
Signed this _____ day of ________________, 2022.

________________________________________
Janet Fugate, Planning & Zoning Commission Chair

Attest:

________________________________________
Jessie Parker, Community Development Assistant
Return to Agenda
FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION

On January 3, 2022, the Hailey Planning and Zoning Commission considered and recommended for approval by the Hailey City Council a City-initiated Text Amendment to the Hailey Municipal Code, Title 15: Buildings and Construction, to add a new chapter, Chapter 15.20: Green Building Standards, and within that chapter add a new section, Section 15.20.010: Electric Vehicle Requirements, mandating that all new residential developments install at least one two hundred and forty (240) volt forty (40) ampere branch circuit with the capability of charging an electric vehicle and labeled as such.

Notice: Notice for the public hearing was published in the Idaho Mountain Express on December 10, 2021 and mailed to public agencies on December 10, 2021.

FINDINGS OF FACT

Background: City Planning Staff has identified the modernization of Hailey Municipal Code to meet sustainability standards as a priority for 2022 and moving forward. As such, Staff is proposing to add a chapter to Title 15, entitled Green Building Standards, and within that chapter add a section, Section 15.20.010, entitled Electric Vehicle Requirements, requiring Electric Vehicle (EV) infrastructure to be installed in all new residential and commercial developments to allow for EV charging.

A Greenhouse Gas Inventory report was completed for the City of Hailey in 2018 which found that transportation-related emissions were the second largest emitting sector in the community. To meet Hailey’s clean energy goals of 2045, and to create a more sustainable community for current and future generations, one goal of the City’s is to address transport sector emissions. Cars in this community are the dominant form of transportation, therefore, EVs provide a path for decarbonization, or the reduction of carbon. To accommodate for the rise of EVs, Hailey must commit to the public and private buildout of EV charging stations through Municipal Code amendments requiring EV charging infrastructure.

Boise, Ketchum, Bellevue, and other municipalities throughout Idaho have recently put forth code amendments requiring the installation of EV ready infrastructure for new developments, each unique to cater to their specific needs. The City of Hailey has augmented similar EV requirement amendments to best meet the needs of the jurisdiction. Hailey currently lacks a chapter within the Municipal Code dedicated to sustainable building, therefore, the implementation of a new chapter entitled Green Building Standards within Title 15: Buildings and Construction will provide a dedicated area for code specific to sustainability initiatives.

The addition of this new chapter and section within the Hailey Municipal Code requires new residential and commercial developments to have the electrical wiring in place to allow for the easy, inexpensive installation of EV charging stations; thereby, encouraging the community to purchase EVs by having the charging wiring in place in both new residential and commercial developments.

Furthermore, the auto industry is currently shifting away from gas-powered vehicles towards EVs, with pledges of all-electric vehicles by 2035 from automakers such as GM, Volvo, and Toyota; however, a charging gap currently exists as this EV ready infrastructure is not yet in place to service the incoming fleet of EVs. As EVs become more common in Hailey and the Wood River Valley, there will be a significant increase in the need for EV charging infrastructure. Lack of access to EV charging has been identified as one of the largest barriers to EV adoption. By requiring the installation of EV wiring within new developments now, our goal is to incentivize the community to pivot towards EVs and support the private and public buildout of charging stations.
An additional barrier identified to EV adoption is the cost of retrofitting an existing building to host EV charging. It is considerably cost efficient to install EV capable infrastructure during the construction phase, as it is less expensive to wire for EV upfront as opposed to a retrofit. For single-family developments, the cost of a branch circuit ranges from $300 to $500 during initial construction. This cost would be two to four times higher to retrofit an existing electrical system during a later date. The branch circuit costs for multi-family residential and commercial buildings are significantly higher, however, installing EV infrastructure during new construction was found to save on average $2,040-$4,635 compared to retrofitting. Thus, the presence of EV ready infrastructure in new developments will not only incentivize the community to use environmentally conscious vehicles, but also result in significant cost savings for EV charging stations.

Other municipalities across the Western United States have adopted EV infrastructure building codes, each differing in scope to accommodate for the wants and needs of the municipality. The table below displays the EV infrastructure building code for the municipalities of Boise, Boulder, Summit County, Sedona, and Salt Lake City.

<table>
<thead>
<tr>
<th>Municipality</th>
<th>State</th>
<th>Year</th>
<th>Single-family</th>
<th>Multi-family</th>
<th>Commercial</th>
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<tr>
<td>Boise</td>
<td>ID</td>
<td>2020</td>
<td>1 EV-Ready Space per dwelling unit</td>
<td>5% EV-Installed, 15% EV-ready, 40% EV-Capable (+25 spaces)</td>
<td>5% EV-Installed, 10% EV-Ready, 10% EV-Capable</td>
</tr>
<tr>
<td>City of Boulder</td>
<td>CO</td>
<td>2020</td>
<td>1 EV-Ready Space per dwelling unit</td>
<td>5% EV-Installed, 10% EV-Ready, 40% EV-Capable (+25 spaces)</td>
<td>5% EV-Installed, 10% EV-Ready, 40% EV-Capable (25+ spaces)</td>
</tr>
<tr>
<td>Summit County</td>
<td>CO</td>
<td>2020</td>
<td>1 EV-Ready Space per dwelling unit</td>
<td>5% EV-Installed, 10% EV-Ready, 40% EV-Capable (10+ spaces)</td>
<td>5% EV-Capable</td>
</tr>
<tr>
<td>Sedona</td>
<td>AZ</td>
<td>2019</td>
<td>1 EV-Capable Space per dwelling unit</td>
<td>5% EV-Capable</td>
<td></td>
</tr>
<tr>
<td>Salt Lake City</td>
<td>UT</td>
<td>2019</td>
<td>1 EV-Installed Space for every 25 parking spaces</td>
<td>5% EV-Capable</td>
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</tr>
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Source: Southwest Energy Efficiency Project, EV Infrastructure Building Codes:

To reduce greenhouse gas emissions, each municipality has identified unique goals and timelines to achieve a higher level of sustainability which is reflected through their EV building codes. A commonality found in EV building codes is the requirement of one EV-Ready parking space per single-family dwelling unit. For both multi-family residential and commercial buildings, EV requirements vary depending on the desires of the municipality. To best meet the needs of the jurisdiction, Hailey has augmented similar EV-Ready amendments to stipulate at least one (1) two hundred and forty (240) branch circuit be installed in new residential and commercial developments. Single-family residences shall obtain one (1) branch circuit
per dwelling unit. For multi-family development, staff suggests 20% of the required parking should have EV branch circuits. For commercial developments, the quantity of EV branch circuits per development could be determined during the design review process. The Commission should discuss the specific requirements for both multifamily residential and commercial buildings further and direct City Staff accordingly.

By accommodating to the current market shift toward EVs and mitigating the existing EV charging gap, we can effectively reduce Hailey’s transport related emissions. Staff suggests that all new residential and commercial developments install at least one (1), two hundred and forty (240) volt forty (40) ampere branch circuit with the capability of charging an electric vehicle, in close proximity to parking spaces.

**Commission Discussion:** The Commission addressed the desire for more incentives to expand the EV market in the community and concurred with City Staff the importance and relevance of this text amendment.

The Commission discussed the various types of EV charging infrastructure and requested that each be clearly defined within Hailey’s Municipal Code. The standardized terminology for EV charging spaces includes EV Ready, EV Capable, and EV Installed, and are as follows:

<table>
<thead>
<tr>
<th>EV Ready</th>
<th>EV Capable</th>
<th>EV Installed</th>
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</table>
| • Install electrical panel capacity with a dedicated branch circuit and a continuous raceway from the panel to the future EV parking spot  
• Requires just the infrastructure (ex. conduit, junction box) for the future installation of an EV charging station | • Install electrical panel capacity and raceway with conduit to terminate in a junction box or 240 volt charging outlet  
• Allows for the electric car driver to plug-in their portable charger into the outlet | • Install a minimum number of Level 2 charging stations, which utilizes a 240-volt outlet and a separately purchased charger |

At this time, the Commission decided to move forward with EV requirements for new developments of residential units, including single-family dwellings, townhomes, and ADUs only. Requirements for new multi-family and commercial developments will be discussed further at a later date. The Commission also decided to include substantial improvements (remodels) of an existing structure to install EV infrastructure requirements.

As per Hailey Municipal Code (17.02.020), substantial improvements are defined as,

*Any reconstruction, rehabilitation, addition or other improvement of a structure, the cost of fifty percent (50%) of the market value of the structure before the start of construction of the improvement.*
Upon determining the requirements for new commercial developments, the Commission recommended acquiring meter data regarding the utilization of the existing EV charging parking spaces within the area and surrounding municipalities. Moreover, the Commission recommended that Staff gather information regarding electric rental vehicles, to assist with the determination of the amount of EV parking spaces mandated for hotels and motels.

The Commission discussed the relevance of this text amendment regarding the expansion of the EV market in Hailey and costs associated with installing the wiring during construction as opposed to a retrofit. The Commission concluded that the City shall respond to the growing EV market through the build-up of EV charging infrastructure and found the requirement of “EV Capable” infrastructure to be the appropriate step to best meet the sustainability objectives of the city, in cohesion with the significance of the current and emerging EV market in Hailey. By requiring EV Capable infrastructure in new developments of single-family dwellings, townhomes, ADUs, and substantial remodels, the Commission hopes to encourage the community to purchase EVs, to effectively reduce transport-related emissions, and close the EV charging gap.

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 Comprehensive Plan does not go in to the specificity that this code section contemplates; however, it is anticipated that the city will annually update their Capital Improvement Plan to guide necessary infrastructure. The following goals from the Comprehensive Plan are relevant to this text change:

   Section 1: Natural Resources, Energy, and Air Quality
   Goal 1.4: Promote Energy Conservation

   Section 9: Public Facilities, Utilities, and Services
   Goal 9.1: Plan for the long-term utilities, service and facility needs of the City while minimizing impacts to the greatest extent possible.

   EVs do not emit tailpipe pollution unlike gasoline or diesel-powered vehicles, resulting in reduced greenhouse gas emissions and improved air quality in the community. By requiring EV ready infrastructure in new developments, the city incentivizes the community to use EVs and effectively minimizes environmental impacts. The Commission found that this standard has been met.

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 Commission found that the proposed amendments will not result in a change in allowed uses nor will they create excessive additional requirements at public cost for services. The amendments are intended to incentivize the community to use EVs, and developers will be responsible for the wiring costs.

3. The proposed uses are compatible with the surrounding area; and
   The Commission found that the proposed text amendments will not impact compatibility, and found that this standard has been met.

4. The proposed amendment will promote the public health, safety and general welfare.
   The Commission found that the proposed amendments are consistent with the Hailey Comprehensive Plan, that they will not result in a change in allowed uses, and that this standard has been met.

CONCLUSIONS OF LAW AND DECISION

Based on the above Findings of Fact, Conclusions of Law and Decision, the Commission, on a unanimous vote, concluded the augmented notice, pursuant Title 15, Chapter 15.40, and Section 15.20.010 was given, and is proper. The Commission makes the following recommendations:

a) An Ordinance amending Title 15: Buildings and Construction, to add a new chapter, Chapter 15.20 entitled Green Building Standards
b) An Ordinance amending Title 15: Buildings and Construction, Chapter 15.20, to add a new section, Section 15.20.010 entitled Electric Vehicle Requirements, mandating new developments of single-family dwellings, townhomes, ADUs, and substantial improvements to install at least one two hundred and forty (240) volt forty (40) ampere branch circuit with the capability of charging an electric vehicle and labeled as such.

The Commission thereby recommends approval to the Hailey City Council an Ordinance, Ordinance No. __________, amending Title 15: Buildings and Construction, to add Chapter 15.20 Green Building Standards; and within that chapter add Section 15.020.010 Electric Vehicle Requirements, requiring new developments of single-family dwellings, townhomes, ADUs, and substantial remodels to install at least one two hundred and forty (240) volt forty (40) ampere branch circuit with the capability of charging an electric vehicle and labeled as such.
Signed this _________ day of ______________________, 2022.

________________________________________
Janet Fugate, Chair

Attest:

____________________________
Jessica Parker, Community Development Assistant
Return to Agenda
4:45 p.m.  Meet at Hailey Arboretum for a tour with Tree Committee

AGENDA
HAILEY PLANNING & ZONING COMMISSION
Monday, May 17, 2021
Virtual Meeting
5:30 p.m.

From your computer, tablet or smartphone: https://www.gotomeet.me/CityofHaileyPZ
Via One-touch dial in by phone: tel:+15713173122,,506287589#

Present
Commission: Janet Fugate, Dan Smith, Richard Pogue, Dustin Stone, Owen Scanlon (Late)
Staff: Chris Simms, Lisa Horowitz, Robyn Davis, Jessica Parker

5:33:46 PM Chair Fugate called to order.

5:33:57 PM Public Comment for items not on the agenda. No Comment.

5:34:38 PM Consent Agenda
CA 1 Adoption of Findings of Fact, Conclusions of Law and Decision of a Conditional Use Permit Application submitted by PA Spirits LLC, represented by Josh Hanson, for approval of an alcohol mixing and packaging space (Hybrid Production Facility), to be located at Lots 1-3, Block 42, Townsite (117 N. River Street), within the Business (B) and Townsite Overlay (TO) Zoning Districts. ACTION ITEM.

CA 2 Adoption of Findings of Fact, Conclusions of Law and Decision of a Preliminary Plat Application by Quartz Properties, represented by Galena Engineering, where AM Lot 2A, Block 61, Woodside Sub #15 (2740 Winterhaven Dr.) is subdivided into six (6) sublots, ranging in size from 6,001 square feet to 18,279 square feet, with all vehicular access from Winterhaven Dr. Several lots contain shared driveways. A 18,712 square foot open space, Parcel A, is to be dedicated to the city for public access. This project is located within the Limited Business (LB) Zoning District. ACTION ITEM.

CA 3 Adoption of Meeting Minutes dated April 5, 2021. ACTION ITEM.

Scanlon absent from Consent Agenda.

5:35:02 PM Pogue motioned to approve CA 1 and CA 2. Stone seconded. Smith abstained, Scanlon absent, Stone, Pogue, and Fugate in Favor.

5:35:45 PM Pogue motioned to approve CA 3. Smith seconded. Scanlon absent, Stone, Pogue, Smith and Fugate in Favor.

Public Hearing
PH 1 5:36:15 PM Consideration of a Preliminary Plat Application by Marlow Non-Exempt Family Trust, represented by Galena Engineering, where Lots 5 and 7, Block 3, Quigley Farms Subdivision (1421
and 1401 Red Tail Lane) are subdivided into four (4) townhome sublots, ranging in size from 5,638 square feet to 6,620 square feet. This project is located within the General Residential (GR) Zoning District. **ACTION ITEM.**

**5:37:01 PM** Davis introduced project and provided summarized background, explaining how replats are permitted. Davis turned floor to Samantha Stahlnecker. **5:37:42 PM** Samantha Stahlnecker, Galena Engineering, summarized proposed replat to two townhome sublots. Stahlnecker explained owner plans to build two duplexes and subdivide them into townhomes so the units could be sellable, with their own utilities. Stahlnecker discussed options for irrigations. Stahlnecker stated Hennessey is willing to add plat note saying these duplexes will be built with a shared party wall and will limit access to the alley.

**5:40:23 PM** Pogue asked if the townhomes will be built with property line running through the duplex. Stahlnecker confirmed lot line will run along the party wall. Pogue confirmed there will be 4 units between the 2 lots.

**5:41:02 PM** Smith asked about water meter locations. Stahlnecker explained showing both existing and proposed water services, noting locations of each. Smith asked if will be running water under sublot 5a to 5b. Stahlnecker stated sublot 5b will be fed by existing service. Smith requested it be made clear that the sublots will be individually served. Stahlnecker confirmed can add that.

**5:42:55 PM** Stone asked for clarification on the location. Davis provided map showing project location.

**5:43:46 PM** Horowitz asked Hennessy why the HOA would prefer to have one big building. Dave Hennessy explained had original plan. Stone clarified Hennessy feels this way is a cleaner build. Horowitz confirmed, that not plat notes but what is requested by the HOA and does not see reason why could not honor that. **5:45:12 PM** Stone has no further questions. Davis provided copy of plat showing property location.

**5:46:23 PM** Scanlon was unclear if the sewer and water systems have been installed. Stahlnecker explained most have been installed, but the roads have not been paved and applicant plans to install prior to the paving taking place. Scanlon asked for estimated timeline. Stahlnecker stated applicants hopes for this year, but realistically will be next year. Scanlon asked if applicant will build in phases or all at once. Stahlnecker is unsure of applicant’s plan.

**5:47:35 PM** Chair Fugate opened public comment.

**5:49:07 PM** Jason asked if discussing Northridge. Staff stated no, Quigley.

**5:49:44 PM** Elliott Aten, Quigley HOA owner, explained lots were developed as larger lots specifically called out for duplex units. Would like to make sure intent of the development is held do with this development. Aten explained Hennessey explanation is basically addressing their concern as well. Knows this HOA is very new, does not think a lot of neighbors or owners have had a chance to absorb this plat, and the design criteria established.

**5:52:01 PM** Chair Fugate closed public comment.

**5:52:09 PM** Pogue stated it is his understanding that the separate free-standing dwelling is solved by the lot line going through the middle of the buildings. He is good with that.

**5:52:55 PM** Horowitz noted public comment received by Elissa Aten.
5:53:01 PM Smith does not have a problem, thinks given the stipulations about the property takes care of concern brought up by public and feels will follows originally intent of plat.

5:53:24 PM Stone has no issues.

5:53:34 PM Scanlon agrees with everything said, thinks this was planned for in the beginning. There is no objection from the public or the neighbors.

5:53:59 PM Chair Fugate agrees with what has been said.

5:54:42 PM Commission and staff discussed conditions and plat notes related to sewer and water, agreed that condition little 6) that water meters shall be noted on the plat. Davis read new condition 11) A Plat note shall state all duplexes shall be constructed with addition of party wall and condition 12) all dwelling units shall be accessed via the alley.

5:57:23 PM Scanlon motioned to approve the Preliminary Plat Application by Marlow Non-Exempt Family Trust, represented by Galena Engineering, wherein Lots 5 and 7, Block 3, Quigley Farms Subdivision (1421 and 1401 Red Tail Lane) are subdivided to create four (4) townhouse sublots (Sublots 5A & 5B and Sublots 7A & 7B), ranging in size from 5,638 square feet to 6,620 square feet, finding that the application meets all City Standards, and that Conditions (1) through (12) are met. Stone seconded. All in Favor.

5:59:11 PM Chair Fugate stated she will be reading public hearing 2 and 3 together. Scanlon recused himself from both hearings.

PH 2 5:59:43 PM Consideration of a Zone Change Application by Larry Green, L.L. Greens, for an amendment to the City of Hailey Zoning District Map, Section 17.05.020. The proposed changes include amending Lot 1, Block 2, Northridge X from Limited Business (LB) to Business (B), and Lot 1, Block 27, Northridge IX from Limited Residential (LR-1) to General Residential (GR). This project will be heard concurrently with a Preliminary Plat Application. ACTION ITEM.

6:00:43 PM Horowitz provided summarized history of project from 2017 to present. Horowitz introduced applicant team. Horowitz turned floor to applicant. 6:02:08 PM Samantha Stahlnecker, Galena Engineering, introduced herself and that she is representing LL Greens and Mark Caplow. Stahlnecker provided an overview of the zoning of Hailey and current zoning of project site, explaining zoning layout. Stahlnecker explained existing and proposed zoning. 6:06:05 PM Stahlnecker discussed the differences in zoning, and that the applicant is willing to reduce the building height from 35’ to 30’. Stahlnecker provided a potential concept site plan, noting this project will come back for design review. 6:08:15 PM Stahlnecker pointed if zone change is approved, would leave only 1 section within the city where business zone abuts lower density zone LR 1. Stahlnecker explained why best to have transition from high density use to lower density use. 6:09:51 PM Stahlnecker discussed the comprehensive plan analysis and how this project complies – allows for commercial/retail and higher density residential adjacent to the core and recreational facilities, protects residential character and scale of the original townsite and historic downtown and main street corridor, and community activity areas- high density residential is encouraged noting close location to school and multi-use pathway. Stahlnecker noted there is an additional 12 units could be generated, and applicant is happy to provide traffic memo and provide documentation that would not affect water pressure of Northridge. Stahlnecker summarized project and items she discussed. Stahlnecker explained that this would
not be the only time a citizen would have time to speak out if a multifamily unit would be proposed.

6:14:53 PM Stahlnecker moved to discuss the subdivision application, stated there are two lots proposed explaining location of parcel. Stahlnecker explained parcel proposed for rezone is not part of the subdivision. Stahlnecker stated LL Greens would be building their store on Lot 1A, discussing sidewalk and pathway location and sizes – feels 7’ would be appropriate along Main Street (Sidewalk) and 8’ along McKercher (Pathway). 6:18:35 PM Stahlnecker asked for clarification on condition 9, year round maintenance, on what that would entails. 6:19:40 PM Stahlnecker discussed changes to existing and proposed easements. Stahlnecker explained both locations requesting to have easements partially or fully vacated, not aware of utilities in either easement. Stahlnecker went on to discuss required 25’ setbacks. Stahlnecker explained Lot 1A would be accessed by the easement along Lot 1B, easement is fully located on Lot 1A. Stahlnecker went on discussed easements on Lot 1B and noting existing easement along Northridge parcel abutting the property that is also 16’ wide. 6:26:04 PM Stahlnecker summarized presentation and asked if there were questions.

6:26:19 PM Horowitz concurs with a lot of what Stahlnecker explained regarding the zoning. Horowitz noted that while the street may be not designated as a school route in the mobility code, when this project comes through for design review a minimum sidewalk width of 10’ is required. Horowitz stated would be requiring sidewalk and pathway to be 10’. Horowitz agrees good to have the LL Greens building in the corner, if had to meet the setback would not see the building tucked back in the corner.

6:28:26 PM Chair Fugate would like to hear from public works as well.

6:28:36 PM Pogue has no questions at this time.

6:28:51 PM Smith asked if the 16’ easement continues along all of McKercher. Staff does not believe it does, but will double check. Horowitz noted applicant would need to have permission from other property owners on Block 2, Northridge 10 before could proceed.

6:30:18 PM Stone clarified Lot 1A would become LL Greens Hardware, Lot 1B would be mixed use? Horowitz explained Lot 1B would be zoned for business but would be vacant at this time. Stone asked why wanted Lot 1B changed to business zoning. Stahlnecker explained business zone is more flexible and thought that two business zones would complement each other.

6:32:29 PM Chair Fugate has no questions at this time.

6:33:17 PM Chair Fugate opened public comment.

6:33:41 PM Martha Bibb, 810 CD Olena Drive, very much in favor of putting the LL Green Hardware store, going to work well and think it’s a great location. Bibb is concerned about the elevation across from the facility, suggest that the current setback be maintained on that side since it is facing an assisted living facility.

6:34:48 PM Rebecca Deshields, 2nd Ave N, concerned about how tall the building is going to be – is it going to be 1 or 2 stories. She was confused on the 2nd portion of Lot 1 Block 27, that it is going to be more condensed general residential zone, but the last portion was basic business.
6:36:11 PM Mary Ann Brown, Northridge, she too was confused about the 2nd lot thought were talking about making less dense. Brown asked what does unit mean? Brown is in favor of the 30’ and concerned about traffic on McKercher, there is not a turn lane. Brown stated not sure when talking about easement if affects traffic turning. Brown is concerned about night time lighting, that would affect the whole neighborhood. Brown asked what would be allowed on the 2nd lot.

6:38:02 PM Katie Craig, lives across the street, concerned about the noise and traffic on McKercher. Traffic is already very busy. Craig is also wandering the vibrant business proposal is, requesting it be clarified.

6:39:20 PM Jason Shear, Northridge, thinks this plan is a great improvement over the last plan. Shear thinks there are two things to consider – what does the entrance to our community look like from the North and housing. Shear stated LL Greens is an amazing store but that belongs on Main Street, that this is a residential neighborhood. Shear stated LL Greens should not be drawing traffic into this type of area. Shear stated being asked for rezone for residential without a residential plan, that this rezone is premature. Shear stated the neighborhood does need to transition to Main Street. Shear stated need more homes but the last plan proposed storage units and single bedroom apartments and next to the middle school need homes for apartments where a family can have children – need two-bedroom apartments or small affordable homes with some transition between the two before decided to rezone need to see the plan. Shear stated let’s extend the main street charm as far north as can but let’s do it on Main Street without inviting traffic into a residential area with small children.

6:42:12 PM Robert Hogan, Shear is his neighbor, agrees with Shears comments, thinks LL Greens is a fantastic business and all in favor of that being at the north entrance agree would be ideal if could have access off Main Street. Hogan is concerned that developers are trying to take a difficult lot and maximize development. Hogan stated last plan was 49-50 units and now being asked to consider rezone with undetermined number of units. Hogan stated seems they do not know what they want to do with the lot but get maximum density possible. Hogan stated he is adamantly opposed to what would decrease value of the neighborhood. Hogan stated there are bunch of kids and cars in the morning. Hogan is very opposed to anything that is not well thought out and planned, and cohesive with the neighborhood.

6:44:58 PM Gretchen Bass, Cranbrook Drive, as understand it Lot 1A will be LL Greens, and Lot 1B left vacant. Bass believes should to not change the zone of 1B until have a business plan.

6:45:44 PM Janet Zimmerman, concur with everyone else, LL Greens is great entrance of Main Street preferred, not bringing traffic down McKercher. Has same concern on the 2nd section, not putting so many homes in that area have it more thought through and come up with a fair plan and then make decisions that way. Think if say great and throw hands up on the 2nd lot that that is careless.

6:47:04 PM Steven Dodd, neighbor, agrees with above comments, feel like should have a firmer plan for the residential zoning prior to presenting and supporting the rezone.

6:48:00 PM Renz Frankhanel, 442 W Winterberry Loop, thinks comments were well presented and agrees. Frankhanel thinks LL Greens building is a good idea but no other zoning should be changed, does not care what the rest of the town is zoned, would not have purchased his him if it wasn’t Limited Residential. Frankhanel does not think any other lots off LL Greens should be changed at this time or anytime soon.

6:49:18 PM Breanna Dodd, second Frankhanel comments, only need to be rezone lot 1A does not need to rezone anything else that does not need to rezone lot 1B.
Larry Green, commended Stahlnecker on her presentation, thought she did an excellent job bringing out all the important details. Appreciates that she brought out this is not the final venue of deciding what goes on this property and that the zoning is consistent with the city. Green stated when something is ready to be built there, there is a whole other conversation for that. Green thinks it is important to bring the business down to McKercher and GR as a buffer between that and LR 1. Green thanked Stahlnecker for a good job.

Chair Fugate closed public comment.

Chair Fugate called a break until 7:00 PM. All agreed.

Chair Fugate called meeting back to order.

Stahlnecker explained that there are two different parcels – Parcel on corner of Main Street and McKercher and Parcel along N 2nd Ave. Stahlnecker explained the 1st parcel is the one proposed to be subdivided and would be zoned business. The 2nd parcel is proposed to be rezoned general residential but there is no subdivision proposed. Stahlnecker explained reason for subdivision and rezone – to encourage like use. Stahlnecker stated there are only two applications under review, and that in the near future a design review application will be submitted. Stahlnecker explained the vehicular access, lighting, height etc., will be reviewed with the design review. Stahlnecker explained there will be opportunity for future comment, this is not the last time will see this property. Stahlnecker explained why feel these applications are important, going on to discuss the transition of zones from business, to general residential to limited residential. Stahlnecker stated reason access proposed on McKercher is because the frontage is too short per ITD requirements, that further discussion of access can be discussed in the Design Review.

Stahlnecker thanked the public for their comments.

Horowitz stated staff has no additional comments, Stahlnecker answered all questions.

Pogue thinks the residential portion needs to be reviewed further, depending on how its laid out, what’s going to be built, etc. Pogue thinks it is important the applicant has agreed to 30’ height, to check the water pressure and traffic. Pogue agrees with the public comment on shortage of housing, needs to understand more fully what could be built on the parcel and need a plan for that property in order to approve it. Pogue stated as far as LL Greens, thinks this is a great opportunity for them. Pogue thinks staff is right to require the 10’ sidewalk. Pogue thinks the other items – traffic by LL Greens will come before them after zoning. Pogue asked staff, if parcel behind LL Greens if approved what is the difference in height. Horowitz confirmed in Business, could go to 40’ with residential unit. Horowitz stated would like to provide a detailed analysis of LR vs. GR. Pogue would hate to hold up the applicant and would have a hard time describing what retail will look like in the future.

Smith thanked the public for attending. Smith thinks given the plan, the entrance to the city will be enhanced and thinks business on vacant lot tied to LL Green will be a benefit. Smith stated Main St. was zoned Business, escapes him why this was zoned LB. Smith expressed concern of spot zoning if just changed Lot 1A to Business and Lot 1B stayed limited business. Smith thinks this is a much better plan than what saw last time. Smith thinks could fully support going to business on Lot 1A and 1B, that there would be an opportunity for public comment in future. Smith discussed benefit of transition from Business zone to GR to LR. Smith stated lighting, traffic, etc. would be addressed when plan submitted for the business. Smith would be interested to hear what the easements are doing, does think should be eliminated unless there is some plan or expectation in place. Smith summarized would support project.
7:19:41 PM Stone asked that unit be defined. Horowitz explained a unit could mean a number of things—single family, duplex, triplex, fourplex. Stone asked if looked at need for turn lane coming from Main St onto McKercher. Stahlnecker explained coming from the South going northbound could hypothetically be in the right lane turning right. Stahlnecker noted the two lanes immediately merge after the intersection. Stahlnecker summarized layout of existing turn lanes from the north going to the south, and from McKercher onto Main St. Stone asked if LL Greens had discussed building height. Larry Green estimated building height at approximate 22’. Smith confirmed does not plan to exceed 30’. Green confirmed. Stone likes the idea and makes sense to him that business would take over Lot 1A and 1B. Stone agrees with Smith’s comments regarding easements, and Pogue’s comments on how it would be hard to predict what would go into Lot 1B. Stone does support increased density, but would need more information to feel more comfortable to move forward, additional information would include a report regarding water pressure in Northridge. Stone is not concerned with a traffic study, thinks know pretty well the traffic implication of what’s going to go there due to projects submitted in last 2 years. Stone thinks this is the right spot for LL Greens and does not want to hold it up further. Stone is uncomfortable going forward without a plan, that he wants to support density.

7:28:00 PM Chair Fugate stated she appreciates the public comment. Chair Fugate supports the business rezone and subdivision. Chair Fugate did have some concerns about the rezone but few things changed her mind—need for housing, applicants’ willingness to lower height to 30’, opportunity to review project at future time and does not see the larger homes being built there, and that it is a much nicer transition to LR 1. Chair Fugate believes access to LL Greens from Main is more hazardous and will not cause traffic further up on McKercher. Chair Fugate stated the water pressure could be a deal breaker, that is a negative impact. Chair Fugate thinks now is the time for sidewalks. Chair Fugate thinks may be ideal opportunity for not only locals but those visiting. Chair Fugate thinks would be important to check with public works regarding the easements—possible easement used for buffering. Chair Fugate does think GR makes sense.

7:34:39 PM Horowitz asked for clarification if moving forward or would like to discuss dates for a future hearing. Staff, applicant and commission discussed options and dates to continue hearing too. Stone asked if could approve the business and review the residential at future date. Caplow thanked commission and staff for their time. Caplow explained the homes and facility referred too tonight are developments he built. Caplow explained not looking at change of zoning on to lots—discussing business zoning on 1 lot that is also being proposed to be divided. Caplow summarized reason did this, is because they are trying to help Green get his store open and trying to do it in a community-based way.

7:41:23 PM Chair Fugate understands desire and design of neighbors being against the rezone without seeing something specific. Chair Fugate clarified it is not required for the applicant to provide a site plan for a rezone. Chair Fugate does not know why else would hold off on proceeding or not. Stone stated because of traffic study and water. Smith stated that could be addressed in the conditions. Chair Fugate agreed. Chair Fugate suggested to continue this hearing to 6/7 where will be presented the water and traffic information and could make a decision then. Smith thinks would expect the applicant to take care of any water issues that arise, and thinks that could be addressed as a condition. Smith stated the traffic going to LL Greens will be low impact on residents. As far as Smith is concerned, infill opportunity and providing additional housing for the community goes hand in hand with additional traffic and given the location, a lot of the residents in that area would be amendable to walking, biking, etc. to local businesses nearby. Smith does not see the water or traffic being a hold up in moving this ahead. 7:45:23 PM Horowitz suggested 3 new conditions 1) any water pressure issues shall be addressed subject to the satisfaction of the city engineer 2) building heights on GR zone parcel shall be limited to 30’. 3) applicant shall demonstrate to the satisfaction of the city engineer that level of service is not be impacted on
adjacent streets. Chair Fugate asked about easements and if could be addressed at Design Review. Horowitz suggested taking this in two parts.

7:47:03 PM Chair Fugate asked commission if they want to act on the Rezone tonight – Smith and Pogue, are in agreement to proceed with additions of conditions above and clarification on condition 9 and maintenance requirements. Stone does not believe have enough information to proceed with the rezoning of the 2nd location due to public concern. Chair Fugate asked Stone what he would like to see. Stone would like to see a water study and site plan for the GR parcel.

7:50:20 PM Chair Fugate asked staff to address easement conditions and year-round maintenance. Davis noted condition 9 in the subdivision that Smith would like to be addressed. Davis suggested amending condition to read as all easements shall be further reviewed and addressed by City Engineer prior to review of City Council. Chair Fugate asked where that leaves the conditions if someone was to make a motion.

7:53:09 PM Smith motioned to approve the Rezone by L.L. Greens, for an amendment to the City of Hailey Zoning District Map, Section 17.05.010. The proposed changes would rezone Lot 1, Block 2, Northridge X (21 E. McKercher Blvd) from Limited Business (LB) and Downtown Residential Overlay (DRO) to Business (B) and would remain within the Downtown Residential Overlay (DRO); and Lot 1, Block 27, Northridge IX from Limited Residential (LR-1) to General Residential (GR), finding that the changes are in accordance with the Comprehensive Plan, 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 uses are compatible with the surrounding area, and the proposed amendment will promote the public health, safety and general welfare. 7:54:55 PM Smith amended motion to include three conditions as stated by staff – water pressure, building height and level of service. Pogue seconded. Pogue, Smith, and Chair Fugate in Favor, Stone – Not in favor.

6:00:20 PM Consideration of a Preliminary Plat Application by Larry Green, L.L. Greens, represented by Galena Engineering, where Lot 1, Block 2, Northridge X (21 E. McKercher) is subdivided into 2 (2) lots, Lot 1A, 43,785 square feet and Lot 1B, 31,855 square feet. This project is located within the Limited Business (LB) and Downtown Residential Overlay (DRO) Zoning Districts. ACTION ITEM. Heard concurrently with PH 2.

Stahlnecker asked for clarification of maintenance, Horowitz explained it is expecting applicant to keep sidewalk clear. Green asked who would be liable. Simms stated it would be sorted in litigation, does not have an answer know. Smith asked if there is an ordinance requiring this. Simms explained this has been an ongoing requirement. Smith suggested rewording condition to reflect keep sidewalk clear.

8:02:33 PM Stone motioned to approve Preliminary Plat Application by Larry Green of L.L. Greens, represented by Galena Engineering, wherein Lot 1, Block 2, Northridge X (21 East McKercher) is subdivided into two (2) lots, Lot 1A, comprising of 43,785 square feet, and Lot 1B, comprising of 31,855 square feet, finding that the application meets all City Standards, and that Conditions (1) through (10) are met, as modified. Pogue seconded. All in favor.

Staff Reports and Discussion
SR 1 Discussion of current building activity, upcoming projects, and zoning code changes.
SR 2 Discussion of the next Planning and Zoning meeting: June 7, 2021
Horowitz summarized upcoming projects.

8:07:35 PM Scanlon motioned to adjourn. Pogue seconded. All in Favor.
Return to Agenda
Meeting Minutes  
HAILEY PLANNING & ZONING COMMISSION  
Monday, June 21, 2021  
In-Person and Virtual Meeting  
5:30 p.m.

From your computer, tablet or smartphone: https://www.gotomeet.me/CityofHaileyPZ  
Via One-touch dial in by phone: tel:+15713173122,,506287589#  

Present:
Commission: Owen Scanlon, Dustin Stone, Dan Smith, Richard Pogue, Janet Fugate  
Staff: Lisa Horowitz, Robyn Davis

5:30 PM Chair Fugate called to order.

5:30 PM Public Comment for items not on the agenda. No Comment.

Public Hearing

PH 1  5:31 PM Consideration of a Design Review Application for The Sage School at Quigley Farms, represented by Chip Maguire, for a new school consisting of a two-story barn, 8,779 square feet in size, three (3) classroom studios each 1,344 square feet and three (3) modular classroom units each 1,440 square feet, associated parking and open space, to be located at Lot 2, Block 15, Quigley Farm Subdivision, within the General Residential (GR) and Peri-Urban Agriculture Zoning Districts. ACTION ITEM.

Horowitz turned floor over to applicant team.

5:32 PM Chip Maguire, Hailey, introduced new development for Sage School in Quigley Farms. Maguire provided brief history of Quigley Farms and explaining location of project. Maguire stated the main building of the school will be the barn and that will also include 3 studios and 3 modular units. Maguire, using site plan, explained location of each building, parking and access points. Maguire stated have provided 83 regular parking spaces and 4 ADA parking spaces for a total of 87 parking spaces. Maguire noted flood plain boundary, going in detail regarding drainage of the property. Maguire discussed landscaping, activity field, and trails for student access. Maguire continued to summarize project drainage, site plan, and landscape features using plans submitted.

5:45 PM Scanlon asked Maguire to confirm the lot is flat. Maguire explained that when standing onsite it appears to be flat but that the grade changes from across the lot. Scanlon asked how really grading up/down hill. Maguire stated could add a drywell, that understands Scanlon’s point.

5:46 PM Maguire moved on to landscaping details, and floor plans of buildings. Maguire explained materials to be used while discussing floor plans for each building. Maguire pointed plan to include solar on the roof. Maguire continued discussing floor plans and materials to be used for each building.
5:51 PM Scanlon asked if the panels along the main windows slide over the glass. Maguire stated they do not, that they are fake explaining fixed due to egress requirements.

5:53 PM Smith suggested crossbucks on the barn doors to stay with barn look. Maguire continued to discuss exterior view of building.

5:54 PM Scanlon asked where the mechanical space is located. Maguire stated will be in crawl space. Scanlon asked where heat pumps are located. Maguire pointed out location of both heat pumps. Scanlon asked where equipment for elevator is located. Maguire explained using a lift style elevator that only requires 3’ in crawl space to accommodate it. Maguire continued to explain materials to be used for exterior of building.

5:56 PM Scanlon asked if using asphalt shingles. Maguire confirmed. Scanlon and Maguire discussed pitch and use of black shingles. Maguire explained locations for gutters and downspouts. Maguire confirmed gutters and downspouts will be black.

5:58 PM Scanlon and Maguire discussed location and use of condensers in the barn. Maguire went on to discuss layout and materials for the remaining buildings.

6:06 PM Scanlon is concerned about the grading, asked what the slope of the connecting sidewalk is. Scanlon suggested sidewalk configuration may need to be different. Maguire understands concern, and agrees will need to watch that. Scanlon recommended applicant consider where should place the gear for the solar connections. Scanlon complimented applicant and plan.

6:10 PM Stone asked if there is going to be a fence along the south side. Maguire stated fence will only be in place during construction. Stone asked if there is a concern about the solar panels allowing for snow to slide more. Maguire explained reviewing exact location for solar panels installation with John Reuter.

6:11 PM Smith stated in reviewing conditional uses for schools, noticed had tree canopy requirements listed, believes there is going to be maintenance involved to meet these requirements and may need to connect with staff to revisit. Smith complimented project. Smith asked about coloring on modulars. Maguire stated there is a slight difference between modulars and studio units. Smith and Maguire discussed coloring proposed with Smith suggesting applicant consider a more cohesive color. Smith agrees with Scanlon’s comments regarding drainage. Smith stated since going flush with the sidewalk, asked if going to have bump stops for parking spots. Maguire confirmed.

6:16 PM Pogue agrees with Smith and Scanlon, complimented project. Pogue does think there may be issues with snow run off. Pogue complimented how addressed drop off traffic for school.

6:18 PM Chair Fugate complimented project. Chair Fugate reiterated importance of drainage and snow shedding issues being addressed. Chair Fugate asked about comment about future housing commitment. Maguire explained applicant is open to discussion but would be difficult to commit to housing as a condition. Chair Fugate agrees if housing were to be there, it should be for employees of the school. Chair Fugate asked if that were to come up later, how it would work. Horowitz stated fine with removing it as a condition of removal, that she explained to applicant that every project coming will have the discussion of housing. Horowitz explained she just wanted to raise the issue of housing. Stone asked if it would require stipulation changes if came back later for housing. Horowitz does not believe it will. Chair
Fugate asked if there are summer programs or just regular school year. Maguire stated it is just a regular school year but is up to board and school if open for summer time. Chair Fugate recommended having some type of charging station.

6:26 PM Stone asked approximate timeline. Maguire summarized proposed timeline for project, starting with 3 studios first, then barn in October and modulars in May.

6:27 PM Chair Fugate opened public comment.

6:27 PM Elizabeth Jefferies, North 3rd, excited for this project. She lives in house with west facing big windows, they had to build exterior shutters even for spring due to how hot they are. Jefferies encourages using barn doors. Jefferies stated Dean developed drainage process on their really steep slope. Jefferies does not see pollinator beds or gardening options for the kids, but maybe using Bloom. Jefferies asked if able to get funding for EV chargers funding through the granting process. Jefferies is excited.

6:30 PM Chair Fugate closed public comment.

6:30 PM Maguire stated the multi-use path within the easement is listed as a condition, Maguire explained The Sage School does not have control of that easement as it is part of Quigley Farms Easement. Horowitz believes so long as there are sidewalks going along the streets of Quigley or a safe way for pedestrian traffic going through Quigley to the school that does not need to be a condition. Horowitz will amend that condition.

6:32 PM Commission and Staff discuss conditions of approval and edits needed. All in agreement of amended conditions.

6:38 PM Smith motioned to approve the Design Review Application for The Sage School, represented by Chip Maguire, a new school consisting of a two-story barn, 8,779 square feet in size, three (3) classroom studios each 1,344 square feet and three (3) modular classroom units each 1,440 square feet, to be located at Lot 2, Block 15, Quigley Farm Subdivision, within the General Residential (GR) and Peri-Urban Agriculture (PA) Zoning Districts, finding that the project does not jeopardize the health, safety or welfare of the public and the project conforms to the applicable specifications outlined in the Design Review Guidelines, applicable requirements of the Hailey Municipal Code, Title 18, and City Standards, provided conditions (a) through (l) are met, as amended. Pogue seconded. All In Favor.

Staff Reports and Discussion

SR 1 Discussion of current building activity, upcoming projects, and zoning code changes.
SR 2 Discussion of the next Planning and Zoning meeting: July 19, 2021
- DIF Comp Plan Amendment
- PP: Old Cutters Townhomes
- PP: Poca Lena
- PP: Starlight Serenade

Horowitz summarized upcoming meeting.

6:44 PM Scanlon motioned to adjourn. Smith seconded. All in Favor.
Return to Agenda
Meeting Minutes
HAILEY PLANNING & ZONING COMMISSION
Monday, July 19, 2021
In-Person and Virtual Meeting
5:30 p.m.

From your computer, tablet or smartphone: https://www.gotomeet.me/CityofHaileyPZ
Via One-touch dial in by phone: tel:+15713173122,,506287589#

Present
Commission: Dan Smith, Richard Pogue, Dustin Stone, Owen Scanlon, Janet Fugate
Staff: Lisa Horowitz, Robyn Davis, Jessica Parker

5:30:24 PM Chair Fugate called to order.

5:30:35 PM Public Comment for items not on the agenda. No comment.

5:31:01 PM Consent Agenda
CA 1 Adoption of Findings of Fact, Conclusions of Law and Decision of a Design Review Application for The Sage School at Quigley Farms, represented by Chip Maguire, for a new school consisting of a two-story barn, 8,779 square feet in size, three (3) classroom studios each 1,344 square feet and three (3) modular classroom units each 1,440 square feet, associated parking and open space, to be located at Lot 2, Block 15, Quigley Farm Subdivision, within the General Residential (GR) and Peri-Urban Agriculture Zoning Districts. ACTION ITEM.

CA 2 Adoption of Meeting Minutes dated May 3, 2021. ACTION ITEM.

Smith recused himself from CA 2 as he was not in attendance for that meeting.

5:31:19 PM Smith motioned to approve CA 1. Pogue seconded. All in Favor.


Public Hearing

5:32:22 PM Horowitz requested to hear PH 2 first, as 1, 3 and 4 are all the same applicant team. Commissioners all agreed

PH 1 5:43:09 PM Consideration of a Preliminary Plat Application by Old Cutters Inc., represented by Galena Engineering, wherein Lot 3, Block 11, Old Cutters Subdivision (1120 E. Myrtle Street) is subdivided into two (2) sublots, Sublot 1 is 7,845 square feet in size, and Sublot 2 is 7,721 square feet in size. This project is located within the General Residential (GR) Zoning District. This project is known as Starlight Serenade Subdivision. ACTION ITEM.
Robyn Davis introduced project, summarizing similar to PH 2 just heard. Mark Philips, Galena Engineering, no comments fairly straightforward project like last one just heard.

Pogue asked if these are townhomes being built on these properties. Horowitz stated has the choice can be detached or attached.

Smith asked about 4’ wide snow easement, if that was specific to Old Cutters. Philips stated that was part of the original plat, that some of the snow storage would be in the right of way.

Stone confirmed this was platted for a duplex but now cutting in half to put two single family homes on it. Davis explained can have separate structures or attached structures that in either situation would still subdivide the lot.

Smith asked about 4’ wide snow easement, if that was specific to Old Cutters. Philips stated that was part of the original plat, that some of the snow storage would be in the right of way.

Chair Fugate opened public comment.

Chair Fugate closed public comment.

No further comment from Pogue or Smith.

Stone asked if the city has any concerns about snow storage. Horowitz is not aware of any concerns. Stone asked the width of the right of way. Smith provided Stone drawing in Staff Report that shows it is 4’. No further comments.

Scanlon has no comments.

Stone motion to approve the Preliminary Plat Application by Old Cutters Inc., represented by Galena Engineering, wherein Lot 3, Block 11, Old Cutters Subdivision (1120 East Myrtle Street) is subdivided into two (2) sublots, Sublot 1 and Sublot 2, and is located within the General Residential (GR) Zoning District, finding that the application meets all City Standards, and that Conditions (1) through (10) are met. Smith seconded. All in Favor.

Consideration of a Preliminary Plat Application by Oscar Hildago, represented by Alpine Enterprises Inc., wherein Sonitalena Cottages Future Sublots is subdivided into two (2) sublots, Sublot 1 is 8,528 square feet in size, and Sublot 2 is 8,527 square feet in size. This project is located within the General Residential (GR) Zoning District. This project is known as Old Cutters Townhomes. ACTION ITEM.
Horowitz introduced project, explaining this was a duplex lot that was anticipated. Horowitz explained this was part of the Sonitalena Cottages. Bruce Smith introduced himself and summarized how will be addressing all conditions and will have those ready for City Council.

No questions from Pogue, Smith, Stone or Scanlon.

Chair Fugate asked why the water lines were placed half the size they were expected to be. Horowitz explained one connection was inadvertently left out and is now falling on this project to install. Chair Fugate has no further questions.

Chair Fugate opened public comment.

Joel Bostrum, 530 Docs Hickory, has vague recollection when this was originally planned that there was going to be a provision for open space. Is there anything in this request that conflicts for that?

Chair Fugate closed public comment.

Horowitz recalls something about open space on another parcel, but has not found anything to do with open space regarding this parcel.

No further comment from Pogue.

No further questions from Smith.

Stone confirmed all conditions brought up have been covered by conditions in report. Stone confirmed applicant is ok with all conditions. Horowitz confirmed as she understands. No further comment from Stone.

Scanlon asked if assured of snow storage space. Horowitz feels comfortable with the size that there will be enough space. No further comments.

Scanlon motion to approve the Preliminary Plat Application by Oscar Hildago, represented by Alpine Enterprises Inc., wherein Sonitalena Cottages Future Sublots is subdivided into two (2) sublots, Sublot 1 is 8,528 square feet in size, and Sublot 2 is 8,527 square feet in size, and is located within the General Residential (GR) Zoning District, finding that the application meets all City Standards, and that Conditions (1) through (12) are met. Pogue seconded. All in Favor.

Consideration of a Preliminary Plat Application by Old Cutters Inc., represented by Galena Engineering, wherein Lot 15, Block 6, Old Cutters Subdivision (611 Little Lena Dr.) is subdivided into two (2) sublots, Sublot 1 is 5,008 square feet in size, and Sublot 2 is 5,007 square feet in size. This project is located within the General Residential (GR) Zoning District. This project is known as Poco Lena Subdivision. ACTION ITEM.
5:55:44 PM Davis introduced project, stating this is similar as the last two projects heard tonight. Mark Philips, Galena Engineering, is available for questions.

5:55:58 PM No questions from Pogue, Smith, Stone, or Scanlon.

5:56:16 PM Chair Fugate opened public comment.

5:56:41 PM Chair Fugate closed public comment.

5:56:49 PM No further comments from Pogue, Smith, Stone, or Scanlon.

5:57:31 PM Pogue motion to approve the Preliminary Plat Application by Old Cutters Inc., represented by Galena Engineering, wherein Lot 15, Block 6, Old Cutters Subdivision (611 Little Lena Drive) is subdivided into two (2) sublots, Sublot 1 and Sublot 2, and is located within the General Residential (GR) Zoning District, finding that the application meets all City Standards, and that Conditions (1) through (10) are met. Scanlon seconded. All in Favor.

PH 4 5:58:26 PM Consideration of a Design Review Application by Kilgore Properties, LLC, for construction of Sweetwater Townhomes to be located at Block 5, Sweetwater P.U.D. Subdivision. This project consists of fourteen (14), three-story townhomes (28 units in total). Each unit is 1,830 square feet and the project will consist of two (2) phases of development. This property is subject to a P.U.D. Development Agreement dated January 10, 2005 and Amendments to the Development Agreement dated December 12, 2009, December 20, 2010 and November 6, 2012. ACTION ITEM.

5:59:09 PM Davis introduced project stating another project for the Sweetwater team, this is proposed for block 5. Davis turned floor to Matt Watson. Watson explained as seen before these are the duplexes like has been doing along block 2. Watson stated will be doing this in two phases, two blocks on west side phase 1, last block on east will be phase 2. Watson stated will be proposing slightly different colors.

6:02:33 PM Pogue asked when saw previous phases, thought was going to include a place for kids prior to this phase. Watson explained has submitted a revised Design Review for Block 2. Horowitz confirmed will see this at a future meeting. Pogue does not like the muted colors; thinks should stay with previous colors.

6:04:04 PM Smith noted that it means to him a buffer should be required between this and the GR zone behind this project. Smith thinks may have some flexibility, but idea of no buffer seems a bit of overstep. Horowitz stated that was a good point, and the applicant could amend the Development Agreement. Smith would like to see some partial infill to help break this up. Smith went on to explain making some adjustments to the required buffer instead of ignoring it would be better.

6:07:00 PM Chair Fugate asked if that would take coordination with Balmoral. Horowitz stated no, they would be noticed and able to make public comment like normal. Chair Fugate stated if understood Smith comments, he was discussing adding trees intermingled with current ones on Balmoral. Smith confirmed that is correct. 6:07:46 PM Horowitz apologized misunderstood, if that is the case Balmoral would need to be involved.
Stone asked if the buffer is currently 0. Davis confirmed the Sweetwater team is not proposing a buffer along their property line. Davis provided site plan, showing the private road proposed along the property line. Stone asked if no vegetation plans for behind the buildings. Watson stated plans do not currently show any but could add some park mulch. Stone asked when plan on putting in the roads. Watson explained all roads would go in during phase 1, only a small section of Northern Lights would be left in Phase 2. Stone asked about tree committee recommendations. Watson summarized Tree Committee recommendations. Davis provided their memo for all to see on screen.

Scanlon asked about recreational amenities that will occur in phase 2. Watson explained this design review is for block 5, a separate design review for block 2 is set to be heard sometime in August that will include the amenities. Scanlon asked about timeline for the amenities. Watson stated the block 2 and Block 5 Phase 1 construction will be going on at the same time. Watson stated the amenities proposed in Block 2 is in addition to amenities required. Scanlon is not comfortable about approving without a color material board. Horowitz stated this could be continued and could be heard at same time as Block 5.

Chair Fugate asked if recalled correctly about Countryside traffic lanes being painted or clarified to assist with traffic. Watson stated the north part Countryside improvements are part of Block 2 and are currently working on that right now. Chair Fugate stated it is great that including sidewalks. Chair Fugate asked if there is any consideration to add charging stations in Sweetwater. Horowitz stated they could, but would want to think carefully on it to ensure it was being used.

Stone asked about the traffic control plan. Davis explained that is a boiler condition to all Sweetwater projects per request of Streets Department.

Chair Fugate opened public comment.

Mike McCue, resident of Sweetwater, very interested in development. Two points would like to raise, Snow storage. McCue would like the snow storage to be looked at to ensure sufficient storage. McCue stated the amenities will become an issue as more of these blocks come online.

Kelly Gant, resident of Sweetwater in newer unit, agrees with Scanlon about the recreation amenities. They are maxed out, that there is a difference between planning and reality. Also agrees with Smith, there should be some screening between the adjacent neighbors. Believes the developer has been lax in the landscaping and in pleasing landscaping with the new developments.

Paul Acerkbeck, project manager at Sweetwater for the existing 71 units. Having been at Sweetwater since 2006, definitely would like to see. Speaking on behalf of considerable amount of home owners as consider landscaping, colors, rooflines, when start looking at Block 5 as part of a development block that includes the original 71 units plus the 26 units being built, he would really like to see commission give really strong consideration that all of the units appear to be under one development. That will be sharing the same amenities, and current design is not apples to apples to existing units. Snow storage has always been an issue at Sweetwater as far as understanding how it is going to be accommodated. It became apparent early on with snow would have to be trucked offsite. In early 2007 it was proposed to use that corner for snow storage and a maintenance shed, fact of matter is snow storage has always been portrayed as something that is easy to accommodate between the buildings and fact of matter is all the areas between the buildings have pedestals and infrastructure at street side. When Block 2 has been proposed and when Mike Bradshaw the developer spoke with home owners and
board, he insisted parking in back of development would be accommodated by utilizing parking. He is not sure with what has recently been proposed with more ten plex condo units. Benefit to all if add amenities building and pool to that side of Shenandoah. 6:28:35 PM There is not enough snow storage, thinks Mike pointed out earlier. Not enough snow storage. As the development is built out there is just not going to be any storage. Phase 2 enabled them to push snow across only 1 City Street. As things look now it looks like almost all the snow will need to be trucked off site. Does not see any accommodation being made for the home owners to affordably move and store snow. 6:30:50 PM Believes one of the biggest expenditures the development and home owners will incur is the expense of how to get rid of snow. Thinks snow storage needs to be addressed for this and all other developments in the future.

6:33:52 PM Denise Zarubica, has lived here for 7 years, bought her Sweetwater home because it was the most beautiful place, she had ever seen and didn’t care that was right next to the airport with all the fumes and noise. That the buildings were built so beautifully and landscaping so charming. The best thing she ever did was buy her place there. She met the most beautiful people and hardworking staff. They are becoming impacted and are impacted by the amount of people who use the amenities. There are now 63 dogs that live on the property and are now using the park for the bathroom. The other day she was at the pool, and there were 14 kids in the pool. She tried to wait it out to see if she could get a small square to swim in and could not. Understands the additional units on Maple Leaf are part of their development, that’s her compromise and willing to accept that. Really believes developer needs to take into consideration he has 130-140 units coming in on Shenandoah and that has said was going to put a pool and clubhouse or some sort in and that said was going to put a pickleball court in on the countryside side. 6:36:24 PM Asked if wouldn’t children want another pool, another play area. Asking them to please take in consideration the impact that is going to have on all the people who have homes there.

6:37:27 PM Wes Aryes, president of Sweetwater HOA, most of his concerns have been brought up by fellow home owners. West summarized just wanted to reiterate what has been said about the amenities and snow storage.

6:39:17 PM Chair Fugate closed public comment.

6:39:38 PM Horowitz stated that the city is in a contractual arrangement with this development and staff will go back and pull the snow storage requirements. Horowitz thinks it is great developer is proposing additional amenities but does not know if commission can require it per the planned unit development. 6:41:40 PM Applicant stated that is why they have looked at other options and that they are trying to operate within the framework of what has been approved for.

6:42:00 PM Chair Fugate asked how many residents have currently and how many residents would Block 2 and 5 add. Watson stated Block 2, long parcel along the highway, will have 137 units. Block 5 north of Maple Leaf, has 28 units; B2 has 26 units and does not recall how many units in Block 3. Watson stated that they have 95 units less than what was approved has additional parking, and more open space. Watson stated they feel like their plan has been an improvement to the original plan.

6:45:10 PM Chair Fugate confirmed this is set to be continued, stated should include tree committee recommendations in the conditions of approval. Chair Fugate stated should discuss the buffer tonight and staff will research the snow storage for the next meeting. Horowitz suggested applicant may choose to apply for waiver on buffer, so may want to wait to discuss.
6:47:42 PM Pogue appreciates comments from tenants and homeowners in the community today. Pogue does think need to look at the snow storage and space between Balmoral and Block 5. Pogue complimented the developer on looking at more amenities. Horowitz stated cost is not something staff and commission is able to consider.

6:51:02 PM Smith stated it would be interesting to see the previous agreements regarding snow storage. Smith thanked public for coming and comments have been well received. Smith is interested in seeing the color boards. Smith would like to see some handicap parking delineated in the visitor parking areas. Smith stated roughly 2500 sq ft of Kentucky blue grass proposed, suggested may want to revisit choice of grass particularly given current situation. Smith suggested some xeriscaping. Smith stated comments from Tree Committee are well received, need to follow guideline for caliper of trees. Smith stated regarding amenities, sounds like made right decision and if have overcrowding amenities sell ability and profitably would be impacted. Smith complimented applicant on their willingness to look at the commission’s recommendation. Smith is interested to see the buffer applicant teams proposes.

6:55:04 PM Stone agrees would be nice to see color palates, does not have any problems with 18 months, agrees with snow storage issue and idea of less grass, Stone suggested mulch and dry scaping in area. Stone stated tends to want to support people who live in this area, represent high density area in Hailey. Stone stated if have to provide an extra pool or extra dog park would not be offended but understands within the agreement. Stone discussed buffer option along Balmoral.

6:58:11 PM Scanlon asked project manager if there was already infrastructure installed on that property. Bradshaw confirmed everything is in place and current applicant has incorporated it. Scanlon confirmed some of the infrastructure is being incorporated. Watson confirmed using all of the existing water main and using most of the existing sewer – that actually reducing some of the maintenance. Scanlon agrees with previous comments made by the other commissioners. Scanlon complimented applicant team on always being receptive and responsive. Scanlon thanked all for attending tonight’s hearing.

7:02:48 PM Chair Fugate thanked public for their comments. Chair Fugate is interested to see what the staff comes back with. Chair Fugate stated she also appreciates the developer, that they have been very responsive to request made and looks forward to hearing what comes at the next meeting. Chair Fugate stated she thinks it is a bonus that they are providing additional amenities than what’s required, and less units than previously approved for. Chair Fugate asked HOA president if could do odd/even days to help with the overcrowding problem.

7:06:52 PM Chair Fugate confirmed applicant is clear on what is needed at the next meeting. Watson confirmed and stated would work with staff.

7:08:12 PM Staff and applicant discussed hearing dates to be continued.

7:09:14 PM Smith motion to continue the public hearing to August 16, 2021. Pogue seconded. All in Favor.

Staff Reports and Discussion
SR 1 Discussion of current building activity, upcoming projects, and zoning code changes.
Discussion of the next Planning and Zoning meeting: **August 2, 2021**

- DIF Comp Plan Amendment
- DR: L.L. Greens
- Rezone: 910 N Main

**7:10:44 PM** Horowitz summarized upcoming hearing.

**7:12:04 PM** Scanlon motioned to adjourn. Smith seconded. All in Favor.
Return to Agenda
Meeting Minutes
HAILEY PLANNING & ZONING COMMISSION
Monday, November 1, 2021
In-Person and Virtual Meeting
5:30 p.m.

From your computer, tablet or smartphone: https://www.gotomeet.me/CityofHaileyPZ
Via One-touch dial in by phone: tel:+15713173122,,506287589#

Present
Commission: Dan Smith, Richard Pogue, Janet Fugate, Dustin Stone, Owen Scanlon
Staff: Lisa Horowitz, Robyn Davis, Chris Simms, Brian Yeager, Jessica Parker

5:30:05 PM Chair Fugate called to order.

5:30:16 PM Public Comment for items not on the agenda. No Comment.

5:30:50 PM Consent Agenda

CA 1 Adoption of Findings of Fact, Conclusions of Law and Decision of a Preliminary Plat Subdivision Application by Lena Cottages, LLC, represented by Alpine Enterprises, where Lot 9, Block 3, Old Cutters Subdivision is subdivided into seven (7) sublots. This project is located within the General Residential (GR) Zoning District. The preliminary plat on this property has expired; this plat is identical to the previously approved plat. ACTION ITEM.

CA 2 Adoption of Meeting Minutes dated October 18, 2021. ACTION ITEM.

CA 3 Adoption of Meeting Minutes dated August 2, 2021. ACTION ITEM.

CA 4 Adoption of Meeting Minutes dated June 7, 2021. ACTION ITEM.

CA 5 Adoption of Meeting Minutes dated May 13, 2021. ACTION ITEM.


5:32:45 PM Stone motioned to approve CA 3. Pogue seconded. All in Favor.


Public Hearing

PH 1 5:33:48 PM Consideration of a recommendation by the Hailey Planning and Zoning Commission of an Annexation Application from Jeff and Cindy Allred, to annex 702 N 3rd Avenue (Fr Nwne Tl
5977 Sec 9 2N 18E), comprising 0.50 acres into Hailey City Limits. Recommended zoning of the property is General Residential 1 (GR). **ACTION ITEM.**

**5:34:22 PM** Horowitz stated Allred’s will be calling in right now to attend virtually. Horowitz asked while waiting, if commission would like to discuss the second meeting in December – December 20, 2021. Scanlon will be absent that day. All agreed will play by ear.

**5:36:28 PM** Horowitz confirmed Jeff and Cindy Allred joined the meeting. Horowitz confirmed agenda item has been read, and asked applicant to summarize their request to the commission.

**5:37:20 PM** Jeff Allred stated their well ran dry on August 17th and requesting annexation as need water and not able to get a driller onsite for at least a year.

**5:37:58 PM** Horowitz asked Yeager if he had any comments to add.

**5:38:22 PM** Yeager asked if commission had any specific questions. Horowitz stated however he would like to proceed. Yeager summarized 13.04.030 mandatory hookup to city water and sewer. Yeager noted applicant would like to continue to use well services for irrigation.

**5:40:20 PM** Smith reviewed Section 13.04.160 (e). Such section prohibits well use or utilization of private water system at such times the municipal water service becomes available. Staff confirmed that Section 13.04.030 supersedes Section 13.04.160. Yeager agreed and went on to explain that the Council may grant the Applicant the utilization of private services for up to a period of five (5) years after annexation before hooking up to municipal services. This would be discussed thoroughly and decided upon by the Council.

**5:42:04 PM** Chair Fugate asked how applicant would use well for irrigation. J. Allred stated they are not sure if the well will recover; he listed situations that he suspects caused the well to run out. C. Allred explained if does not come back or in mean time would use City services. Chair Fugate asked for clarifications understood services would need to be disconnected.

**5:43:51 PM** Yeager stated his preference would be for services to be connected to city and would state that to City Council. Yeager went on to note that if Council decided to waive this requirement for a period of time, any component of the irrigation system that is not part of the city would need to be completely disconnected.

**5:44:24 PM** Stone asked why Yeager prefers irrigation to be connected to city water. Yeager provided reasons why have allowed certain properties to continue with well but that generally trying to avoid managing each property differently. Stone asked J. Allred if irrigating lawn or something else. J. Allred explained if allowed would use the irrigation to water the property.

**5:46:45 PM** Scanlon asked if have underground sprinkler system. J. Allred explained they do and it would need to be re-wired so that it is completely separate from the city services. Discussion continued regarding irrigation options.

**5:48:57 PM** Chair Fugate asked how they plan to irrigate this summer. J. Allred stated would use city water, explaining well would be disconnected from house. C. Allred explained due to no water lawn died and trees are stressed. C. Allred explained as soon as can will start watering trees. Yeager explained
before meter connection is done, would require a complete disconnect from the well. Yeager stated at no point in time can both systems be connected. Yeager explained inspection process.

5:52:28 PM Smith asked if well comes back, would applicant intend to connect underground system to well. J. Allred stated probably not. J. Allred went on to explain that sprinkler system would be off city water. Smith confirmed for future would only use well by feeding out of a frost-free hydrant to the property. J. Allred confirmed. Allred has no intention of hooking existing sprinkler system up to well.

5:54:10 PM Scanlon asked Yeager how long it would take to bring water to the applicant. Yeager explained the applicant will need to be responsible to locate their own contractor who under the city oversight would proceed with installation of infrastructure.

5:55:27 PM Horowitz asked if any comments regarding easement with school district. Yeager explained need written authorization from School District allowing for sewer and possibly water to cross their property. Scanlon asked if sewer and water would occur at same time. Yeager stated there has been discussion, but undecided at this time and still waiting on site plan from applicant.

5:57:56 PM Horowitz pulled project location up on GIS showing aerial view of property and noting location of school district property.

5:58:40 PM Smith referred to condition 7, expressing concerns for access as plans for school district property is unknown. Smith suggested the easement dedication take place on the BSCD property and the existing property currently being discussed. Horowitz agreed. C. Allred stated is unsure why school district is involved with them connecting to city services. C. Allred stated will not give property away to school district, that they can approach them later.

6:00:53 PM Chair Fugate stated believes all commissioners are sympathetic to their situation but their job is to look at the large picture. C. Allred explained happier to work with people down the road if they want to purchase their land for access.

6:02:33 PM Horowitz provided map zoning map showing city vs. county property, explaining Allred’s and School district property next to them are county property.

6:03:30 PM J. Allred stated if look at city streets, 3rd is cut off and 1st and 2nd were shifted. C. Allred stated does not want to kill trees for encroachment.

6:04:29 PM Scanlon asked Smith for clarification on his suggestion. Smith explained his assumption would be that would want to see 3rd St widened out for access if school district property behind them developed. Smith thinks want to make sure access is available now. Scanlon asked if 60’ is the narrowest street the city permits. Horowitz confirmed. Chair Fugate asked if the 30’ road is actually an easement. Horowitz confirmed.

6:07:04 PM Chair Fugate opened public comment.

6:07:34 PM Chair Fugate closed public comment.

6:07:41 PM Chair Fugate asked if Simms has any input. Simms agreed with Yeager’s comments regarding conformity. Simms encouraged Commission to exercise discretion with regard to conformity and make a recommendation to Council based on discretionary decisions.
Chair Fugate stated to take one thing at a time, starting with the well.

Smith is more comfortable with idea of well for irrigation after applicants’ explanation and Yeager’s explanation – eliminate individual properties having private wells. Smith explained going forward should at least try to adhere to language Section 13.040.160 (e). Chair Fugate asked Simms if within their discretion to limit that less than 5 years. Simms confirmed.

Pogue agrees with Smiths comments. Pogue does not think should allow wells on city property if can avoid it in the future. Pogue stated this one exists and could work around it for benefit of owner and city. Char Fugate asked thoughts on limiting to 2 years. Pogue doubts this well would come back in 2 years due to drought. Pogue agrees should limit unconformity longer.

Stone agrees with Smith, expressing concern for surrounding property wells within county. Stone thinks 2-3 years.

Scanlon would like to enable these people to get water as soon as possible. He does not have a strong feeling if capped the time frame or if went with 5 years. Scanlon asked Yeager if the white church on North West end of Hailey is on city services. Staff confirmed on a well. Neither Horowitz nor Yeager have heard any issues with the well at the school district.

Chair Fugate agrees important to get the applicant water, she understands Yeager’s concern and why wants to shorten that period. Chair Fugate thinks it is important to keep the time frame down. Chair Fugate asked commission if they are good with 2 years. Commission and staff agreed to limit to 3 years.

Chair Fugate confirmed changing condition 2 to 3 years, confirmed been given time for wastewater.

Horowitz stated now down to condition 7. Horowitz explained complications if connected via 4th. Smith noted the school district also owns 700 N 4th. Horowitz confirmed, have approximately 20’ frontage to 4th.

Stone asked what kind of freedom the school district has to utilize that land. Horowitz believes they have quite bit, that currently the existing easement is used regularly for middle school drop off.

Horowitz suggested could add “change of ownership” in addition, commission all agreed should add either way. Smith explained why believes should gain access to allow for whatever is developed in the future.

Stone feels utilizing a portion of Allred’s land for future services seems premature; Stone would like to revisit such idea when area redevelops.

Horowitz stated could consider requiring the Allred’s to deed the property now but allow it to remain behind the fence for now until such a time it is needed. Discussion continued.

C. Allred stated the 30’ easement is for fire access to the apartments; it was never meant to be used to get to the school and should have been gated off. C. Allred expressed concerns of traffic use
on the easement. J. Allred added that as he sees it because his well ran dry looking at 20,000 plus to get connected and now the city is requesting them to give them land, he does not seem this is fair.

6:29:04 PM Simms expanded on Horowitz suggestion and that now would be the time to do so, if so choose to proceed with deeding property but allowing to stay behind the fence for the time being.

6:29:49 PM Scanlon believes Simms suggestion is the only compromise has right now. Scanlon believes if proceed should also require the same thing from the school district. Chair Fugate agrees and that needs to be noted somewhere. Horowitz confirmed would be reflected in the Findings of this project.

6:31:10 PM Simms added that do have option to play with annexation fee and property being deeded. C. Allred stated does not feel annexation fee is enough. Horowitz stated commission should amend condition 7 as they see fit to recommend to City Council.

6:32:51 PM Stone asked for clarification on condition 7. Davis explained what the commission means.

6:33:31 PM Horowitz suggested could recommend to council to discuss the matter. Chair Fugate believes should lay out all options. Stone is comfortable making a recommendation now by changing 7 to include if changing hands.

6:35:55 PM Scanlon asked if the 10’ is located within the 30’. Horowitz explained it is separate, but that would not be able to build on the 10’ easement.

6:36:46 PM Chair Fugate asked if add change of ownership or if 706 N 3rd has redevelopment, annexation or substantial improvement condition 7. Scanlon asked Simms if allowed to do that. Simms believes that they can.

6:39:43 PM Stone confirmed change to condition 2.

6:39:57 PM Horowitz read condition 7 as amended - if redevelop, change of ownership or annexation of 706 N 3rd Ave said annexation shall take place.

6:41:07 PM J. Allred stated what may occur is they would shut the property down and........ C. Allred stated that is something that they and the school district need to discuss. Horowitz stated this is just a recommendation to City Council and agree the Allred’s and the School District need to have a conversation.

6:42:41 PM Chair Fugate asked if applicant does or does not want them to vote on the annexation. C. Allred said to follow through the process at this time.

6:43:47 PM Stone motion to recommend approval to the Hailey City Council an Application for Annexation from Jeff and Cindy Allred, to annex 702 North 3rd Avenue (Fr NWNE Tl 5977 Sec 9 2N 18E), comprising of 0.50 acres, into Hailey City limits, finding that if the recommended conditions of approval, conditions 1-7, as amended, are met, the proposed annexation will be harmonious and in accordance with specific goals and policies of applicable components of the Hailey Comprehensive Plan, and the proposed annexation generally complies with the Hailey Comprehensive Plan; the annexation will be in the best interests of the citizens of Hailey. Pogue seconded. All in favor.
Smith motion to recommend zoning for the annexed parcel at 702 North 3rd Avenue (Fr NWNE Tl 5977 Sec 9 2N 18E), comprising of 0.50 acres, as General Residential (GR), the proposed zoning is in accordance with the Comprehensive Plan; 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 uses are compatible with the surrounding area; and the proposed amendment will promote the public health, safety and general welfare. Pogue seconded. All in Favor.

Consideration of a City-initiated Text Amendment to the Hailey Municipal Code to Title 16: Subdivision Regulations, Chapter 16.03, Procedure, Section 16.03.020(D): Council Preliminary Plat Approval, Section 16.03.030(A), Time Limitations for Submittal of Final Plat, which extends the time limitation for submittal of Final Plat from one (1) calendar year to two (2) calendar years, Section 16.03.030(G): Conditions Imposed, Recording Time Limitation, which extends recordation of Final Plat from one (1) calendar year to two (2) calendar years, and Section 16.03.030(K): Security Required, which extends the timeline for required improvements from one (1) year to two (2) years. ACTION ITEM.

Davis explained when an applicant applies for preliminary plat, once approved by PZ and City council applicant/developer has 1 year limitation to apply for final plat. Davis explained staff is finding this to be not enough time, especially on larger developments and applicants are going to City Council with bonds. Davis stated other jurisdictions also have a 2 year limitation.

Chair Fugate opened public comment.

Chair Fugate closed public comment.

Smith asked why extend 2 years for recording. Davis stated to keep timelines consistent, that it is just a suggestion. Horowitz stated would not need to do that, as it is very rare.

Chair Fugate asked if there could be a situation that they would not be able to record after final plat. Horowitz stated no.

Stone asked if there would be any reason to also include 16.3.010 (e) in change. Horowitz stated has not seen anything like this happen in last 7 years, and that thinks should leave it to avoid projects languishing around.

Scanlon stated on page 66 of ordinance top paragraph section A line 5 says 1 year.

Stone motion to recommend for approval of Ordinance No._______, an Ordinance amending the Hailey Municipal Code, Title 16: Subdivision Regulations, Chapter 16.03, Procedure, Section 16.03.020(D): Council Preliminary Plat Approval, and Section 16.03.030(A), Time Limitations for Submittal of Final Plat, which extends the time limitation for submittal of Final Plat from one (1) calendar year to two (2) calendar years, 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, and read by title only. Scanlon seconded. All in favor.

Staff Reports and Discussion
SR 1 Discussion of current building activity, upcoming projects, and zoning code changes.
SR 2 Discussion of the next Planning and Zoning meeting: **November 15, 2021.**

- PP River Street Townhomes
- DR River Street Townhomes

**6:56:35 PM** Horowitz stated staff is in the process of clean-up of code, asking commissioners to email any items have noticed that need fixing. Smith stated one thing that comes to find, thinks need to look at parking for larger units whether be based off bedroom numbers or square footage. Horowitz asked if could add to list but put further down. Chair Fugate asked about camping, Horowitz confirmed on the list as well.

**6:59:27 PM** Horowitz confirmed this project has received PUD approval.

**7:00:08 PM** Smith motioned to adjourn. Pogue seconded. All in Favor.
Return to Agenda
Meeting Minutes
HAILEY PLANNING & ZONING COMMISSION
Monday, January 3, 2022
In-Person and Virtual Meeting
5:30 p.m.

Present
Commission: Owen Scanlon, Dan Smith, Richard Pogue, Janet Fugate, Dustin Stone
Staff: Lisa Horowitz, Robyn Davis, Paige Nied, Chris Simms, Jessica Parker

5:30 PM Chair Fugate called to order.

Public Comment for items not on the agenda. No comment.

Consent Agenda

CA 1 Adoption of Findings of Fact, Conclusions of Law and Decision of a Design Review Application by Daniel Hoffman and Casey Hanrahan for a detached 300 square foot garage with a 308 square foot Accessory Dwelling Unit located above the garage. This project is located at Lot 17A, Block 51, Townsite (308 N 1st Ave) with in the General Residential (GR) and Townsite Overlay (TO) Zoning Districts. ACTION ITEM.

CA 2 Adoption of Findings of Fact, Conclusions of Law and Decision of a Planned Unit Development by Lido Equity Group Idaho North, LLC, represented by Michael McHugh of Pivot North Design, for twelve (12) apartment buildings ranging in two – three stories in height with a request for waivers and proposed benefits. The proposed project is located at Lots 1-14, Block 85, Parcel EE, Woodside Subdivision #24 and Lot 1, Block 67, Woodside Subdivision #18 (940 Winterhaven Drive) within the Limited Business (LB) Zoning District. The following waiver is requested:

1. Waiver to the maximum density permitted in the zone district to include a density bonus of nineteen (19) additional residential units of which twelve (12) units would be rent-restricted units at 100% of Area Median Income (“AMI”). The rent-restricted units will include a mix of 1-, 2- and 3-bedroom units.
2. Waiver to the maximum building height permitted in the zone district of thirty-five (35) feet to a maximum building height of thirty-eight (38) feet. ACTION ITEM.

CA 3 Adoption of Findings of Fact, Conclusions of Law and Decision of the Fourth amendment to the Planned Unit Development Agreement to Copper Ranch, LLC. Copper Ranch development agreements do not include completion dates. The 4th amendment would require the applicant to commence construction of a building on the foundation located at Copper Ranch Condo #1, Parcel A5, Phase 6 by September 1, 2022 or, in the alternative, to demolish the foundation and reseed the area where the foundation was located by October 31, 2022. ACTION ITEM.

5:31 PM Smith motioned to approve CA 1-CA 3. Pogue seconded. All in favor.

Public Hearing
5:31 PM Consideration of a Preliminary Plat Application by Michael Kraynick, represented by Alpine Enterprises, where Lot 1A, Block 60, Townsite (318 Spruce St) is subdivided into two (2) lots, Lot 1AA, comprising of 11,964 square feet, and Lot 1AAA, comprising of 8,010 square feet. This project is located within the Limited Residential (LR 1) and Townsite Overlay (TO) Zoning Districts. ACTION ITEM.

Davis turned floor to applicant team. Bruce Smith introduced himself and is available for survey questions. Smith turned floor to Michael Kraynick. Kraynick introduced himself and confirmed staff report was comprehensive, noting that the water and sewer services could be done at time the property is developed. Kraynick stated he does not have immediate plans to develop this lot. Kraynick believes the sidewalk in lieu fees were paid at the first lot line shift and that he also paid for sidewalks when he did the lot line adjustment when he moved across the street. Kraynick stated there has been a lot of sidewalks in lieu fees paid and that there are not sidewalks in the area. Kraynick referred to comment requiring access off alley only due to topography of lot, Kraynick imagines that if there was a remedy or proper design that could request access off 4th Avenue. Kraynick mentioned that the existing landscape features in the new lot have been existing for many years, from the original Broyles house. Kraynick stated on page 11 of staff report, there’s a fence in the public right of way and believes there was an encroachment permit that was applied for several years ago. Kraynick went on to discuss existing landscaping, asking for clarification on what staff is asking. Kraynick has no plans relocating existing garage shop that has been in place since 1910. Kraynick continued to go through staff report, confirming fine with conditions assuming they have not already been completed.

5:47 PM Chair Fugate asked if need to continue to complete research Kraynick’s requests. Davis was not able to locate any documents showing sidewalk in lieu payments or an encroachment permit for the fence. Davis confirmed with development of proposed lot 1AAA would require sidewalk in lieu payment. Davis stated public works did request access off alley. Smith added to clarify that it is vehicular access off the alley. Davis clarified regarding the landscaping comments where if the lot is redeveloped and she will clarify those comments. Davis stated regarding the garage shop, Public Works has requested an encroachment permit in case redevelopment is done on the parcel. Horowitz stated not able to record the plat until the water wastewater lines are in place.

5:51 PM Kraynick asked if could bond for the installation of the water wastewater. Horowitz stated staff has been discouraging bonds on small subdivisions. Kraynick expressed concern for placement. Horowitz stated the lines are stubbed at the center of the lot. Kraynick stated when he developed the lot across the street, it has an extra vault. Kraynick asked if could abandon that vault and use it. Davis confirmed can ask.

5:53 PM Chair Fugate confirmed clarifications to be made by staff.

5:54 PM Stone asked if need to clarify that the new lot would need to pay sidewalk in lieu fees and if the other lot is redeveloped further research would be needed and if no previous payment found would need to pay at that time. Stone asked from looking at drawing, does not see where the fence is encroaching. Bruce Smith explained where fence encroaches.

5:56 PM Scanlon asked about lot 1AA being able to be subdivided in the future, that needs to be clarified. Davis will correct in the staff report.

5:57 PM Chair Fugate opened public comment.

5:58 PM Chair Fugate closed public comment.

5:58 PM Chair Fugate confirmed no new conditions, just amended proposed conditions.
5:58 PM Smith motion to approve the Preliminary Plat Application by Michael Kraynick, represented by Alpine Enterprises, where Lot 1A, Block 60, Hailey Townsite (318 E. Spruce Street), is subdivided into two (2) lots, Lot 1AA, comprising of 11,964 square feet, and Lot 1AAA, comprising of 8,010 square feet, finding that the application meets all City Standards, and that Conditions (1) through (11), as amended, are met. Pogue seconded. All in Favor.

PH 2 5:59 PM Consideration of a Design Review Application by Lido Equity Group Idaho North, LLC, represented by Michael McHugh of Pivot North Design, for twelve (12) apartment buildings ranging in two to three stories in height for a total of 104 residential units on approximately 4.27 acres. The proposed project consists of twelve (12), 475 square feet micro one-bedroom units, forty (40), 680 square feet one-bedroom units, thirty-five (35), 850 square feet two-bedroom units, thirteen (13), 1,110 square feet three-bedroom units, and four (4), 1,504 square feet four-bedroom units. This project is known as Lido Apartment Homes. The proposed project is located at Lots 1-14, Block 85, Parcel EE, Woodside Subdivision #24 and Lot 1, Block 67, Woodside Subdivision #18 (940 Winterhaven Drive) within the Limited Business (LB) Zoning District. This project will be heard concurrently with a Planned Unit Development Application. ACTION ITEM.

Davis introduced project, summarized last hearing and changes requested. Davis turned floor over to applicant team. Michael McHugh introduced himself, confirmed no comments from civil and that will meet snow storage requirements. McHugh went on to discuss the landscape changes, noting an example has been shown for intermittent fencing and that he will work with Copper Ranch in more detail regarding the fencing. McHugh explained proposed landscaping to be used to help create screening/buffering and turf. McHugh noted new location of the third story building that was relocated from Copper Ranch side to Woodside Blvd side. McHugh noted these three three-story buildings are the ones requesting height waiver. McHugh noted other changes made, confirming still meets setbacks. McHugh moved to discuss onsite storage, that reclaiming wasted space but that did plan for a separate building for onsite storage. McHugh noted location of fire riser rooms. McHugh noted various pitches on building. McHugh explained feels bolder, steeper pitch is better architecturally and align more with the project. McHugh stated still in discussion with contractor regarding vents and downspouts. McHugh explained materials to be used. McHugh noted how side elevations changed with fire riser room.

6:16 PM Scanlon stated would like to see a colored rendering of what the roof pitch looks like. Scanlon stated applicant has done good job trying to meet requests of landscaping.

6:17 PM No comments from Stone.

6:17 PM Smith asked about range of size of the storage rooms. McHugh stated would call them cubbies or storage closets, but not rooms. McHugh listed various sizes, that on average about 2.5 x 3 feet. Smith asked if the Wood River Landscaping details been provided to applicant. Horowitz stated voluntary at this point. Smith did not follow why 62 of the trees were dropped off caliper size. Davis explained some are based off caliper some are based off height. Chair Fugate asked if adjustment to trees caliper sizes a condition was. Davis confirmed and that it will remain as a condition. Smith noted applicant does not show any trees over 12 ft tall. Davis stated happy to incorporate the trees back. Smith would like to see some larger, established trees at front end of project. Davis confirmed will modify the condition to include the larger trees. Smith thanked the applicant team in their responsiveness in following up on their recommendations. Smith asked Samantha Stahlnecker if there is no irrigation drop in play area due to proposed artificial turf. Stahlnecker explained has not fully vetted irrigation system, that will work with developers to ensure the needed irrigation is provided.
6:26 PM Pogue asked about the increase of building height to 40 feet. Stahlnecker changes to proposed sewer connections causing increase to finished grade which will increase overall building height as building height is measured from record grade. Stahlnecker stated now not changed building height itself. Pogue asked why measured from record vs. finished. Horowitz explained reason for measuring at record is due to projects berming up. Pogue complimented developer. Pogue suggested that the three-story buildings would be better in a lighter color.

6:29 PM Chair Fugate complimented applicant. Chair Fugate asked about parking lot lighting – she was not clear how many light poles are proposed and how tall they will be. McHugh explained he drew it out for general aesthetic, that he is not an electrical engineer. McHugh stated will have that clear prior to building permit submittal. Chair Fugate asked if there has been further discussion about the fruit trees. McHugh stated they are willing to work with the City Arborist’s recommendation. Davis stated City Arborist made recommendation that they replace fruit trees with ornamentals or maintain the sidewalk. McHugh confirmed that they would replace the fruiting pear trees, proposed along Woodside Boulevard, with non-fruit bearing trees; ornamental in nature.

6:35 PM Chair Fugate opened public comment.

6:35 PM Cindy Shearstone, asked about snow removal that was brought up before something about putting snow in parking spaces. That that would cut down on parking. Shearstone asked about the walkway path that was mentioned and that she is not seeing it on the plan now – asked which side of line the pathway will be on.

6:37 PM Chair Fugate closed public comment.

6:37 PM Jeffery Edwards, applicant, asked if Shearstone was referring to snow storage on Copper Ranch side. Shearstone stated referring to Lido’s side. McHugh explained blue areas on plan show proposed snow storage. McHugh does not believe there is snow storage in any parking spaces. Stahlnecker confirmed all snow storage is off of pedestrian and vehicular access ways, that if get to point will haul snow away. Stahlnecker went on to describe pathway location.

6:40 PM Chair Fugate asked Scanlon about colored rendering for roof pitch. Scanlon stated would like to see current rendering, in 2 dimensions in colored rendering. McHugh explained not changing pitch, keeping it at 6-12, otherwise would have to change building form. Scanlon is unsure if they have taken a fair look at the roof pitch. Scanlon suggested bulk of parking lighting could be handled with downlights mounted on the buildings vs. on poles.

6:42 PM Stone asked if normally place bike racks on plans, that it may be nice to have a place for bikes to be placed. McHugh confirmed will have bike parking adjacent to buildings. Stone asked if planning on 18 EV charging stations. McHugh confirmed, that will wire for 18 starting with 9. Edwards stated will have potential to put in as many as 84 in future. Stone asked Smith if talking about larger trees along Woodside. Smith stated in general. Chair Fugate confirmed that will be addressed in the condition s. Davis confirmed will augment. Stone asked about condition u)b. – Chair Fugate suggested striking u)b. all agreed.

6:47 PM No further comments from Smith, thanked applicant team.

6:47 PM Pogue believes changes to trees are appropriate, that would like to see 3-story buildings in lighter color. Chair Fugate agrees if there was some lighter color on the larger buildings would make a difference. No further comments from Pogue.
6:48 PM Chair Fugate is glad for the various changes discussed.
6:50 PM Pogue motion to approve the Design Review Application by Lido Equity Group Idaho North, LLC, represented by Pivot North Design, for twelve (12) apartment buildings ranging in two – three stories in height for a total of 104 residential units on approximately 4.27 acres, finding that the project does not jeopardize the health, safety or welfare of the public and the project conforms to the applicable specifications outlined in the Design Review Guidelines, applicable requirements of the Zoning Ordinance, Title 18, and City Standards, provided conditions (a) through (x), as modified, are met. Smith seconded, with caveat that recommendation of lighter color be reviewed by city. In Favor: Stone, Smith, Pogue and Fugate Opposed: Scanlon

PH 3 5:53 PM Consideration of a Design Review Application by Erin and Thomas Howland for a detached 420 square foot Accessory Dwelling Unit located above the existing detached garage. This project is located at Lots 13-16, Block 61, Townsite (302 E Myrtle Street) with in the Limited Residential 1 (LR 1) and Townsite Overlay (TO) Zoning Districts. ACTION ITEM.

Nied turned floor over to applicant. Erin Howland explained on structures existing on property. Howland summarized proposed changes for new ADU.

6:55 PM Scanlon would like ceiling heights to be investigated. Howland stated 61% of the living space is over 5ft. Howland and Scanlon continued to discuss ceiling height calculations.

6:56 PM Stone asked about ADU parking space. Howland stated have a large driveway that opens up in front of the garage, that does have parking.

6:57 PM Smith asked staff about north facing light, how that complies with dark sky. Horowitz stated within a certain wattage if the top is covered those lights are allowed. Horowitz confirmed will verify wattage complies. Howland explained a roof extension that will cover light and the entrance faces her home – faces interior property.

6:59 PM Pogue recommends applicant delignates ADU parking.

7:00 PM Chair Fugate opened public comment.

7:01 PM Chair Fugate closed public comment.

7:01 PM Scanlon appreciates what the applicant is doing – that there is a struggle with housing.

7:02 PM Stone questioned the exterior light and questioned how the proposed exterior lighting complies with the Dark Sky Ordinance. Stone also noted that that exterior light will be facing the Owner’s residence, and the Owner will be the one looking at it. Stone complimented ADU.

7:03 PM Smith is glad to see ADU movement catching on in the community. Smith recommends defining parking spot for ADU.

7:04 PM Pogue has no further comment, complimented applicant.

7:04 PM Chair Fugate agrees with comments made, complimented applicant.
7:04 PM Stone motioned to approve the Design Review Application by Erin and Thomas Howland for the renovation of a detached 840 square foot garage with a 420 square foot Accessory Dwelling Unit located above the garage. This project is located at Lots 13, 14, 15, 16; Block 61, Townsite (302 E Myrtle Street) within the Limited Residential 1 (LR-1) and Townsite Overlay (TO) Zoning Districts, finding that the project does not jeopardize the health, safety or welfare of the public and the project conforms to the applicable specifications outlined in the Design Review Guidelines, applicable requirements of the Zoning Title, and City Standards, provided conditions (a) through (k) are met. Smith seconded. All in Favor.

7:05 PM Chair Fugate called for 5-minute break.

7:10 PM Chair Fugate called meeting back to order.

**PH 4 7:10 PM** Consideration of a City-Initiated Text Amendment to the Hailey Municipal Code, Title 15, to add a new chapter, Chapter 15.20: Green Building Standards, and within that chapter to add a new section, Section 15.20.010 entitled Electric Vehicle Requirements, mandating electric vehicle ready service panels or subpanels within all new construction, including both residential and commercial. **ACTION ITEM.**

Nied introduced project explaining this is a two-part code amendment, this being the first part and second being electrical vehicle requirements. Nied explained cars are the dominant mode of transportation in this city. Nied explained EVs are the future, that the auto industry is making massive changes but there is a major gape in charging structures to service the new vehicles. Nied stated in having the wiring in place in new commercial and residential projects would in encourage people to use electric vehicles. Nied summarized similar code requirements within Idaho. Chair Fugate asked what the number one emission culprit is. Nied believe it is buildings. Horowitz offered to bring the study to commission to review. All commissioners are in agreement, would be interesting to see. Smith recommends looking at additional requirements that promote energy savings. Commission discussed high efficiency uses.

7:15 PM Stone questioned what this amendment would look like for multifamily apartments. Nied stated would like to discuss further. Staff stated would like to get commissioners input regarding multi-family, that tonight is about single-family residences.

7:17 PM Pogue asked if the ADU would require the EV spot as well as the new single family. Nied believes they should.

7:18 PM Scanlon agrees looks at both sides of the equation.

7:18 PM Chair Fugate believes may want more than one for commercial, maybe a minimum of 1. Commissioners discussed ideas- based off employees, review what other communities have done. Horowitz referred to page 2 of the staff report that has a table of what other communities have done. Commissioners and staff discussed multi-family and commercial requirements – noting requirements may need to be clarified based off types of units. 7:20 Nied explained differences between EV ready, EV capable, and EV installed. Horowitz suggested connecting with Idaho Power to verify if have adequate transformer capabilities. Smith would like to know what other cities in Blaine County are doing. Commission discussed potential issue if get further ahead then surrounding communities. Smith asked about utilization numbers for usage on EV charging station. Staff confirmed with do more research and bring back multifamily and commercial. Commission agrees to move forward with single family. Stone will connect with Idaho Power contact about potential for discount for developers. Discussion continued about various EV charging.
7:35 PM Chair Fugate opened public comment.

7:36 PM Chair Fugate closed public comment.

7:36 PM Staff confirmed moving forward with just single family.

7:36 PM Scanlon asked how to monitor or ensure that the station becomes a plug and is used. Staff will connect with other cities and come back.

7:39 PM Stone asked where in Title 15 it will state new construction or substantial improvements. Nied stated will be in within this section. Horowitz stated will need to amend this motion. Discussion ensued about substantial remodels.

7:50 PM Smith motioned to recommend for approval by the Hailey City Council Ordinance No._______, an Ordinance amending the Hailey Municipal Code, Title 15: Buildings and Construction, Chapter 15.20, Green Building Standards, Section 15.20.010: Electrical Vehicle Requirements, mandating new single-family, , and accessory dwelling, townhomes and substantial remodels to install EV ready infrastructure, 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. Stone seconded. All in Favor.

7:53 PM Consideration of a City-Initiated Text Amendment to the Hailey Municipal Code, Title 17: Zoning Regulations, Chapter 17.10: Planned Unit Developments, Section 17.10.030: General Requirements, and Section 17.10.040.01: Density Bonus, to include amendments and additions that better address housing within the City of Hailey. ACTION ITEM.

7:53 PM Chair Fugate opened public comment.

7:54 PM Martha Bibb, lives in Hailey, wanted to mention increasing housing potential in Hailey and believes City should not be dependent on short-term rental availability. It will not help work force living but will change characteristic of neighborhoods. Bibb believes this is good to keep in mind going forward.

7:55 PM Chair Fugate closed public comment.

7:56 PM Smith motioned to continue city-initiated text amendment public hearing to February 7, 2022. Pogue seconded. All in Favor.

Staff Reports and Discussion
SR 1 Discussion of current building activity, upcoming projects, and zoning code changes.
SR 2 Discussion of the next Planning and Zoning meeting: January 18, 2022.
• Text Amendment Sundby to Bulk Requirements
• DR: Saddle Lofts
• Text Amendment Title 15 Green Building Standards-Solar Requirements
• Text Amendment Title 16 Utilities
• Text Amendment Title 17 Design Standards
Horowitz summarized upcoming projects.

Smith may not be able to make January 18th hearing. Chair Fugate will not be able to attend on the 11th but will try to attend on a different day.

7:58 PM motioned to adjourn. Stone seconded. All in favor.
Return to Agenda
To: Planning and Zoning Commission

From: Robyn Davis, Community Development City Planner

Overview: Consideration of Design Review Preapplication by Kazuko-San ID, LLC, for construction of three (3) multifamily buildings, which includes twenty-two (22), one-bedroom units ranging in size from 540-702 square feet, and six (6), two-bedroom units, ranging in size from 872-873 square feet, for a total of twenty-eight (28) residential units. This project will be located at Lot 4B, Block 1, North Hailey Plaza, within the Business (B) and Downtown Residential Overlay (DRO) Zoning Districts, and is to be known as Saddle Lofts.

Hearing: January 18, 2022

Applicant: Kazuko-San ID, LLC

Location: Lot 4B, Block 1, North Hailey Plaza

Zoning & Size: Business (B) and Downtown Residential Overlay (DRO) Zoning Districts; 0.53 acres

Notice: Notice for the public hearing was published in the Idaho Mountain Express on December 29, 2021 and mailed to property owners within 300 feet on December 29, 2021.

Background and Application: The Applicant, Kazuko-San ID, LLC, has submitted a Design Review Preapplication for construction of three (3) multifamily buildings, which includes twenty-two (22), one-bedroom units ranging in size from 540-702 square feet, and six (6), two-bedroom units, ranging in size from 872-873 square feet, for a total of twenty-eight (28) residential units on 0.53 acres (23,087 square feet).

If approved, the project would be located on the east side of River Street, on the corner of River Street and Empty Saddle Trail. The project is located within the Downtown Residential Overlay (DRO), and is proposing the following:

- Twenty-eight (28) onsite parking spaces, which will include:
  - Eighteen (18) uncovered standard spaces
  - One (1) uncovered accessible space
  - Six (6) uncovered compact spaces
  - One (1) covered standard spaces
  - One (1) covered van accessible space
  - One (1) covered compact space
• Nine (9) improved public right-of-way spaces, which will include:
  o Five (5) spaces will serve as guest parking for Saddle Lofts
• Twenty-two (22), one-bedroom units (540-702 square feet in size)
• Six (6), two-bedroom units (872-873 square feet in size)
• Eleven (11) bicycle racks for a total of 22 bicycle parking spaces
• Storage lockers for each unit
• Approximately 3,452 square feet of common useable open space
• Site, public right-of-way and landscaping improvements

Parking for the proposed units will be accessed off of an internal shared drive that connects to the existing public street, Empty Saddle Trail. No alley exists; however, a utility easement exists along the eastern property line and will be utilized as part of the internal drive. The internal drive will be 22’ in width and the proposed onsite parking angles are at 90 degrees.

The buildings have been designed to face River Street (west) and Empty Saddle Trail (south). The parking area is located behind the buildings and takes advantage of the existing utility easement that cannot be built upon. The shape and position of the buildings create an elongated courtyard/open space between the parking area and the buildings, which supports various outdoor “rooms” for residents to enjoy. At the north (and sunniest) end of the open space, a play structure is proposed. Just to the south of this is an uncovered, paved gathering area with benches. The outdoor room located just south of this gathering area with benches, there will be another common area covered by a trellis structure, providing filtered light and more shade. At the southernmost edge of the open space, a more naturalized space with a bark path and pet-friendly area are proposed. The Applicant is proposing a total of 3,452 square feet of useable open space (2,299 square feet is required), which will be open to the public and will be available for use by all tenants.

The primary pedestrian entrances will be covered and are located off of River Street and Empty Saddle Trail. The entries to each unit will be accessed via a covered walkway/balcony system located along the rear sides of the building. The buildings, in most places, are setback approximately five feet (5’) from the sidewalks to allow for ample landscaping on private property.

The above design is cohesive with the surrounding zoning and uses, that consist of commercial, single-family, and multi-family residential uses.

The Applicant has submitted a site plan, vicinity/neighborhood plan, preliminary landscape plan and colored elevation renderings. A Sun Study capturing various times of sun and shade on the proposed project, as well as a detailed narrative describing how the project meets the DRO Standards and Design Review Standards have also been provided.

Procedural History: The Design Review Preapplication was submitted on November 29, 2021. A public hearing before the Planning and Zoning Commission will be held on Tuesday, January 18, 2022, in the Hailey City Council Chambers and virtually via GoTo Meeting.
Preapplication Design Review:

1. **Required:** An application for preapplication design review shall follow the procedures and be subject to the requirements established by section 17.03.070 of this title, and shall be made by at least one holder of any interest in the real property for which the preapplication design review is proposed.

2. **Information Required:** The following information is required with an application for preapplication design review:
   a. The design review application form, including project name and location, and applicant and representative names and contact information.
   b. One (1) eleven inch by seventeen inch (11” x 17”) and one electronic copy showing at a minimum the following:
      i. Vicinity map, to scale, showing the project location in relationship to neighboring buildings and the surrounding area. Note: A vicinity map must show location of adjacent buildings and structures.
      ii. Site plan, to scale, showing proposed parking, loading and general circulation.
      iii. One color rendering of at least one side of the proposed building(s).

Items for Discussion and/or Items of Note:

1. **Building Design:** The overall building design, undulation features and exterior materials proposed are compatible with other, similar projects in the surrounding area. Various colors and textures are proposed to further reduce the mass of the proposed buildings. The Commission may wish to further discuss the proposed roofline and pitch of the buildings, its effectiveness in reducing the overall mass of the buildings, and its compatibility with the surrounding area.

2. **Water, Sewer and Fire:** This is a Preapplication Design Review. Final drawings that show connection details and fire suppression systems will be required for Design Review.

3. **Streets/Right-of-Ways:** Planning Staff suggests that the Applicant provide irrigation to all landscaping, including street trees. Electrical shall also be installed (for street tree lights and any street lights) during construction. Streetlight placement will be determined by the Public Works Department. If approved, a Right-of-Way Maintenance Agreement will be developed at the time of Building Permit submittal.

   The River Street Typical Section is proposed along the property frontage of River Street and Empty Saddle Trail. There have been ongoing internal discussions with regard to hardscape and how to better ‘soften’ the right-of-way with the utilization of drought tolerant grasses and/or other plantings. The Applicant is proposing to construct a nine-foot (9’) wide sidewalk along River Street (this section of River Street is only 70’ in width, as opposed to 100’ in width farther south). The sidewalk and hardscape will be broken up at various intervals with tree wells in four-foot (4’) wide planting strips. Similarly, a ten-foot (10’) wide...
sidewalk and four-foot (4’) wide planting strips will be incorporated along the property frontage of Empty Saddle Trail.

4. **Landscaping and Street Trees:** At this time, the Landscape Plan is conceptual. No plant material has been selected; however, it is anticipated that drought tolerant grasses and groundcover will be utilized, and all materials will be hardy to the Zone 4 environment. The Hailey Tree Committee will review the proposed street tree locations, species and sizes at the next available hearing, tentatively scheduled for February 2022.

5. **Snow Storage:** With regard to the storing of snow, the Applicant intends to haul snow from the site, which is permissible within the zoning district. If snow is stored onsite, be it temporarily or permanently, snow shall not be stored within the useable open space or impact vehicular and pedestrian areas.
Saddle Lofts Sun Study
June 21
Return to Agenda
To: Hailey Planning and Zoning Commission

From: Robyn Davis, Community Development City Planner

Overview: Consideration of a Text Amendment submitted by Ian and Sarah Sundby 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, to allow for a maximum lot coverage of forty percent (40%) where at least seventy-five percent (75%) of required parking spaces are enclosed within a structure for lots smaller than 4,500 square feet in size, and located within the General Residential (GR), Limited Residential (LR-1) and Limited Residential (LR-2) Zoning Districts. For those lots that are 4,500 square feet or larger and located within the GR of LR-1 Zoning Districts, maximum lot coverage will remain as noted therein.

Hearing: January 18, 2022

Applicant: Ian and Sarah Sundby

Location: General Residential (GR) and Limited Residential (LR-1 & LR-2) Zoning Districts within the Townsite Overlay (TO) Zoning District

Notice: Notice for the public hearing was published in the Idaho Mountain Express as a Display Ad on December 29, 2021 and mailed to public agencies on December 29, 2021.

Background: Ian and Sarah Sundby, the Applicants, own a parcel in Hailey that is approximately 4,492 square feet in size. The Sundby’s are requesting 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, to allow for a maximum lot coverage of forty percent (40%) where at least seventy-five percent (75%) of required parking spaces are enclosed within a structure for lots smaller than 4,500 square feet in size, and located within the General Residential (GR), Limited Residential (LR-1 & LR-2), and Townsite Overlay (TO) Zoning Districts.

The specific objective of the proposed amendment is to allow homeowners the opportunity to have proportionally-sized building footprints on lots that are substandard in size for their district (4,500 square foot or smaller), and located within the General Residential (GR), Limited Residential (LR-1 & LR-2), and Townsite Overlay (TO) Zoning Districts.

The Applicant has stated:

"The bulk requirements for the Transitional and GR zones are identical, except for the side yard setback and the allowance for a 40% footprint with parking considerations.

A GIS study of parcels located within Hailey City Limits indicates that there are 29 lots that are 4,500 sq. ft. or smaller that do not contain townhomes or condominiums. All of these 29 lots lie
within the GR, LR1, or LR2 zoning districts; and of the 29 lots, only 4 are vacant” (see the table below for additional information).

To provide further context and note additional findings from the GIS study, Staff found that the total number of parcels in Hailey that are 4,500 square feet or less is 960 parcels. Of these, 473 parcels are zoned General Residential (GR), like that of Ian and Sarah Sundby’s.

As of November 2021, of the 473 parcels located in the GR Zoning District that are 4,500 square feet or smaller, 154 parcels are condominium parcels and 290 parcels are townhouse parcels. This leaves a remainder of 29 parcels located within the GR Zoning District that are 4,500 square feet or smaller, and as the Applicant mentioned, only four (4) of these parcels are vacant.

<table>
<thead>
<tr>
<th>Zoning Districts</th>
<th>Total Parcels</th>
<th>Parcel Size</th>
</tr>
</thead>
<tbody>
<tr>
<td>All Zoning Districts</td>
<td>960</td>
<td>≤ 4,500 sq. ft.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Zoning Districts</th>
<th>Total Parcels</th>
<th>Parcel Size</th>
</tr>
</thead>
<tbody>
<tr>
<td>GR</td>
<td>473</td>
<td>≤ 4,500 sq. ft.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Type of Parcels In GR</th>
<th>Total Parcels</th>
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</thead>
<tbody>
<tr>
<td>Condo (developed)</td>
<td>154</td>
</tr>
<tr>
<td>Townhomes (developed)</td>
<td>290</td>
</tr>
<tr>
<td>Single Family (developed)</td>
<td>29</td>
</tr>
<tr>
<td>Vacant Parcels</td>
<td>4</td>
</tr>
</tbody>
</table>

The Applicant further states,

“With the current emphasis on housing, affordable or otherwise, it seems appropriate that the owners of such small lots be able to investigate and develop functional homes and accessory dwelling units when they can. Since the code allows for a 40% footprint in a transitional residential zone, that is not unlike the GR zone, such a small incremental increase in the GR zone can greatly benefit homeowners, the housing market, and the community simultaneously. This amendment is proposing an increase of 10% lot coverage for GR zone lots 4,500 s/f or smaller, to a maximum of 40% with parking considerations”.

The Applicants feel strongly that the increased size to the allowable Bulk Requirements of the Townsite Overlay (TO) allows for the development of functionally-sized homes. These homes would match the character and charm of other Hailey neighborhoods, and impact to adjacent properties would be minimal to non-existent. For example, the Applicant notes the difference in size (from a 40% footprint on a 6,000 square foot lot and a 40% footprint on a 4,500 square foot lot) is negligible, provided the various bulk requirements, such as building height and setbacks, are met:

“The perceived scale of a house on a 4,500 square foot lot sitting adjacent to a house on a 6,000 square foot lot will be the same. A 10% larger footprint will not increase the impact of a new house with respect to an existing neighbor, as the allowable setbacks and height remain the same. The difference in size between a 40% footprint on a 6,000 square foot lot and a 4,500 square foot lot is only 600 square feet. From the street view, such a size difference is imperceptible”.

City Staff concurs with the Applicants, supports the amendment, and believes the proposal and impact to the surrounding properties are insignificant. Staff further believes that by slightly increasing the
allowable lot coverage on substandard lots, like that of Ian and Sarah Sundby’s, smart growth and infill development are highlighted and encouraged, a necessity valley-wide. An increase, such as this, also provides greater opportunities to diversify housing types and price points (aid in affordability), and utilize existing infrastructure more sustainably (developed neighborhoods are already served by municipal services, such as water and wastewater; supports incremental infill development).

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:
G. Maximum Lot Coverage:
3. Transitional Districts and all lots within the General Residential (GR) and Limited Residential (LR-1 & LR-2) Zoning Districts that are forty-five hundred (4,500) square feet or smaller: Thirty percent (30%) expect as follows:

Forty percent (40%) lot coverage shall be allowed where at least seventy-five percent (75%) of the required parking spaces are enclosed within a structure.

4. General Residential (GR), Limited Residential (LR-1) Districts (lots forty-five hundred (4,500) square feet and larger):

<table>
<thead>
<tr>
<th>Building Height</th>
<th>Maximum Lot Coverage (Percentage)</th>
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</thead>
<tbody>
<tr>
<td>2 or more stories above grade, no garage</td>
<td>25</td>
</tr>
<tr>
<td>2 or more stories above grade, with garage</td>
<td>30</td>
</tr>
<tr>
<td>Less than 2 stories above grade, no garage</td>
<td>35</td>
</tr>
<tr>
<td>Less than 2 stories above grade, with garage</td>
<td>40</td>
</tr>
</tbody>
</table>

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 Comprehensive Plan articulates the merits of diverse housing and population growth management through a balanced combination of infill and redevelopment. With such growth, the Comprehensive Plan also aims to retain the small-town character of Hailey:
“Land Use Implications of Population Growth Scenarios: Impacts resulting from growth pressure, such as environmental degradation, inadequate social and infrastructure services, and loss of small-town character are concerns associated with unrestricted growth of the community; therefore, it is the responsibility of the city to plan for potential future population growth”.

Staff finds that by slightly increasing the allowable lot coverage on substandard lots, smart growth, infill development, and/or redevelopment is encouraged on vacant land or already developed, substandard-sized parcels. The character and small-town charm of Hailey can be retained through careful design and meeting the bulk requirements of the zoning district, and an increase, such as this, would provide greater opportunities to diversify housing types and price points (aid in affordability), and utilize existing infrastructure more sustainably (developed neighborhoods are already served by municipal services, such as water and wastewater; supports incremental infill development).

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 amendments will not create excessive additional requirements at public cost for services. The amendments are intended to clarify regulations, to simplify administration of the requirements, and to implement best practices.

3. The proposed uses are compatible with the surrounding area; and The proposed uses are compatible with the surrounding area and other areas throughout Hailey. Impact to adjacent properties would be minimal to non-existent, as the difference in size (from a 40% footprint on a 6,000 square foot lot and a 4,500 square foot lot) is negligible, provided the various bulk requirements of the zoning district are met.

4. The proposed amendment will promote the public health, safety and general welfare. The amendments recommended are consistent with the Hailey Comprehensive Plan, and will encourage infill or redevelopment of those substandard-size parcels in Hailey.

Motion Language:
Approval: I move to recommend approval to the Hailey City Council an Ordinance amending 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, to allow for a maximum lot coverage of forty percent (40%) where at least seventy-five percent (75%) of required parking spaces are enclosed within a structure for lots smaller than 4,500 square feet in size, and located within the General Residential (GR), Limited Residential (LR-1) and Limited Residential (LR-2) Zoning Districts, 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, 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 ORDINANCE NO. __

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, AMENDING TITLE 17: ZONING REGULATIONS, CHAPTER 17.04: ESTABLISHMENT, PURPOSES AND USES WITHIN ZONING DISTRICTS, SECTION 17.04M.060: TOWNSITE OVERLAY BULK REQUIREMENTS, OF THE HAILEY MUNICIPAL CODE, TO ALLOW FOR A MAXIMUM LOT COVERAGE OF FORTY PERCENT (40%) WHERE AT LEAST SEVENTY-FIVE (75%) OF THE REQUIRED PARKING SPACES ARE ENCLOSED WITHIN A STRUCTURE FOR LOTS SMALLER THAN FORTY-FIVE HUNDRED (4,500) SQUARE FEET IN SIZE, AND LOCATED WITHIN THE GENERAL RESIDENTIAL (GR), AND LIMITED RESIDENTIAL (LR-1 & LR-2) ZONING DISTRICTS; 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 Hailey City Council has found that the following amendment to the Hailey Municipal Code, Title 17, conforms to the Hailey Comprehensive Plan; and

WHEREAS, the Hailey City Council has found that the proposed amendment allows for homeowners to construct proportionally-sized building footprints on lots that are substandard in size and located within the General Residential (GR) and Limited Residential (LR-1 & LR-2) Zoning Districts (less than forty-five hundred (4,500) square feet));

WHEREAS, the Hailey City Council has determined that the above-mentioned requirements are appropriate requirements, and should be referenced; and

WHEREAS, the text 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. Title 17, Section 17.04 of the Hailey Municipal Code, is hereby amended by the addition of the underlined language, as follows:

Section 17.04M.060: Bulk Requirements:

G. Maximum Lot Coverage:

3. Transitional Districts and all lots within the General Residential (GR) and Limited Residential (LR-1 & LR-2) Zoning Districts that are forty-five hundred (4,500) square feet or smaller: Thirty percent (30%) expect as follows:

Forty percent (40%) lot coverage shall be allowed where at least seventy-five percent (75%) of the required parking spaces are enclosed within a structure.

4. General Residential (GR), Limited Residential (LR-1) Districts (lots forty-five hundred (4,500) square feet and larger):
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<td>40</td>
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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 passage, approval, and publication according to law.

PASSED AND ADOPTED BY THE HAILEY CITY COUNCIL AND APPROVED BY THE MAYOR THIS ___ DAY OF _____________________, 2022.

Martha Burke, Mayor, City of Hailey

Attest:

Mary Cone, City Clerk
Dear City of Hailey,

Please accept our proposed text amendment to 17.04M.060 Bulk Requirements. The specific objective of the proposed amendment is to allow homeowners to have proportional-sized housing footprints on lots that are substandard for their district (less than 4,500 s/f).

The bulk requirements for the Transitional and GR zones are identical, except for the side yard setback and the allowance for a 40% footprint with parking considerations.

A GIS study of parcels located within Hailey city limits indicates that there are 29 lots that are 4500 sq.ft. or smaller that do not contain townhomes or condominiums. All of these 29 lots lie within the GR, LR1, or LR2 zoning districts; and of the 29 lots, only 4 are vacant.

With the current emphasis on housing, affordable or otherwise, it seems appropriate that the owners of such small lots be able to investigate and develop functional homes and accessory dwelling units when they can. Since the code allows for a 40% footprint in a transitional residential zone, that is not unlike the GR zone, such a small incremental increase in the GR zone can greatly benefit homeowners, the housing market, and the community simultaneously. This amendment is proposing an increase of 10% lot coverage for GR zone lots 4,500 s/f or smaller, to a maximum of 40% with parking considerations.

We feel strongly that the increased size to the allowable bulk requirements allows for the development of functionally sized homes that match the charm of Hailey neighborhoods and can offer enough space to incorporate ADU’s on substandard sized lots.

Thank you very much for your time and consideration.

Sincerely,

Ian and Sarah Sundby
Summary of the specific objective of the proposed amendment:

We are proposing to make a text amendment to 17.04M.060 Bulk Requirements, G. "Maximum Lot Coverage" by changing note “3” to read:
3. Transitional district and all lots in GR, LR1, and LR2 districts 4500 sq.ft. or smaller: Thirty percent (30%) except as follows:
   Forty percent (40%) lot coverage shall be allowed where at least seventy five percent (75%) of required parking spaces are enclosed within a structure.

The Hailey Comprehensive Plan makes the following comments that are applicable to this request:

Section 5, Land Use, Population, and Growth Management
1. “infill” development or redevelopment of existing land within the current city limits in accordance with existing zoning and density allowances without necessitating the use of density bonuses or waivers.
   By slightly increasing the allowable footprints on substandard lots, infill development is encouraged on vacant land or existing structures that might otherwise be overlooked. Even small lots can support an ADU and one additional parking space with innovative design. This text amendment is neither a density bonus nor waiver.

Section 8, Goals, 8.1
Encourage development that provides opportunities for home ownership and rental homes for individuals and families of all socio-economic levels.
Smaller lots usually cost less money; lots that seem marginal become more attractive to buyers when more flexibility is available for development, especially the chance for cash-flow from an ADU.

Section 9, Goals- “Plan for the long-term utilities, service, and facility needs of the City while minimizing impacts to the greatest extent possible.”
City services already exist in neighborhoods with developed plats. No additional infrastructure is required if the footprint is increase by 10%.

Section 11 Community Design, Goals- “Ensure building height and mass respects the scale of the traditional and historic built environment.”
The perceived scale of a house on a 4500 sq.ft. lot sitting adjacent to a house on a 6000 sq.ft. lot will be the same. A 10% larger footprint will not increase the impact of a new house with respect to an existing neighbor, the allowable setbacks and height remain the same.
The difference in size between a 40% footprint on a 6,000 sq.ft. lot and 4500 sq.ft. lot is only 600 sq.ft.. From the street view, such a size difference is imperceptible.
Section 12 Private Property, Goals- “Evaluate whether proposed regulatory or administrative action may result in an unconstitutional taking of private property.”
While “limiting” is not “taking”, the result of both is lost opportunity. Allowing a 10% footprint increase on substandard lots in the GR, LR1, and LR2 zoning districts will encourage infill and help establish a built environment that encourages human scale, aesthetics, and enhances the character of existing neighborhoods.
ARTICLE M. TOWNSITE OVERLAY DISTRICT (TO)

SECTION:

17.04M.010: Purpose
17.04M.020: Establishment Of Townsite Overlay District
17.04M.030: General Application
17.04M.040: Use Restrictions
17.04M.050: Planned Unit Developments
17.04M.060: Bulk Requirements
17.04M.070: Nonconforming Buildings
17.04M.080: Lot Line Vacations
17.04M.090: Diagram And Tables

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)

17.04M.020: ESTABLISHMENT OF TOWNSITE OVERLAY DISTRICT:
The townsite 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. (Ord. 1191, 2015)

17.04M.030: GENERAL APPLICATION:
The townsite overlay district shall be an overlay district and set forth use and bulk requirements for buildings and structures located within the townsite overlay district. 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. (Ord. 1191, 2015)

17.04M.040: USE RESTRICTIONS:
Permitted, conditional and accessory uses shall be the same as those uses in the underlying zoning district, except as follows:

One attached or detached accessory dwelling unit shall be allowed as an accessory use to a single-family dwelling, without consideration of underlying zoning district, provided the bulk requirements set forth in section 17.04M.060 of this article are met. (Ord. 1275, 2021; Ord. 1191, 2015)

17.04M.050: PLANNED UNIT DEVELOPMENTS:
The minimum gross size for properties that may be developed as a planned unit development shall be eighteen thousand (18,000) square feet. All land within the development shall be contiguous, except for intervening alleys. (Ord. 1191, 2015)

17.04M.060: BULK REQUIREMENTS:
For other supplementary location and bulk regulations, see chapter 17.07 of this title.

A. Minimum Lot Size:
   1. Business district: See underlying zoning requirements.
   2. Limited business, transitional, general residential districts: Four thousand five hundred (4,500) square feet.
   3. Limited residential-1 district: Six thousand (6,000) square feet.
   4. Original townsite lots that are slightly less than three thousand (3,000) square feet (in blocks where lots are 25 feet wide) or three thousand six hundred (3,600) square feet (in blocks where lots are 30 feet wide) may be rounded up to three thousand (3,000) square feet or three thousand six hundred (3,600) square feet, as the case may be; provided, that the original townsite lot meets the definition of a "lot of record", as defined in section 17.02.020 of this title.

B. Minimum Lot Width:
   1. Business district: See underlying zoning requirements.
   2. Limited business, transitional, general residential districts: Thirty seven and one-half feet (37\(\frac{1}{2}\)).
   3. Limited residential-1 district: Fifty feet (50').

C. Maximum Building Height:
   1. Business District: The maximum building height in the business district shall be thirty five feet (35'), except a building
containing at least one residential dwelling unit shall have a maximum height of forty feet (40'). Any building exceeding thirty feet (30') shall comply with relevant sections and appendices of the IFC, including, but not limited to, fire access lanes, provisions for exterior roof access, and provision of sprinkler systems. No building may exceed three (3) stories from the reference street frontage.

2. Limited Business District: Thirty-five feet (35').

3. Transitional, General Residential, Limited Residential-1 Districts: Thirty feet (30').

D. Minimum Setbacks In LR, GR, TN And LB Districts:

1. Setback from any street right of way: Twelve feet (12'). The following exceptions apply:
   a. Unenclosed features of a residence (e.g., front porches, stoops and decks without walls) shall be no closer than five feet (5') to the lot line. Such features do not include carports.
   b. No garage door shall be within twenty feet (20') of any street right of way, as measured from the garage door to the street providing access to the garage.

2. Setback from any alley right of way: Six feet (6'). There shall be a six feet (6') horizontal separation between any building and a water meter vault. (Water meter vault and water service line locations may be moved at the property owner's expense, subject to notification and approval by the city.)

3. Setback from any Idaho transportation department/Wood River Trail right of way: Five feet (5'). The following exception applies:
   No garage door shall be within twenty feet (20') of the right of way, as measured from the garage door to the right of way, where this right of way provides access to the garage.

4. Setback from property lines abutting other private property:
   a. Base setback: Fifteen percent (15%) of lot width, or ten feet (10'), whichever is less. However, no such setback shall be less than six feet (6') (see section 17.04M.090, table 1 of this article).
   b. Any wall, as measured from the highest point including any gable or peak in a direct vertical line to record grade, shall have a setback of one foot (1') for every two and one-half feet (21/2') of wall height (see section 17.04M.090, diagram 1 and table 2 of this article), but not less than the base setback noted in subsection D4a of this section, regardless of underlying zoning.
   c. Roof overhangs, fire escapes, standard chimneys, bay windows and other features, which are subject to section17.07.010, "Supplementary Yard Setback Requirements", of this title, shall not have a setback less than five feet (5') from property lines abutting other private property.
   d. Wainscot detail not higher than three feet (3') as measured from record grade may intrude not more than six inches (6") into the required setback.
   e. The townhouse sublot side yard setback along the common wall boundary line shall be zero feet (0').

E. Minimum Setbacks In The B District: None, except as follows:

1. Townhouse units shall be allowed zero setbacks from the lot lines created by a townhouse sublot; and

2. The separation of the buildings containing townhouse units in a townhouse development parcel shall be not less than six feet (6') as measured between any wall or any projection of a building, including, but not limited to, eaves, cornices, canopies or other similar roof overhang features, pergolas, chimney chases, bay windows, decks, steps, wainscot and utility meters; or the minimum distance required by the IBC and IFC, whichever is greater.

F. Accessory Dwelling Units: Accessory dwelling units shall have a minimum gross floor area of three hundred (300) square feet and a maximum gross floor area of one thousand (1,000) square feet. Supplemental standards for accessory dwelling units are contained in Chapter 17.08, Article D. Accessory Dwelling Units.

G. Maximum Lot Coverage:

1. Business district: No maximum.

2. Limited business district: Seventy percent (70%).

3. Transitional district and all lots in GR, LR1, and LR2 districts 4,500 sq. ft. or smaller: Thirty percent (30%) except as follows:
   Forty percent (40%) lot coverage shall be allowed where at least seventy five percent (75%) of required parking spaces are enclosed within a structure.

4. General residential, limited residential-1 districts (Lots 4,500 sq. ft. and larger):

<table>
<thead>
<tr>
<th>Building Height</th>
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<td>30</td>
</tr>
<tr>
<td>Less than 2 stories above grade, no garage</td>
<td>35</td>
</tr>
</tbody>
</table>
H. Maximum Multi-Family Residential Density: See underlying zoning requirements.

I. Maximum Lot Size:
   1. Business, limited business, limited residential-1 districts: No maximum.
   2. Transitional, general residential: Eighteen thousand (18,000) square feet. (Ord. 1275, 2021; Ord. 1191, 2015)

Notes
1. Reference streets: River Street, Main Street, 1st Avenue, 2nd Avenue. If a lot does not have frontage on any of these streets, then the street fronting the lot becomes the reference street.

17.04M.070: NONCONFORMING BUILDINGS:
Where an existing building is nonconforming with respect to setbacks, expansion of said building within the plane of the furthest intrusion shall be permitted; provided, that the nonconformity with respect to the distance of the setback is not further increased. Such expansion shall not be considered to be increasing the degree of nonconformity pursuant to section 17.13.060 of this title. The following exceptions apply:

A. In no case may expansion occur that results in a setback of less than six feet (6') from property lines abutting other private property.

B. Any wall, as measured from the highest point, including any gable or peak in a direct vertical line to record grade, shall have a setback of one foot (1') for every two and one-half feet (2 1/2') of wall height (see section 17.04M.090, diagram 1 and table 2 of this article), but not less than six feet (6') from property lines abutting other private property, regardless of underlying zoning.

C. No roof overhangs, fire escapes, chimneys, bay windows or other features, which are subject to section 17.07.010, "Supplementary Yard Setback Requirements", of this title, shall have a setback less than five feet (5') from property lines abutting other private property. (Ord. 1191, 2015)

17.04M.080: LOT LINE VACATIONS:
If a parcel in single ownership consists of two (2) or more original townsite lots, or a combination of lot(s) and portions of lot(s), each internal original townsite lot line(s) shall be vacated prior to the issuance of a certificate of occupancy if either of the following criteria applies: a) a proposed new building or addition increases the degree of nonconformity or creates a new nonconformity with regard to setbacks, measured from the nearest adjacent original townsite lot line, not from the parcel boundary of multiple original townsite lots held in single ownership; or b) lot lines, which a building is not currently built on, are located underneath a proposed new building or addition.
17.04M.090: DIAGRAM AND TABLES:

**DIAGRAM 1**

**TABLE 1**

<table>
<thead>
<tr>
<th>Lot Width (In Feet)</th>
<th>Base Setback (In Feet)</th>
</tr>
</thead>
<tbody>
<tr>
<td>40 or less</td>
<td>6</td>
</tr>
<tr>
<td>45</td>
<td>6.75</td>
</tr>
</tbody>
</table>

(Ord. 1191, 2015)
### TABLE 2

<table>
<thead>
<tr>
<th>Wall Height (In Feet)</th>
<th>Setback (In Feet)</th>
</tr>
</thead>
<tbody>
<tr>
<td>15</td>
<td>6</td>
</tr>
<tr>
<td>17.5</td>
<td>7</td>
</tr>
<tr>
<td>20</td>
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</tr>
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<td>32.5</td>
<td>13</td>
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(Ord. 1191, 2015)
Return to Agenda
To: Hailey Planning and Zoning Commission

From: Paige Nied, Community Development Resiliency Planner / City Planner

Overview: Consideration of a City-initiated Text Amendment to the Hailey Municipal Code to Title 15: Buildings and Construction, Chapter 15.20: Green Building Standards, to add a new section, Section 15.20.012, entitled Solar Requirements, mandating new residential developments of single-family homes, townhomes, and substantial remodels to install solar wiring for solar electricity generation and consumption capabilities.

Hearing: January 18, 2022

Applicant: City of Hailey

Notice: Notice for the public hearing was published in the Idaho Mountain Express on December 10, 2021 and mailed to public agencies on December 10, 2021.

Background: City Planning Staff has identified the modernization of Hailey Municipal Code to meet sustainability standards as a priority for 2022 and moving forward. As such, Staff is proposing to add a section to Chapter 15.20: Green Building Standards, Section 15.20.012, entitled Solar Requirements, mandating new residential developments of single-family homes, townhomes, and substantial remodels to be solar ready by installing the wiring necessary for solar energy generating systems.

Solar energy is a sustainable and renewable resource. Generating electricity via solar power can dramatically reduce greenhouse gas emissions, improve air quality, and result in energy cost savings. To meet Hailey’s clean energy goals of 2045, and to create a more sustainable community for current and future generations, solar energy development must be encouraged. The requirement of new residential developments to be solar ready will be crucial to establishing a foundation for the long-term growth of the solar market in Hailey. Solar ready code requirements will help make future solar installations easier and cost effective, as they aim to cut the costs associated with retrofitting homes for solar and to encourage homeowners to consider solar as a real possibility. Solar ready code will act as a catalyst for future solar installations and market expansion.

The concept of solar ready means planning and building with the intention of installing solar photovoltaic (PV) energy generating systems in the future. Moreover, it’s the installation of wiring from the future location of solar panels to the existing subpanel or where the electric meter will be placed to make the later installation of solar easy. The cost for solar wiring during construction ranges from $500 to $1200. This cost would be significantly higher if a home were to be retrofitted as solar ready, due to cost of removing and repairing walls to run the wiring through. Additionally, it is less expensive to install the wiring as opposed to a conduit. Wiring with a metal clad (MC) cable is easier to install, as the installation of a conduit is labor intensive. The requirement of installing a MC cable in new residential developments is an appropriate first step for expanding solar energy in Hailey.
Staff recognizes that not all new developments of single-family homes, townhomes, or substantial remodels will be suitable for future solar energy generating systems. Therefore, within the solar requirements code, a clause will be added of a case-by-case exception where a unique solution can be proposed in lieu of solar ready. Staff hopes to encourage solar energy development in the community by requiring new residential developments to have the wiring in place for the future installation of solar generating systems. Solar ready requirements aim to eliminate barriers to local solar adoption and expand market growth.

The following text amendment to Title 15: Buildings and Construction, Chapter 15.20 Green Building Standards, Section 15.20.012 Solar Requirements could read as follows:

Chapter 15.20: Green Building Standards

Section 15.20.012: Solar Requirements

All new residential developments of single-family homes, townhomes, and substantial remodels require the installation of a metal clad cable wired from the future location of solar panels to the existing subpanel or where the electric meter will be placed. The cable shall be identified as “Solar Ready” in the service panel or subpanel directory. Installation shall comply with the applicable provisions of the National Electrical Code. Solar ready is defined as the structures’ readiness for the future installation of a solar energy generating system.

If staff approves that solar energy generation is not suitable for the parcel, a unique solution shall be proposed in lieu of the solar ready requirement.

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 amendment is in accordance with the Comprehensive Plan and the following goals from the Comprehensive Plan are relevant to this text change:

Section 1: Natural Resources, Energy, and Air Quality
Goal 1.4: Promote Energy Conservation

Section 9: Public Facilities, Utilities, and Services
Goal 9.1: Plan for the long-term utilities, service and facility needs of the City while minimizing impacts to the greatest extent possible.
Solar energy is a clean and renewable resource that improves air quality and reduces greenhouse gas emissions in the community. By requiring new residential developments to be solar ready, the city incentivizes solar energy development, which will result in reduced environmental impacts.

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 amendments are intended to encourage solar market expansion in the community, and developers will be responsible for the cost. Associated costs may range from $500 to $1,200.

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

The proposed text amendments will not impact compatibility.

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

The proposed amendments are consistent with the Hailey Comprehensive Plan, and they will not result in a change in allowed uses.

**Motion Language:**

**Approval:** Motion to recommend for approval by the Hailey City Council Ordinance No. ________, an Ordinance amending the Hailey Municipal Code, Title 15: Buildings and Construction, Chapter 15.20, Green Building Standards, Section 15.20.012: Solar Requirements, mandating new residential developments of single-family homes, townhomes, and substantial remodels to install solar wiring for solar electricity generation and consumption capabilities, 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 a recommendation for approval by the Hailey City Council an Ordinance amending the Hailey Municipal Code, Title 15: Buildings and Construction, Chapter 15.20, Green Building Standards, Section 15.20.012: Solar Requirements, mandating new residential developments of single-family homes, townhomes, and substantial remodels to install solar wiring for solar electricity generation and consumption capabilities, 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 ORDINANCE NO. __

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, AMENDING THE HAILEY MUNICIPAL CODE, TITLE 15: BUILDINGS, CHAPTER 15.20: GREEN BUILDING STANDARDS, TO ADD A NEW SECTION, SECTION 15.20.012 SOLAR REQUIREMENTS, THAT REQUIRES ALL NEW RESIDENTIAL DEVELOPMENTS OF SINGLE-FAMILY HOMES, TOWNHOMES AND SUBSTANTIAL REMODELS TO INSTALL A METAL CLAD CABLE WIRED FROM THE FUTURE LOCATION OF SOLAR PANELS TO THE EXISTING SUBPANEL OR WHERE THE ELECTRIC METER WILL BE PLACED, AND LABELED AS SOLAR READY; 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 Hailey City Council has found that the following addition to the Hailey Municipal Code, Title 15, conforms to the Hailey Comprehensive Plan; and

WHEREAS, the proposed additions will encourage the expansion of the solar energy market in Hailey and reduce greenhouse gas emissions; and

WHEREAS, the Hailey City Council has determined that the above-mentioned amendments are appropriate amendments; and

WHEREAS, the text addition 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 15 Buildings and Construction, is hereby modified by the addition of the underlined language, as follows:

Section 15.20.012: Solar Requirements

All new residential developments of single-family homes and townhomes require the installation of a metal clad cable wired from the future location of solar panels to the existing subpanel or where the electric meter will be placed. The cable shall be identified as “Solar Ready” in the service panel or subpanel directory. Installation shall comply with the applicable provisions of the National Electrical Code. Solar Ready is defined as the structures’ readiness for the future installation of a solar energy generating system.

If stall approves that solar energy generation is not suitable for the parcel, a unique solution shall be proposed in lieu of the solar ready requirement.

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 passage, approval, and publication according to law.

PASSED AND ADOPTED BY THE HAILEY CITY COUNCIL AND APPROVED BY THE MAYOR THIS ___ DAY OF _____________________, 2022.

____________________________
Martha Burke, Mayor, City of Hailey

Attest:

____________________________
Mary Cone, City Clerk
Return to Agenda
To: Hailey Planning and Zoning Commission

From: Paige Nied, Community Development Resiliency Planner / City Planner

Overview: Consideration of City-initiated Text Amendment to the Hailey Municipal Code, Title 16: Subdivision Regulations, Chapter 16.05: Improvements Required, Section 16.05.060: Utilities, to amend this standard to encourage electric utilities and make natural gas optional.

Hearing: January 18, 2022

Applicant: City of Hailey

Notice: Notice for the public hearing was published in the Idaho Mountain Express on December 10, 2021 and mailed to public agencies on December 10, 2021.

Background: City Planning Staff has identified the modernization of Hailey Municipal Code to meet sustainability standards as a priority for 2022 and moving forward. As such, Staff is proposing to amend Title 16: Subdivision Regulations, Chapter 16.05: Improvements Required, Section 16.05.060: Utilities, to remove the requirement of natural gas and to encourage electric utilities for this standard, making natural gas optional.

Using electricity instead of natural gas for utilities, such as heating systems, has become more common as recent research shows it to be a more environmentally friendly, energy efficient alternative that doesn’t produce greenhouse gas emissions or hazardous byproducts. Electrifying a home is also cost effective for homeowners, as they can avoid the volatility in fossil fuel prices and availability.

Within the Hailey Municipal Code, new subdivisions are required to install/construct all individual service connections, and all necessary trunk lines and/or conduit for natural gas. Staff recommends amending the code language to encourage the utilization of electric and make natural gas optional.

The following text amendment to Title 16: Subdivision Regulations, Chapter 16.05: Improvements Required, Section 16.05.060: Utilities could read as follows:

Chapter 16.05 Improvements Required

Section 16.05.060: Utilities

The developer shall construct each and every individual service connection and all necessary trunk lines and/or conduit for natural gas, electricity, telephone and cable television to the property line before placing base gravel for the street or alley, with the provision of natural gas being optional. The use of all electric utility service is preferred, as it is more aligned with the City’s clean energy goals.
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 proposed amendment is in accordance with the Comprehensive Plan and the following goals from the Comprehensive Plan are relevant to this text change:

   Section 1: Natural Resources, Energy, and Air Quality
   Goal 1.4: Promote Energy Conservation

   Section 9: Public Facilities, Utilities, and Services
   Goal 9.1: Plan for the long-term utilities, service and facility needs of the City while minimizing impacts to the greatest extent possible.

Electric utilities do not produce greenhouse gas emissions or hazardous byproducts, unlike natural gas. By amending the code language to encourage the utilization of electric and make natural gas optional, the City provides an environmentally friendly alternative to be utilized. This further supports and helps the city move toward their goals of 100% clean energy by 2045, as well as 100% clean electricity by 2035 (Resolution 2020-130).

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 amendments will not result in a change in allowed uses nor will they create excessive additional requirements at public cost for services. The amendment is intended to promote the use of electric utilities and make natural gas less common.

3. The proposed uses are compatible with the surrounding area; and
The proposed text amendments will not impact compatibility.

4. The proposed amendment will promote the public health, safety and general welfare.
The proposed amendments are consistent with the Hailey Comprehensive Plan, and they will not result in a change in allowed uses.

Motion Language:
Approval: Motion to recommend for approval by the Hailey City Council Ordinance No._______, an Ordinance amending the Hailey Municipal Code, Title 16: Subdivision Regulations, Chapter 16.05: Improvements Required, Section 16.05.060: Utilities, to amend the language to encourage the use of
electric utilities over natural gas, 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 a recommendation for approval by the Hailey City Council an Ordinance amending the Hailey Municipal Code, Title 16: Subdivision Regulations, Chapter 16.05: Improvements Required, Section 16.05.060: Utilities, to amend the language to encourage the use of electric utilities over natural gas, 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 ORDINANCE NO. __

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, AMENDING THE HAILEY MUNICIPAL CODE, TITLE 16: SUBDIVISION REGULATIONS, CHAPTER 16.05: IMPROVEMENTS REQUIRED, SECTION 16.05.060: UTILITIES, AMENDING THE STANDARD TO ENCOURAGE THE UTILIZATION OF ELECTRIC UTILITIES AND MAKE NATURAL GAS OPTIONAL; 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 Hailey City Council has found that the following addition to the Hailey Municipal Code, Title 16, conforms to the Hailey Comprehensive Plan; and

WHEREAS, the proposed additions will encourage the expansion of electric utilities in Hailey and reduce greenhouse gas emissions; and

WHEREAS, the Hailey City Council has determined that the above-mentioned amendments are appropriate amendments; and

WHEREAS, the text addition 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 16: Subdivision Regulations, is hereby amended by the addition of the underlined language, as follows:

Section 16.05.060 Utilities

The developer shall construct each and every individual service connection and all necessary trunk lines and/or conduit for natural gas, electricity, telephone and cable television to the property line before placing base gravel for the street or alley, with the provision of natural gas being optional. The use of all electric utility service is preferred, as it is more aligned with the City’s clean energy goals.

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 passage, approval, and publication according to law.
Return to Agenda
To: Hailey Planning and Zoning Commission
From: Paige Nied, Community Development Resiliency Planner / City Planner

Overview: Consideration of a City-initiated Text Amendment to the Hailey Municipal Code to Title 17: Zoning Regulations, Chapter 17.06: Design Review, Section 17.06.080: Design Standards, applicable to (A) Nonresidential, Mixed Family, Or Mixed-Use Building, 2. Building Design: to modernize the requirements for energy conservation in accordance with developments in energy saving technology, and to add a new standard regarding progress towards the City's clean energy goals.

Hearing: January 18, 2022

Applicant: City of Hailey

Notice: Notice for the public hearing was published in the Idaho Mountain Express on December 10, 2021 and mailed to public agencies on December 10, 2021.

Background: City Planning Staff has identified the modernization of Hailey Municipal Code to meet sustainability standards as a priority for 2022 and moving forward. As such, Staff is proposing to amend Title 17, Zoning Regulations, Chapter 17.06: Design Review, Section 17.06.080: Design Standards, to modernize the requirements for energy conservation in accordance with developments in energy saving technology, applicable to (A) nonresidential, mixed family, or mixed-use building, 2. Building Design.

A prescriptive list of energy conservation requirements was added to the Hailey Municipal Code in 2010, and since its introduction, certain techniques listed have become outdated. As energy conserving technology advances, the Hailey Municipal Code must be updated to reflect those changes. The current prescribed list of techniques applicants can utilize reads as follows:

**Energy Conservation**

A. Nonresidential, Multifamily Or Mixed Use Building
   2. Building Design
      i. All buildings shall minimize energy consumption by utilizing alternative energy sources, energy conserving measures, and/or passive solar techniques. At least three (3) of the following techniques, or an approved alternative, shall be used to improve energy cost savings and provide a more comfortable and healthy living space:

      (1) Solar Orientation: If there is a longer wall plane, it shall be placed on an east-west axis. A building's wall plane shall be oriented within thirty degrees (30°) of true south.
      (2) South Facing Windows with Eave Coverage: At least forty percent (40°) of the building's total glazing surface shall be oriented to the south, with roof overhang or awning coverage at the south.
      (3) Double Glazed: Double glazed windows.
(4) Low Emissivity Glazing: Windows with low emissivity glazing.
(5) Exterior Walls: Earth berming against exterior walls.
(6) Alternative Energy: Solar energy for electricity of water heating, wind energy or another approved alternative shall be installed on site.

As new energy conserving technology has emerged, and to take a more progressive stance in achieving a more energy efficient community, staff suggests updating the prescribed list to read as follows:

(1) Triple Glazed: Triple glazed windows.
   *Triple pane windows offer additional insulation, resulting in less heat escape and noise reduction.*

(2) Alternative Energy: Solar energy for electricity of water heating, wind energy or another approved alternative shall be installed on site.
   *This item will remain on list to encourage the expansion of renewable energy sources in the community.*

(3) Low Solar Heat Gain Coefficient Rating: Rating of 0.25 or less on west and unshaded south facing windows.
   *A solar heat gain coefficient rating of 0.25 or less results in efficient energy performance and lower A/C costs.*

(4) Energy Star Appliances: All appliances and heating/cooling equipment are Energy Star.
   *Energy Star appliances use less energy, therefore, reduces carbon footprint and lowers energy bills.*

(5) Window Shade: Shade south and west windows from summer sun, providing a sun study to show compliance
   *Window shading provides increased insulation and controls solar heat gain.*

(6) Passive Solar Design: Design of building to collect and distribute solar energy, including mass for thermal storage.
   *A cost effective and energy efficient solution for structures to utilize the sun’s energy for heating and cooling.*

(7) Blower Door Test: Result of three (3) or less air changes per hour.
   *Blower door tests determine the airtightness of a structure, resulting in efficient energy usage if the result is 3 or less.*

(8) Daylighting Analysis: Daylighting analysis and application.
   *Minimizes the amount of artificial light and reduces electricity costs.*

(9) Improvement of All Building Requirements: Improvement on all prescriptive building envelope requirements by ten percent (10%) above the International Energy Conservation Code.
   *Exceeding all IECC building envelope requirements by 10% will result in a more insulated, energy efficient structure (ex. Roof from R-49 to R-54, walls from R-22 to R-24.5, Windows from U-0.30 to 0.27).*

(10) Additional Energy Conserving Techniques proposed by Applicant and approved by Staff.
    *Applicant may propose alternative energy efficient solutions to allow for flexibility and creativity in compliance. New or emerging concepts cannot always be captured by code. This extra standard allows for innovation.*
Carbon Neutrality

With the prescribed list of energy conserving techniques, applicants may also propose additional solutions, as shown in item (10), that are not currently listed, and to be approved by staff for compliance with energy conserving requirements.

Staff finds the carbon neutrality of structures to be of equal importance to its energy conservation. A carbon neutral building refers to the reduction of greenhouse gas emissions at all stages including manufacturing, construction, and use. The emissions that do occur are offset using site design, elements, and building materials so the net carbon footprint is zero over time. Staff recommends the addition of a carbon neutral standard, which will be reflective of Hailey’s clean energy goals of 2045. To achieve compliance for a carbon neutral structure, applicants shall choose a number of items (quantity at this time unsure) from a prescribed list of site design features and exterior building materials / site elements which could read as follows:

- **Carbon Neutral Site Design:**
  1. Dedication of parking spaces closest to building for electric vehicles. *To encourage the expansion of the electric vehicle market in Hailey.*
  2. Provide electric vehicle chargers in parking area. *To close the charging gap for electric vehicles. Alternately, this standard can be modified to say, “provide additional amount of EV chargers if the City adopts such regulations for all developments.”*
  3. Space allocation for gardens and composting. *To encourage locally sourced foods and to reduce food waste.*
  4. Plant list only incorporating plants and trees that were grown in Idaho nurseries. *To reduce locally sourced foods and to reduce community water usage.*
  5. Use of turf instead of grass in all locations. *To reduce community water usage.*
  6. Asphalt paving in parking lots, driveways, and/or subdivision streets be broken up and accented with lightly colored pervious pavers and/or concrete. *Pervious pavers help return water back into the earth and prevent water runoff.*
  7. Driveways be of lightly colored concrete pervious pavers. *Pervious pavers help return water back into the earth and prevent water runoff.*
  8. For projects with parking lots of 20+ parking spaces, the ends of each row of parking terminate with landscaping islands a minimum of 9’ wide with a minimum of one 2” caliper deciduous shade tree per row. Two 2” caliper if it’s a double loaded parking configuration. *The incorporation of additional landscaping creates a greener city.*

- **Carbon Neutral Exterior Building Materials / Site Elements:**
  1. Use of materials that are sourced and/or manufactured in Idaho or neighboring states. *Reduce transportation-related emissions.*
  2. Use of materials that are of a renewable resource with equal or increased functionality. *Alternative building materials are environmentally friendly which create healthier living environments.*
  3. Use of lightly colored materials for all roofs and membrane roofs. *Light colors reflect sunlight which keep buildings cooler during summer months, reducing electricity bills.*
  4. Incorporate a rooftop garden.
Encourages locally sourced food.

(5) Operable windows in lieu of fixed (for commercial buildings)

*Operable windows include a high-performance thermal system that greatly improves energy efficiency.*

**Sustainable Performance Based Approach**

In addition to the prescriptive list of measures applicants can utilize, staff suggests the introduction of performance-based energy conservation standards. Performance standards can be understood as an approved performance threshold that must be met to be appraised as an energy efficient building. Performative measures set standards based upon a building’s actual energy use, rather than on compliance with stipulated technology or design features. The performance-based approach allows for flexibility and innovation in compliance with energy conservation requirements. If an applicant decides to utilize the performance-based approach, code shall require the submittal of a preliminary compliance report. The performance standard list could read as follows:

1. Applicant must meet energy conservation requirements of ten percent (10%) above the International Energy Conservation Code, verifiable with REScheck, COMcheck, or Resnet Home Energy Rating System (HERS).
2. Energy Star Certification, verifiable with draft certification checklist.

By modernizing the existing energy conservation prescriptive list, as well as the addition of performance-based measures to the code, staff strives to offer applicants a diverse selection of energy conserving techniques for the construction of new buildings in the community. Staff suggests amending Section 17.06.080(A), updating the prescriptive list of energy conservation techniques, adding a carbon neutrality prescriptive list, and including a performance-based standard, which could read as follows:

Section 17.06.080: Design Standards

B. Nonresidential, Multifamily Or Mixed Use Building

3. Building Design
   i. All buildings shall minimize energy consumption by utilizing alternative energy sources, energy conserving measures, and/or passive solar techniques. At least three (3) of the following techniques, or an approved alternative, shall be used to improve energy cost savings and provide a more comfortable and healthy living space:

   **Solar Orientation:** If there is a long wall plane, it shall be placed on an east-west axis. A building’s wall plane shall be oriented within thirty degrees (30°) of true south.
   **South Facing Windows With Eave Coverage:** At least forty percent (40%) of the building’s total glazing surface shall be oriented to the south, with roof overhang or awning coverage at the south.

   1. **Double Triple Glazed:** Double Triple glazed windows.
   2. **Low Emissivity Glazing:** Windows with low emissivity glazing.
   3. **Exterior Walls:** Earth berming against exterior walls.
(2) **Alternative Energy**: Solar energy for electricity of water heating, wind energy or another approved alternative shall be installed on site.

(3) **Low Solar Heat Gain Coefficient Rating**: Rating of 0.25 or less on west and unshaded south facing windows.

(4) **Energy Star Appliances**: All appliances and heating/cooling equipment are Energy Star.

(5) **Window Shade**: Shade south and west windows from summer sun, providing a sun study to show compliance

(6) **Passive Solar Design**: Design of building to collect and distribute solar energy, including mass for thermal storage.

(7) **Blower Door Test**: Result of three (3) or less air changes per hour.

(8) **Daylighting Analysis**: Daylighting analysis and application.

(9) **Improvement of All Building Requirements**: Improvement on all prescriptive building envelope requirements by ten percent (10%) above the International Energy Conservation Code.

(10) **Additional Energy Conserving Techniques proposed by Applicant and approved by Staff.**

Applicants may also choose to utilize the following carbon neutral prescriptive list of site design or exterior building materials/site elements to be compliant with code:

**Carbon Neutral Site Design:**

1. Dedication of parking spaces closest to building for electric vehicles.
2. Provide electric vehicle charges in parking area.
3. Space allocation for gardens and composting.
4. Plant list only incorporating plants and trees that were grown in Idaho nurseries.
5. Use of turf instead of grass in all locations.
6. Asphalt paving in parking lots, driveways, and/or subdivision streets be broken up and accented with lightly colored pervious pavers and/or concrete.
7. Driveways be of lightly colored concrete pervious pavers.
8. For projects with parking lots of 20+ parking spaces, the ends of each row of parking terminate with landscaping islands a minimum of 9’ wide with a minimum of one 2” caliper deciduous shade tree per row. Two 2” caliper if it’s a double loaded parking configuration.

**Carbon Neutral Exterior Building Materials / Site Elements:**

1. Use of materials that are sourced and/or manufactured in Idaho or neighboring states
2. Use of materials that are of a renewable resource with equal or increased functionality
3. Use of lightly colored materials for all roofs and membrane roofs
4. Rooftop garden
5. Operable windows in lieu of fixed (for commercial buildings)

**OR**

Performance-based standards shall be utilized to improve energy efficiency, in conjunction with the submittal of a preliminary compliance report. One (1) of the following performance standards, or an approved alternative, shall be used to improve energy cost savings and provide a more comfortable and healthy living space:
1. **Applicant must meet energy conservation requirements ten percent (10%) above the International Energy Conservation Code, verifiable with REScheck, COMcheck, or Resnet Home Energy Rating System (HERS).**

2. **Energy Star Certification, verifiable with draft certification checklist.**

3. **National Green Building Standard Bronze, verifiable with draft certification checklist.**

4. **Leadership in Energy and Environmental Design (LEED) Certified, verifiable with draft certification checklist.**

**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 proposed amendment is in accordance with the Comprehensive Plan and the following goals from the Comprehensive Plan are relevant to this text change:

   - **Section 1: Natural Resources, Energy, and Air Quality**
     - **Goal 1.4: Promote Energy Conservation**
   
   - **Section 9: Public Facilities, Utilities, and Services**
     - **Goal 9.1: Plan for the long-term utilities, service and facility needs of the City while minimizing impacts to the greatest extent possible.**

   Energy efficient buildings offer energy cost saving opportunities, air quality improvement, and greenhouse gas emission reduction in the community. By diversifying the energy conservation requirements, the city allows for flexibility and innovation in compliance with energy conservation requirements.

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 amendments will not result in a change in allowed uses nor will they create excessive additional requirements at public cost for services. The amendments are intended to update and diversify energy conservation techniques.

3. **The proposed uses are compatible with the surrounding area; and**
   
The proposed text amendments will not impact compatibility.

4. **The proposed amendment will promote the public health, safety and general welfare.**
The proposed amendments are consistent with the Hailey Comprehensive Plan, and they will not result in a change in allowed uses.

**Motion Language:**

**Approval:** Motion to recommend for approval by the Hailey City Council Ordinance No._______, an Ordinance amending the Hailey Municipal Code, Title 17: Zoning Regulations, Chapter 17.06: Design Review, Section 17.06.080: Design Standards, applicable to (A) Nonresidential, Mixed Family, Or Mixed-Use Building, 2. Building Design: to modernize the requirements for energy conservation in accordance with developments in energy saving technology, 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 a recommendation for approval by the Hailey City Council an Ordinance amending the Hailey Municipal Code, Title 17: Zoning Regulations, Chapter 17.06: Design Review, Section 17.06.080: Design Standards, applicable to (A) Nonresidential, Mixed Family, Or Mixed-Use Building, 2. Building Design: to modernize the requirements for energy conservation in accordance with developments in energy saving technology, 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 ORDINANCE NO. __

AN ORDINANCE OF THE CITY OF HAILEY, IDAHO, AMENDING THE HAILEY MUNICIPAL CODE, TITLE 17: ZONING REGULATIONS, CHAPTER 17.06: DESIGN REVIEW, SECTION 17.06.080(A): DESIGN STANDARDS, 2. BUILDING DESIGN (I), TO MODERNIZE THE PRESCRIPTIVE REQUIREMENTS FOR ENERGY CONSERVATION IN ACCORDANCE WITH DEVELOPMENTS IN ENERGY SAVING TECHNOLOGY, TO ADD A CARBON NEUTRALITY PERSCRIPITIVE LIST, AND TO ADD PERFORMANCE STANDARDS TO OFFER A DIVERSE SELECTION OF ENERGY CONSERVING TECHNIQUES; 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 Hailey City Council has found that the following addition to the Hailey Municipal Code, Title 17, conforms to the Hailey Comprehensive Plan; and

WHEREAS, the proposed additions will allow for flexibility and innovation in compliance with energy conservation requirements; and

WHEREAS, the Hailey City Council has determined that the above-mentioned amendments are appropriate amendments; and

WHEREAS, the text addition 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: Zoning Regulations, is hereby modified by the addition of the underlined language, as follows:

Section 17.06.080: Design Standards

A. Nonresidential, Multifamily or Mixed Use Building

2. Building Design

i. All buildings shall minimize energy consumption by utilizing alternative energy sources, energy conserving measures, and/or passive solar techniques. At least three (3) of the following techniques, or an approved alternative, shall be used to improve energy cost savings and provide a more comfortable and healthy living space:

   Solar Orientation: If there is a long wall plane, it shall be placed on an east-west axis. A building’s wall plane shall be oriented within thirty degrees (30°) of true south.

   South Facing Windows With Eave Coverage: At least forty percent (40%) of the building’s total glazing surface shall be oriented to the south, with roof overhang or awning coverage at the south.

1) Double Triple Glazed: Double Triple glazed windows.
Low Emissivity Glazing: Windows with low emissivity glazing.

Exterior Walls: Earth bermsing against exterior walls.

2) Alternative Energy: Solar energy for electricity of water heating, wind energy or another approved alternative shall be installed on site.

3) Low Solar Heat Gain Coefficient Rating: Rating of 0.25 or less on west and unshaded south facing windows.

4) Energy Star Appliances: All appliances and heating/cooling equipment are Energy Star.

5) Window Shade: Shade south and west windows from summer sun, providing a sun study to show compliance.

6) Passive Solar Design: Design of building to collect and distribute solar energy, including mass for thermal storage.

7) Blower Door Test: Result of three (3) or less air changes per hour.

8) Daylighting Analysis: Daylighting analysis and application.

9) Improvement of All Building Requirements: Improvement on all prescriptive building envelope requirements by ten percent (10%) above the International Energy Conservation Code.

10) Additional Energy Conserving Techniques proposed by Applicant and approved by Staff.

Applicants may also choose to utilize the following carbon neutral prescriptive list of site design or exterior building materials/site elements to be compliant with code:

Carbon Neutral Site Design:

1) Dedication of parking spaces closest to building for electric vehicles.

2) Provide electric vehicle charges in parking area.

3) Space allocation for gardens and composting.

4) Plant list only incorporating plants and trees that were grown in Idaho nurseries.

5) Use of turf instead of grass in all locations.

6) Asphalt paving in parking lots, driveways, and/or subdivision streets be broken up and accented with lightly colored pervious pavers and/or concrete.

7) Driveways be of lightly colored concrete pervious pavers.

8) For projects with parking lots of 20+ parking spaces, the ends of each row of parking terminate with landscaping islands a minimum of 9’ wide with a minimum of one 2” caliper deciduous shade tree per row. Two 2” caliper if it’s a double loaded parking configuration.

Carbon Neutral Exterior Building Materials / Site Elements:

1) Use of materials that are sourced and/or manufactured in Idaho or neighboring states

2) Use of materials that are of a renewable resource with equal or increased functionality

3) Use of lightly colored materials for all roofs and membrane roofs

4) Rooftop garden

5) Operable windows in lieu of fixed (for commercial buildings)

OR

Performance-based standards shall be utilized to improve energy efficiency, in conjunction with the submittal of a preliminary compliance report. One (1) of the following performance
standards, or an approved alternative, shall be used to improve energy cost savings and provide a more comfortable and healthy living space:

1) Applicant must meet energy conservation requirements ten percent (10%) above the International Energy Conservation Code, verifiable with REScheck, COMcheck, or Resnet Home Energy Rating System (HERS).
2) Energy Star Certification, verifiable with draft certification checklist.
3) National Green Building Standard Bronze, verifiable with draft certification checklist.
4) Leadership in Energy and Environmental Design (LEED) Certified, verifiable with draft certification checklist.

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 passage, approval, and publication according to law.

PASSED AND ADOPTED BY THE HAILEY CITY COUNCIL AND APPROVED BY THE MAYOR THIS __ DAY OF _____________________, 2022.

____________________________
Martha Burke, Mayor, City of Hailey

Attest:

____________________________
Mary Cone, City Clerk
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